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 10.12 acres located on the easterly side of Little Rock Road south of the intersection of Moores Chapel Road, Little Rock Road and Freedom 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 January 23, 1995; and

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

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-3 and B-I(CD) to CC on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

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

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

-continued-
May 15, 1995
Ordinance Book 46, Page 350

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 15th day of May, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 349-351.

Brenda R. Freeze
City Clerk

Brenda R. Freeze
Legal Description

BEING 0.648 ACRES OF LAND SITUATED IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING LOCATED BETWEEN FREEDOM DRIVE (NC HIGHWAY 278) AND LITTLE ROCK ROAD (ISR 649) AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT AN OLD IRON AND STONE AT THE COMMON CORNER OF NANCY D. TRICE (DB 678B, PG 501), ELLIE MCCORD BAILEY (DB 650, PG 651) AND BEING THE NORTHEASTERN CORNER OF THAT 17 ACRE TRACT CONVEYED TO MARY MARSHALL WILLIAMS IN DE 2062, PG 41

THENCE WITH THE EASTERN LINE OF SAID 17 ACRE TRACT S 08 DEG 02'00"E 666.49 FEET TO A NEW IRON PIN

THENCE SEVERING THE SAID 17 ACRE TRACT WITH A LINE RUNNING S 08 DEG 02'00"W 178.03 FEET TO A NEW IRON PIN SET

THENCE N 71 DEG 59'59"W 83.46 FEET TO A NEW IRON PIN SET

THENCE CONTINUING ACROSS MARY MARSHALL WILLIAMS LAND N 21 DEG 00'50"W 307.24 FEET TO A POINT IN THE CENTER OF LITTLE ROCK ROAD, PASSING A NEW IRON PIN SET AT 226.95 FEET,

THENCE WITH THE CENTERLINE OF LITTLE ROCK ROAD (ISR 649 N 26 DEG 30'07"E 392.36 FEET TO A POINT IN THE LINE OF MARY MARSHALL WILLLIAMS (DB 2062, PG 41) SAID POINT BEING LOCATED S 69 DEG 29'27"E 343.26 FEET FROM A CONCRETE MONUMENT,

THENCE WITH THE NORTHERN LINE OF MARY MARSHALL WILLLIAMS S 69 DEG 29'27"E 345.74 FEET TO AN OLD IRON, A COMMON CORNER OF TRICE (DB 678B, PG 501) AND W.P. PITTMAN (DB 299A, PG 242),

THENCE WITH THE WEST LINE OF TRICE N 63 DEG 16'02"E 239.03 FEET TO AN OLD IRON

THENCE N 60 DEG 22'00"E 302.22 FEET TO A POINT IN THE CENTER OF FREEDOM DRIVE,

THENCE WITH CENTERLINE S 29 DEG 17'34"E 99.66 FEET TO A POINT FOR THE EASTERN CORNER OF TRICE,

THENCE S 60 DEG 22'05"W 175.00 FEET TO POINT OR PLACE OF BEGINNING.

THIS DESCRIPTION IS FOR A 10.648 ACRE TRACT OF LAND COMPRISED OF 0.528 ACRE FROM NANCY D. TRICE 100 ACRE FROM JERRY A. WILLIAMS AND 9.12 ACRES FROM MARY MARSHALL WILLIAMS, AND IS TO BE USED FOR REZONING PURPOSES ONLY.
Petition #: 95-2
Petitioner: David H. Peer
Hearing Date: January 17, 1995
Zoning Classification (Existing): R-3 and B-1(CD)
Zoning Classification (Requested): CC
Location: Approximately 10.12 acres located on the east side of Little Rock Road south of Moores Chapel Road.

Zoning Map #: 81
Scale: 1" = 400'
OFFICIAL REZONING APPLICATION  
CITY OF CHARLOTTE

OWNERSHIP INFORMATION: SEE ATTACHED FOR ADD'L OWNERS

Property Owner: MARY WILLIAMS

Owner’s Address: 707 LITTLE ROCK ROAD, CHARLOTTE 28214

Date Property Acquired: 1958

Tax Parcel Number(s): 059-231-22, 059-231-23, 059-231-48

LOCATION OF PROPERTY (Address or Description): LOCATED AT THE INTERSECTION OF LITTLE ROCK ROAD & FREEDOM DR.

Size (Sq.Ft. or Acres): 10.12 Street Frontage (Ft):

Current Land Use: UNDEVELOPED

ZONING REQUEST:

Existing Zoning: P-3 Proposed Zoning: CC

Purpose of Zoning Change: FOR THE CONSTRUCTION OF A SHOPPING CENTER OR APPROXIMATELY 64,000 SF

ROBERT JOHNSON/ROBERT JOHNSON ARCHITECTS
Name of Agent
227 WEST TRADE ST./SUITE 2360
CHARLOTTE, NC 28260
Agent’s Address

DAVID H. POER
Name of Petitioner(s)
1750 PEACHTREE ST. NW, STE 300
ATLANTA, GA 30309
Address of Petitioner(s)

(404) 892.4525

Signature of Property Owner if other than Petitioner

PETITIONER:

DAVID H. POER

Signature
PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to David H. Poer owner(s) and successors-in-interest of the property described as a portion of tax parcels 059-231-22, 059-231-23 and 059-231-18 and described in detail further in the ordinance, identified below, approved by the City Council.

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

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

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

ORDINANCE NO. 292-2

APPROVED BY CITY COUNCIL DATE May 15, 1995

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 5.3 acres located off the westerly side of East W.T. Harris Boulevard at the end of St. John’s Church Road; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for 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 April 17, 1995; 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 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.

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

-continued-
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 15th day of May, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 352-354A.

City Clerk Brenda R. Freeze
Petition #: 95-3
Petitioner: New St. John Baptist Church
Hearing Date: APRIL 17, 1995
Zoning Classification (Existing): R-4
Zoning Classification (Requested): R-8MF(CD)
Location: Approximately 5.3 acres located at the end of St. John's Church Road.

Zoning Map #(#): 76 and 77
Scale: 1" = 400'
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

OWNERSHIP INFORMATION:
Property Owner: New St. John Baptist Church
Owner's Address: 2000 St. John Church Road
Date Property Acquired: 1924
Tax Parcel Number(s): 097-033-22 & 23, 097-146-34,36,37 & 38

LOCATION OF PROPERTY (Address or Description): 2000 St. John Church Road

Size (Sq.Ft. or Acres): 229,598 sq.ft. or 5.3 acres
Street Frontage (Pt.): 284 ft. @ St. John Ch Rd.
Current Land Use: Institutional - Church

ZONING REQUEST:
Existing Zoning: R-4
Proposed Zoning: R-8MF(CD)
Purpose of Zoning Change: To allow the construction of a 750-1200 seat Sanctuary

David Joseph Hall, Jr.
Name of Agent
231 Sylvania Avenue 28206
Agent's Address
377-2512
Telephone Number

New St. John Baptist Church
Name of Petitioner(s)
2000 St. John Church Road 28215
Address of Petitioner(s)
536-6490
Telephone Number

Signature of Property Owner
if other than Petitioner

Signature
PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to New St. John Baptist Church owner(s) and successors-in-interest of the property described as a portion of tax parcels 097-027-01, 097-032-01, 097-032-05 and parcels 097-033-22, 097-033-23, 097-146-34, 097-146-36, 097-146-37 and 097-146-38 and described in detail further in the ordinance, identified below, approved by the City Council.

In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of R-8MF(CD) on the official zoning map.

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

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 2.54 acres located on the west side of US Hwy 29 south of West W.T. Harris 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 April 17, 1995; 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 O-2 and B-1(CD) 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.

Section 3. That this ordinance shall become effective upon its adoption.
Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of May, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 355-3578.

City Clerk Brenda R. Freeze
Petition #: 95-30
Petitioner: College Town Properties Limited Partnership
Hearing Date: April 17, 1995
Zoning Classification (Existing): O-2 and B-1(CD)
Zoning Classification (Requested): B-2(CCD) with a Zoning Amendment
Location: Approximately 2.54 acres located on the west side of US Hwy 29 south of West W. T. Harris Boulevard.

Zoning Map #(#): 58
Scale: 1" = 400'
METES AND BOUNDS DESCRIPTION
C. D. REZONING REQUEST FOR COLLEGE TOWN PROPERTIES
U. S. 29

BEGINNING at an existing iron pin located on the western right-of-way of U. S. Highway 29 at a property corner of parcel owned now or formerly by College Town Properties (Deed Book 4951, Page 349) and parcel owned now or formerly by Marriott Residence Inn II (Deed Book 5940, Page 851), thence proceeding N. 64-54-10 W., 106 feet to an existing iron pin, thence proceeding N. 29-15-51 E., 285.18 feet to an existing iron pin, thence proceeding N. 29-15-51 E., 101.81 feet to a point in the center of a 15' sanitary sewer easement, thence proceeding along center line of said easement S. 64-54-10 E., 47.12 feet to an existing iron pin, thence proceeding S. 29-15-51 W., 106 feet to an existing iron pin, thence proceeding S. 59-48-19 E., 76.07 feet to a point, thence proceeding S. 49-21-18 E., 62 feet to an existing iron pin located on the western right-of-way of U. S. Highway 29 at property corner owner now or formerly by College Town Properties (Deed Book 4951, Page 349) and parcel owned now or formerly by Village Oaks Properties (Deed Book 6832, Page 841), thence proceeding S. 29-02-03 W., 236.71 feet to the point and place of BEGINNING for a 2.54 acre parcel as shown on a survey by R. B. Pharr & Associates dated September 14, 1987 and on a survey by Carolina Surveyors, Inc. dated March 10, 1992.
This is a parallel conditional use permit approved by the Charlotte City Council to College Town Properties Limited Partnership owner(s) and successors-in-interest of the property described as tax parcel 047-211-05 and a portion of tax parcel 047-211-15 and described in detail further in the ordinance, identified below, approved by the City Council.

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

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

Three years from the date of approval of this parallel conditional use permit, the Planning Commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.
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 .43 acres located on the northwest corner of the intersection between Parkway Avenue and Tuckaseegee Road; and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on April 17, 1995; 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-22MF to O-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

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

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

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 15th day of May, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 358-360.

City Clerk Brenda R. Freeze
Approximately .43 acres located on the northwest corner of the intersection between Parkway Avenue and Tuckasegee Road.
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

OWNERSHIP INFORMATION:
Property Owner: TEMPLE BAPTIST CHURCH TRUSTEES
Owner's Address: 2915 TUCKASEEQUEE RD. CHARLOTTE, NC 28208
Date Property Acquired: 8-6-94, 8-6-94, 7-10-94
Tax Parcel Number(s): 045-041-10; 045-041-11; 045-041-12

LOCATION OF PROPERTY (Address or Description):
915 PARKWAY AVE.
AT THE CORNER OF PARKWAY & TUCKASEEQUEE RD.
Size (Sq.Ft. or Acres): 43 ACRES
Street Frontage (Ft.): 268'
Current Land Use: VACANT

ZONING REQUEST:
Existing Zoning: R22 MF
Proposed Zoning: O-1 CD
Purpose of Zoning Change: TO ALLOW TEMPLE BAPTIST CHURCH MEMBERS TO VISITORS TO PARK OFF STREET

The FHLA Group
Name of Agent
Two Nations Bank Plaza
151 S. Tryon St. Charlotte, NC 28202
Agent's Address
(704) 332-7004 (704) 332-6829
Telephone Number Fax Number

Audra McLeish
Name of Petitioner(s)
2915 TUCKASEEQUEE RD. CHARLOTTE, NC 28208
Address of Petitioner(s)
372-2414
Telephone Number Fax Number

Signature of Property Owner
if other than Petitioner

Petition #: 95-31
Date Filed: January 7, 1995
Received By: T. Moore
OFFICE USE ONLY
DESCRIPTION:

BEGINNING AT AN EXISTING IRON PIN IN THE WESTERLY MARGIN OF PARKWAY AVENUE, SAID POINT BEING THE NORTHEAST CORNER OF LOT 1, BLOCK 4, LAKEWOOD HEIGHTS AS SHOWN IN MAP BOOK 332, PAGE 280 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY AND RUNS THENCE WITH THE WESTERLY MARGIN OF PARKWAY AVENUE IN TWO COURSES AND DISTANCES AS FOLLOWS; 1) S. 19-04-52 W. 175.01 FEET TO A NEW IRON PIN; 2) WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 33.50 FEET, AN ARC DISTANCE OF 33.99 FEET (CHORD S. 77-27-57 W. 32.55 FEET) TO A NEW IRON PIN IN THE NORTHERLY MARGIN OF TUCKASEEGEE ROAD; THENCE WITH THE NORTHERLY MARGIN OF TUCKASEEGEE ROAD N. 49-18 W. 71.01 FEET TO AN EXISTING IRON PIN IN THE COMMON LINE BETWEEN LOTS B AND C, ENDERLY PARK AS SHOWN IN MAP BOOK 3, PAGE 213 OF SAID REGISTRY; THENCE WITH SAID COMMON LINE BETWEEN LOTS B AND C, N. 28-14 E. 141.60 FEET TO A NEW IRON PIN, SAID POINT BEING THE NORTHEAST CORNER OF LOT C, ENDERLY PARK AS SHOWN IN MAP BOOK 3, PAGE 213 OF SAID REGISTRY; THENCE WITH THE NORTHERLY LINE OF LOTS C, D, AND E, ENDERLY PARK N. 62-17-35 W. 50.00 FEET TO A NEW IRON PIN, SAID POINT BEING THE NORTHWEST CORNER OF LOT D, ENDERLY PARK; THENCE WITH THE EASTERNLY LINE OF LOT E, N. 27-42-25 E. 51.80 FEET TO A NEW IRON PIN IN THE SOUTHERLY LINE OF LOT 5, BLOCK 4, LAKEWOOD HEIGHTS AS SHOWN IN MAP BOOK 332, PAGE 280 OF SAID REGISTRY, SAID POINT BEING THE NORTHWEST CORNER OF LOT 2, LAKEWOOD HEIGHTS; THENCE WITH THE SOUTHERLY LINE OF LOT 5, BLOCK 4, S. 62-17-35 E. 118.30 FEET TO THE POINT AND PLACE OF BEGINNING. BEING A PORTION OF LOTS 1 AND 2, BLOCK 4, LAKEWOOD HEIGHTS AS SHOWN IN MAP BOOK 332, PAGE 280 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY AND A PORTION OF LOTS A AND B , ENDERLY PARK AS SHOWN IN MAP BOOK 3, PAGE 213 OF SAID REGISTRY ALL AS SHOWN MORE PARTICULARLY ON A SURVEY PREPARED BY BOBBY J. RAYE DATED JULY 14, 1994.

Petition No. 95-31
Audrey McCaskill/ Temple Baptist Church

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Audrey McCaskill/Temple Baptist Church owner(s) and successors-in-interest of the property described as tax parcel 065-041-10, 065-041-11 and 065-041-12 and described in detail further in the ordinance, identified below, approved by the City Council.

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

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

Three years from the date of approval of this parallel conditional use permit, the Planning Commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.
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 2.08 acres located on the east side of Beatties Ford Road between Gilbert Street and Holly Street; 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 April 17, 1995; and

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

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-2(CD), B-1 and R-17MF to O-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

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

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

APPROVED AS TO FORM:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of May, 1995, the reference having been made in Minute Book 107, and is recorded in full in Ordinance Book 46 at page 361-365.

[Signature]
City Clerk

Brenda R. Freeze
Petition #: 95-32
Petitioner: Public Library of Charlotte and Mecklenburg County
Hearing Date: April 17, 1995
Zoning Classification (Existing): B-2(CD), B-1 and R-17MF
Zoning Classification (Requested): O-1 (CD)
Location: Approximately 2.08 acres located on the east side of Beatties Ford Road between Gilbert Street and Holly Street.
OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

OWNERSHIP INFORMATION:

Property Owner: Public Library of Charlotte & Mecklenburg County

Owner's Address: 310 North Tryon Street, Charlotte, NC 28202

Date Property Acquired: December 1st and December 15th of 1994

Tax Parcel Number(s): 075-012-01, 02, 03, 04, 21

LOCATION OF PROPERTY (Address or Description): 2412 Beatties Ford Road

Size (Sq.Ft. or Acres): 2.08 Acres

Current Land Use: Vacant and Residential

Street Frontage (Ft.):
- Beatties Ford Road: 302 Feet
- Holley Street: 300 Feet
- Gilbert Street: 300 Feet

ZONING REQUEST:

Existing Zoning: B-2(CD), B-1, R-17 MF

Proposed Zoning: 0-1(CD)

Purpose of Zoning Change: The construction of a larger branch library to expand and enhance the library services available to the area.

Russell J. Schwartz
Horack, Talley, Pharr & Lowndes
Name of Agent
2600 One First Union Center
301 S. College St., Charlotte, NC 28202-6038
Agent's Address
377-2500 372-2619
Telephone Number Fax Number

Signature of Property Owner if other than Petitioner

Public Library of Charlotte & Mecklenburg County

Name of Petitioner(s)
310 N. Tryon St., Charlotte, NC 28202
Address of Petitioner(s)
336-2860 336-2677
Telephone Number Fax Number

Signature Rich Rosenthal, Operations Director
PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Public Library of Charlotte and Mecklenburg County owner(s) and successors-in-interest of the property described as tax parcels 075-012-01, 075-012-02, 075-012-03, 075-012-04 and 075-012-21 and described in detail further in the ordinance, identified below, approved by the City Council.

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

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

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