

ORDINANCE 594

AN ORDINANCE AMENDING CHAPTER 14, SECTION 131  
OF THE CHARLOTTE CITY CODE

WHEREAS, on May 14, 1984, the Charlotte City Council approved a policy to provide for a 25 miles per hour speed limit on non-thoroughfare residential streets; and,

WHEREAS, it has been determined, upon the basis of an investigation, that a lowered speed limit on certain streets of the City of Charlotte is appropriate; and,

WHEREAS, G.S. 20-141 (speed restrictions) requires adoption of a speed limit ordinance to amend Chapter 14, Section 131(c) of the Charlotte City Code,

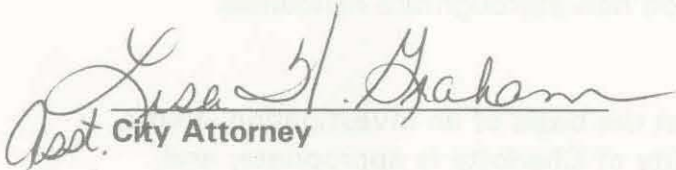
NOW THEREFORE BE IT ORDAINED by the City Council of the City of Charlotte,

SECTION 1: That Schedule X referred to in Chapter 14-131(c) of the Charlotte City Code be amended by declaring a speed limit on the following City System streets as described below:

First Street from Old Mt. Holly Road to E. Todd Lane	25 MPH
Second Street from E. Todd Lane to Todd Road	25 MPH
Third Street from E. Todd Lane to W. Todd Lane	25 MPH
E. Todd Lane from Old Mt. Holly Road to Third Street	25 MPH
Rounding Run Road from Raintree Lane to end (1,000 feet north of North Course Drive)	25 MPH
Todd Road from First Street to Second Street	25 MPH
W. Todd Lane from Old Mt. Holly Road to Third Street	25 MPH
Winfield Drive from Woodland Drive to Pierson Drive	25 MPH

**SECTION 2: Section 1 shall become effective upon adoption by Charlotte City Council and after signs are erected giving notice of the speed limits, as required by N.C.G.S. Section 20-141.**

Approved as to form:

  
Asst. 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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 46, Page(s) 444-445.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

  
Nancy S. Gilbert, Deputy City Clerk

ORDINANCE 595

**AN ORDINANCE AMENDING CHAPTER 14, SECTION 131  
OF THE CHARLOTTE CITY CODE**

WHEREAS, on September 14, 1981, the Charlotte City Council approved a policy for determining speed limits on thoroughfares and non-residential streets; and,

WHEREAS, it has been determined, upon the basis of an engineering and traffic investigation, that the speed limit on certain streets of the City of Charlotte should be changed; and,

WHEREAS, G.S. 20-141 (speed restrictions) requires adoption of a speed limit ordinance to amend Chapter 14, Section 131© of the Charlotte City Code,

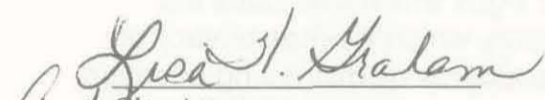
NOW THEREFORE BE IT ORDAINED by the City Council of the City of Charlotte,

Section 1: That Schedule X referred to in Chapter 14-131© of the Charlotte City Code be amended by declaring a speed limit on the following City System Street as described below:

Park Drive from Independence Boulevard to Hawthorne Lane      25 MPH

Section 2: Section 1 shall become effective upon adoption as signs are now erected giving notice of the speed limits, as required by N.C.G.S. Section 20-141.


Approved as to form:

  
Asst. 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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 446.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

  
Nancy S. Gilbert, Deputy City Clerk



Ordinance Amending Chapter 19 of the Charlotte City Code Entitled "Streets and Sidewalks. "

ORDINANCE NO. 596

AN ORDINANCE REGULATING DECORATIVE SIGNS WITHIN PUBLIC RIGHTS-OF-WAY IN MUNICIPAL SERVICE DISTRICTS 1, 2, AND 3, AND TO EXEMPT SUCH SIGNS FROM THE PROVISIONS CONTAINED IN THE ZONING ORDINANCE, CHAPTER 13.

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

Section 1 That Chapter 19 of the Charlotte City Code be amended by adding Article VII, "Decorative signs and municipal service districts 1, 2 and 3."

Section 2 Section 19-151 through 160 Reserved.

Section 3 Section 19-161 to read as follows:

(a) *Decorative signs.* These provisions are established to regulate temporary decorative signs within public rights-of-way in municipal service districts 1, 2, and 3 and to exempt such signs from the provisions contained in the Zoning Ordinance, Chapter 13, of the City Code. Decorative signs are regulated in accordance with these standards in order to accomplish the following:

- (1) To provide standards and guidelines regarding the display of banners, flags, pennants and other decorative and informative signs on public rights-of-way or public property in municipal service districts 1, 2, and 3.
- (2) To restrict the display of decorative signs which overloads the public's capacity to receive information, which violates privacy or which increases the probability of accidents by distracting attention or obstructing vision.
- (3) To provide opportunities for sponsors to promote events sanctioned through its contract with the Central Charlotte Division of the Charlotte Chamber of Commerce (hereinafter "CCD") by the city council or by the city manager or his designee.
- (4) To provide an opportunity for the general business district to display decorative, seasonal banners on the Tryon Street Mall, Trade Street, and other streets within the central business district;

- (5) To establish guidelines which include, but are not limited to, size, materials, location, erection and removal of decorative signs within municipal service districts 1, 2, and 3; and
- (6) To delegate an administrative procedure to the CCD for application, issuance of approval and display of decorative signs within the municipal service districts 1, 2, and 3.

For purposes of these provisions, a "decorative sign" shall be defined as a pictorial representation (including illustrations, words, numbers, or decorations), emblem, flag, banner, or pennant.

(b) *Prohibited sign devices.* No decorative sign may be lighted, flash, or make noise.

(c) *Location, size, and placement of sign.* Decorative signs are permitted to be displayed upon public street frontages in Municipal Service Districts 1, 2, and 3; provided signs do not impede vehicular visibility, do not obstruct regular building signs, do not interfere with the display of windows on private property and otherwise comply with the provisions of City Code Section and provisions contained in this policy. When signs are placed on, in, or above public rights-of-way, written consent of the City's Director of the Department of Transportation, or his designee, shall be required. Such consent shall be based on a review that will include, but not be limited to, sign location, placement, and safety. Decorative signs placed on property other than the City's (e.g. utility poles, pedestrian and railroad bridges) shall require the written consent of the property owner.

(d) *Erection and removal of decorative signs.* Erection and removal of a sign is the responsibility of the exhibitor, and all costs must be borne by the exhibitor or charged to the exhibitor by the city, if the decorative sign is not removed within the prescribed time, and the city itself must remove the sign. The erection or removal of decorative signs that require the closure of any street, travel lane, or sidewalk area requires prior approval by the City's Transportation Engineering Division, Department of Transportation. All such closures must conform to the current edition of the Department of Transportation's Work Area Traffic Control Handbook (WATCH).

(e) *Liability.* The CCD or any person or organization installing, displaying, or dismantling decorative signs shall save and hold harmless the city from any and all liability or damage to any person or property caused or occasioned by such process. CCD or those installing, displaying, or dismantling signs must obtain and provide evidence to the City's Risk Management Division, Finance Department, of comprehensive general liability insurance with limits of no less than two million dollars (\$2,000,000.00) per occurrence, annual aggregate on bodily injury and property damage to insure their liability. The amount of insurance will be subject to future review and reasonable adjustment at the request of the City. Such policy shall



indemnify the city as provided above. A certificate of insurance shall be issued prior to the beginning of any work. The certificate of insurance shall be furnished to the City containing the provision that 30 days written notice will be given to the City prior to cancellation or change to the required coverages and that failure to provide such notice shall impose an obligation and liability upon the issuing company, its agents, or representatives.

The CCD, in its administration of this ordinance, may require any person or organization installing, displaying, or dismantling decorative signs to also save and hold harmless the CCD and any other person or organization, including but not limited to, the Charlotte Chamber of Commerce, Norfolk Southern Corporation, Duke Power, that CCD requires to be held harmless as a condition of the installation, display or dismantling of decorative signs. The CCD also may require those installing, displaying, or dismantling decorative signs to obtain and provide evidence of comprehensive general liability insurance with limits no less than Two Million Dollars (\$2,000,000.00) per occurrence, annual aggregate on bodily injury and property damage, to insure their liability to CCD. The amount of insurance will be subject to future review and reasonable adjustment at the request of the City.

(f) *Administration.* Upon careful review and consideration of an application, a recommendation regarding approval shall be forwarded by the CCD to the City of Charlotte's Uptown Project Coordinator or his or her designee. Final responsibility and authority for approval rests with the City of Charlotte's Uptown Project Coordinator or his or her designee in accordance with the City of Charlotte Code Chapter and policies and guidelines issued pursuant thereto. On review, the City's Uptown Project Coordinator shall uphold, reject, or modify CCD's recommendation. CCD shall issue, deny, or modify the application consistent with the City's Uptown Project Coordinator's directive.

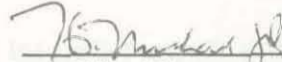
CCD, as administrator, shall establish policies and guidelines for the administration of this section. Prior to their adoption, such policies and guidelines or amendments thereto shall be submitted to the city manager or his designee for approval. Pursuant to this process, CCD may establish policies or guidelines which are more restrictive than the provisions contained in this section. CCD shall make available policies and guidelines for the display and approval of decorative signs in municipal service districts 1, 2, and 3 to the general public.

(g) *Unlawful act.* It shall be unlawful for anyone to place or cause to be placed a decorative sign within public rights-of-way in municipal service districts 1, 2, and 3 without complying with the provisions of this section, the policies and guidelines for the display and approval of decorative signs in municipal service districts as adopted by the CCD and any other requirements or conditions stated in a written approval for a decorative sign.

(Ord. No. 2205, §1, 6-8-87; Ord. No. 3510, §§1-8, 2-8-93)

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

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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 447-450.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

  
Nancy S. Gilbert, Deputy City Clerk





ORDINANCE NUMBER 597-X

0-42

AN ORDINANCE TO AMEND ORDINANCE NO. 304 - X, THE 1995-96 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR TERMINAL REROOFING.

BE IT ORDAINED by the City Council of the City of Charlotte;

Section 1. That the sum of \$230,000 is hereby estimated to be available from interest earning in the Airport Capital Project Fund (2080).

Section 2. That the sum of \$230,000 is hereby appropriated from the Airport Capital Project Fund (2080) Interest Earnings to the Airport Capital Project Fund 2080; 521.03 - South Terminal Expansion.

Section 3. All ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall be effective immediately.

Approved as to form:

*Asst. [Signature]*  
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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 451.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

*[Signature]*

Nancy S. Gilbert, Deputy City Clerk



ORDINANCE NUMBER : 598-X

AN ORDINANCE TO AMEND ORDINANCE NO. 304 - X, THE 1995-96 BUDGET ORDINANCE, ESTIMATING FEDERAL GRANT REVENUES AND PROVIDING APPROPRIATIONS FOR RAMP B EXPANSION AND AIR CARGO CENTER - PHASE 3.

BE IT ORDAINED by the City Council of the City of Charlotte;

Section 1. That the sum of \$9,290,647 is hereby estimated to be available from the following sources of revenue for Ramp B Expansion project:

<u>Source</u>	<u>Amount</u>
Federal Aviation Administration Grant	\$6,311,810
Future Airport Revenue Bonds	2,978,837
Total	\$9,290,647

Section 2. That the sum of \$9,290,647 is hereby appropriated to Airport Capital Project Fund 2083;528.14 - Ramp B Expansion.

Section 3. That the sum of \$4,245,357 is hereby estimated to be available from the following sources of revenue for the Air Cargo Center - Phase 3 project:

<u>Source</u>	<u>Amount</u>
Federal Aviation Administration Grant	\$2,209,018
Airport Operating fund balance (Excluded - 7404)	1,300,000
Future Airport Revenue Bonds	736,339
Total	\$4,245,357

Section 4. That the sum of \$4,245,357 is hereby appropriated to the Airport Capital Project Fund 2083; 528.17 - Air Cargo Center - Phase 3.

Section 5. That the Finance Director is hereby authorized to advance the sum of \$2,978,837 from the Airport Discretionary Fund fund balance (7408) for the Ramp B Expansion project until such time that permanent financing is arranged. The Finance Director is also authorized to advance \$736,339 from the Airport Discretionary Fund fund balance (7408) for the Air Cargo Center - Phase 3 project until such time that permanent financing is arranged. Once permanent financing for the Ramp B Expansion project or the Air Cargo Center - Phase 3 project has been arranged, the funding advances shall revert to their original sources.

Section 6. All ordinances in conflict with this ordinance are hereby repealed.

Section 7. This ordinance shall be effective immediately.

Approved as to form:

43st. Hoger A. Root  
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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 452.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

Nancy S. Gilbert  
Nancy S. Gilbert, Deputy City Clerk

ORDINANCE NUMBER : 599-X

0-44

AN ORDINANCE TO AMEND ORDINANCE NO. 304 - X, THE 1995-96 BUDGET ORDINANCE, ESTIMATING FEDERAL GRANT REVENUES AND PROVIDING AN APPROPRIATION FOR REIMBURSEMENT OF MASTER PLAN AND PART 150 LAND ACQUISITION AND NOISE ATTENUATION.

BE IT ORDAINED by the City Council of the City of Charlotte;

Section 1. That the sum of \$8,437,775 is hereby estimated to be available from the Federal Aviation Administration (AIP 3-37-0012-27).

Section 2. That the sum of \$8,437,775 is hereby appropriated to the Airport 1985 Construction Fund (2077) under the following centers:

Center	Amount
562.12 - Master Plan Land Acquisition	\$3,737,775
562.28 - Part 150 Plan	4,700,000
Total	\$8,437,775

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

Section 4. This ordinance shall be effective immediately.

Approved as to form:

*Hope A. Reet*  
Asst. 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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47,  
Page(s) 453.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

*Nancy S. Gilbert*  
Nancy S. Gilbert, Deputy City Clerk



ORDINANCE NO. 600-X

0-45

**AN ORDINANCE TO AMEND ORDINANCE NO. 304-X, THE 1995-96 BUDGET ORDINANCE, TO PROVIDE APPROPRIATIONS TO FUND THE OPERATIONS AND DEBT SERVICE FOR THE NEW NFL PARKING DECK.**

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

Section 1. That the sum of \$700,000 is estimated to be available from operating revenues and payments by Duke Power.

Section 2. That the sum of \$700,000 is hereby appropriated to the Duke Power Parking Deck Fund 0150.

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

Section 4. It is the intent of this ordinance to be effective upon its adoption.

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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 454.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

  
Nancy S. Gilbert, Deputy City Clerk

ORDINANCE NO. 601-X

0-46

**AN ORDINANCE TO AMEND ORDINANCE NO. 304-X, THE 1995-96 BUDGET ORDINANCE, TO PROVIDE APPROPRIATIONS TO FUND AN ADDITIONAL MUNICIPAL DEBT SERVICE PAYMENT.**

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

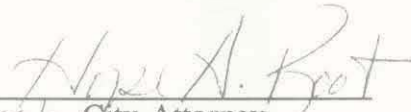
Section 1. That the sum of \$350,000 is available from the Municipal Debt Service Fund 5101 fund balance.

Section 2. That the sum of \$350,000 is hereby appropriated to the Municipal Debt Service Fund 5101.

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

Section 4. It is the intent of this ordinance to be effective upon its adoption.

Approved as to form:

  
ASST. 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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 455.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

  
Nancy S. Gilbert, Deputy City Clerk



ORDINANCE NO. 602-X

0-47

**AN ORDINANCE TO AMEND ORDINANCE NO. 304-X, THE 1995-96 BUDGET ORDINANCE TO PROVIDE AN ADDITIONAL APPROPRIATION OF CAPITAL FUNDS FROM THE TOWN OF MATTHEWS WATER BONDS TO CONSTRUCT WATER MAINS IN THE TOWN OF MATTHEWS.**

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


**Section 1.** That the sum of \$3,245,000 is hereby estimated to be available from water bonds issued by the Town of Matthews, N.C.

**Section 2.** That the sum of \$3,245,000 is hereby appropriated to the Matthews Bond Sale 1995 Fund (2051) Matthews Water Projects - Control (Account No. 642.99).

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

**Section 5.** This ordinance shall become effective upon its adoption.

Approved as to form:

  
\_\_\_\_\_  
Asst. 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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 456.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

  
\_\_\_\_\_  
Nancy S. Gilbert, Deputy City Clerk

ORDINANCE NO. 603-X

0-48

**AN ORDINANCE TO AMEND ORDINANCE NO. 304-X, THE 1995-96 BUDGET ORDINANCE, TO PROVIDE APPROPRIATIONS FROM ASSETS FORFEITURE PROCEEDS TO FUND POLICE COMPUTER PURCHASES AND A DONATION TO DARE CAMP.**

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

Section 1. That the sum of \$46,512 is estimated to be available from the General Fund- Assets Forfeiture proceeds.


Section 2. That the sum of \$46,512 is hereby appropriated to the General Fund- CMPD.

Section 3. The timeframe for completion of this action may extend beyond the end of this fiscal year; therefore, this authorization shall remain in effect for the duration of the performance period.

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

Section 5. It is the intent of this ordinance to be effective upon its adoption.

Approved as to form:

  
Asst. 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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 457.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

  
Nancy S. Gilbert, Deputy City Clerk



APPROVED BY CITY COUNCIL  
DATE June 24, 1996

RECORDED  
JUL 6 1996

CITY ZONE CHANGE

Petition No. 96-34  
Carlo DeConz

ORDINANCE NO. 604-Z  
MAP AMENDMENT NO. \_\_\_\_\_

ZONING REGULATIONS OFFICE OF CITY CLERK


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-12MF to I-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, 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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 458-460.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of July, 1996.

  
Nancy S. Gilbert, Deputy City Clerk

Petition #: 96-34

June 24, 1996

Petitioner: Carlo DeConz

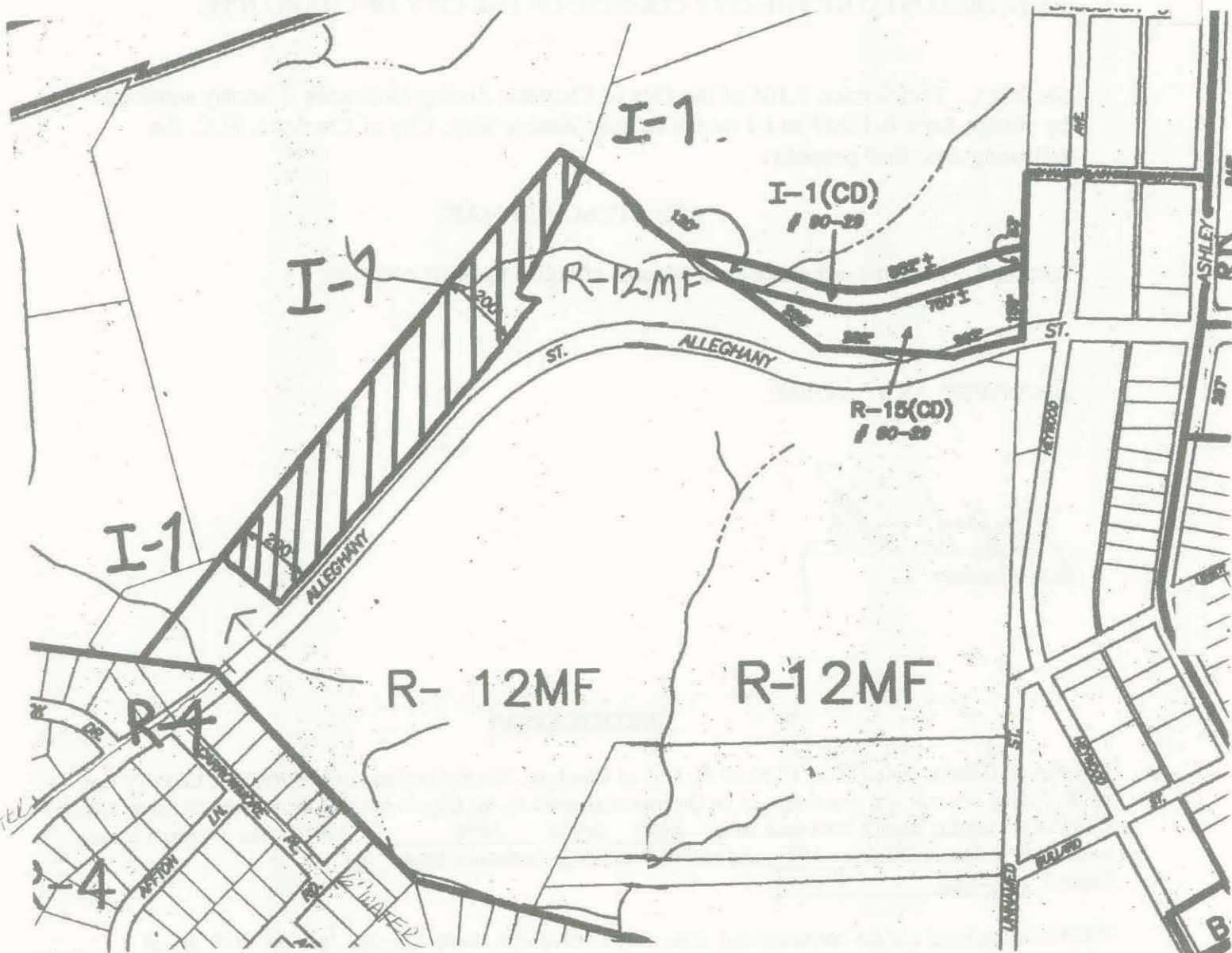
Ordinance Book 47, Page 459

Hearing Date: May 20, 1996

Zoning Classification (Existing): R-12MF

Zoning Classification (Requested): I-1

Location: Approximately 5.70 acres located on the northerly side of Alleghany Street east of Carrowmore Place.



Zoning Map #(s): 86,87

Scale: 1" = 400'

96-34 ✓

Carlo DeConz  
REZONING APPLICATION  
Metes and Bounds Description

Beginning at the Northwesterly corner nearest Allegheny Street, and running  
N 46-56-06 W 200.00 feet; thence S 43-11-04 W 1412.50 feet; thence N 46-56-06 W  
59.38 feet; thence S 30-12-37 W 383.85 feet; thence N 81-17-28 W 66.14 feet; thence  
S 43-11-04 W 1,074.02 feet along Allegheny Street, to place of Beginning.



CITY CD

Petition No. 96-41  
D.L. Phillips Investment Builders, Inc.

ORDINANCE NO. 605-Z

**APPROVED BY CITY COUNCIL**  
DATE June 24, 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 9.59 acres located on the west side of Barringer Drive at Stuart Andrew 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 May 20, 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 I-1(CD) to I-2(CD), Lot A and amending the I-1(CD) Site Plan, Lot B on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

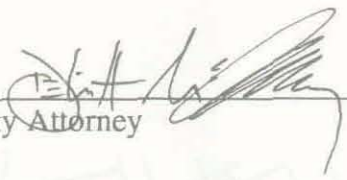
SEE ATTACHED

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.

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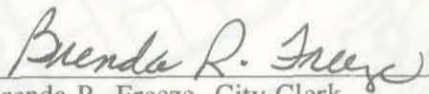
APPROVED AS TO FORM:

  
\_\_\_\_\_  
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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 461-463C.

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

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



Petition #: 96-41

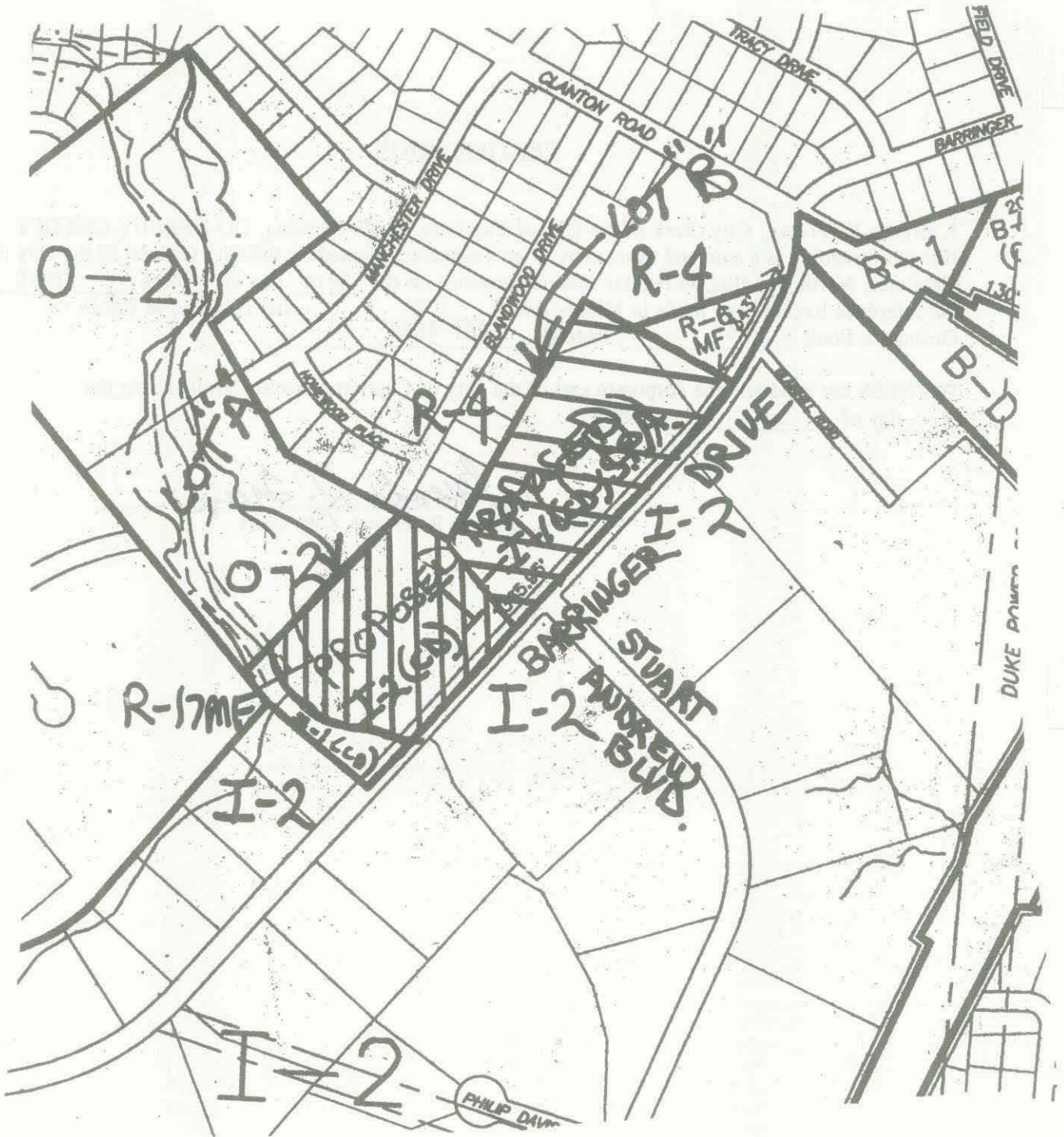
Petitioner: D.L. Phillips Investment Builders, Inc.

Hearing Date: May 20, 1996

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

Zoning Classification (Requested): I-2(CD) and I-1(CD) Site plan amendment

Location: Approximately 9.59 acres located on the west side of Barringer Drive at Stuart Andrew Boulevard.



Zoning Map #(s): 110

Scale: 1" = 400'



96-41

**EXHIBIT A**

Being all that tract of parcel of land lying and being in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

**LOT A:** I-2(CD)

BEGINNING at a point located in the northwesterly margin of the right-of-way of Barringer Drive (60' public right-of-way), which point is located S. 51-26-18 E. 222.40 feet from a set concrete monument at the southerly most corner of Lot 16 as shown on a map of a portion of Rollingwood recorded in Map Book 8, at Pages 383 and 385 of the Mecklenburg Public Registry, which point in the margin of the right-of-way of Barringer Drive is also located N. 40-44-55 E. 590.48 feet from an iron pin set at the southeasterly corner of the property of Bodavin Properties, Inc. (now or formerly) as described in Deed recorded in Book 5276, at Page 284 of the Mecklenburg Public Registry; thence from said point of BEGINNING and running N. 49-15-05 W. 32.00 feet to an iron pin set; thence S. 81-27-55 W. 101.00 feet to an iron pin set; thence N. 80-51-05 W. 68.00 feet to a PK nail; thence N. 53-12-05 W. 113.00 feet to an iron pin set; thence N. 26-47-05 W. 75.09 feet to a PK nail; thence N. 40-03-09 W. 57.00 feet to an iron pin set; thence running with the southeasterly boundary of the property of the City of Charlotte (now or formerly) as described in Deed recorded in Book 4393, at Page 465 of the Mecklenburg Public Registry N. 44-09-59 E. 452.47 feet to an existing iron pin located at the northwesterly most corner of Lot 16 as shown on the aforesaid map of Rollingwood; thence running with the southwesterly boundary of said Lot 16 S. 64-07-17 E. 150.00 feet to a set concrete monument; thence S. 51-26-18 E. 222.40 feet to the point and place of BEGINNING,

containing 4.25 acres, more or less, shown as Lot A on that survey dated December 12, 1995, and prepared by General Surveyors, P.A.

**LOT B:** SITE PLAN AMENDMENT I-1(CD)

BEGINNING at a point located in the northwesterly margin of the right-of-way of Barringer Drive (60' public right-of-way), which point is located S. 51-26-18 E. 222.40 feet from a set concrete monument at the southerly most corner of Lot 16 as shown on a map of a portion of Rollingwood recorded in Map Book 8, at Pages 383 and 385 of the Mecklenburg Public Registry, which point in the margin of the right-of-way of Barringer Drive is also located the following two (2) courses and distances from a set concrete monument located in the southeasterly most corner of the property of Samuel C. Morris, et al, (now or formerly) as described in Deed recorded in Book 2138, at Page 108 in the Mecklenburg Public Registry: (1) in a southwesterly direction with the arc of a circular curve to the right having a radius of 1402.39 feet, an arc distance of 236.58 feet (chord bearing and distance S. 35-54-57 W. 236.301 feet) to an iron pin set; and (2) S. 40-44-55 W. 540.23 feet to the point and place of BEGINNING; thence from said point of BEGINNING and running N. 51-26-18 W. 222.40 feet to a set concrete monument located at the southeasterly corner of Lot 16 as shown on a portion of Rollingwood recorded in Map Book 8, at Pages 383 and 385 of the Mecklenburg Public Registry; thence running with the rear lot lines of Lots 16 through 7 as shown on the aforesaid map of Rollingwood N. 25-52-43 E. 705.99 feet to an existing iron pipe reset in concrete; thence running with the southwesterly boundary of the aforesaid Morris property S. 64-07-17 E. 396.79 feet to a set concrete monument located in the northwesterly margin of the right-of-

way of Barringer Drive; thence continuing with said margin of the right-of-way of Barringer Drive the following two (2) courses and distances: (1) with the arc of a circular curve to the right having a radius of 1402.39 feet, arc distance of 236.58 feet (chord bearing and distance S. 35-54-57 W. 236.301 feet) to an iron pin set; and (2) S. 40-44-55 W. 540.23 feet to the point and place of BEGINNING, containing 5.3376 acres, more or less, shown as Lot B on that survey dated December 12, 1995 and prepared by General Surveyors, P.A.



Petition No. 96-41  
D.L. Phillips Investment Builders,  
Inc.

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to D.L. Phillips Investment Builders, Inc. owner(s) and successors-in-interest of the property described as a portion of tax parcel 145-201-15 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 I-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. 96-63  
Claire K. Tate

ORDINANCE NO. 606-Z

APPROVED BY CITY COUNCIL

DATE June 24, 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 10.74 acres located on the south side of Kalynne Street west of Norwood 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 June 17, 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-5 with a special use permit to Inst.(CD) with termination of the special use permit on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

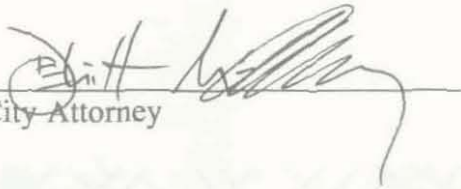
SEE ATTACHED

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-

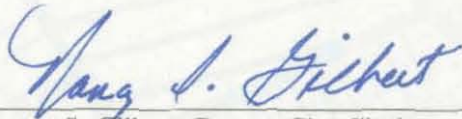
APPROVED AS TO FORM:

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

**CERTIFICATION**

I, 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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 464-466A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of July, 1996.

  
\_\_\_\_\_  
Nancy S. Gilbert, Deputy City Clerk



Petition #: 90-03

June 24, 1996  
Ordinance Book 47, Page 466

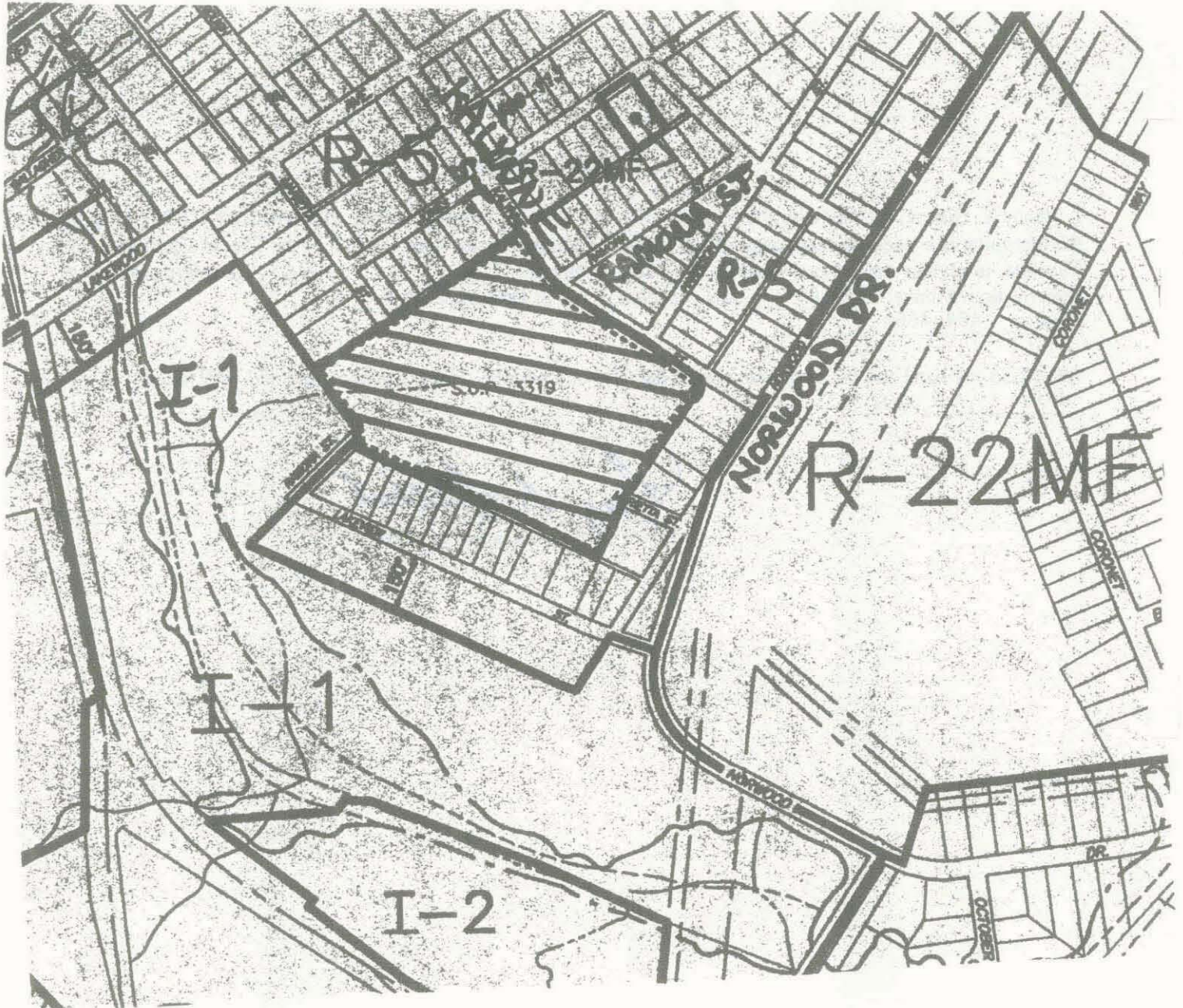
Petitioner: Claire K. Tate  
Hearing Date: June 17, 1996

Zoning Classification (Existing): R-5 with Special Use Permit

Zoning Classification (Requested): Inst. with termination of Special Use Permit

Location: Approximately 10.74 acres located on the south side of Kalyne Street west of Norwood Drive.

TAX# 065-091-19



Zoning Map #(s): 87

Scale: 1" = 400'



Petition No. 96-63  
Claire K. Tate

### PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Claire K. Tate owner(s) and successors-in-interest of the property described as tax parcel 065-091-19 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 Inst.(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.