

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "OLD ALPHA COTTON MILL" (THE EXTERIOR OF THE 1888-89 MILL BUILDING, OF THE 1901 MILL BUILDING, AND OF THE COTTON WAREHOUSE BUILDING, AND THE ORIGINAL OR EARLY ELEMENTS OF THE INTERIOR OF THE 1888-89 MILL BUILDING, OF THE 1901 MILL BUILDING, AND OF THE COTTON WAREHOUSE BUILDING, E.G., EARLY WEIGHT-BEARING WALLS, FLOORS, ROOFING SYSTEM, THE AFORESAID PROPERTY BEING MORE SPECIFICALLY DEPICTED WITHIN THE JAGGED INKED LINES ON THE ATTACHED MAP, AND THE ACTUAL GROUND UPON WHICH THE BUILDINGS SIT) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 311 EAST TWELFTH STREET, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 081-033-08 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 19th day of August, 19 85, on the question of designating a property known as the "Old Alpha Cotton Mill" as historic property; and

WHEREAS, the "Old Alpha Cotton Mill," erected in 1888-89, was one of the first cotton mills in Charlotte and assisted in creating the momentum which transformed Charlotte into one of the leading textile manufacturing centers in the United States; and

WHEREAS, the "Old Alpha Cotton Mill" is the earliest extant mill complex in Charlotte which was constructed by the D. A. Tompkins Company and which introduced installment plan capital creation in the textile industry of Charlotte; and

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

WHEREAS, the property known as the "Old Alpha Cotton Mill" possesses integrity of design, setting, workmanship, materials, and/or association; and

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WHEREAS, the property known as the "Old Alpha Cotton Mill" is vested in fee simple to Consolidated Engravers Corporation.

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

1. That the property known as the "Old Alpha Cotton Mill" (the exterior of the 1888-89 Mill Building, of the 1901 Mill Building, and of the Cotton Warehouse Building, and the original or early elements of the interior of the 1888-89 Mill Building, of the 1901 Mill Building, and of the Cotton Warehouse Building, e.g., early weight-bearing walls, floors, roofing system, the aforesaid property being more specifically depicted within the jagged inked lines on the attached map, and the actual ground upon which the buildings sit) 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 Twelfth Street, Charlotte, North Carolina, and recorded on Tax Parcel Number 081-033-08 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

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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 shall be placed on said property.

5. That the owners and occupants of the property known as the "Old Alpha Cotton 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 Inspection 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. Underhill Jr.
City Attorney

CERTIFICATION

I, MENTA C. DETWILER, Deputy 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 19th day of August, 1985, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, at Page(s) 68-70.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 21st day of August, 1985.

MENTA C. DETWILER
Deputy City Clerk

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ORDINANCE NO. 1772-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "OLD CHARLOTTE COTTON MILLS" (THE EXTERIOR OF THE BUILDINGS, THE ORIGINAL OR EARLY ELEMENTS OF THE INTERIOR OF THE BUILDINGS, E.G., EARLY WEIGHT-BEARING WALLS, FLOORS, ROOFING SYSTEM, AND THE ACTUAL GROUNDS UPON WHICH THE BUILDINGS SIT) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 508 WEST FIFTH STREET, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBERS 078-052-02, 078-052-03A, 078-052-03B, AND 078-052-04, 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 19th day of August, 19 85, on the question of designating a property known as the "Old Charlotte Cotton Mills" as historic property; and

WHEREAS, the "Old Charlotte Cotton Mills," erected in 1880-1881, was the first cotton mill situated in the City of Charlotte; and

WHEREAS, the "Old Charlotte Cotton Mills" set into motion a series of forces which made Charlotte a leading center of textile manufacturing in the United States; and

WHEREAS, R. M. Oates, the principal founder of the "Old Charlotte Cotton Mills," was a leading businessman in this community; and

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

WHEREAS, the property known as the "Old Charlotte Cotton Mills" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the property known as the "Old Charlotte Cotton Mills" is vested in fee simple to the Sylval Corporation.

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

1. That the property known as the "Old Charlotte Cotton Mills" (the exterior of the buildings, the original or early elements of the interior of the buildings, e.g., early weight-bearing walls, floors, roofing system, and the actual grounds upon which the buildings sit) 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 508 West Fifth Street, Charlotte, North Carolina, and recorded on Tax Parcel Numbers 078-052-02, 078-052-03A, 078-052-03B, and 078-052-04, 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

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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 shall be placed on said property.

5. That the owners and occupants of the property known as the "Old Charlotte Cotton Mills" 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 Inspection 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. Cludde, Jr.
City Attorney

CERTIFICATION

I, MENTA C. DETWILER, Deputy 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 19th day of August, 1985, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, at Page(s) 71-73.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 21st day of August, 1985.

MENTA C. DETWILER
Deputy City Clerk

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "C. C. CODDINGTON HOUSE" (THE EXTERIOR AND INTERIOR OF THE MAIN HOUSE, THE EXTERIOR AND INTERIOR OF THE GARAGE APARTMENT, AND THE FRONT YARD OF THE MAIN HOUSE) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 1122 EAST MOREHEAD STREET, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 123-102-08 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 19th day of August, 19 85, on the question of designating a property known as the "C. C. Coddington House" as historic property; and

WHEREAS, the "C. C. Coddington House," completed in 1917-18, was designed by William H. Peeps (1868-1950), an architect of regional significance; and

WHEREAS, C. C. Coddington (1878-1928), the original owner, was a leading businessman in Charlotte, both as a distributor for Buick automobiles and as owner of Radio Station WBT; and

WHEREAS, the "C. C. Coddington House" is one of the few early twentieth-century homes to survive on E. Morehead St., one of the grand boulevards of Dilworth, Charlotte's first streetcar suburb; and

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

WHEREAS, the property known as the "C. C. Coddington House" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the property known as the "C. C. Coddington House" is vested

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in fee simple to The Morehead, LTD.

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

1. That the property known as the "C. C. Coddington House" (the exterior and interior of the main house, the exterior and interior of the garage apartment, and the front yard of the main house) 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 1122 East Morehead Street, Charlotte, North Carolina, and recorded on Tax Parcel Number 123-102-08 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

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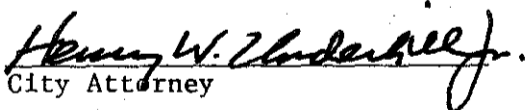
because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

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 shall be placed on said property.

5. That the owners and occupants of the property known as the "C. C. Coddington 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 Inspection 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:


City Attorney

CERTIFICATION

I, MENTA C. DETWILER, Deputy 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 19th day of August, 1985, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, at Page(s) 74-76.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 21st day of August, 1985.

MENTA C. DETWILER
Deputy City Clerk

ORDINANCE NO. 1774

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

AN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE 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. Amend Section 3053.6.1 by adding a new paragraph designated as .9 as follows:

.9 Street Right-of-way. The requirements for street right-of-way in the Uptown area vary from street to street due to patterns of existing rights-of-way, existing development, traffic movement and intersection design. In order to assure that adequate land is available to accommodate future public street improvements, rights-of-way must be protected. All development and uses in the district, except renovated and/or rehabilitated buildings, must reserve and keep free of development or encroachment the necessary right-of-way for the street or streets which abut the property. The necessary rights-of-way will be determined on a case-by-case basis by the Charlotte Department of Transportation and the Charlotte Mecklenburg planning staff. In making their determination these agencies will be guided by the adopted Central Area Plan and by the Approved Streetscape Plan for the street if such a plan has been adopted. However, the absence of an adopted streetscape plan does not relieve the requirement for the necessary right-of-way to be reserved.

2. Amend Section 3054.1 by deleting the present language and by substituting the following new language.

The Uptown Mixed Use District (UMUD) establishes minimum standards for design and development in the Uptown area. However, circumstances may arise which those regulations do not address or did not foresee. Therefore, this section establishes an alternative process by which the City Council may evaluate and approve development which will not or can not meet the minimum standards of UMUD district.

The Uptown Mixed Use District (Optional), or UMUD-0 is established to provide a mechanism to review and address new development concepts, innovative design, special problems, public/private ventures, and other unique proposals or circumstances which can not be accommodated by the standards of the UMUD. The UMUD standards form the basic framework which will be used to evaluate a UMUD-0 proposal, but any of the standards in the UMUD district may be modified in the approval of UMUD-0 application.

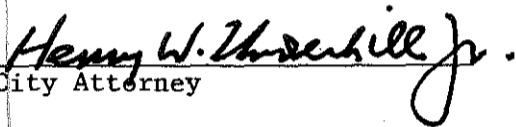
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3. Amend Section 3054.3 by adding the following language to the end of the first paragraph.

The City Council will also consider the extent to which the basic standards of the UMUD are proposed to be modified, the impacts of those modifications on existing and future development in the area, and the public purpose to be served by permitting the requested modifications.

Section 2. 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 19th day of August, 1985, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, at page 77-78.

Pat Sharkey, City Clerk

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Petition No. 85-43
Zaremba Communities
of N.C., Inc.

ORDINANCE NO. 1775-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 10.6 acre site at 6612 and 6618 Sardis Road from R-15 to R-20MF; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3211 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 3202.1 and 3202.2, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on July 15, 1985; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 3211.5:

- .1 Access to public streets and the adequacy of those streets to carry anticipated increased traffic.
- .2 On-site circulation for both pedestrian and vehicular traffic.
- .3 Adequacy of existing community facilities such as water, sewer, police and fire protection.
- .4 Relationship to and impacts upon adjoining and nearby properties and the adequacy of proposed measures to minimize any adverse impacts.
- .5 The appropriateness of the proposal in relationship to the policies and objectives of the Comprehensive Plan and to a more detailed area plan, if available.

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-15 to R-20MF on the Official Zoning Map, City of Charlotte, N.C. the following described property:

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BEGINNING at a point, said point being the southerly most corner thence N.68-03-10W., 193.85 feet to a point; thence N.67-42-20W., 207.21 feet to a point; thence N.67-43-50W., 284.33 feet to a point; thence N.67-52-10W., 152.93 feet to a point; thence N.7-51-10W., 83.31 feet to a point; thence S.48-25-47W., 213.55 feet to a point; thence N.80-21-50W., 85 feet to a point; thence N.6-56-30W., 127.68 feet to a point; thence N.57-36-20E., 63 feet to a point; thence N.22-00-30E. 151.36 feet to a point; thence N.77-00E., 493.52 feet to a point; thence S.12-38E., 150.00 feet to a point; thence S.10-46E., 150 feet to a point; thence S.8-15E., 50 feet to a point; thence S.8-45E., 50 feet to a point; thence S.8-03-30E., 300 feet to a point; thence S.7-50-40E., 448.64 feet to a point and place of BEGINNING.

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

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

APPROVED AS TO FORM:

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 August, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34, at page 79.

Pat Sharkey
City Clerk

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Petition No. 85-44
Charlotte Hotel Limited
Partnership

ORDINANCE NO. 1776-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 14.4 acre site at Billy Graham Parkway and York Road, from B-land 0-15(CD) to B-1(CD) and an 0-15(CD) Site Plan Amendment; 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 July 15, 1985; 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 0-15(CD) to B-1(CD) and an 0-15(CD) Site Plan Amendment on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point in the easterly corner thence N.52-03-12W $\frac{1}{2}$., 385 feet to a point; thence N.52-3-12W., 773.90 feet to a point; thence N.37-51-32E., 310 feet to a point; thence S.66-44-57E., 302.21 feet to a point; thence S.69-22-27E., 307.06 feet to a point; thence S.70-43-09E., 183.13 feet to a point; thence S.60-21-29E., 10.82 feet to a point; thence S.52-17-53E., 216.67 feet to a point; thence S.26-45-17E., 186.99 feet to a point; thence S.37-50-23W., 139 feet to a point; thence S.37-50-23W., 300 feet to the point and 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.

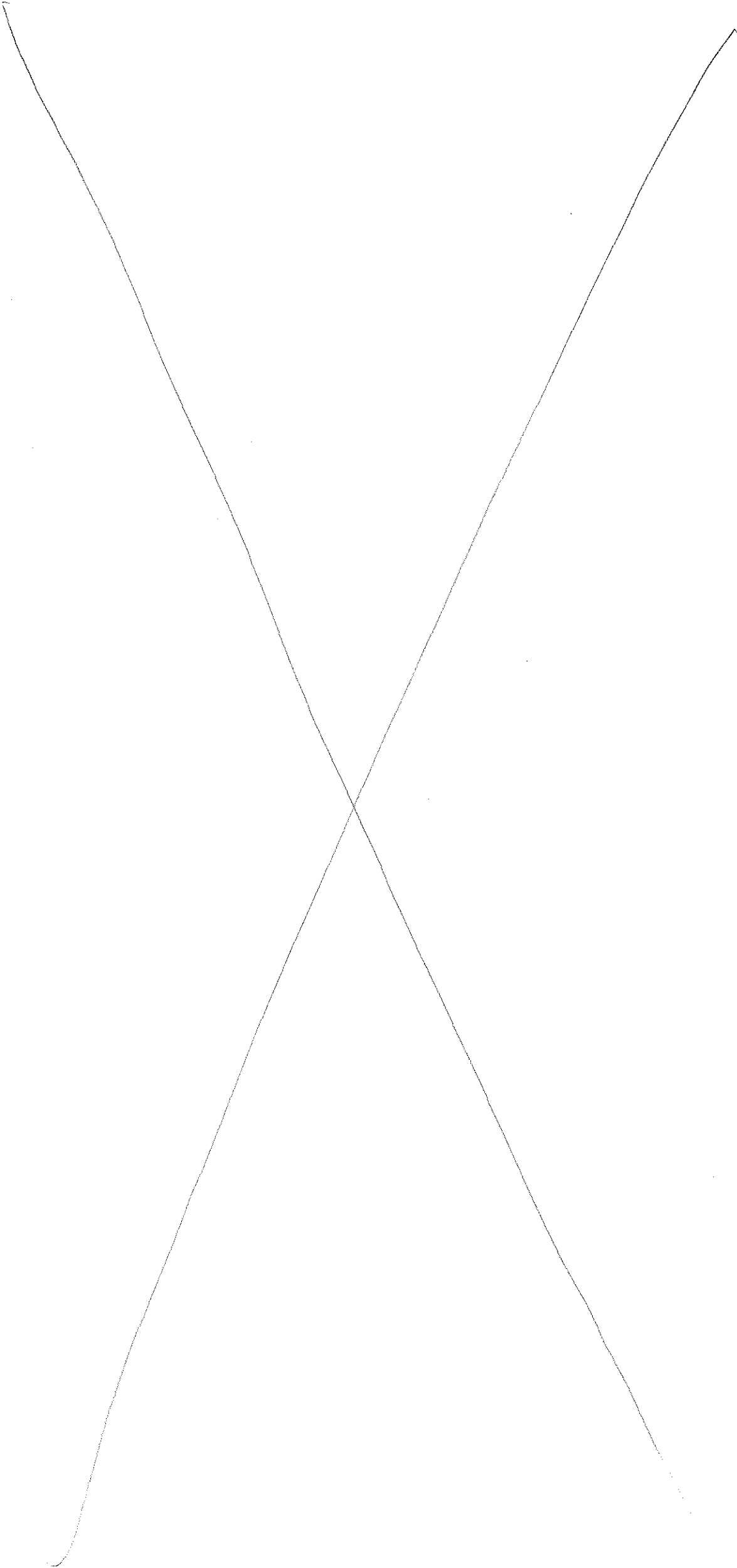
Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
Henry Underhill, City Attorney

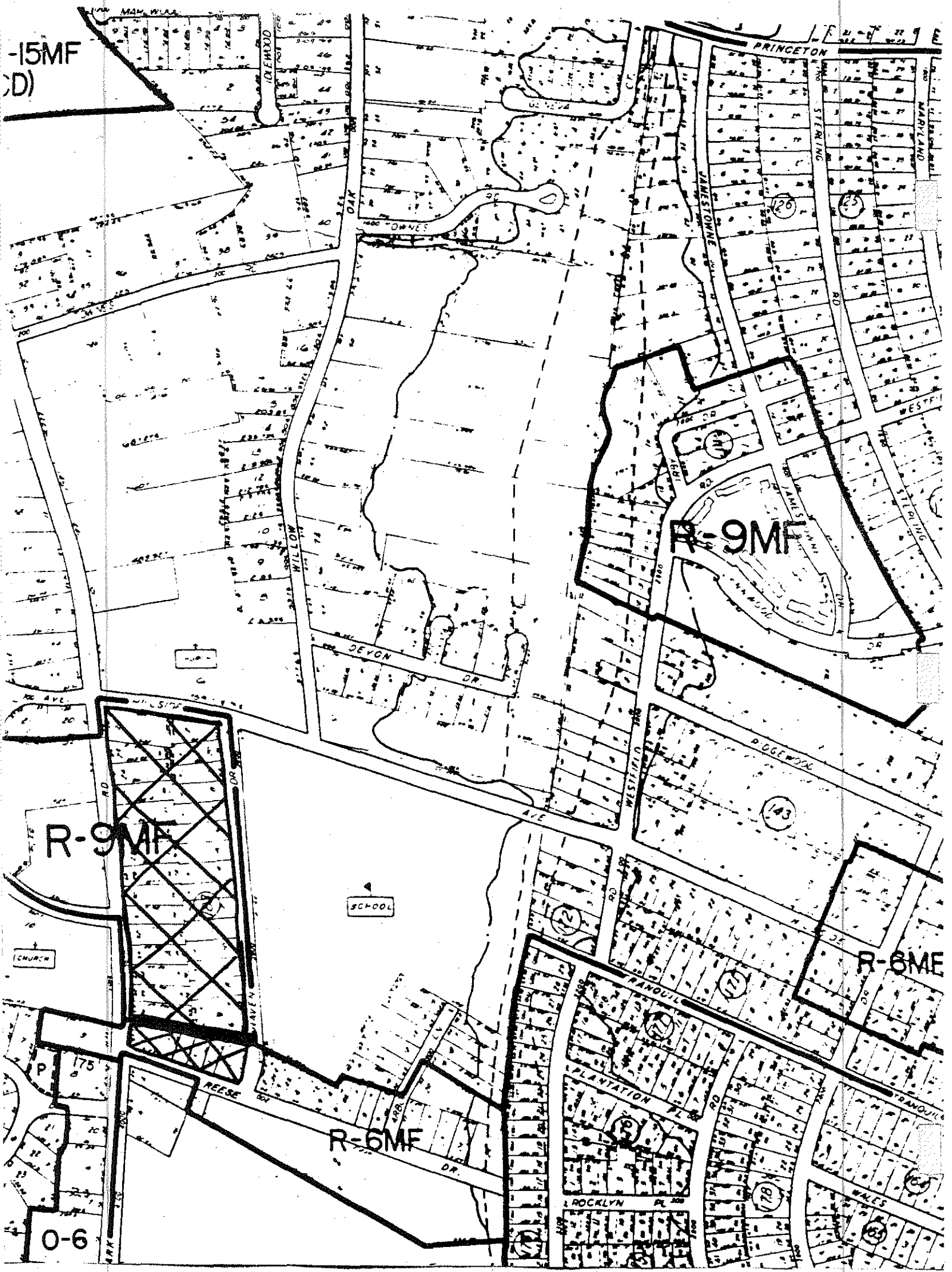
Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of August, 1985, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, beginning on Page 81.

Pat Sharkey
City Clerk



83(a)

ORDINANCE NO. 1777-Z



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Petition No. 85-45
Carol Ambrose and Others

ORDINANCE NO. 1777-Z

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-9MF and R-6MF to R-9 and R-6 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

Being several tracts of land as specifically shown on the 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. Chandler 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 August, 19 85, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34, at page 83.

Pat Sharkey
City Clerk

ORDINANCE NO. 1778-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 41 acre site along the east side of Delta Road north of Albemarle Road from R-12 and R-20MF to R-20MF and an R-20MF Site Plan Amendment; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3211 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 3202.1 and 3202.2, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on July 15, 1985; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 3211.5:

- .1 Access to public streets and the adequacy of those streets to carry anticipated increased traffic.
- .2 On-site circulation for both pedestrian and vehicular traffic.
- .3 Adequacy of existing community facilities such as water, sewer, police and fire protection.
- .4 Relationship to and impacts upon adjoining and nearby properties and the adequacy of proposed measures to minimize any adverse impacts.
- .5 The appropriateness of the proposal in relationship to the policies and objectives of the Comprehensive Plan and to a more detailed area plan, if available.

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-12 and R-20MF to R-20MF and an R-20MF Site Plan Amendment on the Official Zoning Map, City of Charlotte, N.C. the following described property:

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BEGINNING at a nail in the center line of Delta Road with North Carolina Grid System Coordinates of Y535,704.52 X1,484,422.28, the southwestern corner of the Charles A. Rumph and wife, Iris H. Rumph property (now or formerly) as recorded in Real Estate Book 4583, Page 11 of the Mecklenburg County Public Registry. Thence from said point of BEGINNING with a southern boundary of the Rumph property and crossing an old pipe at 28.45 feet from the center line of Delta Road S.89-24-27E. 468.17 feet to an old pipe, the southeast corner of the Rumph property, a common corner with the Park Road Shopping Center, Inc. Property (now or formerly) as recorded in Real Estate Book 4770, Page 87 of the Mecklenburg County Public Registry; thence with a western boundary of the Park Road property S.06-01-47E. 67.61 feet to an old iron pipe, a common corner with the Park Road property; thence with a southern boundary of the Park Road property N.78-24-52E. 90.66 feet to an old iron pipe, a common corner with the Park Road property; thence with a western boundary of the Park Road property S.04-18-06W. 206.35 feet to an old iron pipe, a common corner with the Park Road property; thence with a northern boundary of the Park Road property crossing an old rebar 28.68 feet from the center line of Delta Road N.89-25-57W. 551.78 feet to a nail in the center line of Delta Road; thence with the center line of Delta Road N.00-42-53E. 254.25 feet to the point and place of BEGINNING and containing approximately 3.14 acres as shown on a survey for The Welsh Corporation by Hucks & Associates, Inc., dated April 15, 1985, which survey is incorporated herein by this reference for a more graphic description.

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. Chandler 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 August, 19 85, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34, at page 84.

Pat Sharkey
City Clerk

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Petition No. 85-47
Park Road Shopping Center,
The Walsh Corporation

ORDINANCE NO. 1779-Z

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-20MF to R-12MF on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEING a portion of the property conveyed to Park Road Shopping Center, Inc. by Deed from Southern Acceptance Corporation, recorded in the Mecklenburg Public Registry in Deed Book 4770, at Page 87, and being more particularly described as follows:

BEGINNING at a point in the center line of the 60 foot right-of-way of Delta Road (S.R. 2853), said beginning point marking the southwesterly corner of the said property conveyed to Park Road Shopping Center, Inc. by the said Deed recorded in the Mecklenburg Public Registry in Deed Book 4770, at Page 87; and running thence from said BEGINNING point with the centerline of the 60 foot right-of-way of Delta Road, N.02-46-24E. 150.0 feet to a point; thence, a new line, S.87-08-11E. 1026.30 feet to a point in the rear line of the property of Earl J. Rodman (now or formerly; see Deed recorded in the Mecklenburg Public Registry in Deed Book 4117, at Page 915); thence, with a portion of the rear line of the said Earl J. Rodman property, S.7-43-38E. 278.0 feet to a point marking the southeasterly corner of the said property conveyed to Park Road Shopping Center, Inc. by the said Deed recorded in the Mecklenburg Public Registry in Deed Book 4770, at page 87; thence, the three (3) lines of the property of Newport News Service Corp. (now or formerly; see Deed recorded in the Mecklenburg Public Registry in Deed Book 4630, at Page 996); as follows: (1) S.83-54-17W. 530.54 feet to a point; (2) N.0-27-52W. 165.0 feet to a point; and (3) N.82-48-19W. 545.97 feet to the point or place of BEGINNING, containing 5.813 acres, all as shown on blueprint of boundary survey, dated October 25, 1984, of a portion of the Park Road Shopping Center, Inc. property, by Donald Ray Allen, N.C.R.L.S., reference to which 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. Chandler 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 August, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34, at page 86.

Pat Sharkey
City Clerk

ORDINANCE NO. 1780-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 40.986 acre site south of Arrowood Road and east of I-77 from R-9 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 August 15, 1985; 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-D(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point, said point being the most northeasterly corner thence S.48-02-34W. 2296.30 feet to a point; thence N.68-52-30W. 159.01 feet to a point; thence N.25-57-18W. 236.35 feet to a point; thence N.08-20-59W. 172.73 feet to a point; thence N.60-27-00W. 40.68 feet to a point; thence N.29-22-42E. 33.39 feet to a point; thence N.29-22-42E. 650.21 feet to a point; thence N.39-58-43E. 1433.88 feet to a point; thence N.50-54-48W. 983.31 feet to the point or place of BEGINNING.

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

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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 August, 19 85, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, beginning on Page 87.

Pat Sharkey
City Clerk

August 19, 1985
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Petition No. 85-34
American Medical
Financial Corp.

ORDINANCE NO. 1781-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 2.379 acre site north of I-85 between Sloan Drive and Mulberry Church Road from R-9MF 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 May 20, 1985; 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-9MF to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point, said point being the southwesterly corner thence N.05-21-59W., 101.02 feet to a point; thence N.01-06-59E., 366.99 feet to a point; thence S.89-21-21E., 429.04 feet to a point; thence S.00-22-36W., 167.00 feet to a point; thence S.22-34-04W., 107.64 feet to a point; thence S.00-56-44W., 181.64 feet to a point; thence S.52-17-53W., 28.44 feet to a point; thence N.09-33-34W., 320.94 feet to a point and 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 August, 19 85, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, beginning on Page 89.

Pat Sharkey
City Clerk