

Petition No.: 2007-127
Petitioner: *Charlex Development Corp., LLC*

APPROVED BY
CITY COUNCIL
JAN 22 2008

ORDINANCE NO. 3789-Z

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

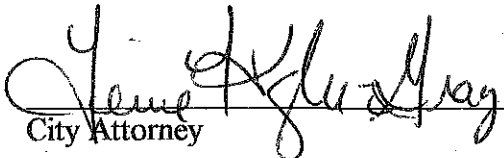
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-4, R-43MF and O-2 to MUDD(CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

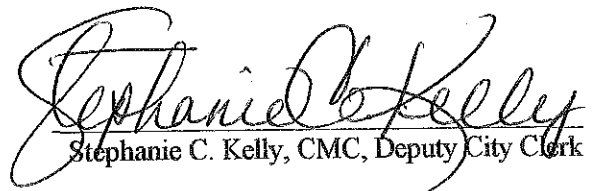
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page(s) 344-345.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of March, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk

January 28, 2008

Ordinance Book 55, Page 345

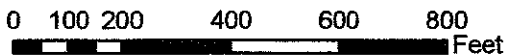
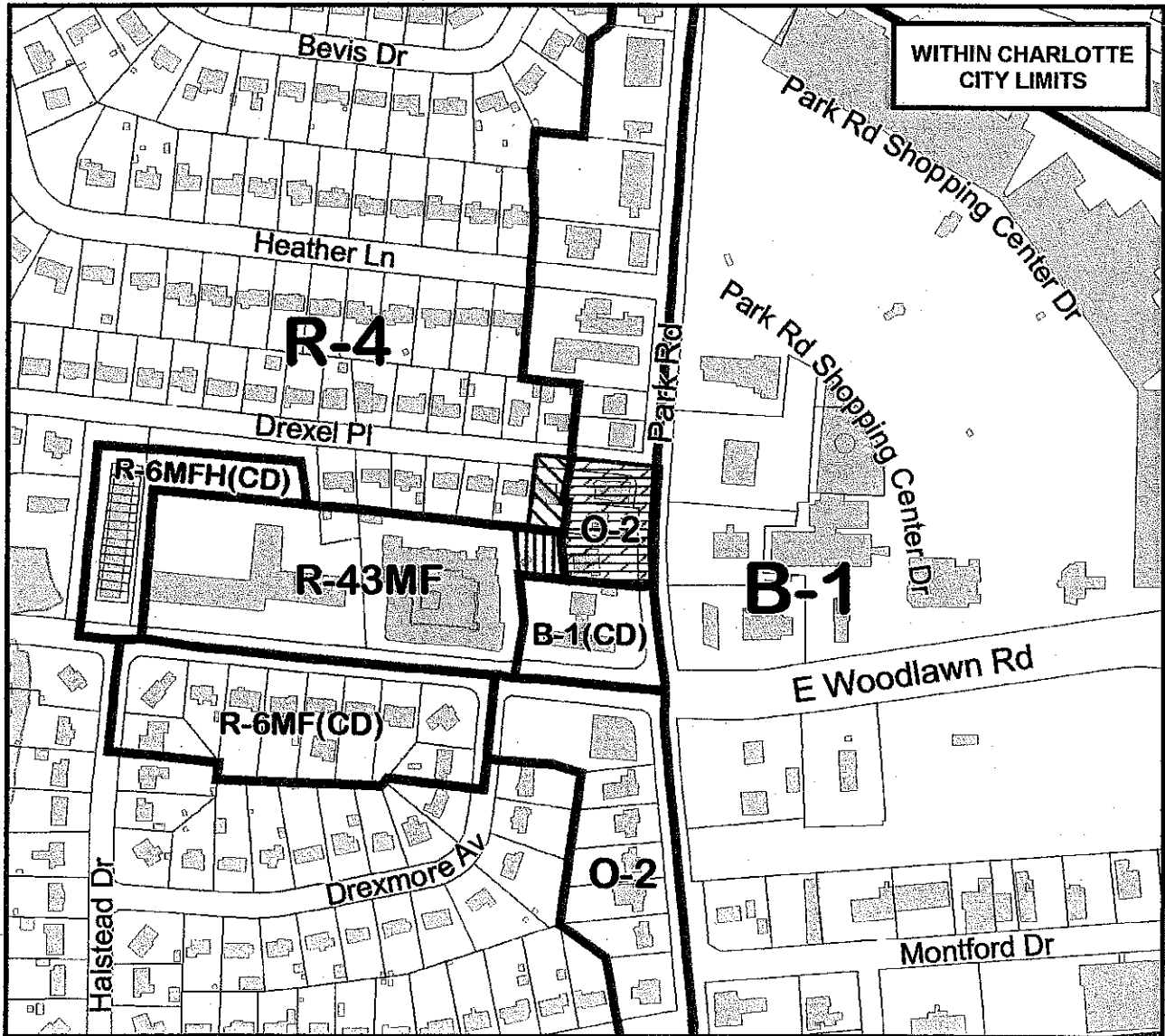
Petition #: **2007-127**

Petitioner: Charlex Development Corp., LLC

Zoning Classification (Existing): R-4, R-43MF and O-2
(Single-Family Residential, up to 4 dwelling units per acre; Multi-Family Residential, up to 43 dwelling units per acre and Office)

Zoning Classification (Requested): MUDD(CD)
(Mixed-Use Development District, Conditional)

Acreage & Location : Approximately 1.20 acres located on the southwest corner of Park Road and Drexel Place.



Zoning Map #(s) **125**



Map Produced by the
Charlotte-Mecklenburg Planning Department
07-17-2007

	Requested MUDD(CD) from R-4		FEMA flood plain
	Requested MUDD(CD) from R-43MF		Watershed
	Requested MUDD(CD) from O-2		Lakes and Ponds
	Existing Building Footprints		Creeks and Streams
	Existing Zoning Boundaries		
	Charlotte City Limits		

ORDINANCE NO. 3802-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1039 ANDRILL TERRACE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF CLARENCE EUGENE FRALEY JR. P.O BOX 369 ATLANTIC BEACH, NC 28512

WHEREAS, the dwelling located at 1039 Andrill Terrace in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 1039 Andrill Terrace in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:


Assistant 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page 370.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January 2008.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3803-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2665 ELMIN STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF ATHES AVALANCHE BEATTY 5909 MELANIE THOMPSON DRIVE CHARLOTTE, NC 28213

WHEREAS, the dwelling located at 2665 Elmin Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 2665 Elmin Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:



Assistant 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page 371.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January 2008.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3804-X

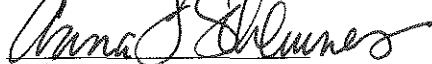
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2566 HEMPHILL STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF AMOS MCDOWELL, HEIRS OF THOMAS MCDOWELL, HEIRS OF TOM MCDOWELL, HEIRS OF OLA MAE MCDOWELL EMMANUEL, HEIRS OF ACIE EMMANUEL 2566 HEMPHILL STREET CHARLOTTE, NC 28208

WHEREAS, the dwelling located at 2566 Hemphill Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 2566 Hemphill Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:



Assistant 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page 372.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January 2008.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3805-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2845 MAYFLOWER ROAD PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF BELINDA B. MASTERMAN 4540-B TINTILLA CR. CHARLOTTE, NC 28215

WHEREAS, the dwelling located at 2845 Mayflower Road in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 2845 Mayflower Road in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:



Assistant 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page 373.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January 2008.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3806-X


AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3345 ROSS AVENUE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF GILBERT PARKER 3345 ROSS AVE CHARLOTTE, NC 28208

WHEREAS, the dwelling located at 3345 Ross Avenue in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 3345 Ross Avenue in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

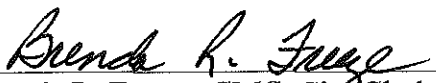


Assistant City Attorney

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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page 374.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January 2008.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3807-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2750 SOUTHWEST BLVD. PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF LINDA NUZUM P.O BOX 471694 CHARLOTTE, NC 28247

WHEREAS, the dwelling located at 2750 Southwest Blvd. in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 2750 Southwest Blvd. in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.


APPROVED AS TO FORM:


Assistant 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page 375.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January 2008.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3808-X

O-52

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3606-X, THE 2007-2008 BUDGET
ORDINANCE, PROVIDING AN APPROPRIATION FOR BUS REPLACEMENTS AND
EXPANSIONS

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

Section 1. That the sum of \$1,000,000 is hereby estimated to be available from the following sources:

<u>Source</u>	<u>Amount</u>
Federal FY08 Congestion Mitigation Air Quality Grant	\$800,000
State NCDOT Grant	100,000
CATS Operating Fund (7801) Fund Balance	100,000
Total	\$1,000,000

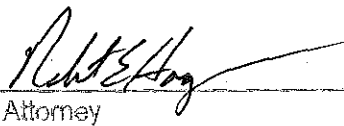
Section 2. That the sum of \$1,000,000 is hereby appropriated to Fund 2078 in the project for FY08 Bus Procurement (84180).

Section 3. Section 1. of this ordinance estimates federal and state grant participation. Upon receipt of the grant assistance, the sources and levels of funding for the project specified may be adjusted to reflect permanent financing. Until permanent financing is realized, the Finance Director is hereby authorized to advance funding from Fund 7801 fund balance to cover the estimated grant revenues specified above. Upon receipt of grant revenues, funds advanced to the project shall revert back to the Fund 7801 fund balance. If grant funding is not realized, the advance may be designated as the permanent source of funding. The total project appropriation level will not exceed the amounts specified, unless amended by a subsequent ordinance(s).

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

Approved as to Form:



S.L. Dupuy City Attorney


January 28, 2008

Ordinance Book 55, Page 377

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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Pages (376-377).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January 2008.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3809-X

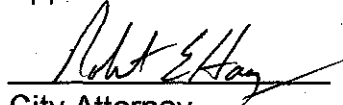
O-53

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3606-X, THE 2007-2008 BUDGET ORDINANCE, ESTIMATING STATE GRANT REVENUES AND PROVIDING AN APPROPRIATION FOR STORM WATER PROJECT: MUDDY CREEK STREAM RESTORATION.

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

- Section 1. That the sum of \$218,047 is hereby estimated to be available from the North Carolina Clean Water Management Trust Fund.
- Section 2. That the sum of \$218,047 is hereby appropriated to the Storm Water Capital Projects Fund 2701; 35870 - Pollution Control.
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective immediately.

Approved as to Form:

Sr. Deputy 
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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page 378.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January 2008.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3810-X

O-54

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3606-X, THE 2007-2008 BUDGET ORDINANCE, ESTIMATING STATE GRANT REVENUES AND PROVIDING AN APPROPRIATION FOR STORM WATER PROJECT: BEAVERDAM CREEK WATERSHED STUDY.

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

- Section 1. That the sum of \$161,223 is hereby estimated to be available from the North Carolina Clean Water Management Trust Fund.
- Section 2. That the sum of \$161,223 is hereby appropriated to the Storm Water Capital Projects Fund 2701; 35870 - Pollution Control.
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective immediately.

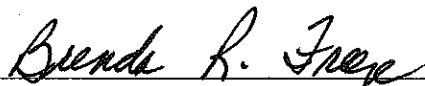
Approved as to Form:


Sr. Deputy 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page 379.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January 2008.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3811-X

O-55

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3606-X , THE 2007-2008 BUDGET ORDINANCE, APPROPRIATING \$1,500,000 AIRPORT DISCRETIONARY FUND BALANCE FOR REPLACEMENT OF THE CONCOURSE C ROOF TO BE REPAID FROM FUTURE GENERAL AIRPORT REVENUE BONDS.

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

Section 1. That the sum of \$1,500,000 is available from Airport Discretionary Fund Balance to be repaid from future General Airport Revenue Bonds.

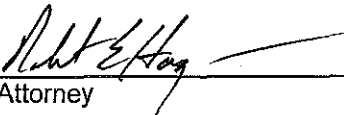
Section 2. That the sum of \$1,500,000 is hereby appropriated to the Airport Capital Project fund:
2091 - 554.03

Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the program and funds are to be carried forward to subsequent fiscal years until all funds are expended.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:



Sr. Deputy 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page 380.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January 2008.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3812-X

O-56

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3606-X, THE 2007-2008 BUDGET ORDINANCE PROVIDING AN APPROPRIATION FOR TRAFFIC SIGNAL INSTALLATION AND IMPROVEMENTS

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

Section 1. That the sum of \$695,135 is hereby estimated to be available from the following private development sources:

Crescent Resources, LLC	\$ 665,260
Village at Robinson Farm, LLC	\$ 25,250
Lauth Construction Group, LLC	\$ 4,625

Section 2. That the sum of \$695,135 is hereby appropriated in the General Capital Investment Fund (2010) to the Developer Contributions Project (281.52).

Section 3. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.

Section 5. All ordinances in conflict with this ordinance are hereby repealed.

Section 6. This ordinance shall be 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page 381.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January 2008.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3813-X

O-57

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3606-X, THE 2007-2008 BUDGET ORDINANCE PROVIDING AN APPROPRIATION FOR NORTHEAST CORRIDOR LIGHT RAIL ENGINEERING

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

Section 1. That the sum of \$9,500,000 is hereby estimated to be available from the following sources:

<u>Source</u>	<u>Amount</u>
Federal Grant	\$4,750,000
State NCDOT Grant	2,375,000
CATS Operating Fund (7801) Fund Balance	2,375,000
Total	<u>\$9,500,000</u>

Section 2. That the sum of \$9,500,000 is hereby appropriated to the Northeast Corridor Capital Fund (2094) in the project for Corridor Control (89600).

Section 3. Section 1. of this ordinance estimates federal and state grant participation. Upon receipt of the grant assistance, the sources and levels of funding for the project specified may be adjusted to reflect permanent financing. Until permanent financing is realized, the Finance Director is hereby authorized to advance funding from Fund 7801 fund balance to cover the estimated grant revenues specified above. Upon receipt of grant revenues, funds advanced to the project shall revert back to the Fund 7801 fund balance. If grant funding is not realized, the advance may be designated as the permanent source of funding. The total project appropriation level will not exceed the amounts specified, unless amended by a subsequent ordinance(s).

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

Approved as to Form:

Sr. Deputy Robert E. Hay
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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page 382.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January 2008.

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