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Petition # _____

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- Site Plans



* 0 0 B R E A K 0 0 *

Petition #: 2001-98

Petitioner: First Union National Bank/Billy Howell & Freedom Mall Partners

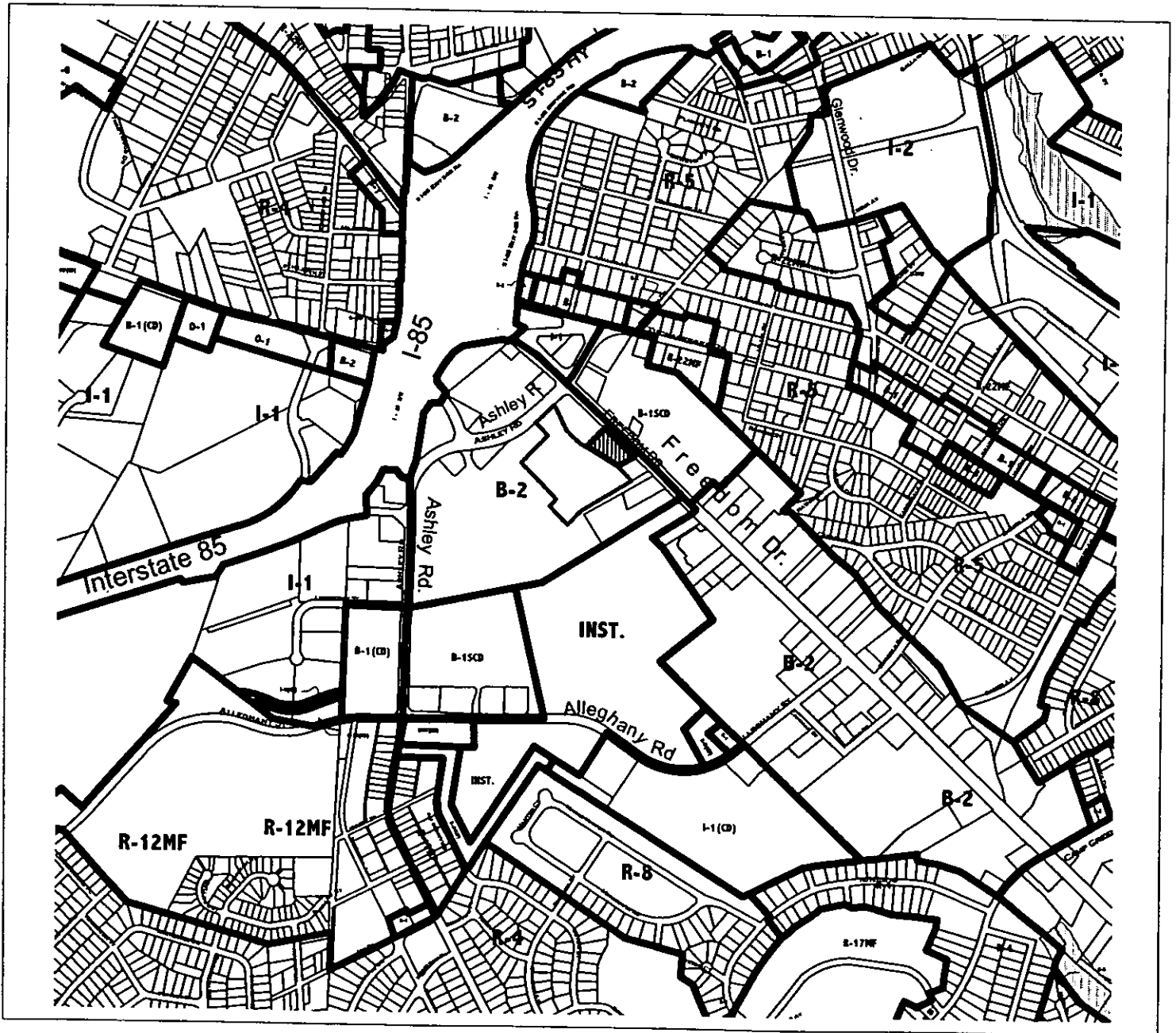
Hearing Date: June 18, 2001

B-2

Zoning Classification (Existing): _____

Zoning Classification (Requested): B-1(CD) _____

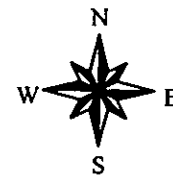
Acres & Location Approximately 0.87 acres located on the west side of Freedom Drive, south and east of Ashley Road and north of Alleghany Road.



Zoning Map #(s);

87

Charlotte-Mecklenburg Planning Commission



OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Petition #:	<u>2001-98</u>
Date Filed:	<u>5-4-01</u>
Received By:	<u>JK</u>

OWNERSHIP INFORMATION:

Property Owner: 1. First Union National Bank and Billy S. Howell as Co-Trustees for
2. Freedom Mall Partners Mary B.A. Howell
c/o H. Morrison Johnston
Owner's Address: Johnston Allison & Hord City, State, Zip: Charlotte, NC 28236-6469
P.O. Box 36469
Date Property Acquired: 1974 Utilities Provided; (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description): An approximate 0.87 acre outparcel
within Freedom Mall near intersection of Freedom Drive and Ashley Road

Tax Parcel Number(s): Portion of 067-142-04 Size (Sq.Ft. or Acres): 0.8724 acres (38,002 sq. ft.)

Current Land Use: Vacant outparcel within Freedom Mall

ZONING REQUEST:

Existing Zoning: 1/2 B-2 Proposed Zoning: B-1 (CD)

Purpose of Zoning Change: *(Include the maximum # of residential units or non-residential square footages):*
To accomodate additional retail uses within Freedom Mall, which is currently zoned I-2.

Section 9.1102(71) of the Ordinance prohibits retail uses on I-2 property which exceed 25,000 square feet. Freedom Mall, constructed in 1974 and prior to the rewrite of the Ordinance, already contains retail square footage of 117,397 square feet.

J. Christopher Oates, Esq.
Moore & Van Allen, PLLC

Name of Agent
100 N. Tryon Street, Suite 4700
Agent's Address
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City, State, Zip

(704) 331-1031 (704) 378-2031
Telephone Number Fax Number

chrisoates@mvalaw.com
E-Mail Address

Signature of Property Owner if other than Petitioner

See signature page attached (includes address,
Name of Petitioner(s) phone numbers and
e-mail)

Address of Petitioner(s)

City, State, Zip

Telephone Number Fax Number

E-Mail Address

Signature

01-98

**LEGAL DESCRIPTION
FREEDOM MALL REZONING
0.8724 ACRES FREEDOM DRIVE
PETITION NO. 01-_____**

That certain tract or parcel of land situated, lying and being in the city of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

BEGINNING at a new nail on the southerly margin of Freedom Drive (100' public right-of-way), said nail being the northeast corner of a 30' drive easement as recorded in Map Book 29, page 583 of the Mecklenburg County Public Registry, and runs thence with the southerly margin of Freedom Drive South 46-24-54 East 225.39 feet to a new nail thence with a new line the following three (3) courses and distances: (1) South 43-35-06 West 150.44 feet to a new nail; (2) North 55-58-16 West 200.17 feet to a new nail; (3) with the arc of a circular curve to the right having a radius of 24.00 feet an arc length of 41.70 feet, (chord: North 06-12-32 West 36.67 feet) to a new nail on the easterly margin of the 30' drive easement as recorded in Map Book 29, page 583 of said Registry, thence with the easterly margin of said easement North 43-35-06 East 160.00 feet to the point and place of BEGINNING; being part of the property of Freedom Mall Partnership as recorded in Deed Book 876, Page 34 of said Registry, containing 39,002 square feet or 0.8724 acres of land as shown on a survey prepared by R. B. Pharr & Associates, P.A. dated March 7, 2001 bearing file No. W-2659.