

Rezoning Petition Packet

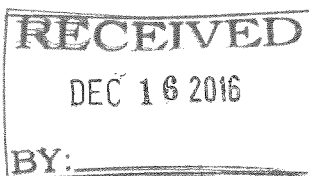
Petitions: **2017-032 through 2017-036**

Petitions that were submitted by December 23, 2016

Staff Review Meeting: **January 19, 2017**

City Public Hearing: **To Be Determined**

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-032

Petition #: _____
Date Filed: 12/16/2016
Received By: BJ

Complete All Fields (Use additional pages if needed)

Property Owner: Suttle Avenue LLC c/o Merrifield Patrick

Owner's Address: 521 East Morehead St. #400 City, State, Zip: Charlotte, NC 28202

Date Property Acquired: 6/27/2011 and 11/22/2006

Property Address: 2140 Suttle Ave., 2016 and 2024 Wilkinson Blvd, Charlotte, NC 28208

Tax Parcel Number(s): 06702116, 06702109, 06702108, and 06702152

Current Land Use: Vacant Size (Acres): +/- 10.04 acres

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

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Alberto Gonzalez, and Carlos Alzate
Date of meeting: 12/05/2016

(*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): Yes

Purpose/description of Conditional Zoning Plan: to accommodate the development of multifamily residential units.

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

Hearst Tower, 214 N. Tryon St., 47th Floor
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-331-7531
Telephone Number Fax Number

Collin.Brown@klgates.com
E-Mail Address

James E. Merrifield
Signature of Property Owner

James E. Merrifield
(Name Typed / Printed)

Mgr

Alliance Residential Company
Name of Petitioner(s)

708 East Blvd., Suite E
Address of Petitioner(s)

Charlotte, NC 28203
City, State, Zip

704-941-0972
Telephone Number Fax Number

dsantos@allresco.com
E-Mail Address

Donald Santos
Signature of Petitioner

Donald Santos, Director
(Name Typed / Printed)

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Alliance Residential Company (the "Petitioner") to accommodate development of multifamily residential units on an approximately 10.04 acre site located at the intersection of Wilkinson Boulevard and Suttle Avenue (the "Site").

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, subject to the Optional Provisions below.

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 Standard, 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.

a) Reserved

The Site may be devoted to multifamily residential uses together with any incidental or accessory uses associated therewith.

The Site may be devoted to up to 350 residential units together with any incidental or accessory uses associated therewith.

Vehicular access will be as generally depicted on the Technical Data Sheet. The placements and configurations of the vehicular access points shown on the Technical Data Sheet 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.

a) The architectural design and exterior elements of all buildings constructed on the Site shall be substantially similar to the site plan provided.

- b) Exterior building materials will consist of brick, glass, stucco, metal and composite panels, and/or cementitious siding.
- c) Expenses of blank or unarticulated walls greater than 20 feet in length shall be treated with a minimum of three (3) options below:

1. Provide a higher level of transparency on the ground floor, such as exaggerated or larger windows indicative of living areas or retail spaces;
2. Utilize horizontal and vertical variations in wall planes;
3. Provide architectural protrusion to accentuate enclosed balconies;
4. Utilize corners to provide visual interest at the pedestrian level as well as to differentiate rooflines or highlight ground floor uses;
5. Provide amenity landscaping, such as sitting area with arboring; and/or
6. Any other architectural improvements as allowed by the Ordinance to improve the visual aesthetics of blank or unarticulated walls.

- d) The scale and massing of buildings longer than 150 feet along a street or public open space or greater than 30,000 horizontal square feet shall be minimized by utilizing at least three (3) options below:

1. Provide varied roof lines through the use of modulated building heights or innovative architectural solutions;
2. Utilize corners to provide visual interest at the pedestrian level as well as to differentiate rooflines or highlight ground floor uses;
3. Provide architectural protrusion to accentuate enclosed balconies;
4. Provide amenity landscaping, such as a sitting area with arboring; and/or
5. Any other architectural improvements as allowed by the Ordinance to improve the visual aesthetics of scale and/or massing.

e) Meter boxes, back flow preventers, dumpsters and similar items will be screened from public view.

- f) All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade using parapets or similar building elements.

g) All other screening and landscaping shall conform to the standards of the Ordinance.

- h) Petitioner shall provide an eight (8) foot wide sidewalk and planting strip along the Site's Suttle Avenue frontage.

All signage shall meet the requirements of the MUDD zoning district

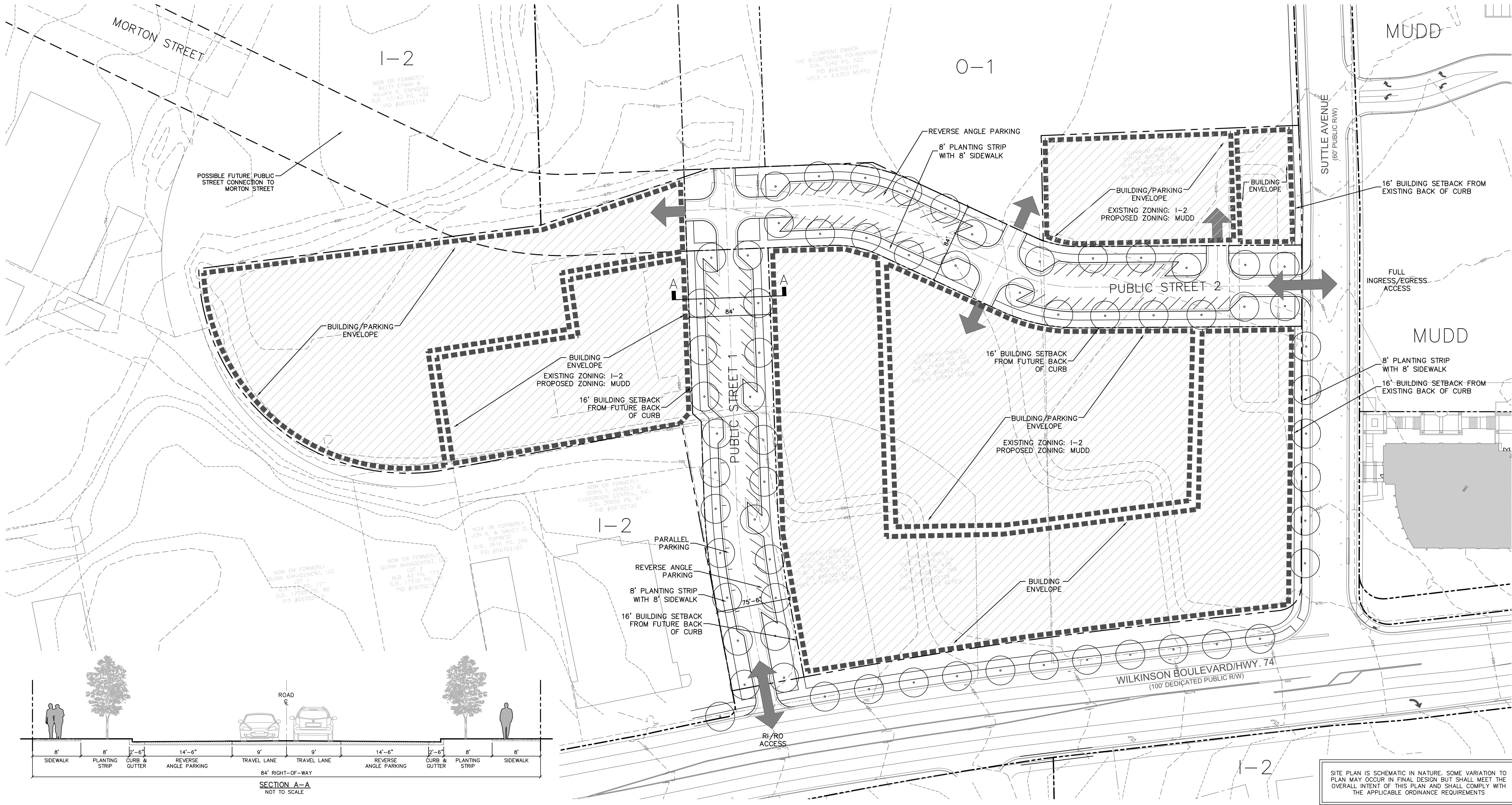
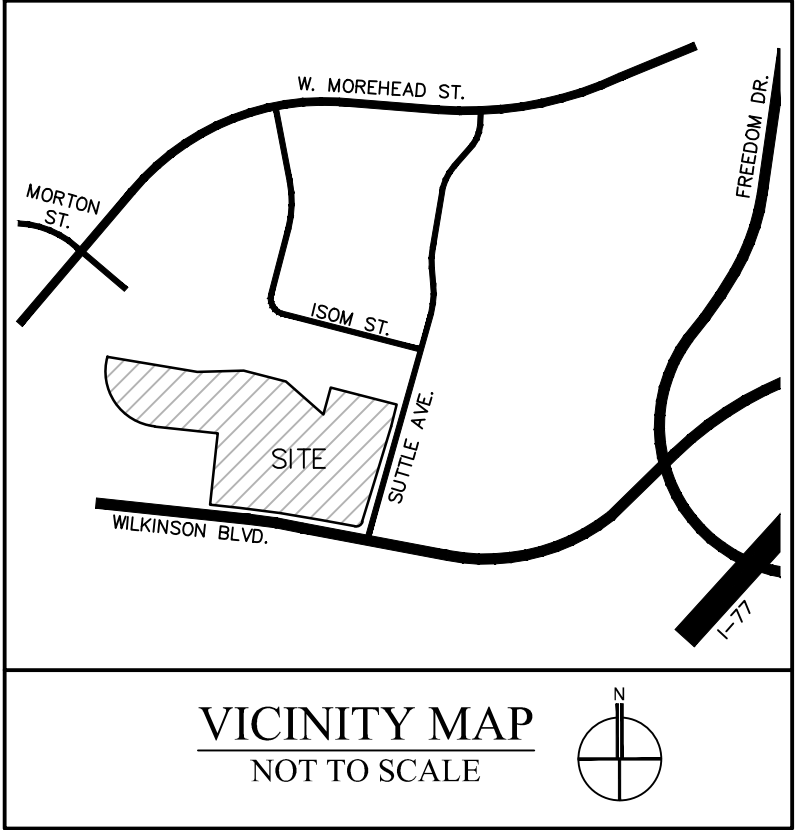
The Petitioner may subdivide the Site and create lots within the Site with no side or rear yards as part of a unified development plan.

SITE ACREAGE:	11.04 ACRES
TAX PARCEL #:	067-021-08; 067-021-09; 067-021-16; 067-021-15
EXISTING ZONING:	I-2
PROPOSED ZONING:	MUDD-O
EXISTING USE:	VACANT
PROPOSED USE:	MULTI-FAMILY RESIDENTIAL
MAXIMUM DEVELOPMENT:	UP TO 350 RESIDENTIAL UNITS
PROPOSED DENSITY:	34.88 UNITS/ACRE
BUILDING HEIGHT:	UP TO 75' PER MUDD-O ZONING ORDINANCE
PARKING PROVIDED:	SHALL MEET OR EXCEED MUDD ORDINANCE REQUIREMENTS



VEHICULAR INGRESS/EGRESS

BUILDING/PARKING/SERVICE ENVELOPE



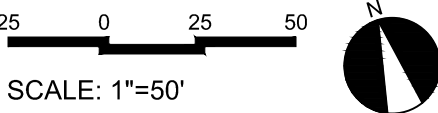
PETITION 2016-XXX

BRYANT PARK APARTMENTS

CHARLOTTE, NC

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

TECHNICAL DATA SHEET

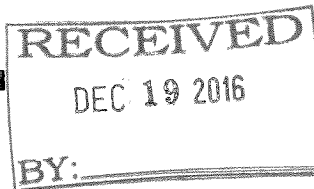


PROJECT #: 355-008
DRAWN BY: BMS
CHECKED BY: BS

DECEMBER 15, 2016

REVISIONS

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2617-033

Petition #:	
Date Filed:	12/19/2016
Received By:	RK

Complete All Fields (Use additional pages if needed)

Property Owner: YOUNG E. GARRISON

Owner's Address: 7024 MONTGOMERY ROAD City, State, Zip: CLOVER SC 29710

Date Property Acquired: 10/15/1992

Property Address: MALLARD CREEK ROAD

Tax Parcel Number(s): 029-201-07

Current Land Use: VACANT Size (Acres): 29.01 AC

Existing Zoning: CC 2000-732 Proposed Zoning: CC-SPA

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

Required Rezoning Pre-Application Meeting* with: SOLOMON FORTUNE

Date of meeting: 11/23/16

(*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): No

Purpose/description of Conditional Zoning Plan: To Allow 322 MULTI-FAMILY UNITS AS A SINGLE USE ON SUBJECT PROPERTY

DESIGN RESOURCE GROUP
Name of Rezoning Agent

2459 WILKINSON BLVD SUITE 200
Agent's Address

CHARLOTTE NC 28208
City, State, Zip

704 343 0608 704
Telephone Number Fax Number

jia@drgrp.com
E-Mail Address

Young E. Garrison, Trustee
Signature of Property Owner

YOUNG E. GARRISON
(Name Typed / Printed)

Spectrum Properties
Name of Petitioner(s)

201 S. Tryon Street Ste #550
Address of Petitioner(s)

Charlotte NC, 28202
City, State, Zip

704-358-1000 / 704-358-9099
Telephone Number Fax Number

iwagoner@spectrum-properties.com
E-Mail Address

[Signature]
Signature of Petitioner

Ian Wagoner
(Name Typed / Printed)

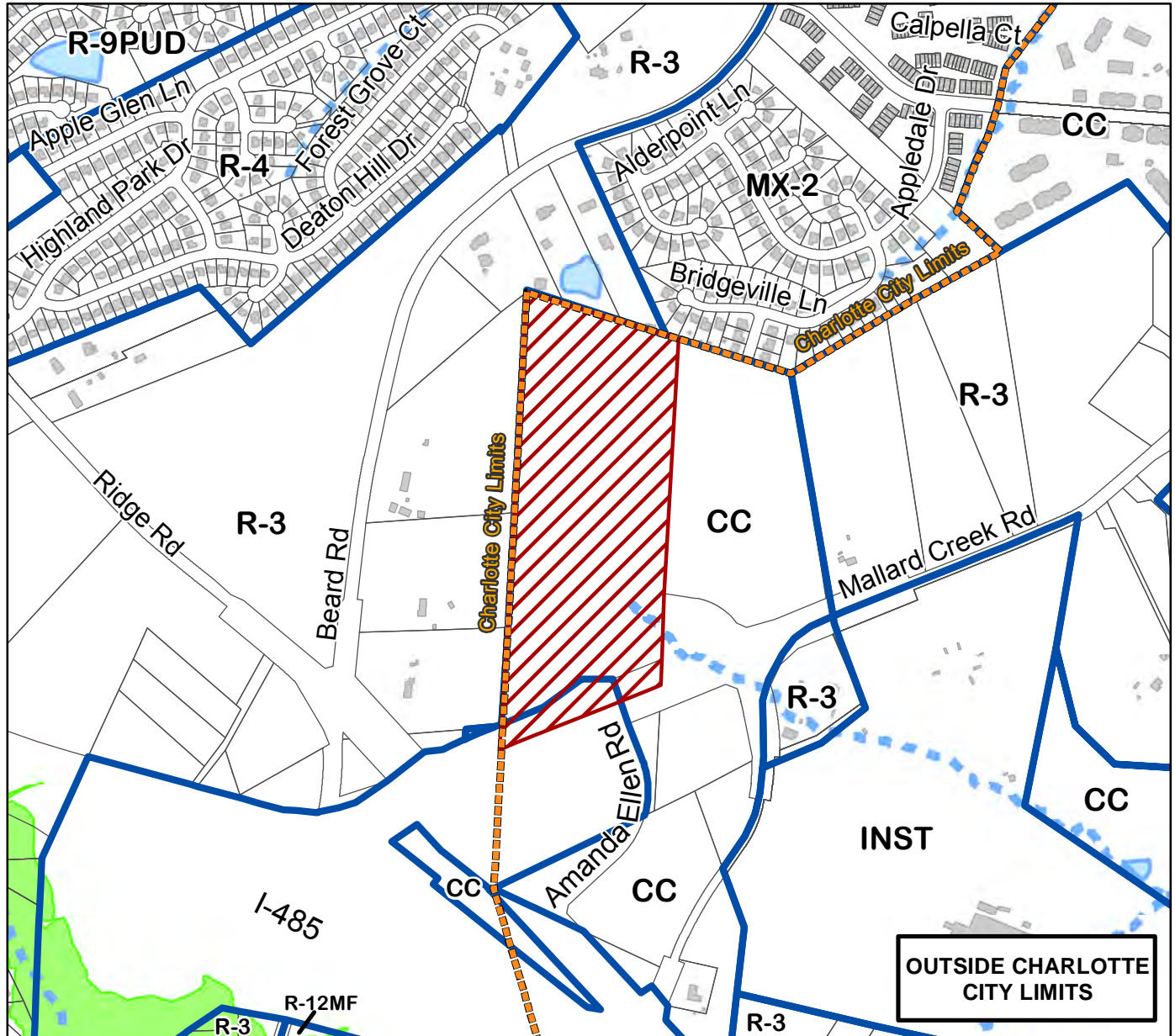
Petition #: **2017-033**

Petitioner: **Spectrum Properties**

Zoning Classification (Existing): **CC**
(Commercial Center)

Zoning Classification (Requested): **CC SPA**
(Commercial Center, Site Plan Amendment)

Acreage & Location: Approximately 29.01 acres located on the north side of Mallard Creek Road, east of Beard Road and across from Amanda Ellen Road.



Map Produced by the Charlotte-Mecklenburg Planning Department, 12-21-2016.

0 225 450 900 1,350 1,800 Feet



Zoning Map #s

39-42

 Requested CC SPA from CC

 Existing Building Footprints

 Existing Zoning Boundaries

 Charlotte City Limits

 Pedestrian Overlay

 FEMA flood plain

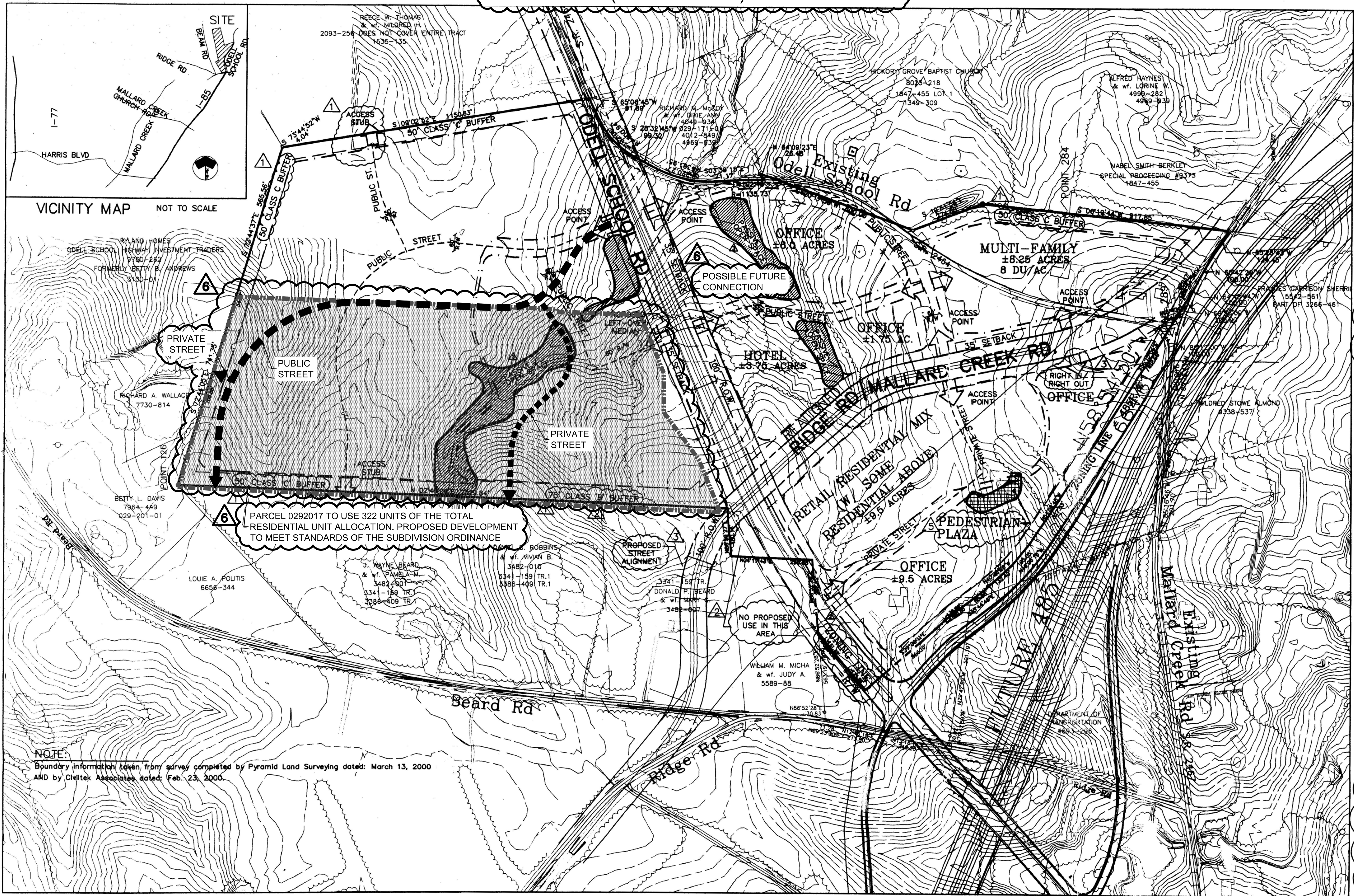
 Watershed

 Lakes and Ponds

 Creeks and Streams

 Historic District

THIS IS A SPA (SITE PLAN AMENDMENT) FOR THE SUBJECT (HIGHLIGHTED) PROPERTY ONLY



TECHNICAL DATA SHEET

PETITION # 00-132

FOR PUBLIC HEARING

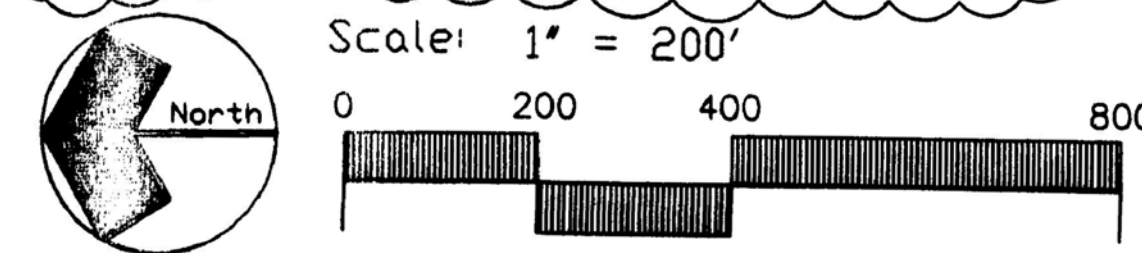
REVISION: 1/22/01 4/10/01 12/19/16
1/30/01 6/12/01
3/21/01 For

MICHAEL J. FOX & ASSOCIATES
CHARLOTTE, NORTH CAROLINA

APPROVED BY CITY COUNCIL
DATE 6/18/01

Project Manager
AES, MB
Drawn By
ACR, LV
Checked By
AES
Date
10/03/00
Project Number
99125

Additional Notes per CDOT:
1. The exact location of driveways and street intersections will be determined during the development review process by NCDOT and/or CDOT which ever has jurisdiction over that determination.
2. Development Note 7 is modified in that only 560 multifamily units may be constructed utilizing existing Odell School Rd. and no office or retail development may be constructed until access to such sites may be provided from realigned Mallard Creek Rd. or realigned Odell School Rd. or portion of either of those roads.
3. Building placement in the vicinity of the new intersection of Odell School Rd. and Mallard Creek Rd. will be arranged to allow for wider than standard rights of way and such building plans will be reviewed so as not to conflict with or prohibit the public acquisition of such additional right of way in the future. This references an unadopted standard for a total of 130' of asymmetrical right of way in the vicinity of the intersection with 70' from the centerline on the 'approach' side and 60' on the 'departure' side of the intersection. This reservation will be valid for a period of 10 years from the approval of this request, or until such earlier time as it may be determined by NCDOT or CDOT which ever has jurisdiction over that determination, that additional right-of-way will not be needed.



Development Data:

SITE AREA = ± 101 ACRES
EXISTING ZONING = R3
PROPOSED ZONING = CC
PROPOSED USES =
MIXED USE TOWN CENTER
MAX. 100,000 s.f. RETAIL
MAX. 600 DWELLING UNITS
MAX. 350,000 s.f. OFFICE
150 ROOM HOTEL

* RAPID TRANSIT ALLOWANCE:
ADDITIONAL 150 DWELLING UNITS
ADDITIONAL 87,500 s.f. OFFICE
* SEE NOTE #10

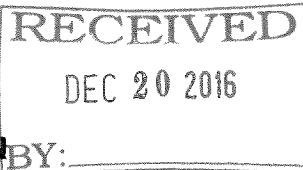
Development Notes:

- Development of the 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 on this plan is intended to reflect the general arrangement of proposed uses on the site, but the exact details of configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance as specified in Section 6.000(2) during the design development and construction phases. This Proposal is intended to enable the development of a mixed-use community composed of office, multifamily, and neighborhood retail and service uses.
- The site may be developed for any use allowed in the CC District as allowed by the ordinance in accordance with the standards of that district and the restrictions of this site plan as noted below, except that no drive through window. The development depicted on this plan is intended to reflect the general arrangement of proposed uses on the site, but the exact details of configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance as specified in Section 6.000(2) during the design development and construction phases. This Proposal is intended to enable the development of a mixed-use community composed of office, multifamily, and neighborhood retail and service uses.
- Access to the site will be provided by connections to the new Mallard Creek Rd. and by connections to both existing and the new Odell School Rd. as shown on the Technical Data Sheet. All driveway and street connections are subject to approval by NCDOT, Mecklenburg County and/or CDOT depending on jurisdiction. Until these new roads are constructed, access will be provided to the existing alignments of Mallard Creek Rd., Odell School Rd., and Ridge Rd.
- Buffer areas will be developed in accordance with Sect. 12.002. Required buffers on the site may be eliminated if the adjoining parcels are rezoned such that buffers are no longer required.
- Stormwater detention facilities will be designed to meet the applicable standards of Charlotte/Mecklenburg Stormwater Services.
- The Petitioner will dedicate 100' of right-of-way for the new alignments of Mallard Creek Rd. and for the portion of Odell Rd. that falls on the site as the site develops. The Petitioner's obligation for any such construction will be determined in phases as the site develops. The Petitioner's obligation for any such construction will be determined in phases as the site develops. The Petitioner's obligation for any such construction will be determined in phases as the site develops.
- The Petitioner will construct a portion of Mallard Creek Rd. and Odell School Rd. which falls on the site to a cross section determined jointly by the Petitioner and NCDOT and CDOT staff, said construction to be accomplished in phases as the site develops. The Petitioner's obligation for any such construction will be determined in phases as the site develops. The Petitioner's obligation for any such construction will be determined in phases as the site develops.
- At the time that this Petition is being considered (January 2001), the Charlotte Area Transit System (CATS) is in the process of developing detailed transit plans for the Northeast Corridor, which includes this site. Preliminary studies indicate that there is a high probability that a BRT will pass through this site, suggesting a change in the role of this site to one that should provide for and support rapid transit service. At such time as a rapid transit route is established and at such time that rapid transit service actually commences, all of the development allowances on this site for the number of residential units and office floor area may be administratively increased by 25% without the need for a formal Site Plan Amendment. This additional allowance is in recognition of the availability of transit service and is consistent with the policy of increased development intensities in transit corridors. Further, the Petitioner will coordinate with CATS on the location of transit stop or station on the site and will reserve a site not to exceed one acre for use as a transit stop or station. The exact location of that site will be jointly agreed to by the Petitioner and CATS, and the reservation of said site shall be in force until the expiration of 5 years from the approval of the rezoning of said site or such time as CATS may determine and notify the Petitioner that such a site is not needed within the area covered by this site plan.
- Any detached lighting on the multifamily and office portions of the site will be limited to 20 feet in height.
- Signage will be permitted in accordance with applicable Zoning standards for the type of use for which the signage is proposed. Signage for multifamily use will be that which is allowed in multifamily districts and signage for office use will be that which is allowed in office districts. Signage for retail uses will be that which is allowed in the CC District, except that detached signs identifying individual sites will be limited to ground mounted signs no more than 50 square feet in area and 4 feet in height.
- Parking will be provided which will meet or exceed the standards of the Zoning ordinance.
- Screening will conform to the applicable standards of Sect. 12.003 of the Zoning ordinance.
- All dumpsters on the site will be screened with a solid enclosure with gates.
- Buildings within the retail portion of the site will be one to three stories in height and buildings within the office portion of the site will range from one to five stories in height. Residential uses may be incorporated within both retail and/or office buildings.
- Pedestrian walks and paths will be installed within the site as the various components develop to create a network of both public sidewalks and other pedestrian linkages between the site components. Pedestrian lighting will be installed throughout the various components of the site as they develop along public sidewalks and other pedestrian ways within the site.
- Open space elements will be included within the various components of the site consistent with the use in that area. Open squares or plazas will be included within the retail and office areas and both passive and active elements will be included within the residential areas.

DPR ASSOCIATES, INC.
DPR
Design-Planning-Research
Planners & Engineers
420 Hawthorne Lane
Charlotte, NC 28204
704/332-1204

Sheet Number:

RZ-1



2017-034

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: _____
Date Filed: 12/20/2016
Received By: Br

Complete All Fields (Use additional pages if needed)Property Owner: The Blumenthal FoundationOwner's Address: P.O. Box 34689City, State, Zip: Charlotte, NC 28234Date Property Acquired: 2/10/1972Property Address: 2100 Suttle Ave., Charlotte NC 28208Tax Parcel Number(s): portion of 067-021-10Current Land Use: VacantSize (Acres): +/- 1.6 acresExisting Zoning: O-1Proposed Zoning: MUDD-OOverlay: None

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Alberto Gonzalez, and Carlos AlzateDate of meeting: 12/05/2016

(*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): Yes 5Purpose/description of Conditional Zoning Plan: to accommodate the development of up to 26 townhome units.Collin Brown and Bailey Patrick, Jr.

Name of Rezoning Agent

Hearst Tower, 214 N. Tryon St., 47th Floor

Agent's Address

Charlotte, NC 28202

City, State, Zip

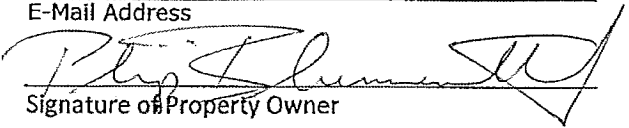
704-331-7531

Telephone Number

Fax Number

Collin.Brown@klgates.com

E-Mail Address


Signature of Property OwnerPHILIP BLUMENTHAL
(Name Typed / Printed)Saussy Burbank, LLC

Name of Petitioner(s)

3730 Glen Lake Drive #125

Address of Petitioner(s)

Charlotte, NC 28208

City, State, Zip

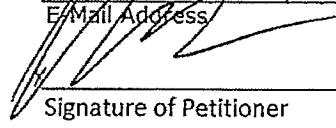
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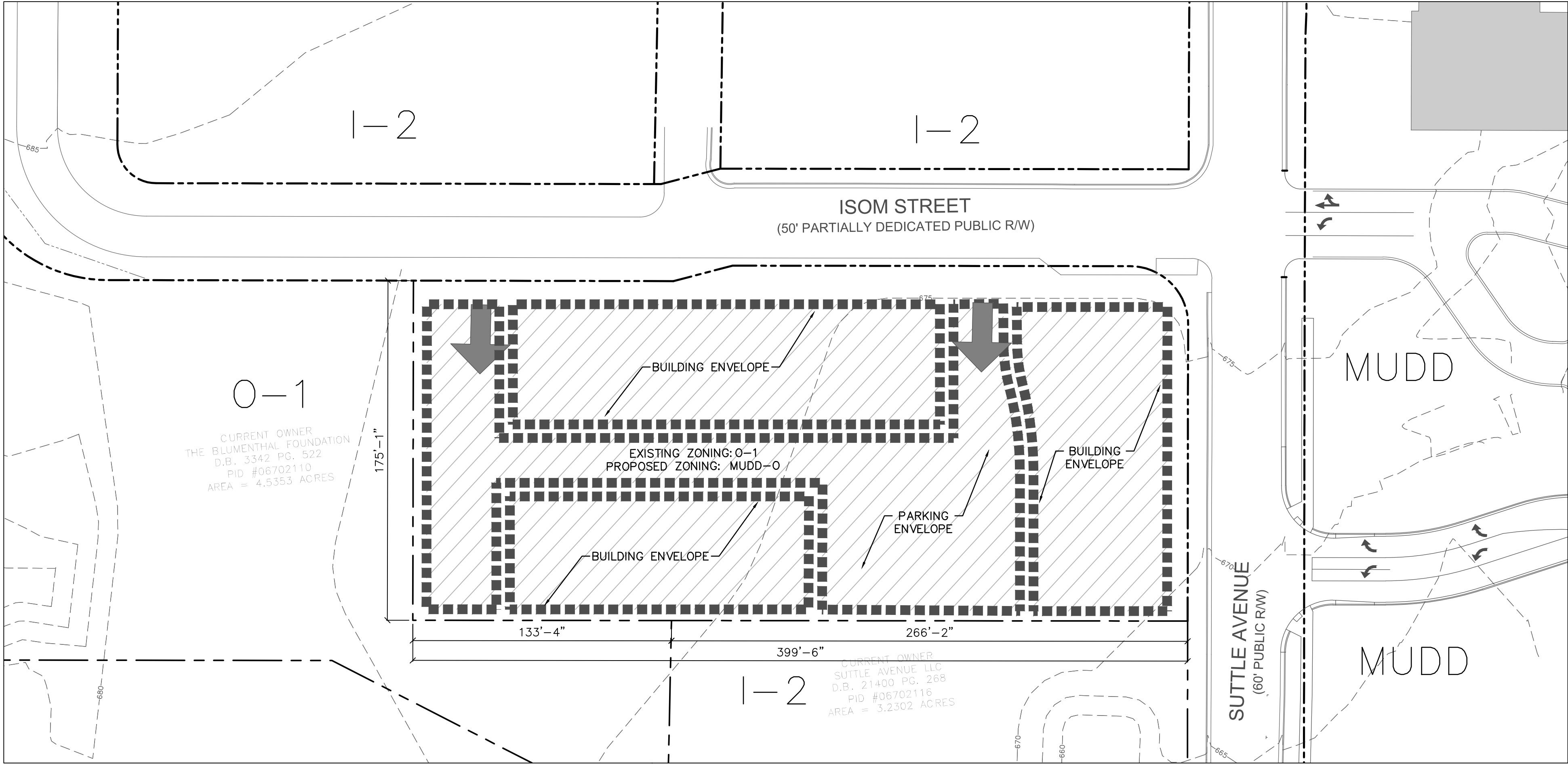
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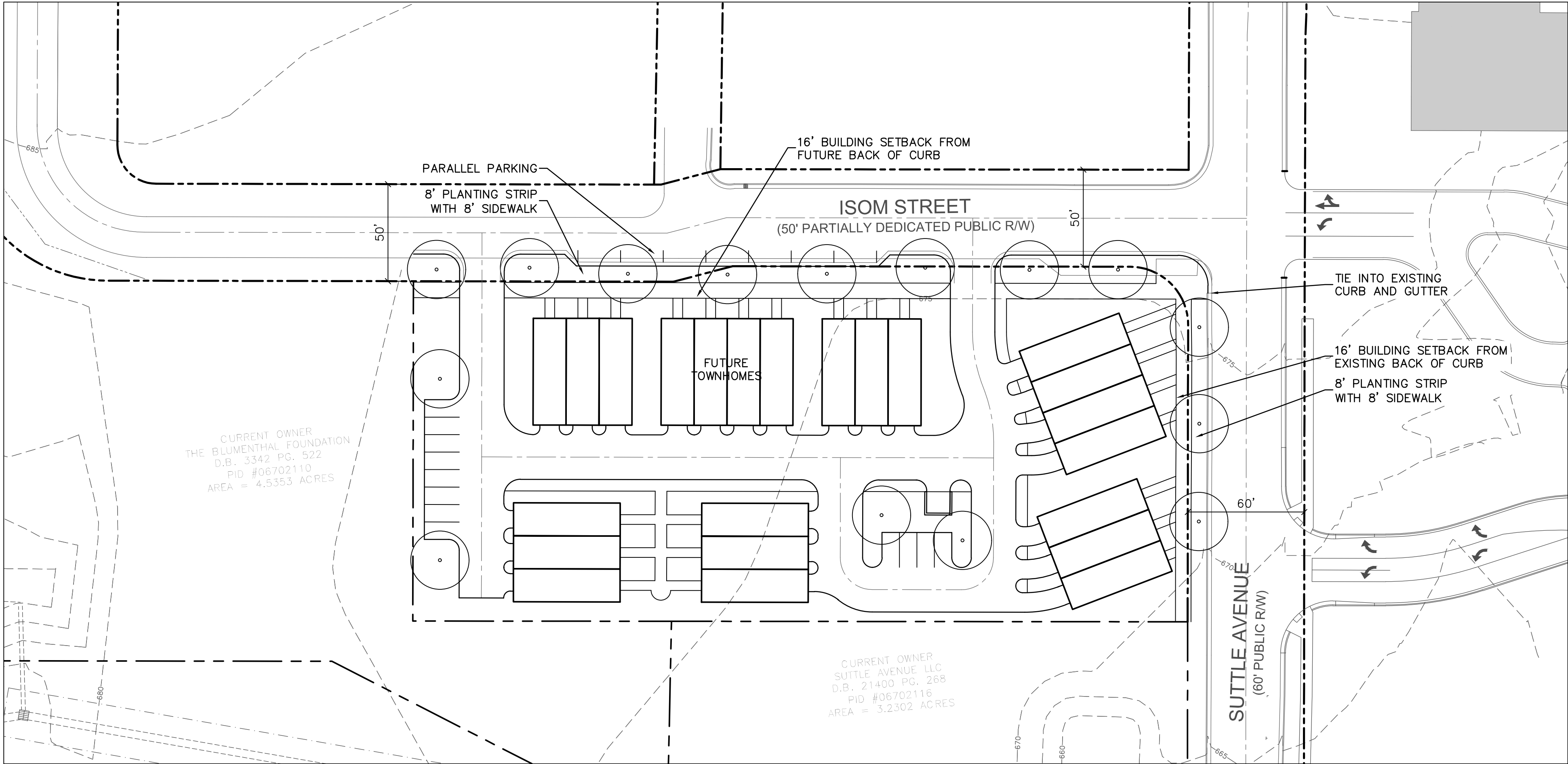
Charles.Teal@saussyburbank.com /Peter.Harakas@saussyburbank.com

E-Mail Address


Signature of PetitionerCharles Teal, CEO / Peter Harakas, VP Development
(Name Typed / Printed)



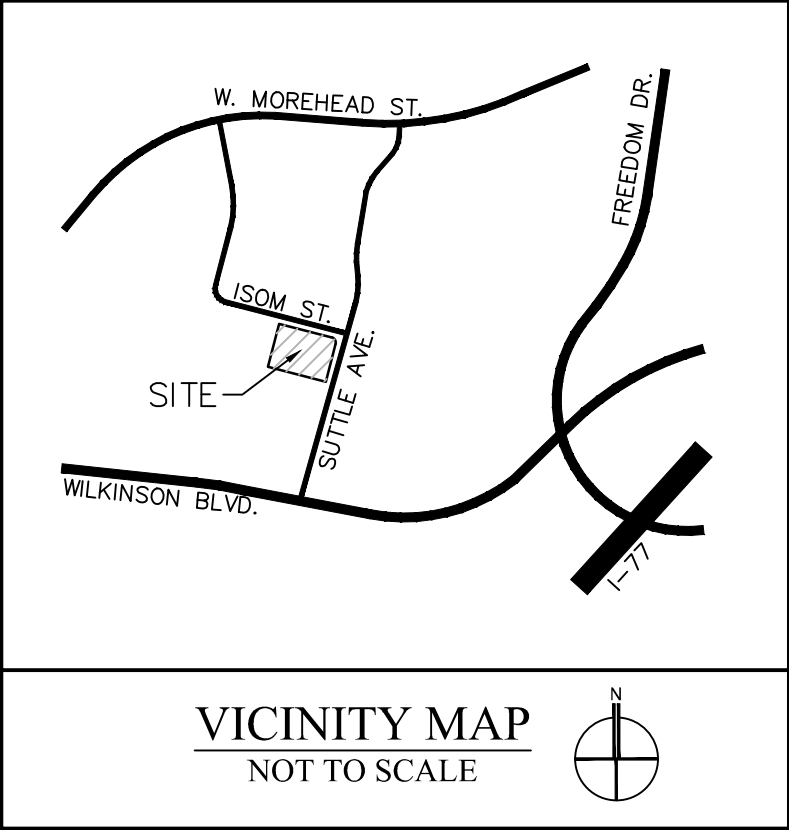
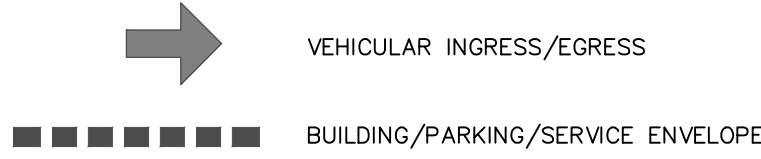
TECHNICAL DATA SHEET



SCHEMATIC SITE PLAN

SITE DEVELOPMENT DATA

SITE ACREAGE:	±1.6 ACRES
TAX PARCEL #:	PORTION OF 067-021-10
EXISTING ZONING:	O-1
PROPOSED ZONING:	MUDD-O
EXISTING USE:	VACANT
PROPOSED USE:	TOWNHOMES
PROPOSED DENSITY:	26 UNITS MAXIMUM
BUILDING HEIGHT:	3 STORIES (75')
PARKING PROVIDED:	SHALL SATISFY OR EXCEED MUDD MINIMUM REQUIREMENTS



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. General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Saussey Burbank, LLC to rezone the property from the O-1 Zoning District to the MUDD-O Zoning District in order to accommodate redevelopment of 26 townhome units on an approximately 1.6 acre tract of the overall parcel at the corner of Suttle Avenue and Isom Street, as depicted on the Technical Data Sheet (the "Site").

Development of the Site will be governed by the accompanying Technical Data Sheet, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The Technical Data Sheet is intended to reflect maximum development rights, building envelopes, the arrangements and locations of access points, setbacks and dedicated open space areas.

Except as otherwise provided under the MUDD-Optional provisions set forth under Section 3 below and unless the Technical Data Sheet 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 Technical Data Sheet 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.

II. MUDD-Optional Provisions

This Petition proposes utilization of the MUDD-O provisions to allow for the following optional deviations:

a) [Reserved]

III. Permitted Uses

The Site may be devoted to townhome uses and any incidental or accessory uses associated therewith.

IV. Maximum Development

V. Transportation

- a) Vehicular access will be as generally depicted on the Technical Data Sheet. The placements and configurations of the vehicular access points shown on the Technical Data Sheet 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.
- b) Gates may be installed to control vehicular access to the site, but pedestrian access through the site shall not be restricted (except for access points to buildings).
- VI. Architectural Standards/Streetscape and Landscaping
- a) The architectural design and exterior elements of the townhomes developed on the Site shall be substantially similar to the Technical Data Sheet provided.
- b) Exterior building materials will consist of primarily brick, glass, stucco, metal and composite panels, and/or cementitious siding.
- c) Meter boxes, back flow preventers, dumpsters and similar items will be screened from public view.
- d) All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- e) All other screening and landscaping shall conform to the standards of the Ordinance.
- f) Petitioner shall provide an eight (8) foot wide sidewalk and planting strip along the Site's Isom Street and Suttle Avenue frontages.

VII. Signage

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

VIII. Internal Side Yards and Rear Yards

The Petitioner may subdivide the Site and create lots within the Site with no side or rear yards as part of a unified development plan.

IX. Parking

Parking will be provided that is sufficient to accommodate all uses at the Site and shall meet or exceed Ordinance requirements.

X. Environmental Features

- a) The Petitioner shall satisfy the requirements of the Post Construction Controls Ordinance
- b) The Petitioner shall comply with the requirements of the City of Charlotte Tree Ordinance.

XI. Lighting

- a) All street and parking area lighting fixtures will be shielded with full cut-off fixtures.
- b) Pedestrian scale lighting will be provided within the site.

XII. Amendments to Rezoning Plan

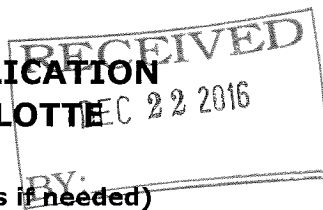
Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then Owner or Owners of a particular Tract within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

XIII. 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 Technical Data Sheet 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.

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2017-035

Date Filed: 12/22/2016

Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: Total Acres: ±4.35 net (4.39 gross)

Existing Zoning: I-1

Proposed Zoning: R-17MF

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

Required Rezoning Pre-Application Meeting* with: Alberto Gonzalez, Kathy Cornett, Catherine Mahoney, Solomon Fortune, Brent Wilkinson

Date of meeting: 11/30/16

(*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: To allow the development of the Site with a high-quality townhome for sale community.

**Keith MacVean
Jeff Brown**

Name of Rezoning Agent

**Moore & Van Allen, PLLC
100 N. Tryon Street, Suite 4700**

Agent's Address

Charlotte, NC 28202

City, State, Zip

**704-331-3531 (KM)
704-331-1144 (JB)**

Telephone Number

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

Fax Number

keithmacvean@mvalaw.com

jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENT A-B

Signature of Property Owners

CHAR2\1858358v1

**Carolina Capital Investment Partners
(Attn: Todd G Harrison)**

Name of Petitioner

831 East Morehead Street, Ste 750

Address of Petitioner

Charlotte, NC 28202

City, State, Zip

704.412.2891

Telephone Number

tharrison@carolinacaplp.com

E-mail Address

SEE ATTACHMENT C

Signature of Petitioner

SCHEDULE 1

Property Owner	Owner's Address	Property Address	Parcel No.	Acreage	Date Acquired	Current Zoning
DCI Properties LLC	1300-C South Blvd Charlotte, NC 28203	N/A	119-064-22	.44	08/29/2006	I-1
		420 W Tremont Ave Charlotte, NC 28203	119-064-30	1.315	08/29/2006	I-1
Joseph L Hicks Mary Hicks Double Oaks Development LLC	6840 Elm Forest Dr Charlotte, NC 28212	400 W Tremont Ave Charlotte, NC 28203	119-064-23	2.43	04/17/2002	I-1
		N/A	119-063-13	.24	06/19/2003	I-1

ATTACHMENT A

**REZONING PETITION NO. 2017-
Carolina Capital Investment Partners**

**PETITIONER JOINDER AGREEMENT
DCI Properties LLC**

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

- | | | |
|----|--|------------|
| 1. | N/A | 119-064-22 |
| 2. | 420 W Tremont Ave, Charlotte, NC 28203 | 119-064-30 |

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcels from the I-1 zoning district to the R-17MF with TS(O) zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

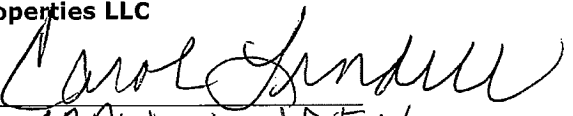
This 12th day of December, 2016.

DCI Properties LLC

By:

Name:

Title:


CAROL LINDELL
OWNER

ATTACHMENT B

**REZONING PETITION NO. 2017-
Carolina Capital Investment Partners**

**PETITIONER JOINDER AGREEMENT
Joseph L Hicks
Mary Hicks**

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

- | | | |
|----|--|------------|
| 3. | 400 W Tremont Ave, Charlotte, NC 28203 | 119-064-23 |
| 4. | NA | 119-063-13 |

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcels from the I-1 zoning district to the R-17MF with TS(O) zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 9th day of December, 2016.


Joseph L Hicks

Mary Hicks

ATTACHMENT B

**REZONING PETITION NO. 2017-
Carolina Capital Investment Partners**

PETITIONER JOINDER AGREEMENT

**Joseph L Hicks
Mary Hicks**

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

- | | | |
|----|--|------------|
| 3. | 400 W Tremont Ave, Charlotte, NC 28203 | 119-064-23 |
| 4. | NA | 119-063-13 |

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcels from the I-1 zoning district to the R-17MF with TS(O) zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 13th day of December, 2016.


Joseph L Hicks

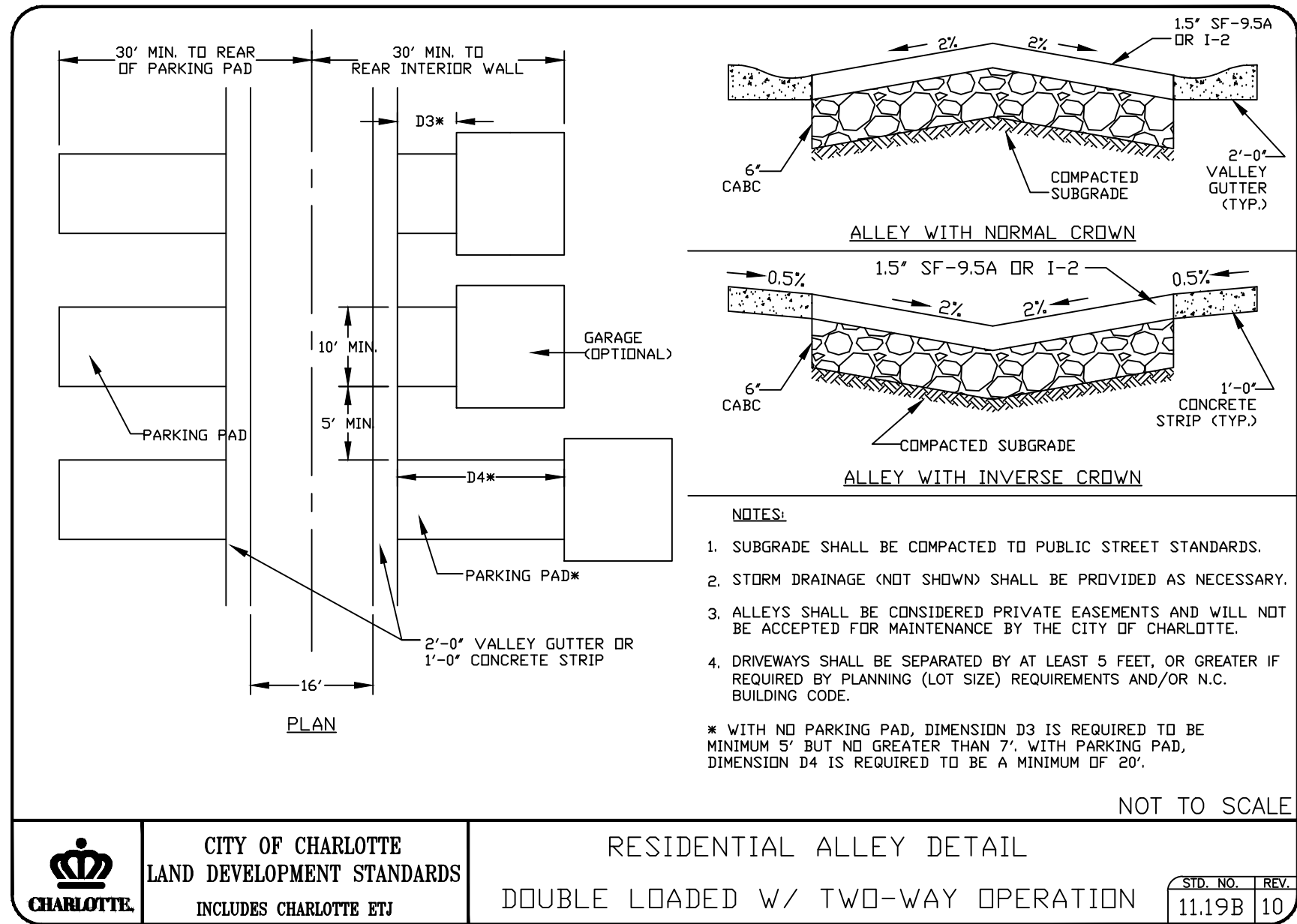
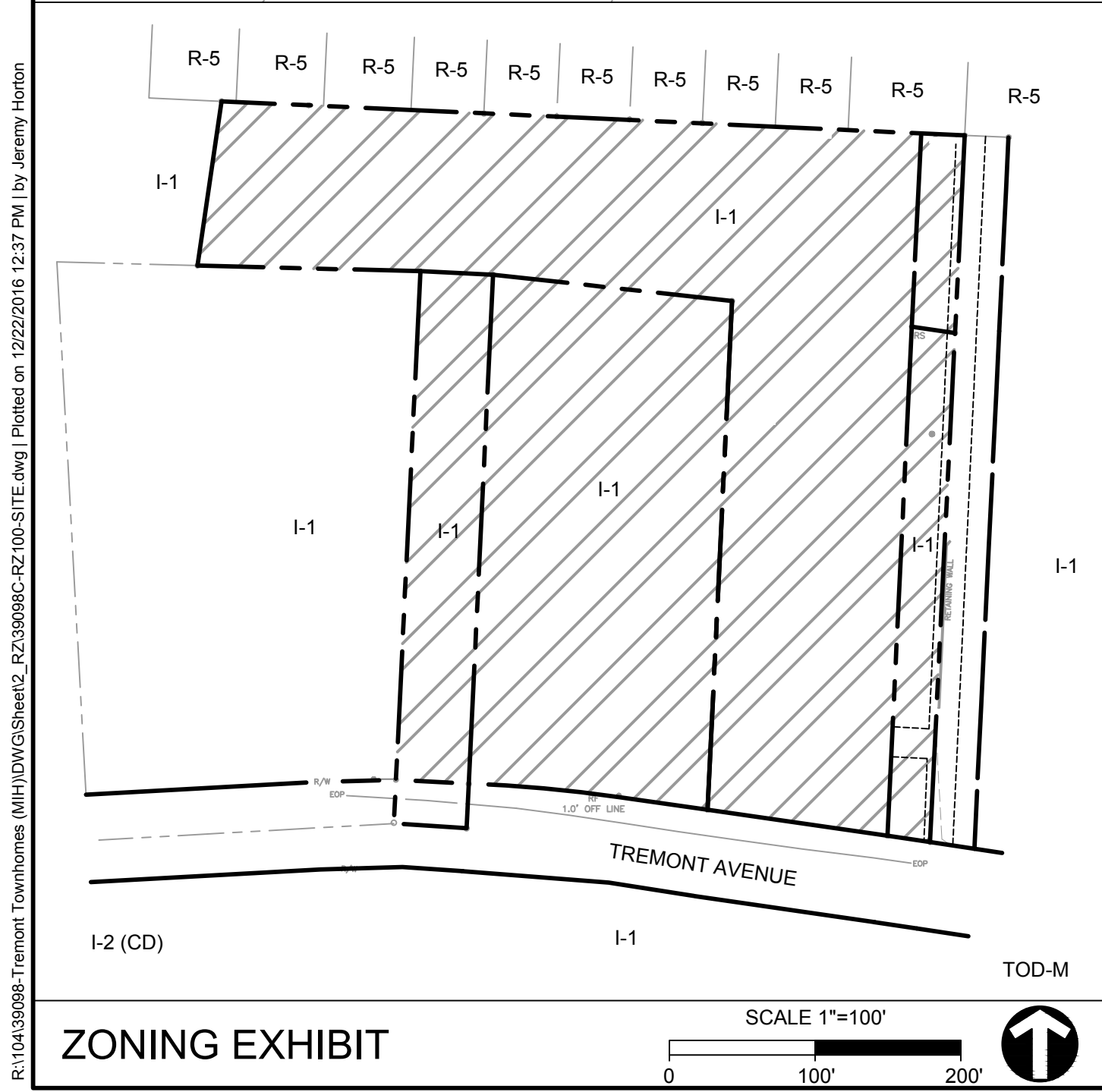
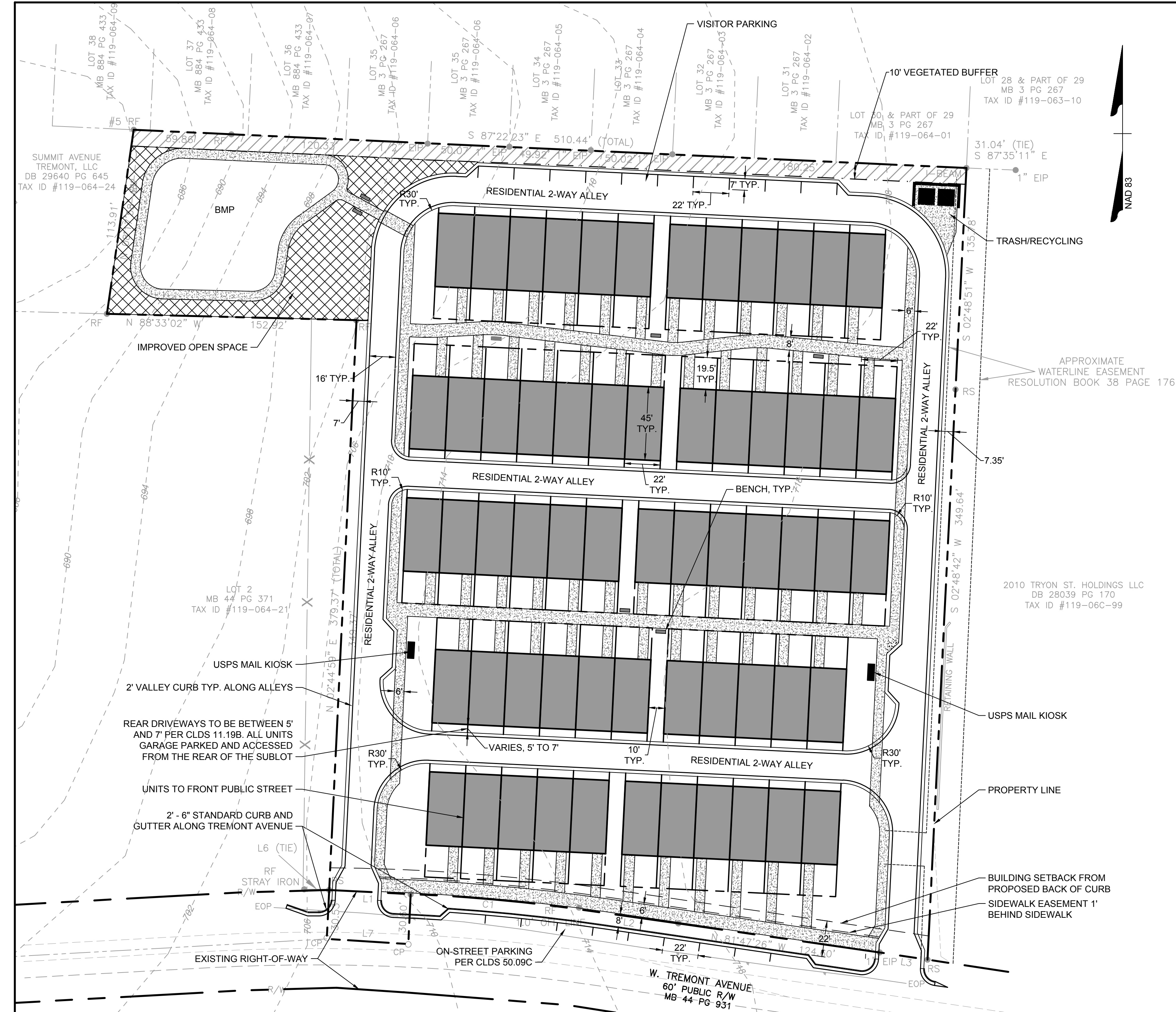
Mary Hicks
Mary Hicks

ATTACHMENT C

REZONING PETITION NO. 2017-
Carolina Capital Investment Partners

Carolina Capital Investment Partners

By: 
Name: Todd G. HARRISON
Title: MANAGER



REZONING SUMMARY

PETITIONER: CAROLINA CAPITAL INVESTMENT PARTNERS
831 EAST MOREHEAD STREET, SUITE 750
CHARLOTTE, NORTH CAROLINA 28202

PROPERTY OWNER: DCI PROPERTIES, LLC (119-06-430, 119-06-422)
1300-C SOUTH BOULEVARD
CHARLOTTE, NORTH CAROLINA 28203

JOSEPH L HICKS (119-06-423, 119-06-313)
6840 ELM FOREST LANE
CHARLOTTE, NORTH CAROLINA 28212

REZONING SITE AREA: 4.39± AC.

TAX PARCEL NUMBERS: 119-06-423, 119-06-422, 119-06-430, 119-06-313

EXISTING ZONING: I-1

PROPOSED ZONING: R-17MF WITH TS OVERLAY

EXISTING USE: VACANT/COMMERCIAL

PROPOSED USE: SINGLE FAMILY ATTACHED

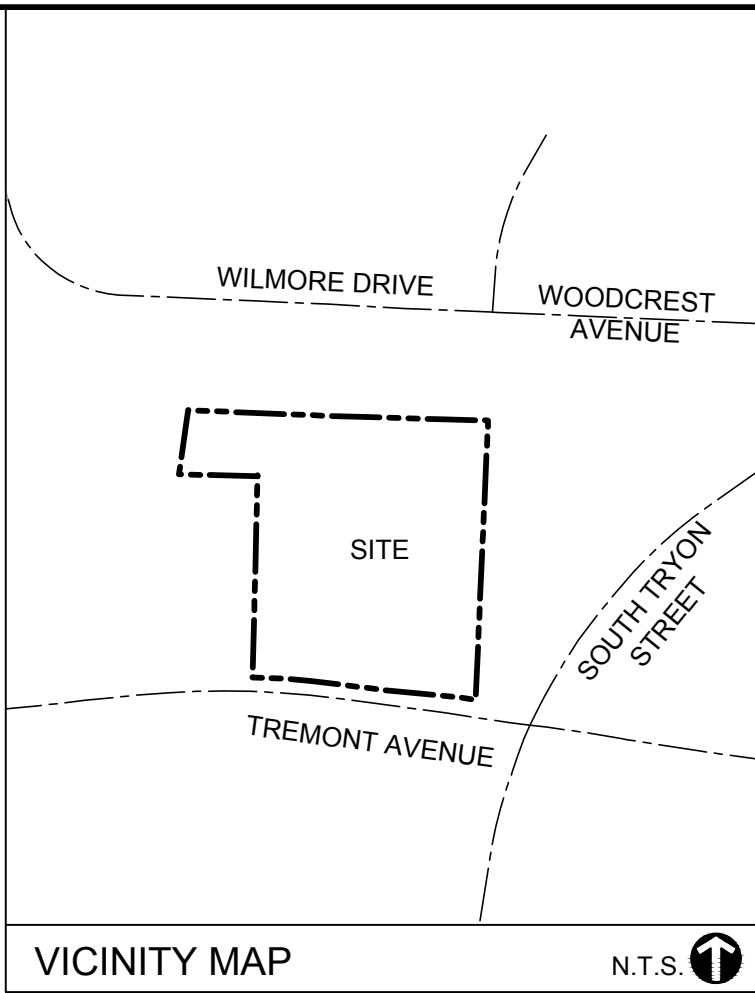
NUMBER OF UNITS: UP TO 74 UNITS

PROPOSED DENSITY: UP TO 16.85 UNITS/ACRE

MINIMUM SETBACK: 22' FROM PROPOSED BACK OF CURB

LEGEND

- VALLEY CURB AND GUTTER (CLDS 10,17B)
- STANDARD CURB AND GUTTER (CLDS 10,17A)
- SIDEWALK
- VEGETATED BUFFER
- IMPROVED OPEN SPACE



SITE DEVELOPMENT DATA:

- ACREAGE: ± 4.39 GROSS ACRES; 4.35 ACRES NET OF EXISTING RIGHT-OF-WAY.
- TAX PARCEL #: 199-06-422, 119-06-430, 119-06-423, 119-06-3-13
- EXISTING ZONING: I-1
- PROPOSED ZONING: R-17MF WITH TS(O)
- EXISTING USE: VACANT/COMMERCIAL
- PROPOSED USES: UP TO 74 ATTACHED DWELLING UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE R-17MF AND TS ZONING DISTRICTS.
- PROPOSED FLOOR AREA RATIO: AS ALLOWED IN THE R-17MF ZONING DISTRICT AND THE TS OVERLAY ZONING DISTRICT.
- MAXIMUM BUILDING HEIGHT: A MAXIMUM BUILDING HEIGHT OF FOUR (4) STORIES AND UP TO 45 FEET.
- PARKING: PARKING AS REQUIRED BY THE ORDINANCE AND AS ALLOWED BY THE OPTIONAL PROVISIONS BELOW WILL BE PROVIDED. NO LESS THAN 6 ON-SITE VISITOR PARKING SPACES WILL BE PROVIDED ON THE SITE.

1. GENERAL PROVISIONS:

- SITE LOCATION. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY CAROLINA CAPITAL INVESTMENT PARTNERS ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A TOWNHOME COMMUNITY ON APPROXIMATELY 4.35 ACRE SITE LOCATED ALONG W. TREMONT AVENUE (THE "SITE").
 - ZONING DISTRICTS/ORDINANCE. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE R-17MF ZONING CLASSIFICATION AND THE TS(O) OVERLAY ZONING DISTRICT AND OPTIONAL PROVISIONS BELOW SHALL GOVERN.
 - GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.
- SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:
- MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE; IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

- NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED 18. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING LOCATED ON THE SITE. ACCESSORY STRUCTURES AND BUILDINGS INCLUDE STRUCTURES AND BUILDINGS SUCH AS BUT NOT LIMITED TO: A MAIL KIOSK, DUMPSTER ENCLOSURES, GAZEBOS, TRELLISES, STORAGE BUILDINGS, AND OTHER STRUCTURES ASSOCIATED WITH THE ON-SITE OPEN SPACE.

2. OPTIONAL PROVISIONS:

- THE OPTIONAL PROVISION TO ALLOW MORE THAN 1.6 OFF-STREET PARKING SPACES PER UNIT.
 - THE OPTIONAL PROVISION TO ALLOW ONE GROUND MOUNTED DETACHED SIGN UP TO FOUR (4) FEET HIGH AND WITH UP TO 24 SQUARE FEET OF SIGN AREA.
- NOTE: THE OPTIONAL PROVISION REGARDING SIGNS IS AN ADDITION/MODIFICATION TO THE STANDARDS FOR SIGNS IN THE MUDD DISTRICT AND IS TO BE USED WITH THE REMAINDER OF TS STANDARDS FOR SIGNS NOT MODIFIED BY THESE OPTIONAL PROVISIONS.

3. PERMITTED USES & DEVELOPMENT AREA LIMITATION:

- THE SITE MAY BE DEVELOPED WITH UP TO 74 ATTACHED DWELLING UNITS, TOGETHER WITH ACCESSORY USES ALLOWED IN THE R-17MF ZONING DISTRICT AND THE TS (O) OVERLAY DISTRICT.

4. ACCESS AND TRANSPORTATION:

- ACCESS TO THE SITE WILL BE FROM W. TREMONT AVENUE IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN.
- THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND A SIX (6) FOOT SIDEWALK ALONG W. TREMONT AVENUE AS GENERALLY DEPICTED ON THE REZONING PETITION.
- A SIX (6) FOOT SIDEWALK WILL BE PROVIDED ALONG SOME OF THE SITE'S INTERNAL PRIVATE ALLEYS AND OPEN SPACE AREAS SO THAT EACH UNIT HAS ACCESS TO W. TREMONT AVENUE VIA A SIX (6) FOOT SIDEWALK AS GENERALLY DEPICTED ON THE REZONING PLAN.
- THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.

- THE ROADWAY IMPROVEMENTS REQUIRED BY THE DEVELOPMENT OF THE SITE MUST BE SUBSTANTIALLY COMPLETED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING ON THE SITE, SUBJECT TO THE ABILITY OF THE PETITIONER TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME THE FIRST CERTIFICATE OF OCCUPANCY IS ISSUED.

5. ARCHITECTURAL STANDARDS, COURT YARDS/AMENITY AREAS:

- THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS FIBER BOARD, STUCCO, EIFS, DECORATIVE BLOCK AND/OR WOOD. VINYL AND ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS AND ON HANDRAILS/RAILINGS. THE PROPOSED ROOFING MATERIALS WILL BE ARCHITECTURAL ASPHALT SHINGLES, METAL TYPE ROOFING MATERIALS MAY ALSO BE USED.
- THE ENDS OF THE BUILDINGS FACING THE INTERNAL PRIVATE ALLEYS WILL NOT HAVE NOT HAVE BLANK WALLS THAT EXCEED 20 FEET IN LENGTH ON ALL BUILDING LEVELS. THE END UNITS WILL HAVE MULTIPLE WINDOWS ON THE END FACADES TO AVOID A BLANK WALLS.
- EACH UNIT WILL HAVE A GARAGE.
- AN IMPROVED OPEN SPACE WILL BE PROVIDED AS GENERALLY DEPICTED ON THE PLAN AND WILL BE IMPROVED WITH SIDEWALKS, LANDSCAPING, SEATING AREAS, LOW LEVEL LIGHTING AND OTHER HARDSCAPE AND OPEN SPACE ELEMENTS.
- USABLE PORCHES OR STOOPS SHALL FORM AN ELEMENT OF THE BUILDING DESIGN AND BE LOCATED ON THE FRONT AND/OR SIDE OF THE BUILDING. STOOPS AND ENTRY LEVEL PORCHES MAY BE COVERED BUT NOT BE ENCLOSED. THE MINIMUM DEPTH OF FRONT STOOPS WILL BE BETWEEN FOUR (4) AND FIVE (5) FEET. THE BUILDINGS/ARCHITECTURAL TREATMENT OVER THE PORCHES WILL VARY TO HELP EMPHASIZE THE ENTRIES INTO EACH UNIT.
- TOWNHOME BUILDINGS SHALL BE LIMITED TO EIGHT (8) UNITS OR LESS.
- METER BANKS WILL BE SCREENED FROM ADJOINING PROPERTIES AND FROM TREMONT ROAD.
- HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND FROM VIEW OF ADJACENT PROPERTIES AT GRADE.

6. STREETScape, BUFFERS, YARDS, AND LANDSCAPING:

- A SETBACK OF NO LESS THAN 22 FEET AS MEASURED FROM THE FUTURE BACK CURB WILL BE PROVIDED ALONG W. TREMONT AVENUE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE REQUIRED 400 FEET OF PRIVATE OPEN SPACE FOR EACH TOWNHOME UNIT MAY BE LOCATED WITHIN THE SETBACK.
- A DECORATIVE FOUR (4) TO FIVE (5) FOOT METAL FENCE MAY BE INSTALLED WITHIN THE SETBACK AND BEHIND THE PROPOSED SIDEWALK ALONG W. TREMONT AVENUE ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.
- A 20 FOOT REAR YARD WILL PROVIDED ALONG THE NORTHERN PROPERTY BOUNDARY OF THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE REQUIRED PRIVATE OPEN SPACE FOR THE PROPOSED UNITS MAY BE LOCATED WITHIN THE PROPOSED REAR AND SIDE YARDS, BUT NOT IN THE PROPOSED BUFFERS.
- A 10 FOOT LANDSCAPE AREA AS REQUIRED BY THE TS OVERLAY ZONING DISTRICT SHALL BE PROVIDED ALONG THE NORTHERN PROPERTY LINE WHERE THE SITE ABUTS EXISTING SINGLE-FAMILY HOMES AS GENERALLY DEPICTED ON THE REZONING PLAN.
- ABOVE GROUND BACKFLOW PREVENTERS WILL BE SCREENED FROM PUBLIC VIEW AND WILL BE LOCATED BEHIND THE EXISTING RIGHT-OF-WAY OF W. TREMONT AVENUE, BUT MAY BE LOCATED WITHIN THE SETBACK BEHIND THE PROPOSED SIDEWALK.

7. ENVIRONMENTAL FEATURES:

- THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
- THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS. THE TWO STORM WATER MANAGEMENT FACILITY LOCATIONS LABELED AS "POTENTIAL" IF NOT UTILIZED FOR STORM WATER MANAGEMENT WILL BE IMPROVED AS OPEN SPACE AREAS OR TREE SAVE AREAS.
- THE SITE WILL COMPLY WITH THE TREE ORDINANCE.
- ALL NEW UTILITIES WITHIN THE SITE WILL BE PLACED UNDERGROUND.

8. LIGHTING:

- ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, PARKING AREAS AND COURTYARDS.
- DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 16 FEET IN HEIGHT.
- DECORATIVE PEDESTRIAN SCALE LIGHTS WILL BE PROVIDED ALONG THE INTERNAL PRIVATE DRIVES.
- ARCHITECTURAL LIGHTING ON BUILDING FACADES, SUCH AS BUT NOT LIMITED TO SCONES, WILL BE PERMITTED.

9. SIGNAGE:

- AS ALLOWED BY THE OPTIONAL PROVISIONS ABOVE.

10. AMENDMENTS TO THE REZONING PLAN:

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

11. BINDING EFFECT OF THE REZONING APPLICATION:

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

THIS DRAWING PREPARED AT THE
CHARLOTTE OFFICE

2030 S. Tryon Street, Suite 3C | Charlotte, NC 28203
TEL 704.376.1073 FAX 704.376.1076 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

REVISION DESCRIPTION

DATE 12/22/2016
DRAWN BY J.HORTON
DESIGNED BY J. HORTON
CHECKED BY C. TODD
SCALE 1"=40'

TIMMONS GROUP

NORTH CAROLINA LICENSE NO. C-1652

TREMONT TOWNHOMES

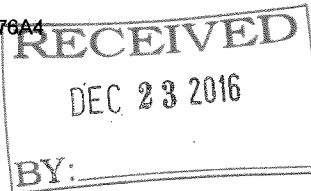
CHARLOTTE, NORTH CAROLINA

ZONING SITE PLAN

JOB NO. 39098
SHEET NO. RZ-100

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I. REZONING APPLICATION CITY OF CHARLOTTE



Petition #: _____

Date Filed: _____

Received By: _____

2017-036

12/23/2016

B

Complete All Fields (Use additional pages if needed)

Property Owner: See Exhibit A attached heretoOwner's Address: See Exhibit A attached hereto City, State, Zip: See Exhibit A attached heretoDate Property Acquired: See Exhibit A attached heretoProperty Address: See Exhibit A attached heretoTax Parcel Number(s): 175-094-44, 175-094-45, 175-094-46, 175-094-47 and 175-094-48Current Land Use: Single family residential Size (Acres): +/- 2.962 acresExisting Zoning: R-3Proposed Zoning: UR-2 (CD)Overlay: N/A (Specify PED, Watershed, Historic District, etc.)Required Rezoning Pre-Application Meeting* with: Laura Harmon and Ed McKinneyDate of meeting: November 8, 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/APurpose/description of Conditional Zoning Plan: To accommodate the development of a residential community on the site that could contain up to 29 for sale single family attached dwelling units.John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent101 N. Tryon Street, Suite 1900
Agent's AddressCharlotte, NC 28246
City, State, Zip704-377-8341
Telephone Number Fax Numberjcarmichael@robinsonbradshaw.com
E-Mail AddressSee Attached Joinder Agreements
Signature of Property Owner

(Name Typed / Printed)

Capital Land Partners, LLC (c/o Chris Boone)
Name of Petitioner(s)2820 Selwyn Avenue, Suite 350
Address of Petitioner(s)Charlotte, NC 28209
City, State, Zip704-516-4138
Telephone Number Fax Numberchrisb@capitallandpartners.com
E-Mail Address

CAPITAL LAND PARTNERS, LLC

DocuSigned by:

By: [Signature]
Signature of Petitioner

Chris Boone

(Name Typed / Printed)

12/9/2016

Exhibit A to Rezoning Application Filed by Capital Land Partners, LLC

Property Owner Information, Acquisition Dates and Property Addresses

Tax Parcel Nos. 175-094-44 & 175-094-45

W. Scarborough Chandler, Jr.
355 Pinehurst Avenue
Southern Pines, NC 28387

DocuSigned by:
Butch Chandler
4B74122CB57540A...
12/14/2016

Dates Property Acquired: March 29, 1979 and June 11, 2013

Property Addresses: 2508 Runnymede Lane and 2500 Runnymede Lane

Tax Parcel No. 175-094-46

Collin W. Brown
2446 Runnymede Lane
Charlotte, NC 28209

DocuSigned by:
Collin Brown
24ADA8E23AE2445...

Date Property Acquired: May 1, 2003

Property Address: 2446 Runnymede Lane

Tax Parcel No. 175-094-47

Thomas B. Grice, Jr.
Suzanne F. Grice
2440 Runnymede Lane
Charlotte, NC 28209

DocuSigned by:
Tom Grice
DDF14290BC4749B...
12/9/2016


DocuSigned by:
Suzanne Grice
DDF14290BC4749B...
12/19/2016

Date Property Acquired: December 31, 2013

Property Address: 2440 Runnymede Lane

Tax Parcel No. 175-094-48

Shane M. Bernard
2430 Runnymede Lane
Charlotte, NC 28209

DocuSigned by:

4F82BC3563A14CF...
12/8/2016

Date Property Acquired: December 31, 2013

Property Address: 2430 Runnymede Lane



Development Data:

Tax Parcels: #175-094-44, 45, 46, 47, 48
Site Area: 2.962 acres
Current Zoning: R-3
Proposed Zoning: UR-2(CD)
Proposed Use: Single-family attached residences (for-sale)
Total # Units: 29 D.U. max.
Max. Building Ht.: 45 feet
Parking (min.): per UR-2 Ordinance

Development Standards:

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Capital Land Partners, LLC ("Petitioner") to accommodate the development of a residential community on that approximately 2.962 acre site located on the north side of Runnymede Lane at the intersection of Windsor Drive and Runnymede Lane, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Nos. 175-094-44, 175-094-45, 175-094-46, 175-094-47 and 175-094-48.
- Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 (CD) zoning district shall govern the development and use of the Site.
- The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such 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, yard, landscaping and tree save 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.
- 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.

B. Permitted Uses

- The Site may be devoted only to a residential community containing a maximum of 29 for sale single family attached dwelling units and to any incidental and accessory uses relating thereto that are allowed in the UR-2 (CD) zoning district.

C. 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.
- As depicted on the Rezoning Plan, the Site will be served by internal private drives, and minor adjustments to the locations of the internal private drives shall be allowed during the construction permitting process.
- Each single family attached dwelling unit shall have a minimum 2 car garage that is accessed from an internal private drive.
- The parking spaces located in the garages shall be counted when determining whether the development of the Site meets the minimum parking requirements of the UR-2 zoning district. However, the parking spaces located in the garages shall not be considered when determining whether the development of the Site exceeds the maximum number of parking spaces allowed in the UR-2 zoning district.
- Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.

D. Architectural Standards

- The maximum height in stories of the single family attached dwelling units to be located on the Site shall be 4 stories with optional rooftop terraces.
- The maximum height in feet of each building containing single family attached dwelling units shall be 45 feet as measured from the average grade at the base of the building.
- The primary exterior building materials for the single family attached dwelling units to be constructed on the Site will be a combination of portions of the following: brick, stone, and fiber cement ("hardyplank"). Vinyl as an exterior building material may only be used on windows, soffits, trim and railings.
- The single family attached dwelling units that abut Runnymede Lane shall front Runnymede Lane as depicted on the Rezoning Plan.
- Garages shall be setback less than 7 feet or more than 20 feet from the back of curb.

E. Streetscape and Landscaping

- A minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk shall be installed along the Site's frontage on Runnymede Lane. Notwithstanding the foregoing, the width of the planting strip and the width of the sidewalk may be reduced as required where the sidewalk ties into the existing sidewalk located on the Site's frontage on Runnymede Lane.
- Portions of the minimum 6 foot wide sidewalk to be installed along the Site's frontage on Runnymede Lane may be located in a sidewalk easement as necessary.
- A minimum 20 foot wide landscape area shall be established along the northern boundary the site that as depicted on the Rezoning Plan. Trees and shrubs shall be installed within this 20 foot wide landscape area in accordance with the landscape plan set out on Sheet RZ-1. The 20 foot wide landscape area is a portion of the Site's tree save area under the Tree Ordinance, and Petitioner will comply with the requirements of the Tree Ordinance with respect to the preservation of trees located within the 20 foot wide landscape area.

F. Open Space

- Each individual sub-lot on which a single family attached dwelling unit is located must include a minimum of 400 square feet of private open space.

G. Lighting

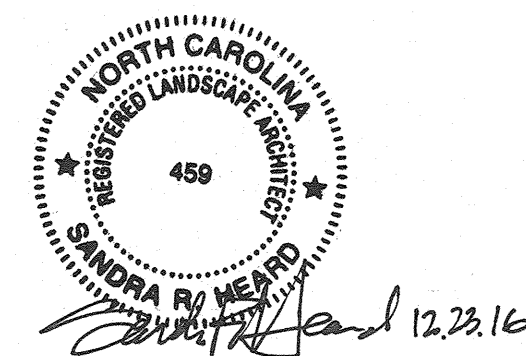
- All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
- The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed 15 feet.
- Any lighting fixtures attached to the buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

H. Binding Effect of the Rezoning Documents and Definitions

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



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Runnymede City Homes

Rezoning Site Plan

Petition 2016-

PROJECT NUMBER:

DRAWN BY: SRH
DESIGNED BY: SRH
ISSUE DATE: 12/22/2016

NO. DATE: BY: REVISIONS:

RZ-1