

APPROVED BY CITY COUNCIL
DATE 4/16/90

ORDINANCE NO. 2893-Z

CITY ZONE CHANGE

Petition No. 89-116
Charlotte-Mecklenburg
Planning Commission

ZONING REGULATIONS
MAP AMENDMENT NO.

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 change from R-6MF to R-6 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED

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

APPROVED AS TO FORM:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of April, 19 90, the reference having been made in Minute Book 95, at page .

Pat Sharkey
City Clerk

THOMASBORO-HOSKINS
SPECIAL PROJECT PLAN PROPOSED REZONING

PETITION # 116

REZONE R-6MF to R-6

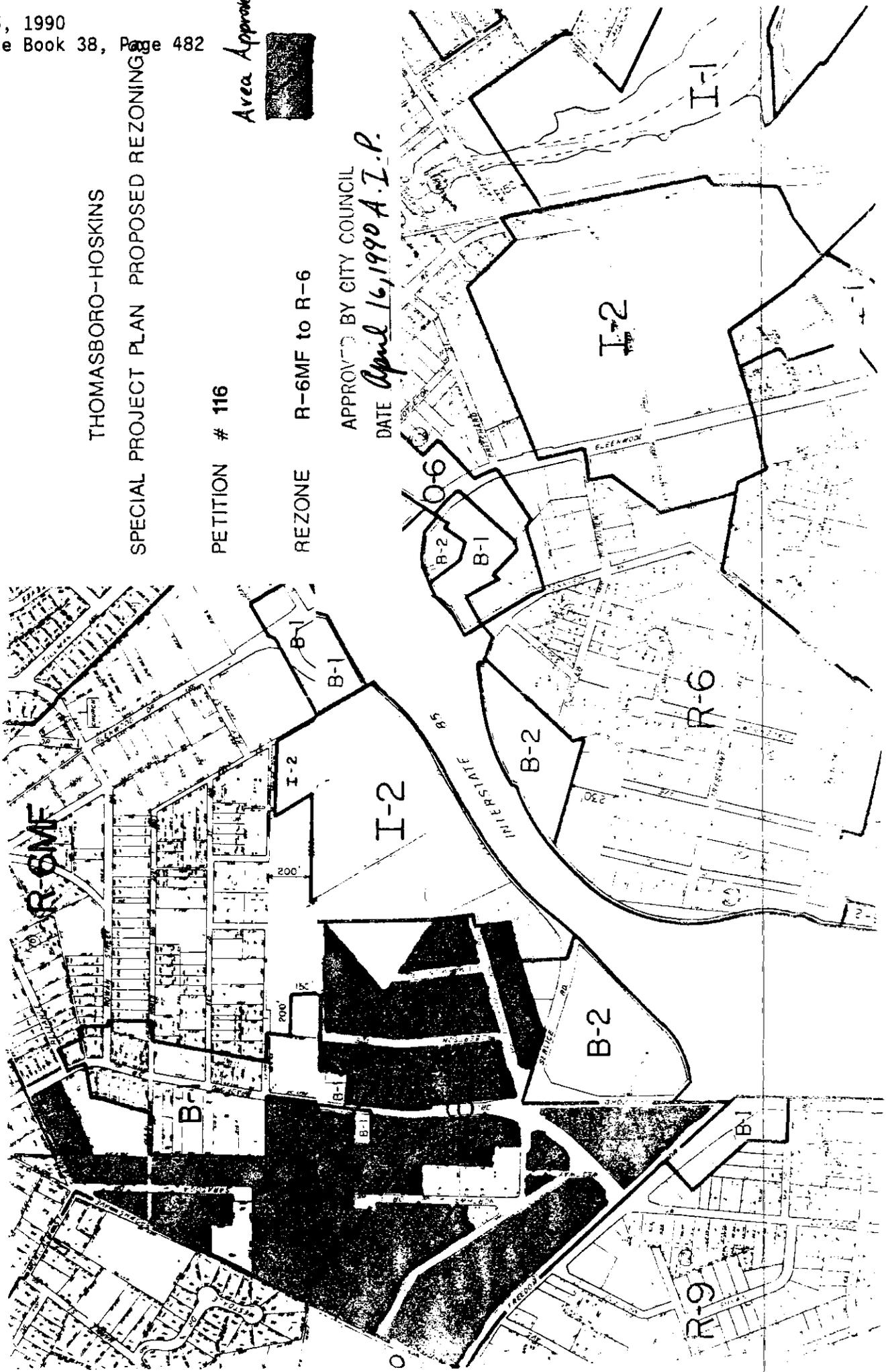
Area Approved



APPROVED BY CITY COUNCIL

DATE

April 16, 1990 A.I.P.



Petitioner: Charlotte-Mecklenburg
Planning Commission

APPROVED BY CITY COUNCIL

DATE April 16, 1990

ORDINANCE NO. 2894

AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE ZONING ORDINANCE

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

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

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

1. Amend Section 1102 by adding in the proper alphabetical order the following new definitions.

Jail. Publicly or privately owned building(s), and all accessory uses and structures, used to confine, house, and supervise persons held in lawful custody including those who are serving terms of imprisonment for violations of criminal laws or who are awaiting trial for alleged violations of criminal laws, but not including temporary holding facilities that are accessory to a police station.

Prison. Publicly or privately owned building(s), and all accessory uses and structures, used to confine, house, and supervise persons who are serving terms of imprisonment for violation of criminal laws. A prison is distinguished from a jail, in that a prison is considered to be a larger, long term incarceration facility normally operated under the authority or jurisdiction of the State or Federal government.

2. Amend Section 3100 by adding a new Section 3142 as follows:

3142. Jails and Prisons. Jails and prisons, when allowed by this ordinance in certain districts, must be developed in conformance with the following standards unless otherwise specified by the district regulations.

1. Minimum Lot Size.

Jails within completely enclosed structures	2 acres
Jails with open exercise yards or other unenclosed facilities	5 acres
Prisons	50 acres

2. Principal uses in the district in which they are located with the following exceptions:

minimum distance to nearest residentially zoned or residentially used property to:

1. any portion of the principal structure - 100'
2. any security fence attendant to the principal use - 50'
3. any accessory use associated with the principal use - 50'

No portion of the principal use or any accessory use may exceed 40 feet in height if located within 100 feet of any residentially zoned or residentially used property.

3. Screening. Screening will be provided along the side and rear yards in accordance with the standards of Section 1601. Any such screening must be located outside of any fences or walls along or near the property line. This standard applies when the use adjoins residentially zoned or residentially used properties.
 4. Hazardous Fencing Materials. Fencing materials such as barbed wire, razor wire, or electrical fences may not be used when adjacent to residentially zoned or residentially used properties. This standard applies to those fences which are located along or parallel to the property boundary which is nearest to the residential areas. This standard does not apply to fences which are located more than 60 feet from the property line.
 5. Security Lighting. All lighting for the facility must be oriented so that direct beams of light shine away from all adjoining properties and into the property so used.
 6. Accessory Uses. No detached accessory use may be placed on any property used for a jail or prison facility which could not be located in the district as a principal use.
 7. Signs. Signs for a jail or prison facility must conform to the standards of the district in which the use is located.
 8. Parking and Loading Standards. Parking and loading facilities for a jail or prison must be provided in accordance with the provisions of Section 2100 and with the following requirements:

parking spaces	1 per employee on the greatest shift plus 1 per each 10 inmates
loading spaces	as needed by the facility
3. Amend Section 3030 (Institutional District) by adding a new use to Section 3033 as follows:

- 42. Jails and Prisons in accordance with the standards of Section 3142.
- 4. Amend Section 3040 (Office District) by adding a new use to Section 3043 as follows:
 - 29. Jails and Prisons in accordance with the standards of Section 3142.
- 5. Amend Section 3053 (UMUD) by adding a new use to 3053.3 as follows:
 - 11. Jails within a completely enclosed building.
- 6. Amend Section 3060 (Business Districts) by adding a new use to Section 3063 as follows:
 - 32. Jails and Prisons in accordance with the standards of Section 3142.
- 7. Amend Section 3070 (Industrial Districts) by adding a new use to Section 3073 as follows:
 - 28. Jails and Prisons in accordance with the standards of Section 3142.

Section 2. That this ordinance shall become effective upon adoption.

Approved as to form:

Henry W. Chisholm Jr.
City Attorney

Read, approved, and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of April, 19 90, the reference having been made in Minute Book 95, and recorded in full in Ordinance Book 38, at page 483-485.

Pat Sharkey, City Clerk

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not used

CITY CD

Petition No. 90-17
Wachovia Bank & Trust

ORDINANCE NO. 2985-Z

A RESOLUTION 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 1.3 acres located on the north side of North Tryon Street west of Sugar Creek Road, changing from I-1 & R-9MF to O-6(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 March 19, 1990; 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 I-1 & R-9MF to O-6(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at the southern most corner of parcel two at the right-of-way of N. Tryon Street; thence N.52-18-00E. for a distance of 215.15 feet to a new ironing; thence N.38-36-58W. for a distance of 304.65 feet to a new iron pin; thence S.6-53-15W. for a distance of 62.60 feet to an old iron pin; thence S.52-20-28W. for a distance of 166.23 feet to an old iron pin; thence S.37-40-36E. for a distance of 260.15 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 1.3 acres more or less.

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:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of April, 19 90, the reference having been made in Minute Book 95, and is recorded in full in Ordinance Book 38, at page 487-488.

Pat Sharkey
City Clerk

APPROVED BY CITY COUNCIL ⁴⁸⁹

DATE 4/16/90

CITY CD

Petition No. 90-18
Silver Convenience Centers
of Charlotte, Inc.

ORDINANCE NO. 2896-Z

A RESOLUTION 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 3.9 acres located on the southeast corner of Tuckaseegee Road and Little Rock Road, changing from R-12 to B-1(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 March 19, 1990; 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 R-12 to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SILVER CONVENIENCE CENTERS
OF CHARLOTTE, INC.

Rezoning Petition No. _____

Legal Description

EXHIBIT A

BEGINNING at an existing iron pin in the southeasterly margin of the right-of-way of Little Rock Road (S.R. #1641) (84' R/W), said existing iron pin also marking the northwestern is described in deed recorded in Deed Book 5123 at page 28 in the Mecklenburg County Public Registry, and running thence with the southeasterly margin of said right-of-way two (2) calls and distances as follows: (1) N.22-01-59E. 56.22 feet to a new iron pin; and (2) in a northerly direction with arc of a circular curve to the left, having a radius of 860.50 feet (chord bearing N.15-45-14E. and distance 188.23 feet), an arc distance of 188.61 feet to a new iron pin; thence N.63-18-54E. 73.94 feet to a new iron pin in the southwesterly margin of the right-of-way of Tuckaseegee Road (S.R. #1662) (60' R/W); thence with the southwesterly margin of said right-of-way three (3) calls and distances as follows: (1) S.58-06-23E. 85.26 feet to a new iron pin; (2) in a southeasterly direction with the arc of a circular curve to the left, having a radius of 1,172.48 feet (chord bearing S.63-30-42E. and distance 180.10 feet), an arc distance of 180.28 feet to a new iron pin; and (3) S.67-55-02E. 238.92 feet to an existing iron pin in the northwesterly property line of the property conveyed to James E. Carter as same is described in deed recorded in Deed Book 2579 at Page 587 in the aforesaid Public Registry; thence with the westerly property line of the aforesaid James E. Carter property two (2) calls and distances as follows: (1) S.13-40-07W. 134.43 feet to an existing iron pin; and (2) S.29-12-07W. 117.47 feet to a new iron pin marking the northeasterly corner of the property conveyed to Centennial Development Company as same is described in deed recorded in Deed Book 5123 at Page 13 in the aforesaid Public Registry; thence with the northerly and westerly property lines of the aforesaid Centennial Development Company property two (2) calls and distances as follows: (1) N.67-58-01W. 301.81 feet to an existing iron pin; and (2) S.22-01-59W. 22.00 feet to an existing iron pin marking the northeastern corner of the property conveyed to Shoney's South, Inc. as same is described in deed recorded in Deed Book 5123 at Page 28 in the aforesaid Public Registry; thence with the northerly property line of the aforesaid Shoney's property N.67-58-01W. 234.00 feet to an existing iron pin, the point or place of beginning, containing 3.325 acres, all as shown on survey prepared by Hugh E. White, N.C.R.L.S., dated June 8, 1989, reference to which survey is hereby made for a more particular description.

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:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of April, 19 90, the reference having been made in Minute Book 95, and is recorded in full in Ordinance Book 38, at page 489-490.

Pat Sharkey
City Clerk

APPROVED BY CITY COUNCIL

491

DATE

4/16/90

CITY CD

Petition No. 90-19
T. Cooper James

ORDINANCE NO. 2897-Z

A RESOLUTION 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 5.48 acres located on the southerly side of Tuckaseegee Road between Browns Avenue and Cheshire Avenue, changing from 0-15(CD) and I-1 to B-1(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 March 19, 1990; 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 0-15(CD) and I-1 to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BOUNDARY DESCRIPTION

BEGINNING at a point in the centerline of Tuckaseegee Road, said point being the northeasterly corner of a tract of land described in Deed Book 6012, Page 415 of the Mecklenburg County Registry, and running thence S.17-13-04W. 555.00 feet; thence N.72-48-41W. 482.99 feet; thence N.28-00-32E. 566.37 feet to the centerline of Tuckaseegee Road; thence with said centerline S.72-36-64E. 376.95 feet to the BEGINNING and containing 5.48 acres.

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:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of April, 19 90, the reference having been made in Minute Book 95, and is recorded in full in Ordinance Book 38, at page 491-492.

Pat Sharkey
City Clerk

CITY CD

Petition No. 90-22
Crescent Resources, Inc.

ORDINANCE NO. 2898-Z

A RESOLUTION 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 24.38 acres located on the southwesterly side of Hutchinson-McDonald Road, changing from R-9 to I-1(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 March 19, 1990; 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 R-9 to I-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

LEGAL DESCRIPTION
CRESCENT RESOURCES, INC.
PROPERTY

Lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a railroad spike set in the centerline of the sixty foot R/W of Hutchinson-McDonald Road (S.R. 2094), said spike having N.C.G.S. Coordinates (NAD 83) X = 1,450,541.0049 and Y = 562,408.0485, said point also lying N.78-27-39W. 2160.64 feet (ground) and 2160.28 feet (grid) (Combined Reduction Factor = 0.999835376) from N.C.G.S. Station "Belk" having N.C.G.S. Coordinates (NAD 83) X = 1,452,657.626 and Y = 561,975.9101; thence from said point of BEGINNING with the westerly boundary of the property of Wesley T. Keller (Now or formerly), acquired by instrument recorded in Deed Book 2893, Page 257, and Deed Book 1343, Page 217, and Book 3111, Page 292, Mecklenburg County Public Registry S.12-16-35W. (crossing an iron pin set in the southerly margin of the right-of-way of Hutchinson-McDonald Road at 30.53 feet) a total distance of 759.98 feet to an existing iron pin lying in the westernmost corner of the Keller (now or formerly) property and the northerly corner of the property of the McRae Heirs (now or formerly), more particularly described by instrument recorded in Deed Book 1102, Page 193, Mecklenburg County Public Registry; thence with the northwesterly boundary of the McRae Heirs (now or formerly) property S.65-42-28W. 244.12 feet to an existing iron pin in the easterly boundary of the property of George E. James (nor or formerly), acquired by instrument recorded in Deed Book 3678, Page 226, Mecklenburg County Public Registry; thence with the easterly boundary of the George E. James (now or formerly) property N.25-14-04E. 263.38 feet to an existing iron pin lying in the northeasterly corner of the the George E. James (now or formerly) property and the southeasterly corner of Lot 34 of the "Jennings Place" subdivision, as shown on a plat recorded in map Book 4, Page 39, Mecklenburg County Public Registry; thence with the northerly boundary of the George E. James (now or formerly) property and the southerly boundaries of Lots 34, 35, 36, 37, 38, 39, 40, and 41 of the Jennings Place subdivision S.89-42-58W. (crossing the centerline of the twelve inch Piedmont Natural Gas Line at 75.44 feet and an existing iron pin at 837.03 feet) a total distance of 953.40 feet to an existing concrete monument lying in the easterly margin of the right-of-way of Interstate Highway 77; thence with the easterly margin of the right-of-way of Interstate Highway 77 the following six (6) courses and distances: (1) N.27-38-45W. 125.24 feet to an existing concrete monument; (2) N.33-04-21W. 196.89 feet to an existing concrete monument; (3) N.23-28-55W. 265.00 feet to an existing concrete monument; (4) N.23-34-49W. 76.04 feet to an existing concrete monument; (5) N.22-07-32W. 151.31 feet to an existing concrete monument; and (6) N.28-58-46W. 54.77 feet to an iron pin set in the southwest corner of the Lakeland Corp. (nor or formerly) property, said pin lying S.20-58-46E. 794.76 feet from an existing concrete monument lying in the easterly margin of the

right-of-way of Interstate Highway 77; thence with the southerly boundary of the Lakeland Corp. (now or formerly) property the following two (2) courses and distances: (1) S.75-50-31E. 176.08 feet to an existing iron pin; and (2) N.55-19-29E. (crossing an existing iron pin at 515.73 feet) a total distance of 544.38 feet to a railroad spike set in the centerline of the sixty foot right-of-way of Hutchinson-McDonald Road (S.R. 2094), said spike also lying in the southeasterly corner of the property of Lakeland Corp. (now or formerly), acquired by instrument recorded in Deed Book 4323, Page 714, Mecklenburg County Public Registry, and also in the southwesterly boundary of the property of Crescent Congregation (now or formerly), acquired by instrument recorded in Deed Book 2894, Page 158, Mecklenburg County Public Registry; and running thence with the centerline of Hutchinson-McDonald Road S.31-44-19E. (crossing an existing nail in the southernmost corner of the Crescent Congregation Property at 99.52 feet) a total distance of 387.86 feet to an existing nail; thence continuing with the centerline of Hutchinson-McDonald Road with the arc of a circular curve to the left having a radius of 175.69 feet, a chord bearing S.58-46-57E. a chord distance of 173.92 feet, and an arc distance of 181.94 feet to an existing nail; thence continuing with the centerline of Hutchinson-McDonald Road S.88-26-56E. 632.40 feet to a railroad spike set marking the point and place of BEGINNING; containing 24.071 acres (1,048,581 square feet), all as shown on that "Boundary Survey Made at the Request of Crescent Resources, Inc." dated May, 1990, and prepared by W. K. Dickson and Company, Inc. reference to which survey is hereby made for a more particular description of the property.

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:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the day of April 16, 19 90, the reference having been made in Minute Book 95, and is recorded in full in Ordinance Book 38, at page 493-495.

Pat Sharkey
City Clerk

APPROVED BY CITY COUNCIL ¹
DATE 4/16/90

CITY CD

Petition No. 90-24
City View Development
Corporation

ORDINANCE NO. 2899-Z Part I

A RESOLUTION 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 62.368 acres located off Ashley Road, changing from I-1 and R-9MF to B-D(CD) and I-1(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 approved 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 March 19, 1990; 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 I-1 and R-9MF to B-D(CD) & I-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

TITLE: B-D(CD) TRACT

BEGINNING at an old iron said iron marking the northwest corner of the Admall Village Limited Partnership property (now or formerly) as recorded in Deed Book 5662 Page 261 in the Mecklenburg County Registry said iron also marking the northeast corner of the tract herein described: thence S.46-46-48E. 659.56 feet to an old iron: thence S.50-11-29W. 125.00 feet to an iron: thence S.46-46-48E. 230.10 feet to a point in the centerline of Ledwell Street Extension (under construction): thence with a circular curvature to the right, being subject to a radius of 573.00 feet, having an arc length of 743.47 feet to a point, (chorded by S.87-21-48W. 692.41 feet); thence N.55-27-56W. 302.89 feet to a point; thence with a circular curvature to the left being subject to a radius of 573.00 feet, having an arc length of 12.60 feet to a point, (chorded by N.4=56-06-25W. 12.59 feet); thence S.31-27-00W. 491.41 feet to a point; thence N.58-33-00W. 305.00 feet to an iron; thence S.33-14-36W. 716.02 feet to an iron; thence S.31-05-40W. 235.57 feet to an iron; thence N.27-34-10W. 477.01 feet to an iron; thence with a circular curvature to the right, being subject to a radius of 146.80 feet, having an arc length of 92.82 feet to an iron (chorded by N.09-37-17W. 9.128 feet); thence N.08-39-25E. 316.36 feet to an iron; thence N.89-05-05W. 353.29 feet to an iron; thence N.08-39-25E. 277.71 feet to an iron; thence N.00-48-02E. 18.54 feet to the intersection of the centerline of Ledwell Street Extension (under construction); thence N.88-34-02E. 1201.77 feet to a point; thence with a circular curvature to the right, being subject to a radius of 573.00 feet, having an arc length of 227.54 feet to a point, (chorded by S.08-30-24E. 226.05 feet); thence N.21-19-20E. 464.14 feet to a point; thence with a circular curvature to the left, being subject to a radius of 800.00 feet, having an arc length of 87.23 feet to a point, (chorded by N.18-11-47E. 87.19 feet); thence S.84-54-41E. 310.63 feet to the point of beginning.

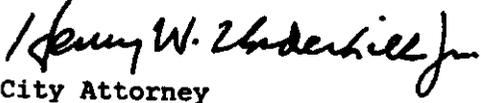
TITLE: I-1(CD) TRACT

BEGINNING at an old iron said iron marking the southwest corner of the J & W Management Corp. Property (now or formerly) as recorded in Deed Book 5148 Page 322 in the Mecklenburg County Registry said iron also marking the southeast corner of the tract herein described; thence S.81-55-51W. 449.19 feet to an iron; thence S.63-24-42W. 514.67 feet to an old iron; thence N.58-33-00W. 1550.36 feet to a point; thence N.31-27-00E. 491.41 feet to a point in the centerline of Ledwell Street Extension (under construction); thence with a circular curvature to the right, being subject to a radius of 573.00 feet having an arc length of 12.60 feet to a point, (chorded by S.56-06-25E. 12.59 feet); thence S.55-27-56E. 302.89 feet to a point; thence with a circular curvature to the left, being subject to a radius of 573.00 feet, having an arc length of 743.47 feet to a point, (chorded by N.87-21-48E. 692.41 feet); thence S.46-46-48E. 30.71 feet to an iron; thence N.50-11-29E. 125.00 feet to concrete monument; thence S.46-46-48E. 1236.62 feet to the point of beginning.

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:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of April, 19 90, the reference having been made in Minute Book 95, and is recorded in full in Ordinance Book 39, at page 1-3.

Pat Sharkey
City Clerk

CITY B-1SCD

Petition No. 90-24
City View Development
Corporation

ORDINANCE NO. 2899-7 Part II

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 50.19 acres located off Ashley Road, changing from R-9MF, I-1 & I-2 to B-1SCD; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3210 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 3202 and 3210.2 and was recommended for approved 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 March 19, 1990; 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 3210.5:

- .1 Access to public streets and the adequacy of those streets to carry anticipated increased traffic.
- .2 On-site circulation for both pedestrian and vehicular traffic.
- .3 Adequacy of existing community facilities such as water, sewer, police and, fire protection.
- .4 Relationship to and impacts upon adjoining and nearby properties and the adequacy of proposed measures to minimize any adverse impacts.
- .5 For proposed shopping centers, the appropriateness of the proposal in relationship to the policies and objectives of the comprehensive plan and to a more detailed area plan, if available.

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 R-9MF, I-1, & I-2 to B-1SCD on the Official Zoning Map, City of Charlotte, N.C. the following described property:

TITLE: B-1SCD TRACT

BEGINNING at a new iron on the western R/W of Freedom Drive said iron marking the southeast corner of the Billy Shaw Howell property (now or formerly) as recorded in Deed Book 2343. Page 573 in the Mecklenburg County Registry said iron also marking the northeast corner of the tract herein described; thence with a circular curvature to the left, being subject to a radius of 5779.58 feet, having an arc length of 152.92 feet to an old iron, (chorded by S.45-44-20E. 152.91 feet); thence S.57-01-36W. 347.78 feet to a new iron; thence S.46-54-11E. 100.00 feet to an old iron; thence S.36-07-41E. 677.90 feet to an old iron; thence S.50-05-19W. 520.47 feet to an old iron; thence N.84-54-41E. 310.63 feet to a point; thence with a circular curvature to the right, being subject to a radius of 800.00 feet, having an arc length of 87.23 feet to a point, (chorded by S.18-11-47W. 87.19 feet); thence S.21-19-20W. 464.14 feet to a point; thence with a circular curvature to the left, being subject to a radius of 573.00 feet, having an arc length of 227.54 feet to a point, (chorded by N.80-03-24W. 226.05 feet); thence S.88-34-02W. 1201.77 feet to the intersection of the centerline of Ledwell Street Extension (under construction); thence N.00-48-02E. 845.63 feet to an iron; thence N.77-27-06E. 1040.59 feet to an old iron; thence N.57-08-22E. 1203.18 feet to the point of beginning.

Containing 2186448 Sq. Ft. or 50.194 Acres.

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:



City Attorney

Read, approved, and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of April, 19 90, the reference having been made in Minute

Book 95, and is recorded in full in Ordinance Book 39, at page 4-5.

Pat Sharkey
City Clerk

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