

July 18, 1988  
Ordinance Book 37 - Page 126

APPROVED BY CITY COUNCIL  
DATE 7/18/88

ORDINANCE NO. 2465

AMENDING CHAPTER 20

AN ORDINANCE AMENDING CHAPTER 20, (SUBDIVISION REGULATIONS) OF THE CODE OF THE CITY OF CHARLOTTE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA:

Section 1. Chapter 20, is hereby amended as follows:

1. Amend Section 2.100. Definitions., SUBDIVISION., as follows:

a. Delete numbered paragraph 1. in its entirety and replace it as follows:

1. The combination or recombination of portions of parcels created and recorded prior to January 1, 1988, or portions of lots platted in compliance with this ordinance after January 1, 1988, where the total number of parcels or lots is not increased and the resultant parcels or lots are equal to the standards of this ordinance.

b. Delete numbered paragraph 6. in its entirety and replace it as follows:

6. Creation of a separate lot or building site by a less than fee simple instrument, such as a ground lease, when the property interest created is divided from the original parcel for ten years or less, including options to renew.

c. Add a new paragraph 7. to read as follows:

7. The lease of space or other area within a building owned by the landlord.

d. Add a new paragraph 8. to read as follows:

8. Easements for the purposes of utilities, driveways, parking, footpaths, trails or other similar purposes.

e. Add a new paragraph 9. to read as follows:

9. The division of a tract or parcel into separate tracts or parcels, or the creation of interests in lots or parcels, by means of (a) a deed of trust, mortgage, or similar security interest solely for the purpose of securing any bona fide obligation (including transfers of such parcels or tracts pursuant to foreclosure or deeds in lieu of foreclosure) and (b) releases from the liens and operation of such deeds of trust, mortgages, or similar security interests.

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f. Add a new paragraph 10. to read as follows:

10. Proceedings to partition interests in lots or parcels pursuant to Chapter 46 of the North Carolina General Statutes (or any successor statute) resulting in the division of a lot or parcel into two or more lots or parcels except where the partition proceeding is brought to circumvent the provisions of this Ordinance.

g. Add a new paragraph 11. to read as follows:

11. Transfers of tracts or parcels by inheritance or bonafide gift.

h. Add a new paragraph 12. to read as follows:

12. Condemnation or deed in lieu of condemnation, by either a public or private condemnor; provided, however, that the condemnor must comply with the requirements of this ordinance as to the property acquired, either prior to the commencement of any development of the property acquired, or prior to the issuance of any building permit on the property acquired, or within six months following the date of acquisition, whichever date first occurs.

2. Amend Section 2.100. Definitions., by adding a new definition in proper alphabetical order as follows:

SUBDIVISION, LIMITED. A subdivision that is not otherwise exempt from the provisions of this ordinance and where the tract or parcel of land retained by the owner submitting the land for subdivision approval is in excess of ten (10) acres. For such subdivisions the owner shall be required to plat only the parcel to be transferred or leased and only that parcel shall be subject to the requirements of this ordinance.

3. Amend Section 2.100. Definitions., by capitalizing the heading "SUBDIVISION, MINOR", and adjusting the margin of the entire paragraph to be in proper format as other definitions.
4. Amend Section 4.106. Standards for Granting a Variance., by adding the word "or" to the end of Items 1. and 2. and adding a "semicolon" and the word "or" to the end of Item 4.
5. Amend Section 6.100. Compliance Required., by deleting the entire wording and replacing it as follows:

6.100. Compliance Required.

After the effective date of this Ordinance, no plat of a subdivision of land subject to the jurisdiction of this Ordinance will be filed or recorded by the County Register of Deeds until it has been submitted to and approved by the Charlotte-Mecklenburg Planning Commission Staff. This includes all divisions of land as defined in 2.100 and includes the development of any multiple building site or multi-site project even if there is no division

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of the underlying land into separate parcels which is submitted to be recorded with the Register of Deeds. No preliminary subdivision plans or final subdivision plats are required to be filed with the Planning Commission or Register of Deeds for any multiple building site or multi-site project unless this ordinance requires the dedication of street right-of-way or reservation of land for public school, public park or other public facilities, provided, however, multiple building sites and multi-site projects must comply with 6.800 or 6.900, whichever is applicable.

6. Amend Section 6.520. by adding the follows sentence as a new paragraph after Item 3:

The required preliminary plan may also be waived by the Planning Staff for Limited Subdivisions and/or those subdivisions which do not involve the dedication of a new street.

7. Amend Section 6.530. Final Plats., by adding a new paragraph after the existing paragraph as follows:

For Limited Subdivisions the owner shall be required to plat only the parcel to be transferred on leased and only that parcel shall be subject to the requirements of this ordinance.

Section 2. This ordinance shall become effective upon adoption.

Approved as to form:

*W. Michael Jr*  
Deputy City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of July, 1988, the reference having been made in Minute Book 91, and recorded in full in Ordinance Book 37, beginning on Page 126.

Pat Sharkey, City Clerk

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APPROVED BY CITY COUNCIL  
DATE 7/18/88

CITY CD

Petition No. 88-11  
First Colony Group,  
Ltd.

ORDINANCE NO. 2466-Z

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 A 7.98 acre site located on the north side of Fairview Road approximately 1,250 feet east of Sharon Road, east of the Colony on Fairview Office Park from R-15 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 May 16, 1988; 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-15 to O-6(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point in the northerly right-of-way line of Fairview Road said point being the southeast corner of property belonging to Colony on Fairview Condominium Association and being in the line of a tract of land belonging to Dwight Ledwell Phillips as recorded in Deed Book 1030, Page 922 in the Mecklenburg Public Registry and running thence: N.19-51-15E. 484.94 feet; thence N.20-40-27E. 232.68 feet; thence S.76-32-06E. 424.76 feet; thence S.21-15-00W. 775.00 feet to a point in Fairview Road; thence with Fairview Road N.68-45-00W. 406.70 feet to the 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 18th day of July, 1988, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page 129-129A.

Pat Sharkey  
City Clerk

CITY CD

Petition No. 88-29  
Mark Tribett

ORDINANCE NO. 2467-Z

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 3.5 acres located on Third Street between Baldwin Avenue and Lillington Avenue change from R-6MF and O-6 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 April 18, 1988; 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-6MF & O-6 to O-6(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

PARCEL A

SITUATED IN MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERENCE AT A POINT OF INTERSECTION OF THE CENTERLINES OF RANLO AVENUE AND BALDWIN AVENUE; RUNNING THENCE FROM SAID REFERENCE POINT IN AN EASTERLY DIRECTION APPROXIMATELY 40 FEET TO AN EXISTING IRON PIPE AT THE EDGE OF THE STREET RIGHT-OF-WAY; SUCH POINT HEREINAFTER REFERRED TO AS POINT OF BEGINNING FOR PARCEL RUNNING THENCE N.44-04-50E. 300.12 FEET TO A POINT; RUNNING THENCE N.43-44-42E. 64.05 FEET TO A POINT; TURNING AND RUNNING THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC DISTANCE OF 37.17 FEET, AND A RADIUS OF 20.0 FEET, TO A POINT; RUNNING THENCE S.29-32-40E. 54.72 FEET TO A POINT; TURNING AND RUNNING THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC DISTANCE OF 250.02 FEET, AND A RADIUS OF 1175.92 FEET TO A POINT; RUNNING THENCE S.43-58-50W. 312.40 FEET TO A POINT; THENCE S.43-58-50W. 312.40 FEET TO A POINT; THENCE RUNNING N.47-51-54W. 323.92 FEET TO THE EXISTING IRON PIPE OR PLACE OF BEGINNING, CONTAINING 2.558 ACRES OF LAND, ALL AS SHOWN ON A SURVEY FOR PRESBYTERIAN SPECIALTY HOSPITAL CORP., CHARLOTTE, NORTH CAROLINA DATED MAY 18, 1987 BY R. B. PHARR AND ASSOCIATES.

PARCEL B

SITUATED IN MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERENCE AT A POINT OF INTERSECTIONS OF THE CENTERLINES OF RANLO AVENUE AND LILLINGTON AVENUE: RUNNING THENCE FROM SAID REFERENCE POINT IN A SOUTHERLY DIRECTION APPROXIMATELY 40 FEET TO AN EXISTING IRON PIPE AT THE SOUTHERN EDGE OF THE LILLINGTON STREET RIGHT-OF-WAY; SUCH POINT HEREINAFTER REFERRED TO AS POINT OF BEGINNING FOR PARCEL B; RUNNING THENCE N.44-40-13E. 149.86 FEET TO A POINT; RUNNING THENCE S.57-29-27E. 119.14 FEET TO A POINT; RUNNING THENCE S.30-01-36W. 197.87 FEET TO A POINT; RUNNING THENCE N.39-40-32W. 167.30 FEET TO THE POINT OR PLACE OF BEGINNING, CONTAINING .56 ACRES OF LAND, ALL AS SHOWN ON A SURVEY FOR PRESBYTERIAN SPECIALTY HOSPITAL CORP., CHARLOTTE, NORTH CAROLINA DATED MAY 18, 1987 BY R. B. PHARR AND ASSOCIATES.

PARCEL C

SITUATED IN MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERENCE AT A POINT OF INTERSECTION OF THE CENTERLINES OF RANLO AVENUE AND LILLINGTON AVENUE; RUNNING THENCE FROM SAID REFERENCE POINT IN A WESTERLY DIRECTION APPROXIMATELY 40 FEET TO AN EXISTING IRON PIPE AT THE NORTHWESTERN EDGE OF THE LILLINGTON STREET RIGHT-OF-WAY; SUCH POINT HEREINAFTER REFERRED TO AS POINT OF BEGINNING FOR PARCEL C; RUNNING THENCE S.44-41-01W. 40.0 FEET TO A POINT; THENCE RUNNING N.48-21-20W. 156.99 FEET TO A POINT; THENCE

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RUNNING N.44-45-14E. 39.66 FEET TO A POINT; THENCE RUNNING S.48-29-35E. 156.96 FEET TO THE POINT OR PLACE OF BEGINNING, CONTAINING .14 ACRES OF LAND, ALL AS SHOWN ON A SURVEY FOR PRESBYTERIAN SPECIALTY HOSPITAL CORP., CHARLOTTE, NORTH CAROLINA DATED MAY 18, 1987 BY R. B. PHARR AND ASSOCIATES.

PARCEL D

SITUATED IN MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERENCE AT A POINT OF INTERSECTION OF THE CENTERLINES OF RANLO AVENUE AND BALDWIN AVENUE; RUNNING THENCE FROM SAID REFERENCE POINT IN A SOUTHERLY DIRECTION APPROXIMATELY 40 FEET TO AN EXISTING IRON PIPE AT THE EDGE OF THE STREET RIGHT-OF-WAY; SUCH POINT HEREINAFTER REFERRED TO AS POINT OF BEGINNING FOR PARCEL RUNNING THENCE WITH THE RIGHT-OF-WAY OF RANLO AVENUE, S.48-28E. 158.75 FEET TO A POINT; RUNNING THENCE S.45-36-24W. 59 FEET TO A POINT; RUNNING THENCE N.48-33-35W. 158.26 FEET TO A POINT; RUNNING THENCE N.45-07-44E. 60.04 FEET TO THE POINT OR PLACE OF BEGINNING, CONTAINING .22 ACRES OF LAND, ALL AS SHOWN ON A SURVEY FOR PRESBYTERIAN SPECIALTY HOSPITAL CORP., CHARLOTTE, NORTH CAROLINA DATED MAY 18, 1987 BY R. B. PHARR AND ASSOCIATES.

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 W. Underhill Jr.*  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of July, 19 88, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page 130-131.

Pat Sharkey  
City Clerk

APPROVED BY CITY COUNCIL  
DATE 7/18/88CITY R-PUDPetition No. 88-32  
HBH InvestmentsORDINANCE NO. 2468-Z (Part I)AN ORDINANCE AMENDING THE CITY WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of 101.66 acres located on the east side of Sharon Road between Colony Road and Morrison Boulevard extending through to Fairview Road, change from R-15 to R-PUD; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3212 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 3212.3, 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 16, 1988; 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 3212.9:

- .1 Each individual phase of the development should be able to exist as an independent unit capable of creating an environment of sustained desirability and stability or adequate assurance will be provided that this type of environment will be attained. In addition the uses proposed within the development must not be inappropriate or detrimental to present or potential uses in surrounding areas.
- .2 The proposed primary streets and thoroughfares must be suitable and adequate to carry the anticipated traffic. Increased densities must not generate traffic which would overload the street network outside the planned unit development.
- .3 Any exception from standard ordinance requirements must be warranted by the design and amenities incorporated in the proposed development.
- .4 The area surrounding the development can be planned and zoned in coordination and substantial compatibility with the proposed development.

- .5 The planned unit development district should be in conformance with the Comprehensive Plan.
- .6 The existing or proposed utility services must be adequate for the population densities which could be expected.

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-15 to R-PUD on the Official Zoning Map, City of Charlotte, N.C. the following described property:

TRACT III: SINGLE FAMILY RESIDENTIAL TRACT (R-PUD)

BEGINNING at a point in the southernmost corner of Lot 11 of Foxcroft Hills No. 8 Subdivision as same is shown on map recorded in Map Book 19 at Page 390 of the Mecklenburg County Public Registry, and running thence N.39-49-15E. 375.00 feet to a point; thence S.87-45-50E. 141.92 feet to a point; thence S.32-48-40E. 473.00 feet to a point; thence S.29-15-00E. 350.00 feet to a point; thence in a northeasterly direction with the arc of circular curve to the right, having a radius of 250.00 feet, an arc distance of 173.46 feet to a point; thence N.52-30-00E. 215.00 feet to a point; thence S.51-30-30E. 460.68 feet to a point; thence S.27-33-10W. 65.00 feet to a point; thence S.62-26-50E. 445.00 feet to a point; thence S.24-16-30W. 174.91 feet to a point; thence S.27-33-10W. 524.47 feet to a point; thence S.10-20-26-51E. 772.15 feet to a point in the northerly margin of the right-of-way of Fairview Road; thence with the northerly margin of said right-of-way, five (5) courses and distances as follows: (1) on a spiral curve to the left having chord bearing and distance of S.85-10-45W., 88.03 feet to a point, (2) in a southwesterly direction with the arc of a circular curve to the left, having a radius of 11,499.16 feet, an arc distance of 505.70 feet to a point; (3) on a spiral curve to the left having a chord bearing and distance of S.81-49-15W. 200.11 feet to a point; (4) S.81-44-45W. 802.73 feet to a point and (5) on a spiral curve to the right having a chord bearing and distance of S.83-12-45W. 205.00 feet to a point; thence leaving the northerly margin of said right-of-way, N.19-35-00W. 432.82 feet to a point; thence N.46-15-00W. 145.00 feet to a point; thence N.41-35-00W. 219.00 feet to a point; thence N.07-35-00W. 81.00 feet to a point; thence N.30-00-00W. 95.00 feet to a point; thence N.55-10-00W. 283.23 feet to a point in the centerline of a right-of-way (as proposed) to be named Morrocroft Boulevard; thence with the centerline of said right-of-way (as proposed) three (3) courses and distances as follows: (1) in a northeasterly direction with the arc of a circular curve to the left, having a radius of 572.96 feet, an arc distance of 326.56 feet to a point; (2) N.08-05-00W. 81.56 feet to a point; and (3) in a northerly direction with the arc of a circular curve to the right, having a radius of 600.69 feet, an arc distance of 210.55 feet to a point in the centerline of a right-of-way (as proposed) to be named Morrison Boulevard

Extension; thence with the centerline of said right-of-way (as proposed) three (3) courses and distances as follows: (1) in an easterly direction with the arc of a circular curve to the left, having a radius of 572.96 feet, an arc distance of 357.10 feet to a point; (2) N.62-30-00E. 122.91 feet to a point; and (3) in a northeasterly direction with the arc of a circular curve to the right, having a radius of 633.29 feet, an arc distance of 204.48 feet to a point at the intersection of the centerlines of the right-of-way (as proposed) of Morrocroft Boulevard and a right-of-way (as proposed) to be named Colony Road Extension; thence with the centerline of the right-of-way (as proposed) of Colony Road Extension, three (3) courses and distances as follows: (1) in a northerly direction with the arc of a circular curve to the right, having a radius of 636.62 feet, an arc distance of 188.19 feet to a point; (2) N.09-05-56W. 81.87 feet to a point and (3) in a northwesterly direction with the arc of a circular curve to the left, having a radius of 572.96 feet, an arc distance of 274.32 feet to a point; thence leaving said centerline N.39-49-15E. 140.38 feet to a point, the point or place of beginning, containing 101.66 acres, all as shown on survey prepared by Frank Coleman & Associates, 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, regular session convened on the 18th day of July, 1988, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page 132-140.

Pat Sharkey  
City Clerk

APPROVED BY CITY COUNCIL

DATE 7/18/88

CITY CD

Petition No. 88-32  
HBH Investments

ORDINANCE NO. 2468-7 (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 40.93 acres located on the east side of Sharon Road between Colony Road and Morrison Boulevard extending through to Fairview, changing from R-15 to R-15(CD) and O-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 16, 1988; 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-15 to R-15 (CD) and O-15(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

TRACT II: OFFICE COMPLEX TRACT (0-15(CD))

BEGINNING at a point located in the northerly margin of the right-of-way of Fairview Road, said point being the southwesternmost point of the proposed Single Family Residential Tract (R-PUD) described hereinafter as Tract III, and running thence with the northerly margin of said right-of-way, four (4) courses and distances as follows: (1) on a spiral curve to the right having a chord bearing and distance of S.83-12-45W., 91.61 feet to a point; (2) in a westerly direction with the arc of a circular curve to the right, having a radius of 1869.86 feet, an arc distance of 705.76 feet to a point; (3) in a northwesterly direction with the arc of a circular curve to the right, having a radius of 2506.67 feet, an arc distance of 161.30 feet to a point and (4) N.68-40-28W. 166.96 feet; thence N.21-19-32E. 775.00 feet to a point; thence N.76-27-33W. 424.77 feet to a point; thence N.20-44-59E. 53.11 feet to a point; thence N.19-09-10E. 157.61 feet to a point; thence N.72-32-59W. 130.59 feet to a point; thence N.59-20-01W. 200.59 feet to a point thence N.44-41-50E. 621.28 feet to a point in the centerline of a right-of-way (as proposed) to be named Morrison Boulevard Extension; thence with the centerline of said right-of-way (as proposed), three (3) courses and distances as follows: (1) in a southeasterly direction with the arc of a circular curve to the left, having a radius of 1637.02 feet, an arc distance of 16.17 feet to a point; (2) S.53-53-00E., 128.71 feet to a point; and (3) in a southeasterly direction with the arc of a circular curve to the left, having a radius of 572.96 feet, an arc distance of 279.06 feet to a point in the centerline of a right-of-way (as proposed) to be named Morrocroft Boulevard; thence with the centerline of said right-of-way (as proposed) three (3) calls and distances as follows: (1) in a southerly direction with the arc of a circular curve to the left, having a radius of 600.69 feet, an arc distance of 210.55 feet to a point; (2) S.08-05-00E. 81.56 feet to a point and (3) in a southerly direction with the arc of a circular curve to the right, having a radius of 572.96 feet, an arc distance of 326.56 feet to a point; thence leaving the centerline of said right-of-way (as proposed), S.55-10-00E. 283.23 feet to a point; thence S.30-00-00E. 95.00 feet to a point; thence S.07-35-00E. 81.00 feet to a point; thence S.41-35-00E. 219.00 feet to a point; thence S.46-15-00E. 145.00 feet to a point; thence S.19-35-00E. 432.82 feet to a point, the point or place of beginning, containing 24.89 acres, all as shown on survey prepared by Frank Coleman & Associates, reference to which survey is hereby made for a more particular description of the survey is hereby made for a more particular description of the property.

TRACT IV: SINGLE-FAMILY RESIDENTIAL TRACT (R-15) (CD)

BEGINNING at a point in the westernmost corner of Lot 14 of Block 23 of Foxcroft Hills No. 6 Subdivision as same is shown on map recorded in Map Book 14 at Page 507 of the Mecklenburg County Public Registry, and running thence S.62-26-50E. 200.00 feet to a point in the northerly margin of the right-of-way of Belknap Road;

thence in a southwesterly direction with the arc of a circular curve to the right, having a radius of 241.95 feet, an arc distance of 70.49 feet to a point in the northerly margin of said right-of-way; thence S.45-45-16E. 50.00 feet to a point in the southerly margin of said right-of-way; thence S.62-26-50E. 302.30 feet to a point; thence N.53-39-42E. 300.75 feet to a point; thence N.20-56-50W. 20.00 feet to a point; thence N.69-03-10E. 690.70 feet to a point in the centerline of McMullen Creek; thence with the centerline of said creek, three (3) courses and distances as follows: (1) S.00-58-02W. 120.72 feet to a point; (2) S.13-54-56W. 376.76 feet to a point and (3) S.12-55-30W. 284.70 feet to a point; thence leaving the centerline of said creek S.85-15-15W. 52.56 feet to a point; thence S.04-44-45E. 30.00 feet to a point in the northerly margin of the right-of-way of Fairview Road; thence with the northerly margin of said right-of-way two (2) courses and distances as follows: (1) S.85-15-15W. 865.23 feet to a point and (2) on a spiral curve to the left with a chord bearing and distance of S.85-10-45W., 112.00 feet to a point; thence leaving the northerly margin of said right-of-way N.10-26-51W. 772.15 feet to a point, the point or place of beginning, containing 16.04 acres, all as shown on survey prepared by Frank Coleman & Associates, 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:

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City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of July, 19 88, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page 132-140.

Pat Sharkey  
City Clerk

APPROVED BY CITY COUNCIL

DATE

7/18/88

CITY B-1SCDPetition No. 88-32  
HBH InvestmentsORDINANCE NO. 2468-Z Part IIIAN 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 33.07 acres located on the east side of Sharon Road between Colony Road and Morrison Boulevard extending through to Fairview Road change from R-15 to B-1SCD acres located on the east side of Sharon Road between Colony Road and Morrison Boulevard extending through to Fairview Road change from R-15 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 approval 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 16, 1988; 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-15 to B-1SCD on the Official Zoning Map, City of Charlotte, N.C. the following described property:

TRACT I: VILLAGE CENTER TRACT (B-1SCD)

To find the beginning point, begin at a point marking the intersection of the centerlines of the rights-of-way of Sharon Road and Colony Road, and run thence S.50-10-45E. 10.00 feet to a point, thence N.39-49-15E. 40.00 feet to a point, thence S.50-10-45E. 30.00 feet to a point, the true point of beginning and being the northernmost corner of the following described tract; thence S.50-10-45E. 1,020.00 feet to a point; thence S.39-49-15W. 140.38 feet to a point in the centerline of a right-of-way (as proposed) to be named Colony Road Extension; thence with the centerline of said right-of-way (as proposed), three (3) courses and distances as follows: (1) in a southerly direction with the arc of a circular curve to the right, having a radius of 572.96 feet, an arc distance of 274.32 feet to a point; (2) S.09-05-56W. 81.87 feet to a point and (3) in a southerly direction with the arc of a circular curve to the left, having a radius of 636.62 feet, an arc distance of 188.19 feet to a point, said point being the intersection of the centerlines of a right-of-way (as proposed) to be named Colony Road Extension and a right-of-way (as proposed) to be named Morrison Boulevard Extension; thence with the centerline of the right-of-way (as proposed) of Morrison Boulevard Extension, five (5) courses and distances as follows: (1) in a southwesterly direction with the arc of a circular curve to the left, having a radius of 633.29 feet, an arc distance of 204.48 feet to a point; (2) S.62-30-00W. 122.91 feet to a point; (3) in a southwesterly direction with the arc of a circular curve to the right, having a radius of 572.96 feet, an arc distance of 636.17 feet to a point; (4) N.53-53-00W. 128.71 feet to a point and (5) in a northwesterly direction with the arc of a circular curve to the right, having a radius of 1,637.02 feet, an arc distance of 16.17 feet to a point; thence leaving the centerline of said right-of-way (as proposed), S.44-41-50W. 132.84 feet to a point; thence N.35-42-10W. 644.43 feet to a point in the easterly margin of the right-of-way of Sharon Road; thence with the easterly margin of said right-of-way three (3) course and distances as follows: (1) N.44-41-40E. 432.78 feet to a point; (2) in a northeasterly direction with the arc of a circular curve to the left, having a radius of 5,169.67 feet, an arc distance of 439.74 feet to a point and (3) N.39-49-15E. 296.69 feet to a point, the point or place of beginning, containing 33.07 acres, all as shown on survey prepared by Frank Coleman & Associates, 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 18th day of July, 19 88, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page 132-140.

Pat Sharkey  
City Clerk

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CITY B-1SCD

ORDINANCE NO. 2469-Z

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 34.38 acres located on the northwesterly corner of Independence Boulevard and Sardis Road North change from I-1 and B-D 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 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 16, 1988; 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 I-1 and B-D to B-1SCD on the Official Zoning Map, City of Charlotte, N.C. the following described property:

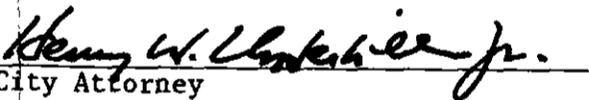
Beginning at a point in the northeast corner of said tract on the right-of-way of Independence Boulevard; thence N.34-52-27W. 385.76 feet along the right-of-way of Independence Boulevard to a point, thence N.63-21-42W. 83.82 feet to a point, thence N.53-13-27W. 45.41 feet to a point, thence S.83-20-57W. 105.25 feet to a point, thence S.56-15-00W. 377.92 feet to a point, thence S.88-41-50W. 92.69 feet to a point, thence N.67-54-21W. 34.44 feet to a point, thence S.49-31-57W. 131.13 feet to a point, thence S.87-53-27W. 57.37 feet to a point, thence S.57-45-37W. 115.38 feet to a point, thence S.12-08-35W. 97.67 feet to a point, thence S.61-38-24W. 211.18 feet to a point, thence S.53-33-10W. 156.32 feet to a point, thence S.12-53-38W. 109.70 feet to a point, thence S.27-01-38E. 76.76 feet to a point, thence S.67-15-23W. 111.96 feet to a point, thence S.27-26-00E. 496.06 feet to a point, thence N.62-34-00E. 136.00 feet to a point, thence S.43-39-45E. 140.00 feet to a point, thence along a curve with a radius of 915.00 feet and a delta of 15-30-00 to a point, thence S.28-09-47E. 42.50 feet to a point, thence N.-61-50-15-E. 10.00 feet along the right-of-way of Sardis Road North to a point, thence N.-28-09-47W. 42.50 feet to a point, thence N.61-50-13E. 60.00 feet to a point, thence S.28-09-47E. 42.46 feet along the right-of-way of Sardis Road North to a point, thence along a curve with a radius of 1,859.86 feet and a delta of 6-17-25 along the right-of-way of Sardis Road North to a point, thence N.55-09-24E. 634.98 along the right-of-way of Sardis Road North to a point, thence N.-34-50-36W. 42.50 feet to a point, thence N.55-09-24-E. 60.00 feet to a point, thence N.34-50-36-W. 247.50 feet to a point, thence N.55-09-24-E. 589.69 feet to the point of beginning.

Said tract containing 34.38 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 18th day of July, 19 88, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page 144-145.

Pat Sharkey  
City Clerk







CITY ZONE CHANGE

Petition No. 88-40  
CMPC

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2471-Z

DATE July 18, 1988

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-3 to U-MUD on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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.

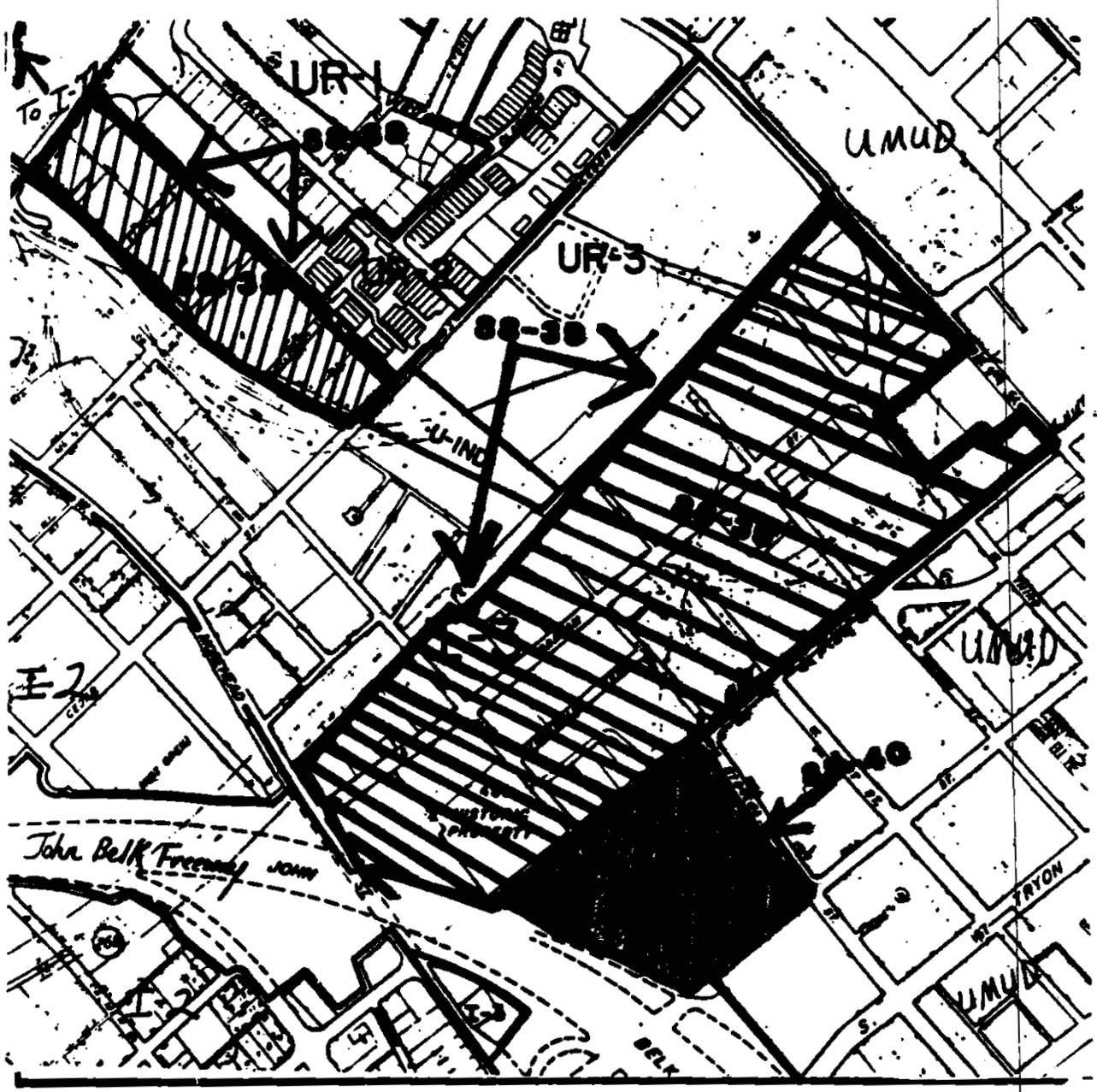
APPROVED AS TO FORM:

Henry W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of July 19 88, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page 149-150.

Pat Sharkey  
City Clerk

PETITIONER Charlotte-Mecklenburg Planning Commission  
 PETITION NO. 88-40 HEARING DATE May 16, 1988  
 ZONING CLASSIFICATION, EXISTING I-3 REQUESTED U-MUD  
 LOCATION Approximately 8.286 acres bounded by W. Stonewall St. on the north,  
S. Church St. on the east, John Belk Freeway on the south and <sup>MINT</sup> W. Stonewall  
St. on the north <sup>WEST</sup>



ZONING MAP NO. 102

SCALE 1" = ~~100'~~ *Reduced*

PROPERTY PROPOSED FOR CHANGE



CITY R-20MF

Petition No. 88-44  
Providence Development, Inc.

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2472-Z

DATE 7/18/88

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 7.463 acres located off of Verndale Road, at the end of Bayswater Lane and to the rear of Hideaway Townhomes change from R-15MF(CD) to R-20MF (Innovative); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3211 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 3202.1 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 June 20, 1988; 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 3211.5:

- .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 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 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

ADJOINING PROPERTY OWNERS

BEGINNING at a point said point being the northeasterly corner of Lot 2, Block 5 of Venedale Farms Subdivison as shown on a Map in Map Book 21, Page 450 of the Mecklenburg Public Registry and running thence S.84-18-51W. 479.42 feet; thence N.39-27-10W. 24.0 feet; thence N.38-00-00W. 50.0 feet; thence S.67-40-24W. 181.40 feet; thence N.36-37-50W. 250.0 feet; thence N.74-55-00W. 251.30 feet; thence N.62-59-15E. 409.03 feet; thence S.27-00-45E. 169.86 feet; thence N.87-00-00E. 208.46 feet; thence N.03-00-00W. 76.98 feet; thence N.87-00-00E. 131.78 feet; thence N.27-42-41E. 124.0 feet; thence S.54-59-20E. 99.13 feet; thence S.55-13-10E. 359.02 feet; thence S.34-46-50W. 225.0 feet to the BEGINNING and containing 7.463 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 18th day of July, 1988, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page 151-152.

Pat Sharkey  
City Clerk

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2473-2

DATE 7/18/88

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

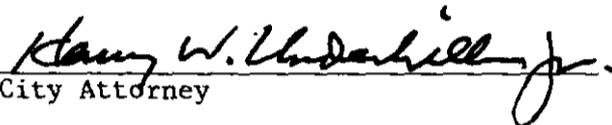
Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from UR-C to UR-3 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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 18th day of July, 19 88, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page 153-154.

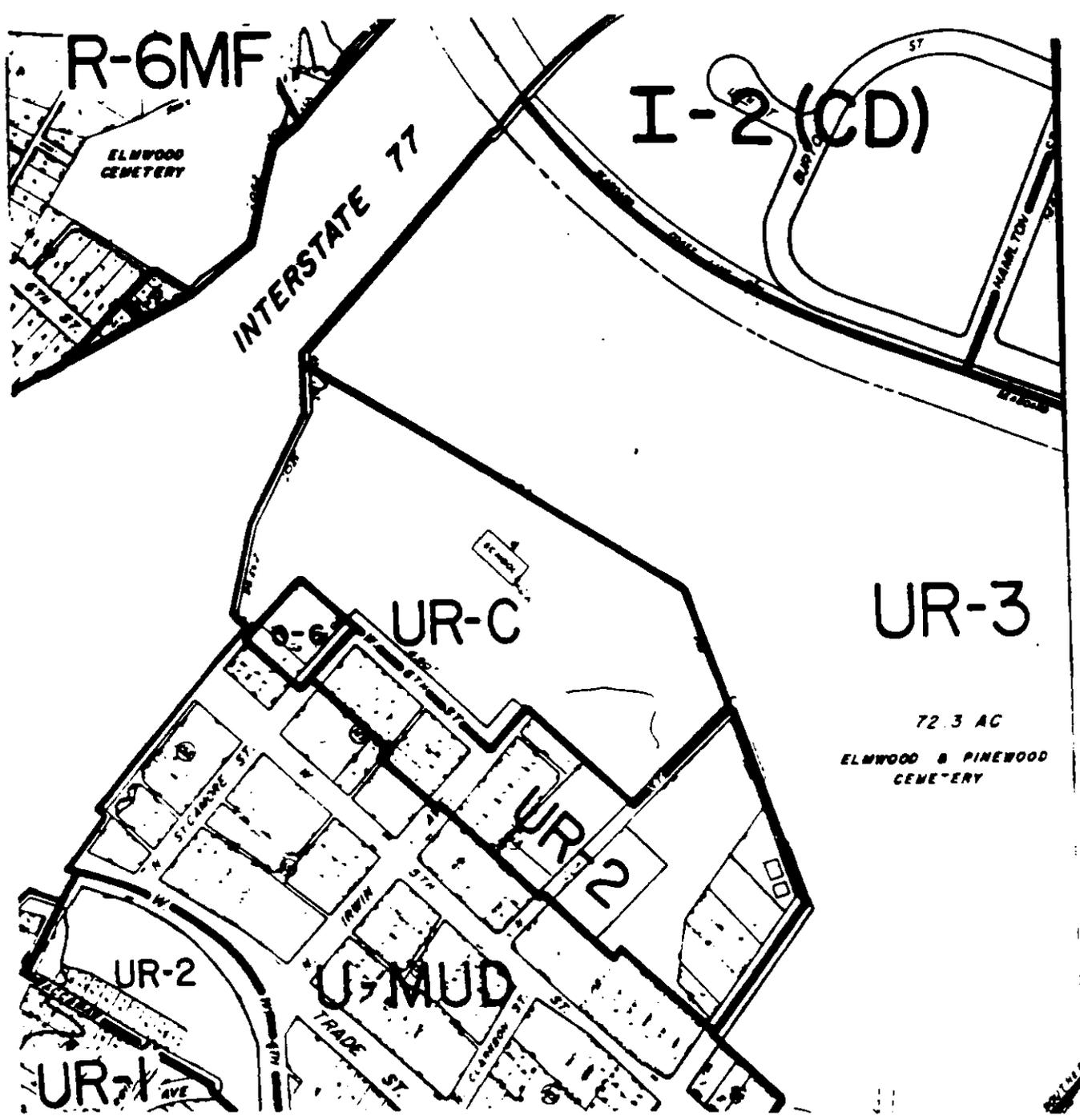
Pat Sharkey  
City Clerk

PETITIONER CMPC

PETITION NO. 88-45 HEARING DATE June 20, 1988

ZONING CLASSIFICATION, EXISTING UR-C REQUESTED UR-3

LOCATION 329 Irwin Avenue approx. 15.3 acres located on Irwin Ave  
bounded by I-77 on the west and Clark St. on the east.



ZONING MAP NO. 88

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE



APPROVED BY CITY COUNCIL

DATE 7/18/88

CITY ZONE CHANGE

Petition No. 88-46  
Charlotte-Mecklenburg  
Planning Commission

ORDINANCE NO. 2474-2

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 0-6 to UR-2 a .344 acre side located on the westerly corner of N. Sycamore Street and West Sixth Street on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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 W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of July, 19 88, the reference having been made in Minute Book 91, at page \_\_\_\_\_, and is recorded in full in Ordinance Book 37, at page 155-156.

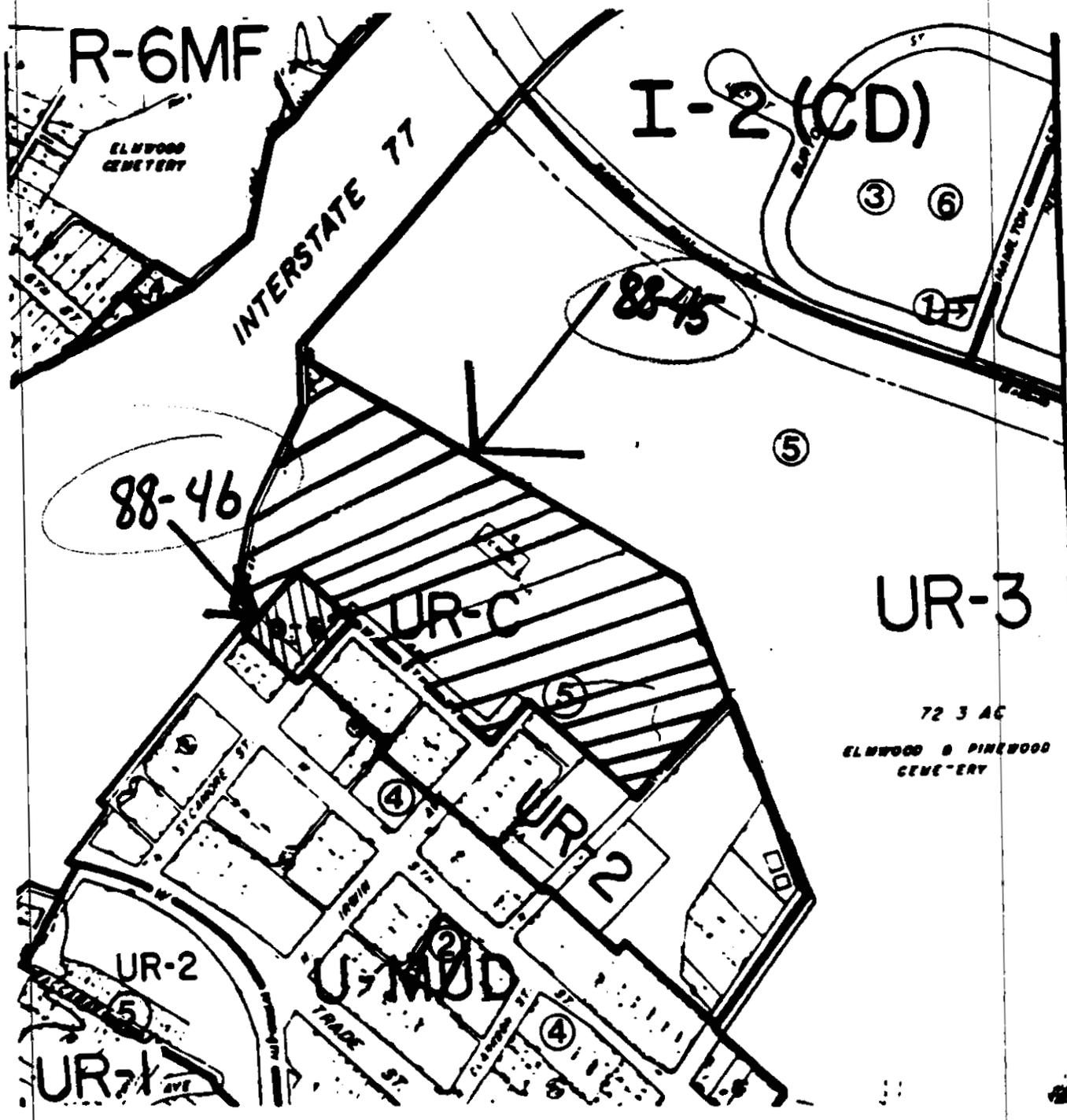
Pat Sharkey  
City Clerk

PETITIONER C.M.P.C.

PETITION NO. 88-46 HEARING DATE June 20, 1988

ZONING CLASSIFICATION, EXISTING U-6 REQUESTED UR-2

LOCATION Approx. .344 acres located on westerly corner of N. Sycamore St. and W. 6th St.



ZONING MAP NO. 88

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

