

CITY CD

Petition No. 95-2  
David H. Poer

ORDINANCE NO. 291-Z

APPROVED BY CITY COUNCIL  
DATE May 15, 1995

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 10.12 acres located on the easterly side of Little Rock Road south of the intersection of Moores Chapel Road, Little Rock Road and Freedom Drive; 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 January 23, 1995; and

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

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-3 and B-1(CD) to CC on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

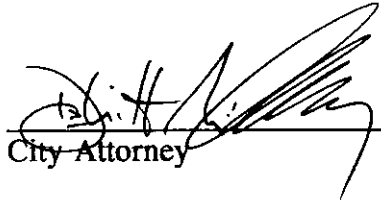
SEE ATTACHED

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

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

-continued-

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 15th day of May, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 349-351B.

  
\_\_\_\_\_  
City Clerk                      Brenda R. Freeze

- 13. THE PROPERTY WILL BE DEVELOPED IN ACCORDANCE WITH THE CHARLOTTE-MECKLENBURG STORM WATER DESIGN MANUAL AND HAVE THE DESIGN APPROVED BY THE ENGINEERING AND PROPERTY MANAGEMENT'S LAND DEVELOPMENT DIVISION.
- 14. FIRE HYDRANTS SHALL BE LOCATED WITHIN 750', AS THE FIRE TRUCK TRAVELS, OF THE MOST REMOTE AND ACCESSIBLE POINT OF ALL BUILDINGS.

95-2

### Legal Description

PROJE	S
.09	.0
.10	.2
.12	.02
.12	.19
.1	.23

BEING 10.648 ACRES OF LAND SITUATED IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING LOCATED BETWEEN FREEDOM DRIVE (N.C. HWY. 27) AND LITTLE ROCK ROAD (S.R. 1641), AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT AN OLD IRON AND STONE AT THE COMMON CORNER OF NANCY D. TRICE (DB. 6788, PG. 50), ELLIE McCORD BAILEY (DB. 1250, PG. 66) AND BEING THE NORTHEASTERN CORNER OF THAT 17 ACRE TRACT CONVEYED TO MARY MARSHAL WILLIAMS IN DB. 2062, PG. 41

THENCE WITH THE EASTERN LINE OF SAID 17 ACRE TRACT S 08 DEG 02'00"E 686.49 FEET TO A NEW IRON PIN

THENCE SEVERING THE SAID 17 ACRE TRACT WITH A LINE RUNNING S 81 DEG 58'00"W 178.03 FEET TO A NEW IRON PIN SET THENCE N 71 DEG 19'50"W 234.61 FEET TO A NEW IRON PIN SET

THENCE CONTINUING ACROSS MARY MARSHALL WILLIAMS LAND N 71 DEG 19'50"W 307.24 FEET TO A POINT IN THE CENTER OF LITTLE ROCK ROAD, PASSING A NEW IRON PIN SET AT 276.95 FEET,

THENCE WITH THE CENTERLINE OF LITTLE ROCK ROAD (S.R. 1641) N 26 DEG 36'07"E 712.76 FEET TO A POINT IN THE LINE OF MARY MARSHALL WILLIAMS (DB. 2062, PG. 41) SAID POINT BEING LOCATED S 69 DEG 29'27"E 34.26 FEET FROM A CONCRETE MONUMENT,

THENCE WITH THE NORTHERN LINE OF MARY MARSHALL WILLIAMS S 69 DEG 29'27"E 248.74 FEET TO AN OLD IRON, A COMMON CORNER OF TRICE (DB. 6788, PG. 50) AND W.F. PITTMAN (D.B. 2996, PG. 242),

THENCE WITH THE WEST LINE OF TRICE N 63 DEG 5'06"E 239.03 FEET TO AN OLD IRON,

THENCE N 60 DEG 22'05"E 30.22 FEET TO A POINT IN THE CENTER OF FREEDOM DRIVE,

THENCE WITH CENTERLINE S 29 DEG 17'34"E 99.66 FEET TO A POINT FOR THE EASTERN CORNER OF TRICE,

THENCE S 60 DEG 22'05"W 175.10 FEET TO POINT OR PLACE OF BEGINNING.

THIS DESCRIPTION IS FOR A 10.648 ACRE TRACT OF LAND COMPRISED OF 0.528 ACRE FROM NANCY D. TRICE, 1.00 ACRE FROM JERRY A. WILLIAMS AND 9.12 ACRES FROM MARY MARSHALL WILLIAMS, AND IS TO BE USED FOR REZONING PURPOSES ONLY.

S H E  
illus





**Petition #:** 95-2

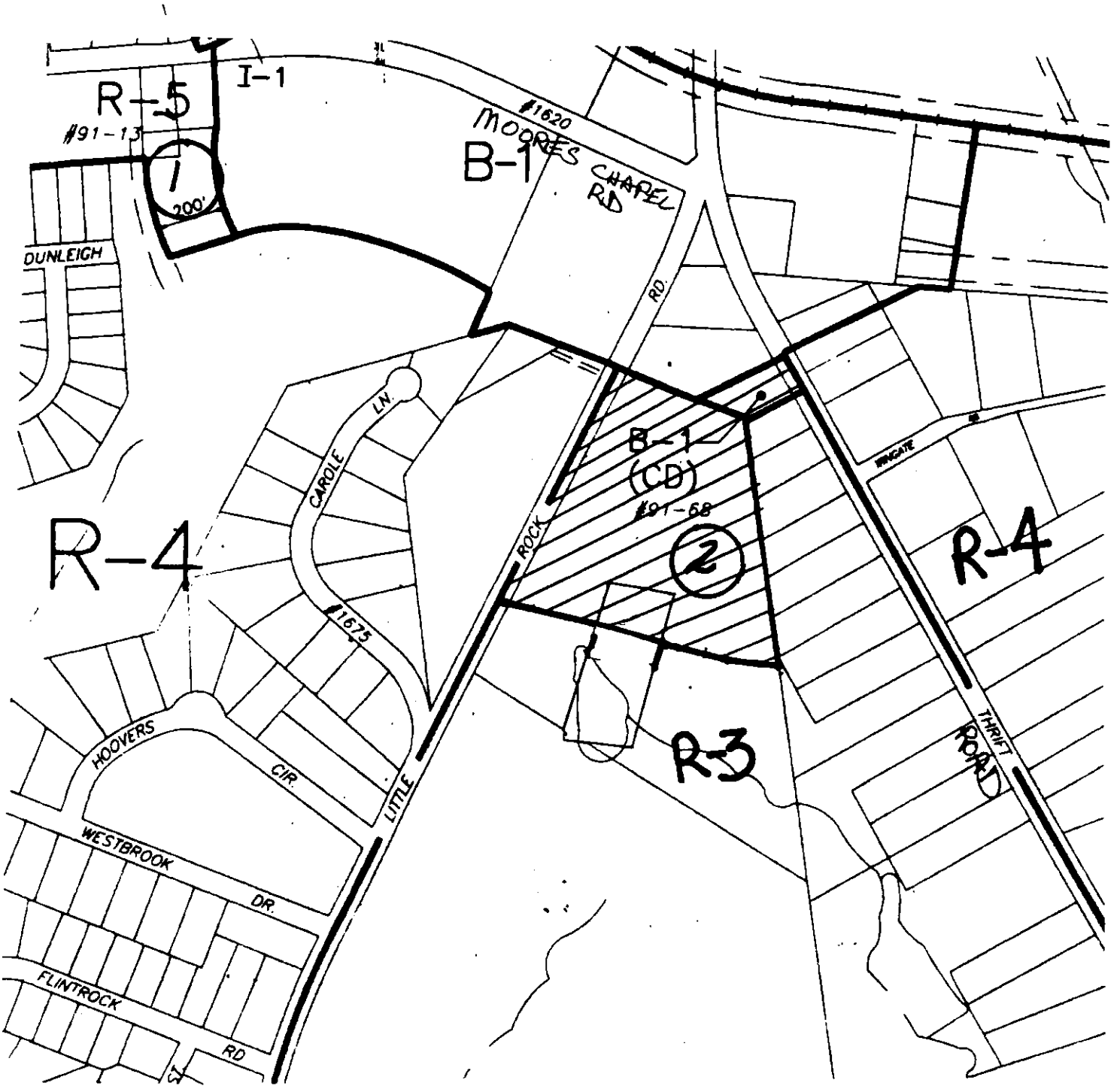
**Petitioner:** David H. Poer

**Hearing Date:** January 17, 1995

**Zoning Classification (Existing):** R-3 and B-1(CD)

**Zoning Classification (Requested):** CC

**Location:** Approximately 10.12 acres located on the east side of Little Rock Road south of Moores Chapel Road.



Zoning Map #(s): 81

Scale: 1" = 400'

OFFICIAL REZONING APPLICATION  
CITY OF CHARLOTTE

Petition #: 95-2  
Date Filed: Oct 31, 1994  
Received By: T. News  
OFFICE USE ONLY

OWNERSHIP INFORMATION: \*SEE ATTACHED FOR ADDL OWNERS

Property Owner: 1) MARY WILLIAMS

Owner's Address: 707 LITTLE ROCK ROAD, CHARLOTTE 28214

Date Property Acquired: 1958

Tax Parcel Number(s): Portion 059-231-22, 059-231-23, 059-231-18

LOCATION OF PROPERTY (Address or Description): LOCATED AT THE  
INTERSECTION OF LITTLE ROCK ROAD & FREEDOM DR.

Size (Sq.Ft. or Acres): 10.12 Street Frontage (Ft.): \_\_\_\_\_

Current Land Use: UNDEVELOPED

ZONING REQUEST:

Existing Zoning: R-3 + B1(CD) Proposed Zoning: CC

Purpose of Zoning Change: FOR THE CONSTRUCTION OF A SHOPPING  
CENTER OF APPROXIMATELY 64,000 SF.

ROBERT JOHNSON/ROBERT JOHNSON ARCHITECTS  
Name of Agent  
227 WEST TRADE ST./SUITE 2360  
CHARLOTTE, NC 28202  
Agent's Address

704.342.4058 / FAX 704.342.3043  
Telephone Number  
1) Mary Marshall Williams  
2) Jerry A. Wellens  
3) Nancy D. Trice  
Signature of Property Owner  
if other than Petitioner

DAVID H. POER  
Name of Petitioner(s)  
1750 PEACHTREE ST. NW, SE 300  
ATLANTA, GA 30309  
Address of Petitioner(s)

(404) 892.4525  
Telephone Number  
David H. Poer  
Signature

**Petition No. 95-2  
David H. Poer**

## **PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to David H. Poer owner(s) and successors-in-interest of the property described as a portion of tax parcels 059-231-22, 059-231-23 and 059-231-18 and described in detail further in the ordinance, identified below, approved by the City Council.**

**In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of CC on the official zoning map.**

**This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and Chapter 6: Part 1 and 2 of the City of Charlotte Zoning Ordinance, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the City Council under Chapter 6: Part 1 of the City of Charlotte Zoning Ordinance.**

**Three years from the date of approval of this parallel conditional use permit, the Planning Commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.**

CITY CD

Petition No. 95-3  
New St. John Baptist Church

ORDINANCE NO. 292-Z

APPROVED BY CITY COUNCIL  
DATE May 15, 1995

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 5.3 acres located off the westerly side of East W.T. Harris Boulevard at the end of St. John's Church 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 denial 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 17, 1995; 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 R-8MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

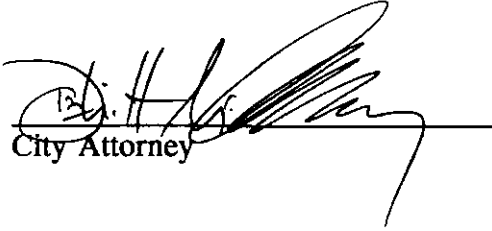
Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

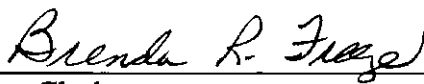
-continued-



APPROVED AS TO FORM:

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of May, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 352-354A.

  
City Clerk      Brenda R. Freeze



**Petition #:** 95-3

**Petitioner:** New St. John Baptist Church

**Hearing Date:** APRIL 17, 1995

**Zoning Classification (Existing):** R-4

**Zoning Classification (Requested):** R-8MF(CD)

**Location:** Approximately 5.3 ± acres located at the end of St. John's Church Road.



Zoning Map #(s): 76 and 77

Scale: 1" = 400'

**OFFICIAL REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #:	<u>95-3</u>
Date Filed:	<u>October 31 1994</u>
Received By:	<u>T. Maes</u>
<b>OFFICE USE ONLY</b>	

**OWNERSHIP INFORMATION:**

Property Owner: New St. John Baptist Church

Owner's Address: 2000 St. John Church Road

Date Property Acquired: 1924

Tax Parcel Number(s): PORTIONS of 097-027-01, 097-032-01 + 097-032-05  
097-033-22 & 23, 097-146-34, 36, 37 & 38

LOCATION OF PROPERTY (Address or Description): 2000 St. John Church Road

Size (Sq.Ft. or Acres): 229,598sq.ft. or 5.31 Acres Street Frontage (Ft.): 284ft. @ St. John Ch. Rd.

Current Land Use: Institutional - Church

**ZONING REQUEST:**

Existing Zoning: R-4 Proposed Zoning: R-8MF(ad)

Purpose of Zoning Change: To allow the construction of a 750-1200 seat Sanctuary

David Joseph Hall, Jr.  
Name of Agent

231 Sylvania Avenue 28206  
Agent's Address

377-2512  
Telephone Number

\_\_\_\_\_  
Fax Number

New St. John Baptist Church  
Name of Petitioner(s)

2000 St. John Church Road 28215  
Address of Petitioner(s)

536-6490  
Telephone Number

\_\_\_\_\_  
Fax Number

Signature of Property Owner  
if other than Petitioner

*Robert H. ...*  
Signature

Petition No. 95-3  
New St. John Baptist Church

## **PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to New St. John Baptist Church owner(s) and successors-in-interest of the property described as a portion of tax parcels 097- 027-01, 097-032-01, 097-032-05 and parcels 097-033-22, 097-033-23, 097-146-34, 097-146-36, 097-146-37 and 097-146-38 and described in detail further in the ordinance, identified below, approved by the City Council.**

**In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of R-8MF(CD) on the official zoning map.**

**This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and Chapter 6: Part 1 and 2 of the City of Charlotte Zoning Ordinance, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the City Council under Chapter 6: Part 1 of the City of Charlotte Zoning Ordinance.**

**Three years from the date of approval of this parallel conditional use permit, the Planning Commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.**

APPROVED BY CITY COUNCIL  
DATE May 15 1995

CITY CD

Petition No. 95-30  
College Town Properties Limited  
Partnership

ORDINANCE NO. 293-7

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 2.54 acres located on the west side of US Hwy 29 south of West W.T. Harris 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 April 17, 1995; 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 O-2 and B-1(CD) to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

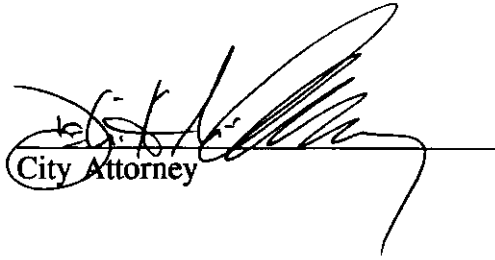
SEE ATTACHED

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

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

-continued-

APPROVED AS TO FORM:

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of May, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 355-357B.

  
City Clerk                      Brenda R. Freeze

Petition #: 95-30

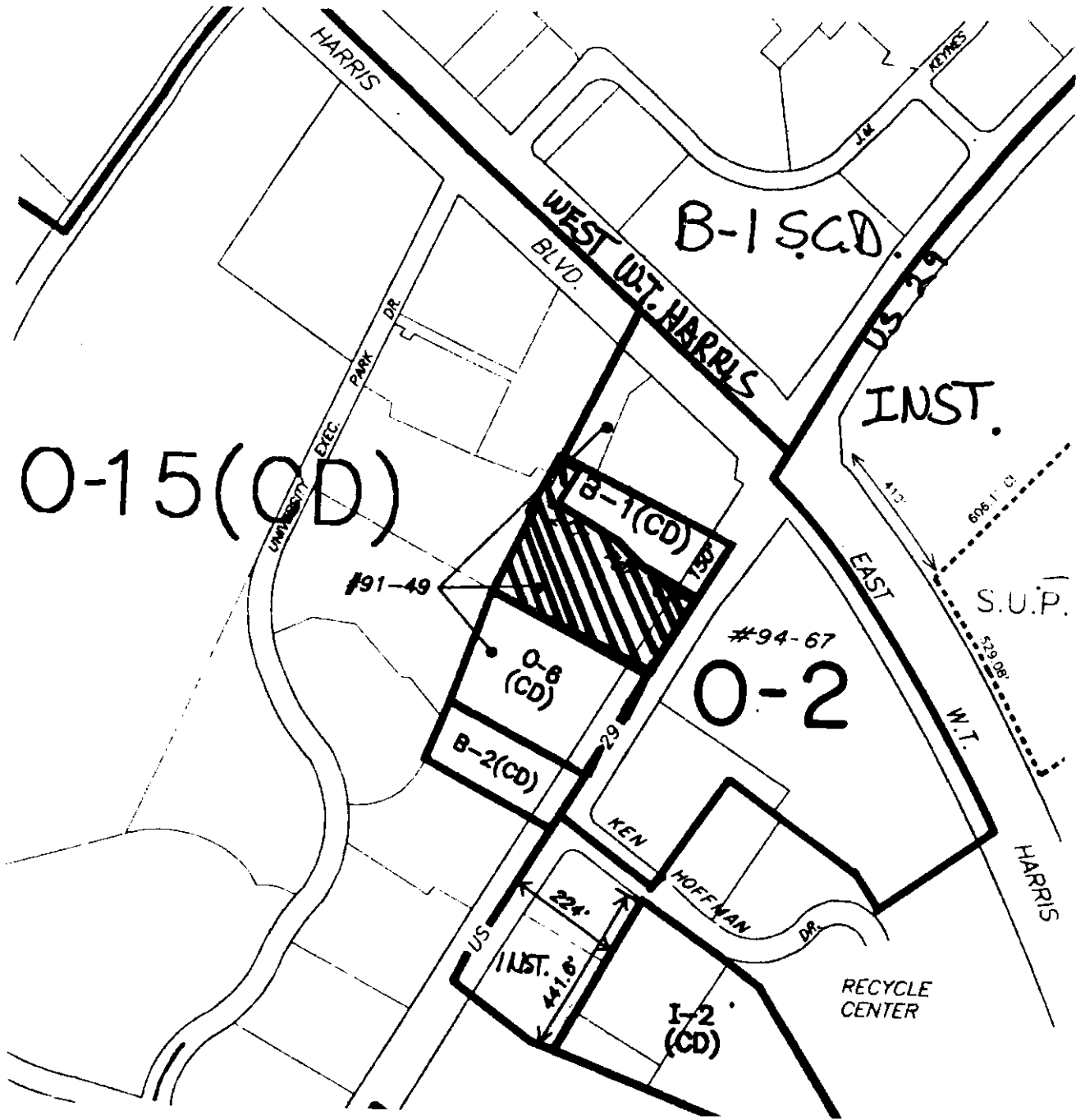
Petitioner: College Town Properties Limited Partnership

Hearing Date: April 17, 1995

Zoning Classification (Existing): O-2 and B-1(CD)

Zoning Classification (Requested): ~~B-1(CD)~~ with a ~~Site Plan Amendment~~ B-2(CD)

Location: Approximately 2.54 acres located on the west side of US Hwy 29 south of West W. T. Harris Boulevard.



Zoning Map #(s): 58

Scale: 1" = 400'



95-26

**METES AND BOUNDS DESCRIPTION  
C. D. REZONING REQUEST FOR COLLEGE TOWN PROPERTIES  
U. S. 29**

**BEGINNING** at an existing iron pin located on the western right-of-way of U. S. Highway 29 at a property corner of parcel owned now or formerly by College Town Properties (Deed Book 4951, Page 349) and parcel owned now or formerly by Marriott Residence Inn II (Deed Book 5940, Page 851), thence proceeding N. ~~64-55~~<sup>36</sup> W. ~~4025~~<sup>4025</sup> feet to an existing iron pin, thence proceeding N. 29-15-51 E., 285.18 feet to an existing iron pin, thence proceeding N. 29-15-51 E., 101.81 feet to a point in the center of a 15' sanitary sewer easement, thence proceeding along center line of said easement S. 64-54-10 E., 47.12 feet to an existing iron pin, thence proceeding S. 29-15-51 ~~W.~~, 106 feet to an existing iron pin, thence proceeding S. 59-48-19 E., ~~2700~~<sup>2700</sup> feet to a point, thence proceeding S. 49-21-18 E., 76.07 feet to a point, thence proceeding S. 60-57-57 E., 62 feet to an existing iron pin located on the western right-of-way of U. S. Highway 29 at property corner owner now or formerly by College Town Properties (Deed Book 4951, Page 349) and parcel owned now or formerly by Village Oaks Properties (Deed Book 6832, Page 841), thence proceeding S. 29-02-03 W., 236.71 feet to the point and place of **BEGINNING** for a 2.54 acre parcel as shown on a survey by R. B. Pharr & Associates dated September 14, 1987 and on a survey by Carolina Surveyors, Inc. dated March 10, 1992.

Petition No. 95-30  
College Town Properties Limited

## **PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to College Town Properties Limited Partnership owner(s) and successors-in-interest of the property described as tax parcel 047-211-05 and a portion of tax parcel 047-211-15 and described in detail further in the ordinance, identified below, approved by the City Council.**

**In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of B-2(CD) on the official zoning map.**

**This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and Chapter 6: Part 1 and 2 of the City of Charlotte Zoning Ordinance, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the City Council under Chapter 6: Part 1 of the City of Charlotte Zoning Ordinance.**

**Three years from the date of approval of this parallel conditional use permit, the Planning Commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.**

CITY CD

Petition No. 95-31  
Audrey McCaskill/Temple Baptist  
Church

ORDINANCE NO. 294-Z

APPROVED BY CITY COUNCIL  
DATE May 15, 1995

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 .43 acres located on the northwest corner of the interscetion between Parkway Avenue and Tuckaseegee 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 17, 1995; 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:

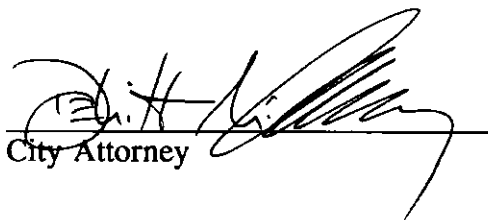
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-22MF to O-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

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

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

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 15th day of May, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 358-360.

  
City Clerk Brenda R. Freeze



**Petition #:** 95-31

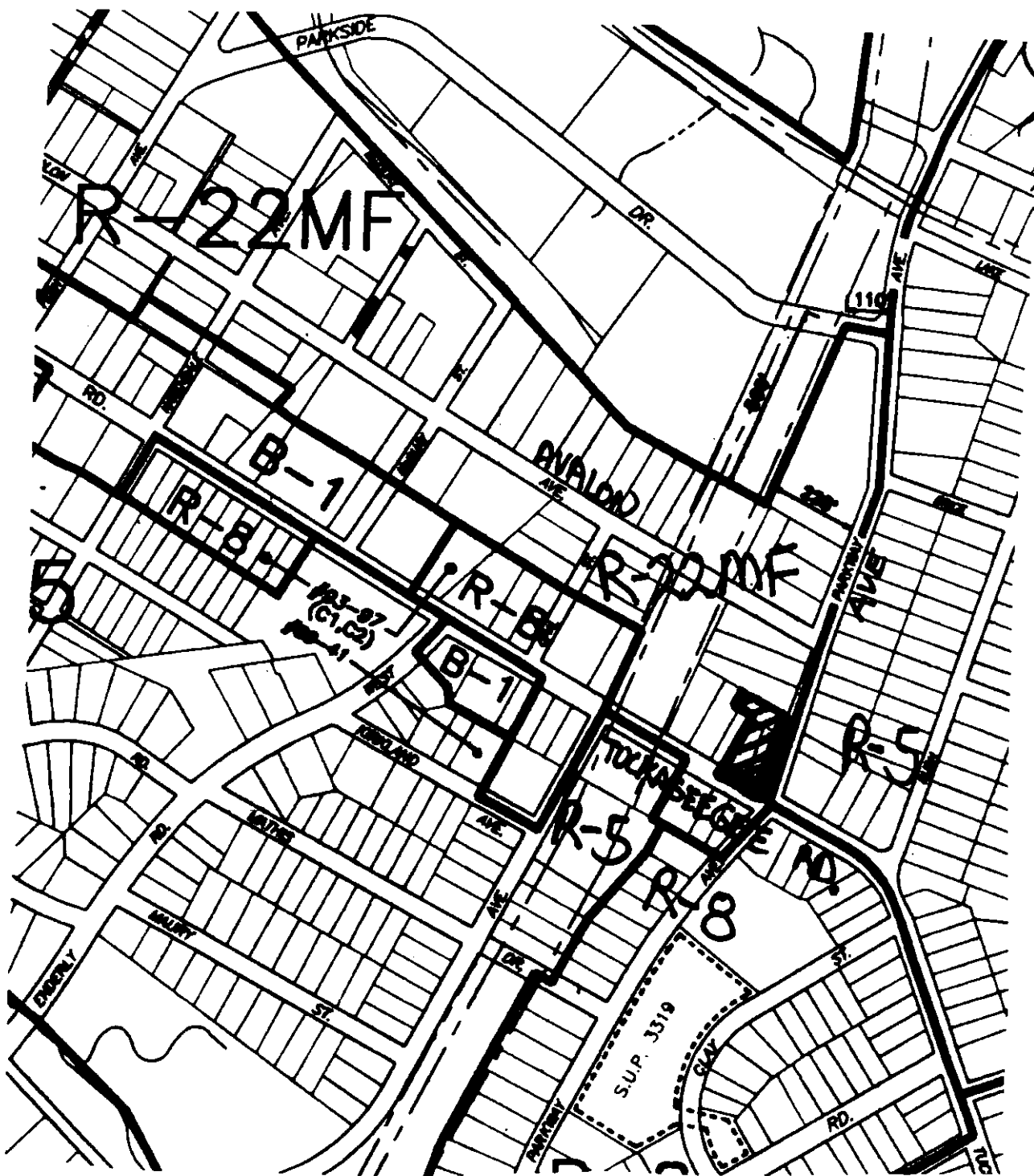
**Petitioner:** Audrey McCaskill/Temple Baptist Church

**Hearing Date:** April 17, 1995

**Zoning Classification (Existing):** R-22MF

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

**Location:** Approximately .43 acres located on the northwest corner of the intersection between Parkway Avenue and Tuckasegee Road.



Zoning Map #(s): 87

Scale: 1" = 400'

**OFFICIAL REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #: 95-31  
Date Filed: January 17, 1995  
Received By: T. Phoebe  
**OFFICE USE ONLY**

**OWNERSHIP INFORMATION:**

Property Owner: TEMPLE CHURCH TRUSTEES  
Owner's Address: 2916 TUCKASEE RD. CHARLOTTE, NC 28208  
Date Property Acquired: 8-5-94, 8-5-94, 7-10-74  
Tax Parcel Number(s): 065-04-10; 065-04-11; 065-04-12

**LOCATION OF PROPERTY (Address or Description):** 2913 PARKWAY AVE.  
AT THE CORNER OF PARKWAY & TUCKASEE RD.  
Size (Sq.Ft. or Acres): 0.43 ACRES  
18,000 SF Street Frontage (Ft.): 268'  
Current Land Use: VACANT

**ZONING REQUEST:**

Existing Zoning: R22MF Proposed Zoning: O-1 CD  
Purpose of Zoning Change: TO ALLOW TEMPLE BAPTIST CHURCH MEMBERS &  
VISITORS TO PARK OFF STREET

The FWA Group  
Name of Agent  
Two Nations Bank Plaza  
101 S. Tryon St. Charlotte, NC 28200  
Agent's Address  
(704) 332-7004 (704) 332-6829  
Telephone Number Fax Number

Signature of Property Owner  
if other than Petitioner

Audrey McKeith  
Name of Petitioner(s)  
2916 TUCKASEE RD. CHARLOTTE, NC 28208  
Address of Petitioner(s)  
372-2416  
Telephone Number Fax Number  
Audrey McKeith  
Signature

Trustees of Temple Church  
MEETS AND BOUNDS

**DESCRIPTION:**

**BEGINNING** AT AN EXISTING IRON PIN IN THE WESTERLY MARGIN OF PARKWAY AVENUE, SAID POINT BEING THE NORTHEAST CORNER OF LOT 1, BLOCK 4, LAKEWOOD HEIGHTS AS SHOWN IN MAP BOOK 332, PAGE 280 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY AND RUNS THENCE WITH THE WESTERLY MARGIN OF PARKWAY AVENUE IN TWO COURSES AND DISTANCES AS FOLLOWS; 1) S. 19-04-52 W. 175.01 FEET TO A NEW IRON PIN; 2) WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 33.50 FEET, AN ARC DISTANCE OF 33.99 FEET (CHORD S. 77-27-57 W. 32.55 FEET) TO A NEW IRON PIN IN THE NORTHERLY MARGIN OF TUCKASEEGEE ROAD; THENCE WITH THE NORTHERLY MARGIN OF TUCKASEEGEE ROAD N. 61-49-18 W. 71.01 FEET TO AN EXISTING IRON PIN IN THE COMMON LINE BETWEEN LOTS B AND C, ENDERLY PARK AS SHOWN IN MAP BOOK 3, PAGE 213 OF SAID REGISTRY; THENCE WITH SAID COMMON LINE BETWEEN LOTS B AND C, N. 28-14 E. 141.68 FEET TO A NEW IRON PIN, SAID POINT BEING THE NORTHEAST CORNER OF LOT C, ENDERLY PARK AS SHOWN IN MAP BOOK 3, PAGE 213 OF SAID REGISTRY; THENCE WITH THE NORTHERLY LINE OF LOTS C, D, AND E, ENDERLY PARK N. 62-17-35 W. 50.00 FEET TO A NEW IRON PIN, SAID POINT BEING THE NORTHWEST CORNER OF LOT D, ENDERLY PARK; THENCE WITH THE EASTERLY LINE OF LOT E, N. 27-42-25 E. 51.80 FEET TO A NEW IRON PIN IN THE SOUTHERLY LINE OF LOT 5, BLOCK 4, LAKEWOOD HEIGHTS AS SHOWN IN MAP BOOK 332, PAGE 280 OF SAID REGISTRY, SAID POINT BEING THE NORTHWEST CORNER OF LOT 2, LAKEWOOD HEIGHTS; THENCE WITH THE SOUTHERLY LINE OF LOT 5, BLOCK 4, S. 62-17-35 E. 118.30 FEET TO THE POINT AND PLACE OF **BEGINNING**. BEING A PORTION OF LOTS 1 AND 2, BLOCK 4, LAKEWOOD HEIGHTS AS SHOWN IN MAP BOOK 332, PAGE 280 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY AND A PORTION OF LOTS A AND B, ENDERLY PARK AS SHOWN IN MAP BOOK 3, PAGE 213 OF SAID REGISTRY ALL AS SHOWN MORE PARTICULARLY ON A SURVEY PREPARED BY BOBBY J. RAYE DATED JULY 14, 1994.

**Petition No. 95-31**  
**Audrey McCaskill/Temple Baptist**  
**Church**

**PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to Audrey McCaskill/Temple Baptist Church owner(s) and successors-in-interest of the property described as tax parcel 065-041-10, 065-041-11 and 065-041-12 and described in detail further in the ordinance, identified below, approved by the City Council.**

**In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of O-1(CD) on the official zoning map.**

**This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and Chapter 6: Part 1 and 2 of the City of Charlotte Zoning Ordinance, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the City Council under Chapter 6: Part 1 of the City of Charlotte Zoning Ordinance.**

**Three years from the date of approval of this parallel conditional use permit, the Planning Commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.**

CITY CD

Petition No. 95-32  
Public Library of Charlotte and  
Mecklenburg County

ORDINANCE NO. 295-Z

APPROVED BY CITY COUNCIL

DATE May 15, 1995

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 2.08 acres located on the east side of Beatties Ford Road between Gilbert Street and Holly Street; 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 17, 1995; 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(CD), B-1 and R-17MF to O-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

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

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

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 15th day of May, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 361-363.

  
City Clerk

Brenda R. Freeze



Petition #: 95-32

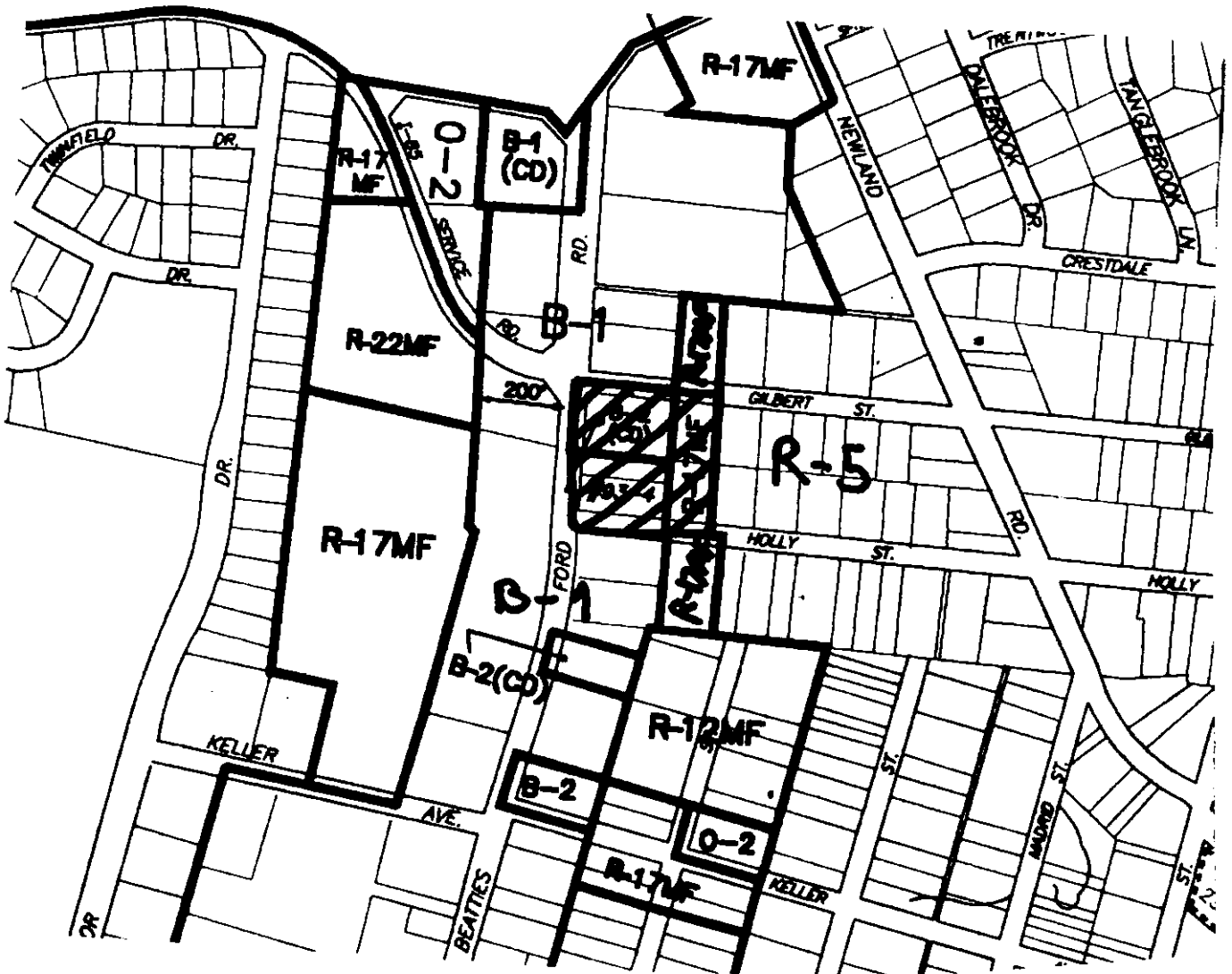
Petitioner: Public Library of Charlotte and Mecklenburg County

Hearing Date: April 17, 1995

Zoning Classification (Existing): B-2(CD), B-1 and R-17MF

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

Location: Approximately 2.08 acres located on the east side of Beatties Ford Road between Gilbert Street and Holly Street.



Zoning Map #(s): 79

Scale: 1" = 400'

# OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Petition #:	<u>95-32</u>
Date Filed:	<u>January 30, 1995</u>
Received By:	<u>T. P. Jones</u>
<b>OFFICE USE ONLY</b>	

## OWNERSHIP INFORMATION:

Property Owner: Public Library of Charlotte & Mecklenburg County

Owner's Address: 310 North Tryon Street, Charlotte, NC 28202

Date Property Acquired: December 1st and December 15th of 1994

Tax Parcel Number(s): 075-012-01, 02, 03, 04, 21

LOCATION OF PROPERTY (Address or Description): 2412 Beatties Ford Road

Size (Sq.Ft. or Acres): 2.08 Acres      Street Frontage (Ft.): Beatties Ford Road: 302 Feet  
Holley Street: 300 Feet  
Gilbert Street: 300 Feet

Current Land Use: Vacant and Residential

## ZONING REQUEST:

Existing Zoning: B-2(CD), B-1, R-17 MF      Proposed Zoning: O-1(CD)

Purpose of Zoning Change: The construction of a larger branch library to expand and enhance the library services available to the area.

Russell J. Schwartz  
Horack, Talley, Pharr & Lowndes  
Name of Agent  
2600 One First Union Center  
301 S. College St., Charlotte, NC 28202-6038  
Agent's Address  
377-2500      372-2619  
Telephone Number      Fax Number

Signature of Property Owner  
if other than Petitioner

Public Library of Charlotte & Mecklenburg County  
Name of Petitioner(s)  
310 N. Tryon St., Charlotte, NC 28202  
Address of Petitioner(s)  
336-2860      336-2677  
Telephone Number      Fax Number

Rich Rosenthal, Operations Director  
Signature Rich Rosenthal, Operations Director

**Petition No. 95-32  
Public Library of Charlotte and  
Mecklenburg County**

## **PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to Public Library of Charlotte and Mecklenburg County owner(s) and successors-in-interest of the property described as tax parcels 075-012-01, 075-012-02, 075-012-03, 075-012-04 and 075-012-21 and described in detail further in the ordinance, identified below, approved by the City Council.**

**In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of O-1(CD) on the official zoning map.**

**This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and Chapter 6: Part 1 and 2 of the City of Charlotte Zoning Ordinance, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the City Council under Chapter 6: Part 1 of the City of Charlotte Zoning Ordinance.**

**Three years from the date of approval of this parallel conditional use permit, the Planning Commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.**