

CITY CD

Petition No. 94-52
Carolina Foods, Inc.

ORDINANCE NO. 859-Z

APPROVED BY CITY COUNCIL

DATE JULY 21, 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 17.33 acres located on the northeast corner of the intersection between North Tryon Street and Hilo 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 16, 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 I-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

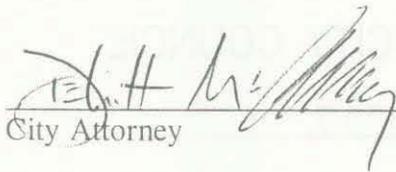
Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

-continued-

July 21, 1997
Ordinance Book 48, Page 138

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 21th day of July, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 137-139B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of August, 1997.

Nancy S. Gilbert, Deputy City Clerk

Petition No. 94-52
Carolina Foods, Inc.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Carolina Foods, Inc. and successors-in-interest of the property described as tax parcel 085-031-03 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-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.

94-52

EXHIBIT A

LEGAL DESCRIPTION

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

BEGINNING at a point located in the northerly margin of North Tryon Street (100' R/W), said point marking the southwesternmost corner of the property of Golden B. Enterprises, Ltd.; and running thence from said Beginning Point, with the aforesaid northerly right-of-way margin N 80-02-21 E 476.84 feet to a point in the easterly right-of-way margin of Hilo Drive; and running thence with the aforesaid easterly right-of-way margin of Hilo Drive the following five (5) calls and distances as follows: (1) in a northerly direction with the arc of a circular curve to the left having a radius of 1,198.11 feet, an arc distance of 204.64 feet to a point; (2) N 19-44-49 W 289.76 feet to a point; (3) in a northeasterly direction with the arc of a circular curve to the right having a radius of 347.89 feet, an arc distance of 219.29 feet to a point; (4) N 16-22-12 E 100.00 feet to a point; and (5) in a northwesterly direction with the arc of a circular curve to the left having a radius of 197.27 feet, an arc distance of 146.23 feet to a point in the southerly property line of Foxfield Associates Limited, and running thence with the southerly line of Foxfield Associates Limited N 63-53-54 E 637.00 feet to a point in the westerly right-of-way margin of West Craighead Road; and running thence with the aforesaid westerly right-of-way margin S 26-06-06 E 724.68 feet to a point; thence with the arc of a circular curve to the right having a radius of 1,842.04 feet, an arc distance of 190.21 feet to a point marking the northeasternmost corner of the property of Eastway Auto Sales; and running thence with the northerly property line of Eastway Auto Sales S 72-01-20 W 200.00 feet to the point marking the northeasternmost corner of the property of aforementioned Golden B. Enterprises Ltd.; thence with two (2) lines of Golden B. Enterprises Ltd. (1) S 79-18-48 W 203.21 feet to a point; and (2) S 09-57-39 E 200.00 feet to the point and place of beginning.

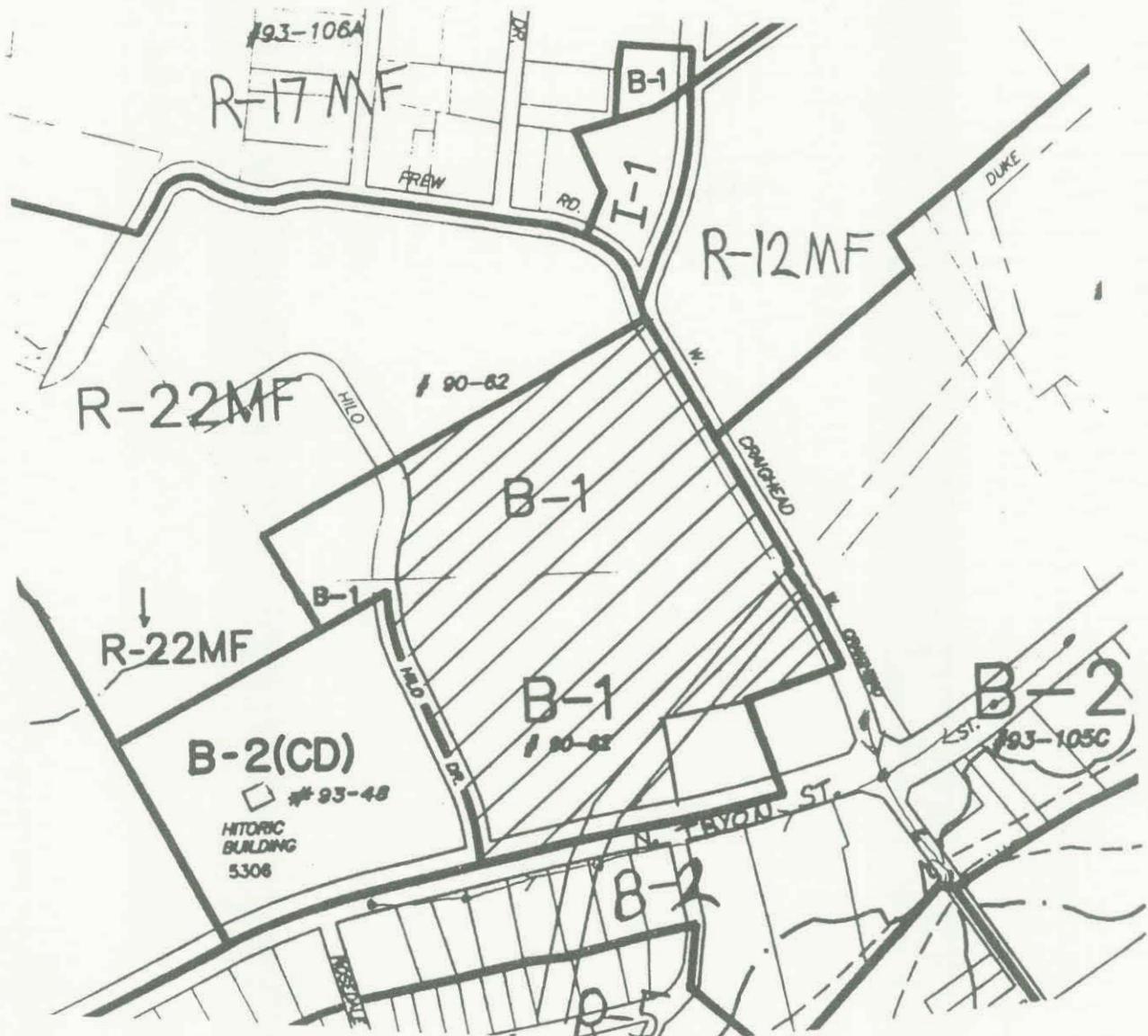
Petition #: 94-52

Petitioner: Carolina Foods, Inc.
Hearing Date: June 20, 1994

Zoning Classification (Existing): B-1

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

Location: Approximately 17.33 acres located on the northeast corner of the intersection between North Tryon Street and Hilo Drive.



Zoning Map #(s): 78 & 89

Scale: 1" = 400'

July 21, 1997
Ordinance Book 48, Page 140

CITY CD

Petition No. 97-36
Estates, Inc.

ORDINANCE NO. 860-Z

APPROVED BY CITY COUNCIL

DATE JULY 21, 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 8.65 acres located on the west side of Park Road between Mockingbird Lane and Seneca Place; 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 April 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-5, O-2, and O-6(CD) to R-43MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

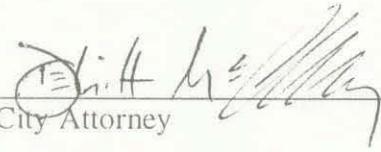
SEE ATTACHED

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-

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 21th day of July, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 140-142B

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of August, 1997.

Nancy S. Gilbert, Deputy City Clerk

Petition No. 97-36
Estates, Inc.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Estates, Inc. and successors-in-interest of the property described as tax parcels 171-091-(40, 41, and 42) 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 R-43MF(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.

97-36

LEGAL DESCRIPTION
ESTATES, INC.

BEGINNING at a point in the westerly right-of-way line of Park Road, said point being the southeasterly corner of a parcel of land described in Deed Book 8041, page 0440, of the Mecklenburg Public Registry, and running thence N. 69-13-14 W. 128.71 feet; thence S. 80-47-51 W. 460.20 feet; thence S. 66-22-00 W. 154.09 feet; thence N. 25-34-10 E. 24.39 feet; thence N. 01-47-40 W. 17.69 feet; thence N. 19-36-50 W. 125.22 feet; thence N. 45-55-45 W. 40.98 feet; thence N. 06-43-00 W. 127.70 feet; thence N. 43-57-20 W. 75.32 feet; thence N. 57-18-50 W. 79.18 feet; thence N. 50-28-40 W. 189.61 feet; thence S. 85-44-54 E. 1,204.27 feet to a point in the westerly right-of-way line of Park Road; thence with said right-of-way line three courses as follows: (1) S. 07-10-40 W. 188.80 feet; (2) S. 11-46-50 W. 100.50 feet; (3) S. 09-11-24 W. 89.15 feet to the point of BEGINNING and containing 8.65 acres.

July 21, 1997
Ordinance Book 48, Page 142B

Petition #: 97-36

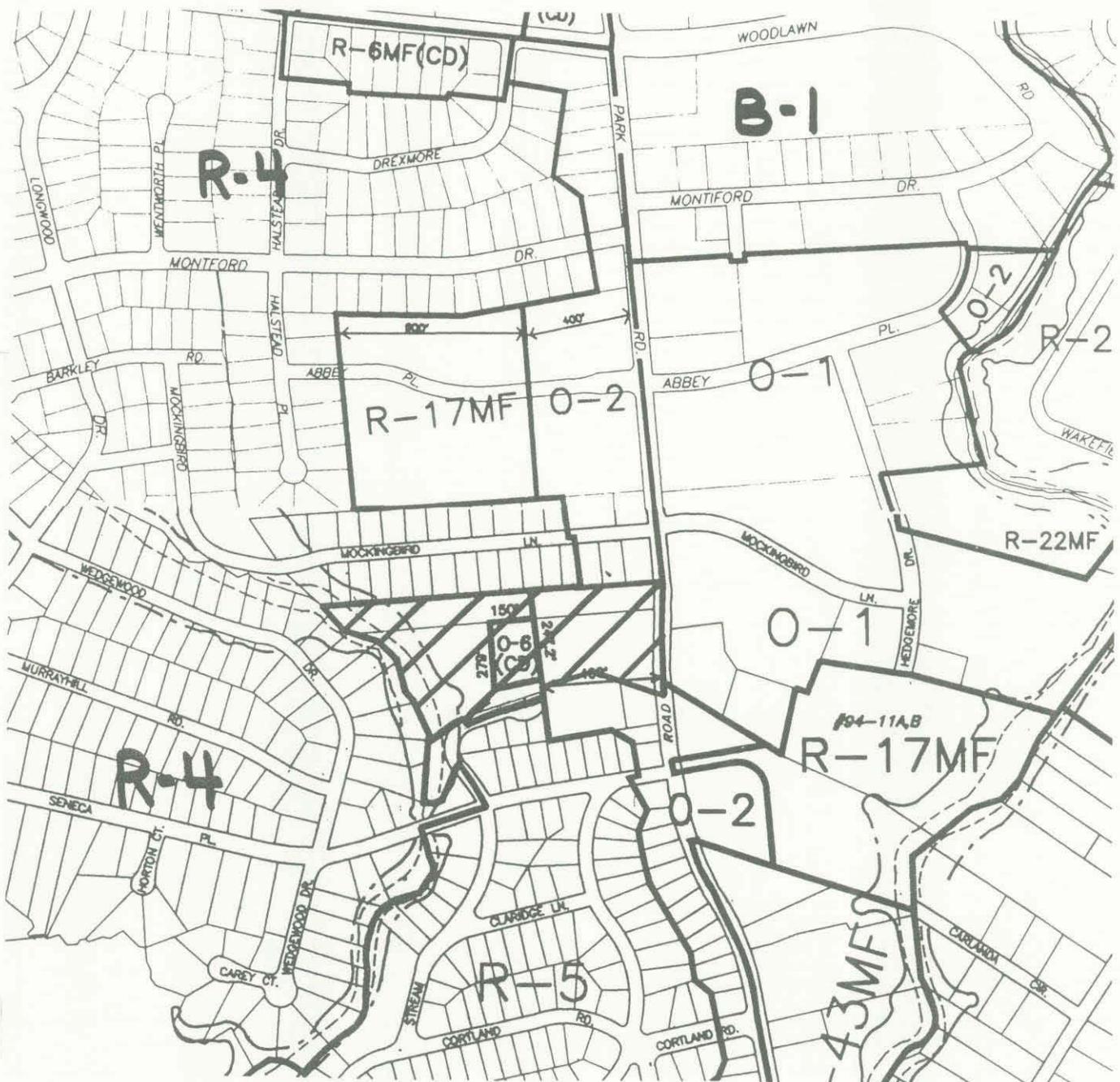
Petitioner: Estates, Inc.

Hearing Date: April 21, 1997

Zoning Classification (Existing): R-5, O-2 and O-6(CD)

Zoning Classification (Requested): R-43MF(CD)

Location: Approximately 8.65 acres located on the west side of Park Road between Mockingbird Lane and Seneca Place.



Zoning Map #(s): 135

Scale: No Scale

CD SITE PLAN AMENDMENT

Petition No. 97-44
Griffin Brothers

ORDINANCE NO. 861-Z

APPROVED BY CITY COUNCIL

DATE JULY 21, 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 0.93 acres located on the southeast corner of North Tryon Street (Highway 29) and Hampton 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 June 16, 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:

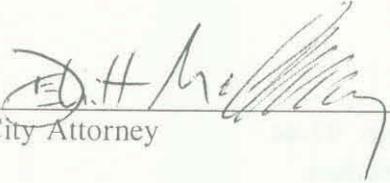
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-1(CD) to B-1(CD) Site Plan Amendment on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

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.

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 21th day of July, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 143-145B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of August, 1997.

Nancy S. Gilbert, Deputy City Clerk

Petition No. 97-44
Griffin Brothers

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Griffin Brothers owners and successors-in-interest of the property described as tax parcel 049-335-21 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) 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.

97-44

GRIFFIN BROTHERS TIRE SALES BOUNDARY DESCRIPTION
SITE PLAN AMENDMENT

BEGINNING at a point, said point being an intersection of the easterly right-of-way line of North Tryon Street (U.S. Highway 29) and the southerly right-of-way line of Hampton Church Road, and running thence with said right-of-way of Hampton Church Road S. 59-56-24 E. 252.69 feet; thence S. 19-30-43 W. 183.64 feet; thence N. 54-08-27 W. 50.60 feet; thence N. 52-07-05 W. 196.68 feet to the right-of-way line of North Tryon Street; thence with said right-of-way N. 14-36-02 E. 154.24 feet to the BEGINNING and containing .93 acres.

July 21, 1997
Ordinance Book 48, Page 145B

Petition #: 97-44

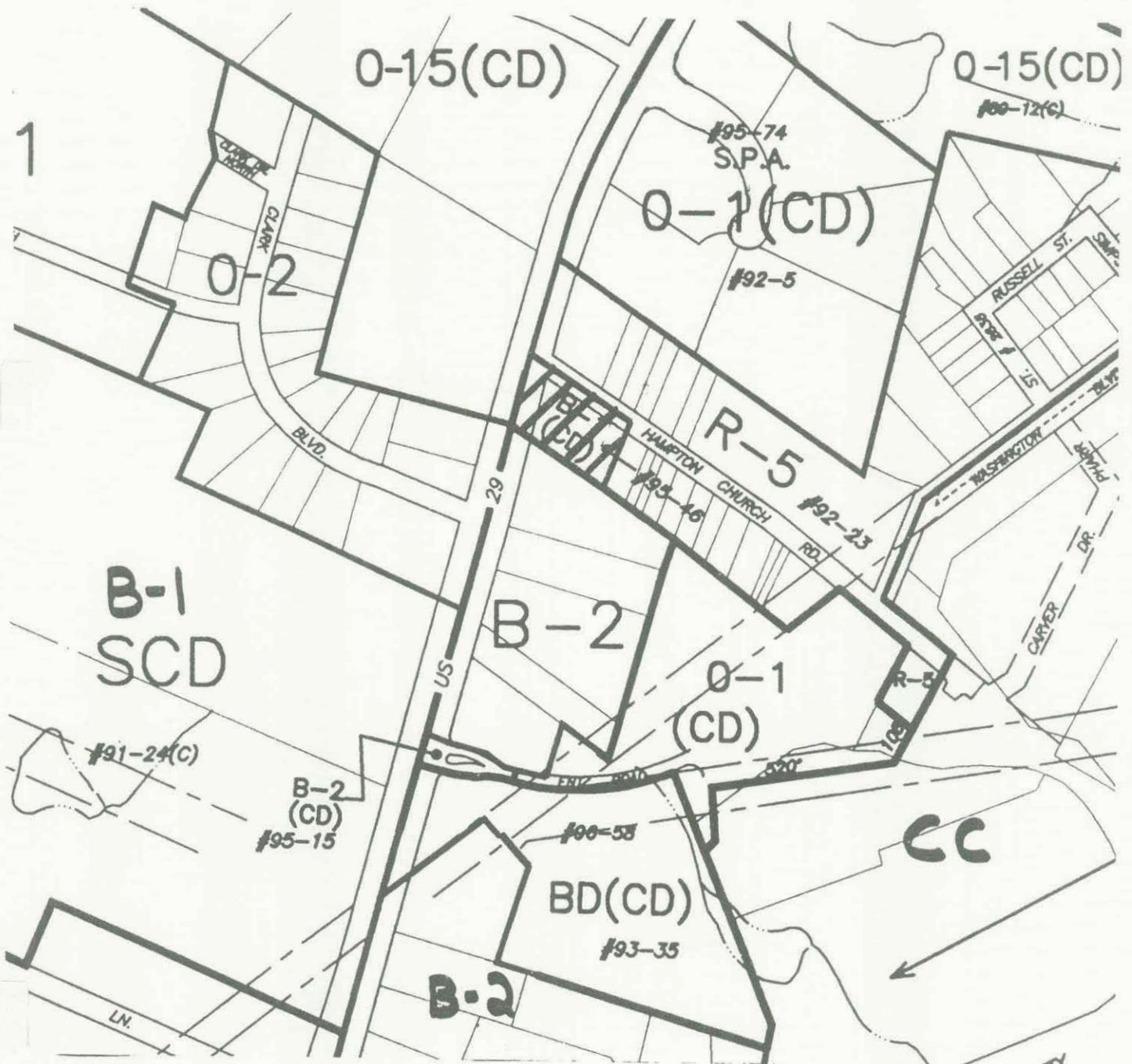
Petitioner: Griffin Brothers

Hearing Date: June 16, 1997

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

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

Location: Approximately 0.93 acres located on the southeast corner of North Tryon Street (Hwy 29) and Hampton Church Road.



Zoning Map #(s): 71

Scale: 1" = 400'

July 21, 1997
Ordinance Book 48, Page 146

ORDINANCE NO. 862-Z

CITY ZONE CHANGE
APPROVED BY CITY COUNCIL

Petition No. 97-45
Gregory and Tracey Motley

DATE JULY 21, 1997

ZONING REGULATIONS

MAP AMENDMENT NO. _____

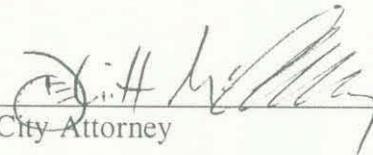
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 0.49 acres located on the north side of State Street between Mahopac Street and Sumter Avenue (tax parcels 071-105-14&16) from R-8 to R-8MF 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 21th day of July, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 146-148.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of August, 1997.

Nancy S. Gilbert, Deputy City Clerk

Case # 97-45 Boundary Description

The tract of land depicted as the property described as Tax Parcel # 071-105-14, deed #8392 0061 and Tax Parcel #071-105-16, deed #8477 0303 in the Mecklenburg County Public Registry is the boundary description for the property being proposed for rezoning by Gregory and Tracey Motley.

July 21, 1997
Ordinance Book 48, Page 148

Petition #: 97-45

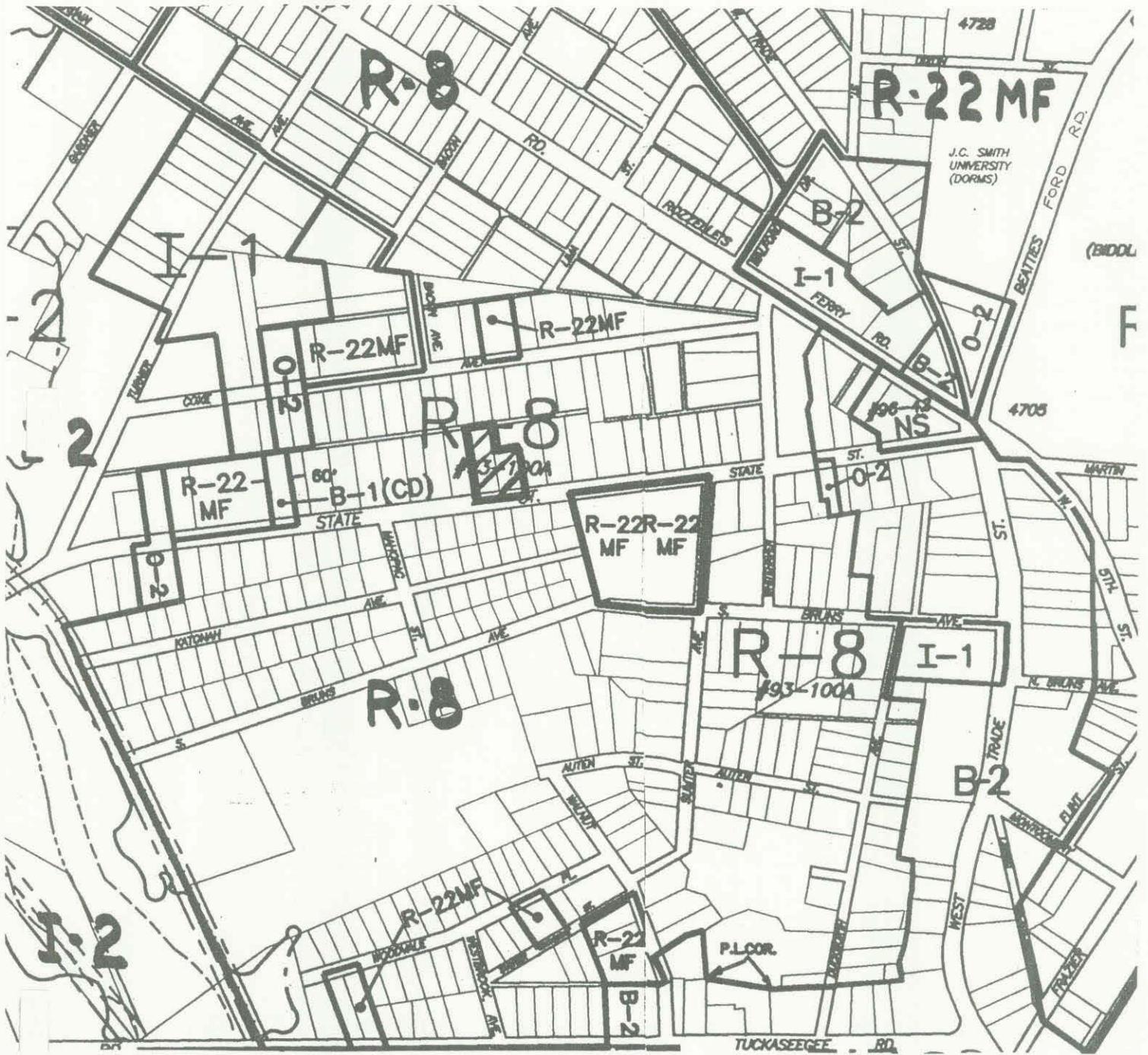
Petitioner: Gregory and Tracey Motley

Hearing Date: June 16, 1997

Zoning Classification (Existing): R-8

Zoning Classification (Requested): R-8MF

Location: Approximately 0.485 acres located on the north side of State Street, between Mahopac Street and Sumter Avenue.



Zoning Map #(s): 87

Scale: 1" = 400'

CITY CD

Petition No. 97-46
Michael Jordan Golf Company, Inc.

ORDINANCE NO. 863-Z

APPROVED BY CITY COUNCIL

DATE JULY 31, 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 27.7 acres located on the southern corner of South Tryon Street (Highway 49) and Tyvola 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 June 16, 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-17MF to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

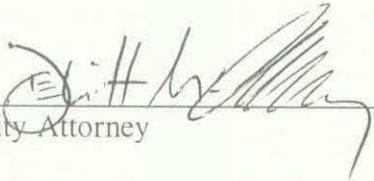
SEE ATTACHED

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-

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 21th day of July, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 149-151B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of August, 1997.

Nancy S. Gilbert, Deputy City Clerk

Petition No. 97-46
Michael Jordan Golf Company, Inc.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Michael Jordan Golf Company, Inc. and successors-in-interest of the property described as tax parcel 167-061-01 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) 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.

97-46

EXHIBIT A

Legal Description of the Property:

BEGINNING at a point on the southern margin of South Tryon Street, N.C. #49, said beginning point being located South $36^{\circ}00'10''$ West 199.58 feet from the intersection of the centerline of Tyvola Road and the centerline of South Tryon Street; thence South $73^{\circ}23'27''$ East 133.22 feet to a point on the western margin of Tyvola Road Extension; thence with said western margin the following ten courses and distances: 1) South $18^{\circ}25'56''$ East 295.26 feet to a point; 2) South $38^{\circ}56'03''$ West 61.83 feet to a point; 3) South $14^{\circ}23'28''$ East 24.94 feet to a point; 4) North $38^{\circ}56'03''$ East 62.24 feet to a point; 5) South $14^{\circ}19'26''$ East 55.97 feet to a point; 6) North $76^{\circ}14'57''$ East 11.0 feet to a point; 7) South $11^{\circ}45'44''$ East 237.35 feet to a point; 8) South $04^{\circ}21'47''$ West 205.85 feet to a point; 9) South $72^{\circ}19'36''$ West 87.52 feet to a point; 10) South $12^{\circ}47'44''$ West 55.77 feet to a point on the northern line of the Ross property, as described in Deed Book 1123, Page 243 of the Mecklenburg County Registry; thence with said Ross northern line the following four courses and distances: 1) North $78^{\circ}33'39''$ West 169.39 feet to an existing iron pipe; 2) South $59^{\circ}40'25''$ West 679.24 feet to an existing R. R. spike; 3) North $68^{\circ}32'10''$ West 289.13 feet to an existing iron pipe; 4) South $71^{\circ}05'45''$ West 726.93 feet to a point; thence North $52^{\circ}11'10''$ West 78.30 feet to an existing iron pipe, being the southeast corner of Ralph and Evelyn Smith, as described in Deed Book 3482, Page 39 of the Mecklenburg County, North Carolina Registry; thence from said point and with the Smith east line North $39^{\circ}11'59''$ West 158.70 feet to a point in the centerline of South Tryon Street, N.C. #49; thence with said centerline, North $53^{\circ}24'49''$ East 1524.38 feet to a point; thence leaving said centerline South $36^{\circ}35'10''$ East 55.0 feet to a point on the southern margin of South Tryon Street; thence with said margin North $63^{\circ}24'50''$ East 530.0 feet to the point of Beginning, containing 27.66 acres, more or less, as shown on a survey by Evans Engineering, Inc. dated September 9, 1988, and including all of the property conveyed to Tryon Development Partnership by deed of Wachovia Bank & Trust Company, N.A., Tom P. Phillips, John C. Rosser, Robert W. Bradshaw, Jr. and P. D. Ostwalt as Co-Trustees under the will of Dwight L. Phillips, James O. Moore and wife, Jane M. Moore, Carole Mattox Reeves and husband, R. Domer Reeves, and Tom Mattox, Jr., dated September 19, 1987 and recorded in Deed Book 5612, Page 963 of the Mecklenburg County Public Registry.

July 21, 1997
Ordinance Book 48, Page 151B

Petition #: 97-46

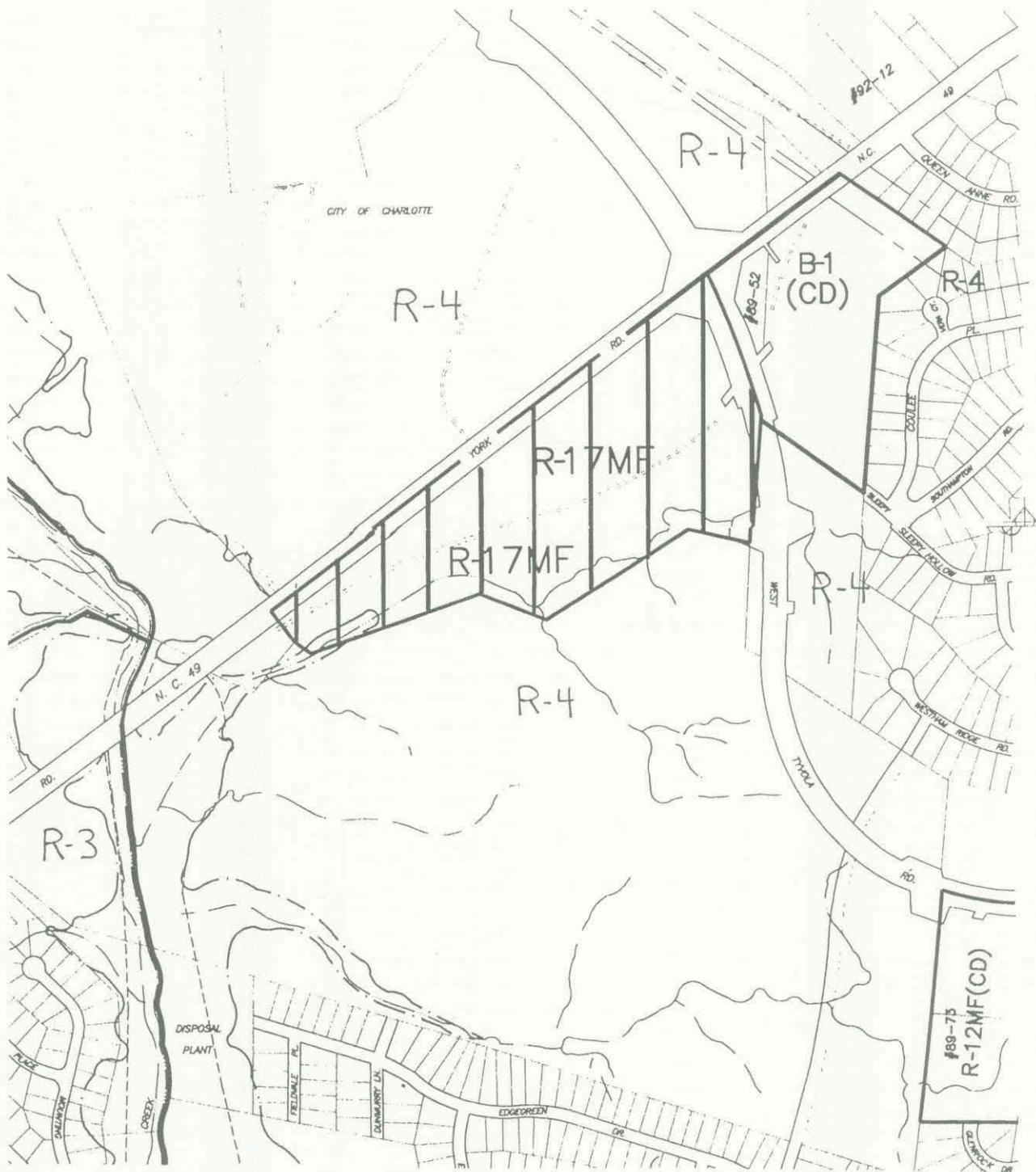
Petitioner: Michael Jordan Golf Company, Inc.

Hearing Date: June 16, 1997

Zoning Classification (Existing): R-17MF(CD)

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

Location: Approximately 27.66 acres located on the southern corner of South Tryon Street (Hwy 49) and Tyvola Road.



Zoning Map #(s): 127 & 133

Scale: No Scale

CITY CD

Petition No. 97-48
LaQuinta, Inc.

ORDINANCE NO. 864-Z

APPROVED BY CITY COUNCIL

DATE JULY 21, 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 2.1 acres located on the southwest corner of the intersection of South Tryon Street and Yorkmont 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 June 16, 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 B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

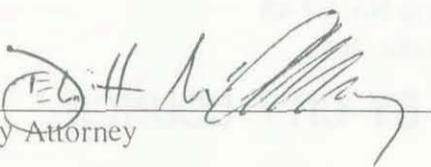
Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

-continued-

July 21, 1997
Ordinance Book 48, Page 153

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 21th day of July, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 152-154-B

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of August, 1997.

Nancy S. Gilbert, Deputy City Clerk

July 21, 1997

Ordinance Book 48, Page 154

Petition No. 97-48

LaQuinta, Inc.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to LaQuinta, Inc. and successors-in-interest of the property described as tax parcel 143-173-16 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) 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.

97-48

Exhibit C

Legal Description

BEGINNING at a Point formed by the intersection of the southerly margin of Yorkmont Road and the westerly margin of South Tryon Street; and running thence with the southerly margin of Yorkmont Road N 51-73-50 W, 461.04 feet; thence with a line of Yorkmont Hotel Associates Limited Partnership S 38-46-10 W, 195.00 feet to an iron; thence S 51-10-34 E, 461.04 feet to a concrete monument located on the westerly margin of South Tryon Street; thence with the westerly margin of South Tryon Street N 38-46-10 E, 195.44 feet to the Point or Place of the Beginning, containing 2.07 acres, more or less.

July 21, 1997
Ordinance Book 48, Page 154B

Petition #: 97-48

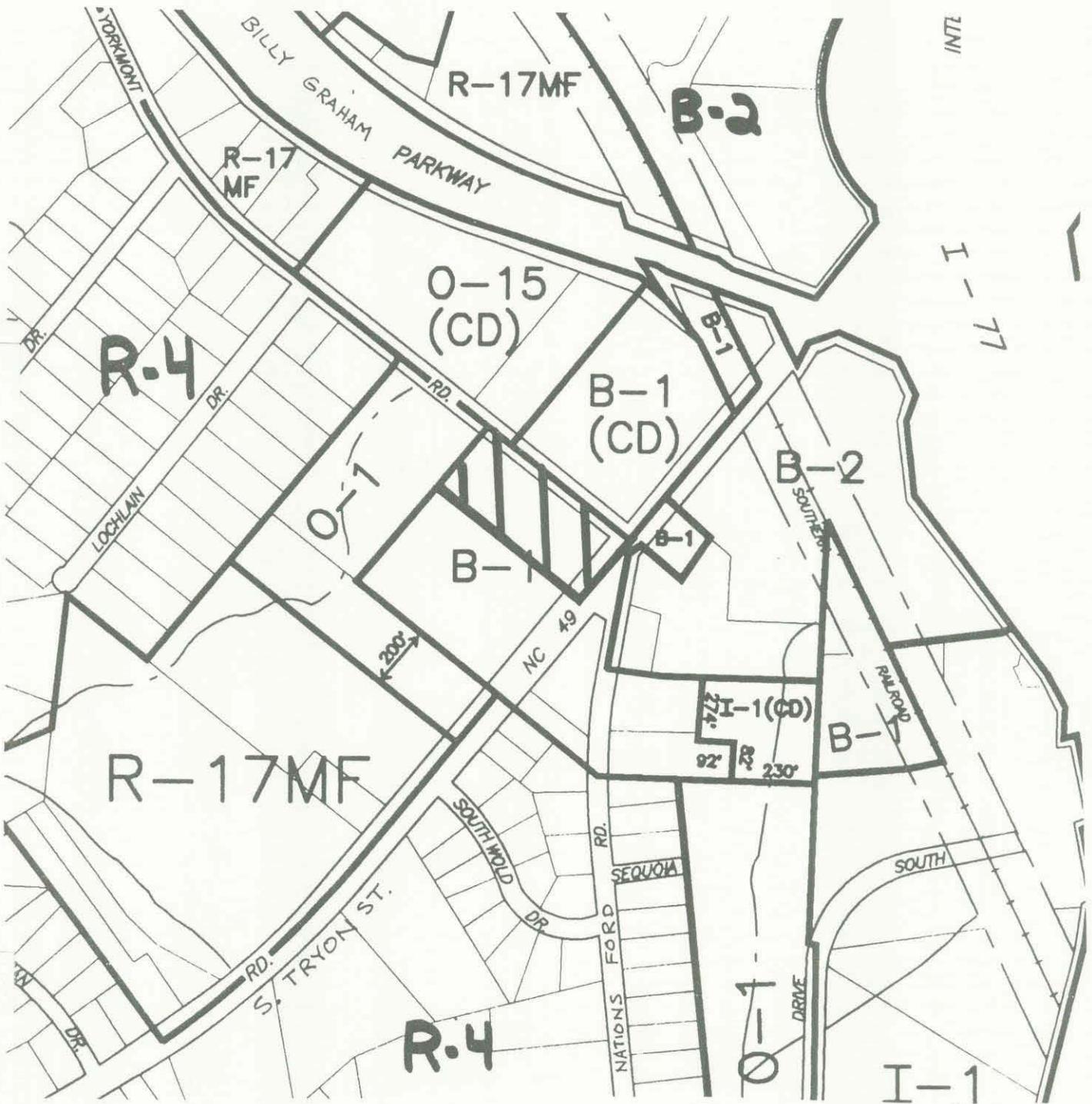
Petitioner: LaQuinta, Inc.

Hearing Date: June 16, 1997

Zoning Classification (Existing): B-1

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

Location: Approximately 2.07 acres located on the southwest corner of the intersection between South Tryon Street and Yorkmont Road.



Zoning Map #(s): 126

Scale: 1" = 400'

July 21, 1997
Ordinance Book 48 Page 155

ORDINANCE NO. 865-Z

CITY ZONE CHANGE
APPROVED BY CITY COUNCIL

Petition No. 97-49
Charlotte-Mecklenburg Board of Education

DATE JULY 21, 1997

ZONING REGULATIONS

MAP AMENDMENT NO. _____

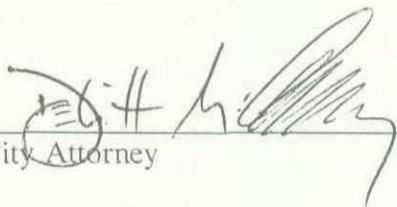
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 0.14 acres located on the west side of Beatties Ford Road, north of Celia Avenue (tax parcel 069-096-39) from B-1(CD) to R-5 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 21th day of July, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 155-157.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of August, 1997.

Nancy S. Gilbert, Deputy City Clerk

July 21, 1997
Ordinance Book 48, Page 156

97-49

LEGAL DESCRIPTION

Being a parcel of land situated in the City of Charlotte in the County of Mecklenburg, also being described as Lot #5 of the Celia Henderson Property Subdivision as recorded in M.B. 3 Pg. 352 in the Mecklenburg County Register of Deeds and containing 6,349 Square Feet, being more particularly described as follows:

BEGINNING at an existing iron pin found on the western margin of Beatties Ford Road, said iron being 65 feet more or less north of the centerline of Celia Avenue; Thence, from said iron N 82° 14' 00" W - 129.49' to an existing iron pin in the eastern line of lot 28 of the Henderson Subdivision; Thence, with said west line N 01° 40' 29" E - 29.26' to an existing iron pin in the south line of the Charlotte Mecklenburg Schools - North West Middle School; Thence, with said line N 81° 21' 57" E - 136.68' to an existing iron pin in the western margin of Beatties Ford Road; Thence, with said margin S 06° 31' 12" W - 67.70' to the point and place of BEGINNING.

For further description refer to a plat entitled "Charlotte Mecklenburg Schools" by Cardan International, Ltd. dated 1-6-97.

CITY CD

Petition No. 97-50
Mecklenburg County
Park and Recreation

ORDINANCE NO. 866-Z

APPROVED BY CITY COUNCIL

DATE JULY 21, 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 15 acres located at the northern termination of Vilma Street and the eastern termination of Horace Street; 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 16, 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-22MF to INST(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

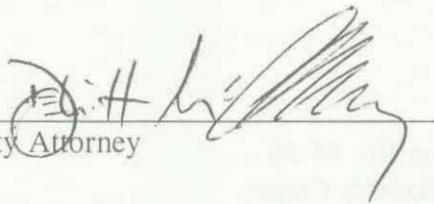
SEE ATTACHED

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-

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 21th day of July, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 158-160B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of August, 1997.

Nancy S. Gilbert, Deputy City Clerk

July 21, 1997
Ordinance Book 48, Page 160

Petition No. 97-50
Mecklenburg County Park and Recreation

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Mecklenburg County Park and Recreation and successors-in-interest of the property described as tax parcel 115-046-06 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.

97-50

LEGAL DESCRIPTIONS

C +/-
MF
(CD)
MUM
XEB
ABLE SPACE)

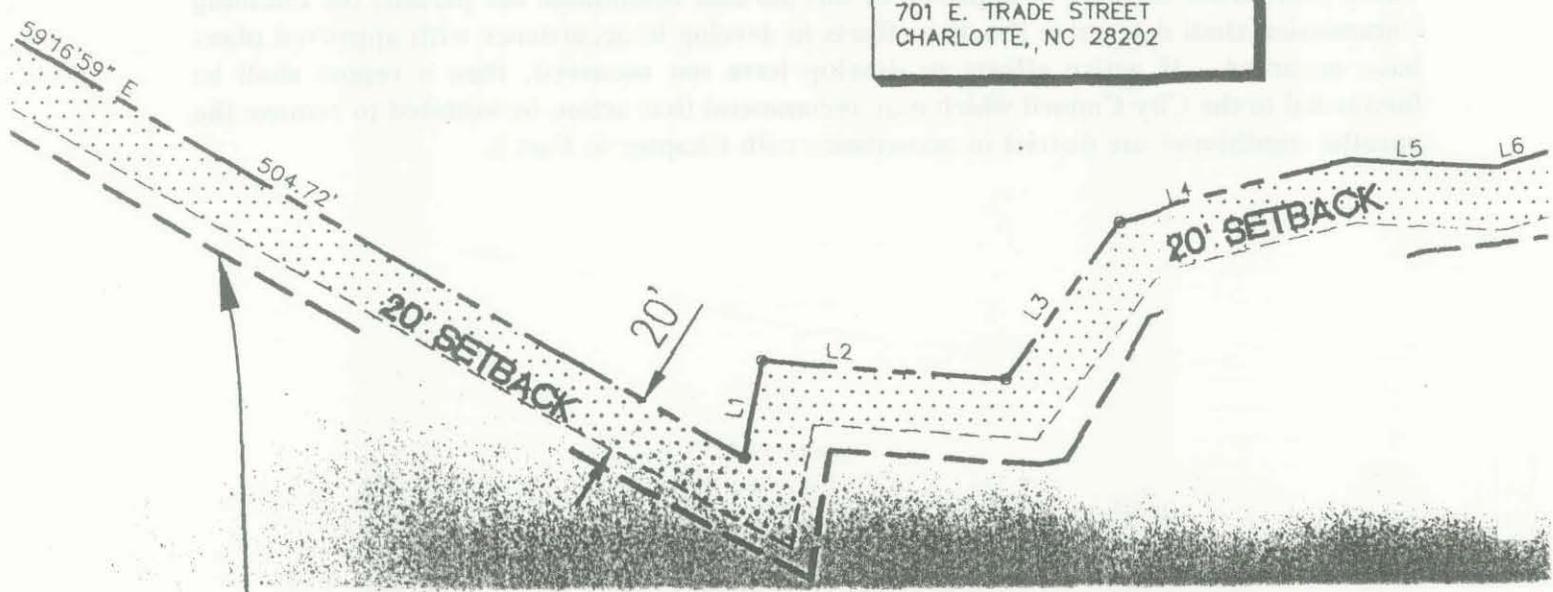
The beginning point is located as follows:

Beginning at an iron stake located at the northwesterly corner formed by the intersection of the northerly margin of West Boulevard and the westerly margin of Holabird Lane, running thence with the northerly margin of West Boulevard, S. 70-18-45 W. 487.91 feet to an iron stake at the southeasterly corner of the Phifer property (now or formerly), runs thence with the easterly margin of the Phifer property (now or formerly), N. 19-41-15 W. 175 feet to an iron stake at the northeasterly corner of the Phifer property (now or formerly), runs thence N. 06-01-40 E. 238.95 feet to an iron stake, and runs thence N. 10-26 W. Along the easterly margin of the property of Pines of Charlotte, Inc., a distance of 358.40 feet to the Beginning point of the property herein conveyed.

Runs thence from the Beginning point above established, N. 86-01-35 W. 471.05 feet to an iron stake; thence S. 70-18-45 W. 425 feet to an iron stake; thence N. 58-57-20 W. 740.06 feet to an iron stake; thence N. 31-02-40 E. 322.38 feet to an iron stake; thence S. 58-57-20 E. 505 feet to an iron in a stump hole on the south bank of the old channel of a branch; thence with the various meanders of said branch in 21 calls as follows: (1) N. 11-03-20 E. 33.53 feet; (2) S. 85-14 E. 77.60 feet; (3) N. 36-19 E. 83.30 feet; (4) N. 75-08 E. 82 feet; (5) S. 77-33 E. 48 feet; (6) N. 44-29 E. 59 feet; (7) N. 21-07 E. 39; (8) N. 28-12 W. 71 feet; (9) N. 13-15 E. 32 feet; (10) N. 33-48 E. 73 feet; (11) S. 87-30 E. 58 feet; (12) N. 54-52 E. 51 feet; (13) N. 85-03 E. 102 feet; (14) S. 16-52 E. 15 feet; (15) S. 48-48 E. 49 feet; (16) N. 70-24 E. 67 feet; (17) N. 81-49 E. 43 feet; (18) S. 05-17 E. 31 feet; (19) N. 72-45 E. 20 feet; (20) N. 34-15 E. 59 feet; and (21) N. 42-55 E. 80.88 feet to a point in the center of said branch; thence S. 10-26 E. 710.73 feet to the point of Beginning, containing 15 acres, according to a survey and plat prepared by Keith R. Moen, Registered Surveyor, dated November 16, 1968. Reference is also made to the survey and plat of the property of Pines of Charlotte, Inc., prepared by Keith R. Moen, dated February 15, 1965, which was revised March 5-17, 1965, April 10, 1968 and February 20, 1969. Being the same property conveyed to the party of the first part by deed of Vinson Realty Company, Inc., dated October 8, 1970, and recorded in Book 3232, page 401, Mecklenburg Public Registry.

CURRENT ZONING, TYP.
H-1 CD

R.T. MEEK
DB 6088-492
BOX 77
701 E. TRADE STREET
CHARLOTTE, NC 28202



July 21, 1997
Ordinance Book 48, Page 160B

Petition #: 97-50

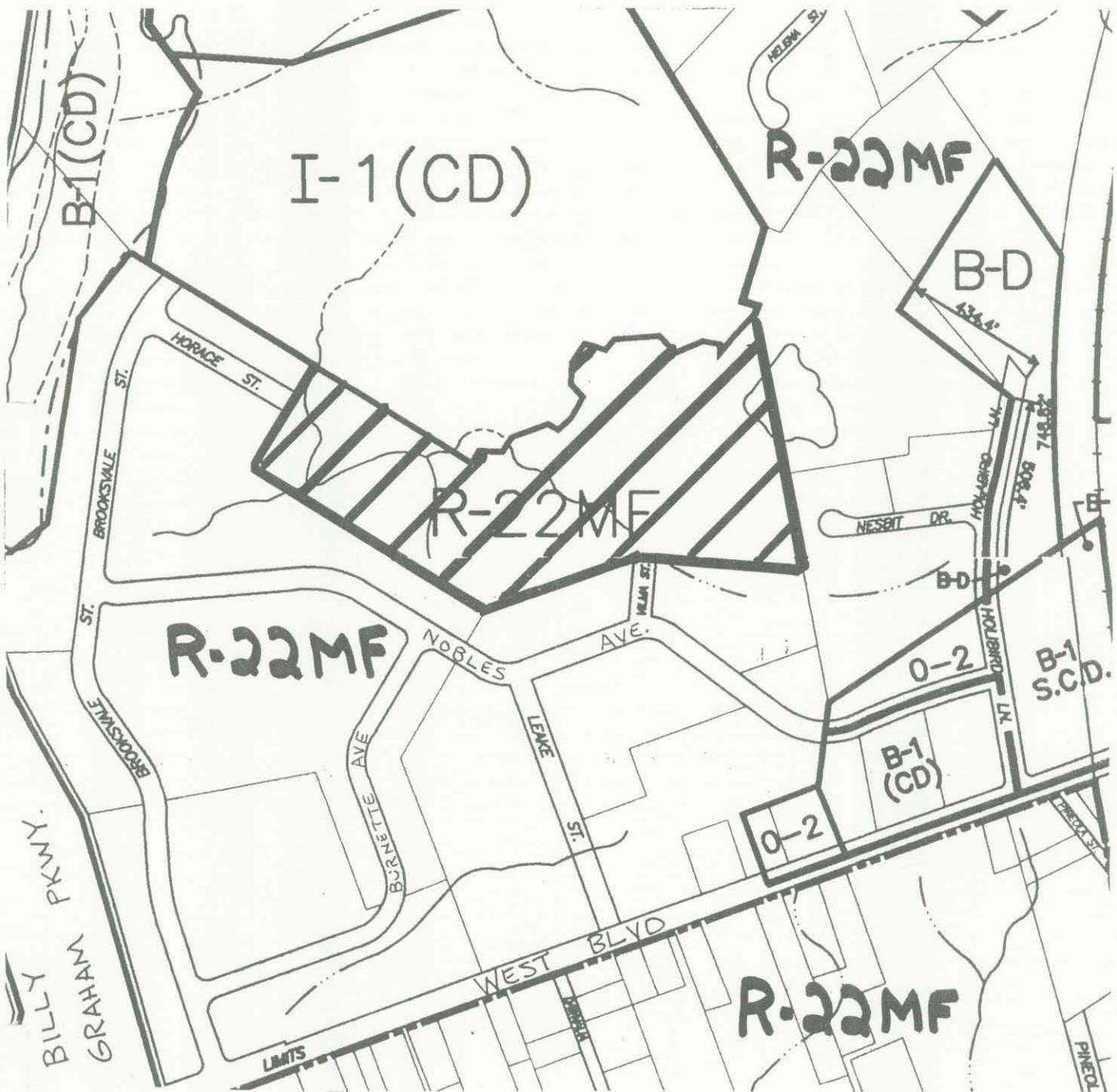
Petitioner: Mecklenburg County Park And Recreation

Hearing Date: June 16, 1997

Zoning Classification (Existing): R-22MF

Zoning Classification (Requested): INST(CD)

Location: Approximately 15.044 acres located at the northern termination of Vilma Street and eastern termination of Horace Street.



Zoning Map #(s): 104 & 109

Scale: 1" = 400'

APPROVED BY CITY COUNCIL

March 21, 1997
Revised May 20, 1997

DATE JULY 21, 1997

ORDINANCE NO. 867

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

AN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE 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:

- A. Amend CHAPTER 9: GENERAL DISTRICTS, PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS, Section 9.101. Table of uses, RESIDENTIAL USES, by inserting "X" designations for "Dwellings, detached" under the UR-2, UR-3, and UR-C districts.
- B. Amend CHAPTER 9: GENERAL DISTRICTS, PART 4: URBAN RESIDENTIAL, Section 9.403. URBAN RESIDENTIAL DISTRICTS; USES PERMITTED BY RIGHT, (2) UR-2, (3) UR-3, (4) UR-C, by adding the word "detached", in front of the word "duplex".
- C. Amend Section 9.406. URBAN RESIDENTIAL DISTRICTS; AREA, YARD AND HEIGHT REGULATIONS, as follows:
 - 1. Change the minimum lot area (square feet) requirement for (1) UR-1, (2) UR-2, (3) UR-3, (4) UR-C, from 5,000 to 3,000 square feet.
 - 2. Change the lot area of (2) UR-2, and (3) UR-3 footnotes** from 5,000 to 3,000 square feet and add the following after the last sentences:

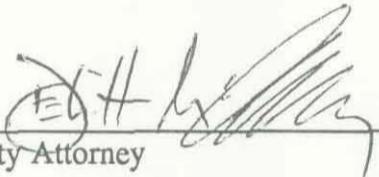
Sublots do not have to meet the minimum lot width requirement.

3. Add a new requirement to (1) UR-1, (2) UR-2, (3) UR-3, and (4) UR-C after the Minimum lot area requirement as follows:

Minimum lot width (feet) 20

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 21st day of July, 1997, the reference having been made in Minute Book 111, and recorded in full in Ordinance Book 48, Page(s) 161-162.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of August, 1997.

Nancy S. Gilbert, Deputy City Clerk

This page not used