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City CD

Petition No. 87-33 (Part Two)  
 Charlotte-Mecklenburg  
 Planning Commission

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2295-Z

DATE 10/19/87

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a four (4) parcels located on Greenway Avenue near Ridgeway Avenue from R-6MF to R-6MF(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 30, 1987; 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 to R-6MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point, said point being located at the most northwesterly corner of the intersection of Laurel Avenue and Greenway Avenue, thence with the arc of a circular curve having a radius of 1890.08' a distance of 441.19', thence with the arc of a circular curve 2006.68' a distance of 132.81', 1) thence S.48-30E. 192.78 feet; 2) thence N.39-31-30E. 22.54 feet; 3) thence S.48-30-25E. 243.09 feet; 4) thence S.36-20-29W. 132.69 feet; to the point or place of BEGINNING.

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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.  
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 19 87, the reference having been made in Minute Book 89, and recorded in full in Ordinance Book 36, beginning on Page 98.

Pat Sharkey  
City Clerk

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CITY CD

Petition No. 87-55  
D. H. & S. Associates

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2296-Z

DATE 10/19/87

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 one (1) acre site on the northwest corner of Park and Woodlawn Roads from 0-6 & B-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 August 17, 1987; 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 0-6 and B-1 to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

EXHIBIT A

Legal Description--Park Road Property:

Being all that certain tract or parcel of land lying, being and situate in the city of Charlotte, County of Mecklenburg, and State of North Carolina, and being more particularly described as follows:

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BEGINNING at an iron in the westerly right-of-way margin of Park Road, said iron being located in the dividing line between Lots 2 and 3 of the property of David Alexander as shown on a plat thereof recorded in Map Boo 1438 at Page 490 in the Mecklenburg County Public Registry, said iron being located South 83-37-30 East, approximately 30.67 feet from the common front corner of Lots 2 and 3, as shown on said map; thence with the westerly right-of-way margin of Park Road South 04-04-38 East 133.84 feet to a point (see map recorded in Book 2757 at Page 534 in said Registry); thence with the westerly right-of-way margin of Park Road and the northerly right-of-way margin of Woodlawn Road and following the arc of a circular curve to the right having a radius of 30.00 feet an arc distant of 53.40 feet to a point in the westerly right-of-way margin of Woodlawn Road; thence with the westerly right-of-way margin of Woodlawn Road (1) North 84-44-23 West 124.89 feet to a point, and (2) North 87-36-13 West 105.42 feet to an iron; thence North 06-00 East 82.54 feet to a point; thence North 04-37-50 West 97.41 feet to an iron; thence South 83-37-30 East 253.52 feet to the point and place of BEGINNING, said tract being shown on that certain plat entitled "Property of D.H. & S. Associates" dated November 12, 1986 prepared by Robert A. Burns, Registered Land Surveyor.

TOGETHER WITH AND INCLUDING all of the area within the rights-of-way of Park Road and Woodlawn Road acquired by Union Oil Company of California by deed recorded in Book 2828 at Page 311 and by the Pure Oil Company by deed recorded in Book 2038 at Page 329, both in the Mecklenburg County Public Registry.

Being in all respects the same property conveyed to the Pure Oil Company by deed recorded in Book 2038 at Page 329 and to Union Oil Company of California by deed recorded in Book 2828 at Page 311 in the Mecklenburg County Public Registry, subject, however, to that certain right-of-way deed to the City of Charlotte recorded in Book 2757 at Page 531 in said Registry. Reference is made to that certain Affidavit recorded in Book 2766 at Page 263 in said Registry.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

APPROVED AS TO FORM:

  
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 19 87, the reference having been made in Minute Book 89, and recorded in full in Ordinance Book 36, beginning on Page 100.

Pat Sharkey  
City Clerk

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CITY ZONE CHANGE

Petition No. 87-67  
D. L. Phillips  
Investment Builders

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2297-Z

DATE 10/19/87

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-1 to B-2 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

Description Charlotte Merchandise Mart

BEGINNING at the point of intersection of the southeasterly margin of Briar Creek Road with the southwesterly margin of Independence Boulevard and running thence with the northerly line of lots 1 through 9 in Block 5 of Green Hills as shown on a map thereof recorded in Map Book 5, Page 59 in the Mecklenburg County, North Carolina Registry, S.56-30-10E. 557.89 feet to a point; thence with the westerly line of Lot 10 in Block 5 of Green Hills S.33-23-50W. 139.91 feet to a point; thence with the southerly line (if extended) of lots 9 and 10 in Block 5 of Green Hills S.56-41-10E. 120 feet to a point; thence with the westerly line of Lot 12 in Block 5 of Green Hills N.33-23-50E. 139.91 feet to a point in the southwesterly margin of Independence Boulevard; thence with the southwesterly margin of Independence Boulevard S.56-30-10E. 60 feet; thence with the easterly line of Lot 12 in Block 5 of Green Hills S.33-23-50W. 139.91 feet; thence S.56-41-10E. 22 feet to a point in the center of Edwards Branch; thence in an easterly direction with the center of Edwards Branch N.84-17-35E. 178.64 feet to a point in the southwesterly margin of Independence Boulevard; thence with said margin on Independence Boulevard S.52-50-35E. 102.60 feet to a point of intersection of said margin of Independence Boulevard with the northwesterly margin of Coliseum Drive; thence with said margin of Coliseum Drive S.44-08W. 645.05 feet to the point of intersection of said margin of Coliseum Drive with the northerly margin of Margaret Avenue; thence with said margin of Margaret Avenue in a westerly direction with four courses as follows: (1) with an arc of a curve to the left having a radius of 490.80 feet a distance of 140.79 feet to a point of tangent; (2) S.85-08-30W. 1,039.13 feet; (3) with an arc of a curve to the right having a radius of 50.89 feet a distance of 16.87 feet to point of tangent; (4) 75-57-45W. a distance of 150 feet to the point of intersection of said margin of Margaret Avenue with the easterly margin of Briar Creek Road; thence with the southeasterly margin of Briar Creek Road N.14-08E. 125.22 feet; thence S.75-37-10E. 149.44 feet; thence N.14-08E. 100 feet; thence N.75-52W. 150 feet to a point in the southeasterly margin of Briar Creek Road; thence with said margin of Briar Creek Road in a northerly direction with five courses as follows: (1) N.14-08-E. 80.49 feet to a point; (2) with an arc of curve to the right having a radius of 613.14 feet a distance of 339.94 feet to a point of tangent; (3) N.45-54E. 294.93 feet to a point; (4) with an arc of

curve to the right having a radius of 948.11 feet a distance of 350.12 feet to a point of tangent; (5) N.67-03-30E. 248.94 feet to the point of BEGINNING.

BEGINNING at a point in the southerly margin of Margaret Avenue 150.08 feet easterly from intersection with southeasterly margin of Briar Creek Road and running with said margin two courses as follows: (1) S.76-00-08E. 31.45 feet; (2) N.85-40-E. 367.0 feet; thence S.4-20-E. 150.0 feet; thence S.85-40-W. 367.4 feet; thence N.26-18-18W. 121.4 feet; thence N.14-18-20E. 49.92 feet to point of BEGINNING.

All as shown on a map of survey by Phillip De Berry, Registered Surveyor dated June 18, 1968, revised by W. Tom Cox, P.E. dated March 30, 1970, and entitled "Charlotte Merchandise Mart".

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 19th day of October, 1987, the reference having been made in Minute Book 89, and is recorded in full in Ordinance Book 36, at page 102.

Pat Sharkey  
City Clerk

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Petition No. 87-72  
Crosland-Erwin-Merrifield  
Associates

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2298-Z

DATE 10/19/87

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 U-MUD to U-MUD-0 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

AS SHOWN ON 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. Churchill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 19 87, the reference having been made in Minute Book 89, and is recorded in full in Ordinance Book 36, at page 104.

Pat Sharkey  
City Clerk

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CITY CD

Petition No. 87-73  
Dr. Phillip A. Visser

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2299-Z

DATE 10/19/87

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 .208 acre parcel at the corner of Park Drive and Greenway Avenue from R-6MFH 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 September 21, 1987; 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-6MFH to O-6(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

METES AND BOUNDS DESCRIPTION OF  
1925 Park Drive

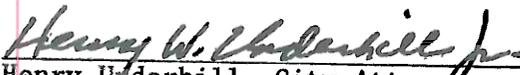
BEGINNING at a stone at the northeast corner of Greenway (formerly 6th Street Extension) and Park Drive, and running S.51-24-33E. 66 feet to an iron stake in an Alley; thence N.35-15E. 169.87 feet to an iron stake; thence S.81-19-57W. 103.29 feet to an iron stake on Park Drive; thence with Park Drive in a southerly direction 95 feet to the BEGINNING, said Lot being known and designated as Lot No. 6 in Block 1 of the property of P. M. Cave recorded in Book 230, Page 161, in the Mecklenburg County Registry.

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Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

APPROVED AS TO FORM:

  
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 19 87, the reference having been made in Minute Book 89, and recorded in full in Ordinance Book 36, beginning on Page 105.

Pat Sharkey  
City Clerk

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CITY CD

Petition No. 87-75  
Turnpike Properties

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2300-Z

DATE 10/19/87

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 2.9 acre site located on the southeast corner of the intersection of I-85 and Sugar Creek Road from R-9 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 September 21, 1987; 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 B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

DESCRIPTION OF REAL PROPERTY SUBJECT  
TO PETITION OF TURNPIKE PROPERTIES, INC.

BEGINNING at a point in the southwestern corner of the property conveyed to E. A. Flowe as the same is shown on deed recorded in Deed Book 4548 at Page 782 of the Mecklenburg public Registry, said point also being located N.53-15-42E. 127.99 feet from the easterly margin of the right-of-way of Sugar Creek Road and running thence from said beginning point with the Flowe property line S.80-49-22E. 144.24 feet to a point in the westerly margin of the right-of-way of Interstate-85 Service Road; thence with the westerly margin of said right-of-way four (4) calls and distances as follows: (1) in a southeasterly direction with

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the arc of a circular curve to the left, having a radius of 338.10 feet, an arc distance of 84.00 feet to a point; (2) S.11-07-30E. 222.67 feet to an existing concrete monument; (3) in a southeasterly direction with the arc of a circular curve to the right, having a radius of 147.81 feet, an arc distance of 260.73 feet to a point; and (4) S.89-56-26W. 138.44 feet to a point; thence N.44-24-25W. 15.36 feet to an existing concrete monument in the easterly margin of the right-of-way of Sugar Creek Road; thence with the easterly margin of said right-of-way N.00-08-43W. 413.97 feet to a point; thence N.53-15-42E. 127.99 feet to a point, the point or place of Beginning, and containing 2.939 acres, all as shown on survey prepared by R. B. Pharr & Associates, P.A., N.C.R.L.S., dated June 12, 1987, as revised June 25, 1987, reference to which survey is hereby made.

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.  
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 1987, the reference having been made in Minute Book 89, and recorded in full in Ordinance Book 36, beginning on Page 107.

Pat Sharkey  
City Clerk

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CITY CD

Petition No. 87-76  
John G. Blackmon

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2301-Z

DATE 10/19/87

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 50' x 500' strip off Dion Avenue northeast of U.S. 74 from R-9 to B-2(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 September 21, 1987; 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 B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

EXHIBIT A

BEGINNING at the point of intersection of the westerly margin of the right-of-way of Dion Street with the northerly property line of the J. Walton Hill, Jr. and wife, Shirley N. Hill property (now or formerly) as described in deed recorded in Deed Book 4072, Page 592; thence from said Beginning Point with the westerly right-of-way of Dion Street, N.19-51-00E. 87.5 feet to a point; thence N.72-37-55W. 33.95 feet to a point; thence N.34-24-00W. 417.0 feet to a point in the line of the property of East Mecklenburg Corporation (now or formerly); thence with said line S.61-57-23W. 50.31 feet to a point; thence from said point S.34-24-00E.

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500.36 feet to the point and place of Beginning, all as shown on a map prepared by DPR Associates, dated August 3, 1987.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

APPROVED AS TO FORM:

  
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 19 87, the reference having been made in Minute Book 89, and recorded in full in Ordinance Book 36, beginning on Page 109.

Pat Sharkey  
City Clerk

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City CD

Petition No. 87-78  
Peerless, Inc.

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2302-Z

DATE 10/19/87

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 6.8 acre site located on I 85 near Stewart Creek from 0-15 & B-2 to B-D(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 September 14, 1987; 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 and B-2 to B-D(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 I-85 Service Road said point being in the easterly boundary of property described in Deed Book 3402, Page 265 of the Mecklenburg Public Registry and running 1) thence N.02-23-20E. 750.00 feet; 2) thence S.87-36-40E. 320.67 feet; thence with the arc of a circular curve to the left having a radius of 123.00 feet an arc distance of 123.99 feet to a point; 1) thence S.83-35-03E. 37.26 feet; 2) thence S.07-36-34W. 575.00 feet; to a point in the northerly right-of-way of I-85; 3) thence S.69-12-54W. 29.95feet; with the arc of a circular curve to the right having a radius of 1,387.23 feet an arc distance of 272.56 feet to a point; 4) thence S.81-42-08W. 118.64 feet; to the BEGINNING and containing 6.816 acres.

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Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

APPROVED AS TO FORM:

  
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 1987, the reference having been made in Minute Book 89, and recorded in full in Ordinance Book 36, beginning on Page 111.

Pat Sharkey  
City Clerk