

Rezoning Petition Packet

Petitions:

2016-001(c)

2016-056

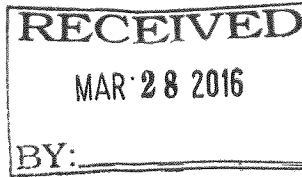
2016-072 through 2016-086

Petitions that were submitted by March 28, 2016

Staff Review Meeting: **April 21, 2016**

City Public Hearing: **To Be Determined**

I. REZONING APPLICATION
Mecklenburg County



2016-001(c)
Petition #: _____
Date Filed: 3/28/2016
Received By: BJ

Complete All Fields (Use additional pages if needed)

Property Owner: Alexander Kuhn

Owner's Address: Schilpenbuehl 1 City, State, Zip: Ruppertshofen, Germany

Date Property Acquired: 6/2010

Property Address: Lancatser Highway

Tax Parcel Number(s): portion of 22301208

Current Land Use: Undeveloped Size (Acres): Approx. 5.6 ac. +/-

Existing Zoning: O-1(CD) Proposed Zoning: BD(CD)

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

Required Rezoning Pre-Application Meeting* with: John Kinley, et. al.

Date of meeting: 2/9/16

(*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): _____

Purpose/description of Conditional Zoning Plan: Develop a portion of the site for up to 95,000 sq. ft. of conditioned storage

Walter Fields
Name of Rezoning Agent

1919 South Blvd., Suite 101
Agent's Address

Charlotte, NC 28203
City, State, Zip

704-372-7855 704-372-7856
Telephone Number Fax Number

walter@walterfieldsgroup.com
E-Mail Address

See attached sheet
Signature of Property Owner

see attached sheet
(Name Typed / Printed)

Newman-Tillman Properties, LLC
Name of Petitioner(s)

1000 Ridgeway Loop Road, Suite 203
Address of Petitioner(s)

Memphis, TN 38120
City, State, Zip

901-842-5333
Telephone Number Fax Number

jtillman@newman-tillman.com
E-Mail Address

[Signature]
Signature of Petitioner

Jerry (Jay) Tillman
(Name Typed / Printed)

March 22, 2016

Jay Tillman
Chief Manager
Newman-Tillman Properties, LLC
1000 Ridgeway Loop Road, Suite 203
Memphis, TN 38120

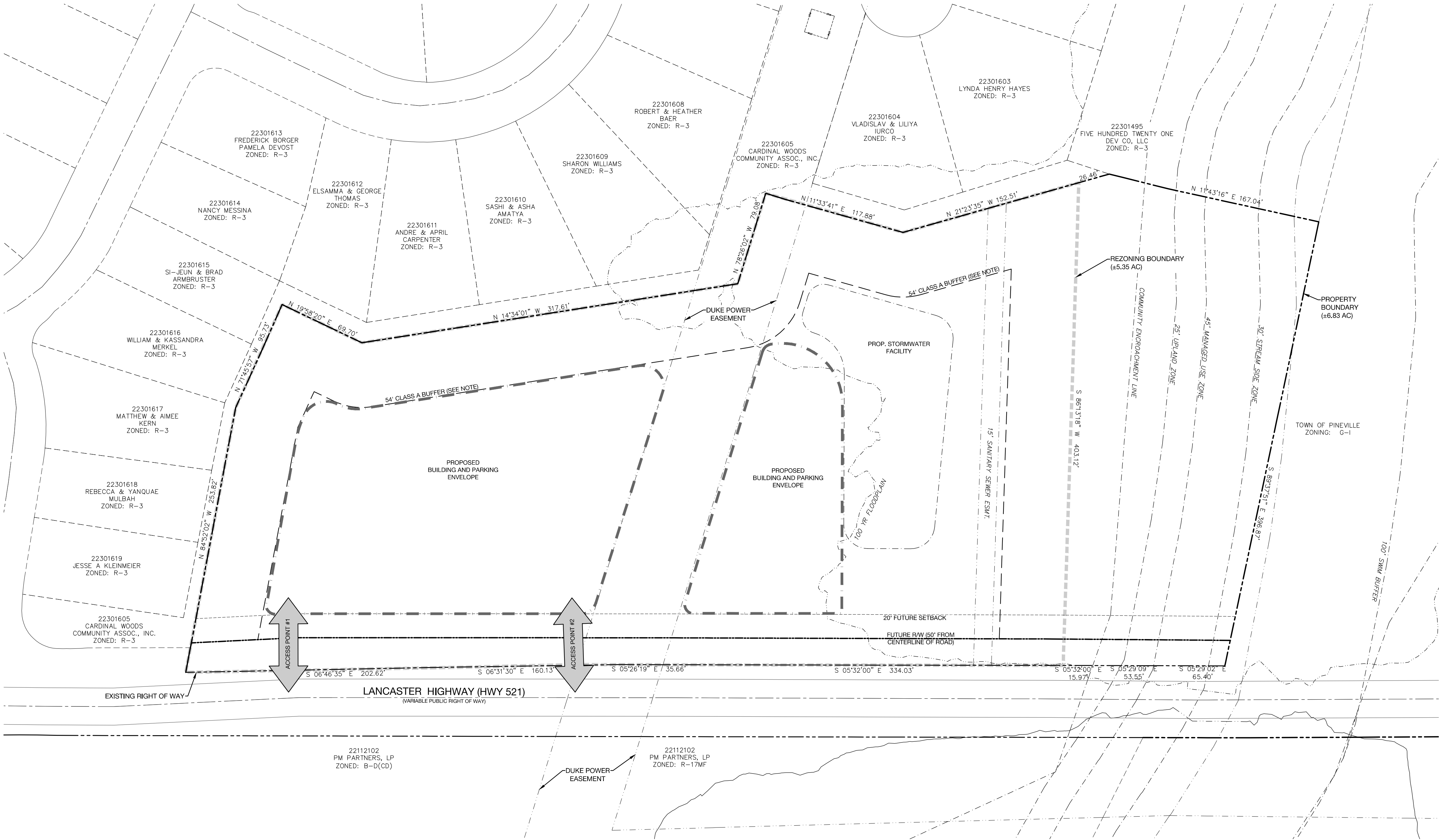
This letter serves to notify all interested parties that I/we consent to Newman-Tillman Properties LLC petitioning for the rezoning of property known as Tax Parcel 22301208 located in Mecklenburg County, North Carolina, USA. This letter serves to represent my/our signature on the zoning application.

Thank you.

Owner	<div data-bbox="375 961 894 1031" data-label="Text"><p><i>Alexander Keuhn</i></p><p>dotloop verified 03/23/16 3:13AM EDT FME4-Q2IA-MKGR-QWFE</p></div>	Date	_____
Owner	_____	Date	_____
Address	_____		
Phone Number	_____		

Alexander Keuhn
Ziegelfeldstrasse 24
D-73563 Moegglingen

Germany D



DEVELOPMENT SUMMARY

TAX PARCEL ID #:	223-012-08
TOTAL SITE AREA:	±6.83 AC
REZONING SITE AREA:	±5.35 AC
EXISTING ZONING:	O-1(CD)
PROPOSED ZONING:	B-D (CD)
PROPOSED USE:	STORAGE
SETBACKS:	
FRONT:	20'
SIDE:	10'
REAR:	10'
BUILDING AREA:	95,000 SF MAX.
MAX. BUILDING HEIGHT:	PER ORDINANCE
PARKING:	PER ORDINANCE (VEHICULAR AND BICYCLE)

DEVELOPMENT STANDARDS

General Provisions.

- Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Mecklenburg County 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.
- The Petitioner acknowledges that other standard development requirements imposed by other County ordinances, such as those that may 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 County ordinances.
- 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 of this site to accommodate a conditioned self storage. To achieve this purpose, the application seeks the rezoning of the site from the current O-1(CD) classification to the BD (CD). The site is currently permitted to allow up to 20,000 sq. ft. of office space or up to 60 multifamily units.

Permitted Uses

The site may be used for conditioned self storage space, and a small amount of non-conditioned storage space, but no outside storage of any type, and as may be further limited by this site plan.

Transportation

- The site will have a driveway access to Old Lancaster Highway as generally depicted on the site plan.
- Parking areas are generally depicted on the concept plan for the site.

Architectural Standards

Reserved

Streetscape and Landscaping

Reserved

Environmental Features

Reserved

Parks, Greenways, and Open Space

Reserved

Fire Protection

Reserved

Signage

Reserved

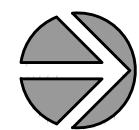
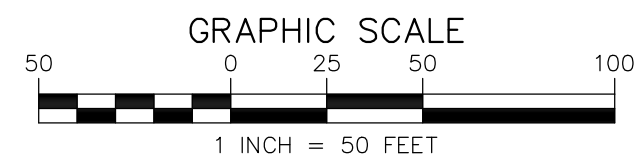
Lighting

Freestanding light will be fully shielded and downwardly directed. All new detached lighting installed on the site will be limited to 20' in height.

Phasing

Reserved

Initial Submission- 3-25-16. 1.0



Premier Storage
Investors, LLC

Jay Tillman
530 Oak Court Drive, Suite 185
Memphis, TN 38117

Lancaster Highway Self Storage Facility

Rezoning Site Plan

Mecklenburg County, North Carolina

NO. DATE: BY: REVISIONS:

Project No: 15-122
Date: March 28, 2016
Designed by: udp
Drawn By: udp
Scale: 1" = 50'
Sheet No:

RZ-1.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

RECEIVED
MAR 28 2016
BY: _____

Petition #: 2016-056

Date Filed: _____

Received By: _____

3/28/2016
BH

Complete All Fields (Use additional pages if needed)

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: Vacant & Residential Uses Total Acres: ± 1,322.79

Existing Zoning: SEE SCHEDULE 1 ATTACHED HERETO

Proposed Zoning: MUDD-O & MX-2(Innovative)

Overlay: Lower Lake Wylie Protected and Critical Area Watersheds (LLWCA & LLWPA)
(Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Ed McKinney, Laura Harmon, Mike Davis, Shannon Frye, Alberto Gonzalez and others.

Date of meeting: Various dates during the months of December 2015, and January & February 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): 5 years

Purpose/description of Conditional Zoning Plan: To allow the development of an environmentally sensitive master planned, mixed-use community, with a variety of office, commercial, civic, residential uses with a coordinated series of open space areas.

**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 Owners

(Name Typed/Printed)

**Crescent Communities, LLC (Attn: Creighton Call)
Lincoln Harris (Attn: Tracy Dodson)**

Name of Petitioner

**227 W. Trade Street, Suite 1000 (Crescent)
4725 Piedmont Row Drive, Suite 800 (Lincoln)**

Address of Petitioner

**Charlotte, NC 28210 (Lincoln)
Charlotte, NC 28202 (Crescent)**

City, State, Zip

**980-321-6283 (Creighton Hall)
704-714-7694 (Tracy Dodson)**

Telephone Number

ccall@crescentcommunities.com Tracy.Dodson@lincolnharris.com

E-mail Address

See Attachment B

Signature of Petitioner

(Name Typed/Printed)

SCHEDULE 1**REZONING PETITION NO. 2016-056**

<u>Property Owner and Address</u>	<u>Property Address</u>	<u>Tax Parcel Number</u>	<u>Acreage</u>	<u>Date Property Acquired</u>	<u>Existing Zoning Classification</u>
Dewer Development Corporation, Inc. 68 Seascape Circle St Augustine, FL 32080	N/A	113-201-01	50.342	12/23/96	R-3
Carolina Centers LLC 227 West Trade Street, Suite 1000 Charlotte, NC 28202	4817 Sadler Rd N/A N/A N/A N/A 8739 Lynn Parker Ln N/A N/A N/A	113-271-35 113-281-43 113-291-04 113-291-03 113-291-01 113-321-01 141-281-01 141-281-02 141-281-03	387.931 226.502 12.0 40.26 71.56 50.36 47.35 4.324 61.56	12/28/93 12/28/93 12/28/93 12/28/93 12/28/93 12/28/93 6/28/01 6/28/01 6/28/01	R-5 R-5 R-5 R-5 R-5 R-5 R-5 R-5 R-5
Elam Group, LLC 5017 Sirius Lane, Suite C Charlotte, NC 28208	N/A 8300 Dixie River Rd 8510 Dixie River Rd 9460 Dixie River Rd 9224 Dixie River Rd 9324 Dixie River Rd 9400 Dixie River Rd	141-131-22 141-142-09 141-152-21 141-271-12 141-271-15 141-271-14 141-271-13	33.349 57.887 46.834 28.2 3.46 23.53 0.58	3/10/98 8/10/01 10/4/02 11/29/06 5/29/01 12/23/87 12/31/07	R-3 R-3 R-3 I-1 R-3 I-1 R-3
CLT International, LLC 1890 Milford Street Charleston, SC 29405	N/A 9826 Garrison Rd N/A	141-131-19 141-143-15 141-143-19	9.393 7.785 0.38	8/30/07 8/30/07 8/30/07	R-3 R-3 R-3
St. John's Baptist Church Board of Trustees 300 Hawthorne Lane Charlotte, NC 28204	9814 Garrison Road	141-131-18	1.887	12/9/77	R-3
Vivian S. Brown Kramer Margaret Alice Brown Teele Julia Mae Brown Draeger John Wilson Brown, Jr. 2224 Colony Road Charlotte, NC 28209	N/A	141-133-01	23.274	4/8/13	I-1
Marjorie Grier 2833 Bricker Drive Charlotte, NC 28273	N/A	141-142-06	4.95	11/22/89	R-3
Ethel Torrence, by right of survivorship 10528 Partridgeberry Drive Charlotte, NC 28213	N/A	141-142-07	4.95	11/13/79	R-3
Vivian Laverne Williams 727 Georgetown Drive Charlotte, NC 28213	N/A	141-142-08	2.51	11/29/91	R-3
A. J. Charlotte Investments, LLC 9510 East Shangri La Road Scottsdale, AZ 85260	9940 Garrison Rd	141-143-01	8.82	1/31/07	R-3

<u>Property Owner and Address</u>	<u>Property Address</u>	<u>Tax Parcel Number</u>	<u>Acreage</u>	<u>Date Property Acquired</u>	<u>Existing Zoning Classification</u>
Bup Song Choe Chong Suk Choe 4208 Glen Erin Way Raleigh, NC 27613	9920 Garrison Rd N/A	141-143-02 141-143-03	2.76 2.67	11/6/03 6/2/04	R-3
RS Investment Group, LLC 4208 Glen Erin Way Raleigh, NC 27613	N/A	141-143-07	3.88	7/22/09	R-3
Wayne P. Cooper P.O. Box 19627 Charlotte, NC 28219	5850 Goodman Rd 5844 Goodman Rd 5838 Goodmon Rd 9016 Dixie River Rd 8932 Dixie River Rd [vacant land] 5803 Goodman Rd	141-152-01 141-152-02 141-152-03 141-271-22 141-271-23 141-271-26 141-271-27	38.55 0 0.244 12.72 23.03 1.26 2.1	5/25/79 6/22/89 5/30/89 12/10/90 11/1/76 7/11/84 5/14/79	R-3 R-3 R-3 R-3 R-3 R-3 R-3
Dong J. Kim Young S. Kim 601 Briar Patch Terrace Waxhaw, NC 28173	10000 Garrison Rd	141-143-10	1.0	4/9/03	R-3
Mali Properties, Inc. 2117 SW 57 Avenue Westpark, FL 33023	10104 Garrison Rd.	141-143-06	0.5	2/23/07	R-3

ATTACHMENT A
REZONING PETITION NO. 2016-056
Crescent Communities, LLC
and
Lincoln Harris

PETITIONER JOINDER AGREEMENT
Carolina Centers LLC


The undersigned, as the owner of the following parcels of land:

(a) 4817 Sadler Road	Parcel No. 113-271-35 (R-5)
(b) [vacant land]	Parcel No. 113-281-43 (R-5)
(c) [vacant land]	Parcel No. 113-291-04 (R-5)
(d) [vacant land]	Parcel No. 113-291-03 (R-5)
(e) [vacant land]	Parcel No. 113-291-01 (R-5)
(f) 8739 Lynn Parker Lane	Parcel No. 113-321-01 (R-5)
(g) [vacant land]	Parcel No. 141-281-01 (R-5)
(h) [vacant land]	Parcel No. 141-281-02 (R-5)
(i) [vacant land]	Parcel No. 141-281-03 (R-5)

which are all subject to the attached Rezoning Application (collectively, the "Parcels"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the R-5 zoning district to the MX-2(Innovative) and MUDD-O zoning districts 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 29 day of February, 2016.

Carolina Centers LLC,
a North Carolina limited liability company

By: 
Name: CREIGHTON CALL
Its: VICE PRESIDENT

ATTACHMENT A

REZONING PETITION NO. _____ - CLT International, LLC/
LINCOLN HARRIS/CRESCENT COMMUNITIES

REZONING PETITION JOINDER AGREEMENT

The undersigned, as the owner of the parcel of land located west of I-485 and east of the Catawba River in Mecklenburg County, North Carolina that is designated as Tax Parcel No. **141-131-19; 141-143-15,19** on the Mecklenburg County Tax Map (the "Parcel") and which is a portion of the overall property that is subject of the attached Rezoning Application (the "Overall Rezoning Property"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcel from the **R-3** zoning district (**note: a portion of 141-143-15 is designated MH-O**) to the **MUDD-O** zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this Rezoning Application.

This 29 day of December 2015

CLT International, LLC

By: _____

Name: _____

Its: _____

ATTACHMENT A

REZONING PETITION NO. _____ - ST. JOHNS BAPTIST CHURCH / LINCOLN
HARRIS / CRESCENT COMMUNITIES

REZONING PETITION JOINDER AGREEMENT

The undersigned, as the owner of the parcels of land located west of I-485 and east of the Catawba River in Mecklenburg County, North Carolina that is designated as Tax Parcel No. 14113118 on the Mecklenburg County Tax Map (the "Parcels") and which are a portion of the overall property that is subject of the attached Rezoning Application (the "Overall Rezoning Property"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the current R-3 zoning district to the proposed MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this Rezoning Application.

The undersigned are the three members of the Board of Trustees of St. John's Baptist Church, which Board of Trustees preliminarily handles matters affecting real estate owned by the Church. The Church owns a parcel of real estate just off I-485 at Garrison Road, which is above identified. The Church hereby joins in supporting this Rezoning Petition as to the requested zoning change of its parcel to the MUDD zoning classification. However, for clarification, this joinder relates only to the zoning change and is not applicable to any other matters included in the material submitted with this Rezoning Petition by Lincoln Harris /Crescent Communities, such as any potential changed road configurations.

This the 25th day of March, 2016.

St. John's Baptist Church by its Board of Trustees

By: Ed Outen
Edwin Outen, Chairman and Member

By: Norman J. Fortson
Norman J. Fortson, Member

By: Lloyd F. Baucom
Lloyd F. Baucom, Member

ATTACHMENT A

REZONING PETITION NO. _____ - MARJORIE GRIER / LINCOLN HARRIS /
CRESCENT COMMUNITIES

REZONING PETITION JOINDER AGREEMENT

The undersigned, as the owner of the parcels of land located west of I-485 and east of the Catawba River in Mecklenburg County, North Carolina that is designated as Tax Parcel No. 14114206 on the Mecklenburg County Tax Map (the "Parcels") and which are a portion of the overall property that is subject of the attached Rezoning Application (the "Overall Rezoning Property"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the current R-3 zoning district to the proposed MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this Rezoning Application.

This 23 day of ~~January~~^{February}, 2016

Margorie Grier

Margorie Grier

Printed Name: MARJORIE GRIER

ATTACHMENT A

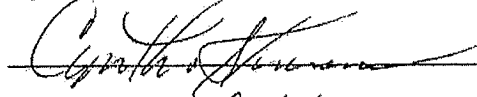
REZONING PETITION NO. _____ - CYNTHIA S. TORRENCE / LINCOLN HARRIS /
CRESCENT COMMUNITIES

REZONING PETITION JOINDER AGREEMENT

The undersigned, as the owner of the parcels of land located west of I-485 and east of the Catawba River in Mecklenburg County, North Carolina that is designated as Tax Parcel No. 14114207 on the Mecklenburg County Tax Map (the "Parcels") and which are a portion of the overall property that is subject of the attached Rezoning Application (the "Overall Rezoning Property"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the current R-3 zoning district to the proposed MUDD-Q zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this Rezoning Application.

This 18th day of March, 2016

Cynthia S. Torrence

_____

Printed Name: Cynthia S. Torrence

ATTACHMENT A

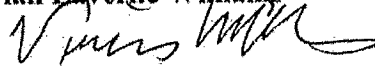
REZONING PETITION NO. _____ - VIVIAN LAVERNE WILLIAMS / LINCOLN
HARRIS / CRESCENT COMMUNITIES

REZONING PETITION JOINDER AGREEMENT

The undersigned, as the owner of the parcels of land located west of I-485 and east of the Catawba River in Mecklenburg County, North Carolina that is designated as Tax Parcel No. 14114208 on the Mecklenburg County Tax Map (the "Parcels") and which are a portion of the overall property that is subject of the attached Rezoning Application (the "Overall Rezoning Property"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the current R-3 zoning district to the proposed MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this Rezoning Application.

This 3 day of February, 2016

Vivian Laverne Williams



Printed Name: Vivian L. Williams

ATTACHMENT A

REZONING PETITION NO. _____ - AJ Charlotte Investments, LLC/
LINCOLN HARRIS/CRESCENT COMMUNITIES

REZONING PETITION JOINDER AGREEMENT

The undersigned, as the owner of the parcel of land located west of I-485 and east of the Catawba River in Mecklenburg County, North Carolina that is designated as Tax Parcel No. **141-143-01** on the Mecklenburg County Tax Map (the "Parcel") and which is a portion of the overall property that is subject of the attached Rezoning Application (the "Overall Rezoning Property"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcel from the **R-3** zoning district to the **MUDD-O** zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this Rezoning Application.

This 1st day of February, 2016

AJ Charlotte Investments, LLC

By: [Signature]
Name: ALVIN TILBARA
Its: manager

ATTACHMENT A

REZONING PETITION NO. _____ - BUP SONG CHOE / CHONG SUK CHOE/
LINCOLN HARRIS / CRESCENT COMMUNITIES

REZONING PETITION JOINDER AGREEMENT

The undersigned, as the owner of the parcels of land located west of I-485 and east of the Catawba River in Mecklenburg County, North Carolina that is designated as Tax Parcel No. 14114302, 14114303 and 14114305 on the Mecklenburg County Tax Map (the "Parcels") and which are a portion of the overall property that is subject of the attached Rezoning Application (the "Overall Rezoning Property"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the current R-3 zoning district to the proposed MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this Rezoning Application.

This 17 day of February, 2016

Bup Song Choe

Bup Song Choe

Printed Name: Bup Song Choe

Chong Suk Choe

Chong Suk Choe

Printed Name: Chong Suk Choe

ATTACHMENT A

REZONING PETITION NO. _____ - RS INVESTMENT GROUP, LLC / LINCOLN
HARRIS / CRESCENT COMMUNITIES

REZONING PETITION JOINDER AGREEMENT

The undersigned, as the owner of the parcels of land located west of I-485 and east of the Catawba River in Mecklenburg County, North Carolina that is designated as Tax Parcel No. 14114307 on the Mecklenburg County Tax Map (the "Parcels") and which are a portion of the overall property that is subject of the attached Rezoning Application (the "Overall Rezoning Property"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the current R-3 zoning district to the proposed MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this Rezoning Application.

This 17 day of February, 2016

RS Investment Group, LLC

Bup Song Choe

Printed Name: Bup Song Choe

ATTACHMENT A

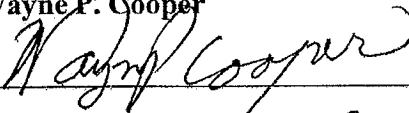
REZONING PETITION NO. _____ - WAYNE P. COOPER / LINCOLN HARRIS /
CRESCENT COMMUNITIES

REZONING PETITION JOINDER AGREEMENT

The undersigned, as the owner of the parcels of land located west of I-485 and east of the Catawba River in Mecklenburg County, North Carolina that is designated as Tax Parcel Nos. 141-152-01; 141-152-02; 141-152-03; 141-271- 22, 23, 26 and 27 on the Mecklenburg County Tax Map (the "Parcels") and which are a portion of the overall property that is subject of the attached Rezoning Application (the "Overall Rezoning Property"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the current R-3 zoning district to the proposed MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this Rezoning Application.

This 25 day of MARCH, 2016

Wayne P. Cooper



Printed Name: WAYNE P. COOPER

ATTACHMENT A

REZONING PETITION NO. _____ - THE ELAM GROUP, LLC/LINCOLN
HARRIS/CRESCENT COMMUNITIES

REZONING PETITION JOINDER AGREEMENT

The undersigned, as the owner of the parcel of land located west of I-485 and east of the Catawba River in Mecklenburg County, North Carolina that is designated as Tax Parcel Nos. 141-142-09; 141-152-21; 141-131-22; 141-271-12; 141-271-13; 141-271-14 and 141-271-15 on the Mecklenburg County Tax Map (the "Parcels") and which are a portion of the overall property that is subject of the attached Rezoning Application (the "Overall Rezoning Property"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the current R-3 zoning district to the proposed MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this Rezoning Application.

This 24th day of March, 2016

The Elam Group, LLC

By: Ray G. Elam
Name: Raymond J. Elam
Its: Member/Manager

ATTACHMENT A

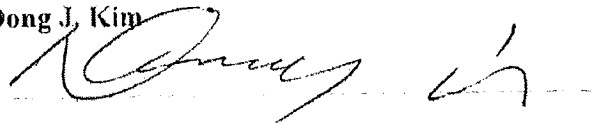
REZONING PETITION NO. - DONG J. KIM / YOUNG S. KIM / LINCOLN
HARRIS / CRESCENT COMMUNITIES

REZONING PETITION JOINDER AGREEMENT

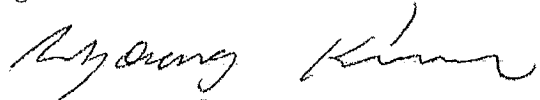
The undersigned, as the owner of the parcels of land located west of I-485 and east of the Catawba River in Mecklenburg County, North Carolina that is designated as Tax Parcel No. 14114310 on the Mecklenburg County Tax Map (the "Parcels") and which are a portion of the overall property that is subject of the attached Rezoning Application (the "Overall Rezoning Property"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the current R-3 zoning district to the proposed MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this Rezoning Application.

This 17 day of February, 2016

Dong J. Kim


Printed Name: Dong J Kim

Young S. Kim


Printed Name: Young S Kim

ATTACHMENT A

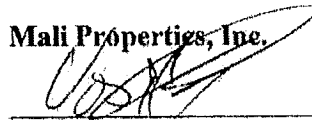
REZONING PETITION NO. _____ - MALI PROPERTIES, INC./ LINCOLN HARRIS /
CRESCENT COMMUNITIES

REZONING PETITION JOINDER AGREEMENT

The undersigned, as the owner of the parcels of land located west of I-485 and east of the Catawba River in Mecklenburg County, North Carolina that is designated as Tax Parcel No. 14114306 on the Mecklenburg County Tax Map (the "Parcels") and which are a portion of the overall property that is subject of the attached Rezoning Application (the "Overall Rezoning Property"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the current R-3 zoning district to the proposed MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this Rezoning Application.

This 20 day of January, 2016

Mali Properties, Inc.



Printed Name:

Vasile Malinatescu

ATTACHMENT B

REZONING PETITION NO. [2016-056]
Crescent Communities, LLC
and
Lincoln Harris

Crescent Communities, LLC

By: 

Name:

PEYTON CALL

Title:

VICE PRESIDENT

Lincoln Harris

By: 

Name:

Tracy Dodson

Title:

Vice President

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

RECEIVED
MAR 28 2016
BY: _____

Petition #: 2016-056

Date Filed: _____

Received By: _____

3/28/2016
BH

Complete All Fields (Use additional pages if needed)

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: Vacant & Residential Uses Total Acres: ± 1,322.79

Existing Zoning: SEE SCHEDULE 1 ATTACHED HERETO

Proposed Zoning: MUDD-O & MX-2(Innovative)

Overlay: Lower Lake Wylie Protected and Critical Area Watersheds (LLWCA & LLWPA)
(Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Ed McKinney, Laura Harmon, Mike Davis, Shannon Frye, Alberto Gonzalez and others.

Date of meeting: Various dates during the months of December 2015, and January & February 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): 5 years

Purpose/description of Conditional Zoning Plan: To allow the development of an environmentally sensitive master planned, mixed-use community, with a variety of office, commercial, civic, residential uses with a coordinated series of open space areas.

**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 Owners

(Name Typed/Printed)

**Crescent Communities, LLC (Attn: Creighton Call)
Lincoln Harris (Attn: Tracy Dodson)**

Name of Petitioner

**227 W. Trade Street, Suite 1000 (Crescent)
4725 Piedmont Row Drive, Suite 800 (Lincoln)**

Address of Petitioner

**Charlotte, NC 28210 (Lincoln)
Charlotte, NC 28202 (Crescent)**

City, State, Zip

**980-321-6283 (Creighton Hall)
704-714-7694 (Tracy Dodson)**

Telephone Number

ccall@crescentcommunities.com Tracy.Dodson@lincolnharris.com

E-mail Address

See Attachment B

Signature of Petitioner

(Name Typed/Printed)

RIVER DISTRICT REZONING PACKAGE

Charlotte, North Carolina

VISION STATEMENT

River District is a master planned community that embraces its natural features, resources, preservation areas and open space as the principle organizing element in its neighborhoods, mixed use town center, employment, gateway and transitional districts. River District will be a vibrant and diverse place that fosters unprecedented economic vitality, diverse residential opportunities and a thriving built environment amidst hundreds of acres of preserved open space. The Districts will evolve over time, while remaining connected through an extensive network of parks/trails, open space and greenway linkages as well as a collection of multi-modal streets that provide a range of transportation opportunities. Unlike anywhere else in Charlotte, the unique location captures the natural beauty that extends from the Catawba River and maximizes the convenience of proximity to the Charlotte Douglas International Airport.

PETITIONER	Crescent Communities 227 W Trade St #1000 Charlotte, NC 28202 Contact: Creighton Call 980.321.6000
	Lincoln Harris 4725 Piedmont Rd Dr #800 Charlotte, NC 28210 Contact: Tracy Dodson 704.714.7600
LAND PLANNER	LandDesign, Inc. 223 North Graham St. Charlotte, NC 28202 Contact: Dale Stewart/Eric Pohlmann 704.333.0325
ATTORNEY	Moore & Van Allen Law Firm Suite 4700 100 North Tryon St. Charlotte, NC 28202 Contact: Jeff Brown 704.331.1000
TRANSPORTATION	Design Resource Group 2459 Wilkinson Blvd #200 Charlotte, NC28208 Contact: Randy Goddard 704.343.0608

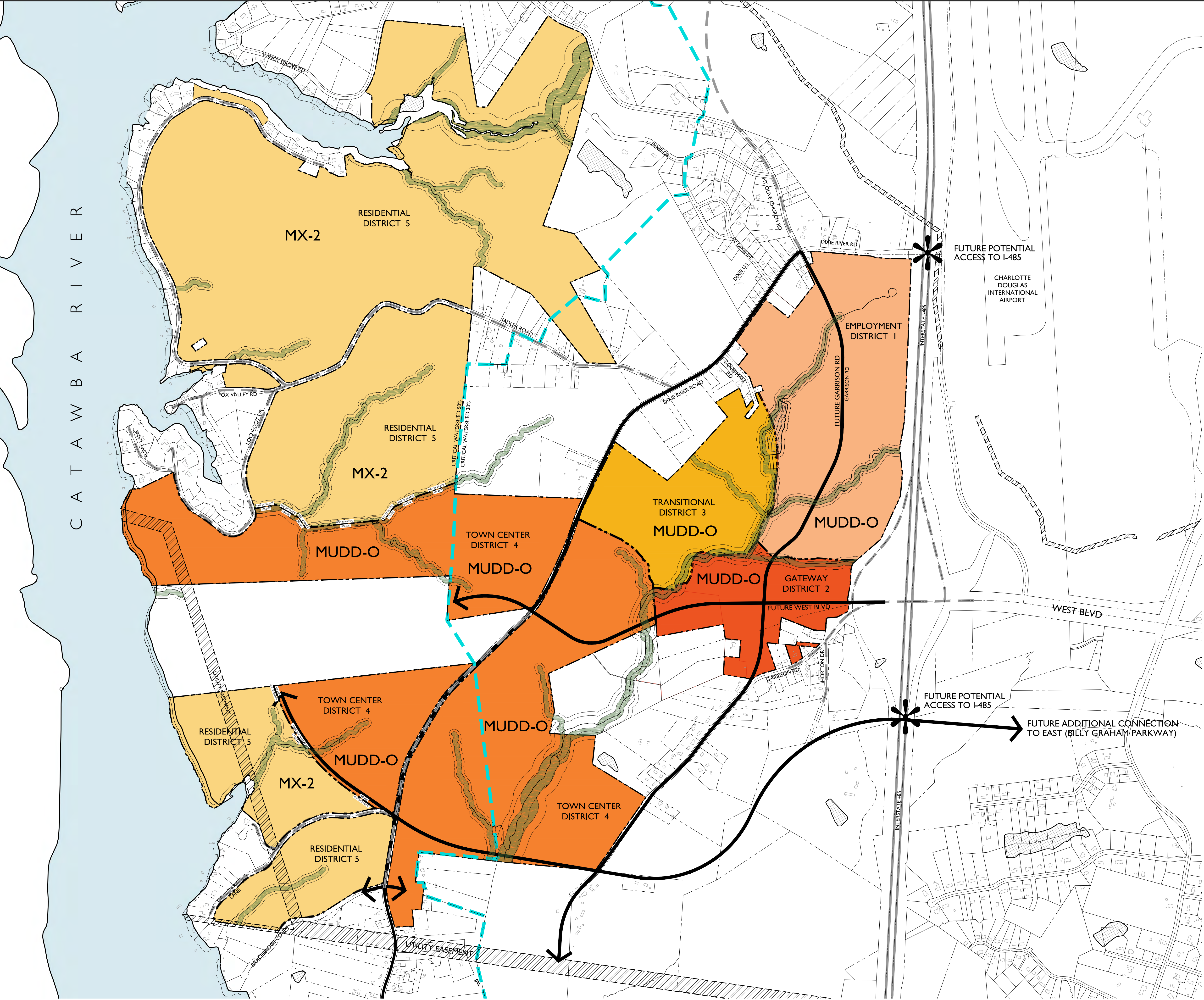
DATE: 03/28/16
DESIGNED BY: LR
DRAWN BY: LR
CHECKED BY: CMG
SCALE: 1"=600'
PROJECT #: 1014342
SHEET #:

REVISIONS:

RIVER DISTRICT
REZONING PETITION NUMBER 2016-056
CHARLOTTE, NORTH CAROLINA
COVER SHEET



LandDesign
223 N Graham Street Charlotte, NC 28202
V: 704.333.0325 F: 704.332.3246
www.LandDesign.com



VISION STATEMENT

River District is a master planned community that embraces its natural features, resources, preservation areas and open space as the principle organizing element in its neighborhoods, mixed use town center, employment, gateway and transitional districts. River District will be a vibrant and diverse place that fosters unprecedented economic vitality, diverse residential opportunities and a thriving built environment amidst hundreds of acres of preserved open space. The Districts will evolve over time, while remaining connected through an extensive network of parks/trails, open space and greenway linkages as well as a collection of multi-modal streets that provide a range of transportation opportunities. Unlike anywhere else in Charlotte, the unique location captures the natural beauty that extends from the Catawba River and maximizes the convenience of proximity to the Charlotte Douglas International Airport.

OVERALL:
Total Acreage: 1,322.79 acres
Zoning Uses: MUDD, MX

LEGEND:
--- EXISTING STREET
--- NEW STREET
--- CRITICAL WATERSHED BOUNDARY

0 300' 600' 1200'
SCALE: 1"=600'-0"

SHEET INDEX:

- 1. Sheet RZ-1 - Cover Sheet: Locator Map & Vision Statement
- 2. Sheet RZ-2 - Technical Data Sheet
- 3. Sheet RZ-3 - Sheet Index & Description of Rezoning Sheets
- 4. Sheet RZ-4A - 4B - Environmental Vision Plan
- 5. Sheet RZ-5A - 5C - Illustrative Transportation Network
- 6. Sheet RZ-6A - 6B - Employment District Development
- 7. Sheet RZ-7A - 7B - Gateway District Development
- 8. Sheet RZ-8A - 8B - Transition District Development
- 9. Sheet RZ-9A - 9B - Town Center District Development
- 10.Sheet RZ-10A - 10C - Residential District Development
- 11.Sheet RZ-11A - 11B - Phase I Development
- 12.Sheet RZ-12A - 12B - General Development Standards
- 13.Sheet RZ-13A - 13B - Internal Parcel Data
- 14.Sheet RZ-14A - 14B - Adjacent Parcel Owners

Description of Rezoning Sheets

- 1. Sheet RZ-1 - Cover Sheet: Vision Statement
 - a. Sheet RZ-1 describes the vision for development of River District as master planned community that will showcase positive environmental stewardship, exceptional livability and transformative economic development with tremendous regional and global connectivity.
 - b. Sheet RZ-1 vision statement reflects that Rezoning Plan is in keeping with Dixie Berryhill Plan for areas B/C and the 2015/2016 Airport planning initiative.
- 2. Sheet RZ-2 - Technical Data Sheet
 - a. Sheet RZ-2 identifies the Development Districts within the Master Plan Site and context of this large master planned community is expected to be developed in numerous phases over a 20 to 25 year period.
 - b. Sheet RZ-2 also references in an illustrative manner primary site features such as the contemplated primary roadways, Beaver Dam Creek and the boundaries of the Development Districts in the context of the surrounding areas. Streets shown are conceptual in nature and are subject to change.
- 3. Sheet RZ-3 - Sheet Index & Description of Rezoning Sheets
 - a. Sheet RZ-3 outlines the contents of the Rezoning Plan and describes each of the pages/Sheets that represent components of the proposed development of the Master Plan Site.
 - b. Sheet RZ-3 and its descriptive table of contents aids in the review of Rezoning Plan by stakeholders and the general public.

- 4. Sheet RZ-4A - 4B - Environmental Vision Plan
 - a. Sheet RZ-4 sets forth guiding principles for positive environmental stewardship of the Master Plan Site.
 - b. The Environmental Vision Plan describes the interconnected system of green space, parks, multi-use trails within the Master Plan Site as well as various environmentally sensitive techniques/features for treating storm water run-off and water quality considerations. Overall environmental committments are outlined in this section.
- 5. Sheet RZ-5A - 5B - Illustrative Transportation Network
 - a. Sheet RZ-5 sets out a high level concept for the primary roadway and street network to be installed over the many years build-out. This is illustrative and is intended merely to highlight the vision and types of roadways/streets contemplated.
 - b. Rezoning Plan includes transportation commitments that will address transportation capacity needs to serve entitlements for Phase I development.
 - c. It also includes methodology for future Traffic Impact Analysis work and/or updates to the initial TIA to demonstrate transportation adequacy for future phases of development.
- 6. Sheet RZ-6A - 6B - Employment District Development
 - a. Sheet RZ-6 generally depicts the Employment Development District, which is contemplated primarily for office and commercial uses and some limited residential uses under the MUDD-O zoning classification.
 - b. Sheet RZ-6 contains District Development Standards governing development within the Employment District.
- 7. Sheet RZ-7A - 7B - Gateway District Development
 - a. Sheet RZ-7 generally depicts Development Area [C], which is contemplated for office and commercial uses under the MUDD-O zoning classification and certain development standards more particularly set forth therein.
 - b. Sheet RZ-7 contains District Development Standards governing development within the Gateway District.
- 8. Sheet RZ-8A - 8B - Transitional District Development
 - a. Sheet RZ-8 generally depicts the Transition Development District, which is contemplated for office and commercial uses as well as residential uses under the MUDD-O zoning classification.
 - b. Sheet RZ-8 contains District Development Standards governing development within the Transitional District.
- 9. Sheet RZ-9A - 9B - Town Center District Development
 - a. Sheet RZ-9 generally depicts the Town Center Development District, which is contemplated for a mixture of office and commercial uses and residential uses under the MUDD-O zoning classification.
 - b. Sheet RZ-9 contains District Development Standards governing development within the Town Center District.

- 10. Sheet RZ-10A - 10C - Residential District Development
 - a. Sheet RZ-10 generally depicts the Town Center Development District, which is contemplated for a mixture of residential uses with limited neighborhood services uses under the MX-2 zoning classification.
 - b. Sheet RZ-10 contains District Development Standards governing development within the Residential District.
- 11. Sheet RZ-11 - Phase I Development
 - a. Sheet RZ-11 generally depicts the first phase(s) of development contemplated for the Mixed Use Site.
 - b. Phase I includes a portion of the Employment District, which is contemplated for office and commercial uses with some residential uses, a portion of the Gateway District contemplated primarily for commercial uses, and a portion of Town Center District.
 - c. Provisions dealing with development within the Phase I area are set out on Sheet RZ-11 as well as in Sheet RZ-12A-B General Development Standards & other graphics dealing applicable Development Districts.
- 12. Sheet RZ-12A - 12B - General Development Standards
 - a. Sheet RZ-12 sets out certain details related to the development contemplated in the Master Plan Site related to infrastructure aspect as well as standards of review for design guidelines among other rezoning provisions.
 - b. General Development Standards references graphical illustrations and development standards/design guidelines for individual Development Districts in other Sheets.
- 13. Sheet RZ-13 - Internal Parcel Data
 - a. Sheet RZ-13 sets out ownership and parcel information for property that makes up the Master Plan Site.
- 14. Sheet RZ-14A - 14B - Adjacent Parcel Owners
 - a. Sheet RZ-14 sets out ownership and parcel information for property that is adjacent to the Master Plan site.



River District Environmental Vision Statement

River District will honor the unique resources and character of the 1,300 hundred acre master planned community by preserving significant natural areas, land features and environmentally sensitive lands. This effort will cultivate accessibility, stewardship and education opportunities related to nature for the residents as well as serve as a regional amenity. From a public riverfront park, to an extensive trail system that traverses along streams, through wooded areas and connects destinations, there will be tremendous opportunities to appreciate the natural environment within 5 minutes of every destination or neighborhood. River District will maintain high standards for water quality practices as well as exceed required tree save measures.

River District will create a one-of-a-kind community that keeps natural resources and open space preservation as the cornerstone of its built environment.

LEGEND:

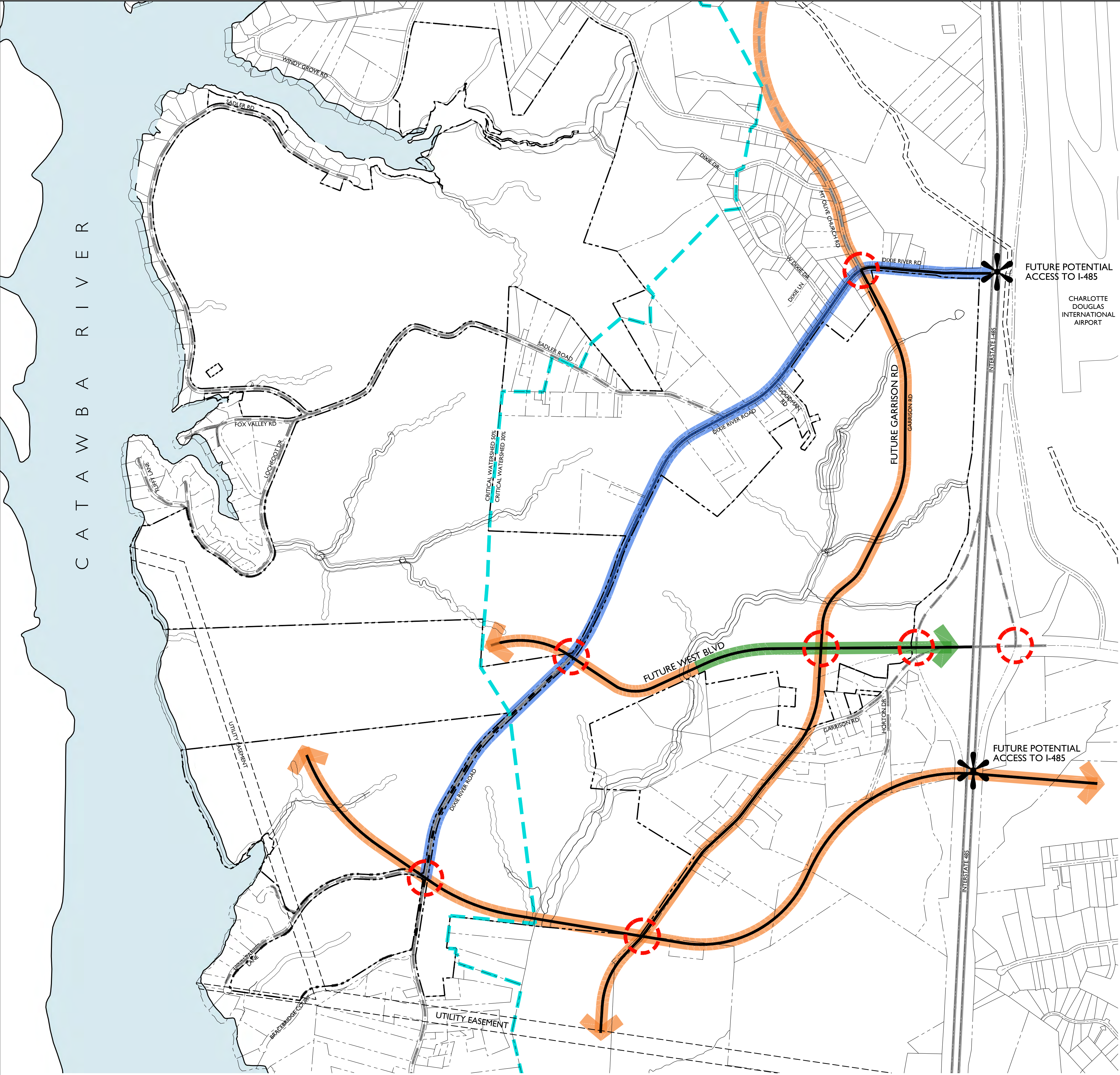
- OPEN SPACE
(shown in conceptual location, may move in final)
- TREE SAVE
- INCREASED BUFFER

DATE: 03/28/16
DESIGNED BY: LR
DRAWN BY: LR
CHECKED BY: CMG
SCALE: 1"=600'-0"
PROJECT #: 1014342
SHEET #:

SCALE: 1"=600'-0"

<p>Environmental Vision:</p> <p>River District will honor the unique resources and character of the 1,300 hundred acre master planned community by preserving significant natural areas, land features and environmentally sensitive lands. This effort will cultivate accessibility, stewardship and education opportunities related to nature for the residents as well as serve as a regional amenity. From a public riverfront park, to an extensive trail system that traverses along streams, through wooded areas and connects destinations, there will be tremendous opportunities to appreciate the natural environment within 5 minutes of every destination or neighborhood. River District will maintain high standards for water quality practices as well as exceed required tree save measures.</p> <p>River District will create a one-of-a-kind community that keeps natural resources and open space preservation as the cornerstone of its built environment.</p> <p>OUTLINE</p> <p>I. Environmental Intent</p> <p>II. Overall Stewardship Commitments</p> <p>III. Water Quality</p> <p>IV. Open Space</p> <p>V. Recreation and Connectivity</p> <p>VI. Wildlife and Education</p> <p>VII. Tree Save</p> <p>I. ENVIROMENTAL INTENT:</p> <p>The land use pattern will respect the natural resources and recognize the opportunity to integrate natural features and open space amenities as a primary organizing element. RiverDistrict will concentrate development in districts, while intentionally maintaining open space areas and providing greenway connections. The opportunity to focus development in these districts allows for minimized environmental impact.</p> <p>Higher intensity districts, such as the Employment and Town Center will be developed in a condensed pattern away from challenging topography and the river. All districts will be linked by a thoughtful transportation system of sidewalks and trails that promotes walkability and pedestrian activity.</p> <p>As the RiverDistrict develops closer to the water and topography becomes more challenging, lower density residential uses will become more prevalent. Large swaths of tree save and open space will link these areas to the Town Center District and the Employment District.</p> <p>II. OVERALL STEWARDSHIP COMMITMENTS:</p> <p>a. The River District Environmental Vision includes the following stewardship commitments:</p> <p>CHAR2\1769400v3</p>	<p>the width of SWIM buffers on each side of the stream in the MX and Town Center Districts and by increasing the SWIM Buffer by 50' in the Gateway, Transitional and Employment Districts, and increasing the total width of all PCCO buffers by 50 feet divided equally on each side of the stream with the greater of these commitments applicable for stream having both SWIM and PCCO buffers.</p> <p>iii. Increased buffer widths will be treated as an extension of the "Upland Zone", measured horizontally, allowed identical "Buffer Disturbance" as defined in the Charlotte Mecklenburg Water Quality Buffer Implementation Guidelines revision September 2014 and dedicated in concert with the SWIM and PCCO required buffers.</p> <p>iv. Commitment to a minimum of a horizontal buffer of 50 feet around all delineated jurisdictional wetlands.</p> <p>v. In collaboration with Mecklenburg County Land Use and Environmental Services Agency (LUESA), a commitment to funding for the provision, installation, and operation of water quality monitoring stations before, during and post construction activities where deemed applicable and appropriate by LUESA. Post construction monitoring funding will be provided during construction, and all equipment to be funded will become the property of Mecklenburg County.</p> <p>vi. For the purposes of establishing a benchmark of existing conditions of the lake bottom, petitioner will conduct a bathymetric survey of each cove within the respective drainage areas contributory from the River District and will provide these surveys to Mecklenburg County Land Use and Environmental Services Agency (LUESA) prior to the initiation of any construction within the respective drainage basins.</p> <p>IV. OPEN SPACE</p> <p>a. Open Space - Open space will be utilized to enhance the quality of life for residents and visitors to the RiverDistrict. Developers commit to increase the total area of open space areas equal to 40% of the total land area. These open space areas include parks, nature trails, greenways, gathering places, plazas, floodplain areas, creeks, ponds, preserves, tree save areas, wildlife hubs, storm water areas and/or other similar areas or features.</p> <p>Significant focus will be placed on providing wildlife and habitat corridors that are interconnected and respond to both adjacent properties and the water. The Open Space commitment is conceived as multi-faceted endeavor providing preservation of wildlife corridors, meeting or exceeding tree save requirements, and allowing area for an extensive trail and greenway system.</p> <p>b. Specific commitments include:</p> <p>i. Preservation of one "wildlife preserve" greater than 75 acres</p> <p>CHAR2\1769400v3</p>	<p>VII. Tree Save</p> <p>a. An area on the plan of approximately 110 acres is shown as dedicated tree save for the Master Plan excluding the MX districts. The developer commits to reserve this land as tree save, with the following criteria.</p> <p>1. The area depicted on Sheet RZ-4A is conceptual in nature and the boundary may shift due to development, infrastructure or other programmatic elements. The final location will be a contiguous 110 acres.</p> <p>2. Trails, parks, water access, storm water solutions, education opportunities and small community buildings are permitted within this area. Petitioner preserves the right to maintain access and provide programming for the tree save area.</p> <p>3. If the tree save requirement at the time of development is lower than the requirement at the time of rezoning due to lower development levels across less land area, the petitioner reserves the right to lower the acreage.</p> <p>CHAR2\1769400v3</p>	<div>REVISIONS:</div> <div>DATE: 03/28/16 DESIGNED BY: LR DRAWN BY: LR CHECKED BY: CMG CREATED BY: CMG SCALE: NTS PROJECT #: 1014342 SHEET #:</div> <div>RZ-4B</div>
<p>1. Roughly 40% of the Site will be dedicated to open space, preserves, parks and trails.</p> <p>2. Of the +/-1300 acres today, approximately 275 acres, or 20% of the site exist in buffers, stream buffers, floodplain or dedicated tree save area.</p> <p>3. Remaining 20% will be created through the development process in additional preserves, buffers, parks, stormwater facilities etc.</p> <p>4. Greater land preservation through clustered development by building on 60% of the land.</p> <p>5. Enhanced water quality protection (see notes).</p> <p>6. Increased stream buffers by committing to increasing all buffers by minimum 50'.</p> <p>7. Exceptionally integrated system of open space, trails, greenways and roadway connectivity</p> <p>8. A commitment to community-wide environmental education</p> <p>9. A collaboration with the City's Envision Charlotte initiatives</p> <p>10. A dedicated 110 acre tree save site that will serve for the required tree save for all districts in the MUDD district. The petitioner will reserve the right to design and incorporate this area into an amenity with trails, nature preserves, parks, and other amenities. Should the area need to be modified or changed for future development, additional tree save area of equal quality will be identified and preserved to replace.</p> <p>III. WATER QUALITY</p> <p>The Enhanced Water Quality Protection measures committed to by the Petitioners include:</p> <p>a. Erosion Control - A commitment to basin sizing on storm events detaining the 2 year storm for five days and the 25 year storm for three days while routing the 50 year storm through the water quality skimmer outlet. This design basis provides for increased resonance time enhancing sediment removal in the basin. Additional specific measures to be employed in concert with increased basin capacity will include the application of environmentally acceptable enhanced settling aids (i.e. polyacrylamides), strategically located diversion ditches and swales integrating settling aids, multiple high hazard erosion control fencing and, timely restoration of disturbed areas.</p> <p>b. Permanent Water Quality Protection - The importance of enhanced water quality directives will be based on best practices and exceeding current regulatory requirements for erosion control and permanent water quality. Where topography and site design elements including proximity to enhanced stream buffers permit, the implementation of tiered permanent storm water management measures tailored to the size of the respective drainage area. Other storm water management commitments include:</p> <p>i. In collaboration with the City of Charlotte Storm Water Services and Charlotte Department of Transportation, the evaluation of innovative storm water treatment options in concert with the design of the River District roadway infrastructure. Implementation of innovative options will be subject to City concurrence in meeting the PCCO ordinance.</p> <p>ii. Increase in the horizontally measured width of all perennial and intermittent stream buffers above that as currently required by the SWIM and PCCO ordinances by doubling</p> <p>CHAR2\1769400v3</p>	<p>ii. Preservation of all land within the 100 year floodplain (zone AE) and the future 100 year floodplain (zone X) as open space.</p> <p>Note: Open space and undeveloped land is not necessarily untouched. Oftentimes, it can be restored, in order for it to be presented in a manner that maximizes environmental opportunity.</p> <p>V. RECREATION & CONNECTIVITY</p> <p>a. Developers commit to create an extensive trail and greenway network as part of the open space system and integrated into the physical development to provide a pedestrian and non-vehicular connectivity throughout the RiverDistrict. Natural trails, greenway paths, linear parks, bike routes and a carefully designed street and pedestrian network will enable a more active and connected lifestyle. Recreational uses, including a master park and playground system, will be connected or adjacent to trails and green streets throughout the RiverDistrict Master Plan.</p> <p>b. Additional features may include:</p> <p>i. A river front public use and Catawba River connection open to the public</p> <p>ii. Work with Mecklenburg County to create a meaningful greenway connection, including linking the Berryhill Nature Preserve and Berewick Regional Park</p> <p>Note: The trail and greenway system is intended to be an integral and primary means for connection, rather than a secondary or ancillary amenity.</p> <p>VI. Wildlife & Education</p> <p>a. Developer commits to collaborate with the City of Charlotte and Mecklenburg County toward the preservation of Beaver Dam Creek and the natural wildlife corridor that exists by increasing buffers and maintaining tree canopy. The increased buffer will preserve habitat for wildlife while the use of required tree save area will further enhance the corridor. Additional educational programming and a potential partnerships with The Catawba River Foundation, US Fish & Wildlife, NC Wildlife Federation and Trees Charlotte will provide life-long learning opportunities.</p> <p>b. Developer, in concert with other stakeholders, will collaborate on a wildlife and environmental education plan.</p> <p>c. Wildlife education and restoration efforts would be closely coordinated with applicable agencies. Public funding will be sought when available.</p> <p>CHAR2\1769400v3</p>		<div>RIVER DISTRICT REZONING PETITION NUMBER 2016-056 CHARLOTTE, NORTH CAROLINA ENVIRONMENTAL VISION PLAN - NOTES</div>



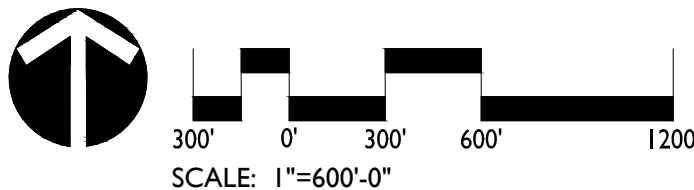


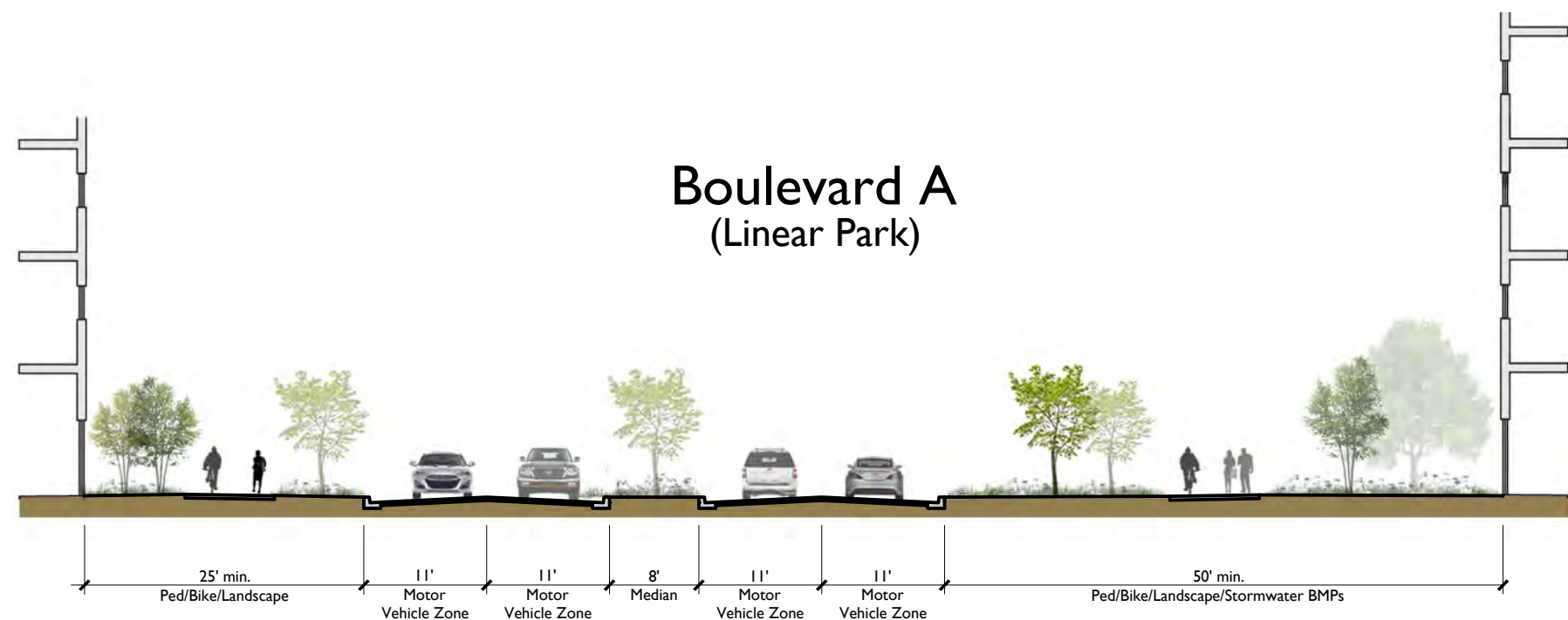
TRANSPORTATION METHODOLOGY

- With each future phase of the River District development, key traffic related documents shall include Traffic Impact Analysis (TIA's) and/or Interchange Access Reports (IAR's). The key steps associated with the agency review of these documents are:
- CDOT and NCDOT to verify network adequacy to support the additional vehicular trips estimated for each phase;
 - NCDOT support of the recommended I-485 interchange ramp improvements, interchange modifications and interchange justifications and assist with obtaining FHWA approval as necessary;
 - CDOT concurrence of added roadway network and street hierarchy per the City of Charlotte Urban Street Design Guidelines (USDG) and major intersection laneage/signalization recommendations;
 - Individual land uses within each development district will need verification of the internal roadway network and show compliance with the USDG. Most likely reviewed and approved through the driveway permit approval process by CDOT.
 - Petitioner will continue to coordinate with the city on revisions to CIP/ Thoroughfare Plan.

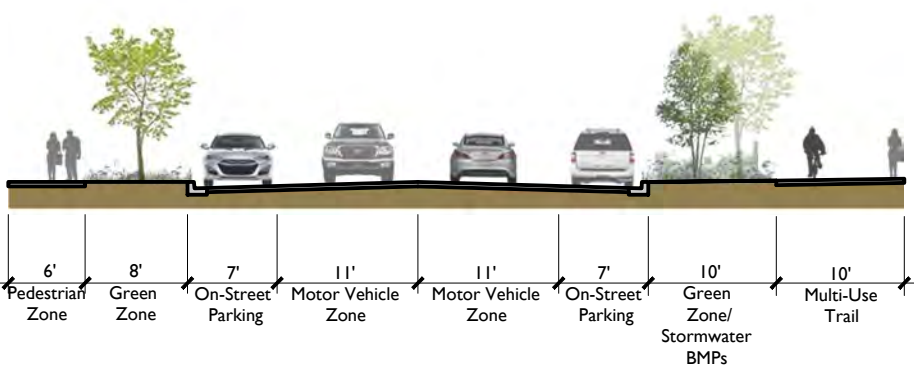
ROAD NETWORK LEGEND
NOTE: Sections will vary and may not occur the length of all roads

- MAJOR THOROUGHFARE
(AS IDENTIFIED BY USDG STANDARDS)
Boulevard, Parkway
- MINOR THOROUGHFARE OR THOROUGHFARE
(AS IDENTIFIED BY USDG STANDARDS)
Main Street, Avenue, Local Office/Commercial
- BOULEVARD A
(LINEAR PARK)
- EXISTING STREETS
- MAJOR INTERSECTION

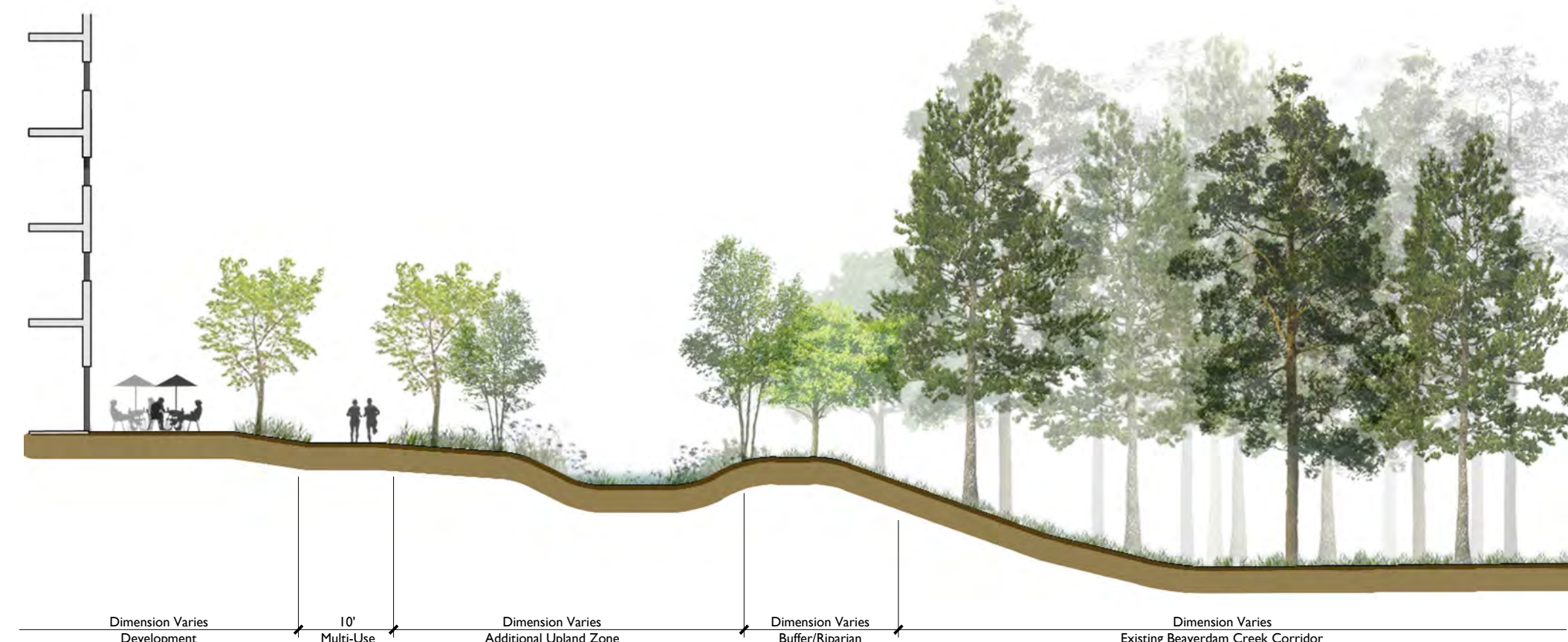




Green Street



Beaverdam Creek - Building Frontage



Beaverdam Creek - Street Frontage

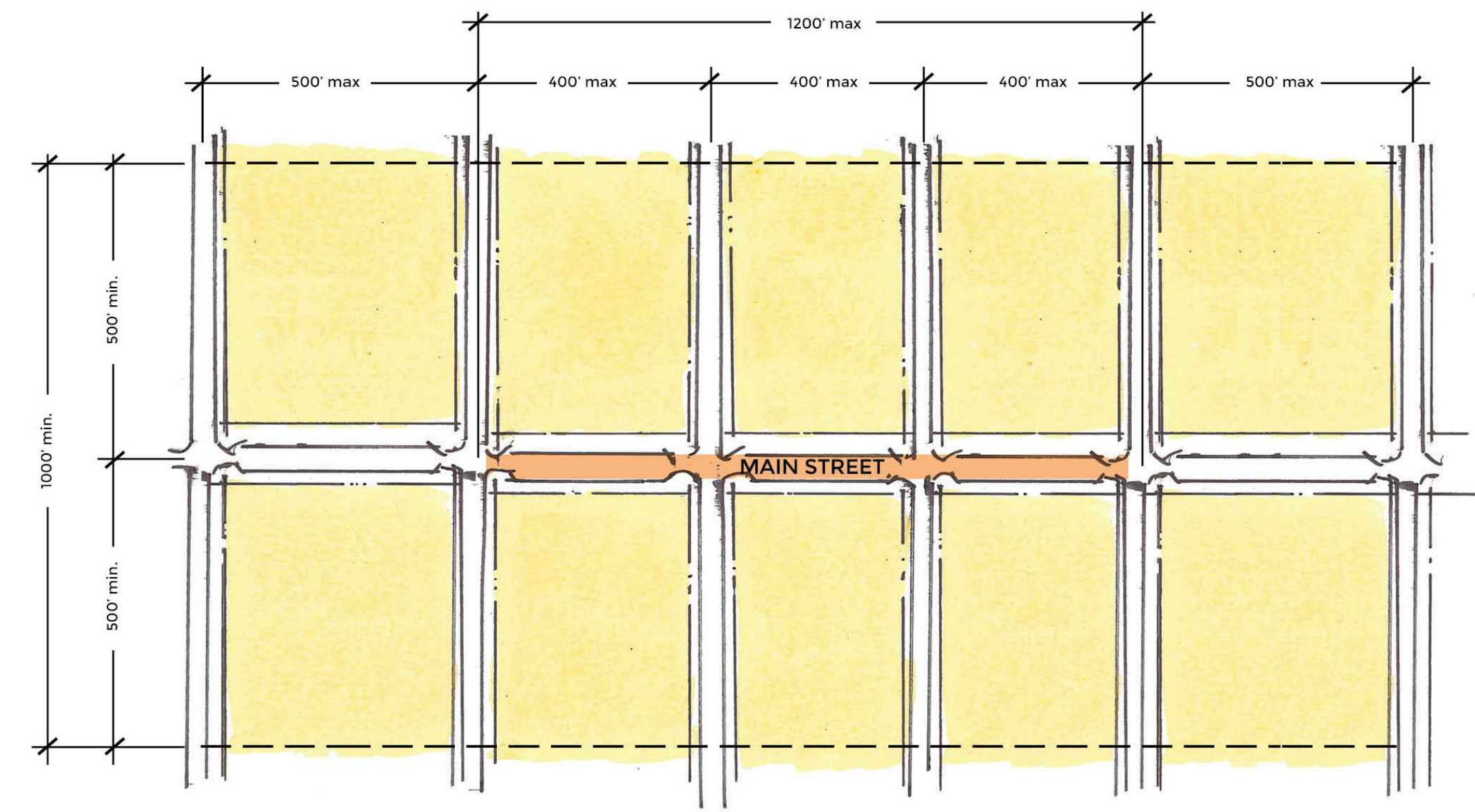


USDG Classification Table

USDG Classifications	Purpose	Adjacent Land Use	Setback	Conditional Building Setback**	Bike Facilities	Laneage / Median	On-Street Parking	Block Lengths	Posted Speed
Main Street (also minor thoroughfare/connector or collector)	Active ground floor retail, pedestrian oriented with functioning doors and windows facing onto the sidewalk	"People-intensive and pedestrian-scaled" libraries, civic uses, retail, mixed use, public gathering spaces	18': 10's sidewalk, 8' planting strip or amenity zone*	20' 8' sidewalk, 8' amenity zone	Not needed because lanes are designed for mixed traffic	Typically 1 lane in each direction with a 3rd for back to back turn lanes. 13' wide travel lanes (12' where constrained) 10' wide turn lane. Medians are not appropriate	Yes, 7' wide from face of curb	400' blocks (total length of mainstreet corridor only 1,000'-1,500')	25 mph
Avenue (also thoroughfare)	Wide range of functions, access from neighborhoods to commercial areas,	Land uses will vary but the basic intent is for uses to orient to and have good functional and visual connections to the street	14': 6' sidewalk, 8' planting strip or amenity zone	20' 8' sidewalk, 8' amenity zone	Yes, 4' wide and striped in absence of on street parking; 6' wide and striped with on street parking	Range from 2-5 with intermittent landscaped islands; Typically 10' wide but can be as wide as 14' with only one travel lane in each direction. Medians are not typical but may be provided in residential areas (16' wide where provided)	Yes, 7' wide from face of curb in areas with front facing development	Should not exceed 600'	25-30 mph
Boulevard (also major thoroughfare)	Move large numbers of vehicles, often as "through traffic" and greater emphasis on motor vehicles while still accommodating pedestrians and cyclists	Similar to Avenues, but with greater setbacks and frontage will not always be to the street, however good functional connections are still important. Not intended for streets with a high volume of pedestrian crossing	14': 6' sidewalk, 8' planting strip	20' 8' sidewalk, 8' amenity zone	Yes, minimum 4' wide and striped; 5' preferred and occasional for 6'	Typically 2 in each direction; Typically 10' wide but can be as wide as 14' (with bicycle plan). Medians 17' wide or 6' with an 11' turn lane.	No, only if separated and provided on a parallel frontage street	1,000'-1,200' (approximately 1/4 mile) (Typical of median openings/signalized intersections)	35-40 mph
Parkway	Motor vehicle-oriented, high capacity	Land uses that depend upon vehicular accessibility and do not foster a large number of pedestrian crossings or walking along the parkway	Deep setbacks/ oriented away from the parkway	20' 8' sidewalk, 8' amenity zone	No - separate adjacent facilities are recommended	2 or 3 lanes in each direction plus separate turn lanes; typically 12' lanes and medians 20' or 9' wide with 11' turn lanes.	No	larger blocks with limited access/ideally 1/2 mile	45-50 mph
Local Office/Commercial Narrow	Is intended to maintain the desired functionality of Local Office/Commercial Streets, where both traffic volumes and speeds are relatively low.	Include office park style development, with ample parking	5' sidewalk and 8' planting strip	20' 8' sidewalk, 8' amenity zone	Can operate in mixed traffic with maintaining low volumes and speeds	25' B.O. C to B.O.C. Medians typically not appropriate but allowed for aesthetics (min 8' wide and increase through lanes to 14' wide).	No. Parking will be on-site, rather than on-street.	Reference USDG Table 4.1 (Range 400'-800')	25 mph
Local Office/Commercial Wide	Is ideal in a more commercial or mixed-use type of environment, where there is limited off-street parking nearby, short-term visitors are likely and high demand for on street parking.	High intensity development, buildings that front the street and greater likelihood of mixed uses than with the Narrow Office/Commercial street.	6' sidewalk and 8' planting strip or 8' amenity zone	20' 8' sidewalk, 8' amenity zone	Can operate in mixed traffic with maintaining low volumes and speeds	41' B.O. C to B.O.C Medians typically not appropriate but allowed for aesthetics (min 8' wide and increase through lanes to 14' wide).	Yes, 7' wide from face of curb	Reference USDG Table 4.1 (Range 400'-800')	25 mph
Local Residential Narrow	May be used in limited circumstances based on DUA, block length max of 650', connections and on-site parking	Low density, large lot residential with ample parking	5' sidewalk and 8' planting strip		Can operate in mixed traffic	20' B.O. C to B.O.C Medians typically not appropriate but allowed for aesthetics (min 8' wide).	No or limited to one side of the street	Reference USDG Table 4.1 (Range 400'-800')	25 mph
Local Residential Medium	Default residential cross section	Low to medium density with access via driveways, alleys or on-site parking	5' sidewalk and 8' planting strip		Can operate in mixed traffic	27' B.O. C to B.O.C Medians typically not appropriate but allowed for aesthetics (min 8' wide).	Yes, 7' wide from face of curb	Reference USDG Table 4.1 (Range 400'-800')	25 mph
Local Residential Wide	Density above 8 DUA and insufficient on-site parking	Medium to high density residential such as townhouses and other attached multi-family uses	6' sidewalk and 8' planting strip or 8' amenity zone/8' sidewalk for densities greater than 12 DUA		Can operate in mixed traffic	35' B.O. C to B.O.C Medians typically not appropriate but allowed for aesthetics (min 8' wide).	Yes, 7' wide from face of curb	Reference USDG Table 4.1 (Range 400'-800')	25 mph

*Amenity Zone can include an 8' planting strip, trees in grasses, bike facilities, benches or other elements that contribute to the pedestrian experience.
** Optional design alternatives for Conditional Setbacks may be included in Section VI Building Orientation/Street Frontage for each district
Table referenced from current USDG standards as of March 28, 2016.

Town Center Core Size and Block Structure

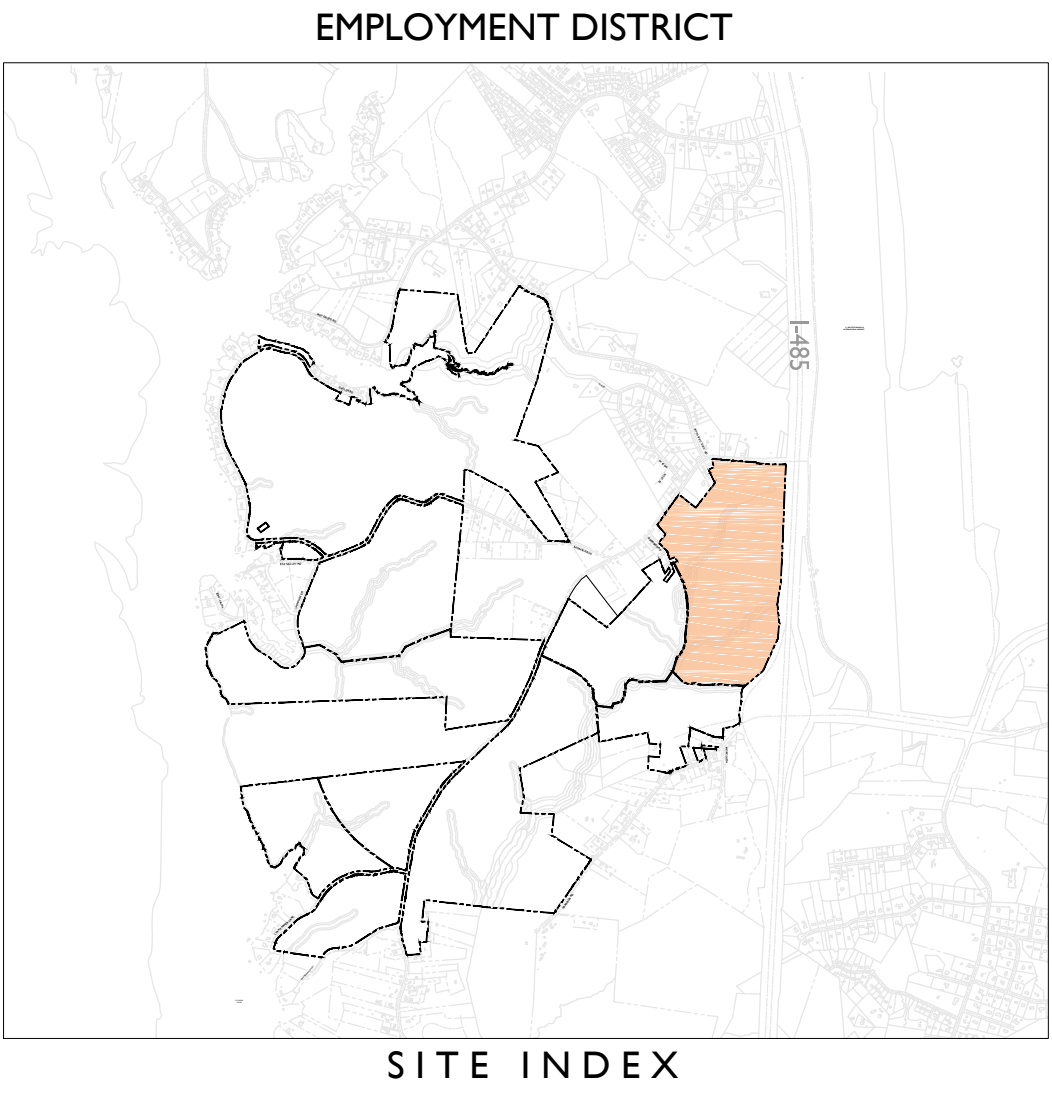
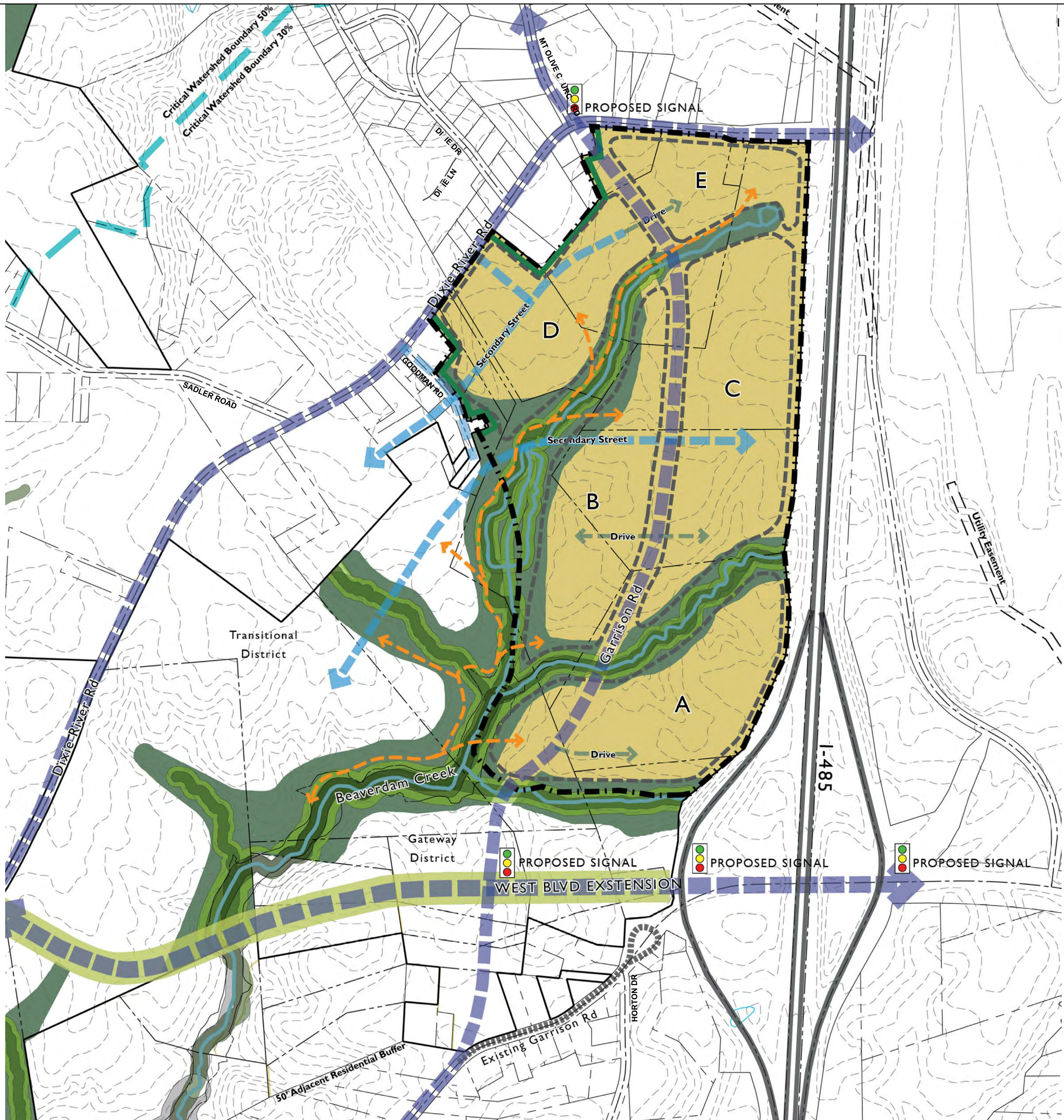


For illustration purposes to show intent of conditions. Subject to evolve when road way plans are developed.

Streetscape by District

	Building Setback*	Transitional Zone behind Sidewalk	Parking Permitted to the Side of Buidlings	Parking and Manuevering Permitted Between the Building and the Street*	% of Block with Building Edge (min.)	% of Block for Parking, Driveways, Manuevering (max.)	% of Bulding Edge Ground Floor with Active Use**	Notes
Town Center Core Main Streets	20'	4'	Yes	No	60%	20%	50%	Varied percentages accommodate for open space***
Town Center Core Other Streets	20'	4'	Yes	Yes	60%	40%	40%	Open Space can account toward 60% building edge requirement
Town Center General	20'	4'	Yes	Yes	40%	60%		
Town Center Edge	20'	4'	Yes	Yes	40%	60%		
Employment Minor Thoroughfare/ Collector Streets (OCW, Main, Avenue)	20'	N/A	Yes	Yes	40%	60%	N/A	Varied percentages accommodate for open space See Section VI & VII for Design Standards
Employment Major Thoroughfares Streets (Boulevard, Parkway, OCW)	20'	N/A	Yes	Yes	N/A	80%	N/A	
Gateway Minor Thoroughfare/ Collector Streets (OCW, Main, Avenue)	20'	N/A	Yes	Yes	40%	60%	N/A	
Gateway Major Thoroughfares Streets (Boulevard, Parkway, OCW)	20'	N/A	Yes	Yes	40%	40%	40%	Varied percentages accommodate for open space
Transitional Minor Thoroughfare/ Collector Streets (OCW, Main, Avenue)	20'	N/A	Yes	Yes	N/A	60%	N/A	Varied percentages accommodate for open space
Transitional Major Thoroughfares Streets (Boulevard, Parkway, OCW)	20'	N/A	Yes	Yes	N/A	80%	N/A	

* Additional standards and exceptions provided within Section VI Building Orientation/Street Frontage and Section VII Other Architectural Standards
** Active Use is defined as any use visible through transparent glass and accessible to interior users
*** Open space is inclusive of parks, nature trails, greenways, gathering places, plazas, floodplain areas, creeks, ponds, preserves, tree save areas, wildlife hubs, storm water areas and/or other similar features.

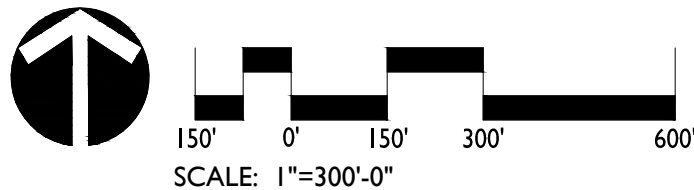


DEVELOPMENT PROGRAM:
Total Acreage: 155.59 acres

OFFICE: 4.5MM SF
RETAIL: 50,000 SF
HOTEL: 250 ROOMS
MULTIFAMILY: 500 UNITS

- District Boundary
- Thoroughfare
- Secondary Street
- Pedestrian Connections (outside of streets to be paved or unpaved)
- Required Buffer Zone (200', 100' either side of stream)
- Increased Buffer Zone (Additional 100', 50' either side of stream)
- Buildable Area
- Recommended Additional Open Space Location as Required by Ordinance
- 50' Buffer when adjacent to existing residential
- Gateway Linear Park
- Realigned Existing Garrison Rd.

* Location of all streets is conceptual and may shift due to final engineering design, building placement and environmental issues.
* Additional open space required (not part of swim or paco buffers) may be located elsewhere in development district, at time of improvements so long as minimum requirement is met. Recommended Additional open space shown on graphic is conceptual.
* There is the ability to finalize open space and greenspace boundary as development occurs.
* Area will be allocated for public services- Police, Fire, library, etc.



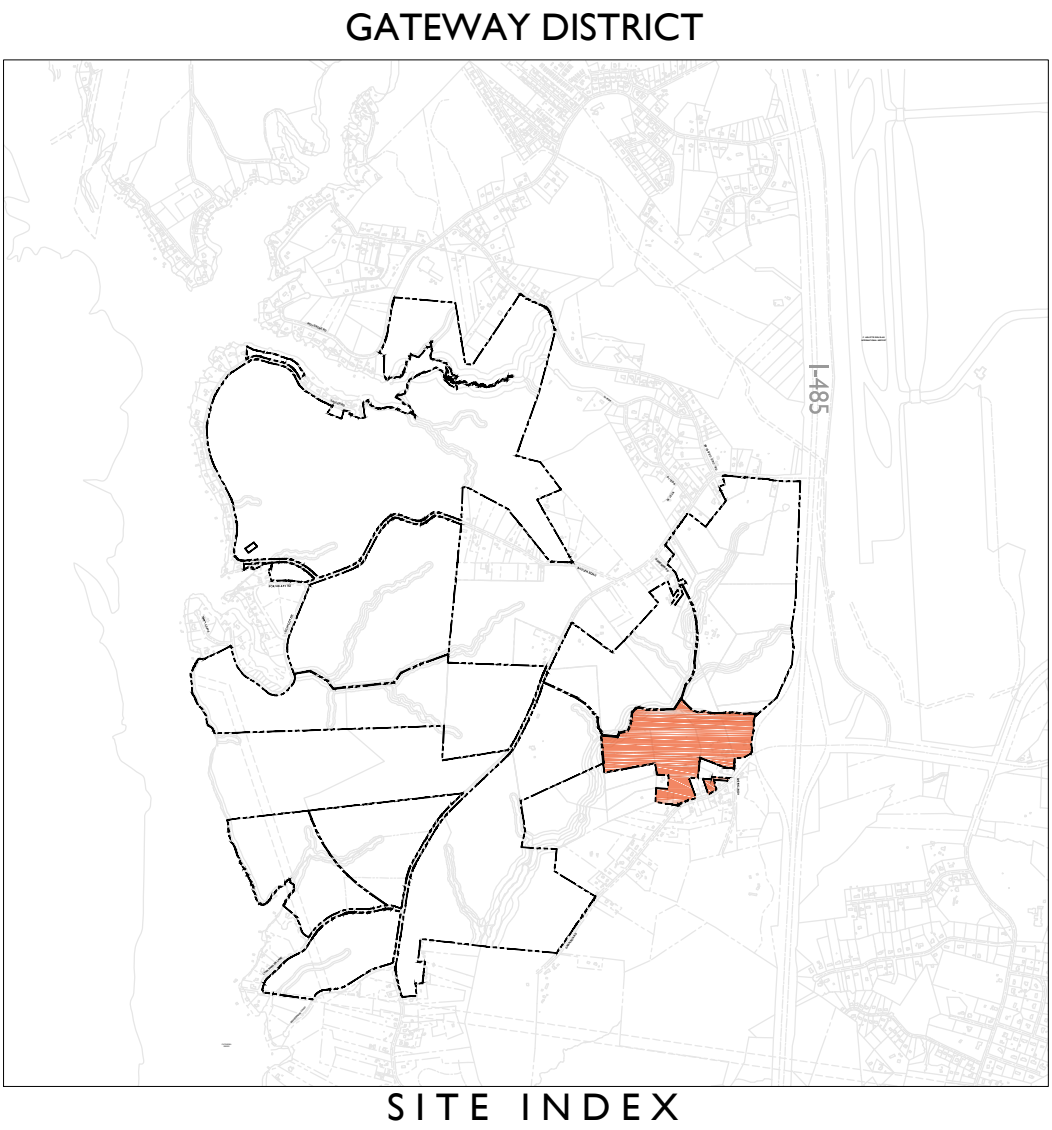
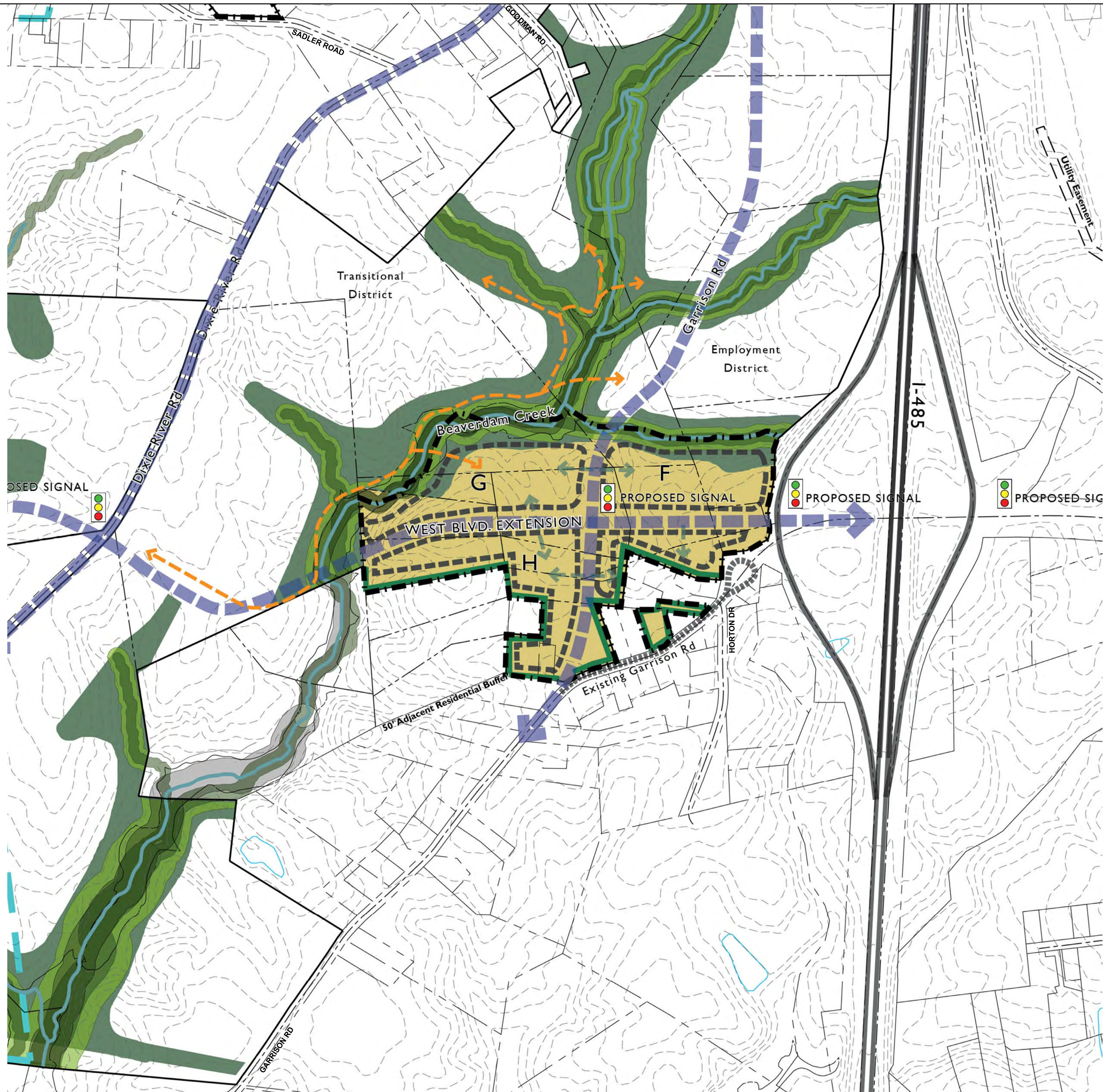
RIVER DISTRICT
REZONING PETITION NUMBER 2016-056
CHARLOTTE, NORTH CAROLINA
EMPLOYMENT DISTRICT

REVISIONS:

DATE: 03/28/16
DESIGNED BY: LR
DRAWN BY: LR
CHECKED BY: CMG
SCALE: 1"=300'-0"
PROJECT #: 1014342

SHEET #:
RZ-6A



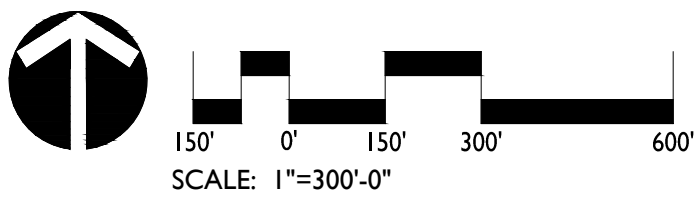


DEVELOPMENT PROGRAM:
Total Acreage: 59.44 acres

OFFICE: 500,000 SF
RETAIL 50,000 SF
HOTEL: 250 ROOMS

- District Boundary
- Thoroughfare
- Secondary Street
- Pedestrian Connections (outside of streets to be paved or unpaved)
- Required Buffer Zone (200', 100' either side of stream)
- Increased Buffer Zone (Additional 100', 50' either side of stream)
- Buildable Area
- Recommended Additional Open Space Location as Required by Ordinance
- 50' Buffer when adjacent to existing residential
- Gateway Linear Park
- Realigned Existing Garrison Rd.

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* There is the ability to finalize open space and greenway boundary as development occurs.
* Area will be allocated for public services- Police, Fire, library, etc.



RIVER DISTRICT
REZONING PETITION NUMBER 2016-056
CHARLOTTE, NORTH CAROLINA
GATEWAY DISTRICT

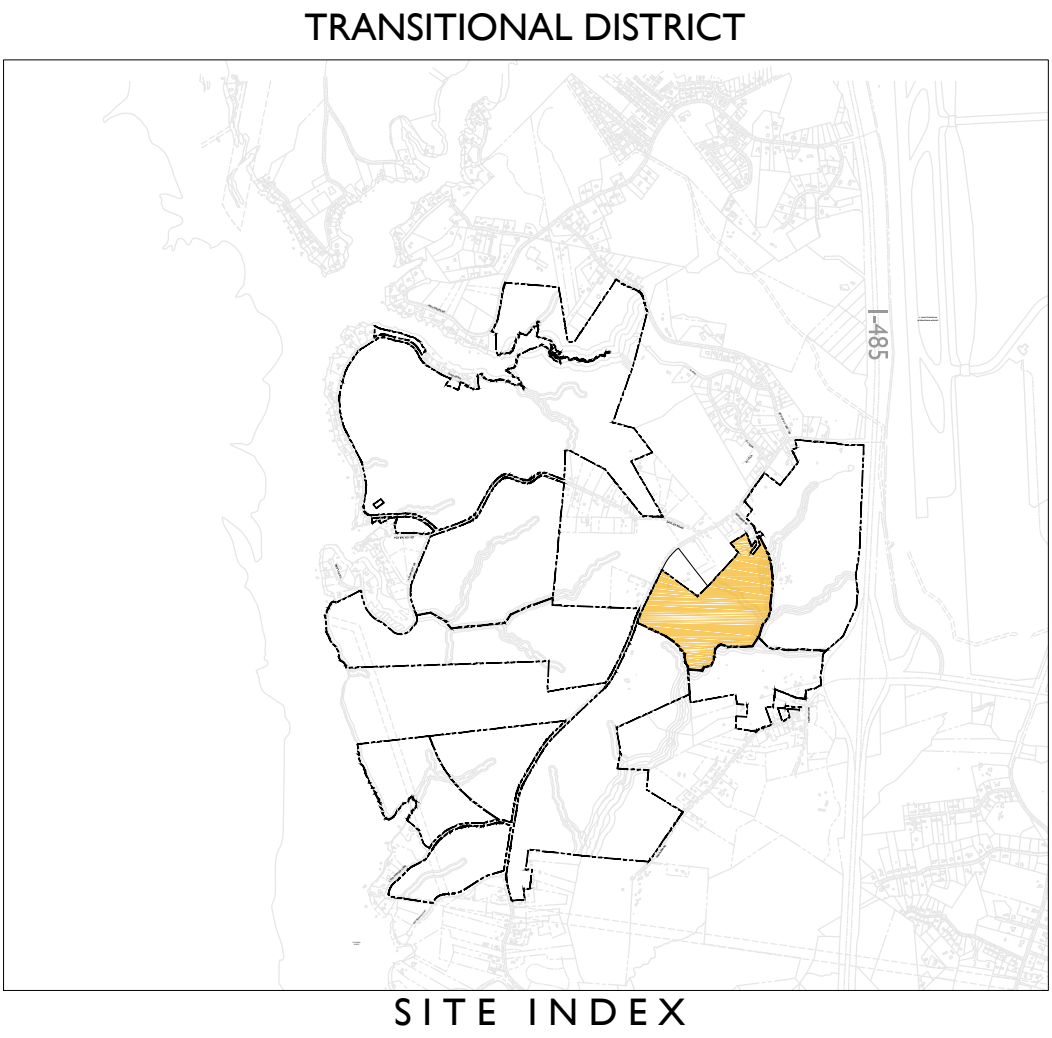
REVISIONS:

DATE: 03/28/16
DESIGNED BY: LR
DRAWN BY: LR
CHECKED BY: CMG
SCALE: 1"=300'-0"
PROJECT #: 1014342
SHEET #:

RZ-7A



LandDesign
223 N Graham Street Charlotte, NC 28202
V: 704.333.0225 F: 704.332.3246
www.LandDesign.com

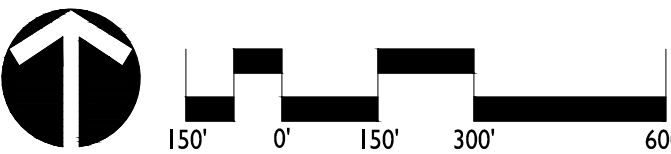


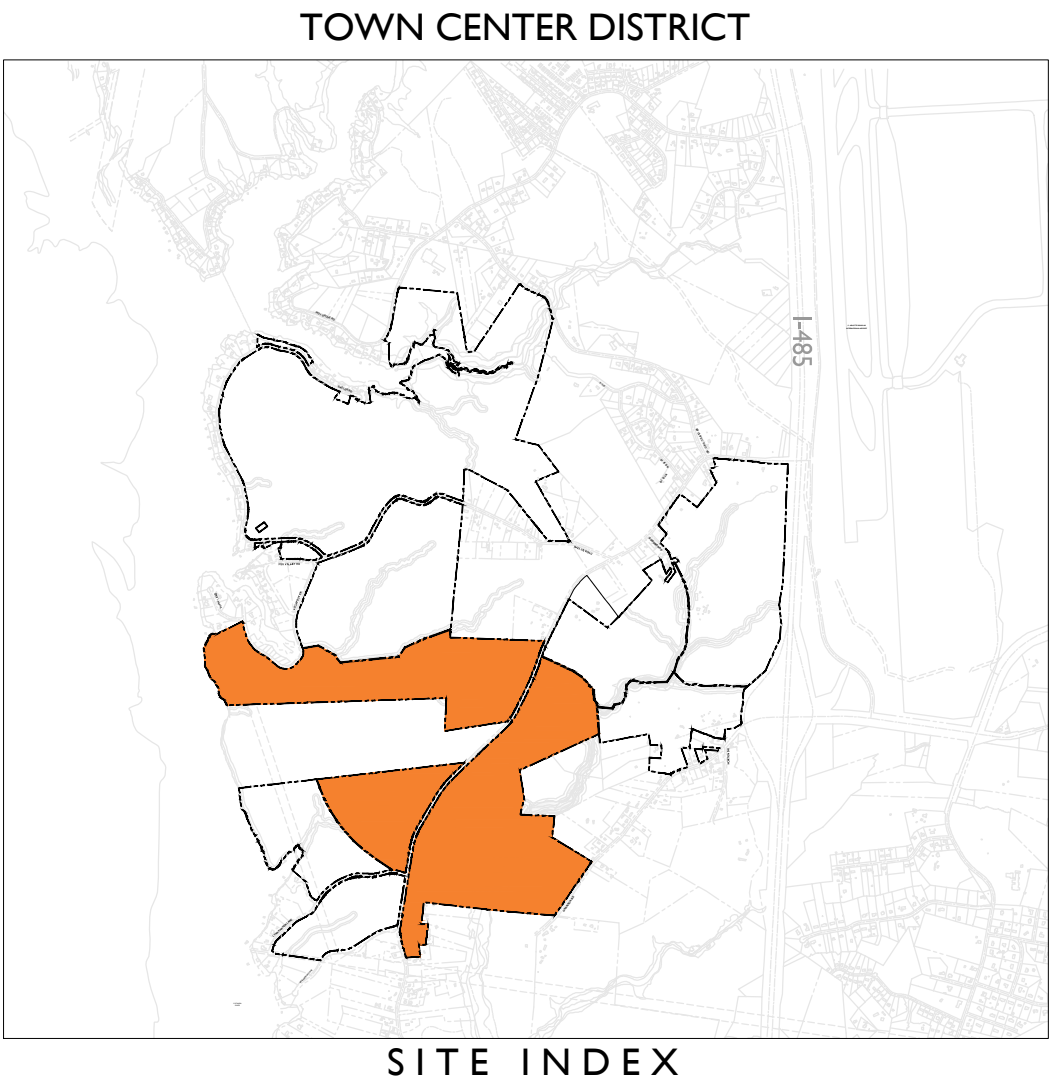
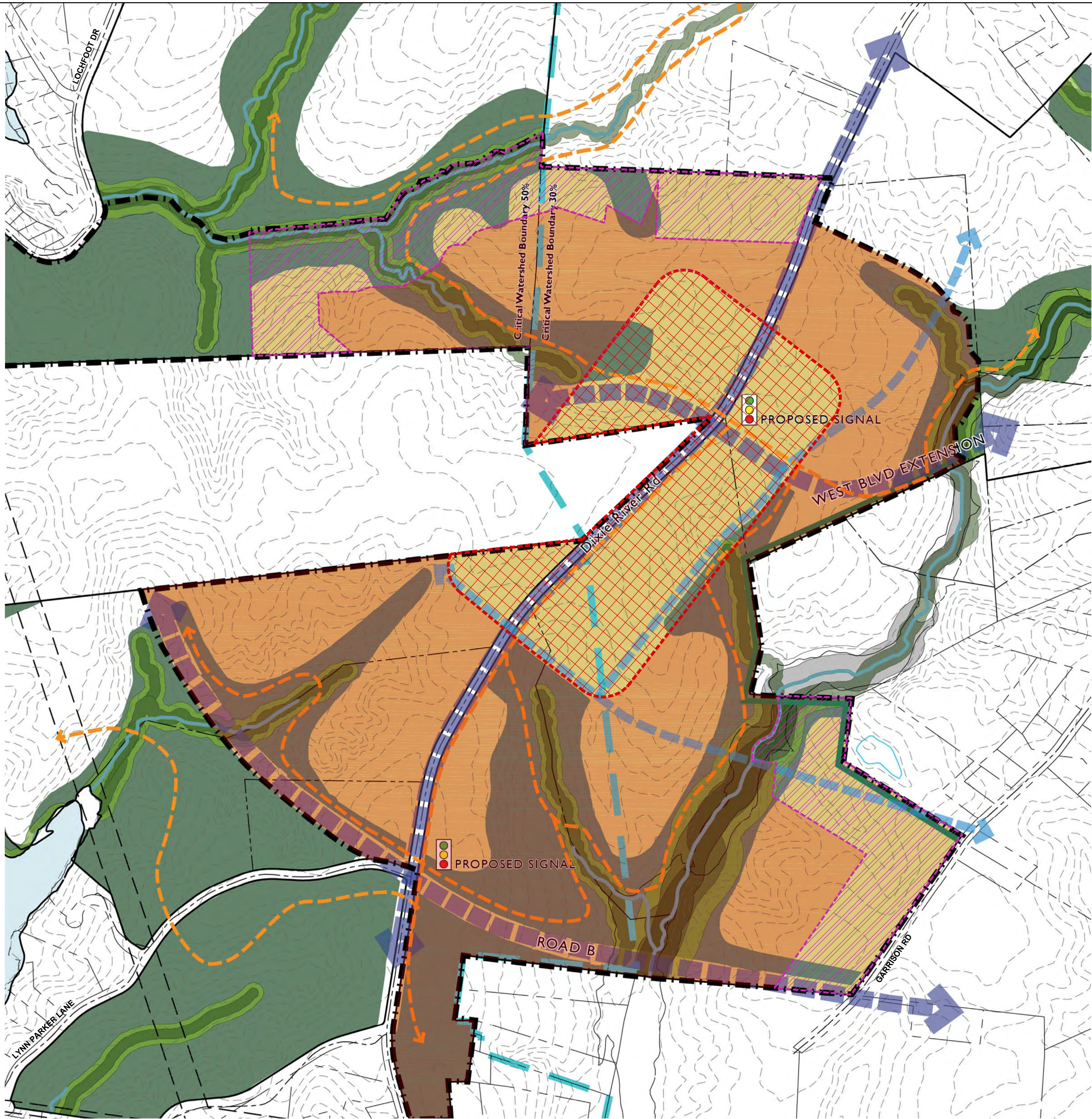
DEVELOPMENT PROGRAM:
Total Acreage: 81.42 acres

Multifamily: 300 units
Office: 1.0MM sf
Retail: 25,000 sf

- District Boundary
- Thoroughfare
- Secondary Street
- Pedestrian Connections (outside of streets to be paved or unpaved)
- Required Buffer Zone (200', 100' either side of stream)
- Increased Buffer Zone (Additional 100', 50' either side of stream)
- Buildable Area
- Recommended Additional Open Space Location as Required by Ordinance
- 50' Buffer when adjacent to existing residential
- Gateway Linear Park
- Realigned Existing Garrison Rd.

* Location of all streets is conceptual and may shift due to final engineering design, building placement and environmental issues.
* Additional open space required (not part of swim or paco buffers) may be located elsewhere in development district, at time of improvements so long as minimum requirement is met. Recommended Additional open space shown on graphic is conceptual.
* There is the ability to finalize open space and greenway boundary as development occurs.
* Area will be allocated for public services- Police, Fire, library, etc.



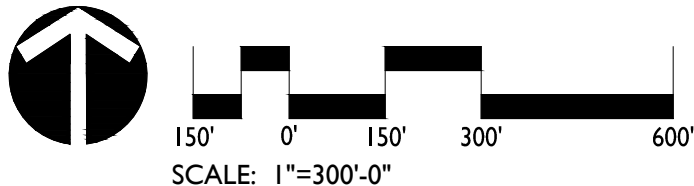


DEVELOPMENT PROGRAM:
Total Acreage: 390.97 acres

Multifamily: 1250 units
Single Family: 300 units
Office: 2.0MM sf
Retail: 300,000 sf
Hotel: 500 rooms

- Town Center Core (Potential Area)
- Town Center General
- Town Center Edge
- District Boundary
- Thoroughfare
- Secondary Street
- Pedestrian Connections (outside of streets to be paved or unpaved)
- Required Buffer Zone (200', 100' either side of stream)
- Increased Buffer Zone (Additional 100', 50' either side of stream)
- Buildable Area
- Recommended Additional Open Space Location as Required by Ordinance
- 50' Buffer when adjacent to existing residential
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* There is the ability to finalize open space and greenway boundary as development occurs.
* Area will be allocated for public services- Police, Fire, library, etc.



TOWN CENTER DISTRICT

OUTLINE

- I. Zoning District
II. Permitted Uses
III. District Specific Optional Provisions
IV. Design Intent
V. Access | USDG Classification | Connectivity
VI. Building Orientation | Street Frontage
VII. Other Architectural Standards
VIII. Height and Transitions
IX. Greenways/Trails, Open Space & Tree Save
X. Screening
XI. Lighting
XII. Signage
XIII. CATS Bus Stop
XIV. PCCO/Environmental Stormwater
XV. TIA Improvements

DEVELOPMENT STANDARDS

(see additional General Development Standards on [Sheet RZ-11-12])

I. ZONING DISTRICT – MUDD-Q

II. PERMITTED USES/DEVELOPMENT LEVELS:

- a. Office up to [2 Million] sf;
b. Retail/restaurant/EDPE/personal services up to [300,000] sf;
c. Hospitality up to [500] rooms;
d. Residential up to [1,700] multi-family and/or single family attached or detached units;
e. Institutional, recreation (indoor and outdoor) and civic uses; each of above together with other uses, accessory uses and uses allowed under prescribed conditions in the MUDD-Q district.
f. See Section [IV] of the General Development Standards for certain rights to transfer development levels and uses among various Districts and to increase the level of certain permitted uses by decreasing the level of other permitted uses.

III. TOWN CENTER OPTIONAL PROVISIONS

The following optional provisions shall apply to the Town Center District, many details of which are set forth below and identified with "Optional Provisions" references:

- a. To allow single family detached to comply with the MX standards set forth in the residential district.
b. To allow vehicular parking, maneuvering and service between and to the side of the proposed buildings and the street in the manner as further described under Town Center General and Town Center Edge provisions of Sections V and VII below.

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- b. To allow vehicular parking and maneuvering to the side of proposed buildings and fronting certain street(s) as further described under Town Center Core provisions of Sections VI and VII below.
c. To allow drive thru lanes in the manner as indicated in Other Architectural Standards provisions of Section VII below.

- d. To not require doorways to be recessed into the face of buildings when the abutting sidewalk width is greater than six (6) feet.

- e. To allow required long term bike parking spaces for the uses located within the Town Center District to be located within the parking decks constructed on the Site.

- f. To allow buildings to use limited instances (as defined below) of window like openings with non-clear glazing to help break up building facades and meet blank wall requirements. The intent of this provision is to allow wall treatments other than windows with clear glass to be used to meet the fenestration standards in cases when the use or uses located within the building (e.g. storage rooms, bathrooms, mechanical equipment areas and alike ("the Limited Instances")) are areas that are not active retail customer floor areas (i.e. retail sales floor areas).
g. To allow along public and private streets ground mounted shopping center/development identification signs up to 20 feet in height and containing up to 150 square feet of sign area. The number and locations of these shopping center/development identification signs will be limited as follows: (i) at the intersection of primary development entrances and public streets, and (ii) no more than 3 provided within a 1,200 foot length along a development's frontage.

- h. To allow two detached ground mounted identification signs for each building. These detached identification signs may be up to five (5) feet high and contain up to 36 square feet of sign area.

- i. 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, when located on Avenues, Boulevards, thoroughfares or major thoroughfares. The sign area of the wall signs may be increased by 10% if individual letters are used.

- j. To allow special event signs and banners along public and private streets within the Town Center District provided that the banners will be attractive, well-designed professionally fabricated, made of fabric or plastic of any type; and provided that paper banners will not be allowed.

- k. To allow certain digital wall signs when located within the Town Center Core with up to 250 square feet of sign area; these signs shall be in addition to the allowed tenant and shopping center signs. Such digital wall signs may be used to: (i) advertise and identify tenants and merchandise located and sold at the Site; (ii) events occurring on or at the Site; (iii) as a screen for motion pictures (e.g. movies, TV shows and the like); and (iv) to promote Major Events, Major Events may include, but are not limited to, religious, educational, charitable, civic, fraternal, sporting, or similar events including but not limited to, golf tournaments, festivals, and major or seasonal sporting events.

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- l. To allow Temporary Planned Development signs and/or banners when located along public or private streets with up to 150 square feet of sign face area and with a maximum height of seven (7) feet.]

- m. To allow digital/electronic way finding signs on the Site with a maximum sign area of nine (9) square feet.

- n. To allow any of the detached signs allowed by the Ordinance or these Optional Provisions to be placed within the setback when located when the building or parking setback is a minimum of 35'.

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.

IV. DESIGN INTENT:

- a. **Overall Intent.** The Town Center District shall be characterized by a mixture of office, retail, restaurant/EDPE, personal services, office uses and a variety of residential uses that are in more of a concentrated town center format. The Town Center District will be organized with a compact network of public and private streets and a range of open spaces and pedestrian amenities with connectivity to other Districts within the Master Plan Site. The Town Center is a primary area where employment, retail, living and playing come together. The Town Center is the confluence of a variety of uses. At its core, it is the pedestrian scaled center that offers higher density living, within biking or walking distance to one's office, retail and all amenities on the Master Plan Site.

- b. **Town Center Classifications.** The Town Center District has three classifications for the general development pattern: *Town Center Core, Town Center General and Town Center Edge.*



For illustration purposes to show intent of conditions.

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1. **Town Center Core.** The Town Center Core is the heart of the mixed-use walkable center with the highest intensity of uses and greatest emphasis on buildings oriented to streets. When feasible, a vertical mix of uses may be provided to promote active ground floor uses; however, active ground floor uses are not required. The core area of the Town Center will occur in an area within the "Potential" area as generally depicted on [Sheet RZ-9A]. The specific area may vary in exact size and location.



2. **Town Center General.** The Town Center General addresses the majority of the Town Center District land area. Town Center General will be a mix of uses that are generally less intense than those in the Town Center Core. There will be nodes of pedestrian activity and corridors of auto-oriented uses, however the Town Center General will maintain emphasis on the pedestrian in balance with automobiles through a collection of multi-modal streets and bike and pedestrian corridors and trails.



3. **Town Center Edge.** The Town Center Edge addresses transitional areas adjacent to the Residential District or adjacent existing single family development as generally depicted on [Sheet RZ-9A]. The scale and mass of buildings will be less intensive as the Town Center transitions to the Residential District and the Transitional District. The Town Center Edge will provide a range of sidewalk connections as well as trails and/or greenways from the surrounding Districts to the amenity and activity centers within the Town Center.

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- V. **ACCESS/USDG STREETS & CONNECTIVITY:**
a. **Access:** Access to the Town Center District shall be primarily by way of Dixie River Road, West Boulevard Extension and as generally depicted on [Sheet RZ-9A].

USDG Street Type/Implementation of USDG in the District. The street types within the Town Center District will be a combination of:

- Main Street
- Avenues
- Boulevards
- Local Office/Commercial Street Narrow
- Local Office/Commercial Street Wide
- Local Residential
- Private streets that meet public street requirements
- Driveways

Each of the above shall be as generally depicted in the City of Charlotte Urban Street Design Guidelines in effect as of the date of approval of this Rezoning Petition ("USDG") and as referenced on [Sheet RZ-5B].

1. The Main Street classification will be used in the Town Center Core to support pedestrian-scaled, street-oriented, ground floor active uses (any use visible from the street through clear glass and accessible to interior users). Parking areas will be located behind or to the side of buildings. (See Section VI. Building Orientation/Street Frontage for additional development standards)

2. A minimum of 2 street crossings over Beaver Dam Creek south of West Boulevard Extension in the Town Center District in the locations generally depicted on [Sheet RZ-9A] shall be provided; however, the locations of such crossings can be adjusted during the design development phase based on environmental, topographical and other site/development considerations.

VI. BUILDING ORIENTATION/STREET FRONTAGE

The following provisions address certain design aspects related to the orientation of buildings and site elements to streets and streetscape matters. Certain *Optional Provisions* that permit

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deviations from the MUDD minimum standards will be allowed as described herein (such as, for example, deviations from the requirement in MUDD that there be no parking between buildings and public streets).

a. **Town Center Core:**

1. **Overall Intent.** The Town Center Core will be located within the area generally depicted as "Potential Town Center Core" on [Sheet RZ-9A]. The Town Center Core is referenced as a 4 block area primarily accessed from and oriented to a Main Street as defined by USDG. The secondary streets and the network beyond the first block will transition to a combination of Avenues, Boulevards, Local Office/Commercial wide and narrow and Local Residential streets. The exact location of the Town Center Core will be determined during the design and development and also possibly as future phases are developed.

2. **Main Street Streetscape in Town Center Core**

- Minimum setbacks of 20 feet from back of curb with minimum 8 foot amenity zone and 10 foot sidewalk. Trees are permitted in grass.
- 4 transition zone, including 2' of the 10' sidewalk, can be used toward outdoor dining areas, wider sidewalks, landscape areas, semi-private courtyards, stoops and/or similar.
- The ground floor uses fronting the Main Street will be principally comprised of windows and doors. An entrance for each use must be located on the front facade along Main Streets.
- 50% of the ground floor building frontage should be active use.
- No parking or maneuvering between building & street is permitted within the area of the Town Center Core along Main Streets or 200' off perpendicular secondary streets.
- Parking is permitted to the side or rear of buildings so long as the parking is behind the established building setbacks of the adjacent buildings and is screened.
- Exposed ground floor structured parking is not a permitted on Main Street.
- No drive thru uses are permitted unless interior to a building.

3. **Secondary Streets Streetscape in Town Center Core**

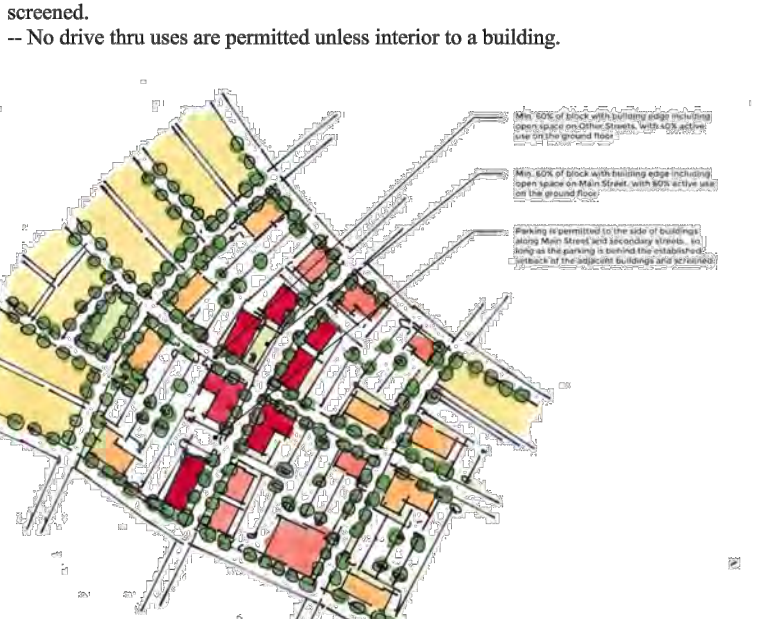
- Minimum setbacks of 16 feet from back of curb with minimum 8 foot amenity zone and 8 foot sidewalk.
- Provide a 4' amenity zone behind the sidewalk that provides flexibility for limited instances of encroachment including architectural features, balconies, semi-public open spaces, courtyards, stoops or similar.
- The ground floor uses shall front adjacent public or private streets and will be principally comprised of windows and doors.
- 40% of the ground floor building frontage should be active uses (any use visible through transparent glass and accessible to interior users).
- Exposed ground floor structured parking is permitted with screening and is limited by the required percentage of active ground floor uses.
- Surface parking cannot exceed 40% of the block length.

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- No parking or maneuvering between building & street is permitted within the Town Center Core, however parking is permitted to the side or rear of buildings so long as the parking is behind the established building setbacks of the adjacent buildings and is screened.

- No drive thru uses are permitted unless interior to a building.



Town Center Core Diagram
For illustration purposes to show intent of conditions.

b. **Town Center General:**

1. **Overall Intent.** The Town Center General will be defined as the area between the Town Center Core and the Town Center Edge as generally depicted on [Sheet RZ-9A]. The Town Center General may include additional Town Centers but will be primarily lower density than the Town Center Core. The Town Center General will include a wide range of uses integrated through a system of park/trails and open spaces. Principle emphasis will still be placed on the pedestrian experience, however auto-oriented uses will be permitted in this area. The primary streets will be Avenues or Office/Commercial wide with a secondary network that includes a combination of Boulevards, Local Office/Commercial wide and narrow and Local Residential streets.

2. **Streetscape**
– Minimum setbacks of 20 feet from back of curb with minimum 8 foot amenity zone and 10 foot sidewalk.

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- 4 foot transition zone, including 2' of the 10' sidewalk, can be used for outdoor dining, wider sidewalks, landscape areas, semi-private courtyards, stoops and/or similar.
– The ground floor uses fronting the streets will be principally comprised of windows and doors. An entrance may be located on the front facade.
– Drive thru uses are permitted subject to the building design standards set herein.
– 40% of block frontage should be a building edge. This results in 60% driveways, service, exposed screened parking deck and surface parking.
– Parking or maneuvering between building & street is permitted within the Town Center General, however parking areas will be screened from public and private streets.

c. **Town Center Edge:**

1. **Overall Intent.** The Town Center Edge will be defined as the area between the Town Center General and the adjacent Districts as generally depicted on [Sheet RZ-9A]. The Town Center Edge may include additional Town Centers but will be primarily lower density than the Town Center Core. The Town Center Edge will include a wide range of uses integrated through a system of park/trails and open spaces. Principle emphasis will still be placed on the pedestrian experience, however auto-oriented uses will be permitted in this area. The primary streets will be Avenues with a secondary network that includes a combination of Boulevards, Local Office/Commercial wide and narrow and Local Residential streets. The Town Center Edge will provide a transitional treatment between more intense uses and adjacent lower intensity residential development.

2. **Streetscape**

- Minimum setbacks of 16 feet from back of curb with minimum 8 foot amenity zone and 8 foot sidewalk.
- Provide a 4' amenity zone behind the sidewalk that provides flexibility for limited instances of encroachment including architectural features, balconies, semi-public open spaces, courtyards, stoops or similar.
- The ground floor uses that front adjacent public or private streets will be principally comprised of windows and doors. The main entrance for each use may be located on the front facade.
- 40% of block frontage should be a building edge. This results in 60% driveways, service, exposed screened parking deck, and screen surface parking.
- Exposed ground floor structured parking is permitted with screening.
- Parking or maneuvering between building & street is permitted within the Town Center edge, however parking areas will be screened from public and private streets.

VII. ADDITIONAL ARCHITECTURAL STANDARDS

The following architectural standards apply to certain specific conditions or uses:

- a. Side and rear building elevations fronting Boulevards and Parkways may use landscaping to address blank walls and/or screen service areas.

- b. Loading docks, truck doors and service areas shall not be located between the primary building and the primary street and shall be screened from public view except when topographic and/or environmental site conditions exist making such limitation impractical.

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- c. If the final architectural design cannot meet the design standards for blank wall articulation, alternative innovative design solutions may be considered for the reasonable approval of the Planning Director.

- d. The maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length. Where blank or unarticulated walls 20' or greater cannot be addressed principally with doors or windows, they shall be treated with a combination of the following options:

- i. provide a higher level of transparency on the ground floor (exaggerated or larger windows indicative of living areas);
- ii. utilize horizontal and vertical variations in wall planes;
- iii. change in material
- iv. display windows and/or
- v. landscaping

- e. The following standards apply to vertical mixed-use buildings:

1. Building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrance through a combination of at least three (3) of the following features: (a) decorative pedestrian lighting/scones; (b) architectural details carried through to upper stories; (c) covered porches, canopies, awnings or sunshades; (d) archways; (e) transom windows; (f) terraced or raised planters that can be utilized as seat walls; (g) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (h) double doors; (i) stoops or stairs; and/or (j) contrasting pavement from primary sidewalk.
2. where a building is served by common entrances (not individual unit entrances) and cannot achieve the interval spacing, common usable open spaces, amenity areas or courtyards can be utilized to break up the wall plane.
3. The ground floor shall be architecturally differentiated from upper stories.

- f. Elevations that front a major thoroughfare shall use landscaping to address spans of blank wall in excess of 20'.

- g. The following standards apply to multi-family buildings 3 stories or taller:

- 1. The scale and massing of buildings longer than 150' along a street shall be minimized by utilizing a combination of the following options: (a) varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions; (b) utilize building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses; (c) utilize horizontal and vertical variations in wall planes; and/or (d) provide architectural protrusion to accentuate enclosed balconies.
- 2. The maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length. Where blank or unarticulated walls 20' or greater cannot be

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- addressed principally with doors or windows, they shall be treated with a combination of the following options: (a) provide a higher level of transparency on the ground floor (exaggerated or larger windows indicative of living areas); (b) utilize horizontal and vertical variations in wall planes; and/or (c) provide architectural protrusion.

3. Building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrance through a combination of at least three (3) of the following features: (a) decorative pedestrian lighting/scones; (b) architectural details carried through to upper stories; (c) covered porches, canopies, awnings or sunshades; (d) archways; (e) transom windows; (f) terraced or raised planters that can be utilized as seat walls; (g) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (h) double doors; (i) stoops or stairs; and/or (j) contrasting pavement from primary sidewalk.

4. Common and private individual entrances will be provided along public streets at intervals of no less than 125 feet. Where a building is served by common entrances (not individual unit entrances) and cannot achieve the interval spacing, common usable open spaces, amenity areas or courtyards can be utilized to break up the wall plane.

5. Individual residential unit entrances oriented to Main Streets, Avenues or Office Commercial Wide within the Town Center Core should give the appearance of a front door orientation rather than a back patio design.

6. The ground floor shall architecturally differentiate active ground floor uses such as common areas, lounges, amenity areas or leasing offices from the residential uses or upper stories.

7. The allowed accessory non-residential uses located on ground floor of the building shall maintain a high level of visibility through the use of clear glass, larger windows and a unobstructed view from adjacent public or private streets or common open spaces

8. Balconies will be design so that their size and location maximize their intended use for open space. The balconies may encroach into the transition zone above the first story of the building.
9. All facades shall incorporate windows, arches, balconies or other architectural details along with varying build materials, or roof lines or building offsets.

10. See Section VII. for Structured Parking Design Standards.

- h. The following design standards apply to **Auto-oriented Uses** (defined as 30,000 square foot or less detached/ freestanding restaurants, drug stores, retail, office and financial institutions that may have a drive-thru window accessory use):

1. Make the majority of the pedestrian level facade on the primary entrance frontage transparent with clear glass windows and doors that animate streets and maximize views in and out of the building.

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2. Landscape the area in front of blank walls that face streets and use projections, recesses, arcades, awnings, color, and texture to reduce the visual size of any unglazed walls.

3. Locate service and loading areas to the rear or sideways, away from the primary streets, to reduce their visibility.

4. Reinforce the street edge along parking areas by constructing segments of permanent, architectural low walls in combination with landscaping

5. Provide continuous and unobstructed pedestrian connections from the street and sidewalks to the buildings.

6. When multiple drive-through lanes are provided, design any canopies over them so that they are integrated with the overall architectural design of the primary buildings.

- i. The following standards apply to larger format uses such as but not limited to, junior box, big box, grocery, flex warehouse, institutions, schools, churches, indoor recreation and the like.

1. Expanses of blank walls may not exceed 20 feet in length on the primary street frontage. Side facades can utilize landscaping to address blank walls.

2. Make the majority of the pedestrian level facade on the primary entrance frontage transparent with clear glass windows and doors that animate streets and maximize views in and out of the building.

3. Landscape the area in front of blank walls that face streets and use projections, recesses, arcades, awnings, color, and texture to reduce the visual size of any unglazed walls.

4. Locate service and loading areas to the rear or sideways, away from the primary streets, to reduce their visibility.

5. Reinforce the street edge along parking areas by constructing segments of permanent, architectural low walls in combination with landscaping

- j. Structured Parking: the following design standards shall apply to structured parking facilities:

1. Building materials associated with facades on parking structures shall be generally compatible in character and quality with materials used on nearby buildings, plazas and streetscapes, taking into consideration differences associated with parking structures;

2. Parking structures shall be designed to materially screen the view of parked cars from adjacent public or private streets or publicly accessible open spaces or plazas. Screening of cars on the ground level will be accomplished primarily through the use of

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- landscaping, and screening of cars parked on the upper level will be accomplished by a wall, at least 36 inches in height, designed as part of the parking deck structure. Parking deck structures shall be screened with decorative louvers and landscaped as required by the Ordinance.

3. On-site loading docks and waste areas shall be separated and/or screened from view at ground level from building entrances.

VIII. HEIGHT AND TRANSITIONS

1. **Overall Intent.** The buildings within the Town Center District will be designed to reflect a more compact pattern with primary height being located in the Town Center Core and Town Center General, and with a sensitivity to the transition to the areas adjacent to the Residential District and nearby existing single family development.

2. **Height Generally.** *Optional Provision:* A building height of 95' will be permitted throughout the Town Center District. The following standards shall apply:

- a. Planning Staff may approve alternate building height treatment if:

- 1. the alternative design meets the intent of varied massing;
 - 2. change in building material mimics a horizontal change in wall plane; and/or
 - 3. a greater setback distance is provided behind the sidewalk to create an open space amenity area and the building contains architectural treatments for delineating the base, middle and top of the building.
- b. **Town Center Edge.** Buildings located in the Town Center Edge will not exceed 6 stories. Buildings that exceed 3 stories will provide a Class C 50' buffer between single family uses located along the edge of the Town Center Edge, but such buffer may be reduced per the Ordinance standards when such single family use intensifies. At such time, the maximum height will be increased to 95'.

IX. GREENWAYS/TRAILS, OPEN SPACE & TREE SAVE

- a. **Overall Intent:** The vision is to create a place that emphasizes the natural environment and connections at every level through a diverse network of open space experiences.

1. **Town Center Core:** Open space in the Town Center Core will be predominantly urban in form and will serve as the amenity area for adjacent developments as well as provide outdoor gathering space for the overall Master Plan Site. Typical open spaces will include plazas, lawns, outdoor dining, multifamily amenity areas and greenways and trails that are part of the overall Master Plan trail and/or greenway system. Sidewalks and direct connections will be provided from uses and amenity areas within the Town Center Core to the trail and/or greenway system.

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2. **Town Center General:** Open space in the Town Center General will be predominantly serve as amenity areas for adjacent development. Typical open spaces will include plazas, lawns, outdoor dining, multifamily amenity areas and greenways and trails that are part of the overall Master Plan trail and/or greenway system.

3. **Town Center Edge:** Open space in the Town Center Edge will be predominantly undeveloped and typically set aside for tree save, passive recreation, natural habitat preservation and trails that are part of the overall Master Plan trail and/or greenway system.

- b. Portions of Beaver Dam Creek located within the District will be dedicated for greenway purposes as the greenway is developed and as development occurs within the applicable area of the District, all in a manner consistent with the environmental vision set forth in this Rezoning Plan pursuant to terms and conditions reasonably acceptable to the Petitioner and Mecklenburg County Parks & Recreation. Portions of such greenway areas will include a trail system as described below.

- c. A system of pedestrian trails will be provided within portions of the greenway areas (to be determined by Mecklenburg County and Petitioner as described above) and major creek areas (to be determined by Petitioner) in a manner to ensure pedestrian mobility and connectivity within and among the Districts:

1. These trails may vary from natural surface hiking/walking trails to hard surface multi-use biking/hiking/walking trails.

2. Access to these trails shall be in suitable locations so as to provide convenient pedestrian mobility and connectivity to development taking place within and among the districts by way of such trails and/or sidewalks within the developed areas.

3. Pedestrian bridges over creeks and greenways will be installed as part of the trail system to support pedestrian mobility and connectivity goals.

4. The trails will be installed as development occurs within the adjacent portion of the District.

- d. Open space and tree save areas within this District will meet or exceed ordinance requirement and shall otherwise comply with the Environmental Vision Plan provisions of this Rezoning Plan which shall provide that a minimum of 40% of this District, or the amount required by the watershed basin (whichever is greater), will be retained as open space as generally depicted on Sheet RZ-9A, measured at the time of completion of 75% of the development within the overall District.

X. SCREENING:

- a. Meter banks, transformers and similar utility structures will be screened where visible from public view at grade level.

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- b. Roof top HVAC and related mechanical equipment will be screened from public view at grade level at the right of way location.

- c. All service areas for non-residential uses shall be screened in all material respects from residential uses.

- d. Backflow prevention devices shall be fully screened from public view through the use of landscaping, berms, low walls or other screening techniques.

- e. All required design and screening elements shall be shown as part of the site plan submittal.

XI. LIGHTING:

- a. All lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along driveways, sidewalks and park areas.

- b. Detached lighting in these Areas, except street lights located along public and private streets, will be limited to 25 feet in height in portions of the Areas used for non-residential uses and 20 feet in height for portions used for residential uses.

- c. No "wall pak" lighting will be allowed, however architectural lighting on building facades, such as scones, will be permitted and in loading dock areas or at the rear of the buildings where "wall pak" lighting that is designed as down lighting will be allowed.

XII. SIGNAGE:

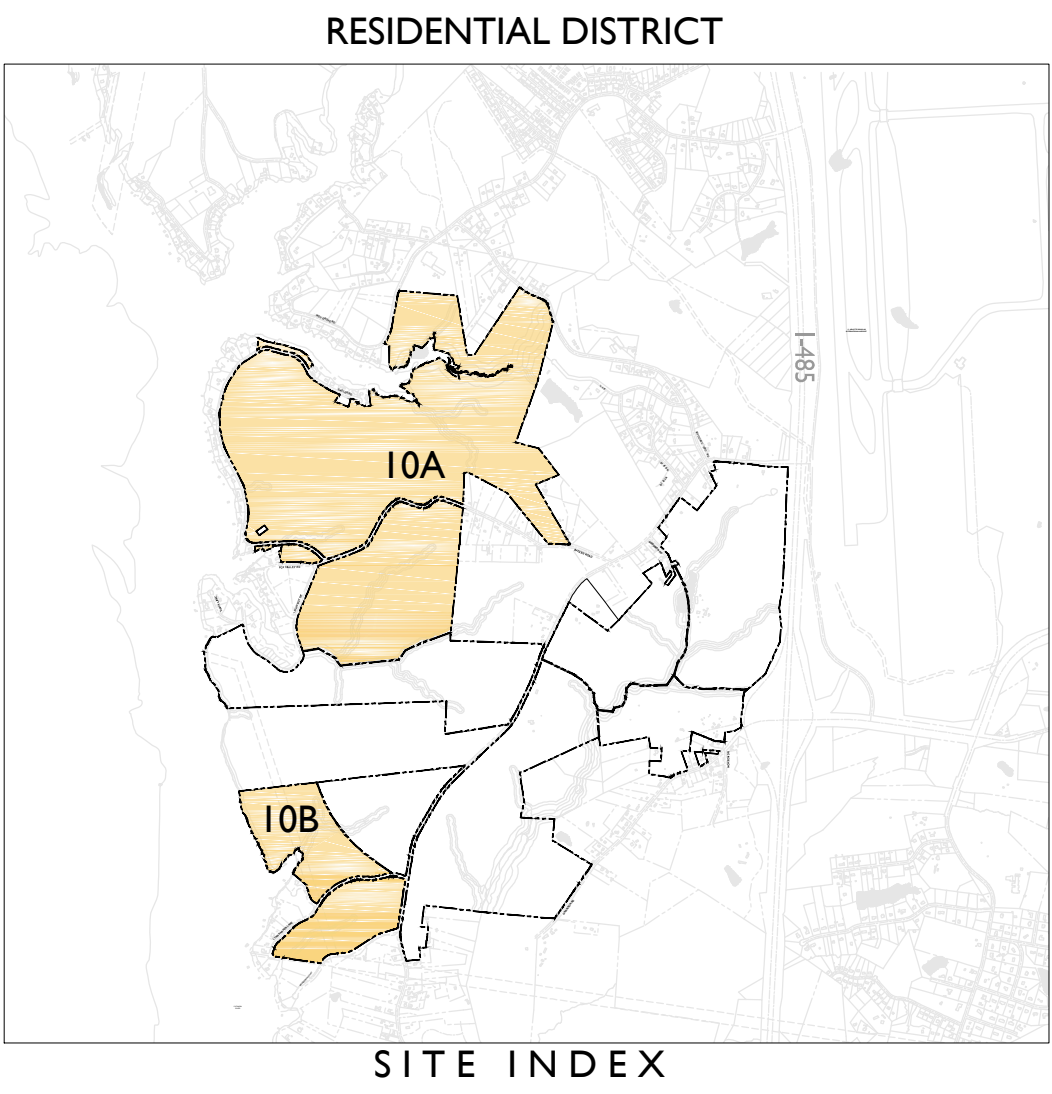
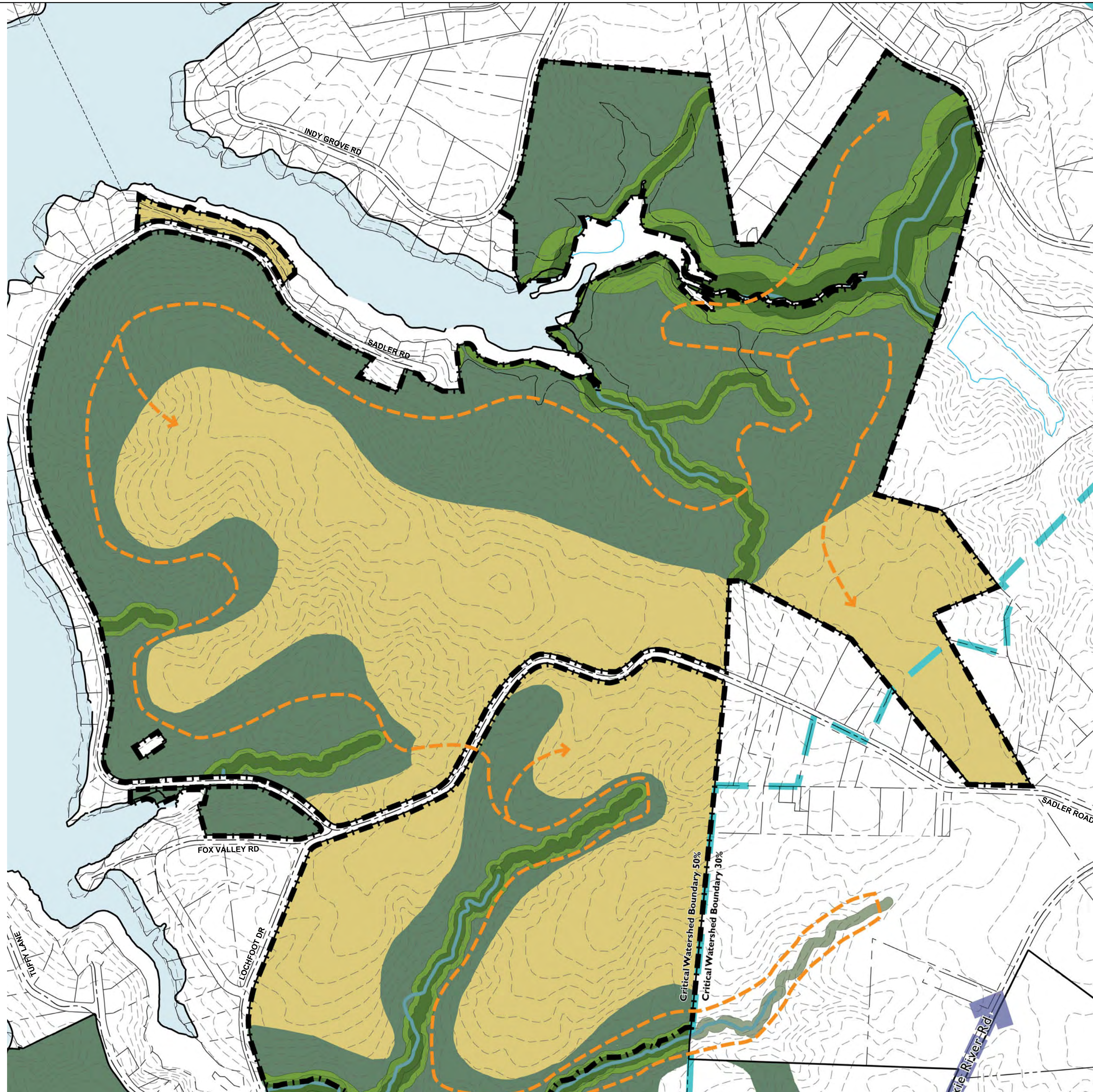
- a. See the *Optional Provisions* related to signs in Section III above.

- b. [Other Signage Provisions shall be added.]

- XIII. **CATS BUS STOP:** Applicable commitments regarding appropriate bus stops within the District may be incorporated upon discussions and input from CATS.

XIV. PCCO/ENVIRONMENTAL/STORMWATER:

- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance and other conditions and requirements set forth in the Environmental Vision/Compliance provisions set forth on [Sheet RZ-4A & 4B].

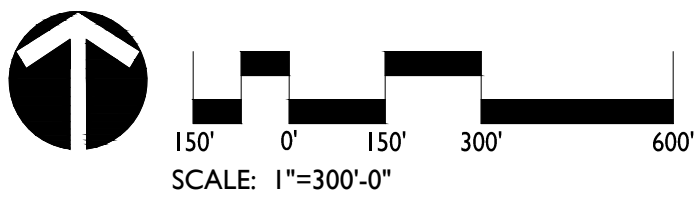


DEVELOPMENT PROGRAM:
Total Acreage: 635.37 acres

Single Family: 1700 lots
Retail: 75,000 sf
*School site
*Waterfront use

- District Boundary
- Thoroughfare
- Secondary Street
- Pedestrian Connections (outside of streets to be paved or unpaved)
- Required Buffer Zone (200', 100' either side of stream)
- Increased Buffer Zone (Additional 100', 50' either side of stream)
- Buildable Area
- Recommended Additional Open Space Location as Required by Ordinance
- 50' Buffer when adjacent to existing residential
- Gateway Linear Park
- Realigned Existing Garrison Rd.

* Location of all streets is conceptual and may shift due to final engineering design, building placement and environmental issues.
* Additional open space required (not part of swim or paco buffers) may be located elsewhere in development district, at time of improvements so long as minimum requirement is met. Recommended Additional open space shown on graphic is conceptual.
* There is the ability to finalize open space and greenway boundary as development occurs.
* Area will be allocated for public services- Police, Fire, library, etc.



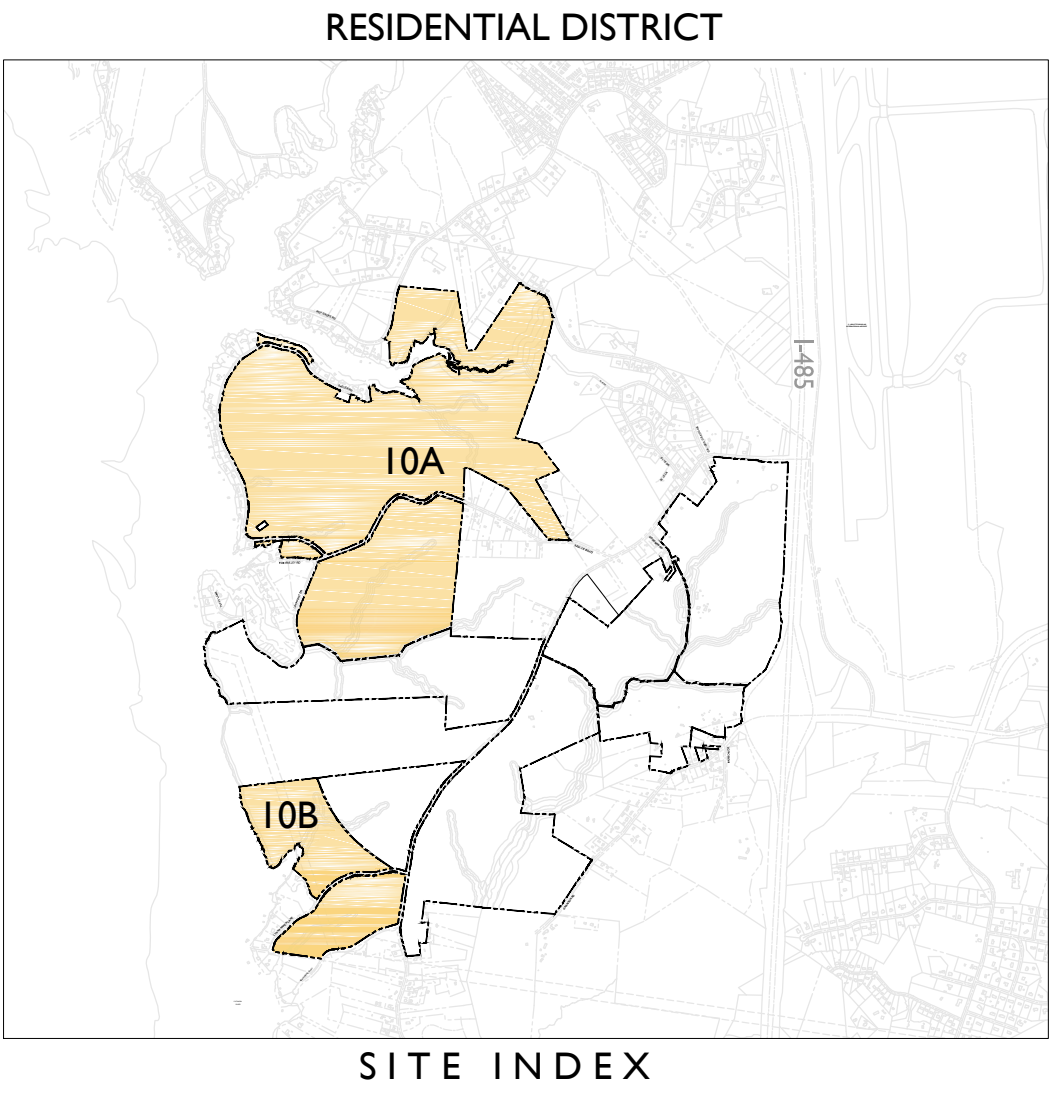
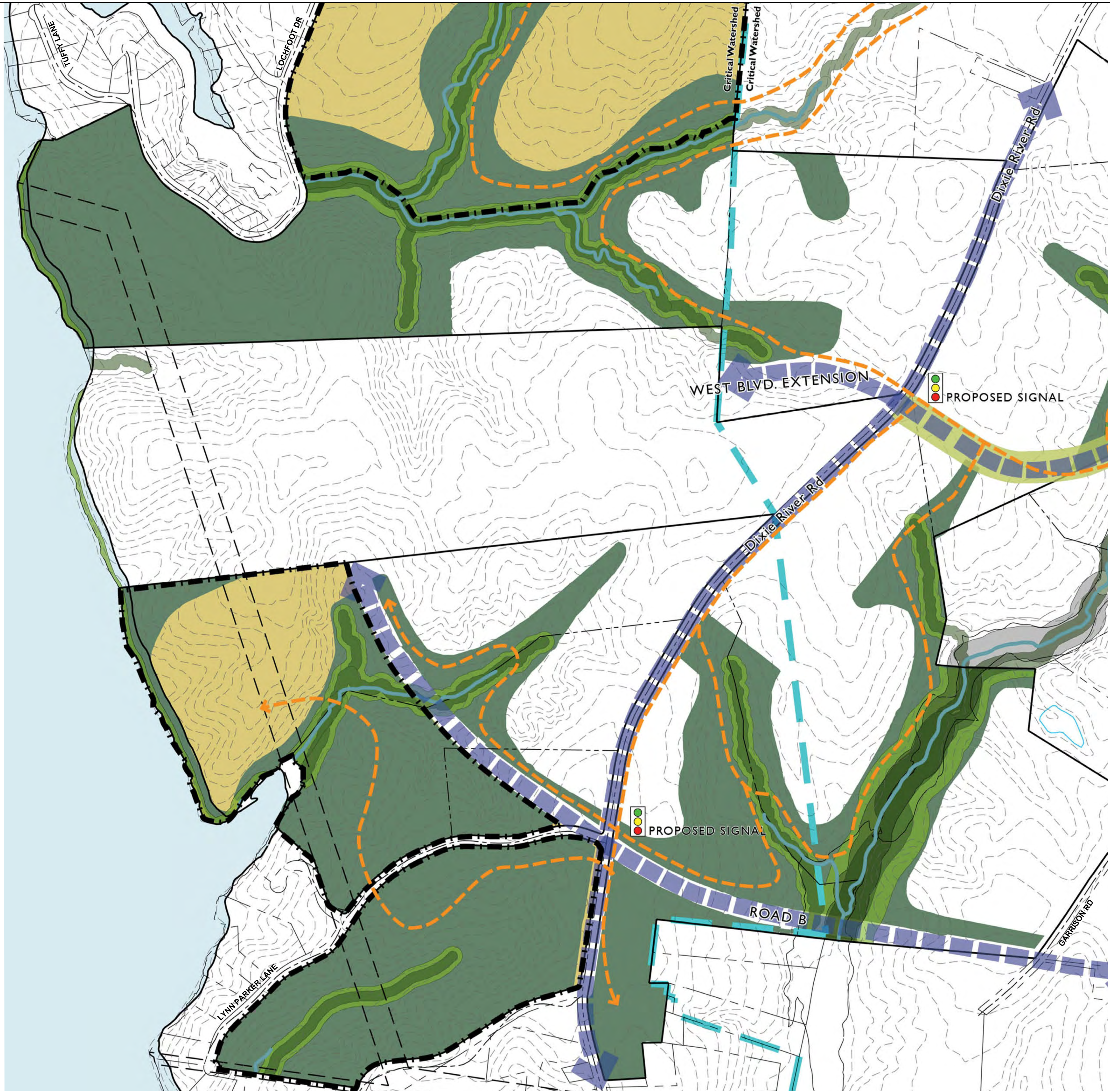
RIVER DISTRICT
REZONING PETITION NUMBER 2016-056
CHARLOTTE, NORTH CAROLINA
RESIDENTIAL DISTRICT

REVISIONS:

DATE: 03/28/16
DESIGNED BY: LR
DRAWN BY: LR
CHECKED BY: CMG
SCALE: 1"=300'-0"
PROJECT #: 1014342
SHEET #:

RZ-10A



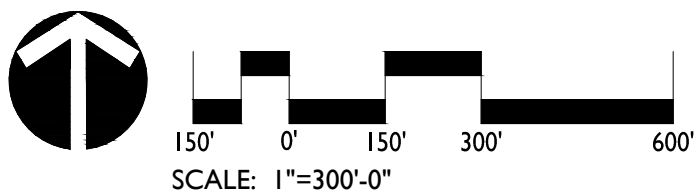


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- Realigned Existing Garrison Rd.

* Location of all streets is conceptual and may shift due to final engineering design, building placement and environmental issues.
* Additional open space required (not part of swim or paco buffers) may be located elsewhere in development district, at time of improvements so long as minimum requirement is met. Recommended Additional open space shown on graphic is conceptual.
* There is the ability to finalize open space and gateway boundary as development occurs.
* Area will be allocated for public services- Police, Fire, library, etc.



REVISIONS:

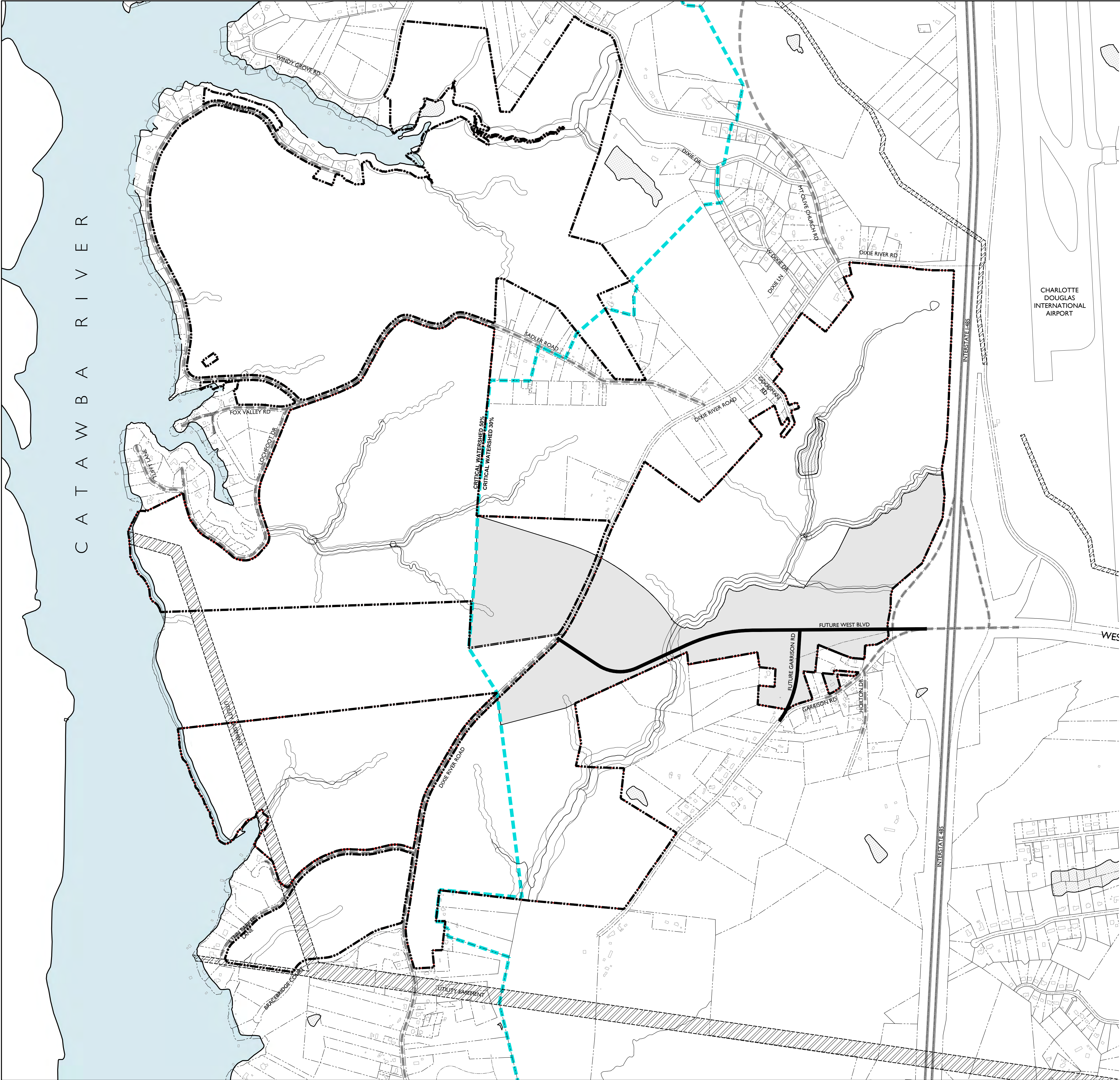
DATE: 03/28/16
DESIGNED BY: LR
DRAWN BY: LR
CHECKED BY: MRC
SCALE: 1"=300'-0"
PROJECT #: 1014342
SHEET #:

RIVER DISTRICT
REZONING PETITION NUMBER 2016-056
CHARLOTTE, NORTH CAROLINA
RESIDENTIAL DISTRICT



LandDesign
223 N Graham Street Charlotte, NC 28202
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www.LandDesign.com


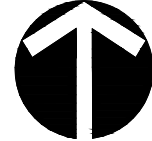
RZ-10B



Trip Generation Table

Land Use [ITE Code]		Weekday Daily	AM Peak Hour			PM Peak Hour		
			Enter	Exit	Total	Enter	Exit	Total
Single Family Homes [210]	300 DUs	2,888	55	165	220	178	104	282
Apartments [220]	600 DUs	3,760	60	238	298	226	122	348
Office [710]	1,000,000 SF	7,554	1,062	145	1,207	204	994	1,198
Retail [820]	75,000 SF	5,633	81	50	131	237	257	494
Hotel [310]	150 Rms.	1,226	47	33	80	46	44	90
Subtotal		21,059	1,305	631	1,936	891	1,521	2,412
Internal Capture Reduction	retail	-760	0	0	0	-26	-39	-65
	residential	-639	0	0	0	-39	-21	-60
	office	-273	0	0	0	-8	-13	-21
Total New Trips		19,387	1,305	631	1,936	818	1,448	2,266

References:
Trip Generation, 9th Edition, Institute of Transportation Engineers, Washington, DC, 2012.
AM peak hour pass-by & internal capture not applicable per the 2003 ITE Trip Generation Manual.



SCALE: 1"=600'-0"

LEGEND:

--- EXISTING STREET

PHASE I BOUNDARY
* Subject to increase in size based on and capped by trips.

GENERAL DEVELOPMENT STANDARDS FOR RIVER DISTRICT – REZONING
PETITION #2016-056
March 21, 2016

Site Development Data – Master Plan Site:

- Average: ± 1,200 gross acres
- Tax Parcel #: [See Sheet RZ-13]
- Existing Zoning: [See Sheet RZ-13]
- Proposed Zoning: MUDD-O; and MX-2 Innovative with five (5) year vested rights, as described on [Sheet RZ-2] and other applicable District Development Sheets
- Existing Uses: Undeveloped with some single-family homes.
- Maximum Gross Square Foot of Development: Set forth with respect to each individual District in the District Development Sheets
- Maximum Building Height: Set forth with respect to each individual District in the District Development Sheets. Building height will be measured as defined by the Ordinance.
- Parking: As required by the Ordinance for the MX-2 Innovative portion of the Site; and as specified in Table 12.202 "Minimum Required Off-Street Parking Spaces by Use" of the Off-Street Parking and Loading Section of the Ordinance for the portion of the Site zoned MUDD-O.

I. General Provisions:

- a. **Rezoning Plan Description.** As more particularly described on the Context/Table of Contents portion set forth on [Sheet RZ-3], the following items form the rezoning plan (the "Rezoning Plan") for Rezoning Petition #2016-056 (the "Petition" or "Rezoning Petition") filed by Crescent Communities and Lincoln Harris (hereinafter collectively the "Petitioners") along with those successors and assigns and other parties described below for the large area located generally west of I-485, east of the Catawba River, south of Wilkinson Boulevard/Old Dowd Road and north of the Brewick Park and Brewick community (as more particularly set forth on [Sheet RZ-12] below, the "Site", "Rezoning Site" or the "Master Plan Site"):
1. Sheet RX-1 – Locator Map & Vision Statement;
2. Sheet RZ-2 – The Technical Data Sheet identifying the Districts making up the Master Plan Site
3. Sheet RZ-3 – Sheet Index & Context/Table of Contents providing an outline of this Rezoning Plan
4. Sheet RZ-4A – B - Environmental Vision Plan describing approach to environmental matters
5. Sheet RZ-5A-C - Illustrative Transportation Network showing an illustrative street network
6. Sheet RZ-6A -OB - Employment District map & District Development Standards
7. Sheet RZ-7A – 7B - Gateway District map & District Development Standards
8. Sheet RZ-8A-8B - Transition District map & District Development Standards
9. Sheet RZ- 9A-9B - Town Center District map & District Development Standards
10. Sheet RZ- 10A- 10B - Residential District map & District Development Standards
11. Sheet RZ-11A - Phase I Development
12. Sheet RZ-12A- B - General Development Standards
13. Sheet RZ-13A – 13B - Internal Parcel Data setting forth existing ownership and parcel data

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14. Sheet RZ 14A – 14B - Adjacent Parcel Owners setting forth adjacent owners to Master Plan Site
- Each of the above Sheet RZ items are referred to herein as a "Sheet" or collectively the "Sheets".

- b. **Zoning Classifications/Ordinance.** Development of the Master Plan 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, (i) the regulations established under the Ordinance for the rezoning of the Petitioners' portion of the Master Plan Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Master Plan Site, subject to the Optional Provisions provided below and in the District Development Sheets; and (ii) the regulations established under the Ordinance for the MX-2 Innovative zoning classification for the portion of the Master Plan Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Master Plan Site, subject to the Innovative Provisions provided below.

- c. **Development Districts.** For ease of reference and as an organizing principle associated with the master planned nature of the development associated with the Rezoning Plan, a series of five (5) development districts as generally depicted on certain of the Sheets as: 1. Employment District (zoned MUDD-O); 2. Gateway District (zoned MUDD-O); 3. Transition District (zoned MUDD-O); 4. Town Center District (zoned MUDD-O); and 5. Residential District (zoned MX-2 Innovative) (each a "District" and collectively "Districts"). The exact boundaries of the Districts and areas within the Districts are subject to minor modifications.

- d. **Graphics and Alterations/Modifications/Standard of Review.**

1. The schematic depictions, as applicable, of the uses, parking areas, sidewalks, structures and buildings, buildings elevations, driveways, streets, gateway and trail network, open space 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 General Development Standards and the District Development Standards (collectively the "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. Except as otherwise expressly set forth in the Development Standards, changes to the Rezoning Plan anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.
2. Since the project has not undergone the design development and construction phases and given the long term master planned nature of this Rezoning Petition, 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:
 - expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or
 - minor and do not materially change the overall design intent depicted on the Rezoning Plan; or

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- modifications to move structures graphically depicted, to the extent shown, on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "external building line" (in this case the external setbacks or buffer areas) indicated on the Sheets; or
 - modifications to allow minor increases in the mass of the buildings, to the extent shown, that do not materially change the design intent depicted on or described in the Rezoning Plan and only to the extent such massing is set forth.
3. The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alterations do not meet the criteria described above, then except as provided in Section 14.4 below, 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.

4. Notwithstanding the foregoing, for those portions of the Master Plan Site zoned MUDD-O, the following *Optional Provision* shall apply in connection with review of the Rezoning Plan and compliance with design standards, guidelines and other similar provisions

- If, in the application of the design standards, design guidelines and similar provisions set out in the Rezoning Plan for portions of the Master Plan Site zoned MUDD-O (e.g. all but the Residential District), the Petitioner and the Planning Staff fail to agree, the Petitioner may seek the determination of the Planning Director (or designee) that either: (A) the development under review reasonably adheres to all material aspects of the applicable design standard or guideline; or (B) the Petitioner has presented substantial reasons as to why adherence to the design standard or guideline is not practicable under the circumstances and that the lack of adherence in the instance in question does not adversely and significantly alter the overall design intent for the Development District in which the proposed development is located. The Planning Director will use diligent efforts to make such determination promptly upon receipt of written notice of the request for a determination from the Petitioner or Planning Staff. If the Planning Director determines that neither item (A) or (B) above are met, the Petitioner may appeal the determination of the Planning Director to the Zoning Committee of the Planning Department in accordance with the procedures set forth in subsection 4.(ii) below.

- The Petitioner must file its request for appeal of the Planning Director's determination with 30 days of written notice of the same. The Petitioner shall stipulate in its written appeal the background for the development issue under review and its reasons that the standard set forth in subsection 4.(ii) above has been met by a preponderance of the evidence. The appeal shall be sent to both the Planning Director and the then current Chair of the Zoning Committee. The Zoning Committee shall meet to hear evidence on the appeal within 60 days of the filing of the appeal. The Zoning Committee shall make a finding as to whether the Petitioner has presented substantial and material evidence demonstrating by a preponderance of such evidence that the Planning Director erred in its determination of the development issue in question. A written statement of its decision shall be provided by the Zoning Committee to the Petitioner and Planning Director within 30 days of its decision.

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- Furthermore and in addition to the foregoing, at any time the Petitioner may seek approval of the development sought by filing of a site plan amendment rezoning pursuant to the requirements of Section 6.207 of the Ordinance."

c. Number of Buildings Principal and Accessory.

1. In light of the large master planned nature of this Rezoning Petition, for the portions of the Master Plan Site Zoned MUDD-O, an *Optional Provision* is permitted to not require the Petitioner to set forth the number of buildings and structures on the Rezoning Plan.
2. On the portions of the Master Plan Site zoned MX-2 Innovative, the number of buildings shall not exceed 1,500; and accessory buildings and structures located on such portions of the Master Plan Site shall not be considered in any limitation on the number of buildings on the Master Plan 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 as the accessory structure/building.

- f. **Planned/Unified Development.** The Master Plan Site and each District shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site nor between the areas zoned MUDD-O and MX-Innovative. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide the portions of all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in this Rezoning Plan as to the Master Plan Site and each District as a whole and not individual portions or lots located therein.

- g. **Five Year Vested Rights.** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the level of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period, but such provisions shall not be deemed a limitation on any vested rights whether at the district level or otherwise.

- h. **Definitions & Clarifications.** These General Development Standards and the District Development Standards reference certain defined terms herein. For ease of reference, an index of defined terms is set forth as part of the Context/Table of Contents on [Sheet RZ-3]. In addition the following apply to certain definitions:

- a. **Gross Floor Area Clarification.** When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), enclosed loading dock/service areas, and outdoor dining and gathering areas whether on the roof of the building or at street level (to the extent necessary this shall be deemed an *Optional Provision*).

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2. **Personal Services.** Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa's, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and the like.

3. **Limited Service Restaurant.** A "Limited Service Restaurant" shall mean a restaurant with no more than 3,000 square feet of gross floor area serving primarily items such as coffee, ice cream, yogurt, juices, bagels, muffins, pastries, sandwiches and similar foods that do not require on-premise cooking of food (other than heating and the baking of premixed dough).

II. Optional Provisions for MUDD-O Districts & MX-2 Innovative Standards for Residential District.

- a. **Optional Provisions for MUDD-O Districts.** These General Development Standards and the District Development Standards set forth certain *Optional Provisions* which apply to the portions of the Master Plan Site designated MUDD-O on the Rezoning Plan and which allow variations from the minimum standards for development under MUDD-O.

- b. **MX-2 Innovative Development Standards for Residential District.** The District Development Standards for the Residential District set forth certain Innovative Development Standards in connection with development taking place within such District to accommodate a variety of setback and yard widths and other development elements so as to allow for a pedestrian friendly residential community with limited commercial development. These provisions also permit Petitioner to modify the innovative provisions described above or seek other innovative development standards in the future pursuant to the applicable process set forth in the Ordinance.

III. Permitted Uses, Development Area Limitations, Transfer & Conversion Rights:

- a. **Development/Entitlement Levels shown on District Development Standards.** Subject to the restrictions, limitations, and transfer/conversion rights listed below, development on the Master Plan Site shall be subject to the development level limitations set forth with respect to each District in the applicable District Development Standards.

- b. **Conversion of Commercial Uses in MUDD-O Zoned Districts.** Within the Districts zoned MUDD-O, retail, EDDE, and Personal Services uses ("non-office commercial uses") may exceed the applicable development level specifications set forth in the applicable District Development Standards by up to 25% and office commercial uses may exceed the applicable development level specifications by up to 25% by converting non-office commercial uses into office commercial uses and vice versa at a ratio of 1.0 square foot of gross floor area of such uses so converted. In no event the total gross floor area of commercial uses (office and non-office) allowed for the applicable District shall not exceed the total specified amount as a result of such conversions, rather only the mix of such uses shall change but not by greater than 25%; provided, however, changes in the total amount of such commercial uses within a District may occur pursuant to the conversion rights set forth in subsection c. below and pursuant to the transfer rights among Districts set forth in subsection d. below.

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- c. **Conversion of Hotel Rooms & Residential Units in MUDD-O zoned Districts.** Additional hotel rooms may be developed within each of the Districts zoned MUDD-O by converting residential dwelling units into hotel rooms at the rate of one (1) residential unit so converted into one (1) hotel room for a maximum of 300 hotel rooms created in the aggregate within such Districts zoned MUDD-O by such conversion, and additional residential dwelling units may be developed within the Districts zoned MUDD-O by converting hotel rooms into residential dwelling units at the rate of one (1) hotel room so converted into one (1) residential dwelling unit up to a maximum of 300 residential dwelling units created by such conversion in the aggregate within such Districts zoned MUDD-O.

- d. **Transfers of Development Level/Entitlement Among the MUDD-O Districts.** The development/entitlement levels specified for each District zoned MUDD-O in the applicable District Development Standards may be adjusted by transferring permitted development/entitlement levels for certain uses from one such District to another District in accordance with the following:

1. The development levels for commercial uses (office commercial uses and non-office commercial uses) for the applicable receiving District resulting from any such transfers shall not be increased by more than 25% from the original development levels specified as of the date of approval of the Rezoning Petition, unless such increase occurs in connection with a site plan amendment approval pursuant to Section 6.207, or succeeding provisions, of the Ordinance.

2. The development levels for residential uses (single family detached, single family attached and multi-family uses) for the applicable receiving District resulting from any such transfers shall not be increased by more than 30% from the original development levels specified as of the date of approval of the Rezoning Petition, unless such increase occurs in connection with a site plan amendment approval pursuant to Section 6.207, or succeeding provisions, of the Ordinance.

3. In no event shall aggregate development levels for the commercial uses within the entire Master Plan Site as set forth in the Rezoning Plan as of the date of approval of the Rezoning Petition be increased, except as same may be increased in connection with a site plan amendment approval pursuant to Section 6.207, or succeeding provisions, of the Ordinance.

e. Transfers of Entitlement Between Town Center District & Residential District.

1. The development levels specified for residential uses (single family detached, single family attached and multi-family uses) for the Town Center District and the Residential District in the applicable District Development Standards may be adjusted by transferring permitted development levels from one such District to the other. In such event, however, the development levels for residential uses for the receiving District shall not be increased by more than 30% from the original development levels specified as of the date of approval of the Rezoning Petition, unless such increase occurs in connection with a site plan amendment approval pursuant to Section 6.207, or succeeding provisions, of the Ordinance.

2. The development levels for commercial uses (office and non-office commercial uses) and hotel uses for the Town Center District and the Residential District in the applicable District Development Standards may be adjusted by transferring permitted development levels from one such District to the other. In such event, however, the development levels for commercial uses and hotels for the receiving District shall not be increased by more than

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- 25% from the original development levels specified as of the date of approval of the Rezoning Petition, unless such increase occurs in connection with a site plan amendment approval pursuant to Section 6.207, or succeeding provisions of the Ordinance.

- f. **Written Requests & Records for Conversions & Transfer; Administrative Amendments.** Prior to any conversions of entitlement pursuant to subsections b. and c. above and prior to any transfers of development levels/entitlement pursuant to subsections d. and e. above, Petitioner shall provide to the Planning Department a written request for such conversion and transfer setting for the amount of entitlement to be so converted or transferred and setting forth: (i) the then existing development levels for each of the Districts involved and (ii) the original development levels for each of the Districts involved existing as of the date of approval of this Rezoning Petition. Furthermore, the results of such conversions and transfers shall be evidenced by an administrative site plan amendment for the applicable Districts involved in order to properly document the Master Plan Site. Any conversions and transfers of entitlement of such administrative site plan amendment being ministerial in nature shall not be unreasonably delayed or denied if the information set forth complies with the requirements of this Section III.

IV. Governmental/Community Planning; Public/Private Cooperation for Infrastructure & Civic/Community Uses & Services/Memorandum Of Understanding

a. Governmental/Community Planning; Public/Private Cooperation & MOU.

1. The City of Charlotte Capital Improvement Plan ("CIP") addresses certain infrastructure needs of the "Airport West Corridor" (within which the Master Plan Site is located) with a long term sustainable emphasis on livability, accessibility and job growth. The new Garrison Road extension project and the Dixie River Road widening project, which are primary ingredients of the CIP for the Airport West Corridor, will promote economic development in the area.

2. The adopted Dixie-Berryhill Plan and the Charlotte-Douglas International Airport ("Airport") planning efforts within the Master Plan Site as valuable economic development consistent with community planning goals, which include strong master planning over time, positive environmental stewardship and quality of livability. The certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period, but such provisions shall not be deemed a limitation on any vested rights whether at the district level or otherwise.

3. The ability to achieve the objectives described in the CIP for the Airport West Corridor, the Dixie-Berryhill Plan and the Airport planning initiative will be further enhanced by the cooperation of government and private development interests in the implementation of the roadway network for the portion of the Airport West Corridor within which the Master Plan Site is located. In addition, such cooperation will help to ensure appropriate planning/implementation of utilities, transit, "Smart City" infrastructure, fire/public safety, public schools, parks and greenway and other civic/community services and uses. Opportunities exist for the public sector to leverage the tax base and tax revenues that are expected to be derived over time from development of the Master Plan Site to support funding of such public purposes and infrastructure.

4. To promote such public and private cooperation in support of public purposes sought by the CIP for the Airport West Corridor, the Dixie-Berryhill Plan and the Airport planning

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- initiatives, the Petitioner commits to work with local government to develop a memorandum of understanding ("MOU") to address these infrastructure planning/implementation needs and civic services over the long term development horizon contemplated by the community planning objectives.

5. While the referenced MOU and related infrastructure planning/implementation efforts are intended to proceed on a parallel path but independent of the rezoning process for this Rezoning Petition, the MOU is intended to provide a framework for ensuring that these efforts are undertaken for the overall benefit of the nearby and broader community.

- b. **Phased Voluntary Annexation of Master Plan Site.** The Master Plan Site is located within the Extra-territorial Jurisdiction of the City and the unincorporated portion of Mecklenburg County. In order to facilitate the development of the infrastructure, roadways, utilities and civic services/uses referenced above and contemplated for the MOU, the Petitioner commits to work with applicable departments of the City to provide for the orderly phased voluntary annexation into the City of portions of the Master Plan Site. It is contemplated that the phasing of the annexation of portions of the Master Plan Site will take place generally as development occurs in close proximity to such annexed areas.

- c. **Transportation Network MOU.** Due to the large master planned nature of the development of the Master Plan Site which will occur over many years, it is understood that the roadway & street network associated with the development will be implemented over time and will adapt to timing of development, availability of public and private funding and other factors. Accordingly, the transportation network for the development is intended to be set forth in an illustrative of the roadway and street network that may take place over time as development occurs, and the exact locations of the roadways and streets set forth are subject to change. It is contemplated that the MOU will provide a framework for the planning and implementation of the primary ingredients of the roadway network. Roadway improvements associated with the "Phase I Development" and the methodology for addressing transportation adequacy needs associated with the future phases of development are described below in Section V. Furthermore it is contemplated that the MOU will provide a framework for the implementation for funding portions of the primary roadway network by way of allocations of capital improvement funds or other local or state funding support, private development home improvements, and/or public private partnership funding in the form of Tax Increment Grants or otherwise.

- d. **Utility Infrastructure.** Similar to implementation of the roadway network, utility installations will take place over time as private development occurs and as warranted and support for local government. It is contemplated that the MOU will provide a framework for the planning and implementation of utility aspects associated with development of the Master Plan Site and the overall Airport West Corridor to ensure that infrastructure needs keep pace with the pace of development.

- e. **Public Schools.** The Petitioner recognizes the importance of ensuring that school capacity and related matters are addressed as the Master Plan Site. And other portions of the Airport West and Dixie-Berryhill area are developed for residential uses that will add school age children to local schools. As such, the Petitioner commits to work in good faith with Charlotte-Mecklenburg Schools ("CMS"), Mecklenburg County and other educational institutions in recommendations agreed upon implementation of actions needed to address school needs. Petitioner will work with CMS and other stakeholders to establish a threshold level of increased demand for area schools based on the type and amount of residential development developed and the applicable school capacity levels

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- after which Petitioner will be required to provide support for school needs in the form of financial support, school land donations among other recommendations agreed upon in concert with CMS and the Planning Department. It is contemplated that the MOU will provide a framework for the planning and implementation of utility aspects associated with development of the Master Plan Site and the overall Airport West Corridor. Implementation.

- f. **Fire & Public Safety Services.** The Petitioner recognizes the importance of ensuring that fire and public safety services and related aspects are addressed as the Master Plan Site and other portions of the Airport West and Dixie-Berryhill area are developed. Petitioner commits to work in good faith with the Charlotte Mecklenburg Police Department ("CMPD"), the Charlotte Fire Department ("Fire Department") and other departments of the Charlotte in connection with planning for and implementation of actions needed to address fire and public safety needs. Petitioner will work with CMPD and the Fire Department to establish a threshold level of increased demand for public safety and fire services based on the type of residential development developed and the ability of fire and police to respond promptly in case of emergency in accordance with standard police and fire protocol for areas similar in nature to the Master Plan Site. After reaching such threshold Petitioner will be required to provide support for public safety and fire needs in the form of financial support, facility/land donations among other recommendations agreed upon in concert with CMPD and the Fire Department. It is contemplated that the MOU will provide a framework for the planning and implementation of fire and public safety related aspects associated with development of the Master Plan Site and the overall Airport West Corridor.

- g. **Transit & Smart City.** Development of the Master Plan Site presents an opportunity for the creation of a transformative community with innovative public parks and recreation facilities that may serve as a model for master planned communities in the Carolinas and beyond. Accordingly, portions of the Rezoning Plan describe certain wide-ranging environmental commitments of the Petitioner regarding development of the Master Plan Site. In addition, it is recognized that transit and "Smart City" technology related infrastructure and services are important to the creation over time of such a transformative community. As such, the Petitioner commits to work in good faith with the Charlotte Area Transit System ("CATS"), Mecklenburg County Land Use Environmental Services ("LUES"), the Energy & Sustainability Manager & Department of the City and other departments of local and state in connection with planning for and implementation of actions needed to address long term transit and "Smart City" technology needs. Reference is made to [Sheet RZ-4] for the Environmental Vision Plan applicable actions, a number of environmental and sustainability components and commitments associated with the Rezoning Plan. Furthermore, it is contemplated that the MOU will provide a framework for the planning and implementation of transit and "Smart City" technology goals associated with development of the Master Plan Site and the overall Airport West Corridor.

- h. **Parks & Recreation Facilities.** The Petitioner recognizes that transformative communities with exceptional livability require not only public parks and recreation facilities. Portions of the Rezoning Plan describe certain commitments of the Petitioner regarding creation of greenways and trails within Master Plan Site as development of the Master Plan Site occurs over time. These include, without limitation, the creation of greenways and trails within the Master Plan Site as set forth on [Sheet RZ-4] and certain other commitments regarding greenways, trails and PCO set forth in the District Development Standards. In addition, Petitioner commits to work in good faith with Mecklenburg County Parks & Recreation ("Parks & Rec"), other departments of the City and other stakeholders in connection with planning for and implementation of actions needed to address parks and recreation needs. It is contemplated that the MOU will provide a framework for the planning and implementation of parks and recreation related aspects

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- associated with development of the Master Plan Site and the overall Airport West Corridor. These efforts will include certain commitments of the Petitioner to the creation of open space and recreation areas to serve the Master Plan Site and the overall Airport West Corridor.

- i. **Workforce Housing.** The Petitioner recognizes that transformative communities with exceptional livability also require a variety of housing opportunities not only in terms of variety of housing types but also affordability options to promote a vibrant community accessible to residents who will make up the broad-based workforce associated with the community vision. Accordingly, Petitioner commits to work with the City and Mecklenburg County as part of the MOU to develop a plan for addressing the objectives of ensuring workforce housing opportunities. This plan is contemplated to include public support in the form of tax increment grants or otherwise, involvement of workforce housing targeted development entities such as the Charlotte Mecklenburg Housing Partnership and/or other such workforce housing vehicles. It is contemplated therefore that the MOU will provide a framework for the planning and implementation of workforce housing related aspects associated with development of the Master Plan Site and the overall Airport West Corridor.

V. Proposed Phase I Transportation Improvements.

- [Sheet RZ-10] sets forth development to be undertaken in connection with Phase I of the Master Plan Site (the "Phase I Development"). As part of the Phase I Development, the Petitioner will set forth or cause to be provided on its own or in cooperation with other parties, including without limitation local or state governmental bodies by way of public/private partnerships or otherwise, where City implement portions of the improvements, the improvements set forth below (the "Phase I Transportation Improvements") to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

- The following Phase I Transportation Improvements are also illustrated on Figure 11.1 located on [Sheet RZ-11B] of the Rezoning Plan. Figure 11.1 is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number when describing an improvement corresponds to the number found on Figure 11.1 on [Sheet RZ-11B] for the proposed improvement).

a. West Blvd. & I-485 Inner Loop Ramps (recommended signalization)

- The installation of a traffic signal.
- Extend the existing eastbound left turn lane storage on West Blvd. from 275 feet to 700 feet and construct a 2nd eastbound left turn lane on West Boulevard with 700 feet of storage and a 200-foot bay taper (to the existing westbound left turn lane at the 485 Outer Loop Entrance Ramp with the 2nd westbound left turn lane on West Boulevard with 250 feet of storage and a 200-foot bay taper (to the existing eastbound left turn lane at the I-485 Inner Loop Ramps intersection).
- o This will require a 2nd receiving lane on the I-485 Outer Loop Entrance Ramp with a minimum of 500 feet of full lane and a 400-foot taper (typical lengths based on similar adjacent interchanges on I-485).
- Extend the existing northbound left turn lane storage on the I-485 Outer Loop Exit Ramp from 140 feet to 650 feet with an appropriate bay taper.
- o The proposed West Blvd. Extension will include a five-lane section (two thru lanes in each direction with left turn lanes) – a 2nd de-facto receiving lane will be in place with the inclusion of this additional southbound right turn lane.
- Construct an eastbound right turn lane. This will be the termination of the outer eastbound thru lane associated with the West Blvd. Extension described below.
- It should be noted that there are no pedestrian amenities at or within the immediate vicinity of the intersection; however, improvements such as high-visibility crosswalks, pedestrian signal heads and pushbuttons should be considered.

b. West Blvd./West Blvd. Extension & I-485 Outer Loop Ramps (recommended signalization)

- The installation of a traffic signal.
- West Blvd. Extension is expected to include a five-lane section (two travel lanes in each direction with a center median or left turn lanes); the two westbound lanes will terminate as separate left and right lanes at Realigned Dixie River Road.
- Realigned Garrison Road is expected to contain the following cross-section:
 - o Two southbound thru lanes with 150 feet of storage and appropriate bay taper
 - o A northbound left turn lane
 - o A 2nd westbound thru lane that terminates as a right turn lane at West Blvd. Extension
- Garrison Road Extension is expected to contain the following cross-section:
 - o A northbound receiving lane
 - o Dual southbound left turn lanes (the inner lane should contain a minimum 175 feet of storage and the outer lane should terminate as a left turn lane) with an appropriate bay taper
 - o A southbound combined thru-right turn lane
- Install pedestrian amenities such as sidewalks, high-visibility crosswalks, pedestrian signal heads and pushbuttons.

d. Realigned Dixie River Road & West Blvd. Extension (unsignalized)

- Construct a northbound right turn lane on Realigned Dixie River Road with 325 feet of storage and appropriate bay taper.
- Construct a southbound left turn lane on Realigned Dixie River Road with 325 feet of storage and appropriate bay taper.
- o This will also require an appropriate thru lane port on the south side of the intersection.
- West Blvd. Extension is expected to include a five-lane section (two travel lanes in each direction with a center median or left turn lanes); the two westbound lanes will terminate as separate left and right lanes at Realigned Dixie River Road.

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VI. Standards; Phasing of Phase I Improvements; Right of Way Availability; Alternative Improvements; Transportation Methodology for Future Phases & Access.

- a. **CDOT/NCDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the Airport West Corridor, by way of a private/public partnership effort or other public sector project support.

- b. **Phasing of Phase I Transportation Improvements.** Notwithstanding the commitments to provide the Phase I Transportation Improvements described in Section V. above, the following provisions shall permit Phase I Development to take place prior to completion of all of the above-referenced Phase I Transportation Improvements. **[NOTE: PHASE I IMPROVEMENTS PHASING PROVISIONS TO BE FORTHCOMING].**

- c. **Substantial Completion.** Reference to "substantial completion" for certain improvements as set forth in the provisions of Section V above and this Section VI shall mean completion of the roadway improvements in accordance with the standards set forth in Section V and Section VI above provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

- d. **Right-of-Way Availability.** It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, as specified by the City of Charlotte right-of-way acquisition process as administered by the City of Charlotte's Engineering & Property Management Department, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering & Property Management Department or other applicable agency, department or body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings (including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein above, then the Petitioner will continue to fund the improvements for the duration of the delay in the infrastructure phasing plan that appropriately matches the scale of the development proposed to the public infrastructure mitigations. If after contacting the Planning Department and CDOT to determine the appropriate infrastructure phasing plan to be included in the Environmental Vision Plan set forth beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

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- bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

- c. **Alternative Improvements.** Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, Planning Director, and as applicable, NCDOT, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Plan.

f. Methodology for Transportation Adequacy & Roadway Improvements for Future Phases. (TO BE FORTHCOMING IN MORE DETAIL, BUT EXPLICIT

GENERAL DEVELOPMENT STANDARDS FOR RIVER DISTRICT – REZONING
PETITION #2016-056
March 21, 2016

Site Development Data – Master Plan Site:

- Average: ± 1,200 gross acres
- Tax Parcel #: [See Sheet RZ-13]
- Existing Zoning: [See Sheet RZ-13]
- Proposed Zoning: MUDD-O; and MX-2 Innovative with five (5) year vested rights, as described on [Sheet RZ-2] and other applicable District Development Sheets
- Existing Uses: Undeveloped with some single-family homes.
- Maximum Gross Square Foot of Development: Set forth with respect to each individual District in the District Development Sheets
- Maximum Building Height: Set forth with respect to each individual District in the District Development Sheets. Building height will be measured as defined by the Ordinance.
- Parking: As required by the Ordinance for the MX-2 Innovative portion of the Site; and as specified in Table 12.202 "Minimum Required Off-Street Parking Spaces by Use" of the Off-Street Parking and Loading Section of the Ordinance for the portion of the Site zoned MUDD-O.

I. General Provisions:

- a. **Rezoning Plan Description.** As more particularly described on the Context/Table of Contents portion set forth on [Sheet RZ-3], the following items from the rezoning plan (the "Rezoning Plan") for Rezoning Petition #2016-056 (the "Petition" or "Rezoning Petition") filed by Crescent Communities and Lincoln Harris (hereinafter collectively the "Petitioners" along with those successors and assigns and other parties described below) for the large area located generally west of I-485, east of the Catawba River, south of Wilkinson Boulevard/Old Dowd Road and north of the Brewick Park and Brewick community (as more particularly set forth on [Sheet RZ-12] below, the "Site", "Rezoning Site" or the "Master Plan Site"):
1. Sheet RX-1 – Locator Map & Vision Statement;
2. Sheet RZ-2 – The Technical Data Sheet identifying the Districts making up the Master Plan Site
3. Sheet RZ-3 – Sheet Index & Context/Table of Contents providing an outline of this Rezoning Plan
4. Sheet RZ-4A – B - Environmental Vision Plan describing approach to environmental matters
5. Sheet RZ-5A-C - Illustrative Transportation Network showing an illustrative street network
6. Sheet RZ-6A -OB - Employment District map & District Development Standards
7. Sheet RZ-7A – 7B - Gateway District map & District Development Standards
8. Sheet RZ-8A-8B - Transition District map & District Development Standards
9. Sheet RZ- 9A-9B - Town Center District map & District Development Standards
10. Sheet RZ- 10A- 10B - Residential District map & District Development Standards
11. Sheet RZ-11A - Phase I Development
12. Sheet RZ-12A- B - General Development Standards
13. Sheet RZ-13A – 13B - Internal Parcel Data setting forth existing ownership and parcel data

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14. Sheet RZ 14A – 14B - Adjacent Parcel Owners setting forth adjacent owners to Master Plan Site
- Each of the above Sheet RZ items are referred to herein as a "Sheet" or collectively the "Sheets".

- a. **Zoning Classifications/Ordinance.** Development of the Master Plan 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, (i) the regulations established under the Ordinance for the rezoning of the Petitioners' portion of the Master Plan Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Master Plan Site, subject to the Optional Provisions provided below and in the District Development Sheets; and (ii) the regulations established under the Ordinance for the MX-2 Innovative zoning classification for the portion of the Master Plan Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Master Plan Site, subject to the Innovative Provisions provided below.

- a. **Development Districts.** For ease of reference and as an organizing principle associated with the master planned nature of the development associated with the Rezoning Plan, a series of five (5) development districts as generally depicted on certain of the Sheets as: 1. Employment District (zoned MUDD-O); 2. Gateway District (zoned MUDD-O); 3. Transition District (zoned MUDD-O); 4. Town Center District (zoned MUDD-O); and 5. Residential District (zoned MX-2 Innovative) (collectively the "Districts"). The exact boundaries of the Districts and areas within the Districts are subject to minor modifications.

- d. **Graphics and Alterations/Modifications/Standard of Review.**

1. The schematic depictions, as applicable, of the uses, parking areas, sidewalks, structures and buildings, buildings elevations, driveways, streets, gateway and trail network, open space 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 General Development Standards and the District Development Standards (collectively the "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. Except as otherwise expressly set forth in the Development Standards, changes to the Rezoning Plan anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.
2. Since the project has not undergone the design development and construction phases and given the long term master planned nature of this Rezoning Petition, 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) expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or
 - ii) minor and do not materially change the overall design intent depicted on the Rezoning Plan; or

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- iii) modifications to move structures graphically depicted, to the extent shown, on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "external building line" (in this case the external setbacks or buffer areas) indicated on the Sheets; or
 - iv) modifications to allow minor increases in the mass of the buildings, to the extent shown, that do not materially change the design intent depicted on or described in the Rezoning Plan but only to the extent such massing is set forth.
3. The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alterations do not meet the criteria described above, then except as provided in Section 14.4 below, 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.

4. Notwithstanding the foregoing, for those portions of the Master Plan Site zoned MUDD-O, the following *Optional Provision* shall apply in connection with review of the Rezoning Plan and compliance with design standards, guidelines and other similar provisions

- i) If, in the application of the design standards, design guidelines and similar provisions set out in the Rezoning Plan for portions of the Master Plan Site zoned MUDD-O (e.g all but the Residential District), the Petitioner and the Planning Staff fail to agree, the Petitioner may seek the determination of the Planning Director (or designee) that either: (A) the development under review reasonably adheres to all material aspects of the applicable design standard or guideline; or (B) the Petitioner has presented substantial reasons as to why adherence to the design standard or guideline is not practicable under the circumstances and that the lack of adherence in the instance in question does not adversely and significantly alter the overall design intent for the Development District in which the proposed development is located. The Planning Director will use diligent efforts to make such determination promptly upon receipt of written notice of the request for a determination from the Petitioner or Planning Staff. If the Planning Director determines that neither item (A) or (B) above are met, the Petitioner may appeal the determination of the Planning Director to the Zoning Committee of the Planning Department in accordance with the procedures set forth in subsection d.(ii) below.

- iii) The Petitioner must file its request for appeal of the Planning Director's determination with 30 days of written notice of the same. The Petitioner shall stipulate in its written appeal the background for the development issue under review and its reasons that the standard set forth in subsection d.(4) above has been met by a preponderance of the evidence. The appeal shall be sent to both the Planning Director and the then current Chair of the Zoning Committee. The Zoning Committee shall meet to hear evidence on the appeal within 60 days of the filing of the appeal. The Zoning Committee shall make a finding as to whether the Petitioner has presented substantial and material evidence demonstrating by a preponderance of such evidence that the Planning Director erred in its determination of the development issue in question. A written statement of its decision shall be provided by the Zoning Committee to the Petitioner and Planning Director within 30 days of its decision.

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- ii) Furthermore and in addition to the foregoing, at any time the Petitioner may seek approval of the development sought by filing of a site plan amendment rezoning pursuant to the requirements of Section 6.207 of the Ordinance."

- c. **Number of Buildings Principal and Accessory.**

1. In light of the large master planned nature of this Rezoning Petition, for the portions of the Master Plan Site Zoned MUDD-O, an *Optional Provision* is permitted to not require the Petitioner to set forth the number of buildings and structures on the Rezoning Plan.

2. On the portions of the Master Plan Site zoned MX-2 Innovative, the number of buildings shall not exceed 1,500; and accessory buildings and structures located on such portions of the Master Plan Site shall not be considered in any limitation on the number of buildings on the Master Plan 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 as the accessory structure/building.

- f. **Planned/Unified Development.** The Master Plan Site and each District shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site nor between the areas zoned MUDD-O and MX-Innovative. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide the portions of all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in this Rezoning Plan as to the Master Plan Site and each District as a whole and not individual portions or lots located therein.

- g. **Five Year Vested Rights.** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the timing of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period, but such provisions shall not be deemed a limitation on any vested rights whether at the district level or otherwise.

- h. **Definitions & Clarifications.** These General Development Standards and the District Development Standards reference certain defined terms herein. For ease of reference, an index of defined terms is set forth as part of the Context/Table of Contents on [Sheet RZ-3]. In addition the following apply to certain definitions:

- a. **Gross Floor Area Clarification.** When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), enclosed loading dock/service areas, and outdoor dining and gathering areas whether on the roof of the building or at street level (to the extent necessary this shall be deemed an *Optional Provision*).

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- a. **Personal Services.** Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spas, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and the like.

- a. **Limited Service Restaurant.** A "Limited Service Restaurant" shall mean a restaurant with no more than 3,000 square feet of gross floor area serving primarily items such as coffee, ice cream, yogurt, juices, bagels, muffins, pastries, sandwiches and similar foods that do not require on-premise cooking of food (other than heating and the baking of premixed dough).

II. Optional Provisions for MUDD-O Districts & MX-2 Innovative Standards for Residential District.

- a. **Optional Provisions for MUDD-O Districts.** These General Development Standards and the District Development Standards set forth certain *Optional Provisions* which apply to the portions of the Master Plan Site designated MUDD-O on the Rezoning Plan and which allow variations from the minimum standards for development under MUDD-O.

- b. **MX-2 Innovative Development Standards for Residential District.** The District Development Standards for the Residential District set forth certain Innovative Development Standards in connection with development taking place within such District to accommodate a variety of setback and yard widths and other development elements so as to allow for a pedestrian friendly residential community with limited commercial development. These provisions also permit Petitioner to modify the innovative provisions described above or seek other innovative development standards in the future pursuant to the applicable process set forth in the Ordinance.

III. Permitted Uses, Development Area Limitations, Transfer & Conversion Rights:

- a. **Development/Entitlement Levels shown on District Development Standards.** Subject to the restrictions, limitations, and transfer/conversion rights listed below, development on the Master Plan Site shall be subject to the development level limitations set forth with respect to each District in the applicable District Development Standards.

- b. **Conversion of Commercial Uses in MUDD-O Zoned Districts.** Within the Districts zoned MUDD-O, retail, EDDE, and Personal Services uses ("non-office commercial uses") may exceed the applicable development level specifications set forth in the applicable District Development Standards by up to 25% and office commercial uses may exceed the applicable development level specifications by up to 25% by converting non-office commercial uses into office commercial uses and vice versa at a ratio of 1.0 square foot of gross floor area of such uses so converted. In such event the total gross floor area of commercial uses (office and non-office) allowed for the applicable District shall not exceed the total specified amount as a result of such conversions, rather only the mix of such uses shall change but not by greater than 25%; provided, however, changes in the total amount of such commercial uses within a District may occur pursuant to the conversion rights set forth in subsection c. below and pursuant to the transfer rights among Districts set forth in subsection d. below.

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- c. **Conversion of Hotel Rooms & Residential Units in MUDD-O zoned Districts.** Additional hotel rooms may be developed within each of the Districts zoned MUDD-O by converting residential dwelling units into hotel rooms at the rate of one (1) residential unit so converted into one (1) hotel room for a maximum of 300 hotel rooms created in the aggregate within such Districts zoned MUDD-O by such conversion, and additional residential dwelling units may be developed within the Districts zoned MUDD-O by converting hotel rooms into residential dwelling units at the rate of one (1) hotel room so converted into one (1) residential dwelling unit up to a maximum of 300 residential dwelling units created by such conversion in the aggregate within such Districts zoned MUDD-O.

- d. **Transfers of Development Level/Entitlement Among the MUDD-O Districts.** The development/entitlement levels specified for each District zoned MUDD-O in the applicable District Development Standards may be adjusted by transferring permitted development/entitlement levels for certain uses from one such District to another District in accordance with the following:

1. The development levels for commercial uses (office commercial uses and non-office commercial uses) for the applicable receiving District resulting from any such transfers shall not be increased by more than 25% from the original development levels specified as of the date of approval of the Rezoning Petition, unless such increase occurs in connection with a site plan amendment approval pursuant to Section 6.207, or succeeding provisions, of the Ordinance.

2. The development levels for residential uses (single family detached, single family attached and multi-family uses) for the applicable receiving District resulting from any such transfers shall not be increased by more than 30% from the original development levels specified as of the date of approval of the Rezoning Petition, unless such increase occurs in connection with a site plan amendment approval pursuant to Section 6.207, or succeeding provisions, of the Ordinance.

3. In no event shall aggregate development levels for the commercial uses within the entire Master Plan Site as set forth in the Rezoning Plan as of the date of approval of the Rezoning Petition be increased, except as same may be increased in connection with a site plan amendment approval pursuant to Section 6.207, or succeeding provisions, of the Ordinance.

- e. **Transfers of Entitlement Between Town Center District & Residential District.**

1. The development levels specified for residential uses (single family detached, single family attached and multi-family uses) for the Town Center District and the Residential District in the applicable District Development Standards may be adjusted by transferring permitted development levels from one such District to the other. In such event, however, the development levels for residential uses for the receiving District shall not be increased by more than 30% from the original development levels specified as of the date of approval of the Rezoning Petition, unless such increase occurs in connection with a site plan amendment approval pursuant to Section 6.207, or succeeding provisions, of the Ordinance.

2. The development levels for commercial uses (office and non-office commercial uses) and hotel uses for the Town Center District and the Residential District in the applicable District Development Standards may be adjusted by transferring permitted development levels from one such District to the other. In such event, however, the development levels for commercial uses and hotels for the receiving District shall not be increased by more than

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- 25% from the original development levels specified as of the date of approval of the Rezoning Petition, unless such increase occurs in connection with a site plan amendment approval pursuant to Section 6.207, or succeeding provisions of the Ordinance.

- f. **Written Requests & Records for Conversions & Transfer; Administrative Amendments.** Prior to any conversions of entitlement pursuant to subsections b. and c. above and prior to any transfers of development levels/entitlement pursuant to subsections d. and e. above, Petitioner shall provide to the Planning Department a written request for such conversion and transfer setting for the amount of entitlement to be so converted or transferred and setting forth: (i) the then existing development levels for each of the Districts involved and (ii) the original development levels for each of the Districts involved existing as of the date of approval of this Rezoning Petition. Furthermore, the results of such conversions and transfers shall be evidenced by an administrative site plan amendment for the applicable Districts involved in order to properly document the Master Plan Site. Any conversion of entitlement and/or implementation of workforce housing site plan amendment being ministerial in nature shall not be unreasonably delayed or denied if the information set forth complies with the requirements of this Section III.

IV. Governmental/Community Planning: Public/Private Cooperation for Infrastructure & Civic/Community Uses & Services/Memorandum Of Understanding

- a. **Governmental/Community Planning: Public/Private Cooperation & MOU.**

1. The City of Charlotte Capital Improvement Plan ("CIP") addresses certain infrastructure needs of the "Airport West Corridor" (within which the Master Plan Site is located) with a long term sustainable emphasis on livability, accessibility and job growth. The new Garrison Road extension project and the Dixie River Road widening project, which are primary ingredients of the CIP for the Airport West Corridor, will promote economic development in the area.

2. The adopted Dixie-Berryhill Plan and the Charlotte-Douglas International Airport ("Airport") planning efforts within which the Master Plan Site is valuable for economic development consistent with community planning goals, which include strong master planning over time, positive environmental stewardship and quality of livability. The certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period, but such provisions shall not be deemed a limitation on any vested rights whether at the district level or otherwise.

3. The ability to achieve the objectives described in the CIP for the Airport West Corridor, the Dixie-Berryhill Plan and the Airport planning initiative will be further enhanced by the cooperation of government and private development interests in the implementation of the roadway network for the portion of the Airport West Corridor within which the Master Plan Site is located. In addition, such cooperation will help to ensure appropriate planning/implementation of utilities, transit, "Smart City" infrastructure, fire/police safety, public schools, parks and greenway and other civic/community services and uses. Opportunities exist for the public sector to leverage the tax base and tax revenues that are expected to be derived over time from development of the Master Plan Site to support funding of such public purposes and infrastructure.

4. To promote such public and private cooperation in support of public purposes sought by the CIP for the Airport West Corridor, the Dixie-Berryhill Plan and the Airport planning

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- initiatives, the Petitioner commits to work with local government to develop a memorandum of understanding ("MOU") to address these infrastructure planning/implementation needs and civic services over the long term development horizon contemplated by the community planning objectives.

5. While the referenced MOU and related infrastructure planning/implementation efforts are intended to proceed on a parallel path but independent of the rezoning process for this Rezoning Petition, the MOU is intended to provide a framework for ensuring that these efforts are undertaken for the overall benefit of the nearby and broader community.

- b. **Phased Voluntary Annexation of Master Plan Site.** The Master Plan Site is located within the Extra-territorial Jurisdiction of the City and the unincorporated portion of Mecklenburg County. In order to facilitate the development of the infrastructure, roadways, utilities and civic services/uses referenced above and contemplated for the MOU, the Petitioner commits to work with applicable departments of the City to provide for the orderly phased voluntary annexation into the City of portions of the Master Plan Site. It is contemplated that the phasing of the annexation of portions of the Master Plan Site will take place generally as development occurs in close proximity to such annexed areas.

- c. **Transportation Network MOU.** Due to the large master planned nature of the development of the Master Plan Site which will occur over many years, it is understood that the roadway & street network associated with the development will be implemented over time and will adapt to timing of development, availability of public and private funding and other factors. Accordingly, the transportation network for the Master Plan Site is conceptual and sets forth an illustrative of the roadway and street network that may take place over time as development occurs, and the exact locations of the roadways and streets set forth are subject to change. It is contemplated that the MOU will provide a framework for the planning and implementation of the primary ingredients of the roadway network. Roadway improvements associated with the "Phase I Development" and the methodology for addressing transportation adequacy needs associated with the future phases of development are described below in Section V. Furthermore it is contemplated that the MOU will provide a framework for the implementation for funding portions of the primary roadway network by way of allocations of capital improvement funds or other local or state funding support, private development home improvements, and/or public private partnership funding in the form of Tax Increment Grants or otherwise.

- d. **Utility Infrastructure.** Similar to implementation of the roadway network, utility installations will take place over time as private development occurs and as warranted and support for the local government. It is contemplated that the MOU will provide a framework for the planning and implementation of utility aspects associated with development of the Master Plan Site and the overall Airport West Corridor to ensure that infrastructure needs keep pace with the pace of development.

- e. **Public Schools.** The Petitioner recognizes the importance of ensuring that school capacity and related matters are addressed as the Master Plan Site. And other portions of the Airport West and Dixie-Berryhill area are developed for residential uses that will add school age children to local schools. As such, the Petitioner commits to work in good faith with Charlotte-Mecklenburg Schools ("CMS"), Mecklenburg County and other educational institutions in recommendations agreed upon implementation of actions needed to address school needs. Petitioner will work with CMS and other stakeholders to establish a threshold level of increased demand for area schools based on the type and amount of residential development developed and the applicable school capacity levels

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- after which Petitioner will be required to provide support for school needs in the form of financial support, school land donations among other recommendations agreed upon in concert with CMS and the Planning Department. It is contemplated that the MOU will provide a framework for the planning and implementation of utility aspects associated with development of the Master Plan Site and the overall Airport West Corridor. Implementation.

- f. **Fire & Public Safety Services.** The Petitioner recognizes the importance of ensuring that fire and public safety services and related aspects are addressed as the Master Plan Site and other portions of the Airport West and Dixie-Berryhill area are developed. Petitioner commits to work in good faith with the Charlotte Mecklenburg Police Department ("CMPD"), the Charlotte Fire Department ("Fire Department") and other departments of the Charlotte in connection with planning for and implementation of actions needed to address fire and public safety needs. Petitioner will work with CMPD and the Fire Department to establish a threshold level of increased demand for public safety and fire services based on the type of residential development developed and the ability of fire and police to respond promptly in case of emergency in accordance with standard police and fire protocol for areas similar in nature to the Master Plan Site. After reaching such threshold Petitioner will be required to provide support for public safety and fire needs in the form of financial support, facility/land donations among other recommendations agreed upon in concert with CMPD and the Fire Department. It is contemplated that the MOU will provide a framework for the planning and implementation of fire and public safety related aspects associated with development of the Master Plan Site and the overall Airport West Corridor.

- g. **Transit & Smart City.** Development of the Master Plan Site presents an opportunity for the creation of a transformative community with innovative public parks and recreation facilities that may serve as a model for master planned communities in the Carolinas and beyond. Accordingly, portions of the Rezoning Plan describe certain wide-ranging environmental commitments of the Petitioner regarding development of the Master Plan Site. In addition, it is recognized that transit and "Smart City" technology related infrastructure and services are important to the creation over time of such a transformative community. As such, the Petitioner commits to work in good faith with the Charlotte Area Transit System ("CATS"), Mecklenburg County Land Use Environmental Services ("LUES"), the Energy & Sustainability Manager & Department of the City and other departments of local and state in connection with planning for and implementation of actions needed to address long term transit and "Smart City" technology needs. Reference is made to [Sheet RZ-4] for the Environmental Vision Plan applicable actions, a number of governmental and sustainability components and commitments associated with the Rezoning Plan. Furthermore, it is contemplated that the MOU will provide a framework for the planning and implementation of transit and "Smart City" technology needs goals associated with development of the Master Plan Site and the overall Airport West Corridor.

- h. **Parks & Recreation Facilities.** The Petitioner recognizes that transformative communities with exceptional livability require not only public parks and recreation facilities. Portions of the Rezoning Plan describe certain commitments of the Petitioner regarding creation of greenways and trails within Master Plan Site as development of the Master Plan Site occurs over time. These include, without limitation, the creation of greenways and trails within the Master Plan Site as set forth on [Sheet RZ-4] and certain other commitments regarding greenways, trails and PCO set forth in the District Development Standards. In addition, Petitioner commits to work in good faith with Mecklenburg County Parks & Recreation ("Parks & Rec"), other departments of the City and the local development and community stakeholders in connection with planning for and implementation of actions needed to address parks and recreation needs. It is contemplated that the MOU will provide a framework for the planning and implementation of parks and recreation related aspects

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- associated with development of the Master Plan Site and the overall Airport West Corridor. These efforts will include certain commitments of the Petitioner to the creation of open space and recreation areas to serve the Master Plan Site and the overall Airport West Corridor.

- i. **Workforce Housing.** The Petitioner recognizes that transformative communities with exceptional livability also require a variety of housing opportunities not only in terms of variety of housing types but also affordability options to promote a vibrant community accessible to residents who will make up the broad-based workforce associated with the community vision. Accordingly, Petitioner commits to work with the City and Mecklenburg County as part of the MOU to develop a plan for addressing the objectives of ensuring workforce housing opportunities. This plan is contemplated to include public support in the form of tax increment grants or otherwise, involvement of workforce housing targeted development entities such as the Charlotte Mecklenburg Housing Partnership and/or other such workforce housing vehicles. It is contemplated therefore that the MOU will provide a framework for the planning and implementation of workforce housing related aspects associated with development of the Master Plan Site and the overall Airport West Corridor.

- v. **Proposed Phase I Transportation Improvements.**

- [Sheet RZ-10] sets forth development to be undertaken in connection with Phase I of the Master Plan Site (the "Phase I Development"). As part of the Phase I Development, the Petitioner will set forth or cause to be provided on its own or in cooperation with other parties, including without limitation local or state governmental bodies by way of public/private partnerships or otherwise, which City implement portions of the improvements, the improvements set forth below (the "Phase I Transportation Improvements") to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

- The following Phase I Transportation Improvements are also illustrated on Figure 11.1 located on [Sheet RZ-11B] of the Rezoning Plan. Figure 11.1 is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number when describing an improvement corresponds to the number found on Figure 11.1 on [Sheet RZ-11B] for the proposed improvement).*

- a. **West Blvd. & I-485 Inner Loop Ramps (recommended signalization)**

- The installation of a traffic signal.
- Extend the existing eastbound left turn lane storage on West Blvd. from 275 feet to 700 feet and construct a 2nd eastbound left turn lane on West Boulevard with 700 feet of storage and a 200-foot bay taper (to the existing westbound left turn lane at the 485 Outer Loop Entrance Ramp with the 2nd westbound left turn lane on West Boulevard with 250 feet of storage and a 200-foot bay taper (to the existing eastbound left turn lane at the I-485 Inner Loop Ramps intersection).
- o This project will require a 2nd receiving lane on the I-485 Outer Loop Entrance Ramp with a minimum of 500 feet of full lane and a 400-foot taper (typical lengths based on similar adjacent interchanges on I-485).
- Extend the existing northbound left turn lane storage on the I-485 Inner Loop Exit Ramp from 140 feet to 650 feet with an appropriate bay taper.
- It should be noted that there are no pedestrian amenities at or within the immediate vicinity of the intersection; however, improvements such as high-visibility crosswalks, pedestrian signal heads and pushbuttons should be considered.

- b. **West Blvd./West Blvd. Extension & I-485 Outer Loop Ramps (recommended signalization)**

- Realign West Boulevard to the north to better line up with the existing bridge deck over I-485.
- The installation of a traffic signal.
- Construct a short (200-foot) 2nd westbound turn lane on West Blvd. east of the intersection starting with a 150-foot taper (to an existing gantry for the bridge deck over I-485).
- Construct a 2nd westbound left turn lane on West Boulevard with 250 feet of storage and a 200-foot bay taper (to the existing eastbound left turn lane at the I-485 Inner Loop Ramps intersection).
- o This will require a 2nd receiving lane on the I-485 Outer Loop Entrance Ramp with a minimum of 500 feet of full lane and a 400-foot taper (typical lengths based on similar adjacent interchanges on I-485).
- Extend the existing eastbound right turn lane storage on the 485 Outer Loop Exit Ramp from 140 feet to 400 feet and construct a 2nd southbound right turn lane with the 400 foot taper and appropriate bay taper.
- o The proposed West Blvd. Extension will include a five-lane section (two thru lanes in each direction with left turn lanes) – a 2nd de-facto receiving lane will be in place with the inclusion of this additional southbound right turn lane.
- Construct an eastbound right turn lane. This will be the termination of the outer eastbound thru lane associated with the West Blvd. Extension described below.
- It should be noted that there are no pedestrian amenities at or within the immediate vicinity of the intersection; however, improvements such as high-visibility crosswalks, pedestrian signal heads and pushbuttons should be considered.

- c. **West Blvd. Extension & Realigned Garrison Rd/Garrison Rd Extension (recommended signalization)**

- The installation of a traffic signal.
- West Blvd. Extension is expected to include a five-lane section (two travel lanes in each direction with a center median or left turn lanes); the two westbound lanes will terminate as separate left and right lanes at Realigned Dixie River Road.
- Realigned Garrison Road is expected to contain the following cross-section:
 - o Two southbound travel lanes
 - o A northbound left turn lane with 150 feet of storage and appropriate bay taper
 - o A northbound thru lane
 - o A 2nd westbound thru lane that terminates as a right turn lane at West Blvd. Extension
- Garrison Road Extension is expected to contain the following cross-section:
 - o A northbound receiving lane
 - o Dual southbound left turn lanes (the inner lane should contain a minimum 175 feet of storage and the outer lane should terminate as a left turn lane) with an appropriate bay taper
 - o A southbound combined thru-right turn lane
- Install pedestrian amenities such as sidewalks, high-visibility crosswalks, pedestrian signal heads and pushbuttons.

- d. **Realigned Dixie River Road & West Blvd. Extension (unsignalized)**

- Construct a northbound right turn lane on Realigned Dixie River Road with 325 feet of storage and appropriate bay taper.
- Construct a southbound left turn lane on Realigned Dixie River Road with 325 feet of storage and appropriate bay taper.
- o This will also require an appropriate thru lane taper on the south side of the intersection.
- West Blvd. Extension is expected to include a five-lane section (two travel lanes in each direction with a center median or left turn lanes); the two westbound lanes will terminate as separate left and right lanes at Realigned Dixie River Road.

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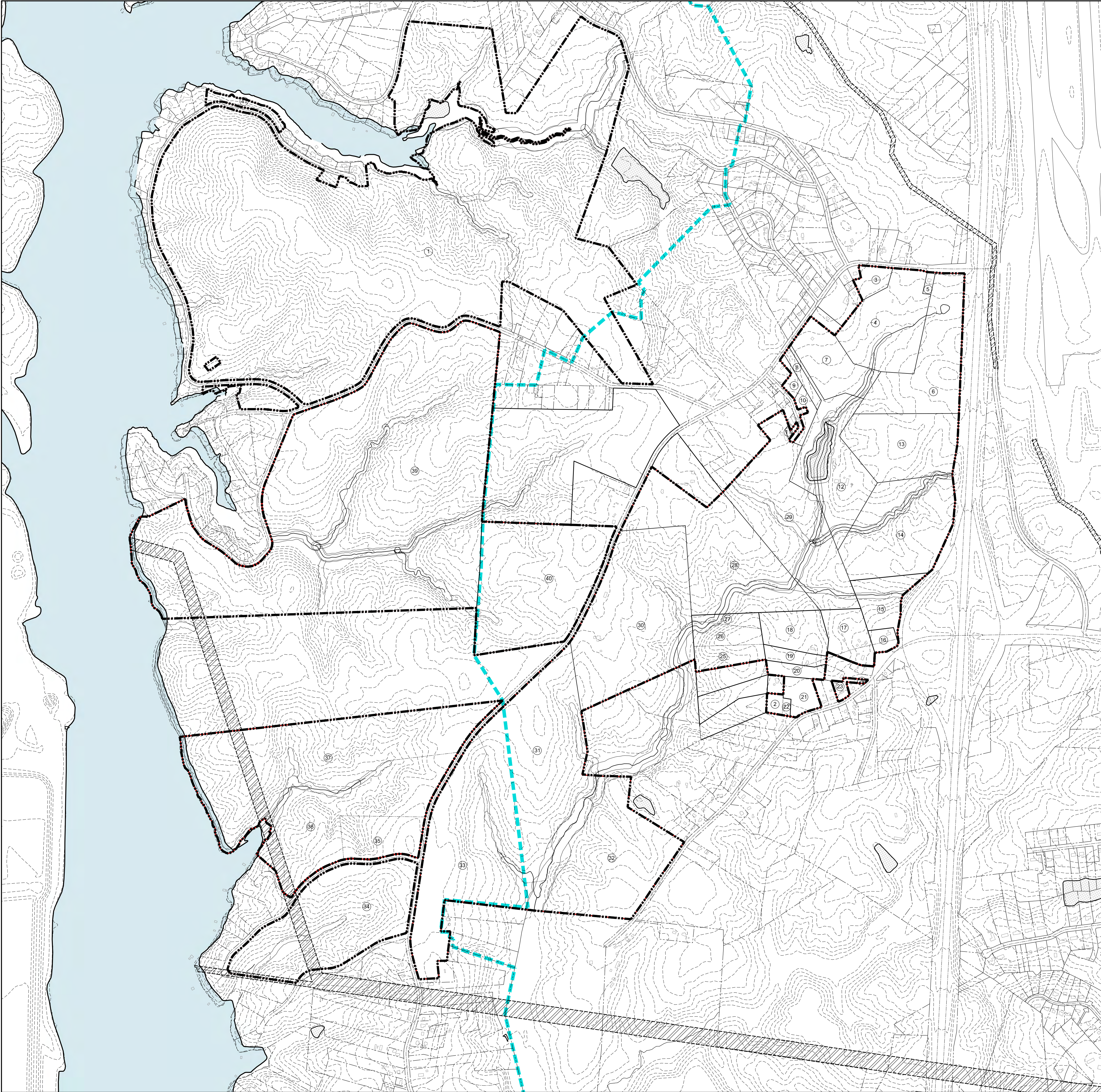
VI. Standards: Phasing of Phase I Improvements; Right of Way Availability; Alternative Improvements; Transportation Methodology for Future Phases & Access.

- a. **CDOT/NCDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the Airport West Corridor, by way of a private/public partnership effort or other public sector project support.

- b. **Phasing of Phase I Transportation Improvements.** Notwithstanding the commitments to provide the Phase I Transportation Improvements described in Section V. above, the following provisions shall permit Phase I Development to take place prior to completion of all of the above-referenced Phase I Transportation Improvements. **[NOTE: PHASE I IMPROVEMENTS PHASING PROVISIONS TO BE FORTHCOMING].**

- c. **Substantial Completion.** Reference to "substantial completion" for certain improvements as set forth in the provisions of Section V above and this Section VI shall mean completion of the roadway improvements in accordance with the standards set forth in Section V and Section VI above provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

- d. **Right-of-Way Availability.** It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of

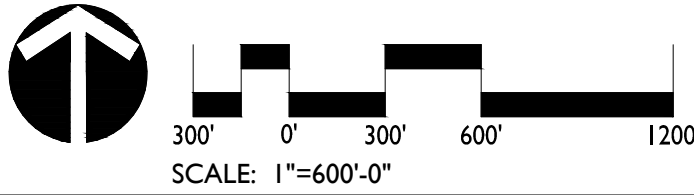


INTERNAL PARCELS	
1. CAROLINA CENTERS LLC C/O PROPERTY TAX DEPT TAX: 113-271-35 387.93 ac R-5	2. BUP SONG CHOE CHONG SUK CHOE TAX: 141-14-305 1.212 ac R-3
3. AUBREY J JR ELAM RODNEY J ELAM & T E MAZZUCCO TAX: 141-271-15 3.46 ac R-3	4. AUBREY J JR ELAM (ET-AL) TAX: 141-271-14 23.53 ac I-1
5. ELAM GROUP LLC (THE) TAX: 141-271-13 0.59 ac R-3	6. AUBREY J JR ELAM RODNEY J ELAM TAMARA E MAZZUCCO TAX: 141-271-12 28.20 ac I-1
7. WAYNE P COOPER TAX: 141-271-22 12.72 ac R-3	8. WAYNE P COOPER TAX: 141-271-24 2.29 ac R-3
9. WAYNE P COOPER TAX: 141-271-26 1.26 ac R-3	10. WAYNE P COOPER TAX: 141-271-27 2.1 ac R-3
11. WAYNE P COOPER TAX: 141-152-02 0.18 ac R-3	12. WAYNE P COOPER TAX: 141-271-23 23.03 ac R-3

13. VIVIAN S BROWN KRAMER MARGARET ALICE BROWN TEELE JULIA MAE BROWN DRAEGER TAX: 141-133-01 23.27 ac I-1	14. AUBREY J JR ELAM RODNEY ELAM & TAMARA MOZZUCCO TAX: 141-131-22 33.39 ac R-3
15. CLT INTERNATIONAL LLC TAX: 141-131-19 9.39 ac R-3	16. (TRUSTEES) ST JOHNS BAPTIST CHURCH TAX: 141-131-18 1.89 ac R-3
17. CLT INTERNATIONAL LLC TAX: 141-143-15 7.79 ac R-3	18. A J CHARLOTTE INVESTMENTS LLC TAX: 141-143-01 8.82 ac R-3
19. BUPSONG CHOE & CHONG SUK CHOE TAX: 141-143-02 2.76 ac R-3	20. BUPSONG CHOE & CHONG SUK CHOE TAX: 141-143-03 2.67 ac R-3
21. RS INVESTMENT GROUP LLC TAX: 141-143-07 3.88 ac R-3	22. MALI PROPERTIES INC. TAX: 141-143-06 5 ac R-3
23. DONG J KIM YOUNG S KIM TAX: 141-143-10 1 ac R-3	24. CLT INTERNATIONAL LLC TAX: 141-143-19 38 ac R-3

25. GREGORY GRIER MAJORIE GRIER 141-142-06 4.95 ac R-3	26. CHARLES III TORRENCE 141-142-07 4.95 ac R-3
27. VIVIAN L WILLIAMS 141-142-08 2.51 ac R-3	28. AUBREY J ELAM RODNEY J ELAM TAMARA E MAZZUCCO TAX: 141-152-21 46.83 ac R-3
29. WAYNE P COOPER TAX: 141-152-01 38.55 ac R-3	30. AUBREY J JR ELAM RODNEY J ELAM & TAMARA MAZZUCCO TAX: 141-142-09 57.89 ac R-3
31. CAROLINA CENTERS LLC C/O PROPERTY TAX DEPT TAX: 141-281-03 60.51 ac R-5	32. CAROLINA CENTERS LLC C/O PROPERTY TAX DEPT TAX: 141-281-02 43.24 ac R-5
33. CAROLINA CENTERS LLC C/O PROPERTY TAX DEPT TAX: 141-281-01 45.03 ac R-5	

34. CAROLINA CENTERS LLC C/O PROPERTY TAX DEPT TAX: 113-321-01 46.54 ac R-5	35. CAROLINA CENTERS LLC C/O PROPERTY TAX DEPT TAX: 113-291-04 11.47 ac R-5
36. CAROLINA CENTERS LLC C/O PROPERTY TAX DEPT TAX: 113-291-03 38.62 ac R-5	37. CAROLINA CENTERS LLC C/O PROPERTY TAX DEPT TAX: 113-291-01 70.40 ac R-5
39. CAROLINA CENTERS LLC C/O PROPERTY TAX DEPT TAX: 113-281-43 223.65 ac R-5	40. INC DEWAR DEVELOPMENT CORPORATION TAX: 113-201-01 50.34 ac R-3
41. CAROLINA CENTERS LLC TAX: 113-271-34 2.65 ac	



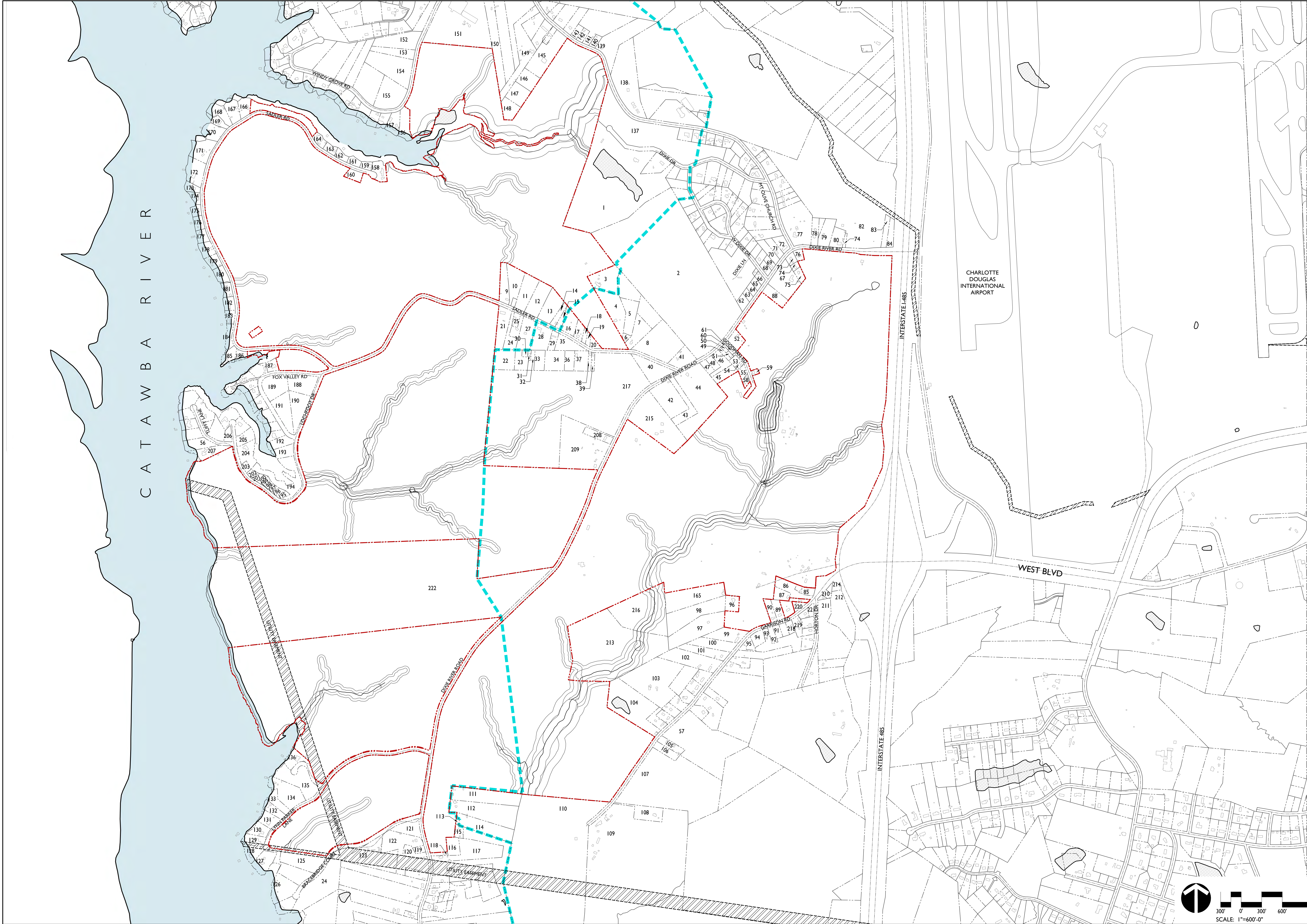
DATE: 03/28/16
DESIGNED BY: LR
DRAWN BY: LR
CHECKED BY: CMG
SCALE: 1"=600'-0"
PROJECT #: 1014342
SHEET #:
RZ-13

RIVER DISTRICT
REZONING PETITION NUMBER 2016-056
CHARLOTTE, NORTH CAROLINA
INTERNAL PARCEL DATA

REVISIONS:



LandDesign
223 N Graham Street Charlotte, NC 28202
V: 704.333.0325 F: 704.333.3246
www.LandDesign.com



DATE: 03/28/16
DESIGNED BY: LR
DRAWN BY: LR
CHECKED BY: CMG
SCALE: 1"=600'-0"
PROJECT #: 1014342

SHEET #:

RZ-14A

REVISIONS:

RIVER DISTRICT
REZONING PETITION NUMBER 2016-056
CHARLOTTE, NORTH CAROLINA
ADJACENT PROPERTY OWNERS



LandDesign
223 N Graham Street Charlotte, NC 28202
V: 704.333.0325 F: 704.333.3246
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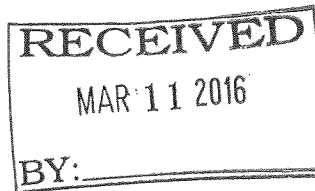
Adjacent Property Info					
no.	Parcel ID	Existing zoning	Owners Name (First, Last)	Address Property Owner	
1	11319208	R-5	Sue M. Friday	8700 Dixon Dr. Charlotte NC 28208	
2	11319206	R-5	Fietche, Harrington	3201 Sharon View Rd. Charlotte NC 28202	
3	11319206	R-5	Thomas, Wilkes	4909 Sadler Rd, Charlotte, NC, 28208	
4	11319202	R-5	Lena, Reid	4911 Sadler Rd. Charlotte, NC, 28208	
5	11319211	R-3	Benjamin, Hoover	4917 SADLER RD, Charlotte NC, 28208	
6	11319203	R-3	Benjamin, Hoover	4915 SADLER RD, Charlotte NC, 28208	
7	11319204	R-3	Golodine, Witherspoon	4917 Sadler Rd. Charlotte NC, 28278	
8	11319205	R-3	Alan, Buch	9200 Highland Creek PKWY, Charlotte NC., 28269	
9	11341101	R-5	Tonja, Wall	5533 Furrow Reach, Virginia Beach, VA, 23455	
10	11341201	R-3	Lillian, Grier	4539 Sadler Rd. Charlotte NC., 28208	
11	11341104	R-5	Boyd Wright	9943 Garthwood Rd., Charlotte NC 28208	
12	11341106	R-5	Murray Potts	4613 Sadler Rd. Charlotte NC., 28208	
13	11341107	R-5	Kevin Kearns	1681 Randolph Pl Memphis, TN., 38120	
14	11341108	R-5	James, Pettis	16639 Greenfarm LN, Huntersville, NC, 28278	
15	11341109	R-5	Delores, Baskett	4703 Sadler Rd. Charlotte, NC., 28208	
16	11341110	R-5	Karl, Haggard	1105 Graystone Dr., Winston-Salem, NC., 27105	
17	11341112	R-5	Ryan R Potts	7321 Marcel LN Unit 1037, Charlotte, NC, 28226	
18	11341113	R-5	Jose, Galan	11319 Treebank Dr. Pineville, NC., 28134	
19	11341114	R-3	Jose, Galan	11319 Treebank Dr. Pineville, NC., 28134	
20	11341115	R-3	Jose, Galan	11319 Treebank Dr. Pineville, NC., 28134	
21	11341218	R-5	Christopher, Harris	4524 Sadler Rd., Charlotte, NC, 28208	
22	11341210	R-5	James Watt	2114 Teddington Dr. Charlotte, NC, 28208	
23	11341209	R-3	Murray Pott	4613 Sadler Rd., Charlotte, NC., 28278	
24	11341217	R-5	Marquis Grier	4536 Sadler Rd., Charlotte, NC., 28278	
25	11341216	R-100	Leon Grier	4544 Sadler Rd., Charlotte, NC., 28278	
26	1134215	R-100	Steven Byers	4602 Sadler Rd., Charlotte NC., 28278	
27	1134214	R-3	Samuel, Watt	1416 Dean St. Charlotte, NC., 28216	
28	1134213	R-3	Lovie Withers	4652 Sadler Rd., Charlotte, NC, 28208	
29	1134212	R-100	Jamie Zimmerman	2620 Cuable Rd, Salisbury, Nc, 28144	
30	11341208	R-100	Henry Watt	4048 Hamilton Dr., Charlotte NC., 28216	
31	11341207	R-100	Todd Persicketti	15729 Eagle View Dr., Charlotte, NC, 28278	
32	11341206	R-100	James, Watt	2114 Teddington DR, Charlotte, NC., 28208	
33	11341205	R-3	James, Watt	2114 Teddington DR, Charlotte, NC., 28208	
34	11341219	R-3	Kelisha Thompson	4814 Sadler Rd, Charlotte, NC., 28278	
35	11341211	R-3	Reginald, Kerns	16639 Greenfarm Rd. Huntersville, NC, 28078	
36	11341204	R-3	Walter Mclain	4814 Sadler RD., Charlotte, NC., 28208	
37	11341203	R-3	Walter Mclain	4814 Sadler RD., Charlotte, NC., 28208	
38	11341202	R-3	Thomas Kerns	4816 Sadler RD., Charlotte, NC., 28208	
39	11341201	R-3	Jose, Galan	4818 Sadler RD., Charlotte, NC., 28208	
40	11320104	R-3	Alan Buch	9200 Highland Creek PKWY, Charlotte, NC., 28269	
41	11319207	R-3	Carlos, Jonas	3713 Shirley Dr, Charlotte, NC., 28214	
42	14115218	R-3	Alan Buch	9200 Highland Creek PKWY, Charlotte, NC., 28269	
43	14115225	R-3	Leon Sifford	5408 Dowgate Dr. Charlotte, NC., 28208	
44	14115217	R-3	Alan Buch	9200 Highland Creek PKWY, Charlotte, NC., 28269	
45	14115226	R-3	Brown Thompson	5828 Goodman Rd., Charlotte, NC, 28208	
46	14115214	-3	Carol Smith	7440 Ann Smith LN, Charlotte, NC., 28278	
47	14115215	R-5	James, Watt	5216 MT. Olive Church Rd., Charlotte, NC., 28278	

48	14115216	R-5	Micheal Cole	194 Shoreline Loop, Mooresville, NC., 28117	
49	14115213	R-5	William Jones	4128 Carlyle Dr, Charlotte, NC., 28208	
50	14115223	R-5	William Jones	4128 Carlyle Dr, Charlotte, NC., 28208	
51	14115212	R-5	Patricia Camps	3640 Morris Field Dr., Charlotte NC., 28208	
52	14127125	R-3	Pamella Thompson	5414 Wilkinson BLVD, Charlotte, NC., 28208	
53	14115208	R-100	Pamella Thompson	5414 Wilkinson BLVD, Charlotte, NC., 28208	
54	14115207	R-100	Richard Pollock	11719 Withers Mill Dr., Charlotte, NC., 28278	
55	14115206	R-100	Brown Thompson	5828 Goodman Rd., Charlotte, NC, 28208	
56	11328122	R-5	Trent, Haston	4017 Tuffy Lane, Charlotte, NC, 28208	
57	14118165	R-120	Mary, Sweet	115 Highwoods Drive, Goldsboro, NC 27530	
58	14115205	R-100	Brown Thompson	5828 Goodman Rd., Charlotte, NC, 28208	
59	14127128	R-100	Rudolph Ferguson	5307 Elderbank Dr., Charlotte, NC., 28216	
60	14115211	R-100	Emma Goodman	8814 Dixie River RD., Charlotte, NC., 28208	
61	14115210	R-100	Isaac Est. Camps	4328 Pebblebrook Dr., Charlotte, NC., 28208	
62	11319301	R-3	Everette Jones	5404 Wilgrove Mine Hill Rd, Charlotte, NC., 28227	
63	11319302	R-3	John Mayhue	8733 West Dixie DR., Charlotte, NC., 28278	
64	11319303	R-3	John Mayhue	8733 West Dixie DR., Charlotte, NC., 28278	
65	11319310	R-3	John Mayhue	8733 West Dixie DR., Charlotte, NC., 28278	
66	11319304	R-3	Micheal Killion	8515 Dixie River RD., Charlotte, NC., 28208	
67	14127120	I-1	Ronald Porter	9116 Dixie River Rd., Charlotte, NC., 28208	
68	11319615	R-100	Mathew Sullivan	4201 Denver Ave, Charlotte, NC., 28208	
69	11319616	C-700	Carol, Smith	7440Ann Smith Ln., Charlotte NC., 28208	
70	11319617	R-100	Carol, Smith	7440Ann Smith Ln., Charlotte NC., 28208	
71	11319618	R-100	Carol, Smith	7440Ann Smith Ln., Charlotte NC., 28208	
72	11319619	R-100	Melissa Luther	9143 Dixie River Rd., Charlotte, NC., 28278	
73	14127117	R-3	John McGinnis	9136 Dixie River Rd., Charlotte, NN., 28278	
74	14127118	R-3	Domingo Lovo	9130 Dixie River RD., Charlotte NC., 28278	
75	14127119	I-1	Teodora, Hatcu	9128 Dixie River RD., Charlotte NC., 28278	
76	14127116	R-100	Aubrey, Elam	5017 Srus LN, Charlotte NC., 28208	
77	11315207	R-3	Albert Pickett	5621 Mount Olive Church Rd., Charlotte, NC., 28278	
78	11315231	R-3	Anthony Narciso	99 Independence Ave. Quincy, MA, 02169	
79	11315209	R-3	Carol, Smith	7440Ann Smith Ln., Charlotte NC., 28208	
80	11315210	R-3	City Of Charlotte	600 East Fourth ST., Charlotte NC., 28202	
81	11315211	R-3	City Of Charlotte	600 East Fourth ST., Charlotte NC., 28202	
82	11315212	R-3	City Of Charlotte	600 East Fourth ST., Charlotte NC., 28202	
83	11315213	R-100	City Of Charlotte	600 East Fourth ST., Charlotte NC., 28202	
84	11315214	R-100	City Of Charlotte	600 East Fourth ST., Charlotte NC., 28202	
85	14114314	MH-0	Lamar Grier	9900 Garrison RD., Charlotte, NC., 28208	
86	14114313	MH-0	Lamar Grier	9900 Garrison RD., Charlotte, NC., 28208	
87	14114312	R-3	Robert Sifford	4528 MT Olive Church RD., Charlotte, NC., 28208	
88	14127121	R-3	Daniel H Porter	9415 Pinewood Ave. Charlotte, NC 28214	
89	14114309	R-3	John, Morrow	10010 Garrison RD., Charlotte, NC., 28208	
90	14114308	R-3	Bricio, Soto	10018 Garrison RD., Charlotte, NC., 28208	
91	14118110	R-3	Young, Kim	8155 Ardrey Kell RD, Unit 102, Charlotte, NC., 28277	
92	14118124	R-3	Aaron Horton	10029 Garrison Rd. Charlotte, NC, 28208	
93	14118113	R-3	Aaron Horton	10029 Garrison Rd. Charlotte, NC, 28208	
94	14118114	R-3	Jesus Salinas	6011 Kerkwynd Commons Dr, Charlotte, NC., 28278	
95	14118130	R-3	National Bank NA.	525 NorthTryon St. NC-1023-03-03, Charlotte, NC, 28225	
96	14114304	R-3	Charles, Torrence	10114 Garrison Rd. Charlotte, NC, 28208	
97	14114203	R-3	Clarence H Grier	6 Millstone Rd. Randallstown, MD 21133	

98	14114204	R-3	Calvin A. Grier	3735 Patterson Ave. Baltimore, MD 21207	
99	14114112	R-3	Maureen, McCrorie	10 Tripoli CT, Hanahan, SC 29406	
100	14114109	R-3	Kenneth, McCrorie	10216 Garrison RD, Charlotte, NC, 28208	
101	14114111	R-3	Kenneth, McCrorie	10216 Garrison RD, Charlotte, NC, 28208	
102	14114108	R-3	Kenneth, McCrorie	10216 Garrison RD, Charlotte, NC, 28208	
103	14114104	R-3	Rushing, Louise	10300 Garrison Rd, CharlotteNc, 28208	
104	14114101	R-5	Rushing, Louise	10300 Garrison Rd, CharlotteNc, 28208	
105	14118119	R-3	Charles, Mobley	320 Meadowridge Dr. Maiden, NC, 28650	
106	14129107	R-3	Charles, Mobley	320 Meadowridge Dr. Maiden, NC, 28650	
107	14129101	MX-1	William, Shaw	10812 Garrison Rd, Charlotte, NC, 28208	
108	14129102	R-3	Dwight, Burris	10723 Garrison Rd, Charlotte, NC, 28278	
109	14129103	MX-1	William, Shaw	10812 Garrison Rd, Charlotte, NC, 28208	
110	14129105	R-5	Burris Holdings LLC	10723 Garrison Rd, Charlotte, NC, 28278	
111	14116102	R-5	Brenda, Campbell	8757 Vicergal CT, Charlotte, NC, 28216	
112	14116103	R-5	Sims, Graves	10840 Rio Springs Dr., Raleigh, NC 27614	
113	14116105	R-5	Ronnie, Delapp	4411 Button Pointe CT, Charlotte NC, 28216	
114	14116104	R-5	Henrietta, Woodard	1120 Scalesbark Rd, Charlotte, NC., 28209	
115	14116106	R-5	Bernice Hogan	4408 Westland Farm Rd, Mount Holly, NC 28120	
116	14116109	R-5	Wilmore, Brown	7006 Dixie River RD, Charlotte, NC, 28208	
117	14116111	R-5	Wilmore, Brown	7006 Dixie River RD, Charlotte, NC, 28208	
118	14116110	R-5	Wilmore, Brown	7006 Dixie River RD, Charlotte, NC, 28208	
119	11321114	R-5	George, White	7015 Dixie River RD, Charlotte, NC, 28208	
120	11321129	R-5	Loretta, White	7015 Dixie River RD, Charlotte, NC, 28208	
121	11321141	R-5	Corolina Centers LLC	227 W Trade St, STE 1000, Charlotte, NC 28202	
122	11321113	R-5	Carl, Frazier	7021 DixieRiver Rd, Charlotte, NC 28278	
123	11321111	R-5	Arturo, Luna	3526 Seaman Dr., Charlotte, NC, 28217	
124	11321139	R-5	Tamsen, Scott	6830 Buckland Rd, Charlotte, NC 28278	
125	11332113	R-5	Jenny, Shaffner	8744 Bracebridge CT, Charlotte, NC, 28278	
126	11332112	R-5	Charlotte, Yatch Club	14309 Sadler Rd, Charlotte, NC, 28278	
127	11332102	R-5	Gregory, Landess	8957 Lynn Parker LN, Charlotte, NC 28208	
128	11332103	R-5	Kenneth, Hoag	8932 Lynn Parker LN, Charlotte, NC 28278	
129	11332110	R-5	Derrick Walkler	3000 Queensdale Dr., Monroe, NC, 28110	
130	11332104	R-5	Patrick, Tynan	8920 Lynn Parker LN, Charlotte, NC, 28278	
131	11332105	R-5	Sandra, Karr	8912 Lynn Parker LN, Charlotte, NC, 28208	
132	11332106	R-5	Edgar, Grant	8909 Lynn Parker LN, Charlotte, NC, 28208	
133	11332107	R-5	Phillip, Sparrow	8900 Lynn Parker LN, Charlotte, NC, 28208	
134	11332108	R-5	Phillip, Sparrow	9411 Fair Lane DR, Charlotte, NC 28214	
135	11332111	R-5	Phillip, Sparrow	7440 Ann Smith LN, Charlotte, NC, 28208	
136	11332109	R-5	Carol, Smith	301 Oakland LN, Charlotte, NC, 27516	
137	11337201	R-5	Raymond, Waddell	4629 MT Olive Church Rd, Charlotte, NC, 28276	
138	11338131	R-5	Eric Riggins	4721 Mt. Olive Church Rd, Charlotte, NC, 28278	
139	11338130	R-5	Steven, Caldwell	4715 Mt. Olive Church Rd, Charlotte, NC, 28278	
140	11338129	R-5	Nancy, Moffitt	4715 Mt. Olive Church Rd, Charlotte, NC, 28278	
141	11338128	R-5	Nancy, Badgood	4625 Mt. Olive Church Rd, Charlotte, NC, 28278	
142	11338127	R-5	Paul, Thang	4625 Mt. Olive Church Rd, Charlotte, NC, 28278	
143	11338126	R-5	Duong, Vu	4600 Mt. Olive Church Rd., Charlotte, NC, 28278	
144	11338125	R-5	Colleen, Grier	4600 Mt. Olive Church Rd., Charlotte, NC, 28278	
145	11340104	R-5	Robert, Grier	6013 Crape Myrtle LN, Charlotte, NC., 28216	
146	11340103	R-5	Carol, Stowe	4600 Mt. Olive Church Rd., Charlotte, NC, 28278	
147	11340102	R-5	Colleen, Grier	4600 Mt. Olive Church Rd., Charlotte, NC, 28278	

148	11340101	R-5	Evelyn, Herron	5216 Mount Olive Church Rd, Charlotte, NC., 28278
149	11340109	R-5	Tomas, Al	2818 Executive ST 667667, Charlotte, NC., 28266
150	11340112	R-5	Rhonda, Parker	5929 Mykaia CT, Raleigh, NC, 27616
151	11326101	R-5	Charlotte- Mecklenburg Board of Education	PO Box 30035, Charlotte, NC, 28230
152	11325165	R-5	Eva, Urbina	9038 Silver Coach LN, Charlotte, NC, 28273
153	11325153	R-5	Daniel, Porter	9415 Pinewood AV, Charlotte, NC, 28214
154	11325154	R-5	Daniel, Porter	9415 Pinewood AV, Charlotte, NC, 28214
155	11325155	R-5	Jim, Brown	10901 Windy Grove RD, Charlotte, NC 28208
156	11325101	R-5	Brenda, Painter	6725 Sullins Rd, Charlotte, NC, 28214
157	11325102	R-5	Keith, Thompson	10825 Windy Grove RD., Charlotte, NC 28214
158	11327129	R-5	Michael, McKenzie	2600 Sadler Rd, Charlotte, NC, 28278
159	11327128	R-5	William, Nunn	2608 Sadler Rd, Charlotte, NC, 28278
160	11327136	R-5	William, Nunn	2608 Sadler Rd, Charlotte, NC, 28278
161	11327127	R-5	Margrette, Thomas	17204 N. Meadowview, Nine Mile Falls, WA., 99026
162	11327126	R-5	Paul, McGill	2640 Sadler Rd, Charlotte, NC, 28208
163	11327125	R-5	Helen, POorter	2704 Sadler Rd, Charlotte, NC, 28208
164	11327124	R-5	Donald, Porter	2730 Sadler Rd, Charlotte, NC, 28208
165	14114205	R-3	Pearlie T. Williams	8337 Rego St. Charlotte, NC 28116
166	11327122	R-5	Carolina Sisters of Mercy of North	110 Mercy Dr, Belmont, NC, 28012
167	11327121	R-5	Corey, Ballou	2938 Sadler Rd., Charlotte, NC, 28278
168	11327120	R-5	Michael Warner	3016 Sadler Rd., Charlotte, NC, 28278
169	11327131	R-5	Michael Warner	3016 Sadler Rd., Charlotte, NC, 28278
170	11327119	R-5	Robert, McIlroy	3032 Sadler Rd., Charlotte, NC, 28278
171	11327118	R-5	Sadler Road LLC	3100 Sadler Rd., Charlotte, NC, 28278
172	11327116	R-5	Robert, McIlroy	PO Box 36483, Charlotte, NC, 28203
173	11327115	R-5	Ozzie, Simerly	3208 Sadler Rd, Charlotte, NC, 28208
174	11327114	R-5	Andrew Griffith	3232 Sadler Rd, Charlotte, NC, 28278
175	11327113	R-5	Darrell, Young	3238 Sadler Rd, Charlotte, NC, 28278
176	11327112	R-5	Nicholas, Bratnick	3308 Sadler RD., Charlotte, NC, 28278
177	11327111	R-5	PaulineTaylor	3374 Sadler RD., Charlotte, NC, 28278
178	11327110	R-5	Robert, Ridenhour	3336 Sadler RD., Charlotte, NC, 28278
179	11327109	R-5	Thomas, Cooper	3408 Sadler RD, Charlotte, NC, 28208
180	11327108	R-5	Hester, Shank	3432 Sadler Rd,Charlotte, NC,28278
181	11327107	R-5	Larry Shanks	3520 Sadler RD, Charlotte, NC,28208
182	11327106	R-5	Daniel, Porter	9415 Pinewood Ave, Charlotte, NC, 28214
183	11327105	R-5	Clarence, Moss	3600Sadler Rd., Charlotte, NC, 28278
184	11327133	R-5	Irene Zink	3616 Sadler RD, Charlotte, NC, 28278
185	11327103	R-5	Rhett Brown	3616Sadler Rd., Charlotte,NC., 28278
186	11327102	R-5	Alice Green	3710 Sadler Rd, Charlotte, NC,28208
187	11328117	R-5	EFTRE LLC	4200 Section View LN., Charlotte, NC 28278
188	11328203	R-5	Jerry Barefoot	PO Box 19006 Charlotte, NC 28219
189	11328204	R-5	Jerry Barefoot	PO Box 19006 Charlotte, NC 28219
190	11328202	R-5	Jerry Barefoot	PO Box 19006 Charlotte, NC 28219
191	11328201	R-5	Jerry Barefoot	PO Box 19006 Charlotte, NC 28219
192	11328147	R-5	Thinh, Vu	3108 Highgate DR, FT Mill, SC, 29715
193	11328146	R-5	Thinh, Vu	3108 Highgate DR, FT Mill, SC, 29715
194	11328119	R-5	Jerry, Barefoot	4330 Tuffy LN, Charlotte, NC 28278
195	11328142	R-5	Jerry Barefoot	PO Box 19006 Charlotte, NC 28219
196	11328141	R-5	Jerry Barefoot	PO Box 19006 Charlotte, NC 28219
197	11328140	R-5	Jerry Barefoot	PO Box 19006 Charlotte, NC 28219
198	11328139	R-5	Jerry Barefoot	PO Box 19006 Charlotte, NC 28219
199	11328138	R-5	Jerry Barefoot	PO Box 19006 Charlotte, NC 28219

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2016-072

Petition #:	_____
Date Filed:	3/11/2016
Received By:	Rt

Complete All Fields (Use additional pages if needed)

Property Owner: DV XV, LLC

Owner's Address: 316 Lockley Road City, State, Zip: Charlotte, NC 28207

Date Property Acquired: March, 2016

Property Address: 222 South Colonial Avenue

Tax Parcel Number(s): Portion of Tax Parcel No. 155-015-11 (see attached survey and legal description)

Current Land Use: Office Size (Acres): +/- .422 acres

Existing Zoning: O-1 Proposed Zoning: O-2

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, Kathy Cornett et al.

Date of meeting: January 6, 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: _____

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

DV XV, LLC
By: [Signature]
Signature of Property Owner

Brian A. Bucci
(Name Typed / Printed)

DV XV, LLC (c/o Brian Bucci)
Name of Petitioner(s)

316 Lockley Drive
Address of Petitioner(s)

Charlotte, NC 28207
City, State, Zip

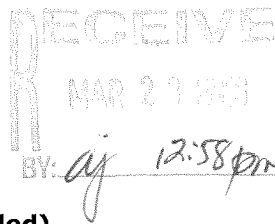
401-737-4111
Telephone Number Fax Number

brian@brianbucci.com
E-Mail Address

DV XV, LLC
By: [Signature]
Signature of Petitioner

Brian Bucci
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2016-073
Date Filed: _____
Received By: _____

Complete All Fields (Use additional pages if needed)

Property Owner: Pamela B. Martin

Owner's Address: P.O Box 892 City, State, Zip: Matthews, NC 28106

Date Property Acquired: August 23, 2000

Property Address: 3215 N. Davidson Street, Charlotte, NC 28205

Tax Parcel Number(s): # 08308414

Current Land Use: Restaurant EDEE Type II Size (Acres): .151

Existing Zoning: B-1 Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders Frye, Shannon Frye, Monica Holmes and Kory Hedrick
Date of meeting: March, 22 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): N/A

Purpose/description of Conditional Zoning Plan: Rezoning of parcel to allow adaptive reuse of the existing building.

Optional zoning is required to allow use with the unique constraints of the subject parcel and use of the existing building.

Russell W. Fergusson
Name of Rezoning Agent

P.O. Box 5645
Agent's Address

Charlotte, NC 28299
City, State, Zip

(704) 234-7488 (704) 612-0271
Telephone Number Fax Number

rwf@russellwfergusson.com
E-Mail Address

PAMELA B. MARTIN Pamela B. Martin
Signature of Property Owner

Pamela B. Martin
(Name Typed / Printed)

NODA 3215, LLC
Name of Petitioner(s)

3931 Glenwood Drive
Address of Petitioner(s)

Charlotte NC 28208
City, State, Zip

(704) 392-8888
Telephone Number Fax Number

rwf@russellwfergusson.com
E-Mail Address

Signature of Petitioner

Christopher Ingram, Manager
(Name Typed / Printed)

NOTES FOR REZONING # _____

3215 NORTH DAVIDSON STREET, PARCEL # 08308414

1. DEVELOPMENT DATA TABLE

- A. SITE ACREAGE: .144 ACRES
- B. TAX PARCELS INCLUDED IN REZONING: #08308414
- C. EXISTING ZONING: B-1
- D. PROPOSED ZONING: MUDD-O
- E. EXISTING USE: RESTAURANT
- PROPOSED USES: ANY USE OR COMBINATION OF USES PERMITTED IN SECTIONS 9.8502 AND 9.8503 OF THE CITY OF CHARLOTTE ZONING ORDINANCE.
- F. NUMBER OF RESIDENTIAL UNITS BY HOUSING TYPE: N/A
- G. RESIDENTIAL DENSITY: N/A
- H. SQUARE FOOTAGE OF NON-RESIDENTIAL USES BY TYPE (RETAIL, OFFICE, INDUSTRIAL, ETC.)
- I. FLOOR AREA RATIO: N/A
- J. MAXIMUM BUILDING HEIGHT: 50 FT.
- K. NUMBER AND/OR RATIO OF PARKING SPACES: NONE, PER ORDINANCE & OPTIONAL PROVISIONS NOTED
- L. AMOUNT OF OPEN SPACE: N/A - BUILDING AREA < 50,000 SF

2. GENERAL PROVISIONS

- A. THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE SITE PLAN AND NOTES COMPRISING THIS REZONING PLAN (THE "REZONING PLAN") AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). THE REGULATIONS ESTABLISHED FOR THE ZONING OF THE MUDD ZONING DISTRICT, SHALL GOVERN THE DEVELOPMENT OF THIS SITE, SUBJECT TO THE OPTIONAL PROVISIONS HEREIN.
- B. THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC AND REPRESENTS THE GENERAL PROPOSAL FOR THE PROJECT. ACCORDINGLY, THE CONFIGURATION, PLACEMENT, SIZE AND NUMBER OF STAIRS, SIDEWALKS, TREES, RAMPS, PATIO, PARKING AREAS AND/OR SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ZONING ORDINANCE, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.
- C. SHOULD THE EXISTING BUILDING BE TORN DOWN, SITE WILL BE REQUIRED TO BE REZONED.
- D. ALTERATIONS TO THE CONDITIONAL PLAN ARE SUBJECT TO SECTION 6.207.

3. OPTIONAL PROVISIONS

- a.PARKING REQUIREMENTS SHALL BE REDUCED TO ZERO TOTAL SPACES FOR ANY PERMITTED USES AND NO PARKING SHALL BE REQUIRED FOR EXPANSION OF THE SQUARE FOOTAGE AS PERMITTED BY THIS REZONING PLAN.
- b.EXISTING BUILDINGS, FAÇADE, ENTRYWAYS AND DOORS MAY BE PRESERVED AND ADDITIONAL DOORWAYS MAY BE ADDED, INCLUDING ROLL-UP DOORS AS SET FORTH IN THE REZONING PLAN.
- c.THE EXISTING SIDEWALK FOOTPRINT SHALL REMAIN WITH IMPROVEMENT OF THE CURB AND IMPLEMENTATION OF A MODIFIED TYPE II COMMERCIAL DRIVE AS SHOWN ON THE REZONING PLAN.
- d. SHOULD THE EXISTING BUILDING BE TORN DOWN, SITE WILL BE REQUIRED TO BE REZONED.
- e.PLANTING AREAS, AS SHOWN, SHALL REPLACE REQUIREMENT FOR PLANTING STRIPS AND MAY ENCROACH INTO 14 FOOT SETBACK AS SHOWN ON THE REZONING PLAN.
- f.EXISTING BUILDING ART AND SIGNAGE MAY REMAIN AND BE RESTORED, BUT ANY ADDITIONAL SIGNAGE SHALL BE PER ORDINANCE REQUIREMENTS.
- g.ADDITIONAL COVERED PATIOS AND AWNINGS MAY BE ADDED TO EXISTING BUILDING AS SHOWN ON THE SITE PLAN.

4. PERMITTED USES

- A. ALLOWED USES: ANY USE OR COMBINATION OF USES AND ACCESSORY USES AS PERMITTED IN SECTIONS 9.8502 AND 9.8503 OF THE CITY OF CHARLOTTE ZONING ORDINANCE.

5. TRANSPORTATION

- A. MODIFIED TYPE II COMMERCIAL DRIVE AS SHOWN ON REZONING PLAN, WHICH MAY BE MODIFIED TO LIMIT GRADE CHANGES TO PEDESTRIAN SIDEWALK.
- B. BICYCLE PARKING SPACES TO BE PROVIDED IN EXCESS OF ORDINANCE REQUIREMENTS.
- C. PLANTING AREAS SHALL REPLACE REQUIREMENT FOR PLANTING STRIPS AND MAY ENCROACH INTO 14 FOOT SETBACK AS SHOWN ON THE REZONING PLAN.

6. ARCHITECTURAL STANDARDS

- A. EXISTING BUILDINGS TO REMAIN THE SAME HEIGHT WITH THE EXCEPTION OF POTENTIAL ROOF PATIO. OVERALL HEIGHT SHALL NOT EXCEED 50'.
- B. URBAN DESIGN ELEMENTS TO INCLUDE PEDESTRIAN ORIENTED ENTRANCES, COVERED AND UNCOVERED PATIOS AND FENESTRATION OF STREET FACADES.
- C. INCORPORATION OF ARTWORK AND DESIGN COMPONENTS.

7. STREETScape AND LANDSCAPING

- A. PETITIONER TO PROVIDE A 8' SIDEWALK AND PLANTING AREAS AS SHOWN ON THE REZONING PLAN. PLANTING AREAS SHOWN ON MAP SHALL REPLACE REQUIREMENT FOR PLANTING STRIPS AND

- MAY ENCROACH INTO 14 FOOT SETBACK AS SHOWN ON THE REZONING PLAN AND MAY INCLUDE ARTWORK.
- B. ADDITION OF STREET TREES AND INTERIOR TREES SHALL BE LIMITED TO THE PLANTING AREAS.

8. ENVIRONMENTAL FEATURES

- A. TREE SAVE AREAS - N/A

9. PARKS, GREENWAYS AND OPEN SPACE

- A. RESERVATION/DEDICATION OF PARK AND/OR GREENWAY: N/A
- B. PARK AND/OR GREENWAY IMPROVEMENTS: N/A
- C. PRIVATELY CONSTRUCTED OPEN SPACE AS SHOWN ON PATIO AREAS AND ROOF-TOP PATIO.

10. FIRE PROTECTION

- A. PER APPLICABLE ORDINANCE.

11. SIGNAGE

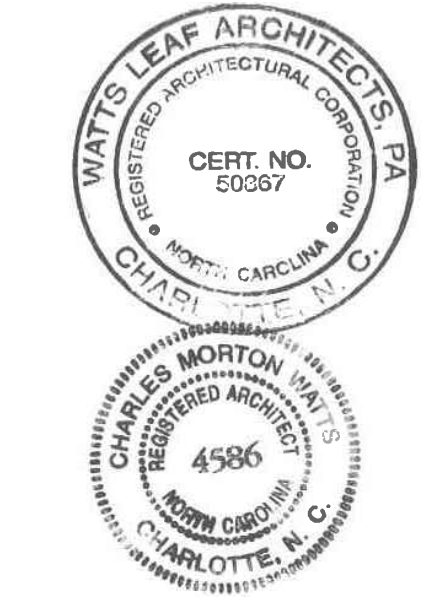
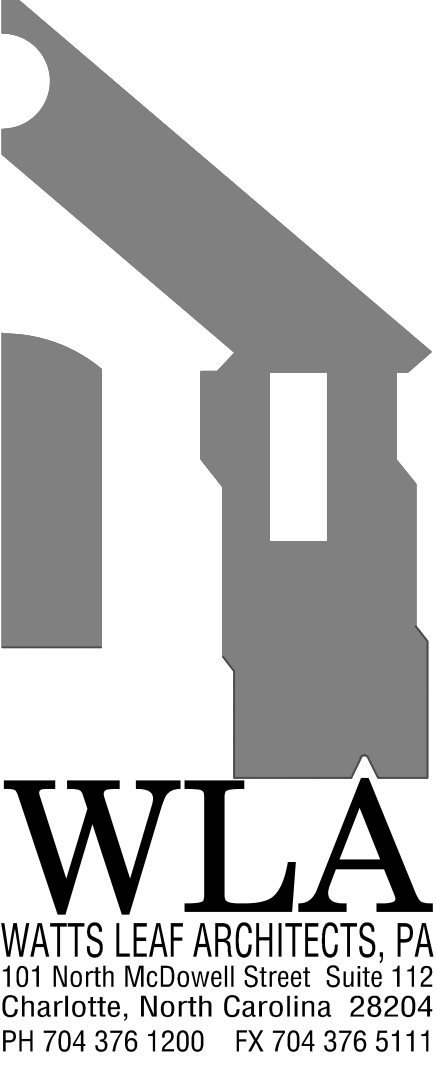
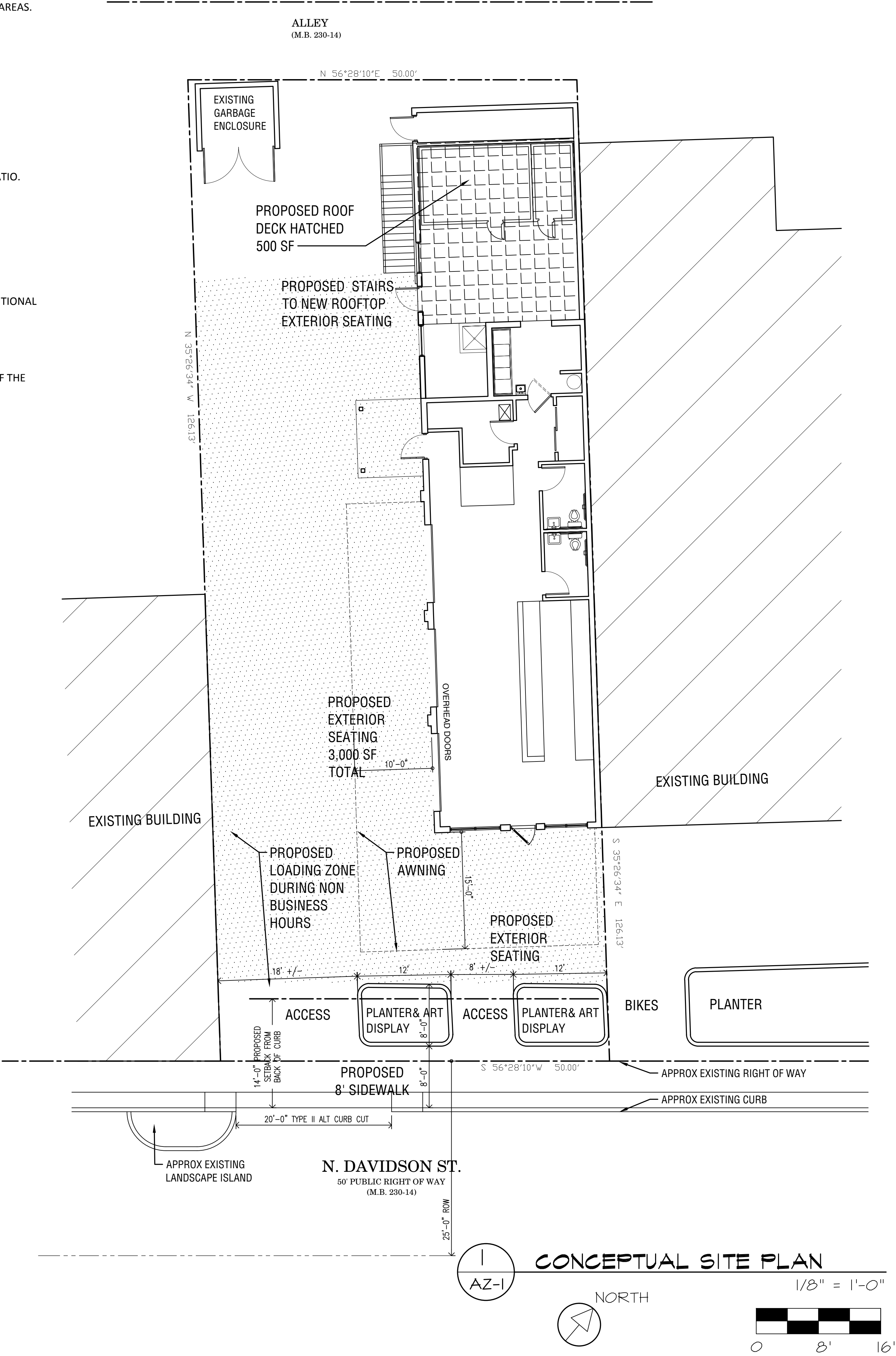
- A. EXISTING BUILDING ART AND SIGNAGE MAY REMAIN AND BE RESTORED, BUT ANY ADDITIONAL SIGNAGE SHALL BE PER ORDINANCE REQUIREMENTS.

12. LIGHTING

- A. ALL NEW OUTDOOR LIGHTING TO BE SCREENED AND SHIELDED LIGHTING PER 12.402 OF THE ORDINANCE.

13. PHASING

- A. PER ORDINANCE REQUIREMENTS.



SALVADOR DELI REZONE
3215 N Davidson St
Charlotte, NC 28205

PROJECT	1600
DATE	22MAR16
DRAWN BY	CMW
CHECKED BY	CMW
REZONE PLAN BLDG PLAN	
AZ-1	

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: 2016-074
Date Filed: _____
Received By: DAF

Complete All Fields (Use additional pages if needed)

Property Owner: McKinney Holdings NC II, LLC
Owner's Address: P. O. Box 1701
4574 Calhoun Memorial Highway City, State, Zip: Easley, SC 29641
Date Property Acquired: September 29, 2014
Property Address: 7232 W. Rocky River Road and 7226 North Tryon Street, Charlotte NC
Tax Parcel Number(s): Part of Tax Parcel Nos. 049-181-03 and 049-181-04
Current Land Use: Vacant Size (Acres): See Attached 65.0
Existing Zoning: B-2CD Proposed Zoning: TOD-M
Overlay: N/A (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Mandy Vari, et al.
Date of meeting: 03/22/16

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

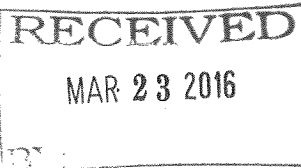
For Conditional Rezoning Only:

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

David J. McKinney
Name of Rezoning Agent
1859 Camber Woods Drive
Agent's Address
Fort Mill, SC 29708
City, State, Zip
864-303-9696 864-855-9425
Telephone Number Fax Number
djmckinney@gmail.com
E-Mail Address
Signature of Property Owner
McKinney Holdings NC II, LLC
Timothy J. McKinney, Manager
(Name Typed / Printed)

McKinney Holdings NC II, LLC
Name of Petitioner(s)
P. O. Box 1701
4574 Calhoun Memorial Highway
Address of Petitioner(s)
Easley, SC 29641
City, State, Zip
800-841-0909 / 864-859-1981 864-855-9425
Telephone Number Fax Number
N595tm@gmail.com
E-Mail Address
Signature of Petitioner
McKinney Holdings NC II, LLC
Timothy J. McKinney, Manager
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2016-075

Petition #: _____
Date Filed: 3/23/2016
Received By: B+

Complete All Fields (Use additional pages if needed)

Property Owner: Summerford Properties, LLC, ATTN: Gloria R. Summerford

Owner's Address: 423 Manning Drive Charlotte, NC 28209

Date Property Acquired: 3/3/2006

Property Address: 2315 and 2317 Central Ave., Charlotte, NC

Tax Parcel Number(s): 095-087-05 and 095-087-04

Current Land Use: Pool Hall Size (Acres): .55 acres

Existing Zoning: B-I & O-2 Proposed Zoning: MUDD(CD)

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

Required Rezoning Pre-Application Meeting* with: Amanda Bari

Date of meeting: 3/22/2016

(*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: 12-16 attached, single family homes

Anthony Fox, & Mac McCarley
Parker, Poe, Adams & Bernstein
Name of Rezoning Agent

Three Wells Fargo Center - 401 S. Tryon St., Ste 3000
Agent's Address

Charlotte, NC 28202
City, State, Zip

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

anthonyfox@parkerpoe.com
macmccarley@parkerpoe.com
E-Mail Address

Gloria R. Summerford
Signature of Property Owner 3/23/16

Gloria R. Summerford
(Name Typed / Printed)

The Drakeford Company
Name of Petitioner(s)

1914 Brunswick Ave, Suite 1-A
Address of Petitioner(s)

Charlotte, NC 28207
City, State, Zip

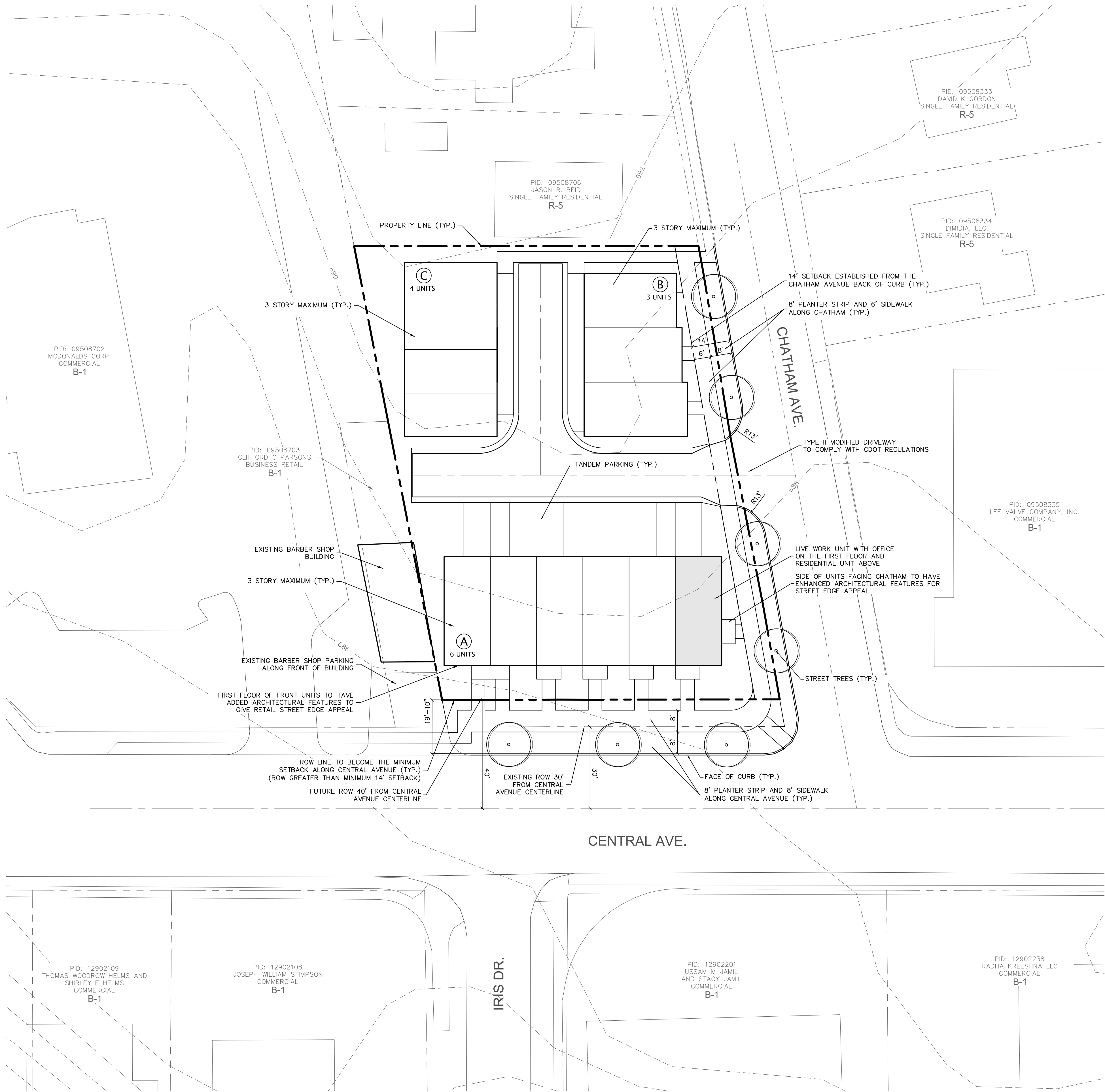
704-344-0332 704-344-9992
Telephone Number Fax Number

bobby@tdcrealestate.com
E-Mail Address

Robert T. Drakeford
Signature of Petitioner

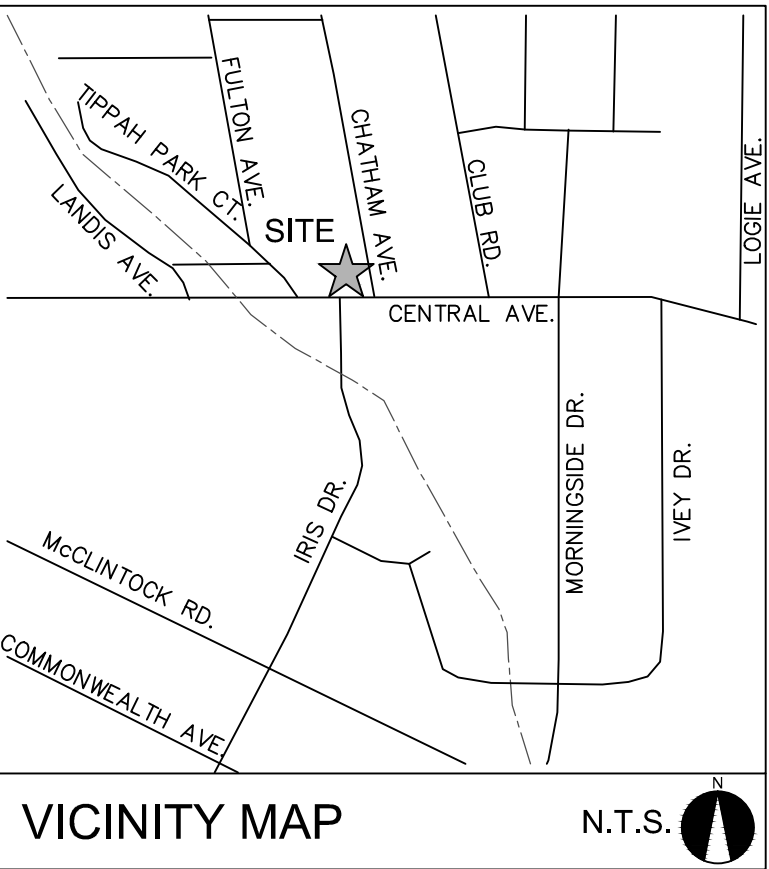
Bobby Drakeford
(Name Typed / Printed)

C:\Users\PROJ001\Documents\002 CENTRAL AND CHATHAM UNIT.DWG - BASE DRAWING 3/30/2016



SITE DEVELOPMENT DATA

SITE AREA:	±0.51 AC (22,094 SF) TOTAL BEFORE RIGHT-OF-WAY DEDICATION ±0.48 AC (20,854 SF) NET OF EXISTING RIGHT-OF-WAY
TAX PARCEL #:	09508704 AND 09508705
EXISTING ZONING:	O-2 & B-1
PROPOSED ZONING:	MUDD (CD)
EXISTING USE:	BUSINESS RETAIL
PROPOSED USE:	SINGLE FAMILY ATTACHED TOWNHOMES
PROPOSED UNITS:	13 TOWNHOMES
DENSITY PROPOSED:	±25 UNITS PER ACRE
BUILDING HEIGHT:	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 UNITS 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-1 AND O-2 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 SITE WILL HAVE ONE INGRESS/EGRESS DRIVEWAY SERVING THE TOWNHOME DEVELOPMENT FROM CHATHAM AVENUE AS DEPICTED ON THE REZONING PLAN.
- THE SITE WILL BE SERVED BY INTERNAL PRIVATE DRIVES AS DEPICTED ON THE REZONING PLAN. MINOR ADJUSTMENTS TO THE LOCATION OF THE PRIVATE DRIVES SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
- INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY 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. MATERIALS WILL CONSIST OF LARGE WINDOWS ON ALL 4 SIDES AND MASONRY ACCENTS ALONG THE 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.
- NO GARAGES SHALL BE ORIENTED TOWARD A PUBLIC STREET.
- THE TOWNHOME UNIT AT THE CORNER OF CENTRAL AVENUE AND CHATHAM AVENUE TO BE A LIVE WORK UNIT WITH OFFICE ON THE FIRST FLOOR AND RESIDENTIAL ABOVE. THE SIDE OF THIS UNIT FACING CHATHAM AVENUE TO HAVE ENHANCED ARCHITECTURAL FEATURES FOR STREET EDGE FRONTAGE AND APPEAL.

6. STREETScape, YARDS, AND LANDSCAPING

- AN 8-FOOT WIDE PLANTING STRIP AND 8-FOOT WIDE SIDEWALK WILL BE APPLIED ALONG CENTRAL AVENUE AS DEPICTED ON THE REZONING PLAN.
- AN 8-FOOT WIDE PLANTING STRIP AND 6-FOOT WIDE SIDEWALK WILL BE APPLIED ALONG CHATHAM AVENUE AS DEPICTED ON THE REZONING PLAN.
- SCREENING REQUIREMENTS OF THE ORDINANCE WILL BE MET.

7. ENVIRONMENTAL FEATURES/TREE SAVE

- 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.

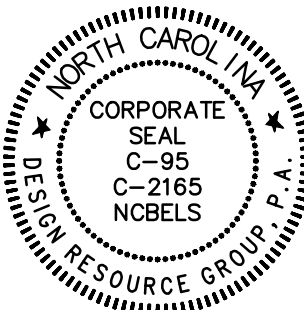
11. AMENDMENTS TO THE REZONING PLAN

- 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

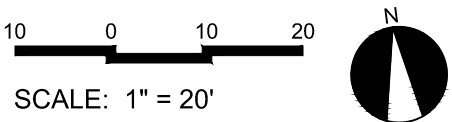
CENTRAL & CHATHAM AVE. SITE

CHARLOTTE, NORTH CAROLINA

THE DRAKORD COMPANY

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

SCHEMATIC
SITE PLAN

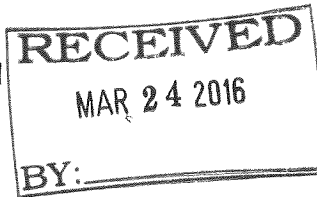


PROJECT #: 09K-022
DRAWN BY: DK
CHECKED BY: NB

MARCH 28, 2016

REVISIONS:

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2016-076
Date Filed: 3/24/2016
Received By: PA

Complete All Fields (Use additional pages if needed)

Property Owner: Beatty Investments, LLC c/o Deborah Beatty
Owner's Address: 374 Dayvault St. City, State, Zip: Concord, NC 28025
Date Property Acquired: 02/2000
Property Address: 1116 E. 36th St.
Tax Parcel Number(s): 083-162-08
Current Land Use: Apartment Complex Size (Acres): 1.35 acres
Existing Zoning: UR-2(CD) Proposed Zoning: UR-2(CD) T5
Overlay: _____ (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Sonja Sanders
Date of meeting: 2/18/16

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

For Conditional Rezoning Only:

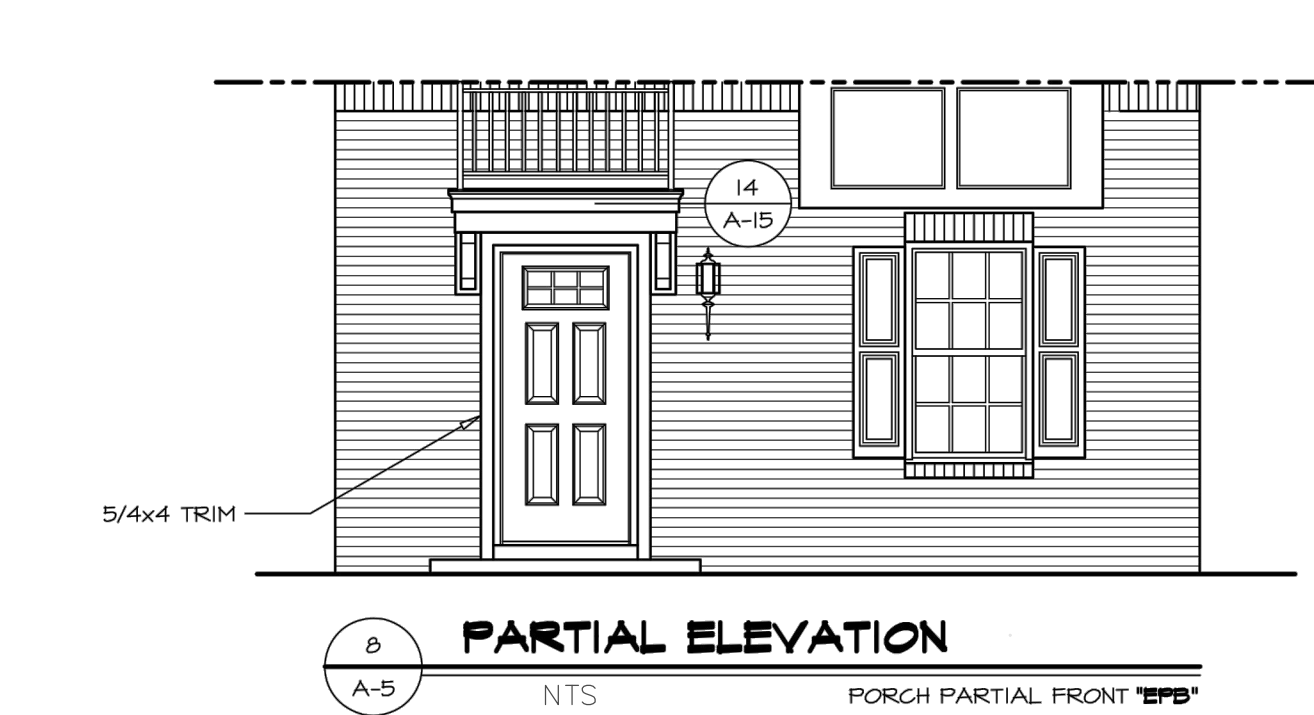
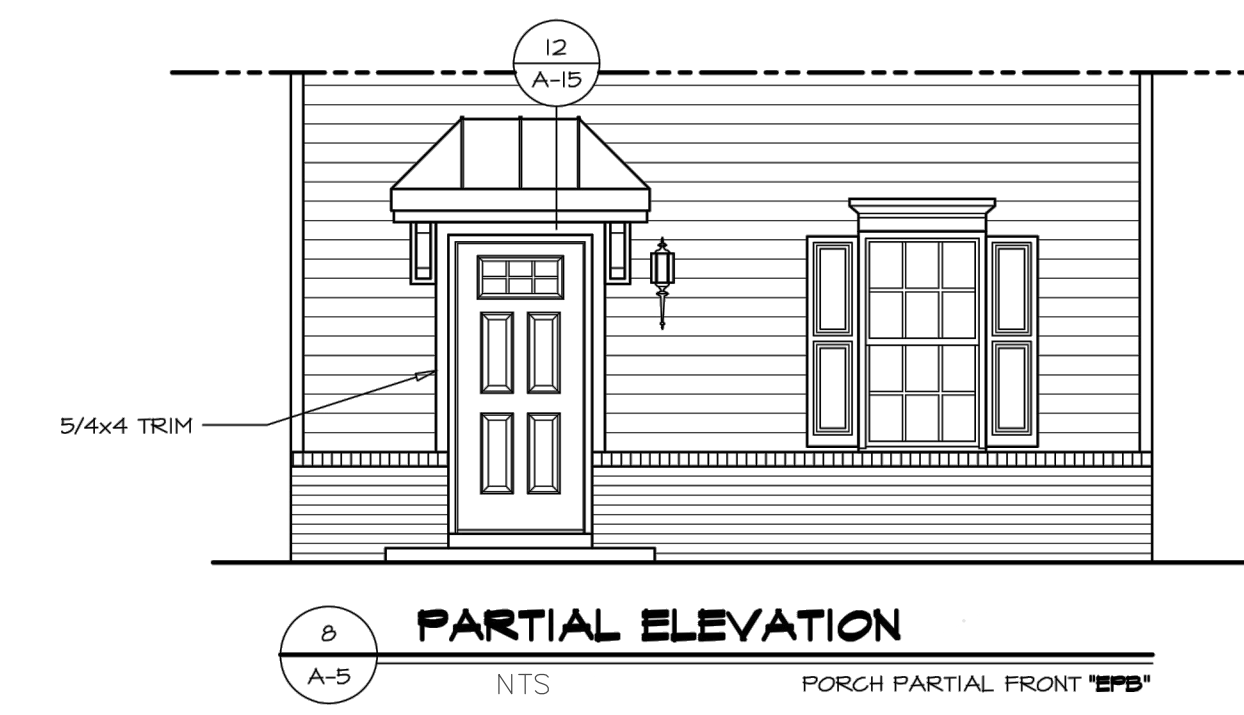
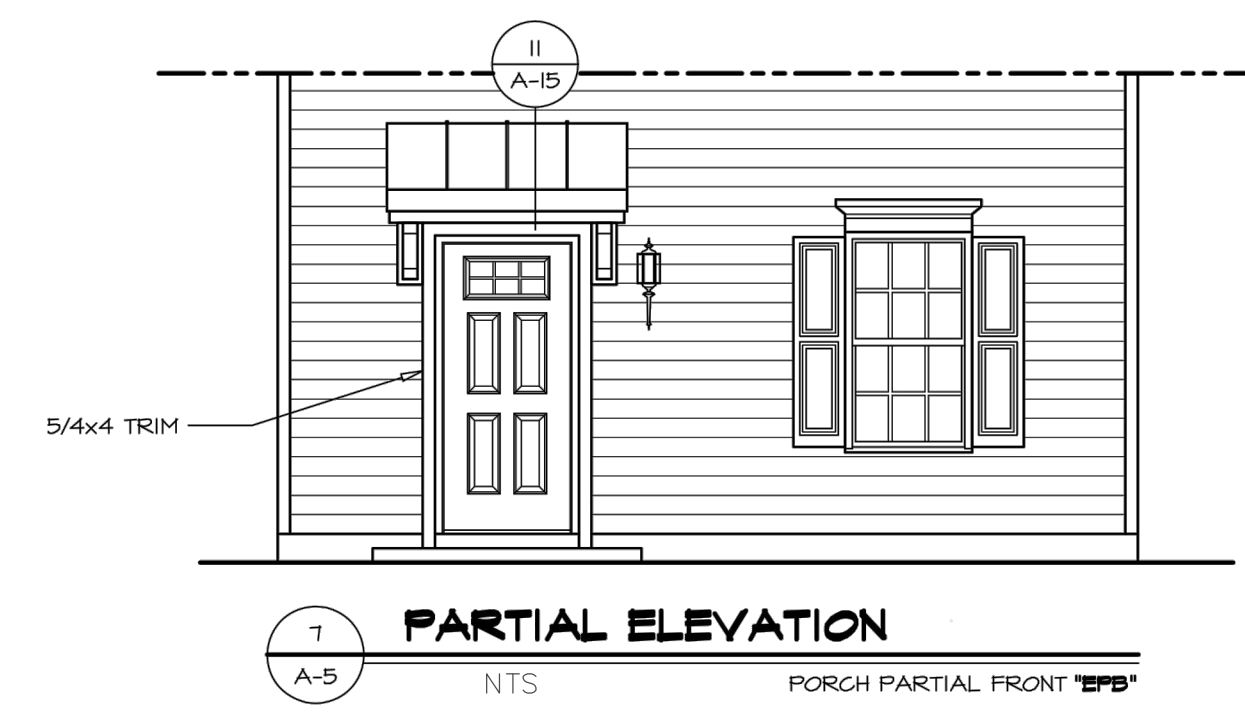
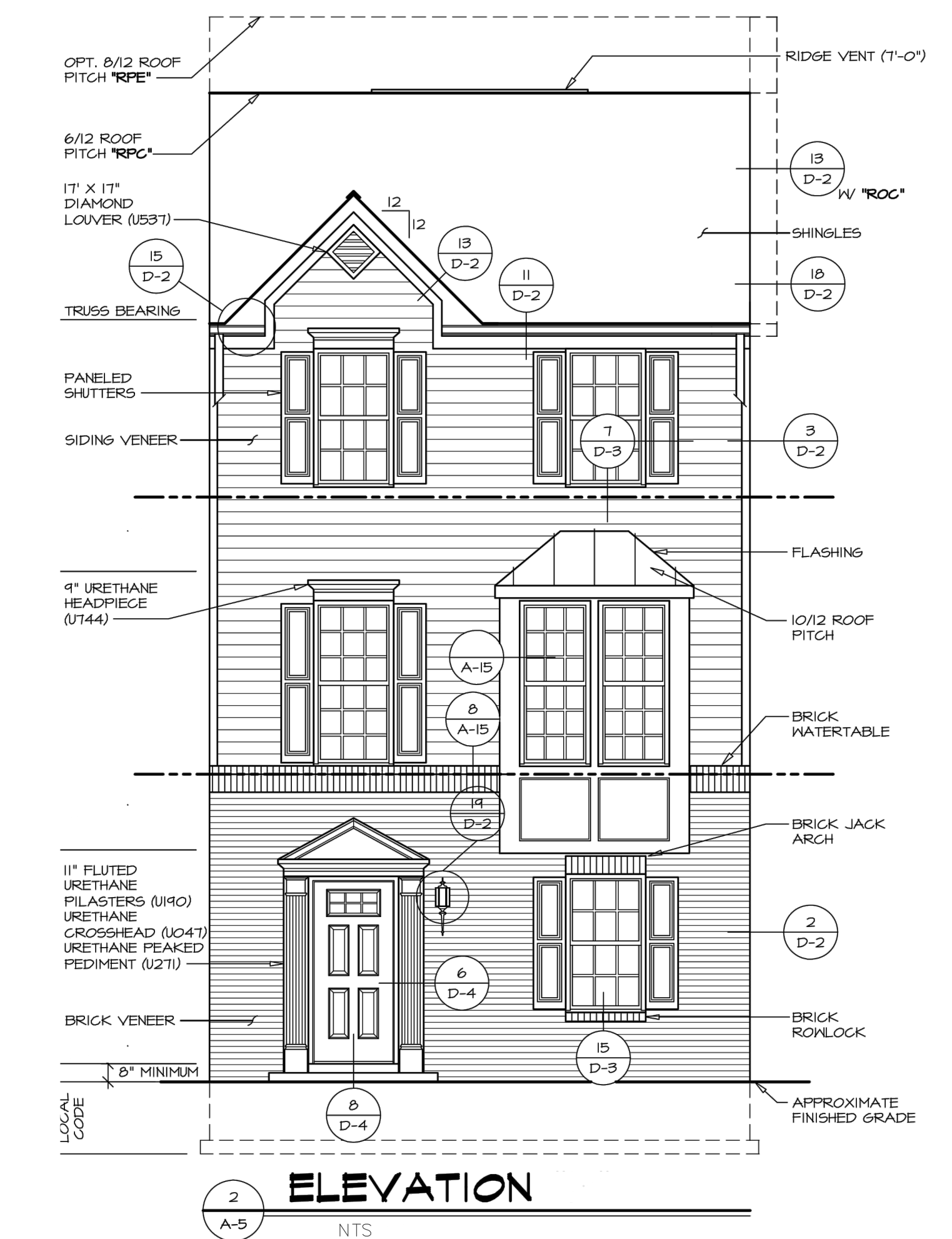
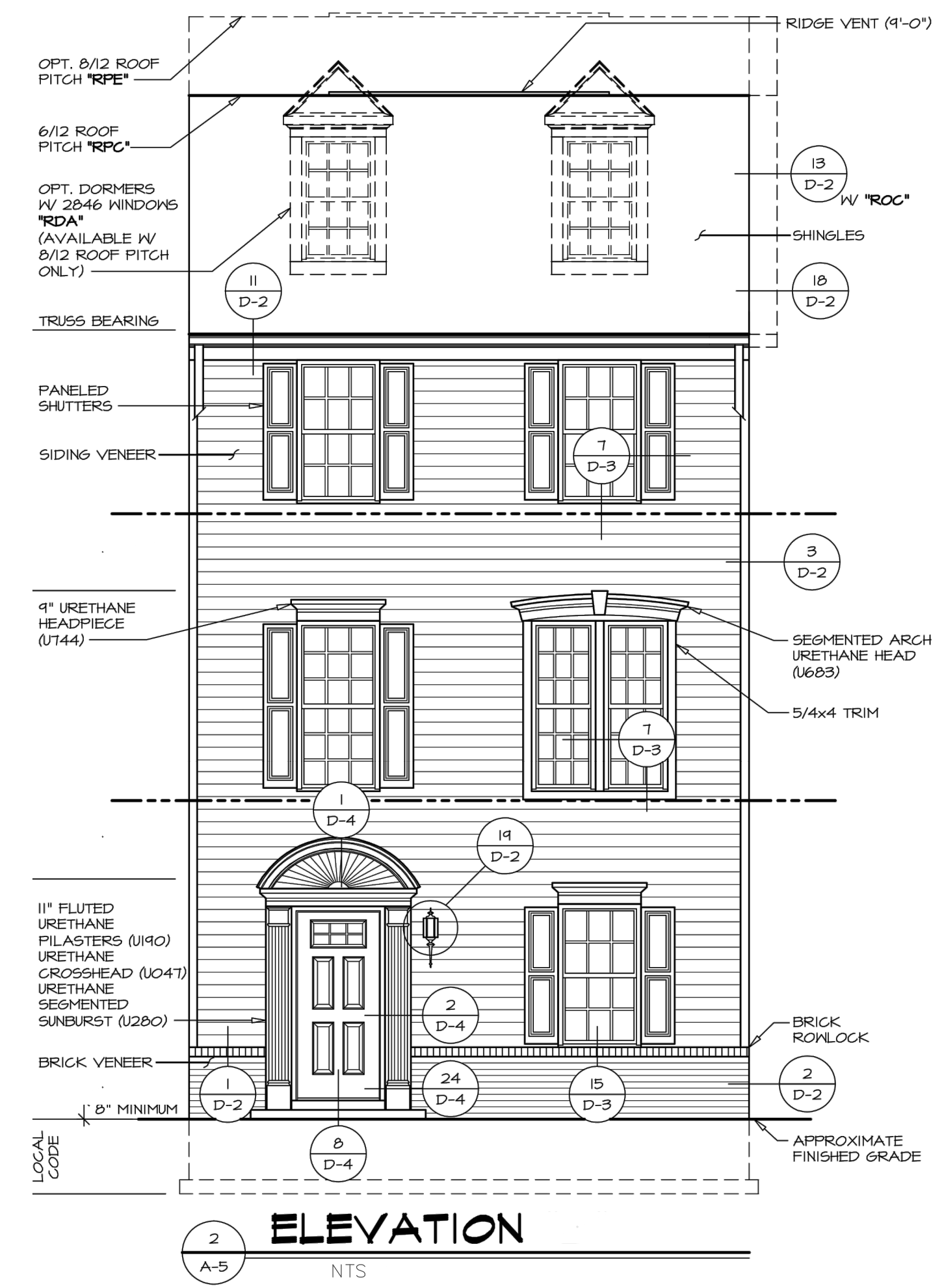
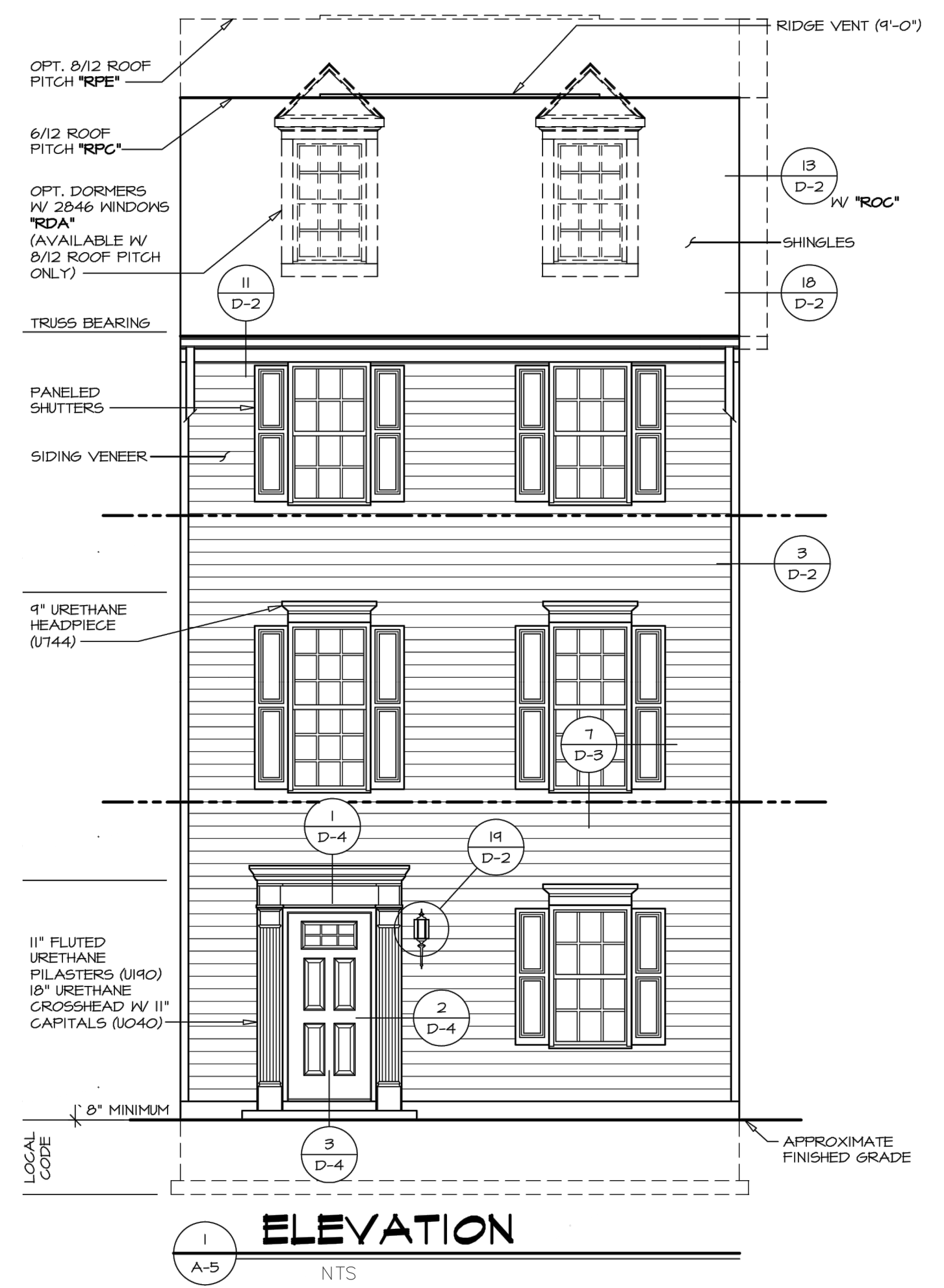
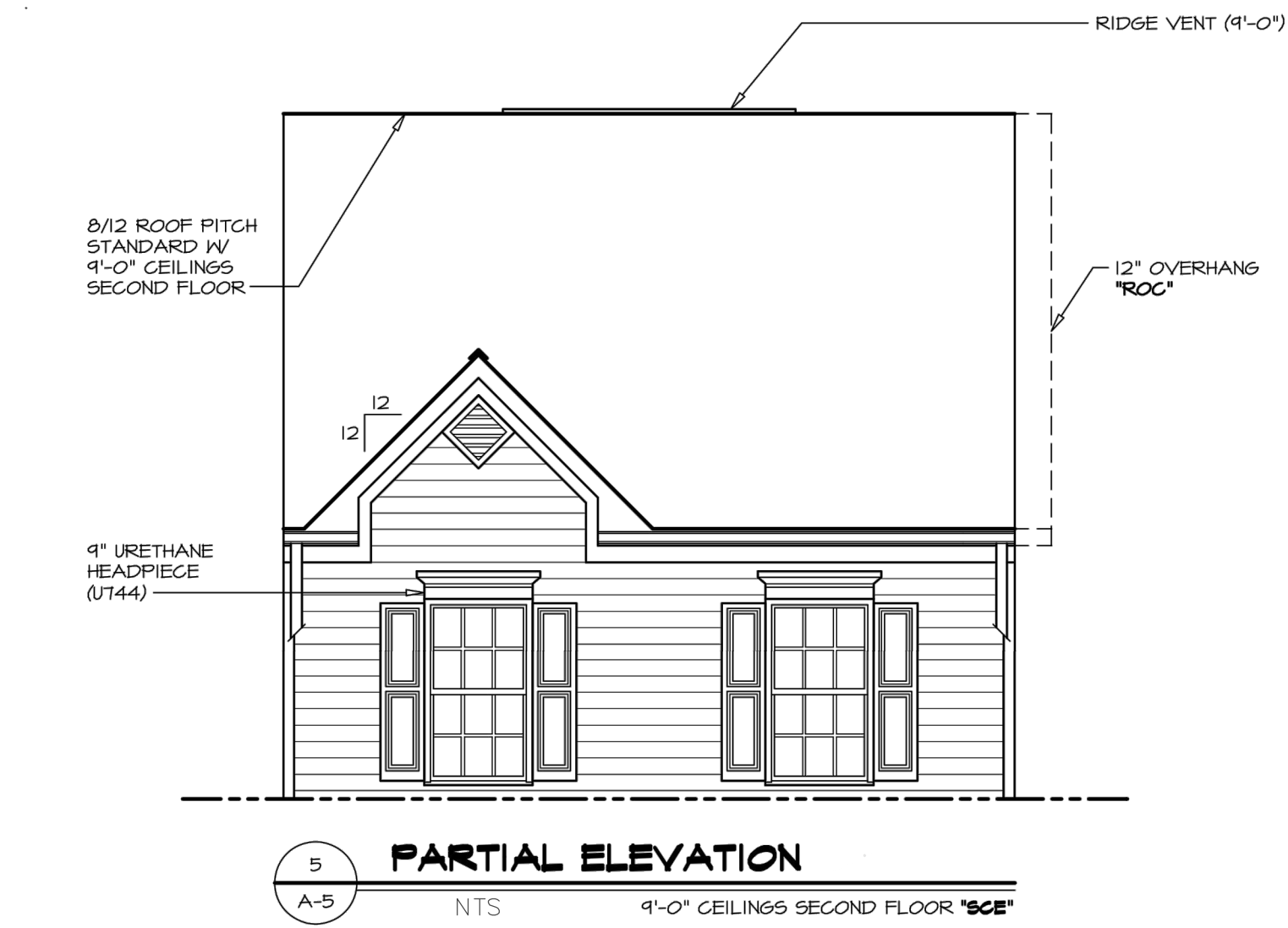
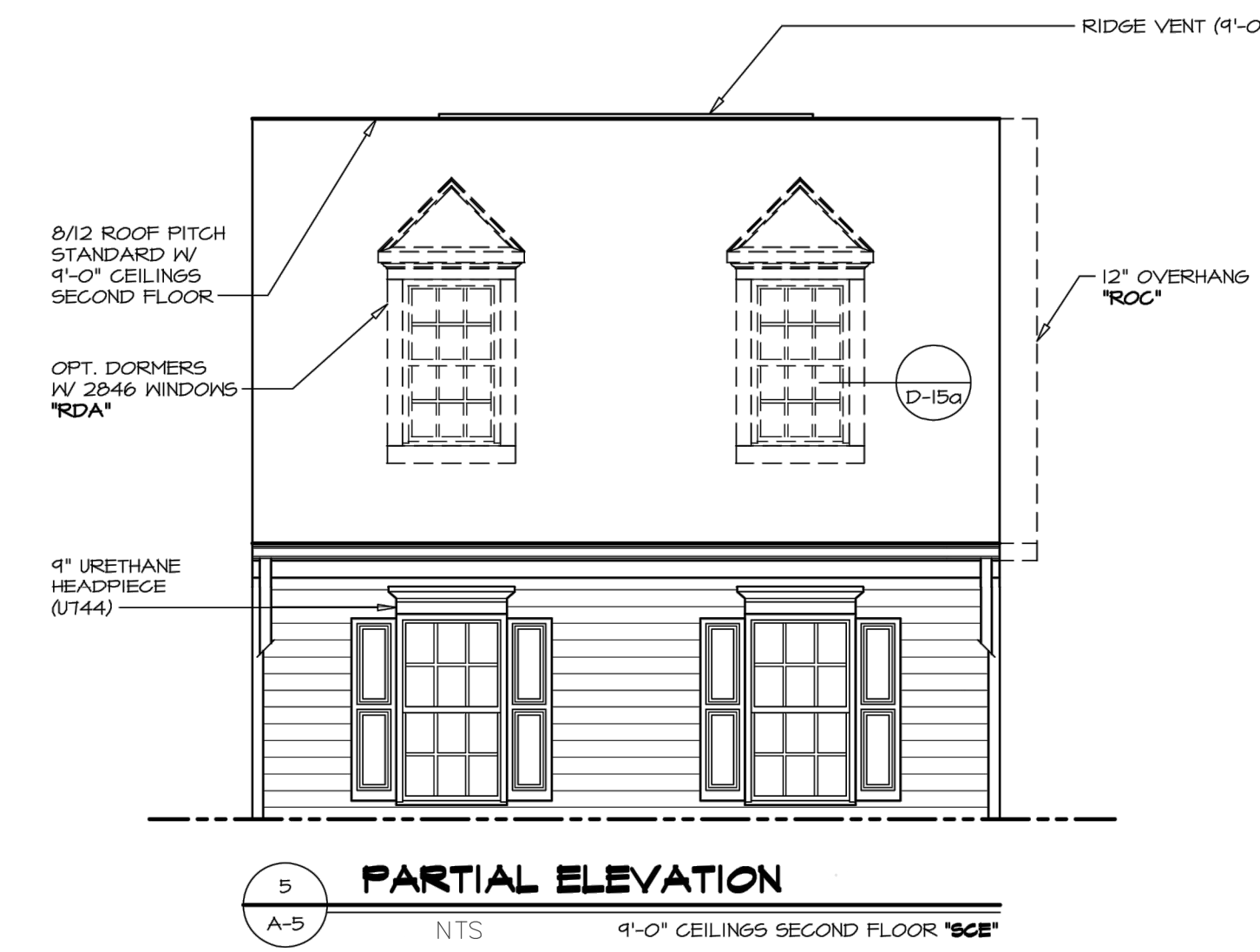
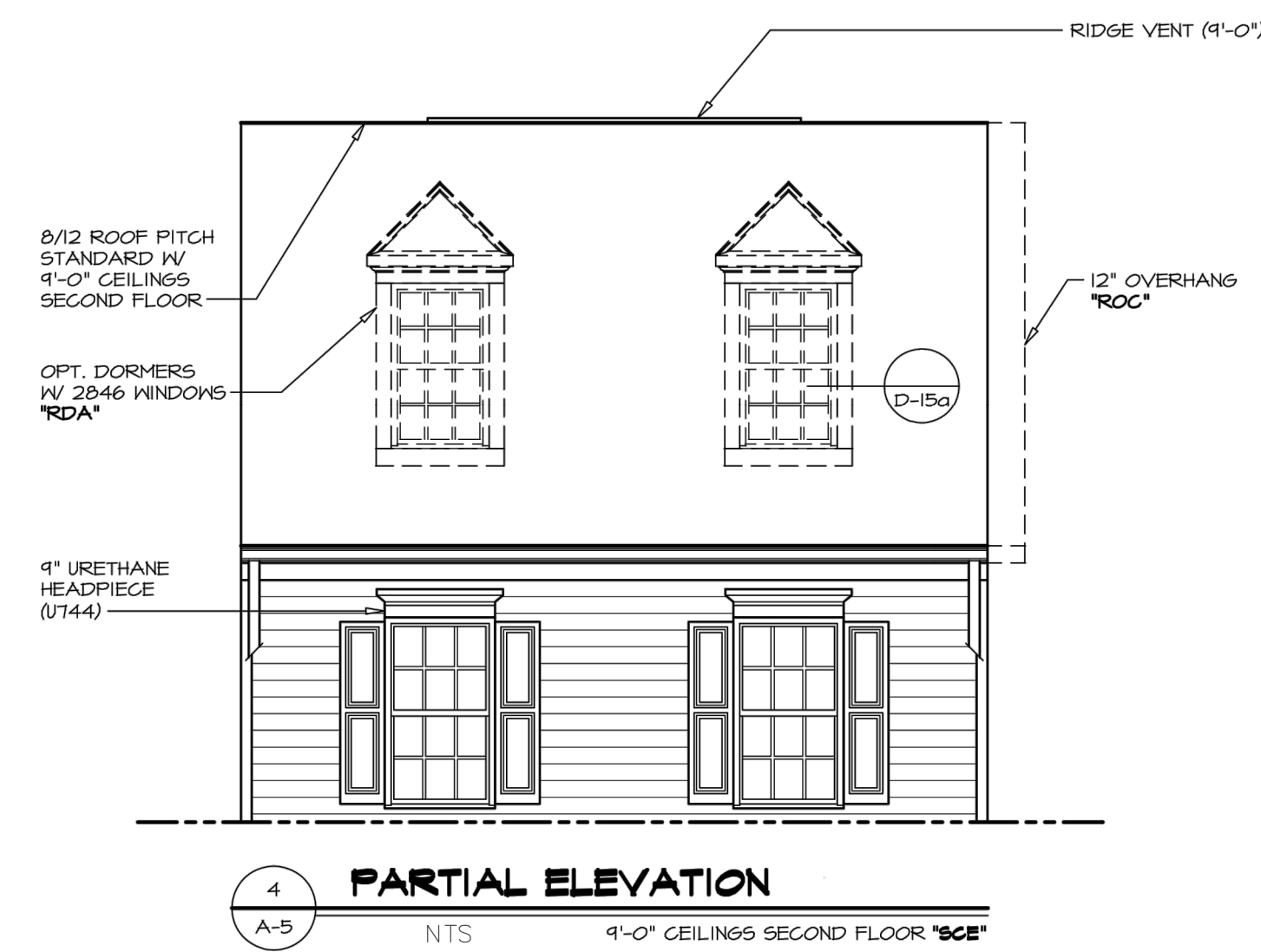
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____
Purpose/description of Conditional Zoning Plan: _____

Anthony Fox & Mac McCarley
Parker, Poe, Adams & Bernstein
Name of Rezoning Agent
Three Wells Fargo Center
Agent's Address 401 S. Tryon St., Suite 3000
Charlotte, NC 28202
City, State, Zip
(704) 372-9000 (704) 334-4706
Telephone Number Fax Number
anthonyfox@parkerpoe.com
mac.mccarley@
E-Mail Address

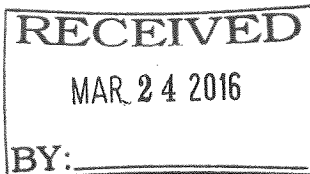
Deborah Beatty
Signature of Property Owner
Deborah Beatty
(Name Typed / Printed)

The Drakeford Company
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@tdcrealestate.com
E-Mail Address

Robert T. Drakeford
Signature of Petitioner
Robert T. Drakeford
(Name Typed / Printed)



**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2016-077
Date Filed: 3/24/2016
Received By: Bl

Complete All Fields (Use additional pages if needed)

Property Owner: Aldi (NC) LLC

Owner's Address: 1985 Union Church Road City, State, Zip: Salisbury, NC 28146

Date Property Acquired: 9/26/2002

Property Address: West Corner of Treyburn Drive and W WT Harris Boulevard

Tax Parcel Number(s): 025-311-97

Current Land Use: Vacant Size (Acres): 5.52

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

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

Required Rezoning Pre-Application Meeting* with: Roberto Gonzalez

Date of meeting: 3/22/16

(*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): No

Purpose/description of Conditional Zoning Plan: Proposed Hotel and Restaurant without drive through service

Mc2 Engineering, Inc. - Jeff McCluskey

Name of Rezoning Agent

2110 Ben Craig Drive, Suite 400

Agent's Address

Charlotte, NC 28262

City, State, Zip

704-510-9797

Telephone Number

Fax Number

Jeff@mc2eng.com

E-Mail Address

[Signature]
Signature of Property Owner

Justin Spruill (Director of Real Estate)

(Name Typed / Printed)

Innkeeper Motor Lodge, Inc.

Name of Petitioner(s)

4741 South Main Street

Address of Petitioner(s)

Winston Salem, NC 27127

City, State, Zip

336-788-9444

Telephone Number

Fax Number

Dennis.hall@dalyseven.com

E-Mail Address

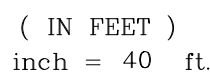
[Signature]
Signature of Petitioner

Dennis Hall

(Name Typed / Printed)



GRAPHIC SCALE



Streetscape, Landscape, Buffers and Screening

1. Per the original Rezoning Petition #93-024C a 75' Class "B" buffer shall be provided along the western property line as generally depicted on the rezoning plan.

2. A twenty (20) foot building and parking setback measured from the existing right-of-way lines of Treyburn Drive and W WT Harris Boulevard will be provided as generally depicted on the rezoning plan.

3. A ten (10) foot rear yard (building) measured from the existing right-of-way lines of Interstate 485 will be provided as generally depicted on the rezoning plan.

4. Screening shall conform to the applicable standards of Section 12.303 of the Ordinance.

Environmental Features
1. Site Development will comply with City of Charlotte Post Construction Controls Ordinance.

2. Tree Save areas will be provided in accordance with the City Tree Ordinance.

3. The existing drainage feature on the western portion of the property will have a 30' water quality buffer measured from the top of bank as shown on the rezoning plan.

Parks, Greenways, and Open Space

1. Reserved

Fire Protection

1. Fire access requirements to the buildings will be met per applicable Ordinance requirements.

Signage

1. All signage on site will comply with current sign ordinance in the City of Charlotte Zoning Ordinance.

Lighting

1. Any new proposed freestanding lighting on the site will utilize full cut-off luminaires and will have a maximum height of 30 feet.

2. Accent lighting is proposed on site that will help illuminate the building facade and generally will including lighting the building around the 2-3 floors.

Phasing

1. Reserved

Binding Effect of the Rezoning Petition

1. Upon approval of this Petition, all conditions applicable to the development of the site imposed under the rezoning petition, unless amended in the manner provided under the ordinance, shall be binding upon and ensure to the benefit of the Petitioner and the current or subsequent Owners of the site and their respective successors in interest and assigns.

2. 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.

CURRENT OWNER:	ALDI (NC) LLC 1985 UNION CHURCH ROAD SALISBURY, NC 28146
TAX PARCEL NUMBER:	025-311-97
DEED BOOK AND PAGE:	1424-506
SITE ACREAGE:	±5.52 AC
CURRENT ZONING:	B-1(CD) -PREVIOUS REZONING PETITION #93-0240
PROPOSED ZONING:	B-2(CD)
NUMBER OF RESIDENTIAL UNITS BY HOUSING TYPE:	N/A
RESIDENTIAL DENSITY:	N/A
PROPOSED USE:	HOTEL (90,000 SF & 141 ROOMS) & FUTURE 7,000 SF RESTAURANT
FLOOR AREA RATIO:	97,000 SF/240,514 SF = 0.40 FAR
MAXIMUM BUILDING HEIGHT:	68'-6"
MAXIMUM NUMBER OF BUILDINGS:	2
REQUIRED PARKING:	PER ORDINANCE REQUIREMENTS
REQUIRED OPEN SPACE:	PER ORDINANCE REQUIREMENTS

DEVELOPMENT SUMMARY

$$M^{c^2}$$

MC² ENGINEERING, INC.
2110 BEN CRAIG DR., STE. 400
CHARLOTTE, NC 28262
PHONE 704.510.9797

PROPOSED DEVELOPMENT:
HAMPTON INN & SUITES
AND FUTURE RESTAURANT

DEVELOPED BY:
**INNKEEPER MOTOR
LODGE, INC.**
4741 SOUTH MAIN STREET
WINSTON SALEM, NC 27127
P: 336.788.9444

REZONING PLAN

REVISIONS		

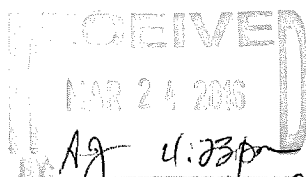
CAD FILE: 16-002 REZN.DWG
PROJECT NO.: 16-002
DESIGNED BY: JDM
DATE: MARCH 24, 2016

RZ1.0

FOR PUBLIC
HEARING

REZONING PETITION 2016-

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2016-078
Date Filed: _____
Received By: BH

Complete All Fields (Use additional pages if needed)

ck #1209 \$ 3,245⁰⁰

Property Owner: South End Gold LLC

Owner's Address: 1300 S. Mint St Suite 400 City, State, Zip: Charlotte, NC, 28203

Date Property Acquired: November 24, 2015

Property Address: 412 W Palmer Street

Tax Parcel Number(s): 07326704

Current Land Use: Office Warehouse Size (Acres): 0.14

Existing Zoning: I-2 Proposed Zoning: T0D-M

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune

Date of meeting: 10-28-2015

(*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: _____

Brooks Whiteside
Name of Rezoning Agent

1300 S. Mint St Suite 400
Agent's Address

Charlotte, NC, 28203
City, State, Zip

704-347-4676 704-347-4677
Telephone Number Fax Number

brooks@whitesideindustrial.com
E-Mail Address

James M. Whiteside
Signature of Property Owner

James M. Whiteside
(Name Typed / Printed)

South End Gold LLC
Name of Petitioner(s)

1300 South Mint St Suite 400
Address of Petitioner(s)

Charlotte, NC, 28203
City, State, Zip

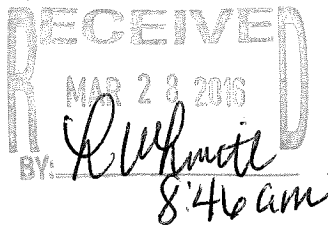
704-347-4676 704-347-4677
Telephone Number Fax Number

brooks@whitesideindustrial.com
E-Mail Address

James M. Whiteside
Signature of Petitioner

James M. Whiteside
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #:	<u>2016-079</u>
Date Filed:	<u>3/28/16</u>
Received By:	_____

Complete All Fields (Use additional pages if needed)

Property Owner: See Exhibit A attached hereto

Owner's Address: See Exhibit A attached hereto City, State, Zip: See Exhibit A attached hereto

Date Property Acquired: See Exhibit A attached hereto

Property Address: See Exhibit A attached hereto

Tax Parcel Number(s): See Exhibit A attached hereto

Current Land Use: Industrial Size (Acres): approx. 18.3 acres

Existing Zoning: I-1, I-2 & I-2 (CD) Proposed Zoning: TOD-M (CD)

Overlay: TOD 36th Street Station Area Plan

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Amanda Vari, Monica Holmes, Shannon Frye, Sharon Buchanan, Joe Frey, and Meg Cochrane

Date of meeting: December 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 Number of years (maximum of 5): 5 years

Purpose/description of Conditional Zoning Plan: To accommodate development consistent with the TOD-M rezoning district and the 36th Street Station Area Plan. Development could contain single family dwelling units, multifamily dwelling units, retail, office and other uses allowed in the TOD-M zoning district as set out on the conditional rezoning plan.

Tony Kuhn
Name of Rezoning Agent

427 Shasta Ln
Agent's Address

Charlotte, NC 28211
City, State, Zip

901-219-3987
Telephone Number **Fax Number**

tony.kuhn15@gmail.com
E-Mail Address

Signature of Property Owner

(Name Typed / Printed)

Noda Greenway One, LLC & Noda Greenway Two, LLC
c/o Hemant Patel, its manager
Name of Petitioner(s)

11009 Royal Colony Dr.
Address of Petitioner(s)

Waxhaw, NC 28173
City, State, Zip

704-777-2133
Telephone Number **Fax Number**

stonehp@gmail.com
E-Mail Address

Signature of Petitioner

(Name Typed / Printed) Hemant Patel

Exhibit A to Rezoning Application filed by: Noda Greenway One, LLC & Noda Greenway Two, LLC

Tax Parcel Numbers, Property Owner Information and Acquisition Dates

- I. Tax Parcel Numbers:
091-112-11, 091-112-10, 091-111-05, 091-112-33, 091-111-01, 091-112-40, 091-111-03,
091-111-06, 091-112-09, 091-111-04

II. Property Owner Information and Acquisition Dates

Double Crown, LLC
7025 Cheyenne Drive
Charlotte, NC 28262

Tax Parcel No. 091-112-11 Date Property Acquired: October 3, 2005
Tax Parcel No. 091-112-10 Date Property Acquired: October 3, 2005
Tax Parcel No. 091-111-05 Date Property Acquired: October 3, 2005

Triple Crown, LLC
7025 Cheyenne Drive
Charlotte, NC 28262

Tax Parcel No. 091-112-33 Date Property Acquired: January 26, 2012
Tax Parcel No. 091-111-01 Date Property Acquired: January 26, 2012
Tax Parcel No. 091-112-40 Date Property Acquired: January 26, 2012
Tax Parcel No. 091-111-03 Date Property Acquired: April 2, 2015
Tax Parcel No. 091-111-06 Date Property Acquired: July 20, 2004

Noda Greenway One, LLC
11009 Royal Colony Drive
Waxhaw, NC 28173

Tax Parcel No. 091-112-09 Date Property Acquired: February 20, 2015

Noda Greenway Two, LLC
11009 Royal Colony Drive
Waxhaw, NC 28173

Tax Parcel No. 091-111-04 Date Property Acquired: July 6, 2015

DEVELOPMENT STANDARDS

GENERAL PROVISIONS

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Crescent Acquisitions, LLC (the "Petitioner") to accommodate a transit supportive mixed use development on that approximately 24.7 acre site located on the west side of Craighead Road between North Tryon Street and North Davidson Street, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel Nos. 091-111-01, 091-111-03, 091-111-04, 091-111-05, 091-111-06, 091-112-11, 091-112-40, 091-112-10, 091-111-05, 091-112-33, 091-112-09 and 091-112-33

- A. 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"). Subject to the optional provisions set out below, the regulations established under the Ordinance for the TOD-M zoning district shall govern the development and use of the Site.
- B. 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. Accordingly, 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 site elements, and they may be altered or modified in accordance with the setback and yard requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
- C. The parcels of land that comprise the Site may be recombined into one parcel at the option of the Petitioner or further subdivided.
- D. The Site shall be considered to be a planned/unified development. Therefore, side and rear yards, buffers, building height separation requirements and other zoning standards shall not be required internally between improvements and uses on the Site. The Site shall be required to meet any applicable side and rear yard requirements and buffer requirements with respect to the exterior boundary of the Site.
- E. Pursuant to Section 1.110 of the Ordinance and Section 160A-385.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions.
- F. 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.

TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
- B. Subject to the optional provisions set out above, off-street vehicular parking shall meet the minimum and maximum requirements of the Ordinance.
- C. The alignment of the internal vehicular circulation areas and the driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.

STREETSCAPE/LANDSCAPING/BUFFERS/OPEN SPACE

- A. The Site will comply with the TOD-M standards with respect to the streetscape along the Site's frontage on public streets.
- B. The development of the Site shall comply with the applicable landscaping, screening and buffer requirements of the Ordinance.
- C. Urban open space will be provided as required by the Ordinance.

ARCHITECTURAL AND DESIGN STANDARDS

- A. All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- B. Dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side. Alternatively, such facilities may be located within or under the structures proposed to be constructed on the Site.
- C. The maximum height of any building located on the Site shall be the maximum height permitted under the Ordinance in the TOD-M zoning district.

SIGNS

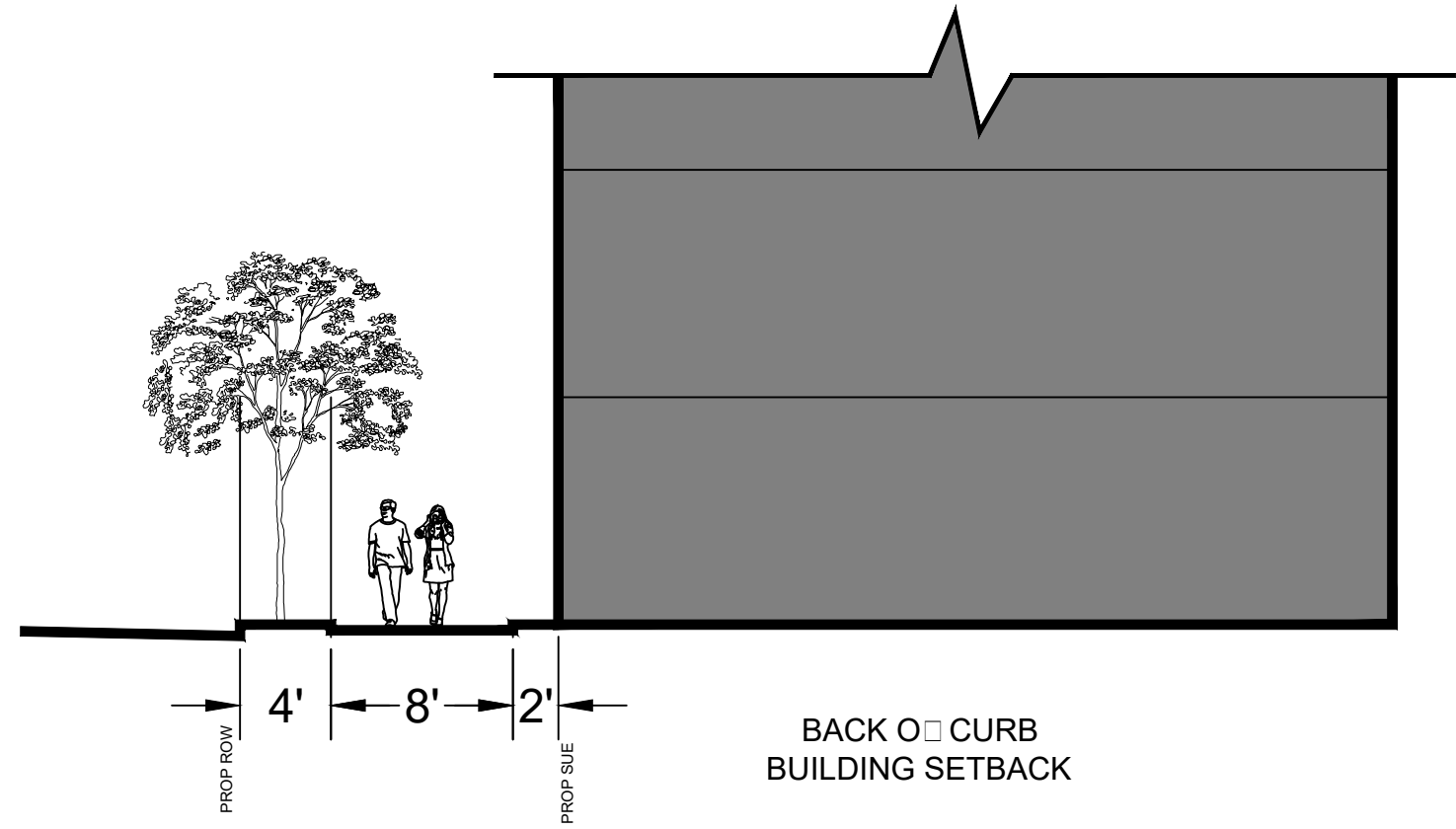
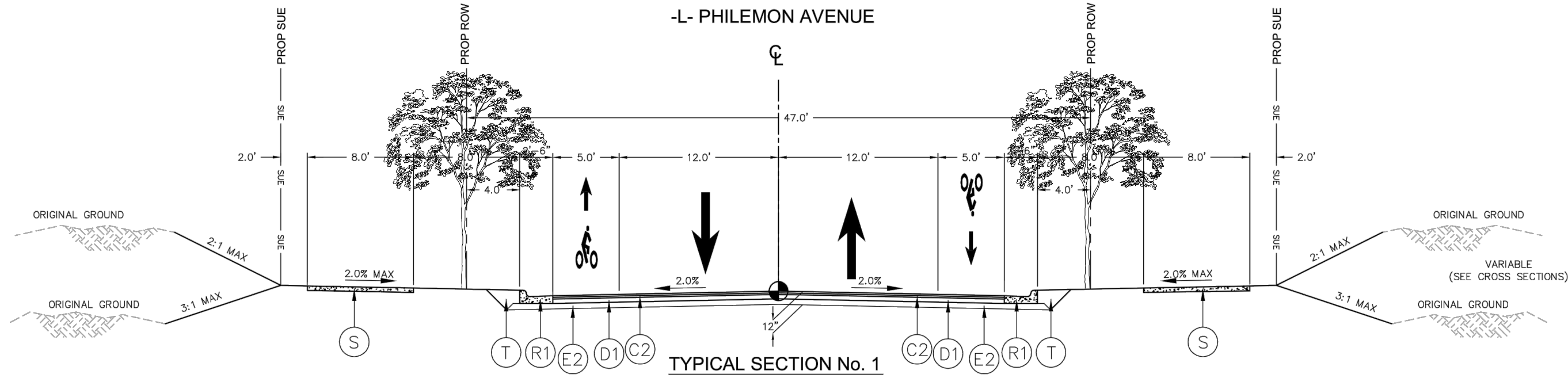
All signs installed on the Site shall comply with the requirements of the Ordinance.

LIGHTING

All exterior lights installed on the Site shall be full cut-off type lighting, excluding lower, decorative lighting that may be installed along driveways, sidewalks and parking areas.

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 interest 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.



DATE: 03/25/16
DESIGNED BY:
DRAWN BY: NG
CHECKED BY:
SCALE:
PROJECT #015033
SHEET #

RZ-2

NODA GREENWAY SITE
REZONING PETITION No. 2016-XXX
FLYWHEEL GROUP
DEVELOPMENT STANDARDS

REVISIONS:

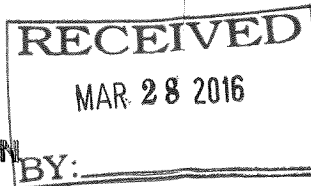
ODELL

LandDesign

800 W. HIGHT
CITY OF CHARLOTTE, NC 28208
TEL: 704.414.1000 FAX: 704.414.1111

223 N Graham Street Charlotte, NC 28202
V: 704.333.0325 F: 704.333.3246
www.LandDesign.com

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2016-080

Petition #:	_____
Date Filed:	3/28/2016
Received By:	[Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Stokes Property Development, LLC, c/o Rasheedah Hasan

Owner's Address: 6605 Rose Point Lane City, State, Zip: Charlotte, NC 28216

Date Property Acquired: 9/96

Property Address: 3624 Beatties Ford Rd.

Tax Parcel Number(s): portion of 04108205 and all of 04108218

Current Land Use: Undeveloped, commercial use

Size (Acres): Approx. 1.31 ac. +/-

Existing Zoning: B-1, R-4

Proposed Zoning: B-1(CD)

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, et. al.

Date of meeting: 4/23/15

(*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? Yes ☒ No ☐ Number of years (maximum of 5): _____

Purpose/description of Conditional Zoning Plan: Develop a small building for up to 8,400 sq. ft. of neighborhood retail use

Walter Fields

Name of Rezoning Agent

1919 South Blvd., Suite 101

Agent's Address

Charlotte, NC 28203

City, State, Zip

704-372-7855

Telephone Number

704-372-7856

Fax Number

walter@walterfieldsgroup.com
E-Mail Address

[Signature]
Signature of Property Owner

Rasheedah Hasan

(Name Typed / Printed)

Durban Group

Name of Petitioner(s)

106 Foster Avenue

Address of Petitioner(s)

Charlotte, NC 28203

City, State, Zip

704-319-8347

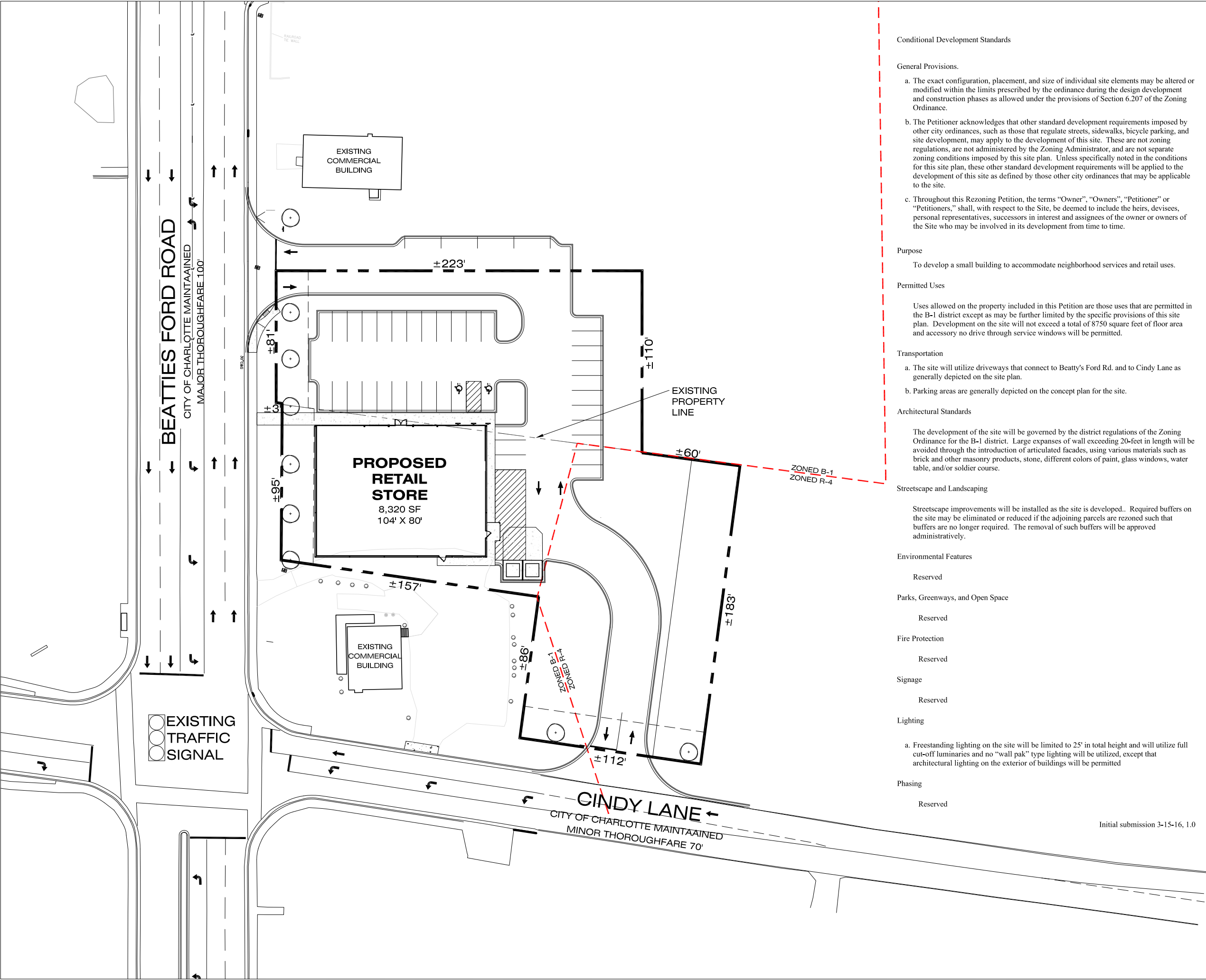
Telephone Number

Fax Number

Jason.mathis@drubangroup.com
E-Mail Address

[Signature]
Signature of Petitioner

Jason Mathis
(Name Typed / Printed)



Conditional Development Standards

General Provisions.

- a. 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.
- b. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, 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 that may be applicable to the site.
- 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

To develop a small building to accommodate neighborhood services and retail uses.

Permitted Uses

Uses allowed on the property included in this Petition are those uses that are permitted in the B-1 district except as may be further limited by the specific provisions of this site plan. Development on the site will not exceed a total of 8750 square feet of floor area and accessory no drive through service windows will be permitted.

Transportation

- a. The site will utilize driveways that connect to Beatty's Ford Rd. and to Cindy Lane as generally depicted on the site plan.
- b. Parking areas are generally depicted 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 B-1 district. Large expanses of wall exceeding 20-feet in length will be avoided through the introduction of articulated facades, using various materials such as brick and other masonry products, stone, different colors of paint, glass windows, water table, and/or soldier course.

Streetscape and Landscaping

Streetscape improvements will be installed as the site is developed.. Required buffers on the site may be eliminated or reduced if the adjoining parcels are rezoned such that buffers are no longer required. The removal of such buffers will be approved administratively.

Environmental Features

Reserved

Parks, Greenways, and Open Space

Reserved

Fire Protection

Reserved

Signage

Reserved

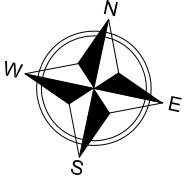
Lighting

- a. Freestanding lighting on the site will be limited to 25' in total height and will utilize full cut-off luminaires and no "wall pak" type lighting will be utilized, except that architectural lighting on the exterior of buildings will be permitted

Phasing

Reserved

Initial submission 3-15-16, 1.0



CHARLOTTE, NC:

BEATTIES FORD ROAD &
CINDY LANE

SITE PLAN #

Site Data Summary

Parcel ID: a portion of 041-082-05
&041-082-18

Proposed Site Area:
57,133 sf (1.31 ACRES)

Existing Zoning: R-4, B-1

Proposed Zoning: B-1 (CD)

Proposed Uses:

- Those uses that are permitted in the B-1 district except as may be further limited by the specific provisions of this site plan.

Parking Summary:

- In accordance with ordinance provisions

Building Setbacks:

- In accordance with ordinance provisions

Site Signage:

- In accordance with ordinance provisions

Landscape Requirements / Notes:

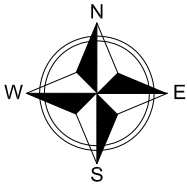
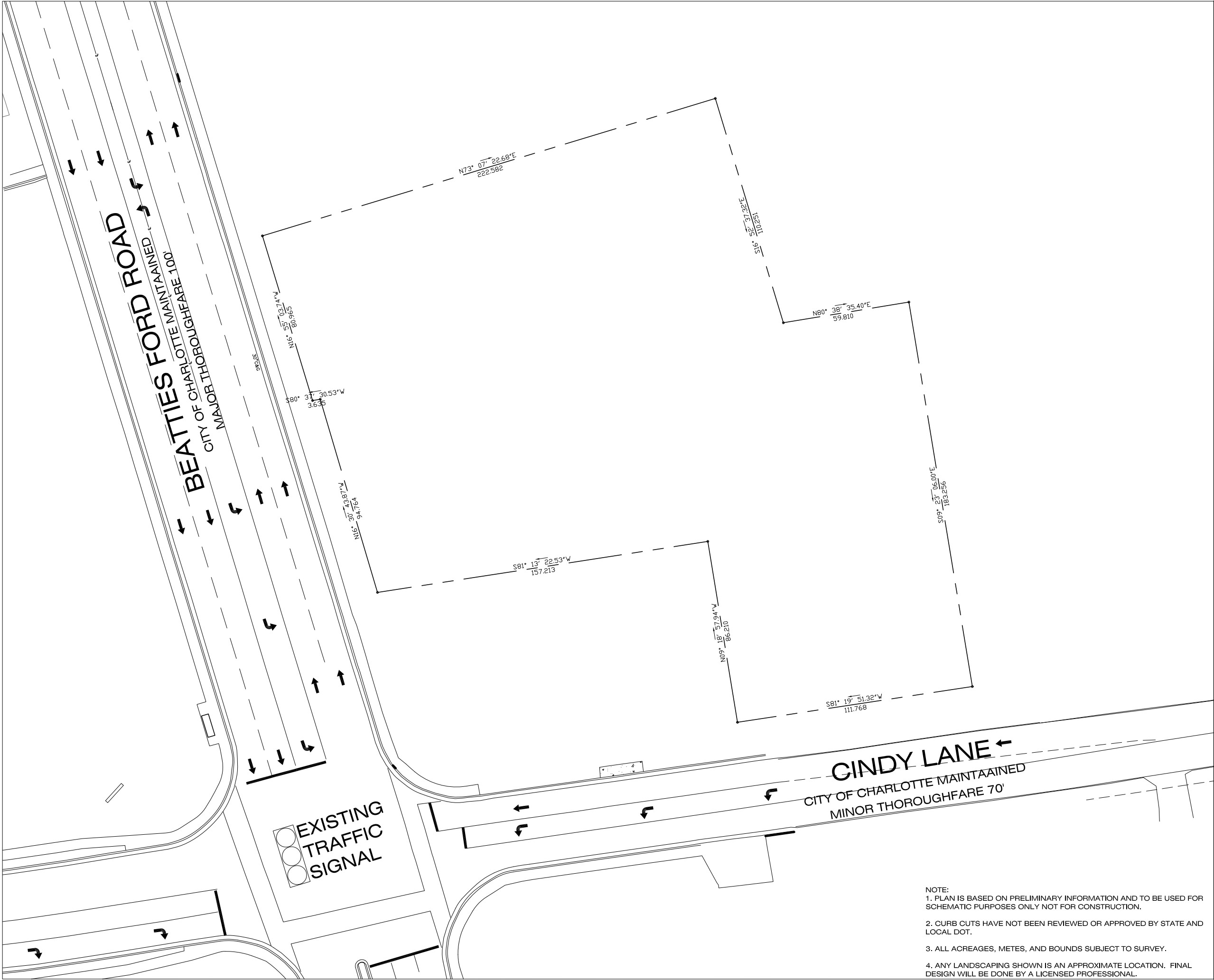
- In accordance with ordinance provisions

Drawn By:	MM
Date Prepared: 03/17/2016	

Prepared For:



CORPORATE OFFICE:
106 FOSTER AVE
CHARLOTTE, NC 28203
PITTSBURGH OFFICE:
5500 BROOKTREE RD; SUITE 303
WEXFORD, PA 15090



CHARLOTTE, NC:

BEATTIES FORD ROAD &
CINDY LANE

REZONING EXHIBIT

Site Data Summary

Parcel ID: a portion of 041-082-05 &
041-082-18

Proposed Site Area:
57,133 sf (1.31 ACRES)

Existing Zoning: R-4, B-1

Proposed Zoning: B-1 (CD)

Drawn By:	MM
Date Prepared: 03/17/2016	

Prepared For:



CORPORATE OFFICE:
106 FOSTER AVE
CHARLOTTE, NC 28203
PITTSBURGH OFFICE:
5500 BROOKTREE RD; SUITE 303
WEXFORD, PA 15090

2016-081

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: _____

Date Filed: _____

Received By: _____

Complete All Fields (Use additional pages if needed)

Property Owner: AHMAD NASIR & AHMAD, NAJA MUL TARIQA

Owner's Address: 3517 HAYDEN DRIVE City, State, Zip: CHARLOTTE NC 28209

Date Property Acquired: 12/31/07

Property Address: 6125 NATIONS FORD ROAD, CHARLOTTE, NC 28217

Tax Parcel Number(s): 16912117

Current Land Use: VACANT-COMMERCIAL Size (Acres): 1.79

Existing Zoning: CC (WITH SPECIAL COND.) Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: SONJA SANDERS, ALBERTO GONZALEZ

Date of meeting: MARCH 8 2016 - 1-2:30 PM CC: CLAIR LYTE-GRAHAM

(*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): 5

Purpose/description of Conditional Zoning Plan: PROVIDE A MIXED-USE DEVELOPMENT OF RETAIL, RESTAURANTS, OFFICE & SELF-STORAGE USES - O=OPTION ON THE 35' LANDSCAPE BUFFER, (PORTION OF IT) FOR OUTDOOR SEATING

BABAK ENADI

Name of Rezoning Agent

1307 WEST MOREHEAD ST.

Agent's Address

SUITE #107 CHARLOTTE 28208

City, State, Zip

704 408 1647

Telephone Number

Fax Number

BEHADI@PROV.DENCECOMMERCIAL.COM

E-Mail Address

Nasir Ahmad + Ahmad

Signature of Property Owner

NASIR AHMAD

NAJAMUL T. AHMAD

(Name Typed / Printed)

704-208-7877

MICHAEL ADAMS

Name of Petitioner(s)

P.O. BOX 958

Address of Petitioner(s)

DAVIDSON NC 28036

City, State, Zip

704 241 5358

Telephone Number

Fax Number

MADAMS@HAWTHORNESPIZZA.COM

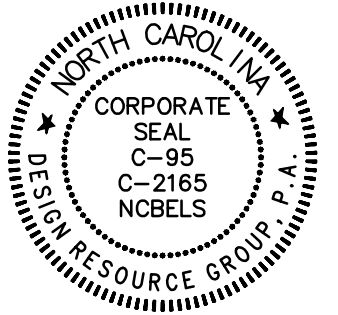
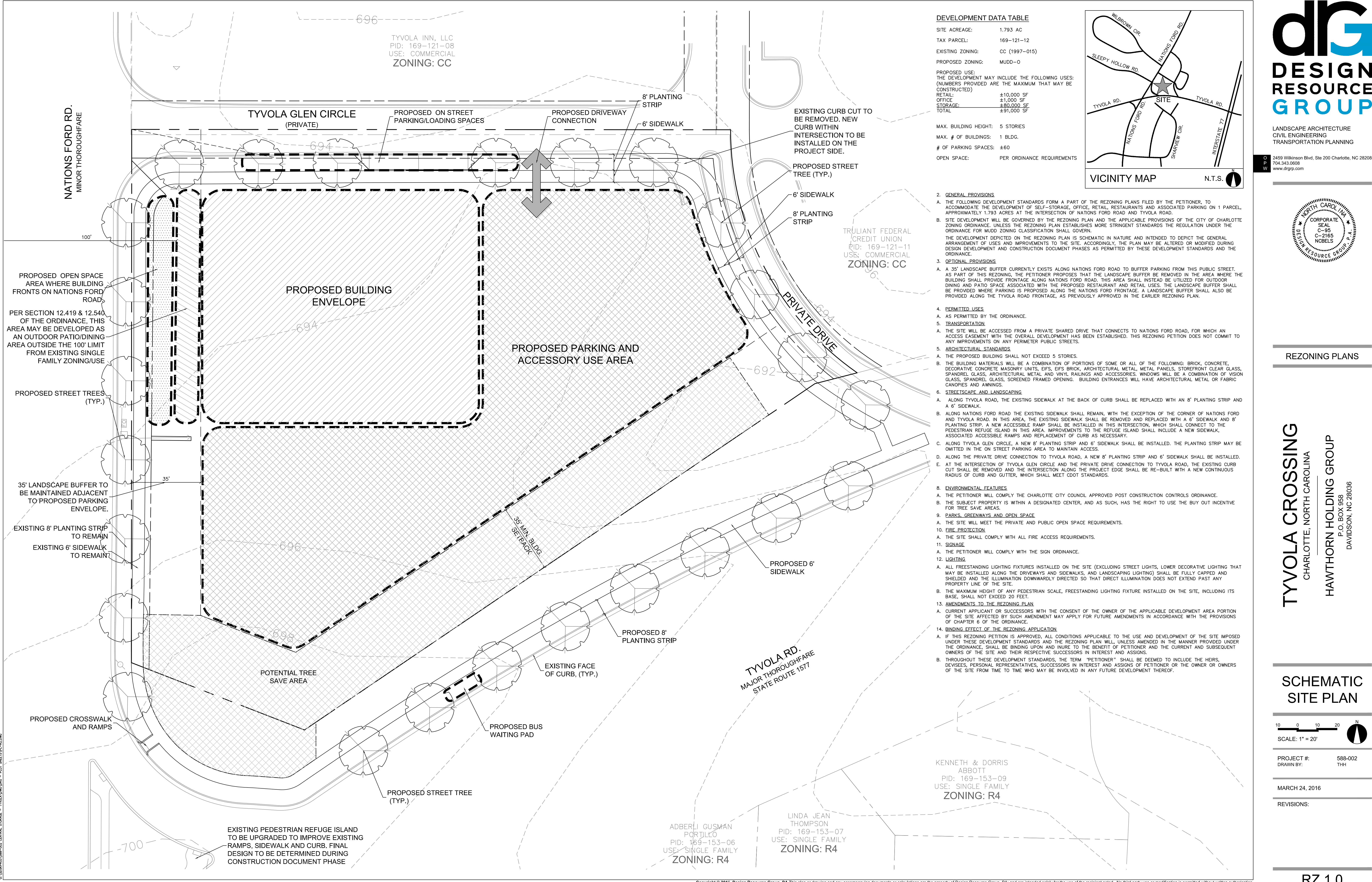
E-Mail Address

Michael Adams

Signature of Petitioner

MICHAEL ADAMS

(Name Typed / Printed)



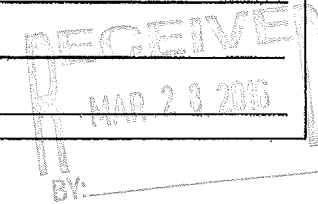
I. REZONING APPLICATION
CITY OF CHARLOTTE

Petition #:

Date Filed:

Received By:

2016-082



Complete All Fields (Use additional pages if needed)

Property Owner (s): Robert D. Ross and Claudia T. Ross

Owner's Address(es): 4607 Linda Kay Drive

City, State, Zip: Waxhaw, NC 28173

Date(s) Property Acquired: January 10, 2007

Property Address(es): Northwest corner of N. Community House Road and Ardrey Kell

Tax Parcel Number(s): 229-011-23

Current Land Use: Vacant

Size (Acres): ± 5.67 acres

Existing Zoning: R-3

Proposed Zoning: I-1(CD)

Overlay: N/A

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

Required Rezoning Pre-Application Meeting * with: John Kinley and Kent Main

Date of meeting: 3/22/16

(*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): N/A

Purpose/description of Conditional Zoning Plan: To allow the development of the Site with a quality climate controlled storage facility.

Jeff Brown, Keith MacVean,

Bridget Dixon

Name of Rezoning Agent

Taylor/Theus Holdings, Inc.

(Attn: David Ellison)

Name of Petitioner

Moore & Van Allen

100 N. Tryon Street, Suite 4700

Agent's Address

1213 Lady Street, Suite 300

Address of Petitioner

Charlotte, NC 28202

City, State, Zip

Columbia, SC 29201

City, State, Zip

704-331-1144 (JB)

704-378-1925 (JB)

704-331-3531 (KM)

704-378-1954 (KM)

704-331-2379 (BD)

704-378-1973 (BD)

Telephone Number

Fax Number

803-256-1050 (o) or 803-917-4389 (c)

Telephone Number

Fax Number

jeffbrown@mvalaw.com, keithmacvean@mvalaw.com

bridgetdixon@invalaw.com

E-mail Address

dellison@taylortheus.com

E-mail Address

See Attachment A

Signature of Property Owner

See Attachment B

Signature of Petitioner

(Name Typed /Printed)

(Name Typed /Printed)

Any Petitioner filing for rezoning is required to discuss the proposal with a Charlotte Mecklenburg Planning Department
CHAR2\1776109v1

*If deemed incomplete, agent or petitioner will be contacted with a deadline to provide the required information.
If the information is not submitted as requested, the petition will not be processed.*

CHAR2\1776109v1

ATTACHMENT A

REZONING PETITION NO. [2016-____]
Taylor/Theus Development Holdings

PETITIONER JOINDER AGREEMENT
Robert D. Ross and Claudia T. Ross

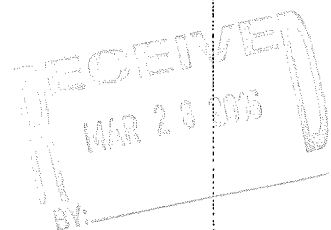
The undersigned, as the owners of the parcel of land located on the northwest corner of the intersection of N. Community House Road and Ardrey Kell Road that is designated as Tax Parcel No. 229-011-23 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcel from the R-3 zoning district to the I-1(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This ____ day of _____, 2016.



Robert D. Ross

Claudia T. Ross



ATTACHMENT A

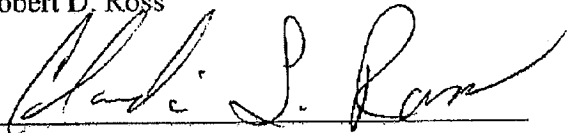
REZONING PETITION NO. [2016-____]
Taylor/Theus Development Holdings

PETITIONER JOINDER AGREEMENT
Robert D. Ross and Claudia T. Ross

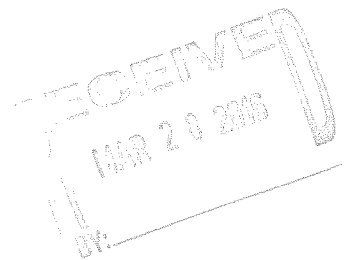
The undersigned, as the owners of the parcel of land located on the northwest corner of the intersection of N. Community House Road and Ardrey Kell Road that is designated as Tax Parcel No. 229-011-23 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcel from the R-3 zoning district to the I-1(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 25 day of March, 2016.

Robert D. Ross



Claudia T. Ross




Attachment A

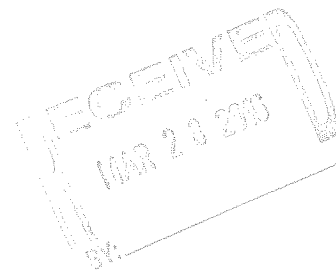
ATTACHMENT B

Taylor/Theus Holdings, Inc.

PETITIONER:


Taylor/Theus Holdings, Inc.
a South Carolina limited liability company

By: 
Name: David Ellison
Title: Project Manager



Attachment B

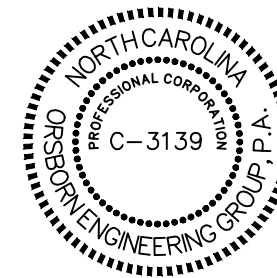
A color pencil sketch of a proposed commercial building, likely a restaurant or cafe, featuring brickwork, large windows, and a sign that reads "Bistro". The building is surrounded by lush greenery, trees, and flowering plants. A blue car is parked on the left, and a paved road runs in front of the property. The sky is blue with white clouds. The artist's signature "BWM" is visible in the bottom left corner.



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

TAYLOR/THEUS
DEVELOPMENT
HOLDINGS, LLC.

1213 LADY STREET
SUITE 300
COLUMBIA, SC 29201

[illegible]

March 28, 2016 - 1:54pm By: JWissler
C:\Users\jwissler\desktop\autosave\AcPublish_4360\14039 RZ-1 REZONING.dwg

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: 2016-083

Date Filed: _____

Received By: _____

Complete All Fields (Use additional pages if needed)

Property Owner: See Exhibit A attached

Owner's Address: See Exhibit A attached City, State, Zip: _____

Date Property Acquired: See Exhibit A attached

Property Address: 4908, 4912, 4912, 4930, 4956, 5000 David Cox Road

Tax Parcel Number(s): 02721110, 02721109, 02721105, 02721108, 02721104, 02721103

Current Land Use: Single Family Size (Acres): +/- 15.38 AC

Existing Zoning: R-9 (PUD0, R-4, RU (CD)) Proposed Zoning: UR2 (CD)

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

Required Rezoning Pre-Application Meeting* with: Alberto Gonzalez, Joshua Weaver, Rick Grochoske, Grant Meacci

Date of meeting: Feb. 23, 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): 5

Purpose/description of Conditional Zoning Plan: To accomodate the development of a residential community that could contain a maximum of 125 single family attached dwelling units

David Malcolm
Name of Rezoning Agent

11301 Carmel Commons Blvd., Suite 111
Agent's Address

Charlotte, NC 28226
City, State, Zip

704-527-0800
Telephone Number Fax Number

malcolm@mcadamsco.com
E-Mail Address

See attached joinder agreement
Signature of Property Owner

(Name Typed / Printed)

Demeter Properties, LLC
Name of Petitioner(s)

19421 Liverpool Parkway
Address of Petitioner(s)

Cornelius, NC 28031
City, State, Zip

704-896-0855
Telephone Number 704-896-2922
Fax Number

jstevens@demeternc.com
E-Mail Address

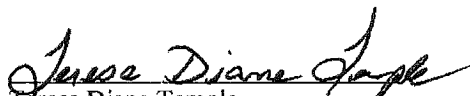
Joe Stevens
Signature of Petitioner


Joe Stevens
(Name Typed / Printed)

Exhibit A
REZONING APPLICATION FILED BY DEMETER PROPERTIES, LLC.
JOINDER AGREEMENT

The undersigned, as an owner of that parcel of land subject to the attached Rezoning Application filed by Demeter Properties, LLC, that is designated as Tax Parcel No. 02721103 and 02721104 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the R-8 zoning district.

This 25th day of March, 2016.


Teresa Diane Temple


Teresa R Sabin


Teresa D Temple

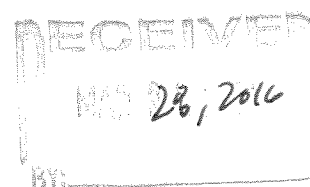
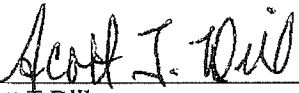


Exhibit A

REZONING APPLICATION FILED BY DEMETER PROPERTIES, LLC. JOINDER AGREEMENT

The undersigned, as an owner of that parcel of land subject to the attached Rezoning Application filed by Demeter Properties, LLC, that is designated as Tax Parcel No. 02721108 and 02721105 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the R-8 zoning district.

This 25th day of March, 2016.



Scott T Dill



Scott Taylor Dill

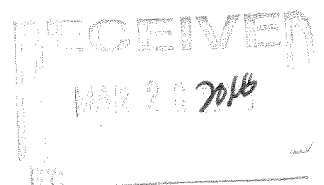


Exhibit A
REZONING APPLICATION FILED BY DEMETER PROPERTIES, LLC.
JOINDER AGREEMENT

The undersigned, as an owner of that parcel of land subject to the attached Rezoning Application filed by Demeter Properties, LLC, that is designated as Tax Parcel No. 02721109 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the R-8 zoning district.

This 25th day of March, 2016.

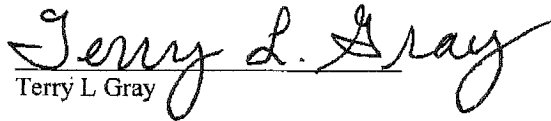

Terry L. Gray



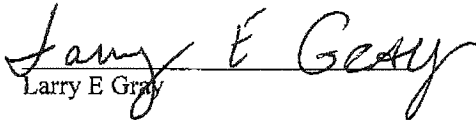
Exhibit A

REZONING APPLICATION FILED BY DEMETER PROPERTIES, LLC. JOINDER AGREEMENT

The undersigned, as an owner of that parcel of land subject to the attached Rezoning Application filed by Demeter Properties, LLC, that is designated as Tax Parcel No. 027211010 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the R-8 zoning district.

This 25th day of March, 2016.


Earl R Gray


Larry E Gray

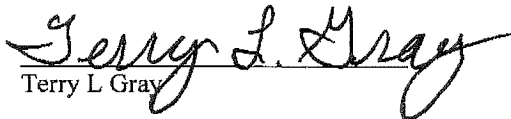

Terry L Gray



Exhibit A

REZONING APPLICATION FILED BY DEMETER PROPERTIES, LLC.

Exhibit A to Rezoning Application Filed by Demeter Properties, LLC.

Property Owner information and Acquisition Dates

Teresa Diane Temple
Teresa R Sabin
5000 David Cox Rd
Charlotte NC 28269
Parcel ID: 02721103
Date Property Acquired: 12/27/2007

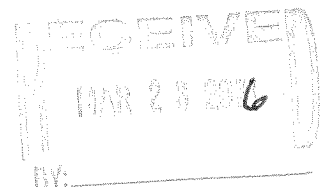
Teresa D Temple
Teresa R Sabin
4956 David Cox Rd
Charlotte NC 28269
Parcel ID: 02721104
Date Property Acquired: 05/22/1997

Scott T Dill
10223 Lasaro Way
Huntersville NC 28078
Parcel ID: 02721108
Date Property Acquired: 05/02/2006

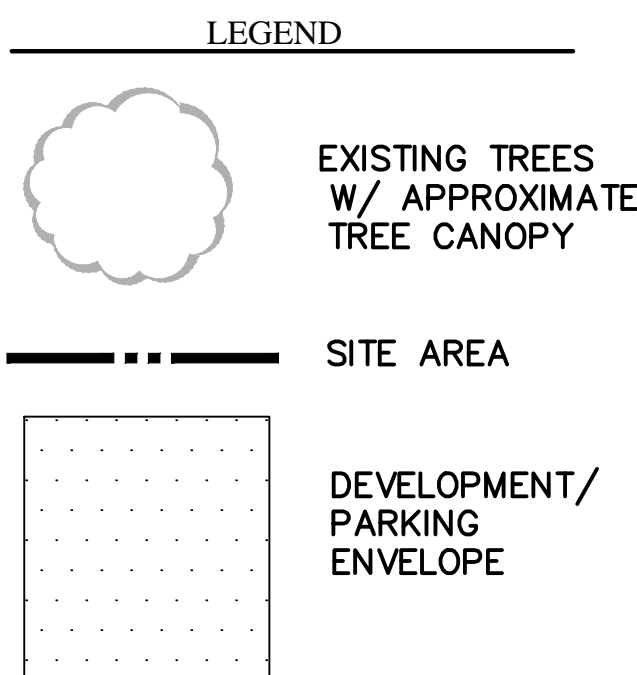
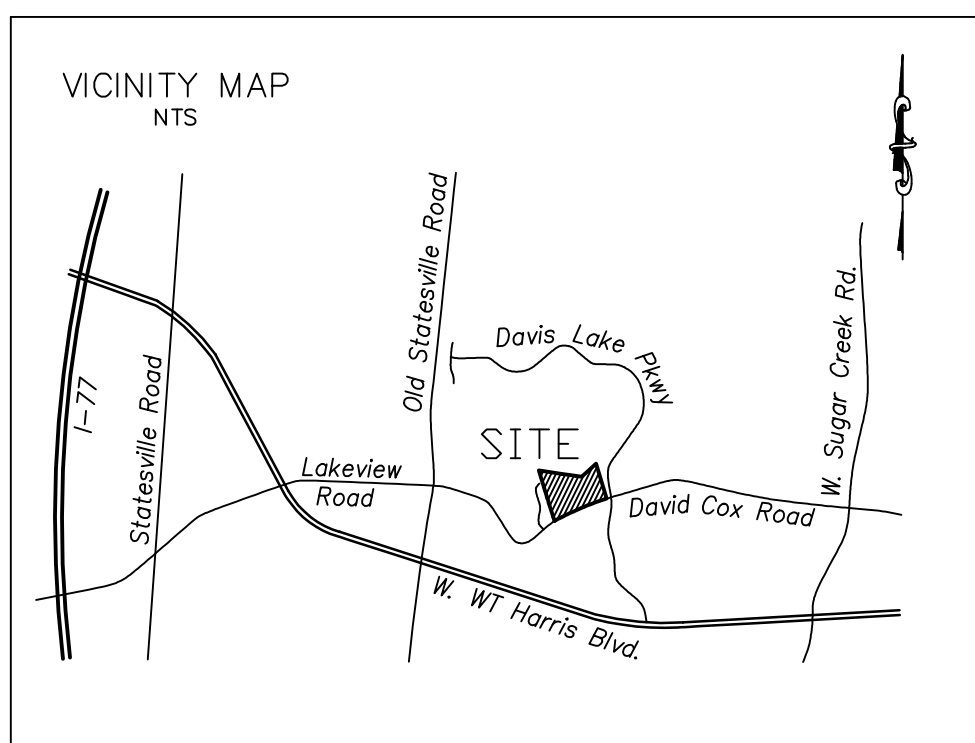
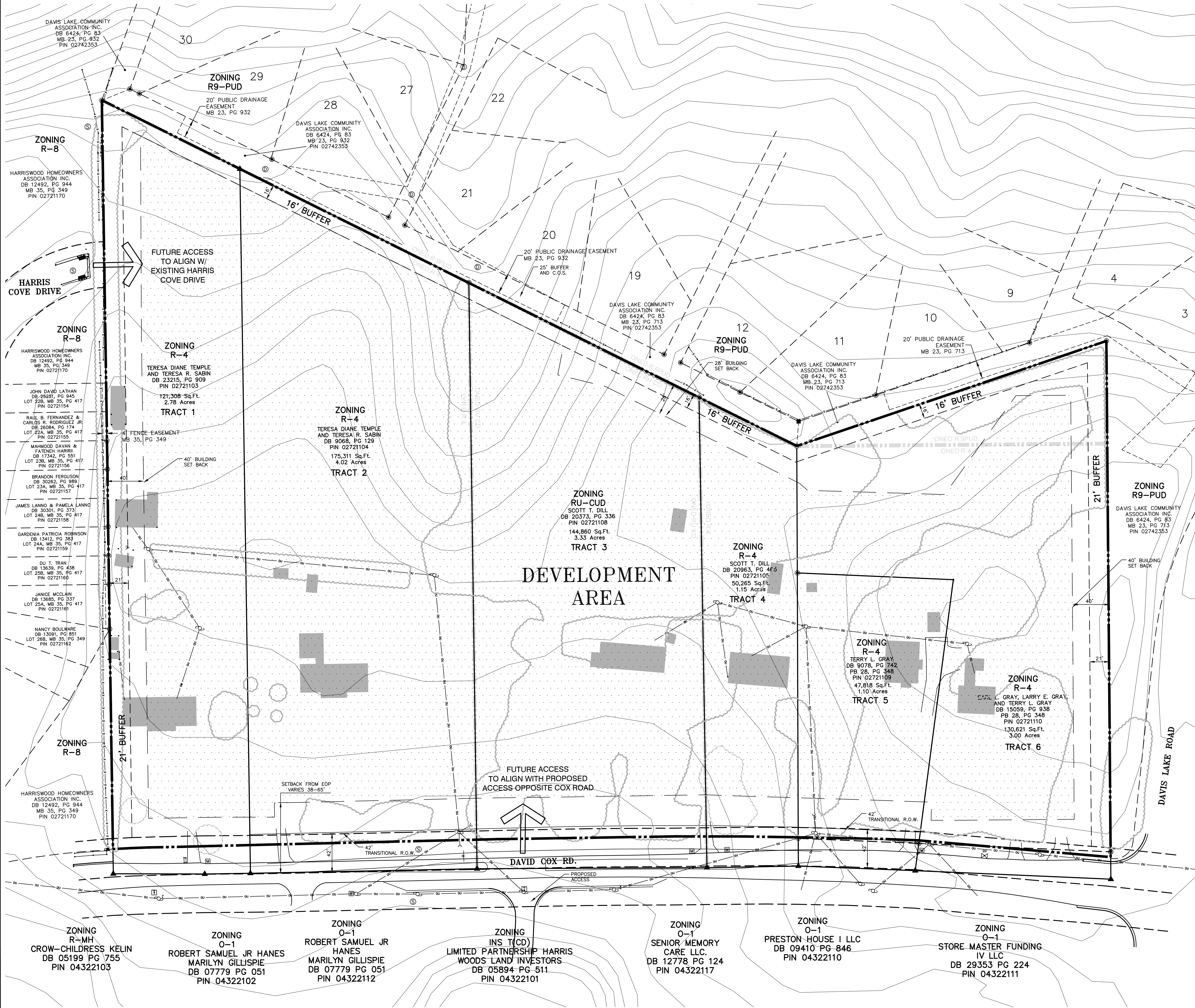
Scott Taylor Dill
10223 Lasaro Way
Huntersville NC 28078
Parcel ID: 02721105
Date Property Acquired: 08/28/2006

Terry L Gray
4912 David Cox RD
Charlotte NC 28269
Parcel ID: 02721109
Date Property Acquired: 05/29/1997

Earl R Gray
Larry E Gray
Terry L Gray
288 Stonemaker Rd
Mooresville NC 28117
Parcel ID: 02721110
Date Property Acquired: 03/28/2003

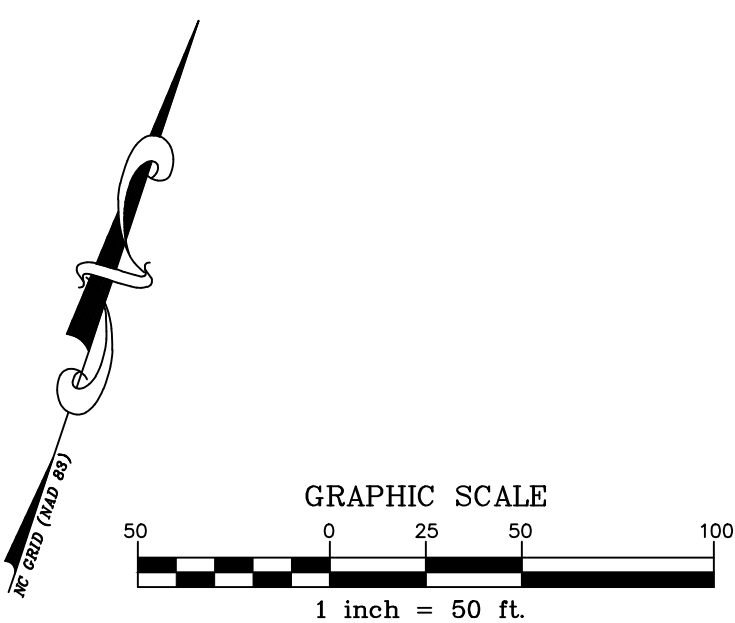


Y:\Projects\EAS-16000\Land Construction\Drawings\Current\EAS16000 RD.DWG, 3/28/2016 9:10:40 AM, Lowe, Nick

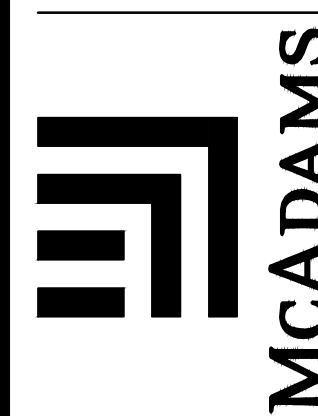


SITE DATA				
DEVELOPER		EASTWOOD HOMES		
		ATTN: JOE DORITY (JDORITY@EASTWOODHOMES.COM)		
		P.O. BOX 667		
		2857 WESTPORT ROAD		
		CHARLOTTE, NC 28208		
PARCELS	TAX ID	AC	ZONING	
TRACT 1	02721103	2.78	R-4	
TRACT 2	02721104	4.02	R-4	
TRACT 3	02721108	3.33	RU-CUD	
TRACT 4	02721105	1.15	R-4/R9-PUD	
TRACT 5	02721109	1.10	R-4	
TRACT 6	02721110	3.00	R-4	
LOT AREA		15.38 AC		
EXISTING ZONING:		R-4, RU(CD)		
CURRENT USE:		RESIDENTIAL		
PROPOSED ZONING:		UR-2(CD)		
TOTAL NUMBER OF UNITS ALLOWED:		N/A		
TOTAL NUMBER OF UNITS PROPOSED:		125		
PROPOSED DENSITY:		8.12 UNITS/AC		
SIDE SETBACK:		5'		
FRONT SETBACK:		20'		
REAR SETBACK:		18.5'		
BUFFER TYPE:		VARIES		
FLOOR AREA RATIO		1.0		

NOTES:
PLAN ASSUMES THAT UR-2 RE-ZONING WILL BE ALLOWED WITH THE ABOVE DENSITY REQUIREMENTS.
STORM WATER MANAGEMENT FACILITY IS CONCEPTUAL AND SUBJECT TO CHANGE.
TRASH COLLECTION TO BE ROLL OUT.
SEE RZ-2 FOR SETBACKS PERTAINING TO INDIVIDUAL LOTS.
ALL ZONING CLASSIFICATIONS ARE FROM MECKLENBERG COUNTY POLARIS DATA.



THE JOHN R. MCADAMS
COMPANY, INC.
11301 Carrol Commons Blvd.
Suite 111
Charlotte, North Carolina 28226
License No.: C-0293
(800) 733-5646 • McAdamsCo.com



REVISIONS:	

DEVELOPER:
DEMETER PROPERTIES, LLC
19421 LIVERPOOL PARKWAY
CORNELIUS, NORTH CAROLINA 28031

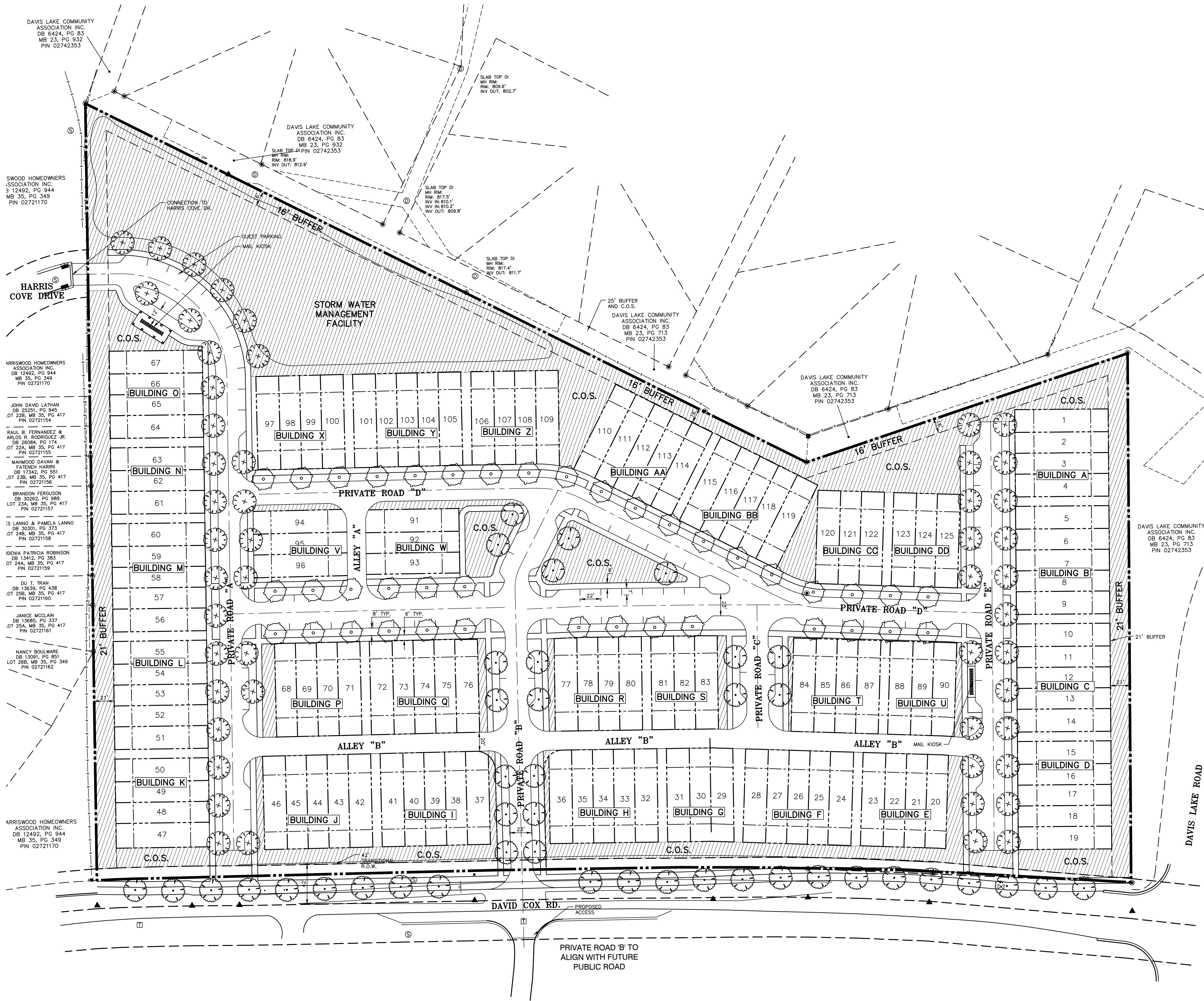
DAVIS LAKE TOWN HOMES
REZONING PETITION NO. XXXX-XX
DAVID COX ROAD
CHARLOTTE, NORTH CAROLINA 28262
TECHNICAL DATA SHEET

PROJECT NO.	EAS-16000
FILENAME:	EAS-1600RZ
DESIGNED BY:	JDM
DRAWN BY:	ANL
SCALE:	1" = 50'
DATE:	03-28-2016
SHEET NO.	R01



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

X:\Projects\EAS-16000\Users\Constructing Drawings\Current\EAS16000_RZ.DWG, 3/28/2016, 9:10:47 AM, Mike



COMMON OPEN SPACE

Davis Lake Town Homes
Development Standards
03/2016
Rezoning Petition No. 2016-xxx

Site Development Data:

- Acreage: 15.38 acres
- Tax Parcel #: 027-211-04, 027-211-04, 027-211-08, 027-211-09, and 027-211-10
- Existing Zoning: R-4, R-9 PUD and RUCD
- Proposed Zoning: UR-2(CD)
- Existing Uses: Six detached dwellings.
- Proposed Uses: Up to 125 attached dwelling units together with accessory uses, as allowed in the UR-2 zoning district.
- Proposed Floor Area Ratio: As allowed by the UR-2 Zoning District.
- Maximum Building Height: Not to exceed two (2) stories or 40 feet; building height to be measured as required by the Ordinance.
- Parking: Parking as required by the Ordinance will be provided.
- Open Space: A minimum of 15% of the site will be established as a tree/scape/open (to include the on-site open storm water retention area) space areas as defined by the Ordinance.

1. General Provisions:

- a. Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Demeter Properties LLC, ("Petitioner") to accommodate the development of a townhome community on approximately 15.38-acre site located on the North side of David Cox Road between Harris Cove Drive and Davis Lake Road (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 UR-2 zoning classification shall govern.
- c. Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, streets 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 required by Section 6.207 of the Ordinance.

Since the project has not undergone the design development and construction 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:

- Minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
- modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "external building line" (in this case the external setbacks, rear yards or buffer areas) indicated on Sheet RZ-1.

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.** The total number of principal buildings to be developed on the Site shall not exceed 39. 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 located on the Site. Accessory structures and buildings include structures and buildings such as but not limited to, a mail kiosk, dumpster enclosure, garages, trailers, storage buildings, and other structures associated with the on-site open space.

- e. Parking layouts for surface parking may be modified to accommodate final building locations and parking spaces may be located within the development boundaries to the extent permitted by the Ordinance.** Sidewalks depicted on the Rezoning Plan are intended to reflect the general pedestrian circulation for the development on Site but specific locations of sidewalks may be subject to variations that do not materially change the design intent depicted on the Rezoning Plan.

2. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with up to 125 attached dwelling units, together with accessory uses allowed in the UR-2 zoning district.**
- b. Access and Transportation:**
 - Access to the Site will be from David Cox Road and Harris Cove Dr. in the manner generally depicted on the Rezoning Plan.
 - The Petitioner will provide an eight (8) foot planting strip and a six (6) foot sidewalk along David Cox Road as generally depicted on the Rezoning Petition.
 - Along the Site's internal private road a eight (8) foot planting strip with a six (6) foot sidewalk will be provided on one side of the proposed private street as generally depicted on the Rezoning Plan. Street trees will also be provided along the private street as generally depicted on the Rezoning Plan.
 - The placement and configuration of the vehicular access point is 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 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.
 - Vertical curb and gutter shall extend from David Cox Rd. 100 feet into the proposed development on both sides of the private drive.
- c. Architectural Standards, Court Yards/Amenity Areas:**
 - The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on the rear elevations and windows, soffits and on handrails/railings.
 - Meen hanks will be screened from adjoining properties and from David Cox Rd.
 - HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
 - Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building. It is anticipated that private trash collection service will be provided and individual roll out cans will be used in lieu of dumpsters.
- d. Streetscape, Buffers, Yards, and Landscaping:**
 - An 84 foot transitional R.O.W. has been established by CDOT along David Cox Road. A building setback varying from 38 to 65 feet will be shown along David Cox Road as measured from the existing edge of pavement.
 - A 40 foot rear yard will be provided along the northeast & southwest property boundaries of the Site as generally depicted on the Rezoning Plan. The required private open space for the proposed units may be located within the proposed rear and side yards, but not in the proposed buffers.
 - A 21 foot Buffer will be provided on the interior edge of the buffer along the northeast & southwest boundaries as generally depicted on the Rezoning Plan. A 16 foot buffer will also be provided along the northwest property boundary as generally depicted on the Rezoning Plan. A 21-28' landscape area will be provided along David Cox Road between the transitional R.O.W. & lot fronting David Cox Road.
 - Utilities may cross proposed buffers at angles no greater than 75 degrees. Storm drainage discharge aprons and swales with or without rip-rap may also cross the buffer at angles no greater than 75 degrees in order to allow for the natural flow storm water.
 - Along the Site's internal parking area, the Petitioner will provide a sidewalk and cross-walk network that links to the building on the Site and to the sidewalks along David Cox Rd. in the manner depicted on the Rezoning Plan.
 - Screening requirements of the Ordinance will be met.
 - Above ground backflow preventers will be screened from public view and will be located behind the existing right-of-way of David Cox Rd.
- e. Environmental Features:**
 - The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
 - 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.
 - The Site will comply with the Tree Ordinance.
 - All utilities within the Site will be placed underground.
- f. Lighting:**
 - All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
 - Detached lighting on the Site will be limited to 15 feet in height.
 - No exterior "wall pack" lighting will be allowed, however architectural lighting on building facades, such as but not limited to scones, will be permitted.
- g. Signage:**
 - Signage as allowed by Ordinance will be provided at the entrance to the Site from David Cox Road. The sign proposed along David Cox Road will be composed of individual letters that are internally back lit with opaque lettering or illuminated with up lighting. The sign may not use internally illuminated letters.

- a. 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.

10. Binding Effect of the Rezoning Application:

- a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless stated 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.**

THE JOHN R. MCADAMS
COMPANY, INC.
11901 Carmel Commons Blvd.
Charlotte, North Carolina 28226
License No.: C-02983
(800) 735-5646 • McAdamsCo.com



REVISIONS:

DEVELOPER: DEMETER PROPERTIES, LLC
19421 LIVERPOOL PARKWAY
CORNELIUS, NORTH CAROLINA 28031

DEVELOPER:

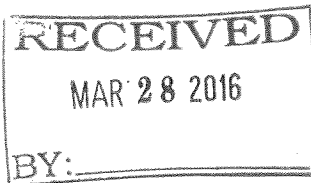
DAVIS LAKE TOWN HOMES
REZONING PETITION NO. XXXX-XX
DAVID COX ROAD
CHARLOTTE, NORTH CAROLINA 28262
SITE PLAN

PROJECT NO. EAS-16000
FILENAME: EAS-1600RZ
DESIGNED BY: JDM
DRAWN BY: ANL
SCALE: 1" = 50'
DATE: 03-28-2016
SHEET NO. R02



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2016-684

Petition #:	
Date Filed:	3/28/2016
Received By:	GH

Complete All Fields (Use additional pages if needed)

Property Owner: See Exhibit A attached hereto

Owner's Address: See Exhibit A attached hereto City, State, Zip: See Exhibit A attached hereto

Date Property Acquired: See Exhibit A attached hereto

Property Address: See Exhibit A attached hereto

Tax Parcel Number(s): 039-044-07, 039-044-09, 039-044-06, 039-044-10, 039-044-11 and a portion of 039-044-05

Current Land Use: Commercial and single family residential Size (Acres): +/-1.85 acres

Existing Zoning: B-2(CD) and R-5 Proposed Zoning: B-1(CD)

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, Alberto Gonzalez and Rick Grochoske et al.

Date of meeting: February 23, 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 and operation of a QuikTrip convenience store with gasoline sales.

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

See Attached Joinder Agreements
Signature of Property Owner

(Name Typed / Printed)

QuikTrip Corporation (c/o Judy Allie)
Name of Petitioner(s)

3701 Arco Corporate Drive, Suite 150
Address of Petitioner(s)

Charlotte, NC 28173
City, State, Zip

704-559-8014
Telephone Number Fax Number

jallie@quiktrip.com
E-Mail Address

QuikTrip Corporation
By: Judy Allie
Signature of Petitioner

Judy Allie
(Name Typed / Printed)

Exhibit A to Rezoning Application Filed by QuikTrip Corporation

Property Owner Information, Acquisition Dates and Property Addresses

Tax Parcel Nos. 039-044-07 & 039-044-09

Pert Investment, LLC
4200 Brookshire Boulevard
Charlotte, NC 28216

Date Property Acquired: October 27, 2000

Property Address: 202 North Cloudman Street and 4200 Brookshire Boulevard

Tax Parcel No. 039-044-06

Marilyn L. London, Trustee, under The Marilyn L. London Living Trust,
dated June 29, 2007
10305 Osprey Drive
Pineville, NC 28134

Date Property Acquired: October 4, 2007

Property Address: 204 North Cloudman Street

Tax Parcel No. 039-044-10

Thanh Ta and husband, Ha To Ta
5104 Noyes Avenue
Charleston, WV 25034

Date Property Acquired: April 18, 2006

Property Address: 227 North Hoskins Road

Tax Parcel No. 039-044-11

Encarnacion US Property1, LLC
12 Glasshouse Road
Beaumont Hills, NSW
2155 Australia

Date Property Acquired: December 5, 2013

Property Address: 233 North Hoskins Road

Tax Parcel No. 039-044-05

Dorothy R. Keistler
302 Dakota Street
Charlotte, NC 28216

Date Property Acquired: July 15, 2004

Property Address: 206 North Cloudman Street

**REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT**

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by QuikTrip Corporation that are designated as Tax Parcel Nos. 039-044-07 and 039-044-09 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the B-1 (CD) zoning district.

This 08 day of March, 2016.

PERT INVESTMENT, LLC

By: PERT INVESTMENT, L.L.C.

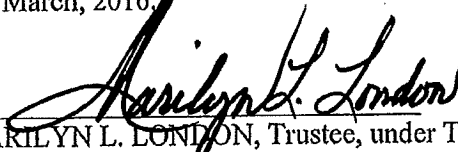
Name: SHASHI. A. PATEL.

Title: CHAIRMAN.

**REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by QuikTrip Corporation that is designated as Tax Parcel No. 039-044-06 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the B-1 (CD) zoning district.

This 8th day of March, 2016,


MARILYN L. LONDON, Trustee, under The
Marilyn L. London Living Trust, dated June 29, 2007

**REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by QuikTrip Corporation that is designated as Tax Parcel No. 039-044-10 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the B-1 (CD) zoning district.

This 8 day of March, 2016.



THANH T.



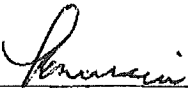
HA TOTA

**REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by QuikTrip Corporation that is designated as Tax Parcel No. 039-044-11 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the B-1 (CD) zoning district.

This 15th day of March, 2016.

ENCARNACION US PROPERTY1, LLC

By: 

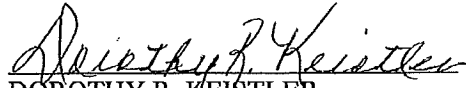
Name: HELEN ENCARNACION

Title: Trustee - J & H ENCARNACION SUPER FUND

**REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by QuikTrip Corporation that is designated as Tax Parcel No. 039-044-05 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the B-1 (CD) zoning district.

This 28th day of March, 2016.


DOROTHY R. KEISTLER

Being that proposed parcel of land lying and being situate in the city of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

Beginning at an iron pipe located at the northwest corner of Dorothy Keistler, recorded in Book 17489, Page 682, said point having North Carolina Grid Coordinates (NAD83/2011) of North: 557,703.21 feet and East: 1,438,475.57 feet, said point being on the southerly right of way line of North Cloudman Street, a variable width public right of way, said point the POINT OF BEGINNING; thence along the southern right of way line of said North Cloudman Street North 72°19'26" East 21.23 feet to a point at a proposed corner; thence leaving the right of way of North Cloudman Street South 17°44'31" East 149.77 feet to a point on the northern right of way line of a 10-foot alley, recorded in Map Book 332, Page 125; thence crossing said alley South 17°44'31" East 10.12 feet to an iron pipe located at the northwest corner of Miriam M. Smith, recorded in Book 7346, Page 822; thence with the line of said Smith South 17°44'31" East 150.00 feet to an iron pipe located on the northerly right of way line of North Hoskins Road, a variable width public right of way; thence with said right of way line of North Hoskins Road South 72°11'16" West 50.00 feet to an iron pipe; thence South 72°11'16" West 50.00 feet to a rebar; thence South 72°11'16" West 71.26 feet to an iron pipe; thence North 17°48'47" West 5.74 feet to an iron pipe; thence with a curve to the right having an arc length of 52.45 feet, a radius of 42.00 feet and a chord bearing and distance of North 74°59'41" West 49.11 feet to a rebar located on the eastern right of way line of Brookshire Boulevard (NC Highway 16); thence along the right of way line of said Brookshire Boulevard North 17°45'19" West 127.91 feet to a rebar; thence North 17°45'36" West 120.64 feet to an iron pipe on the southerly right of way line of the aforementioned North Cloudman Street; thence along said right of way line of North Cloudman Street with a curve to the right having an arc length of 33.38 feet, a radius of 21.50 feet and a chord bearing and distance of North 26°47'42" East 30.13 feet to an iron pipe; thence North 71°59'20" East 2.27 feet to a rebar; thence North 19°10'04" West 7.91 feet to a rebar; thence North 72°19'16" East 114.23 feet to an iron pipe; thence North 72°23'07" East 52.00 feet to an iron pipe; thence North 72°04'30" East 51.97 feet to the POINT OF BEGINNING, containing 80,612 square feet, or 1.85 acres, more or less.

Exhibit A to Rezoning Application Filed by QuikTrip Corporation

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dated June 29, 2007
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Pineville, NC 28134

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Thanh Ta and husband, Ha To Ta
5104 Noyes Avenue
Charleston, WV 25034

Date Property Acquired: April 18, 2006

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Tax Parcel No. 039-044-11

Encarnacion US Property1, LLC
12 Glasshouse Road
Beaumont Hills, NSW
2155 Australia

Date Property Acquired: December 5, 2013

Property Address: 233 North Hoskins Road

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Dorothy R. Keistler
302 Dakota Street
Charlotte, NC 28216

Date Property Acquired: July 15, 2004

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**REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT**

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This 08 day of March, 2016.

PERT INVESTMENT, LLC

By: PERT INVESTMENT, L.L.C.

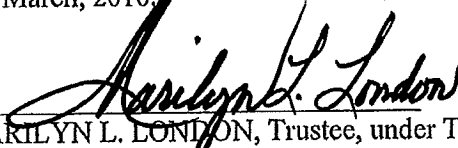
Name: SHASHI. A. PATEL.

Title: CHAIRMAN.

**REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by QuikTrip Corporation that is designated as Tax Parcel No. 039-044-06 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the B-1 (CD) zoning district.

This 8th day of March, 2016,


MARILYN L. LONDON, Trustee, under The
Marilyn L. London Living Trust, dated June 29, 2007

**REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by QuikTrip Corporation that is designated as Tax Parcel No. 039-044-10 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the B-1 (CD) zoning district.

This 8 day of March, 2016.



THANH T.



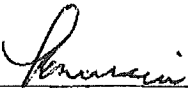
HA TOTA

**REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by QuikTrip Corporation that is designated as Tax Parcel No. 039-044-11 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the B-1 (CD) zoning district.

This 15th day of March, 2016.

ENCARNACION US PROPERTY1, LLC

By: 

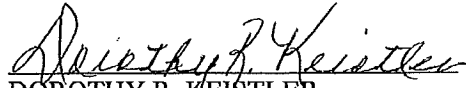
Name: HELEN ENCARNACION

Title: Trustee - J & H ENCARNACION SUPER FUND

**REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT**

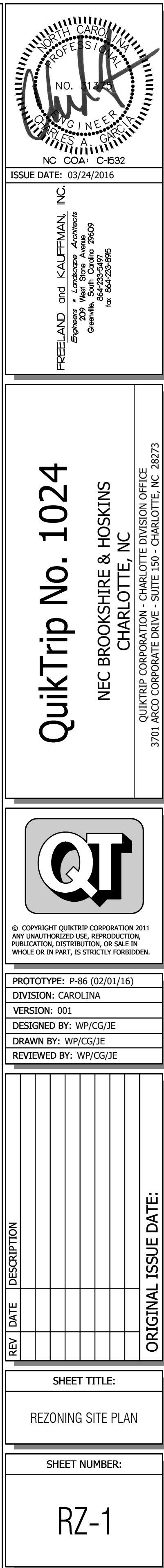
The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by QuikTrip Corporation that is designated as Tax Parcel No. 039-044-05 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the B-1 (CD) zoning district.

This 28th day of March, 2016.


DOROTHY R. KEISTLER

Being that proposed parcel of land lying and being situate in the city of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

Beginning at an iron pipe located at the northwest corner of Dorothy Keistler, recorded in Book 17489, Page 682, said point having North Carolina Grid Coordinates (NAD83/2011) of North: 557,703.21 feet and East: 1,438,475.57 feet, said point being on the southerly right of way line of North Cloudman Street, a variable width public right of way, said point the POINT OF BEGINNING; thence along the southern right of way line of said North Cloudman Street North 72°19'26" East 21.23 feet to a point at a proposed corner; thence leaving the right of way of North Cloudman Street South 17°44'31" East 149.77 feet to a point on the northern right of way line of a 10-foot alley, recorded in Map Book 332, Page 125; thence crossing said alley South 17°44'31" East 10.12 feet to an iron pipe located at the northwest corner of Miriam M. Smith, recorded in Book 7346, Page 822; thence with the line of said Smith South 17°44'31" East 150.00 feet to an iron pipe located on the northerly right of way line of North Hoskins Road, a variable width public right of way; thence with said right of way line of North Hoskins Road South 72°11'16" West 50.00 feet to an iron pipe; thence South 72°11'16" West 50.00 feet to an iron pipe; thence South 72°11'16" West 50.00 feet to a rebar; thence South 72°11'16" West 71.26 feet to an iron pipe; thence North 17°48'47" West 5.74 feet to an iron pipe; thence with a curve to the right having an arc length of 52.45 feet, a radius of 42.00 feet and a chord bearing and distance of North 74°59'41" West 49.11 feet to a rebar located on the eastern right of way line of Brookshire Boulevard (NC Highway 16); thence along the right of way line of said Brookshire Boulevard North 17°45'19" West 127.91 feet to a rebar; thence North 17°45'36" West 120.64 feet to an iron pipe on the southerly right of way line of the aforementioned North Cloudman Street; thence along said right of way line of North Cloudman Street with a curve to the right having an arc length of 33.38 feet, a radius of 21.50 feet and a chord bearing and distance of North 26°47'42" East 30.13 feet to an iron pipe; thence North 71°59'20" East 2.27 feet to a rebar; thence North 19°10'04" West 7.91 feet to a rebar; thence North 72°19'16" East 114.23 feet to an iron pipe; thence North 72°23'07" East 52.00 feet to an iron pipe; thence North 72°04'30" East 51.97 feet to the POINT OF BEGINNING, containing 80,612 square feet, or 1.85 acres, more or less.



FILE LOCATION\\s:\Drawings\Projects\QuikTrip\1024 - Charlotte, NC\civil.dwg TAB NAMEDev Notes USERWPJyer SAVED:3/24/2016 4:47 PM PLOTTED:3/24/2016 5:16 PM

GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY QUIKTRIP CORPORATION TO ACCOMMODATE THE DEVELOPMENT OF A CONVENIENCE STORE WITH GASOLINE SALES AND ANY INCIDENTAL OR ACCESSORY USES RELATING THERETO ON THAT APPROXIMATELY 1.84 ACRE SITE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF BROOKSHIRE BOULEVARD AND NORTH HOSKINS ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 039-044-07, 039-044-09, 039-044-06, 039-044-10, 039-044-11 AND A PORTION OF 039-044-05. THE SITE ALSO INCLUDES THAT PORTION OF AN ADJACENT ALLEY THAT IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN THAT THE PETITIONER WILL SEEK TO HAVE ABANDONED BY THE CITY OF CHARLOTTE AND INCORPORATED INTO THE SITE.
2. 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").
3. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE B-1 ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
4. THE PARCELS OF LAND THAT COMPRISE THE SITE MAY BE RECOMBINED INTO ONE PARCEL AT THE OPTION OF PETITIONER.
5. 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.

PERMITTED USES/DEVELOPMENT LIMITATIONS

1. THE SITE MAY ONLY BE DEVOTED TO A CONVENIENCE STORE WITH GASOLINE SALES AND TO ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE B-1 ZONING DISTRICT. INCIDENTAL AND ACCESSORY USES MAY INCLUDE, WITHOUT LIMITATION, AN EATING, DRINKING AND ENTERTAINMENT USE.
2. ACCESSORY DRIVE THROUGH SERVICE WINDOWS SHALL NOT BE PERMITTED ON THE SITE.
3. A CAR WASH SHALL NOT BE PERMITTED ON THE SITE.
4. A MAXIMUM OF ONE PRINCIPAL BUILDING MAY BE LOCATED ON THE SITE.

MAXIMUM GROSS FLOOR AREA

1. THE MAXIMUM GROSS FLOOR AREA OF ANY BUILDING LOCATED ON THE SITE SHALL BE 6,000 SQUARE FEET. THE AREA UNDER THE CANOPY OVER THE GAS PUMPS ASSOCIATED WITH THE CONVENIENCE STORE AND OUTDOOR DINING AREAS SHALL NOT BE INCLUDED IN THE CALCULATION OF THE MAXIMUM GROSS FLOOR AREA.
2. THE TERM "GROSS FLOOR AREA" SHALL MEAN AND REFER TO THE SUM OF THE GROSS HORIZONTAL AREAS OF EACH FLOOR OF THE PRINCIPAL BUILDING ON THE SITE MEASURED FROM THE OUTSIDE OF THE EXTERIOR WALLS OR FROM THE CENTER LINE OF PARTY WALLS; PROVIDED, HOWEVER, SUCH TERM SHALL EXCLUDE ANY SURFACE PARKING FACILITIES, AREAS USED FOR BUILDING AND EQUIPMENT ACCESS (SUCH AS STAIRS, ELEVATOR SHAFTS, VESTIBULES, ROOF TOP EQUIPMENT ROOMS AND MAINTENANCE CRAWL SPACES), ALL LOADING DOCK AREAS (OPEN OR ENCLOSED), OUTDOOR COOLERS, THE AREA UNDER THE CANOPY OVER THE GAS PUMPS AND OUTDOOR DINING AREAS. PARKING FOR OUTDOOR DINING AREAS WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

TRANSPORTATION

1. 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.
2. THE ALIGNMENTS OF THE INTERNAL DRIVES TO BE LOCATED ON THE SITE ARE SUBJECT TO ANY MINOR MODIFICATIONS OR ALTERATIONS REQUIRED DURING THE CONSTRUCTION PERMITTING PROCESS.
3. PETITIONER SHALL SUBMIT A PETITION TO THE CITY OF CHARLOTTE REQUESTING THE ABANDONMENT OF A PORTION OF AN EXISTING ADJACENT ALLEY THAT IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN. THE ABANDONMENT OF THE RELEVANT PORTION OF THE ADJACENT ALLEY SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE.

ARCHITECTURAL STANDARDS

1. THE MAXIMUM HEIGHT OF THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE 25 FEET.

STREETSCAPE AND LANDSCAPING

1. A CLASS B BUFFER SHALL BE ESTABLISHED ALONG THE EASTERN BOUNDARY LINE OF THE SITE AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN. THE WIDTH OF THE CLASS B BUFFER IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN.
2. PURSUANT TO SECTION 12.302(8) OF THE ORDINANCE, PETITIONER MAY REDUCE THE REQUIRED WIDTH OF THE CLASS B BUFFER BY UP TO 25% BY INSTALLING A WALL, FENCE OR BERM THAT MEETS THE STANDARDS OF SECTION 12.302(8) OF THE ORDINANCE.
3. 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, PETITIONER MAY REDUCE OR ELIMINATE, AS THE CASE MAY BE, THE RELEVANT BUFFER AREAS ACCORDINGLY.
4. INTERNAL SIDEWALKS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.

ENVIRONMENTAL FEATURES

1. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

LIGHTING

1. ANY FREESTANDING LIGHTING FIXTURES INSTALLED ON SITE SHALL HAVE A MAXIMUM HEIGHT OF 24 FEET, AND ALL SUCH FREESTANDING LIGHTING FIXTURES 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.
2. ANY ATTACHED LIGHTING WILL BE DOWNWARDLY DIRECTED AND A FULL CUTOFF FIXTURE.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

1. 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.
2. 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.
3. 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.



NC COA# C-1532
ISSUE DATE: 03/24/2016
FREELAND GIL KAUFMAN, INC.
209 West Stone Avenue
Greenville, SC 29609
Tel: 864/226-5497
Fax: 864/226-5955

QuikTrip No. 1024

NEC BROOKSHIRE & HOSKINS
CHARLOTTE, NC

QUIKTRIP CORPORATION - CHARLOTTE DIVISION OFFICE
3701 ARCO CORPORATE DRIVE - SUITE 150 - CHARLOTTE, NC 28273



PROTOTYPE: P-86 (02/01/16)
DIVISION: CAROLINA
VERSION: 001
DESIGNED BY: WP/CG/JE
DRAWN BY: WP/CG/JE
REVIEWED BY: WP/CG/JE

REV	DATE	DESCRIPTION	ORIGINAL	ISSUE DATE:

SHEET TITLE:
DEVELOPMENT STANDARDS
AND NOTES

SHEET NUMBER:

RZ-2

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Complete All Fields (Use additional pages if needed)

Petition #:	2016- <u>085</u>
Date Filed:	<u>3/28/2016</u>
Received By:	<u>BH</u>

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: _____ Total Acres: ± 5.022

Existing Zoning: B-2 and R-5 (SEE SCHEDULE 1 ATTACHED HERETO)

Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: Kathy Cornett, Solomon Fortune, Allan Goodwin, Brent Wilkinson

Date of meeting: 2/17/16

(*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 allow the redevelopment of the Site with a multi-family residential community.

**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)
704-331-3531 (KM)**

Telephone Number

**704-348-1925 (JB)
704-378-1954 (KM)**

Fax Number

jeffbrown@mvalaw.com keithmacvean@mvalaw.com

E-mail Address

See Attachments A - E

Signature of Property Owners

(Name Typed/Printed)

**Alliance Residential, LLC
(Attn: Donald Santos)**

Name of Petitioner

708 East Boulevard, Suite E

Address of Petitioner

Charlotte, NC 28203

City, State, Zip

704-941-0972

Telephone Number

Fax Number

dsantos@allresco.com

E-mail Address

See Attachment F

Signature of Petitioner

(Name Typed/Printed)

Any Petitioner filing for rezoning is required to discuss the proposal with a Charlotte Mecklenburg Planning Department "CMPD" Rezoning Team member prior to the filing of the petition. Upon submittal of the petition, all required items must be verified by the rezoning gatekeeper before an application is considered completed and filed for processing. Incomplete applications can be returned to the petitioner (see Section 6.202). No applications will be accepted after the closing deadline for each month's cases. There is a limit of 16 cases per month.

SUBMITTAL REQUIREMENTS:

All petitions:

1. Two signed official applications;
2. If only a portion of a lot is being rezoned, and/or if the rezoning boundaries do not follow property lines, and/or if there is more than one requested zoning classification that does not follow a property line; submit a survey map delineating the property or area in question;
3. Filing Fee.

Conditional Petitions Only:

- A. Items 1-3 above
- B. All property owners must sign the conditional rezoning application.
- C. A tree survey of all trees within the street rights-of-way.
- D. A site plan must accompany each conditional rezoning application and be submitted as follows (If you are not able to provide this information, please contact the CMPD at 704-336-2205):
 - drawn to scale
 - a maximum size of 24" x 36"
 - ten (10) copies, folded to 8½" x 11"
 - a digital version on R-CD (PDF format) of a site plan with an 8 ½ x 11 copy included
 - a "Word" version of the site plan notes on the CD
- E. A "determination" letter as to the presence of jurisdictional Wetlands on the site may be needed. If one is required, it will be listed in the "site plan comments" sent to the petition from a rezoning team member. The petitioner will be notified if one is required. If not provided by the date of the Public Hearing, the Public Hearing will be automatically deferred to the next Council zoning meeting.

For Staff Use:

(Circle One) **Complete** **Incomplete**

_____ *Staff signature and date*

*If deemed incomplete, agent or petitioner will be contacted with a deadline to provide the required information.
If the information is not submitted as requested, the petition will not be processed.*

SCHEDULE 1

REZONING PETITION NO. [2016-____]

<u>Property Owner and Address</u>	<u>Property Address</u>	<u>Tax Parcel Number</u>	<u>Acreage</u>	<u>Date Property Acquired</u>	<u>Existing Zoning Classification</u>
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	1112 E. 10th Street	080-151-40	0.172	8/29/96	B-2
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	1116 E. 10th Street	080-151-39	0.258	8/29/96	B-2
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	N/A	080-151-42	0.454	8/29/96	B-2
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	600 Seigle Avenue	080-151-09	0.063	8/29/96	B-2
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	604 Seigle Avenue	080-151-08	0.162	8/29/96	B-2
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	608 Seigle Avenue	080-151-07	0.177	8/29/96	B-2
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	612 Seigle Avenue	080-151-06	0.177	8/29/96	B-2
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	616 Seigle Avenue	080-151-05	0.177	8/29/96	B-2
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	N/A	080-151-04	0.213	8/29/96	B-2
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	N/A	080-151-03	0.195	8/29/96	B-2
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	N/A	080-151-02	0.159	8/29/96	B-2
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	632 Seigle Avenue	080-151-01	0.167	8/29/96	B-2
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	621 Jackson Avenue	080-151-16	0.104	8/29/96	R-5

Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	635 Jackson Avenue	080-151-19	0.121	8/29/96	R-5
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	N/A	080-151-21	0.121	8/29/96	R-5
Seigle Avenue Presbyterian Church 600 Seigle Avenue, Suite A Charlotte, NC 28204	701 Jackson Avenue	080-151-22	0.342	12/31/02	R-5
Mahmood Mehrizi P.O. Box 470112 Charlotte, NC 28247	632 Jackson Avenue	080-151-17	0.35	1/2/90	R-5
Mahmood Mehrizi P.O. Box 470112 Charlotte, NC 28247	631 Jackson Avenue	080-151-18	0.348	3/17/89	R-5
Mahmood Mehrizi P.O. Box 470112 Charlotte, NC 28247	624 Jackson Avenue	080-154-04	0.174	7/18/89	R-5
Thomas Michael Todd P.O. Box 32422 Charlotte, NC 28232	643 Jackson Avenue	080-151-44	0.221	8/11/82	R-5
Thomas Michael Todd P.O. Box 32422 Charlotte, NC 28232	620 Jackson Avenue	080-154-05	0.163	10/28/87	R-5
Thomas Michael Todd P.O. Box 32422 Charlotte, NC 28232	628 Jackson Avenue	080-154-03	0.160	8/31/89	R-5
Gary and Janice Ritter 7015 Evanton Loch Road Charlotte, NC 28278	637 Jackson Avenue	080-151-20	0.234	5/16/02	R-5
Barbara B. Hunter 17917 Page's Pond Court Davidson, NC 28036	633 Central Avenue	080-154-02	0.206	3/10/78	B-2
Barbara B. Hunter 17917 Page's Pond Court Davidson, NC 28036	N/A	080-154-01	0.085	3/12/79	B-2

ATTACHMENT A

REZONING PETITION NO. [2016-_____]

Alliance Residential, LLC
d/b/a Alliance Residential Company

PETITIONER JOINDER AGREEMENT
Seigle Avenue Presbyterian Church

The undersigned, as the owner of the following parcels of land located at:

(a)	1112 E. 10th Street	Parcel No. 080-151-40	(B-2)
(b)	1116 E. 10th Street	Parcel No. 080-151-39	(B-2)
(c)	[address not issued]	Parcel No. 080-151-42	(B-2)
(d)	600 Seigle Avenue	Parcel No. 080-151-09	(B-2)
(e)	604 Seigle Avenue	Parcel No. 080-151-08	(B-2)
(f)	608 Seigle Avenue	Parcel No. 080-151-07	(B-2)
(g)	612 Seigle Avenue	Parcel No. 080-151-06	(B-2)
(h)	616 Seigle Avenue	Parcel No. 080-151-05	(B-2)
(i)	[address not issued]	Parcel No. 080-151-04	(B-2)
(j)	[address not issued]	Parcel No. 080-151-03	(B-2)
(k)	[address not issued]	Parcel No. 080-151-02	(B-2)
(l)	632 Seigle Avenue	Parcel No. 080-151-01	(B-2)
(m)	621 Jackson Avenue	Parcel No. 080-151-16	(R-5)
(n)	635 Jackson Avenue	Parcel No. 080-151-19	(R-5)
(o)	[address not issued]	Parcel No. 080-151-21	(R-5)
(p)	701 Jackson Avenue	Parcel No. 080-151-22	(R-5)

which are all subject to the attached Rezoning Application (collectively, the "Parcels"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the B-2 and R-5 zoning districts to the MUDD-O 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 15 day of February, 2016.

Seigle Avenue Presbyterian Church,
a North Carolina non-profit corporation

By:

Vera B. Harrison
Clerk of Session, its
member of the Board of Trustees

ATTACHMENT B

REZONING PETITION NO. [2016-____]

Alliance Residential, LLC
d/b/a Alliance Residential Company


PETITIONER JOINDER AGREEMENT
Mahmood Mehrizi

The undersigned, as the owner of the following parcels of land located at:

- | | |
|------------------------|-----------------------------|
| (a) 623 Jackson Avenue | Parcel No. 080-15-117 (R-5) |
| (b) 631 Jackson Avenue | Parcel No. 080-15-118 (R-5) |
| (c) 624 Jackson Avenue | Parcel No. 080-15-404 (R-5) |

which are all subject to the attached Rezoning Application (collectively, the "Parcels"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the R-5 zoning district to the MUDD-O 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 15 day of February, 2016.


Mahmood Mehrizi

ATTACHMENT C

REZONING PETITION NO. [2016-_____]
 Alliance Residential, LLC
 d/b/a Alliance Residential Company

PETITIONER JOINDER AGREEMENT
 Thomas Michael Todd

The undersigned, as the owner of the following parcels of land located at:

(a) 643 Jackson Avenue	Parcel No. 080-15-144 (R-5)
(b) 620 Jackson Avenue	Parcel No. 080-15-405 (R-5)
(c) 628 Jackson Avenue	Parcel No. 080-15-403 (R-5)

which are all subject to the attached Rezoning Application (collectively, the "Parcels"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the R-5 zoning district to the MUDD-O 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 17 day of February, 2016.

THOMAS MICHAEL TODD
 Thomas Michael Todd
 J. Michael Todd


ATTACHMENT D

REZONING PETITION NO. [2016-____]
Alliance Residential, LLC
d/b/a Alliance Residential Company

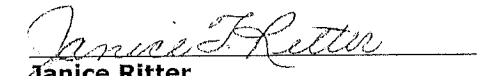
PETITIONER JOINDER AGREEMENT
Gary and Janice Ritter

The undersigned, as the owners of the parcel of land located at 637 Jackson Avenue that is designed as Tax Parcel No. 080-15-120 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consents to the change in zoning for the Parcels from the R-5 zoning district to the MUDD-O 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 17 day of February, 2016.



Gary Ritter



Janice Ritter

ATTACHMENT E

REZONING PETITION NO. [2016-____]
Alliance Residential, LLC
d/b/a Alliance Residential Company

PETITIONER JOINDER AGREEMENT
Barbara B. Hunter

The undersigned, as the owner of the following parcels of land located at:

- | | |
|--------------------------|-----------------------------|
| (a) 633 Central Avenue | Parcel No. 080-15-402 (B-2) |
| (b) [address not issued] | Parcel No. 080-15-401 (B-2) |

which are all subject to the attached Rezoning Application (collectively, the "Parcels"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the B-2 zoning district to the MUDD-O 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 16 day of February, 2016.


Barbara B. Hunter

ATTACHMENT F

Alliance Residential, LLC
d/b/a Alliance Residential Company

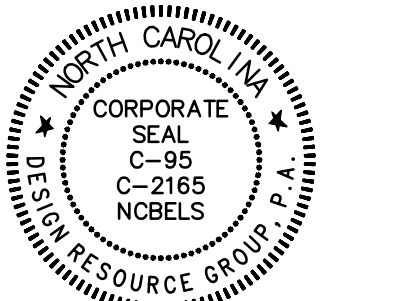
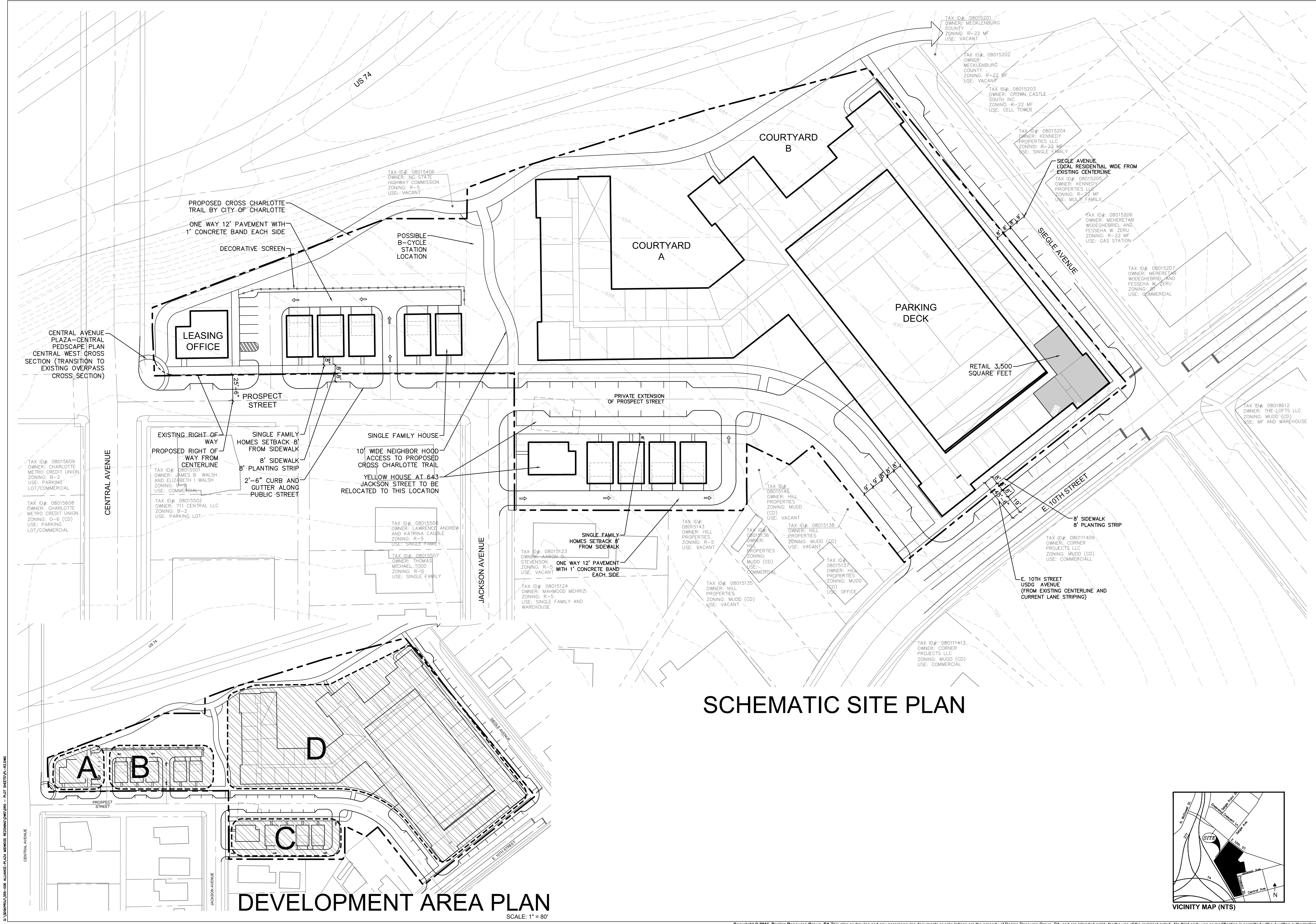
PETITIONER:

Alliance Residential, LLC,
an Arizona limited liability company, d/b/a Alliance
Residential Company

By: 

Name: Donald Santos

Title: Director



FOR PUBLIC
HEARING 2016-__

REZONING PETITION

BROADSTONE CENTRAL
CHARLOTTE, NC

ALLIANCE RESIDENTIAL COMPANY
708 EAST BLVD, SUITE E
CHARLOTTE, NC 28203
704-941-0972

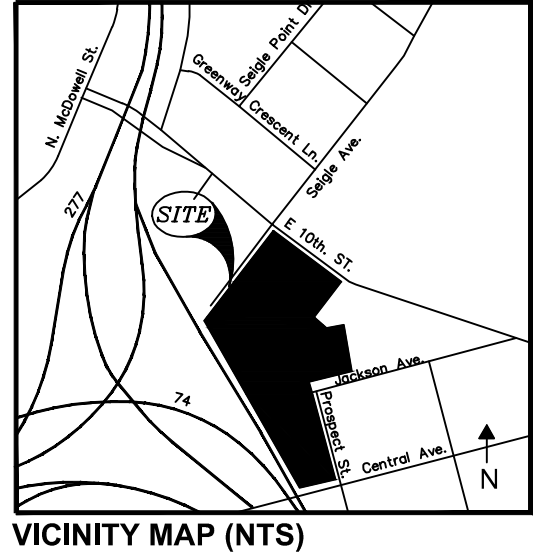
SCHEMATIC
SITE PLAN

20 0 20 40
SCALE: 1" = 40'

PROJECT #: 355-006
DRAWN BY: KC
CHECKED BY: SK

MARCH 24, 2016

REVISIONS:



C:\Users\PROJ005-008\Alliance-PLAZA\REUDO\REZONING\RD008 - PL01 SHEETS\PL-REZING

Site Development Data:

Acreage: ± 5.022 acres

Tax Parcel #: 080-151-01 through 09, 16 thru 22, 39, 40, 42 and 44; 080-154-01 thru 05

Existing Zoning: R-5, B-2, and B-2PED

Proposed Zoning: MUDD-O

Existing Uses: A religious institution, a retail shop, a day care center and several single-family homes

Proposed Uses: Residential dwellings units; retail; Eating, Drinking, Entertainment, Establishments (EDEE); general and medical office uses; and personal service uses all as permitted by right, under prescribed conditions, and by the Optional provisions below, together with accessory uses, as allowed in the MUDD zoning district (all as more specifically described and restricted below in Section 3).

Maximum Gross Square feet of Development: Up to 270 multi-family residential dwelling units, up to 10 single-family detached dwelling units, and up to 3,500 square feet of gross floor area devoted to: retail, EDEE, general and medical office uses and personal service uses, as allowed by right and under prescribed conditions in the MUDD zoning district, provided, however, loading docks (open or enclosed), outdoor dining areas and surface and structure parking areas shall not be counted toward the allowed "gross floor area" (as defined by the Ordinance) proposed by this Rezoning Plan.

Maximum Building Height: Maximum building height of five (5) stories, not to exceed 75 feet. Building height to be measured per the Ordinance.

Parking: As required by the Ordinance.

1. General Provisions:

a. **Site Location.** These Development Standards, the Schematic Site Plan and other site plan sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Alliance Residential, LLC ("Petitioner") to accommodate the development of a high quality residential based mixed-use community with: ground floor retail uses; Eating, Drinking Entertainment Establishments; general and medical office uses; and/or Personal Service uses on an approximately 5.022 acre site located along I-277 between Central Avenue and Seigle Avenue (the "Site").

b. **Zoning Districts/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, Permissible Building 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 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; 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.** The total number of principal buildings to be developed on the Site will be limited 13. 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.

e. **Exclusions for Calculation of Maximum Development Levels.** For purposes of the development limitations set forth in these Development Standards (but not as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).

2. Optional Provisions.

The following optional provisions shall apply to the Site:

- a. To allow one detached ground mounted sign per street front with a maximum height of 7 feet and containing up to 64 square feet of sign area.
- b. To not require doorways to be recessed into the face of the building(s) when the width of the sidewalk is at least 10 feet.
- c. To not require surface and structure parking areas, outdoor dining areas, and loading dock areas (open or enclosed) to be counted as part of the allow gross floor area (gross floor area as defined by the Ordinance) for the Site.
- d. To allow the proposed single-family homes to front on a private street and to allow the single-family homes to not be on individual lots.

Note: *The optional provision regarding signs is an addition/modification to the standards for signs in the MUDD district and is to be used with the remainder of MUDD standards for signs not modified by these optional provisions.*

3. Permitted Uses, Development Area Limitations:

For ease of reference, the Rezoning Plan sets forth four (4) development areas as generally depicted on the Schematic Site Plan as Development Areas A, B, C, and D (each a "Development Area" and collectively the "Development Areas").

a. The principal buildings constructed on the Site may be developed with up to 270 multi-family residential dwellings units, up to 10 single-family homes, and up to 3,500 square feet of gross floor area devoted to: retail, EDEE, general and medical office uses, and personal service uses as permitted by right, under prescribed conditions and per the Optional provisions above together with accessory uses allowed in the MUDD-O zoning district.

b. The building constructed within Development Area A will be subject to the PED Overlay standards of Plaza Central Pedscape Plan

c. The building constructed within Development Area A will contain the leasing office for the allowed residential dwellings units, and may also contain up to two (2) residential dwelling units. If no units or less than two (2) units are constructed in Development A the units not constructed may be transferred and developed in Development Area D.

d. Up to five (5) single-family detached dwelling units may be located within Development Area B as generally depicted on the Rezoning Plan and as allowed by the Optional provisions above.

e. Up to five (5) single-family detached dwelling units may be located within Development Area C as allowed by the Optional provisions above. At least one (1) of the homes constructed within Development Area C will be one of the existing homes located along Jackson Avenue.

f. Up to 268 residential dwelling units, and up to 3,500 square of gross floor area devoted to: retail, EDEE, general and medical office uses, and personal service uses may be developed within Development Area D.

"Personal service uses" will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa's, Yoga and exercise studios, nail salons, massage shops, martial art training studios, dry cleaning establishments, locksmiths, and alike.

g. The allowed non-residential uses within Development Area D will be located on the ground floor level of the building, and at the intersection of E. 10th and Seigle Avenue as generally depicted on the Rezoning Plan.

h. The following use will not be allowed: gasoline service stations with or without a convenience store, car washes (except for a car wash(es) for the residents of the Site that are part of the amenities/accessory uses associated with the proposed apartments).

4. Access:

a. Access to the Site will be from E. 10th Street, Jackson Avenue and Prospect Street as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

b. The Petitioner as part of the development of Site will extend Prospect Street as a private street from Jackson Street to E. 10th Street as generally depicted on the Rezoning Plan. A public access easement will be provided on this private street. The public access easement will prohibit the private street from being closed or gated and will require that the private street be kept open to allow the public to use the street for ingress and egress. The Public access easement will be documented on applicable approved building permit plans which will include a provision stating that the easement can be modified as permitted herein. This provision and provisions to be included on the building plans are not intended to create private easements rights that may be enforced by individual land owners, but rather are intended to comply with desire of the City to have a private street extended from Jackson Street to E. 10th Street to create additional connectivity in the area. Portions or all of the Storm Water Management features may be located within the private street.

c. The alignment of the 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 the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

d. The extension of Prospect Street as a private street will be designed with parallel on-street parking, eight (8) foot planting strips, and eight (8) foot sidewalks as generally depicted on the Rezoning Plan.

e. The Petitioner will provide parallel on-street parking along Prospect Street, E. 10th Street and Seigle Avenue, and the new private street as generally depicted on the Rezoning Plan.

f. The Petitioner will abandon the portion of Jackson Avenue located between Prospect Street and the I-277 right-of-way.

5. Streetscape, Buffer, Landscaping Open Space and Screening:

a. The building constructed within Development Area D will provide a minimum of 16 foot setback as measured from the future back of curb along the existing public streets and the new private street (Prospect Street extension), as generally depicted on the Rezoning Plan.

b. The single-family homes constructed within Development Area B and C will provide a minimum of a 24 foot setback along the existing public streets and the new private street (Prospect Street Extension) as measured from the future back of curb as generally depicted on the Rezoning Plan.

c. The building and surface parking area constructed within Development Area A will meet the setback requirements of the Plaza Central Pedscape Plan. The proposed setback along Central Avenue will be 28 feet from the existing back of curb. The setback along Prospect will be 24 feet from the future back of curb.

d. An eight (8) foot sidewalk, and an eight (8) foot planting strip will be provide along each of the abutting public streets (except I-277) and on both sides of the new private street as generally depicted on the Rezoning Plan.

d. A minimum of a [12] foot setback will be provided from the I-277 right-of-way as generally as generally depicted on the Rezoning Plan.

e. Meter banks will be screened where visible from public view at grade level.

g. Roof top HVAC and related mechanical equipment will be screened from public view at grade level.

6. General Design Guidelines:

a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.

b. Building street walls will meet or exceed the MUDD requirements for blank walls.

c. Non-residential uses located along E. 10th Street and Seigle Avenue will have entrances oriented toward these streets.

d. Each operable pedestrian entrance (defined as an entrance design to provide customers access to the proposed non-residential uses) will be designed to be clearly identifiable and prominent elements within the building facades in which they are located.

e. The scale and massing of buildings longer than 150 feet along a street shall be minimized by utilizing a combination of the following options: (i) varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions; (ii) building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses; (iii) horizontal variation of a minimum of 8" and vertical variations of a minimum 24" in wall planes; or (iv) utilize enclosed balconies.

f. The maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length. Where blank or unarticulated walls 20' or greater cannot be addressed principally with doors or windows, they shall be treated with a combination the following options: (i) a higher level of transparency on the ground floor (exaggerated or larger windows indicative of living areas); and (ii) horizontal and vertical variations in wall planes accompanied with a change in material. If the final architectural design cannot meet the design standards for blank wall articulation (including all of h above?), alternative innovative design solutions may be considered for approval by the Planning Director or designee.

g. Residential building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrances through a combination of at least five (5) of the following features: (i) decorative pedestrian lighting/scones; (ii) architectural details carried through to upper stories; (iii) covered porches, canopies, awnings or sunshades; (iv) archways; (v) transom windows; (vi) terraced or raised planters that can be utilized as seat walls; (vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (viii) double doors; (ix) stoops or stairs; and/or (x) contrasting pavement from primary sidewalk.

h. Common and private individual entrances to residential units will be provided along E. 10th Street, Seigel Avenue, and the new private street at intervals of no less than 125 feet. Where a building is served by common entrances (not individual unit entrances) and cannot achieve the interval spacing, common usable open spaces, amenity areas or courtyards can be utilized to break up the wall plane.

i. Individual ground floor residential unit entrances oriented to E.10th Street, Seigle Avenue, and the new private street should give the appearance of a front door orientation rather than a back patio design, and have direct sidewalk connections to the public street right-of-way or the private street.

j. The allowed accessory non-residential uses located on ground floor of the building shall maintain a high level of visibility through the use of clear glass, larger windows and a unobstructed view from Park Road and Mockingbird Lane into the space.

k. Balconies will be design so that their size and location maximize their intended use for open space.

l. All facades shall incorporate windows, arches, balconies or other architectural details along with varying build materials, or roof lines or building offsets.

7. Cross Charlotte Trail:

a. The Petitioner will provide to the City of Charlotte the necessary easements to maintain the proposed Cross Charlotte Trail and the proposed neighborhood access from Jackson Avenue as generally depicted on the Rezoning Plan.

b. The Petitioner agrees to construct the portion of the Cross Charlotte Trail located on the Site as well as the proposed neighborhood access from Jackson Avenue part of the development of the Site, if the City reimburses the Petitioner for the cost of the construction of the trail as generally depicted on the Rezoning Plan.

c. The single-family homes located within Development Area B will be screened from the Cross Charlotte Trail by a decorative screen.

d. Access from the building constructed within Development Area D to the Cross Charlotte Trail will be provided.

e. The Petitioner will provide and fund a location for a B cycle station on the Site.

8. Environmental Features:

a. The Site will comply with the Tree Ordinance.

9. Signage:

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

b. On premises directional and instructional signs may be located throughout the Site per the standards of the Ordinance.

10. Lighting:

a. All new attached and detached lighting shall be fully shielded downwardly directed and full cut off fixture type lighting excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

b. Detached lighting on the Site, except street lights located along public streets, will be limited to 20 feet in height.

11. Amendments to the Rezoning Plan:

a. 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 or portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

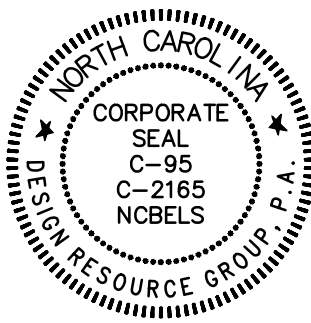
12. Binding Effect of the Rezoning Application:

a. 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 herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

O 2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
P 704.343.0608
W www.drgroup.com



FOR PUBLIC
HEARING 2016-__

REZONING PETITION

BROADSTONE CENTRAL
CHARLOTTE, NC

ALLIANCE RESIDENTIAL COMPANY
708 EAST BLVD, SUITE E
CHARLOTTE, NC 28203
704-941-0972

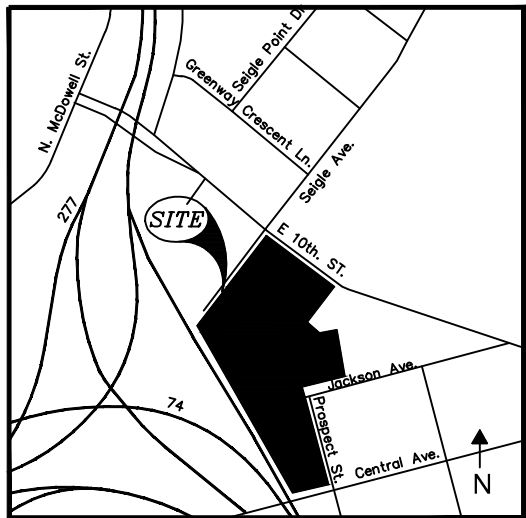
SITE DATA AND
CONDITIONAL
NOTES



PROJECT #: 355-006
DRAWN BY: KC
CHECKED BY: SK

MARCH 24, 2016

REVISIONS:



VICINITY MAP (NTS)

RZ1.1



**I. REZONING APPLICATION
CITY OF CHARLOTTE**

RECEIVED
MAR 28 2016
BY: _____

2016-086

Petition #: _____
Date Filed: 3/23/2016
Received By: RH

Complete All Fields (Use additional pages if needed)

Property Owner(s): NODA 3536 LLC c/o Anthony Kuhn

Owner's Address(es): 427 Shasta Lane City, State, Zip: Charlotte, NC 28211

Date(s) Property(ies) Acquired: 1/21/2016

Property Address(es): 409 E 35th St., Charlotte, NC 28205

Tax Parcel Number(s): 083-084-09
Current Land Use: warehouse Size (Acres): ± 1.123 acres

Existing Zoning: I-2 and B-1 Proposed Zoning: TOD-M(O)

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Monica Holmes, Mandy Vari, and Rick Grochoske.

Date of meeting: 2/23/2016

(*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): N/A.

Purpose/description of Conditional Zoning Plan: To allow the redevelopment of the Site with a transit supportive residential based mixed-use building.

**Jeff Brown
Keith MacVean
Bridget Dixon**

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) 704-378-1925 (JB)
704-331-3531 (KM) 704-378-1954 (KM)
704-331-2379 (BD) 704-378-1973 (BD)**

Telephone Number Fax Number

**jeffbrown@mvalaw.com keithmacvean@mvalaw.com
bridgetdixon@mvalaw.com**

E-mail Address

See Attachments A

Signature of Property Owner

(Name Typed/Printed)

ECP NoDa, LLC – Attn: Elam Hall

Name of Petitioner

1480 Environ Way

Address of Petitioner

Chapel Hill, NC 27517

City, State, Zip

**919-904-4708 (o)
704-516-1177 (c)**

Telephone Number

866-603-8367

Fax Number

ehall@ellercapital.com

E-mail Address

See Attachments B

Signature of Petitioner

(Name Typed/Printed)

ATTACHMENT B

REZONING PETITION NO. [2016-____]
ECP NoDa, LLC

ECP NoDa, LLC

By: 

Name: DANIEL ELLER

Title: MANAGER

OR

_____[Name]
of individual

ATTACHMENT A

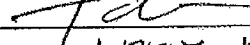
REZONING PETITION NO. [2016-____]
ECP NoDa, LLC

PETITIONER JOINDER AGREEMENT
NODA 3536 LLC, c/o Anthony Kuhn

The undersigned, as the owners of the parcels of land located at 436 E 36th St. that is/are designated as a portion of Tax Parcel Nos. 083-084-09 on the Mecklenburg County Tax Map and which is/are subject to the attached Rezoning Application (collectively, the "Parcels"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the I-2 & B-1 zoning districts to the TOD-M(O) zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

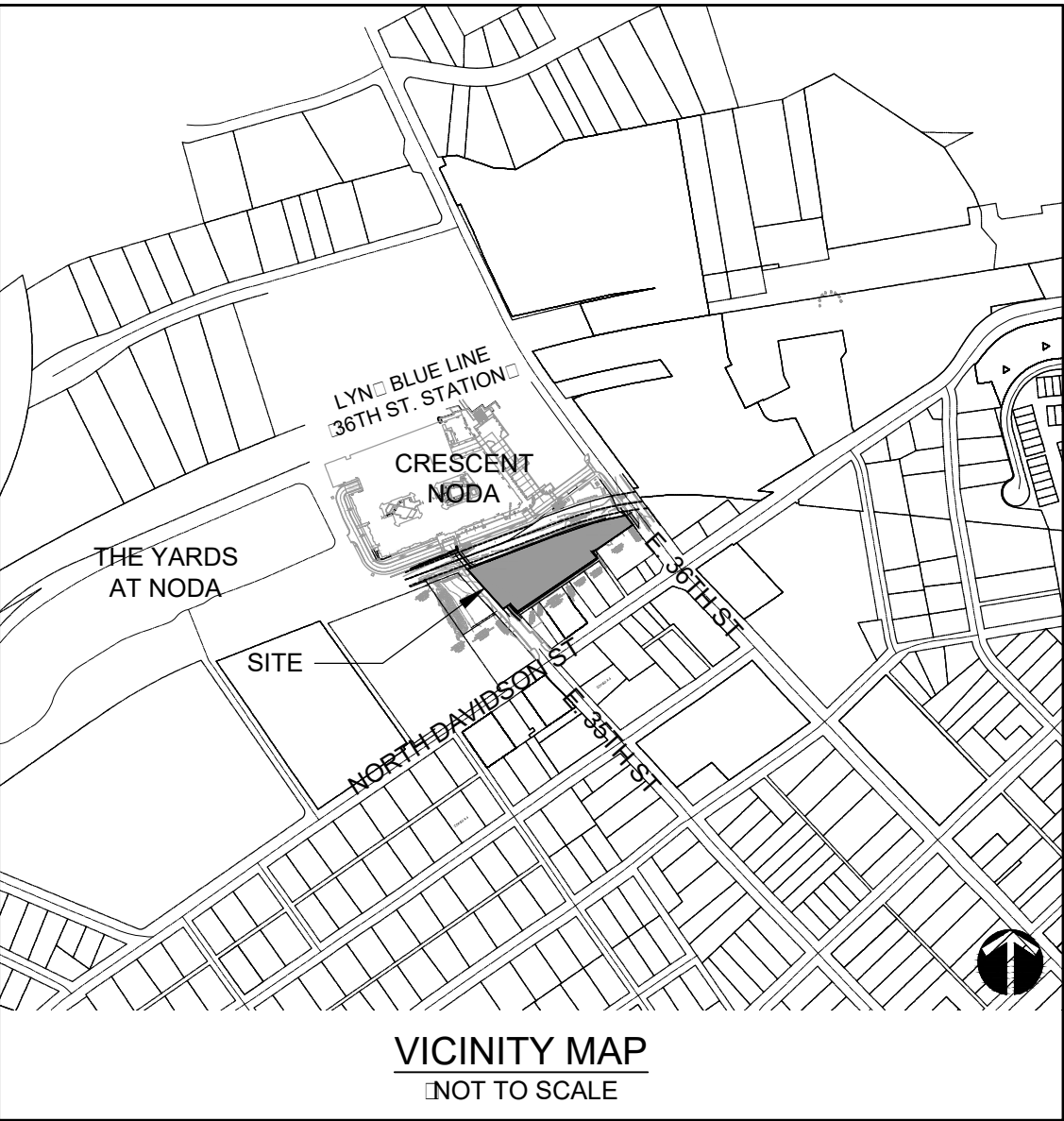
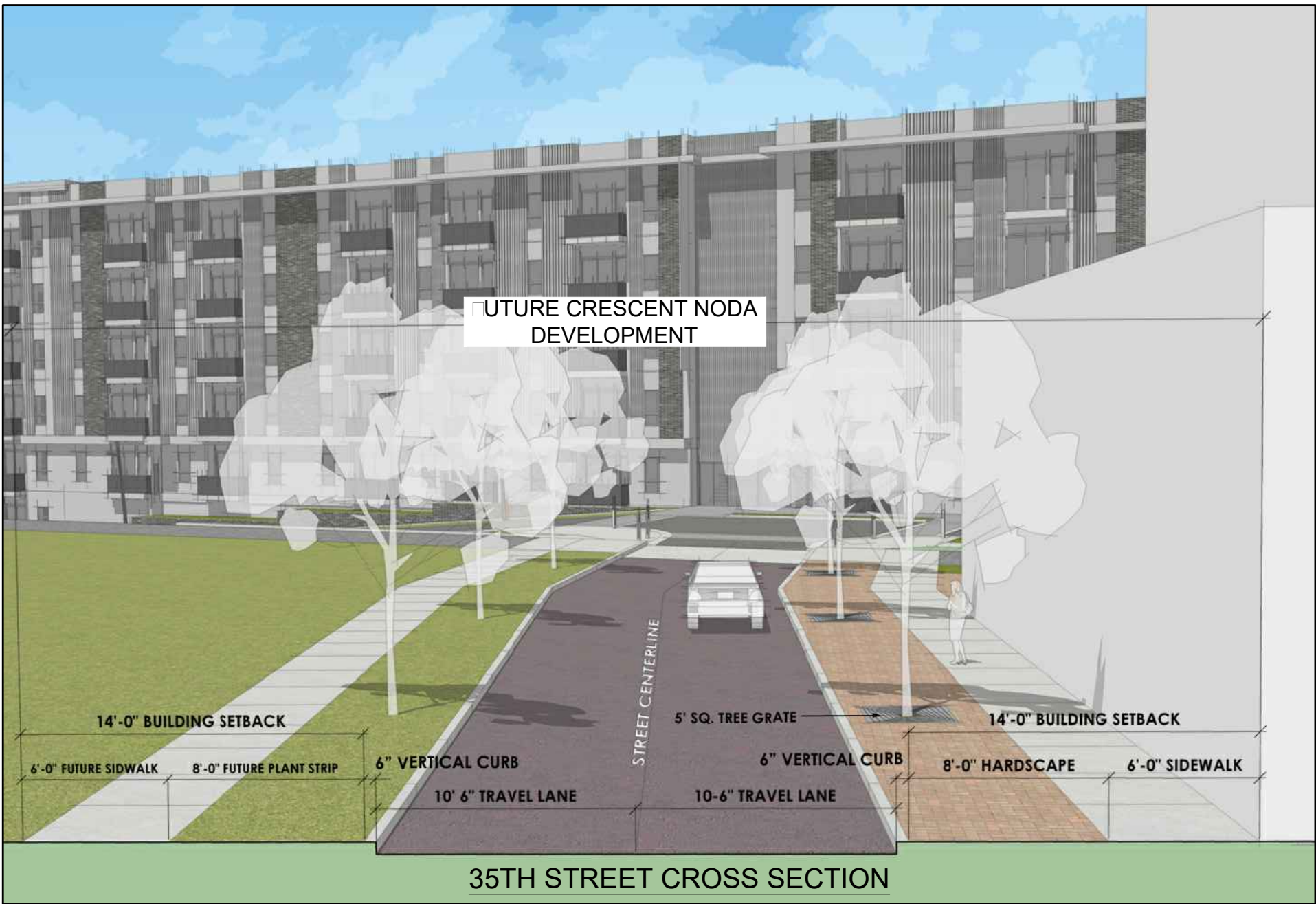
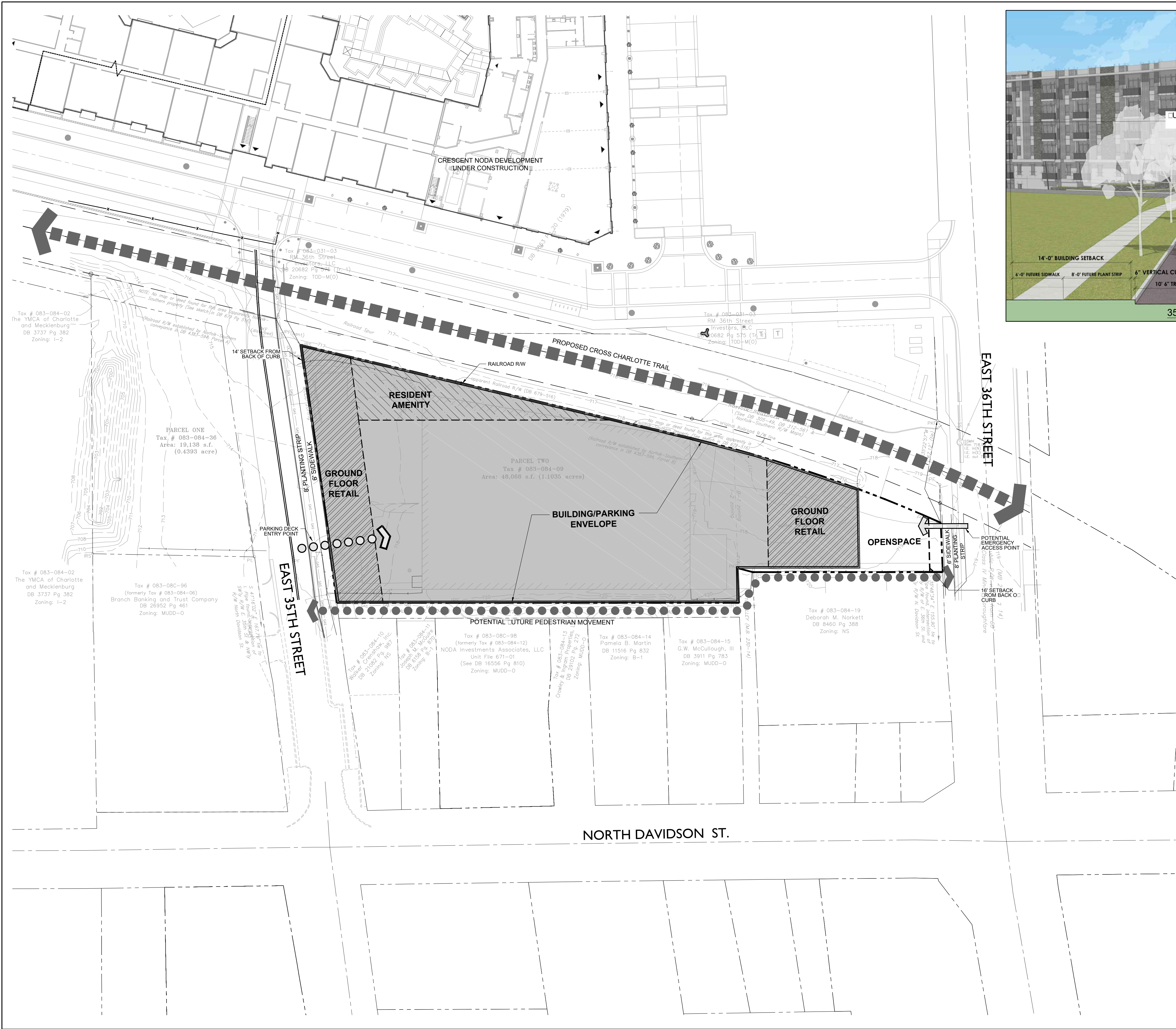
This 24th day of MARCH, 2016.

NODA 3536 LLC, c/o Anthony Kuhn

By: 
Name: ANTHONY KUHN
Title: MANAGER

OR

[Name of individual]



SITE DEVELOPMENT DATA	
SITE ACREAGE:	+/- 1.123 ACRES
TAX PARCEL #S:	083-084-09
EXISTING ZONING:	I-2 AND B-2
PROPOSED ZONING:	TOD-M(O)
EXISTING USES:	A WAREHOUSE
PROPOSED USES:	RESIDENTIAL DWELLINGS UNITS; AND NON-RESIDENTIAL USES AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS AND BY THE OPTIONAL PROVISIONS BELOW TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE TOD-M ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).
MAXIMUM GROSS SQ. FT. OF DEVELOPMENT:	UP TO 180 RESIDENTIAL DWELLING UNITS AND UP TO 15,000 SQUARE FEET OF GROSS FLOOR AREA OF NON-RESIDENTIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE TOD-M ZONING DISTRICT SUBJECT TO THE LIMITATIONS AND CONVERSION PROVISIONS DESCRIBED IN SECTION 3 BELOW. ALTERNATIVELY THE PETITIONER MAY DEVELOP THE SITE WITH NON-RESIDENTIAL USES AS ALLOWED BY THE TOD-M ZONING DISTRICT, SUBJECT TO THE OTHER COMMITMENTS OF THE REZONING PLAN.
MAXIMUM BUILDING HEIGHT:	A MAXIMUM BUILDING HEIGHT OF 79 FEET AS ALLOWED BY THE ORDINANCE AND THE OPTIONAL PROVISIONS BELOW. BUILDING HEIGHT TO BE MEASURED AS REQUIRED BY THE ORDINANCE.
PARKING:	PARKING AS REQUIRED BY THE ORDINANCE AND THE OPTIONAL PROVISIONS ON THE FOLLOWING SHEET.

LEGEND

+ PEDESTRIAN MOVEMENT

+ FUTURE CROSS CHARLOTTE TRAIL

+ VEHICLE ACCESS

+ EMERGENCY VEHICLE ACCESS

15' 0' 15' 30' 60'

SITE DEVELOPMENT DATA

SITE ACREAGE:	+/- 1.123 ACRES
TAX PARCEL #S:	083-084-09
EXISTING ZONING:	I-2 AND B-2
PROPOSED ZONING:	TOD-M(O)
EXISTING USES:	A WAREHOUSE
PROPOSED USES:	RESIDENTIAL DWELLINGS UNITS; AND NON-RESIDENTIAL USES AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS AND BY THE OPTIONAL PROVISIONS BELOW TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE TOD-M ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).
MAXIMUM GROSS SQ. FT. OF DEVELOPEMENT:	UP TO 180 RESIDENTIAL DWELLING UNITS AND UP TO 15,000 SQUARE FEET OF GROSS FLOOR AREA OF NON-RESIDENTIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE TOD-M ZONING DISTRICT SUBJECT TO THE LIMITATIONS AND CONVERSION PROVISIONS DESCRIBED IN SECTION 3 BELOW. ALTERNATIVELY THE PETITIONER MAY DEVELOP THE SITE WITH NON-RESIDENTIAL USES AS ALLOWED BY THE TOD-M ZONING DISTRICT, SUBJECT TO THE OTHER COMMITMENTS OF THE REZONING PLAN.
MAXIMUM BUILDING HEIGHT:	A MAXIMUM BUILDING HEIGHT OF 79 FEET AS ALLOWED BY THE ORDINANCE AND THE OPTIONAL PROVISIONS BELOW. BUILDING HEIGHT TO BE MEASURED AS REQUIRED BY THE ORDINANCE.
PARKING:	PARKING AS REQUIRED BY THE ORDINANCE AND THE OPTIONAL PROVISIONS BELOW.

GENERAL PROVISIONS:

- a. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER SITE PLAN SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY ECP NODA, LLC ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF TRANSIT SUPPORTIVE RESIDENTIAL, AND NON-RESIDENTIAL USES ON AN APPROXIMATELY 1.123 ACRE SITE LOCATED BETWEEN E. 35TH STREET AND E. 36TH STREET WEST OF DAVIDSON STREET (THE "SITE").
- b. ZONING DISTRICTS/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 TOD-MO 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 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 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; 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.
- 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 WITHIN DEVELOPMENT AREA A WILL BE LIMITED TO ONE (1). 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.
2. OPTIONAL PROVISIONS.
- a. TO ALLOW THE PROPOSED BUILDING TO BE BUILT TO A HEIGHT OF 79 FEET. THIS OPTIONAL PROVISION WILL ALLOW A 12 FOOT INCREASE IN THE ALLOWED BUILDING HEIGHT AS MEASURED FROM EXISTING SINGLE-FAMILY ZONING.
- b. TO ALLOW A 14 FOOT SETBACK ALONG E. 35TH STREET. THIS OPTIONAL PROVISION REDUCES THE REQUIRED SETBACK BY TWO (2) FEET AND IS CONSISTENT WITH THE AGREEMENT BETWEEN THE CITY AND THE PREVIOUS PROPERTY OWNER TO BUILD THIS PORTION OF E. 35TH STREET.
- c. TO ALLOW PARKING FOR EDÉE AT THE RATE OF ONE SPACE PER 350 SQUARE FEET. THIS OPTIONAL PROVISIONS CHANGES THE REQUIRED PARKING FOR EDÉE FROM ONE SPACE FOR 150 SQUARE FEET TO ONE SPACE PER 350 SQUARE FEET.
- d. TO NOT REQUIRE 50% OF THE GROUND FLOOR AREA OF THE BUILDING ALONG E. 36TH STREET TO CONTAIN NON-RESIDENTIAL USES (DUE TO THE NARROWNESS OF THE SITE ALONG E. 36TH STREET THE PETITIONER IS REQUESTING THE OPTION TO NOT PROVIDE NON-RESIDENTIAL USES ALONG E. 36TH STREET).
- e. TO NOT REQUIRE AN ENTRANCE TO THE FUTURE MULTI-USE TRAIL. ENTRANCES MAY BE ADDED IN THE FUTURE WHEN THE MULTI-USE TRAIL IS CONSTRUCTED.
3. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:
- a. THE SITE MAY BE DEVELOPED WITH UP TO 180 RESIDENTIAL DWELLING UNITS, AND UP TO 15,000 SQUARE FEET OF GROSS FLOOR AREA NON-RESIDENTIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE TOD-M ZONING DISTRICT TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE TOD-M ZONING DISTRICT.
- b. THE PETITIONER WILL DEVELOP A MINIMUM OF 5,000 SQUARE FEET OF NON-RESIDENTIAL USES ON THE SITE. AT LEAST 75% OF THE GROUND FLOOR OF THE BUILDING FACING E. 35TH STREET WILL BE DEVELOPED WITH NON-RESIDENTIAL USES (E.G. OFFICE, RETAIL, INSTITUTIONAL, CIVIC, RESTAURANTS (EDÉE), ETC.) AS ALLOWED BY THE TOD-M ZONING REGULATIONS. ADDITIONAL NON-RESIDENTIAL USES MAY BE LOCATED IN THE PORTION OF THE BUILDING FACING E. 36TH STREET, AND ALONG THE ALLEY LOCATED ALONG THE SOUTHERN PROPERTY BOUNDARY.
- c. IF LESS THAN 180 RESIDENTIAL DWELLING UNITS ARE CONSTRUCTED ON THE SITE, THE PERMISSIBLE GROSS FLOOR AREA OF NON-RESIDENTIAL USES ALLOWED ON THE SITE, AS DESCRIBED IN SUBSECTION 3.A. ABOVE MAY BE INCREASED AT THE RATE OF 1,000 SQUARE FEET OF GROSS FLOOR AREA FOR EACH RESIDENTIAL DWELLING UNIT NOT CONSTRUCTED, UP TO 20 UNITS MAY BE SO CONVERTED FOR A MAXIMUM ADDITIONAL NON-RESIDENTIAL SQUARE FOOTAGE OF 20,000 SQUARE FEET, INCREASING THE ALLOWED SQUARE FOOTAGE OF NON-RESIDENTIAL USES ON THE SITE TO A MAXIMUM OF 35,000 SQUARE FEET.
- d. THE PETITIONER MAY DEVELOP NON-RESIDENTIAL USES INSTEAD OF RESIDENTIAL DWELLINGS UNITS. IF NON-RESIDENTIAL USES ARE DEVELOPED ON THE SITE THEY WILL COMPLY WITH THE MINIMUM FAR REQUIREMENTS OF THE TOD-M ZONING DISTRICT. IF NON-RESIDENTIAL USES ARE DEVELOPED IN LIEU OF RESIDENTIAL DWELLING UNITS, THE COMMITMENT TO BUILD A MINIMUM AMOUNT OF NON-RESIDENTIAL USES ALONG THE GROUND FLOOR OF THE BUILDING WILL BE ADHERED TO.

4. ACCESS:

- a. VEHICULAR ACCESS TO THE SITE WILL BE FROM E. 35TH STREET. ONLY EMERGENCY VEHICULAR ACCESS WILL BE ALLOWED FROM E. 36TH STREET INTO THE SITE.
- b. THE LOCATION OF THE DRIVEWAY MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) IN ACCORDANCE WITH PUBLISHED STANDARDS SO LONG AS THE STREET NETWORK SET FORTH ON THE REZONING PLAN IS NOT MATERIALLY ALTERED.
- c. THE PETITIONER WILL OPEN AND IMPROVE THE EXISTING ALLEY LOCATED ALONG THE SOUTHERN PROPERTY BOUNDARY.

5. STREETScape, LANDSCAPING OPEN SPACE AND SCREENING:

- a. ALONG E. 35TH STREET A 14 FOOT SETBACK AS MEASURED FROM THE EXISTING/FUTURE BACK OF CURB WILL BE PROVIDED. THIS 14 FOOT SETBACK WILL APPLY TO THE FIRST 25 FEET OF THE PROPOSED BUILDING. THE PORTION OF THE BUILDING OVER 25 FEET IN HEIGHT WILL HAVE A MINIMUM SETBACK FROM E. 35TH STREET OF 29 FEET. THE PETITIONER MAY CHOOSE TO BEGIN THE ADDITIONAL BUILDING SETBACK AT THE TOP OF THE FIRST FLOOR OF THE BUILDING ALONG E. 35TH STREET.
- b. ALONG E. 36TH STREET A 40 FOOT BUILDING SETBACK WILL BE PROVIDED AS MEASURED FROM THE BACK OF THE EXISTING/FUTURE BACK CURB.
- c. AS PART OF THE REDEVELOPMENT OF THE SITE, THE PETITIONER WILL PROVIDE THE FOLLOWING STREETScape IMPROVEMENTS ALONG E. 35TH STREET AN EIGHT (8) FOOT PLANTING STRIP WITH STREET TREES, AND A SIX (6) FOOT SIDEWALK AS GENERALLY DEPICTED ON THE REZONING PLAN.
- d. AS PART OF THE REDEVELOPMENT OF THE SITE, THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND AN EIGHT (8) FOOT SIDEWALK ALONG E. 36TH STREET AS GENERALLY DEPICTED ON THE REZONING PLAN.
- e. THE PETITIONER WILL IMPROVE THE AREA BETWEEN THE PROPOSED BUILDING AND E. 36TH STREET AS AN OPEN SPACE AREA. THIS AREA MAY BE USED TO MEET THE PUBLIC AND PRIVATE OPEN SPACE REQUIREMENTS OF THE ORDINANCE.
- f. THE OPEN SPACE AREAS ON THE SITE WILL BE IMPROVED WITH LANDSCAPING, LIGHTING, SEATING AND HARDScape ELEMENTS.
- g. METER BANKS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE LEVEL.
- h. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE LEVEL.

6. ARCHITECTURAL STANDARDS.

- a. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF SOME OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTATIOUS SIDING (SUCH AS HARDI-PLANK), STUCCO, EIFS, DECORATIVE METAL PANELS, DECORATIVE BLOCK AND/OR WOOD. VINYL AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS, AND ON HANDRAILS/RAILINGS
- b. THE PORTION OF THE BUILDING ALONG E. 35TH STREET WILL BE DESIGNED TO HAVE A STEP BACK FROM E. 35TH STREET. THIS WILL BE ACCOMPLISHED BY REQUIRING THE PORTION OF THE BUILDING THAT IS OVER 25 FEET HIGH TO BE SETBACK AN ADDITIONAL 15 FEET BEYOND THE GROUND FLOOR BUILDING FACE, REQUIRING THE PORTION OF THE BUILDING OVER 25 FEET IN HEIGHT TO BE SETBACK A MINIMUM OF 29 FEET FROM THE BACK OF CURB OF E. 35TH STREET. THE PETITIONER MAY BEGIN THE STEP BACK IN THE BUILDING AT THE TOP OF THE FIRST FLOOR OF THE BUILDING.
- c. THE PROPOSED NON-RESIDENTIAL USES LOCATED ON GROUND FLOOR OF THE BUILDING ALONG E. 35TH STREET, WILL ORIENT AND CONNECT A PRIMARY ENTRANCE TO THE SIDEWALK ALONG E. 35TH STREET. THE ENTRANCE TO THE SIDEWALK ALONG E. 35TH STREET WILL BE OPEN AND OPERABLE DURING THE BUSINESS HOURS OF THE ASSOCIATED USE. THIS STANDARD WILL ALSO APPLY TO ANY NON-RESIDENTIAL USES LOCATED ALONG E. 36TH STREET AS DESCRIBED BY THE OPTIONAL PROVISIONS ABOVE.
- d. IF THE ALLEY ALONG THE SOUTHERN PROPERTY BOUNDARY IS OPEN AND IMPROVED, THE PETITIONER WILL EXPLORE OPTIONS TO UTILIZE TO UTILIZE THE ALLEY AND THE PORTION OF THE BUILDING ABUTTING THE ALLEY FOR SPECIAL EVENTS, MICRO STORES, TEMPORARY STRUCTURES FOR THE SALE OF GOODS AND SERVICES AND THE DISPLAY OF ART AND MERCHANDISE.
- e. THE PETITIONER WILL SET UP AN ART FUND FOR THE SITE. A MINIMUM OF \$20,000 DOLLARS WILL BE SPENT ON ART WORK ON OR AROUND THE SITE. THE ART FUND MAY BE USED TO CREATE UNIQUE AND INTERESTING WALL TREATMENTS ALONG THE PROPOSED ALLEY OR ALONG THE MULTI-USE TRAIL, OR IT COULD BE USED TO DESIGN THE PROPOSED SIGNAGE FOR THE DEVELOPMENT, OR ELEMENTS OF THE PROPOSED OPEN SPACE ALONG E. 36TH STREET.

7. ENVIRONMENTAL FEATURES:

- j. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
- k. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.

8. SIGNAGE:

- a. SIGNAGE AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED.

9. LIGHTING:

- a. ALL NEW DETACHED AND ATTACHED LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING; LOW LANDSCAPE, DECORATIVE, SPECIALTY, AND ACCENT LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, OPEN SPACE/AMENITY AREAS, AND PARKING AREAS.
- b. DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 15 FEET IN HEIGHT.

10. AMENDMENTS TO THE REZONING PLAN:

- a. 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 HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

11. BINDING EFFECT OF THE REZONING APPLICATION:

- a. 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 HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE OR DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

REVISIONS:

DATE: DATE
DESIGNED BY: SAH
DRAWN BY: SAH
CHECKED BY: NLD
SCALE: AS SHOWN
PROJECT #: 1015357
SHEET #:

35TH STREET
REZONING

ELLER CAPITAL PARTNERS; CHARLOTTE, NC

DEVELOPMENT STANDARDS

LandDesign

223 N Graham Street Charlotte, NC 28202
V: 704.333.0325 F: 704.332.3246
www.LandDesign.com

RZ-2

