<table>
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<th>Meeting Type:</th>
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<tbody>
<tr>
<td>Date</td>
<td>09-26-1990</td>
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<tr>
<td>SUBJECT</td>
<td>City of Charlotte, City Clerk’s Office</td>
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</tbody>
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Mayor's Schedule
September 26, 1990

6:00 p.m. - Public Hearing - New Zoning Ordinance

1. Walter Lineberger, 3001 Robin Road, 366-1387
2. Joan Kennedy, President of League of Women Voters of Charlotte-Mecklenburg, 1441 Carmel Road, 366-5777
3. Fred Bryant, 1850 E. Third Street, 333-1680
4. T. Price Zimmerman, Box 58, Davidson, NC 892-3050
5. Bailey Patrick, 900 Baxter Street, 372-1120
6. John Boal, 1125 E. Morehead Street, 375-2510
7. Michael Cole, 417 East Boulevard, 376-1555
8. Peter Hubicki, 2 First Union Center, Suite 2410, 342-0933
9. Jim Cotes, 219 E. Kingston Avenue, 375-9373
10. Thomas Frick, 310 S. Tryon Street, 342-1968
11. Tom Lawing, Sr., 1445 E. Seventh Street, 334-6481
12. Alfred Davis, 10200 Arthur Davis Road, Huntersville, NC 597-0513
13. Bill Trotter, P. O. Box 35269, 333-8804 (William H.)
14. Will Trotter, 1329 E. Morehead Street, 333-1105 - MOVE TO 10/11
15. Landon Wyatt, 2800 One First Union Center, 342-9000
16. John P. Brockway, 14517 East Rocky River Road, Davidson, NC, 355-5696
17. Joseph G. Nunn, 8901 Whispering Pines Lane, 527-2034
18. Addie S. Roseboro, 1625 Parson Street, 372-6129 - DID NOT WANT TO SPEAK
19. Juanita Lockhart, 1524 Belvedere Avenue, 332-5286 DID NOT WANT TO SPEAK
20. Anthony Morrison, President Hunter Creek Neighborhood Association, 4701 Harri-Ann Drive, (H) 563-1710, (W) 788-5271
21. Neil Leach, 933 Berkley Avenue, 334-8948
22. Michael Schneiderman, 3122 Burkeridge Lane, 376-1164
23. Dr. Charles Tilley, 2130 Sharon Lane, 28211, 366-6895
24. Bill Thomas, 4819 Harri-Ann Drive, 531-0284
25. Mary Olive Johnson, 1979 Ferncliff Road, 366-3159 or 376-2054
26. Ray Jones, 212 S. Tryon Street, Suite 1200, 331-0470
27. Norman Dees, 2112 B-Avenue
28. Susan Lebold, 3332 Fielding Avenue, 366-5777
29. Michael Marlowe, P.O. Box 95132, Raleigh, NC 1-800-532-6311
City Council Public Hearing
New Zoning Ordinance 9/26/90

CINDY PRESIDING

Mayor
Campbell
Clofeteria
Hammond
McCrory
Mangum
Martin
Matthews
Patterson
Scarborough
Vinh
Wheeler

DuPuy
Andrews
Antry
Blackmon
Kelso
Lockwood
Walton

Hearing Committee

6:10 p.m.

Frank Emory, Chairman Planning Commission

Martin Cranton
Cindy Patterson
Jon Kennedy
Walter Linberger
Bailey Patrick
Planning Committee
Al Wagait
Jen Thompson
Sara Spencer
Frank Energy
Gloria Fleming
Prince Zimmerman - Save from land roping after tied at 6' 11". Nonconforming say important.
Mike Cole
Peter Hulicki SRO Single Room
Jim Cotes
Ray Matthew
Barbara Lockwood
Matthews
Cotes
Alfred Davis
Bill Butter
Linda Wyatt

Keber Left: 6:51
Kit Blackman Blackman Left 6:58
Neil Leach
Michael Schneiderman

Dr. Churko Tillet Grace M. Tillet
Mary Olive Johnson
Ray Jones - Consider adding 60. For Keber

Janzon
Jones
Janzon
Move its access until October 11, 1970

Andrews / Keller
7:18 P.M.
PROPOSED ZONING ORDINANCE

B-2 ADJACENT TO RESIDENTIAL

PARCEL SIZE - 7206 AC.
SETBACK - 20'
SIDEYARD - 0 OR 8'
REARYARD - 10' (SUPERCEDED BY BUFFER)
MAX HT. - 40
BUFFER - 25
SCREENING - 8 TREES & 50 SHRUBS PER 100 LF
F.A.R. - 1.0

COST ESTIMATE

- 7 LARGE MATURING TREES (2-1/2' CAL.) - $1,400.00
- 11 - EVERGREEN TREES - 1,485.00
- 110 - SHRUBS - 1,650.00
- GRASSING - 210.00

TOTAL - $4,745.00

EXISTING BUSINESS ON MONROE ROAD
PROPOSED ZONING ORDINANCE

B-2 ADJACENT TO RESIDENTIAL

PARCEL SIZE - 7206 AC.
SETBACK - 20
SIDEYARD - 0 OR 8
REARYARD - 10' (SUPERCEDED BY BUFFER)
MAX HT - 40
BUFFER - 18.75 (25% LESS 25%)
SCREENING - 6 FENCE & 8 TREES PER 100 LF
F.A.R. - 1.0

COST ESTIMATE

7 - LARGE MATURING TREES (2-1/2" CAL) - $1400.00
11 - EVERGREEN TREES - 1495.00
GRASSING - 210.00
6 FENCE - 222 LF @ $14.00/LF - 3108.00
TOTAL - $6203.00

EXISTING BUSINESS ON MONROE ROAD
MEMORANDUM

TO: City Council Members, County Commissioners, Planning Commissioners
FROM: Landon Wyatt, Childress Klein Properties
DATE: September 26, 1990
RE: July, 1990 Draft Zoning Ordinance

The following is a summary of the points covered in my comments

I Nonconformance

Page 7-1 states that "the provisions of this chapter are designed to curtail substantial investment and nonconformities and to bring about their eventual improvement or elimination in order to preserve the integrity of these regulations." This position places the integrity of regulations over the integrity of billions of dollars in investments made over the past 20 years according to the existing regulations. Much more leniency should be given to these developments.

II Concerns within the I-1 District - Section 9 1102 (46)

A Offices are limited to 300,000 square feet. This would prohibit Belk Headquarters and Royal Insurance Headquarters.

B This will not protect industrial land for industrial development as the logic seems to be. This requirement should be eliminated.

III Concerns within the Business Park District - Page 11-19

A Offices are not allowed as a use. The BP classification calls for a "mixture of employment types" and offices are included in the current ordinance. These should be allowed.

B Page 11-22. The Floor Area Ratio within the BP district is limited to 3. The Floor Area Ratio in the Industrial districts is 8 and within the Office districts ranges from 6 to 3.0. The 3 Floor Area Ratio requirement is
extremely low and unfair. It should be increased to at least 7

C All phases of the Business Park development are required to stand independently. This does not allow flexibility from site to site for a requirement such as overall Greenspace and Floor Area Ratios

IV Buffers - Section 12.4A

A Buffers are needed in the new ordinance

B Landscape requirements are not horticulturally possible

C Business Park and Industrial classifications are required to have Class B buffers next to greenways. All other classifications are only required to have a Class C buffer in this location. Given that land for greenways is mostly donated by the developer, the requirement of a more restrictive buffer next to land that is required to be donated seems extraordinarily unfair.

Thank you for your consideration.
To City Council Members and County Commissioner

OUR REQUEST:

PLEASE RESTRICT THE SALE AND STORAGE OF USED CARS IN RESIDENTIAL AREAS

THE PROBLEM:

THE USE OF RESIDENTIAL PROPERTY FOR USED CAR SALES

My name is Grace M. Tillet. I live at 2170 Sharon Lane in Fo.croft. For the past seven years we have had an ongoing problem caused by our next door neighbor who continues to store and sell used cars on his residential property.

At no time has our neighbor had less than one car for sale, and on many occasions he has had three or more with "for sale" signs prominently displayed—all parked fronting on the sidewalk of Sharon Lane. He has stored as many as 14 cars on his premises with a continuing change in color, make, and year of vehicles, some without license tags and not operational.

The zoning board, including Mr. Shorter and Mr. Womble, have been most cooperative and have spent countless hours on this problem, as has Mr. Dave Smith in the City Attorney's office, the community improvement office, and the mayor's office. However, because of the loose and vague zoning laws and lack of penalties, the problem is no sooner corrected than it comes up again. Our neighbor has stated that the regulations allow the sale of 5 cars per year at a residential location.

We know of other neighborhoods with a similar problem.

We sincerely hope that you will incorporate specific restrictions and penalties in the new zoning regulations regarding the sale and storage of used cars in residential areas. This would greatly assist our neighborhood and the zoning office in the control of this problem.

We suggest the following:

1. LIMIT RESIDENTIAL SALE TO ONE PERSONAL LICENSED CAR PER YEAR
2. LIMIT NUMBER OF WEEKS A CAR CAN BE SHOWN FOR SALE
3. ALL AUTOS ON PREMISES MUST BE IN WORKING CONDITION WITH VALID LICENSE AND LIABILITY INSURANCE
4. CARS DISPLAYED MUST BE 15 FEET BACK FROM PROPERTY LINE
5. APPLY INCREASING FINANCIAL PENALTIES FOR NON-COMPLIANCE WITH THESE REGULATIONS

Thank you.
TO MAYOR, CITY COUNCIL, BOARD OF COUNTY COMMISSIONERS, & MEMBERS OF THE PLANNING COMMISSION AND STAFF

FROM THE LEAGUE OF WOMEN VOTERS OF CHARLOTTE-MECKLENBURG

DATE SEPTEMBER 26, 1990

RE PROPOSED CONSOLIDATED ZONING ORDINANCE

The League of Women Voters believes that democratic government depends upon the informed and active participation of its citizens. We promote an open governmental system that is representative, accountable and responsive to all citizens. The League of Women Voters also believes that governmental bodies have a duty to protect the citizen's right to know by giving notice of proposed actions, holding open meetings and making public records accessible. Wide publicity, public hearings, public consultation with local governments and regional planning agencies, and broad citizen representation on policy-making boards at all levels are essential.

Therefore, the League of Women Voters wishes to commend the City Council, Board of County Commissioners and Planning Commission for providing opportunities for citizen participation in the comprehensive process of rewriting our local City and County zoning ordinances. We encourage the continued use of public meetings and hearings which allow for all points of view toward the proposed new ordinances to be expressed, and hope that all concerns will be considered carefully by those who must make the final decision on the adoption of the new ordinance.

The League of Women Voters respectfully requests the City Council, Board of County Commissioners and Planning Commission to carefully consider the following recommendations when evaluating the proposed ordinances:

1. Land should be managed as a finite resource and not as a commodity, since land ownership, whether public or private, carries responsibility for stewardship.

2. Land-use planning should reflect conservation and wise management of resources.

3. Areas impacted by public or private investment where siting results in secondary environmental and socioeconomic impacts should be identified and regulated.

4. Environmental, social and economic impacts of major public and private developments should be reviewed.

The League of Women Voters supports long range planning by local city and county government, with implementation according to state guidelines and in cooperation with regional planning offices. In 1986, the League of Women Voters of Charlotte-Mecklenburg adopted a position supporting the stated goals, objectives and tools of the 2005 Plan. The League recognizes that the adoption of uniform zoning policies and ordinances is essential to the successful implementation of the Plan.
I am here tonight to ask Council to please consider an oversight in the new comprehensive zoning ordinance. This omission concerns the ability of a business day care center to be placed in a single family or multi-family zoned residential property without any change of use hearing or any type of zoning change hearing. I am not referring to a situation where an owner occupied residence uses their residence to supplement their income by taking in several children because to deny that situation would unfairly infringe upon the rights of the use of personal property ownership. However, I would ask Council to consider prohibiting, without a change of use hearing, the wholesale conversion of a single family residence or multi-family property for the sole use as a business day care center; i.e., a house is sold by the occupying owners then converted solely for a business day care center. No longer is a day care center a question of a retired teacher keeping several children in a home. Today, day care centers are business - big business, just as much a business as a bank, a restaurant, or a retail shop. A day care center will open at 6:00 am and close as late as 9:30 pm - even on week-ends. A day care center is a "for profit" corporation with employees, a commercial size kitchen with exhaust fans, a dumpster, delivery supply trucks, and creates an increased traffic flow for streets designed for residential neighborhood traffic volume.

The proposed new zoning codes offer a sensible approach for group homes, but do not offer the same incremental zoning districts based on the number of children for day care centers as for group homes. Currently, the larger the house and yard, the larger the day care center a developer could build. This loop-hole in the current zoning codes allows developers to circumvent residential zoning laws for single and multi-family property and to legally convert non-business property into "de facto" business use.
Again, I would ask that Council please consider amending the proposed new zoning ordinance to require a change of use hearing before single family or multi-family zoned property can be used for business day care centers.

Thank you.

Walter Lineberger
3001 Robin Road
Charlotte, NC 28211
I. Invocation

II. Remarks by Frank E. Emory, Jr., Chairman of the Charlotte-Mecklenburg Planning Commission

III. Remarks by Martin R. Cramton, Jr., Director of Charlotte-Mecklenburg Planning Commission

IV. Review "Rules of Procedure" for the hearing

V. Call on Speakers — (in the order which they have signed up)

VI. Move to recess the public hearing until Thursday, October 11, 1990 at 6:00 P. M. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center
RULES OF CONDUCT
FOR
NEW ZONING ORDINANCES PUBLIC HEARING
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September 26, 1990 & October 11, 1990

The joint public hearing before the Mecklenburg County Board of Commissioners, Charlotte City Council and the Planning Committee of the Planning Commission on adopting new City and County Zoning Ordinances is expected to have a fairly large number of citizens sign up to speak at the public hearing. Citizens calling the City Clerk or Clerk to the Board of Commissioners are being requested to designate which day they would like to speak. Due to the large expected turnout, the normal rules of conduct utilized in zoning considerations appear not workable. Therefore, the following alternative rules are recommended to govern the hearing:

1. The Elected Officials will designate a member of the City Council or Board of County Commissioners to serve as the presiding officer.

2. After the official opening of the hearing on September 26, the Chairman of the Planning Commission will give a brief presentation followed by a 5-10 minute presentation from the Planning Director.

3. Speakers will then be called in the order in which they sign up to speak. Each speaker will be allowed to speak only once. It is recommended that each speaker be given no more than 3-5 minutes. The time limit may be adjusted as the presiding officer sees fit. Submission of written comments has been strongly encouraged in all publications about the public hearing.

Members of the Planning Staff will be available to answer questions from the Elected Officials and the Planning Committee on the new and current zoning ordinances. The Planning staff will not verbally answer any questions posed by a speaker unless directed to do so. However, the Planning staff will attempt to respond in writing to all questions.

4. After the last speaker for the September 26 session, the Elected Officials will move to recess the hearing to October 11, 1990 at 6:00 p.m. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center.

5. On October 11, 1990, the Elected Officials and the Planning Committee will officially reconvened the public hearing. The Chairman of the Planning Commission and Planning Director will make brief presentations, after which the scheduled speakers will come forward. Speaker time limits and the manner in which questions will be addressed will be the same as for the September 26 session.

6. After the last speaker for the October 11, 1990 session, the Elected Officials will officially close the hearing and each government body will separately refer its zoning ordinance to the Planning Committee of the Planning Commission for a recommendation.