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Petition #: 97-81

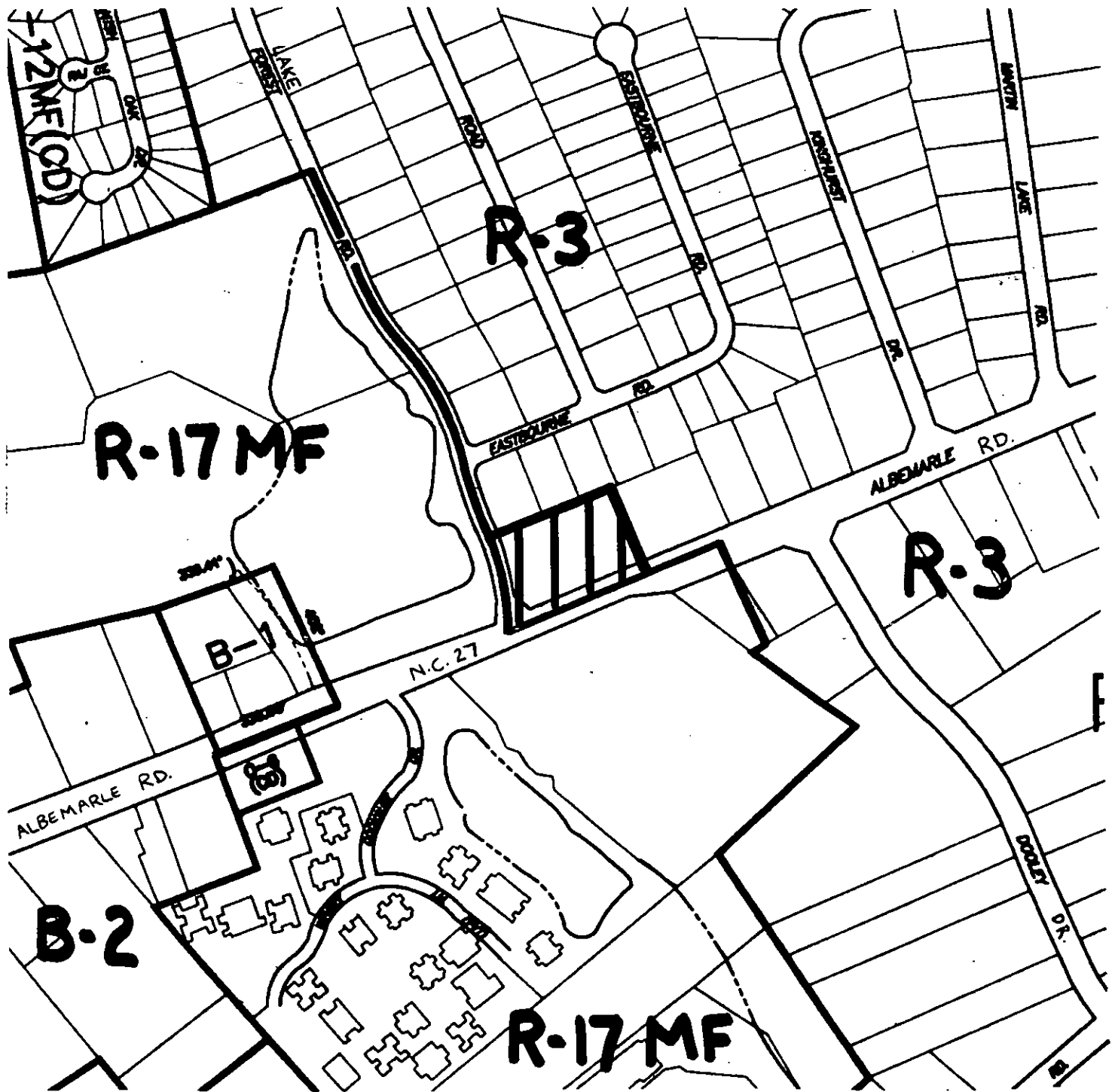
Petitioner: First Citizens Bank & Trust

Hearing Date: October 22, 1997

Zoning Classification (Existing): R-3

Zoning Classification (Requested): O-1(CD)

Location: Approximately 1.696 acres located on the northeast corner of Albemarle Road and Lake Forest Road.



OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

See Comma Plan.

Petition #: 97-81

Date Filed: 6/23/97

Received By: SLS

OFFICE USE ONLY

OWNERSHIP INFORMATION:

Property Owner: Thomas A. Baucom & J. Earl Sullivan

Owner's Address: 1632 McManus Road, Midland, North Carolina 28107

Date Property Acquired: February 20, 1985

Tax Parcel Number(s): 109-131-33

LOCATION OF PROPERTY (Address or Description): Northeast corner of Albemarle Road and Lake Forest Drive.

Size (Sq.Ft. or Acres): 1.696 acres Street Frontage (Ft.): 330' ± on Albemarle Rd

Current Land Use: Vacant

ZONING REQUEST:

Existing Zoning: R-3 Proposed Zoning: O-1(CD)

Purpose of Zoning Change: To allow branch bank to serve surrounding residential area.

Fred E. Bryant, Planner

Name of Agent

1850 E. Third St., Charlotte NC 28204

Agent's Address

333-1680 376-5715

Telephone Number Fax Number

J. Earl Sullivan Owner

Signature of Property Owner if other than Petitioner Thomas A. Baucom - Thomas A. Baucom

First Citizens Bank & Trust

Name of Petitioner(s)

PO Box 27131, Raleigh NC 27611-7131

Address of Petitioner(s)

704/338-4055 919/716-8239 919/716-2858

Telephone Number Fax Number

William J. Elder
Signature AREA VICE PRESIDENT

ZONING COMMITTEE RECOMMENDATION

DATE: October 27, 1997

PETITION NO.: 97-81

PETITIONER(S): First Citizen's Bank & Trust

LOCATION: Approximately 1.7 acres on the northeast corner of Albemarle Road and Lake Forest Road.

REQUEST: Change from R-3 to O-1(CD).

ACTION: The Zoning Committee voted to recommend approval of this petition, with the following modification:

- The petitioner agrees to construct a wall along the full length of the north property line.

VOTE: *Yeas:* Anderson, Broome, Heard, Hinshaw, Hopper, Motley and Wiggins

Nays: None

Absent: None

BACKGROUND

The proposal for this currently undeveloped site is to allow a financial institution of up to 3,900 square feet. The site plan associated with the petition provides for four drive-thru windows with a separate ATM under a canopy. Access is provided by a right-in, right-out driveway to Albemarle Road and another access to Lake Forest Road. Undisturbed Class "C" buffers are provided at boundaries with adjacent single family properties. Signage may be installed in accordance with the provisions of the Charlotte Zoning Ordinance, except that no detached signage along Lake Forest Road will be allowed. The East District Plan and the Albemarle Road east of Delta Small Area Plan both recommend single family residential uses for this site. They attempted to concentrate non-residential land uses at major intersections. Therefore, staff has found this proposal to be inconsistent with publicly adopted plans.

ZONING COMMITTEE DISCUSSION/RATIONALE

With the above modification, the Zoning Committee felt this proposal was appropriate for the location.

STAFF OPINION

Staff disagrees with the recommendation of the Zoning Committee. This proposal would introduce non-residential development into what has been a strictly residential portion of Albemarle Road. The presence of other undeveloped parcels along Albemarle Road in this area invite further non-residential development, thus further "stripping out" Albemarle Road and adversely impacting existing single family residents. The proposal violates all existing land use plans for the area.

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