

REZONING APPLICATION  
CITY OF CHARLOTTE

Petition No. 77- 10

Date Filed: March 17, 1977

TO: Charlotte-Mecklenburg Planning Commission  
Charlotte, North Carolina

Gentlemen:

Your consideration of a recommendation to the City Council for a change in the zoning classification of the Property hereinafter described is requested.

Location of Property:

The Property consists of 4 adjoining tracts of land having a combined area of approximately 9.23 acres, more or less, which are located at the northwest corner of the intersection formed by Morrison Boulevard and Roxborough Road and are more particularly described as Tracts Nos. X, XI, XII and XIII on the accompanying Boundary Survey which was prepared by Harry R. Davis, R.S., in October of 1965, and revised by Mitchell W. Davis, R.S., on February 19, 1977 and March 15, 1977.

Title to the Property:

(a) Title to Tracts Nos. X and XIII was acquired in the Fall of 1953 by Will, and is in the names of James J. Harris and wife, Angelia M. Harris, whose address is 2525 Richardson Drive, Charlotte, North Carolina 28211. The Will is recorded in the Office of the Clerk of the Superior Court for Mecklenburg County in Will Book 7 at Page 552.

(b) Title to Tracts Nos. XI and XII was acquired in December of 1965, and is in the name of Sharon Home Loan Company, whose address is 6525 Morrison Boulevard, Charlotte, North Carolina 28211. The Deed is recorded in Book 2666 at Page 283 in the Office of the Register of Deeds for Mecklenburg County.

Present Zoning Classifications:

Tract X:	B-1 S.C.D.
Tract XI:	O-15
Tract XII:	R-12MF
Tract XIII:	O-15

Requested Zoning Classification:

Parallel Conditional Use District B-1(CD) [all 4 Tracts].

### Reasons Why the Zoning Classifications Should be Changed:

The 4 Tracts of land described above are part of a 60-acre (more or less) tract of land fronting on the westerly margin of Roxborough Road and the northerly margin of Morrison Boulevard. The zoning classification changes sought by this Petition are necessary to implement and accommodate the general plan for the development of this 60-acre tract of land attached hereto which has been formulated by its owners for the purpose of insuring that the various uses to which the tract may be devoted will be compatible with surrounding development.

A 10.864 acre portion of this 60-acre tract fronts on the northerly margin of Morrison Boulevard (Tracts I, II, III and X) and is currently zoned B-1 S.C.D. The frontage begins at the intersection formed by the center line of Roxborough Road and the center line of Morrison Boulevard and extends in a northwesterly direction along the center line of Morrison Boulevard toward Barclay Downs Drive for a distance of some 1200 feet and then deviates from Morrison Boulevard and continues on in a northwesterly direction toward Barclay Downs Drive for an additional 518.83 feet (Tract III). Thus, under the B-1 S.C.D. zoning classification applicable to this 10.864 acre portion of the 60-acre tract, a strip shopping center could be developed along Morrison Boulevard between its intersections with Roxborough Road and Barclay Downs Drive covering a distance of some 1700 to 1800 feet.

The Owners' general plan for the development of the 60-acre tract precludes any future development of such a strip shopping center along Morrison Boulevard and near the point of its intersection with Barclay Downs Drive. This is accomplished by eliminating all business zoning on Morrison Boulevard between Barclay Downs Drive and Roxborough Road except the B-1(CD) zoning sought by this Petition for the northwest corners of the intersections between Morrison Boulevard and Roxborough Road which has a frontage on Morrison Boulevard of only 643.08 feet.

### Use Proposed for the Property:

As indicated on the accompanying Schematic Use Plan, the owners propose to use the Property which is the subject of this Petition for the development of a small clustered neighborhood shopping facility.

In order to provide the space required to create the "clustered" effect desired, it is necessary to change the zoning classifications of Tracts XI, XII and XIII from office and multi-family zoning classifications to the parallel conditional use district B-1(CD).

### Names and Deed References of Current Adjoining Property Owners:

Attached to this Petition is a listing of adjoining property owners keyed to tax maps giving the names of each owner, street address and