Rezoning Petition Packet

Petitions: 2017-159 through 2017-174

Petitions that were submitted by October 23, 2017

Staff Review Meeting: November 16, 2017

City Public Hearing: To Be Determined

I. REZONING APPLICATION **CITY OF CHARLOTTE**

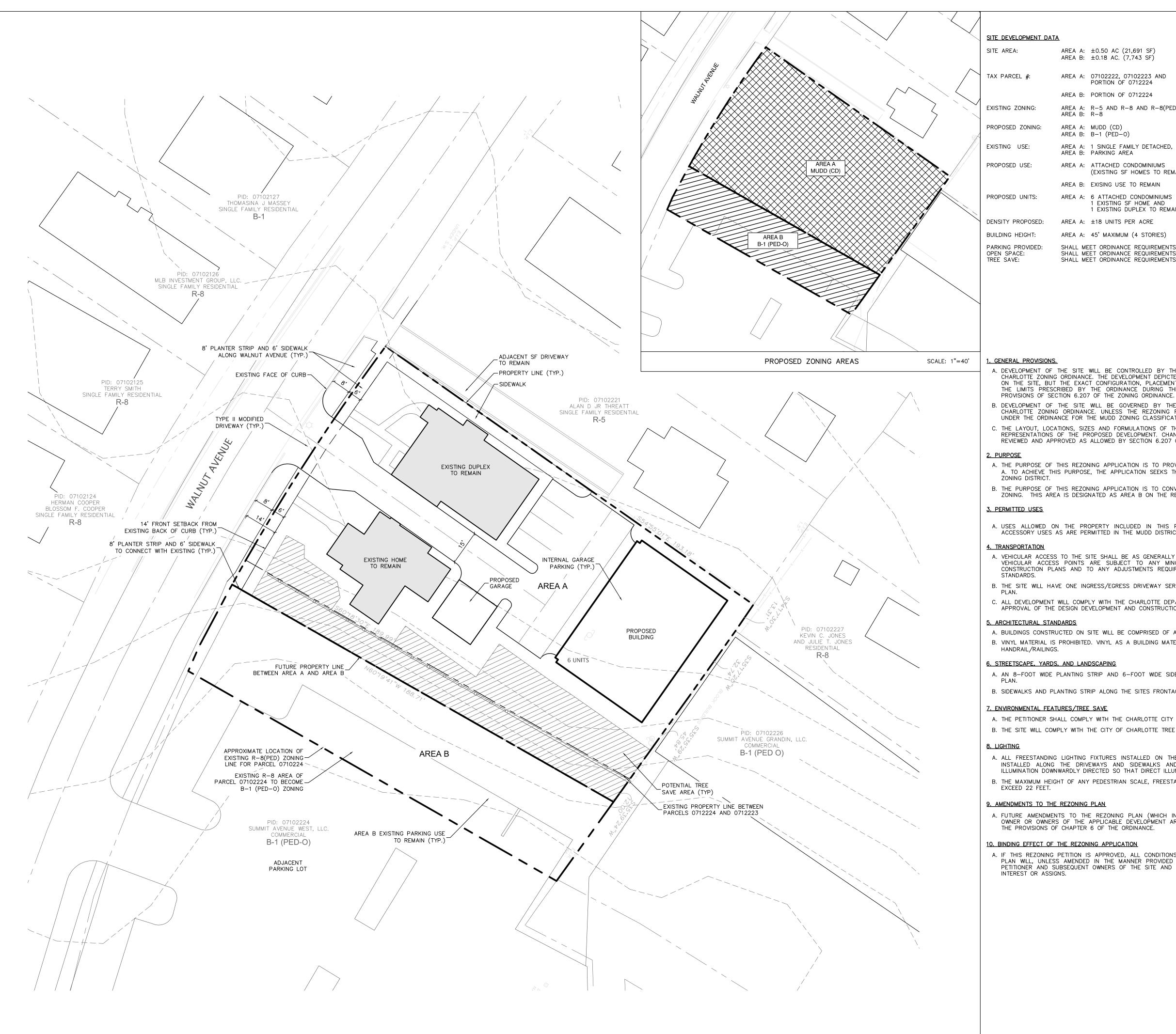
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Petition #:

Date Filed: 9/25/2017 Received By: Complete All Fields (Use additional pages if needed) Property Owner: Ernest David Horne/Summit Ave West Morehead LLC, c/o Matt Browder Owner's Address: 821 Walnut Ave/1440 S. Tryon, Ste 104 City, State, Zip: Charlotte, NC 28208/28203 Date Property Acquired: _ 06/24/04 and 11/26/2003 / 8/21/2012 Property Address: 817/819 Walnut Ave. and 821 Walnut Ave / 1516 W. Morehead Street Tax Parcel Number(s): 071-022-22 and 071-022-23 / 071-022-24 (portion of Current Land Use: Residential - Duplex and House 0.58 Size (Acres): Existing Zoning: R-5 and R-8 Proposed Zoning: MUDD (CD) & B-1 (PED overlay Overlay: HDC (Wooley Heights (Specify PED, Watershed, Historic District, etc.) Required Rezoning Pre-Application Meeting* with: Sonya Sanders, Alberto Gonzales, John Howard Date of meeting: June 27, 2017 (*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team is held.) For Conditional Rezonings Only: Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): 5 Purpose/description of Conditional Zoning Plan: To allow for attached housing community behind the existing structures Anthony Fox The Drakeford Company Name of Rezoning Agent Name of Petitioner(s) Three Wells Fargo Center, 401 S. Tryon St. Suite 3000 1914 Brunswick Ave, Suite 1-A Agent's Address Address of Petitioner(s) Charlotte, NC 28202 Charlotte, NC 28207 City, State, Zip City, State, Zip (704) 335-9841 (704) 334-4706 (704) 344-0332 (704) 344-9992 Telephone Number Fax Number Telephone Number Fax Number anthonyfox@parkerpoe.com bobby@tdcrealestate.com E-Mail Address E-Mail Address Signature of Property Owner Signature of Petitioner Ernest David Horne/Summit Avenue W. Morehead, LLC Robert T. Drakeford (Name Typed / Printed)

(Name Typed / Printed)



SITE DEVELOPMENT DATA

SITE AREA: AREA A: ± 0.50 AC (21,691 SF) AREA B: ±0.18 AC. (7,743 SF)

TAX PARCEL #: AREA A: 07102222, 07102223 AND

PORTION OF 0712224 AREA B: PORTION OF 0712224

AREA A: R-5 AND R-8 AND R-8(PED-0)EXISTING ZONING: AREA B: R-8

PROPOSED ZONING: AREA A: MUDD (CD) AREA B: B-1 (PED-0)

EXISTING USE: AREA A: 1 SINGLE FAMILY DETACHED, 1 DUPLEX AREA B: PARKING AREA

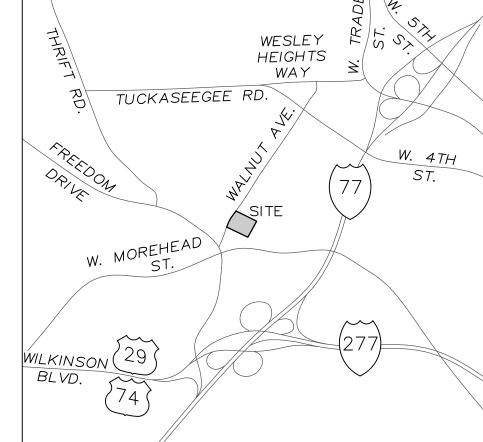
PROPOSED USE: AREA A: ATTACHED CONDOMINIUMS (EXISTING SF HOMES TO REMAIN)

AREA B: EXISING USE TO REMAIN

AREA A: ±18 UNITS PER ACRE

PROPOSED UNITS: AREA A: 6 ATTACHED CONDOMINIUMS 1 EXISTING SF HOME AND 1 EXISTING DUPLEX TO REMAIN

BUILDING HEIGHT: AREA A: 45' MAXIMUM (4 STORIES) PARKING PROVIDED: SHALL MEET ORDINANCE REQUIREMENTS SHALL MEET ORDINANCE REQUIREMENTS OPEN SPACE: SHALL MEET ORDINANCE REQUIREMENTS



VICINITY MAP N.T.S.

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

B. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE. UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATIONS ESTABLISHED

UNDER THE ORDINANCE FOR THE MUDD ZONING CLASSIFICATION SHALL GOVERN.

C. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.

2. PURPOSE

- A. THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF SINGLE FAMILY ATTACHED CONDOMINIUMS IN AREA A. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE FROM R-5, R-8 AND R-8(PED-0) TO THE MUDD (CD)
- B. THE PURPOSE OF THIS REZONING APPLICATION IS TO CONVERT THE EXISTING R-8 (PED-0) PORTION OF PARCEL 07102224 TO B-1 (PED-0) ZONING. THIS AREA IS DESIGNATED AS AREA B ON THE REZONING PLAN AND THE EXISTING USE IS TO REMAIN.

3. PERMITTED USES

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

4. TRANSPORTATION

- A. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED
- B. THE SITE WILL HAVE ONE INGRESS/EGRESS DRIVEWAY SERVING THE DEVELOPMENT FROM WALNUT AVENUE AS DEPICTED ON THE REZONING
- C. ALL DEVELOPMENT WILL COMPLY WITH THE CHARLOTTE DEPARTMENT OF TRANSPORTATION STANDARDS AND WILL BE PART OF THE REVIEW AND APPROVAL OF THE DESIGN DEVELOPMENT AND CONSTRUCTION PROCESS.

5. ARCHITECTURAL STANDARDS

- A. BUILDINGS CONSTRUCTED ON SITE WILL BE COMPRISED OF A 4 STORY STRUCTURE AS DEPICTED ON THE REZONING PLAN.
- B. VINYL MATERIAL IS PROHIBITED. VINYL AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS, GARAGE DOORS AND FENCES AND HANDRAIL/RAILINGS.

6. STREETSCAPE, YARDS, AND LANDSCAPING

- A. AN 8-FOOT WIDE PLANTING STRIP AND 6-FOOT WIDE SIDEWALK WILL BE APPLIED ALONG WALNUT AVENUE AS DEPICTED ON THE REZONING
- B. SIDEWALKS AND PLANTING STRIP ALONG THE SITES FRONTAGES MAY MEANDER TO SAVE EXISTING TREES.

7. ENVIRONMENTAL FEATURES/TREE SAVE

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

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8. LIGHTING

- A. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING STREET LIGHTS, LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE
- B. THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 22 FEET.

9. AMENDMENTS TO THE REZONING PLAN

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

10. BINDING EFFECT OF THE REZONING APPLICATION

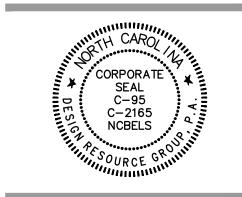
A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE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

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

DESIGN **RESOURCE**

LANDSCAPE ARCHITECTURE CIVIL ENGINEERING TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208 704.343.0608 www.drgrp.com



REZONING PETITION FOR PUBLIC HEARING

2017-XXX

REZONING PETITION

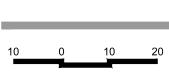
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PROJECT #: 090-025 DRAWN BY: NFK CHECKED BY:

OCTOBER 20, 2017

REVISIONS:

I. REZONING APPLICATION CITY OF CHARLOTTE



Petition #:

Date Filed: (0 (12/22/7)

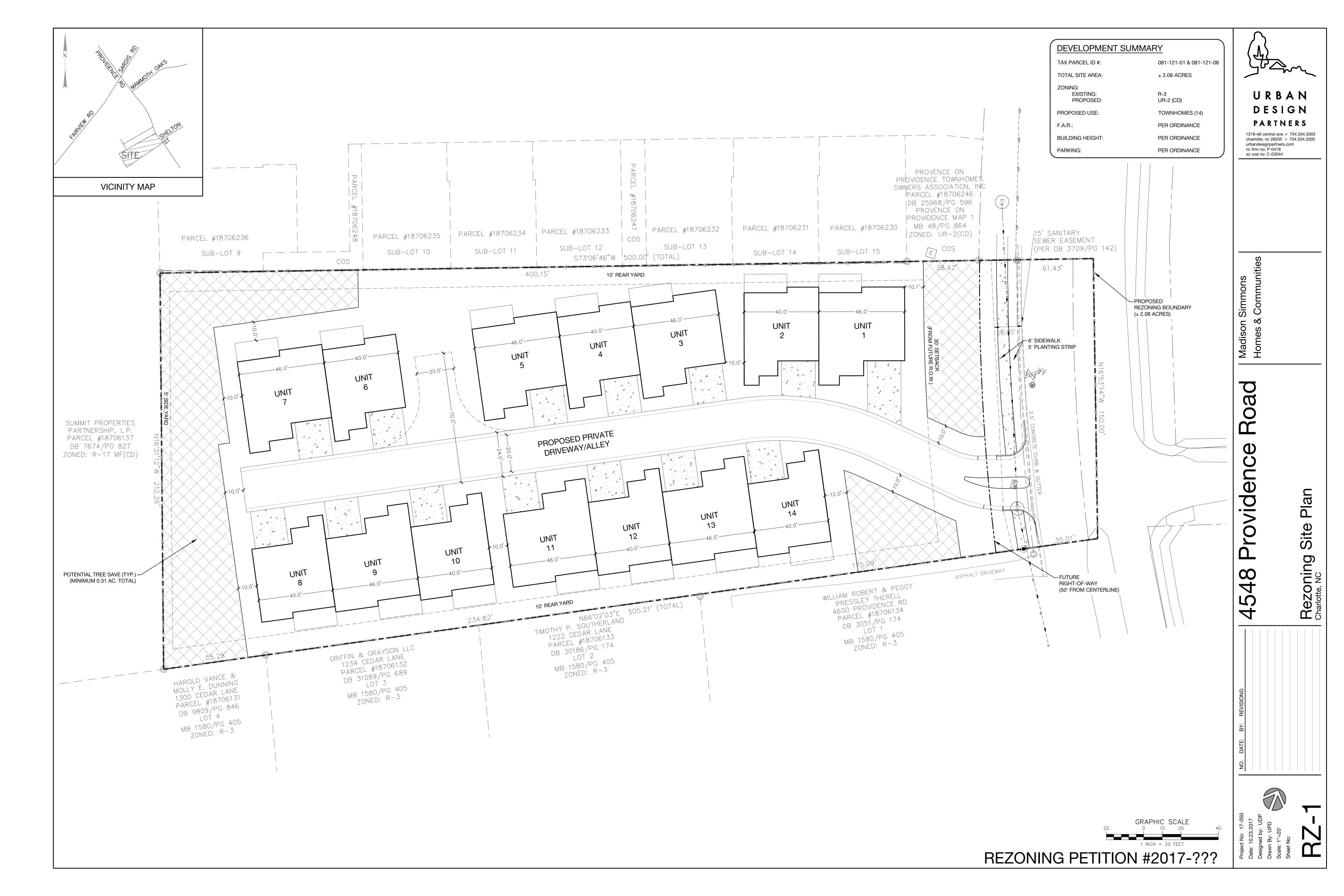
Received By:

Complete All Fields (Use additional pages if needed)
Property Owner: Joseph R. and Christine S. Rotunda	
Owner's Address: 4548 Providence Road	City, State, Zip: Charlotte NC 28226
Date Property Acquired: September 1, 1992	
Property Address: 4548 Providence Road, Charlotte NO	C 28226
Current Land Use: Single Family Residential	Size (Acres): 2.08 Acres
Existing Zoning: R-3	Proposed Zoning: UR-2 (CD)
Overland None	(Specify DED Waterchart Historic District atc.)
Required Rezoning Pre-Application Meeting* with: John II Date of meeting: August 5, 2017.	Kinley, Kent Main, Carlos Alzate, Kelsie Anderson
(*Rezoning applications will not be processed until a requ	ired pre-application meeting with a rezoning team is held.)
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minim Purpose/description of Conditional Zoning Plan: Single Family Attached (Townhomes) Residential with	um? Yes No. Number of years (maximum of 5):e Development and Construction of up to 14 Land for Sale.
Sonny Crater	Madison Simmons Homes and Communities, L
Name of Rezoning Agent	Name of Petitioner(s)
16930 W. Catawba Avenue, Suite 205	16930 W. Catawba Avenue, Suite 205
Agent's Address	Address of Petitioner(s)
Cornelius NC 28031	Cornelius NC 28031
City, State, Zip 980-233-1239	City, State, Zip 980-233-1239
Telephone Number Fax Number	Telephone Number Fax Number
Sonny@madisonsimmonshomes.com	Sonny@madisonsimmonshomes.com
E-Mall Address Oxoph R. Rollinga,	E-Mail Address Christina D. Rotunda
Signature of Property Owner	Signature of Petitioner
Joseph R. Rotunda	Christine S. Rotunda
(Name Typed / Printed)	(Name Typed / Printed)

ATTACHMENT A

REZONING PETITION # 2017-xxx Madison Simmons Homes and Communities, LLC

Petitioner:
Madison Simmons Homes and Communities, LLC
By: C. Jan Jo
Name: C. Share Bucker (Printed)
Title: Manhor Manhor



DEVELOPMENT STANDARDS

A. General Provisions

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Madison Simmons Homes and Communities ("Petitioner") to accommodate the development of a residential community on that approximately 2.08 acre site located on the west side of Providence Road, south of the intersection of Providence Road and Fairview Road, which site is more particularly depicted on the Rezoning Plan as (the "Site"). The Site is comprised of Tax Parcel No. 187-061-35.

- 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. Future amendments or modifications to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations or modifications to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

B. Permitted Uses

The Site shall be devoted only to a residential community containing a maximum of 14 for sale attached dwelling units and to any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district

C. <u>Transportation</u>

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

- The Petitioner shall dedicate and convey additional Right of Way along the site's frontage measuring fifty (50) feet from the centerline of the roadway as more generally depicted on the Rezoning Plan. This dedication and conveyance will be recorded prior to the issuance of the first Certificate of Occupancy.
- D. <u>Architectural Standards</u>
- 1. The height of the dwelling units shall be 2 stories maximum and 40' Base Height. .
- 2. Exterior building materials may include, but not be limited to, brick/masonry, fiber cement siding, asphalt roofing, glazing/windows, and stucco, or a combination thereof. Vinyl is not allowed as a material except on windows and soffits.
- 3. Building ends facing a public or private street are to be embellished with windows on living spaces on each floor and other elements of interest such as, but not limited to, bays, exterior wall offsets, projections, recesses, and changes in materials such that blank walls shall be no greater than 10 feet in length on all living levels.
- 4. Architectural elevations shall be designed to create visual interest through the following standards:
- a. Vertical Modulation and Rhythm Building elevations shall be designed with recognizable architectural vertical bays or articulated architectural façade features. The bays and features may include, but not be limited to, a combination of exterior wall offsets, projections/recesses, pilasters, and change in materials.
- b. Building Base Buildings shall be designed with a recognizable architectural base.
- c. Blank Walls Building elevations facing public and private streets, shall not have expanses of blank walls greater than 20 feet on all building levels. Architectural features such as, but not limited to, projected bays, banding, or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- 5. For sale townhomes will include 400 square feet of private open space per sublot in accordance with Section 9.406 of the Ordinance.
- 6. Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.

E. Streetscape/Landscaping

. A 5 foot planting strip and a 6 foot sidewalk shall be installed along the Site's frontage on Providence Road to match the multi-family development to the north.

Environmental Features

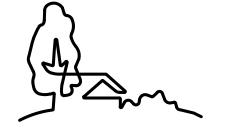
1. The site will comply with the City of Charlotte Tree Ordinance.

The site will comply with the City of Charlotte Post Construction Controls Ordinance.

G. <u>Lighting</u>

All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.

- 2. The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed 15 feet.
- 3. Any lighting fixtures attached to the buildings to be constructed on the Site shall be decorative, capped and downwardly directed.
- H. <u>Binding Effect of the Rezoning Documents and Definitions</u>
- If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- 2. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development
- 3. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



URBAN DESIGN PARTNERS

1318-e6 central ave. P 704.334.3303 charlotte, nc 28205 F 704.334.3305 urbandesignpartners.com nc firm no: P-0418 sc coa no: C-03044

| Madison Simmons | Homes & Communities

548 Providence Road

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Development Charlotte, NC

NO. DATE: BY: REVISIONS:

Date: 10.23.2017
Designed by: UDP
Drawn By: UPD
Scale:
Sheet No:

I. REZONING APPLICATION CITY OF CHARLOTTE



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Petition #:	
Date Filed:	10/16/2017
Received By:	R

Complete All Fields (Use additional pages if needed)

complete All Fiches (OSC duditional pages il ficeded)	Received By:
Property Owner: (1)Trustees of Central Piedmont Commu Central Piedmont Community College Services Corporation Property-East Independence BV, LLC; (4) Gary D. Hixson	nity College; (2) n; (3) McRee Family
Owner's Address: Please see attached	City, State, Zip: Charlotte, NC 28235
Date Property Acquired: Please see attached	
Property Address: <u>Eight (8) parcels located in block bound</u> Torrence Street & E. 5 th Street.	ded by Charlottetowne Avenue, Elizabeth Avenue, N.
Tax Parcel Number(s): 080-194-01; 080-194-03; 080-19 and 080-194-16	4-04; 080-194-05; 080-194-07; 080-194-14; 080-194-15;
Current Land Use: <u>commercial</u>	Size (Acres):/-1:76 acres total
Existing Zoning: Please see attached	Proposed Zoning: MUDD-O
Overlay:	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Solomon Date of meeting: _9/27/17	on Fortune
(*Rezoning applications will not be processed until a requi	red pre-application meeting with a rezoning team is held.)
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimu	m? Yes/No. Number of years (maximum of 5): _5
Purpose/description of Conditional Zoning Plan:Petition	ner desires to rezone the eight (8) parcels referenced herein
	ting Central Campus for future expansion and use of Central
Piedmont Community College.	
Johnston, Allison & Hord, P.A.	Central Piedmont Community College
R. Susanne Todd and James W. Allison Name of Rezoning Agent	Name of Petitioner(s)
1065 E. Morehead Street	P.O. Box 35009
Agent's Address	Address of Petitioner(s)
Charlotte, NC 28204 City, State, Zip	Charlotte, NC 28235 City, State, Zip
704-998-2306	
704-998-2236 704-376-1628 Telephone Number Fax Number stodd@jahlaw.com	704-336-6717 704-330-5045 Telephone Number Fax Number
<u>allison@jahlaw.com</u> E-Mail Address	E-Mail Address
L Hull Audi 655	L-mail Address
Please See attached	x Muchael Most
Signatures of Property Owners	Signature of Petitioner Michael Moss CRA COMA Vice President of Finance and
·	Michael Moss, CPA, CGMA, Vice President of Finance and Administrative Services, Central Piedmont Community College

OWNERS ADDRESSES:

(1) Trustees of Central Piedmont Community College

PO Box 35009, Charlotte, NC 28235

(2) Central Piedmont Community College Services Corporation

PO Box 35009, Charlotte, NC 28235

(3) McRee Family Property-East Independence BV, LLC

1616 Brandon Road Charlotte, NC 28207

(4) Gary D. Hixson and wife, Jane B. Hixson

1414 East 5th Street Charlotte, NC 28204

DATE PROPERTIES ACQUIRED AND EXISTING ZONING:

(1) Trustees of Central Piedmont Community College

Parcels:

08019403: January 31, 2017 (NS)

08019404: June 3, 2016 (NS)

08019405: June 3, 2016 (NS)

08019415: June 3, 2016 (0-2)

(2) Central Piedmont Community College Services Corporation

Parcels:

08019407: June 3, 2016 (O-2)

08019416: June 3, 2016 (NS)

(3) McRee Family Property-East Independence BV, LLC

Parcel: 08019401:April 5, 2007 (B-2)

(4) Gary D. Hixson and wife, Jane B. Hixson

Parcel: 08019414: October 11, 1983 (O-2)

Signature Page

Trustees of Central Piedmont Community College
Med gol Mosts By: Its: Vice President, Finance (PCC)
Central Piedmont Community College Services Corporation
By: Its: Vice President, Finance CPCC Services Corp.
McRee Family Property-East Independence BV, LLC Charles w. Mzfee By: Its: Managing Partner
Gary D. Hixson
Jane B. Hixson

Signature Page

Trustees of Central Piedmont Community Coll	lege
By: Its:	
Central Piedmont Community College Service	s Corporation
By: Its:	
McRee Family Property-East Independence By: By: Its: Managing Partner	V, LLC
Its: Manageny lautrer	
Gary D. Hixson	· · · · · · · · · · · · · · · · · · ·
Jane B. Hixson	·

Signature Page

Truste	ees of Central Piedmont Community College
By: Its:	•
Centr	al Piedmont Community College Services Corporation
By: Its:	
McRe	ee Family Property-East Independence BV, LLC
Ву:	
Its:	
Gary(D. Hixson
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d	B. Hixson
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DEVELOPMENT DATA	4							
TAX PARCEL	080-194-01	080-194-03	080-194-04	080-194-05	080-194-07*/080-194-16*	080-194-14	080-194-15	
PARCEL ADDRESS	1224 CHARLOTTETOWNE	1218 CHARLOTTETOWNE AV	E. 1212 CHARLOTTETOWN AVE.	1216 CHARLOTTETOWNE AVE	1425 ELIZABETH AVE.	1412 E 5TH STREET	1414 E 5TH STREET	
SITE ACREAGE	0.149 AC	0.301 AC	0.111 AC	0.61 AC	0.429 AC	0.081 AC	0.079 AC	
EXISTING ZONING	B-2	NS	B-2	NS	NS	0-2	0-2	
PROPOSED ZONING	MUDD(O)							
EXISTING USE	OFFICE	VACANT	VACANT	VACANT	COMMERCIAL	COMMERCIAL	VACANT	
PROPOSED USE	INSTITUTIONAL							
BUILDING AREA	306,00	O SF MAXIMUM	SF MAXIMUM 306,000 SF MAXIMUM			306,000 SF MAXIMUM		
MAXIMUM BLDG. HEGHT	MAX. 120 FEET PER BUILDING							
PROPOSED PARKING	AS REQUIRED BY THE ORDINANCE							
OPEN SPACE AMOUNT	1 SF/ 100 SF	1 SF / 100 SF	1 SF / 100 SF					

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CENTRAL A	/\/
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EAST / S	<u>/</u>
VICINTY MAP	

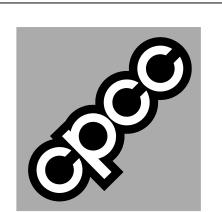


PRELIMINARY

NOT FOR

CONSTRUCTION

Submittal Date: October 16, 2017 Revision Dates:



CPCC Central Campus

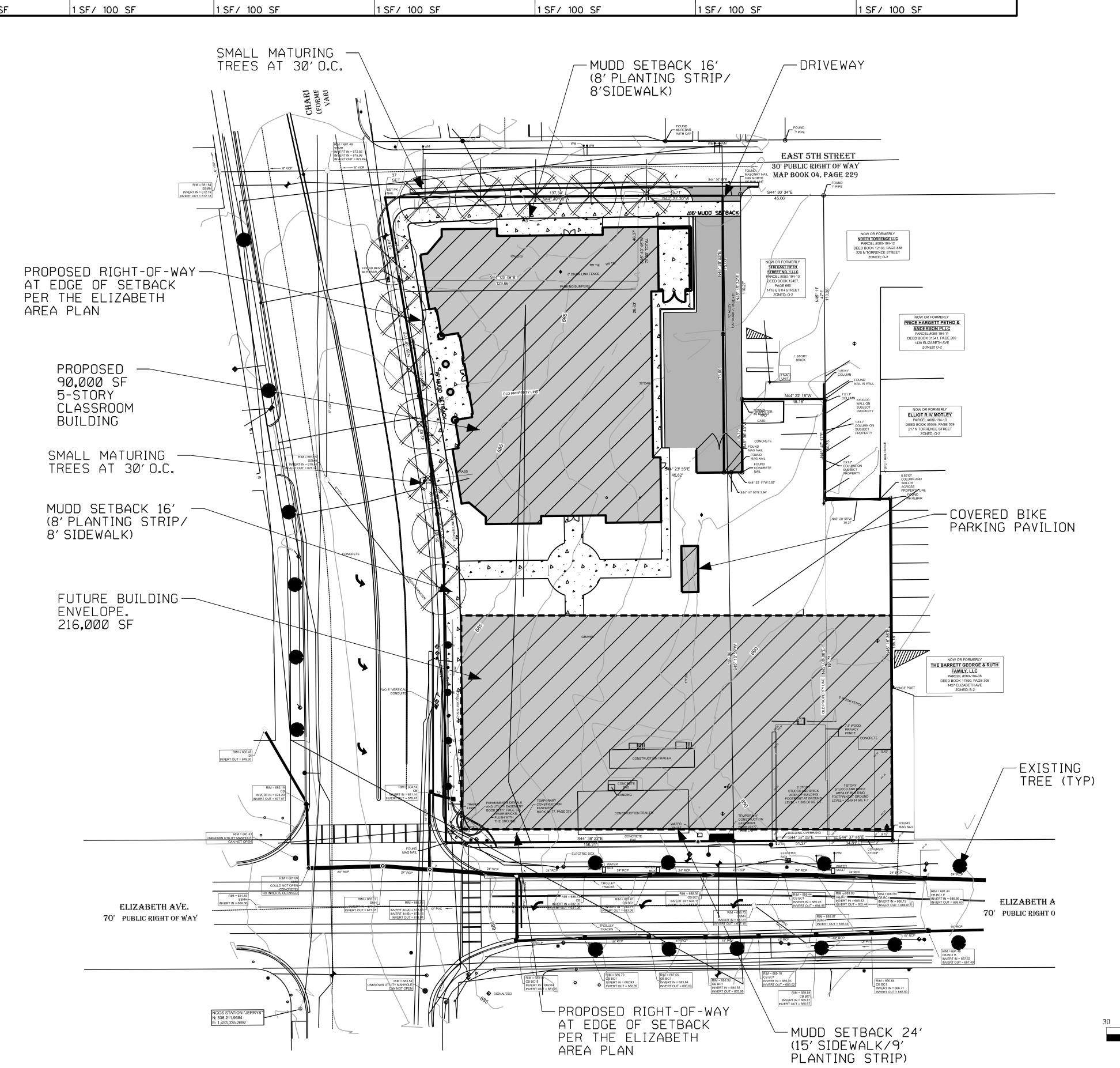
Charlotte, NC

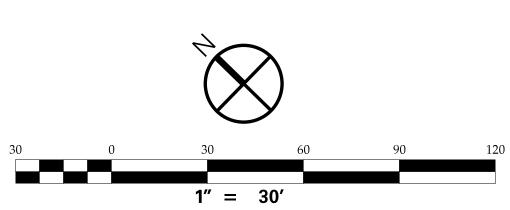
Rezoning Petition 2017–??? For Public Hearing

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Schematic Site Plan

R7_1





PROPOSED ZONING:

EXISTING ZONING: B-2, NS, 0-2

EXISTING USE: OFFICES, COMMERCIAL AND VACANT

MUDD (O)

COMMUNITY COLLEGE CAMPUS TO INCLUDE OFFICES, PROPOSED USE: LABS AND CLASSROOMS, PARKING AND OTHER

USES ALLOWED IN MUDD ZONING DISTRICTS.

080-194-07; 080-194-14; 080-194-15; 080-194-16*

NUMBER OF RESIDENTIAL UNITS: SQ. FT. OF NON RESIDENTIAL UNITS NA

MAXIMUM BUILDING AREA: 306,000 SF

MAXIMUM 120 FEET PER BUILDING BUILDING HEIGHT:

MAXIMUM NUMBER OF BUILDINGS: TWO

PARKING REQUIRED: AS REQUIRED BY THE ORDINANCE COMBINED PARCEL 1 SF/100 SF OPEN SPACE:

*GIS MAPPING DOES NOT RECOGNIZE TAX PARCEL 080-194-16 AND WE BELIEVE THAT THE PARCEL MAY BE CONSIDERED AS A PORTION OF TAX PARCEL # 080-194-07. HOWEVER, THE PROPERTY WAS CONVEYED TO CPCC BY DEED THAT REFERENCED 080-194-16 BY PARCEL NUMBER AND IT IS STILL IDENTIFIED AS A SEPERATE PARCEL PER MECKLENBURG COUNTY REAL ESTATE LOOK-UP SO WE HAVE LISTED TO ENSURE THAT THE ENTIRE SITE IS INCLUDED.

GENERAL PROVISIONS:

a. These Development Conditions form a part of the rezoning petition filed by Central Piedmont Community College ("Petitioner" or "Owner") to accommodate the future development of an approximately 1.76 acre site consisting of four eight (8) parcels located in the block bounded by Charlottetown Avenue, Elizabeth Avenue, N. Torrence Street and East 5tth Street in Charlotte, North Carolina, and which is more particularly depicted on the enclosed Site Plan (the "Site").

- b. Petitioner desires to rezone the Site to a zoning classification compatible with its existing Central Campus to allow for seamless expansion of the Existing Campus and harmonious development of the Site.
- c. Proposed plans currently call for the development of a +/- 90,000 sf classroom building ("Building One") at the corner of Charlottetown Avenue and E. 5th Street, on all or portions of parcels 080-194-01 and 080-194-03, along with accessory uses such as a building to house toold and equipment behind Building One and a service court on all or portions of 080-194-14 and 080-194-15 as generally depicted on the Site Plan.Urban green space as required by the Ordinance for Building One will be situated on all or portion of parcel 080-194-04 with future outdoor accessory structure such as gazebo or bike pavillion proposed in connection with the construction of Building Two. Proposed development of parcels 080-194-05 and 080-194-07 & 16 to include a maximum 216,000 SF classroom or other institutional use ("Building Two") and an expansion of the service court to be shared by both buildings. In the interim, parcel 080-194-05 will be used as construction laydown area. Following use as laydown area, property willb be used as open space. Post construction of Building One, parcel 080-194-05 shall be transformed into a park area until such time as funding is secured for the construction of Building Two. The buildings and parking located on parcels 080-194-07 & 16 along Elizabeth Avenue will continue as current use until demolition and construction of Building Two. Petitioner reserves the right to alter the size and use of the proposed buildings so long as the proposed uses meet the conditions of MUDD subject to the conditions set forth in this Rezoning Petition.
- d. These Development Conditions, the Site Plan, Petitioner's Application for Rezoning ("Application") and any revisions thereof are collectively referred to as the "Rezoning Petition" or "Conditional Plan".
- e. The development of this Site will be governed by the Rezoning Petition, the Site Plan, and the applicable provisions of the City of Charlotte's Zoning Ordinance (the "Ordinance").
- Alterations to the Conditional Plan are subject to Section 6.207 Alternations to Approval of the Ordinance.

OPTIONAL PROVISIONS

- a. The MUDD (0) is provided herein to permit existing uses on the Site to remain until new development commences at a particular, individual portion on the Site, at which time said new development shall comply with the foregoing use provision.
- b. The MUDD (0) is provided herein to permit existing parking and/or loading conditions on the Site to remain until new development commences at a particular, individual portion on the Site, at which time said new development shall comply with the provisions of the MUDD district, subject to the conditions set forth in this Rezoning Petition.
- c. The MUDD (0) is provided herein to permit existing bicycle parking conditions on the Site to remain until new development commences at a particular, individual portion on the Site, at which time said new development shall comply with the bicycle parking provisions of the MUDD district, subject to the conditions set forth in this Rezoning Petition.
- d. The MUDD (0) is provided herein to permit existing development conditions on the Site to remain until new development commences at a particular, individual portion on the Site, at which time said new development shall comply with the provisions of the MUDD district, subject to the conditions set forth in this Rezoning Petition.
- e. New building construction on the Site shall comply with all applicable requirements and regulations of the MUDD zoning district, subject to the conditions set forth in this Rezoning Petition. The MUDD (0) is provided herein to permit existing development conditions on the Site to remain until new building construction commences at a particular, individual building on the Site, at which time said new building construction shall comply with the provisions of the MUDD district, subject to the conditions set forth in this Rezoning Petition.
- f. Alterations and renovations to existing structures which do not require the removal of the structure and which do not otherwise comply with all applicable provisions of the MUDD district shall be permitted to undergo said alterations and renovations without compliance to those provisions of the MUDD district which said structure does not currently comply with. In any event, existing buildings which are renovated shall not increase in non-conformance through such renovations (for example: eliminating existing windows at street
- g. The MUDD (O) is provided here to permit flexibility from the MUDD district streetscape design requirements (for example: the location of existing sidewalks, street trees, landscaping areas, etc.) as there may be instances when the established streetscape design shall remain "as is" or may be modified (for example, allow sidewalks to meander to protect existing trees) without strict adherence to the required streetscape design. Such optional design shall be jointly and respectively determined by the petitioner and the staff of the Charlotte-Mecklenburg Planning Commission on the basis of assessing the overall practicality of implementing the required streetscape design versus such factors as the locations and maturity of présent trees and landscaping, the location and width of present sidewalks, the existence of other trees and landscaping which pose as an interference, the location of present and future buildings, whether or not pedestrian benefits are significantly enhanced, and other similar considerations which would have a practical bearing on the implementation of required streetscape designs or not.

h. The MUDD (0) is provided herein to permit existing signage on the Site to remain until new development commences at a particular, individual portion on the Site, at which time said new development shall comply with the signage provisions of the MUDD district subject to the conditions set forth in this Rezoning Petition.

i. The MUDD (0) is provided herein to permit existing lighting conditions on the Site to remain until new development commences at a particular, individual portion on the Site, at which time said new development shall comply with the lighting provisions of the MUDD district, subject to the conditions set forth in this Rezoning Petition.

PERMITTED USES

a. Any new development on the Site will be devoted to use as a Community College Campus, including, but not limited to, classroóms, labs, conference rooms or centers and offices, together with incidental and/or accessory uses associated therewith, that are permitted under the Ordinance by right or under prescribed conditions in the MUDD Zoning District.

TRANSPORTATION:

Along Elizabeth Avenue, Petitioner shall offer for dedication additional right of way, if any, to provide a fifteen foot (15') sidewalk and nine foot (9') planting strip. This offer of dedication shall be made prior to the issuance of a Certificate of

b. Petitioner shall offer for dedication additional right-of-way along Charlottetown Avenue to allow for an eight foot (8') planting strip and eight foot (8') sidewalk. This offer of dedication shall be made prior to the issuance of a Certificate of

c. Along East Fifth Street, Petitioner shall provide an eight foot (8') sidewalk and eight foot (8') planting strip (16' from back of existing curb), as generally depicted on the site plan.

d. Parking:

(1) Quantities and design of surface. New parking or loading areas developed on the Site shall comply with all applicable requirements and regulations of the MUDD zoning district. New bicycle parking spaces, long term and short term, developed on the Site shall be provided in accordance with the Ordinance.

e. Driveways:

(1) Access to the Site will be determined after orientation of the proposed buildings in relation to the adjacent rights of way is established; provided, however, each parcel shall have access along each right of way it abuts.

(2) Adequate sight triangles for any new development of the Site shall be reserved at the street entrance(s). All proposed trees, berms, walls, fences, and/or identification signs must not interfere with sight distances at the entrance(s). (3) If required by CDOT during the permitting process, Petitioner will conduct a traffic impact study to determine traffic impacts, and associated mitigations, if any, caused by the development of the site before a building permit is issued for any parcel covered under the current Rezoning Petition.

(4) Any existing/proposed driveway connections to 5th Street, Charlottetowne Avenue and Elizabeth Avenue will require driveway permits to be submitted to CDOT for review and approval. The exact driveway locations and type/width of the driveways will be determined by CDOT during the driveway permit process, provided however, Petitioner shall be permitted to have access along each right of way a particular parcel ábuts.

(5) All proposed commercial driveway connections to a future public street will require a driveway permit to be submitted to CDOT for review and approval.

(6) Any fence or wall constructed along or adjacent to any sidewalk or street right of way requires a certificate issued by

(7) A Right of Way Encroachment Agreement is required for installation of any nonstandard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City maintained street right of way by a private individual, group, business, or homeowner's/ business association. An encroachment agreement must be approved by CDOT prior to the construction/installation of the non-standard item(s). Contact CDOT for additional information concerning cost, submittal and liability insurance coverage requirements.

ARCHITECTURAL STANDARDS:

a. Building materials such as brick and cast stone elements and architectural styles for new building construction and/or any renovations to existing buildings on the Site will harmonize with, and be comparable to, the materials and architectural styles of those buildings located on Petitioner's existing Central Campus (the "Existing Campus"). Exterior building materials for néw building construction and/or renovations to existing buildings will not include vinyl or sheet metal siding.

STREETSCAPE AND LANDSCAPING:

a. Subject to the conditions set forth herein, it is intended that each building site shall comply with required streetscapes as each new building is constructed.

Petitioner shall provide required streetscapes per the Charlotte Tree Ordinance.

ENVIRONMENTAL FEATURES

PARKS, GREENWAYS AND OPEN SPACE

As described herin, prior to construction of Building Two, Petitioner shall construct an urban park as an iterim use on a portion of the Site. b. In connection with construction of Building One, Petitioner shall provide an urban open space as generally depicted on the

FIRE LANE TREATMENT

site plan.

SIGNAGE

Any new signage on the Site shall be regulated by all applicable standards and requirements of the Ordinance, subject to the conditions set forth herein.

LIGHTING:

Subject to the conditions set forth herein, freestanding lighting will be limited to twenty five feet in height. All lighting to have full cut-off lighting fixtures.

Any new lighting on the Site shallbe regulated by allapplicable standards and requirements of the Ordinance and shall harmonize with and be comparable to the lighting located on the Existing Campus.

PHASING:

This development shall be phased in the manner as set forth hering.

AMENDMENTS TO REZONING PLAN:

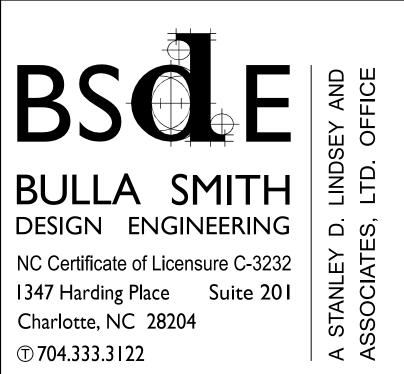
Future amendments to this Conditional Plan, including these development conditions may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.

VESTING:

Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. 160A-385.1, due to the nature of the redevelopment, the level of investment, the timing of the redevelopment and certain infrastructure, economic cycles and market conditions this Rezoning Petition includes vesting of the approved Conditional Plan and conditional zoning district associated with this Rezoning Petition for a five (5) year period

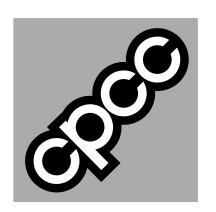
BINDING EFFECT OF THE REZONING PETITION:

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these development conditions and the Conditional Plan, will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns, throughout these development conditions, the terms Petitioner and Owner(s) shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.



PRELIMINARY NOT FOR CONSTRUCTION

Submittal Date: October 16, 2017 Revision Dates:



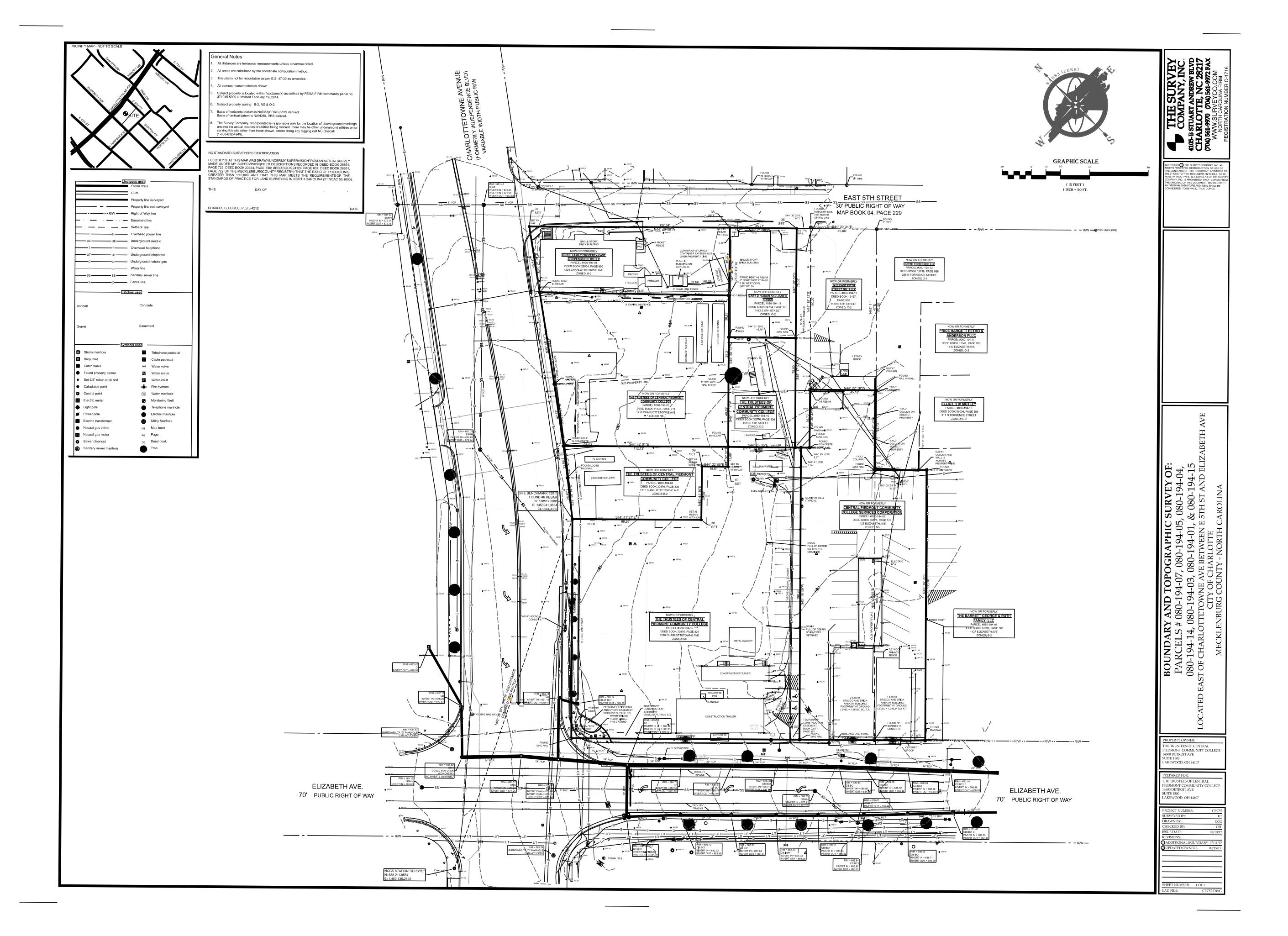
CPCC Central Campus

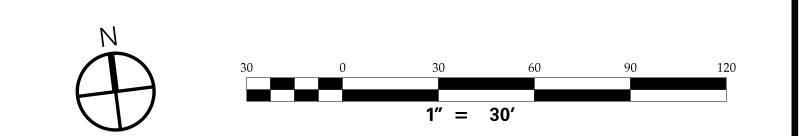
Charlotte, NC

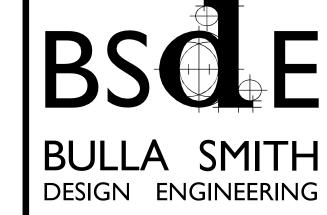
Rezoning Petition 2017–??? For Public Hearing

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Site Development Standards



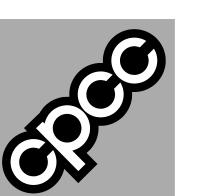




I347 Harding Place Suite 20 I Charlotte, NC 28204 ① 704.333.3122

PRELIMINARY NOT FOR CONSTRUCTION

Submittal Date: October 16, 2017 Revision Dates:



CPCC Central Campus

Charlotte, NC

Rezoning Petition 2017—???? For Public Hearing

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Existing Conditions

RZ-3

I. REZONING APPLICATION CITY OF CHARLOTTE

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2017-	-162
Petition #:	
Date Filed:	17/2017
Received By:	2
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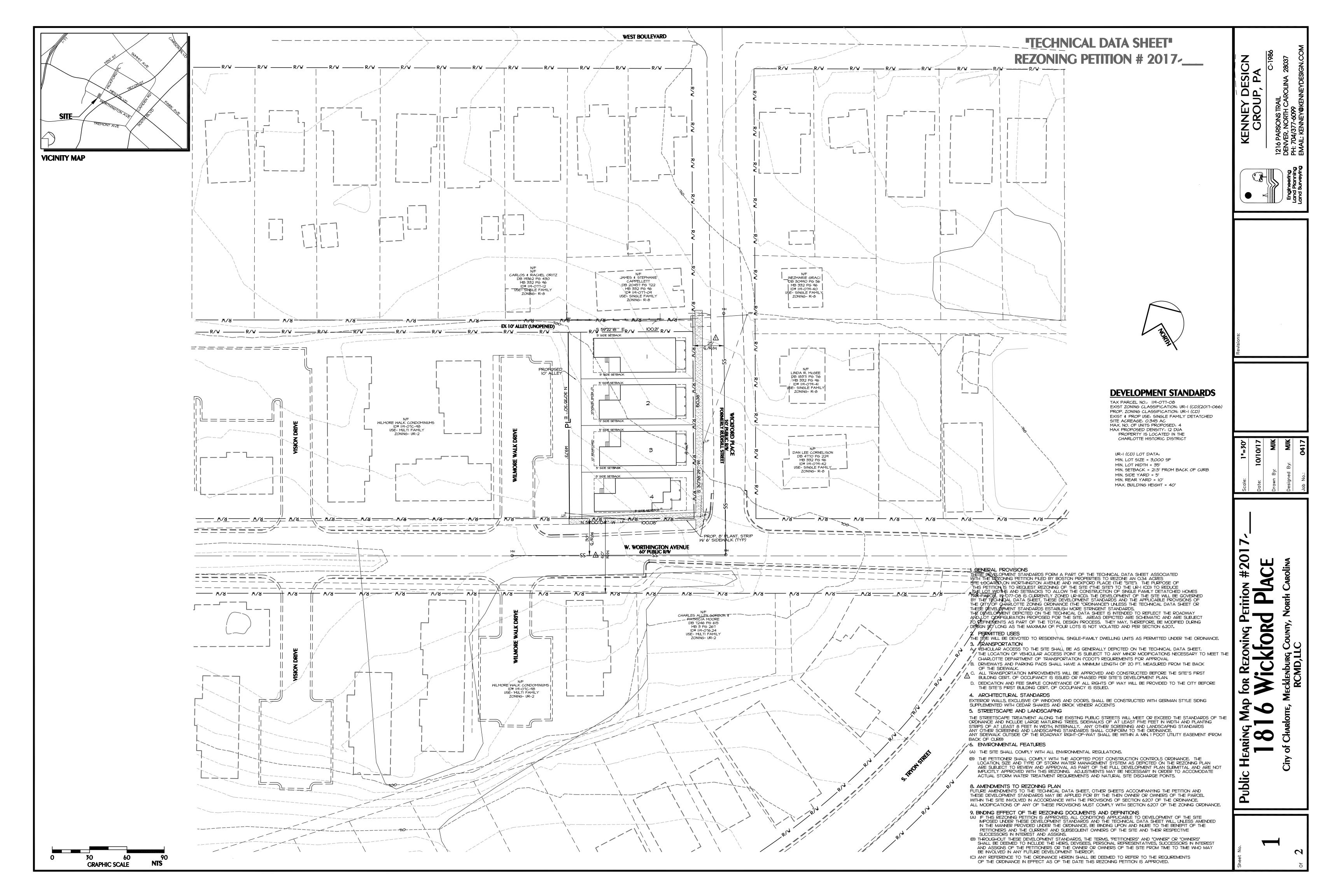
Received By:
Complete All Fields (Use additional pages if needed)
Property Owner: <u>FCMD</u> , <u>LLC</u>
Owner's Address: 11030 Dundarach Lare City, State, Zip: Charlotte NC 2827
Date Property Acquired: 12/11/2015
Property Address: 1816 Wickford Place Charlotte NC 28203
Tax Parcel Number(s): 11907708
Current Land Use: SF-R Size (Acres): . 348 acres
Existing Zoning: UR-1(CD) Proposed Zoning: UR-1(CD) SPA
Overlay: Wilmore - Historic District (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Solomon Forhow / Joseph Prescot
(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team is held.)
For Conditional Rezonings Only:
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5):
Purpose/description of Conditional Zoning Plan: To correct site plan
rulpose/description of Conditional Zonning Flan.
Craig Calcasola Craig Calcasola
Name of Rezoning Agent Name of Petitioner(s)
11050 Dundarrach Lane 11050 Dundarrach Lanee Address of Petitioner(s)
Charlott, NC 28277 City, State, Zip Charotte, NC 28277
980 207-9806 980 207-9806

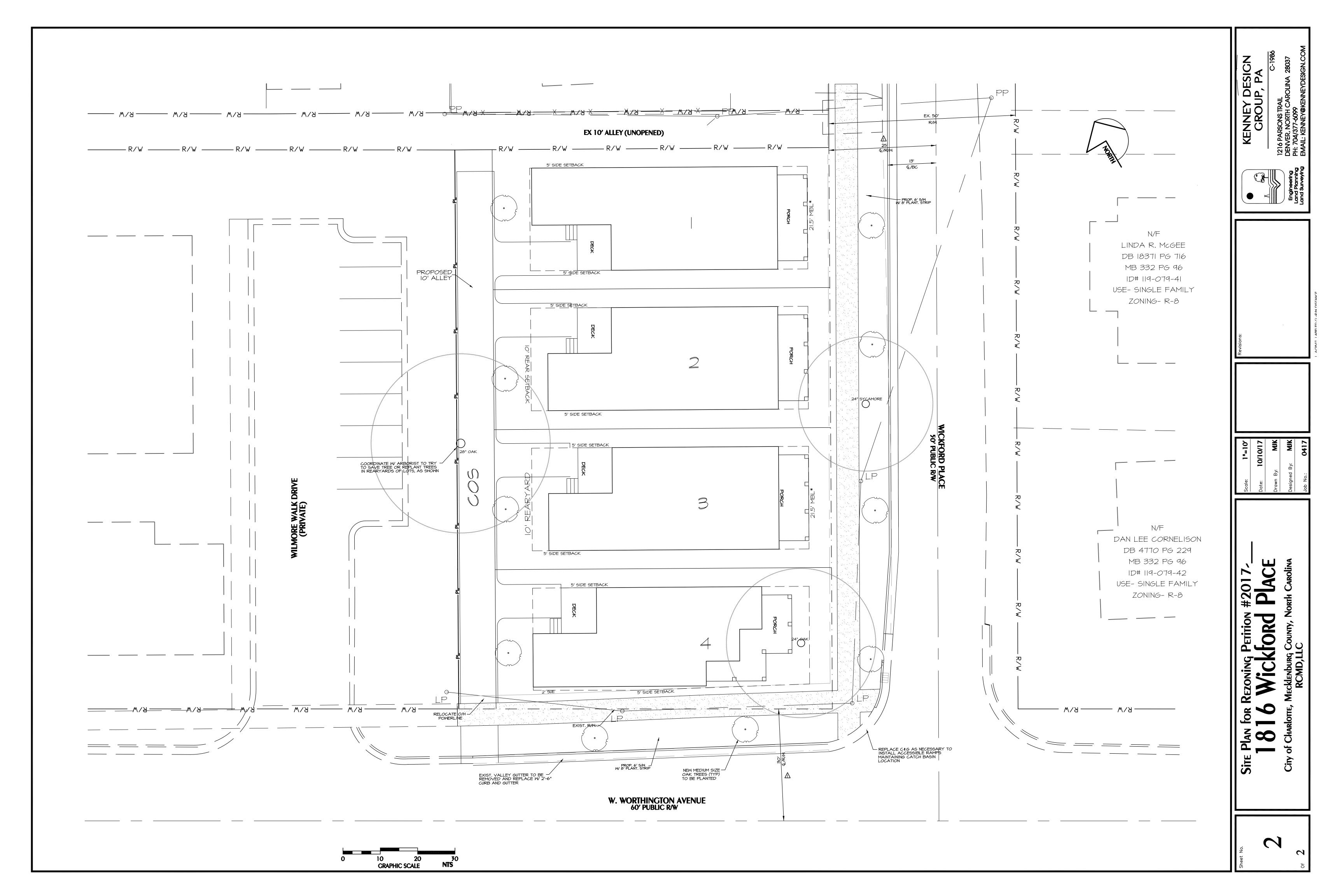
Name of Rezoling Agent

Name of Rezoling Agent

Name of Petitioner(s)

Name of Petitioner(s



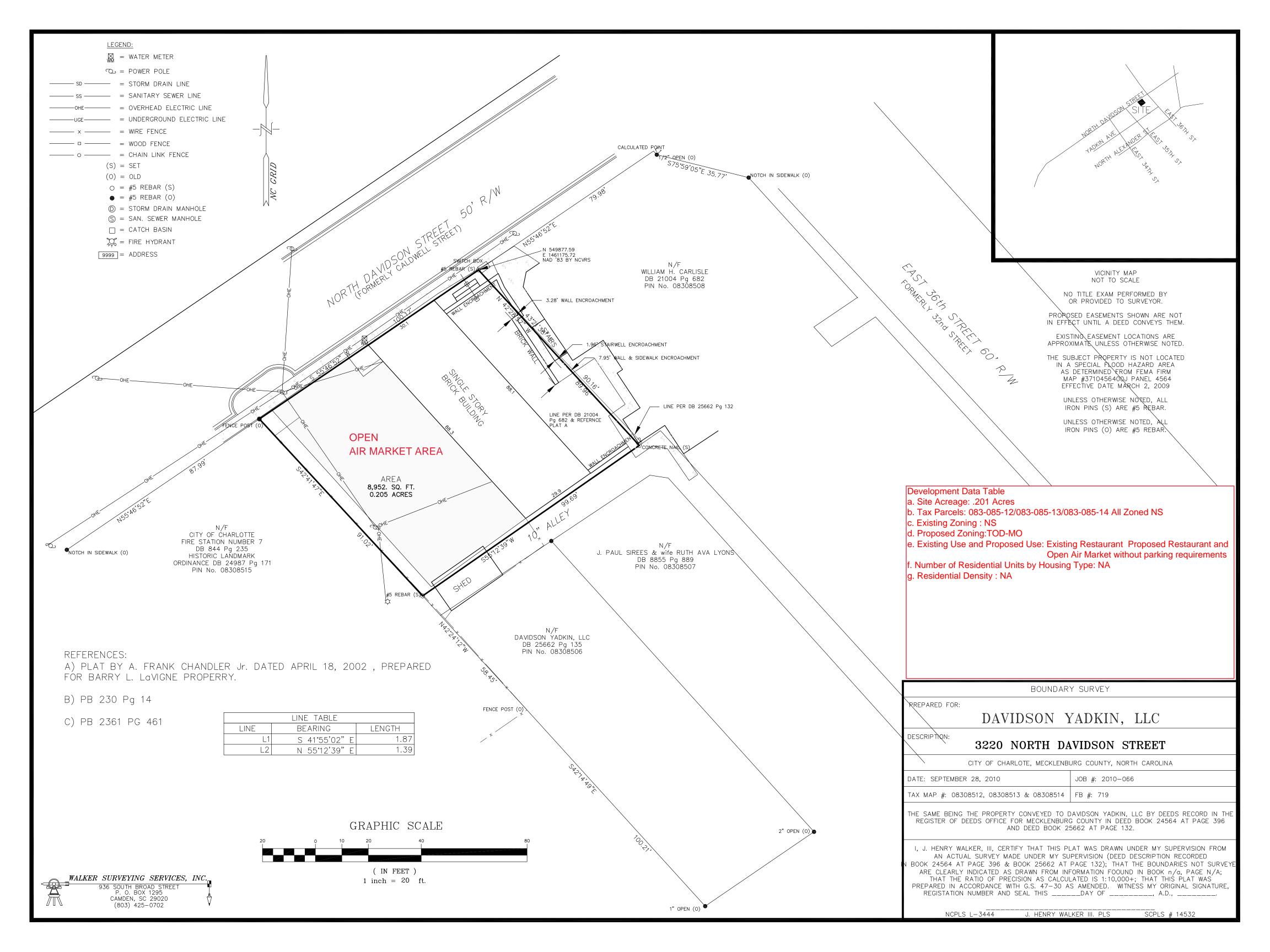


I. REZONING APPLICATION CITY OF CHARLOTTE

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	OCT		2017	
BY	#	#2000000000000000000000000000000000000	P O E C P O E C P	, q = 5 6 E

	2017-163
Petition #: _	
Date Filed:	10/19/17
Received By:	R'

	1 }
Complete All Fields (Use additional pages if needed)	•
Property Owner: Not His LLL	
Owner's Address: P.O. 11010	City, State, Zip: Charlotte N.C. 2822
Date Property Acquired: 3/3/1/6	
Property Address: 3316, 3320, 3320	4 North Pavidson Street
Tax Parcel Number(s): 083-085-12, 0	83-085-13,083-085-14
Current Land Use: Commercial	Size (Acres): 201 Acres
Existing Zoning: <u>V5</u>	Proposed Zoning: TOD-MO
Overlay:	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with:	ndy Rosen
(*Rezoning applications will not be processed until a require	ed pre-application meeting with a rezoning team is held.)
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimum	n? Yes/No. Number of years (maximum of 5):
Purpose/description of Conditional Zoning Plan:	
Used As open Air Market	
Thomas B. Miller	Miller Development Company
Name of Rezoning Agent	Name of Petitioner(s)
122 Charokec Kond Saite 3 Agent's Address.	122 Cherokee Road Syite 3 Address of Petitioner(s)
Charlotte N.L. 28207	Charlotte N.C. 28207 City, State, Zip
City, State, Zip	•
704-374-1610 704-374-1651 Telephone Number Fax Number	704-374-1610 704-374-1651 Telephone Number Fax Number
omomillerde velopment company. Lom.	Tom & millerdevelopment Company. Com E-Mail Address
-Mail Address	E-Mail Address
	In both
Signature of Property Owner	Signature of Petitioner
ELTERSETH GRILLO	Thomas C US IVI'ller
Name Typed / Printed)	(Name Typed / Printed)



R	E	C	E	I	V	E	D

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2017-164

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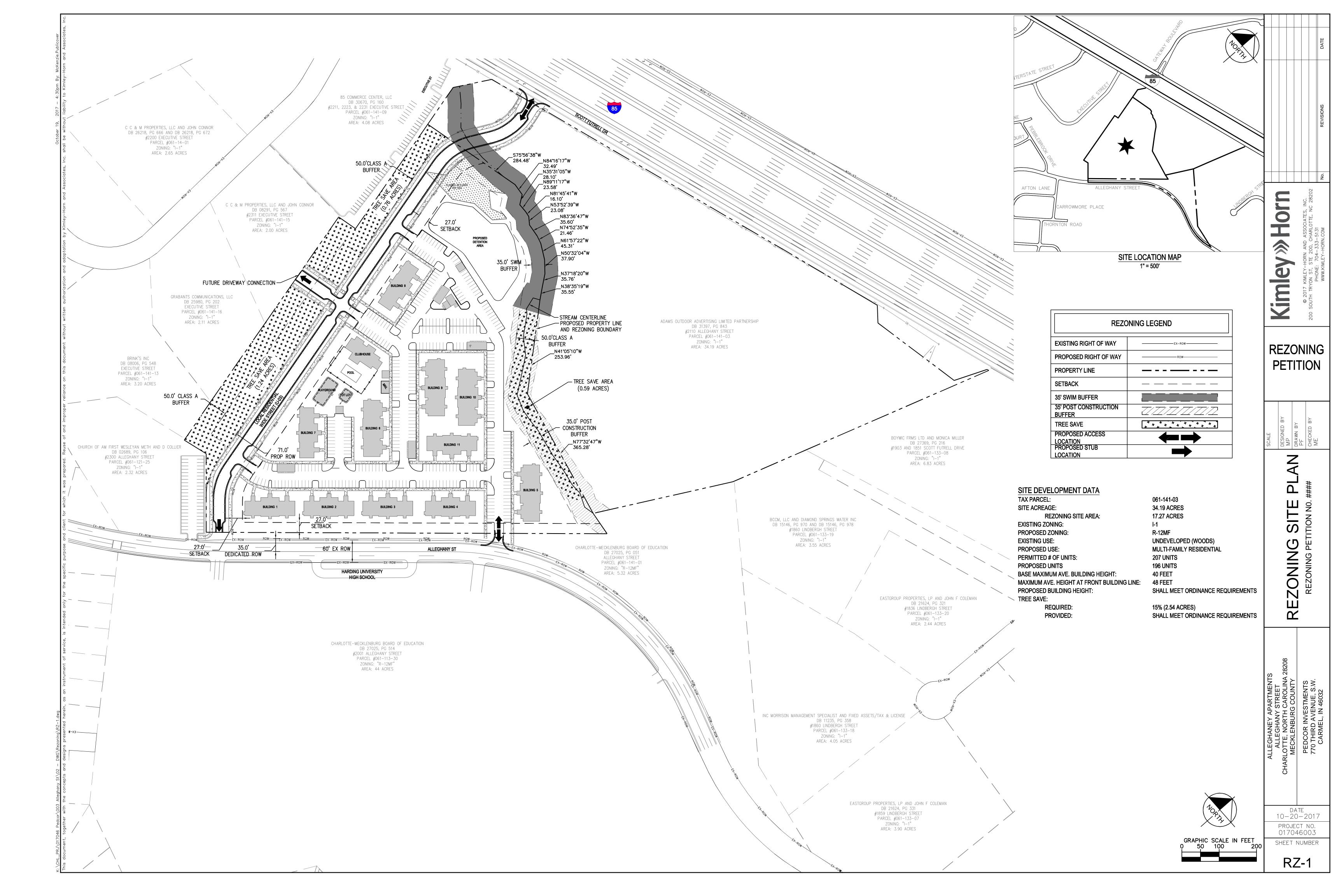
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Petition #:

Date Filed: 15/26/2007

Received By:

Complete All Fields (Use additional pages if needed)	
Property Owner: Adams Outdoor Advertising Limited Partner	ership
Owner's Address: 3801 Capital City Boulevard	City, State, Zip: Lansing, Michigan 48906
Date Property Acquired: <u>December 6, 2016</u>	
Property Address: 2110 Alleghany Street	
Tax Parcel Number(s): A portion of Tax Parcel No. 061-141	-03
Current Land Use: Vacant Industrial	Size (Acres): <u>+/- 17.268 acres</u>
Existing Zoning: I-1	Proposed Zoning: R-12 MF (CD)
Overlay: N/A	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Alberto G Date of meeting: September 19, 2017	Sonzalez, Claire Lyte-Graham, Carlos Alzate et al.
(*Rezoning applications will not be processed until a require held.)	d 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): N/A
Purpose/description of Conditional Zoning Plan: To accomn	nodate the development of a multi-family residential
community on the site that will contain up 198 dwelling unit	ts for families at or below 60% or the area median income.
John Carmichael (Robinson Bradshaw)	Pedcor Investments (c/o Michael S. Byron)
Name of Rezoning Agent	Name of Petitioner(s)
101 N. Tryon Street, Suite 1900 Agent's Address	770 Third Avenue, S.W. Address of Petitioner(s)
	Carmel, IN 46032
Charlotte, NC 28246 City, State, Zip	City, State, Zip
704-377-8341	317-218-2702
Telephone Number Fax Number	Telephone Number Fax Number
icarmichael@robinsonbradshaw.com E-Mail Add/ess	mbyron@pedcor.net E-Mail Address
ADAMS OUTDOOR ADVERTISING LIMITED PARTNERSHIP	PEDCOR INVESTMENTS
Signature of Property Owner	Signature of Petitioner
Jeannine 1 Dodson	MICHAEL S. BYRON
(Name Typed / Printed)	(Name Typed / Printed)



DEVELOPMENT STANDARDS

OCTOBER 23, 2017

1. GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY PEDCOR INVESTMENTS TO ACCOMMODATE THE DEVELOPMENT OF A MULTI-FAMILY RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 17.268 ACRE SITE LOCATED ON THE SOUTH SIDE OF SCOTT FUTRELL DRIVE, EAST OF EXECUTIVE STREET, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS A PORTION OF TAX PARCEL NO. 061-141-03.
- THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE R-12MF ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- C. THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL DRIVES AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
- D. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. THE SITE MAY ONLY BE DEVOTED TO A MULTI-FAMILY RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 198 DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE R-12MF ZONING DISTRICT. CUSTOMARY INCIDENTAL AND ACCESSORY USES MAY INCLUDE, WITHOUT LIMITATION, A LEASING AND MANAGEMENT OFFICE, AMENITIES FOR THE RESIDENTS SUCH AS A CLUBHOUSE, A FITNESS CENTER, A SWIMMING POOL AND A PLAYGROUND, AND ACCESSORY GARAGE STRUCTURES.
- B. ONE HUNDRED PERCENT (100%) OF THE TOTAL NUMBER OF MULTI-FAMILY DWELLING UNITS ACTUALLY CONSTRUCTED ON THE SITE SHALL MAINTAIN MONTHLY RENTS THAT ARE INCOME RESTRICTED FOR HOUSEHOLDS EARNING 60% OR LESS OF THE AREA MEDIAN INCOME FOR A PERIOD OF NOT LESS THAN 15 YEARS FROM THE DATE OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A BUILDING CONSTRUCTED ON THE SITE.

3. TRANSPORTATION

- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
- B. THE ALIGNMENT OF THE INTERNAL DRIVEWAYS AND VEHICULAR CIRCULATION AREAS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

4. ARCHITECTURAL AND DESIGN STANDARDS

- A. THE MAXIMUM HEIGHT OF ANY BUILDING CONSTRUCTED ON THE SITE THAT WILL CONTAIN MULTI-FAMILY DWELLING UNITS SHALL BE 45 FEET AS MEASURED UNDER THE ORDINANCE.
- B. THE MAXIMUM HEIGHT OF A CLUBHOUSE OR AMENITY BUILDING(S) CONSTRUCTED ON THE SITE SHALL BE 24 FEET AS MEASURED UNDER THE ORDINANCE.
- C. THE MAXIMUM HEIGHT OF ANY ACCESSORY GARAGE STRUCTURE CONSTRUCTED ON THE SITE SHALL BE 16 FEET AS MEASURED UNDER THE ORDINANCE.
- D. ATTACHED TO THE REZONING PLAN ARE CONCEPTUAL, ARCHITECTURAL RENDERINGS OF THE FRONT, SIDE AND REAR ELEVATIONS OF THE BUILDINGS TO BE CONSTRUCTED ON THE SITE THAT WILL CONTAIN THE MULTI-FAMILY DWELLING UNITS THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THESE BUILDING ELEVATIONS. ACCORDINGLY, THE FRONT, SIDE AND REAR ELEVATIONS OF THE BUILDINGS TO BE CONSTRUCTED ON THE SITE THAT WILL CONTAIN THE MULTI-FAMILY DWELLING UNITS SHALL BE DESIGNED AND CONSTRUCTED SO THAT THESE BUILDING ELEVATIONS ARE SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE ATTACHED RELEVANT CONCEPTUAL, ARCHITECTURAL RENDERINGS WITH RESPECT TO ARCHITECTURAL STYLE AND CHARACTER. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS TO THESE BUILDING ELEVATIONS THAT DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER SHALL BE PERMITTED.
- E. ATTACHED TO THE REZONING PLAN ARE CONCEPTUAL, ARCHITECTURAL RENDERINGS OF THE FRONT, SIDE AND REAR ELEVATIONS OF A CLUBHOUSE OR AMENITY BUILDING TO BE CONSTRUCTED ON THE SITE THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THESE BUILDING ELEVATIONS. ACCORDINGLY, THE FRONT, SIDE AND REAR ELEVATIONS OF A CLUBHOUSE OR AMENITY BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE DESIGNED AND CONSTRUCTED SO THAT THESE BUILDING ELEVATIONS ARE SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE ATTACHED RELEVANT CONCEPTUAL, ARCHITECTURAL RENDERINGS WITH RESPECT TO ARCHITECTURAL STYLE AND CHARACTER. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS TO THESE BUILDING ELEVATIONS THAT DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER SHALL BE PERMITTED.
- ATTACHED TO THE REZONING PLAN ARE CONCEPTUAL, ARCHITECTURAL RENDERINGS OF THE FRONT, SIDE AND REAR ELEVATIONS OF ACCESSORY GARAGE STRUCTURES TO BE CONSTRUCTED ON THE SITE THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THESE BUILDING ELEVATIONS. ACCORDINGLY, THE FRONT, SIDE AND REAR ELEVATIONS OF ACCESSORY GARAGE STRUCTURES TO BE CONSTRUCTED ON THE SITE SHALL BE DESIGNED AND CONSTRUCTED SO THAT THESE BUILDING ELEVATIONS ARE SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE ATTACHED RELEVANT CONCEPTUAL, ARCHITECTURAL RENDERINGS WITH RESPECT TO ARCHITECTURAL STYLE AND CHARACTER. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS TO THESE BUILDING ELEVATIONS THAT DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER SHALL BE PERMITTED.
- G. THE PERMITTED PRIMARY EXTERIOR BUILDING MATERIALS FOR THE BUILDINGS TO BE CONSTRUCTED ON THE SITE ARE DESIGNATED AND LABELLED ON THE RELEVANT CONCEPTUAL, ARCHITECTURAL RENDERINGS OF THE BUILDINGS ATTACHED TO THE REZONING PLAN.
- H. VINYL MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL ON THE BUILDINGS TO BE CONSTRUCTED ON THE SITE. NOTWITHSTANDING THE FOREGOING, VINYL MAY BE UTILIZED ON WINDOWS, SOFFITS, DOORS, GARAGE DOORS, TRIM AND RAILINGS.

5. STREETSCAPE/LANDSCAPING/BUFFERS

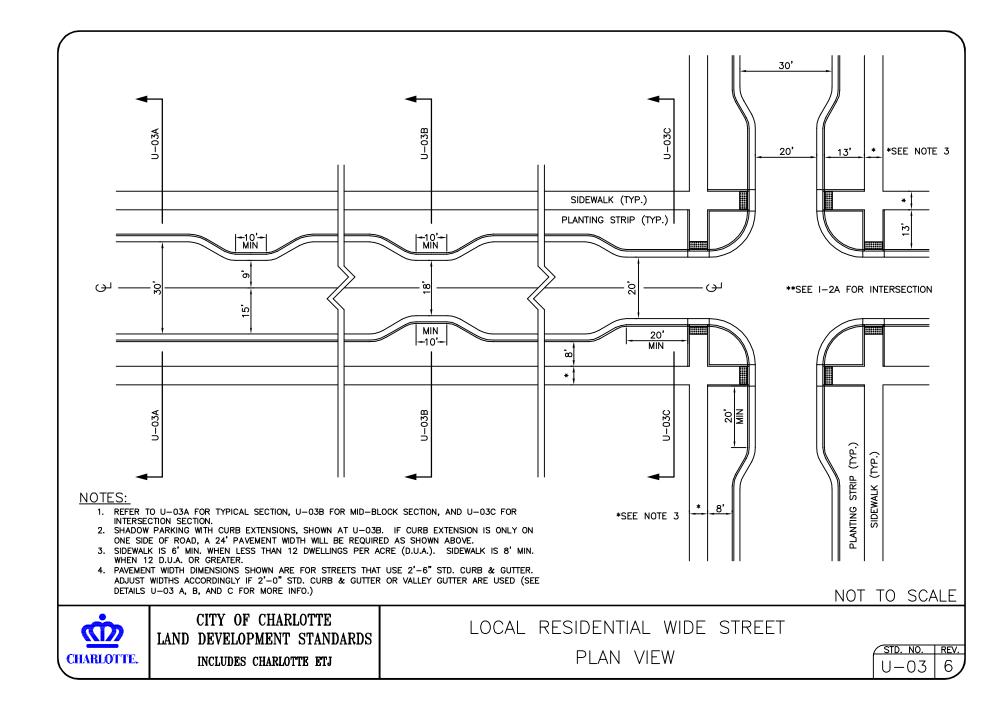
- A. BUFFER AREAS THAT MEET THE STANDARDS OF SECTION 12.302(4)(B)(1) OF THE ORDINANCE SHALL BE ESTABLISHED ALONG THOSE PORTIONS OF THE SITE'S BOUNDARY LINES THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, AND SUCH BUFFERS SHALL CONFORM TO THE APPLICABLE STANDARDS OF SECTION 12.302 OF THE ORDINANCE. PURSUANT TO THE ORDINANCE, PETITIONER MAY REDUCE THE REQUIRED WIDTH OF ANY BUFFER BY 25% BY INSTALLING A BERM THAT MEETS THE STANDARDS OF SECTION 12.302(8A) OF THE ORDINANCE.
- B. IN THE EVENT THAT AN ADJACENT PARCEL OF LAND IS EITHER REZONED TO A ZONING DISTRICT OR DEVOTED TO A USE THAT ELIMINATES OR REDUCES THE BUFFER REQUIREMENTS ON THE SITE, PETITIONER MAY REDUCE OR ELIMINATE, AS THE CASE MAY BE, THE RELEVANT BUFFER AREAS ACCORDINGLY.

6. ENVIRONMENTAL FEATURES

- A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
- B. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

7. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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





PETITION

DESIGNED BY
MP
DRAWN BY
PF
CHECKED BY
ME

DEVELOPMENT STANDARDS REZONING PETITION NO. ####

MECKLENBURG COUNTY
PEDCOR INVESTMENTS
770 THIRD AVENUE, S.W.

DATE 10-20-2017 PROJECT NO. 017046003

RZ-2

SHEET NUMBER



12A6B RIGHT ELEVATION

FASCIA AND TRIM BOARD W/ ALUMINUM WRAP -VINYL VENT 30 YEAR DIMENSIONAL SHINGLES -ALUM. GUTTER, SINGLE HUNG VINYL WINDOW W/ ALUM. WRAPPED TRIM BOARD -HARDI-PLANK LAP SIDING -TRIM BOARD W/ ALUM. WRAP -ROWLOCK METAL RAILING FLEMISH BOND -ROWLOCK

12A6B REAR ELEVATION

30 YEAR DIMENSIONAL SHINGLES -ALUM. GUTTER, SINGLE HUNG VINYL WINDOW W/ ALUM. WRAPPED TRIM HARDI-PLANK LAP SIDING — TRIM BOARD W/ ALUM. WRAP — ROWLOCK FIELD BRICK, FLEMISH BOND BRICK ROWLOCK

12A6B LEFT ELEVATION
1/8" = 1'-0"



BUILDING TYPE 12A6B



2110 ALLEGHANY STREET, CHARLOTTE, NC 28208

EXTERIOR MATERIAL LEGEND COMPOSITION ROOF STONE VENEER FIBER CEMENT SIDING

12A6B FRONT ELEVATION
1/8" = 1'-0"

PROJ. NO. DATE 10/18/2017 SHEET NAME **EXTERIOR ELEVATIONS** SHEET NO. A3.1

DATE 10-20-2017 PROJECT NO. 017046003 SHEET NUMBER

RZ-3.1

REZONING

PETITION

| CONCEPTUAL | BUILDING ELEVATIONS | REZONING PETITION NO. ####

ALLEGHANY STREET APARTMENTS

NOT FOR CONSTRUCTION



SHEET NUMBER

RZ-3.2







12A6B REAR RENDERED ELEVATION
1/8" = 1'-0"



12A6B LEFT RENDERED ELEVATION
1/8" = 1'-0"

NOT FOR CONSTRUCTION



BUILDING TYPE 12A6B

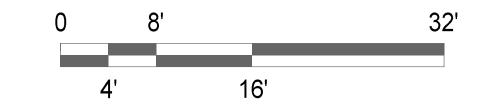


12A6B FRONT RENDERED ELEVATION
1/8" = 1'-0"



ALLEGHANY STREET APARTMENTS

2110 ALLEGHANY STREET, CHARLOTTE, NC 28208



10/18/2017 SHEET NAME RENDERED **ELEVATIONS** SHEET NO. A4.1

PROJ. NO.

DATE 10-20-2017 PROJECT NO. 017046003 SHEET NUMBER

RZ-3.3

REZONING

PETITION

CONCEPTUAL
BUILDING ELEVATIONS
CHE
REZONING PETITION NO. ####



12B6C RIGHT RENDERED ELEVATION 1/8" = 1'-0"



12B6C REAR RENDERED ELEVATION
1/8" = 1'-0"



12B6C LEFT RENDERED ELEVATION
1/8" = 1'-0"



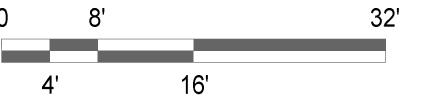
BUILDING TYPE 12B6C



12B6C FRONT RENDERED ELEVATION
1/8" = 1'-0"

ALLEGHANY STREET APARTMENTS

2110 ALLEGHANY STREET, CHARLOTTE, NC 28208



PROJ. NO. 10/18/2017 SHEET NAME RENDERED **ELEVATIONS** SHEET NO.

A4.2

DATE 10-20-2017 PROJECT NO. 017046003 SHEET NUMBER

RZ-3.4

REZONING

PETITION

CONCEPTUAL
BUILDING ELEVATIONS
REZONING PETITION NO. ####

NOT FOR CONSTRUCTION

I. REZONING APPLICATION CITY OF CHARLOTTE

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vividatatri-minasadi	B	Y	a V a v s magazanti	e e e e e	5 5 5 5 5 1000 1000 1000 1000 1000 1000	8 0 1		r 2 2 d ir i	i e v z v

	20(1-16)	
Petition #:		
Date Filed:	10/20 (3017	
Received By:	At-	
	1.	

			· ·
Property Owners:	TM Northlake Mall Outparcels LP C/O St TM Northlake Mall LP C/O Starwood Cap		<u>P</u>
Owner's Addresses:	PO Box 56607, Atlanta, GA 30343 PO Box 56607, Atlanta, GA 30343		
Date Properties Acquired:	11/3/2015 10/20/2014		
Property Addresses:	<u>N/A</u> 6801 Northlake Mall Dr, Charlotte, NC 28	<u>2216</u>	
Tax Parcel Numbers:	025-091-24 Portion of 025-091-25		
Current Land Use:	vacant and commercial	(Acres): ± 12	<u>1.4</u>
Existing Zoning:	<u>CC</u> Proposed Zoning: <u>CC SI</u>	<u>PA</u>	
Overlay:	N/A (Specify PED, Watershed	d, Historic District, etc.)	
Required Rezoning Pre-A	pplication Meeting* with: <u>Claire Lyte-Gra</u>	ham, Alberto Gonzalez,	Rick Grochoske, Joshua Weaver, Grant Meac
Date of meeting: 10/10/1	7		
(*Rezoning applica	tions will not be processed until a required p	ore-application meeting v	with a rezoning team member is held.)
For Conditional Rez			
Requesting a vesting	period exceeding the 2 year minimum	? □Yes ☑No. Number	of years (maximum of 5): N/A
the Village Shops con	of Conditional Zoning Plan: <u>To allow</u> nponent of the Northlake property for in from the current rezoning plan.	development of the e mixed uses under a si	ntitled but undeveloped portion of te plan that varies the specific
Keith MacVean & Jef	f Brown	Starwood Retail P	artners(Attn: John Albright)
Name of Rezoning Age	nt	Name of Petitioner	
Moore & Van Allen, I		45 144 1 5	CL - 2500
100 N. Tryon Street, Agent's Address	Suite 4700	1 East Wacker Dri Address of Petitione	
Charlotte, NC 28202		Chicago, IL 60601 City, State, Zip	•
704-331-1144 (JB)	704-378-1925(JB)		
704.331.3531(KM) Telephone Number	704-378-1954(KM) Fax Number	312.265.7018 Telephone Number	Fax Number
·		ialbright@starwoodi	
E-mail Address	n; keithmacvean@mvalaw.com	E-mail Address	etan.com
SEE ATTACHMENTS	4 - В	SEE ATTACHMENT	c

Signature of Petitioner

Signature of Property Owner

ATTACHMENT A

REZONING PETITION NO. [2017-___] Starwood Retail Partners

OWNER JOINDER AGREEMENT TM Northlake Mall Outparcels LP

The undersigned, as the owner of the parcel of land located at the intersection of Northlake Mall Drive and Northlake Commons Boulevard that is designated as Tax Parcel No. 025-091-24 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcel from CC zoning district to the CC SPA zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

By:

Its:

Name: Car

This 18th day of October, 2017.

ATTACHMENT B

REZONING PETITION NO. 2017-_____ Starwood Retail Partners

OWNER JOINDER AGREEMENT TM Northlake Mall LP

The undersigned, as the owner of the parcel of land located at 6801 Northlake Mall Drive that is designated as a portion of Tax Parcel No. 025-091-25 on the Mecklenburg County Tax Map, and a portion of such Tax Parcel as more particularly shown on the rezoning Plan is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcel from CC zoning district to the CC SPA zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 18 th day of October , 2017.

TM Nort

Name:

Chris Operating

ATTACHMENT C

REZONING PETITION NO. 2017-Starwood Retail Partners

Petitioner:

Starwood Retail Partners

By: Carl Tush
Title: Chief Operating Officer

SPA RE-ZONING

THE SHOPS AT NORTHLAKE MALL

SITE PLAN AMENDMENT VILLAGE SHOPS COMPONENT ET. AL.

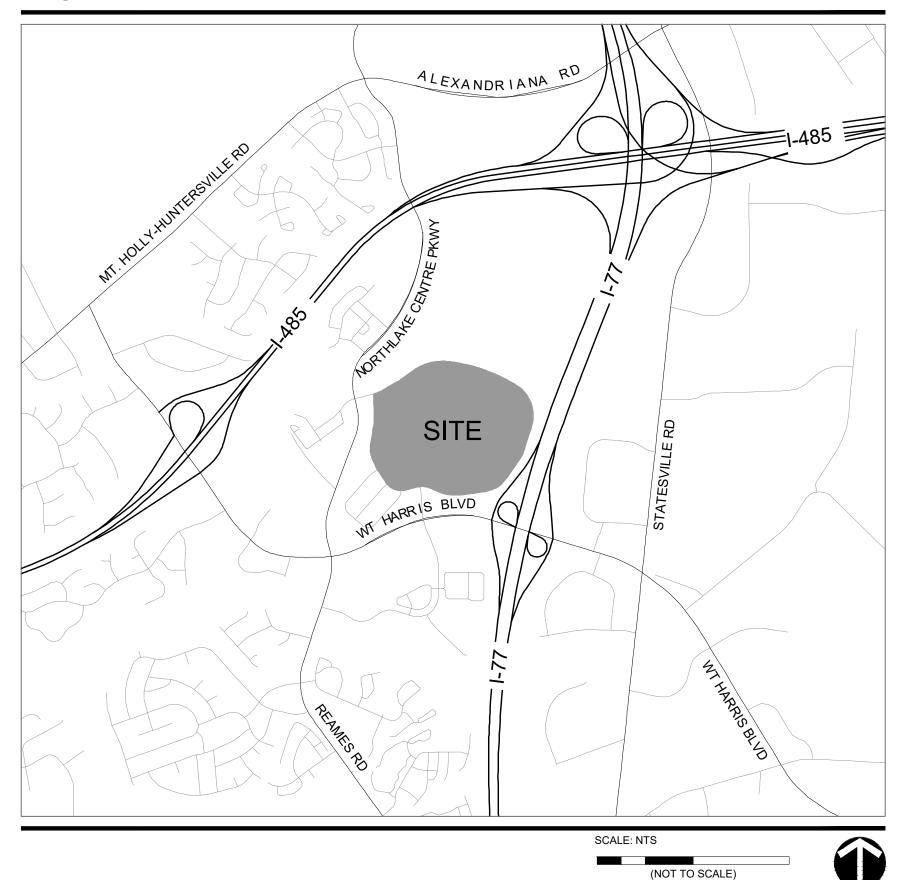
CHARLOTTE, NC

DATE: 10 / 20 / 2017

SHEET INDEX

		10-20-2017 1st Re-Zoning Submittal
<u> </u>		
Chapter RZ-0.0	COVER SHEET	×
Chapter	1	
RZ-1.0	ORIGINAL CONCEPTUAL SITE PLAN	х
Chapter	2	
RZ-2.0	TECHNICAL DATA SHEET	х
Chapter	3	
RZ-3.0	SCHEMATIC SITE PLAN	х
RZ-3.1	PEDESTRIAN AND VEHICULAR CIRCULATION PLAN	х
RZ-3.2	RENDERED SCHEMATIC PLAN	х
Chapter	4	
RZ-4.0	SECTIONS	х
Chapter	5	
RZ-5.0	BUILDING ELEVATIONS	х
RZ-5.1	BUILDING ELEVATIONS	х
RZ-5.2	BUILDING ELEVATIONS	х
RZ-5.3	SIGNAGE ELEVATIONS	х
Chapter	6	
RZ-6.0	ZONING NOTES	х

VICINITY MAP



PROJECT TEAM

OWNER/DEVELOPER STARWOOD RETAIL PARTNERS

1 EAST WACKER DRIVE SUITE 3600 312.242.3200

LANDSCAPE ARCHITECT

LANDDESIGN 223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325

CIVIL ENGINEER

LANDDESIGN 223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325

ARCHITECT

505 DESIGN 508 WEST 5TH STREET #250 CHARLOTTE, NC 28202 704.348.7000

TRAFFIC ENGINEER DESIGN RESOURCE GROUP

2459 WILKINSON BOULEVARD CHARLOTTE, NC 28208 704.343.0608

ATTORNEY

MOORE AND VAN ALLEN 100 N. TRYON STREET **SUITE 4700** CHARLOTTE, NC 28202 704.331.1000

CONTEXT:

THIS SITE PLAN AMENDMENT RE-ZONING RELATES TO THE UNDEVELOPED VILLAGE SHOPS COMPONENT (AND ADJACENT PARKING AREAS FOR THE MALL COMPONENT) FOR THE NORTHLAKE VILLAGE RE-ZONING PETITION # 2002-110, AS AMENDED TO ALLOW DEVIATION IN THE LOCATION OF BUILDINGS FROM THE ORIGINAL PLAN



6-4-02 6-17-02 9-25-02 10-17-02 11-18-02 12-13-02 1-14-03

NORTHLAKE VILLAGE

CHARLOTTE, NORTH CAROLINA

Job No. 1399 Sheet No.

K:\1399\current city submittef\Z2 SITE PLAN\SP108-Z2C.DWG

RZ-1.0

ORIGINAL CONCEPTUAL SITE

PLAN

DESIGNED BY: LD DRAWN BY: LD

CHECKED BY: LD

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM ENG. FIRM LICENSE # C-0658

RE-ZONING

PETITION #

2017-XX-XX

THE SHOPS AT

NORTHLAKE MALL

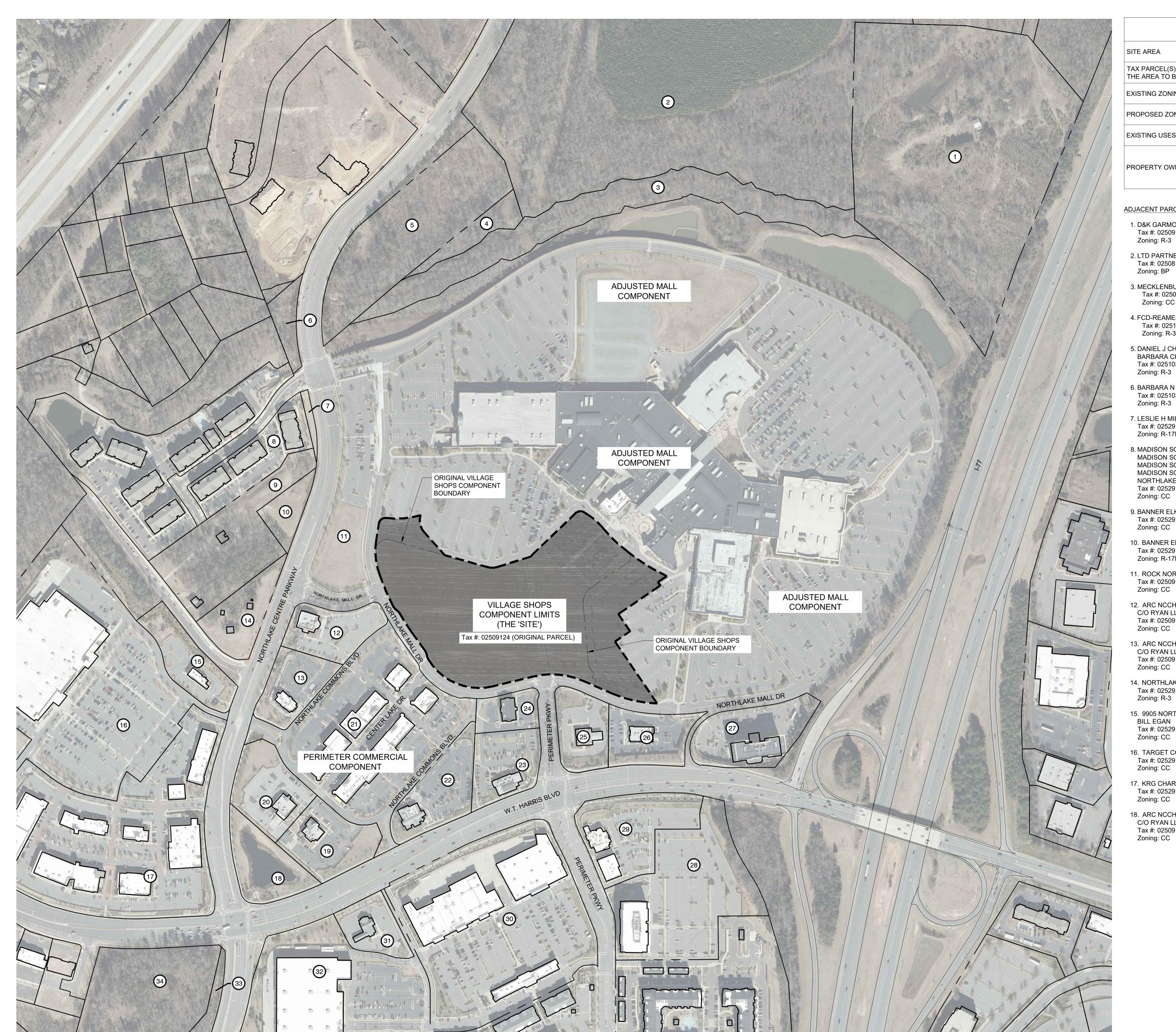
SPA RE-ZONING

STARWOOD RETAIL PARTNERS

CHARLOTTE, NC

REVISION / ISSUANCE

DESCRIPTION 1ST REZONING SUBMITTAL



SITE INFORMATION 14.4 AC SITE AREA TAX PARCEL(S) INCLUDED WITHIN 02509124, 02509125 THE AREA TO BE RE-ZONED **EXISTING ZONING** CC DISTRICT PROPOSED ZONING CC SPA PARKING, VACANT EXISTING USES TM NORTHLAKE MALL OUTPARCELS LP, PROPERTY OWNERS STARWOOD CAPITAL GROUP LP,

ADJACENT PARCEL OWNERSHIP LISTINGS:

- 1. D&K GARMON FAMILY LLC Tax #: 02509106 Zoning: R-3
- 2. LTD PARTNERSHIP METROLINA PROPERTIES 20. ARC NCCHRNC001 LLC Tax #: 02508112 Zoning: BP
- 3. MECKLENBURG COUNTY Tax #: 02509141 Zoning: CC
- 4. FCD-REAMES ROAD LP Tax #: 02510306 Zoning: R-3
- 5. DANIEL J CHARITABLE R/T MCAULAY BARBARA CHARITABLE R/T MCAULEY Tax #: 02510304 Zoning: R-3
- 6. BARBARA N MCAULEY Tax #: 02510308 Zoning: R-3
- 7. LESLIE H MILLER Tax #: 02529128 Zoning: R-17MF
- 8. MADISON SQUARE APARTMENTS-TEN10 LLC MADISON SQUARE APARTMENTS-EP 320 LLC MADISON SQUARE APARTMENTS-HALLE LLC MADISON SQUARE APARTMENTS-BC LLC NORTHLAKE MADISON PROPERTIES LLC Tax #: 02529132 Zoning: CC
- 9. BANNER ELK SYSTEMS LLC Tax #: 02529111 Zoning: CC
- 10. BANNER ELK SYSTEMS LLC Tax #: 02529118 Zoning: R-17MF
- 11. ROCK NORTHLAKE LLC Tax #: 02509130 Zoning: CC
- 12. ARC NCCHRNC001 LLC C/O RYAN LLC Tax #: 02509139
- 13. ARC NCCHRNC001 LLC C/O RYAN LLC Tax #: 02509138
- 14. NORTHLAKE SYSTEMS LLC Tax #: 02529110 Zoning: R-3
- 15. 9905 NORTHLAKE CENTRE PARKWAY LLC **BILL EGAN** Tax #: 02529127 Zoning: CC
- 16. TARGET CORP Tax #: 02529126 Zoning: CC
- 17. KRG CHARLOTTE PERIMETER WOODS LLC Tax #: 02529104 Zoning: CC
- 18. ARC NCCHRNC001 LLC C/O RYAN LLC Tax #: 02509135

19. ARC NCCHRNC001 LLC C/O RYAN LLC Tax #: 02509136 Zoning: CC

TM NORTHLAKE MALL LP

- C/O RYAN LLC Tax #: 02509137 Zoning: CC
- 21. ARC NCCHRNC001 LLC C/O RYAN LLC Tax #: 02509122 Zoning: CC
- 22. ARC NCCHRNC001 LLC C/O RYAN LLC Tax #: 02509134 Zoning: CC
- 23. TM NORTHLAKE MALL OUTPARCELS LP C/O STARWOOD CAPITAL GROUP LP Tax #: 02509123 Zoning: CC
- 24. AEI NET LEASE PORTFOLIO II DST Tax #: 02509142 Zoning: CC
- 25. FIRST CITIZENS BANK & TRUST CO PAUL RIZZARDI Tax #: 02509129 Zoning: CC
- 26. TM NORTHLAKE MALL OUTPARCELS LP C/O STARWOOD CAPITAL GROUP LP Tax #: 02509140 Zoning: CC
- 27. DDC HOTELS INC JACKIE POLLVOGT Tax #: 02509128 Zoning: CC
- Tax #: 02511318 Zoning: CC

28. AGELLAN COMMERCIAL REIT US LP

- 29. KRG CHARLOTTE PERIMETER WOODS LLC C/O LOWES HOME CENTERS INC TAX Tax #: 02511324 Zoning: CC
- 30. KRG CHARLOTTE PERIMETER WOODS LLC C/O PROPERTY TAX DEPT Tax #: 02511405 Zoning: CC
- 31. KRG CHARLOTTE PERIMETER WOODS LLC C/O BB&T BANK Tax #: 02511406 Zoning: CC
- 32. KRG CHARLOTTE PERIMETER WOODS LLC C/O LOWES HOME CENTERS INC TAX Tax #: 02511402 Zoning: CC
- 33. MUSKRAT POINT PROPERTIES LLC C/O JOHN B YOUNG Tax #: 02522105 Zoning: R-3
- 34. ROY I DENMAN Tax #: 02522104 Zoning: R-3

223 NORTH GRAHAM STREET

CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM ENG. FIRM LICENSE # C-0658



RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT **NORTHLAKE MALL**

SPA RE-ZONING STARWOOD RETAIL PARTNERS

CHARLOTTE, NC

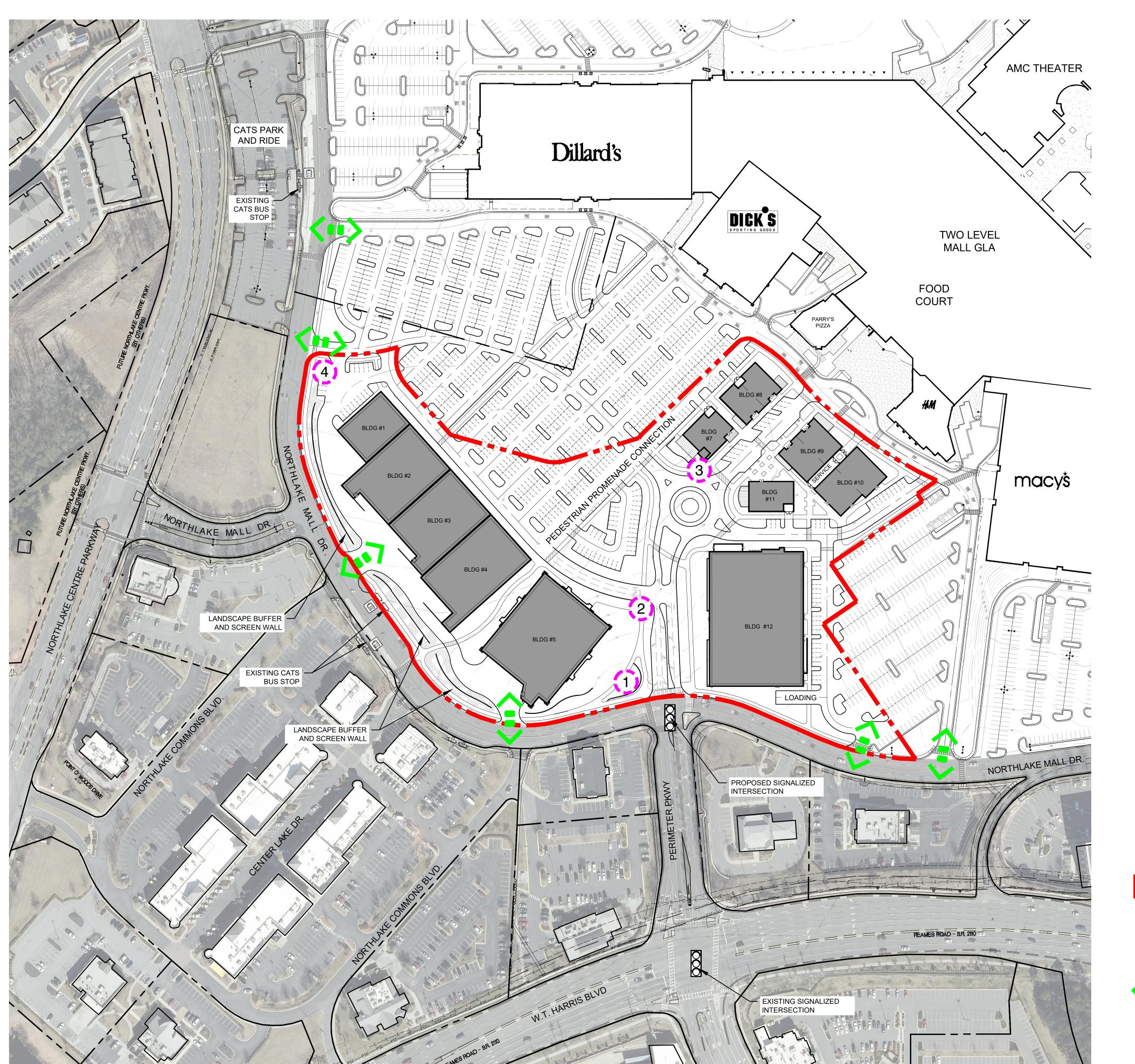
1015252

REVISION / ISSUANCE DESCRIPTION 1ST REZONING SUBMITTAL

DESIGNED BY: LD DRAWN BY: LD CHECKED BY: LD

TECHNICAL DATA SHEET

RZ-2.0



SITE DEVELOPMENT DATA			
SITE AREA	14.4 AC		
TAX PARCEL(S) INCLUDED WITHIN THE AREA TO BE RE-ZONED	02509124, 02509125		
EXISTING ZONING	CC DISTRICT		
PROPOSED ZONING	CC SPA		
EXISTING USES	VACANT, PARKING		
PROPOSED USES	USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE CC ZONING DISTRICT, AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED IN SECTION 3 OF THE DEVELOPMENT NOTES		
PROPOSED RETAIL AREA (SF)	160,000 SF		
PROPOSED RESTAURANT AREA (SF)	35,000 SF		

LEGEND

NEW VILLAGE SHOPS COMPONENT PARCEL BOUNDARY

PROPOSED SIGN MONUMENT LOCATIONS

FULL MOVEMENT ENTRANCE INTERSECTIONS

SIGNALIZED INTERSECTION

LandDesign.

223 NORTH GRAHAM STREET

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM ENG. FIRM LICENSE # C-0658



RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT NORTHLAKE MALL SPA RE-ZONING

STARWOOD RETAIL PARTNERS

CHARLOTTE, NC

ANDDESIGN PROJ.#
1015252

REVISION / ISSUANCE

NO. DESCRIPTION DAT
1ST REZONING 10/20

1ST REZONING SUBMITTAL 10/20/20

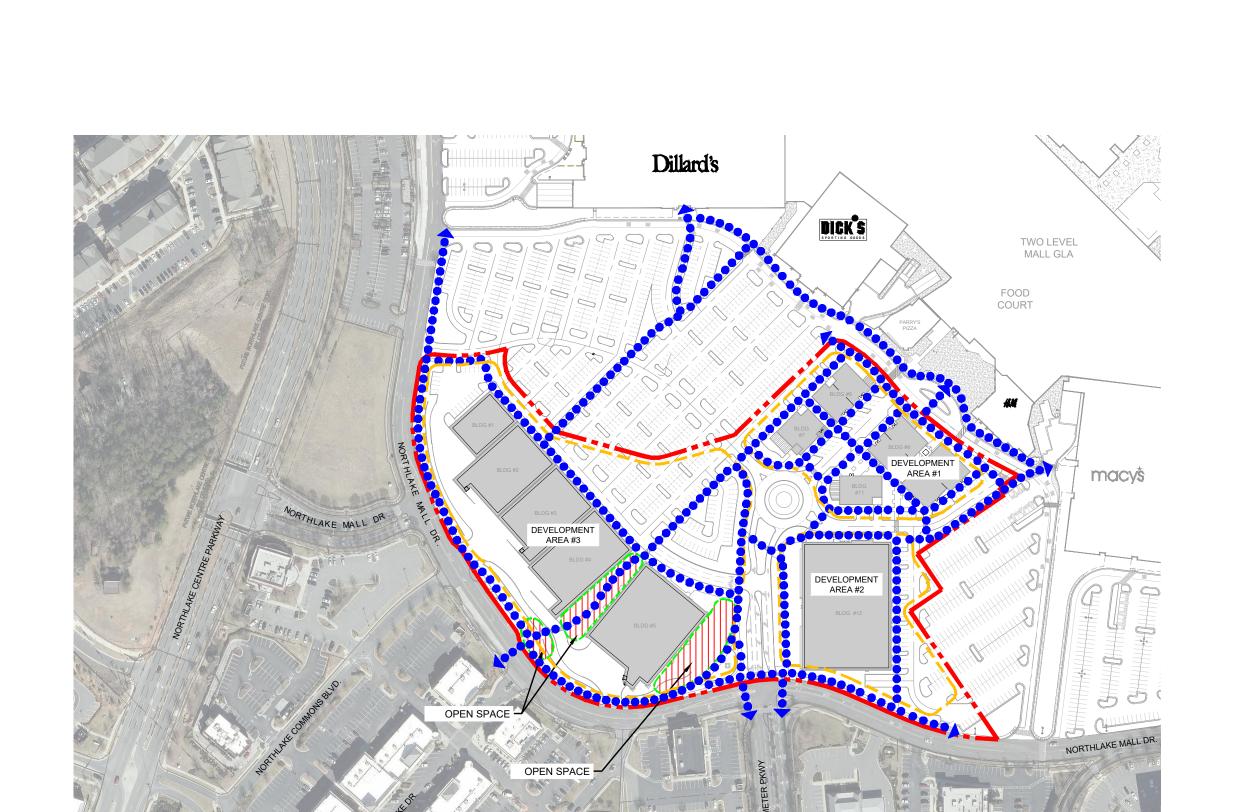
DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

VERT: N/A
HORZ: 1"=100'
0 50' 100'

ITLE

SCHEMATIC SITE PLAN

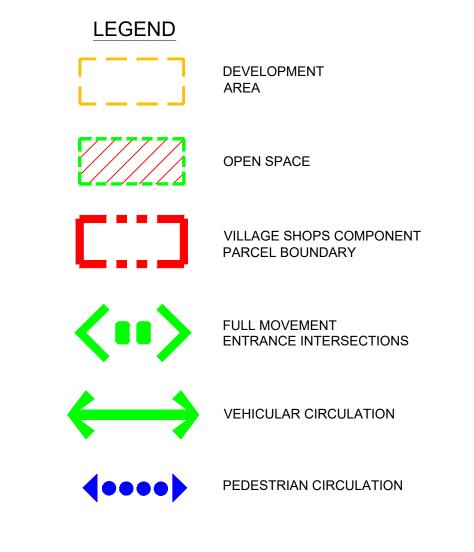
RZ-3.0





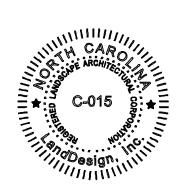


VEHICULAR CIRCULATION



LandDesign.

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RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT **NORTHLAKE MALL SPA RE-ZONING**

STARWOOD RETAIL PARTNERS CHARLOTTE, NC

REVISION / ISSUANCE DESCRIPTION 1ST REZONING SUBMITTAL DESIGNED BY: LD DRAWN BY: LD

CHECKED BY: LD

PEDESTRIAN AND
VEHICULAR CIRCULATION

RZ-3.1



LandDesign.

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM ENG. FIRM LICENSE # C-0658



RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT NORTHLAKE MALL SPA RE-ZONING

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

REVISION / ISSUANCE

NO. DESCRIPTION DAT

1ST REZONING
SUBMITTAL

10/20

DESIGNED BY: LD
DRAWN BY: LD

CHECKED BY: LD

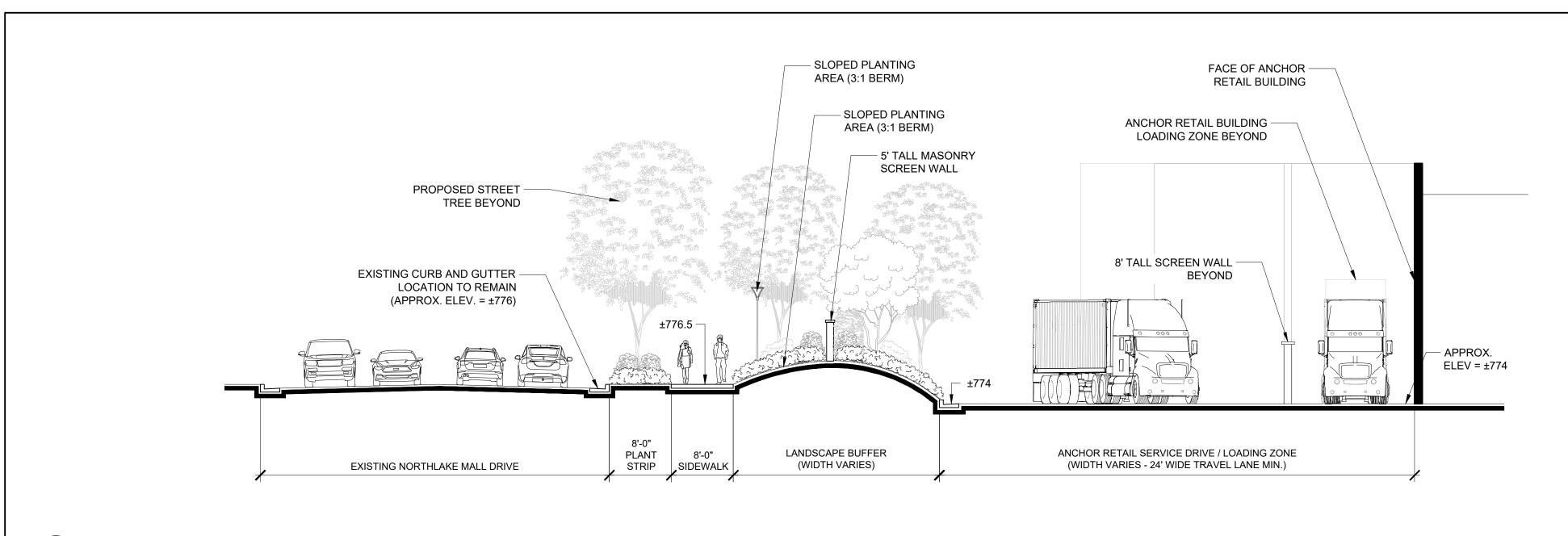
SCALE

VERT: N/A

VERT: N/A
HORZ: 1"=100'
0 50' 100'

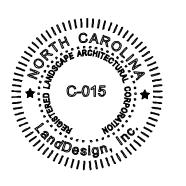
RENDERED SCHEMATIC SITE PLAN

RZ-3.2

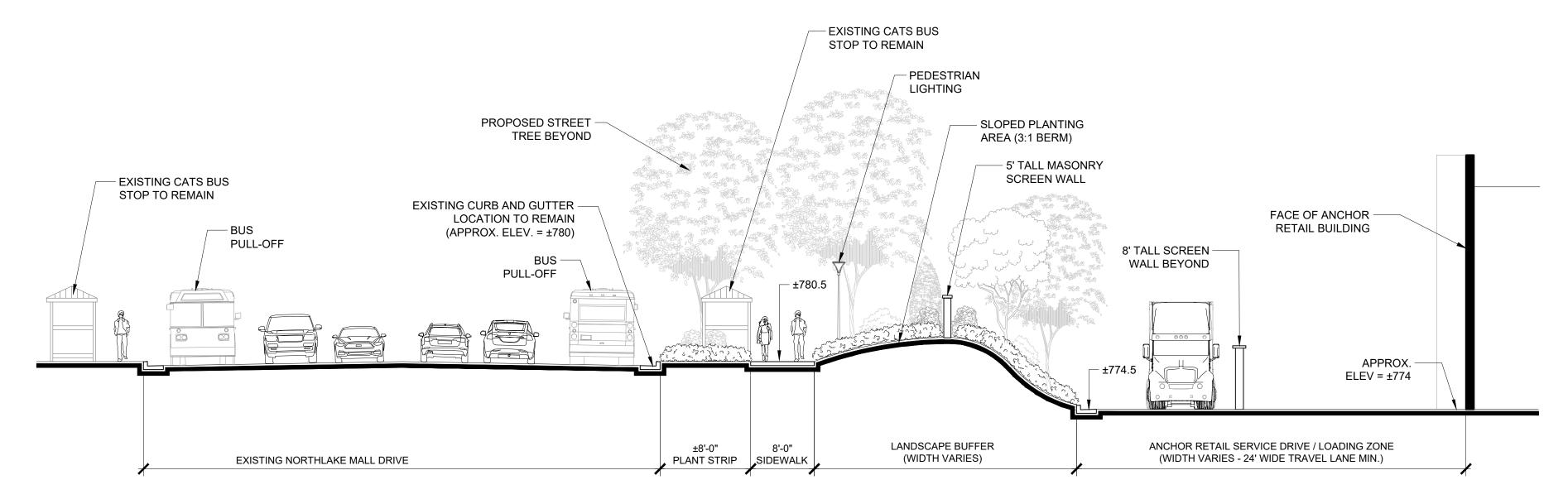




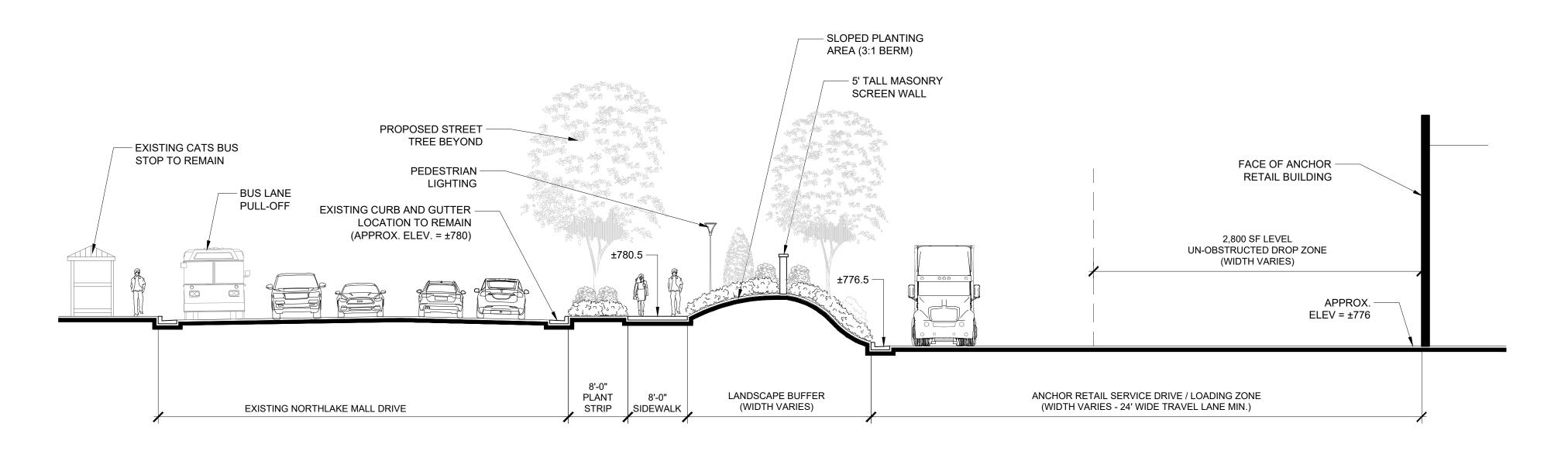
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SECTION 'A'



SECTION 'B'



BLDG #2

BLDG #3

BLDG #3

BLDG #5

SECTION LOCATION MAP

1" = 100-0"

RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT NORTHLAKE MALL

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

LANDDESIGN PROJ.# 1015252

REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
	1ST REZONING SUBMITTAL	10/20/20

DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

VERT: N/A HORZ: AS NOTED

SHEET TITLE

SECTIONS

RZ-4.0

3 SECTION '0



ANCHOR RETAIL - FRONT ELEVATION

1" = 30'-0"



B ANCHOR RETAIL - REAR ELEVATION $\frac{ANCHOR RETAIL - REAR ELEVATION}{1" = 30'-0"}$



BLDO

C ANCHOR RETAIL - RIGHT ELEVATION (TENANT #1)



ANCHOR RETAIL - RIGHT ELEVATION (TENANT #5)



E ANCHOR RETAIL - LEFT ELEVATION (TENANT # 4)



LandDesign.

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RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT NORTHLAKE MALL SPA RE-ZONING

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

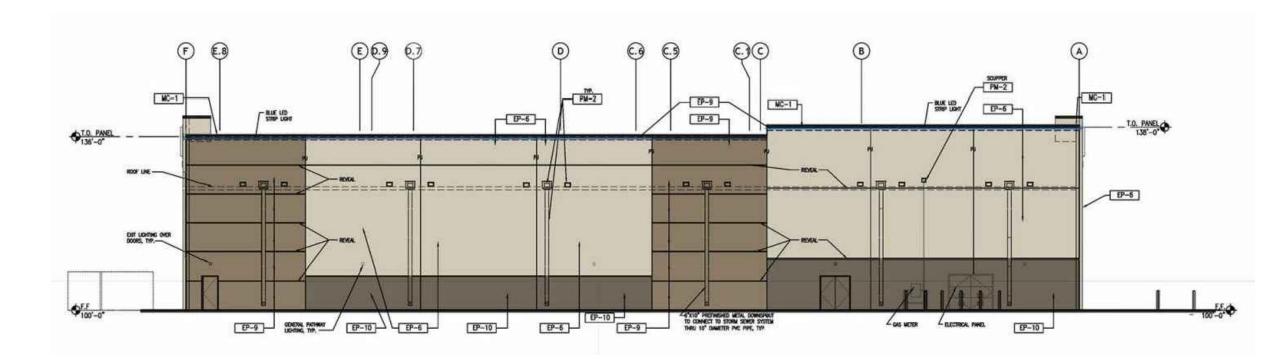
LANDDESIGN PROJ.# 1015252

F	REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE	
	1ST REZONING SUBMITTAL	10/20/201	
DR	SIGNED BY: LD AWN BY: LD ECKED BY: LD		

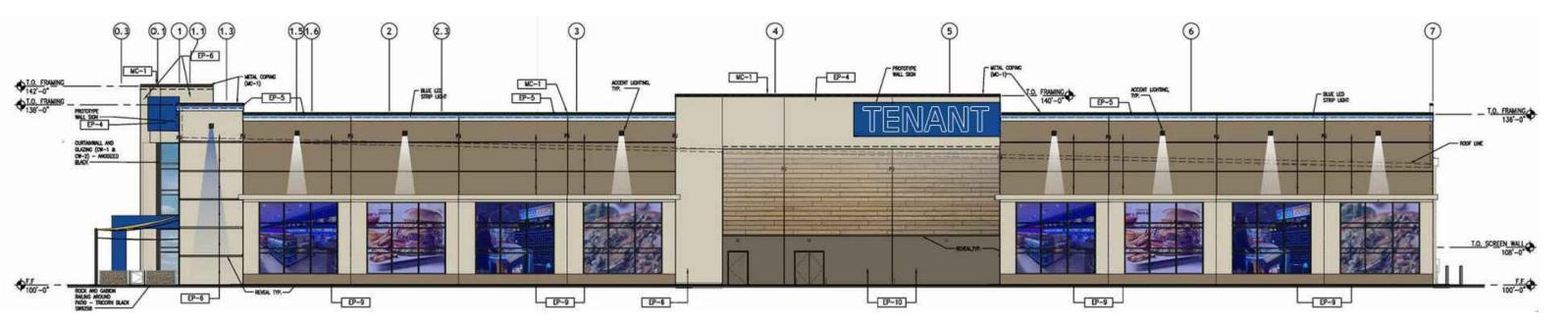
VERT: N/A HORZ: AS NOTED

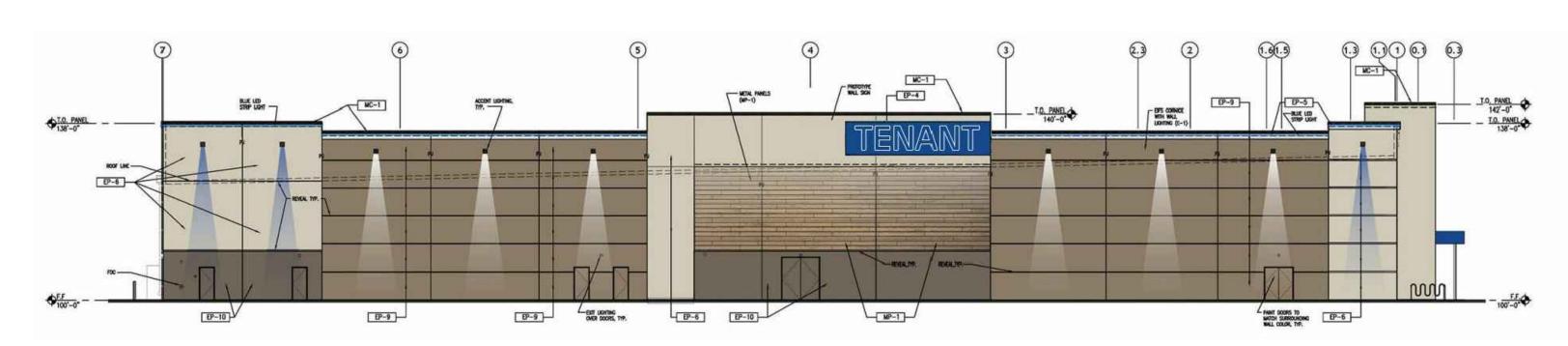
BUILDING ELEVATIONS

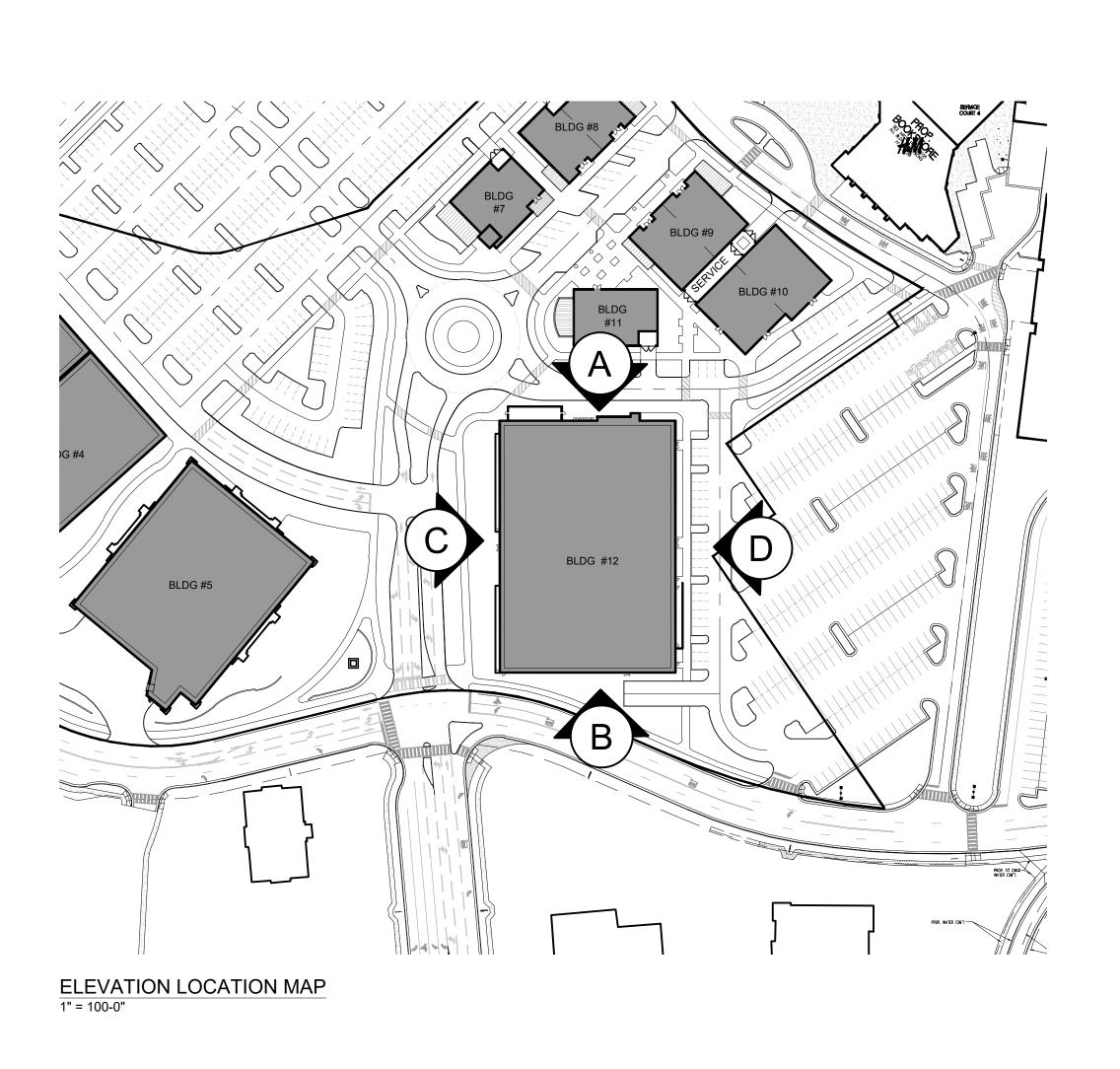
A BLDG 12 ENTERTAINMENT VENUE - FRONT ELEVATION



BLDG 12 ENTERTAINMENT VENUE - REAR ELEVATION $\begin{array}{c}
B \\
1" = 20'-0"
\end{array}$







LandDesign.

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM ENG. FIRM LICENSE # C-0658



RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT NORTHLAKE MALL SPA RE-ZONING

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

LANDDE	SIGN PROJ.# 1015252	
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NO.	DESCRIPTION	DA
	1ST REZONING SUBMITTAL	10/20

NO.	DESCRIPTION	DATE
	1ST REZONING SUBMITTAL	10/20/201
	SIGNED BY: LD	
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HORZ: AS NOTED

BUILDING ELEVATIONS





B RETAIL / RESTAURANT ELEVATION
1" = 20'-0"





D RETAIL / RESTAURANT ELEVATION
1" = 20'-0"





RETAIL / RESTAURANT ELEVATION

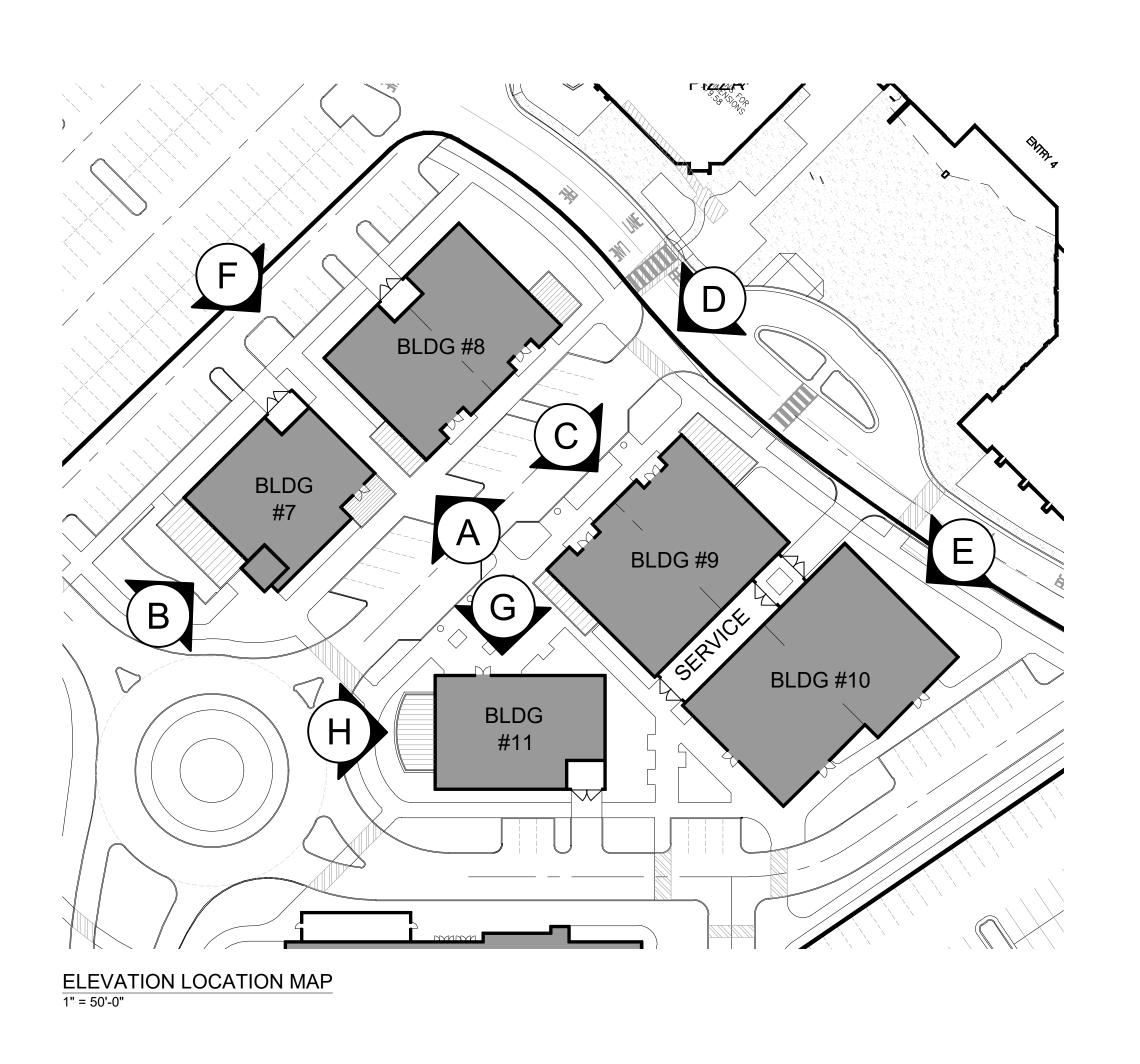
1" = 20'-0"



RETAIL / RESTAURANT ELEVATION
1" = 20'-0"



RETAIL / RESTAURANT ELEVATION
1" = 20'-0"



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RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT **NORTHLAKE MALL SPA RE-ZONING**

> STARWOOD RETAIL PARTNERS CHARLOTTE, NC

NO.	DESCRIPTION	DATE
	1ST REZONING SUBMITTAL	10/20/20
DR	SIGNED BY: LD AWN BY: LD	·

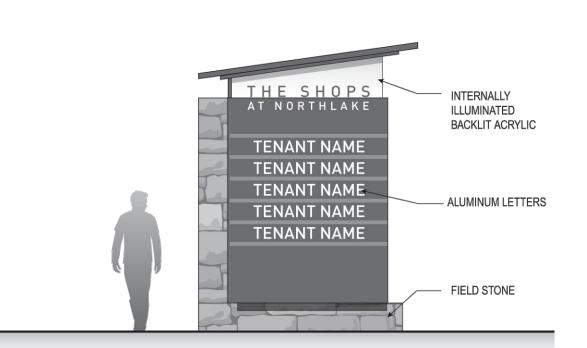
CHECKED BY: LD

VERT: N/A HORZ: AS NOTED

BUILDING ELEVATIONS

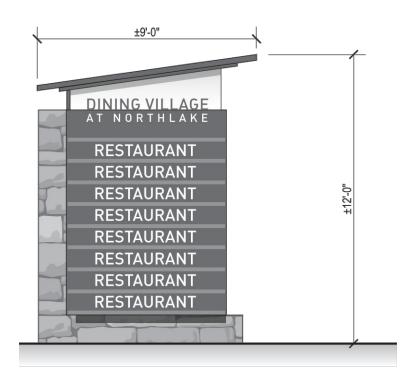


1 PROPOSED ENTRY PYLON AND RETAINING WALL - FRONT ELEVATION
3/16" = 1'-0"



PROPOSED "SHOPS AT NORTHLAKE"

| IDENTITY PYLON |
| (2 PROPOSED LOCATIONS) (29.1 SF SIGNAGE TOTAL) |
| 1/4" = 1'-0"

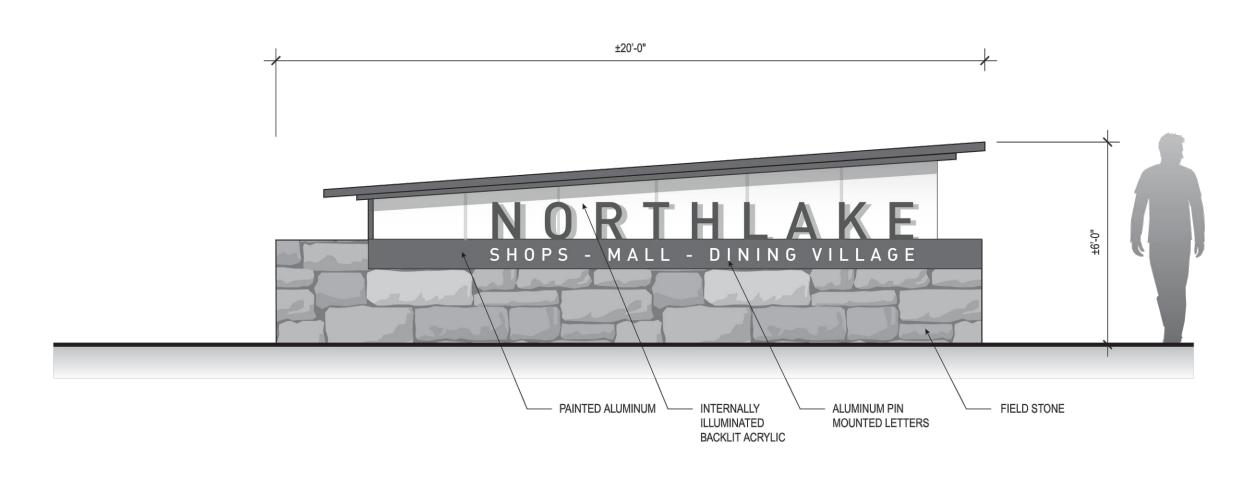


PROPOSED "DINING VILLAGE"

IDENTITY PYLON

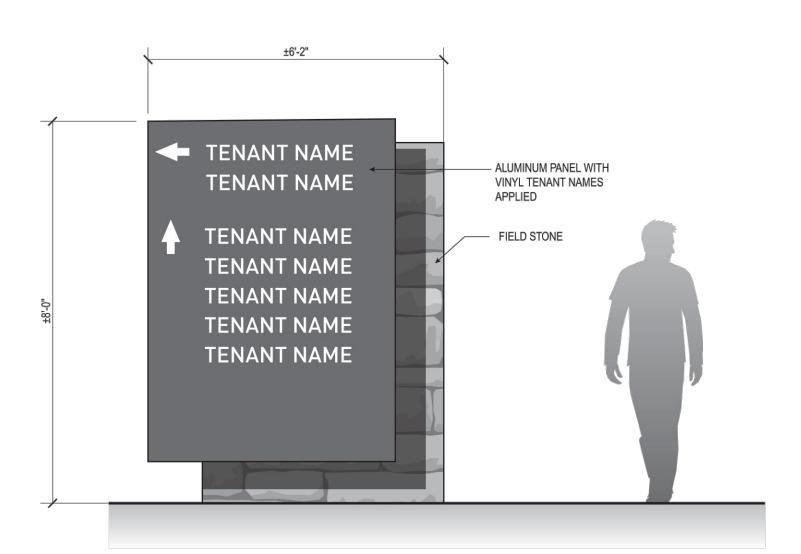
(1 PROPOSED LOCATION) (44.1 SF SIGNAGE TOTAL)

1/4" = 1'-0"



PROPOSED NEW PERIMETER IDENTITY MONUMENT (LOCATED IN MEDIAN)

3/8" = 1'-0"



MEW DIRECTIONAL SIGN

(MULTIPLE LOCATIONS) (36.6 SF SIGNAGE TOTAL)

1/2" = 1'-0"

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RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT NORTHLAKE MALL

SPA RE-ZONING
STARWOOD RETAIL PARTNERS

CHARLOTTE, NC

REVISION / ISSUANCE

NO. DESCRIPTION DATE

1ST REZONING
SUBMITTAL 10/20/2017

DESIGNED BY: LD

DRAWN BY: LD
CHECKED BY: LD

VERT: N/A HORZ: AS NOTED

SHEET TI

SIGNAGE ELEVATIONS

Starwood Retail Partners Development Standards - Village Component of Northlake Mall

10/19/17 Rezoning Petition No. 2017-____

Site Development Data:

- --Acreage: ± 14.4 acres --Tax Parcel #: 025-091-24 and part of 025-091-025
- -- Existing Zoning: CC
- -- Proposed Zoning: CC SPA
- --Existing Uses: Vacant and Parking
- --Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the CC zoning district, as more specifically described and restricted
- below in Section 3.
- -- Maximum Building Height: As allowed by the Ordinance.
- **--Parking:** Parking will be provided as required by the Ordinance.

1. Site Plan Amendment Rezoning for Portion of Northlake (#2002-110, as amended):

- **a. Reference to Northlake Rezoning Plan.** Reference is made to Rezoning Petition #2002-110, as amended by Administrative Site Plan Amendment approved as of May 8, 2006 among others (collectively the "Northlake Rezoning"). For context purposes, reference is also made to Sheet RZ-1.0 to this Rezoning Plan which sets forth the original conceptual site plan for the Northlake Rezoning. The Northlake Rezoning contemplated three (3) primary components, namely the Mall Component, the Village Shops Component and the Perimeter Commercial Component, each as generally depicted on the Northlake conceptual site plan attached as Sheet RZ-1.0. The Mall Component has been largely developed with only a portion of the approved entitlement undeveloped. The Perimeter Commercial Component has been developed in accordance with the approved entitlement. The Village Shops Component has not been developed.
- **b.** Adjustments to Village Shops Component & Adjacent Parking Portion of Mall Component. This Rezoning Plan is intended to govern development of the Village Shops Component in a manner that provides for certain deviations from the locations of buildings generally depicted on the conceptual site plan for the Village Shops Component on the Northlake Rezoning and uses a portion of the parking area within the Mall Component, among other modifications set forth herein. As referenced below and as generally depicted on Sheet RZ-2.0, the "Site" is intended to cover the area referenced by the Village Shops Component of the Northlake Rezoning and adjacent portions of the parking areas within the Mall Component of the Northlake Rezoning.
- c. Rezoning Plan Replaces Northlake Rezoning as to the Site including the Village Shops Component & portion of the Mall Component; Administrative Site Plan Amendment to Northlake Rezoning. Accordingly, upon approval by Charlotte City Council of the Rezoning Petition and this associated Rezoning Plan, the Northlake Rezoning shall be replaced in full by this Rezoning Plan as to the Site which includes the Village Shops Component of the Northlake Rezoning and the adjacent portion of the Mall Component of the Northlake Rezoning, and the Northlake Rezoning shall no longer be binding on the Site. Furthermore, prior to the public hearing on this Rezoning, Petitioner shall submit or cause to be

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

b. <u>Phasing.</u>

[IF APPLICABLE, TO BE FORTHCOMING]

III. Access; Pedestrian Features.

- **a.** Access to the Site will be by way of the private street known as Northlake Mall Drive among other private streets such as Perimeter Parkway and Northlake Commons Boulevard that connect with W.T. Harris Boulevard and Northlake Centre Parkway, as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.
- **b.** The Petitioner may install pavers and/or stamped or colored asphalt within the Site's private streets or driveways in order to designate and define pedestrian cross-walks.
- c. The alignment of the internal streets, vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT's final approval, to accommodate minor changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards and industry best practices so long as the street network set forth on the Rezoning Plan is not materially altered.

5. Architectural and Site Design Standards:

- a. [Building Materials Generally. 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, awnings and on handrails/railings, however standing seam metal is permitted as a decorative architectural element. Furthermore, the building elevations on Northlake Mall Drive shall be constructed so that at least 25% of the elevation fronting such street, exclusive of windows, doors, and roofs, will be constructed utilizing the following materials: brick, synthetic brick, stone, precast stone, precast concrete, synthetic stone, and decorative block.]
- **b.** Elevations/Renderings. The building elevations and perspective renderings attached on Sheets RZ-5.0-5.3 are included to reflect the general architectural design for portions of the buildings (the actual buildings constructed on the Site may vary from these illustrations provided that the overall design intent is preserved).
- c. Blank Walls. For portions of buildings located along Northlake Mall Drive, expanses of blank walls may not exceed 60 feet in length along such frontage. A blank wall is a façade that does not add to the character of the streetscape and does not contain transparent windows or door or sufficient ornamentation, decoration or articulation. When this approach is not feasible, three of the following architectural elements must be used on the building façade at street level. Elements may include, but are not limited to: molding; string courses; belt courses; changes in

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submitted to the Planning Director, or designee, an administrative site plan amendment to the Northlake Rezoning to reflect the adjustments resulting from this Rezoning, including the inclusion of the portion of the parking area of the Mall Component within this Rezoning as generally depicted on Sheet RZ-2.0, and such administrative site plan amendment shall become effective upon approval of this Rezoning by Charlotte City Council.

2. General Provisions:

a. Site Location. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Starwood Retail Partners ("Petitioner") to accommodate the development for mixed use purposes containing approximately 14.4 acres generally depicted as the "Site" on <u>Sheet RZ-2.0</u> of this Rezoning Plan (the "<u>Site</u>"). Each of the Development Areas set forth on <u>Sheet RZ-2.0</u> of the Rezoning Plan may be referred to as a "Development Area" or collectively as the "Development Areas."

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 CC zoning classification shall govern the Site. As indicated in Section 1.above, the Rezoning Plan hereby supersedes and takes the place of the Northlake Rezoning as relates to the Site.

c. Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, and other development matters and site elements (collectively the "<u>Development/Site Elements</u>") 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
- minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
 modifications to move structures graphically depicted on the Rezoning Plan closer to
- 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 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 depicted on or described in the Rezoning Plan.

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material or color; architectural lighting; works of art; display areas; building off-sets or windows with spandrel/opaque glass.

d. Open Space Area Between Buildings #4 & 5. The proposed open space/amenity area located between Buildings #4 and #5 shall be a minimum of [15,000] square feet of hardscape and landscape area and may include decorative planting, benches, seating areas, art, specialty payers lawn or similar features

- e. Special Design Provisions for Building #12 Area. In the event that the up to 50,000 sf ground floor footprint Building #12 generally depicted on Sheet RZ-3.0 is not used for indoor entertainment, indoor recreation, movie theatre or substantially similar types of permitted uses, the following design guidelines shall be applied to the building(s) that are used for other permitted commercial uses: [TO BE FORTHCOMING]
- **f. Special Design Provisions for Hotel Uses.** Hotel uses may be located either within Buildings 7, 8 and/or 12 or as part of a redesign of the Site in the manner set forth by inset map on Sheet RZ-3.0. In such event the following design provisions shall govern such hotel development: [TO BE FORTHCOMING]
- **g. Utilities.** Meter banks will be screened from view from internal private streets or driveways at grade. HVAC and related mechanical equipment will be screened from public view at grade. HVAC and related mechanical equipment may not be located between the proposed buildings.

6. Streetscape & Screening:

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- **a.** Along the Site's frontage on Northlake Mall Drive, the Petitioner will provide the streetscape improvements set forth on the Rezoning Plan.
- **b.** The Petitioner will provide a sidewalk network that links each building on the Site to the sidewalks along private streets or driveways in the manner generally depicted on the Rezoning Plan. The minimum width for these internal sidewalks will be five (5) feet.
- **c.** Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.
- **d.** Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.

7. Environmental Features:

- **a.** The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance.
- **b.** The Site will comply with the Tree Ordinance.

8. <u>Signag</u>

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a. Signage as allowed by the CC zoning district may be provided and as allowed by the sign flex option of the Ordinance. Illustrative signage is shown on <u>Sheets RZ-3.0, 5.0-6.0</u>.

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

- d. Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site shall not exceed fourteen (14). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on Development Area to which such improvements relate.
- e. Planned/Unified Development. 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 and as to the elements and the portions of the "Adjusted Mall Component" located adjacent to the Site as generally depicted on Sheet RZ-2.0. 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 nor between the Site and the portions of the Adjusted Mall Component located adjacent to the Site. Furthermore, the Petitioner and/or owner of a portion of the Site reserve the right to subdivide the portions or all of the Site within the Development Areas and create lots within the interior of the portion of the Site within such Development Areas without regard to any such internal separation standards than those expressly set forth and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site except for along the common boundary with the Adjusted Mall Component, and those expressly described in the Rezoning Plan shall be adhered to. In addition, all FAR requirements will be regulated by any development limitations set forth in this Rezoning Plan as to the Site as a whole and not individual portions or lots located therein.
- f. 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, Spas, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and the like.
- **g. EDEE** Uses. References to the term "EDEE" shall mean "Eating Drinking Entertainment Establishments" as defined in the Ordinance and shall include without limitation Limited Service restaurants.
- h. 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).
- i. 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 term

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9. <u>Lighting:</u>

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

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

10. Amendments to the Rezoning Plan:

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

"gross floor area" or "GFA" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building on the Site measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude any surface or structured parking facilities, areas used for building and equipment access (such as stairs, elevator shafts, vestibules, roof top equipment rooms and maintenance crawl spaces), all loading dock areas (open or enclosed), outdoor coolers 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).

3. Permitted Uses & Development Area Limitation:

- a. Except as limited in subsections 3.b. and c. below, the Site may be developed with up to 195,000 square feet of gross floor area of uses allowed in the CC zoning district, together with accessory uses as allowed in the CC zoning district. In addition to the foregoing, the Site may be developed for up to 200 hotel rooms and for up to 150 residential dwelling units.
- **b.** Notwithstanding the foregoing, gasoline sales and EDEE uses (as defined above) with drive-through facilities will not be permitted on the Site, except that such limitation shall not apply to a Limited Service Restaurant (as defined above).
- c. No building constructed within the Site may have a footprint which is in excess of 50,000 square feet of gross floor area. It is not the intent of this restriction to prohibit a multistory retail establishment occupying more than 50,000 square feet of gross floor area so long as the footprint of the building within which it is located does not exceed 50,000 square feet of gross floor area and so long as the maximum square footage limitations set out herein are satisfied.
- **d.** All or a portion of the 200 hotel rooms allowed on the Site may be converted to either additional retail space on the Site, at the option of the owner(s) of the Site, using the following conversion factor: 340 square feet of gross floor area per hotel room converted. No additional hotel rooms may be created by the conversion of the retail space.

4. Transportation/Ped Improvements and Access:

I. Proposed Improvements:

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 in accordance with the following implementation provisions:

The following Transportation Improvements are also illustrated on <u>Sheet RZ-3.0</u> of the Rezoning Plan. This illustration is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number when describing an improvement corresponds to the number found on the Illustration for the proposed improvement):

[TO BE FORTHCOMING FROM DRG]

Standards and Other Provisions.

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* C-015 S: * = |

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704 333 0325

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ENG. FIRM LICENSE # C-0658

RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT NORTHLAKE MALL SPA RE-ZONING

STARWOOD RETAIL PARTNERS

CHARLOTTE, NC

LANDDESIGI	N PROJ.# 1015252	
RE	EVISION / ISSU	ANCE
NO.	DESCRIPTION	DATE
	1ST REZONING SUBMITTAL	10/20/2

DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

VERT: N/A HORZ: NTS

(NOT TO SCALE)

RZ-6.0

ZONING NOTES

I. REZONING APPLICATION CITY OF CHARLOTTE



	2017-164
Petition #:	
Date Filed:	10/20/2017
Received By:_	Br

Property Owners:	KP Charlotte 1, LLC			
Owner's Addresses:	8025 Forsyth Boulevard, St. Louis, MO 63105			
Date Properties Acquired:	6-16-2017			
Property Addresses:	1706 Queen City Drive, Charlotte, NC 2	<u>28208</u>		
Tax Parcel Numbers:	portion of 061-151-09			
Current Land Use:	<u>Under Development with Warehouse D</u>	istribution Uses (Acres): ± 3.22		
Existing Zoning:	<u>I-1(CD)</u> Proposed Zoning: <u>I-1(CD)</u>	CD) SPA		
Overlay:	N/A (Specify PED, Watershed, I	Historic District, etc.)		
Required Rezoning Pre Grochoske	e-Application Meeting* with: <u>Claire Lyte</u>	e-Graham, Alberto Gonzalez, Julie Lund, and Rick		
Date of meeting:	October 2 nd 2017			
(*Rezoning application	ons will not be processed until a required	pre-application meeting with a rezoning team member		
For Conditional Re	zonings Only:			
Requesting a vesting	period exceeding the 2 year minimum?	□Yes ☑No. Number of years (maximum of 5): N/A		
Purpose/description	Purpose/description of Conditional Zoning Plan: <u>To allow a driveway to Tuckaseegee Road</u>			
Keith MacVean & Je	eff Brown	KP Development, LLC (Attn: Scott Haley)		
Name of Rezoning Ag	ent	Name of Petitioner		
Moore & Van Allen, 100 N. Tryon Street	PLLC Suite 4700	8025 Forsyth Blvd		
Agent's Address	-, Juice 17 00	Address of Petitioner		
Charlotte, NC 2820	2	Clayton, MO 63105 City, State, Zip		
TO 4 DO 4 DE 24 (VM)	704-378-1954(KM)	oley, otato, Lip		
704.331.3531 (KM) 704-331-1144 (JB)	= = -	314.261.7352		
Telephone Number	Fax Number	Telephone Number Fax Number		
keithmacvean@mv		shaley@kpstl.com		
jeffbrown@mvalaw E-mail Address	.com	E-mail Address		
See Attachment A		See Attachment B		

Signature of Petitioner

Signature of Property Owner

ATTACHMENT A

REZONING PETITION NO. [2017-___] KP Development, LLC

OWNER JOINDER AGREEMENT KP Charlotte 1, LLC

The undersigned, as the owner of the parcel of land located at 1706 Queen City Drive that is designated as a portion of Tax Parcel No. 061-151-09 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from I-1(CD) zoning district to the I-1(CD) SPA zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This day of	, 2017.
	KP Charlotte 1, LLC By:
	Name:

ATTACHMENT B

REZONING PETITION NO. [2017-] KP Development, LLC

Petitio	ner:
KP Dev	relopment, LLC
By:	
Name:	
Title:	

DEVELOPMENT STANDARDS **REZONING PETITION NO. 2017-000**

SITE DEVELOPMENT DATA:

--ACREAGE: \pm 3.22 ACRES --**TAX PARCEL #S:** PORTION OF 061-151-09 --EXISTING ZONING: I-1(CD)

--PROPOSED ZONING: I-1(CD) SPA --EXISTING USES: VACANT AND WAREHOUSE DISTRIBUTION USE --PROPOSED USES: WAREHOUSE DISTRIBUTION USES AND RELATED OFFICE AS WELL AS PASSENGER VEHICLE MANEUVERING AND PARKING (TRACTOR TRAILER PARKING, MANEUVERING AND STORAGE IS NOT ALLOWED ON THE SITE), AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE I-1 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN THE DEVELOPMENT

STANDARDS BELOW). --MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 50,000 SQUARE FEET OF GROSS FLOOR AREA OF WAREHOUSE DISTRIBUTION USES AND RELATED OFFICE USES; ALL AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-1 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN THE DEVELOPMENT

--MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE --PARKING: AS REQUIRED BY THE ORDINANCE FOR THE PROPOSED USES.

1. **GENERAL PROVISIONS**:

STANDARDS BELOW).

SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER GRAPHICS SET FORTH ON ATTACHED SHEETS 1.0 FORM THIS REZONING PLAN ("REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY KP DEVELOPMENT ("PETITIONER") TO ACCOMMODATE A LANDSCAPE BUFFER SETBACK AND WAREHOUSE DISTRIBUTION AND RELATED OFFICE USES ON AN APPROXIMATELY 3.22 ACRE SITE LOCATED AT 1706 QUEEN CITY DRIVE (THE "SITE").

ZONING DISTRICTS/ORDINANCE. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE I-1 ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

C. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE. SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED

THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

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

d. <u>NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY</u>
NOTWITHSTANDING THE NUMBER OF BUILDINGS SHOWN ON THE REZONING PLAN, THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TO TWO (2). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING(S).

PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

a. UP TO 50,000 SQUARE FEET OF GROSS FLOOR AREA OF WAREHOUSE DISTRIBUTION AND RELATED OFFICE USES WILL BE ALLOWED ON THE SITE TOGETHER WITH ACCESSORY USES ALLOWED IN THE I-1 ZONING DISTRICT. IF THE ALLOWED BUILDING AREA IS CONSTRUCTED IN THE AREA INDICATED ON THE REZONING PLAN THE PETITIONER WILL AMEND THE PROPOSED TREE SAVE AREA AS REQUIRED BY THE TREE ORDINANCE.

b. A 100 FOOT BUILDING SETBACK WILL BE ESTABLISHED ALONG TUCKASEEGEE ROAD AS MEASURED FROM THE EXISTING RIGHT-OF-WAY LINE AND AS GENERALLY DEPICTED ON THE REZONING PLAN.

c. A 75 FOOT PARKING AND MANEUVERING SETBACK, AS MEASURED FROM THE EXISTING RIGHT-OF-WAY LINE OF TUCKASEEGEE ROAD, FOR PASSENGER VEHICLES WILL BE PROVIDED. A MINIMUM OF 55 FEET OF THE 75 FOOT PARKING AND MANEUVERING SETBACK WILL BE AN UNDISTURBED LANDSCAPE SETBACK, SUBJECT TO THE INSTALLATION OF THE PROPOSED DRIVEWAY. ANY AREA CLEARED FOR THE INSTALLATION OF THE DRIVEWAY WILL BE RE-LANDSCAPED WITH TREES.

d. OUTDOOR STORAGE, TRACTOR TRAILER PARKING, DOCKING AND/OR MANEUVERING WILL <u>NOT</u> BE ALLOWED ON THE SITE.

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).

a. ACCESS TO THE SITE WILL BE FROM TUCKASEEGEE ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN, SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW.

b. THE PETITIONER WILL PROVIDE WESTBOUND LEFT TURN LANE ON TUCKASEEGEE ROAD WITH 100 FEET OF STORAGE TO THE PROPOSED DRIVEWAY TO THE SITE. THIS LEFT-TURN LANE WILL BE CREATED BY RESTRIPING THE EXISTING PAVEMENT ON TUCKASEE**G**EE ROAD.

c. THE EXACT ALIGNMENT, DIMENSIONS AND LOCATION OF THE ACCESS POINT TO THE SITE, THE DRIVEWAY ON THE SITE MAY BE MODIFIED FROM THE ELEMENTS SHOWN ON THE REZONING PLAN PROVIDED THAT THE OVERALL DESIGN INTENT IS NOT MATERIALLY ALTERED.

4. **BUFFERS AND SCREENING** a. A 55 FOOT UNDISTURBED LANDSCAPE SETBACK WILL BE

ESTABLISHED ALONG TUCKASEEGEE ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. b. A 75 FOOT CLASS A BUFFER WILL BE ESTABLISHED ALONG

THE WESTERN PROPERTY BOUNDARY AS GENERALLY DEPICTED ON THE REZONING PLAN. 2. UNTIL THE AREA OF THE SITE ESTABLISHED AS A FUTURE BUILDING EXPANSION AND PASSENGER PARKING AND

MANEUVERING AREA IS UTILIZED, AS ALLOWED, IT WILL BE LANDSCAPED WITH A BERM AND TREES AS GENERALLY DEPICTED

ON THE REZONING PLAN. **ENVIRONMENTAL FEATURES:**

THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

b. THE SITE WILL COMPLY WITH TREE ORDINANCE.

SIGNAGE ALONG TUCKASEEGEE ROAD WILL BE LIMITED TO GROUND MOUNTED SIGN WITH A MAXIMUM HEIGHT OF FOUR (4) FEET AND A MAXIMUM SIGN AREA OF 20 SQUARE FEET.

ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS. b. DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 22 FEET

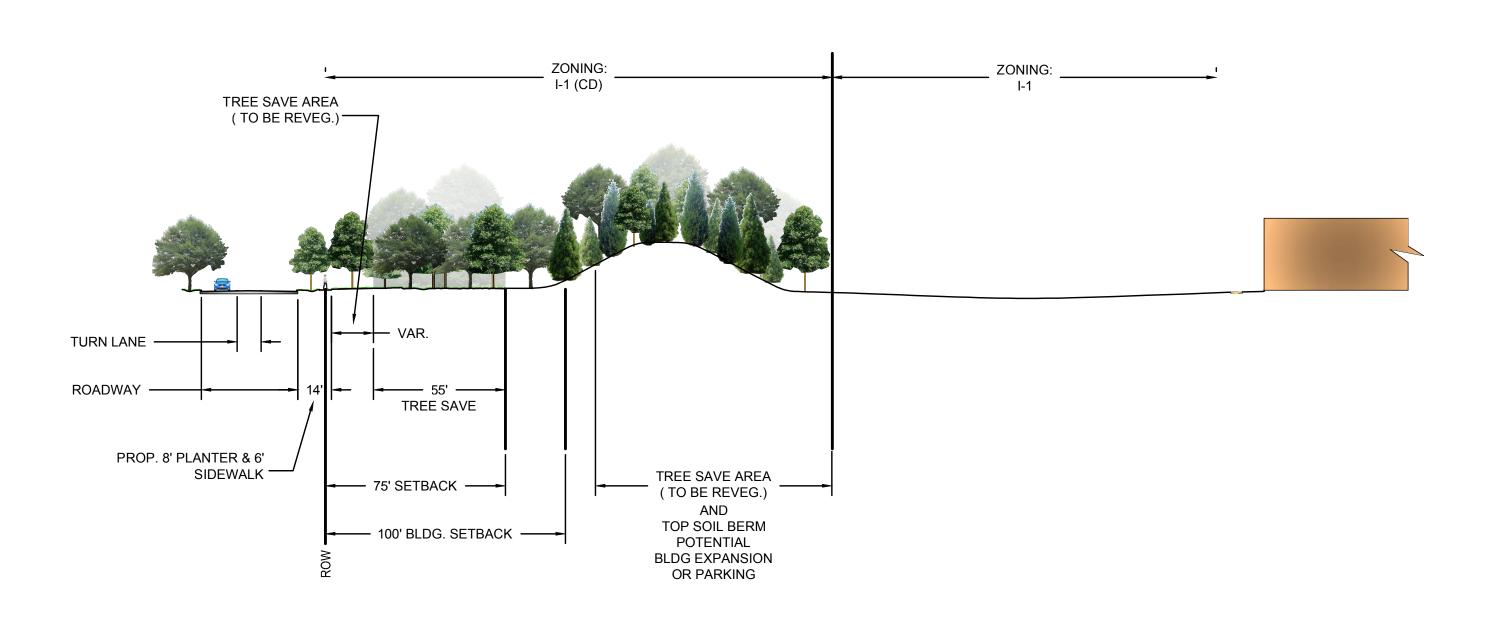
LIGHTING FIXTURES THAT ARE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED WILL BE ALLOWED ON THE PROPOSED BUILDING WALLS.

AMENDMENTS TO THE REZONING PLAN:

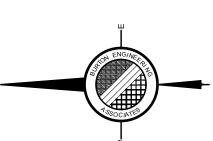
a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

BINDING EFFECT OF THE REZONING APPLICATION:

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



TYPICAL BERM / BUFFER LANDSCAPING



GRAPHIC SCALE



950 FAIRVIEW RD STE 100

CHARLOTTE NC 28210

(T) 704.553.8881

burtonengineering.com

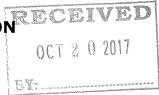
FIRM #401

VHOLE OR IN PART. IT IS NOT TO BE USED ON ANY OTHER PROJECT AND IS TO BE RETURNED UPON REQUEST PROJECT NUMBER 016.660.001

URTON ENGINEERING ASSOCIATES AND IS

NOT TO BE REPRODUCED OR COPIED IN

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



	2017-167
Petition #:	
Date Filed:	10/20/2017
Received By:	- H,

		\mathcal{T}
Property Owners:	SEE SCHEDULE 1 ATTACHED HERET	<u>'O</u>
Owner's Addresses:	SEE SCHEDULE 1 ATTACHED HERET	<u>00</u>
Date Properties Acquired:	SEE SCHEDULE 1 ATTACHED HERET	<u>'O</u>
Property Addresses:	SEE SCHEDULE 1 ATTACHED HERET	<u>'O</u>
Tax Parcel Numbers:	SEE SCHEDULE 1 ATTACHED HERET	<u>O</u>
Current Land Use:	vacant (Acres): ± 2.11	
Existing Zoning:	B-2 Proposed Zoning: MUD	<u>D-O</u>
Overlay:	N/A (Specify PED, Watershed,	Historic District, etc.)
Required Rezoning Pre-A Meacci]		raham, Alberto Gonzalez, Carlos Alzate, Joshua Weaver, Grant
Date of meeting: 10/17/2	017	
(*Rezoning application	ons will not be processed until a required pre	e-application meeting with a rezoning team member is held.)
For Conditional Rez	onings Only:	
Requesting a vesting	period exceeding the 2 year minimum	? □Yes ☑No. Number of years (maximum of 5): <u>N/A</u>
Purpose/description on the mixed-use development		ote redevelopment of the abandoned Site to permit a
Jeff Brown & Keith N	factions.	Beaver Creek CRE LLC(Attn: Susan Rosenblatt)
Name of Rezoning Age		Name of Petitioner
Moore & Van Allen, F 100 N. Tryon Street,		8334 Pineville Matthews Road, Ste. 103-256
Agent's Address	Julie 4700	Address of Petitioner
Charlotte, NC 28202		Pineville, NC 28134
704-331-1144 (JB) 704.331.3531 (KM)	704-378-1925(JB) 704-378-1954(KM)	City, State, Zip 704.363.1368
Telephone Number	Fax Number	Telephone Number Fax Number
<u>jeffbrown@mvalaw.com</u> E-mail Address	n; keithmacvean@mvalaw.com	susan@gvestcapital.com E-mail Address
		SEE ATTACHMENT B
SEE ATTACHMENT A Signature of Property Owner		Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
131-111-12	4001 E Independence Blvd, Charlotte, NC 28205	Executive Building Company LLC	PO Box 33775, Charlotte, NC 28233	.888	07/27/1998
131-111-10	4812 Bamboo St, Charlotte, NC 28205			1.068	07/27/1998
131-111-01	N/A			.154	07/27/1998

ATTACHMENT A

REZONING PETITION NO. [2017-____] Beaver Creek CRE LLC

OWNER JOINDER AGREEMENT Executive Building Company LLC

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

- 1. 4001 E Independence Blvd, Charlotte, NC that is designated as Tax Parcel No. 131-111-12 on the Mecklenburg County Tax Map
- 2. 4812 Bamboo Street, Charlotte, NC that is designated as Tax Parcel No. 131-111-10 on the Mecklenburg County Tax Map
- 3. The intersection of Pierson Drive and Bamboo Street, Charlotte, NC that is designated as Tax Parcel No. 131-111-01 on the Mecklenburg County Tax Map

and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from B-2 zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 18+4day of 0ctc ber, 2017.

Executive Building Company LLC

By:
Name: SAM KAPLAN
Its: M GR

ATTACHMENT B

REZONING PETITION NO. 2017-Beaver Creek CRE LLC

Petitioner:

Beaver Creek CRE LLC

By: Name: ZATMOND GEE
Title: MEMBER

F = I - 1 - 12



ADJACENT OWNERSHIP LISTINGS*

EXECUTIVE BUILDING COMPANY LLC
 Tax # 13110116
 Zoning: B-2
 Existing Use: Vacant Lot
 RICHARD AND RITA GUINEY

Tax # 13110101
Zoning: R-22MF
Existing Use: Single Family

3. BRIAN AND KATHY COSTANZA

- BRIAN AND KATHY COSTANZA
 Tax # 13111109
 Zoning: R-4
 Existing Use: Single Family
- GEORGE ZELECKI AND MARY JOAN Tax # 13111108 Zoning: R-4 Existing Use: Single Family
- 5. ROBERT AND KIM KALOUSEK Tax # 13111106 Zoning: R-4 Existing Use: Single Family
- 6. JAMES AND ELIZABETH MATTHEWS
 Tax # 13111107
 Zoning: R-4
 Existing Use: Single Family
- 7. TRACY PERREAULT

 Tax # 13111105

 Zoning: R-4

 Existing Use: Single Family
- 8. MESFEN B TESFAGABIR
 Tax # 13111104
 Zoning: R-4
 Existing Use: Single Family

- HELMS RENTAL LLC
 Tax # 13111103
 Zoning: R-4
 Existing Use: Single Family
- 10. JAMES WINKLE

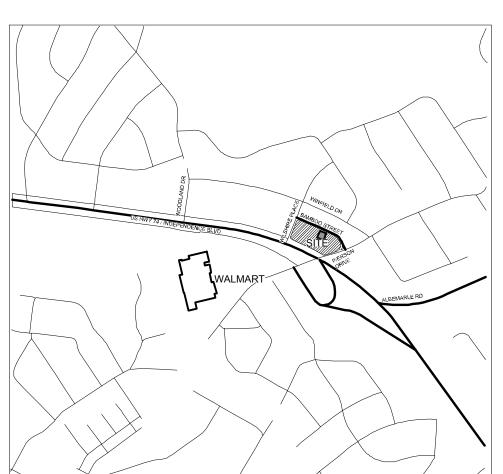
 Tax # 13111102

 Zoning: R-4

 Existing Use: Single Family
- 11. CHARLOTTE LP ADAMS OUTDOOR ADVERTISING Tax # 13113330
- Zoning: B-2
 Existing Use: Open Storage Lot

 12. UHAUL REAL ESTATE CO.
 Tax # 13113331

Zoning: B-2 Existing Use: Open Storage Lot



VICINITY MAP SCALE: 1" = 1000'

SITE INFORMATION	
SITE AREA	2.11 ACRES (+/- 91,911.60 SQFT)
TAX PARCEL(S) INCLUDED WITHIN THE AREA TO BE REZONED	13111112, 13111110, 13111101
EXISTING ZONING	BUSINESS (B-2)
EXISTING USES	VACANT STRUCTURES: RETAIL, OFFICE AND PARKING
PROPERTY OWNERS	PO BOX 33775 CHARLOTTE, NC 28233

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.

LandDesign.

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM ENG. FIRM LICENSE # C-0658

REZONING
PETITION NO.
2017-XXX

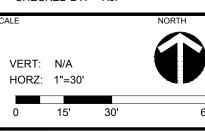
IRWIN BUILDING REZONING

BEAVER CREEK CRE, LLC 4037 E. INDEPENDENCE BOULEVARD

CHARLOTTE, NC 28205

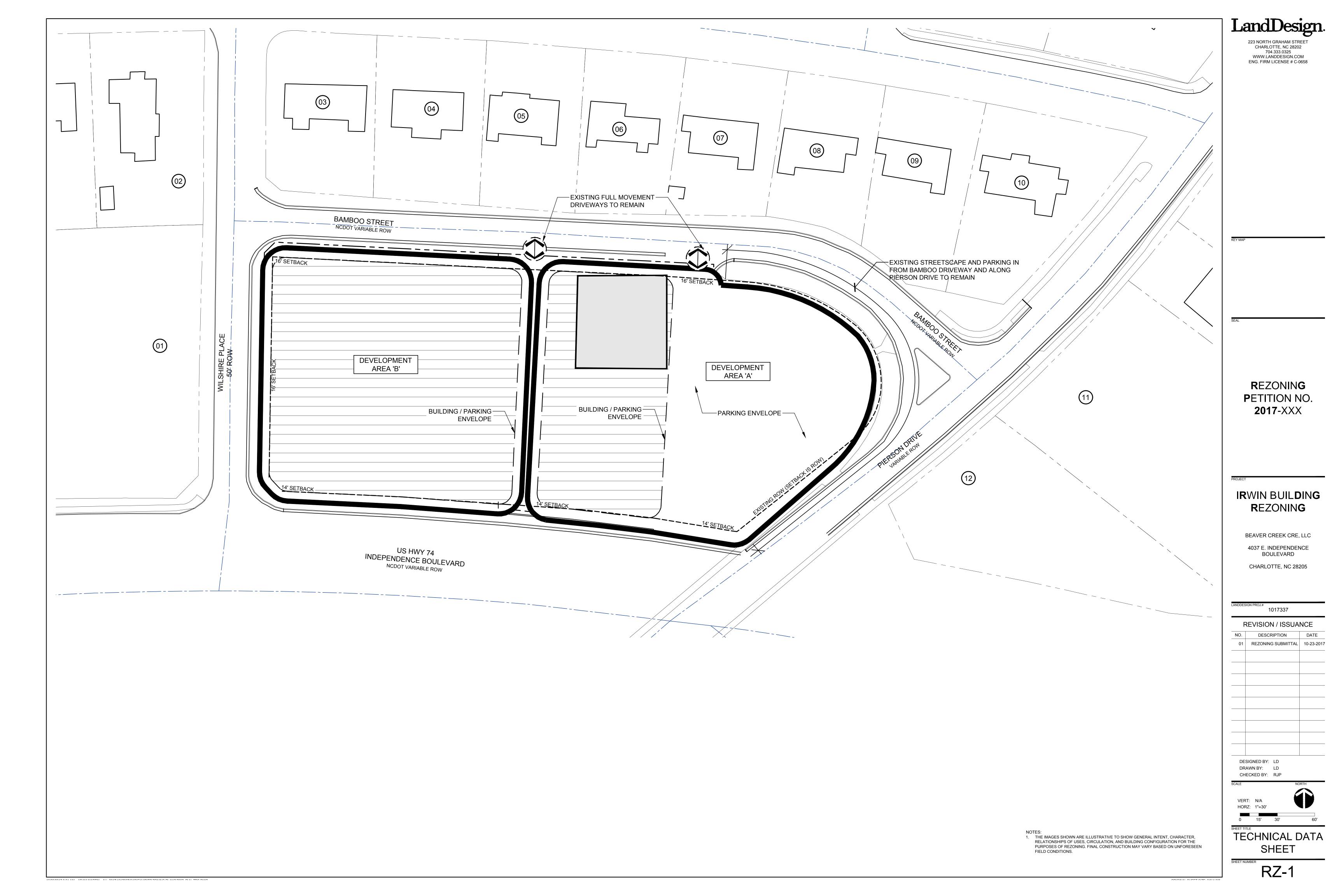
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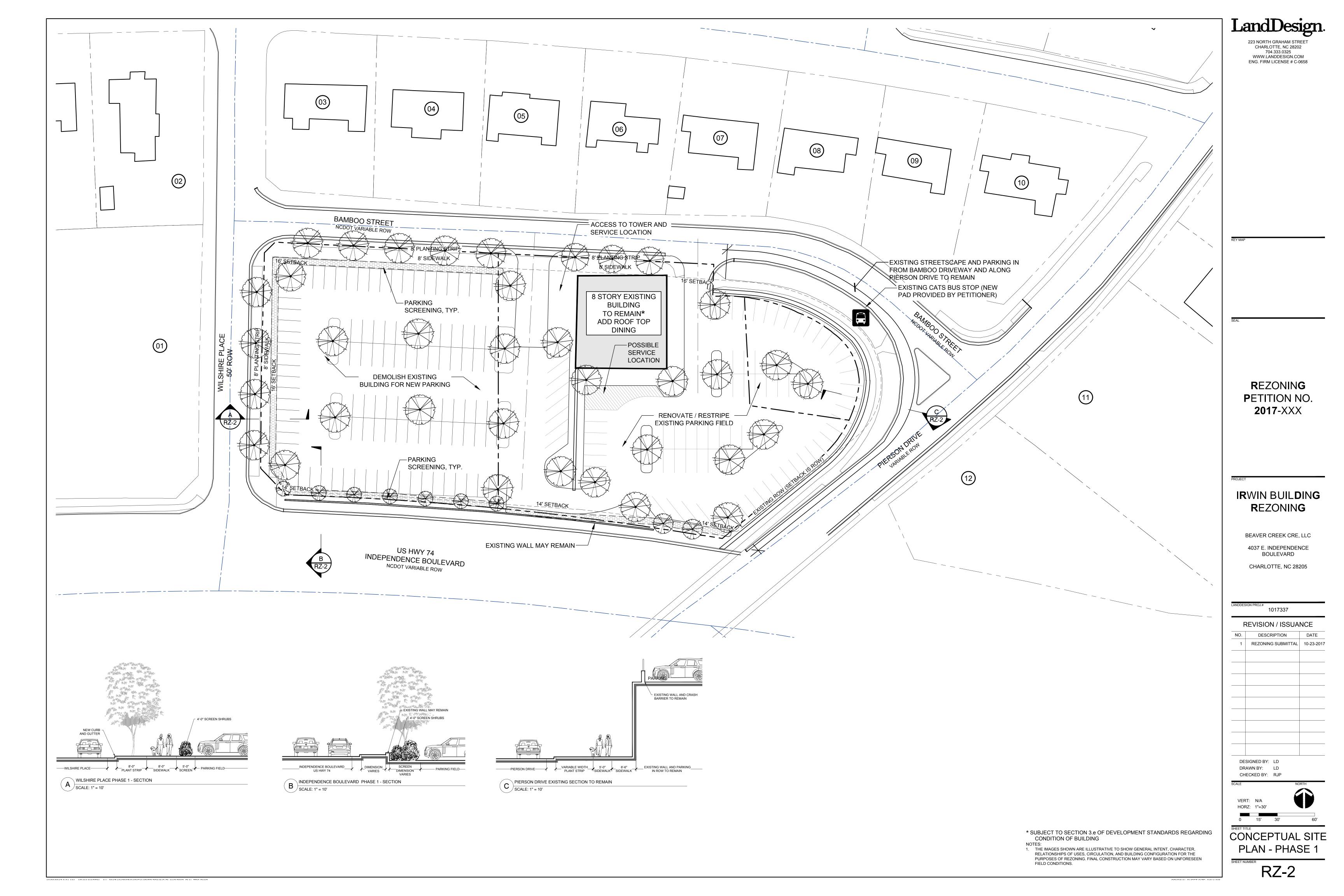
DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: RJP

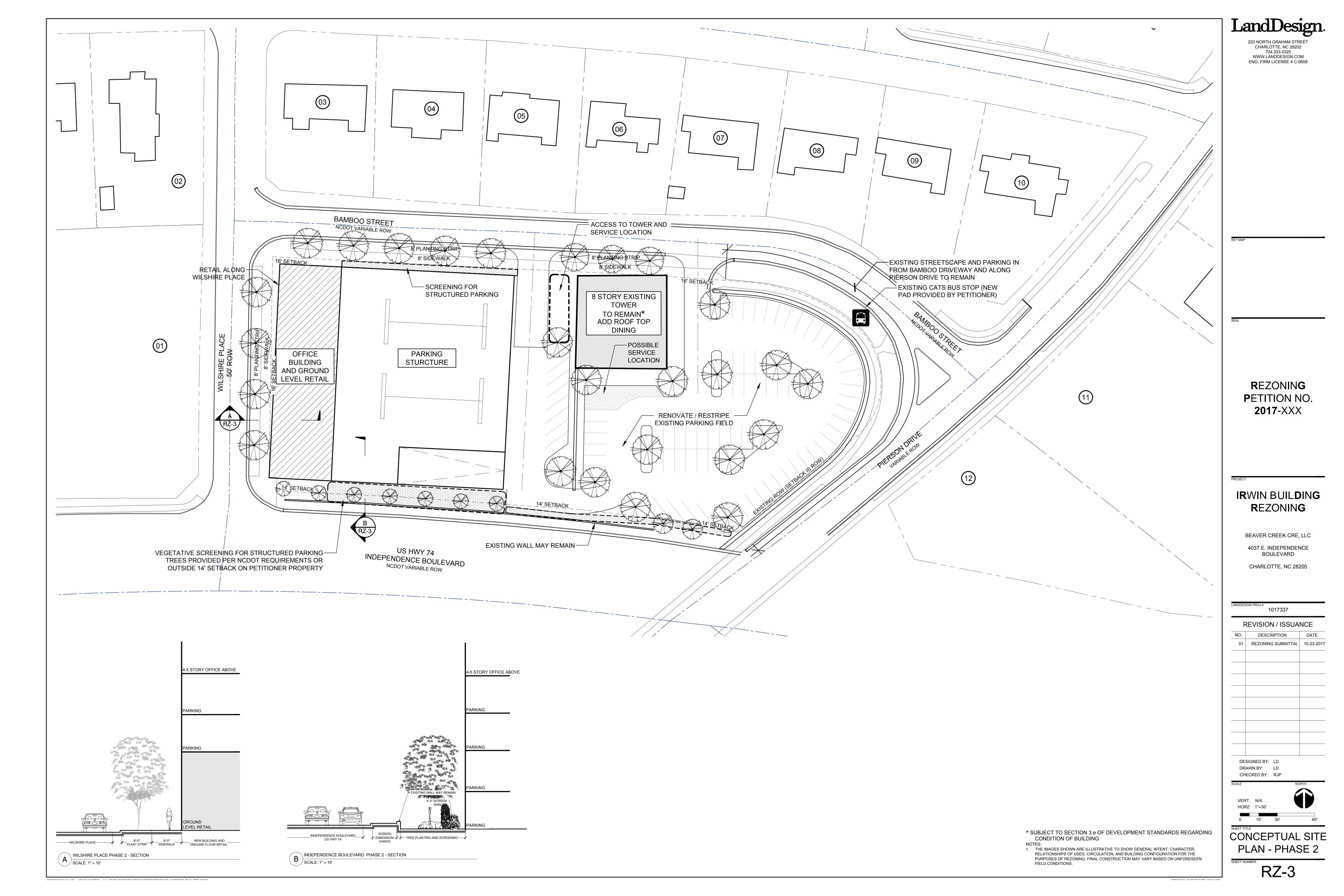


EXISTING CONDITIONS

RZ-0







Beaver Creek CRE LLC Development Standards October 19, 2017 Rezoning Petition No. 2017-___

Site Development Data:

-- Acreage: ± 2.11 acr --Tax Parcel #: 131-111-12; 131-111-10 & 131-111-01

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

--Existing Uses: Vacant/abandoned commercial/office buildings

-- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD-O zoning district, as more specifically described and restricted below in Section 2. -- Maximum Building Height: As allowed by the Ordinance. --Parking: Parking will be provided as required by the Ordinance.

1. General Provisions:

a. Site Location. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Beaver Creek CRE LLC ("P ii r") to accommodate the redevelopment of certain land and improvements thereon containing approximately 2.11 acres located at the intersection of Hwy 74 (Independence Blvd.) and Pierson Drive (the "<u>Site</u>") to permit a new mixed use development. It is understood that the Site includes two (2) Development Areas, namely "<u>Development Area</u> Area Area B" (each may be referred to as a "<u>Development Area</u>" or collectively as

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 "Ordi a c") for MUDD-O district. Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD-O zoning classification shall govern, as modified by the Optional Provisions below.

Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, and other development matters and site elements (collectively /Si E ") 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 ibri dadar daa db Sci 6.207 Ordiac.

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

• modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties b c r a "rabidi i"(i i ca ard) i dica d R i Pa; r • modifications to allow minor increases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

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

d. Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site shall not exceed three (3). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on a Development Area to which such improvements relate.

e. Planned/Unified Development. 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. 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. Furthermore, the Petitioner and/or owner of the portion of the Site reserve the right to subdivide the portions or all of the Site within the Development Areas and create lots within the interior of the portion of the Site within such Development Areas without regard to any such internal separation standards than those expressly set forth and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site and those expressly described in the Rezoning Plan shall be adhered to. In addition, all FAR requirements will be regulated by any development limitations set forth in this Rezoning Plan as to the Site as a whole and not individual portions or lots located therein.

f. Personal Services. The terms "r a service "and/or "r a ric" (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, Spas, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and the like. EDEE Uses. References to the term "EDEE" shall mean "Ea i Drinking Entertainment

Eabi "adidi Ordiacada icdi iiai LiidSricRara. h. Limited Service Restaurant. A "Li i d Service R a ra " or " i i d service r a ra " (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 vogurt juices bagels muffi foods that do not require on-premise cooking of food (other than heating and the baking of premixed dough).

i. 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 term "r floor ar a" or "GFA" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building on the Site measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude any surface or structured parking facilities, areas used for building and equipment access (such as stairs, elevator shafts, vestibules, roof top equipment rooms and maintenance crawl spaces), all loading dock areas (open or enclosed), outdoor coolers and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).

2. Optional Provisions.

The following Optional Provisions shall apply to the Site:

a. Wall Signs in Development A Generally. Within Development Area A, to allow wall signs to have up to 200 square feet of sign surface area or 10% of the wall area, to which they are attached, whichever is less; provided, however, the sign area of these allowed wall signs may be increased by 10% if individual letters are

b. Development Area Specialty Signage. In addition to subsection 2.a. above, within Development Area A, to allow wall signs located near the top of the building but underneath or wrapping the Rooftop Activity Area (as defined below) to have up to 875 square feet of sign surface area per wall (the "<u>Development Area A Specialty Signage</u>") except that the Development Area A Specialty Signage shall not be installed on the wall facing to the east. The Development Area A Specialty Signage may be digital and LED in nature with digital and video components and with features that allow dimming of the LED signage to adjust for ambient conditions. A conceptual rendering of the Development Area A Specialty Signage and the Rooftop Activity Area is generally depicted on <u>Sheet RZ-4</u> (the actual installed improvements may vary from such rendering as long as the overall design intent is met and the above specifications are followed).

Wall Signs in Development Area B Generally. Within Development Area B, to allow wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less; provided, however, the sign area of these allowed wall signs may be increased by 10% if individual letters are used.

d. Detached Ground Mounted Signs. 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.

e. Parking/Maneuvering on Development Area A. To allow parking and maneuvering between the building on Development Area A and Independence Boulevard, Bamboo Street and Pierson Drive.

Parking/Maneuvering on Development Area B. To allow surface parking and maneuvering within Development Area B without regard to building locations or existence of buildings on the Site and as generally depicted on the Rezoning Plan until such time as "P a II D" takes place on Development Area B. Parking and maneuvering may not be located between the building(s) and adjacent public streets on Development Area B after the issuance of the first certificate of occupancy associated with the Phase II Development to take place on Development Area B.

g. Streetscape Optional Provisions. To not require a sidewalk nor planting strip along the Site's frontage with Independence Boulevard, and to allow the existing streetscape located along Pierson Drive and that portion of Bamboo near Pierson Drive as shown on the Rezoning Plan.

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

3. Permitted Uses & Development Area Limitation:

a. Development Area A. Subject to the limitations set forth herein, Development Area A as generally depicted on the Rezoning Plan may be developed with up to 43,000 square feet of gross floor area of uses (see definition of gross floor area above) allowed in the MUDD-O zoning district, together with accessory uses as allowed in the MUDD-O zoning district, and such uses may include rooftop active uses (the "Rooftop Active <u>Uses</u>") such as EDEE uses and similar uses occupying up to but not exceeding 4,500 square feet of area (enclosed or open air) on the roof of the building within Development Area A (the "Rooftop Activity Area") The Rooftop Activity Area shall be designed with opaque wall or similar barrier located along the eastern side of the building and shall have hours of operation of no later than 11:00 P.M. E.S.T.

b. Development Area B. Subject to the limitations set forth herein, Development Area B may be developed with up to 57,000 square feet of gross floor area of uses (see definition of gross floor area above) allowed in the MUDD-O zoning district, together with accessory uses as allowed in the MUDD-O zoning district; provided, however, no more than 9,000 square feet of retail, EDEE or Personal Services uses (excluding such uses deemed accessory to office uses on Development Area B) shall be permitted on Development Area B.

c. No gas/convenience store use nor restaurant uses with a drive-through window facility may be

d. Phased Development of Development Area B. As generally depicted on Sheets RZ-2 and 3.

Development Area B is contemplated to be developed in two (2) phases, the first such Phase I Development to reflect demolition of the existing building on Development Area B and the replacement thereof with surface parking that may serve uses on the Site, and the second such Phase II Development to reflect permitted uses and an associated structured parking facility on Development Area B. Certain screening improvements and landscaping as described below in Section 5.c shall be installed on Development Area B prior to completion of the surface parking allowed on Development Area B as part of Phase I Development.

Renovation of Building on Development Area A. It is contemplated that Development Area A shall be redeveloped in a manner that renovates the existing building located on Development Area A. In the event, however, that a third party structural engineer certifies that the existing building cannot be so renovated from a structural soundness standpoint or the cost of such renovation is beyond what would be reasonable for a renovation project of the kind contemplated for the existing building, Development Area A may be developed with a new building in lieu of the existing building as long as the new building stays within the building envelope generally depicted on Sheet RZ-1.

4. Access & Transportation/Ped Improvements:

a. Access to the Site will be from Bamboo Street in the manner generally depicted on the Rezoning Plan.

b. Streetscape improvements along Wilshire Place will be installed in the manner generally depicted on Sheet RZ-3 prior to the issuance of the first certificate of occupancy for new development taking place on the

Architectural and Site Design Standards:

Building Materials Generally. 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, awnings and on handrails/railings, however standing seam metal is permitted as a decorative architectural element. Furthermore, the building elevations(excluding structured parking facilities) on public streets shall be constructed so that at least 40% of the elevation fronting public streets, exclusive of windows, doors, and roofs, will be constructed utilizing the following materials: brick, synthetic brick, stone, precast stone, precast concrete, synthetic stone, and decorative block. The use of decorative block will be limited to a maximum of 25% of any building elevation.

Structured Parking Deck. Parking deck structures shall be designed to materially screen the view of parked cars from adjacent public streets and screening of cars parked on the upper level will be accomplished by a wall at least 36 inches in height, designed as part of the parking deck structure. Building materials associated with facades on parking deck structures that are generally compatible in character with nearby buildings will be created taking into consideration differences associated with parking deck structures.

The Petitioner will provide a sidewalk network that links each building on the Site to the sidewalks along Wilshire Place and Bamboo Street in the manner generally depicted on the Rezoning Plan. The minimum width for these internal sidewalks will be five (5) feet.

b. Meter banks will be screened from view from adjacent public streets at grade. HVAC and related mechanical equipment will be screened from public view at grade. HVAC and related mechanical equipment may not be located between the proposed buildings. Above-ground backflow preventers will be screened from public view and will be located outside of the

required setbacks. d. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the

building materials and colors used on the principal building. e. Screening of the surface parking areas associated with Phase I Development on the Site shall a 5' mature height evergreen hedge as generally depicted on the Rezoning Plan.

Environmental Features:

The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction

b. The Site will comply with the Tree Ordinance.

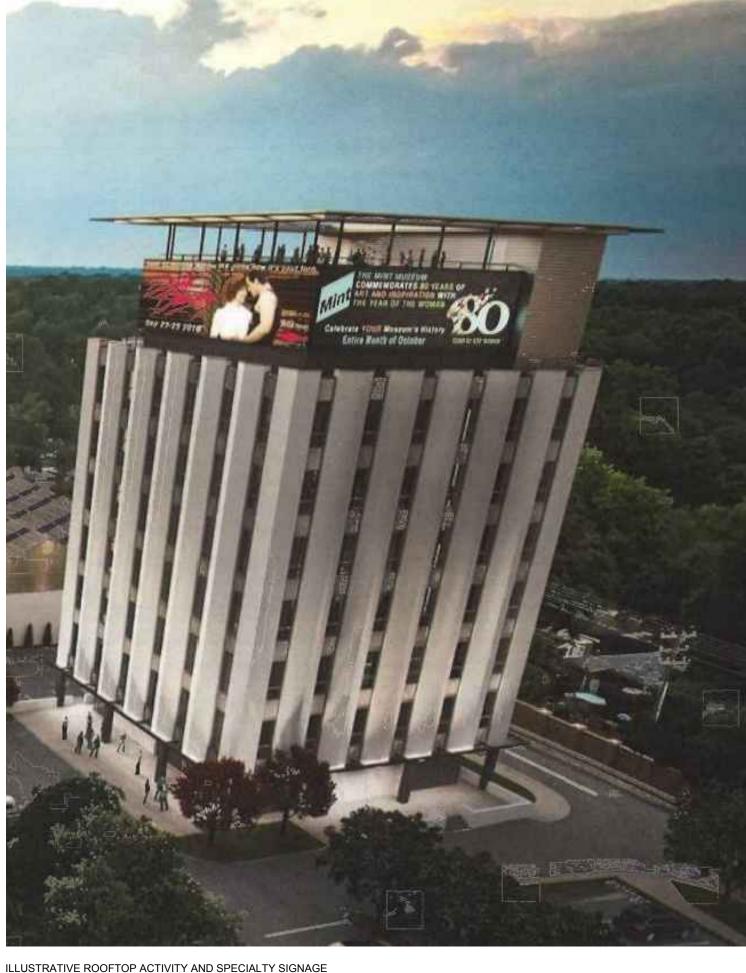
a. Signage as allowed by the MUDD-O zoning district in the MUDD-O Area may be provided and as allowed in the MUDD-O Optional Provisions set forth above.

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

b. Detached lighting on the Site will be limited to 25 feet in height. 10. Amendments to the Rezoning Plan:

a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the portion of the Development Area (or subdivision thereof) affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance. 11. Binding Effect of the Rezoning Application:

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



223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM ENG. FIRM LICENSE # C-0658

REZONIN**G** PETITION NO. **2017**-XXX

IRWIN BUILDING REZONING

BEAVER CREEK CRE. LLC 4037 E. INDEPENDENCE BOULEVARD

CHARLOTTE, NC 28205

LANDDES	IGN PROJ.# 1017337	
F	REVISION / ISSUA	NCE
NO.	DESCRIPTION	DATE
01	REZONING SUBMITTAL	10-23-2017

VERT: N/A HORZ:

DESIGNED BY: LD DRAWN BY: LD

CHECKED BY: RJP

DEVELOPMENT

1. 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.

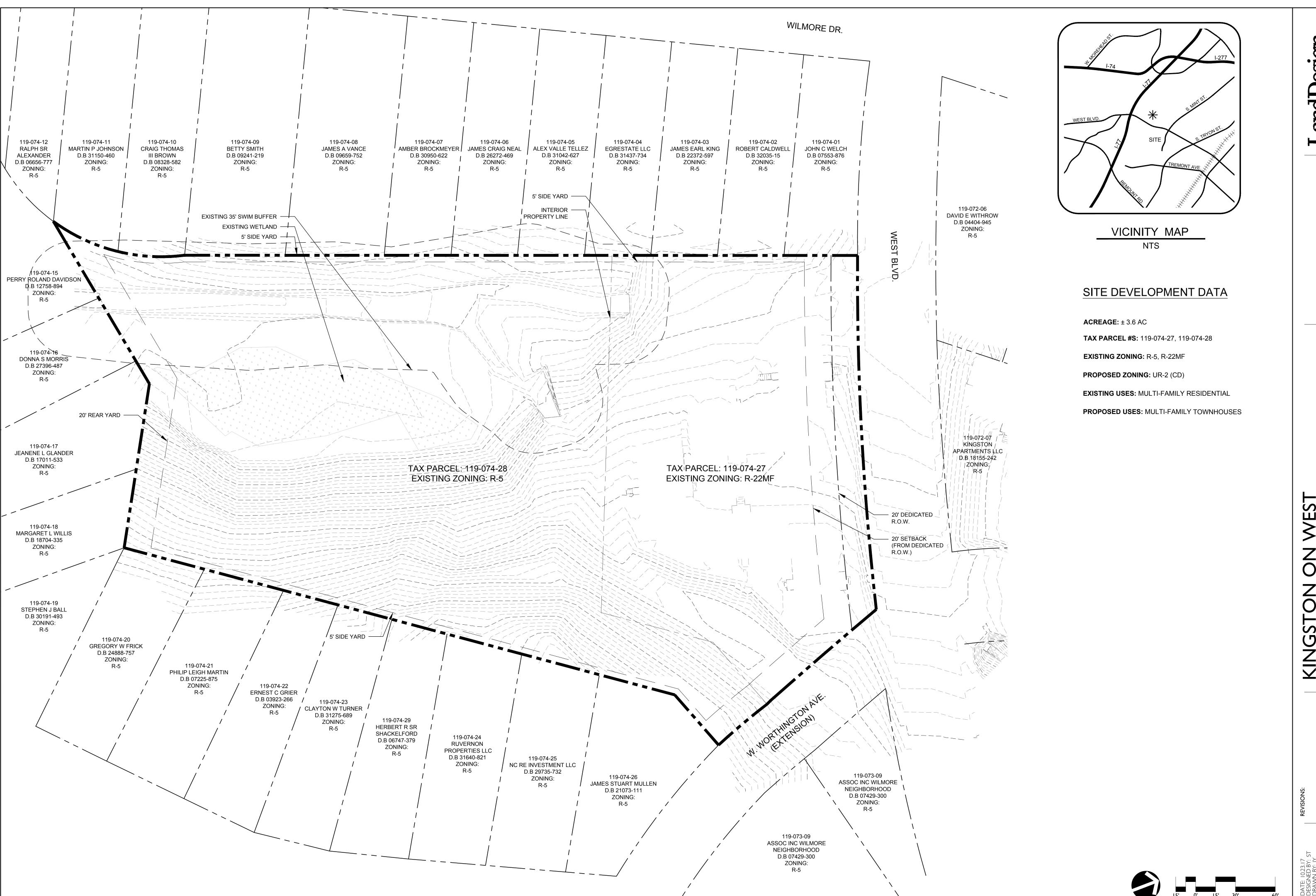
I. REZONING APPLICATION CITY OF CHARLOTTE

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BY:	s is a s a	6 5 8 N	4000	2 5 V 4 5	occan	None of the last o

2	1017-168
Petition #:	
Date Filed:	10/20/2017
Received By: _	- Pa

Complete All Fields (Use additional pages if needed)

Property Owner: 601 Kingston LLC				
Owner's Address: 5226 Addison Drive	City, State, Zip: Charlotte, NC 28211			
Date Property Acquired: December 22, 2004 and March 6, 2007				
Property Address: 601, 607 and 615 West Boulevard and	541 West Worthington Avenue			
Tax Parcel Number(s): 119-074-27 and 119-074-28				
Current Land Use: Multi-family & Vacant single family	Size (Acres):+/- 3.698 acres			
Existing Zoning: R-22 MF & R-5	Proposed Zoning: UR-2 (CD)			
Overlay: Wilmore Historic District	(Specify PED, Watershed, Historic District, etc.)			
Required Rezoning Pre-Application Meeting* with: Solomor Date of meeting: October 18, 2017				
(*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): N/A			
Purpose/description of Conditional Zoning Plan: <u>To accomm</u>	·			
site that will contain up to 41 single family attached dwellin				
John Conneith LAD Line David				
John Carmichael (Robinson Bradshaw) Name of Rezoning Agent	J.S. & Son's Construction Company, LLC (c/o James Scruggs) Name of Petitioner(s)			
101 N. Tryon Street, Suite 1900	5226 Addison Drive			
Agent's Address	Address of Petitioner(s)			
Charlotte, NC 28246	Charlotte, NC 28211			
City, State, Zip	City, State, Zip			
704-377-8341 Telephone Number Fax Number	704-249-7718 Telephone Number Fax Number			
jcarmichael@robinsonbradshaw.com	james@upfamilyhomecare.com			
E-Mail Address	E-Mail Address			
601 KINGSTON LLC	J.S. & SON'S CONSTRUCTION COMPANY, LLC			
By: Signature of Property Owner	By: Signature of Petitioner			
_SAMES SCRUGE'	_			
Name Typed / Printed)	(Name Typed / Printed)			
	• • • • • • • • • • • • • • • • • • • •			



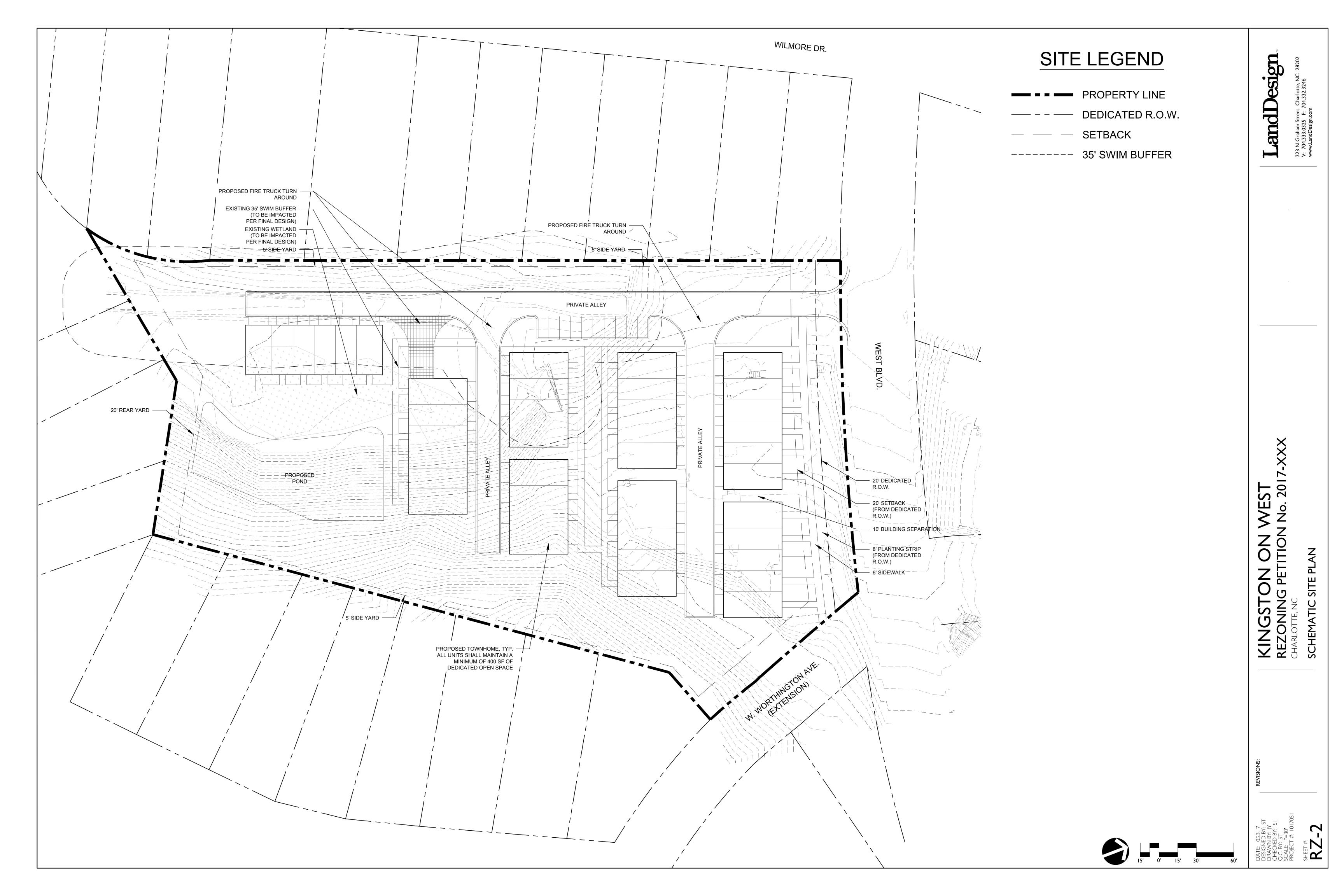
Land Design

L CN WEST FITION No. 2017-XXX

REZONING PETI CHARLOTTE, NC

REVISIONS:





DEVELOPMENT STANDARDS

October 23, 2017

A. General Provisions

- 1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by J.S. & Son's Construction Company, LLC ("Petitioner") to accommodate the development of a residential community on that approximately 3.698 acre site located on the south side of West Boulevard at the intersection of West Boulevard and West Worthington Avenue, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Nos. 119-074-27 and 119-074-28.
- 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 building footprints as well as the internal private drives and alleys 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 subject to Section 6.207 of the Ordinance.

B. <u>Permitted Uses</u>

1. The Site may be devoted only to a residential community containing a maximum of 41 for sale single family attached dwelling units and to any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district.

C. Transportation

- 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 and/or the North Carolina Department of Transportation.
- 2. As depicted on the Rezoning Plan, the Site will be served by internal private drives and internal private alleys, and minor adjustments to the locations of the internal private drives and the internal private alleys shall be allowed during the construction permitting process.
- 3. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.

D. Architectural Standards

- 1. The maximum height in stories of the single family attached dwelling units to be located on the Site shall be 4 stories with optional rooftop terraces.
- 2. The maximum height in feet of each building containing single family attached dwelling units shall be 48 feet as measured under the Ordinance.
- 3. The primary exterior building materials for the new 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 siding.
- 4. Vinyl may not be used as an exterior building material on any building to be constructed on the Site. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.

E. Streetscape/Screening

1. Petitioner shall install a minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's frontage on West Boulevard as generally depicted on the Rezoning Plan. The sidewalk, planting strip or portions thereof may be located in a sidewalk utility easement.

F. Open Space

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

G. Environmental Features

- 1. Development of the Site shall comply with the City of Charlotte Tree Ordinance.
- 2. The tree save areas depicted on the Rezoning Plan are conceptual, and the actual locations of the tree save areas on the Site may vary from what is depicted on the Rezoning Plan. The actual locations of the tree save areas shall be determined during the site plan approval and permitting process.
- 3. Development of the Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- 4. The location, size and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

H. Lighting

- 1. All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the internal private drives, internal private alleys 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 directed.

I. Binding Effect of the Rezoning Documents and Definitions

- 1. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- 2. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal

representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

3. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

LandDesign

FON ON WEST
JG PETITION No. 2017->

DEVELOPMENT

REVISIONS:



ZONING ORDINANCE TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTEECEIVED

OCT 2 0 2017

FY2017 Petition #:	2017-169
Date Filed:	10/20/2017
Received By:	B
Off	ice Use Only

Section #: 12.403

Solid waste containers, compactors, recycling containers, solid waste and recycling handling areas, and service entrances.

City of Charlotte - Solid Waste Services Department

Purpose of Change:

The purpose of the text amendment is to 1) modify the title, 2) modify the language for set aside space for solid waste and recycling containers in multi-family complexes, and 3) modify the table for required space allocation for recycling containers in multi-family units. The amendment is required to align with revisions to Chapter 10: Health and Sanitation Ordinance with an effective date of January 1, 2018.

Ellen Price		<u> City of Charlotte – Solid Wa</u>	<u>ste Services Department</u>
Name of Agent		Name of Petitioner(s)	
1105 Otts Street		1105 Otts Street	
Agent's Address		Address of Petitioner(s)	
Charlotte, NC 28205		Charlotte, NC 28205	444/845/885/88
City, State, Zip		City, State, Zip	
(704) 302-3566 (cell)	(704) 336-4945	(704) 336-3410	(704) 336-4945
Telephone Number	Fax Number	Telephone Number	Fax Number
eprice@charlottenc.gov		vojohnson@charlottenc.gov	_
E-Mail Address		E-Mail Address	
		Victoria O. Johnson	
Signature of Agent		Signature	•

Petition #: Petitioner:	
ORDINANCE NO	AN ORDINANCE AMENDING APPENDIX A OF THE CITY CODE - ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. CHAPTER 12: DEVELOPMENT STANDARTDS OF GENERAL APPLICABILITY

1. PART 4: ACCESSORY USES AND STRUCTURES

a. Amend Section 12.403, Subsection (4) "Solid waste containers, compactors, recycling containers, solid waste and recycling handling areas, and service entrances", 1) modifying the title, 2) modifying the language for set aside space for solid waste and recycling containers in multi-family complexes, and 3) modify the table for required space allocation for recycling containers in multi-family units. The modifications shall read as follows:

Section 12.403. <u>Solid waste containers, compactors, recycling containers, solid waste and recycling handling areas, and service entrances.</u>

The following requirements shall apply to all <u>Large Waste Containers</u> (as defined in Chapter 10 of the city code) and any solid waste containers (including dumpsters), compactors, recycling containers stations, solid waste <u>handling areas</u>, and recycling handling areas and service entrances accessory to any multifamily or nonresidential use and shall be shown on submitted plans:

(4) All non-residential uses that are permitted after October 17, 2001, shall be required to set aside space for <u>any Large Waste Container and any recycling and solid waste containerstations</u>. Equal space shall be allocated for both <u>Large Waste Containers</u> and recycling and solid waste containers tations. Any <u>Sapace allocation for each of these containers</u> shall be indicated on the submitted plans even if containers are not proposed as the primary method of solid waste or recycling collection.

All multi-family complexes, which are permitted after October 17, 2001, shall be required to set aside space for <u>any Large Waste Container and any</u> recycling containers and <u>solid waste containers</u> used for the collection of solid waste as follows:

Space for <u>Large Waste Container</u>. solid waste containers—At a minimum, space for an eight (8) cubic yard container per each thirty (30) units or eight (8) cubic yard compactor per each ninety (90) units. If there are less than thirty (30) units, For eleven (11) units or less, no space allocation is required unless a <u>Large Waste Container solid waste container service is will be used for the primary method of collection. For twelve (12) units or more, the minimum space allocation shall be an eight (8) cubic yard container per every thirty (30) units or eight (8) cubic yard compactor per every ninety (90) units.</u>

Space for recycling containers stations shall be allocated as follows:

quired space allocation for recycling containers-stations in multi-family units.				
Number of Units	Allocate space for:	Approximate Sq. footage required		
0— 29 <u>11</u>	No space required	No space required		
30 12—80	One recycling station	144 sq. ft.		
81—160	Two recycling stations	2 × 144 sq. ft. (288 sq. ft. total)		
161—240	Three recycling stations	3 × 144 sq. ft. (432 sq. ft. total)		
241—320	Four recycling stations	4 × 144 sq. ft. (576 sq. ft. total)		
321—400	Five recycling stations	5 × 144 sq. ft. (720 sq. ft. total)		
401—480	Six recycling stations	6 × 144 sq. ft. (864 sq. ft. total)		

For each subsequent group of 80 units, space for one recycling station must be added.

Each recycling station represents space for five 96-gallon carts and is approximately 144 sq. ft. Space for recycling stations may be distributed throughout the complex, however, space for each individual station must equal 144 sq. ft. with a minimum width of 34 inches and accommodate five 96-gallon carts.

All locations for recycling <u>stations</u>containers, solid waste <u>handling areas</u>, <u>and</u>-recycling handling areas, <u>Large Waste Containers</u> <u>solid waste containers and/or compactors</u> and their service entrances as required under section 12.403 shall be shown on site plans for their review and approval.

Exceptions to section 12.403, item (4). A permit shall not be denied if: (a) the project for which the permit is sought is for the renovation or redevelopment of an existing building or facility, and (b) the existing building or facility does not have sufficient exterior property available for any recycling container(s)station. The minimum number of parking spaces required by these regulations may be reduced by up to three (3) spaces, if necessary, to provide space for the location and servicing of any recycling containers stations.

(Ord. No. 1935, § 1, 10-17-2001; Ord. No. 2056, § 1, 4-15-2002; Ord. No. 2850, § 1, 12-20-2004)

Editor's note— Ord. No. 2850, § 1, adopted December 20, 2004, changed the title of section 12.403 from "Dumpsters, compactors, recycling containers, solid waste handling areas, and service entrances" to "Solid waste containers, compactors, recycling containers, solid waste and recycling handling areas, and service entrances."

Approved as to form:	
City Attorney	
•	C'es Clade of the C'es of Chadette Newly Court's a DO HEDERY CERTIEN
that the foregoing is a true and of Carolina, in regular session con	City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North vened on the day of, 20, the reference having, and recorded in full in Ordinance Book, Page(s)
WITNESS my hand and the con, 20	rporate seal of the City of Charlotte, North Carolina, this the day of
	www.charlotteplanning.org

Section 2. That this ordinance shall become effective upon its adoption.

I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #: _	2017-170
Date Filed:	10/23/2017
Received By:	R.

Complete All Fields (Use additional pages if needed)

Property Owner: South 48, LLC	
Owner's Address: —223 Atherton Street	City, State, Zip: -Charlotte_NC_28203
Date Property Acquired: 7/2017	
Property Address: 2425, 2443, 2501 South Blvd.	OCT 2 3 2017
Tax Parcel Number(s): 12107704, 05, 06	BY: 67 10:18 Am
Current Land Use: E ,D,E,E and related parking	Size (Acres): Approx. 1.40+/-
Existing Zoning: B-2	Proposed Zoning: TOD-M
Overlay: etc.)	(Specify PED, Watershed, Historic District,
Required Rezoning Pre-Application Meeting* with: <u>Solomor</u> Date of meeting: <u>October 4, 2017</u>	n Fortune, et. Al.
(*Rezoning applications will not be processed until a required held.)	red pre-application meeting with a rezoning team member is
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimur	n? Yes/No. Number of years (maximum of 5):
Purpose/description of Conditional Zoning Plan:	
Walter Fields Name of Rezoning Agent	South 48, LLC Name of Petitioner(s)
1919 South Blvd,. suite 101	223 Atherton Street
Agent's Address	
Charlotte, NC 28203	Address of Petitioner(s)
	Charlotte, NC 28203
City, State, Zip	City, State, Zip
	Charlotte, NC 28203
City, State, Zip 704-372-7855 704-372-7856	City, State, Zip
City, State, Zip 704-372-7855 Telephone Number Waltr@walterfieldsgroup.com	Charlotte, NC 28203 City, State, Zip 704-333-7997 Telephone Number Fax Number hal@redpartners.com

I. REZONING APPLICATION **CITY OF CHARLOTTE**

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origiosity sky. All rospensive		0(2	3	20	egenmento (Canadas-quo	
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	2011-	(((
Petition #:		
	. /	/
Date Filed: _	10/2	3/2017

Complete All Fields (Use additional pages if needed)	Received By:
Property Owner: Ronald W. and Tracy C. Singer; Robin P. and Clau	dio S. Woschkolup; Joe M. and Marshall W. Ardrey
Owner's Address: 11026 Beau Riley Rd; 10115, 10027 Ardre	y Kell Rd City, State, Zip: Charlotte, NC 28277
Date Property Acquired: 6/20/2016; 10/22/2016; 5/21/2016	4; 10/13/2005; 5/11/2001; 6/6/2006
Property Address: 11000, 11026 Beau Riley Rd; 10115, 100	27 Ardrey Kell Rd; 9034 Wade Ardrey Rd
Tax Parcel Number(s): 229-021-19, 229-021-14, 229-021-05	5; 229-021-13; 229-021-87; 229-021-03; 229-021-22
Current Land Use: Single Family/Large Lot Residential/Vacan	t/Agriculture Size (Acres): _+/- 36 acres
Existing Zoning: R-3	Proposed Zoning: MX-2 (INNOV)
Overlay: None	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: <u>John Kinl</u> Date of meeting: <u>8/15/17</u>	ey, Kent Main, Grant Meacci
(*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): <u>Yes, 5 years</u>
Purpose/description of Conditional Zoning Plan: <u>to accomm</u>	odate the development of a single-family in-fill residential
community with standards to allow significant areas of active	and passive open spaces, needed street network
improvements, and alley-accessed garages that, together, w	ill create an attractive, pedestrian-friendly community.
Collin Brown and Bailey Patrick, Jr.	Century Communities
Name of Rezoning Agent	Name of Petitioner(s)
214 N. Tryon Street, 47th Floor Agent's Address	7400 Carmel Executive Park Drive, Suite 205 Address of Petitioner(s)
-	• •
Charlotte, NC 28202 City, State, Zip	Charlotte, NC 28226 City, State, Zip
	704-756-5316
704-331-7531 704-353-3231 Telephone Number Fax Number	Telephone Number Fax Number
Collin.Brown@klgates.com	
E-Mail Address	Andrew.Rouzer@centurycommunities.com
	Andrew.Rouzer@centurycommunities.com E-Mail Address
See Attached Joinder Agreement	E-Mail Address
See Attached Joinder Agreement Signature of Property Owner	E-Mail Address
	E-Mail Address Council Rouger

REZONING PETITION NO. 2017-xxx

CENTURY COMMUNITIES, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at or near the intersection of Ardrey Kell Road and Beau Riley Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel Nos. 229-021-05; 229-021-13; 229-021-87; 229-021-03; and 229-021-22 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested rezoning as more particularly set out on the associated conditional rezoning plan.

2017.

This day of
Robin P. Woschkolup
Claudio S. Woschkolup
. 1
Jos - Ardrey JoeM. Ardrey
JoefM. Ardrey
11.11111
Marshall W. Asher
Marchall W Ardrew

REZONING PETITION NO. 2017-xxx

CENTURY COMMUNITIES, PETITIONER

JOINDER AGREEMENT

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This Isi day of Deroser, 2017.

Robin P. Woschkolup

Claudio S. Woschkolup

Joe M. Ardrey

Marshall W. Ardrey

REZONING PETITION NO. 2017-xxx

CENTURY COMMUNITIES, PETITIONER

JOINDER AGREEMENT

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This 22 day of 3 crose2, 2017.

Ronald W. Singer

Tracy C. Singer

N. Todd Owens, Receiver

REZONING PETITION NO, 2017-xxx

CENTURY COMMUNITIES, PETITIONER

JOINDER AGREEMENT

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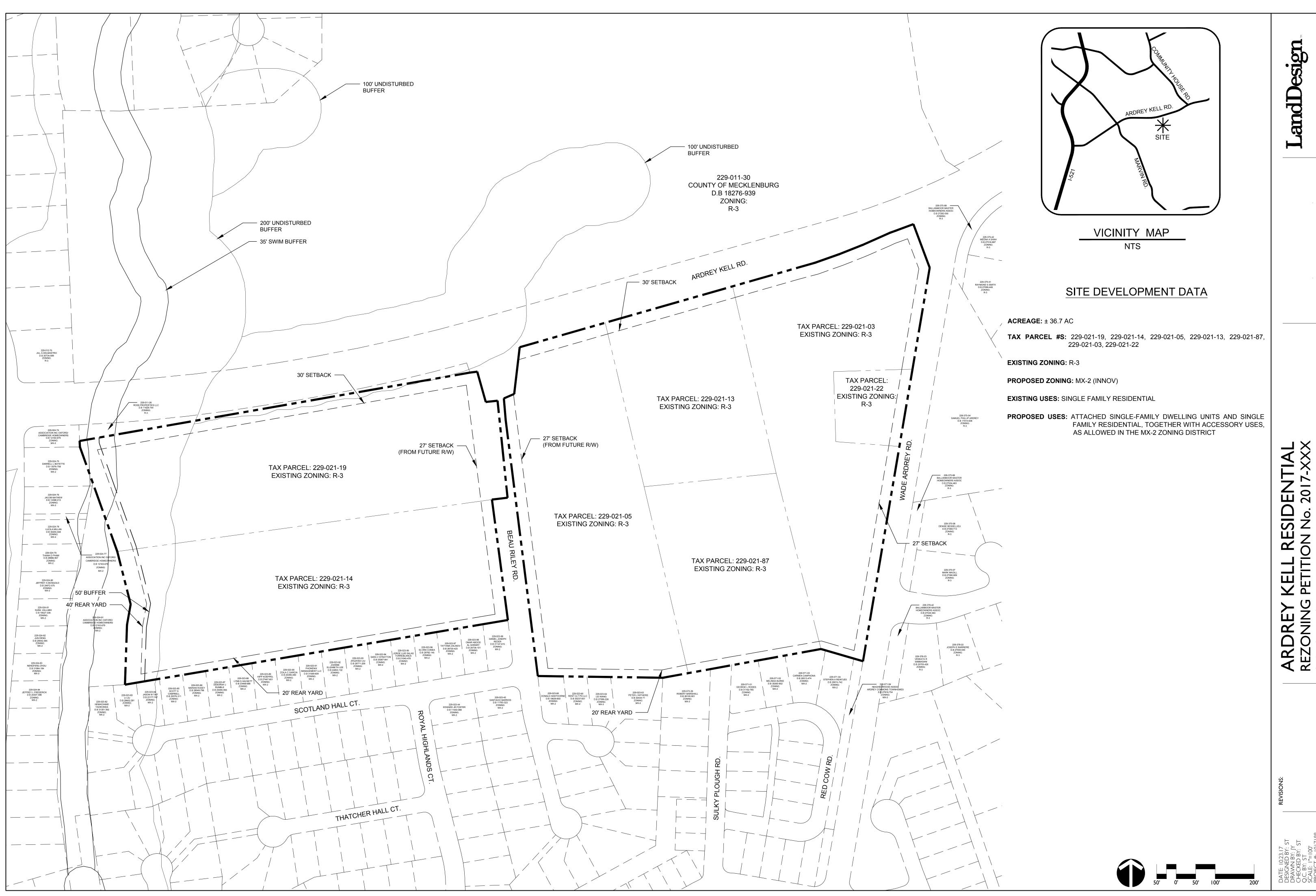
This NO day of Cotober, 2017.

Ronald W. Singer

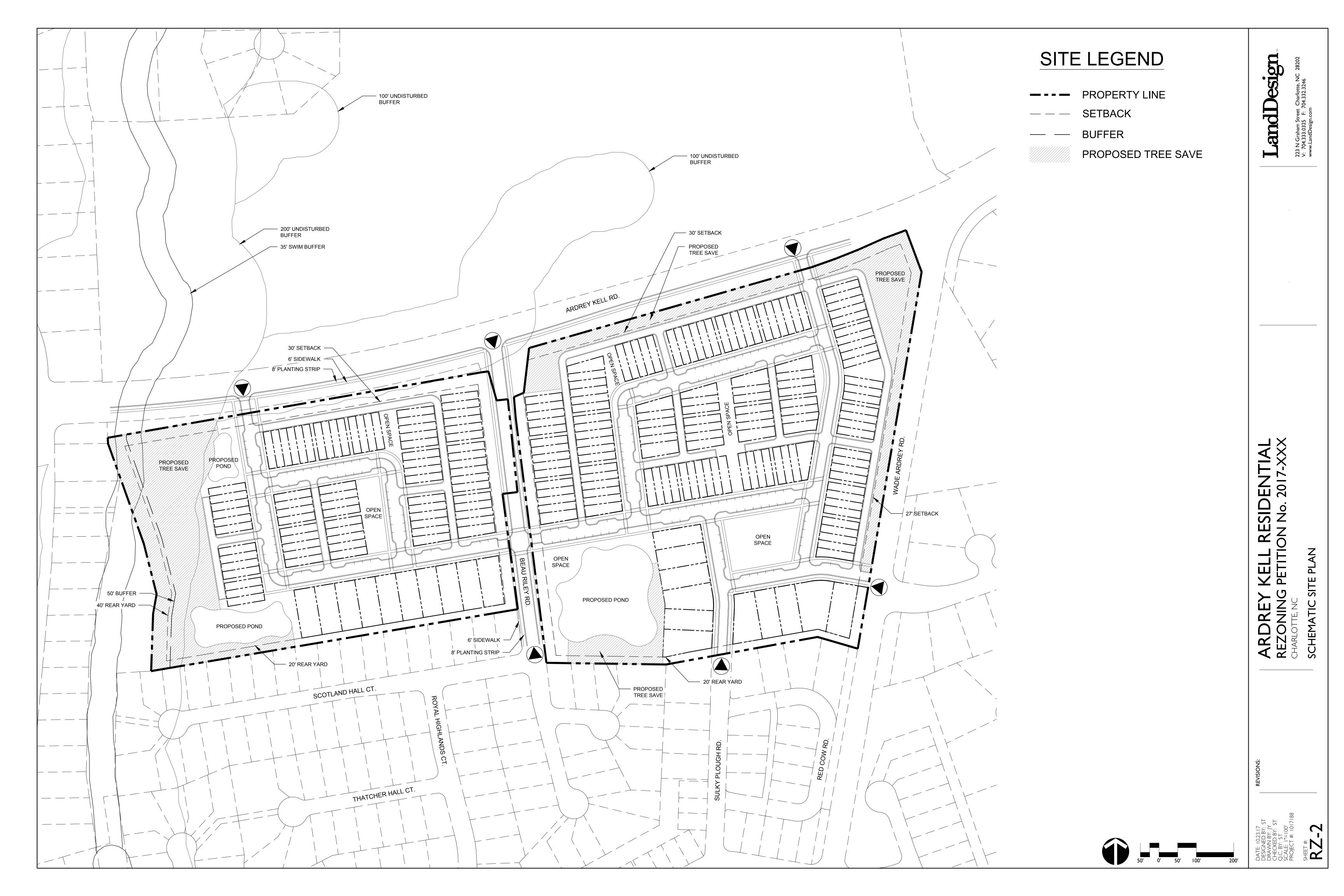
Tracy C. Singer

N. Todd Owens, Receiver





TECHNICAL



Century Communities

REZONING PETITION NO. 2017-XXX

DEVELOPMENT STANDARDS

10/20/2017

Development Data Table:

Acreage: +/- 36.7 acres

Tax Parcels: 229-021-19, 229-021-14, 229-021-05, 229-021-13, 229-021-87, 229-021-03, and 229-021-22

Existing Zoning: R-

Proposed Zoning: MX-2 (INNOV)
Existing Use: Single-Family Residential

Descripting Use. Single-Painty Residential

Proposed Uses: Attached Single-Family Dwelling Units and Single-Family Residential, together with accessory uses, as

allowed in the MX-2 zoning district

Density Proposed: Up to 6.7 units/acre, but not to exceed 245 dwelling units Parking: Will satisfy the Ordinance

I. General Provisions

- 1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Century Communities (the "Petitioner") to accommodate the development of a residential community on that approximately 36.7 acre site located on the south side of Ardrey Kell Road, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 229-021-19, 229-021-14, 229-021-05, 229-021-13, 229-021-87, 229-021-03, and 229-021-22.
- 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 MX-2 zoning district shall govern the development and use of the Site.
- 4. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall be minor and not materially change the overall design intent depicted on the Rezoning Plan.
- 5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

II.Permitted Uses

The Site may be devoted only to a residential community with up to 220 attached dwelling units and 25 detached dwelling units, together with any incidental and accessory uses relating thereto that are allowed in the MX-2 zoning district. Non-residential uses will not be permitted on the Site.

III. Innovative Development Standards

- 1. The Petitioner proposes to provide a 20 foot building setback along the internal streets and exterior property lines.
- 2. The Petitioner requests flexibility under the innovative development standards to provide alternative streetscape conditions, as generally depicted on the Rezoning Plan.

IV. Transportation

- 1. Vehicular access will be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access point shown on the Rezoning Plan is subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
- 2. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.
- 3. Where necessary, Petitioner shall dedicate and convey in fee simple all rights-of-way to the City of Charlotte before the Site's first building certificate of occupancy is issued or phased per the Site's development plan. The right-of-way shall be set at two (2) feet behind the back of sidewalk where feasible.

V. Architectural Standards

- 1. The principal buildings used for multi-family residential uses constructed on the Site may use a variety of building materials. The building materials used for buildings will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, synthetic stone, stucco, cementatious siding (such as Hardi-plank), vinyl, EIFS or wood.
- 2. Attached townhome buildings shall be limited to six (6) individual units or fewer per building.
- 3. Each residential dwelling unit shall be provided with a minimum one-car garage.

VI. Streetscape, Landscaping and Open Space

- 1. Per Section 11.207 of the Ordinance, at least 10% of the Site shall be set aside as common open space. The required open space will be set aside and improved as required by the Ordinance. The possible locations of the common open space areas are generally depicted on the Rezoning Plan.
- 2. A thirty (30) foot building setback measured from the existing right-of-way on Ardrey Kell Road will be provided. This setback shall be landscaped to meet Class C buffer standards when the rear yards of the proposed residential units are located adjacent to the setback.
- 3. As per the innovative provisions above, a minimum building setback of twenty (20) feet as measured from the property line or back of proposed sidewalk shall be provided in areas as generally indicated on the Rezoning Plan.
- 4. The Petitioner may subdivide the Site and create sublots within the Site with no side or rear yards as part of a unified development
- 5. The Petitioner shall provide an eight (8) foot planting strip and a six (6) foot sidewalk along all public and private streets within the
- 6. Buffers will be provided as generally depicted on the Rezoning Plan. The fifty (50) foot buffer along the western Site boundary line will be an undisturbed buffer.

VII. Environmental Features

- 1. The Petitioner shall comply with the Charlotte City Council approved Post Construction Stormwater Ordinance.
- 2. The location, size and type of stormwater management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
- 3. The Site will comply with the Tree Ordinance. The locations of the proposed 15% tree save areas are generally depicted on the Rezoning Plan. Portions of the tree save area shall be permitted in the private open space.

VIII.Lighting

1. The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed twenty-one (21) feet.

IX. Amendments to Rezoning Plan

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

X.Binding Effect of the Rezoning Documents and Definitions

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

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

LandDesign

REY KELL RESIDENTIA NING PETITION No. 2017-XX

DEVELOPMEN



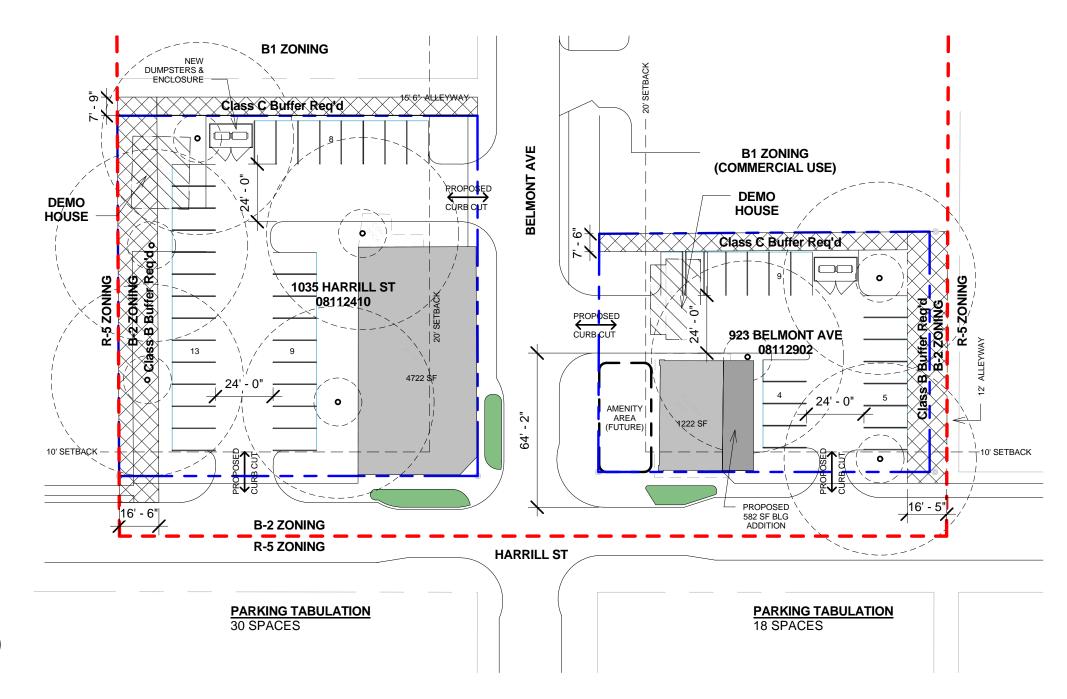
I. REZONING APPLICATION **CITY OF CHARLOTTE**

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Petition #:	
Date Filed:	10/23/2017
Received By:	8,

Complete All Fleids (Use additional pages if needed)	
Property Owner: City of Charlotte	
Owner's Address: 600 E Fourth Street	City, State, Zip:Charlotte, NC 28202
Date Property Acquired: 9/23/2014	
Property Address: 1035 Harrill Street & 923 Belmont Avenue	
Tax Parcel Number(s): #08112410 & 08112902	
Current Land Use: vacant	Size (Acres): .52ac & .324ac
Existing Zoning: B-1	Proposed Zoning: MUDD-O
Overlay:	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Pre Develop Date of meeting: 10.5.2017	pment meeting
(*Rezoning applications will not be processed until a required	pre-application meeting with a rezoning team is held.)
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimum?	Yes Number of years (maximum of 5):
Purpose/description of Conditional Zoning Plan: to allow repurposing of two existing comments of the existing comments of	
	and the charlest Populations
Todd DeLong Name of Rezoning Agent	Name of Petitioner(s)
600 East Trade Street Agent's Address	600 East 4 th Street Address of Petitioner(s)
Charlotte, NC 28202 City, State, Zip	Charlotte, NC 28202 City, State, Zip
704-432-2989 Telephone Number Fax Number	7.4.249-6148 Telephone Number Fax Number
tdelong@ci.charlotte.nc.us E-Mail Address	E-Mail Address
Signature of Property Owner	Signature of Petitioner
	Tout kords
(Name Typed / Printed)	(Name Typed / Printed)

SITE DATA A. SITE ACREAGE: 0.52 & .324 B. TAXCEL PARCEL ID: 08112410 & 08112902 C. EXISTING ZONING: B-1 & B-1 D. PROPOSED ZONING: MUDD-0 EXISTING USE: VACANT COMMERCIAL BLG PROPOSED USE: SEE 4A G.BUILING SIZE: 4722 SF & 1222 SF FRONT SETBACK: 10' MIN MIN. SIDE YARD: NONE MIN. REAR YARD: NONE MAX EXISTING BUILDING HEIGHT: 40°



PRELIMINARY SITE PLAN



BELMONT COMMERCIAL PROPERTIES

Charlotte, North Carolina

DEVELOPMENT STANDARDS 1. GENERAL PROVISIONS

GENERAL PROVISIONS

A. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE
PLAN AND BY THE STANDARDS OF 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 DEVELIPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.2 OF THE ZONING

B. THE PETITIONER ACKNOLWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, BICYCLE PARKING, AND SITE DEVELIPMENT, MAY NOT APPLY TO THE DEVELOPMENT OF THIS 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 ASSIGNESS OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.

D. THE TOTAL NUMBER OF PRINCIPLE BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATIONS 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. ENCLOSED ACCESSORY BUILDINGS SHALL NOT EXCEED

2 OPTIONAL PROVISIONS

. OPTIONAL PROVISIONS

A. THE SITE MAY PROVIDE AUTO PARKING AT A RATE OF 1 SPACE PER 400 SF GROSS FLOOR AREA OF THE PRIMARY BUILING, REGARDLESS OF USE.

B. BUFFERING PROVIDED FOR ADJACENT SINGLE-FAMILY USE OR ZONING MAY BE SATISFIED BY PROVIDING A 6' HIGH WIRE MESH "LIVING SCREEN" PLANTED WITH EVERGREEN CLIMBING VEGETATION (NOT CHAIN-LINK FENCE).

A. THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE ADAPTIVE RE-USE OF THE EXISTING 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

4. PERMITTED USES

A. USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION WILL BE EATING, DRINKING A. USE STETTAMENT ESTABLISHMENT ST. (TYPE 1.0 R TYPE 2), NEIGHE OF A THING, DRINKING, AND STRETHINMENT ESTABLISHMENT ST. (TYPE 1.0 R TYPE 2), NEIGHE OF A TOOD AND BEVERAGE SERVICES, EXERCISE GYM, GENERAL FOR FORTICE, RETAIL, AND/OR RESIDENTIAL USES, AS WELL AS RELATED ACCESSORY USES AS ARE PERMITTED IN THE MUDD-O DISTRICT. B. IF ALCOHOL IS SOLD ON SITE, FOOD MUST BE OFFERED FOR SALE AS WELL.

5. TRANSPORTATION
A. THE SITE WILL HAVE ACCESS VIA PARKING LOT CONNECTIONS TO BELMONT AVE AND HARILL ST
AT LOCATIONS PRESCRIBED BY CDOT AS GENERALLY IDENTIFIED ON THE CONCEPT PLAN FOR THE

SITE.

B. THE PETITIONER WILL DEDICATE AND CONVEY FEE SIMPLE TO THE CITY, RIGHT OF WAY PRIOR TO THE ISSUANCE OF THE BUILDINGS FIRST CERTIFICATE OF OCCUPANCY.

6. ARCHITECTURAL STANDARDS
A. THE BUILDING FINISHES WILL INCLUDE BRICK, STONE AND/OR OTHER MASONRY PRODUCTS AND A. THE BUILDING FINISHES WILL INCLUDE BRICK, STONE AND/OR OTHER MASONRY PRODUCTS AND CEMENTITIOUS SIDING OR OTHER SIMILAR DURABLE SIDING MATERIALS. PLASTIC OR METAL MATERIALS MAY BE USED FOR INCIDENTAL ARCHITECTURE DETAILS INCLUDING WINDOWS, DOORS, AND TRIM DETAILS. NO VINIV. WILL BE USED AS SIDING MATERIAL. B. TRASH AND RECYCLING WILL BE PROVIDED BY DUMPSTERS ON SITE.
C. BUILDING FACADES WILL BE ARTICULATED WITH DETAILS SUCH AS STORE FRONT WINDOWS, CANOPIES, PORCHES, CORNICES, ROOF LINES AND WINDOW DETAILS TO AVOID BLANK FACADES AND ENCOURAGE ACTIVE PEDESTRIAN USE.

AND ENCOURAGE ACTIVE PEDESTRIAN USE.

7. 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 BELMONT AVE AND HARRILL AVE.
B. THE PETITIONER WILL SCREEN PROPOSED PARKING FROM ADJOINING RESIDENTIAL
PROPERTIES AS DESCRIBED IN 2[6), BADOVE.
C. THE SITE WILL COMPLY WITH TREE ORDINANCE.

8. ENVIRONMENTAL FEATURES
A. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND
ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE.
B. ALL UTILITIES WITHIN THE SITE WILL BE PLACED UNDERGROUND.

9. PARKS, GREENWAYS, AND OPEN SPACE
A. RESERVED

A RESERVED

10. FIRE PROTECTION A. RESERVED

11. SIGNAGE A. RESERVED

A. RESERVED

1. 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.

13. PHASING

A BESEPUED

A. RESERVED

14. BINDING EFFECT OF THE REZONING APPLICATION

A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICATIONS TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER 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 THE INTEREST AND ASSIGMS.

B. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PRESONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGMS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME BE INVOLVED IN ANY PUTURE DEVELOPMENT THEREOF.

C. ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.

Preliminary Site Plan

PROJECT NO. ASP-1 02-1621 SCALE: AS NOTED SHT REF: DATE:10/19/17





PLANNING • ARCHITECTURE • INTERIORS

1318 CENTRAL AVENUE :: SUITE A-10
C H A R L O T T E , N C 28 2 0 5
T E L :: 7 0 4 . 2 5 8 . 3 9 6 3

BELMONT COMMERCIAL PROPERTIES

Charlotte, North Carolina

•••	imiary One	toriacinigo
	PROJECT NO.	_
	02-1621	ASP-2
	SCALE: AS NOTED	SHT REF:
		DATE:10/19/17





PLANNING • ARCHITECTURE • INTERIORS

1318 CENTRAL AVENUE :: SUITE A-10
CHARLOTTE, NC 28 205
TEL :: 704.258.3963

BELMONT COMMERCIAL PROPERTIES

Charlotte, North Carolina

•••	imiary One	toriacinigo
	PROJECT NO.	_
	02-1621	ASP-3
	SCALE: AS NOTED	SHT REF:
		DATE:10/19/17

I. REZONING APPLICATION CITY OF CHARLOTTE



Petition #:

Date Filed:

Received By:

Property Owners:	AP 1930 Camden Road LLC	<u> </u>	
Owner's Addresses:	1616 Camden Road, Ste. 2	210, Charlotte, NC 28203	
Date Properties Acquired:	04/07/2017		
Property Addresses:	240 Doggett St, Charlotte	, NC 28203	
Tax Parcel Numbers:	portion of 121-012-10		
Current Land Use:	parking deck	(Acres):	<u>* 1.416</u>
Existing Zoning:	<u>MUDD</u> Pro	oposed Zoning: MUDD-O	
Overlay:	N/A (Specify PED, 1	Watershed, Historic Distric	ct, etc.)
Required Rezoning Pre Carlos Alzate, and Isa		Alan Goodwin, Catherin	e Mahoney, Brent Wilkinson, Jennifer Frixe
Date of meeting:	09/14/2017		
(*Rezoning applicati	ons will not be processed until a	required pre-application mee	eting with a rezoning team member is held.)
For Conditional Rea	zonings Only:		
Requesting a vesting	period exceeding the 2 yea	r minimum? □Yes ☑No. N	umber of years (maximum of 5): <u>N/A</u>
	of Conditional Zoning Plan: _ adopted land use policies.	To develop a residential	building on the site with ground floor
Bridget Grant & Jeff Name of Rezoning Age		RAM Realty Name of Petit	Advisors (Attn: Rachel Russell)
Moore & Van Allen,	PLLC		
100 N. Tryon Street, Agent's Address	Suite 4700	1930 Camde Address of Pe	n Road, Ste. 130 titioner
Charlotte, NC 28202		Charlotte, N	C 28203
Charlotte, NC 28202	•	City, State, Z	
704.331.2379 (BG) 704-331-1144 (JB)	704-378-1973(BG) 704-378-1925 (JB)	571.214.932) <u> </u>
Telephone Number	Fax Number	Telephone Nu	
	com; jeffbrown@mvalaw.cor		ealestate.com
E-mail Address		E-mail Addres	
SEE ATTACHMENT A		SEE ATTACH	
Signature of Property	OWNER	Signature of F	reduonel

ATTACHMENT A

REZONING PETITION NO. [2017-___] RAM Realty Advisors

OWNER JOINDER AGREEMENT AP 1930 Camden Rd LLC

The undersigned, as the owner of the parcel of land located at 240 Doggett Street, Charlotte, NC that is designated as a portion of Tax Parcel No. 121-012-10 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from MUDD zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This <u>Z3</u> day of <u>OCTOBER</u>, 2017.

AP 1930 Camden Rd LLC

By: 1660 KRACK 6 SURSE STOK - P 6 VELOPOMENT

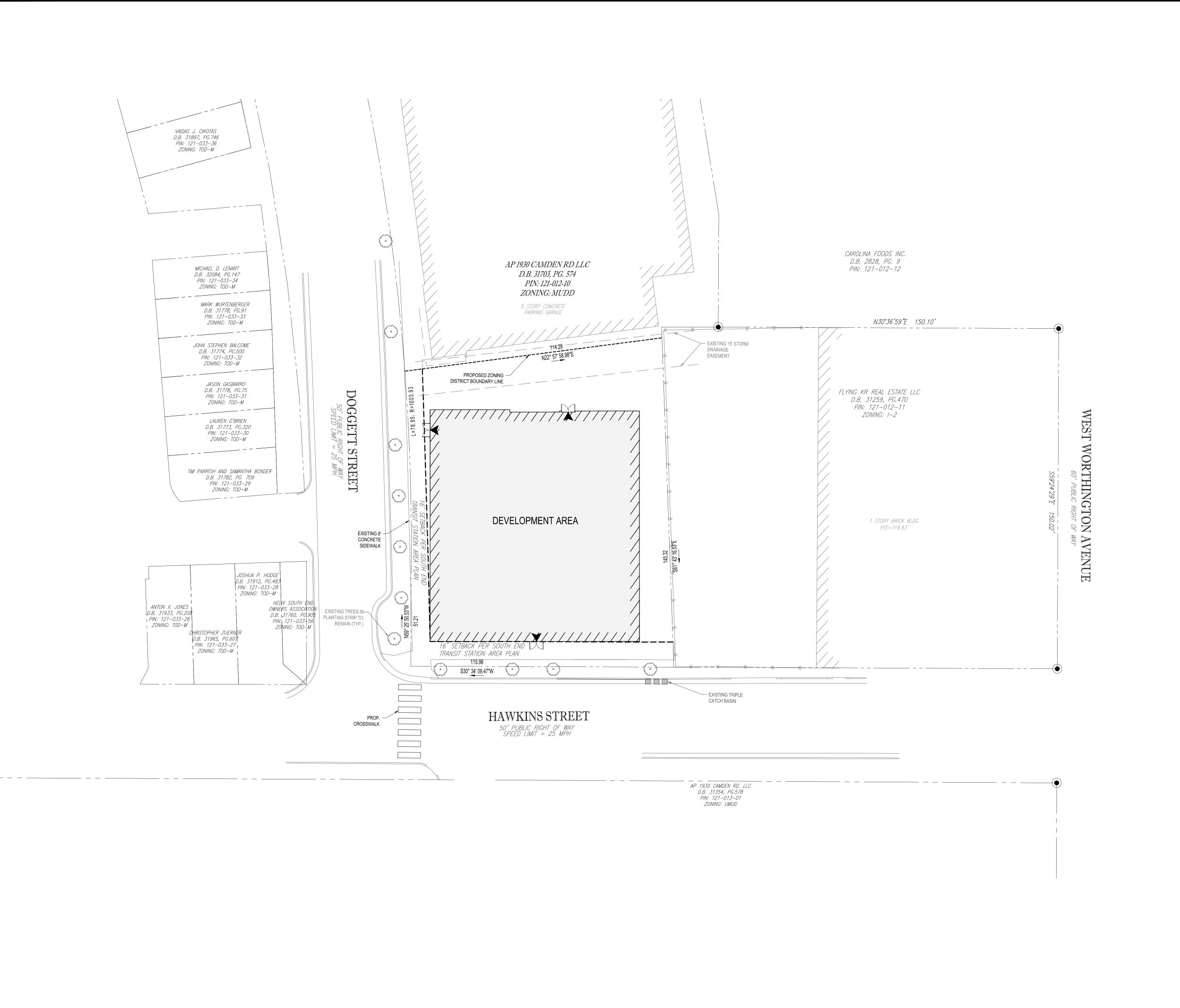
ATTACHMENT B

REZONING PETITION NO. [2017-] RAM Realty Advisors

Petitioner:

RAM Realty Advisors

By: PRETER TITLE: DIRECTOR



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LAND USE AND ZONING INFORMATION

RAM REALTY ADVISORS 1930 CAMDEN ROAD SUITE 130 APPLICANT: CHARLOTTE, NC 28203 CONTACT: RACHEL RUSSELL PHONE: (571) 214-9325

1. OWNER: AP 1930 CAMDEN RD LLC 1616 CAMDEN RD SUITE 210 CHARLOTTE, NC 28203

2. PARCEL: APPROXIMATELY 0.36 AC, A PORTION OF PARCEL NO. 121-012-10 INTERSECTION OF HAWKINS STREET AND DOGGETT STREET CITY OF CHARLOTTE MECKLENBURG COUNTY, NO

3. ZONING: EXISTING: MUDD PROPOSED: MUDD-(O)

EXISTING: VACANT PROPOSED: MULTIFAMILY AND RETAIL

	REVISIONS				
REV	DATE	COMMENT	BY		
_					



NOT APPROVED FOR CONSTRUCTION

It's fast. It's free. It's the law.

PROJECT No.:	NCC172099
DRAWN BY:	NF
CHECKED BY:	RH
DATE:	10/23/2017
SCALE:	1" = 20'
CAD I.D.:	RZ0

REZONING DOCUMENTS

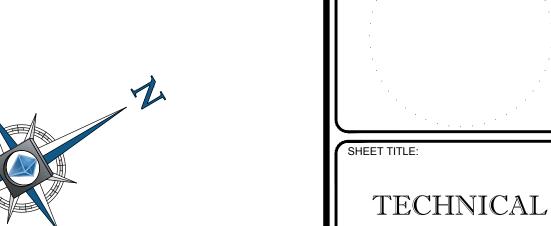
RAM REALTY

ADVISORS ram

LOCATION OF SITE INTERSECTION OF HAWKINS STREET AND DOGGETT STREET CHARLOTTE, NC 28203



CHARLOTTE, NC 28203 Phone: (980) 272-3400 Fax: (980) 272-3401 NC@BohlerEng.com



DATA SHEET

RZ-1

SITE DEVELOPMENT DATA:

--ACREAGE: \pm .36 ACRES --TAX PARCEL #: PORTION OF 121-012-10

--EXISTING ZONING: MUDD

--PROPOSED ZONING: MUDD-O --EXISTING USES: VACANT

--PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD-O ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN SECTION 3 BELOW WHICH CONTROLS)

--MAXIMUM BUILDING HEIGHT: BUILDINGS THAT ARE PRIMARILY RESIDENTIAL MAY HAVE A MAXIMUM HEIGHT OF NON-RESIDENTIAL BUILDINGS SHALL BE PER THE PROVISIONS OF MUDD WITHIN THE ORDINANCE

--PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD-O ZONING CLASSIFICATION. PARKING MAY BE PROVIDED IN THE EXISTING ADJACENT PARKING DECK ON THE ADJACENT SITE.

LOCATED AT 240 DOGGETT STREET (THE "SITE") IT IS UNDERSTOOD THAT THE SITE IS CURRENTLY ZONED MUDD, AND THE PURPOSE OF THIS REZONING TO THE MUDD-O ZONING DISTRICT IS TO ALLOW DEVELOPMENT WITH A BUILDING (WITH OR WITHOUT MIXED USES) TO EXCEED A HEIGHT OF 120'

SITE LOCATION; PURPOSE OF REZONING. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND OTHER GRAPHICS SET FORTH ON ATTACHED RZ SHEETS FORM THIS REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PL

DOES NOT PREVENT DEVELOPMENT ON THE SITE FOR A BUILDING(S) OF 120' OR LESS; AND DEVELOPMENT OF A BUILDING OF 120' OR LESS; AND DEVELOPMENT OF A BUILDING OF 120' OR LESS SHALL BE REQUIRED TO ADHERE TO THE MUDD REQUIREMENTS/STANDARDS OF THE ORDINANCE BUT NOT ANY ADDITIONAL STANDARDS SET FORTH IN THIS REZONING PLAN SUCH AS THE PROVISIONS OF SECTIONS 6B. AND 8 HEREOF. 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 PLAN THAT GO BEYOND THE BASE STANDARDS/REQUIREMENTS OF MUDD SHALL ONLY APPLY IF A BUILDING THAT IS RESIDENTIALLY BASED (WITH OR WITHOUT MIXED USES) IS CONSTRUCTED WITH A HEIGHT OVER 120' AS DESCRIBED ABOVE, THE REGULATIONS ESTABLISHED UNDER THE WUDD-O ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE,

SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW WHICH ONLY APPLY TO BUILDINGS THAT ARE PRIMARILY RESIDENTIAL (WITH OR WITHOUT MIXED USES) AND CONSTRUCTED WITH A HEIGHT OVER 120'. GRAPHICS AND ALTERATIONS/MODIFICATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STREETS, AND OTHER 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 PROPOSED IN CONNECTION WITH A BUILDING THAT IS PRIMARILY RESIDENTIAL (WITH OR WITHOUT MIXED USES), IT BEING UNDERSTOOD THAT OTHER DEVELOPMENT MAY BE DEVELOPED PER THE MUDD STANDARDS/REQUIREMENTS WITHOUT REGARD TO GRAPHIC DEPICTIONS SET FORTH. 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 OF THE DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OF THE DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OF THE DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OF THE DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OF THE DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OF THE DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THE PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OF THE DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THE PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OF THE DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THE PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OF THE DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THE PROVIDE FOR FLEXIBLE PRO ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6,207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

(i) MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN AND THE MODIFICATIONS MAINTAIN THE GENERAL BUILDING/PARKING ORIENTATION AND CHARACTER OF THE DEVELOPMENT GENERALLY DEPICTED ON THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE. NOTE THAT THE GRAPHIC DEPICTIONS SET FORTH ON THE REZONING PLAN ONLY APPLY TO BUILDINGS THAT ARE PRIMARILY RESIDENTIAL (WITH OR WITHOUT MIXED USES) AND OVER 120' IN HEIGHT. IF A PRIMARILY RESIDENTIAL (WITH OR WITHOUT MIXED USES) AND OVER 120' IN HEIGHT. IF A PRIMARILY RESIDENTIAL (WITH OR WITHOUT MIXED USES) AND OVER 120' IN HEIGHT. IF A PRIMARILY RESIDENTIAL BUILDING OVER 120' IN HEIGHT.

GROSS FLOOR AREA. WHEN DETERMINING THE MAXIMUM DEVELOPMENT LEVELS SET FORTH IN THIS REZONING PLAN, GROSS FLOOR AREA (AS DEFINED IN THE ORDINANCE) SHALL EXCLUDE STRUCTURED PARKING FACILITIES, ENCLOSED LOADING OOCK/SERVICE AREAS, AND OUTDOOR DINING AND GATHERING AREAS WHETHER ON THE ROOF OF THE BUILDING OR AT STREET LEVEL.

PERSONAL SERVICE USES WILL BE DEFINED AS USES THAT PRIMARILY PROVIDE OR SELL A SERVICE USES WILL BE DEFINED AS USES THAT PRIMARILY PRODUCTS OR MERCHANDISE BUT THE SALE OF PRODUCTS AND MERCHANDISE BUT THE SALE OF PRODUCTS AND MERCHANDISE BUT THE SALE OF PRODUCTS AND MERCHANDISE BUT THE SALE OF PRODUCTS OR MERCHANDISE BUT THE SALE OF PRODUCTS AND MERCHANDISE BUT THE SALE OF PRODUCTS OR MERCHANDISE BUT THE SALE OF PRODUCTS AND MERCHANDISE BUT THE SALE OF PRODUCTS OR MERCHANDISE BUT TH BARBER SHOPS, SPA'S, YOGA AND EXERCISE STUDIOS, FITNESS AND WELLNESS FACILITIES, NAIL SALONS, MARTIAL ART TRAINING STUDIOS, LAUNDRIES AND DRY CLEANING ESTABLISHMENTS, LOCKSMITHS, FUNERAL HOMES AND ALIKE).

UNIFIED DEVELOPMENT. THE SITE TOGETHER WITH THE ADJACENT PARCEL UPON WHICH AN EXISTING PARKING DEVELOPMENT AS TO THE REZONING PLAN AND THOSE EXISTING IMPROVEMENTS ON THE ADJACENT SITE. AS SUCH, WITH RESPECT TO INTERNAL ORIENTATION AND RELATIONSHIP BETWEEN THE ADJACENT SITE AND OTHER SITE AND SHALL APPLY ALONG THE SITE AND THE SITE AND THE SITE AND THE SITE TO CREATE LOTS WITHIN THE INTERIOR OF THE SITE TO CREATE LOTS WITHIN THE INTERIOR OF THE SITE TO CREATE LOTS WITHIN THE INTERIOR OF THE SITE TO CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERIOR OF THE SITE TO CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERIOR OF THE SITE AND THE SITE WITHOUT REGARD TO ANY SUCH INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH AND SUCH WITHOUT REGARD TO ANY SUCH ANY SUCH AND SUCH AND SUCH AND SUCH A SUCH STANDARDS ALONG THE EXTERIOR BOUNDARY OF THE SITE (OTHER THAN THE COMMON BOUNDARY WITH THE ADJACENT SITE) SHALL BE ADHERED TO AND ALL FAR REQUIREMENTS WILL BE REGULATED BY WAY OF THE PARKING FACILITY LOCATED ON THE ADJACENT SITE.

2. <u>OPTIONAL PROVISIONS</u>.

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE SITE:

MAXIMUM BUILDING HEIGHT WITHIN MUDD-O. TO ALLOW THE HEIGHT OF A RESIDENTIAL BASED BUILDING (WITH OR WITHOUT MIXED USES) CONSTRUCTED ON THE BUILDING ALONG EACH OF HAWKINS STREET AND DOGGETT STREET AND PER SECTION 2.B. BELOW.

GROSS FLOOR AREA. TO ALLOW THE CLARIFICATION REGARDING THE TERM "GROSS FLOOR AREA" SET FORTH IN SECTION 1 ABOVE IN THE CONTEXT OF MAXIMUM DEVELOPMENT LEVELS TO BE USED AND APPLIED IN THE MANNER DESCRIBED BELOW IN SECTION 3.

UNDERGROUND STORM WATER DETENTION/INTERCEPTOR FACILITIES. TO ALLOW, TO THE EXTENT NEEDED FOR COMPLIANCE PURPOSES, STORM WATER/WATER QUALITY MANAGEMENT FACILITIES AND SANITARY SEWER GREASE TRAP/INTERCEPTOR FACILITIES TO BE LOCATED UNDERGROUND WITHIN THE SETBACKS ASSOCIATED WITH THE DEVELOPMENT (BUT OUTSIDE THE RIGHT-OF-WAY). ACCESS TO THESE FACILITIES MAY BE PROVIDED AT GRADE WITHIN THE SETBACK.

3. PERMITTED USES & DEVELOPMENT AREA LIMITATIONS:

a. PERMITTED USES GENERALLY. THE SITE MAY BE DEVELOPED WITH ALL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD-O ZONING DISTRICT.

DEVELOPMENT AREA LIMITATIONS. BUILDING(S) CONSTRUCTED IN EXCESS OF 120' IN HEIGHT SHALL BE LIMITED TO OFFICE, RETAIL, EDEE OR PERSONAL SERVICES USES. SUCH DEVELOPMENT MAY BE DEVELOPED IN ACCORDANCE WITH THE OPTIONAL PROVISIONS SET FORTH ABOVE. ALL USES AND DEVELOPMENT LEVELS PERMITTED PER THE PROVISIONS MUDD WITHIN THE ORDINANCE SHALL APPLY TO ALL BUILDINGS CONSTRUCTED ON THE SITE THAT ARE 120' OR LESS IN HEIGHT.

THE EXACT ALIGNMENT, DIMENSIONS AND LOCATIONS OF THE ACCESS POINTS TO THE SITE AND THE DRIVEWAYS ON THE ELEMENTS SHOWN ON THE REZONING PLAN PROVIDED THAT THE OVERALL DESIGN INTENT IS NOT MATERIALLY ALTERED.

ALONG DOGGETT STREET AND HAWKINS STREET A 16' SETBACK AS MEASURED FROM THE EXISTING FUTURE BACK OF CURB SHALL BE PROVIDED AND THE EXISTING SIDEWALK AND PLANTING STRIP SHALL REMAIN.

b. THE ON-STREET PARKING AND OTHER STREETSCAPE CROSS-SECTION ITEMS ALONG DOGGETT STREET AND HAWKINS STREET SHALL REMAIN.

BUILDINGS CONSTRUCTED ON THE SITE WITH A MAXIMUM BUILDING HEIGHT OF 120' OR LESS SHALL ADHERE TO THE PROVISIONS OF THE ORDINANCE AND THE ADDITIONAL REQUIREMENTS/STANDARDS SET FORTH HEREIN SHALL NOT APPLY. BUILDINGS CONSTRUCTED ON THE SITE WITH A MAXIMUM BUILDING HEIGHT GREATER THAN 120' SHALL ADHERE TO THE FOLLOWING ARCHITECTURAL STANDARDS:

i. THE BUILDING MAY BE CONSTRUCTED WITH SOME COMBINATION OF THE FOLLOWING MATERIALS: BRICK, STONE, PRECAST CONCRETE, SYNTHETIC STONE, PRECAST STONE, PRECAST STONE, PRECAST STONE, PRECAST STONE, PRECAST STONE, PRECAST STONE, STUCCO, EIFS, DECORATIVE METAL PANELS, DECORATIVE PANELS, DECORATIVE PANELS, DECORATIVE PANELS, DECORATIVE PANELS, DECORATIVE PANELS, DECORATIVE PA

ii. PRIMARY BUILDING ENTRANCES SHALL BE PROVIDED AT A MINIMUM OF EVERY 100'. ALL PRIMARY ENTRANCES SHALL INCLUDE AT LEAST 3 OF THE FOLLOWING:

DECORATIVE PEDESTRIAN LIGHTING; ARCHITECTURAL DETAILS CARRIED TO UPPER STORIES;

COVERED PORCHES, CANOPIES, AWNINGS OR SUNSHADES

ARCHWAYS; TRANSOM WINDOWS;

TERRACED OR RAISED PLANTERS THAT CAN BE UTILIZED AS SEAT WALLS; COMMON OUTDOOR SEATING ENHANCED WITH SPECIALTY DETAILS. PAVING, LANDSCAPING OR WATER FEATURES: OR

DOUBLE DOORS.

iii. THE GROUND FLOOR SHALL BE TALLER THAN AND ARCHITECTURALLY DIFFERENT THAN UPPER FLOORS; THIS STANDARD WILL ONLY APPLY TO BUILDING WALLS LOCATED ALONG PUBLIC STREETS.

7. ENVIRONMENTAL FEATURES:

a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

b. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.

8. <u>LIGHTING</u>

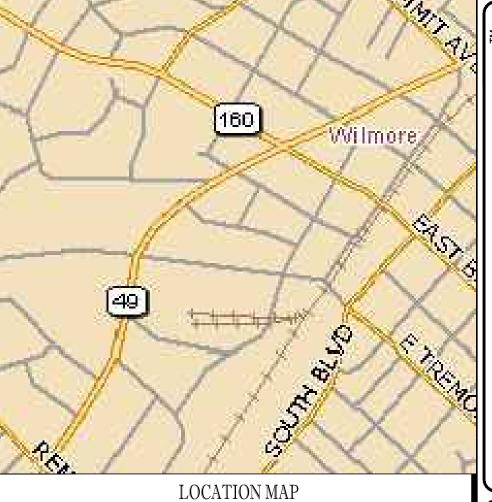
a. ALL NEW DETACHED AND ATTACHED LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING; LOW LANDSCAPE, DECORATIVE, SPECIALTY, AND ACCENT LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, OPEN SPACE/AMENITY AREAS, AND PARKING AREAS.

9. AMENDMENTS TO THE REZONING PLAN:

a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE ORDINANCE. THE PROVISIONS OF THE ORDINANCE SHALL APPLY TO BUILDINGS

CONSTRUCTED ON THE SITE THAT ARE 120' OR LESS IN HEIGHT. 10. BINDING EFFECT OF THE REZONING APPLICATION:

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE 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. THE PROVISIONS OF THE ORDINANCE SHALL APPLY TO BUILDINGS CONSTRUCTED ON THE SITE THAT ARE 120' OR LESS IN HEIGHT.



• • • • • • ***** *****

REVISIONS DATE COMMENT



NOT APPROVED FOR CONSTRUCTION

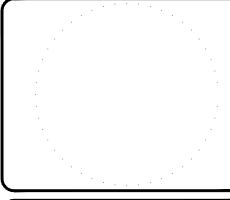
PROJECT No.:	NCC1720
DRAWN BY:	
CHECKED BY:	
DATE:	10/23/20
SCALE:	
CAD I.D.:	R

RAM REALTY

LOCATION OF SITE INTERSECTION OF HAWKINS STREET AND DOGGETT STREET CHARLOTTE, NC 28203



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



REZONING DEVELOPMENT STANDARDS

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

FY2016
Petition #: 2017 - 174

Date Filed:

16/23/2017

CITY OF CHARLOTTE

RECEIVE Received By:

Office Use Only

Section #:Winery Text Amendment to amend City of Charlotte Zoning Ordinance: Sections 2.2201, 9.101, 9.101, 9.1003, 9.8503, 9.903, 9.1206, 10.811, 10.905, and 12.544

Purpose of Change: To amend the Zoning Code of the City of Charlotte to include the use of "Winery" as production of wine, including cider and mead production, and with the same restrictions as the use of "Brewery."

Russell W. Fergusson	Lindsay Dorrier III	
Name of Agent	Name of Petitioner(s)	
PO Box 5645	P.O. Box 528	
Agent's Address	Address of Petitioner(s)	
Charlotte, NC 28299	Nellysford, VA 22958	
City, State, Zip	City, State, Zip	
(704) 234-7488 (704) 612-0271	(217) 714-6926	
Telephone Number Fax Number	Telephone Number Fax Numb)er
rwf@russellwfergusson.com	lindsay@boldrock.com	
E-Mail Address	E-Mail Address	
COW.L	160	
Signature of Agent	Signature	

Petition #:

Petitioner: Lindsay Dorrier, III

AN ORDINANCE AMENDING APPENDIX A OF THE CITY CODE - ZONING ORDINANCE

ORDINANCE NO		

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

- A. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION DISTRICTS
 - 1. PART 2: DEFINITIONS
 - a. Amend Section 2.201, "Definitions" by adding a definition in alphabetical order for "winery". The new definition shall read as follows:

Winery.

An establishment that manufactures wine, including cider and mead, exclusive from related agricultural uses.

- B. CHAPTER 9: GENERAL DISTRICTS
 - 1. PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS
 - a. Amend Table 9.101 by adding "Wineries" in alphabetical order as a use allowed under prescribed conditions in the I-1 and I-2 zoning districts, under the "Industrial Uses" header.

INDUSTRIAL U	SES		
	U-	I-1	I-2
	I		
Wineries	<u>PC</u>	<u>PC</u>	<u>PC</u>

2. PART 10: URBAN INDUSTRIAL DISTRICT

- a. Amend 9.1003, "Urban Industrial District; uses permitted under prescribed conditions" by adding a new item, "Wineries" to item 2.5. The new entry shall read as follows:
- (2.5) Breweries <u>and Wineries</u> shall meet the following prescribed conditions:

- (a) Maximum size: 60,000 square feet.
- (b) Primary vehicular access to the use shall be provided by a Class II (limited access arterial), Class III (major arterial), Class III-C (commercial arterial), Class IV (minor arterial), Class V-C (commercial street), or by a commercial cul-desac.
- (c) Outdoor production, processing, or repair of equipment shall be located no closer than 300' from any abutting residentially used or zoned property. Distances shall be measured from the closest edge of the outdoor production, processing, or repair area to the property line of the residential use or zoning district.

3. PART 11: INDUSTRIAL DISTRICT

- a. Amend Section 9.1103, "Uses permitted under prescribed conditions", by adding a new use, "Wineries" to item 6.5 titled. The new entry shall read as follows:
 - (6.5) Breweries and Wineries.
 - (1) In I-1, breweries <u>and wineries</u> shall meet the following prescribed conditions:
 - (a) Maximum size: 60,000 square feet.
 - (b) Primary vehicular access to the use shall be provided by a Class II (limited access arterial), Class III (major arterial), Class III-C (commercial arterial), Class IV (minor arterial), Class V-C (commercial street), or by a commercial cul-de-sac.
 - (c) Outdoor production, processing, or repair of equipment shall be located no closer than 300' from any abutting residentially used or zoned property. Distances shall be measured from the closest edge of the outdoor production, processing, or repair area to the property line of the residential use or zoning district.
 - (2) In I-2, breweries <u>and wineries</u> shall meet the following prescribed conditions:

- (a) Breweries <u>and wineries</u> with a maximum size of 60,000 square feet shall meet the following prescribed conditions:
 - 1. Maximum FAR of .80.
 - 2. Outdoor storage of goods and materials used in assembly, fabrication or processing is permitted, but shall not exceed 25% of the floor area of all buildings on a lot.
- (b) Breweries <u>and wineries</u> greater than 60,000 square feet in size shall meet the following prescribed conditions:
 - 1. Maximum FAR of 1.0.
 - 2. All structures and buildings shall be located a minimum of 300' from any abutting residentially used or zoned property. Distances shall be measured from the closest edge of the structure to the property line of the residential use or zoning district.
- (c). Primary vehicular access to the use shall be provided by a Class II (limited access arterial), Class III (major arterial), Class III-C (commercial arterial), Class IV (minor arterial), Class V-C (commercial street), or by a commercial cul-de-sac.
- (d). Outdoor production, processing, or repair of equipment shall be located no closer than 300' from any abutting residentially used or zoned property. Distances shall be measured from the closest edge of the outdoor production, processing, or repair area to the property line of the residential use or zoning district.

1. PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS

a. Amend Table 9.101 by adding "Wineries" in alphabetical order as a use allowed under prescribed conditions in the TOD-M, TOD-E, MUDD, and UMUD zoning districts, under the "Industrial Uses" header.

INDUSTRIAL USES				
	TOD-M	TOD-E	MUDD	UMUD
Wineries	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>

2. PART 8.5: MIXED USE DEVELOPMENT DISTRICT

a. Amend Section 9.8503, "Mixed Use Development District; uses permitted under prescribed conditions", by adding "wineries" to the list of permitted uses in alphabetical order, as follows:

Wineries, subject to the regulations of Section 12.544.

3. PART 9: UPTOWN MIXED USE DISTRICT

- a. Amend Section 9.903, "Uptown Mixed Use District; uses permitted under prescribed conditions" by adding a new item (17) for wineries. The new entry shall read as follows:
- (17) Wineries, subject to the regulations of Section 12.544.

4. PART 12: TRANSIT ORIENTED DEVELOPMENT DISTRICTS

- a. Amend Section 9.1206, "Uses Permitted Under Prescribed Conditions", by adding a new item (11) for wineries. The new entry shall read as follows:
 - (11) Wineries, subject to the regulations of Section 12.544 (TOD-E and TOD-M only)

D. CHAPTER 10: OVERLAY DISTRICTS

- 1. PART 8: PEDESTRIAN OVERLAY DISTRICT
 - a. Amend Section 10.811, "Uses" by adding a new item (5) to allow wineries with prescribed conditions. The new entry shall read as follows:
 - (5) Wineries, permitted only in the underlying zoning districts of B-1, B-2, I-1 and I-2, and subject to the standards of 12.544.

2. PART 9: TRANSIT SUPPORTIVE OVERLAY DISTRICT

a. Amend Section 10.905, "Uses", subsection (1), under the entry for "Heavy

Industrial uses...." by clarifying that wineries are excluded from the list of heavy industrial uses that are not permitted in TS. The revised section shall read as follows:

- Heavy Industrial uses permitted by right or under prescribed conditions including, but not limited to: abrasive and asbestos products; aircraft and parts; agricultural chemicals; alcoholic beverages, with the exception of breweries and wineries; asphalt paving and roofing materials; brick, tile, and clay products; chemical manufacture, refining and processing; concrete, gypsum and plaster products; construction and related machinery; cut stone and stone products; electrical distribution equipment; electrical industrial apparatus; engines and turbines; fabricated metal products; farm and garden machinery; fats and oils processing; furniture and fixtures; glass and glassware; guided missiles, space vehicles, etc.; industrial machinery; leather tanning; manufactured housing; meat products, including slaughtering and dressing; motorcycles and parts; ordinance and accessories; paper and allied products; petroleum and coal products; plastic and rubber products; railroad equipment; refrigerator and service machinery; sugar refining, textile mill products; tires and inner tubes; wire products; and other similar uses.
- (b) Amend Section 10.905, "Uses", subsection (2) adding a new subsection (2(c)). The new entry adds wineries as a use allowed, under prescribed conditions, when the underlying zoning district is B-1, B-2, I-1 or I-2. The new entry shall be as follows:
 - (c) Wineries (only when the underlying zoning district is B-1, B-2, I-1, or I-2) and subject to the standards of this overlay district and to the prescribed conditions of Section 12.544.

E. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

- (1) PART 5: SPECIAL REQUIREMENTS FOR CERTAIN USES
 - (a) Amend Section 12.544, "Breweries", by replacing "Breweries" with a new title, "Breweries and Wineries." The revised text shall read as follows:

Section 12.544 Breweries "Breweries and Wineries"

- (1) In TOD-M, TOD-E, MUDD and UMUD, breweries <u>and wineries</u> are subject to the following prescribed conditions:
 - (a) The brewery <u>or winery</u> shall include an Eating, Drinking and Entertainment, located in the same building. The Eating, Drinking and Entertainment Establishment shall meet the

following conditions:

- 1. All prescribed conditions associated with the Eating, Drinking and Entertainment Establishment shall be met in accordance with the zoning district in which they are located, including any separation distances required in Section 12.546.
- 2. The minimum size of the Eating, Drinking and Entertainment Establishment shall be 20% of the total square footage for the brewery <u>or winery</u> and the Eating, Drinking and Entertainment Establishment, or 1,500 square feet, whichever is less.
- (b) Maximum size for the brewery <u>or winery</u> and the Eating, Drinking and Entertainment Establishment: 15,000 square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size shall be increased to 25,000 square feet, if the brewery and Eating, Drinking and Entertainment Establishment locate in a building constructed prior to 1980.
- (c) If the brewery <u>or winery</u> is located on a public right-of-way, private street, or rapid transit line, the Eating, Drinking and Entertainment Establishment shall have fenestration through vision glass, doors or active outdoor spaces along 30% of the length of the building side that fronts the public right-of-way, private street, or rapid transit line. If the building architecture or site prohibits meeting the above condition, the Planning Director, or designee, may approve alternative approaches (*Petition No. 2013-090*, §12.544 07/21/2014)
- (d) Off-site distribution of manufactured beer <u>or wine</u> is permitted if vehicular access is from a Class II (limited access arterial), Class III (major arterial), Class III-C (commercial arterial), Class IV (minor arterial), Class V-C (commercial street), or by a commercial cul-de-sac.
- (e) All development and urban design standards of the district shall apply.
- (2) In PED and TS, breweries <u>and wineries</u> shall only be permitted when the underlying zoning district is B-1, B-2, I-1 or I-2, and the following prescribed conditions are met:
 - (a) The brewery <u>or winery</u> shall include an Eating, Drinking and Entertainment Establishment, located in the same building. The Eating, Drinking and Entertainment Establishment shall meet the following conditions:
 - 1. All prescribed conditions associated with the Eating, Drinking and Entertainment Establishment shall be met in accordance with the zoning district in which they are located, including any separation distances required in Section 12.546.
 - 2. The minimum size, of the Eating, Drinking and Entertainment Establishment shall be 20% of the total square footage for the brewery and the Eating, Drinking and Entertainment Establishment, or 15,000 square feet, whichever is less.

- (b) Maximum size for the brewery, <u>or winery</u>, and the Eating, Drinking and Entertainment Establishment: 15,000 square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size uses shall be increased to 25,000 square feet, if the brewery, <u>or winery</u>, and Eating, Drinking and Entertainment Establishment locate in a building constructed prior to 1980.
- (c) If the brewery <u>or winery</u> is located on a public right-of-way, private street, or rapid transit line, the Eating, Drinking and Entertainment Establishment shall have fenestration through vision glass, doors or active outdoor spaces along 30% of the building side that fronts the public right-of-way, private street, or rapid transit line. If the building architecture or site prohibits meeting the above condition, Planning Director or designee may approve alternative approaches.
- (d) Off-site distribution of manufactured beer <u>or wine</u> is permitted if vehicular access is from a Class II (limited access arterial), Class III (major arterial), Class III-C (commercial arterial), Class IV (minor arterial), Class V-C (commercial street), or by a commercial cul-de-sac.
- (e) All development and urban design standards of the district and underlying district, shall apply.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form	n:
City Attorney	
HEREBY CERTIF City Council of the day of	City Clerk of the City of Charlotte, North Carolina, DO Y that the foregoing is a true and exact copy of an Ordinance adopted by the City of Charlotte, North Carolina, in regular session convened on the
•	and the corporate seal of the City of Charlotte, North Carolina, this the, 20