

DATE 11/20/89

CITY CD

Petition No. 86-105  
Charlotte-Mecklenburg  
Planning Commission

ORDINANCE NO. 2758-Z

A RESOLUTION 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 .33 acre site located on the southeasterly corner of the Vest Treatment Plant east of Beatties Ford Road north of Patotn Avenue, changing from I-2 to O-6(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 November 17, 1986; 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 I-2 to O-6(CD) on the Official Zoning Map, City of Charlotte, North Carolina 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. 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 20th day of November, 19 89, the reference having been made in Minute Book 94, and is recorded in full in Ordinance Book 38, at page 257-258.

Pat Sharkey  
City Clerk

APPROVED BY CITY COUNCIL

DATE 11/20/89

CITY R-20MF

Petition No. 89-25  
B. V. Belk Enterprises

ORDINANCE NO. 2759-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 acre tract located on the south side of Wallace Lane west of Delta Road, changing from R-12 to R-20MF (Innovative); 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 March 20, 1989; 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 and 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 to R-20MF (Innovative) on the Official Zoning Map, City of Charlotte, N.C. the following described property:

LEGAL DESCRIPTION

BEGINNING at a point, said point being the northeasterly corner of Tax Parcel 103-311-01 as recorded in Deed Book 4447, at Page 586; running thence S.24-12-00W. 523.49 feet; thence N.73-46-00W. 1,130.63 feet; thence S.70-20-00E. 198.50 feet; thence S.65-48-00E. 699.99 feet to the point 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:

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of November, 19 89, the reference having been made in Minute Book 94, and is recorded in full in Ordinance Book 38, at page 259-260.

Pat Sharkey  
City Clerk

APPROVED BY CITY COUNCIL

DATE 11/20/89

CITY ZONE CHANGE

Petition No. 89-78  
Dilworth Community  
Development Association

ORDINANCE NO. 2760-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 change from O-6 & R-6MF to R-6MF & 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.

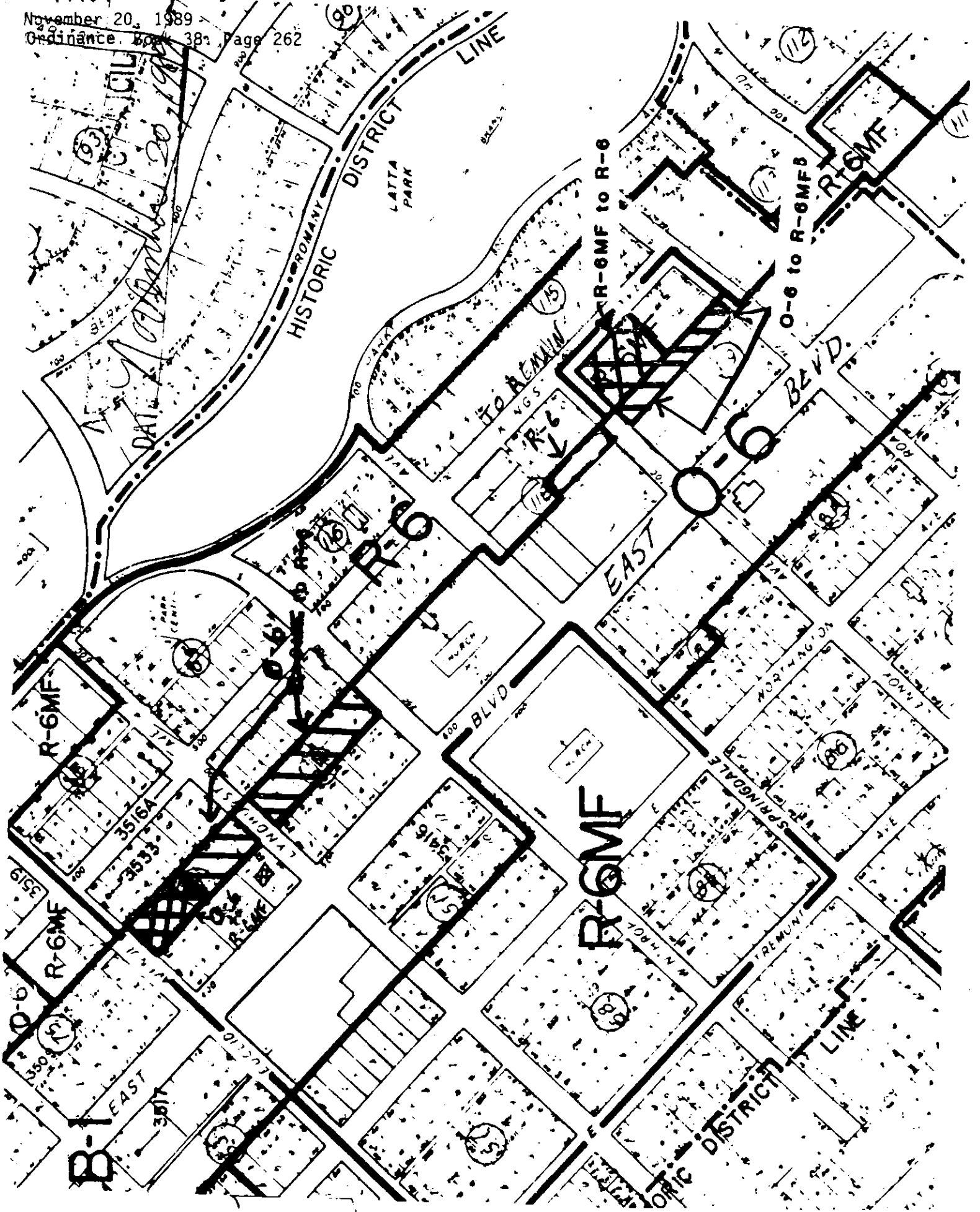
Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Harry 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 20th day of November, 1989, the reference having been made in Minute Book 94, and is recorded in full in Ordinance Book 38, at page(s) 261-262.

Pat Sharkey,  
City Clerk



APPROVED BY CITY COUNCIL

DATE 11/20/89

CITY CD

Petition No. 89-79  
Dr. Joseph J. Estwanik

ORDINANCE NO. 2761-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 .39 acres located on the north side of Billingsley Road east of Randolph Road, changing from R-6MF to O-15(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 October 18, 1989; 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-6MF to O-15(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:


Legal Description

BEGINNING at an existing iron pin, said pin being 1386 feet west of the intersection of the westerly right-of-way of Ellington Street and the northerly right-of-way of Billingsley Road; thence with the northerly right-of-way of Billingsley Road; S.87-55-01W. 35.96 feet to an iron pin; thence with said right-of-way S.88-49-24W. 64.75 feet to an iron pin; thence with said right-of-way N.88-59-04W. 73.76 feet to an iron pin; thence with said right-of-way N.84-26-51W., 40.36 feet to an iron pin; thence leaving said right-of-way N.55-44-32E. 269.54 feet to an existing iron pin, said pin S.3-02-06W. 154.52 feet to the point of BEGINNING, and containing 0.393 acres, more or less.

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 20th day of November, 19 89, the reference having been made in Minute Book 94, and is recorded in full in Ordinance Book 38, at page 263-264.

Pat Sharkey  
City Clerk



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not used

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APPROVED BY CITY COUNCIL  
DATE 11/20/89

CITY R-20MF

Petition No. 89-80  
Crosland Land Company

ORDINANCE NO. 2762-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 18.6 acres located on the southerly side of Marsh Road, encompassed by Selwyn Farms Lane, changing from R-12MF(CD) to R-20MF (Innovative); 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 October 18, 1989; 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 and 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-12MF(CD) to R-20MF (Innovative) on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SELWYN FARMS PARCEL D-2

BEGINNING at a new iron pin which is the point of intersection of the right-of-way of Marsh Road and the right-of-way of Selwyn Farms Lane which is recorded in the Mecklenburg County Registry of Deeds in Map Book 20 Page 413. Thence along the right-of-way of Selwyn Farms Lane the following 17 calls: 1) thence along a circular curve to the left 31.42' with a radius of 20.00' to a new iron pin 2) thence S.35-50-47W. 40.00 feet to a new iron pin 3) thence with a circular curve to the right 66.41 feet with a radius of 146.98 4) thence S.61-44-00W. 586.45 to a new iron pin 5) thence with a circular curve to the left 178.33 feet with a radius of 425.00 to a new iron pin 6) thence with a circular curve to the left 199.57 feet with a radius of 300.00 7) thence S.1-17-43W. 151.96 to a new iron pin 8) thence with a circular curve to the left 326.79 feet with a radius of 387.70 to a new iron pin 9) thence with a circular curve to the left 203.11 feet with a radius of 175.00 to a new iron pin 10) thence N.66-30-00E. 129.80 to a new iron pin 11) thence with a circular curve to the right 195.54 with a radius of 425.00 to a new iron pin 12) thence S.87-08-15E. 126.32 to a new iron pin 13) thence with a circular curve to the left 196.35 feet with a radius of 125.00 to a new iron pin 14) thence N.2-51-45E. 181.58 to a new iron pin 15) thence with a circular curve to the right 244.66 with a radius of 425.00 to a new iron pin 16) thence N.35-50-47E. 312.16 to a new iron pin 17) thence with a circular curve to the left 31.42 with a radius of 20.00 to a new iron pin at the point of intersection of the right-of-way of Selwyn Farms Lane and the right-of-way of Marsh Road. Thence with the right-of-way of Marsh Road N.54-09-13W. 404.93 to the point of beginning containing 18.645 acres as shown on Boundary Survey by John R. Yarbrough, dated August 5, 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:

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of November, 19 89, the reference having been made in Minute Book 94, and is recorded in full in Ordinance Book 38, at page 266-267.

Pat Sharkey  
City Clerk

APPROVED BY CITY COUNCIL

DATE 11/20/89CITY CDPetition No. 89-81  
Crosland PropertiesORDINANCE NO. 2763-ZA RESOLUTION 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 14.05 acres located on the southeast corner of Wilora Lake Road and Verndale Road, changing from R-12 with SUP to R-12MF(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 October 18, 1989; 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-12 with SUP to R-12MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

WILORA LAKE LODGE AND NURSING CENTER  
CROSLAND PROPERTIES

PROPERTY DESCRIPTION

BEGINNING in the cul-de-sac terminating Wilora Lake Road and proceeding in a southeastern direction along the centerline of Vernedale Road right-of-way proceeding:

S.84-14-00E., 554.27 feet  
N.68-27-00E., R = 387.22 feet, A = 369.23 feet;  
N.41-08-00E., 307.91 feet;

to a corner in the Vernedale Road right-of-way, thence leaving said right-of-way:

S.46-08-16E., 238.45 feet;  
S.13-35-14E., 274.69 feet;  
S.31-57-33E., 87.03 feet;

to a corner in the Wilora Lake Road right-of-way, proceeding in a northwestern direction and returning to the point of origin:

N.25-30-34W., R = 552.29 feet, A. = 160.21 feet;  
N.33-49-11W., 89.99 feet;  
N.19-55-14W., R = 352.52, A = 171.04;  
N.06-01-13W., 250.74

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 20th day of November, 19 89, the reference having been made in Minute Book 99, and is recorded in full in Ordinance Book 38, at page 268-269.

Pat Sharkey  
City Clerk

APPROVED BY CITY COUNCIL  
DATE 11/20/89ORDINANCE NO. 2764-Z  
CITY ZONE CHANGEPetition No. 89-82  
W. K. & Helen GladdenZONING REGULATIONS  
MAP AMENDMENT NO. \_\_\_\_\_

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-15 to R-12 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

Metes and bounds description of the 2.52-acre tract of land owned by W. K. and Helen R. Gladden, for which a Rezoning Application was filed with the Planning Commission on July 10, 1989.

BEGINNING at an iron pin in the westerly margin of Dwight Ware Boulevard, marking the common front corner of the property of W. K. Gladden and wife, Helen R. Gladden, and the property of James D. Fox (see deed recorded in Book 2696, page 35); and runs with the northerly line of James D. Fox, S.87-09-13W. 339.72 feet; thence N.04-08-55W. 319.72 feet; thence N.87-06-13E. 346.62 feet; thence S.02-54-30E. 319.99 feet to the BEGINNING.

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

APPROVED AS TO FORM:

Henry W. Chadwell Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th

day of November, 19 89, the reference having been made in Minute Book 94, at page \_\_\_\_\_ and recorded in full in Ordinance Book 38, Pages 270-271.

Pat Sharkey  
City Clerk

PETITIONER W. K. & Helen R. Gladden

PETITION NO. 89-82

HEARING DATE October 18, 1989

ZONING CLASSIFICATION, EXISTING R-15 REQUESTED R-12

LOCATION Approximately 2.5 acres located on the west side of Dwightware Boulevard south of Albemarle Road.



ZONING MAP NO. 115

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE



DATE 11/20/89CITY B-1SCDPetition No. 89-84  
Charter PropertiesORDINANCE NO. Part I 2765-ZAN 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 30.21 acres located on the north side of Albemarle Road at Harrisburg Road, changing from R-15 to B-1 to B-1SCD; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3210 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 and 3210.2 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 October 18, 1989; 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 3210.5:-

- .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 For proposed shopping centers, 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 and B-1 to B-1SCD on the Official Zoning Map, City of Charlotte, N.C. the following described property:

R-15 & B-1 to B-1SCD (Part I)

Commencing at a point, said point being the centerline intersection of Harrisburg Road (60 foot right-of-way) and Albemarle Road (variable right-of-way) N.72-56-15W. 242.39 feet to an existing iron pin, BEING THE POINT OF BEGINNING. Said pin being located in the northern right-of-way of Albemarle Road (variable right-of-way). Thence with said right-of-way of Albemarle Road (variable right-of-way), N.80-02-49W. 148.24 feet to a point, said point being located in the northern right-of-way of Albemarle Road (variable right-of-way) being a point of curvature of a curve concave to the south, thence along said curve having a radius of 1505.0 feet, a length of 103.28 feet, to a point located in the northern right-of-way of Albemarle Road (variable right-of-way), said point being located on a curve concave to the south, thence along said curve having a radius of 1505.0 feet, a length of 100.80 feet to an existing iron pin located in the northern right-of-way of Albemarle Road (variable right-of-way) thence along said curve concave to the south having a radius of 1505.0 feet, a length of 118.91 feet, to a point located in the northern right-of-way of Albemarle Road (variable right-of-way) said point being a point of tangency. Thence with said right-of-way of Albemarle Road (variable right-of-way) S.87-39-24W. 24.17 feet to an existing iron pin located in the northern right-of-way of Albemarle Road (variable right-of-way). Thence with said right-of-way of Albemarle Road, S.87-39-24W. 99.55 feet to an existing iron pin, said pin being located in the northern right-of-way of Albemarle Road (variable right-of-way), thence with said right-of-way of Albemarle Road (60 foot right-of-way) S.87-39-24W. 200.01 feet to an existing iron pin, said pin being located in the northern right-of-way of Albemarle Road (60 foot right-of-way), thence with said right-of-way of Albemarle Road (60 foot right-of-way) S.87-39-24W. 352.97 feet to an existing iron pin, said pin being located in the northern right-of-way of Albemarle Road (60 foot right-of-way), thence with the right-of-way of Albemarle Road (60 foot right-of-way) S.8739-24W. 59.61 feet to an existing iron pin, said pin being located in the northern right-of-way of Albemarle Road (60 foot right-of-way) thence with said right-of-way of Albemarle Road (60 foot right-of-way) S.87-39-24W. thence 49.36 feet thence with the centerline of proposed eastern circumferential road the following three (3) courses and distances: (1) N.03-16-04W. 77.80 feet to a point; (2) along a curve to the right having a radius of 1,000.00 feet and an arc distance of 1,055.60 feet and (3) N.60-44055E. 432.91 feet then S.33-26-12E. 270.49 to an existing iron pin, thence S.34-28-10E. 416.30 feet to an existing iron pin, said pin being the southern corner of property owned by George J. Digsby,

and the southern corner of property owned by Banco Development Company. Thence with the line of property owned by Banco Development S.73-31-43E. 25.50 feet to an existing iron pin, said pin being the southeast corner of property owned by Banco Development Property and southwest corner of property owned by Doris M. Farley (executrix). Thence with the line of Doris M. Farley (executrix) S.84-04-02E. 79.91 feet to an existing iron pin, said pin being located in the western right-of-way of Harrisburg Road (60 foot right-of-way) S.08-46-51E. 446.82 feet to an existing iron pin located in the western right-of-way of Harrisburg Road, said pin being the northeast corner of property owned by South Belt Properties, thence with the line of South Belt Properties N.80-28-26W. 199.78 feet to an existing iron pin, said pin being the northwest corner of South Belt Property, thence with the western line of the South Belt Properties, S.09-13-00E. 199.66 feet to an existing iron pin located in the northern right-of-way of Albemarle Road (variable right-of-way) said existing iron pin being the POINT OF BEGINNING. Said tract containing 30.21 acres and reference to a plat prepared by David L. Gray, R.L.S. #3086 (Gray, Pate and Associates) and dated July 14, 1989.

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:

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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 20th day of November, 19 89, the reference having been made in Minute Book 94, and is recorded in full in Ordinance Book 38, at page 272-273.

Pat Sharkey  
City Clerk

CITY CD

Petition No. 89-84  
Charter Properties

ORDINANCE NO. Part II 2765-Z

A RESOLUTION 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 3.9 acres located on the north side of Albemarle Road at Harrisburg Road, changing from R-15 to R-15(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 October 18, 1989; 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-15 to R-15(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

This page

not used

R-15 to R-15(CD) (Part II)

Lying and being in Crab Orchard Township, Mecklenburg County, North Carolina and being more particularly described as follows:

Beginning at a point in the centerline of a private drive, said private drive lying between Lots 7 and 8 as shown on a subdivision map recorded in Book 4, Page 643 in the Mecklenburg County Public Registry, said Beginning point being also in the northern margin of the right-of-way of Albemarle Road; and run thence with the centerline of said private drive the following two (2) courses and distances: (1) N.03-15-44W. 19.38 feet to a point and (2) N.03-14-55W. 646.15 feet to a point; thence N.57-47-00E. 516.37 feet to a point; thence N.57-47-42E. 389.28 feet to a point; thence N.58-02-38E. 158.04 feet to a point in the southern margin of the right-of-way of Pence Road; thence with said right-of-way of Pence Road S.57-30-27E. 98.09 feet to a point; thence leaving said right-of-way of Pence Road S.33-36-32E. 7.21 feet to a point; thence with the centerline of Proposed Eastern Circumferential Road the following three (3) courses and distances: (1) S.60-44-55W. 432.91 feet to a point (2) along a curve to the left having a radius of 1,000.00 feet an arc distance of 1,055.60 feet; and (3) S.03-16-04E. thence 49.36 feet thence with the centerline of Proposed Eastern Circumferential Road the following three (3) courses and distances (1) N.03-16-04W. 77.80 to a point; (2) along a curve to the right having a radius of 1,000.00 feet and an arc distance of 1,055.60 feet and (3) N.60-44-55E. 432.91 feet then S.33-26-12E. 270.49 (1) S.60-44-55W. 432.91 feet to a point; (2) along a curve to the left having a radius of 1,000.00 feet an arc distance of 1,055.60 feet; and (3) S.03-16-04E. 77.80 feet to a point in the northern margin of the right-of-way Albemarle Road S.87-39-24W. 85.01 feet to the point and place of Beginning as shown on a Rezoning Plan of Albemarle Road Center for Charter Properties, Inc. prepared by Little & Associates Architects, Inc. last revised September 25, 1989, 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. 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 20th day of November, 19 89, the reference having been made in Minute Book 94, and is recorded in full in Ordinance Book 38, at page 272-273.

Pat Sharkey  
City Clerk

DATE 11/20/89CITY R-20MFPetition No. 89-87  
Seven Eagles HOA, Harris  
Land Co., Cameron M. Harris  
Holding CompanyORDINANCE NO. Part I 2766-ZAN 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 75 acres located on the southwest corner of Gleneagles Road and Park Road, changing from R-15 to R-20MF(Innovative); 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 October 18, 1989; 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 and 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(Innovative) on the Official Zoning Map, City of Charlotte, N.C. the following described property:

LEGAL DESCRIPTION  
R-15 to R-20MF(INNOVATIVE)  
TRACT II

BEGINNING at a point in the southerly right-of-way line of Gleneagles Road, said point being the northeast corner of a parcel of land belonging to Cameron M. Harris as described in a deed recorded in Book 5909, Page 698 of the Mecklenburg Public Registry and running thence with said right-of-way with the arc of a circular curve to the left having a radius of 1,228.03 feet an arc distance of 263.66 feet to the westerly right-of-way line of Winged Bourne, thence with said right-of-way four (4) courses as follows: (1) S.08-43-46E. 29.05 feet; (2) with the arc of a circular curve to the right having a radius of 688.78 feet an arc distance of 59.87 feet; (3) with the arc of a circular curve to the right having a radius of 219.11 feet an arc distance of 121.21 feet; (4) with the arc of a circular curve to the left having a radius of 974.03 feet an arc distance of 205.00 feet; thence S.80-29-00E. 50.00 feet to a point in the easterly right-of-way line of Winged Bourne and running thence with said right-of-way with the arc of a circular curve to the left having a radius of 924.03 feet an arc distance of 282.35 feet; thence N.80-39-06E. 382.49 feet to a point in the northwesterly right-of-way of Eagle Glenn Way; thence with said right-of-way with the arc of a circular curve to the right having a radius of 406.17 feet an arc distance of 97.09 feet; thence N.00-37-36E. 529.59 feet; thence S.89-22-24E. 208.00 feet to another point in the westerly margin of Eagle Glenn Way; thence with said margin two (2) courses as follows: (1) N.01-06-19E. 101.28 feet; (2) N.11-22-39E. 133.74 feet; thence S.66-10-08E. 312.06 feet; thence S.07-17-19W. 278.20 feet; thence S.20-22-16E. 209.67 feet; thence S.34-56-11W. 614.05 feet to the centerline of a branch; thence with said centerline sixteen (16) courses as follows: (1) S.46-31-59E. 33.15 feet; (2) S.38-18-39E. 93.35 feet; (3) S.73-39-49E. 47.24 feet; (4) S.38-32-09E. 119.79 feet; (5) S.48-41-39E. 101.31 feet; (6) S.68-59-39E. 53.50 feet; (7) S.28-32-49E. 87.25 feet; (8) S.58-41-29E. 103.69 feet; (9) S.19-54-09E. 158.94 feet; (10) S.26-45-09E. 71.66 feet; (11) S.04-36-21W. 198.63 feet; (12) S.38-18-49E. 86.90 feet; (13) S.20-37-29E. 189.07 feet; (14) S.16-36-11W. 115.21 feet; (15) S.20-13-09E. 39.10 feet; (16) S.09-29-51W. 111.24 feet; thence S.58-26-56E. 499.57 feet; thence S.38-35-49W. 385.08 feet; thence S.38-37-02W. 327.17 feet; thence S.38-37-41W. 265.00 feet; thence N.51-23-24W. 190.74 feet to a point in the right-of-way line of Chapultepec; thence with said right-of-way four (4) courses as follows: (1) with the arc of a circular curve to the right having a radius of 66.00 feet an arc distance of 239.21 feet; (2) thence with the arc of a circular curve to the left having a radius of 20.00 feet an arc distance of 20.04 feet; (3) thence N.06-32-37E. 26.86 feet; (4) with the arc

of a circular curve to the left having a radius of 20.00 feet an arc distance of 20.04 feet to a point in the southwesterly right-of-way line of Winged Bourne; thence with said right-of-way line four (4) courses as follows: (1) with the arc of a circular curve to the right having a radius of 174.63 feet an arc distance of 133.39 feet; (2) with the arc of a circular curve to the right having a radius of 6,212.66 feet an arc distance of 1041.76 feet; (3) N.16-43-08W. 0.68 feet; (4) with the arc of a circular curve to the left having a radius of 537.72 feet an arc distance of 267.78 feet; thence S.33-17-37W. 229.24 feet to a point in the northerly right-of-way line of Smithfield Church Road; thence with said right-of-way line N.81-20-15W. 508.78 feet; thence N.17-18-32E. 879.47 feet; thence N.31-69-58W. 117.22 feet; thence N.81-19-49W. 263.97 feet; thence N.17-17-43E. feet to the BEGINNING.

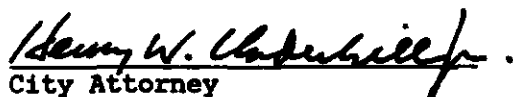
R-15 to R-20MF  
TRACT V

BEGINNING at a point in the southerly right-of-way line of Gleneagles Road said point being the northeasterly corner of a tract of land described in Deed Book 5914, Page 435 in the Mecklenburg Public Registry and running thence S.25-13-16W. 278.79 feet; thence N.50-27-27W. 163.05 feet; thence S.82-51-31W. 268.00 feet; thence N.07-21-05W. 300.00 feet to a point in the southerly right-of-way line of Gleneagles Road; thence with said right-of-way line two (2) courses as follows: (1) with the arc of a circular curve to the right having a radius of 926.90 feet an arc distance of 458.00 feet; (2) S.64-46-48E. 90.83 feet to the 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:

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of November, 19 89, the reference having been made in Minute Book 94, and is recorded in full in Ordinance Book 38, at page 274-276.

Pat Sharkey  
City Clerk



CITY CD

Petition No. 89-87  
Seven Eagles HOA, Harris  
Land Co., Cameron M. Harris  
Holding Co.

ORDINANCE NO. Part II

A RESOLUTION 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 46.33 acres located on teh southwest corner of Gleneagles Road and Park Road, changing from R-15 to B-1(CD) and R-15(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 October 18, 1989; 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-15 to B-1(CD) and R-15(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

This page

not used

LEGAL DESCRIPTION  
(R-15 to B-1(CD))  
(TRACT I)

BEGINNING at the intersection of the southerly right-of-way line of Park Road and the easterly right-of-way line of Gleneagles Road and running thence with the right-of-way of Gleneagles two (2) courses as follows: (1) S.69-33-47E. 617.25 feet; (2) with the arc of a circular curve to the left having a radius of 1,186.10 feet an arc distance of 323.09 feet; thence S.17-17-43W. 876.20 feet; thence N.81-20-54W. 974.50 feet to Park Road; thence along Park Road N.17-12-41E. 1026.04 feet to the BEGINNING and containing 20.106 acres.

LEGAL DESCRIPTION  
R-15 to R-15(CD)  
TRACT III

BEGINNING at a point in the southerly right-of-way line of Gleneagles Road; said point being the westerly right-of-way line of Winged Bourne and running thence with said right-of-way of Winged Bourne four (4) courses as follows: (1) S.08-43-46E. 29.05 feet; (2) with the arc of a circular curve to the right having a radius of 688.78 feet an arc distance of 59.87 feet; (3) with the arc of a circular curve to the right having a radius of 219.11 feet an arc distance of 121.21 feet; (4) with the arc of a circular curve to the left having a radius of 974.03 feet an arc distance of 205 feet; thence S.80-29-00E. 50.00 feet to a point in a point in the easterly right-of-way line of Winged Bourne; thence with said right-of-way with the arc of a circular curve to the left having a radius of 924.03 feet an arc distance of 282.35 feet; thence N.80-39-06E. 382.49 feet to a point in the westerly right-of-way line of Eagle Glenn Way; thence with said right-of-way with the arc of a circular curve to the right having a radius of 406.17 feet an arc distance of 97.90 feet; thence N.00-37-36E. 529.59 feet; thence S.89-22-24E. 208.00 feet to another point in the westerly right-of-way line of Eagle Glenn Way thence with said right-of-way line of Eagle Glenn Way; thence with said right-of-way two (2) courses as follows: (1) N.01-06-19E. 101.28 feet; (2) N.11-22-39E. 133.74 feet; thence S.66-10-08E. 312.06 feet; thence N.06-17-19E. 70.00 feet; thence N.39-57-13E. 388.95 feet; thence N.82-51-31E. 341.13 feet; thence N.07-21-05W. 300.00 feet to a point in the southerly right-of-way line of Gleneagles Road; thence with said right-of-way line six (6) courses as follows: (1) with the arc of a circular curve to the left having a radius of 1,126.96 feet an arc distance of 668.96 feet; (2) S.45-33-26W. 272.35 feet; (3) with the arc of a circular curve to the right having a radius of 1,146.89 feet an arc distance of 357.79 feet; (4) S.64-15-24W. 78.52 feet; (5) S.68-18-18W. 77.12 feet; (6) with the arc of a circular curve to the right having a radius of 1,228.03 feet an arc distance of 244.93 feet to the BEGINNING

LEGAL DESCRIPTION  
R-15 to R-15(CD)  
TRACT IV

BEGINNING at a point in the northerly right-of-way line of Smithfield Church Road said point being the southeasterly corner of a parcel of land described in Deed Book 5602, Page 920 of the Mecklenburg Public Registry and running thence with said right-of-way line of Smithfield Church Line nine (9) courses as follows: (1) N.72-58-09W. 263.78 feet; (2) with the arc of a circular curve to the right having a radius of 120.00 feet an arc distance of 117.41 feet; (3) N.16-55-29W. 59.59 feet; (4) with the arc of a circular curve to the left having a radius of 1,514.43 feet an arc distance of 101.98 feet; (5) N.20-46-59W. 519.68 feet; (6) with the arc of a circular curve to the left having a radius of 1,994.27 feet an arc distance of 60.92 feet; (7) N.22-30-10W. 549.21 feet; (8) with the arc of a circular curve to the right having a radius of 640.85 feet an arc distance of 95.36 feet; (9) N.13-59-55W. 80.28 feet; thence N.33-17-37E. 229.24 feet to a point in the westerly right-of-way line of Winged Bourne; thence with said right-of-way line four (4) courses as follows: (1) with the arc of a circular curve to the right having a radius of 537.72 feet an arc distance of 267.78 feet; (2) S.16-43-08E. 0.68 feet; (3) with the arc of a circular curve to the left having a radius of 6,212.66 feet an arc distance of 1,041.76 feet; (4) with the arc of a circular curve to the left having a radius of 174.63 feet an arc distance of 133.39 feet to a point in the westerly right-of-way line of Chapultepec and running thence with said right-of-way four (4) courses as follows: (1) with the arc of a circular curve to the left having a radius of 20.00 feet an arc distance of 20.04 feet; (2) S.06-32-37W. 26.86 feet; (3) with the arc of a circular curve to the right having a radius of 20.00 feet an arc distance of 20.04 feet; (4) with the arc of a circular curve to the left having a radius of 66.00 feet an arc distance of 239.21 feet; thence S.38-37-41W. 58.05 feet; thence S.38-22-23W. 9.04 feet; thence S.38-35-21W. 134.49 feet to the 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:

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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 20th day of November, 19 89, the reference having been made in Minute Book 94, and is recorded in full in Ordinance Book 38, at page 274-275.

Pat Sharkey  
City Clerk