

# **Rezoning Petition Packet**

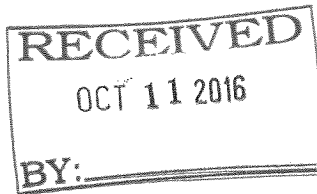
## **Petitions: 2017-001 through 2017-016**

Petitions that were submitted by October 24, 2016

Staff Review Meeting:           **November 17, 2016**

City Public Hearing:           **To Be Determined**

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-001

Petition #:	
Date Filed:	10/11/2016
Received By:	BH

**Complete All Fields (Use additional pages if needed)**

Property Owner: Mecklenburg County

Owner's Address: 600 East 4th Street, 11th Floor City, State, Zip: Charlotte, NC, 28202

Date Property Acquired: 27 May 2009

Property Address: 5200 Spector Drive, Charlotte, 28269

Tax Parcel Number(s): 03719214

Current Land Use: Industrial Size (Acres): 11.9

Existing Zoning: I-1 Proposed Zoning: I-2

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

Required Rezoning Pre-Application Meeting\* with: Alberto Gonzalez

Date of meeting: October 18, 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: \_\_\_\_\_

John m Phillips

Name of Rezoning Agent

c/o Park Commercial Real Estate

Agent's Address

1850 E Third St, Suite 100

City, State, Zip

704-576-4053

Telephone Number

704-366-2818

Fax Number

john@parkere.com

E-Mail Address

[Signature]

Signature of Property Owner

Dennis LaCaria

(Name Typed / Printed)

Epes Transport System, Inc.

Name of Petitioner(s)

3400 Edgefield Court

Address of Petitioner(s)

Greensboro, NC 27409

City, State, Zip

336.668.3358

Telephone Number

336.668.4909

Fax Number

david.leik@epestransport.com

E-Mail Address

[Signature]

Signature of Petitioner

David A. Leik

(Name Typed / Printed)

2017-002

RECEIVED

# I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #: \_\_\_\_\_  
Date Filed: 10/17  
Received By: BH

Complete All Fields (Use additional pages if needed)

Property Owner: James Miller & Trang T. Miller  
Owner's Address: 4435 Monroe Rd City, State, Zip: Charlotte NC 28205  
Date Property Acquired: \_\_\_\_\_  
Property Address: 5014 Monroe Rd Charlotte NC 28205  
Tax Parcel Number(s): 161-081-13  
Current Land Use: Residential Size (Acres): 0.39  
Existing Zoning: O-2 Proposed Zoning: B1(CA)  
Overlay: \_\_\_\_\_ (Specify PED, Watershed, Historic District, etc.)  
Required Rezoning Pre-Application Meeting\* with: Mandy Vari AICP  
Date of meeting: 11/29/2016  
(\*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: Retail

ATUL PATHAK

Name of Rezoning Agent

8406 Clift Cameron Ave

Agent's Address # 110

Charlotte NC 28269

City, State, Zip

704-649-9095

Telephone Number

Fax Number

atul.pathak.realtor@gmail.com

E-Mail Address

James Miller Trang Miller

Signature of Property Owner

James Miller TRANG MILLER  
(Name Typed / Printed)

Trang T. Miller  
James Miller

Name of Petitioner(s)

4435 Monroe Rd

Address of Petitioner(s)

Charlotte NC 28205

City, State, Zip

704-577-2207

Telephone Number

Fax Number

mistie320@gmail.com

E-Mail Address

James Miller Trang Miller

Signature of Petitioner

James Miller TRANG MILLER  
(Name Typed / Printed)

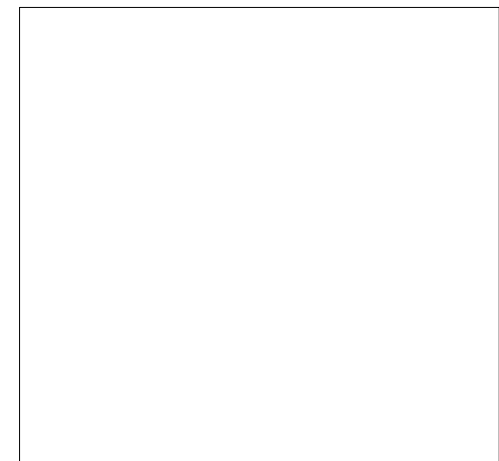
CIVIL:  
XXX

STRUCTURAL:  
XXX

MEP:  
XXX

REVISIONS		
No.	Date	Description

Information contained on this drawing and in all digital files associated is authorized for use on the project named herein only and is the property of MISHRA ARCHITECTURE PLLC and may not be reproduced in any manner without express written or verbal permission from authorized individuals. Original drawing is 24"x36" and scales are as indicated. 2011 MISHRA ARCHITECTURE PLLC



KEY PLAN

Atul Pathak Realty

Proposed Salon

5014 Monroe Road  
Charlotte, NC 28205

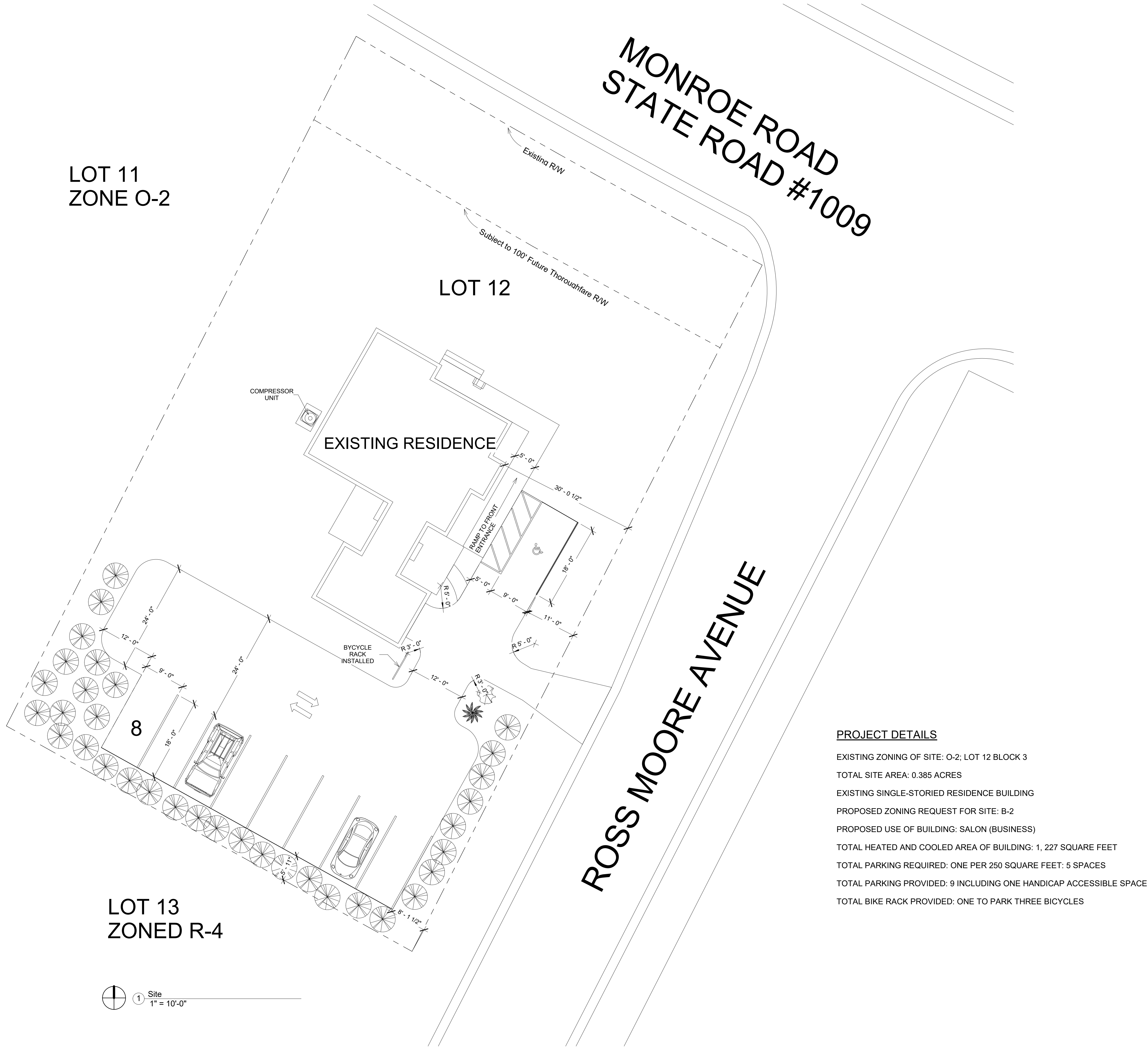
Drawing Title  
Proposed New Site Plan

Phase  
Design Development

Project No.	16-081
Prepared by	Author
Checked by	Checker
Date	August 11, 2016

Sheet No.
A001

Released for  
Review

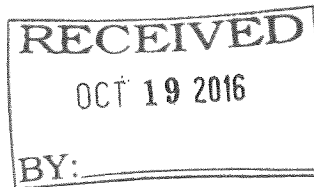


PROJECT DETAILS

- EXISTING ZONING OF SITE: O-2; LOT 12 BLOCK 3
- TOTAL SITE AREA: 0.385 ACRES
- EXISTING SINGLE-STORIED RESIDENCE BUILDING
- PROPOSED ZONING REQUEST FOR SITE: B-2
- PROPOSED USE OF BUILDING: SALON (BUSINESS)
- TOTAL HEATED AND COOLED AREA OF BUILDING: 1, 227 SQUARE FEET
- TOTAL PARKING REQUIRED: ONE PER 250 SQUARE FEET: 5 SPACES
- TOTAL PARKING PROVIDED: 9 INCLUDING ONE HANDICAP ACCESSIBLE SPACE
- TOTAL BIKE RACK PROVIDED: ONE TO PARK THREE BICYCLES



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-003

Petition #: \_\_\_\_\_  
Date Filed: 10/19/2016  
Received By: BH

**Complete All Fields (Use additional pages if needed)**

Property Owner: TPM Properties Limited Partnership  
Owner's Address: 3816 Mooreland Farm Rd City, State, Zip: Charlotte, NC 28226  
Date Property Acquired: 12/23/2015  
Property Address: 1033 Carter Ave, Charlotte, NC 28206  
Tax Parcel Number(s): 07904204  
Current Land Use: More Pasturing Size (Acres): 2.269  
Existing Zoning: I-2 Proposed Zoning: MUDD-O  
Overlay: N/A (Specify PED, Watershed, Historic District, etc.)  
Required Rezoning Pre-Application Meeting\* with: Amanda Vari, Sonja Sanders  
Date of meeting: 9/27/16 Charles Meacci, Kurt Hogen  
(\*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: Work with state to provide pedestrian connectivity through the site in lieu of a street connection.

Kurt Hogen  
Name of Rezoning Agent  
2909 N. Davidson St  
Agent's Address  
Charlotte, NC 28205  
City, State, Zip  
704-375-8260  
Telephone Number Fax Number  
Kurt@heistbrewery.com  
E-Mail Address

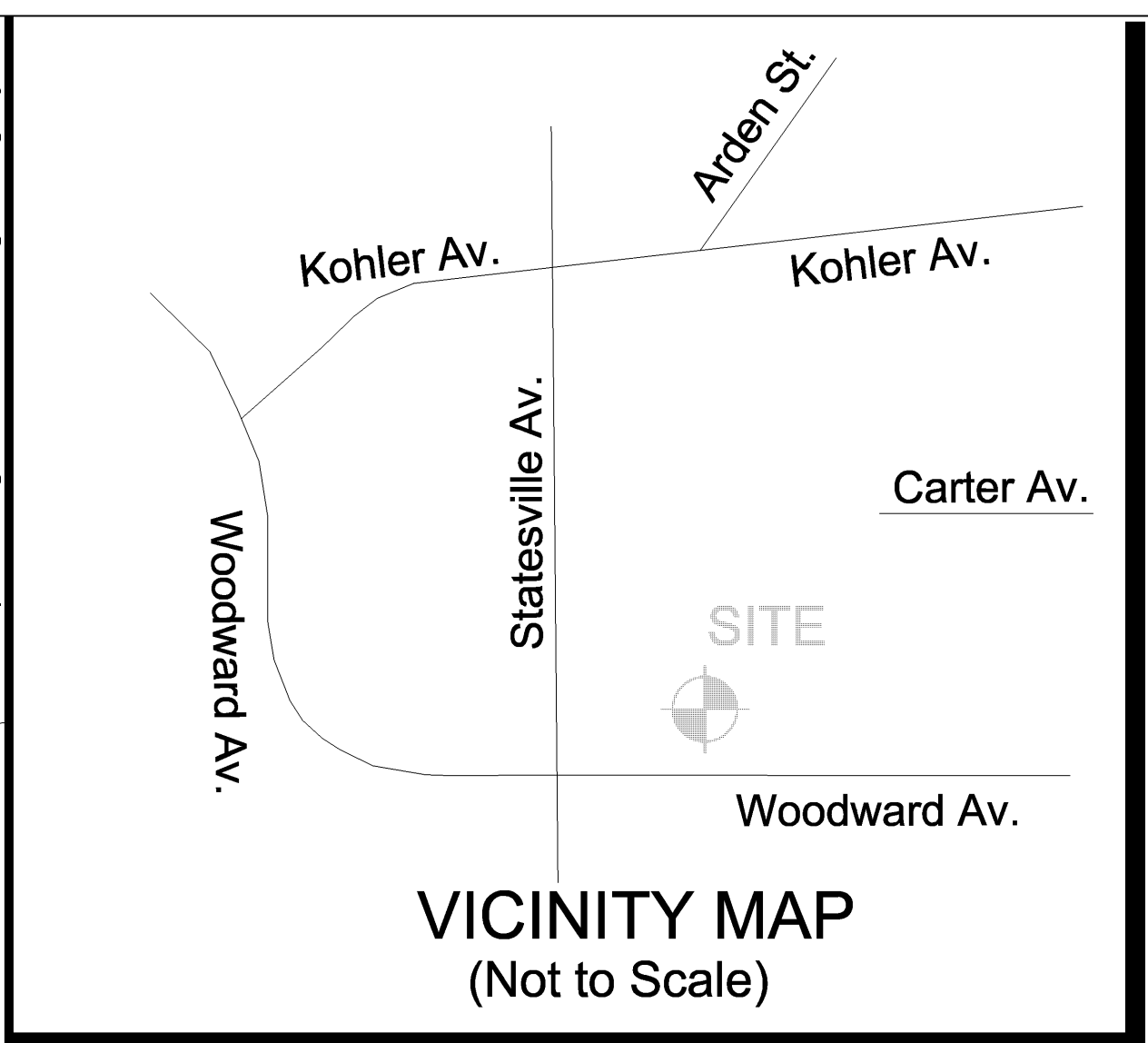
[Signature]  
Signature of Property Owner

Kurt Hogen  
(Name Typed / Printed)

Heist Brewery  
Name of Petitioner(s)  
2909 N. Davidson St  
Address of Petitioner(s)  
Charlotte, NC 28205  
City, State, Zip  
704-375-8260  
Telephone Number Fax Number  
Kurt@heistbrewery.com  
E-Mail Address

[Signature]  
Signature of Petitioner

Kurt Hogen  
(Name Typed / Printed)



## SITE STAKING NOTES

1. ALL DIMENSIONS ARE TO EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.
2. BOUNDARY SURVEY PREPARED BY CAROLINA SURVEYORS
3. THE CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF EXISTING SITE FEATURES PRIOR TO BEGINNING CONSTRUCTION.
4. ALL CLDS STD. NUMBERS REFER TO THE CHARLOTTE LAND DEVELOPMENT STANDARDS MANUAL OF LATEST REVISION.
5. ALL SIGNING AND MANAGEMENT MARKINGS SHALL CONFORM TO THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES".
6. ALL IMPROVEMENTS SHALL CONFORM TO THE APPLICABLE ORDINANCES OF THE CITY OF CHARLOTTE DEPARTMENT OF TRANSPORTATION AND MCDOT.
7. THIS DEVELOPMENT WILL NOT HAVE ANY ON-SITE DEMOLITION LANDFILL.
8. CONSTRUCTION OF THE FOLLOWING ITEMS SHALL BE IN ACCORDANCE WITH THE CURRENT CHARLOTTE LAND DEVELOPMENT STANDARDS MANUAL:
  - CONCRETE CURB & GUTTER 10.22
  - CONCRETE SIDEWALK 10.25B
  - TYPE II DRIVEWAY 50.09
  - PARKING STANDARDS 50.10A/50.10B/50.10C
  - ACCESSIBLE PARKING AND SIGNAGE STANDARD

### DRIVEWAY CHECKLIST NOTES:

1. CONTACT THE UTILITY COMPANY TO RELOCATE ANY EXISTING UTILITY POLES. ALL EXISTING FACILITIES WHICH CONFLICT WITH THE IMPROVEMENTS UNDER THE SCOPE OF THIS PROJECT MUST BE RELOCATED AT THE EXPENSE OF THE APPLICANT.
2. ALL DEVELOPMENT CREATING A TOTAL OF 20,000 SQUARE FEET OF IMPERVIOUS SURFACE AREA BY SEPTEMBER 1, 2017 SHALL PROVIDE STORMWATER RETENTION.
3. TREES WITHIN THE RIGHT-OF-WAY ARE PROTECTED BY LAW. A PERMIT IS REQUIRED FROM THE CITY ARBORIST AT (704) 336-5753 PRIOR TO THE REMOVAL OF ANY RIGHT-OF-WAY TREE. TREES WITH A DBH OF 10" IN DIAMETER AS MEASURED 4.5' ABOVE GROUND AND LOCATED WITHIN THE SETBACK ARE PROTECTED BY LAW. CONTACT LAND DEVELOPMENT AT (704) 336-6692 FOR REQUIRED PERMITS.
4. REMEMBER YOU DID STOP. CALL THE NC ONE-CALL CENTER AT 1-800-632-4949. IT'S THE LAW.

## ZONING CODE SUMMARY

PROJECT NAME: 1033 CARTER AVENUE

OWNER: HEIST BREWERY PHONE # (704) 375-8260

PLANS PREPARED BY: FLEHAN ENGINEERING, INC. PHONE # (704) 364-3842

ZONING: I-2 JURISDICTION: CITY OF CHARLOTTE

PROPOSED USE: BREWERY AND RETAIL

BUILDING HEIGHT: 16' Feet, Stories: 2

BUILDING COVERAGE: 21.74% Sq.Ft. GROSS FLOOR AREA: 20,003 Sq. Ft.

LOT SIZE: 2.269 ACRES NUMBER OF UNITS/SUITES: 1

YARD REQUIREMENTS:

Setback(front): 20' ft. from R/W 50' ft. from C/L of R/W

Side Yard(L): 0/5' ft. Side Yard (R) 0' OR 5' ft.

Rear Yard: 10'

REQUIRED BUFFERS:

Front: No/Yes ft. Rear: No/Yes ft.

Side (L): No/Yes ft. Side: (R): No/Yes ft.

REQUIRED SCREENING:

Front: No/Yes ft. Rear: No/Yes ft.

Side: No/Yes ft. Side: (R): No/Yes ft.

Parking Only: No/Yes

PAYMENT COVERAGE: 24,864 sq. ft./acre

INTERIOR LANDSCAPING: Required 1,243 (58) sq. ft. provided 41,639 sq. ft.

PARKING DATA (ZONING SECTION 12.202, BREWERY USES)

Required: <u>76</u>	Provided: <u>76</u>	Handicap: <u>4</u>	Compact: <u>25</u>
Carpool: <u>0</u>	Loading Spaces: <u>2</u>	Bus: <u>0</u>	

2 LONG TERM AND 1 SHORT TERM BIKE SPACES PROVIDED

ALL SIGNAGE WILL BE APPROVED AND PERMITTED SEPARATELY

# PARKING SUMMARY

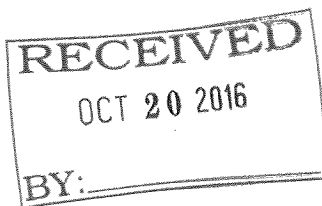
1033 CARTER AVENUE  
PARKING REQUIRED:

PER SECTION 12.02, FOR WAREHOUSE/BREWERY USE

1 SF/300 SF OFFICE X 767 SF =	2.5 SPACES
1 SF/260 SF RETAIL X 3,347 SF =	13.3 SPACES
2 SF/1,000 SF WAREHOUSE X 1,634 SF =	3.3 SPACES
1 SF/75 SF X 3,949 SF TAPROOM =	52.6 SPACES
1 SF/75 SF X 2,181 SF PATIO =	29.0 SPACES
SPACES REQUIRED WITH 25% REDUCTION	101 SPACES
PARKING PROVIDED:	76 SPACES
FULL SIZE SPACES	52 SPACES
COMPACT SPACES	10 SPACES
ACCESSIBLE SPACES	4 SPACES
SPACES PROVIDED	76 SPACES
LOADING SPACES (10'X50')	2 SPACES

SITE INFORMATION	
OWNER: HEIST BREWERY (KURT HOGAN)	
2909 NORTH DAVIDSON STREET	
CHARLOTTE, NC 28205	
PARCEL ID NUMBER: 079-043-05/079-042-04	
SITE AREA: 2.41 ACRES	
USE: BREWERY	
ZONING: 1-2	
EXISTING IMPERVIOUS AREA (BLDG+PARKING+WALKS)	53,512 SF
BUILDING REMOVED	103 SF
ASPHALT/CONCRETE REMOVED	6,332 SF
GRAVEL REMOVED	8,340 SF
IMPERVIOUS AREA REMOVED	<u>15,425 SF</u>
NEW BUILDING POST-2008	0 SF
NEW ASPHALT/CONCRETE	9,766 SF
NEW GRAVEL	10,155 SF
NEW IMPERVIOUS POST-2008	<u>19,921 SF</u>
NET NEW IMPERVIOUS POST-2008	4,496 SF
PAVEMENT DESIGNED TO HANDLE 80,000 POUNDS	

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-004

Petition #:	
Date Filed:	10/20/2016
Received By:	BH

Property Owners: SEE ATTACHMENT A

Owner's Addresses: SEE ATTACHMENT A

Date Properties  
Acquired: SEE ATTACHMENT A

Property Addresses: SEE ATTACHMENT A

Tax Parcel Numbers: SEE ATTACHMENT A

Current Land Use: school/residential Size (Acres): ± 6.16

Existing Zoning: UR-2(CD) and UR-1 Proposed Zoning: UR-3(CD)

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

Required Rezoning Pre-Application Meeting\* with: Solomon Fortune, Alan Goodwin and Catherine Mahoney

Date of meeting: 06/15/2016

(\*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 permit expansion/building addition for existing school

Jeff Brown & Bridget Dixon

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

704-331-1144 (JB)

704-331-2379 (BD)

Telephone Number

704-378-1925 (JB)

704-378-1973 (BD)

Fax Number

jeffbrown@mvalaw.com bridgetdixon@mvalaw.com

E-mail Address

SEE ATTACHMENTS B-C

Signature of Property Owner

Trinity Episcopal School (Attn: Tom Franz)

Name of Petitioner

750 East 9<sup>th</sup> Street

Address of Petitioner

Charlotte, NC 28202

City, State, Zip

704.358.8101

Telephone Number

Fax Number

tfranz@tescharlotte.org

E-mail Address

SEE ATTACHMENT C

Signature of Petitioner

**ATTACHMENT A**

Parcel	Parcel Owner	Property Address	Date Acquired
080-102-01	Trinity Episcopal School 750 East 9 <sup>th</sup> Street, Charlotte, NC 28202	750 East 9 <sup>th</sup> Street, Charlotte, NC 28202 and 515 N McDowell Street, Charlotte, NC 28204	5/1/2009
080-102-11	Trinity Episcopal School 750 East 9 <sup>th</sup> Street, Charlotte, NC 28202	821 East 8 <sup>th</sup> Street Charlotte, NC 28202	5/4/2009
080-102-12	Trinity Episcopal School 750 East 9 <sup>th</sup> Street, Charlotte, NC 28202	829 East 8 <sup>th</sup> Street Charlotte, NC 28202	5/1/2009
080-102-18	Trinity Episcopal School 750 East 9 <sup>th</sup> Street, Charlotte, NC 28202	Southwestern intersection of N. McDowell Street, East 10 <sup>th</sup> St and East 11 <sup>th</sup> Street Charlotte, NC 28204	08/03/2000
080-102-29	Trinity Episcopal School 750 East 9 <sup>th</sup> Street, Charlotte, NC 28202	Southeastern intersection of East 9 <sup>th</sup> Street and N. Myers Street Charlotte, NC 28202	04/28/2000
080-102-30	Trinity Episcopal School 750 East 9 <sup>th</sup> Street, Charlotte, NC 28202	Southwestern intersection of N. McDowell Street, East 10 <sup>th</sup> St and East 11 <sup>th</sup> Street Charlotte, NC 28202	04/28/2000
080-102-28	City of Charlotte C/O Real Estate Division 600 East 4 <sup>th</sup> Street Charlotte, NC 28202	Southwestern intersection of East 9 <sup>th</sup> Street and N. Myers Street Charlotte, NC 28202	10/30/1975
080-102-31	City of Charlotte C/O Real Estate Division 600 East 4 <sup>th</sup> Street Charlotte, NC 28202	Northwestern intersection of N. McDowell Street, East 10 <sup>th</sup> St and East 11 <sup>th</sup> Street Charlotte, NC 28202	10/30/1975

**ATTACHMENT B**

**REZONING PETITION NO. [2016-\_\_\_\_]  
Trinity Episcopal School**

**PETITIONER JOINDER AGREEMENT  
City of Charlotte**

The undersigned, as the owner of the parcel of land located at

1. Southwestern intersection of East 9th Street and N. Myers Street, Charlotte, NC that is designated as Tax Parcel No. 080-102-28
2. Northwestern intersection of N. McDowell Street, East 10th St and East 11th Street that is designated as Tax Parcel No. 080-102-31

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 UR-2(CD) zoning district to the UR-3(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 11 day of October, 2016.

**City of Charlotte**


By: T. Korolow  
Name: Tony Korolow  
Title: Real Estate Division Manager

**ATTACHMENT C**

**REZONING PETITION NO. [2016-\_\_\_\_]  
Trinity Episcopal School**

**Petitioner:**

**Trinity Episcopal School**

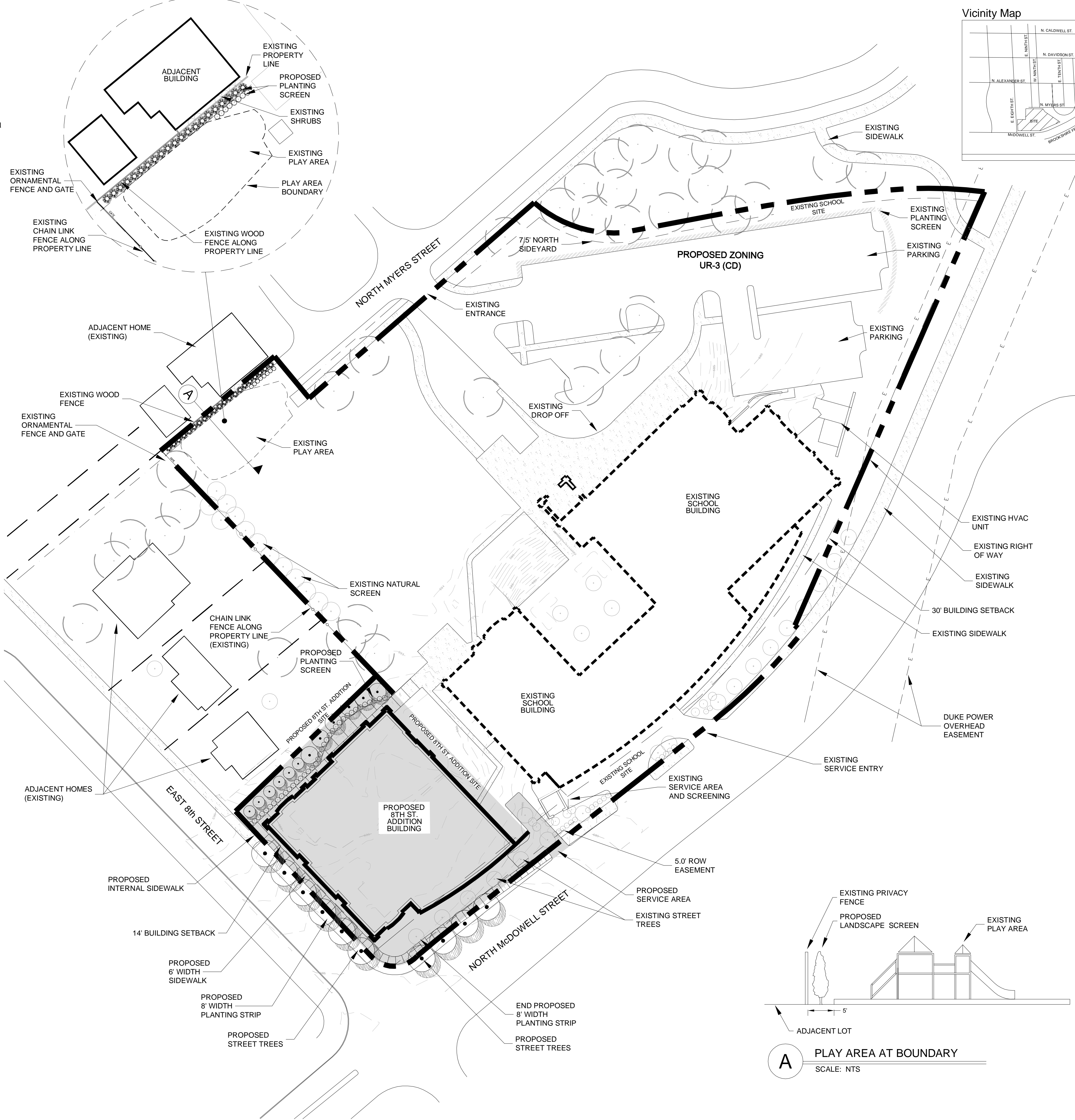
By:   
Name: Glenn Dahlen \_\_\_\_\_  
Title: Business Officer \_\_\_\_\_



DEVELOPMENT STANDARDS

- A. Context/Overview: Rezoning of Existing School Site & Eighth Street Addition Site:
- Existing Rezoning Petition #2001-158.** Reference is made to that certain conditional rezoning plan for Trinity Episcopal School approved as Petition #2000-158 by Charlotte City Council as of January 1, 2001, as amended by administrative site plan amendment approved by Martin R. Crampton, Jr., as Planning Director, on April 5, 2002 (the "Existing Rezoning Plan"). The Existing Rezoning Plan applied only to the existing Trinity Episcopal School property shown thereon.
  - Proposed Rezoning to Supersede & Replace Existing Rezoning.** This rezoning petition (the "Rezoning Petition") and the accompanying rezoning plan (the "Rezoning Plan", which consists of Sheets RZ-1, Technical Data Sheet and these Development Standards; Sheet RZ-2, Conceptual Plan; and Sheet RZ-3 Illustrative/Conceptual Elevations) includes the existing Trinity School Property, upon which the existing Trinity Episcopal School facility is located, generally depicted on the Rezoning Plan as the "Existing School Site," and additional property located at the corner of Eighth Street and McDowell Street generally depicted on the Rezoning Plan as the "Eighth Street Addition Site" (and together with the Existing School Site referred to herein as the "Rezoning Site"). Upon approval by Charlotte City Council of this rezoning Petition, this Rezoning Petition and the Rezoning Plan will supersede and replace the Existing Rezoning Petition and Existing Rezoning Plan.
  - General Purpose of Rezoning.** Trinity Episcopal School, as the Petitioner, seeks to rezone the entire Rezoning Site for the purpose, among others, of (i) adding the Eighth Street Addition Site and the proposed building addition to the existing school facilities as generally depicted on the Rezoning Plan, and (ii) changing the overall zoning district for the entire Rezoning Site to UR-3 to facilitate overall FAR compliance and to present a uniform school facility development.
  - Existing School Site Related Notes.** The following Development Standards include Section B, which references, with a few changes, the "notes" that were contained in the Existing Rezoning Plan. The matters contained in Section B apply to the entire Rezoning Site (i.e. both the Existing School Site and the Eighth Street Addition Site). It is noted that the development and site elements on the Existing School Site are existing and therefore received applicable land use and regulatory approvals as part of the School's opening and operations. A few modifications to the prior notes have been made including for example elimination of the references to temporary school building facilities, among others, but other notes are set forth to confirm compliance and to govern as well, except as stated otherwise, development of the Eighth Street Addition Site. Section C sets forth certain provisions that only apply to the Eighth Street Addition Site.
  - Changes to Graphics from Existing Rezoning Plan.** It is noted that certain changes have been made (and are reflected on this Rezoning Plan) to the graphics portion of the Existing Rezoning Plan in order to reflect existing site and adjacent property conditions. One such alteration includes the elimination of a reference to "Decorative Fence" along certain lots along the common boundary with the Existing School Site.

- B. General Provisions Applicable to Entire Rezoning Site (Except Where Noted):
- Reference survey prepared by the Survey Company, Inc. dated March 12, 2001.
  - All yards required and other criteria for the UR-3(CD) zoning district shall meet or exceed the minimum standards of the City of Charlotte zoning ordinance.
  - All parking shall conform to the City of Charlotte zoning ordinance for UR-3(CD).
  - All signage shall conform to the City of Charlotte zoning ordinance for UR-3(CD). No billboards shall be located on the site.
  - No part of the regulatory flood plain is within the property. Storm drainage shall conform to the City Post Construction System Ordinance.
  - Storage of hazardous waste shall not be permitted on the property.
  - Existing trees in the tree protection zone to remain and/or proposed planting shall conform to the City of Charlotte Tree Ordinance.
  - Fire hydrants shall be located a minimum of 750 feet as the truck travels from the most remote and accessible point.
  - All proposed trees, berms, walls, fences, and /or identification signs must not interfere with sight distance triangles at the entrance.
  - Locations of proposed access points may be adjusted based upon field conditions and internal transportation requirements. All connections shall meet City of Charlotte Department of Transportation requirements and standards.
  - The site design must be consistent with the following principles:
    - A formal front to the school must face Myers Street as extended, emphasizing the school's location at the terminus of the linear space along Ninth Street.
    - The site plan must create an appropriate edge with adjacent residential along Eighth Street by way of vegetation that has been designed to fully screen (at maturity) adjacent uses from the school. Lighting must be directed away from the adjacent residences. Height of the buildings shall comply with the Ordinance. The Service entries must not be located along the property line with adjacent residences because of the potential negative impact on adjacent residences.
    - Except as described in Section B below regarding the Eighth Street Addition Site, the building face of the building on the Existing School Site along McDowell Street must provide a setback of at least 30' from the back of the existing curb and must have a highly articulated façade with windows and doors; large expanses of blank walls are not appropriate.
    - The service entries must be designated as separate entrances from the visitor traffic.
    - The character and material used must reinforce the character of the surrounding First Ward neighborhood and as such shall be generally keeping with the existing buildings on the Existing School Site. Buildings must be limited to 3 stories. The building will consist of predominantly masonry construction. No blank building walls shall be allowed. All major roof lines must be pitched with a 3:1 slope or designed as a turret, dome, steeple, or the like; provided, however, above ground terraces are permitted.
    - Utilities must be placed underground.
    - Except as described in C, below regarding the Eighth Street Addition Site, Streetscape improvements of a sidewalk (6' wide) and street trees (in a 6' wide planting strip) must be provided along public streets except along McDowell Street.
    - Intentionally Deleted/Inapplicable reference to Temporary Structures.
    - Other issues that must be fully addressed in the conditional development plan include locations of any pedestrian circulation system, landscaping and tree protection, location and types of walls/fences, treatment of exterior walls, including use of windows and building articulation and exterior lighting.
  - Intentionally Deleted.
  - The height of detached lights will be limited to 20'.
  - Storm water detention shall not occur between the existing building and the streets.
  - Access by the general public shall be permitted to the school grounds.
  - Site plan is shown for illustrative purposes only and is subject to change dependent upon site conditions, design considerations, etc.
  - The maximum number of students is 500.
  - The Planning Commission shall review the final building elevations for compliance prior to building permit issuance, but such approval shall not be unreasonably delayed or withheld if such elevations are substantially consistent with the existing school building elevations on the Existing School Site and/or the proposed elevations for the Eighth Street Addition Site as generally depicted on Sheet RZ-3.
  - Exposed walls as a result of Phase I construction will be brick or E.I.F.S.
- Additional Provisions Applicable to Eighth Street Addition Site:**
- The setback of the building located on the Eighth Street Addition Site along Eighth Street and McDowell Street shall be fourteen (14) feet back of existing curb. An eight (8) foot planting strip and a six (6) foot sidewalk shall be installed along Eighth Street in front of the building on the Eighth Street Addition Site such that (i) this streetscape treatment will stop at the terminus of the Eighth Street Addition Site along Eighth Street and (ii) the streetscape treatment will continue at the corner of Eighth Street's intersection with McDowell Street for a distance of ten (10) feet, but thereafter the existing sidewalk/streetscape condition along McDowell Street will be retained.
  - Landscaping along the common boundary with the property adjacent to the Eighth Street Addition Site shall be installed as generally depicted on the Rezoning Plan.



DEVELOPMENT DATA	
(INCLUDES BOTH EXISTING SCHOOL SITE AND 8TH STREET ADDITION SITE)	
Site Acreage:	6.16 Acres
Existing Zoning (School Site):	UR-2(CD)
Proposed Zoning (8th Street Addition):	UR-3(CD)
Building Setback Along McDowell Street:	30.0' (14' For Proposed Addition)
Building Setback Along East Eighth Street:	14.0'
Existing Use:	School (Up to 500 Students)
Proposed Use:	School (Up to 500 Students; no change)
F.A.R.:	2.0
Building Height:	To Comply with Ordinance Requirements

Trinity Episcopal School

Charlotte, NC 10/19/16

RZ-1

Data Sheet and Development Standards

Prepared for:  
Trinity Episcopal School  
750 E. 9th St.  
Charlotte, NC 28202

Project #: 16-176

Prepared by:







# Trinity Episcopal School

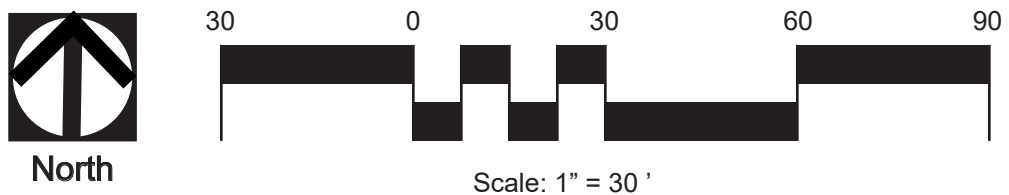
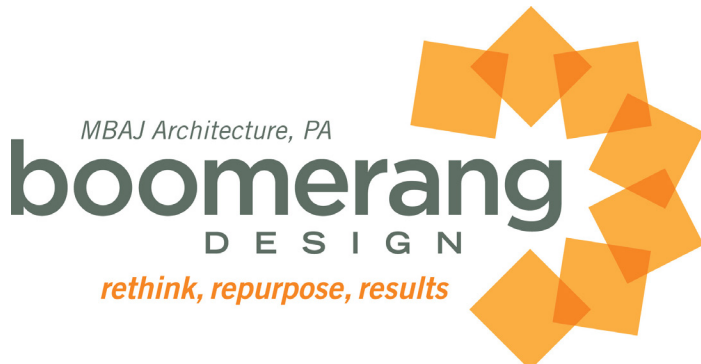
Charlotte, NC October/19/2016

**RZ-2**  
Conceptual Plan

Prepared for:  
Trinity Episcopal School  
750 E. 9th St.  
Charlotte, NC 28202

Project #: 16-176

Prepared by:







Existing Front Entrance



Existing Front Entrance



Existing McDowell St. Elevation



Preliminary Image from McDowell and 8th

# Trinity Episcopal School

Charlotte, NC October/19/2016

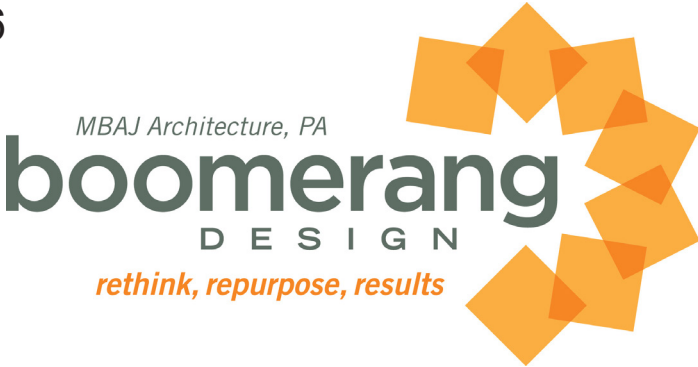
RZ-3

*Illustrative/Conceptual Elevations*

**Prepared for:**  
Trinity Episcopal School  
750 E. 9th St.  
Charlotte, NC 28202

**Project #:** 16-176

**Prepared by:**



**LANDSCAPE ARCHITECTURE  
CIVIL ENGINEERING  
LAND PLANNING**  
601 N. TRADE STREET, SUITE 200  
WINSTON-SALEM, NC 27101  
www.stimmelpa.com 336.723.1067



2017-005

# I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #: \_\_\_\_\_  
Date Filed: 10/20/16  
Received By: \_\_\_\_\_

**Complete All Fields (Use additional pages if needed)**

Property Owner: OMS Piper Station LLC

Owner's Address: 13860 Ballantyne Corp Pl, Suite 240 City, State, Zip: Charlotte, NC 28277

Date Property Acquired: 07/07/2016

Property Address: 5110 Piper Station Dr

Tax Parcel Number(s): 22504506

Current Land Use: Freestanding Restaurant

Size (Acres): 1.941 ac

Existing Zoning: B1S-CD

Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting\* with: JOHN KINLEY, KENT MAIN, ED MCKINLEY  
Date of meeting: 7/12/16 & 8/29/16

(\*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 construction of a 4-story hotel

Caren Wingate

Name of Rezoning Agent

1030 Edgehill Rd S, Unit 103

Agent's Address

Charlotte, NC 28207

City, State, Zip

704-641-2154

Telephone Number

Fax Number

cwingate@wingadgroup.com

E-Mail Address

Kush Anandani  
Signature of Property Owner

KUSH ANANDANI  
(Name Typed / Printed)

OMS Piper Station LLC

Name of Petitioner(s)

13860 Ballantyne Corp Pl, Suite 240

Address of Petitioner(s)

Charlotte, NC 28277

City, State, Zip

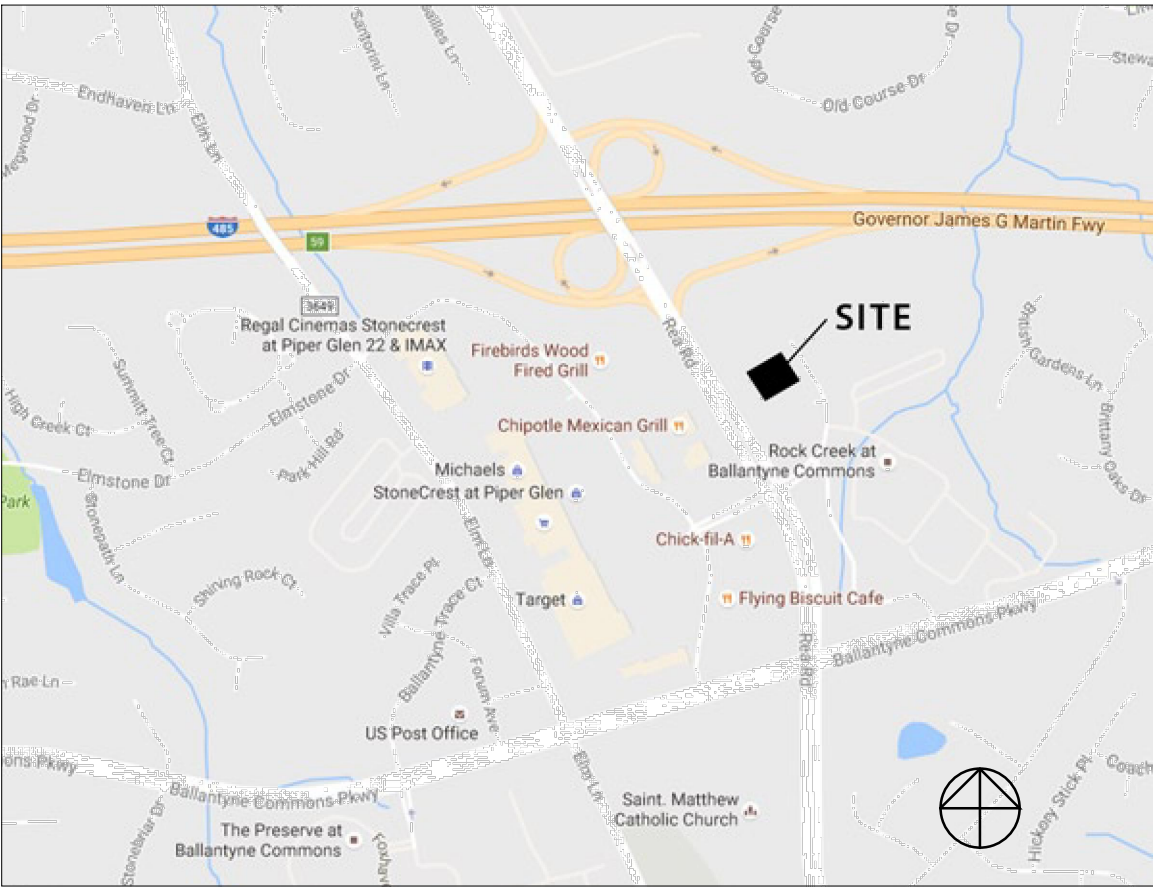
Telephone Number

Fax Number

E-Mail Address

Kush Anandani  
Signature of Petitioner

KUSH ANANDANI  
(Name Typed / Printed)



03 VACINITY MAP

scale: NTS

Development Summary

Tax Parcel ID#: 22504506  
Total Site Acreage: 1.94 acres  
Existing Zoning: B-1 (SCD)  
Proposed Zoning: MUDD-O

Height: 4 Stories / 60' Max.  
Hotel: 130 Guestroom Max.

04 SITE DATA

scale: NTS

1. General Provisions

These Development Standards are a part of the Rezoning Plan associated with the Rezoning Petition filed by October 24, 2016 to rezone property tax parcel 22504506 (the "Site") from the B-1 (SCD) Zoning District to the MUDD-O Zoning District in order to accommodate a hotel development, as depicted on the Rezoning Plan.

Development of the Site will be governed by the accompanying Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The Rezoning Plan is intended to reflect maximum development rights, building envelopes, the arrangements and locations of access points.

Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MUDD Zoning District shall govern all development taking place on the Site.

Alterations or modifications which, in the opinion of the Planning Director, substantially alter the character of the development proposed or significantly alter the Rezoning Plan or these Development Standards, constitute changes which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

2. Optional Provisions

Petitioner seeks approval of an optional provision to allow parking between the street and one wing of the proposed hotel structure.

3. Permitted Uses

The Site may be devoted to hotel uses together with any other uses allowed in MUDD Zoning.

4. Maximum Development

The number of hotel rooms allowed on the site shall not exceed 130 hotel guestrooms, and ancillary meeting space, office space, hotel dining space and indoor pool / fitness.

5. Transportation

Vehicular access points shall be limited to one driveway on Piper Station Drive as generally depicted on the rezoning plan.

6. Architectural Standards

The petitioner is proposing a style of architecture, generally in keeping with the architectural vocabulary established on Rea Road and Piper Station Drive. Allowable building materials include masonry, stucco, synthetic stucco, cementitious siding, and metal panels. The petitioner commits to engaging both road frontages with guestroom windows and public spaces that engage the street. Clear glass will be utilized on all first floor openings.

7. Environmental Features

Petitioner shall satisfy the requirements of the Post Construction Controls Ordinance. The petitioner commits to an active fountain in the retention pond.

8. Lighting

All free-standing lighting fixtures will be shielded with full cut-off fixtures.

9. Amendments to Rezoning Plan

Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of a particular Tract within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

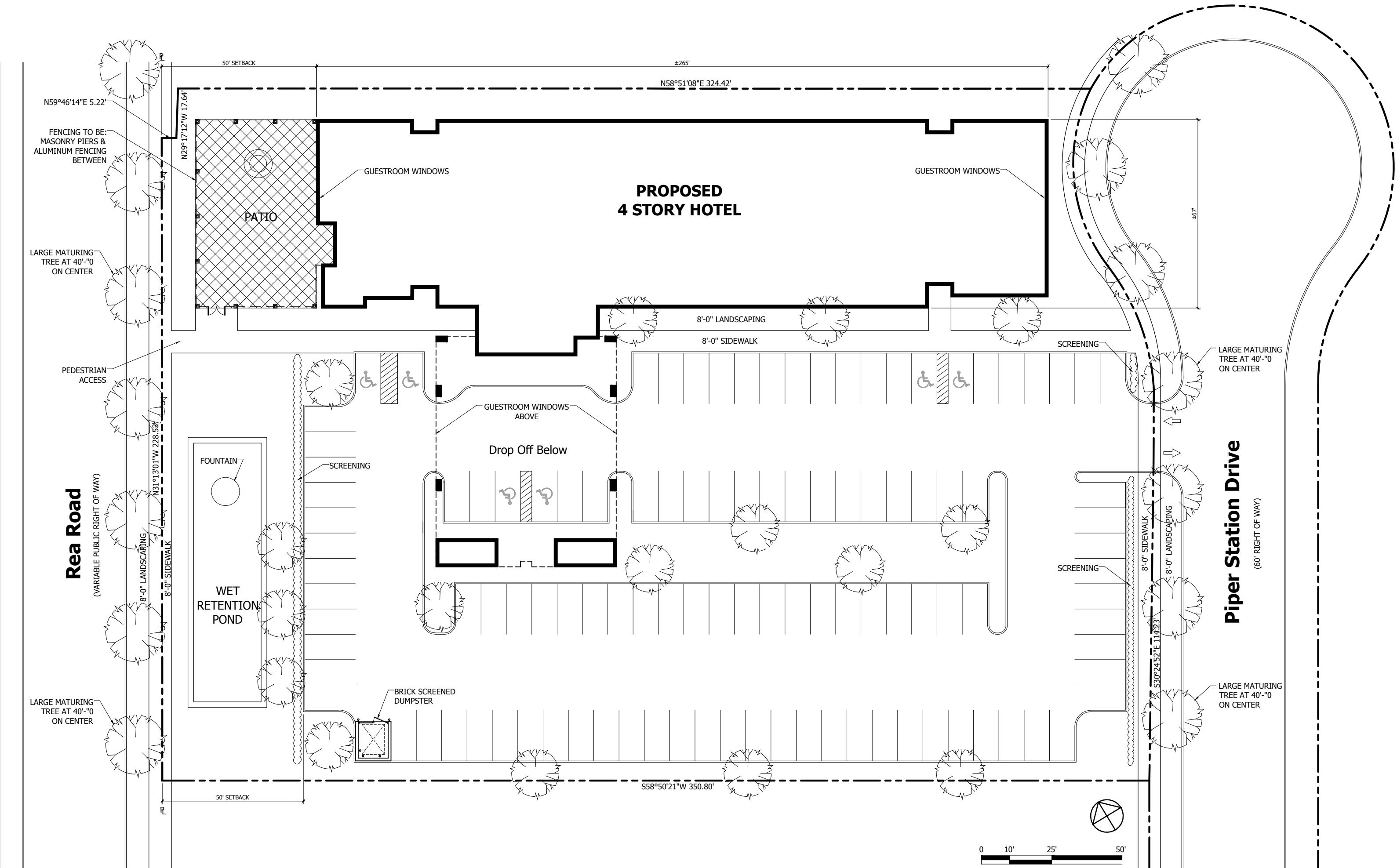
10. Binding Effect of the Rezoning Documents and Definitions

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards 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 successors in interest and assigns.

Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof.

02 NOTES

scale: NTS



01 SITE PLAN

scale: 1"=30'



ODA  
overcash demmitt

2010 south tryon st. suite 1a  
charlotte north carolina 28203  
office.704.332.1615  
web.www.odarch.com

PIPER STATION / REA RD.  
CHARLOTTE, NORTH CAROLINA

Petition No. 2016-XXX  
For Public Hearing

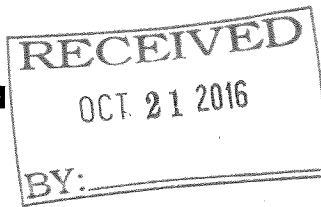
ISSUE	:	DATE
REZONING SUBMITTAL	:	10.19.16
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ILLUSTRATIVE  
PLAN & NOTES

RZ-1

Copyright 2015 Overcash Demmitt Architects  
ODA No. 163079 draw/3079\_xplan.dwg

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-006

Petition #:	
Date Filed:	10/21/2016
Received By:	gk

**Complete All Fields (Use additional pages if needed)**

Property Owner: Highland Creek Investors, LLC

Owner's Address: 2400 South Boulevard, Suite 300 City, State, Zip: Charlotte, NC 28203

Date Property Acquired: October 21, 2015

Property Address: 9254 Highland Creek Parkway

Tax Parcel Number(s): 029-641-10

Current Land Use: Vacant Size (Acres): +/- 11.05 acres

Existing Zoning: Neighborhood Services Proposed Zoning: R-17 MF (CD)

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

Required Rezoning Pre-Application Meeting\* with: Alberto González, Grant Meacci, Rick Grochoske et al.

Date of meeting: March 15, 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 accommodate the development of an age restricted, multi-family residential community on the site that could contain up to 190 dwelling units.

John Carmichael (Robinson Bradshaw)  
Name of Rezoning Agent

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

Charlotte, NC 28246  
City, State, Zip

704-377-8341  
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com  
E-Mail Address

See Attached Joinder Agreement  
Signature of Property Owner

(Name Typed / Printed)

Stream Realty Partners (c/o Robert Hamilton)  
Name of Petitioner(s)

515 Congress Avenue, Suite 1300  
Address of Petitioner(s)

Austin, Texas 78701  
City, State, Zip

512-944-2312  
Telephone Number Fax Number

robert.hamilton@streamrealty.com  
E-Mail Address

**STREAM REALTY PARTNERS**

  
By:

Daniel Farrar – Managing Partner  
Signature of Petitioner


(Name Typed / Printed)

**REZONING APPLICATION  
STREAM REALTY PARTNERS, PETITIONER  
JOINDER AGREEMENT**

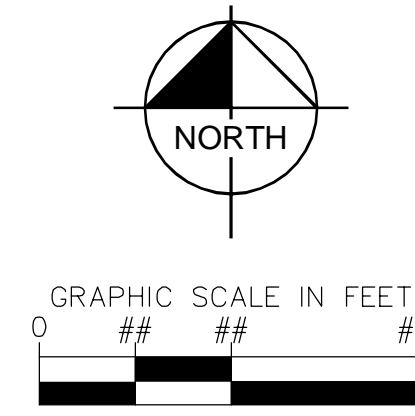
The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Stream Realty Partners that is designated as Tax Parcel No. 029-641-10 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the R-17 MF (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.


This 13<sup>th</sup> day of October, 2016.

**HIGHLAND CREEK INVESTORS, LLC**

By:   
Name: John Bradley  
Title: MANAGER





SHEET NUMBER	PROJECT NO. 011007000	DATE 10/24/2016	SOLEA CHARLOTTE HIGHLAND CREEK PKWY AND EASTFIELD RD, CHARLOTTE, MECKLENBURG COUNTY, NC 28269  OWNER/DEVELOPER STREAM REALTY PARTNERS 515 CONGRESS AVE SUITE 1300	TECHNICAL DATA SHEET	SCALE AS NOTED DESIGNED BY MDM DRAWN BY AHR CHECKED BY ECH	NOT FOR CONSTRUCTION	 © 2016 KIMLEY-HORN AND ASSOCIATES, INC. 200 SOUTH TRYON ST., SUITE 200, CHARLOTTE, NC 28202 PHONE 704-383-5131 FAX 704-383-5131 WWW.KIMLEY-HORN.COM NC LICENSE #F-0102	DATE	BY	REV	DESCRIPTION

ZONING CODE SUMMARY	
PROJECT NAME:	HIGHLAND CREEK PARKWAY
PROJECT OWNER:	STREAM REALTY
CLIENT NAME:	STREAM REALTY                      PHONE: 980-819-4270
PLANS PREPARED BY:	KIMLEY-HORN                      PHONE: 704-333-5131
TAX PARCEL ID:	02964110
STREET ADDRESS:	9254, 9246, 9548, 9250 HIGHLAND CREEK PARKWAY, CHARLOTTE NC 28269
EXISTING ZONING:	NS
PROPOSED REZONING:	R-17MF (CD)
PROPOSED USE:	AGE RESTRICTED, MULTI-FAMILY
PROPOSED BUILDING HEIGHT:	AS ALLOWED BY THE APPLICABLE ZONING DISTRICT. SEE TECHNICAL DEVELOPMENT STANDARDS (RZ-2) FOR MORE INFORMATION
EXISTING LOT SIZE:	+/- 11.05 ACRES
JURISDICTION:	CITY OF CHARLOTTE



## DEVELOPMENT STANDARDS

OCTOBER 24, 2016

## **I. GENERAL PROVISIONS**

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY STREAM REALTY PARTNERS TO ACCOMMODATE THE DEVELOPMENT OF AN AGE RESTRICTED, MULTI-FAMILY RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 11.05 ACRE SITE LOCATED ON THE NORTH SIDE OF HIGHLAND CREEK PARKWAY AT THE INTERSECTION OF EASTFIELD ROAD AND HIGHLAND CREEK PARKWAY, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NO. 029-641-10.
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"), UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE R-17 MF ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
3. THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINT AS WELL AS THE INTERNAL DRIVES AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
4. 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.

- ## II. PERMITTED USES

1. THE SITE MAY ONLY BE DEVOTED TO AN AGE RESTRICTED, MULTI-FAMILY RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 190 MULTI-FAMILY DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE R-17 MF ZONING DISTRICT.
2. AN AGE RESTRICTED COMMUNITY SHALL MEAN A COMMUNITY THAT IS INTENDED AND OPERATED FOR OCCUPANCY BY PERSONS 55 YEARS OF AGE OR OLDER; PUBLISHES AND ADHERES TO POLICIES AND PROCEDURES THAT DEMONSTRATE THE INTENT TO PROVIDE HOUSING FOR PERSONS 55 YEARS OF AGE OR OLDER; COMPLIES WITH HUD'S REGULATORY REQUIREMENTS FOR VERIFICATION OF OCCUPANCY; AND OTHERWISE MEETS THE APPLICABLE REQUIREMENTS OF THE STATE AND FEDERAL FAIR HOUSING ACTS TO QUALIFY AS "HOUSING FOR OLDER PERSONS."

- ### III. 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 ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT") IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
2. THE ALIGNMENT OF THE INTERNAL DRIVEWAYS AND VEHICULAR CIRCULATION AREAS 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.
3. THE VEHICULAR ACCESS POINTS INTO AND OUT OF THE SITE MAY BE GATED AT THE OPTION OF PETITIONER. THE LOCATION AND DESIGN OF THE GATES SHALL BE DETERMINED DURING THE PERMITTING PROCESS.

#### IV. ARCHITECTURAL STANDARDS

1. THE MAXIMUM HEIGHT IN STORIES OF THE PRINCIPAL BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE 4 STORIES.
2. THE MAXIMUM HEIGHT IN FEET OF THE PRINCIPAL BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE 54 FEET AS MEASURED FROM THE AVERAGE GRADE AT THE BASE OF THE STRUCTURE.
3. DUMPSTER AND RECYCLING AREAS WILL BE ENCLOSED ON ALL FOUR SIDES, WITH THREE SIDES BEING ENCLOSED BY OPAQUE WALLS AND ONE SIDE BEING ENCLOSED BY A HINGED OPAQUE GATE. IF ONE OR MORE SIDES OF A DUMPSTER AND RECYCLING AREA ADJOIN A SIDE WALL OR REAR WALL OF THE BUILDING, THEN THE SIDE WALL OR REAR WALL OF THE BUILDING MAY BE SUBSTITUTED FOR THE WALL ALONG EACH SUCH SIDE.

## V. STREETSCAPE AND LANDSCAPING/BUFFER

1. A MINIMUM 37.5 FOOT CLASS C BUFFER SHALL BE ESTABLISHED ALONG THOSE PORTIONS OF THE SITE'S BOUNDARY LINES THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, WHICH BUFFER SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE. PURSUANT TO SECTION 12.302(8) OF THE ORDINANCE, THIS CLASS C BUFFER HAS BEEN REDUCED IN WIDTH BY 25% FROM 50 FEET TO 37.5 FEET AS A RESULT OF PETITIONER'S COMMITMENT TO INSTALL A WALL OR FENCE IN THE CLASS C BUFFER THAT MEETS THE REQUIREMENTS OF SECTION 12.302(8) OF THE ORDINANCE.

2. 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.
3. A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 6 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTS ON EASTFIELD ROAD AND HIGHLAND CREEK PARKWAY AS GENERALLY DEPICTED ON THE REZONING PLAN.

## VI. ENVIRONMENTAL FEATURES

1. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
2. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

## VII. LIGHTING

1. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING STREET LIGHTS AND LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG AND/OR ON THE DRIVEWAYS, SIDEWALKS, PARKING AREAS, AMENITY AREAS, PATIOS AND LANDSCAPED AREAS) 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. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE SHALL BE 21 FEET.
3. ANY LIGHTING FIXTURES ATTACHED TO THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

## VIII. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

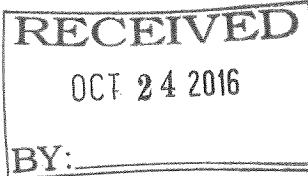
1. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE 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 THE 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.







**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-007

Petition #:	_____
Date Filed:	10/24/2016
Received By:	BH

**Complete All Fields (Use additional pages if needed)**

Property Owner: TDK, Inc.

Owner's Address: 5635 North Tryon Street City, State, Zip: Charlotte, NC 28213

Date Property Acquired: November 1, 1985 and April 30, 1990

Property Address: 5635 North Tryon Street, 5621 North Tryon Street and 5625 North Tryon Street

Tax Parcel Number(s): Portions of Tax Parcel Nos. 089-201-01, 089-201-23 and 089-201-24

Current Land Use: Manufactured Home Park & Commercial Size (Acres): +/- 7.90 acres

Existing Zoning: B-2 Proposed Zoning: TOD-RO

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

Required Rezoning Pre-Application Meeting\* with: Sonja Sanders, Mandy Vari, Rick Grochoske et al.  
Date of meeting: September 15, 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): N/A

Purpose/description of Conditional Zoning Plan: To accommodate the development of a multi-family residential community on the site that could contain up to 130 dwelling units.

John Carmichael (Robinson Bradshaw)  
Name of Rezoning Agent

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

Charlotte, NC 28246  
City, State, Zip

704-377-8341  
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com  
E-Mail Address

See the Attached Joinder Agreement  
Signature of Property Owner

\_\_\_\_\_  
(Name Typed / Printed)

NRP Properties, LLC (c/o Aaron Pechota)  
Name of Petitioner(s)

5309 Transportation Boulevard  
Address of Petitioner(s)

Cleveland, Ohio 44125  
City, State, Zip

216-475-8900 Ext. 1100  
Telephone Number Fax Number

apectota@nrpgroup.com  
E-Mail Address

See attached Signature Page  
Signature of Petitioner

\_\_\_\_\_  
(Name Typed / Printed)

**Signature of NRP Properties, LLC**

**NRP PROPERTIES, LLC**

By: 

Name: Kenneth W Atcalt

Title: Authorized Representative

Date: October 21, 2016

**REZONING APPLICATION  
NRP PROPERTIES, LLC, PETITIONER  
JOINDER AGREEMENT**

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by NRP PROPERTIES, LLC that are designated as Tax Parcel Nos. 089-201-01, 089-201-23 and 089-201-24 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the relevant portions of the Site to the TOD-RO zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

**Signature of TDK, Inc.**

**TDK, Inc.**

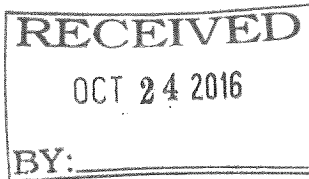
By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: October 18<sup>TH</sup>, 2016

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-008

Petition #:	
Date Filed:	10/24/2016
Received By:	Bj

**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: Acquired by way of inheritance

Property Address: 230 Northchase Drive

Tax Parcel Number(s): 089-121-02

Current Land Use: Vacant Size (Acres): +/- 5.474 acres

Existing Zoning: B-2 (CD) Proposed Zoning: TOD-RO

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

Required Rezoning Pre-Application Meeting\* with: Sonja Sanders, Mandy Vari, Rick Grochoske et al.

Date of meeting: September 15, 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 accommodate the development of a multi-family residential community on the site that could contain up to 140 dwelling units.

John Carmichael (Robinson Bradshaw)  
Name of Rezoning Agent

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

Charlotte, NC 28246  
City, State, Zip

704-377-8341  
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com  
E-Mail Address

See the Attached Joinder Agreement  
Signature of Property Owner

(Name Typed / Printed)

NRP Properties, LLC (c/o Aaron Pechota)  
Name of Petitioner(s)

5309 Transportation Boulevard  
Address of Petitioner(s)

Cleveland, Ohio 44125  
City, State, Zip

216-475-8900 Ext. 1100  
Telephone Number Fax Number

apectota@nrpgroup.com  
E-Mail Address

See attached Signature Page  
Signature of Petitioner

(Name Typed / Printed)

**Exhibit A to Rezoning Application Filed by NRP Properties, LLC**


**Property Owners' Names and Address**

Judith M. Abernethy  
John B. Abernethy  
William Scott Abernethy  
Donna K. Abernethy  
Thomas E. Hough  
William Sydney Abernethy, III  
W.S. Abernethy, Jr. (Deceased)  
Margaret Abernethy

1901 Fair Forest Drive  
Matthews, NC 28105

**Signature of NRP Properties, LLC**

**NRP PROPERTIES, LLC**

By:   
Name: Kenneth W Atcalt  
Title: Authorized Representative


Date: October 29, 2016

**REZONING APPLICATION  
NRP PROPERTIES, LLC, PETITIONER  
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by NRP Properties, LLC that is designated as Tax Parcel No. 089-121-02 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 TOD-RO zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

This 21st day of October, 2016.

  
JUDITH M. ABERNETHY

  
JOHN B. ABERNETHY

\_\_\_\_\_  
WILLIAM SCOTT ABERNETHY

\_\_\_\_\_  
DONNA K. ABERNETHY

\_\_\_\_\_  
THOMAS E. HOUGH

\_\_\_\_\_  
WILLIAM SYDNEY ABERNETHY, III

\_\_\_\_\_  
W.S. ABERNETHY, JR.

*Deceased*

\_\_\_\_\_  
MARGARET ABERNETHY

**REZONING APPLICATION  
NRP PROPERTIES, LLC, PETITIONER  
JOINDER AGREEMENT**

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This 21st day of October, 2016.

\_\_\_\_\_  
JUDITH M. ABERNETHY

\_\_\_\_\_  
JOHN B. ABERNETHY

*William A. Abernethy*

\_\_\_\_\_  
WILLIAM SCOTT ABERNETHY

*Donna K. Abernethy*

\_\_\_\_\_  
DONNA K. ABERNETHY

\_\_\_\_\_  
THOMAS E. HOUGH

*William Abernethy III by William Abernethy POA*

\_\_\_\_\_  
WILLIAM SYDNEY ABERNETHY,

III

\_\_\_\_\_  
W.S. ABERNETHY, JR.

*Deceased*

\_\_\_\_\_  
MARGARET ABERNETHY



**REZONING APPLICATION  
NRP PROPERTIES, LLC, PETITIONER  
JOINDER AGREEMENT**

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This 21<sup>st</sup> day of October, 2016.

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JUDITH M. ABERNETHY

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JOHN B. ABERNETHY

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- WILLIAM SCOTT ABERNETHY

---

- DONNA K. ABERNETHY

  
THOMAS E. HOUGH

---

- WILLIAM SYDNEY ABERNETHY, III

---

W.S. ABERNETHY, JR. *Deceased*

  
MARGARET ABERNETHY

230 NORTHCHASE DRIVE  
CHARLOTTE, NC 28213

**A<sup>0</sup>REAGE:** 5.47 ACRES  
**TA<sup>0</sup> PAR<sup>0</sup>EL:** 089-12-102  
**E<sup>0</sup>ISTI<sup>0</sup>G ZO<sup>0</sup>I<sup>0</sup>G:** B-2 (CD)  
**PROPOSED ZO<sup>0</sup>I<sup>0</sup>G:** TOD-RO  
**E<sup>0</sup>ISTI<sup>0</sup>G USES:** VACANT  
**PROPOSED USES:** RESIDENTIAL

## DISTANCE TO PROPOSED LIGHT RAIL STATION: .4 MILES

**MAXIMUM BUILDING HEIGHT:** 40 FEET AT RESIDENTIAL ZONING, INCREASING BY 1 FT PER EVERY 10 FEET.







**MINIMUM FRONT SETBACK: 16' FROM PROPOSED BACK OF CURB ON NORTHCHASE DRIVE**

**MINIMUM REAR YARD SETBACK: 20' ABUTTING RESIDENTIAL ZONING.**

**BUFFER ☐ARD: 10' ABUTTING RESIDENTIAL ZONING**

DB – DEED BOOK  
MB – MATCH BOOK  
PG – PAGE  
FND – FOUND  
TCE – TEMPORARY CONSTRUCTION EASEMENT  
NAD – NORTH AMERICAN DATUM  
NAVD 88 – NORTH AMERICAN VERTICAL DATUM  
R/W – RIGHT OF WAY  
{NTS} – NOT TO SCALE  
HWY – HIGHWAY  
CF – COMBINED SCALE FACTOR

- – FOUND CORNER (AS DESCRIBED)
- – SET CORNER (#5 REBAR UNLESS OTHERWISE NOTED)

-  — BOUNDARY/LOT LINE  
 — ADJOINING BOUNDARY/LOT LINE  
   — (NOT SURVEYED)  
 — RIGHT OF WAY LINE  
 — EASEMENT LINE  
 — FENCE LINE  
 — DEVELOPMENT AREA

 - SITE ACCESS

## ISSUE INDEX

DATE:
10/21/2016
PROJECT PHASE:
ALL

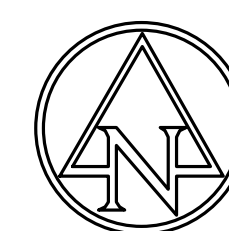
## REVISION SCHEDULE

[illegible]

STRUCTUREPOINT	2016.01987
PROJECT #	

TECHNICAL  
DATA  
SHEET

RZ 1



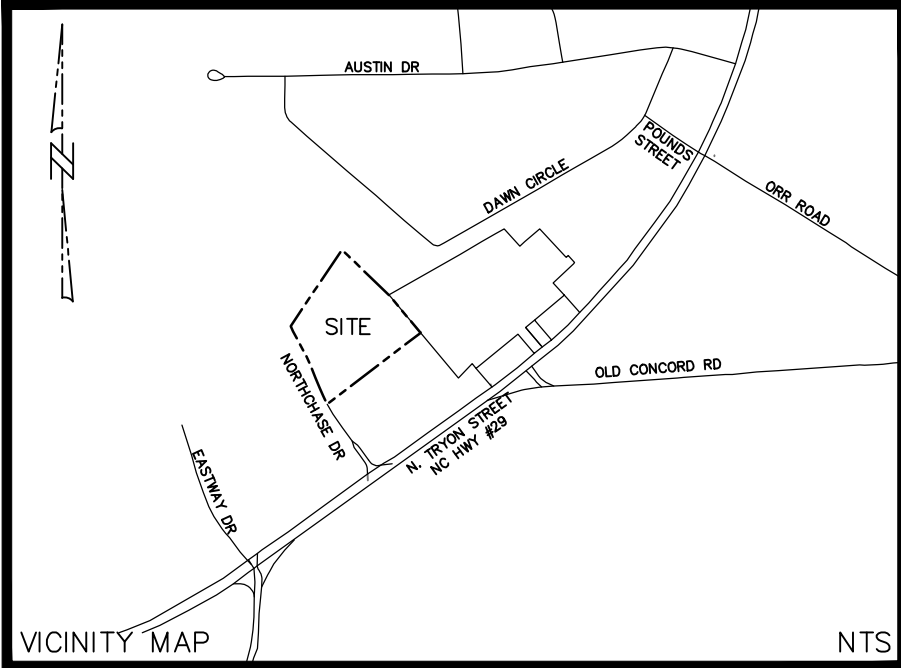
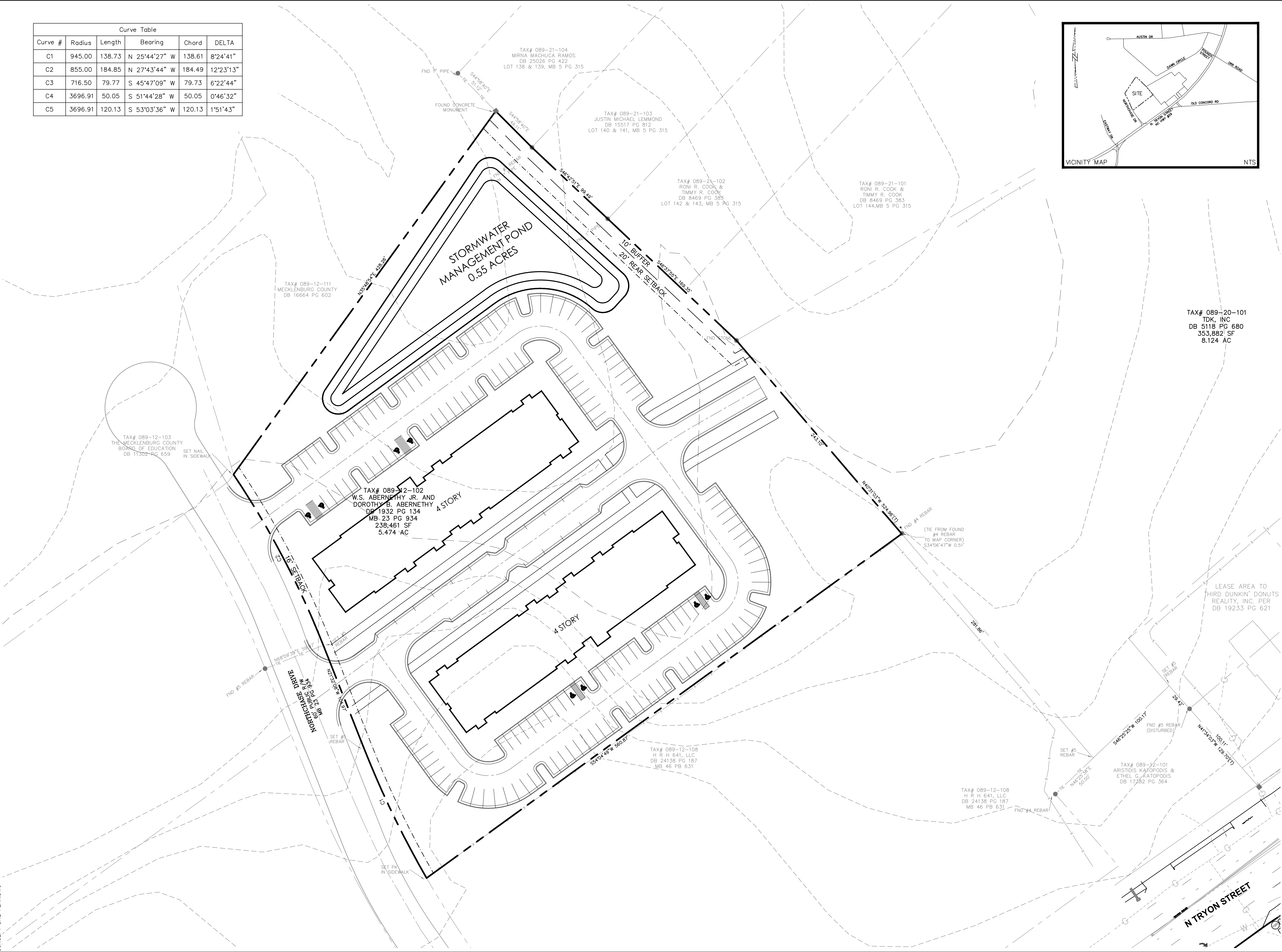
0' 50' 10'

SCALE: 1"=50'



PRINT DATE: 10/21/16 EDIT DATE: 10/21/16 - 10:28 PM EDITED BY: RBRINKMAN DRAWING FILE: P:\2016\01987\01987.D\DRAWINGS\CIVIL\EXHIBITS\2016-1020 CONCEPT SITE PLAN FOR REZONING SUBMITTAL\2016.01987 OLD CONCORD STATION - CONCEPT SITE PLAN.dwg PLOT SCALE: 1"=40'

Curve Table					
Curve #	Radius	Length	Bearing	Chord	DELTA
C1	945.00	138.73	N 25°44'27" W	138.61	8°24'41"
C2	855.00	184.85	N 27°43'44" W	184.49	12°23'13"
C3	716.50	79.77	S 45°47'09" W	79.73	6°22'44"
C4	3696.91	50.05	S 51°44'28" W	50.05	0°46'32"
C5	3696.91	120.13	S 53°03'36" W	120.13	1°51'43"



## OLD CONCORD STATION - NORTHCHASE MULTIFAMILY

230 NORTHCHASE DRIVE  
CHARLOTTE, NC 28213

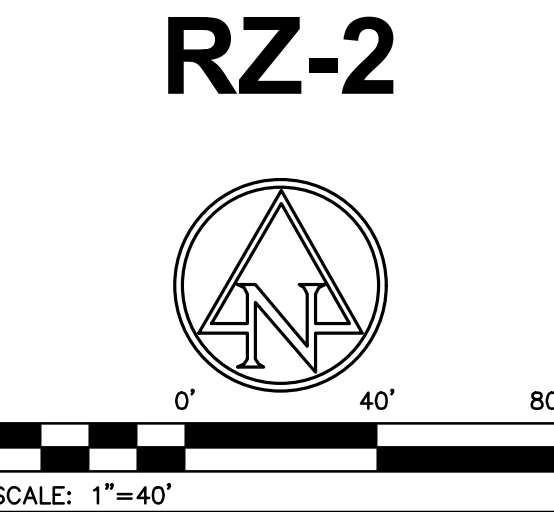
**CERTIFIED BY**  
**NC ENGINEERING FIRM F-1119**

ISSUANCE INDEX	
DATE:	10/21/2016
PROJECT PHASE:	ALL

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE

STRUCTUREPOINT PROJECT # 2016.01987

## SCHEMATIC SITE PLAN





DEVELOPMENT STANDARDS

October 24, 2016

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by NRP Properties, LLC to accommodate the development of a multi-family residential community on that approximately 5.474 acre site located on the east side of Northchase Drive, north of the intersection of Northchase Drive and North Tryon Street, which site is more particularly depicted on the Rezoning Plan (the “Site”). The Site is comprised of Tax Parcel No.089-121-02.
- B. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provisions set out below, the regulations established under the Ordinance for the TOD-R zoning district shall govern the development and use of the Site.
- C. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. 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 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.
- D. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. OPTIONAL PROVISIONS

The optional provisions set out below shall apply to the development of the Site.

- A. Parking and maneuvering space shall be allowed between the buildings and the required setback from Northchase Street as depicted on the Rezoning Plan.
- B. The development of the Site shall not be required to meet the minimum residential density requirements of the TOD-R zoning district

3. PERMITTED USES

- A. The Site may only be devoted to a multi-family residential community containing a maximum of 140 dwelling units and to any incidental and accessory uses relating thereto that are allowed in the TOD-R zoning district. Customary incidental and accessory uses may include, without limitation, a leasing and management office and amenities for the residents.

4. 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. The alignment of the internal driveways and vehicular circulation areas 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.

5. ARCHITECTURAL AND DESIGN STANDARDS

- A. The maximum height of any buildings constructed on the Site in stories shall be 4 stories.
- B. Dumpster and recycling areas will be enclosed on all four sides, with three sides being enclosed by opaque walls and one side being enclosed by 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 along each such side.
6. STREETScape/LANDSCAPING AND SCREENING
- A. Petitioner shall install a minimum 8 foot wide planting strip and a minimum 8 foot wide sidewalk along each side of the internal street, and along the Site's frontage on Northchase Drive.
- B. Petitioner shall install a minimum 10 foot wide landscaping strip that meets the requirements of Section 9.1208(9) of the Ordinance along those portions of the Site's boundary lines that are more particularly depicted on the Rezoning Plan.
- C. Internal sidewalks and pedestrian connections shall be installed within the Site as generally depicted on the Rezoning Plan.

7. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- B. Throughout these Development Standards, the term “Ppetitioner” 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.

the

NRP

group LLC

5309 Transportation Boulevard | Cleveland, OH  
TEL 216.475.8900  
www.nrpgroup.com

AMERICAN  
STRUCTUREPOINT  
INC.

American Structurepoint, Inc.  
NC Engineering Firm F-1119  
831 East Morehead Street, Suite 660 | Charlotte, NC 28202  
TEL 980.938.0977 | FAX 317.543.0270  
www.structurepoint.com

OLD CONCORD  
STATION -  
NORTHCHASE  
MULTIFAMILY

230 NORTHCHASE DRIVE  
CHARLOTTE, NC 28213

CERTIFIED BY  
NC ENGINEERING FIRM F-1119

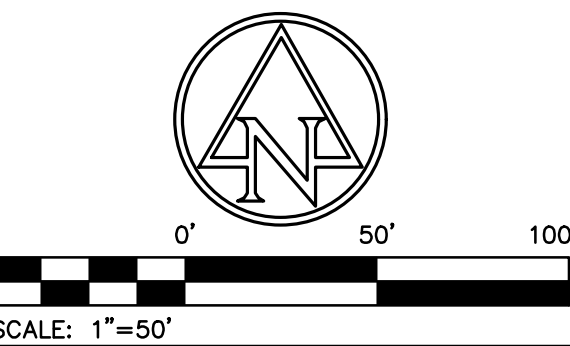
ISSUANCE INDEX
DATE: 10/21/2016
PROJECT PHASE:
ALL

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE

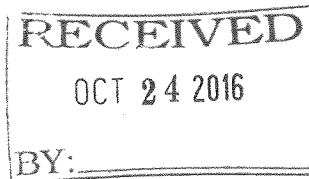
STRUCTUREPOINT PROJECT # 2016.01987

DEVELOPMENT  
STANDARDS

RZ-3



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2016-2019

Petition #:	
Date Filed:	10/24/2016
Received By:	Bf

**Complete All Fields (Use additional pages if needed)**

Property Owner: Northlake Southstar, LLC

Owner's Address: 2820 Selwyn Avenue, Suite 425 City, State, Zip: Charlotte, NC 28209

Date Property Acquired: July 2, 2008

Property Address: West W.T. Harris Boulevard

Tax Parcel Number(s): 025-151-17

Current Land Use: Vacant Size (Acres): +/- 2.97 acres

Existing Zoning: Neighborhood Services Proposed Zoning: Neighborhood Services S.P.A.

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

Required Rezoning Pre-Application Meeting\* with: Alberto Gonzalez, Claire Lyte-Graham, Rick Grochoske et al.

Date of meeting: September 20, 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): N/A

Purpose/description of Conditional Zoning Plan: To accommodate the development of an age restricted, multi-family residential community on the site that could contain up to 75 dwelling units.

John Carmichael (Robinson Bradshaw)  
Name of Rezoning Agent

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

Charlotte, NC 28246  
City, State, Zip

704-377-8341  
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com  
E-Mail Address

See the Attached Joinder Agreement  
Signature of Property Owner

\_\_\_\_\_  
(Name Typed / Printed)

NRP Properties, LLC (c/o Aaron Pechota)  
The Drakeford Company  
Name of Petitioner(s)

5309 Transportation Boulevard  
Address of Petitioner(s)

Cleveland, Ohio 44125  
City, State, Zip

216-475-8900 Ext. 1100  
Telephone Number Fax Number

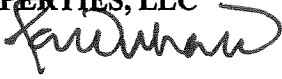
apechota@nrpgroup.com  
E-Mail Address

See attached Signature Page  
Signature of Petitioner

\_\_\_\_\_  
(Name Typed / Printed)

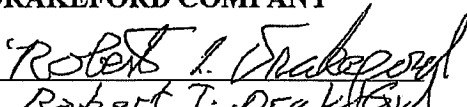
Signatures of Petitioners

NRP PROPERTIES, LLC

By:   
Name: Kenneth Outcalt  
Title: Authorized Representative

Date: October 21, 2016

THE DRAKEFORD COMPANY

By:   
Name: Robert T. Drakeford  
Title: Manager

Date: October 20, 2016

**REZONING APPLICATION  
NRP PROPERTIES, LLC AND THE DRAKEFORD COMPANY, PETITIONERS  
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by NRP Properties, LLC and The Drakeford Company that is designated as Tax Parcel No. 025-151-17 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 Neighborhood Services Site Plan Amendment zoning district as more particularly depicted on the related conditional rezoning plan.

This 21<sup>st</sup> day of October, 2016.

**NORTHLAKE SOUTHSTAR, LLC**

By: 

Name: E. Blanton Hamilton Jr.

Title: Manager



SITE DEVELOPMENT DATA

SITE ACREAGE:	±2.97 ACRES (129,390 SQ FT)
TAX PARCEL #:	025-151-17
EXISTING ZONING:	NS (PETITION #2007-145)
PROPOSED ZONING:	NS S.P.A.
EXISTING USE:	VACANT -- INGRESS/EGRESS DRIVE
PROPOSED USE:	SENIOR INDEPENDENT LIVING APARTMENT HOMES
PROPOSED DENSITY:	75 UNITS MAXIMUM
BUILDING HEIGHT:	3 STORY MAXIMUM
PARKING PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS
OPEN SPACE:	SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE:	SHALL MEET ORDINANCE REQUIREMENTS

I. GENERAL PROVISIONS

- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY NRP PROPERTIES, LLC TO ACCOMMODATE THE DEVELOPMENT OF AN AGE RESTRICTED, MULTI-FAMILY RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 2.97 ACRE SITE LOCATED ON THE WEST SIDE OF WEST W.T. HARRIS BOULEVARD ACROSS FROM FOREST DRIVE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NO. 025-151-17.
- DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"), UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE NEIGHBORHOOD SERVICES ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINT AS WELL AS THE INTERNAL DRIVES AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
- 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.

II. PERMITTED USES

- THE SITE MAY ONLY BE DEVOTED TO AN AGE RESTRICTED, MULTI-FAMILY RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 75 MULTI-FAMILY DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE NEIGHBORHOOD SERVICES ZONING DISTRICT.
- AN AGE RESTRICTED COMMUNITY SHALL MEAN A COMMUNITY THAT IS INTENDED AND OPERATED FOR OCCUPANCY BY PERSONS 55 YEARS OF AGE OR OLDER; PUBLISHES AND ADHERES TO POLICIES AND PROCEDURES THAT DEMONSTRATE THE INTENT TO PROVIDE HOUSING FOR PERSONS 55 YEARS OF AGE OR OLDER; COMPLIES WITH HUD'S REGULATORY REQUIREMENTS FOR VERIFICATION OF OCCUPANCY; AND OTHERWISE MEETS THE APPLICABLE REQUIREMENTS OF THE STATE AND FEDERAL FAIR HOUSING ACTS TO QUALIFY AS "HOUSING FOR OLDER PERSONS."

III. TRANSPORTATION

- VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT 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 ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT") IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- THE ALIGNMENT OF THE INTERNAL DRIVEWAYS AND VEHICULAR CIRCULATION AREAS 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.

IV. ARCHITECTURAL STANDARDS

- THE MAXIMUM HEIGHT IN STORIES OF THE PRINCIPAL BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE 3 STORIES.
- DUMPSTER AND RECYCLING AREAS WILL BE ENCLOSED ON ALL FOUR SIDES, WITH THREE SIDES BEING ENCLOSED BY OPAQUE WALLS AND ONE SIDE BEING ENCLOSED BY A HINGED OPAQUE GATE. IF ONE OR MORE SIDES OF A DUMPSTER AND RECYCLING AREA ADJOIN A SIDE WALL OR REAR WALL OF THE BUILDING, THEN THE SIDE WALL OR REAR WALL OF THE BUILDING MAY BE SUBSTITUTED FOR THE WALL ALONG EACH SUCH SIDE.

V. STREETSCAPE AND LANDSCAPING

- A MINIMUM 22 FOOT WIDE LANDSCAPE AREA SHALL BE INSTALLED ALONG THE WESTERN AND SOUTHERN BOUNDARY LINES OF THE SITE AS DEPICTED ON THE REZONING PLAN. THIS LANDSCAPE AREA SHALL BE PLANTED TO THE STANDARDS OF A CLASS C BUFFER.
  - A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 6 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTAGE ON WEST W.T. HARRIS BOULEVARD AS GENERALLY DEPICTED ON THE REZONING PLAN.
  - INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE INSTALLED WITHIN THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- VI. ENVIRONMENTAL FEATURES
- THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
  - DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

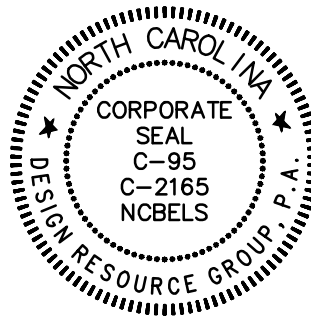
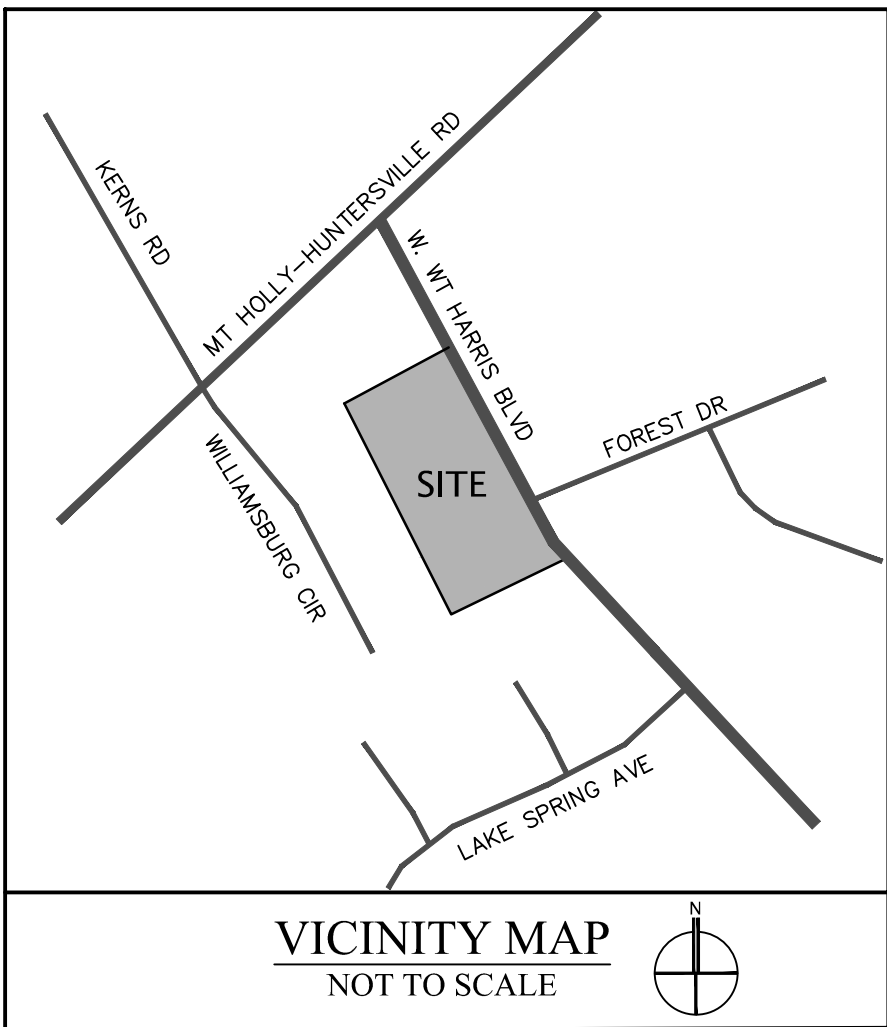
VII. LIGHTING

- ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING STREET LIGHTS AND LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG AND/OR ON THE DRIVEWAYS, SIDEWALKS, PARKING AREAS, PATIOS AND LANDSCAPED AREAS) 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 FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE SHALL BE 22 FEET.
- ANY LIGHTING FIXTURES ATTACHED TO THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

VIII. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

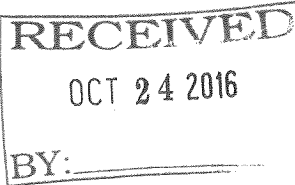
- IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
- THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.
- ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.

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





**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



Petition #: 2017-010  
Date Filed: 10/24/2016  
Received By: Bjt

**Complete All Fields (Use additional pages if needed)**

Property Owner: DAVID BYRON YOUNG / DAWN YOUNG  
Owner's Address: 3324 SHOPTON RD City, State, Zip: CHARLOTTE, NC 28217  
Date Property Acquired: 9.12.2011 / 2.11.2004  
Property Address: 3408 SHOPTON RD. CHARLOTTE, NC 28217 / 3324 SHOPTON RD.  
Tax Parcel Number(s): 14107102 / 14107103  
Current Land Use: SINGLE FAMILY RESIDENTIAL / INDUSTRIAL Size (Acres): 1 AC / 1.18 AC  
Existing Zoning: R-3 / I-2 Proposed Zoning: I-2 (CD) / I-2 (CD)  
Overlay: AIRPORT OVERLAY / WESTSIDE STRATEGY PLAN (Specify PED, Watershed, Historic District, etc.)  
Required Rezoning Pre-Application Meeting\* with: CLAIRE LYTE GRHAM, ALBERTO GONZALEZ, CARLOS ALZATE  
Date of meeting: 6.14.16

(\*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 vehicle storage/repair, equipment storage and business/office related activities.

STEWART INC  
Name of Rezoning Agent  
101 N. TRYON ST. STE. 1400  
Agent's Address  
CHARLOTTE NC 28202  
City, State, Zip  
704.334.7925  
Telephone Number Fax Number  
JHADEN@STEWARTINC.COM  
E-Mail Address  
David B. Young  
Signature of Property Owner

DAVID BYRON YOUNG / DAWN YOUNG  
(Name Typed / Printed)

DAVID BYRON YOUNG / DAWN YOUNG  
Name of Petitioner(s)  
3324 Shopton Road  
Address of Petitioner(s)  
Charlotte NC 28217  
City, State, Zip  
704-588-4571 (704) 5884520  
Telephone Number Fax Number  
Selectsanitation2@bellsouth.net  
E-Mail Address  
David B. Young  
Signature of Petitioner  
David B. Young  
(Name Typed / Printed)



- PLANTING SUMMARY**
1. PERIMETER TREE REQUIREMENTS:  
FRONTAGE LENGTH: 322.46'  
\* MET WITH CLASS A PLANTING BUFFER
2. REQUIRED BUFFER, CLASS A: - 46'  
9 TREES PER 100'  
\* 25% E.G.  
\* 40% LARGE MATURING TREES  
\* SHRUB REQ. MET BY FENCE SCREENING  
\* OVERHEAD WIRES PRESENT  
\* DRIVEWAY CONNECTIONS INTERSECTING
3. REQUIRED PARKING LOT TREES  
\* WITHIN 40' OF PLANTED TREE  
\* (OR) WITHIN 60' OF EXISTING

## LEGEND

- EXISTING TREE
- PROPOSED LARGE MATURING TREE
- PROPOSED SMALL MATURING TREE
- PROPOSED EVERGREEN TREE
- EXISTING GRAVEL LOT
- PROPOSED CONCRETE PAD
- REQUIRED PARKING TREE COVERAGE

PARKING REQUIREMENTS			
TYPE	PRESENT	REQUIRED	PROVIDED
STANDARD PARKING	0	18	18
ACCESSIBLE PARKING	0	1	1
BICYCLE (ST)	0	1	1
BICYCLE (LT)	N/A	N/A	N/A



## DEVELOPMENT DATA:

ZONING CODE SUMMARY:

PROJECT NAME: SELECT SANITATION

ADDRESS: 3324 SHOPTON ROAD

OWNER: DAVID YOUNG

PLANS PREPARED BY: STEWART, INC.

ZONING: CURRENT: R-3 & 12 (CD) PROPOSED: 12 (CD) JURISDICTION: CHARLOTTE

PROPOSED USE: SANITATION BUSINESS

BUILDING HEIGHT: N/A

BUILDING COVERAGE: 7,580.55 SQ. FT.

LOT SIZE: 2.11 ACRES

PARCEL ID#: 14107103 & 14107102 (RECOMBINED)

PHONE # 704-558-4571

PHONE # 704.334.7925

STORIES: N/A

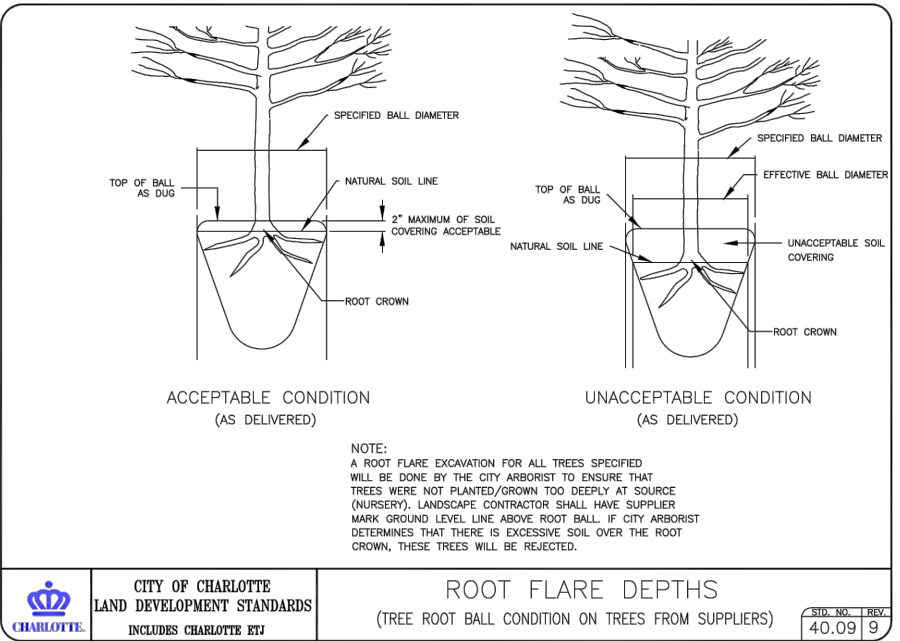
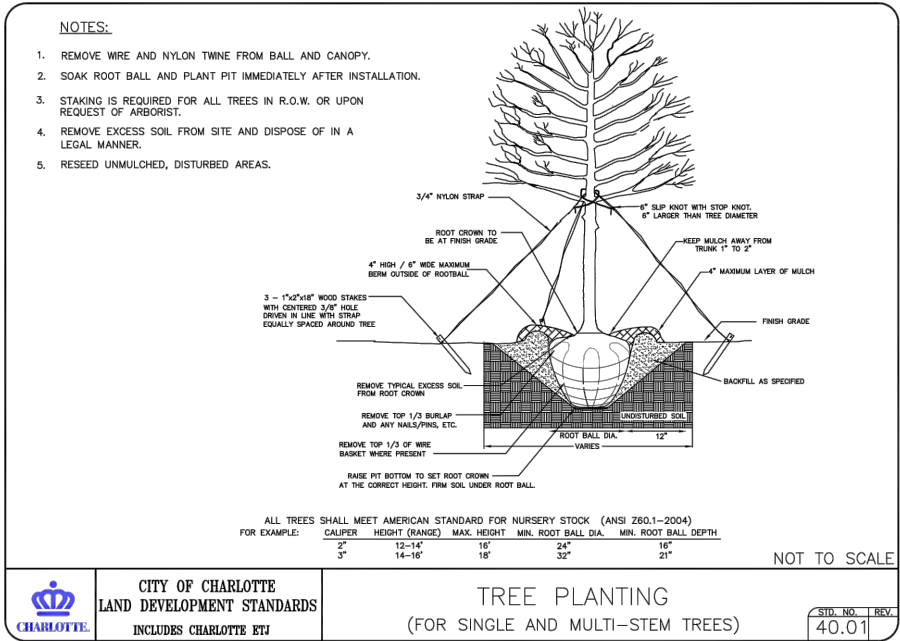
GROSS FLOOR AREA: N/A

## CONDITIONAL NOTES:

- THE EXISTING AND FUTURE DEVELOPMENT OF THIS SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CITY OF CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED BY THIS PLAN IS INTENDED TO REFLECT THE GENERAL ARRANGEMENT OF THE EXISTING CONDITIONS ON THE SITE, BUT THE EXACT DETAILS OF THE CONFIGURATION, PLACEMENT AND SIZE OF FUTURE BUILDINGS AND/OR SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN LIMITS PRESCRIBED BY THE ORDINANCE AS SPECIFIED IN APPENDIX A, CHAPTER 12, AS MAY BE APPLICABLE. MINOR AND INCIDENTAL CHANGES OF DETAIL WHICH DO NOT ALTER THE BASIC, OVERALL LAYOUT AND/OR RELATIONSHIPS TO ADJUTING SITES ARE PERMITTED AS A MATTER OF RIGHT FOR THE PETITIONER/DEVELOPER.
- THE EXISTING DEVELOPMENT ON THIS SITE SHALL BE IMPROVED TO COMPLY WITH APPLICABLE ORDINANCE REQUIREMENTS REGARDING THE NUMBER AND ARRANGEMENT OF OFF-STREET PARKING SPACES, SETBACK/YARD DIMENSIONS, SIGNAGE, BUFFERS, SCREENING, OPEN SPACE, LANDSCAPING, ETC. UNLESS OTHERWISE INDICATED.
- SHOPTON ROAD IS CLASSIFIED AS A MINOR THOROUGHFARE AND ADDITIONAL RIGHT OF WAY, AS MEASURED 35 FEET FROM THE EXISTING CENTERLINE, SHALL BE CONVEYED AND DEDICATED TO THE CITY OF CHARLOTTE WITHIN 120 DAYS OF APPROVAL OF THIS PETITION BY CITY COUNCIL.
- THE CURRENT 46' CLASS A BUFFER CAN BE ELIMINATED IF ADJACENT PROPERTIES ARE REZONED TO DISTRICTS NOT REQUIRING A BUFFER.
- THIS BUSINESS STORES UP TO 15 DELIVERY TRUCKS, EMPTY TRASH CONTAINERS AND HAS AN EXISTING OFFICE USE. NO TRASH IS BROUGHT ONTO OR STORED ON THE SITE.
- ALL TRUCKS AND STORED CONTAINERS SHALL BE LOCATED BEHIND AN 8 FOOT HIGH SOLID SCREEN FENCE.
- NO IMPROVEMENTS OR OUTDOOR STORAGE WILL BE ALLOWED BETWEEN THE EXISTING OFFICE STRUCTURE AND THE STREET. A 30 FOOT SETBACK ALONG SHOPTON ROAD R.O.W. SHALL BE MAINTAINED AS A FRONT LAWN AREA.
- ANY NEW LIGHTING SHALL BE A MAXIMUM OF 20 FEET IN HEIGHT AND WILL BE FULLY SHIELDED FROM ADJACENT PROPERTIES.
- PETITIONER SHALL REMOVE EXISTING DRIVEWAYS AND GRAVEL PARKING/STORAGE AREAS FROM THE REDUCED 46' CLASS A BUFFER AND INSTALL A NEW 8' SOLID SCREEN FENCE WITHIN THE OUTSIDE HALF OF THESE BUFFER AREAS. THE FRONT PLANT BUFFER CAN BE REDUCED TO 1/2 CLASS A SIZE TO 23 FEET.
- LARGE MATURING TREES SHALL BE INSTALLED PER THE CLASS A BUFFER REQUIREMENTS (9 TREES/100LF).
- ANY DRIVEWAY ALTERATIONS SHALL BE IN COMPLIANCE WITH CHARLOTTE MECKLENBURG LAND DEVELOPMENT STANDARDS AND SUBJECT TO REVIEW AND APPROVAL BY CDOT. THIS DRIVEWAY MAY BE SHIFTED TO AVOID THE LOCATION OF EXISTING SEPTIC TANK/FIELDS.
- PETITIONER HAS A MAXIMUM OF 120 DAYS FROM APPROVAL OF THIS REZONING REQUEST BY CITY COUNCIL TO MAKE THE NEW IMPROVEMENTS DEPICTED ON THIS SITE PLAN.
- UPON SUBMITTAL FOR A BUILDING PERMIT, THE PETITIONER SHALL INSTALL A 6' WIDE SIDEWALK ALONG THE PROPERTY'S FRONTAGE WITH SHOPTON ROAD.
- THE PETITIONER RESERVES THE RIGHT TO SEEK A VARIANCE BEFORE THE ZONING BOARD OF ADJUSTMENT IN ORDER TO REDUCE THE CLASS A BUFFER REQUIREMENT, AFTER APPROVAL OF THIS REZONING REQUEST BY CITY COUNCIL.
- SECURITY FENCING SHALL BE REQUIRED TO MEET SECTION 9.1105 (10) A-B FOUND IN CHARLOTTE CODE APPENDIX A CHAPTER 11.
- OWNER TO FOLLOW AND MEET ALL REQUIREMENTS FOUND IN CHARLOTTE CODE OF ORDINANCE, (TO INCLUDE BUT NOT BE LIMITED TO CH. 21 TREES; APPENDIX A - ZONING, CH. 8, S. PT. 11 "INDUSTRIAL"; AND APPENDIX A - ZONING, CH. 12 DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY).

## LANDSCAPE NOTES

- MIN. TREE SIZE AT PLANTING IS 2" CALIPER (FOR SINGLE STEM TREES), ALL MULTI STEM PLANTS MUST BE TREE FORM, MAXIMUM 3-5 TRUNKS, AND MIN. 8' TALL.
- ALL STRAPPING AND TOP 2/3 OF WIRE BASKET MUST BE CUT AWAY AND REMOVED FROM ROOT BALL PRIOR TO BACKFILLING PLANTING PIT. REMOVE TOP 1/3 OF THE BURLAP FROM ROOT BALL.
- ADJUST TREE PLANTING LOCATIONS TO AVOID UNDERGROUND UTILITIES, PLANT 15' FROM ALL UNDERGROUND UTILITIES. (SEWER AND STORM DRAINAGE, GAS, WATER, PHONE, AND ELECTRICAL LINES.)
- ATTN: LANDSCAPER: NOTIFY URBAN FORESTER OF ANY SIGN, POWER LINE, OR OTHER CONFLICTS BEFORE PLANTING NEW TREES.



**STEWART**

200 SOUTH COLLEGE ST, STE 720  
CHARLOTTE, NC 28202  
F 704.334.7925

FIRM LICENSE # C-1051  
www.stewartinc.com  
PROJECT # X16026

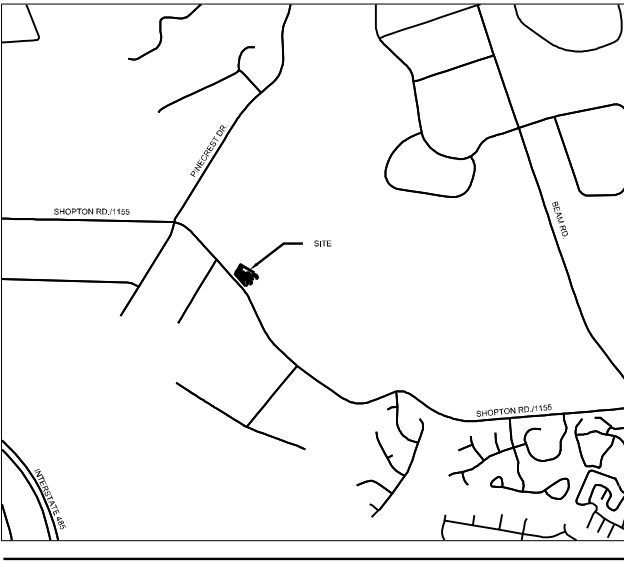
Client:

**PETITIONER:**  
**SELECT SANITATION**  
**3324 SHOPTON**  
**ROAD**  
**CHARLOTTE, NC**  
**28217**

Project:

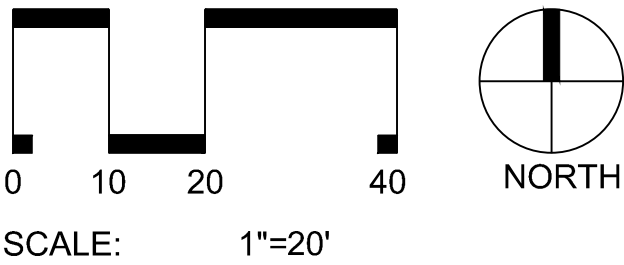
**CONDITIONAL**  
**REZONING**  
**REQUEST**

Vicinity map:



Seal:

**PRELIMINARY - DO NOT**  
**USE FOR CONSTRUCTION**



Project number: X16026

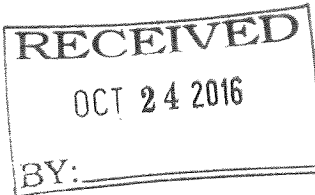
Date: 10.14.2016

Drawn by: CRR

Approved by: JFH



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-011

Petition #:	_____
Date Filed:	10/24/2016
Received By:	Rt

**Complete All Fields (Use additional pages if needed)**

Property Owner: Mecklenburg County

Owner's Address: see attached sheets City, State, Zip: see attached sheets

Date Property Acquired: NA

Property Address: varies. Generally in the vicinity of the extension of Pearl Park Way

Tax Parcel Number(s): portions of 12520147, 48,

Current Land Use: vacant, park Size (Acres): approx. .927 ac.

Existing Zoning: B-2 Proposed Zoning: O-2, PED

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

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

Date of meeting: 3/9/16

(\*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: \_\_\_\_\_

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 sheets

Signature of Property Owner

\_\_\_\_\_  
(Name Typed / Printed)

Pappas Properties, LLC

Name of Petitioner(s)

4777 Sharon Rd., Ste.

Address of Petitioner(s)

550 Charlotte, NC 28210

City, State, Zip

704-716-3912

Telephone Number Fax Number

wfinger@pappasproperties.com

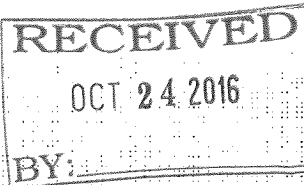
E-Mail Address

Wade Finger

Signature of Petitioner

Wade Finger  
(Name Typed / Printed)

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-012

Petition #: \_\_\_\_\_  
Date Filed: 10/24/2016  
Received By: Bj

**Complete All Fields (Use additional pages if needed)**

Property Owner: Curry Family Partnership, LLC

Owner's Address: 1001 Berkeley Ave. City, State, Zip: Charlotte, NC 28203

Date Property Acquired: 11/13/2003 and 03/09/2006

Property Address: 2145 McClintock Rd. and 2151 McClintock Rd., Charlotte, NC

Tax Parcel Number(s): 129-017-07 and 129-017-08

Current Land Use: Single Family Rental Properties Size (Acres): .48 acres

Existing Zoning: R-5 Proposed Zoning: MUDD-CD

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

Required Rezoning Pre-Application Meeting\* with: Mandy Varl & Sonja Sanders

Date of meeting: 10/18/2016

(\*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): 5

Purpose/description of Conditional Zoning Plan: To allow for the construction of a quadraplex on each parcel included in the petition.

Anthony Fox and Mac McCarley  
Parker, Poe, Adams and Bernstein  
Name of Rezoning Agent  
Three Wells Fargo Center  
401 S. Tryon St., Suite 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

Harold Curry  
Signature of Property Owner

Harold Curry  
(Name Typed / Printed)

The Drakeford Company  
Name of Petitioner(s)

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

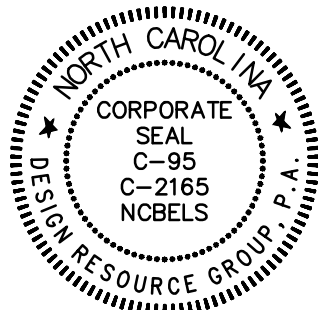
Charlotte, NC 28207  
City, State, Zip

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

bobby@tdcreatestate.com  
E-Mail Address

Robert T. Drakeford  
Signature of Petitioner

Robert T. Drakeford  
(Name Typed / Printed)



REZONING PETITION  
FOR PUBLIC HEARING  
2016-XXX

REZONING PETITION

McCLINTOCK SITE  
COMMONWEALTH MORNINGSIDE COMMUNITY, CHARLOTTE

THE DRAKEFORD COMPANY  
1914 BRUNSWICK AVE, SUITE 1A  
CHARLOTTE, NORTH CAROLINA 29207

SCHEMATIC  
SITE PLAN

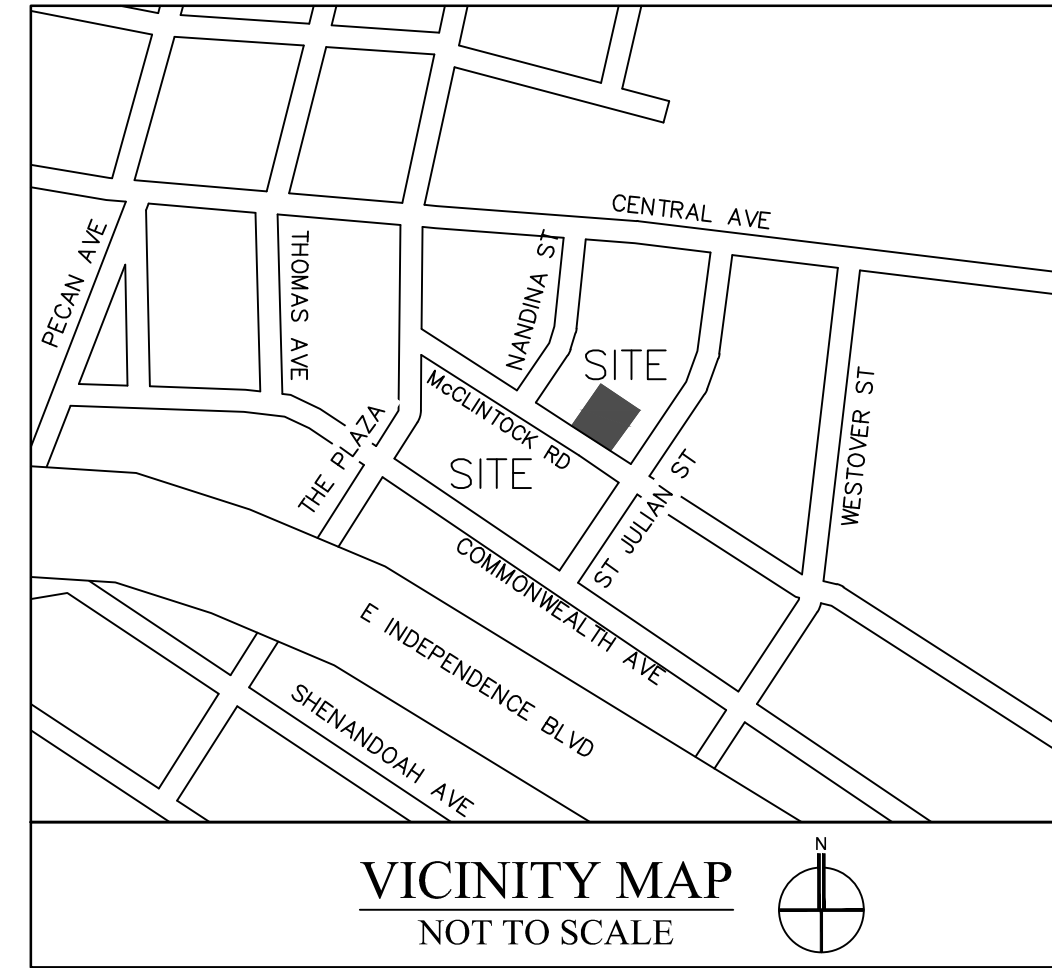
10 0 10 20  
SCALE: 1" = 20'

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

OCTOBER 24, 2016

REVISIONS:

RZ 1.0



SITE DEVELOPMENT DATA

SITE ACREAGE:	+/- 19,804 SQ FT (0.45 AC)
TAX PARCEL #:	12901707 AND 12901708
EXISTING ZONING:	R-5
PROPOSED ZONING:	MUDD (CD)
EXISTING USE:	SINGLE FAMILY RESIDENTIAL HOMES
PROPOSED USE:	SINGLE FAMILY ATTACHED - QUADRAPLEX
NUMBER OF UNITS:	8 UNITS TOTAL (4 UNITS PER BUILDING)
DENSITY PROPOSED:	18 UNITS PER ACRE
BUILDING HEIGHT:	40' (3 STORIES MAXIMUM)
PARKING PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS
OPEN SPACE:	SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE:	SHALL MEET ORDINANCE REQUIREMENTS

1. GENERAL PROVISIONS.

A. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE MUDD ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.

B. THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINT AS WELL AS THE INTERNAL DRIVES AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.

C. 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.

2. PURPOSE

A. THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF TWO SINGLE FAMILY ATTACHED QUADRAPLEX HOMES. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE FROM R-5 TO THE MUDD (CD) ZONING DISTRICT.

3. PERMITTED USES

A. USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION WILL BE SINGLE FAMILY ATTACHED QUADRAPLEX BUILDINGS AND RELATED ACCESSORY USES AS ARE PERMITTED IN THE MUDD DISTRICT.

4. TRANSPORTATION

A. 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.

B. THE SITE WILL HAVE ONE INGRESS/EGRESS DRIVEWAY SERVING THE HOUSING DEVELOPMENT FROM MCCLINTOCK ROAD AS DEPICTED ON THE REZONING PLAN.

C. THE ALIGNMENT OF THE INTERNAL DRIVEWAYS AND VEHICULAR CIRCULATION AREAS 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 APPLICABLE PUBLISHED STANDARDS.

5. ARCHITECTURAL STANDARDS

A. BUILDINGS CONSTRUCTED ON SITE WILL BE COMPRISED OF TWO (3) STORY QUADRAPLEX BUILDINGS AS DEPICTED ON THE REZONING PLAN. FACADES AND MATERIALS WILL CONSIST OF FRONT PORCHES, LARGE WINDOWS, HARDI PANEL SIDING AND BRICK VENEER. 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.

6. STREETScape, YARDS, AND LANDSCAPING

A. AN 8-FOOT WIDE PLANTING STRIP AND 8-FOOT WIDE SIDEWALK WILL BE APPLIED ALONG MCCLINTOCK ROAD AS DEPICTED ON THE REZONING PLAN.

B. SIDEWALKS AND PLANTING STRIPS ALONG THE SITES FRONTAGES MAY MEANDER TO SAVE EXISTING TREES.

C. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE INSTALLED WITHIN THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.

7. ENVIRONMENTAL FEATURES

A. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION ORDINANCE.

B. THE SITE WILL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

8. LIGHTING

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

B. THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 22 FEET.

9. 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 OF CHAPTER 6 OF THE ORDINANCE.

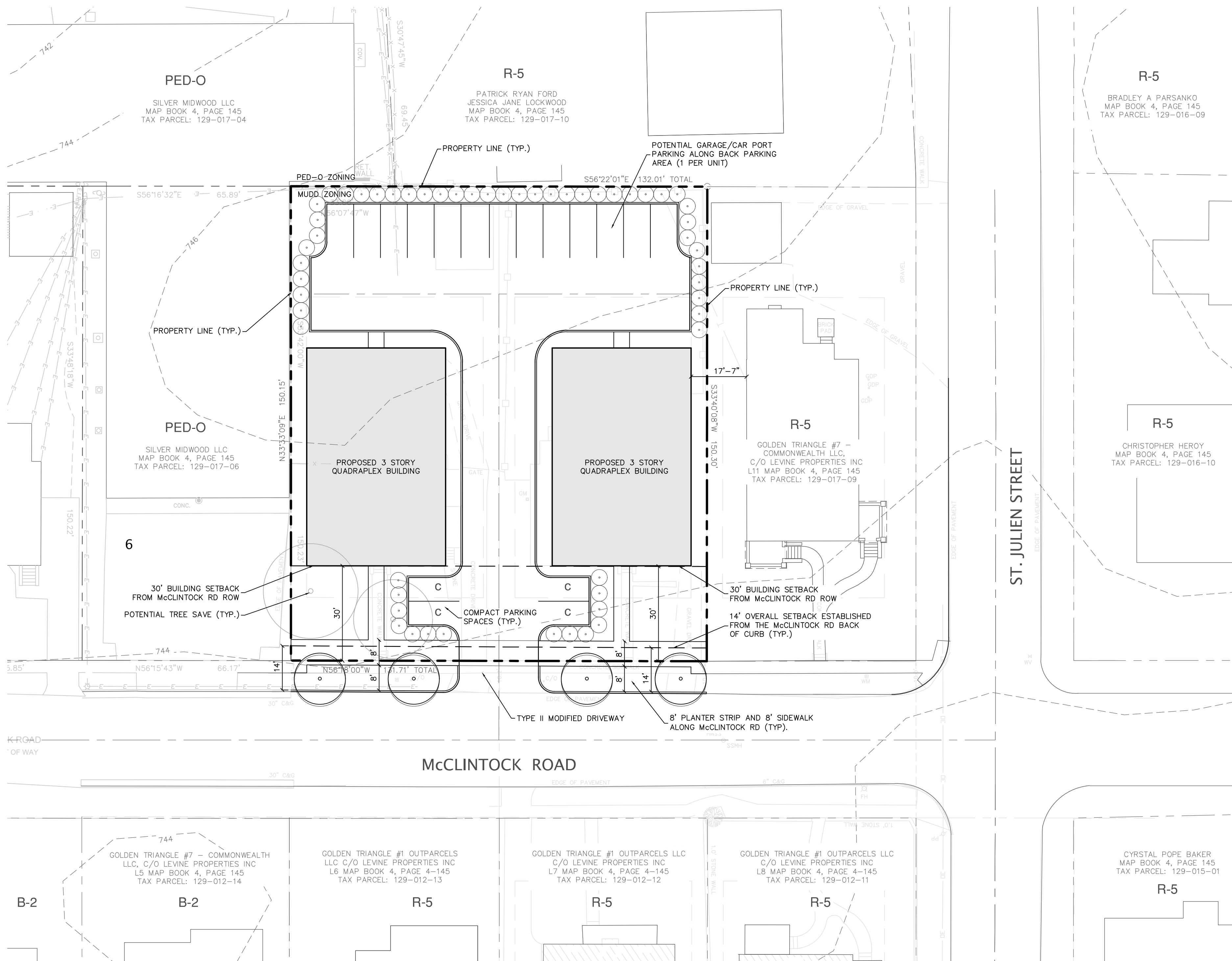
10. BINDING EFFECT OF THE REZONING APPLICATION

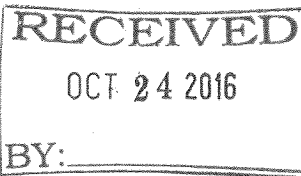
A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE 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 THE 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.

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





2017-013

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #: \_\_\_\_\_  
Date Filed: 10/24/2016  
Received By: R

**Complete All Fields (Use additional pages if needed)**

Property Owner: DTJT PROPERTIES LLC AND CENCO INCORPORATED  
(DTJT PROPERTIES) 4511 KEETER DRIVE CHARLOTTE, NC 28214  
Owner's Address: (CENCO INC.) 1150 N. College St., NC1-028-29-03 City, State, Zip: Charlotte, NC 28255  
057-101-47(8/29/16), 057-101-52(2/6/07), 057-122-18(7/23/07), 057-121-01(5/8/97),  
Date Property Acquired: 057-121-02(1/01/75), AND 057-101-53(11/12/70).  
Property Address: MELYNDA ROAD, GROVE ST,  
Tax Parcel Number(s): 057-101-47, 057-101-52, 057-122-18, 057-121-01, 057-121-02 AND 057-101-53  
Current Land Use: Vacant and Warehouse Size (Acres): +/- 38.16  
Existing Zoning: R-5, I-1 and I-2 Proposed Zoning: I-1 (CD)  
Overlay: N/A (Specify PED, Watershed, Historic District, etc.)  
Required Rezoning Pre-Application Meeting\* with: claire lyte-graham  
Date of meeting: 10/4/16

(\*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): 5  
Purpose/description of Conditional Zoning Plan: CONTAINER STORAGE FACILITY

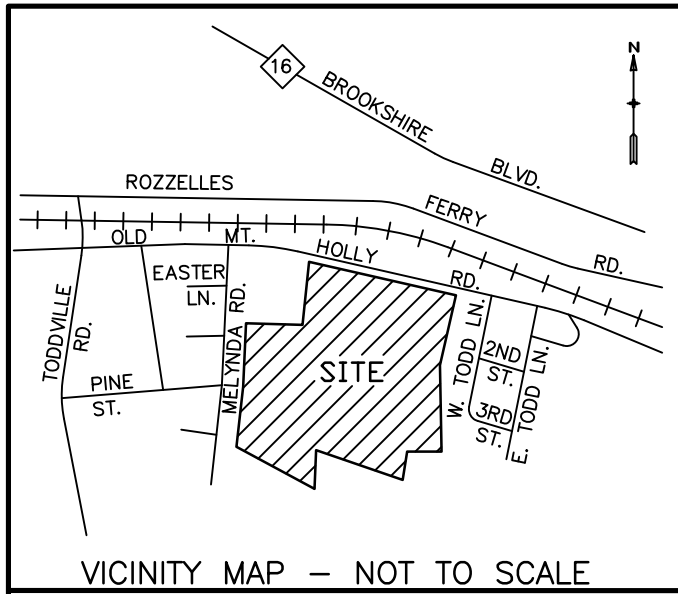
THE ISAACS GROUP P.C.  
Name of Rezoning Agent  
8720 RED OAK BLVD. SUITE 420  
Agent's Address  
CHARLOTTE, NC 28217  
City, State, Zip  
(704) 227-9408 (704) 527-8335  
Telephone Number Fax Number  
wpugh@isaacsgrp.com  
E-Mail Address

[Signature]  
Signature of Property Owner  
David P. Mardo, President  
(Name Typed / Printed) Tim A Frye SR

TIM FRYE  
Name of Petitioner(s)  
4511 KEETER DRIVE  
Address of Petitioner(s)  
CHARLOTTE, NC 28214  
City, State, Zip  
(704) 596-0555  
Telephone Number Fax Number  
timfryesr@fsiinc.biz  
E-Mail Address

[Signature]  
Signature of Petitioner  
Tim A Frye SR  
(Name Typed / Printed)

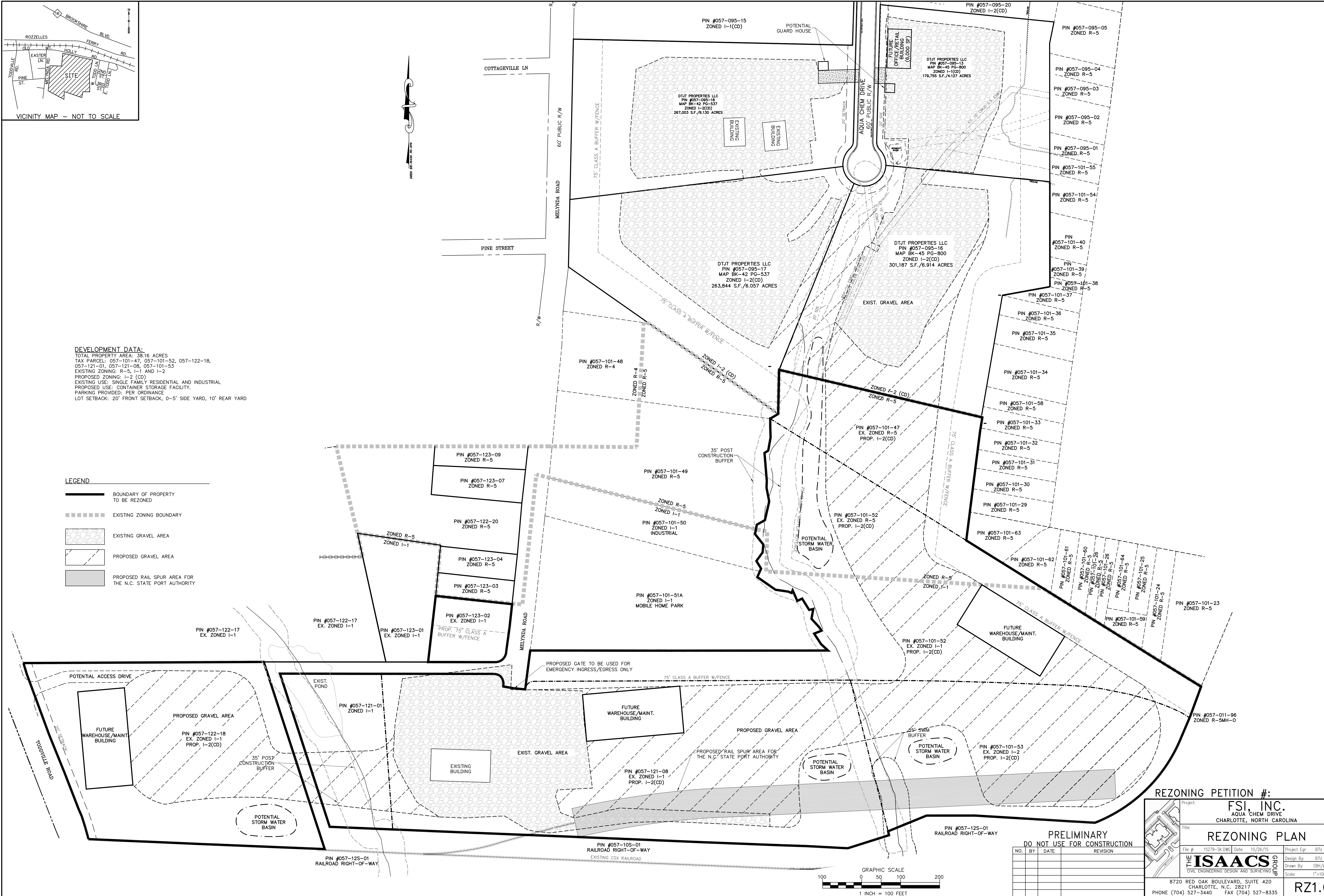




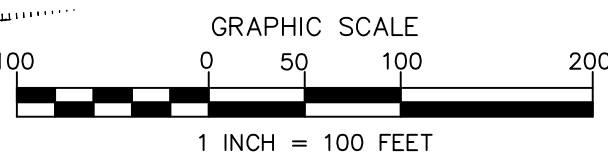
DEVELOPMENT DATA:  
TOTAL PROPERTY AREA: 38.16 ACRES  
TAX PARCEL: 057-101-47, 057-101-52, 057-122-18, 057-121-01, 057-121-08, 057-101-53  
EXISTING ZONING: R-5, I-1 AND I-2  
PROPOSED ZONING: I-2 (CD)  
EXISTING USE: SINGLE FAMILY RESIDENTIAL AND INDUSTRIAL  
PROPOSED USE: CONTAINER STORAGE FACILITY.  
PARKING PROVIDED: PER ORDINANCE  
LOT SETBACK: 20' FRONT SETBACK, 0-5' SIDE YARD, 10' REAR YARD

LEGEND

- BOUNDARY OF PROPERTY TO BE REZONED
- EXISTING ZONING BOUNDARY
- EXISTING GRAVEL AREA
- PROPOSED GRAVEL AREA
- PROPOSED RAIL SPUR AREA FOR THE N.C. STATE PORT AUTHORITY



PRELIMINARY DO NOT USE FOR CONSTRUCTION			
NO.	BY	DATE	REVISION



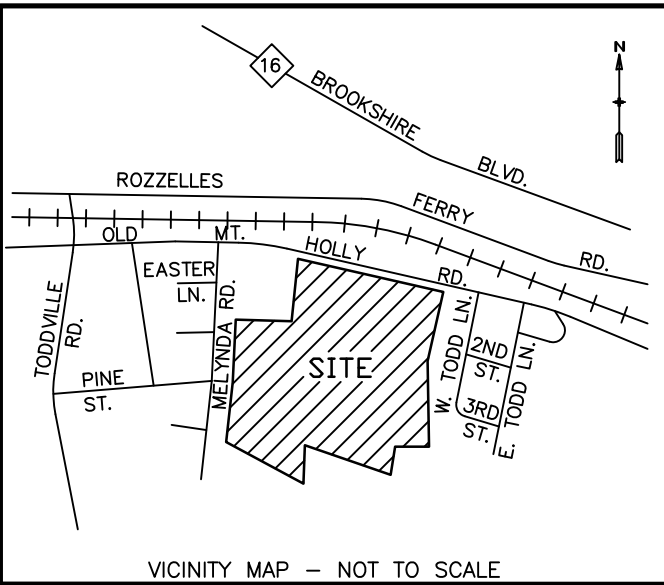
REZONING PETITION #:  
**FSI, INC.**  
AQUA CHEM DRIVE  
CHARLOTTE, NORTH CAROLINA

Title:  
**REZONING PLAN**

File #: 15279-SK.DWG Date: 10/26/15 Project Egr: BTU  
Design By: BTU  
Drawn By: CBH/WOP  
Scale: 1"=100'

**ISAACS**  
CIVIL ENGINEERING DESIGN AND SURVEYING  
8720 RED OAK BOULEVARD, SUITE 420  
CHARLOTTE, N.C. 28217  
PHONE (704) 527-3440 FAX (704) 527-8335

**RZ1.0**



- GENERAL PROVISIONS.
- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY FSI, INC. (PETITIONER) TO ACCOMMODATE THE REDEVELOPMENT OF APPROXIMATELY 38.16 ACRE SITE LOCATED ON THE SOUTH SIDE OF AQUA CHEM DRIVE AND NORTH OF THE CSX RAILROAD.
- B. THE SITE IS COMPRISED OF TAX PARCEL NUMBERS, 057-101-47, 057-101-52, 057-122-18, 057-121-01, 057-121-08, AND 057-101-53.
- C. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE.
- D. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE I-2(CD) ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
- E. 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 OF THE DEVELOPMENT AND SITE IMPROVEMENTS MAY BE MODIFIED IN ACCORDANCE WITH APPLICABLE SETBACK, YARD AND BUFFER REQUIREMENTS AS DEPICTED ON THE REZONING PLAN AND THE DEVELOPMENT STANDARDS. ANY ALTERATIONS AND/OR MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL INTENT OF THE DESIGN DEPICTED ON THE REZONING PLAN, AND SHALL BE IN ACCORDANCE WITH SECTION 6.207 OF THE ORDINANCE.
- F. THE DEVELOPMENT OF THIS SITE IS PROPOSED WITHIN MULTIPLE ADJACENT PARCELS THAT ARE TO BE CONSOLIDATED. THEREFORE, ANY YARD, BUFFER, BUILDING HEIGHT SEPARATION REQUIREMENTS, AND OTHER SIMILAR STANDARDS REQUIRED BY ZONING, SHALL NOT BE REQUIRED INTERNALLY.
- G. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY OWNERS OF THE SITE IN ACCORDANCE WITH PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO REQUIREMENTS SET FORTH IN SECTION 6.207 OF THE ORDINANCE.
- H. THE PETITIONER IS REQUESTING 5 YEAR VESTED RIGHTS.

PERMITTED USES

A. PARKING FOR EMPLOYEES, TRACTOR TRAILER TRUCKS, TRAILERS, CONTAINER STORAGE, LIMITED WAREHOUSING, RAILROAD SPUR AND ASSOCIATED OFFICES.

- 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. OFF-STREET VEHICULAR PARKING SHALL MEET THE MINIMUM REQUIREMENTS OF THE ORDINANCE.
- C. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AREAS MAY BE MODIFIED BY 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.

- ARCHITECTURAL AND DESIGN STANDARDS
- A. THE MAXIMUM HEIGHT OF THE PROPOSED NEW BUILDING DEPICTED ON THE REZONING PLAN SHALL MEET THE I-2 REQUIREMENTS.
- B. DUMPSTER AND RECYCLING AREAS WILL BE SCREENED FROM ADJACENT PROPERTY AND FROM PUBLIC VIEW WITH A MINIMUM 6 FOOT HIGH SOLID AND FINISHED MASONRY WALL WITH A SOLID AND CLOSEABLE GATE.

STREETSCAPE AND LANDSCAPING/SCREENING

A. LANDSCAPING WILL MEET OR EXCEED THE REQUIREMENTS OF THE ORDINANCE.

FIRE PROTECTION

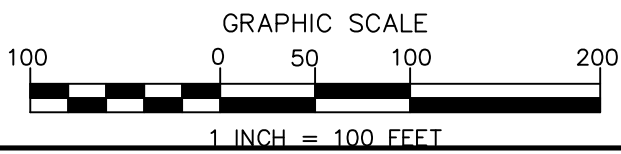
A. FIRE LANES WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

SIGNS

A. ALL NEW SIGNS INSTALLED ON THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE ORDINANCE.

- LIGHTING
- A. ALL NEWLY INSTALLED FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS AND PARKING AREAS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- B. THE MAXIMUM HEIGHT OF ANY NEWLY INSTALLED FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE AS MEASURED FROM ITS BASE SHALL BE 30 FEET.
- C. ANY LIGHTING FIXTURES ATTACHED TO THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

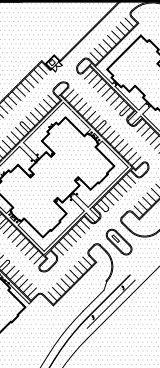
- BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
- A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING 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.



PRELIMINARY  
DO NOT USE FOR CONSTRUCTION

NO.	BY	DATE	REVISION

REZONING PETITION #:



Project: FSI, INC.  
AQUA CHEM DRIVE  
CHARLOTTE, NORTH CAROLINA

Title: REZONING PLAN

File #: 15279-SK.DWG Date: 10/26/15 Project Egr: BTJ

Design By: BTJ

Drawn By: CBH/MOP

Scale: N.T.S.

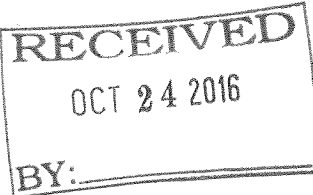
8720 RED OAK BOULEVARD, SUITE 420  
CHARLOTTE, N.C. 28217  
PHONE (704) 527-3440 FAX (704) 527-8335

THE ISAACS GROUP  
CIVIL ENGINEERING DESIGN AND SURVEYING

RZ2.0



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-014

Petition #: \_\_\_\_\_  
Date Filed: 10/24/2016  
Received By: JK

**Complete All Fields (Use additional pages if needed)**

Property Owner: Some Woman, LLC

Owner's Address: 1300 - C South Boulevard City, State, Zip: Charlotte, NC 28203

Date Property Acquired: April 17, 2008

Property Address: 2401 Berryhill Road

Tax Parcel Number(s): 119-011-31 and 119-011-09

Current Land Use: Vacant Size (Acres): +/- 17.57 acres

Existing Zoning: I-1 and R-4 Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting\* with: Solomon Fortune, Brent Wilkinson, Carlos Alzate et al.

Date of meeting: August 31, 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 accommodate the development and operation of a pet services indoor/outdoor facility on the site with accessory uses such as cafe (eating, drinking and entertainment establishment type 1 and/or type 2).

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@robinsonbradshaw.com  
E-Mail Address

SOME WOMAN, LLC  
By: [Signature]  
Signature of Property Owner

CAROL LINDELL  
(Name Typed / Printed)

Humane Society of Charlotte, Inc. (c/o Jorge Ortega)  
Name of Petitioner(s)

2700 Toomey Avenue  
Address of Petitioner(s)

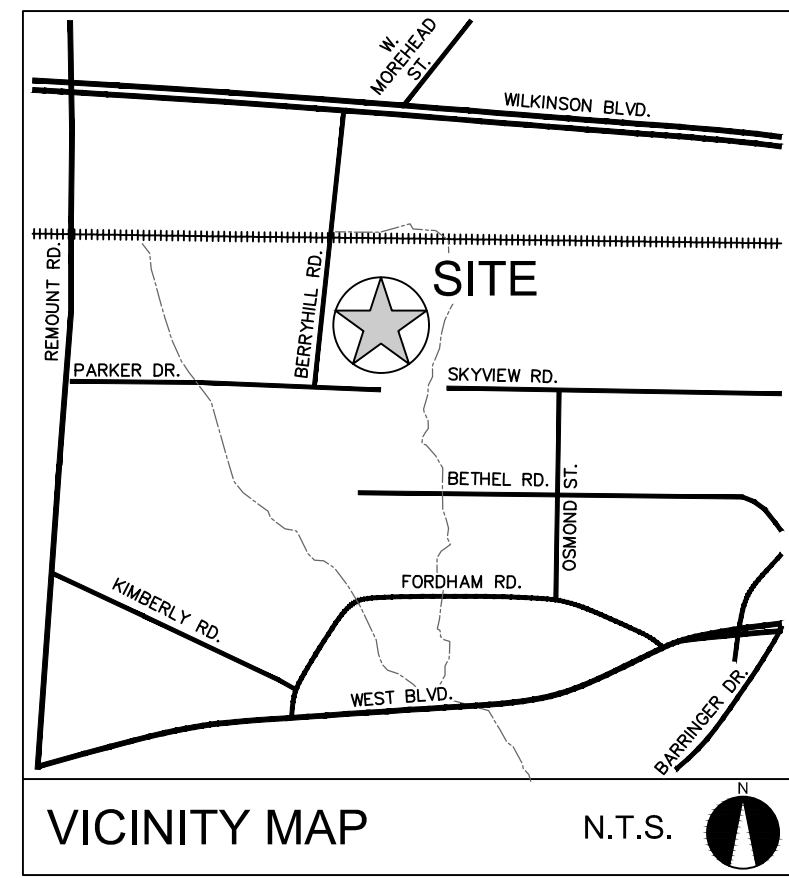
Charlotte, NC 28203  
City, State, Zip

704-377-0534 Ext. 231  
Telephone Number Fax Number

jortega@humanecharlotte.org  
E-Mail Address

HUMANE SOCIETY OF CHARLOTTE, INC.  
By: [Signature]  
Signature of Petitioner

JORGE ORTEGA  
(Name Typed / Printed)



REZONING PETITION  
#2016-XXX

FOR PUBLIC HEARING

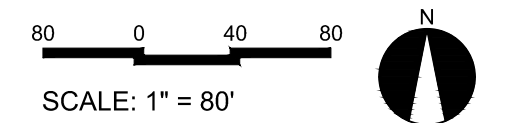
# NEW ANIMAL SHELTER

2401 BERRYHILL RD., CHARLOTTE, NC 28208

## HUMANE SOCIETY OF CHARLOTTE

2700 TOOMEY AVENUE  
CHARLOTTE, NORTH CAROLINA 28203  
704-377-0534

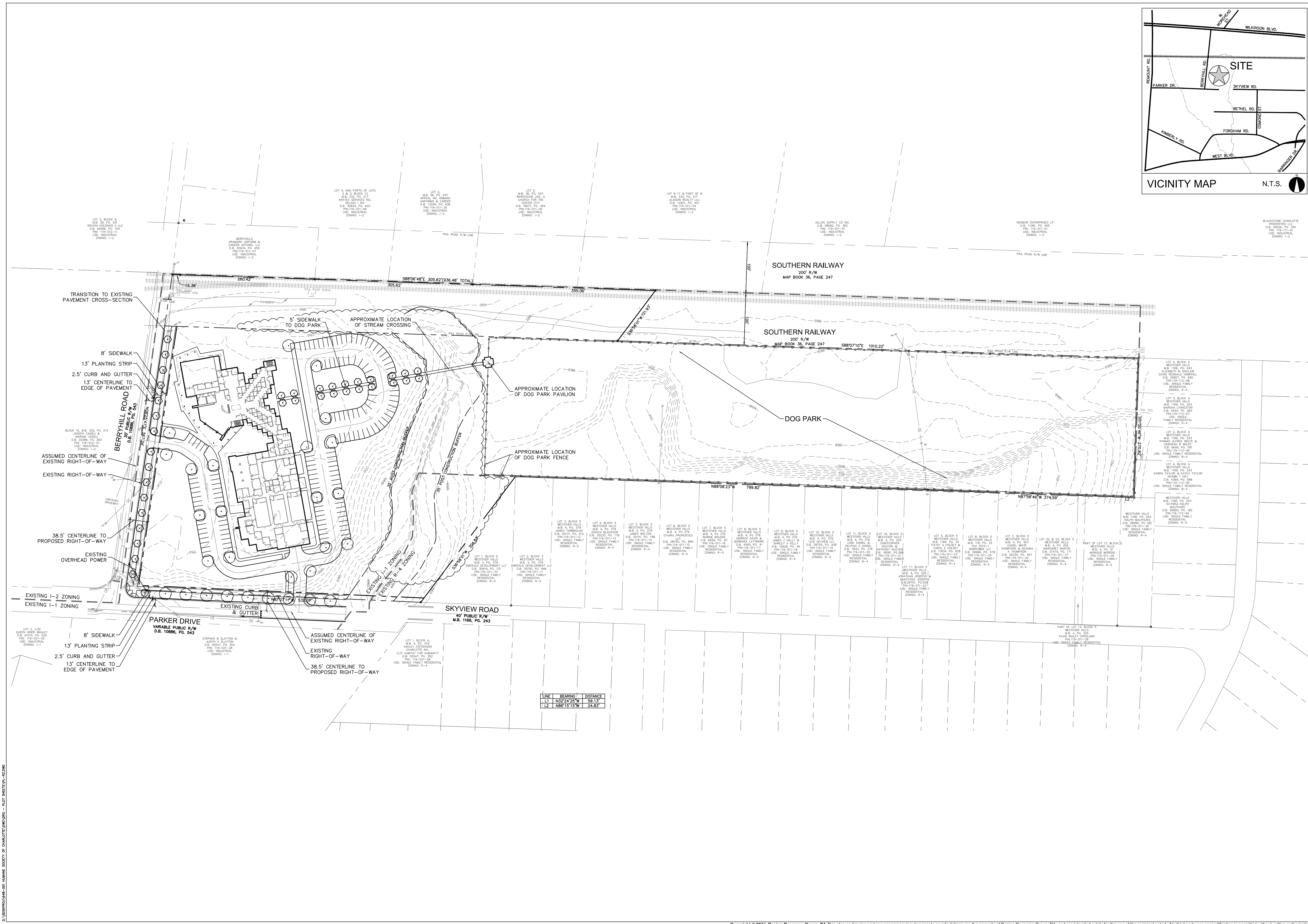
## SCHEMATIC SITE PLAN



PROJECT #: 648-002  
DRAWN BY: DK  
CHECKED BY: SK

OCTOBER 24, 2016

REVISIONS:



LINE	BEARING	DISTANCE
L1	N82°14'22"W	59.13'
L2	N86°15'15"W	24.83'



SITE DATA

TAX ID#: 119-011-09 & 119-011-31  
ACREAGE: 17.49 AC  
EXISTING ZONING: I-1 & R-4  
PROPOSED ZONING: MUDD-0  
PROPOSED USE: A PET SERVICES INDOOR/OUTDOOR FACILITY AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE MUDD ZONING DISTRICT AND THAT ARE DEFINED IN THE DEVELOPMENT STANDARDS UNDER NOTE 3 PERMITTED USES / DEVELOPMENT LIMITATIONS.

DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan (comprised of Sheets RZ1.0 and RZ2.0) associated with the Rezoning Petition filed by Humane Society of Charlotte, Inc. (the "Petitioner") to accommodate the development and operation of a pet services indoor/outdoor facility and accessory uses on that approximately 17.49 acre site located on the northeast corner of the intersection of Berryhill Road and Parker Drive, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel Nos. 119-011-31 and 119-011-09.
- B. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provisions set out below, the regulations established under the Ordinance for the Mixed Use Development District ("MUDD") zoning district shall govern the development and use of the Site.
- C. The parcels of land that comprise the Site may be recombined at the option of the Petitioner.
- D. 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.
- E. Internal sidewalks generally depicted on the Rezoning Plan may be altered provided that such alterations do not materially change the design intent generally depicted on the Rezoning Plan.
- 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.

2. OPTIONAL PROVISIONS

The following optional provisions shall apply to the development and use of the Site:

- A. Surface parking and vehicular maneuvering areas shall be permitted between the building and structures to be located on the Site and the required setbacks from all adjacent public streets as more particularly depicted on the Rezoning Plan.
- B. The requirement set out in Section 12.541(1) of the Ordinance that all outdoor uses shall be located at least 300 feet from any lot in a residential zoning district or in residential use shall not apply to the Site or to the proposed pet services indoor/outdoor facility.
- C. Valet parking service area(s) may be located between the building and structures located on the Site and the adjacent public streets.

3. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. The Site may only be devoted to the uses set out below.
- (1) A pet services indoor/outdoor facility and accessory uses relating thereto that are allowed in the MUDD zoning district.
- (2) An accessory eating, drinking and entertainment establishment (Type 1), and/or an accessory eating, drinking and entertainment establishment (Type 2) subject to the applicable regulations of Section 12.546 of the Ordinance.
- B. The maximum gross floor area of the principal building to be constructed on the Site shall be 55,000 square feet. The gross floor area of the dog park pavilion and any other accessory structures shall not be counted towards the maximum gross floor area of the principal building.
- C. An accessory eating, drinking and entertainment establishment (Type 1 and Type 2) may not play live, recorded or broadcast music outdoors between the hours of 10 PM and 8 AM.

4. 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.
- B. A minimum of 100 off-street vehicular parking spaces shall be provided on the Site.
- C. The alignment of the internal vehicular circulation areas and driveways may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation in accordance with applicable published standards.

5. ARCHITECTURAL STANDARDS

- A. The maximum height in stories of the principal building to be constructed on the Site shall be 2 stories.
- B. All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- C. Dumpster and recycling areas will be enclosed on all four sides, with three sides being enclosed by opaque walls and one side being enclosed by a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of the building, then the side wall or rear wall of the building may be substituted for the wall along each such side.

6. STREETScape AND LANDSCAPING

- A. Petitioner shall install a minimum 13 foot wide planting strip and a minimum 8 foot wide sidewalk along the Site's frontages on Berryhill Road and Parker Drive as generally depicted on the Rezoning Plan. Those portions of the minimum 8 foot wide sidewalks that are located outside of the existing right of way may be located within a sidewalk utility easement rather than in public right of way as generally depicted on the Rezoning Plan.
- B. Notwithstanding Section 6.A. above, the 13 foot wide planting strip may be reduced in width to 8 feet to accommodate on-street parking.
- C. Internal sidewalks and pedestrian connections shall be installed within

the Site as generally depicted on the Rezoning Plan.

7. ENVIRONMENTAL FEATURES

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

- B. Development of the Site shall comply with the City of Charlotte Tree Ordinance.

8. LIGHTING

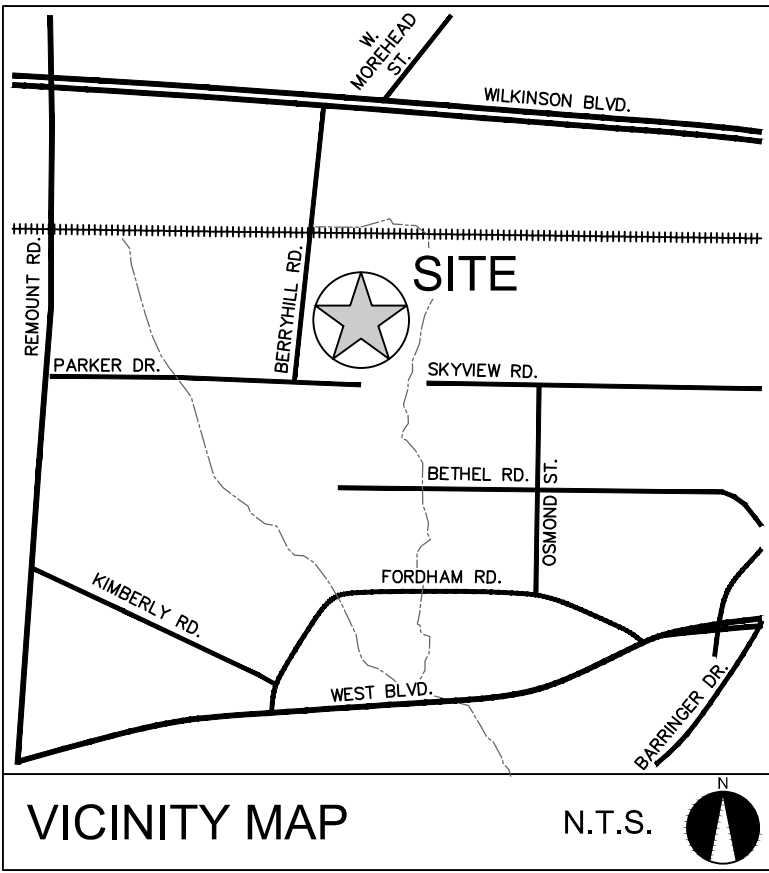
- A. All freestanding lighting fixtures installed on the Site (excluding street lights and lower, decorative lighting that may be installed along and/or on the driveways, sidewalks, parking areas, patios and landscaped areas) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.

- B. The maximum height of any freestanding lighting fixture installed on the Site shall be 22 feet.

- C. Any lighting fixtures attached to the building to be constructed on the Site shall be decorative, capped and downwardly directed.

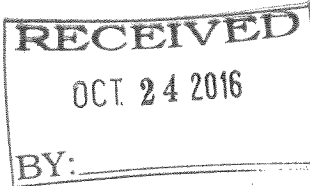
9. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- 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.





**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-015

Petition #: \_\_\_\_\_  
Date Filed: 10/24/2016  
Received By: BH

**Complete All Fields (Use additional pages if needed)**

Property Owner: Bank of North Carolina (See attached Owner Joinder Agreement)

Owner's Address: 3980 Premier Drive City, State, Zip: High Point, NC 27265

Date Property Acquired: 12/22/2006

Property Address: 2245 Rexford Road, Charlotte, NC

Tax Parcel Number(s): 17708245

Current Land Use: Office Size (Acres): 1.07

Existing Zoning: O-15 (CD) Proposed Zoning: MUDD (CD)

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

Required Rezoning Pre-Application Meeting\* with: John Kinley, Kent Main, Charles Meacci, Michael Russell

Date of meeting: 9/27/2016

(\*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: Redevelop site for new office building

Ronald S. Melamed, Moore & Van Allen PLLC  
Name of Rezoning Agent

100 North Tryon Street, Suite 4700  
Agent's Address

Charlotte, NC 28202  
City, State, Zip

(704) 331-3605 (704) 378-1947  
Telephone Number Fax Number

ronaldmelamed@mvalaw.com  
E-Mail Address

John Freeman  
Signature of Property Owner

John Freeman, SVP, Bank of NC  
(Name Typed / Printed)

Manna Capital, LLC  
Name of Petitioner(s)

421 Penman Street, Suite 110  
Address of Petitioner(s)

Charlotte, NC 28211  
City, State, Zip

(704) 807-0850  
Telephone Number Fax Number

bbranansr@gmail.com  
E-Mail Address

Robert E. Branan  
Signature of Petitioner

Robert E. Branan  
(Name Typed / Printed)



**ATTACHMENT A**


**REZONING PETITION NO. [2016-\_\_\_\_]  
Manna Capital, LLC**

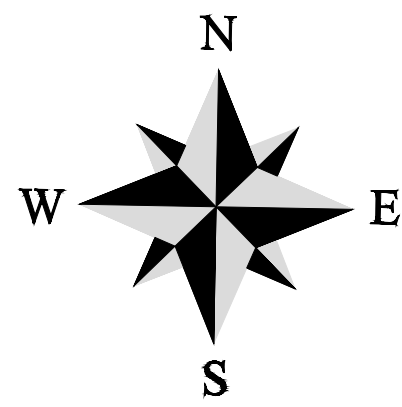
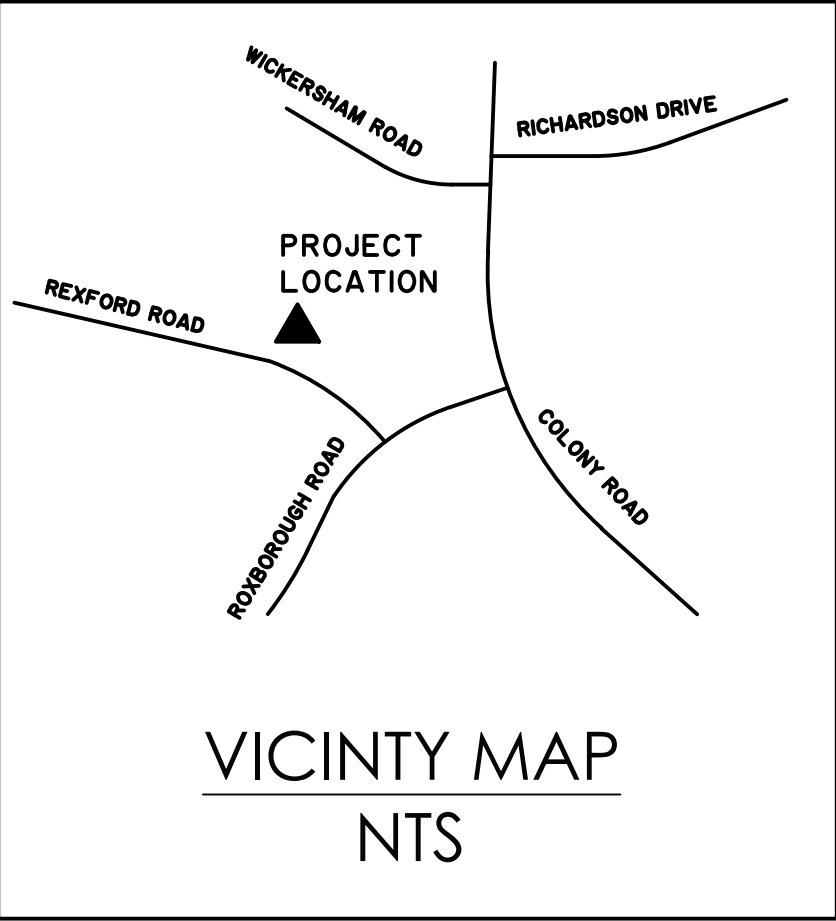
**OWNER JOINDER AGREEMENT  
Bank of North Carolina**

The undersigned, as the owner of the parcel of land located at 2245 Rexford Road that is designated as Tax Parcel No. 17708245 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from O-15 (CD) zoning district to the MUDD(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 24th. day of October, 2016.

**Bank of North Carolina**

By:   
Name: John Freeman  
Its: Senior Vice President



R-1  
Conceptual Site Plan  
**Rexford Rd. Site**  
Mecklenburg County, NC

1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 26

PREPARED BY: \_\_\_\_\_



Charlotte, NC

[www.thomasandhutton.com](http://www.thomasandhutton.com)

NOTE: THIS PLAN IS CONCEPTUAL AND SUBJECT TO CHANGE

JOB NO: J-####	DATE: October 11, 2016
DRAWN: MS	SCALE: 1" = 30'
REVIEWED: ####	SHEET: N/A



1. Site Development Data

Site Area: 1.07 ac +/-  
Parcel ID: 177-08-245  
Existing Zoning: O-15 (CD)  
Proposed Zoning: MUDD (CD)  
Existing Use: Office  
Proposed Use: Office (7,200 sf)  
Parking Required: Shall satisfy or exceed MUDD requirements  
Max. Building Ht.: 65 ft

2. General Provisions

These Development Standards form the Technical Data Sheet associated with the Rezoning Petition filed by Manna Capitol, LLC to rezone the property from the O-15 (CD) Zoning District to the MUDD (CD) Zoning District in order to accommodate redevelopment of an approximately 1.07 ± acre tract as depicted on the Conceptual Site Plan.

Alterations or modifications which, in the opinion of the Planning Director, substantially alter the character of the development proposed or significantly alter the Technical Data Sheet and/or Conceptual Site Plan, or these Development Standards, constitute changes which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207 (1) or (2) of the Ordinance, as applicable.

3. MUDD-Optional Provisions

This Petition does not propose to utilize any of the MUDD-0 provisions.

4. Permitted Uses

The site may be devoted to any commercial and residential uses permitted by right or under prescribed conditions in the MUDD Zoning District together with any incidental or accessory uses associated therewith.

5. Transportation

The necessary rights-of-way will be determined on a case-by-case basis by the Charlotte Department of Transportation and the Charlotte-Mecklenburg Planning Commission staff.

Vehicle access will be as generally depicted on the Conceptual Site Plan. The placements and configurations of the vehicular access points shown on the Conceptual Site Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval. No Transportation Improvements will be constructed in conjunction with development.

6. Architectural Standards

The exterior building materials will consist of primarily brick. The building entrances will consist of wood doors with wood paneling. Ultimately the building constructed within the Site may deviate from any Conceptual Exhibits, as long as any buildings and improved area depicted by the Conceptual Exhibits are consistent with the spirit and intent of the Conceptual Exhibits.

Any fence or wall shall be constructed in a durable fashion of brick, stone, other masonry materials or wood posts and planks or metal or other materials specifically designed as fencing materials, or any combination thereof as may be approved by the Zoning Administrator. Walls and fences shall be a minimum height of six (6) feet.

7. Streetscape and Landscaping

All screening and landscaping shall conform to the standards of the Ordinance. The Petitioner shall make good faith and diligent efforts to preserve existing trees and shrubs within the perimeter of the site as depicted on the Site Plan.

8. Environmental Features

The Petitioner shall satisfy the requirements of the Post Construction Controls Ordinance. The Petitioner shall satisfy the Tree Save Area requirements.

9. Parks, Greenways, and Open Spaces

All greenways and open spaces shall conform to the standards of the Ordinance.

10. Fire Protection

All fire lane treatments shall follow the Fire Marshall's specifications.

11. Signage

All signage shall meet the requirements of the MUDD zoning district.

12. Lighting

All outdoor lighting shall conform to the standards of the Ordinance.

13. Phasing

There will be no phasing for this project.

Technical Data Sheet -  
Development Standards

Rexford Rd. Site

Mecklenburg County, NC

PREPARED FOR:

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PREPARED BY:

THOMAS & HUTTON

Engineering | Surveying | Planning | GIS | Consulting

Charlotte, NC

www.thomasandhutton.com



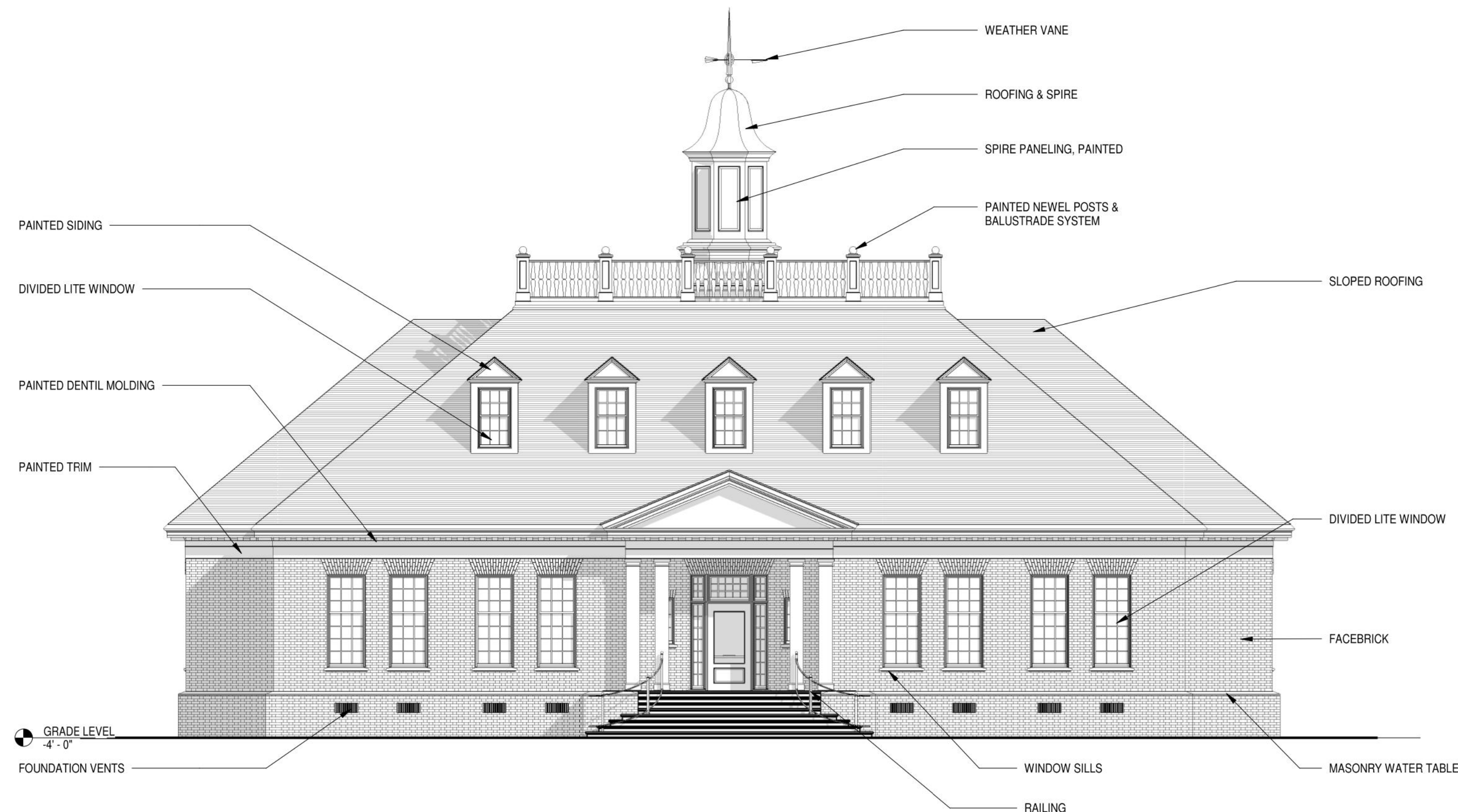
JOB NO: J-####	DATE: September, 201
DRAWN: MS	SCALE: 1" = 30'
REVIEWED: ####	SHEET: N/A



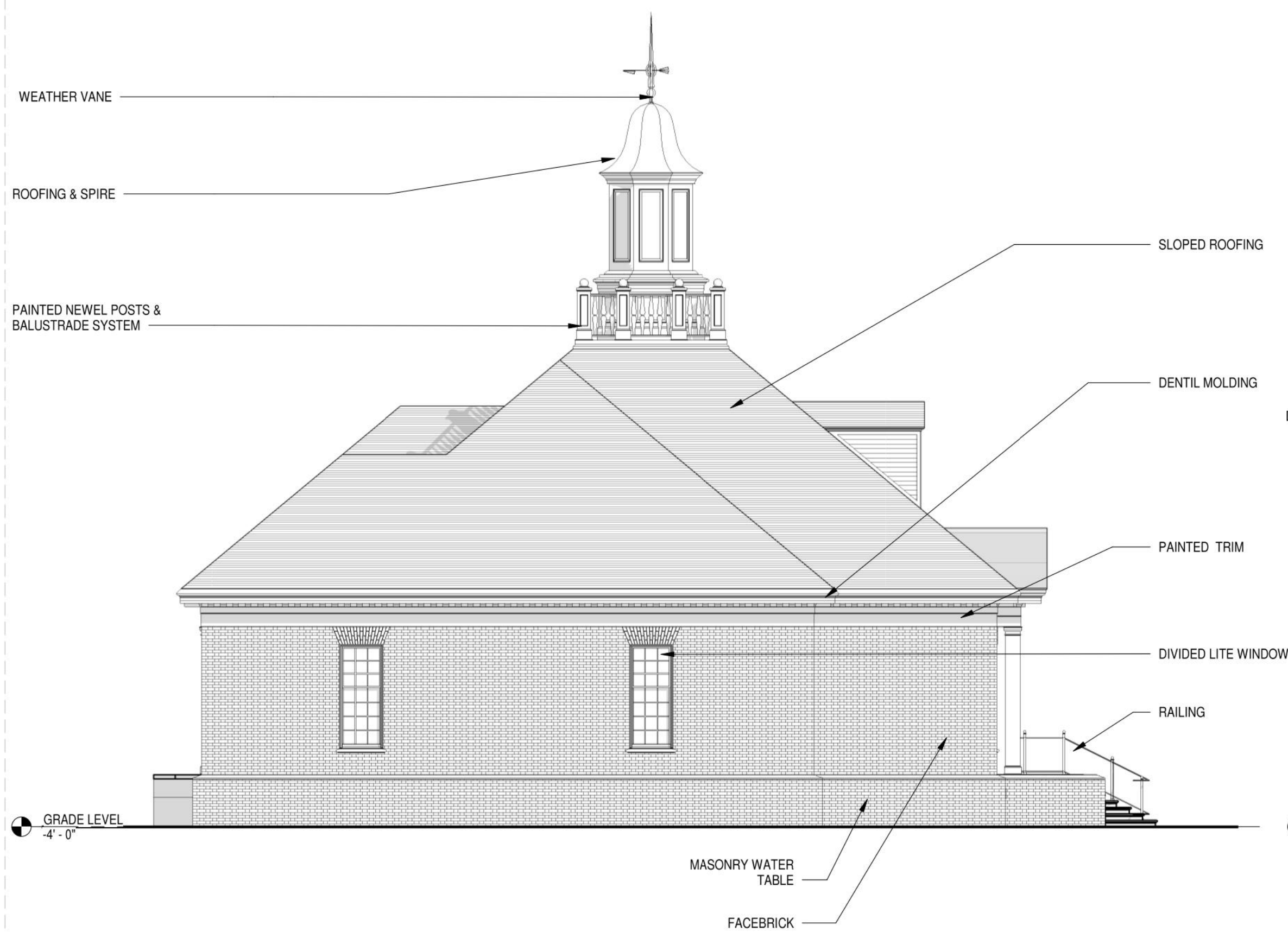
\\NW1144\COM\LOTTE OFFICE\PROJECTS\REPAIRS\REPAIRS\01 26 2016 - 10:17 AM



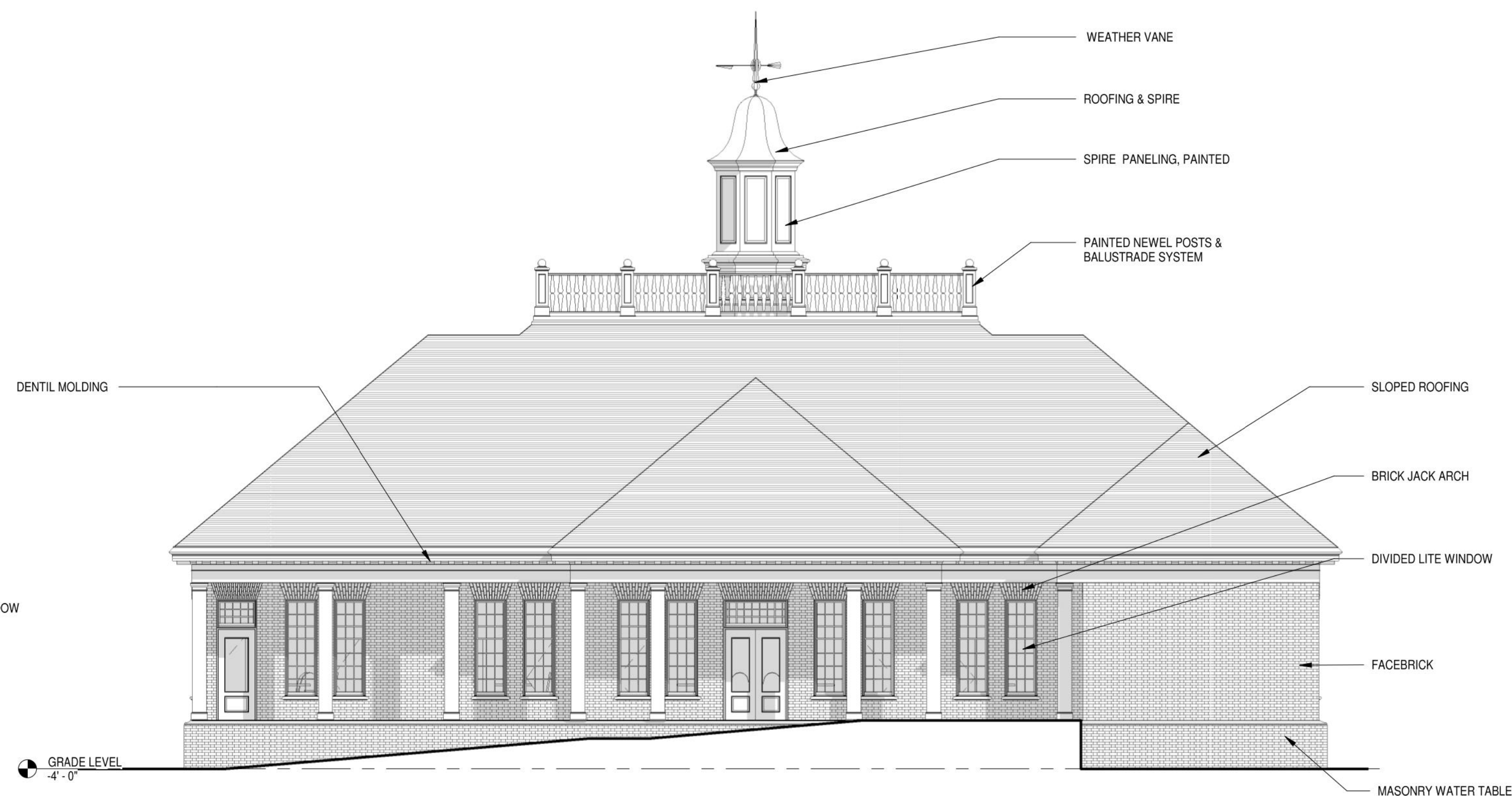
3 EAST ELEVATION  
1/8" = 1'-0"



5 SOUTH ELEVATION  
1/8" = 1'-0"



6 WEST ELEVATION  
1/8" = 1'-0"



4 NORTH ELEVATION  
1/8" = 1'-0"

ELEVATIONS  
**Rexford Rd. Site**  
Mecklenburg County, NC  
PREPARED FOR:  
---  
PREPARED BY:

**THOMAS & HUTTON**  
Engineering | Surveying | Planning | Design | Consulting

Charlotte, NC

www.thomasandhutton.com

JOB NO: J-####	DATE: October 19, 2016
DRAWN: #####	SCALE: #####
REVIEWED: #####	SHEET: N/A

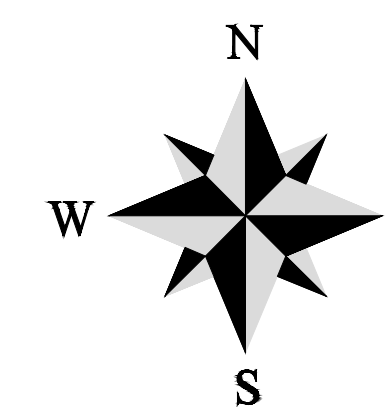




1 PERSPECTIVE



2 PERSPECTIVE



## ELEVATIONS

### Rexford Rd. Site

PREPARED FOR:

100% 90% 80% 70% 60% 50% 40% 30% 20% 10% 0%

PREPARED BY:



Charlotte, NC

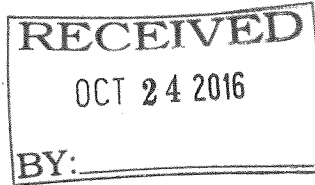
www.thomasandhutton.com

JOB NO:	J-####
DRAWN:	####
REVIEWED:	####

DATE:	October 19, 2018
SCALE:	#####
SHEET:	N/A



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-016

Petition #:	
Date Filed:	10/24/2016
Received By:	BH

Property Owners: See Attachment A

Owner's Addresses: See Attachment A

Date Properties  
Acquired: See Attachment A

Property Addresses: See Attachment A

Tax Parcel Numbers: See Attachment A

Current Land Use: office, retail/commercial, residential and vacant Size (Acres): ± 17.43

Existing Zoning: B-1(CD), B-2, O-1, O-2 & R-4 Proposed Zoning: MUDD-O and NS

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

Required Rezoning Pre-Application Meeting\* with: Mandy Vari, Sonja Sanders, Monica Holmes, Kory Hedrick, Keith Bryant and Felix Obregon.

Date of meeting: June 21, 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): N/A

Purpose/description of Conditional Zoning Plan: Permit redevelopment of out of date and vacant uses with new mixed use development.

**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 Attachment B & C**

Signature of Property Owner

**Selwyn Property Group  
(Attn: Jensie Teague)**

Name of Petitioner

**4310 Park Road, Suite 101**

Address of Petitioner

**Charlotte, NC, 28209**

City, State, Zip

**704-343-9979**

Telephone Number

Fax Number

**jensie@selwynpropertygroup.com**

E-mail Address

**See Attachment D**

Signature of Petitioner

### **Attachment A**

<b>Parcel</b>	<b>Property Address</b>	<b>Acres</b>	<b>Owner</b>	<b>Owner Address</b>	<b>Date Acquired</b>	<b>Current Usage</b>	<b>Zoning</b>
163-03-224	6031 Monroe Road, Charlotte, NC 28212	0.328	Tull Bros LLC	7201 Massey Road, Waxhaw, NC 28173	5/24/2013	residential	O-2
163-03-238	6113 Idlewild Road, Charlotte, NC 28212	1.26	R. Read Tull, LLC and Charles W. Tull, LLC	7201 Massey Road, Waxhaw, NC 28173	4/6/1971	vacant	O-1
163-03-243	6103 & 6105 Idlewild Road, Charlotte, NC 28212	3.4	R. Read Tull, LLC and Charles W. Tull, LLC	7201 Massey Road, Waxhaw, NC 28173	9/18/1974	commercial	O-1
163-03-245	Northeast section bound by Monroe, Long and Idlewild Roads	3.85	R. Read Tull, LLC and Charles W. Tull, LLC	7201 Massey Road, Waxhaw, NC 28173	2/4/1976	vacant	O-1, B-1(CD)
163-03-244	6101 Idlewild Road, Charlotte, NC 28212	1.24	R. Read Tull, LLC and Charles W. Tull, LLC	7201 Massey Road, Waxhaw, NC 28173	9/18/1974	commercial	O-1
163-03-229	5226 E Independence Blvd, Charlotte, NC 28212	1.4	R. Read Tull, LLC and Charles W. Tull, LLC	7201 Massey Road, Waxhaw, NC 28173	1/1/1975	retail	B-2
163-03-235	5400 E Independence Blvd, Charlotte, NC 28212	4.06	R. Read Tull, LLC and Charles W. Tull, LLC	7201 Massey Road, Waxhaw, NC 28173	7/13/2012	retail	B-2
163-03-234	5516 E Independence Blvd, Charlotte, NC 28212	0.14	R. Read Tull, LLC and Charles W. Tull, LLC	7201 Massey Road, Waxhaw, NC 28173	1/1/1975	Used Car Lot	B-2



163-03-223	North east section bound by Jerilyn Drive, Monroe Rd and Long Ave	0.825	R. Read Tull, LLC and Charles W. Tull, LLC	7201 Massey Road, Waxhaw, NC 28173	10/10/2000	vacant	R-4
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**ATTACHMENT B**

**REZONING PETITION NO. [2016-\_\_\_\_]  
Selwyn Property Group**

**OWNER JOINDER AGREEMENT  
Tull Bros LLC**

The undersigned, as the owner of the parcel of land located at 6031 Monroe Road, Charlotte, NC that is designated as Tax Parcel No. 163-032-24 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Application and consents to the change in zoning for the parcels from O-2 zoning district to the MUDD-O and or NS zoning district(s) 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 21<sup>ST</sup> day of OCTOBER, 2016.

**Tull Bros LLC**

By: 

Name: C. CHRISTOPHER TULL

Its: MANAGER



**ATTACHMENT C**

**REZONING PETITION NO. [2016-\_\_\_\_]  
Selwyn Property Group**

**OWNER JOINDER AGREEMENT  
R Read Tull, LLC & Charles W. Tull, LLC**

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

1. 163-03-238 6113 Idlewild Road, Charlotte, NC 28212
2. 163-03-243 6103 & 6105 Idlewild Road, Charlotte, NC 28212
3. 163-03-245 Northeast section bound by Monroe, Long and Idlewild Roads
4. 163-03-244 6101 Idlewild Road, Charlotte, NC 28212
5. 163-03-229 5226 E Independence Blvd, Charlotte, NC 28212
6. 163-03-235 5400 E Independence Blvd, Charlotte, NC 28212
7. 163-03-234 5516 E Independence Blvd, Charlotte, NC 28212
8. 163-03-223 North east section bound by Jerilyn Drive, Monroe Rd and Long Ave

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Application and consents to the change in zoning for the parcels from R-4, B-2, O-1 & B-1(CD) zoning districts to the MUDD-O and or NS zoning district(s) 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 21<sup>ST</sup> day of OCTOBER, 2016.

**R Read Tull, LLC**

By: [Signature]  
Name: C. CHRISTOPHER TULL  
Its: MANAGER

**Charles W. Tull, LLC**

By: [Signature]  
Name: C. CHRISTOPHER TULL  
Its: MANAGER

**ATTACHMENT D**

**REZONING PETITION NO. [2016- ]**  
**Selwyn Property Group**

**Petitioner:**

**Selwyn Property Group**

By: 

Name: FRANCIS TEAGUE

Title: V.P. Owner





Boundary Conditions														
Line #	C#	Length	Direction	Radius	Line #	C#	Length	Direction	Radius	Line #	C#	Length	Direction	Radius
C1	235.411	S87° 07' 16.38"E		1120.100	L11	115.088	S50° 02' 00.82"E		L24	199.657	S54° 38' 27.35"W			
C2	8.235	S80° 08' 02.01"E		1120.100	L12	102.59	S27° 52' 01.16"W		L25	126.967	S54° 55' 22.87"W			
C3	1.374	S81° 38' 38.71"E		11.500	L13	28.415	S39° 52' 41.16"W		L26	121.041	N35° 20' 17.27"W			
C4	61.571	S33° 06' 41.58"W		85.900	L14	255.952	S40° 19' 13.82"W		L27	54.004	N35° 20' 17.27"W			
C5	113.517	S30° 33' 32.20"W		297.500	L15	65.500	S40° 19' 13.82"W		L28	387.890	N35° 20' 17.27"W			
C6	22.952	S40° 05' 57.49"W		297.500	L16	225.057	S40° 19' 13.82"W		L29	214.840	N34° 38' 59.84"E			
C7	18.046	S40° 08' 39.83"E		11.500	L17	81.566	S11° 43' 52.57"W		L30	111.593	S85° 00' 09.51"E			
C8	16.368	S64° 51' 53.24"E		31.500	L18	258.543	S49° 29' 30.59"W		L31	204.616	S81° 10' 20.57"E			
C9	42.382	S50° 05' 59.97"E		981.488	L19	134.616	N35° 20' 17.27"W		L32	95.332	S11° 48' 49.53"E			
C10	190.403	S30° 33' 32.20"W		981.488	L20	335.794	S49° 19' 46.07"E		L33	69.478	S78° 19' 20.57"E			
L8	0.063	N63° 48' 43.18"E		L21	149.890	N35° 21' 33.05"W		L34	37.956	S80° 11' 20.68"E				
L9	48.461	S30° 07' 00.87"E		L22	150.216	N35° 18' 45.19"W		L35	24.573	S80° 12' 46.85"E				
L10	100.243	S43° 41' 01.12"E		L23	250.986	N34° 24' 10.16"W		L36	6.001	S50° 59' 52.75"E				



**SITE DEVELOPMENT DATA:**

- **CREAGE** + 17.43 ACRES
- **TAX PARCEL #:** 163-03-224, 163-03-238, 163-03-243, 163-03-245, 163-03-244, 163-03-229, 163-03-235, 163-03-234 and 163-03-241
- **EXISTING ZONING:** B-1(CD), B-2, C-1, C-2 And R-4
- **PROPOSED ZONING:** MUDD-O AND NS
- **EXISTING USES:** VACANT, RESIDENTIAL, RETAIL AND COMMERCIAL
- **PROPOSED USES:** USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE 163-03-243 DISTRICT FOR DEVELOPMENT AREAS A, B, & C & AS ALLOWED IN THE TECHNICAL DATA SHEET RZ-1 (COLLECTIVELY THE "MUDD-O AREA"), AND THE NS ZONING DISTRICT FOR DEVELOPMENT AREAS D, E, F, G & H AS PERMITTED ON THE TECHNICAL DATA SHEET RZ-1.
- **COLLECTIVELY (THE "NS AREA")** (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 2).
- **TOTAL BUILDING AREA:** 106,000 SF
- **MAXIMUM BUILDING HEIGHT:** AS ALLOWED BY THE ORDINANCE.
- **PARKING:** PARKING WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

[illegible]

NOT APPROVED FOR  
CONSTRUCTION

PROJECT No.:	NCC152096
DRAWN BY:	PMK
CHECKED BY:	GPP
DATE:	10/24/2016
SCALE:	1" = 60'
CAD I.D.:	RZ

PROJECT:


**COMMERCIAL  
REZONING PLAN**

---

FOR

**SELWYN  
PROPERTY  
GROUP**

LOCATION OF SITE

 **BOHLER**<sup>TM</sup>  
**ENGINEERING NC, PLLC**  
NCBELS P-1132

---

**1927 S. TR ☐ STREET SUITE 310**  
**☐ HARLOTTE ☐ 28203**

Phone: (980) 272-3400  
Fax: (980) 272-3401  
***NC@BohlerEng.com***



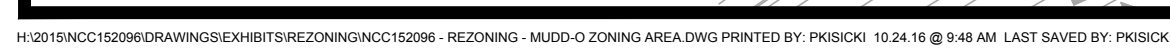
**SunCap**  
PROPERTY GROUP

SHEET TITLE:	
TECHNICAL DATA SHEET	
SHEET NUMBER:	
RZ-1	



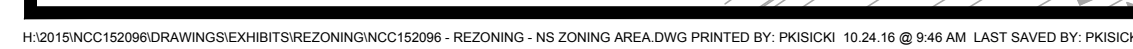






MUDD Boundary Coordinates			
Line #/Curve #	Length	Direction	Radius
C13	60.253	S05° 29' 46.40"W	400.000
L37	4.534	S11° 19' 29.48"W	
L38	74.119	S52° 30' 56.41"W	
L39	188.177	S09° 48' 41.42"W	
L40	67.929	N76° 25' 41.31"W	





NS Boundary Coordinates			
Line #/Curve #	Length	Direction	Radius
C13	60.253	S05° 29' 46.40"W	400.000
L37	4.534	S11° 19' 29.48"W	
L38	74.119	S52° 30' 56.41"W	
L39	188.177	S09° 48' 41.42"W	
L40	67.929	N76° 25' 41.31"W	





**BOHLER**  
ENGINEERING NC, PLLC

SITE PLANNING  
LAND SURVEYING  
SUSTAINABLE DESIGN  
TRANSPORTATION SERVICES  
PERMITTING SERVICES  
ARCHITECTURE

PALEHNC NC  
CLAYTON NC  
TAMPA FL  
SOUTH FLORIDA  
LEHIGH VALLEY PA  
UPSTATE NEW YORK  
BOSTON MA  
NEW YORK METRO  
BALTIMORE MD  
PHILADELPHIA PA  
NORTH VIRGINIA

REVISIONS			
REV	DATE	COMMENT	BY

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: NCC152096  
DRAWN BY: PMK  
CHECKED BY: GPP  
DATE: 10/24/2016  
SCALE: 1" = 60'  
CAD I.D.: RZ

PROJECT:  
**COMMERCIAL  
REZONING PLAN**  
FOR  
**SELWYN  
PROPERTY  
GROUP**  
LOCATION OF SITE

**BOHLER**  
ENGINEERING NC, PLLC  
NCC152096  
1927 S. TRYON STREET, SUITE 310  
CHARLOTTE, NC 28203  
Phone: (980) 272-3400  
Fax: (980) 272-3401  
NC@BohlerEng.com

**SunCap**  
PROPERTY GROUP

SHEET TITLE:  
**SCHEMATIC  
SITE PLAN**  
SHEET NUMBER:  
**RZ-5**