



REZONING MEMORANDUM  
ARBORIST OFFICE

Reviewer: Laurie Reid Dukes  
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Date: 19 March 2018

**Petition Number: 2017-177 Parcel No. 125-118-04, 125-118-01; 1610 E 4th St., 125 Baldwin Ave**

**COMMENTS:** The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right of way (E. 3rd St., Baldwin Ave., E 4th St.); City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right of way. No trees can be removed from the right of way without explicit authorization from the City Arborist or his designee.

Increase the setback on E. 4th Street from 22 feet to accommodate preservation of trees located in the right of way that are protected by the tree ordinance. Setback shall be set at a distance no less than 1 foot per each inch of diameter for the largest right of way tree. Specifically, the setback shall be set a minimum of 50 feet from the back of curb on E 4th Street.

Trees in the median on Queens Road and E 4th Street are protected by the tree ordinance and shall not be removed, roots or branched removed/damaged, or otherwise have any area within the root protection zone affected by an increased or newly constructed left turn lane as per section V. Root protection zone is defined in the tree ordinance as "generally, eighteen (18) inches to twenty-four (24) inches deep and a distance from the trunk of a tree equal to one-half (1/2) its height or its drip line, whichever is greater."

No trees can be planted in the right of way of any state maintained street (E. 3rd St.) without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact Laurie Reid (704-336-5753) at the City Arborist's office for a tree planting permit once plans have been approved by the City and before planting trees in the NCDOT right of way.

No trees can be planted in the right of way of any city maintained street (Baldwin Ave, E. 4th St.) without explicit authorization from the City Arborist or his designee. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right of way on a City of Charlotte maintained street; species must be approved before planting.



The petitioner shall submit a tree survey for all trees two (2) inches in diameter at breast height (DBH) or larger located in the public right of way for all streets. Tree survey may be completed by landscape architect, surveyor, or other land development professional.

**Petition Number: 2017-179 Parcel No. 029-191-04, portion of 029-191-14 and 029-191-15, 13032 Mallard Creek Rd.,**

**COMMENTS:** Project is currently outside the City of Charlotte city limits. If the project will remain outside the city limits, no comments.

If the project is annexed into the City of Charlotte the follow comments apply:

No trees can be removed from the right of way of any existing or newly created City maintained street without explicit permission of the City Arborist's office. The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right of way; City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right of way. No trees can be removed from the right of way without explicit authorization from the City Arborist or his designee.

No trees can be planted in the right of way of any existing or newly created City maintained street without explicit permission of the City Arborist's office. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right of way on a City of Charlotte maintained street; species must be approved before planting.

Trees cannot be removed from or planted in the right of way of any state maintained streets without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact Laurie Reid (704-336-5753) at the City Arborist's office for a tree planting permit before planting trees in the NCDOT right of way once plans have been approved by the City and before planting trees in the NCDOT right of way.

The petitioner shall submit a tree survey for all trees two (2) inches in diameter at breast height (DBH) or larger located in the public right of way. In addition, the survey shall include all trees eight (8) inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.

**Petition Number: 2017-182 Parcel No. 025-211-98, 025-211-99, 025-211-93; 8291 West W.T. Harris Blvd**

**COMMENTS:** Trees cannot be removed from or planted in the right of way of any state maintained streets without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact Laurie Reid (704-336-5753) at the City Arborist's office for a tree planting permit before planting trees in the NCDOT right of way once plans have been approved by the City and before planting trees in the NCDOT right of way.

The petitioner shall submit a tree survey for all trees two (2) inches in diameter at breast height (DBH) or larger located in the public right of way. In addition, the survey shall include all trees eight (8) inches



(DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.

**Petition Number: 2017-203 Parcel No. 119-076-23, 119-076-24, 119-076-22; 1900, 1916 S. Tryon St. and 401 W. Worthington Ave.**

**COMMENTS:** No trees can be planted in the right of way of any state maintained street (S. Tryon St.) without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact Laurie Reid (704-336-5753) at the City Arborist's office for a tree planting permit once plans have been approved by the City and before planting trees in the NCDOT right of way.

As per the NCDOT Planting guidelines, small maturing trees required to be planted a minimum of eight (8) feet from the edge of travel lane on N. Tryon St. As the site is designed, the trees will not be permitted by NCDOT to be planted along N. Tryon St. due to the location of the future curb; the site as shown is providing five feet six inches (5.5 feet) from edge of travel lane including the curb and gutter measurements. Additionally, the future planting strip width when the curb is realigned on N. Tryon Street is not sufficient per the tree ordinance; the planting strip is required to be a minimum of 8 feet wide. Petitioner is required to provide adequate planting strip width (minimum of 8 feet wide) and to provide required clearance for trees per the NCDOT planting guidelines. Thus, the setback along N. Tryon Street is required to be increased to a minimum of 17.5 feet from future back of curb to accommodate the trees that are required to be planted per the tree ordinance.

No trees can be planted in the right of way of any city maintained street (Worthington Ave. and Woodcrest Ave.) without explicit authorization from the City Arborist or his designee. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right of way on a City of Charlotte maintained street; species must be approved before planting.

The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right of way; City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right of way. No trees can be removed from the right of way without explicit authorization from the City Arborist or his designee.

**Petition Number: 2017-204 Parcel No. 149-034-06; 4516 Nations Crossing Rd.**

**COMMENTS:** No trees can be planted in the right of way of any city maintained street (Nations Crossing Rd.) without explicit authorization from the City Arborist or his designee. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right of way on a City of Charlotte maintained street; species must be approved before planting.

**Unaddressed comments:** As per the tree ordinance, adequate soil space for roots is required. The site as shown does not meet these requirements. Petitioner is required to provide adequate soil volume for street trees along Nations Crossing Rd. Revise plan to reflect these requirements. Specifically, each



perimeter tree along Nations Crossing Road shall have a minimum of 400 square feet of planting area to a depth of 3 feet.

**Petition Number: 2018-001 Parcel No. 143-131-14, 143-131-11, 143-131-15; 2220 W. Tyvola Rd.**

**COMMENTS:** No trees can be removed from the right of way of any City maintained street (Tyvola Rd., Speer Dr., and National Av.) without explicit permission of the City Arborist's office. The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right of way; City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right of way.

No trees can be planted in the right of way of any City maintained street (Tyvola Rd., Speer Dr., and National Av.) without explicit permission of the City Arborist's office. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right of way of all City of Charlotte maintained street; species must be approved before planting.

Under 11. Roadway Improvements "Design and Construction of a raised landscape median on Tyvola Rd...." add the following language: "Raised Landscaped median on Tyvola Rd. (beginning at South Stream Blvd and terminating east of the north south connector road) shall be designed, planted, and maintained by petitioner in perpetuity. The City of Charlotte will not be responsible for the maintenance of the landscaped median."

General provisions refers to RZ Sheet 3.0, RZ sheet 3.1, and RZ sheet 3.2 however, these technical data sheets were not submitted for review. Petitioner shall submit rezoning sheets for review.

**Unaddressed Comments:** The petitioner shall submit a tree survey for all trees two (2) inches in diameter at breast height (DBH) or larger located in the public right of way. In addition, the survey shall include all trees eight (8) inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.

**Unaddressed Comments:** On Technical Data Sheet add Streetscape and Landscaping and add the following language "No trees can be removed from the right of way of any City maintained street (Tyvola Rd., Speer Dr., and National Av.) without explicit permission of the City Arborist's office. Authorization is required to be obtained prior to plan approval by Urban Forestry during the Land Development plan review process."

**Petition Number: 2018-015 Parcel No. 041-131-93, 041-141-01, 041-153-01, 041-156-02 (portion of), 041-156-04; 2601, 2701, 2837 Cindy Lane, 4927 Statesville Rd., 3100 Cochrane Dr.**

**COMMENTS:** The location of structures, driveways, bike lanes, turn lanes, and other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right of way (Cindy Ln and Cochrane Dr.); City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right of way. No trees can be removed from the right of way (Cindy Ln and Cochrane Dr.) without explicit authorization from the City Arborist or his designee.



No trees can be planted in the right of way of any existing or created city maintained street without explicit authorization from the City Arborist or his designee. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right of way of all City of Charlotte maintained street; species must be approved before planting.

**Unaddressed comments:** The petitioner shall submit a tree survey for all trees two (2) inches in diameter at breast height (DBH) or larger located in the public right of way. In addition, the survey shall include all trees eight (8) inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.

**Petition Number: 2018-008 Parcel No. 161-101-08, 161-101-09; 5250 Kelly St. and 1826 Dallas Ave.**

**COMMENTS:** No trees can be removed from the public right of way of any existing (Kelly St. and Dallas Ave.) or newly created city maintained street without explicit authorization from the City Arborist or his designee. The location of structures, driveways, and other items illustrated on the site plan are conceptual in nature; City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right of way. Specifically, the sidewalk along Dallas Ave may be required to meander into the site to preserve the right of way trees

Trees cannot be planted in the right of way of all City of Charlotte maintained streets (Kelly St. and Dallas Ave.) without explicit authorization from the City Arborist or his designee. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right of way of all City of Charlotte maintained street; species must be approved before planting.

**Unaddressed comments:** The petitioner shall submit a tree survey for all trees two (2) inches in diameter at breast height (DBH) or larger located in the public right of way. In addition, the survey shall include all trees eight (8) inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.

**Petition Number: 2018-012 Parcel No. 081-072-05, 081-072-04; 1401 North Davidson St.**

**COMMENTS:** Trees cannot be planted in the right of way of all existing (E. 17th. St. or N. Davidson St.) City of Charlotte maintained streets without authorization from the City Arborist or his designee. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right of way of all City of Charlotte maintained street; species must be approved before planting.

The proposed four (4) foot wide planting strip along E. 17<sup>th</sup> and N. Davidson Streets is not sufficient nor does it meet the minimum requirements of the tree ordinance. Petitioner will provide a minimum eight (8) foot wide planting strip the length of E. 17<sup>th</sup> and N. Davidson Streets as required by the tree ordinance.



**Petition Number: 2018-013 Parcel No. 047-331-06, 047-331-07; 2609 and 2533 Penninger Circle**

**COMMENTS:** No trees can be planted in the right of way of any city maintained street (Penninger Circle.) without explicit authorization from the City Arborist or his designee. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right of way of all City of Charlotte maintained street; species must be approved before planting.

**Petition Number: 2018-014 Parcel No. Portion of 223-132-17; 15825 Marvin Rd.**

**COMMENTS:** The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right of way of any public street (Marvin and Johnston Rds.); City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right of way.

Trees cannot be removed from or planted in the right of way of any state maintained streets (Marvin and Johnston Rds.) without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact Laurie Reid (704-336-5753) at the City Arborist's office for a tree planting permit before planting trees in the NCDOT right of way once plans have been approved by the City and before planting trees in the NCDOT right of way.

**Unaddressed Comments:** The petitioner shall submit a tree survey for all trees two (2) inches in diameter at breast height (DBH) or larger located in the public right of way. In addition, the survey shall include all trees eight (8) inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.

No trees can be removed from or planted in the right of way of any existing or newly created City maintained street without explicit authorization from the City Arborist or his designee. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right of way of all City of Charlotte maintained street; species must be approved before planting.

**Petition Number: 2018-015 Parcel No. 041-131-93, 041-141-01, 041-153-01, 041-156-02 (portion of), 041-156-04; 2601, 2701, 2837 Cindy Lane, 4927 Statesville Rd., 3100 Cochrane Dr.**

**COMMENTS:** The location of structures, driveways, bike lanes, turn lanes, and other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right of way (Cindy Ln and Cochrane Dr.); City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right of way. No trees can be removed from the right of way (Cindy Ln and Cochrane Dr.) without explicit authorization from the City Arborist or his designee.

No trees can be planted in the right of way of any existing or created city maintained street without explicit authorization from the City Arborist or his designee. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right of way of all City of Charlotte maintained street; species must be approved before planting.





**Unaddressed comments:** The petitioner shall submit a tree survey for all trees two (2) inches in diameter at breast height (DBH) or larger located in the public right of way. In addition, the survey shall include all trees eight (8) inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.

There are numerous trees in the right of way along Cindy Land near the proposed roadway improvements which are protected by the tree ordinance and which require approval from the Arborist's office prior to tree removal. Unless the proposed roadway improvements are required per City of Charlotte Ordinance, the Arborist's office does not support these improvements and will require the right of way trees along Cindy Lance are preserved and protected. Explicit authorization from the Arborist's office is required to remove right of way trees. Please contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss this requirement.