

ORDINANCE NO. 125-X

Ordinance designating as a Historic Landmark a property known as the "Johnston Mill" (listed under Tax Parcel Number 191-101-09 and including both the entire exterior and the entire interior of the Main Mill Building, of the Opener Room, of the Cotton Warehouse, Waste House and Opener Room Complex, of the Machine Storage Room, and of the Mecklenburg Mill House, all being within the boundaries of said tax parcel). The parcel of land to be designated is listed under Tax Parcel Number 191-101-09 in the Mecklenburg County Tax Office, Charlotte, North Carolina. The property is owned by Johnston Mill Associates Limited Partnership and is located in the 3300 block of North Davidson Street, Mecklenburg County, North Carolina.

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

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 19th day of September, 1994, on the question of designating a property known as the Johnston Mill as a historic landmark; and

WHEREAS, the Johnston Mill was built in 1916 and played a significant role in the history of textile manufacturing in Mecklenburg County and of the North Charlotte mill community; and

WHEREAS, the architecture of the Johnston Mill is reflective of early twentieth-century mill buildings; and

WHEREAS, the Johnston Mill is associated with Charles Worth Johnston, a leading textile figure in the Southern Piedmont Carolinas as well as in Charlotte and Mecklenburg County; and

WHEREAS, the current owner of the property, Johnston Mill Associates Limited Partnership, has sensitively converted the Johnston Mill into an adaptive-reuse housing project; and

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

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over portions of the property known as the Johnston Mill, because consent for interior design review has been given by the Owner; and

WHEREAS, the property known as the Johnston Mill is owned by the Johnston Mill Associates Limited Partnership.

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

1. That the property known as the Johnston Mill (including the entire exterior and the entire interior of the Main Mill Building, of the Opener Room, of the Cotton Warehouse, Waste House and Opener Room Complex, of the Machine Storage Room, and of the Mecklenburg Mill House, and the entire parcel of land upon which it is located, listed under Tax Parcel Number 191-101-09) is hereby designated as a historic landmark

pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated in the 3300 block of North Davidson Street in Charlotte, Mecklenburg County, North Carolina. Interior and exterior features are more completely described in the *Survey and Research Report on the Johnston Mill* (26 November 1993).

2. That said exterior and interior are more specifically defined as the historic and structural fabric, especially including original brickwork, wooden flooring and ceiling, and wooden posts and beams.

3. That said designated historic landmark may be materially altered, restored, moved or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be a State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such

action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the this historic landmark not prohibited by other statutes, ordinances or regulations.

Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

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

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

7. That which is designated as a historic landmark shall be subject to Chapter 160A, Article 19, as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the 19th day of September, 1994, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Clerk to City Council

Approved as to form:

David M. Smith

City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 September, 1994, the reference having been made in Minute Book 106, and recorded in full in Ordinance Book 46, at Page(s) 1-5.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 20th, day of September 1994

Nancy S. Gilbert

Nancy S. Gilbert, Deputy City Clerk

ORDINANCE NO. 126-X

Ordinance designating as a Historic Landmark a property known as the "George Pierce Wadsworth House" (listed under Tax Parcel Number 071-024-11 and including the entire exterior and the entire interior of the main house, the entire exterior and the entire interior of the servants' quarters/carriage house, all being within the boundaries of said tax parcel). The parcel of land to be designated is the entire parcel of land listed under Tax Parcel Number 071-024-11 in the Mecklenburg County Tax Office, Charlotte, North Carolina. The property is owned by McClure Properties Inc., a North Carolina corporation, and is located at 400 South Summit Avenue in the City of Charlotte, Mecklenburg County, North Carolina.

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

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 19th day of September, 1994, on the question of designating a property known as the George Pierce Wadsworth House as a historic landmark; and

WHEREAS, the George Pierce Wadsworth House was designed in 1910 by prominent North Carolina architect Louis H. Asbury; and

WHEREAS, the George Pierce Wadsworth House is one of the earliest houses in the westside streetcar suburb of Wesley Heights; and

WHEREAS, the George Pierce Wadsworth House was the home of an important local businessman, whose enterprises illustrate the economic activities of the city during the early twentieth century; and

WHEREAS, the George Pierce Wadsworth House, and subsequent residential construction in Wesley Heights, illustrate the expansion of the city through the suburban subdivision of surrounding farmsteads; and

WHEREAS, the George Pierce Wadsworth House property contains a servants'/carriage house, an increasingly rare building type in the city of Charlotte; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as George Pierce Wadsworth House possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over portions of the property known as the George Pierce Wadsworth House, because consent for interior design review has been given by the Owner; and

WHEREAS, the property known as the George Pierce Wadsworth House is owned by McClure Properties Inc., a North Carolina corporation.

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

1. That the property known as the "George Pierce Wadsworth House" (including the entire exterior and the entire interior of the main house, the entire exterior and the entire interior of the servants' quarters/carriage house, and the entire parcel of land upon which

the above structure are located, listed under Tax Parcel Number 071-024-11) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 400 South Summit Avenue in the City of Charlotte, Mecklenburg County, North Carolina. Interior and exterior features are more completely described in the *Survey and Research Report on the George Pierce Wadsworth House* (20 March 1994).

2. That said exterior and interior are more specifically defined as the historic and structural fabric, especially including all original interior and exterior architectural features and the original contours of landscaping.

3. That said designated historic landmark may be materially altered, restored, moved or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be a State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such

feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the this historic landmark not prohibited by other statutes, ordinances or regulations.

Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

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

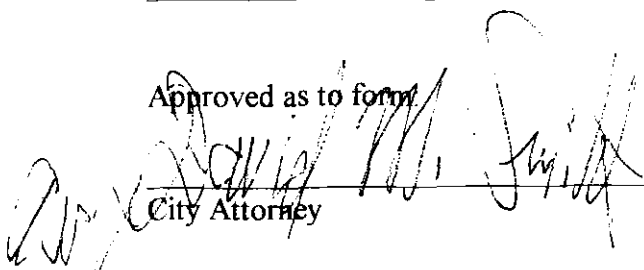
6. That the owners and occupants of the historic landmark known as the George Pierce Wadsworth House be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as a historic landmark shall be subject to Chapter 160A, Article 19, as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the 19th day of September, 1994, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Clerk to City Council

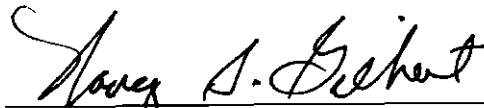
Approved as to form


City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 September, 1994, the reference having been made in Minute Book 106, and recorded in full in Ordinance Book 46, at Page(s) 6-10.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 20th, day of September, 1994.


Nancy S. Gilbert, Deputy City Clerk

APPROVED BY CITY COUNCIL

DATE September 19, 1994

CITY ZONE CHANGE

ORDINANCE NO. 127-Z

Petition No. 94-23
Charlotte-Mecklenburg Planning
Commission

ZONING REGULATIONS

MAP AMENDMENT NO. _____

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by change from R-15MF(CD) to R-5 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

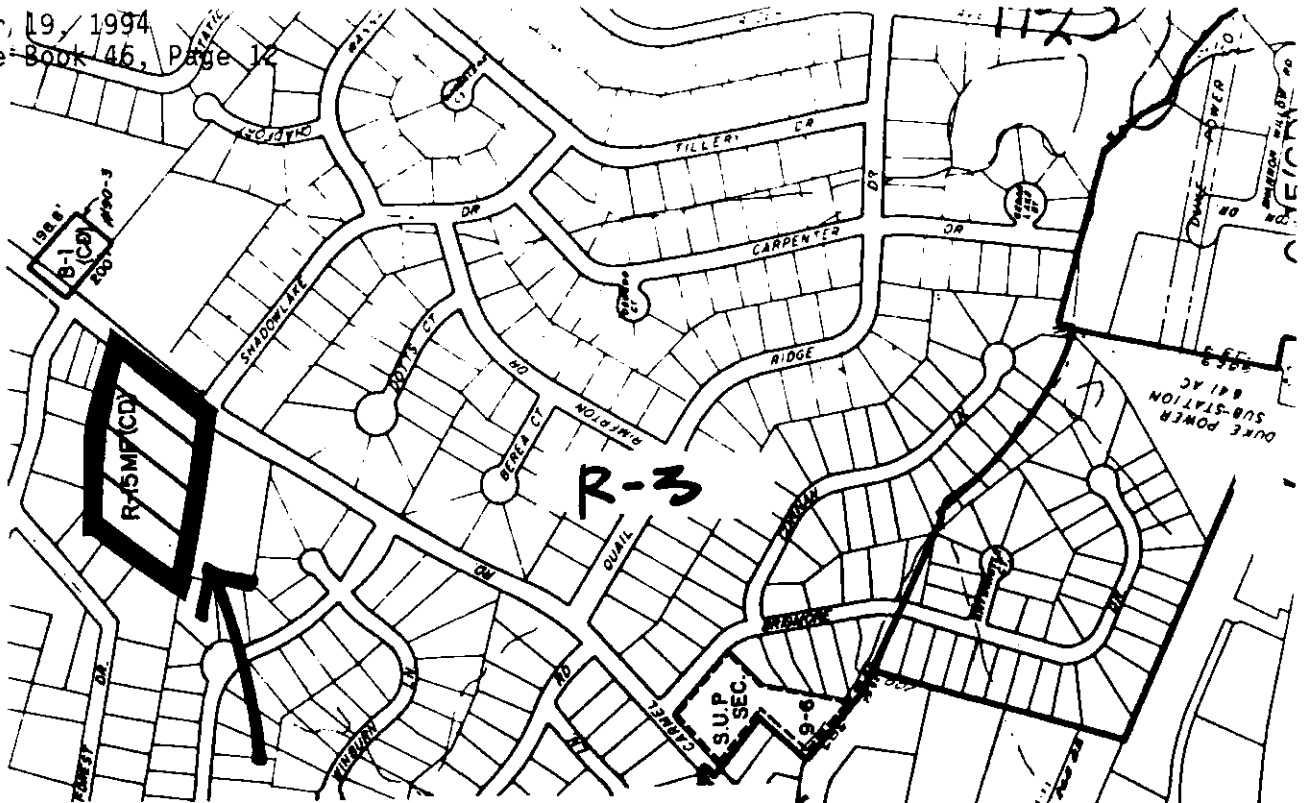
APPROVED AS TO FORM:

Dg. [Signature]
City Attorney

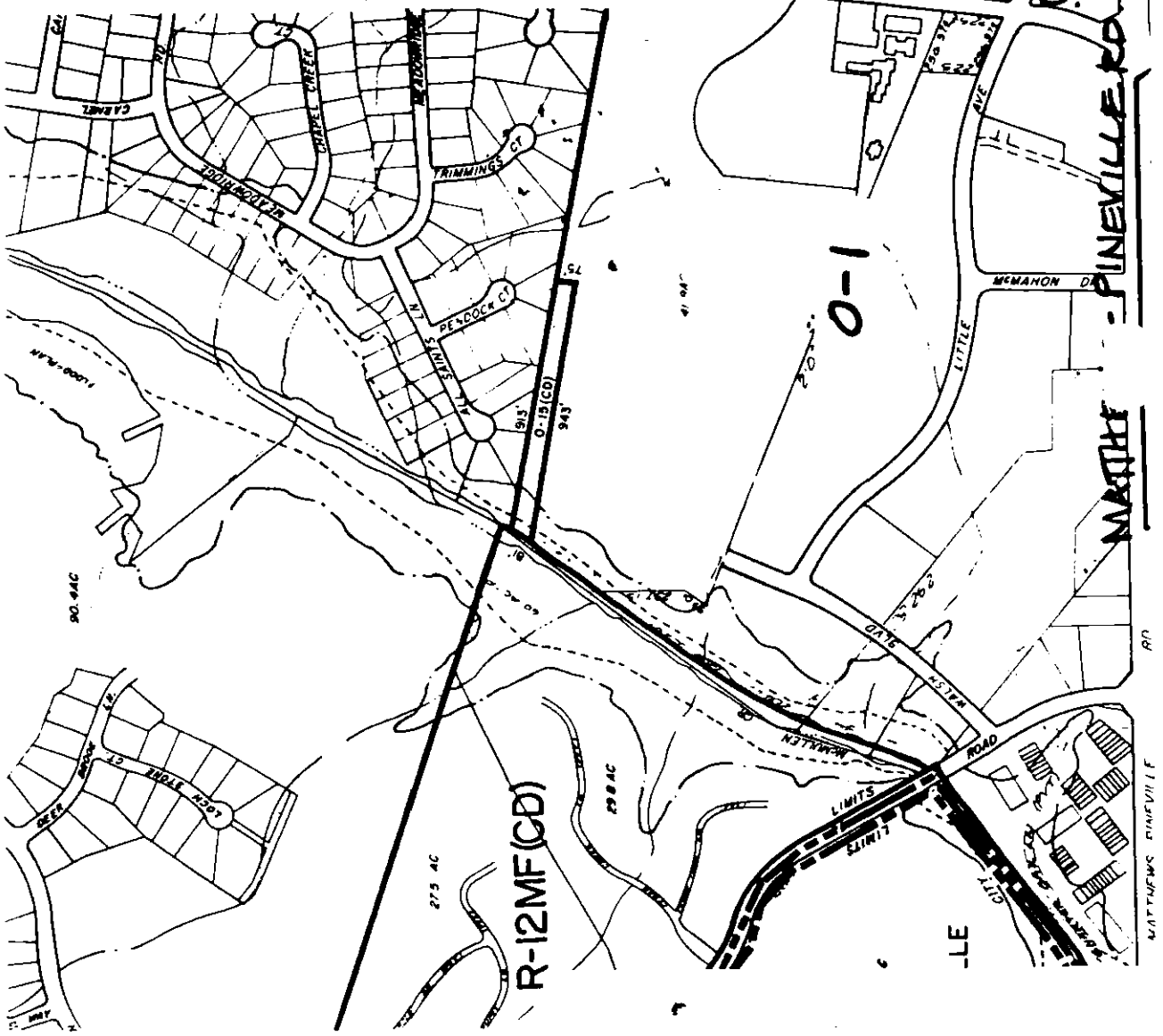
Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of September, 19 94, the reference having been made in Minute Book 106 ~~at page~~ ~~XXXXXX~~ and recorded in full in Ordinance Book 46, Pages 11-12.

[Signature]
City Clerk
Brenda R. Freeze

Q5UEB2
001



REZONE R-15MF CD TO R-3



APPROVED BY CITY COUNCIL
DATE September 19, 1994

CITY CD

Petition No. 94-33
National Income Realty Trust

ORDINANCE NO. 128-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 15.26 acres located on the north side of N. Tryon Street west of West Sugar Creek Road; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on April 18, 1994; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-2 to I-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

See Attached

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

-continued-

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

APPROVED AS TO FORM:

H. Marshall
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 September, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 14-16A.

Brenda R. Freeze, CMC
City Clerk
Brenda R. Freeze

PROPERTY under REZONING PETITION # 94-33

Located in the City of Charlotte, Mecklenburg County, and more specifically described as follows:

BEGINNING at a point located five (5) courses and distances as follows from the intersection of the northerly margin of the right-of-way of North Tryon Street (100' right-of-way) with the westerly margin of the right-of-way of Sugar Creek Road: (1) chord bearing and distance South 62-29 West 392.79 feet to a point in the northerly most margin of the right-of-way of North Tryon Street; (2) with that margin South 52-18 West 150 feet to an existing iron pipe; (3) North 37-42 West 260.00 feet to a spike; (4) North 52-18 East 166.19 feet to an existing iron pipe in the boundary of property owned now or formerly by Sugar Creek Presbyterian Church; and (5) with a common boundary with said church North 06-52 East 196.51 feet to the point and place of BEGINNING; and running thence from said point or place of BEGINNING four (4) courses and distances as follows with a common boundary with said church: (1) North 06-52 East 46.64 feet to an existing iron pipe; (2) North 18-39-30 West 428.51 feet to an existing iron pipe; (3) North 55-20 West 136.88 feet to an existing iron pipe; and (4) South 51-03-30 West 177.74 feet to an existing iron pipe; thence South 50-51-00 West 50.77 feet to an existing iron pipe; thence South 50-59-30 West 464.03 feet to an existing iron pipe; thence South 51-01 West 449.52 feet to an existing iron pipe; thence South 29-14-30 East 523.60 feet to an existing iron pipe; thence North 52-03-30 East 86.34 feet to an existing iron pipe; thence South 43-22-50 East 21.11 feet to a point; thence North 52-18 East 999.45 feet to the point or place of BEGINNING; containing 15.260 acres, more or less, all as more particularly shown on that survey entitled "National Income Realty Trust, North Tryon Street Property, Charlotte, North Carolina," dated June 23, 1989, and last revised (for rezoning purposes only) on July 20, 1994, and prepared by Borum, Wade and Associates, P.A.

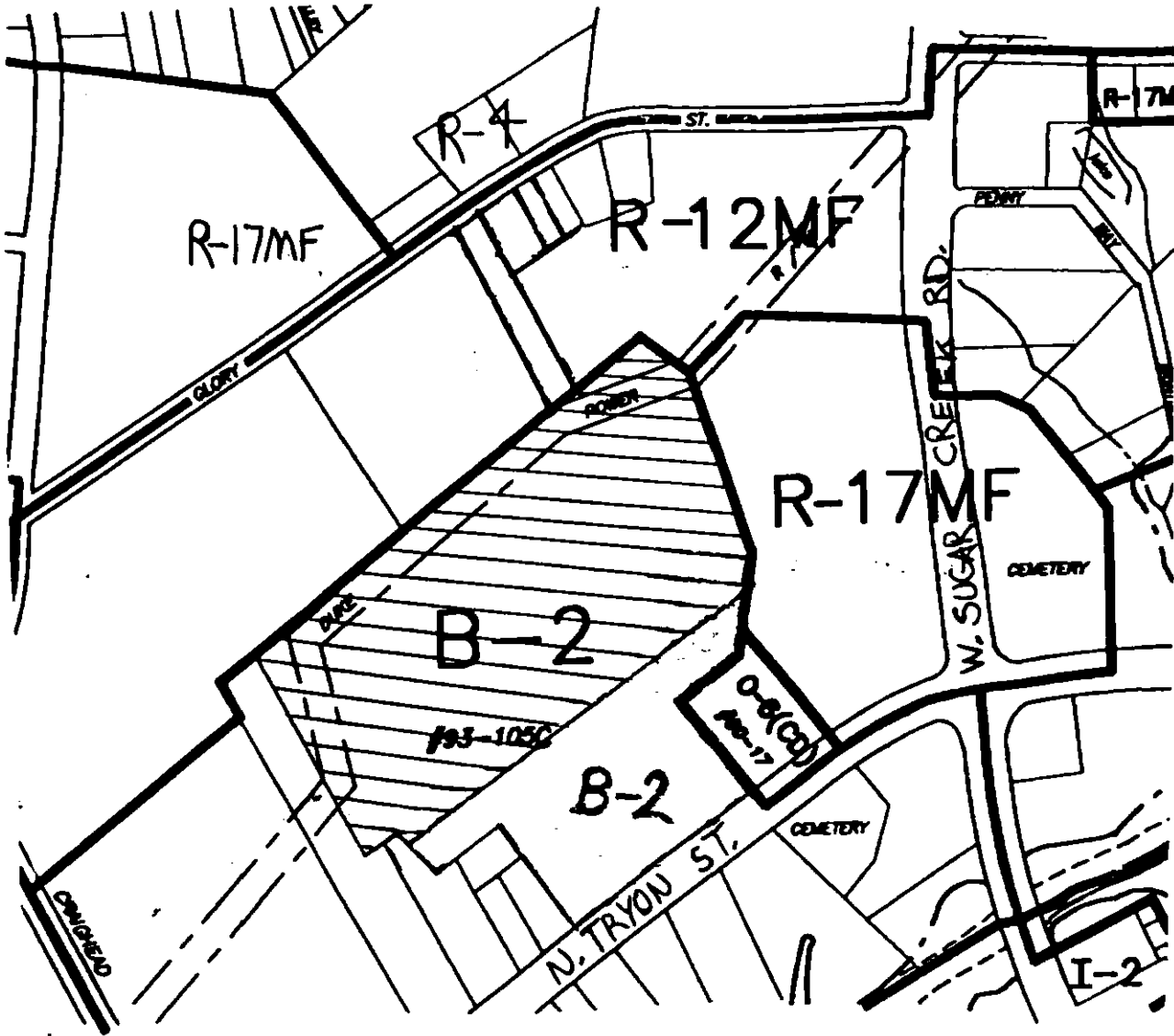
Petition #: 94-33

Petitioner: National Income Realty Trust
Hearing Date: April 18, 1994

Zoning Classification (Existing): B-2

Zoning Classification (Requested): I-1(CD)

Location: Approximately 15.26 acres located on the north side of N. Tryon Street west of West Sugar Creek Road.



Zoning Map #(s): 78

Scale: 1" = 400'

APPROVED BY CITY COUNCIL
DATE September 19, 1994

CITY CD

Petition No. 94-60
Harris Hart Clothing Co., Inc.

ORDINANCE NO. 129-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 31,500 square feet located on the northeast corner of the intersection between South Boulevard and E. Park Avenue; and

WHEREAS, the petition for rezoning for a conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on July 18, 1994; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-1 to NS on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

See Attached

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

-continued-

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

APPROVED AS TO FORM:

H. Murrain

Dep. 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 September, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 17-19.

Brenda R. Freeze, CMC

City Clerk
Brenda R. Freeze

LAND DESCRIPTION:

POINT OF BEGINNING IS THE INTERSECTION OF THE EASTERN RIGHT-OF-WAY OF SOUTH BOULEVARD AND THE NORTHERN RIGHT-OF-WAY OF EAST PARK AVENUE; THENCE RUNNING ALONG THE EASTERN RIGHT-OF-WAY OF SOUTH BOULEVARD BEARING N 47°16'59" E 224.92', THENCE TURNING AND RUNNING S 42°36'59" E 140.00', THENCE TURNING AND RUNNING S 47°16'38" W 225.00', THENCE TURNING AND RUNNING ALONG THE NORTHERN RIGHT-OF-WAY OF EAST PARK AVENUE BEARING N 42°34'55" W 140.02' TO THE POINT OF BEGINNING.

Petition #: 94-60

September 19, 1994
Ordinance Book 46, Page 19

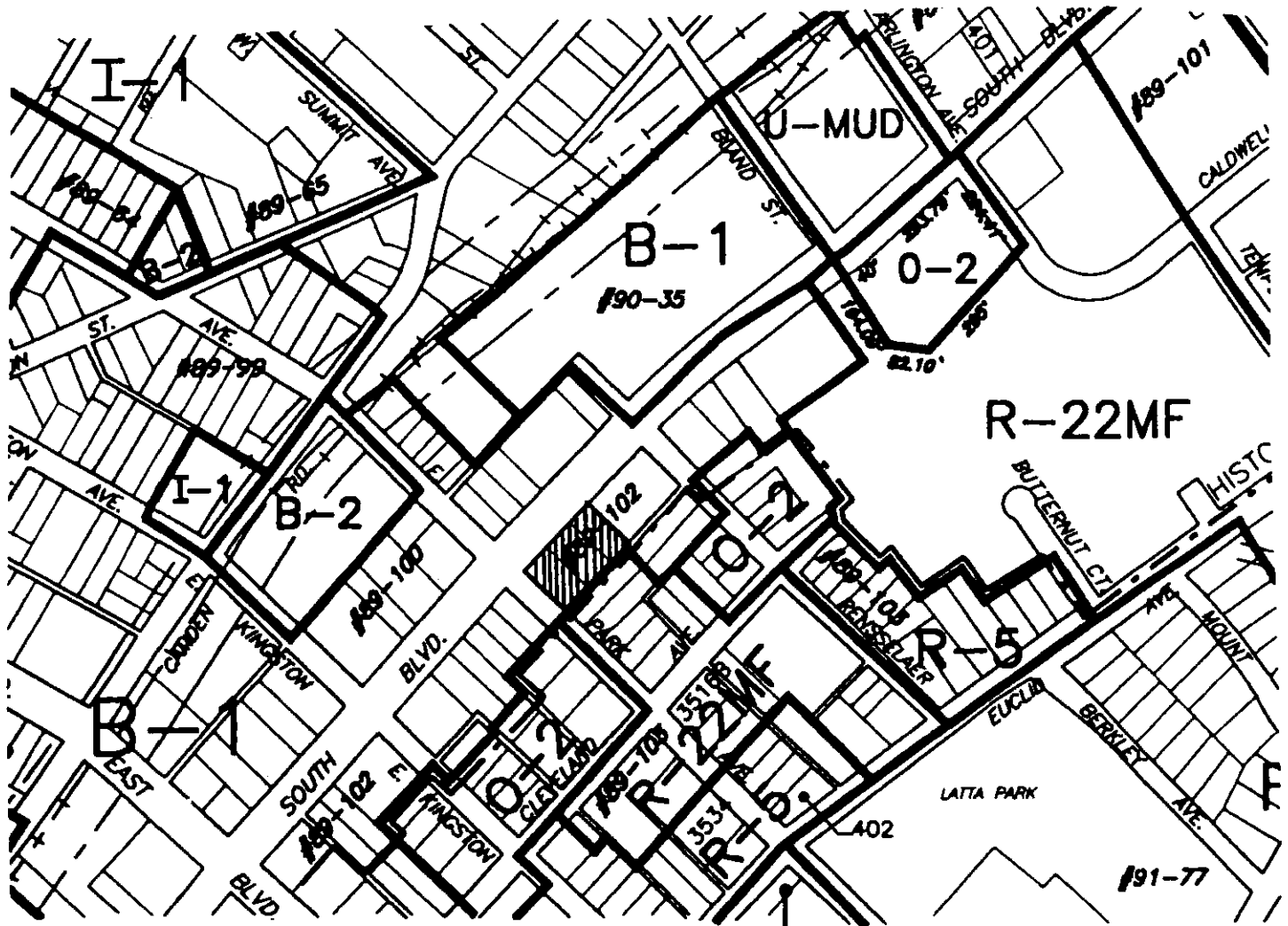
Petitioner: Harris Hart Clothing Co., Inc.

Hearing Date: July 18, 1994

Zoning Classification (Existing): B-1

Zoning Classification (Requested): NS

Location: Approximately 31,500 square feet located on the northeast corner of the intersection between South Boulevard and E. Park Avenue.



Zoning Map #(s): 102

Scale: 1" = 400'

APPROVED BY CITY COUNCIL

DATE September 19, 1994

ORDINANCE NO. 130

**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 City of Charlotte is hereby amended as follows:

- 1 - Amend Chapter 13 Signs, Section 13.110 Creation of Special Sign Regulations, Sub-Section (2) Planned Development Flexibility Option, Paragraph (C) IV. by adding the following at the end of the sentence:

" . . . except when located along a Class I, II or III street, the height does not exceed 16 feet."

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

Approval 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 September, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46, at page(s) 20.

Brenda R. Freeze
City Clerk

APPROVED BY CITY COUNCIL
DATE September 19, 1994

CITY ZONE CHANGE

Petition No. 94-67
Mecklenburg County

ORDINANCE NO. 131-Z

ZONING REGULATIONS

MAP AMENDMENT NO. _____

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by change from Inst. to O-2 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

J. B. Michael
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 September, 19 94, the reference having been made in Minute Book 106, at page XXXXXXXXXX and recorded in full in Ordinance Book 46, Pages 21-23.

Brenda R. Freeze
City Clerk
Brenda R. Freeze

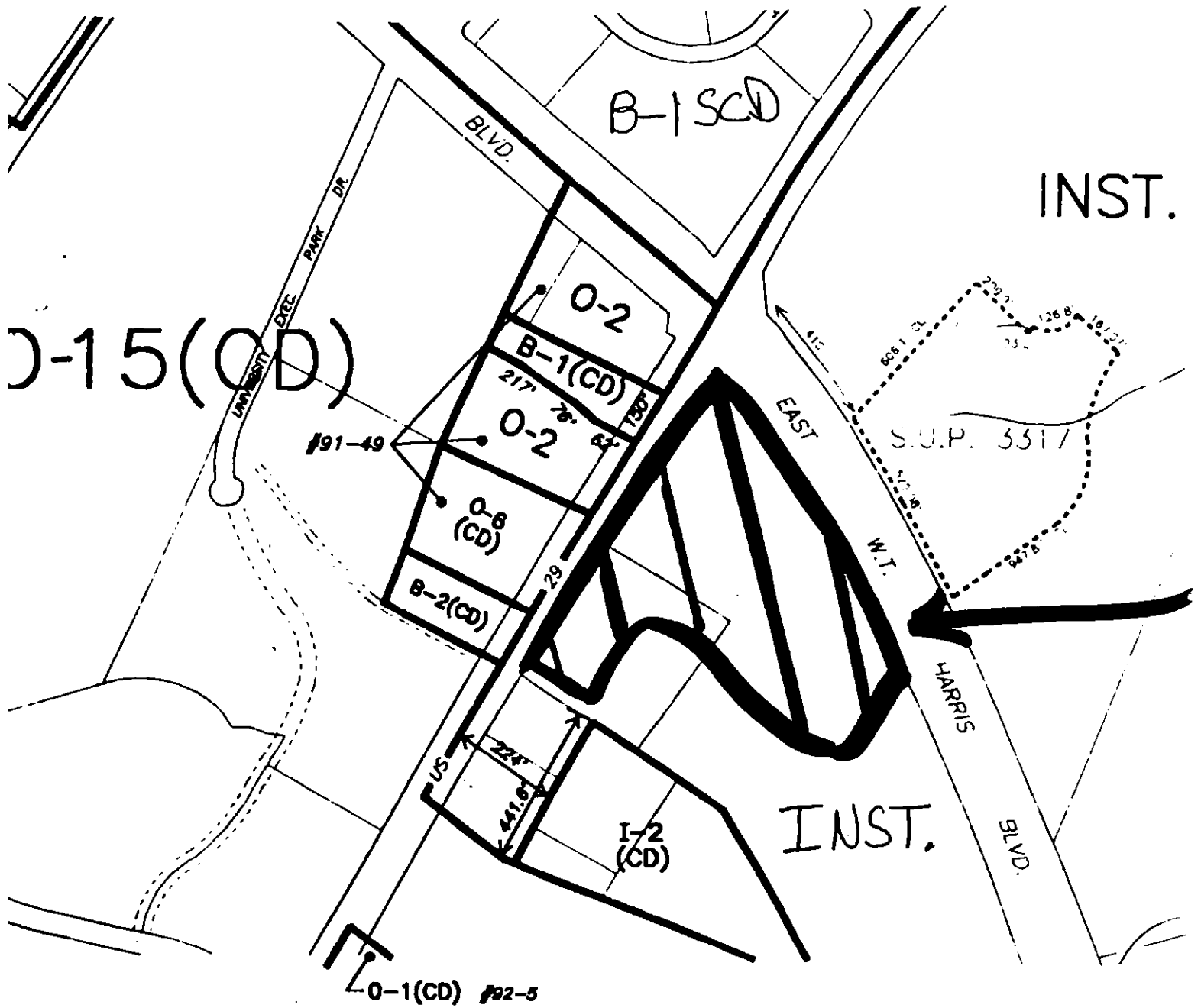
Petitioner: Mecklenburg County

Hearing Date: July 18, 1994

Zoning Classification (Existing): Inst.

Zoning Classification (Requested): O-2

Location: Approximately 9.1 acres located on the southeast corner of the intersection between Harris Boulevard and US Highway 29.



Zoning Map #(s): 58

Scale: 1" = 400'

Petition 94-67

Beginning at a point on the south side of the intersection between East W.T. Harris Boulevard and U.S. Highway 29; thence with the right-of-way of W.T. Harris Boulevard on a curve with a radius of 3636.25' and arc length of 920.83'; thence S 52 W, 274 feet; thence N 37 W, 104 feet; thence N 57 W, 231 feet; thence N 57-12-36 W, 170 feet; thence S 32-47-24 W, 280 feet; thence N 57-12-36 W, 213.90 feet; thence with a curve having a radius of 20 and arc length of 30.34 feet; thence N 29-42-08 E, 571.10 feet; thence N 34-01-57 E 272.87 feet to the point and place of beginning.

APPROVED BY CITY COUNCIL
DATE September 19, 1994

Petition No: 94-68
Petitioner: Attorney Robert Bradshaw

ORDINANCE NO. 132

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 11.402 by adding the following as paragraph (7) and renumbering the remaining paragraphs in proper sequence:
 - (7) Dwellings, attached and multi-family up to twelve (12) units in a building.
2. Amend Section 11.403(5)(c) to read as follows:
 - (c) Dwellings will occupy no more than 80 percent of the total floor area of all buildings on the lot.
3. Amend Section 11.403 by adding the following as paragraph (6) and renumbering the remaining paragraphs in proper sequence:
 - (6) Dwellings, planned multi-family and attached development, a single multi-family or attached building on a lot with more than twelve (12) units in a building, subject to the requirements of subsection 9.303(19).
4. Amend Section 11.405 by adding the following as paragraph (3) and renumbering the remaining paragraphs in proper sequence:
 - (3) Residential Development within the CC district shall meet the area, yard and bulk requirements established in Section 9.305 for the R-22MF district.

Petition No.: 94-68
Petitioner: Attorney Robert Bradshaw

5. Replace existing Section 11.405(4), which currently reads:

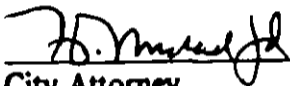
All buildings and uses at the project perimeter will be separated by a Class B buffer from any abutting property located in a residential district, abutting residential use or low intensity institutional uses (See Section 12.302).

with the following:

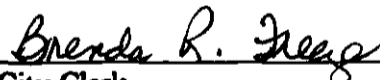
All non-residential development and uses at the project perimeter shall be separated by a Class B buffer from any abutting properties located in a residential district, abutting residential uses or low intensity institutional uses. All residential development at the project perimeter shall be subject to the buffer requirements specified in Section 12.302. Buffer requirements for mixed use projects in the CC district, when located within the interior of the development, may be reduced or waived in their entirety.

Section 2. This Ordinance shall become effective upon adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in a regular session convened on the 19th day of September, 1994, the reference having been made in Minute Book 106, and recorded in full in Ordinance Book 46, at page 24-25.


City Clerk
Brenda R. Freeze

APPROVED BY CITY COUNCIL
DATE September 19, 1994

CITY CD

Petition No. 94-69
Platinum Properties LLC

ORDINANCE NO. 133-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately .95 acres located on the south side of NC Highway 51 east of Carmel Commons Boulevard; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on July 18, 1994; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-1SCD to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

See Attached

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

-continued-

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

APPROVED AS TO FORM:

Deq H. M. M. M. M. M.
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 September, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 27-29.

City Clerk

BOUNDARY DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF CHARLOTTE, COUNTY OF MECKLENBURG AND STATE OF NORTH CAROLINA BEING PART OF LANDS CONVEYED TO CHARLOTTE CAPITAL PARTNERS BY A DEED RECORDED IN THE MECKLENBURG COUNTY REGISTRY OFFICE IN DEED BOOK _____ AT PAGE _____ AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY RIGHT OF WAY BOUNDARY OF N.C. HIGHWAY 51, a.k.a. PINEVILLE-MATTHEWS ROAD, SAID POINT BEING LOCATED ALONG SAID RIGHT-OF-WAY BOUNDARY FROM THE INTERSECTION POINT OF THE EASTERLY RIGHT-OF-WAY BOUNDARY OF CARMEL COMMONS BOULEVARD WITH THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF SAID N.C. HIGHWAY 51 THE FOLLOWING TWO (2) COURSES:

- 1.) S.89°36'38"E. A DISTANCE OF 12.00 FEET;
- 2.) S.89°50'43"E. A DISTANCE OF 201.06 FEET;

RUNNING THENCE ALONG SAID RIGHT-OF-WAY BOUNDARY S.89°50'43"E. A DISTANCE OF 190.00 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY BOUNDARY ON NEW LINES THROUGH SAID LANDS OF CHARLOTTE CAPITAL PARTNERS THE FOLLOWING THREE COURSES:

- 1.) S.00°05'50"W. A DISTANCE OF 218.12 FEET TO A POINT;
- 2.) S.89°54'10"W. A DISTANCE OF 190.00 FEET TO A POINT;
- 3.) N.00°05'50"W. A DISTANCE OF 219.85 FEET TO THE POINT OF

BEGINNING CONTAINING 0.95 ACRES OR 41,522 SQUARE FEET OF LAND, MORE OR LESS.

SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

Petition #: 94-69

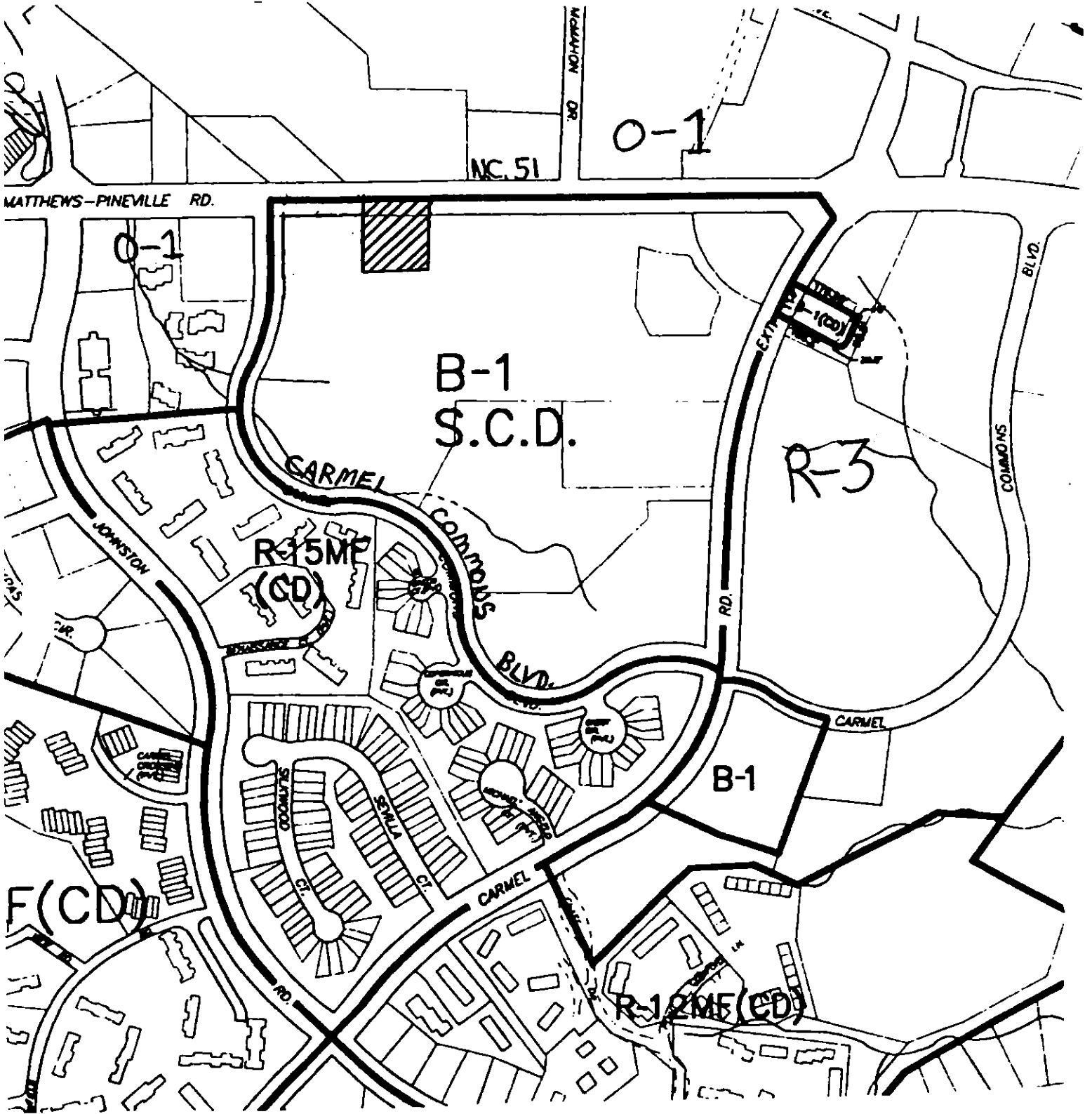
Petitioner: Platinum Properties LLC

Hearing Date: July 18, 1994

Zoning Classification (Existing): B-1 SCD

Zoning Classification (Requested): B-1(CD)

Location: Approximately .95 acres located on the south side of N.C. Highway 51 east of Carmel Commons Boulevard.



Zoning Map #(s): 167

Scale: 1" = 400'

APPROVED BY CITY COUNCIL
DATE September 19, 1994

CITY CD

Petition No. 94-70
John McDonald

ORDINANCE NO. 134-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 1.60 acres located on the north side of Wilson Avenue east of Beatties Ford Road; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on July 18, 1994; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-4 to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

See Attached

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

-continued-

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

APPROVED AS TO FORM:

H. McDonald

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 September, 1994, the reference having been made in Minute Book 206, and is recorded in full in Ordinance Book 46 at page 30-32.

Brenda R. Freeze

City Clerk
Brenda R. Freeze

Legal Description
Property owned by John McDonald to be Rezoned

DESCRIPTION:

Being all of Lots 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40, Block D, Wilson Heights as shown in Map Book 3, Page 82 of the Mecklenburg County Public Registry.

September 19, 1994

Ordinance Book 46, Page 32

Petition #: 94-70

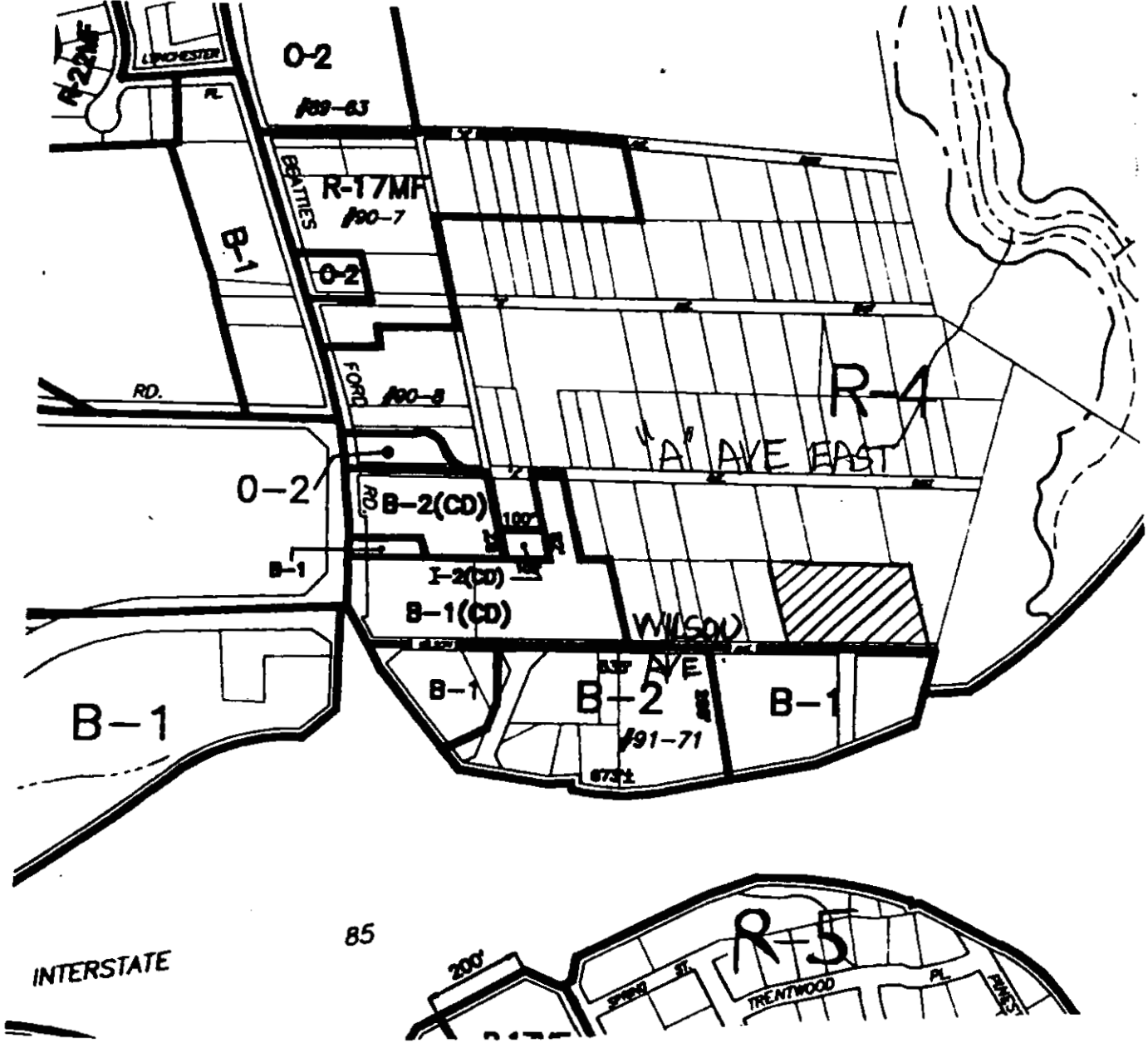
Petitioner: John McDonald

Hearing Date: July 18, 1994

Zoning Classification (Existing): R-4

Zoning Classification (Requested): B-1(CD)

Location: Approximately 1.60 acres located on the north side of Wilson Avenue east of Beatties Ford Road.



Zoning Map #(s): 79

Scale: 1" = 400'