## AGENDA

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City of Charlotte, City Clerk’s Office
# Meetings in June '82

## JUNE 1 - JUNE 5

1. **Tuesday, 4:00 p.m.** BUDGET WORKSHOP  City Hall Annex, Training Center  
2. **Tuesday, 7:30 p.m.** PLANNING COMMISSION  Cameron-Brown Building, First Floor Conference Room  
3. **Wednesday, 7:30 a.m.** AD HOC COMMITTEE ON PLANNING/PLANNING COMMISSION  Cameron-Brown Building, First Floor Conference Room  
4. **Wednesday, 12 Noon** INSURANCE & RISK MANAGEMENT AGENCY  Education Center, Room 239  
5. **Wednesday, 5:00 p.m.** BUDGET WORKSHOP  City Hall Annex, Training Center  
6. **Thursday, 8:30 a.m.** PLANNING COMMITTEE/PLANNING COMMISSION  Cameron-Brown Building, First Floor Conference Room  
7. **Thursday, 12 Noon** CITY COUNCIL TRANSPORTATION COMMITTEE  City Hall, Second Floor Conference Room  
8. **Thursday, 3:00 p.m.** SPECIAL MEETING OF CITY COUNCIL TO APPROVE ANNEXATION ORDINANCE  City Hall, Council Chamber  
9. **Thursday, 5:00 p.m.** BUDGET WORKSHOP  City Hall Annex, Training Center  
10. **Thursday, 7:00 p.m.** PUBLIC HEARING TO DISCUSS TRANSIT SYSTEM ROUTE CHANGES  City Hall, Council Chamber  
11. **Thursday, 7:30 p.m.** TRANSPORTATION ACTION PLAN PUBLIC MEETING/FREEDOM DRIVE AREA  Freedom Mall, Community Room  

## THE WEEK OF JUNE 6 - JUNE 12

1. **Tuesday, 8:00 a.m.** AIRPORT ADVISORY COMMITTEE  Airport Manager's Office Conference Room, Third Floor, New Terminal  
2. **Tuesday, 9:00 a.m.** HISTORIC DISTRICT COMMISSION  Edwin Towers, First Floor Conference Room  
3. **Tuesday, 3:00 p.m.** FY83 BUDGET & GENERAL REVENUE SHARING PUBLIC HEARING  City Hall Council Chamber  
4. **Wednesday** MAYOR'S DAY/RALEIGH, N C  Mayor and City Council meet with Local Delegation  
5. **Wednesday, 8:00 a.m.** CIVIL SERVICE BOARD  City Hall, Third Floor Conference Room  
6. **Wednesday, 7:30 p.m.** TRANSPORTATION ACTION PLAN PUBLIC MEETING/SOUTH PARK AREA  Sharon United Methodist Church, 411 Sharon Road  
7. **Wednesday, 7:30 p.m.** HISTORIC PROPERTIES COMMISSION  City Hall, Second Floor Conference Room  

(Continued)
ADDITIONS TO JUNE 22 MEETINGS

June 27 – June 30

METROPOLITAN PLANNING ORGANIZATION
Cameron-Brown Building, First Floor
Conference Room

CITIZEN HEARING/ZONE HEARING
City Hall, Council Chamber

THE WEEK OF JUNE 13 - JUNE 19

MEETINGS IN JUNE 82
IN MEETING ON MONDAY, JUNE 21, 1982

5 00 P.M. - COUNCIL/PLANNING COMMISSION
Refreshments - Room 237-38

6 00 P.M. - ZONING HEARINGS/DECISIONS
Board Room
Education Center

ITEM NO
1. Invocation

PUBLIC HEARINGS

2 Joint Hearing with County Board of Commissioners and City Council on Petition by Charlotte-Mecklenburg Planning Commission to consider a text amendment to the Zoning Ordinance to add sections on Urban Development Centers and Urban Development Center-Village (UDC-V) to provide areas where moderate scale mixed use centers can locate with emphasis placed upon the development of a balance of residential, institutional, retail, office and conference center hotel uses

Attachment No. 1.

3 Hearing on Petition No. 82-34 by Frank W Spurrer, Jr to change zoning from B-1 to B-2(CD) for a 450 acre site located approximately 190 feet south of the intersection of Rozzelles Ferry Road (NC Hwy 16) and McClure Circle with frontages of 98.84 feet on Rozzelles Ferry Road and 105.64 feet on McClure Circle

Attachment No. 1
4. Hearing on Petition No. 82-35 by Westminster Company for a change in zoning from R-12 to R-12MF(CD) for a 2.46 acre site on both sides of Riverton Court, located off Old Meadow Road in the Eastwoods Subdivision.

Attachment No. 1.

5. Hearing on Petition No. 82-37 by Realty Investment Buyers, Inc., for a change in zoning from R-12 to B-1SCD and consider a B-1SCD Site Plan Amendment for 7.76 acre site located at the southwest corner of Little Rock Road and Tuckaseeegee Road.

Attachment No. 1.

6. Hearing on Petition No. 82-38 by Guest Quarters Development Company-Charlotte, to consider a B-1SCD Site Plan Amendment for a 6.57 acre site located in the northwest quadrant of the SouthPark Mall block with approximately 670 feet of frontage on the south side of Morrison Boulevard.

Attachment No. 1.

7. Hearing on Petition No. 82-40 by David D. Little to consider an R-9MF(CD) site plan amendment for a 5.26 acre site fronting 395 feet on the east side of Craig Avenue and adjoining Delane Avenue.

Attachment No. 1.

8. Hearing on Petition No. 82-41 by Alan and Sandra McCoy for a change in zoning from R-6MF to B-1(CD) of a .258 acre site fronting 70 feet on the east side of Hawthorne Lane, approximately 176 feet north of the intersection of Hawthorne Lane and East Eighth Street.

Attachment No. 1.

9. Hearing on Petition No. 82-42 by Vernon P. and Elsie C. Keziah for a change in zoning from R-9 to B-1(CD) for a 41 acre site at the northwest corner of Tuckaseeegee Road and Bradford Drive (adjacent to Interstate 85)

Attachment No. 1.
10. Hearing on Petition No. 82-43 by Newman Manor Associates, Ltd. for change in zoning from R-12 to R-20MF for a 6.691 acre site fronting approximately 697 feet on the north side of Sardis Road, approximately 168 feet west of where McAlpine Creek intersects with Sardis Road.

Attachment No. 1.

11. Hearing on Petition by Charlotte-Mecklenburg Planning Commission to amend the Charlotte Subdivision Ordinance and Section 17-62. Construction of Sidewalk and Drainage Facilities in the Charlotte City Code to clarify the responsibilities of the Planning Commission and the City Engineer for granting variances for curb, gutter and sidewalk improvements and to allow the City Engineer to recommend economic exceptions to the sidewalk and drainage requirements.

Attachment No. 1.

12. Joint hearing with the Charlotte-Mecklenburg Historic Properties Commission to consider the designation of the property known as the "Mecklenburg Investment Company Building" and the land associated therewith, located at 233-237 South Brevard Street, 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) First office building in Charlotte built exclusively by and for black professionals,
2) Some of the most prominent black citizens of Charlotte were among its officers,
3) One of the very few remnants of old Second Ward or Brooklyn which survives;
4) Architectural significance of the intricate exterior brickwork and the original interior features.

Based on the current assessment and tax rate, the amount of taxes deferrable on the property would be $377 07. The owner of the property, John Crosland Company, has requested the Commission to proceed with the designation

(continued)
ITEM NO. 12. (continued)

The Department Review Process identified the future widening of Brevard Street, between Third and Fourth Streets as the only public project having a possible impact on the historic designation. The widening is contemplated in the distant future.

Recommend adoption of an ordinance designating the property known as the "Mecklenburg Investment Company Building" and the land associated therewith as historic property at 233-237 South Brevard Street.

Attachment No. 2.

POLICY AGENDA

13. Decision on Petition No. 82-32 by City of Charlotte Engineering Department for a change in zoning from R-9 to I-2(CD) for a 53 acre tract located on the south side of Yorkmont Road, approximately 95 feet west of the intersection of Yorkmont Road and Price Lane.

The Planning Commission recommends the petition be denied.

The minutes of the Planning and Public Works Committee meeting to review the Farmers' Market alternatives and the proposed zoning change will be sent out with the Council/Manager memo on Friday, June 18.

Attachment No. 3.

14. Recommend adoption of a resolution providing for public hearing on Monday, July 19, 1982, 6 00 p.m., Education Center, on Petitions No. 82-44 and 82-46 through 82-49 for zoning changes.
SCHEDULE OF MEETINGS
JUNE 21 THRU 25

Monday, June 21
Council/Planning Commission 5:00 P.M.
Refreshments - Room 237-38
Education Center
Council Meeting - Zoning Hearings 6:00 P.M.
Board Room
Education Center

Tuesday, June 22
Planning & Public Works Committee 4:00 P.M.
Second Floor Conference Room
City Hall

Wednesday, June 23
Metropolitan Planning Organization 7:30 P.M.
Cameron-Brown Building
First Floor Conference Room
Attachments
ZONING ORDINANCE

TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTE

Petition No. 82-25
Date Filed 3/12/82
Received By S. D. Watkins
OFFICE USE ONLY

Article No. II. Zoning Districts. Maps and Gen. Regs. & III. Permitted Uses, Special Districts and Conditional Uses

Division No. 1. Purpose of Zoning and Districts & 5. Urban Development Center Districts

Section No. 23-4.3. Urban Development Centers & 23-40 Urban Development Center - Village (UDC-V)

Purpose of Change

This district is intended for application at select locations throughout the urbanized and urbanizing area. This district provides areas where moderate scale mixed use centers can locate with an emphasis on the development of a balance of residential, institutional, retail, office and conference center/hotel uses.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)
301 South McDowell Street
Address of Petitioner(s)
374-2205
Telephone Number
Signature
Ordinance No. An Ordinance Amending Chapter 23 of the City Code - Zoning Ordinance

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1 Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Article II, Division 1, by adding a new Section 23-4.3. Urban Development Center as follows:

   Sec. 23-4.3. Urban Development Centers.

   (a) UDC-V Urban Development Center-Village. This district is intended for application at select locations throughout the urbanized and urbanizing area. This district provides areas where moderate scale mixed use centers can locate with an emphasis on the development of a balance of residential, institutional, retail, office and conference center/hotel uses.

2. Amend Article III by adding a new Division 5. Urban Development Center Districts as follows:

   Sec 23-40. Urban Development Center - Village (UDC-V).

   (A) Intent The adopted Comprehensive Plan - 1995 calls for mixed use centers integrated within the urban fabric of this community. The intent of these centers as their functions have evolved and were clarified through the Urban Symposium process is to

   1. Provide areas where a wide range of personal and professional services are available in close proximity to and in harmony with residential environments and employment concentrations;

   2. Provide a focal point for public utilities and services in the area, and

   3. Provide a focal point for major urban land uses in the area.

   The Urban Development Center-Village (UDC-V) permits moderate scale mixed use centers with an emphasis on the development of a balance of residential, institutional, retail, office and conference center/hotel uses. It also provides for integrated pedestrian, automotive and transit circulation and access. Bonuses and transfers, which allow greater amounts of development, are granted when not in conflict with the overall objectives of specific area plans for the vicinity in which the UDC-V District is applied.

   (B) Applicability The UDC-V District is intended for application at select locations throughout the urbanized and urbanizing area. Sites to which this District are applied must contain a minimum area of 50
The NDG-District consists of the Development Coordination and off-site assessment in the NDG District. The Concept Plan shall be reviewed by the City Council and be submitted and reviewed in accordance with Section 3. Impacts of development upon adjacent uses, a Concept Plan shall be submitted to ensure the appropriateness of the development.

1. Concept Plan
   To ensure the appropriateness of the development.

2. Development Standards
   a. Recreational Facilities
      - Parks, Playgrounds, YMCAs, YMCA's, YWCA's, or similar public or private
      - Other similar institutional uses
   b. Mortgage, Libraries, churches, schools, post offices, hospitals, etc.
   c. Services such as a separate use or in conjunction with other uses
   d. General and specialized retail, personal services, banks, theaters, etc.
   e. Retail uses
   f. Office uses - professional, business and corporate
   g. Multiple-family - separate or in combination with retail
   h. Residential uses - single family detached, single family attached

3. Permitted Uses
   - Mixed use center opportunities
   - Home-office opportunities
   - Home-office work opportunities
   - Major employment expansion opportunities
   - Mixed employment opportunities
   - Transit accessibility

4. The NDG-District may also be applied in some development

5. Structures with regard to the following
   - Height, building density, and setbacks
   - Open space requirements
   - On-site parking
   - Access to public transportation

6. The extent of such requirements, beyond the requirements of the City, shall also be
   - Exclusionary, non-residential and residential uses
   - Requires an existing or new access to the nearest public access and a maximum area of 160 acres.
3 Definitions. For the purposes of this District the following definitions shall be applicable:

(a) single family detached - a structure which contains one (1) dwelling unit,

(b) single family attached - a dwelling unit which shares by attachment or other means of fixture a common roof, wall or design element with another dwelling unit and which is not located above or below another dwelling unit and which contains its own exclusive entry,

(c) multi-family - a structure containing two (2) or more dwelling units either sharing a common means of entry and/or designed with one dwelling unit above or below another dwelling unit;

(d) mixed use core - that designated area which contains an integrated design of residential and retail and office uses.

4. Permitted site usage. The following site coverage and site usage shall be applicable in the UDC-V District.

(a) The minimum gross floor area devoted to residential, institutional and conference center/hotel uses combined, as designated in the Concept Plan, shall be calculated as follows:

\[
\text{Minimum gross floor area} = \text{Total site area} \times 0.1
\]

(b) The maximum gross floor area devoted to residential, institutional and conference center/hotel uses combined, as designated in the Concept Plan, shall be calculated as follows:

\[
\text{Maximum gross floor area} = \text{Total site area} \times 0.64
\]

(c) Under no circumstances may less than 75% of the gross floor area devoted to residential, institutional and conference center/hotel uses combined be devoted to residential purposes.

(d) The maximum gross floor area devoted to retail uses, as designated in the Concept Plan, shall be calculated as follows:

\[
\text{Maximum gross floor area} = \text{Total site area} \times 0.04
\]

(e) The maximum gross floor area devoted to office uses, as designated in the Concept Plan, shall be calculated as follows:

\[
\text{Maximum gross floor area} = \text{Total site area} \times 0.06
\]
and preserve the character of the project

parks that are to be landscaped and planted so as to protect

landscaped and planted. In addition, the property of each

parking area shall have at least 10% of their area

Thoroughfare 23-75

e) According to the parking standards in Sec. 23-61 I

no specific requirements are listed in this section in

place be provided for permitted land uses for which

result is that more parking is provided than would have

than 1 space per 150 square feet of gross floor area even if

and not any phase in development may be provided at or more

parking for medical office uses anywhere in the UDC-Y district

per 200 square feet of gross floor area.

floor area, parking may be provided at not more than 1 space

for the second 50% of the approved retail and office gross

floor area, parking may be provided at not more than 1 space

for the first 50% of the approved retail and office gross

Subject to the following regulations:

Parking for the permitted uses in the UDC-Y District as

on under construction

estimated residential gross floor area of the plan as constructed

office gross floor area may be constructed of at least 25% of

7.

Development Phasing - No more than 50% of the approved retail and

is detailed.

gross floor area one square foot of retail gross floor area

above provided that for every two square feet of office
detailed

above provided that for every one square foot of retail
detailed

gross floor area that may be added up to the limits detailed

gross floor area that may be added up to the limits detailed

the following conditions:

the maximum permitted gross floor area as permitted under

of the maximum permitted gross floor area and 30% of

gross floor area, an increase of up to 10,000 square feet in gross floor

facilities may not exceed 100,000 square feet in gross floor

purposes of this ordinance. Furthermore, such conference center/hotel

facilities added to the retail area is considered to be a part of the gross

gross floor area, another conference center/hotel.

no more than the area of non-residential space converted

converted to residential development under this provision may be equal to

Any unused non-residential development potential may be
(f) For every parking space provided and maintained for park-and-ride or ridesharing purposes, one additional space may be added to the general inventory of parking spaces above the maximum normally permitted.

(g) A percentage of the parking spaces provided may be for compact or small cars. Such spaces shall have minimum dimensions of 7.5 feet in width and 15 feet in length. For each parking space built for compact or small cars an additional 0.25 spaces may be added to the general inventory of parking spaces above the maximum generally permitted. The percentage of spaces which may be provided for compact or small cars shall be specified by the City Department of Transportation. This percentage shall be equal to the percentage of all cars registered in Mecklenburg County or the previous year with the North Carolina Department of Motor Vehicles that are classified as compact or subcompact.

9. **Edge conditions** The uses to which the site is devoted at the points where the UDC-V District abuts other developed property must be compatible with the adjoining uses. Furthermore, development impacts on the natural features at site edges must be addressed.

10. **Storm water runoff** The storm water runoff from the UDC-V site must comply with existing State and local standards at every phase in development.

11. **Residential character** The character of adjoining residential uses must be recognized and addressed.

12. **Circulation and access** Street circulation and property access must be designed to minimize the impacts on area streets.

13. **Transit and rideshare service** Adequate land area must be provided for the loading and unloading of transit and rideshare users within the mixed use core of the site.

14. **Site integration** The site must be developed so as to integrate pedestrian and transit access with the land uses.

15. **Development standards exemptions** The following standards, normally controlled by other portions of this Zoning Ordinance and Subdivision Ordinance, shall be controlled only by the provisions of the UDC-V District. Where no standards are listed in these provisions, no standards shall be imposed:

   (a) lot area,
   (b) lot width,
   (c) frontage on a public street,
   (d) setback and yards,
   (e) building separations,
   (f) height of fences and walls,
   (g) off-street parking,
   (h) open space;
   (i) street right-of-way,
The following Development Program shall indicate
accompanied by a Development Plan and an OIRE style inventory.

Each Application for a change of zoning to the
General District must be accompanied by a Concept Plan for the
Development Program, and an OIRE style inventory.

A Development Plan shall indicate
accompanied by the Planning Commission, and must be
proposed development. The Concept Plan and the application
the Planning Director, or his designated agent, acting as an
Development Permits by the Building Inspection Department until
Concept Plan shall not be approved for
Comprehensive approved in the Concept Plan shall not be approved for
Elements of the Concept Plan, the elements of the Concept Plan

In summary, the Development Program and the OIRE style inventory
are the Development Program and the OIRE style inventory

Emphasis is placed on the attainment of an effective and
Development Plans are to achieve that the Administrator approves or any
section to achieve the minimum standards established for the ODC-V
Criterion is environmental, on how the Development Plan will be managed at
emphasis of this process is on how the Development Proposal will
impact its environment, on how the Development Plan will be created. The
area, a special process to create development is created. The
the significant role they are expected to play in the management
Street type (public or private),
urb and butte, and
streetcar

(1)
(2)
(3)
sections may include such factors as mass, bulk, screening, buffering, curb cuts, signs, graphics, and lighting. The detail shall include at least the right-of-way of the thoroughfare as well as 20 feet on either side of the right-of-way.

9 cross-sections at typical locations, and to a depth of 55 feet on either side of a property line, where the site proposed for the UDC-V District abuts residentially zoned or developed property to show typical techniques to be employed in recognizing and addressing the character of adjoining residential properties. These cross-sections may include such factors as privacy, bulk, height, surface water runoff, security, traffic and circulation (auto and pedestrian).

10 layout of a typical parking lot indicating a description of the plantings to be used in landscaping and maturation periods for these plantings.

(c) **Optional Project Information** Additional information concerning various aspects of the proposed development may be presented such as the following.

1. detail of intended development treatment at points of environmental sensitivity, dramatic and principal views, historic and significant sites, physiographic obstruction or great opportunity.

2. information on the significant trees and vegetation to be retained on the site.

(d) **Off-Site Inventory** The Off-Site Inventory shall consist of

1. a map depicting generalized land use for all properties abutting the site with the names and addresses of all owners of this property based on the latest information available in the office of the City-County Tax Collector.

2. the locations and capacity of existing public utilities.

(e) **Pre-application consultation** Applicants are encouraged to seek a pre-application consultation with the Planning Director or his designated agent to discuss the proposed Concept Plan and its relationship to the criteria and standards listed for this District.

(f) **Decision on Concept Plan** With respect to each application, the City Council may approve the Concept Plan, disapprove it or approve it with such modifications and conditions as may be consistent with the criteria and standards listed in this District. Within 5 business days following the City Council's determination with respect to an application for a change in zoning to the UDC-V District, the Planning Director or his designated agent shall inform the applicant, and other persons who request it, of the City Council's decision on the Concept Plan.
Without public hearing, by the Planning Director, the duty of the Planning Commission may be authorized, the approval of the proposed development to proceed as if a change of zone had been approved, and amendments to the approved concept plan shall be processed in the same manner as an application for a change of zone as defined in Chapter V.

The approval of the building inspection department shall be obtained by the Planning Commission for any uses subject to the district. As a development permit is issued, according to the regulations provided in the City Code, the applicant may construct without any inspection fees to be charged.

The approval of the building inspection department shall be obtained by the Planning Commission for any uses subject to the district. As a development permit is issued, according to the regulations provided in the City Code, the applicant may construct without any inspection fees to be charged.

In this district, the concept plan and the criteria and standards listed shall be consistent with the proposed construction of the project. The conclusions of this recommendation shall be drafted by the Building Inspection Department to the applicant. After such drafting, the applicant shall make a recommendation to the Planning Commission any uses subject to this district, the Planning Commission any uses subject to this district, the Planning Commission any uses subject to this district, the Planning Commission any uses subject to this district.
Section 2  That this ordinance shall become effective upon its 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 ________, Page ________.

Ruth Armstrong,
City Clerk
THE URBAN DEVELOPMENT CENTER-VILLAGE (UDC-V) CONCEPT

What is this proposal?

The ordinance draft proposal transmitted to you is for a mixed use zoning category. This proposal is for "moderate" scaled development in a foreseen system of four such ordinances- small medium, and large urban centers and an employment center. The first three categories will include residential and non-residential uses, though no industrial uses are foreseen. The employment center's emphasis will be non-residential concentration. This proposal would allow up to 4.46 million square feet of residential, institutional and conference center/hotel space; up to 278,784 square feet of retail space; and up to 418,176 square feet of office space on a site of up to 160 acres. There are provisions for increasing these parameters by up to 20% in certain instances.

What problems might this proposal generate?

The innovations in this mixed use zoning category which might generate controversy include the following:

- the magnitude of the uses permitted
- the lack of detail about internal relationships required in the plan
- the options for expanding the supply of parking on the site
- the authority of the Planning Director to permit amendments to the plan via administrative procedures in certain instances
- the "newness" of the concept to Charlotte-Mecklenburg

Why is such a proposal necessary?

In recent years pressures on land development have changed. Factors influencing that change include

- increases in 2 wage earner, but smaller households
- increases in sensitivity to energy shortfalls in the location and design of development
- increases in construction and maintenance costs
- increases in the importance of environmental factors and site availability in the design of development
- changes in mobility and mode choice patterns among the population
- increases in the sophistication of urban residents on development matters as well as in their ability to "short cut" the development process

Also conventional zoning tends to encourage fragmentation and dispersion of mutually supportive uses. Conventional zoning requires modification if it is to be effective in how growth is organized.

A key response to these factors is the mixed use center concept. This new development form often contains retail, office, institutional and residential uses. These associations of uses serve to hedge the risks of incremental and uncoordinated investments in these uses while boosting occupancy by insuring an ongoing activity center.
The philosophy of this draft proposal is summarized as follows:

Individual factors such as rising housing and transportation costs to the

environment.

To protect and enhance the elements of good streetscape along

to encourage the provision of small car parking spaces and thereby

to require the integration of auto, pedestrian and transit access

design and the mix of uses
do varable economics in terms of development phasing, internal site
to provide considerable flexibility to the developer in these times
facilities and services of conforming major urban land uses

What does this proposal do?
Urban Development Center - Village District
Summary of Elements

Intent

- allows moderate scale employment, housing and services to be clustered (mixed use development)
- provides a focal point for public utilities/services
- provides a focal point for major urban land uses.

Applicability

- 50 - 160 acre sites
- provision for sites up to 192 acres (160 x 120%) when well situated with regard to transit, employment concentrations, etc.
- applicable in undeveloped and partially developed areas.

(Note: Attachment A of this summary identifies maximum development potentials for sites of 50, 160 and 192 acres.)

Permitted Uses

- residential: detached, attached and multi-family, separately or in conjunction with other uses
- office
- retail
- hotel/conference facilities
- institutional
- recreational.

Concept Plan Required

(Elements = Development Program and Off-Site Inventory)

Development Program Elements

- proposed land use types
- gross floor areas of land use types
- transit/auto/pedestrian access plans
- traffic impact analysis
- attention to streetscape on thoroughfares
- attention to edges (55 ft. from property line)
- attention to parking lot landscaping/screening.

Off-Site Inventory Elements

- identification of adjoining land uses and property owners
- identification of location and capacity of public facilities.
The Planning Commission, upon recommendation of the Planning Director, may recommend to the City Council for approval an amendment to the Zoning Ordinance to accommodate alternate density in any area. The decision on the amendment must be made within 90 days of the date of the hearing. The Planning Director may recommend to the Planning Commission for approval the issuance of a permit to an approved Concept Plan and approved by the City Council. The purpose of the Concept Plan is to explain the process and standards to be explained in the written development process and standards.

Process

- Provide a place for transit/transit sheds
- Attention to circulation and traffic impacts
- Attention to residential character of adjoining uses
- Attention to storm water run off at all phases of development
- Attention to impact at property edges
- Incentives to provide compact car spaces
- Incentives to provide park and ride/transit sheds
- Required landscape
- Development standards for different development phases
- Car and bike parking requirements

Before any non-residential project can be built,

- Development Phases: At least 25% of approved residential must be built
- 2% of office is dedicated (and vice versa)

- Office, restaurant, and retail
- 2% office, 1% restaurant, and 1% retail

- Non-residential floor area is not limited on housing type, emphasis on residential floor area and not

- Minimum and maximum residential floor area
Attachment A

50 acre site

residential, et. al. = 217,800 S. F. = 217 du @ 1000 S. F./du (min.)

= 1,393,920 S. F. = 1393 du @ 1000 S. F./du (max.)

retail = 87,120 S. F. (max.)
office = 130,680 S. F. (max.)

w/non-residential transfers
(120% retail) retail = 104,544 S. F. (max.)
office = 95,832 S. F. (max.)
(130% office) retail = 67,518 S. F. (max.)
office = 169,884 S. F. (max.)

160 acre site

residential, et. al. = 696,960 S. F. = 696 du @ 1000 S. F./du (min.)

= 4,460,544 S. F. = 4,460 du @ 1000 S. F./du (max.)

retail = 278,784 S. F. (max.)
office = 418,176 S. F. (max.)

w/non-residential transfers
(120% retail) retail = 334,541 S. F. (max.)
office = 306,662 S. F. (max.)
(130% office) retail = 216,058 S. F. (max.)
office = 543,629 S. F. (max.)

192 acre site (160 acres x 1.2)

residential, et. al. = 836,353 S. F. = 836 du @ 1000 S. F./du (min.)

= 5,352,653 S. F. = 5,353 du @ 1000 S. F./du (max.)

retail = 334,541 S. F. (max.)
office = 501,811 S. F. (max.)

w/non-residential transfers
(120% retail) retail = 401,449 S. F. (max.)
office = 367,994 S. F. (max.)
note: residential, etc. all refers to total square feet devoted to residential.

office = 652,354 s.f. (max)

(130% office) retail = 259,710 s.f. (max)
PETITIONER  Frank W. Spurrier, Jr.

PETITION NO. 82-34  HEARING DATE  June 21, 1982

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

LOCATION  A .450 acre parcel located approximately 190 feet south of the
intersection of Rozzell Ferry Road (NC Hwy. #16) and McClure Circle with
frontages of 98.84 feet on Rozzell Ferry Road and 105.64 feet on McClure Circle.

Acreage  .450

ZONING MAP NO.  55  SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
CITY OF CHARLOTTE
OFFICIAL REZONING APPLICATION

Ownership Information

Property Owner: Frank W. Spurrill, Jr., Agent

Owner's Address: 1201 Berryhill Road

Charlotte, N.C. 28208

Date Property Acquired: April 14, 1954

Deed Reference: Book 1684, Page 97

Description of Property

Location of Property: Highway 16 (Bezzell's Ferry Road) at McClure Circle

Size: 0.450 acres

Existing Land Use: Currently not used. Last use was Duckworth Furniture Store

Zoning Request: B-1

Purpose of zoning change: To be used as storage for wholesale candy business. Owner will use existing access points to property.

Petitioner:

Name of Petitioner(s): Frank W. Spurrill, Jr.

Address of Petitioner(s): 1201 Berryhill Road, Charlotte, N.C. 28208

Telephone Number: 704/377-1607

Signature of Property Owner or Other Than Petitioner: [Signature]

Date of Petition: April 8, 1982

Received By: [Signature]
PETITIONER: Westminster Company

PETITION NO. 82-35  HEARING DATE: June 21, 1982

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

LOCATION: A 2.46 acre site on both sides of Riverton Court located off Old Meadow Road in the Eastwoods Subdivision.

Acreage: 2.46

ZONING MAP NO.: 46  SCALE: 1" = 800'

PROPERTY PROPOSED "FOR CHANGE"
Than Petitioner

Signature: Z. S. Frank  
Phone Number: 386-655-1756
Address of Petitioner(s): Box 25383, Charlotte, N.C.
Name of Petitioner(s): Westminster Company

Westminster Company

Zoning Request

Purpose of Zoning Change: To provide more affordable housing. That is compatible with the existing area.

Requested Zoning: R-12 (CD)

Location of Property:

Description of Property

Deed Reference: Book 3641, Page 600
Tax Parcel Number: 109-429-084-00

Date Property Acquired: December 21, 1973

Owner's Address: P.O. Box 25383, Charlotte, N.C.

Ownership Information

Official Zoning Application

City of Charlotte

Received by: E.J. Wooding, 8-8-1982
Petition No: 82-35
PETITIONER  Realty Investment Buyers, Inc.

PETITION NO.  82-37  HEARING DATE  June 21, 1982

ZONING CLASSIFICATION, EXISTING  B-1SCD  REQUESTED  Plan Amendment

LOCATION  7.76 acre tract located at the southwest corner of Little Rock Road and Tuckaseegee Road.

Acreage  7.76

ZONING MAP NO.  49  SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
## City of Charlotte

### Ownership Information

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Address</th>
<th>Date Acquired</th>
<th>Deed Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Henry C. Rhyme</td>
<td>2626 Mary Anne Drive</td>
<td>August 26, 1980</td>
<td>434-894</td>
</tr>
</tbody>
</table>

### Location of Property

<table>
<thead>
<tr>
<th>Size (Sq Ft-Acres)</th>
<th>Street Frontage (ft)</th>
<th>Street, Approx. Direction</th>
<th>Southwest Corner Of</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.76 acres</td>
<td>50'</td>
<td>Approx. 630', X 590'</td>
<td>Little Rock Road and Tuckasegee Road</td>
</tr>
</tbody>
</table>

### Description of Property

- Vacant except for one abandoned commercial structure and one house to be removed

### Zoning Request

- Existing Zoning: B-1 SCD and R-12
- Revised Site Plan: B-1 SCD with site plan revised for minor addition to the West

### Petitioner Information

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Telephone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fred E. Bryant</td>
<td>1500 E. Third St. Suite 216, 23204</td>
<td></td>
</tr>
<tr>
<td></td>
<td>35-1307</td>
<td></td>
</tr>
</tbody>
</table>

### Petitioner Signature

[Signature]

Date of Petition: May 5, 1982

Petition No: 82-37

Received By: S.D. Wilkins

Date Filed: May 5, 1982

OFFICE USE ONLY
PETITIONER: Guest Quarters Development Company - Charlotte

PETITION NO.: 82-38
HEARING DATE: June 21, 1982

ZONING CLASSIFICATION, EXISTING: B-1 SCD
REQUESTED: B-1 SCD Site Plan Amendment

LOCATION: A 6.57 acre site located in the northwest quadrant of the South Park Mall block with approximately 670 feet of frontage on the southerly side of Morrison Boulevard.

Acreage: 6.57

ZONING MAP NO.: 27
SCALE 1" = 800'

PROPERTY: PROPOSED FOR CHANGE
NOTE: Petitioner represents that all communications and correspondence be sent c/o Bent S. Horack, Attorney.

Petitioner Number
704/337-2200
Agent’s Address
129 City National Center, Charlotte, N.C. 28202
Name of Agent
Bent S. Horack

As shown on schematic plan filed as a part of this submission.

Purpose of Zoning Change: To accommodate hotel facility for guest suites and related amenities.

Existing Zoning: B-1SCD

Zoning Request

Current and Use: Vacant portion of previously approved B-1SCD area known as "South Park"

Description of Property

Size (ac.) 6.0 Acres

Street Frontage: (fr) Morton Grove Blvd.

Approx. 669.86 feet

Location of Property

Deed Reference Book 4781, Page 46 in Mecklenburg Registry
Tax Parcel Number Part of 177-06-04

Date Property Acquired - February 12, 1990

Owner's Address: C/o Belvey Co., 4400 Sharon Road, Charlotte, N.C. 28211

Ownership Information

Office Use Only

Received by: 2-12-91
Date Filed 2-13-91
Petition No. 42-38

OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE
April 27, 1982

Charlotte-Mecklenburg Planning Commission
Cameron-Brown Building
S. McDowell Street
Charlotte, North Carolina 28204

Re: Petition of GUEST QUARTERS DEVELOPMENT COMPANY - CHARLOTTE
for modification of B-1SCD (South Park) Plan for Portion
Fronting on Southerly Margin of Morrison Boulevard
(Part of Tax Code No. 177-061-04)

Gentlemen:

Reference is made to the above-mentioned Petition which has been
or will be filed by GUEST QUARTERS DEVELOPMENT COMPANY - CHARLOTTE.

Please be advised that as owners of the above-mentioned Parcel, we
authorize and approve the filing of that Petition and hereby
designate GUEST QUARTERS DEVELOPMENT COMPANY - CHARLOTTE as
our agent to do and perform any and all proceedings relating thereto.

Very sincerely yours,

BELK BROTHERS COMPANY

By: __________________________

IVEY PROPRRTIFS, INC.

By: __________________________

[This copy
to be executed
by Ivey Properties,
Inc. only]
By:

BEKK BROTHERS COMPANY

BY:

BEKK PROPERTIES, INC.

[Company only]

By BEKK Brothers to be executed

This copy

Very sincerely yours,

our agent to do and perform any and all proceedings relating thereto.

designate GUEST QUARTERS DEVELOPMENT COMPANY - CHARLOTTE as
authorities and approve the fitting of that petition and hereby
we

please be advised that as owners of the above-mentioned parcel, we

or will be joined by GUEST QUARTERS DEVELOPMENT COMPANY - CHARLOTTE.

Gentlemen:

(Par of Tax Code No. 177-061-04)

Ponding on Southside Avenue of Rosemont Boulevard

for modification of R-1ZCD (South Park) Plan for Section

Re: Petition of GUEST QUARTERS DEVELOPMENT COMPANY - CHARLOTTE

Charlottesville, North Carolina 22204

500 North Street

Cameron-Brown Building

Charlottesville-Mechanicsburg Planning Commission

April 17, 1982
PETITIONER  David D. Little

PETITION NO.  82-40    HEARING DATE  June 21, 1982

ZONING CLASSIFICATION, EXISTING  R-9MF(CD)  REQUESTED  Plan Amendment

LOCATION  A 5.26 acre site fronting 395 feet on the easterly side of Craig Avenue and adjoining Delane Avenue.

Acreage: 5.26

ZONING MAP NO.  24    SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
Telephone Number
334-7363
Agent's Address

Name of Agent
Joe Johnson

Site Plan - Amended from original due to soil composition and city ordinance.

Purpose of zoning change: Site Plan amended from original due to soil composition and city ordinance.

Requested Zoning
Zoned:

Existing Zoning

Requested Zoning
Zoned:

Current Land Use

Property Description

Area (acres): 5 Acres

Site (sq ft - acres): 808 feet

Description Of Property

Location Of Property

Date of Survey:

Owner's Address

Name of Owner: White Oak Manor, Inc.

Property Owner Information

Office Use Only

Received By: 8-14-94
Date Filed: 8-14-94
Petition No. 8-3-40

City of Charlotte
Official Rezoning Application
PETITIONER  Allan and Sandra McCoy

PETITION NO. 82-41  HEARING DATE  June 21, 1982

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

LOCATION  A .258 acre site fronting 70 feet on the easterly side of Hawthorne Lane, approximately 176 feet north of the intersection of Hawthorne Lane and East 8th street.

Acreage .258

ZONING MAP NO. 7  SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
CITY OF CHARLOTTE

OFFICIAL REZONING APPLICATION

Ownership Information

Petition No. 82-L-4
Date Filed: May 5, 1982
Received By: S.D. Hobbs

Property Owner: Allan L. McCoy and wife, Sandra D. McCoy
Owner's Address: 514 Hawthorne Lane, Charlotte, NC 28204

Date Property Acquired: July 15, 1979
Deed Reference: Book 4225, Page 0372
Tax Parcel Number: 127-12-20

Location Of Property

Size: (5800 sq. ft.)
Address: 514 Hawthorne Lane, Charlotte, North Carolina 28204

Description Of Property

Current Land Use: Residential

Zoning Request

Request: R-6 Mr
Existing Zoning: R-6 Mr
Purpose of zoning change: To allow owner-occupant to continue to operate his television repair shop in his basement using approximately 1,350 sq. ft.

Allan and Sandra McCoy
Name of Petitioner(s)
514 Hawthorne Lane
Address

John W. Cressham
Name of Agent
575 Independence Blvd., Suite 720
Address

Telephone Number: 945-3795
Signature of Property Owner or Other Than Petitioner

Telephone Number: (803) 555-4841
Signature
PETITIONER    Vernon P. and Elsie C. Keziah

PETITION NO.  82-42        HEARING DATE  June 21, 1982

ZONING CLASSIFICATION, EXISTING    R-9    REQUESTED   B-1 (CD)

LOCATION    A .41 acre parcel located at the northwest corner of Tuckasegee
Road and Bradford Drive (Adjacent to Interstate 85)

Acreage: .41

ZONING MAP NO. 13

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
CITY OF CHARLOTTE

OFFICIAL REZONING APPLICATION

Ownership Information

Property Owner

937 Webneck Ave

41 acre

Size (Sq. Ft.-Acres)

R-1

Zoning Request

Purpose of zoning change

Requested Zoning

R-1 (C-D)

Existing Zoning

R-9

Description of Property

Location of Property (address or description) 41 acre

Street Frontage (ft.) 125'

Current land use

Residence (unoccupied) and Lot at rear

Petitioner's Name

Zena Kazek, Jr.

Address of Petitioner(s)

37-1-8-24

Telephone Number

Signature of Property Owner if Other Than Petitioner

Name of Agent

Agent's Address

Petitioner

Attorney at Law

G. J. E. Kayek
PETITIONER  Newman Manor Associates Ltd.

PETITION NO.  82-43       HEARING DATE  June 21, 1982

ZONING CLASSIFICATION, EXISTING  R-12       REQUESTED  R-20MF

LOCATION  A 6.691 acre site fronting approximately 697 feet on the northerly
side of Sardis Road, approximately 168 feet west of where McAlpine Creek
intersects with Sardis Road.

Acreage:  6.691
<table>
<thead>
<tr>
<th>Owner's Name: Newman Manor Associates Ltd.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address: P.O. Box 1737, Matthews, N.C. 28105</td>
</tr>
<tr>
<td>Owner's Address: Post Office Box 1737, Matthews, North Carolina 28105</td>
</tr>
<tr>
<td>Date Filed: May 9, 1982</td>
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<td>Received By: Jacob, 1982</td>
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<tr>
<td>Property Owner: Newman Manor Associates Ltd.</td>
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<tr>
<td>Owner's Address: Post Office Box 1737, Matthews, North Carolina 28105</td>
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<tr>
<td>Date Property Acquired: March 23, 1982</td>
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<tr>
<td>Deed Reference: Book 4521 at Page 203</td>
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<td>Tax Parcel Number: 189-171-18</td>
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<table>
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<tr>
<th>Description Of Property</th>
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<tbody>
<tr>
<td>Location Of Property: 7300 Block of Sardis Road, borders Melbourne Greenway, Charlotte Christian School and Sardis Road</td>
</tr>
<tr>
<td>Size (Sq. Ft.-Acres): 6.691</td>
</tr>
<tr>
<td>Current Land Use: Vacant</td>
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<table>
<thead>
<tr>
<th>Zoning Request</th>
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<tbody>
<tr>
<td>Purpose of zoning change: See Attachment &quot;A&quot;</td>
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<tr>
<td>Existing Zoning: R-12</td>
</tr>
<tr>
<td>Requested Zoning: R-20/0R</td>
</tr>
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</table>

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<tr>
<th>Signature</th>
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</thead>
<tbody>
<tr>
<td>Billy Black Jr.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Newman Manor Associates Ltd.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Petitioner(s): Newman Manor Associates Ltd.</td>
</tr>
<tr>
<td>Address of Petitioner(s): P.O. Box 1737, Matthews, N.C. 28105</td>
</tr>
<tr>
<td>Telephone Number: (704) 372-1120</td>
</tr>
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</table>

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<tr>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Billy Black, Jr.</td>
</tr>
<tr>
<td>Name of Agent: Billy Black, Jr.</td>
</tr>
<tr>
<td>Address of Agent: P.O. Box 35566, Charlotte, N.C. 28225</td>
</tr>
<tr>
<td>Telephone Number: (704) 372-1120</td>
</tr>
</tbody>
</table>
ATTACHMENT A
TO THE REZONING APPLICATION OF
NEWMAN MANOR ASSOCIATES, LTD.

PURPOSE OF REQUESTED REZONING CHANGE:

The Applicant requests rezoning of this 6.691 acre parcel from R-12 to R-20MF as shown on the Plan accompanying this Application.

The subject property is located within the City of Charlotte on the eastern margin of Sardis Road in the 7300 Block between the McAlpine Greenway and the Charlotte Christian School. There is a private lake consisting of approximately 2-1/2 acres just across Sardis Road from the property. Currently there are no improvements on the property and it is entirely covered with soft and hard wood trees.

The accompanying Site Plan proposes to change the zoning for the property from R-12 to R-20MF. R-20MF zoning is sought because the Applicant recognizes the desirability of conforming its Project to high development standards and allowing a maximum amount of development control through site plan submissions. All development will take place within the interior of the property and the Project will have only one means of access to and from Sardis Road.

The Applicant proposes to construct 42 two and three bedroom Townhouse or Condominium units (an average density of 6.27 units per acre which is consistent with the 1995 Comprehensive Plan).

In developing its Site Plan, the Applicant has taken care to provide adequate buffers between its Project and the development across Sardis Road and the Charlotte Christian School Complex which is located north of the site by providing buffer zones of 50 feet each along Charlotte Christian School’s boundary and along the McAlpine Greenway and a buffer of 75 feet along Sardis Road.

The Applicant believes that these "owner type" uses and the applicable density limitations not only provide a suitable transition between the Charlotte Christian School and the McAlpine Greenway but also insure compatibility with nearby existing and future single family developments.

Due to the irregularity in the shape of the property, its development into a townhouse or condominium for sale project would
Given the sharp increase in the costs of housing and land, the applicant believes that the site plan will be well designed and result in a development plan that is well designed and consistent with other restrictions imposed by the City.

The applicant believes that these salient features in

The subject community

The average number of trips generated would range between 240 to 300

Trip Generation Models (a potential of 20 four-bedroom housing units) apply. Installation is further addressed. The number of trips to develop the property as

According to the City’s Department of Transportation, the

residents in the area.

will insure little, it may, encourage growth on the property of other

Moreover, the 2.0% limitation imposed for permanent buildings

were the property developed as a single family subdivision.

enable the developer to leave undisturbed a substantial higher

The Charlotte-Mecklenburg Planning Commission,

planning techniques already utilized by the City of Charlotte and

the upper middle-income market and compact with Sound, Long-range

objectives of providing attractive, varied and affordable homes for

development in recent years, the applicant respectfully submits that

environmentally sustainable.
AN ORDINANCE AMENDING CHAPTER 17, ARTICLE IV, SECTION 17-62 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 17, Article IV, Section 62(a) is amended by adding the word "(e)" as follows:

"(a) Except as provided in subsections 17-62 (b), (c) and (e) below,..."

Sec. 2. Chapter 17, Article IV, Section 62 is amended by adding new subsections (e) and (f) to read as follows:

"Sec. 17-62(e). Exception. In cases where the City Engineer determines that the likelihood of future street widening and other street improvements, considered together with the expense of acquiring right-of-way to accommodate such improvements, makes the value of the applicant's dedication to the City of additional property along the present right-of-way exceed the cost to the City of itself installing curb, gutter, and/or drainage which would otherwise be required of the applicant, the City Engineer may recommend to City Council an acceptance of dedication in lieu of street improvements. It shall be the responsibility of the applicant for such exception to request and supply information sufficient to support such an exception. The City Engineer's determination that grounds for such exception do not exist and decision not to forward a recommendation to Council shall not be appealable."

"Sec. 17-62(f) In cases where the applicant's proposed plat requires approval under the provisions under Chapter 18 of this Code (Charlotte Subdivision Ordinance), the Planning Commission or City Council shall have the variance powers otherwise granted the City Engineer under the provisions of this Section 17-65, but such power shall be exercised only after consultation with and the receipt of a recommendation from the City Engineer."

Sec. 3. This ordinance shall become effective upon adoption.

Approved as to form:

[Signature]
City Attorney
AN ORDINANCE AMENDING CHAPTER 18, ARTICLE II, SECTION 27 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 II, Section 27 is amended by adding the word "(a)" before the first paragraph and by adding a new subsection (b) to read as follows:

"Sec. 18-27(b). In cases where an applicant subject to the provisions of this Chapter 18 wishes a variance from the sidewalk and drainage facilities required by Sec. 17-60 et seq. of this Code, such request for variance shall be heard by the Planning Commission or City Council in accordance with the standards and procedures set forth in Sec. 17-65 instead of by the City Engineer. The City Engineer's advice and recommendation shall be requested sufficiently in advance of any hearing and decision on such variance request to allow his position on such variance request to be given full consideration."

Sec. 2. This ordinance shall become effective upon adoption.

Approved as to form:

[Signature]
City Attorney
AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "MECKLENBURG INVESTMENT COMPANY BUILDING" AND THE LAND ASSOCIATED THEREWITH, AS HISTORIC PROPERTY, AT 233-237 SOUTH BREVARD STREET, CHARLOTTE, NORTH CAROLINA, AS RECORDED ON PARCEL NUMBER 125-024-06 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 "Mecklenburg Investment Company Building" as historic property; and

WHEREAS, the building, erected in 1921-1922, was the first office building in Charlotte built exclusively by and for black professionals; and

WHEREAS, the building exhibits an especially fine example of intricate brick corbeling; and

WHEREAS, the building is one of the very few remnants of Brooklyn, a major turn-of-the-century black neighborhood in Charlotte; and

WHEREAS, the building is situated on its original site; and

WHEREAS, the Mecklenburg Insurance Company had some of the most prominent black Charlotteans among its officers; and

WHEREAS, the property known as the "Mecklenburg Investment Company Building" is vested in fee simple to the John Crosland Company.

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

1. That the property known as the "Mecklenburg Investment Company Building" 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 233-237 South Brevard Street,
Charlotte, North Carolina, as recorded on Parcel 125-024-06 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 "Mecklenburg Investment Company Building" be given 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 amend-
ments hereinafter adopted.

Approved as to form:

[Signature]
City Attorney
Mayor Eddie Knox
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

Attached is a recommendation of the Charlotte-Mecklenburg Planning Commission on a petition for rezoning which has been heard and referred to the Planning Commission for consideration. The recommendation as reflected herein was arrived at in a meeting of the Planning Commission held on May 20, 1982.

According to the adopted rules of procedure, this recommendation will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse on June 7, 1982. This will then permit this matter to be placed on your agenda for consideration of decision on June 21, 1982.

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

Respectfully submitted,

Robert G. Young,
Zoning Hearing Supervisor

RGY:ns

Attachment
DATE May 20, 1982

PETITION NO. 82-32

PETITIONER(S) City of Charlotte - Engineering Department

REQUEST Change from R-9 to I-2(CD)

LOCATION A 23½ acre tract located on the southerly side of Yorkmont Road, approximately 905 feet west of the intersection of Yorkmont Road and Price Lane.

ACTION The Planning Commission recommends the petition be disapproved.

VOTE Yeas: Boyce, Culbertson, Cummings, Curry, Ervin, Evans, Jermigan, Lawing, McCoy.

Nays: None

(REASON: Commissioner Trotter abstained from voting as he was not present at the public hearing.)

This petition requests that a tract of land be rezoned to I-2(CD) in order to establish a regional farmers' market.

The following issues associated with this request can be identified:

1. Area Objectives. Would the approval of this request be consistent with existing or anticipated zoning and land use patterns?

2. Character/Appearance of Yorkmont Road/Billy Graham Parkway. What affect would the approval of this request for a farmers' market have on the desired appearance and character of Yorkmont Road and the Billy Graham Parkway?

3. Future Affect. If approved what affect would this change have on future land use and zoning decisions in this area?

4. Development Along Yorkmont Road. What future land use and zoning pattern is appropriate for Yorkmont Road?

5. Proposed Use/Location. Is the location for this proposed farmers' market an appropriate one?
The city of Charlotte.

1. The subject property is a portion of an overall 200+ acre tract owned by
   property may also be identified:

   Based on the above issues, facts and general findings, the following depicted

designated a density of 0-6 dwelling units per acre in the vicinity of subject

2. Capital Improvement Program. The Project would consist of a 15 such

property.

The following General Findings can be arrived at:

4. Billy Graham Parkway. The Billy Graham (Airport) Parkway is under con-

3. Site Plan. The site plan submitted as a part of this petition requires

2. Existing Land Use. The petitioned property is underveloped except for a

1. Exception to this is land farther to the east which is zoned R-1 (CD). The
   existing map with a 90-0 zoning to the north.

In summary, the property on three sides, with R-9C zoning to the north.

The predominant zoning pattern in the area is residentially oriented. The

1. Existing Zoning. The site is presently zoned R-9. The R-9 classification

Considering the above, the following issues, the following facts should be

Page 2
May 20, 1982
Petition No. 82-32
3. With the construction of the Billy Graham Parkway and its relationship to the airport, emphasis should be given to the appearance and physical environment of this area.

4. Recently zoning approvals have been granted along Yorkmont Road in this area for quality hotel and office park developments.

5. The long term future land use pattern for undeveloped property along Yorkmont Road near this site is not single-family residential as presently zoned.

6. It is felt that a farmers' market at this location would generally tend to depress an otherwise potentially quality environment/market for office/light industrial parks.

7. It is further believed that this location will tend to serve a wholesale market. Consumer/retail sales may be somewhat limited due to the location of this site.

8. Presently there is no water main serving this portion of Yorkmont Road. The Fire Department has expressed concern over this. There are plans to construct a 16 inch water main in Yorkmont Road, but the project is unfinanced and has a low priority.

9. Comments and presentations made at public hearing on this matter indicated the general trend has been to locate farmers' market in urban areas, particularly downtown locations. A downtown farmers' market would be more desirable than the proposed location of this market.

10. It is felt that a regional wholesale/retail farmers' market is not compatible with the emerging character of the parkway corridor.

11. Finally, the proposed 23± acre tract should not be rezoned and sold in the proposed piecemeal fashion. This site is a portion of a very attractive 260± acre tract along Yorkmont Road. To determine the best long range zoning and land use pattern for this area the City should prepare a land use concept plan together with a description of any potential intention to sell any land holdings in this area. This will give the citizens of Charlotte the greatest benefit based upon a defined public purpose.

Based on the above findings, the Planning Commission recommends the petition be disapproved.
PETITIONER: City of Charlotte - Engineering Department

PETITION NO.: 82-32

HEARING DATE: 5/17

REQUESTED ZONING CLASSIFICATION, EXISTING R-9

LOCATION: A 53+ acre tract located on the southerly side of Yorkmont Road, approximately 905 feet west of the intersection of Yorkmont Road and Price Lane.

Acreage: 53+

R-9

R-9MF

R-15

YORKMONT

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

ZONING MAP NO.: 36

R-6MF