

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**



2017-159

Petition #:	_____
Date Filed:	9/25/2017
Received By:	\$AF

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 Size (Acres): 0.68

Existing Zoning: R-5 and R-8 Proposed Zoning: MUDD (CD) & B-1 (PED overlay)

Overlay: HDC (Wendover 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 Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow for attached housing community behind the existing structures

Anthony Fox
Name of Rezoning Agent

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

Charlotte, NC 28202
City, State, Zip

(704) 335-9841 (704) 334-4706
Telephone Number Fax Number

anthonyfox@parkerpoe.com
E-Mail Address

Ernest D. Horne
Signature of Property Owner

Ernest David Horne/Summit Avenue W. Morehead, LLC
(Name Typed / Printed)

The Drakeford Company
Name of Petitioner(s)

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

Charlotte, NC 28207
City, State, Zip

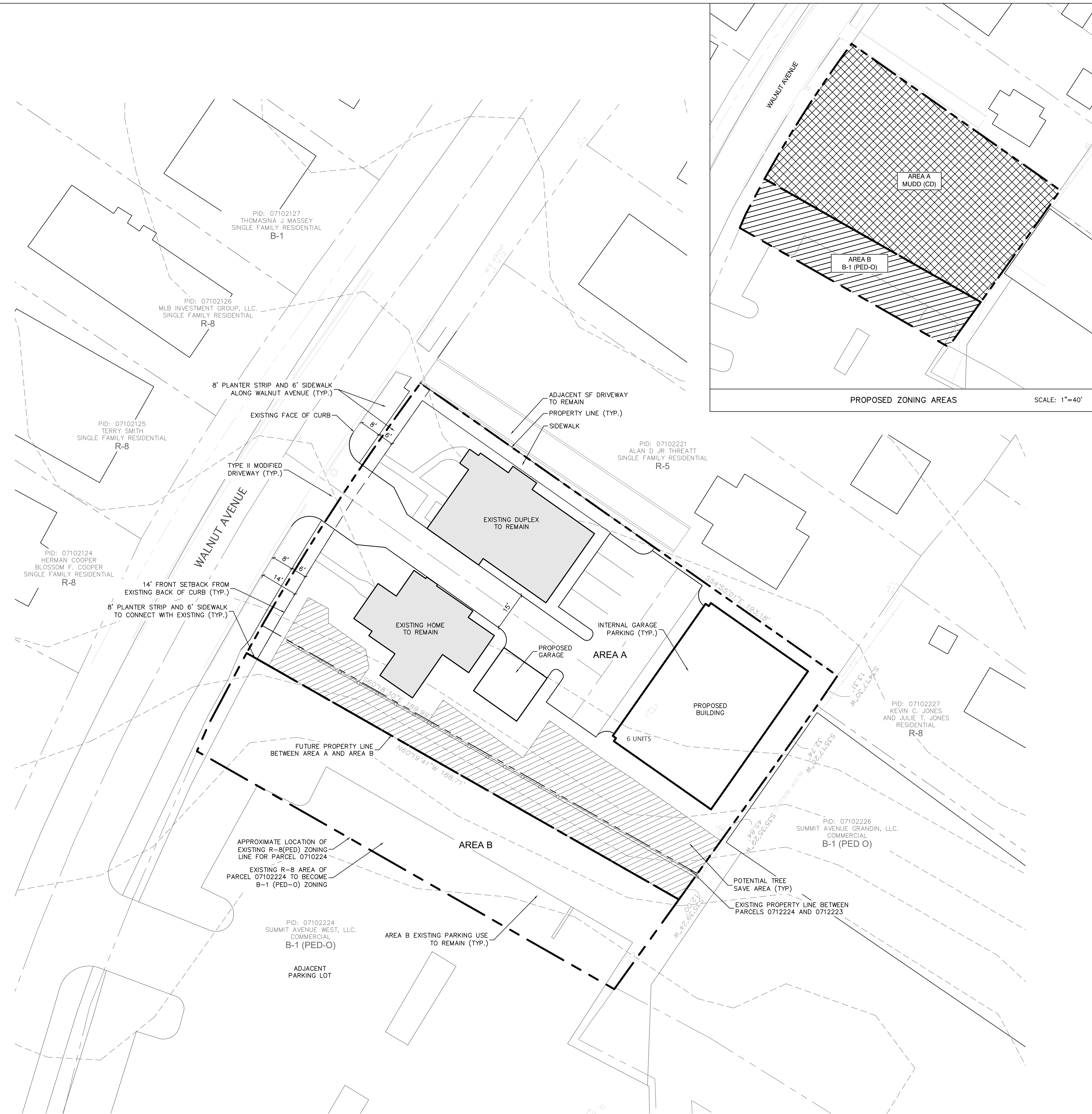
(704) 344-0332 (704) 344-9992
Telephone Number Fax Number

bobby@tdcrealestate.com
E-Mail Address

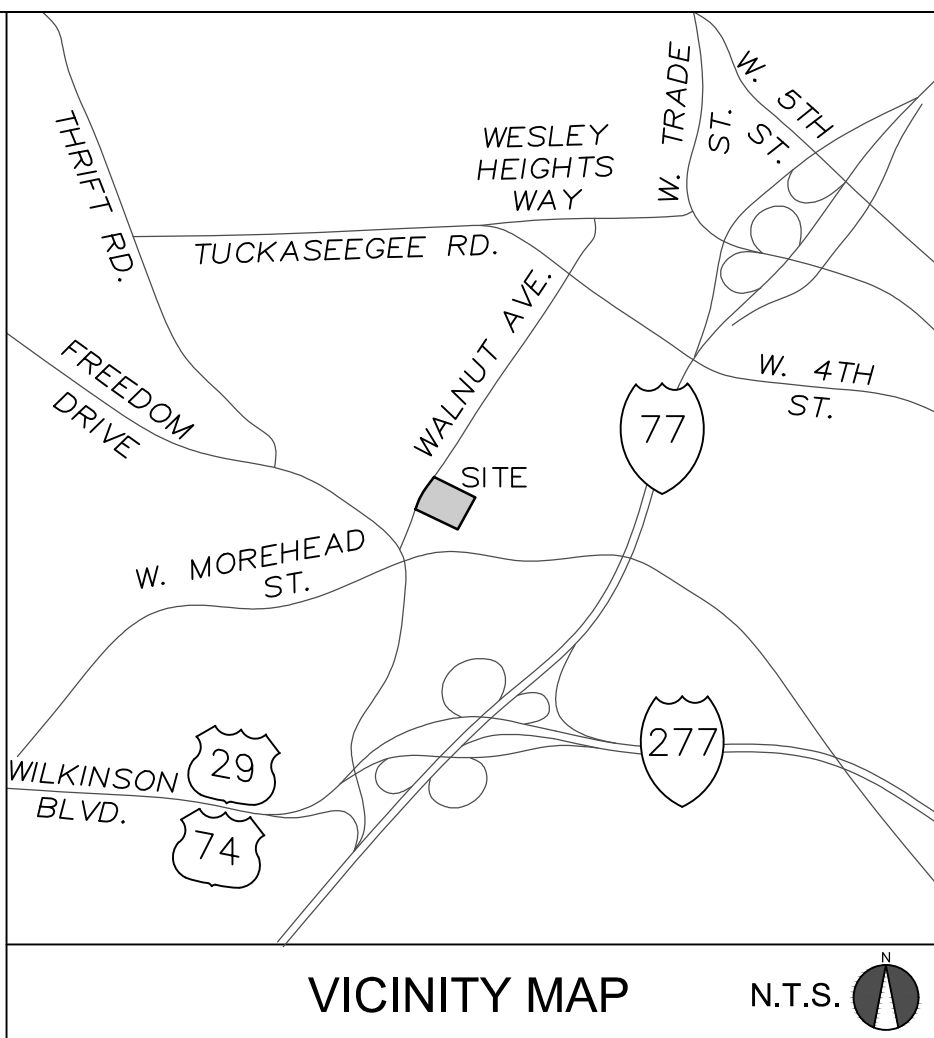
Robert T. Drakeford
Signature of Petitioner

Robert T. Drakeford
(Name Typed / Printed)

C:\Users\p100-003\Documents - Walnut\AST\DWG\001 - BASE DRAWING.dwg - 10/20/2017



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
EXISTING ZONING:	AREA A: R-5 AND R-8 AND R-8(PED-0) 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: EXISTING USE TO REMAIN
PROPOSED UNITS:	AREA A: 6 ATTACHED CONDOMINIUMS 1 EXISTING SF HOME AND 1 EXISTING DUPLEX TO REMAIN
DENSITY PROPOSED:	AREA A: ±18 UNITS PER ACRE
BUILDING HEIGHT:	AREA A: 45' MAXIMUM (4 STORIES)
PARKING PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS
OPEN SPACE:	SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE:	SHALL MEET ORDINANCE REQUIREMENTS



1. GENERAL PROVISIONS.

- A. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.207 OF THE ZONING ORDINANCE.
- 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) ZONING DISTRICT.
- 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 STANDARDS.
- B. THE SITE WILL HAVE ONE INGRESS/EGRESS DRIVEWAY SERVING THE DEVELOPMENT FROM WALNUT AVENUE AS DEPICTED ON THE REZONING PLAN.
- 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 PLAN.
- 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.

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.

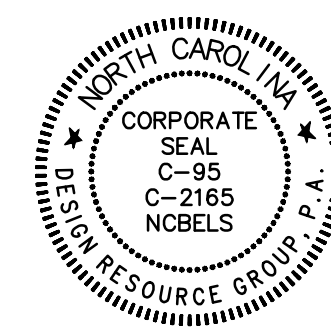
9. AMENDMENTS TO THE REZONING PLAN

- 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 INTEREST OR ASSIGNS.

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



REZONING PETITION
FOR PUBLIC HEARING
2017-XXX

REZONING PETITION

WALNUT AVENUE SITE
CHARLOTTE, NORTH CAROLINA

THE DRAKEFORD COMPANY
1914 BRUNSWICK AVENUE SUITE 1A
CHARLOTTE, NORTH CAROLINA 28207

SCHEMATIC
SITE PLAN

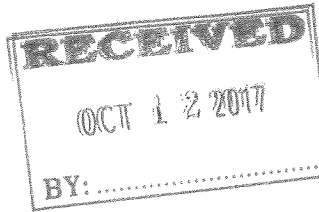
10 0 10 20
SCALE: 1" = 20'

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

OCTOBER 20, 2017

REVISIONS:

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-160

Petition #: _____
Date Filed: 10/12/2017
Received By: BT

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 NC 28226

Tax Parcel Number(s): 18706135

Current Land Use: Single Family Residential Size (Acres): 2.08 Acres

Existing Zoning: R-3 Proposed Zoning: UR-2 (C.D.)

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

Required Rezoning Pre-Application Meeting* with: John Kinley, Kent Main, Carlos Alzate, Kelsie Anderson

Date of meeting: August 5, 2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: For the Development and Construction of up to 14

Single Family Attached (Townhomes) Residential with Land for Sale.

Sonny Crater

Name of Rezoning Agent

16930 W. Catawba Avenue, Suite 205

Agent's Address

Cornelius NC 28031

City, State, Zip

980-233-1239

Telephone Number

Fax Number

Sonny@madisonsimmonshomes.com

E-Mail Address

Joseph R. Rotunda

Signature of Property Owner

Joseph R. Rotunda

(Name Typed / Printed)

Madison Simmons Homes and Communities, L

Name of Petitioner(s)

16930 W. Catawba Avenue, Suite 205

Address of Petitioner(s)

Cornelius NC 28031

City, State, Zip

980-233-1239

Telephone Number

Fax Number

Sonny@madisonsimmonshomes.com

E-Mail Address

Christine S. Rotunda

Signature of Petitioner

Christine S. Rotunda

(Name Typed / Printed)

ATTACHMENT A

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

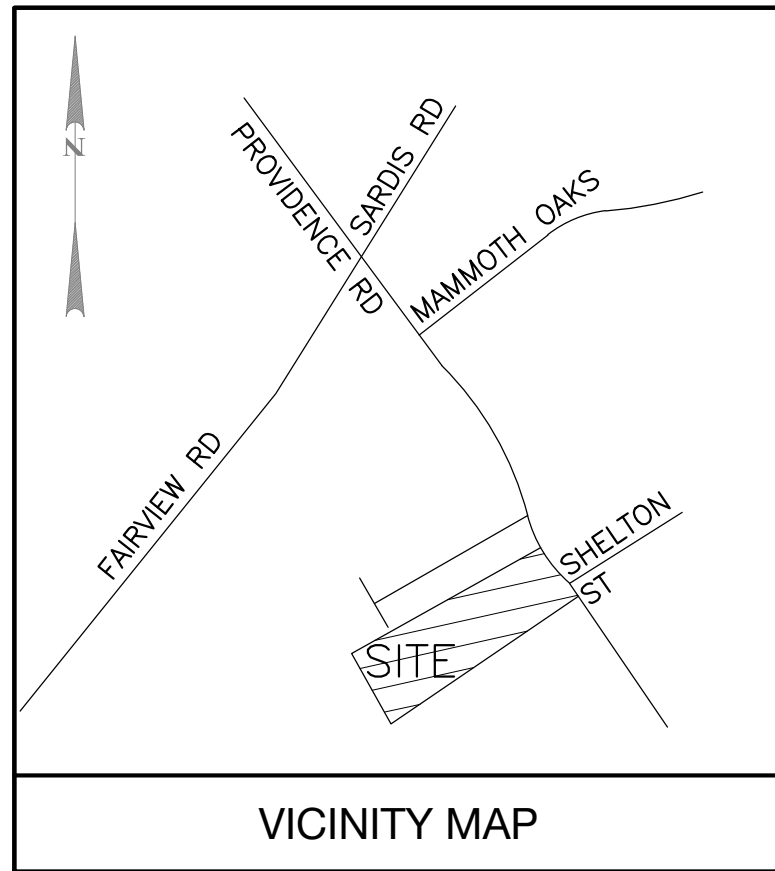
Petitioner:

Madison Simmons Homes and Communities, LLC

By: C. Shane Buckner

Name: C. Shane Buckner
(Printed)

Title: Managing Member



DEVELOPMENT SUMMARY	
TAX PARCEL ID #:	081-121-01 & 081-121-06
TOTAL SITE AREA:	± 2.08 ACRES
ZONING:	
EXISTING:	R-3
PROPOSED:	UR-2 (CD)
PROPOSED USE:	TOWNHOMES (14)
F.A.R.:	PER ORDINANCE
BUILDING HEIGHT:	PER ORDINANCE
PARKING:	PER ORDINANCE

**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

4548 Providence Road

Rezoning Site Plan

Charlotte, NC

NO. DATE: BY: REVISIONS:

Project No: 17-050
Date: 10/23/2017
Designed by: UDP
Drawn By: UPD
Scale: 1"=20'
Sheet No:

RZ-1

REZONING PETITION #2017-???

A. General Provisions

1. 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.

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

1. 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. 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 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 and/or the North Carolina Department of Transportation.

2. 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. Architectural Standards

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 subplot 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

1. 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.

F. Environmental Features

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

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

G. Lighting

1. 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. 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.



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

4548 Providence Road

Development Standards

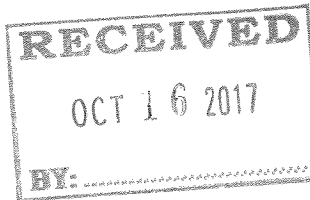
NO. DATE: BY: REVISIONS:

Project No: 17-050
Date: 10.23.2017
Designed by: UDP
Drawn By: UDP
Scale:
Sheet No:

RZ-2

REZONING PETITION #2017-???

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-161

Complete All Fields (Use additional pages if needed)

Petition #:	_____
Date Filed:	10/16/2017
Received By:	BH

Property Owner: (1) Trustees of Central Piedmont Community College; (2) Central Piedmont Community College Services Corporation; (3) McRee Family Property-East Independence BV, LLC; (4) Gary D. Hixson and wife, Jane B Hixson

Owner's Address: Please see attached City, State, Zip: Charlotte, NC 28235

Date Property Acquired: Please see attached

Property Address: Eight (8) parcels located in block bounded by Charlottetowne Avenue, Elizabeth Avenue, N. Torrence Street & E. 5th Street.

Tax Parcel Number(s): 080-194-01; 080-194-03; 080-194-04; 080-194-05; 080-194-07; 080-194-14; 080-194-15; and 080-194-16

Current Land Use: commercial 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 Fortune
Date of meeting: 9/27/17

(*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: Petitioner desires to rezone the eight (8) parcels referenced herein to be compatible with the zoning classifications of its existing Central Campus for future expansion and use of Central Piedmont Community College.

Johnston, Allison & Hord, P.A.
R. Susanne Todd and James W. Allison
Name of Rezoning Agent

1065 E. Morehead Street
Agent's Address

Charlotte, NC 28204
City, State, Zip
704-998-2306
704-998-2236 704-376-1628
Telephone Number Fax Number
stodd@jahlaw.com
jallison@jahlaw.com
E-Mail Address

Please See attached
Signatures of Property Owners

Central Piedmont Community College
Name of Petitioner(s)

P.O. Box 35009
Address of Petitioner(s)

Charlotte, NC 28235
City, State, Zip
704-336-6717 704-330-5045
Telephone Number Fax Number

E-Mail Address

x Michael Moss
Signature of Petitioner
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 (O-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

Michael Moss
By:
Its: Vice President, Finance CPCC

Central Piedmont Community College Services Corporation

Michael Moss
By:
Its: Vice President, Finance CPCC Services Corp.

McRee Family Property-East Independence BV, LLC

Charles W. McRee
By:
Its: Managing Partner

Gary D. Hixson

Jane B. Hixson

Signature Page

Trustees of Central Piedmont Community College

By: _____

Its:

Central Piedmont Community College Services Corporation

By: _____

Its:

McRee Family Property-East Independence BV, LLC

Charles W. McRee

By: _____

Its: *Managing Partner*

Gary D. Hixson

Jane B. Hixson

Signature Page

Trustees of Central Piedmont Community College

By: _____

Its:

Central Piedmont Community College Services Corporation

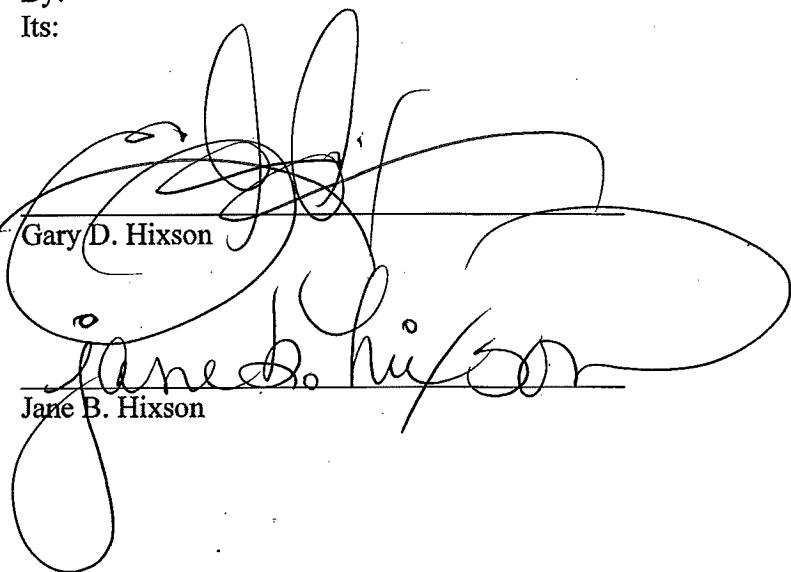
By: _____

Its:

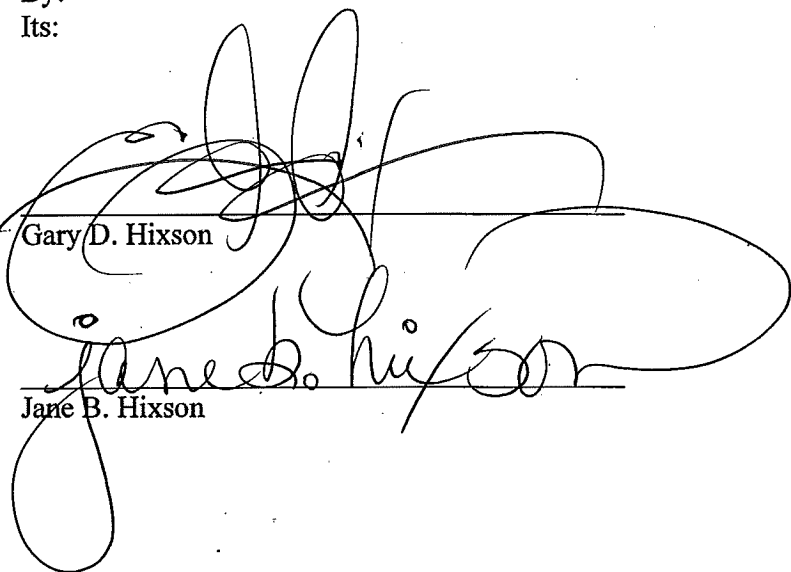
McRee Family Property-East Independence BV, LLC

By: _____

Its:



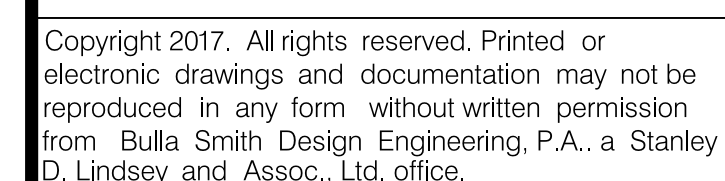
Gary D. Hixson



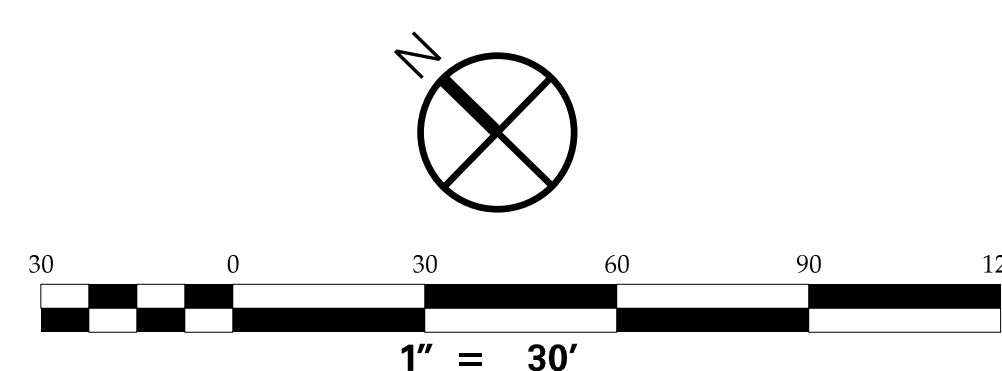
Jane B. Hixson

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Submittal Date: October 16, 2017
Revision Dates:



RZ-1



16-OCT-2017 15:42

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1. SITE DEVELOPMENT DATA		
SITE ACREAGE:	+/-1.76 Acres	
PARCEL ID NUMBERS:	080-194-01; 080-194-03; 080-194-04; 080-194-05 080-194-07; 080-194-14; 080-194-15; 080-194-16*	
EXISTING ZONING:	B-2, NS, O-2	
PROPOSED ZONING:	MUDD (O)	
EXISTING USE:	OFFICES, COMMERCIAL AND VACANT	
PROPOSED USE:	COMMUNITY COLLEGE CAMPUS TO INCLUDE OFFICES, LABS AND CLASSROOMS, PARKING AND OTHER USES ALLOWED IN MUDD ZONING DISTRICTS.	
NUMBER OF RESIDENTIAL UNITS:	NA	
SQ. FT. OF NON RESIDENTIAL UNITS	NA	
MAXIMUM BUILDING AREA:	306,000 SF	
BUILDING HEIGHT:	MAXIMUM 120 FEET PER BUILDING	
MAXIMUM NUMBER OF BUILDINGS:	TWO	
PARKING REQUIRED:	AS REQUIRED BY THE ORDINANCE	
OPEN SPACE:	COMBINED PARCEL 1 SF/100 SF	

*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.

2. GENERAL PROVISIONS:

a. These Development Conditions form a part of the rezoning petition filed by CentralPiedmont 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 5th 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 compotible 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 tool 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 parcel080-194-04 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, parcel080-194-05 will be used as construction laydown area. Following use as laydown area, property will be used as open space. Post construction of Building One, parcel080-194-05 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").

f. Alterations to the Conditional Plan are subject to Section 6.207 Alternations to Approval of the Ordinance.

3. OPTIONAL PROVISIONS

a. The MUDD (O) 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 (O) 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 (O) 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 (O) 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 (O) 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 level).

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 present 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 (O) 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 (O) 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.

4. PERMITTED USES

a. Any new development on the Site will be devoted to use as a Community College Campus, including, but not limited to, classrooms, 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.

5. TRANSPORTATION:

- a. 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 Occupancy for Building Two.
- 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 Occupancy for Building Two.
- 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 abuts.
- (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 CDOT.
- (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.

6. 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 new building construction and/or renovations to existing buildings will not include vinyl or sheet metal siding.

7. 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.

b. Petitioner shall provide required streetscapes per the Charlotte Tree Ordinance.

8. ENVIRONMENTAL FEATURES

NA

9. PARKS, GREENWAYS AND OPEN SPACE

- a. 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 site plan.

10. FIRE LANE TREATMENT

NA

11. SIGNAGE

a. 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.

12. LIGHTING:

a. 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.

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

13. PHASING:

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

AMENDMENTS TO REZONING PLAN:

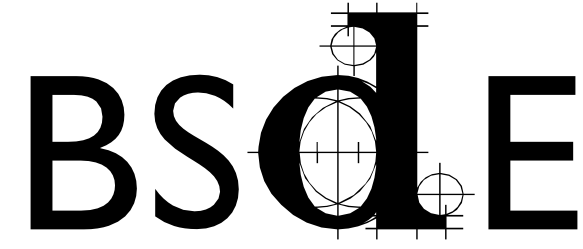
Future amendments to this Conditional Plan, including these development conditions may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.

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 omended 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.



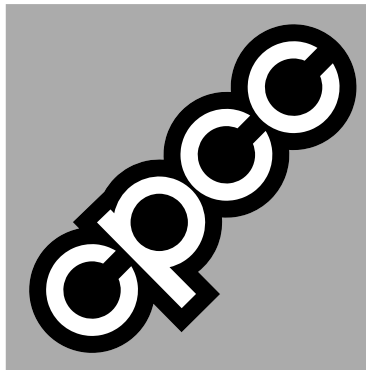
**BULLA SMITH
DESIGN ENGINEERING**

NC Certificate of Licensure C-3232
1347 Harding Place Suite 201
Charlotte, NC 28204
☎ 704.333.3122

A STANLEY D. LINDSEY AND
ASSOCIATES, LTD. OFFICE

PRELIMINARY
NOT FOR
CONSTRUCTION

Submittal Date: October 16, 2017
Revision Dates:



**CPCC Central
Campus**

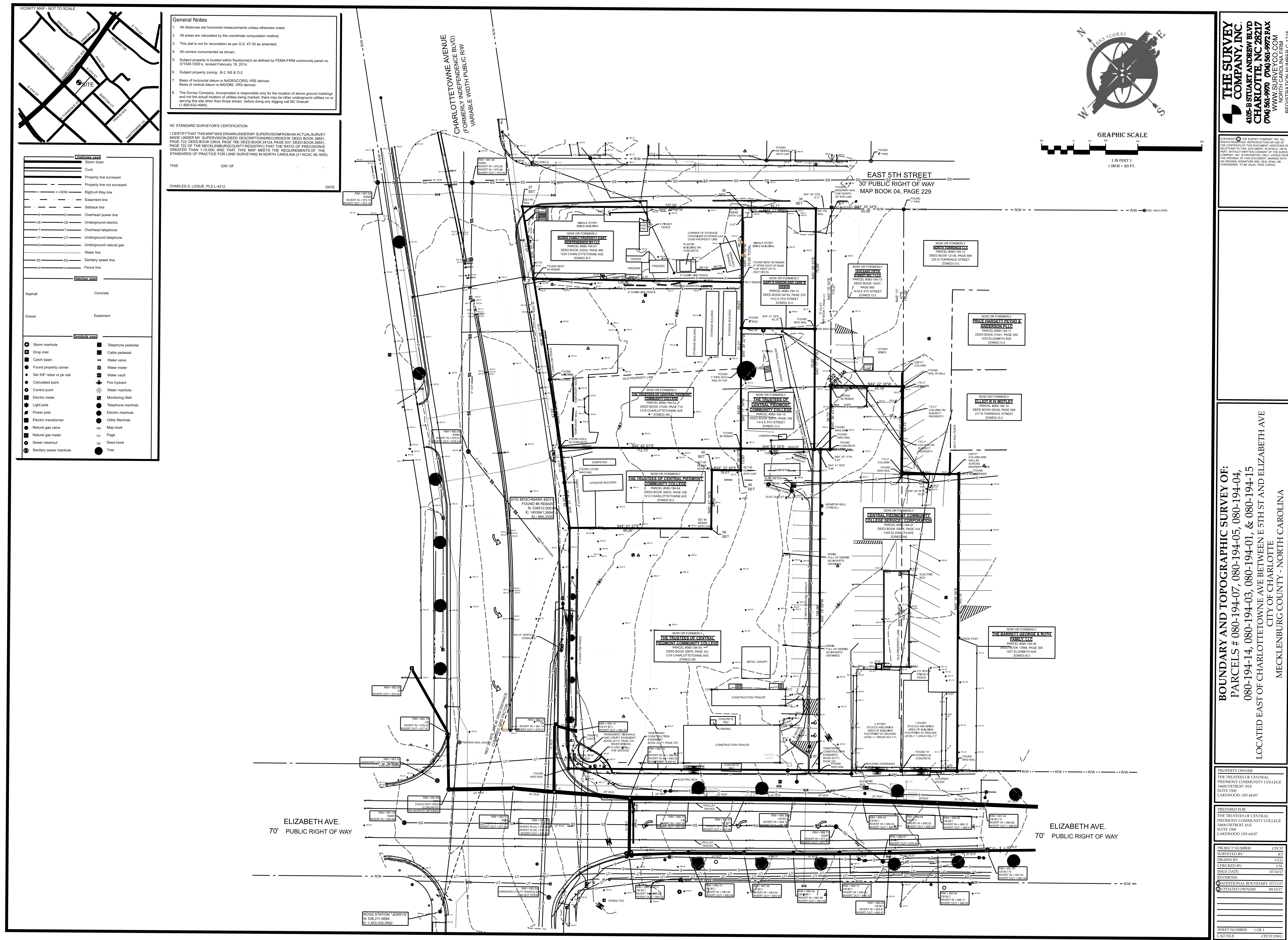
Charlotte, NC

Rezoning Petition
2017-??? For
Public Hearing

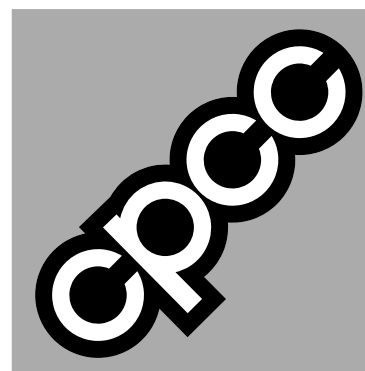
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from Bulla Smith Design Engineering, P.A., a Stanley
D. Lindsey and Assoc., Ltd. office.

**Site
Development
Standards**

RZ-2



BSDE

BULLA SMITH
DESIGN ENGINEERING1347 Harding Place Suite 201
Charlotte, NC 28204
704.333.3122PRELIMINARY
NOT FOR
CONSTRUCTIONSubmittal Date: October 16, 2017
Revision Dates:CPCC Central
Campus

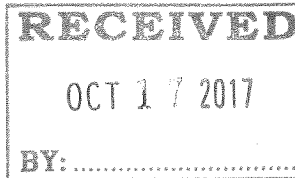
Charlotte, NC

Rezoning Petition
2017-??? For
Public HearingCopyright 2017. All rights reserved. Printed or
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D. Lindsey and Assoc., Ltd. office.

Existing Conditions

RZ-3

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-162

Petition #: _____
Date Filed: 10/17/2017
Received By: BH

Complete All Fields (Use additional pages if needed)

Property Owner: PCMD, LLC
Owner's Address: 11050 Dondarrach Lane City, State, Zip: Charlotte, NC 28277
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 Fortune / Jason Prescott
Date of meeting: 10/10/17

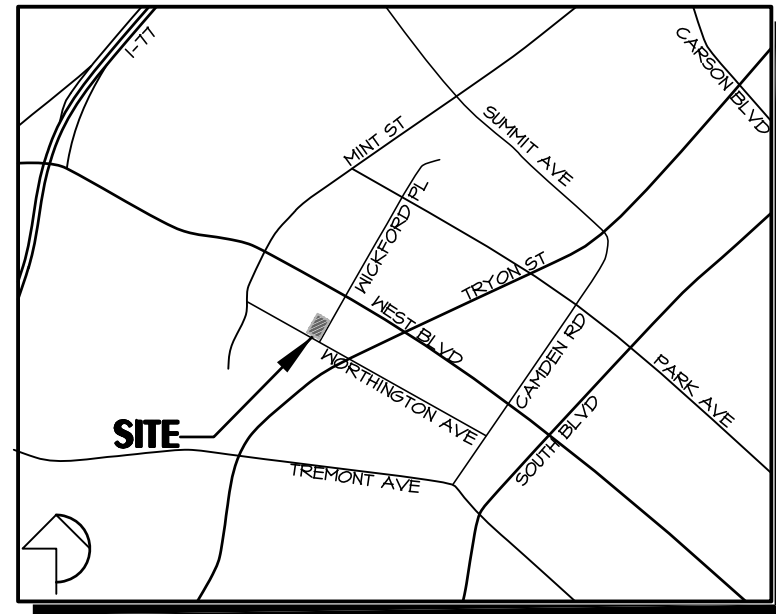
(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team is held.)

For Conditional Rezoning Only:

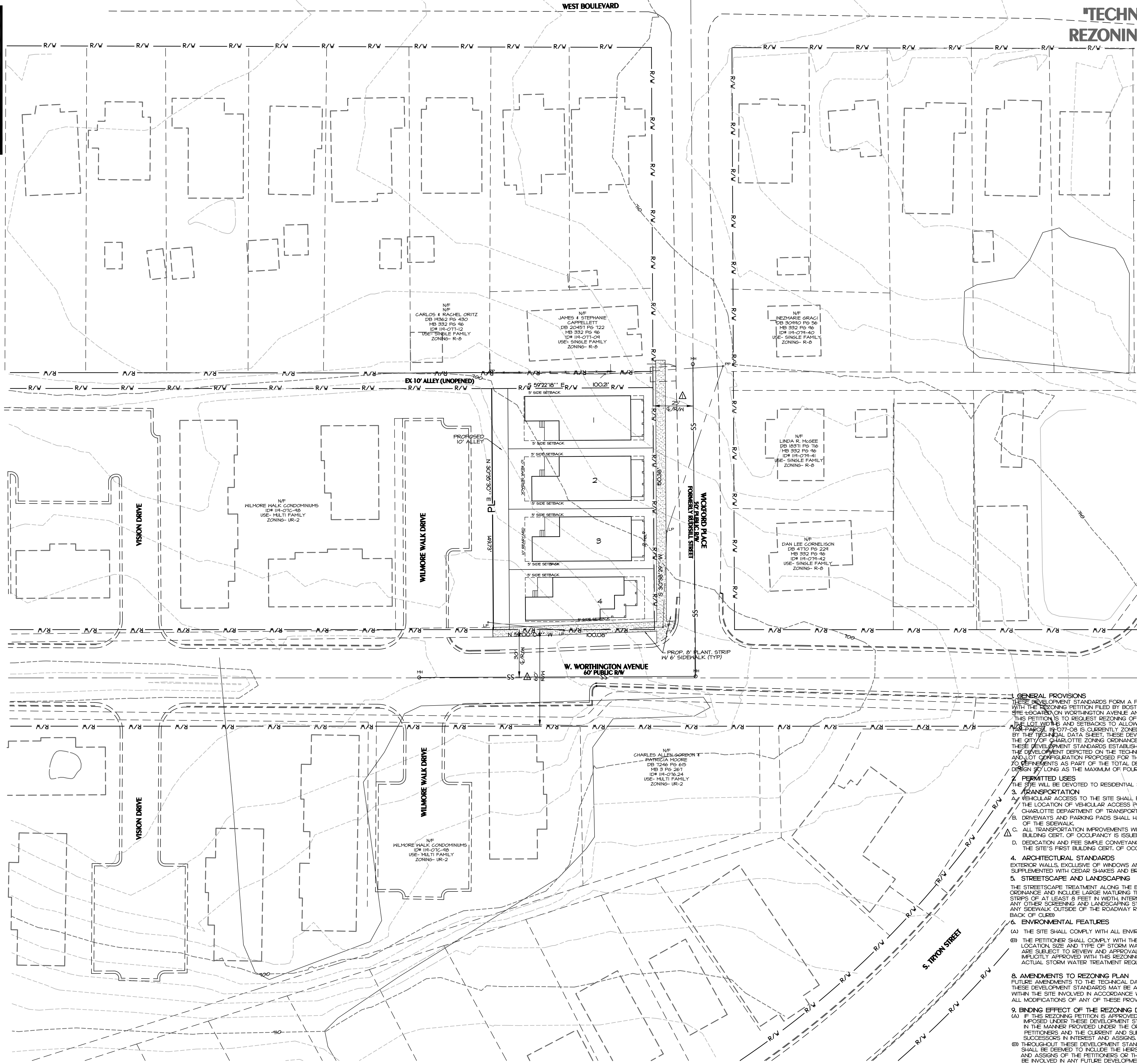
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): 0
Purpose/description of Conditional Zoning Plan: To correct site plan

Craig Calcasola
Name of Rezoning Agent
11050 Dondarrach Lane
Agent's Address
Charlotte, NC 28277
City, State, Zip
980 207-9806
Telephone Number Fax Number
craigcalcasola@gmail.com
E-Mail Address
Craig Calcasola
Signature of Property Owner
Craig Calcasola
(Name Typed / Printed)

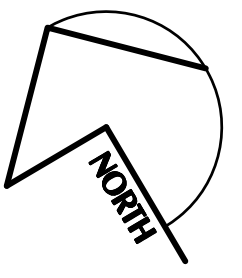
Craig Calcasola
Name of Petitioner(s)
11050 Dondarrach Lane
Address of Petitioner(s)
Charlotte, NC 28277
City, State, Zip
980 207-9806
Telephone Number Fax Number
craigcalcasola@gmail.com
E-Mail Address
Craig Calcasola
Signature of Petitioner
Craig Calcasola
(Name Typed / Printed)



VICINITY MAP



TECHNICAL DATA SHEET
REZONING PETITION # 2017-___



DEVELOPMENT STANDARDS

TAX PARCEL NO.: 114-071-08
EXIST. ZONING CLASSIFICATION: UR-1 (CD)(2017-066)
PROPOSED ZONING CLASSIFICATION: UR-1 (CD)
EXIST. 4 PROP. USE: SINGLE FAMILY DETACHED
SITE ACREAGE: 0.345 AC
MAX. NO. OF UNITS PROPOSED: 4
MAX. PROPOSED DENSITY: 12 DUA
PROPERTY IS LOCATED IN THE
CHARLOTTE HISTORIC DISTRICT

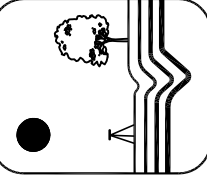
UR-1 (CD) LOT DATA:
MIN. LOT SIZE = 3,000 SF
MIN. LOT WIDTH = 35'
MIN. SETBACK = 25' FROM BACK OF CURB
MIN. SIDE YARD = 5'
MIN. REAR YARD = 10'
MAX. BUILDING HEIGHT = 40'

1. GENERAL PROVISIONS
THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE REZONING PETITION FILED BY BOSTON PROPERTIES TO REZONE AN 0.34 ACRES SITE LOCATED ON WORTHINGTON AVENUE AND WICKFORD PLACE (THE "SITE"). THE PURPOSE OF THE PETITION IS TO REQUEST REZONING OF THE SITE (THE "SITE") TO THE UR-1 (CD) TO REDUCE THE LOT WIDTHS AND SETBACKS TO ALLOW THE CONSTRUCTION OF SINGLE FAMILY DETACHED HOMES. THE SITE IS CURRENTLY ZONED UR-1 (CD). THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE") UNLESS THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS. THE DEVELOPMENT DEPICTED ON THE TECHNICAL DATA SHEET IS INTENDED TO REFLECT THE ROADWAY AND LOT CONFIGURATION PROPOSED FOR THE SITE. AREAS DEPICTED ARE SCHEMATIC AND ARE SUBJECT TO REFINEMENTS AS PART OF THE TOTAL DESIGN PROCESS. THEY MAY, THEREFORE, BE MODIFIED DURING DESIGN SO LONG AS THE MAXIMUM OF FOUR LOTS IS NOT VIOLATED AND PER SECTION 6207.
2. PERMITTED USES
THE SITE WILL BE DEVOTED TO RESIDENTIAL SINGLE-FAMILY DWELLING UNITS AS PERMITTED UNDER THE ORDINANCE.
3. TRANSPORTATION
A. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. THE LOCATION OF VEHICULAR ACCESS POINT IS SUBJECT TO ANY MINOR MODIFICATIONS NECESSARY TO MEET THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) REQUIREMENTS FOR APPROVAL.
B. DRIVEWAYS AND PARKING PADS SHALL HAVE A MINIMUM LENGTH OF 20 FT. MEASURED FROM THE BACK OF THE SIDEWALK.
C. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERT. OF OCCUPANCY IS ISSUED OR PHASED PER SITE'S DEVELOPMENT PLAN.
D. DEDICATION AND FEE SIMPLE CONVEYANCE OF ALL RIGHTS OF WAY WILL BE PROVIDED TO THE CITY BEFORE THE SITE'S FIRST BUILDING CERT. OF OCCUPANCY IS ISSUED.
4. ARCHITECTURAL STANDARDS
EXTERIOR WALLS, EXCLUSIVE OF WINDOWS AND DOORS, SHALL BE CONSTRUCTED WITH GERMAN STYLE SIDING SUPPLEMENTED WITH CEDAR SHAKES AND BROOK VENEER ACCENTS.
5. STREETScape AND LANDSCAPING
THE STREETScape TREATMENT ALONG THE EXISTING PUBLIC STREETS WILL MEET OR EXCEED THE STANDARDS OF THE ORDINANCE AND INCLUDE LARGE MATURING TREES, SIDEWALKS OF AT LEAST FIVE FEET IN WIDTH AND PLANTING STRIPS OF AT LEAST 8 FEET IN WIDTH INTERNALLY. ANY OTHER SCREENING AND LANDSCAPING STANDARDS, ANY OTHER SCREENING AND LANDSCAPING STANDARDS SHALL CONFORM TO THE ORDINANCE.
ANY SIDEWALK OUTSIDE OF THE ROADWAY RIGHT-OF-WAY SHALL BE WITHIN A MIN. 1 FOOT UTILITY EASEMENT (FROM BACK OF CURB).
6. ENVIRONMENTAL FEATURES
(A) THE SITE SHALL COMPLY WITH ALL ENVIRONMENTAL REGULATIONS.
(B) THE PETITIONER SHALL COMPLY WITH THE ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEM AS 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.
8. AMENDMENTS TO REZONING PLAN
FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET, OTHER SHEETS ACCOMPANYING THE PETITION AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCEL WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 6207 OF THE ORDINANCE. ALL MODIFICATIONS OF ANY OF THESE PROVISIONS MUST COMPLY WITH SECTION 6207 OF THE ZONING ORDINANCE.
9. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
(A) THIS REZONING PETITION IS APPROVED. ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONERS AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
(B) THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS "PETITIONERS" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HERS, DEVEISES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONERS 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.



KENNEY DESIGN
GROUP, PA

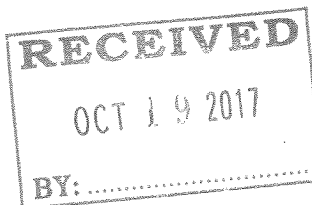
1216 PARSONS TRAIL
DENVER, NORTH CAROLINA 28037
PH: 704/377-4099
EMAIL: KENNEY@KENNEYDESIGN.COM



Scale:	1"=30'
Date:	10/10/17
Drawn By:	MIK
Designed By:	MIK
Job No.:	0417

Public Hearing Map for Rezoning Petition #2017-___
1816 Wickford Place
City of Charlotte, Mecklenburg County, North Carolina
RCMD, LLC

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-163

Petition #: _____
Date Filed: 10/19/17
Received By: [Signature]

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. 28220
Date Property Acquired: 3/31/16
Property Address: 3316, 3320, 3324 North Davidson Street
Tax Parcel Number(s): 083-085-12, 083-085-13, 083-085-14
Current Land Use: Commercial Size (Acres): 0.201 Acres
Existing Zoning: NS Proposed Zoning: TOD-MO
Overlay: NA (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Mandy Rosen
Date of meeting: 10/5/17

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

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes ☒ No ☐ Number of years (maximum of 5): _____
Purpose/description of Conditional Zoning Plan: Current parking Lot to be
Used As open Air Market

Thomas B. Miller
Name of Rezoning Agent
122 Cherokee Road Suite 3
Agent's Address
Charlotte N.C. 28207
City, State, Zip
704-374-1610 704-374-1651
Telephone Number Fax Number
Tom@millerdevelopmentcompany.com
E-Mail Address
[Signature]
Signature of Property Owner
ELIZABETH GUILLO
(Name Typed / Printed)

Miller Development Company
Name of Petitioner(s)
122 Cherokee Road Suite 3
Address of Petitioner(s)
Charlotte N.C. 28207
City, State, Zip
704-374-1610 704-374-1651
Telephone Number Fax Number
Tom@millerdevelopmentcompany.com
E-Mail Address
[Signature]
Signature of Petitioner
Thomas B. Miller
(Name Typed / Printed)

LEGEND:

WM = WATER METER

PO = POWER POLE

SD = STORM DRAIN LINE

SS = SANITARY SEWER LINE

OHE = OVERHEAD ELECTRIC LINE

UGE = UNDERGROUND ELECTRIC LINE

X = WIRE FENCE

□ = WOOD FENCE

○ = CHAIN LINK FENCE

(S) = SET

(O) = OLD

○ = #5 REBAR (S)

● = #5 REBAR (O)

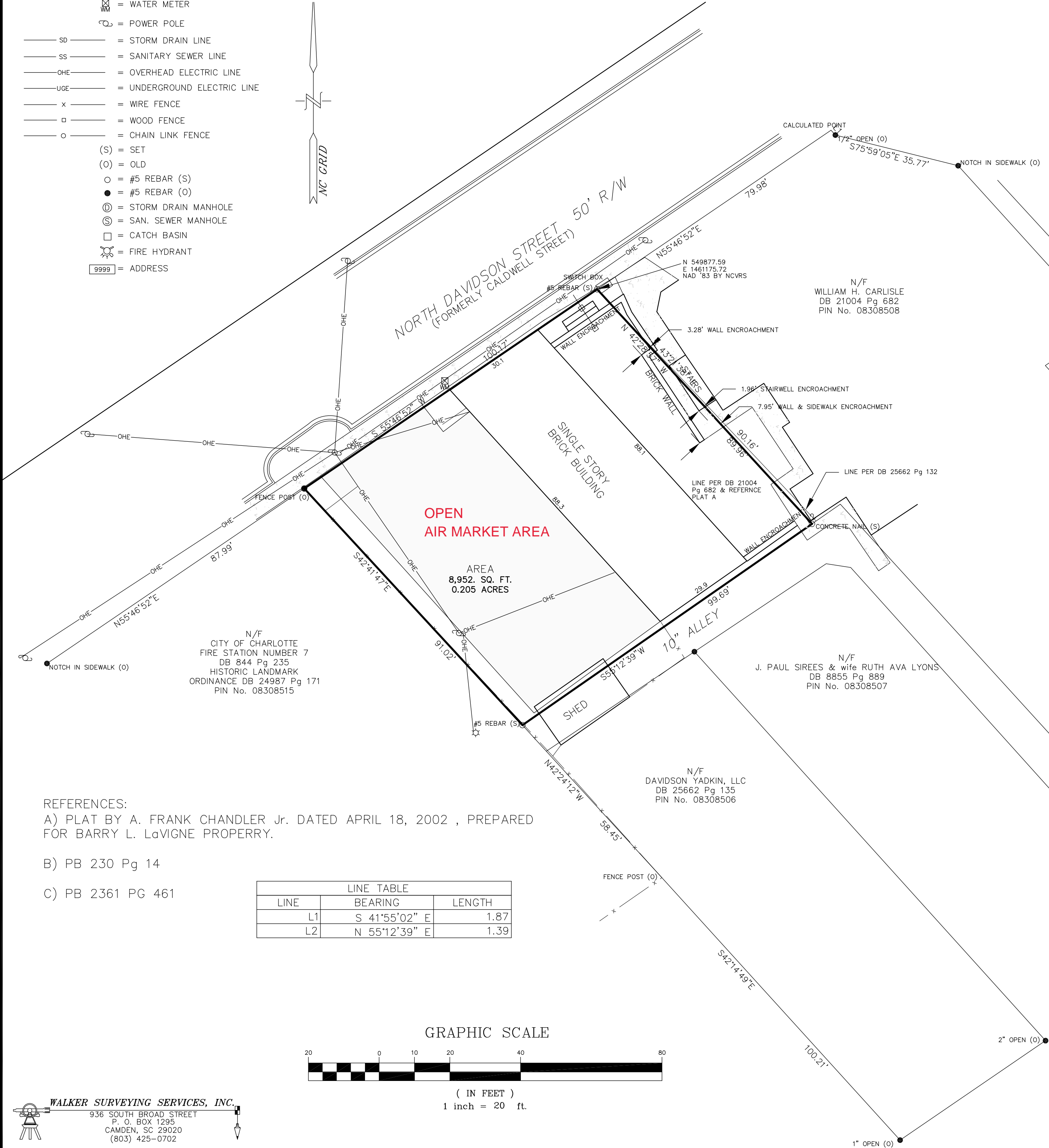
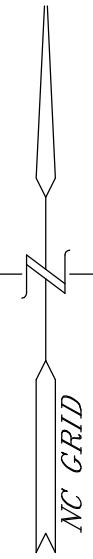
⊙ = STORM DRAIN MANHOLE

⊙ = SAN. SEWER MANHOLE

□ = CATCH BASIN

⊙ = FIRE HYDRANT

9999 = ADDRESS



REFERENCES:

A) PLAT BY A. FRANK CHANDLER Jr. DATED APRIL 18, 2002 , PREPARED FOR BARRY L. LaVIGNE PROPERTY.

B) PB 230 Pg 14

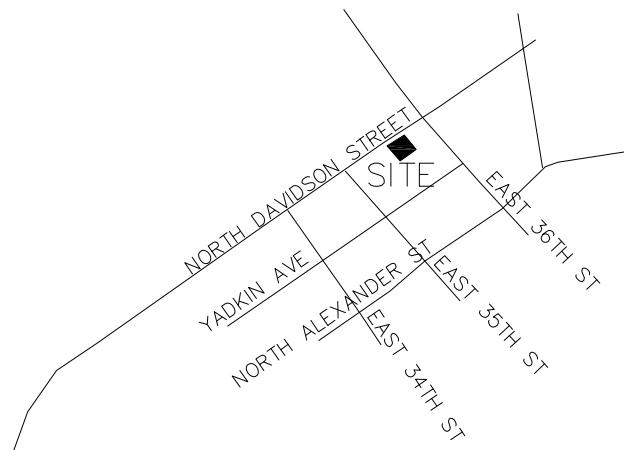
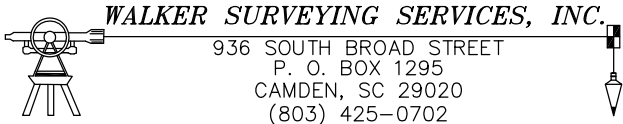
C) PB 2361 PG 461

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 41°55'02\"	1.87
L2	N 55°12'39\"	1.39

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



VICINITY MAP
NOT TO SCALE

NO TITLE EXAM PERFORMED BY
OR PROVIDED TO SURVEYOR.

PROPOSED EASEMENTS SHOWN ARE NOT
IN EFFECT UNTIL A DEED CONVEYS THEM.

EXISTING EASEMENT LOCATIONS ARE
APPROXIMATE UNLESS OTHERWISE NOTED.

THE SUBJECT PROPERTY IS NOT LOCATED
IN A SPECIAL FLOOD HAZARD AREA
AS DETERMINED FROM FEMA FIRM
MAP #3710456400J PANEL 4564
EFFECTIVE DATE MARCH 2, 2009

UNLESS OTHERWISE NOTED, ALL
IRON PINS (S) ARE #5 REBAR.

UNLESS OTHERWISE NOTED, ALL
IRON PINS (O) ARE #5 REBAR.

Development Data Table

- a. Site Acreage: .201 Acres
- b. Tax Parcels: 083-085-12/083-085-13/083-085-14 All Zoned NS
- c. Existing Zoning : NS
- d. Proposed Zoning:TOD-MO
- e. Existing Use and Proposed Use: Existing Restaurant Proposed Restaurant and Open Air Market without parking requirements
- f. Number of Residential Units by Housing Type: NA
- g. Residential Density : NA

BOUNDARY SURVEY	
PREPARED FOR: DAVIDSON YADKIN, LLC	
DESCRIPTION: 3220 NORTH DAVIDSON STREET	
CITY OF CHARLOTE, MECKLENBURG COUNTY, NORTH CAROLINA	
DATE: SEPTEMBER 28, 2010	JOB #: 2010-066
TAX MAP #: 08308512, 08308513 & 08308514	FB #: 719
THE SAME BEING THE PROPERTY CONVEYED TO DAVIDSON YADKIN, LLC BY DEEDS RECORD IN THE REGISTER OF DEEDS OFFICE FOR MECKLENBURG COUNTY IN DEED BOOK 24564 AT PAGE 396 AND DEED BOOK 25662 AT PAGE 132.	
I, J. HENRY WALKER, III, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 24564 AT PAGE 396 & BOOK 25662 AT PAGE 132); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOOUND IN BOOK n/a, PAGE N/A; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS ____DAY OF _____, A.D., _____.	
NCPLS L-3444	J. HENRY WALKER III, PLS
SCPLS # 14532	

RECEIVED

OCT 20 2017

BY:

2017-164

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: _____

Date Filed: 10/20/2017

Received By: B. H.

Complete All Fields (Use additional pages if needed)

Property Owner: Adams Outdoor Advertising Limited Partnership

Owner's Address: 3801 Capital City Boulevard City, State, Zip: Lansing, Michigan 48906

Date Property Acquired: December 6, 2016

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): +/- 17.268 acres

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 Gonzalez, Claire Lyte-Graham, Carlos Alzate et al.

Date of meeting: September 19, 2017

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate the development of a multi-family residential community on the site that will contain up to 198 dwelling units for families at or below 60% of the area median income.

John Carmichael (Robinson Bradshaw)

Name of Rezoning Agent

101 N. Tryon Street, Suite 1900

Agent's Address

Charlotte, NC 28246

City, State, Zip

704-377-8341

Telephone Number

Fax Number

jcarmichael@robinsonbradshaw.com

E-Mail Address

ADAMS OUTDOOR ADVERTISING LIMITED PARTNERSHIP

By: [Signature]

Signature of Property Owner

Jeannine Dodson

(Name Typed / Printed)

Pedcor Investments (c/o Michael S. Byron)

Name of Petitioner(s)

770 Third Avenue, S.W.

Address of Petitioner(s)

Carmel, IN 46032

City, State, Zip

317-218-2702

Telephone Number

Fax Number

mbyron@pedcor.net

E-Mail Address

PEDCOR INVESTMENTS

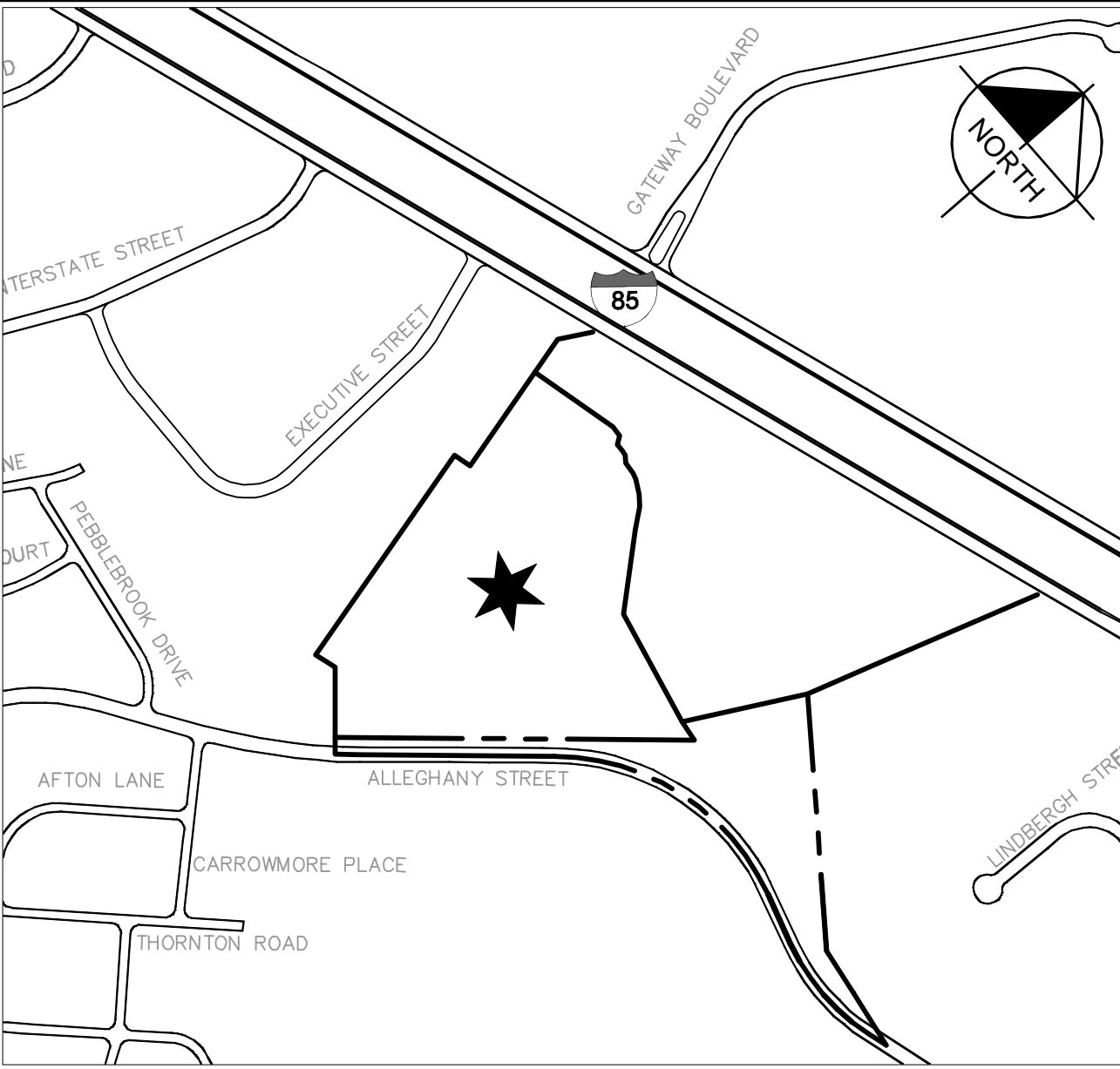
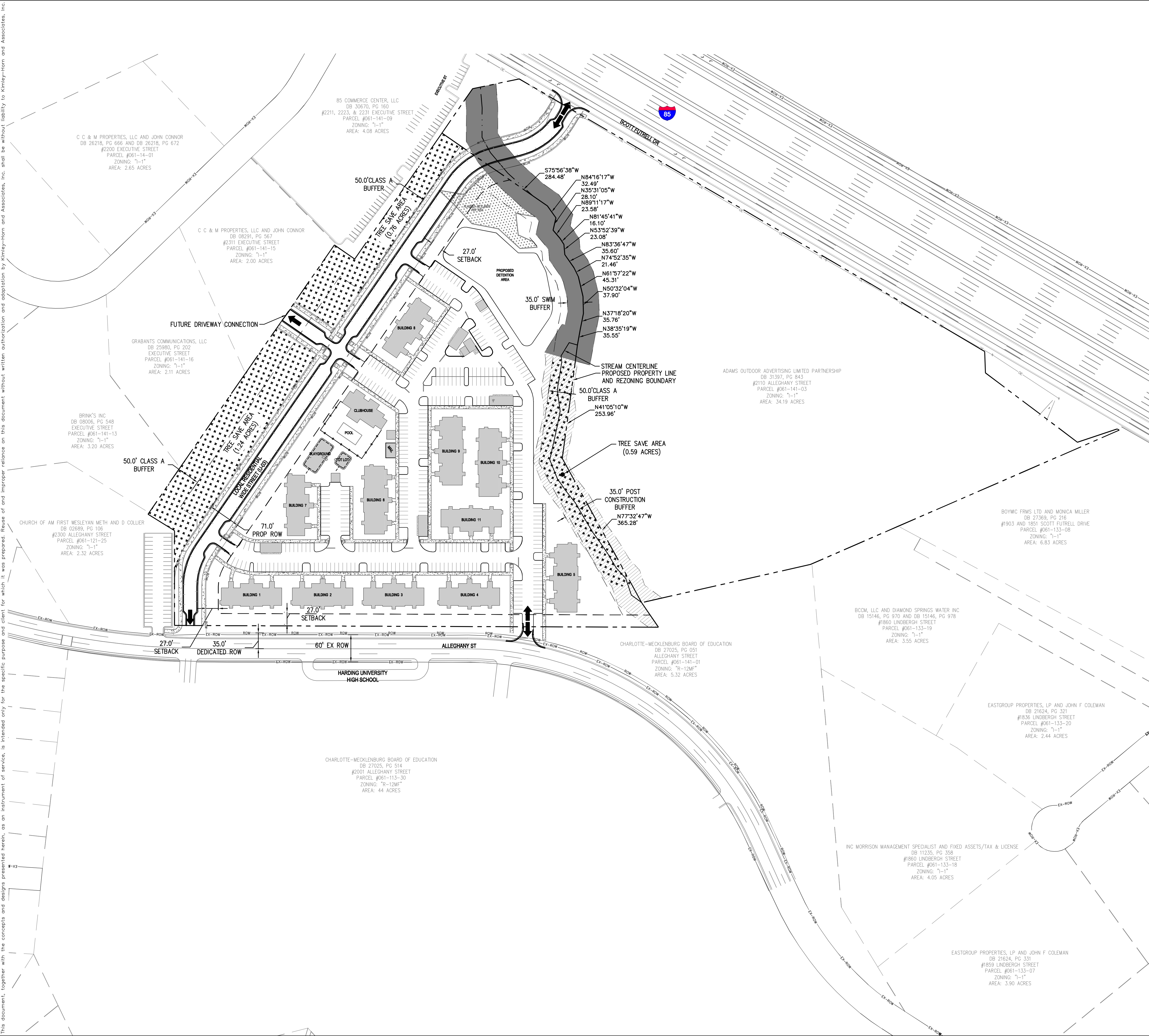
By: [Signature]

Signature of Petitioner

MICHAEL S. BYRON

(Name Typed / Printed)

October 19, 2017 - 4:30pm By: McKenna-Publow
K:\CML_PRA\017046_Pedcor\003_Aleghany_S\02 - DWG\Rezoning\02-1.dwg
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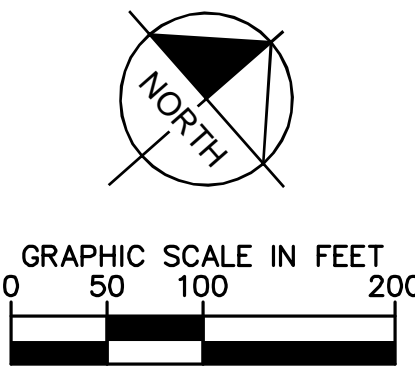


SITE LOCATION MAP
1" = 500'

REZONING LEGEND	
EXISTING RIGHT OF WAY	— EX-ROW —
PROPOSED RIGHT OF WAY	— ROW —
PROPERTY LINE	- - - - -
SETBACK	- - - - -
35' SWIM BUFFER	[Pattern]
35' POST CONSTRUCTION BUFFER	[Pattern]
TREE SAVE	[Pattern]
PROPOSED ACCESS LOCATION	[Symbol]
PROPOSED STUB LOCATION	[Symbol]

SITE DEVELOPMENT DATA

TAX PARCEL:	061-141-03
SITE ACREAGE:	34.19 ACRES
REZONING SITE AREA:	17.27 ACRES
EXISTING ZONING:	I-1
PROPOSED ZONING:	R-12MF
EXISTING USE:	UNDEVELOPED (WOODS)
PROPOSED USE:	MULTI-FAMILY RESIDENTIAL
PERMITTED # OF UNITS:	207 UNITS
PROPOSED UNITS:	196 UNITS
BASE MAXIMUM AVE. BUILDING HEIGHT:	40 FEET
MAXIMUM AVE. HEIGHT AT FRONT BUILDING LINE:	48 FEET
PROPOSED BUILDING HEIGHT:	SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE:	
REQUIRED:	15% (2.54 ACRES)
PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS



Kimley»Horn

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200 SOUTH TRYON ST., STE. 200, CHARLOTTE, NC 28202
PHONE: 704-333-5131
WWW.KIMLEY-HORN.COM

REZONING PETITION

SCALE

DESIGNED BY
MP

DRAWN BY
FJ

CHECKED BY
ME

REZONING SITE PLAN
REZONING PETITION NO. ###

ALLEGHANEY APARTMENTS
ALLEGHANY STREET
CHARLOTTE, NORTH CAROLINA 28208
MECKLENBURG COUNTY

PEDCOR INVESTMENTS
770 THIRD AVENUE, S.W.
CARMEL, IN 46032

DATE
10-20-2017

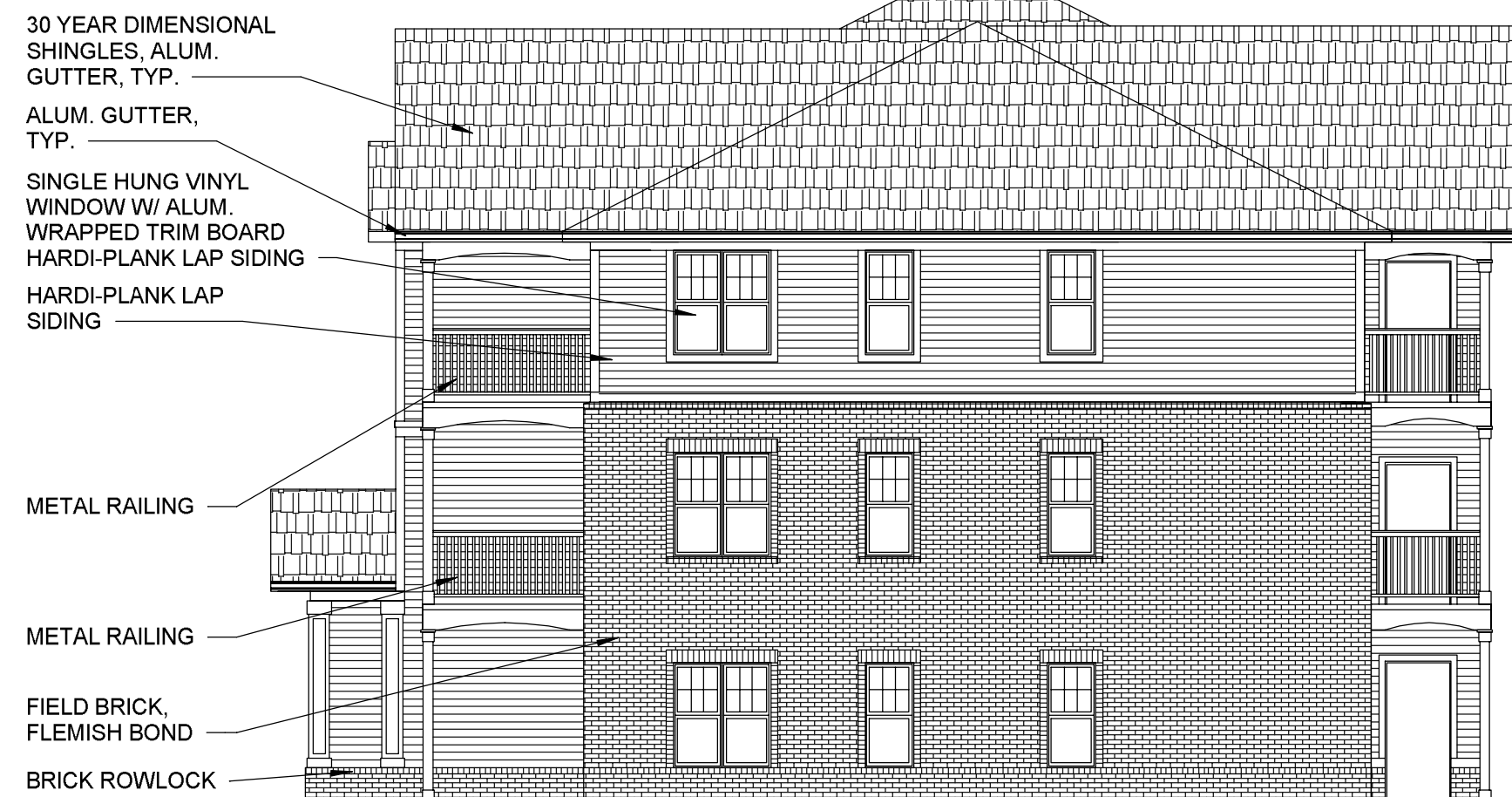
PROJECT NO.
017046003

SHEET NUMBER

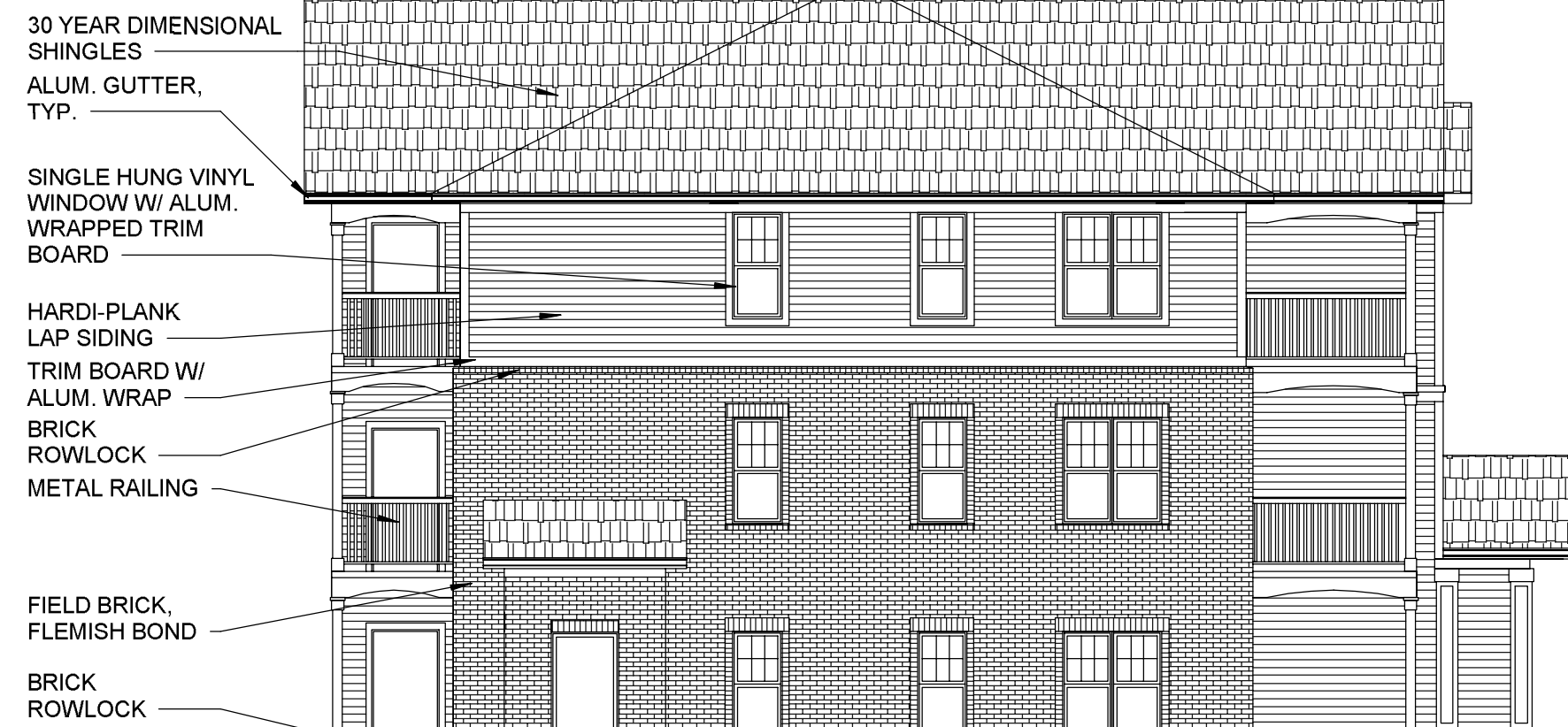
RZ-1

REVISIONS

DATE



4 — 12A6B
1/8" = 1'-0"



2 — 12A6B
1/8" = 1'-0"



3 12A6B
1/8" = 1'-(






1 — 12A6
1/8" = 1

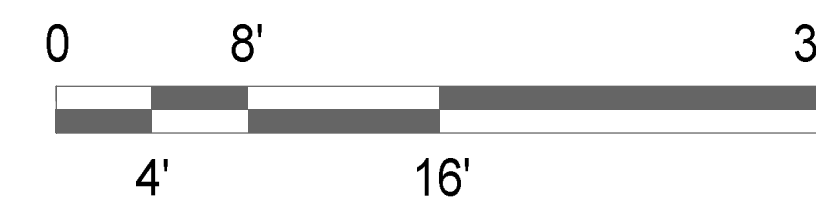
BUILDING TYPE 12A6B

ALLEGHANY STREET APARTMENTS

2110 ALLEGHANY STREET,
CHARLOTTE, NC 28208

NOT FOR CONSTRUCTION

EXTERIOR MATERIAL LEGEND	
	COMPOSITION ROOF
	STONE VENEER
	FIBER CEMENT SIDING



PROJ. NO.
17053
DATE
10/18/2017
SHEET NAME
EXTERIOR
ELEVATIONS
SHEET NO.

A3.1

RZ-3.1	SHEET NUMBER	PROJECT NO. 017046003	DATE 10-20-2017	ALLEGHANEY APARTMENTS ALLEGHANEY SQUARE CHARLOTTE, NORTH CAROLINA 28208 MECKLENBURG COUNTY	CONCEPTUAL BUILDING ELEVATIONS REZONING PETITION NO. #####	SCALE DESIGNED BY MP DRAWN BY JL CHECKED BY ME	Kimley»»Horn © 2017 KIMLEY-HORN AND ASSOCIATES, INC. 200 SOUTH TRYON AVENUE, NC 28202 PHONE: 704-333-5131 WWW.KIMLEY-HORN.COM	No.	REVISIONS	DATE

October 19, 2017 - 3:26pm By: McKimley-Horn
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4 12B6C RIGHT ELEVATION
1/8" = 1'-0"



3 12B6C REAR ELEVATION
1/8" = 1'-0"



2 12B6C LEFT ELEVATION
1/8" = 1'-0"



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

BUILDING TYPE 12B6C

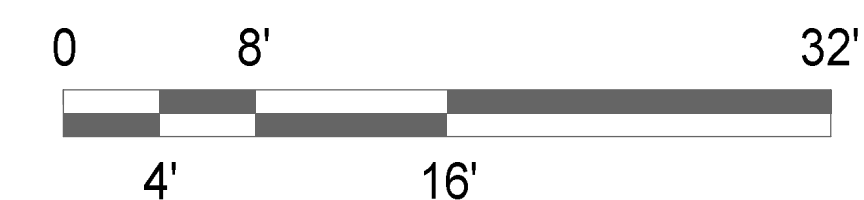
ALLEGHANY STREET APARTMENTS

2110 ALLEGHANY STREET,
CHARLOTTE, NC 28208

NOT FOR CONSTRUCTION



EXTERIOR MATERIAL LEGEND	
	COMPOSITION ROOF
	STONE VENEER
	FIBER CEMENT SIDING



PROJ. NO.	17053
DATE	10/18/2017
SHEET NAME	EXTERIOR ELEVATIONS
SHEET NO.	A3.2

ALLEGHANY APARTMENTS
ALLEGHANY STREET
CHARLOTTE, NORTH CAROLINA 28208
MECKLENBURG COUNTY
PEDCOR INVESTMENTS
770 THIRD AVENUE, S.W.
CARMEL, IN 46032

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

RZ-3.2

REZONING
PETITION

SCALE
DESIGNED BY
MP
DRAWN BY
PT
CHECKED BY
ME

CONCEPTUAL
BUILDING ELEVATIONS
REZONING PETITION NO. ###

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NO.	REVISIONS	DATE

October 19, 2017 - 3:28pm By: McKenzie-Publiover
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4 12A6B RIGHT RENDERED ELEVATION
1/8" = 1'-0"



3 12A6B REAR RENDERED ELEVATION
1/8" = 1'-0"



2 12A6B LEFT RENDERED ELEVATION
1/8" = 1'-0"



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



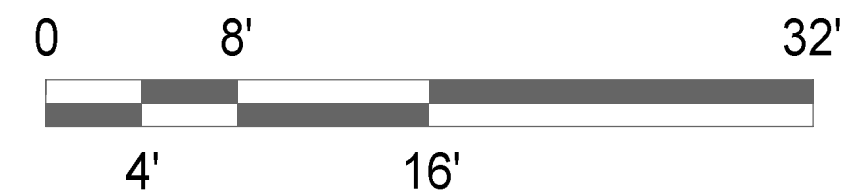
BUILDING TYPE 12A6B

EXTERIOR MATERIAL LEGEND	
	COMPOSITION ROOF
	BRICK VENEER
	FIBER CEMENT SIDING

ALLEGHANY STREET APARTMENTS

2110 ALLEGHANY STREET,
CHARLOTTE, NC 28208

NOT FOR CONSTRUCTION



PROJ. NO.
17053
DATE
10/18/2017
SHEET NAME
RENDERED
ELEVATIONS
SHEET NO.

A4.1

ALLEGHANY APARTMENTS
ALLEGHANY STREET
CHARLOTTE, NORTH CAROLINA 28208
MECKLENBURG COUNTY
PEDCOR INVESTMENTS
770 THIRD AVENUE, S.W.
CARMEL, IN 46032

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

RZ-3.3

**REZONING
PETITION**

SCALE
DESIGNED BY
MP
DRAWN BY
PT
CHECKED BY
ME

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

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REVISIONS
No
DATE

October 19, 2017 - 3:34pm By: McKenzie-Publiover
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4 12B6C RIGHT RENDERED ELEVATION
1/8" = 1'-0"



3 12B6C REAR RENDERED ELEVATION
1/8" = 1'-0"



2 12B6C LEFT RENDERED ELEVATION
1/8" = 1'-0"



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



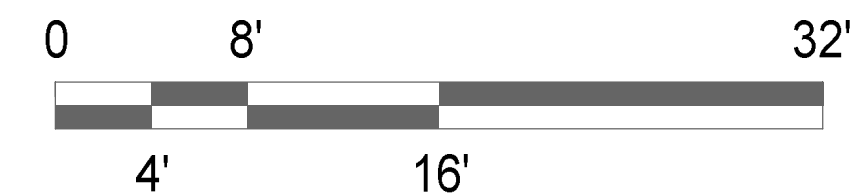
BUILDING TYPE 12B6C

EXTERIOR MATERIAL LEGEND	
	COMPOSITION ROOF
	BRICK VENEER
	FIBER CEMENT SIDING

ALLEGHANY STREET APARTMENTS

2110 ALLEGHANY STREET,
CHARLOTTE, NC 28208

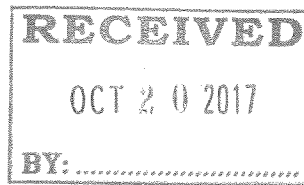
NOT FOR CONSTRUCTION



PROJ. NO.	17053
DATE	10/18/2017
SHEET NAME	RENDERED ELEVATIONS
SHEET NO.	A4.2

REVISIONS		DATE
No.		
Kimley»Horn		
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REZONING PETITION		
SCALE	DESIGNED BY MP	DRAWN BY PT
	CHECKED BY ME	
CONCEPTUAL BUILDING ELEVATIONS REZONING PETITION NO. ###		
ALLEGHANY APARTMENTS ALLEGHANY STREET CHARLOTTE, NORTH CAROLINA 28208 MECKLENBURG COUNTY	PEDCOR INVESTMENTS 770 THIRD AVENUE, S.W. CARMEL, IN 46032	
DATE 10-20-2017	PROJECT NO. 017046003	SHEET NUMBER
RZ-3.4		

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-165

Petition #:	_____
Date Filed:	<u>10/20/2017</u>
Received By:	<u>[Signature]</u>

Property Owners: TM Northlake Mall Outparcels LP C/O Starwood Capital Group LP
TM Northlake Mall LP C/O Starwood Capital Group LP

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: N/A
6801 Northlake Mall Dr, Charlotte, NC 28216

Tax Parcel Numbers: 025-091-24
Portion of 025-091-25

Current Land Use: vacant and commercial (Acres): ± 14.4

Existing Zoning: CC Proposed Zoning: CC SPA

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Alberto Gonzalez, Rick Grochoske, Joshua Weaver, Grant Meac

Date of meeting: 10/10/17

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

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? ☐ Yes ☒ No. Number of years (maximum of 5): N/A

Purpose/description of Conditional Zoning Plan: To allow development of the entitled but undeveloped portion of the Village Shops component of the Northlake property for mixed uses under a site plan that varies the specific location of buildings from the current rezoning plan.

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

704-331-1144 (JB) 704-378-1925(JB)

704.331.3531(KM) 704-378-1954(KM)

Telephone Number

Fax Number

jeffbrown@mvalaw.com; keithmacvean@mvalaw.com

E-mail Address

SEE ATTACHMENTS A - B

Signature of Property Owner

Starwood Retail Partners(Attn: John Albright)

Name of Petitioner

1 East Wacker Drive, Ste. 3600

Address of Petitioner

Chicago, IL 60601

City, State, Zip

312.265.7018

Telephone Number

Fax Number

jalbright@starwoodretail.com

E-mail Address

SEE ATTACHMENT C

Signature of Petitioner

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.

This 18th day of October, 2017.

TM Northlake Mall Outparcels LP

By: [Signature]

Name: Carl Tash

Its: Chief Operating Officer

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 18th day of October, 2017.

TM Northlake Mall LP

By: 

Name: Carl Tash

Its: Chief Operating Officer

ATTACHMENT C

**REZONING PETITION NO. 2017-
Starwood Retail Partners**

Petitioner:

Starwood Retail Partners

By: 

Name: Carl Tush

Title: Chief Operating Officer

SPA RE-ZONING

THE SHOPS AT NORTHLAKE MALL

SITE PLAN AMENDMENT VILLAGE SHOPS COMPONENT ET. AL.

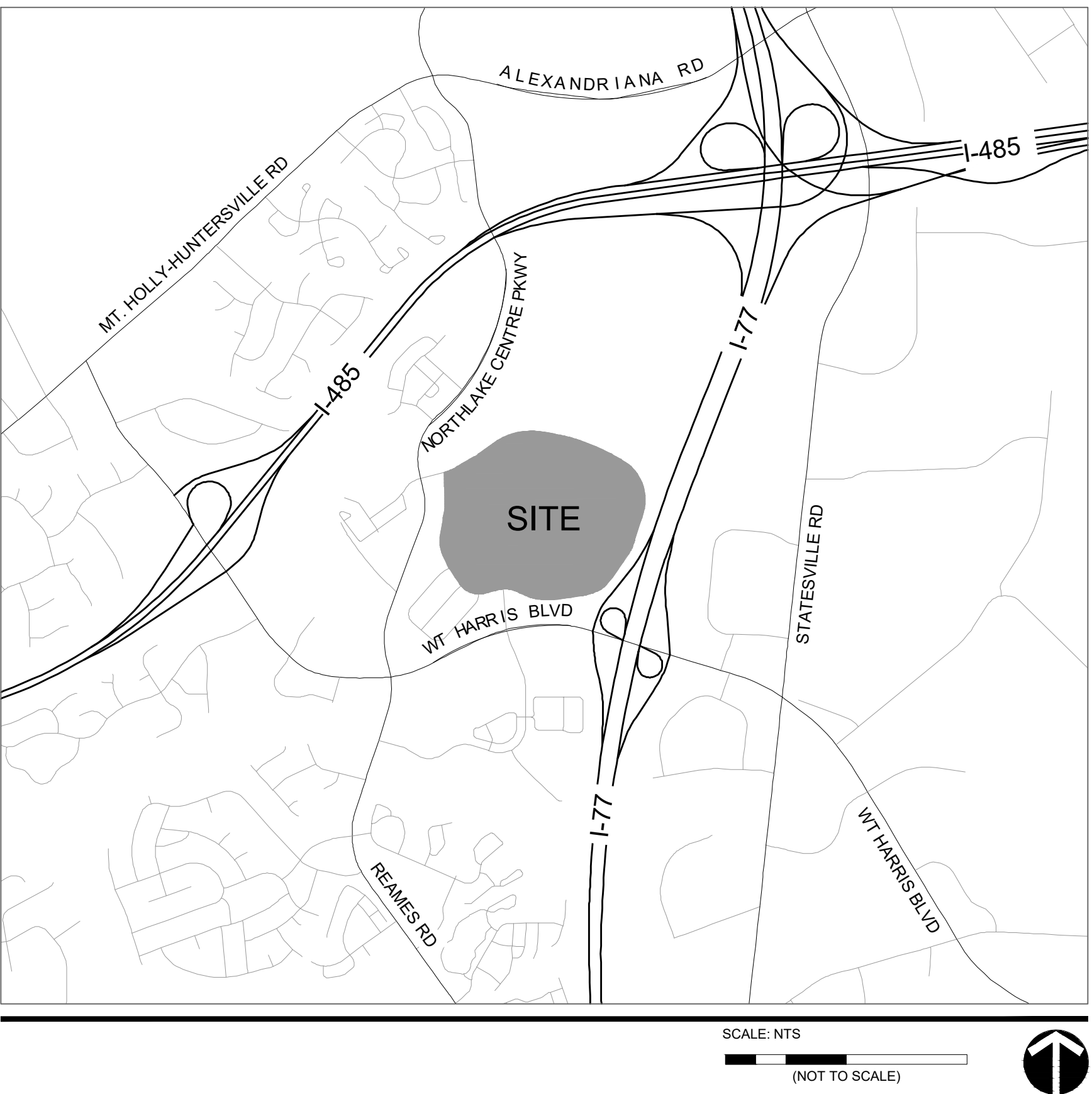
CHARLOTTE, NC

DATE: 10 / 20 / 2017

SHEET INDEX

		10-20-2017 1st Re-Zoning Submittal
Chapter 0		
RZ-0.0	COVER SHEET	x
Chapter 1		
RZ-1.0	ORIGINAL CONCEPTUAL SITE PLAN	x
Chapter 2		
RZ-2.0	TECHNICAL DATA SHEET	x
Chapter 3		
RZ-3.0	SCHEMATIC SITE PLAN	x
RZ-3.1	PEDESTRIAN AND VEHICULAR CIRCULATION PLAN	x
RZ-3.2	RENDERED SCHEMATIC PLAN	x
Chapter 4		
RZ-4.0	SECTIONS	x
Chapter 5		
RZ-5.0	BUILDING ELEVATIONS	x
RZ-5.1	BUILDING ELEVATIONS	x
RZ-5.2	BUILDING ELEVATIONS	x
RZ-5.3	SIGNAGE ELEVATIONS	x
Chapter 6		
RZ-6.0	ZONING NOTES	x

VICINITY MAP



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

PROJECT TEAM

OWNER/DEVELOPER STARWOOD RETAIL PARTNERS 1 EAST WACKER DRIVE SUITE 3600 312.242.3200	TRAFFIC ENGINEER DESIGN RESOURCE GROUP 2459 WILKINSON BOULEVARD CHARLOTTE, NC 28208 704.343.0608
LANDSCAPE ARCHITECT LANDDESIGN 223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325	ATTORNEY MOORE AND VAN ALLEN 100 N. TRYON STREET SUITE 4700 CHARLOTTE, NC 28202 704.331.1000
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	



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

Subject:

Project:

**NORTHLAKE
VILLAGE**
CHARLOTTE, NORTH CAROLINA

**RE-ZONING
PETITION #
2017-XX-XX**

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

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

LANDDESIGN PROJ.# 1015252

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	1ST REZONING SUBMITTAL	10/20/2017

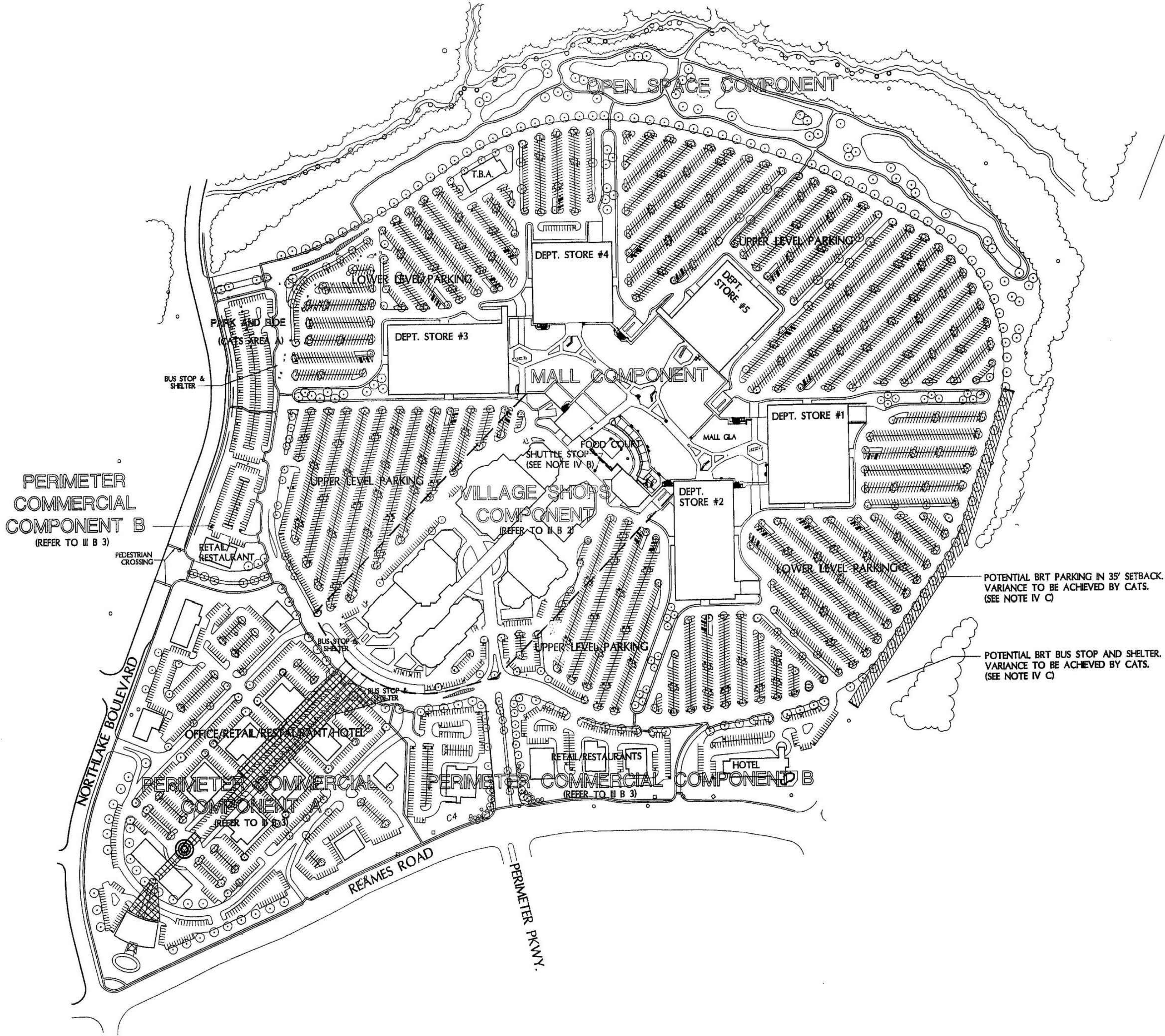
DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

SCALE: NORTH
VERT: N/A
HORZ: 1"=200'
0 100' 200' 400'

SHEET TITLE
**ORIGINAL CONCEPTUAL SITE
PLAN**

SHEET NUMBER

RZ-1.0



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

NOTES:

1. SCHEMATIC PLAN SHEET PROVIDED FOR REFERENCE ONLY. PLAN IS PART OF ORIGINAL RE-ZONING PETITION # 2002-110 APPROVED ON 11/18/2002

APPROVED BY CITY COUNCIL

DATE 11/14/02



0 100' 200' 400' 600'

SCALE: 1" = 200'-0"

JPRA ARCHITECTS

31000 Northwestern Suite 100
Farmington Hills Michigan 48334-2585
phone 248 737 0180 fax 248 737 9161

Job No.

1399

Sheet No.

Z-2

K:\1399\current\city_submittal\22 SITE PLAN\SP108-Z2C.DWG
01-14-2003



SEAL

PROJECT

THE SHOPS AT
NORTHLAKE MALL
SPA RE-ZONING

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

LANDDESIGN PROJ.# 1015252

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
	1ST REZONING SUBMITTAL	10/20/2017

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

SCALE

VERT: N/A
HORZ: 1"=200'

SHEET TITLE

TECHNICAL DATA SHEET

SHEET NUMBER

RZ-2.0

SITE INFORMATION

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	PARKING, VACANT
PROPERTY OWNERS	TM NORTHLAKE MALL OUTPARCELS LP STARWOOD CAPITAL GROUP LP, TM NORTHLAKE MALL LP

ADJACENT PARCEL OWNERSHIP LISTINGS:

- | | |
|--|--|
| 1. D&K GARMON FAMILY LLC
Tax #: 02509106
Zoning: R-3 | 19. ARC NCCHRCN001 LLC
C/O RYAN LLC
Tax #: 02509136
Zoning: CC |
| 2. LTD PARTNERSHIP METROLINA PROPERTIES
Tax #: 02508112
Zoning: BP | 20. ARC NCCHRCN001 LLC
C/O RYAN LLC
Tax #: 02509137
Zoning: CC |
| 3. MECKLENBURG COUNTY
Tax #: 02509141
Zoning: CC | 21. ARC NCCHRCN001 LLC
C/O RYAN LLC
Tax #: 02509122
Zoning: CC |
| 4. FCD-REAMES ROAD LP
Tax #: 02510306
Zoning: R-3 | 22. ARC NCCHRCN001 LLC
C/O RYAN LLC
Tax #: 02509134
Zoning: CC |
| 5. DANIEL J CHARITABLE R/T MCAULAY
BARBARA CHARITABLE R/T MCAULEY
Tax #: 02510304
Zoning: R-3 | 23. TM NORTHLAKE MALL OUTPARCELS LP
C/O STARWOOD CAPITAL GROUP LP
Tax #: 02509123
Zoning: CC |
| 6. BARBARA N MCAULEY
Tax #: 02510308
Zoning: R-3 | 24. AEI NET LEASE PORTFOLIO II DST
Tax #: 02509142
Zoning: CC |
| 7. LESLIE H MILLER
Tax #: 02529128
Zoning: R-17MF | 25. FIRST CITIZENS BANK & TRUST CO
PAUL RIZZARDI
Tax #: 02509129
Zoning: CC |
| 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 | 26. TM NORTHLAKE MALL OUTPARCELS LP
C/O STARWOOD CAPITAL GROUP LP
Tax #: 02509140
Zoning: CC |
| 9. BANNER ELK SYSTEMS LLC
Tax #: 02529111
Zoning: CC | 27. DDC HOTELS INC
JACKIE POLLVOGT
Tax #: 02509128
Zoning: CC |
| 10. BANNER ELK SYSTEMS LLC
Tax #: 02529118
Zoning: R-17MF | 28. AGELLAN COMMERCIAL REIT US LP
Tax #: 02511318
Zoning: CC |
| 11. ROCK NORTHLAKE LLC
Tax #: 02509130
Zoning: CC | 29. KRG CHARLOTTE PERIMETER WOODS LLC
C/O LOWES HOME CENTERS INC TAX
Tax #: 02511324
Zoning: CC |
| 12. ARC NCCHRCN001 LLC
C/O RYAN LLC
Tax #: 02509139
Zoning: CC | 30. KRG CHARLOTTE PERIMETER WOODS LLC
C/O PROPERTY TAX DEPT
Tax #: 02511405
Zoning: CC |
| 13. ARC NCCHRCN001 LLC
C/O RYAN LLC
Tax #: 02509138
Zoning: CC | 31. KRG CHARLOTTE PERIMETER WOODS LLC
C/O BB&T BANK
Tax #: 02511406
Zoning: CC |
| 14. NORTHLAKE SYSTEMS LLC
Tax #: 02529110
Zoning: R-3 | 32. KRG CHARLOTTE PERIMETER WOODS LLC
C/O LOWES HOME CENTERS INC TAX
Tax #: 02511402
Zoning: CC |
| 15. 9905 NORTHLAKE CENTRE PARKWAY LLC
BILL EGAN
Tax #: 02529127
Zoning: CC | 33. MUSKRAT POINT PROPERTIES LLC
C/O JOHN B YOUNG
Tax #: 02522105
Zoning: R-3 |
| 16. TARGET CORP
Tax #: 02529126
Zoning: CC | 34. ROY I DENMAN
Tax #: 02522104
Zoning: R-3 |
| 17. KRG CHARLOTTE PERIMETER WOODS LLC
Tax #: 02529104
Zoning: CC | |
| 18. ARC NCCHRCN001 LLC
C/O RYAN LLC
Tax #: 02509135
Zoning: CC | |

ADJUSTED MALL
COMPONENT

ADJUSTED MALL
COMPONENT

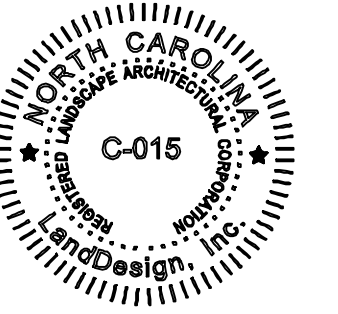
ADJUSTED MALL
COMPONENT

VILLAGE SHOPS
COMPONENT LIMITS
(THE 'SITE')
Tax #: 02509124 (ORIGINAL PARCEL)

ORIGINAL VILLAGE SHOPS
COMPONENT BOUNDARY

ORIGINAL VILLAGE
SHOPS COMPONENT
BOUNDARY

PERIMETER COMMERCIAL
COMPONENT



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

SEAL

**RE-ZONING
PETITION #
2017-XX-XX**

PROJECT

THE SHOPS AT NORTHLAKE MALL SPA RE-ZONING

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

LANDDESIGN PROJ.# 1015252

REVISION / ISSUANCE


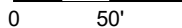
[illegible]

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

SCALE

NORTH

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



0 50' 100' 200'

SHEET TITLE

SCHEMATIC SITE PLAN

SHEET NUMBER

BER

RZ-3.0



LEGEND



NEW VILLAGE SHOPS COMPONENT
PARCEL BOUNDARY



PROPOSED SIGN MONUMENT LOCATIONS

FULL MOVEMENT
ENTRANCE INTERSECTIONS

SIGNALIZED
INTERSECTION



PROJECT

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

STARWOOD RETAIL PARTNERS

CHARLOTTE, NC



[illegible]

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

SCALE

NORTH

VERT: N/A
HORZ: 1"=200'

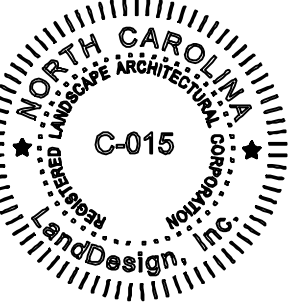


SHEET TITLE

PEDESTRIAN AND
VEHICULAR CIRCULATION
PLAN

SHEET NUMBER

RZ-3.1



SEAL

RE-ZONING
PETITION #
2017-XX-XX

PROJECT

THE SHOPS AT
NORTHLAKE MALL
SPA RE-ZONING

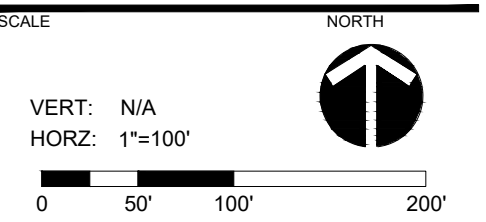
STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

LANDDESIGN PROJ.# 1015252

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	1ST REZONING SUBMITTAL	10/20/2017

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

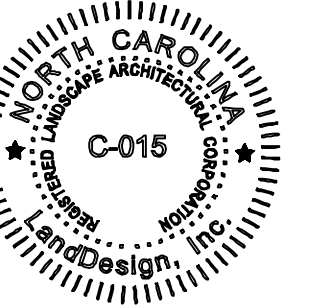


SHEET TITLE

RENDERED SCHEMATIC SITE
PLAN

SHEET NUMBER

RZ-3.2



SEAL

RE-ZONING
PETITION #
2017-XX-XX

PROJECT

THE SHOPS AT
NORTHLAKE MALL

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

LANDDESIGN PROJ.# 1015252

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	1ST REZONING SUBMITTAL	10/20/2017

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

SCALE NORTH

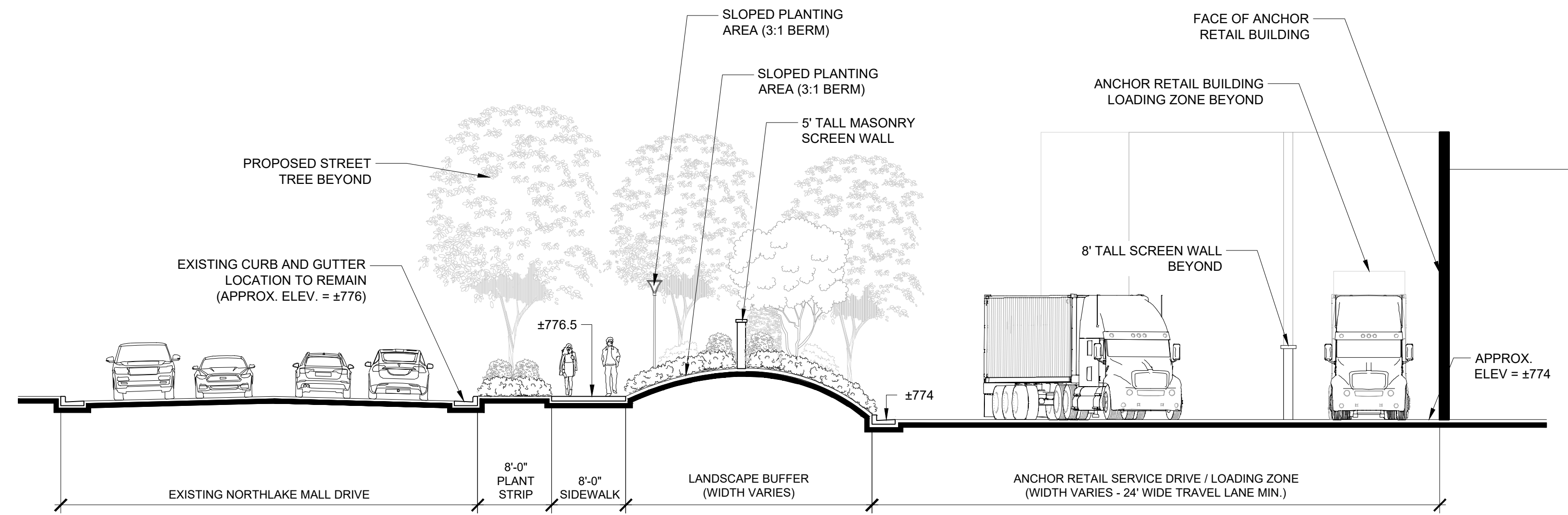
VERT: N/A
HORZ: AS NOTED

SHEET TITLE

SECTIONS

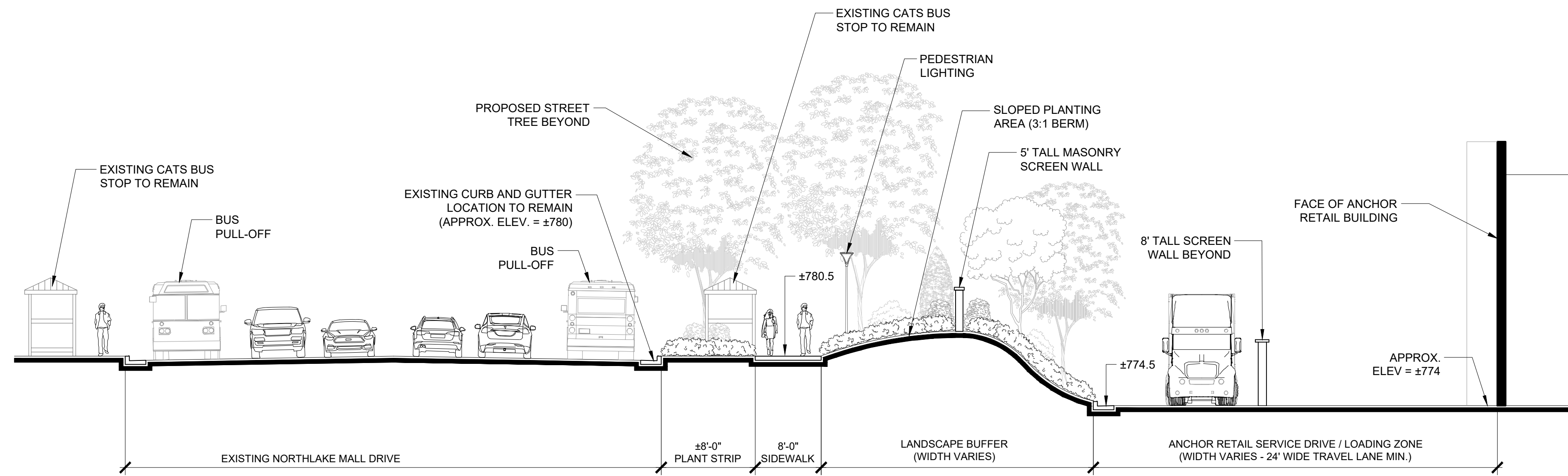
SHEET NUMBER

RZ-4.0



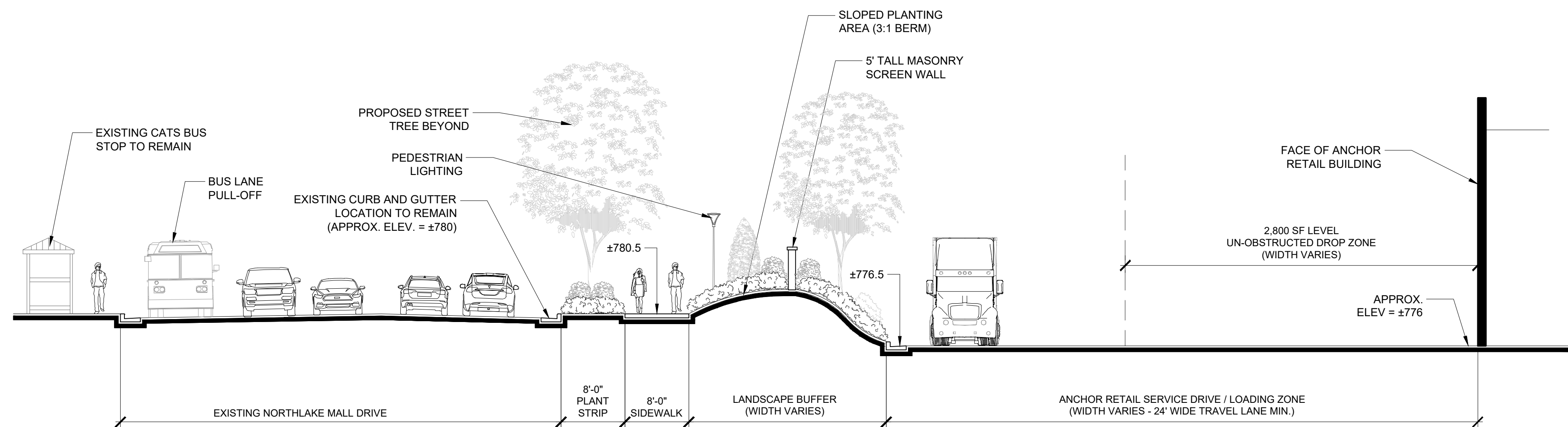
1 SECTION 'A'

1" = 10'



2 SECTION 'B'

1" = 10'



3 SECTION 'C'

1" = 10'



SECTION LOCATION MAP
1" = 100'-0"



TENANT SIGN - 7'-6" X 18'-0"
135 sq ft

TENANT SIGN - 6'-6" X 28'-0"
183 sq ft

TENANT SIGN - 6'-4" X 27'-8"
175 sq ft

TENANT SIGN - 8'-3" X 22'-4"
188 sq ft

TENANT SIGN - 4'-8" X 33'-4"
157 sq ft

BLDG #1

BLDG #2

BLDG #3

BLDG #4

BLDG #5

TENANT SIGN - 7'-6" X 18'- 0"

135 sq ft

BLDG #1

Architectural elevation drawing of BLDG #5, a single-story building. The building features a central entrance with a small porch and a large window above the door. To the left and right of the entrance are large, multi-paned windows. The building has a flat roof and is surrounded by a dark, solid ground plane.

BLDG #5

TENANT SIGN - 8'-3" X 22'-8"

188 sq ft

BLDG #4

The site map illustrates the layout of the University City Transit Center and its surrounding area. Key features include:

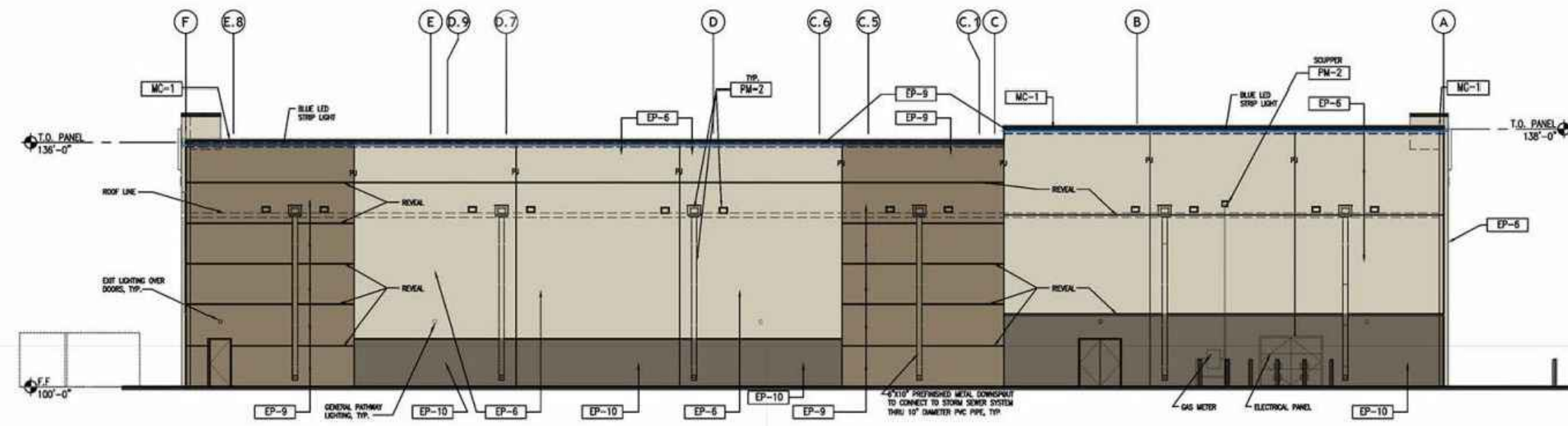
- Buildings:** Labeled BLDG #1 through BLDG #12. BLDG #1 through BLDG #5 are located along the western side of the transit center. BLDG #6 through BLDG #12 are located to the east and south.
- Streets:** Major streets shown include University City Blvd (running north-south) and various east-west streets. A large circular driveway or roundabout is visible in the center-right.
- Transit Routes:** Indicated by lines with arrows and labels A, B, C, D, and E. Route A is a loop around the central area. Route B is a loop around the western side. Route C is a loop around the northern side. Route D is a loop around the southern side. Route E is a loop around the eastern side.
- North Arrow:** Located in the upper right corner, pointing towards the top right of the map.

SHEET NUMBER

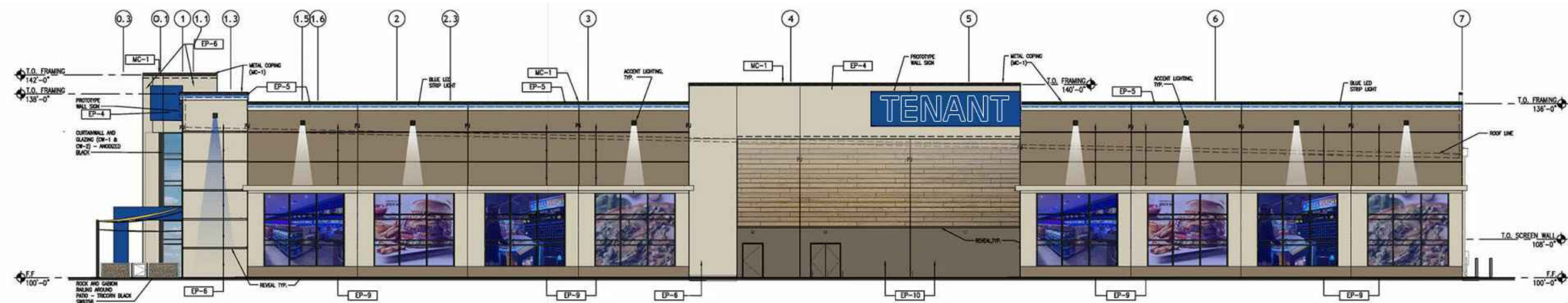
RZ-5.0



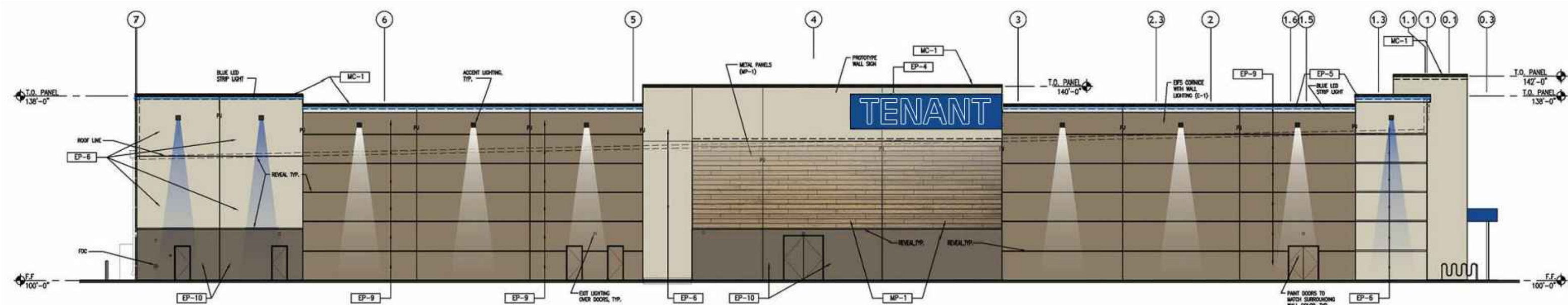
A BLDG 12 ENTERTAINMENT VENUE - FRONT ELEVATION
1" = 20'-0"



B BLDG 12 ENTERTAINMENT VENUE - REAR ELEVATION
1" = 20'-0"



C BLDG 12 ENTERTAINMENT VENUE - SIDE ELEVATION (RIGHT)
1" = 20'-0"



D BLDG 12 ENTERTAINMENT VENUE - SIDE ELEVATION (LEFT)
1" = 20'-0"



ELEVATION LOCATION MAP
1" = 100'-0"

SEAL

**RE-ZONING
PETITION #
2017-XX-XX**

PROJECT

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

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

LANDDESIGN PROJ.# 1015252

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	1ST REZONING SUBMITTAL	10/20/2017

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

SCALE NORTH

VERT: N/A
HORZ: AS NOTED

SHEET TITLE

BUILDING ELEVATIONS

SHEET NUMBER

RZ-5.1



BLDG #7

BLDG #8

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



BLDG #7

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



BLDG #9

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



BLDG #9

BLDG #8

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



BLDG #10

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



BLDG #8

BLDG #7

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



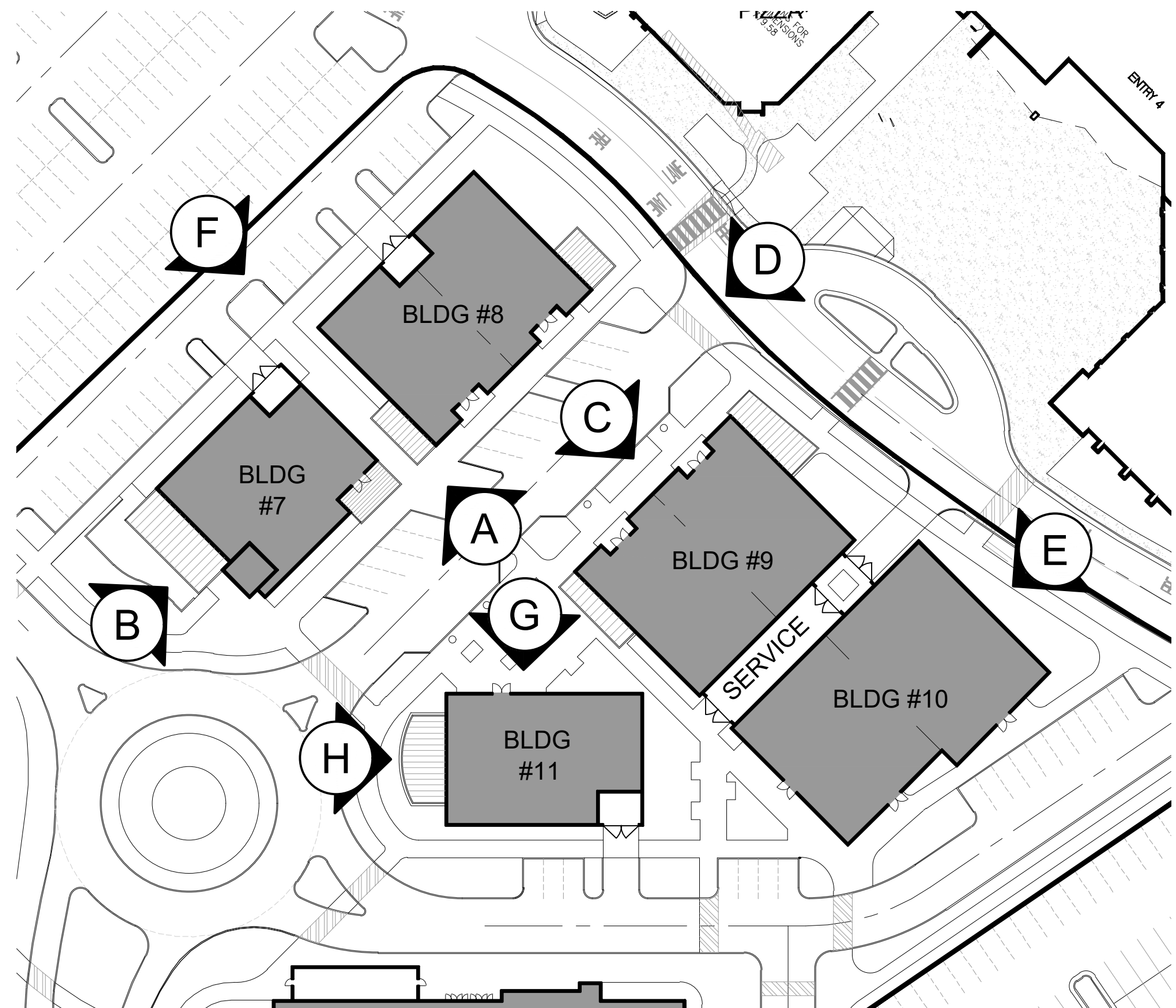
BLDG #11

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



BLDG #11

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



ELEVATION LOCATION MAP
1" = 50'-0"

SEAL

RE-ZONING
PETITION #
2017-XX-XX

PROJECT

THE SHOPS AT
NORTHLAKE MALL
SPA RE-ZONING

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

LANDDESIGN PROJ.# 1015252

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	1ST REZONING SUBMITTAL	10/20/2017

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

SCALE NORTH

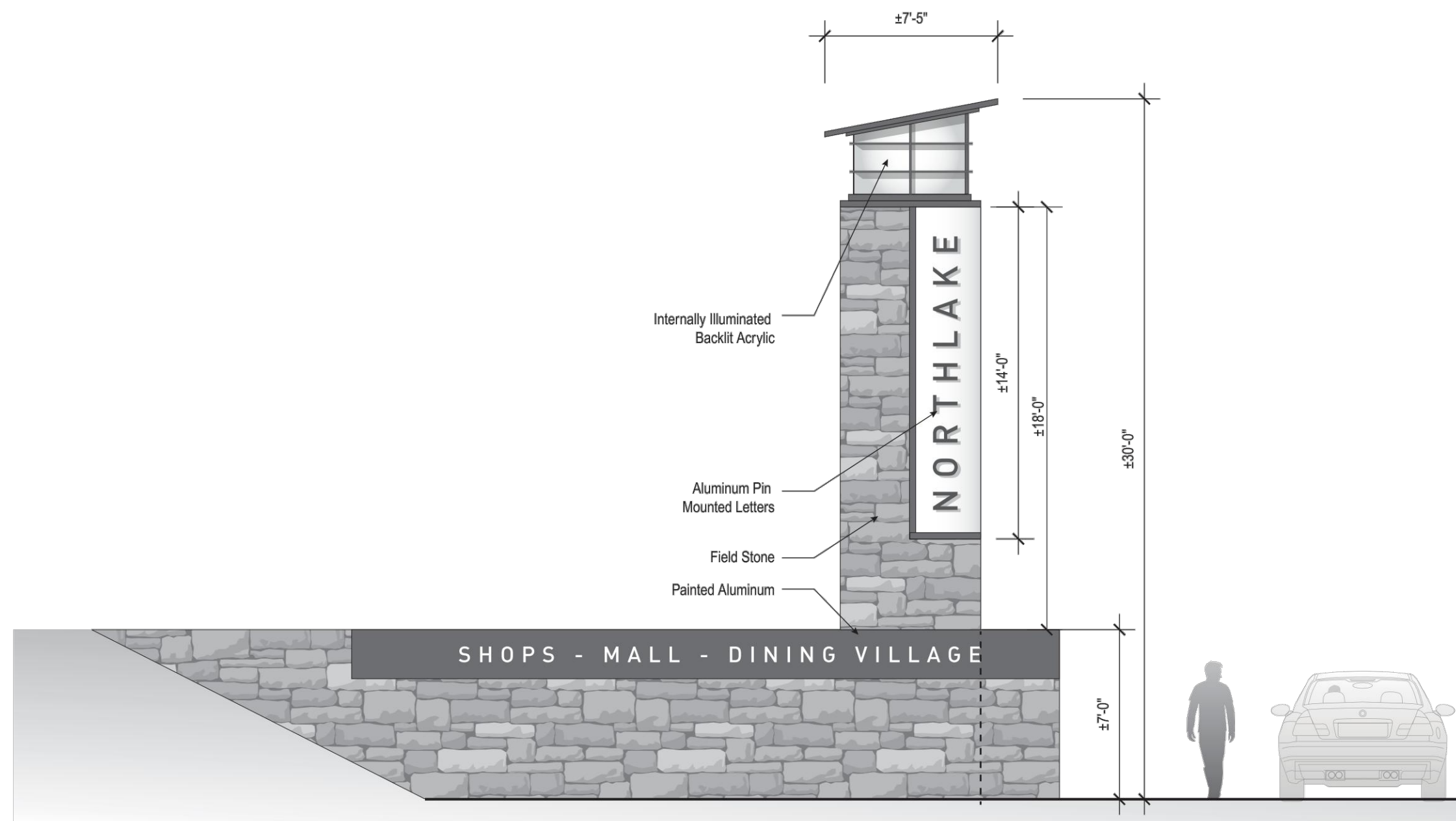
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HORZ: AS NOTED

SHEET TITLE

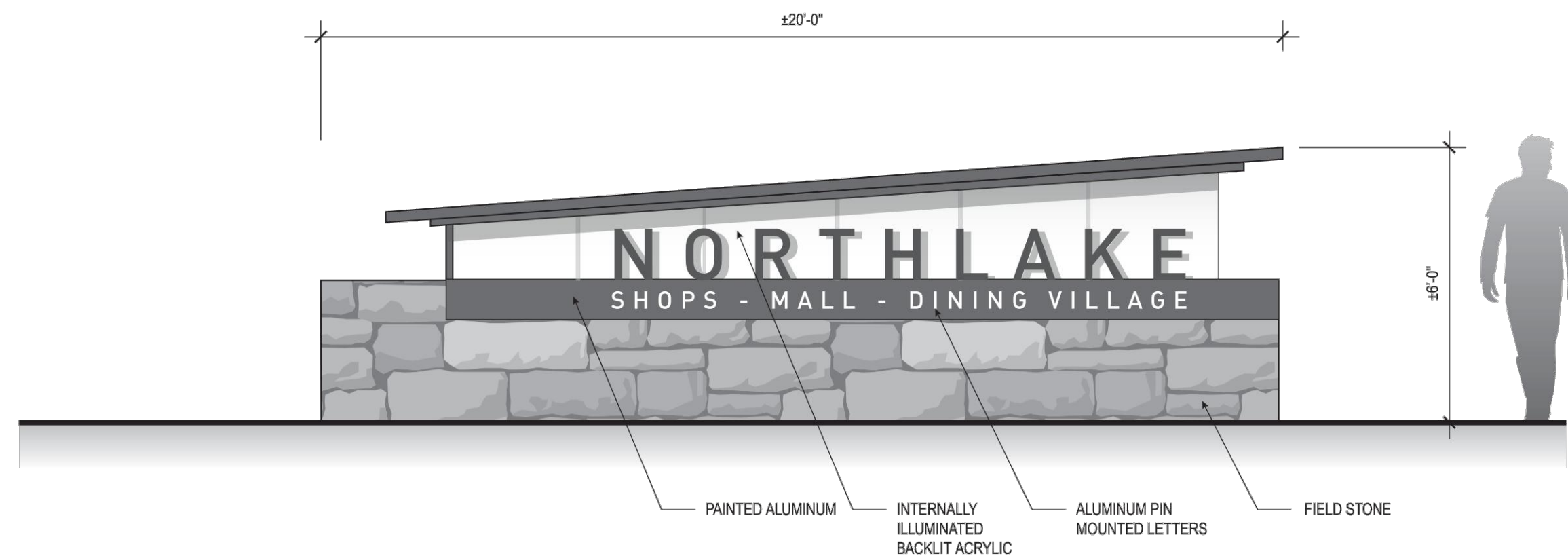
BUILDING ELEVATIONS

SHEET NUMBER

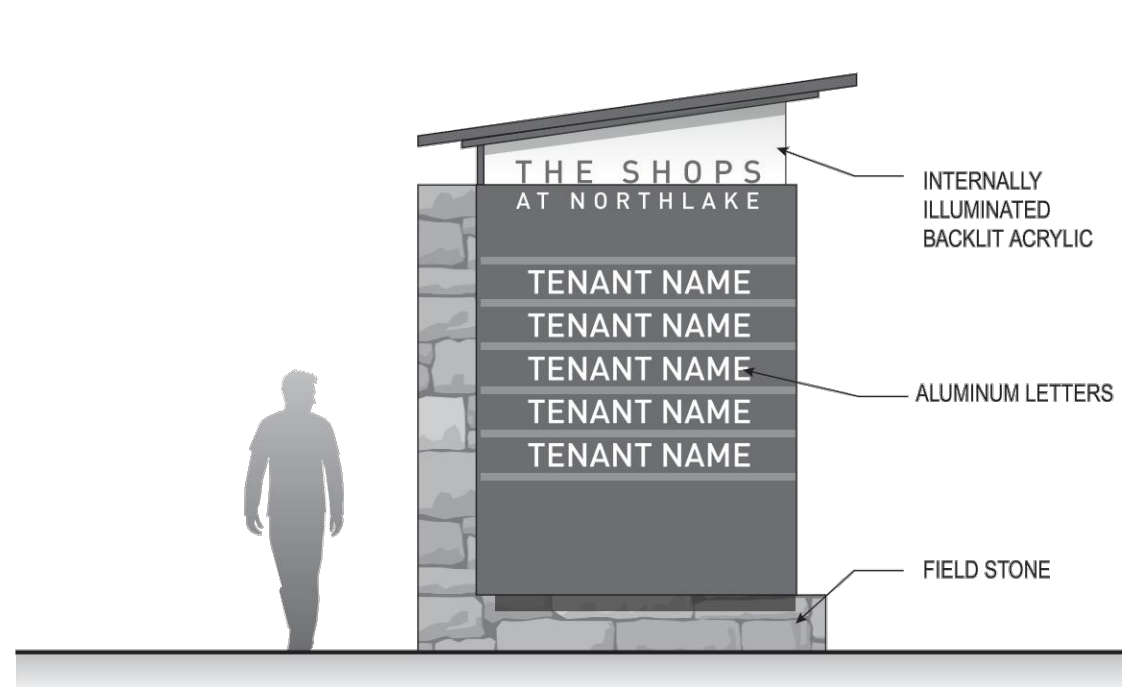
RZ-5.2



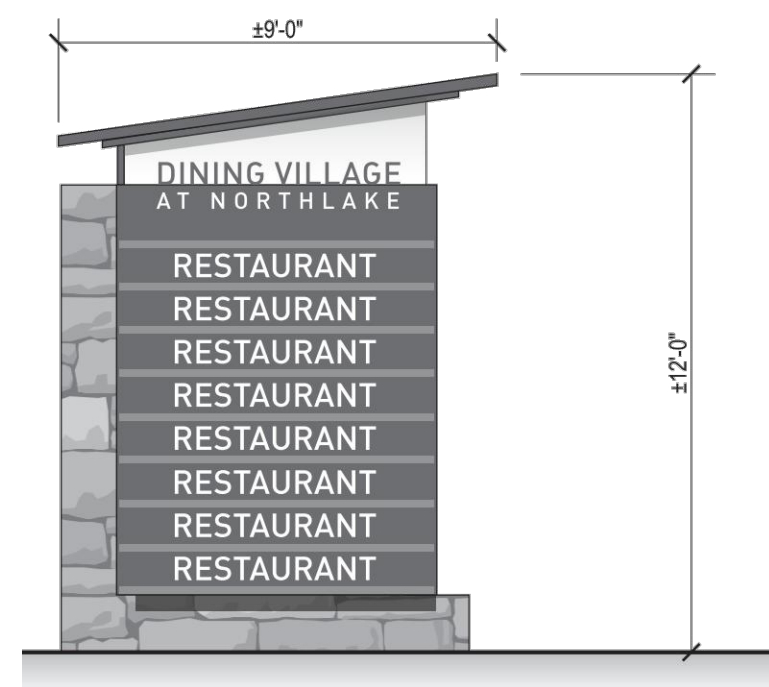
1 PROPOSED ENTRY PYLON AND RETAINING WALL - FRONT ELEVATION
3/16" = 1'-0"



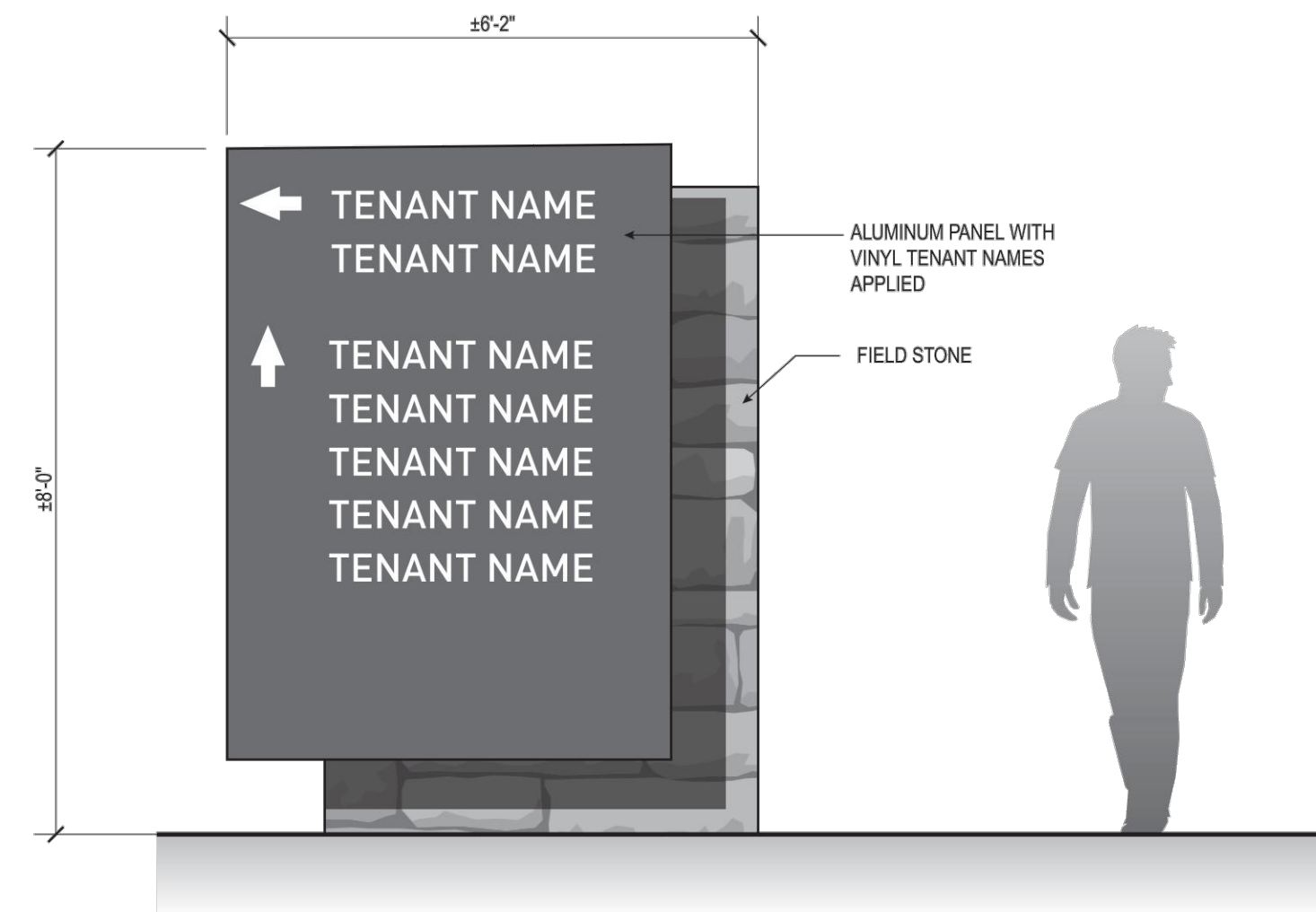
2 PROPOSED NEW PERIMETER IDENTITY MONUMENT (LOCATED IN MEDIAN)
3/8" = 1'-0"



3 PROPOSED "SHOPS AT NORTHLAKE"
IDENTITY PYLON
(2 PROPOSED LOCATIONS) (29.1 SF SIGNAGE TOTAL)
1/4" = 1'-0"



4 PROPOSED "DINING VILLAGE"
IDENTITY PYLON
(1 PROPOSED LOCATION) (44.1 SF SIGNAGE TOTAL)
1/4" = 1'-0"



4 NEW DIRECTIONAL SIGN
(MULTIPLE LOCATIONS) (36.6 SF SIGNAGE TOTAL)
1/2" = 1'-0"

RE-ZONING
PETITION #
2017-XX-XX

PROJECT

THE SHOPS AT
NORTHLAKE MALL
SPA RE-ZONING

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

LANDDESIGN PROJ.# 1015252

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	1ST REZONING SUBMITTAL	10/20/2017

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

SCALE NORTH

VERT: N/A
HORZ: AS NOTED

SHEET TITLE

SIGNAGE ELEVATIONS

SHEET NUMBER

RZ-5.3

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-164
Petition #: _____
Date Filed: 10/20/2017
Received By: BH

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 28208

Tax Parcel Numbers: portion of 061-151-09

Current Land Use: Under Development with Warehouse Distribution Uses (Acres): ± 3.22

Existing Zoning: I-1(CD) Proposed Zoning: I-1(CD) SPA

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Alberto Gonzalez, Julie Lund, and Rick Grochoske

Date of meeting: October 2nd 2017

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

For Conditional Rezonings Only:

Requesting a vesting period exceeding the 2 year minimum? ☐ Yes ☒ No. Number of years (maximum of 5): N/A

Purpose/description of Conditional Zoning Plan: To allow a driveway to Tuckaseegee Road

Keith MacVean & Jeff Brown

Name of Rezoning Agent

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

Agent's Address

Charlotte, NC 28202

704.331.3531 (KM) 704-378-1954(KM)
704-331-1144 (JB) 704-378-1925 (JB)

Telephone Number Fax Number

keithmacvean@mvalaw.com;
jeffbrown@mvalaw.com

E-mail Address

See Attachment A

Signature of Property Owner

KP Development, LLC (Attn: Scott Haley)

Name of Petitioner

8025 Forsyth Blvd

Address of Petitioner

Clayton, MO 63105

City, State, Zip

314.261.7352

Telephone Number Fax Number

shaley@kpstl.com

E-mail Address

See Attachment B

Signature of Petitioner

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: _____
Its: _____

ATTACHMENT B

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

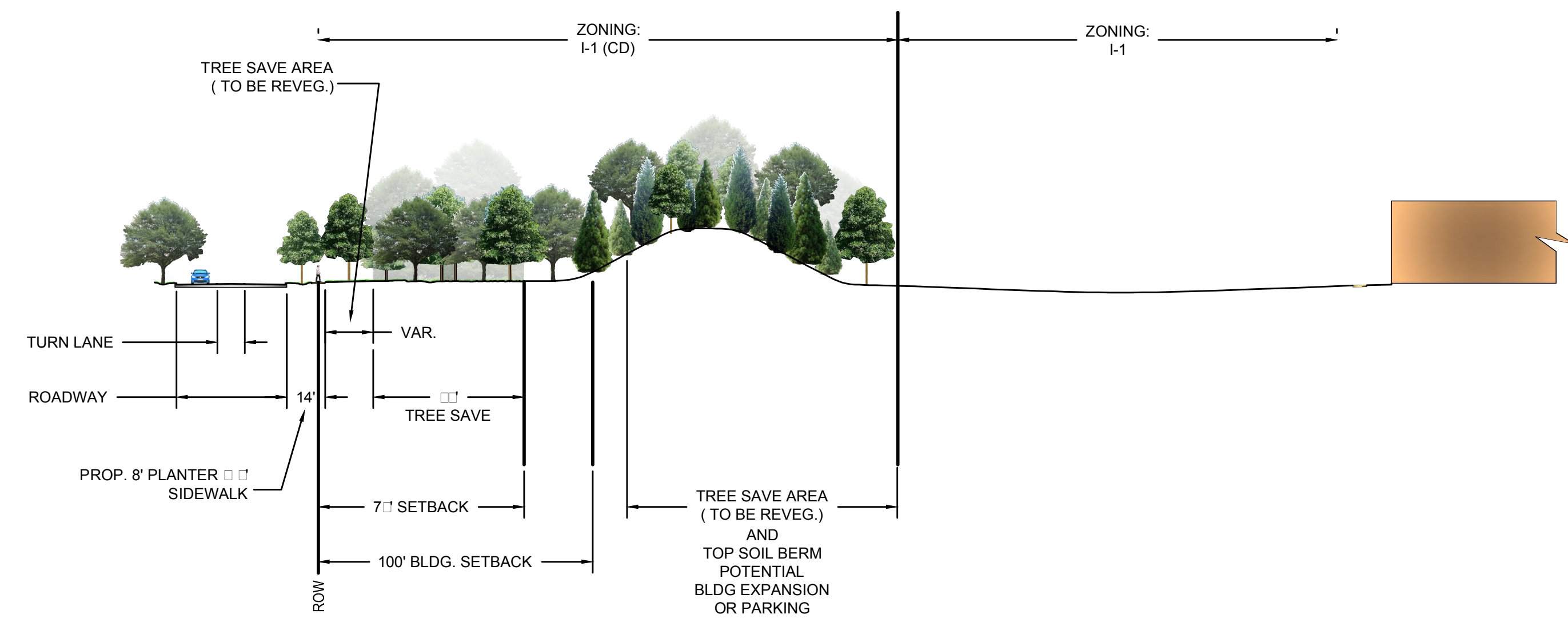
Petitioner:

KP Development, LLC


By: 

Name: _____

Title: _____



G



A north arrow pointing upwards, with a circular center containing a diagonal line and a cross-hatched pattern. Below the arrow is a graphic scale bar divided into alternating black and white segments. The text "GRAPHIC SCALE" is centered above the bar. Below the bar, the text "(IN FEET)" is centered, followed by "1 inch = 40 ft.".

GRAPHIC SCALE

(IN FEET)

1 inch = 40 ft.

THE WESTERN PROPERTY : BOUNDARY AS ENCASED DEPICATED ON THE REZONING : P-AN.

THE SITE WITHIN THE CITY ESTABLISHED AS A FUTURE BUILDING EXPANSION AND PASSENGER PARKING AND MANUEVERING AREA IS UTILIZED AS A LOWED IT WILL BE USED FOR TREES AND PLANTS AND TREES AS A CHARTER DEPENDED ON THE REZONING : P-AN.

5. ENVIRONMENTAL FEATURES:

THE PROJECT WITH THE CHARACTER CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROL ORDINANCE THE LOCATION SIZE AND TYPE OF THE PROJECTS AND THE STEAMS DEPENDENT ON THE REZONING : P-AN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FUTURE DEVELOPMENT P-AN SUBMITTALS AND ARE NOT TO BE USED IN THE REZONING : P-AN MAINTENANCE IN ORDER TO ACCOMMODATE ACTUAL WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS

6. THE SITE WILL COMPLY WITH TREE ORIENTATION

6. **SIGNAGE:**

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

7. **LIGHTING:**

a. A NEW SHED, SHED, SHAED, BE FENCED OFF TO PREVENT FIXTURES EXCLUDING LOWER, DECORATIVE SHEDS THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.

b. DETACHED SHEDS ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 22 FEET IN HEIGHT.

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



8. 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

9. **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.

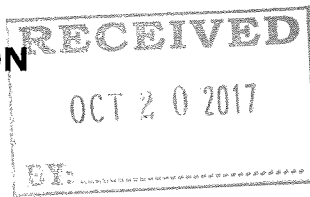


GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

Sheet 1 OF 1

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-167
Petition #: _____
Date Filed: 10/20/2017
Received By: [Signature]

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties
Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: vacant (Acres): ± 2.11

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

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

Required Rezoning Pre-Application Meeting* with: [Claire Lyte-Graham, Alberto Gonzalez, Carlos Alzate, Joshua Weaver, Grant Meacci]

Date of meeting: 10/17/2017

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

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? ☐ Yes ☒ No. Number of years (maximum of 5): N/A

Purpose/description of Conditional Zoning Plan: To promote redevelopment of the abandoned Site to permit a new mixed-use development.

Jeff Brown & Keith MacVean

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

704-331-1144 (JB) 704-378-1925(JB)

704.331.3531 (KM) 704-378-1954(KM)

Telephone Number

Fax Number

jeffbrown@mvalaw.com ; keithmacvean@mvalaw.com

E-mail Address

SEE ATTACHMENT A

Signature of Property Owner

Beaver Creek CRE LLC(Attn: Susan Rosenblatt)

Name of Petitioner

8334 Pineville Matthews Road, Ste. 103-256

Address of Petitioner

Pineville, NC 28134

City, State, Zip

704.363.1368

Telephone Number

Fax Number

susan@gvestcapital.com

E-mail Address

SEE ATTACHMENT B

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 19th day of October, 2017.

Executive Building Company LLC

By: 
Name: SAM KAPLAN
Its: MGR

ATTACHMENT B

**REZONING PETITION NO. 2017-
Beaver Creek CRE LLC**

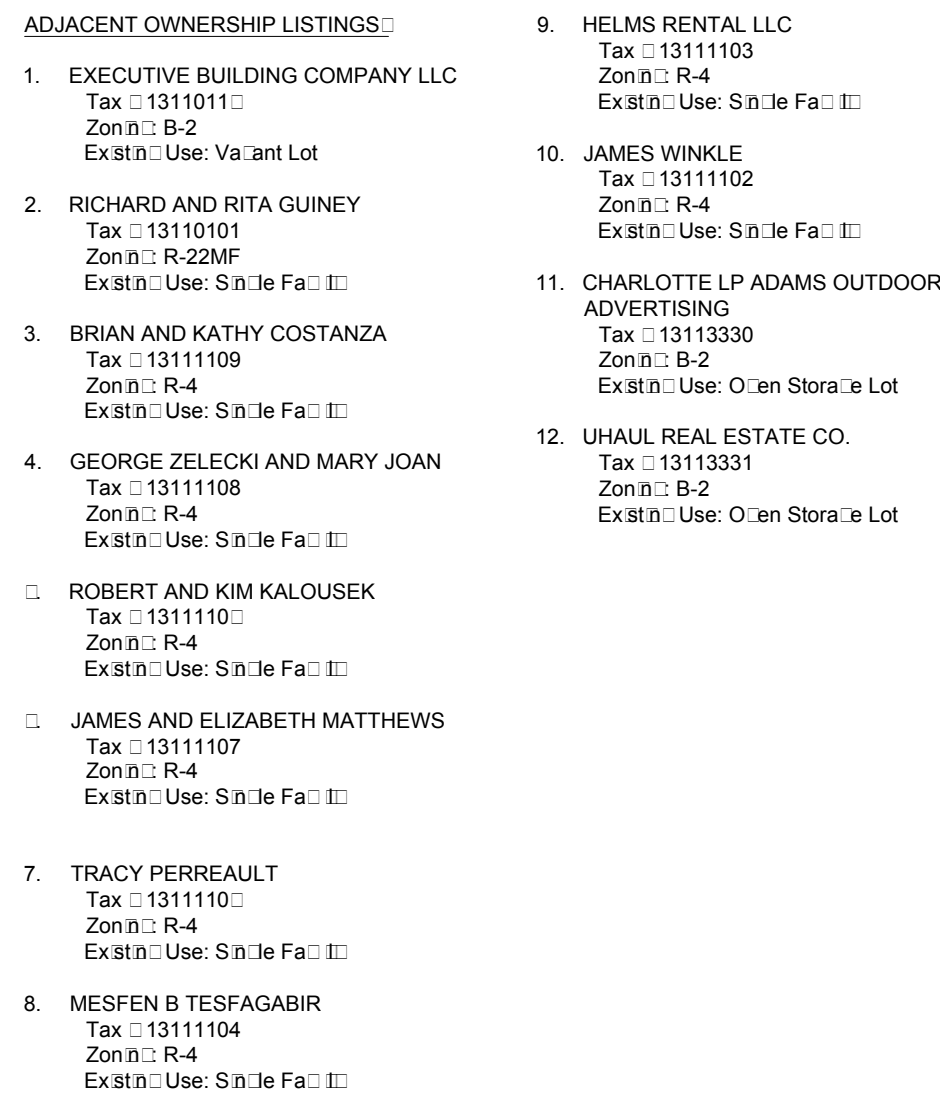
Petitioner:

Beaver Creek CRE LLC

By: 

Name: RAYMOND GEE

Title: MEMBER

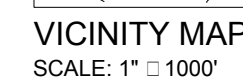


SEAI

BEAVER CREEK CRE, LLC
4037 E. INDEPENDENCE
BOULEVARD
CHARLOTTE, NC 28204

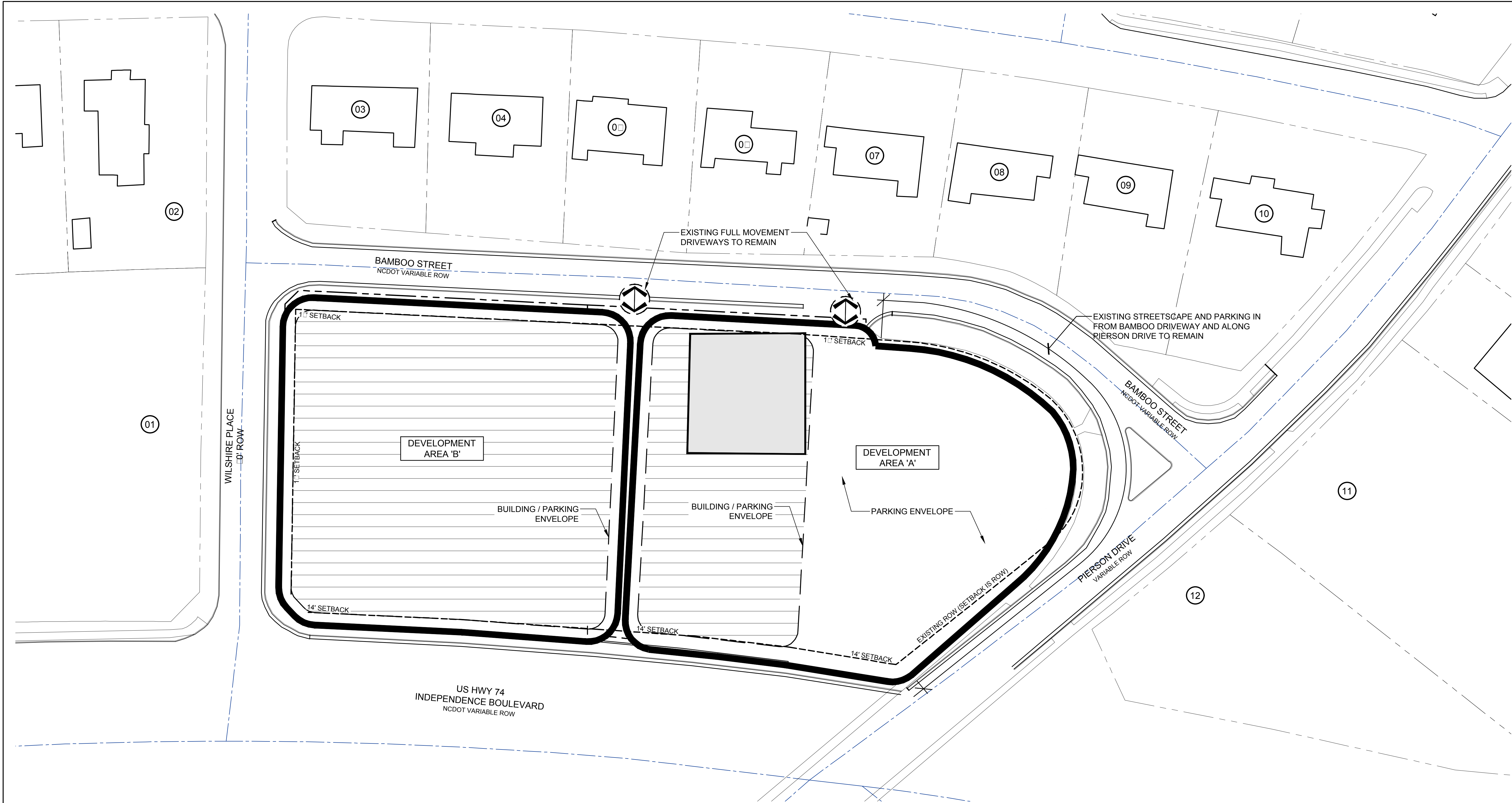
SHEET NUMBER

RZ-0



SITE AREA	2.11 ACRES (-7.91.911.D S.F.T)
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	EXECUTIVE BUILDING COMPANY, LLC PO BOX 3377 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.



KEY MAP

SEAL

R 0 0 0 0 0 0 G
P 0 0 0 0 0 0 0 0 0 0
2017 0 0 0 0

PROJECT

R 0 0 0 0 0 0 D 0 0 G
R 0 0 0 0 0 0 G

BEAVER CREEK CRE, LLC
4037 E. INDEPENDENCE
BOULEVARD
CHARLOTTE, NC 28201

LANDDESIGN PROJ.: 1017337

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
01	REZONING SUBMITTAL	10-23-2017

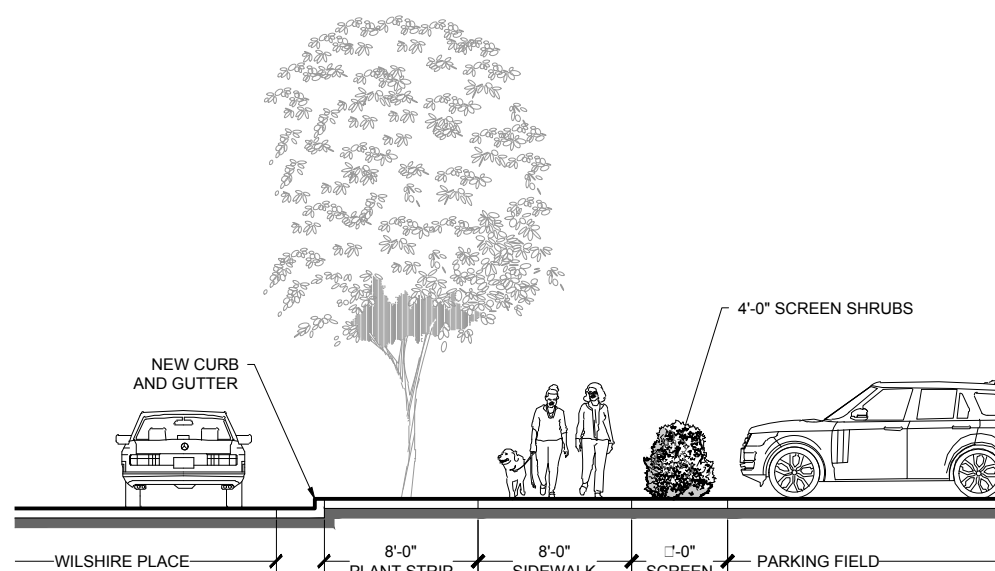
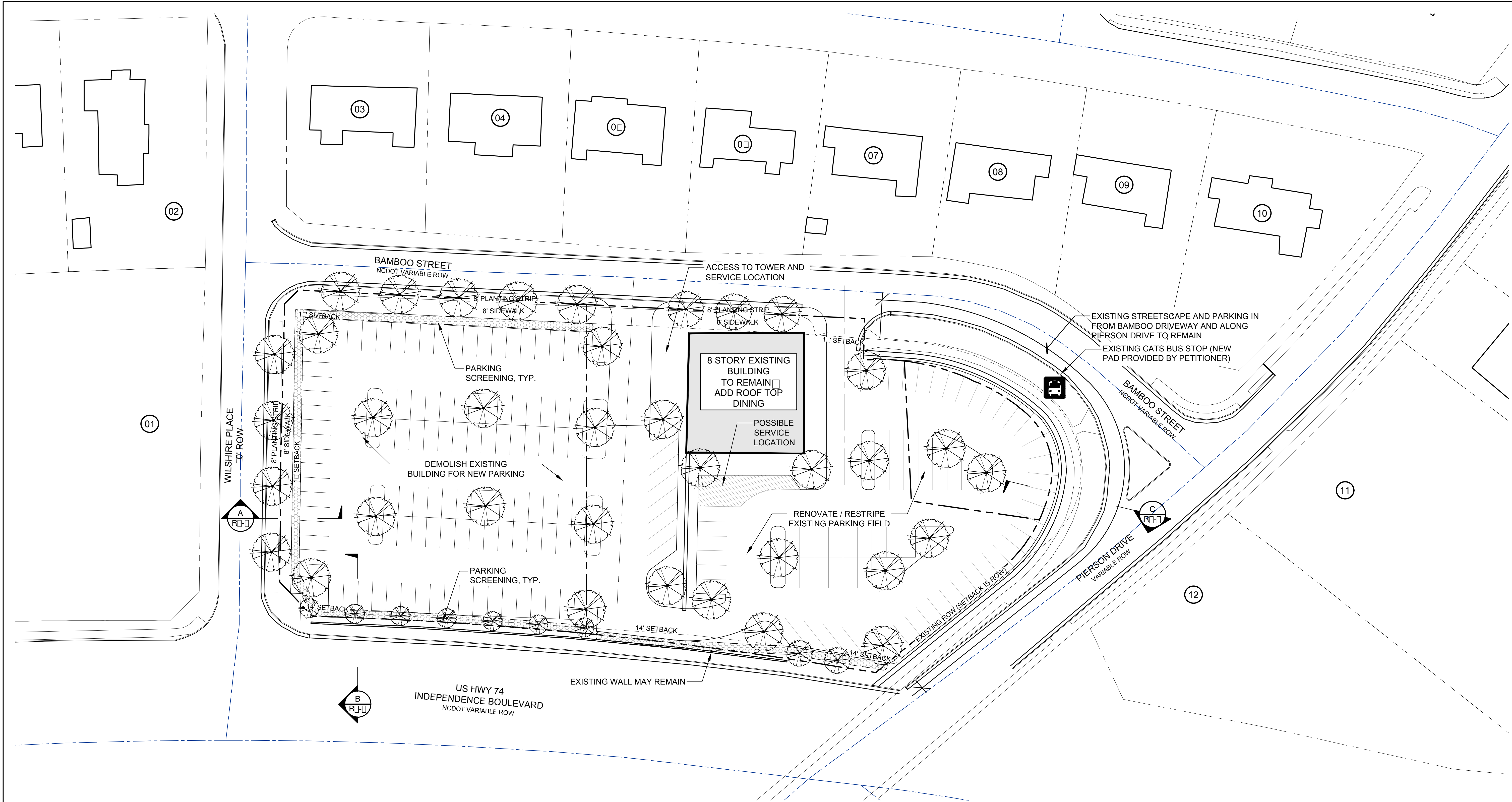
DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: RJP

SCALE
VERT: N/A
HORZ: 1"=30'
0 10 20 30 40

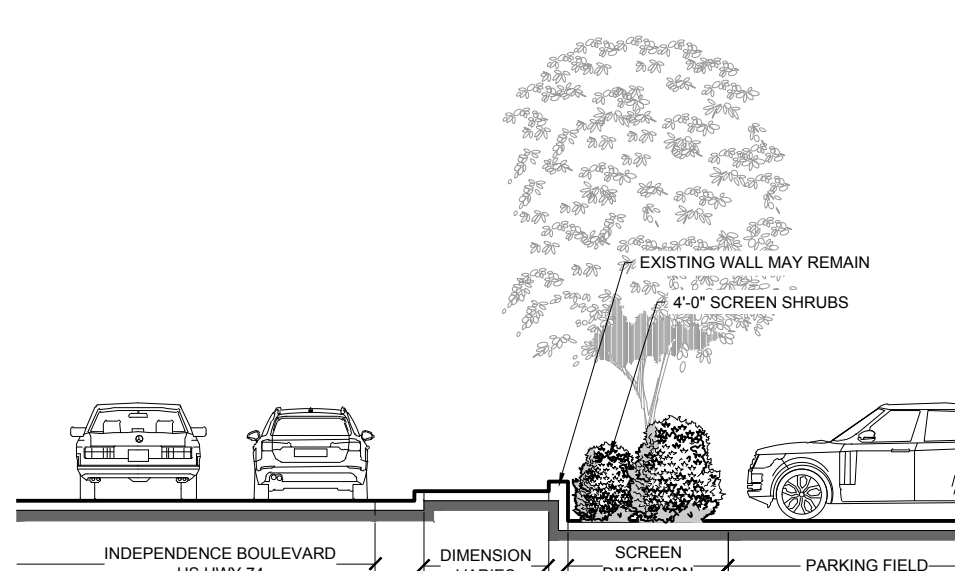
SHEET TITLE
TECHNICAL DATA
SHEET
SHEET NUMBER

RZ-1

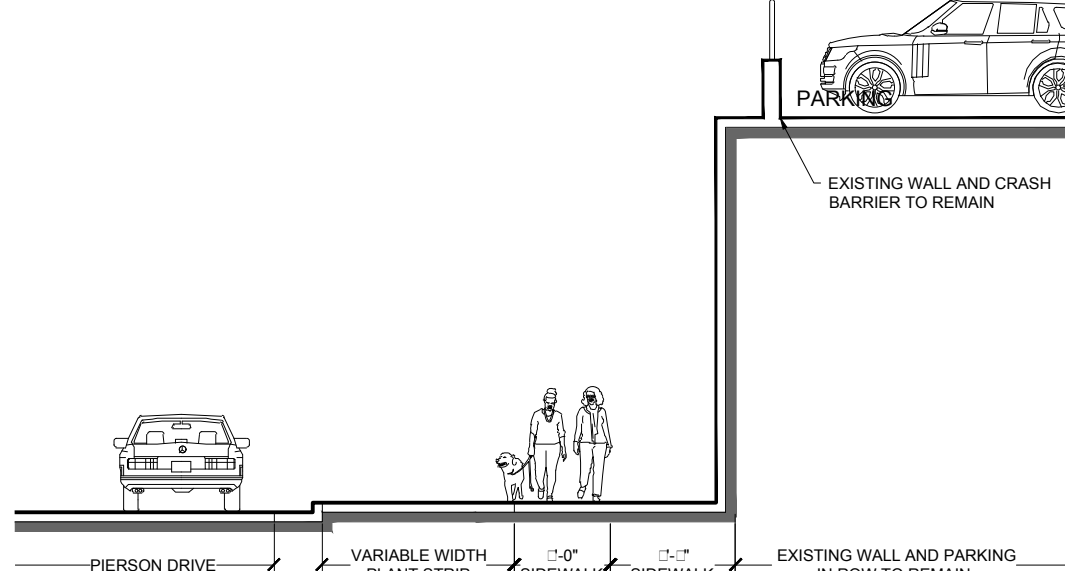
NOTES:
1. THE IMAGES SHOWN ARE ILLUSTRATIVE TO SHOW GENERAL INTENT, CHARACTER, RELATIONSHIPS OF USES, CIRCULATION, AND BUILDING CONFIGURATION FOR THE PURPOSES OF REZONING. FINAL CONSTRUCTION MAY VARY BASED ON UNFORESEEN FIELD CONDITIONS.



A WILSHIRE PLACE PHASE 1 - SECTION
SCALE: 1" = 10'



B INDEPENDENCE BOULEVARD PHASE 1 - SECTION
SCALE: 1" = 10'



C PIERSON DRIVE EXISTING SECTION TO REMAIN
SCALE: 1" = 10'

SUBJECT TO SECTION 3.e OF DEVELOPMENT STANDARDS REGARDING
CONDITION OF BUILDING

NOTES:
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.

KEY MAP

SEAL

R Zoning
P 2017

PROJECT

R D Zoning
R

BEAVER CREEK CRE, LLC
4037 E. INDEPENDENCE
BOULEVARD
CHARLOTTE, NC 28201

LANDDESIGN PROJ.: 1017337

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	REZONING SUBMITTAL	10-23-2017

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

SCALE

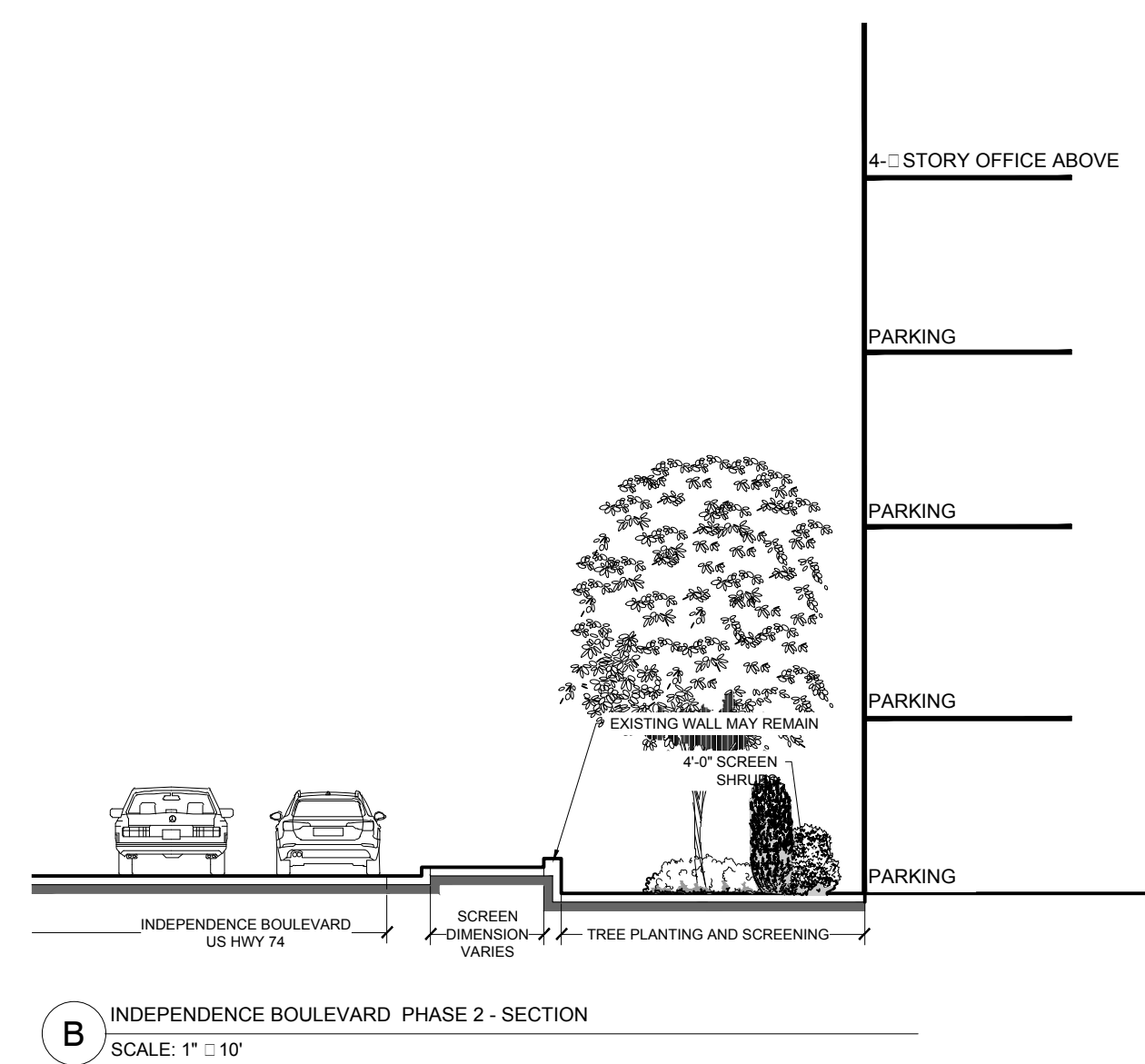
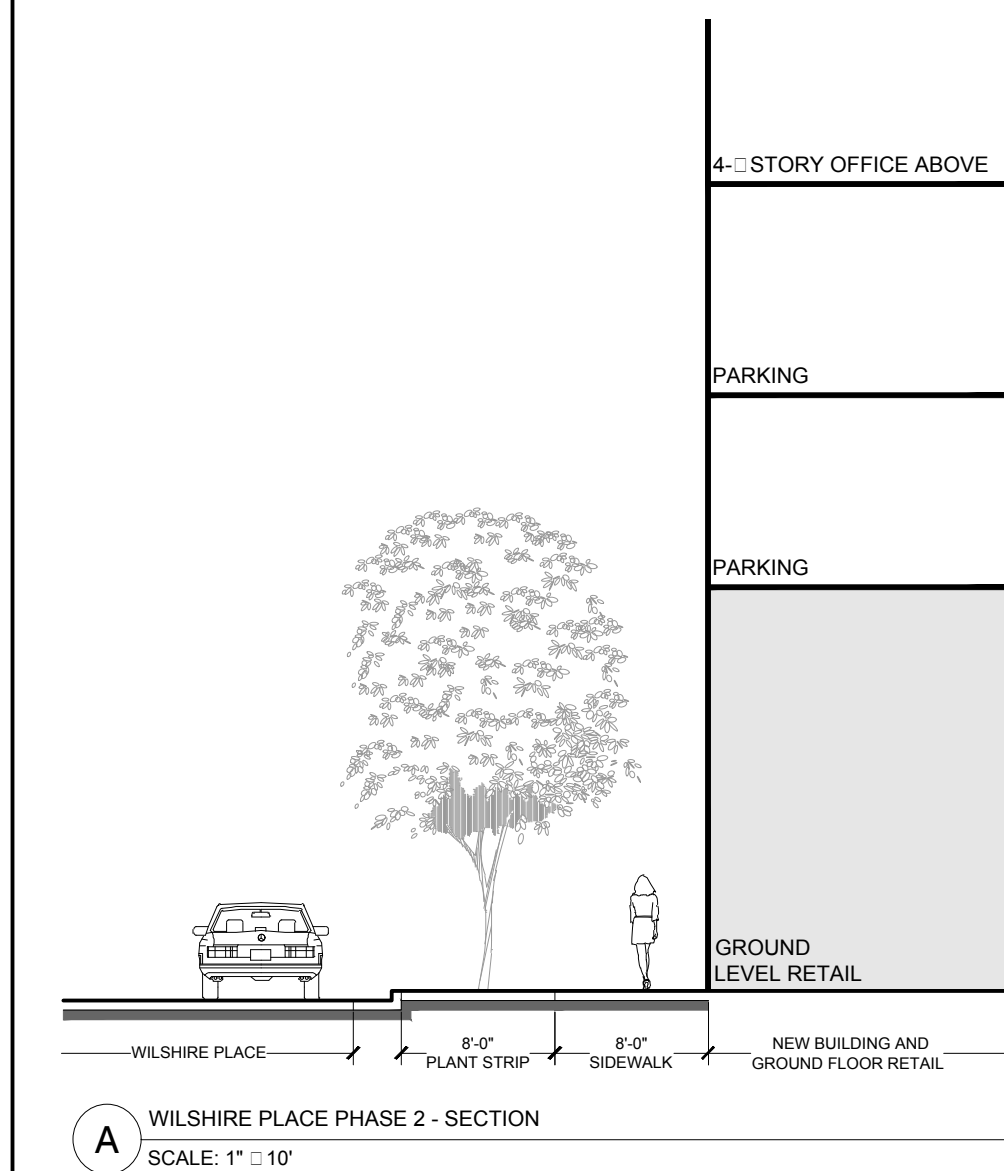
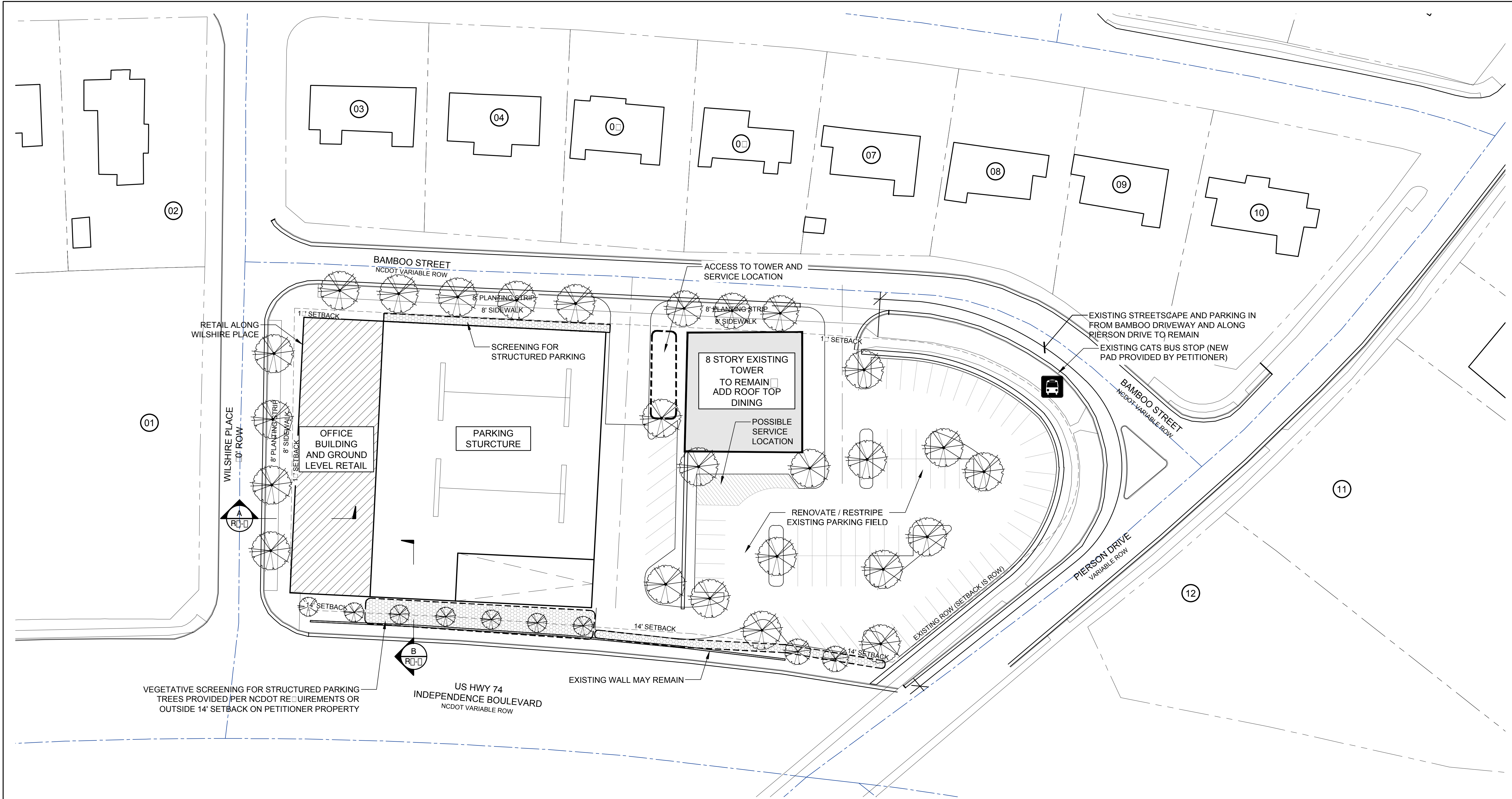
VERT: N/A
HORZ: 1" = 30'

SHEET TITLE

CONCEPTUAL SITE
PLAN - PHASE 1

SHEET NUMBER

RZ-2



SUBJECT TO SECTION 3.e OF DEVELOPMENT STANDARDS REGARDING
CONDITION OF BUILDING

NOTES:

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.

KEY MAP

SEAL

R 0 0 0 0 0 G
P 0 0 0 0 0 0 0 0
2017 0 0 0 0

PROJECT

R 0 0 0 0 0 D 0 0 G
R 0 0 0 0 0 G

BEAVER CREEK CRE, LLC
4037 E. INDEPENDENCE
BOULEVARD
CHARLOTTE, NC 28203

LANDDESIGN PROJ.: 1017337

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
01	REZONING SUBMITTAL	10-23-2017

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

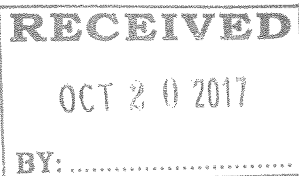
SCALE: NORTH
VERT: N/A
HORZ: 1"=30'
0 10 20 30 40

SHEET TITLE
CONCEPTUAL SITE
PLAN - PHASE 2

SHEET NUMBER
RZ-3

ORIGINAL SHEET SIZE: 24" X 36"

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-168

Petition #:	_____
Date Filed:	<u>10/20/2017</u>
Received By:	<u>[Signature]</u>

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: Solomon Fortune, Carlos Alzate, Kathy Cornett et al.

Date of meeting: October 18, 2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate the development of a residential community on the site that will contain up to 41 single family attached dwelling units.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number

_____ Fax Number

jcarmichael@robinsonbradshaw.com
E-Mail Address

601 KINGSTON LLC

By: [Signature]
Signature of Property Owner

JAMES SCRUGG
(Name Typed / Printed)

J.S. & Son's Construction Company, LLC (c/o James Scruggs)
Name of Petitioner(s)

5226 Addison Drive
Address of Petitioner(s)

Charlotte, NC 28211
City, State, Zip

704-249-7718
Telephone Number

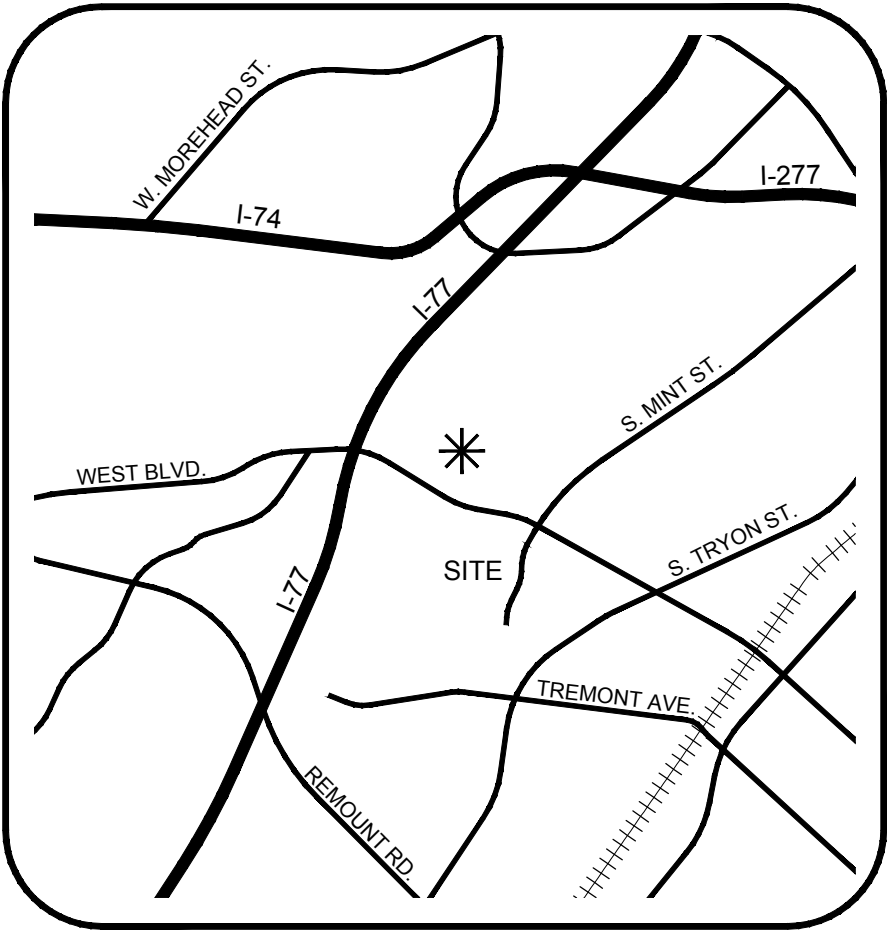
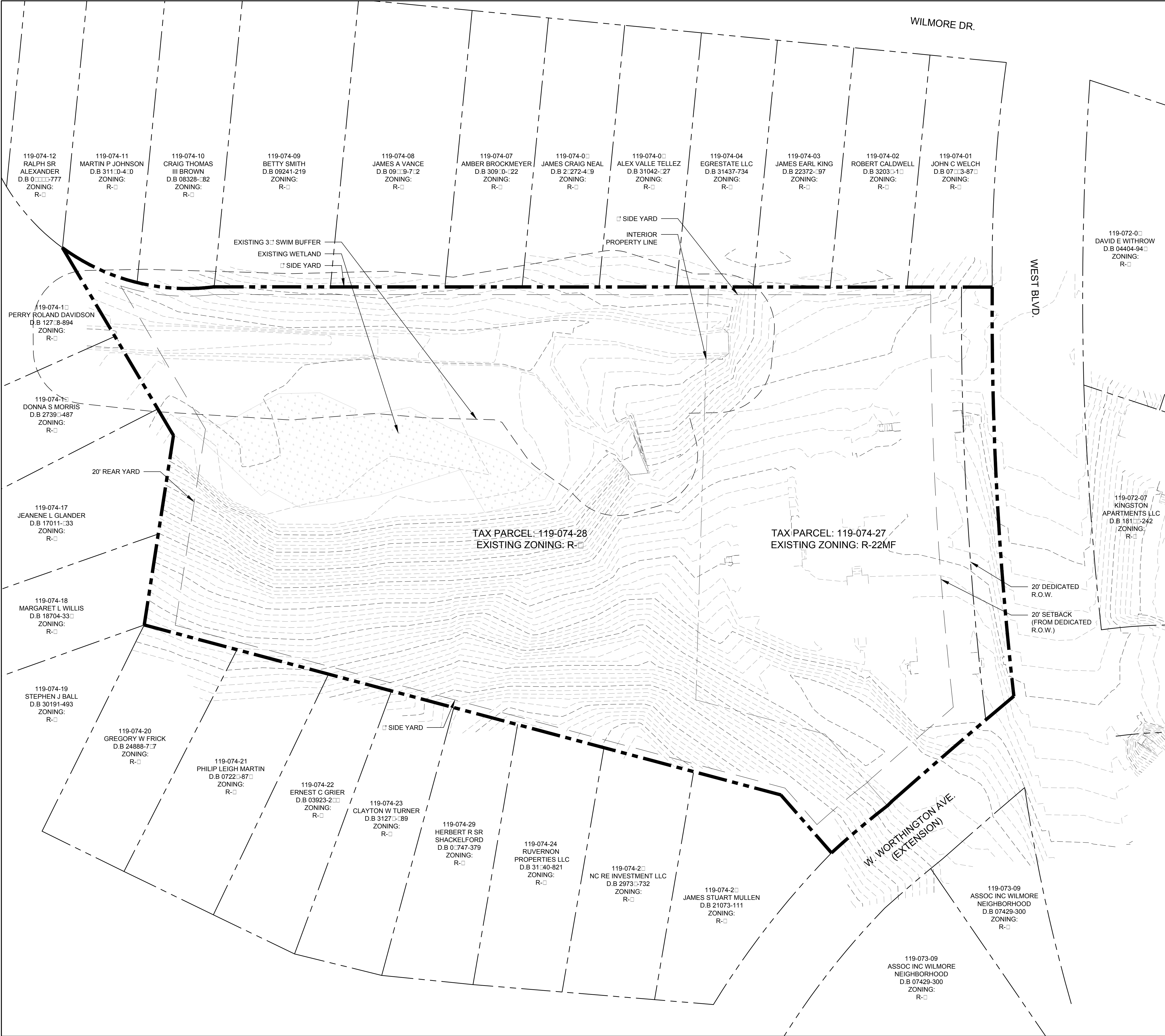
_____ Fax Number

james@upfamilyhomecare.com
E-Mail Address

J.S. & SON'S CONSTRUCTION COMPANY, LLC

By: [Signature]
Signature of Petitioner

JAMES SCRUGG
(Name Typed / Printed)



VICINITY MAP
NTS

SITE DEVELOPMENT DATA

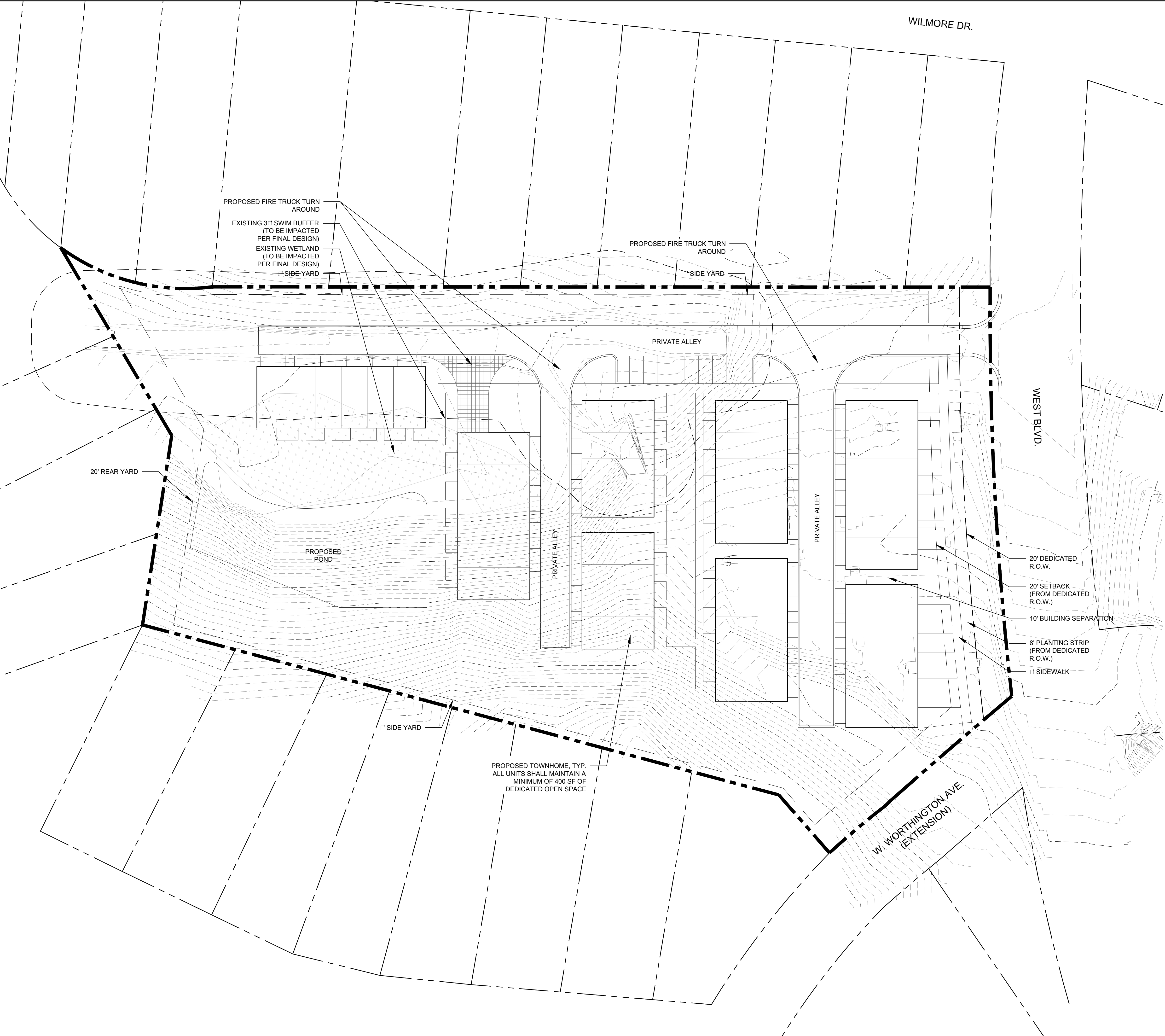
- ACREAGE: ± 3.6 AC
- TAX PARCEL #S: 119-074-27, 119-074-28
- EXISTING ZONING: R-□ R-22MF
- PROPOSED ZONING: UR-2 (CD)
- EXISTING USES: MULTI-FAMILY RESIDENTIAL
- PROPOSED USES: MULTI-FAMILY TOWNHOUSES

KINGSTON ON WEST
REZONING PETITION No. 2017-XXX
CHARLOTTE, NC
TECHNICAL DATA SHEET

REVISIONS:

DATE: 10/23/17
DESIGNED BY: ST
DRAWN BY: JY
CHECKED BY: ST
SCALE: 1"=30'
PROJECT #: 1017051
SHEET #:

RZ-1



SITE LEGEND

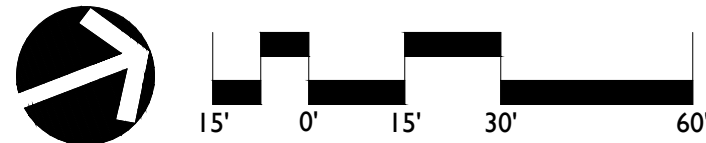
- PROPERTY LINE
- DEDICATED R.O.W.
- SETBACK
- 3' SWIM BUFFER

KINGSTON ON WEST
 REZONING PETITION No. 2017-XXX
 CHARLOTTE, NC
 SCHEMATIC SITE PLAN

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

DATE: 10/23/17
 DESIGNED BY: ST
 DRAWN BY: JY
 CHECKED BY: ST
 SCALE: 1"=30'
 PROJECT #: 1017051

SHEET #:
 RZ-2



DEVELOPMENT STANDARDS

October 23, 2017

A. General Provisions

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by 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.
- Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 zoning district shall govern the development and use of the Site.
- The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configurations, placements and sizes of the building 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.
- 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. Private Units

- 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. Traffic

- 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.
- 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.
- 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 Standard

- The maximum height in stories of the single family attached dwelling units to be located on the Site shall be 4 stories with optional rooftop terraces.
- The maximum height in feet of each building containing single family attached dwelling units shall be 48 feet as measured under the Ordinance.
- 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.
- 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. Street Frontage

- 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

- 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 Factors

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

H. Lighting

- 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.
- The maximum height of any freestanding lighting fixture installed on the Site, including its base, shall not exceed 16 feet.
- Any lighting fixtures attached to the buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

I. Better Environmental Design

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

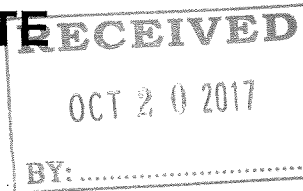
representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

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

REVISIONS:

ZONING ORDINANCE **TEXT AMENDMENT APPLICATION**

CITY OF CHARLOTTE



FY2017	
Petition #:	2017-169
Date Filed:	10/20/2017
Received By:	BH
Office Use Only	

Section #: 12.403

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

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
Name of Agent

1105 Otts Street
Agent's Address

Charlotte, NC 28205
City, State, Zip

(704) 302-3566 (cell) (704) 336-4945
Telephone Number Fax Number

eprice@charlottenc.gov
E-Mail Address

Signature of Agent

City of Charlotte – Solid Waste Services Department
Name of Petitioner(s)

1105 Otts Street
Address of Petitioner(s)

Charlotte, NC 28205
City, State, Zip

(704) 336-3410 (704) 336-4945
Telephone Number Fax Number

vojohnson@charlottenc.gov
E-Mail Address

Victoria O. Johnson

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

The following requirements shall apply to all Large Waste Containers (as defined in Chapter 10 of the city code) and any solid waste containers (including dumpsters), compactors, recycling containers, stations, solid waste handling areas, and recycling handling areas and service entrances accessory to any multi-family 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 any Large Waste Container and any recycling and solid waste container stations. Equal space shall be allocated for both Large Waste Containers and recycling and solid waste container stations. Any space allocation for each of these containers 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 any Large Waste Container and any recycling container stations and solid waste containers used for the collection of solid waste as follows:

Space for Large Waste Container, 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 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.

Space for recycling containers-stations shall be allocated as follows:

Required 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 <u>12</u> —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 ~~stationcontainers~~, solid waste handling areas, and ~~recycling handling areas~~, Large Waste Containers ~~solid waste containers and/or compactors~~ 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."

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

Approved as to form:

City Attorney

I, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 20____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 20__.

www.charlotteplanning.org

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: 2017-170
Date Filed: 10/23/2017
Received By: BT

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.

Tax Parcel Number(s): 12107704, 05, 06

Current Land Use: E,D,E,E and related parking Size (Acres): Approx. 1.40 +/-

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

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

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

Date of meeting: October 4, 2017

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: _____

Walter Fields
Name of Rezoning Agent

1919 South Blvd., suite 101
Agent's Address

Charlotte, NC 28203
City, State, Zip

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

walt@walterfieldsgroup.com
E-Mail Address

Signature of Property Owner

HALL M JOHNSTON
(Name Typed / Printed)

South 48, LLC
Name of Petitioner(s)

223 Atherton Street
Address of Petitioner(s)

Charlotte, NC 28203
City, State, Zip

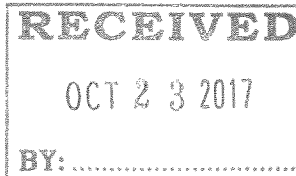
704-333-7997
Telephone Number Fax Number

hal@redpartners.com
E-Mail Address

Signature of Petitioner

HALL M JOHNSTON
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-171

Petition #: _____
Date Filed: 10/23/2017
Received By: RH

Complete All Fields (Use additional pages if needed)

Property Owner: Ronald W. and Tracy C. Singer; Robin P. and Claudio S. Woschkolup; Joe M. and Marshall W. Ardrey

Owner's Address: 11026 Beau Riley Rd; 10115, 10027 Ardrey Kell Rd City, State, Zip: Charlotte, NC 28277

Date Property Acquired: 6/20/2016; 10/22/2016; 5/21/2014; 10/13/2005; 5/11/2001; 6/6/2006

Property Address: 11000, 11026 Beau Riley Rd; 10115, 10027 Ardrey Kell Rd; 9034 Wade Ardrey Rd

Tax Parcel Number(s): 229-021-19, 229-021-14, 229-021-05; 229-021-13; 229-021-87; 229-021-03; 229-021-22

Current Land Use: Single Family/Large Lot Residential/Vacant/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: John Kinley, Kent Main, Grant Meacci

Date of meeting: 8/15/17

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: to accommodate 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, will create an attractive, pedestrian-friendly community.

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

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

Charlotte, NC 28202
City, State, Zip

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

Collin.Brown@klgates.com
E-Mail Address

See Attached Joinder Agreement
Signature of Property Owner

See Attached Joinder Agreement
(Name Typed / Printed)

Century Communities
Name of Petitioner(s)

7400 Carmel Executive Park Drive, Suite 205
Address of Petitioner(s)

Charlotte, NC 28226
City, State, Zip

704-756-5316
Telephone Number Fax Number

Andrew.Rouzer@centurycommunities.com
E-Mail Address

Andrew P. Rouzer
Signature of Petitioner

ANDREW R. ROUZER
(Name Typed / Printed)

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.

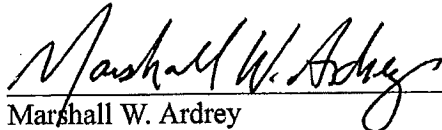
This ____ day of _____, 2017.

Robin P. Woschkolup

Claudio S. Woschkolup



Joe M. Ardrey

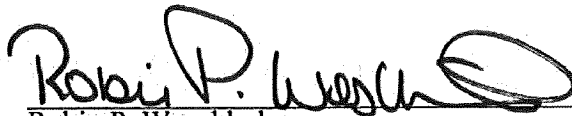


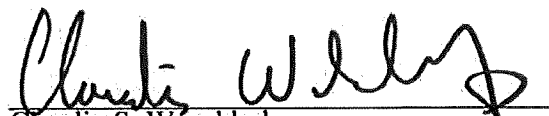
Marshall W. Ardrey

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.

This 18th day of October, 2017.


Robin P. Woschkolup


Claudio S. Woschkolup

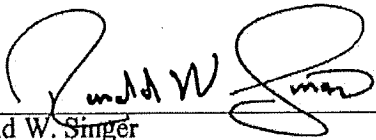
Joe M. Ardrey

Marshall W. Ardrey

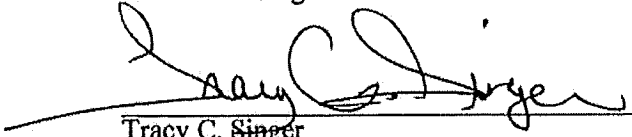
REZONING PETITION NO. 2017-xxx
CENTURY COMMUNITIES, PETITIONER
JOINDER AGREEMENT

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. 229-021-19 and 229-021-14 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.

This 22nd day of October, 2017.



Ronald W. Singer



Tracy C. Singer

N. Todd Owens, Receiver

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. 229-021-19 and 229-021-14 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.

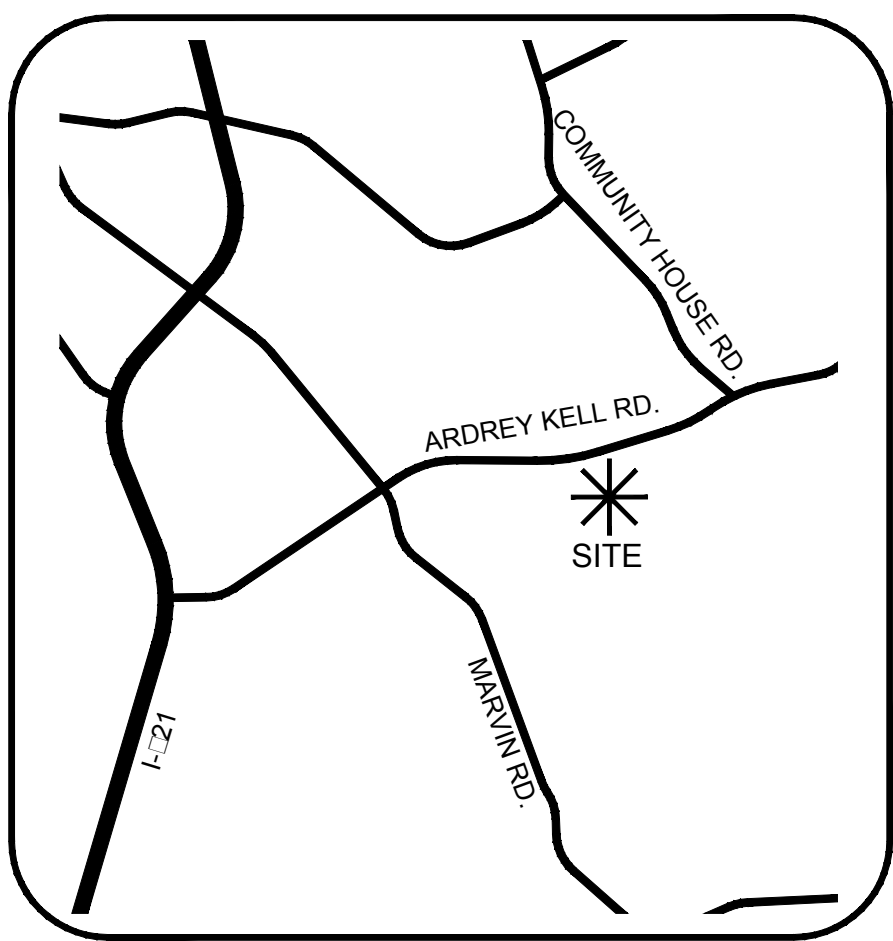
This 20th day of October, 2017.

Ronald W. Singer

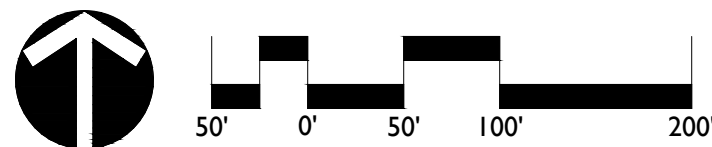
Tracy C. Singer



N. Todd Owens, Receiver



VICINITY MAP
NTS



DATE: 10/23/17
DESIGNED BY: ST
DRAWN BY: JY
CHECKED BY: ST
SCALE: 1"=100'
PROJECT #: 1017188

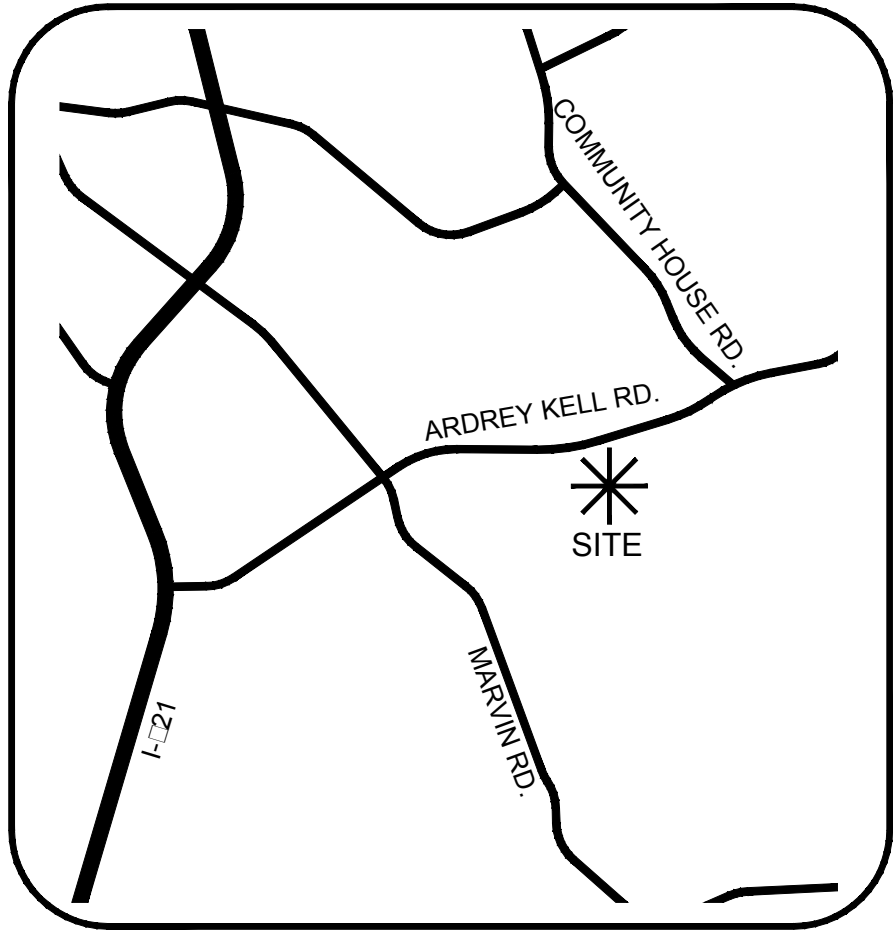
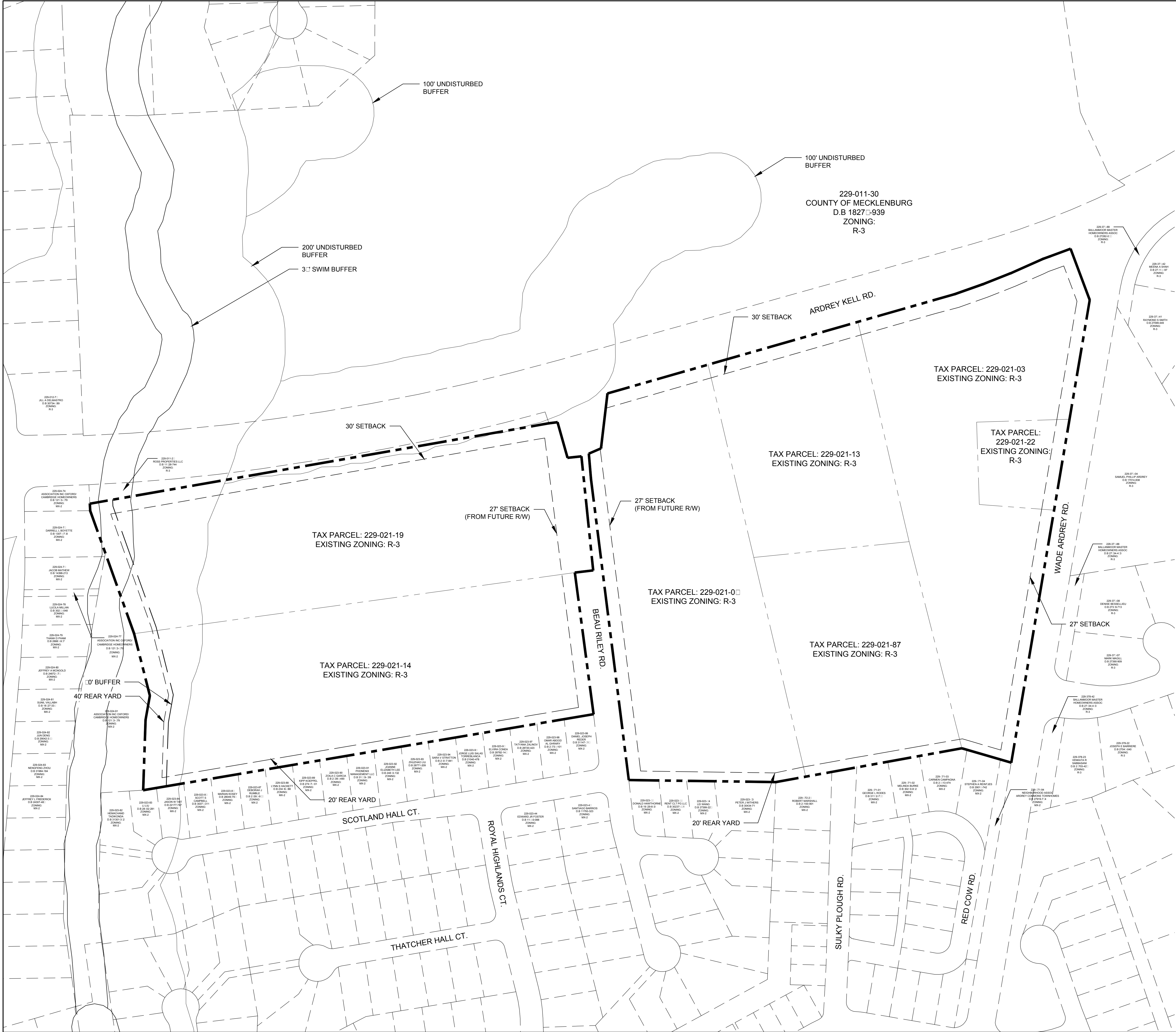
SHEET #:
RZ-1

ARDREY KELL RESIDENTIAL
REZONING PETITION No. 2017-XXX
CHARLOTTE, NC
COVER SHEET

REVISIONS:

LandDesign

223 N Graham Street Charlotte, NC 28202
V: 704.332.0325 F: 704.332.3246
www.LandDesign.com



VICINITY MAP
NTS

SITE DEVELOPMENT DATA

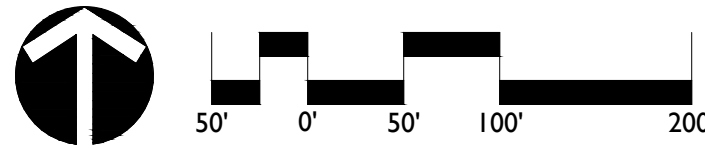
- ACREAGE: ± 36.7 AC
- TAX PARCEL #S: 229-021-19, 229-021-14, 229-021-0, 229-021-13, 229-021-87, 229-021-03, 229-021-22
- EXISTING ZONING: R-3
- PROPOSED ZONING: MX-2 (INNOV)
- EXISTING USES: SINGLE FAMILY RESIDENTIAL
- PROPOSED USES: ATTACHED SINGLE-FAMILY DWELLING UNITS AND SINGLE FAMILY RESIDENTIAL, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MX-2 ZONING DISTRICT

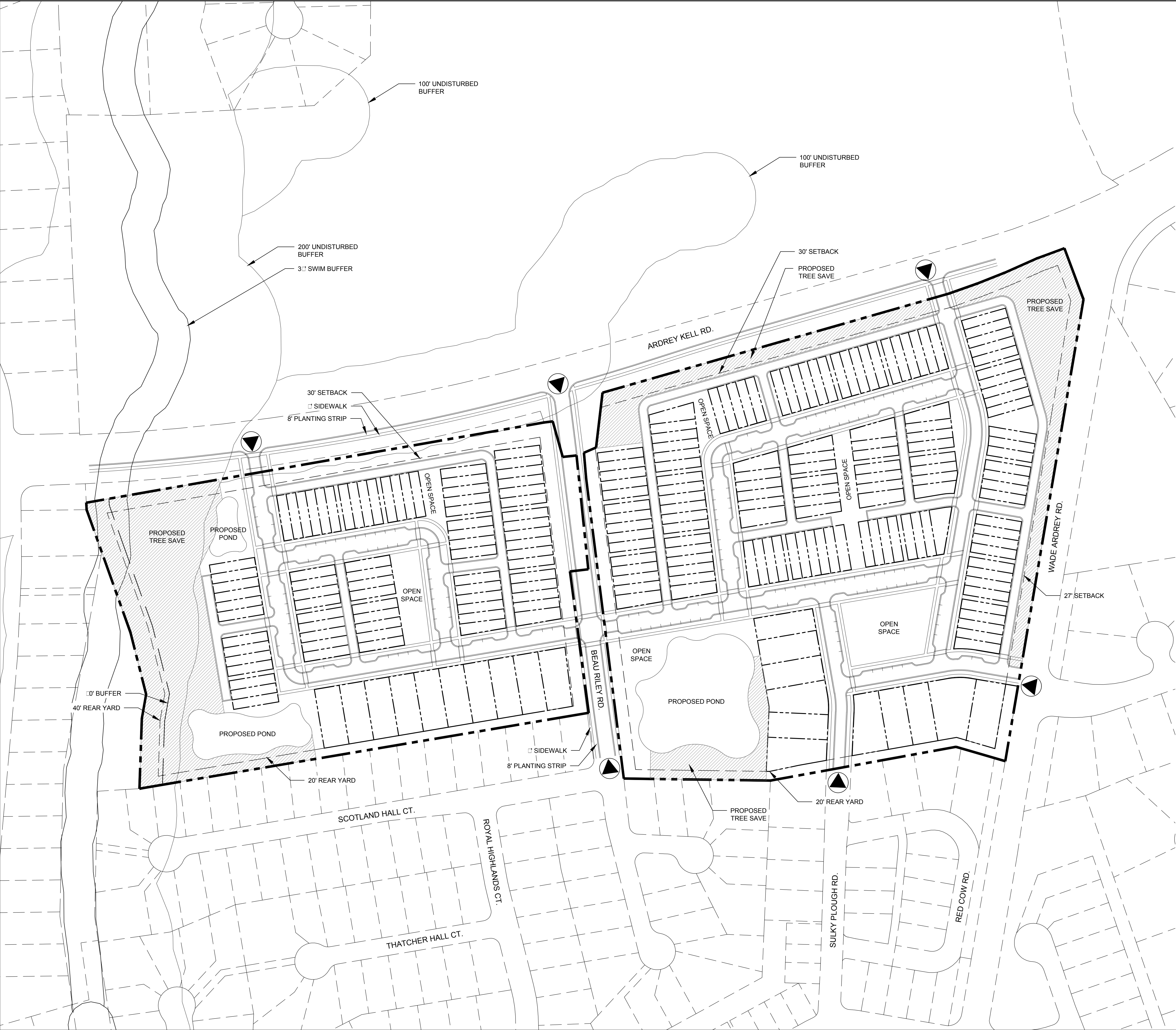
ARDREY KELL RESIDENTIAL
REZONING PETITION No. 2017-XXX
CHARLOTTE, NC
TECHNICAL DATA SHEET

REVISIONS:

DATE: 10/21/17
DESIGNED BY: ST
DRAWN BY: JY
CHECKED BY: ST
SCALE: 1"=100'
PROJECT #: 1017188

SHEET #:
RZ-1





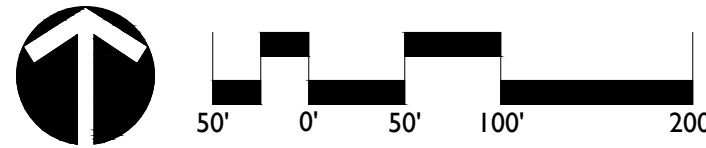
SITE LEGEND

- PROPERTY LINE
- SETBACK
- BUFFER
- PROPOSED TREE SAVE

ARDREY KELL RESIDENTIAL
REZONING PETITION No. 2017-XXX
CHARLOTTE, NC
SCHEMATIC SITE PLAN

DATE: 10/23/17
DESIGNED BY: ST
DRAWN BY: JY
CHECKED BY: ST
SCALE: 1"=100'
PROJECT #: 1017188
SHEET #:
RZ-2

REVISIONS:



C
 REZONING PETITION NO. 2017-
 DEVELOPMENT STANDARDS
 10/20/2017

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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-3
 Proposed Zoning: MX-2 (INNOV)
 Existing Use: Single-Family 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. G
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- 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.
- Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MX-2 zoning district shall govern the development and use of the Site.
- The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall be minor and not materially change the overall design intent depicted on the Rezoning Plan.
- Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(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.P
 d U

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

IV. Tra
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- 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.
- 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.
- 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. Ar
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- 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.
- Attached townhome buildings shall be limited to six (6) individual units or fewer per building.
- Each residential dwelling unit shall be provided with a minimum one-car garage.

VI. S
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- 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.
- 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.
- 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.
- The Petitioner may subdivide the Site and create sublots within the Site with no side or rear yards as part of a unified development plan.
- The Petitioner shall provide an eight (8) foot planting strip and a six (6) foot sidewalk along all public and private streets within the Site.
- 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. E
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- The Petitioner shall comply with the Charlotte City Council approved Post Construction Stormwater Ordinance.
- 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.
- 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.L

- 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. A
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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.B
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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.

REVISIONS:

DATE: 10/23/17
 DESIGNED BY: ST
 DRAWN BY: JY
 CHECKED BY: ST
 SCALE: 1"=50'-0"
 PROJECT #: 1017188
 SHEET #:

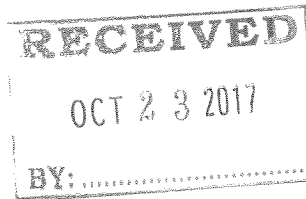
ARDREY KELL RESIDENTIAL
 REZONING PETITION No. 2017-XXX
 CHARLOTTE, NC
 DEVELOPMENT STANDARDS

LandDesign
 223 N Graham Street Charlotte, NC 28202
 V: 704.332.0325 F: 704.332.3246
 www.LandDesign.com

RZ-3

2017-172

I. REZONING APPLICATION CITY OF CHARLOTTE



Petition #: _____
Date Filed: 10/23/2017
Received By: Bf

Complete All Fields (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 Development meeting

Date of meeting: 10.5.2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: to allow for preservation of and repurposing of two existing commercial structures

Todd DeLong
Name of Rezoning Agent

600 East Trade Street
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-432-2989 _____
Telephone Number Fax Number

tdelong@ci.charlotte.nc.us
E-Mail Address

T. Korolus
Signature of Property Owner

Tony Korolus
(Name Typed / Printed)

city of Charlotte / Real Estate
Tony Korolus
Name of Petitioner(s)

600 East 4th Street
Address of Petitioner(s)

Charlotte, NC 28202
City, State, Zip

704-249-6148 _____
Telephone Number Fax Number

T. Korolus @ Charlotte DeLong
E-Mail Address

T. Korolus
Signature of Petitioner

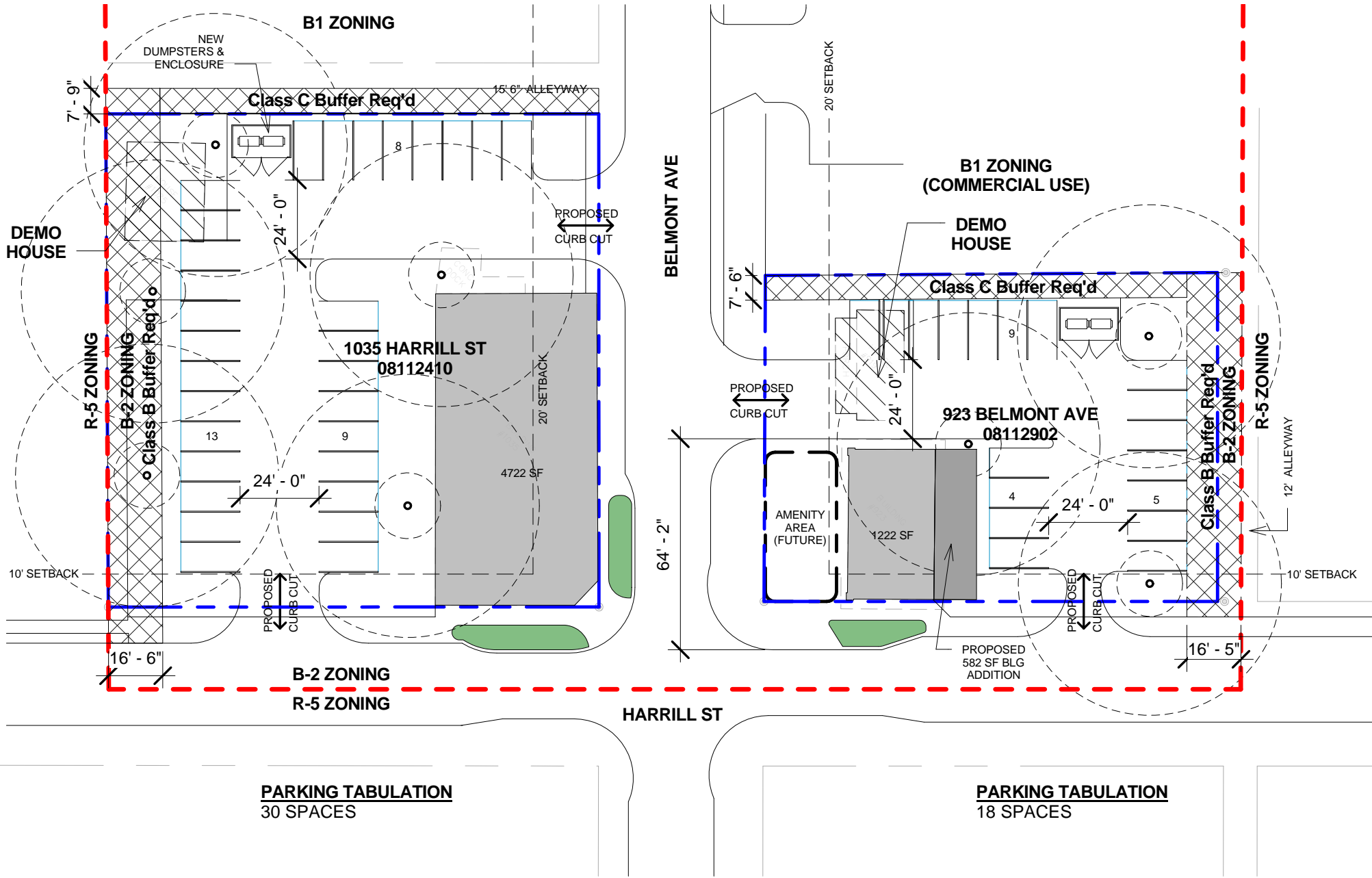
Tony Korolus
(Name Typed / Printed)

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-O
E. EXISTING USE: VACANT COMMERCIAL BLG
F. PROPOSED USE: SEE 4A
G. BUILDING SIZE: 4722 SF & 1222 SF

FRONT SETBACK: 10' MIN
MIN. SIDE YARD: NONE
MIN. REAR YARD: NONE

MAX EXISTING BUILDING HEIGHT: 40'

- DEVELOPMENT STANDARDS**
1. GENERAL PROVISIONS
- A. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.2 OF THE ZONING ORDINANCE.
- B. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, BICYCLE PARKING, AND SITE DEVELOPMENT, MAY NOT APPLY TO THE DEVELOPMENT OF THIS SITE.
- C. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", "PETITIONER" OR "PETITIONERS" SHALL, WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.
- D. THE TOTAL NUMBER OF PRINCIPLE BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED 1. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY 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 600 SF TOTAL.
2. OPTIONAL PROVISIONS
- A. THE SITE MAY PROVIDE AUTO PARKING AT A RATE OF 1 SPACE PER 400 SF GROSS FLOOR AREA OF THE PRIMARY BUILDING, 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).
3. PURPOSE
- 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, AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 OR TYPE 2), NEIGHBORHOOD FOOD AND BEVERAGE SERVICES, EXERCISE GYM, GENERAL OFFICE, 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 HARRILL 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 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 VINYL 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.
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(B) ABOVE.
- 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
10. FIRE PROTECTION
- A. RESERVED
11. SIGNAGE
- A. RESERVED
12. 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. 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 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 ASSIGNS.
- B. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.
- C. ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.



1 PRELIMINARY SITE PLAN
1" = 40'-0"

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



Preliminary Site Renderings

d3studio

PLANNING • ARCHITECTURE • INTERIORS

1318 CENTRAL AVENUE :: SUITE A-10
CHARLOTTE, NC 28205
TEL :: 704.258.3963

BELMONT COMMERCIAL
PROPERTIES
Charlotte, North Carolina

PROJECT NO. 02-1621	ASP-2
SCALE: AS NOTED	SHT REF:
	DATE:10/19/17



Preliminary Site Renderings

d3studio

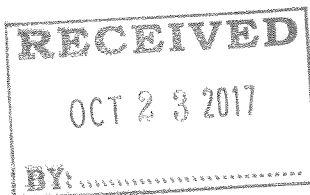
PLANNING • ARCHITECTURE • INTERIORS

1318 CENTRAL AVENUE :: SUITE A-10
CHARLOTTE, NC 28205
TEL :: 704.258.3963

BELMONT COMMERCIAL
PROPERTIES
Charlotte, North Carolina

PROJECT NO. 02-1621	ASP-3
SCALE: AS NOTED	SHT REF:
	DATE:10/19/17

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-173

Petition #: _____
Date Filed: 10/23/2017
Received By: Rf

Property Owners: AP 1930 Camden Road LLC

Owner's Addresses: 1616 Camden Road, Ste. 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): ± 1.416

Existing Zoning: MUDD Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: Alan Goodwin, Catherine Mahoney, Brent Wilkinson, Jennifer Frixen, Carlos Alzate, and Isaiah Washington.

Date of meeting: 09/14/2017

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

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? ☐ Yes ☒ No. Number of years (maximum of 5): N/A

Purpose/description of Conditional Zoning Plan: To develop a residential building on the site with ground floor retail consistent with adopted land use policies.

Bridget Grant & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

704.331.2379 (BG) 704-378-1973(BG)

704-331-1144 (JB) 704-378-1925 (JB)

Telephone Number

Fax Number

bridgetgrant@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENT A

Signature of Property Owner

RAM Realty Advisors (Attn: Rachel Russell)

Name of Petitioner

1930 Camden Road, Ste. 130

Address of Petitioner

Charlotte, NC 28203

City, State, Zip

571.214.9325

Telephone Number

Fax Number

rrussell@ramrealestate.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

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 23RD day of OCTOBER, 2017.

AP 1930 Camden Rd LLC

By: KEED KRACKS JKL
Name: JKL
Its: DIRECTOR - DEVELOPMENT

ATTACHMENT B

REZONING PETITION NO. [2017-]
RAM Realty Advisors

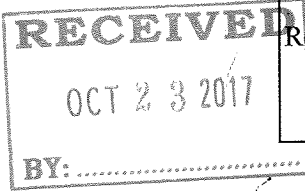
Petitioner:

RAM Realty Advisors

By: 1212
Name: RACHEL RUSSELL
Title: DIRECTOR

ZONING ORDINANCE **TEXT AMENDMENT APPLICATION**

CITY OF CHARLOTTE



FY2016
Petition #: <u>2017-174</u>
Date Filed: <u>10/23/2017</u>
Received By: <u>[Signature]</u>
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
Name of Agent

PO Box 5645
Agent's Address

Charlotte, NC 28299
City, State, Zip

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

rwf@russellwfergusson.com
E-Mail Address

[Signature]
Signature of Agent

Lindsay Dorrier III
Name of Petitioner(s)

P.O. Box 528
Address of Petitioner(s)

Nellysford, VA 22958
City, State, Zip

(217) 714-6926 _____
Telephone Number Fax Number

lindsay@boldrock.com
E-Mail Address

[Signature]
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 USES			
	U-I	I-1	I-2
<u>Wineries</u>	<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 and Wineries 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.

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 and wineries 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 and wineries shall meet the following prescribed conditions:

- (a) Breweries and wineries 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 and wineries 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
<u>Wineries</u>	<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:

(l) 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 **and wineries** are subject to the following prescribed conditions:

(a) The brewery **or winery** 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 **or winery** and the Eating, Drinking and Entertainment Establishment, or 1,500 square feet, whichever is less.
- (b) Maximum size for the brewery **or winery** 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 **or winery** 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 **or wine** 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 **and wineries** 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 **or winery** 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, **or winery**, 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, **or winery**, and Eating, Drinking and Entertainment Establishment locate in a building constructed prior to 1980.
- (c) If the brewery **or winery** 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 **or wine** 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:

City Attorney

I, _____ City Clerk of the City of Charlotte, North Carolina, DO
HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the
City Council of the City of Charlotte, North Carolina, in regular session convened on the _____
day of _____, 20____, the reference having been made in Minute Book _____,
and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the
_____ day of _____, 20__.
