ORDINANCE NO. 2517-X


WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 17th day of October, 1988, on the question of designating a property known as the "Randolph Scott House" as historic property; and

WHEREAS, the "Randolph Scott House", erected in 1926-27, was briefly the home of Randolph Scott (1903-1987), noted cinema actor; and

WHEREAS, the "Randolph Scott House" was designed by Louis H. Asbury (1877-1975), an architect of local and regional significance; and

WHEREAS, the "Randolph Scott House" occupies a strategic location in terms of the townscape of Dilworth, Charlotte's initial streetcar suburb; and
October 17, 1988

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Ordinance -- Randolph Scott House

WHEREAS, George Grant Scott (1867-1936), the initial owner of the "Randolph Scott House", was an influential resident of Charlotte, including representing Fourth Ward on the Board of Aldermen; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Randolph Scott House" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Randolph Scott House" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Thomas Griffith Warehouse Building" is vested in fee simple to James A. Haynes and wife, Ellen M. Haynes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Charlotte, North Carolina:

1. That the property known as the "Randolph Scott House" (the exterior and the interior of the house, the exterior and the interior of the garage, and the entire tract of land recorded under Tax Parcel Number 123-102-01) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location
of said property is noted as being situated at 1301 Dilworth Road, Charlotte, North Carolina, and recorded on Tax Parcel Number 123-102-01 in the Mecklenburg County Tax Office.

2. That said designated property may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto, and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other
Ordinance -- Randolph Scott House

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property.

5. That the owners and occupants of the property known as the "Randolph Scott House" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of October, 1988, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page(s) 219-222.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of October, 1988.

Pat Sharkey, City Clerk
ORDINANCE NO. 2518-X


WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 17th day of October, 1988, on the question of designating a property known as the "Hoskins Mill" as historic property; and

WHEREAS, the "Hoskins Mill" is one of the best-preserved textile mill complexes which survive in Mecklenburg County, once a center of textile manufacturing; and

WHEREAS, the "Hoskins Mill" Office Building is a unique remnant of the textile mill architecture of Mecklenburg County; and

WHEREAS, the "Hoskins Mill" is the historic heart of the surrounding Hoskins Textile Mill Village; and

WHEREAS, E. A. Smith (1862-1933), the principal organizer of
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Ordinance -- Hoskins Mill

the Hoskins Mill, became a leading textile executive in Mecklenburg County; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Hoskins Mill" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Hoskins Mill" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Hoskins Mill" is vested in fee simple to Trenton Properties, Inc.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Charlotte, North Carolina:

1. That the property known as the "Hoskins Mill" (the exterior and the interior of the mill, the exterior and the interior of the office building, and the entire tract of land, except for a five-foot wide strip bordered by and running parallel with the current edge of right-of-way of South Hoskins Road, recorded under tax parcel number 063-061-23) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 201 South Hoskins
Hoskins Road, Charlotte, North Carolina, and recorded on Tax Parcel Number 063-061-23 in the Mecklenburg County Tax Office.

2. That said designated property may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto, and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.
Ordinance -- Hoskins Mill

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property.

5. That the owners and occupants of the property known as the "Hoskins Mill" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:

Henry W. Adlerhill
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of October, 1988, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page(s) 223-226.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of October, 1988.

Pat Sharkey, City Clerk
AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "MAYER HOUSE" (THE EXTERIOR AND THE INTERIOR OF THE HOUSE, AND THE ENTIRE TRACT OF LAND RECORDED UNDER TAX PARCEL NUMBER 123-075-03) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 311 EAST BOULEVARD, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 123-075-03 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 17th day of October, 1988, on the question of designating a property known as the "Mayer House" as historic property; and

WHEREAS, the "Mayer House", erected c. 1907-08, is one of the older houses in Dilworth, Charlotte's initial streetcar suburb; and

WHEREAS, the "Mayer House" makes an important contribution to the integrity of the East Boulevard streetscape; and

WHEREAS, Carson McCullers (1917-1967), noted author, wrote part of her famous work, The Heart is a Lonely Hunter, while living in the house; and

WHEREAS, the "Mayer House" is an outstanding local example of adaptive re-use of an historic structure.

WHEREAS, the Charlotte-Mecklenburg Historic Properties
Commission has demonstrated that the property known as the "Mayer House" possesses integrity of design, setting, workmanship, materials, and/or association; and WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Mayer House" possesses special significance in terms of its history, architecture, and/or cultural importance; and WHEREAS, the property known as the "Mayer House" is vested in fee simple to Jack F. Apple.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Charlotte, North Carolina:

1. That the property known as the "Mayer House" (the exterior and the interior of the house, and the entire tract of land recorded under Tax Parcel Number 123-175-03) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 311 East Boulevard, Charlotte, North Carolina, and recorded on Tax Parcel Number 123-175-03 in the Mecklenburg County Tax Office.

2. That said designated property may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An application for a
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Ordinance — Mayer House

Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto, and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property.

5. That the owners and occupants of the property known as the "Mayer House" be given notice of this ordinance as required
October 17, 1988

Ordinance -- Mayer House

by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:


CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of October, 1988, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page(s) 227-230.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of October, 1988.

___________________________
Pat Sharkey, City Clerk
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 a new Section 2102 as follows:

   .12 Outparcel
   A parcel of land associated with a shopping center or multi-tenant property development, which is designated on an approved site plan as a location for a free standing structure with an intended use such as, but not limited to banks, saving and loans, dry cleaners, service stations, vehicle repair garages, offices, restaurants, retail establishments, or combination of uses thereof and adjoins the shopping center or multi-tenant property development or the parking and service drives associated with it on any side, other than the side fronting the public right-of-way.

2. Amend Section 2102.14 to read as follows:

   .15 Premises
   A parcel of real property with a separate and distinct number of designation shown on a recorded plat, record of survey, parcel map, subdivision map, or a parcel legally created or established pursuant to applicable zoning. Outparcels of shopping centers shall be considered on the premises of the shopping center for the purpose of this ordinance.

3. Renumber Section 2102. to reflect above changes.

4. Delete Section 2106.1 entirely and renumber remaining section accordingly.

5. Change Section 2109.2(c) to 2109.2(d) and add a new Section 2109.2(c) to read as follows:

   c. Signs on outparcels of planned developments shall be regulated as follows:

      Type of Sign Permitted: Ground Mounted Identification
      Maximum Number: One per outparcel
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6. Change Section 2109.4(c) to 2109.4(d) and add new Section 2109.4(c) to read as follows:

c. Signs on outparcels of shopping centers shall be regulated as follows:

Type of Sign Permitted: Ground Mounted Identification
Maximum Number: One per outparcel
Maximum Size: 50% of the maximum size allowed in Section 2109.4(a)
Location: At least 10 feet behind right-of-way

7. Add to Section 2109.4, Business District, a new item (e) that reads as follows:

(e) Menu board signs in association with drive-thru windows shall be regulated as follows:

Maximum Size: 32 square feet
Location: Oriented towards drive-thru window traffic

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 17th day of October, 1988, the reference having been made in Minute Book 91, and recorded in full in Ordinance Book 37, at page 231-232.
CITY ZONE CHANGE

Petition No. 88-68
Charlotte-Mecklenburg
Planning Commission

ORDINANCE NO. 2521-2

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 B-2 to R-6IF on the
Official Zoning Map, City of Charlotte, N.C. 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.

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 17th
day of October 1988, the reference having been made
in Minute Book 91, and in Ordinance Book 37 at page(s)
233-234.

Pat Sharkey
City Clerk
CITY ZONE CHANGE

Petition No. 88-69
Charlotte-Mecklenburg
Planning Commission

ORDINANCE NO. 2522-2

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 I-2 to R-6MF and I-1 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 17th day of October 1988, the reference having been made in Minute Book 91 at page , and is recorded in full in Ordinance Book 37 at page 235-236.

Pat Sharkey
City Clerk
REZONE FROM I-2 TO R6MF

APPROVED BY CITY COUNCIL
DATE 10/17/88

WILKINSON #4
CITY ZONE CHANGE

ORDINANCE NO. 2523-2

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 I-2 to I-1 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:

H. W. Cladsoli ll Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of October 17, 1988, the reference having been made in Minute Book 91, and in Ordinance Book 37 at page(s) 237-238A.

Pat Sharkey
City Clerk
CITY ZONE CHANGE

Petition No. 88-71
Charlotte-Mecklenburg
Planning Commission

ORDINANCE NO. 2524-7

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 1-1 to 0-6 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. Clendenbill, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of October, 1988, the reference having been made in Minute Book 91, and in Ordinance Book 37 at page(s) 239-240.

Pat Sharkey
City Clerk
CITY ZONE CHANGE

ORDINANCE NO. 2525-7

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 I-1 to B-1 on the Official Zoning Map, City of Charlotte, N.C. 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.

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 17th day of October, 1988, the reference having been made in Minute Book 91, and in Ordinance Book 37 at page(s) 241-242.

Pat Sharkey
City Clerk
REZONE FROM
I-1 TO B-1
CITY ZONE CHANGE

ORDINANCE NO. 2526-7

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by change from R-6MF to R-6 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED 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:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of October, 1988, the reference having been made in Minute Book 91, and in Ordinance Book 37 at page(s) 243-244.

Pat Sharkey
City Clerk
CITY ZONE CHANGE

Petition No. 88-74
Charlotte-Mecklenburg
Planning Commission

ORDINANCE NO. 2527-2

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 B-1 to R-6 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:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of October, 1988, the reference having been made in Minute Book 91, and in Ordinance Book 37 at page(s) 245-246.

Pat Sharkey
City Clerk
APPROVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by change from R-6MF to R-12MF 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. Carrubba Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of October, 1988, the reference having been made in Minute Book 91, and in Ordinance Book 37 at page(s) 247-248A.

Pat Sharkey
City Clerk
PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO. 88-76

HEARING DATE: August 29, 1988

ZONING CLASSIFICATION, EXISTING: R-6MF

REQUESTED: R-12MF

LOCATION: Approximately 8.0 acres located just south of East 7th Street, between Hawthorne Lane and Louise Avenue. One parcel is located at the SW quadrant of East 7th Street and Louise Avenue.

ZONING MAP NO. 89

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE:
This page not used.
CITY ZONE CHANGE

Petition No. 88-77
Charlotte-Hecklenburg Planning Commission

ORDINANCE NO. 2529-2

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 B-1 to R-12MF 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. Chambers, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of October, 1988, the reference having been made in Minute Book 91, and in Ordinance Book 37 at page(s) 249-250A.

Pat Sharkey
City Clerk
REZONE FROM B-1 TO R-GMF
PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 88-77 HEARING DATE August 29, 1988

ZONING CLASSIFICATION, EXISTING B-1 REQUESTED R-12MF

LOCATION Approximately 2.0 acres located at the SE corner of Parkwood Avenue and Pegram Street, and includes nine parcels.
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 1.5 acres located at the northwest quadrant of I-77 and Clanton Road changing from B-1 and B-2(CD) 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 19, 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 B-1 and B-2(CD) to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

LEGAL DESCRIPTION
BEING A PARCEL OF LAND LOCATED IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, BEING A PART OF THAT PROPERTY.
CONVEYED TO JOHN CROSLAND, JR. BY DEED RECORDED IN DEED BOOK 4404 AT PAGE 340 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY AND A PORTION OF THAT PROPERTY CONVEYED TO SOUTHLAND CORP. BY DEED RECORDED IN DEED BOOK 4947 AT PAGE 880 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

TO GET TO THE POINT OF BEGINNING: BEGIN AT AN EXISTING IRON PIN ON THE NORTHERLY RIGHT-OF-WAY LINE OF CLANTON ROAD WHERE IT INTERSECTS WITH THE WESTERN RIGHT-OF-WAY LINE OF INTERSTATE 77 AND CONTINUING WITH THE NORTHERLY RIGHT-OF-WAY LINE OF CLANTON ROAD N.71-25-36W. 223.51 FEET TO AN EXISTING IRON PIN. THE POINT AND PLACE OF BEGINNING: THENCE WITH THE RIGHT-OF-WAY CLANTON ROAD THREE (3) CALLS: (1)N.71-25-36W. 130.00 FEET TO A CONCRETE MONUMENT; (2)S.25-18-49W. 20.26 FEET TO A CONCRETE MONUMENT; (3)THENCE N.64-28-56W. 56.70 FEET TO A NEW IRON PIN; THENCE A NEW LINE THROUGH SOUTHLAND CORPORATION PROPERTY DEED RECORDED IN DEED BOOK 4947 AT PAGE 880 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY TO A NEW IRON PIN IN THE LINE OF LOT 6 OF CLANTON PARK SUBDIVISION RECORDED IN MAP BOOK 7 AT PAGE 369 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY; THENCE WITH THE REAR OF LOTS 6 & 7 N.67-43-15E. 197.39 FEET TO AN EXISTING IRON PIN THE SOUTHWESTERLY CORNER OF LOT 8; THENCE WITH THE SOUTHERLY LINE OF LOT 8 N.67-45-10E. 9.08 FEET NOT INCLUDED ON MAP TO A NEW IRON PIN: THENCE WITH TWO (2) LINES THROUGH CROSLAND PROPERTY S.00-51-53W. 270.34 FEET TO A NEW IRON PIN; THENCE S.43-10W. 128.32 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 1.55 ACRES ALL AS SHOWN ON A SURVEY BY JACK R. CHRISTIAN AND ASSOCIATES DATED APRIL 18, 1988.

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:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of October 1988, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page 251-252.

Pat Sharkey
City Clerk