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Petition # 2000-105

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OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Petition #: 2000-105
Date Filed: 5-8-00
Received By: MS

OWNERSHIP INFORMATION:

Property Owner: Duke Energy Corporation

Owner's Address: 400 South Tryon Street, 30th Floor (WC30C), Post Office Box 1007/WC30C, Charlotte, NC 28201-1007

Date Property Acquired: Prior to 1999 Tax Parcel Number(s): 123-041-26

Utilities Provided; (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description): A 6.068 acre parcel situated at the northwest corner of the under intersection between South Boulevard and Bland Street

Size (Sq.Ft. or Acres): 6.068 acres, more or less Street Frontage (Ft.): South Boulevard: 613+/- ft.;
Bland Street: 428+/- ft;
Rensselaer Ave: 155+/- ft.

Current Land Use: Vacant or abandoned Duke Power Operations Center

ZONING REQUEST:

Existing Zoning: B-1 Proposed Zoning: MUDD

Purpose of Zoning Change: To accommodate a mixed use development on the Site as envisioned by the MUDD District and consisting of residential units accompanied by commercial and office uses with a strong emphasis on pedestrian scale, urban development and amenities.

Bailey Patrick, Jr.
Name of Agent
Kennedy Covington Lobdell & Hickman, L.L.P.
100 North Tryon Street, Suite 4200
Charlotte, NC 28202-4006
Agent's Address (City, State, Zip)

704-331-7400 704-331-7598
Telephone Number Fax Number

Duke Energy Corporation

By: _____
Signature of Property Owner if other than Petitioner

Name: _____
Title: _____

Pappas Properties Development, LLC
Name of Petitioner
4201 Congress Street, Suite 465
Charlotte, North Carolina 28209
Address of Petitioner(s) (City, State, Zip)

704-716-3900 704-716-3939
Telephone Number Fax Number

By: Fred W. Bolt
Signature

Name: Fred W. Bolt
Title: Senior Vice President

00-105

Legal Description

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

BEGINNING at NCGS Monument "MO55" (having grid coordinates North 539,784,4290, East 1,449,530,9592 North 68-37-20 East 3197.71 feet) to a notch in concrete located in the southeasterly 60 foot right-of-way margin of Bland Street, said notch in concrete being the TRUE POINT AND PLACE OF BEGINNING; thence running with said 100 foot right-of-way of South Boulevard having the following (4) courses and distances: (1) South 55-08-49 West 158.99 feet (2) to an existing iron pin; (2) South 53-06-35 West 99.54 feet to a point; (3) South 50-49-14 West 171.52 feet to a point; (4) South 47-44-37 West 181.56 feet to a PK nail; thence leaving said southeasterly right of margin of South Boulevard; thence running in the southeasterly corner of Rensselaer Avenue (right of way unknown) North 45-30-46 West 153.03 feet to RR spike in the southwesterly corner of the property conveyed to Duke Power Co. Dilworth Retail Ref: Map by Duke Engineering & Services dated 9-29-99 (now or formerly); thence North 43-05-42 East 17.81 feet to an existing iron pin; thence North 45-32-01 West 181.24 feet to an existing iron pin; thence South 44-09-54 West 203.36 feet to an existing iron pin in the southwesterly corner of the property conveyed to Wachovia Bank and Trust by Deed Book 2791 at Page 409 (now or formerly) North 46-36-34 West 89.21 feet to an existing iron pin in the southwesterly margin of the property conveyed to Gilbert B. Heath Est. by Deed recorded in Book 674 at Page 165 of the Mecklenburg County Public Registry the following four (5) courses and distances: (1) North 50-38-22 East 118.99 feet to an existing iron pin; (2) North 50-43-31 East 75.23 feet to an existing PK nail conveyed to Gaines E. Brown, Jr. by Deed recorded in Book 8672, Page 889; (3) North 50-36-16 East 231.73 feet to an existing track @ cl RR conveyed to N/F 200 E. Bland St., L.L.C. by Deed recorded in Book 9388, Page 82; (4) North 50-38-28 East 423.19 feet to an existing iron pin; (5) North 50-45-00 East 6.67 feet to a PK nail; thence said point being the southeast corner of Bland Street (60' public row) South 37-19-52 East 408.58 feet being the true POINT AND PLACE OF BEGINNING, all as shown on that certain survey prepared for Pappas Properties, LLC by Land Design Surveying, Inc. with seal reference number L-3135 dated February 9, 2000.