00BREAK00

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☐ Land Use Consistency

☐ Mail Info

☒ Mapping

☐ Other

☐ Site Plans

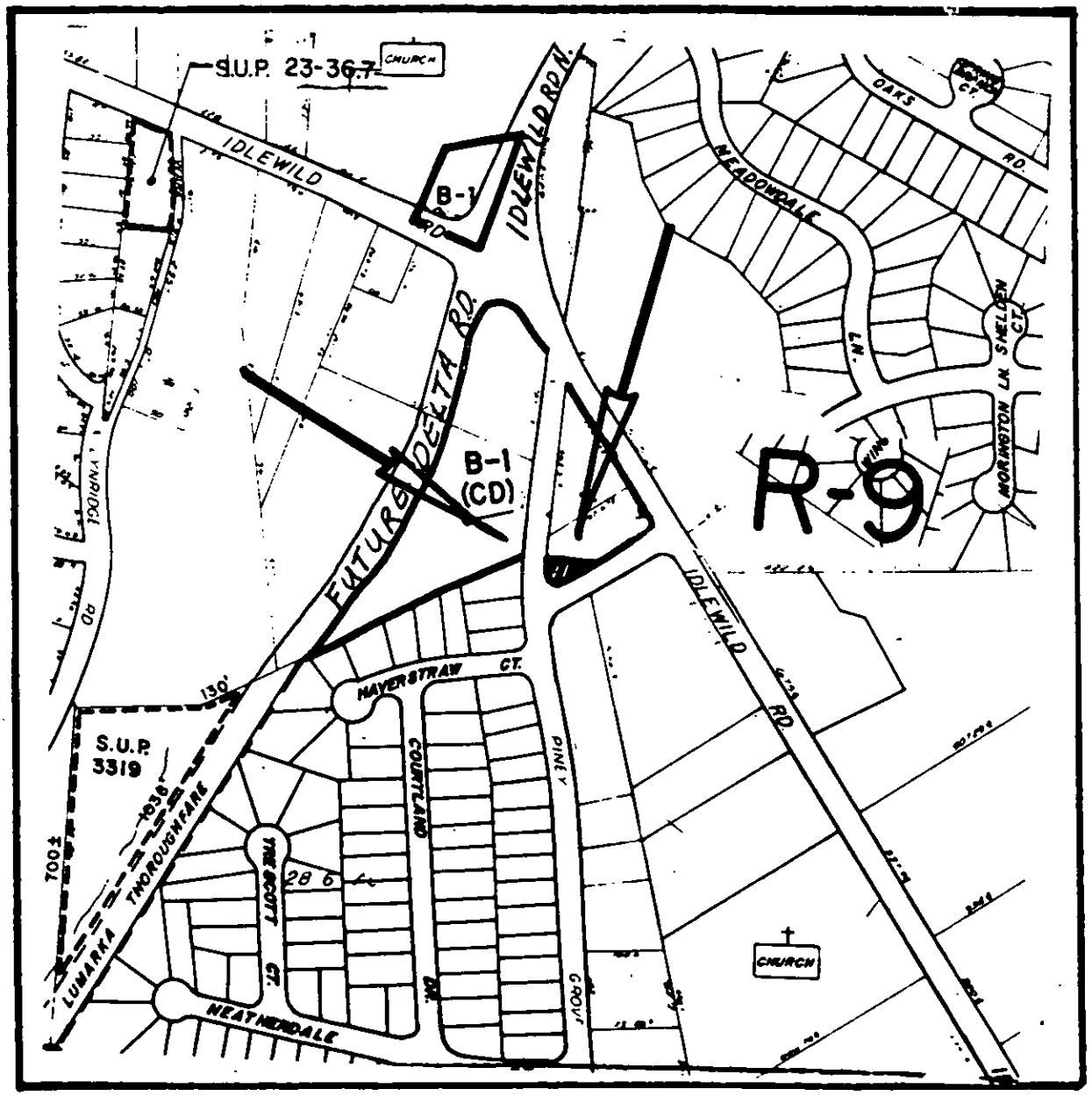
00BREAK00

PETITIONER ~~David S. Miller~~ Idlewild Crossing Ltd Partnership c/o Klein Properties

PETITION NO. 89-21 HEARING DATE March 20, 1989

ZONING CLASSIFICATION, EXISTING R-9 REQUESTED B-1(CD)

LOCATION Approximately .08 acres located on the east side of Piney Grove Road south of the intersection of Idlewild Road and Idlewild Road North.



ZONING MAP NO. 122 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

CHARLOTTE-MECKLENBURG
PLANNING COMMISSION

INTER-OFFICE COMMUNICATION

DATE: 2/7

TO: Cleveland Huntley
City Fire

FROM: Melony C. McCullough
Planning Commission

SUBJECT: Petition No. 89-21

Enclosed for your information and comments is a schematic plan for the above mentioned petition. This plan will become a part of the legal ordinance providing this petition is approved by the governing body. Public hearing for this request is/was 3/20. To allow sufficient time for corrections to be made prior to the hearing, please return the enclosed plan, with comment, if any, to this office by 2/21.

Thank you.

MCM:sls

Attachment

NO COMMENT THIS TIME

C Huntley
2/16/89

INTER-OFFICE COMMUNICATION

DATE: 2/20

TO: Dick Hauersperger
CMPC

FROM: Melonv C. McCullough
Planning Commission

SUBJECT: Petition No. 89-21

Enclosed for your information and comments is a schematic plan for the above mentioned petition. This plan will become a part of the legal ordinance providing this petition is approved by the governing body. Public hearing for this request is/was 3/20. To allow sufficient time for corrections to be made prior to the hearing, please return the enclosed plan, with comment, if any, to this office by 2/21.

Thank you.

MCM/jb

Attachment

2/7/89 - no comments

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 89-21
Date Filed January 30, 1989
Received By MCW
OFFICE USE ONLY

Ownership Information

Property Owner Idlewild Crossing Limited Partnership

Owner's Address c/o Childress Klein Properties, Inc., 2800 One First Union Center, 301 South College Street, Charlotte, North Carolina 28202-6021

Date Property Acquired November, 1988

Deed Reference _____ Tax Parcel Number 165-036-03

Location Of Property (address or description) Piney Grove Road Relocated

Description Of Property

Size (Sq. Ft.-Acres) .08 acres Street Frontage (ft.) 67.89

Current Land Use Vacant Land

Zoning Request

Existing Zoning R12 Requested Zoning B1 CD

Purpose of Zoning Change To add contiguous land to existing B1 CD zoning as shown on site plan approved.

David S. Miller
Name Of Agent Childress Klein Properties, Inc.

Agent's Address 2800 One First Union Center
301 South College Street
Charlotte, NC 28202-6021

Telephone Number (704) 342-9000

David S. Miller
Name of Petitioner(s)

Address of Petitioner(s)

Telephone Number

Signature David S. Miller

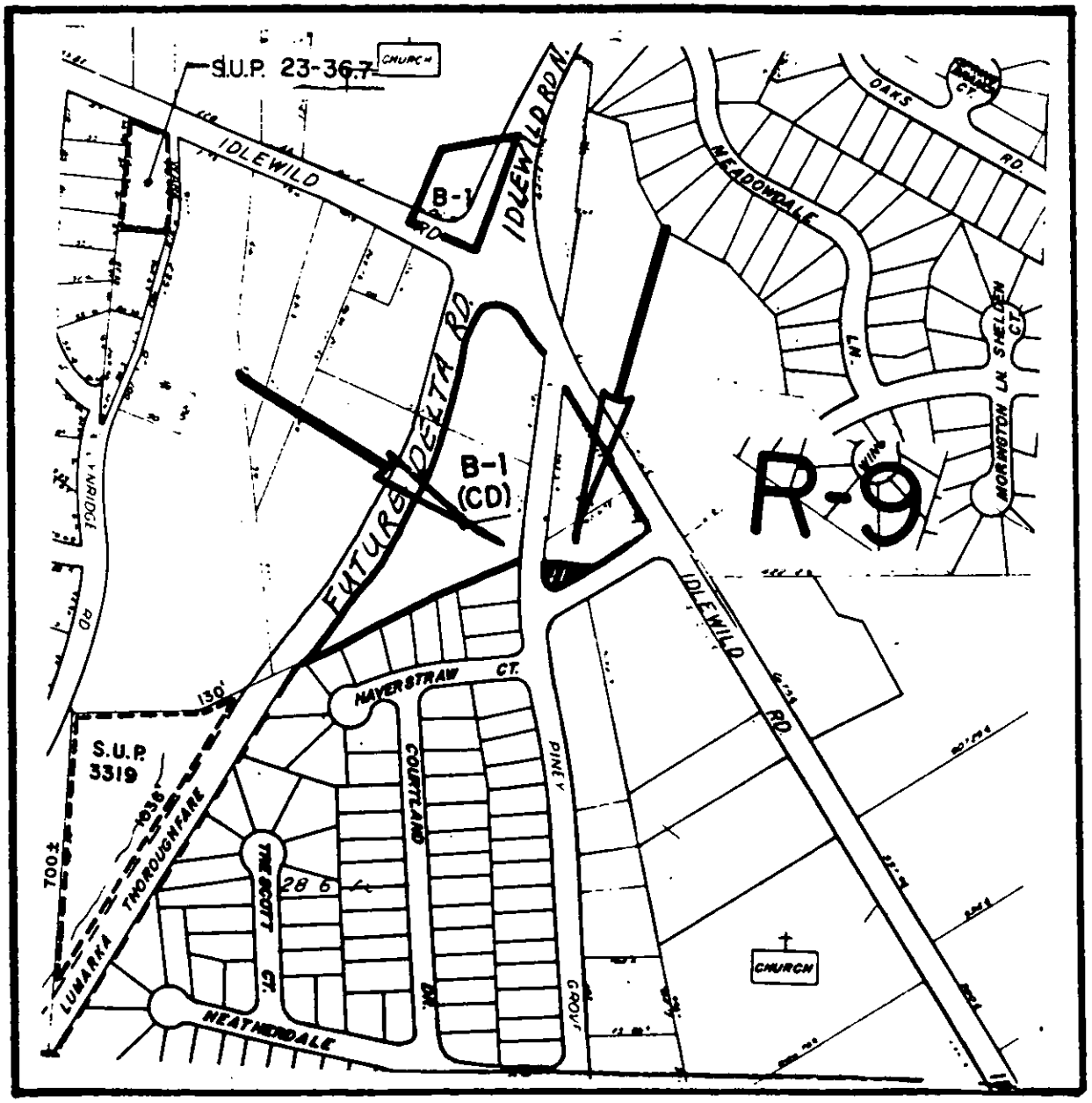
Signature of Property Owner if Other Than Petitioner

PETITIONER David S. Miller

PETITION NO. 89-21 HEARING DATE March 20, 1989

ZONING CLASSIFICATION, EXISTING R-9 REQUESTED B-1(CD)

LOCATION Approximately .08 acres located on the east side of Piney Grove Road south of the intersection of Idlewild Road and Idlewild Road North.



ZONING MAP NO. 122 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

CITY OF CHARLOTTE

ENGINEERING DEPARTMENT

INTER-OFFICE COMMUNICATION

rec'd 3/2

DATE: February 28, 1989

TO: Ms. Laura Simmons
Planning Department

FROM: J. G. Humphrey
Assistant City Engr.

SUBJECT: Rezoning Petition #89-21

The Engineering Department has reviewed the site plan submitted in connection with the subject rezoning petition. Upon site plan submittal, the following requirements will be made:

- Standard 2'6" curb and gutter, associated storm drainage and 4-foot sidewalk along the property frontage on Piney Grove Road.
- Grading Permit in accordance with Chapter 18 of the City Code. For information, contact Ms. Jane Suggs at 336-3642.
- Stormwater detention facilities in accordance with the Drainage Detention Ordinance, a portion of Appendix A of the City Code. For information, contact Ms. Jane Suggs at 336-3642.
- Driveway permits in accordance with the Charlotte Driveway Regulations. For information, contact Ms. Agnes Alexander at 336-3234.
- Trees and landscaping in accordance with Chapter 21 of the City Code. For information, contact Mr. Joe Cochran at 336-4254.

The developer has previously agreed to dedicate the necessary right-of-way and easements for the construction of the realignment of Delta Road Extension. This right-of-way, in addition to the dedication of right-of-way 50 feet from the centerlines of Delta Road and Idlewild Road, both major thoroughfares, will satisfy the minimum requirements of the Street Classification System.

Should you need additional information, contact Mr. Jim Schumacher at 336-3656.

np

cc: Mr. Jim Schumacher
Ms. Kia Whittlesey
Mr. Jay Montgomery
Mr. Doug Gillis

MEMORANDUM

DATE: March 3, 1989

TO: Laura Simmons
Planning Commission

FROM: R. D. Gillis, Manager
Transportation Engineering Division
Department of Transportation

SUBJECT: Rezoning Petition 89-21: 0.08 acres on Piney Grove Road near Idlewild Road

This site generates no trips per day as currently developed. Under the proposed zoning the site could generate approximately 19 trips per day. These trips are in addition to the trips that will be generated by the proposed Idlewild Crossing Retail Center. Since the plan for the Center (Rezoning Petition 88-53) provides aditional right-of-way for the Delta Road Extension and Idlewild Road widening projects, the impact on the surrounding thoroughfare system caused by the Center has been mitigated.

Under Rezoning Petition 88-53 a left turn lane at the southernmost driveway was required at a proposed median opening. The petitioner does not show the required left turn lane on the site plan. Construction of the left-turn lane and the median opening are the responsibility of the developer.

Adequate sight distance should be reserved at the proposed entrances. Two 10' x 70' sight triangles are required for the entrances to meet sight distance requirements. All proposed trees, berms walls, fences, and/or identification signs should not interfere with sight distance at the entrances. Such items should be identified on the site plan.

The driveway connections to Delta, Idlewild and Piney Grove Roads require driveway permits to be submitted to the Charlotte Department of Transportation for review and approval.

If we can be of further assistance, please advise.

RDG/ANA:cmj

cc: Mr. W. B. Finger
Mr. Scott Putnam
Mr. Randy Goddard
Ms. Agnes N. Alexander
Mr. Jim Schumacher
Mr. David S. Miller

CHARLOTTE-MECKLENBURG
PLANNING COMMISSION

INTER-OFFICE COMMUNICATION

DATE: March 1, 1989

TO: James W. Schumacher
Public Service Engineer

FROM: Walter G. Fields, III
Land Development Manager

SUBJECT: Piney Grove Road, Petition to Abandon a Portion of

Our office has reviewed the above cited petition by Idlewild Crossing Limited Partnership and find no public purpose to be served by keeping the lamd in public right-of-way. The closing of this portion of the road is also in conformance with Zoning Petition # 88-53, Crow Charlotte Retail #3, Limited Partnership, which was approved by City Council September 19, 1988.

We, therefore, recommend that the portion so petitioned be abandoned.

WGF/RCH:sls

CITY OF CHARLOTTE

ENGINEERING DEPARTMENT

INTER-OFFICE COMMUNICATION

DATE: February 28, 1989

TO: Those Listed Below

FROM: James W. Schumacher
Public Service
Engineer

SUBJECT: Piney Grove Road, Petition to Abandon a Portion of

Attached is a petition which has been submitted by Idlewild Crossing Limited Partnership. The petition requests approval for the abandonment of a portion of Piney Grove Road off the 8000 block of Idlewild Road.

Please investigate the petition and advise me of your recommendation. If there are any questions, please contact Ms. Sandy Crump of the Engineering Department at 336-3657.

Please advise me if you will not be able to respond by March 17, 1989.

np
Attachments

cc: Ms. Pat Sharkey
Engineering Services Investigator
Right-of-Way Withdrawal Petition File

Distribution:
Mr. K. G. Winslow
Mr. J. W. Walton
Mr. P. F. Beaver
Mr. W. G. Fields
Mr. R. N. Pressley, Jr.
Mr. J. C. Stowe
Mr. H. W. Underhill, Jr.
Chief S. H. Killman
Chief L. L. Fincher, Jr.

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

PETITION

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

Idlewild Crossing Limited Partnership respectfully files this Petition and requests that (a portion of or all of)

A Portion of Piney Grove Road
(Name of street of location of alley)

lying Northwest of the Piney Grove / Idlewild Intersection

as shown on the map attached hereto and made a part hereof marked "Exhibit A", be closed and abandoned in accordance with the provisions of Chapter 160A, Section 299, subsection (a) of the General Statutes of North Carolina.

In support of this Petition, your petitioner respectfully alleges that:

1. Shopping Center Development

2. The closing of a portion of Piney Grove Road is not contrary to the public interest.

3. No individual, partnership or corporation owning property in the vicinity of Piney Grove Road ~~Street~~, or in the subdivision in which it is located will be deprived of reasonable means of ingress and egress to his or its property by virtue of the closing.

4. The street (or portion thereof) which petitioner requests be closed and abandoned is more particularly described by metes and bounds in "Exhibit B", attached hereto and made a part hereof.

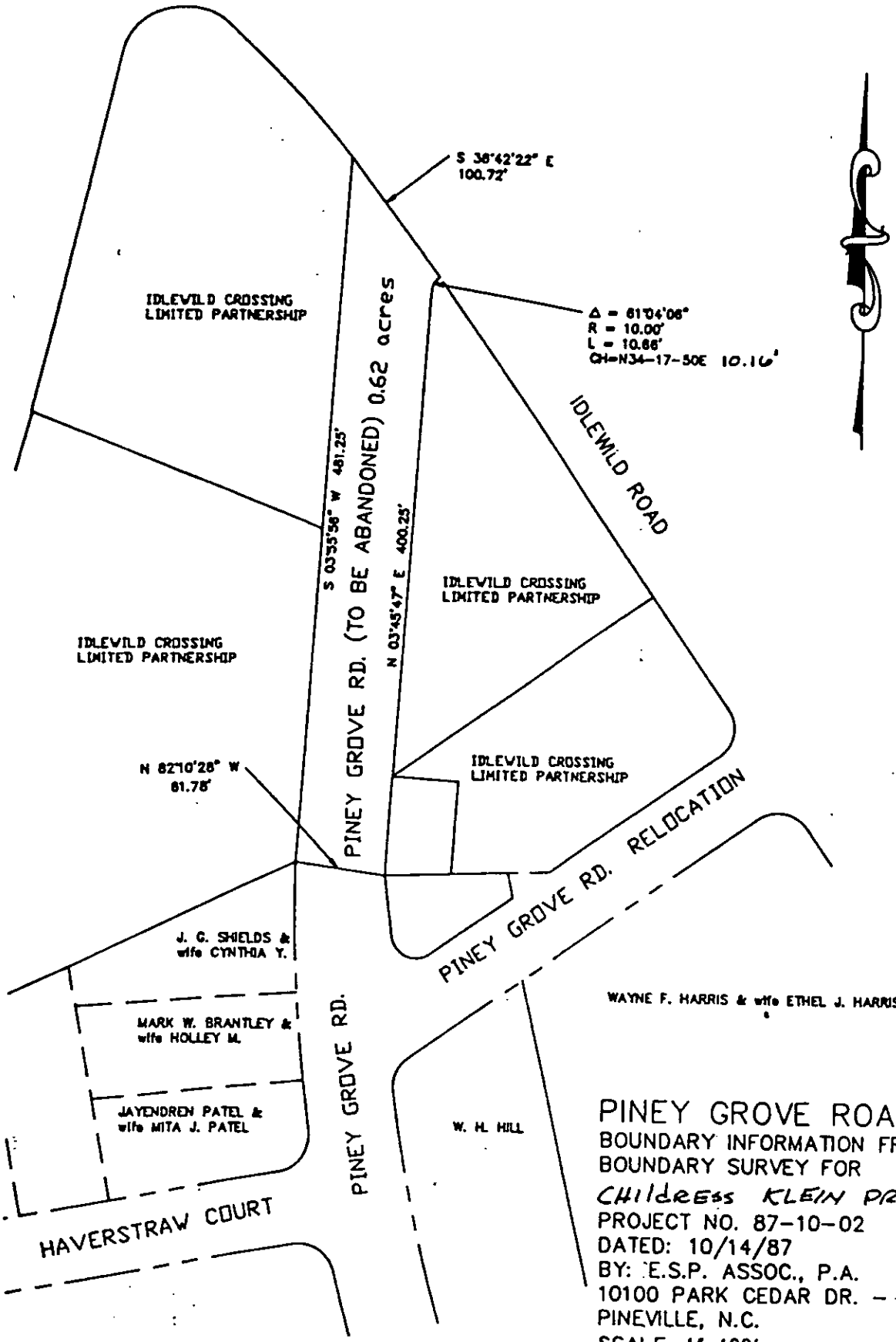
5. The street (or portion thereof) requested to be closed and abandoned has not been previously accepted by the North Carolina Department of Transportation for maintenance.

WHEREFORE, petitioner respectfully requests the City Council of the City of Charlotte consider this Petition and set the time for public hearing upon this matter as required by law.

Respectfully submitted this the 21st day of February, 1989.

(Signature of Petitioner)
Address
Telephone Number

Keith Paris
Childress Klein Properties, Inc.
2800 One First Union Center
301 South College Street
Charlotte, NC 28202-6021



PINEY GROVE ROAD ABANDONMENT
BOUNDARY INFORMATION FROM:
BOUNDARY SURVEY FOR
CHILDRESS KLEIN PROP.
PROJECT NO. 87-10-02
DATED: 10/14/87
BY: E.S.P. ASSOC., P.A.
10100 PARK CEDAR DR. - SUITE 190
PINEVILLE, N.C.
SCALE: 1"=100'
12/16/88

JMA
James McCovern & Associates
Consulting Engineers

EXHIBIT "B"

PINEY GROVE ROAD ABANDONMENT

BEGINNING @ A POINT BEING THE COMMON CORNER OF IDLEWILD CROSSING LIMITED PARTNERSHIP & J.G. SHIELDS & WIFE CYNTHIA Y. SHIELDS ON THE R/W OF PINEY GROVE ROAD, THENCE S82-10-28E 61.78' THENCE N03-45-47E 400.25' THENCE ALONG A CURVE OF RADIUS = 10.00', LENGTH: 10.66' & CHORD = N34-17-50E 10.16' THENCE N36-42-22W 100.72' THENCE S03-55-56W 481.25' TO THE POINT OF BEGINNING, BEING 0.62 ACRES.

DATE: March 27, 1989

PETITION NO.: 89-21

PETITIONER(S): Idlewild Crossing Ltd. Partnership

REQUEST: Change from R-9 to B-1(CD)

LOCATION: A .08 acre site located on Piney Grove Road south of the intersection of Idlewild Road North and Idlewild Road.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Lassiter, Latham, Spencer, Thomasson, Vaughan, and Wheeler, and Winget

Nays: None.

REASONS

This very small rezoning request incorporates a residual tract of land into a previously approved retail center. It will allow the petitioner to have a few additional parking spaces and to maintain a screening wall along the rear portion of the site. There are no land use or site plan issues which accompany this application. Therefore, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

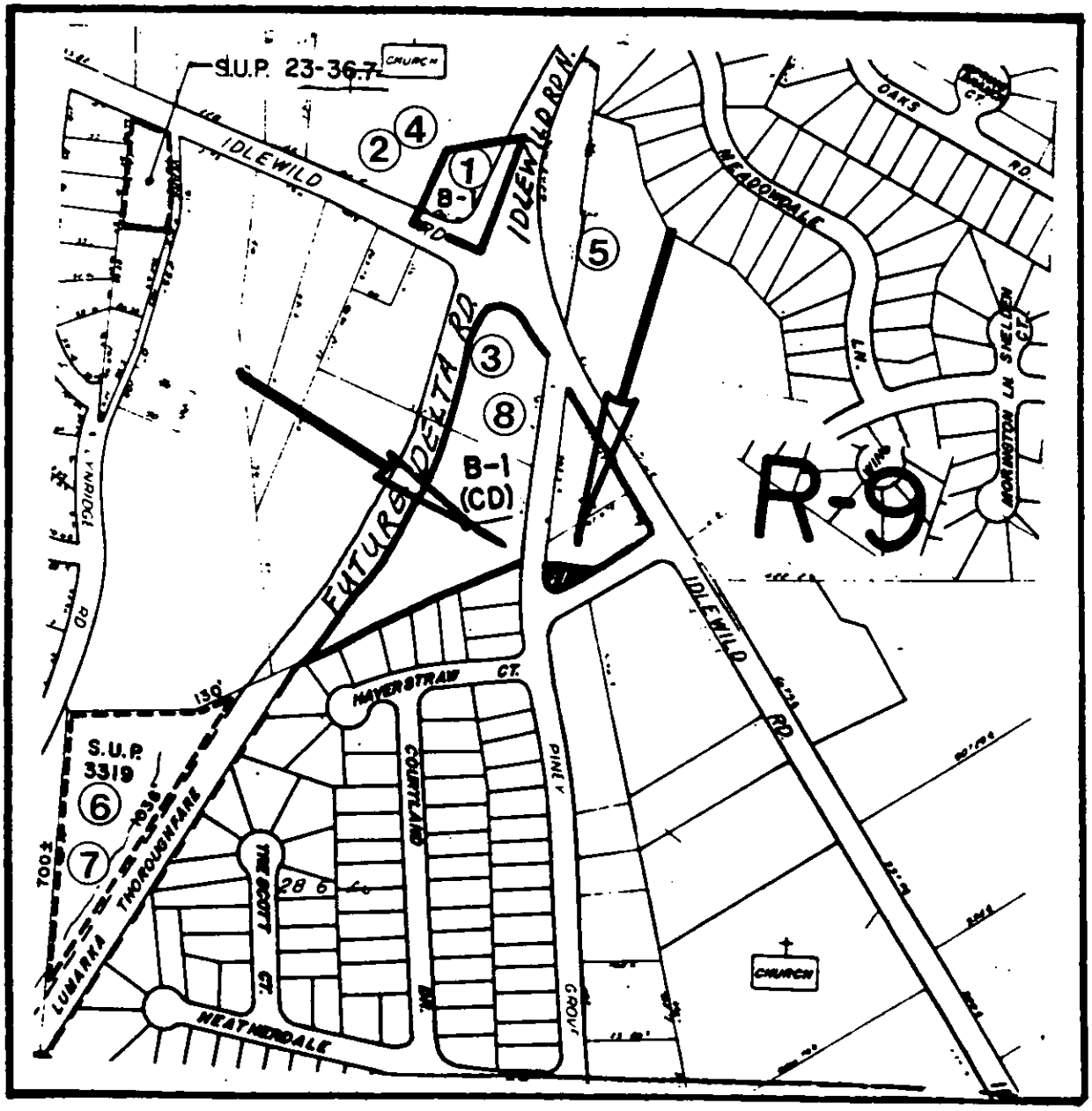
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER ~~David S. Miller~~ Idlewild Crossing Ltd. Partnership c/o Childress Klein Properties

PETITION NO. 89-21 HEARING DATE March 20, 1989

ZONING CLASSIFICATION, EXISTING R-9 REQUESTED B-1(CD)

LOCATION Approximately .08 acres located on the east side of Piney Grove Road south of the intersection of Idlewild Road and Idlewild Road North.



ZONING MAP NO. 122 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 89-21
Date Filed January 30, 1989
Received By MCW
OFFICE USE ONLY

Ownership Information

Property Owner Idlewild Crossing Limited Partnership

Owner's Address c/o Childress Klein Properties, Inc., 2800 One First Union Center, 301 South College Street, Charlotte, North Carolina 28202-6021

Date Property Acquired November, 1988

Deed Reference _____ Tax Parcel Number 165-036-03

Location Of Property (address or description) Piney Grove Road Relocated

Description Of Property

Size (Sq. Ft.-Acres) .08 acres Street Frontage (ft.) 67.89

Current Land Use Vacant Land

Zoning Request

Existing Zoning ~~B1~~ R-9 Requested Zoning B1 CD

Purpose of Zoning Change To add contiguous land to existing B1 CD zoning as shown on site plan approved.

David S. Miller
Name Of Agent Childress Klein Properties, Inc.

Agent's Address 2800 One First Union Center
301 South College Street
Charlotte, NC 28202-6021

Telephone Number (704) 342-9000

Idlewild Crossing Ltd. Partnership
David S. Miller c/o Childress Klein Properties
Name of Petitioner(s)

Address of Petitioner(s)

Telephone Number

Signature David S. Miller

Signature of Property Owner if Other Than Petitioner

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

April 3, 1989

Mayor Sue Myrick
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

Attached are recommendations of the Zoning Committee of the Charlotte-Mecklenburg Planning Commission on petitions 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 March 27, 1989.

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 12:00 noon on Friday, April 14, 1989. This will then permit these matters to be placed on your agenda for consideration on Monday, April 17, 1989.

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

Respectfully submitted,

Lynn M. Wheeler

Lynn M. Wheeler
Charlotte-Mecklenburg Planning Commission
Zoning Committee Chairperson

LMW:mlj

Attachments

600 East Fourth Street • Charlotte, North Carolina 28202-2853 • (704) 336-2205

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

April 3, 1989

Dear Interested Parties:

Attached for your information is the recommendation on a petition as arrived at by the Zoning Committee of the Planning Commission. This is the one about which you have expressed an interested.

According to procedures announced by the City Council, you may file a statement of rebuttal or support of this recommendation. Such statement must be filed at the Planning Commission Office, 600 East Fourth Street, not later than Noon on Friday, the 14th day of April, 1989. 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 Monday, April 17, 1989 at 6:00 o'clock P.M. in the Charlotte-Mecklenburg Government Center, Meeting Chamber, 600 East Fourth Street.

Respectfully submitted,

Walter G. Fields, III
Land Development Manager

WGF:mlj

Attachment

600 East Fourth Street • Charlotte, North Carolina 28202-2853 • (704) 336-2205

Interested Party

89-21

te-Mecklenburg Planning Commission
ourth Street Charlotte, N.C. 28202-2853

114.00

Mr. Chip Mark
2800 One First Union Center
Charlotte, NC 28202

	Petition No.	Request	Action	Date
4.	75-26	B-1SCD to B-1, R-9	Approved	10/6/75
5.	80-2	R-9 to R-12MF	Denied	4/28/80
6.	85-62	R-9 to R-9MF(CD)	Approved	11/18/85
7.	85-18MSUP	R-9 to MSUP for Day Care	Approved	4/1/86
8.	88-53	R-9 to B-1(CD)	Approved	9/19/88

7. Neighborhood. This site falls within the area defined as the Piney Grove Neighborhood.

REVIEWS:

1. Plan Consistency. This petition proposes the rezoning of properties from a residential to a nonresidential classification. The 2005 Plan indicates that all the land in the surrounding area would be used for residential purposes. However, the proposal in this case is simply to incorporate a very small parcel into the previously approved conditional plan for the adjoining property. Though not clearly called for in plans for the area, the addition of this tract to the previously approved plan is not inconsistent with the future of the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff has discussed this petition with the petitioner.

   2. Departmental Comments.

      1. C-MUD. Water and sewer services are available to the site.

      2. Fire Department. The Fire Department had no comments.

      3. Building Standards Department. The Building Standards Department had no comment.

      4. Engineering Department. Comments from the Engineering Department indicated the need to install curb, gutter, storm drainage and sidewalk along Piney Grove Road.

      5. Department of Transportation. The Department of Transportation had no comment.

      6. Planning Staff. The Planning staff had no comments.

ISSUES:

1. Land Use. This petition proposes a rezoning from a residential district to a commercial classification in an area in which public plans call for a residential future. However, the rezoning request seeks merely to incorporate the subject property into the conditional plan for the 50,000 square foot shopping center approved for the adjacent tract. The subject property would be devoted to parking associated with the shopping center. Therefore, the petition may be considered appropriate for approval.

2. Site Plan. The site plan which accompanies this petition raises no issues. The plan would simply permit the subject property to be incorporated into the overall, conditional plan for the adjacent shopping center site. The brick wall treatment planned for the Piney Grove Road edge will be extended

along the perimeter of the petitioned site to provide screening of the future parking area. The petition is considered appropriate for approval.

CONCLUSION:
The petition is appropriate for approval.

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 89-21

Petitioner: Idlewild Crossing Ltd. Partnership

Location: A .08 acre site on the east side of Piney Grove Road south of the intersection of Idlewild Road and Idlewild Road North.

Request: Change from R-9 to B-1(CD).

BACKGROUND:

1. Existing Zoning. The property involved with this request is presently zoned R-9. The site adjoins a 5½ acre site recently rezoned to B-1(CD) for a 50,000 square foot shopping center. Diagonally across the intersection from this property is a small tract zoned B-1. Otherwise all the zoning in the surrounding area is R-9.

2. Existing Land Use. The property involved with this request is presently undeveloped. Across from the future shopping center site can be found a small convenience center and a church. Otherwise the predominant land use in the surrounding area is one of single family detached housing and vacant land.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates existing residential land uses in the vicinity of the subject property. 2005 strategies include improving Idlewild and Delta Roads and the construction of a connection between Idlewild Road and Independence Boulevard.

   2. Transportation Improvement Program. The TIP calls for the widening of Idlewild Road in FY 1991 and 1992 and the extension of Delta Road to Independence Boulevard in FY 1988 to 1990.

   3. Small Area Plan. There is not a small area plan which covers this portion of the community.

   4. Site Plan. The site plan which accompanies this application proposes the rezoning of a small tract from R-9 to B-1(CD) and incorporating that property into the parking area for the adjacent shopping center. The brick wall treatment called for by the previously approved conditional shopping center plan will be extended along the outer edges of the petitioned site to provide a continuous brick wall along the project edge adjoining Piney Grove Road.

   5. School Information. Not applicable.

   6. Zoning History (See Attached Map).

	Petition No.	Request	Action	Date
1.	69-81	R-9 to B-1	Denied	1/15/69
2.	70-95	R-9 to B-1SCD	Approved	8/3/70
3.	73-9(c)	R-9 to B-1	Denied	3/5/73