# AGENDA

<table>
<thead>
<tr>
<th>Meeting Type:</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date:</td>
<td>10-21-1991</td>
</tr>
<tr>
<td>SUBJECT</td>
<td>City of Charlotte, City Clerk’s Office</td>
</tr>
</tbody>
</table>
6:00 p.m. - Zoning Meeting

1. Invocation by the Rev. David Amidon of A Mighty Fortress Lutheran Church.

2. The following requests to speak to agenda items have been received:

   (a) Agenda Item No. 1 - Hearing on Petition No. 91-58

   1) Bailey Patrick, P. O. Box 35566, 28235, 372-1120 - FOR
   2) Fred Bryant, 1850 E. Third St., 333-1680 - FOR
   3) Lewis L Walker, 1322 Colonnade Ln., 549-1558 - AGAINST

   (b) Agenda Item No. 2 - Hearing on Petition No. 91-64

   1) Fred Bryant, 1850 E. Third St., 28204, 333-1687 - FOR
   2) Jim Cook, 4822 Dogwood Pl., 568-8720 - AGAINST

   (c) Agenda Item No. 3 - Hearing on Petition No. 91-65. A protest petition has been filed and is sufficient to invoke the 3/4 Rule.

   1) Fred Bryant, 1850 E. Third St., 28204, 333-1687 - FOR
   2) Frank Kirkland, 7828 Meadowdale Lane - 563-1452 - AGAINST
   3) Thomas Eells, 6907 Idlewild Brook Lane - 598-6042 - Ext. 29 - AGAINST
   4) Tom Phlegar, 7324 Marlbrook Drive - 535-2154 - AGAINST

   (d) Agenda Item No. 4 - Hearing on Petition No. 91-69. A protest petition has been filed and is sufficient to invoke the 3/4 Rule.

   1) Bailey Patrick, P. O. Box 35566, 372-1120 - FOR
   2) Larry H. Reid, Marriott Corp., Marriott Dr., Washington, D.C., (301) 380-7996 - FOR
   3) Tom Minor, 3214 Sunnymead Ct., 28209, 333-0268 - AGAINST

   (e) Agenda Item No. 7 - Hearing on Petition No. 91-70

   1) Fred Bryant, 1850 E. Third St., 28204, 333-1687 - FOR
   2) Glen Clites - AGAINST

   (f) Agenda Item No. 9 - Hearing on Petition No. 91-71

   1) Fred Bryant, 1850 E. Third St., 28204, 333-1687 - FOR

   (g) Agenda Item No. 11 - Hearing on Petition No. 91-73. A protest petition has been filed and is sufficient to invoke the 3/4 Rule.

   1) Fred Bryant, 1850 E. Third St., 28204, 333-1687 - FOR
   2) Rev. C. McArthur Sanders, 4433 Hamilton Circle - 399-7264 - AGAINST
   3) Don Fisher, 9120 Westminster Drive - 537-0212 - AGAINST
   4) Marvin Todd, 9145 Wedgewood Drive - 334-9789 - AGAINST

THE PETITIONERS HAVE REQUESTED THAT THIS HEARING BE DEFERRED TO THE NEXT REGULAR ZONING MEETING WHICH WILL BE DECEMBER 17TH.

Dr. Melvin Pitts - 5611 Ruth Dr. 536-7968 FOR

Bob Young, 301 S. McDowell, Suite 404, 334-9157 FOR
ITEM #4 - 9/66

(1) Paul & Nelson, 2901 Wheelock Rd 366 2157 - For

ITEM #6 - 9/1-68

(1) T.L. Odom, 1100 S Tryon St 372-4803 - For

(2) Ellen Bailey, 6457 Freedom Dr - For

(d) ITEM #7 - 9/69

(4) MAC Sassec - E 3rd St - Against

Will introduce others

(5) Andrew H Weathersbee, 404 Moncure Dr - 552-1270 - Against

(6) David Bunn, 3118 Fairfax Dr 523-1946 - Against

(7) Robert Brownridge, 1701 Runnymede Ln - 566-0000 - Against

ITEM #10 9/72

(1) James Everest, Exec Director, United Cerebral Palsy of NC

307 W Morgan St, Raleigh, 375-6188 - For

(2) Fred McPhail, 850 First Citizens Plaza 334-2200 - For
ZONING MEETING 10/21/91

Mayor √
Campbell absent
Clodfelter √
Hammond √
McCroy √
Mangan √
Martin √
Matthews √
Patterson absent
Scarborough √
Turett √
Wheeler √

Ann McClure √
Vicky Beaux √
Sara Spencer √
Jack Byrne √
Rove Metley √
Jon O'Beau √
Gloria Fernung

6:05 p.m.

Rev. Pendino
Myrick
Hammond / Martin
Clodfelter
Ann McClure
Matthews
Myrick - Vote - Turett
Fields
Martin

Move to defer 91-15, 91-24, 91-61, 91-62 4/91-63
Myrick - 91-73
Rev. C. McArthur Sanders
Martin
Martin / NOT NECESSARY
Myrick

Ann McClure - introduction of young con.
10/28 4:30 8TH FL.

Myrick
Chirost / 3 Sec
Motion for adjournment

#1 - 91-58

Fields
Myrick
Bailey Patrick
Fred Bryant
Matthews
Bryant
Myrick
Bryant
Myrick
Bryant
Matthews
Bryant
Patrick
Matthew
Patrick
Matthew
Patrick
Hammond
Nancy Ham - Listed in TIP
Patrick
Hammond
Ham- TIP #U-2505
Bryant
Martin
Patrick
Martin
Fields
Martin
Fields
Martin
Fields
McCrosy
Fields
McCrosy
Fields
McCrosy
Fields
Myrick
Lewis L. Walker - Against
Patrick
Matthews
Patrick
Matthews
McCready / Wheeler - Close thing.

Myrick #2 - 91-64
Fields
Myrick
Morgan
Fields
Fred Bryant
Martin
Bryant
Martin
Fields
Martin
Bryant
Hammond - Bryant - 2550 seats
Hammond
Bryant - new parking - 2300 seats
Hammond
Bryant
Hammond
Bryant
Hammond
Matthews
Fields
Matthew
Bryant
Wheeler
Bryant
Jim Cook
Bryant
Vinroot
Bryant
Vinroot
Bryant
Hammond
Martin/Mayden Close

Mysick - #3 91-65
Fields
Mysick
Bryant
Mysick
Bryant
Frank Kirkland
Thomas Eells
Tom Alegar
Martin
Fields
Martin
Fields
Scott Putnam
Martin Putnam
Martin
Putnam
Harmon
Munger
McBrey
Fields
Martin
Fields
Scarborough
Matthews
Fields
Matthews
Bryant
My
McCroy
Vinroot / Martin Close King - Texas

Myrick #4 91-66
Fields
Paul E. Gibson

Myrick
Hamzum / Starborough: Close King.

Myrick #5-91-67
Vinroot / Martin Close King

Ann McClure

Myrick #6 - 91-68
Fields
J. L. Odum
Matthews
Vinroot / Hammond Close King - Texas

Myrick - #7 91-69
Fields
Myrick
Martin
Fields
Martin - How many elderly can afford $19,000
Reid - in excess of 25%
Hammond - description of Floodway
Hinge from Engineering Dept.

Fields
Wheeler - #19, 18 year, can it be
monthly?
Reid - Month to month lease

Myrick
Mac Bass -
Andrew (Sandy) Weathersbee
Jon Minor
David Bunn
Robert Brownridge

Myrick
McCrosy
Fields

Patrick
Vincent / Martin - Else Gong - Minter

Hammond -
McCrosy
Myrick
Margar
Myrick
Matthew Myrick
#8 - 91-70 Fields Myrick Scarborough
Morgan
Fred Bryant Scarborough
Bryant
Scarborough Bryant - David Hall & others
Scarborough
Bryant Martin
Myrick

Letter, 1712 Amherst Lane - Matthews - Enter letter from Loren H. Brown into record
Bryant -

End of tape 2
9:10 p.m.
Mycrick - #9 - 91-71
Fields
Bryant
Martin
Fields
Martin
Fields
Matthews
Bryant
Matthews
Bryant
Vinroot
Bryant
Vinroot
Bryant
McCreery/Vinroot

9:20 Recess

RECONVENE AT 9:26

Mycrick #10 91-72
Fields
Scarborough
Fields
Mycrick
James Everest
Fred McPhail
Myrick
Viroom / Martin, Clee Hong,

Myrick #11 - 91-73
Fields
Martin
McCrosy
Fields
Myrick
Fields
McCrosy
Myrick
Mangum
Fields
Mangum
Dr. Melvin Pinn
Bryant
Martin
Myrick
Rev. C. McArthur Sanders
Don Fisher
Marvin Todd
Scarborough
Vinroot
Morgan
Vinroot
Bryant
Morgan
Martin
Fields
Martin
Fields
Martin
Fields
Martin
Myrick
Hannard / Martin - Claxton

Myrick - #12 - 91-74
Fields
Bob Young
McElroy / Wheeler - Claxton

#13 Morgan / Wheeler App - Claxton
Mccravy
#16 Myrick
Morgan
Clodfeltter
Fields

On O'Brien
Clodfeltter
Morgan
Fields

Raymond
Hannond would augment 30 days deferral

Vincent - why?
Hannond - more information
Morgan

Myrick
Hannond/McCory - defer for 30 days
Scarborough

Fields

Matthews "Bazil Bungle"?
Fields

Vote: Unan.
#17 Vinroot / Wheelin  Union

#18 Wheelin /
Myang
Mangum / Wheelin
Mangum / Wheelin
Myrick
Matthews
Fields
Scarborough
Fields
Vote  Union

#19 Myrick
Matthews
Fields

Mangum / Wheelin  Day - No - Vinroot
Sub: Vinroot / McCrory, approve as modified - Vin / Me - Yes

Fields
Mangum

Scarborough / Mangum Adjourn - Union.

10:45 p.m.
Meetings in October '91

OCTOBER 1 - 4

1, Tuesday
4:00 p.m. PLANNING COMMISSION/Planning Committee - CMGC, 8th Floor Conference Room
4:30 p.m. PLANNING COMMISSION/Zoning Committee - CMGC, Room 270
6:00 p.m. STORM WATER TASK FORCE - CMGC, Conference Center

2, Wednesday
6:00 p.m. YOUTH INVOLVEMENT COUNCIL - CMGC, Conference Center

3, Thursday
8:00 a.m. CITY COUNCIL/Tour of Fairmarket Square Housing Development - CMGC, Lobby
10:00 a.m. PARADE PERMIT COMMITTEE - CMGC, DOT, 6th floor Conference Room

THE WEEK OF OCTOBER 7 - 11

7, Monday
12:00 noon CITY COUNCIL TRANSPORTATION COMMITTEE - CMGC, Rooms 270-271
2:00 p.m. PLANNING COMMISSION/Work Session - CMGC, 8th Floor Conference Room
4:00 p.m. SPECIAL USE PERMIT HEARING (City Council and Planning Commission) - CMGC, Conference Center
5:00 p.m. CITY COUNCIL WORKSHOP - CMGC, Conference Center

8, Tuesday
8:00 a.m. AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Conference Room A
4:00 p.m. PLANNING COMMISSION/Planning Committee - CMGC, 8th Floor Conference Room

9, Wednesday
7:30 a.m. CLEAN CITY COMMITTEE - CMGC, Room 270
8:30 a.m. CIVIL SERVICE BOARD - CMGC, 7th Floor Conference Room
9:00 a.m. CIVIL SERVICE BOARD/Hearing - CMGC, Meeting Chamber Conference Room
4:00 p.m. HISTORIC DISTRICT COMMISSION - CMGC, 8th floor Conference Room
4:30 p.m. CITIZENS CABLE OVERSIGHT COMMITTEE - CMGC, 7th Floor Conference Room

THE WEEK OF OCTOBER 14 - 18

14, Monday
3:00 p.m. CITY COUNCIL COMMUNITY DEVELOPMENT AND HOUSING COMMITTEE - CMGC, Rooms 270-271
5:00 p.m. COUNCIL/MANAGER DINNER - CMGC, Conference Center
6:30 p.m. CITIZENS HEARING - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)
7:00 p.m. CITY COUNCIL MEETING - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)
7:00 p.m. HISTORIC LANDMARKS COMMISSION - Commission Office, 1221 S Caldwell Street

15, Tuesday
12:00 noon HOUSING AUTHORITY/Work Session - Administrative Office, 1301 S Boulevard
2:00 p.m. HOUSING AUTHORITY - Administrative Office, 1301 S Boulevard
4:00 p.m. PLANNING COMMISSION/Planning Committee - CMGC, 8th Floor Conference Room
6:00 p.m. CHARLOTTE ADVISORY PARKS COMMITTEE - CMGC, Rooms 270 & 271
6:00 p.m. STORM WATER TASK FORCE - CMGC, Conference Center

(Continued on back)
### THE WEEK OF OCTOBER 14 - 18 (Continued)

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Event</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>17, Thursday</td>
<td>2:00 p.m.</td>
<td>CMUD ADVISORY COMMITTEE - Utility Dept, 5100 Brookshire Blvd</td>
<td>CMGC, Room 270</td>
</tr>
<tr>
<td></td>
<td>3:30 p.m.</td>
<td>CLEAN CITY COMMITTEE/Business Beautification Awards Committee - CMGC, Room 270</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4:00 p.m.</td>
<td>CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee - CMGC, 8th Floor Conference Room</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7:00 p.m.</td>
<td>CHARLOTTE TREE ADVISORY COMMISSION - CMGC, Room 270</td>
<td></td>
</tr>
<tr>
<td>18, Friday</td>
<td>7:30 a.m.</td>
<td>PLANNING COMMISSION/Planning Liaison Committee - CMGC, 8th Floor Conference Room</td>
<td></td>
</tr>
</tbody>
</table>

### THE WEEK OF OCTOBER 21 - 25

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Event</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>21, Monday</td>
<td>12:00 noon</td>
<td>McLININE TREATMENT PLANT CEREMONY &amp; OPEN HOUSE - 12701 Lancaster Highway (Hwy 521 South)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5:00 p.m.</td>
<td>COUNCIL/MANAGER DINNER - CMGC, Meeting Chamber Conference Room</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6:00 p.m.</td>
<td>CITY COUNCIL MEETING/Zoning Hearings - CMGC, Meeting Chamber</td>
<td></td>
</tr>
<tr>
<td>22, Tuesday</td>
<td>3:30 p.m.</td>
<td>PLANNING COMMISSION/Executive Committee - CMGC, 8th Floor Conference Room</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4:00 p.m.</td>
<td>PLANNING COMMISSION/Planning Committee - CMGC, 8th Floor Conference Room</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4:30 p.m.</td>
<td>COMMUNITY RELATIONS COMMITTEE - CMGC, Conference Center</td>
<td></td>
</tr>
<tr>
<td>23, Wednesday</td>
<td>7:45 a.m.</td>
<td>PRIVATE INDUSTRY COUNCIL - CMGC, Rooms 270-271</td>
<td></td>
</tr>
<tr>
<td>24, Thursday</td>
<td>4:30 p.m.</td>
<td>TRANSIT ADVISORY COMMITTEE - CMGC, Room 270</td>
<td></td>
</tr>
</tbody>
</table>

### OCTOBER 28 - 31

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Event</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>28, Monday</td>
<td>4:30 p.m.</td>
<td>PLANNING COMMISSION/Zoning Committee - CMGC, 8th Floor Conference Room</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5:00 p.m.</td>
<td>COUNCIL/MANAGER DINNER - CMGC, Meeting Chamber Conference Room</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6:30 p.m.</td>
<td>CITIZENS HEARING - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7:00 p.m.</td>
<td>CITY COUNCIL MEETING - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)</td>
<td></td>
</tr>
<tr>
<td>29, Tuesday</td>
<td>9:00 a.m.</td>
<td>AUDITORIUM-COLISEUM-CONVENTION CENTER COMMITTEE - First Union Center, S Tryon St, Room 2940</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1:00 p.m.</td>
<td>CITY ZONING BOARD OF ADJUSTMENT - Hal Marshall Building, 700 N Tryon St</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4:00 p.m.</td>
<td>PLANNING COMMISSION/Planning Committee - CMGC, 8th Floor Conference Room</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6:00 p.m.</td>
<td>STORM WATER TASK FORCE - CMGC, Conference Center</td>
<td></td>
</tr>
<tr>
<td>30, Wednesday</td>
<td>6:00 p.m.</td>
<td>YOUTH INVOLVEMENT COUNCIL - CMGC, Conference Center</td>
<td></td>
</tr>
<tr>
<td></td>
<td>8:00 p.m.</td>
<td>MAYOR &amp; CITY COUNCIL CANDIDATE FORUM - CMGC, Meeting Chamber (Televised Live On Channel 32)</td>
<td></td>
</tr>
<tr>
<td>31, Thursday</td>
<td>5:00 p.m.</td>
<td>CHARLOTTE-MECKLENBURG ART COMMISSION - CMGC, 8th Floor Conference Room</td>
<td></td>
</tr>
</tbody>
</table>

**These organizations will not meet in OCTOBER:**  
Advisory Energy Commission  
Fireman's Retirement Board  
Insurance & Risk Mgt Advisory Board
Council Agenda

Monday, October 21, 1991

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

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

Invocation by The Reverend David Amidon of A Mighty Fortress Lutheran Church.

ITEM NO.

PUBLIC HEARINGS

1. (91-58) Hearing on Petition No. 91-58 by Ehrman Properties, Inc. for a change in zoning from O-15(CD) to B-1SCD and a B-1SCD Site Plan Amendment for approximately 26.4 acres located on the westerly side of East W. T. Harris Boulevard south of University City Boulevard (NC 49).

This hearing was deferred for 30 days at the September 16 meeting.

Attachment No. 1

2. (91-64) Hearing on Petition No. 91-64 by Hickory Grove Baptist Church for a change in zoning from R-12 to R-I for approximately 27.2 acres located on the west side of Harris Boulevard south of Trysting Place and extending westward to Johnette Drive.

Attachment No. 2
3. (91-65) Hearing on Petition No. 91-65 by Davant Realty for a change in zoning from R-9 to R-9MF(CD) for approximately 5.5 acres located on the northerly side of Idlewild Road at Lynmont Drive.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

Attachment No. 3

4. (91-66) Hearing on Petition No. 91-66 by Gibson and Associates, Inc. for a change in zoning from R-9MF to R-20MF(Innovative) for approximately 6.65 acres located off the westerly side of Oakdale Road north of Pleasant Grove Road.

Attachment No. 4

5. (91-67) Hearing on Petition No. 91-67 by Charlotte Douglas International Airport for a change in zoning from R-12 and R-15 to I-2(CD) for approximately 134.94 acres located along both sides of Byrum Drive west of Coffey Creek.

Attachment No. 5

6. (91-68) Hearing on Petition No. 91-68 by Robert and Lorene Hawkins for a change in zoning from R-12 to B-1(CD) for approximately .52 acres located on the westerly side of Thrift Road (Freedom Drive) south of Moores Chapel Road.

Attachment No. 6

7. (91-69) Hearing on Petition No. 91-69 by Marriott Retirement Communities, Inc. for a change in zoning from R-12 to R-12MF(CD) for approximately 7.83 acres located on the southwest corner of Runnymede Lane and Michael Baker Place.

Attachment No. 7

8. (91-70) Hearing on Petition No. 91-70 by Charlotte Eye, Ear, Nose and Throat Association for a change in zoning from R-6MF and 0-6(CD) to 0-6(CD) and 0-6(CD) Site Plan Amendment for approximately 1.90 acres located on the southeasterly side of Lillington Avenue and Amherst Lane.

Attachment No. 8
9. (91-71) Hearing on Petition No. 91-71 by Pun City, Inc. for a change in zoning from B-1 to B-2 for 3.659 acres located between I-85 and Wilson Avenue east of Beatties Ford Road.

Attachment No. 9

10. (91-72) Hearing on Petition No. 91-72 by Emily Hedrick for a change in zoning from R-12MF(CD) to R-12MF(CD) Site Plan Amendment for approximately 2.91 acres located on the west side of Marsh Road north of Selwyn Farms Lane.

Attachment No. 10

11. (91-73) Hearing on Petition No. 91-73 by Pi Phi Chapter-Omegas of Charlotte, Inc. for a change in zoning from R-9 to R-9MF(CD) for approximately 9.89 acres located on the west side of I-77 south of Hamilton Circle.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

Attachment No. 11

12. (91-74) Hearing on Petition No. 91-74 by Charlotte York Rite Board of Trustees for a change in zoning from R-12 to R-12MF(CD) for approximately 1.68 acres located on the westerly side of Castleton Road north of Sharon Amity Road.

Attachment No. 12

POLICY AGENDA

13. Consider the following options with regard to Zoning Hearings: (1) continue the present shortened hearing process that became effective May 20, 1991 for six months; or (2) return to the previous full hearing process.

Attachment No. 13
DECISIONS

14. (91-15) Decision on Petition No. 91-15 by Charlotte-Mecklenburg Planning Commission for a change in zoning from R-9MF and I-1 to R-9, (Northwest District Plan), for approximately 68.55 acres located on the east side of Toddville Road, south of Old Mount Holly Road extending to Melynda Road.

The rezoning of 1.95 acres fronting on Toddville Road was denied by City Council October 14, 1991.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

This petition was deferred at the March 18, May 20, June 17, July 15 and September 16 meetings.

The Zoning Committee deferred action on this petition to October 26.

Attachment No. 14

15. (91-24) Decision on Petition No. 91-24 by Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF, I-1 and I-2 to R-6 and I-1 (Northwest District Plan) for approximately 93.6 acres located on the south side of Old Mount Holly Road west of Melynda Road.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative vote of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

This petition was deferred at the May 20, June 17, July 15 and September 16 meetings.

The Zoning Committee deferred action on this petition to October 26.

Attachment No. 15

16. (91-54) Decision on Petition No. 91-54 by Crosland-Erwin Associates for a Text Amendment to permit wholesale bakery activities on a limited basis in conjunction with a bakery for on site retail sale in the B-1 District.

The Zoning Committee recommends that this petition be denied.

Attachment No. 16
17. (91-55) Decision on Petition No. 91-55 by Young Ford, Inc. for a Site Plan Amendment to an existing B-2(CD) zoning for a 12.1 acre site located on the northerly side of North Tryon Street at Eastway Drive.

The Zoning Committee recommends that this petition be approved.

Attachment No. 17

18. (91-57) Decision on Petition No. 91-57 by Realty Buyers Group for a change in zoning from R-15 to I-2(CD) for a 28.822 acre site located on the south side of Byrum Drive, west of Wilmount Road, east of Whippoorwill Drive and north of Beam Road.

The Zoning Committee recommends that this petition be denied.

Attachment No. 18

19. (91-60) Decision on Petition No. 91-60 by Notte Thomas for a change in zoning from R-6MF to O-6(CD) for a 7,500 square foot parcel located on East Worthington Avenue between Euclid and Cleveland Avenues.

The Zoning Committee recommends that this petition be approved, as modified.

Attachment No. 19

20. (91-61) Decision on Petition No. 91-61 by H1-Q Photolith Corporation for a change in zoning from R-6MF to B-1(CD) for a 21,000 square foot parcel located at 2412 Arty Avenue.

The Zoning Committee deferred action on this petition to October 28. November 15

Attachment No. 20

21. (91-62) Decision on Petition No. 91-62 by Charlotte-Mecklenburg Planning Commission for a change in zoning from O-6, B-1(CD), B-2, and I-3 to UR-2 (Center City Urban Design Plan) for approximately 57.94 acres bounded by North Caldwell Street, North McDowell Street, John Belk Freeway and East Trade Street.

The Zoning Committee deferred action on this petition in order to allow Planning staff to research issues that arose at the public hearing on this petition.

Attachment No. 21
22. (91-63) Decision on Petition No. 91-63 by Charlotte-Mecklenburg Planning Commission for a change in zoning from O-6 and B-2 to UMUD for approximately 106.8 acres generally bounded by the John Belk Freeway, Davidson Street and 6th Street.

The Zoning Committee deferred action on this petition until Planning staff has provided additional information on issues that arose at the public hearing on this request.

Attachment No. 22
Law Offices
PERRY, PATRICK, FARMER & MICHAAUX
Professional Association
900 Baxter Street
Post Office Box 35586
CHARLOTTE NORTH CAROLINA 28235
Telephone (704) 372-6220
Facsimile (704) 372-9635

September 4, 1991

Ms. Pat Sharkey
Clerk to the City Council
City of Charlotte
600 East 4th Street
Charlotte, NC 28202

Re: Rezoning Petition No. 91-58

Subject Property: Approximately 26.4 acres located on the westerly side of East W. T. Harris Boulevard south of University City Boulevard (N.C. 49)

Petitioner: Erwin Properties, Inc.

Zoning Request: From O-15(CD) to B-1SCD and consideration of a O-15(CD) Site Plan Amendment

Dear Pat:

This Petition is scheduled for Public Hearing on Monday, September 16, 1991.

The Charlotte Department of Transportation, after having reviewed the traffic report prepared by Petitioner's consultant, has requested that the consultant furnish it with an accident report and respond to various questions relating to its traffic report. The information needed to prepare this accident report is not readily available and, as a consequence, cannot be delivered by September 6, 1991, the date requested by CDOT.

Since the information will not be available for CDOT's review by September 6, it appears to the Petitioner that the Public Hearing should be deferred for 30 days.
For the foregoing reason, the Petitioner would appreciate your placing its request for a deferral on the agenda for the City Council's September 16, 1991 meeting.

A full response will be made to CDOT's requests.

Thanking you for your assistance in this matter, we remain

Cordially yours,

PERRY, PATRICK, FARMER & MICHAUX, P.A.

Bailey Patrick, Jr.

BPJr/gb

cc: Mayor Sue Myrick
    All Members of the City Council
    Mr. John Crosland, Jr.
    Mr. Mark W. Erwin
    Mr. Stephen L. Vermillion
    Mr. Fred E. Bryant
    Mr. Walter G. Fields, III
Page dimensions: 5375.0x6833.7

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 91-58

Petitioner: Erwin Properties, Inc.

Location: Approximately 26.4 acres located on the westerly side of East W. T. Harris Boulevard south of University City Boulevard (N.C. 49).

Request: Change from 0-15(CD) to B-1SCD and consideration of an 0-15(CD) site plan amendment.

BACKGROUND

1. Existing Zoning. The property involved with this request is presently zoned 0-15(CD) as a result of a 1989 rezoning from Institutional. Adjoining properties located to the west and east are zoned Institutional, R-9MF, and R-12. Properties located across East W. T. Harris Boulevard are zoned B-1SCD. Properties located across University City Boulevard (N.C. 49) are zoned a combination of R-12 and Institutional.

2. Existing Land Use. The property involved with this request is the developing Chancellor Park office complex. The Paces Oaks Apartment community is located immediately to the east along East W. T. Harris Boulevard. Across East W. T. Harris Boulevard from the petitioned site is the Town Center Shopping Center. The UNCC campus is located to the northeast along U.S. 49.


1. 2005 Plan. The 2005 Plan indicates developing residential land uses in the area of the subject property and recognizes the Town Center Shopping Center across Harris Boulevard as a community commercial center. 2005 strategies include the extension of water and sewer services in the area and the extension of W. T. Harris Boulevard from U.S. 49 to Newell-Hickory Grove Road.

2. UNCC District Plan. The UNCC District Plan envisions institutional type land uses associated with UNCC in the area of the subject property. The plan also states that existing Institutional zoning surrounding the University represents an opportunity for the expansion of a variety of office and residential uses.

3. Northeast District Plan. The Northeast District Plan recommends office, research, and business park land uses for the subject property. The plan recognizes the Town Center Shopping Center as an existing neighborhood commercial center. The plan also recommends extension of water lines along Harris Boulevard.
4. Transportation Improvement Program.

1. N.C. 49 Widening. This project provides for the widening of University City Boulevard (N.C. 49) to four lanes from Mallard Creek Church Road to the Cabarrus County Line.

2. N.C. 49/Graham Street Extension Connector. This project provides for a connector to be constructed between Graham Street and University City Boulevard (N.C. 49) with an interchange at I-85. The connector would provide access to the southern part of the University Research Park and to the land east of I-85 and south of Harris Boulevard.

3. N.C. 49/W. T. Harris Boulevard Interchange. This project will upgrade N.C. 49 interchange at Harris Boulevard by providing ramps in the southwest quadrant. The N.C. 49/W. T. Harris Boulevard interchange is scheduled for construction in FY92-93.

4. Site Plan. The subject property was rezoned in 1989 from Institutional to 0-15(CD) to allow a 290,000 square foot office park. The site plan which accompanies this petition proposes rezoning from 0-15(CD) to B-1SCD for 11.86 acres to allow 120,000 square feet of uses allowed under the B-1SCD district and an 0-15(CD) site plan amendment to the remaining 14.54 acres to allow 120,000 square feet of office development. A portion of Chancellor Park Drive has been constructed within the project area and the site plan phases the development upon the completion of this road. Building permits are not to be issued for the B-1SCD building until that portion of Chancellor Park Drive which is currently not built is under construction and no certificate of occupancy is to be issued until the road construction is completed. The plan provides for a 50 foot landscaped buffer along Harris Boulevard and 40 foot landscaped buffers along both sides of Chancellor Park Drive. A 20 foot buffer is established along the property edge adjoining residential properties. The plan provides for greenway dedication along Toby Creek within two years of the date of the approval of the subject rezoning petition.

5. School Information. Not applicable.
6. Zoning History (See Attached Map).

<table>
<thead>
<tr>
<th>Petition No.</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 70-5</td>
<td>R-12, R-12MF, &amp; B-2 to Approved</td>
<td>05/18/70</td>
<td></td>
</tr>
<tr>
<td>2. 70-11</td>
<td>Institutional to B-1SCD Approved</td>
<td>11/16/70</td>
<td></td>
</tr>
<tr>
<td>3. 80-26(c)</td>
<td>B-1SCD to B-1SCD Site Approved</td>
<td>10/20/80</td>
<td></td>
</tr>
<tr>
<td>4. 85-3(c)</td>
<td>B-1SCD to B-1SCD Site Plan Amendment Approved</td>
<td>02/18/85</td>
<td></td>
</tr>
<tr>
<td>5. 87-38(c)</td>
<td>B-1SCD to B-1SCD Site Plan Amendment Approved</td>
<td>08/17/87</td>
<td></td>
</tr>
<tr>
<td>6. 88-24(c)</td>
<td>Institutional &amp; R-12 to R-9MF(CD) Plan Amendment Approved</td>
<td>06/20/88</td>
<td></td>
</tr>
<tr>
<td>7. 89-9(c)</td>
<td>Institutional to 0-15(CD) Approved</td>
<td>05/15/89</td>
<td></td>
</tr>
<tr>
<td>8. 90-50(c)</td>
<td>Institutional to R-12MF Approved</td>
<td>12/19/90</td>
<td></td>
</tr>
<tr>
<td>9. 90-55(c)</td>
<td>B-1SCD to B-1SCD Site Plan Amendment Approved</td>
<td>01/22/91</td>
<td></td>
</tr>
</tbody>
</table>

7. Neighborhood. This project falls within the area defined as the Newell neighborhood.

REVIEWS

1. Plan Consistency. This petition proposes the amendment of an existing office park plan to convert a portion of the office area to allow for a commercial component. Publicly adopted plans and policies in effect for this area have evolved over the recent years with the 2005 Plan indicating residential land use in the area but with the UNCC District Plan and the Northeast District Plan recognizing the feasibility of office land uses. The Northeast District Plan recognizes the Chancellor Park office development and the existing Town Center Shopping Center as comprising a neighborhood mixed use center. The general policies for the district plans recognize neighborhood mixed use centers as retail/office combinations composed of 125,000 square feet of office uses and 125,000 square feet of commercial uses. The recent rezoning of the subject property from Institutional to office was viewed as consistent with the district plan in that Chancellor Park would fulfill the office portion of the neighborhood mixed use center concept and that the existing Town Center Shopping Center would act as the retail component of the mixed use center.

Recently approved site plan amendments for the Town Center Shopping Center while under the County's jurisdiction have brought its total amount of floor area to 220,000 square feet, an amount substantially greater than that envisioned by the district plan. The staff pointed out in the analysis for that petition that continued expansion of the retail component of the neighborhood
mixed use center would begin to change the character of the center from the neighborhood mixed use center concept to more of a regional retail center and likely signal more and more additional requests for further retail expansions. Conversion of the office component of the mixed use center to retail may reduce the viability of other proposed centers throughout the area providing convenience services to the residences of this portion of the community. The conversion of this site to retail is not with publicly adopted plans and policies for the area.

2. Technical Consistency.

1. Pre-Hearing Staff Input. The staff met with the petitioner prior to the filing of this request and discouraged its submittal. Subsequent to the filing of the petition, the staff communicated several site plan comments to the petitioner. Many of those comments have been addressed by the revised site plan.

2. Departmental Comments. There were a number of departmental comments on this application seeking additional information or clarification to the plan. Departmental comments which have not adequately been addressed included the need for providing cross-sections of proposed screening treatments adjacent to residential properties and wording of a note which deals with lighting to state that lighting will be designed to eliminate glare on adjacent residential properties and limiting light fixture heights to 20 feet. The screening cross-sections provided by the revised plan do not provide enough information in order to assess the adequacy of the proposed screening/buffer treatment. The revised plan states that the lighting system will be designed to "minimize" glare on adjacent residential properties and the maximum light fixture height is to be 30 feet.

ISSUES

1. Land Use. This petition raises a substantial land use issue. The retail component of what is recognized as an existing neighborhood mixed use center at the intersection of Highway 49 and Harris Boulevard already exceeds that which is viewed as appropriate under the neighborhood mixed use category in the general policies for the district plans. Continued expansion of the retail component of the mixed use center could impact the opportunities for additional centers in this portion of the community and signal additional requests for further expansions which together would begin to change the character of this center from that of a neighborhood mixed use concept to more of a regional center. In addition, staff has discussed several proposals for additional retail opportunities in the area with
various interested parties which together would constitute a major increase in retail square footage over that envisioned by the Northeast District Plan. Staff is currently conducting a study of commercial land needs in the Northeast district and it is recommended that this petition be deferred pending the completion of the study.

2. Site Plan. There are no major site plan issues which accompany this application. The one outstanding site plan issue accompanying this request is its treatment of the project edges which adjoin residential zoning. The site plan offers insufficient information by which to assess the adequacy of its buffering adjacent to residential properties. This issue needs to be addressed prior to a decision on this petition.

CONCLUSION

This petition should be deferred pending the completion of the ongoing study of commercial land needs in the Northeast District. At this point, the conversion of this property from an office park to a retail center is not in conformance with adopted land use plans for the area and the petition is not purposing an amendment to the plans to address this inconsistency.

*Subject to further refinement following public hearing.
CHANCELLOR PARK SHOPPING CENTER
CHARLOTTE, NC
B1(SO) REZONING
"FOR PUBLIC HEARING"

PETITIONER: CROSISLAND-ERWIN-ASSOCIATES
125 SCALEYBARK ROAD
CHARLOTTE, NC 28209
PHONE: 704-523-0272

DEVELOPMENT DATA:
015(CD) ZONING TO REMAIN ON 14.545 ACRES 120,000 S.F.
PROPOSED ZONING: B1 (SO) ON 11.86 ACRES 120,000 S.F.
(TO AMEND EXISTING 015(CD) ZONING)
MAXIMUM ALLOWABLE BUILDING AREA 240,000 S.F.

PARKING REQUIRED
SHOPPING CENTER (120,000 - 250) 480 SPACES
PARKING PROVIDED (+/-) 500 SPACES

NOTE: PARKING FOR DEVELOPMENT TAKING PLACE ON THE 015(CD) PARCELS
WILL BE PROVIDED WITHIN EACH PARCEL.

PETITIONER: CROSISLAND-ERWIN-ASSOCIATES
DEVELOPMENT NOTES – B1 (SCD) ZONING:

All development standards established under the Charlotte Zoning ordinance (the "Ordinance") for the B-1 (SCD) Zoning District Classification shall be followed in connection with development taking place on the Property. Subject only to the provisions set forth below under "Architectural Controls", the configuration, placement, and size of the shopping center as shown on this Rezoning Plan are schematic in nature and may be altered or modified during design development and construction document phases within the maximum building envelope lines established on this Rezoning Plan. Parking layouts may also be modified to accommodate final building locations.

PERMITTED USES

1. The Property may be devoted to any use (including any accessory use) which is permitted under the Ordinance by right or under prescribed conditions in a B-1 (SCD) Zoning District.

SETBACKS

1. Building setbacks shall be a minimum of 50' off the rights-of-way for W.T. Harris Boulevard and Chancellor Park Drive and a minimum of 50' off all other property lines.

2. Parking will not be permitted in any setback area.

BUFFERS

1. A 20'-0" undisturbed buffer shall be maintained at the eastern boundary of the property and a 20'-0" greenway access shall be maintained at the south boundary of the property.

2. The undisturbed buffer zone imposed by and depicted on this Rezoning Plan along the eastern boundary of the property is subject to the following regulations:

   a. The 20' buffer area established along the eastern property line must remain undisturbed an in its natural state, except to the extent necessary to accommodate pedestrian pathways leading into the property, utility lines, the clearing of undergrowth and the placement of trees and other plant materials where the existing foliage does not create an adequate visual screen.

   b. Utility installations and driveway access may only cross undisturbed buffer areas at interior angles measured at the property lines which are not less than 75 degrees and, to the extent possible, paths cleared for utility lines shall be replanted with plant materials which are the same or similar to the types of materials that are in place within the buffer area involved.
PEDESTRIAN WALKWAYS

1. The Owners will construct at their expense sidewalks along W.T. Harris Boulevard and Chancellor Park Drive within the rights-of-way. Sidewalks are to be set back from the curb at least 15' on Harris Boulevard.

LANDSCAPING & SCREENING

1. Screening shall conform with the standards and treatment specified in Section 1601 of the City of Charlotte Zoning Ordinance.

2. Landscaping areas within the site will be planted and improved in sequences consistent with the development of the project and outparcels.

3. All landscaping will meet or exceed the requirements of the City of Charlotte’s Tree Ordinance.

4. Tree protection and/or planting will be required in accordance with Chapter 21 of the City Code.

PARKING

1. The parking areas depicted on this Rezoning Plan may vary in size and locations, but in all events, off-street parking will meet the minimum standards established under the Charlotte Zoning Ordinance.

2. Parking areas may be constructed inside and outside the building envelopes.

LIGHTING

1. A uniform lighting system will be employed throughout the site. The lighting system will be designed to minimize glare on adjacent residential properties. Maximum light fixture height will be 30'.

SIGNS

1. A master signage and graphic system will be adopted and implemented throughout the property and the adjoining office complex.

2. All signs placed on the property will be erected in accordance with the requirements of the Charlotte Sign Ordinance, except that no outdoor billboards may be placed on the property.

3. Permanent project identification signs and directional signs may be located in the general areas depicted on this Rezoning Plan along W.T. Harris Boulevard and Chancellor Park Drive.

4. All signs must be fixed and may not move, rotate, or flash.
5. Temporary project signs may be located within the buffer areas established on this Rezoning Plan along W.T. Harris Boulevard and Chancellor Park Drive, but must be removed no later than 60 days after issuance of the first certificate of occupancy for space within the shopping center.

ACCESS POINTS (DRIVEWAYS)

1. The number of vehicular access points to the shopping center site shall be limited to two on Chancellor Park Drive.

2. The configurations of access points within the site are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and are further subject to approval by the North Carolina Department of Transportation and the Charlotte Department of Transportation.

FIRE PROTECTION

1. Adequate fire protection in the form of fire hydrants will be provided to the Fire Marshal's specifications. Plans for each building will be submitted to the Fire Marshal's office for approval before the construction of any building commences.

2. Fire hydrants shall be located within 500 feet of any buildings constructed on the property.

ARCHITECTURAL CONTROLS

1. The front elevation of the building to be located on Track I and will be constructed substantially in accordance with the rendering (sheet R2-3, dated 4/15/91) which accompanies this Rezoning Plan.

2. The front elevation of the buildings located on Tracks II and III shall be in keeping with the architectural character of the building located on Track I.

3. No building constructed on the property will exceed one story in height.

STORM WATER MANAGEMENT

1. Storm water will be managed by the use of retention ponds and/or other means allowable under the Ordinance, all in accordance with plans approved by the Charlotte Engineering Department. The detention pond will not be located in the buffers.
PHASING

1. Building permits may not be issued for the construction of the building on the BI (SCD) site until that portion of Chancellor Park Drive which is not currently built is under construction.

2. No certificate of occupancy will be issued until the road construction is completed.

OFFSITE ROADS

1. Petitioner agrees to install a left turn lane on W.T. Harris Boulevard and a left turn lane on Highway 49 as shown on the attached site plan, prior to issuance of Certificate of Occupancy for the building.

GREENWAY MAINTENANCE

1. Petitioner will allow access for maintenance of the greenway in the northeast corner of the parking lot.

DEVELOPMENT NOTES:

015(CD) ZONING

1. This site plan is intended to show only general development character. Minor modifications to the circulation, parking and building configurations may be required to accommodate final architectural and site design and to adjust to other site features. Such modifications may be approved administratively by the Planning Commission Staff as long as the overall intent of this plan, and the internal and external relationships shown here are maintained. No building shall be located outside of the building development line. Parking may be placed inside building development line.

2. All development standards for the 0-15 District as set forth in the Mecklenburg County Zoning Ordinance shall be met or exceeded.

3. Special care will be taken to provide a high quality development with emphasis on landscaping, building architecture and site arrangement design.

4. Building shall meet or exceed the required setbacks, rear yards and side yards as established in the Mecklenburg County Zoning ordinance.

5. All signage provided shall be in accordance with the Mecklenburg County Zoning Ordinance.

6. Vehicular access points are limited to the number shown on the plan. Configuration of driveways and access points are subject to minor modifications as necessary to accommodate final site and architectural construction plans, as well as D.O.T. standards.
7. As indicated on this plan, land along Toby Creek shall be dedicated to Mecklenburg County for Greenway purposes within two years of the date of approval of this proposal.

8. The roadway shown on the plan connecting NC 49 to Harris Boulevard is part of the proposed 49/Graham Street Connector (currently under EIS review by NC D.O.T.) designed to improve overall traffic flow in this area. This road will be built to commercial street standards. Right-of-way dedication will be accomplished through an agreement with the adjoining property owner. Chancellor Boulevard within the property will be built by the developer.

9. Screening will conform to Section 1601.

10. 8% of the parking lot area will be landscaped.

11. No parking will be within 40 feet of the eastern or southern property lines.

12. All uses in the 0.15 district will be allowed except the following: Arboretum, Auction Sales, Dormitories, Dwellings (all types) Farms, Fraternal Organizations, Group Homes, Orphanages, Trailers, Overnight Camping, Cemeteries, Churches, Convent and Monasteries, Customary Home Occupations, Golf Courses, Hospitals, Nursing Homes, Riding Stables, Room Renting, Schools, Sewage Treatment Plants, Turkey Shoots, Quarries.
MEMORANDUM

DATE: September 3, 1991

TO: Mayor Sue Myrick and
Members, Charlotte City Council
Chairman Anne McClure and
Members, Zoning Committee
Charlotte/Mecklenburg Planning Commission

FROM: Fred E. Bryant and
Bailey Patrick

SUBJECT: Support Statement for Rezoning Petition 91-58

As representatives for Crosland Erwin Associates, we are submitting the following statement in response to the Staff Analysis of Rezoning Petition 91-58. This petition is scheduled for public hearing on September 16, 1991.

I. SITE PLAN DISCUSSIONS

The Planning Staff acknowledges there are "no major site plan issues which accompany this application." Two minor issues dealing with lighting have been mentioned in the analysis. The first concerns the height of the lighting and the Petitioner's commitment to "minimize" glare rather than "eliminate" it from neighboring properties. The Petitioner believes it has addressed this item in a fair and reasonable manner, but should Zoning Committee and City Council conclude these issues need further refinement, the Petitioner is willing to give additional consideration to them. The only other outstanding issue raised by Staff relates to the treatment of the project edge along the rear of the property adjoining residential zoning. The Petitioner acknowledges that specifications for the landscaping along the project edge could be more specific and will work with the Staff to attain mutually acceptable specifications.

II. TRAFFIC DISCUSSIONS

The Charlotte Department of Transportation has raised a number of issues with respect to the Petitioner's proposal which can best be addressed by the traffic consultant, Wells-Maniktala Associates, Inc. The Petitioner will arrange to have its consultant prepare a response to these items and arrange to have the consultant present at public hearing to respond to any questions.
III. LAND USE DISCUSSIONS

Planning Staff correctly notes that the retail use proposed by this petition is at odds with the Northeast District Plan. However, there are a number of factors we request you give consideration to in determining the correctness of this petition. We believe these are considerations which the district plan process recognizes in outlining procedures which allows for rezoning actions differing from the plan content. We would remind you that the policy document adopted to guide the district plan procedures provides a means for rezoning property contrary to the district plans if consideration is given to conditions which would warrant that rezoning. In effect, it establishes the mechanism for amending the plan upon the valid consideration of a rezoning. The factors which make this site appropriate for this use include:

A. Need

For several years now, local government has encouraged residential development in the northeast. This effort has been successful, and there is now a substantial population basis with a need for various types of services. Nowhere in this area is there a facility to provide the residents with building and home improvement materials. Staff indicates there have been discussions with several parties pursuing the location of similar facilities which, obviously, indicates a market exists for this type of use. Residents of this area deserve an opportunity to shop this type of facility without having to drive long distances away from their community.

B. Location

This site is situated with access to two major thoroughfares, NC 49 and Harris Boulevard, providing quick service to major portions of the overall community area. In association with the already constructed shopping center across Harris Boulevard, it provides a convenient location for meeting the needs of residents of this vicinity. While there are several locations zoned for business development in the general area, few of them would permit a building as large as the one proposed here. As you are aware, any building over 100,000 square feet requires B-1SCD zoning and there are only two or three properties so zoned in the general vicinity, none of which are suitable for this area.

C. Definite Proposal

This petition represents a proposal backed by a definite commitment to construct the development indicated. A user is committed and an architectural illustration of the building is attached to the conditional plan. Both the intended user and
September 3, 1991
Page Three

the Petitioner have a proven record of providing quality
development and services.

Because of the above factors, we strongly urge you to favorably consider this
request as being in the best interest of overall land use planning. It will
provide a needed facility in a good location for the benefit of the community.

FEB/BP:df
## OFFICIAL REZONING APPLICATION

### CITY OF CHARLOTTE

### Ownership Information

**Property Owner**
Chancellor Park Associates Limited Partnership

**Owner’s Address**
25 Scaleybark Road
Charlotte, NC 28209

**Date Property Acquired**
September 20, 1989

**Tax Parcel Number**
049-281-01 & 049-281-02

### Location Of Property
(address or description)
Northeast corner of intersection of Harris Boulevard and Highway 49

### Description Of Property

- **Size (Sq Ft - Acres):** 15.64 acres
- **Street Frontage:** (ft) 491' on Harris Blvd
- **Current Land Use:** Vacant

### Zoning Request

- **Existing Zoning:** 0-15 (CD)
- **Requested Zoning:** B1 (SCD)
- **Purpose of Zoning Change:** For use as Retail Development

### Name Of Agent

**Name of Agent**
Erwin Properties, Inc.

**Agent’s Address**
125 Scaleybark Road
Charlotte, NC 28209

**Telephone Number**
(704) 523-0272

### Signature


---

**Signature of Property Owner or Other Than Petitioner**


---

**Telephone Number**


---

**Date Filed:**
July 8, 1991

**Received By:**
[Signature]

**Petition No:**
91-58

**OFFICE USE ONLY**
PETITIONER: Erwin Properties


ZONING CLASSIFICATION, EXISTING: O-15(CD) REQUESTED: B-1SCD

LOCATION: Approximately 15.64 acres located on the westerly side of East W. T. Harris Boulevard south of University City Boulevard (N.C. 49).

ZONING MAP NO(#): 71 & 72

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE
Mayor and City Council:

RE: Petitions to be Heard in October, 1991

Attached you will find appropriate maps and copies of each petition, as well as the Pre-Hearing Staff Analysis, for petitions scheduled for public hearing on October 21, 1991 at 6:00 o'clock P.M., in the Charlotte-Mecklenburg Government Center, Meeting Chamber, 600 East Fourth Street.

This material is intended to provide background information concerning the requests and the area in which the properties are located.

Sincerely,

Walter G. Pfielder, III
Land Development Manager

WGP:mlj

Attachments
PRE-HARING STAFF ANALYSIS

Rezoning Petition No. 91-64

Petitioner: Hickory Grove Baptist Church

Location: Approximately 27.2 acres located on the west side of Harris Boulevard south of Trysting Place and extending westward to Johnette Drive.

Request: Change from R-12 to R-I.

BACKGROUND

1. Existing Zoning. The property involved in this petition is currently zoned R-12. The surrounding properties to the east, south, west are also zoned R-12. To the north the property is zoned R-1 and is part of the existing church site. The surrounding area is predominantly zoned R-12.

2. Existing Land Use. The proposed property is currently developed with two single family homes and a small church. Adjoining the property are a fire station and a series of single family homes. In general the surrounding area is developed with single family homes.


1. 2005 Plan. The 2005 Plan indicates existing residential land uses in the area of the subject property. A community commercial center is indicated in the northwest corner of the intersection of East W.T. Harris and Hickory Grove Road. 2005 Plan strategies include improving East W.T. Harris and Hickory Grove Road. A light rail system connecting this area with the Uptown area is also among the strategies recommended.

2. East District Plan (adopted 1990). This plan recognizes the existing institutional uses located on the subject property and the existing neighborhood commercial center located on the northwest corner of East W.T. Harris and Hickory Grove Road. The plan also recognizes the commercial zoning on the northeast corner of this intersection. Property surrounding the subject properties is recommended for single family land uses ranging in densities from one to four dwelling units to the acre.

3. Transportation Improvement Program. The Transportation Improvement Program calls for the widening of East W.T. Harris from Plaza Road to Albemarle Road to four and six lanes.

4. Site Plan. The site plan which accompanies this petition proposes to use approximately 27.2 acres for a surface parking lot. This new parking lot will be served by two driveways from East W.T. Harris Boulevard and one driveway from Johnette Drive. The
perimeter of the parking lot will have a 35 foot buffer which will consist of existing vegetation where adequate. If the existing vegetation is inadequate, a berm and new vegetation will be planted. The interior of the parking lot will be landscaped to meet the tree ordinance requirements.

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

<table>
<thead>
<tr>
<th>Petition No.</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 66-92</td>
<td>B-1 &amp; B-2 to B-3(AIP)</td>
<td>Approved</td>
<td>05/29/66</td>
</tr>
<tr>
<td>2. 66-93</td>
<td>B-2 to I-3</td>
<td>Approved</td>
<td>08/07/66</td>
</tr>
<tr>
<td>3. 67-5</td>
<td>R-6MF to R-6MFH</td>
<td>Approved</td>
<td>03/13/67</td>
</tr>
<tr>
<td>4. 67-57</td>
<td>R-6MF &amp; 0-6 to B-1</td>
<td>Approved</td>
<td>02/05/68</td>
</tr>
<tr>
<td>5. 69-76</td>
<td>B-2 to B-3</td>
<td>Approved</td>
<td>09/08/69</td>
</tr>
<tr>
<td>6. 69-95</td>
<td>I-1 &amp; 0-6 to R-6MF, 0-6, &amp; B-1</td>
<td>Approved</td>
<td>11/03/69</td>
</tr>
<tr>
<td>7. 70-72</td>
<td>R6MF to B-2</td>
<td>Approved</td>
<td>06/01/70</td>
</tr>
<tr>
<td>8. 76-30</td>
<td>R-6MF to R-12(AIP)</td>
<td>Approved</td>
<td>06/18/76</td>
</tr>
<tr>
<td>9. 76-34</td>
<td>R-6MF to R-12(AIP)</td>
<td>Approved</td>
<td>06/18/76</td>
</tr>
<tr>
<td>10. 91-28</td>
<td>R-12 to R-I and</td>
<td>Approved</td>
<td>06/17/91</td>
</tr>
</tbody>
</table>

7. Neighborhood. This site falls within the area defined as the Four Seasons Neighborhood.

REVIEW

1. Plan Consistency. This petition proposes to rezone from R-12 to R-I 27.2 acres to be used as surface parking for an existing church. The East District Plan recognizes the existing institutional use in the area as well as the existing commercial center. The plan calls for the land surrounding these uses be maintained for residential uses. Even though this expansion does reduce the amount of land available for residential development, this expansion will provide a realistic amount of on-site parking for the church which will lessen the parking congestion on surrounding properties along East W.T. Harris. In addition, the expansion is predominantly along East W.T. Harris and on land that is predominantly vacant and does not intrude into an established single family neighborhood. Therefore, from a land use standpoint, this petition is considered consistent with adopted plans and policies.
2. Technical Consistency.

1. Pre-Hearing Staff Input. The petitioner's agent met with the staff prior to the filing of this petition. Staff subsequently communicated several comments and concerns regarding the site plan.

2. Departmental Comments. The City Engineering Department noted that the developer will need a grading permit, a driveway permit, and on-site stormwater detention. They also asked that the petitioner dedicate at a minimum 50 feet of right-of-way along East W.T. Harris. The Urban Forestry staff pointed out that the plan as drawn and some existing conditions did not comply with the city's tree ordinance. They also alerted the petitioner to the fact that grading and utilities may conflict with existing trees in the buffer areas as well as in the tree protection zone.

The Department of Transportation noted that this rezoning would increase the number of possible trips. However, due to the use of the area for parking only they felt that the impact on the surrounding thoroughfare system would not be significant. They also noted that as part of the W.T. Harris road widening project only the main driveway to the church would have full access all other driveways would be limited to right-in right out. The Transportation Department also felt that the proposed access to Johnette Drive was not appropriate. They pointed out that Johnette Drive is a narrow residential street that could not accommodate substantial amounts of two-way traffic. This access would also lead to additional cut through traffic on Farm Pond and Lawrence Orr Road which connects Albemarle Road to Hickory Grove Road. It was felt that this driveway should be eliminated.

The Building Standards Department asked that note number 5 be clarified to include screening of parking areas from adjacent residentially zoned and used property and from residentially zoned property across East W.T. Harris. The Planning staff suggested that the driveway to Johnette be eliminated. We also asked that notes from the previously approved plan be transferred to this plan. The petitioner did not eliminate the access to Johnette or modify note 5 correctly or transfer notes from the originally approved plan as requested.

ISSUES

1. Land Use. This petition raises no land use issues. The Northeast District Plan recognizes this use in this area. In addition this expansion will not jeopardize or encroach into any
existing single family neighborhood. Therefore, from a land use standpoint this petition is appropriate for approval.

2. Site Plan. This petition does raise one significant site plan issue. The petitioner proposes a connection to Johnette Drive which would negatively impact the surrounding neighborhood by allowing cut through traffic thru a single family neighborhood on portions of public streets that are not suitable for this type traffic (i.e. Johnette Drive). The petitioner has tried to minimize the impact of this driveway by restricting its use to "special events" and Sundays. It would be these special events and Sundays that would bring the heaviest use to this driveway and cause the most severe impact upon the neighborhood. The existing thoroughfare system can adequately handle the special events and the Sunday services. Typically these events will occur on the off peak hours of the thoroughfare system after 7:00 p.m. and Sundays when the roads are lightly traveled. From a site plan standpoint, this petition is not appropriate for approval so long as the connection to Johnette Drive remains.

CONCLUSION

Due to the outstanding site plan issues this petition is not considered appropriate for approval.

*Subject to further refinement following public hearing.
HICKORY GROVE BAPTIST CHURCH
REZONING PETITION

GENERAL NOTES

1. Stormwater drainage facilities will be in accordance with the drainage detention ordinance.

2. A driveway permit will be required prior to locating two new drives on East Harris Blvd.

3. If parking expansion occurs without a building expansion a land use permit will be obtained from building standards.

PLANTING NOTES

1. Tree planting will be in accordance with Chapter 21 of the City Code. Screening will comply with Section 1601 of the City Zoning Ordinance.

2. Tree protection barricades will be installed prior to all grading activities. A tree survey and protection plan will be submitted prior to grading.

3. Planting plan is conceptual only and may be changed based on site conditions. Actual quantities of the trees and screening shall meet City Tree Ordinance and City Zoning Ordinance.

4. No large maturing trees will be planted under overhead power lines.

5. Grading permit will be in accordance with Chapter 18 of the City Code.
CONDITIONAL NOTES

1. While indicating a firm concept of development, minor adjustments to parking and circulation pattern may occur to accommodate site conditions.

2. Storm water detention shall be provided which will meet or exceed the requirements of the Charlotte Stormwater Detention Ordinance. It is anticipated that surface storage will be provided in parking areas and adjacent detention ponds. Discharge to adjacent properties will take existing drainage patterns into account.

3. Signage shall be allowed in accordance with applicable zoning standards.

4. This plan depicts existing right of way along Harris Boulevard as it has been established for widening project. Where this does not equal 50’ from center line, petitioner will dedicate to that width prior to issuing permits. Temporary and permanent grading easements shall be as per N. C. Department of Transportation and Owner Contract Agreement.

5. Parking areas on this site will be screened to comply with Section 1601 of City Zoning Ordinance. Screening shall be provided by natural screening consisting of existing vegetation supplemented with new evergreen planting where necessary to accomplish effective screening. New evergreen planting shall be large-maturing evergreen shrubs or small trees such as Burford Holly, Osmanthus, Laurel, Nellie Stevens Holly. At planting, new screening shall be minimum 4’ high and planted 5’ on center in staggered rows.

6. Site lighting shall be designed with a high cut-off angle or shielding and shall be mounted at a height of 20’-0” maximum.

7. When access to Johnette Drive is provided a landscaped entry feature shall be constructed. Use of this entry shall be limited to Sunday and special event times. A gate or other device shall be used to control this access.

8. Pedestrian shelters may be located in parking areas as needed to provide van shuttle pick-up.
FRED E. BRYANT, PLANNER
Suite 216, Providence Center
1850 East Third Street
Charlotte, North Carolina 28204
(704) 333-1880 • FAX (704) 376-5715

STATEMENT OF SUPPORT FOR REZONING PETITION 91-64

PETITIONER: HICKORY GROVE BAPTIST CHURCH
LOCATION: WEST SIDE OF HARRIS BOULEVARD SOUTH OF EXISTING CHURCH
PROPERTY AT HICKORY GROVE ROAD
REQUEST: CHANGE FROM R-12 TO R-1

The subject property consists of approximately 27 acres of land adjacent to and south of the existing Hickory Grove Baptist Church buildings and parking area. As this church continues to grow, increasingly heavy demands are being made on the existing parking facilities. The need for additional parking area has been substantially impacted by the roadway construction projects in this area which will create a four-lane divided median cross-section for Harris Boulevard and a widened cross-section for Hickory Grove Road immediately in front of the church. A number of church attendees have historically utilized vacant spaces at retail facilities located both across Harris Boulevard and Hickory Grove Road. The widening project will make it extremely unsafe for church-goers to attempt to cross these streets and will also remove a certain amount of parking which has been permitted along Harris Boulevard itself.

Adding to the problems of accessibility will be the installation of a median along Harris Boulevard which will limit left-turn accessibility both into and out of the parking area. The church has, for some time, recognized these problems and been gradually acquiring property to provide for long range future parking facilities. The plan which is now being presented contains enough space to meet the foreseeable needs of this congregation for many years into the future. In fact, it is being presented as a phase plan of development which will actually be constructed over a period of several years and only as the need for additional parking appears.

The conditional plan submitted with this request was shared with adjoining property owners several months ago without any indication of serious disagreement from them. Some details of the plan have been altered to conform to comments dealing with adequacy of buffering and control of stormwater. In fact, the stormwater control plan which has been worked out relative to this expansion will control water which is now without development already creating some problems for certain adjoining property owners. Where lots are closest to the boundary of the proposed parking area, a combination berm and landscape treatment is proposed within a minimum 35-foot area to provide meaningful separation between the parking area and the residences. Additionally, controls on lighting are included which will regulate the maximum height and shielding to avoid glare on the adjoining properties. The parking lot will be heavily broken-up with landscape islands, and the circulation plan has been revised to meet Department of Transportation comments.

- Urban Planning • Land Use • Zoning • Plan Processing • Presentations
In assessing the Pre-Hearing Staff Analysis, the use of the property for this purpose is found to be appropriate and the site plan acceptable with one exception. It is this exception which has brought forth the staff comment that the plan should not be approved unless a proposed driveway connection to Johnette Drive is eliminated. This is a proposed driveway at the extreme rear of the church property which would potentially give access to a secondary entrance to streets which connect to the Four Seasons area and Albemarle Road. This opening is viewed by the church as in the very last phase of development of the parking area and would be sought only with substantial controls on when it would be used and contains a commitment to create a meaningful entry landscaped area which visually would be attractive to the surrounding properties. The commitment is that this would be used only on Sundays and other special meeting times with a gate to be installed and locked at all other times.

There are two substantial reasons why the Petitioner believes this access will eventually be, not only needed, but will be an asset for people in the general vicinity. First of all, the church has a large number of members who live in the Four Seasons/Albemarle Road/Farm Pond vicinity to whom this access would not only be convenient, but a much safer means of getting to the church than is presently possible. Anyone who lives to the west and southwest of the church property and now wishes to gain access to the church site would have to travel along either Albemarle Road and Harris Boulevard or Sharon Amity Road and Hickory Grove Road to arrive at their destination. Obviously, this will add to the congestion of those roads and will cause considerable automobile travel not necessary with this connection.

A second major reason for this access relates to the increased amount of time it will take automobiles to enter and, particularly, exit the site by only utilizing the driveways on Harris Boulevard. One of the major concerns of parking lot design and usage is to avoid air pollution caused by vehicles idling while waiting to exit the lots. Indeed, this is one of the standards which the County Environmental Agency applies in determining whether or not a specific parking lot can be issued a valid air quality permit.

Because of all of these factors—need, convenience, safety and good design—we urge your approval of this request to change the property from R-12 to Residential-Institutional.
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Ownership Information
Property Owner: Hickory Grove Baptist Church, Charlotte, North Carolina, Inc.
Owner's Address: 6050 Hickory Grove Road
Charlotte, NC 28215
Date Property Acquired: (See Attached List)
Tax Parcel Number: (See Attached List)

Location Of Property
(address or description) West side of Harris Boulevard south of Trysting Place and extending westward to Johnnette Drive

Description Of Property
Size (Sq. Ft.-Acres): 27.237 acres
Street Frontage (ft.): 650.22' on Harris
Current Land Use: Vacant except for three houses and a small church

Zoning Request
Existing Zoning: R-12
Requested Zoning: R-1
Purpose of Zoning Change: To permit the establishment of additional surface parking to serve the needs of Hickory Grove Baptist Church and prevent the need for attendees to cross Harris Blvd. and Hickory Grove Road to utilize parking.

Fred E. Bryant, Planner
Name Of Agent: 1850 E. Third Street, Suite 216
Agent's Address: Charlotte, NC 28204
Telephone Number: 333-1680

Hickory Grove Baptist Church
Name of Petitioner(s): 6050 Hickory Grove Road
Address of Petitioner(s): Charlotte, NC 28215
Telephone Number: 537-0969

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

OFFICE USE ONLY
PETITIONER: Hickory Grove Baptist Church

PETITION NO.: 91-64  HEARING DATE: October 21, 1991

ZONING CLASSIFICATION, EXISTING: R-12  REQUESTED: R-I

LOCATION: Approximately 27.2 acres located on the west side of Harris Boulevard
south of Trysting Place and extending westward to Johnnette Drive.

ZONING MAP NO(s): 99

PROPERTY PROPOSED FOR CHANGE
October 8, 1991

Mayor and City Council:

RE: Petitions to be Heard in October, 1991

Attached you will find appropriate maps and copies of each petition, as well as the Pre-Hearing Staff Analysis, for petitions scheduled for public hearing on October 21, 1991 at 6:00 o'clock P.M., in the Charlotte-Mecklenburg Government Center, Meeting Chamber, 600 East Fourth Street.

This material is intended to provide background information concerning the requests and the area in which the properties are located.

Sincerely,

Walter G. Fields, III
Land Development Manager

WGF:mlj

Attachments
PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 91-65

Petitioner: Davant Realty

Location: Approximately 5.5 acres located on the northerly side of Idlewild Road at Lynmont Drive.

Request: Change from R-9 to R-9MF(CD).

BACKGROUND

1. Existing Zoning. The property involved with this rezoning is zoned R-9 as are surrounding properties to the north and south of Idlewild Road. A small tract located across Idlewild Road from the petitioned site has a special use permit for a day care center and two corners of the intersection of Idlewild Road and Harris Boulevard are zoned for commercial purposes.

2. Existing Land Use. The property involved with this request is developed with a single family residence. The site located just to the west is developed with a church and another church is located at the intersection of Idlewild Road and Harris Boulevard. A day care center is located across Idlewild Road from the petitioned site. Otherwise, the area is developed with single family residential homes.


   1. 2005 Plan. The 2005 Plan indicates existing residential development in the area of the subject property and recognizes that infill housing will continue in areas already served by water and sewer. The 2005 strategies for the area include the improvement of W. T. Harris Boulevard and Idlewild Road, expansion of the greenway system along Campbell Creek and extension of water lines along Idlewild Road.

   2. East District Plan. The East District Plan indicates single family residential land uses at over one to four dwelling units per acre. The plan also recognizes the existing neighborhood convenience center at Harris Boulevard and Idlewild Road. Transportation improvements include improvement of Idlewild Road and Harris Boulevard and extension of Harris Boulevard to Independence Boulevard.

   4. Site Plan. The site plan which accompanies this application proposes rezoning from single family to conditional multi-family residential for a day care to serve a maximum of 78 children plus a 58 unit (11.4 dwelling units per acre) apartment complex. The plan indicates two driveways to the site, one to the day care center and the other to the apartment complex. Additional right-of-way is to be dedicated in conformance with the street classification system. The plan indicates a 40 foot building setback along Idlewild Road and a 50 foot building setback adjacent to other areas developed for single family purposes which will include a 35 foot undisturbed
buffer. The plan indicates a combination of two story and three story buildings within the apartment complex.

5. School Information. The School Board indicated that this project would increase enrollment at the following schools:

<table>
<thead>
<tr>
<th>School</th>
<th>Capacity</th>
<th>Enrollment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Idlewild Hts.</td>
<td>528</td>
<td>618</td>
</tr>
<tr>
<td>Lincoln Hts.</td>
<td>528</td>
<td>559</td>
</tr>
<tr>
<td>Albemarle Rd.</td>
<td>880</td>
<td>1,004</td>
</tr>
<tr>
<td>East Mecklenburg</td>
<td>1,620</td>
<td>1,664</td>
</tr>
</tbody>
</table>

6. Zoning History (See Attached Map).

<table>
<thead>
<tr>
<th>Petition No.</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 69-81</td>
<td>R-9 to B-1</td>
<td>Denied</td>
<td>09/15/69</td>
</tr>
<tr>
<td>2. 70-95</td>
<td>R-9 to B-1SCD</td>
<td>Approved</td>
<td>08/03/70</td>
</tr>
<tr>
<td>3. 75-26</td>
<td>B-1SCD to B-1 and R-9</td>
<td>Approved</td>
<td>10/06/75</td>
</tr>
<tr>
<td>4. 83-5SUP</td>
<td>SUP-Day Care</td>
<td>Approved</td>
<td>12/19/83</td>
</tr>
</tbody>
</table>

7. Neighborhood. This site falls within the area defined as Easthaven/Idlewild Farms.

REVIEW

1. Plan Consistency. This petition seeks rezoning from single family residential to conditional multi-family residential to allow the development of an apartment community and a day care center. The 2005 Plan recognizes the area as one of existing residential development and the East District Plan indicates single family residential land uses in the area. However, the general policies for the district plans recognize that locations of future multi-family development are generally not identified in the district plans. The plans only identify existing development, areas appropriately zoned for multi-family development but that have remained vacant, or potential sites that are obvious and most desirable for multi-family housing rather than a nonresidential use. A premise of the district plans is that the private market should be given the flexibility to determine specific locations for multi-family housing in developing areas subject to rezonings that are based on objective development principles and the general policies outline locational and service level criteria for evaluating rezoning cases for multi-family housing. An assessment of the petitioned site based on the locational criteria indicates that it is appropriate for multi-family development. Therefore, this petition is consistent with publicly adopted plans and policies for the area.
2. Technical Consistency.
   1. Pre-Hearing Staff Input. The petitioner met with the staff prior to the filing of the petition. Subsequent to the filing, staff relayed several site plan comments to the petitioner.
   2. Departmental Comments. Departmental comments included the need for site plan clarifications particularly with respect to edge treatments. All of the departmental comments have been addressed by the revised site plan.

ISSUES

1. Land Use. This petition seeks rezoning from a single family residential district to a multi-family residential district based on a conditional site plan. Publicly adopted plans for the area envision continued residential development and the locational criteria for multi-family development that are part of the general policies for the district plans are supportive of a multi-family residential designation in this location. Therefore, the petition is considered appropriate for approval.

2. Site Plan. The site plan which accompanies this petition proposes the development of a 52 unit apartment complex as well as a 78 student day care center. There are no outstanding issues which accompany this site plan and the petition is considered appropriate for approval.

CONCLUSION

This petition is consistent with publicly adopted plans for the area and is considered appropriate for approval.

*Subject to further refinement following public hearing.*
REZONING PETITION NO. 91-65
Davant Realty Company

TABULATION

Site Area : +5.5 AC
Tax Parcels : 133-211-15 & 21
Existing Zoning : R-9
Proposed Zoning : R-9 MFCD

GARDEN APARTMENTS

Area : +4.55 AC
Dwelling Units : 52

DAY CARE

Area : +.95 AC
Maximum Pupils : 78

GENERAL NOTES

1. While this plan depicts a firm concept of development, minor changes in building, parking, and circulation configurations may occur to accommodate final site details.

2. Additional right-of-way shall be dedicated along Idlewild Road to accommodate the required fifty feet of right-of-way from the centerline prior to the issuance of any building permits.

3. Several areas of existing vegetation will be preserved, as indicated on the plans. These areas will be barricaded prior to construction. This existing vegetation will be supplemented by additional shrubbery and trees both to enhance the appearance of the project and to provide a visual break between the building area and adjoining single family lots.

4. On-site stormwater detention facilities will be provided to meet all ordinance requirements.

5. Signage will conform to all appropriate ordinances.
6. Parking areas will be landscaped to meet tree ordinance requirements. All other tree ordinance requirements, including the planting of street trees shall be met.

7. Driveway locations and designs from Idlewild Road will be subject to location and design approval of Charlotte DOT.

8. Buffer areas shall remain undisturbed except as required for construction of roads, drainage structures, and utilities. Disturbed areas are to be replanted.

9. Parking shall be provided to meet ordinance requirements.

10. Fire hydrants shall be installed so that the fire truck does not have to travel more than 500 feet to the most remote and accessible point of all buildings.

11. Screening in the Multi-family buffer areas with no existing vegetation shall consist of a minimum of two large maturing trees, five large maturing shrubs or small maturing trees, and ten small maturing shrubs per 100 linear feet. The spacing and location of these materials shall be at the discretion of the developer to achieve maximum effect.

12. Screening in the Multi-family buffer areas with existing vegetation shall be supplemented where necessary. Spacing, location, and type of materials shall be at the discretion of the developer to achieve maximum effect but as a minimum shall meet the requirements specified in Note 11.

13. The Day Care Center parking lot shall be screened in the sideyards with large maturing evergreen shrubs placed at eight feet on center. The parking area shall be screened from the public right-of-way in accordance with Section 1601 of the Charlotte Zoning Ordinance.
STATEMENT OF SUPPORT FOR REZONING PETITION 91-65

PETITIONER: DAVANT REALTY

LOCATION: NORTH SIDE OF IDLEWILD ROAD AT LEDMONT DRIVE (WEST OF HARRIS BOULEVARD)

REQUEST: CHANGE FROM R-9 TO R-9MF(CD)

This petition represents a proposal to change from single-family to multi-family a 5.5 acre tract of land to be developed as a combination small multi-family project and a small day care facility. The property is located on a major thoroughfare which is, at the present time, in the process of being widened to a four-lane facility. Idlewild Road in this vicinity is extremely highly traveled and, with the subject property being located adjacent to one church and only a short distance removed from a second one, is not a suitable single-family site. Evaluation of this site under the adopted district plan policy guides indicates it is an acceptable location for multi-family use, particularly, one containing less than 10 units per acre.

The site plan has been prepared with a concern for the existing single-family residential lots which adjoin this parcel on the rear side. A substantial buffer area is being maintained, and the building closest to the rear of the property is being limited to two stories. As is reflected in the Staff Analysis, there are no site plan issues associated with this request, and it does meet the criteria for multi-family use.

The one issue which has caused a substantial amount of opposition to surface concerns not so much the use of the property as does the fact that the Petitioners, at this point, are not willing to say that the site could not be used for some form of assisted housing. At a neighborhood meeting held sometime ago, the discussion was very pointed and somewhat harsh to the extent that any proposal which did not guarantee it would not be used for assisted housing would be opposed vigorously. At this point, the Petitioner is not committed to a specific form of housing development and, therefore, was not able to say to the group that subsidized housing would definitely be ruled out. While I suspect the opposition will indicate their disapproval of any form of multi-family, I sincerely believe that if we had been able to guarantee them the type of housing, the opposition would not have been present.

It is strongly urged that you consider this on its land use merits and not determine the best use of this property based on what form of housing might be proposed for it in the future. If, by chance, some type of assisted housing program was to be presented for this property in the future, that is the time at which a determination should be made as to whether or not the site is suitable for that purpose. If land use matters are considered on the merits...
of whether or not it is to be assisted housing rather than true land use
determinations, the system will not properly function. A personal visit to
this site will, I believe, convince you that multi-family rather than
single-family is appropriate for the location, and that is the basis on which
the determination should be made.

Please look at the Planning Staff recommendation carefully and accept this on
the merits of its land use potential.
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Ownership Information

Property Owner        MINNIE T. EDWARDS
Owner's Address       10831 Old Hillsborough Avenue, Charlotte, NC 28212
Date Property Acquired December 11, 1984, January 31, 1948
Tax Parcel Number     133-211-21 and 133-211-15
Location of Property (address or description) North side of Idlewild Road at Lynmont Drive

Description of Property

Size (Sq Ft.-Acres) 5.5 acre
Street Frontage (ft.) 434.84' on Idlewild Road
Current Land Use Vacant except for one single-family residence

Zoning Request

Existing Zoning        R-9
Requested Zoning       R-9 MF(CD)
Purpose of Zoning Change To allow the development of a small multi-family area and a day care facility compatible with the location on a major thoroughfare and adjacent to a church.

Fred E. Bryant, Planner

Davant Realty Company
Name of Petitioner(s) 528 W. Tenth St., Charlotte, NC
Address of Petitioner(s) 376-3591
Telephone Number

Signature
(See Attached Sheet)
Signature of Property Owner
If Other Than Petitioner
PETITIONER: Davant Realty

PETITION NO.: 91-65 HEARING DATE: October 21, 1991

ZONING CLASSIFICATION, EXISTING: R-9 REQUESTED: R-9KP(CD)

LOCATION: Approximately 5.5 acres located on the northerly side of Idlewild Road at Lynmont Drive.
Mayor and City Council:

RE: Petitions to be Heard in October, 1991

Attached you will find appropriate maps and copies of each petition, as well as the Pre-Hearing Staff Analysis, for petitions scheduled for public hearing on October 21, 1991 at 6:00 o'clock P.M., in the Charlotte-Mecklenburg Government Center, Meeting Chamber, 600 East Fourth Street.

This material is intended to provide background information concerning the requests and the area in which the properties are located.

Sincerely,

Walter G. Fields, III
Land Development Manager

WGP:mlj

Attachments
PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 91-66

Petitioner: Gibson and Associates, Inc.

Location: Approximately 6.65 acres located off the westerly side of Oakdale Road north of Pleasant Grove Road.

Request: Change from R-9MF to R-20MF (Innovative).

BACKGROUND

1. Existing Zoning. The subject property is currently zoned R-9MF as are adjacent properties located to the north and southeast along Oakdale Road. Across Oakdale Road properties are zoned a combination of R-12MF and R-12. To the west and south of the petitioned site along Leolillie Lane and Pleasant Grove Road, properties are zoned R-15. South of Pleasant Grove Road properties are zoned R-9.

2. Existing Land Use. The front portion of the subject property adjacent to Oakdale Road is presently developed with 30 townhouses (Oakdale Place). The back portion of the subject property is undeveloped. Surrounding properties are developed with single family homes and duplexes. The intersection of Oakdale Road and Pleasant Grove Road is developed with a school, a church, and several commercial uses.


1. 2005 Plan. The 2005 Plan indicates existing residential land uses in the area of the subject property. The plan recognizes a community commercial center at the intersection of Pleasant Grove Road and Oakdale Road. The 2005 strategies include extending water lines in the area and connecting Lakeview and Little Rock Roads (The Northwest Circumferential).

2. Northwest District Plan. The Northwest District Plan recognizes the existing multi-family zoning on the subject property and envisions continued single family development for surrounding properties at densities of one to four dwelling units per acre. Transportation improvements envisioned by the district plan include the proposed Northwest Circumferential.

3. Transportation Improvement Program. The Transportation Improvement Program includes the Northwest Circumferential to provide for a multi-lane facility between I-77 and the Freedom Drive/Little Rock Road area. The project will ultimately connect the I-85 airport area and Reames/Harris interchange at I-77 via Little Rock Road.
4. Site Plan. The site plan which accompanies this request proposes the conversion of multi-family zoned property to the R-20MF(Innovative) category to allow small lot single family housing on the portion of the subject property which is presently undeveloped to the rear of the existing Oakdale Place Townhomes on a continuation of the existing private road system which serves the townhomes. The plan indicates the overall density of the project as 7.37 units per acre. The site plan proposes development of 19 detached patio homes to the rear of the existing townhouses with a minimum lot size of 3,500 square feet, 15 foot setbacks, and 20 foot rear yards on the project perimeter. The plan also provides for the completion of a left turn lane into the project on Oakdale Road.

5. School Information. School officials indicate the proposed rezoning does not have a negative impact on the school system.

6. Zoning History (See Attached Map).

<table>
<thead>
<tr>
<th>Petition No.</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 91-12</td>
<td>R-9MF to R-15</td>
<td>Approved</td>
<td>03/18/91</td>
</tr>
</tbody>
</table>

7. Neighborhood. This property falls within the Oakdale community.

REVIEW

1. Plan Consistency. This petition proposes rezoning from multi-family to the innovative category to provide for a patio home community to the rear of the existing Oakdale Place Townhomes. The Northwest District Plan recognizes the existing multi-family zoning on the subject property and envisions continued residential development. The plan also envisions continued single family development on the surrounding property at densities of one to four dwelling units per acre. Inasmuch as this petition proposes rezoning from one multi-family residential category to another actually resulting in a reduction in permitted densities, this petition is consistent with publicly adopted plans and policies for the area.

2. Technical Consistency.

1. Pre-Hearing Staff Input. The staff met with the petitioner prior to the filing of this request. Subsequent to the filing, the staff communicated several minor site plan comments for the petitioner’s consideration. Those comments have all been addressed by the revised site plan.

2. Departmental Comments. There were only a few minor departmental comments regarding this site plan which dealt
predominantly with clarifying information on the plan. CDOT indicates this site could generate approximately 791 through 1,071 trips per day as currently zoned. Under the proposed zoning, the site could generate approximately 343 through 441 trips per day. This will have a reduced impact on the surrounding thoroughfare system.

ISSUES

1. Land Use. There are no land use issues associated with this petition. It proposes rezoning from a multi-family category to the innovative district to allow a detached patio home setting to the rear of the existing Oakdale Place Townhomes. The publicly adopted plans for the area envision continued residential development as allowed under the existing zoning for the subject property and continued single family development at densities of one to four dwelling units per acre for surrounding properties. The proposed development is consistent with those plans and is considered appropriate for approval.

2. Site Plan. There are no site plan issues which accompany this application. The minor clarifications requested of the petitioner have all been accomplished and the petition is considered appropriate for approval.

CONCLUSION

This petition is considered appropriate for approval.

*Subject to further refinement following public hearing.
REZONING PETITION OAKDALE PLACE

SITE DATA

EXISTING ZONING: R9 MF

PROPOSED ZONING: R20 MF (INNOVATIVE)

TOTAL AREA: 6.65 ACRES

TOTAL LOTS: 49 LOTS (55 Lots allowable as per zoning)

DENSITY: 7.37 UNITS/ACRE

OPEN SPACE: 0.66 ACRES

PHASE ONE
(Exist. Attached Townhouses)

NO. OF UNITS: 30
SIZE OF LOTS: 1,040 Sq. Ft. Min.
SETBACKS: 15'
LOT WIDTH & SETBACK: 20' Min.
SIZE OF HOMES: 1,120 Sq. Ft. Typ.
REAR YARD - PROJECT PERIMETER LOTS:
BLDG. SEPARATION:
SIDE YARD & CORNER LOTS:
PARKING PROVIDED: 83 Spaces

PHASE TWO
(Proposed Detached Patio Homes)

NO. OF UNITS: 19
SIZE OF LOTS: 3,500 Sq. Ft. Min.
SETBACKS: 15'
LOT WIDTH & SETBACK: 32' Min.
SIZE OF HOMES: 1,200-1,500 Sq. Ft. Typ.
REAR YARD - PROJECT PERIMETER LOTS: 20'
BLDG. SEPARATION: 10' Min.
SIDE YARD & CORNER LOTS: 10'
PARKING PROVIDED: w/out Garage: 2 Spaces/Unit w/ Garage: 3 Spaces/Unit (1 in garage and 2 out)
GIBSON & ASSOCIATES, INC.

July 12, 1991

Mr. M. R. Cramton
Director of Planning
Charlotte Mecklenburg Planning Commission
600 East Fourth Street
Charlotte, NC 28202

RE: Rezoning Application
Oakdale Place

Dear Mr. Cramton:

I am enclosing the Official Rezoning Application and supporting data for the referenced.

This application relates to an approximately 6.65 acre tract on Oakdale Road. The site has previously been subdivided for development as 54 townhouse units, thirty of which (Phase I) have been constructed. It is our intent to rezone the property from R-9MF to R-20 MF Innovative to permit the construction of 19 single family detached "patio homes" in lieu of the additional 24 townhomes as originally planned.

We feel this would provide a product in demand in the area while further reducing density and help retain the neighborhood feel for single family homes. Our plan will utilize the existing Phase II road layout and utilities. In fact, no engineering changes are needed to accommodate this zoning and usage change.

While development standards are modified, the setbacks are consistent with the existing Phase I development of 30 townhomes. The overall density is reduced from 55 total units allowed to 49 total units.

The proposed "patio homes" will be one and two story and some with garages. The streets will be landscaped with trees and gas lights. Curb and gutter will be continued from the existing Phase I. Each home will have a landscaped patio and wood privacy fences where needed.

It is our feeling that the combination of townhomes and patio homes will offer the diversity requested by our prospects and be a very attractive alternative to typical single family housing. We have had numerous requests for patio homes and feel we can provide attractive and affordable housing for this area.
You would be interested to know that the 14 purchasers, to date, of the existing Phase I townhomes have joined in the rezoning and our plans have been well received by them. We will advise all adjoining property owners of our plans as well as the neighborhood association. We are confident from our contacts so far that the neighborhood will receive our plans favorably.

Thank you for your consideration of our rezoning and we are available should any questions arise.

Very Truly Yours,

GIBSON & ASSOCIATES, INC.

[Signature]

Paul E. Gibson

PEG: jm
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Ownership Information

Property Owner: See Appendix 1 Attached Hereto
Owner's Address: See Appendix 1 Attached Hereto
Date Property Acquired: See Appendix 1 Attached Hereto
Tax Parcel Number: See Appendix 1 Attached Hereto

Location of Property (address or description): See Appendix 2 Attached Hereto

Description of Property

Size (Sq. Ft./Acres): 6.65 Acres
Street Frontage (ft): 266 feet on Oakdale Rd.
Current Land Use: 30 Townhouse Units

Zoning Request

Existing Zoning: R-9MF
Requested Zoning: R-20MF Innovation
Purpose of Zoning Change: To allow the construction of patio homes on the undeveloped portion of the property.

Gibson & Associates, Inc.

Name of Agent: See Appendix 1 Attached H
741 Kenilworth Ave., Suite 100, 28204
Agent's Address: See Appendix 1 Attached H
372-4182
Agent's Address: See Appendix 1 Attached H
Telephone Number: 372-4182

Signature: [Signature]

Signature of Property Owner
If Other Than Petitioner

PETITIONER:  Gibson & Associates


ZONING CLASSIFICATION, EXISTING:  R-9MF  REQUESTED:  R-20MF Innovative

LOCATION:  Approximately 6.65 acres located off the westerly side of Oakdale Road north of Pleasant Grove Road.

ZONING MAP NO(s):  61  SCALE 1" = 400'
CHARLOTTE - MECKLENBURG PLANNING COMMISSION

October 8, 1991

Mayor and City Council:

RE: Petitions to be Heard in October, 1991

Attached you will find appropriate maps and copies of each petition, as well as the Pre-Hearing Staff Analysis, for petitions scheduled for public hearing on October 21, 1991 at 6:00 o'clock P.M., in the Charlotte-Mecklenburg Government Center, Meeting Chamber, 600 East Fourth Street.

This material is intended to provide background information concerning the requests and the area in which the properties are located.

Sincerely,

[Signature]

Walter G. Fields, III
Land Development Manager

WGF:mlj
Attachments

600 East Fourth Street • Charlotte, North Carolina 28202-2853 • (704) 336-2205
PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 91-67

Petitioner: Charlotte-Douglas International Airport.

Location: Approximately 134.94 acres located along both sides of Byrum Drive west of Coffey Creek.

Request: Change from R-12 and R-15 to I-2(CD).

BACKGROUND

1. Existing Zoning. The subject property is presently zoned R-15 and R-12. Immediately north of the subject property is a large I-2 tract while to the south the zoning is predominantly R-15. North of Byrum Drive east of the subject property is zoned I-1 and I-1(CD). East and south along Byrum Drive is zoned R-15 with an additional I-2(CD) tract proposed at the intersection of Byrum Drive and Wilmount Road.

2. Existing Land Use. The subject property is presently undeveloped with the majority of the property in the immediate area vacant as well. Scattered single family development occurs east of the subject property along Byrum Drive. The majority of the land directly north is occupied by Charlotte-Douglas International Airport.


1. 2005 Plan. The 2005 Plan recommends that the subject property be developed with uses that are associated with the airport. The airport is recognized in the immediate area and land along Coffey Creek is indicated as greenway. The Airport Master Plan reflects future expansion needs and proper land uses in the vicinity. 2005 strategies include extending Paul Brown Boulevard (N.C. 160) to connect with West Boulevard and a district park.

2. Southwest District Plan (Draft-September, 1990). The draft Southwest District Plan recognizes the area of the subject property as a part of the airport. In addition, it indicates compatible land uses to this facility in the immediate area of the subject property. The subject property falls within the 75, 70, 65 ldn's for the year 2005. Land uses indicated within these contours are commercial, light industrial and open space uses within the 75 ldn's and nonresidential without noise attenuation measures within the 70 and 65 ldn's. In addition, it recognizes the appropriateness of building the new animal control facility and fire training facility on airport property and goes on to stress that adequate screening is important to minimize any potential negative impact on surrounding
properties.

3. Charlotte-Douglas International Airport Master Plan Update and Part 150 Study. The Airport Master Plan Update calls for the general expansion of the airport and its support facilities. It also calls for the reduction of noise sensitive land uses in the immediate area of the airport as well as the rezoning of land to provide for compatible land uses. In addition, it recommends and promotes the idea of minimizing loss and inefficient use of natural resources.

4. Transportation Improvement Program. The Transportation Improvement Program calls for the construction of the northern and western portions (I-85 to I-77 S) of the outer belt with design, purchasing of right-of-way, and construction to begin after FY96.

5. Greenway Master Plan. Coffey Creek is indicated as a part of the Greenway Master Plan.

4. Site Plan. The site plan which accompanies this request calls for an industrial development consisting of two parcels. Parcel A north of Byrum Drive consists of 52.10 acres with proposed use being the Mecklenburg County Wood and Yard Waste Processing Facility as well as any other permitted I-2 uses and/or any associated airport uses. Parcel B south of Byrum Drive consists of 82.84 acres with proposed uses being the Charlotte-Mecklenburg Animal Control facility, the Air National Guard Fire Training Pit, and any permitted I-2 uses and/or any associated airport uses. A 70 foot minimum building setback is shown along Byrum Drive and Piney Top Drive. The remainder of Parcel B calls for a 20 foot minimum buffer/screening adjacent to single family development. The remainder of Parcel A abuts airport property and has no buffer or screening indicated. Outlined/bubble areas indicate approximate locations of the proposed animal control facility, fire training pit, and wood and yard waste processing facility. General notes indicate that Byrum Drive and Piney Top Drive will be landscaped according to the airport landscaping master plan and per the landscaping sections provided on the rezoning petition. This section calls for a random planting of 1" to 8" caliper trees interspersed with existing plantings with a chain link security fence visible from the road. In addition, in Parcel A along Byrum Drive there will be a walking trail. An additional section is given depicting existing trees in the 20 foot buffer between the I-2 zoning and the single family residential. Both these sections indicate existing trees to remain. However, the proposed site plan does not show the location of the existing vegetation and what is to remain and where additional plantings will occur. The notes also indicate that the site plan only reflects general locations of the specified use.
5. School Information. This petition has no impact on the school system.

6. Zoning History (See Attached Map).

<table>
<thead>
<tr>
<th>Petition No.</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 73-3(c)</td>
<td>R-9, I-1, &amp; R-12 to I-2</td>
<td>Approved</td>
<td>02/19/73</td>
</tr>
<tr>
<td>2. 73-15(c)</td>
<td>I-1, R-12 &amp; R-9 to I-2</td>
<td>Approved</td>
<td>04/02/73</td>
</tr>
<tr>
<td>3. 74-41(c)</td>
<td>R-12 to B-D</td>
<td>Approved</td>
<td>05/05/75</td>
</tr>
<tr>
<td>4. 87-39(c)</td>
<td>I-1 &amp; R-12 to I-1(CD)</td>
<td>Approved</td>
<td>08/17/87</td>
</tr>
<tr>
<td>5. 89-53(c)</td>
<td>I-1(CD) &amp; B-D to I-1(CD)</td>
<td>Approved</td>
<td>01/16/90</td>
</tr>
<tr>
<td></td>
<td>Site Plan Amendment &amp; I-1(CD)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. 90-43(c)</td>
<td>I-1(CD) to I-1 Site Plan</td>
<td>Approved</td>
<td>11/19/90</td>
</tr>
<tr>
<td></td>
<td>Amendment &amp; B-D(CD)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

7. Neighborhood. This site falls within the area defined as the airport.

REVIEWS

1. Plan Consistency. This petition proposes the development of heavy industrial uses on the subject property. The Southwest District Plan and the Airport Master Plan Update both recognize the airport and its expansion needs. However, they go on to envision the area surrounding the airport as developing light industrial, business park and office uses. While it is recognized that certain uses which need close access to the airport also require I-2 zoning, it is envisioned that these uses will be developed with adequate buffers and streetscape treatments to minimize and ideally eliminate any detrimental economic and visual impact they might have on surrounding I-1 uses. While the subject petition is viewed as consistent with the adopted plans for the area, it is essential that the streetscape treatments provided and the actual locations of the I-2 uses on the sites be treated sensitively keeping in mind adjoining I-1 uses along Byrum Drive, Wilmount Road and Tyvola Road Extension and that the I-2 uses be carefully selected.

2. Technical Consistency.

1. Pre-Hearing Staff Input. The staff met several times with the petitioner prior to the filing of this petition.

2. Departmental Comments. This petition raised several comments from the reviewing departments. City Engineering made general comments regarding ordinance compliance. In addition, they requested 50 feet right-of-way dedication along Paul Brown Boulevard from the centerline. This right-of-way has been
shown on the site plan. Also the Urban Forestry staff raised several concerns primarily in regards to existing trees being indicated on the site plan and locations of supplemental plantings in the buffer as well as a clarification of the landscape sections to show a distinction between existing and proposed plantings. In addition, it was requested that tree ordinance compliance be noted on the revised site plan. These comments have not been addressed on the revised site plan.

CDOT indicated that access points must be indicated on the site plan. The revised site plan locates two access points into Parcel B from Byrum Drive with none shown for Parcel A. Also a note was added to the revised site plan which states that a maximum of six access points will be allowed for Parcel A (three on Byrum and three on Piney Top). None of these are shown on the site plan. The note does state that all access points will be subject to CDOT and/or NCDOT approval.

The Zoning staff requested clarification of the landscaping cross-section primarily in terms of scale and whether or not the 100 feet was measured from road centerline or right-of-way. The revised site plan shows a 70 foot buffer from the road right-of-way rather than a 100 foot buffer measured from road centerline as originally submitted.

The Planning staff requested clarification of the bubble areas indicated for the specific uses. The revised site plan has included a note which states that these are only general locations and that specific building envelopes are not depicted on the site plan. It was also requested that areas for greenway dedication be labelled on the site plan and noted that dedication would occur prior to issuance of building permits. The revised site plan does not reflect his request. In addition, it shows a 20 foot rather than 100 foot buffer adjacent to single family development.

**ISSUES**

1. **Land Use.** The adopted plans and policies for the area recognize the airport as a major force in the developing land uses in the area. It also recognizes the need to locate in the immediate area of the airport those uses which need ready access to it and which are not noise sensitive. They further envision these land uses to be light industrial, business park, and office uses recognizing that other additional and appropriate uses will require an I-2 zoning category. In these instances it is intended for these heavier industrial uses to be treated in such a way that their potential for causing a negative impact on surrounding less intensive uses will be minimized with up-scale streetscape treatments and extensive buffers and screening along the public
right-of-ways. The subject petition is one of these cases where an I-2 zoning is required by the proposed uses and these uses are considered appropriate from a land use standpoint so long as the buffers and streetscape treatment are adequate.

2. Site Plan. As earlier stated, it is essential that developing uses requiring an I-2 zoning will address their potential for negatively impacting surrounding light industrial/business park/offices uses by providing high quality streetscape treatment and extensive buffering and screening of potential objectionable views such as outside storage. The site plan as presented generally addresses these concerns by providing a 70 foot buffer along Byrum Drive and illustrative but not detailed sections of how these edges will be landscaped. In order for the site plan to be appropriate for approval, more detailed information regarding the landscaped edges and actual locations of proposed uses should be part of the petition so that their impact on surrounding properties can be adequately assessed. A blanket I-2 in this area should be a last resort.

CONCLUSION

This petition can be considered appropriate for approval only with restrictions on I-2 uses and more detailed site plan information.

*Subject to further refinement following public hearing.
PETITION NO. 91-67, CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT

Development Notes
Site Area To Be Rezoned...134.94 acres
Existing Zoning............R-12 & R-15
Proposed Zoning............I-2 C.D.

Parcel A
Existing Zoning............R-12
Proposed Zoning............I-2 C.D.
Acreage....................52.10 acres
Proposed Uses: Mecklenburg County Wood and Yard Waste Processing Facility, any use permitted in I-2 zoning district and/or any use associated with the operation of the Airport.

Parcel B
Existing Zoning............R-15
Proposed Zoning............I-2 C.D.
Acreage....................82.84 acres
Proposed Uses: Charlotte-Mecklenburg Animal Control Facility, Air National Guard Fire Training Pit, any use permitted in I-2 zoning district and/or any use associated with the operation of the Airport.

General Notes
Boundary information taken from survey by John D. Campbell, NCRLS, dated May 1, 1991.

All signage and parking requirements shall conform with applicable sections of the City of Charlotte Zoning Ordinance.

The twenty foot buffer extending along the eastern portion of the site is to remain undisturbed except to the extent necessary to accommodate pedestrian pathways, fences or storm water retention ponds.

Buildings or parking lots are prohibited within any setback area or buffer area specifically designated on this plan.
Landscaping along Byrum Drive and Piney Top Drive, as illustrated on the landscaping section, shall be consistent with the Airport Landscaping Master Plan. This shall include existing and randomly planted tree ranging in size from 1" to 8" caliber at planting, a walking trail (Parcel "A" only), and a six foot chain link fence for security purposes. Installation of landscaping shall be phased with development. For example, landscaping along the frontage of Byrum Drive associated with the Charlotte-Mecklenburg Animal Control Facility shall be simultaneously with the development of this facility. Existing vegetation illustrated on the landscaping plan section shall be preserved to the extent that is practical to accommodate the walking trail and allow visibility of the security fence.

This site plan depicts the general location of the specified uses (Mecklenburg County Wood and Yard Waste Processing Facility, Charlotte-Mecklenburg Animal Control Facility and the Air National Guard Fire Training Pit). Specific building envelopes for the above uses are not depicted on this site plan.

Access Points: A maximum of six (6) access points are allowed for parcel A (3 for Byrum Drive and 3 for Piney Top Drive). A maximum of three (3) access points are allowed for parcel B. All points of access are subject to CDOT and/or NCDOT approval.

Screening shall meet or exceed the requirements of Section 1601 of the City of Charlotte Zoning Ordinance.
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Ownership Information
Property Owner  CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT, CITY OF CHARLOTTE
Owner’s Address  Post Office Box 19066, Charlotte, North Carolina 28219
Date Property Acquired  See Attachment
Tax Parcel Number  See Attachment

Location of Property (address or description) Byrum Drive and Piney Top Drive

Description of Property
Size (Sq Ft Acres)  134.94 acres  Street Frontage (ft)  1,558 feet - Piney Top Drive
                      297.35 feet - Paul Brown Boulevard
Current Land Use  Vacant

Zoning Request
Existing Zoning  R-12 & R-15  Requested Zoning  I-2 C.D.
Purpose of Zoning Change  Allow for the following uses on Airport Property: All uses permitted in I-2 zoning district, any use associated with the operation of the Airport, Charlotte-Mecklenburg Animal Control Facility, Air National Guard Fire Training Pit and Mecklenburg County Wood and Yard Waste Processing Facility.

T. J. Ott
Name of Agent
Post Office Box 19066, Charlotte, NC 28219
Agent’s Address
359-4000
Telephone Number

Charlotte/Douglas Intl. Airport/C
Name of Petitioner(s)  of Charlotte
P. O. Box 19066, Charlotte, NC 28
Address of Petitioner(s)
359-4000
Telephone Number

Signature
Signature of Property Owner
If Other Than Petitioner
PETITIONER: Charlotte-Douglas International Airport


ZONING CLASSIFICATION, EXISTING: R-12 and R-15       REQUESTED: I-2(CD)

LOCATION: Approximately 134.94 acres located along both sides of Byrum Drive, west of Coffey Creek.

SEE ATTACHED MAP

ZONING MAP NO(s): 108, 109, 127, 128

PROPERTY PROPOSED FOR CHANGE

SCALE: - 400'  Not to scale
CHARLOTTE - MECKLENBURG PLANNING COMMISSION

October 8, 1991

Mayor and City Council:

RE: Petitions to be Heard in October, 1991

Attached you will find appropriate maps and copies of each petition, as well as the Pre-Hearing Staff Analysis, for petitions scheduled for public hearing on October 21, 1991 at 6:00 o'clock P.M., in the Charlotte-Mecklenburg Government Center, Meeting Chamber, 600 East Fourth Street.

This material is intended to provide background information concerning the requests and the area in which the properties are located.

Sincerely,

[Signature]

Walter G. Fields, III
Land Development Manager

WGF:mlj

Attachments
PRE-Hearing STAFF ANALYSIS*
Rezoning Petition No. 91-68

Petitioner: Robert and Lorene Hawkins

Location: Approximately .52 acres located on the westerly side of Thrift Road (Freedom Drive) south of Moores Chapel Road.

Request: Change from R-12 to B-1(CD).

BACKGROUND

1. Existing Zoning. The subject property is zoned R-12 as are nearby and adjacent properties located to the south between Little Rock Road and Thrift Road (Freedom Drive). Properties to the north towards Moores Chapel Road are zoned B-1. Properties located across Little Rock Road and Thrift Road (Freedom Drive) are zoned R-9.

2. Existing Land Use. The petitioned site is presently developed with a single family residence. The area to the south along Thrift Road (Freedom Drive) is also developed with single family residential homes. Properties to the north are developed for commercial and office purposes including a shopping center, a bank and a service station. Properties west of Little Rock Road and east of Thrift Road are developed for single family residential purposes.


1. 2005 Plan. The 2005 Plan indicates existing residential land uses in the area of the subject property. 2005 strategies for the area include improvements to Little Rock Road and Freedom Drive and extension of Little Rock Road to Lakeview Road (the Northwest Circumferential Road).


3. Transportation Improvement Program. The Transportation Improvement Program includes the widening of Freedom Drive to 4 lanes and the Northwest Circumferential to provide for the construction of a multi-lane roadway between I-77 North and the Freedom Drive/Little Rock Road area. The Northwest Circumferential will ultimately link the I-85/Airport area and the Reames/Harris Boulevard interchange at I-77 via Little Rock Road.
4. Site Plan. The site plan which accompanies this petition proposes the conversion of the existing single family residential home to a retail flower and gift shop or office. The site plan indicates access to the site would be provided through the existing driveway connection to Thrift Road and proposes to create a new nine space parking lot between the existing structure and the northerly property line. The plan includes a cross section that provides for an evergreen screening and tree planting treatment along the edges of the site which adjoin residential zoning. The cross section provides for evergreen trees spaced 20 feet on center with supplemental evergreen shrubs spaced 5 feet on center.

5. School Information. Not Applicable.

6. Zoning History. There are no previous rezoning petitions in the area of the subject property.

7. Neighborhood. This site falls within the area defined as the Toddville Road neighborhood.

REVIEW

1. Plan Consistency. This petition is inconsistent with publicly adopted plans and policies for this portion of the community. The request seeks to convert the subject property from residential to commercial use in an area of the community envisioned by publicly adopted plans as having a residential future. The subject property is the beginning of the section of Thrift Road (Freedom Drive) that is very much a solid single family residential community. Adjacent properties to the north that are zoned for commercial purposes are oriented to the intersection of Thrift Road, Little Rock Road and Moores Chapel Road. The subject property represents the point along Thrift Road beyond which no future nonresidential development should occur. In summary this petition is inconsistent with both the adopted 2005 Plan and the adopted Northwest District Plan.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff discussed the application with the petitioner prior to the filing of the application and discouraged the submittal. Subsequent to the filing, staff relayed several site plan concerns to the petitioner which have been adequately addressed by the revised site plan.

   2. Departmental Comments. CDOT indicates this site could generate approximately 21 thru 23 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 46 trips per day. This will not have a significant impact on the surrounding thoroughfare system. CDOT noted that Freedom Drive is a major thoroughfare requiring
a minimum of 100 feet of right-of-way and that the petitioner
would need to dedicate additional right-of-way in order to meet
the street classification system standards for a major
thoroughfare. Most of the other comments from staff revolved
around the need to ensure adequate buffering of the site on the
project edges adjoining residential and by providing a cross
section of the proposed screening and buffering treatment. The
revised site plan has addressed the staff comments with the
exception of noting the dedication of additional right-of-way.

ISSUES

1. Land Use. This petition raises a significant land use issue.
Publicly adopted plans for this portion of the community indicate
that the future use of properties along this section of Thrift Road
(Freedom Drive) should be for residential purposes. This petition
seeks rezoning of a tract from a residential classification to a
commercial classification to provide for the establishment of a
retail gift shop or office. The subject property is the beginning
of a solid stretch of single family residential development along
Thrift Road (Freedom Drive) and the conversion from residential to
non-residential would represent the introduction of commercial uses
into an area which needs to remain residential. Therefore, from a
land use standpoint this petition is not considered appropriate for
approval.

2. Site Plan. The site plan which accompanies this application
provides for the conversion of an existing single family
residential home into a retail flower and gift shop or office use.
The petitioner has addressed most of the staff comments or concerns
regarding the site plan. The one staff comment left unresolved by
the revised site plan relates to the need for additional
right-of-way along Thrift Road (Freedom Drive) in order to meet the
street classification system. The principle issue associated with
this petition revolves around the land use concerns associated with
allowing commercial and office uses to extend into the portion of
Thrift Road (Freedom Drive) that is now developed as single family
residential.

CONCLUSION

This petition is not appropriate for approval. It represents the
encroachment of commercial zoning and uses into the portion of Freedom
Drive that is residential and should remain residential in the future.
Approval of the petition could signal the beginning of the conversion
of this portion of Thrift Road (Freedom Drive) from a residential
corridor into a commercial strip development pattern.

*Subject to further refinement following public hearing.
NOTES

SIGNAGE
1. All signage will be in accordance with the applicable sections of the zoning ordinance. No billboards will be permitted.

LANDSCAPING/EXISTING TREES
2. Care shall be taken to protect and retain existing mature trees during development of parking area.

SCREENING
3. Screening will meet or exceed the requirements of the applicable sections of the zoning ordinance. Screening will consist of evergreen shrubs planted 5' O.C., supplemented as necessary with additional flowering or shade trees. Screening will occur in a 15 foot wide area along property line.

ACCESS/CIRCULATION
4. Vehicular access points into the site will be limited to that shown on this rezoning plan. The configuration of driveway and access point is subject to any modifications required to accommodate final site plan or CDOT requirements.
5. Parking shall meet or exceed the minimum requirements of applicable sections of the zoning ordinance. Parking will not be permitted in front of the building (freedom drive building face).
6. Standard requirements of the subdivision ordinance, building code and zoning ordinance will be met (driveway permits, tree ordinance, curbs, sidewalk, storm drainage and screening).

USES
7. Uses will be limited to retail flower and gift shop business, office, and accessory uses.
8. Petitioner wishes to specifically indicate that the wholesale or retail sale of alcoholic beverages will be prohibited.

BUILDING
9. Existing structure and landscaping will remain and residential character will be maintained.

REFERENCE INFORMATION
OFFICIAL REZONING APPLICATION  
CITY OF CHARLOTTE

Ownership Information

Property Owner: Robert Glenn Hawkins and wife, Lorene W. Hawkins
Owner's Address: C/O 6429 Freedom Drive, Charlotte, NC 28208
Date Property Acquired: May 28, 1940
Tax Parcel Number: 059-231-18

Location of Property (address or description): 6429 Freedom Drive, Charlotte, NC 28208

Description of Property
Size (Sq Ft.-Acres): 52 acres
Lot fronting on Freedom Dr: Street Frontage (ft): 100 feet
Current Land Use: residential

Zoning Request
Existing Zoning: R-12
Requested Zoning: BICO

Purpose of Zoning Change: In order to provide a community family business site for a small flowers, shrubs and gift facility.

Weinstein & Sturges, P.A.
Name of Agent
1100 S. Tryon Street, Charlotte, NC 28203
Agent's Address
704/372-4800
Telephone Number

Robert Glenn Hawkins and wife, Lorene W. Hawkins
Name of Petitioner(s)
6429 Freedom Dr., Charlotte, NC
Address of Petitioner(s)

Signature of Petitioner's Attorney: Under Power of Attorney
Signature of Property Owner: Attorney/Agen
if Other Than Petitioner
PETITIONER: Robert and Lorene Hawkins

PETITION NO.: 91-68  HEARING DATE: October 21, 1991

ZONING CLASSIFICATION, EXISTING: R-12  REQUESTED: B-1(CD)

LOCATION: Approximately .52 acres located on the westerly side of Thrift Road (Freedom Drive), south of Hoovers Chapel Road.

ZONING MAP NO(s): 81  SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE
October 8, 1991

Mayor and City Council:

RS: Petitions to be Heard in October, 1991

Attached you will find appropriate maps and copies of each petition, as well as the Pre-Hearing Staff Analysis, for petitions scheduled for public hearing on October 21, 1991 at 6:00 o'clock P.M., in the Charlotte-Mecklenburg Government Center, Meeting Chamber, 600 East Fourth Street.

This material is intended to provide background information concerning the requests and the area in which the properties are located.

Sincerely,

[Signature]

Walter G. Fields, III
Land Development Manager

WGF:mlj

Attachments
PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 91-69

Petitioner: Marriott Retirement Communities, Inc.

Location: Approximately 7.83 acres located on the southwest corner of Runnymede Lane and Michael Baker Place.

Request: Change from R-12 to R-12MP(CD).

BACKGROUND

1. Existing Zoning. The subject property is zoned R-12 as are surrounding properties. To the north of the subject property, the site of Myers Park High School is zoned R-15.

2. Existing Land Use. The property involved with this request is presently undeveloped. The predominate land use in the nearby area is single family residential housing. To the northwest of the subject property at the intersection of Runnymede Lane and Selwyn Avenue is a church. Across Runnymede Lane are the sites of Myers Park High School and Myers Park Elementary School.


   1. 2005 Plan. The 2005 Plan indicates existing residential land uses in the area of the subject property. 2005 strategies for the area include expansion of the greenway system along Briar Creek.

   2. South District Plan (Draft). The Draft South District Plan envisions expansion of the greenway system along Briar Creek and single family residential development in the area of the subject property.

4. Site Plan. The site plan which accompanies this petition proposes the development of a 70,000 square foot home for the aged containing a maximum of 99 assisted living units, 24 personal care units and no more than 147 beds. Access to the facility is provided through one driveway connection to Runnymede Lane. The plan indicates dedication of greenway along Briar Creek and a substantial undisturbed buffer along the southerly edge. The landscaping treatment adjacent to Runnymede Lane and Michael Baker Place consists of protection of some of the existing trees within the 30 foot setback along Runnymede Lane and Michael Baker Place supplemented by additional tree plantings. The plan includes architectural controls and a rendering which commit to residential characteristics including exterior construction material of brick and siding and pitched roofs.
5. School Information. School officials indicate that this petition would have some impact upon traffic on Runnymede Lane in the area near the entrance to both Selwyn Elementary and Alexander Graham Junior High Schools. There would be no impact upon school enrollment or utilization.

6. Zoning History. There are no previous rezoning petitions in the area of the subject property.

7. Neighborhood. This property falls within the area defined as the Barclay Downs neighborhood.

REVIEW

1. Plan Consistency. This petition proposes rezoning from single family residential to conditional multi-family residential to allow development of a home for the aged. The 2005 Plan recognizes the area as one of existing residential development and the pending South District Plan indicates single family residential land uses in the area. However, the general policies for the district plans recognize that locations of future multi-family development are generally not identified in the district plans. The plans only identify existing development, areas appropriately zoned for multi-family development but that have remained vacant or potential sites that are obvious and most desirable for multi-family housing rather than a nonresidential use. A premise of the district plans is that the private market should be given the flexibility to determine specific locations of multi-family housing in developing areas subject to rezonings that are based upon objective development principles and the general policies outline locational and service level criteria for evaluating rezoning cases for multi-family housing. The criteria are not specifically targeted at rezoning petitions proposing homes for the aged but could offer some guidance due to the similarities between housing for the elderly and general multi-family housing. Those locational and service level criteria include access on a major or minor thoroughfare, proximity to commercial centers or large employment concentrations, transit opportunities, availability of utilities and proximity to greenways. This site meets several of the criteria in that it is located on a major thoroughfare, has transit service and is adjacent to Briar Creek Greenway. Therefore, the conversion of this site from a single family category to a multi-family use is considered to be consistent with publicly adopted and pending plans and policies for the area.
2. Technical Consistency.

1. Pre-Hearing Staff Input. The staff met with agents for the petitioner prior to the filing of this request and discussed the proposal. Subsequently, the staff communicated several site plan comments to the petitioner. Those comments have been adequately addressed by the petitioner.

2. Departmental Comments. CDOT indicates this site could generate approximately 308 to 336 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 339 to 382 trips per day. This would not have a significant impact on the surrounding thoroughfare system. The primary staff concern regarding the proposed site plan revolved around the issue of tree preservation along the project edges and the site's relationship to the adjoining properties. Those concerns have generally been addressed by the petitioner.

ISSUES

1. Land Use. This petition proposes rezoning from single family residential to conditional multi-family residential to allow the establishment of a home for the aged. Publicly adopted and pending land use plans and policies for the area recognize this site as one suitable for continued residential development. The pending South District Plan specifically designated the property as one feasible for continued single family residential development. However, the general policies for the district plans recognize that all sites potentially suitable for multi-family development are not specifically designated by the district plans. An assessment of this petition based on the locational criteria for multi-family development indicates the site has several features associated with feasibility for multi-family. This petition is viewed as appropriate for approval from that standpoint.

2. Site Plan. There are no significant site plan issues which accompany this application. The clarifications requested of the petitioner have generally been accomplished and from a site plan standpoint, the petition is considered appropriate for approval.

CONCLUSION

This petition is considered appropriate for approval.

*Subject to further refinement following public hearing.
Development Standards
Marriott Retirement Communities, Inc.
Home for the Aged

General Provisions. Marriott Retirement Communities, Inc. intends to develop on this Site a two-story Home for the Aged in accordance with the Rezoning Plan and these Development Standards.

Except to the extent otherwise provided below under the heading, "ARCHITECTURAL CONTROLS," the configuration, placement and size of the Home for the Aged as depicted on the Schematic Site Plan accompanying this Rezoning Plan are schematic in nature and may be altered or modified during design, development and construction document phases within the maximum BUILDING ENVELOPE lines established on this Rezoning Plan. Parking layouts may also be modified to accommodate final building locations.

Permitted Uses. The Site may be devoted to the following uses:

1. a Home for the Aged; or
2. any use allowed in the R-12 Zoning District.

The total gross floor area of the Home for the Aged may not exceed 70,000 square feet, may not contain more than 99 assisted living units and 24 personal care units and may not contain more than 147 beds.

Building Setback.

The building setback for the Home for the Aged shall be a minimum of 35 feet off of the right of way for Michael Baker Place and 35 feet off of the transitional right of way for Runnymede Lane, all as depicted on this Rezoning Plan.

Parking will not be permitted in any setback areas.

Landscaping and Screening.

1. Screening shall conform with the standards and treatments specified in these Development Standards and on this Rezoning Plan and, at a minimum, will conform to the provisions of Section 1601 of the Charlotte City Zoning Ordinance.

2. Tree protection and planting shall conform with the specifications provided on this Rezoning Plan and, at a minimum, will satisfy the provisions of Chapter 21 of the Charlotte City Code.

3. The trees depicted on this Rezoning Plan are schematic and their number may vary depending upon soil conditions and existing trees. However, the total number of existing and planted trees will not vary in any material manner from those depicted on this Rezoning Plan.
Buffer Areas.

The undisturbed buffer areas depicted on this Rezoning Plan along the southern and southeastern boundaries of the Site are subject to the following regulations:

1. Each of these buffer areas must remain undisturbed and in their natural states, except to the extent necessary to accommodate pedestrian pathways, utility lines, the clearing of undergrowth and the placement of trees and other plant materials where the existing foliage does not create an adequate visual screen.

2. Any new utility installations may only cross undisturbed buffer areas at interior angles measured at exterior property lines which are not less than 75 degrees and, to the extent possible, paths cleared for such utility lines shall be replanted with plant materials which are the same as or similar to the types of materials that are in place within the buffer area involved.

Dedication of Additional Right-of-Way.

The Petitioner agrees to dedicate the area along Runnymede Lane depicted on this Rezoning Plan as "Additional Right-of-Way" to the City of Charlotte for future roadway improvement purposes. This dedication will be made prior to the issuance of any building permit covering any portion of the Site.

Greenway Dedication.

Petitioner agrees to dedicate to Mecklenburg County for greenway purposes the area depicted on this Rezoning Plan as "GREENWAY" prior to the issuance of the certificate of occupancy for any structure to be built on site. Such dedication will be subject to any existing easements and the right of the Petitioner to reserve any additional utility easements required for development of this Site.

Parking.

1. Each of the parking areas depicted on the Schematic Site Plan may vary in size and location, but in all events offstreet parking will meet the minimum standards established on this Rezoning Plan.

2. Parking areas may be constructed inside and outside the BUILDING ENVELOPE.

Lighting.

1. A uniform lighting system will be employed throughout the Site.

2. All direct lighting within the Site (except street lights which may be erected along Michael Baker Place or Runnymede Lane) shall be designed such that direct illumination does not extend past any property line. Consideration will be given to the impact of lighting both within and without the perimeter of the Site. Items for consideration will include intensity, cutoff angles, color,
energy efficiency and shielding of sources of light, the intent being to avoid glare towards adjacent streets and properties.

Signs.
1. A master signage and graphic system will be adopted and implemented throughout the Site.
2. All signs placed on the Site will be erected in accordance with the requirements of the Charlotte Zoning Ordinance.
3. Only one permanent project identification sign and directional signs may be placed on the Site and it shall be located along Runnymede Lane in the general area depicted on this Rezoning Plan.

Access Points (Driveways).
1. The number of vehicular access points to the Site shall be limited to one driveway located on Runnymede Lane and it shall be placed in the general vicinity depicted on this Rezoning Plan.
2. The configuration of this access point is subject to any minor modifications required to accommodate final site and architectural construction plans and designs, and is further subject to approval by the Charlotte Department of Transportation.

Fire Protection.
1. Adequate fire protection in the form of fire hydrants will be provided to the Fire Marshal's specifications.
2. Fire hydrants will be located within 500 feet of any building constructed on the Site.

Architectural Controls.
1. The Petitioner commits to design any Home for the Aged constructed on the Site in substantial compliance with the rendering which accompanies this Rezoning Plan and has been identified as Exhibit B.
2. The principal materials used in the exterior construction of the building will be brick and siding.
3. No building constructed on the Site may exceed two stories in height.
4. All dumpster or trash handling areas will be screened from adjoining property and from view from a public street and the screening area used to comply with this provision will either consist of a planted area which is at least five feet wide containing appropriate screen material or a wall or fence, in which case the area devoted to the screen need only be wide enough to accommodate the screen and allow for its maintenance. Each dumpster enclosure will have a swinging gate.
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Ownership Information

Property Owner Sara H. Bissell, et al (See Exhibit A)

Owner's Address (See Exhibit A)

Date Property Acquired December 28, 1989

Tax Parcel Number 175-102-30

Location of Property (address or description) southwest corner of intersection between Runnymeade Lane and Michael Baker Place

Description of Property

Size (Sq Ft. Acres) 7.834 acres + Street Footage (ft.) Runnymeade Lane 480 feet + Michael Baker Place 250 feet + Current Land Use Vacant

Zoning Request

Existing Zoning R-12 Requested Zoning R-12 MF (CD)

Purpose of Zoning Change To accommodate development of a 147 Bed Home for the Aged in accordance with the accompanying Rezoning Plan and Development Standards.

Bailey Patrick, Jr., Attorney
Name of Agent

P. O. Box 35566, Charlotte, NC 28225
Agent's Address

(704) 372-1120 Telephone Number

MARRIOTT RETIREMENT COMMUNITIES,
Name of Petitioner(s)
Marriott Drive, Department 832-60
Washington, D.C. 20058
Address of Petitioner(s)

(301) 380-7996 Telephone Number

By: Larry H. Reid, Vice Presid
Signature of Property Owner John W. Har
Signature
Sara H. Bissell, Owner
PETITIONER: Marriott Retirement Communities, Inc.


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

LOCATION: Approximately 7.83 acres located on the southwest corner of Runnymede
Lane and Michael Baker Place.

ZONING MAP NO(s): 125, 135             SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE
Mayor and City Council:

RE: Petitions to be Heard in October, 1991

Attached you will find appropriate maps and copies of each petition, as well as the Pre-Hearing Staff Analysis, for petitions scheduled for public hearing on October 21, 1991 at 6:00 o’clock P.M., in the Charlotte-Mecklenburg Government Center, Meeting Chamber, 600 East Fourth Street.

This material is intended to provide background information concerning the requests and the area in which the properties are located.

Sincerely,

Walter G. Fields, III
Land Development Manager

WGF:mlj

Attachments
PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 91-70

Petitioner: Charlotte Eye, Ear, Nose, and Throat Association.

Location: Approximately 1.90 acres located on the southeasterly side of Lillington Avenue and Amherst Lane.

Request: Change from R-6MF and 0-6(CD) to 0-6(CD) and 0-6(CD) site plan amendment.

BACKGROUND

1. Existing Zoning. The subject property is presently zoned R-6MF and 0-6(CD) with the land immediately surrounding the property to the north and east 0-6 as well. There is a small tract of 0-6 zoning along the north side of Lillington Avenue to the west of the subject property. There are several large multi-family tracts to the south with the remainder of the land to the west, north, and south zoned R-6MF as well.

2. Existing Land Use. The subject property is presently occupied by a parking lot for the Presbyterian Specialty Hospital which is at the corner of Third Street and Lillington Avenue north of the subject property as well as several residential structures fronting on Lillington Avenue and Amherst Place. To the immediate east and southeast of the subject property there are medical offices. In addition several small residential houses have been converted to office uses along the north side of Lillington Avenue. South of the subject property along Queens Road West are several multi-family complexes. To the north and west of the subject property is the Cherry neighborhood which is a generally single family, residential neighborhood.


1. 2005 Plan. The 2005 Plan acknowledges the existing residential neighborhood and the existing employment land uses in close proximity of the subject property. There are two community commercial centers indicated nearby. The 2005 strategies include the Midtown Development Enterprise Area to encourage a high intensity district of offices, shops, and housing in the Midtown area.

2. Cherry Special Project Plan. The Cherry Special Project Plan recommends that those properties involved in the subject property which front on Amherst Place and are bound to the north by Lillington Avenue be rezoned to R-6 and R-8. It recognizes the residential nature of the Cherry neighborhood and promotes its maintenance. The plan goes on to state that office uses have already encroached too far into the
residential neighborhood along Lillington Avenue and proposes to rezone these areas to prevent further encroachment.

3. Central District Plan (draft). The draft Central District Plan recognizes the recommendations of the Cherry Special Project Plan.

4. Site Plan. The site plan which accompanies this request calls for the construction of a medical office building. A single building footprint with a maximum of 31,600 square feet is indicated. The proposed building fronts along Lillington Avenue and accesses off it at two points. There is no access indicated off Amherst Place. The remainder of the site is used for parking with planted islands indicated. A landscaped strip indicated along Lillington Avenue is noted as the required 20 foot building setback. Along Amherst Place there is a 10 foot side yard indicated with street trees. To the rear of the property there is a 20 foot or 40 foot rear yard indicated. On the western property edge there is a six foot side yard indicated with a landscape treatment but no specification as to what sort of screening it will be. A 6 foot tall brick wall is shown on all sides except along Lillington Avenue. Proposed parking is indicated at a minimum of 158 spaces. General notes indicate that applicable City ordinances will be met by the proposed site plan. Also it states that exterior safety lighting will be designed and located to direct light into the site and will minimize glare towards adjacent property. In addition it states that trash containers will be installed in a screened service area. This screened service area is indicated on the western property edge adjacent to a R-6MF zoning district.

5. School Information. This petition has no impact on the school system.

6. Zoning History (See Attached Map).

<table>
<thead>
<tr>
<th>Petition No.</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 66-92</td>
<td>B-1 &amp; B-2 to B-3(AIP)</td>
<td>Approved</td>
<td>05/29/66</td>
</tr>
<tr>
<td>2. 66-93</td>
<td>B-2 to I-3</td>
<td>Approved</td>
<td>08/07/66</td>
</tr>
<tr>
<td>3. 67-5</td>
<td>R-6MF to R-6MFH</td>
<td>Approved</td>
<td>03/13/67</td>
</tr>
<tr>
<td>4. 67-57</td>
<td>R-6MF &amp; 06 to B-2</td>
<td>Approved</td>
<td>02/05/66</td>
</tr>
<tr>
<td>5. 69-76</td>
<td>B-2 to B-3</td>
<td>Approved</td>
<td>09/08/69</td>
</tr>
<tr>
<td>6. 69-95</td>
<td>I-1 &amp; 0-6 to R-6MF,</td>
<td>Approved</td>
<td>11/03/69</td>
</tr>
<tr>
<td></td>
<td>0-6, &amp; B-1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. 70-72</td>
<td>R-6MF to B-2</td>
<td>Approved</td>
<td>06/01/70</td>
</tr>
<tr>
<td>8. 76-30</td>
<td>R-6MF to R-12(AIP)</td>
<td>Approved</td>
<td>06/18/76</td>
</tr>
<tr>
<td>9. 76-34</td>
<td>R-6MF to R-12(AIP)</td>
<td>Approved</td>
<td>06/18/76</td>
</tr>
<tr>
<td>10. 82-81</td>
<td>I-1 &amp; 0-6 to R-6MF</td>
<td>Denied</td>
<td>05/16/83</td>
</tr>
<tr>
<td>11. 88-29</td>
<td>R-6MF &amp; 0-6 to 0-6(CD)</td>
<td>Approved</td>
<td>07/18/88</td>
</tr>
<tr>
<td>12. 89-44</td>
<td>0-6(CD) to R-6MF</td>
<td>Approved</td>
<td>06/19/89</td>
</tr>
</tbody>
</table>
7. **Neighborhood.** This petition falls within the area defined as the Cherry neighborhood.

**REVIEWS**

1. **Plan Consistency.** This petition proposes the rezoning of land to allow for the construction of a medical office building. The 2005 Plan recognizes the existing residential character of the neighborhood. In addition, the Cherry Special Area Plan was developed out of a concern for the maintenance of the existing residential character of the neighborhood. It expresses concern with the encroachment along the fringe of this neighborhood with office uses. For this reason, it proposes the rezoning to R-6 and R-8 those properties involved in this petition which front along Amherst Place. In addition, this petition does not adequately address these critical edge relationships with the surrounding residential neighborhood. Only minimum setback and yard requirements have been provided with no indication as to screening to minimize its impact beyond a 6' brick wall. For these reasons, this petition is not consistent with publicly adopted plans and policies for the area.

2. **Technical Consistency.**

   1. **Pre-Hearing Staff Input.** Agents for the petitioner met with staff prior to the filing of this petition. Staff discouraged the petitioner based on the need to protect the residential character of the Cherry neighborhood.

   2. **Departmental Comments.** This petition raised a number of comments from the reviewing departments and agencies.

      City Engineering made general comments regarding required permits and ordinance compliance. While the site plan states that it will comply with the City's tree ordinance, the plan as presented does not comply with it. Driveways as proposed conflict with existing trees and there are existing trees not shown to be saved on the site plan which will be required to be saved.

      The Zoning staff requested that Note No. 8 be revised to eliminate rather than minimize glare on surrounding residential neighborhoods. They also stated that adjacent property to the east was zoned R-6MF rather that 0-6 and requested that the squiggly line indicated on the property line be defined. The revised site plan indicates this is to be a six foot hedge but there is no information regarding type or whether or not it is existing.
CDOT made general comments regarding dimensions of driveways and questioned whether or not parking for Presbyterian Specialty Hospital would be met. A note was added to the revised site plan which clarifies this issue and states that Presbyterian Specialty Hospital's minimum parking requirements will be met off site.

Planning staff stated that this petition conflicts with the Cherry Special Project Plan. In addition, they requested that an elevation be shown of the proposed wall which is around the majority of the property. The revised site plan includes a section but gives no further explanation regarding the details or appearance of the six foot brick wall. It was also requested that a note be added regarding the character of the proposed building and whether or not it would be residential in appearance. The revised site plan does not address this issue. It was also requested by the Planning staff that stormwater detention be located on the site plan. It is not shown on the revised site plan.

ISSUES

1. Land Use. This petition as presented raises a serious land use issue. The draft Cherry Special Project Plan recommends that a portion of the proposed site be rezoned to R-6 or R-8. It stresses the importance of protecting the residential character of the existing Cherry neighborhood. It also expresses serious concern about the amount of office uses which have already encroached upon the fringes of this neighborhood. This petition as presented raises a serious concern in its impact on the surrounding neighborhood. For this reason, this petition is not appropriate for approval from a land use standpoint.

2. Site Plan. The site plan itself raises concern in that only minimum requirements have been provided to minimize the negative impact on the surrounding neighborhood. A six foot wall has been provided but no detail regarding its appearance. Screening is stated as being in compliance with ordinance requirements but no extra measures have been taken to minimize this impact. In addition, there are existing problems with the site as proposed with the City's tree ordinance. The section as shown still is inadequate to determine whether or not the impact of this facility will be minimized. In addition, a note has been added on the revised plan which states that existing housing on the site may be temporarily used for office and storage purposes until the proposed facility is constructed. This note was added after the reviewing agencies and departments commented on the site plan and, therefore, it is unknown what impact this note will have upon this proposal. For these reasons, this site plan is not appropriate for approval as presented.
CONCLUSION

This petition is not appropriate for approval. This proposal raises serious concerns about its relationship to the surrounding property and long range plans for this area. In addition, the site plan as proposed raises concerns which have not been addressed.

*Subject to further refinement following public hearing.*
DEVELOPMENT DATA

EXISTING ZONING  0-6(CD) & R-6 MF
PROPOSED ZONING  0-6(CD)
TOTAL SITE AREA  190 Ac
EXIST 0-6(CD)  102 Ac
EXIST R-6 MF  088 Ac
PROPOSED USE MEDICAL
PROPOSED BLDG SQ FOOTAGE  31,600 SQ FT
REQUIRED # OF PARKING SPACES  158
PROPOSED PARKING  158 SPACES

GENERAL NOTES

1. MAXIMUM BUILDING HEIGHT IS 3 STORIES.
2. BOUNDARY INFORMATION DATED JUNE 24, 1991, BY S. NEAL BROOME, NCRLS # 2204. TOPOGRAPHIC INFORMATION FROM CITY OF CHARLOTTE TOPO MAP #2.
3. SIGNS SHALL BE PERMITTED IN LOCATIONS AND SIZES ALLOWED BY SIGN ORDINANCE.
4. SCREENING SHALL MEET OR EXCEED ORDINANCE REQUIREMENTS.
5. THIS SITE PLAN IS INTENDED TO SHOW ONLY GENERAL DEVELOPMENT CHARACTER. MINOR ADJUSTMENTS IN BUILDING AND PARKING LOT SIZE AND ARRANGEMENT WILL BE PERMITTED TO ACCOMMODATE FINAL ARCHITECTURAL DESIGNS AND TO ADJUST TO SITE FEATURES. HOWEVER NO STRUCTURE MAY BE LOCATED OUTSIDE BUILDING LIMIT LINE.
6. REQUIREMENTS OF THE TREE ORDINANCE WILL BE MET OR EXCEEDED.
7. STORMWATER DETENTION REQUIREMENTS WILL BE MET AND WILL BE STORED ABOVE GROUND IN PARKING AREAS OR IN UNDERGROUND PIPES.
8. EXTERIOR SAFETY LIGHTING SHALL BE DESIGNED AND LOCATED TO DIRECT LIGHT INWARD AND DOWN, AND TO MINIMIZE GLARE TOWARD ADJACENT PROPERTY. MAXIMUM HEIGHT OF SAFETY LIGHTING IS 15 FEET.
9. TRASH CONTAINERS WILL BE INSTALLED ONLY WITHIN THE SCREENED SERVICE AREA.
10. EXISTING HOUSES ON SITE MAY BE TEMPORARILY USED FOR OFFICE AND STORAGE PURPOSES UNTIL THIS PROPOSED FACILITY IS CONSTRUCTED.
11. PARKING REQUIREMENTS FOR THE PRESBYTERIAN SPECIALTY HOSPITAL (REF. REZONING PETITION # 88-29) HAVE BEEN MET OFF-SITE.
STATEMENT OF SUPPORT FOR REZONING PETITION 91-70

PETITIONER: CHARLOTTE EYE, EAR, NOSE & THROAT ASSOCIATES
LOCATION: SOUTHEASTERLY SIDE OF LILLYNIGON AVENUE AT AMHURST
REQUEST: CHANGE FROM R-6MF AND O-6(CD) TO O-6(CD)

Charlotte Eye, Ear, Nose & Throat Associates were the founders of what is now Presbyterian Specialty Hospital. Since the sale of that facility several years ago, the Associates have been maintaining an office facility on the lower level of the hospital building. For some time now, it has been known that eventually they would need to vacate the premises and would need new and larger quarters. Very serious consideration has been given by them as to the best location for such an office structure. One alternative is to move to a more suburban location, while the other is to try to stay in close proximity to the present site. They have determined it would be in the best interest of themselves and, in particular, their patients to stay in the immediate vicinity. Not only are their patients well acquainted with this location, but they can much more adequately serve their patient needs by keeping a close relationship to hospital facilities. After considerable effort, they now have acquired a site which is just across Lillynigton from Specialty Hospital and would utilize land already in the majority zoned for office purposes. It would include, in addition to property at the corner of Amhurst and Lillynigton, land which was zoned for and used for a number of years by Family Support Center and other properties zoned office and currently utilized for overflow parking for Specialty Hospital. A plan to place one three-story structure on this site to be related to the hospital and other properties which are zoned office across Lillynigton Avenue has been submitted. The site plan which has been created by DPR Associates revolves around an effort to create the best possible transition from this site to the residential properties across Amhurst and from there into the Cherry Community. The extent to which this has been accomplished is evident upon examination of the details of the plan itself.

In a meeting with neighbors and representatives of the Cherry Community, reaction was generally favorable with several of the property owners stating their support for the facility. While some may develop, it did not appear from that meeting that active opposition would be present. The plan is presented as forming the best possible transition to draw a separation between the existing office commitment generally along Lillynigton from Third Street leading into the residential commitments both along Queens Road and Cherry.

While the Planning Staff is saying that the plan should not be approved, examination of the reasons indicate questionable rationale. First of all the petition is recommended against because it is contrary to the recommended Cherry Plan. Let me inform you that the Staff recommended Cherry Plan is not
being recommended by the Planning Committee. In recent actions, the Committee rejected the idea of changing the block along Lillington from Specialty Hospital into the Cherry Community from office to residential. This was due to the fact that the block is almost entirely already used for office purposes including one substantial new building which is now being erected. As a result of this action, there is none of the subject property which would not be located directly across the street from office zoned land along Lillington.

Additionally, the site plan comment indicating that the site plan only contains minimal requirements to provide for minimizing the negative impact on the surrounding neighborhood is, to say the least, questionable. The one side of the property which is adjacent to residential usage along Amhurst has been very substantially designed to create that design relationship. The closest point of parking is 20 feet from the street right-of-way with the 20-foot area containing a 6-foot brick wall, a shrubbery planting in front of the wall and a row of trees adjacent to that. This creates a design relationship between the housing on Amhurst and the parking facility related to this site. In addition, the building itself is considerably removed from Amhurst and would not impose upon the residential nature of that area at all.

Finally, the rear portion of this site is adjacent to the Queens Station Condominium Project and is to be separated by a continuation of the 6-foot brick wall. Representatives of the condominium project have indicated they fully support this use of the land.

On behalf of one of the older medical service facilities in this City, I urge you to examine carefully this request, review the site plan and visit the site. I hope you will agree it is a most appropriate use for this location.
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Ownership Information

Property Owner: Amherst Properties
1600 E. Third Street
Charlotte, NC 28204

Owner's Address: Presbyterian Specialty Hospital Corp.
P. O. Box 33349
Charlotte, NC 28233

Date Property Acquired: 7/10/86, 7/23/91 5/28/87

Tax Parcel Number: 125-251-91, 90, 89 125-251-88

Location of Property (address or description): Northwesternly side of Lillington Avenue at Amherst Place

Description of Property

Size (Sq Ft - Acres): 1.90 acres
Street Frontage (ft): 411.66' on Lillington Avenue

Current Land Use: Four residential buildings and two residential-type office buildings

Zoning Request

Existing Zoning: R-6MF & O-6(CD)
Requested Zoning: 0-6(CD) 0-6(CD) 0-6(CD) 0-6(CD)

Purpose of Zoning Change: To permit the construction of a medical office building in keeping with the predominant area uses.

Fred E. Bryant, Planner
Agent
1850 E. Third St., Charlotte, NC 28204

Name of Petitioner(s): Amherst Properties
1600 E. Third St., Charlotte, NC

Address of Petitioner(s): 333-1680

Telephone Number: Signature (Same as Amherst Properties)

Signature of Property Owner
(See Attached Signature)
if Other Than Petitioner
PETITIONER:  Charlotte Eye Ear Nose & Throat Assoc.

PETITION NO.:  91-70  HEARING DATE:  October 21, 1991

ZONING CLASSIFICATION, EXISTING:  R-6MF, O-6(CD)  REQUESTED:  O-6(CD) and O-6(CD) S.P.A.

LOCATION:  Approximately 1.90 acres located on the southeasterly side of Lillington Avenue at Amherst Place.

ZONING MAP NO(s.):  102 & 111  SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE
Mayor and City Council:

RE: Petitions to be Heard in October, 1991

Attached you will find appropriate maps and copies of each petition, as well as the Pre-Hearing Staff Analysis, for petitions scheduled for public hearing on October 21, 1991 at 6:00 o'clock P.M., in the Charlotte-Mecklenburg Government Center, Meeting Chamber, 600 East Fourth Street.

This material is intended to provide background information concerning the requests and the area in which the properties are located.

Sincerely,

Walter G. Fields, III
Land Development Manager

WGF:mlj

Attachments
PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 91-71

Petitioner: Fun City, Inc.

Location: 3.659 acres located between I-85 and Wilson Avenue east of Beatties Ford Road.

Request: Change from B-1 to B-2.

BACKGROUND

1. Existing Zoning. The property involved with this request is presently zoned B-1. The property to the north across Wilson Avenue is zoned R-9 and B-1(CD). To the east and west, the property is zoned B-1. To the south the property is bounded by I-85. In general the surrounding area along Beatties Ford Road are commercially zoned changing to residential to the east and west from Beatties Ford Road.

2. Existing Land Use. The property involved in this petition is presently vacant as is the property to the east. The adjacent tract to the west is developed with an A.B.C. Store. To the north across Wilson Avenue the property is developed with a hotel and cafeteria changing to residential to the east along Wilson Avenue.


   1. 2005 Plan. The 2005 Plan indicates a developing employment land uses in the area of the subject property. A community commercial center is indicated in close proximity. 2005 strategies include improving Beatties Ford with widening and streetscape improvements and the extension of water and sewer lines in the area.

   2. Beatties Ford Road Small Area Plan. The subject property is located just outside the boundaries of this plan.

   3. ABC Special Project Plan (1987). Recommends that a portion of the B-1 property between I-85 and Wilson Avenue (at least 100' deep) be rezoned to the proposed R-4. As an alternate the plan also recommends a B-1(CD) with a 100' buffer along Wilson Avenue. Transportation improvements include the widening of Beatties Ford Road (currently under construction) and the realignment of "A" Avenue and Hoskins Road (completed).

   4. Transportation Improvement Program (TIP). The current TIP has no new projects for this area. Previous TIP called for the widening of Beatties Ford Road currently under construction.
4. Site Plan. There is no site plan accompanying this application due to the conventional rather than conditional nature of the petition.

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

<table>
<thead>
<tr>
<th>Petition No.</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>65-90</td>
<td>B-1 to B-2</td>
<td>Denied</td>
<td>11/08/65</td>
</tr>
<tr>
<td>68-59</td>
<td>O-6 to B-1</td>
<td>Denied</td>
<td>09/09/68</td>
</tr>
<tr>
<td>76-12(c)</td>
<td>O-15 to B-2</td>
<td>Denied</td>
<td>07/19/76</td>
</tr>
<tr>
<td>76-36(c)</td>
<td>I-2 to R-9</td>
<td>Denied</td>
<td>12/13/76</td>
</tr>
<tr>
<td>80-24(c)</td>
<td>R-9 to I-2(CD)</td>
<td>Approved</td>
<td>10/20/80</td>
</tr>
<tr>
<td>83-8(c)</td>
<td>B-1 to B-2</td>
<td>Approved</td>
<td>05/16/83</td>
</tr>
<tr>
<td>83-33(c)</td>
<td>B-1 to B-2(CD)</td>
<td>Approved</td>
<td>02/20/84</td>
</tr>
<tr>
<td>84-51(c)</td>
<td>B-1 to B-2</td>
<td>Approved</td>
<td>02/17/85</td>
</tr>
<tr>
<td>86-106</td>
<td>B-1 &amp; R-6 to B-1(CD)</td>
<td>Approved</td>
<td>12/15/86</td>
</tr>
<tr>
<td>86-114</td>
<td>B-1 to R-6</td>
<td>Approved</td>
<td>02/23/87</td>
</tr>
<tr>
<td>87-2</td>
<td>B-1 &amp; O-6 to R-12MF</td>
<td>Approved</td>
<td>03/16/87</td>
</tr>
<tr>
<td>90-8</td>
<td>O-6 to R-9(A.I.P.)</td>
<td>Approved</td>
<td>02/19/90</td>
</tr>
</tbody>
</table>

7. Neighborhood. This petition falls within the area defined as the Northwood neighborhood.

REVIEWS

1. Plan Consistency. This petition proposes to rezone from B-1 to B-2 a portion of property bounded by Wilson Avenue and I-85 in the vicinity of Beatties Ford Road. The ABC Small Area Plan calls for a portion of this property to be rezoned to single family so as to create a buffer along Wilson Avenue. The plan does support a rezoning to B-1(CD) if a residential buffer is maintained along Wilson Avenue. Since no site plan has been submitted with this petition and the petitioner is requesting a change from the neighborhood commercial to the highway commercial category this petition is considered inconsistent with pending and adopted public plans for the area.

2. Technical Consistency.

1. Pre-Hearing Staff Input. The staff met with the agent for the petitioner prior to the filing of the petition. The staff was under the impression that the petitioner intended to modify the request to a conditional application but none has been submitted.

2. Departmental Comments. Due to the conventional nature of this plan there are very few departmental comments. CDOT
indicates that the proposed zoning change would not increase the number of trips from 4,653 per day. They also point out that I-85 is a class one freeway requiring a minimum of 175 feet of right-of-way from centerline. CDOT asked that the petitioner dedicate this additional right-of-way. Planning staff felt that a site plan should be submitted and the petition made conditional so that the recommendations of the ABC Small Area Plan could be implemented.

ISSUES

1. Land Use. This petition does raise some significant land use issues. It proposes a highway commercial rezoning in an area where adopted plans and policies call for a 100 foot residential buffer and anticipates uses allowed in the B-1 zoning classification. This petition is considered inappropriate for approval.

2. Site Plan. There is no site plan which accompanies this petition due to the conventional, rather than conditional nature of the petition.

CONCLUSION

This petition is not considered appropriate for approval as submitted.

*Subject to further refinement following public hearing.*
STATEMENT OF SUPPORT FOR REZONING PETITION 91-71

PETITIONER:  FUN CITY, INC.
LOCATION:  NORTH SIDE OF INTERSTATE 85 EAST OF BEATTIES FORD ROAD
REQUEST:  CHANGE FROM B-1 TO B-2

The owner of this property, Mr. John W. McDonald, has created an organization, Fun City, Inc., to develop on this site a much needed recreation facility to serve the north and west sides of Charlotte. As you are well aware, Mr. McDonald, who owns and operates McDonald’s Hotel and Cafeteria, has long been prominent in the development of facilities which are an asset to this portion of the City. He has owned this property for some time, with the anticipation of eventually providing a recreational and amusement facility, not otherwise available to the residents of this portion of the City of Charlotte.

The activities proposed by Mr. McDonald are technically classified as outdoor commercial amusement allowed only under the B-2 classification and not under the B-1 which is predominantly applied to this property. Proposed uses include two 18-hole miniature gold courses, 9 batting cages, a small cart track and an indoor arcade. These are all recreational facilities not currently available to the people surrounding this area, and the Petitioners have already identified a substantial response to providing these facilities. Not only will the rezoning make possible the provision of these facilities, but the operation, as in keeping with all of McDonald’s endeavors, will be excellently designed and maintained. There are already responses from organized youth programs indicating an interest in using the anticipated facilities.

The Planning Analysis indicates objection to this change based on the adoption of a special project area plan which indicates a 100-foot buffer should be maintained between uses fronting on Interstate 85 and property across Wilson Avenue. It should first be pointed out that most of the subject property is not in the area indicated for this 100-foot buffer, but is actually across from the McDonald Hotel and Cafeteria. Secondly, the block between Wilson Avenue and Interstate 85 is so shallow that the retention of a 100-foot buffer would virtually render the remaining property useless. Finally, all of the property on the opposite side of Wilson Avenue is owned by the Petitioner and, obviously, he does not endorse the need for buffer protection for it.

The other objection seems to be retaining B-1 zoning in this area. However, if there was ever a location which would qualify for the B-2 category, which is described as Highway Business, it certainly should be this property which fronts directly on the Interstate 85 service road and has access to Beatties Ford Road which is a major thoroughfare. In addition, there is a connector which crosses the Petitioner’s property which gives access from the service
road to Wilson Avenue and will define the subject parcel as being bounded by Interstate 85, the cross-over road, McDonald's Hotel and Cafeteria and an existing business which fronts on Beatties Ford Road.

We strongly urge you to support this change as one which will provide a facility which is badly needed for this section of the community and will continue the practice of Mr. McDonald to bring such facilities to this area.
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Ownership Information
Property Owner: MCDONALD'S MINI CENTER, INC.
Owner's Address: 2812 Beatties Ford Road, Charlotte, NC 28216
Date Property Acquired: 7/22/87; 2/8/88; 2/8/88; 10/4/89; 10/4/89; 2/2/89
Tax Parcel Number: 041-015-01, 02, 07, 08, 09, 11 (Portion of)
Location of Property (address or description): Between I-85 Service Road and Wilson Avenue, east of Beatties Ford Road
Description of Property
Size (Sq Ft. Acres): 3.659 Acres
Current Land Use: Vacant

Zoning Request
Existing Zoning: B-1
Requested Zoning: B-2
Purpose of Zoning Change: To allow the development of an outdoor commercial amusement facility to complement the hotel and other uses in the immediate vicinity and to provide needed recreational opportunities for the general area.

Fred E. Bryant, Planner
Name of Agent: 1850 E. Third Street, Charlotte, NC 28204
Agent's Address: 333-1680

Fun City, Inc. (McDonald's Mini Center)
Name of Petitioner(s): 2812 Beatties Ford Road, Charlotte, NC 28216
Address of Petitioner(s): 393-8110
Telephone Number

Signature
Signature of Property Owner (if Other Than Petitioner)

Date Filed: August 12, 1991
Received By: MCM

OFFICE USE ONLY
PETITIONER: Fun City, Inc.

PETITION NO.: 91-71

ZONING CLASSIFICATION, EXISTING: B-1
REQUESTED: B-2

LOCATION: Approximately 3.659 acres located between I-85 and Wilson Avenue, east of Beatties Ford Road.

ZONING MAP NO(s).: 79
SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE
Mayor and City Council:

RE: Petitions to be Heard in October, 1991

Attached you will find appropriate maps and copies of each petition, as well as the Pre-Hearing Staff Analysis, for petitions scheduled for public hearing on October 21, 1991 at 6:00 o'clock P.M., in the Charlotte-Mecklenburg Government Center, Meeting Chamber, 600 East Fourth Street.

This material is intended to provide background information concerning the requests and the area in which the properties are located.

Sincerely,

[Walter G. Fields, III]
Land Development Manager

WGF:mlj
Attachments
PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 91-72

Petitioner: Emily Hedrick

Location: Approximately 2.91 acres located on the west side of Marsh Road north of Selwyn Farms Lane.

Request: Change from R-12MF(CD) to R-12MF(CD) Site Plan Amendment.

BACKGROUND

1. Existing Zoning. The subject property is presently zoned R-12MF(CD) with the land immediately to the north and west zoned R-9. There is a large tract of R-20MF innovative to the east and south of the subject property. The preponderance of zoning in the immediate area of the subject property is residential.

2. Existing Land Use. The property involved with this request is undeveloped but is a portion of land remaining from the development of Hunters Run Condominiums which are a part of the Selwyn Farms development. To the north and immediately adjacent to the subject property is Sedgefield Elementary School. The surrounding area is single family development. To the immediate south of the subject property are the Hunters Run Condominiums. The remainder of land involved with the Selwyn Farms rezoning petition is developed.


   2. The Park Road/Marsh Road Small Area Plan (adopted April, 1983). The Park Road/Marsh Road Small Area Plan calls for residential development in the general area of the subject property. The Selwyn Farms development is clearly defined as a development with a mixture of housing types and densities.

   3. Central District Plan (Draft). The (draft) Central District Plan recognizes the residential land uses in the area of the subject property.

4. Site Plan. The site plan which accompanies this request proposes the development of a day-care facility for physically disabled children on a tract of land remaining after the development of Hunters Run condominiums.

This petition involves two site plan amendments. First is a change of use to the original rezoning which only allowed townhomes for sale on this parcel to allow a day care facility and; second, a revision to the stated density of the Hunters Run condominiums.
based on this reduction of acreage to this parcel. The permitted
maximum building area specified by this plan is 5500 square feet in
a single structure. Parking is indicated in the front of the
building with access off of Marsh Road directly across from the
driveway cut across the street from the subject property. Along
the northerly property line of the subject property a 25 foot
existing landscape buffer to be maintained is indicated and to the
west along the westerly property line a 50 foot setback/landscape
buffer to be maintained is indicated. Along the Marsh Road
frontage of the subject property the existing berm and landscaping
are to be maintained. The parking lot for Hunters Run Condominium
is shown to be encroaching upon the proposed property but the
petitioner has granted an easement to them to permit this
encroachment. Playground space of 4,000 square feet for a maximum
of 40 children is indicated to the rear of the building footprint
with a four foot high fence surrounding it. Development notes
state that the day-care building will be a one story building with
residential construction. All staff comments have been addressed
in the revised site plan.

5. School Information. The school system supports the efforts of the
United Cerebral Palsy Foundation to build a developmental day-care
center and supports the development of this site adjacent to
Sedgefield Elementary School for such a use.

6. Zoning History (See Attached Map).

<table>
<thead>
<tr>
<th>Petition No.</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 79-62</td>
<td>R-9, Cond. parking to R-15MF(CD)</td>
<td>Approved</td>
<td>02/19/80</td>
</tr>
<tr>
<td>2. 81-61</td>
<td>R-9 to R-12MF(CD)</td>
<td>Approved</td>
<td>12/03/81</td>
</tr>
<tr>
<td>3. 88-59</td>
<td>R-12MF(CD) to R-12MF(CD)</td>
<td>Denied</td>
<td>09/19/88</td>
</tr>
<tr>
<td></td>
<td>SPA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. 89-80</td>
<td>R-12MF(CD) to R-20MF</td>
<td>Approved</td>
<td>11/20/89</td>
</tr>
<tr>
<td></td>
<td>(Innovative)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

7. Neighborhood. This petition falls within the area defined as the
Ashbrook neighborhood.

REVIEW

1. Plan Consistency. This petition proposes the rezoning
property for a day-care facility for children who are physically
disabled. All publicly adopted plans and policies for this area
recognize the residential land uses that exist in the area. Due
to the location of the existing Sedgefield Elementary School and
the appropriateness of the location of this facility adjacent to
it, the petition is considered consistent with publicly adopted
plans for the area.
2. Technical Consistency.

1. Pre-Hearing Staff Input. Agents for the petitioner met with the staff prior to the filing of this petition at which time general site plan issues were discussed.

2. Departmental Comments. This petition raised general comments from the reviewing departments.

City Engineering made general comments regarding permits and ordinance compliance. It was also stated that an encroachment agreement for the existing asphalt sidewalk along the Marsh Road property frontage will have to be submitted to City Engineering.

CDOT made general comments regarding the design and location of the driveway.

The Zoning staff commented that based on the information provided that the number of required parking spaces could not be verified. It was also requested that the stated acreage be clarified and the density be recalculated based on it. It was also requested that note #2 be clarified in terms of whether or not the building would be residential in character.

The Planning staff requested that all areas of existing vegetation to be maintained be indicated. In addition staff requested that a buffer be indicated along the entire edge adjacent Sedgefield Elementary School and that stormwater detention be shown or noted that it would not occur in buffer areas.

These comments have been addressed on the revised site plan.

ISSUES

1. Land Use. This petition does not raise any land use issues. All plans and policies for the general area recognize Selwyn Farms and the residential nature of the general area of the subject property. This petition proposes the development of a developmental day-care center for children adjacent to an existing public school. This rezoning request is required simply to comply with an existing conditional district zoning to allow a change of use from the development of townhouses for sale to allow for a developmental day-care facility. Also it is necessary to clarify the density of the Hunters Run Condominium project based on the subtraction of the acreage involved with the proposed petition from the overall acreage remaining in the Hunters Run Condominium project. Inasmuch as school facilities are permitted uses within residential districts and this facility is appropriately located.
next to a school, this petition is appropriate for approval from a land use standpoint.

2. Site Plan. The site plan as presented raises no major concerns. All comments made by the reviewing departments and agencies have been addressed by the petitioner on the revised site plan. Therefore this site plan as proposed is considered appropriate for approval.

**CONCLUSION**

This petition is appropriate for approval both from a land use and a site plan standpoint.

*Subject to further refinement following public hearing.*
SYNOPSIS

Two different plan amendments are requested. One is a revision to the area and density requirements for existing area D-1, and the other is a conditional use change for a day care center on the remaining vacant land left over in the D-1 parcel (reference original re-zoning petition No. 81-60 C. B. Moore heirs).

A - SITE PLAN AMENDMENT NO. 1

1. Area D-1 (Parcel 5) was originally approved for 195 units on 16 acres ± or 12 D.U.A. maximum.
2. Presently 151 units exist on what is actually 15.06 acres of which 3.16 acres remains vacant.
3. Removal of 3.16 acres from area D-1 for the child care center will change the density originally permitted from 12 units per acre to approximately 12.69 units per acre.

B - SITE PLAN AMENDMENT NO. 2

This amendment would change the zoning from multi-family housing to allow for construction of a day care center.

SITE DEVELOPMENT

<table>
<thead>
<tr>
<th>Existing-Zoning</th>
<th>R-12MFCO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed-Zoning</td>
<td>Special Use (Child Care)</td>
</tr>
<tr>
<td>Site Area</td>
<td>3.16 Acres</td>
</tr>
<tr>
<td>Building Area</td>
<td>5500+ Gross SF</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Child Care Facility</td>
</tr>
<tr>
<td>Maximum Number of Children</td>
<td>40 Children</td>
</tr>
<tr>
<td>Parking Required</td>
<td>13 Spaces (1 handicapped)</td>
</tr>
<tr>
<td>Parking Provided</td>
<td>22 Spaces (3 handicapped)</td>
</tr>
<tr>
<td>Playground Space Required</td>
<td>4,000 SF</td>
</tr>
<tr>
<td>Playground Space Provided</td>
<td>4,000 SF</td>
</tr>
</tbody>
</table>

DEVELOPMENT NOTES

1. The project will comply with all requirements of the City Tree ordinance. Existing vegetation and street trees will be preserved and additional landscaping done to screen parking, playground, etc.
2. The building will be one-story wood frame construction.
3. Building location may be adjusted slightly within building setbacks.
4. Signage may be provided in accordance with applicable regulations.
5. A 4-foot high fence will be installed to enclose the playground area in accordance with applicable requirements.
6. The majority of the site is clear and basically flat. Changes to the topography are expected to be minimal.
7. An easement will be granted to the owners of the units of the Hunter's Run Condominiums. This easement, which will be perpetual, will permit the encroachment shown on the map, and will give exclusive use of the encroachment to the condominium owners. A tentative agreement has been reached which is satisfactory to both parties.
8. Detention if required will not occur in Buffer areas.
9. Approximate project completion date is June 1992.
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Ownership Information
Property Owner Slate Stone Hills, Incorporated

Owner's Address First Union Plaza
Charlotte, NC 28288

Date Property Acquired Sept. 25, 1987

Tax Parcel Number 14922399

Location Of Property (address or description) Marsh Road in Selwyn Farms community

Description Of Property
Size (Sq Ft - Acres) 2.91 acres Street Frontage (ft) 328.08'
Current Land Use vacant

Zoning Request
Existing Zoning R-12 MP (CD) Requested Zoning R-12 MP (CD - site plan amendment
Purpose of Zoning Change To enable United Cerebral Palsy of N.C., Inc., to build a developmental day care center for physically disabled pre-school children.

Emily Hedrick (for UCP)

Name Of Agent

Name of Petitioner(s) 1125 E. Morehead St., Suite
Charlotte, NC. 28204

Agent's Address Address of Petitioner(s) 375-6188

Telephone Number

Telephone Number

Signature of Property Owner & Other
PETITIONER: Emily Hedrick

PETITION NO.: 91-72

ZONING CLASSIFICATION, EXISTING: R-12MF(CD) REQUESTED: R-12MF(CD) S.P.A

LOCATION: Approximately 2.91 acres located on the west side of Marsh, north of Selwyn Farms Lane.

ZONING MAP NO(s): 79

SCALE 1" = 400'
CHARLOTTE - MECKLENBURG PLANNING COMMISSION

October 8, 1991

Mayor and City Council:

RE: Petitions to be Heard in October, 1991

Attached you will find appropriate maps and copies of each petition, as well as the Pre-Hearing Staff Analysis, for petitions scheduled for public hearing on October 21, 1991 at 6:00 o'clock P.M., in the Charlotte-Mecklenburg Government Center, Meeting Chamber, 600 East Fourth Street.

This material is intended to provide background information concerning the requests and the area in which the properties are located.

Sincerely,

[Signature]

Walter G. Fields, III
Land Development Manager

WGF:mlj

Attachments
PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 91-73

Petitioner: Pi Phi Chapter-Omegas of Charlotte, Inc.
Location: Approximately 9.89 acres located on the west side of I-77 south of Hamilton Circle.
Request: Change from R-9 to R-9MP(CD).

BACKGROUND

1. Existing Zoning. The property involved in this petition is currently zoned R-9. The adjacent properties to the north, south, and west are also zoned R-9. To the east the property is adjacent to I-77.

2. Existing Land Use. The property involved in this petition is currently vacant. The property directly to the north is developed with single family homes. To the west and south the property is developed with a church. To the east the property is abutted by I-77.


   1. 2005 Plan. The 2005 Plan indicates developing residential land uses in the area of the subject property.

   2. Northwest District Plan. The Northwest District Plan recommends single family land uses for the subject area at a density of one to four dwelling units to the acre.

4. Site Plan. The site plan associated with this petition proposes a 16,000 square foot one story building for a fraternal organization. This building is along the I-77 frontage. Behind the building the plan proposes an outdoor activity area (i.e. pool, tennis, picnicking, etc.). Parking is proposed between the building and I-77 and will be screened from I-77 by 30 feet of existing vegetation. The site gains its access via one driveway from Bomar Drive. Adjacent to the existing single family homes the plan proposes setbacks of 60 feet and 100 feet. These buffers/setbacks will be left undisturbed where vegetation exists and where vegetation is sparse a row of trees 60 feet on center and a row of shrubs 10 feet on center will be planted. Adjacent to the church and the church cemetery the plan proposes a 30 foot undisturbed buffer.

5. School Information. Not applicable.
6. Zoning History (See Attached Map).

<table>
<thead>
<tr>
<th>Petition No.</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 78-32(c)</td>
<td>R-9 to R-9MF &amp; B-2</td>
<td>Denied</td>
<td>11/17/78</td>
</tr>
<tr>
<td>2. 89-63</td>
<td>Establish zoning in</td>
<td>Approved</td>
<td>08/28/86</td>
</tr>
<tr>
<td></td>
<td>annexed area</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

7. Neighborhood. This site does not fall within a defined neighborhood.

REVIEW

1. Plan Consistency. This petition proposes a rezoning from single family residential to a multi-family category for approximately 10.0 acres. Plans for the area call for the development of residential uses in the one to four dwelling unit range. Even though this proposes a use that is not truly residential, the property's proximity to I-77 and the adjacent Institutional use would make it appropriate for consideration as a multi-family site and, therefore, this proposal is viewed as consistent with adopted plans and policies.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff met with the petitioner's agent prior to the filing of this petition.

   2. Departmental Comments. The Transportation Department estimated an increase in the number of trips from the site from 527 - 575 per day to 1,183 - 1,521 per day. They did not feel this would impact the surrounding thoroughfare system.

   The Zoning Administrator's office asked that screening be per Section 1601 and that more detail would be needed before an accurate parking count could be determined. The Engineering Department noted that compliance with the city's grading and storm water detention ordinance would be required. The Urban Forestry staff pointed out that trees along I-77 were protected by Chapter 21 and a tree survey and tree protection measures would be required prior to the issuance of a grading permit.

   Planning staff asked that additional plant material be added where the existing vegetation was sparse. Staff also asked for restriction on outdoor lighting and outdoor music. The petitioner has addressed most of these comments. The petitioner should still make specific reference to the tree ordinance and provide a more intensive planting where the
existing vegetation adjacent to the single family homes is sparse.

ISSUES

1. Land Use. This petition does not pose a significant land use issue. It proposes a residential zoning category consistent with adopted plans and policies. It proposes a use that is sited well away from the existing homes and provides adequate buffers. Therefore, from a land use standpoint, this petition is consistent with adopted plans and policies and is appropriate for approval.

2. Site Plan. The site plan issue that surrounds this petition is minor and could be addressed by the petitioner. A better landscape buffer is needed near the entrance to the site at Bomar. Once this site plan issue is resolved, this petition is appropriate for approval.

CONCLUSION

This petition is appropriate for approval once the buffer at the entrance is increased.

*Subject to further refinement following public hearing.
GENERAL NOTES

1. While this plan depicts a firm development intent, minor changes in building footprint, parking arrangement and circulation may occur. However, in no event shall the primary building be located outside the area designated "Building Area".

2. While it is intended that more of the site will be retained undisturbed than indicated, as a minimum the undisturbed buffers shall remain in their natural conditions except for cleanup purposes or for use for utility crossings. These areas are heavily wooded but if areas of inadequate screening are identified, supplementary tree and/or shrubbery plantings will occur. Inadequate screening noted by appropriate officials shall comply with Section 1601 as a minimum.

3. Parking and loading areas shall be arranged to meet or exceed ordinance requirements. The Charlotte Tree Ordinance Provisions shall be adhered to. Parking plan is subject to a review of the building floor plan.

4. Signage as per Ordinance Provisions may be provided.

5. All existing trees within buffer areas will be protected from potential damage by appropriate fencing and/or barricades for the duration of the construction period. The proposed planting plan is subject to change upon approval of the urban forestry staff.

6. No lighting will be located within 200' of rear property line of single family residential. Lighting standards will not exceed 15'-0" in overall height. All lighting will be positioned to minimize glare on adjacent properties.

7. No amplified music will be allowed after 10 p.m.
STATEMENT OF SUPPORT FOR REZONING PETITION 91-73

PETITIONER: PI PHI CHAPTER-OMEGAS OF CHARLOTTE, INC.

LOCATION: WEST SIDE OF INTERSTATE 77 SOUTH OF HAMILTON CIRCLE AND SUNSET ROAD

REQUEST: CHANGE FROM R-9 TO R-9MF(CD)

Pi Psi Chapter-Omegas of Charlotte is a fraternal organization which has served the Charlotte community for many years. Presently operating out of facilities at 3301 Statesville Avenue, the organization is in desperate need to provide for its future activities with a modern and well-designed building and grounds. The subject site is almost 10 acres in size, predominantly physically related to Interstate 77 and ideal for the functions of the organization.

The site plan has been put together with a definite interest in locating the building and activity areas either adjacent to Interstate 77 or an existing church which borders the property on the southerly side. Substantial protection through the retention of a heavily wooded buffer and distance separation has been installed to relate the project to the adjoining residential development along the north side. Examination of the plan will reveal to you that this has been achieved through careful orientation of the building, parking and outdoor activity areas.

The Petitioners will operate a facility which has, at the present time, 120 members who will use the building on an ongoing occasional informal manner and will have a monthly meeting which normally attracts 60 to 70 persons. As much as three times a year, special events will be held which may attract in the vicinity of 300 to 400 people. This, however, would be the unusual use of the property with a normal low key involvement of the membership. With the Interstate one one side and a church/cemetery on the other, this is viewed as an extremely compatible use for the location.

Examination of the Planning Analysis indicates that this is an acceptable use for the location and that the site plan is acceptable except for minor attention which needs to be given to additional entrance landscaping. The Petitioners are committed to accomplish this and will have no problem in amending the plan in accordance with Planning Staff recommendations.

In summary, this is a use which is badly needed by this organization, is proposed to be located in a setting which will blend it with the surrounding land uses and will provide a high quality of design for both the building and site. Your support of this request is encouraged.
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Ownership Information

Property Owner (Pi) Phi Chapter - Omegas of Charlotte, Inc.

Owner's Address
3301 Statesville Road, Charlotte, NC 28206

Date Property Acquired
October 31, 1989

Tax Parcel Number
041-223-14 through 18; 041-205-01

Location of Property (address or description)
West side of I-77 south of Hamilton Circle

Description of Property

Size (Sq. Ft.-Acres)
9.893 acres

Street Frontage (ft)
1,360' on I-77

Current Land Use
Vacant

Zoning Request

Existing Zoning

Requested Zoning
R-9MF(CD)

Purpose of Zoning Change
To allow the construction of a building to house the Pi Phi - Omegas Fraternity

Fred B. Bryant, Planner

Name of Petitioner(s)
Pi Phi Chapter - Omegas of Charlotte

Agent
1850 E. Third Street, Charlotte, NC 28204

Address of Petitioner(s)
3301 Statesville Rd., Charlotte, NC

phone Number
333-1680

Telephone Number
373-1971

Signature

Signature of Property Owner
If Other Than Petitioner
PETITIONER: Pi Phi Chapter-Omegas of Charlotte, Inc.


ZONING CLASSIFICATION, EXISTING: R-9 REQUESTED: R-9 HF(CD)

LOCATION: Approximately 9.89 acres located on the west side of I-77 south of Hamilton Circle.
CHARLOTTE - MECKLENBURG PLANNING COMMISSION

October 8, 1991

Mayor and City Council:

RE: Petitions to be Heard in October, 1991

Attached you will find appropriate maps and copies of each petition, as well as the Pre-Hearing Staff Analysis, for petitions scheduled for public hearing on October 21, 1991 at 6:00 o'clock P.M., in the Charlotte-Mecklenburg Government Center, Meeting Chamber, 600 East Fourth Street.

This material is intended to provide background information concerning the requests and the area in which the properties are located.

Sincerely,

Walter G. Fields, III
Land Development Manager

WGP:mlj

Attachments
PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 91-74

Petitioner: Charlotte York Rite Board of Trustees

Location: Approximately 1.68 acres located on the westerly side of Castleton Road north of Sharon Amity Road.

Request: Change from R-12 to R-12MF(CD).

NOTE: This petition is a resubmittal of an earlier Rezoning Petition No. 91-29 which was denied on July 15, 1991. The petitioner subsequently requested that the two year rule be waived due to a substantial change in conditions; in this case the reduction in size of proposed site. This request was approved by the City Council.

BACKGROUND

1. Existing Zoning. The subject property is presently zoned R-12 with the majority of the surrounding land zoned R-12 as well. To the north of the subject property there is a large R-9MF tract and to the east on Sharon Amity Road and Havencrest Drive there is an O-15(CD) tract.

2. Existing Land Use. The subject property is presently vacant with single family residential development surrounding the property on all sides. While there is an R-9MF tract to the north of the subject property it is predominantly a single family development with a few small multi-family projects interspersed throughout the single family development. To the east of the subject property there is an apartment complex fronting on Sharon Amity Road at the railroad crossing. Institutional uses in the general area of the site are three churches and a day-care center all fronting on Sharon Amity Road.


1. 2005 Plan. The 2005 Plan recognizes the existing residential development in the area of the subject property with a neighborhood commercial center at the intersection of Randolph Road and Sharon Amity Road (Cotswold). The plan calls for preserving and revitalizing existing neighborhoods in the inner city; intersection and road improvements; extension of the greenway system in the area and intensification of the development at Cotswold Shopping Center.

2. Transportation Improvement Program (TIP). The TIP calls for Monroe Road widening scheduled in FY91; and intersection improvements at Sharon Amity Road and Randolph Road (FY91); and Sharon Amity Road and Monroe Road.
4. Site Plan. The site plan which accompanies this request calls for the construction of a single building to house the activities of a fraternal organization. A single footprint is indicated on the site plan with an area shown for expansion and a concrete pad to the rear of the building for parking/loading. Phase I is indicated as being a 3600 square foot building of approximately 37 feet in height with an expansion area indicated of 4,200 square feet 37 feet tall. Access to the site is off of Sharon Amity with a note stating that if adequate site distance can not be attained than access will be off of Castleton Road. Parking is shown in the front between the building and Sharon Amity Road. Required parking is noted as 32 spaces however this petition provides for 62 spaces. Screening is indicated around the perimeter of the proposed site with trees at approximately 20' on center and shrubs in an alternating zigzag pattern of approximately 3 feet on center. In addition, existing trees are shown along the Castleton Road property frontage, however, there is no indication if they are to remain or not. To the rear of the building adjacent to the property which is not a part of this rezoning petition existing trees to remain are shown. These landscape strips around the perimeter of the site are dimensioned except for the sides of the property which are between the single family houses fronting on Sharon Amity Road. Notes indicate that all applicable city ordinances will be met. In addition it states that lights will be no taller than 10 feet in height. The petitioner agrees to dedicate additional right-of-way as required to create 50 feet from centerline to property line along their property frontage.

5. School Information.

<table>
<thead>
<tr>
<th>Schools</th>
<th>Capacity</th>
<th>Enrollment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary:</td>
<td>Cotswold</td>
<td>572</td>
</tr>
<tr>
<td></td>
<td></td>
<td>671</td>
</tr>
<tr>
<td>Junior High:</td>
<td>Randolph</td>
<td>902</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1,053</td>
</tr>
<tr>
<td>Senior High:</td>
<td>West Charlotte</td>
<td>1,380</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1,686</td>
</tr>
</tbody>
</table>

6. Zoning History (See Attached Map).

<table>
<thead>
<tr>
<th>Petition No.</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 68-64</td>
<td>R-15 to R-12MF &amp; 0-6</td>
<td>Denied</td>
<td>08/26/68</td>
</tr>
<tr>
<td>2. 79-15</td>
<td>R-15 to 0-15(CD)</td>
<td>Approved</td>
<td>05/14/79</td>
</tr>
<tr>
<td>3. 85-1</td>
<td>R-15 to R-15MF(CD)</td>
<td>Denied</td>
<td>03/09/85</td>
</tr>
<tr>
<td>4. 85-15MSUP</td>
<td>MSUP for a retirement</td>
<td>Denied</td>
<td>07/01/86</td>
</tr>
<tr>
<td></td>
<td>comm. in a res. dist.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. 91-29</td>
<td>R-12 to R-12MF(CD)</td>
<td>Denied</td>
<td>07/15/91</td>
</tr>
</tbody>
</table>

7. Neighborhood. This petition falls within the area defined as the Cotswold neighborhood.
REVIEWS

1. Plan Consistency. This petition proposes the rezoning of land to accommodate a fraternal organization, a use which requires at a minimum of a multi-family zoning category. The 2005 Plan indicates existing residential use in the area of the petition. In addition it calls for the preservation of existing neighborhoods. In the previous rezoning request made by the petitioner the site plan and the unusual configuration of the land intruded into the existing residential neighborhood. In this rezoning petition the facility is oriented toward North Sharon Amity Road and is accessed off of North Sharon Amity Road. The long linear portion of the site which intrudes into the rear of the residential houses along Castleton Road has been eliminated from this petition and is to remain R-12. Based on the facilities orientation to North Sharon Amity Road and the fact that the linear nature of the site is no longer a problem to the integrity of the existing neighborhood the proposed use could be considered consistent with publicly adopted plans and policies for this area.

2. Technical Consistency.

1. Pre-Hearing Staff Input. The agent for the petitioner met with the staff prior to the filing of this petition at which time general site plan comments were made.

2. Departmental Comments. The City Engineering Department made general comments regarding compliance with applicable city ordinances. The Charlotte Department of Transportation was concerned that adequate site distance be available on Sharon Amity Road for the proposed access. In the event that the appropriate site distance could not be achieved, then the entrance to the site would have to be off Castleton Road. The Planning Department requested that a dimension for the width of the buffer strips be indicated as well as the size of plant materials at time of installation be specified on the drawing. In addition, it was requested that the area to the rear of the building which is not part of the petition be screened along the rear property line which is created by this rezoning petition. Staff also was concerned that this petition addressed the site's relationship to the single family neighborhood. In particular, whether or not the lighting provided would cast glare on adjacent properties and whether or not there would be amplified music allowed outdoors. It was also requested that the dumpster location be indicated on the drawing and that there be some clarification of what the concrete pad to the rear of the building would be used for.
ISSUES

1. Land Use. This petition does not raise a land use issue. All plans indicate continuing residential uses in the area of the subject property and with this site's location along a major thoroughfare can be considered appropriate for multi-family zoning. For this reason this petition is appropriate for approval from a land use standpoint. However, there is still concern regarding the intended use of the portion of the site not included in this petition.

2. Site Plan. The site plan raises some concern. It is essentially the same site plan as presented earlier minus the long, linear portion of the property which extended into the neighborhood. The site plan is improved by the elimination of this rear tract but there is still concern regarding the edge relationships between the parking at the front of the site adjacent to the single family structures fronting along Sharon Amity Road. As shown, the parking lot provides a potential excess number of spaces to that required by the ordinance. If the scale of the parking lot were reduced in size and its front boundary pulled back to the rear of the adjacent single family structures, this relationship could be substantially improved.

CONCLUSION

With modifications to the site plan, this petition could be considered appropriate for approval.

*Subject to further refinement following public hearing.
The Following Image(s) are...

(Check one of the following)

- [ ] Photocopy
- [ ] Poor Quality Original
- [ ] Other ____________________________
The maximum height of light to be 101.0 ft. on 
permits in accordance with Chapter 21 of the Code of 
water detention facilities in accordance with the Water 
will be required in accordance with Chapter 21 of the City 
and preservation plan as required herein, and site 
for the Tree Preservation zone 
buffer areas shall be installed prior to any grading 
planted as a concept and will be subject to change 
conditions and Tree Ordinance Staff approval. 
the maturing trees will be planted over head 
In the average age of the membership of the York Bight Masonic Ba 
and the membership of the user organization is mature adults and 
comprised of, A similar use would be a church 
the property lines creating sound buffers between the neighbors  
are no utilities to our knowledge that will pass through 
zone 
building may vary slightly in location and shape from that 
depicted on the plan, but shall not be allowed to exceed the 
the building envelope as labeled on the plan. In no 
be permitted to reduce required setback and yard 
dimensions.
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Ownership Information
Property Owner: Charlotte York Rite Board of Trustees

Owner's Address: P.O. Box 9447 Charlotte, N.C. 28299

Date Property Acquired: 1/12/87

Tax Parcel Number: 157-203-11

Location of Property (address or description): N. Sharon Amity Rd at Castleton Rd

Description of Property
Size (Sq Ft - Acres): 1.68
Street Frontage (ft.): 125' N. Sharon Amity Rd 208' Castleton Rd

Current Land Use: Vacant

Zoning Request
Existing Zoning: R-12
Requested Zoning: R-12MF (CD)

Purpose of Zoning Change: To permit the construction of a fraternal organization

Robert G. Young
Name of Agent

301 S. McDowell St., Ste. 404 "Charl., N.C. 28204
Agent's Address
334-9157
Telephone Number

Charlotte York Rite Bd of Trustees
Name of Petitioner(s)

Address of Petitioner(s)

Telephone Number

Signature

Signature of Property Owner
if Other Than Petitioner
PETITIONER: Charlotte York Rite Board of Trustees

PETITION NO.: 91-74 HEARING DATE: October 21, 1991

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

LOCATION: Approximately 1.68 acres located on the westerly side of Castleton Road north of Sharon Amity Road.

ZONING MAP NO(s): 123 & 124 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE
October 16, 1991

Mayor Sue Myrick
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

City Council adopted revised zoning hearing procedures in May 1991 for a six month trial basis. The new procedures involve a compressed hearing on certain rezoning petitions. Due to the upcoming expiration of the six month trial period, Council action is necessary in order to continue the revised procedures. This matter is scheduled for discussion by Council on Monday, October 21, 1991. Planning staff will be available during that discussion in the event there are any questions.

Sincerely,

Walter G. Fields (LS)
Walter G. Fields, III,
Land Development Manager

WGFIII:LS:dmh
Zoning Hearing Procedures Effective May 20, 1991

A. 1. If petitioner does not wish to speak.
2. If Council has no questions.
3. If no one wishes to speak in opposition.
   (a) Dispense with staff presentation.
   (b) Dispense with petitioner's presentation.
   (c) Let rezoning hearing stand on written material.

B. 1. If there is opposition.
2. If Council feels written material by petitioner and staff does not answer all questions.
   (a) Full hearing will be held.
   (b) Proponents and opponents will be allowed 10 minutes each; proponents will be allowed 2 minutes rebuttal.

C. 1. If petitioner wishes to speak.
   (a) There will be a staff presentation.
   (b) Petitioner will be allowed 3 minutes.

These procedures will be on a trial basis for 6 months.
DATE: July 29, 1991

PETITION NO.: 91-15


REQUEST: Change from I-1 and R-9MF to R-9.

LOCATION: A 69.5 acre site located on the east side of Toddville Road south of Old Mount Holly Road extending to Melynda Road.

ACTION: The Zoning Committee deferred action on this petition for 30 days.

VOTE: Yea: Baucom, Byrne, Fenning, McClure, Motley, and Spencer.

Nays: None.

REASONS

This petition seeks rezoning from a combination of light industrial and multi-family residential to single family residential in accordance with the Northwest District Plan. The district plan recommends that the existing single family area east of Toddville Road and south of Mount Holly Road remain single family residential in the future to preserve the existing neighborhood and to provide additional housing opportunities in the area. A large vacant tract of land east of Melynda Road included in Rezoning Petition No. 91-24 is also recommended for a single family residential future. Planning staff and an agent for one of the property owners affected by the subject petition as well as Petition No. 91-24 are continuing discussions of potential conditional zoning districts for areas affected by the two petitions and will finalize those discussions prior to the September Zoning Committee work session. In deferring this case for an additional 30 days, Zoning Committee specified that this is the final deferral to be granted to this petition.
DATE: July 29, 1991

PETITION NO.: 91-24


REQUEST: Change from R-6MP, I-1, and I-2 to R-6 and I-1.

LOCATION: Approximately 93.6 acres located on the south side of Old Mount Holly Road west of Melinda Road.

ACTION: The Zoning Committee deferred action on this petition for 30 days.

VOTE: Yeas: Baucom, Byrne, Penning, McClure, Motley, and Spencer.

Nays: None.

REASONS

This petition seeks rezoning from multi-family residential to single family residential for the Todd Park neighborhood and from light industrial to single family residential for a large vacant tract of land adjacent to Todd Park and from general industrial to light industrial for a tract located to the south of Todd Park in accordance with the Northwest District Plan. Planning staff and the agent for a property owner affected by Petition Nos. 91-15 and 91-24 are continuing their discussions of the feasibility of conditional districts for properties included in both petitions. Therefore, the Zoning Committee deferred action on this petition for an additional 30 days but specified that this is the final deferral to be granted on this case and a Zoning Committee recommendation will be made in September.
Mayor Sue Myrick  
Members, City Council  
Charlotte, North Carolina

Dear Mayor and Council Members:

Attached are recommendations of the Zoning Committee of the Charlotte-Mecklenburg Planning Commission on petitions 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 on October 1, 1991.

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 12:00 Noon on Monday, October 14, 1991. This will then permit these matters to be placed on your agenda for consideration on Monday, October 21, 1991.

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

Respectfully submitted,

Anne J. McClure  
Charlotte-Mecklenburg Planning Commission  
Zoning Committee Chairperson

AJM:mlj

Attachments
DATE: October 1, 1991

PETITION NO.: 91-54

PETITIONER(S): Crosland-Erwin Associates

REQUEST: Consideration of a text amendment to permit wholesale bakery activities on a limited basis in conjunction with a bakery for on-site retail sale in the B-1 district.

ACTION: The Zoning Committee recommends that this petition be denied.

VOTE: Yea: Baucom, Byrne, Penning, McClure, O'Brien, and Spencer.
Nays: Motley.

REASONS

The zoning ordinance presently permits bakeries including manufacture of goods for sale only on the premises to be located in the B-1 neighborhood business district. This petition proposes a change which would permit limited wholesale activity to also be conducted from such bakeries in the B-1 category allowing goods to be manufactured in B-1 and sold off-site on a wholesale basis. The text amendment would limit such bakeries with the wholesale operation to a total of 2,500 square feet of gross floor area and the area devoted to wholesale activities not to exceed 20% of the total square footage. The majority of the Zoning Committee members viewed the proposed amendment as inappropriate in that it would represent a shift from a neighborhood oriented retail focus to a wholesale services emphasis in the zoning district that is intended to be the most restrictive business category and one which provides services for the convenience of residents on the adjacent neighborhoods. Therefore, Zoning Committee recommends that the petition be denied.

MINORITY OPINION

A minority of Zoning Committee members viewed the request as appropriate for approval due to its limited application and the small scale of the bakeries involved.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.
ZONING ORDINANCE
TEXT AMENDMENT
APPLICATION
CITY OF CHARLOTTE

Purpose of Change: This section currently restricts bakeries to retail sales only in the B-1 District. While it is clear that large scale bakery activities have industrial characteristics, small operations can appropriately carry out some wholesale business while still maintaining a neighborhood retail atmosphere. Specialty shops, such as a bagel bakery, are a recent trend and typically combine retail and wholesale activities. This type of business creates unique interest when located in a neighborhood shopping center and serves as a popular shopping amenity to area residents. It is very difficult for a small bakery to survive financially by limiting sales to retail only. There is a blurred line between a retail and wholesale bakery business since most of the small bakeries conduct some type of wholesale activity in addition to their primary retail activity.

It is proposed that Section 3062 be amended to permit wholesale bakery activities in the B-1 District with the following stipulations: 1) Wholesale activities must be ancillary to and operated in conjunction with the primary use of a bakery manufacturing goods for on-site retail sale; and 2) gross floor area must be limited to 2,500 square feet.

Suggested Language: Amend Section 3062 to add the following allowed use: "Bakeries, retail, including manufacture of goods, and wholesale, including manufacture of goods, not to exceed 2,500 square feet of gross floor area. Wholesale activities must be operated in conjunction with retail activities (only in B-1)."

Name of Agent

Agent's Address

Telephone Number

Name of Petitioner(s)
125 Scaleybark Road, Charlotte 28209

Address of Petitioner(s)
523-0272

Telephone Number

Signature

Eric E. Kenney
Crosland-Erwin-Associates

Petition No 91-54
Date Filed July 8, 1991
Received By MCM

OFFICE USE ONLY
AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE

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

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Section 3062. Permitted Uses, by adding a new allowed use as follows:

   "Bakeries, retail, including manufacture of goods, and wholesale, including manufacture of goods, not to exceed 2500 square feet of gross floor area. Wholesale activities must be operated in conjunction with retail activities. Floor area utilized for wholesale activities must be limited to no more than 20 percent (20%) of the gross floor area."

Section 2. These amendments 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 _____, at page _____.

Pat Sharkey, City Clerk

- 1 -
DATE: October 1, 1991

PETITION NO.: 91-55

PETITIONER(S): Young Ford

REQUEST: Consideration of a B-2(CD) site plan amendment.

LOCATION: A 12.1 acre site located at the intersection of Eastway Drive and North Tryon Street.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Baucom, Byrne, Fenning, McClure, Motley, O'Brien, and Spencer.

Nays: None.

REASONS

This petition proposes a site plan amendment in order to add two driveways to an existing car dealership, one to Northchase Drive and the other to the extension of Eastway Drive. CDOT had raised several issues in response to this petition dealing with additional right-of-way needs along North Tryon Street and needed improvements to the intersection of Eastway Drive and North Tryon Street. The Zoning Committee discussed the issues raised by CDOT but ultimately felt that the addition of the driveways to the rear of the existing auto dealership were not directly related to the needs for additional right-of-way and intersection improvements along Tryon and Eastway. Therefore, Zoning Committee recommends that this petition be approved.

STAFF OPINION

The Planning staff agrees with the recommendation of the Zoning Committee.
PETITIONER.  Young Ford, Inc.


ZONING CLASSIFICATION, EXISTING: B-2(CD)  REQUESTED: B-2(CD) Site Plan Amendment

LOCATION: Approximately 12.1 acres located on the northerly side of North Tryon Street at Eastway Drive.

ZONING MAP NO(s): 78  SCALE 1" = 400'
DATE: October 1, 1991

PETITION NO.: 91-57

PETITIONER(S): Realty Buyers Group

REQUEST: Change from R-15 to I-2(CD).

LOCATION: A 28.822 acre site located on the south side of Byrum Drive west of Wilmount Road east of Whippoorwill Drive and north of Beam Road.

ACTION: The Zoning Committee recommends that this petition be denied.

VOTE: Yeas: Baucom, Byrne, Fenning, O'Brien, and Spencer.

Nays: McClure and Hotley.

REASONS

This petition proposes rezoning from single family residential to conditional general industrial for an approximately 892,000 square foot facility. The pending Southwest District Plan envisions business park, light industrial, and office uses in the area of the subject property. One of the basic themes running through the pending Southwest District Plan is the protection of key transportation corridors as gateways to the west side and the creation of positive images along them through the development of appropriate land uses with adequate setbacks to provide streetscape plantings. The Zoning Committee discussed this petition for some time focusing on the potential merits of an I-1 versus I-2 classification for the property and the extent of I-2 zoning in the nearby area. The majority of the members viewed the I-2 classification as inappropriate for this site in that much of the general public will pass by this site due to its proximity to several key land uses in the nearby area such as the coliseum and the airport. The Zoning Committee viewed the petition as submitted as not ensuring the positive image and gateway type development stressed by the pending Southwest District Plan and, therefore, recommends that the petition be denied.

MINORITY OPINION

A minority of Zoning Committee members viewed the request as appropriate for approval due to its proximity to the airport and airport related noise. It was also noted that several of the residents of the nearby area have indicated their preference for rezonings in the area of the subject property and the Whippoorwill Hills neighborhood to the I-2 classification in order to enhance property values prior to acquisition by the airport.

STAFF OPINION

The staff agrees with the Zoning Committee recommendation but also points out that an alternative to a denial of this request would be to allow the petitioner the opportunity to submit an I-1(CD) site plan.
PETITIONER: Realty Buyers Group


ZONING CLASSIFICATION, EXISTING: R-15 REQUESTED: I-2(CD)

LOCATION: Approximately 28.5 acres located on the south side of Byrum Drive west of Wilmount Road.
DATE: October 1, 1991

PETITION NO.: 91-60

PETITIONER(S): Motte Thomas

REQUEST: Change from R-6MF to O-6(CD).

LOCATION: A 7,500 square foot parcel located on East Worthington Avenue between Euclid and Cleveland Avenues.

ACTION: The Zoning Committee recommends that this petition be approved, as modified.

VOTE: Yeas: Baucom, Byrne, Penning, McClure, Motley, and O'Brien.

Nays: Spencer.

REASONS

This petition requests rezoning from multi-family residential to conditional office to allow conversion of the existing residence for use as an artist studio and office. All adopted and pending plans for the area recognize it as one with a residential future. The Zoning Committee noted that this petition raised a difficult land use question due to the subject property's location on the edge of the Dilworth neighborhood. Ultimately, however, the majority of Zoning Committee viewed the petition as appropriate for approval primarily due to the limitations on the use of the property imposed by the petitioner's site plan. The Zoning Committee did ask the petitioner the feasibility of a modification to the site plan to clarify that the structure could also be used as a single family home if not as a studio workshop/office. The petitioner agreed to make that minor change and the Zoning Committee viewed the petition as appropriate for approval, as modified.

MINORITY OPINION

A minority of the Zoning Committee viewed the request as inappropriate for approval due to its potential to destabilize the edge of the residential section of the Dilworth neighborhood. It was noted that the best way to stabilize the edge of the neighborhood is through the preservation of residential zoning and land uses.

STAFF OPINION

The staff disagrees with the Zoning Committee recommendation. The subject property is the portion of East Worthington in which land uses transition from nonresidential to residential and conversion of single family residences to nonresidential uses in this area will cause further erosion of the residential edges of Dilworth.
PETITIONER: Hottie Thomas

PETITION NO.: 91-60 HEARING DATE: September 16, 1991

ZONING CLASSIFICATION, EXISTING: R-6MF REQUESTED: 0-6(CD)

LOCATION: A 7,500 square foot parcel located on the southeasterly side of E. Worthington Avenue between Euclid and Cleveland Avenues (320 East Worthington Avenue).

ZONING MAP NO(s).: 111 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE
DATE: October 1, 1991

PETITION NO.: 91-61

PETITIONER(S): Hi-Q Photolith Corporation

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

LOCATION: A 21,000 square foot parcel located at 2412 Arty Avenue.

ACTION: The Zoning Committee deferred action on this petition to October 28.

VOTE: Yeas: Baucom, Byrne, Fenning, McClure, Motley, O'Brien, and Spencer.

Nays: None.

REASONS

This petition proposes rezoning from multi-family residential to conditional neighborhood business to accommodate the expansion of an existing engraving business. The Zoning Committee expressed concern about the introduction of commercial zoning in this portion of the neighborhood. However, it was also noted that the existing business is not in character with the neighborhood now and that expansion and improvement of the business may result in a more attractive site than currently exists. The Zoning Committee asked the petitioner the feasibility of modifying the site plan to better address the edge relationships to adjoining residential properties and to specify the location of the dumpster which is now located in front of the building. The petitioner agreed to the deferral and the submission of revised site plans. Therefore, Zoning Committee deferred action on this petition to October 28 to allow time for the petitioner to modify the site plan.
DATE: October 1, 1991

PETITION NO.: 91-62

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from O-6, B-1(CD), B-2, and I-3 to UR-2 (Center City Urban Design Plan).

LOCATION: Approximately 57.94 acres bounded by North Caldwell Street, North McDowell Street, John Belk Freeway, and East Trade Street.

ACTION: The Zoning Committee deferred action on this petition in order to allow Planning staff to research issues that arose at the public hearing on this petition.

VOTE: Yea: Baucom, Byrne, Penning, McClure, Motley, O'Brien, and Spencer.

Nays: None.

REASONS

This petition is the first in a series of petitions to be initiated by the Charlotte-Mecklenburg Planning Commission to implement the recommendations of the Center City Urban Design Plan adopted in 1990. The properties included in this petition are proposed for rezoning to the UR-2 district which provides for moderate density residential development and limited retail and office uses in conjunction with the residential uses. Representatives of two sites which would be rendered nonconforming by the implementation of this rezoning appeared at the public hearing on this petition and requested that their properties remain as conforming uses. The Zoning Committee deferred action on this petition until Planning staff has been able to more closely evaluate the existing uses and to potentially suggest alternative zoning classifications to address the nonconforming use issue.
DATE: October 1, 1991

PETITION NO.: 91-63

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from 0-6 and B-2 to UMUD.

LOCATION: Approximately 106.8 acres generally bound by the John Belk Freeway, Davidson Street, and 6th Street.

ACTION: The Zoning Committee deferred action on this petition until Planning staff has provided additional information on issues that arose at the public hearing on this request.

VOTE: Yeas: Baucom, Byrne, Fenning, McClure, Motley, O'Brien, and Spencer.

Nays: None.

REASONS

This petition is one of a series of petitions to be initiated by the Charlotte-Mecklenburg Planning Commission to implement the recommendations of the Center City Urban Design Plan which was adopted in 1990. The properties involved in this petition are recommended for rezoning to UMUD which provides for a mixture of retail, office, and residential uses to promote higher densities in the center city core. An issue that arose at the public hearing on this request which related to the existing urban renewal plan and accompanying deed restrictions is unresolved at this point and will require additional research by Planning staff. The Zoning Committee deferred action on this petition until that additional information is available.
A SUMMARY HISTORY
OF THE
OMEGA PSI PHI FRATERNITY, INC.
1911-1991
Overview: Omega Psi Phi Fraternity
Pi Phi Chapter

On Friday, November 17, 1911 at Howard University the Omega Psi Phi Fraternity was born. It's founders were Professor Ernest E. Just, Edgar Love, Oscar J. Cooper and Frank Coleman. It adopted as it's Cardinal Principles - Manhood, Scholarship, Perseverance, and Uplift. The name Omega Psi Phi was adopted from the Greek symbols for the phrase meaning "friendship is essential to the soul."

From 1911 until now, the Fraternity has continued to grow. The current membership is greater than 60,000 and the members are outstanding. See appendix III for a sample listing. Omega Psi Phi has Nationally Mandated Programs which are designed to address each and every education, social and housing needs of our American citizens. These programs recognize and respond to each and every concern in some way (see listing Appendix IV). Our Fraternity is proud to claim Rev. Jessie Jackson and Governor Douglas Wilder as Presidential candidates. Likewise, we salute our known members - at least 18 who have been College Presidents. The list of accomplishments go on . . .

Close to home, Pi Phi Chapter is a member of the sixth district. The financial memberships range from 130-185 during the course of a year. Our members are outstanding businessmen, school principles, teachers, college professors, politicians, lawyers, doctors, coaches, dentists, corporate executives, postal workers, law enforcement, etc. While a complete listing would be impossible, examples of such outstanding persons include - Senator Jim Richardson, former Council member Charlie Dannely, County Commissioner Robert Walton, Cedric "Cornbread" Maxwell, William McMillan, Spencer Durante, Sr., Gerson Stroud, Roy Wynn, M.D., Rudy Torrence, E.E. Wadell, J. C. Champion, Fred Alexander, Charles McCullough, Jack "Honey" Martin, and the list goes on.

Our local contributions to our community are likewise numerous. We provide Thanksgiving baskets to the hungry, we support Habitat for Humanity, send 40 boys to summer camp, teach underprivileged boys to the advanced grade levels, give college scholarships to qualified students, sponsor annual talent hunt programs, contribute to U.N.C.F., N.A.A.C.P., sponsor voter registration programs and impact on removing illiteracy. We also extend to the community the use of our building for receptions, family reunions, meetings, small office parties, etc. This is done at a minimal fee as a community service.

Omega Psi Phi Fraternity, Pi Phi Chapter has been outstanding and its record of accomplishments for its membership is impeccable.
APPENDIX III

Omega Men

These are but a few of the many representatives of whom Omega is proud.

ARTS

Langston Hughes - The Black Poet Laureate, excelled as a poet, playwright, novelist, lyricist and humorist.

Sterling Brown - Teacher, poet, writer, Professor Emeritus of Literature at Howard University, has a special foundation for folk culture and jazz music.

Roland Hayes - Internationally known tenor of the 1920s. Hayes sang in five different languages

William (Count) Basie - Internationally known pianist, composer, arranger and band leader.

Don Q. Pullen - Pianist and composer, composed the "Sweetheart Song" of the Omega Psi Phi Fraternity, Inc.

William H. "Bill" Cosby - Comedian, author, actor, producer.

ATHLETICS

De Hart Hubbard - A University of Michigan sprinter, was the first Black person to represent the United States in the Olympic Games (1924)

Joe Black - An all-time great Brooklyn Dodger baseball pitcher. In 1952, he had the lowest earned-run average in the Major Leagues.

Cedric Maxwell - Outstanding professional basketball player with the Boston Celtics and other teams.

Ed "Too Tall" Jones - Outstanding player with the Dallas Cowboys Football team.

Leroy Walker - A US Olympic coach (sprinters) for many years

Michael Jordan - Outstanding basketball player with the Chicago Bulls of the NBA.

John Salley - Outstanding basketball player with the Detroit, Pistons

Mark Duper - Outstanding football player with the Miami Dolphins
BUSINESS & COMMERCE

Jesse Hill - President of Atlanta Life Insurance Company

William J. Kennedy III - President of North Carolina Mutual Insurance Company

Gilliard S. Glover - President, Afro American Life Insurance Company

Earl Graves - Publisher of Black Enterprise magazine

Therman McKenzie - Co-owner of M and M Products (Sta Soft Fro)

Otis M. Smith - General Counsel, General Motors Corporation

Nathaniel Bronner - Co-owner of Bronner Brothers Beauty Supplies

CIVIL RIGHTS

Grant Reynolds - Played a major role in President Truman's 1948 decision to desegregate the United States Armed Forces

James Nabrit - Former Dean of the Howard University Law School and former president of Howard University A leader in the training of the early Civil Rights lawyers

Wiley Branton - Attorney of the "Little Rock Nine" and former Dean of the Howard University School of Law

Roy Wilkins - Long time Executive Director of the NAACP

Ben Hooks - Succeeded Roy Wilkins as Executive Director of the NAACP, the most effective of all civil rights organizations

Vernon Jordan - Former Executive Director of the National Urban League

Jesse Jackson - Former Director of Operation PUSH, Founder, Rainbow Coalition

EDUCATION

Carter G. Woodson - The earliest and most outspoken proponent for the study of Black History

Benjamin Mays - President Emeritus of Morehouse College, writer and lecturer

Herman Dreer - Teacher, minister, writer, and author of The History of the Omega Psi Phi Fraternity, Inc., 1911-1961

(See also list of college presidents)
GOVERNMENT & POLITICS

William Hastie - First Governor of the Virgin Islands.

George L.P. Weaver - Former U S Secretary of Labor.

Robert C. Weaver - Former U S Secretary of Housing and Urban Development (HUD).

Clifford L. Alexander, Jr. - Secretary, Department of the Army


Lawrence Douglas Wilder - Governor of the Commonwealth of Virginia

SCIENCE

Ernest E. Just - Internationally known biologist and professor at Howard University.

Charles R. Drew - Perfected the use of blood plasma, Professor of Surgery at Howard University

Percy L. Julian - Discovered the use of foam to extinguish fires and discovered a method of producing cortisone synthetically.

Fred Gregory - Astronaut, graduate of the United States Air Force Academy (pilot)

Charles Bolden - Astronaut, graduate of the United States Naval Academy (pilot).

Ronald McNair - Astronaut, graduate of MIT, Ph D in Physics (civilian)

<table>
<thead>
<tr>
<th>Name of President</th>
<th>Institution</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. David Beckley</td>
<td>Wiley College</td>
<td>Marshall, TX</td>
</tr>
<tr>
<td>Dr. Billy Black</td>
<td>Albany State College</td>
<td>Albany, GA</td>
</tr>
<tr>
<td>Dr. Samuel D Cook</td>
<td>Dillard University</td>
<td>New Orleans, LA</td>
</tr>
<tr>
<td>Dr. William E Gardner</td>
<td>Savannah State College</td>
<td>Savannah, GA</td>
</tr>
<tr>
<td>Dr. Wilbur Greenfield</td>
<td>Virginia State College</td>
<td>Petersburg, VA</td>
</tr>
<tr>
<td>Dr. William Harris</td>
<td>Texas Southern</td>
<td>Houston, TX</td>
</tr>
<tr>
<td>Dr. William Harvey</td>
<td>Hampton University</td>
<td>Hampton, VA</td>
</tr>
<tr>
<td>Dr. James Hefner</td>
<td>Jackson State University</td>
<td>Jackson, MS</td>
</tr>
<tr>
<td>Dr. Leon Howard</td>
<td>Alabama State University</td>
<td>Montgomery, AL</td>
</tr>
<tr>
<td>Dr. James Lyons</td>
<td>Bowie State College</td>
<td>Bowie, MD</td>
</tr>
<tr>
<td>Dr. William A. McMillan</td>
<td>Rust College</td>
<td>Holly Springs, MS</td>
</tr>
<tr>
<td>Dr. Warren Morgan</td>
<td>Paul Quinn College</td>
<td>Waco, TX</td>
</tr>
<tr>
<td>Dr. Oscar Prater</td>
<td>Fort Valley State College</td>
<td>Fort Valley, GA</td>
</tr>
<tr>
<td>Dr. Luns Richardson</td>
<td>Morris College</td>
<td>Sumter, SC</td>
</tr>
<tr>
<td>Dr. Prezell Robinson</td>
<td>St Augustine's College</td>
<td>Raleigh, NC</td>
</tr>
<tr>
<td>Dr. David Satcher</td>
<td>Meharry Medical College</td>
<td>Nashville, TN</td>
</tr>
<tr>
<td>Dr. Julius Scott, Jr.</td>
<td>Paine College</td>
<td>Augusta, GA</td>
</tr>
<tr>
<td>Dr. Albert Sloan</td>
<td>Miles College</td>
<td>Birmingham, AL</td>
</tr>
</tbody>
</table>
APPENDIX IV

Nationally Mandated Programs

ACHIEVEMENT WEEK - Originally designed to promote the study of Negro life and history. Today, Achievement Week is used to seek out and give due recognition to those individuals at the local and national level who have made a noteworthy contribution toward improving the quality of life for black Americans (see also National High School Essay Contest)

SCHOLARSHIP - The Scholarship Program is intended to promote academic excellence among the undergraduate members. Graduate Chapters are expected to provide financial assistance to student members and non-members. A portion of the fraternity's national budget is allocated to scholarships through the Charles R. Drew Memorial Scholarship Commission.

NATIONAL SOCIAL ACTION PROGRAM - A national committee coordinates the multifaceted program of the various chapters. Most chapters are involved in voter registration, "getting-out-the-vote", support of the NAACP, the National Urban League and hundreds of other programs.

TALENT HUNT PROGRAM - Originated in the Sixth District (North Carolina and South Carolina) and made its debut at the 1953 Cincinnati Grand Conclave. This program provides exposure, encouragement and financial assistance to talented young people. Currently, some participants at the national level are awarded college scholarships.

MEMORIAL SERVICE - March 12 of each year has been established as Memorial Day. Chapters are expected to conduct an appropriate service to recall to memory those members who have entered Omega Chapter.

RECLAMATION - Some brothers, for various reasons, are not currently enjoying the full benefits of Omega. At the national, district, and local levels there must be an organized and concerted effort to return inactive brothers to a full participatory status.

NATIONAL HIGH SCHOOL ESSAY CONTEST - This is a phase of the National Achievement Week observance held in November of each year. The contest is open to all college-bound high school seniors. College scholarships are awarded to the winners, each of whom must submit an essay on a theme/topic which is chosen annually by the fraternity.

ASSAULT ON ILLITERACY PROGRAM (AOIP) - AOIP had its conceptual roots established in January of 1980, when a group of publishers associated with Black Media, Inc. (BMI) was made aware that approximately 44% of black Americans could neither read nor comprehend beyond the 4th grade. Omega Psi Phi and numerous other national organizations joined together to attack and ultimately reduce and eradicate illiteracy among Blacks through reading tutorial programs and other efforts.

UNITED NEGRO COLLEGE FUND - Each year the fraternity gives at least $50,000 to the United Negro College Fund in furtherance of Omega's perpetual effort to provide philanthropic support to historically black colleges.
August 14, 1989

SUBJECT: ZONING VERIFICATION

To Whom it May Concern:

The parcel of land located at Bomar Drive and further identified by tax parcel number 041-223-14, 15, 16, 17, 18, 041-205-0) is zoned R-9, (single-family residential).

Permitted uses under Section 1626.1 of The City of Charlotte Zoning Ordinance includes fraternal organizations.

If this office can be of further assistance, please contact us.

Sincerely,

Darryl Broome
Zoning Inspector

236-zz-1.1-mc
Pi Psi Chapter-Omegas of Charlotte is a fraternal organization which has served the Charlotte community for many years. Presently operating out of facilities at 3301 Statesville Avenue, the organization is in desperate need to provide for its future activities with a modern and well-designed building and grounds. The subject site is almost 10 acres in size, predominantly physically related to Interstate 77 and ideal for the functions of the organization.

The site plan has been put together with a definite interest in locating the building and activity areas either adjacent to Interstate 77 or an existing church which borders the property on the southerly side. Substantial protection through the retention of a heavily wooded buffer and distance separation has been installed to relate the project to the adjoining residential development along the north side. Examination of the plan will reveal to you that this has been achieved through careful orientation of the building, parking and outdoor activity areas.

The Petitioners will operate a facility which has, at the present time, 120 members who will use the building on an ongoing occasional informal manner and will have a monthly meeting which normally attracts 60 to 70 persons. As much as three times a year, special events will be held which may attract in the vicinity of 300 to 400 people. This, however, would be the unusual use of the property with a normal low key involvement of the membership. With the Interstate one one side and a church/cemetery on the other, this is viewed as an extremely compatible use for the location.

Examination of the Planning Analysis indicates that this is an acceptable use for the location and that the site plan is acceptable except for minor attention which needs to be given to additional entrance landscaping. The Petitioners are committed to accomplish this and will have no problem in amending the plan in accordance with Planning Staff recommendations.

In summary, this is a use which is badly needed by this organization, is proposed to be located in a setting which will blend it with the surrounding land uses and will provide a high quality of design for both the building and site. Your support of this request is encouraged.
CHARLOTTE, NC
75+/$25K+ HOUSEHOLDS - 1989 EST.
ALTERNATE LAND USE STUDY

In order to show that the impervious cover for the proposed "home for the aged" is less than that which could be constructed under the present zoning classification, the site was developed "in plan" with a single family subdivision and a 749 seat church. These plans have been reviewed and approved by the staff of the Charlotte-Mecklenburg Planning Commission.

Study 1 749 seat (maximum) church

<table>
<thead>
<tr>
<th>Existing Zoning</th>
<th>R-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Use</td>
<td>Church, Synagogue, Temple or other place of worship</td>
</tr>
<tr>
<td>Sanctuary Capacity</td>
<td>749 seats (max)</td>
</tr>
<tr>
<td>Building Height</td>
<td>Maximum building height, excluding steeples, is 59 feet. For each two feet of building height over 40 feet, the 35 foot required side yards would increase by at least one foot</td>
</tr>
<tr>
<td>Required Parking</td>
<td>188 spaces</td>
</tr>
<tr>
<td>Parking Provided</td>
<td>261 spaces</td>
</tr>
<tr>
<td>Impervious Area</td>
<td>261 acres</td>
</tr>
<tr>
<td>Total Site Area</td>
<td>7.8 acres</td>
</tr>
<tr>
<td>% Impervious Area</td>
<td>33.5%</td>
</tr>
</tbody>
</table>

*Note that by code, structures and parking lot for the church may cover up to 75% of the total lot area.

Study 2 Single Family Residential Subdivision

<table>
<thead>
<tr>
<th>Existing Zoning</th>
<th>R-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Use</td>
<td>Single Family Detached</td>
</tr>
<tr>
<td>Minimum Lot Size</td>
<td>12,000 sq ft*</td>
</tr>
<tr>
<td>Number of Lots</td>
<td>15</td>
</tr>
<tr>
<td>Impervious Area</td>
<td>800 linear feet of public roadway and walks = 33,000 sq ft</td>
</tr>
<tr>
<td></td>
<td>15 houses @ 2000 sq ft each, with garage</td>
</tr>
<tr>
<td></td>
<td>Concrete driveway and sidewalk = ±64,000 sq. ft</td>
</tr>
<tr>
<td>Total Impervious Area</td>
<td>±97,000 sq ft or 2.22 acres</td>
</tr>
<tr>
<td>Total Site Area</td>
<td>7.8 acres</td>
</tr>
<tr>
<td>% Impervious Area</td>
<td>28.5%</td>
</tr>
</tbody>
</table>

*Due to proposed dedication of greenway and subsequent reduction in total number of lots, 50% of the total number of lots have been shown to meet R-9 zoning requirements in accordance with the City of Charlotte Subdivision Ordinance. This will allow the total number of lots to be equal to that planned prior to greenway dedication.
PROPOSED LAND USE

For comparison purposes the following data represents the impervious area etc. for the proposed "home for the aged"

<table>
<thead>
<tr>
<th>Existing Zoning</th>
<th>R-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Zoning</td>
<td>R-12 MF CD</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Home for the Aged</td>
</tr>
<tr>
<td>Total # of Beds</td>
<td>147</td>
</tr>
<tr>
<td>Total Employees</td>
<td>(greatest shift) 28</td>
</tr>
<tr>
<td>Required Parking</td>
<td>1 space per 4 beds plus 1 space for every 2 employees on the shift of greatest employment = 51 spaces (minimum)</td>
</tr>
<tr>
<td>Parking Provided</td>
<td>57 spaces</td>
</tr>
<tr>
<td>Impervious Area</td>
<td>1.8 acres</td>
</tr>
<tr>
<td>Total Site Area</td>
<td>7.8 acres</td>
</tr>
<tr>
<td>% Impervious Area</td>
<td>23%</td>
</tr>
<tr>
<td>Area of greenway</td>
<td>2.2 acres</td>
</tr>
<tr>
<td>to be dedicated</td>
<td></td>
</tr>
<tr>
<td>Area of undisturbed buffer</td>
<td>0.96 acres</td>
</tr>
<tr>
<td>Area of actual disturbed area</td>
<td>(area within clearing limits) 3.1 acres</td>
</tr>
</tbody>
</table>
April 30, 1991

Regulatory Branch

SUBJECT  File No  CESAW-C091-J-060

Mr John W Harris
The Bissell Companies
6337 Morrison Boulevard
Charlotte, North Carolina  28211

Dear Mr Harris

On March 5, 1991, Mr Mack Little, Little and Little Architects, met with Mr Steven Lund of my Asheville staff at the site of your proposed Brighton Gardens development adjacent to Briar Creek at the intersection on Runnymede Lane and Michael Baker Place in Charlotte, Mecklenburg County, North Carolina. The purpose of this meeting was to determine Department of the Army (DA) permit requirements for this proposed construction.

The area within the proposed construction limits for this facility was reviewed in the field. This area was found not to contain any wetlands within the regulatory jurisdiction of the Corps of Engineers. Therefore, no DA permits will be required for the work shown on the plan dated March 18, 1991.

The entire parcel of property was not reviewed for the presence of jurisdictional wetlands. Wetlands may exist particularly near the southern property line off Sagamore Road. No construction activity should take place in this area without further investigation for and verification of wetlands.

If you have any questions, please contact Mr Lund at telephone (704) 259-0857.

Sincerely,

G Wayne Wright
Chief, Regulatory Branch

Copy Furnished

Mr J Mack Little
Little and Little
Post Office Box 1448
Raleigh, North Carolina  27602
PRODUCT CONCEPT: Catered Living includes a full-service rental residential retirement community featuring Assisted Living and Personal Care studio suites.

RATIONALE: Marriott developed the Catered Living concept to meet the growing demand for specialized, yet affordable housing for senior citizens, particularly for those in the fastest growing segment - 80 years of age and older who are in need of some assistance in daily living.

PRODUCT DESCRIPTION: The Catered Living community is a low-rise rental residential retirement community with a traditional brick and clapboard design that will be architecturally compatible with the local environment. Developed on a 3-4 acre site in a suburban metropolitan location, communities consist of approximately 100 Assisted Living and Personal Care suites, with a Nursing Care facility of 30 to 35 beds. Monthly rental fees include three daily meals, daily assistance as needed, weekly housecleaning, bed linen services, building maintenance, a 24-hour emergency call service and on-site staff.

DEFINITIONS: Catered Living. Marriott's concept for a retirement community designed to cater to the specialized needs of older adults, offering three different levels of service:

Assisted Living. Suites for residents who can manage an independent lifestyle, but need supervision in day-to-day activities such as dressing, bathing or taking medication.
BRIGHTON GARDENS
Page Two

Personal Care. Suites for residents who need a greater degree of "hands-on" assistance in daily activities, but can still manage some degree of independence.

Nursing Care. A licensed nursing facility available on site for residents who need around-the-clock intermediate and/or skilled nursing care.

AMENITIES:
- Full-service dining room (three meals daily)
- Private bath in each suite
- On-site nursing care
- 24-hour emergency call system
- Private dining room
- Activity/crafts room
- Recreation room
- Library
- Living room
- Beauty/barber shop
- Laundry room
- Enclosed courtyard and garden
- Regularly scheduled local transportation
- Planned social and cultural activities

COMPANY: Each Brighton Gardens community will be developed and managed by Marriott Corporation to assure product consistency and quality.

HEADQUARTERS: Marriott Corporation
Marriott Drive
Washington, D.C. 20058
(301) 380-9000
FACT SHEET

MARRIOTT SENIOR LIVING SERVICES

COMMUNITIES

COMMUNITIES IN OPERATION: Independent Full Service

These communities generally offer a full continuum of service and care and include independent-living apartments, assisted-living and personal care suites, and on-site licensed nursing.

CALUSA HARBOUR - 2525 East First St., Fort Myers, FL 33901. Telephone: (813) 332-3333. FAX: (813) 332-0185. A rental community offering a picturesque view of the Caloosahatchee River...A twenty story high-rise connected to a four story mid-rise, houses the wide selection of 238 independent-living apartments and 147 assisted-living residences...A 100 bed health care center on location amenities include newly redecorated community spaces, superb dining services... a screened outdoor swimming pool.

CHURCH CREEK - 1250 West Central Rd., Arlington Heights, IL 60005. Telephone: (708) 506-3200. FAX: (708) 506-2598. Newly remodeled rental retirement community located just minutes northwest of Chicago, near Woodfield Mall, Arlington International Racecourse and Northwest Community Hospital. 246 independent-living apartments consisting of studio, one bedroom and two bedrooms with two baths. Services and amenities include: two meals daily, all utilities (except telephone), daily, weekly housekeeping with linen service, activities, maintenance and 24-hour security and emergency call system.
Church Creek also has a Medicare-approved health care center offering 50 assisted-living suites, 70 health care beds and a certified hospice program. Other services available on-site include banking services, dentist office, podiatrist, beauty/barber shop, pharmacist and resident wellness program.
THE FAIRFAX - 9140 Belvoir Woods Pkwy., Fort Belvoir, VA 22060. Telephone: (703) 799-1200 (administrative office) and (703) 799-1000 (sales office). FAX: (703) 781-4739. Open to retired officers of all the Armed Forces and their spouses. Located in a country setting yet near the Washington, D.C. metropolitan area. Under the sponsorship of the Army Retirement Residence Foundation - Potomac (ARRF-P)...A Marriott owned full-service lifecare community featuring 382 one, two, and three bedroom independent-living apartments and cottages, plus 55 assisted-living suites and a 60 bed multi-level health care center...Two refundable endowment plans are available. Until The Fairfax reaches capacity, ARRF-P will consider applications from officers of the Reserve Components of the US Armed Forces who are drawing federal retired pay.

THE HORIZON CLUB - 1208 South Military Trail, Deerfield Beach, FL 33442. Telephone: (305) 481-2304 (administrative office) and (305) 481-2111 (sales office). FAX: (305) 426-6353. Full service rental community...consists of 228 independent apartments; studios, one and two bedroom models...34 catered-living apartments and 26 assisted-living residences, built on an eighteen acre site...Two five story buildings and one four story building, plus an assisted-living wing with its own entrance. Catered and assisted-living have separate dining rooms and activities areas...Opportunities for social, cultural and educational enrichment...Amenities include weekly housekeeping, Medic Alert System with courtesy check-in, scheduled transportation, move-in coordination, three meals available, on-site physician services, plus more.

LEISURE PARK (Managed only) - 1400 Route 70, Lakewood, NJ 08701. Telephone: (908) 370-0444. FAX: (908) 370-0429. Central New Jersey location providing a diverse selection of 219 one or two bedroom apartments or studios and 31 assisted-living residences, plus a 60 bed health care center...Features many benefits including transportation, daily meals and an apartment for overnight guests.

THE QUADRANGLE - 3300 Darby Rd., Haverford, PA 19041-1095. Telephone: (215) 642-3000. FAX: (215) 642-5743. Located on seventy-seven acres surrounding an elegant English manor...A Marriott owned lifecare community convenient to the Philadelphia-New York main line and all the amenities offered by the proximity to big cities...with 309 independent-living apartments, 40 cottages, 36 assisted-living suites plus a 43 bed licensed health center...Two refundable endowment plans available.

VILLA VALENCIA - 24552 Paseo de Valencia, Laguna Hills, CA 92653. Telephone: (714) 581-6111 - FAX: (714) 837-1082 (administrative office) and (714) 837-2200 - FAX: (714) 837-1082 (sales office). Located adjacent to the popular Leisure World retirement center of Orange County, this well-known full-service community is convenient to banks, hospital and medical offices, and a large regional shopping mall right next door. The community offers independent-living rental residences as well as 99 assisted-living residences, with a free standing licensed health care center of 59 beds opening in April, 1991.
COMMUNITIES IN OPERATION: Catered Living

These communities provide assistance with daily living activities, i.e., dressing, bathing, medication reminders, and include assisted living and personal care suites (where state regulations allow) and on-site licensed nursing.

BRIGHTON GARDENS OF SCOTTSDALE - 6001 E. Thomas Road, Scottsdale, AZ 85251. Telephone: (602) 941-2222. FAX: (602) 941-2741. A rental community offering assisted-living, personal care and licensed nursing services on six beautiful acres...conveniently located near shopping and medical centers...amenities include garden atrium, creative areas center, library and country store...64 assisted living suites, 40 personal care beds and 30 health care beds.

BRIGHTON GARDENS OF SUN CITY - 17225 Boswell Blvd., Sun City, AZ 85373. Telephone: (602) 933-2222. FAX: 1 (602) 972-3767. A rental community conveniently located on a 3.3 acre site...offering well planned services and amenities...assisted-living suites, personal care and health care...services include a full time recreation director, weekly housekeeping and linen service, daily meals, 24-hour security...69 assisted-living suites, 43 personal care beds and 30 health care beds.

BRIGHTON GARDENS OF VIRGINIA BEACH - 5620 Wesleyan Drive, Virginia Beach, VA 23455. Telephone: (804) 499-4800. FAX: (804) 499-2074. A low-rise rental community offering assisted-living suites. Conveniently located on 3.1 acres, offering 3 daily meals in a full-service dining room, housekeeping and linen service, scheduled transportation, planned social and recreational activities, 24-hour emergency call system -76 assisted-living suites, 34 personal care suites and much more.

COMMUNITIES UNDER CONSTRUCTION: Independent Full Service

BEDFORD COURT - Information Center - 10812 Connecticut Avenue, Suite #202, Kensington, MD 20895. Telephone: (301) 933-9500. FAX: (301) 933-9504. From the Marriott line of independent full-service, living communities, offering 215 independent-living residences, 76 assisted-living residences and a 43 bed skilled health care center...Convenient Silver Spring, Maryland location is adjacent to Leisure World retirement center and within easy access to Washington, D.C...Offering a host of social, educational and cultural opportunities...Includes an on-site health club, library and beauty shop...Optional long term care insurance policy...A rental community with a choice of payment plans...Scheduled opening late 1991.

- 3 -
THE COLONNADES - Information Center - Alumni Hall, 211 Emmet Street South, Charlottesville, VA 22903. Telephone: (804) 971-1892. FAX: (804) 293-3221. Located on fifty-nine acres in Albermarle County, this Marriott full-service community is being developed in cooperation with the University of Virginia's Health Service Foundation, Real Estate Foundation, and Alumni Association...Offers a full continuum of service, featuring 180 independent-living apartments, 40 cottages, 44 assisted-living residences and 54 health care beds...Amenities include an indoor swimming pool, library, health club and creative arts center and an optional long term care insurance policy...Choice of refundable payment plans and rentals...Scheduled opening late Summer, 1991.

THE JEFFERSON - Information Center - The Ballston Common Mall, 4238 Wilson Blvd., Suite #2122, Arlington, VA 22203. Telephone: (703) 525-7777. FAX: (703) 522-0726. A Marriott full service condominium community located in Arlington, Virginia, across from the 125-shop Ballston Common Mall and Metro station...Accessible to downtown Washington, D.C.'s educational institutions, social events and cultural activities...The twin tower, twenty story highrise complex includes 325 independent residences, 57 assisted-living studios and a 31 bed licensed health care center...Optional long term care insurance policy...Scheduled opening January, 1993.

STRATFORD COURT OF BOCA RATON - Information Center - c/o The Horizon Club, 1208 South Military Trail, Deerfield Beach, FL 33442. Telephone: 1 (800) 772-2622 or (305) 481-2111. FAX: (305) 426-6353. Also a part of Marriott's full service, independent living concept...fourteen acres in Boca Raton, Florida are under consideration...253 independent and 40 assisted-living options available as well as a 60 bed health care center...Plans call for a complete line of accompanying amenities, including an outdoor pool, a library, beauty/barber shop, and country store/gift shop...A rental community...Proposed opening January, 1993.

STRATFORD COURT OF PALM HARBOR - Information Center - 3830 Tampa Road, Suite 500, Palm Harbor, FL 34684. Telephone: (813) 787-1500. FAX: (813) 787-1506. 219 independent and 40 assisted-living suites available as well as 60 bed health care center...Plans call for a complete line of attractive amenities, including a library, beauty/barber shop, and country store/gift shop...A rental community...Proposed opening January, 1992.

COMMUNITIES UNDER CONSTRUCTION: Catered Living

BRIGHTON GARDENS OF BELLAIRE (Houston) - 4620 Bellaire Boulevard, Houston, TX 77401. Information Center: 4500 Bissonet, Suite 240, Bellaire, TX 77401.
Telephone: (713) 665-3888. Proposed opening June, 1991. Conveniently located on 4 acre site...offering well planned services and amenities...assisted-living suites, personal care and health care...services include a full time recreation director, weekly housekeeping and linen service, daily meals and 24-hour security.

General inquiries about Marriott Senior Living Services can be directed to Marriott Senior Living Communities Information Center, Dept. 831.40, One Marriott Drive, Washington, D.C. 20058. Telephone: 1(800) 447-4792. FAX: (301) 380-6075.
Variable (9) = Accident Type

RAW OFF ROAD:
1 Right
2 Left
3 Straigh Ahead

NOM COLLISION:
4 Overturn
5 Other

COLLISION OF MOTOR VEHICLE WITH
6 Pedestrian
7 Parked Vehicle
8 Train
9 Bicycle
10 Moped
11 Animal
12 Fixed object
13 Other Object

COLLISION OF MOTOR VEHICLE WITH
ANOTHER MOTOR VEHICLE
14 Rear End, Slow or Stop
15 Rear End, Turn
16 Left Turn, Same Roadway
17 Left Turn, Different Roadway
18 Right Turn, Same Roadway
19 Right Turn, Different Roadway
20 Head On
21 Sideswipe
22 Angle
23 Backing
NOTE: COPYRIGHT (C) 1984,1988 SAS INSTITUTE INC., CARY, N.C. 27512, U.S.A.
NOTE: THE JOB TRRPTR HAS BEEN RUN UNDER RELEASE 5.18 OF SAS AT CITY OF CHARLOTTE - MIS DEPARTMENT (05664001).

NOTE: CPUID VERSION = 04 SERIAL = 014579 MODEL = 4381.
CPUID VERSION = 04 SERIAL = 114579 MODEL = 4381.

NOTE: SAS OPTIONS SPECIFIED ARE:
OPTION NOOTES NO SOURCE ;

1
NOTE: The job TRRPTR has been run under release 5.18 of SAS at City of Charlotte - MIS Department (05664001).

NOTE: CPUTID VERSION = 04 SERIAL = D14379 MODEL = 4381.
NOTE: SAS OPTIONS SPECIFIED ARE:
   SORT = 4
   OPTION NONOTES NOSOURCE = 4
NOTE: COPYRIGHT (C) 1984,1988 SAS INSTITUTE INC. CARY, N.C. 27512, U.S.A.

NOTE: THE JOB TRRRPT9 HAS BEEN RUN UNDER RELEASE 5.18 OF SAS AT CITY OF CHARLOTTE - MIS DEPARTMENT (05664001).

NOTE: CPUID VERSION = 04 SERIAL = 014579 MODEL = 4381.

NOTE: CPUID VERSION = 04 SERIAL = 114579 MODEL = 4381.

NOTE: SAS OPTIONS SPECIFIED ARE:
SORT=4

OPTION NOMOTES NOSOURCE.
<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
</tr>
</thead>
<tbody>
<tr>
<td>49</td>
<td>880408</td>
<td>14</td>
<td>150</td>
<td>160</td>
</tr>
<tr>
<td>50</td>
<td>880617</td>
<td>14</td>
<td>153</td>
<td>163</td>
</tr>
<tr>
<td>51</td>
<td>880121</td>
<td>14</td>
<td>155</td>
<td>165</td>
</tr>
<tr>
<td>52</td>
<td>880726</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>53</td>
<td>880726</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>54</td>
<td>880121</td>
<td>14</td>
<td>155</td>
<td>165</td>
</tr>
<tr>
<td>55</td>
<td>880121</td>
<td>14</td>
<td>155</td>
<td>165</td>
</tr>
<tr>
<td>56</td>
<td>880726</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>57</td>
<td>880121</td>
<td>14</td>
<td>155</td>
<td>165</td>
</tr>
<tr>
<td>58</td>
<td>880726</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>59</td>
<td>880121</td>
<td>14</td>
<td>155</td>
<td>165</td>
</tr>
<tr>
<td>60</td>
<td>880121</td>
<td>14</td>
<td>155</td>
<td>165</td>
</tr>
<tr>
<td>61</td>
<td>880121</td>
<td>14</td>
<td>155</td>
<td>165</td>
</tr>
<tr>
<td>62</td>
<td>880121</td>
<td>14</td>
<td>155</td>
<td>165</td>
</tr>
<tr>
<td>63</td>
<td>880121</td>
<td>14</td>
<td>155</td>
<td>165</td>
</tr>
<tr>
<td>64</td>
<td>880121</td>
<td>14</td>
<td>155</td>
<td>165</td>
</tr>
<tr>
<td>65</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>66</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>67</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>68</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>69</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>70</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>71</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>72</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>73</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>74</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>75</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>76</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>77</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>78</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>79</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>80</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>81</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>82</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>83</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>84</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>85</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>86</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>87</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>88</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>89</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>90</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>91</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>92</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>93</td>
<td>880408</td>
<td>14</td>
<td>159</td>
<td>169</td>
</tr>
<tr>
<td>A</td>
<td>A</td>
<td>D</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>------------</td>
<td>------------</td>
<td>------------</td>
<td>------------</td>
<td>------------</td>
</tr>
<tr>
<td>F</td>
<td>F</td>
<td>F</td>
<td>F</td>
<td>F</td>
</tr>
<tr>
<td>T</td>
<td>T</td>
<td>T</td>
<td>T</td>
<td>T</td>
</tr>
<tr>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>96</td>
<td>96</td>
<td>96</td>
<td>96</td>
<td>96</td>
</tr>
<tr>
<td>98</td>
<td>98</td>
<td>98</td>
<td>98</td>
<td>98</td>
</tr>
<tr>
<td>102</td>
<td>102</td>
<td>102</td>
<td>102</td>
<td>102</td>
</tr>
<tr>
<td>110</td>
<td>110</td>
<td>110</td>
<td>110</td>
<td>110</td>
</tr>
<tr>
<td>112</td>
<td>112</td>
<td>112</td>
<td>112</td>
<td>112</td>
</tr>
<tr>
<td>114</td>
<td>114</td>
<td>114</td>
<td>114</td>
<td>114</td>
</tr>
<tr>
<td>118</td>
<td>118</td>
<td>118</td>
<td>118</td>
<td>118</td>
</tr>
<tr>
<td>120</td>
<td>120</td>
<td>120</td>
<td>120</td>
<td>120</td>
</tr>
<tr>
<td>122</td>
<td>122</td>
<td>122</td>
<td>122</td>
<td>122</td>
</tr>
<tr>
<td>126</td>
<td>126</td>
<td>126</td>
<td>126</td>
<td>126</td>
</tr>
<tr>
<td>128</td>
<td>128</td>
<td>128</td>
<td>128</td>
<td>128</td>
</tr>
<tr>
<td>130</td>
<td>130</td>
<td>130</td>
<td>130</td>
<td>130</td>
</tr>
<tr>
<td>134</td>
<td>134</td>
<td>134</td>
<td>134</td>
<td>134</td>
</tr>
<tr>
<td>140</td>
<td>140</td>
<td>140</td>
<td>140</td>
<td>140</td>
</tr>
<tr>
<td>142</td>
<td>142</td>
<td>142</td>
<td>142</td>
<td>142</td>
</tr>
<tr>
<td>144</td>
<td>144</td>
<td>144</td>
<td>144</td>
<td>144</td>
</tr>
<tr>
<td>146</td>
<td>146</td>
<td>146</td>
<td>146</td>
<td>146</td>
</tr>
<tr>
<td>150</td>
<td>150</td>
<td>150</td>
<td>150</td>
<td>150</td>
</tr>
</tbody>
</table>
NOTE: COPYRIGHT (C) 1984,1988 SAS INSTITUTE INC., CARY, N.C. 27512, U.S.A.
NOTE: THE JOB TRRRPTR HAS BEEN RUN UNDER RELEASE 5.18 OF SAS AT CITY OF CHARLOTTE - MIS DEPARTMENT (05664001).

NOTE: CPUID VERSION = 04 SERIAL = 014579 MODEL = 4381;
CPUID VERSION = 04 SERIAL = 114579 MODEL = 4381;

NOTE: SAS OPTIONS SPECIFIED ARE:
SORT=4

1 - OPTION NONOTES NOSOURCE ;
<table>
<thead>
<tr>
<th>Time</th>
<th>ALBEMARLE RD</th>
<th>THORN GROVE LN</th>
<th>COURTYARD EAST DR</th>
<th>16:13 FRIDAY, OCTOBER 18, 1991</th>
</tr>
</thead>
<tbody>
<tr>
<td>142</td>
<td>870624</td>
<td>845</td>
<td>WINTERHAVEN DR</td>
<td>100 A</td>
</tr>
<tr>
<td>143</td>
<td>870504</td>
<td>819</td>
<td>WINTERHAVEN DR</td>
<td>000 C</td>
</tr>
<tr>
<td>144</td>
<td>870506</td>
<td>215</td>
<td>WINTERHAVEN DR</td>
<td>000 C</td>
</tr>
<tr>
<td>145</td>
<td>871107</td>
<td>1910</td>
<td>WINTERHAVEN DR</td>
<td>000 C</td>
</tr>
<tr>
<td>146</td>
<td>871111</td>
<td>1391</td>
<td>WINTERHAVEN DR</td>
<td>500 E</td>
</tr>
<tr>
<td>147</td>
<td>871116</td>
<td>1313</td>
<td>WINTERHAVEN DR</td>
<td>000 C</td>
</tr>
<tr>
<td>148</td>
<td>871204</td>
<td>890</td>
<td>WINTERHAVEN DR</td>
<td>600 E</td>
</tr>
<tr>
<td>149</td>
<td>871211</td>
<td>1212</td>
<td>WINTERHAVEN DR</td>
<td>000 C</td>
</tr>
<tr>
<td>150</td>
<td>871228</td>
<td>1329</td>
<td>WINTERHAVEN DR</td>
<td>000 C</td>
</tr>
<tr>
<td>151</td>
<td>870515</td>
<td>2135</td>
<td>WINTERHAVEN RD</td>
<td>000 C</td>
</tr>
<tr>
<td>152</td>
<td>870528</td>
<td>1208</td>
<td>WINTERHAVEN ST</td>
<td>100 N</td>
</tr>
</tbody>
</table>
SAS LOG  OS SAS 5.18  MVS/XA JOB TRRRPRTR  STEP STEP2  PROC SAS  16:16 FRIDAY, OCTOBER 18, 1991

NOTE: COPYRIGHT (C) 1984, 1988 SAS INSTITUTE INC., CARY, N.C., 27512, U.S.A.

NOTE: THE JOB TRRRPRTR HAS BEEN RUN UNDER RELEASE 5.18 OF SAS AT CITY OF CHARLOTTE - JS DEPARTMENT (05664001).

NOTE: CP-1D VERSION = 04 SERIAL = 014579 MDEP = 4361.

NOTE: SAS OPTIONS SPECIFIED ARE:

OPTCN NONOTES NOSOURCE ;
NOTE: COPYRIGHT (C) 1984-1988 SAS INSTITUTE INC., CARY, N.C. 27512, U.S.A.

NOTE: THE JOB TRRRPTR HAS BEEN RUN UNDER RELEASE 5.18 OF SAS AT CITY OF CHARLOTTE - PIS DEPARTMENT (05664001).

NOTE: SAS OPTIONS SPECIFIED ARE:

1    OPTION NOADTES NOSOURCE ;
<table>
<thead>
<tr>
<th>IDLEWILD RD &amp; IVYDALE RD</th>
<th>STATE ACCIDENT FILE - 1988</th>
</tr>
</thead>
<tbody>
<tr>
<td>880802 14 2 1530 IDLEWILD RD IVYDALE RD</td>
<td>5 N 0 0 C C</td>
</tr>
<tr>
<td>880871 14 3 1530 IDLEWILD RD ROSEHILL DR</td>
<td>30 E 12 C 0</td>
</tr>
<tr>
<td>880420 14 3 1530 IDLEWILD RD ROSEHILL DR</td>
<td>20 E 12 C 0</td>
</tr>
<tr>
<td>880913 14 1 1330 IDLEWILD RD SPRINGFIELD RD</td>
<td>20 N 0</td>
</tr>
<tr>
<td>880107 22 4 1330 IDLEWILD RD SPRINGFIELD RD</td>
<td>20 N 0</td>
</tr>
<tr>
<td>IDLEWILD RD</td>
<td>B/N ELECTRA LN AND BARE RD</td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------------</td>
</tr>
</tbody>
</table>

**STATE ACCIDENT FILE - 1987**

**16:23 FRIDAY, OCTOBER 18, 1991**

---

<table>
<thead>
<tr>
<th>CN</th>
<th>DATE</th>
<th>TIME</th>
<th>TYPE</th>
<th>RESULT</th>
<th>LOCATION</th>
<th>DISTANCE</th>
<th>SPEED LIMIT</th>
<th>SPEED</th>
<th>JUCTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>820214</td>
<td>14</td>
<td>6</td>
<td>1238</td>
<td>IDLEWILD RD CEDARS EAST CT</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>2</td>
<td>820215</td>
<td>14</td>
<td>6</td>
<td>1237</td>
<td>IDLEWILD RD CEDARS EAST CT</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>3</td>
<td>820216</td>
<td>14</td>
<td>6</td>
<td>1236</td>
<td>IDLEWILD RD CEDARS EAST CT</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>4</td>
<td>820217</td>
<td>14</td>
<td>6</td>
<td>1235</td>
<td>IDLEWILD RD CEDARS EAST CT</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>5</td>
<td>820218</td>
<td>14</td>
<td>6</td>
<td>1234</td>
<td>IDLEWILD RD CEDARS EAST CT</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>6</td>
<td>820219</td>
<td>14</td>
<td>6</td>
<td>1233</td>
<td>IDLEWILD RD CEDARS EAST CT</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>7</td>
<td>820220</td>
<td>14</td>
<td>6</td>
<td>1232</td>
<td>IDLEWILD RD CEDARS EAST CT</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>8</td>
<td>820221</td>
<td>14</td>
<td>6</td>
<td>1231</td>
<td>IDLEWILD RD CEDARS EAST CT</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>9</td>
<td>820222</td>
<td>14</td>
<td>6</td>
<td>1230</td>
<td>IDLEWILD RD CEDARS EAST CT</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>10</td>
<td>820223</td>
<td>14</td>
<td>6</td>
<td>1229</td>
<td>IDLEWILD RD CEDARS EAST CT</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

---

**Legend:**
- **CN:** Case Number
- **DATE:** Date of Accident
- **TIME:** Time of Accident
- **TYPE:** Type of Accident
- **RESULT:** Result of Accident
- **LOCATION:** Location of Accident
- **DISTANCE:** Distance from Start Point
- **SPEED LIMIT:** Speed Limit
- **SPEED:** Speed of Vehicle
- **JUNCTION:** Junction Details
NOTE: COPYRIGHT (C) 1984,1988 SAS INSTITUTE INC., CARY, N.C. 27512, U.S.A.

NOTE: THE JOB TRRRPTR HAS BEEN RUN UNDER RELEASE 5.18 OF SAS AT CITY OF CHARLOTTE - DIS DEPARTMENT (05664001).

NOTE: CPUID VERSION = 04 SERIAL = 114579 MODEL = 4381:

NOTE: SAS OPTIONS SPECIFIED ARE:

1   OPTION NONOTES NOSOURCE:

...