

November 17, 1997  
Ordinance Book 48, Page 283

CITY CC DISTRICT

Petition No. 97-67  
Dayton Hudson Corporation

ORDINANCE NO. 942-Z

APPROVED BY CITY COUNCIL

DATE NOVEMBER 17, 1997

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 a site plan amendment for approximately 26.4 acres located on the south side of University City Boulevard (NC 49), between Chancellor Park Drive and Carolyn Lane; and

WHEREAS, the petition for 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 October 22, 1997; 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 amending the CC 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.

November 17, 1997  
Ordinance Book 48, page 284

APPROVED AS TO FORM:

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

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 17th day of November, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 283-285A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of December, 1997.

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

97-67

**BOUNDARY DESCRIPTION OF DAYTON HUDSON CORPORATION PROPERTY**

SITUATED in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

BEGINNING at the point of intersection of the southerly margin of NC Highway 49 (University City Boulevard) and the westerly margin of the 60 foot public right-of-way of Chancellor Park Drive, and running thence with the westerly margin of Chancellor Park Drive into two calls as follow: (i) S. 28-59-03 E. 239.64 feet to a point; and (ii) with the arc of a circular curve to the left having a radius of 603.00 feet, subtended by a chord bearing and distance of S. 34-17-56 E. 111.71 feet, an arc length of 111.87 feet to a point; thence with the property of Mecklenburg Parks and Recreation Department, now or formerly, as recorded in Deed Book 4954, Page 494, Mecklenburg County Public Registry, in four calls as follow: (i) S. 09-44-05 W. 259.83 feet to a point; (ii) S. 17-18-36 E. 130.60 feet to a point; (iii) S. 03-16-19 E. 186.00 feet to an existing rebar; (iv) S. 57-48-00 W. 505.40 feet to an existing rebar; thence with a northerly boundaries of five (5) lots or parcels of land located in the Shady Hills, Section 2, Block B subdivision (said parcels having tax parcel numbers 049-252-14, 049-252-13, 049-252-12, 049-252-11, and 049-252-10) N. 83-57-00 W. a total distance of 906.3 feet to an existing rebar; thence N. 19-10-00 W. 33.16 feet to a concrete monument located in the northerly margin of the 60 foot public right-of-way of Carolyn Lane; thence with a northerly margin of Carolyn Lane N. 83-57-20 W. 373.22 feet to a point; thence N. 06-03-00 W. 20.00 feet to a point; thence N. 72-40-15 W. 162.69 feet to a point; thence N. 31-51-41 E. 44.33 feet to a point; thence with the right-of-way of NC Highway 49 in eleven (11) calls as follow: (i) N. 73-16-00 E. 243.86 feet to a point; (ii) N. 57-21-24 E. 195.80 feet to a point; (iii) N. 70-01-39 E. 155.41 feet to a point; (iv) N. 86-27-54 E. 43.30 feet to a point; (v) N. 52-01-30 E. 60.58 feet to a point; (vi) N. 42-37-28 E. 60.15 feet to a point; (vii) N. 62-01-10 E. 146.42 feet to a point; (viii) N. 52-06-33 E. 201.41 feet to a point; (ix) N. 66-12-00 E. 215.00 feet to a point; (x) N. 66-12-00 E. 60.00 feet to a point; and (xi) N. 60-43-37 E. 509.35 feet to the POINT OR PLACE OF BEGINNING, containing 26.39 acres (including abandoned right-of-way) all as shown on a survey titled "A Portion of Shady Hills Subdivision, City of Charlotte," prepared by Steven B. Mullins and Associates, P.A., Registered Land Surveyors, to which survey reference is hereby made.



November 17, 1997  
Ordinance Book 48, Page 285A  
Petition #: 97-67

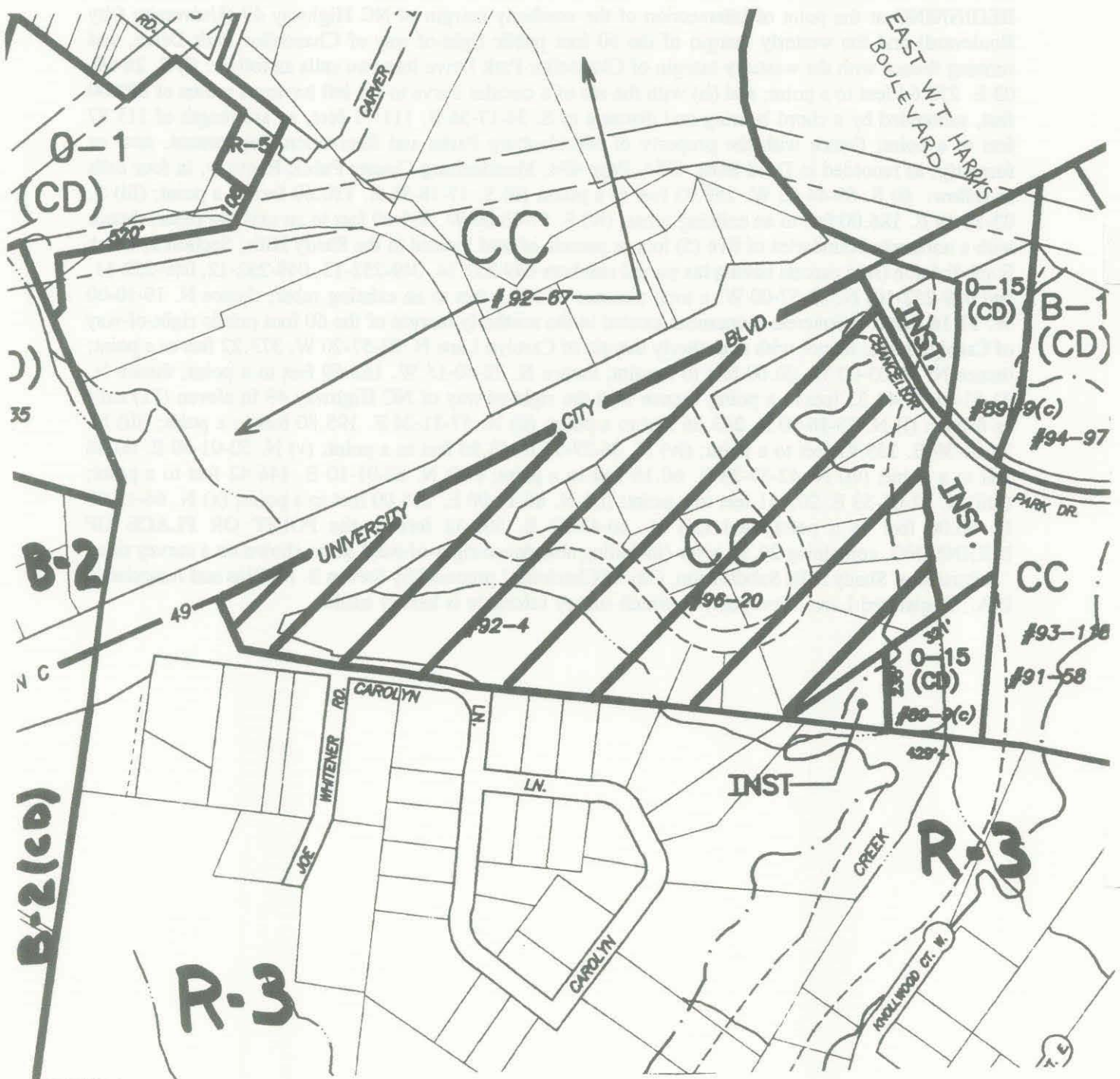
Petitioner: Dayton Hudson Corporation

Hearing Date: September 15, 1997

Zoning Classification (Existing): CC

Zoning Classification (Requested): CC Site Plan Amendment

Location: Approximately 26.39 acres located on the south side of University City Boulevard (NC 49), between Chancellor Park Drive and Carolyn Lane.





November 17, 1997  
Ordinance Book 48, Page 286

CITY CD

Petition No. 97-69  
Cambridge Properties, Inc.

ORDINANCE NO. 943-Z

APPROVED BY CITY COUNCIL

DATE NOVEMBER 17, 1997

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 2.0 acres located on the northern corner of Monroe Road and Eastway 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 September 15, 1997; 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, O-2, and R-17MF to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

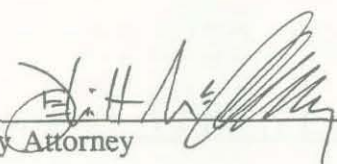
Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

-continued-

November 17, 1997  
Ordinance Book 48, Page 287

APPROVED AS TO FORM:

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

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 17th day of November, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 286-288C.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of December, 1997.

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



November 17, 1997  
Ordinance Book 48, Page 288

Petition No. 97-69  
Cambridge Properties, Inc.

### **PARALLEL CONDITIONAL USE PERMIT**

This is a parallel conditional use permit approved by the Charlotte City Council to Cambridge Properties, Inc. and successors-in-interest of the property described as tax parcels 159-051-(02, 03, & 04) and a portion of tax parcel 159-051-02 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-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.

97-69

**EXHIBIT A**  
**LOT 1 DESCRIPTION**

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

BEGINNING at a new iron pin located at the western terminus of the diagonal formed by the intersection of the northeastern margin of the right-of-way of Monroe Road (variable public dedicated right-of-way) and the northwestern margin of the right-of-way of N. Wendover Road (formerly known as, and sometimes referred to as, Eastway Drive) (variable public dedicated right-of-way); thence, with and along the northeastern margin of the right-of-way of Monroe Road, the following two courses and distances: (1) N. 60-17-51 W. 51.26 feet to a new iron pin; and (2) N. 53-16-40 W. 163.69 feet to existing iron pin, a corner of the property of Burwell-Goodwin (now or formerly) as described in Deed Book 8154, Page 603 in the Mecklenburg County Public Registry (the "Registry"); thence, leaving the northeastern margin of the right-of-way of Monroe Road, and with and along the boundary line of the property of Burwell-Goodwin, the following two (2) courses and distances: (1) N. 38-11-30 E. 107.04 feet to an existing iron pin; and (2) N. 52-51-02 W. 10.00 feet to a point; thence N. 38-11-31 E. 20.00 feet to a point; thence N. 52-51-02 W. 115.02 feet to a point in the southeastern margin of the right-of-way of Mayview Drive (50' public dedicated right-of-way); thence, with and along the southeastern margin of the right-of-way of Mayview Drive, N. 38-10-33 E. 80.89 feet to an existing iron pin; thence, leaving the southeastern margin of the right-of-way of Mayview Drive, S. 51-48-55 E. 239.62 feet to a new iron pin; thence N. 40-44-00 E. 125.03 feet to an existing iron pin, a corner of the property of the City of Charlotte (now or formerly) as described in Deed Book 7045, Page 320 in the Registry; thence, with and along the boundary line of the property of the City of Charlotte, S. 53-16-00 E. 126.84 feet to a point in the northwestern margin of the right-of-way of N. Wendover Road (formerly known as, and sometimes referred to as, Eastway Drive); thence, with and along the northwestern margin of the right-of-way of N. Wendover Road (formerly known as, and sometimes referred to as, Eastway Drive), the following three courses and distances: (1) S. 37-56-15 W. 45.17 feet to a new iron pin; (2) S. 37-34-40 W. 102.17 feet to a new iron pin; and (3) with the arc of the circular curve to the right, having a radius of 2,487.63 feet, an arc distance of 135.63 feet, and a chord bearing and distance of S. 39-08-20 W. 135.62 feet to a new iron pin; thence, with the diagonal formed by the intersection of the northeastern margin of the right-of-way of Monroe Road and the northwestern margin of N. Wendover Road (formerly known as, and sometimes referred to as, Eastway Drive), S. 77-09-59 W. 50.33 feet to a new iron pin, the point and place of BEGINNING, containing 1.739 acres, more or less, as shown on a "Proposed Rezoning Plan" dated April 11, 1997, last revised November 18, 1997, prepared by W.K. Dickson & Associates.



97-69

**EXHIBIT A**  
**LOT 2 DESCRIPTION**

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

To locate the point of beginning, commence at a new iron pin located at the western terminus of the diagonal formed by the intersection of the northeastern margin of the right-of-way of Monroe Road (variable public dedicated right-of-way) and the northwestern margin of the right-of-way of N. Wendover Road (formerly known as, and sometimes referred to as, Eastway Drive) (variable public dedicated right-of-way); thence, with and along the northeastern margin of the right-of-way of Monroe Road, the following two courses and distances: (1) N. 60-17-51 W. 51.26 feet to a new iron pin; and (2) N. 53-16-40 W. 163.69 feet to existing iron pin, a corner of the property of Burwell-Goodwin (now or formerly) as described in Deed Book 8154, Page 603 in the Mecklenburg County Public Registry (the "Registry"); thence, leaving the northeastern margin of the right-of-way of Monroe Road, and with and along the boundary line of the property of Burwell-Goodwin, the following two (2) courses and distances: (1) N. 38-11-30 E. 107.04 feet to an existing iron pin; and (2) N. 52-51-02 W. 10.00 feet to a point, the point and place of BEGINNING; thence, from the point of beginning, continuing with and along the boundary line of the property of Burwell-Goodwin, N. 52-51-02 W. 115.02 feet to an existing iron pin in the southeastern margin of the right-of-way of Mayview Drive (50' public dedicated right-of-way); thence, with and along the southeastern margin of the right-of-way of Mayview Drive, N. 38-10-33 E. 20.00 feet to a point; thence, leaving the southeastern margin of the right-of-way of Mayview Drive, S. 52-51-02 E. 115.02 feet to a point; thence S. 38-11-31 W. 20.00 feet to the point and place of BEGINNING, containing 0.053 acres, more or less, as shown on a "Proposed Rezoning Plan" dated April 11, 1997, last revised November 18, 1997, prepared by W.K. Dickson & Associates.



November 17, 1997  
Ordinance Book 48, Page 288C  
Petition #: 97-69

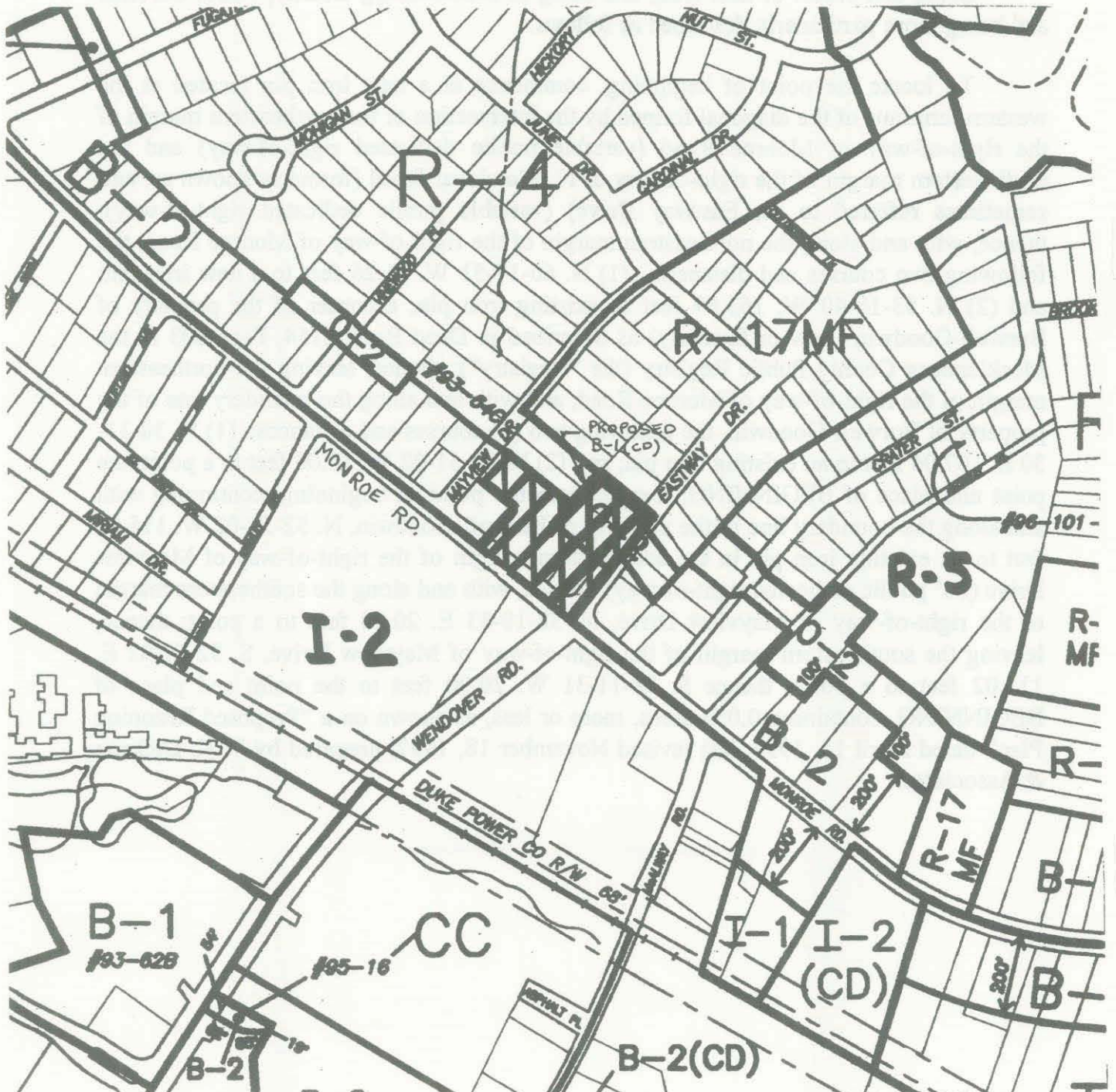
Petitioner: Cambridge Properties, Inc.

Hearing Date: September 15, 1997

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

Zoning Classification (Requested): B-1(CD) and B-2(CD)

Location: Approximately 2 acres located on the northern corner of Monroe Road and Eastway Drive.





November 17, 1997  
Ordinance Book 48, Page 289

ORDINANCE NO. 944-Z  
CITY ZONE CHANGE

Petition No. 97-72  
Hal Abernethy

APPROVED BY CITY COUNCIL

DATE NOVEMBER 17, 1997  
MAP AMENDMENT NO. \_\_\_\_\_

ZONING REGULATIONS

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 the property identified as approximately 13.2 acres located on the west side of East Craighead Road at Butterfield Street [tax parcels 091-112-(10, 11, & 13) and 091-111-(01, 03, & 05)] from I-1 to I-2 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

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

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 17th day of November, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 289-290.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of December, 1997.

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

November 17, 1997  
Ordinance Book 48, Page 290

**Petition #:** 97-72

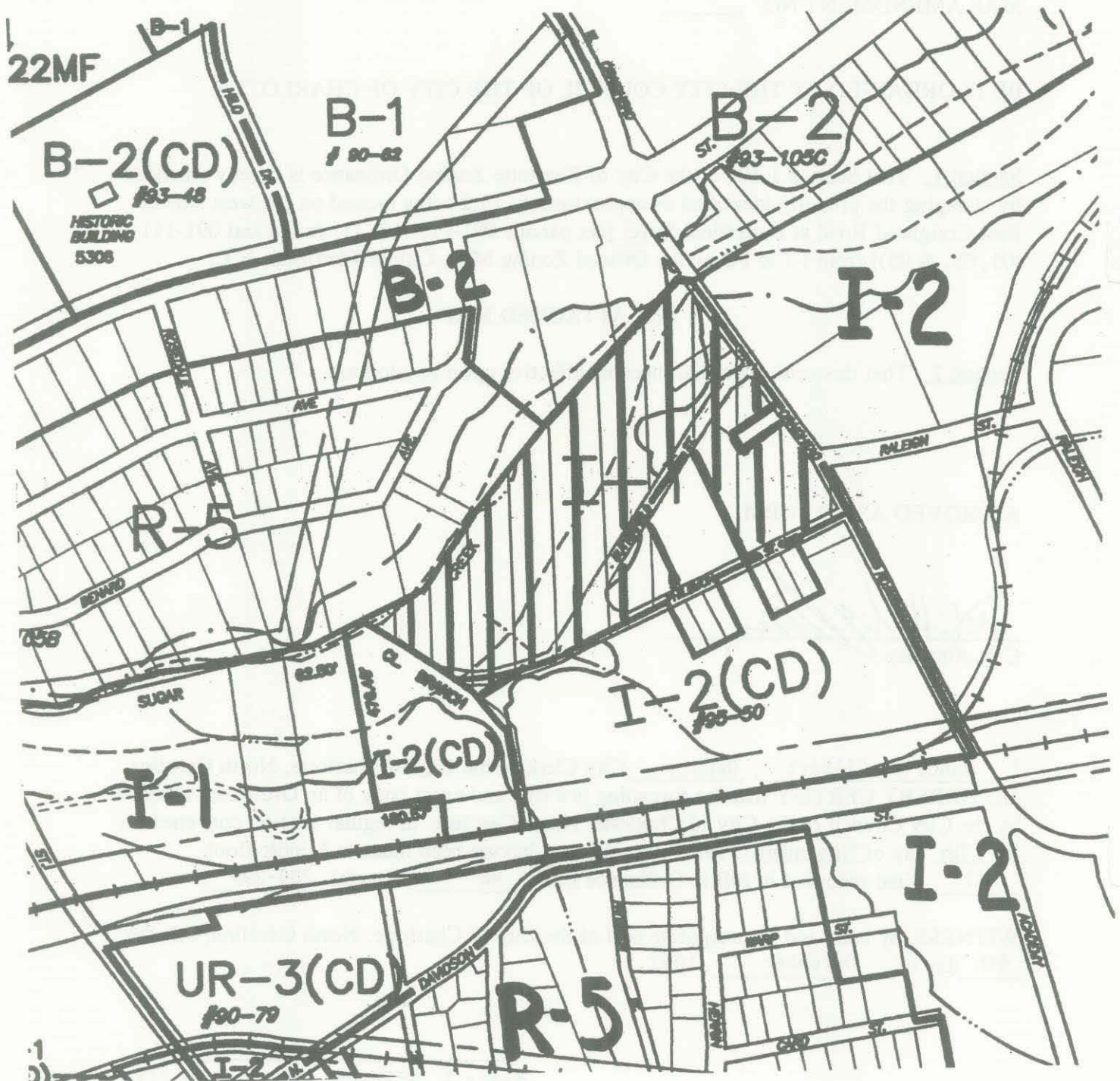
**Petitioner:** Hal Abernethy

**Hearing Date:** September 15, 1997

**Zoning Classification (Existing):** I-1 and I-2(CD)

**Zoning Classification (Requested):** I-2

**Location:** Approximately 13.2 acres located on the west side of East Craighead Road and the north side of Butterfield Street.





APPROVED BY CITY COUNCIL  
DATE \_\_\_\_\_  
AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING

WHEREAS, a petition was presented to the City Council of the City of Chicago regarding the zoning of approximately 100 acres located on the eastern side of Highway 124 (North York Street) in the intersection with Michigan Street, and

WHEREAS, the petition for rezoning for a specific residential use district and a lot split is contained in Section 6 and was submitted to the City Council Planning Commission, and the Commission by a unanimous vote adopted a resolution to amend the City Code and to recommend that the rezoning be approved by the City Council;

**This page not used**

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6, Part 1 and a public hearing was held on October 12, 1997, and

WHEREAS, in the course of the public hearing the City Council of the City of Chicago has considered the petition of the petitioner, and the public interest of the community, and the rezoning is in the public interest;

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

Section 1. That section 1.04 of the City of Chicago Zoning Ordinance is hereby amended by changing from O-1 (Office B-1) to O-1 (Office B-1) and from Residential to Office (Office B-1) of Chicago, and the following amended text:

SEE ATTACHED

Section 2. The all independent development and use of the property shall be in accordance with the general use.

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

November 17, 1997  
Ordinance Book 48, Page 292

CITY CD

Petition No. 97-76  
The Prado, LLC

ORDINANCE NO. 945-Z

**APPROVED BY CITY COUNCIL**

**DATE** NOVEMBER 17, 1997

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 10.305 acres located on the eastern side of Highway 29 (North Tryon Street) at the intersection with McCullough Drive; 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 October 22, 1997; 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-1(CD) to B-1(CD) and O-1(CD) Site Plan Amendment 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-

November 17, 1997  
Ordinance Book 48, Page 293

APPROVED AS TO FORM:

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

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 17th day of November, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 292-294B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of December, 1997.

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



November 17, 1997  
Ordinance Book 48, Page 294

Petition No. 97-76  
The Prado, L.L.C.

### **PARALLEL CONDITIONAL USE PERMIT**

This is a parallel conditional use permit approved by the Charlotte City Council to The Prado, L.L.C. and successors-in-interest of the property described as tax parcel 049-331-37 for B-1(CD) and tax parcels 049-331-(03, 34, & 35) for O-1(CD) S.P.A. 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-1(CD) and O-1(CD) S.P.A. 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.

November 17, 1997  
Ordinance Book 48, Page 294A

97-76

Legal Description for rezoning application  
The Prado Subdivision

BEGINNING at a point located in the eastern right-of-way line of North Carolina Highway #29, (120' public R/W), said point being the westernmost corner of Tract #6 of "The Prado" subdivision as the same is shown on the Subdivision Plat of The Prado--Map 1 attached hereto; and running thence from said beginning point with the aforesaid right of way margin the following three (3) courses and distances: (1) around the arc of a circular curve to the right having a radius of 3053.86 feet an arc distance of 575.46 feet to a point; (2) thence around the arc of a circular curve to the right with a radius of 3053.86 feet an arc distance of 214.22 feet to a point; (3) thence North 29°41'51" East 261.85 feet to a point; thence leaving the aforesaid right-of-way margin and running thence with the western line of Charlotte Lakeside Hotel Limited Partnership property (now or formerly) South 55°39'07" East 757.66 feet to an iron pipe in the northern line of M.C. Wallace property (now or formerly) and running thence with said northern line of M.C. Wallace and others South 14°00'03" West 414.51 feet to an iron pipe in the northern line of Marie Louise Rimer property (now or formerly); thence with said north line of Marie Louise Rimer and others South 12°05'29" West 410.59 feet to an iron pipe; running thence with the western line of the New Hampton Presbyterian Church property (now or formerly) South 13°04'28" West 29.91 feet to an iron pipe found; thence with the northern line of said New Hampton Presbyterian Church North 57°28'59" West 947.15 feet to a found concrete monument in the aforesaid eastern right-of-way of North Carolina Hwy. #29; thence along said right-of-way margin with the arc of a circular curve to the right having a radius of 3053.86' an arc distance of 273.66 feet TO THE POINT AND PLACE OF BEGINNING. LESS AND EXCEPT the property designated as Tract #2, containing 2.3017 acres, more or less, the property designated as Tract #5, containing 2.5503 acres, more or less, and the right-of-way of E. McCullough Drive, all of which are depicted and more particularly described on the attached Subdivision Plat.



November 17, 1997  
Ordinance Book 48, Page 294B

**Petition #:** 97-76

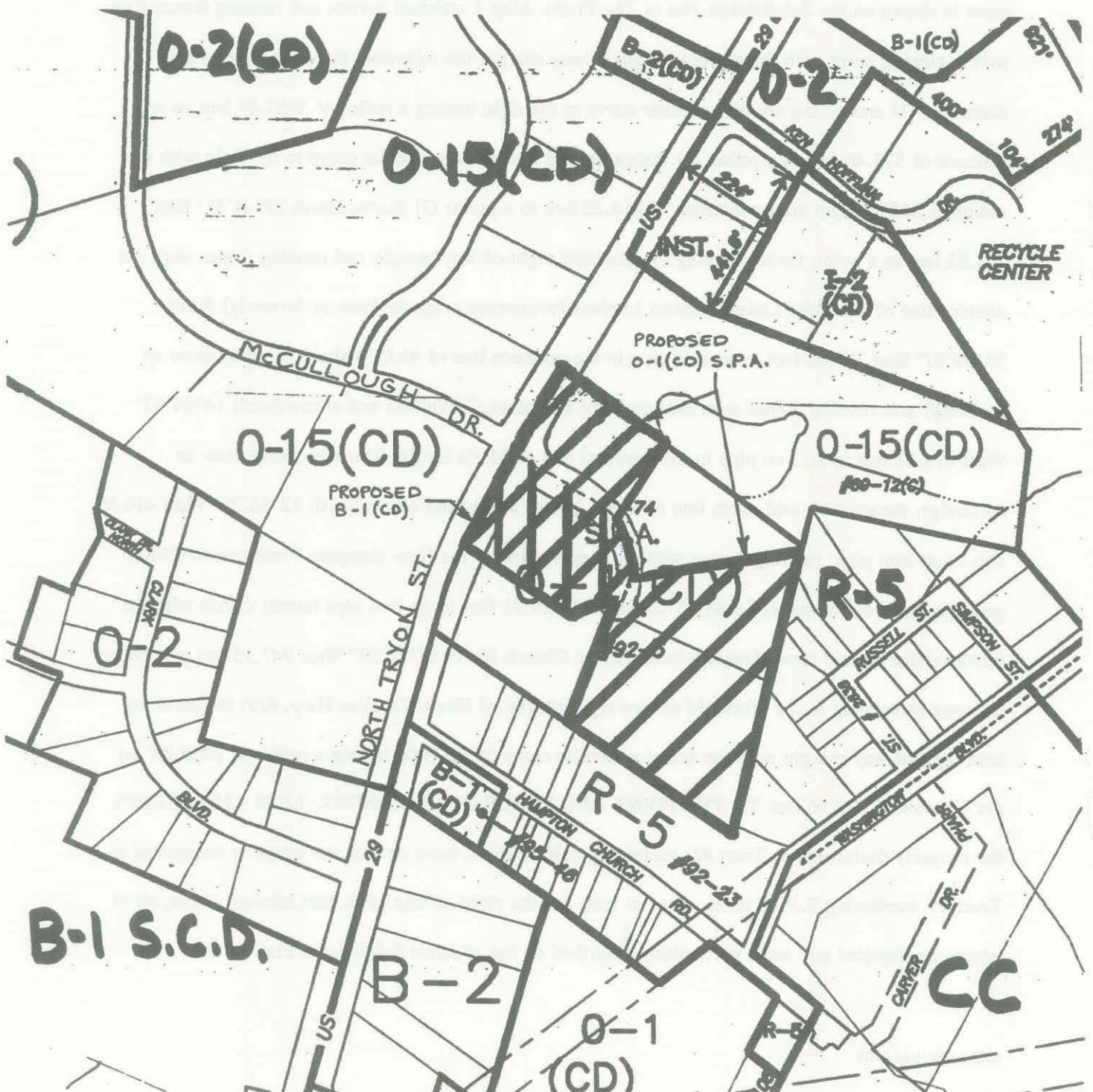
**Petitioner:** The Prado L.L.C.

**Hearing Date:** September 15, 1997

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

**Zoning Classification (Requested):** O-1(CD) Site Plan Amendment and B-1(CD)

**Location:** Approximately 10.305 acres located on the eastern side of Highway 29  
(North Tryon Street) at the intersection with McCullough Drive.



November 17, 1997  
Ordinance Book 48, Page 295

CITY CD

Petition No. 97-77  
Spring's Investment Limited Partnership

ORDINANCE NO. 946-Z

**APPROVED BY CITY COUNCIL**

**DATE NOVEMBER 17, 1997**

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 48.5 acres located on the west side of Providence Road and the north side of Pineville-Matthews Road (NC Highway 51); 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 22, 1997; 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 R-15MF(CD) to O-1(CD), R-8MF(CD), and R-17MF(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.

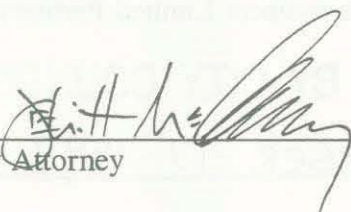
Section 3. That this ordinance shall become effective upon its adoption.

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November 17, 1997  
Ordinance Book 48, Page 296

APPROVED AS TO FORM:

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

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 17th day of November, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 295-297C.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of December, 1997.

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

Petition No. 97-77

Spring's Investment Limited Partnership

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Spring's Investment Limited Partnership and successors-in-interest of the property described as tax parcels 211-271-(08, 21, & 22) 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), R-8MF(CD), and R-17MF(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.



97-77

**LEGAL DESCRIPTION**  
**SPRINGS INVESTMENT LIMITED PARTNERSHIP**

**Parcel 1 [(R-3 & R-15MF(CD) to O-1(CD))]**

BEGINNING at a point in the northerly right-of-way line of Pineville-Matthews Road (N.C. Highway 51), said point being the southwesterly corner of a parcel of land described in Deed Book 5695, Page 0691, of the Mecklenburg Public Registry and running thence with said Highway 51 right-of-way four courses as follows: (1) S. 65-09-30 W. 13.68 feet; (2) with the arc of a circular curve to the left, having a radius of 2,896.29 feet, an arc distance of 170.37 feet; (3) with the arc of a circular curve to the left, having a radius of 2,874.29 feet, an arc distance of 112.57 feet; (4) S. 65-25-25 W. 411.25 feet to the center line of a proposed new public street; thence with said new street center line nine courses as follows: (1) N. 24-29-42 W. 217.53 feet; (2) with the arc of a circular curve to the left, having a radius of 1,000.00 feet, an arc distance of 119.65 feet; (3) N. 33-21-02 W. 81.89 feet; (4) with the arc of a circular curve to the right, having a radius of 425.00 feet, an arc distance of 152.28 feet; (5) N. 10-49-16 W. 125.89 feet; (6) with the arc of a circular curve to the right, having a radius of 347.00 feet, an arc distance of 707.27 feet; (7) S. 74-02-17 E. 625.41 feet; (8) with the arc of a circular curve to the left, having a radius of 350.00 feet, an arc distance of 104.35 feet; (9) N. 88-52-48 E. 59.67 feet to a point in the westerly right-of-way line of Providence Road (N.C. Highway 16); thence with said right-of-way with the arc of a circular curve to the left, having a radius of 7,709.44 feet, an arc distance of 184.70 feet; thence S. 80-58-38 W. 576.68 feet; thence S. 12-06-21 E. 478.03 feet to the point of BEGINNING and containing 16.0 acres, more or less.

**Parcel 2 [(R-3 & R-15MF(CD) to R-17MF(CD))]**

BEGINNING at a point in the northerly right-of-way line of Pineville-Matthews Road (N.C. Highway 51), said point being the southwesterly corner of the property described in Parcel 1 above and being also in the center line of a proposed new public street and running thence with said right-of-way of N.C. Highway 51 three courses as follows: (1) with the arc of a circular curve to the left, having a radius of 2,914.79 feet, an arc distance of 411.59 feet; (2) S. 61-12-41 W. 410.22 feet; (3) N. 72-22-01 W. 48.15 feet to a point in the easterly right-of-way line of Arboretum View; thence N. 10-29-17 W. 327.40 feet; thence N. 10-48-59 W. 600.78 feet; thence N. 11-08-00 W. 299.44 feet; thence N. 11-03-02 W. 282.09 feet; thence N. 66-50-05 W. 280.07 feet; thence N. 83-01-09 E. 379.03 feet; thence S. 42-10-47 E. 104.54 feet; thence S. 89-21-30 E. 123.80 feet; thence N. 69-24-03 E. 166.71 feet; thence N. 30-59-56 E. 256.55 feet; thence S. 01-28-56 E. 699.01 feet; thence S. 64-00-00 E. 25.00 feet to the center line of a new proposed public street; thence with said center line six courses as follows: (1) with the arc of a circular curve to the left, having a radius of 347.00 feet, an arc distance of 221.99 feet; (2) S. 10-49-16 E. 125.89 feet; (3) with the arc of a circular curve to the left, having a radius of 425.00 feet, an arc distance of 152.28 feet; (4) S. 31-21-02 W. 81.89 feet; (5) with the arc of a circular curve to the right, having a radius of 1,000.00 feet, an arc distance of

November 17, 1997  
Ordinance Book 48, Page 297B

119.65 feet; (6) S. 24-29-42 W. 217.53 feet to the point of BEGINNING and containing 20.0 acres, more or less.

**Parcel 3 [(R-3 & R-15MF(CD) to R-8MF(CD))]**

BEGINNING at a point in the westerly right-of-way line of Providence Road (N.C. Highway 16), said point being in the center line of a proposed new public street, the northeasterly corner of Parcel 1 described above, and running thence with the center line of said new street four courses as follows: (1) S. 88-52-48 W. 53.67 feet; (2) with the arc of a circular curve to the right, having a radius of 350.00 feet, an arc distance of 104.35 feet; (3) N. 74-02-17 W. 625.41 feet; (4) with the arc of a circular curve to the left, having a radius of 347.00 feet, an arc distance of 485.28 feet; thence N. 64-00-00 W. 25.00 feet; thence N. 01-28-56 E. 699.01 feet; thence S. 61-01-19 E. 138.39 feet; thence N. 82-39-25 E. 520.33 feet; thence S. 82-54-41 E. 49.97 feet; thence S. 01-49-28 W. 275.09 feet; thence S. 82-51-25 E. 546.75 feet to a point in the westerly right-of-way line of Providence Road; thence with said right-of-way three courses as follows: (1) S. 01-41-18 W. 19.31 feet; (2) S. 01-24-10 E. 300.45 feet; (3) with the arc of a circular curve to the left, having a radius of 7,709.44 feet, an arc distance of 58.46 feet to the point of BEGINNING and containing 12.5 acres, more or less.



November 17, 1997  
Ordinance Book 48, Page 297C  
Petition #: 97-77

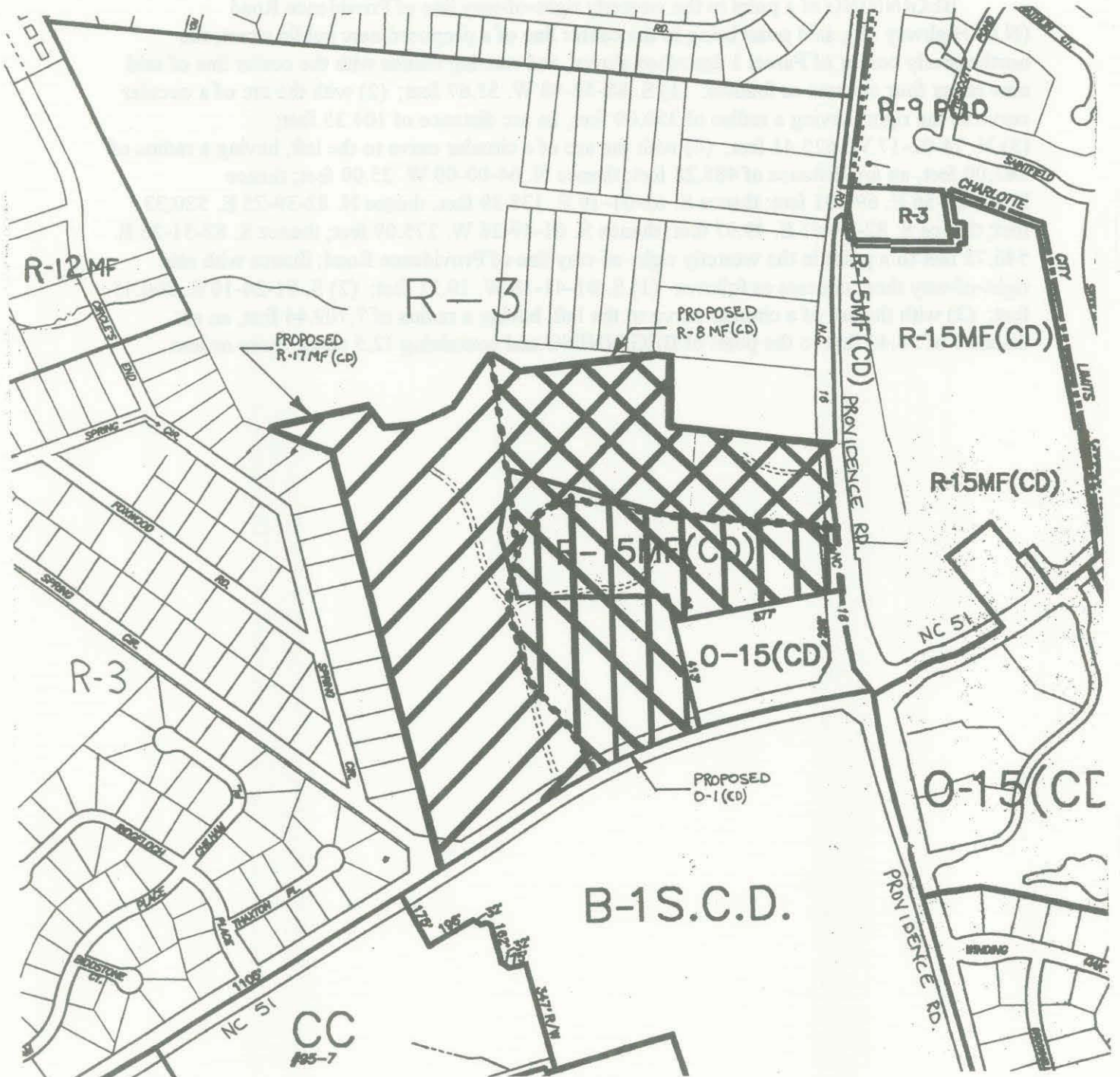
Petitioner: Springs Investment Limited Partnership

Hearing Date: October 22, 1997

Zoning Classification (Existing): R-3 and R-15MF(CD)

Zoning Classification (Requested): O-1(CD), R-8MF(CD), and R-17MF(CD)

Location: Approximately 48.5 acres located on the west side of Providence Road and the north side of Pineville-Matthews Road (NC Hwy 51).



November 17, 1997  
Ordinance Book 48, Page 298

CD SITE PLAN AMENDMENT

Petition No. 97-87  
Hendrick Automotive Group

ORDINANCE NO. 947-Z

**APPROVED BY CITY COUNCIL**

**DATE** NOVEMBER 17, 1997

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 8.12 acres located southwest of Independence Boulevard near 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 October 22, 1997; 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) to B-2(CD) Site Plan Amendment on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

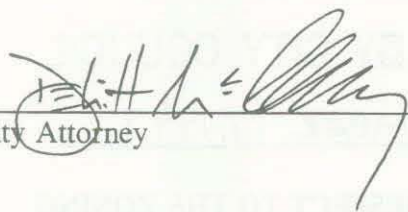
Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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



November 17, 1997  
Ordinance Book 48, Page 299

APPROVED AS TO FORM:

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

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 17th day of November, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 298-300B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 111 day of December, 1997.

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

November 17, 1997  
Ordinance Book 48, Page 300

Petition No. 97-87  
Hendrick Automotive Group

### **PARALLEL CONDITIONAL USE PERMIT**

This is a parallel conditional use permit approved by the Charlotte City Council to Hendrick Automotive Group and successors-in-interest of the property described as tax parcel 191-061-21 and a portion of tax parcel 191-061-09 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) S.P.A. 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.



November 17, 1997  
Ordinance Book 48, Page 300A

97-87

**HENDRICK AUTOMOTIVE GROUP**  
**BOUNDARY DESCRIPTION**

**BEGINNING** at the southeasterly corner of a parcel of land described in Deed Book 7692 Page 0883 of the Mecklenburg Public Registry, and running thence S. 64-46-33 W. 271.00 feet; thence N. 24-07-45 W. 698.63 feet; thence N. 24-13-22 W. 604.92 feet; thence N. 65-46-38 E. 269.93 feet; thence S. 24-04-20 E. 290.22 feet; thence S. 24-22-42 E. 304.58 feet; thence S. 24-08-02 E. 704.23 feet to the **BEGINNING** and containing 8.13 acres.

November 17, 1997  
Ordinance Book 48, Page 300B

**Petition #:** 97-87

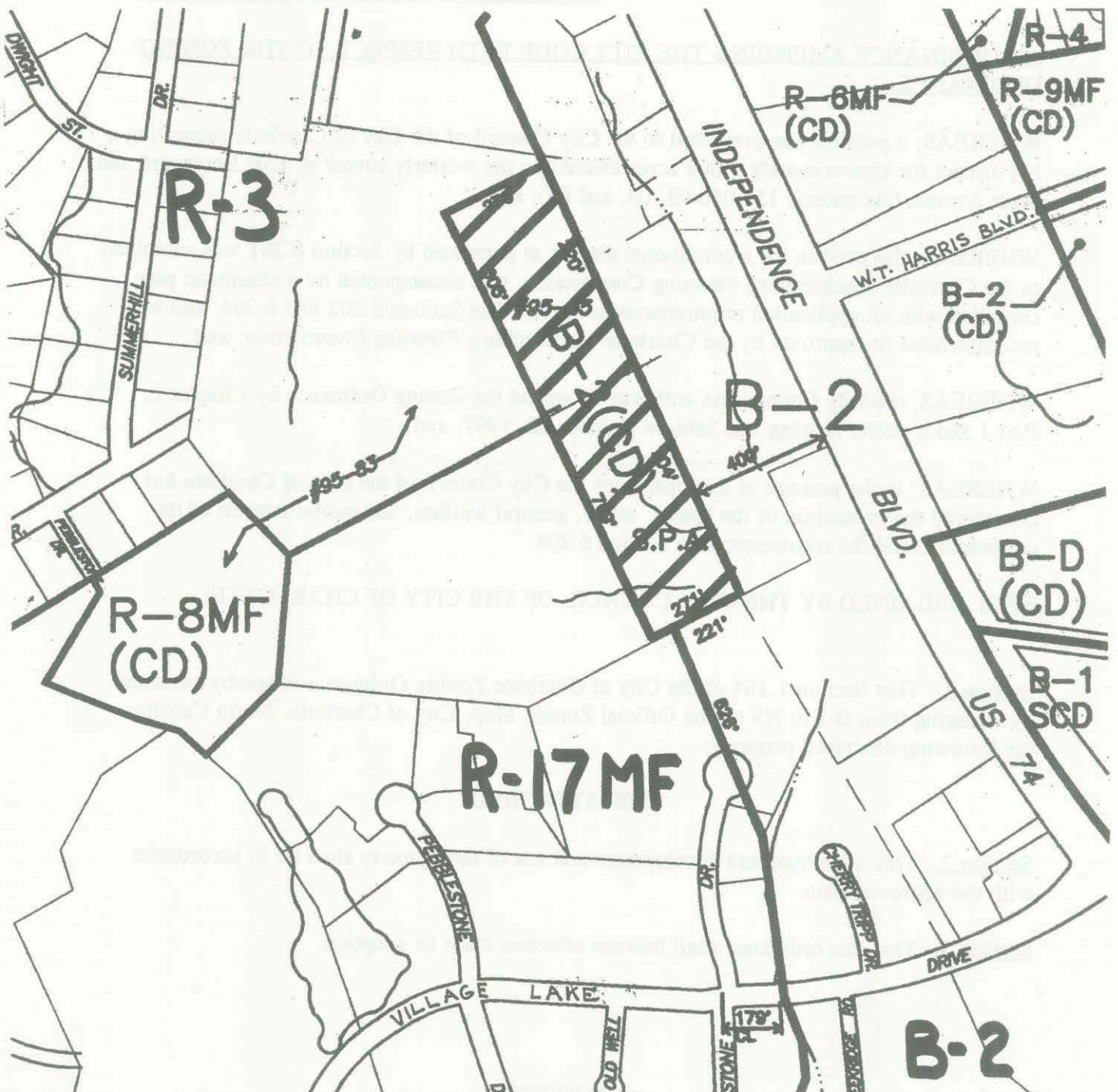
**Petitioner:** Hendrick Automotive Group

**Hearing Date:** October 22, 1997

**Zoning Classification (Existing):** B-2(CD)

**Zoning Classification (Requested):** B-2(CD) Site Plan Amendment

**Location:** Approximately 8.12 acres located southwest of Independence Boulevard near W.T. Harris Boulevard.





November 17, 1997  
Ordinance Book 48, Page 301

CITY NS DISTRICT

Petition No. 97-88  
George, Nicole, and Demetre Castanas

ORDINANCE NO. 948-Z

**APPROVED BY CITY COUNCIL**

**DATE NOVEMBER 17, 1997**

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 a NS district for approximately 1.008 acres located on the westerly corner of East Boulevard and Scott Avenue (tax parcels 151-016-03, 04, and 05); and

WHEREAS, the petition for a conditional 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 22, 1997; and

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

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

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

SEE ATTACHED

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

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

November 17, 1997  
Ordinance Book 48, Page 302

APPROVED AS TO FORM:

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

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 17th day of November, 1997, the reference having been made in Minute Book  
111, and recorded in full in Ordinance Book 48, Page(s) 301-303A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the  
4th day of December, 1997.

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



November 17, 1997  
Ordinance Book 48, Page 303

**Case # 97-88 Boundary Description**

The tract of land depicted as the property described as Tax Parcels #151-016-03, 151-016-04, and 151-016-05 and also described as deed #6952 0491 in the Mecklenburg County Public Registry is the boundary description for the property owned by James N. Castanas and being proposed for rezoning George, Nicole, and Demetre Castanas.





November 17, 1997  
Ordinance Book 48, Page 304

CITY CD & ZONE CHANGE

Petition No. 97-92  
Altman Development Corporation  
Ridgeline Development Corporation

ORDINANCE NO. 949-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 52.125 acres located on the north side of Mallard Creek Road, just east of Prosperity 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 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 22, 1997; 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, R-12MF(CD), and R-17MF(CD) to R-3, R-17MF(CD), R-17MF(CD) S.P.A., and R-6(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

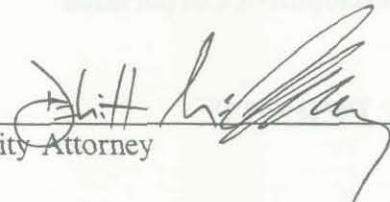
SEE ATTACHED

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.

November 17, 1997  
Ordinance Book 48, Page 305

APPROVED AS TO FORM:

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

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 17th day of November, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 304-306C.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of December, 1997.

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



November 17, 1997  
Ordinance Book 48, Page 306

**Petition No. 97-92**  
**Altman Development Corporation**  
**Ridgeline Development Corporation**

## **PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to Altman Development Corporation and Ridgeline Development Corporation and successors-in-interest of the property 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-17MF(CD), R-17MF(CD) S.P.A., and R-6(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.**

**Parcel A R-17MF(CD)**

Beginning at a R/W Monument found on the North side of Mallard Creek Road go S 67°38'47" W 338.59 along the Mallard Creek R/W to a beginning point of Parcel A and continue as follows:

- N 20°23'23" W 127.22'
- N 58°57'14" W 404.25'
- N 58°32'32" W 449.52'
- N 59°19'56" W 283.14'
- N 59°19'22" W 185.27'
- N 13°46'14" E 133.65'
- N 13°56'25" E 273.81'
- N 14°04'43" E 252.69'
- N 66°17'25" E 512.18'
- S 69°49'12" E 160.97'
- S 35°15'17" E 715.28'
- S 73°35'19" W 99.76'
- S 31°28'39" W 166.56'
- S 31°28'39" W 34.97'
- S 23°37'05" W 86.21'
- S 04°08'39" E 75.56'
- S 13°05'38" E 395.13'
- S 25°43'28" W 146.00'
- S 24°00'58" W 188.90'
- S 65°57'49" W 25.57'
- S 24°02'11" E 15'
- S 24°04'11" W 25.83'
- Return to beginning point
- S 67°41'09" W 126.80'

**Parcel B R-17MF(CD)**

Beginning at an iron pin located in the northern corner of the Evelyn Galioway Alexander and John H. Alexander Property continue to a beginning point and as follows:

- S 25°43'28" W 190.29'
- N 13°05'38" W 395.13'
- N 04°08'39" W 75.56'
- N 23°37'05" W 86.21'
- N 31°28'39" E 34.97'
- S 25°24'00" E 116.14'
- S 14°29'23" W 145.28'
- S 14°38'17" E 114.21'
- Return to beginning point at
- S 56°05'56" E 91.66'

**Parcel C R-17MF(ED)**

Beginning at a Railroad spike in the centerline of Mallard Creek Road proceed as follows:

- S 65°43'33" W 317.95'
- N 24° 00'58" W 456.73'
- N 56°05'56" W 115.44'
- S 25°43'28" W 190.29'
- S 25°43'28" W 146.00'
- Return to beginning point at
- S 24°00'58" E 188.90'



**Parcel D R-6(CD)**

Beginning at an iron pin located in the northern corner of the Evelyn Galloway Alexander and John H. Alexander Property continue S 25° 43' 28" W 406.05' to a beginning point and as follows:

S 25° 43' 28" W 80.34'  
S 56° 05' 56" W 115.44'  
Return to beginning point at  
N 24° 01' 06" W 149.73'

**Parcel E R-6(CD)**

Beginning at an iron pin located in the northern corner of the Evelyn Galloway Alexander and John H. Alexander Property proceed as follows:

S 25° 43' 28" W 406.05'  
S 24° 01' 06" E 149.73'  
N 54° 37' 22" E 528.36'  
Return to beginning point at  
N 58° 03' 18" W 371.81'

**Parcel F R-6(CD)**

Beginning at a Railroad spike in the centerline of Mallard Creek Road approx. 860' SW of Galloway Road proceed as follows:

Left on a curve with a Radius of 1210.01', and radius Length of 138.08'

N 48° 47' 29" E 204.28'

Right on a curve with a Radius of 5576.08', and radius Length of 100.00'

N 49° 49' 08" E 540.53'

N 45° 35' 41" W 210.56'

N 53° 21' 05" E 42.03'

N 42° 17' 41" W 264.75'

S 43° 27' 26" W 338.91'

N 54° 24' 50" W 602.45'

S 38° 58' 54" W 613.20'

S 31° 28' 39" W 166.56'

S 25° 24' 00" E 116.14'

S 14° 29' 23" W 145.28'

S 14° 38' 17" E 114.21'

N 25° 43' 28" E 486.39'

S 58° 03' 18" E 371.81'

S 19° 51' 09" E 289.15'

S 48° 47' 29" W 67.81'

Right on a curve with a Radius of 1160.01',

and radius Length of 88.44'

Return to beginning point at  
S 03° 18' 38" W 64.48'

**Parcel G R-3**

Beginning at a Railroad spike in the centerline of Mallard Creek Road approx. 860' SW of Galloway Road Continue N 03° 18' 38" E 64.48' to a beginning point and as follows:

N 03° 18' 38" E 372.93'

S 19° 51' 09" E 289.15'

S 48° 47' 29" W 67.81'

N 42° 17' 41" W 264.75'

Return to beginning point at

Right on a curve with a Radius of 1160.01',

and radius Length of 88.44'

November 17, 1997  
Ordinance Book 48, Page 306C

Petition #: 97-92

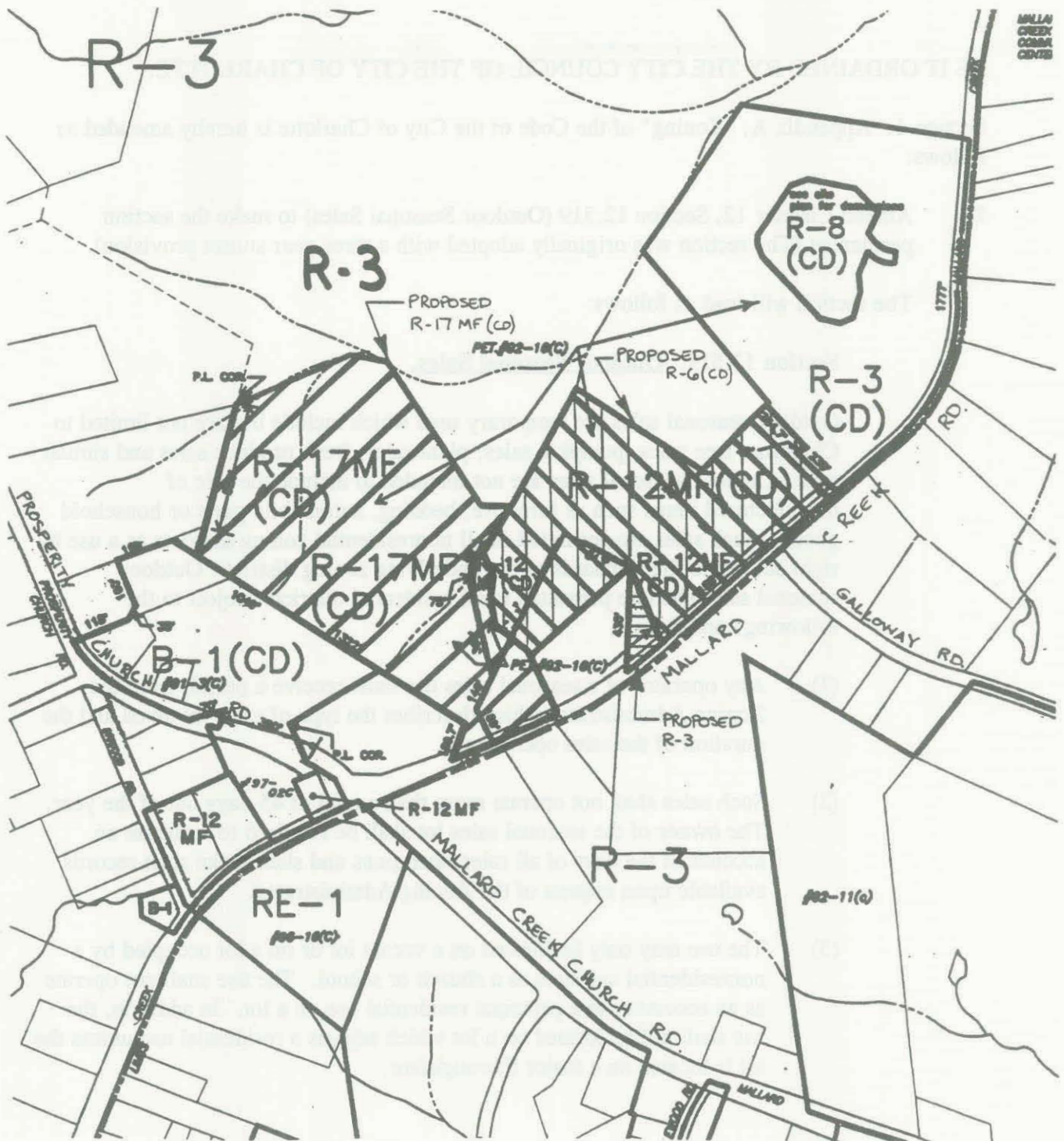
Petitioner: Altman Development Corporation

Hearing Date: October 22, 1997

Zoning Classification (Existing): R-3, R-12MF(CD), and R-17MF(CD)

Zoning Classification (Requested): R-17MF(CD), R-17MF(CD) S.P.A., R-6<sup>(CP)</sup> and R-3

Location: Approximately 52.125 acres located on the north side of Mallard Creek Road, just east of Prosperity Church Road.





November 17, 1997  
Ordinance Book 48, Page 307

APPROVED BY CITY COUNCIL

Petition No. 97-93  
Petitioner: Charlotte-Mecklenburg Planning Commission

DATE NOVEMBER 17, 1997

ORDINANCE NO. 950

AN ORDINANCE AMENDING APPENDIX A  
OF THE CITY CODE - ZONING ORDINANCE

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

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Chapter 12, Section 12.519 (Outdoor Seasonal Sales) to make the section permanent (The section was originally adopted with a three year sunset provision).

The section will read as follows:

**Section 12.519. Outdoor Seasonal Sales.**

Outdoor seasonal sales are temporary uses which include but are not limited to Christmas tree sales, pumpkin sales, plant sales, fresh produce sales and similar uses. Outdoor seasonal sales are not intended to include the sale of manufactured items such as furniture, bedding, automobile parts or household goods. Such sales are permitted in all nonresidential zoning districts as a use by right subject to the standards of the underlying zoning district. Outdoor seasonal sales shall be permitted in all residential districts subject to the following conditions:

- (1) Any operator of a seasonal sales use must receive a permit from the Zoning Administrator which describes the type of sales involved and the duration of the sales operation.
- (2) Such sales shall not operate more than a total of 45 days out of the year. The owner of the seasonal sales lot shall be required to maintain an account of the days of all sales operations and shall make such records available upon request of the Zoning Administrator.
- (3) The use may only be located on a vacant lot or on a lot occupied by a nonresidential use such as a church or school. The use shall not operate as an accessory to a principal residential use on a lot. In addition, the use shall not be located on a lot which adjoins a residential use unless the lot is located on a major thoroughfare.

November 17, 1997  
Ordinance Book 48, Page 308

- (4) The use shall be located on a Class III, III-C, or IV street.
- (5) The use shall not involve or require the construction of a permanent building.
- (6) Any signage which identifies the use shall be in accordance with the underlying zoning district.
- (7) Five off-street parking spaces shall be provided for the use.
- (8) The use, including all sale items, parking and maneuvering shall observe a setback of 15 feet and sale items shall not be located in the sight distance triangle.
- (9) The operator is responsible for the removal of any vestige upon cessation of the seasonal sale including signage.

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

Approved as to form:

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

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 17<sup>TH</sup> day of NOVEMBER, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 307-308.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of December, 1997.

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



November 17, 1997  
Ordinance Book 48, Page 309

November 17, 1997  
Ordinance Book 48, Page 309

- (a) The city shall not...
- (b) The city shall not...
- (c) The city shall not...
- (d) The city shall not...
- (e) The city shall not...

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I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Chicago, Illinois, on this 17th day of November, 1997, and recorded as such in Ordinance Book 48, Page 309.

November 17, 1997  
Ordinance Book 48, Page 310

ORDINANCE NO. 951-Z

CITY ZONE CHANGE

Petition No. 97-94  
Hezekiah Alexander Foundation, Inc.

**APPROVED BY CITY COUNCIL**

**DATE** NOVEMBER 17, 1997

ZONING REGULATIONS

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

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 7.466 acres located on the south side of Shamrock Drive between Glenville Avenue and Foxford Place (portion of tax parcel 101-021-01) from R-17MF and INST(CD) to INST on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

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

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 17th day of November, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 310-312.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of December, 1997.

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



November 17, 1997  
Ordinance Book 48, Page 311 97-94

**CONVENTIONAL REZONING REQUEST  
THE CHARLOTTE MUSEUM OF HISTORY  
SHAMROCK DRIVE, CHARLOTTE, NC**

BEGINNING at an existing iron pin on the southerly right-of-way of Shamrock Drive, thence proceeding along said right-of-way N. 79-36-06 E. 431.55 feet to an existing iron pin, thence proceeding S. 10-12-28 E. 758.21 feet to an existing iron pin, thence proceeding S. 82-14-43 W. 438.22 feet to an existing iron pin, thence proceeding N. 09-43-17 W. 738.04 feet to the point and place of BEGINNING as shown on a survey for The Charlotte Museum of History by R. B. Pharr & Associates, PA and dated June 3, 1997.

November 17, 1997  
Ordinance Book 48, Page 312

**Petition #:** 97-94

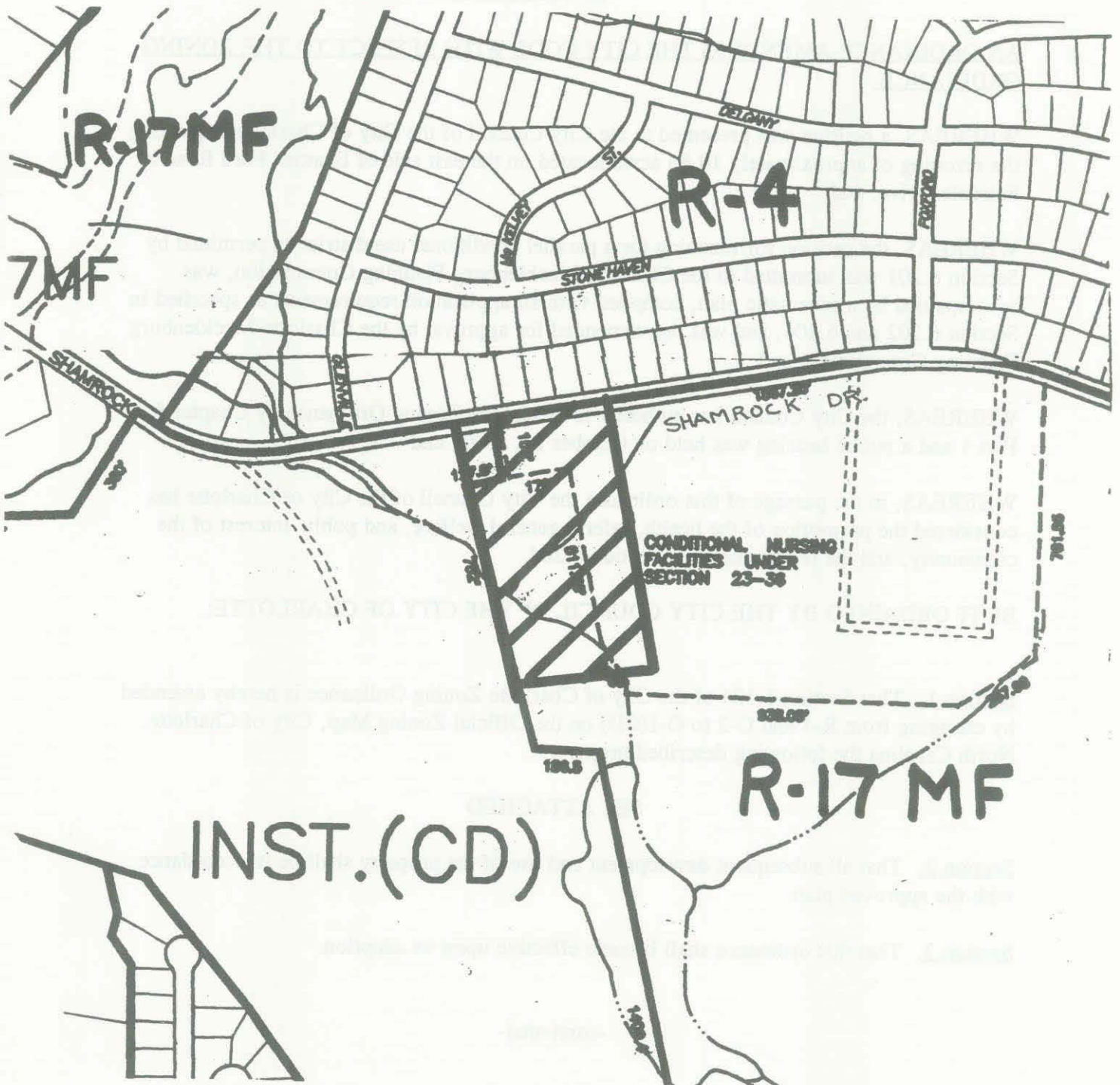
**Petitioner:** Hezekiah Alexander Foundation, Inc.

**Hearing Date:** October 22, 1997

**Zoning Classification (Existing):** R-17MF and INST(CD)

**Zoning Classification (Requested):** INST

**Location:** Approximately 7.466 acres located on the south side of Shamrock Drive  
between Glenville Avenue and Foxford Place.





November 17, 1997  
Ordinance Book 48, Page 313

CITY CD

Petition No. 97-102  
Friendship Missionary

ORDINANCE NO. 952-Z

**APPROVED BY CITY COUNCIL**

**DATE** NOVEMBER 17, 1997

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 10.85 acres located on the east side of Beatties Ford Road at Fairdale 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 October 22, 1997; 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 and O-2 to O-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

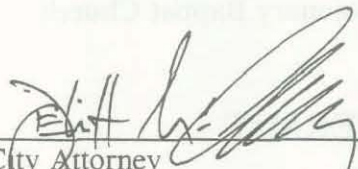
Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

-continued-

November 17, 1997  
Ordinance Book 48, Page 314

APPROVED AS TO FORM:

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

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 17th day of November, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 313-315B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of December, 1997.

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



November 17, 1997  
Ordinance Book 48, Page 315

**Petition No. 97-102**  
**Friendship Missionary Baptist Church**

### **PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to Friendship Missionary Baptist Church and successors-in-interest of the property described as a portion of tax parcel 041-051-17 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.**

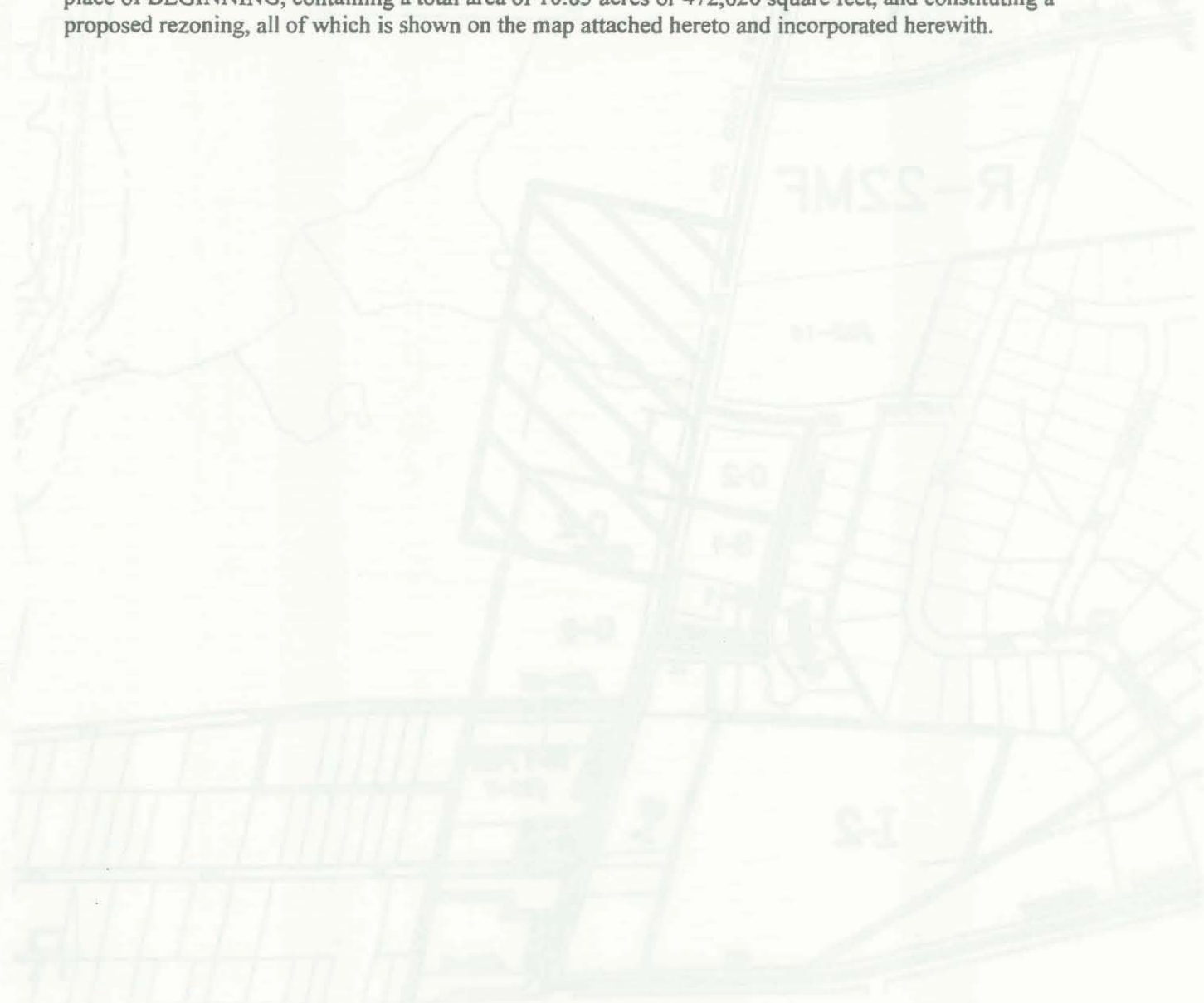
November 17, 1997  
Ordinance Book 48, Page 315A

97-102

**Description Of Rezoning Area  
to serve Friendship Missionary Baptist Church**

Being a portion of the tract of land conveyed to Thomas W. Keller by deeds recorded in the Mecklenburg Public Registry in Deed Books 1235-62, and 1343-217, being more particularly described as follows:

Commencing at a point, said point being the point of the proposed propertyline offset 45' of -L- Beatties Ford Road at station 36+00.66 described on the map titled Charlotte Engineering Department, Beatties Ford Road Widening Project, Property of Thomas W. Keller, dated 1-26-89 with last revision made 9-22-89, being place of BEGINNING and thence running with the eastern right-of-way of Beatties Ford Road SR #2074, N 10-18-28 E, 20.00 feet to a point; thence N 11-43-00 W, 60.33 feet to a point; thence N 17-25-19 W, 64.55 feet to a point; thence N 11-43-00 W, 341.29 feet; thence N 78-14-23 E, 499.74 feet to a point; thence S 11-43-54 E, 946.52 feet to a point; thence S 78-08-18 W, 499.99 feet to a point; thence with the eastern right-of-way of Beatties Ford Road SR #2074, N 11-43-00 W, 441.36 feet to the point and place of BEGINNING, containing a total area of 10.85 acres or 472,626 square feet, and constituting a proposed rezoning, all of which is shown on the map attached hereto and incorporated herewith.





November 17, 1997

Petition #: 97-102 Ordinance Book 48, Page 315B

Petitioner: Friendship Missionary Baptist Church

Hearing Date: October 22, 1997

Zoning Classification (Existing): R-4 and O-2

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

Location: Approximately 10.85 acres located on the east side of Beatties Ford Road at Fairdale Drive.

