

April 2016

Rezoning Petition Packet

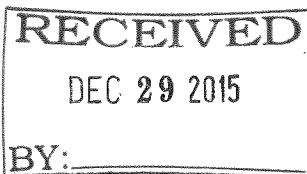
City Petitions:

2016-042 through 2016-055

Staff Review Meeting: February 18, 2016 - 9:00 a.m.

City Public Hearing: April 18, 2016 - 5:30 p.m.

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2016-042

Petition #: _____
Date Filed: 12/29/2015
Received By: Be

Complete All Fields (Use additional pages if needed)

Property Owner: SUZANNE CAMERON HURLEY

Owner's Address: 18911 CROGGY MEADOWS CT City, State, Zip: DAVIDSON NC 28036

Date Property Acquired: 9/1/2007

Property Address: 2911 Griffith St Charlotte, NC 28203

Tax Parcel Number(s): 14701703

Current Land Use: Industrial Miscellaneous Size (Acres): 0.37

Existing Zoning: I-2 Proposed Zoning: TOD-M

Overlay: N/A (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Solomon Fortune

Date of meeting: 12/9/2015

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____

Purpose/description of Conditional Zoning Plan: _____

N/A
Name of Rezoning Agent

N/A
Agent's Address

N/A
City, State, Zip

N/A N/A
Telephone Number Fax Number

N/A
E-Mail Address

Suzanne Cameron Hurley
Signature of Property Owner

Suzanne Cameron Hurley
(Name Typed / Printed)

GRIFFBREW INVESTMENTS, LLC
Name of Petitioner(s)

106 Foster Ave
Address of Petitioner(s)

Charlotte, NC 28203
City, State, Zip

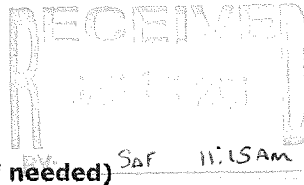
704-319-8347 704-423-0339
Telephone Number Fax Number

Jason.mathis@durbangroup.com
E-Mail Address

Collin Richs
Signature of Petitioner

Collin Richs
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



| | |
|--------------|------------------|
| Petition #: | <u>2016-043</u> |
| Date Filed: | <u>1/15/2016</u> |
| Received By: | _____ |

Complete All Fields (Use additional pages if needed)

Property Owner: William H. Sutton, Bonnie F. Sutton, Howard Sutton

Owner's Address: 12109 Castle Ridge Road City, State, Zip: Raleigh, NC 27614

Date Property Acquired: _____

Property Address: 529 West Summit & 1515 Merriman Avenue

Tax Parcel Number(s): 119-098-10

Current Land Use: Vacant Size (Acres): 0.67 ac

Existing Zoning: I-2 Proposed Zoning: UR-1(CD)

Overlay: _____ (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Solomon Fortune

Date of meeting: November 4, 2015

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes ☒ No ☐ Number of years (maximum of 5): _____

Purpose/description of Conditional Zoning Plan: _____

Essex Homes c/o Jeremy Smith

Name of Rezoning Agent

13000 S. Tryon St., F-205

Agent's Address

Charlotte, NC 28278

City, State, Zip

704-423-8988

Telephone Number

980-225-8990

Fax Number

jsmith@essexhomes.net

E-Mail Address

William H. Sutton

Signature of Property Owner

William H. Sutton

(Name Typed / Printed)

Essex Homes c/o Jeremy Smith

Name of Petitioner(s)

13000 S. Tryon St., F-205

Address of Petitioner(s)

Charlotte, NC 28278

City, State, Zip

704-423-8988

Telephone Number

980-225-8990

Fax Number

jsmith@essexhomes.net

E-Mail Address

Jeremy K. Smith

Signature of Petitioner

Jeremy K. Smith

(Name Typed / Printed)

Additional signatures attached hereto

I. REZONING APPLICATION
CITY OF CHARLOTTE

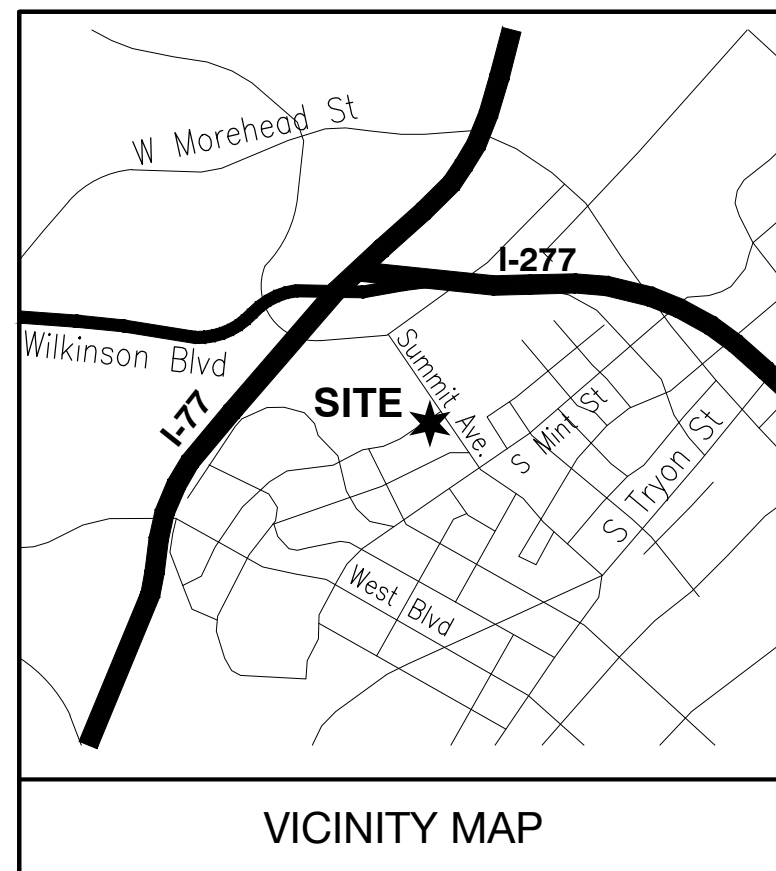
ADDITIONAL SIGNATURES OF PROPERTY OWNER

Bonnie F. Sutton

Bonnie F. Sutton

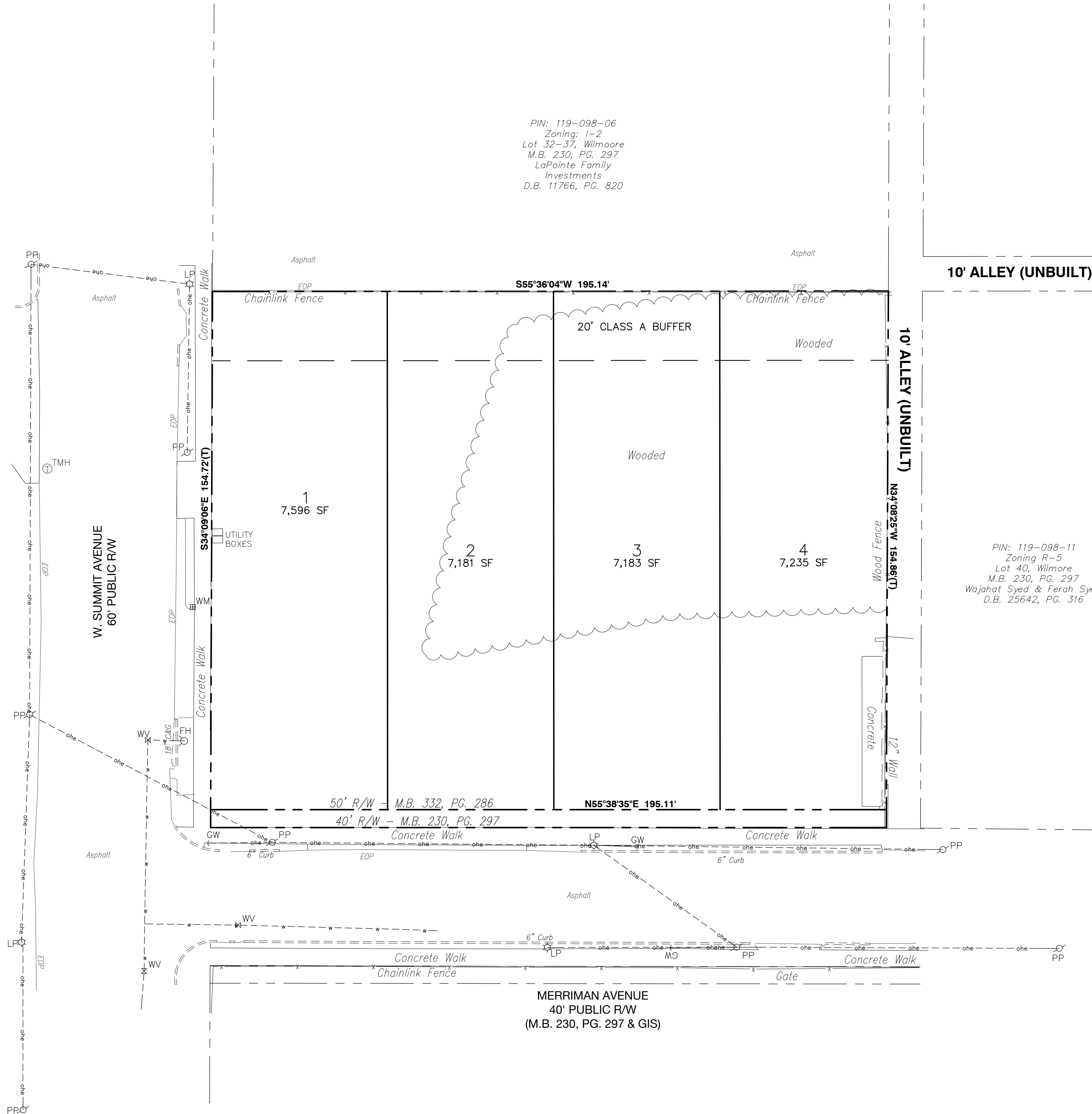
Robert H. Sutton

ROBERT Howard Sutton *RS*



DEVELOPMENT STANDARDS

1. General Provisions
 - a. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Essex Homes Southeast, Inc. (the "Petitioner") to accommodate the development of up to four single family residential lots on that approximately 0.67-acre site located on the south corner of the intersection of West Summit Avenue and Merriman Avenue more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of a single parcel of land designated as Tax Parcel Number 119-098-10.
 - b. The development of the Site will be governed by the Rezoning Plan, these Development Standards, and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
 - c. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. The ultimate layout, locations, and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and its site elements and they may be altered or modified within the limits prescribed by the Ordinance during the Design Development and Construction Phases. Such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
 - d. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.
 - e. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, bicycle parking, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the zoning administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.
2. Permitted Uses
 - a. The Site may be devoted to single family residential use and any associated incidental or accessory uses which are permitted under the Ordinance by right or under prescribed conditions in the UR-1 zoning district.
3. Transportation
 - a. Vehicular parking provided on site shall comply with the minimum requirements of the Ordinance.
4. Architectural Standards
 - a. The maximum height of buildings to be constructed on the site shall be 40'.
5. Streetscape and Landscaping
 - a. The existing sidewalks along Summit Avenue and Merriman Avenue will remain.
 - b. A 20-foot wide Class A buffer shall be established along the Site's southern boundary line as more particularly depicted on the Rezoning Plan. Pursuant to Section 12.302(8) of the Ordinance, the Petitioner may reduce the required width of this buffer by up to 25% by installing a wall, fence, or berm that meets the standards of Section 12.302(8) of the Ordinance.
 - c. Pursuant to Section 12.302(4)(b)(1), the Class A buffer established by the Petitioner shall provide fifty percent of the required buffer width specified for the adjacent industrial use.
 - d. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, the Petitioner may reduce or eliminate, as the case may be, the buffer areas accordingly.
6. Environmental Features
 - a. The Site will comply with the City of Charlotte Tree Ordinance.
 - b. The Site will comply with the City of Charlotte Post Construction Ordinance for stormwater.
7. Binding Effect of the Rezoning Documents and Definitions
 - a. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interests and assigns.
 - b. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest, and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
 - c. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved



| <u>DEVELOPMENT SUMMARY</u> | |
|----------------------------|--------------------------|
| TAX PARCEL ID #: | 119-098-10 |
| TOTAL SITE AREA: | 0.67 AC. |
| EXISTING ZONING: | I-2 |
| PROPOSED ZONING: | UR-1 (CD) |
| SETBACKS: | |
| FRONT: | 14' |
| SIDE: | 5' |
| REAR: | 10' |
| PROPOSED USE: | 4 SINGLE FAMILY LOTS |
| DENSITY: | 4 LOTS 5.97 UNITS/AC. |



Essex Homes
Southeast Inc.

Essex - Wilmore

Rezoning Plan

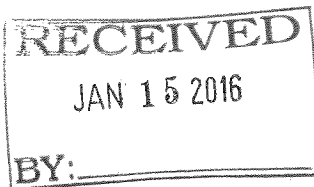
Charlotte, NC

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Project No: 15-102
Date: December 28, 2015
Designed by: udp
Drawn By: udp
Scale: 1"=20'
Sheet No:

REZONING PETITION # 2016-XX

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



| | |
|--------------|-----------------|
| Petition #: | <u>2016-044</u> |
| Date Filed: | _____ |
| Received By: | <u>Py</u> |

Complete All Fields (Use additional pages if needed)

Property Owner: (See Attached)

Owner's Address: (See Attached) City, State, Zip: _____

Date Property Acquired: _____

Property Address: 1617, 1621, 1625 & 1629 S. Tryon Street and 134 W. Kingston, Charlotte, NC

Tax Parcel Number(s): 12306119, 12306120, 12306101, 12306102, 12306121

Current Land Use: Vacant/Single Family Size (Acres): Approximately .9 acres

Existing Zoning: B-1 Proposed Zoning: TOD-MO

Overlay: _____ (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: S. Fortune and A. Goodwin

Date of meeting: 10/7/2015

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): No

Purpose/description of Conditional Zoning Plan: To accommodate the development of a hotel and to allow up to 85' of building height

Collin Brown and Bailey Patrick
Name of Rezoning Agent

K&L Gates LLP, 214 North Tryon Street, 47th Floor
Agent's Address

Charlotte, NC 28202
City, State, Zip

704 331 7531 (CBrown) 704 331 7454 (BPatrick)
Telephone Number
Fax Number: 704 353 3231
collin.brown@klgates.com
E-Mail Address

(See Attached)
Signature of Property Owner

(See Attached)
(Name Typed / Printed)

W. Holt Parham
Name of Petitioner(s)

333 W. Trade Street, Unit 2704
Address of Petitioner(s)

Charlotte, NC 28202
City, State, Zip

704-506-8700
Telephone Number Fax Number
Holt@HoltParham.com
E-Mail Address

W. Holt Parham
Signature of Petitioner

W. HOLT PARHAM
(Name Typed / Printed)

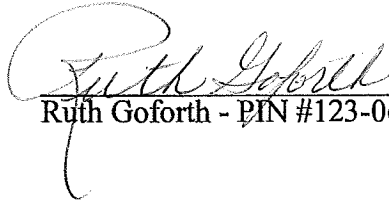
REZONING PETITION NO. 2015-_____

W. HOLT PARHAM, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of those parcels of land located at 1629 & 1625 South Tryon Street and 134 W. Kingston Street in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel Nos. 123-061-01, 123-061-02, 123-061-21 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby joins in this Rezoning Application and consents to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 16 day of October, 2015.



Ruth Goforth - PIN #123-061-01, 123-061-02, 123-061-21

REZONING PETITION NO. 2015-_____

W. HOLT PARHAM, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of those parcels of land located at 1617 South Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 123-061-19 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby joins in this Rezoning Application and consents to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 18th day of Oct, 2015.



Alan B. Griffin - PIN #123-061-19


REZONING PETITION NO. 2015-_____

W. HOLT PARHAM, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of those parcels of land located at 1621 South Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 123-061-21 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby joins in this Rezoning Application and consents to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 19 day of Oct, 2015.



Joseph Henry Cadieu - PIN #123-061-20



| Submittal | 01.15.2016 |
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RZ-1



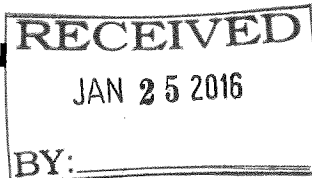
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| 04 | SITE DATA | scale: NTS |
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| 02 | NOTES | scale: NTS |
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01 SITE PLAN

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



| | |
|--------------|-------------------|
| Petition #: | <u>2016 - 045</u> |
| Date Filed: | <u>1/25/2016</u> |
| Received By: | <u>Bj</u> |

Complete All Fields (Use additional pages if needed)

Property Owners: Kennedy Properties, LLC; Fesseha Zeru and Ghanet Haileslassie;
Jay Y. and Jin Hee Jane Yon; Rogers & Rogers Associates, LLC

Owner's Address: See Attachment A City, State, Zip: See Attachment A

Date Property Acquired: See Attachment A

Property Address: 619, 621, 625, 629 Seigle Ave; 616, 624 Stevens St; 1002 E. 10th St

Tax Parcel Number(s): 080-15-204, 080-15-205, 080-15-206, 080-15-207, 080-15-208, 080-15-209, 080-15-210

Current Land Use: Vacant gas station, vacant convenience station, Size (Acres): +/- 1.37 acres
Vacant houses, undeveloped parcels

Existing Zoning: B-1 and R-22MF Proposed Zoning: MUDD-O

Overlay: _____ (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Amanda Vari

Date of meeting: 12/9/15

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? **No.** Number of years (maximum of 5): _____

Purpose/description of Conditional Zoning Plan: To allow the redevelopment of the Site with a new mixed-use building offering retail, office and enclosed self-storage

Keith MacVean
Name of Rezoning Agent

Moore & Van Allen, PLLC
100 N. Tryon Street, Suite 4700
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-331-3531 704-378-1954
Telephone Number Fax Number

keithmacvean@mvalaw.com
E-Mail Address

See Attachment A
Signature of Property Owner

See Attachment A
(Name Typed / Printed)

Pamlico Investments, Inc.
Name of Petitioner(s)

4601 Park Road, Suite 580
Address of Petitioner(s)

Charlotte, NC 28209
City, State, Zip

720-800-2142
Telephone Number Fax Number

josh@pamlicoinvest.com
E-Mail Address

[Signature]
Signature of Petitioner

Joshua Davis
(Name Typed / Printed)

Attachment A
REZONING PETITION NO. 2016-____
Pamlico Investments, Inc.

PETITIONER JOINDER AGREEMENT



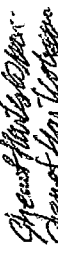
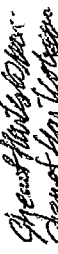
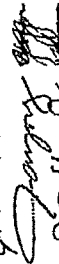
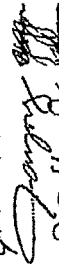

The undersigned hereby join in this Rezoning Application and consent to the change in zoning for the following parcels from B-1 and R-22MF (respectively) to the MUDD-O zoning district as more particularly depicted on the related rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

| <u>Parcel No.</u> | <u>Owner</u> | <u>Current Zoning</u> |
|--------------------------|-------------------------------------|------------------------------|
| 08015204, 08015205 | Kennedy Properties, LLC | R-22MF |
| 08015206, 08015207 | Fesseha Zeru and Ghanet Hailelassie | B-1 |
| 08015208, 08015209 | Jay Y. Yon and Jin Hee Jane Yon | R-22MF |
| 08015210 | Rogers & Rogers Associates, LLC | R-22MF |

This the 25th day of January, 2016.

[Signatures on following page]

[Signature Page to Attachment A]

| Property Owner | Owner's Address | Subject Property Address | Date Acquired | TPID | Current Zoning | Proposed Zoning | Lot Size (Sq. Ft.) | Owner's Signature |
|-------------------------------------|---------------------------------------|---------------------------------------|---------------|----------|----------------|-----------------|--------------------|---|
| Kennedy Properties, LLC | PO Box 33324, Charlotte, NC 28233 | 619 Seigle Ave., Charlotte, NC 28204 | 5/22/13 | 08015204 | R-22-MF | MUDD-O | 7,517 |  |
| Kennedy Properties, LLC | PO Box 33324, Charlotte, NC 28233 | 621 Seigle Ave., Charlotte, NC 28204 | 5/22/13 | 08015205 | R-22-MF | MUDD-O | 7,503 |  |
| Fesscha Zoru and Ghazet Halledossie | 633 Seigle Ave., Charlotte, NC 28204 | 625 Seigle Ave., Charlotte, NC 28204 | 203/98 | 08015206 | R-22-MF | MUDD-O | 7,517 |  |
| Fesscha Zoru and Ghazet Halledossie | 633 Seigle Ave., Charlotte, NC 28204 | 629 Seigle Ave., Charlotte, NC 28204 | 203/98 | 08015207 | D-1 | MUDD-O | 16,465 |  |
| Jay Y. Yon & Jin Hee Hane Yon | 1900 Funny Cide Dr., Waxhaw, NC 28173 | 1007 E. 10th St., Charlotte, NC 28204 | 10-22-07 | 08015208 | R-22-MF | MUDD-O | 5,983 |  |
| Jay Y. Yon & Jin Hee Hane Yon | 1900 Funny Cide Dr., Waxhaw, NC 28173 | 624 Stevens St., Charlotte, NC 28204 | 10-22-07 | 08015209 | R-22-MF | MUDD-O | 4,983 |  |
| Rogers & Rogers Associates, LLC | 314 Eastover Rd., Charlotte, NC 28207 | 616 Stevens St., Charlotte, NC 28204 | 10/20/05 | 08015210 | R-22-MF | MUDD-O | 9,976 |  |

| Property Owner | Owner's Address | Subject Property Address | Date Acquired | TPID | Current Zoning | Proposed Zoning | Lot Size (Sq.Ft.) | Owner's Signature |
|--------------------------------------|---------------------------------------|---------------------------------------|---------------|----------|----------------|-----------------|-------------------|-------------------|
| Kennedy Properties, LLC | PO Box 33324, Charlotte, NC 28233 | 619 Seigle Ave., Charlotte, NC 28204 | | 08015204 | R-22-MF | MUDD-O | 7,517 | |
| Kennedy Properties, LLC | PO Box 33324, Charlotte, NC 28233 | 621 Seigle Ave., Charlotte, NC 28204 | | 08015205 | R-22-MF | MUDD-O | 7,503 | |
| Fesseha Zeru and Ghanet Haileslassie | 633 Seigle Ave., Charlotte, NC 28204 | 625 Seigle Ave., Charlotte, NC 28204 | 3/23/17 | 08015206 | R-22-MF | MUDD-O | 7,517 | Fesseha Zeru |
| Fesseha Zeru and Ghanet Haileslassie | 633 Seigle Ave., Charlotte, NC 28204 | 629 Seigle Ave., Charlotte, NC 28204 | 3/23/17 | 08015207 | B-1 | MUDD-O | 16,465 | Fesseha Zeru |
| Jay Y. Yon & Jin Hee Hane Yon | 1900 Funny Cide Dr., Waxhaw, NC 28173 | 1002 E. 10th St., Charlotte, NC 28204 | | 08015208 | R-22-MF | MUDD-O | 5,983 | |
| Jay Y. Yon & Jin Hee Hane Yon | 1900 Funny Cide Dr., Waxhaw, NC 28173 | 624 Stevens St., Charlotte, NC 28204 | | 08015209 | R-22-MF | MUDD-O | 4,983 | |
| Rogers & Rogers Associates, LLC | 314 Eastover Rd., Charlotte, NC 28207 | 616 Stevens St., Charlotte, NC 28204 | 10/20/05 | 08015210 | R-22-MF | MUDD-O | 9,976 | RR Brownston |




NOTE:
THIS ELEVATION IS PROVIDED TO REFLECT THE ARCHITECTURAL STYLE
AND QUALITY OF THE BUILDING THAT MAY BE CONSTRUCTED ON THE
SITE THE ACTUAL BUILDING CONSTRUCTED ON THE SITE MAY VARY FROM
THESE ILLUSTRATIONS AS LONG AS THE GENERAL ARCHITECTURAL
CONCEPTS AND INTENT ILLUSTRATED IS MAINTAINED.



ORSBORN ENGINEERING GROUP
610 EAST MOREHEAD STREET, SUITE 106
CHARLOTTE, NC 28202
P | 704-749-1432 • F | 704-749-1433

SCHEMATIC SITE PLAN
FOR
BELMONT MILLS
CHARLOTTE, NORTH CAROLINA

PAMLICO
INVESTMENTS, INC.
4601 PARK ROAD
SUITE 580
CHARLOTTE, NC 28209

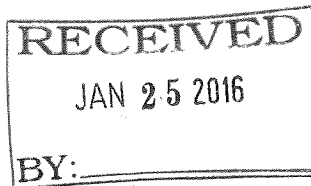


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| JOB # | 15035 |
| DATE: | 01/25/16 |
| SCALE: | NTS |
| DRAWN BY: | JAW |
| APPROVED BY: | JCO |

RZ-2

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2016-046
Date Filed: 1/25/2016
Received By: BH

Complete All Fields (Use additional pages if needed)

Property Owner: 1101 Central Group LLC

Owner's Address: PO Box 958 City, State, Zip: Davidson, NC 28036

Date Property Acquired: April 6, 2015

Property Address: 1101 Central Ave, Charlotte, NC 28204

Tax Parcel Number(s): 081-111-13 & 081-111-06

Current Land Use: Restaurant/Gravel Parking Lot Size (Acres): 1.24

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

Overlay: PED (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Sonja Sanders 10:30am

Monday December 21, 2015

Date of meeting: December 21, 2015

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____

Purpose/description of Conditional Zoning Plan: _____

Babak Emadi
Name of Rezoning Agent

725 Clement Ave
Agent's Address

Charlotte, NC 28204
City, State, Zip

704-408-1647 Fax Number
Telephone Number

babak@urbana-architecture.com
E-Mail Address

[Signature]
Signature of Property Owner

Michael Adams

Michael Adams
Name of Petitioner(s)

PO Box 958
Address of Petitioner(s)

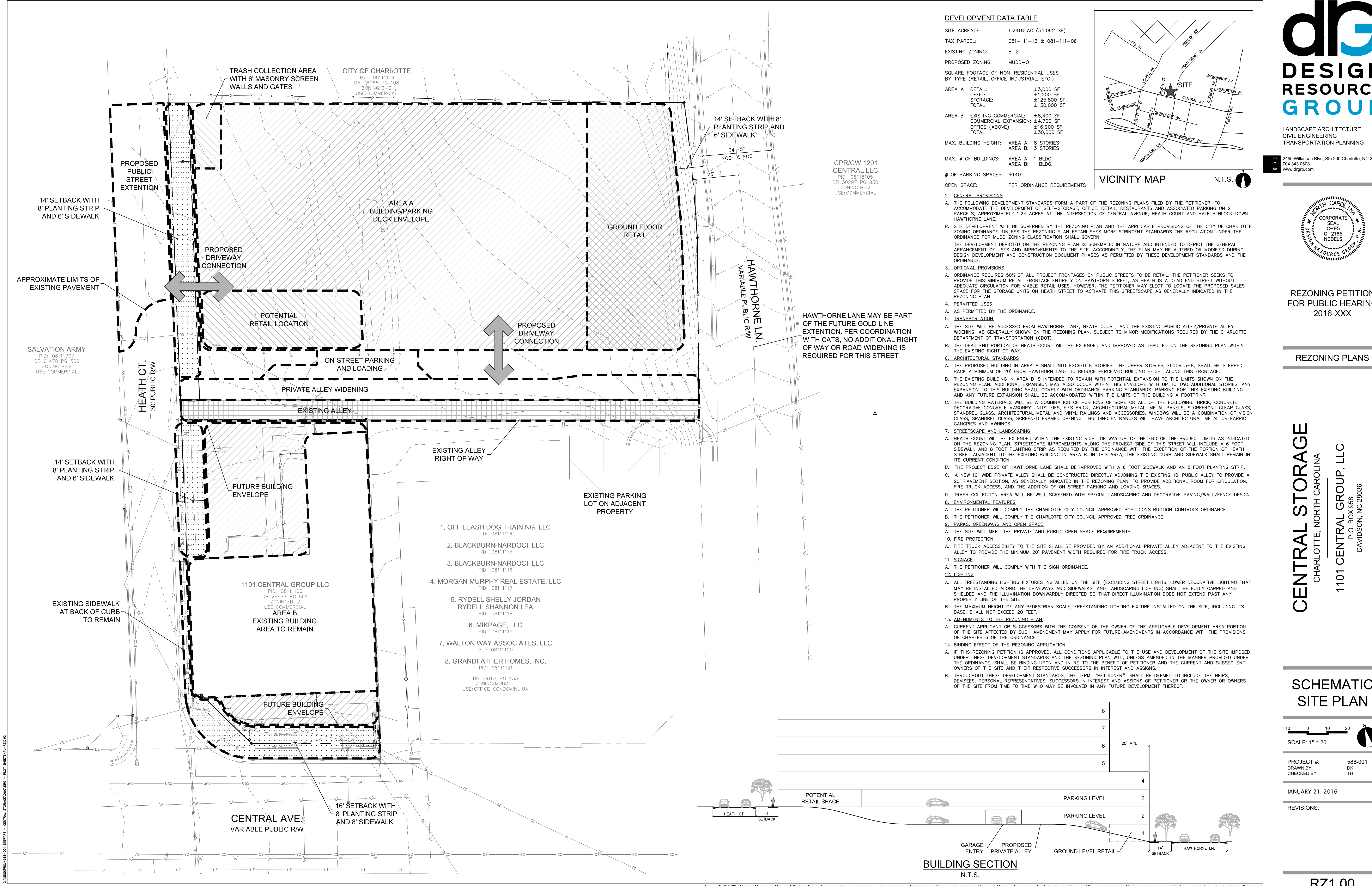
Davidson, NC 28036
City, State, Zip

704-241-5358 Fax Number
Telephone Number

madams@hawthornespizza.com
E-Mail Address

[Signature]
Signature of Petitioner

Michael Adams



DEVELOPMENT DATA TABLE

SITE ACREAGE: 1.2418 AC (54,092 SF)
TAX PARCEL: 081-111-13 & 081-111-06
EXISTING ZONING: B-2
PROPOSED ZONING: MUDD-O

SQUARE FOOTAGE OF NON-RESIDENTIAL USES
BY TYPE (RETAIL, OFFICE INDUSTRIAL, ETC.)

AREA A RETAIL: ±3,000 SF
OFFICE: ±1,200 SF
STORAGE: ±125,800 SF
TOTAL: ±130,000 SF

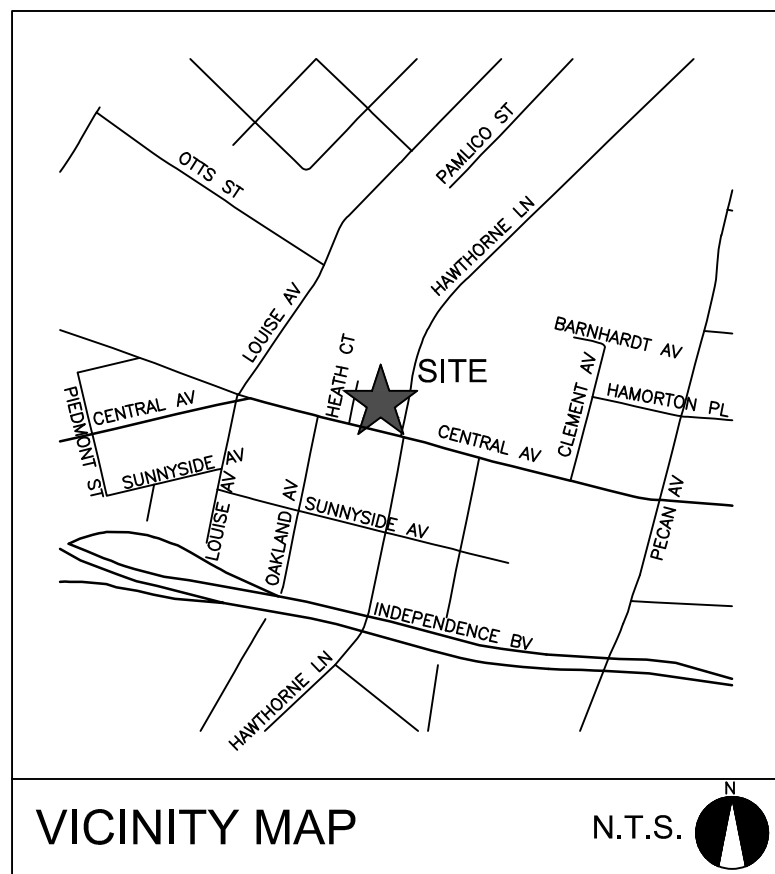
AREA B EXISTING COMMERCIAL: ±8,400 SF
COMMERCIAL EXPANSION: ±4,700 SF
OFFICE (ABOVE): ±16,900 SF
TOTAL: ±30,000 SF

MAX. BUILDING HEIGHT: AREA A: 8 STORIES
AREA B: 3 STORIES

MAX. # OF BUILDINGS: AREA A: 1 BLDG.
AREA B: 1 BLDG.

OF PARKING SPACES: ±140

OPEN SPACE: PER ORDINANCE REQUIREMENTS



2. GENERAL PROVISIONS

A. THE FOLLOWING DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLANS FILED BY THE PETITIONER, TO ACCOMMODATE THE DEVELOPMENT OF SELF-STORAGE, OFFICE, RETAIL, RESTAURANTS AND ASSOCIATED PARKING ON 2 PARCELS, APPROXIMATELY 1.24 ACRES AT THE INTERSECTION OF CENTRAL AVENUE, HEATH COURT AND HALF A BLOCK DOWN HAWTHORNE LANE.

B. SITE DEVELOPMENT WILL BE GOVERNED BY THE REZONING PLAN AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE. UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATION UNDER THE ORDINANCE FOR MUDD ZONING CLASSIFICATION SHALL GOVERN.

THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS TO THE SITE. ACCORDINGLY, THE PLAN MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES AS PERMITTED BY THESE DEVELOPMENT STANDARDS AND THE ORDINANCE.

3. OPTIONAL PROVISIONS

A. ORDINANCE REQUIRES 50% OF ALL PROJECT FRONTAGES ON PUBLIC STREETS TO BE RETAIL. THE PETITIONER SEEKS TO PROVIDE THIS MINIMUM RETAIL FRONTAGE ENTIRELY ON HAWTHORNE STREET, AS HEATH IS A DEAD END STREET WITHOUT ADEQUATE CIRCULATION FOR Viable RETAIL USES. HOWEVER, THE PETITIONER MAY ELECT TO LOCATE THE PROPOSED SALES SPACE FOR THE STORAGE UNITS ON HEATH STREET TO ACTIVATE THIS STREETSCAPE AS GENERALLY INDICATED IN THE REZONING PLAN.

4. PERMITTED USES

A. AS PERMITTED BY THE ORDINANCE.

5. TRANSPORTATION

A. THE SITE WILL BE ACCESSED FROM HAWTHORNE LANE, HEATH COURT, AND THE EXISTING PUBLIC ALLEY/PRIVATE ALLEY WIDENING, AS GENERALLY SHOWN ON THE REZONING PLAN. SUBJECT TO MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT).

B. THE DEAD END PORTION OF HEATH COURT WILL BE EXTENDED AND IMPROVED AS DEPICTED ON THE REZONING PLAN WITHIN THE EXISTING RIGHT OF WAY.

6. ARCHITECTURAL STANDARDS

A. THE PROPOSED BUILDING IN AREA A SHALL NOT EXCEED 8 STORIES. THE UPPER STORIES, FLOOR 5-8, SHALL BE STEPPED BACK A MINIMUM OF 20' FROM HAWTHORNE LANE TO REDUCE PERCEIVED BUILDING HEIGHT ALONG THIS FRONTAGE.

B. THE EXISTING BUILDING IN AREA B IS INTENDED TO REMAIN WITH POTENTIAL EXPANSION TO THE LIMITS SHOWN ON THE REZONING PLAN. ADDITIONAL EXPANSION MAY ALSO OCCUR WITHIN THIS ENVELOPE WITH UP TO TWO ADDITIONAL STORIES. ANY EXPANSION TO THIS BUILDING SHALL COMPLY WITH ORDINANCE STANDARDS. PARKING FOR THIS EXISTING BUILDING AND ANY FUTURE EXPANSION SHALL BE ACCOMMODATED WITHIN THE LIMITS OF THE BUILDING A FOOTPRINT.

C. THE BUILDING MATERIALS WILL BE A COMBINATION OF PORTIONS OF SOME OR ALL OF THE FOLLOWING: BRICK, CONCRETE, DECORATIVE CONCRETE MASONRY UNITS, EIFS, EIFS BRICK, ARCHITECTURAL METAL, METAL PANELS, STOREFRONT CLEAR GLASS, SPANDREL GLASS, ARCHITECTURAL METAL AND VINYL RAILINGS AND ACCESSORIES. WINDOWS WILL BE A COMBINATION OF VISION GLASS, SPANDREL GLASS, SCREENED FRAME OPENING. BUILDING ENTRANCES WILL HAVE ARCHITECTURAL METAL OR FABRIC CANOPIES AND AWNINGS.

7. STREETSCAPE AND LANDSCAPING

A. HEATH COURT WILL BE EXTENDED WITHIN THE EXISTING RIGHT OF WAY UP TO THE END OF THE PROJECT LIMITS AS INDICATED ON THE REZONING PLAN. STREETSCAPE IMPROVEMENTS ALONG THE PROJECT SIDE OF THIS STREET WILL INCLUDE A 6 FOOT SIDEWALK AND 8 FOOT PLANTING STRIP AS REQUIRED BY THE ORDINANCE WITH THE EXCEPTION OF THE PORTION OF HEATH STREET ADJACENT TO THE EXISTING BUILDING IN AREA B. IN THIS AREA, THE EXISTING CURB AND SIDEWALK SHALL REMAIN IN ITS CURRENT CONDITION.

B. THE PROJECT EDGE OF HAWTHORNE LANE SHALL BE IMPROVED WITH A 6 FOOT SIDEWALK AND AN 8 FOOT PLANTING STRIP.

C. A NEW 10' WIDE PRIVATE ALLEY SHALL BE CONSTRUCTED DIRECTLY ADJOINING THE EXISTING 10' PUBLIC ALLEY TO PROVIDE A 20' PAVEMENT SECTION, AS GENERALLY INDICATED IN THE REZONING PLAN, TO PROVIDE ADDITIONAL ROOM FOR CIRCULATION, FIRE TRUCK ACCESS, AND THE ADDITION OF ON STREET PARKING AND LOADING SPACES.

D. TRASH COLLECTION AREA WILL BE WELL SCREENED WITH SPECIAL LANDSCAPING AND DECORATIVE PAVING/WALL/FENCE DESIGN.

8. ENVIRONMENTAL FEATURES

A. THE PETITIONER WILL COMPLY THE CHARLOTTE CITY COUNCIL APPROVED POST CONSTRUCTION CONTROLS ORDINANCE.

B. THE PETITIONER WILL COMPLY THE CHARLOTTE CITY COUNCIL APPROVED TREE ORDINANCE.

9. PARKS, GREENWAYS AND OPEN SPACE

A. THE SITE WILL MEET THE PRIVATE AND PUBLIC OPEN SPACE REQUIREMENTS.

10. FIRE PROTECTION

A. FIRE TRUCK ACCESSIBILITY TO THE SITE SHALL BE PROVIDED BY AN ADDITIONAL PRIVATE ALLEY ADJACENT TO THE EXISTING ALLEY TO PROVIDE THE MINIMUM 20' PAVEMENT WIDTH REQUIRED FOR FIRE TRUCK ACCESS.

11. SIGNAGE

A. THE PETITIONER WILL COMPLY WITH THE SIGN ORDINANCE.

12. LIGHTING

A. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING STREET LIGHTS, LOWER DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS, AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.

B. THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 20 FEET.

13. AMENDMENTS TO THE REZONING PLAN

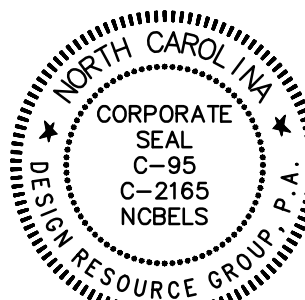
A. CURRENT APPLICANT OR SUCCESSORS WITH THE CONSENT OF THE OWNER OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT MAY APPLY FOR FUTURE AMENDMENTS IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

B. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.

C. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

BUILDING SECTION

N.T.S.



REZONING PETITION
FOR PUBLIC HEARING
2016-XXX

REZONING PLANS

CENTRAL STORAGE
CHARLOTTE, NORTH CAROLINA
1101 CENTRAL GROUP, LLC
P.O. BOX 958
DAVIDSON, NC 28036

SCHEMATIC
SITE PLAN

10 0 10 20
SCALE: 1" = 20'

PROJECT #: 588-001
DRAWN BY: DK
CHECKED BY: TH

JANUARY 21, 2016

REVISIONS:

RECEIVED

JAN 25 2016

2016-047

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: _____
Date Filed: 1/25/2016
Received By: BH

Complete All Fields (Use additional pages if needed)

Property Owner: City of Charlotte
Owner's Address: 600 E. 4th Street, Charlotte, North Carolina 28202
Date Property Acquired: unable to establish
Property Address: On West Tyvola Road across from City Park Drive
Tax Parcel Number: portion of 143-133-01
Current Land Use: vacant land Size (Acres): 11.69
Existing Zoning: MUDD-O Proposed Zoning: MUDD-O(SPA)
Overlay: _____
(Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Alberto Gonzalez, Grant Meacci, Josh Weaver and Carlos Alzate

Date of meeting: 1/19/16

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes ☒ No. Number of years (maximum of 5): N/A

Purpose/description of Conditional Zoning Plan: To add hotel uses to the previously approved conditional plan

Jeff Brown
Keith MacVean
Name of Rezoning Agent

Moore & Van Allen, PLLC
100 N. Tryon Street, Suite 4700
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-331-1144 (JB) **704-348-1925 (JB)**
704-331-3531 (KM) **704-378-1954 (KM)**
Telephone Number Fax Number

jeffbrown@mvalaw.com keithmacvean@mvalaw.com
E-mail Address

See Attachment A
Signature of Property Owner

(Name Typed/Printed)

Crosland Southeast
Attn: Peter B. Pappas
Name of Petitioner

121 West Trade Street, Suite 2550
Address of Petitioner

Charlotte, NC 28202
City, State, Zip

704-561-5200
Telephone Number Fax Number

ppappas@csere.com
E-mail Address

See Attachment B
Signature of Petitioner

(Name Typed/Printed)

ATTACHMENT A

REZONING PETITION NO. [2016-____]
Crosland Southeast

PETITIONER JOINDER AGREEMENT
City of Charlotte

The undersigned, as the owner of the vacant parcel of land located off of Tyvola Road that is designated as a portion of Tax Parcel No. 143-133-01 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcel from the MUDD-O zoning district to the MUDD-O(SPA) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 25th day of JANUARY, 2016.

CITY OF CHARLOTTE

By: [Signature]
Name: Tom Kardos
Title: Real Estate Developer

Attachment A

ATTACHMENT B

Crosland Southeast

PETITIONER:

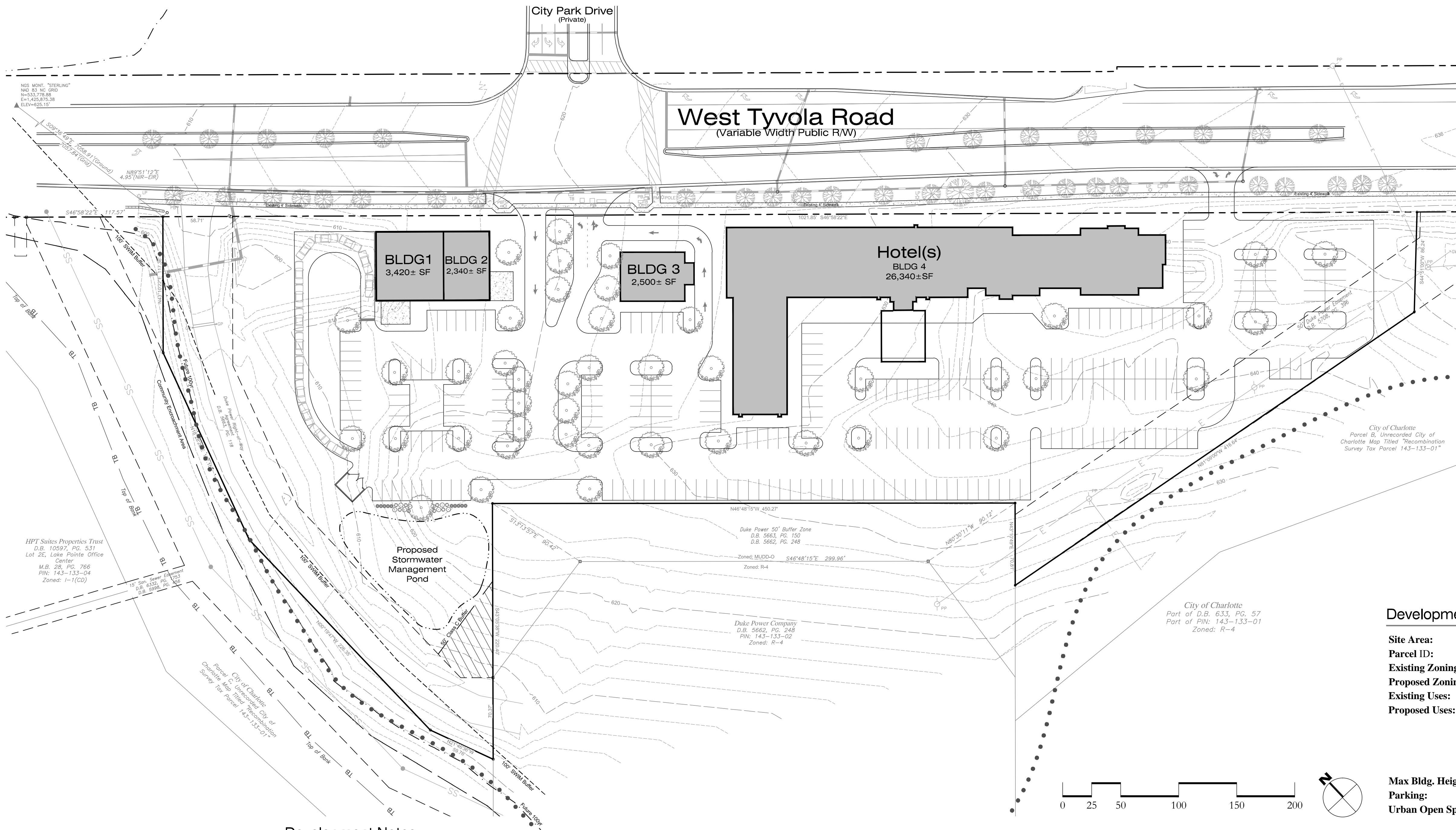
**C4 Investments, LLC
d/b/a Crosland Southeast**

By: 

Name: Peter B. Pappas

Title: Manager

Attachment B



Legend

| | | | |
|--|-------------------------------------|--|--------------------------------|
| | Proposed R/W | | Existing Street Trees |
| | Property Line | | Proposed Parking Lot Tree |
| | Duke Power Easement | | 100 ft. SWIM Buffer |
| | Proposed Stormwater Management Pond | | Future Loop at City Park Trail |

Development Data:

| | |
|--------------------------|---|
| Site Area: | ± 11.69 acres |
| Parcel ID: | Portion of 143-133-01 |
| Existing Zoning: | MUDD-O |
| Proposed Zoning: | MUDD-O (SPA) |
| Existing Uses: | Vacant |
| Proposed Uses: | To allow: (i) up to 25,000 square feet of gross floor area of retail, office, restaurant (EDEE), personal services, a gas station with or without convenience store, and other commercial uses; and (ii) hotel uses for up to 250 rooms all together with accessory uses permitted in the MUDD-O zoning classification and as more particularly described below in Section 3. |
| Max Bldg. Height: | As allowed by the Ordinance. |
| Parking: | Per the standards of the Zoning Regulations. |
| Urban Open Space: | Will be provided as required by the Ordinance. |

Development Notes:

1. General Provisions:

- a. **Site Location.** These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Crosland Southeast to accommodate development of mix of retail, office, EDEE, personal service uses, hotel(s) and other commercial uses allowed in the MUDD zoning district on an approximately ± 11.69 acre site located on W. Tyvola Road across from City Park Drive (the "Site").
- b. **Zoning District/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD-O zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.
- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Development Areas (as defined below) and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance. Since the project has not undergone the design development and construction documentation phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:
- i. minor and don't materially change the overall design intent depicted on the Rezoning Plan; such as minor modifications to the configurations of the Development Areas (as defined below), street dimensions and the like as long as the modifications

- maintain the general building/parking orientation and character of the development generally depicted on the Rezoning Plan; or
- ii. modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the external setbacks, side or rear yards) indicated on Sheet RZ-1; or
- iii. modifications to allow minor increases or decreases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

d. **Number of Buildings Principal and Accessory.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site will be limited four (4). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

Note: These Development Standards replace and supersede the previous development standards approved as part of the prior Rezoning Petition for this Site. The proposed square footage and the number of proposed hotel rooms by this Petition are independent entitlements and are not associated with or part of the entitlements approved for City Park as Part of Rezoning Petition No. 2007-082.

2. Optional Provisions.

- a. To allow each building, or each independently branded hotel, constructed on the Site to have a detached ground mounted sign with 36 square feet of sign area and up to five (5) feet in height. Detached signs must be located behind the required setback.
- b. To allow wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area, to which they are attached, whichever is less. The sign area of these allowed wall signs may be increased by 10% if individual letters are used.

- c. To allow each independently branded hotel constructed on the Site, to have up to 200 square feet of sign surface area per wall or 10% of the wall area, to which they are attached, whichever is less. The sign area of these allowed wall signs may be increased by 10% if individual letters are used.
- d. To allow two (2) uses with accessory drive-through windows on the Site.
- e. To allow the existing sidewalk and planting strip established along Tyvola Road to remain.
- f. To allow maneuvering for an accessory drive-through window between the proposed building and Tyvola Road.

Note: The optional provisions regarding signs are additions/modifications to the standards for signs in the MUDD district and are to be used with the remainder of MUDD standards for signs not modified by these optional provisions.

3. Permitted Uses & Development Limitations:

- a. The principal buildings constructed on the Site may be developed: (i) with up to 25,000 square feet of gross floor area of uses such as retail, restaurants (Eating, Drinking and Entertainment Establishments - EDEE), personal services, a gas station with or without a convenience store, and office uses as permitted by right and under prescribed conditions; (ii) a hotel(s) with up to 250 rooms; together with all accessory uses and uses under prescribed conditions as allowed in the MUDD-O zoning.
- b. As allowed by the Optional Provisions above up to two (2) uses with accessory drive-through windows may be constructed on the Site.

4. Access, Traffic, and Sight Distance Along Tyvola Road:

- a. Vehicular and pedestrian access to the Site will be from Tyvola Road via two (2) proposed driveways as generally depicted on the Rezoning Plan. The existing driveway located on the western edge of the Site that serves the existing Duke Power Company Substation will be allowed to remain.
- b. The placements and configurations of vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by CDOT in accordance with published standards.

- c. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

- d. The Petitioner will provide 705' clear sight distance at all connections to West Tyvola Road per CDOT standards as requested as part of the previously approved conditional plan for City Park.

5. Architectural Guidelines:

- a. The intent of the City Park redevelopment concept is to create a variety of architectural experiences. The redevelopment will utilize primarily stone, brick, stucco and/or architectural face block construction materials. The elevations facing Tyvola Road will be properly articulated in accordance with MUDD development standards
- b. All buildings constructed on this site shall conform to the MUDD urban design and development standards outlined in the Ordinance
- c. Meter banks will be screened from Tyvola Road.
- d. Roof top HVAC and related mechanical equipment will be screened from public view at grade.

- e. Dumpster areas will be enclosed on all four sides by an opaque wall with one side being a hinged opaque gate. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side.

6. Streetscape, Landscaping, Sidewalks:

- a. The minimum setback will be the greater of the existing right-of-way for Tyvola Road or a 14 foot setback as measured from the back of the existing curb along Tyvola Road.
- b. The Petitioner will maintain, and repair as needed, the existing streetscape (planting strip and sidewalk) established along

Tyvola Road as generally depicted on the Rezoning Plan.

- c. Along the Site's internal drives the Petitioner will provide a sidewalk network that will link all the buildings on the Site to each other and to Tyvola Road.

- d. The Petitioner will design the internal sidewalk network to connect to the future Sugar Creek Greenway and Loop at City Park.

- e. Above ground backflow preventers will be screened from public view and will be located behind the proposed sidewalk, outside of the right-of-way, or the required MUDD setback which ever is greater.

7. Environmental Features:

- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

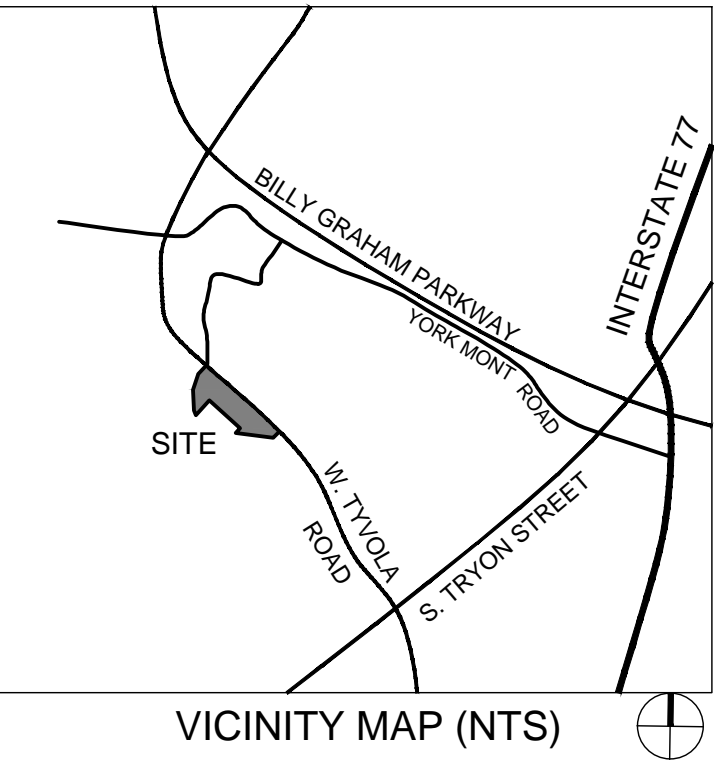
- b. The Site will comply with the Tree Ordinance. The area of the Site dedicated to County Parks and Recreation for greenway purposes may also be used to meet the Site's tree save requirements.

8. Signage:

- a. Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided.

9. Lighting:

- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- b. Detached lighting on the Site will be limited to 25 feet in height.
- c. Architectural lighting such as but not limited to, sconces, up lighting, accent lighting, including color accent lighting and decorative lighting on the building facades will be permitted.



| REVISIONS: | REV. | REVISION DESCRIPTION | DATE: | CHANGED BY: | APPROVED BY: |
|------------|------|----------------------|-------|-------------|--------------|
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| DESIGN BY: | DATE: | DATE: | DATE: | DATE: |
|------------|---------|-------|---------|-------|
| SRH | 1/25/16 | SRH | 1/25/16 | SRH |
| CLP | 1/25/16 | CLP | 1/25/16 | CLP |
| JLM | 1/25/16 | JLM | 1/25/16 | JLM |
| SRH | 1/25/16 | SRH | 1/25/16 | SRH |

City Park Crossing

Charlotte, NC

Rezoning Plan

| | | |
|-------------|---------------|--------------|
| JOB NO: TBD | DATE: 1/25/16 | SHEET 1 of 1 |
|-------------|---------------|--------------|

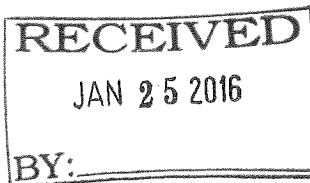
MERRICK & COMPANY

1001 MOREHEAD SQUARE DRIVE, SUITE 1500
CHARLOTTE, NC 28203
PHONE: 704.520.8500
FAX: 704.520.8501
WWW.MERRICK-AND-COMPANY.COM
THIS AND ANY OTHER ELECTRONIC MEDIA TRANSMISSIONS ARE SUBJECT TO AN INSTRUMENT OF CONVEYANCE, WHICH MAY BE SUBJECT TO A FUTURE REVISION. IT IS HEREBY AGREED THAT THE INSTRUMENT OF CONVEYANCE SHALL BE THE FINAL AUTHORITY IN THE EVENT OF ANY DISCREPANCY BETWEEN THE INSTRUMENT OF CONVEYANCE AND ANY OTHER MEDIA TRANSMISSION. THE INSTRUMENT OF CONVEYANCE SHALL BE THE FINAL AUTHORITY IN THE EVENT OF ANY DISCREPANCY BETWEEN THE INSTRUMENT OF CONVEYANCE AND ANY OTHER MEDIA TRANSMISSION.

CROSLAND SOUTHEAST

121 West Trade Street
Suite 2550
Charlotte, NC 28202

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2016-048
Date Filed: 1/25/2016
Received By: B+

Complete All Fields (Use additional pages if needed)

Property Owner: Honey Properties, Inc.

Owner's Address: 1014 S. Tryon Street City, State, Zip: Charlotte, NC 28203

Date Property Acquired: 8/16/2004

Property Address: 126 West Worthington Avenue, Charlotte, NC

Tax Parcel Number(s): 12101401

Current Land Use: Warehouse Size (Acres): 0.29

Existing Zoning: I-2 Proposed Zoning: TOD (M)

Overlay: _____ (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Solomon Fortune

Date of meeting: 1/20/2016

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____

Purpose/description of Conditional Zoning Plan: _____

Eric Hampton, Kimley-Horn
Name of Rezoning Agent

200 South Tryon Street, Suite 200
Agent's Address

Charlotte, NC 28202
City, State, Zip

704.409.1805
Telephone Number Fax Number

Eric.hampton@kimley-horn.com
E-Mail Address


Signature of Property Owner

David W. Bedinger
(Name Typed / Printed)

VICE PRESIDENT
HONEY PROPERTIES, INC. ²


DCC Parcel B Plus LLC
Name of Petitioner(s)

1930 Camden Road, Suite 130
Address of Petitioner(s)

Charlotte, NC 28203
City, State, Zip

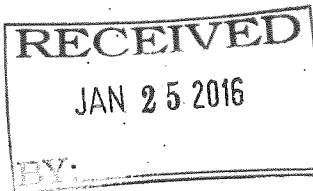
704.377.9295
Telephone Number Fax Number

dklepser@ramrealestate.com
E-Mail Address


Signature of Petitioner

David Klepser
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2016-049

Petition #: _____
Date Filed: 1/25/2016
Received By: BH

Complete All Fields (Use additional pages if needed)

Property Owner: Jordan Sam Wilson Properties LLC
Owner's Address: 6301 Highway 158 City, State, Zip: Summerfield NC 27358
Date Property Acquired: 4/21/1997
Property Address: 2627 Sam Wilson Road Charlotte NC 28214
Tax Parcel Number(s): 05523101
Current Land Use: Restaurant/Bar Size (Acres): 0.783
Existing Zoning: B-2 Proposed Zoning: I-2
Overlay: Lower Lake Wylie (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Charlotte Mecklenburg Planning (See Attached Notes)
Date of meeting: 12/2/2015

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

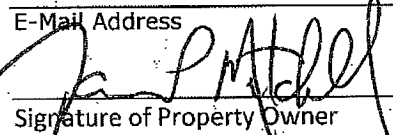
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____
Purpose/description of Conditional Zoning Plan: Change the zoning to I-2 to allow for the construction of a Truck Stop and Vehicle Fuel Stop with Convenience Store and Restaurant Combination Facility


Name of Rezoning Agent

Agent's Address

City, State, Zip

Telephone Number Fax Number

E-Mail Address

Signature of Property Owner
JAMES P. MITCHELL / MEMBER
(Name Typed / Printed)

Loves Travel Stop and Country Store
Name of Petitioner(s)
10601 N. Pennsylvania Ave
Address of Petitioner(s)
Oklahoma City, OK 73120
City, State, Zip
(405) 203-5900 (405) 463-6646
Telephone Number Fax Number
Chad.Bruner@loves.com
E-Mail Address
 Real Estate Project Mgr
Signature of Petitioner
Chad Bruner
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: _____

Date Filed: _____

Received By: _____

Complete All Fields (Use additional pages if needed)

Property Owner: Charlotte I-85 Associates

Owner's Address: 3366 Hollow Creek Road City, State, Zip: Germanton, TN 38138

Date Property Acquired: 1/5/1990

Property Address: 2603 Sam Wilson Road Charlotte NC 28214

Tax Parcel Number(s): 05523102

Current Land Use: Vacant Size (Acres): 9.44

Existing Zoning: CC Proposed Zoning: I-2

Overlay: Lower Lake Wylie (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Charlotte Mecklenburg Planning (See Attached Notes)

Date of meeting: 12/2/2015

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/☒ No. Number of years (maximum of 5): _____

Purpose/description of Conditional Zoning Plan: Change the zoning to I-2 to allow for the construction of a Truck Stop and Vehicle Fuel Stop with Convenience Store and Restaurant Combination Facility

Name of Rezoning Agent

Agent's Address

City, State, Zip

Telephone Number

Fax Number

E-Mail Address

Brandon M. Wellford
Signature of Property Owner
BRANDON M. WELLFORD, VICE PRESIDENT
JFS INVESTMENT CORP., ITS GENERAL PARTNER
(Name Typed / Printed)

Loves Travel Stop and Country Store
Name of Petitioner(s)

10601 N. Pennsylvania Ave
Address of Petitioner(s)

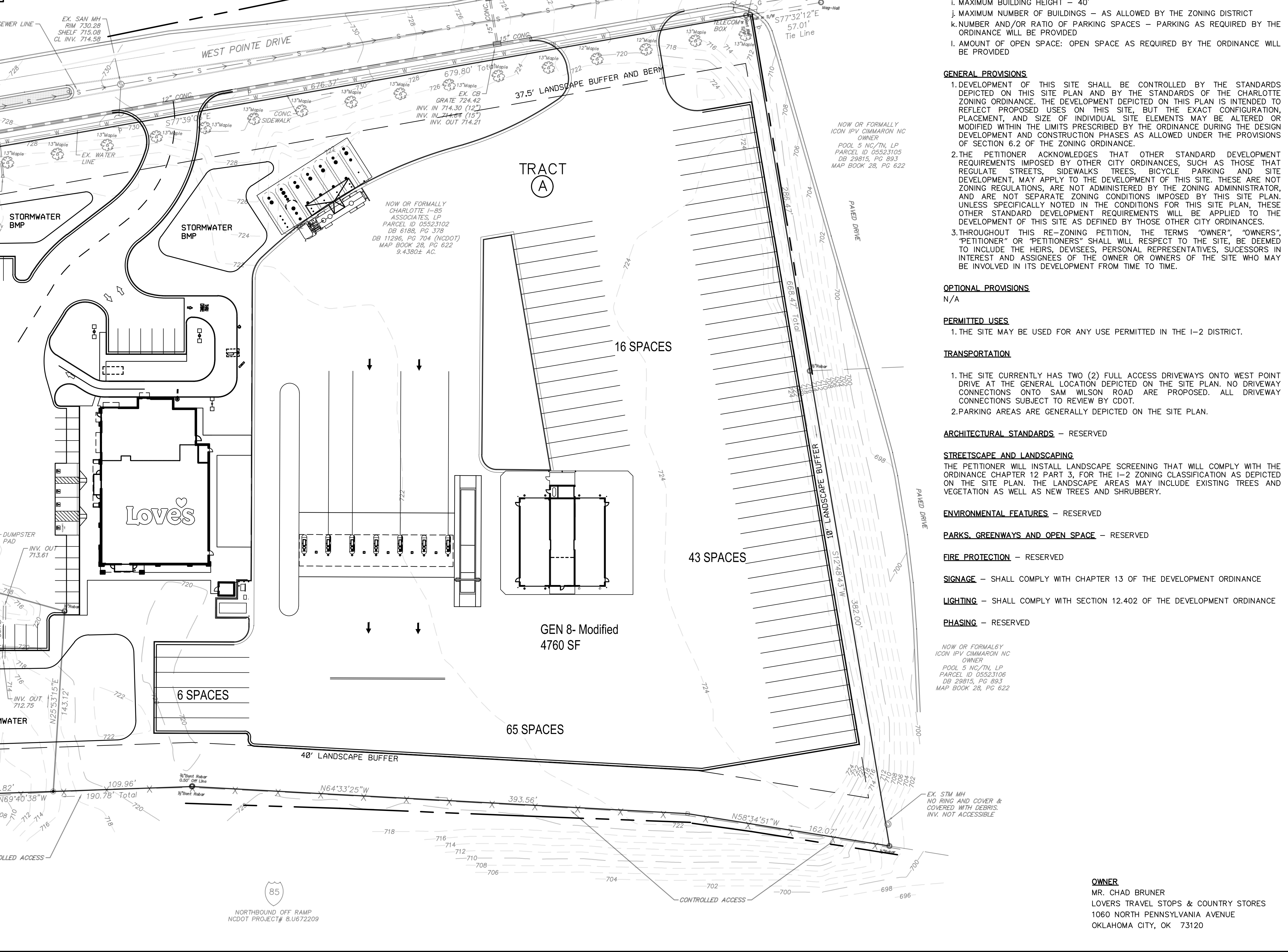
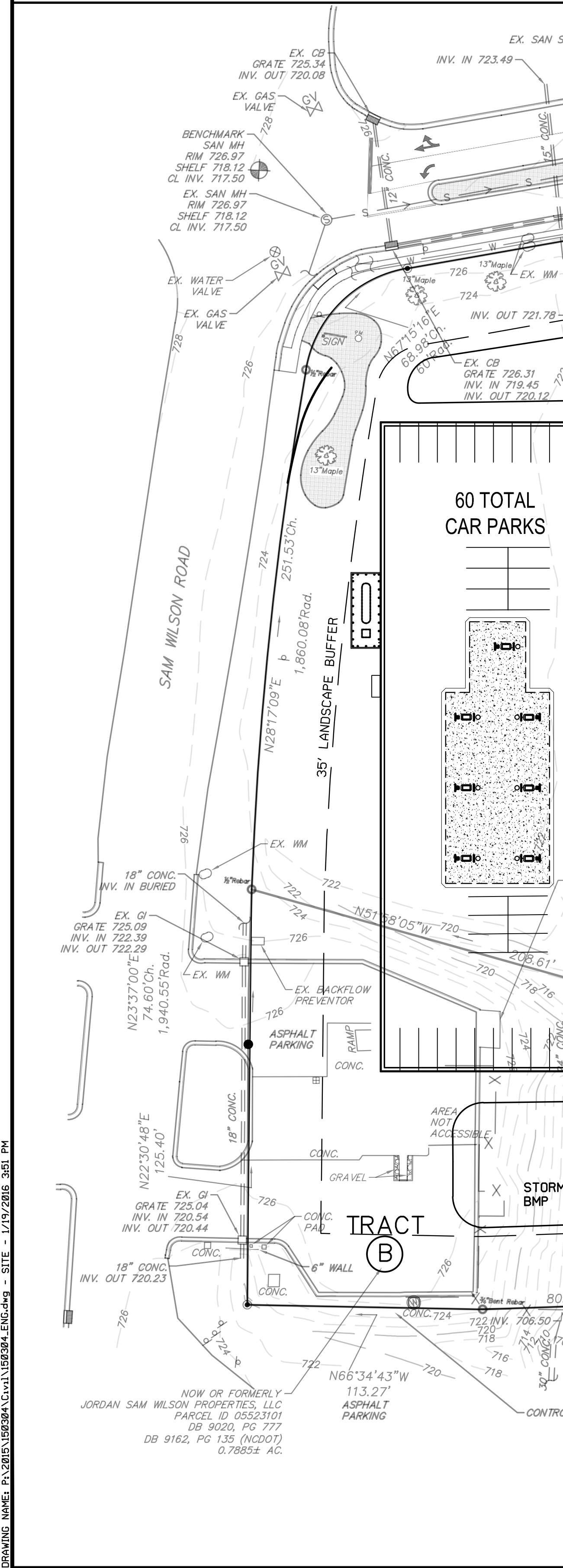
Oklahoma City, OK 73120
City, State, Zip

(405) 203-5900 (405) 463-6646
Telephone Number Fax Number

Chad.Bruner@loves.com
E-Mail Address

Chad Bruner Real Estate Project Mgr
Signature of Petitioner

Chad Bruner
(Name Typed / Printed)



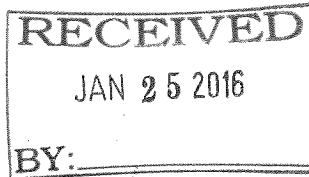
PHASING - RESERVED

SHEET NO.

RZ-I

OF 1

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2016-050

| | |
|--------------|-----------|
| Petition #: | _____ |
| Date Filed: | 1/25/2016 |
| Received By: | JK |

Complete All Fields (Use additional pages if needed)

Property Owner: Marnicaly at UNCC, LLC

Owner's Address: 4620 Town & Country Drive City, State, Zip: Charlotte, NC 28226

Date Property Acquired: December 17, 2015

Property Address: 9905 and 9915 Old Concord Road

Tax Parcel Number(s): 049-291-01

Current Land Use: Single family residential Size (Acres): +/- 2.59 acres

Existing Zoning: Institutional Proposed Zoning: UR-2 (CD)

Overlay: N/A (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Sanja Sanders, Mandy Vari, Shannon Frye, Rick Grochowski
Date of meeting: January 25, 2016

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____

Purpose/description of Conditional Zoning Plan: To accommodate the development of a residential community that could contain up to 26 duplex dwelling units.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

101 N. Tryon Street, Suite 1900
Agent's Address

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@rbh.com
E-Mail Address

Same as Petitioner
Signature of Property Owner

(Name Typed / Printed)

Marnicaly at UNCC, LLC (c/o Kevin Shea)
Name of Petitioner(s)

4620 Town & Country Drive
Address of Petitioner(s)

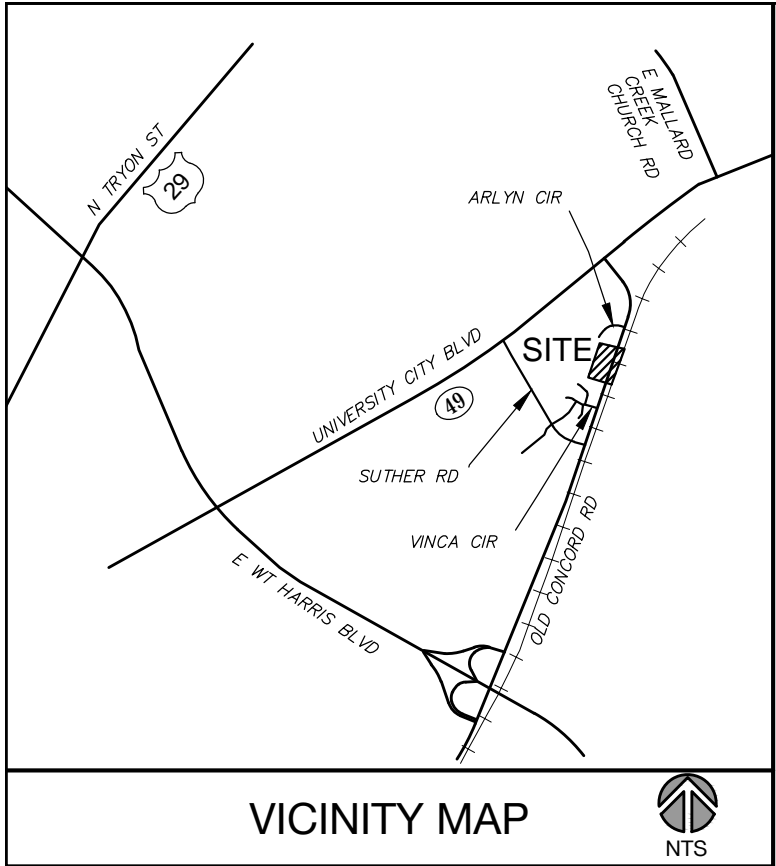
Charlotte, NC 28226
City, State, Zip

704-651-1873
Telephone Number Fax Number

sheaandshea@carolina.rr.com
E-Mail Address

MARNICALY AT UNCC, LLC
By: [Signature]
Signature of Petitioner

Kevin Shea
(Name Typed / Printed)



DEVELOPMENT STANDARDS

A. General Provisions

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Marnicaly at UNCC, LLC ("Petitioner") to accommodate the development of a residential community on that approximately 2.59 acre site located on the west side of Old Concord Road, south of the intersection of Old Concord Road and John Kirk Drive, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel No. 049-291-01.
- Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 zoning district shall govern the development and use of the Site.
- Future amendments or modifications to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations or modifications to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

B. Permitted Uses

- The Site may be devoted only to a residential community containing a maximum of 26 duplex dwelling units and to any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district. Incidental and accessory uses may include, without limitation, amenities for the residents, such as a clubhouse and fitness center.
- An amenity building may be constructed on the Site in the general location depicted on the Rezoning Plan. The maximum size of this amenity building shall be 1,800 square feet of gross floor area.

C. Transportation

- Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.

- A minimum of 102 parking spaces shall be provided on the Site.

- Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.

D. Architectural Standards

- The maximum height in stories of the duplex dwelling units shall be 2 stories.
- The maximum height in feet of each duplex building to be located on the Site shall be 40 feet as measured from the average grade at the base of each duplex building.

E. Streetscape/Landscaping

- An 8 foot planting strip and a 6 foot sidewalk shall be installed along the Site's frontage on Old Concord Road.

F. Lighting

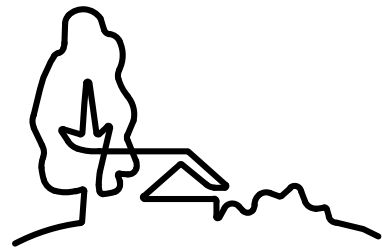
- All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
- The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed 20 feet.
- Any lighting fixtures attached to the buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

G. Binding Effect of the Rezoning Documents and Definitions

- If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
- Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

DEVELOPMENT SUMMARY

| | |
|-------------------|-------------------------------------|
| TAX PARCEL ID #: | 049-291-01 |
| TOTAL SITE AREA: | ± 2.59 AC |
| EXISTING ZONING: | INST |
| PROPOSED ZONING: | UR-2 |
| PROPOSED USE: | MF RESIDENTIAL (26 DUPLEX UNITS) |
| DENSITY: | 10.03 UNITS/ACRE |
| PARKING REQUIRED: | 1 PER UNIT |
| PARKING PROVIDED: | 78 SP. MAX. |



URBAN
DESIGN
PARTNERS

1318-e6 central ave. p 704.334.3303
charlotte, nc 28205 f 704.334.3305
urbandesignpartners.com

Marnicaly at UNCC, LLC

Mr. Kevin Shea

4620 Town and Country Drive
Charlotte, NC 28226

MARNICALY UNCC

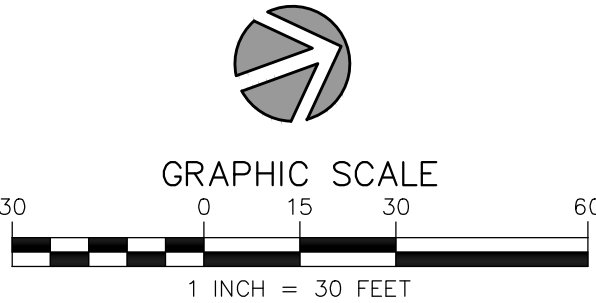
Rezoning Site Plan
Charlotte, NC

NO. DATE: BY: REVISIONS:

Project No: 15-130
Date: 01.25.16
Designed by: udp
Drawn By: udp
Scale: 1"=30'
Sheet No:

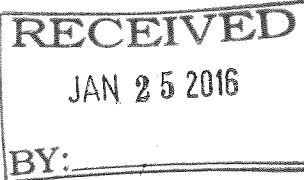
RZ-1.0

OLD CONCORD ROAD
60' WIDE PUBLIC R/W



REZONING PETITION #2016-XX

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2016-051

Petition #: _____
Date Filed: 01/25/16
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Silver Midwood LLC, Curry Family Partnership LLC*
1805 Sardis Rd. North, Suite 120 Charlotte, NC 28211
Owner's Address: 10509 Independence Pointe City, State, Zip: Matthews, NC 28211*
Date Property Acquired: 02/11/2000, 02/16/2006*, 02/11/2000
Property Address: 1312 Nanning St., 2131 McClellan Rd., 2139 McClellan Rd.
Tax Parcel Number(s): 129-017-04, 129-017-05*, 129-017-06
Current Land Use: Auto Body, Residential*/Gym Size (Acres): 0.78 +/- acres
Existing Zoning: B-2, O-2*, O-2 Proposed Zoning: MUDD-CD/PED-O
Overlay: PED (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Sonja Sanders
Date of meeting: 01/25/2016

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____

Purpose/description of Conditional Zoning Plan: 20-25 attached, single family homes.

Anthony Fox & Mac McCauley
Parker, Lee, Adams & Bernstein
Name of Rezoning Agent

Three Wells Fargo Center
Agent's Address 461 S. Tryon St., Suite 3000
Charlotte, NC 28202
City, State, Zip

(704) 372-9000 (704) 384-4706
Telephone Number Fax Number

anthony.fox@parkerlee.com
mac.mccauley@parkerlee.com
E-Mail Address

[Signature]
Signature of Property Owner

Milton Silver

(Name Typed / Printed)

The Drakeford Company/Ryan Drake
Name of Petitioner(s)

1914 Brunswick Ave, 2A
Address of Petitioner(s)
Charlotte, NC 28207
City, State, Zip

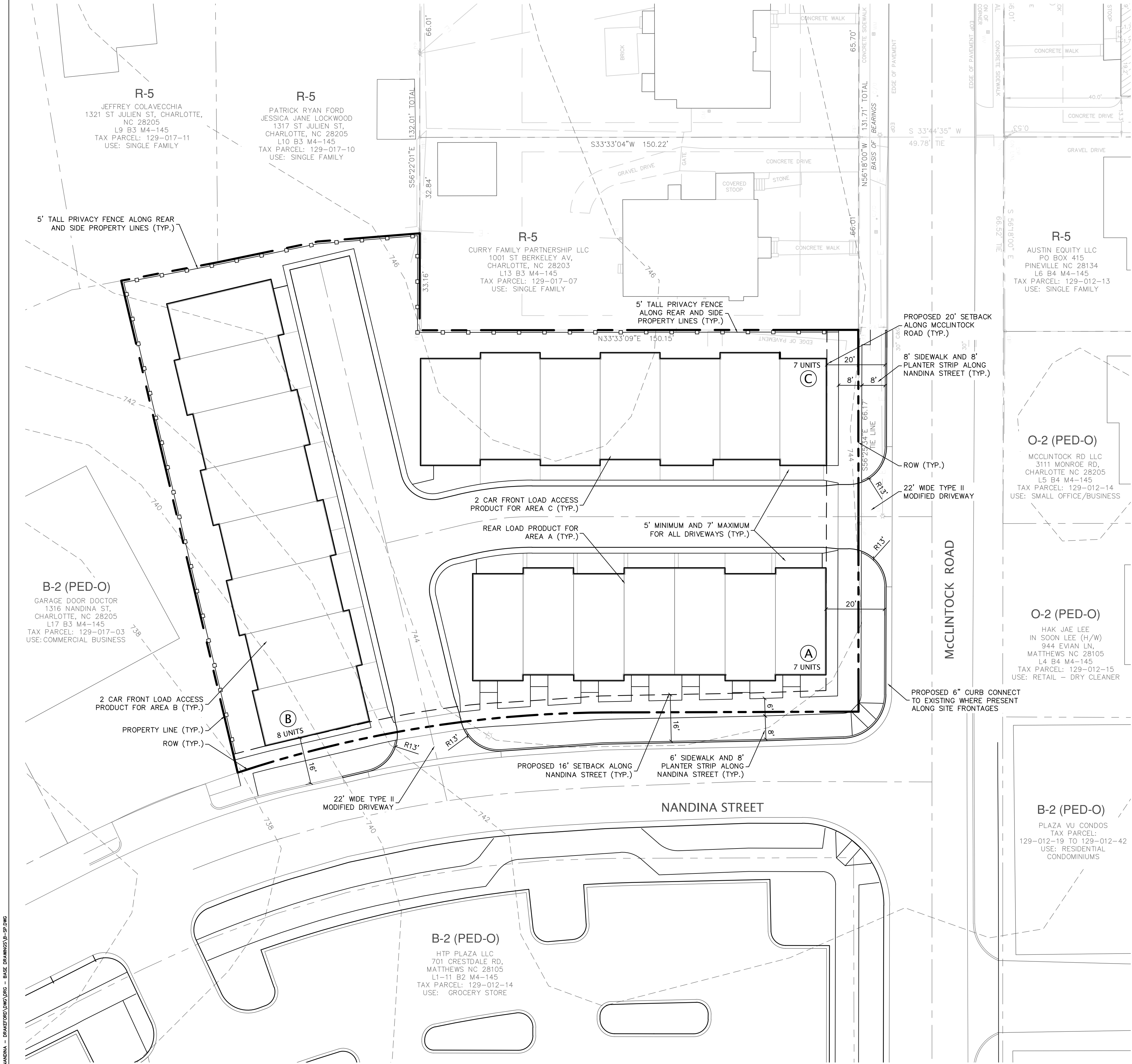
(704) 344-0332 (704) 344-9992
Telephone Number Fax Number

bobby.drakeford@drakeford.com
E-Mail Address

Robert Drakeford
Signature of Petitioner

Bobby Drakeford
(Name Typed / Printed)

C:\Users\PROJ001\OneDrive\Documents\Projects\129-017-11\129-017-11.dwg - BASE DRAWING - 12/10/2015



SITE DEVELOPMENT DATA

| | |
|-------------------|--|
| SITE ACREAGE: | 34,031 SQ FT (0.78 AC) |
| TAX PARCEL #: | 12901704, 12901705 AND 12901706 |
| EXISTING ZONING: | B-2 (PED-O) - 12901704 O-2 (PED-O) - 2901705 AND 12901706 |
| PROPOSED ZONING: | MUDD (CD) |
| EXISTING USE: | SINGLE FAMILY RESIDENTIAL HOME AND BUSINESS RETAIL |
| PROPOSED USE: | SINGLE FAMILY ATTACHED TOWNHOMES |
| NUMBER OF UNITS: | 22 TOWNHOMES |
| DENSITY PROPOSED: | 28 UNITS PER ACRE |
| BUILDING HEIGHT: | 40' MAXIMUM (3 STORIES) |
| PARKING PROVIDED: | SHALL MEET ORDINANCE REQUIREMENTS |
| OPEN SPACE: | SHALL MEET ORDINANCE REQUIREMENTS |
| TREE SAVE: | SHALL MEET ORDINANCE REQUIREMENTS |

1. GENERAL PROVISIONS.

- DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.207 OF THE ZONING ORDINANCE.
- DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE. UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING CLASSIFICATION SHALL GOVERN.
- THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.

2. PURPOSE

- THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF SINGLE FAMILY ATTACHED TOWNHOMES, TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE FROM B-2 (PED-O) O-2 (PED-O) TO THE MUDD (CD) ZONING DISTRICT.

3. PERMITTED USES

- USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION WILL BE SINGLE FAMILY ATTACHED TOWNHOME UNITS AND RELATED ACCESSORY USES AS ARE PERMITTED IN THE MUDD DISTRICT.

4. TRANSPORTATION

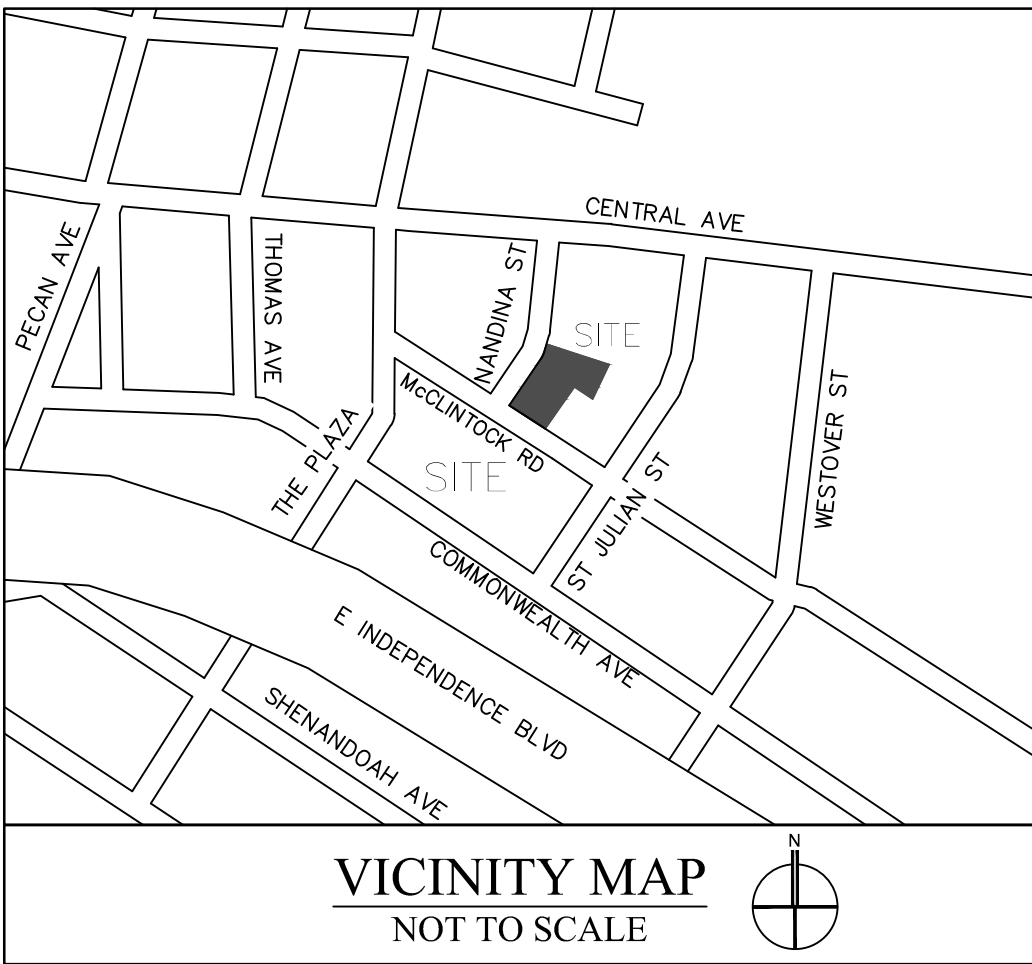
- VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- THE PROPOSED SITE WILL HAVE ONE INGRESS/EGRESS DRIVEWAY SERVING THE TOWNHOME DEVELOPMENT FROM MCCLINTOCK ROAD AND ONE INGRESS/EGRESS DRIVEWAY SERVING THE TOWNHOME DEVELOPMENT FROM NANDINA STREET AS DEPICTED ON THE REZONING PLAN.
- INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- AN 8-FOOT WIDE PLANTING STRIP AND 8-FOOT WIDE SIDEWALK WILL BE APPLIED ALONG MCCLINTOCK ROAD AS DEPICTED ON THE REZONING PLAN.
- AN 8-FOOT WIDE PLANTING STRIP AND 6-FOOT WIDE SIDEWALK WILL BE APPLIED ALONG NANDINA STREET AS DEPICTED ON THE REZONING PLAN.
- ALL DEVELOPMENT WILL COMPLY WITH THE CHARLOTTE DEPARTMENT OF TRANSPORTATION STANDARDS AND WILL BE PART OF THE REVIEW AND APPROVAL OF THE DESIGN DEVELOPMENT AND CONSTRUCTION PROCESS.

5. ARCHITECTURAL STANDARDS

- BUILDINGS CONSTRUCTED ON SITE WILL BE COMPRISED OF 3 STORY WOOD-FRAME TOWNHOME STRUCTURES. DESIGN WILL RESPECT THAT OF SIMILAR URBAN/INFILL CONTEXT RELATED TO OTHER SINGLE FAMILY AND LIGHT COMMERCIAL WITHIN THE BLOCK. MATERIALS WILL CONSIST OF LARGE WINDOWS, HARDI PANEL SIDING ON ALL 4 SIDES AND MASONRY ACCENTS ALONG THE FRONT FACADES. ROOFING WILL COMPRISE OF ARCHITECTURAL ASPHALT SHINGLES.
- VINYL MATERIAL IS PROHIBITED. VINYL AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS, GARAGE DOORS AND FENCES AND HANDRAIL/RAILINGS.
- TOWNHOME UNITS ABUTTING MCCLINTOCK ROAD AND NANDINA STREET WILL BE ORIENTED SUCH THAT EITHER FRONT DOORS OR THE SIDE OF THE UNITS WILL BE ORIENTED TOWARD THE PUBLIC STREET.
- TOWNHOME UNITS SIDE FACING MCCLINTOCK ROAD AND NANDINA STREET WILL HAVE WINDOWS ON THE GROUND FLOOR AND FLOORS ABOVE TO AVOID BLANK WALLS.
- NO GARAGES SHALL BE ORIENTED TOWARD A PUBLIC STREET.

6. STREETScape, YARDS, AND LANDSCAPING

- A 20 FOOT MINIMUM SETBACK AS MEASURED FROM THE BACK OF CURB ALONG MCCLINTOCK ROAD WILL BE PROVIDED AS DEPICTED ON THE REZONING PLAN.
- A 16 FOOT MINIMUM SETBACK AS MEASURED FROM THE BACK OF CURB ALONG NANDINA STREET WILL BE PROVIDED AS DEPICTED ON THE REZONING PLAN.
- SCREENING REQUIREMENTS OF THE ORDINANCE WILL BE MET.
- SIDEWALKS AND PLANTING STRIPS LOCATED ALONG THE SITES FRONTAGES OF MCCLINTOCK ROAD AND NANDINA STREET MAY MEANDER TO SAVE EXISTING TREES.



- A 5 FOOT (5') TALL PRIVACY FENCE WILL BE INSTALLED ALONG THE SIDE AND REAR PROPERTY LINES AS DEPICTED ON THE REZONING PLAN.

7. ENVIRONMENTAL FEATURES

- THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION ORDINANCE.
- THE SITE WILL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

8. SIGNAGE

- SIGNAGE AS ALLOWED BY THE ORDINANCE WILL BE PROVIDED.

9. LIGHTING

- ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING STREET LIGHTS, LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 20 FEET.

10. OPEN SPACE

- OPEN SPACE REQUIREMENTS OF THE ORDINANCE WILL BE MET.

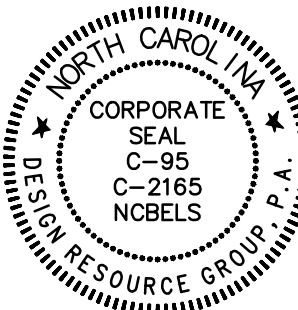
11. AMENDMENTS TO THE REZONING PLAN

- FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

12. BINDING EFFECT OF THE REZONING APPLICATION

- IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

SITE PLAN IS SCHEMATIC IN NATURE. SOME VARIATION TO PLAN MAY OCCUR IN FINAL DESIGN BUT SHALL MEET THE OVERALL INTENT OF THIS PLAN AND SHALL COMPLY WITH THE APPLICABLE ORDINANCE REQUIREMENTS



REZONING PETITION FOR PUBLIC HEARING 2016-XXX

REZONING PETITION

McCLINTOCK & NANDINA SITE

COMMONWEALTH MORNINGSIDE COMMUNITY, CHARLOTTE

THE DRAKORD COMPANY
1914 BRUNSWICK AVE, SUITE 1A
CHARLOTTE, NORTH CAROLINA 28207

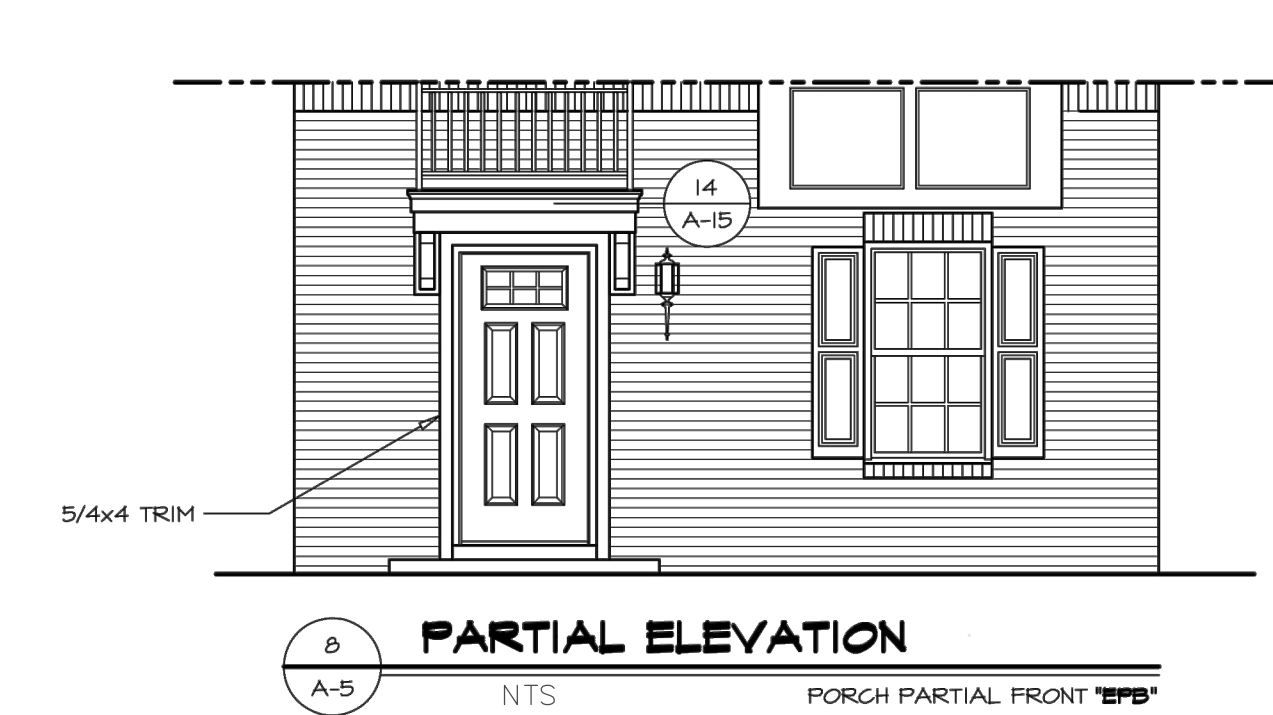
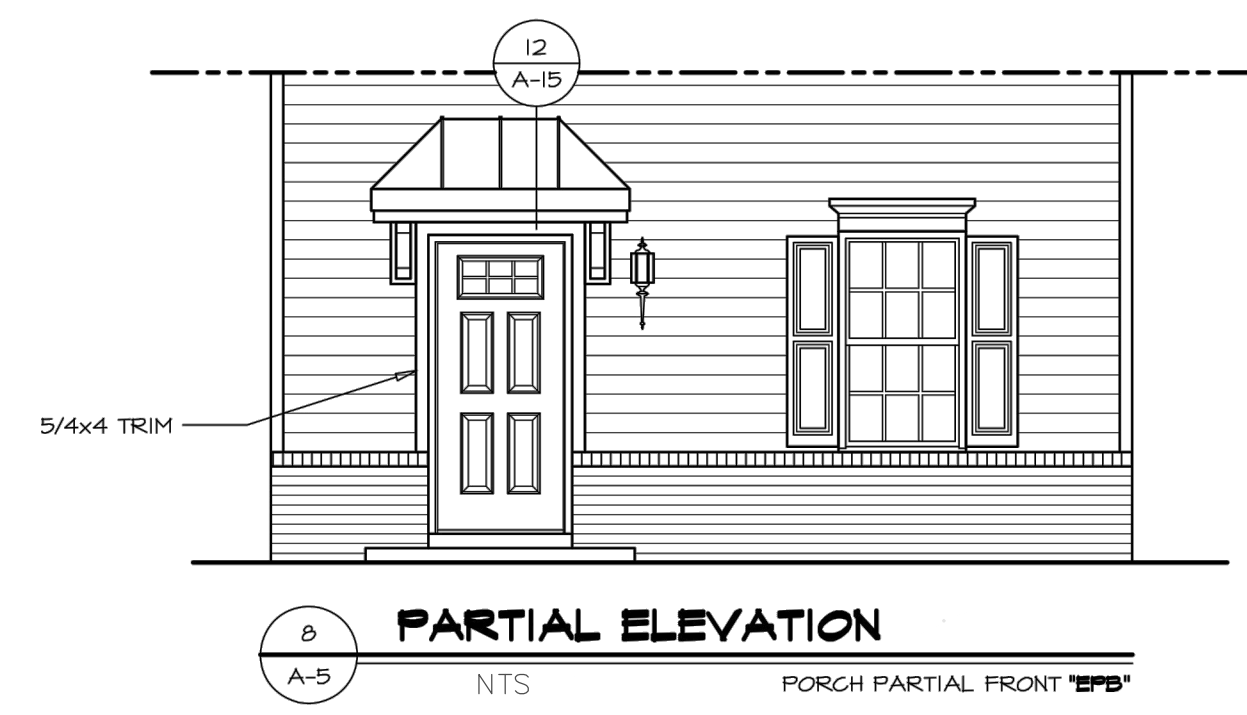
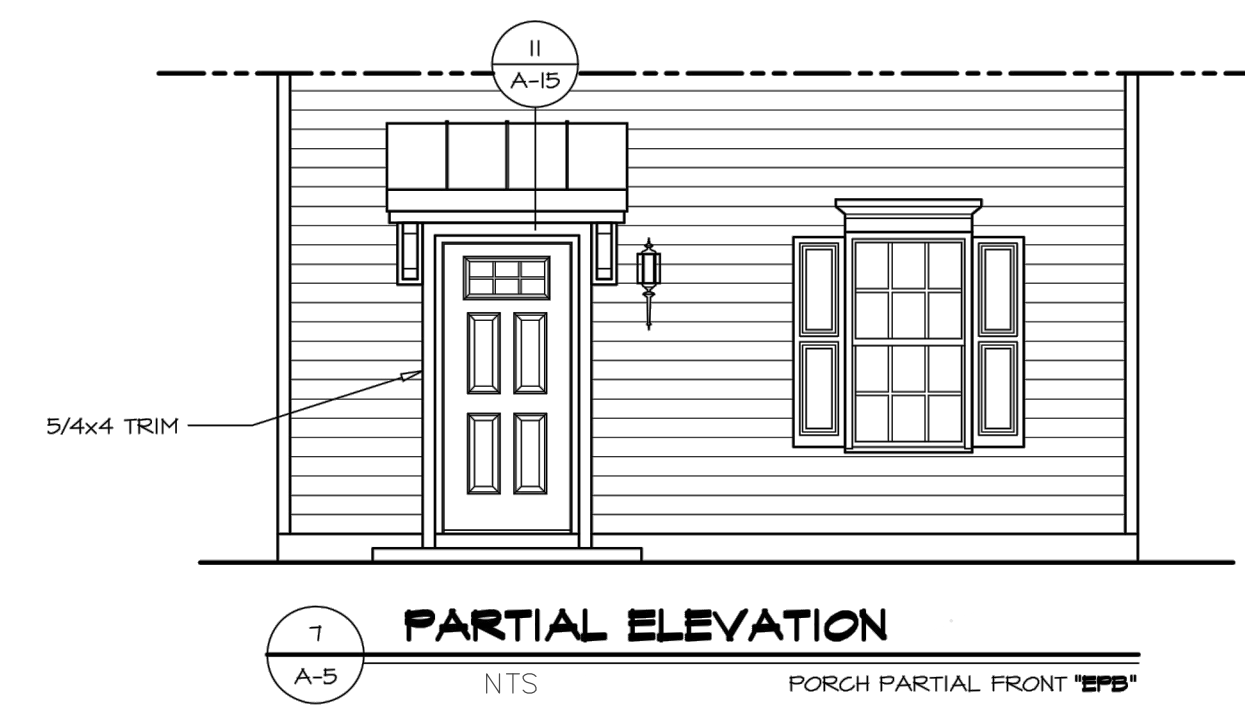
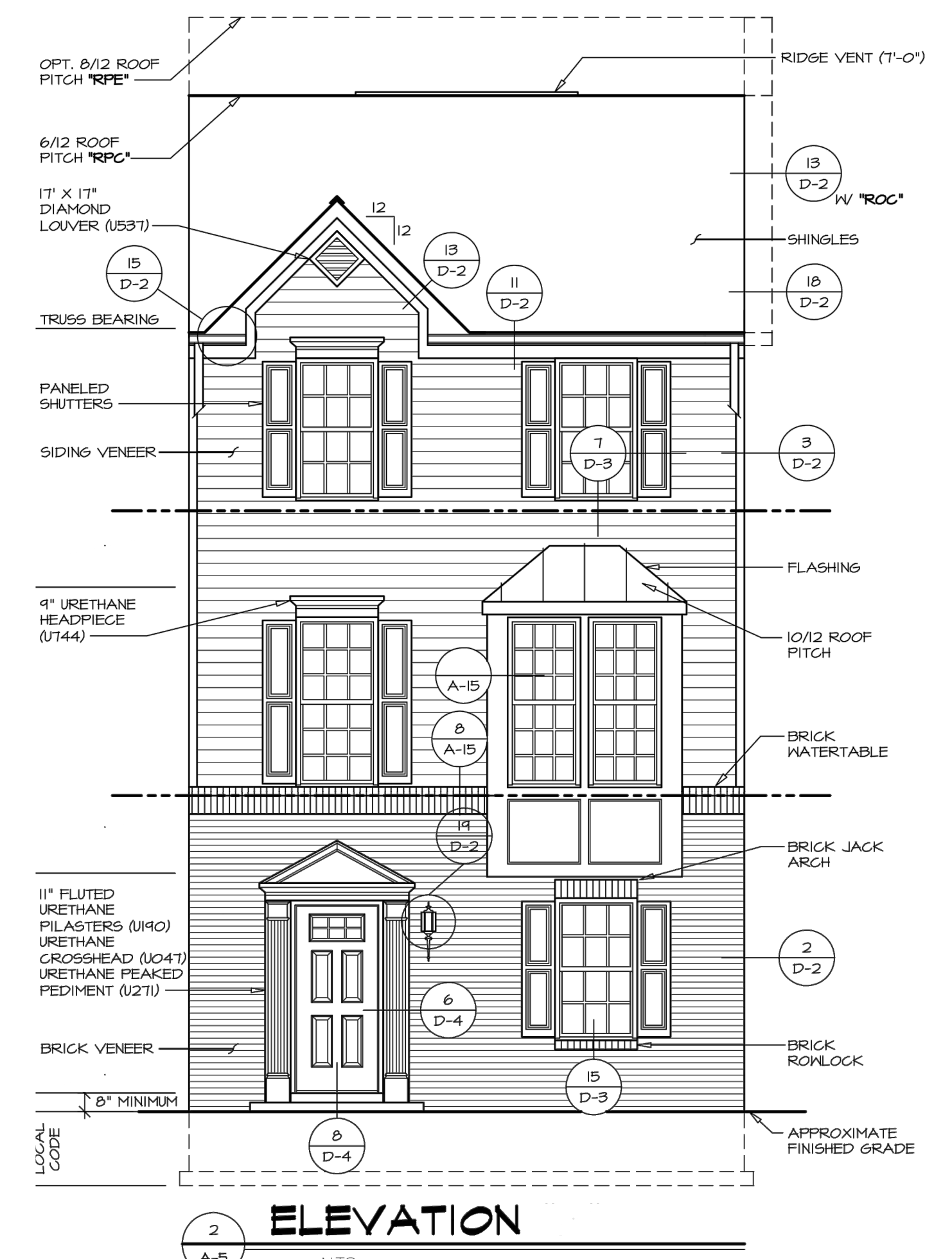
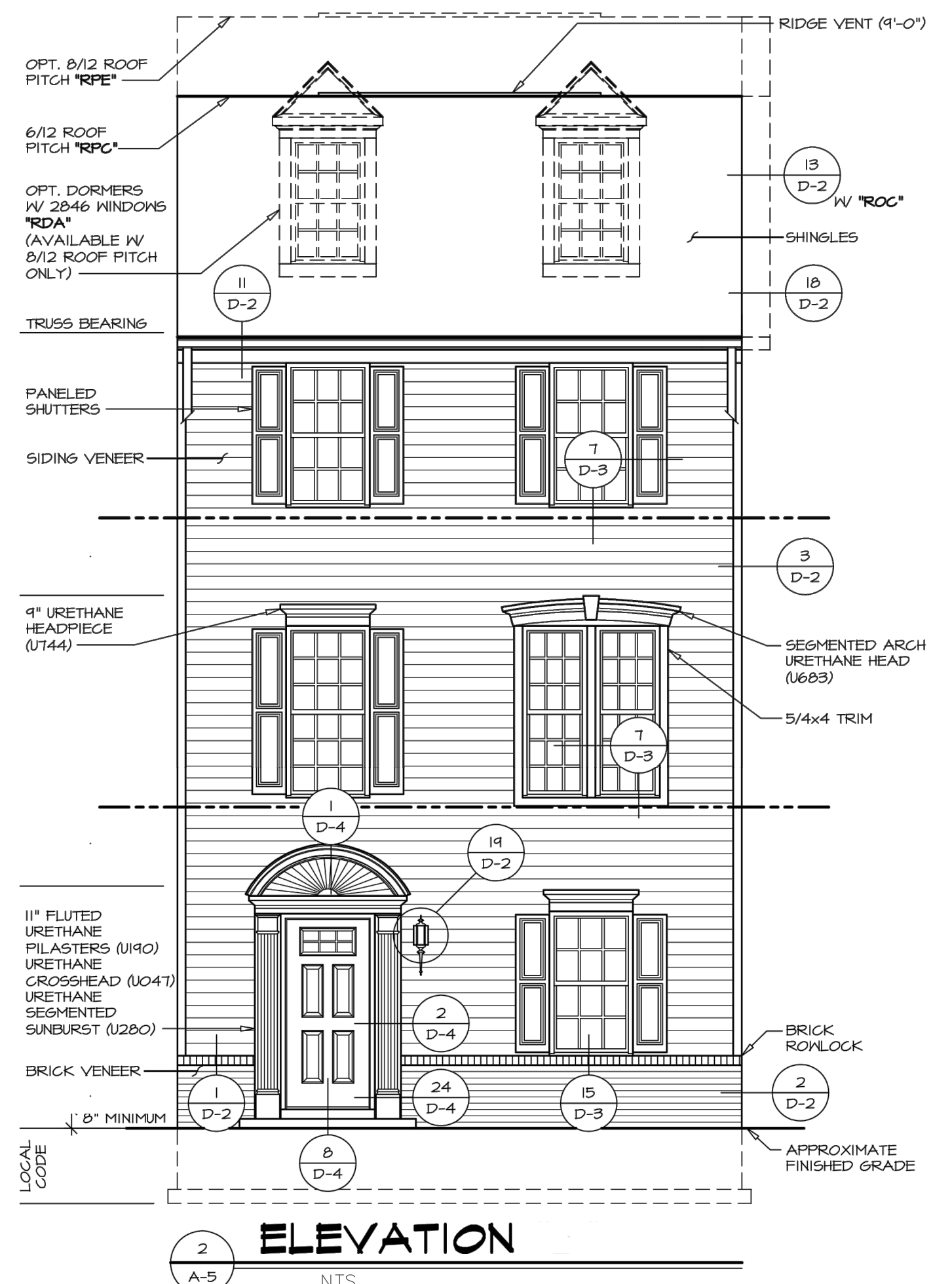
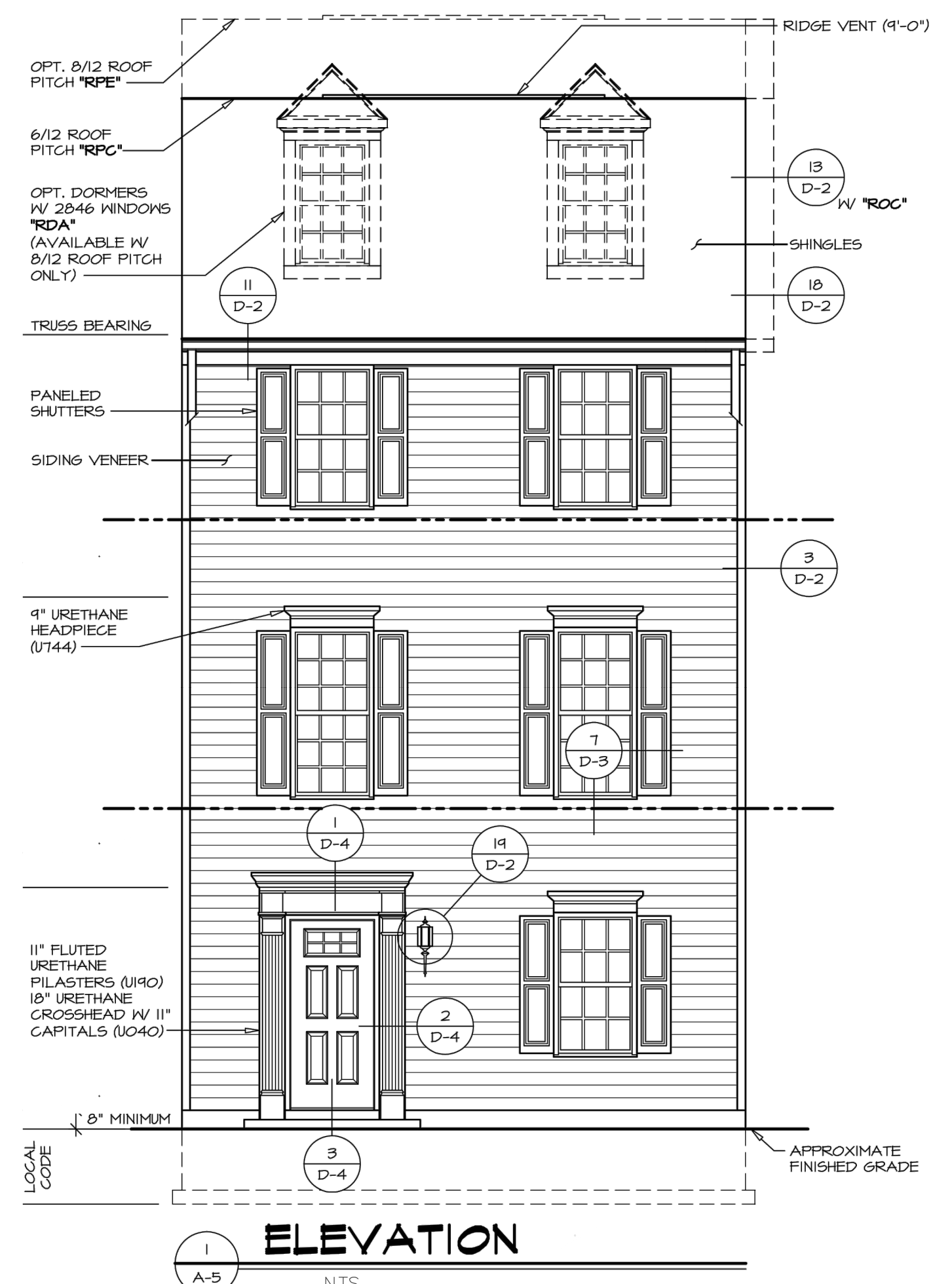
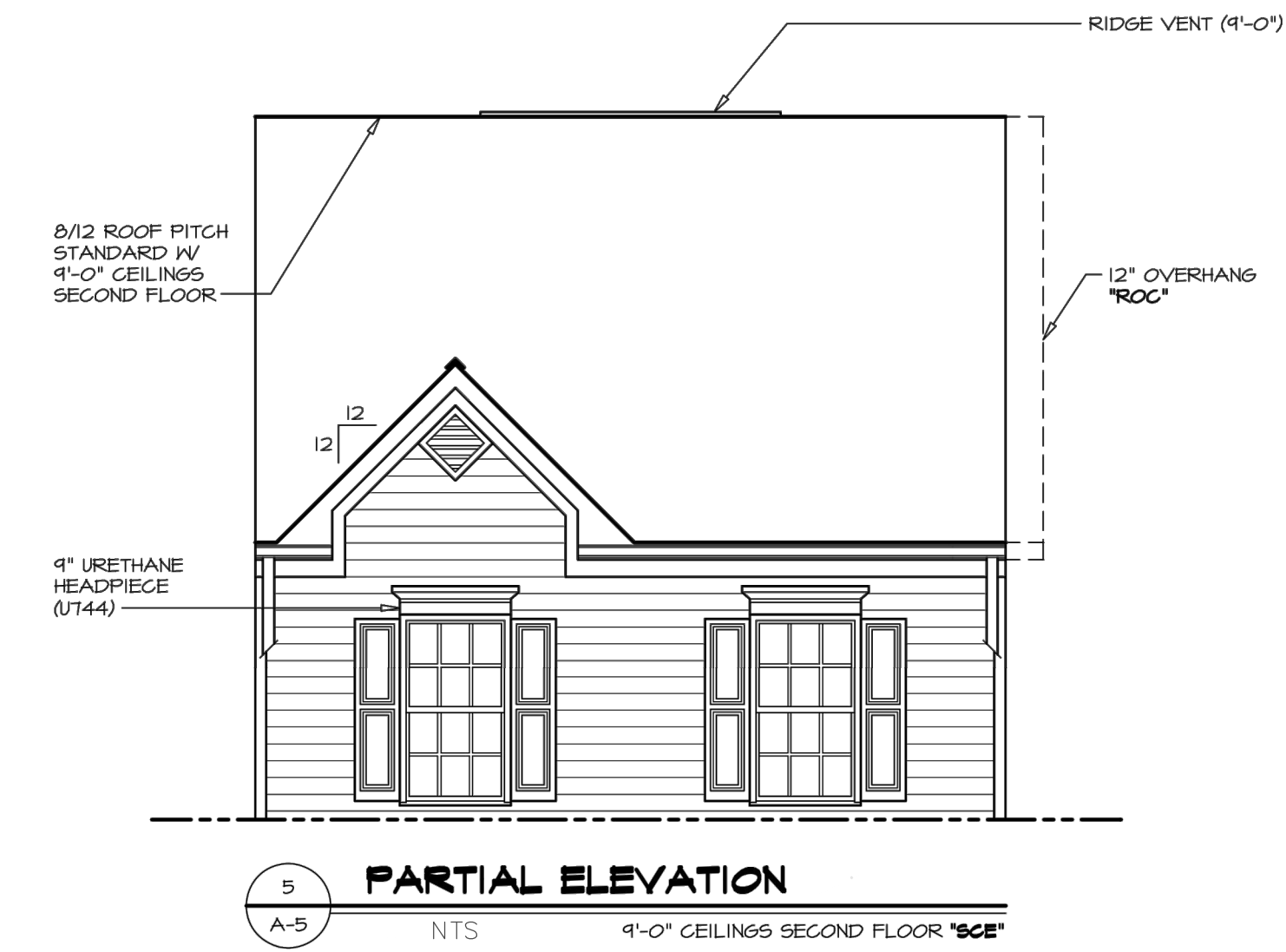
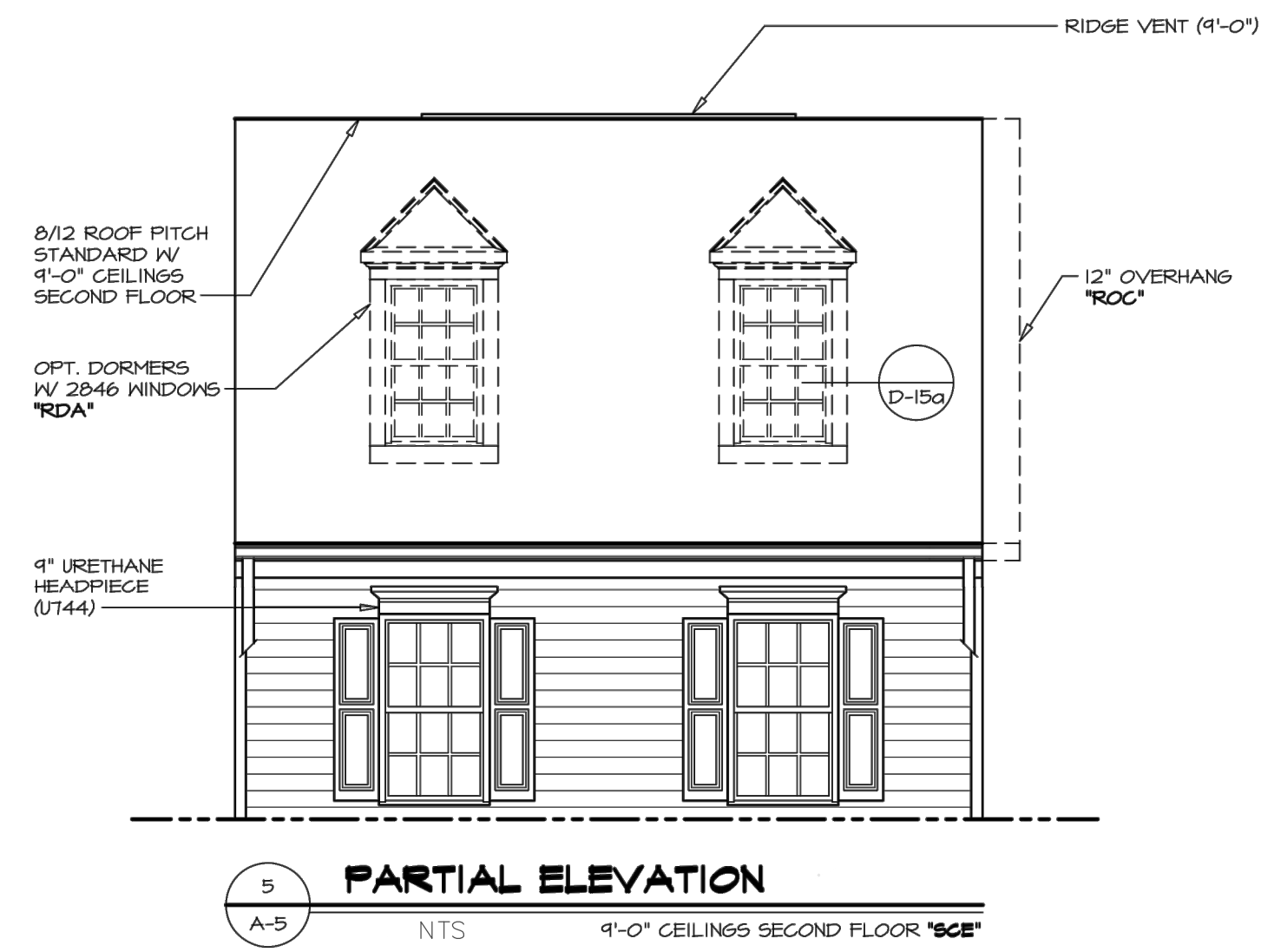
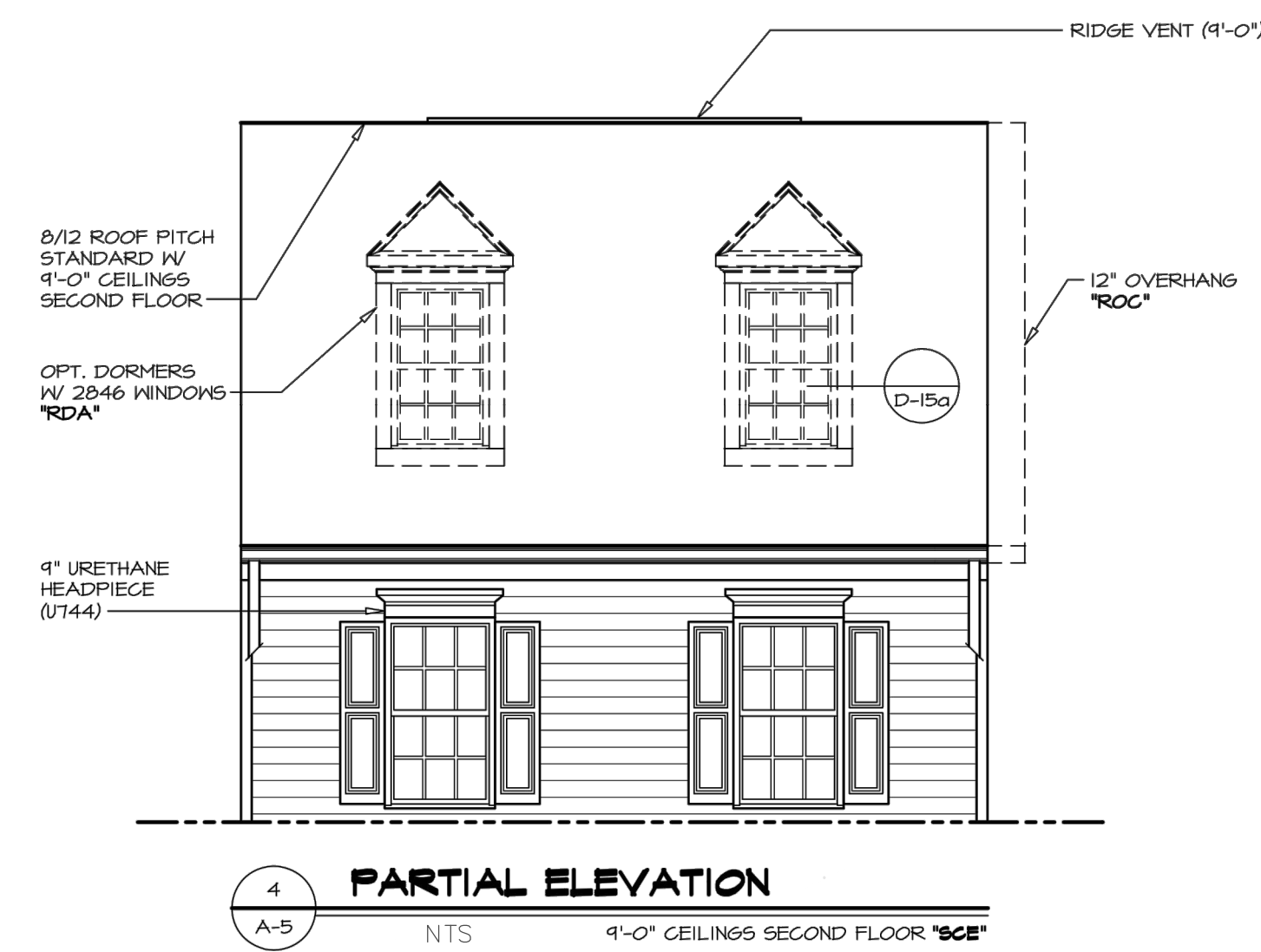
SCHEMATIC SITE PLAN

10 0 10 20
SCALE: 1" = 20'

PROJECT #: 090-020
DRAWN BY: NB
CHECKED BY: NB

JANUARY 25, 2016

REVISIONS:



TOWNHOME ELEVATIONS

- NOT TO SCALE -

McCLINTOCK & NANDINA SITE

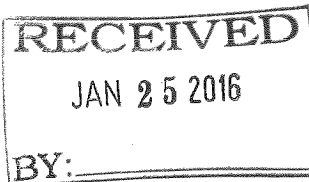
COMMONWEALTH MORNINGSIDE COMMUNITY, CHARLOTTE

THE DRAKFORD COMPANY

1914 BRUNSWICK AVE. SUITE 1A
CHARLOTTE, NORTH CAROLINA 29207

THE ELEVATIONS PROVIDED ARE TO REFLECT THE ARCHITECTURAL STYLE AND QUALITY OF THE TOWNHOMES THAT MAY BE CONSTRUCTED ON THIS SITE. THE ACTUAL TOWNHOME CONSTRUCTION AND DIMENSIONS ON THIS SITE MAY VARY FROM THESE ILLUSTRATIONS AS LONG AS THE GENERAL ARCHITECTURAL CONCEPTS AND INTENT ILLUSTRATED IS MAINTAINED.

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2016-052

Petition #: _____
Date Filed: 1/25/2016
Received By: PK

Complete All Fields (Use additional pages if needed)

Property Owner: Rollins Leasing LLC
Successor by conversion to Rollins Leasing Corp. c/o Penske Truck Leasing

Owner's Address: Route 10 Green Hills, P.O. Box 563 City, State, Zip: Reading, Pa. 19603

Date Property Acquired: 1981, 1997

Property Address: 4501 Keeter Drive, Charlotte NC

Tax Parcel Number(s): 05536953

Current Land Use: Truck rental Size (Acres): 8.321 acres

Existing Zoning: I-2 Proposed Zoning: I-1 (To allow truck sales)

Overlay: Lower Lake Wylie Protected Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham

Date of meeting: 12/15/2015

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____

Purpose/description of Conditional Zoning Plan: _____

Keith J. Merritt

Name of Rezoning Agent

201 South College Street
Agent's Address

Suite 2020
City, State, Zip

704-227-1056 704-344-1483
Telephone Number Fax Number

kmeritt@lawhssm.com
E-Mail Address

Signature of Property Owner
Rollins Leasing LLC c/o Penske Truck Leasing
By: Karen Shchuka, Vice-President – Real Estate
(Name Typed / Printed)

{00339623.DOC V. P361.023193;}

Rollins Leasing LLC, successor by conversion to Rollins
Leasing Corp., c/o Penske Truck Leasing
Name of Petitioner(s)

Route 10 Green Hills, P.O. Box 563
Address of Petitioner(s)

Reading, Pa. 19603
City, State, Zip

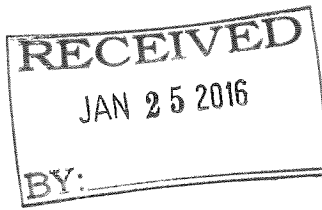
610-775-6487 610-775-5820
Telephone Number Fax Number

Karen.Shchuka@penske.com
E-Mail Address

Karen Shchuka

Signature of Petitioner
Rollins Leasing LLC c/o Penske Truck Leasing
By: Karen Shchuka, Vice-President – Real Estate
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2016-053

| | |
|--------------|-----------|
| Petition #: | _____ |
| Date Filed: | 1/25/2016 |
| Received By: | |

Complete All Fields (Use additional pages if needed)

Property Owner: BROOKLINE RESIDENTIAL LLC

Owner's Address: 3800 POMFRET LN City, State, Zip: CHARLOTTE, NC 28211

Date Property Acquired: 5/12/2012

Property Address: NO PHYSICAL ADDRESS - DIRECTLY SOUTH OF 8721 REAMES RD CHARLOTTE NC 28216

Tax Parcel Number(s): 02513501

Current Land Use: SINGLE FAMILY RESIDENTIAL - RURAL ACREAGE Size (Acres): 14.21 ACRES

Existing Zoning: MX-1(INNOV) Proposed Zoning: UR-2(CD)

Overlay: N/A (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Rich Grochoske, Alberto Gonzalez, Grant Meacci, Josh Weaver

Date of meeting: 1/19/2016

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____

Purpose/description of Conditional Zoning Plan: DEVELOPMENT OF THE SITE TO ACCOMMODATE A PLANNED MULTIFAMILY APARTMENT DEVELOPMENT

ANTHONY FOX (PARKER POE ADAMS & BERSTEIN, LLP)
Name of Rezoning Agent

401 SOUTH TRYON STREET, SUITE 3000
Agent's Address

CHARLOTTE, NC 28202
City, State, Zip

704-372-9000 704-334-4706
Telephone Number Fax Number

ANTHONYFOX@PARKERPOE.COM
E-Mail Address

Signature of Property Owner

Russell Ranson
(Name Typed / Printed)

BROOKLINE RESIDENTIAL, LLC
Name of Petitioner(s)

3800 POMFRET LN
Address of Petitioner(s)

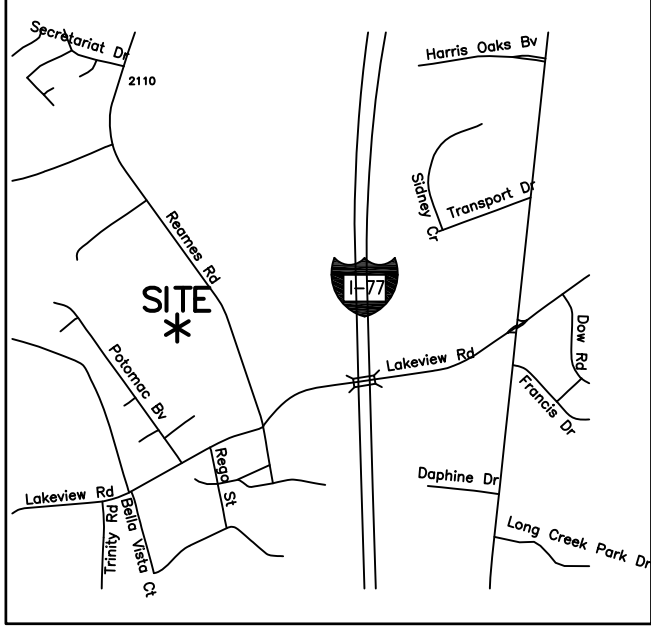
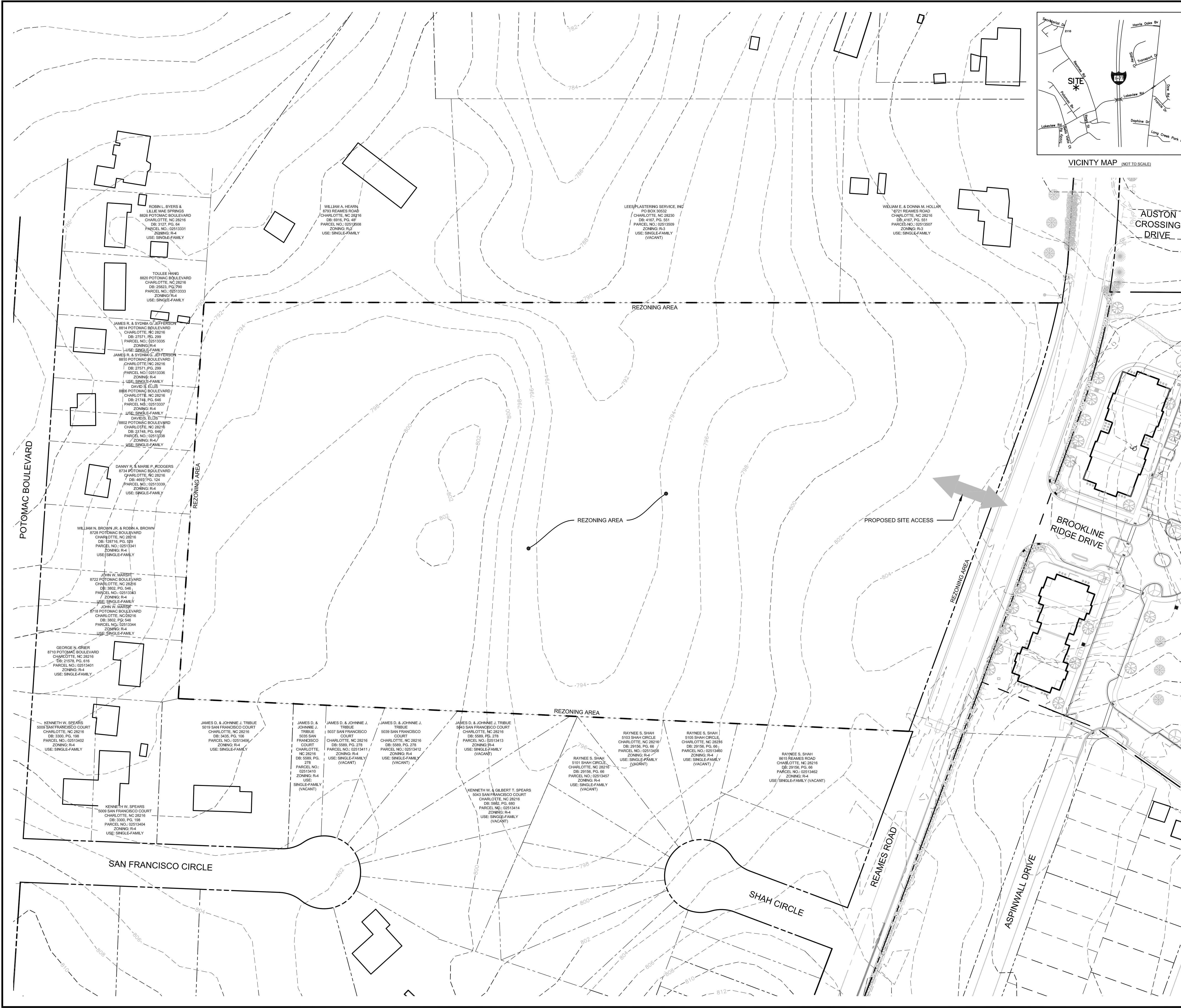
CHARLOTTE, NC 28211
City, State, Zip

704-995-4180 _____
Telephone Number Fax Number

RRANSON@RKINVESTORS.COM
E-Mail Address

Signature of Petitioner

RUSSELL RANSON
(Name Typed / Printed)



- DEVELOPMENT STANDARDS**
- General Provisions**
- a. Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases as allowed under the provisions of Section 6.2 of the Zoning Ordinance.
- b. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, bicycle parking, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.
- c. Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners," shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.
- Purpose**
- The purpose of this Rezoning application is to provide for the development multi-family apartment units. To achieve this purpose, the application seeks the rezoning of the site to the UR-2 district.
- Permitted Uses**
- Uses allowed on the property included in this Petition will be residential multi-family dwelling units and related accessory uses as are permitted in the UR-2 district.
- Transportation**
- a. The site will have access via a driveway connection to Reames Road at a location reviewed by CDOT as generally identified on the concept plan for the site.
- b. Parking areas, including parking spaces in lots, garages, and on street parking, are generally indicated on the concept plan for the site.
- Architectural Standards**
- The development of the site will be governed by the district regulations of the Zoning Ordinance for the UR-2 district and the following specific architectural details:
- Streetscape and Landscaping**
- Reserved
- Environmental Features**
- a. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points. Storm water and water quality facilities will be designed as part of the overall site landscaping plan.
- b. Areas shown on the site plan as "tree save" areas are general in nature and the exact location and delineation of required tree save areas will be finalized as part of the design review process.
- Parks, Greenways, and Open Space**
- Reserved
- Fire Protection**
- Reserved
- Signage**
- Reserved
- Lighting**
- a. Freestanding lighting on the site will utilize full cut-off luminaires.
- Phasing**
- Reserved

| | |
|---|--|
| DEVELOPMENT DATA TABLE: | |
| TAX PARCEL ID INCLUDED IN REZONING: | 02513501 |
| REZONING SITE ACREAGE: | ±14.21 AC |
| EXISTING ZONING (INCLUDING OVERLAYS & VESTING): | MX-1 (INNOV) |
| PROPOSED ZONING (INCLUDING OVERLAYS & VESTING): | UR-2 (CD) |
| PROPOSED USE: | Multi-Family |
| RESIDENTIAL UNITS PROPOSED: | 266 Dwelling Units |
| RESIDENTIAL DENSITY PROPOSED: | 18.72 Dwelling Units / AC |
| SQUARE FOOTAGE OF NON-RESIDENTIAL USES BY TYPE: | N/A |
| MAXIMUM NUMBER OF BUILDINGS: | N/A |
| PARKING PROPOSED: | 430 Total Surface Parking Spaces 30 Total Garage Parking Spaces 460 Total Parking Spaces |
| PARKING RATIO: | ±1.73 Parking Spaces per dwelling unit |
| FRONT YARD: | As Prescribed in the Zoning Ordinance |
| MIN. SIDE YARD: | As Prescribed in the Zoning Ordinance |
| REAR YARD: | As Prescribed in the Zoning Ordinance |
| MAX. FAR: | As Prescribed in the Zoning Ordinance |
| PROPOSED BUILDING HEIGHT: | As Prescribed in the Zoning Ordinance |
| PARKING REQUIRED: | As Prescribed in the Zoning Ordinance |
| OPEN SPACE: | As Prescribed in the Zoning Ordinance |
| TREE SAVE REQUIRED: | 15% of the Overall Site |
| TREE SAVE PROVIDED: | ±14.21 AC x 15% = 2.13 AC As Prescribed in the Zoning Ordinance |
| WASTE MANAGEMENT: | Compactor (Private Contractor) |

This Plan Is A Preliminary Design. NOT Released For Construction.

0' 60' 120' 240'

SCALE: 1"=60'

| No. | Date | By | Description |
|-----|------|----|-------------|
| | | | |
| | | | |
| | | | |

Landworks

Design Group, P.A.

7821 Little Avenue, Suite 111

Charlotte, NC 28226

704-441-6804 fax 704-441-6804

BROOKLINE WEST APARTMENTS

OWNER: BROOKLINE RESIDENTIAL, LLC

PROJECT SITE ADDRESS: 8720 REAMES ROAD

CHARLOTTE, NC 28269

Project Manager: MDL

Drawn By: SDW

Checked By: MDL

Date: 01/25/2016

Project Number: 15038

Sheet Number:

RZ-1

PETITION # 2016-XX

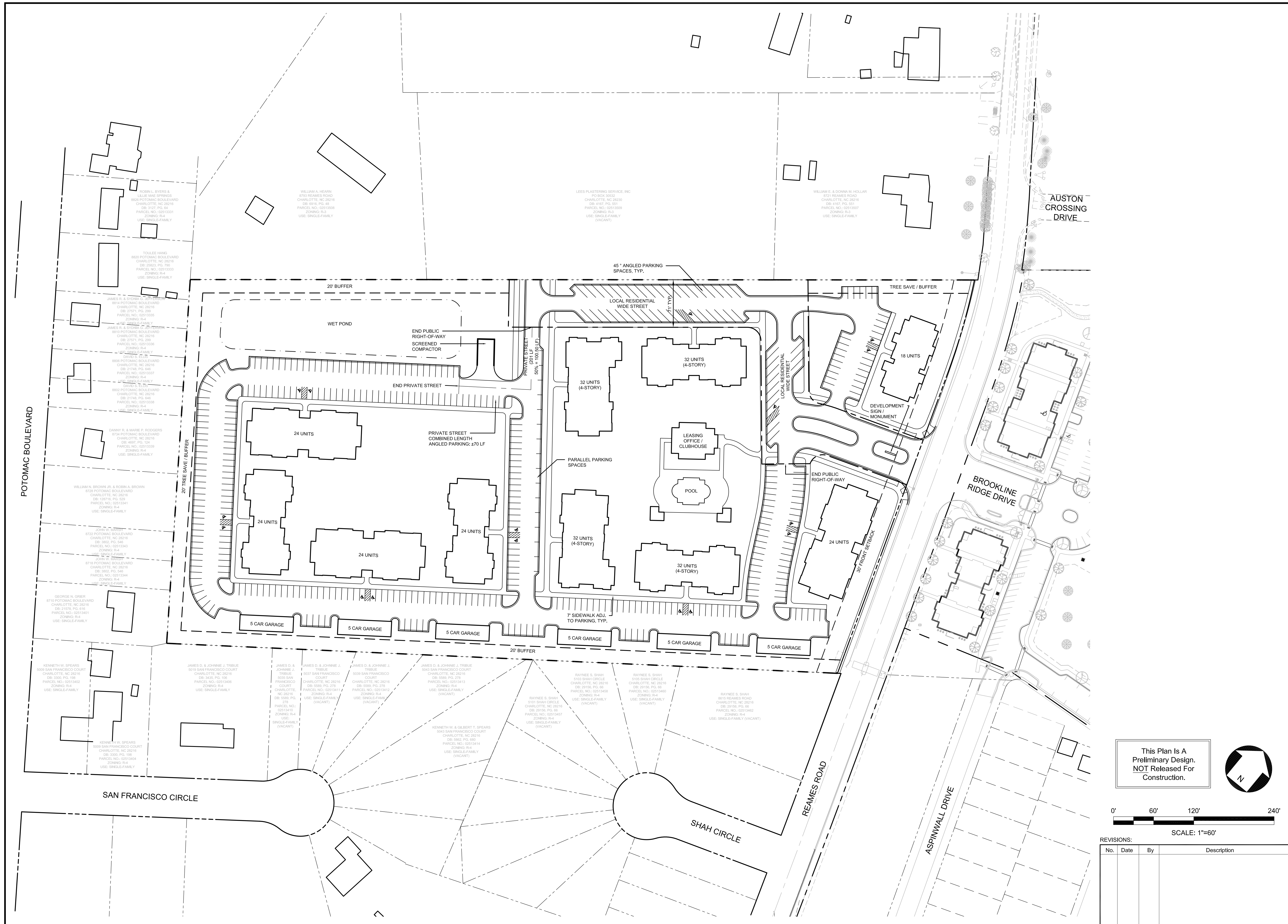
SHEET # 1 OF 2



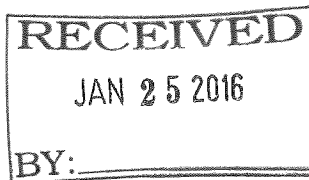
OWNER: BROOKLINE RESIDENTIAL, LLC
PROJECT SITE ADDRESS: 8720 REAMES ROAD

CHARLOTTE, NC 28269

SHEET # 2 OF 2



**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2016-054

Petition #: _____
Date Filed: 1/25/2016
Received By: Bf

Complete All Fields (Use additional pages if needed)

Property Owner: ALDERSGATE UNITED METHODIST RETIREMENT COMMUNITY, INC.

Owner's Address: 3800 SHAMROCK DRIVE City, State, Zip: CHARLOTTE, NC 28215

Date Property Acquired: 1947

Property Address: 3800 SHAMROCK DRIVE

Tax Parcel Number(s): 10102101(PORTION) and 10102107

Current Land Use: CONTINUING CARE RETIREMENT COMMUNITY Size (Acres): 147.1 ACRES

Existing Zoning: INST(CD) Proposed Zoning: INST(CD) SPA

Overlay: N/A (Specify PED, Watershed, Historic District, etc.) _____

Required Rezoning Pre-Application Meeting* with: SONJA SANDERS, AMANDA VARI

Date of meeting: 1/14/2016

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezonings Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____

Purpose/description of Conditional Zoning Plan: MODIFICATION OF THE 2014-067 APPROVED REZONING TO ALLOW HOSPICE & DIALYSIS USES TO SERVE THE PUBLIC IN ADDITION TO CCRC RESIDENTS.

MATT LANGSTON, (LANDWORKS DESIGN GROUP, PA)
Name of Rezoning Agent

7621 LITTLE AVENUE, SUITE 111
Agent's Address

CHARLOTTE, NC 28226
City, State, Zip

704-841-1604 X 701 704-841-1604
Telephone Number Fax Number

MLANGSTON@LANDWORKSPA.COM
E-Mail Address


Signature of Property Owner

DAVID HIGH DAVID HIGH
(Name Typed / Printed)

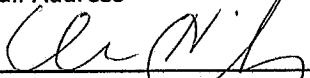
DAVID HIGH, ALDERSGATE UMRC, INC.
Name of Petitioner(s)

3800 SHAMROCK DRIVE
Address of Petitioner(s)

CHARLOTTE, NC 28215
City, State, Zip

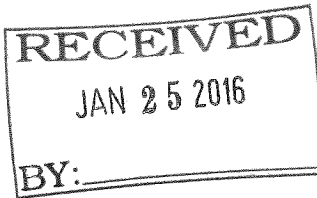
704-622-0330 704-532-7097
Telephone Number Fax Number

DAVIDH@ALDERSGATECCRC.COM
E-Mail Address


Signature of Petitioner

DAVID HIGH
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2016-055

| | |
|--------------|------------------|
| Petition #: | _____ |
| Date Filed: | <u>1/25/2016</u> |
| Received By: | <u>BK</u> |

Complete All Fields (Use additional pages if needed)

Property Owner: Bonnie J. Dobbs et. al. (See Attached Joinder Agreement)

Owner's Address: 7300 Woodcock Trail City, State, Zip: Stanley, NC 28164

Date Property Acquired: 11/14/1994

Property Address: 5416 Prosperity Church Road, Charlotte, NC

Tax Parcel Number(s): 029-321-08

Current Land Use: Vacant Size (Acres): 2.52 +/- acres

Existing Zoning: R-3 Proposed Zoning: MUDD-O

Overlay: None (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Grant Meacci, Alberto Gonzalez, Kent Main, Rick Grochoske
Date of meeting: 1/5/2015

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): No

Purpose/description of Conditional Zoning Plan: To accommodate a mixed use project that incorporates retail, office and self storage uses.

Collin Brown/Bailey Patrick, Jr.
Name of Rezoning Agent

Hearst Tower, 47th Floor, 214 North Tryon Street
Agent's Address

Charlotte, NC 28202
City, State, Zip

(704) 331-7531 (704) 353-3231
Telephone Number Fax Number

Collin.brown@klgates.com/ bailey.patrick@klgates.com
E-Mail Address

(See attached Joinder Agreement)
Signature of Property Owner

(Name Typed / Printed)

Real Estate Investment Fund, LLC
Name of Petitioner(s)

4201 Congress Street, Suite 174
Address of Petitioner(s)

Charlotte, NC 28209
City, State, Zip

(704) 343-0056 x 7 _____
Telephone Number Fax Number

E-Mail Address

[Signature]
Signature of Petitioner

Ivon D. Rohrer, III, Manager
(Name Typed / Printed)

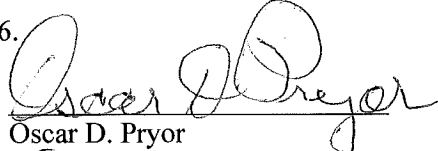
REZONING PETITION NO. 2016-_____

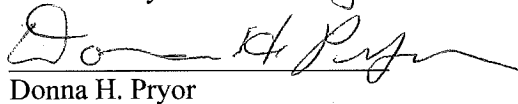
REAL ESTATE INVESTMENT FUND LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located on Robert Helms Road and Docia Crossing Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 029-321-08 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby joins in this Rezoning Application and consents to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 16 day of Jan, 2016.


Oscar D. Pryor


Donna H. Pryor

Danny J. Pryor

Rita Pryor

Michael W. Pryor

Diana M. Pryor

Guy Nathan Dobbs, Jr.

Bonnie Jean Dobbs

Syble Kay Buchanan

James Allen Buchanan

REZONING PETITION NO. 2016-_____

REAL ESTATE INVESTMENT FUND LLC, PETITIONER

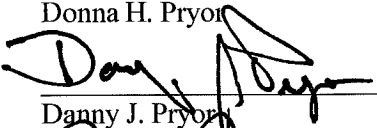
JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located on Robert Helms Road and Docia Crossing Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 029-321-08 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby joins in this Rezoning Application and consents to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This ____ day of _____, 2016.

Oscar D. Pryor

Donna H. Pryor



Danny J. Pryor



Rita Pryor

Michael W. Pryor

Diana M. Pryor

Guy Nathan Dobbs, Jr.

Bonnie Jean Dobbs

Syble Kay Buchanan

James Allen Buchanan

REZONING PETITION NO. 2016-_____

REAL ESTATE INVESTMENT FUND LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located on Robert Helms Road and Docia Crossing Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 029-321-08 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby joins in this Rezoning Application and consents to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 25 day of 01, 2016.

Oscar D. Pryor

Donna H. Pryor

Danny J. Pryor

Rita Pryor



Michael W. Pryor



Diana M. Pryor

Guy Nathan Dobbs, Jr.

Bonnie Jean Dobbs

Syble Kay Buchanan

James Allen Buchanan

REZONING PETITION NO. 2016-_____

REAL ESTATE INVESTMENT FUND LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located on Robert Helms Road and Docia Crossing Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 029-321-08 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby joins in this Rezoning Application and consents to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 15 day of January, 2016.

Oscar D. Pryor

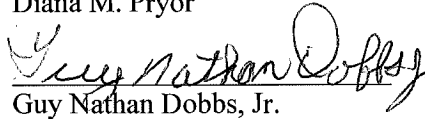
Donna H. Pryor

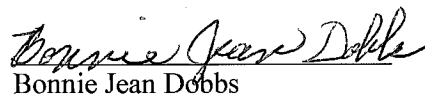
Danny J. Pryor

Rita Pryor

Michael W. Pryor

Diana M. Pryor


Guy Nathan Dobbs, Jr.


Bonnie Jean Dobbs

Syble Kay Buchanan

James Allen Buchanan

REZONING PETITION NO. 2016-_____

REAL ESTATE INVESTMENT FUND LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located on Robert Helms Road and Docia Crossing Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 029-321-08 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby joins in this Rezoning Application and consents to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 15 day of January, 2016.

Oscar D. Pryor

Donna H. Pryor

Danny J. Pryor

Rita Pryor

Michael W. Pryor

Diana M. Pryor

Guy Nathan Dobbs, Jr.

Bonnie Jean Dobbs

Syble Kay Buchanan
Syble Kay Buchanan

James Allen Buchanan
James Allen Buchanan

