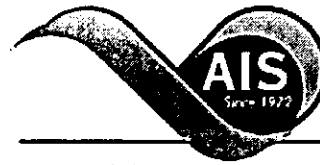




* 0 0 B R E A K 0 0 *



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Petition # 1985-81

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 - Other
- Site Plans



* 0 0 B R E A K 0 0 *

Pat Sharkey

ORDINANCE NO. 1822-Z

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from U-MUD to U-MUD-0 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEGINNING at a point, which point is located in the north or northeasterly margin of the right-of-way of East Fifth Street, which point is located N.46-04-25W. 165.23 feet from the point of intersection of said margin of East Fifth Street and the northwesterly margin of the right-of-way of North College Street; thence from said point of BEGINNING and continuing with said margin of East Fifth Street N.46-04-25W. 38.66 feet to a point; thence N.46-07-59E. 63.79 feet to a point; thence N.45-36-17W. 24.36 feet to a point; thence N.43-37-32E. 24.96 feet to a point; thence S.45-07-44E. 33.31 feet to a point; thence N.46-17-28E. 30.00 feet to a point; thence S.43-42-32E. 31.00 feet to a point; thence S.46-17-28W. 117.15 feet to the point or place of BEGINNING, all as shown on that survey dated March 26, 1985, as revised, and prepared by Concord Engineering and Surveying, Inc.

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:

d. Grant or Scott
Assistant City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of November, 19 85, the reference having been made in Minute Book 85, and is recorded in full in Ordinance Book 34, at page 157.

Pat Sharkey
City Clerk

OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Petition No. <u>85-81</u>
Date Filed <u>October</u> , 1985
Received By <u>JCL</u>
OFFICE USE ONLY

Ownership Information

Property Owner CARLEY CAPITAL GROUP and ALLRIGHT AUTO PARKS, INC.
Owner's Address 8931 J.M. Keynes Drive P. O. Box 53390
Charlotte, NC 28213 Houston, TX 77052
Date Property Acquired Carley (10-17-85 and 7-29-85) Allright (7-1-80)
Deed Reference 5106/459; 5058/847; 4365/533 Tax Parcel Number Part of 080-011-10
and 080-011-12

Location Of Property (address or description) East Fifth Street between North Tryon and North College Streets. See map attached as Exhibit A and Legal Description attached as Exhibit B.

Description Of Property

Size (Sq. Ft.-Acres) .112 acre Street Frontage (ft.) 43.74 feet
Current Land Use Two-story building (Brown Building), which is to be demolished, and parking and driveways.

Zoning Request

Existing Zoning UMUD Requested Zoning UMUD-O
Purpose of zoning change To accommodate development of the Marketplace project by providing off-street service and delivery to Kimbrell's Furniture from Fifth Street in lieu of Sixth Street. See Exhibit C for additional discussion.

Name of Agent <u>Robert C. Sink (ROBINSON, BRADSHAW & HINSON, P.A.)</u>	Name of Petitioner(s) <u>CARLEY CAPITAL GROUP</u>
Agent's Address <u>1900 Independence Center, 101 N. Tryon St.</u>	Address of Petitioner(s) <u>8931 J.M. Keynes Drive</u>
Telephone Number <u>Charlotte, NC 28246 (704) 377-8326</u>	Telephone Number <u>Charlotte, NC 28213 (704) 547-0731</u>

Signature [Signature]
(See separate letter.)
Signature of Property Owner if Other Than Petitioner

CONVENTIONAL REZONING APPLICATION FILING REQUIREMENTS:

1. two signed official applications;
 2. two survey maps delineating the property in question;
 3. a list of all adjacent property owners, with their current mailing addresses coded to the survey map or tax map (this information is available at the Mecklenburg County Tax Office, 720 East Fourth Street);
 4. a filing fee of one hundred dollars (\$100.00) to help defray administrative expenses (checks payable to the Charlotte-Mecklenburg Planning Commission); and
 5. a written boundary description showing distances and bearings of property lines (a metes and bounds description).
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CONDITIONAL DISTRICT REZONING APPLICATION FILING REQUIREMENTS:

1. two signed application forms;
 2. a filing fee of one hundred dollars (\$100.00) to help defray administrative expenses (checks payable to the Charlotte-Mecklenburg Planning Commission);
 3. ten (10) copies of a schematic site plan, drawn to scale and at a minimum size of 24" x 36," which includes the following items (ten copies are needed for interdepartmental review):
 - (a) a boundary survey showing the total acreage, present zoning classification(s), date, and north arrow;
 - (b) adjoining property lines and names, addresses, and tax parcel numbers of current adjoining property owners (this information is available at the Mecklenburg County Tax Office, 720 East Fourth Street);
 - (c) all existing easements, reservations, and rights-of-way, and all yards required for the zoning district requested (show setback, side and rear yard requirements for proposed zoning district);
 - (d) proposed use of land and structures: for residential uses this shall include the number of units and an outline of the area within which the structures will be located; for non-residential uses, this shall include approximate square footage of structures and an outline of the area within which the structures will be located;
 - (e) traffic, parking, and circulation plan, showing proposed locations and arrangement of parking spaces and entrance and exit to adjacent streets (show existing and proposed parking, what is required, and what is to be provided);
 - (f) proposed screening, including walls, fences, or planting areas, as well as treatment of any existing natural features, or a statement specifying that buffering and/or screening will conform to City/County Zoning Ordinance requirements;
 - (g) the proposed number of signs and their locations, or a statement specifying that all signs will conform to City/County Zoning Ordinance requirements;
 - (h) generalized information as to the number, height, size, or in especially critical situations, the location of structures;
 - (i) proposed phasing, if any, and approximate completion time of the project;
 - (j) delineation of areas within the regulatory floodplain as shown on the official Charlotte flood areas map;
 - (k) topography at four foot contour intervals or less (existing and proposed);
 - (l) schematic site plan must be titled with project name and proposed use;
 - (m) size of schematic site plan not to exceed 42" in width;
 4. a list of all adjacent property owners with current addresses coded to the schematic site plan; and
 5. a written boundary description showing distances and bearings of property lines (a metes and bounds description).
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