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# City of Charlotte – Planning Dept. Scanning Rezoning Files

Petition # 1985-79 I

## Document type:

- Applications
- Correspondence
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- Land Use Consistency
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- Site Plans



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Petition No. 85-79  
City of Charlotte,  
Community Development  
Department

APPROVED BY CITY COUNCIL

ORDINANCE NO. 1829-2

DATE 11-18-85

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 5.339 acre site bounded by North Graham Street, Statesville Avenue, Southern Railway Line, and the Brookshire Freeway Ramp 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 approval 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 old iron marking the intersection of the northerly right-of-way margin of Brookshire Freeway Ramp with the westerly right-of-way margin of North Graham Street and running thence with the northerly right-of-way margin of Brookshire Freeway Ramp in seven (7) courses as follows: 1) thence N.74-38-01W. 165.40 feet to a concrete monument; 2) thence N.19-54-23E. 50.05 feet to a concrete monument; 3) thence N.68-20-36W. 93.03 feet to a concrete monument; 4) thence N.68-12-26W. 43.64 feet to a point; 5) thence S.19-41-53W. 33.37 feet to a point;

6) thence N.69-48-50W. 103.49 feet to a concrete monument; 7) thence N.69-45-56W. 130.00 feet to a point; thence N.20-14-04E. 335.06 feet to a point in the right-of-way of Spratt Street (cul-de-sac); thence in a southerly, easterly and northerly direction 339.05 feet along a curve concave to the north having a radius of 125.00 feet to a point; thence with the easterly right-of-way margin of Spratt Street (50' R/W) N.18-19-33E. 101.12 feet to a point; thence S.67-01-32E. 333.12 feet to a point in the westerly right-of-way margin of Statesville Avenue; thence with the westerly right-of-way margin of Statesville Avenue in two (2) courses as follows: 1) thence S.0-41-17E. 65.51 feet to a point; 2) thence with an arc of a circular curve to the <sup>24E</sup> right having a radius of 216.18 feet an arc distance of 124.09 feet to a point; thence with the westerly right-of-way margin of North Graham Street S.32-12-03W. 309.71 feet to the point or place of BEGINNING. Containing 5.339 acres.

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 18th day of November, 19 85, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, beginning on Page 168.

Pat Sharkey  
City Clerk

DESCRIPTION REVISED 12-17-85 TO REFLECT  
NEW R/W ON GRAHAM (12) & NEW R/W ON STATEVILLE  
(5) *R. White*

12'

GREENVILLE URBAN RENEWAL  
BLOCK 18, PARCEL 4

BEGINNING AT AN OLD IRON MARKING THE INTERSECTION  
OF THE NORTHERLY RIGHT-OF-WAY MARGIN OF  
BROOKSHIRE FREEWAY RAMP WITH THE WESTERLY  
RIGHT-OF-WAY MARGIN OF N. GRAHAM STREET  
~~AND~~ AND RUNNING THENCE WITH THE  
NORTHERLY RIGHT-OF-WAY MARGIN OF BROOKSHIRE  
FREEWAY RAMP IN SEVEN (7) COURSES AS FOLLOWS:  
(1) N 74° 38' 01" W. ~~165.40~~ FEET TO A CONCRETE  
MONUMENT, THENCE (2) N 19° 54' 23" E. 50.05 FEET  
TO A CONCRETE MONUMENT, THENCE (3) N 68° 20' 36" W.  
93.03 FEET TO A CONCRETE MONUMENT, THENCE (4)  
N 68° 12' 26" W. 43.04 FEET TO A POINT, THENCE  
(5) S 19° 41' 53" W. 33.37 FEET TO A POINT, THENCE  
(6) N 69° 48' 50" W. 103.49 FEET TO A CONCRETE  
MONUMENT, THENCE (7) N 69° 45' 56" W. 130.00 FEET  
TO A POINT, THENCE N 20° 14' 04" E. 335.06 FEET  
TO A POINT IN THE RIGHT-OF-WAY MARGIN OF SIXTH  
STREET (CUL-DE-SAC); THENCE IN A SOUTHERLY,  
EASTERLY AND NORTHERLY DIRECTION 339.05 FEET  
ALONG A CURVE CONCAVE TO THE NORTH HAVING  
A RADIUS OF 125.00 FEET TO A POINT, THENCE WITH  
THE EASTERLY RIGHT-OF-WAY MARGIN OF SPRUIT  
STREET (50' R/W) N 18° 19' 33" E. 101.12 FEET TO  
A POINT, THENCE S 67° 01' 56" E. ~~333.12~~ FEET TO A  
POINT IN THE WESTERLY RIGHT-OF-WAY MARGIN OF STATEVILLE  
AVENUE ~~(5)~~);

Please see next page.

THENCE WITH THE WESTERLY RIGHT OF WAY A DISTANCE  
OF STATESVILLE AVENUE IN TWO (2) COURSES AS  
FOLLOWS: (1) S 0° 41' ~~17~~<sup>17</sup> E. 65.51 FEET TO A  
POINT; THENCE (2) WITH AN ARC OF A CIRCULAR CURVE  
TO THE RIGHT HAVING A RADIUS OF ~~216.18~~<sup>216.18</sup> FEET  
AN ARC DISTANCE OF ~~124.09~~<sup>124.09</sup> FEET TO A POINT;  
THENCE WITH THE WESTERLY RIGHT OF WAY  
MARGIN OF N. GRAHAM STREET ~~(111)~~<sup>(111)</sup> S 32° 12' 03" W.  
~~309.71~~<sup>309.71</sup> FEET TO THE POINT OR PLACE OF BEGINNING,  
CONTAINING ~~5.182~~<sup>5.182</sup> AC.

5.339 AC.

# OFFICIAL REZONING APPLICATION

## CITY OF CHARLOTTE

Petition No.	<u>85-79</u>
Date Filed	<u>9-20-85</u>
Received By	<u>CL</u>
OFFICE USE ONLY	

### Ownership Information

Property Owner CITY OF CHARLOTTE

Owner's Address 600 East Trade Street  
Charlotte, North Carolina 28202

Date Property Acquired N/A 078-451-06

Deed Reference N/A Tax Parcel Number 078-454-03 & 04  
078-455-01

**Location Of Property** (address or description) Property bounded by N. Graham Street, Statesville Avenue, Southern Railway Line and Brookshire Freeway Ramp

### Description Of Property

Size (Sq. Ft.-Acres) 18.99 acres Street Frontage (ft.) Graham Street 432'  
Statesville Ave. 1017'

Current Land Use Vacant

### Zoning Request

Existing Zoning R-9MF Requested Zoning I-1 (CD)

Purpose of zoning change To permit the development of a Community Services Facility (Mecklenburg County) on 4-6 acres, plus allow the development of light industrial uses on the remaining acreage.

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

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

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

City of Charlotte  
Community Development Dept.  
Name of Petitioner(s) \_\_\_\_\_  
301 S. McDowell St., Suite 510  
Address of Petitioner(s) \_\_\_\_\_  
336-2016  
Telephone Number \_\_\_\_\_  
Signature J.W. Walton, Director

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

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## CONVENTIONAL REZONING APPLICATION FILING REQUIREMENTS:

1. two signed official applications;
  2. two survey maps delineating the property in question;
  3. a list of all adjacent property owners, with their current mailing addresses coded to the survey map or tax map (this information is available at the Mecklenburg County Tax Office, 720 East Fourth Street);
  4. a filing fee of one hundred dollars (\$100.00) to help defray administrative expenses (checks payable to the Charlotte-Mecklenburg Planning Commission); and
  5. a written boundary description showing distances and bearings of property lines (a metes and bounds description).
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## CONDITIONAL DISTRICT REZONING APPLICATION FILING REQUIREMENTS:

1. two signed application forms;
  2. a filing fee of one hundred dollars (\$100.00) to help defray administrative expenses (checks payable to the Charlotte-Mecklenburg Planning Commission);
  3. ten (10) copies of a schematic site plan, drawn to scale and at a minimum size of 24" x 36," which includes the following items (ten copies are needed for interdepartmental review):
    - (a) a boundary survey showing the total acreage, present zoning classification(s), date, and north arrow;
    - (b) adjoining property lines and names, addresses, and tax parcel numbers of current adjoining property owners (this information is available at the Mecklenburg County Tax Office, 720 East Fourth Street);
    - (c) all existing easements, reservations, and rights-of-way, and all yards required for the zoning district requested (show setback, side and rear yard requirements for proposed zoning district);
    - (d) proposed use of land and structures: for residential uses this shall include the number of units and an outline of the area within which the structures will be located; for non-residential uses, this shall include approximate square footage of structures and an outline of the area within which the structures will be located;
    - (e) traffic, parking, and circulation plan, showing proposed locations and arrangement of parking spaces and entrance and exit to adjacent streets (show existing and proposed parking, what is required, and what is to be provided);
    - (f) proposed screening, including walls, fences, or planting areas, as well as treatment of any existing natural features, or a statement specifying that buffering and/or screening will conform to City/County Zoning Ordinance requirements;
    - (g) the proposed number of signs and their locations, or a statement specifying that all signs will conform to City/County Zoning Ordinance requirements;
    - (h) generalized information as to the number, height, size, or in especially critical situations, the location of structures;
    - (i) proposed phasing, if any, and approximate completion time of the project;
    - (j) delineation of areas within the regulatory floodplain as shown on the official Charlotte flood areas map;
    - (k) topography at four foot contour intervals or less (existing and proposed);
    - (l) schematic site plan must be titled with project name and proposed use;
    - (m) size of schematic site plan not to exceed 42" in width;
  4. a list of all adjacent property owners with current addresses coded to the schematic site plan; and
  5. a written boundary description showing distances and bearings of property lines (a metes and bounds description).
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