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JOINT MEETING
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The City Council of the City of Charlotte, North Carolina, met in Joint Session with the Board of County Commissioners and the Planning Commission at 2:00 o'clock p.m., in the Board Room of the County Office Building, with the following members present:

FOR CITY COUNCIL: Mayor Belk, Councilmembers Alexander, Harris, Locke, Short, Williams and Withrow.

ABSENT: Councilman Whittington.

FOR THE COUNTY: Commissioner Foley, Gerdes and McMillan.

ABSENT: Commissioner Hair at beginning of meeting, and Chairman Harris for entire meeting.

FOR THE PLANNING COMMISSION: Chairman Tate and Commissioners Boyce, Ervin, Finley, Jolly, Kratt, Ross and Royal.

ABSENT: Commissioners Drummond and Turner.

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TEMPORARY CHAIRMAN FOR COUNTY COMMISSIONERS APPOINTED.

Commissioner Foley moved that Commissioner McMillan act as Temporary Chairman. The motion was seconded by Commissioner Gerdes and carried unanimously.

PURPOSE OF MEETING.

Chairman McMillan called the meeting to order and welcomed the City Councilmembers and members of the Planning Commission.

He stated a special ruling will be needed as this is a joint jurisdiction for Zoning Petition No. 74-32(c) under the County's jurisdiction and Petition No. 74-43 under the City's jurisdiction. Under the rules of procedure followed by the County, after the presentation of the data by the Planning Commission, the proponents are allowed to speak for 15 minutes and the opponents are allowed 15 minutes. Under the City Council procedures the time limit is 10 minutes for each side.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, to follow the County's procedures and allow each side 15 minutes.

HEARING ON PETITIONS NO. 74-32(c) (COUNTY) AND PETITION NO. 74-43 (CITY) FOR CHANGE IN ZONING OF PROPERTY ON THE NORTH SIDE OF SHAMROCK DRIVE, EAST OF THE INTERSECTION OF GAINESBOROUGH ROAD AND SHAMROCK DRIVE, AND A TRACT OF LAND ON THE SOUTH SIDE OF SHAMROCK DRIVE, EAST OF SAID INTERSECTION BY ENCHANTED FOREST, INC.

The public hearing was called on the subject petition on which a protest petition has been filed and found sufficient to invoke the 3/4 Rule requiring six (6) affirmative votes of the Mayor and City Council in order to rezone the property, and a general protest containing 1,336 signatures of residents in the area.

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Mr. Fred Bryant, Assistant Planning Director, stated the petition involves property located partially inside the city and partially outside the city. It involves a change from an existing residential category to a number of different categories, partially for business, and partially for R-2OMF and several parcels for R-9MF.

Mr. Bryant stated the property is located for the most part between Shamrock Drive and the Norfolk-Southern Railroad which runs through the easterly part of the city and county. It includes property that extends from the railroad down to Shamrock Drive and a small parcel extends south of Shamrock. The property extends along what would be the extension of Barrington Drive.

The area on the north side of Shamrock Drive and coming all the way to the Shamrock Road Baptist Church is an area requested for B-1SCD. This is a conditional district and requires the submission and approval of a site development plan which becomes binding if approved. There are 11 plus acres of land in that tract. Just North of that tract, and extending all the way to the Norfolk-Southern Railway and west of the Barrington Road Extension is about 44 acres of land which is being requested for R-2OMF. The R-2OMF is a conditional district and requires the submission of a definite site plan proposal for development.

Mr. Bryant stated the B-1SCD is all within the city. It will be the responsibility of the City Council to consider that part of the request. The R-2OMF is predominately inside the city as well. Out of the 44 acres all but about eight is actually inside the city limits. The triangle shaped parcel of about eight acres is in the county. East of the Barrington Drive Extension is another tract of land of about 17 acres which is predominately in the county, and that parcel is being requested for R-9MF which is not a conditional district, and does not require the submission of a site plan. The small area south of Shamrock Drive consists of a little over three acres of land, entirely inside the city, and is requested for R-9MF.

(COMMISSIONER HAIR CAME INTO THE MEETING AT THIS TIME AND PRESIDED FOR THE REMAINDER OF THE HEARING.)

After reviewing the land use and zoning of the area, Mr. Bryant presented the proposed development plan for the R-2OMF and for the B-1SCD request.

He stated the area proposed for R-2OMF is located on Barrington Drive Extension as it comes through the property, from the Railroad down to Shamrock Drive. It consists of about 44 acres of land with 259 dwelling units proposed. They are designated as condominium for sale, and this figures out to 5.9 units per acre. It is a rather low density area as far as multi-family developments are concerned.

The B-1SCD is proposed at the intersection of Shamrock and Barrington Drive Extension. It consists primarily of a commercial retail area with some frontage on Shamrock and more frontage on the Barrington Drive Extension. On the west side is an area proposed for small office type development. This is 11.34 acres and the proposal is to build 45,000 square feet of retail space and 50,000 square feet of office space, making a total of 95,000 square feet of space.

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The two parcels requested for R-9MF are not a conditional district and their plans would not be binding. The 17 acres tract which lies east of Barrington Drive, between Barrington Drive and the beginning of the industrial park area, and the 11.7 acres is south of Shamrock Drive. The 11.7 acres is a total owned by the petitioner, and only a portion is requested for R-9MF as most of it is already zoned R-9MF. The portion east of Barrington Drive is shown for 184 units on the 17 acres; the portion south of Shamrock, and most of this tract is already zoned R-9MF, shows 100 units on 11.7 acres.

Following was a period of questions from the Council, County Commissioners and Planning Commission.

Mr. Sol Levine, Attorney for the Petitioner, introduced Mr. Thomas Anderson, Architect for the petitioner's plan.

Mr. Anderson explained their program of developing the total residential area. They have a tract of land of about 141 acres which is urban in nature, and there are many stub roads coming into it, and many changes of land uses and zoning across property, and many demands being placed upon the property now and in the future. They come presenting a land use problem, and it is their wish to have it rezoned to a multi-family use to allow transition from heavy industrial use to a totally residential area. The R-9MF would allow them to have units for sale, for rent, and next to the existing single family area, they plan a single family development under the R-12 even though the majority of the land is R-9, and the contiguous property is R-9. They are not introducing any new streets, they are extending streets. Rather than extending them in a straight line they are trying to fit them into the landscape as much as possible to avoid any disturbances in the soil, and plants, and to lower the environmental damage that might take place. They are working very closely with the land, and with the program to reduce the hazards. From the single family they move to the attached units for sale. They plan to cluster the units, and the law does not say that each unit must face on a dedicated street right of way. They can reduce the amount of construction that will have to take place on the site if they do not have to have dedicated street rights of way.

The program calls for a small convenience shopping center. A group of small buildings clustered with an open court, landscaping, plant material and to the rear the bicycle rack and patio so that people could come, lock their bikes and use the drug store without going on a major thoroughfare.

Mr. Anderson stated the office complex is clustered around a parking area, and broken up with patios and green areas with limited access with allocated additional right of way for widening of the existing thoroughfares for transition lanes. This is all a part of their program and a part of the city's requirements. The shopping center itself will be residential in nature, with old brick and raw woods, and residential in texture. Next to it will be the low profile of the office building.

He stated the R-9MF is concept only, and he is submitting this to look at the total number of units that can be placed on a given parcel of land. The section that is zoned for R-9MF would permit about 120 units.

Under their proposal they are building well below the allocated density that would be permitted because they found that locating buildings with proper parking and proper open space is just as important as trying to get as many buildings on there. The greatest density and greatest number of buildings do not always make the best picture as far as the rental program and as far as stability for the area, and the long term investment.

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Mr. Anderson stated the condominiums will sale from \$28 to \$34 thousand; the single family residents from \$32 to \$38 thousand; and a two bedroom apartment will rent for approximately \$185 monthly.

Speaking in opposition to the rezoning was Ms. Sallie Bryant, 4216 Dunwoody Drive. Ms. Bryant stated she lives on one of the "stub" streets which ends into the ones that will be developed. She stated as of last Wednesday they had 1,336 names opposing the subject petition; they now have around 1,450 names. She filed the additional protest petition with the Clerk. She stated they are the people who have to live there, and they are the people who will be right next to this development and will be affected by the traffic, drainage and other measures. They have the same concerns as others to make Charlotte the best place for all of us to live. They are not opposed to development. They want to live in Charlotte and they want it to be a thriving city. The Communities formed about two weeks ago and they set up several committees to see what they could find out in connection with the rezoning.

Mr. Chuck Lentz stated their calculations show that in the 52 acres requested for R-20MF as many as 450 units could be developed. The developer has indicated 259 units in the plan site, but that could be changed at a later date. In the R-9MF area, in the 21 acres there is a potential number of 360 units. This is the maximum possible. In figuring the number of single families that could be developed under the current zoning, there could be as many as 278 units. The difference is 532 units and that could be staggering in that small area. Their opposition is to the extent of the development and the possible density that could exist. They question the need for any more multi-family zoning in this area. There are a number of multi-family areas in existence. If you take the area bordered by Shamrock, Eastway, The Plaza and down Hickory Grove Road there are already about 1600 apartment units with a vacancy rating of about 10 percent in these areas. A lot of the area is totally undeveloped at this point. They question why this area in the middle of an R-9 and R-12 totally single family residential area needs to be disrupted.

Mr. Jack Peele, Langley Road, stated the proposed development will affect the traffic flow in the surrounding area. That the Eastland Shopping Center will be located about 1/2 mile from this area also. The neighborhood streets will be threatened. The statistics show that all the arteries in the area are overburdened at present, and they are facing this increasing loads from the development.

Mr. Charles Lamb, Shannonhouse Drive, called attention to the problems of drainage. He stated they would like to know how much more water will be placed in this channel of Briar Creek; how much more erosion will be caused and how much more flooding.

Mr. Larry Owens, Hampshire hills, stated they believe approval of this petition will be a final approval of Barrington Drive as a thoroughfare. He stated they have presented their oppositions to the extension of Barrington Drive to the Planning Commission in the public hearings on the Comprehensive Plan during the summer, and they understand it is being restudied and reconsidered as a thoroughfare. A long series of decisions on zoning and rezoning along Barrington Drive has changed what was probably a sound plan in 1960 into what they consider to be a non-feasible plan for traffic movement or for quality of life in their area. They oppose it as it will be a decision of running a major thoroughfare through an existing residential neighborhood. If Barrington Drive becomes a thoroughfare it will deteriorate their neighborhood.

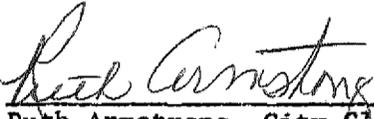
Council decision was deferred for a recommendation of the Planning Commission.

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COUNCIL LEAVES MEETING AT THIS TIME TO RETURN TO CITY HALL FOR REGULAR COUNCIL MEETING.

Mayor Belk advised that City Council has a scheduled meeting at 3:00 p.m. in City Hall. He stated Council appreciates the opportunity of meeting with the County and the Planning Commission.

He stated Council plans a field trip to the Shamrock Road, Milton Road and Barrington Drive area tomorrow at 3:00 p.m. He invited the members of the County Commissioners to go with Council on the trip.



Ruth Armstrong, City Clerk