# AGENDA

<table>
<thead>
<tr>
<th>Meeting Type:</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date:</td>
<td>09-20-1982</td>
</tr>
</tbody>
</table>

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

**SEPTEMBER 1 – SEPTEMBER 4**

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

**THE WEEK OF SEPTEMBER 5 – SEPTEMBER 11**

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

**THE WEEK OF SEPTEMBER 12 – SEPTEMBER 18**

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

(Continued on other side)
September 19 - September 25

**CIVIL SERVICE BOARD/HR/MAINTENANCE**
- City Hall, Council Chamber
  - Reference Room

**MUNICIPAL INFORMATION ADVISORY BOARD**
- Cameron-Brown Building, swinger floor, Council Chamber

**ZONING BOARD OF ADJUSTMENTS**
- City Hall, Council Chamber

**SPECIALIZED TRANSPORTATION ADVISORY COMMITTEE**
- City Hall, third floor, Conference Room

**CITY COUNCIL MEETING**
- City Hall, Council Chamber

**CITIZENS HEARING**
- City Hall, Council Chamber

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**PLANNING COMMISSION**
- Park Road Elementary School

**CITY COUNCIL COMMITTEE**
- Cameron-Brown Building, first floor, conference room

**COMMUNITY RELATIONS COMMITTEE**
- Covenant Presbyterian Church, 1000 East Norwood

**COMMUNITY BOARD**
- Baptist Church, 300 Greenville Road

**HOUSING AUTHORITY**
- 1220 Jackson Street

**PRIVATE INDUSTRIES COUNCIL**
- Chamber of Commerce, 729 Trade Street

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**THE WEEK OF SEPTEMBER 19 - SEPTEMBER 25**

Wednesday, 4/0 a.m.
29

Thursday, 4/0 a.m.
29

Tuesday, 3/0 p.m.
28

Monday, 7/30 p.m.
27

Monday, 3:00 p.m.
27

Monday, 2:00 p.m.
27

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IN MEETING ON MONDAY, SEPTEMBER 20, 1982

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

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

ITEM NO.

1. Invocation.

PUBLIC HEARINGS

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

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

Attachment No. 1.

Mayor Eddie Knox        Mayor Pro Tem Harvey B. Gantt
Dave Berryhill          Ron Leeper
Charlie S. Dannelly     Ralph Reiss McMillan
Laura Page Frech        Pamella G. Patterson
                         Edwin B. Peacock, Jr
                         George K. Selden Jr
                         Herbert Spaugh Jr
                         Minette Conrad Trosch
3. Hearing on Petition No. 82-57 by John and Catherine T. Adams for a change in zoning from R-6MF to I-1 for a 1.06 acre tract located to the rear of property at the 500 Block of West Tremont Street.

Attachment No. 1.

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

Attachment No. 1.

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

Attachment No. 1.

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

Attachment No. 1.

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

Attachment No. 1.

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

Attachment No. 1.
9. Hearing on Petition No. 82-63 by Philip Thomas for a change in zoning from R-6 to R-9MF(CD) for a .270 acre site fronting 78.31 feet on Dilworth Road East, approximately 167 feet south from East Boulevard.

Attachment No. 1.

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

Attachment No. 1.

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

Attachment No. 1.

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

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

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

1) The house, erected in 1869, is a well-preserved example of a vernacular Creek Revival farmhouse and is one of the few remnants of the built environment of the old Sardis Township; and

2) The house was erected for Reverend John Hunter, a prominent and long-time pastor of Sardis A. R. P. Presbyterian Church, now Sardis Presbyterian Church.

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

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

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

Attachment No. 2.

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

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

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

1) The house was built in 1828 and is one of the older plantation houses in Mecklenburg County and the only extant older plantation house in Mecklenburg County;

2) Members of the same family resided in the house from 1828 until 1956; and

3) The house represents a rare remnant of ante-bellum society in the Sharon Community of Mecklenburg County.

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

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

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

Attachment No. 3.

**POLICY AGENDA**

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

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

The Planning Commission recommends the petition be approved.

Attachment No. 4.

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

The Planning Commission recommends the petition be denied.

Attachment No. 4.

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

The Planning Commission recommends the petition be denied.

Attachment No. 4.
17. Decision on Petition No. 81-48 by Grand Cafe, Inc., for a change in zoning from 0-6 to B-1(CD) for a small triangular shaped parcel located about 230 feet east of Providence Road between Fenton Place and Altondale Avenue.

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

The Planning Commission recommends the petition be approved.

Attachment No. 4.

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

The Planning Commission recommends the petition be denied.

Attachment No. 4.

19. Decision on Petition No. 82-48 by El Villa, Ltd., for a change in zoning from 0-6 to 0-6(CD) and a site plan amendment for .49 acres located on the southerly side of Fenton Place.

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

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

Attachment No. 4.

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

The Planning Commission recommends the petition be denied.

Attachment No. 4.
21. Decision on Petition No. 82-54 by John Crosland Realty Company for a change in zoning from I-1 to I-2 for a 2.5 acre site located to the rear of property fronting on the northerly side of Starita Road, approximately 500 feet northeast of the intersection of Starita Road and Irwin Creek.

The Planning Commission recommends the petition be approved.

Attachment No. 4.

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

The Planning Commission recommends the petition be denied.

Attachment No. 4.

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

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

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

Attachment No. 5.
SCHEDULE OF MEETINGS
SEPTEMBER 20 through SEPTEMBER 24

Monday, September 20

City Council/Planning Commission 5 00 p.m.
Refreshments
Rooms 237-38 - Education Center

City Council/Planning 6 00 p.m.
Zoning Hearings & Decisions
Board Room - Fourth Floor
Education Center
DATE: August 13, 1982

TO: Charlotte-Mecklenburg Planning Commission
FROM: Robert G. Young
Zoning Hearing Supervisor

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

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

RGY:oj

Attachments
PETITIONER       John Simpson

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

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

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

ZONING MAP NO.     6  SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Ownership Information
Property Owner: FRANK FORREST
Owner's Address: #1 Boy 137-A
Waxhaw, NC 28173
Date Property Acquired: Section 1773
Deed Reference: 440-3c
Tax Parcel Number: 093/0312

Location Of Property (address or description): 1800 Shamrock Dr.

Description Of Property
Size (Sq Ft - Acres): 6.325
Street Frontage (ft): 200 ft
Current Land Use: Business

Zoning Request
Existing Zoning: B-1
Requested Zoning: B-2
Purpose of zoning change: To operate a car garage

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

Name of Petitioner(s): 
Address of Petitioner(s): 
Telephone Number: 
Signature: 
Signature of Property Owner if Other Than Petitioner: 

PETITIONER  John Adams and wife, Catherine T. Adams

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

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

LOCATION  A 1.06 acre tract located to the rear of property at the

500 Block of West Tremont.

ZONING MAP NO.  2

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
<table>
<thead>
<tr>
<th>Ownership Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner: John Adams, Jr. and wife, Catherine T. Adams</td>
</tr>
<tr>
<td>Owner's Address: 510 W. Tremont Avenue, Charlotte, NC 28203</td>
</tr>
</tbody>
</table>

| Date Filed: July 13, 1982 |
| Received By: S. D. Carlisle |
| OFFICE USE ONLY |

<table>
<thead>
<tr>
<th>Official Rezoning Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Charlotte</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zoning Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purpose of Zoning Change: This parcel is part of a 6.34 acre tract, which was formerly divided by an unopened roadway. The requested change will result in one zoning classification for the 6.34 acre parcel, on which (5.28 acres) is zoned I-1.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Property Acquired: July 9, 1981</td>
</tr>
<tr>
<td>Deed Reference: Book 4447, Page 618</td>
</tr>
<tr>
<td>Tax Parcel Number: 119-061-01</td>
</tr>
<tr>
<td>Size (Sq Ft Acres): 1.06 acres</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description Of Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location: see description attached.</td>
</tr>
<tr>
<td>Street Frontage: (ft): None</td>
</tr>
<tr>
<td>Current Land Use: Vacant</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zoning Request Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requested Zoning: I-1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>H. Vernon Norwood, Jr., Attorney</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Agent: 901 Elizabeth Ave, Suite 402</td>
</tr>
<tr>
<td>Agent's Address: Charlotte, NC 28204</td>
</tr>
<tr>
<td>Telephone Number: (704) 375-9032</td>
</tr>
</tbody>
</table>
PETITIONER  Louise H. Bagwell

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

ZONING CLASSIFICATION, EXISTING    R-6    REQUESTED    O-6

LOCATION  A .173 acre site fronting 60 feet on the easterly side of

Morningside Drive, approximately 200 feet north of the

intersection of Central Avenue and Morningside Drive.

ZONING MAP NO.  6  SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
<table>
<thead>
<tr>
<th>Ownership Information</th>
<th>Description of Property</th>
<th>Zoning Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner: Eugene Hodge Sr.</td>
<td>Date Property Acquired: Sept. 12, 1945</td>
<td>R-1</td>
</tr>
<tr>
<td>Owner's Address: 1618 Meanningside Drive</td>
<td>Deed Reference: 1872 Page 30</td>
<td>Existing Zoning: Single Family Residence</td>
</tr>
<tr>
<td></td>
<td>Tax Parcel Number: 095-9-22-20</td>
<td>Purpose of zoning change: Better utilize property for office building</td>
</tr>
<tr>
<td>Size (sq. ft./acre): 1.123 acres</td>
<td>Street Frontage (ft.): 60</td>
<td>Requested Zoning: 0-6</td>
</tr>
<tr>
<td>Current Land Use: Single Family Residence</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Petition No. 32-SB
Date Filed: Oct. 14, 1961
Received By: S. D. Decker

Petitioner:
Name: Louise H. Bagwell
Address: 1123 Rosewood Circle
Telephone Number: [illegible]

Signature of Property Owner if Other Than Petitioner
PETITIONER: Good Shepherd Lutheran Church, Inc.

PETITION NO.: 82-59

HEARING DATE: 9/20/82

ZONING CLASSIFICATION, EXISTING: R-9MF

REQUESTED: O-15(CD)

LOCATION: A 2.196 acre site fronting 440 feet on the northerly side of Albemarle Road, approximately 565 feet east of the intersection of North Sharon Amity Road and Albemarle Road.
<table>
<thead>
<tr>
<th>Ownership Information</th>
<th>Location Of Property</th>
<th>Description Of Property</th>
<th>Zoning Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner: Good Shepherd Lutheran Church, Inc.</td>
<td>Owner's Address: 5301 Albermarle Road, Charlotte, N.C. 28212</td>
<td>Date Property Acquired: June 15, 1960</td>
<td>Deed Reference: 2163-493</td>
</tr>
<tr>
<td>Date of Petition: July 30, 1982</td>
<td>Tax Parcel Number: 103-011-21</td>
<td>Street Frontage (ft): 440</td>
<td>Requested Zoning: 0-15 (CD)</td>
</tr>
<tr>
<td></td>
<td>Size (Sq Ft Acres): 2.190 acres</td>
<td>Current Land Use: Church building on westerly portion; remainder vacant</td>
<td>Purpose of zoning change: to permit the Church to relocate to another site and dispose of property for low density office purposes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Agent</th>
<th>Address</th>
<th>Telephone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fred E. Bryant</td>
<td>1850 E. Third Street, Suite 216, Charlotte 28204</td>
<td>333-1680</td>
</tr>
</tbody>
</table>

Signature of Property Owner: [signature]
PETITIONER    Omera B. Hayes

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

ZONING CLASSIFICATION, EXISTING  R-6     REQUESTED  B-1

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

ZONING MAP NO.  4        SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
Then Petitioner
Signature of Owner or Other

Telephone Number

Agent's Address

Name of Agent

for a Zoning Request
Purpose of Zoning Change
Requested Zoning

Zoning Request

Current Land Use

Property Address for Residential Occupancy

Size (sq ft Acres)

Property Description of Property

Location of Property (address or description)

Tax Parcel Number

Deed Reference

Date Property Acquired

Owner's Address

Owner's Name

Petition Information

City of Charlotte

Official Rezoning Application

Petition No

Received By

Date Filed

8-2-78
PETITIONER: John Crosland Company

PETITION NO.: 82-61

HEARING DATE: 9/20/82

ZONING CLASSIFICATION, EXISTING: I-1

REQUESTED: R-12MF

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

ZONING MAP NO.: 54

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
Zoning Request

Description of Property

Location of Property

Owner's Information

Official Rezoning Application

City of Charlotte

Received by
12/18/2018
19-08

Tax Parcel Number 213-201-75

Doll Reference 4288-227

Charlie Hite, Post Office Box 11231

Charlotte, North Carolina 28209

Property Owner: John Crostand Company (1.284 AC. and
John Crostand Company (1.284 AC.)

Date Filed
12/18/2018

Owner, Address:
Post Office Box 11231
Charlotte, North Carolina 28209

John Crostand Company

City of Charlotte

Official Rezoning Application

Description of Property

Location of Property

Owner's Information

Official Rezoning Application

City of Charlotte
PETITIONER        Mecklenburg Baptist Associational Board, Inc.

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

ZONING CLASSIFICATION, EXISTING  R-PUD  REQUESTED  R-15

LOCATION        A 3.2 acre site fronting 584.03 feet on the west side of

                        Providence Road, approximately 300 feet south of the

                        intersection of Cedar Croft Drive and Providence Road.

ZONING MAP NO.  29

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
Zoning Request

Purpose of zoning change: to allow sale for development of single family residence.

Existing Zoning: [Existing Zoning]

Requested Zoning: [Requested Zoning]

Description of Property:

Property Location:

Tax Parcel Number: [Tax Parcel Number]

Date Property Acquired: [Date Acquired]

Owner's Address: [Owner's Address]

Property Owner: [Property Owner]

City of Charlotte

Official Rezoning Application

Received By: [Received By]

Date Filed: [Date Filed]

Petition No.: [Petition No.]
PETITIONER    Philip Thomas

PETITION NO.  82-63       HEARING DATE    9/20/82

ZONING CLASSIFICATION, EXISTING   R-6       REQUESTED   R-9MF(CD)

LOCATION    A .270 acre site fronting 78.31 feet on Dilworth Road East,

                        approximately 167 feet south from East Boulevard.

ZONING MAP NO.   9

PROPERTY PROPOSED FOR CHANGE

SCALE 1" = 800'
Using Provided Information

**CITY OF CHARLOTTE**

**OFFICIAL REZONING APPLICATION**

**Ownership Information**
- **Property Owner:** Philip Thomas
- **Owner's Address:** 409 Gardalin Rd
- **Date Property Acquired:** 6/21/82
- **Tax Parcel Number:** 25.84 - 37.6
- **Deed Reference:** 1820 Dillworth Rd, East

**Location of Property**
- **Size (Sf. Acre):** 11,794
- **Street Frontage (ft.):** 78.31

**Description of Property**
- **Current Land Use:** Rb, Vacant Lot

**Zoning Request**
- **Proposed Zoning:** R9 MFCD
- **Requested Zoning:** R9 MFCD
- **Purpose:** Allow construction of two residential units to be sold upon completion

**Additional Information**
- **Name of Petitioner(s):** Philip Thomas
- **Address of Petitioner(s):** 409 Gardalin Rd
- **Telephone Number:** 727-9000
- **Signature:** [Signature]

**Other Information**
- **Date Filed:** 8/13/82
- **Received By:** [Signature]
- **Petition No.:** 63
TION NO.  82-64  HEARING DATE  9/20/82
ZONING CLASSIFICATION, EXISTING  UR-2  REQUESTED  UR-C
LOCATION  A .809 acre site fronting 196.5 feet on N. Graham Street at West 8th Street.
<table>
<thead>
<tr>
<th>Ownership Information</th>
<th>Location Of Property</th>
<th>Description Of Property</th>
<th>Zoning Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner: Harold C. Keith</td>
<td>34450 c</td>
<td>To allow ground floor area of proposed building to be used for commercial space.</td>
<td></td>
</tr>
<tr>
<td>Owner's Address: 541 North Graham Street, Charlotte, NC</td>
<td>500 Block of North Graham Street</td>
<td>Purpose of zoning change</td>
<td></td>
</tr>
<tr>
<td>Date Property Acquired: 1977-1979</td>
<td>Street Frontage (ft): 160-8</td>
<td>Existing Zoning: UR-C</td>
<td></td>
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<tr>
<td>Deed Reference</td>
<td></td>
<td>Requested Zoning: UR-C</td>
<td></td>
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<tr>
<td>Tax Parcel Number: 78-75-10/4/13</td>
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<td>Petition No: 815/82</td>
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<td>Date Filed: 8/30</td>
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<td>Received By: 8/30</td>
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OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE
DATE: August 26, 1982

TO: Charlotte-Mecklenburg Planning Commission
FROM: Robert G. Young, Zoning Hearing Supervisor

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

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

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

RGY: dmb

Enclosure
SUBDIVISION

ZONING ORDINANCE

TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTE

Petition No ______________________
Date Filed August 2, 1982
Received By Ken Davis

OFFICE USE ONLY

Article No. I IN GENERAL
Division No ______________________
Section No 18-12., STANDARDS OF DESIGN: STREETS and 18-2., DEFINITIONS

Purpose of Change

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

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

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s) 301 S. McDowell St.
Address of Petitioner(s) 374-2205
Telephone Number ______________________
Signature ______________________
Ordinance Book, beginning on page and recorded in full in 19

City Clerk

Approved as to form:

City Attorney

SECTION 2. This ordinance shall become effective upon adoption.

and re-letter the existing paragraphs (f) as (g) and (j) as follows:

SECTION 2. Amended Chapter 18, Article I in General, Section 18-2, Definitions, by

and re-letter the remaining paragraphs as (i) through (l) respectively.

添加新的定义，作为第 (f) 和 (j) 段所列如下：

SECTION 2. Amended Chapter 18, Article I in General, Section 18-2, Definitions, by

and re-letter the remaining paragraphs as (i) through (l) respectively.

Additionally, this section approved for the right-of-way project by the City Council.

The provisions of the above paragraphs (d) shall

the land shall be considered as free of right-of-way.

Furthermore, the right-of-way for a period not to exceed three years from the date

right-of-way, the right-of-way for the roadway shall be vacated and removed

wherever said proposed right-of-way has been further defined by the

shall not be vacated until appropriate thence shall be vacated and removed

the roadway is subject to existing right-of-way.

and (d) as follows:

SECTION I. Chapter 18, Article I in General, Section 18-2, Standards of Design:

An Ordinance Amending Chapter 18, Article I (Subdivision Regulations) of the

ORDINANCE NO.
AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "JOHN HUNTER HOUSE" (INTERIOR AND EXTERIOR) AND A PORTION OF THE LAND ASSOCIATED THERewith, AS HISTORIC PROPERTY, AT 5607 SARDIS ROAD, CHARLOTTE, NORTH CAROLINA, AND RECORDER ON TAX PARCEL NUMBER 185-142-39 IN THE MECKLENBURG COUNTY TAX OFFICE.

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

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

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

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

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

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

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

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

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

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

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

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.
4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign shall be placed on said property. If the owner objects, the sign shall be placed on a nearby public right-of-way.

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

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

Approved as to form:

[Signature]

Deputy City Attorney

JM
SURVEY AND RESEARCH REPORT
ON THE
JOHN HUNTER HOUSE

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

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

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

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

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

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

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

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

8 Documentation of why and in what ways the property meets the criteria set forth in NCGS 160A-399.4

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

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

9 Ad Valorem Tax Appraisal   The Commission is aware that designation would allow the owner to apply annually for an automatic deferral of 50% of the Ad Valorem taxes on all or any portion of the property which becomes "historic.
property " The current Ad Valorem tax appraisal on the John Hunter House is $23,560.00. The current Ad Valorem tax appraisal on the 9 acres of land is $8,500.00. The land is zoned R15.

Date of Preparation of this Report
August 20, 1981

Prepared by Dr. Dan L. Morrill, Director
Charlotte-Mecklenburg Historic Properties Commission
3500 Shamrock Drive
Charlotte, North Carolina 28215
Telephone 704/332-2726
AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "WILLIAM LEE HOUSE" (INTERIOR AND EXTERIOR) AND THE LAND ASSOCIATED THEREWITH AS HISTORIC PROPERTY, AT 5520 SHARON VIEW ROAD, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 211-112-03 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Part 38, Article 19, Chapter 160A, as amended, of the General Statutes of North Carolina have been met; and

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

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

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

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

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

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

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

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

1. That the property known as the "William Lee House" (interior and exterior) and the land associated therewith is hereby designated as historic property pursuant to
Part 3B, Article 19, Chapter 160A, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated on a tract of property at 5520 Sharon View Road, in Charlotte, North Carolina, as recorded on Parcel Number 211-112-3 in the Tax Office of Mecklenburg County, North Carolina.

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

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

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign shall be placed on said property. If the owner objects, the sign shall be placed on a nearby public right-of-way.
5. That the owners and occupants of the property known as the "William Lee House" be given the notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

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

Approved as to form:

[Signature]

City Attorney
SURVEY AND RESEARCH
REPORT ON
THE WILLIAM LEE HOUSE

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

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

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

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

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

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

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

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

8. Documentation of why and in what ways the property meets the criteria set forth in N.C.G.S. 160A-399.4

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

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

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

April 7, 1982.

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

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

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

We apologize for any inconvenience this may have caused.

Sincerely,

Robert C. Young,
Zoning Hearing Supervisor

RGY:dm
Attachment

RECEIVED
AUG 19 1982
OFFICE OF CITY CLERK
DATE August 9, 1982

PETITION NO. 82-49

PETITIONER(S) John Crosland Company

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

LOCATION 36.87 acres located between Sugar Creek and Colchester Place.

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

VOTE

REASONS:
August 13, 1982

Mayor Eddie Knox
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

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

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

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

Respectfully submitted,

[Signature]

Robert G. Young
Zoning Hearing Supervisor

RGY:0j

Attachments
DATE August 9, 1982

PETITION NO. 82-30

PETITIONER(S) Farmington, Inc.

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

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

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

VOTE

REASONS:
DATE August 9, 1982

PETITION NO. 82-44

PETITIONER(S) Galaxy Homes, Inc.

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

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

ACTION The Planning Commission recommends the petition be approved.

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

Nays: None.

(Commissioner Greene was not present when vote was taken.)

REASONS:

The following issues associated with this request can be identified:

1. Site Plan Considerations. How does the site plan submitted as a part of this request compare to the existing site plan currently approved for the property in terms of density, housing style, neighborhood traffic, etc.?

2. Albemarle Road Plan. Is the proposal consistent with policies contained in the Albemarle Road Plan?

3. Overall Objectives. Would the approval of this request be compatible with overall design and planning goals for the neighborhood?

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

1. Existing Zoning. The site is currently zoned R-20MF as is property directly to the west. To the south is a large area zoned R-12MF. To the west is the Lake Forest Subdivision which is zoned R-12 for single family homes. Property generally relating to the Albemarle Road/Delta Road intersection is zoned B-2.

2. Existing Land Use. The subject property is undeveloped. The property is bordered on the north and west by Charlotte Aircraft. Directly to the south is an apartment project, The Woods of Lake Forest, while to the east is the Lake Forest Subdivision. Although much of the nearby area is zoned for multi-family usage, most of these areas are vacant. Finally, at the Albemarle Road/Delta Road intersection are a number of business uses.
3. Existing Site Plan. The existing site plan is approved for 56 units. The units are arranged in a series of 14 buildings and the units are condominiums. The point of access will be via Rolling Hills Road, and a natural area of trees will remain to screen the buildings from adjacent homes along Lake Forest Drive.

4. Proposed Site Plan. The proposed site plan for this property shows 40 dwelling units arranged in a series of 20 units. Each duplex will contain a unit, both of which will be for sale. The point of access will again be via Rolling Hills Road. In addition, existing trees will remain along the property.

The following general findings can be arrived at:


2. Transportation Improvement Program (TIP). Albemarle Road will be widened to a multi-lane facility from Lawyers Road to Blair Road (WC 51). Project has a very high priority. Cost of project is estimated at $500,000 and approved as of December 31, 1980.

3. Albemarle Road Small Area Plan. This plan concludes with a look beyond the study area, intensification of land use within the study area is expected to intensify both housing and employment options for this area. It is recommended a study be conducted identifying both housing and employment options for this area.

4. The new plan proposes 40 units arranged in a series of 20 dwelling units per acre. The subject property is zoned R-12 and approved for 40 dwelling units at an overall density of about 5.5 units/acre.

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

1. The new plan proposes 40 units arranged in a series of 20 dwelling units per acre. The subject property is zoned R-12 and approved for 40 dwelling units at an overall density of about 5.5 units/acre.

2. The new plan proposes 40 units arranged in a series of 20 dwelling units per acre. The subject property is zoned R-12 and approved for 40 dwelling units at an overall density of about 5.5 units/acre.

3. The new plan, therefore, proposes less density. In addition, the new plan proposes less density.
4. The proposal is consistent with policies in the Albemarle Road Plan regarding density.

5. The plan proposed in this request is compatible with neighborhood planning and design goals. The duplex unit is as compatible an attached housing style that there is to single family detached. Also, the density is only slightly higher than that permitted in the adjacent R-12 single family area.
DATE  August 9, 1982

PETITION NO.  82-46

PETITIONER(S)  Maggie S. Thomas

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

LOCATION  A 1.29 acre tract located on the southerly side of Central Avenue  

Just east of Winterfield Place.

ACTION  The Planning Commission recommends that the petition be denied.

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

   Nays:  None.

   (Commissioner Greene was not present when vote was taken.)

REASONS:

The following issues associated with this request can be identified:

1. Need for Business Zoning.  Is there an identified need for additional business  
   zoning in the area?

2. Traffic.  What traffic and traffic related problems might result if this request  
   is approved?

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

4. Land Use Relationships.  Would the proposal to construct a restaurant at this  
   location relate satisfactorily to adjoining property?

5. Overall Zoning Objectives.  Would the approval of this request be consistent  
   with overall zoning objectives, particularly as it relates to existing patterns  
   and zoning along thoroughfares?

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

1. Existing Zoning.  The petitioned property is presently zoned R-6MF as is con-
   tiguous property to the west and south.  Property to the east is zoned 0-6  
   for office purposes.  At the intersection of Central Avenue and Sharon Amity
2. The request is to rezone the property to B-1 (CD) for a restaurant.

L. The subject property is presently zoned R-6/GF.

A. Restrictions.

1. One-story buildings, due to existing infrastructure, the following conditions
   - Adequate protection of residents from noise and lighting, which has been
   - Adequate protection of residents from noise and lighting, which has been

B. Additional Road/Central Avenue Arterial Structure System would have the capability

2. Transportation Improvement Program (RIP) - Sharon Army/Central Avenue Inter-

C. Development.

3. Steve Jen., The site plan submitted as a part of this request proposes aSync thy, a

4. Existent Land Use - The property in question is developed with a single family

5. Central Avenue are areas as shown in (W-1, Zoned R-4/GF, and further west on both sides of

6. Existing analysis.

Page 2

August 9, 1992
Publication No. 82-46
4. Across the street from the site are the Glen Hollow Apartments. The apartment complex presents a pleasant view along Central Avenue. No clutter of signs or automobiles is present.

5. On the other hand, business zoning of the subject property will permit parking adjacent to the street right-of-way.

6. The existing B-1 district to the west of the site has been a blight on the area. Many of the uses have changed periodically and because of this structures have, from time to time, stood vacant and presented an unsightly appearance. Before additional commercial zoning should be considered, stabilization of this area should occur.

7. Intensification of zoning along thoroughfares should be discouraged.

8. The approval of this request could lead to others in the vicinity. In fact the adjacent property to the west has recently been petitioned for business zoning and will be heard soon at public hearing.
DATE August 9, 1982
PETITION NO. 82-47
PETITIONER(S) Pedro's Mexican Food, Inc.

REQUEST Change from 0-6 to B-1(CD)

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

ACTION The Planning Commission recommends that the petition be denied.

VOTE Yeas: Culbertson, Curry, Evans, Jernigan, Lawing, McCoy and Trotter.
Nays: None.

(Commissioner Greene was not present when vote was taken.)

REASONS:

The following issues associated with this request can be identified:

1. Zoning and Land Use Pattern. Would the approval of this request and resulting use of the property be consistent with existing and anticipated zoning and land use patterns in the area?

2. Need for Business Zoning. Is there an identified need for additional business zoning in the area?

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

1. Existing Zoning. The petitioned property is zoned 0-6. Contiguous areas to the south and west are also zoned 0-6. Further south begins a large area zoned R-12 for single family homes. Property relating to Independence Boulevard is zoned B-2 and areas north of the frontage property are zoned R-9.

2. Existing Land Use. At the present time the site is developed with two single family dwellings, one of which is abandoned. Along Independence Boulevard are a variety of commercial uses. Along Margaret Wallace to the east of the site are several single family homes. Also nearby is the Woodberry Forest Subdivision and Mason Wallace Park. To the west properties along Margaret Wallace are vacant.
6. Approval of this request would result in unadvisable zoning and land use in the area.

5. Further, the approval of this request may lead to other similar requests in the area.

4. Approval of this request would, in effect, jump over the existing Z-2 boundary zone map.

3. Other land in the vicinity is zoned for business purposes and not being used.

2. The 0-6 zoning classification serves as a transition from Z-2 zoning along the service center zone.

1. The subject property is zoned 0-6.

Findings may also be made based on the above issues, races and general findings, the following detailed.

at this time.

The project is not in the Transportation Improvement Program (TIP). The TIP is a plan to improve transportation infrastructure by prioritizing projects based on need.

Funds for the study ($600,000) have been appropriated by October 1, 1990.

The cost of project (land acquisition and construction) is estimated at $22 million.

Service Center.

Property. Property is also in close proximity to a service center.


2. Transportation Improvement Program (TIP).

3. Site Plan. The site plan proposes a 10,000 square foot restaurant. 137 park-

August 9, 1982
Petition No. 82-47
PETITIONER  Pedro's Mexican Food, Inc.

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

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

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

ZONING MAP NO.  25       SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
August 27, 1982

Mayor Eddie Knox
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

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

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

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

Respectfully submitted,

Robert G. Young
Zoning Hearing Supervisor

RGY:oj
Attachments
DATE August 23, 1982

PETITION NO. 81-48

PETITIONER(S) Grand Cafe, Inc.

REQUEST Change from 0-6 to B-1(CD)

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

ACTION The Planning Commission recommends the petition be approved.

VOTE Yeas: Boyce, Culbertson, Curry, Greene, Jernigan, Lawing, McCoy, Smith and Trotter.
Nays: None.

REASONS:

The following issues associated with this request can be identified:

1. Relation to Adjoining Uses. Does this change in a small parcel relate satisfactorily to adjoining and nearby land uses?

2. Neighborhood Objectives. Does this proposed change relate satisfactorily to broader neighborhood objectives, especially in relation to vehicular traffic?

3. Site Plan Conditions. Do site plan conditions now associated with this request offer reasonable neighborhood and development safeguards?

4. Relationship to Rezoning Petition No. 82-48. What relationship does this request have on issues concerning petition 82-48 by El Villa, Ltd.?

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

1. Existing Zoning. The subject property is now zoned an 0-6 office classification as is a substantial amount of property surrounding it. Generally the land between the requested parcel and Providence Road is now zoned a B-1 business classification while other properties to the east along Altondale and Fenton Place are zoned R-6MF multi-family. This request constitutes a minor expansion of existing B-1 zoning into the existing 0-6.
2. **Existing Land Use.** The subject parcel is part of a designated use area related to the operation of a restaurant and retail outlet development known as El Villa. The combination restaurant and retail outlet development is located along Atkinson Avenue with business usage beginning at Providence Road, then single family residential usage.

3. **Request.** Background and Details. The subject parcel has always been part of a rear yard outdoor area connected to a restaurant located in the main structure known as El Villa. Over a period of time, the area which is partially already zoned for business purposes has had some outdoor usage related to the restaurant. More recently, there has been additional outdoor usage of the deck area. In order to properly regulate this usage, the intent of formalizing the use of the deck area adjacent to a pool area. More recently, the property owner has purchased a building permit to erect a wooden deck area, which is now zoned for office purposes and this constitutes a violation. This petition, therefore, seeks rezoning of the area covered by the deck which is located in the existing office district.

4. **Change to B-1(C).** This request has recently been amended to B-1(C) in lieu of the original B-1. The conditions of this request are as follows:

   a) The portion of the courtyard behind the Villa Square Shopping Center included in the B-1(C) area shown on the site plan will be used for restaurant purposes only.

   b) The performance of amplified live entertainment will be prohibited between 9:00 p.m. and 1:00 a.m. No amplified live entertainment will be permitted between 9:00 p.m. and 1:00 a.m. No other uses of the building will be permitted.

   c) The performance of amplified live entertainment will be prohibited from the Villa Square property.

5. **Parking Relationships.** While concerns and questions have been raised from time to time concerning the parking relationship of this overall development, an examination by the Transportation Department indicates that even with the deck in place, off-street parking requirements of the zoning ordinance will continue to be met. According to calculations related to the parking capacity of the restaurant and the operation
of other shops as they now exist in the El Villa development, 111 total parking spaces would be required whereas 113 are available.

The following general finding can be made:


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

1. The subject parcel is part of a development which has permitted the retention of an historic structure with a quality urban atmosphere.

2. The change which is proposed constitutes an internal project rearrangement instead of a substantial external one.

3. The overall proposal does not involve an increase in the allowable seating capacity of the restaurant, but reflects a shift from the original plan which recognized a primary restaurant and a smaller, secondary food service facility. A condition of the plan now provides a total of 147 seats in the restaurant and deck areas.

4. The change as requested will not result in a parking deficiency as has been certified by the Building Inspection and Transportation Departments.

5. The problems which have occurred in the past with overflow parking should have been relieved with the abandonment of the smaller food service area.

6. This proposal offers the addition of new conditions and restrictions which will provide further development control of the parcel in question.

7. This proposal has been deferred for some time, but was reactivated in conjunction with petition 82-48 by El Villa, Ltd. The two petitions have been considered by Planning Commission together. Petition No. 82-48 was recommended for approval by the Planning Commission.

8. Overall, this request constitutes a minor internal change in an already developed project which should not adversely affect or impact on either immediately adjoining properties nor broader neighborhood interests.
DATE  August 23, 1982

PETITION NO.  82-36

PETITIONER(S)  Warren and Jane B. Redd

REQUEST  Change from R-9 to B-1(CD) and 0-15(CD)

LOCATION  A 39.2 acre tract on the easterly side of Reddman Road, about
           1/2 mile south of the intersection of Albemarle Road and Reddman Road.

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

VOTE

REASONS:

DATE August 23, 1982

PETITION NO. 82-39

PETITIONER(S) Public Storage, Inc.

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

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

ACTION The Planning Commission recommends the petition be denied.

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

Nays: None.

REASONS:

The following issues associated with this request can be identified:

1 Albemarle Road Plan Would the approval of this request be consistent with the Albemarle Road Plan?

2 Overall Objectives Would the approval of this request be consistent with overall zoning and land use objectives for this area?

3 Mixed Use Objectives Would the proposed use, a mini-warehouse project, promote the mixed use development objectives for this area?

4 Site Plan Does the site plan offer a reasonable plan for development?

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

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

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

2. Alabam Road Small Area Plan
   The Plan Map indicates mixed use office/retail business along Alabam Road.

3. Alabam Road Plan
   The Alabam Road Plan indicates the general area of the request as a mixed development area with the frontage property along Alabam Road devoted to commercial uses.

4. Site Plan
   The site plan submitted as a part of this request calls for a mini-warehouse project with a total building square footage of 423,300 square feet. One driveway is shown along one side of the property, which is part of the plan.

5. Existing Land Use
   The property in question is undeveloped and is proposed for use as a church and a large office park. The property is being developed with commercial or office uses. Some single family develop along Farm Road Lane on the south side of Alabam Road.

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

1. The petitioner property is presently zoned B-2. The non-residential zoning classification of the petitioned parcel is not consistent with the Alabam Road Small Area Plan, nor with the mixed use pattern of development.

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

3. The proposal to change the zoning on this parcel and construct a mini-warehouse project is not consistent with the Alabam Road Small Area Plan.
4. While the site plan prepared with this request has given consideration to various site plan aspects, the proposed use will, however, create a "dead space" in the mixed use area around the site, which is not desirable.

5. It may be argued that the proposed use will generate less traffic than most uses now permitted on the site, but this one consideration is not enough to justify this request.

6. It is felt that the current B-2 zoning offers a very reasonable and desirable opportunity for development of this site. B-D zoning is, therefore, not a prerequisite for development opportunities. Thus, based on this and the above considerations this request cannot be recommended for approval.

7. (It should be noted, also, that the petitioner's financing for this project was withdrawn and, therefore, the petitioner determined that the project proposal could not be built).
DATE August 23, 1982

PETITION NO. 82-48

PETITIONER(S) El Villa, Ltd.

REQUEST Change from 0-6 to 0-6(CD) and Site Plan Amendment

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

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

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

Nays: Jernigan and McCoy.

REASONS:

The following issues associated with this request can be identified:

1. Neighborhood Objectives. Would the approval of this request be compatible
with overall neighborhood planning objectives?

2. Villa Square/Mixed Use Development. Is this proposal consistent with the
mixed use, infill concepts as originally proposed for this development project?

3. Traffic. What traffic problems exist in the area now? How does this proposal
relate to those concerns?

4. Site Plan Amendment. Does this site plan amendment offer a reasonable plan
for development that fulfills the needs of the petitioner while also protect-
ing the neighborhood?

5. Fenton Place Streetscape. How does this proposal address the streetscape
design along Fenton Place?

6. Zoning/Land Use Decision. Does this proposal offer the means to settle zoning
and land use decisions with regard to Villa Square?

7. Implementation. Does the plan offer reasonable, controllable conditions?
1. Comprehensive Plan 1999. The plan map generally indicates commercial/trans-—

The following General Fund uses can be approved at

recommended approval of 8-1-95 in conjunction with 82-46.(a)

The following Comments on the Table Square Shopping complex, (Planning Commission has
association of the market and place as a true retail center, the overall centers of the restaurant
portion of the market and place for restaurant use to restaurant purposes and the market-—
to 8-1(CD) and will restrict the use to restaurant purposes and the markets
the outdoor parking (per day) from 8-6 to 8-1. The tenant lease has been secured and
be to secure a tenant (as per the lease agreement) a restaurant (a portion of
is subject to the Board of Planning and Zoning acting in compliance with the lease, tenant, and
warranties on the property, to include a tenant, which is still

2. Second Partition No. 82-46 by Grand Cafe, Inc. The partition, which is still

and on the vacant lot beside it must occur.

space can occur, the construction of the structure of the approved recreational building. Before construction of the 24 new

shown for the approved recreational building. Before construction of the 24 new

adequate. The planning process is ready to add a total of 24 new parking

This would replace the existing process to construct a teen center

60 foot by 60 foot. The plan proposes another two-story residential structure on an office. Next, the plan proposes

4. Proposed Site Plan. The site plan amendment submitted as a part of this re-

of the site plan have never been constructed.

3. Existing Site Plan. The existing site plan (approved in 1976) indicates that

some multi-family buildings are interspersed.

2. Existing Zoning. The property is zoned R-6 (CD) and residential.

zones, both single family and multi-family, predominates.

1. Existing Zone. The petitioned property is presently zoned R-6 and 0-6 (CD).

I. Considered:

In arriving at answers to the above questions, the following facts should be
Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is zoned 0-6 and 0-6(CD). The 0-6(CD) zoning came about in 1976 to satisfy parking needs of the Villa Square complex.

2. The overall Villa Square complex was proposed and developed as a mixed use, infill project that could combine residential and non-residential uses successfully into an existing urban neighborhood. The project included the re-use and rehabilitation of an historic structure.

3. One of the original concepts behind this development was that the project could be more pedestrian oriented than most conventional shopping/retail complexes.

4. However, vehicular traffic associated with this development has been a constant problem. Additional traffic has been generated which has adversely affected the neighborhood due to periodic congestion, on-street parking, noise, late night traffic, etc. Residents of the area have been understandably distressed by these problems.

5. Therefore, a very fragile relationship exists between the neighborhood environment and the commercial center.

6. It has become apparent that the original proposal to construct a tennis court and recreational building on property associated with this request is no longer feasible. The petitioner seeks a plan amendment in this regard.

7. The petitioner's proposal to amend the site plan offers the opportunities to solve problems that have occurred. First, the proposal to construct a 2-unit residential structure on one lot and an office or another 2-unit structure on the adjacent lot addresses the lingering streetscape problems along Fenton Place. Other design features, such as traditional architecture, will help to insure design compatibility with other uses on the street. Secondly, the addition of 24 new parking spaces should help relieve parking problems. These additional spaces will ease congestion and on-street parking problems.

8. A condition of the plan requiring the construction of the office or 2-unit residence at 505 Fenton Place and the 2-unit residence on the vacant lot before the new parking spaces can be constructed is desirable because this will insure that the streetscape will be secured.

9. It is possible that the petitioner could demolish the existing structure on 505 Fenton Place and replace it with 28 parking spaces. It is felt that this would be a detriment to the overall environment. Thus, the petitioner's proposal to either retain this structure or replace it with a structure of compatible design is desirable in terms of the streetscape appearance and the overall neighborhood environment.
the above considerations and conditions, it is felt that the problems as well.

With the above considerations, the objectives of the VITTA Square complex

In connection with adjacent properties.

such parking cannot be used

which clarified that the residential structure to be constructed on

additional clarification for a vacant to add its own parking and parking cannot be used.

To apply to other retail uses in the VITTA Square complex.

exceed to the traffic problem. However, the two spaces could be used restricts the total number of seats it ensures that the restaurant cannot

By the restaurant patrons. A condition of rezoning petition 61-48 restricts

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August 23, 1982

Petition No. 82-48
PETITIONER  El Villa, Limited

PETITION NO.  82-48  HEARING DATE  July 19, 1982

ZONING CLASSIFICATION, EXISTING  O-6 & O-6(CD) REQUESTED  Site Plan Amendment

LOCATION  A .490 acre site fronting 120 feet on the southerly side of Fenton Place approximately 354 feet east of the intersection of Fenton Place and Providence Road.

ZONING MAP NO.  7  SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
DATE     August 23, 1982

PETITION NO. 82-50

PETITIONER(S) Catawba Economic Development Association, Inc.

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

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

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

VOTE

REASONS:
DATE August 23, 1982

PETITION NO. 82-51

PETITIONER(S) City of Charlotte - Community Development Department

REQUEST Change from R-6MF to I-3

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

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

VOTE

REASONS:
DATE August 23, 1982

PETITION NO. 82-52

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

REQUEST Change from R-6MF to B-1

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

ACTION The Planning Commission recommends that the petition be denied.

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

Nays: None.

(Co mmis sioner Greene was absent when vote was taken.)

REASONS:

The following issues associated with this request can be identified:

1. Need for Business Zoning. Is there an identified need for additional business
   zoning in the area?

2. Traffic. What traffic and traffic related problems might result if this request
   is approved?

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

4. Thoroughfare Zoning. Would the proposal to rezone this lot for business pur-
   poses be compatible with objectives for zoning along thoroughfares such as
   Central Avenue?

5. Overall Zoning Objectives. Would the approval of this request be consistent
   with overall zoning objectives for this area?
Identified carbon monoxide hot spot.

As one of the most congested intersections in the city and is the number one impact on the Central Avenue/Sharon Avenue intersection, which has been identified to need additional traffic to further reduce pollution and traffic congestion. The subject property is located on Central Avenue and Sharon Avenue.

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

Findings may also be made:

Based on the above issues, facts and general findings, the following conclusions:

Appropriated as of October 31, 1980.

Funds have been appropriated as of October 31, 1980.

The study is the number of intersections that need improvement. The study is the number of intersections that need improvement.

The transportation improvement program (TIP) includes the following recommendations:

I. Comprehensive plan 1999. The plan map indicates residential development.

II. Commercial/industrial complex and commercial/industrial development on the vicinity of the property.

The following general findings can be arrived at:

Partner south of the site begins a large concentration of commercial development.

Central Avenue runs parallel to the Central Avenue/Sharon Avenue intersection.

Central Avenue runs parallel to the Central Avenue/Sharon Avenue intersection.

Central Avenue runs parallel to the Central Avenue/Sharon Avenue intersection.

Central Avenue runs parallel to the Central Avenue/Sharon Avenue intersection.

Central Avenue runs parallel to the Central Avenue/Sharon Avenue intersection.

Central Avenue runs parallel to the Central Avenue/Sharon Avenue intersection.

Central Avenue runs parallel to the Central Avenue/Sharon Avenue intersection. The property in question is developed with 2 single family dwellings.

I. Existent zoning. The subject property is presently zoned R-6MP as is conforms.

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

August 23, 1982
Petition No. 82-52
4. Across the street from the site are the Glen Hollow Apartments. The apartment complex presents a pleasant view along Central Avenue. No clutter of signs or automobiles is present.

5. On the other hand, business zoning of the subject property will permit parking adjacent to the street right-of-way.

6. The existing R-1 district to the west of the site has been a blight on the area. Many of the uses have changed periodically and because of this structures have stood, from time to time, vacant and presented an unsightly appearance. Before additional commercial zoning should be considered, stabilization of this area should occur.

7. Intensification of zoning along thoroughfares should be discouraged.

8. The approval of this request could lead to others in the vicinity.

9. Property to the east (Petition No. 82-46) has been recently recommended for denial based upon the above considerations.
DATE       August 23, 1982

PETITION NO.  82-53

PETITIONER(S)  Roger R. Lee

REQUEST       Change from I-1 to I-2

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

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

VOTE

REASONS:
DATE August 23, 1982

PETITION NO. 82-54

PETITIONER(S) John Crosland Realty Company

REQUEST Change from I-1 to I-2

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

ACTION The Planning Commission recommends that the petition be approved.

VOTE Yeas: Boyce, Culbertson, Lawing and Trotter.

Nays: Curry, Jernigan and McCoy.

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

The following issues associated with this request can be identified:

1 Zoning/Land Use Pattern Would the approval of this request be compatible with existing and anticipated zoning and land use patterns in this area?

2 Area Impact What impacts, if any, would result if this property was rezoned to I-2?

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

1 Existing Zoning The subject site is zoned I-1 Continental property on 2 sides is also zoned I-1, while I-2 zoning is adjacent on the remaining sides. The zoning pattern in the immediate vicinity of the site reflects industrial or distributive business classifications. Farther north of the site begins a large area zoned for residential purposes. Also in the area is a tract of land which is zoned for a fraternal organization.

2 Existing Land Use The petitioned property is presently vacant. It is adjacent to a tract of land used for truck trailer parking. Generally land uses along Starita Road and I-85 in this area consist of light industrial or freight and trucking facilities. Property immediately adjacent to the site on the northerly and easterly sides is vacant, while farther north begins an area of single family homes.
The following General Findings can be arrived at:

1. Comprehensive Plan 1999

The Plan Map indicates industrial development in the vicinity of the petitioner's property.

2. Transportation Improvement Program (TIP)

I-85 widening project consists of widening the existing two lanes to four lanes with turn lanes at major intersections from Reedy Road to the US-29-NC-49 connector.

3. Capital Improvement Program (CIP)

The streeterville avenue will be extended from Reedy Road to Foxconnular Road. Project has high priority.

4. Water Project

No funds have been appropriated as of estimated cost is $1.5 million. The project will be supported by the I-85 widening project.

5. Current Water System

The current water system is expected to be extended from Reedy Road to Foxconnular Road. Project has high priority.

6. Petitioner's parcel

The parcel is an interior parcel that is surrounded by the existing zoned area. A long stretch of road is located to the rear of the property which has frontage onto the property.

7. Zoning

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

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

$1.9 million completion of project is scheduled for fiscal year 1998-1999.

June, 1992 Project has a low priority.

Percent Federal and 10 percent State. Project has high priority.

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August 23, 1992
Petition No. 82-54
PETITIONER: John Crosland Realty Company

PETITION NO.: 82-54

HEARING DATE: August 16, 1982

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

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

ZONING MAP NO.: 42

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
DATE August 23, 1982

PETITION NO. 82-55

PETITIONER(S) Grady and Grace Query

REQUEST Change from R-6MF to 0-6

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

ACTION The Planning Commission recommends that the petition be denied.

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

Nays: None.

Commissioner Greene was not present when vote was taken.

REASONS:

The following issues associated with this request can be identified:

1 Overall objectives Would the proposal to rezone this property be consistent with overall land use and zoning objectives for this area?

2 Need For Office Zoning Is there an identified need for additional office zoning here?

3 Thoroughfare Zoning Would the proposal to rezone this property be compatible with zoning objectives along a major thoroughfare such as Central Avenue?

4 Future Affect If approved what affect would this request have on future land use and zoning decisions in the area?

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

1 Existing Zoning The subject site is presently zoned R-6MF as is adjacent property on three sides. Adjacent as well as nearby property to the south is zoned R-9. To the east of the site property is zoned 0-6 and B-1. These areas front along Central Avenue and generally relate to the Eastway Drive/Central Avenue intersection. North of properties that front on Central Avenue land is generally zoned R-9.
The intersection of Sonora and California Avenues should be discouraged.

Residential zone B-6

Do not be underdeveloped by the introduction of non-appropriate one and two story residential and associated uses. This pattern is an integral part of the property's identity and character.

Property

Planning and Design

The residential area near the Sonora-Gurnee boundary has remained stable in character as well as being attractive looking and well maintained.

Three of the five residential properties and an area already zoned B-6 are located on the slope before the lowest level of lots to the east. These are two parcels between the residential zone and a multi-family zone.

Based on the above issues, facts and general findings, the following statement is made:

Financing may also be made:

Property

The following general findings can be arrived at:

1. The property is surrounded by residential and multifamily housing.

2. The property is zoned R-6R.

3. Legal requirements or office use have been undereveloped and have been available.

4. Approval of this request will most likely result in requests for similar requests for some time.

5. The property is zoned R-6R for some time.

6. The property is zoned R-6R for some time.

7. The property is zoned R-6R for some time.

August 2, 1982
Permit No. 82-55
PETITIONER  Grady W. Query and Grace A. Query

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

ZONING CLASSIFICATION, EXISTING  R-6MF  REQUESTED  0-6

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

ZONING MAP NO.  22  SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE
DATE August 23, 1982

PETITION NO. 82-56

PETITIONER(S) Homeowners of Delta Acres Subdivision

REQUEST Change from R-9MF to R-15

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

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

VOTE

REASONS: