



City of Charlotte – Planning Dept. Scanning Rezoning Files

Petition #_	1986-50	
	Document type:	
	□ Correspondence	
	☐ Department Comments	
	☐ Land Use Consistency	
	□ Mail Info	
	□ Mapping	
	□ Other	
	☐ Site Plans	



OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Petition No. 86 50
Date Filed 4/1/86
Received By 10 /
OFFICE USE ONLY

Property Owner_	PINTORINALION Carolina Conference Association	n of Seventh-day Adventists, Inc.
Owner's Address_	COOO Conference Drive Charlet	
Date Property Acc	quiredl-14-71	
Deed Reference	Book 3258, Page 205	Tax Parcel Number 191-22-6
Location (Of Property (address or descriptio	n) 6000 Conference Drive,
	otte, North Carolina 28212	
Description	on Of Property	
Size (Sq. FtAcres	4 مُعَرِّفُ 5.584 acres inclusive of 1.584	Street Frontage (ft.) See attached copy
Current Land Use	Administration of church act	copy ivities of Seventh-day
	ists for North and South Caroli	
Zoning Re	equest	
Existing Zoning_	-	Requested Zoning 01500
	g change To expand Administrati	•
	de more office space.	
		,
Bailey Patri		Carolina Conference Assoc. of Seventh-day Adventists, Inc. Name of Petitioner(s)
900 Baxter S Charlotte, N	Street, Post/Office Box 35566	6000 Conference Drive
Agent's Address		Address of Petitioner(s) Charlotte, NC 28212
704/372-1120)	704/535-6720
Telephone Numb	per	Telephone Number
	•	Lietaspenley
		Signature
		••

Signature of Property Owner if Other Than Petitioner

CONVENTIONAL REZONING APPLICATION FILING REQUIREMENTS:

1. two signed official applications;

2. two survey maps delineating the property in question;

3. a list of all adjacent property owners, with their current mailing addresses coded to the survey map or tax map (this information is available at the Mecklenburg County Tax Office, 720 East Fourth Street);

4. a filing fee to help defray administrative expenses (see fee schedule below):

5. a written boundary description showing distances and bearings of property lines (a metes and bounds description).

CONDITIONAL DISTRICT REZONING APPLICATION FILING REQUIREMENTS:

1. two signed application forms;

2. a filing fee to help defray administrative expenses (see fee scheduled below):

FILING FEES FOR BOTH CONVENTIONAL AND CONDITIONAL DISTRICT

REZONING APPLICATIONS

Size of Parcel

5 acres or less

Over 5 acres but not more than 50 acres
Over 50 acres but not more than 100 acres

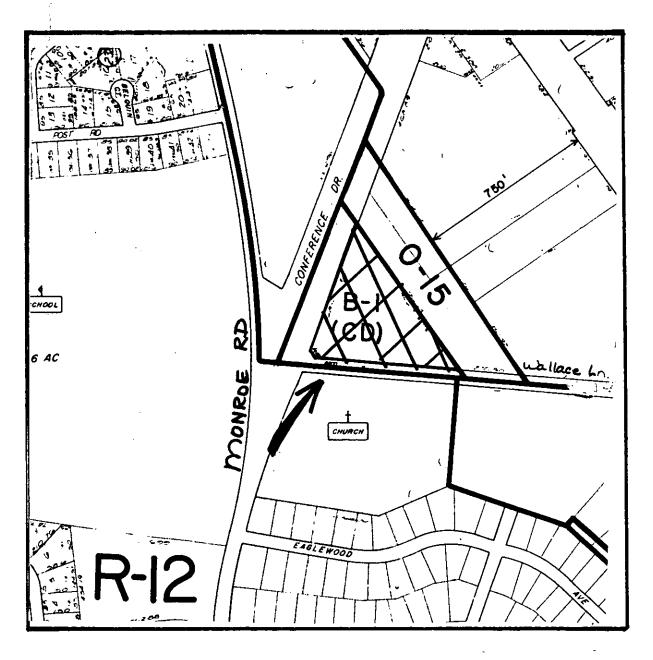
Over 100 acres

Application Fee
\$100.00
\$300.00
\$400.00
\$500.00

(Checks payable to Charlotte-Mecklenburg Planning Commission)

- 3. ten (10) copies of a schematic site plan, drawn to scale and at a minimum size of 24" x 36," which includes the following items (ten copies are needed for interdepartmental review):
 - (a) a boundary survey showing the total acreage, present zoning classification(s), date, and north arrow;
 - (b) adjoining property lines and names, addresses, and tax parcel numbers of current adjoining property owners (this information is available at the Mecklenburg County Tax Office, 720 East Fourth Street);
 - (c) all existing easements, reservations, and rights-of-way, and all yards required for the zoning district requested (show setback, side and rear yard requirements for proposed zoning district):
 - (d) proposed use of land and structures; for residential uses this shall include the number of units and an outline of the area within which the structures will be located; for non-residential uses, this shall include approximate square footage of structures and an outline of the area within which the structures will be located;
 - (e) traffic, parking, and circulation plan, showing proposed locations and arrangement of parking spaces and entrance and exit to adjacent streets (show existing and proposed parking, what is required, and what is to be provided);
 - (f) proposed screening, including walls, fences, or planting areas, as well as treatment of any existing natural features, or a statement specifying that buffering and/or screening will conform to City/County Zoning Ordinance requirements;
 - (h) generalized information as to the number, height, size, or in especially critical situations, the location of structures;
 - (i) proposed phasing, if any, and approximate completion time of the project:
 - (j) delineation of areas within the regulatory floodplain as shown on the official Charlotte flood areas map;
 - (k) topography at four foot contour intervals or less (existing and proposed);
 - (I) schematic site plan must be titled with project name and proposed use;
 - (m) size of schematic site plan not to exceed 42" in width;
- 4. a list of all adjacent property owners with current addresses coded to the schematic site plan; and
- 5. a written boundary description showing distances and bearings of property lines (a metes and bounds description).

PETITIONER Carolina Conference of Seventh-Day Adventists, Inc.
PETITION NO. 86-50 HEARING DATE May 19, 1986
ZONING CLASSIFICATION, EXISTING B-1(CD) REQUESTED 0-15(CD)
LOCATION A 4 acre site located at 6000 Conference Drive.



ZONING MAP NO. 123

4

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE





June 27, 1986

Mayor Harvey Gantt 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 on June 19, 1986.

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 July 7, 1986. This will then permit these matters to be placed on your agenda for consideration on July 21, 1986.

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

Respectfully submitted,

Robert G. Young

Land Development Manager

RGY:oj

Attachments



June 27, 1986

Dear Interested Party:

There is attached a recommendation on a rezoning petition as arrived at by the Planning Commission. This is the one about which you have expressed an interest.

According to procedures announced by the City Council, you may file a statement of rebuttal or in support of this recommendation. Such statement must be filed at the Planning Commission Office, 301 South McDowell Street, not later than the end of the day (5:00 P.M.) on Monday, the 7th day of July, 1986. Twenty-five (25) copies are required and will be distributed to the City Council and the Planning Commission. Copies will be on file in the Planning Commission Office and in City Hall for anyone to examine.

Decision will be scheduled for July 21, 1986, 6:00 o'clock P.M. in the Education Center, Fourth Floor, 701 East Second Street.

Respectfully submitted,

Robert G./Young /

Land Development Manager

RGY:oj

Attachment

DATE:

June 19, 1986

PETITION NO.:

86-50

PETITIONER(S):

Carolina Conference of Seventh-Day Adventists, Inc.

REQUEST:

Change from B-1(CD) to 0-15(CD).

LOCATION:

A 4 acre site located at 6000 Conference Drive.

ACTION:

The Planning Commission recommends that the petition be

approved.

VOTE: Yeas:

Clodfelter, Curry, Lawing, Lewis, Lowery, M. Smith and Wheeler.

Nays: None.

(Commissioners Emory and Griffin were not present when vote was

taken.)

REASONS:

ISSUES:

- 1. Background/Explanation of Zoning Request. What has been the recent zoning background for this site and how has that led to the submission of the application request in this case?
- 2. Conformancy with Overall Zoning/Land Use Patterns. How would the approval of this request better relate the site to existing and anticipated zoning and land use patterns in the area?

BACKGROUND:

- 1. Existing Zoning. The subject property is presently zoned B-1(CD). The area immediately south and west is zoned R-12 whereas areas just north are zoned multi-family. The remaining boundary of the site adjoins an area of 0-15 zoning and then from that point extending to Independence Boulevard is an area of B-2 zoning which extends along both sides of Independence.
- 2. Existing Land Use. The property is the Carolina Headquarters of the Seventy-Day Adventists. Across Monroe Road from the site is East Mecklenburg High School whereas a church is across Wallace Lane from the property. An apartment complex is located north of the site whereas other residential development in the area is mostly single family, although there is another apartment complex located east of the site along Wallace Lane and another under construction. Some office development lies adjacent to the site, but most property in the vicinity towards Independence Boulevard is retail and service oriented.

Petition No. 86-50 June 19, 1986 Page 2

- 3. Site Plan. The site plan proposes expansion of the existing facility which is located on the property. A total of 54,000 square feet of space is proposed for the site. A proposed phase one expansion would include new space totaling 7,500 square feet. This expansion along with the existing square footage of the present building would total 25,000 square feet. Thus, future building development on the site would be limited to an additional 29,000 square feet.
- 4. Recent Rezoning. This site was rezoned from 0-15 to the present B-1(CD) in 1984. The plan at that time was intended to recognize some retail sales activity that had been going on for some time at the property. A 5,000 square foot area devoted to the retail sale of religious literature, religious records, tapes and visual aids as well as non-flesh protein foods for vegeterian diets was approved. That plan did not provide for any other expansion of any sort on the property.
- 5. Proposed Request/Explanation. Considering the restrictions of the B-1(CD) zoning listed above, the petitioner found it necessary to propose this site plan in order to allow for other expansion which would utilize the site for further office space. The petitioner is in desperate need of additional space but was restricted by the B-1(CD) plan. Following some discussion it was determined that the petitioner could file a request to rezone the property back to an 0-15 classification and utilize a CD concept which would permit the expansion that was desired. At the same time the retail sales which had been legitimized and recognized under the B-1(CD) zoning could also continue, but now those activities will be non-conforming and no other additional retail space will be permitted if the rezoning is approved.

GENERAL FINDINGS

- 1. 2005 Plan. The 2005 Plan indicates the area near the site as existing residential development.
- 2. Pre-Hearing Staff Input. Staff met with the petitioner prior to the submission of the application. Because of the unusual nature of the request, staff and the petitioner sat down to review notes and conditions of the plan to insure that the petitioner's needs were being met as well as providing for a plan that could be understood and administered.
- 3. Pre-Hearing Departmental Comments (Summary).
 - Engineering. No comments except for one which references street improvements which are planned at the intersection of Conference Drive and Monroe Road. Engineering Department indicated that street improvements accomplished as part of this rezoning should be in accordance with those plans. No right-of-way is needed, however.
 - 2. Building Standards Department. Building Standards commented that some additional parking is needed in order to comply with those required of the proposed expansion. Although the existing building

is located outside of the required side yard, one notation does have an incorrect dimension for a side yard and that was noted.

- 3. Fire Department. No comments.
- 4. C-MUD. Water and sewer are available to service the property.
- 5. C-DOT. Comments were unavailable as of the preparation of this report, but are expected by the time the public hearing on this matter is held.
- 4. Neighborhood Context. The site is located within the area defined as the East Mecklenburg and Parkview East neighborhoods.

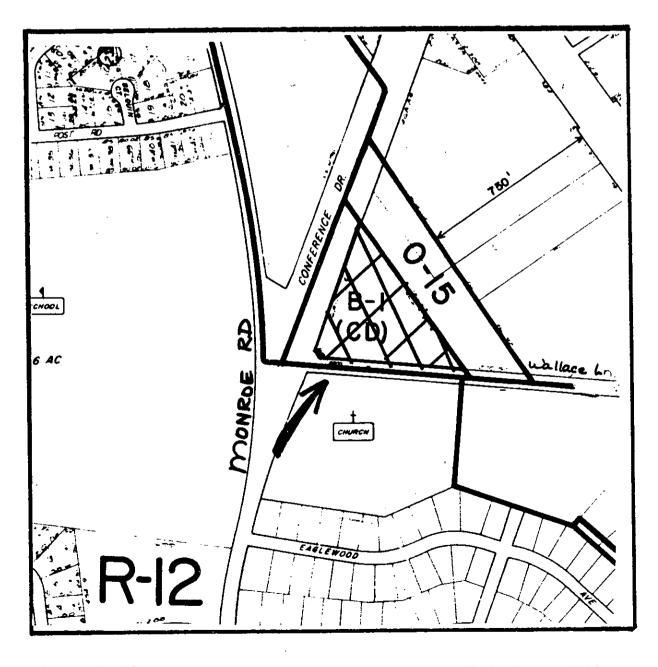
DETAILED FINDINGS:

- 1. The property involved in this petition is a 4 acre site located at 6000 Conference Drive. This site is the headquarters for the petitioner and is currently zoned B-1(CD). The petitioner is seeking a change to 0-15(CD).
- 2. This request represents a downzoning which in this case is a return to office zoning on this property. As was noted earlier, the property was changed in 1984 to the current classification in order to recognize retail sales on the site. (Refer to Background #3 and #4 for further details.)
- 3. The petitioner needs additional office space for expansion. The proposed rezoning would allow that. The site plan provides adequate guidelines and restrictions for such expansion, while at the same time limiting the current amount of retail sales on the property.
- 4. The return to office zoning here will be consistent with the former zoning on the property and more in line with overall zoning patterns in the area. Staff had a concern in the 1984 petition when the property was rezoned for business purposes and is glad to see the property return to a more suitable zoning classification.
- 5. It is believed that with this request and this site plan the problems associated with this site have now been adequately addressed and solved. The petitioner has worked closely with staff, the Planning Commission and City Council to insure that the zone change here is done in an orderly fashion.
- 6. Based upon the above circumstances, the petition is recommended for approval.

Staff Opinion

The staff agreed with Planning Commission.

PETITIONER	Carolina Conference	of Seventh-Day Adventist	s, Inc.
PETITION NO	86-50	HEARING DATE May 19,	1986
ZONING CLASSIFI	CATION, EXISTING	B-1 (CD) REQUESTED	0-15(CD)
LOCATION A	. 4 acre site located	at 6000 Conference Driv	e.



ZONING MAP NO. 123

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SCALE 1" = 400'

86-50 Mr. Bailey Patrick, Jr. 900 Baxter Street P. O. Box 35566 Charlotte, N.C. 28235 86-50

Concerned Home Owners
Parkview East
807 Eaglewood Avenue
Charlotte, N. C. 28212

Mr. Cam Keyser McClintock Woods 1948 Knell Drive Charlotte, N. C.

28212

Mr. Elliott Sanderson East Forest Neigh. Assoc. 2123 Knickerbocker Drive Charlotte, N. C. 28212

Mr. Clyde Moody Woodburn 2100 Wellwood Circle Charlotte, N. C. 28212 Charlotte-Mecklenburg Planning Commission 301 South McDowell Street Charlotte, N.C. 28204 Mr. Walter E. Karasiewicz Woodberry Forest Neigh. Org. 1610 Lumarka Drive Charlotte, N. C. 28212

Petition No. 86-50 Carolina Conference Association of Seventh Day Adventist, Inc.

ORDINANCE	NG.	-

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a four acre site located at 6000 Conference Drive from B-1(CD) toO-15(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on May 19, 1986; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 3202.3:

- 1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
- 2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-1(CD) to 0-15(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at the point of intersection of the centerline of Margaret Wallace Road (Formerly Wallace Road) with the centerline of Conference Drive (formerly State Road #1009) and running thence in and along the centerline of Conference Drive in two courses and distances, as follows: (1) with the arc of a circular curve to the right having a radius of 1,906.77 feet and, in a generally northerly direction, a distance of 54.96 feet, and (2) N. 21.33 E. 635.0 feet to a point; thence S. 33-53-35 E. 856.37 feet to a point in the centerline of Margaret Wallace Road; thence in and along the centerline of Margaret Wallace Road, N. 84-34-45 W. 735.0 feet to the point and place of BEGINNING, being shown on survey thereof

made by R. B. Pharr and Associates, Registered Surveyors, dated December 14, 1970, as containing 5.584 acres total, with 1.584 acres located in the rights-of-ways for roads, with a total of 4.0 acres net.

Being all of that property conveyed to Carolina Conference Association of Seventh-Day Adventists, Inc. by Deed recorded in Book 3258 at Page 205 in the Mecklenburg Public Registry.

 $\underline{\text{Section 2.}}$ That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry Underhill, City Attorney

Read, approved and adopted by the City C	Council of the City of Charlo	tte, North
Carolina, in regular session convened on	the day of	<u> </u>
19 , the reference having been made	in Minute Book	, and
recorded in full in Ordinance Book	, beginning on Page	

Pat Sharkey City Clerk

Petition No. 86250 Carolina Conference Association of Seventh-Day Adventists, Inc.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to	
Carolina Conference Association of Seventh Day Adventists, Inc.	_
owner(s) and successors-in-interest of the property described as tax parcel 191-22-06	
and described in detail further in the ordinance, identified below, approved by the City Council.	_

In approving this parallel conditional use permit, the Charlotte City Council amended section 3200 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of 10-15 (CD)

This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and sections 3200, 3201, 3202, 3203, 3204, and 1300 of the City of Charlotte Zoning Ordinance, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the City Council under section 1300 of the City of Charlotte Zoning Ordinance.

Three years from the date of approval of this parallel conditional use permit, the Planning Commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with section 1300.

BEGINNING at the point of intersection of the centerline of Margaret Wallace Road (formerly Wallace Road) with the centerline of Conference Drive (formerly State Road #1009) and running thence in and along the centerline of Conference Drive in two courses and distances, as follows: (1) with the arc of a circular curve to the right having a radius of 1,906.77 feet and, in a generally northerly direction, a distance of 54.96 feet, and (2) N. 21-33 E. 635.0 feet to a point; thence S. 33-53-35 E. 856.37 feet to a point in the centerline of Margaret Wallace Road; thence in and along the centerline of Margaret Wallace Road, N. 84-34-45 W. 735.0 feet to the point and place of BEGINNING, being shown on survey thereof made by R.B. Pharr and Associates, Registered Surveyors, dated December 14, 1970, as containing 5.584 acres total, with 1.584 acres located in the rights-of-ways for roads, with a total of 4.0 acres net.

Being all of that property conveyed to Carolina Conference Association of Seventh-Day Adventists, Inc. by Deed recorded in Book 3258 at Page 205 in the Mecklenburg Public Registry.

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January - Mechania 19 715 C\! onterであれる7 Pill COUNTY (STENGEN OF DEED STANDS OF ON 197) INC GREATER CHARLOTTE FOUNDATION, & € 1971 JAN 27. PM -day of. Carolina Made this 14th THE MECKLENBURG of North Tark. by and between State This

o£ ADVENTISTS, and existing under and by the virtue of the laws of the State of North and State -party of the first part, and ... of the second part, the receipt of which is hereby acknowledged, has No. A corporation organized and existing under and by virtue of the laws the State of North Carolina with its principal office located in the City of Charlotte hargained and sold, and by these presents, doth grant, bargain, sell and convey unto the said_ One. Hundred Dollars, and other waluable considerations ======= North Carolina SEVENTH-DAY That the said party of the first part, in consideration of Mecklenburg ... and all that certain tract of land second part. its successors ASSOCIATION OF _and State of_. Carolina with its principal office located at_Charlotte the County of_Mecklenburg_ CONFERENCE Jo-North Carolina. of the second part, CAROLINA party of the a corporation organized to it paid by the part <u>y</u>. of the County of. part-Y oť

County, State of North Curolina, of land, situate, lying and being in.__Charlotte_ and more particularly described as follows:_ Mecklenburg Township, .

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Wallace at Page 135 chain of title reference is made to the two Deeds of Gift to A. Nancy and wife, Nancry in Book 3257 in the Mecklenburg Public Registry 3257 at page 129. Grantor herein from J. Mason Wallace, Jr. at page 139 recorded

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second_part,_its_successors	

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NOTE TO CAROLINA, CO ACC. ACC. STANDARD	
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	į.



April 16, 1986

Dear Property Owner:

A rezoning petition has been filed in our office for property that is located adjacent to yours. The specifics of the petition are listed below and on the attached map. A public hearing with the City Council and the Charlotte-Mecklenburg Planning Commission will be held at the time, date and place listed below. If you have any concerns about the rezoning, you are encouraged to attend the hearing.

Petitioner: Carolina Conference of Seventh-Day Petition No.: 86-50

Adventists, Inc.

Existing Zoning: B-1(CD) = Conditional Neighborhood Business

Proposed Change: 0-15(CD) = Conditional Office

Hearing Date: May 19, 1986 Time: 6:00 P.M.

Place: Education Center, Fourth Floor Meeting Room, 701 East Second Street

This item is scheduled as the sixth rezoning petition to be heard by City Council. If you have any questions regarding this proposal, please call Debra Luckadoo-Shockley at 336-2205 between 8:00 A.M. and 5:00 P.M., Monday through Friday.

Anyone desiring to file a written petition of protest intended to invoke the City Council's 3/4 majority vote rule must file such a petition with the City Clerk not later than two working days before the hearing date. The 3/4 majority rule requires that 3/4 of those eligible to vote among the City Council and Mayor must vote affirmatively in order for a petition to receive approval. For more information on the 3/4 rule, you may call the City Clerk's Office at 336-2247. This notice has been sent to you as a public service by the Planning Commission.

Sincerely, Have O. Burguen

Elaine O. Burgwyn

Community Service Planner

Attachment



ADJOINING LANDOWNERS TO CONFERENCE DRIVE PROPERTY AND THE CAROLINA CONFERENCE ASSOCIATION

- John M. Wallace, III

 John M. Wallace, III

 Sally S. Wallace

 Katherine W. Hodges

 Gertrude M. Wallace

 J. Mason Wallace, Jr.

 517 Livingston Drive

 Charlotte, N.C. 28211
- (2) 191-11-11

 Hall Peartree Associates
 18311 W. Ten Mile Rd.
 Southfield, MI 48075
- (3) 189-231-1
 Charlotte-Mecklenburg Board of Education
 Education Center
 701 E. Second St.
 Charlotte, N.C. 28202
 - √ (4) 191-31-1
 East Presbyterian Church
 6801 Monroe Rd.
 Charlotte, N.C. 28212
- √ (5) 191-31-2 John Crossland Company P. 0. Box 11231 Charlotte, N.C. 28220



April 16, 1986

Dear Neighborhood Leader:

A rezoning petition has been filed in our office which is in the general area of your neighborhood. A public hearing will be held on this proposal at which time you are encouraged to express your viewpoints. A map locating the site plus additional information on the hearing and the proposed change is included in this letter.

Petitioner: Carolina Conference of Seventh-Day Petition No.: 86-50

Adventists, Inc.

Existing Zoning: B-1(CD) = Conditional Neighborhood Business

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Sincerely,

Maria () Burguy

Elaine O. Burgwyn

Community Service Planner

Attachment

Copy of site plan sent to Concerned Home Owners Parkview East.

Cameron Brown Building • 301 South McDowell Street • Charlotte, North Carolina 28204 • (704) 336-2205

86-50

Concerned Home Owners
Parkview East
807 Eaglewood Avenue Charlotte, N. C. 28212

Mr. Cam Keyser McClintock Woods 1948 Knell Drive Charlotte, N. C.

28212

Mr. Elliott Sanderson East Forest Neigh. Assoc. 2123 Knickerbocker Drive Charlotte, N. C. 28212

Mr. Clyde Moody Woodburn 2100 Wellwood Circle Charlotte, N. C. 28212 Charlotte-Mecklenburg Planning Commission 301 South McDowell Street Charlotte, N.C. 28204 Mr. Walter E. Karasiewicz Woodberry Forest Neigh. Org. 1610 Lumarka Drive Charlotte, N. C. 28212



April 16, 1986

Mr. Bailey Patrick, Jr. 900 Baxter Street P. O.-Box 35566 Charlotte, N.C. 28235

Location:

A 4 acre site located at 6000 Conference Drive.

ira Hichedoo-Shockley

Dear Mr. Patrick:

The Charlotte City Council and the Charlotte-Mecklenburg Planning Commission will consider Petition No. 86-50 for a change in the zoning classification of property at the above mentioned location on May 19, 1986, at 6:00 o'clock P.M. in the Education Center, Fourth Floor Meeting Room, 701 East Second Street. This item is scheduled as the sixth rezoning petition to be heard by City Council.

At this time, you may appear in the interest of the petition, if you so desire.

Sincerely,

Debra Luckadoo-Shockley Senior Zoning Planner

DLS:oj