CITY COUNCIL ZONING AGENDA

Monday, February 21, 2000

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

- Follow up to overview of proposed Pedestrian Overlay District (PED) text amendment.

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

DECISIONS

1. Petition No. 98-113 (Decision) by Charlotte-Mecklenburg Planning Commission to consider a text amendment to the City of Charlotte Zoning Ordinance to permit a reduction in the required minimum setback in the CC (commercial center) district, based on prescribed conditions.

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

- The proposed 12-foot setback is increased to 14 feet to allow an 8-foot planting strip instead of the original 6-foot planting strip.
- The text has been clarified to require the Charlotte Department of Transportation, as well as the Planning Commission, to determine the location of future curblines.
- Spacing for small maturing trees is increased from one tree per 20 linear feet to one tree per 25 linear feet.

Attachment No. 1
2. **Petition No. 99-56 (Decision)** by John H. Tabor to consider a text amendment to the City of Charlotte Zoning Ordinance to allow more compatible uses for Outdoor Recreational Facilities adjacent to single-family properties.

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

- The outdoor lighting standards of section 12.402 of the Zoning Ordinance will be utilized to protect properties adjacent to outdoor recreation facilities.

Attachment No. 2

3. **Petition No. 99-80 (Decision)** by Drexel, LLC for a change in zoning for approximately 1.17 acres located on the west side of Park Road, north of Woodlawn Road, across from Park Road Shopping Center from R-4, R-43MF and O-2 to MUDD(CD).

*A protest petition was previously filed and was sufficient to invoke the ¾ voting rule.*

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

Attachment No. 3

4. **Petition No. 99-82 (Decision)** by Fairfield Residential, LLC for a change in zoning for approximately 3.36 acres located on the east side of South Tryon Street, south of East Carson Boulevard from I-2 to MUDD(CD).

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

Attachment No. 4

5. **Petition No. 99-126 (Decision)** by Grendel, LLC for a change in zoning for approximately 6.3 acres located on the northeast corner of Stokes Avenue and Park South Drive from R-3 to R-12MF(CD).

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

Attachment No. 5

6. **Petition No. 99-128 (Decision)** by Pulte Home Corporation for a change in zoning for approximately 11 acres located on the northwest corner of Hensey’s Way and Beverly Crest Boulevard, north of Highway 51 from B-1(CD) to MX-2.

*Zoning Committee voted to recommend a one-month deferral of this petition.*
7. **Petition No. 2000-02 (Decision)** by Marjorie Perlman to consider a text amendment to the City of Charlotte Zoning Ordinance to allow the establishment of a new use category, “Neighborhood Food and Beverage Service” as a permitted use in all business districts.

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

Attachment No. 7

8. **Petition No. 2000-09 (Decision)** by Liberty Healthcare Services for a change in zoning for approximately 8.6 acres located on the west side of Statesville Road, east of Milhaven Drive and south of Sunset Road from R-4 to INST.

   **Zoning Committee voted to recommend allowing the petitioner to withdraw this petition.**

Attachment No. 8

9. **Petition No. 2000-10 (Decision)** by Genesis Group, Inc. for a change in zoning for approximately 1.5 acres located on the north side of Sharon Amity Road, east of Randolph Road and south of Windemere Lane from R-3 to R-4 (CD).

   **A protest petition was filed but was not sufficient to invoke the ¾ voting rule.**

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

Attachment No. 9

10. **Petition No. 2000-11 (Decision)** by City of Charlotte for a change in zoning for approximately 4.8 acres bounded by Brookshire Freeway and I-277 to the east, North McDowell Street to the west and East Seventh Street to the south from B-2 to MUDD.

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

Attachment No. 10

11. **Petition No. 2000-12 (Decision)** by Nina G. Roberts for a change in zoning for approximately 13.8 acres located on the south side of Gibbon Road, east of Perkins Road from R-3 to R-4.

   **Zoning Committee voted to recommend approval of this petition.**
12. **Petition No. 2000-14 (Decision)** by Silver Mount Baptist Church for a change in zoning for approximately 14.4 acres located on the south side of West Arrowood Road, west of West Hebron Street and east of Windsong Drive from R-4 and R-17MF to INST.

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

Attachment No. 12

13. **Petition No. 2000-31 (Decision)** by Queens Properties, Inc. for a change in zoning for approximately 21.7 acres located on the northwest corner of Mallard Creek Church Road and I-85, north of Legranger Road and south of Galloway Road to establish City zoning jurisdiction, RE-3(CD) zoning, in a recently established City Extraterritorial Jurisdiction (ETJ) area.

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

Attachment No. 13

14. **Petition No. 2000-32 (Decision)** by Charlotte-Mecklenburg Planning Commission for a change in zoning for approximately 15.9 acres located on the southwest corner of John Adams Road and Galloway Road to establish City zoning jurisdiction, RE-3(CD) zoning, in a recently established City Extraterritorial Jurisdiction (ETJ) area.

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

Attachment No. 14

15. **Petition No. 2000-33 (Decision)** by Charlotte-Mecklenburg Planning Commission for a change in zoning for approximately 2.12 acres located on the east side of Old Concord Road, north of Rocky River Road to establish City zoning jurisdiction, O-15(CD) zoning, in a recently established City Extraterritorial Jurisdiction (ETJ) area.

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

Attachment No. 15

16. **Petition No. 2000-34 (Decision)** by Charlotte-Mecklenburg Planning Commission for a change in zoning for approximately 25 acres located on the east side of Old Concord road, north of Rocky River Road to establish City zoning jurisdiction, from RU(CD) to B-1(CD) zoning.

*Zoning Committee voted to recommend approval of this petition.*
17. **Petition No. 99-124 (Hearing)** by Susanne M. Robicsek for a change in zoning for approximately 0.18 acres located on the east side of Scott Avenue, north of East Boulevard from R-22MF to O-2.

Attachment No. 17

18. **Petition No. 99-129 (Hearing)** by Hand and Choate Investments, LLC for a change in zoning for approximately 1.47 acres located on the northeast corner of Selwyn Avenue and Colony Road from O-2 and B-1 to MUDD-O.

*Petitioner is requesting a 60-day deferral of this petition.*

Attachment No. 18

19. **Petition No. 99-131 (Hearing)** by Pulte Home Corporation for a change in zoning for approximately 54.2 acres located to the southeast of Providence Road West and north of Parks Farm Lane from R-3 to R-5(CD).

Attachment No. 19

20. **Petition No. 2000-01 (Hearing)** by Charlotte-Mecklenburg Planning Commission to consider a text amendment to the City of Charlotte Zoning Ordinance to establish a Pedestrian Overlay District (PED).

Attachment No. 20

21. **Petition No. 2000-03 (Hearing)** by Centex Homes for a change in zoning for approximately 14.2 acres located on the north side of David Cox Road, west of Davis Lake Parkway and east of Old Statesville Road from I-1 to R-8(CD).

Attachment No. 21

22. **Petition No. 2000-04 (Hearing)** by Paul Johnston, Fairfield Residential for a change in zoning for approximately 1.7 acres located on the northeast corner of South Church Street and West Summit Avenue from I-2 to MUDD(CD).

*Petitioner is requesting a 60-day deferral of this petition.*

Attachment No. 22
Petition No. 2000-06 (Hearing) by LandCraft Properties for a change in zoning for approximately 26.39 acres located on the east side of I-485 Outer Belt, west of Davis Drive and south of McKee Road from R-3 to R-4(CD).

Attachment No. 23

Petition No. 2000-08 (Hearing) by High Associates, Ltd. for a change in zoning for approximately 9.5 acres located on the east side of Prosperity Church Road, east of Prosperity Point Lane from R-3 to O-1(CD).

Petitioner had requested a withdrawal of this petition at last month’s hearing but was unable to have the protest petition withdrawn.

Protest petition has been filed and this petition is sufficient to evoke the ¾ vote rule.

Attachment No. 24

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

Attachment No. 25

Petition No. 2000-16 (Hearing) by Cornerstone Baptist Church for a change in zoning for approximately 11.75 acres located on the north side of Albemarle Road, west of Harrisburg Road and south of Pence Road from R-3 to INST.

Attachment No. 26

Petition No. 2000-18 (Hearing) by Argus Properties for a change in zoning for approximately 8.72 acres located on the west side of Bellhaven Boulevard, south of Mt. Holly-Huntersville Road and east of Lawing Road from R-3 and B-1 to B-1(CD).

Attachment No. 27

Petition No. 2000-19 (Hearing) by The Crosland Group, Inc. for a change in zoning for approximately 8.2 acres located on the northwest corner of Carmel Road and Quail Hollow Road from B-1(CD) to B-1(CD) S.P.A.

Attachment No. 28

Petition No. 2000-20 (Hearing) Fairfield Residential, LLC for a change in zoning for
approximately 3.3 acres located between South Church Street and Winnifred Street, north of West Bland Street from I-2 to MUDD(CD).

Attachment No. 29

30. **Petition No. 2000-21 (Hearing)** by Crosland Properties for a change in zoning approximately 4.6 acres located on the southwest corner of South Boulevard (US 521) and Griffith Street from I-2 to MUDD(CD).

Attachment No. 30

31. **Petition No. 2000-22 (Hearing)** by Beltway Land Investors I, LLC for a change in zoning for approximately 119 acres located on the south side of York Road (NC 49), west of I-485 Outer Belt from I-1 and I-2 to CC.

Attachment No. 31

32. **Petition No. 2000-23 (Hearing)** by Knotts Development Resources, Inc. for a change in zoning for approximately 6.69 acres located south of Lumarka Drive, north of Village Lake Drive, west of Independence Boulevard and east of Monroe Road from R-8MF(CD) to R-4.

Attachment No. 32

33. **Petition No. 2000-25 (Hearing)** by Springs Village, LLC for a change in zoning for approximately 11.47 acres located on the west side of Providence Road (NC 16), north of Pineville-Matthews Road (NC 51) and south of Springs Farm Lane from R-8MF(CD) to R-8MF(CD) S.P.A.

Attachment No. 33

34. **Petition No. 2000-26 (Hearing)** by Davenport’s, Inc. for a change in zoning for approximately 1.8 acres located on the northeast corner of Albemarle Road and Regal Oaks Drive from B-2(CD) to B-1(CD).

Attachment No. 34

35. **Petition No. 2000-27 (Hearing)** by Stephen B. Thomas for a change in zoning for approximately one acre located on the north side of Latrobe Drive, west of Wendover Road and south of Monroe Road from I-1 and I-2 to O-2.

Attachment No. 35

36. **Petition No. 2000-28 (Hearing)** by Alexa Land Company for a change in zoning for approximately 3.4 acres located on the north side of Pineville-Matthews Road (NC 51), east of Rea Road from R-3 to R-12MF(CD).
37. **Petition No. 2000-29 (Hearing)** by Jimmy Barry to consider a text amendment to the City of Charlotte Zoning Ordinance to allow off-street parking in a Business Park (BP) zone on a separate parcel when ancillary to an approved principal use located within the specific BP development.

38. **Petition No. 2000-30 (Hearing)** by Charlotte Chamber to consider a text amendment to the City of Charlotte Zoning Ordinance to permit exceptions from the screening requirement when service entrances or utility structures associated with a building are abutting other service entrances or utility structures and when loading docks or spaces are abutting other loading docks and spaces.

39. Resolution calling for a joint public hearing by the City Council and the Charlotte-Mecklenburg Historic Landmarks Commission on Monday, March 20, 2000 at 6:00PM in the Meeting Chamber of the Charlotte-Mecklenburg Government Center regarding designation of the E. L. Baxter Davidson House.