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# City of Charlotte – Planning Dept. Scanning Rezoning Files

Petition # 2001-123

## Document type:

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



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

# OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Petition #: 2001-123  
Date Filed: 06-22-01  
Received By: MS

## OWNERSHIP INFORMATION:

Property Owner: Little Theatre of Charlotte  
Owner's Address: 501 Queens Road City, State, Zip Charlotte, NC 28207  
Date Property Acquired: June 3, 1941 Utilities Provided: (Water) CMUD (Sewer) CMUD  
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description): 501 Queens Road, Charlotte NC 28207

Tax Parcel Number(s): 155-021-03 Size (Sq. Ft. or Acres): 37, 078 sq. ft. (.08512 acres)

Current Land Use: Parallel conditional office for theatre use

## ZONING REQUEST:

Existing Zoning: 0-6 (CD) Proposed Zoning: 0-2 (CD)

Purpose of Zoning Change: *(Include the maximum # of residential units or non-residential square footages):*

Theatre Charlotte is planning to renovate its facility, increase the quality of services it offers and improve the appearance of the Myers Park community. The purpose of this zoning change is to ensure that that tax parcel 155-021-03 is properly zoned for its use according to the current zoning regulations. Theatre Charlotte's board of directors has authorized the following structural changes: (1) the demolition of a substandard structure attached to the rear of the building; (2) the renovation of the front of the building with a new vestibule and receiving area; and (3) a renovation to the left side of the facility which would create a walkway and education area. Theatre Charlotte is currently zoned as an 0-6 Conditional Office District. However, the city has abandoned using this zoning classification. In order to ensure that Theatre Charlotte's planned construction conforms with the current city zoning requirements, tax parcel 155-021-03 must be rezoned to a 0-2 (CD). Accordingly, Theatre Charlotte is forced to apply for this zoning change.

The proposed renovations comply with the zoning requirements of an 0-2 (CD) classification in all respects. Theatre of Charlotte has been providing dramatic, musical, and cultural activities to the Charlotte community in this same location since 1941, which is permissible under the Charlotte Code. Theatre Charlotte will continue to operate in that capacity if this rezoning petition is granted.

This rezoning request is necessary to fulfill the mission of Theatre Charlotte. Theatre Charlotte is a community theatre, which began nearly seventy-five (75) years ago. The planned improvements will increase the quality of services that Theatre Charlotte provides and increase its ability to serve the Charlotte community. The plan being submitted proposes the demolition of the current dilapidated dressing room and replacement of that structure with a state of the art facility. It also proposes a variety of other renovations and additions to the facility. All construction will be done in phases in order to limit the inconvenience to the adjoining neighbors.

Moreover, our planned construction will provide adequate parking to all of our patrons. Under an 0-2 (CD) zoning classification, the owner must provide 50% of the required parking on-site. Theatre Charlotte has 226 seats and has 29 parking spaces on-site. Also, Theatre Charlotte has an additional twenty (20) parking spaces available for its patrons at the rear of the facility by way of an easement granted to Theatre Charlotte by the adjoining property owner. A copy of the easement is enclosed under Tab 7 of this packet. The proposed changes shall not increase

traffic volume to Theatre Charlotte nor to the community. Neither will the planned construction increase the total number number of seats used at one time in the facility. Therefore, no additional parking spaces are needed. <sup>1</sup>

Granting this rezoning request, as submitted, will permit Theatre Charlotte to continue its long history of providing the best services to its patrons and employees. If the rezoning request is approved, Theatre Charlotte will be able to proceed with its planned construction plans and fulfill its contractual obligations to its developers, contractors and architect. The project shall be funded from individual donations, grants, theatre season memberships, and funds from the Arts & Sciences Council of Charlotte/Mecklenburg. <sup>2</sup>

Theatre Charlotte understands that the zoning process requires it to meet with neighborhood leaders and adjoining property owners prior to its petition being granted by the Planning Commission. Theatre Charlotte promises that such meeting shall occur prior to the October 17, 2001 petition hearing by the Planning Commission.

By way of filing this rezoning petition, Theatre Charlotte respectfully requests that the parcel of land upon which its facility sits be rezoned to 0-2 (CD) so that the land complies with the current zoning ordinances.

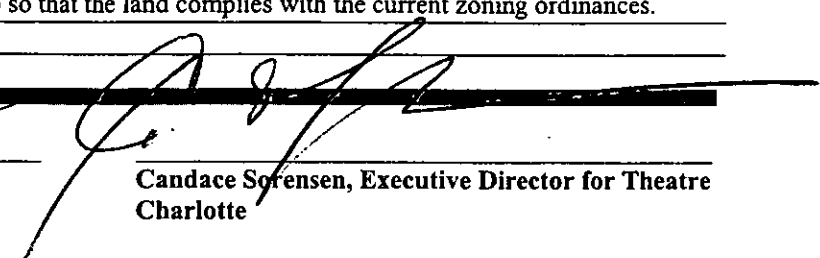
  
Chaton Turner Williams, Attorney for  
Theatre Charlotte

3500 One First Union Center, 301 South College Street  
Agent's Address

Charlotte, North Carolina 28202-6001  
City, State, Zip

(704) 338-5217 (704)338-5125  
Telephone Number Fax Number

chwilliams@kilstock.com  
E-Mail Address

  
Candace Sorensen, Executive Director for Theatre  
Charlotte

501 Queens Road

Charlotte, NC 28207  
City, State, Zip

(704) 376-3777 (704) 347-5216  
Telephone number Fax Number

E-Mail Address

N/A

Signature of Property Owner if other than Petitioner

<sup>1</sup> The addition of the education center will increase total available seats in the facility. However, the education center will not conduct programs concurrently with the theatre, therefore there will be no increased traffic flow to the facility as a result of the proposed changes.

<sup>2</sup> Theatre Charlotte may also receive some funding from the City of Charlotte.

# OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

**RECEIVED**  
Petition # \_\_\_\_\_  
Date Filed: **OCT 19 2001**

Received By: \_\_\_\_\_  
**CHARLOTTE MECKLENBURG  
PLANNING COMMISSION**

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**Chatón Turner Williams, Attorney for  
Theatre Charlotte**

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Agent's Address

Charlotte, North Carolina 28202-6001  
City, State, Zip

(704) 338-5217 (704)338-5125  
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chwilliams@kilstock.com  
E-Mail Address

N/A  
Signature of Property Owner if other than Petitioner

Signature of Agent

**Candace Sorensen, Executive Director for Theatre  
Charlotte**

501 Queens Road

Charlotte, NC 28207  
City, State, Zip

(704) 376-3777 (704) 347-5216  
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**ZONING ORDINANCE  
TEXT AMENDMENT APPLICATION**

**CITY OF CHARLOTTE**

RECEIVED
Petition 2001-123
Date Filed: _____
DEC 18 2001
Received By: _____
CHARLOTTE MECKLENBURG PLANNING COMMISSION <i>Office Use Only</i>

Section #: Purpose of Zoning Change  
(Title)

**Purpose of Change:**

The purpose of this change is to notify the Planning Commission that Theatre Charlotte entered into a Shared Parking Agreement ("Agreement") with Presbyterian Medical Care Corp. ("Landlord"), a North Carolina corporation located at 200 Hawthorne Lane, Charlotte, North Carolina 28204 on November 1, 2001, pursuant to Part 2: Off Street Parking and Loading, Section 12.203 of the City of Charlotte Code governing shared parking. Landlord is the owner of the property located at 120 Providence Road, Charlotte, Mecklenburg County, North Carolina, as described in the deed to Landlord recorded in Book 10155 at Page 667 in the Office of the Register of Deeds of Mecklenburg County, North Carolina. The Landlord has leased unto Tenant thirty (30) standard size parking spaces under the terms and conditions of the Agreement. The Agreement is for a nine (9) year term ending October 31, 2010, including all extensions.

Through this Agreement, Theatre Charlotte has satisfied all parking requirements mandated by the City Code and has resolved all outstanding issues related to its rezoning petition.

**Chatón Turner Williams, Attorney for  
Theatre Charlotte**

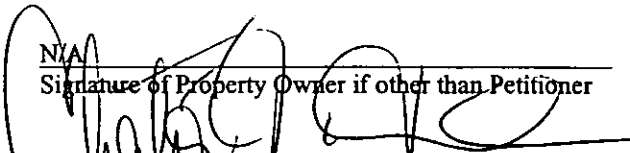
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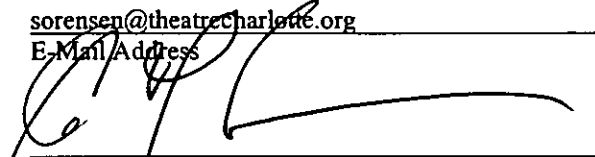
**Candace Sorensen, Executive Director for Theatre  
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City, State, Zip

(704) 376-3777                      (704) 347-5216  
Telephone number                      Fax Number

sorensen@theatrecharlotte.org  
E-Mail Address

  
Signature

Petition #:

Petitioner:

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING APPENDIX A  
OF THE CITY CODE – ZONING ORDINANCE

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

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

Section 2. That is ordinance shall become effective upon its adoption.

Approved as to form:

\_\_\_\_\_  
City Attorney

I, \_\_\_\_\_ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the \_\_\_ day of \_\_\_\_\_, 19\_\_\_, the reference having been made in Minute Book \_\_\_\_\_, and recorded in full in Ordinance Book \_\_\_\_\_, Page(s) \_\_\_\_\_.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the \_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_