

CITY CD

Petition No. 94-59
Ronald S. Ferrell

ORDINANCE NO. 153-7

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 1.55 acres located on the west side of Prosperity Church Road south of Katelyn 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 denial by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on June 20, 1994; 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-8MF(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.

-continued-

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

APPROVED AS TO FORM:

Henry W. Zehdehill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 52-54.

Brenda R. Freeze
City Clerk, Brenda R. Freeze

SITE DESCRIPTION ADDENDUM

File No:

Beginning at a point of the Lot described by Metes and Bounds as follows:

TRACT 1 :

THENCE South 78°30'00" West, a distance of 346.8 ft.;

THENCE North 51°33'00" West, a distance of 212.15 ft.;

THENCE North 67°59'00" East, a distance of 311.15 ft.;

THENCE South 52°58'00" East, a distance of 135 ft.;

THENCE South 48°12'26" East, a distance of 147.22 ft.;

THENCE South 65°10'15" West, a distance of 0.01 ft.;

Said tract containing 1.5507 acres (67549.66 sqft.) of land, more or less.

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Petition #: 94-59

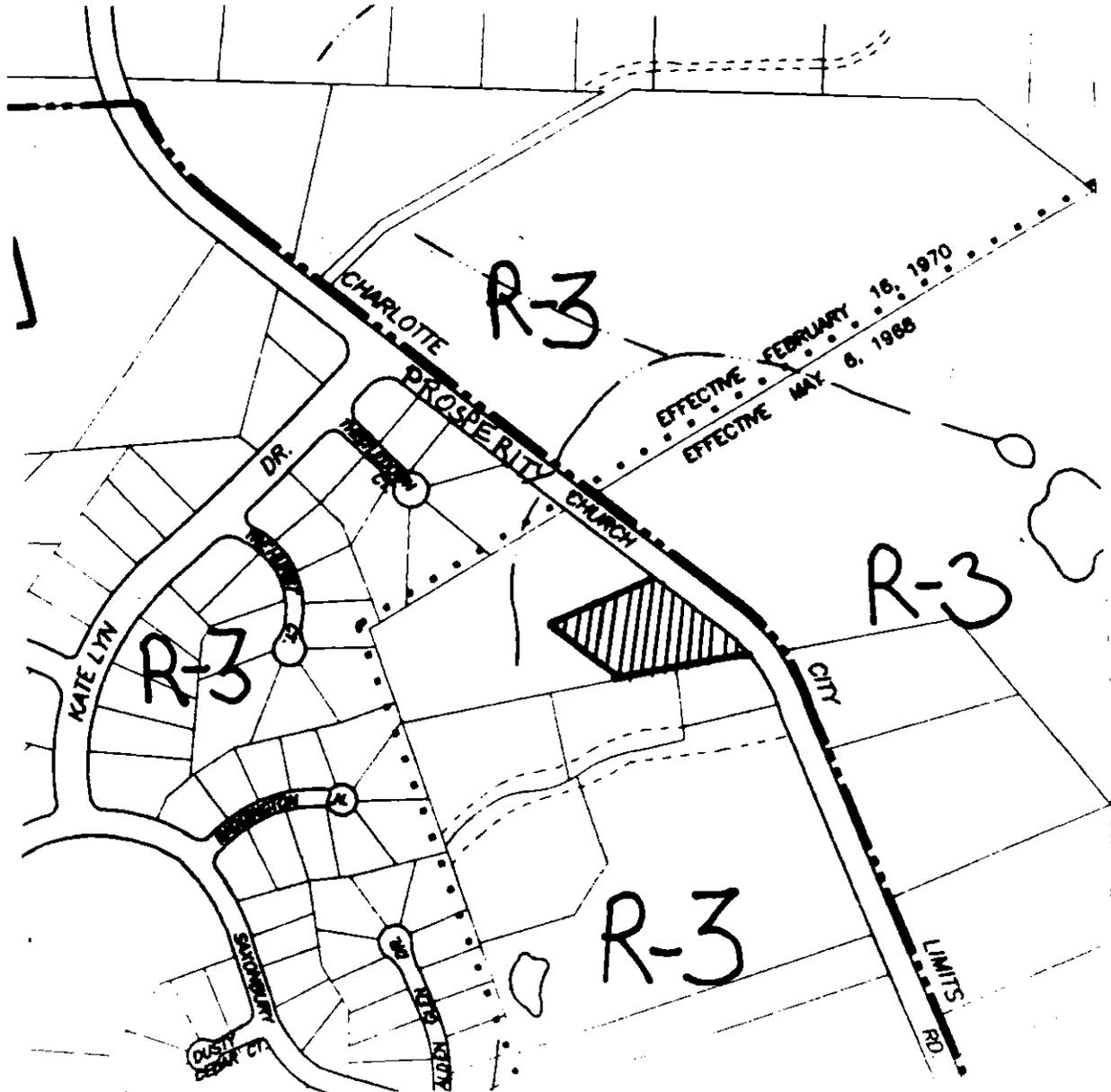
Petitioner: Ronald S. Ferrell

Hearing Date: June 20, 1994

Zoning Classification (Existing): R-3

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

Location: Approximately 1.55 acres located on the west side of Prosperity Church Road south of Katelyn Drive.



Zoning Map #(s): 42

Scale: 1" = 400'

APPROVED BY CITY COUNCIL
DATE October 19, 1994

CITY ZONE CHANGE

Petition No. 94-63
Washburn Graphics, Inc.

ORDINANCE NO. 154-Z

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 change from B-2 to U-I(Urban Industrial) on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 19 94, the reference having been made in Minute Book 106, at page ~~XXXXXXX~~ and recorded in full in Ordinance Book 46, Pages 55-57.

Brenda R. Freeze
City Clerk, Brenda R. Freeze

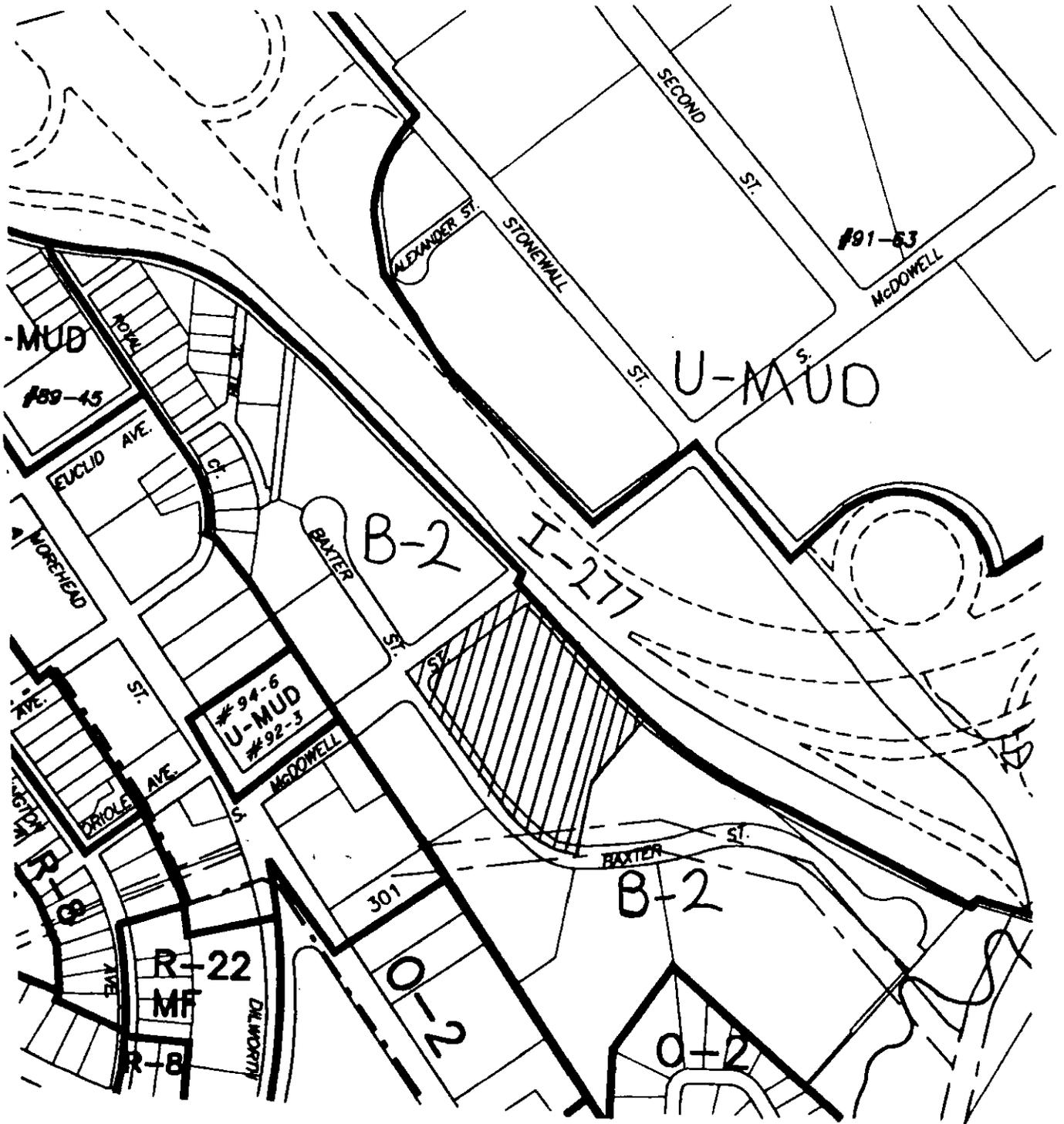
Petitioner: Washburn Graphics, Inc.

Hearing Date: September 19, 1994

Zoning Classification (Existing): B-2

Zoning Classification (Requested): UI

Location: Approximately 4.6 acres located on the northeast corner of the intersection between S. McDowell Street and Baxter Street.



Zoning Map #(s): 102

Scale: 1" = 400'

OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Petition #: 94-63
Date Filed: May 2, 1994
Received By: T. Rose

OFFICE USE ONLY

OWNERSHIP INFORMATION:

Property Owner: Washburn Graphics, Inc.

Owner's Address: 801 South McDowell Street, Charlotte, NC 28204

Date Property Acquired: _____

Tax Parcel Number(s): 125-201-55

LOCATION OF PROPERTY (Address or Description): 801 South McDowell Street,

Charlotte, NC 28204

Size (Sq.Ft. or Acres): 4.6 ACRES Street Frontage (Ft.): 920' ±

Current Land Use: Commercial Printing Plant

ZONING REQUEST:

Existing Zoning: B-2 Proposed Zoning: UI

Purpose of Zoning Change: TO ALLOW FUTURE EXPANSIONS ON CURRENT
PROPERTY, CURRENTLY HAVE 98,750 SF ± WITH MAXIMUM B-2
ALLOWED AREA OF 100,000 SF.

WOOD ARCHITECTURE (Greg Wood)
Name of Agent

119 E. 9th St. CHARLOTTE, N.C. 28202
Agent's Address SOUTH E

704-3589393
Telephone Number

Signature of Property Owner
if other than Petitioner

WASHBURN GRAPHICS, INC.

Name of Petitioner(s)
801 S. McDowell Street
Charlotte, NC 28204

Address of Petitioner(s)

704/372-5270
Telephone Number

Jerry Collins
Signature Jerry Collins, Facility Manager

RECORDED
JUN 7 12 22 PM '94
DRAWN BY:
Miller, Johnston and Allison
923 Law Building
Charlotte, North Carolina 28202

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

74

3849 0897

THIS DEED, made this 4th day of June, 1976, by and between the CITY OF CHARLOTTE, a municipal corporation organized and existing under and by virtue of the laws of the State of North Carolina, with its principal office located at Charlotte of the County of Mecklenburg and State of North Carolina, party of the first part, hereinafter referred to as the "CITY"; and WASHBURN GRAPHICS, INC., a corporation organized and existing under and by virtue of the laws of the State of North Carolina, with its principal office located at Charlotte of the County of Mecklenburg and State of North Carolina, party of the second part, hereinafter referred to as the "PURCHASER";

WITNESSETH:

That the CITY OF CHARLOTTE, for and in consideration of the sum of TWO HUNDRED EIGHTY EIGHT THOUSAND SIX HUNDRED THIRTEEN AND 40/100 DOLLARS (\$288,613.40) in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to the Purchaser, the following real estate, described as follows:

BROOKLYN URBAN RENEWAL AREA - SECTION NO. 4
Project No. N.C. R-43

Parcel No. 1:

A parcel of land in Charlotte Township, Mecklenburg County, State of North Carolina, located in Brooklyn Urban Renewal Area - Section No. 4, Project No. N.C. R-43, shown as Parcel 1, on a plat prepared by Wilbur Smith and Associates, Inc. - Design, dated August 21, 1973 and recorded in Map Book 17 at Page 565 of the Mecklenburg County, North Carolina Public Registry, and being more particularly described as follows:

Beginning at an iron stake in the south right of way line of South McDowell Street, between South Baxter Street and Independence Boulevard, said iron marking the common corner between the southwesterly property of Parcel 3 of N. C. R-43 and Parcel 1 as shown on plat prepared by Wilbur Smith and Associates, Inc., of Columbia, South Carolina, dated August 15, 1969 and recorded in Book 15, Pages 259-260 in the Mecklenburg County Registry of Deeds; thence S 46-21-29 E, along the common line between Parcel 1 and Parcel 3, 111.23 feet to an iron; thence S 44-47-01 E 209.68 feet along the common line to an iron; thence along the arc of a curve of 2,391.83 feet radius 113.03 feet to an iron; thence S 35-56-05 W 205.07 feet to an iron; thence S 9-41-54 W 160.00 feet to an iron in the northerly right of way line of South Baxter Street; thence along the right of way line along the arc of a curve of 318.10 feet radius 243.56 feet to an iron; thence N 36-25-56 W 345.69 feet; thence along the arc of a curve of 30.00 feet radius 47.14 feet to an iron in the south right of way of South McDowell Street; thence along the arc of a curve of 2,824.79 feet, 90.01 feet to an iron; thence N 53-34-04 E 199.21 feet to the Beginning iron. Containing 179,263 square feet, more or less.

MAIL TO:
Fleming, Robinson & Bradshaw, P. A.
2500 Jefferson First Union Plaza
Charlotte, North Carolina 28282

3849 0897

APPROVED BY CITY COUNCIL

DATE October 19, 1994

CITY ZONE CHANGE

Petition No. 94-72
Landcraft Properties Inc.

ORDINANCE NO. 155-Z

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 change from R-3 to R-4 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 19 94, the reference having been made in Minute Book 106, ~~at page~~XXXXXXXXXXXX and recorded in full in Ordinance Book 46, Pages 58-59.

Brenda R. Freeze
City Clerk, Brenda R. Freeze

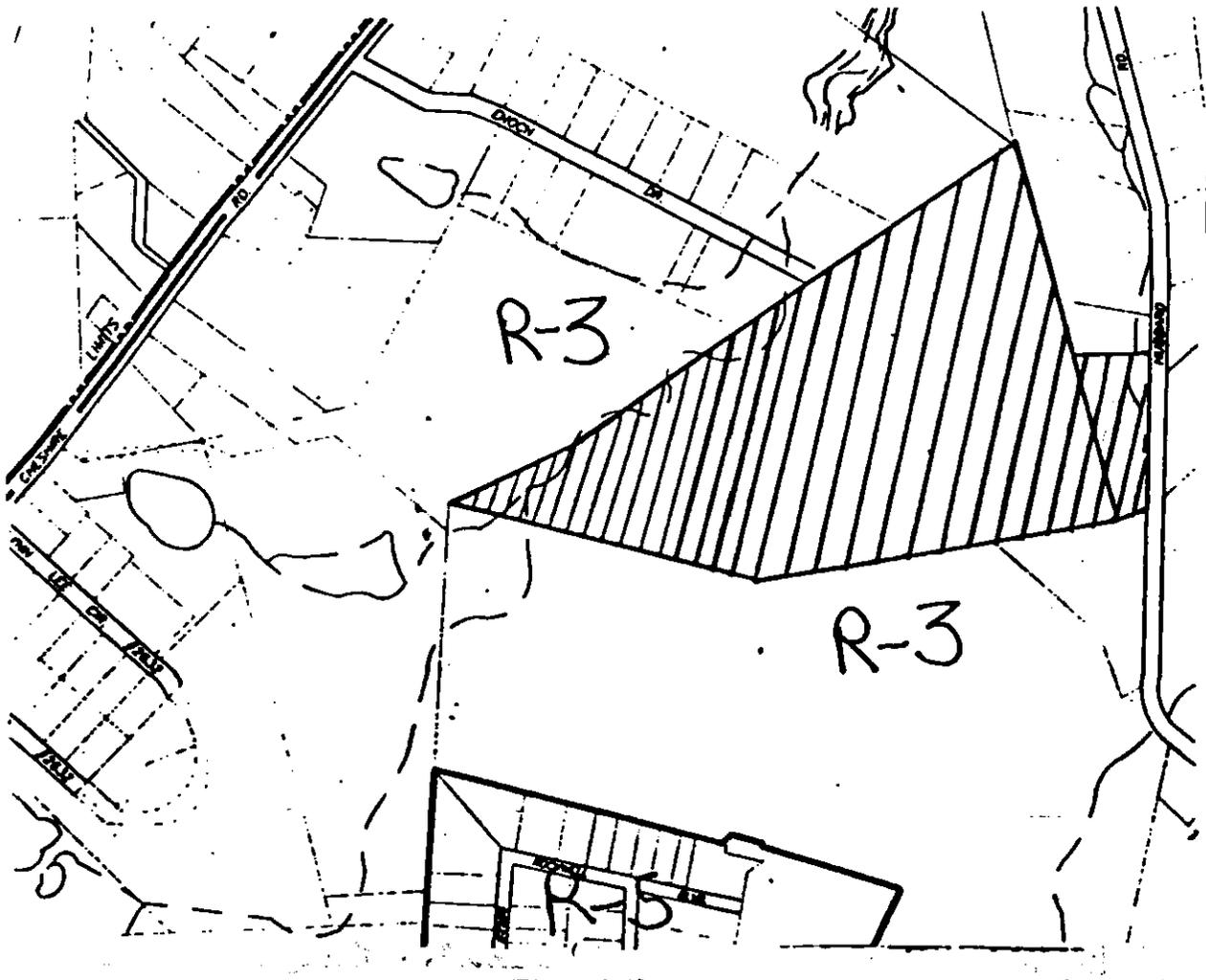
Petitioner: Landcraft Properties Inc.

Hearing Date: September 19, 1994

Zoning Classification (Existing): R-3

Zoning Classification (Requested): R-4

Location: Approximately 40.66 acres located between Hubbard Road and Enoch Drive.



Zoning Map #(s): 59

Scale: No Scale

APPROVED BY CITY COUNCIL
DATE October 19, 1994

CITY ZONE CHANGE

Petition No. 94-73
Lyn A. Graham

ORDINANCE NO. 156-Z

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 change from R-5 to R-8 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

Danny W. Underhill -
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 19 94, the reference having been made in Minute Book 106, ~~at page~~ ~~XXXXXXXXXX~~ and recorded in full in Ordinance Book 46, Page 61-62.

Brenda R. Freeze
City Clerk, Brenda R. Freeze

Petition #: 94-73

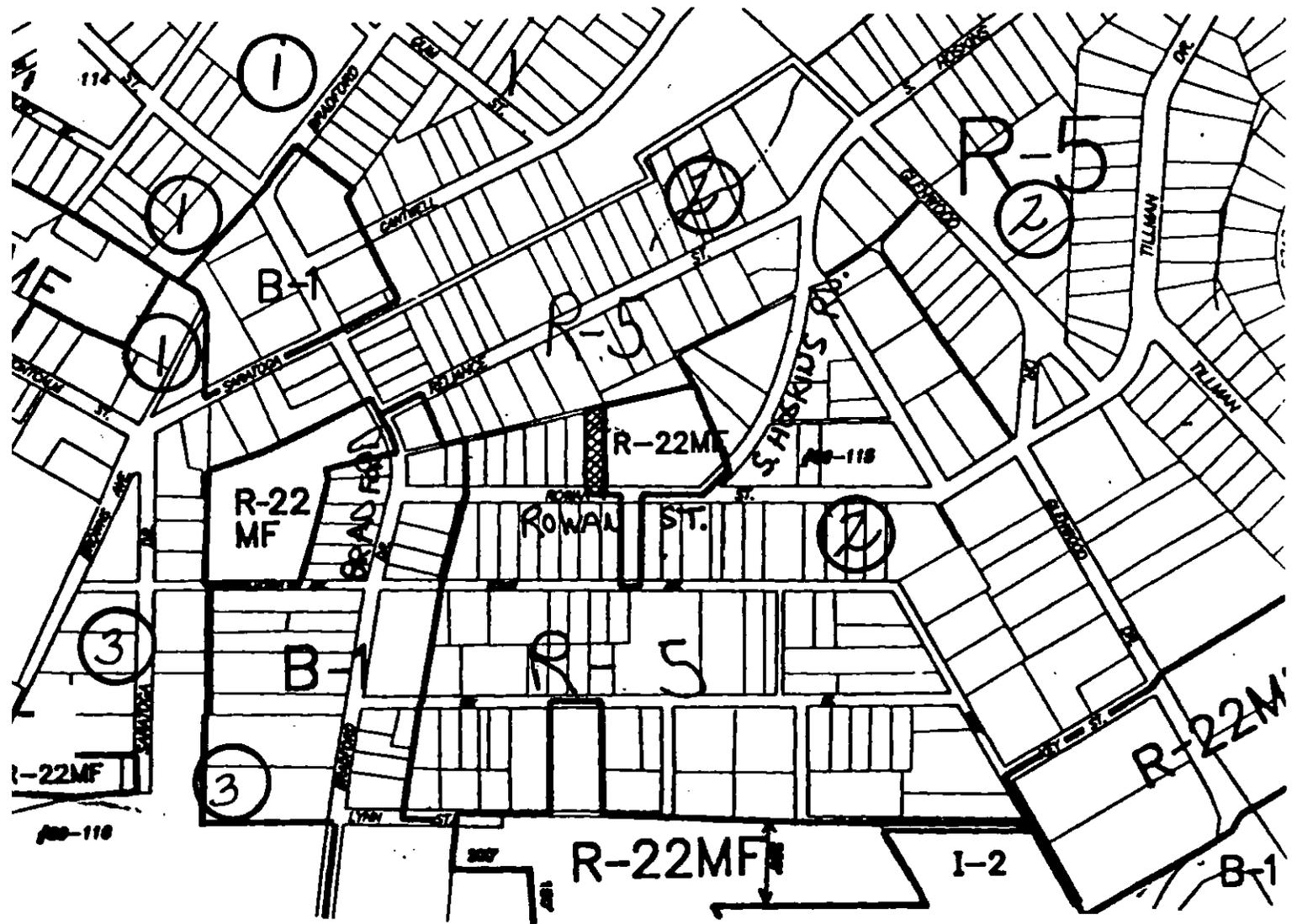
Petitioner: Lyn A. Graham

Hearing Date: September 19, 1994

Zoning Classification (Existing): R-5

Zoning Classification (Requested): R-8

Location: Approximately 0.211 acres located on the north side of Rowan Street west of S. Hoskins Road.



Zoning Map #(s): 80

Scale: 1" = 400'

APPROVED BY CITY COUNCIL
DATE OCT 19 1994

CITY ZONE CHANGE

Petition No. 94-74
C & H Enterprises

ORDINANCE NO. 157-Z

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 change from B-2(CD) to B-2 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

Henry W. Urdahl Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 19 94, the reference having been made in Minute Book 106, at page XXXXXXXXXX and recorded in full in Ordinance Book 46, Pages 64-65.

Brenda R. Freeze
City Clerk, Brenda R. Freeze

Petition #: 94-74

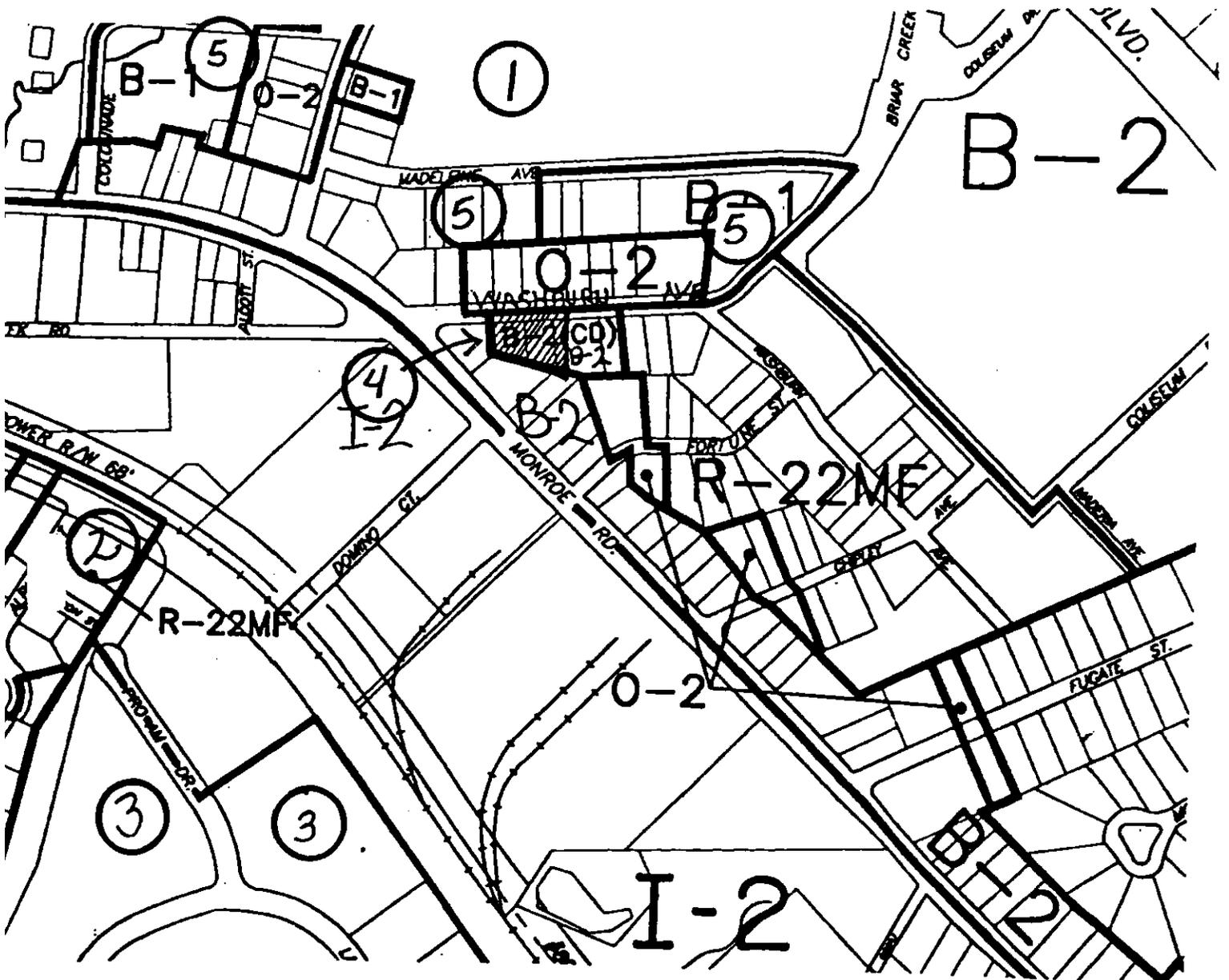
Petitioner: C & H Enterprises

Hearing Date: September 19, 1994

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

Zoning Classification (Requested): B-2

Location: Approximately .9445 acres located on the south side of Washburn Avenue east of Monroe Road.



Zoning Map #(s): 112

Scale: 1" = 400'

APPROVED BY CITY COUNCIL
DATE October 19, 1994

CITY CD

Petition No. 94-75
Rhodes, Inc.

ORDINANCE NO. 158-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 1.5 acres located on the north side of Wallace Lane east of US 74 (Independence Boulevard); and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on September 19, 1994; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-4 and O-2 to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

See Attached

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

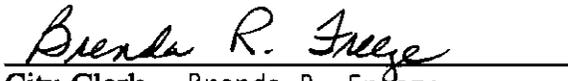
-continued-

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

APPROVED AS TO FORM:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page s 66-69.


City Clerk , Brenda R. Freeze

Petition #: 94-75

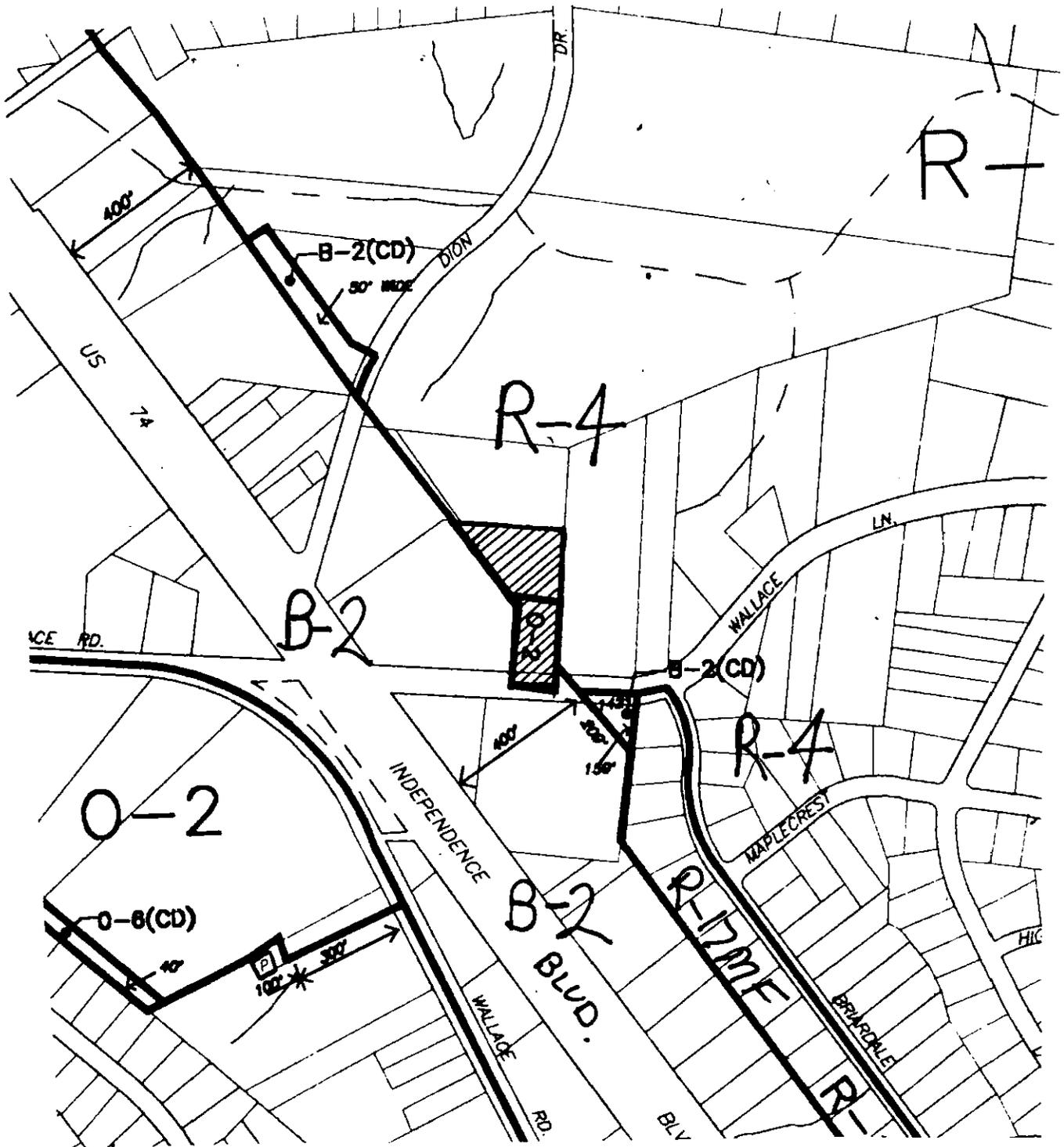
Petitioner: Rhodes, Inc.

Hearing Date: September 19, 1994

Zoning Classification (Existing): R-4 and O-2

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

Location: Approximately 1.5 acres located on the north side of Wallace Lane east of US 74 (Independence Boulevard).



Zoning Map #(s): 123

Scale: 1" = 400'

**OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #:	<u>94-75</u>
Date Filed:	<u>July 5, 1994</u>
Received By:	<u>J. Pauls</u>
OFFICE USE ONLY	

OWNERSHIP INFORMATION:

Property Owner: Rhodes, Inc. Avraham Massachi
Owner's Address: 4370 Peachtree Road P. O. Box 17023
Atlanta, GA 30319 Charlotte, NC 28270

Date Property Acquired: 1977 and 1985, respectively

Tax Parcel Number(s): Part of 165-071-01 and all of 165-071-02

LOCATION OF PROPERTY (Address or Description): North side of Wallace Lane
just behind Rhodes Furniture's establishment on East Independence Boulevard

Size (Sq.Ft. or Acres): 1 1/2 acre ± Street Frontage (Ft.): Wallace Lane 120 feet

Current Land Use: Vacant

ZONING REQUEST:

Existing Zoning: R-4 and O-2 Proposed Zoning: B-2 (CD)

Purpose of Zoning Change: To accommodate an expansion of Rhodes Furniture's
existing facility on East Independence Boulevard.

Bailey Patrick, Jr.
Name of Agent
2200 The Carillon
227 W. Trade Street
Agent's Address Charlotte, NC 28202
(704) 372-1120
Telephone Number

Rhodes, Inc.
Name of Petitioner(s)
4370 Peachtree Road
Atlanta, GA 30319
Address of Petitioner(s)
(404) 264-4600
Telephone Number

Signature of Property Owner By: Benjamin Massachi,
if other than Petitioner Attorney-in-fact

By: [Signature]
Signature Title SR. VICE PRESIDENT

EXHIBIT A

Legal Description
Rezoning Petition No. 94-75 ✓
Rhodes, Inc. Petitioner

Lying and being situated in Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pin in the northerly margin of the right-of-way of Wallace Lane (60' right-of-way), said existing iron pin being located in the westerly property line of the property conveyed to Hugh B. Perkinson as the same is described in deed recorded in Deed Book 2669 at Page 580 in the Mecklenburg County Public Registry; and running thence with the northerly margin of the aforesaid right-of-way N 82-35-34 W 120.00 feet to a point; thence N 05-44-31 E 158.39 feet to a point; thence N 33-31-48 W 275.41 feet to a point; thence S 83-00-01 E 294.36 feet to an existing iron pin in the westerly property line of the property conveyed to Hugh B. Perkinson as the same is described in Deed Book 2669 at Page 580 in the Mecklenburg County Public Registry; thence with the westerly property line of the aforesaid Hugh B. Perkinson property S 05-44-31 W 368.62 feet to an existing iron pin, the POINT OR PLACE OF BEGINNING, containing 1.46 acres, all as shown on Rezoning Plan for Rhodes, Inc., prepared by Greenburg, Farrow Architecture, Inc., on May 25, 1994.

APPROVED BY CITY COUNCIL
DATE October 19, 1994

CITY CD

Petition No. 94-76
Robert C. Rhein Interests, Inc.

ORDINANCE NO. 159-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 103.8 acres located on the west side of West W.T. Harris Boulevard north of Mallard Creek Road; and

WHEREAS, the petition for rezoning for a 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 19, 1994; 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 MX-2 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.

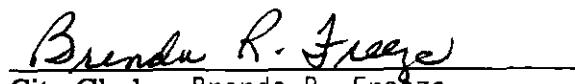
-continued-

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

APPROVED AS TO FORM:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 70-72B.


City Clerk, Brenda R. Freeze

Petition #: 94-76

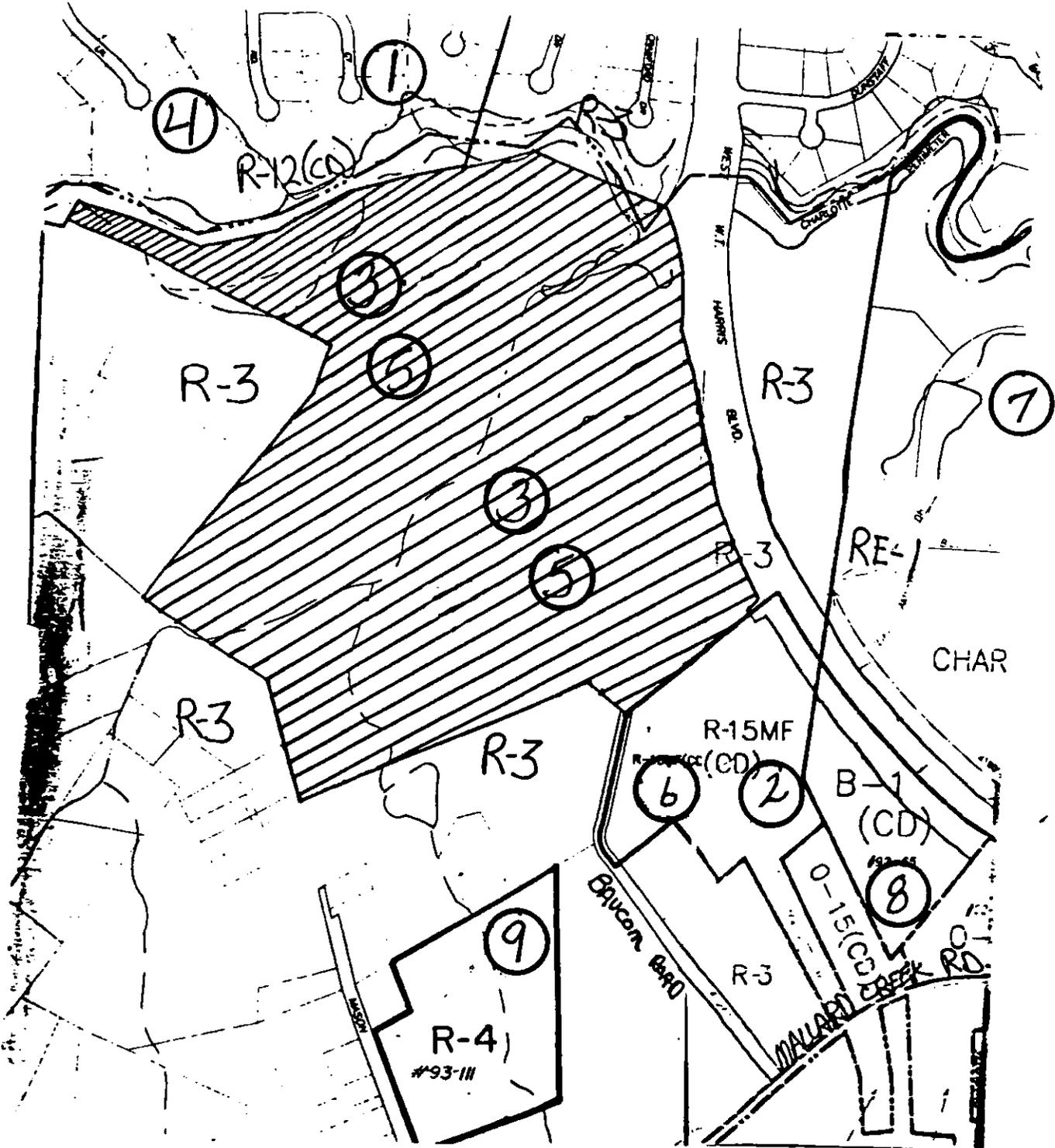
Petitioner: Robert C. Rhein Interests, Inc.

Hearing Date: September 19, 1994

Zoning Classification (Existing): R-3

Zoning Classification (Requested): MX-2

Location: Approximately 103.8 acres located on the west side of West W. T. Harris Boulevard north of Mallard Creek Road.



Zoning Map #(s): 59,52,53 and 58

Scale: No Scale

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition #:	<u>94-76</u>
Date Filed:	<u>July 5, 1994</u>
Received By:	<u>T. J. Konez</u>
OFFICE USE ONLY	

OWNERSHIP INFORMATION:

Property Owner: Hattie S. Ratcliffe Estate, c/o Joseph Starke Ratcliffe
Owner's Address: 2026 Providence Road, Charlotte, NC 28211
Date Property Acquired: December 10, 1931
Tax Parcel Number(s): 027-022-11

LOCATION OF PROPERTY (Address or Description): South side of W. T. Harris Boulevard
between Mallard Creek and Harris Hills Apartments.

Size (Sq.Ft. or Acres): 103.8 acres Street Frontage (Ft.): 1,666± on Harris Blvd.
Current Land Use: Vacant

ZONING REQUEST:

Existing Zoning: R-3 Proposed Zoning: MX-2

Purpose of Zoning Change: To permit the development of a master planned mixed use
residential development

Fred E. Bryant, Planner
Name of Agent
1850 E. Third St., Charlotte, NC 28204
Agent's Address
333-1680
Telephone Number

Robert C. Rhein Interests, Inc.
Name of Petitioner(s)
4944 Parkway Plaza Blvd., Suite 290
Charlotte, NC 28217
Address of Petitioner(s)
329-0538
Telephone Number

(SEE ATTACHED)
Signature of Property Owner
if other than Petitioner

James J. Tucker
Signature
VICE PRES.

EXHIBIT A

94-72-2

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

BEGINNING at an iron found marking the common rear corner of Lots 23 and 24 in Block 1 of Norcroft II subdivision as same is shown on map thereof recorded in Map Book 20 at page 923 in the Mecklenburg County Public Registry; and running thence with the rear property line of Lot 24, two (2) calls and distances as follows: (1) S. 70-05-40 E. 209.02 feet to an iron found and (2) N. 86-14-50 E. 3.71 feet to an iron found; thence N. 49-04-13 E. 2.90 feet to a right-of-way monument located in the westerly margin of the right-of-way of W. T. Harris Boulevard; thence with the westerly margin of said right-of-way, nine (9) calls and distances as follows: (1) S. 23-55-55 E. 188.36 feet to a right-of-way monument; (2) in a southerly direction with the arc of a circular curve to the left having a radius of 2,964.79 feet, an arc distance of 211.05 feet (having a chord bearing and distance of S. 02-39-50 E. 211.01 feet) to a right-of-way monument; (3) S. 05-25-57 W. 127.49 feet to a right-of-way monument; (4) S. 12-53-22 E. 270.81 feet to an iron set; (5) S. 17-10-11 E. 186.83 feet to an iron set, said iron set being located S. 01-34-26 W. 10.30 feet from NAD 83 NCGS Fire N=577201.667 E=1468124.757; (6) in a southeasterly direction with the arc of a circular curve to the left having a radius of 2,964.79 feet, an arc distance of 538.15 feet (having a chord bearing and distance of S. 21-06-12 E. 537.41 feet) to an iron set; (7) S. 25-29-47 E. 143.76 feet to an iron set; (8) S. 60-53-48 W. 60.00 feet to an iron set and (9) S. 25-34-44 E. 38.65 feet to an iron set located in the northerly property line of the property conveyed to Phoenix Mutual Life Insurance Company by deed recorded in Book 6025 at page 697 in the Mecklenburg County Public Registry; thence with the northerly property line of said Phoenix Mutual Life Insurance Company property as described in the aforesaid deed and the property of Edgar Baucom as said property is described in deed recorded in Book 1403 at page 408 in the Mecklenburg County Public Registry, three (3) calls and distances as follows: (1) S. 51-41-06 W. 729.65 feet to an axle found; (2) N. 43-08-31 W. 200.60 feet to an iron found and (3) S. 67-34-56 W. 1,316.52 feet to an iron found located in the easterly property line of the property conveyed to Laura J. Presson by deed recorded in Book 3796 at page 861 in the Mecklenburg County Public Registry; thence with the easterly property lines of the property conveyed to Laura J. Presson as described in the aforesaid deed and the easterly property lines of the properties conveyed to Eugene Birmingham by deed recorded in Book 4184 at page 653 in the Mecklenburg County Public Registry, to Anne-Marie Dekort-Young by deed recorded in Book 6863 at page 448 in said Registry, to Margaret Hipple by deed recorded in Book 6439 at page 47 in said Registry, to Baxter Cooper by deed recorded in Book 4135 at page 442 in said Registry, to Conbraco Industries, Inc. by deed recorded in Book 4785 at page 736 in said Registry and to George Lowe by deed recorded in Book 2440 at page 69 in said Registry, nine (9) calls and distances as follows: (1) N. 19-41-55 W. 13.19 feet to an iron found; (2) N. 19-40-36 W. 204.95 feet to an iron found; (3) N. 19-42-37 W. 273.35 feet to an iron found; (4) N. 58-37-25 W. 519.49 feet to an iron found; (5) N. 58-35-58 W. 87.49 feet to an iron found; (6) N. 39-00-19 E. 699.66 feet to an iron found; (7) N. 38-49-49 E. 8.18 feet to an iron found; (8) N. 38-59-17 E. 313.17 feet to an iron found and (9) N. 23-27-23 E. 230.90 feet to an iron found; thence with the northerly property line of the George Lowe and Conbraco Industries, Inc. properties as described in the aforesaid deeds, two (2) calls and distances as follows: (1) N. 63-46-44 W. 793.34 feet to an iron found and (2) N. 63-06-10 W. 394.24 feet to a stone found located in the southerly property line of the property of Mecklenburg County as shown on map thereof recorded in Map Book 23 at page 157 in the Mecklenburg County Public Registry; thence with the southerly property line of the Mecklenburg County property as shown on the

aforesaid map and as shown on maps recorded in Map Book 23 at page 145 and Map Book 22 at page 687 in the Mecklenburg County Public Registry, five (5) calls and distances as follows: (1) N. 23-49-40 E. 129.32 feet to a nail in a cedar; (2) S. 64-24-29 E. 502.63 feet to an iron set; (3) N. 75-18-44 E. 390.00 feet to an iron set; (4) N. 59-03-45 E. 296.86 feet to an iron found and (5) N. 75-58-42 E. 562.16 feet to an iron found marking the southwesterly corner of Lot 10 in Block 1 of Norcroft II subdivision as same is shown on map thereof recorded in Map Book 20 at page 923 in the Mecklenburg County Public Registry; thence with the rear property lines of Lots 10, 11 and 23 in Block 1 of Norcroft II subdivision as shown on the aforesaid map, three (3) calls and distances as follows: (1) N. 75-59-18 E. (passing an iron found on line at 218.38 feet) 265.87 feet to an iron set; (2) S. 69-56-45 E. 181.52 feet to an iron found and (3) S. 70-05-05 E. 229.42 feet to the Beginning Point, and containing 103.855 acres all as shown on boundary survey entitled "Project Hattie S. Ratcliffe Property" dated April 15, 1994, by John R. Yarbrough, N.C.R.L.S., reference to which survey is hereby made for a more particular description.

APPROVED BY CITY COUNCIL
DATE October 19, 1994

CITY CD

Petition No. 94-77
CSX Transportation, Inc.

ORDINANCE NO. 160-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 20.48 acres located on the east side of Toddville Road north of Brooktree 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 19, 1994; 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 I-1 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.

-continued-

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

APPROVED AS TO FORM:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 73-75A.


City Clerk, Brenda R. Freeze

Petition #: 94-77

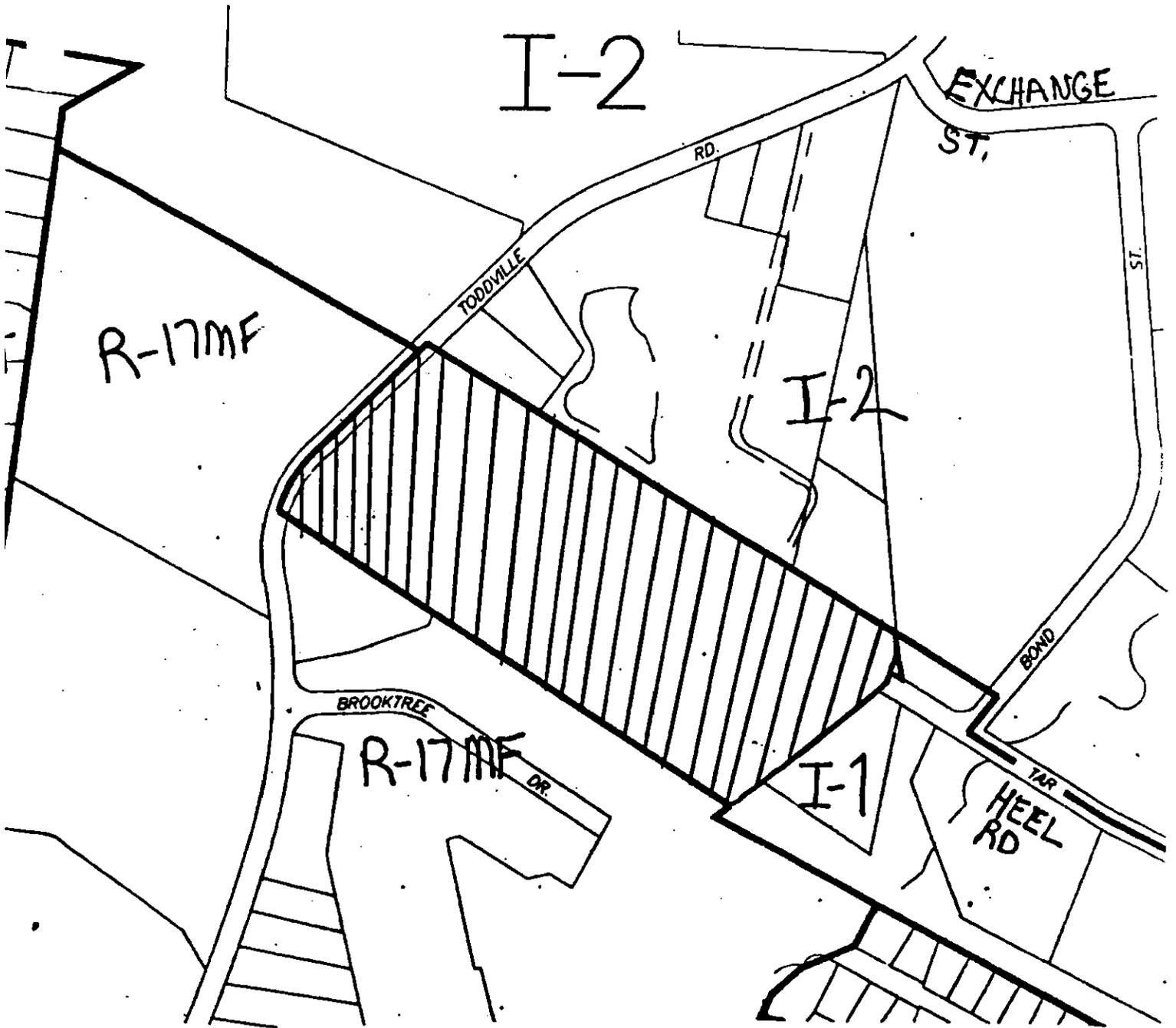
Petitioner: CSX Transportation, Inc.

Hearing Date: September 19, 1994

Zoning Classification (Existing): I-1

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

Location: Approximately 20.48 acres located on the east side of Toddville Road north of Brooktree Drive.



Zoning Map #(s): 81

Scale: 1" = 400'

BOUNDARY DESCRIPTION FOR CSX TRANSPORTATION, INC.

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

BEGINNING at a railroad spike set located in the center margin of the right-of-way of Toddville Road, S.R. #1644, (60' right-of-way), having North Carolina Grid Coordinate N=558,766.48 E=1,427,409.89 (NAD 83), which spike is also located in the southwesterly corner of that property owned by James Cline (now or formerly) as described in deed recorded in Book 1530, at Page 130 in the Mecklenburg County Public Registry; thence with the said Cline boundary S. 60-17-01 E. 353.32 feet to an existing iron pipe, which iron pipe is located in the southwesterly corner of that property owned by Atlantic Land and Improvements Co. (now or formerly) as described in deed recorded in Book 3641, at Page 960 in said Registry; thence with the boundary of said Atlantic Land and Improvements Co. three (3) courses and distances as follows: (1) S. 60-15-15 E. 453.66 feet to an existing 1/2" iron pipe; (2) S. 60-19-16 E. 299.89 feet to an existing 3/4" iron pipe; and (3) S. 60-19-01 E. 36.82 feet to a concrete monument found, which monument is located in the southwesterly corner of that property owned by Atlantic Land and Improvements Co. (now or formerly) as described in deed recorded in Book 3378, at Page 291 in said Registry; thence with the boundary of said Atlantic Land and Improvement Co. S. 60-20-44 E. 302.72 feet to an existing concrete monument found, which monument is located in the westerly boundary of that property owned by Stearns Co., LTD (now or formerly) as described in deed recorded in Book 5931, at Page 664 in said Registry; thence S. 09-16-30 W. 153.89 feet to a set iron pin located at the southwesterly terminus of Tar Heel Road; thence leaving said terminus of Tar Heel Road and with that property owned by Atlantic Land and Improvement Co. (now or formerly) as described in deed recorded in Book 3378, at Page 291 in said Registry, S. 48-44-30 W. (passing an existing 3/4" iron pipe at 435.75 feet) 506.76 feet to an existing 1" iron pipe, which iron pin is located in the northeasterly corner of that property owned by J and B Service Co. W. VA (now or formerly) as described in deed recorded in Book 6158, at Page 59 in said Registry; thence with the boundary of J and B Service Co. W. VA N. 57-58-03 W. 929.14 feet to an existing iron pin, (5/8" rebar), which iron pin is located in the eastern corner of that property owned by Charles Mayer (now or formerly) as described in deed recorded in Book 3236, at Page 400 in said Registry; thence with said Mayer boundary N. 57-51-54 W. (passing a set iron pin at 478.33 feet in the easterly margin of the right-of-way of Toddville Road, [60' right-of-way]) 523.33 feet to a set iron pin within the margin of said right-of-way of Toddville Road, which iron pin is also located in the southeasterly boundary of that property owned by John Nance (now or formerly) as described in deed recorded in Book 2135, at Page 146; thence with margin of said right-of-way of Toddville Road two (2) courses and distances as follows: (1) N. 18-30-11 E. 100 feet to an existing 1/2" iron pipe; and (2) N. 45-58-50 E. 484.63 feet to a railroad spike set, being the point and place of BEGINNING, containing 20.640 acres (more or less) all as shown on survey entitled "Boundary Survey of: The Atlantic Land and Improvement Company, Paw Creek Twp., Mecklenburg Co., NC", dated December 12, 1991 and prepare by Concord Engineering & Surveying, Inc.

APPROVED BY CITY COUNCIL

DATE _____

CITY CD

Petition No. 94-79
Charlotte Department of Transportation

ORDINANCE NO. 161-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 2.56 acres bounded by Southern Railway Company to the west, East Trade Street to the north, South Brevard Street to the east and East Fourth Street to the south; and

WHEREAS, the petition for rezoning for a 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 19, 1994; 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 U-MUD to U-MUD-O on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

See Attached

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

-continued-

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

APPROVED AS TO FORM:



City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 76-78.



City Clerk, Brenda R. Freeze

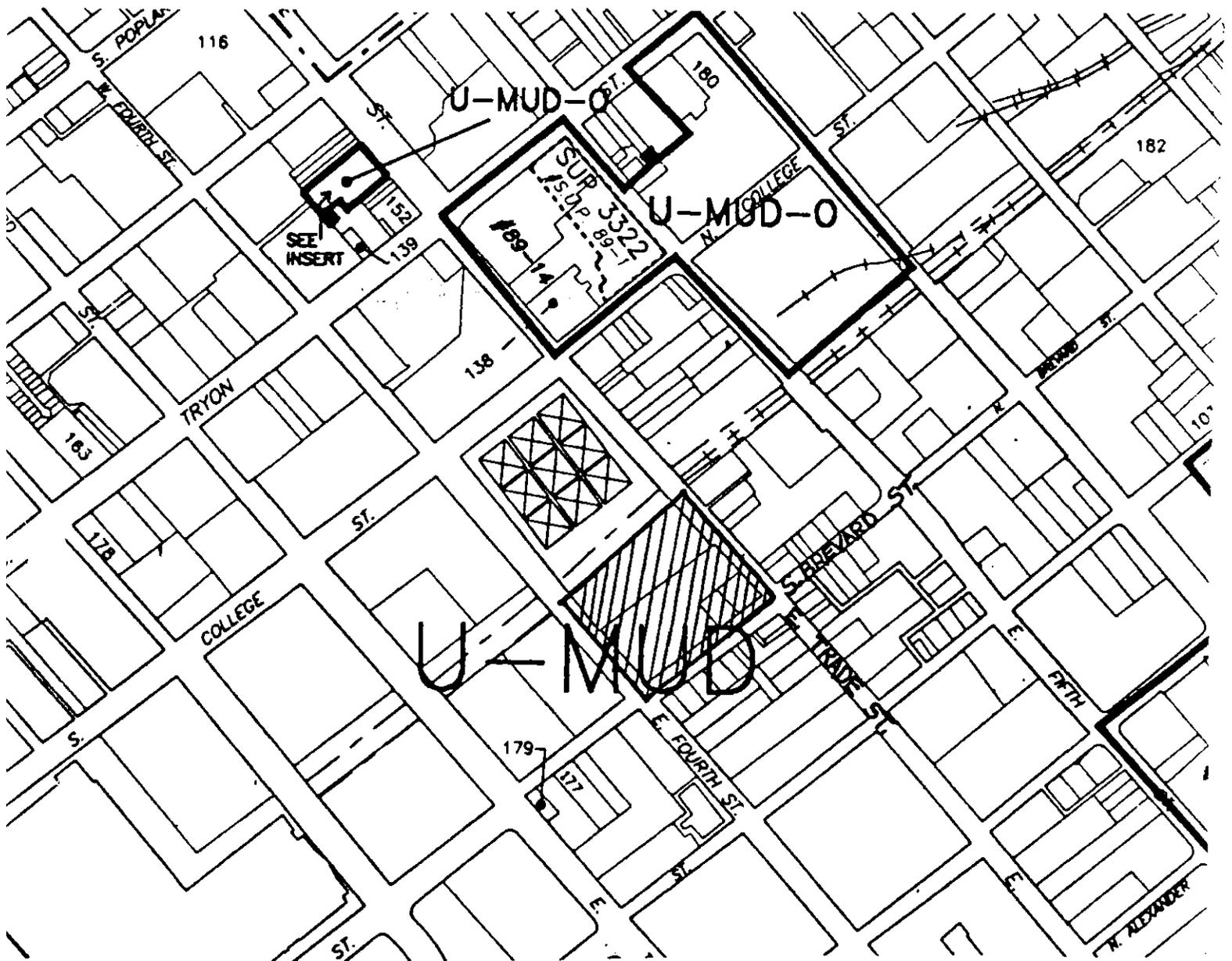
Petitioner: Charlotte Department of Transportation

Hearing Date: September 19, 1994

Zoning Classification (Existing): U-MUD

Zoning Classification (Requested): U-MUD-O

Location: Approximately 2.56 acres bounded by Southern Railway Company to the west, East Trade Street to the north, South Brevard Street to the east and East Fourth Street to the south.



Zoning Map #(s): 102

Scale: 1" = 400'

**OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #:	<u>94-79</u>
Date Filed:	<u>July 5 1994</u>
Received By:	<u>T. Hanes</u>
OFFICE USE ONLY	

OWNERSHIP INFORMATION:

Property Owner: City of Charlotte

Owner's Address: 600 East Fourth Street, Charlotte, NC 28202

Date Property Acquired: January 10, 1974

Tax Parcel Number(s): 125-011-14, 15, 19, & 20

LOCATION OF PROPERTY (Address or Description): Property bounded by Southern Railway Company to the west; East Trade Street to the north, South Brevard to the east, and East Fourth Street to the south.

Size (Sq.Ft. or Acres): 111,345 ft²/2.56 ac. Street Frontage (Ft.): 998.24

Current Land Use: Surface Parking Lot

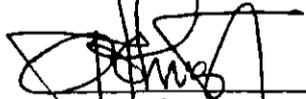
ZONING REQUEST:

Existing Zoning: UMUD Proposed Zoning: UMUD-0

Purpose of Zoning Change: To construct the Charlotte Transit Bus Transfer Facility with a linear park setback along East Trade Street that varies in width from 35 feet at the western property line (Southern Railway) to 50 feet at the eastern property line (South Brevard Street); and also to permit the pavilion canopy, supporting columns, and internal circulating roadway to encroach 10 feet into the linear park.

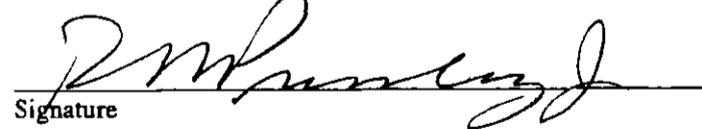
George Johnston
Name of Agent
NationsBank Corporate Center
100 North Tryon Street
Agent's Address

331-0917
Telephone Number


Signature of Property Owner
if other than Petitioner

Robert N. Pressley, Jr.
Name of Petitioner(s)
Charlotte Department of Transportation
600 East Fourth Street
Address of Petitioner(s)

336-3883
Telephone Number


Signature

APPROVED BY CITY COUNCIL

DATE October 19, 1994

CITY ZONE CHANGE

Petition No. 94-80
International Business Machines, Inc.

ORDINANCE NO. 162-Z

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 change from R-3 to R-5 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of October, 19 94, the reference having been made in Minute Book 106, ~~xxx page XXXXXXXXX~~ and recorded in full in Ordinance Book 46, Page 79-81.

Brenda R. Freeze
City Clerk, Brenda R. Freeze

LEGAL DESCRIPTION
REZONING PETITION 94-80
(Existing Zoning: RE-2, Proposed Zoning: R-3)

Beginning at a point in the southeasterly margin of the right-of-way of Mallard Creek Road, said point being located in the northwesterly property line of the property conveyed to Neil H. Stone as the same is described in deed recorded in Deed Book 3606 at Page 959 in the Mecklenburg County Public Registry, and running thence with the southeasterly margin of the aforesaid right-of-way of Mallard Creek Road N 36-14-03 E 569.65 feet to a point; thence S 76-52-07 E 1025.00 feet to a point; thence N 36-14-03 E 500.00 feet to a point; thence S 76-52-07 E 548.76 feet to a point; thence S 31-56-23 E 746.30 feet to a point; thence S 01-38-36 W 413.51 feet to a point; thence S 60-35-05 W 1080.53 feet to a point; thence S 02-07-22 W 278.95 feet to a point; thence S 60-54-34 W 404.37 feet to a point; thence S 50-20-24 W 451.55 feet to a point; thence N 63-26-31 W 538.01 feet to a point; thence N 19-00-40 E 222.08 feet to a point; thence N 16-26-57 E 106.85 feet to a point; thence N 07-43-33 E 501.51 feet to a point; thence N 14-44-21 W 278.39 feet to a point; thence N 86-49-38 E 335.29 feet to a point; thence N 01-46-12 W 420.62 feet to a point; thence N 02-22-48 W 199.86 feet to a point; thence S 81-40-41 W 498.02 feet to a point; thence S 81-27-51 W 337.67 feet to a point, the point or place of beginning, containing 74.31 acres, all as shown on zoning plan prepared by Land Design, Inc., reference to which zoning plan is hereby made for a more particular description of the property.

Petition #: 94-80

Petitioner: International Business Machines, Inc.

Hearing Date: September 19, 1994

Zoning Classification (Existing): RE-2

Zoning Classification (Requested): R-5

Location: Approximately 74.31 acres located on the east side of Mallard Creek Road north of Cheshire Road.

