

PETITION: 95-28

PETITIONER: CHARLOTTE-MECKLENBURG PLANNING COMMISSION

DRAFT 12/14/94
REVISED 1/23/95
REVISED 2/28/95
REVISED 9/20/95

APPROVED BY CITY COUNCIL

DATE October 16, 1995

ORDINANCE NO. 389

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:

1. Amend CHAPTER 2, DEFINITIONS AND RULES OF CONSTRUCTION, PART 2: DEFINITIONS, Section 2.201. Definitions, by changing the definition of Boarding house which reads as follows:

Boarding houses.

A dwelling unit on a lot with rooms for boarders that are rented or are designed and intended to be rented, but which rooms individually or collectively do not constitute separate dwelling units. No separate cooking facilities will be provided for any boarder.

to read:

Boarding house.

A single family detached dwelling unit on a lot with assigned rooms for boarders that are rented or are designed to be rented, as an accessory use to the principal use of single family occupancy by a permanent resident. The rooms individually or collectively shall not constitute separate dwelling units. The occupants must not have separate but which rooms individually or collectively do not constitute separate dwelling units. ~~The occupants must live together as a single, integrated housekeeping unit with no separate~~ cooking facilities being provided for any boarder. "Boarding House" shall not include similar uses such as bed and breakfasts, hotels or motels, health care facilities, group homes, halfway houses, hospitals, or rescue missions.

2. Amend CHAPTER 9: GENERAL DISTRICTS by:

- A. Amend PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS, TABLE 9.101. PERMITTED USES, BY DISTRICT, RESIDENTIAL USES: Boarding houses, by removing the designation X under all the Single Family, Multi-Family and Office districts, and the B-1, B-2, and UMUD districts, and replacing with the designation PC. Under Urban Residential districts where currently there are no designations for boarding houses, place the designation PC under the UR-1 district.
- B. Amend PART 2: SINGLE FAMILY, Section 9.202. Uses permitted by right, by deleting the following:
- (1) Boarding houses, limited to 4 boarders in no more than 2 bedrooms.
- and adding:
- (1) (RESERVED)
- C. Amend PART 2: SINGLE FAMILY, Section 9.203. Uses permitted under prescribed conditions, by adding the following at the end of this section in proper numerical order:
- Boarding houses, subject to regulations of Section 12.520.
- D. Amend PART 3: MULTI-FAMILY DISTRICT, Section 9.302. Uses permitted by right, by deleting the following:
- (1) Boarding houses, limited to 8 boarders in no more than 4 bedrooms.
- and adding:
- (1) (RESERVED)
- E. Amend PART 3: MULTI-FAMILY, Section 9.303. Uses permitted under prescribed conditions, by adding the following at the end of this section in proper numerical order:
- Boarding houses, subject to regulations of Section 12.520.

F. Amend PART 4: URBAN RESIDENTIAL,

- (1) Section 9.404. Urban Residential District: uses permitted under prescribed conditions, by adding the following at the end of this section in proper numerical order:

Boarding houses (UR-1 only), subject to regulations of Section 12.520.

- (2) Amend Section 9.408. Urban Residential Districts: off-street parking and loading standards, by adding parking standards for boarding houses under (1) Number of spaces per dwelling unit, Type of structure, as follows:

<u>Type of structure</u>	<u>Minimum</u>	<u>Maximum</u>
Detached	1	2
boarding house	2	4

- G. Amend PART 7: OFFICE, Section 9.702. Uses permitted by right, by deleting the following:

- (3) Boarding houses, limited to 12 boarders in no more than 6 bedrooms per lot.

and adding:

- (3) (RESERVED)

- H. Amend PART 7: OFFICE, Section 9.703. Uses permitted under prescribed conditions, by adding the following at the end of this section in proper numerical order:

Boarding houses, subject to regulations of Section 12, 520.

- I. Amend PART 8: BUSINESS, Section 9.802. Uses permitted by right, by deleting the following:

- (12) Boarding houses (B-1 and B-2 only).

and adding:

- (12) (RESERVED)

- J. Amend PART 8: BUSINESS, Section 9.803. Uses permitted under prescribed conditions, by adding the following at the end of this section in proper numerical order:

Boarding houses (B-1 and B-2 only), subject to regulations of Section 12.520.

K. Amend PART 9: UPTOWN MIXED USE DISTRICT,

- (1) Section 9.902. Uptown Mixed Use District; uses permitted by right, by amending item (10) which reads as follows:

(10) Hotels; motels; motor courts; room renting; and tourist homes.

to read:

(10) Hotels; motels; and motor courts.

- (2) Section 9.903. Uptown Mixed Use District; uses permitted under prescribed conditions, by adding the following at the end of this section in proper numerical order:

Boarding houses, subject to regulations of Section 12.520.

- (3) Section 9.907. Uptown Mixed Use District: parking and loading standards, by amending item (c) which reads as follows:

(c) Dwellings, all types: 1.0 space/unit

to read:

(c) Dwellings, all types: 1.0 space/unit
Boarding houses: 2 spaces

3. Amend CHAPTER 11: CONDITIONAL DISTRICTS, by:

- A. Amend PART 2: MIXED USE DISTRICTS (MX-1, MX-2, MX-3), Section 11.202. Uses permitted by right, by deleting the following:

(1) Boarding houses, limited to 4 boarders and 2 bedrooms per lot.

and adding:

(1) (RESERVED)

- B. Amend PART 2: MIXED USE DISTRICTS, (MX-1, MX-2, and MX-3, Section 11.203. Uses permitted under prescribed conditions, by adding the following at the end of this section in proper numerical order:

Boarding houses, subject to regulations of Section 12.520.

4. Amend CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY by:

- A. Amend PART 2: OFF-STREET PARKING AND LOADING, Section 12.202. Required number of off-street parking spaces, Table 12.202. MINIMUM REQUIRED OFF-STREET PARKING SPACES, BY USE, RESIDENTIAL USES, boarding houses, by changing the required number of spaces which reads as follows:

Boarding houses 1 space per room or 2 boarders

to read:

Boarding houses 1 additional space per boarding room

- B. Amend PART 5: SPECIAL REQUIREMENTS FOR CERTAIN USES, by adding a new section as follows:

Section 12.520. Boarding houses.

Boarding houses are permitted in all Single Family, Multi-Family, and Office districts, the UR-1, B-1, B-2, UMUD districts, and the Mixed Use (MX-1, MX-2, and MX-3) conditional districts subject to the following standards that apply to the applicable districts:

- (1) The property owner or leasee must reside on the same premises as the boarding house with the structure serving, clearly as that person's permanent residence, which shall be the principal use of the structure.
~~as their permanent residence.~~
- (2) Number of boarders and boarding rooms permitted.
 - (a) All Single Family and Mixed Use districts, and the UR-1 district - limited to 4 boarders in no more than 2 bedrooms.
 - (b) All other districts where permitted - maximum of 8 boarders in no more than 4 bedrooms.
 - (c) Elderly and disabled housing when permitted as an accessory to any single family detached dwelling unit will not count as part of the permitted number of boarders or boarding rooms, nor can they be used for boarding rooms.
- (3) The quarters to be utilized by the boarders and the occupants of the premises shall be in the principal residential structure. Separate structures, accessory buildings and garages are not permitted to be used as boarding rooms. No separate exterior doorways for individual boarding rooms shall be permitted.

- (4) Any signage which identifies the use shall be in accordance with the underlying zoning district.
 - (5) The location of parking for boarders shall comply with Section 12.206 as a single family detached dwelling unit, except any additional parking beyond what can be accommodated in a driveway no wider than to sufficiently park 2 cars must be out of the required setback and yards as specified in Section 12.206. Parking for boarders shall not be served by a separate driveway from that serving the principal residential structure.
 - (6) The Zoning Board of Adjustment shall not have jurisdiction to vary any of these standards, but shall have jurisdiction to interpret questions regarding the use of the property.
5. Amend CHAPTER 13: SIGNS, Section 13.109. District regulations for permanent on - premises signs, (1) Residential Districts, (d) Detached signs for other uses in Residential Districts shall be permitted in accordance with the following schedule of regulations, by adding the term boarding house to the third grouping which would then read under the table heading as follows:

USES	TYPE PERMITTED	MAXIMUM NUMBER (Per Premises Unless Other-wide Noted)	MAXIMUM SIZE
Small group day care homes, and nursing homes housed in a residential structure, and boarding houses	Identification	1	4 sq. ft.

Section 2. This ordinance shall become effective upon adoption. If there is a use of a structure that purports to be a lawful "boarding house or room renting" under the Zoning Ordinance, before the effective date of this ordinance, then such use must have lawfully come into existence pursuant to any required Zoning Ordinance permits and must have complied with, and continued to comply with, any of the applicable Zoning Ordinance standards when the use lawfully came into existence. Such lawfully established and carried out uses shall have six (6) years either to come into compliance with this provision as a boarding house or to undertake another permitted use in the particular zoning district. Otherwise, the use of the premises shall be unlawful.

~~This ordinance shall become effective upon adoption. Any lawful uses of any structures that purport to be "boarding houses or room renting" as a permissible use under the Zoning Ordinance before the effective date of this~~

ordinance, shall have six (6) years either to come into compliance with this provision as a boarding house or to undertake another permitted use in the particular zoning district. Otherwise, the use of the premises shall be unlawful.

Approved as to form:



City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 16th day of October, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 47, Page(s) 70-72D.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of October, 1995.



Brenda R. Freeze, City Clerk

APPROVED BY CITY COUNCIL

DATE October 16, 1995

CITY CD

Petition No. 95-46
Griffin Brothers Tire Sales

ORDINANCE NO. 390-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 .93 acres located at the southeasterly corner of the intersection between North Tryon Street (US 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 19, 1995; 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:

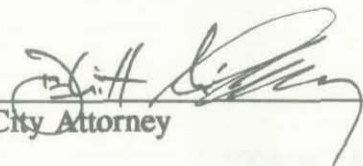
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-5 to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

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.

APPROVED AS TO FORM:

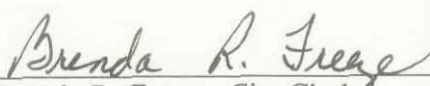


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 16th day of October, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 47, Page(s) 73-75.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of October, 1995.



Brenda R. Freeze, City Clerk

Petition #: 95-46

October 16, 1995
Ordinance Book 47, Page 74

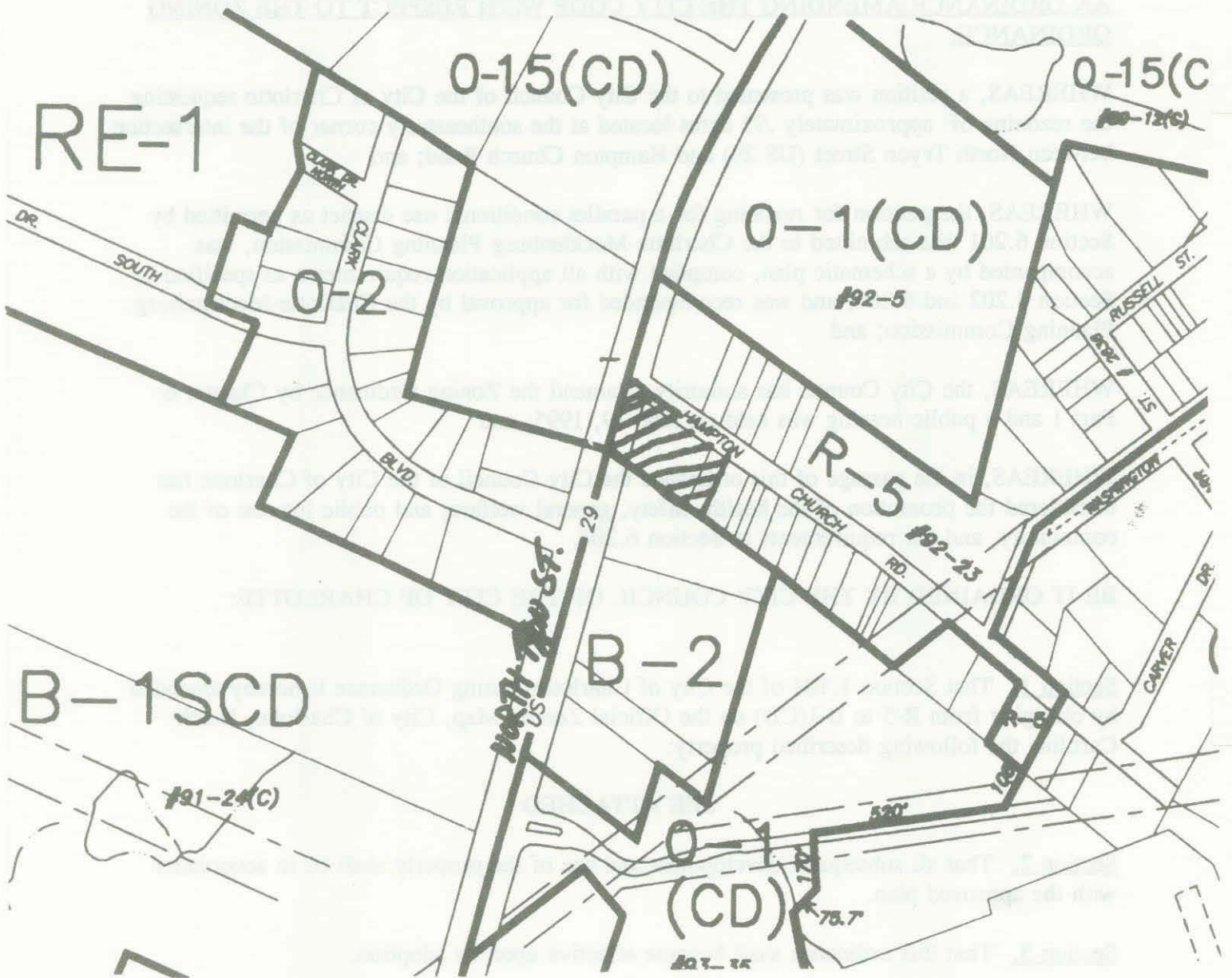
Petitioner: Griffin Brothers Tire Sales

Hearing Date: June 19, 1995

Zoning Classification (Existing): R-5

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

Location: Approximately .93 acres located at the southeasterly corner of the intersection between North Tryon Street (US 29) and Hampton Church Road..



Zoning Map #(s): 71

Scale: 1" = 400'

95-46

GRIFFIN BROTHERS TIRE SALES BOUNDARY DESCRIPTION

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. ^{327.69} 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.

**Petition No. 95-46
Griffin Brothers Tire Sales**

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Griffin Brothers Tire Sales owner(s) and successors-in-interest of the property described as tax parcel 049-335-20 and 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) 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.

APPROVED BY CITY COUNCIL

**Revised October 17, 1995
as per City Council Action**

DATE October 16, 1995

ORDINANCE NO. 391

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. The City of Charlotte Zoning Regulations as embodied in the Zoning Ordinance are hereby amended as follows:

1. Add a new Section 12.206(2), Location of required parking, to permit the required off-street parking spaces for restaurants with no drive-in service window and which are located within the area bounded by Route 4 and I-85 to be located within 800 feet of the restaurant. The proposed revision would read as follows. (Language to be added is underlined).

Section 12.206(2). Restaurants located within the area bounded by Route 4 and I-85 and which do not include a drive-in service window shall provide minimum required parking spaces within 800 feet of the restaurant site.

2. Renumber existing Sections 12.206(2) and (3) to Sections 12.206(3) and (4) accordingly.

Section 2. That this resolution shall become effective upon adoption.

Approved as to form:



City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 16th day of October, 1995, the reference having been made in Minute Book¹⁰⁸, and recorded in full in Ordinance Book 47, Page(s) 76-77.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of October, 1995.

Brenda R. Freeze
Brenda R. Freeze, City Clerk

APPROVED BY CITY COUNCIL

DATE October 16, 1995

CITY CD

Petition No. 95-60
Charlotte York Rite Board of Trustees

ORDINANCE NO. 392-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 a site plan amendment for approximately 1.1 acres located on the north side of N. Sharon Amity Road west of Castleton Road; 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 July 17, 1995; 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 R-12MF(CD) 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.

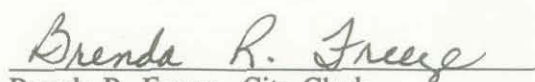
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 16th day of October, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 47, Page(s) 79-81.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of November, 1995.


Brenda R. Freeze, City Clerk

BEGINNING at a point, said point being the westerly edge of the North Sharon Amity Road right-of-way and the northwesterly corner of the Dora Allen Craig property, now or formerly, (tax parcel 157-203-10), running thence N.37-05-28W. 470.00 feet, thence N.47-51-34E. 125.04 feet, thence N.47-25-28E. 99.83 feet, thence S.37-11-13E. 208.88 feet, thence S.47-39-31W. 99.23 feet, thence S.37-09-32E. 280.20 feet, thence S.47-51-34W. 125.04 feet to the point of BEGINNING.

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.

WHEREAS, the Ordinance...
WHEREAS, the City Council...
WHEREAS, the City Council...

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

Section 1. That the City of Charlotte...
Section 2. That the City of Charlotte...

SEE ATTACHED

Section 3. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 4. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM

[Signature]
City Clerk

RESOLUTION

WHEREAS, the City Council...
WHEREAS, the City Council...
WHEREAS, the City Council...

[Signature]
Mayor

Petition #: 95-60

Petitioner: Charlotte York Rite Board of Trustees

Hearing Date: July, 17, 1995

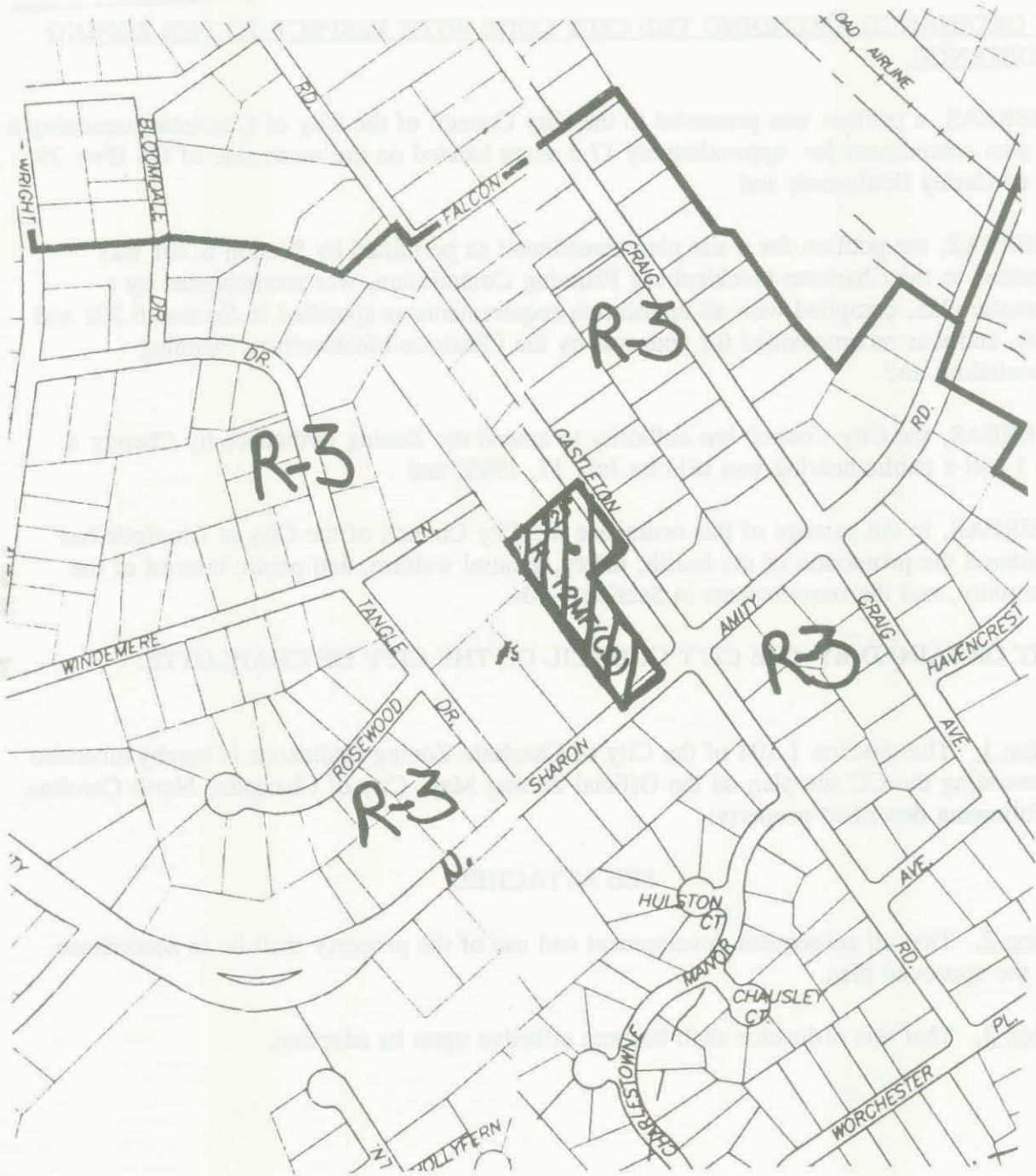
Zoning Classification (Existing): R-12MF(CD)

Zoning Classification (Requested): R-12MF(CD) Site Plan Amendment

Location: Approximately 1.1 acres located on the north side of N. Sharon Amity Road west of Castleton Road.

October 16, 1995

Ordinance Book 47, Page 81



Zoning Map #(s): 123 and 124

Scale: 1" = 400'

CITY CD

Petition No. 95-62
Cambridge Properties, Inc.

ORDINANCE NO. 393-Z

APPROVED BY CITY COUNCIL
DATE October 16, 1995

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 17.5 acres located on the north side of US Hwy 29 east of Carley Boulevard; 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 July 17, 1995; 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:

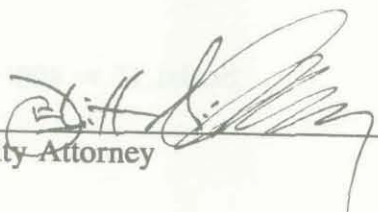
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by amending the CC site plan on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

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.

APPROVED AS TO FORM:



City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 16th day of October, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 47, Page(s) 82-84.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 2nd day of November, 1995.

LEGAL DESCRIPTION OF PROPERTY
PETITION 95-62

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

BEGINNING at an old iron located in the northwesterly margin of the right-of-way of U.S. Highway #29, said BEGINNING point being located N 40-10-00 E 525.23 feet from the intersection of said northerly margin of the right-of-way of U.S. Highway #29 and the southwesterly margin of the right-of-way of Carley Boulevard; thence from said BEGINNING point with the line of Home Federal Savings and Loan Association (see Deed recorded in Book 5290 at Page 932) N 50-11-32 W 490.71 feet to an old iron in the easterly margin of the right-of-way of Olmstead Drive; thence with said margin of said right-of-way of Olmstead Drive in nine (9) courses and distances as follows: (1) thence with the arc of a circular curve to the left, said curve having a radius of 180.00 feet, an arc distance of 31.57 feet, (2) N 16-51-56 E 100.00 feet, (3) thence with the arc of a circular curve to the right, said curve having a radius of 120.00 feet, an arc distance of 132.97 feet, (4) N 9-38-40 W 60.00 feet, (5) thence with the arc of a circular curve to the left, said curve having a radius of 180.00 feet, an arc distance of 53.73 feet, (6) thence with the arc of a circular curve to the right, said curve having a radius of 28.25 feet, an arc distance of 34.62 feet to a point, (7) N 46-53-40 W 113.23 feet, (8) thence with the arc of a circular curve to the right, said curve having a radius of 180.00 feet, an arc distance of 60.04 feet, and (9) N 25-23-40 W 14.85 feet to a point; thence with two lines of First Union National Bank (now or formerly) (see Deed Book 6408 at Page 787 in the Mecklenburg County Public Registry) two (2) courses and distances as follows: (1) S 76-27-25 W 103.43 feet to an old iron, and (2) N 00-46-30 W 246.40 feet to an old iron; thence with a line of Withrow Capital, Inc. (see Deed recorded in Book 5383 at Page 267 in the Mecklenburg County Public Registry) S 49-53-53 E 145.70 feet to a new iron; thence N 40-10-00 E 320.00 feet to a new iron; thence N 77-52-43 E 204.35 feet to a new iron; thence (passing a new iron in the northwestern margin of the 120 foot right-of-way of U.S. Highway 29 at 637.84 feet) S 49-50-00 E 675.00 feet to a point; thence S 40-10-00 W 480.80 feet; thence N 49-53-53 W 37.17 feet to a new iron in the northwestern margin of the 120 foot right-of-way of U.S. Highway 29; thence with said northwesterly margin of the right-of-way of U.S. Highway 29 S 40-10-00 W 517.27 feet to the point or place of BEGINNING containing 16.731 acres all as shown on a survey entitled "Mallard Point" prepared by Hugh E. White, Jr. N.C.R.L.S. dated May 23, 1994 (updated June 7, 1994), to which survey reference is made for a more particular description of the property.

Petition #: 95-62

October 16, 1995

Petitioner: Cambridge Properties, Inc.

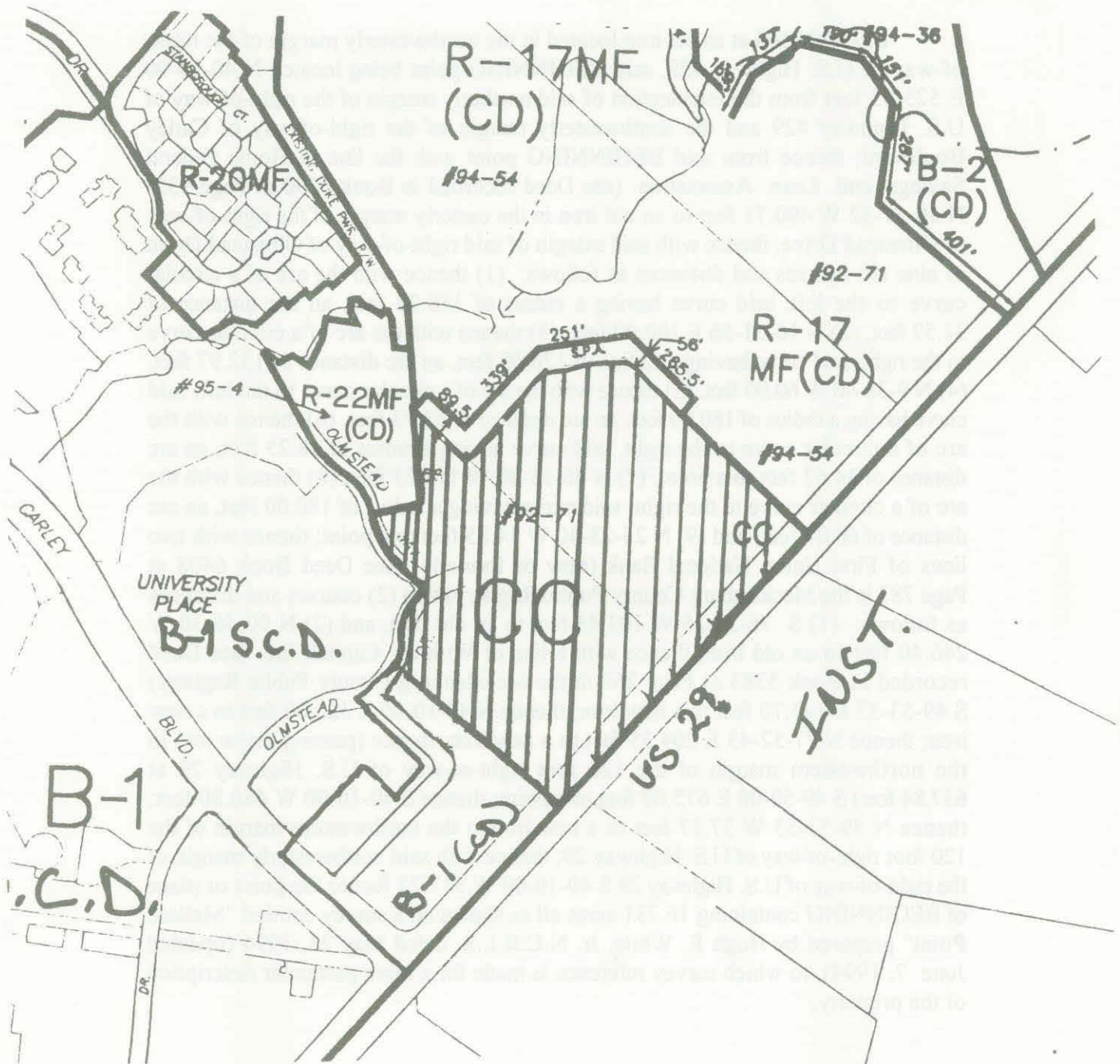
Ordinance Book 47, Page 84

Hearing Date: July, 17, 1995

Zoning Classification (Existing): CC

Zoning Classification (Requested): CC Site Plan Amendment

Location: Approximately 17.5 acres located on the north side of US Hwy 29 east of Carley Boulevard.



Zoning Map #(s): 57,58

Scale: 1" = 400'

APPROVED BY CITY COUNCIL

DATE October 16, 1995

CITY CD

Petition No. 95-65
Hendrick Automotive Group

ORDINANCE NO. 394-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 8.12 acres located north of Village Lake Drive and west of Independence 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 September 18, 1995; 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-20MF to B-2(CD) and amending the existing B-2(CD) 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.

APPROVED AS TO FORM:




City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 16th day of October, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 47, Page(s) 85-87.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of October, 1995.



Brenda R. Freeze, City Clerk

Petition #: 95-65

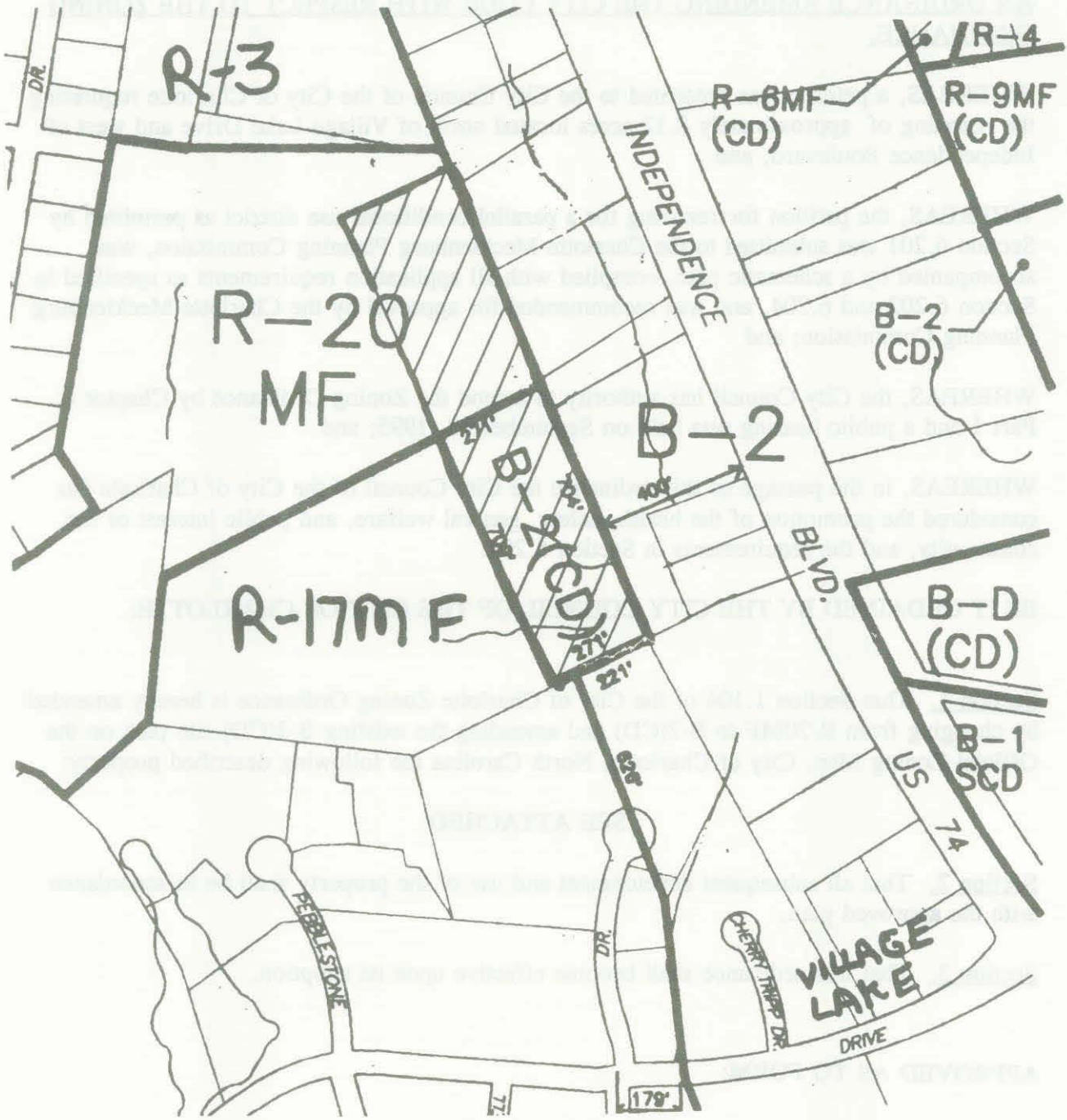
Petitioner: Hendrick Automotive Group

Hearing Date: September 18, 1995

Zoning Classification (Existing): R-20MF and B-2(CD)

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

Location: Approximately 8.12 acres located north of Village Lake Drive and west of Independence Boulevard.



Zoning Map #(s): 137

Scale: 1" = 400'

HENDRICK AUTOMOTIVE GROUP
BOUNDARY DESCRIPTION

95-65

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. 24-08-02 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.

Petition No. 95-65
Hendrick Automotive Group

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Hendrick Automotive Group owner(s) and successors-in-interest of the property described as a portion of tax parcels 191-061-09 and 191-061-12 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.

[Handwritten signature]

DATE October 16, 1995

CITY CD

Petition No. 95-66
W.L. Mellichamp Jr.

ORDINANCE NO. 395-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 1.42 acres located on the northerly side of the intersection between Lawson Lane and Susan 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 18, 1995; 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 and 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.

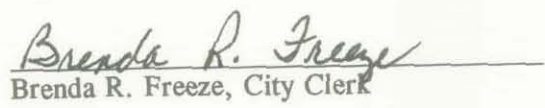
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 16th day of October, 199 5, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 47, Page(s) 88-90.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of October, 199 5.


Brenda R. Freeze, City Clerk

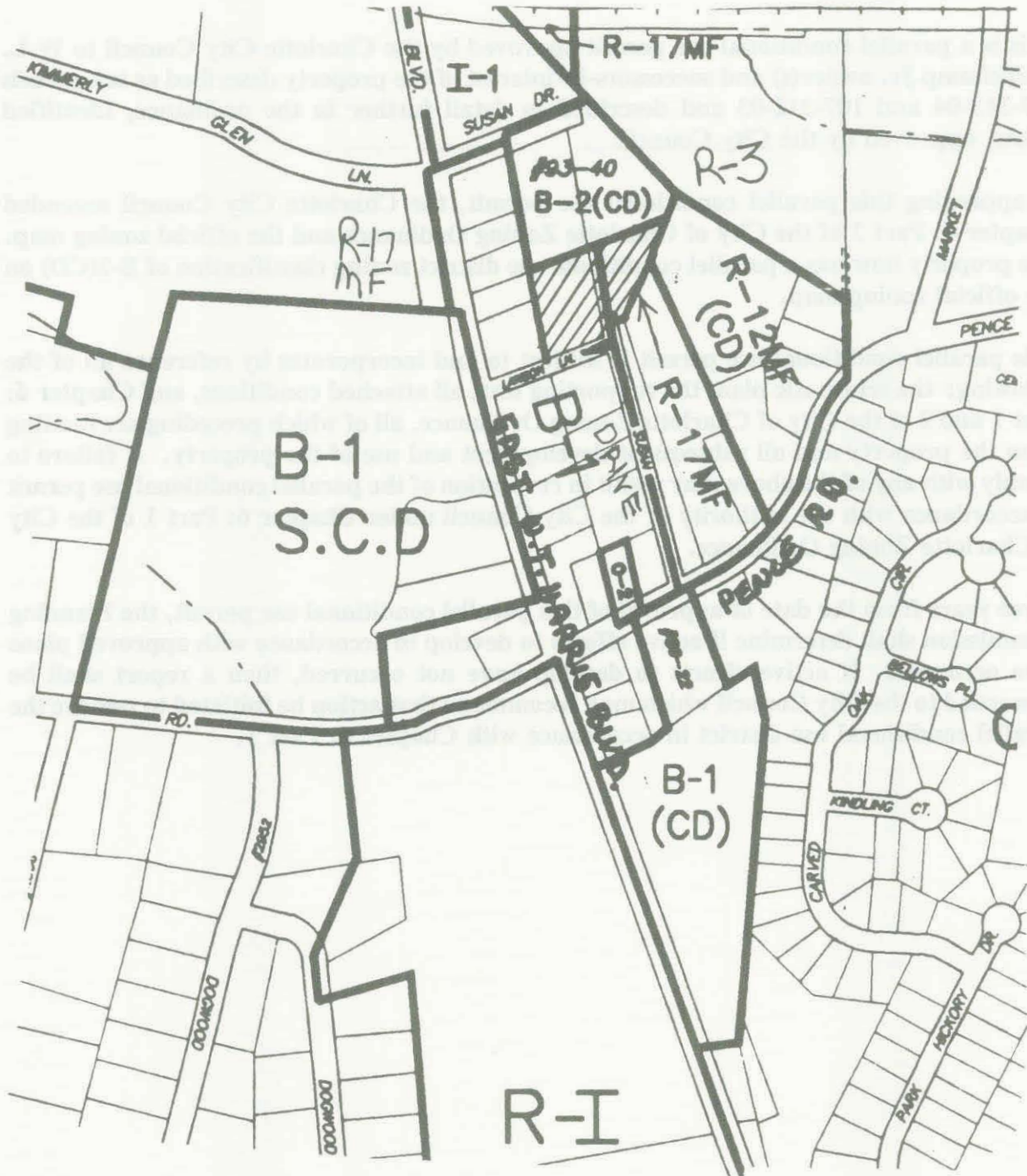
Petitioner: W.L. Mellichamp Jr.

Hearing Date: September 18, 1995

Zoning Classification (Existing): B-1 and R-17MF

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

Location: Approximately 1.42 acres located on the northerly side of the intersection between Lawson Lane and Susan Drive.



Zoning Map #(s): 99

Scale: 1" = 400'

Petition No. 95-66
W.L. Mellichamp Jr.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to W.L. Mellichamp Jr. owner(s) and successors-in-interest of the property described as tax parcels 107-313-04 and 107-312-03 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 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.

DATE October 16, 1995

CITY CD

Petition No. 95-70
Marriott Senior Living Services, Inc.

ORDINANCE NO. 396-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 2.94 acres located on the west side of Park South Drive south of Fairview 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 September 18, 1995; 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-9MF(CD) to R-22MF(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.

APPROVED AS TO FORM:

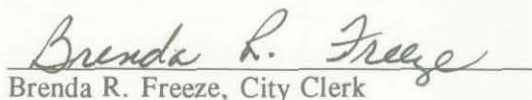

City Attorney

*He from
Tim Mares
8320
Development
Standards*

CERTI_____

I, Brenda R. Freeze, 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 15th day of October, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 47,
Page(s) 91-93E.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 2nd day of November, 1995.


Brenda R. Freeze, City Clerk

Petition #: 95-70

October 16, 1995

Ordinance Book 47, Page 92

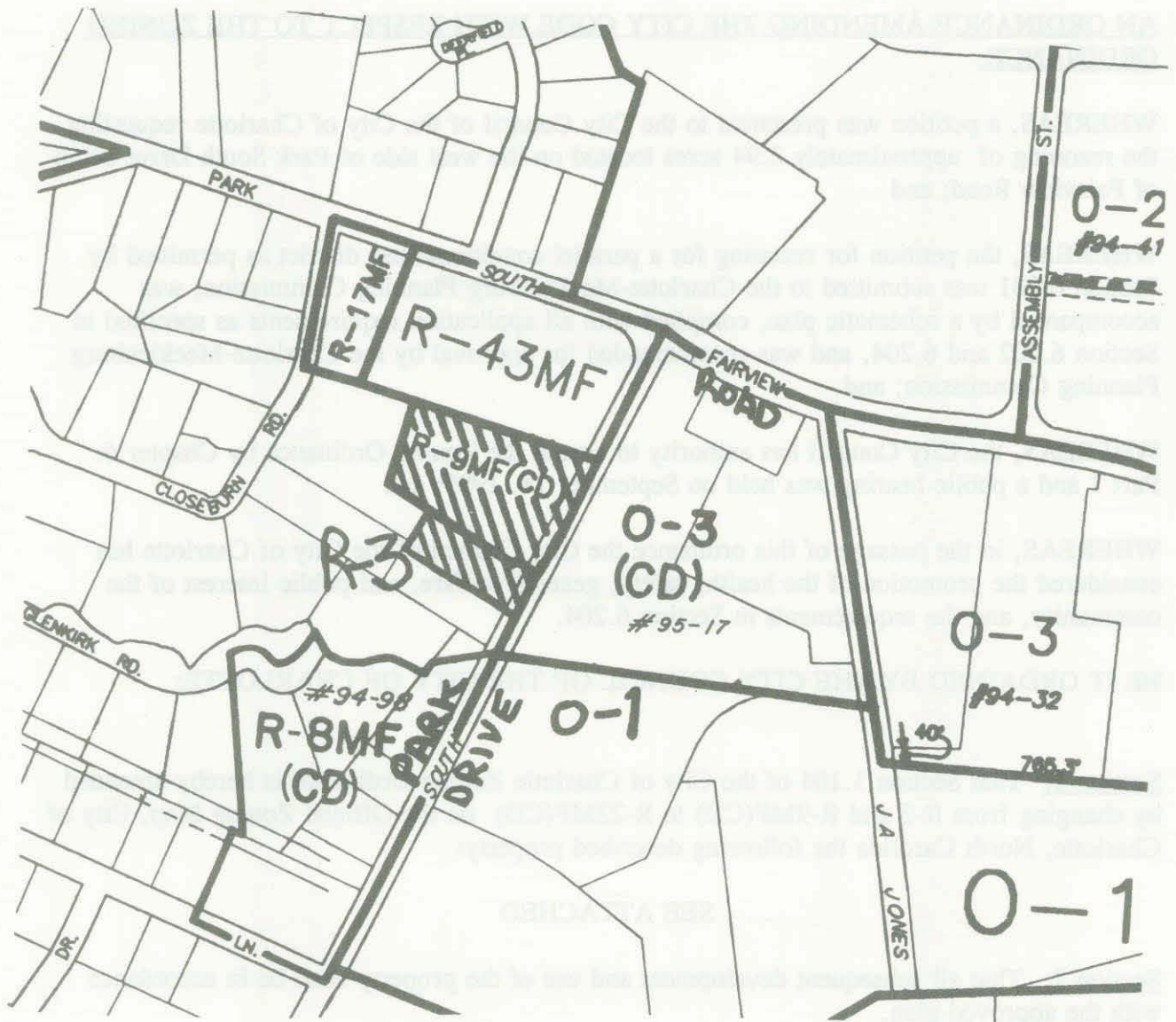
Petitioner: Marriott Senior Living Services, Inc.

Hearing Date: September 18, 1995

Zoning Classification (Existing): R-3 and R-9MF(CD)

Zoning Classification (Requested): R-22MF(CD)

Location: Approximately 2.94 acres located on the west side of Park South Drive south of Fairview Road.



Zoning Map #(s): 70

Scale: 1" = 400'

Handwritten signature
 [Illegible text]

95-70

Legal Description

Being all those certain parcels of land lying in the City of Charlotte, Mecklenburg County, North Carolina known tax parcels 171-252 Lots 12 & 13 and being more particularly described as follows.

BEGINNING at an existing iron pipe located on the northern right-of-way of Park South Drive at the southeastern corner of the lands of the City of Charlotte, Deed Book 3762, Page 270, thence along and with said right-of-way South 24°55'35" West 281.70 feet to an existing iron pipe, thence continuing with said right-of-way South 24°50'46" West 114.37 feet to an existing iron pipe, said pipe being the common corner with (now or formerly) Mildred Brooks, Deed Book 2657, Page 49, thence with Brooks line North 61°02'34" West 281.21 feet to an iron pipe set, thence North 28°05'58" East 2.90 feet to an existing iron pipe, thence North 28°05'58" East 96.84 feet to an existing iron pipe, thence North 60°35'05" West 108.87 feet to an existing iron pipe, thence North 15°57'46" East 205.38 feet to an existing iron pipe, thence South 74°00'38" East 420.47 feet to the POINT AND PLACE OF BEGINNING containing 2.94 acres more or less, not including the 0.08 acre of Lot 12 lying within the right-of-way of Park South Drive, being those same parcels as described in Title Commitment #SP-3571 by Old Republic National Title Insurance Company.

(LOCAL)

Being those same parcels as described in Title Commitment #SP-3571 by Old Republic National Title Insurance Company.

The undersigned hereby certifies to ~~Marrett International, Inc.~~ and to Old Republic National Title Insurance Company that (i) the survey correctly represents the facts found at the time of the survey; (ii) except as shown on the survey map, there are no discrepancies between the boundary lines of the subject property as shown on the survey map and as described in the legal description of the property; (iii) the boundary line dimensions as shown on the

REVISIONS:

WELLS CORPORATION

10000 DRIVE, DEPT. 631.60

WASHINGTON, D.C. 20058

October 16, 1995
Ordinance Book 17, Page 93

Petition No. 95-70
Marriott Senior Living Services, Inc.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Marriott Senior Living Services, Inc. owner(s) and successors-in-interest of the property described as tax parcels 171-252-12 and 171-252-13 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-22MF(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.

APPROVED BY CITY COUNCIL

DATE October 16, 1995

**Development Standards
Rezoning Petition No. 95-70**

**Marriott Senior Living Services, Inc.
Assisted Living Residential Facility**

General Provisions.

Marriott Senior Living Services, Inc. intends to develop on this site a three-story Assisted Living Residential Facility in accordance with the Rezoning Plan and these Development Standards.

Except to the extent otherwise provided below under the heading, "ARCHITECTURAL CONTROLS," the configuration, placement and size of this proposed facility, as depicted on the Schematic Site Plan which accompanies this Rezoning Plan, are schematic in nature and may be altered or modified during design, development and construction document phases within the maximum BUILDING ENVELOPE lines established on this Rezoning Plan (Z-1). Parking layouts may also be modified to accommodate final building locations.

Permitted Uses.

The Site may be devoted to the following uses:

1. The use of lots 171-252-12 and 171-252-13 shall be limited to an Assisted Living Residential Facility containing no more than 115 assisted living units if Marriott Senior Living Services, Inc. acquires the subject site from the current owner(s); or
2. If Marriott Senior Living Services, Inc. does not acquire the subject site from the current owner(s) the subject site may be devoted to the following uses:
 - a) A planned multi-family development containing no more than thirty-seven (37) dwellings, provided the following conditions are satisfied:
 - (i) All development must take place within the Building Envelope shown on the Rezoning Plan (Z-1);
 - (ii) All buffers and buffer treatments (including the brick wall) shown on Schematic Buffer Plan (S-4) are installed;
 - (iii) The developer delivers to the owners of Tax Parcels Nos. 171-252-19 and 171-252-23 a site plan depicting the proposed locations of all buildings and a copy of a typical front elevation of the buildings for review at least 30 days before submitting the same to the Charlotte-Mecklenburg Planning Director; and
 - (iv) The Charlotte-Mecklenburg Planning Director, after taking into consideration any comments submitted by the Owners of Tax Parcels Nos. 171-252-19 and 171-252-23, concludes that the site plan and the building elevation will be compatible with the surrounding neighborhood.
 - b) Any residential use allowed in the R-3 Residential District.

10/24/95

Marriott Senior Living Services, Inc.
Assisted Living Residential Development
10/24/95

Rezoning Petition 95-70
Page 2

Dedication of Additional Right-of-Way.

1. The Petitioner agrees to dedicate additional right of way along Park South Drive to a distance of thirty-five feet from the center line of Park South Drive as depicted on the Rezoning Plan (Sheet Z-1) as "Additional Right-of-Way" to the City of Charlotte for future roadway improvement purposes.
2. This additional right of way dedication will be made prior to the issuance of any building permit covering any portion of the Site.

Building Setback.

The building setback for the Assisted Living Residential Development shall be a minimum of thirty-five (35) feet from the existing right of way for Park South Drive and thirty (30) feet from the future right of way line for Park South Drive as depicted on the Rezoning Plan (Sheet Z-1).

Parking.

Parking will not be permitted in any setback, minimum yard, or buffer area.

Each of the parking areas depicted on the Schematic Site Plan may vary in size and location, but in all events offstreet parking will meet the minimum standards established under the Charlotte Zoning Ordinance.

Landscaping and Screening.

1. Screening shall conform with the standards and treatments specified in these Development Standards and on this Rezoning Plan and, at a minimum, will conform to the provisions of Section 12.303 of the Charlotte City Zoning Ordinance.
2. Tree protection and planting shall conform with the specifications provided on this Rezoning Plan and, at a minimum, will satisfy the provisions of Chapter 21 "Trees" of the Charlotte City Code.
3. The trees depicted on the Schematic Buffer Plan are schematic and their number may vary depending upon soil conditions and existing trees. However, the total number of existing and planted trees will not vary in any material manner from those depicted on that Plan and in any event shall meet or exceed the Class C buffer requirements.

Buffer Areas.

The buffer areas depicted on this Rezoning Plan along the southern and western boundaries of the Site are subject to the following regulations:

1. All buffer areas at a minimum will satisfy the requirements of Sections 12.302 or 12.304 of the Charlotte Zoning Ordinance.
2. Buffer areas are to remain as undisturbed open space, except to the extent necessary to accommodate pedestrian and bicycle pathways, access points, grading, berms, walls, fences, drainage, and utility lines and facilities.

Marriott Senior Living Services, Inc.
Assisted Living Residential Development
10/24/95

Rezoning Petition 95-70
Page 3

3. Landscaping within these buffer areas will conform with the general specifications set forth on the Schematic Buffer Plan which accompanies this Rezoning Plan and Sections 12.302 and 12.304, whichever has the greater standard.
4. In all buffer areas where existing trees and natural vegetation have been cleared to accommodate walls, berms, fences, grading, and the installation of utility construction, the cleared, unimproved areas will be landscaped in accordance with guidelines established under the Schematic Buffer Plan which accompanies this Rezoning Plan.
5. The petitioner reserves the right and proposes to reduce the width of a portion of the buffer along the southern property as shown on this Rezoning Plan (Sheet Z-1) in accordance with section 12.302(8) of the Charlotte Zoning Ordinance. The screen wall provided in this location will be located at the inside edge of the buffer as shown on the Schematic Site Plan (Sheet S-2).

In addition to the screen wall, this buffer area will be planted, as shown on the Schematic Buffer Plan (Sheet S-4) with vegetation that meets or exceeds the Class C buffer requirements for this buffer area.

Stormwater Management Facilities

1. In applying for a building permit, the owner shall submit to the Charlotte Engineering Department the sum of \$5,000 in lieu of constructing the on-site storm water detention facilities illustrated on the Rezoning Plan. This payment represents the Site's pro-rata share of the estimated cost for the City to address storm water needs in the area immediately downstream of the project. No building permit shall be issued for any development taking place on the Site until such payment is made.

Lighting.

1. A uniform lighting system will be employed throughout the Site.
2. All direct lighting within the Site (except street lights which may be erected Park South Drive) shall be designed such that neither glare nor direct illumination shall extend past any property line.
3. Freestanding light fixtures shall be not exceed fourteen (14) feet in height and shall be designed and located to provide for adequate safety and security within the site. Lamp fixture design elements which control intensity, cutoff angles, color, and energy efficiency shall be used to prevent glare.

Signs.

1. All signs placed on the Site will be erected in accordance with the requirements of the Charlotte Zoning Ordinance.
2. One permanent project identification sign may be placed on the Site and may be located along Park South Drive in the general area depicted on the Rezoning Plan.

Marriott Senior Living Services, Inc.
Assisted Living Residential Development
10/24/95

3. Directional signs may be placed on the Site so long as they meet the requirements of the Charlotte Zoning Ordinance.

Access Points (Driveways).

1. The number of vehicular access points to the Site shall be limited to two full service driveways located on Park South Drive and they shall be located in the general vicinity depicted on the Rezoning Plan.
2. The configuration and location of each access point are subject to any minor modifications required to accommodate final site and architectural construction plans and designs, and are further subject to approval by the Charlotte Department of Transportation.

Fire Protection.

Adequate fire protection in the form of fire hydrants will be provided to the Fire Marshal's specifications.

Architectural Controls.

1. The Petitioner commits to design any Assisted Living Residential Facility constructed on the Site in substantial compliance with the rendering which accompanies this Rezoning Plan and has been identified as Exhibit A.
2. No building constructed on the Site may exceed three stories in height or forty (40) feet.
3. All dumpster or trash handling areas will be screened from adjoining property and from view from a public street in accordance with Section 12.303 of the Charlotte Zoning Ordinance, including the provision of gates/fencing on all four sides of the dumpster.
4. All mechanical equipment, including roof top equipment, will be screened from view from a public street and adjoining single family zoned properties.

DATE October 16, 1995

CITY CD

Petition No. 95-71
Morris Field Associates

ORDINANCE NO. 397-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 15.3 acres located on the southwest corner of the intersection between Morris Field Drive and Billy Graham Parkway; 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 18, 1995; 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:

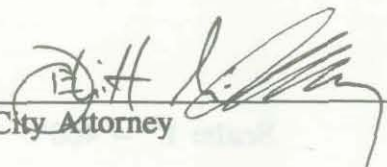
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-4 and B-1(CD) to B-D(CD) and amending the existing B-1(CD) site plan on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

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.

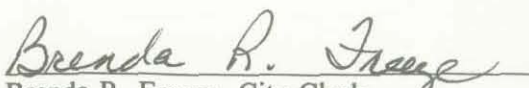
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 16th day of October, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 47, Page(s) 94-96A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of October, 1995.


Brenda R. Freeze, City Clerk

Petition #: 95-71

October 16, 1995
Ordinance Book 47, Page 95

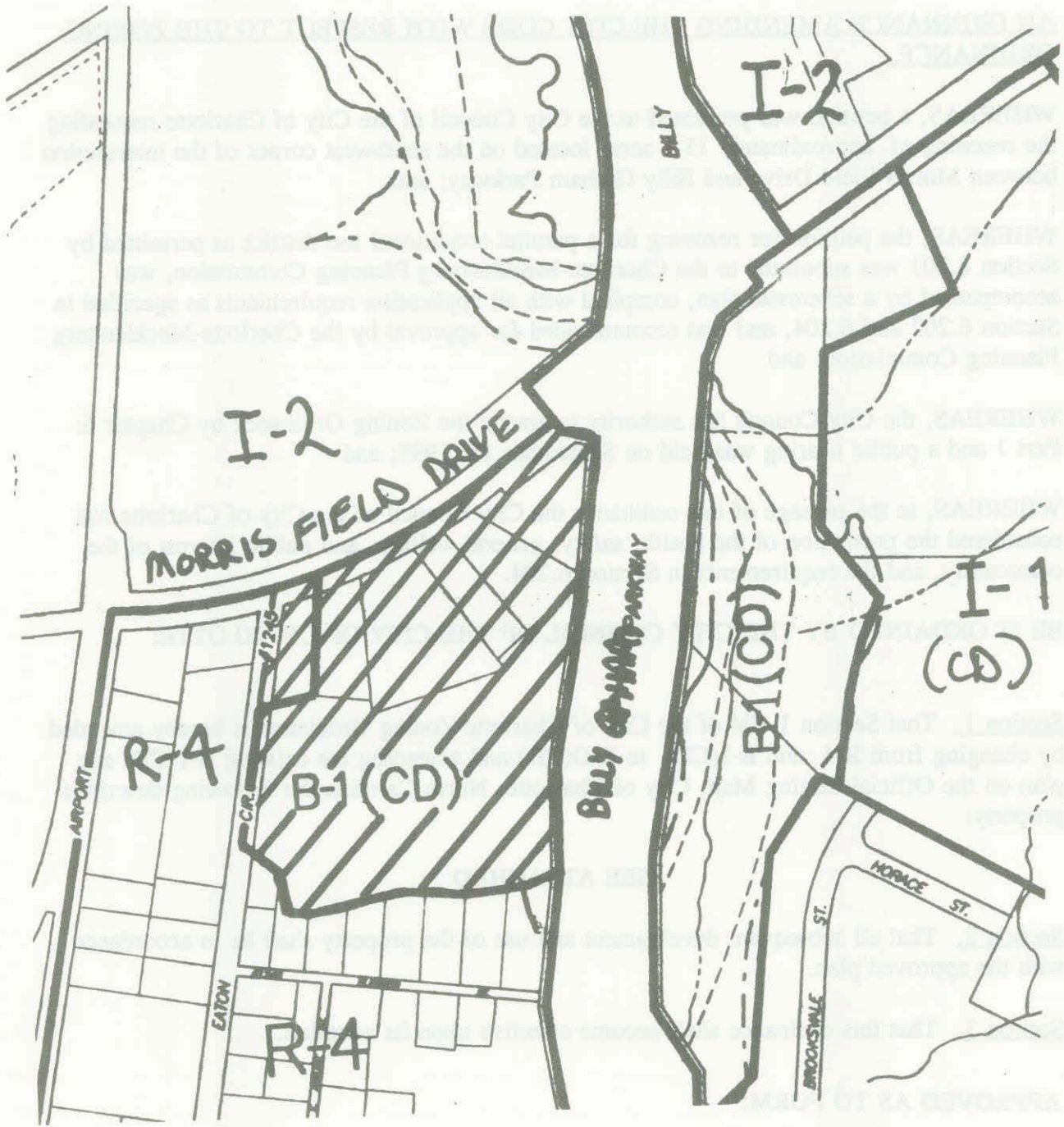
Petitioner: Morris Field Associates

Hearing Date: September 18, 1995

Zoning Classification (Existing): B-1(CD) and R-4

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

Location: Approximately 15.3 acres located on the southwest corner of the intersection between Morris Field Drive and Billy Graham Parkway.



Zoning Map #(s): 104

Scale: 1" = 400'

REZONIFICATION

I, Bruce A. Brown, City Clerk of the City of Chesapeake, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Chesapeake, Maryland, on the 15th day of October, 1995, and that the same is hereby published for the purpose of giving notice to the public of the same. Witness my hand and the corporate seal of the City of Chesapeake, Maryland, this 15th day of October, 1995.

Bruce A. Brown
 Bruce A. Brown, City Clerk

any requirements for street and/or curb/gutter/sidewalk improvements shall likewise be constructed in phases appropriate to the frontage area of the building(s) under construction.

95-71

- 8. Petitioner reserves the right to transfer a maximum of 10,000 SF of building area between Parcel 1 and Parcel 2.

PARCEL 1

From a point at the intersection of Eaton Circle and Morris Field Dr. curving with a R=1497.86 and a L=412.83' then;

Beginning at that point curving with a R=1497.80' and a L=204.55' then;

N 55°22'50" E 20.00'

S 34°49'09" E 23.26'

N 55°22'50" E 198.95'

S 68°36'52" E 49.73'

Then curving with a R=2710.79 and a L=267.25' then;

S 12°34'53" W 200.75'

N 79°53'02" W 320.43'

N 10°27'24" E 58.68'

Then curving with a R=200.00' and a L=119.15'

N 23°40'41" W 41.77'

Returning to Point of Beginning.

PARCEL 2

Beginning at a point at the intersection of Eaton Circle and Morris Field Dr. curving with a R=1497.80' and a L=412.83' then;

S 23°40'04" E 41.77'

Then curving with a R=200.00' and a L=119.15' then;

S 10°27'24" W 58.68'

S 79°27'24" E 320.43'

S 12°34'53" W 307.38'

S 05°21'29" W 293.81'

S 08°50'46" W 1.27'

S 72°48'00" W 41.04'

S 65°10'00" W 36.14'

N 79°56'00" W 30.62'

S 85°45'40" W 103.48'

N 83°42'40" W 106.75'

N 83°20'20" W 46.97'

S 81°15'00" W 30.25'

S 72°15'00" W 100.32'

S 72°15'00" W 37.62'

N 88°27'00" W 100.04'

N 78°28'00" W 30.00'

N 01°14'00" E 30.00'

N 11°40'00" W 30.00'

N 78°28'00" W 5.00'

N 46°05'10" W 91.37'

N 11°41'54" E 289.90'

N 09°39'09" E 326.64'

Returning to Point of Beginning.

MORRIS

Petition No. 95-71
Morris Field Associates

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Morris Field Associates owner(s) and successors-in-interest of the property described as tax parcels 115-073-01, 115-073-06 and 115-073-25 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 BD(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.

DATE October 16, 1995

CITY CD

Petition No. 95-72
DMI Corporation

ORDINANCE NO. 398-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 15.4 acres located on the west side of Mallard Creek Church Road south of Mary Alexander 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 September 18, 1995; 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 Inst. to R-12MF(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.

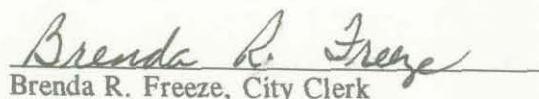
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 16th day of October, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 47, Page(s) 97-99.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of October, 1995.


Brenda R. Freeze, City Clerk

Petition #: 95-72

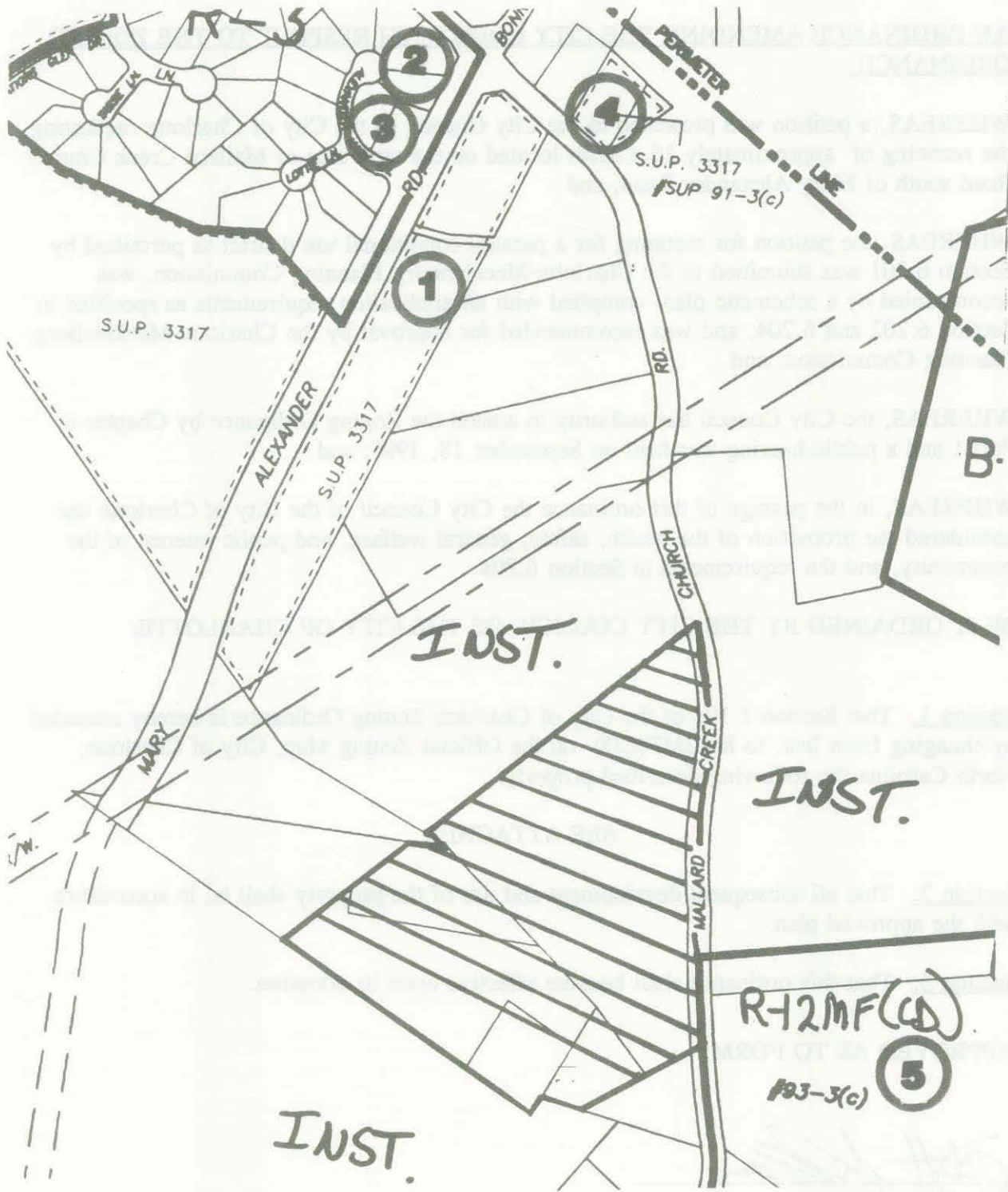
Petitioner: DMI Corporation

Hearing Date: September 18, 1995

Zoning Classification (Existing): Inst.

Zoning Classification (Requested): R-12MF(CD)

Location: Approximately 15.4 acres located on the west side of Mallard Creek Church Road south of Mary Alexander Road.



Zoning Map #(s): 57

Scale: 1" = 400'

[Handwritten signature]

95-72

LEGAL DESCRIPTION

DMI CORPORATION
Mallard Creek Church Road

BEGINNING at a point in the westerly right-of-way line of Mallard Creek Church Road, said point being the northeasterly corner of a tract of land described in Deed Book 1611, Page 202 of the Mecklenburg Public Registry, and running thence with said right-of-way four courses as follows: (1) with the arc of a circular curve to the right having a radius of 1,730.52 feet, an arc distance of 198.16 feet; (2) N. 06-05-35 W. 201.18 feet; (3) with the arc of a circular curve to the right having a radius of 1,903.02 feet, an arc distance of 341.50 feet; (4) with the arc of a circular curve to the left having a radius of 809.38 feet, an arc distance of 322.38 feet; thence S. 47-15-19 W. 829.15 feet; thence S. 63-56-05 E. 69.73 feet; thence S. 85-55-12 W. 89.15 feet; thence S. 47-15-19 W. 418.28 feet; thence S. 60-57-00 E. 765.93 feet; thence N. 25-24-30 E. 52.09 feet; thence S. 76-48-58 E. 96.19 feet; thence N. 57-27-03 E. 304.10 feet to the point of BEGINNING and containing 15.4 acres.

Petition No. 95-72
DMI Corporation

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to DMI Corporation owner(s) and successors-in-interest of the property described as tax parcels 049-321-05, 049-321-06, 049-321-07, 049-321-08 and 049-321-09 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 R-12MF(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.

DATE October 16, 1995

CITY CD

Petition No. 95-73
David H. Poer, Jr.

ORDINANCE NO. 399-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 9.72 acres located on the southerly side of the intersection between Little Rock Road and Freedom 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 18, 1995; 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:

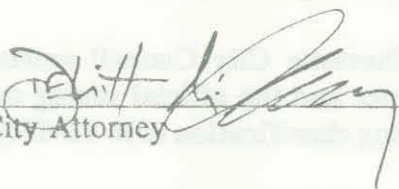
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-3 and CC to B-1(CD), R-3,CC and amending the existing CC site plan on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

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.

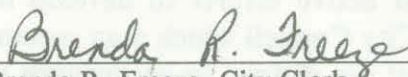
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 16th day of October, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 47, Page(s) 100-102C.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1995.

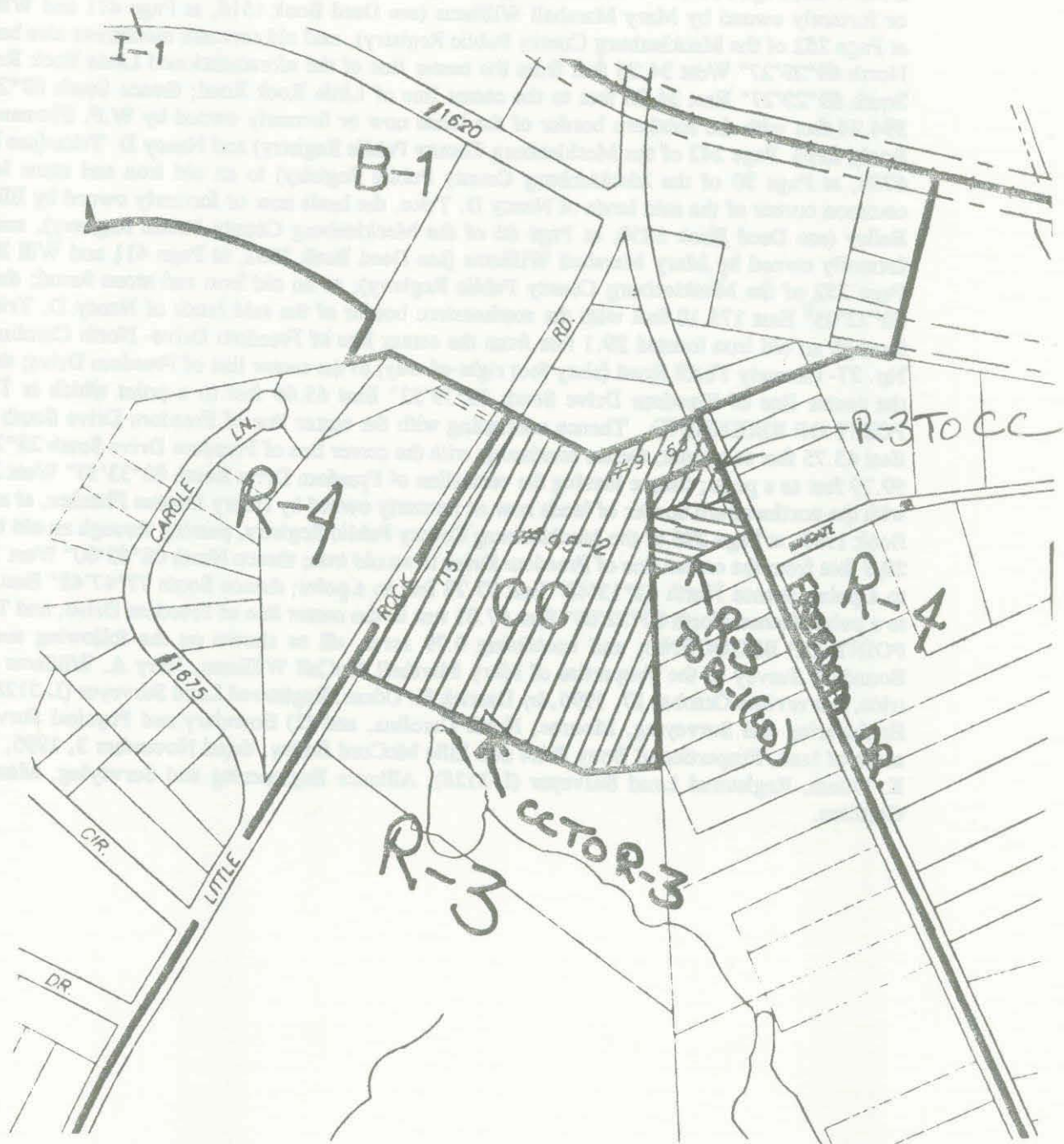

Brenda R. Freeze, City Clerk

Petitioner: David H. Poer, Jr.
Hearing Date: September 18, 1995

Zoning Classification (Existing): R-3 and CC

Zoning Classification (Requested): B-1(CD), R-3 and CC Site Plan Amendment

Location: Approximately 9.72 acres located on the southerly side of the intersection between Little Rock Road and Freedom Drive.

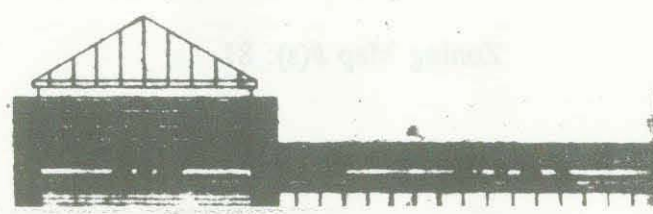


Zoning Map #(s): 81

Scale: 1" = 400'

B-1 (CD)

BEGINNING at an old concrete monument located near the northwestern margin of the right-of-way for Little Rock Road (State Road No. 1641) (sixty foot right-of-way) and in a common property line formed by the southerly margin of lands now or formerly owned by Pawtucket Assoc. Joint Venture (see Deed Book 6726, Page 386 of the Mecklenburg County Public Registry) and the northerly margin of lands now or formerly owned by Mary Marshall Williams (see Deed Book 1516, at Page 471 and WRI Book 17, at Page 252 of the Mecklenburg County Public Registry), said old concrete monument also being located North $69^{\circ}29'27''$ West 34.26 feet from the center line of the aforementioned Little Rock Road; thence South $69^{\circ}29'27''$ East 34.26 feet to the center line of Little Rock Road; thence South $69^{\circ}29'27''$ East 394.24 feet with the southern border of the lands now or formerly owned by W.F. Flaman (see Deed Book, 2996, Page 242 of the Mecklenburg County Public Registry) and Nancy D. Trice (see Deed Book 6788, at Page 50 of the Mecklenburg County Public Registry) to an old iron and stone located in common corner of the said lands of Nancy D. Trice, the lands now or formerly owned by Ellie McCord Bailey (see Deed Book 1250, at Page 66 of the Mecklenburg County Public Registry), and the lands formerly owned by Mary Marshall Williams (see Deed Book 2062, at Page 411 and Will Book 17, at Page 252 of the Mecklenburg County Public Registry); to an old iron and stone found; thence North $60^{\circ}22'05''$ East 175.10 feet with the southeastern border of the said lands of Nancy D. Trice (passing through an old iron located 29.1 feet from the center line of Freedom Drive - North Carolina Highway No. 27 - formerly Thrift Road (sixty foot right-of-way) to the center line of Freedom Drive; thence along the center line of Freedom Drive South $29^{\circ}39'53''$ East 65.66 feet to a point which is THE TRUE POINT OF BEGINNING. Thence continuing with the center line of Freedom Drive South $29^{\circ}39'53''$ East 43.75 feet to a point; thence continuing with the center line of Freedom Drive South $29^{\circ}22'06''$ East 99.79 feet to a point; thence leaving the centerline of Freedom Drive South $80^{\circ}33'57''$ West 257.17 feet with the northwestern border of lands now or formerly owned by Henry Eugene Fletcher, et al (see Deed Book 1993, at Page 295 of the Mecklenburg County Public Registry, passing through an old iron located 29.3 feet from the center line of Freedom Drive to an old iron; thence North $08^{\circ}02'00''$ West 174.22 feet to a point; thence North $62^{\circ}13'48''$ East 77.73 feet to a point; thence South $77^{\circ}47'48''$ East 25.20 feet to a point; thence North $60^{\circ}22'05''$ East 97.01 feet to the center line of Freedom Drive, and THE TRUE POINT OF BEGINNING; and containing 0.79 acres, all as shown on the following surveys: (1) Boundary Survey of the Properties of Mary Marshall McCall Williams, Jerry A. Williams and Nancy Trice, last revised October 17, 1995, by Derrick K. Odom, Registered Land Surveyor (L-3128), Alliance Engineering and Surveying, Monroe, North Carolina, and (2) Boundary and Physical Survey of 1.03 acres of land, Properties of Betty Price and Ellie McCord Bailey, dated November 3, 1995, by Derrick K. Odom, Registered Land Surveyor (L-3128), Alliance Engineering and Surveying, Monroe, North Carolina.



Tract 1

BEGINNING at an old concrete monument located near the northwestern margin of the right-of-way for Little Rock Road (State Road No. 1641) (sixty foot right-of-way) and in a common property line formed by the southerly margin of lands now or formerly owned by Pawtucket Assoc. Joint Venture (see Deed Book 6726, Page 386 of the Mecklenburg County Public Registry) and the northerly margin of lands now or formerly owned by Mary Marshall Williams (see Deed Book 1516, at Page 471 and Will Book 17, at Page 252 of the Mecklenburg County Public Registry) said old concrete monument also being located North $69^{\circ}29'27''$ West 34.26 feet from the center line of the aforementioned Little Rock Road; thence South $69^{\circ}29'27''$ East 34.26 feet to the center line of Little Rock Road; THE TRUE POINT OF BEGINNING; thence from THE TRUE POINT OF BEGINNING, South $69^{\circ}29'27''$ East 394.24 feet with the southern border of the lands now or formerly owned by W.F. Fittman (see Deed Book 2996, Page 242 of the Mecklenburg County Public Registry) and Nancy D. Trice (see Deed Book 6788, at Page 50 of the Mecklenburg County Public Registry) to an old iron and stone located in a common corner of the said lands of Nancy D. Trice, the lands now or formerly owned by Ellie McCord Bailey (see Deed Book 1250, at Page 66 of the Mecklenburg County Public Registry), and the real property hereby conveyed; thence North $60^{\circ}22'05''$ East 175.10 feet with the southeastern border of the said lands of Nancy D. Trice (passing through an old iron located 29.1 feet from the center line of Freedom Drive- North Carolina Highway No. 27, formerly Thrift Road, (sixty foot right-of-way) to the center line of Freedom Drive; thence with the center line of Freedom Drive South $29^{\circ}39'53''$ East 65.66 feet to a point; thence leaving the center line of Freedom Drive South $60^{\circ}22'05''$ West 97.01 feet to a point; thence North $77^{\circ}47'48''$ West 25.20 feet to a point; thence South $62^{\circ}13'48''$ West 77.75 feet to a point; thence South $08^{\circ}02'00''$ East 67.04 feet to an old iron pin found; thence continuing South $08^{\circ}02'00''$ East 107.18 feet to an old iron found; thence continuing South $08^{\circ}02'00''$ East 462.45 feet with western border of the lands now or formerly owned by Ellie McCord Bailey (see Deed Book 1250, at Page 66 of the Mecklenburg County Public Registry), Betty Price (see Deed Book 2488, Page 317 of the Mecklenburg County Public Registry), Henry Eugene Fletcher, et ux. (see Deed Book 1993, Page 295 of the Mecklenburg County Public Registry), Dolores Jean David (see Deed Book 4334, Page 584 of the Mecklenburg County Public Registry), Katherine B. McEntire (see Deed Book 1112, Page 250 of the Mecklenburg County Public Registry), Sarah L. Summerlin (see Deed Book 1354, Page 479 of the Mecklenburg County Public Registry), and Jarvis W. Midgett, et ux. (see Deed Book 2405, Page 482 of the Mecklenburg County Public Registry), passing through an old iron on line of subdivision at 440.91 feet, to a set new iron pin; thence seven new distances and courses as follows: (1) South $81^{\circ}58'00''$ West 178.03 feet to a set new iron pin, (2) North $71^{\circ}19'50''$ West 134.61 feet to a set new iron pin in the easterly border of the lands of Jerry A. Williams (see Deed Book 5094, at Page 384 of the Mecklenburg County Public Registry), (3) North $71^{\circ}19'50''$ West 13.49 feet to a set new iron pin, (4) North $58^{\circ}01'34''$ West 143.39 feet to a set new iron pin, (5) South $31^{\circ}46'25''$ West 33.88 feet to a set new iron pin, (6) North $71^{\circ}19'50''$ West 39.28 feet to a set new iron in the westerly border of the aforesaid lands of Jerry A. Williams, and (7) North $71^{\circ}19'50''$ West 307.24 feet, passing through a set new iron pin located in the southeastern margin of the right-of-way of Little Rock Road, to the center line of Little Rock Road; thence with the center line of Little Rock Road, North $26^{\circ}36'07''$ East 712.75 feet to THE TRUE POINT OF BEGINNING, and containing 9.902 acres, all as shown on the following surveys: (1) Boundary Survey of the Properties of Mary Marshall McCall Williams, Jerry A. Williams and Nancy Trice, last revised October 17, 1995, by Derrick K. Odom, Registered Land Surveyor (L-3128), Alliance Engineering and Surveying, Monroe, North Carolina and (2) Boundary and Physical Survey of 1.03 acre of land, Properties of Betty Price and Ellie McCord Bailey, dated November 3, 1995, by Derrick K. Odom, Registered Land Surveyor (L-3128), Alliance Engineering and Surveying, Monroe, North Carolina.

RES

FOUND OLD IRON

2270K-3

WILLIAMS
WILLIAMS
411
253
-22

0.562 ACRES

FOUND OLD IRON

S 31° 46' 25" W
26.65

SET NEW
IRON PIN

SET NEW
IRON PIN

SET NEW IRON PIN
112.80

N-71° 19' 50" W

86.74

FOUND OLD IRON

SEE DETAIL 1

JERRY A. WILLIAMS
DB. 5094, PG. 384
TAX # 59-231-23

MARY MARSHAL
DB. 5242,
TAX # 59-

SET NEW
IRON PIN

15' GRAVEL DRIVE

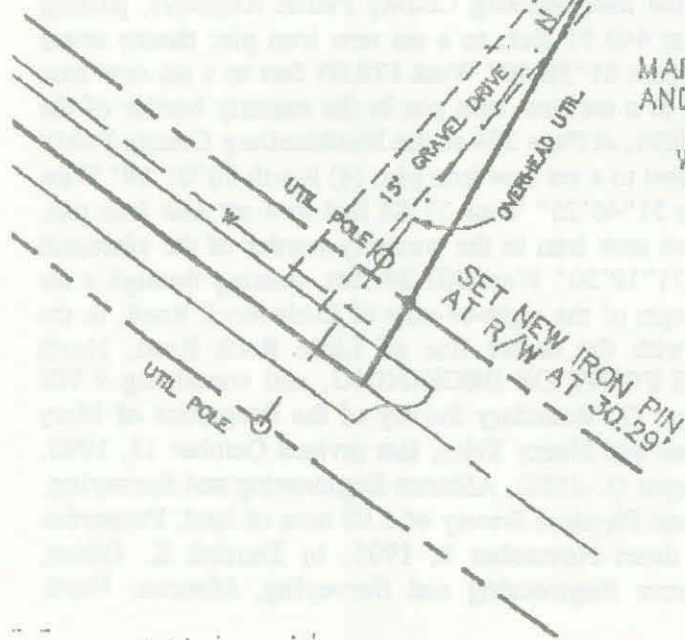
UTL POLE
TRANSFORMER

FOUND OLD IRON

MARY MARSHALL WILLIAMS
AND SAMUEL W. WILLIAMS
DB. 2062, PG. 411
WILL BK, 17 PG. 253
TAX # 59-231-22

LEGEND

- R/W = RIGHT OF WAY
- OHU = OVERHEAD UTILITY LII
- W = WATER
- FM = FORCE MAIN
- UTIL = UTILITY
- CMUD = CHARLOTTE-MECKLEN
UTILITY DEPARTMENT



Petition No. 95-73
David H. Poer, Jr.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to David H. Poer, Jr. owner(s) and successors-in-interest of the property described as tax parcels 059-231-16 and a portion of 059-231-17 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 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.

SEE ATTACHED

APPROVED AS TO FORM



EXHIBIT

I, David H. Poer, Jr., Mayor of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that this is a true and correct copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, on the 15th day of October, 1995, and recorded in full in Ordinance Book 47, Page 102C.



APPROVED BY CITY COUNCIL

DATE October 16, 1995

CITY CD

Petition No. 95-74
The Prado LLC

ORDINANCE NO. 400-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 amendment of a site plan for approximately 16.18 acres located on the east side of US Hwy 29 north of Hampton Church Road; and

WHEREAS, the request for an amendment 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 site plan by Chapter 6: Part 1 and a public hearing was held on September 18, 1995; 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:

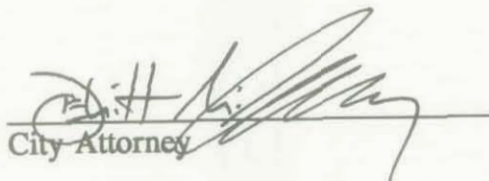
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by amending the O-1(CD) site plan on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

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.

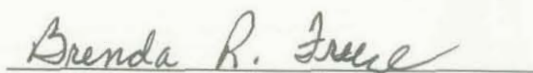
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 16th day of October, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 47, Page(s) 103-105.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of October, 1995.


Brenda R. Freeze, City Clerk

Petition #: 95-74

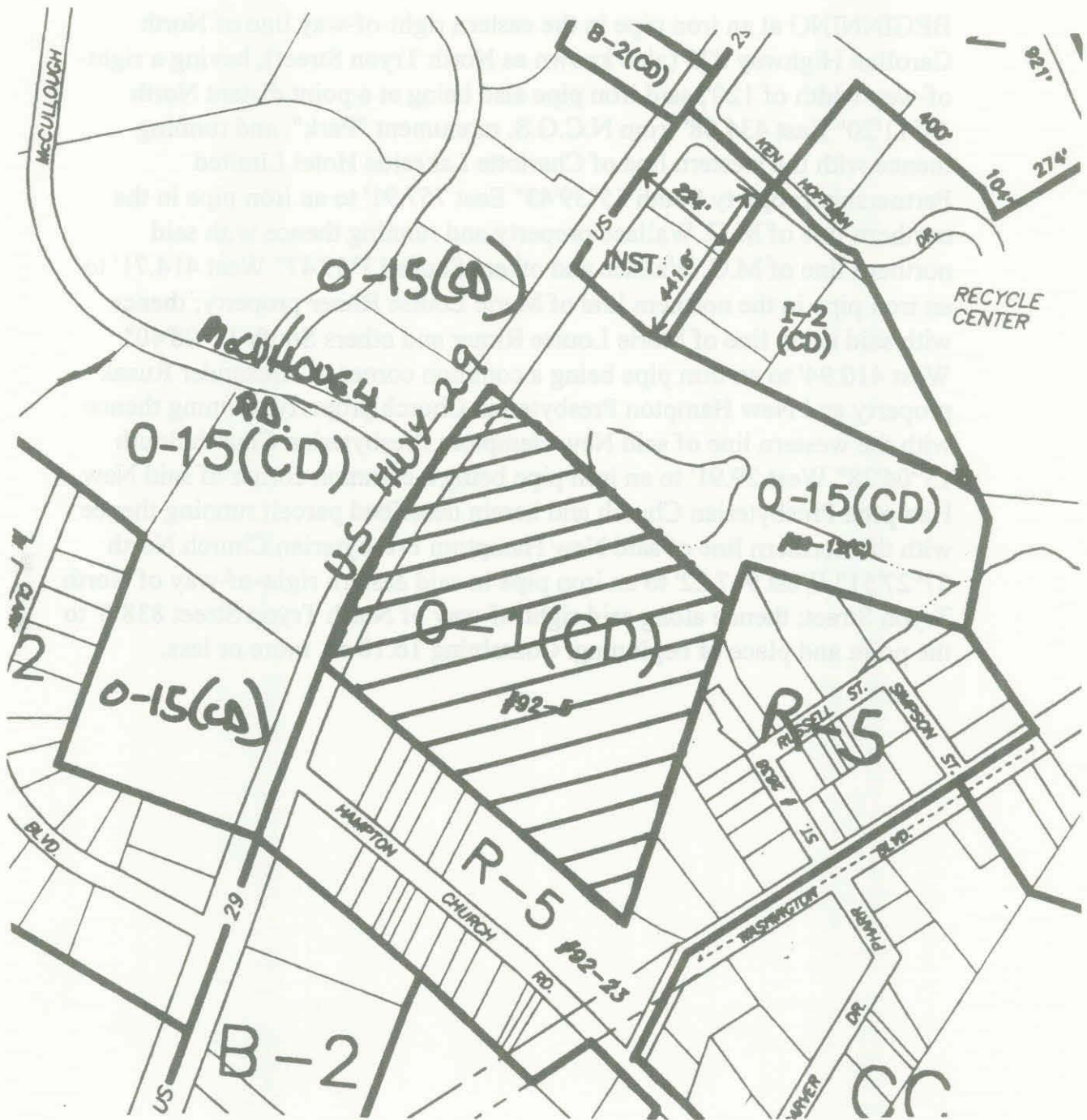
Petitioner: The Prado LLC

Hearing Date: September 18, 1995

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

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

Location: Approximately 16.18 acres located on the east side of US Hwy 29 north of Hampton Church Road.



Zoning Map #(s): 58, 71

Scale: 1" = 400'

95-74

Legal Description for rezoning application
The Prado Subdivision

BEGINNING at an iron pipe in the eastern right-of-way line of North Carolina Highway #29 (also known as North Tryon Street), having a right-of-way width of 120', said iron pipe also being at a point distant North 44°11'20" East 434.08' from N.C.G.S. monument "Park", and running thence with the western line of Charlotte Lakeside Hotel Limited Partnership property South 55°39'43" East 757.91' to an iron pipe in the northern line of M.C. Wallace property and running thence with said northern line of M.C. Wallace and others South 13°59'47" West 414.71' to an iron pipe in the northern line of Marie Louise Rimer property; thence with said north line of Marie Louise Rimer and others South 12°08'40" West 410.94' to an iron pipe being a common corner of Alexander Rusak property and New Hampton Presbyterian Church property; running thence with the western line of said New Hampton Presbyterian Church South 13°04'28" West 29.91' to an iron pipe being a common corner of said New Hampton Presbyterian Church and herein described parcel; running thence with the northern line of said New Hampton Presbyterian Church North 57°27'51" West 947.22' to an iron pipe in said eastern right-of-way of North Tryon Street; thence along said right-of-way of North Tryon Street 838.0' to the point and place of beginning. Containing 16.18 ac. more or less.

APPROVED BY CITY COUNCIL
DATE October 16, 1995

CITY ZONE CHANGE

Petition No. 95-85
Charlotte-Mecklenburg Planning
Commission

MAP AMENDMENT NO. 401-Z

ZONING REGULATIONS

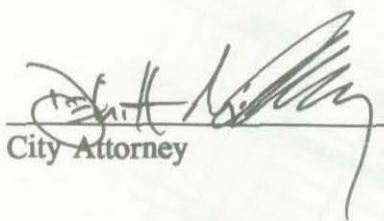
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by change from R-5 to R-22MF on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

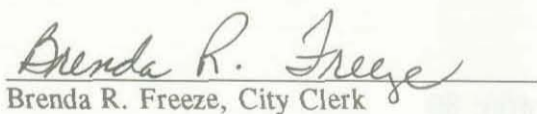
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 16th day of October, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 47, Page(s) 106-107.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of October, 1995.


Brenda R. Freeze, City Clerk

Petition #: 95-85

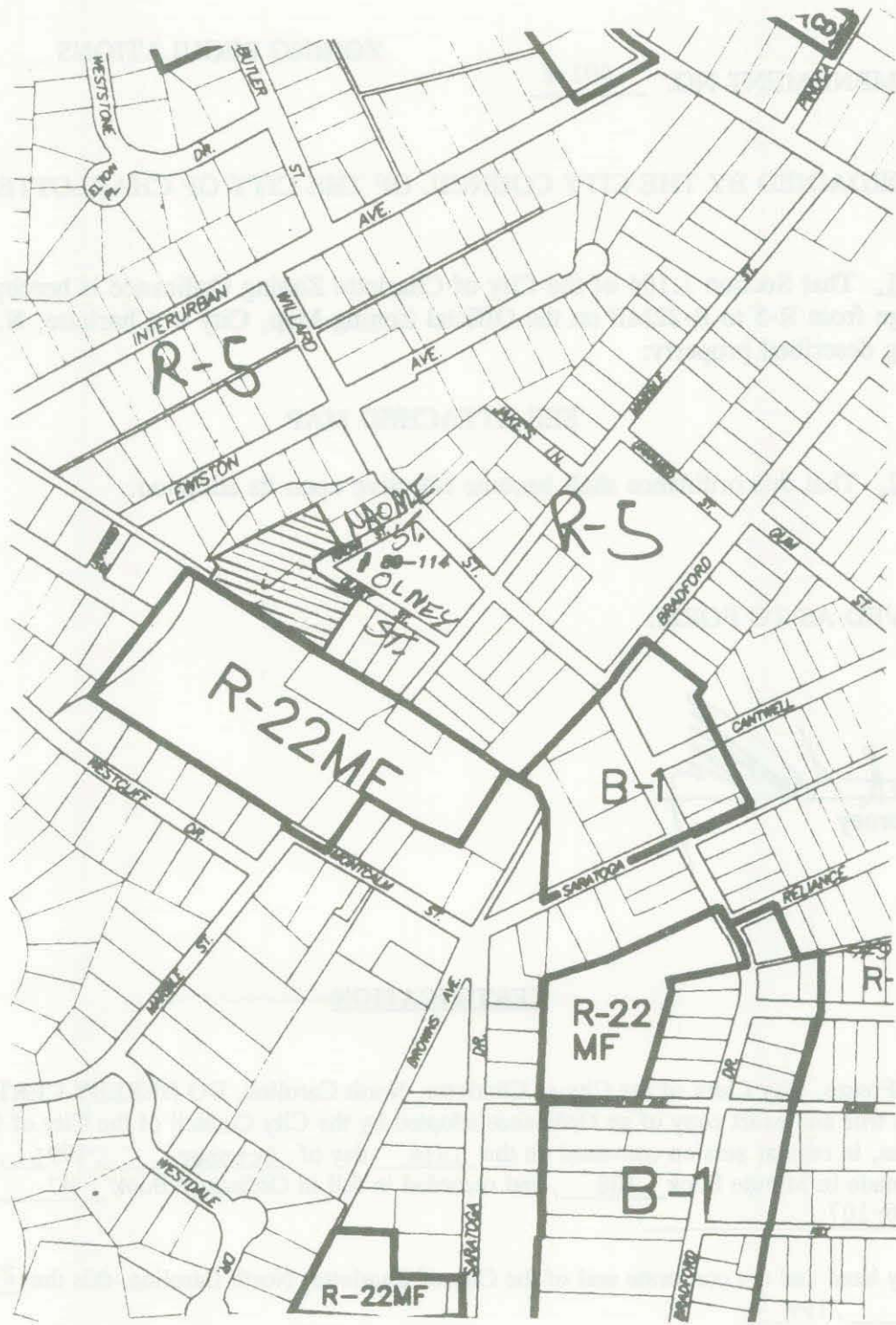
Petitioner: Charlotte-Mecklenburg Planning Commission

Hearing Date: September 18, 1995

Zoning Classification (Existing): R-5

Zoning Classification (Requested): R-22MF

Location: Approximately 1.4 acres located on the northeast corner of the intersection between Naomi Street and Olney Street.



Zoning Map #(s): 80

Scale: 1" = 400'