

CITY CD

Petition No.98-72
Charter Properties, Inc.

ORDINANCE NO. 1136-Z

APPROVED BY CITY COUNCIL
DATE October 21, 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 2.54 acres located on the north side of Billy Graham Parkway west of Interstate 77; 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 23, 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-17MF and I-1(CD) to I-1(CD) and I-1(CD) S.P.A. on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

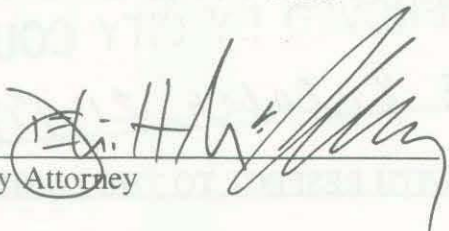
SEE ATTACHED

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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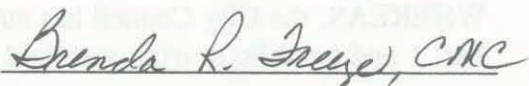
APPROVED AS TO FORM:



 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 21st day of October, 1998, the reference having been made in Minute Book 112,
 and recorded in full in Ordinance Book 49, Page(s) 25-28A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the
11th day of November, 1998.


 Brenda R. Freeze, CMC, City Clerk

SEE ATTACHED

Petition No. 98-72
Charter Properties Inc.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Charter Properties Inc. and successors-in-interest of the property described as tax parcels 143-012-01 part of, and 143-012-01, 03, and 04 and described in detail further in the ordinance, identified below, approved by the City Council.

In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of I-1(CD) and I-1(CD) S.P.A. on the official zoning map.

This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and Chapter 6: Part 1 and 2 of the City of Charlotte Zoning Ordinance, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the City Council under Chapter 6: Part 1 of the City of Charlotte Zoning Ordinance.

Three years from the date of approval of this parallel conditional use permit, the Planning Commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.

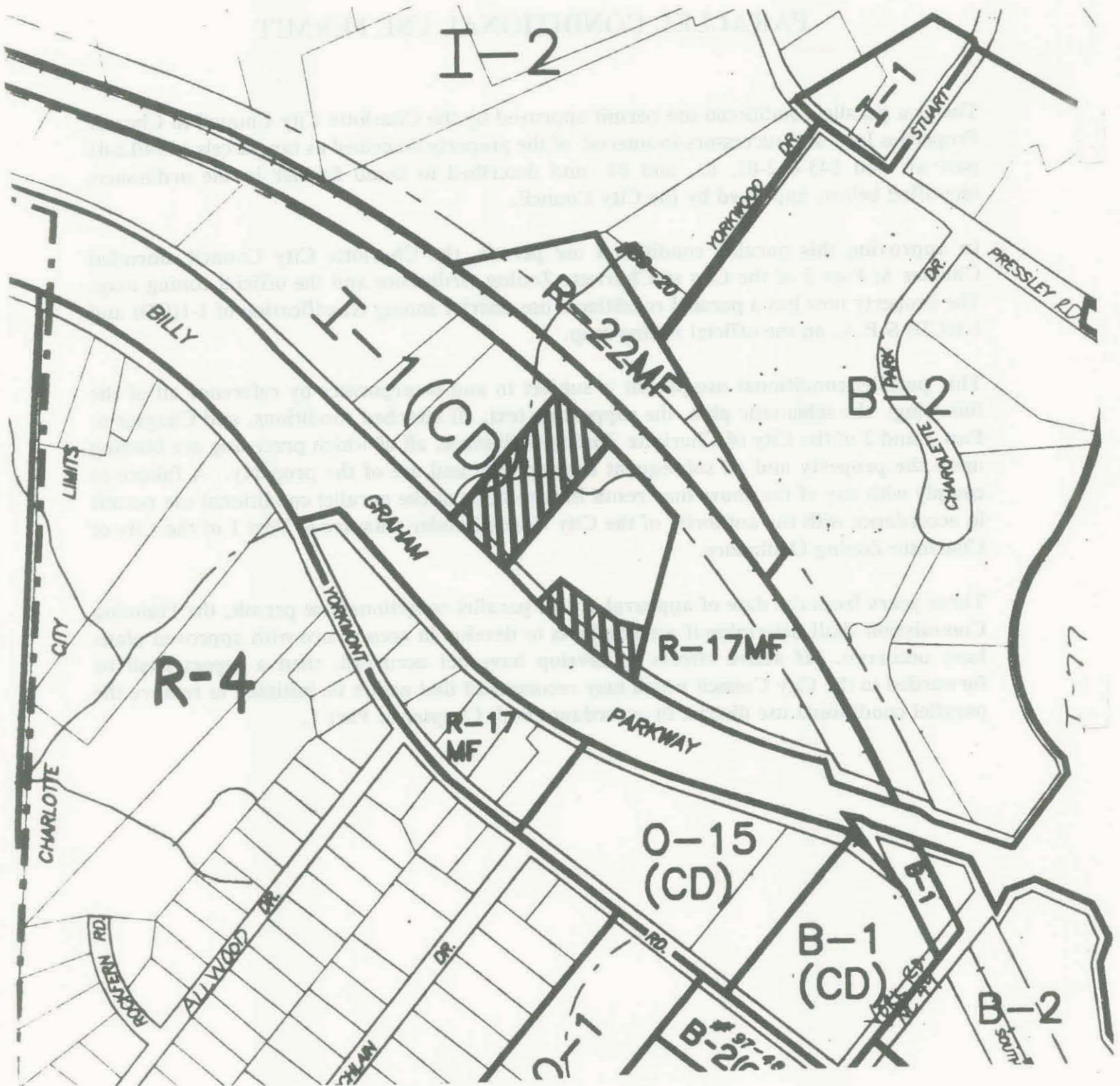
Petitioner: Charter Properties Inc.

Hearing Date: July 20, 1998

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

Zoning Classification (Requested): I-1(CD) and I-1(CD) S.P. A.

Location: Approximately 2.5 acres located on the north side of Billy Graham Parkway, west of Interstate 77.



Zoning Map #(s): 126

Scale: 1" = 400'

98-72

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

BEGINNING at a point in the northeasterly right-of-way of Billy Graham Parkway, said point being located at the southeasterly corner of the SFX Broadcasting, Inc. property and running thence along the easterly margin of the property of SFX Broadcasting, Inc. N 42-47-47 E 441.76 feet to a point; thence around the arc of a circular curve to the right having a radius of 3718.77 feet (chord bearing and distance S 85-55-23 E 490.64 feet), an arc distance of 490.99 feet to a point; thence along the westerly margin of the property of CEP Investors S 16-04-09 W 428.16 feet to a point; thence along the northerly margin of Billy Graham Parkway the following six courses and distances: (1) around the arc of a circular curve to the right having a radius of 2179.83 (chord bearing and distance N 55-04-03 W 185.16 feet), an arc distance of 185.22 feet; (2) around the arc of a circular curve to the right having a radius of 2179.83 feet (chord bearing and distance N 49-41-39 W 70.20 feet); (3) around the arc of a spiral curve having a chord bearing and distance N 47-55-33 W 65.35 feet to a point; (4) around the arc of a spiral curve having a chord bearing and distance N 47-55-33 W 9.5 feet to a point; (5) N 45-51-47 W 217.23 feet to a point; (6) N 44-33-35 W 135.46 feet to the point and place of BEGINNING. Containing 5.80 acres, more or less, all as shown on the Site Plan Amendment and Rezoning Petition of Woodridge Center dated December 20, 1997, as drawn by Moretz Engineering, reference to which site plan is hereby made for more particular description.

CITY CD

Petition No.98-77
John L. Duncan, Sr.

ORDINANCE NO. 1137-Z

APPROVED BY CITY COUNCIL

DATE October 21, 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 .516 acres located on the northeast corner of Cleveland Avenue and East Worthington Avenue; 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 23, 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 B-1 to NS on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

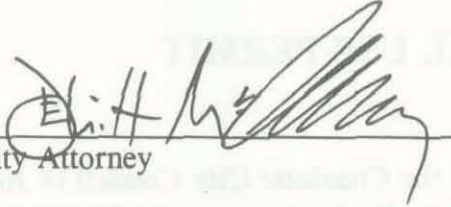
SEE ATTACHED

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

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

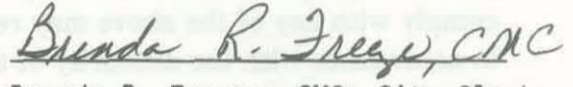
-continued-

APPROVED AS TO FORM:


City Attorney

I, 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 21st day of October, 1998, the reference having been made in Minute Book 112,
and recorded in full in Ordinance Book 49, Page(s) 29-32.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the
11th day of November, 1998.


Brenda R. Freeze, CMC, City Clerk

Petition No. 98-77

J o h n L . D u n c a n

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to John L. Duncan and successors-in-interest of the property described as tax parcel 121-053-01 and described in detail further in the ordinance, identified below, approved by the City Council.

In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of NS 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.

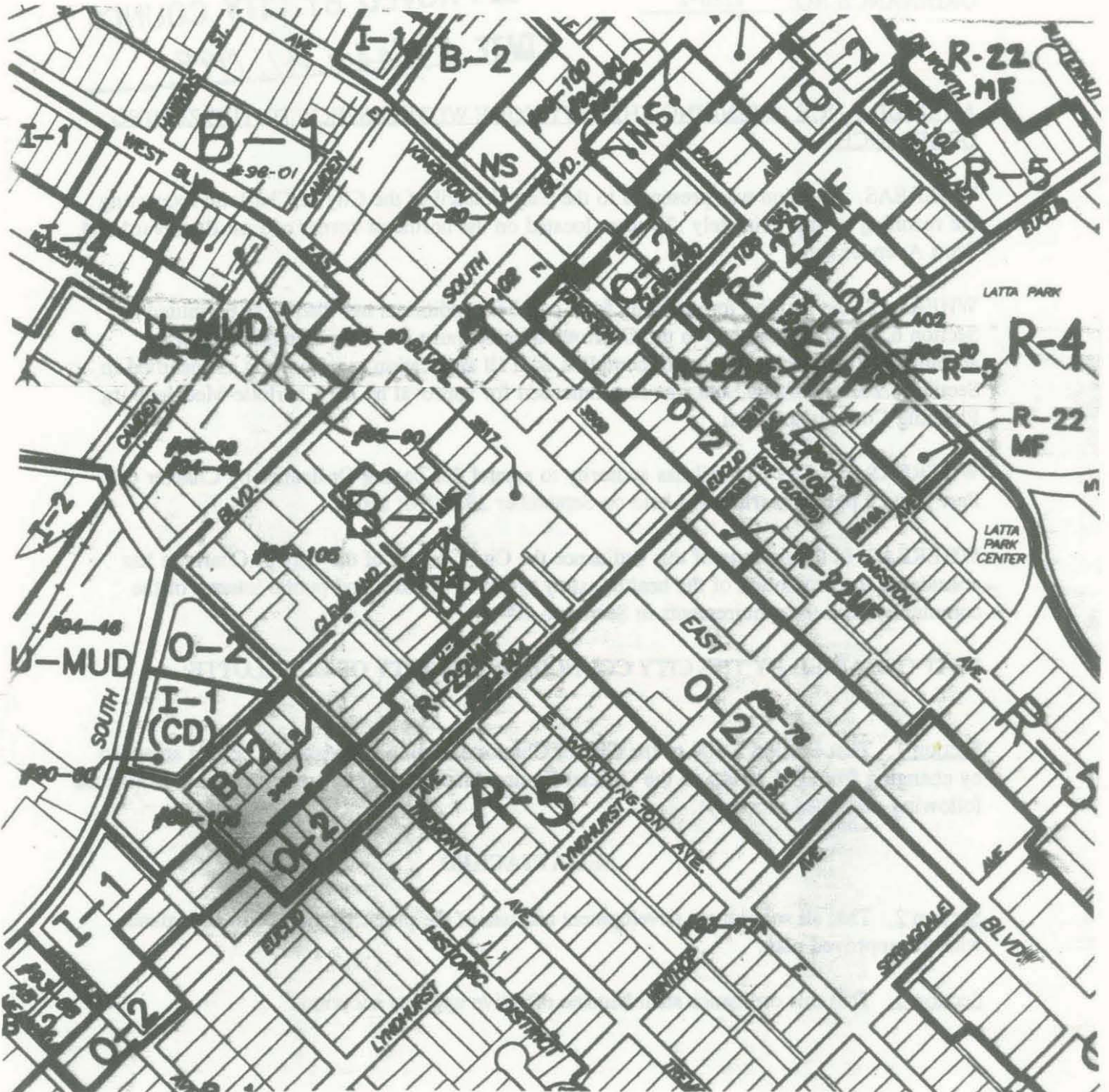
Petitioner: John L. Duncan, Sr.

Hearing Date: September 23, 1998

Zoning Classification (Existing): B-1

Zoning Classification (Requested): NS

Location: Approximately .516 acres located on the northeast corner of Cleveland Avenue and East Worthington Avenue.



Zoning Map #(s): 111, (102)

Scale: 1" = 400'

CITY CD

Petition No.98-78
Timothy W. Brumm

ORDINANCE NO. 1138-Z

APPROVED BY CITY COUNCIL
DATE October 21, 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 .28 acres located on the northeast corner of East Boulevard and Scott Avenue; 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 23, 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 B-1 to NS on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

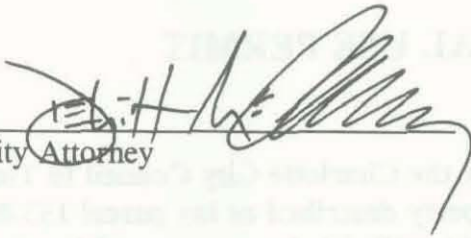
SEE ATTACHED

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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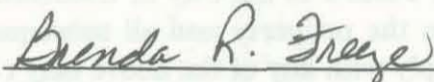
APPROVED AS TO FORM:



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 21st day of October, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 49, Page(s) 33-36.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of November, 1998.



Brenda R. Freeze, CMC, City Clerk

Petition No. 98-78
T i m o t h y W . B r u m m

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Timothy W. Brumm and successors-in-interest of the property described as tax parcel 153-025-12 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 NS 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.

Petition #: 98-78

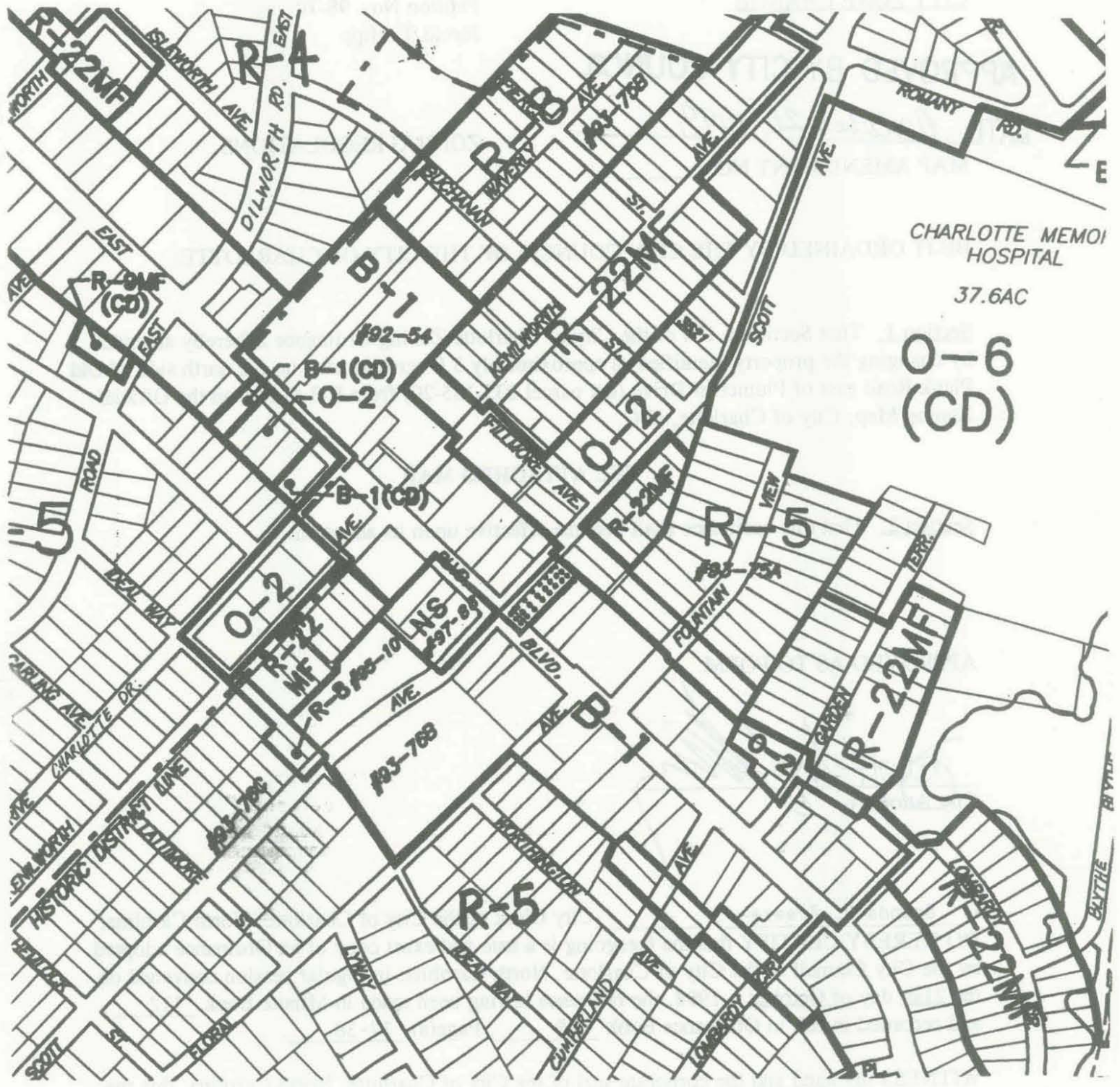
Petitioner: Timothy W. Brumm

Hearing Date: September 23, 1998

Zoning Classification (Existing): B-1

Zoning Classification (Requested): NS

Location: Approximately .28 acres located on the northeast corner of East Boulevard and Scott Avenue.



Zoning Map #(s): 111

Scale: 1" = 400'

ORDINANCE NO. 1139-Z

CITY ZONE CHANGE

Petition No. 98-79
Jerold T. Hipp

APPROVED BY CITY COUNCIL

DATE October 21, 1998

ZONING REGULATIONS

MAP AMENDMENT NO. _____

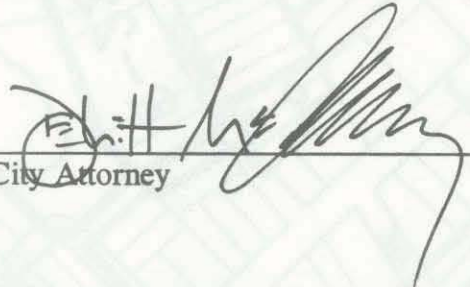
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 3.9 acres located on the north side of Old Plank Road east of Plumcrest Drive (tax parcel 035-155-20) from R-3 to R-4 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

APPROVED AS TO FORM:



City Attorney

I, 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 21st day of October, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 49, Page(s) 37-38.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of November, 1998.



Brenda R. Freeze, CMC, City Clerk

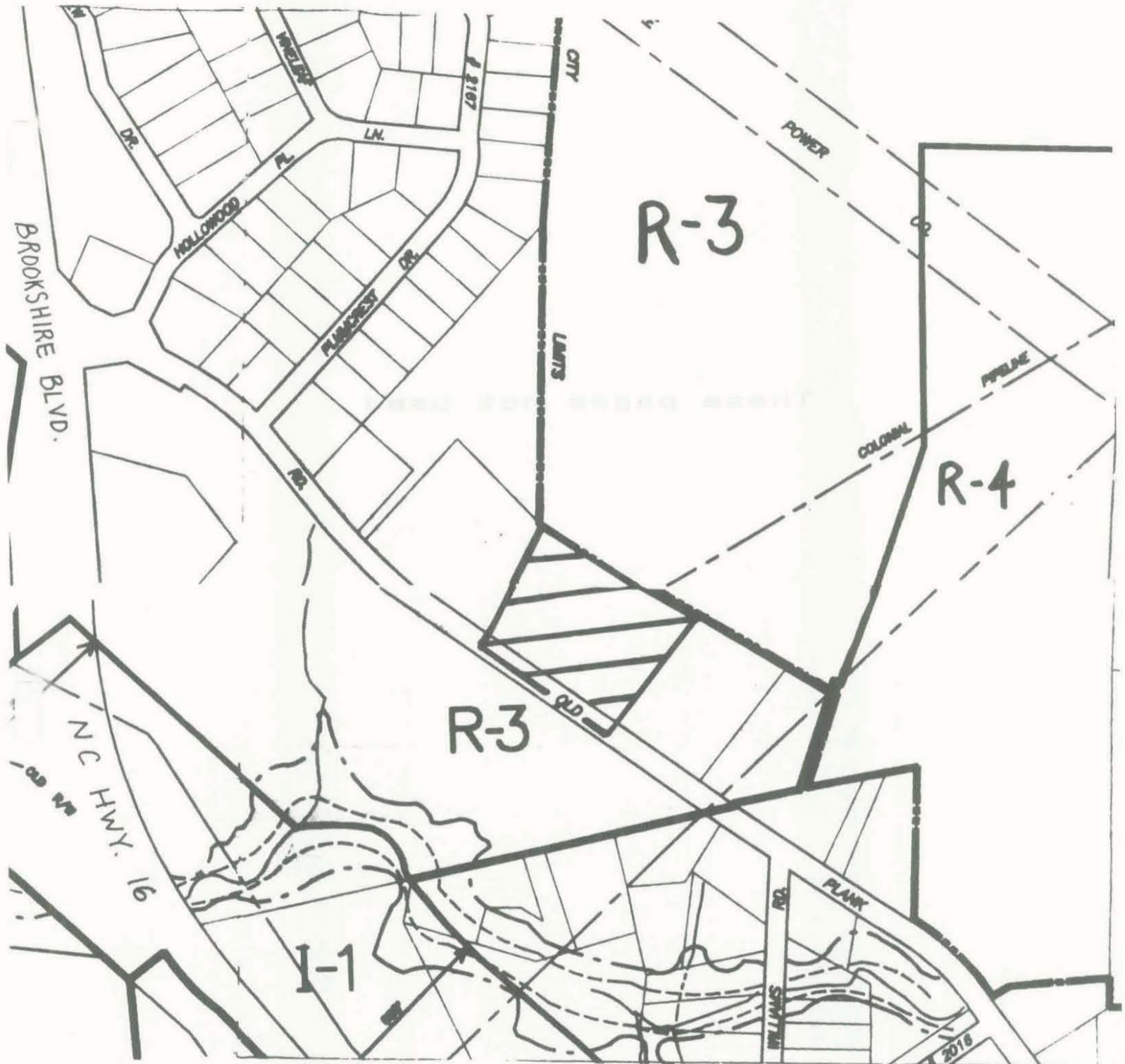
Petitioner: Jerold T. Hipp

Hearing Date: September 23, 1998

Zoning Classification (Existing): R-3

Zoning Classification (Requested): R-4

Location: Approximately 3.9 acres located on the north side of Old Plank Road, east of Plumcrest Drive.



Zoning Map #(s): 67 & 62

Scale: 1" = 400'

Ordinance 10-98
Adopted by the Board of Supervisors
on October 21, 1998
at a regular meeting held in the
Board Room, 1000 West 1st Street,
Fresno, California 93721

These pages not used



Page 39 of 40

Page 40 of 40

CITY CD

Petition No.98-80
East West Partners

ORDINANCE NO. 1140-Z

APPROVED BY CITY COUNCIL

DATE October 21, 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 80 acres located on the south side of Valleydale Road between Cottonwood Park Drive and Morningside 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 23, 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 and R-4 to R-5(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

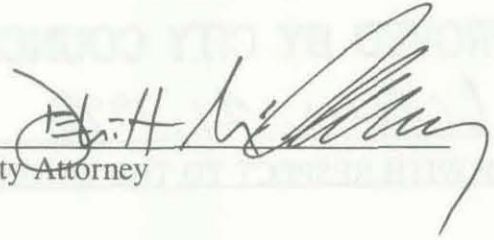
SEE ATTACHED

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

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

-continued-

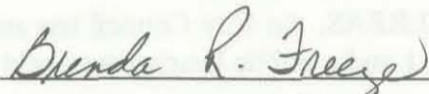
APPROVED AS TO FORM:



City Attorney

I, 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 21st day of October, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 49, Page(s) 41-44A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of November, 1998.



Brenda R. Freeze, CMC, City Clerk

Petition No. 98-80

East West Partners

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to East West Partners and successors-in-interest of the property described as tax parcels 031-014-14, 031-015-01, and 031-401-09 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-5(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.

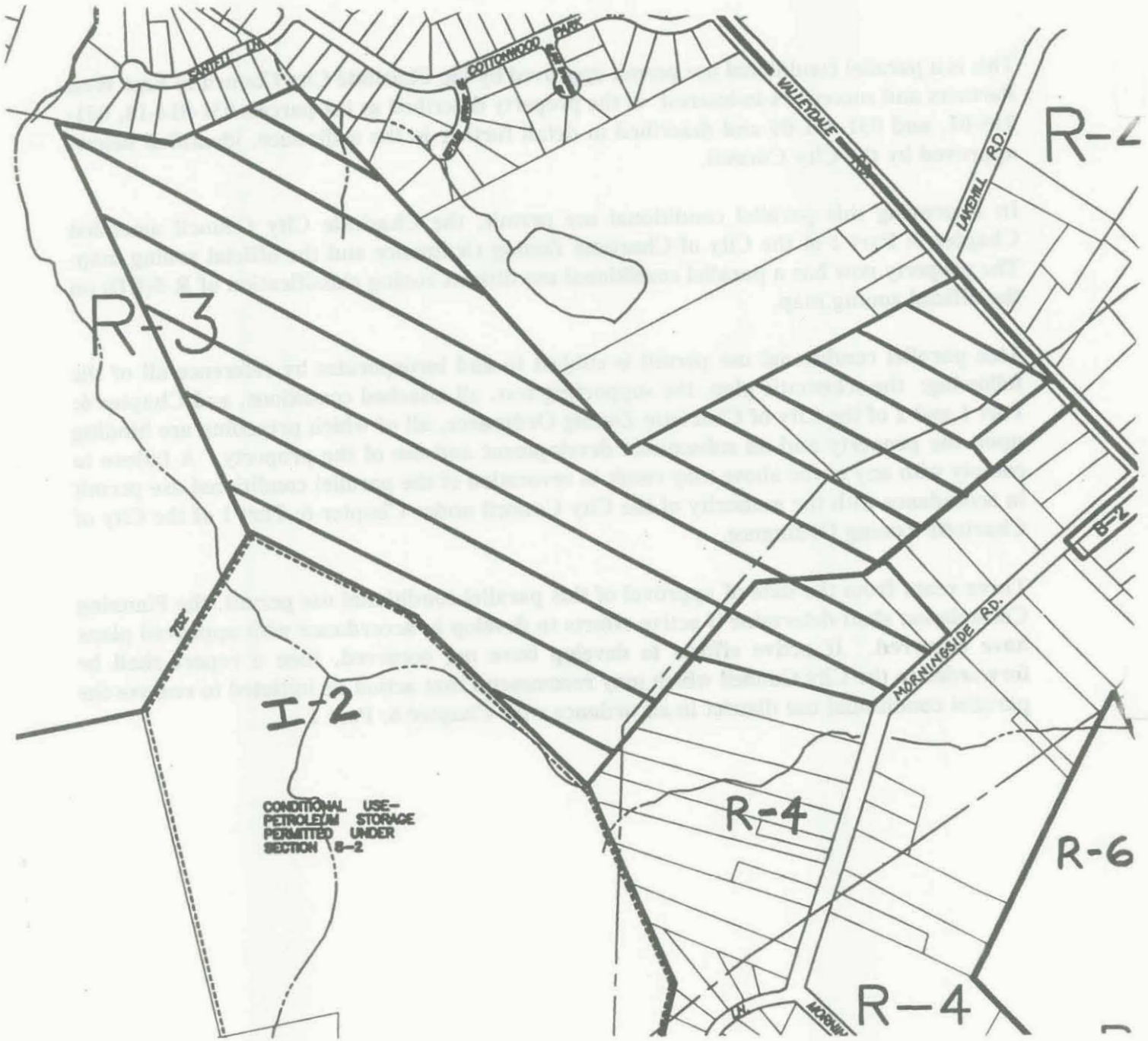
Petitioner: East West Partners

Hearing Date: September 23, 1998

Zoning Classification (Existing): R-3 & R-4

Zoning Classification (Requested): R-5 (CD)

Location: Approximately 80 acres located on the south side of Valleydale Road between Cottonwood Park Drive and Morningside Road.



Zoning Map #(s): 67

Scale: 1" = 400'

East West Partners
Valleydale Rd. Property Description
4/30/98

Beginning at a point along the southerly right-of-way of Valleydale Rd. northwest of the intersection of Valleydale Rd. and Morningside Rd., and thence proceeding ~~S62°45'00" W~~ for approximately 1273.00 feet to a point, and thence ~~N42°15'00" W~~ for approximately 1610.50 feet to a point, and thence ~~S66°45'00" W~~ for approximately 478.50 feet to a point, and thence ~~N76°55'00" W~~ for approximately 296.00 feet to a point, and thence ~~N25°15'00"~~ for approximately 1518.00 feet to a point, and thence ~~N63°15'00"~~ for approximately 627.00 feet to a point, and thence ~~N42°07'02" W~~ for approximately 895.88 feet to a point, and thence ~~S37°00'36" W~~ for approximately 587.50 feet to a point, and thence ~~N77°25'44" W~~ for approximately 603.95 feet to a point, and thence ~~S52°25'00" W~~ for approximately 304.88 feet to a point, and thence ~~N38°45'00" W~~ for approximately 344.44 feet to a point, and thence ~~S51°15'00" W~~ for approximately 470.57 feet to a point, and thence ~~N42°15'00" W~~ for approximately 115.00 feet to a point, and thence ~~S61°15'00" W~~ for approximately 379.00 feet to a point, and thence ~~N42°45'00" W~~ for approximately 225.00 feet to a point, and thence ~~S33°45'00" W~~ for approximately 49.00 feet to a point, and thence ~~N41°38'46" W~~ for approximately 229.96 feet to the point of beginning.

CITY CD

Petition No. 98-81
Hugh and Jane Thompson

ORDINANCE NO. 1141-Z

APPROVED BY CITY COUNCIL
DATE October 21, 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 42.9 acres located on the south side of Nevin Road west of Lake 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 23, 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-4(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

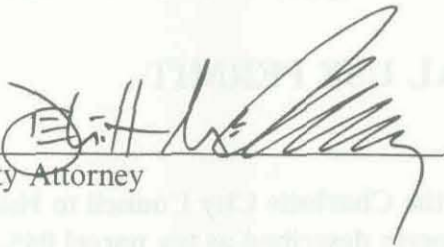
SEE ATTACHED

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

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

-continued-

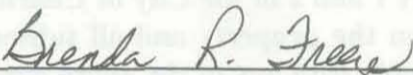
APPROVED AS TO FORM:



City Attorney

I, 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 21st day of October, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 49, Page(s) 45-48.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of November, 1998.



Brenda R. Freeze, CMC, City Clerk

Petition No. 98-81
Hugh and Jane Thompson

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Hugh and Jane Thompson and successors-in-interest of the property described as tax parcel 045-232-21 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 R-4(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.

Petitioner: Hugh and Jane Thompson

Hearing Date: September 23, 1998

Zoning Classification (Existing): R-3

Zoning Classification (Requested): R-4 (CD)

Location: Approximately 42.9 acres located on the south side of Nevin Road west of Lake Drive.



Zoning Map #(s): 70

Scale: 1" = 400'

ORDINANCE NO. 1142-Z
CITY ZONE CHANGE

Petition No. 98-82
Acme Properties Limited Partnership

APPROVED BY CITY COUNCIL

DATE October 21, 1998

ZONING REGULATIONS

MAP AMENDMENT NO. _____

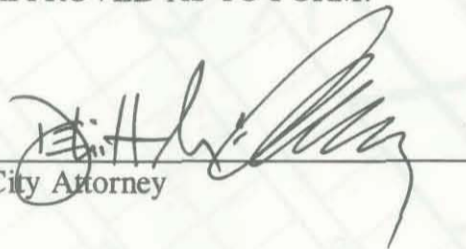
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 2.3 acres located on the east side of Little Rock Road south of Interstate 85 and west of Service Road (tax parcel 061-283-01) from I-2 to I-1 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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


APPROVED AS TO FORM:



City Attorney

I, 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 21st day of October, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 49, Page(s) 49-51.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of November, 1998.



Brenda R. Freeze, CMC, City Clerk

Petition #: 98-82

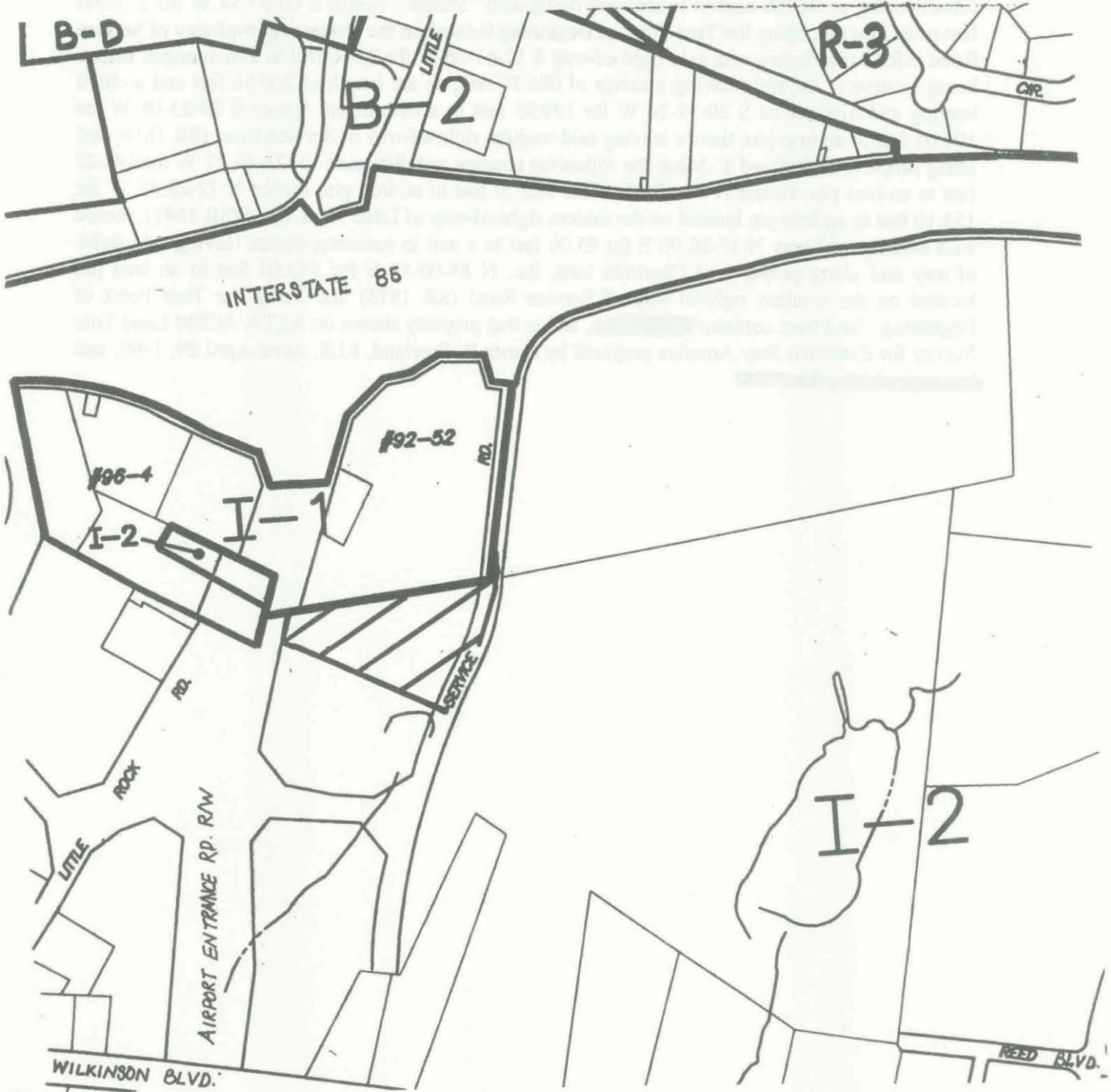
Petitioner: Acme Properties Limited Partnership

Hearing Date: September 23, 1998

Zoning Classification (Existing): I-2

Zoning Classification (Requested): I-1

Location: Approximately 2.25 acres located on the east side of Little Rock Road south of Interstate 85 and west of Service Road.



Zoning Map #(s): 86

Scale: 1" = 400'

BOUNDARY DESCRIPTION
REZONING APPLICATION OF ACME PROPERTIES LIMITED PARTNERSHIP
Part of Parcel 061-283-01

Commencing at NCGS control monument designated "Sheets"; thence S 60-57-54 W for 2137.00 feet to an iron pin, being the True Point of Beginning located on the western right-of-way of Service Road (SR 1818); thence with said right-of-way S 12-41-06 W for 22.76 feet to a monument; thence being a curve to the right having a radius of 686.20 feet, an arc length of 200.66 feet and a chord bearing and distance of S 20-59-24 W for 199.95 feet to a monument; thence S 29-23-08 W for 104.05 feet to an iron pin; thence leaving said western right-of-way of Service Road (SR 1818) and along property of Richard T. Meck the following courses and distances: N 73-49-27 W for 146.22 feet to an iron pin; thence N 58-58-07 W for 182.20 feet to an iron pin; thence N 72-28-38 W for 153.10 feet to an iron pin located on the eastern right-of-way of Little Rock Road (SR 1641); thence with said right-of-way N 17-26-00 E for 65.00 feet to a nail in concrete; thence leaving said right-of-way and along property of Charlotte Inns, Inc. N 84-06-51 E for 553.66 feet to an iron pin located on the western right-of-way of Service Road (SR 1818) and being the True Point of Beginning. Said tract contains , and is that property shown on ALTA/ACSM Land Title Survey for Extended Stay America prepared by James R. Freeland, RLS, dated April 28, 1998, and ~~last revised May 21, 1998~~

ORDINANCE NO. 1182
CITY ZONE CHANGE
APPROVED BY CITY COUNCIL
DATE 10/21/98
MAP AMENDMENT NO.

Section 1.1.C
Boundary Description

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

Section 1. This Ordinance shall become effective upon its adoption.
Section 2. This Ordinance shall become effective upon its adoption.
Section 3. This Ordinance shall become effective upon its adoption.

This page not used

SEE ATTACHED MAP

APPROVED AS TO FORM



1 Brenda R. Frazier
City Clerk of the City of Charlotte, North Carolina.
DU HERBERT CENITY has the foregoing in 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 11th day of October, 1998, the reference having been made to Ordinance Book 49
and recorded in full in Ordinance Book 49, Pages 52-53.

WITNESSEY hand and the corporate seal of the City of Charlotte, North Carolina, this 21st
day of October, 1998.


Brenda R. Frazier, City Clerk

ORDINANCE NO. 1143-Z

CITY ZONE CHANGE

APPROVED BY CITY COUNCIL

Petition No. 98-83
Rozumny Development, LLC

DATE October 21, 1998

ZONING REGULATIONS

MAP AMENDMENT NO. _____

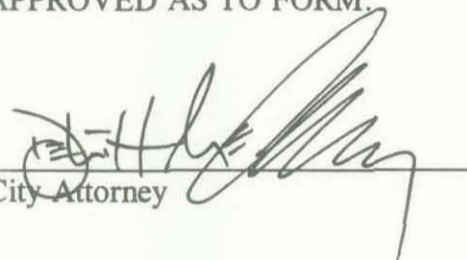
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 23.6 acres located along Coppala Drive south of Brookshire Boulevard (NC Highway 16) (tax parcels 033-024-06 through 10, 033-023-12 through 16) from R-3 to R-4 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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


APPROVED AS TO FORM:



City Attorney

I, 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 21st day of October, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 49, Page(s) 53-55.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of November, 1998.



Brenda R. Freeze, CMC, City Clerk

OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Petition #:	<u>98-83</u>
Date Filed:	<u>5-28-98</u>
Received By:	<u>MS/MS</u>
OFFICE USE ONLY	

OWNERSHIP INFORMATION:

Property Owner: Rozummy Development, LLC
 Owner's Address: 7332 Lakefront Drive #9 Charlotte, NC 28278
 Date Property Acquired: 11-7-97
 Tax Parcel Number(s): 033-024-09, 06, 07, 08, 10,; 033-023-12, 14, 15,

LOCATION OF PROPERTY (Address or Description): 23.60 AC. LOCATED ON THE
NORTH SIDE OF COPPOLA DRIVE

Size (Sq.Ft. or Acres): 23.60 AC. Street Frontage (Ft.): 835 FT.
 Current Land Use: Wooded, Undeveloped

ZONING REQUEST:

Existing Zoning: R-3 Proposed Zoning: R-4
 Purpose of Zoning Change: To allow for higher density development

Olga Epple
Name of Agent

Same as Rozummy Devel.
Agent's Address

Telephone Number _____ Fax Number _____

Signature of Property Owner
if other than Petitioner

Rozummy Development, LLC
Name of Petitioner(s)

7332 Lakefront Drive #9
Address of Petitioner(s) Charlotte, NC 28278

588-6067 _____
Telephone Number Fax Number

Olga Epple FOR ROZUMMY DEVELOPMENT, LLC
Signature

Petitioner: Rozummy Development, LLC

Hearing Date: September 23, 1998

Zoning Classification (Existing): R-3

Zoning Classification (Requested): R-4

Location: Approximately 23.6 acres located along Coppala Drive south of Brookshire Boulevard (NC Highway 16)



Zoning Map #(s): 62

Scale: 1" = 400'

This page not used

This page not used

This page not used

12

13

14

APPROVED BY CITY COUNCIL

DATE October 21, 1998

ORDINANCE NO. 1144

Zoning Regulations Text Amendment
Application No.
City of Charlotte 98-84

A Resolution Amending the City of
Charlotte Zoning Regulations

EDITOR'S NOTE: Words that are marked through thusly, ~~WORDS~~, are deletions.
Words underlined thusly, WORDS, are additions.

BE IT RESOLVED by the Charlotte City Council, North Carolina:

1. Amend CHAPTER 11: CONDITIONAL DISTRICTS, PART 2: MIXED USE DISTRICTS (MX-1, MX-2 and MX-3), Section 11.201. Purpose.

The third paragraph of Section 11.201. Purpose of the City of Charlotte Zoning Regulations as embodied in the Zoning Ordinance is hereby amended so as to read as follows:

MX-2: This district permits residential mixed use ~~and nonresidential uses. It is only applicable to develop 36 acres or larger~~ development (dwellings and permitted accessory uses and structures) on tracts which are 10 acres or larger and residential mixed use and nonresidential use development on tracts which are 36 acres or larger. This district is permitted within the community along major thoroughfares, minor thoroughfares or collector streets having adequate access.

2. This Resolution shall become effective upon adoption.

Approved as to form:



City Attorney

APPROVED BY CITY COUNCIL
DATE 11th Nov 1998

ORDINANCE NO. 112
Having Regulation Test Approved
Application No. 18-84
City of Charlotte

A Resolution Amending the City of
Charlotte Existing Regulations

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 21st day of October, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 49, Page(s) 57-58.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of November, 1998.

Brenda R. Freeze
Brenda R. Freeze, CMC, City Clerk

[Signature]

Section 104-100 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 674 acres located on the northeast corner of Interstate 77 and Highway 101 from B-1 to B-2 on the Zoning Map, City of Charlotte, N.C.

ORDINANCE NO. 1998-11
CITY ZONE CHANGE
APPROVED BY CITY COUNCIL
DATE OCTOBER 21, 1998
MAP AMENDMENT NO.

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

Section 1. This section 104-100 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 674 acres located on the northeast corner of Interstate 77 and Highway 101 from B-1 to B-2 on the Zoning Map, City of Charlotte, N.C.

These pages not used

SEE ATTACHED MAP

Section 2. The first ordinance shall become effective upon its adoption.

APPROVED AS TO FORM



I, Brenda E. Trease, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of October, 1998, the reference having been made to Minute Book 115 and recorded as full in Ordinance Book 49, Page(s) 59-60.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October, 1998.


Brenda E. Trease, City Clerk

ORDINANCE NO. 1145-Z

CITY ZONE CHANGE

Petition No. 98-87
Tuscan Development II., LLC

APPROVED BY CITY COUNCIL

DATE October 21, 1998

ZONING REGULATIONS

MAP AMENDMENT NO. _____


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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately .624 acres located on the northwest corner of Independence Boulevard and Hawthorne Lane (tax parcel 080-215-10) from B-1 to UR-2 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

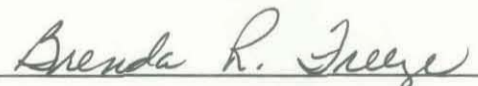
APPROVED AS TO FORM:



City Attorney

I, 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 21st day of October, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 49, Page(s) 61-63.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of November, 1998.



Brenda R. Freeze, CMC, City Clerk

Petition #: 98-87

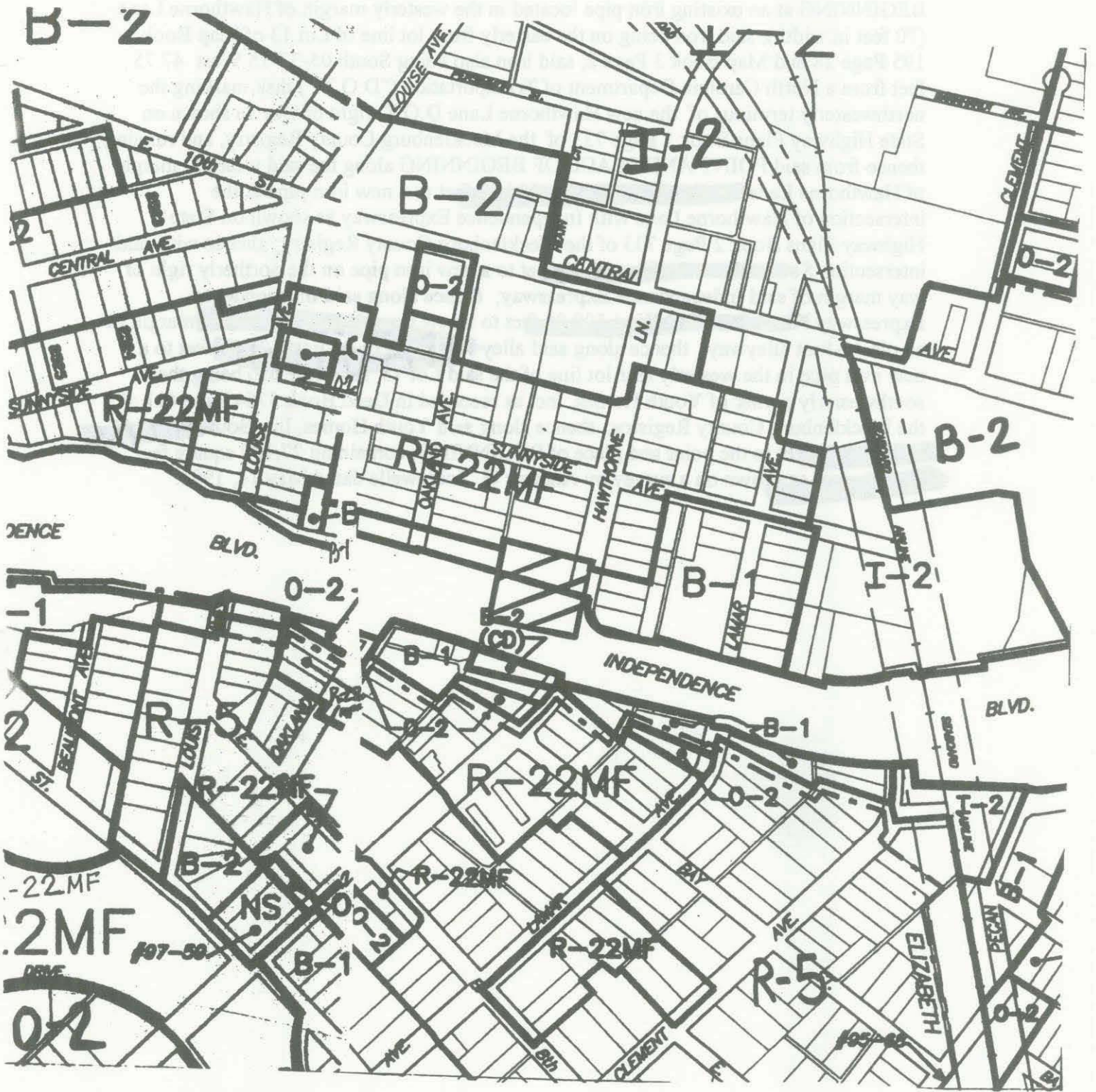
Petitioner: Tuscan Development II, LLC

Hearing Date: September 23, 1998

Zoning Classification (Existing): B-1

Zoning Classification (Requested): UR-2

Location: Approximately .624 acres located on the northwest corner of Independence Boulevard and Hawthorne Lane.



Zoning Map #(s): 101,(102)

Scale: 1" = 400'

98-87

Legal Description

Being all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

BEGINNING at an existing iron pipe located in the westerly margin of Hawthorne Lane (70 feet in width), said iron being on the easterly front lot line of Lot 13 of Map Book 195 Page 28 and Map Book 3 Page 2, said iron also being South 05-37-15 West 47.75 feet from a North Carolina Department of Transportation ("D.O.T.") disk marking the northwesterly terminus of the new Hawthorne Lane D.O.T. right of way as shown on State Highway Plans Book 2 Page 733 of the Mecklenburg County Registry, and running thence from said POINT AND PLACE OF BEGINNING along the said westerly margin of Hawthorne Lane South [REDACTED] West 104.57 feet to a new iron pipe at the intersection of Hawthorne Lane with Independence Expressway as shown on State Highway Plans Book 2 Page 733 of the Mecklenburg County Registry; thence with said intersection South [REDACTED] West 28.33 feet to a new iron pipe on the northerly right of way margin of said Independence Expressway; thence along said Independence Expressway North [REDACTED] West 100.06 feet to a new iron pipe on the westerly margin of an old 10-foot alleyway; thence along said alleyway North [REDACTED] East 125.00 feet to a new iron pipe in the westerly rear lot line of the said Lot 13, said iron also being the southwestery corner of Youth Homes, Inc. as recorded in Deed Book 5764 Page 411 of the Mecklenburg County Registry; thence along said Youth Homes, Inc. South [REDACTED] West [REDACTED] feet to the point and place of BEGINNING, containing 27,180 square feet (more or less) as shown on a survey by Andrew G. Zoutewelle dated May 14, 1998.

CITY OF

APPROVED BY CITY COUNCIL
DATE October 21, 1998

ORDINANCE NO. 1146-1

BY ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING
ORDINANCE

WHEREAS, a certain lot located on the north side of Brown Street between
East Oak Drive and Yorkwood Road, and

This page not used

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 17
and a zoning hearing was held on September 22, 1998, and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 17
and a zoning hearing was held on September 22, 1998, and

WHEREAS, in the exercise of its authority the City Council of the City of Charlotte has
considered the petition of the public utility, general welfare, and better interest of the
community, and the requirements of Section 17.04

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

Section 1. That Section 17.04 of the City of Charlotte Zoning Ordinance be amended
to change from R-1 and R-2 to R-1 and R-2 as the District of Charlotte
from Charlotte the following property:



SEE ATTACHED

Section 2. That the City Council of the City of Charlotte has approved this ordinance
with the approval that

Section 3. The City Ordinance shall become effective upon its passage.

CITY CD

Petition No.98-88
International Airport Centers/City of
Charlotte

ORDINANCE NO. 1146-Z

APPROVED BY CITY COUNCIL
DATE October 26, 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 29.75 acres located on the south side of Byrum Drive between Belle Oaks Drive and Yorkmont Road; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on September 23, 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 and I-1(CD) to I-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

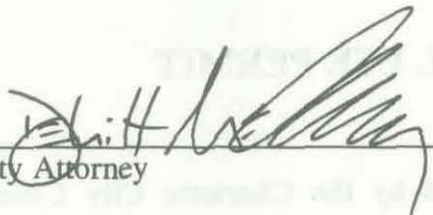
SEE ATTACHED

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

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

-continued-

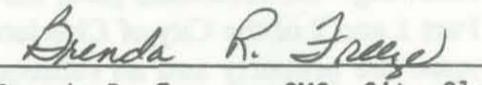
APPROVED AS TO FORM:



City Attorney

I, 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 21st day of October, 1998, the reference having been made in Minute Book 112,
and recorded in full in Ordinance Book 49, Page(s) 65-68A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the
11th day of November, 1998.



Brenda R. Freeze, CMC, City Clerk



Petition No. 98-88
International Airport Centers/City of
Charlotte

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to International Airport Centers/City of Charlotte and successors-in-interest of the property described as tax parcels 141-054-01 through 07, 141-054-15 & 16, 141-054-18 through 24, and 141-054-27 and described in detail further in the ordinance, identified below, approved by the City Council.

In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of I-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.

Petition #: 98-88

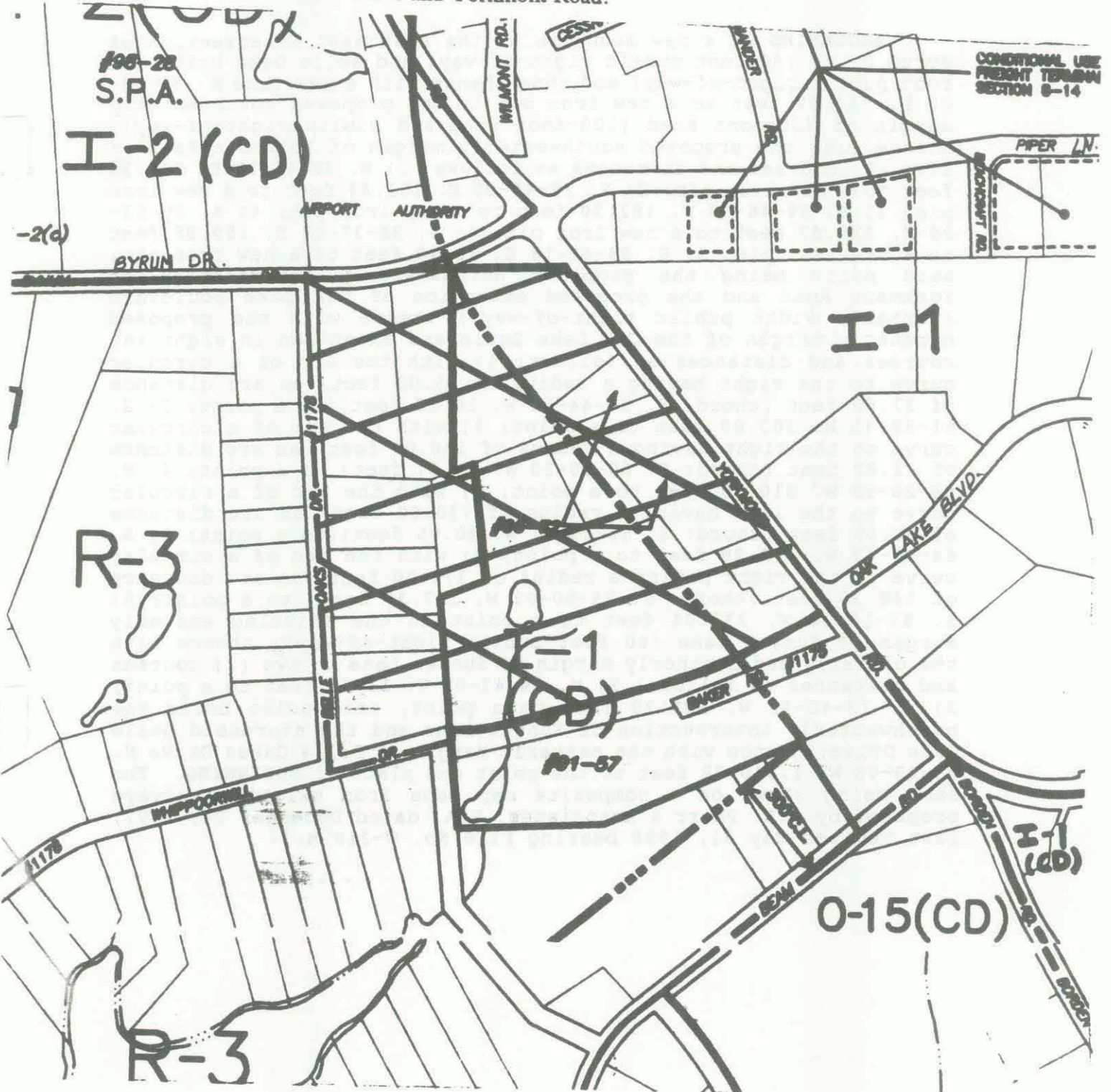
Petitioner: International Airport Centers/City of Charlotte

Hearing Date: September 23, 1998

Zoning Classification (Existing): R-3, and I-1(CD)

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

Location: Approximately 29.75 acres located on the south side of Byrum Drive between Belle Oaks Drive and Yorkmont Road.



Zoning Map #(s): 109,(127)

Scale: 1" = 400'

98 88

Legal Description

BEGINNING at a new iron pin at the southeast intersection of Byrum Drive (60 foot public right-of-way) and Belle Oaks Drive (60 foot public right-of-way) and runs thence with a new line N. 90-00-00 E. 710.29 feet to a new iron pin in the proposed southwesterly margin of Yorkmont Road (100-foot proposed public right-of-way); thence with the proposed southwesterly margin of Yorkmont Road in five (5) courses and distances as follows: 1) S. 38-40-20 E. 309.30 feet to a new iron pin; 2) S. 38-40-00 E. 151.64 feet to a new iron pin; 3) S. 38-46-33 E. 182.30 feet to a new iron pin; 4) S. 38-53-29 E. 325.67 feet to a new iron pin; 4) S. 38-37-07 E. 189.88 feet to a new iron pin; 5) S. 38-45-18 E. 78.90 feet to a new iron pin, said point being the proposed northwesterly intersection of Yorkmont Road and the proposed extension of Oak Lake Boulevard (variable width public right-of-way); thence with the proposed northerly margin of the Oak Lake Boulevard extension in eight (8) courses and distances as follows: 1) with the arc of a circular curve to the right having a radius of 45.00 feet, an arc distance of 27.09 feet (chord: S. 34-44-50 W. 26.68 feet) to a point; 2) S. 51-59-41 W. 100.00 feet to a point; 3) with the arc of a circular curve to the right having a radius of 150.00 feet, an arc distance of 42.82 feet (chord: S. 60-10-20 W. 42.67 feet) to a point; 4) S. 68-20-59 W. 310.90 feet to a point; 5) with the arc of a circular curve to the left having a radius of 430.00 feet, an arc distance of 30.05 feet (chord: S. 66-20-51 W. 30.05 feet) to a point; 6) S. 64-20-43 W. 192.28 feet to a point; 7) with the arc of a circular curve to the right having a radius of 370.00 feet, an arc distance of 148.38 feet (chord: S. 75-50-03 W. 147.39 feet) to a point; 8) S. 87-19-24 W. 272.04 feet to a point in the existing easterly margin of Sunset Lane (60 foot public right-of-way); thence with the easterly and northerly margin of Sunset Lane in two (2) courses and distances as follows: 1) N. 04-43-03 W. 13.39 feet to a point; 2) S. 73-40-42 W. 299.29 feet to a point, said point being the northwesterly intersection of Sunset Lane and the aforesaid Belle Oaks Drive; thence with the easterly margin of Belle Oakes Drive N. 04-43-08 W. 1,340.78 feet to the point and place of **BEGINNING**. The same being shown on a composite map made from existing surveys prepared by R.B. Pharr & Associates, P.A. dated December 24, 1997, last revised May 31, 1998 bearing File No. W-2181M.

ORDINANCE NO. 1147-Z

CITY ZONE CHANGE

Petition No. 98-103
Kelly M. Alexander, Jr., and
Alfred L. Alexander

APPROVED BY CITY COUNCIL

DATE October 21, 1998

ZONING REGULATIONS

MAP AMENDMENT NO. _____

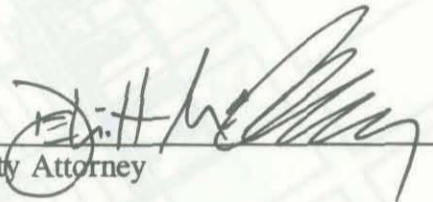
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 2.5 acres located on the east side of Statesville Avenue south of Oaklawn Avenue (tax parcel 079-021-10) from I-2 to B-2 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

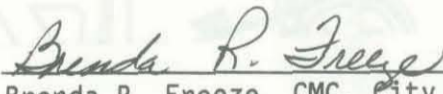
Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:


City Attorney

I, 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 21st day of October, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 49, Page(s) 69-71.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of November, 1998.


Brenda R. Freeze, CMC, City Clerk

Petition #: 98-103

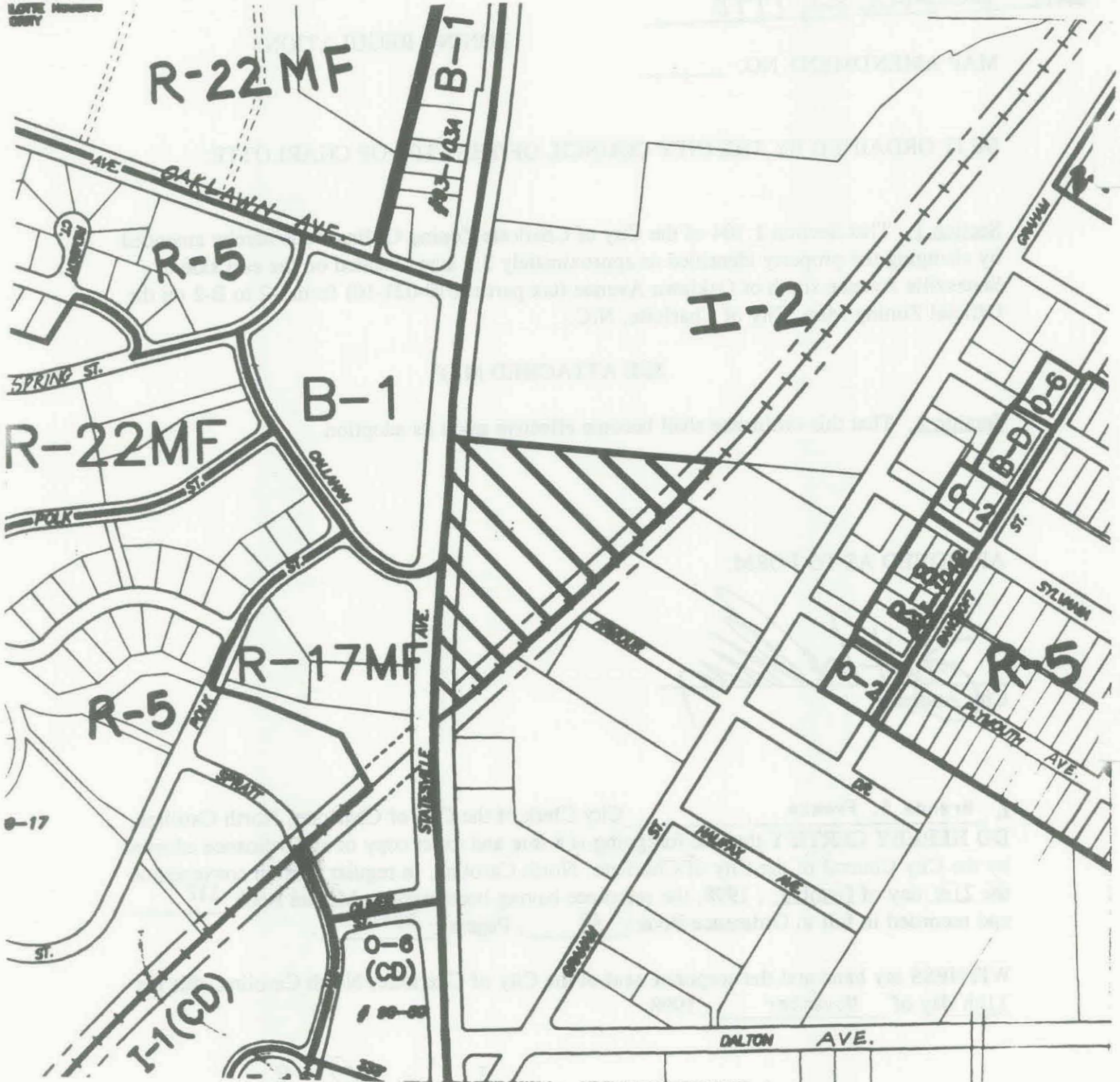
Petitioner: Kelly M. Alexander, Jr. and Alfred L. Alexander

Hearing Date: November 16, 1998 ~~October 21, 1998~~

Classification (Existing): I-2

Zoning Classification (Requested): B-2

Location: Approximately 2.5 acres located on the east side of Statesville Avenue south of Oaklawn Avenue.



Zoning Map #(s): 88

Scale: 1" = 400'

EXHIBIT A

98-103

BEGINNING AT AN EXISTING IRON PIN, which pin is located on the easterly margin of the 90' right-of-way of Statesville Avenue (also known as U.S. Highway #21) in the City of Charlotte, said iron pin also being located S 49-31-33 E 1416.57 feet from NCGS MONUMENT "MO44 AZ MK", having grid coordinates of N=549,725' and E=1,450,855' and also being located S 65-20-58 E 2432.02 feet from NCGS MONUMENT "MO44", having grid coordinates of N=550,071' and E=1,449,772', said pin also marks the southeasterly corner of property of Hill Truck Rentals, Inc., now or formerly, (see deed recorded in Book 4196, Page 94 of the Mecklenburg County Public Registry), and running thence from said BEGINNING POINT along and with the southerly property line of Hill Truck Rentals, now or formerly N 83-49-44 E 451.87 feet to a new iron rod set on the northwesterly property line of property of W.D. Cornwell, now or formerly, (see deed recorded in Book 9042, Page 814 in said public registry), said new iron rod also being located within the railroad tracks belonging to Southern Railroad, now or formerly, a 100' right-of-way; thence running along and within the railroad tracks and also first with the northwesterly property line of Cornwell and then continuing along and with the northwesterly margin of the right-of-way of Armour Drive (a variable width unopened right-of-way), S 35-06-44 W 411.40 feet to an existing nail found within the railroad tracks, the same marking a northwesterly corner of property of F.A. Cash, Jr., now or formerly (see deed recorded in Book 3985, Page 911 in said public registry); thence continuing to run along and with the center of the railroad tracks and also with a northwesterly property line of Cash S 35-37-56 W 236.91 feet to an existing iron rod which marks the intersection of the Cash property line with the easterly margin of the right-of-way of Statesville Avenue, said found iron rod also being located N 12-49-56 W 75.08 feet from another existing iron rod located on the easterly margin of said road right-of-way; thence running along and with the easterly margin of the road right-of-way an arc of a circular curve to the right, said line having a radius of 3778.72 feet, a chord length of 361.35 feet and a chord bearing and distance of N 08-53-22 W 361.22 feet to an existing iron rod on the easterly margin of said road right-of-way; thence continuing with the easterly margin of said road right-of-way, N 06-11-00 W 120.15 feet to an existing iron pin, THE POINT AND PLACE OF BEGINNING, and containing 2.5326 acres, more or less. This description is taken from a survey entitled "Survey for Alexander Funeral Home, Inc." which is dated 07-08-98, and bears job #45504 and file #W-2253, as prepared by James Cameron RLS #3665 of R.B. Pharr & Associates, P.A.

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CITY CD

Petition No.98-114
Pierre Zenie, Zenie Real Estate

ORDINANCE NO. 1148-Z

APPROVED BY CITY COUNCIL
DATE October 21, 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 6.9 acres located on the west side of Center Park Drive west of Beam 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 October 21, 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 BD(CD) to I-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

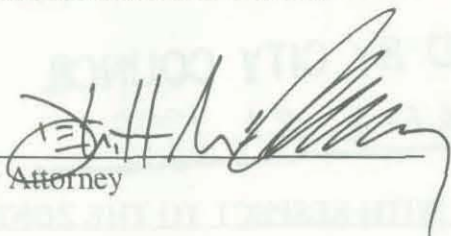
SEE ATTACHED

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

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

-continued-

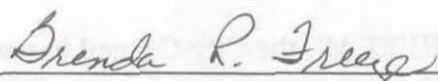
APPROVED AS TO FORM:



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 21st day of October, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 49, Page(s) 73-76.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of November, 1998.



Brenda R. Freeze, CMC, City Clerk

Petition No. 98-114
Pierre Zenie, Zenie Real Estate

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Pierre Zenie, Zenie Real Estate and successors-in-interest of the property described as tax parcels 141-061-20 and 141-061-27 and described in detail further in the ordinance, identified below, approved by the City Council.

In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of I-1(CD) on the official zoning map.

This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and Chapter 6: Part 1 and 2 of the City of Charlotte Zoning Ordinance, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the City Council under Chapter 6: Part 1 of the City of Charlotte Zoning Ordinance.

Three years from the date of approval of this parallel conditional use permit, the Planning Commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.

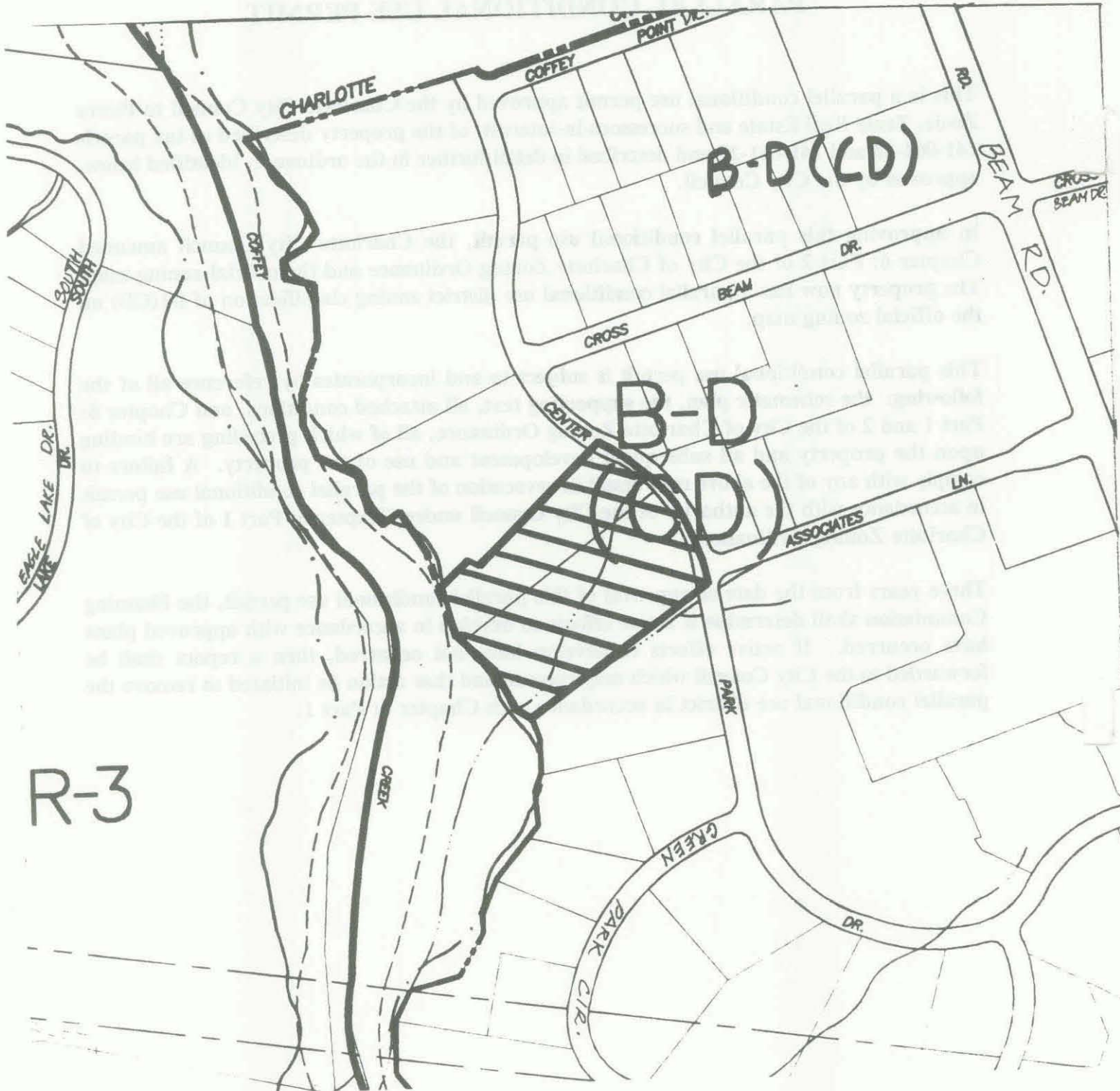
Petitioner: Pierre Zenie, Zenie Real Estate

Hearing Date: October 21, 1998

Classification (Existing): B-D(CD)

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

Location: Approximately 6.9 acres located on the west side of Center Park Drive west of Beam Road.



R-3

Zoning Map #(s): 127

Scale: 1" = 400'