

AGENDA

Meeting Type:	B
Date:	09-20-1982

City of Charlotte, City Clerk's Office

Charlotte

Public Service & Information Department
City Hall, 600 E Trade Street
Charlotte North Carolina 28202
704/374 2395

Meetings in September '82

SEPTEMBER 1 - SEPTEMBER 4

- 1 Wednesday, 7 30 a m AD HOC COMMITTEE ON PLANNING/PLANNING COMMISSION - Cameron-Brown Building, First Floor Conference Room
- Wednesday, 8 30 a m CIVIL SERVICE BOARD - City Hall, Third Floor Conference Room
- Wednesday, 9 00 a m CIVIL SERVICE BOARD/Hearing - City Hall, Council Chamber
- 2 Thursday, 4 00 p m SITE PLAN REVIEW COMMITTEE/PLANNING COMMISSION - Cameron-Brown Building, First Floor Conference Room

THE WEEK OF SEPTEMBER 5 - SEPTEMBER 11

- 6 Monday LABOR DAY HOLIDAY - All City Offices Closed
- 7 Tuesday, 7 30 p m. PLANNING COMMISSION - Cameron-Brown Building, First Floor Conference Room
- 8 Wednesday, 4 30 p m POLICE COMMUNITY RELATIONS AWARDS TASK FORCE/COMMUNITY RELATIONS COMMITTEE - Community Relations Conference Room, 623 E Trade Street
- Wednesday, 7 30 p m HISTORIC PROPERTIES COMMISSION - City Hall, Second Floor Conference Room

THE WEEK OF SEPTEMBER 12 - SEPTEMBER 18

- 13 Monday, 11 00 a m AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY - Civic Center Conference Room
- Monday, 12 Noon PLANNING COMMISSION (Work Session) - Cameron-Brown Building, First Floor Conference Room
- Monday, 2 00 p m CITIZENS HEARING - City Hall, Council Chamber
- Monday, 3 00 p m CITY COUNCIL MEETING - City Hall, Council Chamber
- 14 Tuesday, 9 00 a m HISTORIC DISTRICT COMMISSION - Edwin Towers, First Floor Conference Room
- Tuesday, 12 Noon AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Airport Conference Room
- 15 Wednesday, 8 30 a m. CIVIL SERVICE BOARD - City Hall, Third Floor Conference Room
- Wednesday, 4 00 p m EMPLOYMENT & TRAINING ADVISORY COUNCIL - Belmont Regional Center, 700 Parkwood Avenue
- Wednesday, 7 30 p m METROPOLITAN PLANNING ORGANIZATION - Cameron-Brown Building, First Floor Conference Room
- 16 Thursday, 3 00 p m ADVISORY ENERGY COMMISSION - City Hall, Third Floor Conference Room

(Continued on other side)

THE WEEK OF SEPTEMBER 19 - SEPTEMBER 25	
PRIVATE INDUSTRY COUNCIL - Chamber of Commerce, 129 West Trade Street	Monday, 12 Noon
CITY COUNCIL MEETING/Zoning Hearings - Education Center, Board Room	Monday, 6 00 p m
FESTIVAL IN THE PARK - Freedom Park	Tuesday-Sunday
INSURANCE & RISK MANAGEMENT AGENCY - Cameron-Brown Building, Sixth Floor Conference Room, Finance Department	Tuesday, 12 Noon
HOUSING AUTHORITY - Belvedere Homes, 132 Judson Street	Tuesday, 2 00 p m
COMMUNITY FACILITIES COMMITTEE - Utility Department Conference Room, 5100 Brookshire Boulevard	Tuesday, 3 00 p.m
CHARLOTTE TREE COMMISSION - Park Operations Conference Room, 701 Tuckaseegee Rd	Wednesday, 7 30 p m
COMMUNITY RELATIONS COMMITTEE - Covenant Presbyterian Church, 1000 East Morehead Street	Wednesday, 4 30 p.m
CLEAN CITY COMMITTEE - Cameron-Brown Building, Fifth Floor Conference Room	Thursday, 8 30 a.m
PLANNING COMMISSION (Park Road Small Area Plan) - Park Road Elementary School, 3701 Haven Drive	Thursday, 7 30 p.m
----- SEPTEMBER 26 - SEPTEMBER 30 -----	
CITIZENS HEARING - City Hall, Council Chamber	Monday, 2 00 p.m
CITY COUNCIL MEETING - City Hall, Council Chamber	Monday, 3 00 p.m.
SPECIALIZED TRANSPORTATION ADVISORY COMMITTEE - City Hall, Third Floor Conference Room	Monday, 7 30 p m.
ZONING BOARD OF ADJUSTMENT - City Hall, Council Chamber	Tuesday, 3 00 p m
MUNICIPAL INFORMATION ADVISORY BOARD - Cameron-Brown Building, Third Floor Conference Room	Tuesday, 4 00 p m.
CIVIL SERVICE BOARD/Hearing - City Hall, Council Chamber	Wednesday, 9 00 a m

Charlotte

IN MEETING ON MONDAY, SEPTEMBER 20, 1982

5:00 p.m. - COUNCIL/PLANNING COMMISSION
Refreshments - Rooms 237-38

6:00 p.m. - ZONING HEARINGS
Board Room
Education Center

ITEM NO.

1. Invocation.

PUBLIC HEARINGS

2. Hearing on Petition No. 82-45 by John Simpson for a change in zoning from B-1 to B-2(CD) for a .325 acre site fronting 205± feet on the southerly side of Shamrock Drive, approximately 153 feet east of the intersection of Shamrock Drive and Florida Avenue.

A protest petition has been filed and found sufficient to invoke the 3/4 Rule requiring nine affirmative votes of the Mayor and City Council in order to rezone the property.

Attachment No. 1.

council agenda

Mayor Eddie Knox

Mayor Pro Tem Harvey B Gantt

Dave Berryhill
Charlie S Dannelly
Laura Page Frech

Ron Leeper
Ralph Reiss McMillan
Pamella G Patterson
Edwin B Peacock, Jr

George K Selden Jr
Herbert Spaugh Jr
Minette Conrad Trosch



3. Hearing on Petition No. 82-57 by John and Catherine T. Adams for a change in zoning from R-6MF to I-1 for a 1.06 acre tract located to the rear of property at the 500 Block of West Tremont Street.

Attachment No. 1.
4. Hearing on Petition No. 82-58 by Louise H. Bagwell for a change in zoning from R-6 to O-6 for a .173 acre site fronting 60 feet on the easterly side of Morningside Drive, approximately 200 feet north of the intersection of Central Avenue and Morningside Drive.

Attachment No. 1.
5. Hearing on Petition No. 82-59 by the Good Shepherd Lutheran Church, Inc., for a change in zoning from R-9MF to O-15(CD) for a 2.196 acre site fronting 440 feet on the northerly side of Albemarle Road, approximately 565 feet east of the intersection of North Sharon Amity Road and Albemarle Road.

Attachment No. 1.
6. Hearing on Petition No. 82-60 by Omera B. Hayes for a change in zoning from R-6 to B-1 for a .160 acre site fronting 50 feet on Beatties Ford Road, approximately 155 feet north of the intersection of Estelle Street and Beatties Ford Road.

Attachment No. 1.
7. Hearing on Petition No. 82-61 by the John Crosland Company for a change in zoning from I-1 to R-12MF for a 5.074 acre site fronting 354 feet on the north side of Covedale Drive, approximately 250 feet west of the intersection of Old Monroe Road and Covedale Drive.

Attachment No. 1.
8. Hearing on Petition No. 82-62 by the Mecklenburg Baptist Associational Board, Inc., for a change in zoning from R-PUD to R-15 for a 3.2 acre site fronting 584.03 feet on the west side of Providence Road, approximately 300 feet south of the intersection of Cedar Croft Drive and Providence Road.

Attachment No. 1.

9. Hearing on Petition No. 82-63 by Philip Thomas for a change in zoning from R-6 to R-9MF(CD) for a .270 acre site fronting 78.31 feet on Dilworth Road East, approximately 167 feet south from East Boulevard.

Attachment No. 1.

10. Hearing on Petition No. 82-64 by the Great Southeast Corporation for a change in zoning from UR-2 to UR-C for a .809 acre site fronting 196.5 feet on North Graham Street at West 8th Street.

Attachment No. 1.

11. Hearing on petition by the Charlotte-Mecklenburg Planning Commission to consider a change in the Subdivision Ordinance to provide for the definition of freeways and the authority to protect rights-of-way of such freeways, as well as other certain roads identified by City Council, which are not specifically identified as freeways.

Attachment No. 1.

12. Hearing to consider designation of property known as the "John Hunter House", interior and exterior, and a portion of the land associated therewith, located at 5607 Sardis Road, as historic property.

The Charlotte-Mecklenburg Historic Properties Commission has proposed the designation.

The Historic Properties Commission bases its judgement on the following considerations:

- 1) The house, erected in 1869, is a well-preserved example of a vernacular Creek Revival farmhouse and is one of the few remnants of the built environment of the old Sardis Township; and
- 2) The house was erected for Reverend John Hunter, a prominent and long-time pastor of Sardis A. R. P. Presbyterian Church, now Sardis Presbyterian Church.

Based on the current assessment and tax rate, the amount of taxes deferrable on the property would be \$288.86. Mr. and Mrs. James P. Hammond, the current owners, are supportive of the historic designation.

(Continued)

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The Department Review Process revealed one major point of conflict - the amount of the right-of-way needed for the Sardis Road widening. The alignment shows a larger amount of right-of-way than is described in the attached draft ordinance. At the present time (September 3, 1982), the City is in the process of negotiating right-of-way acquisition with the property owner.

Recommend adoption of an ordinance designating the property known as the "John Hunter House", interior and exterior, and a portion of the land associated therewith, located at 5607 Sardis Road, as historic property.

Attachment No. 2.

13. Hearing to consider designation of the property known as the "William Lee House", interior and exterior, and the land associated therewith, located at 5520 Sharonview Road, as historic property.

The Charlotte-Mecklenburg Historic Properties Commission has proposed the designation, and the North Carolina Division of Archives and History concur in the proposal.

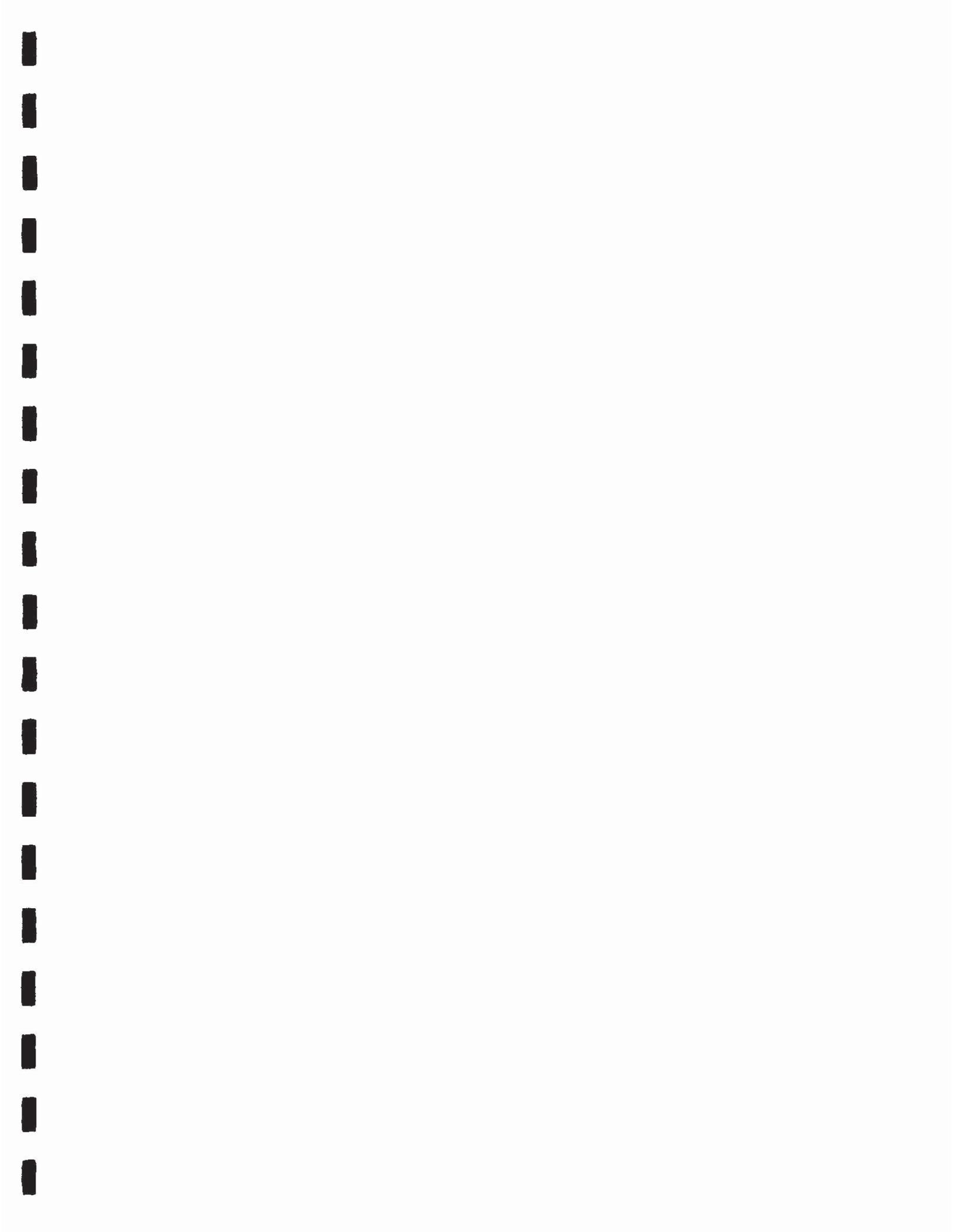
The Historic Properties Commission bases its judgement on the following considerations:

- 1) The house was built in 1828 and is one of the older plantation houses in Mecklenburg County and the only extant older plantation house in Mecklenburg County;
- 2) Members of the same family resided in the house from 1828 until 1956; and
- 3) The house represents a rare remnant of ante-bellum society in the Sharon Community of Mecklenburg County.

Based on the current assessment and tax rate, the amount of taxes deferrable on the property would be \$119.11. Mr. Eric C. Clark, the current owner, is supportive of the historic designation.

The Department Review Process revealed only one possible conflict between historic designation and City projects. Additional right-of-way may be needed for Sharon View Road with adoption of the Street Classification Study.

(Continued)



Recommend adoption of an ordinance designating the property known as the "William Lee House", interior and exterior, and the land associated therewith, located at 5520 Sharonview Road, as historic property.

Attachment No. 3.

POLICY AGENDA

14. Decision on Petition No. 82-44 by Galaxy Homes, Inc., for a change in zoning from R-20MF to R-12MF(CD) for a 10.06 acre tract located at the terminus of Rolling Hill Road, just west of Lake Forest Drive.

A protest petition has been filed and found sufficient to invoke the 3/4 Rule requiring nine affirmative votes of the Mayor and City Council in order to rezone the property.

The Planning Commission recommends the petition be approved.

Attachment No. 4.

15. Decision on Petition No. 82-46 by Maggie S. Thomas for a change in zoning from R-6MF to B-1(CD) for a 1.29 acre site fronting 140 feet on the southerly side of Central Avenue, approximately 70 feet west of the intersection of Central Avenue and Winterfield Place.

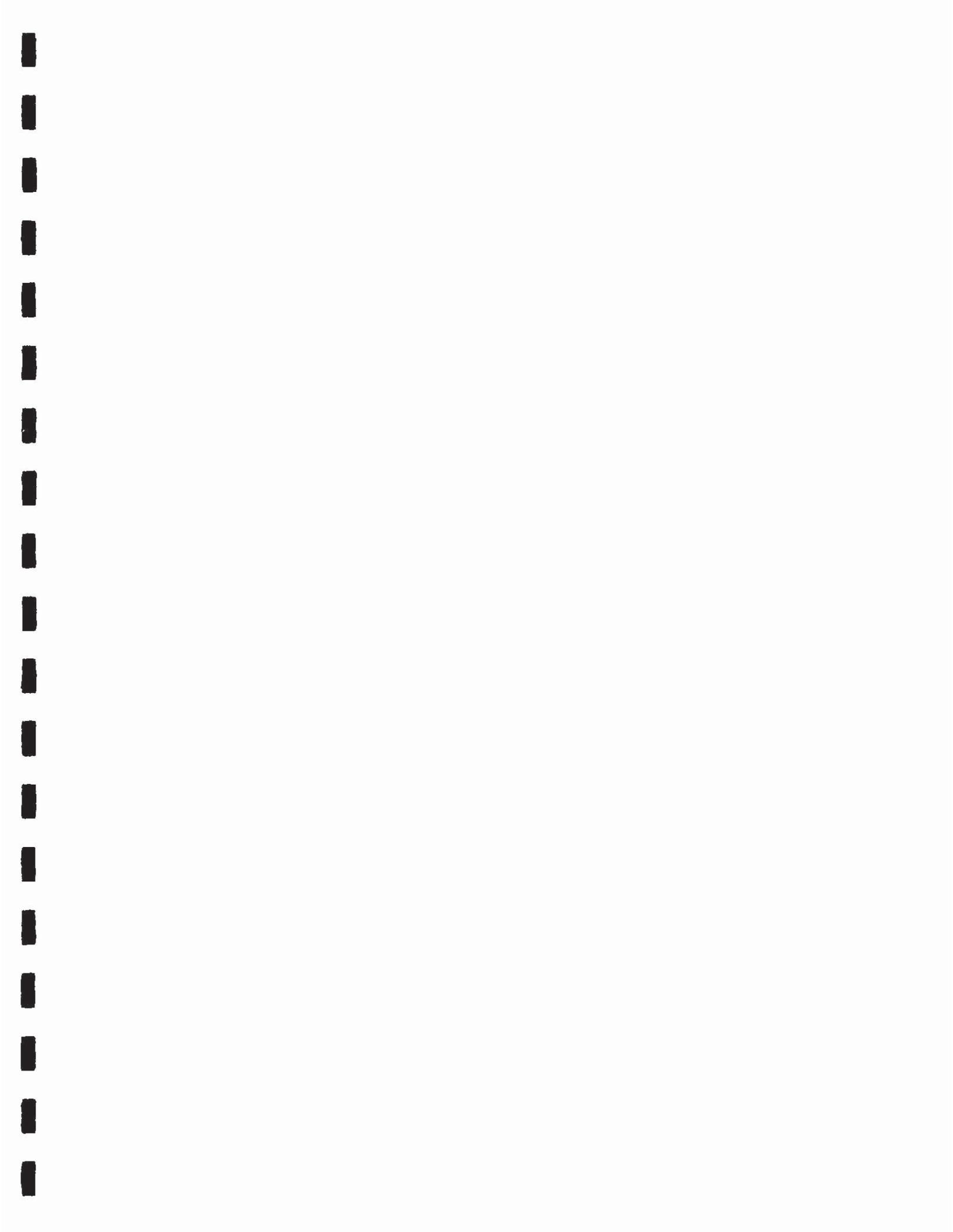
The Planning Commission recommends the petition be denied.

Attachment No. 4.

16. Decision on Petition No. 82-47 by Pedro's Mexican Food, Inc., for a change in zoning from O-6 to B-1(CD) for a 2.27 acre site fronting 300.82 feet on the southerly side of Margaret Wallace Road, approximately 429 feet east of the intersection of Margaret Wallace Road with Independence Boulevard.

The Planning Commission recommends the petition be denied.

Attachment No. 4.



17. Decision on Petition No. 81-48 by Grand Cafe, Inc., for a change in zoning from O-6 to B-1(CD) for a small triangular shaped parcel located about 230 feet east of Providence Road between Fenton Place and Altondale Avenue.

A protest petition has been filed and found sufficient to invoke the 3/4 Rule requiring nine affirmative votes of the Mayor and City Council in order to rezone the property.

The Planning Commission recommends the petition be approved.

Attachment No. 4.

18. Decision on Petition No. 82-39 by Public Storage, Inc., for a change in zoning from B-2 to B-C(CD) for a 1.6 acre tract on the northerly side of Albemarle Road, approximately 210 feet east of the intersection at Albemarle Road and Jenkins Drive.

The Planning Commission recommends the petition be denied.

Attachment No. 4.

19. Decision on Petition No. 82-48 by El Villa, Ltd., for a change in zoning from O-6 to O-6(CD) and a site plan amendment for .49 acres located on the southerly side of Fenton Place.

A protest petition has been filed and found sufficient to invoke the 3/4 Rule requiring nine affirmative votes of the Mayor and City Council in order to rezone the property.

The Planning Commission recommends the petition be approved with the addition of one minor, clarifying condition which clarifies that the residential structure to be constructed on the vacant lot will have its own parking and such parking cannot be used in connection with adjacent properties.

Attachment No. 4.

20. Decision on Petition No. 82-52 by Z. L. Black and Edward Lee Black for a change in zoning from R-6MF to B-1 for a 1.19 acre tract located on the southerly side of Central Avenue, approximately 209 feet west of Winterfield Place.

The Planning Commission recommends the petition be denied.

Attachment No. 4.

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21. Decision on Petition No. 82-54 by John Crosland Realty Company for a change in zoning from I-1 to I-2 for a 2.5 acre site located to the rear of property fronting on the northerly side of Starita Road, approximately 500 feet northeast of the intersection of Starita Road and Irwin Creek.

The Planning Commission recommends the petition be approved.

Attachment No. 4.

22. Decision on Petition No. 82-55 by Grady and Grace Query for a change in zoning from R-6MF to O-6 for a .854 acre tract located at the southeast corner of Central Avenue and Cyrus Drive.

The Planning Commission recommends the petition be denied.

Attachment No. 4.

23. Recommend adoption of resolutions providing for public hearings on Monday, October 18, 1982, 6:00 p.m., in the Board Room of the Education Center, as follows:

(a) Resolution providing for public hearings on Petition No. 82-25 (the UDC-V Urban Development Center - Village Amendment), and Petition Nos. 82-65 through 82-68.

(b) Resolution providing for a public hearing to consider a change in the Subdivision Ordinance.

Attachment No. 5.

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SCHEDULE OF MEETINGS
SEPTEMBER 20 through SEPTEMBER 24

Monday, September 20	City Council/Planning Commission	5 00 p.m.
	Refreshments Rooms 237-38 - Education Center	
	City Council/Planning	6 00 p m.
	Zoning Hearings & Decisions Board Room - Fourth Floor Education Center	



**CHARLOTTE-MECKLENBURG
PLANNING COMMISSION**

INTER-OFFICE COMMUNICATION

DATE. August 13, 1982

Robert G. Young

TO: Charlotte-Mecklenburg Planning
Commission

FROM: Robert G. Young
Zoning Hearing Supervisor

SUBJECT: Zoning Requests to be Heard on September 20, 1982

Attached you will find maps showing the location of property to be considered for rezoning at public hearing on September 20, 1982 at 6:00 o'clock P. M. in the Education Center, 701 East Second Street. These maps are being sent in order to help you locate the property if you desire to make a personal inspection of the site. A public notice sign will be in place at the locations to assist you in identifying the correct property.

RGY:oj

Attachments

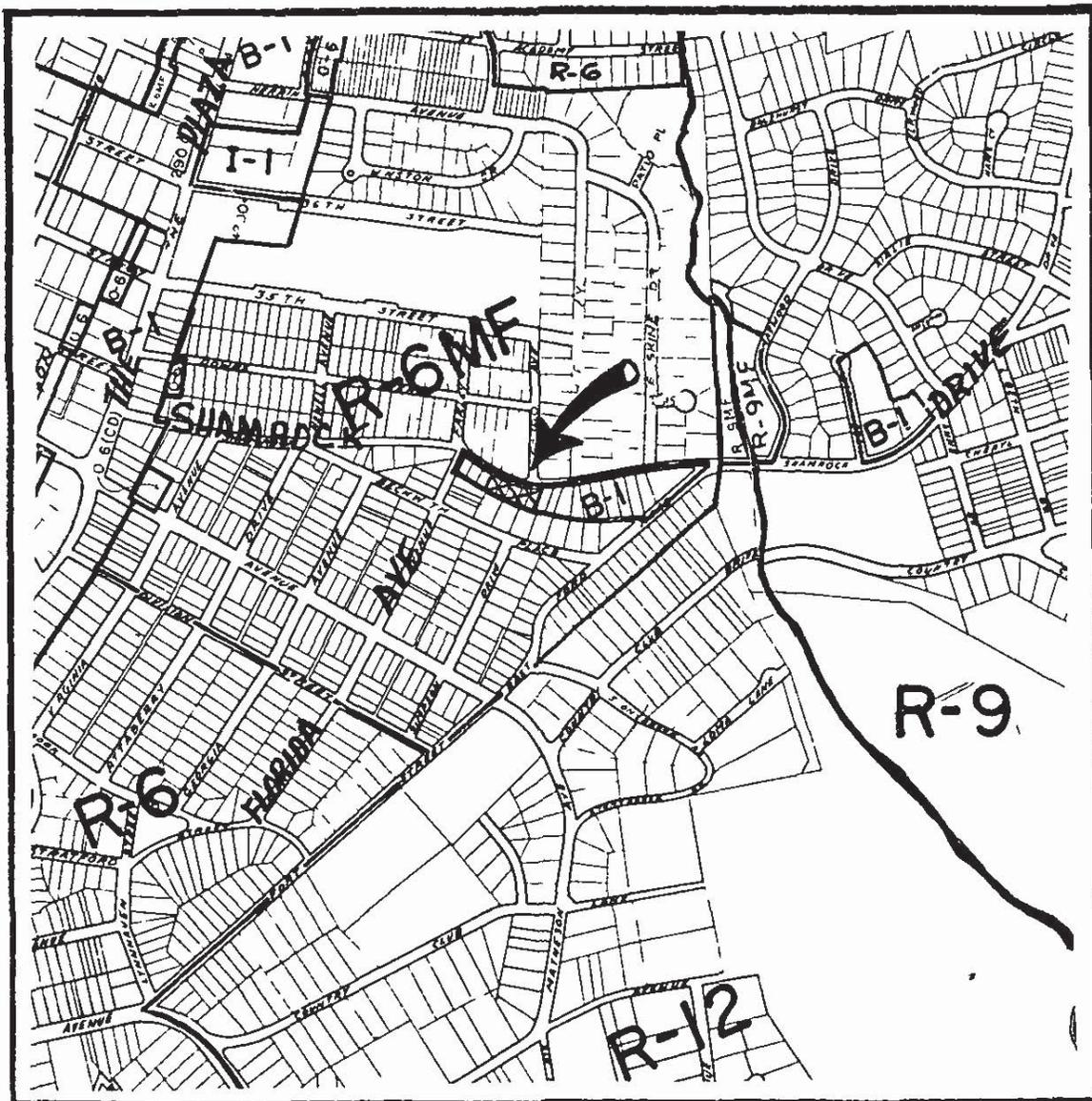
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PETITIONER John Simpson

PETITION NO. 82-45 HEARING DATE 9/20/82

ZONING CLASSIFICATION, EXISTING B-1 REQUESTED B-2(CD)

LOCATION A .325 acre site fronting 205⁺ feet on the southerly side of Shamrock Drive approximately 153 feet east of the intersection of Shamrock Drive and Florida Avenue.



ZONING MAP NO. 6

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Petition No	82-95
Date Filed	June 3, 1982
Received By	S. D. Watkins
OFFICE USE ONLY	

Ownership Information

Property Owner FRANK FORREST
Owner's Address Rte # 1 - Box 137-A
WAXHAW, N.C. 28173
Date Property Acquired Section map 1773
Deed Reference 2440-3c
Tax Parcel Number 09310312

Location Of Property (address or description)

1800 Blountville Ave.
Size (Sq Ft - Acres) 0.325
Current Land Use Residential
Street Frontage (ft) 200 ft

Zoning Request

Existing Zoning R-1
Requested Zoning B-2 (co)
Purpose of zoning change To operate a repair garage

Name of Agent _____
Agent's Address _____
Telephone Number _____

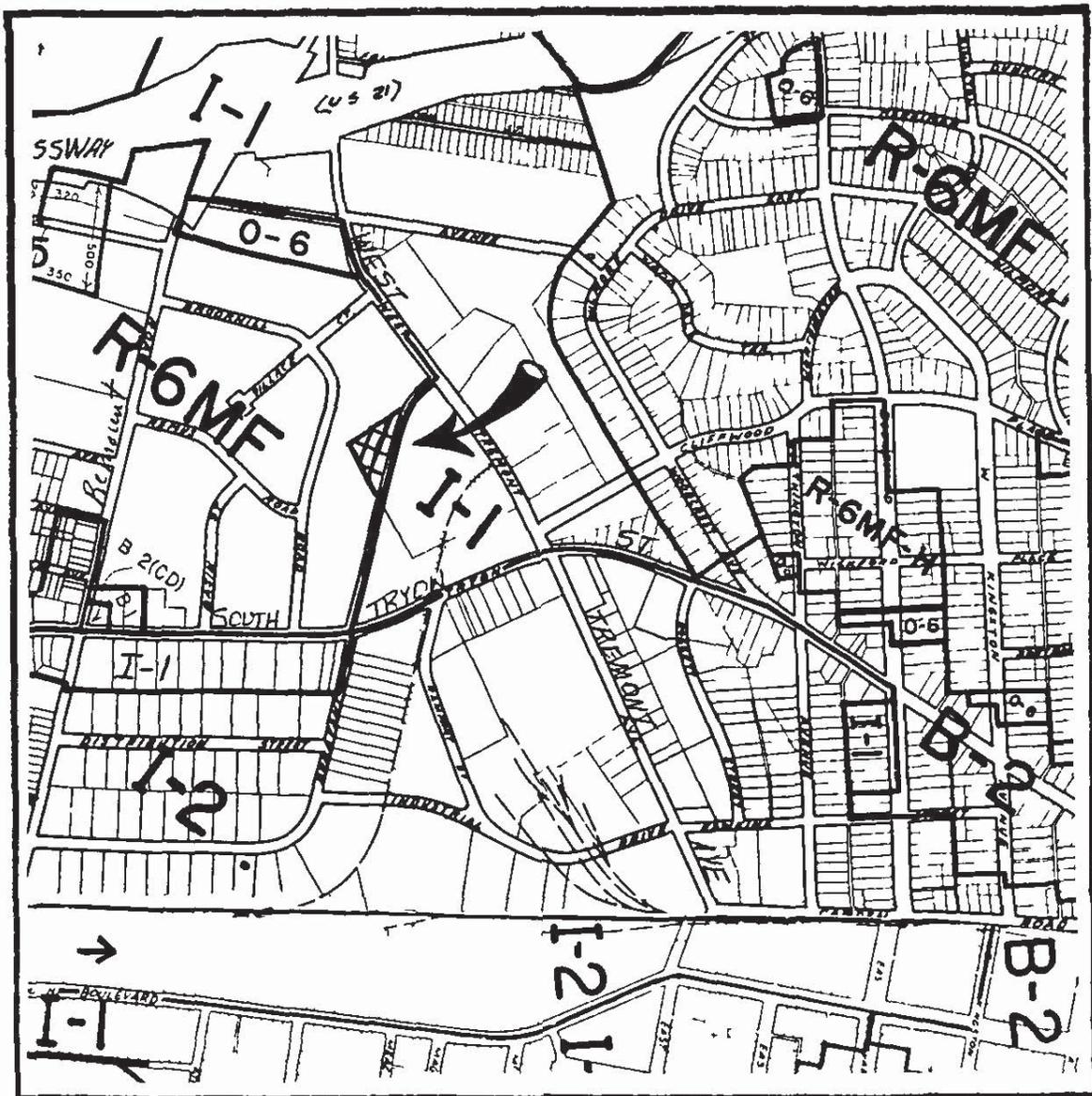
John S. M'Ferson
Name of Petitioner(s)
1800 Shamrock Dr
Address of Petitioner(s)
335-0592
Telephone Number
John S. M'Ferson
Signature
John S. M'Ferson
Signature of Property Owner if Other Than Petitioner

PETITIONER John Adams and wife, Catherine T. Adams

PETITION NO. 82-57 HEARING DATE 9/20/82

ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED I-1

LOCATION A 1.06 acre tract located to the rear of property at the
500 Block of West Tremont.



ZONING MAP NO. 2

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Ownership Information

Property Owner John Adams, Jr. and wife, Catherine T. Adams
Owner's Address 510 W. Tremont Avenue, Charlotte, NC 28203

Date Property Acquired July 9, 1981

Deed Reference Book 4447, Page 618

Tax Parcel Number 119-061-01

Location Of Property

1.06 acres off southside of Tremont Avenue: see description attached.

Description Of Property

Size (Sq Ft Acres) 1.06 acres
Current Land Use Vacant
Street Frontage (ft) None

Zoning Request

Existing Zoning R6M
Requested Zoning I-1

Purpose of zoning change This parcel is part of a 6.34 acre tract, the major portion of which (5.28 acres) is zoned I-1. The requested change will result in one zoning classification for the 6.34 acre parcel, which was formerly divided by an unopened

H. Vernon Norwood, Jr., Attorney

John Adams and wife, Catherine T. Adams

Name of Agent

Name of Petitioner(s)

901 Elizabeth Ave., Suite 402

510 W. Tremont Ave. Charlotte, NC

Agent's Address Charlotte, NC 28204

Address of Petitioner(s)

Telephone Number (704) 375-9032

Telephone Number (704) 333-7505

Date: July 7, 1982

Signature

[Handwritten Signature]

Signature of Property Owner if Other Than Petitioner

OFFICE USE ONLY

Received By *[Handwritten Signature]*

Date Filed July 13, 1982

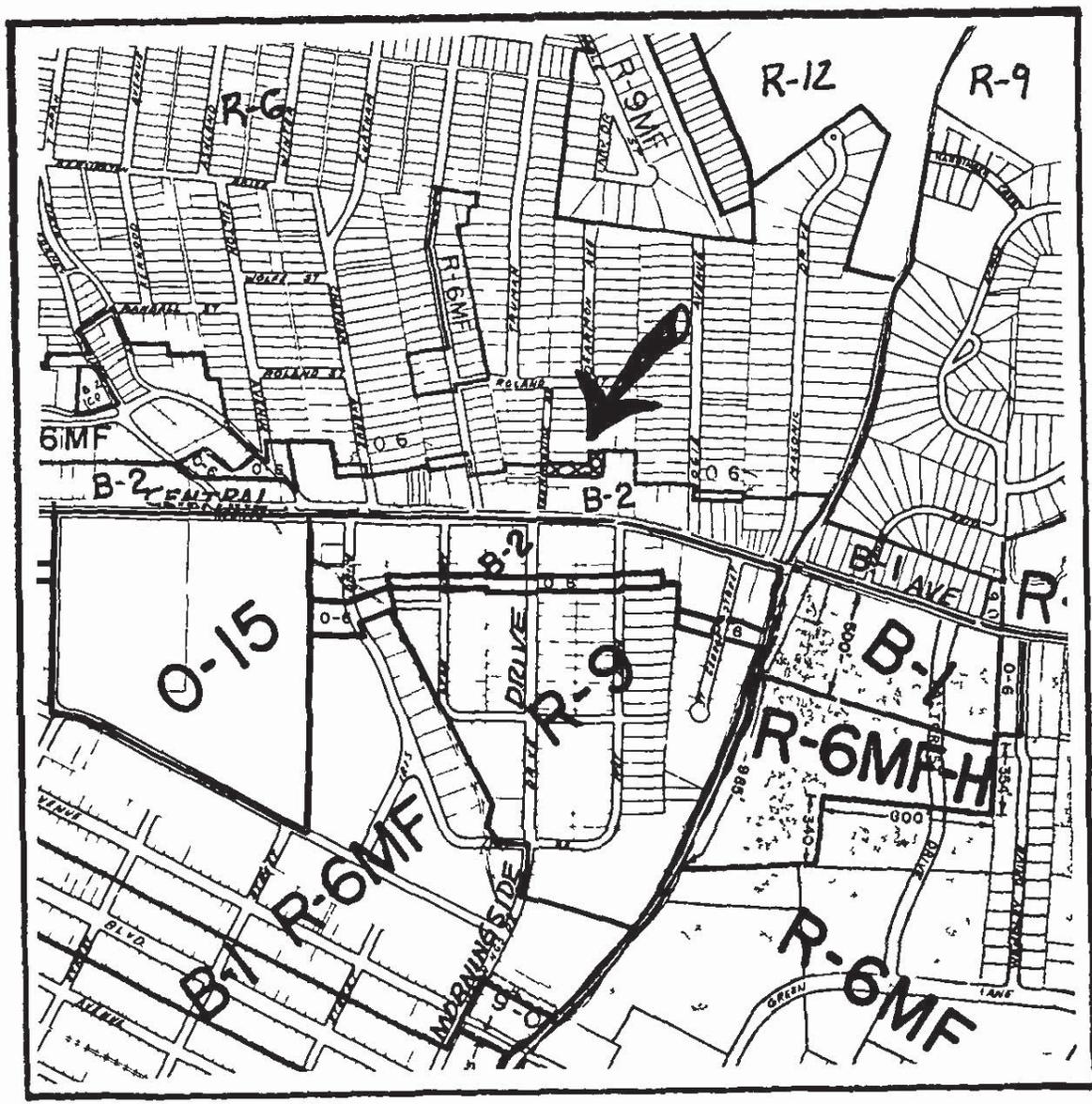
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PETITIONER Louise H. Bagwell

PETITION NO. 82-58 HEARING DATE 9/20/82

ZONING CLASSIFICATION, EXISTING R-6 REQUESTED O-6

LOCATION A .173 acre site fronting 60 feet on the easterly side of
Morningside Drive, approximately 200 feet north of the
intersection of Central Avenue and Morning side Drive.



ZONING MAP NO. 6

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Petition No. <u>52-58</u>
Date Filed <u>July 14, 1982</u>
Received By <u>S. D. [Signature]</u>
OFFICE USE ONLY

Ownership Information

Property Owner Tullius Eugene Hodges Sr.
 Owner's Address 1618 Morningside Drive

Date Property Acquired Sept. 12th 1945

Deed Reference 1822 - Page 30
 Tax Parcel Number 095-92-20

Location Of Property (address or description)

1618 Morningside Dr

Description Of Property

Size (Sq Ft Acres) 1,173 Acres
 Street Frontage (ft) 60 Ft.
 Current Land Use Single Family Residence

Zoning Request

Existing Zoning R-6
 Requested Zoning O-6
 Purpose of zoning change BETTER utilize property for office Bldg. or Multi-Family dwellings

Name of Agent

Louise H Bagwell
 Name of Petitioner(s)
1122 Rosewood Circle
 Address of Petitioner(s)
366-1345
 Telephone Number

Agent's Address

Thomas H Bagwell
 Signature

Telephone Number

Thomas H Bagwell
 Signature

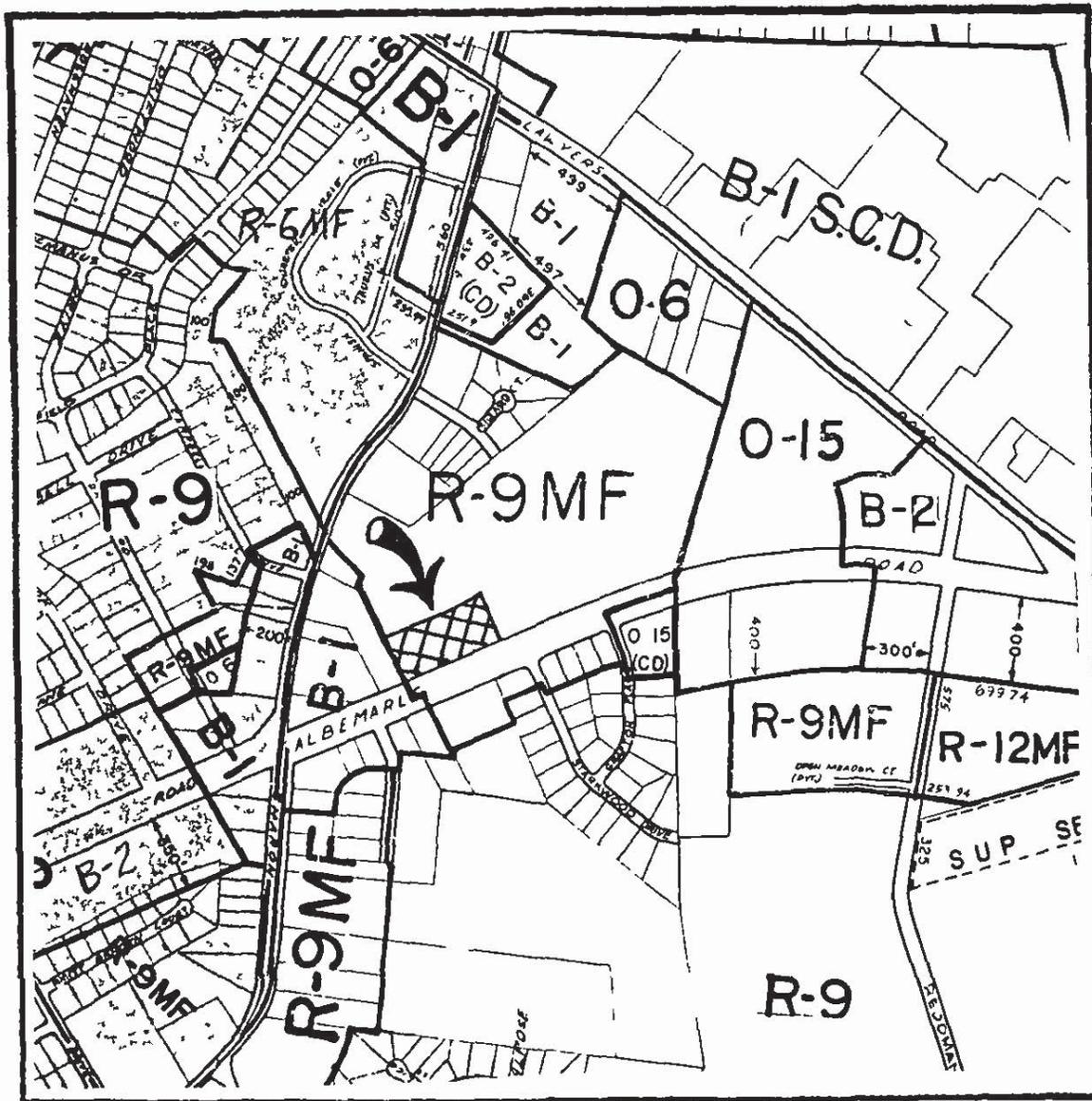
Signature of Property Owner if Other Than Petitioner

PETITIONER Good Shepherd Lutheran Church, Inc.

PETITION NO. 82-59 HEARING DATE 9/20/82

ZONING CLASSIFICATION, EXISTING R-9MF REQUESTED O-15(CD)

LOCATION A 2.196 acre site fronting 440 feet on the northerly side of
Albemarle Road, approximately 565 feet east of the inter-
section of North Sharon Amity Road and Albemarle Road.



ZONING MAP NO. 23

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Petition No.	82-59
Date Filed	July 30, 1982
Received By	S.D. [Signature]
OFFICE USE ONLY	

Ownership Information

Property Owner Good Shepherd Lutheran Church, Inc.

Owner's Address 5301 Albemarle Road

Charlotte, N.C. 28212

Date Property Acquired June 15, 1960

Deed Reference 2163-493

Tax Parcel Number 103-011-31

Location Of Property

(address or description) 5301 Albemarle

Description Of Property

Size (Sq Ft Acres) 2,196 acres
Street Frontage (ft) 440
Current Land Use Church building on westerly portion; remainder vacant

Zoning Request

Existing Zoning R-9 MF
Requested Zoning 0-15 (CD)

Purpose of zoning change to permit the Church to relocate to another site and dispose of property for low density office purposes.

Fred E. Bryant

Name of Agent 1850 E. Third Street, Suite 216

Agent's Address Charlotte 28204

Telephone Number 333-1680

Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

Name of Petitioner(s) 5301 Albemarle Road

Address of Petitioner(s) Charlotte 28212

Telephone Number

Signature

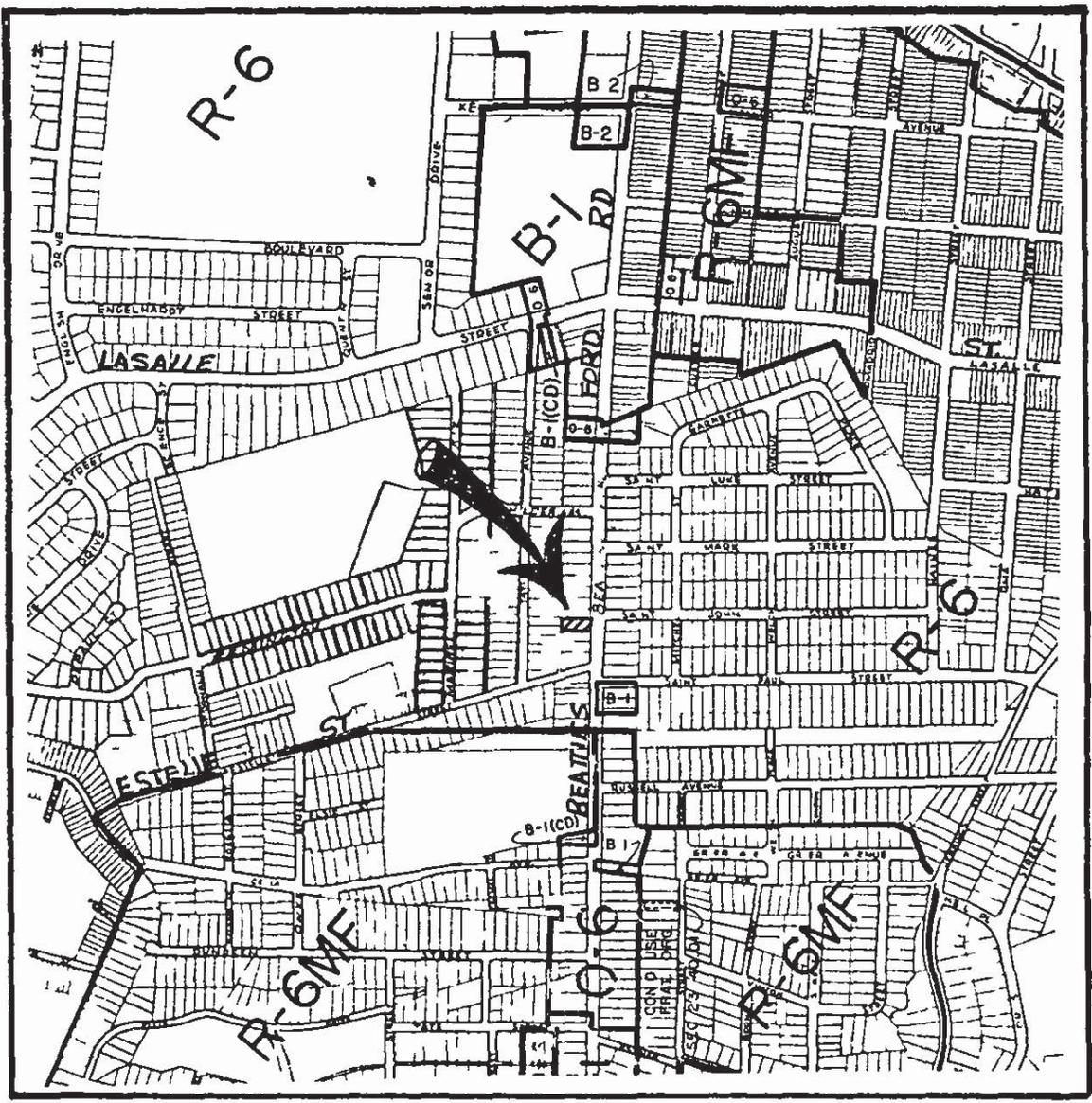
Signature of Property Owner if Other Than Petitioner

PETITIONER Omera B. Hayes

PETITION NO. 82-60 HEARING DATE 9/20/82

ZONING CLASSIFICATION, EXISTING R-6 REQUESTED B-1

LOCATION A .160 acre site fronting 50 feet on Beatties Ford Road,
approximately 155 feet north of the intersection of Estelle
Street and Beatties Ford Road.



ZONING MAP NO. 4

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Petition No	82-60
Date Filed	8/5/82
Received By	<i>[Signature]</i>
OFFICE USE ONLY	

Ownership Information

Property Owner Mr. Ernest S. Hayes
Owner's Address 3510 Cupress Ford Dr
Charlotte, N.C. 28213
Date Property Acquired June 1, 1982
Deed Reference 4541-768
Tax Parcel Number 069-091-18

Location Of Property (address or description)

1615 Beattie Ford Road
Description Of Property 7000 sq ft
Street Frontage (ft) 50'
Current Land Use Rental Property for residential occupancy

Zoning Request

Existing Zoning R-6
Requested Zoning B-1
Purpose of zoning change to reconvert into a drug shop
for a handicapped person.

Name of Agent _____
Agent's Address _____
Telephone Number _____

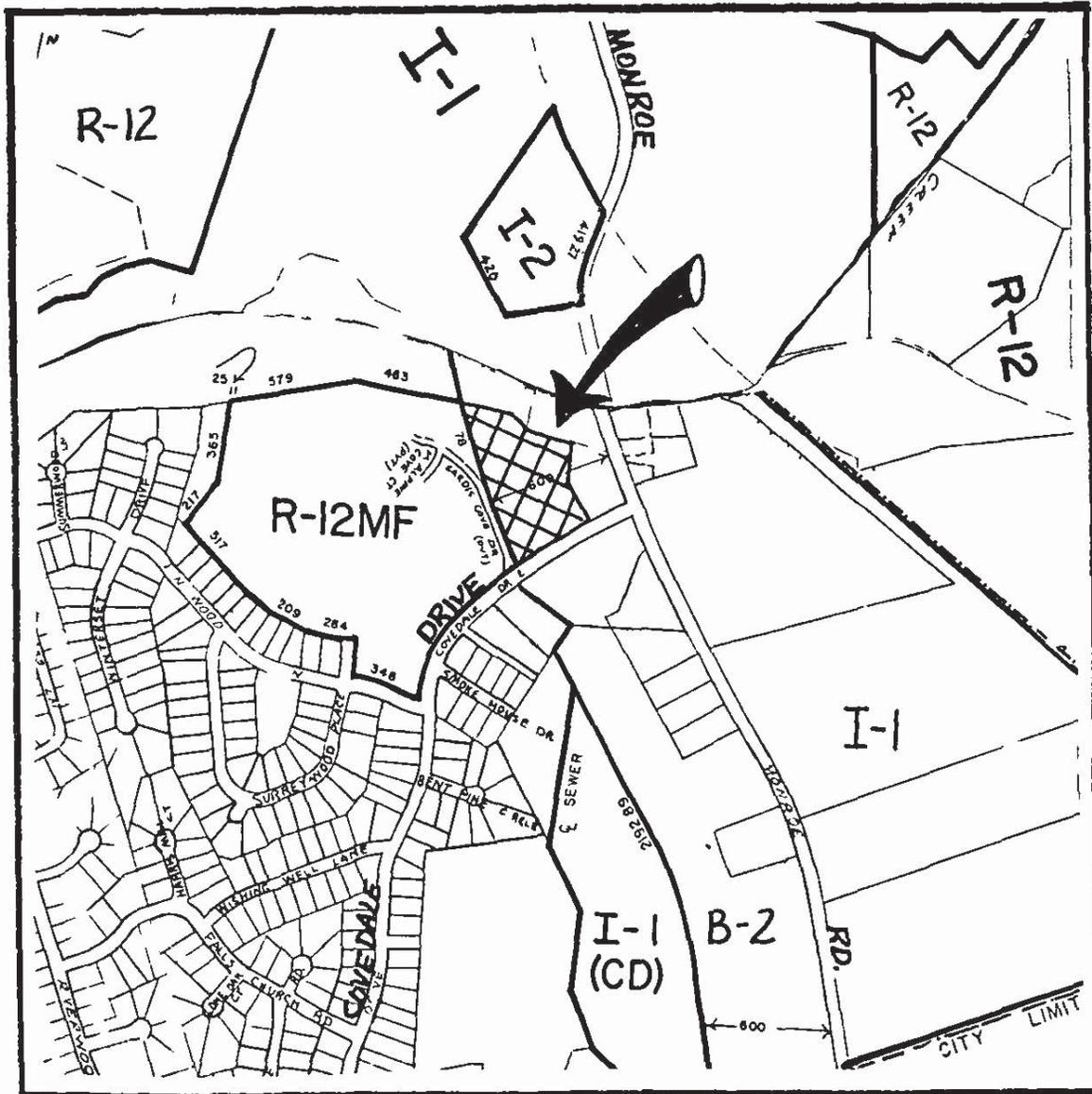
Name of Petitioner(s) Mr Ernest S. Hayes
Address of Petitioner(s) 3510 Cupress Ford Dr
Telephone Number 596-4897
Signature Ernest S. Hayes
Signature of Property Owner if Other Than Petitioner _____

PETITIONER John Crosland Company

PETITION NO. 82-61 HEARING DATE 9/20/82

ZONING CLASSIFICATION, EXISTING I-1 REQUESTED R-12MF

LOCATION A 5.074 acre site fronting 354 feet on the north side of
Covedale Drive, approximately 250 feet west of the inter-
section of Old Monroe Road and Covedale Drive.



ZONING MAP NO. 54

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Petition No	82-61
Date Filed	8/5/82
Received By	<i>[Signature]</i>
OFFICE USE ONLY	

Ownership Information

Property Owner John Crosland Company (1.284 Ac) and John Crosland Realty Co. (3.79 Ac)

Owner's Address Post Office Box 11231

Charlotte, North Carolina 28209

Date Property Acquired

Deed Reference 4288-257

Tax Parcel Number 213-201-75

Location Of Property (address or description) north side of Covedale Drive

for a distance of 354 ft ± beginning at a point approx 250' west of the intersection of Covedale Drive and Old Monroe Road

Description Of Property

Size (Sq Ft Acres) 5 074 Ac Street Frontage (ft) 354 ft ±

Current Land Use Vacant (except for T V satellite reception equipment)

Zoning Request

Existing Zoning I-1

Requested Zoning R-12 MF

Purpose of zoning change is to allow for the construction of residential housing on

property currently zoned for industrial or commercial uses. This change would

allow a use more compatible with Crosland's Sardis Cove Community

Lee R McLaren - DPR Associates

Name of Agent

2036 East Seventh Street, Charlotte, NC 28204

Agent's Address

332-1204

Telephone Number

John Crosland Realty Company (Owner) (same address)

[Signature]

John Crosland Realty Company (Owner) (same address)

[Signature]

Telephone Number

523-8111

Address of Petitioner(s)

P O Box 11231-Charlotte, NC

Name of Petitioner(s)

John Crosland Company

Signature of Property Owner if Other Than Petitioner

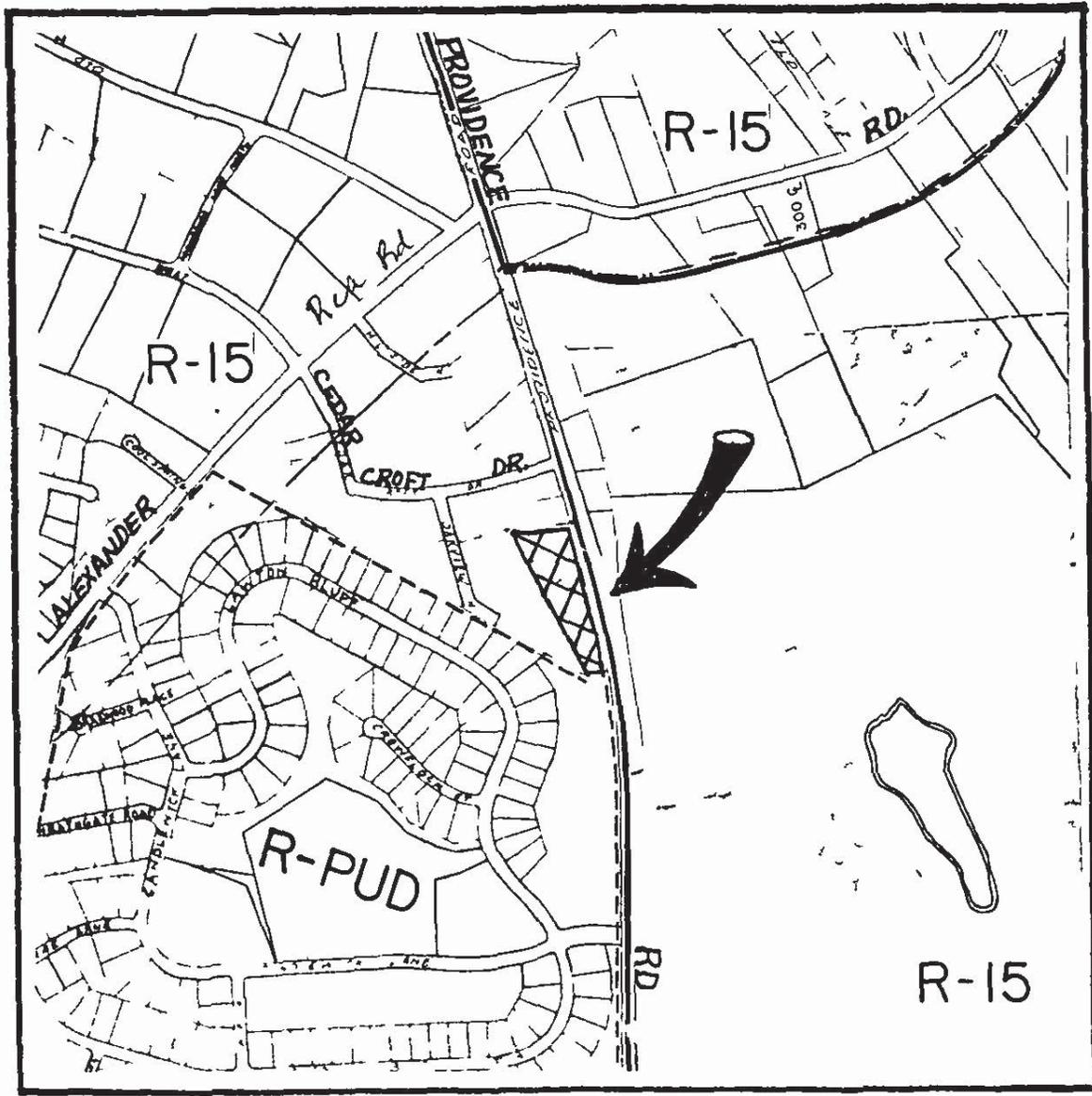
[Signature]

PETITIONER Mecklenburg Baptist Associational Board, Inc.

PETITION NO. 82-62 HEARING DATE 9/20/82

ZONING CLASSIFICATION, EXISTING R-PUD REQUESTED R-15

LOCATION A 3.2 acre site fronting 584.03 feet on the west side of Providence Road, approximately 300 feet south of the intersection of Cedar Croft Drive and Providence Road.



ZONING MAP NO. 29

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Petition No	81-68	
Date Filed	8/5/82	
Received By		
OFFICE USE ONLY		

Ownership Information

Property Owner Mecklenburg Baptist Associational Board, Inc.
 Owner's Address 209 South Kings Drive, Charlotte, N. C. 28204

Date Property Acquired July 6, 1979

Deed Reference Book 4213, Page 347

Tax Parcel Number 211-282-30

Location Of Property

3.2 acres fronting on west side Providence Road and lying between Croft Drive and Candlewyck Lane.

(address or description)	#	"	"	"	"	"
	8	"	"	"	"	"
	34	"	"	"	"	"
	33	"	"	"	"	"
	32	"	"	"	"	"
	31	"	"	"	"	"

Description Of Property

Size (Sq Ft Acres) 3.2 acres
 Street Frontage (ft) 584.03
 Current Land Use undeveloped

Zoning Request

Existing Zoning Church purposes in Candlewyck Planned Unit Development
 Requested Zoning R-15
 Purpose of zoning change to allow sale for development of single family residence.

James J. Caldwell, Attorney

Name of Agent 523 Law Building

Agent's Address Charlotte, N. C. 28202

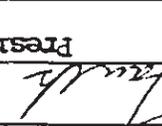
Telephone Number _____

Telephone Number _____

Address of Petitioner(s) 375-1197

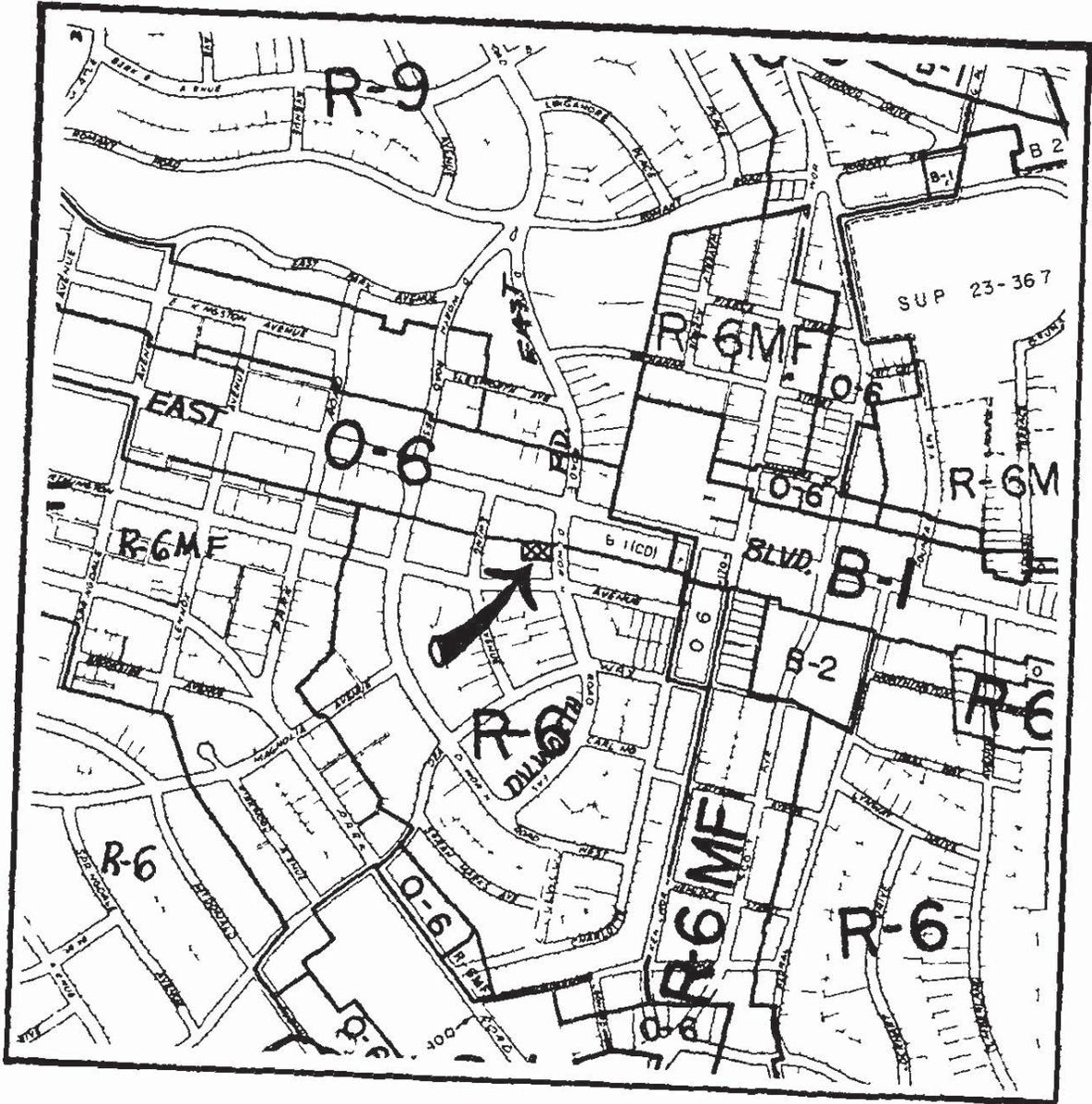
Name of Petitioner(s) 209 S. Kings Dr., Charlotte, NC 28202

Mecklenburg Baptist Associational Board, Inc.

Signature 
 President

Signature of Property Owner if Other Than Petitioner _____

PETITIONER Philip Thomas
PETITION NO. 82-63 HEARING DATE 9/20/82
ZONING CLASSIFICATION, EXISTING R-6 REQUESTED R-9MF(CD)
LOCATION A .270 acre site fronting 78.31 feet on Dilworth Road East,
approximately 167 feet south from East Boulevard.



ZONING MAP NO. 9

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Petition No. <u>81-63</u>
Date Filed <u>8/5/82</u>
Received By <u>[Signature]</u>
OFFICE USE ONLY

Ownership Information

Property Owner Philip Thomas
Owner's Address 409 Grandin Rd

Date Property Acquired 6/2/82
Deed Reference 2584-376
Tax Parcel Number 121-114-3

Location Of Property (address or description)

1820 Dilworth Rd. East

Description Of Property

Size (Sq Ft - Acres) 11,794 sq ft
Current Land Use R6 Vacant lot
Street Frontage (ft) 78 31'

Zoning Request

Existing Zoning R6
Requested Zoning R9MFCD
Purpose of zoning change Allow construction of two residential units to be sold upon completion

Name of Agent

Philip Thomas
Name of Petitioner(s)

Agent's Address

409 Grandin Rd
Address of Petitioner(s)

Telephone Number

335-1248
Telephone Number

Signature

[Signature]

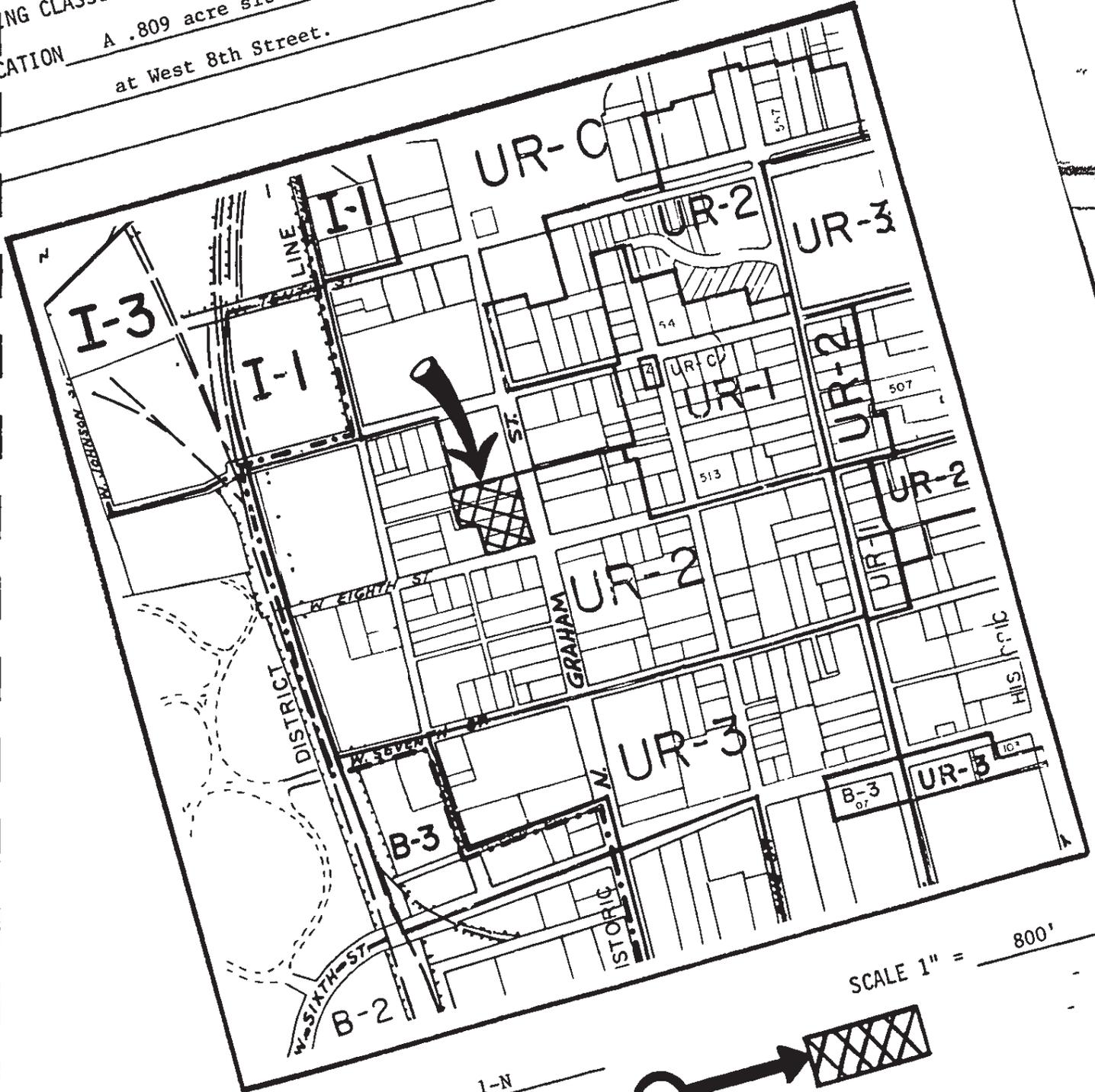
Signature of Property Owner if Other Than Petitioner

APPLICANT Great Southeast Corporation HEARING DATE 9/20/82

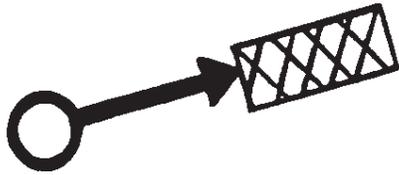
APPLICATION NO. 82-64

ZONING CLASSIFICATION, EXISTING UR-2 REQUESTED UR-C

LOCATION A .809 acre site fronting 196.5 feet on N. Graham Street
at West 8th Street.



ZONING MAP NO. 1-N
PROPERTY PROPOSED FOR CHANGE



SCALE 1" = 800'

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No	82-64
Date Filed	8/5/82
Received By	<i>[Signature]</i>
OFFICE USE ONLY	

Ownership Information

Property Owner Harold C. Keith
 Owner's Address 541 North Graham Street
Charlotte, NC
 Date Property Acquired 1977-1979
 Deed Reference 78-75 - 10, 11, 12, 13

Location Of Property

Street 500 Block of North Graham
 (address or description)

Description Of Property

Size (Sq Ft-Acres) 34,950
 Current Land Use Open Land
 West 8th St.-150
 West Graham St.-
 Street Frontage (ft) 196.5'

Zoning Request

Existing Zoning UR-2
 Requested Zoning UR-C
 Purpose of zoning change To allow ground floor area of proposed building to be used for commercial space.

Michael J. Bagale
 Name of Agent
 110 Providence Rd. Suite # 4 Charlotte, NC
 Agent's Address
 (704) 334-8668
 Telephone Number

Great Southeast Corp.
 Name of Petitioner(s)
 110 Providence Rd., Suite # 4
 Address of Petitioner(s)
 (704) 334-8668
 Telephone Number
[Signature]
 Signature
 Signature of Property Owner if Other
 Than Petitioner

**CHARLOTTE-MECKLENBURG
PLANNING COMMISSION**

INTER-OFFICE COMMUNICATION

DATE: August 26, 1982

Bob Young

TO Charlotte-Mecklenburg Planning
Commission

FROM: Robert G. Young,
Zoning Hearing Supervisor

SUBJECT: Zoning Requests to be Heard on September 20, 1982

On August 13, 1982 you were forwarded map copies relative to rezoning requests to be heard at public hearing on September 20, 1982.

A subdivision ordinance text amendment is also scheduled to be heard that evening. The material was inadvertently omitted from the packet and is enclosed for your information.

RGY:dmb

Enclosure

SUBDIVISION
~~ZONING~~ ORDINANCE
TEXT AMENDMENT APPLICATION
CITY OF CHARLOTTE

Petition No _____
Date Filed <u>August 2, 1982</u>
Received By <u>Ken Davis</u>
OFFICE USE ONLY

Article No. I IN GENERAL _____ (Title)

Division No _____ (Title)

Section No 18-12., STANDARDS OF DESIGN: STREETS and 18-2., DEFINITIONS _____

Purpose of Change

To provide for the definition of freeways and the authority to protect rights-of-way of such freeways, as well as other certain roads identified by City Council, which are not specifically identified as freeways.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission

Name of Petitioner(s)
301 S. McDowell St.

Address of Petitioner(s)
374-2205

Telephone Number

Signature

AN ORDINANCE AMENDING CHAPTER 18, ARTICLE I, (SUBDIVISION REGULATIONS) OF THE

CODE OF THE CITY OF CHARLOTTE:

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

SECTION 1. Chapter 18, Article I IN GENERAL, SECTION 18-12., STANDARDS OF DESIGN: STREETS, is amended by adding a new paragraph between the existing (c) and (d) as follows:

"(D) Freeways. Whenever a tract of land to be subdivided includes any part of the proposed right-of-way of a freeway as shown on a thoroughfare plan approved by the Planning Commission and adopted by the City Council, or adopted by the North Carolina Board of Transportation, and whenever said proposed right-of-way has been further defined by acceptable locational procedures sufficient to identify properties to be affected, the right-of-way for the freeway shall be reserved and remain undeveloped pending future acquisition by the State of North Carolina or other governmental unit. The subdivider shall reserve the proposed right-of-way for a period not to exceed three (3) years from the date of tentative approval of the preliminary subdivision plat, after which the land shall be considered as free of reservation."

Additional Roadways. The provisions of the above paragraph (D) shall also apply to additional roadways not classified as freeways that are specifically approved for right-of-way protection by the City Council. and re-letter the remaining paragraphs as (E) through (L) respectively.

SECTION 2. Amend Chapter 18, Article I IN GENERAL, Section 18-2., DEFINITIONS, by adding a new paragraph between the existing (I) and (J) as follows:

"(J) Freeway - A freeway is a divided, multi-lane road with full control of access, grade separation at interchanges, designed to carry very high traffic volumes and accessible only via other thoroughfares. and re-letter the existing paragraph (J) as (K)."

SECTION 3. This ordinance shall become effective upon adoption.

Approved as to form:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, beginning on Page _____.

AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "JOHN HUNTER HOUSE" (INTERIOR AND EXTERIOR) AND A PORTION OF THE LAND ASSOCIATED THEREWITH, AS HISTORIC PROPERTY, AT 5607 SARDIS ROAD, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 185-142-39 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Part 3B, Article 19, Chapter 160A, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at the joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the _____ day of _____, 19____, on the question of designating the property known as the "John Hunter House" (interior and exterior) as historic property; and

WHEREAS, the "John Hunter House" was erected ca. 1869 for Reverend John Hunter, a prominent and long-time pastor of Sardis Associated Reformed Presbyterian Church (now Sardis Presbyterian Church); and

WHEREAS, the house is a well-preserved example of a vernacular Greek Revival style farmhouse; and

WHEREAS, the "John Hunter House" is one of the older houses in the Sardis neighborhood; and

WHEREAS, the grounds of the "John Hunter House" possess their original ambience; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated the historic, architectural, and/or cultural significance of the property known as the "John Hunter House"; and

WHEREAS, the property known as the "John Hunter House" is vested in fee simple to Mr. James P. Hammond and his wife, Ann A. Hammond.

NOW, THEREFORE BE IT ORDAINED by the City of Charlotte, North Carolina:

1. That the property known as the "John Hunter House" (interior and exterior) and a portion of the land associated therewith is hereby designated as

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historic property pursuant to Part 3B, Article 19, Chapter 160A, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated on a tract of property at 5607 Sardis Road, in Charlotte, North Carolina, as recorded on Parcel Number 185-142-39 in the Tax Office of Mecklenburg County, North Carolina. The portion of land included herein is the land from the right-of-way of the proposed widening of Sardis Road, assuming that such edge of right-of-way will be no more than fifteen feet from the edge of the present pavement, and extending to a line forty feet behind the house and running parallel with the existing rear property line.

2. That said designated property may be materially altered, restored, moved, or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An Application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.



4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign shall be placed on said property. If the owner objects, the sign shall be placed on a nearby public right-of-way.

5. That the owners and occupants of the property known as the "John Hunter House" be given the notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:

H. M. ...
Deputy City Attorney



SURVEY AND RESEARCH REPORT
ON THE
JOHN HUNTER HOUSE

1 Name and location of the property The property known as the John Hunter House is located at 5607 Sardis Road, between Shasta Lane and Livingston Drive, Charlotte, North Carolina, 28211

2 Name, address and telephone number of the present owner and occupant of the property

The present owner of the property is James P Hammond and his wife,
Ann A Hammond
5607 Sardis Road
Charlotte, North Carolina, 28211
Telephone 704/364-5804

3 Representative photographs of the property This report contains representative photographs of the property

4 A map depicting the location of the property This report contains a map which depicts the location of the property

5 Current Deed Book reference to the property The most recent deed to this property is listed in Mecklenburg County Deed Book 3451 at page 449. The current tax parcel number of the property is 185-142-39

6 A brief historical sketch of the property. This report contains a brief historical sketch of the property by Dr William H Huffman, Ph D

7 A brief architectural description of the property This report contains a brief architectural description of the property by Mary Alice Dixon Hinson

8 Documentation of why and in what ways the property meets the criteria set forth in N C G S 160A-399 4

a Special significance in terms of its history, architecture, and/or cultural importance The Commission judges that the property known as the John Hunter House does possess special historic significance in terms of Charlotte-Mecklenburg. The Commission bases its judgment on the following considerations: (1) the house, erected c 1869, is a well-preserved example of a vernacular Greek Revival farmhouse and is one of the few remnants of the built environment of the old Sardis Township, and (2) the house was erected for Reverend John Hunter, a prominent and long-time pastor of Sardis A R P Presbyterian Church, now Sardis Presbyterian Church

b Integrity of design, setting, workmanship, materials, feeling and/or association The Commission judges that the architectural description included herein demonstrates that the property known as the John Hunter House meets the criterion

9 Ad Valorem Tax Appraisal The Commission is aware that designation would allow the owner to apply annually for an automatic deferral of 50% of the Ad Valorem taxes on all or any portion of the property which becomes "historic



property " The current Ad Valorem tax appraisal on the John Hunter House
is \$23,560 00 The current Ad Valorem tax appraisal on the 9 acres of land
is \$8,500.00 The land is zoned R15

Date of Preparation of this Report

August 20, 1981

Prepared by Dr Dan L Morrill, Director
Charlotte-Mecklenburg Historic Properties Commission
3500 Shamrock Drive
Charlotte, North Carolina 28215
Telephone 704/332-2726



AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "WILLIAM LEE HOUSE" (INTERIOR AND EXTERIOR) AND THE LAND ASSOCIATED THEREWITH AS HISTORIC PROPERTY, AT 5520 SHARON VIEW ROAD, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 211-112-03 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Part 3B, Article 19, Chapter 160A, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the _____ day of _____, 19____, on the question of designating the property known as the "William Lee House" (interior and exterior) as historic property; and

WHEREAS, the "William Lee House" was built ca. 1828 and is one of the older plantation houses in Mecklenburg County and the only extant plantation house in this section of Mecklenburg County, and

WHEREAS, members of the same family resided in the "William Lee House" from ca. 1828 until 1956; and

WHEREAS, the "William Lee House" represents a rare remnant of ante-bellum society in the Sharon community of Mecklenburg County; and

WHEREAS, the grounds of the "William Lee House" possess their original ambience; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated the historic, architectural, and/or cultural significance of the property known as the "William Lee House; and

WHEREAS, the property known as the "William Lee House" is vested in fee simple to Mr. Eric C. Clark.

NOW, THEREFORE BE IT ORDAINED by the City Council of Charlotte, North Carolina:

1. That the property known as the "William Lee House" (interior and exterior) and the land associated therewith is hereby designated as historic property pursuant to



Part 3B, Article 19, Chapter 160A, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated on a tract of property at 5520 Sharon View Road, in Charlotte, North Carolina, as recorded on Parcel Number 211-112-3 in the Tax Office of Mecklenburg County, North Carolina.

2. That said designated property may be materially altered, restored, moved, or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An Application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign shall be placed on said property. If the owner objects, the sign shall be placed on a nearby public right-of-way.

5. That the owners and occupants of the property known as the "William Lee House" be given the notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:

H. M. ...
Deputy City Attorney

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SURVEY AND RESEARCH
REPORT ON
THE WILLIAM LEE HOUSE

1 Name and location of the property. The property known as the William Lee House is located at 5520 Sharon View Rd. in Charlotte, N.C.

2. Name, address and telephone number of the present owner of the property.

The present owner of the property is	Mr Eric C. Clark 5520 Sharon View Rd. Charlotte, N.C. 28211 Telephone: (704) 373-0330
--------------------------------------	--

3. Representative photographs of the property. This report contains representative photographs of the property.

4. A map depicting the location of the property. This report contains a map which depicts the location of the property.

5 Current Deed Book Reference to the property. The most recent deed to this property is listed in Mecklenburg County Deed Book 2884 at Page 228. The Tax Parcel Number of the Property is. 211-112-03.

6 A brief historical sketch of the property. This report contains a brief historical sketch of the property prepared by Dr. William H. Huffman, Ph.D.

7. A brief architectural description of the property. This report contains an architectural description of the property prepared by Thomas W. Hanchett, architectural historian.

8. Documentation of why and in what ways the property meets the criteria set forth in N.C.G.S. 160A-399 4

a special significance in terms of its history, architecture, and/or cultural importance. The Commission judges that the property known as the William Lee House does possess special significance in terms of Charlotte-Mecklenburg. The Commission bases its judgment on the following considerations: 1) the William Lee House was built c. 1828 and is one of the older plantation houses in Mecklenburg County and the only extant plantation house in this section of Mecklenburg County, 2) members of the same family resided in the house from c. 1828 until 1956, and 3) the house represents a rare remnant of ante-bellum society in the Sharon community of Mecklenburg County.

b integrity of design, setting, workmanship, materials, feeling and/or association. The house has undergone major renovations, especially during the 1950's. However, the Commission believes that the house retains the overall feel of its ante-bellum origins, especially because of the magnificent setting which the William Lee House retains.

9 Ad Valorem Tax Appraisal The Commission is aware that designation would allow the owner to apply annually for an automatic deferral of 50% of the Ad Valorem taxes on all or any portion of the property which becomes "historic property." The current appraisal of the William Lee House is \$35,520. The current appraisal of the 3.57 acres of land is \$17,700.

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page 2.
Survey and Research Report
William Lee House

Date of Preparation of this Report.

April 7, 1982.

Prepared by Dr Dan L. Morrill, Director
Charlotte-Mecklenburg Historic
Properties Commission
3500 Shamrock Dr.
Charlotte, N.C. 28215
Telephone. 704/332-2726



ATTACH # 4



CHARLOTTE-MECKLENBURG PLANNING COMMISSION

CAMERON BROWN BUILDING
301 SOUTH McDOWELL STREET
CHARLOTTE, NORTH CAROLINA 28204

August 18, 1982

MARTIN R. CRAMTON, JR.
Planning Director

C O R R E C T I O N

Re: Petition No. 82-49
John Crosland Company, Petitioner

You were recently mailed a packet of recommendations of the Charlotte-Mecklenburg Planning Commission on rezoning requests. The above-referenced case was inadvertently omitted but is now enclosed to become a part of that packet.

We apologize for any inconvenience this may have caused.

Sincerely,

Robert G. Young,
Zoning Hearing Supervisor

RGY:dmb

Attachment

RECEIVED
AUG 19 1982

OFFICE OF CITY CLERK



DATE August 9, 1982

PETITION NO. 82-49

PETITIONER(S) John Crosland Company

REQUEST Change from R-9 and R-12 to R-15MF(CD)

LOCATION 36.87 acres located between Sugar Creek and Colchester Place.

ACTION The Planning Commission deferred action on this petition pending
further discussions between the petitioner and interested parties.

VOTE _____

REASONS:



ATTACH # 4



CHARLOTTE-MECKLENBURG PLANNING COMMISSION

CAMERON BROWN BUILDING
301 SOUTH McDOWELL STREET
CHARLOTTE, NORTH CAROLINA

MARTIN R. CRAMTON JR.
Planning Director

August 13, 1982

Mayor Eddie Knox
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

Attached are recommendations of the Charlotte-Mecklenburg Planning Commission on petitions for rezoning which have been heard and referred to the Planning Commission for consideration. The recommendations as reflected herein were arrived at in a meeting of the Planning Commission held on August 9, 1982.

According to the adopted rules of procedure, these recommendations will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse on August 23, 1982. This will then permit these matters to be placed on your agenda for consideration on September 20, 1982.

If you have any questions or wish to discuss any aspect of these recommendations, please let me know.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Bob Young".

Robert G. Young
Zoning Hearing Supervisor

RGY:oj

Attachments



DATE August 9, 1982

PETITION NO. 82-30

PETITIONER(S) Farmington, Inc.

REQUEST Change from R-15 to R-15MF(CD)

LOCATION A 2.5⁺ acre tract located at the intersection of Sharon Road
and Sharon Hills Road.

ACTION The Planning Commission deferred action on this petition in order
for staff to further discuss aspects of the petition with the
applicant.

VOTE _____

REASONS:

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Amended

DATE August 9, 1982

PETITION NO. 82-44

PETITIONER(S) Galaxy Homes, Inc.

REQUEST Change from R-20MF to R-12MF(CD)

LOCATION A 10.06 acre tract located at the terminus of Rolling Hill Road
just west of Lake Forest Drive.

ACTION The Planning Commission recommends the petition be approved.

VOTE Yeas: Culbertson, Curry, Evans, Jernigan, Lawing, McCoy and Trotter.

Nays: None.
(Commissioner Greene was not present when vote was taken.)

REASONS:

The following issues associated with this request can be identified:

1. Site Plan Considerations. How does the site plan submitted as a part of this request compare to the existing site plan currently approved for the property in terms of density, housing style, neighborhood traffic, etc.?
2. Albemarle Road Plan. Is the proposal consistent with policies contained in the Albemarle Road Plan?
3. Overall Objectives. Would the approval of this request be compatible with overall design and planning goals for the neighborhood?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The site is currently zoned R-20MF as is property directly to the west. To the south is a large area zoned R-12MF. To the west is the Lake Forest Subdivision which is zoned R-12 for single family homes. Property generally relating to the Albemarle Road/Delta Road intersection is zoned B-2.
2. Existing Land Use. The subject property is undeveloped. The property is bordered on the north and west by Charlotte Aircraft. Directly to the south is an apartment project, The Woods of Lake Forest, while to the east is the Lake Forest Subdivision. Although much of the nearby area is zoned for multi-family usage, most of these areas are vacant. Finally, at the Albemarle Road/Delta Road intersection are a number of business uses.

3. Existing Site Plan. The existing site plan is approved for 56 units. The units are arranged in a series of 14 buildings and the units are condominiums. One point of access will be provided (to Rolling Hills Road) and a natural area of trees will remain to screen the buildings from adjacent homes along Lake Forest Drive.
4. Proposed Site Plan. The proposed site plan for this property shows 40 dwelling units. These units will be arranged in a series of 20 duplex units; each duplex will contain 2 units, both of which will be for sale. The point of access will again be via Rolling Hill Road. In addition, existing trees will remain where possible to provide for screening and buffering around the perimeter of the property.

The following general findings can be arrived at:

1. Comprehensive Plan 1995. The Plan Map indicates residential development, 0-6 dwelling units per acre, in the vicinity of the petitioner's property.
2. Transportation Improvement Program (TIP). Albemarle Road will be widened to a multi-laned facility from Lawyers Road to Blair Road (NC 51). Project has a high priority. Cost of project is estimated at \$6.8 million. The State had appropriated \$200,000 as of October 31, 1980.
3. Transportation Improvement Program (TIP). Newell-Hickory Grove-Delta would be upgraded to four lanes from Albemarle Road to Dillard Drive. Project has a very high priority. Cost of project is estimated at \$4.4 million. No funds have been appropriated as of October 31, 1980.
4. Albemarle Road Small Area Plan. This Plan concludes with a look beyond the study area. Intensification of land use within the study area presupposes less intensive apartment development near the Albemarle Road/Delta Road intersection. It is recommended a study be conducted identifying both housing and employment options for this area.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is presently zoned R-12MF and approved for 56 condominium units at an overall density of about 5.5 units/acre.
2. The new site plan proposes 40 units arranged in a series of 20 duplex for sale units at an overall density of about 4 units/acre.
3. The new plan, therefore, proposes less density. In addition, the housing style (duplex) is more compatible with existing single family homes than the 14 quad-raplex units currently approved. Less parking areas and lighting will result from the new plan as well as a more compatible dwelling unit style with regard to bulk and scale. Existing trees will remain where possible to provide screening and buffering.

Petition No. 82-44

August 9, 1982

Page 3

4. The proposal is consistent with policies in the Albemarle Road Plan regarding density.
5. The plan proposed in this request is compatible with neighborhood planning and design goals. The duplex unit is as compatible an attached housing style that there is to single family detached. Also, the density is only slightly higher than that permitted in the adjacent R-12 single family area.

PETITIONER Galaxy Homes, Inc.

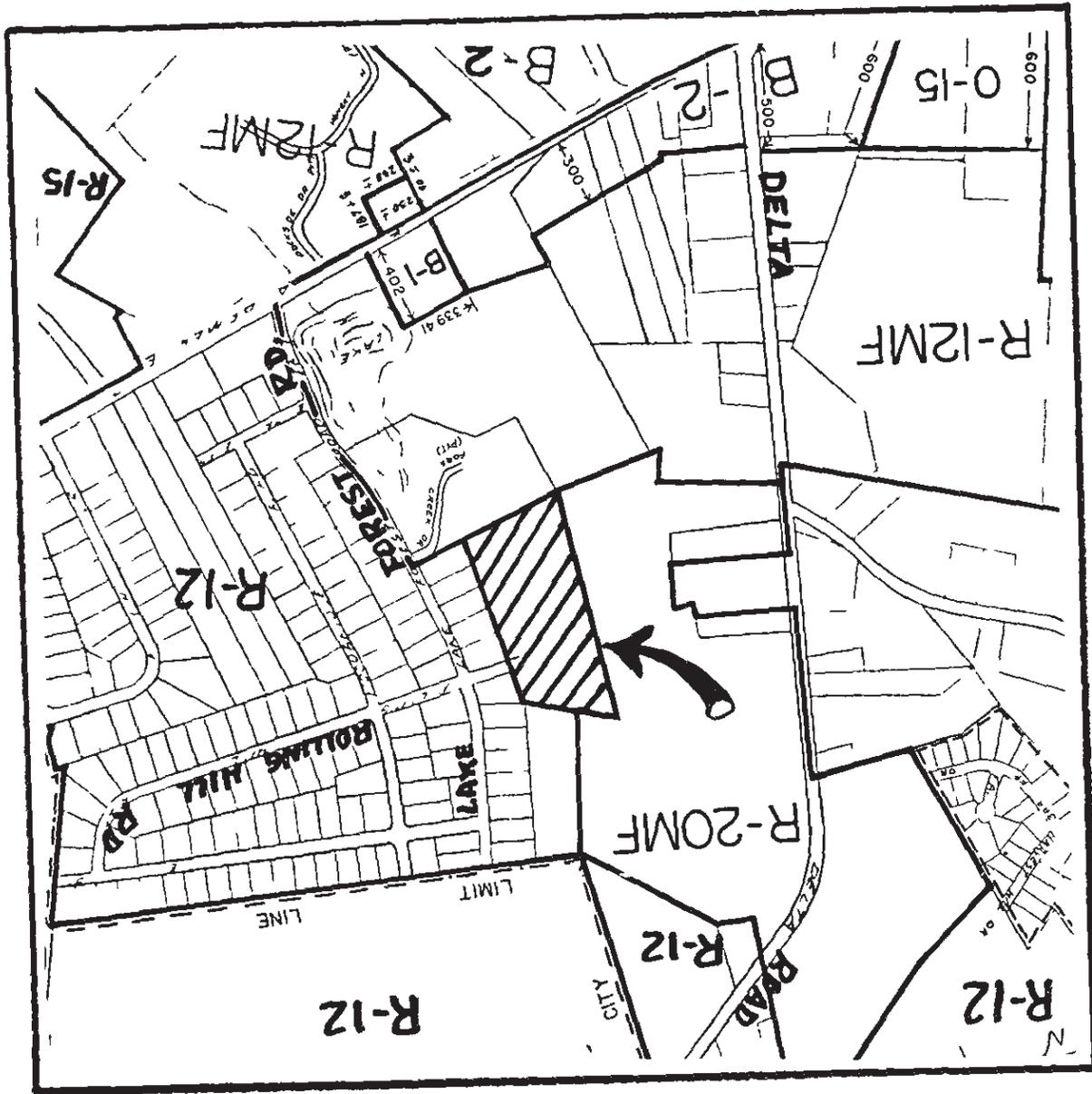
PETITION NO. 82-44

HEARING DATE 7-19-82

ZONING CLASSIFICATION, EXISTING R-20MF REQUESTED R-12MF(CD)

LOCATION A 10.06 acre site located at the terminus of Rolling Hill Road

to the west of Lake Forest Road.

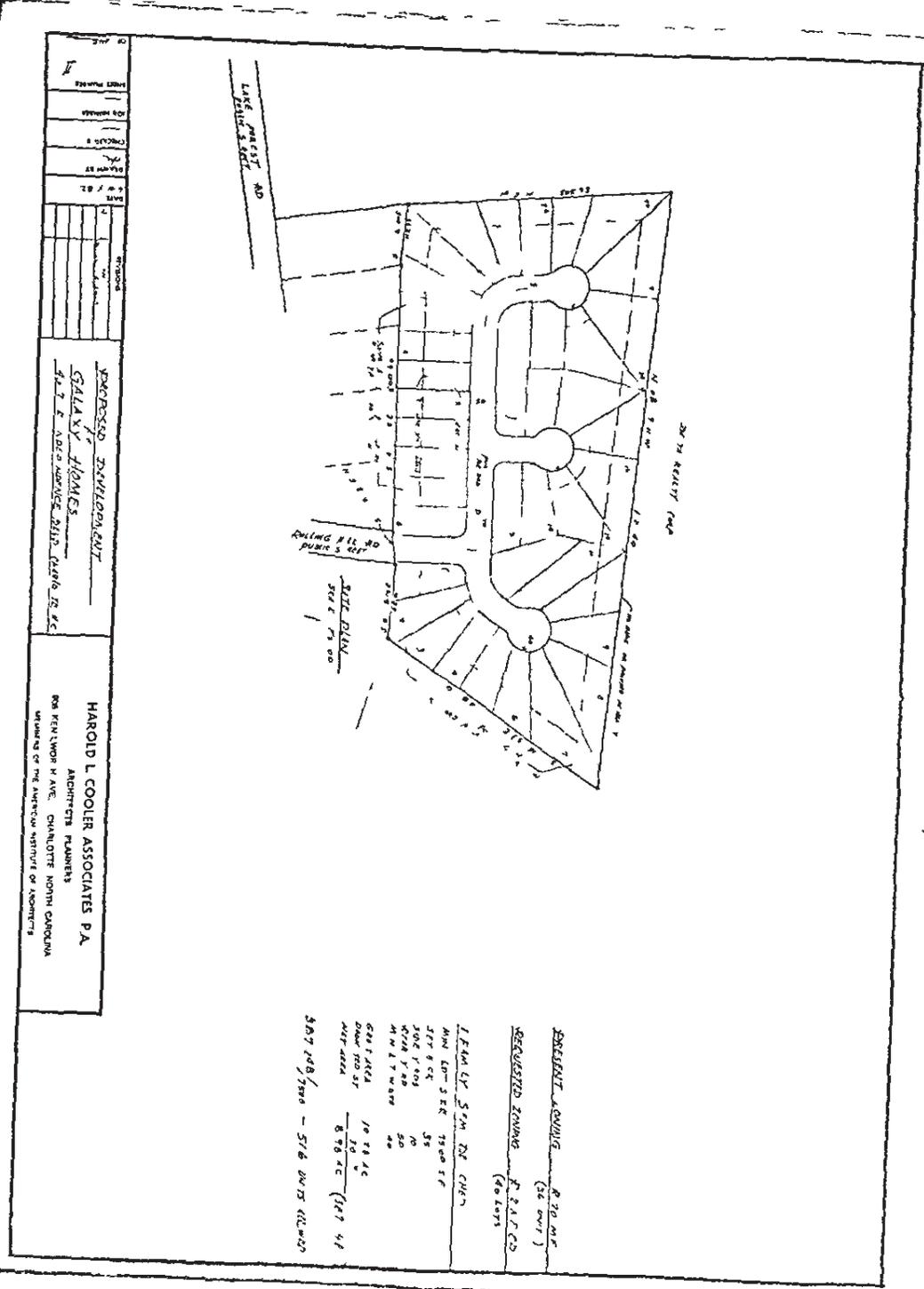


PROPERTY PROPOSED FOR CHANGE



SCALE 1" = 800'

ZONING MAP NO. 45



OWNER	DEVELOPER	DATE

HAROLD L COOLER ASSOCIATES P.A.
 ARCHITECTS PLANNERS
 808 PENNINGTON AVE. CHARLOTTE NORTH CAROLINA
 MEMBERS OF THE AMERICAN INSTITUTE OF ARCHITECTS

HAROLD L COOLER ASSOCIATES P.A.
 ARCHITECTS PLANNERS
 808 PENNINGTON AVE. CHARLOTTE NORTH CAROLINA
 MEMBERS OF THE AMERICAN INSTITUTE OF ARCHITECTS

EXISTING LOTS: 36 LOTS
 REQUESTED ZONING: R-2 (SINGLE-FAMILY)
 (40 LOTS)

TOTAL AREA: 10.78 AC
 DEDICATED ST: 8.98 AC (83% 4/4)
 NET AREA: 1.80 AC

307 208/7000 - 516 DUTY 412-0000

DATE August 9, 1982

PETITION NO. 82-46

PETITIONER(S) Maggie S. Thomas

REQUEST Change from R-6MF to B-1(CD)

LOCATION A 1.29 acre tract located on the southerly side of Central Avenue
just east of Winterfield Place.

ACTION The Planning Commission recommends that the petition be denied.

VOTE Yeas: Culbertson, Curry, Evans, Jernigan, Lawing, McCoy and Trotter.

Nays: None.
(Commissioner Greene was not present when vote was taken.)

REASONS:

The following issues associated with this request can be identified:

1. Need for Business Zoning. Is there an identified need for additional business zoning in the area?
2. Traffic. What traffic and traffic related problems might result if this request is approved?
3. Future Affect. If approved, what affect would this change have on future land use and zoning decisions in the area?
4. Land Use Relationships. Would the proposal to construct a restaurant at this location relate satisfactorily to adjoining property?
5. Overall Zoning Objectives. Would the approval of this request be consistent with overall zoning objectives, particularly as it relates to existing patterns and zoning along thoroughfares?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The petitioned property is presently zoned R-6MF as is contiguous property to the west and south. Property to the east is zoned O-6 for office purposes. At the intersection of Central Avenue and Sharon Amity

Road property is zoned B-1 for neighborhood retail purposes. Nearby is B-1SCD zoning which accommodates the Eastland Mall. Across the site on the north side of Central Avenue property is zoned R-9MF and further west on both sides of Central Avenue are areas again zoned B-1.

2. Existing Land Use. The property in question is developed with a single family residence. There are also 2 single family residences on the lot west of the site. Further west are a number of restaurants and other commercial uses. Across Central Avenue from the site are the Glen Hollow Apartments. To the east of the site is a small apartment building. Further east is a vacant lot and begins a number of commercial uses relating to the Central Avenue/Sharon Amity intersection. Further south of the site begins a large concentration of residential development.

3. Site Plan. The site plan submitted as a part of this request proposes a Quincy's Family Steak House. 126 parking spaces are shown as well as two points of access on Central Avenue.

The following general findings can be arrived at:

1. Comprehensive Plan 1995. The Plan Map indicates residential development (10-20 du/A) and commercial cluster development in the vicinity of petitioner's property.

2. Transportation Improvement Program (TIP). Sharon Amity/Central Avenue intersection project would install additional left turn lanes on both Central Avenue approaches. Intersection is identified as one of the most congested intersections in the City and as the number one identified carbon monoxide hot spot. Project has a very high priority. Cost of project is estimated at \$161,000. No funds have been appropriated as of October 31, 1980.

3. Albemarle Road/Central Avenue Arterial Signal System would have the capability to change the timing plans several times per day on an automatic basis for intersections from Sharon Amity Road to the City Limits. Project has a very high priority. Cost of project is estimated at \$180,000. No funds have been appropriated as of October 31, 1980.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is presently zoned R-6MF.

2. The request is to rezone the property to B-1(CD) for a restaurant.

3. Commercial zoning at this site will generate additional traffic. More automobiles will add to traffic and traffic problems to this area and particularly impact the Central Avenue/Sharon Amity intersection, which has been identified as one of the most congested intersections in the City and as the number one identified carbon monoxide hot spot.

4. Across the street from the site are the Glen Hollow Apartments. The apartment complex presents a pleasant view along Central Avenue. No clutter of signs or automobiles is present.
5. On the other hand, business zoning of the subject property will permit parking adjacent to the street right-of-way.
6. The existing B-1 district to the west of the site has been a blight on the area. Many of the uses have changed periodically and because of this structures have, from time to time, stood vacant and presented an unsightly appearance. Before additional commercial zoning should be considered, stabilization of this area should occur.
7. Intensification of zoning along thoroughfares should be discouraged.
8. The approval of this request could lead to others in the vicinity. In fact the adjacent property to the west has recently been petitioned for business zoning and will be heard soon at public hearing.

PETITIONER Maggie S. Thomas

PETITION NO. 82-46

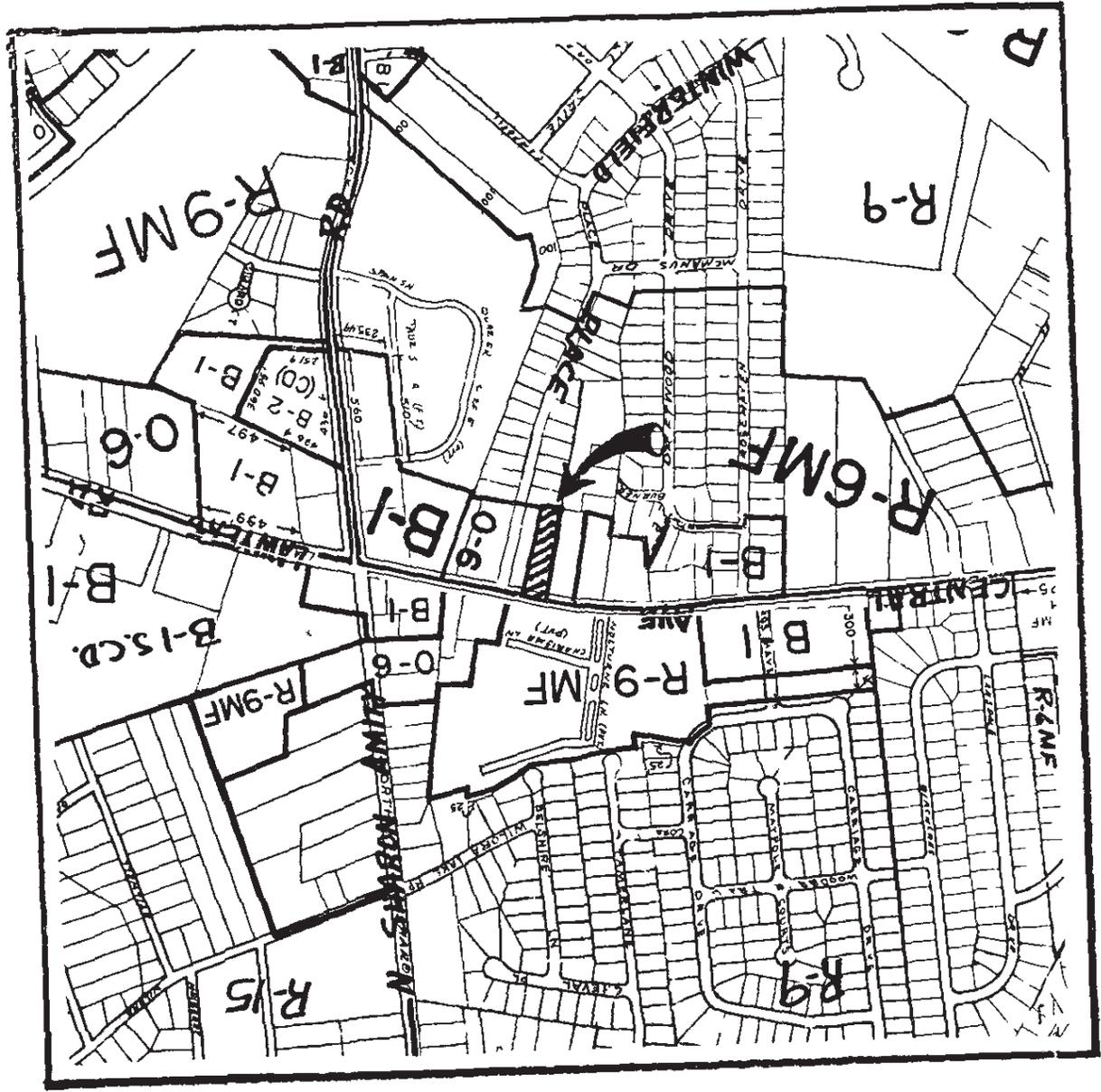
HEARING DATE 7-19-82

ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED B-1(CD)

LOCATION An 1.29 acre site fronting 140 feet on the southerly side of

Central Avenue approximately 70 feet west of the intersection of

Central Avenue and Winterfield Place.



SCALE 1" = 800'

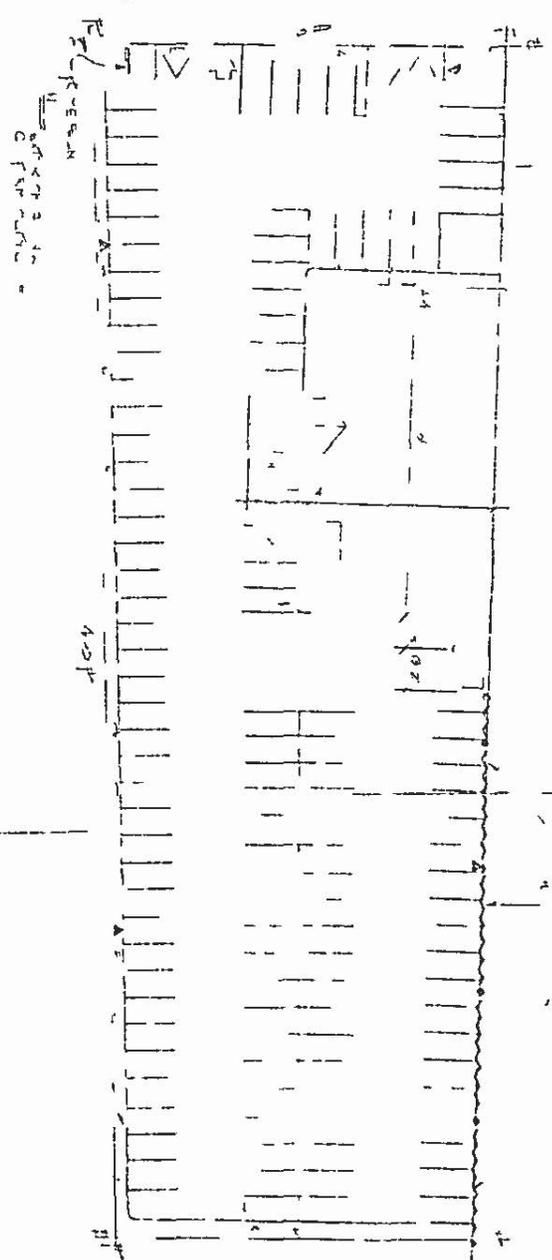
ZONING MAP NO. 22

PROPERTY PROPOSED FOR CHANGE

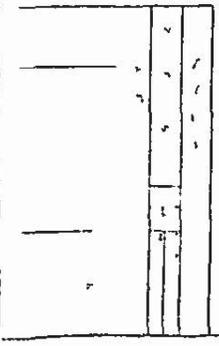


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DATE August 9, 1982

PETITION NO. 82-47

PETITIONER(S) Pedro's Mexican Food, Inc.

REQUEST Change from O-6 to B-1(CD)

LOCATION 2.27 acres located on the southerly side of Margaret Wallace Road.

ACTION The Planning Commission recommends that the petition be denied.

VOTE Yeas: Culbertson, Curry, Evans, Jernigan, Lawing, McCoy and Trotter.

Nays: None.
(Commissioner Greene was not present when vote was taken.)

REASONS:

The following issues associated with this request can be identified:

1. Zoning and Land Use Pattern. Would the approval of this request and resulting use of the property be consistent with existing and anticipated zoning and land use patterns in the area?
2. Need for Business Zoning. Is there an identified need for additional business zoning in the area?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The petitioned property is zoned O-6. Contiguous areas to the south and west are also zoned O-6. Further south begins a large area zoned R-12 for single family homes. Property relating to Independence Boulevard is zoned B-2 and areas north of the frontage property are zoned R-9.
2. Existing Land Use. At the present time the site is developed with two single family dwellings, one of which is abandoned. Along Independence Boulevard are a variety of commercial uses. Along Margaret Wallace to the east of the site are several single family homes. Also nearby is the Woodberry Forest Subdivision and Mason Wallace Park. To the west properties along Margaret Wallace are vacant.

3. Site Plan. The site plan proposes a 10,000 square feet restaurant. 137 parking spaces will be provided. The property will be accessed by 3 driveways from Margaret Wallace Road.

The following general findings can be arrived at.

1. Comprehensive Plan 1995. The Plan Map indicates residential (0-6 dwelling units per acre), commercial, and office in the vicinity of petitioner's property. Petitioner's property is also in close proximity to a Metropolitan Service Center.

2. Transportation Improvement Program (TIP). Independence Boulevard Corridor Study is a study to determine the need for some type of highway and/or transit facility in this heavily congested corridor. Project has a very high priority. Cost of project (land acquisition and construction) is estimated at \$29 million. Funds for the study (\$460,000) have been appropriated as of October 31, 1980.

3. Transportation Action Plan (TAP). The Lumaraka Drive/Thermal Road Project is one of the important projects in the Mixed Urban/Suburban Future of the TAP. The project would provide an important transportation link between Independence Boulevard and I-77. Project is not in the Transportation Improvement Program at this time.

Based on the above issues, facts and general findings, the following detailed findings may also be made.

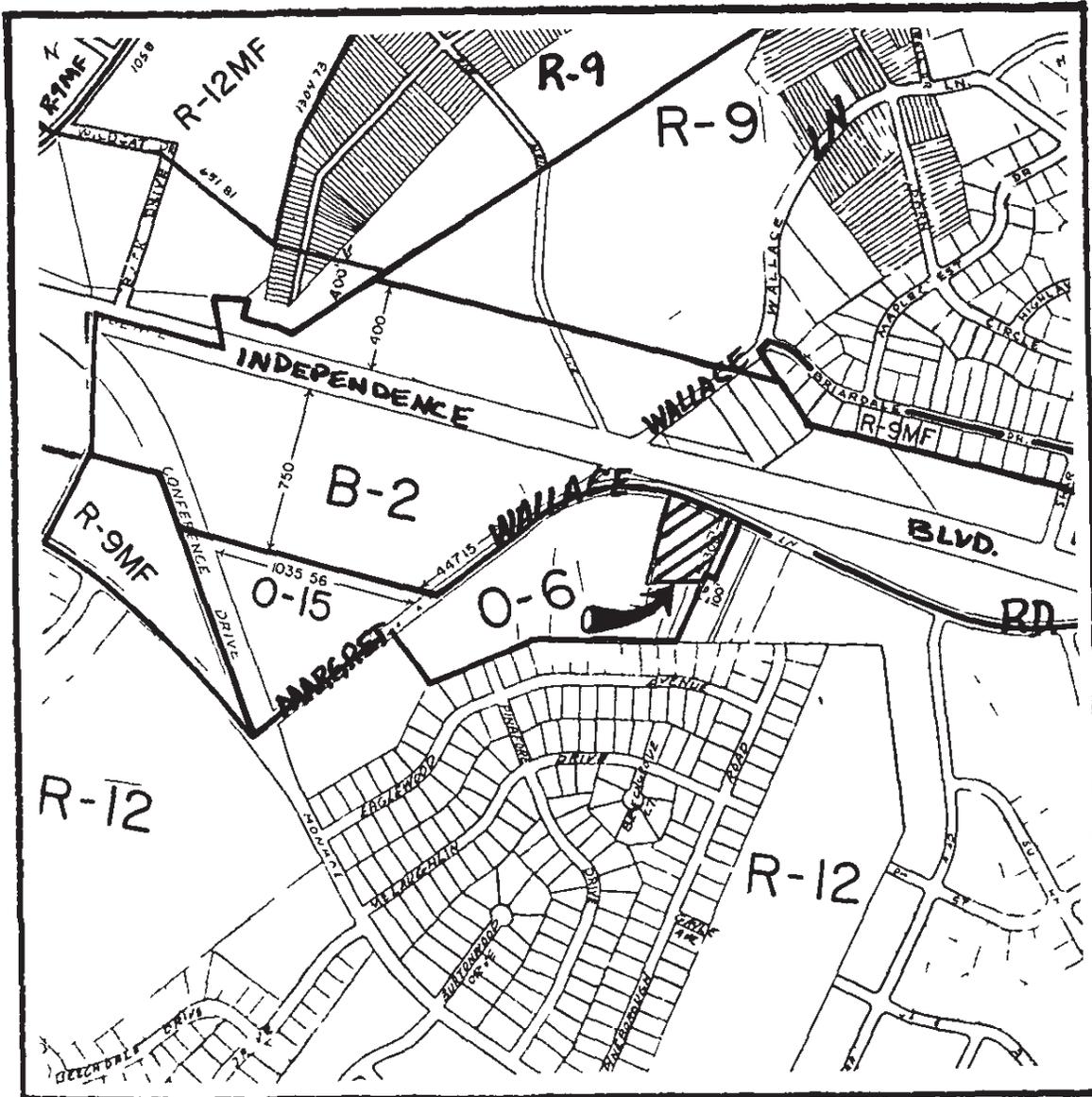
1. The subject property is zoned 0-6.
2. The 0-6 zoning classification serves as a transition from B-2 zoning along Independence Boulevard to R-12 zoning in the Parkview East Subdivision.
3. Other land in the vicinity is zoned for business purposes and not being used.
4. Approval of this request would, in effect, jump over the existing B-2 boundary at Margaret Wallace Road and begin to intrude into an area not suitable for B-2 zoning.
5. Further, the approval of this request may lead to other similar requests in the area.
6. Approval of this request would result in undesirable zoning and land use patterns and therefore can not be justified.

PETITIONER Pedro's Mexican Food, Inc.

PETITION NO. 82-47 HEARING DATE July 19, 1982

ZONING CLASSIFICATION, EXISTING O-6 REQUESTED B-1(CD)

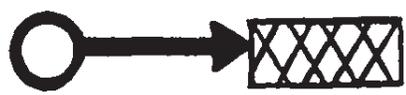
LOCATION A 2.27 acre site fronting 300.82 feet on the southerly side of
Margaret Wallace Road, approximately 429 feet east of the intersection
of Margaret Wallace Road with Independence Boulevard.

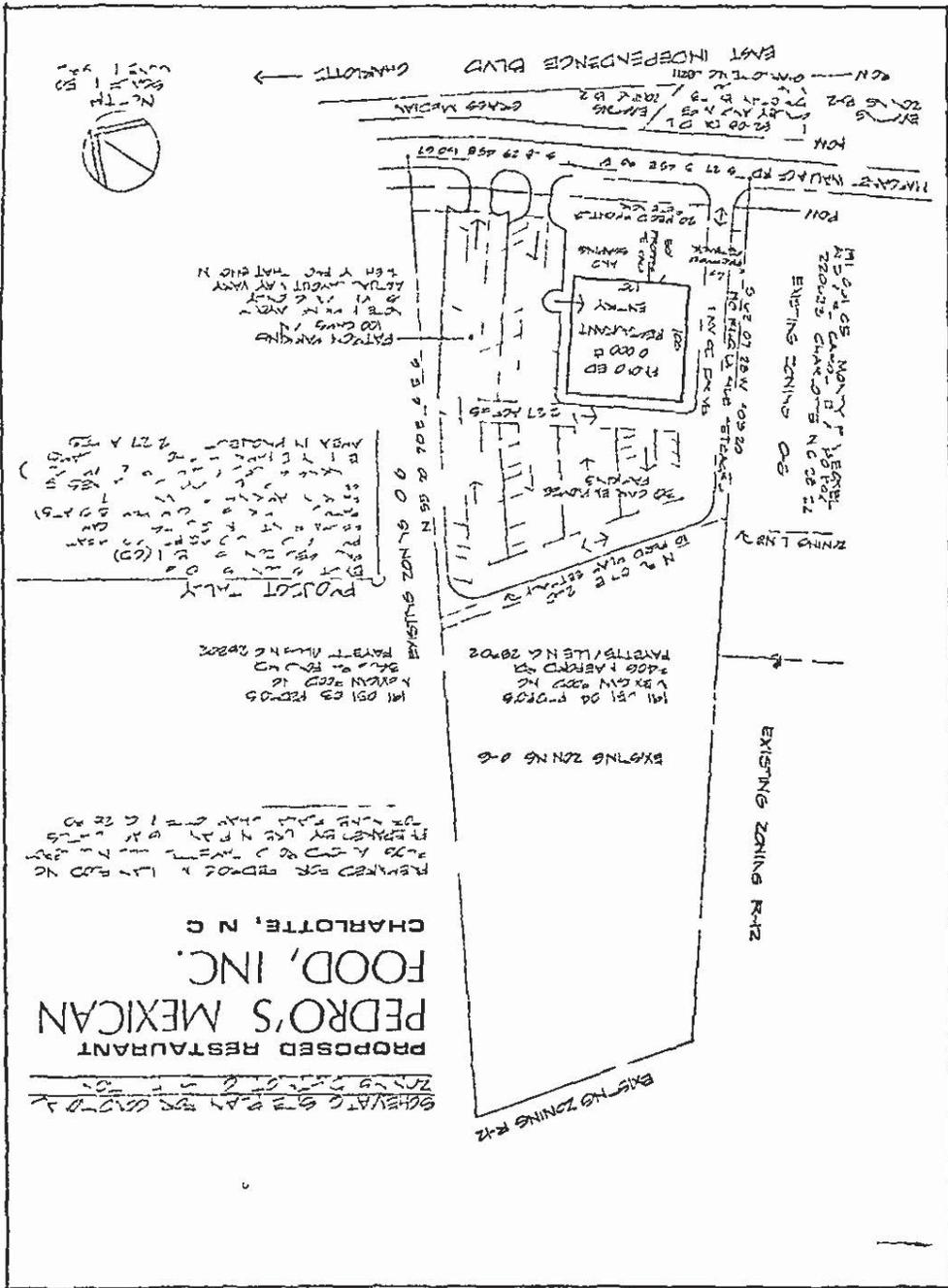


ZONING MAP NO. 25

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE





PROJECT NAME
 PEDRO'S MEXICAN
 PROPOSED RESTAURANT
 CHARLOTTE, N.C.

SHEET NO. 1 OF 1

PREPARED FOR: PEDRO'S MEXICAN RESTAURANT
 1000 W. 10TH ST. CHARLOTTE, N.C. 28202

PROJECT NO. 1000
 DATE: 10/10/10

EXISTING ZONING O-6
 EXISTING ZONING R-12

RESTAURANT
 1000 W. 10TH ST.

EAST INDEPENDENCE BLVD
 HARRIS BLVD



ATTACH # 4



CHARLOTTE-MECKLENBURG PLANNING COMMISSION

CAMERON BROWN BUILDING
301 SOUTH McDOWELL STREET
CHARLOTTE, NORTH CAROLINA

MARTIN R CRAMTON JR
Planning Director

August 27, 1982

Mayor Eddie Knox
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

Attached are recommendations of the Charlotte-Mecklenburg Planning Commission on petitions for rezoning which have been heard and referred to the Planning Commission for consideration. The recommendations as reflected herein were arrived at in a meeting of the Planning Commission held on August 23, 1982.

According to the adopted rules of procedure, these recommendations will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse on September 8, 1982. This will then permit these matters to be placed on your agenda for consideration on September 20, 1982.

If you have any questions or wish to discuss any aspect of these recommendations, please let me know.

Respectfully submitted,

Robert G. Young
Zoning Hearing Supervisor

RGY:oj

Attachments

DATE August 23, 1982

PETITION NO. 81-48

PETITIONER(S) Grand Cafe, Inc.

REQUEST Change from O-6 to B-1(CD)

LOCATION A small triangular shaped parcel located about 230 feet east of
Providence Road between Fenton Place and Altondale Avenue.

ACTION The Planning Commission recommends the petition be approved.

VOTE Yeas: Boyce, Culbertson, Curry, Greene, Jernigan, Lawing, McCoy, Smith and Trotter.

Nays: None.

REASONS:

The following issues associated with this request can be identified:

1. Relation to Adjoining Uses. Does this change in a small parcel relate satisfactorily to adjoining and nearby land uses?
2. Neighborhood Objectives. Does this proposed change relate satisfactorily to broader neighborhood objectives, especially in relation to vehicular traffic?
3. Site Plan Conditions. Do site plan conditions now associated with this request offer reasonable neighborhood and development safeguards?
4. Relationship to Rezoning Petition No. 82-48. What relationship does this request have on issues concerning petition 82-48 by El Villa, Ltd.?

In arriving at answers to the above issues, the following facts should be considered:

1. Existing Zoning. The subject property is now zoned an O-6 office classification as is a substantial amount of property surrounding it. Generally the land between the requested parcel and Providence Road is now zoned a B-1 business classification while other properties to the east along Altondale and Fenton Place are zoned R-6MF multi-family. This request constitutes a minor expansion of existing B-1 zoning into the existing O-6.

2. Existing Land Use. The subject parcel is part of a designated use area related to the operation of a restaurant. Specifically, it is the rear portion of a combination restaurant and retail outlet development known as El Villa. The combination restaurant and retail outlet development for the subject development while other lands in the immediate vicinity are used for a combination of business and office purposes fronting on Fenton Place with residential usage located further along Fenton in the direction of Cherokee Road. A similar pattern exists along Altondale Avenue with business usage beginning at Providence, then office and then single family residential usage.
3. Request Background and Detail. The subject parcel has always been part of a rear yard outdoor area connected to a restaurant located in the main structure known as El Villa. Over a period of time, this area which is partially already zoned for business purposes has had some outdoor usage related to the restaurant with some tables being placed around and adjacent to a pool area. More recently, the property owner secured a building permit to erect a wooden deck area with the intent of formalizing the use of the area in conjunction with the restaurant process. In actually building the deck, an encroachment occurred into the area which is now zoned for office purposes and this constitutes a violation. This petition, therefore, seeks rezoning of the area covered by the deck which is located in the existing office district.
4. Change to B-1(CD). This request has recently been amended to B-1(CD) in lieu of the original B-1. The conditions of this request are as follows:
 - a) The portion of the courtyard behind the Villa Square Shopping Center included in the B-1(CD) area shown on the site plan will be used for restaurant purposes only.
 - b) The performance of amplified live entertainment will be prohibited both in the B-1(CD) area and in the remainder of the courtyard between that area and the restaurant, but unamplified live entertainment and recorded, taped or radio-type music or other entertainment will be permitted, provided it complies with all requirements of the City's Noise Ordinances, as the same may be amended from time to time.
 - c) For so long as any part of the restaurant area shaded in grey on the attached floor plan of a portion of the ground floor and courtyard of the Villa Square building is used for restaurant purposes, seating capacity therein shall not exceed the presently posted 147 seats. The area so shown and the other portions of the buildings or improvements on the Villa Square property may be used for purposes permitted by applicable codes and ordinances, provided the parking requirements of such codes and ordinances for all uses existing from time to time on the Villa Square property are met.
5. Parking Relationships. While concerns and questions have been raised from time to time concerning the parking relationship of this overall development, an examination by the Transportation Department, Inspection Department and City Attorney's Office indicates that even with the deck in place, off-street parking requirements of the zoning ordinance will continue to be met. According to calculations related to the seating capacity of the restaurant and the operation

of other shops as they now exist in the El Villa development, 111 total parking spaces would be required whereas 113 are available.

The following general finding can be made:

1. Comprehensive Plan 1995. The Plan Map generally indicates Commercial/Transitional Residential in the vicinity of the petitioner's property.

Based on the issues, facts and general findings, the following detailed findings may also be made:

1. The subject parcel is part of a development which has permitted the retention of an historic structure with a quality urban atmosphere.
2. The change which is proposed constitutes an internal project rearrangement instead of a substantial external one.
3. The overall proposal does not involve an increase in the allowable seating capacity of the restaurant, but reflects a shift from the original plan which recognized a primary restaurant and a smaller, secondary food service facility. A condition of the plan now provides a total of 147 seats in the restaurant and deck areas.
4. The change as requested will not result in a parking deficiency as has been certified by the Building Inspection and Transportation Departments.
5. The problems which have occurred in the past with overflow parking should have been relieved with the abandonment of the smaller food service area.
6. This proposal offers the addition of new conditions and restrictions which will provide further development control of the parcel in question.
7. This proposal has been deferred for some time, but was reactivated in conjunction with petition 82-48 by El Villa, Ltd. The two petitions have been considered by Planning Commission together. Petition No. 82-48 was recommended for approval by the Planning Commission.
8. Overall, this request constitutes a minor internal change in an already developed project which should not adversely affect or impact on either immediately adjoining properties nor broader neighborhood interests.

PETITIONER Grand Cafe, Inc.

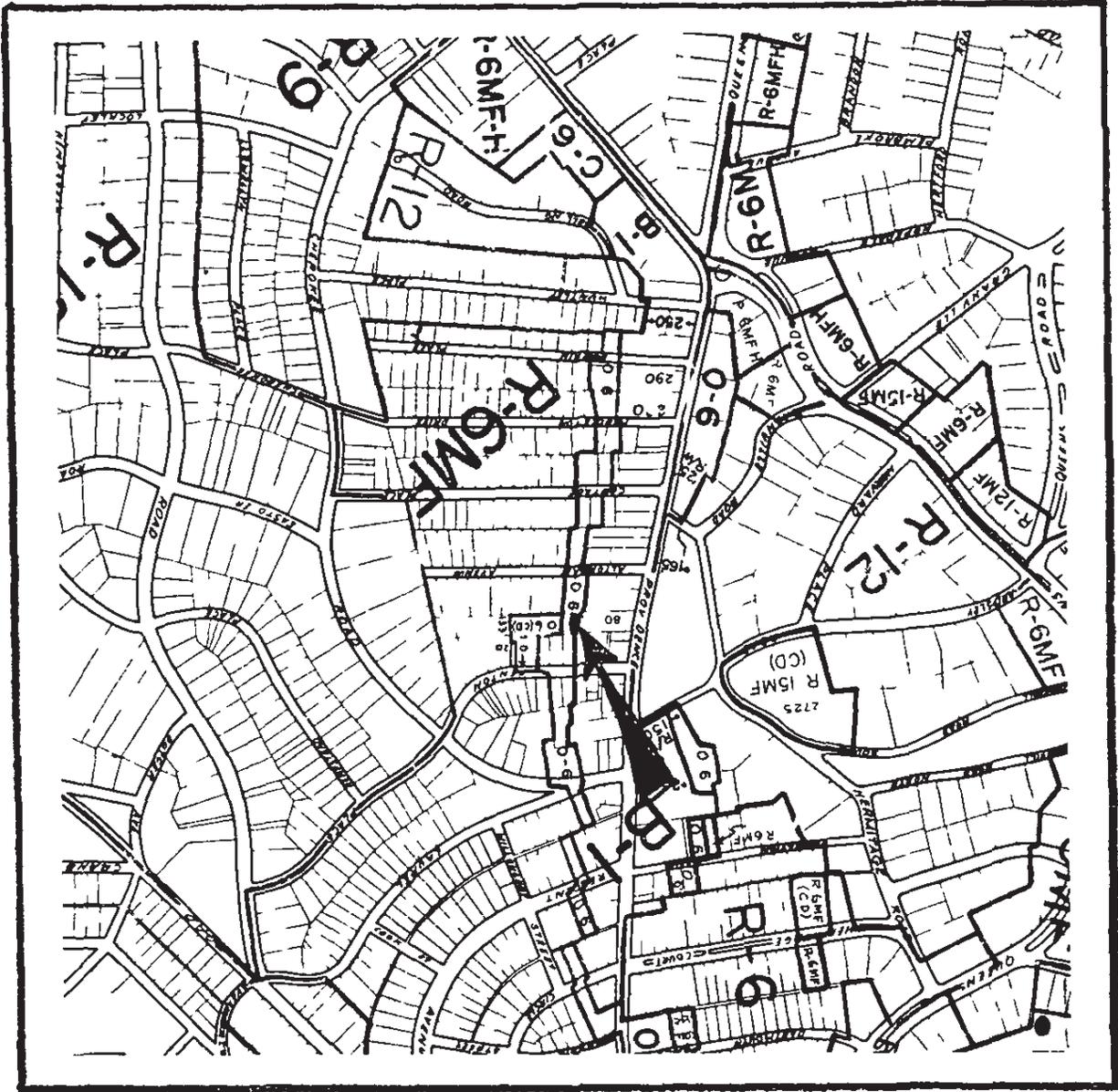
PETITION NO. 81-48

HEARING DATE August 24, 1981

ZONING CLASSIFICATION, EXISTING 0-6 REQUESTED B-1 (CD)

LOCATION A .04 acre parcel located about 230 feet off the east side of

Providence Road in the block bounded by Fenton Place and Altondale Avenue.

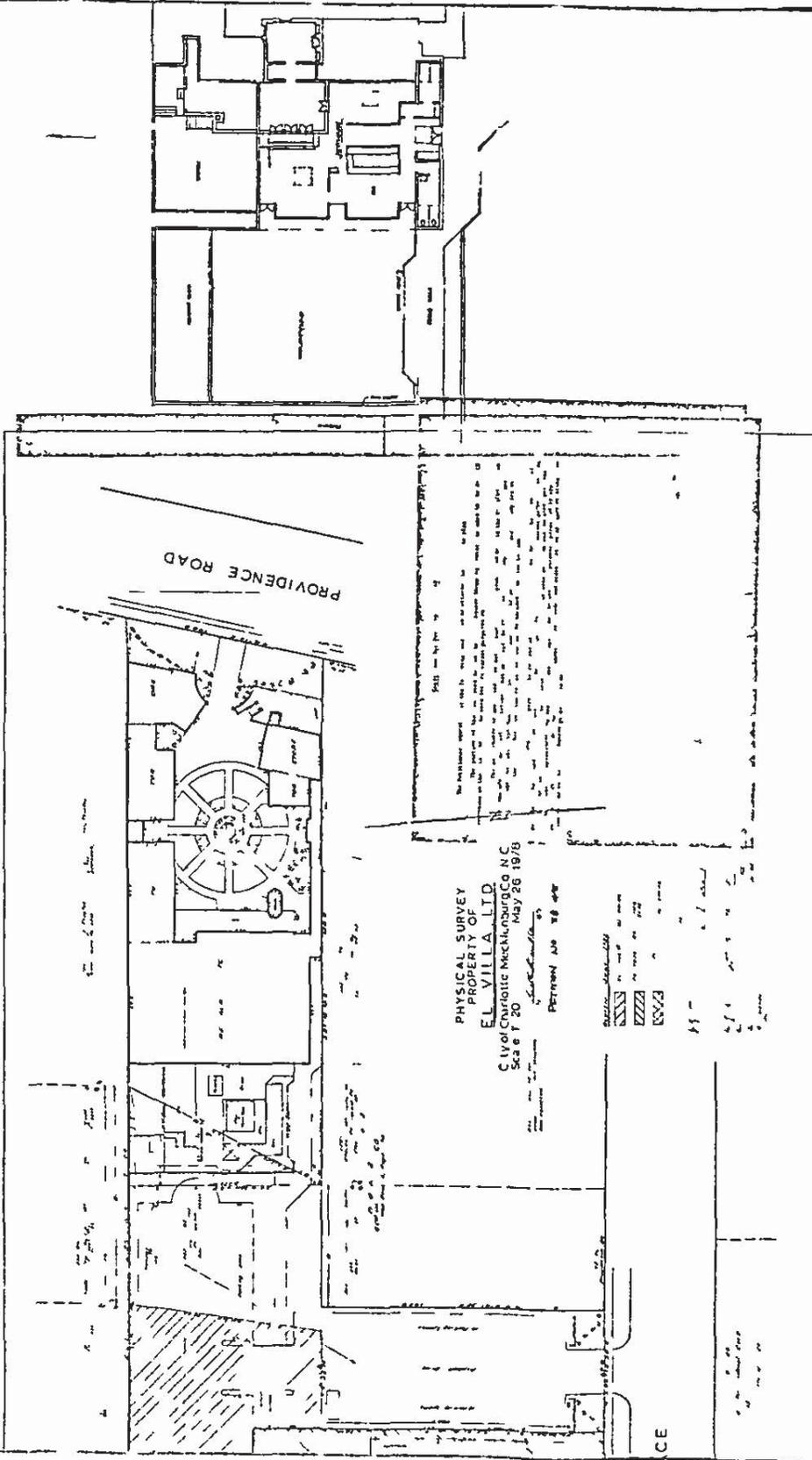


SCALE 1" = 800'

ZONING MAP NO. 7

PROPERTY PROPOSED FOR CHANGE





PROVIDENCE ROAD

PHYSICAL SURVEY
 PROPERTY OF
 EL VILLA LTD
 CIVIL CHARLOTTE MECHANICAL CO. N.C.
 Scale 1" = 20' May 26 1978

[Hatched Box] Existing Building
 [Dotted Box] Proposed Building
 [Diagonal Lines] Existing Parking
 [Wavy Lines] Proposed Parking
 [Dashed Line] Property Line
 [Solid Line] Easement
 [Double Line] Right-of-Way
 [Thin Line] Utility Line
 [Thick Line] Wall
 [Thin Line] Window
 [Thin Line] Door
 [Thin Line] Staircase
 [Thin Line] Elevator
 [Thin Line] Core
 [Thin Line] Shaft
 [Thin Line] Terrace
 [Thin Line] Walkway
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The Mechanical Report is hereby incorporated by reference into this Survey. The portion of the Mechanical Report which is incorporated by reference is the portion of the report which is identified by the Survey. The Mechanical Report is hereby incorporated by reference into this Survey. The portion of the Mechanical Report which is incorporated by reference is the portion of the report which is identified by the Survey.

CE

DATE August 23, 1982

PETITION NO. 82-36

PETITIONER(S) Warren and Jane B. Redd

REQUEST Change from R-9 to B-1(CD) and O-15(CD)

LOCATION A 39.2 acre tract on the easterly side of Reddman Road, about
½ mile south of the intersection of Albemarle Road and Reddman Road.

ACTION The Planning Commission deferred action on this request pending
notification of interested parties due to a revised site plan.

VOTE _____

REASONS:

DATE August 23, 1982

PETITION NO. 82-39

PETITIONER(S) Public Storage, Inc.

REQUEST Change from B-2 to B-C(CD)

LOCATION A 1.6 acre tract on the northerly side of Albemarle Road, approximately
210 feet east of the intersection at Albemarle Road and Jenkins Drive.

ACTION The Planning Commission recommends the petition be denied.

VOTE Yeas: Boyce, Culbertson, Curry, Greene, Jernigan, Lawing, McCoy, Smith and Trotter.

Nays: None.

REASONS:

The following issues associated with this request can be identified:

- 1 Albemarle Road Plan Would the approval of this request be consistent with the Albemarle Road Plan?
- 2 Overall Objectives Would the approval of this request be consistent with overall zoning and land use objectives for this area?
- 3 Mixed Use Objectives Would the proposed use, a mini-warehouse project, promote the mixed use development objectives for this area?
- 4 Site Plan Does the site plan offer a reasonable plan for development?

In arriving at answers to the above questions, the following facts should be considered

- 1 Existing Zoning The site is presently zoned B-2 Property along Albemarle Road in the area is zoned for non-residential purposes Much of that portion reflects B-2, but there are areas zoned O-15 This is particularly true directly across the street from the site Land which is not directly adjacent to Albemarle Road is zoned for residential purposes, both single family and multi-family

2 Existing Land Use The property in question is undeveloped. Immediately to the west is a restaurant, while across Albemarle Road is a church and a large office park. Property that fronts along Albemarle Road in the area is either developed with commercial or office uses. Some single family development occurs along Jenkins Drive, while multi-family development is along Farm Pond Lane on the north side of Albemarle Road.

3 Site Plan The site plan submitted as a part of this request calls for a mini-warehouse project with a total building square footage of 42,300 square feet. One driveway is shown. In addition a combination of natural screen planting and/or wood fencing is shown around the perimeter of the site.

4 Albemarle Road Plan The Albemarle Road Plan indicates that the general area of the request is a mixed development area with the frontage property along Albemarle Road devoted to commercial uses.

The following general findings can be arrived at:

1 Comprehensive Plan 1995 The Plan Map indicates residential development, 0-6 dwelling units per acre, in the vicinity of petitioner's property.

2 Albemarle Road Small Area Plan. The Plan Map indicates mixed use/office/residential development in the area between Campbell Creek and Jenkins Drive. The plan also recommends the realignment of Jenkins Drive with Executive Center, plus a traffic light at the intersection.

3 Mecklenburg County Greenway Master Plan The portion of Campbell Creek north of Albemarle Road has been recommended to be included in the Second Phase of the Greenway Program.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

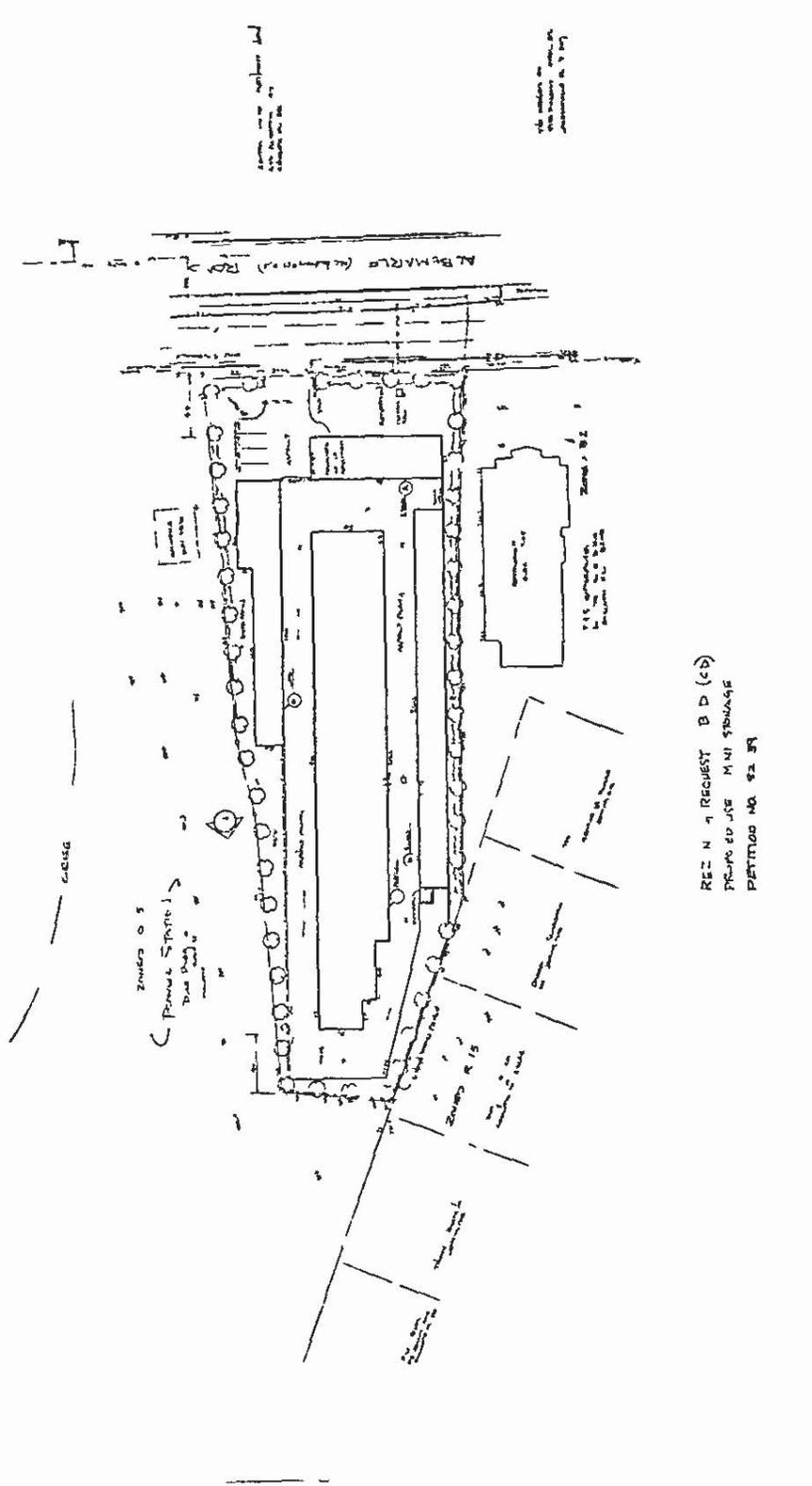
1. The petitioned property is presently zoned B-2. The non-residential zoning pattern in the area reflects a mixture of office and retail/wholesale zoning classifications. No distributive business zoning exists in the area.

2 The development pattern around the petitioned property reflects an active, mixed use pattern.

3 The proposal to change the zoning on this parcel and construct a mini-warehouse project is not consistent with the Albemarle Road Small Area Plan, nor with the mixed use pattern of development.

4. While the site plan prepared with this request has given consideration to various site plan aspects, the proposed use will, however, create a "dead space" in the mixed use area around the site, which is not desirable.
5. It may be argued that the proposed use will generate less traffic than most uses now permitted on the site, but this one consideration is not enough to justify this request
6. It is felt that the current B-2 zoning offers a very reasonable and desirable opportunity for development of this site. B-D zoning is, therefore, not a prerequisite for development opportunities. Thus, based on this and the above considerations this request cannot be recommended for approval
7. (It should be noted, also, that the petitioner's financing for this project was withdrawn and, therefore, the petitioner determined that the project proposal could not be built).

LAND / USE
 Zone No. 3.0
 Zoning Ord. No. 195.0
 Ord. No. 195.0
 Ord. No. 195.0
 Ord. No. 195.0



REZ N 1 REQUEST B D (c)

PERM TO USE MINI STORAGE

PETITION NO. 42 39

RE 14005	PUBLIC STORAGE	PUBLIC STORAGE INC 1805 POWERS FERN RD SUITE 400 MARTIN, LA 70057 JIN 837 4040	A B - MACCLURE TOWN	SITE LOCATION
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DATE August 23, 1982

PETITION NO. 82-48

PETITIONER(S) El Villa, Ltd.

REQUEST Change from O-6 to O-6(CD) and Site Plan Amendment

LOCATION .49 acres located on the southerly side of Fenton Place.

ACTION The Planning Commission recommends the petition be approved with the addition of one minor, clarifying condition (See Detailed Finding No. 11).

VOTE Yeas: Boyce, Culbertson, Curry, Greene, Lawing, Smith and Trotter.

Nays: Jernigan and McCoy.

REASONS·

The following issues associated with this request can be identified:

1. Neighborhood Objectives. Would the approval of this request be compatible with overall neighborhood planning objectives?
2. Villa Square/Mixed Use Development. Is this proposal consistent with the mixed use, infill concepts as originally proposed for this development project?
3. Traffic. What traffic problems exist in the area now? How does this proposal relate to those concerns?
4. Site Plan Amendment. Does this site plan amendment offer a reasonable plan for development that fulfills the needs of the petitioner while also protecting the neighborhood?
5. Fenton Place Streetscape. How does this proposal address the streetscape design along Fenton Place?
6. Zoning/Land Use Decision. Does this proposal offer the means to settle zoning and land use decisions with regard to Villa Square?
7. Implementation. Does the plan offer reasonable, controllable conditions?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The petitioned property is presently zoned 0-6 and 0-6(CD). Contiguous property to the north and east is zoned R-6MF, while adjoining property to the west is zoned 0-6. Farther east lots which are related to Providence Road are zoned B-1. Generally to the west of the site residential zoning, both single family and multi-family, predominates.

2. Existing Land Use. The property in question is presently developed with a vacant single family structure on one lot, the lot beside it is vacant and the remaining land zoned 0-6(CD) is used for parking. The property is associated with the Villa Square shopping complex. Along Providence Road are a variety of neighborhood retail and commercial uses. Moving down Fenton Place from Providence Road are several offices and then begins a solid pattern of residential development. Most is in the form of single family homes, but some multi-family buildings are interspersed.

3. Existing Site Plan. The existing site plan (approved in 1976) indicates that a tennis court will be constructed on the vacant lot and that an associated recreational building will also be included as part of the plan. These items of the site plan have never been constructed.

4. Proposed Site Plan. The site plan amendment submitted as a part of this request indicates that an additional lot is being added to the conditional plan. Presently this lot (505 Fenton Place) has a vacant single family structure on it, but is zoned 0-6. The plan indicates that this lot may be developed with either a two-unit residential structure or an office. Next, the plan proposes to place a 2-unit residential structure on the vacant lot beside 505 Fenton Place. This would replace the existing proposal to construct a tennis court on this lot. Both of these lots propose parking spaces sufficient to accommodate each use. Finally, the plan proposes to add a total of 24 new parking spaces. The area in which these spaces will be located is the area generally shown for the approved recreation building. Before construction of the 24 new spaces can occur, the construction of the structures on 505 Fenton Place and on the vacant lot beside it must occur.

5. Rezoning Petition No. 81-48 by Grand Cafe, Inc. This petition, which is still pending but being activated concurrently with this request, originally sought to rezone a triangular shaped area behind Blanche's Restaurant (a portion of the outdoor patio/deck) from 0-6 to B-1. That request has been recently amended to B-1(CD) and will restrict the use to restaurant purposes and the amplification of live music and place a seating capacity of 147 seats on the restaurant associated with the Villa Square shopping complex. (Planning Commission has recommended approval of 81-48 in conjunction with 82-48).

The following general findings can be arrived at.

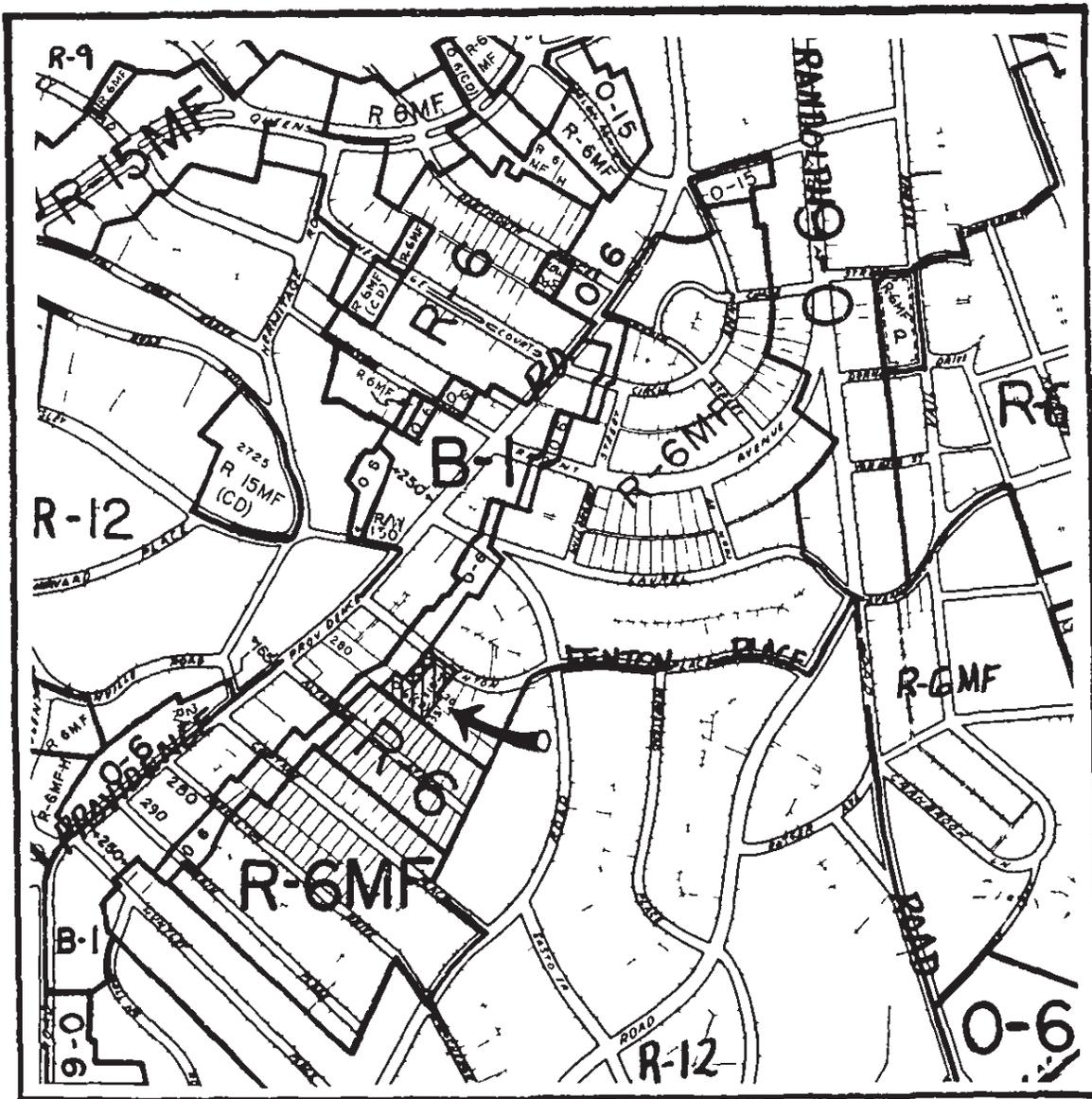
1. Comprehensive Plan 1995. The Plan Map generally indicates Commercial/Transitional Residential in the vicinity of the petitioner's property.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is zoned O-6 and O-6(CD). The O-6(CD) zoning came about in 1976 to satisfy parking needs of the Villa Square complex.
2. The overall Villa Square complex was proposed and developed as a mixed use, infill project that could combine residential and non-residential uses successfully into an existing urban neighborhood. The project included the re-use and rehabilitation of an historic structure.
3. One of the original concepts behind this development was that the project could be more pedestrian oriented than most conventional shopping/retail complexes.
4. However, vehicular traffic associated with this development has been a constant problem. Additional traffic has been generated which has adversely affected the neighborhood due to periodic congestion, on-street parking, noise, late night traffic, etc. Residents of the area have been understandably distressed by these problems.
5. Therefore, a very fragile relationship exists between the neighborhood environment and the commercial center.
6. It has become apparent that the original proposal to construct a tennis court and recreational building on property associated with this request is no longer feasible. The petitioner seeks a plan amendment in this regard.
7. The petitioner's proposal to amend the site plan offers the opportunities to solve problems that have occurred. First, the proposal to construct a 2-unit residential structure on one lot and an office or another 2-unit structure on the adjacent lot addresses the lingering streetscape problems along Fenton Place. Other design features, such as traditional architecture, will help to insure design compatibility with other uses on the street. Secondly, the addition of 24 new parking spaces should help relieve parking problems. These additional spaces will ease congestion and on-street parking problems.
8. A condition of the plan requiring the construction of the office or 2-unit residence at 505 Fenton Place and the 2-unit residence on the vacant lot before the new parking spaces can be constructed is desirable because this will insure that the streetscape will be secured.
9. It is possible that the petitioner could demolish the existing structure on 505 Fenton Place and replace it with 28 parking spaces. It is felt that this would be a detriment to the overall environment. Thus, the petitioner's proposal to either retain this structure or replace it with a structure of compatible design is desirable in terms of the streetscape appearance and the overall neighborhood environment.

10. The biggest problem with regard to Villa Square has been the traffic generated by the restaurant patrons. A condition of rezoning petition 81-48 restricts the total number of seats in Blanche's Restaurant (now vacant) to 147. By restricting the total number of seats at Insures that the restaurant cannot expand and add to the traffic problem. However, the 24 spaces could be used to apply to other retail uses in the Villa Square complex.
11. Additional clarifying language was added to the plan by the Planning Commission which clarified that the residential structure to be constructed on the vacant lot will have its own parking and such parking cannot be used in connection with adjacent properties.
12. With the above considerations and conditions it is felt that the problems surrounding this complex issue can be solved. Neighborhood land use objectives can be achieved and the objectives of the Villa Square complex as well.

PETITIONER El Villa, Limited
PETITION NO. 82-48 HEARING DATE July 19, 1982
ZONING CLASSIFICATION, EXISTING 0-6 & 0-6(CD) REQUESTED 0-6(CD) with Site Plan Amendment
LOCATION A .490 acre site fronting 120 feet on the southerly side of Fenton Place approximately 354 feet east of the intersection of Fenton Place and Providence Road.

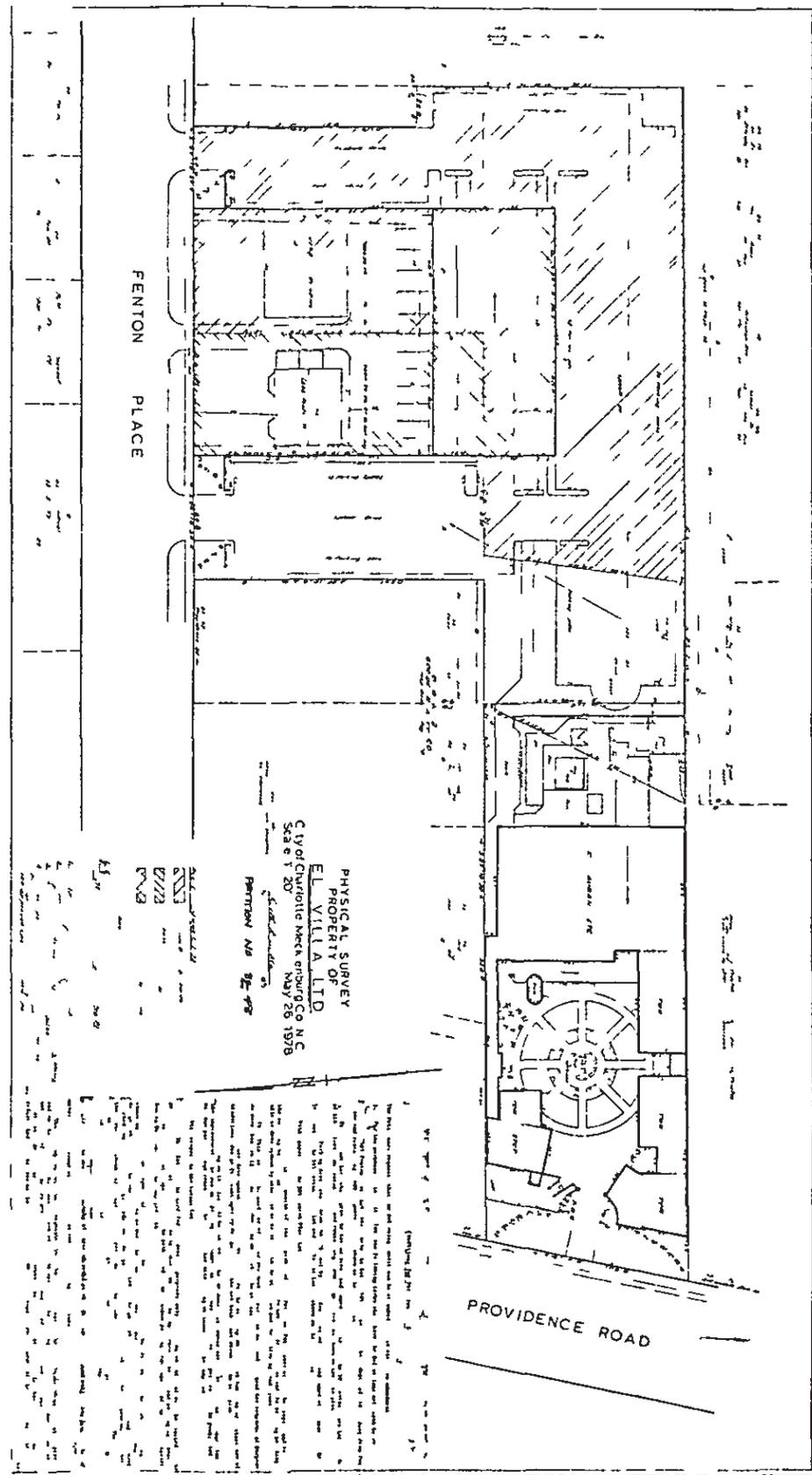


ZONING MAP NO. 7

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE





FENTON PLACE

PROVIDENCE ROAD

PHYSICAL SURVEY
 PROPERTY OF
 EL VILLA LTD
 CIVIL ENGINEERING CO INC
 S2 & 130
 FENTON RD SE 98

W/22
 P/22

1. The plan shows the existing buildings and structures on the site and the proposed new buildings and structures to be erected thereon. The plan also shows the proposed roads and other works to be carried out on the site. The plan is drawn to a scale of 1 inch = 10 feet. The plan is subject to the approval of the local authority. The plan is drawn in accordance with the provisions of the Building Act 1947 and the Building Regulations 1956. The plan is drawn in accordance with the provisions of the Building Act 1947 and the Building Regulations 1956. The plan is drawn in accordance with the provisions of the Building Act 1947 and the Building Regulations 1956.

DATE August 23, 1982

PETITION NO. 82-50

PETITIONER(S) Catawba Economic Development Association, Inc.

REQUEST Change from R-9 to R-9MF(CD)

LOCATION A 4.3+ acre tract located on the westerly side of N. Sharon Amity
Road at N. Sharon Amity/Hickory Grove Road intersection.

ACTION The Planning Commission deferred action on this request in order
for staff to work with the petitioner on a more detailed site plan.

VOTE _____

REASONS:

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DATE August 23, 1982

PETITION NO. 82-51

PETITIONER(S) City of Charlotte - Community Development Department

REQUEST Change from R-6MF to I-3

LOCATION A 1.276 acre site at the northwest corner of East 12th Street
and Alexander Street.

ACTION The Planning Commission deferred action on this request in order
to secure additional information from the petitioner.

VOTE _____

REASONS:



DATE August 23, 1982

PETITION NO. 82-52

PETITIONER(S) Z. L. Black and Edward Lee Black

REQUEST Change from R-6MF to B-1

LOCATION A 1.19 acre tract located on the southerly side of Central Avenue
approximately 209 feet west of Winterfield Place.

ACTION The Planning Commission recommends that the petition be denied.

VOTE Yeas: Boyce, Culbertson, Curry, Jernigan, Lawing, McCoy, Smith and Trotter.

Nays: None.

(Commissioner Greene was absent when vote was taken.)

REASONS:

The following issues associated with this request can be identified:

1. Need for Business Zoning. Is there an identified need for additional business zoning in the area?
2. Traffic. What traffic and traffic related problems might result if this request is approved?
3. Future Affect. If approved, what affect would this change have on future land use and zoning decisions in the area?
4. Thoroughfare Zoning. Would the proposal to rezone this lot for business purposes be compatible with objectives for zoning along thoroughfares such as Central Avenue?
5. Overall Zoning Objectives. Would the approval of this request be consistent with overall zoning objectives for this area?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The petitioned property is presently zoned R-6MF as is contiguous property to the east and south. Property farther to the east is zoned 0-6 for office purposes. At the intersection of Central Avenue and Sharon Amty Road property is zoned B-1 for neighborhood retail purposes. Nearby is B-1SCD zoning which accommodates the Eastland Mall. Across the site on the north side of Central Avenue property is zoned R-9MF and west on both sides of Central Avenue are areas again zoned B-1.

2. Existing Land Use. The property in question is developed with 2 single family residences. There is also a single family residence on the lot east of the site. West are a number of restaurants and other commercial uses. Across Central Avenue from the site are the Glen Hollow Apartments. Farther to the east of the site is a small apartment building, a vacant lot and a number of commercial uses relating to the Central Avenue/Sharon Amty intersection. Farther south of the site begins a large concentration of residential development.

The following general findings can be arrived at.

1. Comprehensive Plan 1995. The Plan Map indicates residential development (10-20 du's/acre) and commercial cluster development in the vicinity of petitioner's property.
2. Transportation Improvement Program (TIP). Sharon Amty/Central Avenue intersection project would install additional left turn lanes on both Central Avenue approaches. Intersection is identified as one of the most congested intersections in the City and is the number one identified carbon monoxide hot spot. Project has a very high priority. Cost of project is estimated at \$161,000. No funds have been appropriated as of October 31, 1980.
3. Albemarle Road/Central Avenue Arterial Signal System would have the capability to change the timing plans several times per day on an automatic basis for intersections from Sharon Amty Road to the City Limits. Project has a very high priority. Cost of project is estimated at \$180,000. No funds have been appropriated as of October 31, 1980.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is presently zoned R-6MF.
2. The request is to rezone the property to B-1.
3. Commercial zoning at this site will generate additional traffic. More automobiles will add to traffic and traffic problems to this area and particularly impact the Central Avenue/Sharon Amty intersection, which has been identified as one of the most congested intersections in the City and is the number one identified carbon monoxide hot spot.

4. Across the street from the site are the Glen Hollow Apartments. The apartment complex presents a pleasant view along Central Avenue. No clutter of signs or automobiles is present.
5. On the other hand, business zoning of the subject property will permit parking adjacent to the street right-of-way.
6. The existing B-1 district to the west of the site has been a blight on the area. Many of the uses have changed periodically and because of this structures have stood, from time to time, vacant and presented an unsightly appearance. Before additional commercial zoning should be considered, stabilization of this area should occur.
7. Intensification of zoning along thoroughfares should be discouraged.
8. The approval of this request could lead to others in the vicinity.
9. Property to the east (Petition No. 82-46) has been recently recommended for denial based upon the above considerations.

PETITIONER Z. L. Black and Edward Lee Black

PETITION NO. 82-52

HEARING DATE

August 16, 1982

ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED B-1

LOCATION An 1.19 acre site fronting 140 feet on the southerly side of

Central Avenue, approximately 209 feet west of Winterfield

Place.



PROPERTY PROPOSED FOR CHANGE



SCALE 1" = 800'

ZONING MAP NO. 22

DATE August 23, 1982

PETITION NO. 82-53

PETITIONER(S) Roger R. Lee

REQUEST Change from I-1 to I-2

LOCATION A 3.189 acre site on the northerly side of Mount Holly Road
near the Lee Drive/Mt. Holly Road intersection.

ACTION The Planning Commission deferred action on this request in order
for staff to discuss a conditional plan for the site with the
petitioner.

VOTE _____

REASONS:

2025-08-23 10:00 AM

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DATE August 23, 1982

PETITION NO. 82-54

PETITIONER(S) John Crosland Realty Company

REQUEST Change from I-1 to I-2

LOCATION A 2.5 acre site located to the rear of property fronting on the northerly side of Starita Road, approximately 500 feet northeast of the intersection of Starita Road and Irwin Creek.

ACTION The Planning Commission recommends that the petition be approved.

VOTE Yeas: Boyce, Culbertson, Lawing and Trotter.

Nays: Curry, Jernigan and McCoy.

REASONS: (Commissioner Smith abstained from voting. Commissioner Greene was not present when vote was taken.)

The following issues associated with this request can be identified:

- 1 Zoning/Land Use Pattern Would the approval of this request be compatible with existing and anticipated zoning and land use patterns in this area?
- 2 Area Impact What impacts, if any, would result if this property was rezoned to I-2?

In arriving at answers to the above questions, the following facts should be considered:

- 1 Existing Zoning The subject site is zoned I-1. Contiguous property on 2 sides is also zoned I-1, while I-2 zoning is adjacent on the remaining sides. The zoning pattern in the immediate vicinity of the site reflects industrial or distributive business classifications. Farther north of the site begins a large area zoned for residential purposes. Also in the area is a tract of land which is zoned for a fraternal organization.
- 2 Existing Land Use The petitioned property is presently vacant. It is adjacent to a tract of land used for truck trailer parking. Generally land uses along Starita Road and I-85 in this area consist of light industrial or freight and trucking facilities. Property immediately adjacent to the site on the northerly and easterly sides is vacant, while farther north begins an area of single family homes.

The following general findings can be arrived at:

1 Comprehensive Plan 1995 The Plan Map indicates industrial development in the vicinity of the petitioner's property

2 Transportation Improvement Program (TIP) I-85 widening project consists of widening the existing roadway from four to six lanes and reconstructing all deficient interchanges and structures from NC 273 in Gaston County to the US 29-NC 49 Connector in Mecklenburg County Prior expenditures total \$22.7 million Estimated future cost is \$90.7 million Funding is 90 percent Federal and 10 percent State Project has high priority

The Statesville Avenue widening consists of upgrading the existing two lanes to four lanes with turn lanes at major intersections from Newland Road to I-85 This project will be supported by the I-85 widening project Estimated cost is \$15 million No funds have been appropriated as of June, 1982 Project has a low priority

3 Capital Improvement Program (CIP) I-85 water main project will construct a 24 inch water main along I-85 from Starta Road to North Tryon Street to reinforce the northeastern extremities of the current water system Estimated cost is \$35 million The amount appropriated prior to July 1, 1982 was \$19 million Completion of project is scheduled for Fiscal Year 1985-1986

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1 The subject property is zoned I-1 and is surrounded on all sides by industrial zoning

2 The subject parcel is located to the rear of property which has frontage along Starta Road The proposal in this case is to utilize this site to allow for the expansion of the use of the property which fronts on Starta Road

3 This request represents a minor adjustment to the existing zoning pattern in the area The property is an interior parcel that is surrounded by existing industrial zoning on all sides

4 The minority opinion expressed the view that any change to I-2, because of the variety of uses permitted, should include a conditional plan for development.

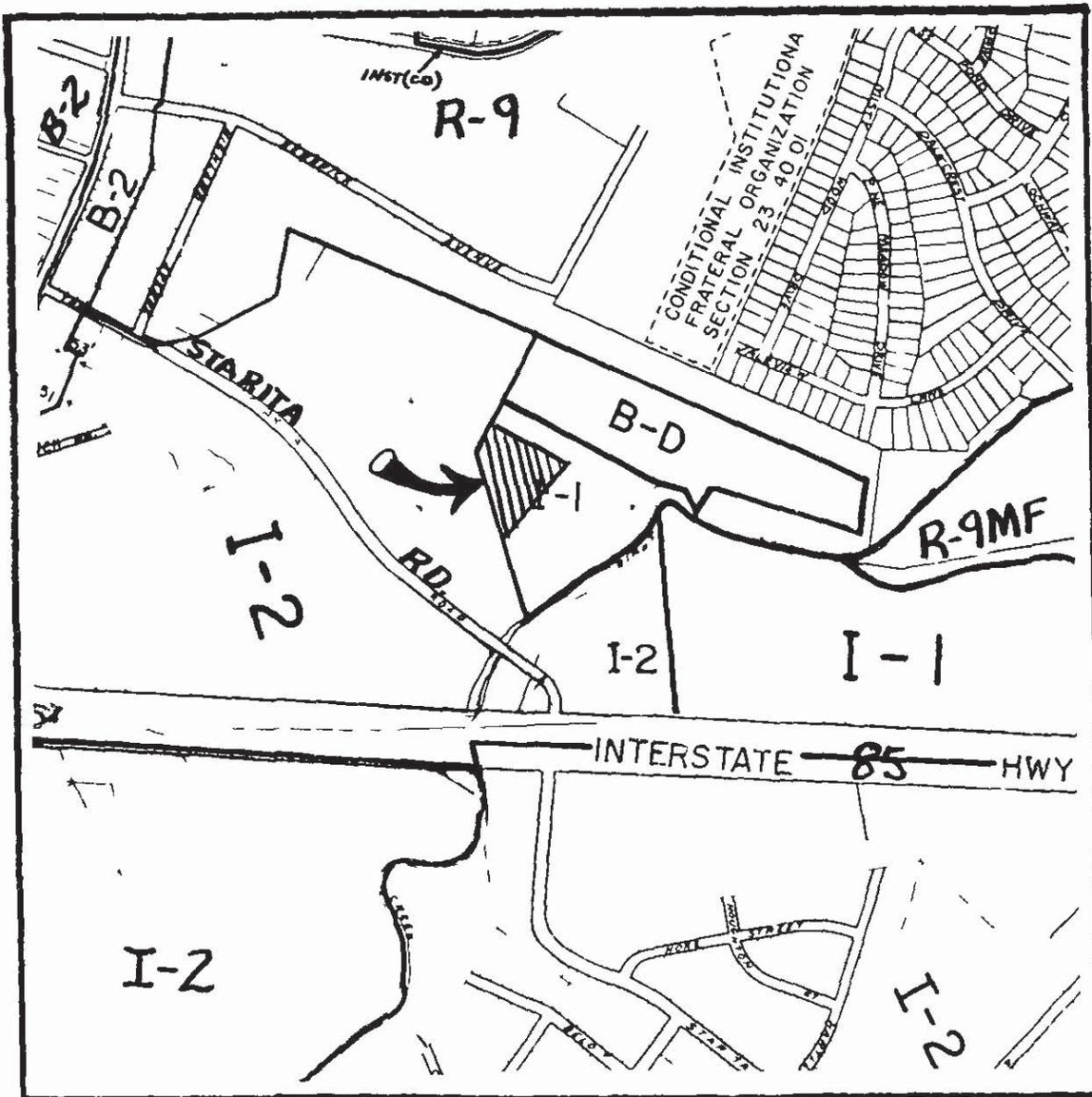
5. Considering the existing and anticipated zoning and land use patterns in the area the request to rezone the property appears to provide for a consistent and compatible relationship to adjacent and nearby properties.

PETITIONER John Crosland Realty Company

PETITION NO. 82-54 HEARING DATE August 16, 1982

ZONING CLASSIFICATION, EXISTING I-1 REQUESTED I-2

LOCATION A 2.513 acre site located to the rear of property fronting on the northerly side of Starita Road, approximately 500 feet northeast of the intersection of Starita Road and Irwin Creek.



ZONING MAP NO. 42

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



DATE August 23, 1982

PETITION NO. 82-55

PETITIONER(S) Grady and Grace Query

REQUEST Change from R-6MF to O-6

LOCATION A .854 acre tract located at the southeast corner of Central Avenue and Cyrus Drive.

ACTION The Planning Commission recommends that the petition be denied.

VOTE Yeas: Boyce, Culbertson, Curry, Jernigan, Lawing, McCoy, Smith and Trotter.

Nays: None.
(Commissioner Greene was not present when vote was taken.)

REASONS:

The following issues associated with this request can be identified:

- 1 Overall objectives Would the proposal to rezone this property be consistent with overall land use and zoning objectives for this area?
- 2 Need For Office Zoning Is there an identified need for additional office zoning here?
- 3 Thoroughfare Zoning Would the proposal to rezone this property be compatible with zoning objectives along a major thoroughfare such as Central Avenue?
- 4 Future Affect If approved what affect would this request have on future land use and zoning decisions in the area?

In arriving at answers to the above questions, the following facts should be considered:

- 1 Existing Zoning The subject site is presently zoned R-6MF as is adjacent property on three sides Adjacent as well as nearby property to the south is zoned R-9 To the east of the site property is zoned O-6 and B-1 These areas front along Central Avenue and generally relate to the Eastway Drive/Central Avenue intersection North of properties that front on Central Avenue land is generally zoned R-9

2 Existing Land Use The subject property is presently developed with a single family structure. The immediate area of the site is generally developed with residential uses, though adjacent property to the east is developed with a heating and air conditioning business and to the west is a day care nursery. Properties closer to the Central Avenue/Eastway Drive area are developed with a number of retail and office uses.

The following general findings can be arrived at:

1 Comprehensive Plan 1995 The Plan Map indicates multi-family residential development, 10-20 dwelling units per acre in the vicinity of petitioner's property

Based on the above issues, facts and general findings, the following detailed findings may also be made:

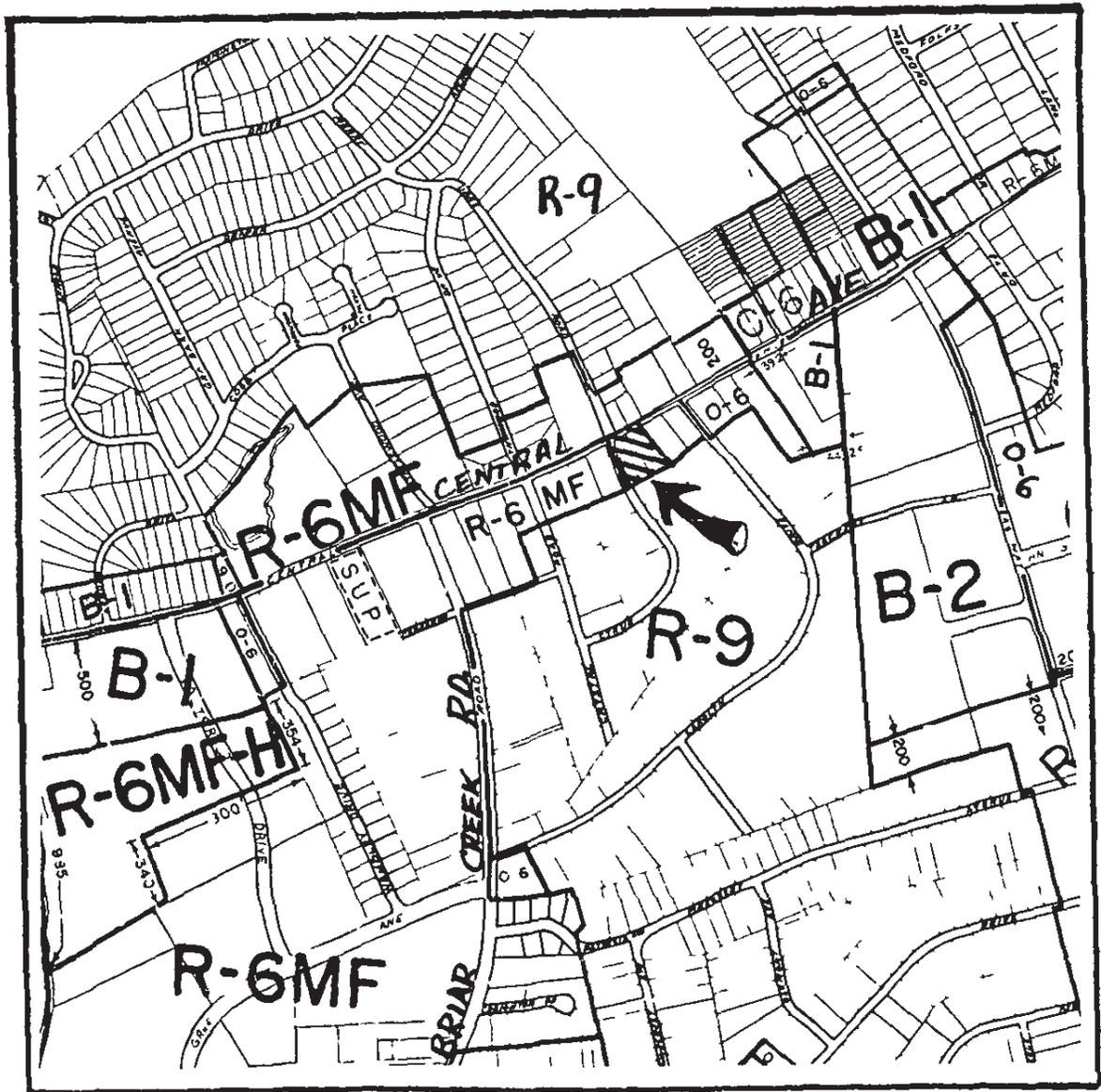
- 1 The property in question is zoned R-6MF
- 2 The property is surrounded by residential zoning. Multi-family zoning is located on three sides and single family zoning on the remaining side
- 3 Lots nearby zoned for office usage are undeveloped and have been available for development for some time
- 4 Approval of this request will most likely result in requests for similar treatment of lots to the east. Presently there are two parcels between the petitioners property and an area already zoned 0-6
- 5 The residential area nearby has remained stable in character as well as being attractive looking and well maintained
- 6 Frontage property along Central Avenue in the immediate vicinity of the site is developed with residential and associated uses. This pattern is an appropriate one and should not be undermined by the introduction of non-residential zoning
- 7 The intensification of zoning along thoroughfares such as Central Avenue should be discouraged

PETITIONER Grady W. Query and Grace A. Query

PETITION NO. 82-55 HEARING DATE August 16, 1982

ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED O-6

LOCATION A .854 acre site located at the southeast corner of
Central Avenue and Cyrus Drive.



ZONING MAP NO. 22

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



DATE August 23, 1982

PETITION NO. 82-56

PETITIONER(S) Homeowners of Delta Acres Subdivision

REQUEST Change from R-9MF to R-15

LOCATION Lots fronting both sides of Tantilla Circle and the westerly side
of Newell-Hickory Grove Road at the intersection of Robinson
Church Road.

ACTION The Planning Commission deferred action on this request pending
further study.

VOTE _____

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