ORDINANCE NO. 3942-Z

FOR REGISTRATION JUDITH A. GIBSON REGISTER OF DEEDS MECKLENBURG COUNTY, NC 2008 JUN 30 12:39 PM BK:23910 PG:908-912 FEE:\$0.00

INSTRUMENT # 2008113766

Ordinance - Big Rock Rock Shelter

Ordinance designating as a Historic Landmark a property known as the "Big Rock Rock Shelter" (listed under Tax Parcel Numbers 22344160 and 22344161 including the contours of the landscape and the parcels of land listed under Tax Parcel Numbers 22344160 and 22344161 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of May 1, 2008). The property is owned by Mecklenburg County, and is located at 6500 Elmstone Drive in the City of Charlotte, North Carolina.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the 16th day of June, 2008, on the question of designating a property known as the Big Rock Rock Shelter as a historic landmark; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks

Commission have taken into full consideration all statements and information presented
at a public hearing held on the 9th day of June, 2008, on the question of designating a
property known as the Big Rock Rock Shelter as a historic landmark; and

Return To &

Ordinance - Big Rock Rock Shelter

WHEREAS, the Big Rock Rock Shelter is a locally significant pluton and contains the largest known exposed boulders in Charlotte-Mecklenburg; and

WHEREAS, the Big Rock Rock Shelter has experienced minimal ground disturbance, thereby making it especially important as an archeological resource for both historic and pre-historic artifacts; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the Big Rock Rock Shelter possesses special significance in terms of its history, and/or cultural importance; and

WHEREAS, the property known as the Big Rock Rock Shelter is owned by Mecklenburg County.

NOW, THEREFORE, BE IT ORDAINED by the members of the City Council of Charlotte, North Carolina:

1. That the property known as the "Big Rock Rock Shelter" (listed under Tax Parcel Numbers 22344160 and 22344161 including the contours of the landscape and the parcels of land listed under Tax Parcel Numbers 22344160 and 22344161 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of May 1, 2008) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 6500 Elmstone Drive in the City of Charlotte, Mecklenburg County, North Carolina. Features of the property are more completely described in the "Survey and Research Report on the Big Rock Rock Shelter" (2008).

Ordinance - Big Rock Rock Shelter

- 2. That said designated historic landmark may be materially altered, restored, moved or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Department of Cultural Resources. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.
- 3. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

Ordinance - Big Rock Rock Shelter

- 4. That a suitable sign may be posted indicating that said property has been designated as a historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.
- 5. That the owners of the historic landmark known as the "Big Rock Rock Shelter" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.
- 6. That which is designated as a historic landmark shall be subject to Chapter 160A, Article 19, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:
Senior Assistant 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 16<sup>th</sup> day of June, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Pages (645-648).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th c

Stephanie C. Kelly, CMC, Deputy Cit



## JUDITH A. GIBSON REGISTER OF DEEDS, MECKLENBURG COUNTY & COURTS OFFICE BUILDING 720 EAST FOURTH STREET CHARLOTTE, NC 28202

## PLEASE RETAIN YELLOW TRAILER PAGE

It is part of the recorded document, and must be submitted with original for re-recording and/or cancellation.

Filed For Registration: 0

06/30/2008 12:39 PM

Book:

RE 23910 Page: 908-912

Document No.:

2008113766

ORD 5 PGS

Recorder:

LYVANH PHETSARATH



2008113766

ORDINANCE NO. 3943-Z

FOR REGISIKATION JUDITH A. GIBSON REGISTER OF DEEDS MECKLENBURG COUNTY, NC 2008 JUN 30 12:39 PM BK:23910 PG:902-907 FEE:\$0.00

INSTRUMENT # 2008113765



Ordinance - Bishop John C. Kilgo House

Ordinance designating as a Historic Landmark a property known as the "Bishop John C. Kilgo House" (listed under Tax Parcel Number 095-03-505 including the interior and exterior of the house and the parcel of land listed under Tax Parcel Number 095-03-505 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of May 1, 2008). The property is owned by Donald R. and Kiley F. Rawlins, and is located at 2100 The Plaza in the City of Charlotte, North Carolina.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the 16th day of June, 2008, on the question of designating a property known as the Bishop John C. Kilgo House as a historic landmark; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks

Commission have taken into full consideration all statements and information presented
at a public hearing held on the 9th day of June, 2008, on the question of designating a
property known as the Bishop John C. Kilgo House as a historic landmark; and

Return To :

Charlotte Mecklenburg Historic Landmarks Com. 2100 Randolph Road Charlotte, NC 28207 Ordinance - Bishop John C. Kilgo House

WHEREAS, the Bishop John C. Kilgo House, erected in 1914, stands among the first and finest residences in the Chatham Estates suburb (now known as Plaza-Midwood) in Charlotte; and

WHEREAS, the Bishop John C. Kilgo House is associated with Bishop Kilgo, the original owner, a distinguished Methodist minister and bishop, and president of Trinity College, later Duke University; and

WHEREAS, the designer of the house was Louis H. Asbury, one of Charlotte's foremost architects in the early twentieth century; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the Bishop John C. Kilgo House possesses special significance in terms of its history, and/or cultural importance; and

WHEREAS, the property known as the Bishop John C. Kilgo House is owned by Donald R. and Kiley F. Rawlins.

NOW, THEREFORE, BE IT ORDAINED by the members of the City Council of Charlotte, North Carolina:

1. That the property known as the "Bishop John C. Kilgo House" (listed under Tax Parcel Number 095-03-505 including the interior and exterior of the house and the parcel of land listed under Tax Parcel Number 095-03-505 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of May 1, 2008) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 2100 The Plaza in the City of Charlotte, Mecklenburg County, North Carolina. Features

Ordinance - Bishop John C. Kilgo House

of the property are more completely described in the "Survey and Research Report on the Bishop John C. Kilgo House" (2008).

- 2. That said interior and exterior are more specifically defined as the historic and structural fabric, especially including all original interior and exterior architectural features and the contours of landscaping.
- 3. That said designated historic landmark may be materially altered, restored, moved or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Department of Cultural Resources. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.
- 4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow



JUDITH A. GIBSON REGISTER OF DEEDS, MECKLENBURG COUNTY & COURTS OFFICE BUILDING 720 EAST FOURTH STREET CHARLOTTE, NC 28202

### PLEASE RETAIN YELLOW TRAILER PAGE

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Filed For Registration:

06/30/2008 12:39 PM

Book:

RE 23910 Page: 902-907

**Document No.:** 

2008113765

ORD 6 PGS

Recorder:

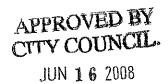
LYVANH PHETSARATH



2008113765

Petition No.2008-063

Petitioner: Arthur Yessayan



ORDINANCE NO. 3944-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 I-1(CD) to B-D(CD).

<u>Section 2</u>. 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.

<u>Section 3.</u> 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 16<sup>th</sup> day of June, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page(s) 654-655.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.

Stephanie C. Kelly, CMC, Deputy City Clerk

Petition #: 2008-063

Petitioner: Arthur Yessayan

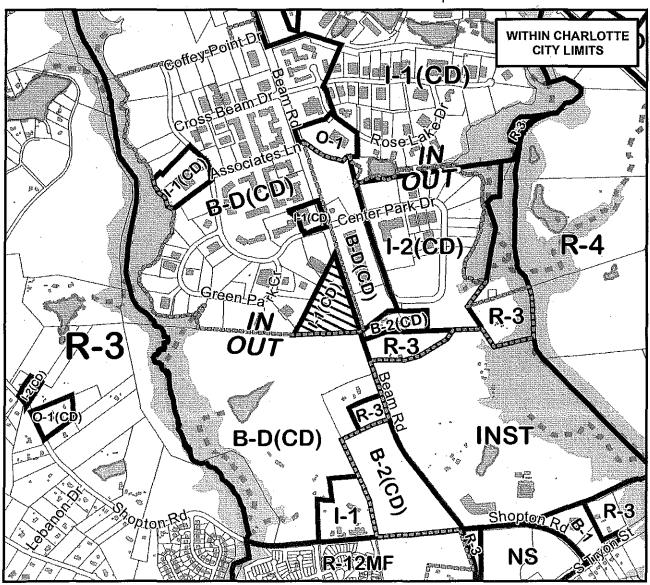
Zoning Classification (Existing): I-1(CD)

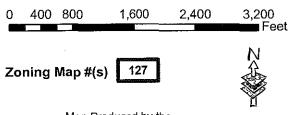
(Light Industrial, Conditional)

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

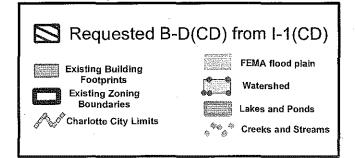
(Distributive Business, Conditional)

Acreage & Location: Approximately 10.49 acres located on the west side of Beam Road between Center Park Drive and Shopton Road.





Map Produced by the Charlotte-Mecklenburg Planning Department 02-19-2008



Petition No.2008-065

Petitioner: Myers Park Presbyterian Church

APPROVED BY CITY COUNCIL.

JUN 1 6 2008

#### **ORDINANCE NO. 3945-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:

<u>Section 1.</u> 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-3, R-43MF, O-2 and O-2(CD) to MUDD-O.

<u>Section 2</u>. 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 16<sup>th</sup> day of June, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page(s) 656-657.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July, 2008.

tephanie C. Kelly, CMC, Deputy City/Clerk

Petition #: 2008-065

Petitioner: Myers Park Presbyterian Church

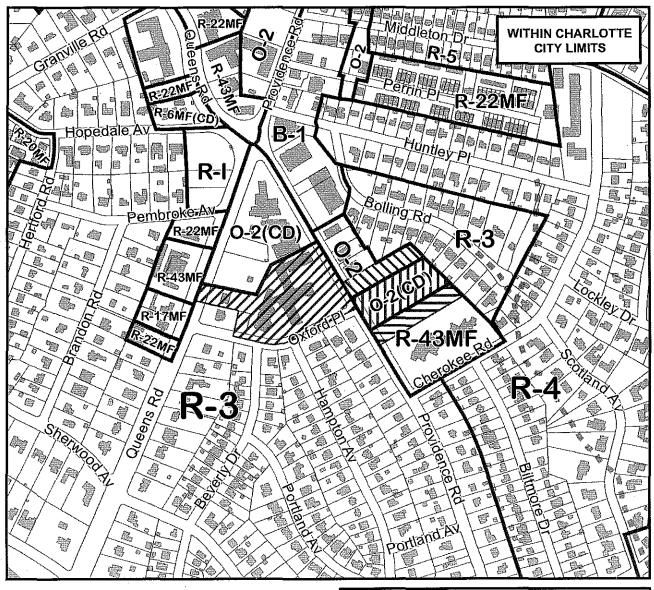
Zoning Classification (Existing): R-3, R-43MF, O-2 and O-2(CD)

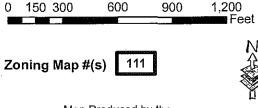
(Single-Family Residential, up to 3 dwelling units per acre; Multi-Family Residential, up to 43 dwelling units per acre; Office and Office, Conditional)

Zoning Classification (Requested): \_\_\_MUDD-O

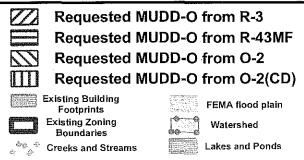
(Mixed-Use Development District, Optional)

Acreage & Location: Approximately 9.02 acres located on both sides of Providence Road at Oxford Place.





Map Produced by the Charlotte-Mecklenburg Planning Department 02-06-2008



APPROVED BY CITY COUNCIL.

Petition No.2008-066

Petitioner: Financial Enterprises, III, LLC ORDINANCE NO. 3946-Z

JUN 1 6 2008

### 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 CC and B-1SCD to CC SPA and CC.

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:

#### **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 16th day of June, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page(s) 658-659.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July, 2008.

Petition #: 2008-066

Petitioner: Financial Enterprises III LLC

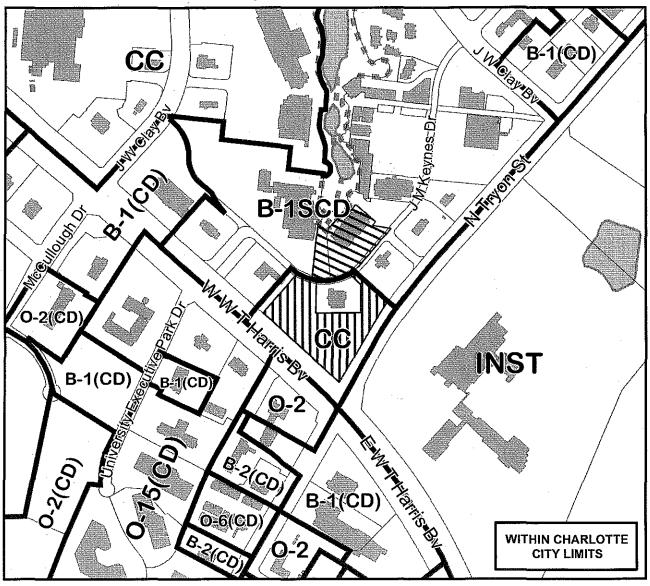
Zoning Classification (Existing): CC and B-1SCD

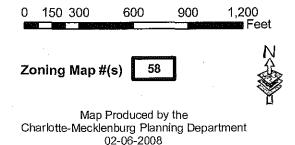
(Commercial Center and Shopping Center District)

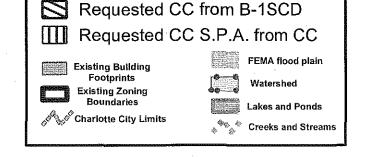
Zoning Classification (Requested): CC and CC S.P.A.

(Commercial Center and Commercial Center, Site Plan Amendment)

Acreage & Location: Approximately 6.50 acres located on the northwest corner of N Tryon Street and W W.T. Harris Boulevard.







APPROVED BY CITY COUNCIL.

JUN 16 2008

Petition No.2008-071

Petitioner: The Drakeford Company

#### ORDINANCE NO. 3947-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:

<u>Section 1.</u> 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 B-2(PED) to B-2(PED-O).

<u>Section 2</u>. 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 16<sup>th</sup> day of June, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page(s) 660-661.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July, 2008.

rephanie C. Kelly, CMC, Deputy City/Clerk

Petition #: 2008-071

Petitioner: The Drakeford Company

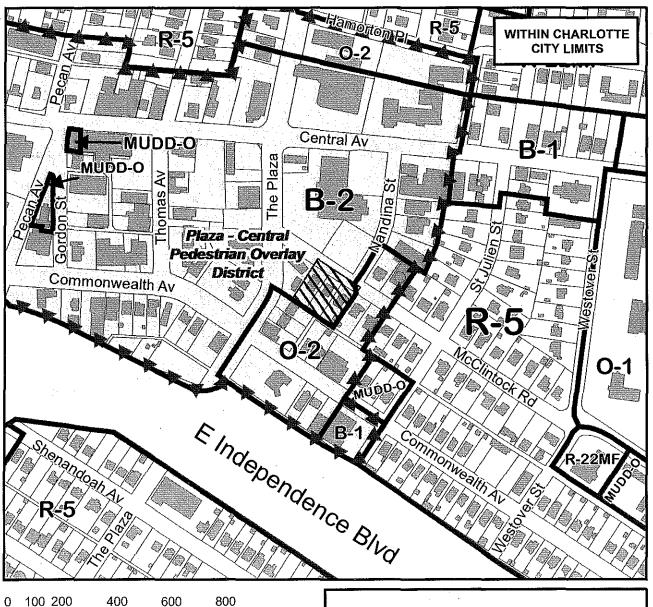
Zoning Classification (Existing): B-2 (PED)

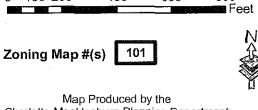
(General Business, Pedestrian Overlay District)

Zoning Classification (Requested): B-2 (PED-O)

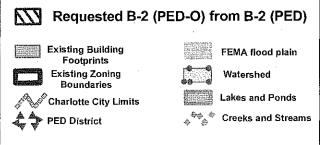
(General Business, Pedestrian Overlay District, Optional)

Acreage & Location: Approximately 0.64 acres located on the south side of McClintock Road between The Plaza and Nandina Street.





Map Produced by the Charlotte-Mecklenburg Planning Department 02-21-2008



**CITY ZONE CHANGE** 

APPROVED BY COUNCIL.

JUN 1 6 2008 ORDINANCE NO. 3948-Z Petition No. 2008-072 Petitioner: CMPC

### ZONING REGULATIONS

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

<u>Section 1.</u> That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified on the attached map from I-1 to TOD-M 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

#### 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 16<sup>th</sup> day of June, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page(s) 662-663.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July, 2008.

tephanie C. Kelly, CMC, Deputy City Clerk

Petition #: 2008-072

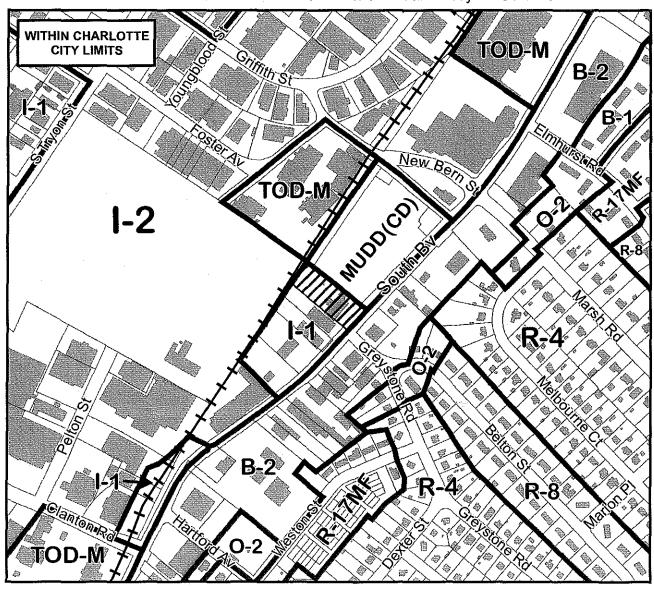
Petitioner: Charlotte-Mecklenburg Planning Commission

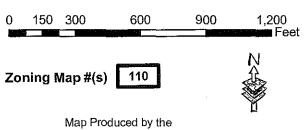
(Light Industrial)

Zoning Classification (Requested): TOD-M

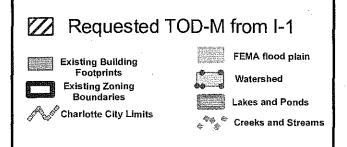
(Transit Oriented Development, Mixed-Use)

Acreage & Location: Approximately 1.05 acres located on the west side of South Boulevard between New Bern Street and Greystone Road.





Map Produced by the Charlotte-Mecklenburg Planning Department 02-22-2008





Petition No.2008-074

Petitioner: Public Library of Charlotte & Mecklenburg

JUN 1 6 2008

#### ORDINANCE NO. 3949-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:

<u>Section 1.</u> 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 B-1SCD to B-1(CD).

<u>Section 2</u>. 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 16<sup>th</sup> day of June, 2008, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page(s) 664-665.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15<sup>th</sup> day of September, 2008.

Stephanie C. Kelly, CMC, Deputy City Clerk

Petition #: 2008-074

Petitioner: Public Library of Charlotte & Mecklenburg County

Zoning Classification (Existing): B-1SCD

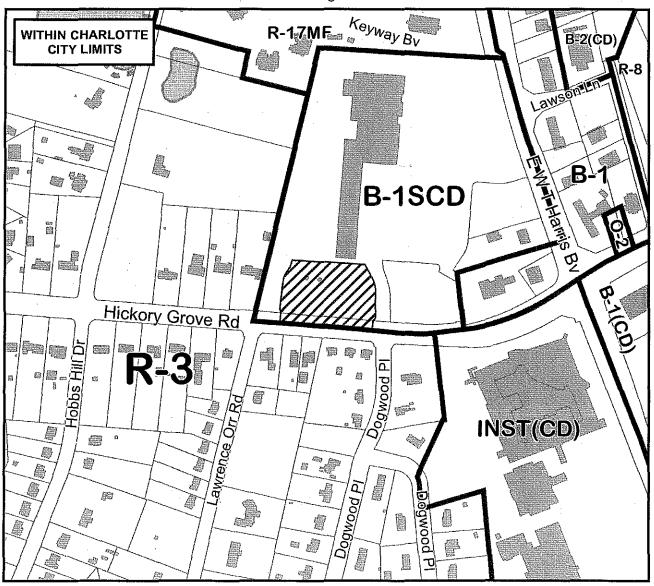
(Shopping Center District)

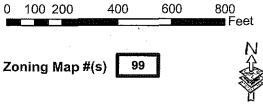
Zoning Classification (Requested): B-1(CD)

(Neighborhood Business, Conditional)

Acreage & Location: Approximately 1.54 acres located on the north side of Hickory

Grove Road between Dogwood Place and Lawrence Orr Road.





Map Produced by the Charlotte-Mecklenburg Planning Department 03-03-2008

