May 21, 2018
Ordinance Book 61, Page 399

Petition No.: 2017-097
Petitioner: Charlotte Douglas International Airport

ORDINANCE NO. 9335-Z

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

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

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-3 (single family residential) and B-D(CD) AIR (distributive business, conditional, airport noise overlay) to I(CD) AIR (light industrial, conditional, airport noise overlay), with five-year vested rights.

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:

[Signature]
City Attorney

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of May, 2018, the reference having been made in Minute Book 145, and recorded in full in Ordinance Book 61, Page(s) 399-400.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of May, 2018.

Emily A. Kunze, Deputy City Clerk, NCCMC
2017-097: Charlotte Douglas International Airport

**Current Zoning**  R-3 (Single Family Residential) and B-D(CD)AIR (Distributive Business, Conditional, Airport Noise Overlay)

**Requested Zoning**  I-1(CD) AIR (Light Industrial, Conditional with 5 Year Vested Rights, Airport Noise Overlay)

Approximately 117.16 acres

**Location of Requested Rezoning**

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**Existing Zoning & Rezoning Request**

- **Requested I-1(CD) 5 Year Vested AIR from R-3 AIR**
- **Requested I-1(CD) 5 Year Vested AIR from B-D(CD) AIR**

**Zoning Classification**
- Single Family
- Multi-Family
- Mixed Residential
- Institutional
- Office
- Business
- Business-Distribution
- Light Industrial
- General Industrial

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Map Created 4/30/2018
May 21, 2018
Ordinance Book 61, Page 401

Petition No.: 2017-133
Petitioner: Mattamy Homes

ORDINANCE NO. 9336-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 RE-1 (research) to UR-2(CD) (urban residential, conditional), with five-year vested rights.

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:

\[Signature\]
City Attorney

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of May, 2018, the reference having been made in Minute Book 145, and recorded in full in Ordinance Book 61, Page(s) 401-402.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of May, 2018.

\[Signature\]
Emily A. Kunze, Deputy City Clerk, NCCMC
2017-133: Mattamy Homes (Mallard Creek Rd. Site)
Current Zoning RE-1 (Research)
Requested Zoning UR-2(CD) (Urban Residential, Conditional)
With 5 Year Vested Rights
Approximately 38 acres
Location of Requested Rezoning

Existing Zoning & Rezoning Request

Requested UR-2(CD) 5 Year Vested Rights from RE-1

Zoning Classification
- Single Family
- Multi-Family
- Research
- Institutional
- Business
- Mixed Use

Map Created 3/28/2018
May 21, 2018
Ordinance Book 61, Page 403

Petition No.: 2017-138
Petitioner: AGS Hotel NC, LLC

ORDINANCE NO. 9337-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) (light industrial, conditional) to I-1(CD) SPA (light industrial, conditional, site plan amendment).

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

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

APPROVED AS TO FORM:

City Attorney

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of May, 2018, the reference having been made in Minute Book 145, and recorded in full in Ordinance Book 61, Page(s) 403-404.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of May, 2018.

Emily A. Kunze, Deputy City Clerk, NCCMC
2017-138: AGS Hotels NC, LLC

Current Zoning: I-1 (CD) (Light Industrial, Conditional)
Requested Zoning: I-1(CD) SPA (Light Industrial, Conditional, Site Plan Amendment)

Approximately 4.3 acres

Location of Requested Rezoning

Ordinance No. 9337-Z

City Council District: 3-LaWana Mayfield

Existing Zoning & Rezoning Request

Requested I-1(CD) SPA 5 Year Vested from I-1(CD)

Zoning Classification:
- Multi-Family
- Office
- Business Park
- Business
- Light Industrial
- Heavy Industrial

Map Created 5/1/2018
May 21, 2018
Ordinance Book 61, Page 405

Petition No.: 2017-167
Petitioner: Beaver Creek CRE, LLC

ORDINANCE NO. 9338-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 B-2 (general business) to MUDD-O (mixed use development, optional).

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:

[Signature]
City Attorney

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of May, 2018, the reference having been made in Minute Book 145, and recorded in full in Ordinance Book 61, Page(s) 405-406.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of May, 2018.

[Signature]  
Emily A. Kunze, Deputy City Clerk, NCCMC
2017-167 : Beaver Creek CRE, LLC

Current Zoning B-2 (General Business)
Requested Zoning MUDD-O (Mixed Use Development-Optional)

Approximately 2.11 acres

Rezoning Map

Location of Requested Rezoning

Existing Zoning & Rezoning Request

Zoning Classification
- Single Family
- Multi-Family
- Office
- Business
- Commercial Center

Map Created 12/28/2017
May 21, 2018
Ordinance Book 61, Page 407

Petition No.: 2017-179
Petitioner: Davis Development, Inc.

ORDINANCE NO. 9339-Z

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

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

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-3 (single family residential) to R-12MF(CD) (multi-family residential, conditional).

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

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

APPROVED AS TO FORM:

City Attorney

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of May, 2018, the reference having been made in Minute Book 145, and recorded in full in Ordinance Book 61, Page(s) 407-408.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of May, 2018.

Emily A. Kunze, Deputy City Clerk, NCCMC
2017-179: Davis Development, Inc.
Current Zoning: R-3 (Single Family Residential)
Requested Zoning: R-12MF(CD) (Multi-Family Residential, Conditional)

Approximately 19.52 acres

Location of Requested Rezoning

Existing Zoning & Rezoning Request

Requested R-12MF(CD) from R-3

Zoning Classification
- Single Family
- Mixed Residential
- Institutional
- Business
- Commercial Center

Map Created 2/28/2018
May 21, 2018  
Ordinance Book 61, Page 409

Petition No.: 2017-182  
Petitioner: QuickTrip

ORDINANCE NO. 9340-Z

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

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

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-3 (single family) and no zoning to B-2(CD) (general business, conditional), B-D(CD) (distributive business, conditional) both with five-year vested rights.

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:

[Signature]
City Attorney

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of May, 2018, the reference having been made in Minute Book 145, and recorded in full in Ordinance Book 61, Page(s) 409-410.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of May, 2018.

[Signature]
Emily A. Kunze, Deputy City Clerk, NCCMC
2017-182: QuikTrip

Current Zoning R-3 (single family) and No Zoning

Requested Zoning B-2(CD) (general business, conditional), B-D(CD) (distributive business, conditional) both with 5-year vested rights.

Approximately 11.986 acres

Location of Requested Rezoning

Existing Zoning & Rezoning Request

Requested B-2 (CD) 5 Year Vested from R-3

Requested B-D (CD) 5 Year Vested from No Zoning
May 21, 2018
Ordinance Book 61, Page 411

Petition No.: 2017-183
Petitioner: Hopper Communities, Inc.

**ORDINANCE NO. 9341-Z**

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

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

**Section 1.** That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-3 (single family residential) to UR-2(CD) (urban residential, conditional).

**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:**

\[Signature\]
City Attorney

**CERTIFICATION**

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of May, 2018, the reference having been made in Minute Book 145, and recorded in full in Ordinance Book 61, Page(s) 411-412.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of May, 2018.

\[Signature\]
Emily A. Kunze, Deputy City Clerk, NCCMC
2017-183: Hopper Communities, Inc.

**Current Zoning**  R-3 (Single Family Residential)

**Requested Zoning**  UR-2(CD) (Urban Residential, Conditional)

Approximately 3.01 acres

**Location of Requested Rezoning**

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**Rezoning Map**

- **2017-183**
- Inside City Limits
- Parcel
- Cross Charlotte Trail
- Streams
- FEMA Flood Plain

**City Council District**

- 6-Tariq Bokhari

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**Existing Zoning & Rezoning Request**

- Requested UR-2(CD) from R-3

**Zoning Classification**

- Single Family
- Multi-Family
- Urban Residential
- Institutional
- Office
- Business
- Mixed Use

Map Created 2/28/2018
May 21, 2018
Ordinance Book 61, Page 413

Petition No.: 2018-001
Petitioner: Apollo Holding Company, LLC

ORDINANCE NO. 9342-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 MUDD-O (mixed use development district-optional) to MUDD-O SPA (mixed use development district-optional, site plan amendment).

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

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

APPROVED AS TO FORM:

City Attorney

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of May, 2018, the reference having been made in Minute Book 145, and recorded in full in Ordinance Book 61, Page(s) 413-414.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of May, 2018.

Emily A. Kunze, Deputy City Clerk, NCCMC
2018-001: Apollo Holding Company, LLC
Current Zoning: MUD-D-O (Mixed Use Development District-Optional)
Requested Zoning: MUD-D-O SPA (Mixed Use Development District-Optional, Site Plan Amendment)
Approximately 4.65 acres
Location of Requested Rezoning

Existing Zoning & Rezoning Request

Zoning Classification:
- Single Family
- Urban Residential
- Office
- Light Industrial
- Mixed Use

Requested MUD-D-O SPA from MUD-D-O

Map Created 1/23/2018
May 21, 2018
Ordinance Book 61, Page 415

Petition No.: 2018-004
Petitioner: Lischerong Enterprises & Holdings LLC

ORDINANCE NO. 9343-Z
ZONING REGULATIONS

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified on the attached map from I-2 (general industrial) to I-2(TS) (general industrial, transit supportive overlay).

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

[Signature]
City Attorney

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of May, 2018, the reference having been made in Minute Book 145, and recorded in full in Ordinance Book 61, Page(s) 415-416.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of May, 2018.

[Signature]
Emily A. Kunze, Deputy City Clerk, NCCMC
2018-004: Lischerong Enterprises & Holdings LLC

Current Zoning  I-2 (General Industrial)

Requested Zoning  I-2 (TS) (General Industrial, Transit Supportive Overlay)
Approximately 0.51 acres

Location of Requested Rezoning

Existing Zoning & Rezoning Request

Requested I-2 (TS)

Zoning Classification
- Multi-Family
- Business-Distribution
- Light Industrial
- General Industrial
- Mixed Use

Map Created 1/29/2018
May 21, 2018
Ordinance Book 61, Page 417

Petition No.: 2018-008
Petitioner: The Drakeford Company; Saussy Burbank, LLC

ORDINANCE NO. 9344-Z

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

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

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-5 (single family residential) to UR-2(CD) (urban residential, conditional).

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

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

APPROVED AS TO FORM:

City Attorney

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21\textsuperscript{st} day of May, 2018, the reference having been made in Minute Book 145, and recorded in full in Ordinance Book 61, Page(s) 417-418.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21\textsuperscript{st} day of May, 2018.

Emily A. Kunze, Deputy City Clerk, NCCMC
2018-008: The Drakeford Company; Saussy Burbank, LLC

Current Zoning: R-5 (Single Family Residential)
Requested Zoning: UR-2 (CD) (Urban Residential, Conditional)

Approximately .72 acres

Location of Requested Rezoning

Existing Zoning & Rezoning Request

Requested R-5 from UR-2 (CD)

Zoning Classification
- Single Family
- Multi-Family
- Office
- Business
- Light Industrial

Map Created 1/24/2018
May 21, 2018
Ordinance Book 61, Page 419

Petition No.: 2018-010
Petitioner: Harrison Tucker and John Perovich

ORDINANCE NO. 9345-Z

ZONING REGULATIONS

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified on the attached map from I-2 (general industrial) to TOD-M (transit oriented development-mixed use).

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

[Signature]
City Attorney

CERTIFICATION

I, Emily A. Kunze, 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 21st day of May, 2018, the reference having been made in Minute Book 145, and recorded in full in Ordinance Book 61, Page(s) 419-420.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of May, 2018.

[Signature]
Emily A. Kunze, Deputy City Clerk, NCCMC
2018-010: Harrison Tucker and John Perovich

Current Zoning  I-2 (General Industrial)
Requested Zoning  TOD-M (Transit Oriented Development - Mixed Use)

Approximately 0.251 acres
Location of Requested Rezoning

Existing Zoning & Rezoning Request

Requested TOD-M from I-2

Zoning Classification
- Single Family
- Light Industrial
- General Industrial
- Transit-Oriented

Map Created 1/25/2018
May 21, 2018
Ordinance Book 61, Page 421

Petition No.: 2018-015
Petitioner: NVR, Inc.

ORDINANCE NO. 9346-Z

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

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

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-4 (single family residential) and UR-2(CD) (urban residential, conditional) to UR-2(CD) (urban residential, conditional) and UR-2(CD) SPA (urban residential, conditional, site plan amendment).

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:

[Signature]
City Attorney

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of May, 2018, the reference having been made in Minute Book 145, and recorded in full in Ordinance Book 61, Page(s) 421 -422.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of May, 2018.

[Signature]
Emily A. Kunze, Deputy City Clerk, NCCMC
2018-015: NVR, Inc.
Current Zoning R-4, UR-2(CD) (Single Family Residential, Urban Residential, Conditional)
Requested Zoning UR-2(CD), UR-2(CD) SPA (Urban Residential, Conditional, Urban Residential, Conditional, SPA)
Approximately 66.50 acres
Location of Requested Rezoning

Existing Zoning & Rezoning Request

Requested UR-2(CD) SPA from UR-2(CD)
Requested UR-2(CD) SPA from UR-2(CD)
Zoning Classification
- Single Family
- Multi-Family
- Urban Residential
- Mixed Residential
- Institutional
- Office
- Business
- Light Industrial

Map Created 1/25/2018
Ordinance designating as an Historic Landmark a property known as the “Wilmore Elementary School” (listed under Tax Parcel Number 11907801 as of February 1, 2018 and including the interior and exterior of the building, and the land associated with Tax Parcel Number 11907801). The property is located at 428 West Boulevard in Charlotte, North Carolina, and is owned by Charlotte-Mecklenburg Board of Education.

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 19th day of February 2018, on the question of designating a property known as the Wilmore Elementary School as an 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 12th day of February 2018, on the question of designating a property known as the Wilmore Elementary School as an historic landmark; and

WHEREAS, the Wilmore Elementary School is the only school that was erected in Wilmore, a working-class suburb established in 1906 by the Suburban Realty Company; and
WHEREAS, the architect of the original section of Wilmore Elementary School was Louis H. Asbury, Sr., the first native North Carolinian to belong to the American Institute of Architects and an architect of local and regional importance; and

WHEREAS, Louis Asbury’s plans were reviewed by Dr. N. L. Engelhardt, a nationally known educator, and the original plans illustrate the design philosophy that influenced school plans in the 1920s; and

WHEREAS, the Wilmore Elementary School, one of four school Louis Asbury designed for the Charlotte Board of School Commissioners, was identical to the now demolished Seversville Elementary School; and

WHEREAS, the Wilmore Elementary School documents the evolution of the Wilmore neighborhood from an all-white suburb of the early 1900s, to a neighborhood desegregating in the 1960s, 1970s, and 1980s, to a neighborhood experiencing revitalization today; and

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

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over design review of the interior of the building(s) of the property known as the Wilmore Elementary School, because it is publicly owned; and

WHEREAS, the property known as the Wilmore Elementary School is owned by Charlotte-Mecklenburg Board of Education.

NOW, THEREFORE, BE IT ORDAINED by the members of the City Council of Charlotte, North Carolina:
1. That the property known as the “Wilmore Elementary School” (listed under Tax Parcel Number 11907801 as of February 1, 2018 and including the interior and exterior of the building, and the land associated with Tax Parcel Number 11907801) is hereby designated as an 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 428 West Boulevard, Charlotte, Mecklenburg County, North Carolina. Features of the property are more completely described in the “Survey and Research Report on the Wilmore Elementary School” (2017).

2. That said exterior and interior are more specifically defined as the historic and structural fabric, especially including all original exterior and interior 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 Division of Archives and History. 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...
Ordinance – Wilmore Elementary School

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.

5. That a suitable sign may be posted indicating that said property has been designated as
an historic landmark and containing any other appropriate information. If the owner consents,
the sign may be placed on said historic landmark.

6. That the owners of the historic landmark known as the “Wilmore Elementary School”
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.

7. That which is designated as an 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.

Adopted the 21\textsuperscript{st} day of May, 2018, by the members of the City Council of the City of Charlotte,
Mecklenburg County, North Carolina.

Approved as to form: 

\[Signature\]

City Attorney
CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of May, 2018, the reference having been made in Minute Book 145, and recorded in full in Ordinance Book 61, Page(s) 423-428.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of May, 2018.

Emily A. Kunze, Deputy City Clerk, NCCMC