# **Rezoning Petition Packet**

# Petitions: 2017-045 through 2017-060

Petitions that were submitted by February 27, 2017

Staff Review Meeting:

March 23, 2017

City Public Hearing:

**To Be Determined** 

I. REZONING APPLICATION CITY OF CHARLOTTE	RECEIV	ED	Petition #: $\frac{90(7-045)}{2/2/2007}$ Date Filed: $\frac{2/2/2007}{Received By: Received By: 1000000000000000000000000000000000000$
Complete All Fields (Use additional pag	es if needed)		
Property Owner: Judson Stringfellow			;
Owner's Address:17537 Jetton Rd Date Property Acquired:02/02/201	.7		Zip: Cornelius, NC 28031
Property Address:XX Hewitt Dr & XX Map			
Tax Parcel Number(s): 0451310 <b>2</b> & 04512	110		
Current Land Use: Vacant Land		Size	(Acres): _2.9
Existing Zoning:	Р	roposed Zon	ing:R5
Overlay: Required Rezoning Pre-Application Meeting* Date of meeting: <u>01-31-17</u>	* with: CLAINE	LYTE	
(*Rezoning applications will not be processe held.)	d until a required pr	e-application	n meeting with a rezoning team member is
For Conditional Rezonings Only:			

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

Purpose/description of Conditional Zoning Plan: \_\_\_\_\_

	Judson Stringfellow
Name of Rezoning Agent	Name of Petitioner(s)
	17537 Jetton Rd
Agent's Address	Address of Petitioner(s)
	Cornelius, NC 28031
City, State, Zip	City, State, Zip
	704-361-7777
Telephone Number Fax Number	Telephone Number Fax Number
۵	judsonstringfellow@gmail.com
E-Mail Address	E-Mail Addresss
Signature of Property Owner	Signature of Petitioner
	Judson Stringfellow
(Name Typed / Printed)	(Name Typed / Printed)

RECE FEB 2 I. REZONING APPLICATION CITY OF CHARLOTTE	70/7-04-6
Complete All Fields (Use additional pages if needed)           Property Owner:         Mecklenburg County Government	-
Property Owner:Weekenburg County Covernm	
Owner's Address:600 E. 4th Street 11th Floor	City, State, Zip: <u>Charlotte, NC 28202</u>
Date Property Acquired:	
Property Address:942 Baxter Street	
Tax Parcel Number(s): 125-201-51	
Current Land Use:Park	Size (Acres):2.82
Existing Zoning:B-2	Proposed Zoning:MUDD
Overlay: PED	(Specify PED, Watershed, Historic District, etc.)
Purpose/description of Conditional Zoning Plan:	um? Yes/No. Number of years (maxImum of 5):
lame of Rezoning Agent gent's Address	Mecklenburg County c/o Peter Zeiler Name of Petitioner(s) 600 E.4th Street, 2 nd Floor Address of Petitioner(s) Charlotte, NC 28202
lity, State, Zlp	City, State, Zip 980.314.2938
elephone Number Fax Number	Telephone Number Fax Number peter.zeiler@mecklenburgcountync.gov
Ignature of Property Owner	E-Mail Address Signature of Petitioner
Dena R. Diorio, County Manager Name Typed / Printed)	Dena R. Diorio, County Manager (Name Typed / Printed)
pproved as to FORM: MA Bothune	2

COUNTY ATTORNEY

#### I. REZONING APPLICATION CITY OF CHARLOTTE

FEB 2 3 2017

(n %))

RCEIVED

201	17-	0	47
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Petitio	n #:
Date F	illed:2 23/22017
Receiv	red By:

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

Property Owner: Scott Land Investments, LLC

Owner's Address: 400 Tyvola Road

City, State, Zip: Charlotte, NC 28217

Date Property Acquired: 9/23/1999

Property Address: <u>5514 Westpark Drive, Charlotte, NC; 416 Tyvola Road, Charlotte NC</u>

Tax Parcel Number(s): 169-261-05; 169-142-01

Current Land Use: <u>Warehouse/Industrial; Automotive Sales & Service</u> Size (Acres): <u>6.63 acres</u>

Existing Zoning: <u>I-2</u>

Proposed Zoning: <u>B-2</u>

Overlay: None

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

Required Rezoning Pre-Application Meeting\* with: <u>John Kinley</u> Date of meeting: <u>January 31, 2017</u>

(\*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: N/A

Collin Brown & Bailey Patrick Name of Rezoning Agent

214 N. Tryon Street, 47th Floor Agent's Address

Charlotte, NC 28202 City, State, Zip

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

Collin.Brown@klgates.com E-Mail Address Sasy Liggo lurestments LLC Sy: MATT

Signature of Property Owner

Scott Land Investments, LLC <u>by: Andrew Smith</u> (Name Typed / Printed) Scott Land Investments, LLC Name of Petitioner(s)

400 Tyvola Road Address of Petitioner(s)

Charlotte, NC 28217 City, State, Zip

Telephone Number

704-972-8815

704-525-6543 Fax Number

asmith@jaguarofcharlotte.com E-Mail Address

Signature of Petitioner

Andrew Smith (Name Typed / Printed)

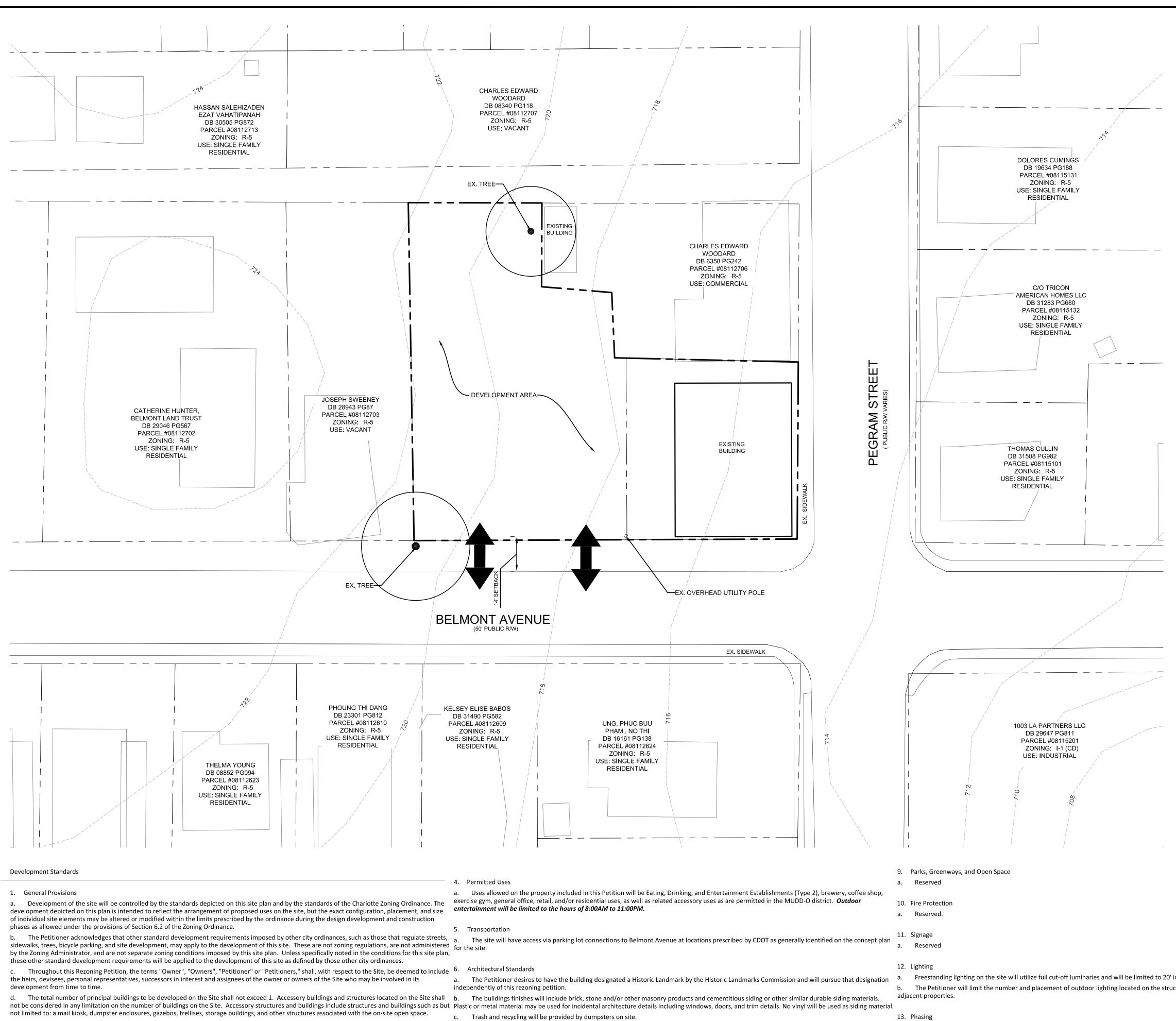
I. REZONING APPLICATION CITY OF CHARLOTTE	RECEIVED FEB 2 3 2017 BT:	$\frac{20(7-048)}{2(23/2017)}$ Petition #: Date Filed:2(23/2017) Received By:	
Complete All Fields (Use additional page	es if needed)		
Property Owner: <u>Camp Greene Properties</u> , I	LLC		
Owner's Address:       1219 East 35 <sup>th</sup> Street       City, State, Zip:       Charlotte, NC 28205         Date Property Acquired:       1/12/2016			
Property Address: <u>1125 Belmont Avenue, Charlotte NC 28205</u>			
Tax Parcel Number(s): <u>8112704, 8112705</u>			
Current Land Use:Commercial	Siz	re (Acres):	
Existing Zoning: <u>R-5</u>	Proposed 2	Zoning: MUDD-O	
Overlay: None <i>etc.)</i>	(5	pecify PED, Watershed, Historic District,	
Required Rezoning Pre-Application Meeting* Date of meeting: 1/19/17	with: Monica Holmes, Mandy	Vari, Kory Hedrick	
(*Rezoning applications will not be processe held.)	d until a required pre-applicat	ion meeting with a rezoning team member is	

#### 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: To rezone the site to allow for the adaptive re-use of the existing historic commercial building as an Eating, Drinking, and Entertainment Establishment (Type 2), brewery, retail, or residential use.

Landworks Design Group PA	Camp Greene Properties, LLC
Name of Rezoning Agent	Name of Petitioner(s)
7611 Little Ave, Suite 111 Agent's Address	1219 East 35 <sup>th</sup> Street Address of Petitioner(s)
Charlotte, NC 28226 City, State, Zip	Charlotte, NC 28205 City, State, Zip
704-841-1604 (x701)         704-841-1604           Telephone Number         Fax Number	704-458-9128 Telephone Number Fax Number
mlangston@landworkspa.com E-Mail Address	cimarrona@yahoo.com E-Mail Address
Signature of Property Owner	Signature of Petitioner
(Name Typed / Printed)	(Name Typed / Printed)



### 2. Optional Provisions

a. The site may provide auto parking at a rate of 1 space per 400sf gross floor area, regardless of use.

b. Buffering provided for adjacent Single-family use or zoning may be satisfied by providing a 6' ht wire mesh "living screen" planted with evergreen climbing vegetation (not chain-link fence). с.

c. Street trees will not be required between the building and the street frontage.

d. The Petitioner may coordinate with Planning staff to find alternatives to the requirements of 12.544(1)(c), 12.546(1)(b), and that may interfere with preservation of the historic architecture of the existing building.

#### 3. Purpose

a. The purpose of this Rezoning application is to provide for the adaptive re-use of the existing "Red Front Department Store" (c. 1902) building to allow for uses as described in 4(a) below. To achieve this purpose, the application seeks the rezoning of the site to the Mixed Use Development - Optional (MUDD-O) district.

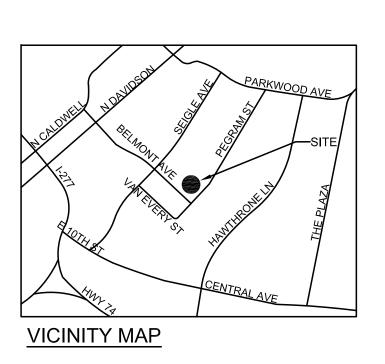
- 7. Streetscape, Buffers, and Landscaping
- Environmental Features
- detention
- b. All utilities within the Site will be placed underground.

a. Petitioner will coordinate with the City Arborist, Urban Forestry, and CDOT to preserve existing trees in the Right-of-Way along Belmont Avenue. 14. Binding Effect of the Rezoning Application The Petitioner will screen proposed parking from adjoining residential properties as described in 2(b) above. The site is considered "Redevelopment" and is therefore exempt from tree save requirements.

- Freestanding lighting on the site will utilize full cut-off luminaries and will be limited to 20' in height. The Petitioner will limit the number and placement of outdoor lighting located on the structures to assure that light is not directed toward any
- a. Reserved

a. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and insure to the benefit of the Petitioner, current, and subsequent owners of the Sire 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 be involved in any future development thereof. a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance for storm water quality and 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 DATA:

TAX PARCEL ID: ACREAGE: EXISTING ZONING: PROPOSED ZONING: EXISTING USE: PROPOSED USE:

BUILDING SIZE:

FRONT SETBACK: MIN. SIDE YARD: MIN. REAR YARD:

MAX. EXISTING BUILDING HEIGHT:

08112704, 08112705 ± 0.357 AC (GROSS) (R-5) SINGLE FAMILY RESIDENTIAL (MUDD-O) MIXED USED DEVELOPMENT DISTRICT - OPTIONAL EATING, DRINKNING, & ENTERTAINMENT ESTABLISHMENT TYPE 2 SEE 2(a) BELOW

6048 S.F. (3024 S.F. HEATED)

14' MIN NONE NONE

40'



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**TECHNICAL** DATA SHEET **REZONING PETITION:** 2017-XX

### CORPORATE CERTIFICATIONS NC PE : C-2930 NC LA : C-253

SC ENG : NO. 3599 SC LA : NO. 211

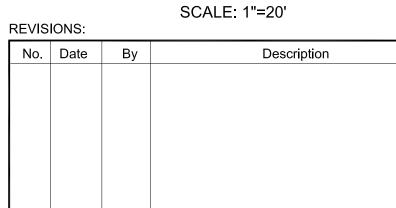
Project Manager:	LHC
Drawn By:	LHC
Checked By:	MDL
Date:	2/24/17
Project Number:	16061

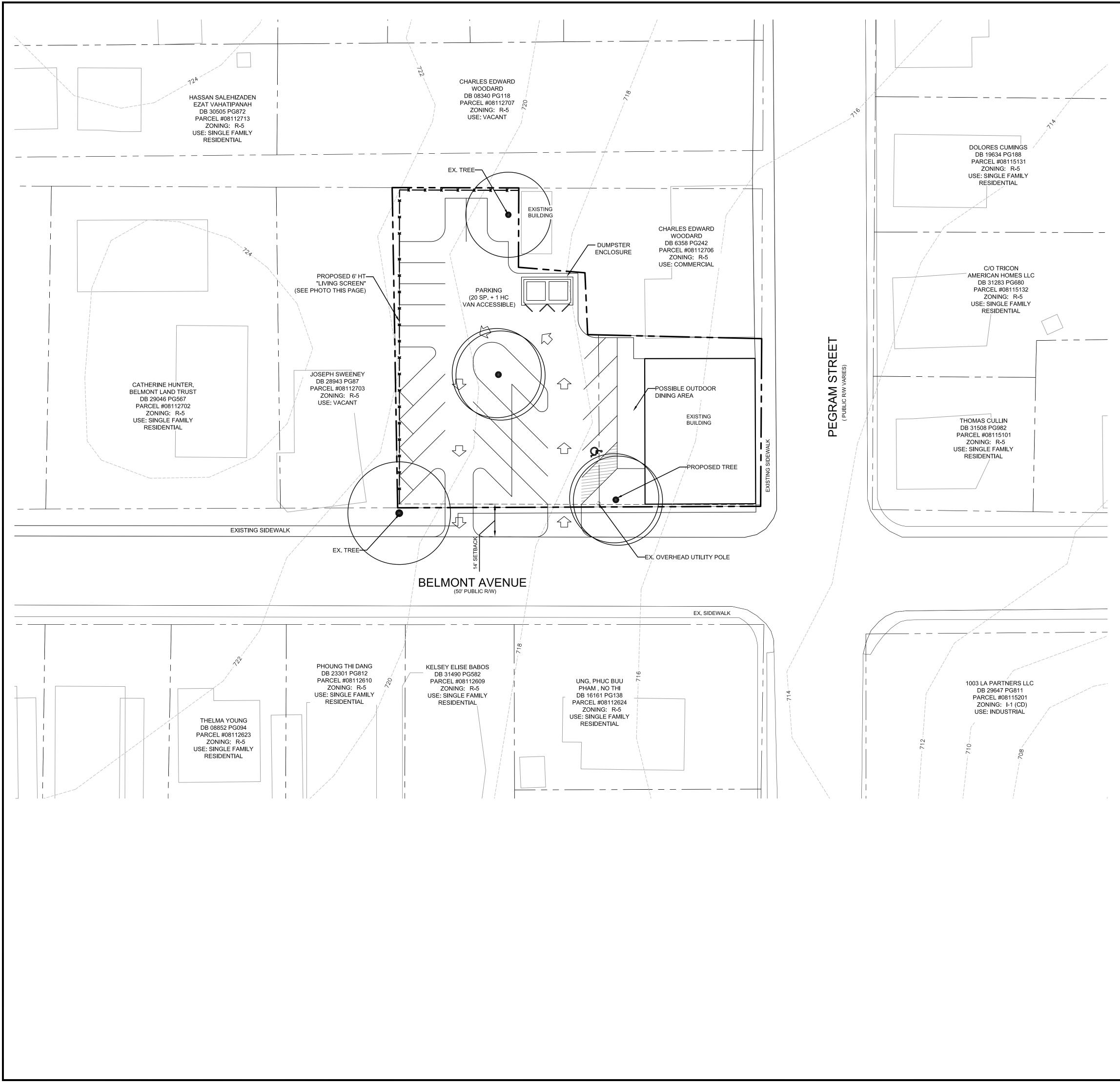
Sheet Number:



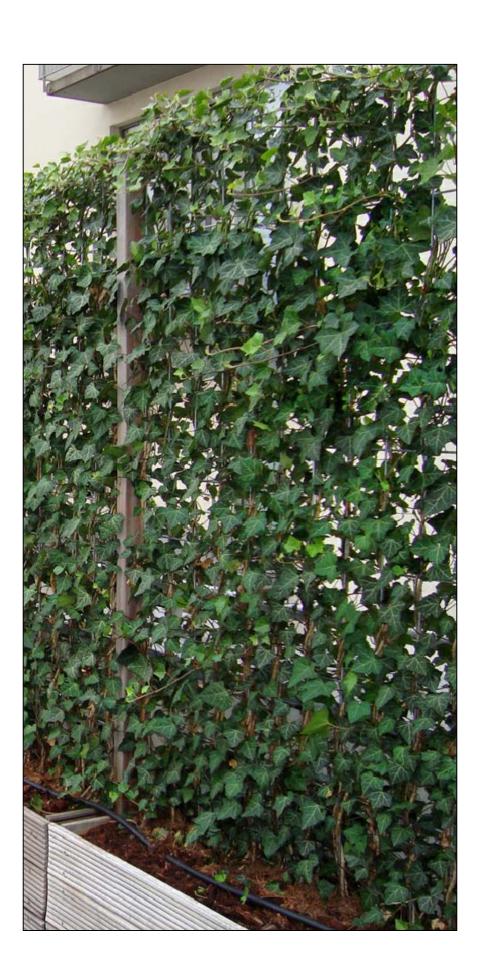
SHEET # 1 OF 2

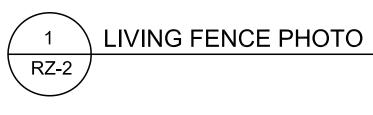
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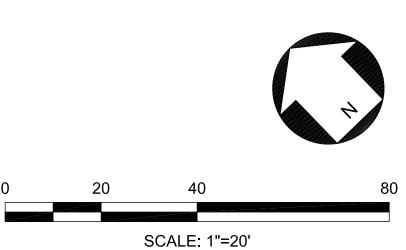


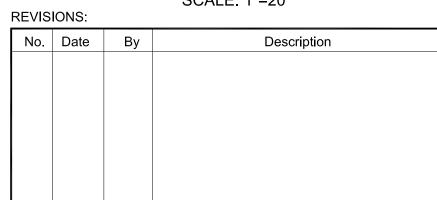


:016 Jobs\16061 - 1125 Belmont - Camp Green\CAD\Sketch Planning\16071.2 SKETCH PLAN.









25 BELMONT AVENUE SITE CAMP GREEN PROPERTIES, LLC CHARLOTTE, NC

 $\mathbf{a}$ 

CONCEPTUAL SITE PLAN REZONING PETITION: 2017-XX

# CORPORATE CERTIFICATIONS NC PE : C-2930 NC LA : C-253 SC ENG : NO. 3599 SC LA : NO. 211

Project Manager:	LHC
Drawn By:	LHC
Checked By:	MDL
Date:	2/24/17
Project Number:	16061

Sheet Number:



SHEET # 2 OF 2

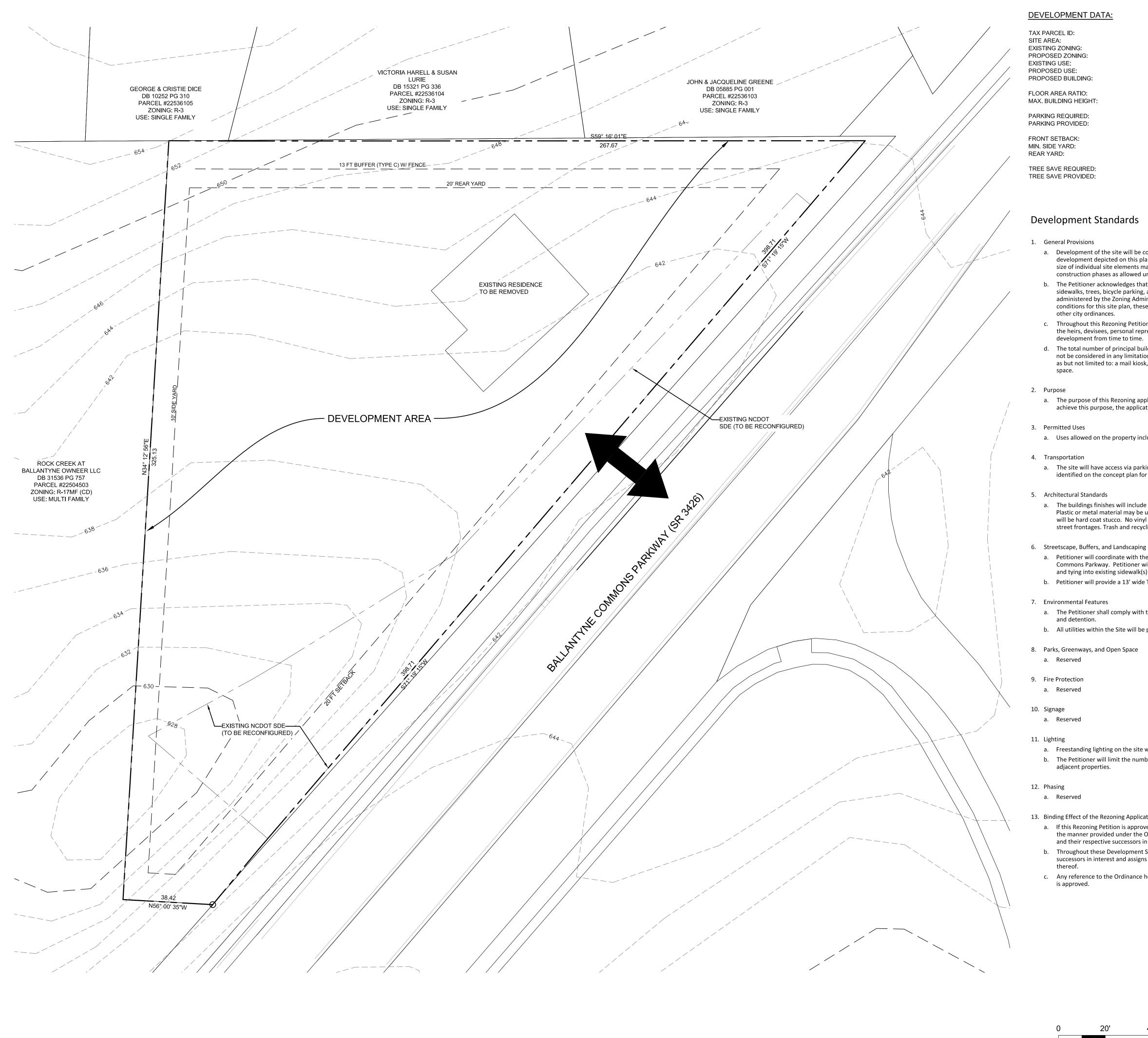
	2017-099		
I. REZONING APPLICATION CITY OF CHARLOTTE FEB 2 4 20 BY:	Date Filed: $\frac{2/24/2x7}{Bc}$		
Complete All Fields (Use additional pages if needed)			
Property Owner: Mak Khojasteh, Lisa Hoover- Khojasteh, and	d Sarra Khojasteh		
Owner's Address: 7612 Ballantyne Commons Parkway City, State, Zip: Charlotte, NC 28277			
Date Property Acquired: <u>11/8/2005</u>			
Property Address: <u>7612 Ballantyne Commons Parkway, Char</u>	lotte, NC 28277		
Tax Parcel Number(s): 22504508			
Current Land Use: Single Family	Size (Acres): _1.31+/-		
Existing Zoning: 0-1 (CD) (2013-014)	Proposed Zoning: NS (Neighborhood Services)		
Overlay:None(Specify PED, Watershed, Historic District, etc.)			
Required Rezoning Pre-Application Meeting* with: Kent Main, John Kinley, Carlos Alzate Date of meeting: 1/23/17			
(*Rezoning applications will not be processed until a required held.)	pre-application meeting with a rezoning team member is		
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: To develop the site with a new medical office building, along with site-			

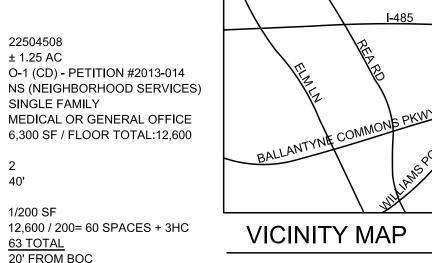
related improvements to support that use.

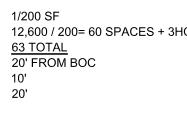
Landworks Design Group PA	Lisa Hoover-Khoiasteh
Name of Rezoning Agent	Name of Petitioner(s)
	7612 Pallantuna Commons Parkway
7611 Little Ave, Suite 111	7612 Ballantyne Commons Parkway Address of Petitioner(s)
Agent's Address	Address of Felicioner(s)
Charlotte, NC 28226	Charlotte, NC 28277
City, State, Zip	City, State, Zip
704-841-1604 (x701)         704-841-1604           Telephone Number         Fax Number	704-363-3333         704-705-1275           Telephone Number         Fax Number
mlangston@landworkspa.com	lisa.hoover@outlook.com
E-Mail Address	E-Mail Address
Signature of Property Owner	Signature of Petitioner
Jugilature of Property Owner	
LISA MOOVERL-KHOSASTEH	LISA HOOVER-KITOJASTEH
(News Typed ( Drinted)	(Nama Tunad / Drintad)

(Name Typed / Printed)

(Name Typed / Printed)







NONE ± 13.147 SF

a. Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases as allowed under the provisions of Section 6.2 of the Zoning Ordinance.

b. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, bicycle parking, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those

c. Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners," shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.

d. The total number of principal buildings to be developed on the Site shall not exceed 1. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory 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

a. The purpose of this Rezoning application is to provide for the development of a medical office building and accessory site improvements. To achieve this purpose, the application seeks the rezoning of the site to the Neighborhood Services (NS) District.

a. Uses allowed on the property included in this Petition will be a medical office building and related accessory uses as are permitted in the NS district.

a. The site will have access via parking lot connections to Ballantyne Commons Parkway at the location prescribed by CDOT and NCDOT as generally identified on the concept plan for the site.

a. The buildings finishes will include brick, stone and/or other masonry products and cementitious siding or other similar durable siding materials. Plastic or metal material may be used for incidental architecture details including windows, doors, and trim details. Any stucco used on the building will be hard coat stucco. No vinyl will be used as siding material. No expanses of blank wall exceeding 20 feet in length will be permitted along street frontages. Trash and recycling will be provided by dumpsters on site.

a. Petitioner will coordinate with the City Arborist, Urban Forestry, and CDOT to preserve existing trees in the Right-of-Way along Ballantyne Commons Parkway. Petitioner will coordinate with CDOT, NCDOT, and Planning to provide a new sidewalk along the road frontage as appropriate, and tying into existing sidewalk(s) on either end as appropriate.

b. Petitioner will provide a 13' wide Type C buffer with fence along the adjacent Single Family Residentially-zoned property.

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance for storm water quality

b. All utilities within the Site will be placed underground.

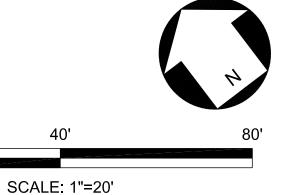
a. Freestanding lighting on the site will utilize full cut-off luminaries and will be limited to 20' in height. b. The Petitioner will limit the number and placement of outdoor lighting located on the structures to assure that light is not directed toward any

13. Binding Effect of the Rezoning Application

a. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and insure to the benefit of the Petitioner, current, and subsequent owners of the Sire 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 be involved in any future development

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

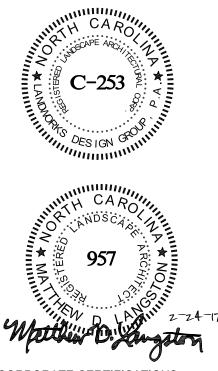


No.	Date	Ву	Description

Landworks	<b>Design Group, P.A.</b> 7621 Little Avenue, Suite 111 Charlotte, NC 28226 704-841-1604 fax: 704-841-1604







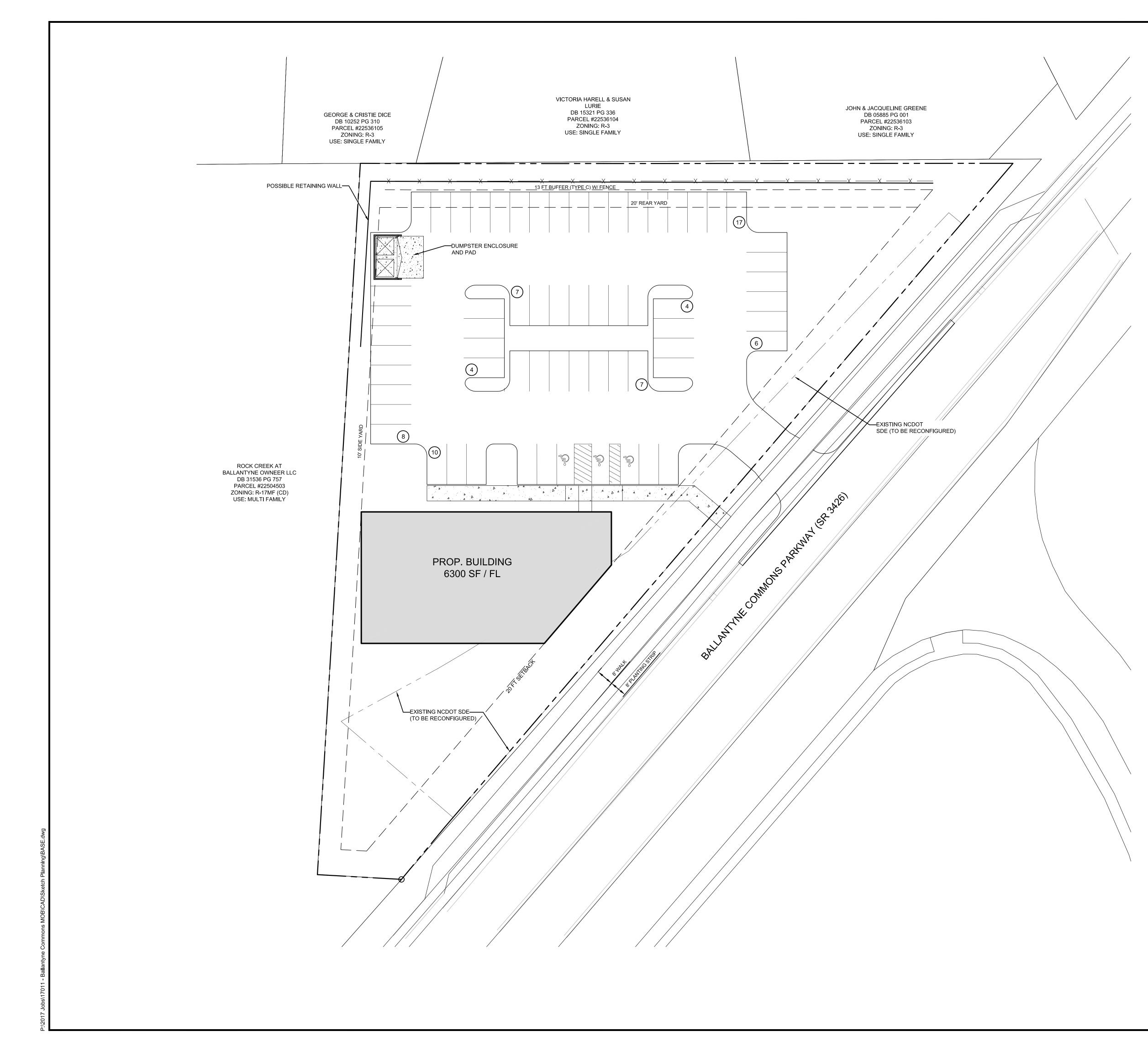
CORPORATE CERTIFICATIONS NC PE : C-2930 NC LA : C-253 SC ENG : NO. 3599 SC LA : NO. 211

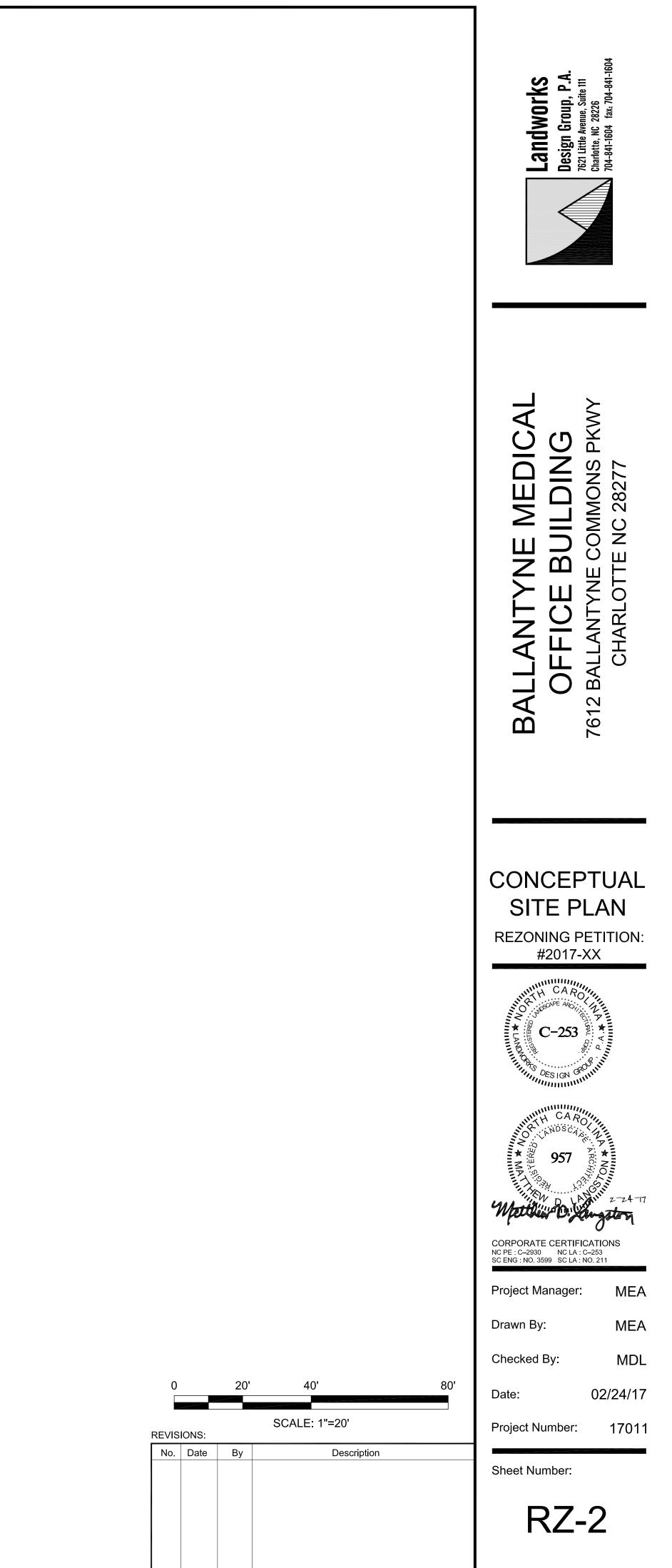
Project Manager:	MEA
Drawn By:	MEA
Checked By:	MDL
Date:	02/24/17
Project Number:	17011

Sheet Number:



SHEET #1 OF 2





I. REZONING APPLICATION CITY OF CHARLOTTE	<b>RECEIVED</b> FEB 2 4 2017 BY:	$\frac{2 D 1 7 - 3 5 0}{Petition #: }$ Date Filed: $\frac{2 / 24 / 28 g}{Received By: }$		
Complete All Fields (Use additional page	es if needed)			
Property Owner: <u>Circa Investments, LLC</u>				
Owner's Address:       2321 Crescent Avenue       City, State, Zip:       Charlotte, NC 28207         Data Brenetty Acquired:       5/20/2013				
Date Property Acquired: _5/20/2013         Property Address: _2321 Crescent Ave, 199 Cherokee Rd, Charlotte, NC 28207				
		207		
Tax Parcel Number(s): 15503307 15503314	-			
Current Land Use: Office & Warehouse	Size	e (Acres):66		
Existing Zoning: <u>B-1, O-2</u> Proposed Zoning: <u>NS (CD)</u>				
Overlay: None (Specify PED, Watershed, Historic District, etc.)				
Required Rezoning Pre-Application Meeting* with: Solomon Fortune, Alan Goodwin, Mandy Vari Date of meeting: 2/7/17				

(\*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: To redevelop an existing office/warehouse use to allow for a mix of uses including Retail, Office, and up to 6 residential units in a single building. Site development will support the proposed uses, including parking, sidewalks, and service area as generally depicted on the site plan.

Landworks Design Group PA Name of Rezoning Agent

7611 Little Ave, Suite 111 Agent's Address

Charlotte, NC 28226 City, State, Zip

704-841-1604 (x701) Telephone Number

704-841-1604 Fax Number

mlangston@landworkspa.com E-Mail Address

Signature of Property Owner Tut

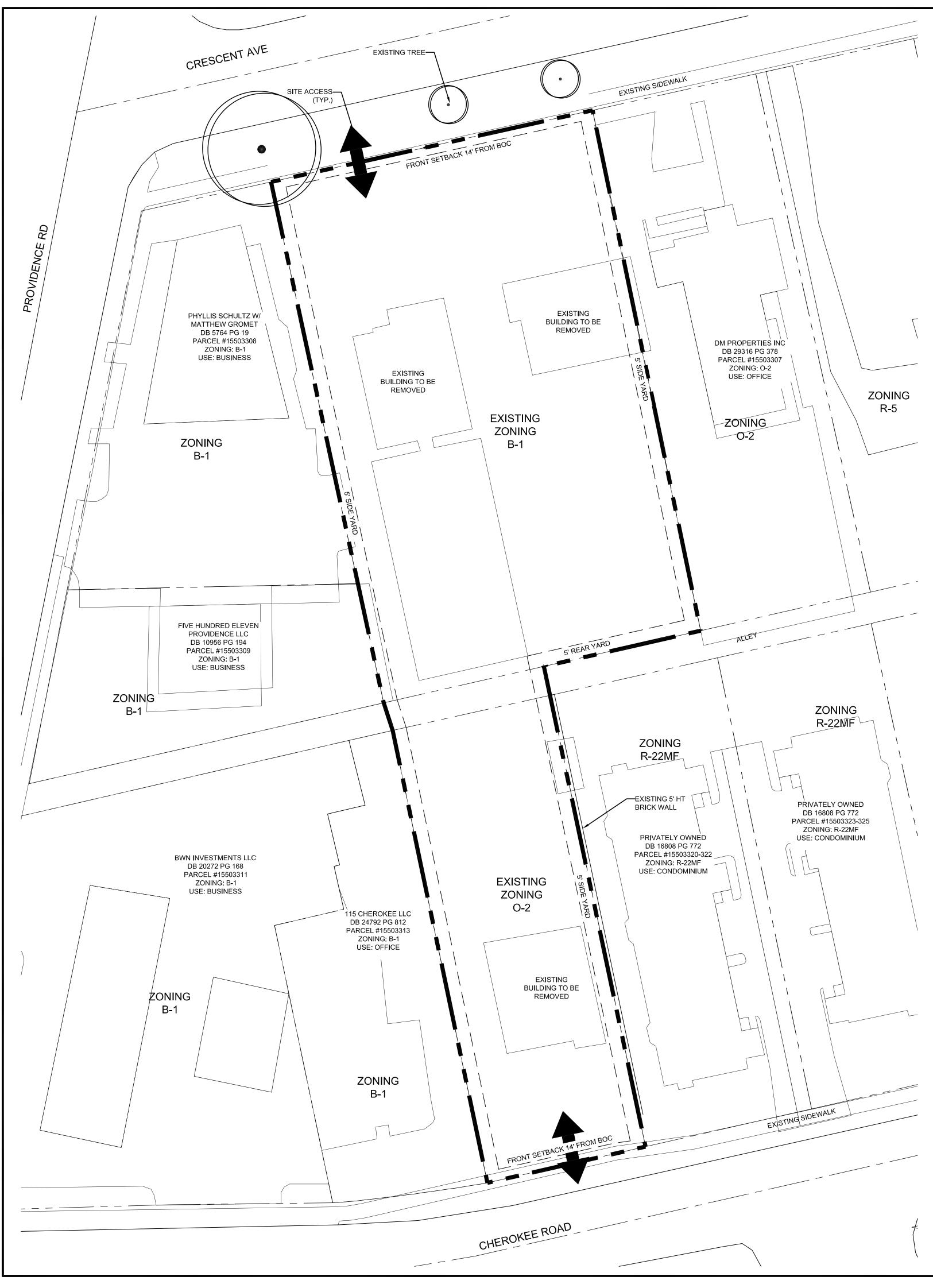
<u>Cynthia R. Sm</u> (Name Typed / Printed)

Circa Investments, LLC Name of Petitioner(s) 2321 Crescent Avenue Address of Petitioner(s) Charlotte, NC 28207 City, State, Zip à, 704-332-6369 **Telephone Number** Fax Number cindy@circainteriors.com E-Mail Address nthea

Signatuce of Petitioner

thia

vped / Printed) (Name



### DEVELOPMENT DATA:

TAX PARCEL ID: SITE AREA: EXISTING ZONING: PROPOSED ZONING: EXISTING USE: PROPOSED USE: PROPOSED BUILDING:

FLOOR AREA RATIO: MAX. BUILDING HEIGHT:

PARKING REQUIRED:

PARKING PROVIDED:

FRONT SETBACK: MIN. SIDE YARD: REAR YARD:

#### 15503307 & 15503314 .766 AC (INCL. ALLEY) B-1 (-307) & O-2 (-314) NS (NEIGHBORHOOD SERVICES) RETAIL, OFFICE, WAREHOUSE RETAIL, OFFICE, AND RESIDENTIAL NONRESIDENTIAL (8,400 SF X 2 FLOORS) 16,800 SF RESIDENTIAL @ 2400 SF EA 6

2.5 (NON-RES ONLY WHEN INCLUDING RESIDENTIAL) 60'

1/DU RESIDENTIAL 1/600 SF NONRESIDENTIAL 34 SPACES 33 SPACES + 2 HC SPACES (35 TOTAL)

14' FROM BOC

10' ADJACENT TO SINGLE FAMILY RESIDENTIAL 10' ADJACENT TO SINGLE FAMILY RESIDENTIAL

### Development Standards

1. General Provisions

- a. Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases as allowed under the provisions of Section 6.2 of the Zoning Ordinance.
- b. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, bicycle parking, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.
- c. Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners," shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.
- d. The total number of principal buildings to be developed on the Site shall not exceed 1. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory 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. Purpose

a. The purpose of this Rezoning application is to provide for the development of a mixed-use building to contain retail, office, and residential uses. To achieve this purpose, the application seeks the rezoning of the site to the Neighborhood Services (NS) district.

3. Permitted Uses

a. Uses allowed on the property included in this Petition will be retail, office, and residential uses, as well as related accessory uses as are permitted in the NS district.

#### 4. Transportation

a. The site will have access via parking lot connections to Crescent Avenue and Cherokee Road at locations prescribed by CDOT as generally identified on the concept plan for the site.

### 5. Architectural Standards

a. The buildings finishes will include brick, stone and/or other masonry products and cementitious siding or other similar durable siding materials. Plastic or metal material may be used for incidental architecture details including windows, doors, and trim details. No vinyl will be used as siding material. No expanses of blank wall exceeding 20 feet in length will be permitted along street frontages. Trash and recycling will be provided by dumpsters on site.

#### 6. Streetscape, Buffers, and Landscaping

- a. Petitioner will coordinate with the City Arborist, Urban Forestry, and CDOT to preserve existing trees in the Right-of-Way along Crescent Avenue and Cherokee Road. Petitioner will coordinate with CDOT, and Planning to provide a new sidewalk along the road frontages as appropriate, and tying into existing sidewalk(s) on either end as appropriate.
- b. The Petitioner will screen proposed parking from adjoining properties through the use of a 5' height masonry screen wall.

### 7. Environmental Features

- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance for storm water quality and detention.
- b. All utilities within the Site will be placed underground.

### 8. Parks, Greenways, and Open Space

a. Reserved

### 9. Fire Protection

a. The proposed building will be sprinklered and the proposed site layout will provide adequate access for the City of Charlotte to access all parts of the building.

#### 10. Signage

a. Reserved

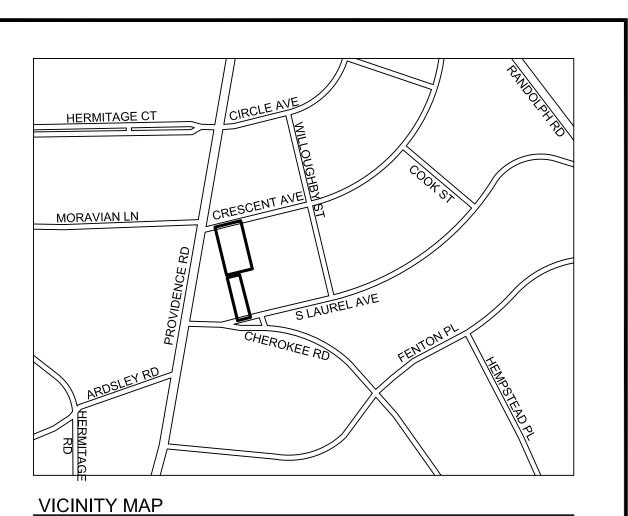
### 11. Lighting

- a. Freestanding lighting on the site will utilize full cut-off luminaries and will be limited to 20' in height.
- b. The Petitioner will limit the number and placement of outdoor lighting located on the structures to assure that light is not directed toward any adjacent properties.
- 12. Phasing

### a. Reserved

### 13. Binding Effect of the Rezoning Application

- a. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and insure to the benefit of the Petitioner, current, and subsequent owners of the Sire 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 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.

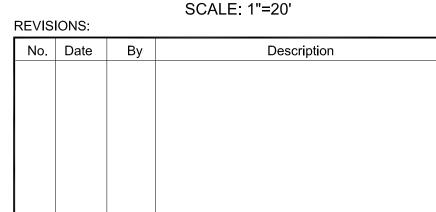




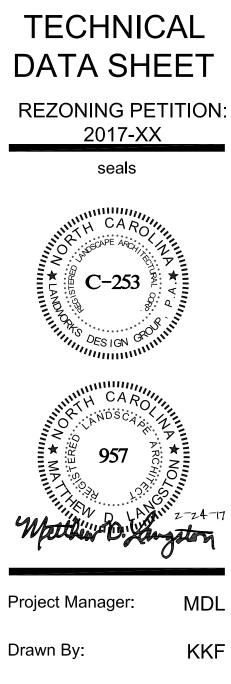


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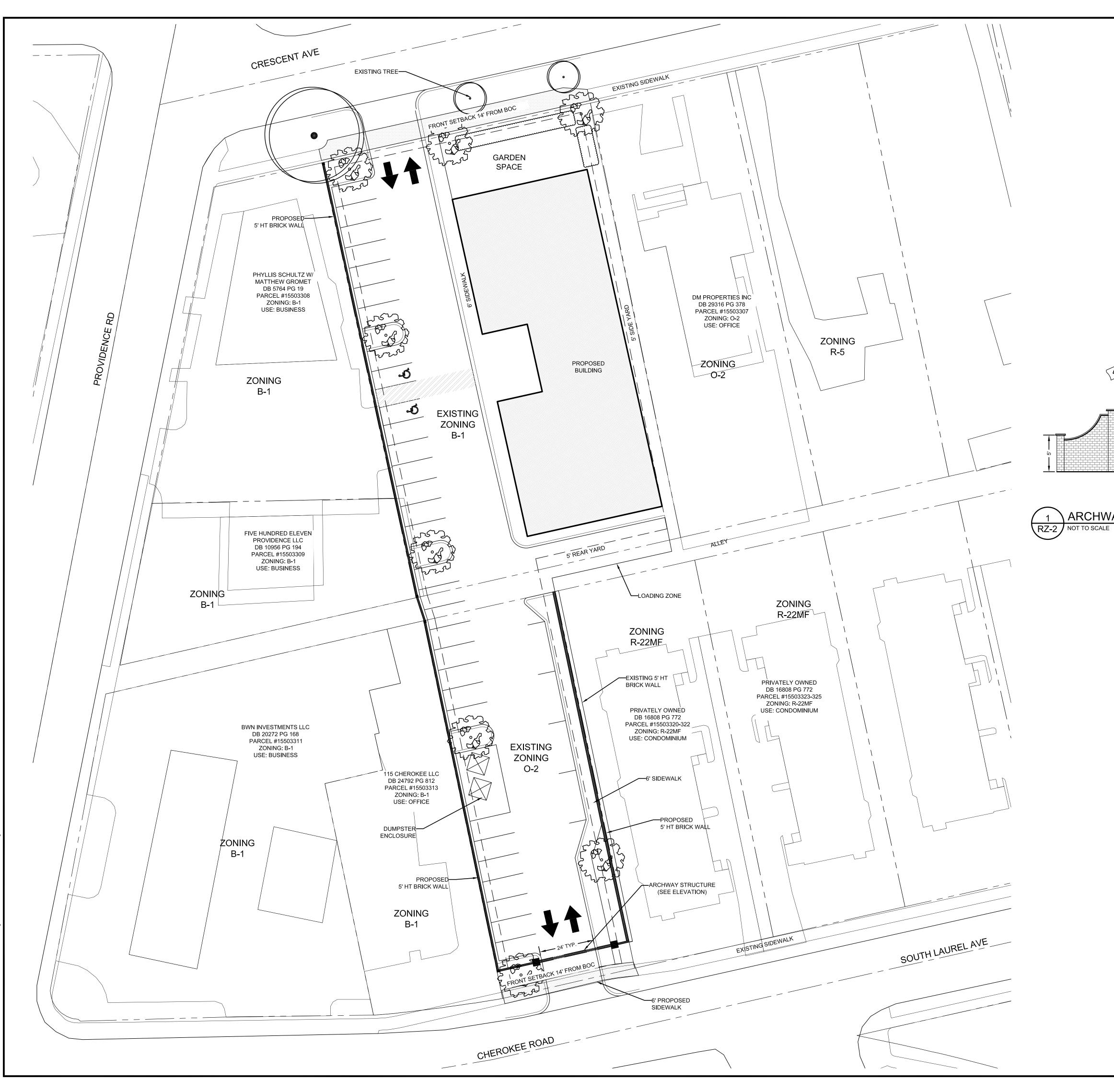


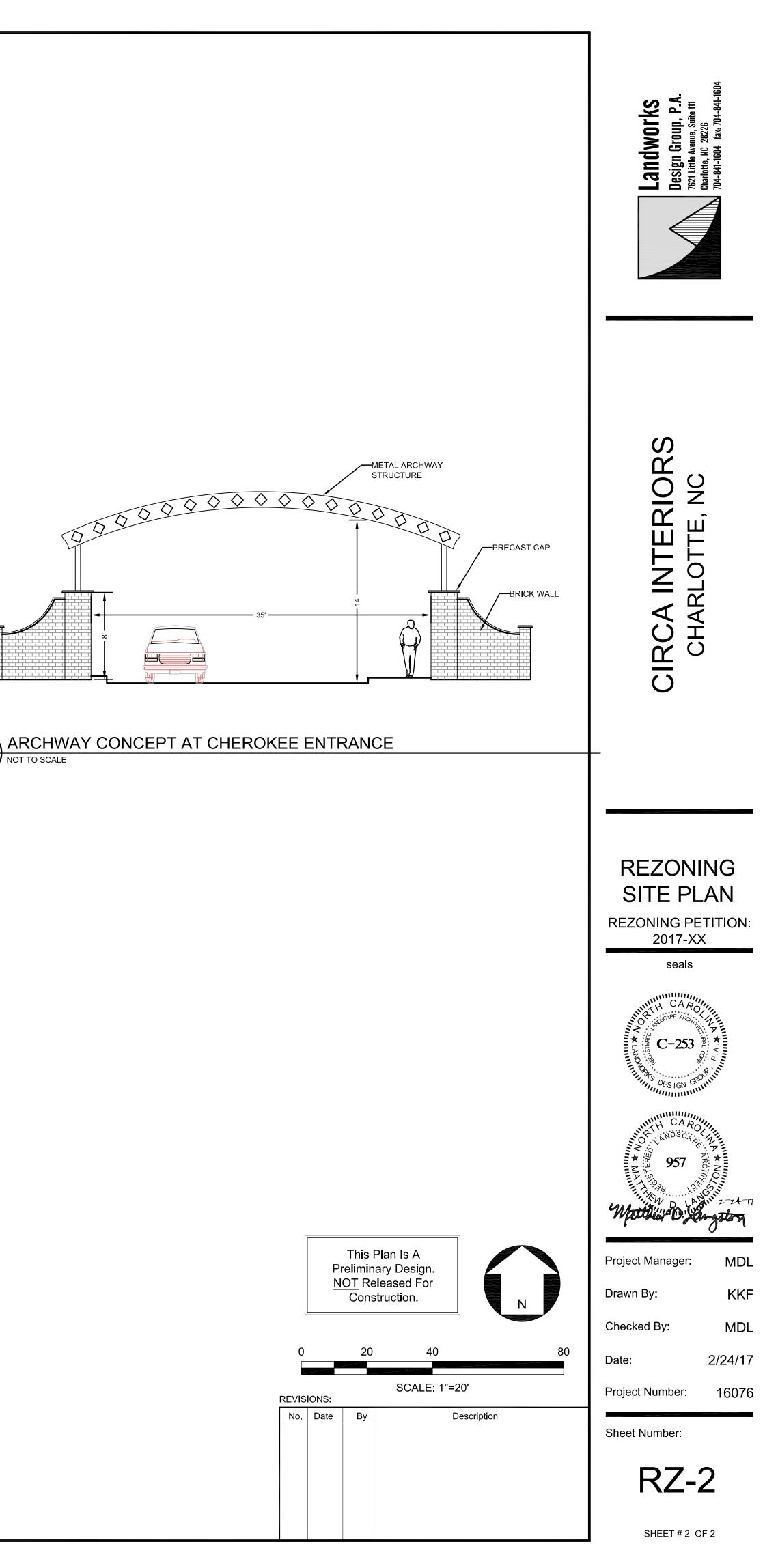
Checked By:	MDL
Date:	2/24/17
Project Number:	16076

Sheet Number:

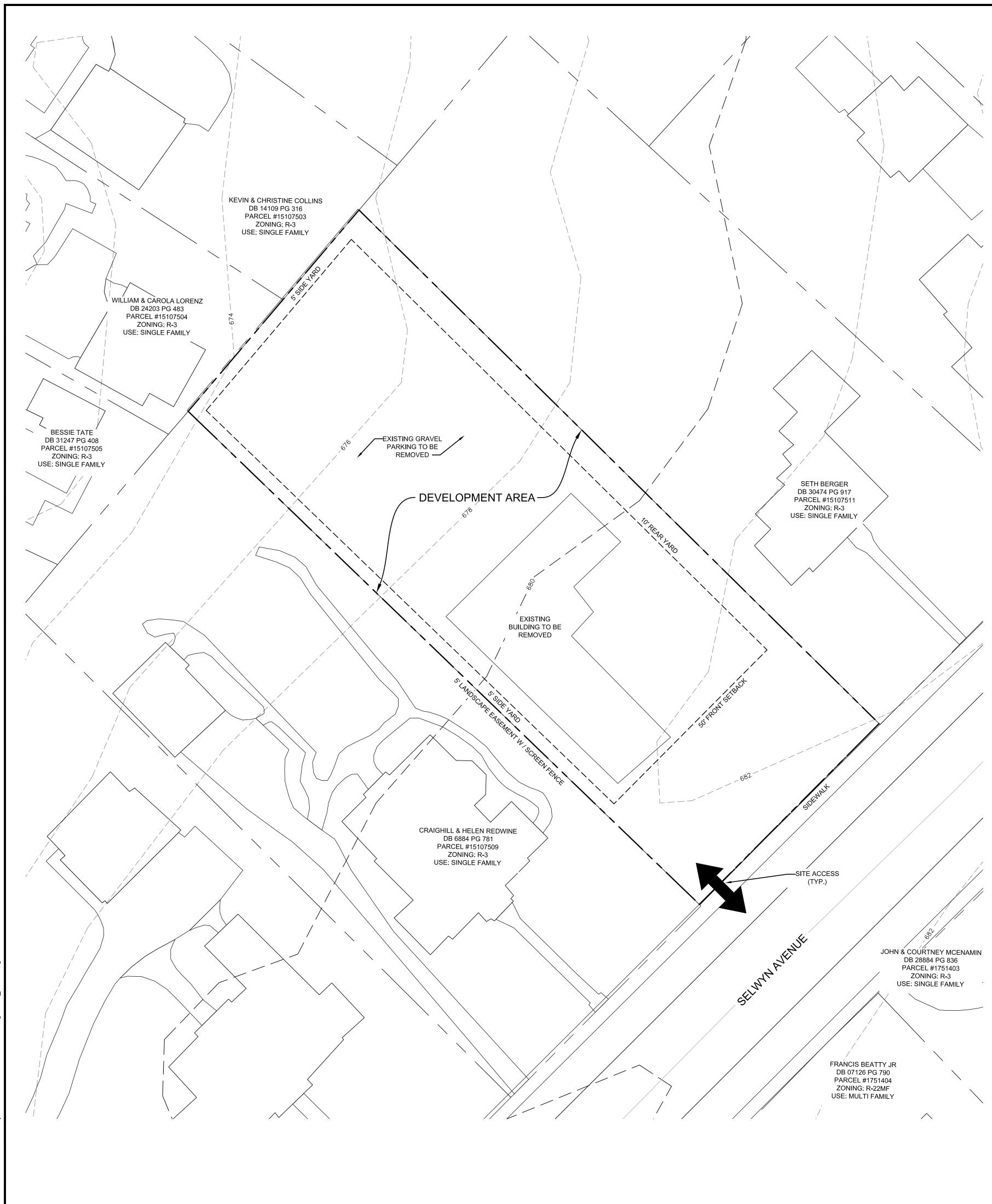


SHEET # 2 OF 2





I. REZONING APPLICATION CITY OF CHARLOTTE	<b>EIVED</b> Petition #: A 2017 Date Filed: $\frac{2/24/2017}{Received By: Bf}$
Complete All Fields (Use additional pages if needed	)
Property Owner: <u>1 Selwyn Development, LLC</u>	
Owner's Address: 4300 Sharon Road Suite 202	City, State, Zip: Charlotte, NC 28211
Date Property Acquired: 5/12/2014	
Property Address: _2128 Selwyn Avenue, Charlotte, NC 2	
Tax Parcel Number(s): 15107510	
Current Land Use:Multi-Family Quadraplex	Size (Acres):
Existing Zoning: R-3	Proposed Zoning: UR-2 (CD)
Overlay: None etc.)	(Specify PED, Watershed, Historic District,
	oodwin, Tammie Keplinger, Kathy Cornett, Brent Wilkinson
-	ired pre-application meeting with a rezoning team member is
For Conditional Rezonings Only:	
For Conditional Rezonings Only: Requesting a vesting period exceeding the 2 year minimu	um? Yes/No. Number of years (maximum of 5): No
Requesting a vesting period exceeding the 2 year minimu Purpose/description of Conditional Zoning Plan: To replace	ce the existing multi-family quadraplex building with a new
Requesting a vesting period exceeding the 2 year minimu Purpose/description of Conditional Zoning Plan: To replac multi-family quadraplex building. Additional site develop	
Requesting a vesting period exceeding the 2 year minimu Purpose/description of Conditional Zoning Plan: To replace	ce the existing multi-family quadraplex building with a new
Requesting a vesting period exceeding the 2 year minimu Purpose/description of Conditional Zoning Plan: To replac multi-family quadraplex building. Additional site develop	ce the existing multi-family quadraplex building with a new
Requesting a vesting period exceeding the 2 year minimu Purpose/description of Conditional Zoning Plan: To replace multi-family quadraplex building. Additional site develop new building.	ce the existing multi-family quadraplex building with a new oment will provide fire access and vehicular circulation for the <u>2128 Selwyn, LLC</u> Name of Petitioner(s) <u>10205 Stonemeade Lane</u>
Requesting a vesting period exceeding the 2 year minimu Purpose/description of Conditional Zoning Plan: To replace multi-family quadraplex building. Additional site develop new building.	ce the existing multi-family quadraplex building with a new oment will provide fire access and vehicular circulation for the <u>2128 Selwyn, LLC</u> Name of Petitioner(s) <u>10205 Stonemeade Lane</u> Address of Petitioner(s) <u>Charlotte</u> , NC 28207
Requesting a vesting period exceeding the 2 year minimu Purpose/description of Conditional Zoning Plan: To replace multi-family quadraplex building. Additional site develop new building. Landworks Design Group PA Name of Rezoning Agent <u>7611 Little Ave, Suite 111</u> Agent's Address Charlotte, NC 28226	ce the existing multi-family quadraplex building with a new oment will provide fire access and vehicular circulation for the 2128 Selwyn, LLC Name of Petitioner(s) 10205 Stonemeade Lane Address of Petitioner(s) Charlotte, NC 28207 City, State, Zip 704-231-1362
Requesting a vesting period exceeding the 2 year minimula         Purpose/description of Conditional Zoning Plan: To replace         multi-family quadraplex building. Additional site develop         new building.         Landworks Design Group PA         Name of Rezoning Agent         7611 Little Ave, Suite 111         Agent's Address         Charlotte, NC 28226         City, State, Zip         704-841-1604 (x701)       704-841-1604         Telephone Number       Fax Number         mlangston@landworkspa.com	2128 Selwyn, LLC         Name of Petitioner(s)         10205 Stonemeade Lane         Address of Petitioner(s)         Charlotte, NC 28207         City, State, Zip         704-231-1362         Telephone Number         Fax Number         ray@saratogaam.com
Requesting a vesting period exceeding the 2 year minimula         Purpose/description of Conditional Zoning Plan: To replace         multi-family quadraplex building. Additional site develop         new building.         Landworks Design Group PA         Name of Rezoning Agent         7611 Little Ave, Suite 111         Agent's Address         Charlotte, NC 28226         City, State, Zip         704-841-1604 (x701)       704-841-1604         Telephone Number       Fax Number         mlangston@landworkspa.com         E-Mail Address         Sett/Berger       dottoop verified         Sett/Berger       dottoop verified	2128 Selwyn, LLC         Name of Petitioner(s)         10205 Stonemeade Lane         Address of Petitioner(s)         Charlotte, NC 28207         City, State, Zip         704-231-1362         Telephone Number
Requesting a vesting period exceeding the 2 year minimulation         Purpose/description of Conditional Zoning Plan: To replace         multi-family quadraplex building. Additional site develop         new building.         Landworks Design Group PA         Name of Rezoning Agent         7611 Little Ave, Suite 111         Agent's Address         Charlotte, NC 28226         City, State, Zip         704-841-1604 (x701)       704-841-1604         Telephone Number       Fax Number         mlangston@landworkspa.com         E-Mail Address         Sett/Berger       dottoop verified 02227179:33AM EST AJHR-EQO-GQEC-HXIN         Signature of Property Owner	2128 Selwyn, LLC         Name of Petitioner(s)         10205 Stonemeade Lane         Address of Petitioner(s)         Charlotte, NC 28207         City, State, Zip         704-231-1362         Telephone Number         Fax Number         ray@saratogaam.com         E-Mail Address         Magad         Signature of Petitioner
Requesting a vesting period exceeding the 2 year minimula         Purpose/description of Conditional Zoning Plan: To replace         multi-family quadraplex building. Additional site develop         new building.         Landworks Design Group PA         Name of Rezoning Agent         7611 Little Ave, Suite 111         Agent's Address         Charlotte, NC 28226         City, State, Zip         704-841-1604 (x701)       704-841-1604         Telephone Number       Fax Number         mlangston@landworkspa.com         E-Mail Address         Sett/Berger       dottoop verified         Sett/Berger       dottoop verified	ce the existing multi-family quadraplex building with a new   oment will provide fire access and vehicular circulation for the   2128 Selwyn, LLC   Name of Petitioner(s)   10205 Stonemeade Lane   Address of Petitioner(s)   Charlotte, NC 28207   City, State, Zip   704-231-1362   Telephone Number   Fax Number   ray@saratogaam.com   E-Mail Address



# SITE DATA:

TAX PARCEL ID: ACREAGE: EXISTING ZONING: PROPOSED ZONING: EXISTING USE:

PROPOSED USE: PROPOSED UNITS: DENSITY PROPOSED: FLOOR AREA RATIO:

MAX BUILDING HEIGHT: MAX NUMBER OF BUILDINGS:

**REQUIRED PARKING:** PROPOSED PARKING:

FRONT SETBACK: MIN. SIDE YARD: MIN. REAR YARD:

REQUIRED TREE SAVE: PROPOSED TREE SAVE:

#### 15107510 ± 0.623 AC R-3 UR-2 (CD) URBAN RESIDENTIAL MULTI FAMILY (QUADRAPLEX) MULTI FAMILY (QUADRAPLEX)

6.42 DU / AC 1.0 MAX

40'

1.5 SPACES PER UNIT 3 SPACES PER UNIT

50 10

15% 15% MIN

### Development Standards

1. General Provisions

- phases as allowed under the provisions of Section 6.2 of the Zoning Ordinance.
- this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances. Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioners," shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and
- assignees of the owner or owners of the Site who may be involved in its development from time to time.

Purpose

rezoning of the site to the Urban Residential 2 (UR-2(CD)) district.

3. Permitted Uses

a. Uses allowed on the property included in this Petition will be a residential quadraplex (single 4-unit building) and related accessory uses as are permitted in the UR-2 district.

4. Transportation

a. The site will have access via drive connection to Selwyn Avenue at the location prescribed by CDOT as generally identified on the concept plan for the site. b. Because the 50' setback exceeds code requirement, the Petitioner reserves the right to provide two guest parking spaces in front of the proposed building as shown on RZ-2.

5. Architectural Standards

frontages. Trash and recycling will be provided by rollout containers on site.

6. Streetscape, Buffers, and Landscaping

a. Petitioner will coordinate with the City Arborist, Urban Forestry, and CDOT to preserve existing trees in the Right-of-Way along Selwyn Avenue. Petitioner will coordinate with CDOT and Planning to provide a new sidewalk along the road frontage as appropriate, and tying into existing sidewalk(s) on either end as appropriate. b. The Petitioner will screen proposed parking from adjoining properties through the shared use of an existing screen fence that exists between the subject property and the property to the south. The Petitioner will obtain a landscape easement from the adjoining property owner to grant the Petitioner the right to preserve/maintain or demolish/replace the existing fence as is mutually agreed to, in order to maintain adequate screening (5' min. ht.) of the garage areas from the adjoining property.

7. Environmental Features

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance for storm water quality and detention. b. All utilities within the Site will be placed underground.

8. Parks, Greenways, and Open Space

9. Fire Protection

a. Reserved

a. The site layout provides a 20' clear fire access lane at the entrance to the site in order to provide adequate coverage for Charlotte City Fire to access the building.

10. Signage a. Reserved

11. Lighting

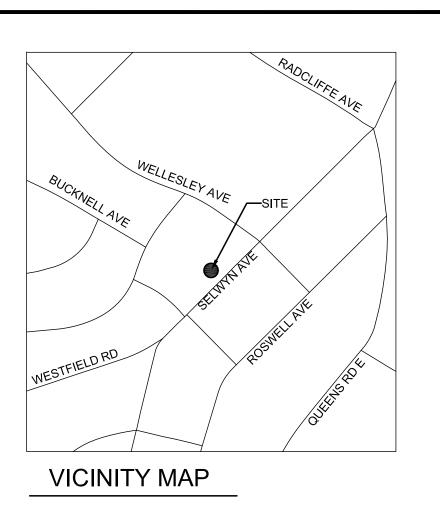
a. Freestanding lighting on the site will utilize full cut-off luminaries and will be limited to 20' in height. b. The Petitioner will limit the number and placement of outdoor lighting located on the structures to assure that light is not directed toward any adjacent properties.

12. Phasing a. Reserved

13. Binding Effect of the Rezoning Application

a. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and insure to the benefit of the Petitioner, 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 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.



a. Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction

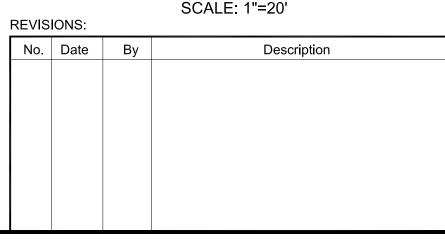
b. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, bicycle parking, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for

d. The total number of principal buildings to be developed on the Site shall not exceed 1. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory 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.

a. The purpose of this Rezoning application is to provide for the development of a quadraplex building to contain (4) residential dwelling units in a condominium format. To achieve this purpose, the application seeks the

a. The buildings finishes will include brick, stone and/or other masonry products and cementitious siding or other similar durable siding materials. Plastic or metal material may be used for incidental architecture details including windows, doors, and trim details. Any stucco used on the building will be hard coat stucco. No vinyl will be used as siding material. No expanses of blank wall exceeding 20 feet in length will be permitted along street

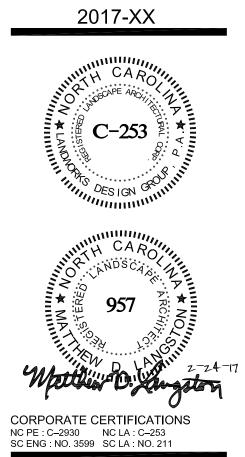






CHARLOTTE, NC SIMONINI HOMES 2128 SELWYN AVENUE CHARLOTTE, NC 28207 Z  $\geq$ SEL 28  $\overline{}$  $\sim$ 



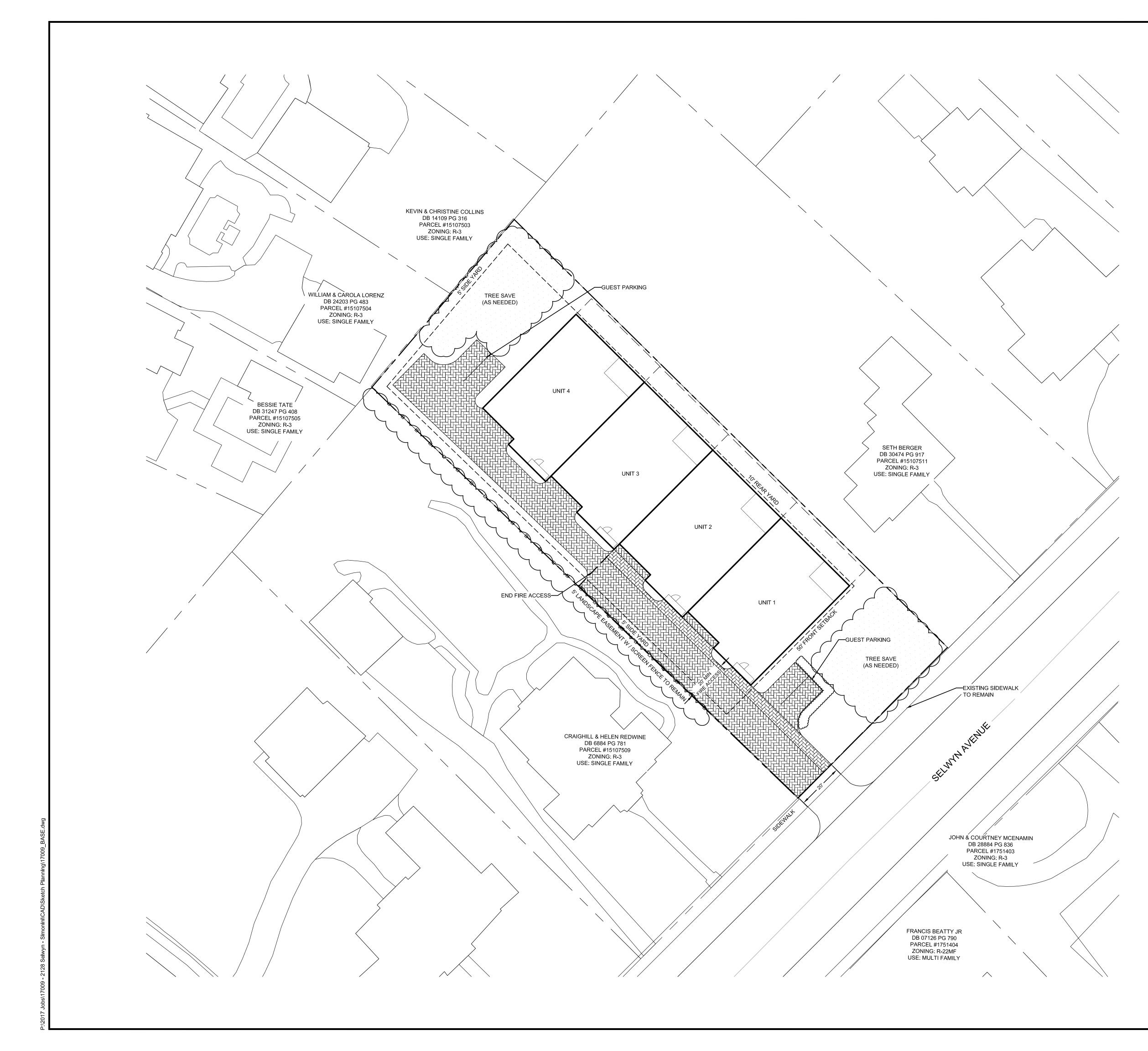


Project Manag	er: MDL
Drawn By:	KKF
Checked By:	MDL
Date:	02/24/2017
Project Numbe	r: 17009
Project Numbe	r: 17009

Sheet Number:

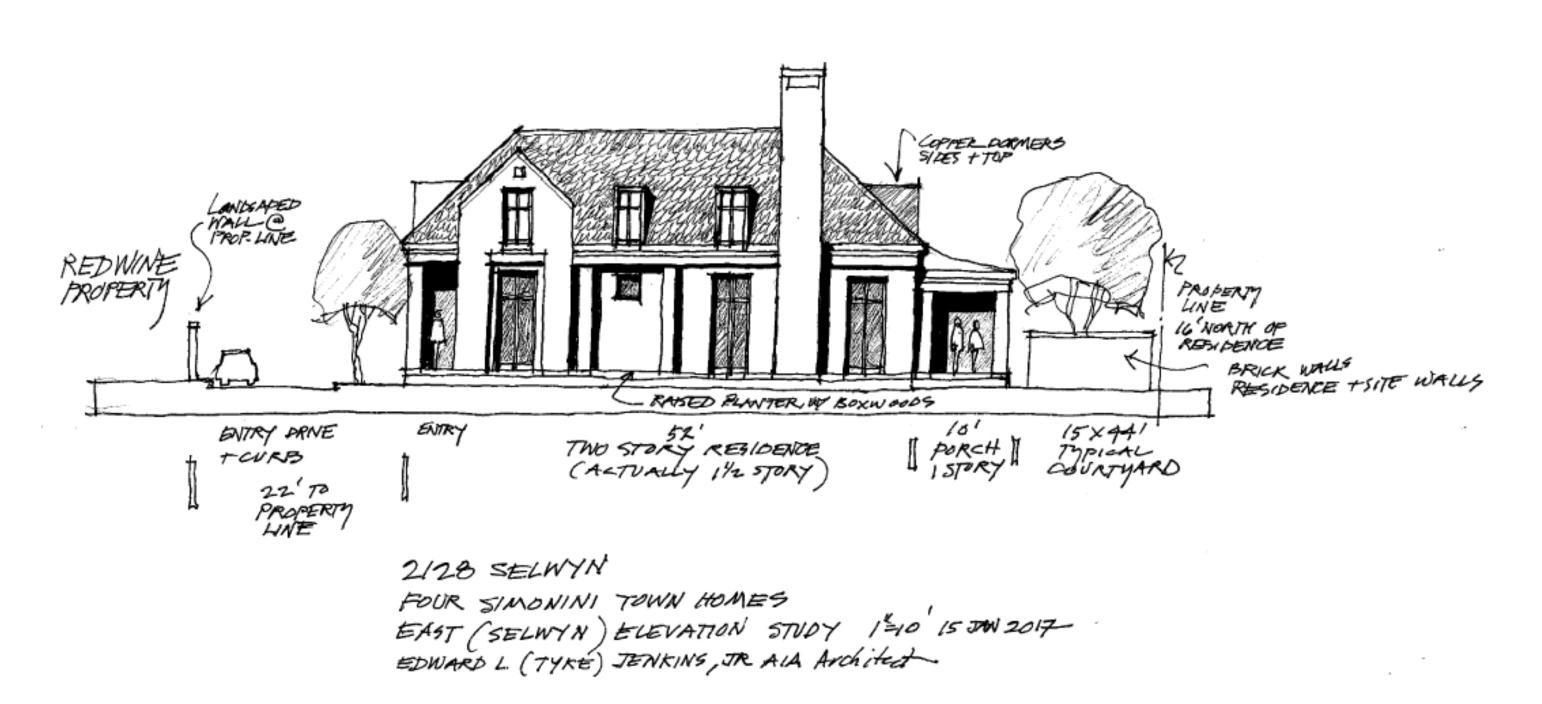


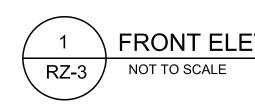
SHEET #1 OF 3

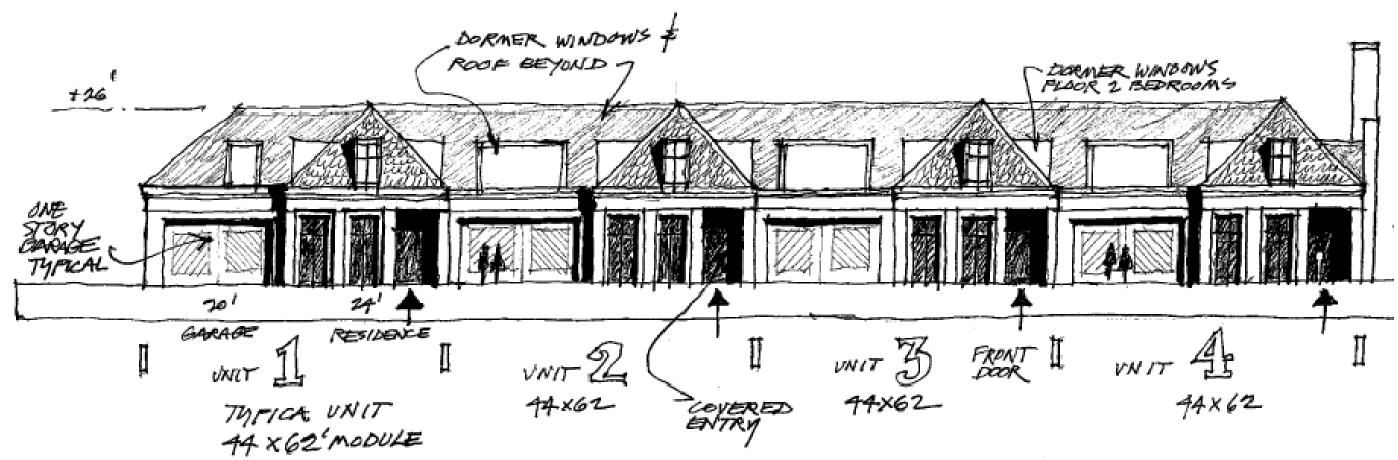


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	2128 SELWYN CHARLOTTE, NC SIMONIN HOMES 2128 SELWYN AVENUE CHARLOTTE, NC 28207
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SHEET # 2	OF 3





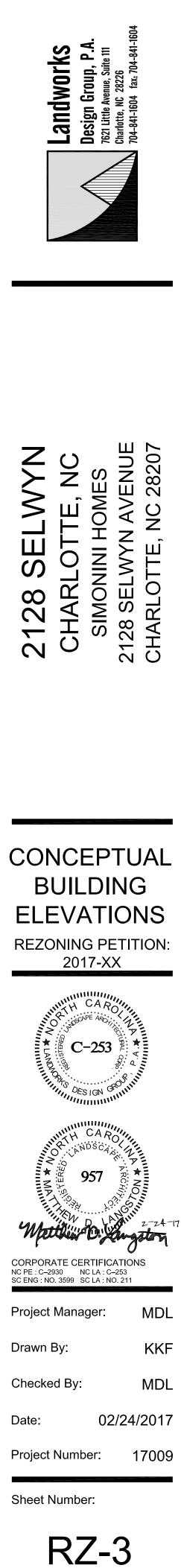


2128 SELWYN FOUR SIMONINI TOWN HOMES SOUTH ELEVATION STUDY 1/16=1-0" 15 JAN 2017 EDWARD L. (TYKE) JENKINS JR-ALA Archited



FRONT ELEVATION (VIEW FROM SELWYN)

GARAGE-SIDE ELEVATION



### SHEET # 3 OF 3

REVIS	IONS

No.	Date	By	Description	

I. REZONING APPLICATION CITY OF CHARLOTTE	4 2017 Petition #:
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: <u>See Exhibit A attached hereto</u>	
Property Address: <u>See Exhibit A attached hereto</u>	
Tax Parcel Number(s): 209-511-33, 209-511-34 and a po	ortion of 209-511-35
Current Land Use: Senior Living Community and a Ch	nurch Size (Acres):/- 27.54 acres
Existing Zoning: Institutional (CD) 🗧 K-3	Proposed Zoning: Institutional (CD) S.P.A. & Institutional (CD)
Overlay: <u>N/A</u>	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: <u>John K</u> Date of meeting: <u>January 31, 2017</u>	inley, Grant Meacci et al.
(*Rezoning applications will not be processed until a requinely held.)	ired pre-application meeting with a rezoning team member is
	um? Yes/No. Number of years (maximum of 5): <u>N/A</u> porate a portion of the adjacent church property into the an additional 22 independent living units to be developed on
John Carmichael (Robinson Bradshaw)	Southwainston Ing (s/s David Lage)
Name of Rezoning Agent	<u>Southminster, Inc. (c/o David Lacy)</u> Name of Petitioner(s)
101 N. Tryon Street, Suite 1900 Agent's Address	
Agence Address	8919 Park Road Address of Petitioner(s)
<u>Charlotte, NC 28246</u> City, State, Zip	8919 Park Road Address of Petitioner(s) Charlotte, NC 28210 City, State, Zip
<u>Charlotte, NC 28246</u> City, State, Zip 704-377-8341	Address of Petitioner(s) <u>Charlotte, NC 28210</u> City, State, Zip 704-551-7101
Charlotte, NC 28246City, State, Zip704-377-8341Telephone NumberFax Number	Address of Petitioner(s) <u>Charlotte, NC 28210</u> City, State, Zip <u>704-551-7101</u> Telephone Number Fax Number
<u>Charlotte, NC 28246</u> City, State, Zip 704-377-8341	Address of Petitioner(s) <u>Charlotte, NC 28210</u> City, State, Zip 704-551-7101
Charlotte, NC 28246 City, State, Zip 704-377-8341 Telephone Number Fax Number jcarmichael@rbh.com	Address of Petitioner(s)         Charlotte, NC 28210         City, State, Zip         704-551-7101         Telephone Number         Fax Number         DLacy@southminster.org

9470317

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Rev July 2015

#### Exhibit A to Rezoning Application Filed by Southminster, Inc.

#### Property Owner Information, Acquisition Dates and Property Addresses

#### Tax Parcel Nos. 209-511-33 & 209-511-34

Southminster, Inc. 8919 Park Road Charlotte, NC 28210

Date Property Acquired: December 23, 1985

Property Address: 8919 Park Road

#### Tax Parcel No. 209-511-35

Quail Hollow Presbyterian Church, Charlotte, North Carolina 8801 Park Road Charlotte, NC 28210

Date Property Acquired: November 25, 1968

Property Address: 8801 Park Road

9470373v1 04610.01075

#### REZONING APPLICATION SOUTHMINSTER, INC., PETITIONER JOINDER AGREEMENT

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by Southminster, Inc. that are designated as Tax Parcel Nos. 209-511-33 and 209-511-34 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 Institutional (CD) S.P.A. zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

This 20th day of February, 2017.

SOUTHMINSTER, INC.

By: Name: D acy Its: President ICEO

#### REZONING APPLICATION SOUTHMINSTER, INC., PETITIONER JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Southminster, Inc. that is designated as Tax Parcel No. 209-511-35 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the relevant portion of the Site from the R-3 zoning district to the Institutional (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

This  $17^{IH}$  day of February, 2017.

#### QUAIL HOLLOW PRESBYTERIAN CHURCH, CHARLOTTE, NORTH CAROLINA, PRESBYTERIAN CHURCH (U.S.A.)

By: Name: LEE E. DEMPSE Its: TREASURER

#### 9428123v1 04610.01073

### **DEVELOPMENT STANDARDS**

- 1. GENERAL PROVISIONS
- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Southminster, Inc. (the "Petitioner") for an approximately 27.54 acre site located on the east side of Park Road between Smithfield Church Road and Arbor Pointe 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. 209-511-33 and 209-511-34 and a portion of Tax Parcel No. 209-511-35.
- B. A continuing care retirement community known as Southminster is located on Tax Parcel Nos. 209-511-33 and 209-511-34 (the "Existing CCRC Campus"). The Existing CCRC Campus is zoned Institutional (CD) and was the subject of a site plan amendment approved by the Charlotte City Council on January 17, 2017 pursuant to Rezoning Petition No. 2016-138. The purpose of that site plan amendment was to allow an additional 47 independent living units and an additional 17 healthcare beds to be developed on the Existing CCRC Campus.
- C. Tax Parcel No. 209-511-35 is owned by Quail Hollow Presbyterian Church and is adjacent to the northern boundary line of the Existing CCRC Campus. Petitioner seeks to incorporate an approximately 2.1439 acre portion of Tax Parcel No. 209-511-35 (the "Additional Property") into the Existing CCRC Campus. The Existing CCRC Campus and the Additional Property together contain approximately 27.54 acres and comprise the Site
- D. Pursuant to this Rezoning Petition, Petitioner is requesting a site plan amendment to the approved Institutional (CD) conditional rezoning plan that governs the use and development of the Existing CCRC Campus and the rezoning of the Additional Property to the Institutional (CD) zoning district. The purpose of the site plan amendment and rezoning requests is to allow two new buildings and an additional 22 independent living units to be developed on the Site.
- E. The use and 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 variance described below in Section 1.I., unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Institutional (CD) zoning district shall govern the use and development of the Site.
- F. The existing and the previously approved (but not yet constructed) buildings, cottages, structures, driveways, surface parking areas, structured parking facilities and other improvements located on the Site are depicted and designated on the Rezoning Plan, and the new "villa style" independent living unit buildings with structured parking proposed under this Rezoning Petition are depicted on the Rezoning Plan and designated thereon as Villa A3 and Villa A4.
- G. The depiction and layout of the approved (but not yet constructed) "villa style" independent living unit buildings (Villa A1, Villa A2, Villa B1, Villa B2, Villa B3 and Villa B4), healthcare building addition and structured parking facility and the associated parking and drive aisles are conceptual in nature and may be altered or modified during design development and construction phases subject to the requirements of the Ordinance and the Rezoning Plan, and provided that such improvements are located within the Development Areas depicted on the Rezoning Plan.
- H. The depiction and layout of proposed Villa A3 and Villa A4 and the associated parking and drive aisles are conceptual in nature and may be altered or modified during design development and construction phases subject to the requirements of the Ordinance and the Rezoning Plan, and provided that such improvements are located within the Development Areas depicted on the Rezoning Plan.
- At its meeting on January 25, 2005, the City of Charlotte Zoning Board of Adjustment granted a variance that benefits the Site. More specifically, a variance was granted to allow the existing perimeter driveway along the Site's southern and eastern boundary lines to be located within the required 50 foot Class C buffer as generally depicted on the Rezoning Plan (the "Variance"). The Variance remains valid and in effect. Accordingly, the existing perimeter driveway along the Site's southern and eastern boundary lines may be located within the required 50 foot Class C buffer as generally depicted on the Rezoning Plan.
- J. 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. PERMITTED USES/DEVELOPMENT LIMITATIONS
- A. The Site may only be devoted to a continuing care retirement community comprised of the following uses:
- (1) A maximum of 401 independent living units, which may include, without limitation, apartment style independent living units, villa style independent living units and single family cottage style independent livina units:
- (2) A maximum of 127 healthcare beds, which shall be comprised of any combination of assisted living beds, skilled nursing beds and hospice beds (which hospice beds may serve the general public as well as the residents of the continuing care retirement community);
- (3) Related common areas, medical and rehabilitation facilities, recreational facilities, dining facilities and other support facilities;
- (4) Structured parking; and (5) Any incidental or accessory uses associated therewith that are permitted under the Ordinance in the Institutional zoning district.
- TRANSPORTATION
- A. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of each 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").
- B. The alignment of the internal vehicular circulation areas and the driveways may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with applicable published standards.
- C. Prior to the issuance of a certificate of occupancy for the first new building or building addition to be constructed on the Site, Petitioner shall construct a new waiting pad for a relocated bus stop on Park Road adjacent to the Site. The new waiting pad shall be located a minimum of 50 feet north of the vehicular entrance into the Site from Park Road, and it shall be located within the planting strip, entirely within right of way. The precise location of the waiting pad shall be determined during the permitting process. The waiting pad shall be constructed to CATS Development Standard 60.01B. Petitioner's obligation to construct the waiting pad shall be subject to Petitioner's ability to obtain all approvals and permits required to construct it. CATS shall be responsible for the installation and maintenance of a bench or shelter on the waiting pad.
- D. Prior to the issuance of a certificate of occupancy for the first new building or building addition to be constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Park Road as required to provide right of way measuring 50 feet from the existing centerline of Park Road, to the extent that such right of way does not already exist.
- E. Prior to the issuance of a certificate of occupancy for the first new building or building addition to be constructed on the Site, Petitioner shall submit the sum of \$10,000 to CDOT (the "Funds"), which Funds may only be used by CDOT to pay costs and expenses associated with the design, construction and installation of a pedestrian hybrid crossing signal on Park Road between Smithfield Church Road and Arbor Pointe Drive and the construction of a related pedestrian refuge island in the existing median on Park Road by CDOT (the "Pedestrian Crossing Improvements"). The Funds shall be held by CDOT for the 3 year period commencing on the date of the issuance of a certificate of occupancy for the first new building or building addition to be constructed on the Site. If CDOT commences the design of the Pedestrian Crossing Improvements within this 3 year period, then the Funds shall be used by CDOT to pay costs and expenses associated with the design, construction and installation of the Pedestrian Crossing Improvements. If CDOT does not commence the design of the Pedestrian Crossing Improvements within this 3 year period, then the Funds shall be returned to Petitioner. CDOT and Petitioner shall enter into an Escrow Agreement to document this agreement. The payment of the Funds by Petitioner to CDOT shall be in lieu of and not in addition to the payment required for the Pedestrian Crossing Improvements under the approved conditional rezoning plan relating to Rezoning Petition No. 2016-138. Therefore, the payment of the Funds pursuant to this paragraph F. shall satisfy Petitioner's obligations under Rezoning Petition No. 2016-138 relating to this matter.
- Except as otherwise provided herein, all transportation improvements shall be constructed and approved prior to the issuance of the first certificate of occupancy for the first new building or building addition to be constructed on the Site or phased per the Site's development plan.
- ARCHITECTURAL STANDARDS
- A. The maximum height in stories of Villa A1 shall be 3 stories over a 1 level structured parking facility that is primarily below grade. Notwithstanding the foregoing, as generally depicted on the cross section depicting the southern elevations of Villa A1 and Villa A2 and on the conceptual, schematic image of Villa A1 set out on Sheet RZ-3 of the Rezoning Plan, the southern and southeastern portions of the structured parking facility associated with Villa A1 shall be located above grade, so that this portion of Villa A1 shall have a maximum height of 4 stories above grade. The maximum height in feet of Villa A1 shall be 48 feet at the eave and 65 feet at the peak of the roof.
- . The maximum height in stories of Villa A2 shall be 3 stories.
- C. The maximum height in stories of Villa A3 and Villa A4 shall be 3 stories over a 1 level structured parking facility. Portions of the structured parking facility shall be located below grade, and portions of the structured parking facility shall be located above grade, resulting in portions of Villa A3 and Villa A4 having a maximum height of 4 stories above grade.
- D. The maximum height in stories of Villa B1, Villa B2, Villa B3 and Villa B4 shall be 3 stories over a 1 level

structured parking facility.

- E. The maximum height in stories above grade of the healthcare building addition to be constructed on the Site shall be 4 stories. A below grade structured parking facility may be located underneath the healthcare building addition. The maximum height in feet of the healthcare building addition shall be 48 feet at the eave and 65 feet at the peak of the roof.
- F. The proposed structured parking facility to be constructed at the southeastern corner of the Site shall contain one level of parking located below grade and one level of parking located at grade. In the event that this proposed structured parking facility is constructed, a 50 foot Class C buffer shall be required to be established between the structured parking facility and the adjacent property lines as generally depicted on the Rezoning Plan.
- G. Set out on Sheet RZ-3 of the Rezoning Plan are conceptual, schematic images of Villa A1 and Villa A2 that are intended to depict the general conceptual architectural style, design treatment and character of Villa A1, Villa A2, Villa A3, Villa A4, Villa B1, Villa B2, Villa B3 and Villa B4. Accordingly, Villa A1, Villa A2, Villa A3, Villa A4, Villa B1, Villa B2, Villa B3 and Villa B4 shall be designed and constructed so that each of these Villa buildings is substantially similar in appearance to the conceptual, schematic images of Villa A1 and Villa A2 set out on Sheet RZ-3 of the Rezoning Plan with respect to architectural style, design treatment and character. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style, design treatment and character shall be permitted.
- The permitted primary exterior building materials for Villa A1, Villa A2, Villa A3, Villa A4, Villa B1, Villa B2, Villa B3 and Villa B4 shall be those exterior building materials designated and labelled on the conceptual, schematic images of Villa A1 and Villa A2 set out on Sheet RZ-3 of the Rezoning Plan.
- Set out on Sheet RZ-3 of the Rezoning Plan is a conceptual, schematic image of the eastern elevation of the healthcare building addition that is intended to depict the general conceptual architectural style, design treatment and character of the eastern elevation of the healthcare building addition. Accordingly, the eastern elevation of the healthcare building addition shall be designed and constructed so that the eastern elevation of the healthcare building addition is substantially similar in appearance to the conceptual, schematic image set out on Sheet RZ-3 of the Rezoning Plan with respect to architectural style, design treatment and character. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style, design treatment and character shall be permitted.
- J. The permitted primary exterior building materials for the eastern elevation of the healthcare building addition are designated and labelled on the conceptual, schematic image of the eastern elevation of the healthcare building addition set out on Sheet RZ-3 of the Rezoning Plan.
- All other elevations of the healthcare building addition shall be substantially similar in appearance to the eastern elevation of the healthcare building addition with respect to architectural style, design treatment and character, and all other elevations of the healthcare building addition shall be clad with the same primary exterior building materials as the eastern elevation of the healthcare building addition. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style and character shall be permitted.
- 5. STREETSCAPE/LANDSCAPING
- Subject to the Variance described above, a 50 foot Class C buffer shall be maintained along those portions of the Site's southern and eastern 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.
- An 18.75 foot Class C buffer shall be established along those portions of the Site's northern boundary line 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 25 feet to 18.75 feet as a result of Petitioner's commitment to install a fence that meets the requirements of Section 12.302(8) of the Ordinance in the Class C buffer.
- C. A 25 foot Class C buffer shall be established along those portions of the Site's westerly boundary line that are more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12 302 of the Ordinance.
- D. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas set out on the Rezoning Plan accordingly.
- Petitioner shall provide enhanced landscaping within that portion of the 50 foot Class C buffer located along the southern boundary line of the Site that is designated as the "Enhanced Buffer At Garage Entrance" on the Rezoning Plan through the installation of large maturing evergreen trees planted 25 feet on center.
- F. In the event that the existing surface parking lot located on the southeast corner of the Site is removed to accommodate the construction of the structured parking facility described above or for any other reason, a 50 foot Class C buffer shall be required to be established between the area formerly devoted to the surface parking lot and the adjacent property lines as generally depicted on the Rezoning Plan.
- G. The existing sidewalk and planting strip located along the Site's frontage on Park Road south of the vehicular access point into the Site from Park Road shall remain in place. Petitioner shall construct and install a minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's frontage on Park Road north of the vehicular access point into the Site from Park Road as generally depicted on the Rezoning Plan.
- H. The existing sidewalk and planting strip located along the Site's frontage on Smithfield Church Road shall remain in place until such time that the first of Villa B1, Villa B2, Villa B3 and Villa B4 is constructed, at which time Petitioner shall construct and install a minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's frontage on Smithfield Church Road. More specifically, prior to the issuance of the first certificate of occupancy for Villa B1, Villa B2, Villa B3 or Villa B4, Petitioner shall construct and install a minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's frontage on Smithfield Church Road. The sidewalk may meander to save existing trees and to avoid existing utilities, and the exact design shall be determined during the permitting process.
- The existing sidewalk located along the Site's frontage on Smithfield Church Road shall be connected to the existing pedestrian crossing on Smithfield Church Road.
- The sidewalks currently located along the Site's frontages on Park Road and Smithfield Church Road or to be constructed and installed along these street frontages may be located within a sidewalk utility easement rather than in public right of way.
- K. Internal sidewalks and crosswalks shall be provided on the Site as generally depicted on the Rezoning Plan.
- A sidewalk connection from Villa B1, Villa B2, Villa B3 and Villa B4 to the sidewalk located along the Site's frontage on Smithfield Church Road will be provided at the time that the first of these Villa buildings is constructed. More specifically, prior to the issuance of the first certificate of occupancy for Villa B1, Villa B2, Villa B3 or Villa B4, Petitioner shall construct and install a sidewalk along the eastern side of Laxton Drive as generally depicted on the Rezoning Plan that connects to the sidewalk located along the Site's frontage on Smithfield Church Road.
- 6. ENVIRONMENTAL FEATURES
- A. The development of the Site shall comply with the applicable requirements of the City of Charlotte Post Construction Stormwater Ordinance.
- B. Storm water detention and/or water quality facilities required to be installed on the Site may be located underground.
- 7. LIGHTING
- A. All newly installed freestanding lighting fixtures on the Site (excluding street lights and lower, decorative lighting that may be installed along 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 newly installed freestanding lighting fixture on the Site shall be 21 feet. C. Any lighting fixtures attached to the new buildings and building additions to be constructed on the Site shall be decorative, capped and downwardly directed.
- 8. BINDING EFFECT OF THE REZONING DOCUMENTS
- 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.



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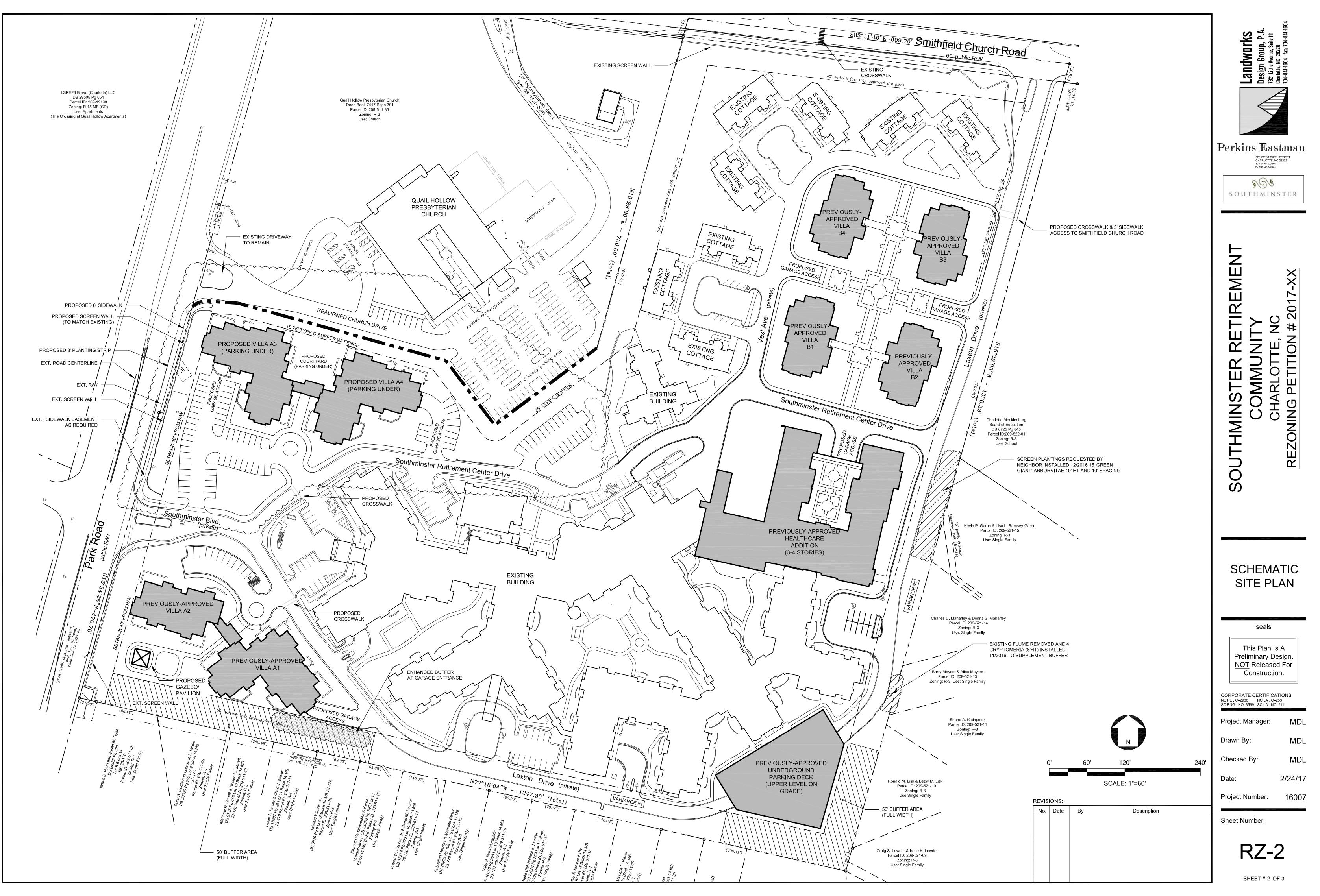
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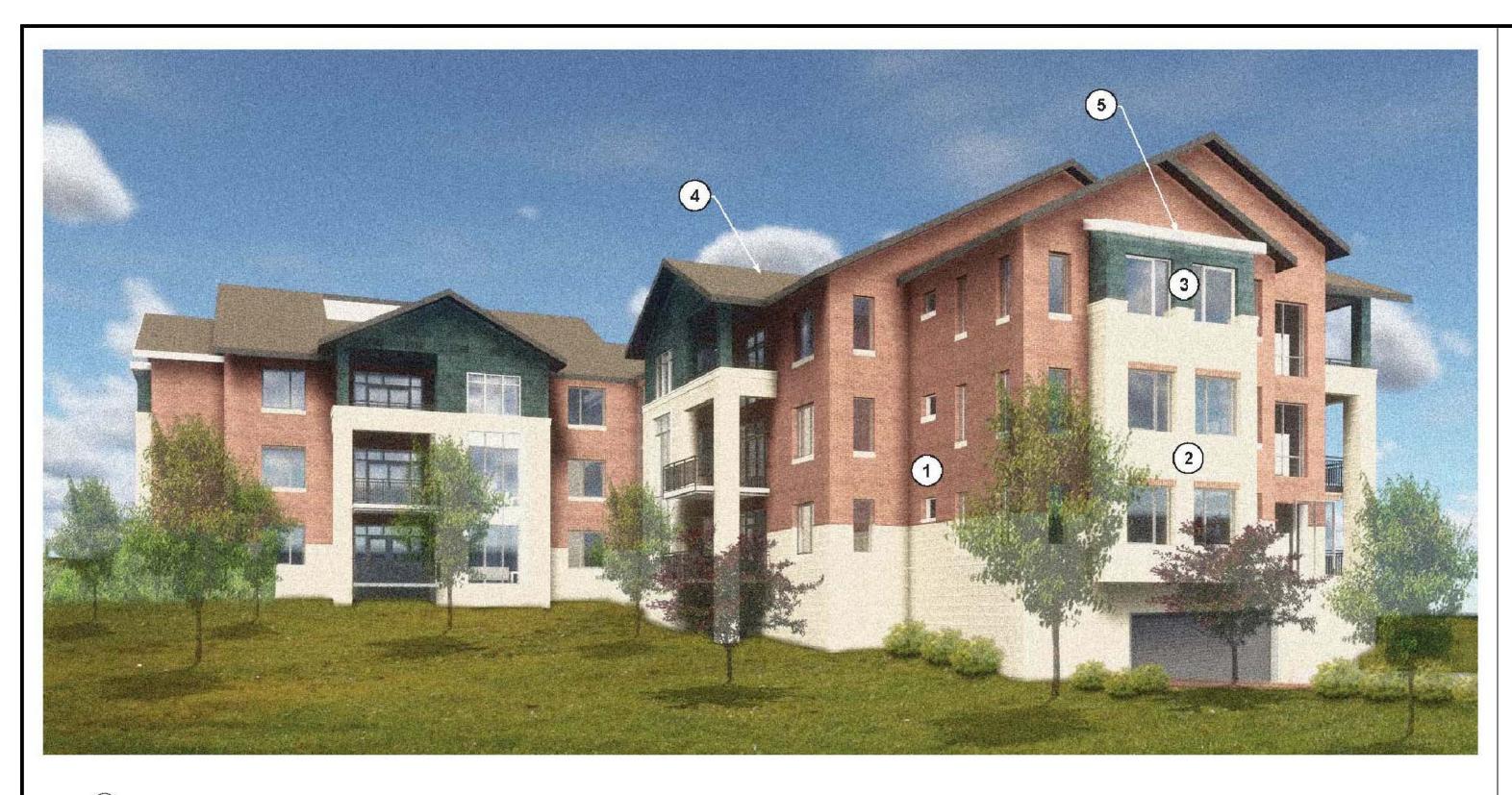
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2/24/17

16007





- 1 Masonry (Brick)
- 2 Masonry (Simulated Limestone/ Light-colored Brick)
- (3) Metal Panel/ Cementitious Panel/ Exterior Tile
- 4 Asphalt roofing shingles
- 5 Metal roofing

# APPROVED VILLA BUILDING A1 (VIEW FROM SOUTHEAST)

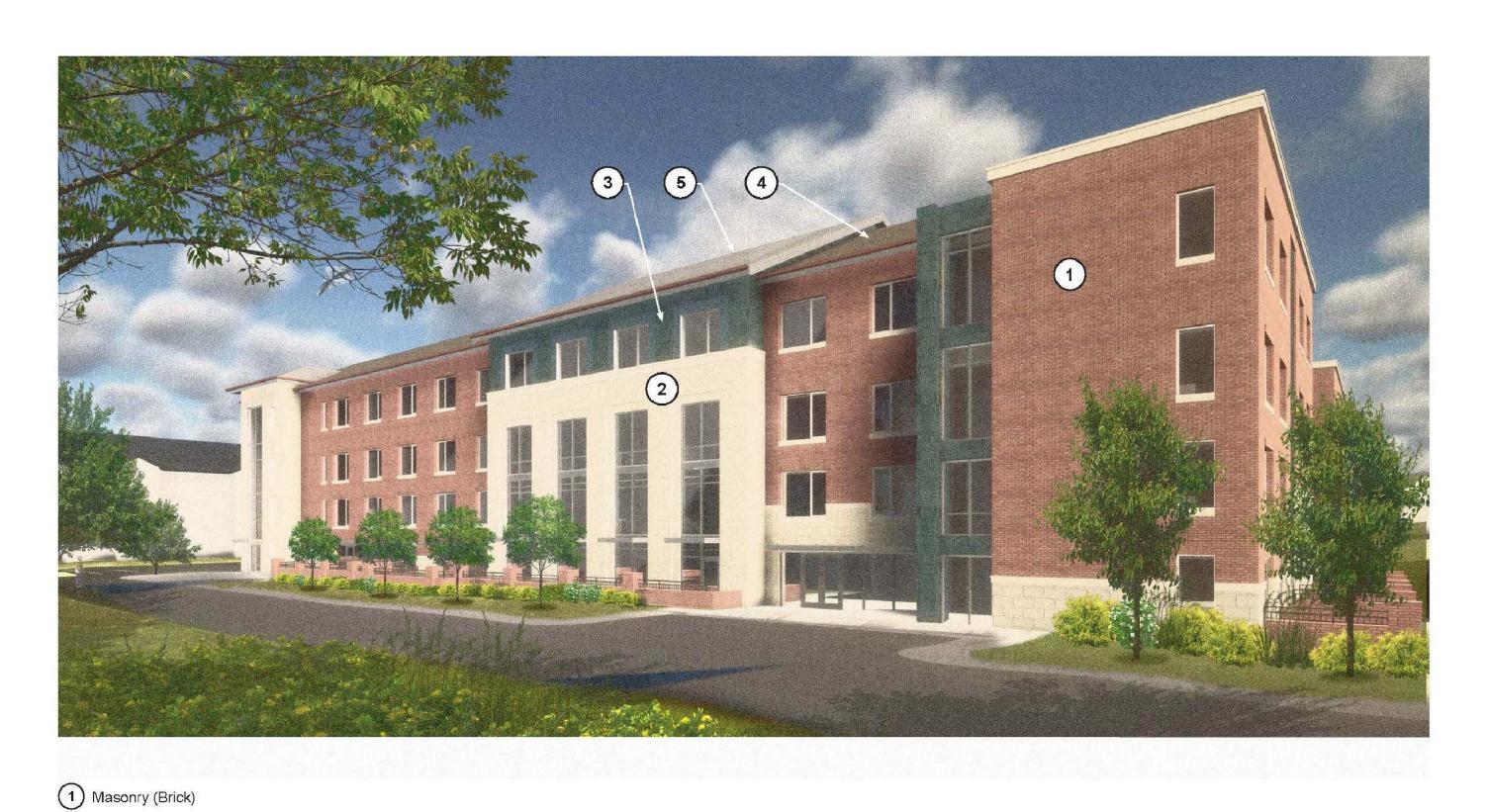
Perkins Eastman 2016.12.12 Southminster - Villa



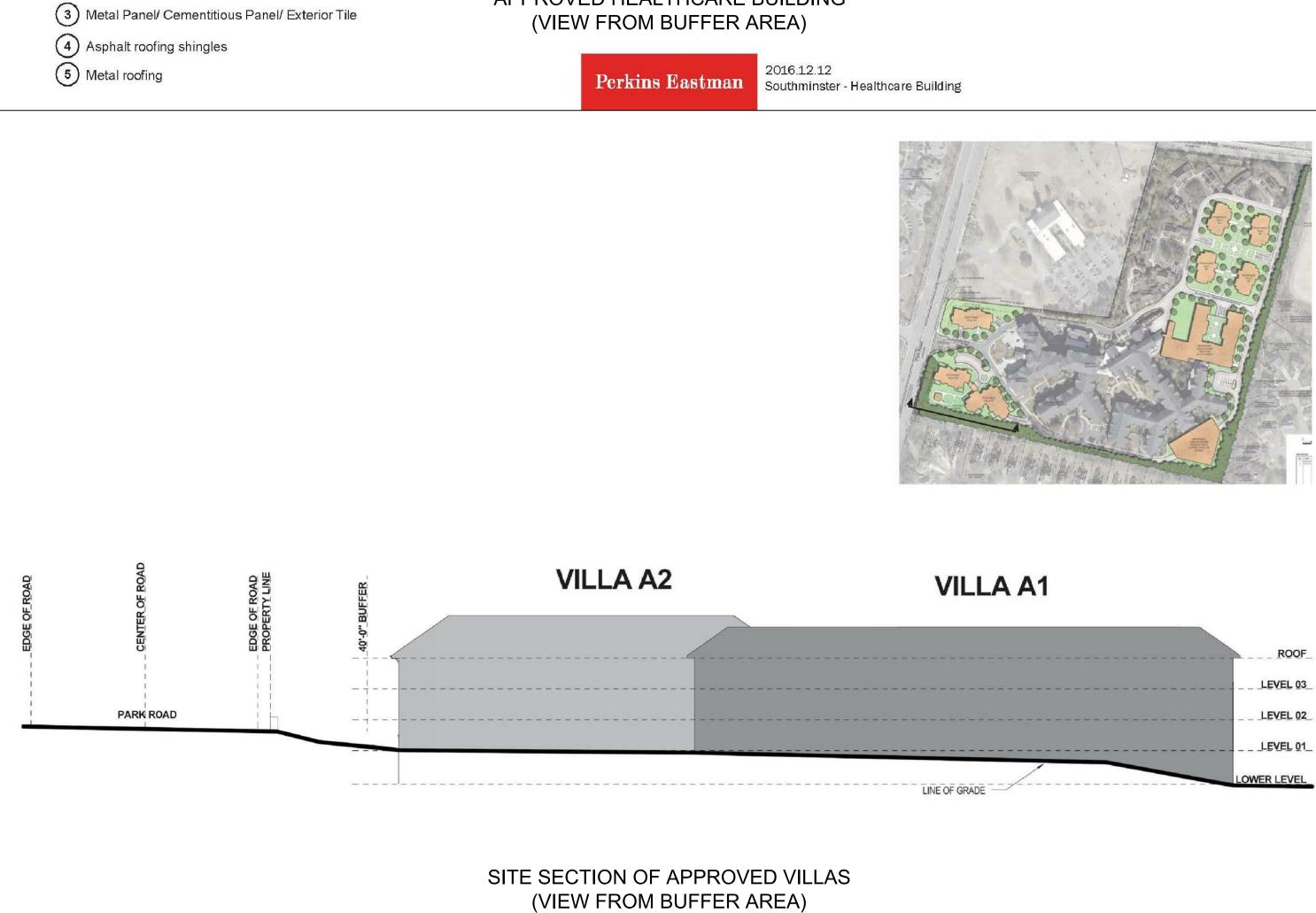
- 1 Masonry (Brick)
- 2 Masonry (Simulated Limestone/ Light-colored Brick)
- (3) Metal Panel/ Cementitious Panel/ Exterior Tile
- (4) Asphalt roofing shingles
- 5 Metal roofing

### APPROVED VILLA BUILDING A1 & A2 (VIEW FROM SOUTHWEST)

Perkins Eastman 2016.12.12 Southminster - Villa



2 Masonry (Simulated Limestone/ Light-colored Brick)

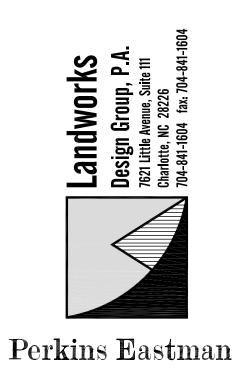


Perkins

# APPROVED HEALTHCARE BUILDING



s Eastman	2016.12.12 Southminster - Villa				
		REVIS	IONS:		
		No.	Date	By	
	SCALE: NOT TO SCALE				





# RETIREMENT NC I # 2017-XX CHARLOTTE, N REZONING PETITION # MO JTHMINS Ŭ SO

# ARCHITECTURAL PERSPECTIVES

seals

This Plan Is A Preliminary Design. <u>NOT</u> Released For Construction.

# CORPORATE CERTIFICATIONS NC PE : C-2930 NC LA : C-253 SC ENG : NO. 3599 SC LA : NO. 211

Project Manager:	MDL
Drawn By:	MDL
Checked By:	MDL
Date:	2/24/17
Project Number:	16007

Sheet Number:

Description



SHEET # 3 OF 3

#### **I. REZONING APPLICATION CITY OF CHARLOTTE**

RECEIVED FEB 2 4 2017

2017-053 Petition #: Date Filed: 2/24/2017

DX:	Received By:
Complete All Fields (Use additional pages if needed)	
Property Owner: Lois H. Huffstetler Revocable Trust	
Owner's Address: 711 Sandridge Road	City, State, Zip: <u>Charlotte, NC 28210</u>
Date Property Acquired: February 19, 1990 and February	1, 1983
Property Address: <u>3911 Park Road, 3917 Park Road and 1</u>	115 Reece Road
Tax Parcel Number(s): 175-183-36, 175-183-01 and 175-	83-02
Current Land Use:Single Family Residential	Size (Acres):
Existing Zoning: <u>R-4 and R-5</u>	Proposed Zoning: UR-2 (CD)
Overlay: <u>N/A</u>	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: <u>Tammie</u> Date of meeting: <u>January 25, 2017</u>	Keplinger, Alan Goodwin, Brent Wilkinson et al.
(*Rezoning applications will not be processed until a require held.)	ed pre-application meeting with a rezoning team member is
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimum	n? Yes/No. Number of years (maximum of 5): <u>N/A</u>
Purpose/description of Conditional Zoning Plan: To accom	nodate the development of a residential community on the
site that could contain up to 6 single family attached dwell	ng units and 1 single family detached dwelling unit.
John Carmichael (Robinson Bradshaw)	Hopper Communities, Inc. (c/o Bart Hopper)
Name of Rezoning Agent	Name of Petitioner(s)
101 N. Tryon Street, Suite 1900 Agent's Address	229 East Kingston Avenue Address of Petitioner(s)
Charlotte, NC 28246	Charlotte, NC 28203
City, State, Zip	City, State, Zip
704-377-8341	704-805-4801
Telephone Number Fax Number	Telephone Number Fax Number
jcarmichael@rbh.com E-Mail Address	bhopper@hoppercommunities.com E-Mail Address
	HOPPER COMMUNITIES, INC.
See Attached Joinder Agreement	By: J. Bart on
Signature of Property Owner	Signature of Petitioner <u>J. Bart Hopper</u>
(Name Typed / Printed)	(Name Typed / Printed)

#### REZONING APPLICATION HOPPER COMMUNITIES, INC., PETITIONER JOINDER AGREEMENT

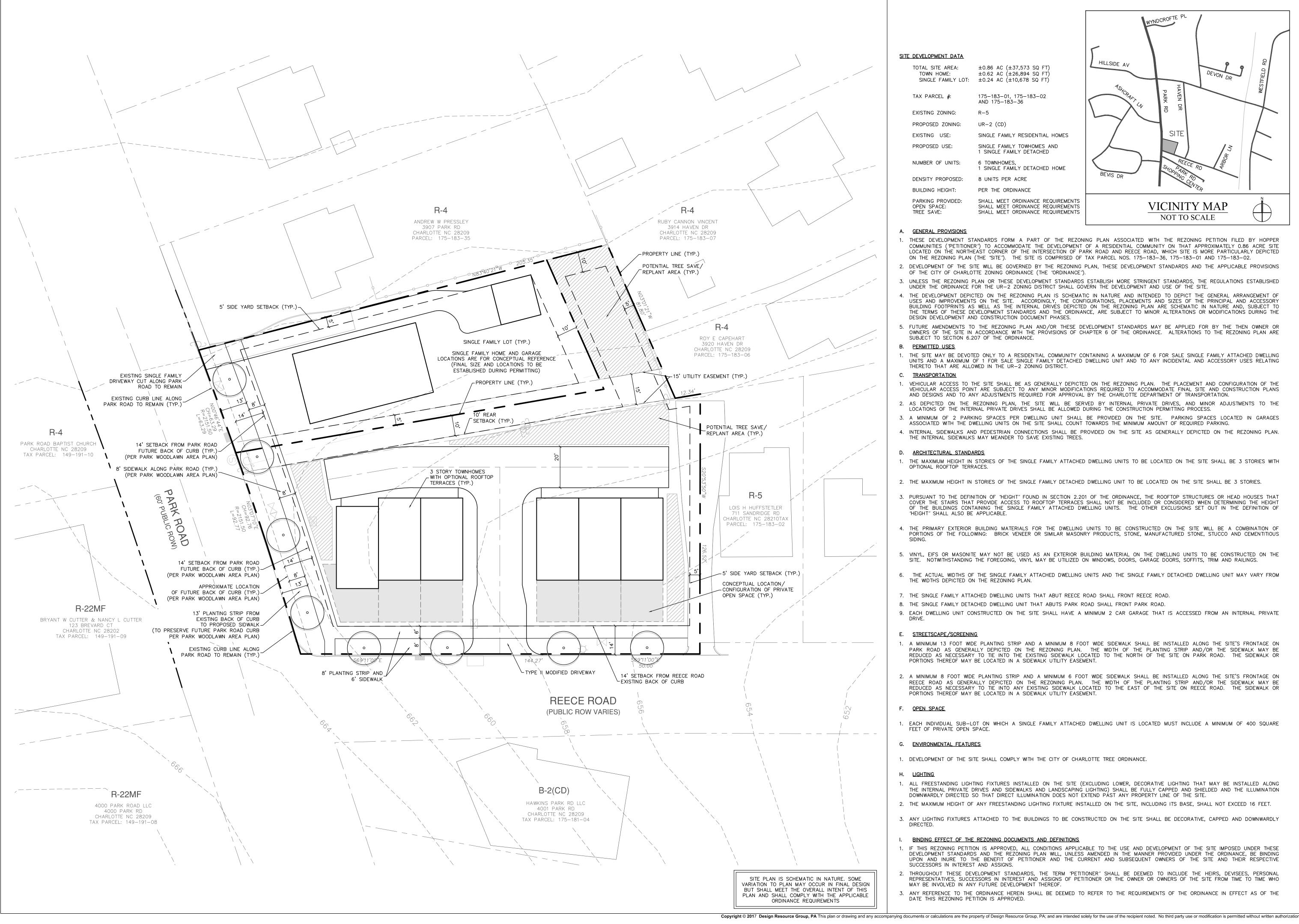
The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by Hopper Communities, Inc. that are designated as Tax Parcel Nos. 175-183-36, 175-183-01 and 175-183-02 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the UR-2 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

#### LOIS H. HUFFSTETLER REVOCABLE TRUST

By:	Tereso, D. Huffstetler	
Name:	Teresa D. Huffstetler	
Title: ]	Executor	
Date:	02-16-2017	
By:C	thy Liebl	

Dy.	
Name: Cathy Lynn Liebl	
Title: Executor	
Date:	
02-16-2017 11:45 AM EST	

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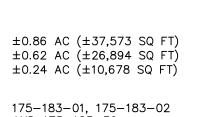
### SITE DEVELOPMENT DATA TOTAL SITE AREA: TOWN HOME: SINGLE FAMILY LOT: $\pm 0.24$ AC ( $\pm 10,678$ SQ FT) TAX PARCEL #: AND 175-183-36 EXISTING ZONING: R-5 PROPOSED ZONING: UR-2 (CD) EXISTING USE: PROPOSED USE: NUMBER OF UNITS: DENSITY PROPOSED: 8 UNITS PER ACRE PER THE ORDINANCE BUILDING HEIGHT: PARKING PROVIDED: OPEN SPACE: TREE SAVE:

# A. <u>GENERAL PROVISIONS</u>

- SUBJECT TO SECTION 6.207 OF THE ORDINANCE.
- B. PERMITTED USES
- THERETO THAT ARE ALLOWED IN THE UR-2 ZONING DISTRICT. C. <u>TRANSPORTATION</u>

- D. ARCHITECTURAL STANDARDS OPTIONAL ROOFTOP TERRACES.
- "HEIGHT" SHALL ALSO BE APPLICABLE.
- SIDING.
- THE WIDTHS DEPICTED ON THE REZONING PLAN.
- DRIVE.
- E. <u>STREETSCAPE/SCREENING</u>

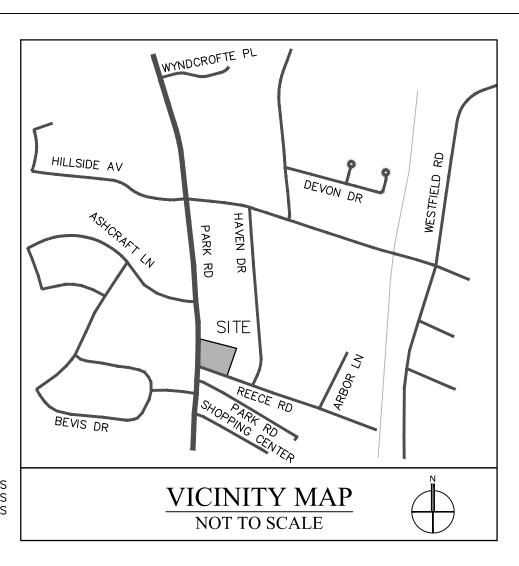
- F. <u>OPEN SPACE</u>
- FEET OF PRIVATE OPEN SPACE.
- G. ENVIRONMENTAL FEATURES
- H. <u>LIGHTING</u>
- DIRECTED.
- I. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
- SUCCESSORS IN INTEREST AND ASSIGNS.
- MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.
- DATE THIS REZONING PETITION IS APPROVED.



SINGLE FAMILY RESIDENTIAL HOMES SINGLE FAMILY TOWHOMES AND 1 SINGLE FAMILY DETACHED

6 TOWNHOMES, 1 SINGLE FAMILY DETACHED HOME

SHALL MEET ORDINANCE REQUIREMENTS SHALL MEET ORDINANCE REQUIREMENTS SHALL MEET ORDINANCE REQUIREMENTS



1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY HOPPER COMMUNITIES ('PETITIONER') TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 0.86 ACRE SITE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF PARK ROAD AND REECE ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 175-183-36, 175-183-01 AND 175-183-02. 2. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS

OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). 3. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.

4. 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 PRINCIPAL AND ACCESSORY BUILDING FOOTPRINTS AS WELL AS THE INTERNAL DRIVES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.

5. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE

1. THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 6 FOR SALE SINGLE FAMILY ATTACHED DWELLING UNITS AND A MAXIMUM OF 1 FOR SALE SINGLE FAMILY DETACHED DWELLING UNIT AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING

1. 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. 2. 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. 3. A MINIMUM OF 2 PARKING SPACES PER DWELLING UNIT SHALL BE PROVIDED ON THE SITE. PARKING SPACES LOCATED IN GARAGES ASSOCIATED WITH THE DWELLING UNITS ON THE SITE SHALL COUNT TOWARDS THE MINIMUM AMOUNT OF REQUIRED PARKING. 4. 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.

1. THE MAXIMUM HEIGHT IN STORIES OF THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE LOCATED ON THE SITE SHALL BE 3 STORIES WITH

2. THE MAXIMUM HEIGHT IN STORIES OF THE SINGLE FAMILY DETACHED DWELLING UNIT TO BE LOCATED ON THE SITE SHALL BE 3 STORIES.

3. PURSUANT TO THE DEFINITION OF "HEIGHT" FOUND IN SECTION 2.201 OF THE ORDINANCE, THE ROOFTOP STRUCTURES OR HEAD HOUSES THAT COVER THE STAIRS THAT PROVIDE ACCESS TO ROOFTOP TERRACES SHALL NOT BE INCLUDED OR CONSIDERED WHEN DETERMINING THE HEIGHT OF THE BUILDINGS CONTAINING THE SINGLE FAMILY ATTACHED DWELLING UNITS. THE OTHER EXCLUSIONS SET OUT IN THE DEFINITION OF

4. THE PRIMARY EXTERIOR BUILDING MATERIALS FOR THE DWELLING UNITS TO BE CONSTRUCTED ON THE SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK VENEER OR SIMILAR MASONRY PRODUCTS, STONE, MANUFACTURED STONE, STUCCO AND CEMENTITIOUS

5. VINYL, EIFS OR MASONITE MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL ON THE DWELLING UNITS TO BE CONSTRUCTED ON THE SITE. NOTWITHSTANDING THE FOREGOING, VINYL MAY BE UTILIZED ON WINDOWS, DOORS, GARAGE DOORS, SOFFITS, TRIM AND RAILINGS.

6. THE ACTUAL WIDTHS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS AND THE SINGLE FAMILY DETACHED DWELLING UNIT MAY VARY FROM

7. THE SINGLE FAMILY ATTACHED DWELLING UNITS THAT ABUT REECE ROAD SHALL FRONT REECE ROAD. 8. THE SINGLE FAMILY DETACHED DWELLING UNIT THAT ABUTS PARK ROAD SHALL FRONT PARK ROAD. 9. EACH DWELLING UNIT CONSTRUCTED ON THE SITE SHALL HAVE A MINIMUM 2 CAR GARAGE THAT IS ACCESSED FROM AN INTERNAL PRIVATE

1. A MINIMUM 13 FOOT WIDE PLANTING STRIP AND A MINIMUM 8 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTAGE ON PARK ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. THE WIDTH OF THE PLANTING STRIP AND/OR THE SIDEWALK MAY BE REDUCED AS NECESSARY TO THE INTO THE EXISTING SIDEWALK LOCATED TO THE NORTH OF THE SITE ON PARK ROAD. THE SIDEWALK OR PORTIONS THEREOF MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.

2. A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 6 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTAGE ON REECE ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. THE WIDTH OF THE PLANTING STRIP AND/OR THE SIDEWALK MAY BE REDUCED AS NECESSARY TO TIE INTO ANY EXISTING SIDEWALK LOCATED TO THE EAST OF THE SITE ON REECE ROAD. THE SIDEWALK OR PORTIONS THEREOF MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.

1. EACH INDIVIDUAL SUB-LOT ON WHICH A SINGLE FAMILY ATTACHED DWELLING UNIT IS LOCATED MUST INCLUDE A MINIMUM OF 400 SQUARE

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

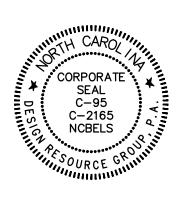
1. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE INTERNAL PRIVATE DRIVES AND SIDEWALKS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE. 2. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 16 FEET.

3. ANY LIGHTING FIXTURES ATTACHED TO THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY

1. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE 2. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO . ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DESIGN RESOURCE GROUP

LANDSCAPE ARCHITECTURE **CIVIL ENGINEERING** TRANSPORTATION PLANNING

459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208 704.343.0608 W www.drgrp.com

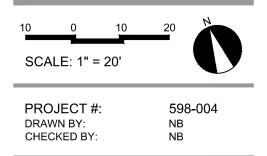


**REZONING PETITION** FOR PUBLIC HEARING 2017-XXX

# **REZONING PETITION**







FEBRUARY 27, 2017

REVISIONS:

4			2	017-054
		RECEIVED	Petition #:	
I. REZONING	APPLICATION	FEB 2 4 2017	Date Filed:	2/24/2017
CITY OF CH	ARLOTTE	BY:	Received By:	<u>H</u>
Property Owners:	SEE SCHEDULE A ATT	ACHED HERETO		
Owner's Addresses:	SEE SCHEDULE A ATT	ACHED HERETO	,	
Date Properties Acquired:	SEE SCHEDULE A ATT	ACHED HERETO		
Property Addresses:	SEE SCHEDULE A ATT	ACHED HERETO		
Tax Parcel Numbers:	SEE SCHEDULE A ATT	ACHED HERETO		
Current Land Use:	<u>Vacant, Industrial, Wa</u>	rehouse and Office	Size (Acres):	<u>± 72</u>
Existing Zoning:	I-2 Proposed Zoni	ng: <u>UMUD-O</u>		
Overlay:	N/A(Specify Pi	ED, Watershed, Historic D	istrict, etc.)	

Required Rezoning Pre-Application Meeting\* with Sonja Sanders, Amanda Vari, Shannon Frye, Monica Holmes and Rick Grochoske

Date of meeting: <u>12/8/16</u>

(\*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: <u>To allow redevelopment of the site to include a dynamic mix of</u> retail, food and beverage, creative office, craft/light industrial production, creative lab, community programming, film studios, entertainment venues, educational uses and other commercial and light industrial related uses, and possible lodging and multi-family residential uses

Bridget Grant, Keith Mac	Vean & Jeff Brown	ATC
Name of Rezoning Agent		Nam
Moore & Van Allen, PLLC		
100 N. Tryon Street, Sui	te 4700	555
Agent's Address		Addr
Charlotte, NC 28202		New
· · · · · · · · · · · · · · · · · · ·		City,
704.331.2379 (BG) 704.331.3531 (KM) 704-331-1144 (JB)	704-378-1973(BG) 704-378-1954 (KM) 704-378-1925 (JB)	(718
Telephone Number	Fax Number	Telep
bridgetgrant@mvalaw.com; jeffbrown@mvalaw.com	keithmacvean@mvalaw.com	damo
E-mail Address		E-ma
SEE ATTACHMENT A		SEE
Signature of Property Own	er	Signa

ATCO (Attn: Damon Hemmerdinger) Name of Petitioner

**555 Fifth Avenue, 16<sup>th</sup> floor** Address of Petitioner

New York, NY 10017 City, State, Zip

718) 326-3560 x209 elephone Number

Fax Number

#### damon@atco555.com

E-mail Address

#### SEE ATTACHMENT B

Signature of Petitioner

#### SCHEDULE A

Parcel #	Property Address	Property Owner	Owner's Address	Date Acquired	Zoning
079-031-01	1932 Statesville Ave, Charlotte, NC 28206	Newcamp Landowner LP	555 Fifth Avenue, New York, 10176	8/19/2016	I-2
079-031-02	1770 Statesville Avenue, Charlotte, NC 28206	Newcamp Landowner LP	97-77 Queens Blvd 11th floor, Rego Park, NY 11375	12/20/2016	1-2
079-031-03	1701 N Graham St. Charlotte, NC 28206	Newcamp Landowner LP	555 Fifth Avenue, New York, 10176	8/19/2016	I-2
079-031-04	901 Woodward Ave, Charlotte, NC 28206	Newcamp Landowner LP	555 Fifth Avenue, New York, 10176	8/19/2016	I-2
079-031-05	1824 Statesville Ave, Charlotte, NC 28206	Newcamp Landowner LP	97-77 Queens Blvd 11th floor, Rego Park, NY 11375	12/20/2016	I-2
079-031-06	921 Woodward Ave A, Charlotte, NC 28206	Newcamp Landowner LP	555 Fifth Avenue, New York, 10176	8/19/2016	I-2

#### **ATTACHMENT A**

#### REZONING PETITION NO. 2017-ATCO

#### PETITIONER JOINDER AGREEMENT Newcamp Landowner LP

The undersigned, as the owners of the parcels of land located at

- 1. 1932 Statesville Ave that is designated as Tax Parcel No. 079-031-01
- 2. 1770 Statesville Ave that is designated as Tax Parcel No. 079-031-02
- 3. 1701 N Graham St that is designated as Tax Parcel No. 079-031-03
- 4. 901 Woodward Ave that is designated as Tax Parcel No. 079-031-04
- 5. 1824 Statesville Ave that is designated as Tax Parcel No. 079-031-05
- 6. 921 Woodward Ave A that is designated as Tax Parcel No. 079-031-06

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-2 zoning district to the UMUD-O zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 23d day of february, 2017.

Newcamp Landowner LP By: Name: Mnortin Title:

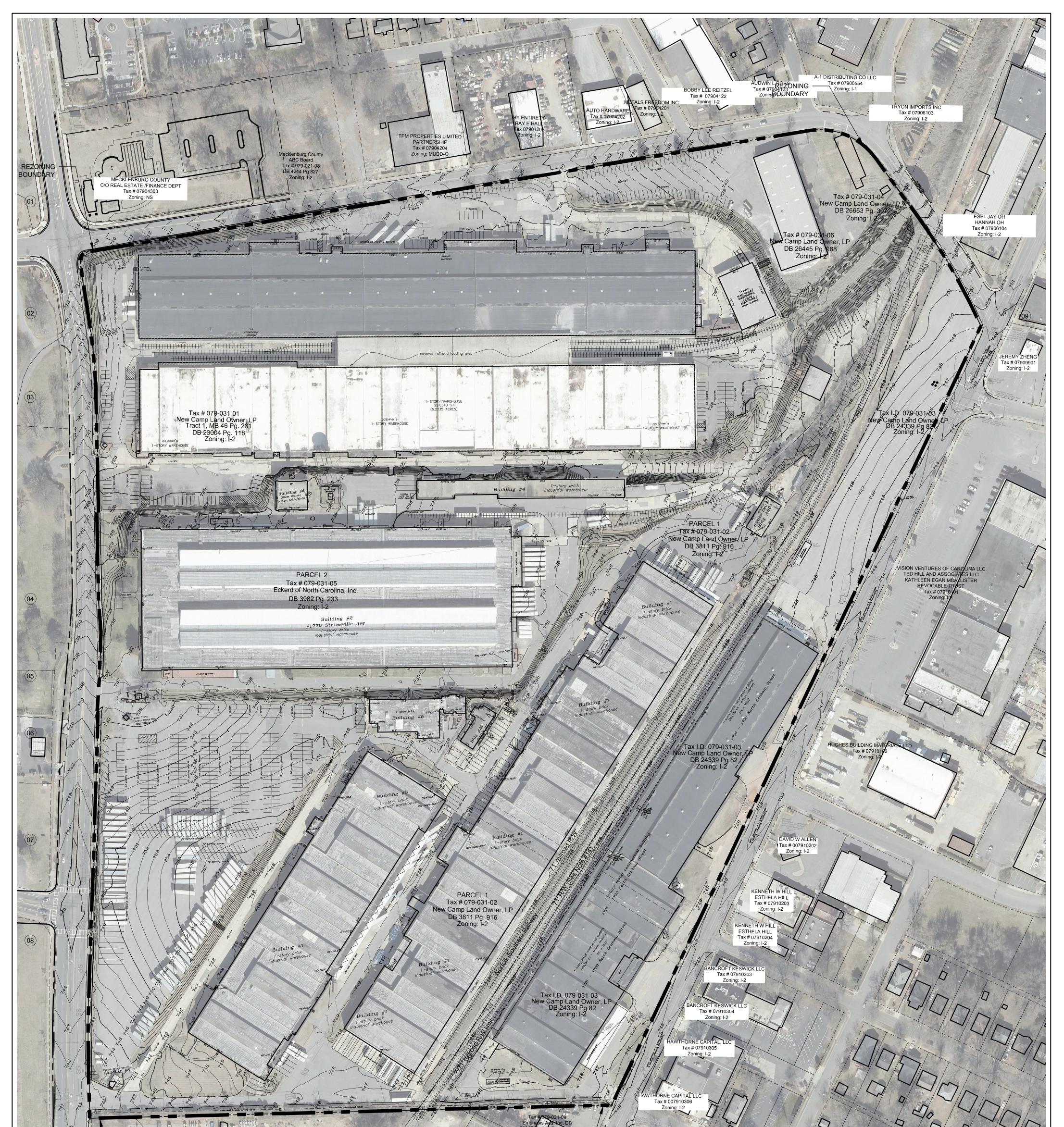
#### ATTACHMENT B

REZONING PETITION NO. 2017-ATCO

ATCO By: koment inger Name: Xann Co. President Title:

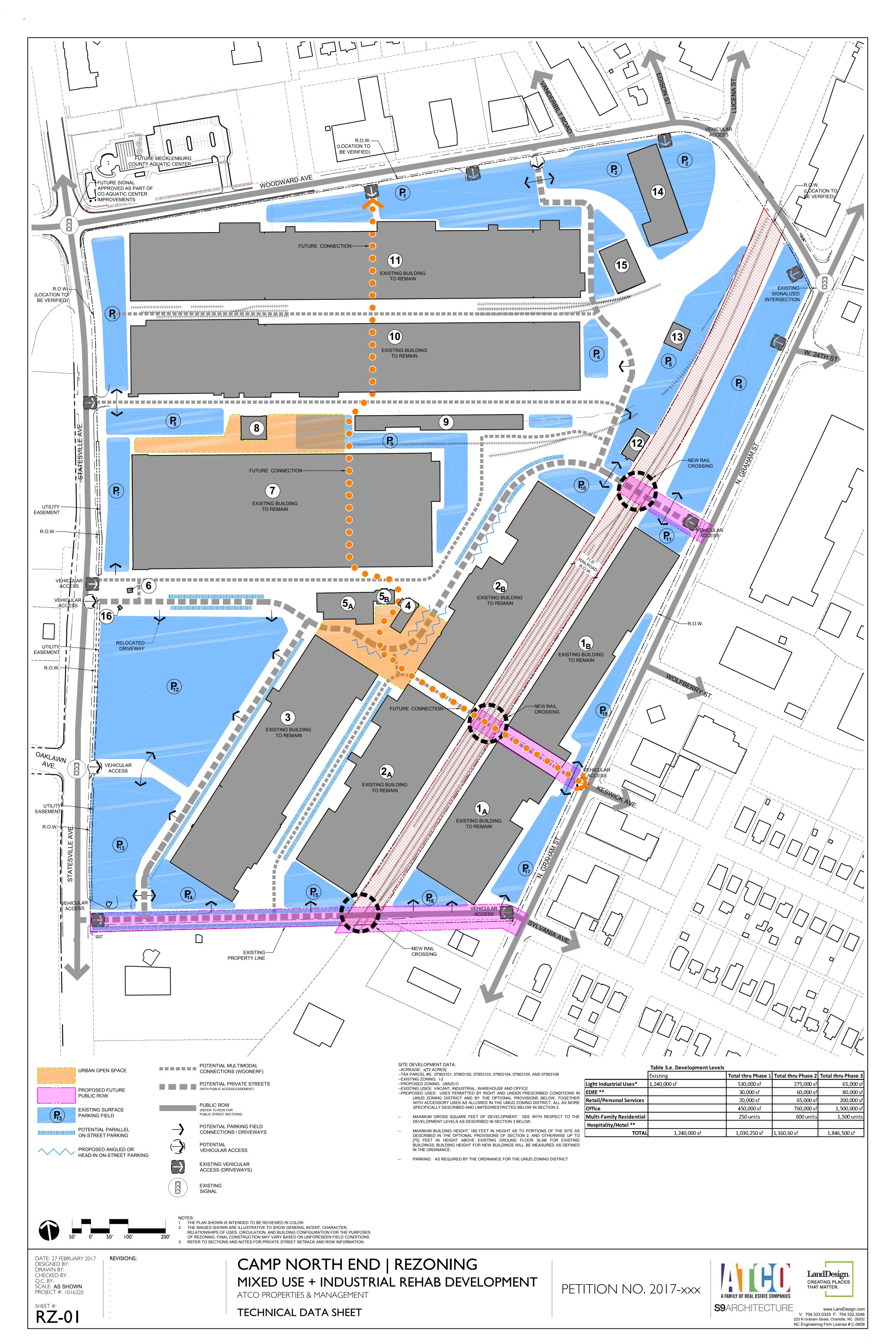
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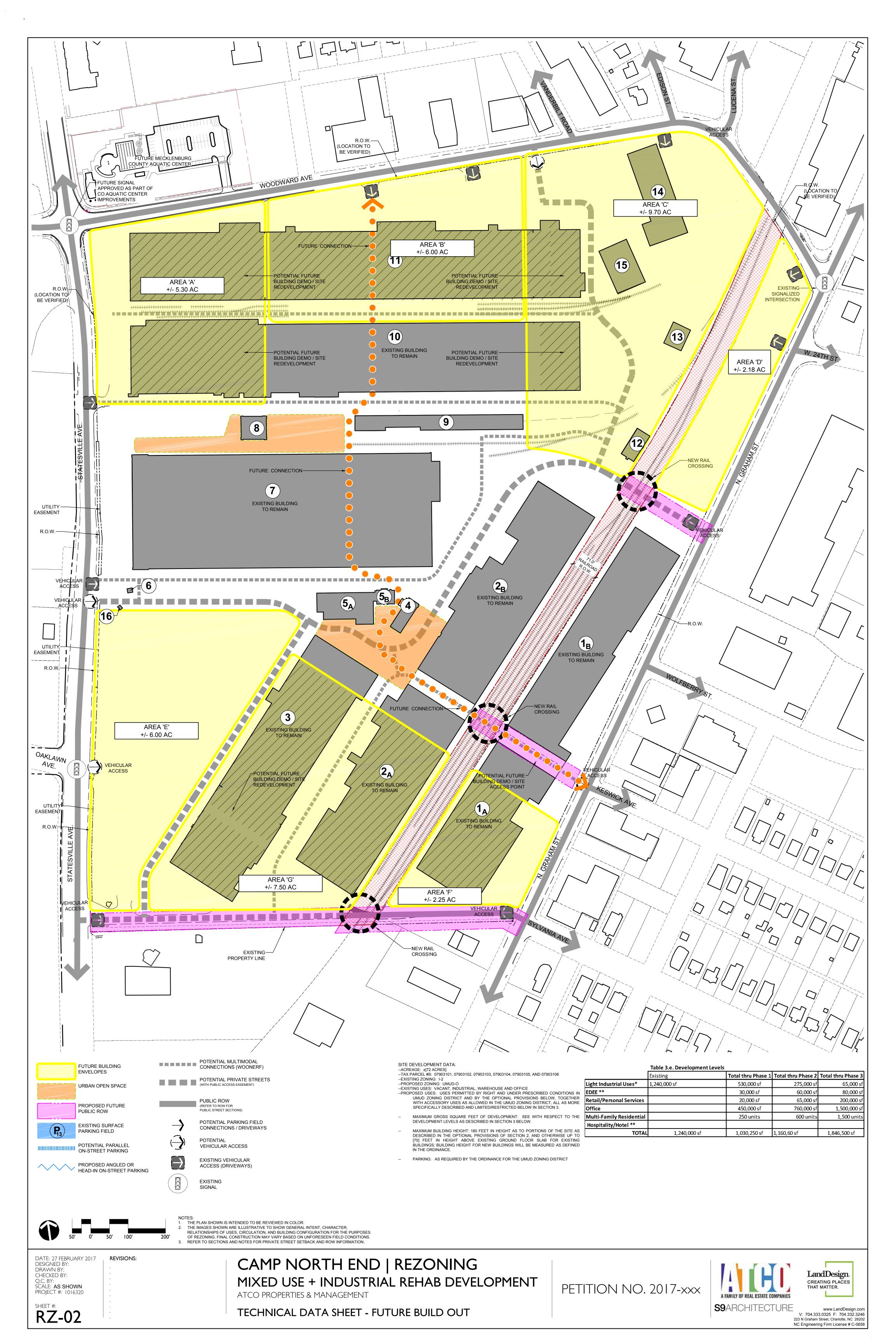
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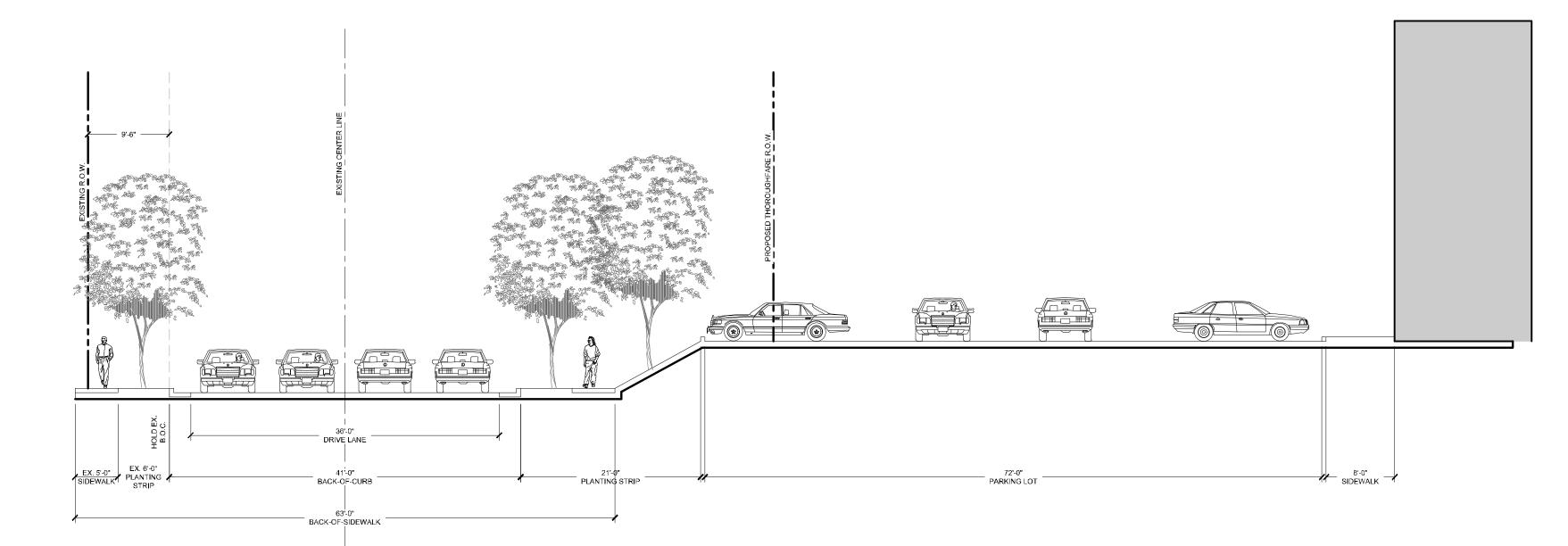




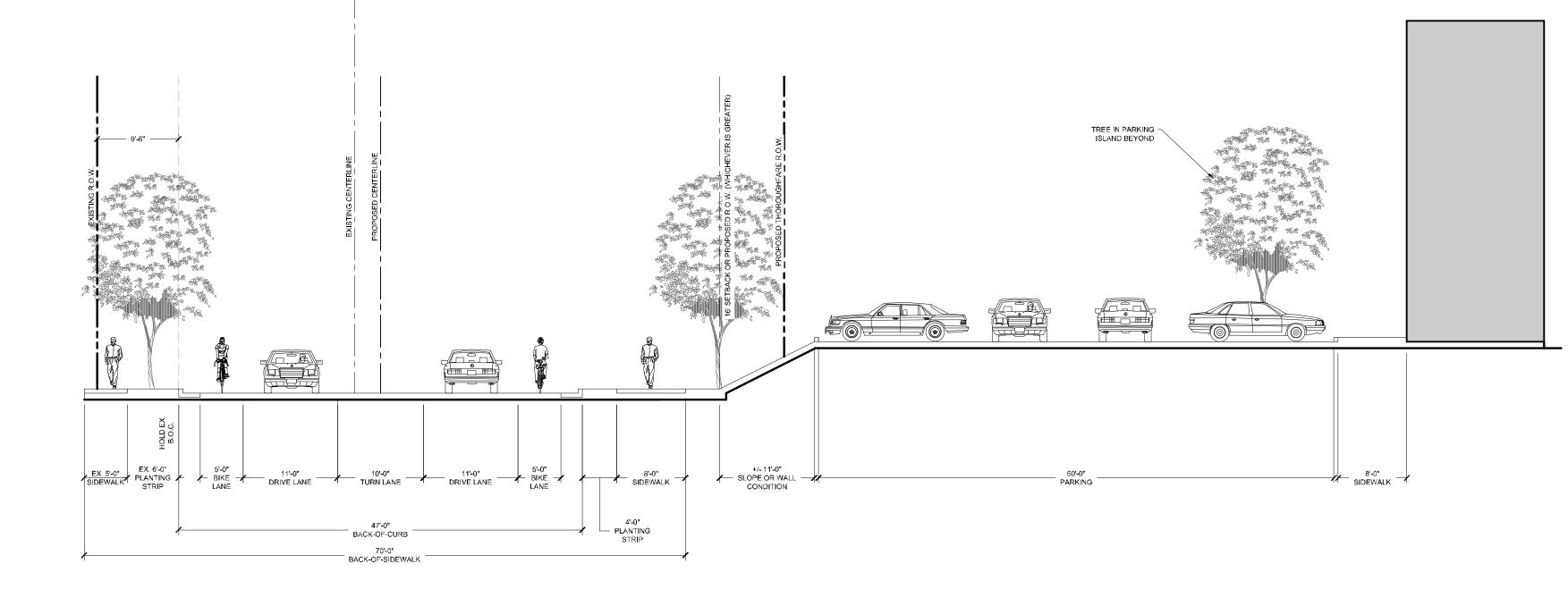
ADJACENT OWNERSHIP LISTINGS* 1. CHARLOTTE-MECKLENBURG HOUSING PARTNERSHIP INC	7. JETT ACQUISITIONS LLC Tax # 07510602 Zoning: B-1			
Tax # 07510543	8. TDC GREENVILLE LLC	SITE INFORMATION		
Tax # 07510537	Tax # 07844101	SITE AREA	71.81 ACRES (+/- 3,127,825.80 SQFT)	
Zoning: NS 2. HEBREW CEMETERY	Zoning: B-1 9. END SPOT	TAX PARCEL(S) INCLUDED WITHIN THE AREA TO BE REZONED		
Tax # 07510528	HOLDINGS II LLC	EXISTING ZONING	INDUSTRIAL DISTRICT (I-2)	Woodward Ave / /
Zoning: R-8	Tax # 07909944	EXISTING USES	WAREHOUSE, VACANT	
	Zoning: I-2	PROPERTY OWNERS	NEWCAMP LANDOWNER LP	
	*ADDITIONAL OWNERSHIP INFORMATION SHOWN ON PLAN		97-77 QUEENS BOULEVARD, SUITE 1103 REGO PARK, NY, 11374	Daklawn in
4. HEBREW BENEVOLENT SOCIETY OF THE CITY OF CHARLOTTE Tax # 07510613 Zoning: B-1				And
5. HEBREW CEMETRY ASSOC OF CHAR Tax # 07510611 Zoning: B-1				E Dalton Ave
6. JETT ACQUISITIONS LLC Tax # 07510607 Zoning: B-1				Brookshire Fray R. N
50' 0' 50' 100	NOTES: EXISTING CONDITION PLAN DERIVED FROM VARYING SOURCES (I.E. MULTIPLE SURVEYS, GIS, AERIAL RECONNAISSANCE, AND SITE OBSERVATIONS). ACTUAL SITE AND/OR CONTEXT CONDITIONS MAY VARY. TO THE FULL KNOWLEDGE OF THE PETITIONER ALL KNOWN EXISTING EASEMENTS AND ROW RESERVATIONS ARE SHOWN.			VICINITY MAP (not to scale)
DATE: 27 FEBRUARY 2017 DESIGNED BY: DRAWN BY: CHECKED BY: Q.C. BY: REVISION	MIXED USE + INDUSTRIAL REHAB D			LandDesign. CREATING PLACES
SCALE: AS SHOWN PROJECT #: 1016320	ATCO PROPERTIES & MANAGEMENT	P	ETITION NO. 2017-xxx	A FAMILY OF REAL ESTATE COMPANIES
SHEET #: <b>RZ-00</b>	EXISTING CONDITIONS			S9ARCHITECTURE www.LandDesign.com V: 704.333.0325 F: 704.332.3246 223 N Graham Street, Charlotte, NC 28202 NC Engineering Firm License # C-0658



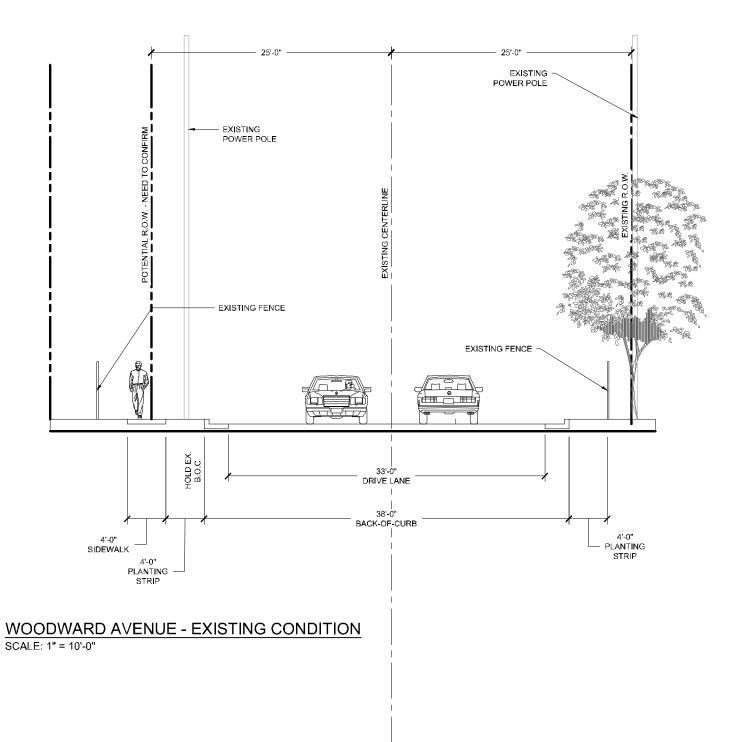


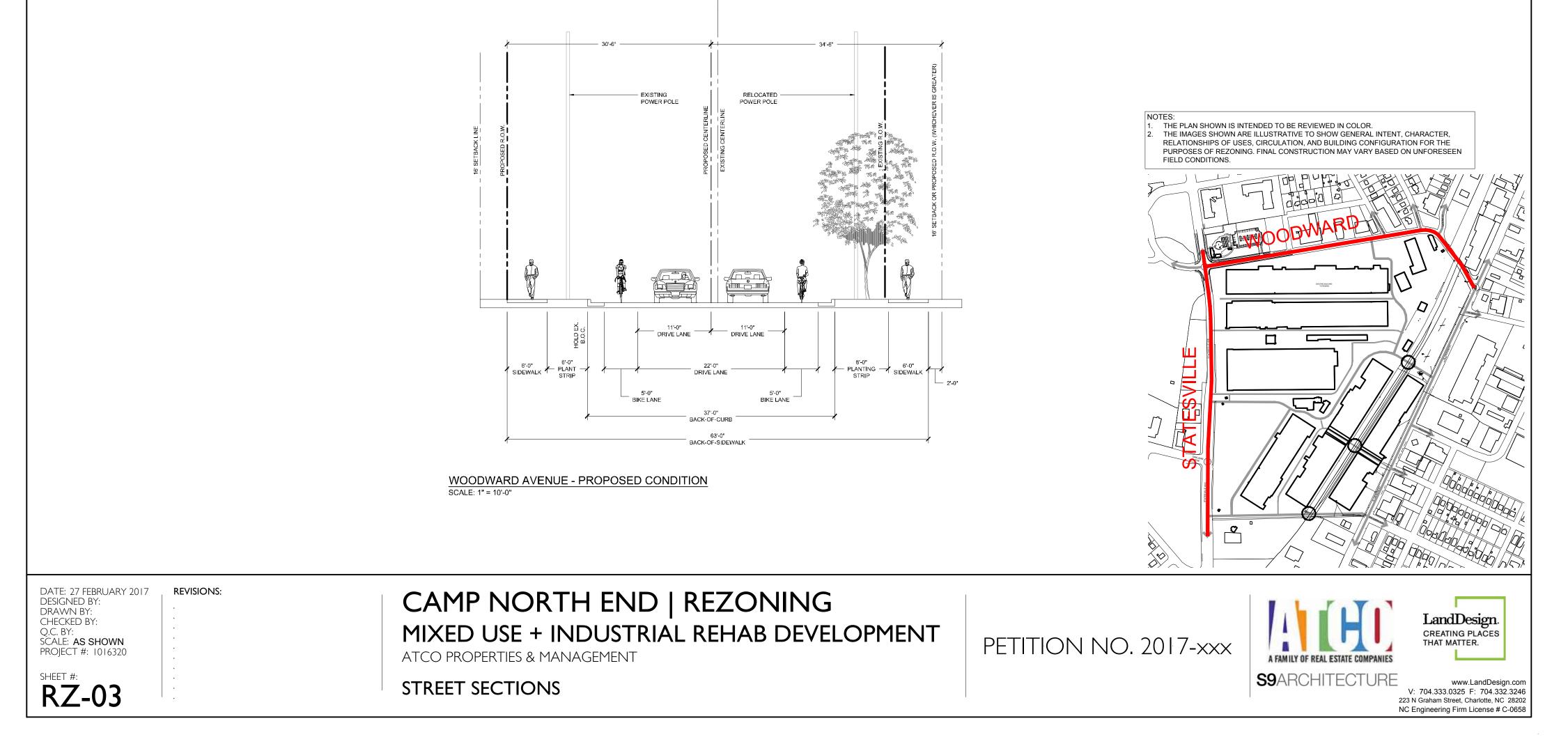


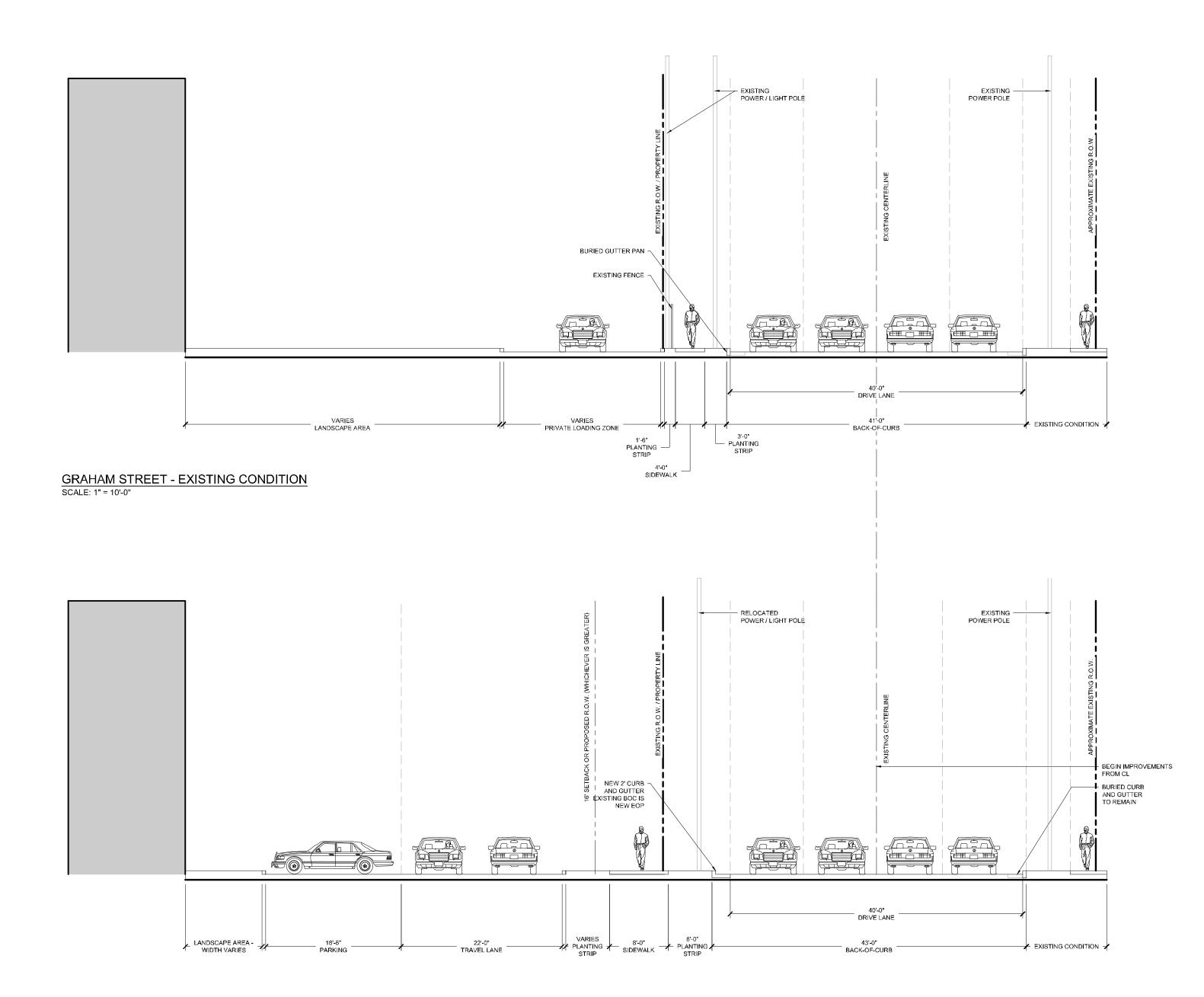
STATESVILLE AVENUE - EXISTING CONDITION SCALE: 1" = 10'-0"



STATESVILLE AVENUE - PROPOSED CONDITION SCALE: 1" = 10'-0"



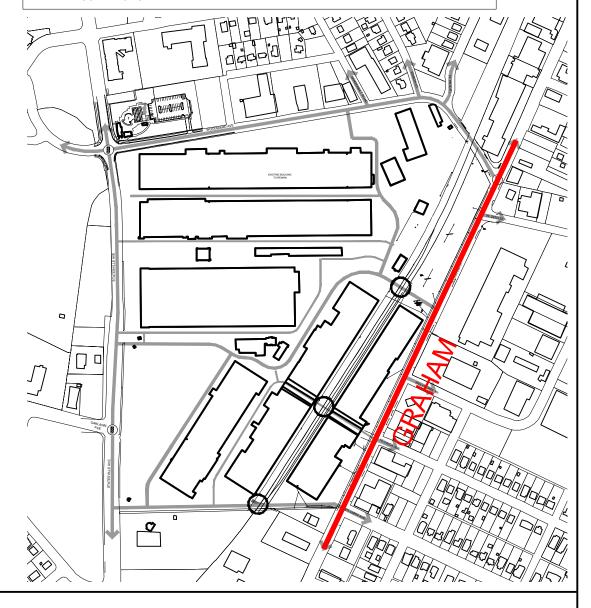




GRAHAM STREET - PROPOSED CONDITION SCALE: 1" = 10'-0"

NOTES:	
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THE PLAN SHOWN IS INTENDED TO BE REVIEWED IN COLOR.
 THE IMAGES SHOWN ARE ILLUSTRATIVE TO SHOW GENERAL INTENT, CHARACTER, RELATIONSHIPS OF USES, CIRCULATION, AND BUILDING CONFIGURATION FOR THE PURPOSES OF REZONING. FINAL CONSTRUCTION MAY VARY BASED ON UNFORESEEN FIELD CONDITIONS.



DATE: 27 FEBRUARY 2017	
DESIGNED BY: DRAWN BY:	
CHECKED BY:	
Q.C. BY:	
SCALE: <b>AS SHOWN</b> PROJECT #: 1016320	

SHEET #: **RZ-04** 

**REVISIONS:** 

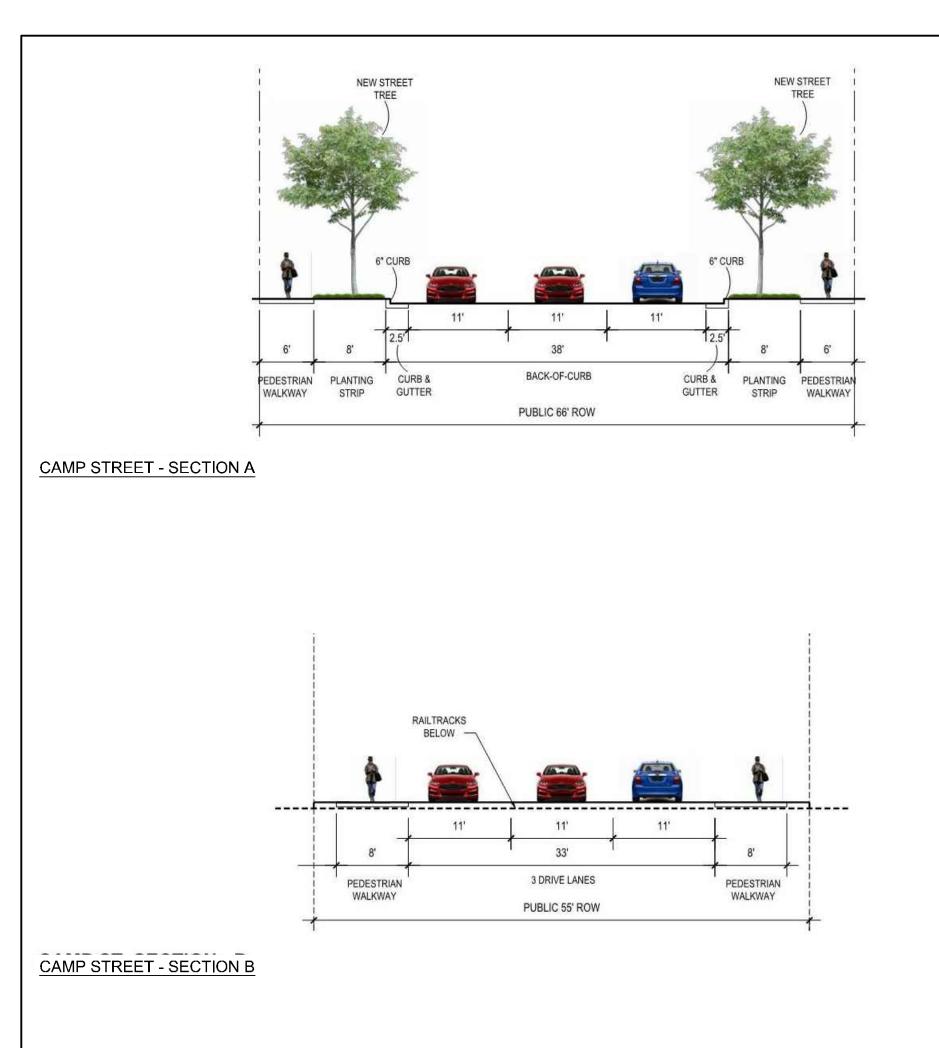
# CAMP NORTH END | REZONING MIXED USE + INDUSTRIAL REHAB DEVELOPMENT ATCO PROPERTIES & MANAGEMENT

STREET SECTIONS

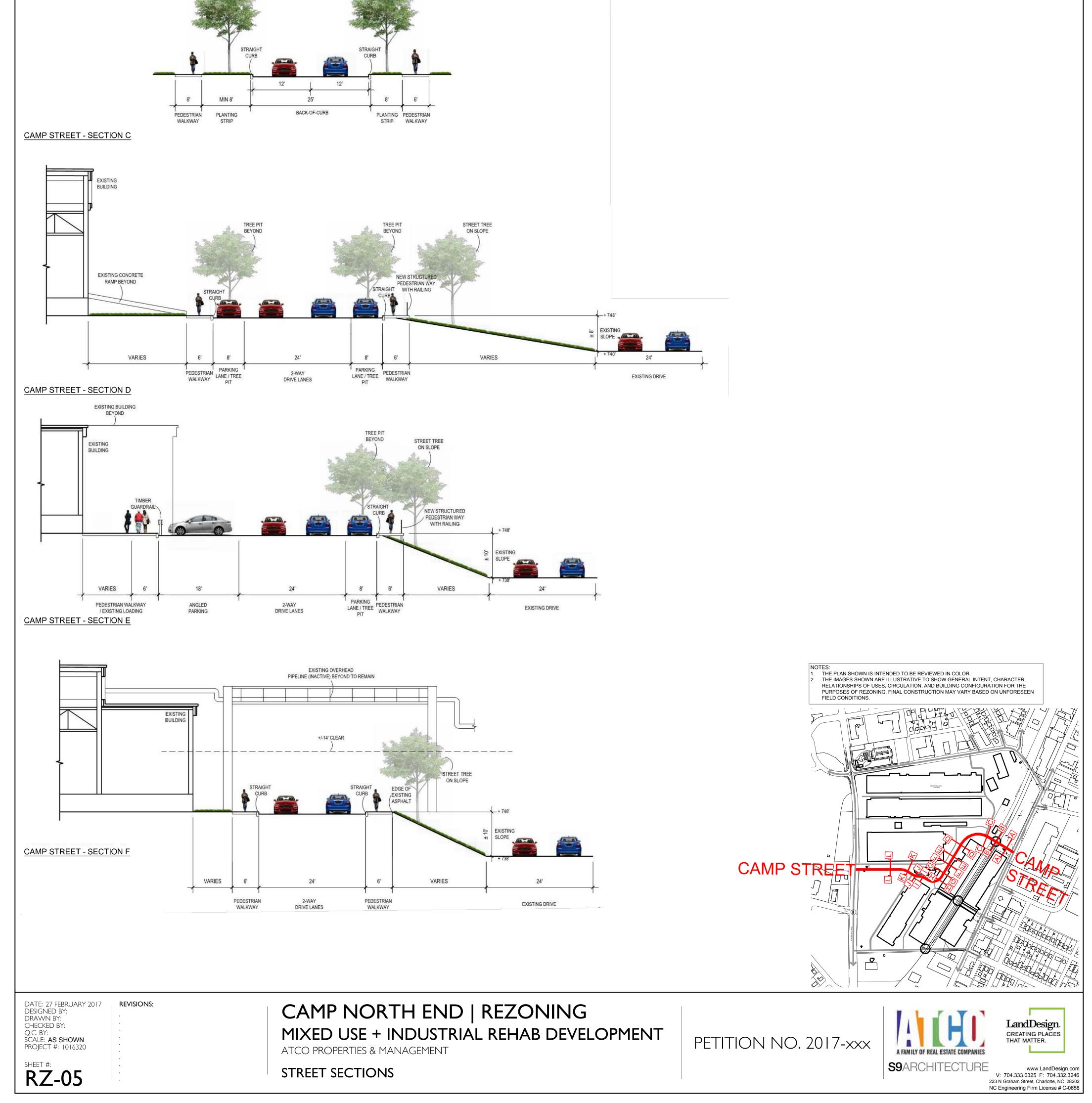
PETITION NO. 2017-XXX

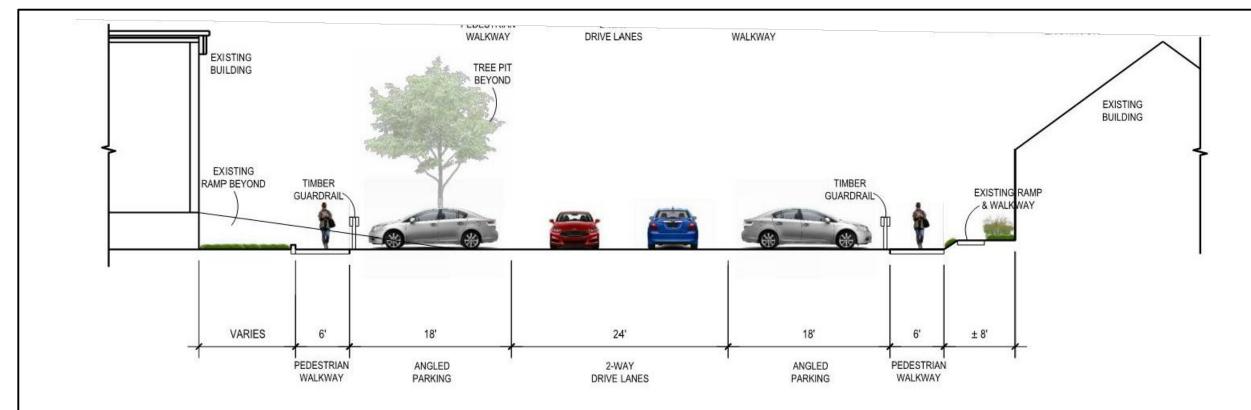


**S9**ARCHITECTURE www.LandDesign.com V: 704.333.0325 F: 704.332.3246 223 N Graham Street, Charlotte, NC 28202 NC Engineering Firm License # C-0658

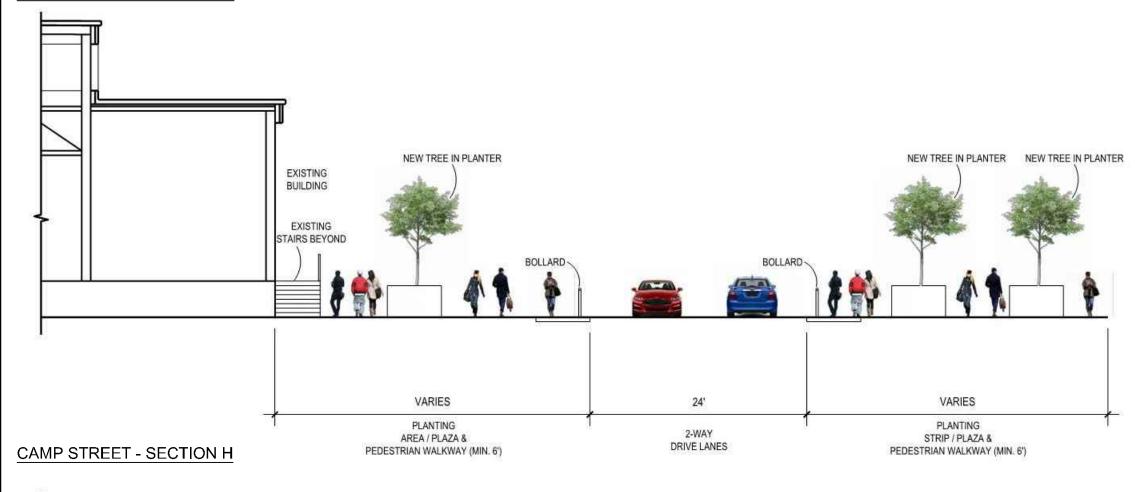


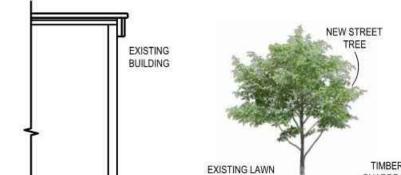






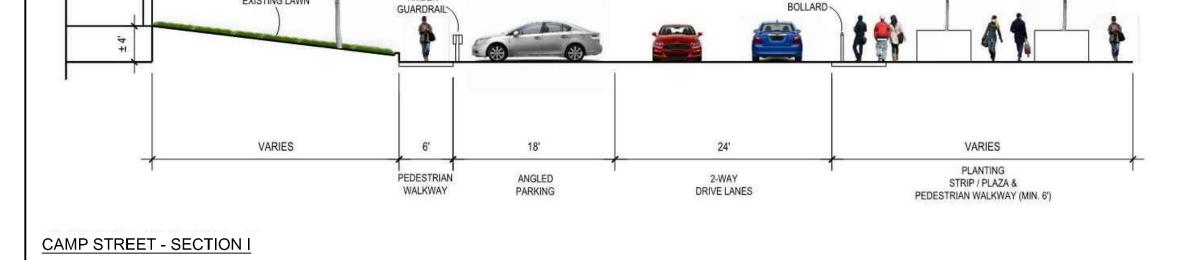


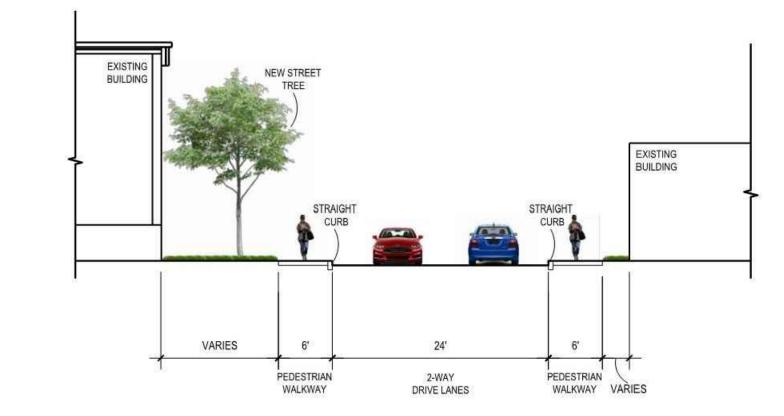




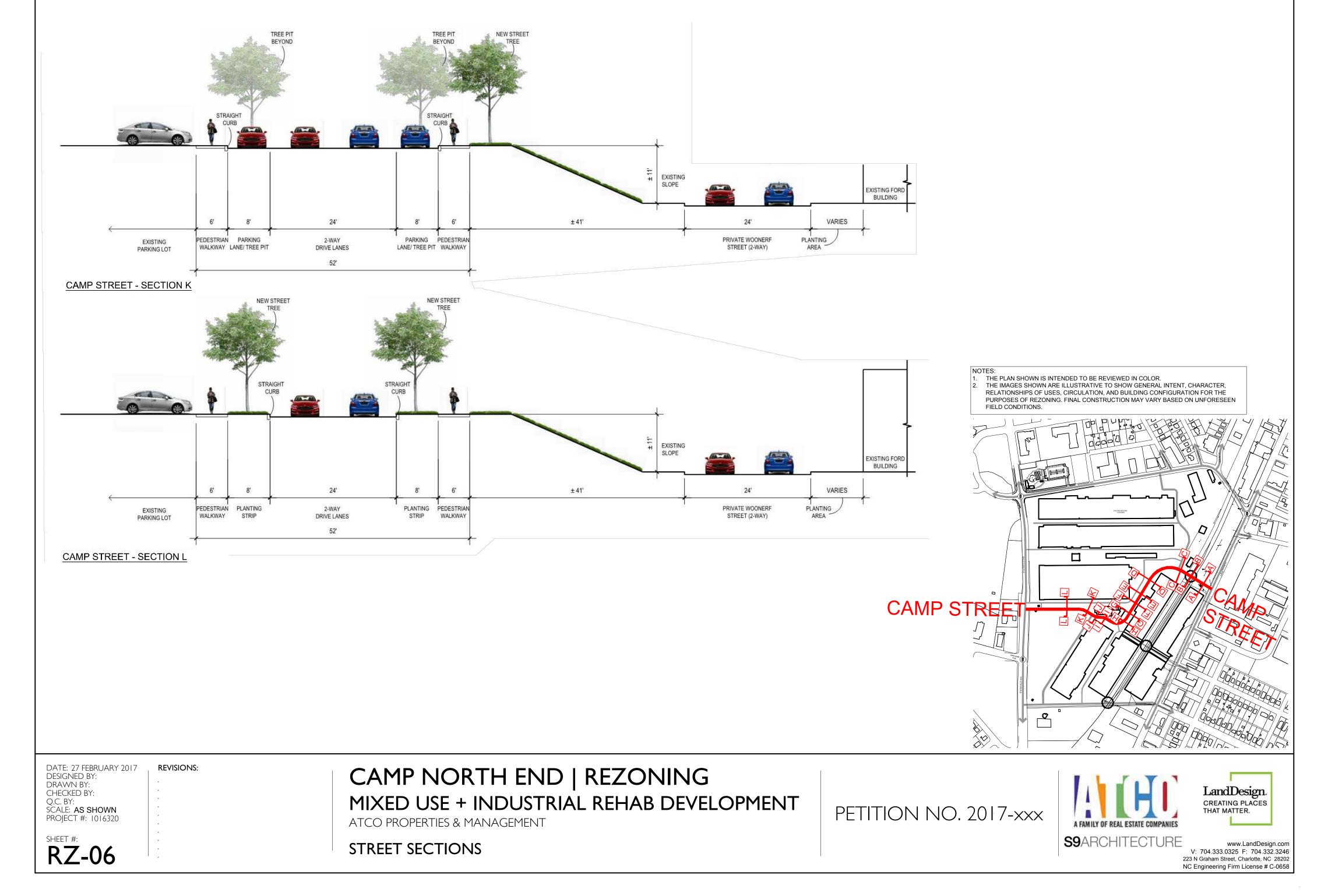
NEW TREE IN PLANTER NEW TREE IN PLANTER







# CAMP STREET - SECTION J



ATCO/CAMP NORTH END		
<b>Development Standards</b>		
Preliminary Draft: 2/23/17		
<b>Rezoning Petition No. 2017-000</b>		

### **Site Development Data:**

--Acreage: ±[72 acres] --Tax Parcel #s: 07903101, 07903102, 07903103, 07903104, 07903105, and 07903106 --Existing Zoning: I-2 --Proposed Zoning: UMUD-O

--Existing Uses: Vacant, Industrial, Warehouse and Office

--Proposed Uses: Uses permitted by right and under prescribed conditions in UMUD zoning district and by the Optional Provisions below, together with accessory uses as allowed in the UMUD zoning district, all as more specifically described and limited/restricted below in Section 3.

--Maximum Gross Square feet of Development: See with respect to the Development Levels as described in Section 3 below.

- Maximum Building Height: 180 feet in height as to portions of the Site as described in the Optional Provisions of Section 2, and otherwise up to [70] feet in height above existing ground floor slab for existing buildings; building height for new buildings will be measured as defined in the Ordinance.
- Parking: As required by the Ordinance for the UMUD zoning district

### 1. **General Provisions:**

a. Site Location. These Development Standards, the Technical Data Sheet of Sheet RZ-1 and other graphics set forth on attached Sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by ATCO ("Petitioner") for an approximately [71] acre site located between Statesville Avenue and Graham Street south of Woodward Avenue (the "Site").

b. Overview/Nature of Redevelopment. Redevelopment of the Site as contemplated by the Rezoning Plan involves an innovative, adaptive reuse of significant portions of the existing industrial/distribution buildings that were constructed as early as the 1920s. The redevelopment to be known as "Camp North End" seeks to resurrect and continue the legacy of innovation of this unique property by transforming the historical industrial distribution components into a vibrant destination and vehicle for economic mobility. The Rezoning Plan contemplates a dynamic mix of retail, food and beverage, creative office, craft/light industrial production, creative lab, community programing, film studios, entertainment venues, educational uses and other commercial and light industrial related uses, and possible lodging and multi-family residential uses - many of which will occupy in an adaptive reuse format the existing unique industrial period buildings and some will occupy new buildings located in certain designated areas on the Site. The Rezoning Plan reflects the need for creativity and flexibility in compliance with land use regulations by way of UMUD Optional Provisions and other regulatory allowances in order to create the innovative and unique place sought for the City's Applied Innovation Corridor, among other community planning instruments.

c. Zoning District/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance") for the UMUD-O zoning district. Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance, the UMUDD-O zoning classification shall govern the Site, subject to the Optional Provisions set forth below.

[d. Development within Existing & New Buildings. It is acknowledged that the existing buildings located on the Site as generally depicted and identified on [Sheet RZ-00 and Sheet RZ-01] of the Rezoning Plan (each an "Existing Building" and collectively the "Existing Buildings") consist of  $\pm [1.24]$  million square feet of space and in the recent past over 90% of such Existing Building space has been used for a combination of distribution, light industrial and office related uses. Given the size and scale of the Site, portions of the Site and the Existing Buildings will be developed in a combined effort to meet and create market demand with a mix of small or larger rehabs of portions of Existing Buildings for the permitted uses as well as development of new buildings on the Site (each a "<u>New Building</u>" and collectively the "<u>New Buildings</u>") that will occur in areas currently consisting of surface parking or driveway areas or portions of Existing Buildings as generally depicted within the "vellow shaded areas" (as such areas may be adjusted) on [Sheet RZ-02]. The provisions of Section 3.d. below reflect the above-described approach to construction of New Buildings on portions of the Site and redevelopment with Adaptive Reuses of portions of the Existing Buildings.

e. Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings (including without limitation Existing Buildings or New Buildings; together "buildings"), driveways, and other development matters and site elements (collectively the "Development/Site Elements") as may be 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:

expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or

		First floor retail uses will not be required on Existing Buildings nor
		1 0 0
		New Buildings, but Active Ground Floor Uses (as defined herein)
0.006(6)	First Floor Retail Required	shall be provided on New Buildings at the street level on <i>public</i>
9.906(6)	First Floor Retain Required	streets at the same level as would be required for retail uses per
		Section 9.906(6) and may be applied in their entirety rather than as
		a percentage.
	9.907(1)(a-e) Parking Standards	By Ordinance, existing floor area in Existing Buildings is exempt
		from parking requirements of this section.
		Due to the Existing Building and parking locations, parking may be
9.907(1)(a-e)		provided a distance on site of more than 1,600 feet from new uses.
		Parking for new office and commercial uses of greater than 20,000
		sq. feet and as part of a New Building shall be provided as set
		forth in Section below.
9.907(2)	Loading Standards	Certain deviations of loading standards shall be permitted.

### Permitted Uses; Development Levels; Conversion Rights, 3.

Permitted Uses Generally. The Site may be developed with uses permitted by right and under prescribed conditions in a. the UMUD zoning district together with accessory uses as allowed in the UMUD zoning district, in accordance with the Optional Provisions set forth above AND EXCEPT as noted below in Sections 3.b., 3.c., 3.d. and 3.e.

Permitted Uses Under Prescribed Conditions. The following principle uses are permitted as described below and under b. the prescribed conditions for such uses that are set forth in the Ordinance.

Retail sales for automobiles (new and used), feed, fences and fence materials, packaged fertilizer, motorcycles, (i) pawnshops and trucks within a completely enclosed building limited to Development Areas A, B, and C as generally depicted on RZ-02.

(ii) Exterminators, funeral homes and embalming, laundries and dry cleaning establishments and locksmiths and gunsmiths limited to Development Areas A, B, and C as generally depicted on RZ-02.

Utility and related facilities such as distribution lines, railroad rights-of-way, telephone repeater stations, and water (iii) storage tanks if currently or previously existing on the site *and with* expansion

Drive-in windows as part of an accessory part of a principal structure designed to be completely internal to the (iv) building.

(v) Outdoor sales accessory, subject to the regulations of the Zoning Ordinance Section 12.417 limited to Development Areas A, B, and C as generally depicted on RZ-02.

(vi) Beneficial fill permitted from within the overall Site and as associated with Brownfield restoration and related regulations.

Prohibited Uses. The following uses are not permitted: animal crematoriums, jails, land clearing and inert debris c. landfills, crematory facilities, and/or petroleum storage.

New Building Areas. [Sheet RZ-02] generally depicts those portions of the Site shaded in yellow in which New d. Buildings and associated development are contemplated (the "New Building Development Areas"). Development within the New Building Development Areas may include demolition of all or portions of the Existing Buildings. The boundary of the New Building Development Areas may be adjusted in a manner so as to result in a comparable amount of Existing Buildings within the New Building Development Areas upon such adjustment; provided, further, that at least 400,000 square feet of gross floor area within Existing Buildings shall remain on the Site (subject to fire, casualty or similar events). It is expressly understood that the portions of the Site not identified as New Building Development Areas, as the same may be adjusted, may be redeveloped as Adaptive Reuses (as defined above).

Development Levels. Development levels for certain permitted uses are set forth in *Table 3.e.* below for the purposes of e. regulating traffic/transportation related aspects that may result from development taking place on the Site as more particularly set forth in Section 4 below. When referencing development levels in *Table 3.e.* below, it is understood that those permitted uses falling within the category of uses listed below shall be accounted for within the listing for Light Industrial uses. It is acknowledged that the actual development levels allowed may be increased or decreased above or below the development levels reflected in Table 3.e. below in accordance with the conversion rights set forth in Sections 3.f. - 3.i. below up to the maximum conversion amounts set forth in such sections.

	Existing	Total thru Phase 1	Total thru Phase 2	Total thru Phase 3
Light Industrial Uses*	1,240,000 sf	530,000 sf	275,000 sf	65,000 sf
EDEE **		30,000 sf	60,000 sf	80,000 sf
Retail/Personal Services		20,000 sf	65,000 sf	200,000 sf
Office		450,000 sf	760,000 sf	1,500,000 sf
Multi-Family Residential		250 units	600 units	1,500 units
Hospitality/Hotel **				
TOTAL	1,240,000 sf	1,030,250 sf	1,160,60 sf	1,846,500 sf

shall be located between the building and the public street subject to the Planning Director's approval.

**c. New Buildings.** The following standards shall apply to all New Buildings constructed on the Site:

(i) New Buildings fronting Statesville Avenue and Woodward Avenue shall not have parking between the building and the street. Parking shall be permitted to the side of the building.

(ii) New Buildings fronting Graham Street and Sylvania Avenue may have parking, maneuvering and loading between the building and the street without limitation.

(iii) Proposed parking deck(s) in [Development Area "C"] generally depicted on sheet RZ-02 shall be permitted without active ground floor use. Decorative louvers or grillwork shall be utilized to screen cars on all facades facing public streets.

(iv) New Building heights shall not exceed 180 feet. New Buildings located on and fronting Woodward Avenue, Statesville Avenue, Graham Street and Sylvania Avenue taller than 70 feet will have a building step-back 60' above grade or lower that is a minimum of 10'deep. If the building setback is increased by 10'and improved as an amenity area, the building step back is not required. This standard does not apply to New Buildings developed at the center of the site that are not located on the setback of the above noted streets.

(v) New Buildings principally for residential uses ("<u>Residential Building(s)</u>") will have a four (4) foot transition zone between the sidewalk or a multi-use trail provided along public or any required private network streets. The principle building will not be allowed to be located in the four (4) foot transition zone, however, stoops, porches, steps, rails, and similar items may be located within the transition zone.

(vi) Residential Building(s) entrances shall be at or slightly above grade (individual unit entrances will be located a minimum of one (1) to two (2) feet above grade), and shall be highly visible and architecturally treated as prominent pedestrian entrances through a combination of at least five (5) of the following features: (1) decorative pedestrian lighting/sconces; (2) architectural details carried through to upper stories; (3) covered porches, canopies, awnings or sunshades; (4) archways; (5) transom windows; (6) terraced or raised planters that can be utilized as seat walls; (7) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (8) double doors; (9) stoops or stairs; and/or (10) contrasting pavement from primary sidewalk.

(vii) Non-residential facades, excluding parking decks located in [Development Area C], fronting on public streets shall include a minimum of 40% transparent glass between two feet (2') and eight feet (8') on the first floor. Shadow boxes or window graphics may be utilized behind transparent glass to screen bathrooms, back of house or kitchens, but may not exceed more that 40% of the total required building transparency requirement.

(viii) The scale and massing of multi-tenant non-residential or Residential Buildings longer than 150 feet along a street shall be minimized by utilizing a combination of the following options: (1) varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions; (2) building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses; (3) horizontal and vertical variations in wall planes; and/or (4) architectural protrusion.

(ix) Principle entrances for all New Buildings will be connected via a sidewalk to adjacent public or private street sidewalks.

(x) Between the New Building(s) principally used for non-residential uses and the sidewalk there shall be a transition zone. For such uses the transition zone may be a wider sidewalk, artwork, outdoor dining, artwork, bike racks, and landscaping or streetscape amenities.

(xi) [Utilities shall be screened and shall not be visible from the public street. This includes, mechanical and electrical equipment, utility meters, dumpsters, and backflow preventers. No fencing shall be located between the building and the public street.

### **Environmental Features:** 7.

The Petitioner shall comply with the Charlotte City Council approved Post Construction Ordinance. a.

The Site will comply with the Tree Ordinance, as reflected in that certain letter dated , 2017, **[TO BE**] FORTHCOMING] whereby certain matters regarding compliance are set forth to insure implementation of the Tree Ordinance provisions based on appropriate interpretations of the Tree Ordinance reflecting the unique nature of this project redevelopment. [c. Urban Open Space shall be provided in the areas as generally depicted on [Sheet RZ-01] (including those within "yellow areas") and shall be used to meet the open space requirements for New Buildings. Urban Open Space may include a combination of the following features: raised planters, seat walls, benches, outdoor dining, displays of art, water features, play amenities, specialty pavers or other similar features or amenities that encourage people to gather.]

### [Signage & Signage Optional Variations]. [TO BE FORTHCOMING]

### Lighting:

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

Detached lighting on the Site will be limited to 25 feet in height. b.

### Amendments to the Rezoning Plan: 10.

**a.** Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the 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:

**a.** If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided 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.

minor and don't materially change the overall design intent depicted on the Rezoning Plan; or

(iii) modifications to move structures or buildings graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the yards) indicated on the Rezoning Plan; or

modifications to allow minor increases in the mass of the buildings that do not materially change the design intent (iv) depicted on or described in the Rezoning Plan.

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

f. Number of Buildings Principal and Accessory. Given the phased master planned nature of the Site, Petitioner is not required to set forth the number of the buildings and structures on the Site, and the total number of such buildings or structures to be developed on the Site shall not be limited.

g. Planned/Unified Development. The Site and Development Areas within the Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan for the Site and such Development Areas. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located within the Site or an applicable Development Area. Furthermore, the Petitioner and/or owner of any portion of the Site reserves the right to subdivide portions or all of the Site and create lots within the interior of the portion of the Site or within a Development Area without regard to any such internal separation standards and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to. In addition, all FAR requirements will be regulated by any development limitations set forth in this Rezoning Plan for the Plan Site as a whole and not individual portions, Development Areas or lots located therein

h. Five Year Vested Rights. Per Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the scale, size and master planned nature of the development & its timing, and the level of investment, among other factors, this Petition includes vesting of the Rezoning Plan and conditional zoning districts for a five (5) year period, but such provisions shall not limit any other vested rights at common law or otherwise

**Definitions & Clarifications.** In addition to certain defined terms set forth in the Development Standards, the following apply to certain definitions:

- (i) Gross Floor Area Clarification. When determining the maximum development levels set forth in this Rezoning Plan, the term gross floor shall exclude mechanical spaces, crawl spaces, elevator shafts and similar areas as well as any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), enclosed loading dock/service areas, and outdoor dining and gathering areas whether on the roof of the building or at street level
- (ii) Personal Services. The terms "personal service uses" and/or "personal services" (whether capitalized or not) will mean and refer to uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, artist studios and galleries, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and the like.
- (iii) Limited Service Restaurant. A "Limited Service Restaurant" or "limited service restaurant" (whether capitalized or not) shall mean a restaurant with no more than 3,000 square feet of gross floor area serving primarily items such as coffee, ice cream, yogurt, juices, bagels, muffins, pastries, sandwiches and similar foods that do not require on-premise cooking of food (other than heating and the baking of premixed dough).
- (iv) [Urban Open Space. References to the term "Urban Open Space" (whether capitalized or not) shall have the meaning ascribed to such term in the Ordinance as modified pursuant to Section 7 below.]
- (v) EDEE Uses. References to the term "EDEE" shall mean "Eating Drinking Entertainment Establishments" as defined in the Ordinance and shall include without limitation restaurants and multi-room drinking establishments.
- (vi) Commercial Uses. References to the term "commercial uses" or "Commercial Uses" (whether capitalized or not) shall mean office uses, retail uses, EDEE uses and personal services uses, and the term "non-office commercial uses" or "Non-office Commercial Uses") (whether capitalized or not) shall mean retail uses, EDEE uses and personal services uses.
- (vii) Light Industrial Uses. References to the term "Light Industrial Uses" or "light industrial uses" (whether capitalized or not) shall mean all such uses permitted by right or under prescribed conditions under the UMUD zoning district other than the Commercial Uses, hotel/lodging uses and multi-family residential uses.
- (viii) Adaptive Reuse. Reference to the term "Adaptive Reuse" (whether capitalized or not) is intended to describe reuse of as much of an Existing Building as practical and as permitted by applicable building regulation codes. The reuse will marry the spirit of the original architecture with anticipated sympathetic architectural intervention such as, but not limited to renovations, repairs, upgrades to mechanical systems and otherwise, portal demolitions, minor expansions, and establishment of passageways, patios, entries, connectivity, new fenestration, façade treatments, roof replacement and removal.
- (ix) Active Ground Floor Use. Reference to the term "Active Ground Floor Use" (whether capitalized or not) shall mean retail, Personal Services, business services, EDEE, galleries, office, lobbies, meeting areas, instructional venues, financial services, hotel lobby, leasing offices, lounges, exercise facilities, amenity areas and/or similar uses.

### **Optional Provisions under UMUD:** 2.

Intent/Context. The Site is part of the Center City 2020 Vision Plan, Innovation Corridor and Smart District planning a. areas that place an emphasis on adaptive reuse, innovative development and maintaining space and opportunities for industrial uses that can be integrated into the area with residential, Commercial Uses and Light Industrial Uses. As noted in Section 1.b above, the intent of Camp North End is to maintain much of the unique character and innovative nature associated with many of the existing Development/Site Elements. This will require flexibility in the application of and variations from certain UMUD standards to preserve portions of the existing Development/Site Elements while incorporating New Buildings and connectivity throughout the Site. b. Specific Identified Optional Provisions. While UMUD provides many exemptions for the Existing Buildings and does not require renovated or rehabilitated structures to comply with the setback requirements or urban open space, the following UMUD-Optional Provisions (the "Optional Provisions" or "optional provisions") shall apply to existing and new development taking place on the Site.

\* Light Industrial Uses under Phases 1, 2 and 3 include uses that are not accounted for under the other listed uses listed.

### \*\* EDEE includes drinking establishments

### \*\*\*Hospitality/hotel uses allowed per conversion rights.

f. Conversion of Commercial Uses. Retail, EDEE, and Personal Services uses ("non-office commercial uses") may exceed the applicable development levels set forth in Section d. above by up to 40% and office commercial uses may exceed the applicable development level specifications by up to 40% by converting non-office commercial uses into office commercial uses and vice versa at a ratio of 1.0 square foot of gross floor area of such uses so converted. In such event the total gross floor area of commercial uses (office and non-office) allowed shall not exceed the total specified amount as a result of such conversions, rather only the mix of such uses shall change but not by greater than 40%. The conversions described above are in addition to other conversions set forth herein and include both the conversions properly exercised and those remaining shall be set forth as part of the Conversions Levels on the Entitlement Summary and related Chart described on [Sheet RZ-]. Notwithstanding the foregoing, the limit on conversion of the above commercial uses that consist of high turnover restaurant uses shall be up to an increase of no greater than 25% of such high turnover restaurant uses, not 40% as described above.

Conversion of Hotel Rooms & Residential Units. Hotel rooms may be developed within the Site by converting residential dwelling units into hotel rooms at the rate of one (1) residential unit so converted into one (1) hotel room, up to a maximum of 300 hotel rooms created in the aggregate within the Site by such conversion. The conversions described above are in addition to other conversions set forth herein and include both the conversions properly exercised and those remaining shall be set forth as part of the Conversions Levels on the Entitlement Summary and related Chart described on [Sheet RZ-\_\_].

Conversion of Hotel Rooms, Multifamily Units & Commercial Uses. Hotel rooms and additional multifamily h. residential units may be developed within the Site by converting commercial uses (e.g. office, retail, EDEE and Personal Services uses) into hotel rooms or multifamily units at the rate of 500 square feet of gross floor area of such commercial uses so converted for one (1) hotel room added or one (1) multifamily unit so added, up to a maximum of 300 hotel rooms and/or multifamily units created in the aggregate by such conversion, and additional commercial uses may be developed by converting hotel rooms or multifamily units into commercial uses at the rate of one (1) hotel room or one (1) multifamily unit so added so converted into 500 square feet of gross floor area of commercial uses so created up to a maximum of 300 hotel rooms or multifamily units so converted in the aggregate. The conversions described above are in addition to other conversions set forth herein and include both the conversions properly exercised and those remaining shall be set forth as part of the Conversions Levels on the Entitlement Summary and related Chart described on [Sheet RZ-\_\_]

i. Conversion of Light Industrial Uses & Commercial Uses. Light Industrial uses and commercial uses (office and non-office) may exceed the applicable development levels set forth in Section d. above by up to 40% by converting such commercial uses into Light Industrial uses at the rate of 1.0 square foot of gross floor area of commercial use so converted to 1.5 square foot of gross floor area of Light Industrial uses created and vice-versa for the conversion of Light Industrial uses into commercial uses. The conversions described above are in addition to other conversions set forth herein and both the conversions properly exercised and those remaining shall be set forth as part of the Conversions Levels on the Entitlement Summary and related Chart described on [Sheet RZ-\_\_\_\_]. Notwithstanding the foregoing, the limit on conversion of Light Industrial uses into high turnover restaurant uses shall be up to an increase of no greater than 25% of such high turnover restaurant uses, not 40% as described above.

Written Requests & Records for Conversions; Administrative Amendments. Prior to any conversions of entitlement i. pursuant to subsections 3.f, g, h and i above, the Petitioner or owner of the portion of the Site involved in the conversion under request shall provide to the Planning Department a written request for such conversion as well as an updated Entitlement Summary, including the applicable Conversions Levels. Furthermore, the results of such conversions shall be evidenced by an administrative site plan amendment.

### 4. Transportation Improvements.

### **Proposed Improvements:**

The following improvements set forth below to benefit overall traffic patterns throughout the area shall be provided for in accordance with the following implementation provisions (including Section II.a. regarding such improvements being undertaken by other parties/developers or by governmental bodies in connection with CIP or other public improvements projects): [TO BE FORTHCOMING UPON REVIEW OF TIA]

### Standards, Phasing and Other Provisions. II.

CDOT Standards; Improvements by Others. All of the foregoing public roadway improvements will be subject to the a. standards and criteria of CDOT (as it relates to the roadway improvements within its road system authority). It is understood that such improvements may be undertaken by the Petitioner on its own, by other parties/developers, by governmental bodies and/or in conjunction with other development or roadway projects taking place within the Statesville Avenue/Graham Street areas, by way of a private/public partnership effort or other public sector project support.

[b. Additional Phasing Provisions. Notwithstanding the commitments of the Petitioner to provide for the roadway improvements described in Section 4.I above, the following provisions shall permit development to take place prior to completion of all of the above-referenced improvements: [TO BE FORTHCOMING UPON REVIEW OF TIA]

Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions C. of Section 4.II above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.II.a above provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

Ordinance Section	Standard	Deviation/Rationale	body for any such land and referenced in subsection a. at		
9.905 (2)	Setback	Setbacks shall be established on public and private streets as generally depicted on <u>Sheets RZ-03-07</u> in response to existing utilities, parking, existing buildings, site constraints and/or similar features that prevent the application of the base district standard of 12'. Existing utilities in the setback may remain so long as they do not obstruct the sidewalk.	<ul> <li>herein and such delay extend Site in connection with relate issuance of certificates of oc efforts to complete the applic bond for any improvements applicable improvements.</li> <li>e. Alternative Improve</li> </ul>		
9.906(2)(b)	Street walls	Design standards for street walls on Existing Buildings shall not apply to allow for maximum flexibility for existing and future uses. Design standards for street walls on New Buildings are defined in	Administrative Amendment p Director; provided, however transportation network benefit 5. <u>Access, Streets &amp; Streets</u>		
9.906(2)(b)	Structured Parking Facilities	Section 6.c of these Development Standards. Design standards for structured parking facilities are defined in Section 6.c of these Development Standards.	<b>a.</b> Access to the Site wil depicted on the Rezoning Plan		
9.906(2)(c)	Screening	Existing areas located on the Site as generally depicted on Sheet RZ-01 that are used for surface parking, structures and facilities for trash, storage, loading, and other outdoor equipment do <u>not</u> need to be screened from streets or pedestrian circulation areas except as required by the Tree Ordinance (as reflected in the Tree Ordinance Interpretation defined and referenced below).	<ul> <li>b. Public or private street</li> <li>c. Street cross-sections w</li> <li>d. Public streets will be p</li> <li>e. Pedestrian and vehicul as generally depicted on [Sheet</li> <li>f. As indicated, the Site s</li> </ul>		
9.906(2)(e)	Signage	Signs that vary from the UMUD standards shall be permitted as set forth in Section 8 below.	buffers, side and/or rear yar g. Above-ground back		
9.906(2)(h)	Reflective Surfaces	Reflective surfaces shall be permitted on public and private streets as a means to break up long expanses of blank walls on Existing Buildings and to screen interior uses.	<ul> <li>setbacks.</li> <li><b>h.</b> Dumpster areas and rewall or fence used to enclose t principal building.</li> </ul>		
9.906(2)(j)	Building Entrances	Doorways do not need to be recessed into the building on Existing Buildings.	i. Open Space will be pro this Open Space to count towa		
9.906(4)(a-i)	Urban Open Space	Urban Open Space is not required for Existing Buildings and will be provided for new development as to New Buildings as defined in Section 7 Environmental Features of these Development Standards. Urban Open Space shall be provided with respect to New Buildings in the manner set forth in Section 7 Environmental Features in lieu of the standards set forth in Section 9.906(4)(ai.) of the Ordinance.	<ul> <li>6. <u>Architecture/Vertical</u></li> <li>a. General Design Inten</li> <li>b. Existing Buildings. The (i) Renovated Existing 30% of the building side ground floor. If the building prove alternative approaction (ii) With respect to includes, mechanical and the second secon</li></ul>		

**Right-of-way Availability.** It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. Such right of way may be acquired by governmental bodies as part of customary roadway projects funded by such governmental bodies; if not then in such event after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition including compensation paid by the applicable agency, department or governmental the expenses of such proceedings. Furthermore, in the event public roadway improvements ove are delayed because of delays in the acquisition of additional right-of-way as contemplated beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the development phasing described above, then CDOT will instruct applicable authorities to allow the upancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith ble road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a not in place at the time such a certificate of occupancy is issued to secure completion of the

nents. Changes to the above referenced roadway improvements can be approved through the process upon the determination and mutual agreement of Petitioner, CDOT and the Planning the proposed alternate transportation improvements provide (in the aggregate) comparable s to the improvements identified in this Petition.

### etscape, Buffers, Yards and Open Space:

be from Graham Street, Statesville Avenue, Woodward Street and Sylvania Street as generally

connections will not be provided from Woodward Street.

ill be provided on the Site as generally depicted on [Sheet RZ-01].

rovided on the Site as generally depicted on [Sheet RZ-01].

ar connections through a combination of sidewalks, woonerfs, and private streets will be provided t RZ-011.

hall be considered a unified development plan and as such internal separation standards such as may be eliminated, subject to the normally required Staff review and approval process.

w preventers will be screened from public view and will be located outside of the required

cycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The he dumpster will be architecturally compatible with the building materials and colors used on the

wided as generally depicted on [Sheet RZ-02]. New Buildings construction on the Site will use rd future open space requirements.

- **Design Standards:**
- t. [<u>TO BE FORTHCOMING]</u>

he following standards shall apply to all Adaptive Reuses of the Existing Buildings:

ting Building(s) shall have fenestration through vision glass, doors or active outdoor spaces along that fronts the public right-of-way or private street between two (2) feet and eight (8) feet of the ding architecture or site prohibits meeting the above condition, Planning Director or designee may baches.

New Buildings, utilities shall be screened and shall not be visible from the public streets; this electrical equipment, utility meters, dumpsters, and backflow preventers. No permanent fencing

DATE: 27 FEBRUARY 2017 DESIGNED BY: DRAWN BY: CHECKED BY: Q.C. BY: SCALE: <b>AS SHOWN</b> PROJECT #: 1016320	REVISIONS:	CAMP NORTH END   REZONING MIXED USE + INDUSTRIAL REHAB DEVELOPMENT ATCO PROPERTIES & MANAGEMENT	PETITION NO. 2017-xxx	A FAMILY OF REAL ESTATE COMPANIES	LandDesign. CREATING PLACES THAT MATTER.
SHEET #: RZ-NI		REZONING NOTES		223	www.LandDesign.com V: 704.333.0325 F: 704.332.3246 23 N Graham Street, Charlotte, NC 28202 C Engineering Firm License # C-0658

I. REZONING APPLICATION CITY OF CHARLOTTE	<b>RECEIVED</b> FEB 2 4 2017 BY:	$\frac{2017 - 0.55}{Petition #: }$ $\frac{2/24/26(7)}{Received By: }$	
<i>Complete All Fields</i> (Use additional page	es if needed)	H	
Property Owner: Duke Energy Carolinas, LLC - R	obert Earley		
Owner's Address:550 S. Tryon Street		Zip:Charlotte, NC 28202	
Date Property Acquired: 11/2/1976 / 12/21/19			
Property Address:6519 Craig Street / 414 Toddvill	e Road / Craig Street		
Tax Parcel Number(s):	5715116		
Current Land Use: Vacant	Size	(Acres): <u>1,132 AC</u>	
Existing Zoning:	Proposed Zo	ning:	
Overlay: Westside Strategy Plan (Specify PED, Watershed, Historic District, etc.)			
Required Rezoning Pre-Application Meeting* with: <u>Alberto Gonzalez; Claire-Lyte Graham</u> Date of meeting: <u>1/24/17</u>			
(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)			
For Conditional Rezonings Only:			
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5);			
Purpose/description of Conditional Zoning F			

Bohler Engineering NC, PLLC Name of Rezoning Agent

1927 South Tryon Street, Suite 310 Agent's Address

Charlotte, NC 28203

City, State, Zip

(980) 272-3400 Telephone Number

(980) 272-3401 Fax Number

ppennell@bohlereng.com

E-Mail Address anley

Signature of Property Owner

Robert Earley

(Name Typed / Printed)

Robert Earley Name of Petitioner(s)

550 South Tryon Street

Address of Petitioner(s)

Charlotte, NC 28202 City, State, Zip

(980) 373-1747 Telephone Number

Fax Number

Bob.Earley@duke-energy.com

E-Mail Address There Ear Ŕ

Signature of Petitioner

ROBERT EARLEY

(Name Typed / Printed)

	RECEIVED
	FEB 2 4 2017 2017-056
I. REZONING APPLICATION	Petition #:
CITY OF CHARLOTTE	Date Filed: 2/24/2017
	Received By:
Complete All Fields (Use additional pages i	
Property Owner: VINSON ENTerp1	
Owner's Address: 3521 Dewitt LN	City, State, Zip: Charlotte NC 28217
Date Property Acquired: 12/04206 - 7/16/2	
Property Address: 2519 Distribution St	
Tax Parcel Number(s): 12104206, 12104205,	
Current Land Use:Industrial	Size (Acres): 1.8259- 1.3281
Existing Zoning: I-2	Proposed Zoning:TOD-M
Overlay: etc.)	(Specify PED, Watershed, Historic District,
Required Rezoning Pre-Application Meeting* with Date of meeting: <u>02/15/2017</u> (*Rezoning applications will not be processed until	Solomon Fortune, Alan Goodwin
held.)	
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year	r minimum? Yes/No. Number of years (maximum of 5):
Purpose/description of Conditional Zoning Plan:	
· · · · · · · · · · · · · · · · · · ·	
RETLIANDEN Name of Rezoning Agent	GLEN NOCIK
	Name of Petitioner(s)
Agent's Address	Address of Petilioner(s)
City, State, Zip	-3797 CHARLOTTE, NC 28203 City, State, Zip
704-264-1252 Telephone Number Fax Number	
Telephone Number Fax Number	
(awnow) Jim @ Vinson enterprises, Com E-Mall Address	
Signature of Property Owner	A BAL
James G. Straughn (Name Typed / Printed)	Glen Nocik
(nume + jpeu / Flitteu)	(Name Typed / Printed)

2

				2017-057
		RECEN	TED	Petition #:
I. REZONING		6	100	Date Filed: 2/24/2017
CITY OF CH		FEB 2 4 7	2011	
			医含化 化 医 白 化 化 化 化 化 化 化	Received By:
Property Owners:	Arboretum Office #1, Bank of America, Nat Wells Fargo Bank, N.	tional Association		
Owner's Addresses:	301 S College Street 101 N. Tryon Street, PO Box 36246, Charl	Charlotte, NC 28		
Date Properties Acquired:	<u>06/13/1996</u> <u>01/04/1989</u> <u>11/10/1988</u>			
Property Addresses:	7903 Providence Roa 7911 Providence Road, 7939 Providence Road,	Charlotte, NC 2827	<u>'0</u>	
Tax Parcel Numbers:	a portion of <u>227-25-:</u> <u>227-25-185</u> 227-25-183	<u>186</u>		
Current Land Use:	Office/Banking	Size (Acres):	<u>± 5.</u>	4
Existing Zoning:	<u>O-15(CD)</u> Propo	osed Zoning:	MUDD-O	
Overlay:	N/A			
(Specify PED, Watershed, Historic District, etc.) Required Rezoning Pre-Application Meeting* with <u>Kent Main, John Kinley, Jason Prescott, Carlos Alzate and Grant Meacci</u> Date of meeting: <u>1/24/17</u> (*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)				
For Conditional Rez	onings Only:			
Requesting a vesting	period exceeding the 2	2 year minimum?	⊡Yes ⊠No. N	Number of years (maximum of 5): <u>N/A</u>
Purpose/description c	of Conditional Zoning P	lan: <u>To allow red</u>	evelopment o	f the site to include retail and office uses
<u>consistent with the ch</u>	naracter of a Mixed-Us	e Activity Center.		
<b>Bridget Grant, Keith</b> Name of Rezoning Age		wn		Klein Properties, Inc. (Attn: David nd John Dosser) titioner
Moore & Van Allen,				
100 N. Tryon Street, Agent's Address	Suite 4700		301 S. Col Address of	<b>lege Street, Ste 2800</b> Petitioner
			Charlotto	NC 28202
Charlotte, NC 28202	•		<u>Charlotte,</u> City, State,	
704.331.2379 (BG) 704.331.3531 (KM) 704-331-1144 (JB)	704-378-19 704-378-19 704-378-19	54 (KM)	704.343.4 704.343.4	
Telephone Number	Fax Number		Telephone I	Number Fax Number
bridgetgrant@mvalaw. jeffbrown@mvalaw.com E-mail Address		valaw.com		art@childressklein.com; ·@childressklein.com ·ress
SEE ATTACHMENTS	A-C		SEE ATTAC	CHMENT D
Signature of Property	Owner		Signature o	fPetitioner

### **ATTACHMENT A**

### **REZONING PETITION NO. 2017-Childress Klein Properties, Inc.**

### OWNER JOINDER AGREEMENT Arboretum Office #1, LLC

The undersigned, as the owners of the parcels of land located at 7903 Providence Road that is designated as a portion of Tax Parcel No. 227-25-186 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 O-15(CD) zoning district to the NS or MUDD-O zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 24 t day of Fibriary , 2017.

Arboretum Office #1, LLC a North Carolina limited liability company

By: Childress Klein Properties, Inc., its Manager

By:

Name: R. David Haggart

Title: Vice President

### CHAR2\1868093v1

### ATTACHMENT B

### REZONING PETITION NO. 2017-Childress Klein Properties, LLC

PETITIONER JOINDER AGREEMENT

### Bank of America, National Association, successor by merger to NCNB National Bank

The undersigned, as the owners of the parcels of land located at 7911 Providence Road that is designated as a portion of Tax Parcel No. 227-25-185 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 O-15(CD) zoning district to the NS or MUDD-O zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

B day of February, 2017. This 1

### BANK OF AMERICA, NATIONAL ASSOCIATION a national banking association Successor by merger to

NCNB National Bank

ISTUAN 1 By:

Name: Sherry Cronan Watts

Title: Vice President

CHAR2\1868093v1

### ATTACHMENT C

### REZONING PETITION NO. 2017-Childress Klein Properties, LLC

### PETITIONER JOINDER AGREEMENT Wells Fargo Bank, N.A., successor in interest by merger to Wachovia Bank & Trust Company

The undersigned, as the owners of the parcels of land located at 7939 Providence Road that is designated as a portion of Tax Parcel No. 227-25-183 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 O-15(CD) zoning district to the NS or MUDD-O zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 14 day of February 2017.

Wells Fargo Bank, N.A., successor in interest by merger to Wachovia Bank & Trust Company

By: Name: Title:

ATTACHMENT D PETITIONER SIGNATURE REZONING PETITION NO. 2017-Childress Klein Properties, Inc.

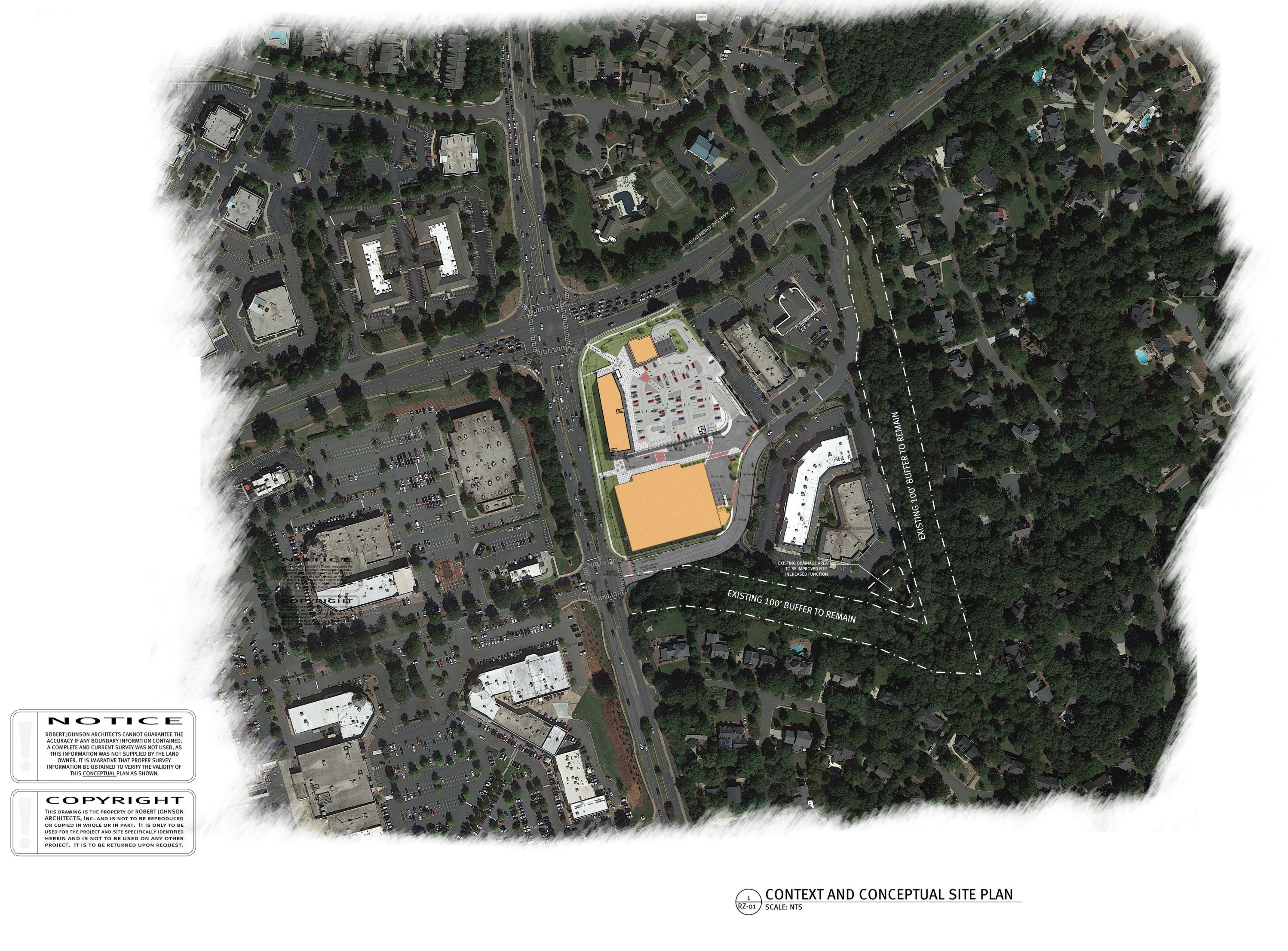
Childress Klein Properties, Inc.

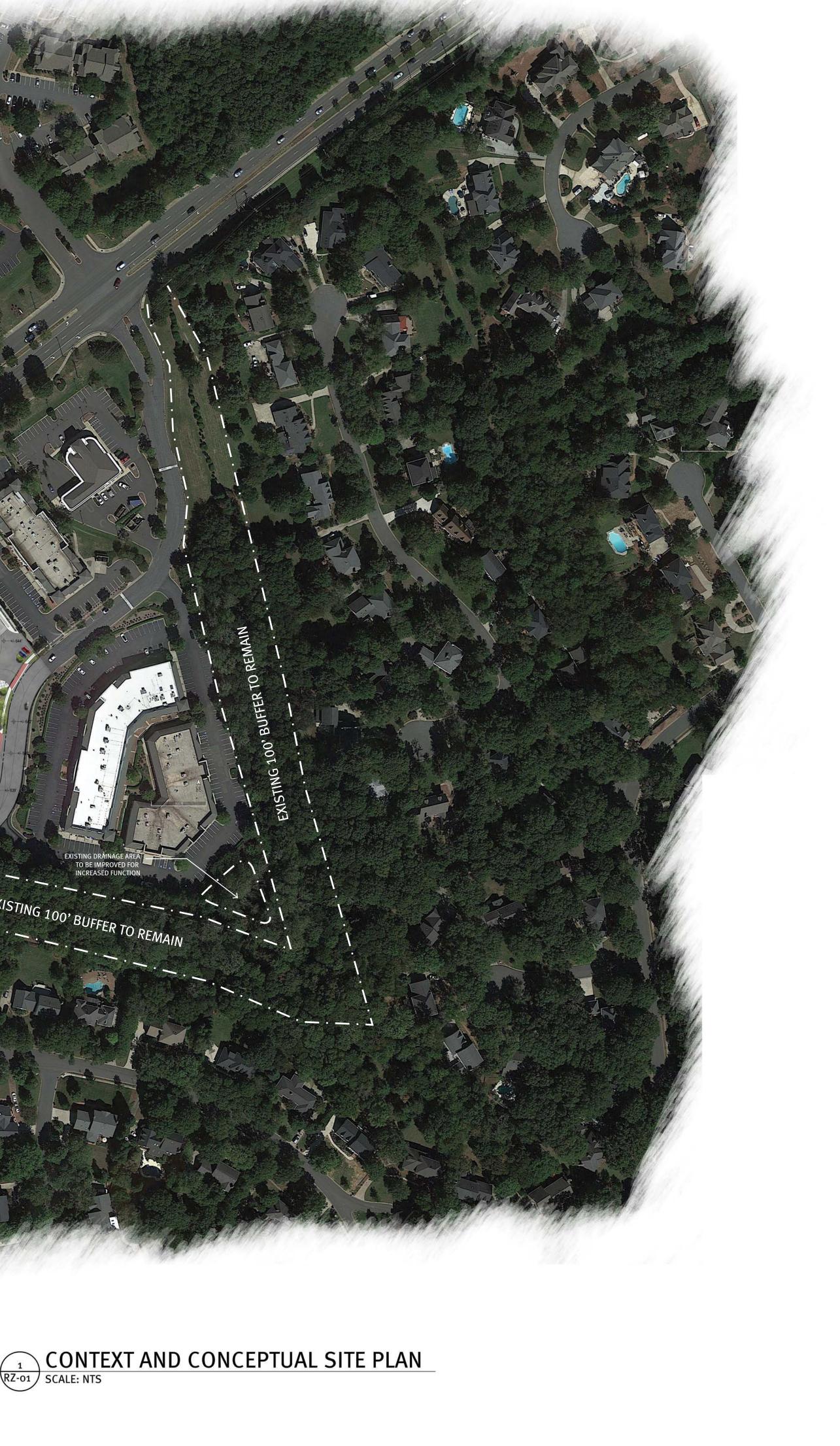
P ĸ By: Name: R. David H2 Title: Vice Presid er

.

3

1 2

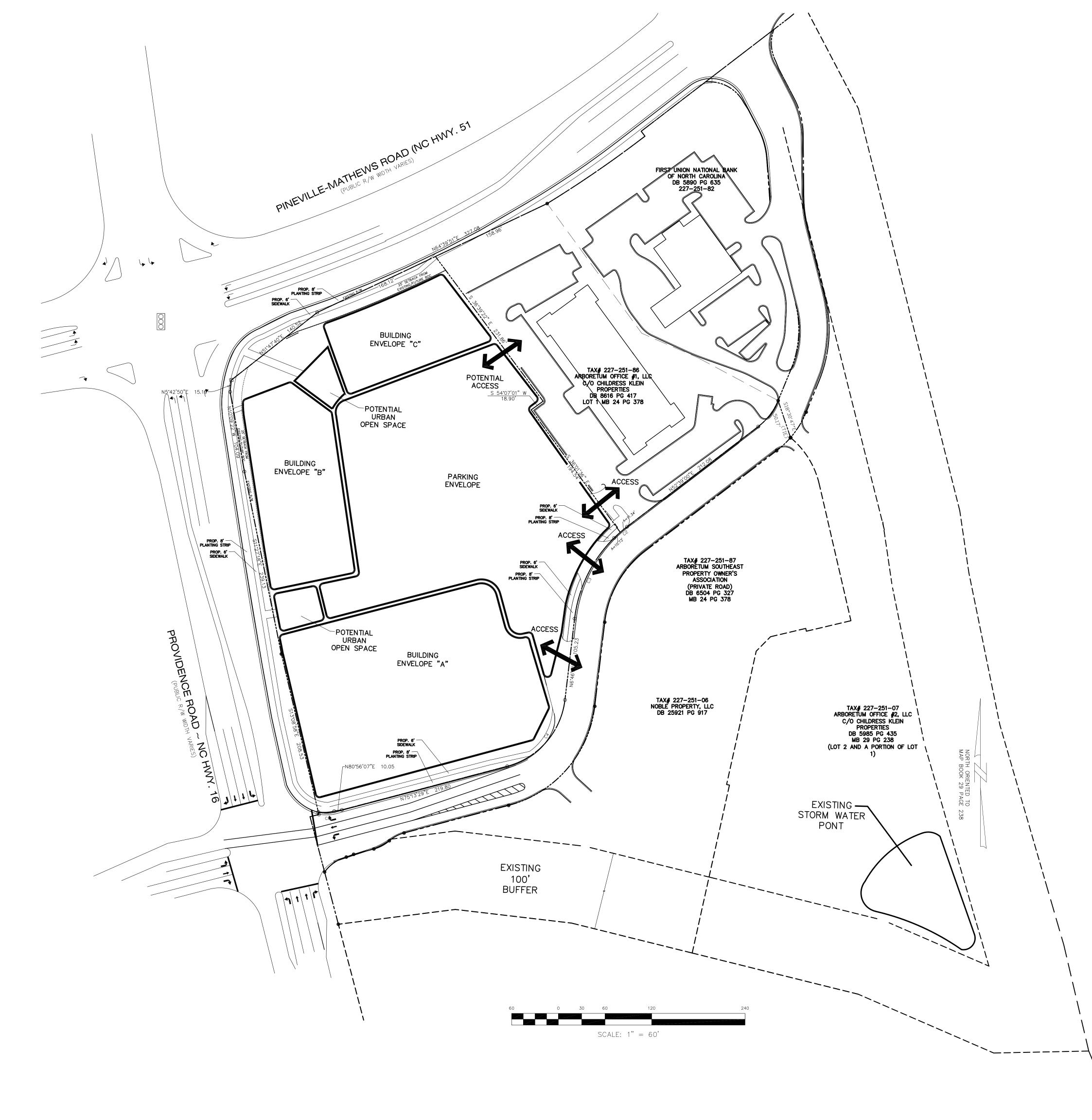






Robert Johnson architects 1808 West Morehead St. Charlotte, NC 28208 T 704 / 342.1058 F 704 / 342.3043

CK Childress Klein
ARBORETUM MIXED USE DEVELOPMENT CHARLOTTE, NC
PROJECT NUMBER SP 731
REZONING SUBMITTAL 02.27.17
DRAWING DATA
DRAWN BY: GW CHECKED BY: RJ FILE NUMBER:
SHEET TITLE
<text></text>
RZ-01



# 1. <u>General Provisions</u>: changes to graphics if they are: iv modifications to allow minor increases or decreases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

Site Development Data: --Acreage: ± 5.4 acres

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

-Parking: Parking will be provided per Ordinance.

shments, locksmiths, and alike. be regulated by any development limitations set forth herein at to the Site. 2. <u>Optional Provisions</u>. The following optional provisions shall apply to the Site:

- e. To not require doorways to be recessed into the face of the building(s) when the width of the sidewalk is at least 10 feet and/or when it is an emergency exit.
- g. To allow alternative "blank wall" standards, including but not limited to
- Note: The optional provision regarding signs is an addition/modification to 3. Permitted Uses, Development Area Limitations
- c. The following uses will not be allowed: gasoline service stations with or without a convenience store. 4. <u>Transportation Improvements and Access:</u>
- I. <u>Proposed Improvements:</u> in accordance with the following impler [TO BE FORTHCOMING] II. Standards, Phasing and Other Provisions.

- III. Access and Internal Private Street.
- 5. Streetscape, Buffer, Landscaping Open Space and Screening:
- naterials that match the masonry materials used on the primary building

- h. Meter banks will be screened where visible from public view at grade level.
- 6. <u>General Design Guidelines:</u>

- 7. <u>Environmental Features:</u>

# b. The Site will comply with the Tree Ordinance. 8. <u>Signage:</u>

- 9. <u>Lighting:</u>
- 10. <u>Amendments to the Rezoning Plan</u>: herein and of Chapter 6 of the Ordinance
- 1. <u>Binding Effect of the Rezoning Application</u>:

### Childress Klein | Arboretum Mixed Use Development Standards 2/22/2017

### Rezoning Petition No. 2017-000

### -Tax Parcel #s: 227-25-185, 227-25-183 and portion of 227-25-186

-Existing Uses: Office and Financial Institution -Proposed Uses: Retail; Eating, Drinking, Entertainment, Establishments (EDEE); general and medical office uses; and Personal Service Uses as permitted by right, under prescribed conditions, and by the Optional provisions below, together with accessory uses, as allowed in the MUDD zoning district (as more specifically described and restricted below in Section 3). -Maximum Gross Square feet of Development: Up to 90,000 square feet of gross floor area of permitted uses, (subject to the conversion provisions below). --Maximum Building Height: Buildings will be limited to a maximum building height of 55 feet.

a. Site Location. These Development Standards, the Technical Data Sheet, Schematic Site Plan and other graphics set forth on attached Sheets RZ-1, RZ-2, RZ-03, RZ-04 and RZ-05 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Childress Klein Properties. ("Petitioner") to accommodate the development of a high quality mixed use development on an approximately 5.4 acre site located on the southeast quadrant of the intersection of Providence Road and Pineville-Matthews Road (the "Site"). The Site is a portion of the development, known as Arboretum Office Park, located at the corner of such intersection. b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD-O zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below. 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 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

i. expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or, ii. minor and don't materially change the overall design intent depicted on the Rezoning Plan; or iii. modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the external setbacks, side or rear yards) indicated on Sheet RZ-1; or

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 nent Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance. d. Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site will be limited to three (3). Accessory buildings and structures located on the Site shall not be considered in any imitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) e. Gross Floor Area. For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards). Permitted Services. Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa's, Yoga and exercise studios, nail salons, massage shops, martial art training studios, dry cleaning g. Unified Development for entire Quadrant. The Site together with that certain site located adjacent to the Site and being the remainder of the Arboretum Office Park as generally depicted on the Rezoning Plan (the "Adjacent Site") shall be viewed in the aggregate as a planned/unified development plan as to the elements and potions of the Site generally depicted on the Rezoning Plan and those existing improvements on the Adjacent Site. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other site elements located on the Adjacent Site. The Petitioner and/or owner(s) of the Site and the Adjacent Site reserve the right to studbivide the portion or all of the Site and the Adjacent Site without regard to any such internal spenation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along exterior boundary of the Site and of the Adjacent Site shall be adhered to and all FAR requirements will

a. To allow wall signs to have up to 220 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less

b. To allow one detached ground mounted sign per street front with a maximum height of 20 feet and containing up to 150 square feet of sign area.

c. To allow, free-standing single-use buildings, to have a detached sign up to four (4) feet high with up to 32 square feet of sign area.

d. To allow up to two uses with accessory drive-through windows in the configuration and with vehicular storage as generally depicted on Sheet RZ-01 of the Rezoning Plan. The allowed accessory windows will be designed so that they do not circulate between the proposed building and Pineville-Matthews Road as generally depicted on the Rezoning Plan.

f. To allow windows and window boxes that face Providence Road and/or Pineville-Matthews Road to have graphic images (not signs) applied to 100% of the glazing of the window or window box. These windows and graphic images may

be used to meet the Street Wall requirements of the Ordinance and will be generally located at the ground floor level of the building to help enhance the pedestrian environment at the base of the building. This optional provision does not prohibit the installation of Window Signs as allowed by Ordinance as part of the images applied to the windows or window boxes.

a. Subject to the restrictions and limitations listed below, the principal build s floor area devoted to: retail, EDEE, general and medical office uses, and Personal Service uses as permitted by right, under prescribed conditions and per the Optional provisions above together with accessory uses allowed in the MUDD-O zoning distric

b. Up to two (2) uses with an accessory drive through window will be permitted on the Site. The two (2) uses allowed to have an accessory drive through window may be for a financial institution, an EDEE and/or a grocery store. One of the allowed accessory drive through windows will be utilized by the proposed grocery store as a grocery pick, pharmacy pick up, and home delivery pick up as generally depicted on the Rezoning Plan.

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area

a. CDOT/NCDOT Standards. All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT as applicable. It is understood that such improvements may be undertaken by the Petitioner on its own in conjunction with other development or roadway projects taking place within the area, by way of a private/public partnership effort or other public sector project supp

b. Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.1 above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.1.a above provided, however, in the event all roadway improvements are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will visible and the complete a when the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable buildings.

c. Right-of-way Availability. It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or

governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

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

a. Access to the Site will be from Providence Road and Arboretum Drive as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

b. The Petitioner as part of the development of Site will re-construct Arboretum Drive as a Private Street through the Site from the access point on Providence Road to the limits of the Site as generally depicted on the Rezoning Plan. c. The alignment of the vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

d. The Site's internal private street will be designed to include sidewalks and planting strips on one side as generally depicted on the Rezoning Plan except as provided for in section 5.e below.

a. A 25 foot setback as measured from the existing or future back of curb along Providence Road will be provided as generally depicted on the Rezoning Plan. Detached signs will be allowed within the 25 foot setback established along

b. A 25 foot setback as measured from the existing or future back of curb along Pineville-Matthews Road will be provided all as generally depicted on the Rezoning Plan. Detached signs, and a low masonry wall used to screen the parking

# c. A low masonry wall (3.0 feet high) will be used to screen the parking, circulation and/or maneuvering located along Pineville-Matthews Road as generally depicted on the Rezoning Plan. This low wall will be constructed of masonry

d. An eight (8) foot planting strip and a minimum six (6) foot sidewalk will be provided along Providence Road and Pineville-Matthews Road within the required setbacks as generally depicted on the Rezoning Plan.

## e. An eight (8) foot planting strip and a minimum six (6) foot sidewalk will be provided along Arboretum Drive on one side limited to the length of the Site as generally depicted on the Rezoning Plan. The sidewalk may be located at the

back of curb near the loading area as generally depicted on the Rezoning Plan. f. An internal network of sidewalks (minimum of six (6) feet wide) will be provided on the interior of the Site linking each of the buildings and open space area on the Site. Where crosswalks are required to link the proposed sidewalk network to the proposed uses on the Site the crosswalks will be designed with either pavers or stamped asphalt to help create a clear pedestrian path to the buildings within the Site.

### g. A minimum of 2,500 square feet of urban open space will be provided on the Site in the areas generally depicted on RZ-02. This urban open space area will be improved with landscaping, seating and hardscape areas. The urban open

space areas will not include, private outdoor dining areas, areas located in buffers or the building setbacks/yards as generally indicated on the Rezoning Plan.

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

a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings. The use of decorative block will be limited to a maximum of 25% of any building elevation b. The attached illustrative building elevations are included to reflect an architectural style and a quality of the buildings that may be constructed on the Site (the actual buildings constructed on the Site may vary from these illustrations provided that the design intent is preserved. The use of colors (red hues) that are typically associated with brick materials on the attached elevations does not imply that the material illustrated is a brick material

### c. The buildings constructed on the Site will be constructed so at least 40% of the exterior building facades of each building constructed on the Site, exclusive of windows, doors, and roofs, will be constructed utilizing the following materials: brick, stone, precast stone, precast concrete, synthetic stone, and decorative block.

d. Building Street Walls will meet or exceed the MUDD requirements for blank walls. The attached building elevations are representative of the Street Wall treatments proposed along Providence Road and Pineville-Matthews Road as well as along the Site's internal private street. These building elevations reflect combinations of materials, material changes, building off-sets and window boxes that will be used to meet or exceed the MUDD requirements for street walls. Blank walls will be treated with a combination of the following features: (i) windows with or without applied graphics images; (ii) internally illuminated window boxes with applied graphics images; (iii) vertical elements such as at work and/or decorative garden and landscape elements; (iv) decorative lighting elements; (v) heavy landscaped areas composed of a combination of large and small maturing evergreen and deciduous trees, evergreen and deciduous shrubs and

seasonal color; and (vi) windows with opaque or spandrel glass.

e. The proposed loading/service area of the proposed grocer located adjacent to the internal private street will be screened from the internal private street with either; a wall a minimum of eight (8) feet tall, or tall evergreen landscaping, or a combination of a wall and landscaping as generally depicted on the Rezoning Plan.

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

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

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

c. No wall signs shall be permitted on the façade of the building fronting Arboretum Drive.

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

b. Detached lighting on the Site, except street lights located along public streets, will be limited to 25 feet in height.

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 portion of the Site affected by such amendment in accordance with the provisions

a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



# **ROBERT** JOHNSON architects

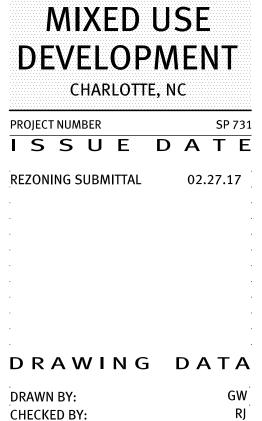
1808 West Morehead St. Charlotte, NC 28208 T 704 / 342.1058 F 704 / 342.3043

# GE\_O SCIENCE GROUP

Incorporated 500-K Clanton Road Charlotte, NC 28217 (704) 525-2003

NC FIRM LICENSE: F-0585(ENG) NC FIRM LICENSE: C-279(LA)

# Childress Klein ARBORETUM



SHEET TITLE TECHNICAL

DATA SHEET

FILE NUMBER:

# This drawing is the property of ROBERT IOHNSON ARCHITECTS, Inc. and is not to be reproduced or copied in whole or in part. It is only to be

used for the project and site specifically identified herein and is not to be used on any other project. It is to be returned upon request. SHEET NUMBER

RZ-02

the use of opaque and spandrel glass per Section II 6.d. of these Development Standards.
the standards for signs in the MUDD district and is to be used with the remainder of MUDD standards for signs not modified by these optional provisions.
ldings constructed on the Site may be developed with up to 90,000 square feet of gross floor area devoted to: retail, EDEE, general and medical office

1	2017-058
Petition #:	
Date Filed:	2/24/2017
Received By:	Å.

I.	REZO	<b>NING</b>	APP	LICA	ΓΙΟΝ
	CITY	OF CH	IARLO	OTTE	

Property Owners:	TKC CLIV LLC	C/O The Klein Corp	
Owner's Addresses:	5935 Carnegie	, Blvd, Ste. 200, Char	otte, NC 28209
Date Properties Acquired: <u>12/27/2013</u>			
Property Addresses:	8401 Medical F	Plaza Drive, Charlotte,	NC 28262
Tax Parcel Numbers:	<u>027-033-01</u>		
Current Land Use:	Office	Size (Acres):	<u>+ 11.1</u>
Existing Zoning:	<u>RE-1</u>	Proposed Zoning:	<u>RE-3(O)</u>
Overlay:	N/A		
	$(S_{l})$	pecify PED, Watershed	, Historic District, etc.)
Required Rezoning Pre-	-Application Mee	eting* with <u>Claire Lyte</u>	-Graham, Rick Grochoske, Julia Zweifel and Josh Weaver
Date of meeting: (*Rezoning application	2/21/17 ons will not be pro	cessed until a required pr	e-application meeting with a rezoning team member is held.)
For Conditional Rez	onings Only:		
Requesting a vesting (	- ·	a the 2 year minimum	? □Yes ☑No. Number of years (maximum of 5): <u>N/A</u>
		ning Plan: <u>To allow de</u>	velopment of the undeveloped portion site to allow
office and commercial	<u>uses.</u>		
<b>Bridget Grant, Keith</b> Name of Rezoning Ager		ff Brown	The Keith Corporation (Attn: Andy Lawler) Name of Petitioner
Moore & Van Allen, P			
100 N. Tryon Street,			5935 Carnegie Boulevard, Ste. 200
Agent's Address			Address of Petitioner
Charlotte, NC 28202		· · · · · · · · · · · · · · · · · · ·	Charlotte, NC 28209
			City, State, Zip
704.331.2379 (BG) 704.331.3531 (KM)		'8-1973(BG) '8-1954 (KM)	
704-331-1144 (JB)		78-1925 (JB)	704.319.8166
Telephone Number	Fax Nu	mber	Telephone Number Fax Number
bridgetgrant@mvalaw.c jeffbrown@mvalaw.com	om;keithmacve	an@mvalaw.com	alawler@thekeithcorp.com
E-mail Address	<u>.</u>	(A 10, 31	E-mail Address
SEE ATTACHMENT A			SEE ATTACHMENT B
Signature of Property C	)wner		Signature of Petitioner

### **ATTACHMENT A**

### REZONING PETITION NO. 2017-The Keith Corporation

### OWNER JOINDER AGREEMENT TKC CLIV LLC C/O The Keith Corporation

The undersigned, as the owners of the parcels of land located at 8401 Medical Plaza Drive that is designated as a portion of Tax Parcel No. 027-033-01 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 RE-1 zoning district to the RE-3 zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application. \*(0)

This <u>24</u> day of <u>Selfman</u>, 2017.

### TKC CLIV LLC C/O The Keith Corporation

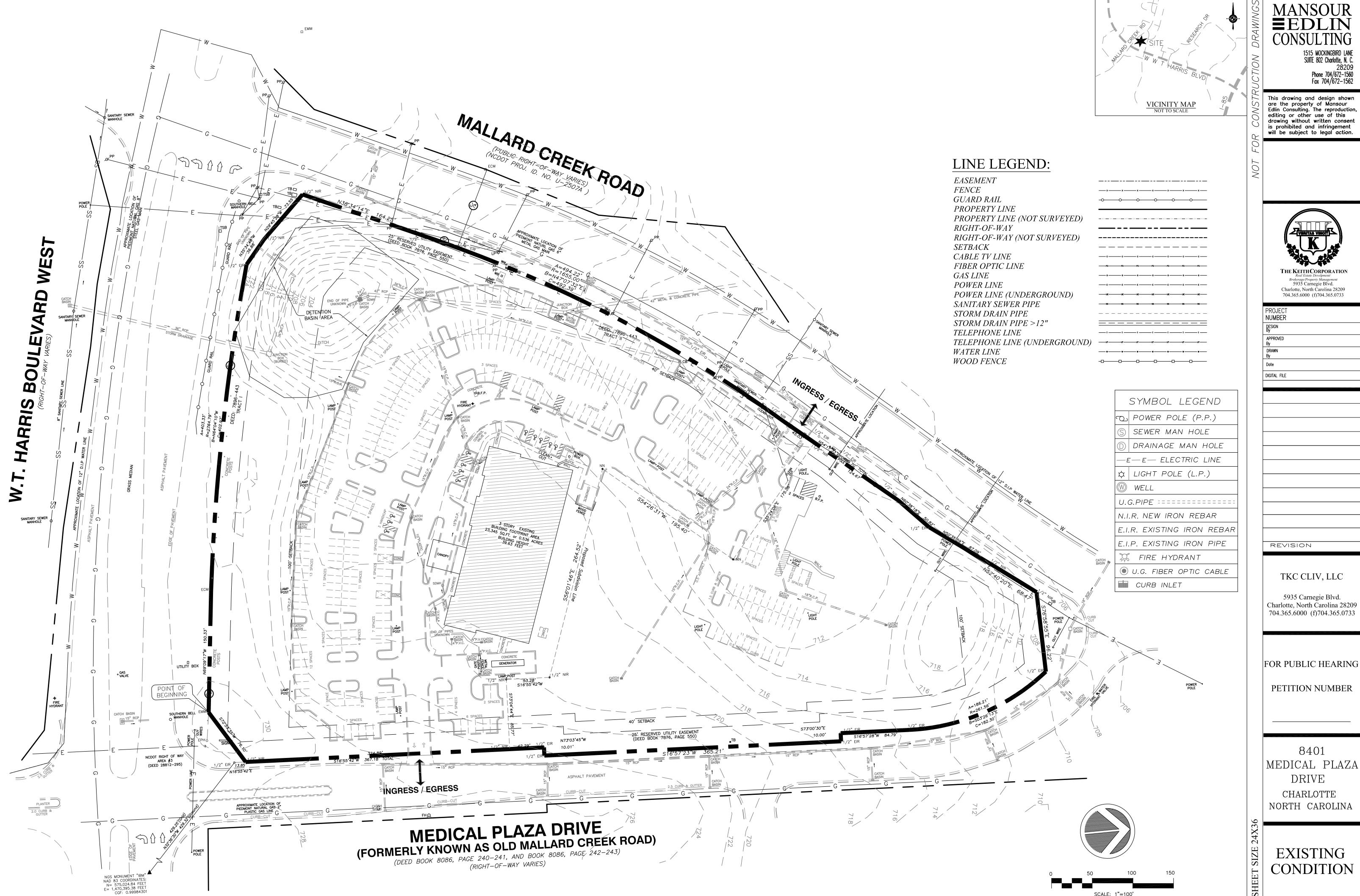
zorielh? By: Jagielski Name: member Title:

### ATTACHMENT B

PETITIONER SIGNATURE REZONING PETITION NO. 2017-The Keith Corporation

### The Keith Corporation

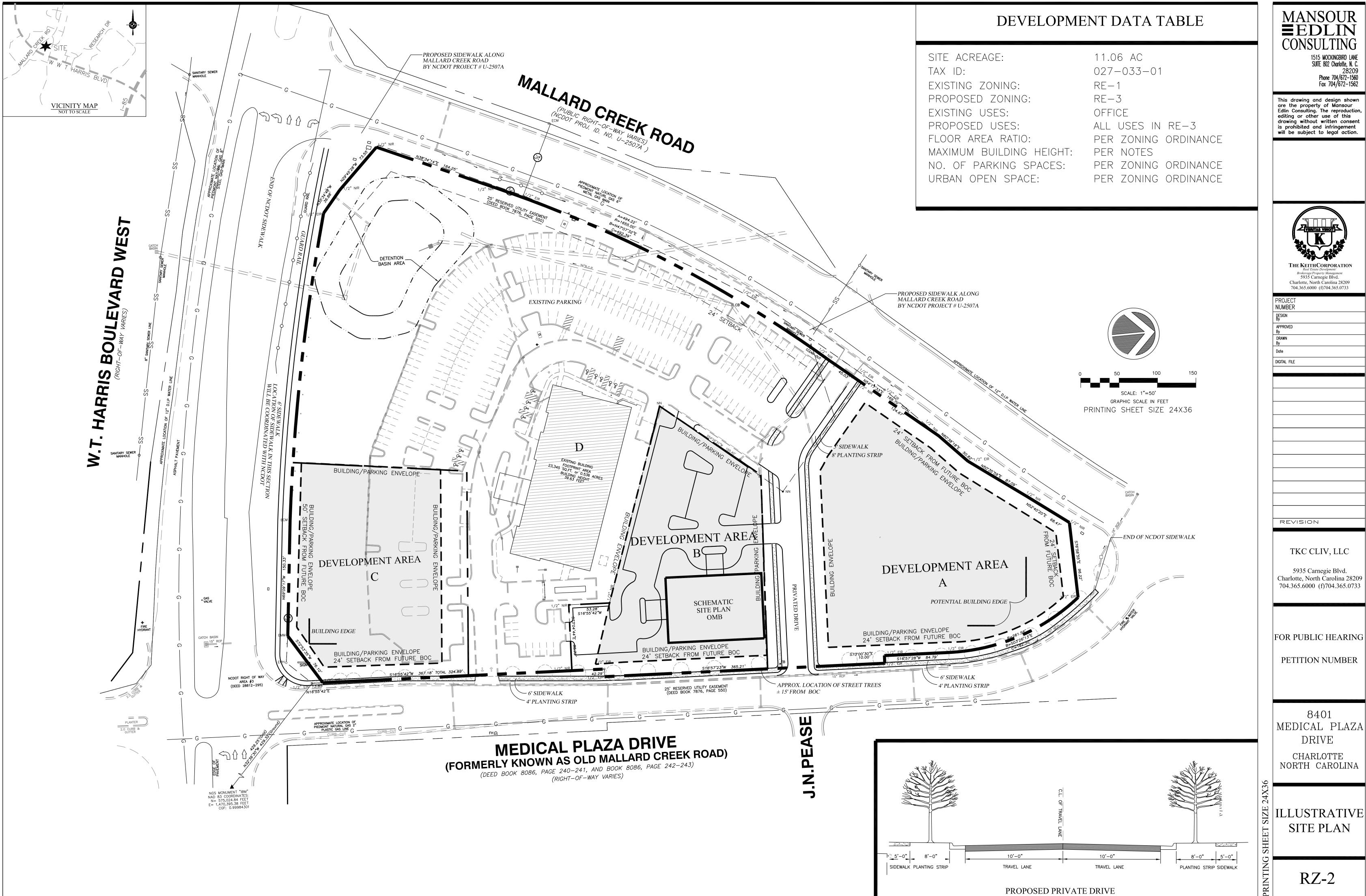
By: <u>Alijalith Jegiclski</u> Name: <u>Elizabeth Sagielski</u> Title: Corporate Secretary



MEDICAL PLAZA

RZ-1

SCALE: 1"=100' GRAPHIC SCALE IN FEET PRINTING SHEET SIZE 24X36



ACREAGE:	11.06 AC
ID:	027-033-01
TING ZONING:	RE-1
POSED ZONING:	RE-3
TING USES:	OFFICE
POSED USES:	ALL USES IN RE-3
DR AREA RATIO:	PER ZONING ORDINANCE
IMUM BUILDING HEIGHT:	PER NOTES
OF PARKING SPACES:	PER ZONING ORDINANCE
AN OPEN SPACE:	PER ZONING ORDINANCE

## Site Development Data:

- **--Acreage:** ± 11.1
- --Tax Parcel #s: 027-033-01
- --Existing Zoning: RE-1
- --Proposed Zoning: RE-3(O) --Existing Uses: Office/Vacant
- more specifically described and restricted below in Section 3).
- --Parking: Parking as required by the Ordinance.

# **1. General Provisions:**

a. **Site Location**. These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by The Keith Corporation to accommodate development of an additional office and commercial development on an approximately  $11 \pm acre$ Site located along Mallard Creek Road and Medical Plaza Drive at W.T. Harris Boulevard (the "Site").

b. **Zoning Districts/Ordinance**. Development of the Site will be governed by the attached Technical Data Sheet and Schematic Site Plan and these Development Standards (together with the site plan referred to as the "Rezoning Plan") as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan or the Supplemental Sheets establish more stringent standards, the regulations established under the Charlotte Zoning Ordinance (the "Ordinance") for the RE-3 Conditional District zoning district classification, subject to the Optional Provisions provided below, shall govern all new development on the Site.

c. **Graphics and Alterations**. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, streets, and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as 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, or designee will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

d. Number of Buildings Principal and Accessory. Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site shall not exceed five (5). The Petitioner reserves the right to combine or split to have a greater number of buildings than is illustrated on the Schematic Site Plan. Accessory building and structures shall not be considered in any limitation on the number of buildings on each of the Parcels.

e. Gross Floor Area. For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, and all loading dock areas (open or enclosed).

f. The Site may be considered a unified development plan and as such internal separation standards such as buffers, side and/or rear yards may be eliminated, subject to the normally required Staff review and approval process.

### 2. **Optional Provisions**.

façade and abutting public or private streets.

The Petitioner seeks the Optional provision to provide a 24 foot setback as measured from the future back of curb along Mallard Creek Road and Medical Plaza Drive, as generally depicted on the Rezoning Plan, to preserve existing mature trees and in response to site conditions.

c. The Petitioner seeks the Optional Provision to provide a 4 foot planting strip and 6 foot sidewalk along Medical Plaza Drive as indicated on the Rezoning Plan to preserve existing mature trees.

d. The Petitioner seeks the Optional Provision to provide a 50 foot setback along W.T. Harris Boulevard as indicated on the Rezoning Plan.

--Proposed Uses: Office and commercial uses as allowed in the RE-3(O) zoning district (as

--Maximum Amount of Development: Up to 160,000 square feet of gross floor area of nonresidential uses, including 70,000 square feet of existing office use, subject to the conversion rights described below, together with accessory uses as allowed in the RE-3 district (as more specifically described and restricted below in Section 3). --Maximum Building Height: A maximum building height of 50 feet as allowed by the Ordinance. Building height to be measured as required by the Ordinance.

a. To allow service lanes associated with a drive-in window to be located between the

The Petitioner seeks the Optional provision to allow parking and maneuvering for e. parking to be located between the existing and proposed buildings and Mallard Creek Road, Medical Plaza Drive and W.T. Harris Boulevard, as generally depicted on the Rezoning Plan. These proposed parking and maneuvering areas will be screened from the public streets.

# Permitted Uses, Development Area Limitations and (Conversion/Transfer Rights):

a. Development Areas A, B, C, and D of the Site may be collectively developed with up to 160,000 square feet of gross floor area uses, of which 70,000 currently exists in Development Area D, allowed in the RE-3 zoning district including, without limitation, restaurant (EDEE) uses, office and medical office uses along with accessory uses, subject to the restrictions listed below.

No more than one use may include accessory drive-through window facilities within the Site. The use with the drive-through facilities may be located in Development Area C.

ii. The number of drive-through lanes will be limited to one for uses allowed to have an accessory drive-through window except financial institutions (e.g. banks) which may have up to four (4) drive-through lanes including a lane for a drive up automatic teller machine (ATM) if an ATM is provided.

- **Transportation Improvements:**
- Proposed Improvements.
- a. TO BE FORTHCOMING

# **II.** Standards, Phasing and Other Provisions.

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

b. Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.I above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.II.a above provided, however, in the event all roadway improvements are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

**Right-of-way Availability.** It is understood that some of the public roadway c. improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such

additional right of way upon commercially reasonable terms and at market prices, then CDOT. the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

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

# Access and Right-of-way Dedication:

Vehicular access to the Site shall be provided as generally depicted on the Technical Data Sheet (Sheet RZ-1). The number and locations of driveways connecting to the interior public streets is not limited by what is indicated on the Technical Data Sheet; the location and number will be determined during the land development process.

b. The placements and configurations of these 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 CDOT and/or the North Carolina Department of Transportation ("NCDOT").

c. The Site's internal Private Street will be designed to include sidewalks and planting strips as generally depicted on RZ-01.

- All new streets shall be designed per CDOT and Subdivision standards.
- Streetscape, Landscaping Open Space and Screening:

A 24 foot setback, as measured from future back of curb, will be provided on Mallard Creek Drive and Medical Plaza Drive as generally depicted on RZ-01

b. A 50 foot setback, as measured from the future back of curb, will be provided on W.T. Harris as generally depicted on RZ-01.

c. A sidewalk will be constructed along the Site's frontage on Mallard Creek Drive as part of an NCDOT project.

d. A 6 foot sidewalk will be provided along W.T. Harris as generally depicted on RZ-01. The sidewalk will be located outside of the right of way and within the setback.

e. A 4 foot planting strip, as allowed by the optional provisions, and a 6 foot sidewalk will be provided along Mallard Creek Road and Medical Plaza Drive as generally depicted on RZ-01 to preserve existing large mature trees. Where there are not existing trees, an 8 foot planting strip and a 6 foot sidewalk shall be provided.

# 7. General Design Guidelines. (Starting General Design Standards)

Buildings fronting on Medical Plaza Drive and W.T. Harris Boulevard will be articulated such that expanses of solid walls exceeding 20 linear feet will be avoided with either horizontal and vertical variations in wall planes, materials and/or building color.

b. New buildings fronting on public streets shall include a minimum of 40% transparent glass between four (4') feet and eight (8') feet on the first floor. Shadow boxes or window graphics may be utilized behind transparent glass to screen bathrooms, back of house or kitchens, but may not exceed more that 40% of the total required building transparency requirement.

c. All buildings must be sited maintaining pedestrian interconnectivity between buildings and through parking areas. This will be done by providing a minimum of a six (6) foot sidewalk between buildings and through parking areas and connecting each building to the sidewalk network that will be provided throughout the Site.

d. All buildings located within the Site will be architecturally integrated to complement one another by using similar or compatible architectural styles, building materials, landscape elements, plants and signage treatments to create a unified and cohesive development. In addition, buildings located on Parcels A and B must be designed using a similar; (i) architectural style, (ii) building materials, (iii) colors and (iv) signage so that development on these Parcels creates a cohesive whole and not a series of buildings with unrelated and wholly dissimilar architectural styles, building materials, colors and signage.

e. The buildings constructed on the Site will use a variety of building materials. The building materials used on the will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementations siding (such as hardi-plank), stucco, EFIS or wood. At least 40% of each building façade exclusive of windows, doors and roofs will be constructed of brick, stone, synthetic stone, or precast stone. Vinyl as a building material may only be used on windows and soffits.

f. All sides of the buildings to be constructed on the Site will be built using four-sided architecture.

The scale and massing of non-residential buildings longer than 150 feet along a street shall be minimized by utilizing a combination of the following options: (1) varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions; (2) building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses; (3) horizontal and vertical variations in wall planes; and/or (4) architectural protrusion.

Utilities shall be screened and shall not be visible from the public street. This includes, mechanical and electrical equipment, utility meters, dumpsters, and backflow preventers. No fencing shall be located between the building and the public street.

### 8. Environmental Features:

Development on the Site shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance (PCO) and Tree Ordinance.

### 9. <u>Signage:</u>

The detached signs installed throughout the Site will utilize similar materials and colors so as to create a unified design. In addition the signs will utilize materials and colors that reenforce the image of the University Research Park. Signs will be integrated into the landscape setbacks with accent plants and seasonal color.

### 10. <u>Lighting:</u>

a. All lighting fixtures located on the Site shall be full cut-off type lighting fixtures with the exception of lower, decorative lighting that is not visible from off-Site residentially zoned or used property that may be installed along the internal sidewalks.

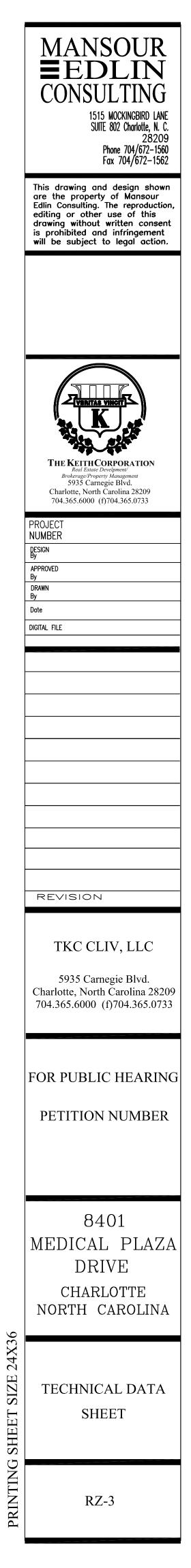
The maximum height of detached lights shall not exceed 31 feet.

### 11. <u>Amendments to the Rezoning Plan:</u>

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

### 12. <u>Binding Effect of the Rezoning Application</u>:

If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



I. REZONING APPLICATION CITY OF CHARLOTTE	RECEIVED FEB 2 4 2017 BY:	Petition #: $\frac{20(1-0.59)}{\sqrt{26(1-0.59)}}$ Date Filed: $\frac{\sqrt{26(1-0.59)}}{\sqrt{26(1-0.59)}}$ Received By: $\frac{1}{\sqrt{26(1-0.59)}}$
Complete All Fields (Use additional page	es if needed)	
Property Owner: GRIFFIN BROME	es Acquisitions LL	.С
Owner's Address: 19141 CA+AWBA Date Property Acquired:		
Tax Parcel Number(s): 033-01		
Current Land Use: VACAN	Size (/	Acres): 3.78
Existing Zoning: <b>R3</b>		ng:I1
Overlay:	(Specify	/ PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* Date of meeting: 8236	with: Cliffe Lyte-G	raham
(*Rezoning applications will not be processe held.)		

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: \_\_\_\_\_

ROBERT KEZIAH
Name of Rezoning Agent
1054 HOLIDAY COVE
Agent's Address
TEGA CAY, SC 29708
City, State, Zip
(803) 396 - 8000
Telephone Number Fax Number
Telephone Number Fax Number RKeziAM @ Comprime Net
E-Mail Address Rumm Drift
RKeziAM @ Comparium. Net
E-Mail Address Rumm Drift

SATURDAY NIGHT UC Name of Petitioner(s) 2764 PRASANT Ro # 11718 Address of Petitioner(s) 29708 Find mill, Scity, State, Zip ~ (803) 396 - 8000 Telephone Number Fax Number E-Mail Address Lober - E. Signature of Petitioner ROBERT E. KEZIAH

(Name Typed / Printed)

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I. REZONING APPLICATION CITY OF CHARLOTTE	RECEIVED       2016-060         FEB 2 7 2017       Petition #:         Date Filed:       2/25/2017         Received By:       B		
Complete All Fields (Use additional pages	s if needed)		
Property Owner: <u>Robert Lane Hartis</u>			
Owner's Address: 3511 McKee Road	City, State, Zip: Charlotte, NC 28270		
Date Property Acquired: 6/24/1992			
Property Address: 3511 McKee Road, Charlot	tte, NC 28270		
Tax Parcel Number(s): 23105405			
Current Land Use: Single Family	Size ( <u>Acres); 2.7</u>		
Existing Zoning: <u>R-3</u>	Proposed Zoning:_INST (CD)		
Overlay: None etc.)	(Specify PED, Watershed, Historic District,		
For Conditional Rezonings Only: Requesting a vesting period exceeding the 2 Purpose/description of Conditional Zoning Pla	until a required pre-application meeting with a rezoning team member is year minimum? Yes/No. Number of years (maximum of 5): No an: To develop the site for use as a Child Care Facility serving ent will include improvements for child play areas, as well as pedestrian		
Landworks Design Group PA Name of Rezoning Agent	Bill & Yaa Enterprises, Inc. Name of Petitioner(s)		
7611 Little Ave, Suite 111 Agent's Address	2010 Shalford Lane		
Charlotte, NC 28226 City, State, Zip	Address of Petitioner(s) <u>Matthews, NC 28104</u>		
704-841-1604 (*701)         704-841-1604           Telephone Number         Fax Nu			
mlangston@landworkspe.com E-MailyAddress Signature of Property Owner	E-Mail Address E-Mail Address Signature of Petitioner Vag. A. McConnell, Lill McColl		
Kober' L HARTIE (Name Typed / Printed)	(Name Typed / Printed)		

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Rev July 2015

# Development Standards

### 1. General Provisions

a. Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases as allowed under the provisions of Section 6.2 of the Zoning Ordinance.

SOUTHERN KOREAL PRESBYTERIAN CHUR INC DB 29915 PG 596 PARCEL #23105406 ZONING: R-3 SE- CHURCH PAPKING

/

B 07672 PG 70 RCEL #227244 ZONING: R-3

MCKEE ROAD INC SR 34401

ISA WILLIAMS DB 24309 PG 286 PARCEL #2272440 ZONING: R-3 USE: SINGLE FAMIL

SITE ACCESS (TYP.)

b. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, bicycle parking, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.

c. Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners," shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.

### 2. Purpose

a. The purpose of this Rezoning application is to provide for the development of a child care facility serving approximately 120 children. To achieve this purpose, the application seeks the rezoning of the site to the Institutional Conditional (INST(CD)) district.

3. Permitted Uses

a. Uses allowed on the property included in this Petition will be a child care facility and related accessory uses as are permitted in the INST district.

# 4. Transportation

a. The site will have access via parking lot connections to McKee Road at a location prescribed by CDOT and NCDOT as generally identified on the concept plan for the site.

### 5. Architectural Standards

a. The buildings finishes will include brick, stone and/or other masonry products and cementitious siding or other similar durable siding materials. Plastic or metal material may be used for incidental architecture details including windows, doors, and trim details. No vinyl will be used as siding material. No expanses of blank wall exceeding 20 feet in length will be permitted along street frontages. Trash and recycling will be provided by dumpsters on site.

6. Streetscape, Buffers, and Landscaping

a. Petitioner will coordinate with the City Arborist, Urban Forestry, and CDOT to preserve existing trees in the Right-of-Way along McKee Road. Petitioner will coordinate with CDOT, NCDOT, and Planning to provide a new sidewalk along the McKee Road frontage, and tying into existing sidewalk(s) on either end as appropriate.

7. Environmental Features a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance for storm water quality and detention. b. The Site will comply with the Tree Ordinance and will provide a minimum of 15% tree save area. c. All utilities within the Site will be placed underground. 8. Parks, Greenways, and Open Space a. Reserved 9. Fire Protection a. The proposed building will be sprinklered and the proposed site layout will provide adequate access for the City of Charlotte to access all parts of the building. 10. Signage a. Reserved

11. Lighting a. Freestanding lighting on the site will utilize full cut-off luminaries and will be limited to 20' in height.

SOUTHERN KOREA PRESBYTERIAN CHURCH INC DB 12691 PG 434 PARCEL #23105407 ZONING: R-3 USE: CHURCH

EXISTING BUILDING

TO BE REMOVED

AREA

734-

12. Phasing a. Reserved

assigns.

b. The Petitioner will provide buffers as required by the Ordinance along both side property lines.

LONG TRUONG & KRISTINE LE DB 30667 PG 164 PARCEL #23105404 ZONING: R-3 ISE: SINGLE FAMIL

MARK & CAROL GRAHAM DB 30479 PG 586 PARCEL #2310541 ZONING: R-3 USE: VACANT



# SITE DATA:

ACREAGE: TAX PARCEL ID: EXISTING ZONING: PROPOSED ZONING: EXISTING USE: PROPOSED USE:

BUILDING SIZE: FRONT SETBACK:

MIN. SIDE YARD: MIN. REAR YARD: **BUFFERS & SCREENING:** 

PARKING REQUIRED: (25 STAFF/ 120 CHILDREN) 25 + 12 =

PROPOSED: BICYCLE PARKING REQUIRED: PROPOSED:

TREE SAVE REQUIRED: TREE SAVE SAVE PROVIDED:

WASTE MANAGEMENT:

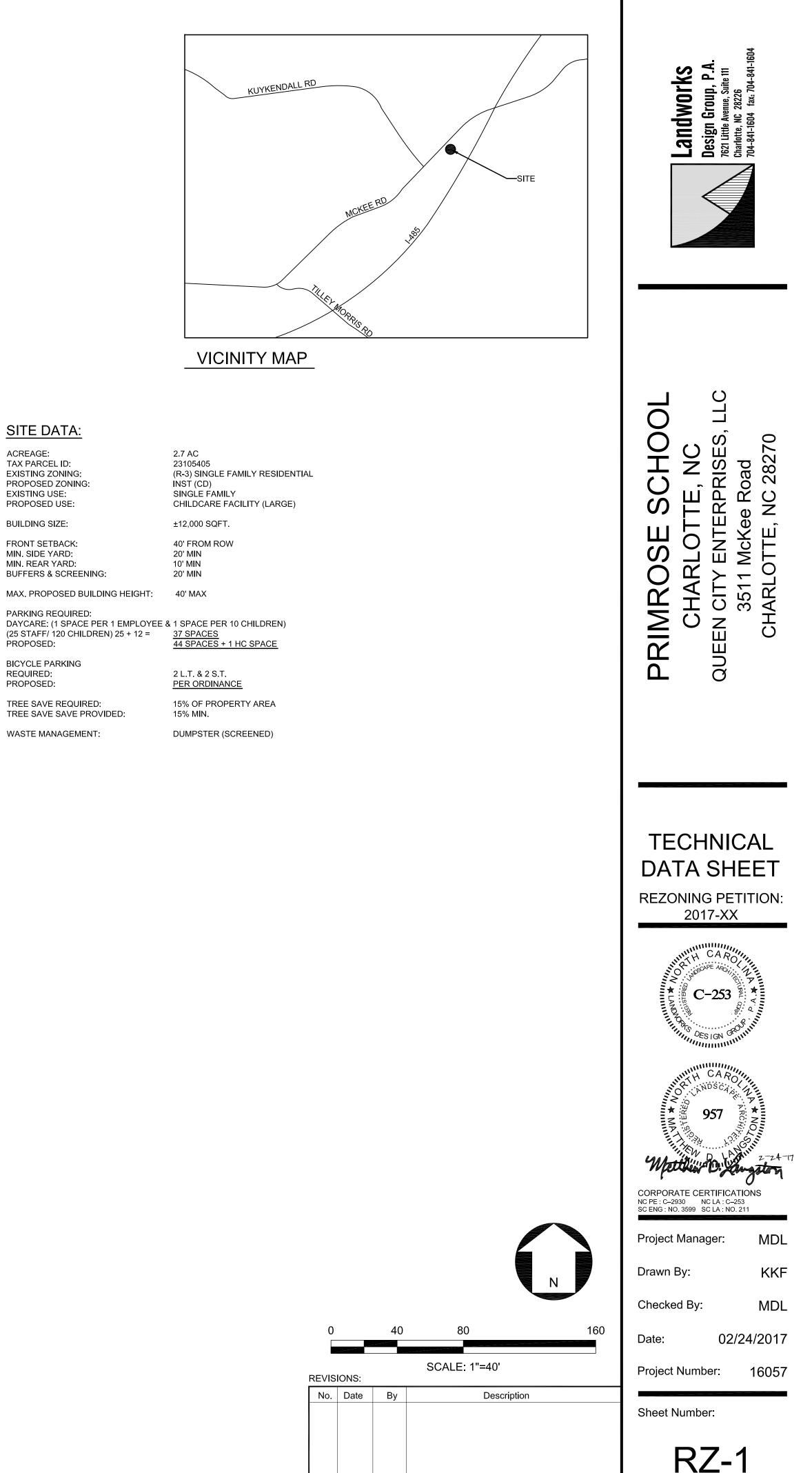


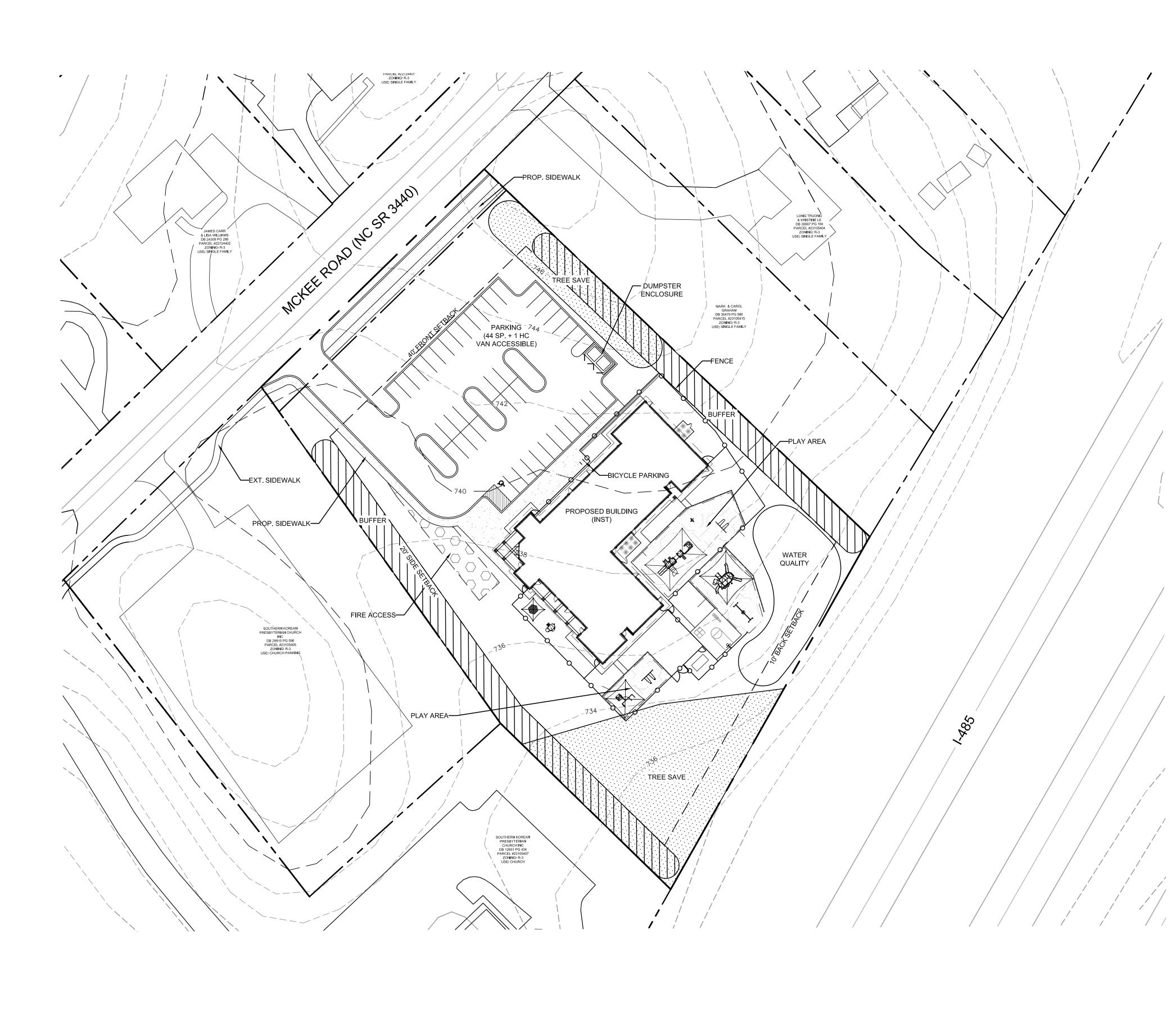
b. The Petitioner will limit the number and placement of outdoor lighting located on the structures to assure that light is not directed toward any adjacent properties.

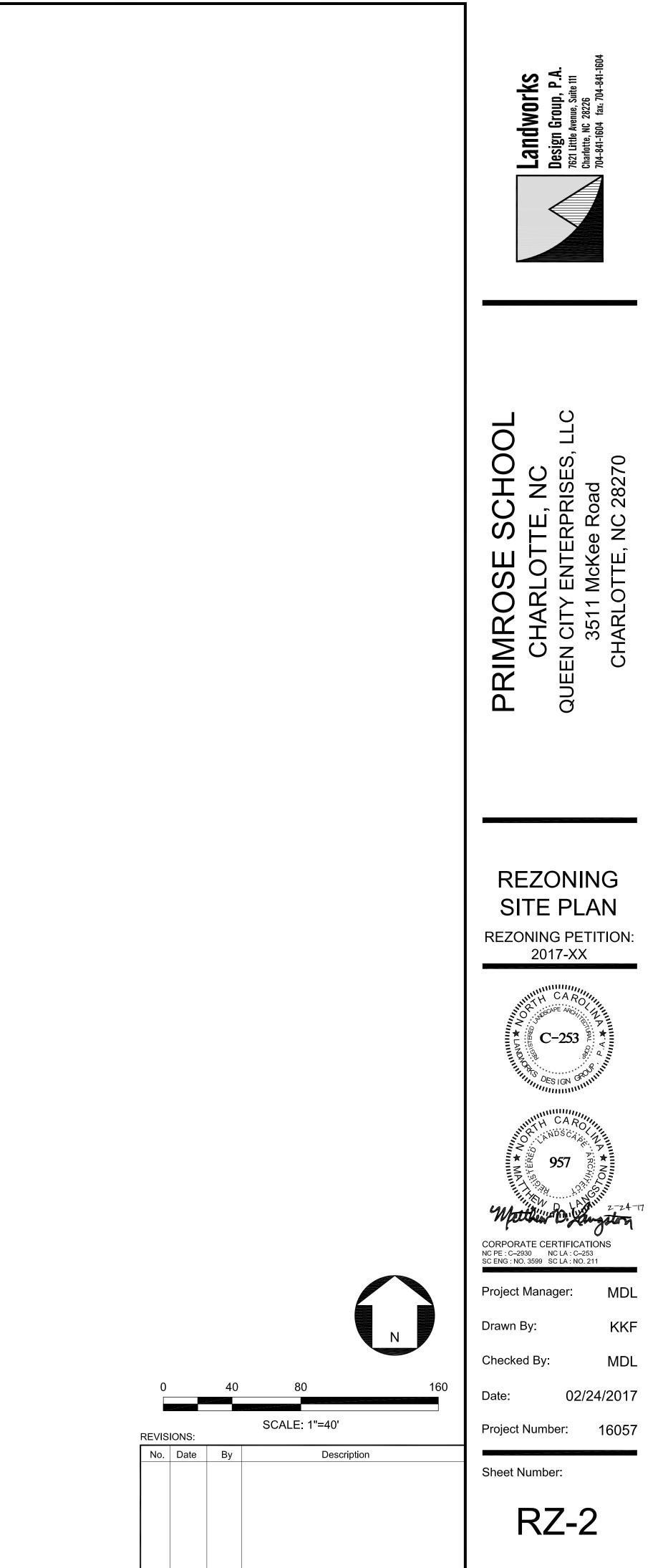
13. Binding Effect of the Rezoning Application

a. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and insure to the benefit of the Petitioner, current, and subsequent owners of the Sire and their respective successors in interest and

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 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.







SHEET # 2 OF 2