

OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Complete All Fields

FY2011

Petition #: 2011-044

Date Filed: 4.25.11

Received By: MC

OWNERSHIP INFORMATION:

Property Owner: See Attachment B

Owner's Address: See Attachment B

City, State, Zip: See Attachment B

Date Property Acquired: Various

Utilities Provided: (Water) CMU
(CMUD, Private, Other)

(Sewer) CMU
(CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description): Located between I-485 and Ballantyne Commons Parkway east and west of 521

Tax Parcel Number(s): See Attachment B

Current Land Use: Corporate Business Park - containing office, hotel, retail and restaurants uses

Size (Sq.Ft. or Acres): (1) ±225 acres Corporate Park West [Proposed: BP(CD) & BP(CD) SPA] and (2) ±295 acres Corporate Park East [Proposed: O-3(CD)] for total of ±520 acres

ZONING REQUEST:

Existing Zoning: BP(CD) and R-3

Proposed Zoning: BP(CD) & BP(CD) SPA [for Corporate Park West] & O-3(CD) [for Corporate Park East] (along with a five (5) year vested right period)

Purpose of Zoning Change: *(Include the maximum # of residential units or non-residential square footages):*

To allow additional development and/or redevelopment of the Ballantyne Corporate Park

Jeff Brown / Keith MacVean

Name of Agent

100 North Tryon Street, Suite 3900

Agent's Address

Charlotte, NC 28202

City, State, Zip

704-503-2564 / 704-503-2637

Telephone Number

704-503-2622

Fax Number

jbrown@kslaw.com / kmacvean@kslaw.com

E-Mail Address

See Attachment A-2

Signature of Property Owner if other than Petitioner

(Name Typed / Printed)

The Bissell Companies, Inc. / Attn: Ned Curran

Name of Petitioner(s)

13860 Ballantyne Corporate Parkway, Suite 300

Address of Petitioner(s)

Charlotte, NC 28277

City, State, Zip

704-248-2070

Telephone Number

704-248-2075

Fax Number

ncurran@bissell-companies.com

E-Mail Address

See Attachment A-1

Signature

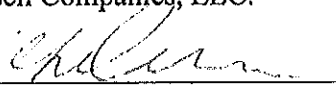
(Name Typed / Printed)

ATTACHMENT A-1

**THE BISSELL COMPANIES, LLC
BALLANTYNE CORPORATE PARK
SIGNATURE OF PETITIONER**

PETITIONER:

The Bissell Companies, LLC.

By: 

Name: E. L. CURRAN

Title: President

ATTACHMENT A-2

**REZONING PETITION NO. 2011-000
THE BISSELL COMPANIES, LLC
BALLANTYNE CORPORATE PARK**

PETITIONER JOINDER AGREEMENT

The undersigned owners (the "Owners"), as the Owners of certain of the parcels of land located south of I-485 and north of Ballantyne Commons Parkway and on both sides of Hwy 521 in the City of Charlotte, Mecklenburg County, North Carolina (applicable Tax Parcel Nos. being set forth below, collectively the "Parcels"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcels from the BP(CD) and R-3 zoning districts to (a) the BP(CD) and BP(CD) SPA zoning districts for the Corporate Park West as set forth below, and (b) the O-3(CD) zoning district for the Corporate Park East, as more particularly depicted on the conditional rezoning plan; such Owners also consent to subsequent changes to the rezoning plan as part of this rezoning application.

This _____ day of April, 2011.

**BALLANTYNE CORPORATE PARK EAST
OWNERS & PARCELS**

**Ballantyne Corporate Park Owners Association, Inc.
Tax Parcel No. 223-165-03**

By: [Signature]
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

**Ballantyne East LLC
Tax Parcel Nos. 223-161-02, 05, 07 & 08; 223-501-50 & 60**

By: [Signature]
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

**BCP East One LLC
Tax Parcel No. 223-161-10**

By: [Signature]
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

**Everett Building LLC
Tax Parcel No. 223-161-09**

By: [Signature]
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

Offices on Six LLC

Tax Parcel Nos. 223-501-53, 54, 55, 56, 57, 58 & 59

By: [Signature]

Name: E. L. CURRAN

Title: Authorized Agent for H. C. Bracell

Resort Bowl, LLC

Tax Parcel Nos. 223-165-01, 02 & 04

By: [Signature]

Name: E. L. CURRAN

Title: President of Manager

BALLANTYNE CORPORATE PARK WEST
OWNERS & PARCELS

Ballantyne Corporate Park Owners Association, Inc.

**Tax Parcel Nos. 223-151-09, 20, 25, 31, 35, 36 & 38,
223-154-07, 223-155-02**

By: [Signature]

Name: E. L. CURRAN

Title: PRESIDENT OF MANAGER

Ballantyne Medical Two LLC

Tax Parcel No. 223-154-06

By: [Signature]

Name: E. L. CURRAN

Title: PRESIDENT OF MANAGER

Ballantyne One LLC

Tax Parcel No. 223-155-04

By: [Signature]

Name: E. L. CURRAN

Title: PRESIDENT OF MANAGER

Ballantyne Two LLC

Tax Parcel No. 223-155-03

By: [Signature]

Name: E. L. CURRAN

Title: PRESIDENT OF MANAGER

Harper Investors LLC
Tax Parcel No. 223-154-05

By: [Signature]
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

Hixon Building LLC
Tax Parcel No. 223-151-29

By: [Signature]
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

Richardson Building LLC
Tax Parcel No. 223-151-24

By: [Signature]
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

Rushmore One LLC
Tax Parcel No. 223-151-11

By: [Signature]
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

Rushmore Two Land LLC
Tax Parcel No. 223-151-01

By: [Signature]
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

Rushmore Three LLC
Tax Parcel No. 223-151-32

By: [Signature]
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

Rushmore Four LLC
Tax Parcel No. 223-151-33

By: [Signature]
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

Sherrill Land, LLC

Tax Parcel No. 223-151-27

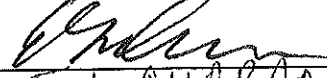
By: 

Name: E.L. CURRAN

Title: PRESIDENT OF MANAGER

Simmons Building LLC

Tax Parcel No. 223-151-30

By: 

Name: E.L. CURRAN

Title: PRESIDENT OF MANAGER

Tate Building LLC

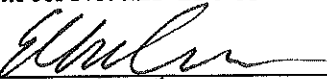
Tax Parcel No. 223-155-07

By: 

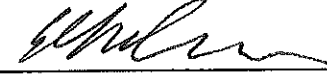
Name: E.L. CURRAN

Title: PRESIDENT OF MANAGER

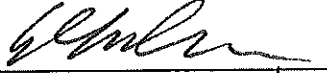
Brixham Green One LLC
Tax Parcel No. 223-154-03

By: 
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

Brixham Green Two LLC
Tax Parcel No. 223-154-04

By: 
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

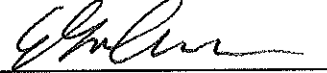
Brixham Green Three LLC
Tax Parcel No. 223-154-01

By: 
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

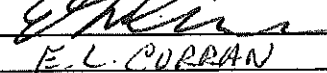
Chandler Building LLC
Tax Parcel No. 223-151-28

By: 
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

Cullman Park LLC
Tax Parcel No. 223-151-14

By: 
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

Frenette Land LLC
Tax Parcel No. 223-151-12

By: 
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

Hall Building LLC
Tax Parcel No. 223-151-13

By: 
Name: E.L. CURRAN
Title: PRESIDENT OF MANAGER

Ballantyne Three, LLC

Tax Parcel No. 223-155-11

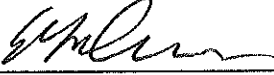
By: 

Name: E. L. CURRAN

Title: PRESIDENT OF MANAGER

BCI Property Company No. 21

Tax Parcel Nos. 223-151-08 & 15

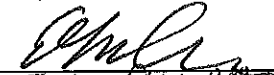
By: 

Name: E. L. CURRAN

Title: Authorized Agent for H. C. Bissell

Betsill Land LLC

Tax Parcel No. 223-151-34

By: 

Name: E. L. CURRAN

Title: PRESIDENT OF MANAGER

BHI Property Company No. 99

Tax Parcel Nos. 223-151-26 & 37

By: 

Name: E. L. CURRAN

Title: Authorized Agent for H. C. Bissell

Bissell Ballantyne LLC (ETAL)

Tax Parcel Nos. 223-155-01 & 06

By: 

Name: E. L. CURRAN

Title: PRESIDENT OF MANAGER

Bissell Hotels Five LLC

Tax Parcel No. 223-155-05

By: 

Name: E. L. CURRAN

Title: PRESIDENT OF MANAGER

BLC4K NO 2 LLC (Winslow)

Tax Parcel Nos. 223-154-08 & 09

By: 

Name: E. L. CURRAN

Title: PRESIDENT OF MANAGER

ATTACHMENT B

BALLANTYNE PROPERTY OWNERS

Corporate Park West

Tax Parcel No.	Parcel Owners
223-151-01	Rushmore Two Land LLC
223-151-08	BCI Property Company No. 21
223-151-09	Ballantyne Corporate Park Owners Association, Inc.
223-151-11	Rushmore One LLC
223-151-12	Frenette Land LLC
223-151-13	Hall Building LLC
223-151-14	Cullman Park LLC
223-151-15	BCI Property Company No. 21
223-151-20	Ballantyne Corporate Park Owners Association, Inc.
223-151-24	Richardson Building LLC
223-151-25	Ballantyne Corporate Park Owners Association, Inc.
223-151-26	BHI Property Company No. 99
223-151-27	Sherrill Land, LLC
223-151-28	Chandler Building LLC
223-151-29	Hixon Building LLC
223-151-30	Simmons Building LLC
223-151-31	Ballantyne Corporate Park Owners Association, Inc.
223-151-32	Rushmore Three LLC
223-151-33	Rushmore Four LLC
223-151-34	Betsill Land LLC
223-151-35	Ballantyne Corporate Park Owners Association, Inc.
223-151-36	Ballantyne Corporate Park Owners Association, Inc.
223-151-37	BHI Property Co No. 99
223-151-38	Ballantyne Corporate Park Owners Association, Inc.
223-154-01	Brixham Green Three LLC
223-154-03	Brixham Green One LLC
223-154-04	Brixham Green Two LLC
223-154-05	Harper Investors LLC
223-154-06	Ballantyne Medical Two LLC
223-154-07	Ballantyne Corporate Park Owners Association, Inc.
223-154-08	BLC4K NO 2 LLC (Winslow)
223-154-09	BLC4K NO 2 LLC
223-155-01	Bissell Ballantyne LLC (ETAL)
223-155-02	Ballantyne Corporate Park Owners Association, Inc.
223-155-03	Ballantyne Two LLC
223-155-04	Ballantyne One LLC
223-155-05	Bissell Hotels Five LLC
223-155-06	Bissell Ballantyne LLC (gas station lease)
223-155-07	Tate Building LLC
223-155-11	Ballantyne Three, LLC

Corporate Park East

Parcel Number	Parcel Owner
223-161-02	Ballantyne East LLC
223-161-05	Ballantyne East LLC
223-161-07	Ballantyne East LLC (Boyle Building LLC)
223-161-08	Ballantyne East LLC (JJH Building LLC)
223-161-09	Everett Building LLC
223-161-10	BCP East One LLC
223-165-01	Resort Bowl, LLC (Hotel tower)
223-165-02	Resort Bowl, LLC (Clubhouse, DRGS, Lodge, land)
223-165-03	Ballantyne Corporate Park Owners Association, Inc.
223-165-04	Resort Bowl LLC (Aloft)
223-501-50	Ballantyne East LLC
223-501-53	Offices on Six LLC
223-501-54	Offices on Six LLC
223-501-55	Offices on Six LLC
223-501-56	Offices on Six LLC
223-501-57	Offices on Six LLC
223-501-58	Offices on Six LLC
223-501-59	Offices on Six LLC
223-501-60	Ballantyne East LLC (Gibson)

Address for Ballantyne Corporate Park Owners Association, Inc.:

P.O. Box 687

Pineville, NC 28134-0687

Address for All Other Owners:

13860 Ballantyne Corporate Parkway, Suite 300

Charlotte, NC 28277