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# City of Charlotte – Planning Dept. Scanning Rezoning Files

Petition # 1978-47

## Document type:

- Applications
- Correspondence
- Department Comments
- Land Use Consistency
  - Mail Info
  - Mapping
  - Other
- Site Plans



\* 0 0 B R E A K 0 0 \*

DATE November 20, 1978

PETITION NO. 78-47

PETITIONER(S) Young Men's Christian Association of Charlotte and Meck-  
lenburg - South Branch

REQUEST Special Use Permit approval to construct a YMCA in an R-15  
zoning district.

LOCATION Southerly side of Sharon Road extending between Sharon Hills  
Road and Quail Hollow Road.

ACTION The Planning Commission recommends that the special use permit  
be approved.

VOTE Yeas: Campbell, Culbertson, Curry, McCoy and Tate.

Nays: None.

REASONS: (Messrs. Broadway, Ervin and Royal abstained from voting.)

FINDINGS REGARDING REQUIREMENTS PRESCRIBED FOR SCHEMATIC PLANS:

The schematic plan and the other materials submitted with the petition at the time of filing fully comply with each of the requirements of Section 23-36(c), (1)-(7) and of Section 23-36.7(a), (1), (4) and (6).

FINDINGS REGARDING PRESCRIBED STANDARDS. The following findings are made from the record evidence presented at the hearing with respect to the four standards prescribed by Section 23-36.7(c), the basic facts relied on in support of each being set forth below:

Finding (Standard) No. 1. That the proposed use will not endanger public health and safety or substantially reduce the value of adjoining or nearby property.

Facts Supporting Finding No. 1.

1. The proposed use is designed and intended to promote public health through recreational programs.
2. The site plan for the proposed facility provides for safe vehicular access to the property from Quail Hollow Road minimizing potential traffic safety problems (see staff exhibit No. 3).
3. The proposed facility as presented by the petitioner is not anticipated to

endanger public health and safety or substantially reduce the value of adjacent or nearby properties (see testimony of L. H. Griffith Realtor, R. p. 38-40).

Finding (Standard) No. 2. That the proposed use will be compatible with the general characteristics of the area with respect to the location, size and exterior features of the structure, the location, design and screening of the parking areas and the location and size of signs.

Facts Supporting Finding No. 2.

1. The proposed site is located in an area of mixed but residentially oriented uses and vacant land (see staff exhibit No. 1).
2. The proposed site plan orients the building towards Sharon Road. Earthen berms landscaping and treatment of the building exterior features are designed to blend the facility in with the neighborhood. (See staff exhibit No. 3 and testimony of Larry Taylor, Architect, R. p. 22-25.)
3. The proposed site plan maintains all vehicular access and parking along Quail Hollow Road. The parking areas will be set back 40' from the road right-of-way and will be screened. A single identification sign will be placed on the site at the entrance to the complex. The sign will be low, unlighted and approximately three feet by five feet in size (see staff exhibit No. 3 and testimony of Larry Taylor R.p.24-32).

Finding (Standard) No. 3. That the proposed use will not substantially increase the volume of vehicular traffic within the area.

Facts Supporting Finding No. 3.

1. The initial facility and planned parking for 126 vehicles will generate approximately 400 trips per day. This would constitute a measurable but not an adverse increase of traffic on the adjoining streets. The total facility is constructed over approximately 15 years would have a similar impact on traffic (see testimony of Bernard Corbett, Traffic Engineer, R. p. 35-37).
2. The proposed use would generally generate traffic at hours other than the normal peak traffic periods and could reduce distance of travel necessary to reach a facility of this nature (see testimony of Bernard Corbett, R. p. 37-38).

Finding (Standard) No. 4. That the proposed use will be compatible with the general living environment of the area, particularly with respect to noise level.

Facts Supporting Finding No. 4

1. The outdoor recreational facilities are participatory rather than spectator type functions and are not expected to generate noise levels characteristic of spectator oriented events. Earthen berms, low shrubs and tress are to be

provided to screen and buffer the noise that is generated. (See testimony of Larry Taylor, R. p. 23.)

2. The outdoor ball fields and tennis courts will not be lighted and evening activity would primarily be building centered (see testimony of George Crestwell R. p. 21-42).
3. The site plan provides for the preservation of trees along Sharon Hills Road to the extent practical to be consistent with the character of the area (see exhibit No. 3 and testimony of Larry Taylor, R. p. 22).

# SPECIAL USE PERMIT

The Charlotte City Council approved this special use permit for Young Men's Christian Association of Charlotte and Mecklenburg owner(s) and successors-in-interest of the property described as tax parcel 209-191-34 and described in detail further in the application submitted to the council and incorporated by reference herein.

This special use permit allows the owner(s) and successors-in-interest of the property to use the property consisting of an 18.275 tract of land generally located in the fork of the Sharon Road and Quail Hollow Road intersection.

A notation on the official zoning map at the location of this property has been made designating the special use approved. If authorized by ordinance, then chapter 23 of the code is amended and the official zoning map thereof.

This special use permit is subject to and incorporates by reference all of the following: plans, specifications, all required conditions, section 23-36 of the code, all of which preceding are binding upon the property and all subsequent development and use of the property. It shall be unlawful to develop or use the property in violation of this special use permit and the plans and required conditions are incorporated by reference herein. The City Council has the authority to revoke the special use permit in accordance with the procedure described in section 23-36(j) of the code.

# Request for Council Action

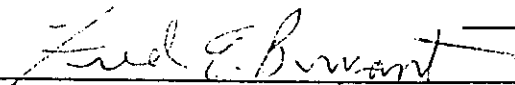
## Charlotte

To the City Manager

September 11, 1978

From

Fred E. Bryant



Date

Action Requested Consideration of a Resolution calling for a Public Hearing  
for Special Use Permits for the East Branch and South Branch YMCA.

Applications for special use permit approval have been received for expansion of the East Branch YMCA and for construction of the South Branch YMCA. These applications have been reviewed by this office and are in compliance with all applicable administrative requirements. It is, therefore, recommended that the attached resolution calling for a public hearing on these matters be adopted.

It should be noted that when considering a Special Use Permit, City Council sits as a quasi judicial body and receives sworn testimony relative to required Findings of Fact. The process is governed by the "Rules of Hearing Procedure for Special Use Permits" adopted by City Council.

RTL:mc

A RESOLUTION PROVIDING FOR PUBLIC HEARING  
ON PETITIONS FOR SPECIAL USE PERMITS

WHEREAS, the City Council has received petitions for Special Use Permits, which petitions are numbered 78-47 and 78-53 are on record in the Office of the City Clerk, and

WHEREAS, the City Council deems it in the public interest that hearings be held on said petitions,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that public hearings will be held in the City Council Chambers on the Second Floor of City Hall at 600 East Trade Street beginning at        o'clock P. M. on        , the day of        , 1978 on petitions numbered 78-47 and 78-53.

BE IT FURTHER RESOLVED that notice of said hearings be published as required by law.

APPROVED AS TO FORM:

Henry Underhill, City Attorney

PETITIONER Y. M. C. A. South Branch

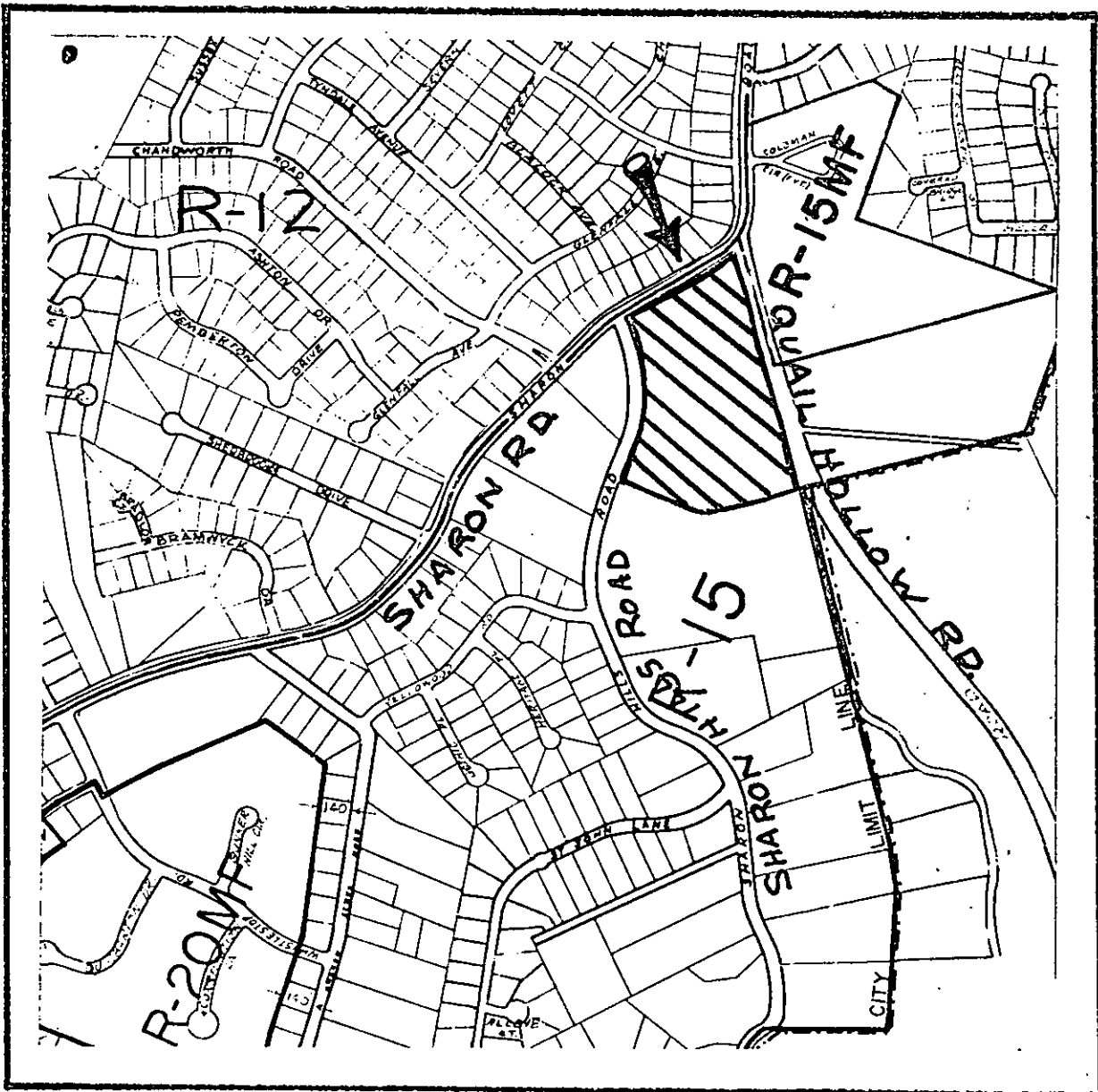
PETITION NO. 78-47

HEARING DATE \*

ZONING CLASSIFICATION, EXISTING R-15 REQUESTED ~~R-15~~ Special Use Permit

LOCATION Located generally in the fork of the Sharon Road and Quail Hollow Road intersection

Acreage: 18.275



ZONING MAP NO. 30

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE





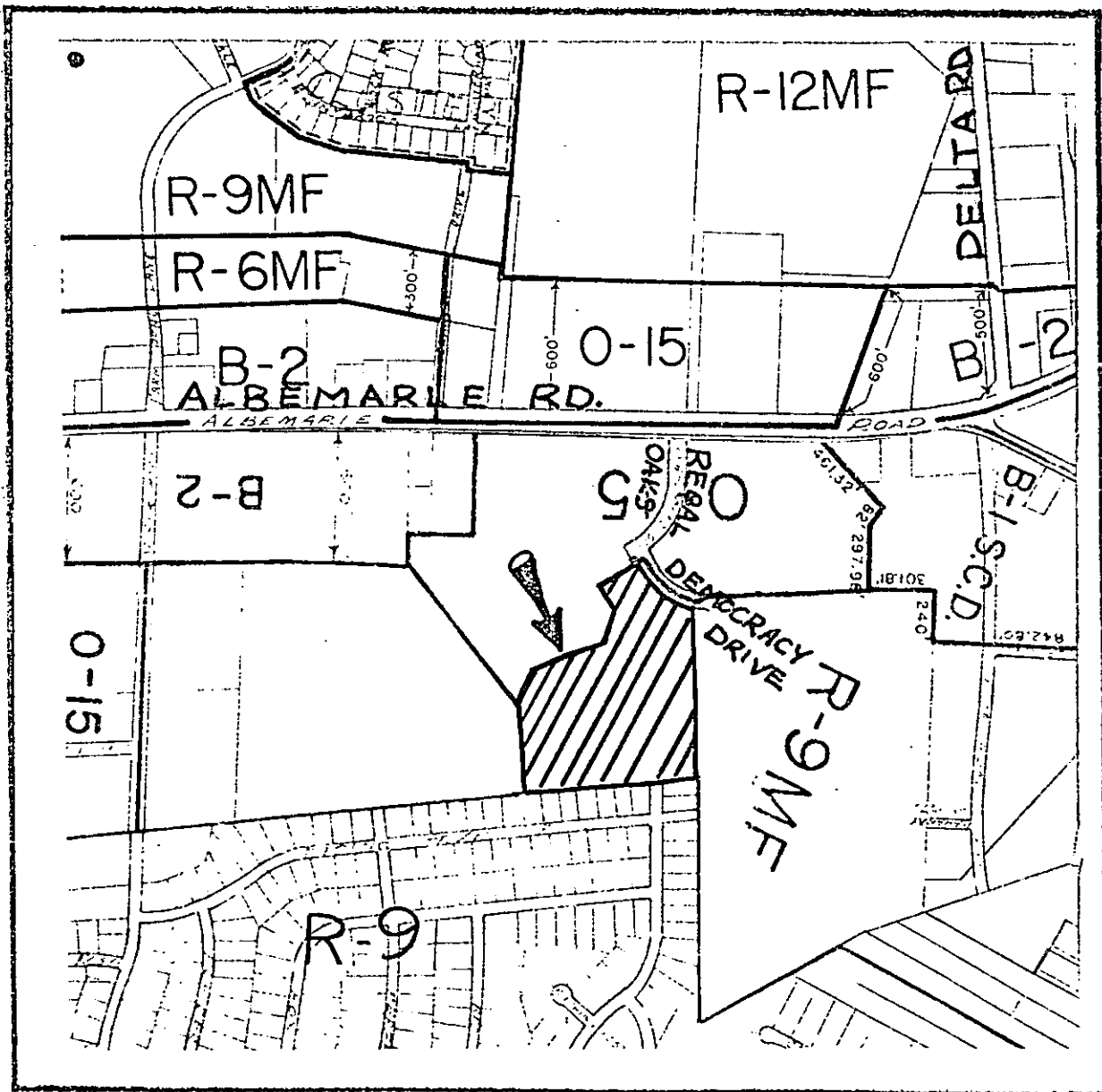
PETITIONER Y. M. C. A. East Branch

PETITION NO. 78-53 HEARING DATE \_\_\_\_\_

ZONING CLASSIFICATION, EXISTING R-9MF REQUESTED R-9MF Special Use Permit

LOCATION Fronting approximately 302 feet on Democracy Drive at the corner of  
Regal Oaks Drive and Democracy Drive

Acreage: 15.815



ZONING MAP NO. 40

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



**CITY OF CHARLOTTE**  
**INTER-OFFICE COMMUNICATION**

**DATE:** November 1, 1978

**TO:** Bob Landers  
Planning Department

**FROM:** *Vi*  
Vi Alexander  
Administrative Assistant

**SUBJECT:** Zoning Petition #78-46

As you are aware, the decision on the rezoning petition on Arnold Drive was deferred until November 20 to allow staff to provide information on the following items:

1. Traffic impact of multi-family zoning -  
We have mailed to Councilmember Frech the attached information from Traffic Engineering.
2. A staff evaluation of R-9MF and R-12MF

I think it would be helpful if you would incorporate Bernie's information into a final report for transmittal to Council. Please send the report to this office as early as possible.

cc: Bernie Corbett  
Fred Bryant

Attachment

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# CITY OF CHARLOTTE

MAIL RECEIVED

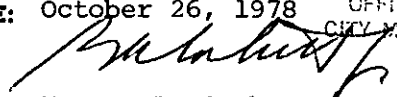
## INTER-OFFICE COMMUNICATION

OCT 27 1978

DATE: October 26, 1978

OFFICE OF  
CITY MANAGER

TO: Mr. D. A. Burkhalter  
City Manager

  
FROM: Mr. B. A. Corbett, Jr., P.E.  
Traffic Engineering Director

SUBJECT: Request of Council Member Frech relative  
to Zoning Petition #78-46

Council Member Frech has asked that this office determine the projected vehicular volume which would be generated for the property parcel under two zoning classifications. These are as follows:

R6MF - 1500 trips daily

R9 - 500 trips daily

We have assumed that the entire parcel would be developed to its capacity under each classification and have not omitted any space for streets or other open space since we have no specific development proposal.

Our conclusion is that the R6MF zoning would result in approximately three times as much vehicular traffic as the R9 classification.

BAC/bac

November 2, 1978

To The Mayor and City Council:

We the undersigned residents of the Arnold Drive neighborhood support Petition No. 78-46 by B. F. Howard and others to rezone the 2500 and 2600 blocks of Arnold Drive from R6-MF to R-9.

We are especially concerned with the negative influences on our neighborhood of the massive multi-family unit dwellings comprising Fountain Square Apartments. Vandalism, crime, unreasonable noises, dangerous and reckless driving, poor property maintenance, heavy traffic burdens on a narrow residential street and other such factors are damaging effects on our neighborhood. Our narrow streets off Arnold Drive are also getting dangerous cut-through traffic from existing complexes.

We have attempted to deal with such problems while trying to maintain some semblance of a neighborhood. Further damaging effects are inevitable with continued R6-MF zoning.

Name	Address
Fred A. Casano	2245 Arnold Dr.
Frank J. Remner	1955 ARNOLD DR
James Beard	1955 Arnold Dr.
Joseph T. Shephard	1968 Arnold Drive
Carol Richard	1968 Arnold Drive
Joyce Miller	1963 Arnold Dr.
Buabek Johnson	2001 Arnold Dr.
Ray Johnson	2001 Arnold Dr.
Steve Martin	1843 Arnold Drive
J. Miller	1839 Arnold Drive
George Della	3107 Cashy Pl
Paul E. Buck	1900 Arnold Dr.
Richard C. Morrison	1834 Arnold Dr.
Diane Morrison	1834 Arnold Dr.
Walter B. Martin	1822 Arnold Dr.
Rocky J. Martin	1822 Arnold Drive
Les B. Greenough	1800 Arnold Dr.
Janeta Greenough	1800 Arnold Dr.
George P. Greenough, Jr	1800 Arnold Drive

November 2, 1978

To The Mayor and City Council:

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We have attempted to deal with such problems while trying to maintain some semblance of a neighborhood. Further damaging effects are inevitable with continued R6-MF zoning.

<u>Name</u>	<u>Address</u>
Shirley H. Henry	3312 Draper Ave.
Shari A. Henry	3312 Draper Ave.
Jane D. White	3379 Draper Ave.
Jean H. Cross	3315 Draper Ave.
Clyde Cross	3315 Draper Ave.
John A. White	3319 Draper Ave.
Coke W. Carpenter	1721 Merry Oaks Rd.
Edna Carpenter	1721 Merry Oaks Rd.
<del>Miss J. E. Gardner</del>	1815 Arnold Drive.
John C. Gardner	1815 Arnold Dr.
Wm. Hail Martin	1839 Arnold Dr.
J. A. Martin	1839 Arnold Dr.
Ray C. Perkins	2021 Arnold Dr.
Alan C. Perkins	2021 Arnold Dr.
Patty Barrman	2250 Arnold Dr.
Frederick M. Brannan	2250 Arnold Dr.
Miss Faye Carino	2245 Arnold Dr.
Fred Kasseria	2245 Arnold Dr.

(continued)

Arnold Drive neighborhood residents supporting Petition No. 78-46 by B. F. Howard and others to rezone the 2500 and 2600 blocks of Arnold Drive from R6-MF to R-9.

Name	Address
Mrs. Henry E. White	2431 Arnold Dr.
Mrs. Lillian H. Thomas	2244 Arnold Dr.
Earl C. Nance	1801 Arnold Drive
Mrs. Fred C. Nance	1801 Arnold Drive
Ernest E. Kettle Jr.	3106 Cosby Pl.
William Rose	3112 Cosby Pl.
Loella Broadway	3118 Cosby Pl.
Mr. E. J. Sells Jr.	3107 Cosby Pl.
Banker Purson Sr.	3111 Cosby Pl.
Amyellie K. Purson	3111 Cosby Pl.
James Morris Rainwater	3124 Cosby Pl.
Ronald Rainwater	3124 Cosby Pl.
Harriet M. Row	3112 Cosby Pl.
E. F. Camp	3119 Cosby Pl.
Edwin W. Gass	3119 Cosby Pl.
Mrs. A. M. Cash Jr.	1817 Grayback Ave.
Ammanuel Cash Jr.	1817 Grayback Ave.
Willie Robinson	1821 Grayback Ave.
Dany J. Hanna	3532 Draper Ave.
Ronald & Smith	3532 Draper Ave.
Jack M. Petty	3540 Draper Ave.
Louise B. Petty	3540 Draper Ave.
Earl Frank	1623 Arnold Dr.
Earl Frank	1625 Arnold Dr.
Marjorie Spink	1625 Arnold Dr.
St. Kathy Fitzpatrick	1621 Arnold Dr.
Richard & Louise Zwickel	1635 Arnold Dr.
<del>Blanche Clontz</del>	1641 Arnold Dr.
Warren Clontz	1641 Arnold Dr.
J. B. Lockey	1818 Arnold Dr.
Ruth M. Lee Kay	1818 Arnold Dr.
E. E. Christenbury Sr.	1912 - Arnold Drive
Caroline Coffey	1916 Arnold Dr.
Mary Lou Butler	3525 Draper Ave.
B. Thompson	3515 Draper
Ruth S. Thompson	3515 Draper Ave.
W. J. Dillashaw	3512 Draper av
Seneca Dillashaw	3512 Draper av

(continued)

Arnold Drive neighborhood residents supporting Petition No. 78-46 by B. F. Howard and others to rezone the 2500 and 2600 blocks of Arnold Drive from R6-MF to R-9.

Name	Address
Lester McElige	1730 Arnold Dr.
W. P. [unclear]	1646 " "
Donald Fultz	1629 Arnold Dr.
Carrie Fultz	1629 Arnold Dr.
Curline [unclear]	1622 Arnold Dr.
William Bowlin	1631 Arnold Dr.
Shirley K. Blackwell	1739 Flynnwood Dr.
Zell B. Blackwell	1739 Flynnwood Dr.
Jeri Higgins	1740 Flynnwood Dr.
Martha D. Miller	1732 Flynnwood Dr.



BACKGROUND REPORT ON ZONING PETITION 78-46

Zoning petition No. 78-46 proposes that property along Arnold Drive be rezoned from R-6MF to R-9. In considering this petition, City Council has requested additional background information concerning the potential impacts of development of the subject property as now zoned vs. development under R-9MF and R-12MF zoning.

In compiling this information, it has been assumed that the entire subject area would be developed to its zoned capacity. It should be noted that the potential population and the number of school age children have been estimated based upon averages which are characteristic of such dwellings within Charlotte and Mecklenburg. Also, required parking is a function of dwelling unit size. For simplicity, a constant of two spaces per unit has been used. The following table summarizes the pertinent features under each zoning category.

	R-6MF	R-9MF	R-12MF
Density	21.5	17.4	14.5
Total Dwellings	266	212	176
Estimated Population	692	551	458
Estimated No. School Children	93	74	62
Estimated Total Parking Spaces	532	424	352
Estimated Acres for Parking	3.7	2.9	2.4
Estimated Vehicle Trips Per Day	1500	1185	975
Probable Building Type	Garden Apt.		Townhouse
Setback (Front Yard)	25'	30'	35'
Side Yards	15'	20'	25'
Rear Yards	15'	20'	25'
Building Separation	16'	20'	20'
Minimum Unobstructed Open Space	45%	55%	60%

Essentially, the three alternative multi-family districts differ only with respect to the intensity of development that is permitted. Development under the R-6MF category would be the most intense of the three. This district allows the highest density and requires the least setback in space. The Aztec Apartments, which adjoin the subject area, have been developed according to this district. By contrast, Fountain Square Apartments, which joins the subject property to the north, has a density of approximately 15.5 dwellings per acre and thus falls between the R-9MF and the R-12MF district requirements.

The Traffic Engineering Department estimates that full development of the property under R-6MF would generate 1500 additional vehicle trips per day. In development under the proposed R-9 single family district would generate approximately 500 trips, or one third as many. R-9MF and R-12MF zoned development would generate 1185 and 975 vehicle trips per day respectively. However, even at the upper limits of development, the level of service of Arnold Drive is not reduced. The significant traffic impact then would be that perceived by residents along the road rather than a substantial reduction in the theoretical capacity of the facility. Rezoning of the property to R-9MF would reduce the future potential traffic by approximately 21% or 315 vehicles per day. Rezoning to R-12MF would reduce the future potential traffic by 35%, or approximately 525 vehicles per day.

File

MEMORANDUM

November 28, 1978

TO: Mayor and City Council

FROM: Laura Frech, City Councilmember

You have received a petition signed by many residents of Arnold Drive and adjoining streets asking not to be impacted by more apartments. You have staff reports showing the traffic impact which would result from development of that land to its maximum allowable density. You have received also a letter from Neil Williams saying that his clients plan to put 100 units on  $5\frac{1}{2}$  acres, or close to 20 dwelling units per acre. The impact of such development would be disastrous for what is presently a single-family street struggling to survive.

The reason why R-6MF was imposed on single-family houses already built on Arnold Drive in 1962 continues to escape me. Most Councilmembers seem to agree that what is there now is bad zoning. However, a change to R-9 does not seem reasonable at this time. I hope you will consider and support a compromise which would be lowering the density of allowable multi-family development. I understand from the petitioners' attorney that they do not want the subject property divided up for purposes of rezoning. Therefore, I plan to move R12-MF zoning for the entire area and hope the Council and Mayor will see fit to provide some protection and relief for a large group of citizens threatened with further deterioration of their neighborhood.

Laura Frech, ml  
Laura Frech

LF/kd



## CHARLOTTE-MECKLENBURG PLANNING COMMISSION

CAMERON BROWN BUILDING  
301 SOUTH McDOWELL STREET  
CHARLOTTE, NORTH CAROLINA

WILLIAM E. McINTYRE  
Planning Director

August 28, 1978

Dear Property Owner:

B. B. Howard et al has petitioned to rezone  
property adjacent to yours from R-6MF multi-family to  
R-9 single family. A public hearing will be held on  
this rezoning on September 25, 1978 at 2:30 P.M. in the  
City Council Chambers, Second Floor, City Hall. This notice has been  
sent to you as a public service by the Planning Commission.

If you have any questions regarding this proposal, please call me at  
374-2205 between 8:00 and 5:00 Monday through Friday.

Sincerely,

*David A. Howard*  
dah

David A. Howard,  
Community Service Planner

DAH/mh