

ORDINANCE NO. 707-X

Ordinance designating as a Historic Landmark a property known as the "Ratcliffe-Otterbourg House" (listed under Tax Parcel Number 155-027-18 as of July 30, 1996, and including the entire exterior of the house, the entire interior of the house, and the entire parcel of land listed under Tax Parcel Number 155-027-18 in the Mecklenburg County Tax Office, Charlotte, North Carolina). The property is owned by the Charlotte-Mecklenburg Historic Preservation Foundation and is located at 2100 Randolph Road 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 16th day of December, 1996, on the question of designating a property known as the Ratcliffe-Otterbourg House as a historic landmark; and

WHEREAS, the Ratcliffe-Otterbourg House was designed in the Bungalow style by William H. Peeps, an architect of regional importance and influence; and

WHEREAS, the Ratcliffe-Otterbourg House possesses individual significance because it is the only Bungalow style home remaining on Randolph Road, which was once part of Crescent Avenue, a major thoroughfare in the Crescent Heights neighborhood; and

WHEREAS, the Ratcliffe-Otterbourg House was originally the home of Louis G. Ratcliffe (1893-1961), a prominent businessman in early 20th century Charlotte; and

Prepared by: J. W. ...

REVISION  
Charlotte-Mecklenburg  
Historic Landmarks Commission  
2100 Randolph Rd.  
Charlotte, N.C. 28207

BR: 0001 J 1 0 0  
JUDITH A GIBSON REF  
DEEDS MECK NC  
FILED FOR REGISTRATION 12/30/96 10:48

Ordinance -- Ratcliffe-Otterbourg House

WHEREAS, the Otterbourg family, owner and occupant of the Ratcliffe-Otterbourg House for more than 50 years, was representative of the socio-economic stratum that was predominant in the Crescent Heights neighborhood in the early and middle years of the 20th century; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as Ratcliffe-Otterbourg 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 Ratcliffe-Otterbourg House, because consent for interior design review has been given by the Owner; and

WHEREAS, the property known as the Ratcliffe-Otterbourg House is owned by The Charlotte-Mecklenburg Historic Preservation Foundation.

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

1. That the property known as the "Ratcliffe-Otterbourg House" (including the entire exterior of the house, the entire interior of the house, and the entire parcel of land listed under Tax Parcel Number 155-027-18 in the Mecklenburg County Tax Office, Charlotte, North Carolina, as of July 30, 1996) 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 2100 Randolph Road 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 Ratcliffe-Otterbourg House* (July 30, 1996).

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 of 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

Ordinance -- Ratcliffe-Otterbourg House

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 Ratcliffe-Otterbourg 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, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the 16th day of December, 1996, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Brenda R. Hoyle  
Clerk to City Council

Approved as to form:  
David M. Smith  
City Attorney

*DMZ*

**CERTIFICATION**

I, Brenda R. Freeze, 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 16th day of December, 1996, the reference having been made in Minute Book 110, and recorded in full in Ordinance Book 47, Page(s) 631-635.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of December, 1996.

Brenda R. Freeze  
Brenda R. Freeze, City Clerk



44485-0474

Ordinance -- David Jenkins Craig, Sr. House

ORDINANCE NO. 708-X

Ordinance designating as a Historic Landmark a property known as the "David Jenkins Craig, Sr. House" (listed under Tax Parcel Number 155-043-05 as of July 30, 1996, and including the entire exterior of the main house, the entire interior of the main house, the entire exterior of the garage/apartment, the entire interior of the garage/apartment, and the entire parcel of land listed under Tax Parcel Number 155-043-05 in the Mecklenburg County Tax Office, Charlotte, North Carolina, as of July 30, 1996). The property is owned by William R. and Virginia B. Story and is located at 900 Ardsley Road 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 16th day of December, 1996, on the question of designating a property known as the David Jenkins Craig, Sr. House as a historic landmark; and

WHEREAS, the David Jenkins Craig, Sr. House was designed in the Tudor Revival style by William H. Peeps, an architect of regional importance and influence; and

WHEREAS, the David Jenkins Craig, Sr. House possesses individual significance because of the retention of its garage/apartment, the original massing of the main house, refined and lavish interior architectural details, and noteworthy landscape features; and

WHEREAS, the David Jenkins Craig, Sr. was built for a prominent businessman, David Jenkins Craig, Sr., and was his home for nineteen years; and

Return to: Van L. Morrill  
Charlotte-Mecklenburg  
Historic Landmarks Commission  
2100 Randolph Rd.  
Charlotte, N.C. 28207

BK: 08875 PG: 0417/0421 #:0180 0.00  
JUDITH A GIBSON REG OF DEEDS MECK NC  
FILED FOR REGISTRATION 12/30/96 10:48

Ordinance -- David Jenkins Craig, Sr. House

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as David Jenkins Craig, Sr. 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 David Jenkins Craig, Sr. House, because consent for interior design review has been given by the Owner; and

WHEREAS, the property known as the David Jenkins Craig, Sr. House is owned by William R. and Virginia B. Story.

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

1. That the property known as the "David Jenkins Craig, Sr. House" (including the entire exterior of the main house, the entire interior of the main house, the entire exterior of the garage/apartment, the entire interior of the garage/apartment, and the entire parcel of land listed under Tax Parcel Number 155-043-05 in the Mecklenburg County Tax Office, Charlotte, North Carolina, as of July 30, 1996) 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 900 Ardsley Road 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 Craig House* (July 30, 1996).

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 of 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*



Ordinance -- David Jenkins Craig, Sr. House

*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 David Jenkins Craig, Sr. 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, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the 16th day of December, 1996, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Brenda R. Frege  
Clerk to City Council

Approved as to form:  
David M. Smith  
City Attorney

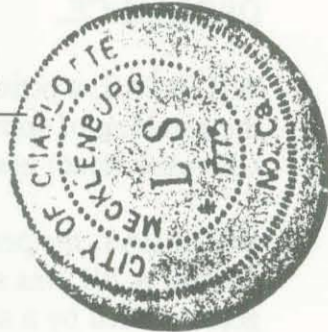
ASD/L

**CERTIFICATION**

I, Brenda R. Freeze, 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 16th day of December, 1996, the reference having been made in Minute Book 110, and recorded in full in Ordinance Book 47, Page(s) 636-640.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of December, 1996.

*Brenda R. Freeze*  
Brenda R. Freeze, City Clerk



CITY CD

Petition No. 96-76  
Myers Park Presbyterian Church

ORDINANCE NO. 709-Z

APPROVED BY CITY COUNCIL

DATE DECEMBER 16, 1996

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 2.1 acres located on the east side of Providence Road, north of Cherokee 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 October 21, 1996; 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:

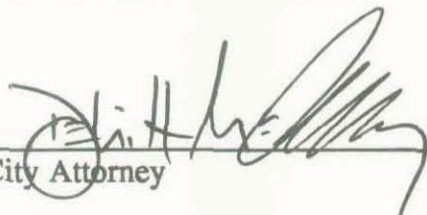
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-43MF to O-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

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.


APPROVED AS TO FORM:-

  
\_\_\_\_\_  
City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 16th day of December, 1996, the reference having been made in Minute Book 110, and recorded in full in Ordinance Book 47, Page(s) 641-643.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of January, 1997.

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

Petition No. 96-76  
Myers Park Presbyterian Church

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Myers Park Presbyterian Church owner(s) and successors-in-interest of the property described as tax parcel 155-101-10 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-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.

Petition #: 96-76

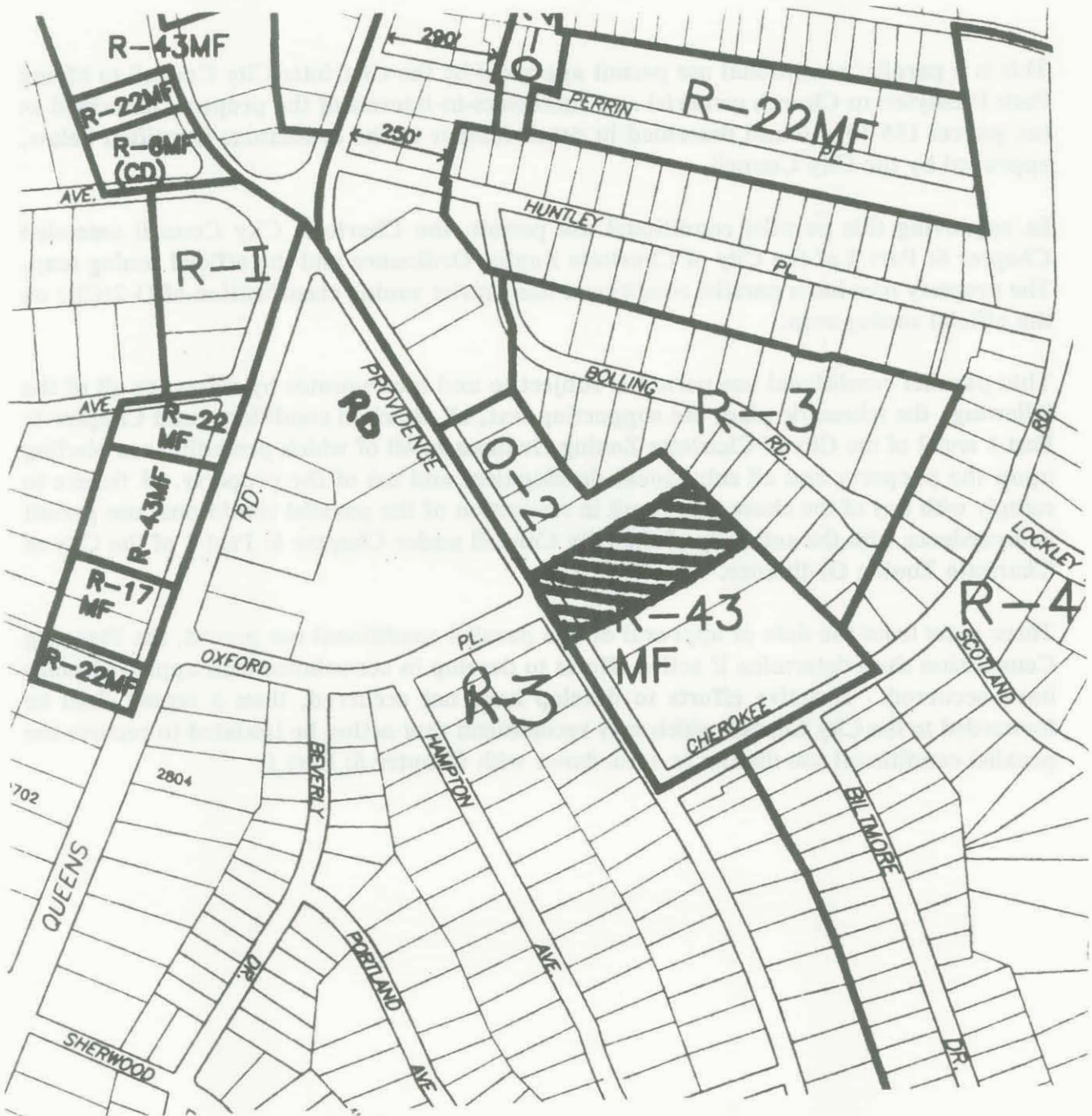
Petitioner: Myers Park Presbyterian Church

Hearing Date: October 21, 1996

Zoning Classification (Existing): R-43MF

Zoning Classification (Requested): O-2 (C D)

Location: Approximately 2.106 acres located on the east side of Providence Road north of Cherokee Road.



Zoning Map #(s): 111

Scale: 1" = 400'

Myers Park Presbyterian Church  
Property Description

Beginning at an iron pipe located at the southwest corner of the property which was conveyed to Wachovia Bank & Trust Company under deed recorded in Deed Book 2315 at page 121 in the Mecklenburg County Public Registry and running from said Beginning Point with the northeasterly margin of Providence Road S 31-17-17 E 199.96 feet to an iron pipe; thence N 59-00-43 E 480.71 feet to an iron pipe; thence N 44-52-00 W 208.01 feet to an iron pipe; thence S 58-45-00 W 407.38 feet to the Point of Beginning containing 2.106 acres, more or less.

CITY ZONE CHANGE

Petition No. 96-82  
Vincent Moore and Della J. McCullough

**APPROVED BY CITY COUNCIL**

DATE DECEMBER 16, 1996

**ZONING REGULATIONS**

MAP AMENDMENT NO. \_\_\_\_\_

ORDINANCE NO. 710-Z

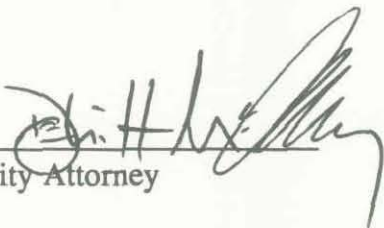
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-17MF to O-1 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:

  
\_\_\_\_\_  
City Attorney

**CERTIFICATION**

I, Brenda R. Freeze, 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 16th day of December, 1996, the reference having been made in Minute Book 110, and recorded in full in Ordinance Book 47, Page(s) 644-646.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of January, 1997.

Brenda R. Freeze  
Brenda R. Freeze, City Clerk

Petition #: 96-82

Petitioner: Vincent Moore and Della J. McCullough

Hearing Date: October 21, 1996

Zoning Classification (Existing): R-17MF

Zoning Classification (Requested): O-1

Location: Approximately 0.37 acres located on the south side of Shamrock Drive east of Eastway Drive.



Zoning Map #(s): 90

Scale: 1" = 400'



CITY ZONE CHANGE

Petition No. 96-85  
Edgar L. Norris, Jr.

**APPROVED BY CITY COUNCIL**

DATE DECEMBER 16, 1996

**ZONING REGULATIONS**

MAP AMENDMENT NO. \_\_\_\_\_

ORDINANCE NO. 711-Z

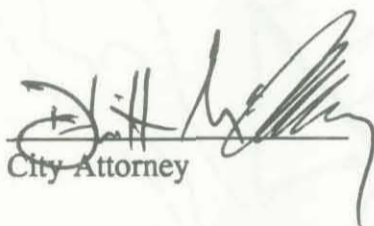
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-3 to R-12MF 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.

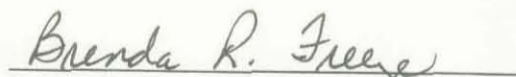
APPROVED AS TO FORM:

  
City Attorney

**CERTIFICATION**

I, Brenda R. Freeze, 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 16th day of December, 1996, the reference having been made in Minute Book 110, and recorded in full in Ordinance Book 47, Page(s) 647-649.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of January, 1997.

  
Brenda R. Freeze, City Clerk

Petition #: 96-85

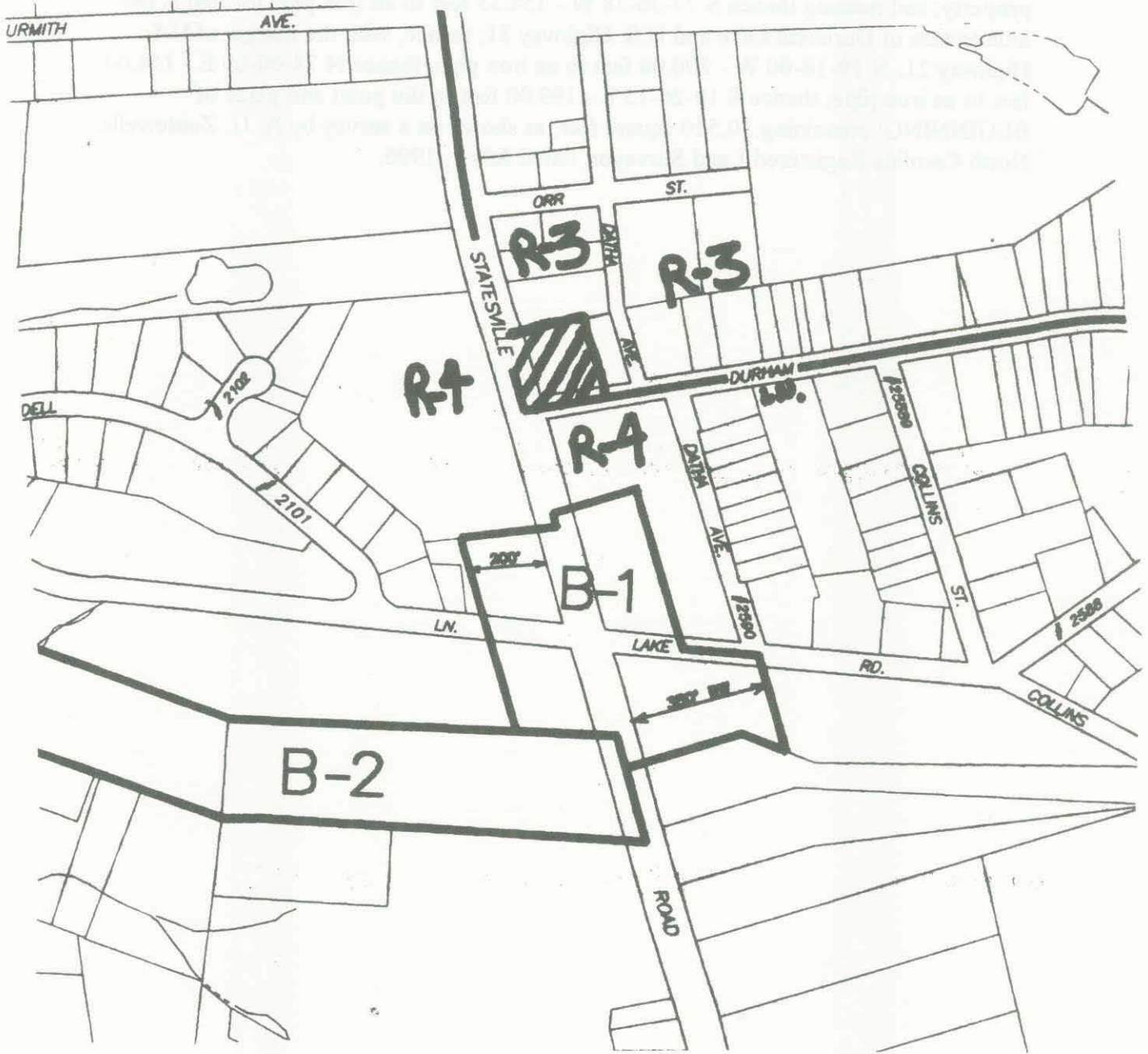
Petitioner: Edgar L. Norris, Jr.

Hearing Date: November 18, 1996

Zoning Classification (Existing): R-3

Zoning Classification (Requested): R-12MF

Location: Approximately .707 acres located at the northeast corner of the intersection between Durham Lane and Statesville Road.

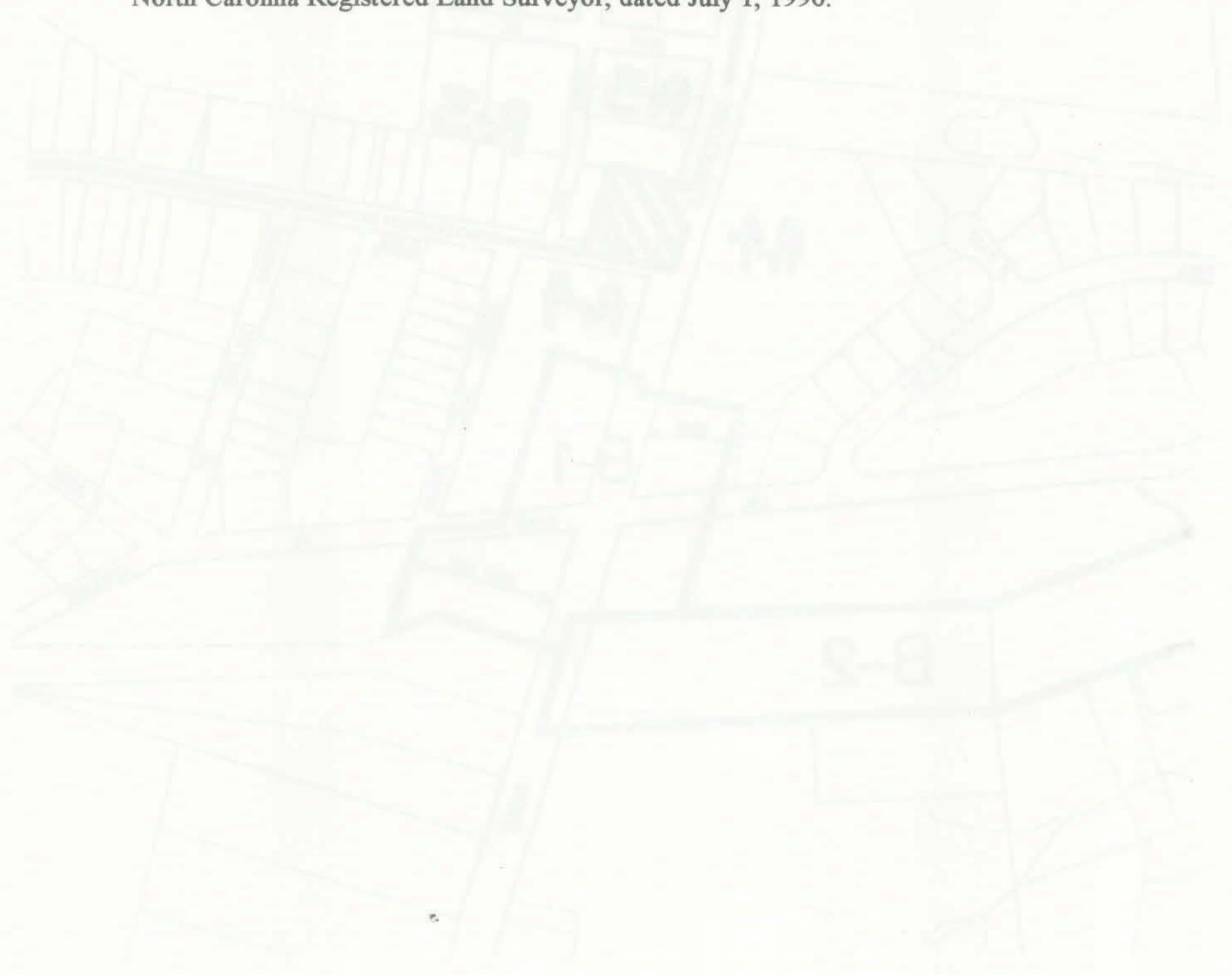


Zoning Map #(s): 69

Scale: 1" = 400'

**LOTS 1 THROUGH 8 BLOCK 8  
OF TREXLER ACRES SHEET #1**

BEGINNING at an iron pipe in the northerly margin of Durham Lane, said pipe being located N 77-29-48 E - 74.82 feet from an iron pipe at the corner of the Brown property; and running thence S 77-36-38 W - 154.35 feet to an iron pipe located at the intersection of Durham Lane and U.S. Highway 21; thence, with the margin of U.S. Highway 21, N 19-18-00 W - 200.00 feet to an iron pipe, thence N 78-00-00 E - 154.00 feet to an iron pipe; thence S 19-26-13 E - 199.00 feet to the point and place of BEGINNING; containing 30,510 square feet, as shown on a survey by A. G. Zoutewelle, North Carolina Registered Land Surveyor, dated July 1, 1996.



CITY CD & CD SITE PLAN AMENDMENT

Petition No. 96-87  
SCI North Carolina Limited Partnership

ORDINANCE NO. 712-Z

APPROVED BY CITY COUNCIL  
DATE DECEMBER 16, 1996

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 26 acres located on the south side of Hutchinson-McDonald Road, west of Statesville Road; and

WHEREAS, the petition for rezoning for a parallel conditional use district and a site plan amendment 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 November 18, 1996; 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 I-1(CD) and by amending the I-1(CD) site plan on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

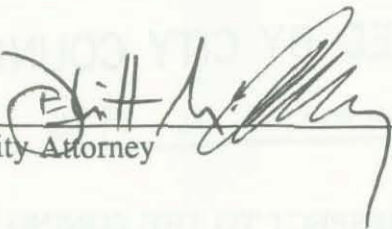
SEE ATTACHED

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-

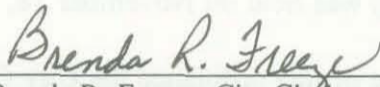
APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

**CERTIFICATION**

I, Brenda R. Freeze, 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 16th day of December, 1996, the reference having been made in Minute Book 110, and recorded in full in Ordinance Book 47, Page(s) 650-652B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of January, 1997.

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

Petition No. 96-87  
SCI North Carolina Limited Partnership

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to SCI North Carolina Limited Partnership owner(s) and successors-in-interest of the property described as tax parcels 041-071-(18, 19, 20, and 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 I-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.

Petition #: 96-87

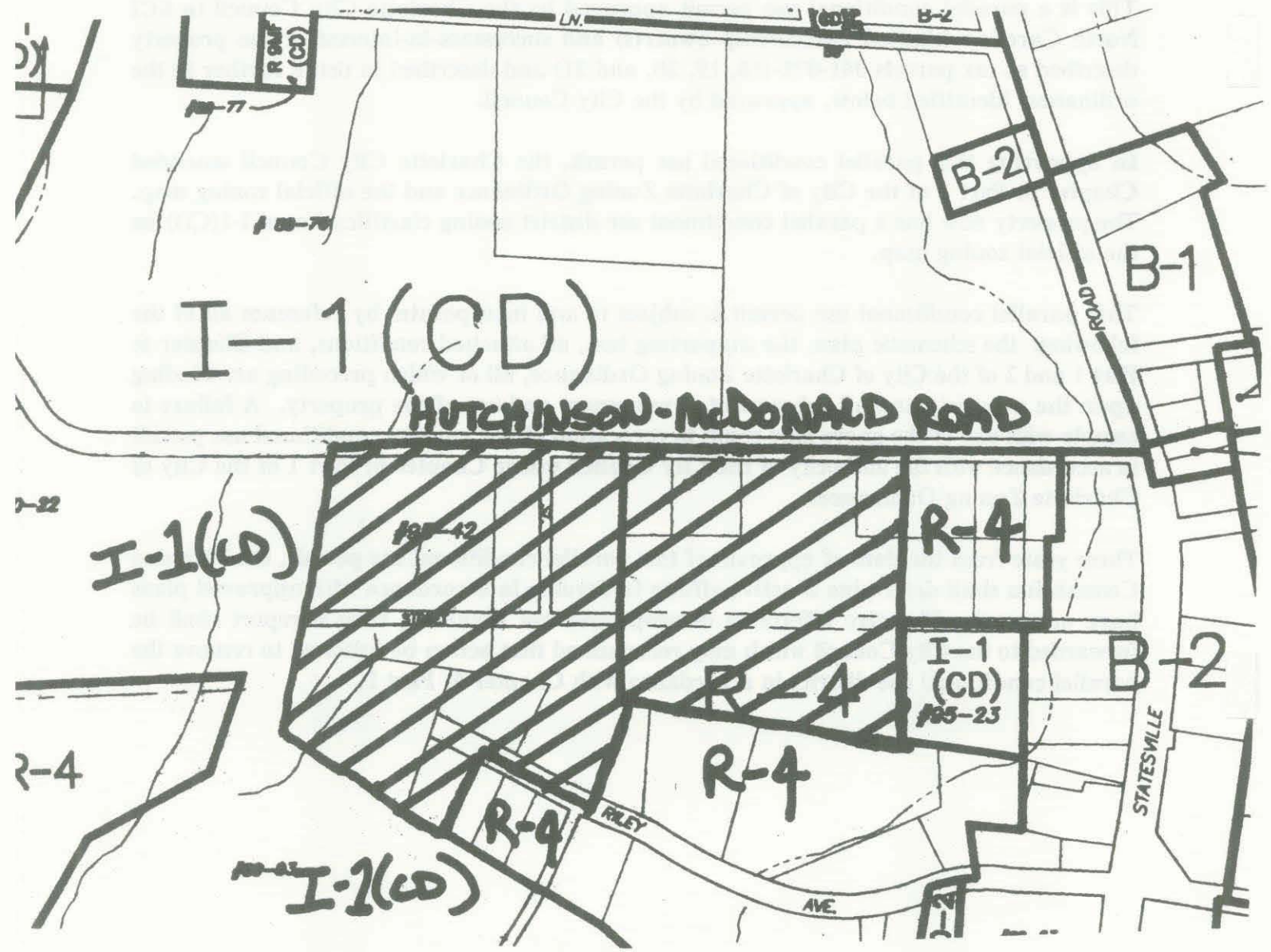
Petitioner: SCI North Carolina Limited Partnership

Hearing Date: November 18, 1996

Zoning Classification (Existing): I-1(CD) and R-4

Zoning Classification (Requested): I-1(CD) and I-1(CD) Site plan amendment

Location: Approximately 26 acres located on the south side of Hutchinson-McDonald Road west of Statesville Road.



Zoning Map #(s): 69

Scale: 1" = 400'

**LEGAL DESCRIPTION**  
**26.9249 ACRES TO BE REZONED I-1CD**  
**HUTCHINSON-McDONALD ROAD**

Being a parcel of property located in Charlotte, Mecklenburg County, and being more particularly described as follows:

**BEGINNING** at a nail set in the center line of Hutchinson-McDonald Road (60-foot Public Right-of-Way), said nail being the most northeasterly corner of the Crescent Resources, Inc. Property as described in Deed Book 6285, Page 472 of the Mecklenburg County Public Registry, said point also being North 12-16-08 East 30.53 feet from a new iron pin on the southernly margin of Hutchinson-McDonald Road, and runs thence from said **BEGINNING** point with the center line of Hutchinson-McDonald Road the following two (2) courses and distances: 1) South 88-26-56 East 981.98' feet to a point; 2) South 88-43-57 East 443.01' to a point; thence South 01-26-33 West 30.00' to an existing iron pin at the most northwesterly corner of the Jennings Place Property as described in Deed Book 4184, Page 104 of said Registry; thence with Jennings westerly line South 01-26-33 West 395.88' to an existing iron pin at the southwest corner of the Jennings Place Property as described in Deed Book 6202, Page 483 of said Registry; thence South 01-20-06 West 322.49 feet to a new iron pin at the most southwest corner of the Finnican Property as described in Deed Book 7612, Page 836 of said Registry; thence with the northerly line of the Harton property as described in Deed Book 4563, Page 336 of said Registry two (2) courses and distances: 1) North 80-06-51 West 364.11 feet to an existing iron pin; 2) North 80-06-45 West 284.22 feet to an existing iron pin; thence North 80-00-21 West 50.06 feet to an existing iron pin on the most northwesterly corner of the McManus Property as described in Deed Book 2212, Page 237 of said Registry; thence with McManus' westerly line South 19-26-16 West 254.18 feet to a new iron pin on the northerly margin of Riley Avenue (60-foot Public Right-of-Way); thence with the northerly margin of Riley Avenue the following two (2) courses and distances: 1) North 64-35-18 West 230.84 feet to a new iron pin; 2) North 62-12-47 West 74.76 feet to a new iron pin; thence crossing Riley Avenue, and continuing with the westerly line of the Teresa Teague Sprangler Property as described in Deed Book 6666, Page 40 of said Registry South 24-36-19 West 257.69 feet to a new iron pin on the northerly line of the Mattie H. McRae Property as described in Deed Book 1102, Page 193 of said Registry; thence with McRae's line North 57-37-51 West 489.30 feet to an existing iron pin by a stone, said iron being a southeasterly corner of the Crescent Resources, Inc. Property as described in Deed Book 6285, Page 472 of said Registry; thence with the easterly line of the Crescent Resources, Inc. Property North 12-16-08 East 759.95 feet to the point and place of **BEGINNING**, containing 1,172,849.65 square feet or 26.9249 acres as shown on a map prepared by R. B. Pharr & Associates, P.A. entitled "Zoning Map for Security Capital Industrial Trust", dated February 22, 1995 (Map File W-1687Z).



Pet. No. 96-88

Revised 11/26/96

Petitioner: Charlotte-Mecklenburg  
Planning Commission

**APPROVED BY CITY COUNCIL**

DATE DECEMBER 16, 1996

ORDINANCE NO. 713

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:

- A. Amend CHAPTER 9: GENERAL DISTRICT, PART 8: BUSINESS, Section 9.802. Uses Permitted By Right, (77), by changing the maximum square footage from 70,000 square feet up to 100,000 square feet.

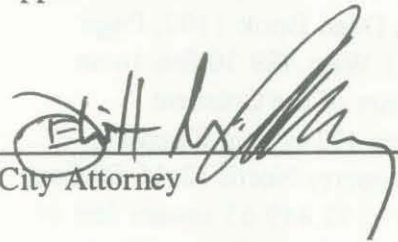
The revised subsection (77) will then read as follows:

(77) Retail establishments, shopping centers and business, personal and recreation services, except for uses permitted only in the B-2 district, up to 100,000 square feet (B-1 and B-2 only).

- B. Amend TABLE 9.101, PERMITTED USES, BY DISTRICT, OFFICE AND BUSINESS USES, Retail and Shopping Centers, up to 100,000 square feet, by inserting the designation "X" under the B-1 district.

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

Approved as to form:

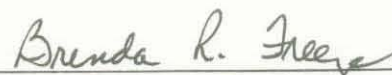


City Attorney

**CERTIFICATION**

I, Brenda R. Freeze, 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 16th day of December, 1996, the reference having been made in Minute Book 110, and recorded in full in Ordinance Book 47, Page(s) 653.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of January, 1997.



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Brenda R. Freeze, City Clerk

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