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 approximately 1.35 acres located on the southerly side of Argyle Drive between Sugar Creek Road and Yuma Street; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on October 19, 1994; 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 the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-4 to R-8MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

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.
March 20, 1995
Ordinance Book 46, Page 274

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 20th day of March, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 273-275 A.

Brenda R. Drye
City Clerk
Petition #: 94-88
Petitioners: Lois Love/J&L DayCare
Hearing Date: October 19, 1994
Zoning Classification (Existing): R-4
Zoning Classification (Requested): R-8MF(CD)
Location: Approximately 1.352 acres located on the south side of Argyle Drive east of W. Sugar Creek Road.

Zoning Map #(s): 78
Scale: 1" = 400'
OWNERSHIP INFORMATION:

Property Owner: John L. Shropshire
Owner's Address: 1116 Waterford Drive, Forestville, MD. 20747
Date Property Acquired: August 3, 1985
Tax Parcel Number(s): # 08904312

LOCATION OF PROPERTY (Address or Description): 4406 Argyle Drive, Charlotte, NC 28213
Size (Sq. Ft. or Acres): 1,352
Street Frontage (Ft.): 80
Current Land Use: 0100

ZONING REQUEST:

Existing Zoning: R4 (Single Family) Proposed Zoning: (Multi-Family)
Purpose of Zoning Change: The Multi-Family zoning would allow greater flexibility to provide better service as a DayCare Facility. However, it is the intent of this zoning request, the objective to reduce the potential amount of the client's waiting list dated back as of December 1993, to present.
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 approximately 41.99 acres located along both sides of Harris Houston Road north of NC 49 (University City Boulevard); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on December 19, 1994; 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 the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-3 and R-4 to CC (Parcel A), O-1(CD) (Parcel B-1 and C), R-4(CD) (Parcel B-2) and R-17MF(CD) (Parcel D) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

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.

-continued-
March 20, 1995
Ordinance Book 46, Page 277

APPROVED AS TO FORM:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of March, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 276-278.

[Signature]
City Clerk
EXHIBIT A
LEGAL DESCRIPTION
LOUIS M. HELMS, JR. AND ANITA B. HELMS

PARCEL A (PROPOSED CC DISTRICT):

BEGINNING at a new iron pin on the new R/W of NC Highway 49 being on the easterly line of the George A. Karnezis property (Deed Book 3257-583); thence from said point of beginning N. 20-54-09 W. 551.70 feet to an existing iron pin, (passing an existing iron pin at 380.41 feet which is the common corner of the aforementioned Karnezis property and the Arron Foster Quay Jr. property, Deed Book 1393-162); the common corner of the Quay property and the William W. Waters property, Deed Book 5396-881; thence with the Waters property N. 20-18-12 W. 83.30 feet to a new iron pin; thence with a new line N. 69-41-48 E. 920.53 feet to a new iron pin on the new 60 foot R/W of Harris Houston Road, thence S. 76-14-46 W. 30.02 feet to a point in the approximate centerline of aforesaid R/W of Harris Houston Road; thence with the approximate centerline of Harris Houston Road the following four (4) calls: (1) with a circular curve to the right having a radius of 818.50 feet and an arc distance of 269.36 feet; (2) S. 07-14-30 W. 10.24 feet; (3) S. 07-05-13 E. 48.58 feet; (4) with a circular curve to the left with a radius of 619.35 feet an arc distance of 254.20 feet to the new R/W line of NC 49; thence S. 73-59-17 W. 49.47 feet to the R/W line of Harris Houston Road; thence with the new R/W line of NC 49 four (4) courses as follows: (1) S. 26-20-51 W. 89.14 feet; (2) S. 64-26-52 W. 177.70 feet; (3) with a circular curve to the left having a radius of 11549.16 and an arc of 254.76 (Chord S. 69-55-20 W. 254.76 feet); (4) S. 69-14-38 W. 220.53 to the point of BEGINNING and containing 12.13 acres.
Parcel B-1: Proposed 0-1 (CD)

To find the point or place of Beginning commence at an iron pin marking the southeasterly corner of the property of W. W. Waters (now or formerly) as the same is described in the Deed recorded in Deed Book 5396 at Page 881 in the Mecklenburg County Public Registry, said iron pin also marking the northeasterly corner of the property of A. F. Quay, Jr. (now or formerly) and run thence N. 20-18-12 W. 83.30 feet to a point, the point or place of Beginning; and running thence from said Beginning point N. 20-18-12 W. 458.96 feet to a point; thence N. 74-17-28 E. 209.69 feet to a point; thence with the six lines of Parcel B-2, as hereinafter described, as follows: (1) S. 20-15-51 E. 395.91 feet to a point, (2) N. 69-41-48 E. 464.47 feet to a point, (3) N. 15-45-09 W. 80.95 feet to a point, (4) N. 22-10-24 E. 97.42 feet to a point, (5) N. 12-00-53 W. 77.69 feet to a point, and (6) N. 74-18-00 E. 215.06 feet to a point in the centerline of Harris Houston Road; thence with the centerline of Harris Houston Road S. 15-45-09 E. 384.67 feet to a point; thence leaving the centerline of Harris Houston Road, S. 76-14-46 W. 30.02 feet to a point in the west margin of the right-of-way of said road; thence S. 69-41-48 W. 920.53 feet to the point or place of Beginning and being Parcel B-1 as shown on Rezoning Plan for Petition No. 94-104 prepared by DPR Associates, Inc., dated September 28, 1994, and last revised February 7, 1995.

RWW/shf/ID:3799
EXHIBIT A
LEGAL DESCRIPTION
REZONING PETITION NO.

Parcel C (Proposed O-1[CD] District):

BEGINNING at a point in the southwestern terminus of a
diagonal formed by the intersection of the westerly margin of
the right-of-way of the proposed Outer Belt Road and the
northerly margin of the right-of-way of University Boulevard
(NC Hwy. 49), and running thence with the westerly margin of
the aforesaid right-of-way of University City Boulevard two (2)
calls and distances as follows: (1) S 72°52′-16″ W 202.44 feet
to a point; and (2) N 70°28′-49″ W 50.25 feet to a point in the
westerly margin of the right-of-way of University Boulevard
(NC Hwy. 49); thence N 73°59′-17″ W 45.80 feet to a point in the
approximate centerline of the aforesaid right-of-way of
University Boulevard; thence with the centerline of the
aforesaid right-of-way of University Boulevard one (1) call and
distance as follows: (1) in a northwesterly direction with
the arc of a circular curve to the right, having a radius of
619.35 feet, an arc distance of 254.50 feet to a point; and (2)
N 07°05′-13″ E 48.58 feet to a point; thence leaving the
centerline of the right-of-way of University Boulevard S
79°17′-39″ E 29.13 feet to a point; thence S 83°37′-28″ E 17.06
feet to a point in the easterly margin of the aforesaid
right-of-way of University Boulevard; thence with the easterly
margin of the aforesaid right-of-way of University Boulevard S
07°05′-13″ W 16.61 feet to a point; thence N 77°59′-25″ E 301.14
feet to a point in the westerly margin of the right-of-way of
the proposed Outer Belt Road; thence with the westerly margin
of the aforesaid right-of-way of the proposed Outer Belt Road S
11°57′-20″ W 152.72 feet to a point; thence S 27°38′-33″ W 151.99
feet to a point, the POINT OR PLACE OF BEGINNING, all as shown
on Rezoning Plan prepared by DPR Associates, Inc., dated
September 28, 1994, reference to which Rezoning Plan is hereby
made for a more particular description of the property.

JCO/csb/2047-2
Parcel B-2: Proposed R-4 (CD)

To find the point or place of Beginning commence at an iron pin marking the southeasterly corner of the property of W. W. Waters (now or formerly) as the same is described in the Deed recorded in Deed Book 5396 at Page 881 in the Mecklenburg County Public Registry, said iron pin also marking the northeasterly corner of the property of A. F. Quay, Jr. (now or formerly), and run thence N. 20-18-12 W. 542.26 feet to a point, and thence N. 74-17-28 E. 209.69 feet to a point, the point or place of Beginning; and running thence from said Beginning point N. 74-17-28 E. 748.89 feet to a point in the west margin of the right-of-way of Harris Houston Road; thence N. 74-18-00 E. 30 feet to a point in the centerline of Harris Houston Road; thence with the centerline of Harris Houston Road S. 15-45-09 E. 121.97 feet to a point; thence leaving the centerline of Harris Houston Road with the six lines of Parcel B-1, as hereinabove described, as follows: (1) S. 74-18-00 W. 215.06 feet to a point, (2) S. 12-00-53 E. 77.69 feet to a point, (3) S. 22-10-24 W. 97.42 feet to a point, (4) S. 15-45-09 E. 80.95 feet to a point, (5) S. 69-41-48 W. 464.47 feet to a point, and (6) N. 20-15-51 W. 395.91 feet to the point or place of Beginning, and being Parcel B-2 as shown on Rezoning Plan for Petition No. 94-104 prepared by DPR Associates, Inc., dated September 28, 1994, and last revised February 7, 1995.
EXHIBIT A
LEGAL DESCRIPTION
REZONING PETITION NO.

Parcel D (Proposed R-17MF(CB) District):

BEGINNING at a point marking the intersection of the easterly margin of the right-of-way of Harris-Houston Road (60' R/W) and the westerly margin of the right-of-way of the proposed Outer Belt Road and running thence with the westerly margin of the aforesaid right-of-way of the proposed Outer Belt Road eight (8) calls and distances as follows: (1) S 24-53-18 E 184.34 feet to a point; (2) S 22-23-23 E 281.20 feet to a point; (3) S 17-52-12 E 326.85 feet to a point; (4) S 04-13-27 W 287.37 feet to a point; (5) S 06-42-52 W 381.12 feet to a point; (6) S 04-50-46 W 208.66 feet to a point; (7) S 01-33-16 E 221.60 feet to a point; and (8) S 11-57-20 E 55.94 feet to a point; thence leaving the westerly margin of the aforesaid right-of-way of the proposed Outer Belt Road S 77-59-25 W 301.14 feet to a point in the easterly margin of the right-of-way of Harris-Houston Road (100' R/W); thence with the easterly margin of the aforesaid right-of-way of Harris-Houston Road two (2) calls and distances as follows: (1) N 07-05-13 E 16.81 feet to a point; and (2) N 83-37-28 W 17.06 feet to a point; thence N 79-17-39 W 79.13 feet to a point in the approximate centerline of the right-of-way of Harris-Houston Road (60' R/W); thence with the approximate centerline of the aforesaid right-of-way of Harris-Houston Road eight (8) calls and distances as follows: (1) N 07-14-30 E 10.24 feet to a point; (2) in a northeasterly direction with the arc of a circular curve to the left, having a radius of 818.50 feet, an arc distance of 269.36 feet to a point; (3) N 15-45-09 W 384.67 feet to a point; (4) N 15-42-29 W 344.68 feet to a point; (5) in a northeasterly direction with the arc of a circular curve to the right, having a radius of 529.85 feet, an arc distance of 235.79 feet to a point; (6) N 09-47-20 E 91.12 feet to a point; (7) in a northeasterly direction with the arc of a circular curve to the right, having a radius of 707.34 feet, an arc distance of 210.83 feet to a point; and (8) N 26-52-01 E 489.66 feet to a point; thence S 63-07-59 E 30.00 feet to a point, the POINT OR PLACE OF BEGINNING, all as shown on Rezoning Plan prepared by DPR Associates, Inc., dated September 28, 1994, reference to which Rezoning Plan is hereby made for a more particular description of the property.

Hearing Date: December 19, 1994

March 20, 1995

Ordinance Book 46, Page 278E

Zoning Classification (Existing): R-3 and R-4

Zoning Classification (Requested): CC, O-1(CD) and R-17MF(CD) + R-4(MC)

Location: Approximately 41.99 acres located on the east and west sides of Harris Houston Road north of NC Hwy. 49 (University City Boulevard).

Zoning Map #(s): 57

Scale: 1" = 400'
Petition No. 95-8
Petitioner: Charlotte Mecklenburg Planning Commission

Ordinance No. 252

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

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

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

1. Add Section 12.112 Existing Nonconforming Accessory Utility Structures to read as follows:

An existing nonconforming accessory utility structure such as a heating, ventilation, and air conditioning unit or backflow preventer may be replaced provided the replacement structure does not increase existing nonconforming yards or separation distances or exceed 42 inches in height if located in the required setback or the required yard along a public street.

Section 2. This ordinance shall become effective upon 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 20th day of March, 1995, the reference having been made in Minute Book 107, and recorded in full in Ordinance Book 46, at page 279.

City Clerk
CITY ZONE CHANGE

MAP AMENDMENT NO. 253-Z

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by change from R-5 to R-8 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of March, 1995, the reference having been made in Minute Book 107, at page 280-282

[Signature]
City Clerk
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE
STAFF REVIEW: TUESDAY, JANUARY 3, @ 9:30 A.M.

FEBRUARY PUBLIC HEARING

OWNERSHIP INFORMATION:

Property Owner: Superior Enterprise
Owner's Address: P.O.B.33695 Charlotte N.C. 28233
Date Property Acquired: 7/6/1988
Tax Parcel Number(s): 151-017-9 & 151-017-18

LOCATION OF PROPERTY (Address or Description): 2000 Scott Ave

Size (Sq.Ft. or Acres): 4/34 ACRES
Current Land Use: Two Vacant Lots

ZONING REQUEST:

Existing Zoning: R-5 Proposed Zoning: R-8

Purpose of Zoning Change: To allow the construction of three new houses. By joining the two lots together and then dividing them into three lots.

Name of Agent: Son Williams Att.
Agent's Address: 376-0011

Name of Petitioner(s): Superior Enterprise
Address of Petitioner(s): P.O.B.33695 Charlotte N.C. 28233
Telephone Number: (704) 333-2442
Fax Number: 

Signature of Property Owner if other than Petitioner: 

Signature: 

[Signature]
Petition #: 95-10
Petitioner: Superior Enterprise
Hearing Date: February 20, 1995
Zoning Classification (Existing): R-5
Zoning Classification (Requested): R-8
Location: Approximately .434 acres located between Kenilworth Avenue and Scott Avenue south of East Boulevard.

Zoning Map #(s): 111
Scale: 1" = 400'
CITY ZONE CHANGE

ORDINANCE NO. 254-Z

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by change from R-15MF(CD) to R-3 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of March, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46, at Page(s) 283-284.

[Signature]
City Clerk
March 20, 1995
Ordinance Book 46, Page 284

Petition #: 95-11
Petitioner: Charter-Elm Land Company Venture/Elm Land Company
Hearing Date: February 20, 1995
Zoning Classification (Existing): R-15MF(CD)
Zoning Classification (Requested): R-3
Location: Approximately 118.5 acres located on the north side of NC Hwy 51 west of Elm Lane West.

Zoning Map #(#): 167
Scale: No Scale
OWNERSHIP INFORMATION:


Owner's Address: 129 W. Trade St., Suite 1200

Date Property Acquired: 7-30-84 (Elm Land Co.) Other parcels under contract to Elm Land Company

Tax Parcel Number(s): 211-212-8, 10, 12, 14, 15, 16, 21

LOCATION OF PROPERTY (Address or Description): NC 51 and Elm Lane

Size (Sq.Ft. or Acres): 118.5 Acres

Street Frontage (Pt.): 1000' +

Current Land Use: single family

ZONING REQUEST:

Existing Zoning: R15-MF (CD) Proposed Zoning: R3

Purpose of Zoning Change: to facilitate a residential single family subdivision

Timothy W. Norman
Name of Agent
129 W. Trade Street Suite 1200
Agent's Address
(704)377-4172 (704)333-4532
Telephone Number Fax Number

Elm Land Company
Charter-Elm Land Company Venture
Name of Petitioner(s)

C/o Charter Properties Address of Petitioner(s)

Same Telephone Number Fax Number

Elm Land Company

By: Willie E. Rea
Signature of Property Owner if other than Petitioner

By: Charter Properties
CITY ZONE CHANGE

Petition No. 95-12
City of Charlotte

ORDINANCE NO. 255-2

ZONING REGULATIONS

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by change from I-1 and R-22MF to O-1 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of March, 1995, the reference having been made in Minute Book 107, and recorded in full in Ordinance Book 46, at Page(s) 286-287.

[Signature]
City Clerk
Petition #: 95-12
Petitioner: City of Charlotte
Hearing Date: February 20, 1995
Zoning Classification (Existing): I-1 and R-22MF
Zoning Classification (Requested): O-1
Location: Approximately 6.3 acres located on the north side of Wilkinson Boulevard east of Morris Field Drive.

Zoning Map #(s): 104
Scale: 1" = 400'
OWNERSHIP INFORMATION

Property Owner: WILSON LEWIS
City of Charlotte (contingent upon rezoning approval)

Owner's Address: 600 E. Fourth St., Charlotte, N. C. 28202-2844

Date Property Acquired: November 1994

Tax Parcel Number: 61-033-02, 61-034-07, 61-034-08

LOCATION OF PROPERTY (address or description): 4200 Block of Wilkinson Blvd. Frontage on Wilkinson begins approx. 70' east of Morris Field Dr. Intersection and ends approx. 345 ft. east of Morris Field Dr. intersection.

DESCRIPTION OF PROPERTY

Size (Sq. R-Acres): 6.3 acres
Street Frontage (ft.): 475' on Wilkinson

Current Land Use: vacant

ZONING REQUEST

Existing Zoning: 61-033-02 is I-1, 61-034-07 & 08 are R-22MF Requested Zoning: 0-1

Purpose of Zoning Change: To bring all parcels under consideration for purchase under one zoning classification to accommodate the new Police Bureau Station/City Service Facility.

Name of Agent: City of Charlotte - Eng. & PM Dept.

Name of Petitioner(s): 600 East Fourth Street,

Agent's Address: Address of Petitioner(s): 326-3598

Telephone Number: Telephone Number:

Signature of Property Owner: Signature of Property Owner

If Other Than Petitioner:
CITY ZONE CHANGE

ORDINANCE NO. 256-Z

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by change from R-17MF to I-1 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of March, 1995, the reference having been made in Minute Book ______, and recorded in full in Ordinance Book 46, at Page(s) 289-_______.

[Signature]
City Clerk
Petition #: 95-13
Petitioner: Charlotte/Douglas International Airport and Charlie Dunn
Hearing Date: February 20, 1995
Zoning Classification (Existing): R-17MF
Zoning Classification (Requested): I-1
Location: Approximately 15.03 acres located on the north and south side of Withrow Road between Billy Graham Parkway and Mulberry Church Road.

Zoning Map #(s): 86,104
Scale: $1" = 400'$
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

OWNERSHIP INFORMATION:
Property Owner: City of Charlotte - Charlotte/Douglas International Airport
Owner's Address: P.O. Box 19066 Charlotte, NC 28219
Date Property Acquired: See Attachment
Tax Parcel Number(s): 061-201-02-12, 061-234-02-11, 061-201-01

LOCATION OF PROPERTY (Address or Description): Withrow Road, Between Mulberry Church Road and Billy Graham Parkway
Size (Sq.Ft. or Acres): 14.310 Acres
Street Frontage (Fl.): 404.30' Billy Graham
Current Land Use: Vacant

ZONING REQUEST:
Existing Zoning: R-17MF
Proposed Zoning: I-1
Purpose of Zoning Change: To attract development that is compatible with airport operations in accordance with the Southwest District Plan.

T.J. Orr, Aviation Director
Name of Agent
P.O. Box 19066 Charlotte, NC 28219
Agent's Address
359-4000
Telephone Number
Charlize Jones
Signature of Property Owner if other than Petitioner

Charlotte/Douglas Int'l Airport
Name of Petitioner(s)
P.O. Box 19066 Charlotte, NC 28219
Address of Petitioner(s)
359-4000
Telephone Number
Charlize Jones
Signature

Petition #: 95-13
Date Filed: December, 1994
Received By: T. Jones
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 approximately 1.07 acres located on the east side of US Hwy 29 north of US Hwy 49; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on February 20, 1995; 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 the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from O-1(CD) and B-2 to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

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

APPROVED AS TO FORM:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of March, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 292-294.
Zoning Map #(s): 71

Scale: 1" = 400'
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

OWNERSHIP INFORMATION:

Property Owner: Commons Associates, L.P. Krispy Kreme Doughnut Co.
c/o The Crosland Group, 125 Scaleybark Road Post Office Box 83
Charlotte NC 28209 Winston-Salem NC 27102

Owner's Address: Charlotte NC 28209

Date Property Acquired: July 30, 1993

Tax Parcel Number(s): 049-301-99 (Portion) 049-301-99 (Portion)

LOCATION OF PROPERTY (Address or Description): Easterly side of North Tryon Street

north of NC Highway 49 (at entrance to The Commons at Chancellor Park Shopping Center)

Size (Sq. Ft. or Acres): 1.0713 acres Street Frontage (Ft.): 403.37 feet

Current Land Use: Vacant except for entrance driveway and identification sign

ZONING REQUEST:

Existing Zoning: 0-1(CD) + B-2 Proposed Zoning: B-2(CD)

Purpose of Zoning Change: To properly recognize the placement of a shopping center

identification sign at a major entrance to the center

Fred E. Bryant, AICP
Name of Agent

1850 E. Third Street, Charlotte NC 28204
Agent's Address

333-1680 376-5715
Telephone Number Fax Number

Signature of Property Owner if other than Petitioner

Commons Associates, L.P.
Name of Petitioner(s)
c/o The Crosland Group, 125 Scaleybark Rd.,
Charlotte NC 28209

Address of Petitioner(s)

523-0272 523-2946
Telephone Number Fax Number

Signature
BOUNDARY DESCRIPTION
THE COMMONS ASSOCIATES, L.P.

BEGINNING at a point in the easterly right-of-way line of North Tryon Street (U.S. Highway 29) said point being the northwesterly corner of a tract of land described in deed book 2475 page 351 of the Mecklenburg Public Registry and running thence with said North Tryon Street right-of-way N. 14-32-34 E. 403.37 feet; thence S. 55-53-55 E. 102.89 feet; thence S. 67-24-32 E. 74.96 feet; thence S. 15-03-43 W. 136.53 feet; thence S. 51-59-12 W. 279.50 feet to the point of BEGINNING and containing 1.038 acres.
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 approximately 6.699 acres located at the northwest corner of the intersection between Park Road and I-485; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on February 20, 1995; 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 the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-1 to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

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.

-continued-
APPROVED AS TO FORM:

[Signature]
City-Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of March, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 295-297.

[Signature]
City Clerk

95-19

TANDY CORPORATION
BOUNDARY DESCRIPTION

BEGINNING at the intersection of the westerly right-of-way line of Interstate Highway 485 (Outerbelt) and northerly right-of-way line of Park Road and running thence with said right-of-way of Park Road S. 70-39-30 W. 677.92 feet; thence N. 23-04-02 E. 1,207.02 feet to the westerly right-of-way line of Interstate Highway 485; thence with said right-of-way two courses as follows: (1) S. 08-27-00 E. 43.89 feet, (2) with the arc of a circular curve to the right having a radius of 5,904.58 feet, an arc distance of 672.66 feet to the point of BEGINNING and containing 6.699 acres.
Petition #: 95-19
Petitioner: Tandy Corporation
Hearing Date: February 20, 1995
Zoning Classification (Existing): B-1
Zoning Classification (Requested): B-2(CD)
Location: Approximately 6.699 acres located at the northwest corner of the intersection between Park Road and I-485.
March 20, 1995
Ordinance Book 46, Page 297A

Petition No. 95-19
Tandy Corporation

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Tandy Corporation owner(s) and successors-in-interest of the property described as a portion of tax parcel 221-134-01 and described in detail further in the ordinance, identified below, approved by the City Council.

In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of B-2(CD) on the official zoning map.

This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and Chapter 6: Part 1 and 2 of the City of Charlotte Zoning Ordinance, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the City Council under Chapter 6: Part 1 of the City of Charlotte Zoning Ordinance.

Three years from the date of approval of this parallel conditional use permit, the Planning Commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.