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# City of Charlotte – Planning Dept. Scanning Rezoning Files

Petition # \_\_\_\_\_

## Document type:

- Applications
- Correspondence
- Department Comments
- Land Use Consistency
  - Mail Info
  - Mapping
  - Other
- Site Plans



\* 0 0 B R E A K 0 0 \*

# OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Petition No.	<u>85-71</u>
Date Filed	<u>9.3.85</u>
Received By	<u>JCL</u>
OFFICE USE ONLY	

## Ownership Information

Property Owner Charter Properties, Inc.

Owner's Address P.O. Box 37166, Charlotte, NC 28237

Date Property Acquired 4/84 through 5/84

Deed Reference See attachment Tax Parcel Number See attachment

Location Of Property (address or description) Billy Graham Parkway  
East of Plant Disposal Rd.

## Description Of Property

Size (Sq. Ft.-Acres) 23± Acres Street Frontage (ft.) Approximately 3,500 ft.

Current Land Use Unused - No Improvements

## Zoning Request

Existing Zoning ROMF Requested Zoning I-1CD

Purpose of zoning change To develop a business park. See enclosed site plan and description.

Name of Agent \_\_\_\_\_

Agent's Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Charter Properties, Inc.

Name of Petitioner(s) \_\_\_\_\_  
P.O. Box 37166, Charlotte, NC 28237

Address of Petitioner(s) \_\_\_\_\_  
704-377-4172

Telephone Number \_\_\_\_\_

By: [Signature] V.P.

Signature \_\_\_\_\_  
*\*See enclosed letter*

Signature of Property Owner if Other Than Petitioner \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

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 a 13.39 acre site on the Billy Graham Parkway, east of Disposal Plant Road from R-9MF to I-1(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, and was recommended for denial by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on October 21, 1985; 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 each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9MF to I-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at an iron pin in the southern margin of the Southern Railroad right-of-way, which point is the northwest corner of the property acquired by Charter Properties, Inc. by deed recorded in Deed Bood 4861, Page 632, rerecorded in Deed Bood 4873, Page 953, being also the northeast corner of the property belonging to the City of Charlotte as shown in Deed Book 629, Page 230, and further being the eastern terminus of the northern margin of a proposed road right-of-way shown in Map Book 21, Page 181; running thence from said beginning point with the southern margin of the Southern Railroad right-of-way S.68-52-00E. 1342.17 feet to an iron pin; thence continuing with said right-of-way along a curve to the right having a radius of 3719.83 feet an arc distance of 2107.64 feet (chord = S.54-15-07E.

2079.56 feet) to an iron pin in the line of CEP Investors (Deed Book 4348, Page 471); thence leaving the Southern Railroad right-of-way with the line of CDP Investors S.16-04-24W. 329.41 feet to an iron pin, corner of H. C. Hovis, now or formerly; thence with the lines of Hovis, The North Carolina Department of Transportation and Walter Chao as follows: N.74-31-07W. 87.91 feet to an iron pin; N.50-41-24W. 200 feet to an iron pin; S.48-47-44W. 60.96 feet to an iron pin in the northern margin of the Billy Graham Parkway; thence with the northern margin of the Billy Graham Parkway the following courses and distances: (1) N.45-49-22W. 217.32 feet to a concrete monument; (2) N.44-32-55W. 434.30 feet to a concrete monument; (3) N.45-51-56W. 591.91 feet to a concrete monument; (4) along a curve to the left having a radius of 3030.79 feet (crossing a concrete monument at arc distance 605.12 feet and a second concrete monument at arc distance 743.93 feet) a total arc distance of 975.68 feet to a concrete monument; (5) N.68-37-32W. 1047.69 feet to an iron pin, the corner of the City of Charlotte's property; thence with the eastern line of the City of Charlotte's property N.38-53-51E. 246.82 feet to the point and place of BEGINNING, containing 25.464 acres, more or less, as shown on that certain survey for Charter Properties, Inc. dated October 5, 1985 prepared by Wooten Surveying, Greenville, South Carolina.

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

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the reference having been made in Minute Book \_\_\_\_\_, and recorded in full in Ordinance Book \_\_\_\_\_, beginning on Page \_\_\_\_\_.

Pat Sharkey  
City Clerk

# PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to \_\_\_\_\_  
Charter Properties, Inc.  
owner(s) and successors-in-interest of the property described as tax parcel 143-021-01, 043-021-02 &  
and described in detail further in the ordinance, identified below, approved by the City Council.  
043-021-04, 143-012-01, 145-282-13

In approving this parallel conditional use permit, the Charlotte City Council amended section 3200  
of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a  
parallel conditional use district zoning classification of I-1(CD)

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 sections 3200, 3201, 3202, 3203,  
3204, and 1300 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 section 1300 of the City of Charlotte Zoning Ordinance.

Three years from the date of approval of this parallel conditional use permit, the Planning Commis-  
sion 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 section 1300.

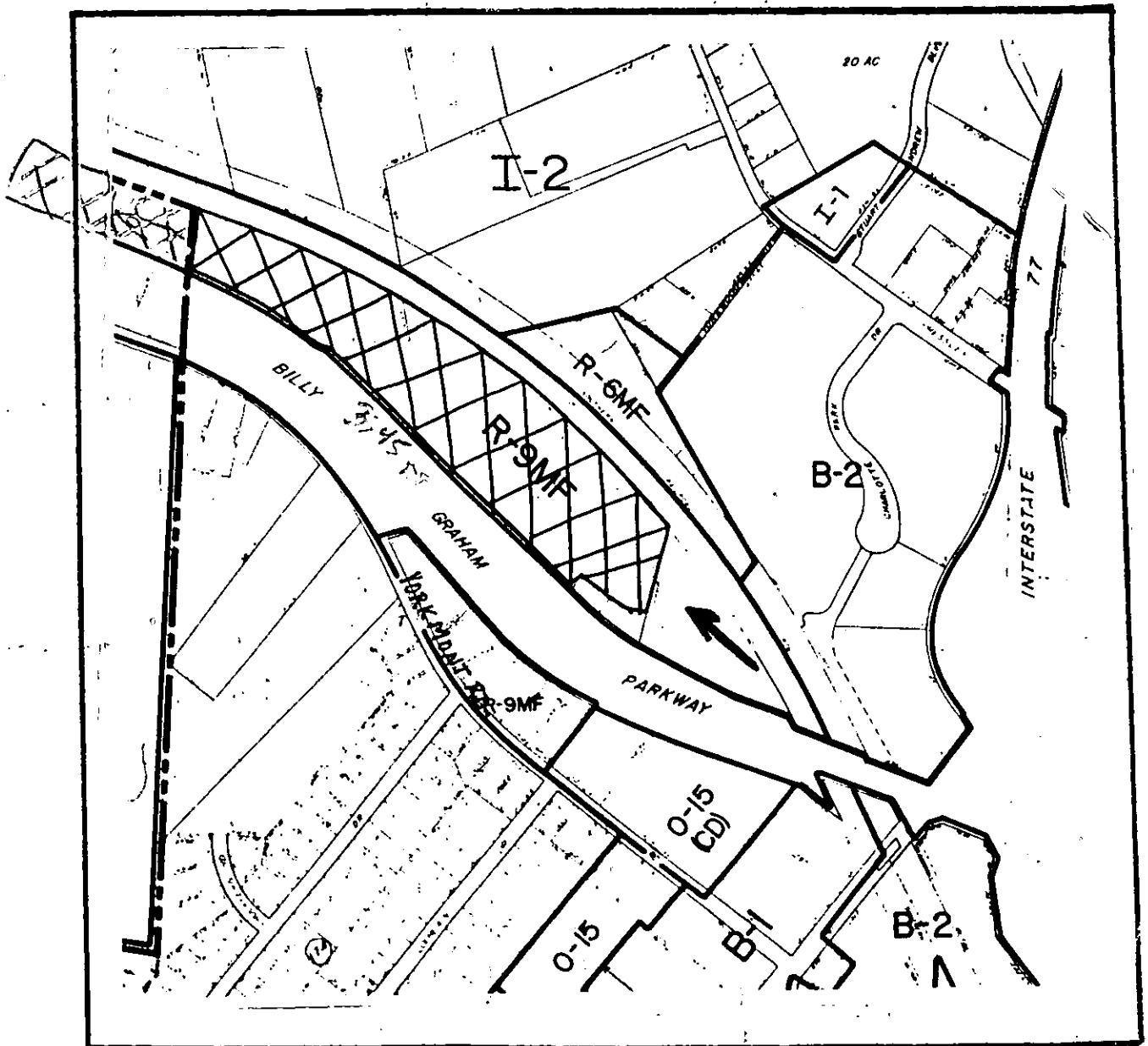
PETITIONER Charter Properties Inc.

PETITION NO. 85-71 HEARING DATE October 21, 1985

ZONING CLASSIFICATION, EXISTING R-9MF REQUESTED I-1(CD)

LOCATION A <sup>13.39</sup> acre site on Billy Graham Parkway, east of Plant Disposal Road.

Area Not correct



ZONING MAP NO. 126 and 127

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE



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