

**OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: 2001-09
Date Filed: 10-18-00
Received By: MS

*Amended 11-17-00
(area)*

OWNERSHIP INFORMATION:

Property Owner: (See Attached)

Owner's Address: (See Attached)

Date Property Acquired: (See Attached) Tax Parcel Number(s): 125-093-01, 04, 06,
125-227-01, 03

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

LOCATION OF PROPERTY (Address or Description): Area bounded by South Kings Drive,

Baxter Street, Kenilworth Avenue, John Belk Freeway & State Employees Credit Union

Size (Sq.Ft. or Acres): 24.72 Acres

Current Land Use: Retail Mall, restaurant, food catering, vacant theatre

ZONING REQUEST:

Existing Zoning: B-2 Proposed Zoning: MUDD-O

Purpose of Zoning Change: To allow total redevelopment of this area including opening Little

Sugar Creek and creating open spaces. Development to include a maximum of 875,000 square feet of
retail/office, 200 hotel room and 500 residential units.

Bailey Patrick, Jr./Jefferson W. Brown, Esquire
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

Bpatrick@kelh.com
E-Mail Address

(See attached)
Signature of Property Owner if other than Petitioner

Pappas Properties Development, LLC and
Home Depot Expo Design Center
Name of Petitioner
4201 Congress Street, Suite 465
Charlotte, NC 28209
Address of Petitioner(s) (City, State, Zip)

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

Ppapas@pappaspropertiesllc.com
E-Mail Address Fax Number

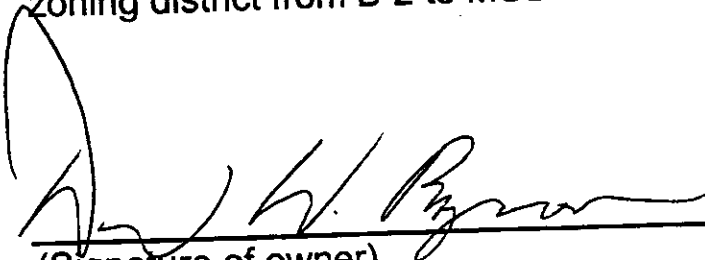
Peter A. Pappas
Signature

✓ JT

Property Owner Information

TAX Parcel #	Owner	Address
125-093-01 &06 125-227-01	Episcopal Diocese Trustees	P. O. Box 17025 Raleigh, NC 27619
125-227-03	Charlottetown, Inc. The Rouse Co. J. Vincendese	P. O. Box 833 Columbia, MD 21044
125-093-03 &04	Bayrock Investment Co.	1101 Tyvola Road Charlotte, NC 28217
125-093-05	David W. Byron III & Wife Elizabeth T.	440 S. Independence Blvd. Charlotte, NC 28204

I, David W. Byron III being the owner of property identified as Tax Parcel 125-093-05 hereby agree to this property being included in a rezoning request filed by Pappas Properties, LLC to change the zoning district from B-2 to MUDD-O.



(Signature of owner)

10-12-00
(Date)

Bayrock Investment Co., being the owner of property identified as Tax Parcel 125-093-03 & 04 hereby agree to this property being included in a rezoning request filed by Pappas Properties, LLC to change the zoning district from B-2 to MUDD-O.

BAYROCK INVESTMENT CO.

By: Matthew Bogdovitz
Name: Matthew Bogdovitz
Title: Authorized Representative

October 13, 2000

OCT-16-2000 18:02

ROUSE/LEGAL


4109926392

P.02

Page 3
October 16, 2000

Charlottetown, Inc., being the owner of a property known as Tax Parcel 125-227-03, hereby consents to Pappas Properties Development, LLC to file a Rezoning Request with the Charlotte Board of Adjustment for consideration of changing the zoning from B-2 to MUDD-0.

By: Charlottetown, Inc.

By: 
B. Owen Williams
Vice-President

October 16, 2000

TOTAL P.02

Trustees of the Diocese of North Carolina of the Protestant Episcopal Church, being the owner of property identified as Tax Parcel 125-093-01 & 06 and 125-227-01 hereby agree to this property being included in a rezoning request filed by Pappas Properties, LLC to change the zoning district from B-2 to MUDD-O.

EPISCOPAL DIOCESE TRUSTEES

The Right Reverend Robert C. Johnson, Jr., Bishop of the Diocese of North Carolina, G. Kenneth Henry, Robert Price, Timothy E. Kimbrough, Thomas Hillard III, Diane B. Corlett and Thomas C. Church, Jr., as Trustees of the Diocese of North Carolina of the Protestant Episcopal Church, acting by and through their authorized agent, Thompson Children's Home, Inc.

Thompson Children's Home, Inc., Authorized Agent

By: 

Name: William H. McNair

Title: Chairman, Property Committee

October 16, 2000

**** Transmit Conf. Report ****

P.1

Feb 20 2002 15:22

Telephone Number	Mode	Start	Time	Page	Result	Note
97043317598	NORMAL	20.15:20	1'18"	6	O K	



CHARLOTTE

Charlotte-Mecklenburg Planning Commission

DATE: 02-20-02 NUMBER OF PAGES: 6
(Including the Transmittal)

TO: Melissa Dupont

COMPANY: KCLH

PHONE #: _____ FAX #: 331 7598

FROM: Sonja Sanders

PHONE #: 336 8310 FAX #: (704)-336-5964

SUBJECT: 2001-09

MESSAGE: Joinder agreements

OCT-16-2000 18:02


ROUSE/LEGAL

4105926392 P.02

Page 3
October 16, 2000

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By: Charlottetown, Inc.

By: 
B. Owen Williams
Vice-President

October 16, 2000

TOTAL P.02

Bayrock Investment Co., being the owner of property identified as Tax Parcel 125-093-03 & 04 hereby agree to this property being included in a rezoning request filed by Pappas Properties, LLC to change the zoning district from B-2 to MUDD-O.

BAYROCK INVESTMENT CO.

By: Matthew Bogdovitz
Name: Matthew Bogdovitz
Title: Authorized Representative

October 13, 2000

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Thompson Children's Home, Inc., Authorized Agent

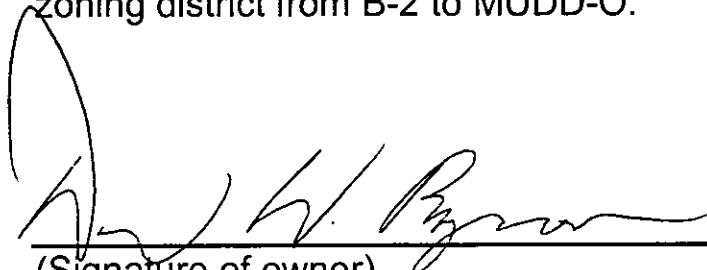
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Title: Chairman, Property Committee

October 16, 2000

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(Signature of owner)

10-12-00

(Date)

EXHIBIT A

**Rezoning Petition No. 2001-09
Property Owners**

125-093-01-A
Thompson Orphange
c/o Home Depot USA, Inc.
Post Office Box 105842
Attention: Property Tax Department #3649
Atlanta, GA 30348-5842
Date Acquired: 01/01/1975

125-093-01-B
Community Research & Development
c/o Home Depot USA, Inc.
Post Office Box 105842
Attention: Property Tax Department #3649
Atlanta, GA 30348-5842
Date Acquired: 01/01/1975

125-093-03
Bayrock Investment Co
1101 Tyvola Road
Charlotte, NC 28217
Date Acquired: 01/01/1984

125-093-04
Bayrock Investment Co
1101 Tyvola Road
Charlotte, NC 28217
Date Acquired: 08/23/1979

125-093-05
Home Depot USA, Inc.
2455 Paces Ferry Road, #C/20th Floor
Atlanta, GA 30339
Date Acquired: 11/02/2001

125-093-06
Episcopal Diocese Trustees
Post Office Box 17025
Raleigh, NC 27619-7025
Date Acquired: Unknown

JOINDER AGREEMENT

The undersigned, as the Lessee of Tax Parcels Nos. 125-093-01, 125-093-04, 125-093-06, 125-227-01, and 125-227-03, together with Tax Parcel No. 125-228-01, which is the triangular shaped parcel formed by South Kings Drive, Baxter Street and Cecil Street hereby joins in and gives its consent to Rezoning Petition No. 2001-09, as amended on January 16, 2001, including the addition of Tax Parcel No. 125-228-01 to this Petition and the change in its zoning from B-1 to MUDD-0.

This 16th day of January, 2001.

Home Depot U.S.A., Inc.

By: _____

