

APPROVED BY CITY COUNCIL

DATE December 19, 1994

CITY CD

Petition No. 94-84A  
Phillips, Ostwalt, Rosser, Bradshaw,  
Wachovia Bank of North Carolina,  
N.A. Trustees U/W D.L. Phillips,  
Crowder and DeBerry

ORDINANCE NO. 196-7

**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 34.78 acres located on the southerly side of Fairview Road at Cameron Valley Parkway ; and

WHEREAS, the petition for rezoning for a 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-3 to CC 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-

Petition #: 94-84A

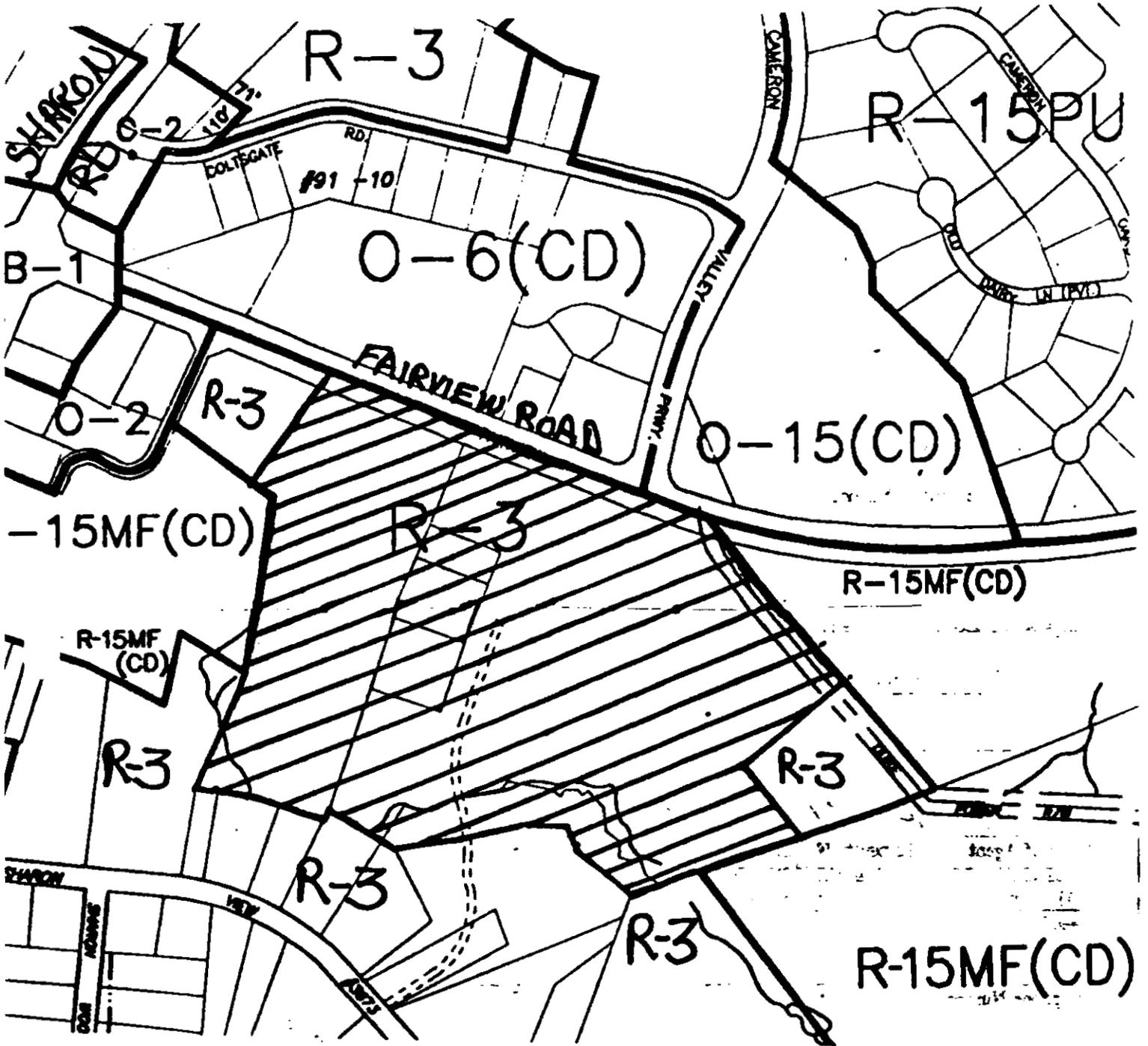
Petitioners: Phillips, Ostwalt, Rosser, Bradshaw, Wachovia Bank of North Carolina, N.A., Trustees U/W D.L. Phillips, Crowder and DeBerry

Hearing Date: October 19, 1994

Zoning Classification (Existing): R-3

Zoning Classification (Requested): CC

Location: Approximately 34.78 acres located on the south side of Fairview Road at Cameron Valley Prwy.



Zoning Map #(s): 135,147

Scale: 1" = 400'

- Retail (5 Spaces per 1,000 Square Feet)
- Inn (100 Rooms)
- Residential (1.5 Spaces per Unit)
- Phase II Multi-Family Residential (396 Spaces)
- Phase IV Mixed Use and Crescent Residential (240 Spaces)

- Parking Decks to Provide a Total of 280 Spaces (Included in ab Calculations)

LINE	DIRECTION	DISTANCE
L1	S 81°52'00" E	22.67'
L2	S 71°05'43" W	57.05'
L3	S 55°57'04" E	44.52'
L4	S 20°27'15" W	13.55'
L5	N 76°19'50" W	60.02'
L6	N 55°55'28" W	46.14'

✓ 94-87A

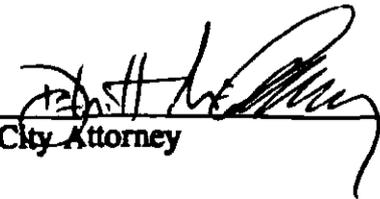
Phillips Place  
 Property Description  
 June 3, 1994

From the southeast corner of the intersection of Savings Place and Fairview Road proceed S 68°37'52" E at a distance of 296.51' to the point of beginning and then proceeding:

- S 68°37'52" E 930.43'
- S 68°42'15" E 326.56'
- S 81°52'00" E 22.67'
- S 40°00'06" E 448.66'
- S 49°59'54" W 369.81'
- S 4°00'06" E 238.05'
- S 70°58'45" W 297.95'
- S 71°05'43" W 209.62'
- N 61°23'07" W 220.64'
- N 05°52'07" W 79.51'
- N 67°53'42" W 100.98'
- S 67°46'32" W 195.26'
- S 82°42'06" W 168.80'
- N 55°57'04" W 197.10'
- S 20°27'15" W 13.55'
- N 76°25'28" W 122.70'
- N 76°19'50" W 237.47'
- N 18°35'58" E 331.74'
- N 07°46'49" E 462.69'
- N 55°55'28" W 46.14'
- N 29°41'43" E 323.33'

Returning to Point of Beginning

**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 19th day of December, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 128-130 E.

\_\_\_\_\_  
City Clerk

**APPROVED BY CITY COUNCIL**  
DATE December 19, 1994

**CITY CD**

Petition No. 94-84B  
Waters Construction Company

ORDINANCE NO. 197-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 approximately 1.866 acres located on the southeast corner of the intersection between Fairview Road and Savings Place; 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-3 to O-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

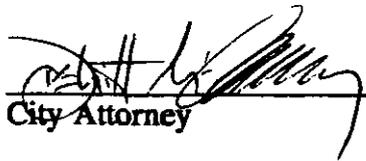
SEE ATTACHED

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:

  
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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 19th day of December, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 131-133.

\_\_\_\_\_  
City Clerk

### PROPERTY DESCRIPTION:

Beginning at an existing iron pin located in the Southerly margin of Fairview Road; said point being further located at the Northwesterly corner of the property of D. L. Phillips (now or formerly) as described in deed recorded in Book 2568, Page 206 of the Mecklenburg Public Registry; thence along the Westerly margin of the D. L. Phillips property (now or formerly) S. 31-38-02 W. 323.80 feet to a point; said point being located in the Northerly margin of the property of the Board of Education (now or formerly) as described in deed recorded in Book 1567, Page 498 of the Mecklenburg Public Registry; thence along the Northerly margin of the property of the Board of Education (now or formerly) S. 51-12-59 W. 268.80 feet to an existing iron pin located in the Northerly margin of Savine's Place; thence along the Easterly margin of Savine's Place S. 26-10-51 E. 82.00 feet to an existing iron pin located in the Easterly margin of Fairview Road; thence along the Southerly margin of Fairview Road courses and distances: (1) S. 67-26-13 E. 145.95 feet to an existing iron pin located in the Easterly margin of Savine's Place; (2) S. 67-27-13 E. 145.95 feet to an existing iron pin located in the Easterly margin of Savine's Place; and containing all other courses and distances as shown on a survey prepared by John R. Yarbrough, dated May 19, 1994.



December 19, 1994

Ordinance Book 46, Page 133

**Petition #:** 94-84B

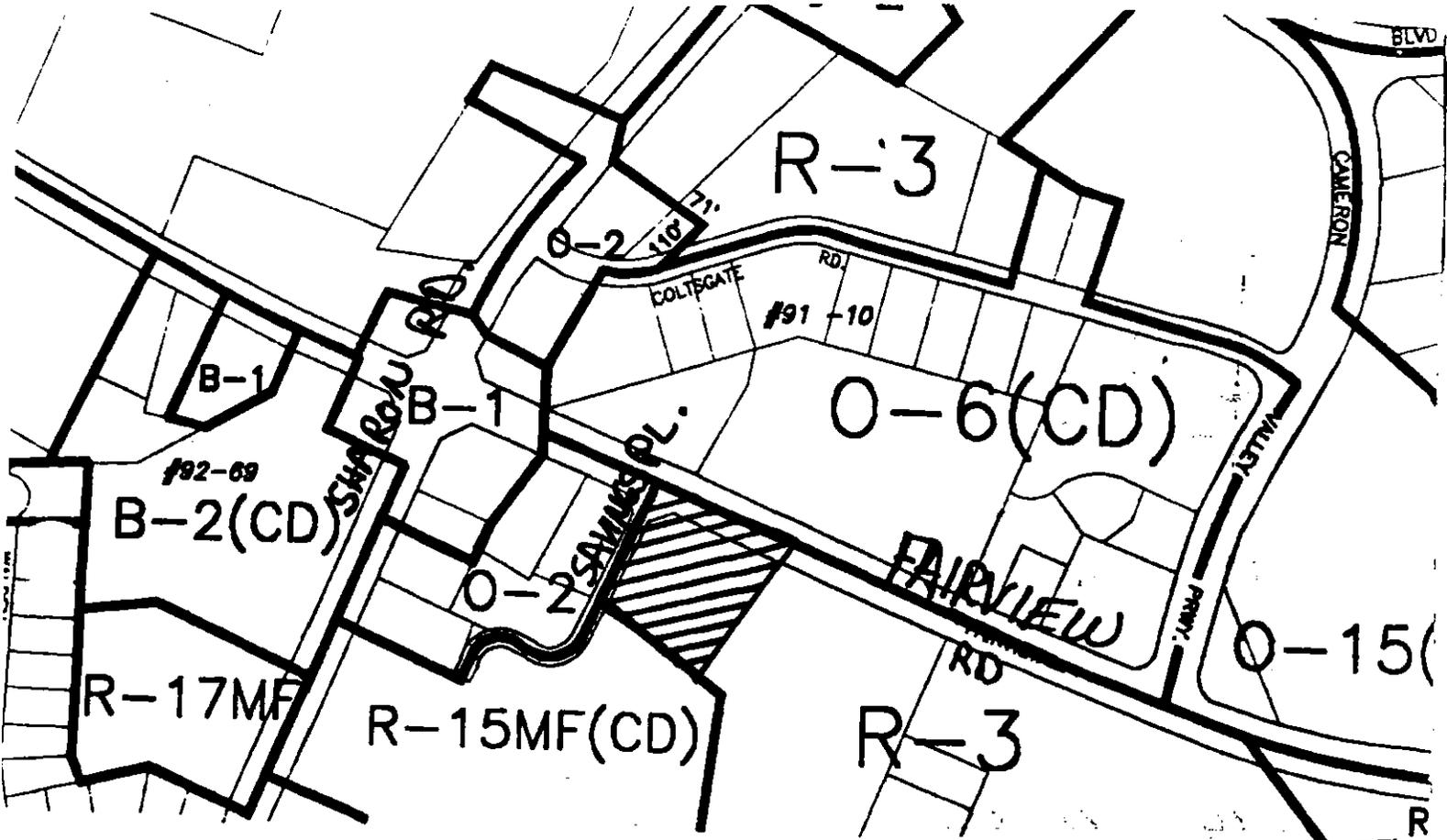
**Petitioners:** Waters Construction Company

**Hearing Date:** October 19, 1994

**Zoning Classification (Existing):** R-3

**Zoning Classification (Requested):** O-1(CD)

**Location:** Approximately 1.866 acres located on the southeast corner of the intersection between Fairview Road and Savings Place.



Zoning Map #(s): 135

Scale: 1" = 400'

**OFFICIAL REZONING APPLICATION  
CITY OF CHARLOTTE**

Second Tract

Petition #: 94-84B  
Date Filed: August 1, 1994  
Received By: T. Powers  
**OFFICE USE ONLY**

**OWNERSHIP INFORMATION:**

Property Owner: Waters Construction Company

Owner's Address: 3850 Sharon View Road, Charlotte, NC 28226

Date Property Acquired: June 4, 1987

Tax Parcel Number(s): 183-133-02

**LOCATION OF PROPERTY (Address or Description):** Fairview Road at Savings Place

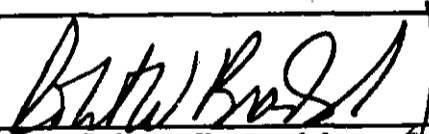
Size (Sq.Ft. or Acres): 1.866 acres Street Frontage (Ft.): 260.99 feet on Fairview

Current Land Use: undeveloped

**ZONING REQUEST:**

Existing Zoning: R-3 Proposed Zoning: O-1(CD)

Purpose of Zoning Change: to permit the development of this property for office use

  
Name of Agent Robert W. Bradshaw, Jr.  
ROBINSON, BRADSHAW & HINSON, P.A.  
101 North Tryon Street - Suite 1900  
Agent's Address Charlotte, NC 28246  
(704) 377-8300  
Telephone Number

Signature of Property Owner  
if other than Petitioner

**WATERS CONSTRUCTION COMPANY**  
Name of Petitioner(s)  
3850 Sharon View Road  
Charlotte, NC 28226  
Address of Petitioner(s)  
(704) 534-0191  
Telephone Number

  
Signature

APPROVED BY CITY COUNCIL

DATE December 19, 1994

Petition No. 94-71  
Petitioner: Charlotte-Mecklenburg Board of Education

AN ORDINANCE AMENDING  
THE CITY OF CHARLOTTE  
ZONING REGULATIONS

Ordinance No. 198

AN ORDINANCE AMENDING THE  
CITY OF CHARLOTTE ZONING REGULATIONS

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

Section 1. The City of Charlotte Zoning Regulations as embodied in the Zoning Ordinance are hereby amended as follows:

1. Amend Section 13.102 by adding subsection (S7)(a1) which reads as follows:

**Sponsorship Signs.** A sign employed by a school or by a civic, fraternal, religious, charitable or similar organization which identifies the sponsor (by name, address and/or logo, crest, insignia, trademark or emblem only) of recreational or sports facilities provided on the premises where such signs are displayed. "Sponsorship Fence Signs" shall mean sponsorship signs affixed to permanent fencing. "Sponsorship Light Pole Signs" shall mean sponsorship signs affixed to permanent light poles. "Facility" shall mean the entire premises of an elementary or secondary school or a recreational or sports facility.

2. Amend Section 13.103(2) by adding subsection (i) which reads as follows:

An applicant for a permit for sponsorship sign(s) may submit one application that covers multiple proposed sponsorship signs for one or more athletic fields within a given Facility. In such cases, the copy for each individual sponsorship sign shall not be required.

3. Amend Section 13.108 by adding subsection (5) which reads as follows:

**Sponsorship Signs.** Sponsorship signs as defined in section 13.102(s7)(a1) are allowed and may be affixed to fencing or light poles comprising part of, or located on the perimeter of, each athletic field located within a Facility subject to the following standards (which shall apply to each athletic field within a Facility):

**A. All Sponsorship Signs:**

- (1) Shall be located behind the minimum setback, yard and buffer requirements for the district;
- (2) Shall, at any particular athletic field within a Facility, be either exclusively Sponsorship Fence Signs or Sponsorship Pole Signs;
- (3) Shall be placed in such a fashion so that the sponsorship sign face area is inwardly oriented relative to the perimeter of the athletic field within a Facility;
- (4) Shall not exceed twenty-five (25) in number at any particular athletic field within a Facility;
- (5) Shall not be lighted other than by a light source for the athletic field when the athletic field is in use; and
- (6) Shall be posted for no more than nine (9) months during any calendar year;

**B. Sponsorship Fence Signs:**

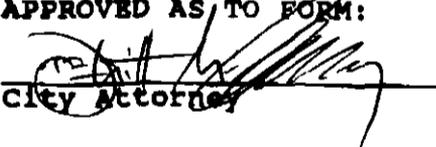
- (1) Shall not exceed twenty-four (24) square feet in area per sign;
- (2) Shall not exceed eight (8) feet in height;
- (3) Shall not exceed six hundred (600) square feet in area at any particular athletic field within a Facility; and
- (4) Shall be painted dark green on the side opposite the sign face.

**C. Sponsorship Light Pole Signs:**

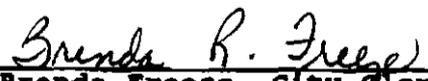
- (1) Shall not exceed sixteen (16) square feet in area per sign;
- (2) Shall not exceed thirty-two (32) feet in height; and
- (3) Shall not exceed four hundred (400) square feet in area at any particular athletic field within a Facility.

Section 2. That this ordinance shall become effective upon January 1, 1995 (the "Effective Date") and shall automatically terminate three (3) years from the Effective Date (the "Termination Date"). The amortization period for sponsorship signs erected during said three (3) year period shall be one (1) year from the Termination Date.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte in regular session convened on the 19<sup>th</sup> day of December, 1994, the reference having been made in Minute Book 106, and recorded in full in Ordinance Book 46, at Page 134-135

  
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Brenda Freeze, City Clerk