

APPROVED BY CITY COUNCIL
DATE April 25, 1988

ORDINANCE NO. 2402

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. Section 3313. Amend the first paragraph of this section by deleting it in its entirety of substituting the following:

Approved Special Use Permits for uses listed below which are no longer allowed by Section 3300, will be recognized for building permit and other administrative purposes provided the construction of at least fifty (50) percent of the project governed by the special use permit is completed within three (3) years after the date of issuance of the special use permit. If, however, at least fifty (50) percent of the project governed by the special use permit is not completed within three (3) years of the date of issuance of the special use permit, the special use permit will be considered null and void and an application for rezoning and approval of the rezoning would be required to be able to complete the proposed project. Fifty (50) percent of a project shall be deemed to have been completed within the meaning of this section if: (1) certificates of occupancy have been issued for 50% of the units; or, (2) 50% of the value of the improvements is in place as certified by a licensed architect.

Section 2. 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 25th day of April, 1988, the reference having been made in Minute Book 91, and recorded in full in Ordinance Book 37, at page 1.

Pat Sharkey, City Clerk

April 25, 1988
Ordinance Book 37 - Page 2

CITY R-20MF

Petition No. 88-21
Terracraft, Inc. (USA)

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2403-Z

DATE April 25, 1988

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 8.58 acres located on the northerly side of Sardis Lane, east of Providence Road from R-15 and R-15MF 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 April 25, 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 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 & R-15MF to R-20MF on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BOUNDARY DESCRIPTION
TERRACRAFT, INC. (USA)

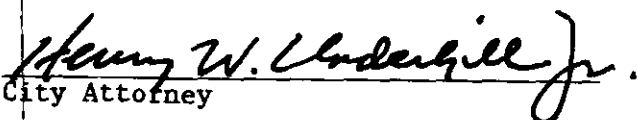
Lying and being in the City of Charlotte, County of Mecklenburg, State of North Carolina and more particularly described as follows:

BEGINNING at a point in the center line of the 60-foot right-of-way of Sardis Lane, said point being the southeastern corner of the property conveyed to the City of Charlotte by deed recorded in Book 3590 at Page 384 of the Mecklenburg County Public Registry, and running thence with the easterly line of the said City of Charlotte property N.13-20-05W. 225.68 feet to an iron pin set, said point being the northeastern corner of the aforesaid City of Charlotte property and the southeastern corner of the property conveyed to Reuben C. Russell by deed recorded in Book 1410 at Page 301 of the Mecklenburg County Public Registry; thence with the easterly line of the aforesaid Russell property the following three (3) courses and distances: (1) N.13-20-05W. 281.66 feet to an existing iron pin; (2) N.70-53-26E. 47.67 feet to an existing iron pin; and (3) N.18-53-30W. 502.99 feet to an existing iron pin in the southerly line of Lot 12 of the Lansdowne Subdivision as shown on a map thereof recorded in Map Book 9 at Page 71 of the Mecklenburg County Public Registry; thence with the southerly line of said Lot 12 and continuing with the southerly lines of Lots 11 and 10 and part of Lot 9 of the Lansdowne Subdivision as shown on a map thereof recorded in Map Book 9 at Page 71 of the Mecklenburg County Public Registry, N.59-59-45E. 252.22 feet to an existing iron pin in the southerly line of said Lot 9 of Lansdowne Subdivision, said point being the northwestern corner of the property conveyed to Raymond J. Kloth by deed recorded in Book 3604 at Page 387 of the Mecklenburg County Public Registry; thence with the westerly line of the aforesaid Kloth property the following two (2) courses and distances: (1) S.25-09-02E. 266.29 feet to an existing iron pin; and (2) S.24-48-37E. 333.08 feet to an existing iron pin, said point being the southwestern corner of the aforesaid Kloth property and the northwestern corner of the property conveyed to Jeffrey E. Taylor by deed recorded in Book 4873 at Page 388 of the Mecklenburg County Public Registry; thence with the westerly line of the aforesaid Taylor property S.25-09-28E. 546.10 feet to a point in the center line of the 60-foot right-of-way of Sardis Lane; thence with said center line the following seven (7) courses and distances: (1) S.60-59-31W. 18.06 feet to a point; (2) S.71-09-52W. 24.63 feet to a point; (3) S.79-04-14W. 24.69 feet to a point; (4) S.81-31-56W. 24.73 feet to a point; (5) S.82-03-24W. 24.24 feet to a point; (6) S.82-22-04W. 49.30 feet to a point; and (7) S.82-50-24W. 310.42 feet to the point or place of BEGINNING and containing 8.583 acres as shown on a Boundary Survey for Terracraft, Inc. (USA) by John R. Yarbrough & Associates, dated November 25, 1987, to which survey reference is hereby made for a more particular description of the subject property.

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 25th day of April, 1988, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page 2 - 3.

Pat Sharkey
City Clerk

April 25, 1988
Ordinance Book 37 - Page 4

ORDINANCE NO. 2404-X

AN ORDINANCE TO AMEND ORDINANCE NO. 2198-X, THE 1987-88 BUDGET ORDINANCE, ADVANCING FUNDS FOR THE CONSTRUCTION OF WATER AND SEWER LINES TO THE COLISEUM CENTER PROJECT.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$105,000 is hereby estimated to be available from the ground lease payments generated by the Coliseum Center project.

Section 2. That the sum of \$105,000 is hereby appropriated to the General Capital Improvement Fund account 2010;321.00 - Coliseum Center Water and Sewer Lines.

Section 3. That the Finance Director or his designee is hereby authorized to transfer funds from the unappropriated Municipal Debt Service Fund Balance to the General Capital Improvement Fund account until ground lease payments from the Coliseum Center project are received. Upon receipt of these revenues, the funds will be repaid to the Municipal Debt Service Fund balance.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 25th day of April, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 37, at page(s) 4.

Pat Sharkey, City Clerk

April 25, 1988
Ordinance Book 37 - Page 5

ORDINANCE NO. 2405-X

AN ORDINANCE TO AMEND ORDINANCE NO. 2198-X, THE 1987-88 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR EXPANDED PARKING AT THE MINT MUSEUM.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$300,000 is hereby estimated to be available from the Mint Museum Board of Trustees for expanding parking at the Mint Museum.

Section 2. That the sum of \$300,000 is hereby appropriated to General Capital Improvement Fund 2010; 494.00 - Expanded Parking at Mint Museum.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. 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 25th day of April, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 37, at page(s) 5.

Pat Sharkey
City Clerk

April 25, 1988
Ordinance Book 37 - Page 6

ORDINANCE NO. 2406-X

AN ORDINANCE TO AMEND ORDINANCE NO. 2198-X, THE 1987-88 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION TO AWARD A DESIGN CONTRACT AND ASSOCIATED COSTS FOR THE WIDENING OF SHAMROCK DRIVE.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$638,000 is hereby estimated to be available from the following sources:

<u>Source</u>	<u>Amount</u>
Hebron Street Extension (2010; 288.00)	\$375,000
1981 Street Improvement Bonds	<u>263,000</u>
Total	\$638,000

Section 2. That the sum of \$638,000 is hereby appropriated to General Capital Improvement Fund 2010; 326.00 - Shamrock Drive Widening.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Chamberhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of April, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 37, at page(s) 6.

Pat Sharkey
City Clerk