

AN ORDINANCE TO AMEND ORDINANCE NUMBER 857-X, THE 1997-1998 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE SIX MILE CREEK CAPITAL PROJECT.

BE IT ORDAINED, by the City Council of the City of Charlotte;

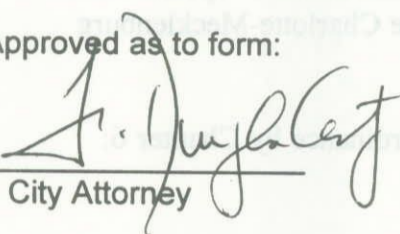
Section 1. That the sum of \$600,000 is hereby available from the Water and Sewer Operating Fund fund balance (7101).

Section 2. That the sum of \$600,000 is hereby appropriated to Water and Sewer Capital Project Fund 2071; 632.25 - Six Mile Creek Outfall.

Section 3. All ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall be effective immediately.

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 22nd day of June, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 48, Page(s) 592.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of June, 1998.



Brenda R. Freeze, CMC, City Clerk

CITY CD

Petition No. 98-09
Landcraft Properties, Inc.

ORDINANCE NO. 1069-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 16.68 acres located on the west side of Mallard Creek Road between Garrison Drive and Mallard Park Drive;

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 20, 1998; 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 to R-8(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

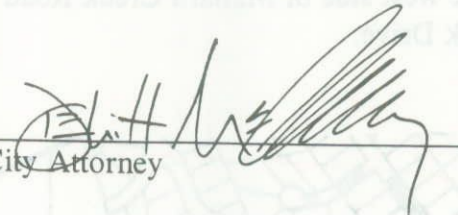
SEE ATTACHED

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.

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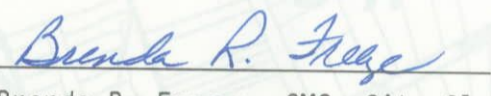
APPROVED AS TO FORM:



City Attorney

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 22nd day of June, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 48, Page(s) 593-595B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of August, 1998.



Brenda R. Freeze, CMC, City Clerk

RE-2

R-17MF

R-15

R-17MF

Scale: No Scale

Zoning Map No. 39

Petition #: 98-09

June 22, 1998

Ordinance Book 48, Page 595

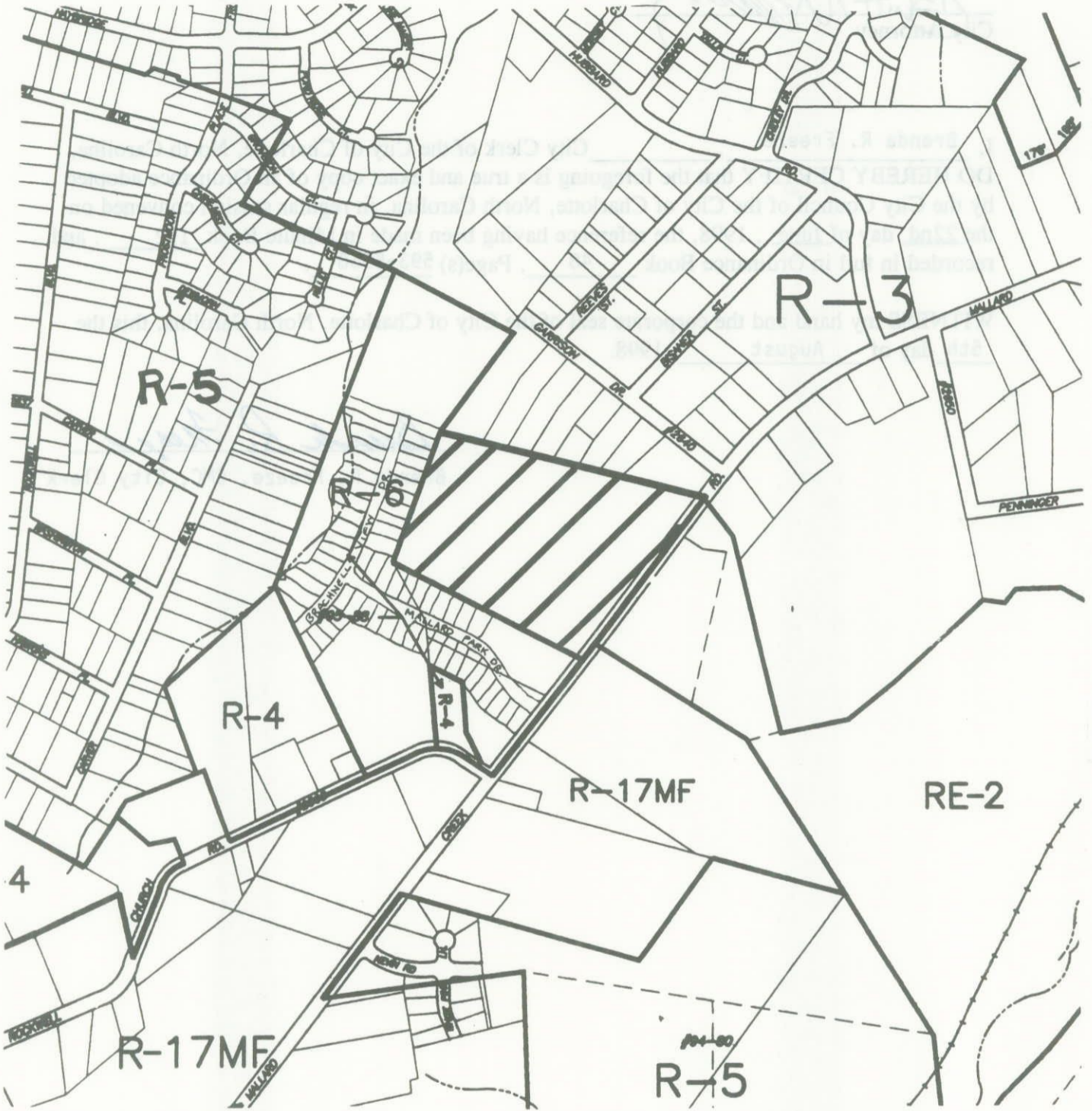
Petitioner: LandCraft Properties, Inc.

Hearing Date: January 20, 1998

Zoning Classification (Existing): R-3

Zoning Classification (Requested): R-8MF (CD)

Location: Approximately 16.51 acres located on the west side of Mallard Creek Road between Garrison Drive and Mallard Park Drive.



Zoning Map #(s): 59

Scale: No Scale

Petition No. 98-09
Landcraft Properties, Inc.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Landcraft Properties, Inc. and successors-in-interest of the property described as tax parcel 043-013-05 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-8(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.

98-09

EXHIBIT A

LEGAL DESCRIPTION
W. LOUIE MCGEE PROPERTY
MALLARD CREEK ROAD

LYING AND BEING in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

BEGINNING at a concrete monument in the northwesterly corner of Lot 97 of MALLARD CROSSING, Phase 1, Map 2, as shown on a map thereof recorded in Map Book 28 at Page 35 in the Mecklenburg County Public Registry, said monument further being in the easterly boundary of Lot 96 of MALLARD CROSSING, Phase 1, Map 2, as shown on said recorded map; thence with the easterly boundaries of said Lot 96 and Lots 94 through 84, inclusive, of MALLARD CROSSING, Phase 1, Map 3, as shown on a map thereof recorded in Map Book 28 at Page 86 in said Registry N 19-58-19 E 597.47 feet to a found concrete monument in the easterly boundary of said Lot 84 and in the southwesterly corner of Lot 43 of GARRISON VILLAGE as shown on a map thereof recorded in Map Book 7 at Page 3 in said Registry; thence with the southerly boundaries of Lots 43, 42, 41, 40, 39, 38, 37, 36 and 5 of GARRISON VILLAGE as shown on said recorded map S 77-09-24 E 1148.14 feet to a set pk nail in the center line of Mallard Creek Road (State Road 2467); thence with the center line of Mallard Creek Road S 36-16-53 W 873.18 feet to a set pk nail; thence leaving the center line of Mallard Creek Road and with the northerly boundaries of (i) that certain property of James W. Whiteside pursuant to a deed recorded in Book 1262 at Page 305 in said Registry, and (ii) Lots 105 through 97, inclusive, of MALLARD CROSSING, Phase 1, Map 2, as shown on a map thereof recorded in Map Book 28 at Page 35 N 63-46-00 W 899.42 feet to a concrete monument, the BEGINNING POINT, said property containing 16.689 acres, more or less, and being more particularly shown on that certain boundary survey of the W. Louie McGee property prepared for LandCraft Properties, Inc. by Yarbrough-Williams & Associates, Inc. dated August 20, 1997, reference to which survey is hereby made.

APPROVED BY CITY COUNCIL

CITY CD _____ DATE June 22, 1998

Petition No.98-63

Mecklenburg County

ORDINANCE NO. 1070-Z

JUL 14 1998

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 1.2 acres located on the southwest corner of East Trade Street and South McDowell Street;

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 15, 1998; 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 UMUD-O to UMUD-O 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.

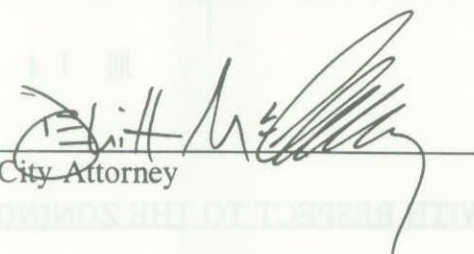
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APPROVED BY CITY COUNCIL

DATE June 22, 1998

CITY CLERK

APPROVED AS TO FORM:

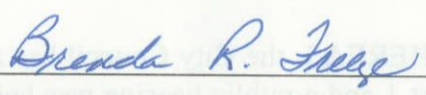


City Attorney

ORDINANCE NO. 1070-2

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 22nd day of June, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 48, Page(s) 596-598B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of June, 1998.



Brenda R. Freeze, CMC, City Clerk

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 UMUD-O to UMUD-0 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.

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Petition #: 98-63

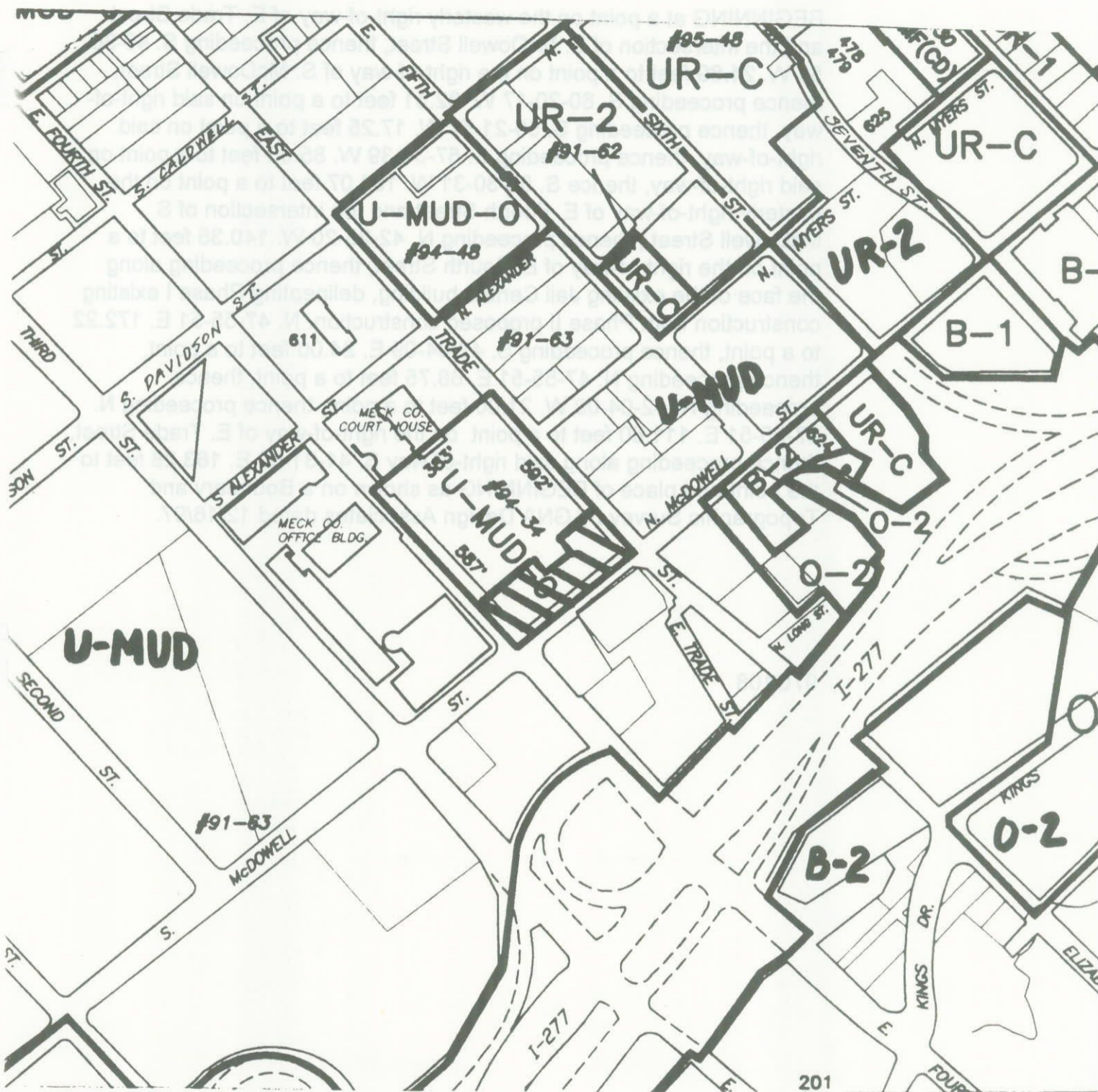
Petitioner: Mecklenburg County

Hearing Date: July 20, 1998

Zoning Classification (Existing): U-MUD-O

Zoning Classification (Requested): U-MUD-O

Location: Approximately 1.2 acres located on the southwest corner of East Trade Street and South McDowell Street.



Zoning Map #(s): 102

Scale: 1" = 400'

98-63

**JAIL CENTRAL PHASE II
UMUD-O REQUEST**

METES AND BOUNDS DESCRIPTION

BEGINNING at a point on the westerly right-of-way of E. Trade Street and the intersection of S. McDowell Street, thence proceeding S. 49-36-55 W. 21.89 feet to a point on the right-of-way of S. McDowell Street, thence proceeding S. 80-20-17 W. 82.51 feet to a point on said right-of-way, thence proceeding S. 50-21-57 W. 17.25 feet to a point on said right-of-way, thence proceeding S. 57-30-39 W. 85.05 feet to a point on said right-of-way, thence S. 50-30-31 W. 154.07 feet to a point on the easterly right-of-way of E. Fourth Street and the intersection of S. McDowell Street., thence proceeding N. 42-25-20 W. 140.35 feet to a point on the right-of-way of E. Fourth Street, thence proceeding along the face of the existing Jail Central building, delineating Phase I existing construction from Phase II proposed construction, N. 47-55-51 E. 172.22 to a point, thence proceeding S. 42-04-09 E. 24.00 feet to a point, thence proceeding N. 47-55-51 E. 68.75 feet to a point, thence proceeding N. 42-04-09 W. 21.00 feet to a point, thence proceeding N. 47-55-51 E. 111.80 feet to a point on the right-of-way of E. Trade Street, thence proceeding along said right-of-way S. 41-31-00 E. 163.28 feet to the point and place of BEGINNING as shown on a Boundary and Topographic Survey by GNA Design Associates dated 12/16/97.

97C108

Petition No. 98-63
Mecklenburg County

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Mecklenburg County and successors-in-interest of the property described as a part of tax parcel 125-032-05 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 UMUD-O 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.

Permit No. 98-03
Mecklenburg County

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Mecklenburg County and successors-in-interest of the property described as a part of tax parcel 125-032-02 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 UMUD-G 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 2 and 3 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.



ORDINANCE NO. 1071 SPRINKLER ORDINANCE

AN ORDINANCE AMENDING THE CODE OF THE CITY OF CHARLOTTE TO REQUIRE THE INSTALLATION OF AUTOMATIC FIRE SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES.

WHEREAS, the City Council believes and hereby finds that it is sound public policy and in the best interest of the citizens of the City of Charlotte to require fraternity and sorority houses to install automatic fire sprinkler systems; and

WHEREAS, the General Assembly has ratified a local act allowing City Council to adopt an ordinance which requires the installation of sprinkler systems in fraternity and sorority houses in the City of Charlotte; and

WHEREAS, the City Council now desires to enact this ordinance to require the installation of automatic sprinkler systems in fraternity and sorority houses in the City of Charlotte.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte as follows:

Section 1. Chapter 8, Article I of the City Code is hereby amended by adding a new section to read as follows:

“Sec. 8-9. Fraternity and Sorority Houses

(a) *Application and definition.* This section shall apply to every fraternity and sorority house within the corporate limits of the City of Charlotte. “Fraternity and Sorority House” under the terms of this article shall mean any building used as a dwelling and occupied by and maintained exclusively or primarily for college, university, or professional school students who are affiliated with a social, honorary, or professional organization recognized currently or in the past by a college, university, or professional school.

(b) *Automatic fire sprinklers in fraternity and sorority houses.* An automatic fire sprinkler system meeting the requirements of National Fire Protection Association standard #13 or #13R is required to be installed in each fraternity and sorority house in accordance with the compliance deadlines set forth in this section. All connections shall be located on the street side of each building, and activation of the sprinkler system shall activate both an internal evacuation alarm and a supervisory alarm at a twenty-four (24) hour certified and licensed alarm monitoring service.

(c) *Compliance Period.* Existing fraternity and sorority houses shall come into compliance with this section within five years of its effective date. If an existing structure is proposed to be converted to use as a fraternity or sorority house, compliance with this section shall be required prior to issuance of a certificate of occupancy for use as a fraternity or sorority.

If an existing structure is being used as a fraternity or sorority house and renovations at a cost exceeding 50% of structure's taxable value are proposed prior to the date on which compliance with this section would otherwise be required, compliance with this section shall be required prior to a new certificate of occupancy being issued following such renovations. New structures shall be required to comply with the terms of this article before a certificate of occupancy is issued for use as a fraternity or sorority house.

(d) *Exemption for certain detached, secondary buildings.* Existing fraternities and sorority buildings are exempt from this section if they meet the following conditions:

(1) Have no more than 1,000 square feet of floor area and are not directly connected to the main building used for sleeping; and

(2) Have no facilities used for sleeping

(e) *Automatic Sprinkler System Not to be Disabled.* Upon the occupancy of any new structure as a fraternity or sorority house or upon the completion of the installation of an automatic fire sprinkler system in an existing fraternity or sorority house, no person shall shut off or disable such automatic fire sprinkler system and no owner or resident of such house shall allow or fail to prevent the shutting off or disabling of such a system. Provided, however, that a sprinkler system may be shut off in order to perform maintenance work on the system during the time that qualified maintenance personnel are on the premises performing necessary maintenance work. Such maintenance work shall only be conducted after notice to and approval by the Charlotte Fire Department.

(f) This ordinance shall be in addition to any other requirements for sprinkler systems or other fire protection systems required by law or City ordinance. Where this ordinance and any other law apply, the more restrictive provisions shall be enforced."

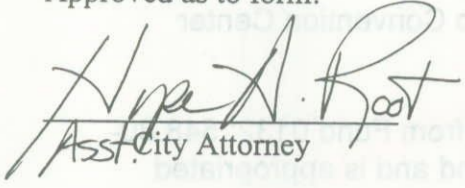
Section 2. This ordinance shall become effective upon its adoption.

Adopted this the 22nd day of June, 1998.

AN ORDINANCE TO AMEND ORDINANCE NUMBER 857-X, THE 1997-1998 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR PURCHASE OF PROPERTY FOR EXPANSION OF THE CONVENTION CENTER.

BE IT ORDAINED, by the City Council of the City of Charlotte,

Approved as to form:

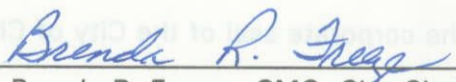

Asst. City Attorney

Section 1. That the sum of \$8,800,000 is hereby estimated to be available from the Convention Center Tax Fund fund balance (0132) and is hereby transferred to Fund 0132-548-80-Transfer to Convention Center Capital Project Fund.
Section 2. That the sum of \$8,800,000 is hereby transferred from the Convention Center Tax Fund to the Convention Center Capital Project Fund 5012, 371-02-Transfer from the Convention Center Tax Fund.
Section 3. Permanent financing of this project is pending. The plan is to issue Certificates of Participation for the financing of the project. If this plan is implemented, the appropriations specified in sections 1 and 2 of this ordinance are hereby rescinded and the Certificates of Participation will become the permanent source of funding.
Section 4. All ordinances in conflict with this ordinance are hereby repealed.
Section 5. This ordinance shall be effective immediately.

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 22nd day of June, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 48, Page(s) 599-601.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of June, 1998.


Brenda R. Freeze, CMC, City Clerk

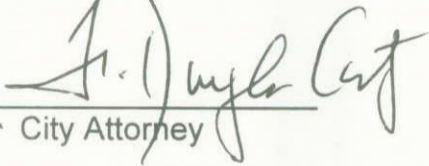

Brenda R. Freeze, CMC, City Clerk

AN ORDINANCE TO AMEND ORDINANCE NUMBER 857-X, THE 1997-1998 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR PURCHASE OF PROPERTY FOR EXPANSION OF THE CONVENTION CENTER.

BE IT ORDAINED, by the City Council of the City of Charlotte;

- Section 1. That the sum of \$8,600,000 is hereby estimated to be available from the Convention Center Tax Fund fund balance (0132) and is hereby transferred and appropriated to Fund 0132;548.80-Transfer to Convention Center Capital Project Fund.
- Section 2. That the sum of \$8,600,000 is hereby transferred from Fund 0132; 548.80-Transfer to Convention Center Capital Project Fund and is appropriated to The Convention Center Capital Project Fund 2013; 371.05-Transfer from the Convention Center Tax Fund.
- Section 3. Permanent financing of this project is pending. The plan is to issue Certificates of Participation for the financing of the project. If this plan is implemented, the appropriations specified in sections 1 and 2 of this ordinance are hereby resended and the Certificates of Participation will become the permanent source of funding.
- Section 4. All ordinances in conflict with this ordinance are hereby repealed.
- Section 5. This ordinance shall be effective immediately.

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 22nd day of June, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 48, Page(s) 602.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of June, 1998.


Brenda R. Freeze, CMC, City Clerk

AN ORDINANCE TO AMEND ORDINANCE NUMBER 857-X, THE 1997-1998 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR THE EMPOWERMENT ZONE APPLICATION DEVELOPMENT.

BE IT ORDAINED, by the City Council of the City of Charlotte;

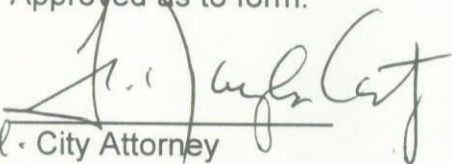
Section 1. That the sum of \$50,000 is hereby available from the General Fund fund balance (0101).

Section 2. That the sum of \$50,000 is hereby appropriated to the General Capital Project Fund 2010; 369.19-CWAC Business Park.

Section 3. All ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall be effective immediately.

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 22nd day of June, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 48, Page(s) 603.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of June, 1998.



Brenda R. Freeze, CMC, City Clerk

