

Rezoning Petition Packet

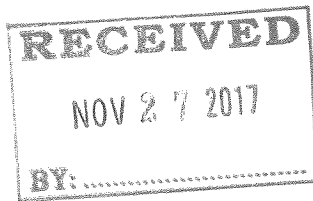
Petitions: 2017-191 through 2017-206

Petitions that were submitted by December 18, 2017

Staff Review Meeting: **January 18, 2018**

City Public Hearing: **To Be Determined**

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2017-191
Date Filed: 11/27/2017
Received By: RH

Complete All Fields (Use additional pages if needed)

Property Owner: Markey Enterprises, Inc.

Owner's Address: PO Box 11598 City, State, Zip: Charlotte, NC 28220

Date Property Acquired: September 29, 1993

Property Address: 2202-2232 Hawkins St. Charlotte, NC 28203

Tax Parcel Number(s): 12104406

Current Land Use: Office Warehouse/Showroom space Size (Acres): 2.4391 Acres

Existing Zoning: I-2 Proposed Zoning: TOD M

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune and Alan Goodwin

Date of meeting: 10/16/17

(*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: _____

Design Resource Group
Name of Rezoning Agent

2459 Wilkinson Blvd.
Agent's Address

Charlotte, NC 28208

City, State, Zip

704.343.0608
Telephone Number Fax Number

nick@drgrp.com
E-Mail Address

Charlie S. Markey
Signature of Property Owner

Charlie S. Markey
(Name Typed / Printed)

Charlie Markey
Name of Petitioner(s)

PO Box 11598

Address of Petitioner(s)

Charlotte, NC 28220

City, State, Zip

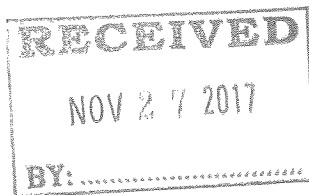
704.904.5045
Telephone Number

charliesmarkey@gmail.com Fax Number
E-Mail Address

Charlie S. Markey 11/27/17
Signature of Petitioner

Charlie S. Markey
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-192

Petition #: _____
Date Filed: 11/27/2017
Received By: hi

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): ± 8.70

Existing Zoning: B-1SCD and O-1 Proposed Zoning: UR-2(CD)

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Mandy Rosen, Monica Holmes, Shannon Frye, and Isaiah Washington

Date of meeting: 11/21/17

(*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 the development of the Site with a high-quality multi-family residential community.

Keith MacVean & Jeff Brown

Name of Rezoning Agent

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

Agent's Address

Charlotte, NC 28202

**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

C4 Investments, LLC (Attn: Barry James)

Name of Petitioner

121 West Trade Street, Ste. 2550

Address of Petitioner

Charlotte, NC 28202

City, State, Zip

704.414.7477

Telephone Number Fax Number

bjames@csere.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
133-251-15	8805 E WT Harris Blvd Charlotte, NC 28227	Paul A Scoggins	7209 Concord Hwy Monroe, NC 28110	4.24	10/20/2000
133-251-16	N/A			1.0	10/20/2000
133-251-11	7040 Lawyers Road Charlotte, NC 28227			3.45	12/30/2009

ATTACHMENT A

REZONING PETITION NO. [2017-____]
C4 Investments, LLC

OWNER JOINDER AGREEMENT
Paul A. Scoggins


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

1. 8805 E WT Harris Blvd that is designated as Tax Parcel No. 133-251-15 on the Mecklenburg County Tax Map
2. Along E WT Harris Blvd that is designated as Tax Parcel No. 133-251-16 on the Mecklenburg County Tax Map
3. 7040 Lawyers Road that is designated as Tax Parcel No. 133-251-11 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-1SCD and O-1 zoning district to the UR-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 27 day of November, 2017.

Paul A. Scoggins

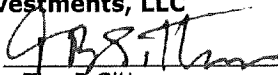
A handwritten signature in cursive script that reads "Paul A. Scoggins". The signature is written in dark ink and is positioned below the printed name "Paul A. Scoggins".

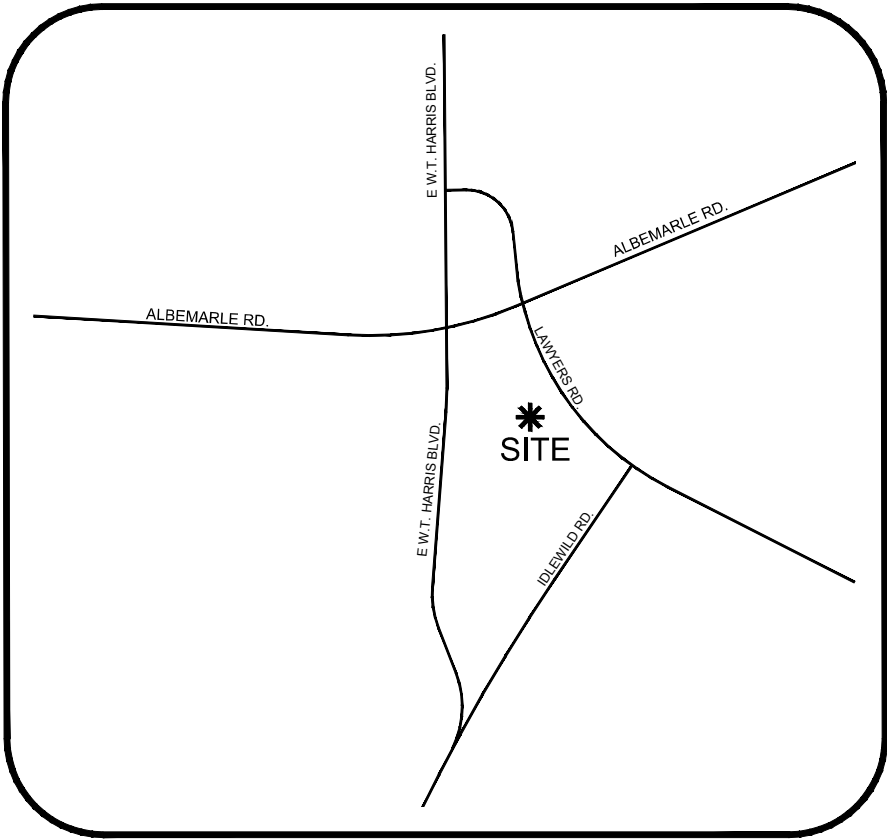
ATTACHMENT B

**REZONING PETITION NO. 2017-
C4 Investments, LLC**

Petitioner:

C4 Investments, LLC

By: 
Name: Tim B Sittima
Title: Manager



SITE DEVELOPMENT DATA

ACREAGE: ± 8.70 AC

TAX PARCEL #S: 133-251-15, 133-251-16, 133-251-11

EXISTING ZONING: B-1SCD/O-1

PROPOSED ZONING: UR-2(CD)

EXISTING USES: VACANT/ COMMERCIAL BUILDING

PROPOSED USES: UP TO 180 MULTI-FAMILY RESIDENTIAL DWELLING UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE UR-2 ZONING DISTRICT

MIN. SIDE YARD: 5'

REAR YARD PROVIDED: 10'

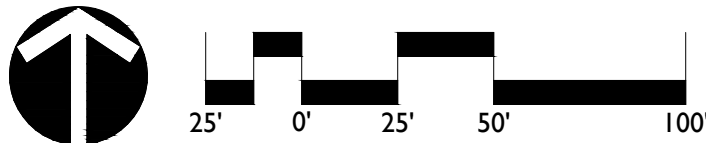
SETBACK PROVIDED: 20' FROM FUTURE BACK OF CURB

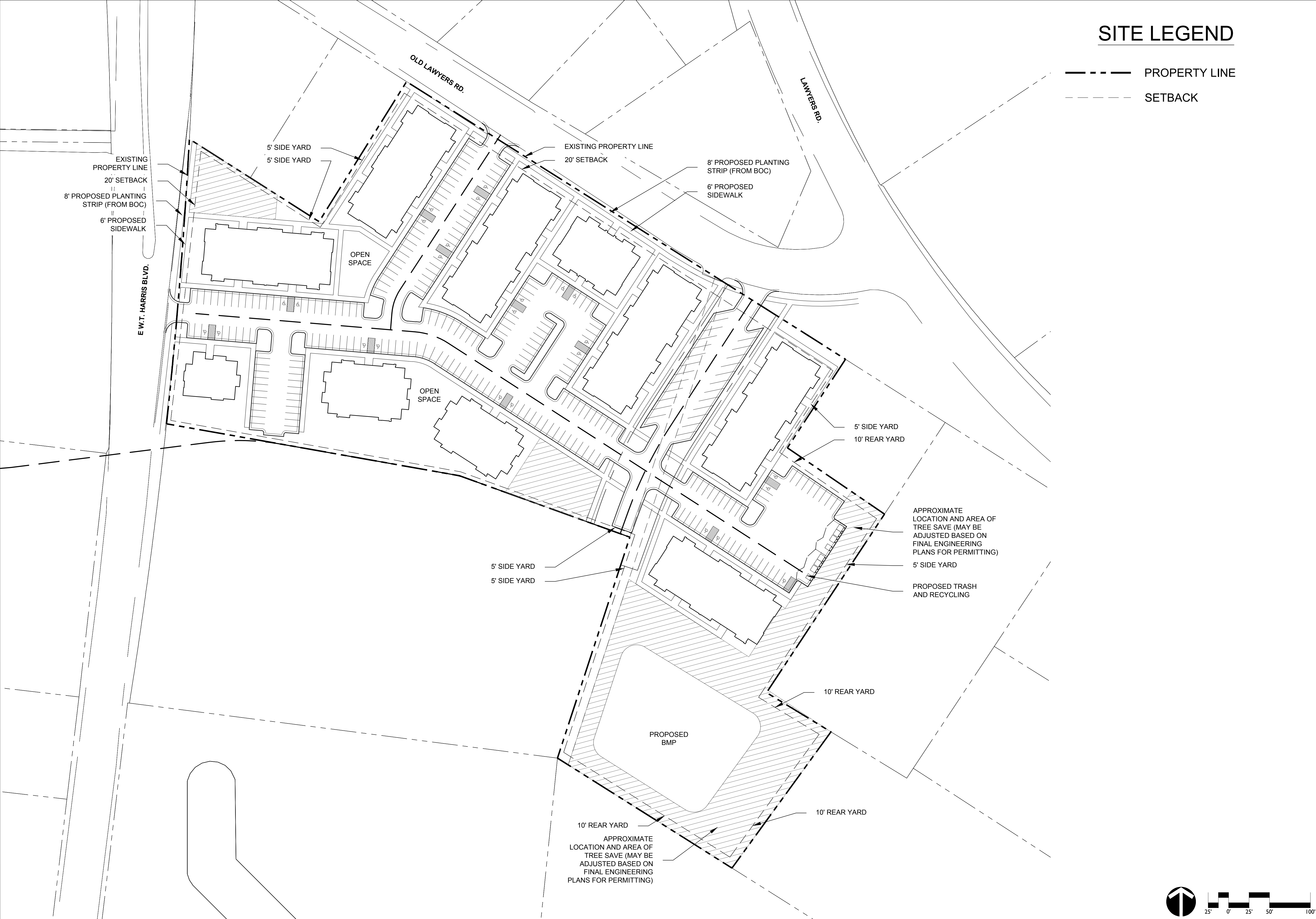
PROPOSED FAR: AS ALLOWED BY UR-2 ZONING DISTRICT

MAX. BUILDING HEIGHT: 100'

PARKING: MEETS OR EXCEEDS ORDINANCE REQUIREMENTS

TREE SAVE AREA: 1.3 AC (15%)





SITE LEGEND

- PROPERTY LINE
- SETBACK

C4 Investments, LLC
Development Standards
12/13/17
Rezoning Petition No. 2017-000

Site Development Data:

- Acreage: ± 8.70 acres
--Tax Parcel #: 133-251-15, 133-251-16, and 133-251-11
--Existing Zoning: B-ISCD and O-1
--Proposed Zoning: UR-2(CD)
--Existing Uses: Commercial building and vacant.
--Proposed Uses: Up to 180 multi-family residential dwelling units together with accessory uses, as allowed in the UR-2 zoning district.
--Proposed Floor Area Ratio: As allowed by the UR-2 Zoning District.
--Maximum Building Height: The buildings on the Site may have up to three (3) stories. The allowed building height will be measured as required by the Ordinance.
--Parking: Parking as required by the Ordinance will be provided.

1. General Provisions:

- a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by C4 Investments, LLC ("Petitioner") to accommodate the development of a 180 unit multi-family residential community on approximately 8.70 acre site located on east side of W.T. Harris Boulevard between Old Lawyers Road and Bonlyn Drive (the "Site").
- b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the UR-2 zoning classification shall govern.
- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

i.minor and don't materially change the overall design intent depicted on the Rezoning Plan.

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

- d. **Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site shall not exceed 12. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site.

2. Permitted Uses & Development Area Limitation:

- a. The Site may be development with up to 180 multi-family residential dwelling units together with accessory uses allowed in the UR-2 zoning district.
- b. Parking spaces and maneuvering for parking spaces may not be located between the proposed buildings and W. T. Harris Boulevard and Old Lawyers Road as generally depicted on the Rezoning Plan. Parking spaces may be located to the side of the buildings.

3. Access and Transportation:

- a. Access to the Site will be from W. T. Harris Boulevard and Old Lawyers Road in the manner generally depicted on the Rezoning Plan.
- b. The placement and configuration of the vehicular access points is subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT in accordance with applicable published standards.
- c. Any required roadway improvement will be approved and constructed prior to the issuance of the first certificate of occupancy subject to the petitioner ability to post a bond for any improvements not in place at the time of the issuance of the first certificate of occupancy.
- d. 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.

4. Architectural Standards, Court Yards/Amenity Areas:

- a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits, canopies, and on handrails/railings; concrete masonry units not architecturally finished are prohibited as a building material.
- b. Preferred Exterior Building Materials: All principal and accessory buildings abutting W. Tyvola Road shall comprise a minimum of 20% of that building's entire façade (exclusive, of windows and doors) facing W. T. Harris Boulevard and Old Lawyers Road using brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.
- c. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
- d. Service Area Screening - service areas such as dumpsters, refuse areas, recycling and storage shall be screened from view with materials and design to be compatible with principal structures. Such design shall include a minimum 20 percent Preferred Exterior Building Materials and/or architecturally finished concrete masonry units. The location of the proposed dumpster and recycling areas is generally depicted on the Rezoning Plan.

5. Streetscape, Buffers, Yards, and Landscaping:

- a. A 20 foot setback as measured from the future back of curb will be established along W. T Harris Boulevard and Old Lawyers Road as generally depicted on the Rezoning Plan. The last four (4) feet of the proposed setbacks may be used as a transition zone; the four (4) foot transition zone will be located between the back of the sidewalk and the face of the building if located outside of the R/W. The principle buildings will not be allowed to be located in the four (4) foot transition zone, however, stoops, porches, steps, rails, and similar items may be located within the transition zone.
- b. Cantilevered balconies located above the first floor may extend up to two (2) feet into the transition zone described in above.
- c. Along W. T. Harris Boulevard and Old Lawyers Road an eight (8) foot planting strip and a six (6) foot sidewalk will be provided as generally depicted on the Rezoning Plan.
- d. Along the Site's internal parking area, the Petitioner will provide a sidewalk and cross-walk network that links to the proposed buildings on the Site and to the sidewalks along W. T. Harris Boulevard and Old Lawyers Road in the manner depicted on the Rezoning Plan.
- e. Screening requirements of the Ordinance will be met.
- f. Above ground backflow preventers will be screened from public view and will be located outside of the proposed setback.

6. General Design Guidelines:

- a. The scale and massing of buildings longer than 120' along a street feet shall be minimized by utilizing a combination of the following options: (i) varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions; (ii) utilize building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses; (iii) utilize horizontal variation of a minimum of 8 inches and vertical variations of a minimum of 24 inches in wall planes; or (iv) provide enclosed balconies.
- b. The maximum contiguous area without windows or doors on any floor facing W. T. Harris or Old Lawyers Road shall not exceed 20 feet in length. Where blank or unarticulated walls 20' or greater cannot be addressed principally with doors or windows, they shall

be treated with a combination the following options: (i) provide a higher level of transparency on the ground floor (exaggerated or larger windows indicative of living areas); (ii) utilize horizontal and vertical variations in wall planes; and/or (iii) provide architectural protrusion.

- c. If the final architectural design cannot meet the design standards for blank wall articulation, alternative innovative design solutions may be considered for approval by the Planning Director or designee.
- d. Architectural Elevation Design - elevations shall be designed to create visual interest as follows:
- (a) Building elevations shall be designed with vertical bays or articulated architectural façade features which shall include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors
- (b) Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets. Such base may be executed through use of Preferred Exterior Building Materials or articulated architectural façade features and color changes
- e. Building entrances serving 50% or more of the units in a proposed building, and when provided along W. T. Harris Boulevard and Old Lawyers Road shall be at or slightly above grade (one to two feet above average grade) and shall be highly visible and architecturally treated as prominent pedestrian entrance through a combination of at least five (5) of the following features: (i) decorative pedestrian lighting/sconces; (ii) architectural details carried through to upper stories; (iii) covered porches, canopies, awnings or sunshades; (iv) archways; (v) transom windows; (vi) terraced or raised planters that can be utilized as seat walls; (vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (viii) double doors; (ix) stoops or stairs; and/or (x) contrasting pavement from primary sidewalk.
- f. Common and/or private individual unit entrances shall be provided along W. T. Harris Boulevard and Old Lawyers Road at intervals of no greater than 110 feet.
- g. Where a building is served by common entrances (not individual unit entrances) and cannot achieve the interval spacing, common usable open spaces, amenity areas or courtyards can be utilized to break up the wall plane.
- h. Individual residential unit entrances, if oriented to W. T. Harris Boulevard or Old Lawyers Road should give the appearance of a front door orientation rather than a back patio design and will provide a pedestrian connection to the proposed sidewalk along the respective public street.
- i.Balconies will be design so that their size and location maximize their intended use for open space. The balconies may encroach into the transition zone above the first story of the building.
- j. If breezeways are included in the proposed residential buildings on the Site, the breezeways shall be framed with architectural elements to minimize the size of the breezeway opening and to provide the appearance of an enclosed breezeway.
- k. All facades shall incorporate windows, arches, balconies or other architectural details along with varying build materials, or roof lines or building offsets.
- l.Roof Form and Articulation - roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:

- (a) Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers or parapets
- (b) For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls
- m. Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street

7. Environmental Features:

- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- b. The location, size and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements, and natural site discharge points.
- c. The Site will comply with the Tree Ordinance.

8. Signage:

- a. Signage as allowed by the Ordinance will be provided.

9. Lighting:

- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
- b. Detached lighting on the Site will be limited to 26 feet in height. Street lights new and existing along W. T. Harris Boulevard and Old Lawyers Road are not subject to this standard.

10. Amendments to the Rezoning Plan:

- a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

11. Binding Effect of the Rezoning Application:

- 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.
- b.

REVISIONS:

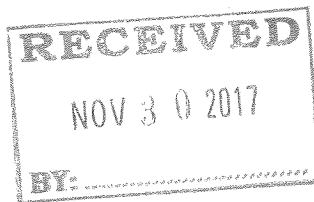
DATE: 12/13/17
DESIGNED BY:
DRAWN BY:
CHECKED BY:
SCALE:
PROJECT #: 1017309
SHEET #:

RZ-3

EAST SIDE AFFORDABLE
REZONING PETITION No. 2017-XXX
CHARLOTTE, NC
DEVELOPMENT STANDARDS

LandDesign
223 N Graham Street Charlotte, NC 28202
V: 704.333.0325 F: 704.333.3246
www.LandDesign.com

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-193

Petition #: _____
Date Filed: 11/30/2017
Received By: RJ

Complete All Fields (Use additional pages if needed)

Property Owner: MAZEN CHAKRA
Owner's Address: 3700 BODENHAM CT. City, State, Zip: Charlotte, NC 28215
Date Property Acquired: June, 9 2017
Property Address: 13000 PLAZA RD EXT CHARLOTTE NC 28215
Tax Parcel Number(s): 10520105
Current Land Use: N/A Size (Acres): 4.61
Existing Zoning: R-3 Proposed Zoning: R-8 mF
Overlay: _____ (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Sonja Sanders
Date of meeting: 11-28-17

(*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: _____

MAZEN CHAKRA
Name of Rezoning Agent
3700 Bodenham ct
Agent's Address
Charlotte, NC 28215
City, State, Zip
980-233-1397
Telephone Number Fax Number
Sarychakra@yahoo.com
E-Mail Address
[Signature]
Signature of Property Owner
MAZEN CHAKRA
(Name Typed / Printed)

MAZEN CHAKRA
Name of Petitioner(s)
3700 Bodenham ct
Address of Petitioner(s)
Charlotte, NC 28215
City, State, Zip
980-233-1397
Telephone Number Fax Number
Sarychakra@yahoo.com
E-Mail Address
[Signature]
Signature of Petitioner
MAZEN CHAKRA
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-194

Petition #: _____
Date Filed: 12/4/2017
Received By: BF

Complete All Fields (Use additional pages if needed)

Property Owner: Shiva Development LLC

Owner's Address: 10432 Bere Island Drive City, State, Zip: Charlotte, NC 28278

Date Property Acquired: 25th April 2014

Property Address: 8716 & 8800 Steele Creek Road, Charlotte, NC 28273

Tax Parcel Number(s): 19959103 & 19959104

Current Land Use: Vacant Size (Acres): 4.867

Existing Zoning: R-3 Proposed Zoning: B-2

Overlay: LLW - PA (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Claire Lyte Graham, Alberto Gonzales, Joshua Weaver, Charles Meacci, Carlos Alzate

Date of meeting: 28th November 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): N/A

Purpose/description of Conditional Zoning Plan: N/A

Dipak & Sushma Patel
Name of Rezoning Agent

10432 Bere Island Drive
Agent's Address

Charlotte, NC 28278
City, State, Zip

865-696-5150
Telephone Number Fax Number

sushma1905@aol.com
E-Mail Address

 
Signature of Property Owner

Sushma Patel
(Name Typed / Printed)



Dipak & Sushma Patel
Name of Petitioner(s)

10432 Bere Island Drive
Address of Petitioner(s)

Charlotte, NC 28278
City, State, Zip

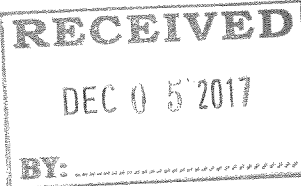
865-696-5150
Telephone Number Fax Number

sushma1905@aol.com
E-Mail Address

 
Signature of Petitioner

Dipak Patel
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-195

Petition #:	_____
Date Filed:	12/5/2017
Received By:	BH

Complete All Fields (Use additional pages if needed)

Property Owner: TAC Holdings L.P.

Owner's Address: One Momentum Boulevard, Suite 1000 City, State, Zip: College Station, Texas 77845

Date Property Acquired: April 21, 2006

Property Address: 5000 Nations Crossing Road and 204 East Woodlawn Road

Tax Parcel Number(s): 169-032-12 and 169-021-13

Current Land Use: Office Size (Acres): +/- 19.783 acres

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

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

Required Rezoning Pre-Application Meeting* with: John Kinley, Kent Main, Kelsie Anderson et al.

Date of meeting: December 1, 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): _____

Purpose/description of Conditional Zoning Plan: _____

John Carmichael (Robinson Bradshaw)

Name of Rezoning Agent

101 N. Tryon Street, Suite 1900

Agent's Address

Charlotte, NC 28246

City, State, Zip

704-377-8341

Telephone Number

Fax Number

jcarmichael@robinsonbradshaw.com

E-Mail Address

See Attached Joinder Agreement

Signature of Property Owner

(Name Typed / Printed)

Boulevard Real Estate Advisors, LLC (c/o Chris Branch)

Name of Petitioner(s)

121 West Trade Street, Suite 2800

Address of Petitioner(s)

Charlotte, NC 28202

City, State, Zip

704-604-5357

Telephone Number

Fax Number

chris.branch@blvdrea.com

E-Mail Address

BOULEVARD REAL ESTATE ADVISORS

By: CHRIS BRANCH

Signature of Petitioner

Christopher J. Branch mgr.
(Name Typed / Printed)

**REZONING APPLICATION FILED BY
BOULEVARD REAL ESTATE ADVISORS, LLC
JOINDER AGREEMENT**

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by Boulevard Real Estate Advisors, LLC that are designated as Tax Parcel Nos. 169-032-12 and 169-021-13 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site from the I-2 zoning district to the TOD-M zoning district.

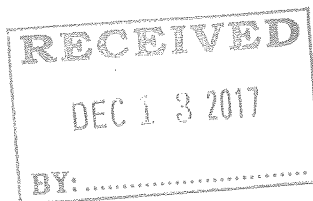
This 4th day of December, 2017.

TAC HOLDINGS L.P., a Texas limited partnership

By: TAC Holdings GP, L.L.C., its general partner

By: _____
Name: Donald A. Adam
Title: Chairman & CEO

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-196

Petition #:	_____
Date Filed:	12/13/2017
Received By:	

Complete All Fields (Use additional pages if needed)

Property Owner: RI Charlotte Property, L.P.

Owner's Address: 13647 Montfort Drive City, State, Zip: Dallas, TX 75240

Date Property Acquired: 3/27/2016

Property Address: 8503 North Tryon Street

Tax Parcel Number(s): 04721104

Current Land Use: Hotel/Motel Size (Acres): 2.5

Existing Zoning: O-6 (CD) Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: Mandy Vari

Date of meeting: 8/22/17, 10 AM EST

(*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 create a confirming parcel.

Gavel & Dorn Engineering (Sean Mayo)
Name of Rezoning Agent

6730 Freedom Drive
Agent's Address

Charlotte, NC 28214
City, State, Zip

704-483-2054 704-483-0207
Telephone Number Fax Number

smayo@gaveldon.com
E-Mail Address

Signature of Property Owner

Michael H. Mahoney
(Name Typed / Printed)

RI Charlotte Property, L.P.
Name of Petitioner(s)

13647 Montfort Drive
Address of Petitioner(s)

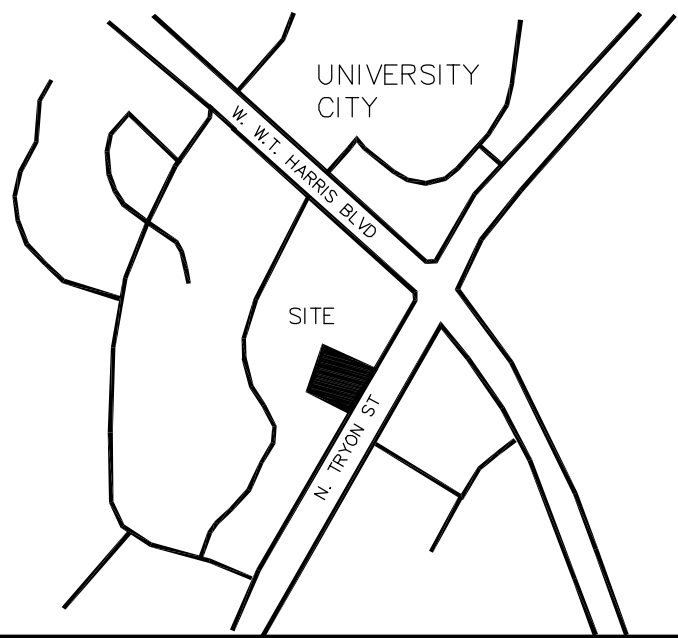
Dallas, TX 75240
City, State, Zip

972-934-8699 972-934-8698
Telephone Number Fax Number

rmontgomery@wirlp.com
E-Mail Address

Signature of Petitioner

Michael H. Mahoney
(Name Typed / Printed)



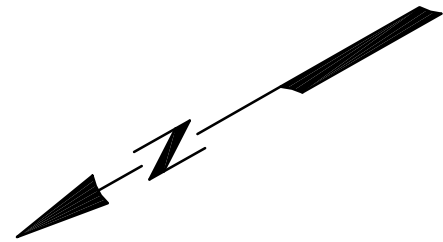
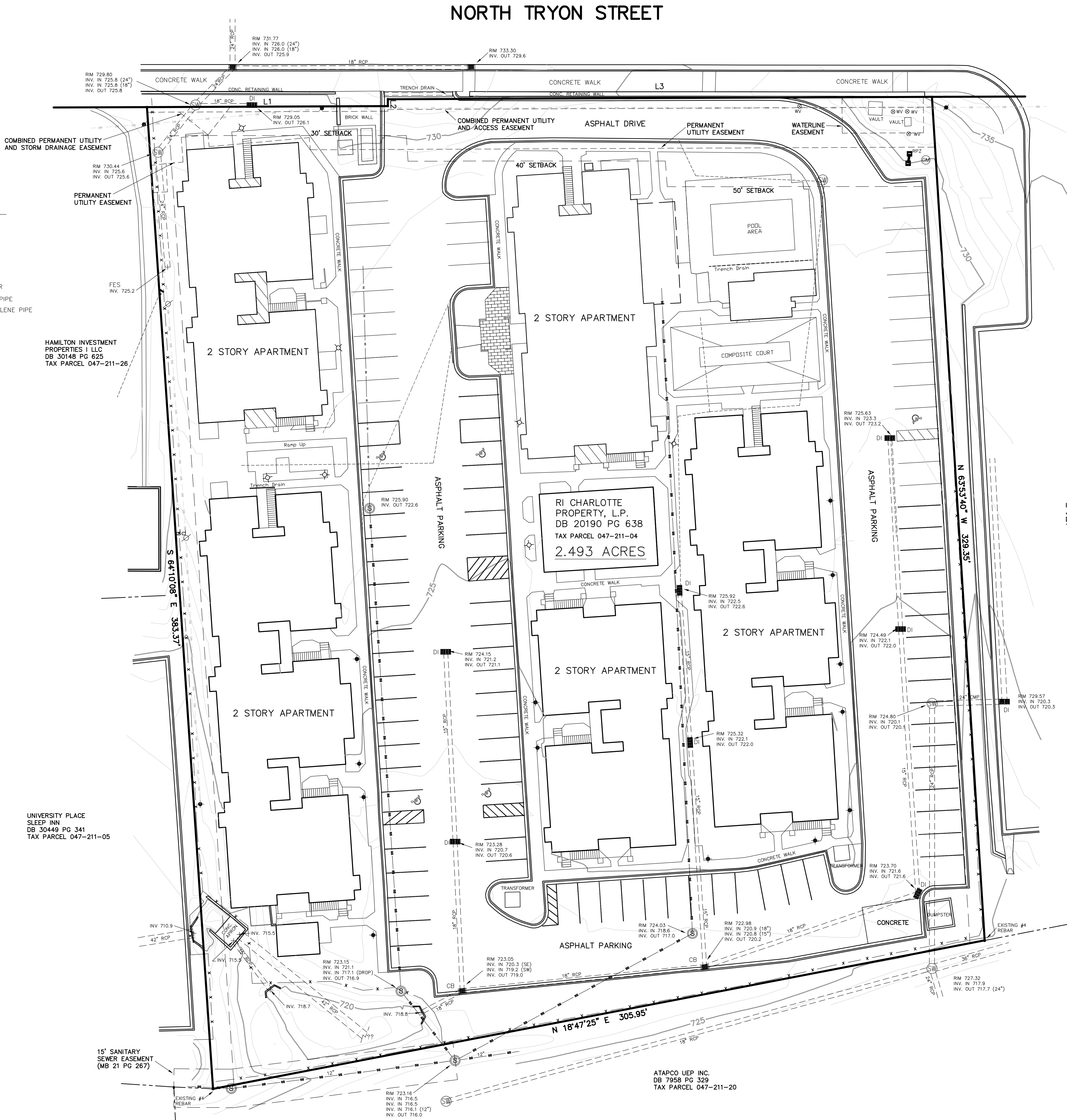
VICINITY MAP

LEGEND

EIP	EXISTING IRON PIN	---	SANITARY SEWER LINE
UP	UTILITY POLE	---	OVERHEAD ELECTRIC
SM	STORM MANHOLE	WM	WATER METER
SM	CATCH BASIN	LP	LIGHT POLE
SM	SEWER MANHOLE	CT	SEWER CLEAN-OUT
WV	WATER VALVE	EM	ELECTRIC SERVICE METER
FH	FIRE HYDRANT	RCP	REINFORCED CONCRETE PIPE
FDC	FIRE DEPT. CONNECTION	HDPE	HIGH DENSITY POLYETHYLENE PIPE
SDI	STORM DRAIN INLET	GM	GAS METER
EPK	EXISTING P-K NAIL	BU	BACKFLOW UNIT
	PLANTED TREE	GL	GAS LINE

GENERAL NOTES:

- BOUNDARY SURVEY IS BASED ON EXISTING PHYSICAL EVIDENCE OBSERVED IN FIELD ON DATE(S) OF SURVEY.
- NORTH ORIENTATION IS BASED ON THE NORTH CAROLINA STATE PLANE GRID COORDINATE SYSTEM.
- NO NORTH CAROLINA STATE PLANE GRID CONTROL LOCATED WITHIN 2000 FEET OF SUBJECT PROPERTY.
- ALL DISTANCE SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED. ALL AREAS WERE CALCULATED USING THE COORDINATE METHOD.
- PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED EASEMENTS, RIGHT-OF-WAYS, RESTRICTIONS, AND OR CONDITIONS NOT OBSERVED OR INDICATED HEREON.
- SUBJECT TRACT IS LOCATED IN ZONE "X"(AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER F.E.M.A. F.I.R.M. COMMUNITY PANEL NO. 3710457600J, EFFECTIVELY DATED MARCH 2, 2009.



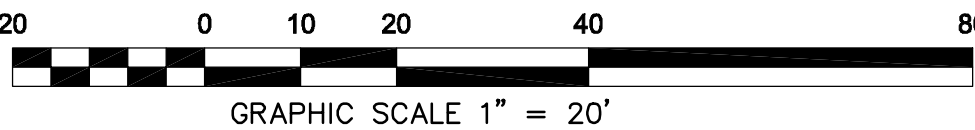
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 29°25'47" W	93.82'
L2	S 60°34'13" E	2.67'
L3	S 29°25'47" W	211.83'

IRENE BLACKMON &
JOHN BLACKMON
DB 5799 PG 640
TAX PARCEL 047-211-01

UNIVERSITY PLACE
SLEEP INN
DB 30449 PG 341
TAX PARCEL 047-211-05



Ed Gosses



CITY OF CHARLOTTE
MECKLENBURG COUNTY, NORTH CAROLINA
BOUNDARY / TOPOGRAPHIC SURVEY FOR:

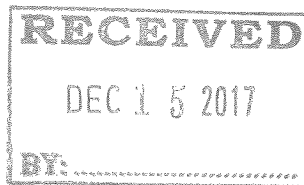
RI CHARLOTTE PROPERTY, L.P.

SURVEYED BY:	SURVEY DATE(S):	PROJECT NUMBER:
PB,EG	9-17	17012
DRAWN BY:	PLAT DATE:	DRAWING NAME:
EG	9-17	17012
CHECKED BY:	DRAWING SCALE:	FIELD BOOK:
EG	1"=20'	07-01



67 CROSS CENTER RD #253 OFFICE 704-483-3300
SEWER, NC 28037 FAX 704-483-3302

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-197

Petition #:	_____
Date Filed:	<u>12/15/2017</u>
Received By:	<u>Bt</u>

Property Owners: Champion Christian Center, Inc.

Owner's Addresses: PO Box 691533, Charlotte, NC 28227

Date Properties
Acquired: 11/14/2007

Property Addresses: 13731 S. Tryon St., Charlotte, NC

Tax Parcel Numbers: 219-124-03

Current Land Use: vacant (Acres): ± 7.05

Existing Zoning: R-3 Proposed Zoning: R-12MF(CD)

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Alberto Gonzalez, Carlos Alzate, Julie Lund, Grant Meacci

Date of meeting: 12/5/2017

(*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 allow the development of the Site with a high-quality and diverse price point multi-family community.

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

The Woda Group, Inc. (Attn: CJ Tyree)

Name of Petitioner

191 Main Street, Ste. 205

Address of Petitioner

Annapolis, MD 21401

City, State, Zip

410.721.7939

Telephone Number

Fax Number

ctyree@wodagroup.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

ATTACHMENT A

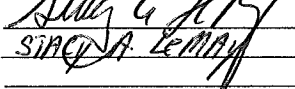
**REZONING PETITION NO. [2017-____]
The Woda Group, Inc.**

**OWNER JOINDER AGREEMENT
Champion Christian Center Inc.**

The undersigned, as the owner of the parcel of land located at 13731 S. Tryon St., Charlotte, NC that is designated as Tax Parcel No. 219-124-03 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 R-3 zoning district to the R-12MF(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 14 day of December, 2017.

Champion Christian Center Inc.

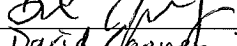
By: 
Name: Sandra Lemaire
Its: _____

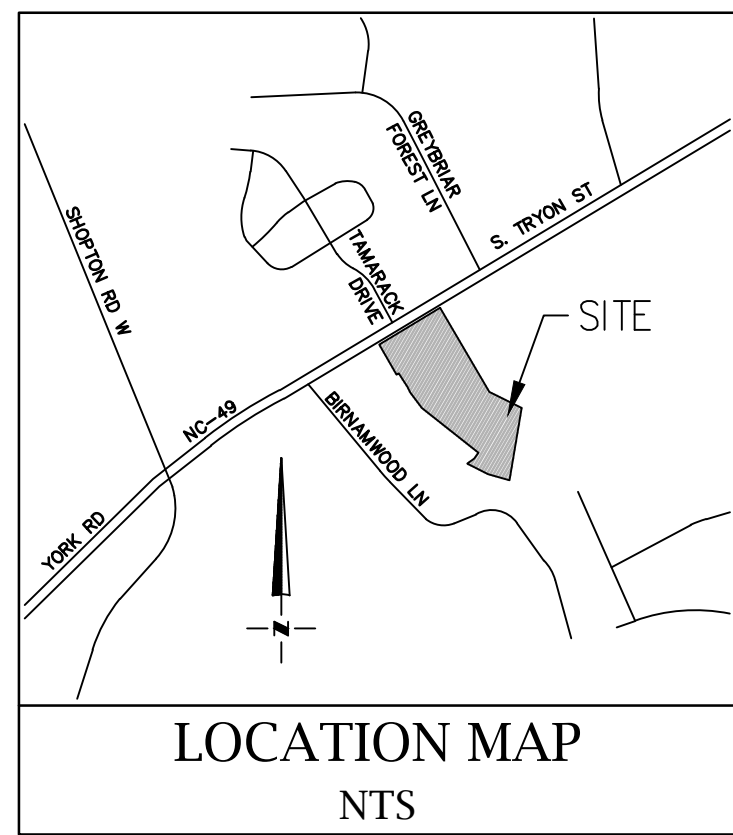
ATTACHMENT B

**REZONING PETITION NO. 2017-
The Woda Group, Inc.**

Petitioner:

The Woda Group, Inc.

By: 
Name: David Hooper Jr.
Title: EVP / GC



- a. **General Provisions:**
 - i. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by The Woda Group, Inc. ("Petitioner") to accommodate the development of a residential community on approximately 7.05 acre site generally located at 13731 S. Tryon Street (the "Site").
 - ii. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the R-12MF zoning classification shall govern.
 - iii. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.
 - (i). minor and don't materially change the overall design intent depicted on the rezoning plan.

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

- d. Number of Buildings Principal and Accessory.** The total number of principal residential buildings to be developed on the Site shall not exceed six (6). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal buildings located on the Site.
- 2. Permitted Uses & Development Area Limitation:**
- a. The Site may be developed with up to 72 multi-family residential dwellings units together with accessory uses allowed in the R-12MF zoning district as generally depicted on the Rezoning Plan.
- b. Surface parking areas (except of parallel or angled on-street parking) will not be allowed between S. Tryon Street, and the new internal Public Street that runs parallel to S. Tryon Street and the proposed buildings as generally depicted on the Rezoning Plan.

- 3. Access, Transportation Improvements, Ben Craig Drive Creek Crossing, Signal Funding, and Setbacks:**
- a. Access to the Site will be from S. Tryon Street as generally depicted on the Rezoning Plan.
- b. The Petitioner will as part of the development of the Site construct two (2) new public streets on the Site as generally depicted on the Rezoning Plan (Public Street A and B). The proposed public streets will be designed to meet local residential wide street cross-section. Parallel and angled on-street parking will be provided along the new public streets as generally depicted on the Rezoning Plan.
- c. The Petitioner will improve S. Tryon Street with an eight (8) foot planting strip and a six (6) foot sidewalk as generally depicted on the Rezoning Petition. Along Public Street A and B an eight (8) foot planting strip and a six (6) foot sidewalk will be provided on both sides of these streets.
- d. All transportation improvements shall be constructed and approved prior to the release of the first certificate of occupancy for the Site. The petitioner may post a bond for any improvements not completed at the time a certificate of occupancy is requested.
- e. The placement and configuration of the vehicular access point is subject to minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT and NCDOT in accordance with applicable published standards.
- f. 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.
- g. The Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

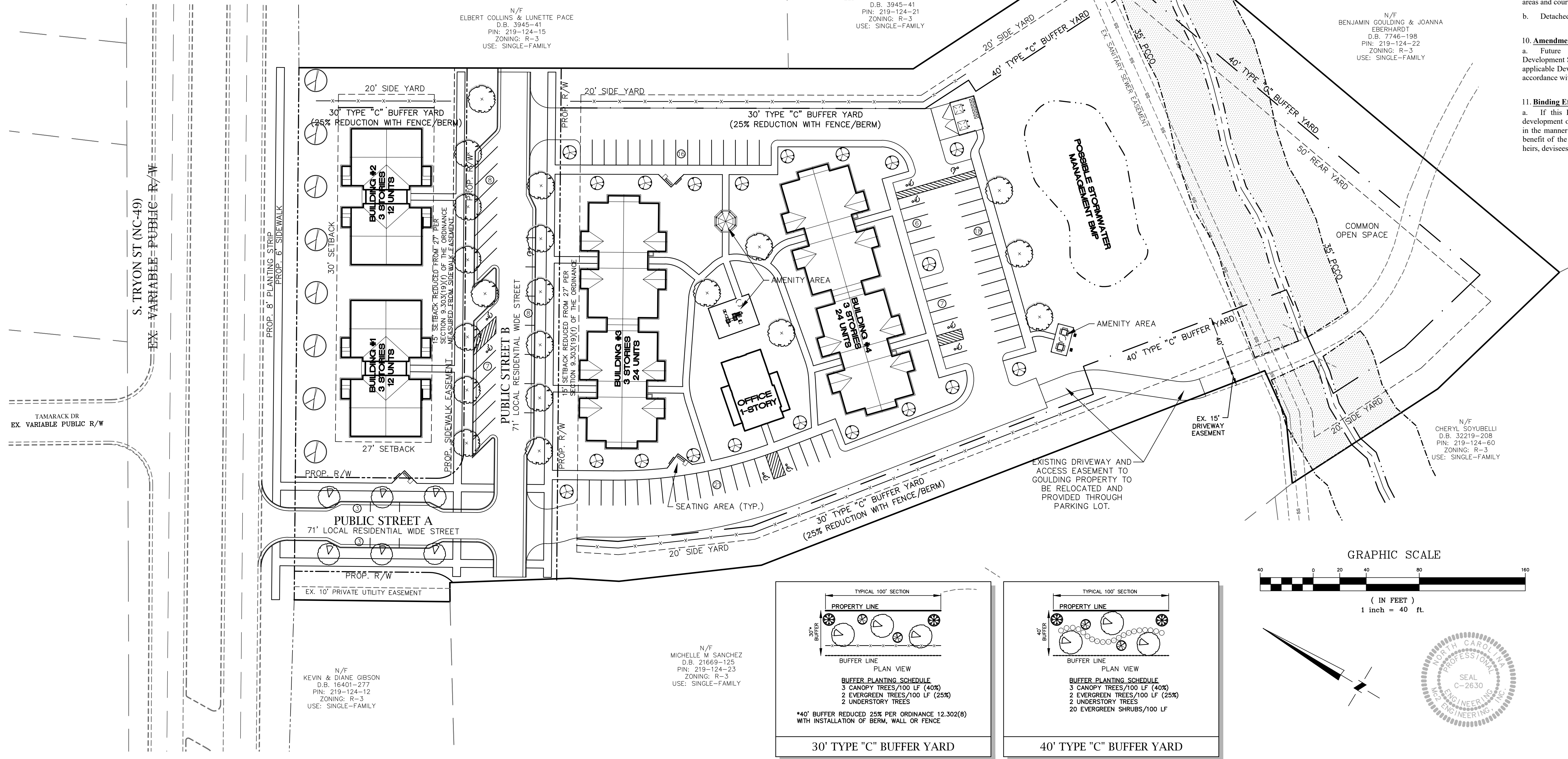
- a. **Architectural Standards, Court Yards/Amenity Areas:**
 - a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.
 - b. Meter banks will be screened from adjoining properties and from the abutting public streets.
 - c. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
 - d. Dumpster and recycling area will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal buildings. The location of the proposed dumpster and recycling area is generally depicted on the Rezoning Plan.
5. **Streetscape, Buffers, Yards, Open Space and Landscaping:**
 - a. A 15 foot setback as measured from the right-of-way Public Street B and a 27 foot setback as measured from the right-of-way line of Public Street A will be provided as generally depicted on the Rezoning Plan. A 30 foot setback will be provided as measured from the existing right-of-way of S. Tryon Street will be provided as generally depicted on the Rezoning Plan.
 - b. Along the Site's internal parking areas the Petitioner will provide a sidewalk and cross-walk network that links to the building on the Site and to the sidewalks along the abutting public streets in the manner depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.
 - c. A Class C Buffer as required by the Ordinance will be provided as generally depicted on the Rezoning Plan.

- ### 6. General Design Guidelines:
- a. Buildings shall front (the side of a building that has windows will also be considered a front) a minimum of 65% of the total street frontage on the site (exclusive of driveways, pedestrian access points, usable open space, tree save areas, natural areas, and/or tree re-planting areas).
 - b. Building Massing - Buildings exceeding 120 feet in length shall include modulations of the building massing/facade plane (recess, projection, architectural treatment, etc.). Modulations shall be a minimum of 10 feet wide and shall extend or recess a minimum of 5 feet, extending through all floors.
 - c. Vertical Modulation and Rhythm - Building elevations shall be designed with recognizable vertical bays or articulated architectural facade features. The bays and features may include, but not limited to a combination of exterior wall offsets, projections, and/or recesses, pilasters, and change in materials.
 - d. Building Side - Buildings shall be designed with a recognizable architectural base. A minimum of three elevations of each building will be articulated with a water table of Preferred Exterior Building Materials listed above of a minimum of three (3) feet in height. (*Preferred building materials will be defined as brick, stone, precast stone, precast concrete, stucco, and decorative block*).
 - e. Building elevations facing streets shall not have expanses of blank walls greater than 20 feet.
 - f. Architectural features such as, but not limited to, banding, medallions, or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
 - g. Roof form and rooflines shall be designed to avoid the appearance of a large monolithic roof structure through the following standards:
 - (i). Long rooflines (pitched or flat) shall avoid continuous expanses without variation by including changes in height and/or roof form (e.g. dormers, gables, etc.).
 - (ii). For pitched roofs the allowed minimum pitch shall be 4:12 (four feet in vertical height for every twelve feet in horizontal length), excluding buildings with a flat roof and parapet walls.
 - h. Utility structures need to be screened architecturally or with evergreen plant material.
 - i. Walls shall be designed to match and complement the building architecture of the residential buildings of the subject property.

LAND OWNER:	CHAMPION CHRISTIAN CENTER INC. P.O. BOX 691533 CHARLOTTE, NC 28227
PID#:	219-124-03
JURISDICTION:	CITY OF CHARLOTTE
DEED BOOK & PAGE:	23048 / 857
TOTAL SITE ACREAGE:	±7.05 AC
CURRENT ZONING:	R-3
PROPOSED ZONING:	R-12MF(CD)
EXISTING USE:	VACANT
PROPOSED USE:	UP TO 72 MULTI-FAMILY RESIDENTIAL DWELLING UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE R-12MF ZONING DISTRICT.
MAXIMUM BUILDING HEIGHT NOT TO EXCEED THREE (3) STORIES OR 50 FEET BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.	
OPEN SPACE REQUIRED:	20.0%
PROPOSED SPACE REQUIRED:	20.0%
TREE SAVE REQUIRED:	15.0%
TREE SAVE PROVIDED:	15.0%

DEVELOPMENT SUMMARY

- a. **Open Space:**
An open space area will be provided as generally depicted on the Rezoning Plan. The proposed open space area may be improved with trails, landscaping, seating areas, and structures appropriate to the proposed open space area.
- b. **Environmental Features:**
 - a. The location, size and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
 - b. The Site will comply with the Tree Ordinance.
- c. **Lighting:**
 - a. All new lighting should be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
 - b. Detached lighting on the Site will be limited to 26 feet in height.
- d. **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.
- e. **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.

The logo features a large, stylized 'M' in a dark grey, almost black, color. A smaller, light grey 'c' is positioned to the right of the 'M', and a superscript '2' is placed above the 'c'. Below this graphic, the word 'ENGINEERING' is written in a bold, black, sans-serif, all-caps font. Underneath the company name, the address 'MC² ENGINEERING, INC.', '2110 BEN CRAIG DRIVE', and 'SUITE 400' are listed in a smaller, black, sans-serif font. The final line of the address block is 'CHARLOTTE, NC 28262', followed by the phone number 'PHONE 704.510.9797' on the next line.

DEVELOPED BY:
THE WODA GROUP, INC
191 MAIN STREET, SUITE 205
ANNAPOLIS, MD 21401

SCHEMATIC SITE PLAN

REVISIONS		

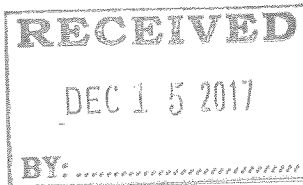
CAD FILE: 17-056.DWG
PROJECT NO.: 17-056
DESIGNED BY: JDM
DATE: DECEMBER 15, 2017

RZ1.0

FOR PUBLIC
HEARING

REZONING
PETITION 2017-###

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-198

Petition #:	
Date Filed:	12/15/2017
Received By:	PK

Property Owners: 1900 Interstate Tower Arrowpoint Associates

Owner's Addresses: 610 E Morehead St, Ste. 100, Charlotte, NC 28202

Date Properties
Acquired: 12/19/1985

Property Addresses: N/A

Tax Parcel Numbers: A portion of 203-221-01

Current Land Use: vacant (Acres): ± 5.75

Existing Zoning: B-D(CD) and I-1 Proposed Zoning: O-2(CD)

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Julia Lund, and Carlos Alzate.

Date of meeting: 12/05/2017

(*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 allow the development of the parcel with extended corporate lodging uses.

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

Signature of Property Owner

WaterWalk Real Estate Services LLC (Attn: Aaron McPeak)

Name of Petitioner

2121 N. Webb Rd.

Address of Petitioner

Wichita, KS 67206

City, State, Zip

316.776.5162

Telephone Number

Fax Number

aaronm@waterwalk.com

E-mail Address

Signature of Petitioner

ATTACHMENT A

**REZONING PETITION NO. 2017-_____
WaterWalk Real Estate Services LLC**

**OWNER JOINDER AGREEMENT
1900 Interstate Tower Arrowpoint Associates**

The undersigned, as the owner of the parcel of land located at the northwest intersection of W. Arrowood Road and Arrowpoint Blvd that is designated as a portion of Tax Parcel No. 203-221-01 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-D(CD) and I-1 zoning district to the O-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

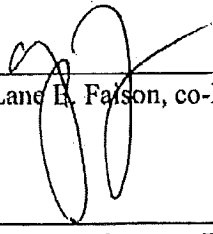
This 15 day of December, 2017.

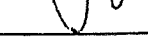
**ARROWPOINT ASSOCIATES LIMITED
PARTNERSHIP, a North Carolina limited partnership**

By: ASC Associates, a North Carolina general
Partnership, its Managing Partner

By: The Estate of Henry J. Faison

Its: General Partner

By: 
Lane B. Faison, co-Executor

By: 
Jay W. Faison, co-Executor

ATTACHMENT A

**REZONING PETITION NO. 2017-
WaterWalk Real Estate Services LLC**

**OWNER JOINDER AGREEMENT
1900 Interstate Tower Arrowpoint Associates**

The undersigned, as the owner of the parcel of land located at the northwest intersection of W. Arrowood Road and Arrowpoint Blvd that is designated as a portion of Tax Parcel No. 203-221-01 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-D(CD) and I-1 zoning district to the O-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 15 day of December, 2017.

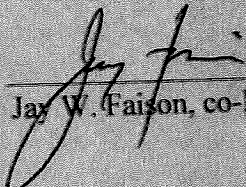
**ARROWPOINT ASSOCIATES LIMITED
PARTNERSHIP, a North Carolina limited partnership**

By: ASC Associates, a North Carolina general
Partnership, its Managing Partner

By: The Estate of Henry J. Faison

Its: General Partner

By: _____
Lane E. Faison, co-Executor

By:  _____
Jay W. Faison, co-Executor

ATTACHMENT B

**REZONING PETITION NO. 2017-
WaterWalk Real Estate Services LLC**

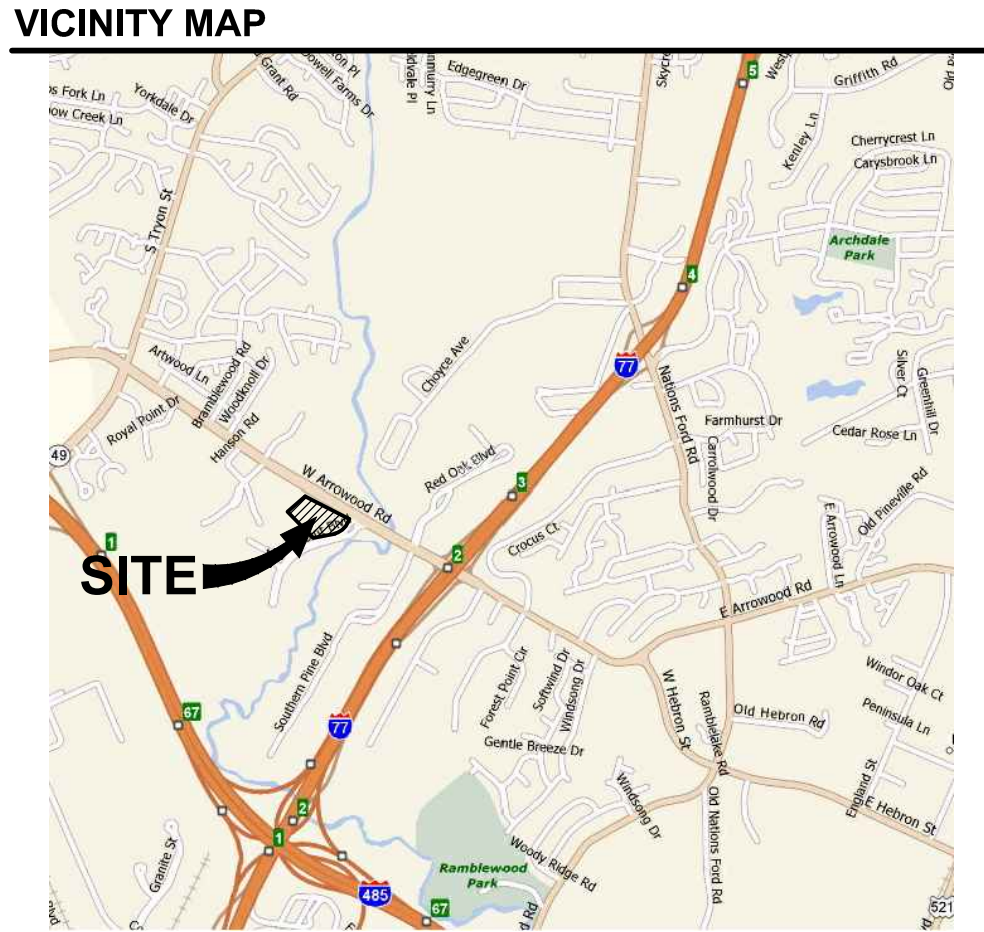
Petitioner:






WaterWalk Real Estate Services LLC

By: 

Name: J. AARON MC PEAK

Title: V.P. RE DEV. SVCS.

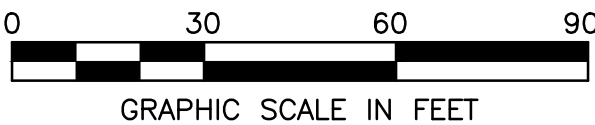


⊖	STORM MANHOLE		TELEPHONE PEDESTAL
⊖	CURB INLET		TRAFFIC SIGNAL PULL BOX
⊖	CATCH BASIN		SANITARY MANHOLE
⊖	FIRE HYD.		SIGN
⊖	WATER VALVE	---	UE - UNDERGROUND ELECTRIC
⊖	WATER MANHOLE	---	G - UNDERGROUND GAS
⊖	SPRINKLER CONTROL VALVE	---	SD - STORM
⊖	GAS METER	---	SAN - SANITARY
⊖	ELEC. TRANSFORMER	---	WTR - WATER
⊖	ELECTRIC MANHOLE	===	EXISTING CURB (AND GUTTER)
⊖	TELEPHONE MANHOLE		EXISTING TREE LINE
⊖	CLEANOUT		
⊖	UTILITY POLE		
⊖	LIGHT POLE		
⊖	GUY WIRE		

THE BASIS OF ELEVATIONS HEREON IS THE NORTH
CAROLINA STATE PLANE COORDINATE SYSTEM (NAD 83).

REBAR WITH CAP SET - ELEVATION = 615.583
REFER TO ALTA SURVEY DATED 2/13/17 BY WOOLPERT, INC.

North Carolina 811
www.nc811.org



PROJECT No:	No.	DATE	REVISION
075358			
DATE 12/12/17			
DES. RW			
DR. DH			
CKD. RW			

11301 CARMEL COMMONS BL.
CHARLOTTE, NC
28226
704.525.6284
FAX: 704.525.8529



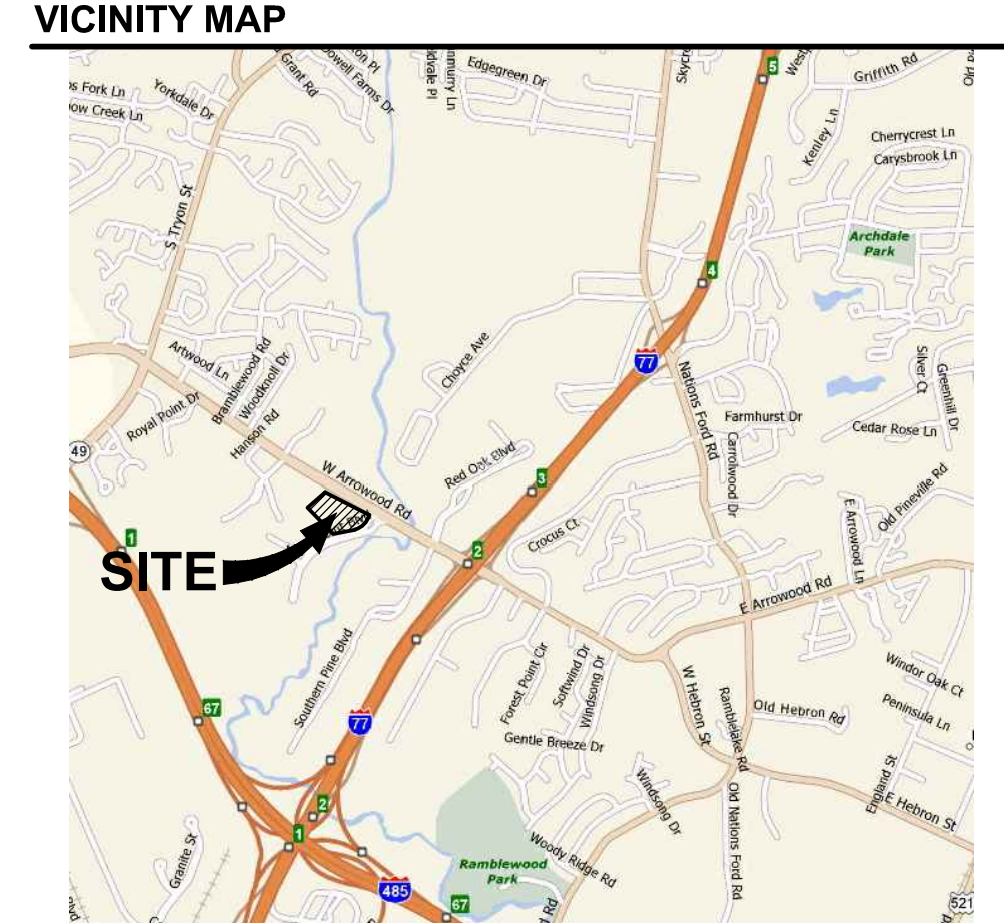
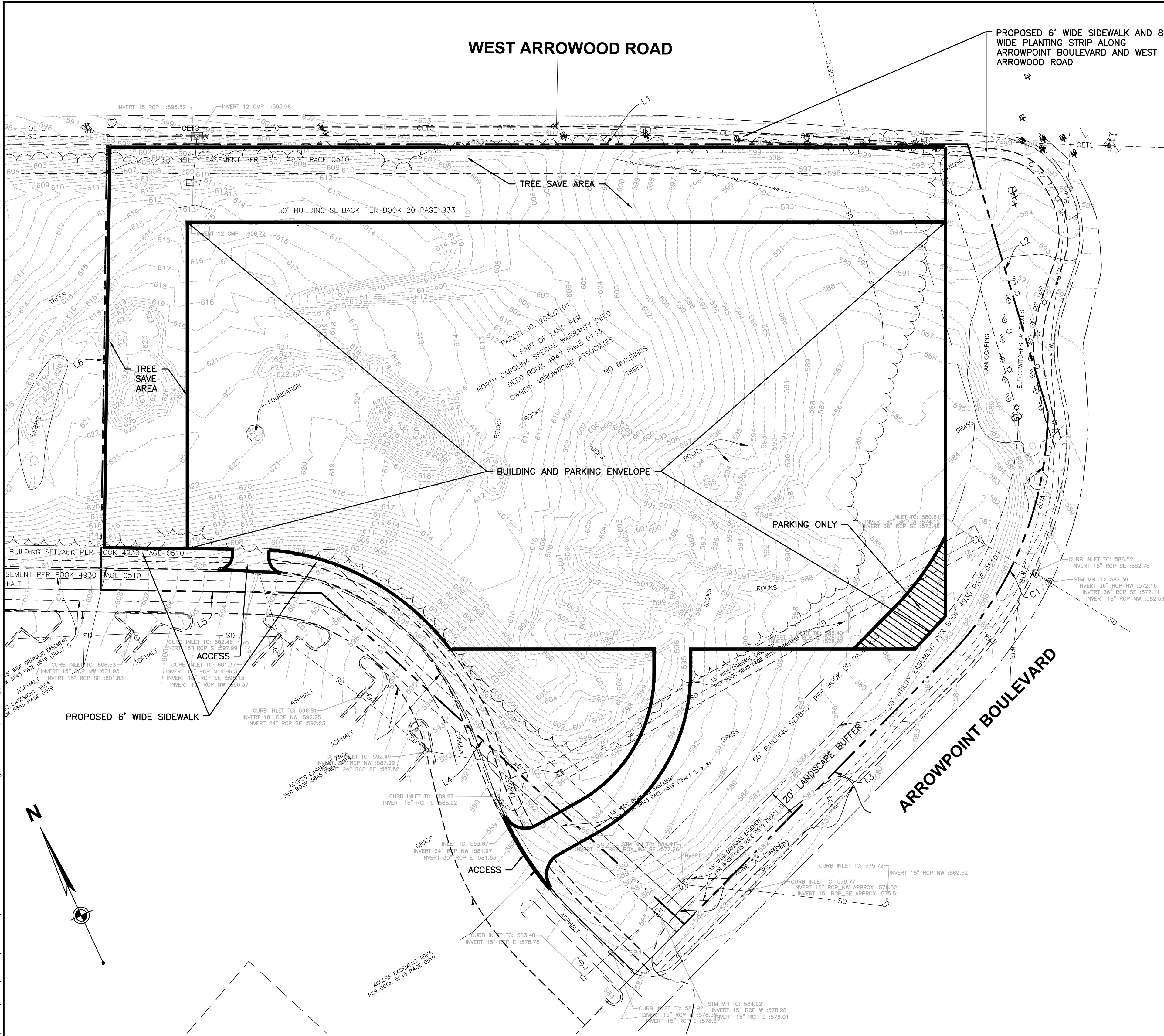
WATERWALK CHARLOTTE
SW CORNER OF W ARROWOOD ROAD & ARROWPOINT BOULEVARD
CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

REZONING PLAN

SHEET NO.

C000

Layout Tab Name: C100, Images: vic map.jpg, Xrefs: 075358-X.dwg, 075358-P.dwg
Last Saved By: hadley, 12/15/2017 11:23:17 AM
G:\DE\Clients\WaterWalk\075358 Charlotte, NC - Bureau\4.0 Disciplines\Civil\Cadd\Exhibits\075358-REZONING EXHIBIT.dwg Plotted By: hadley, Dennis Plotted: December 18, 2017, 11:02:36 AM



EXISTING LEGEND

- | | |
|---------------------------|-------------------------------|
| ⊙ STORM MANHOLE | ☒ TELEPHONE PEDESTAL |
| □ CURB INLET | ☒ TRAFFIC SIGNAL PULL BOX |
| □ CATCH BASIN | ⊙ SANITARY MANHOLE |
| ⚡ FIRE HYD. | — SIGN |
| ⊙ WATER VALVE | — UNDERGROUND ELECTRIC |
| ⊙ WATER MANHOLE | — UNDERGROUND GAS |
| ⊙ SPRINKLER CONTROL VALVE | — STORM |
| ⊙ GAS METER | — SAN - SANITARY |
| ⊙ ELEC. TRANSFORMER | — WTR - WATER |
| ⊙ ELECTRIC MANHOLE | == EXISTING CURB (AND GUTTER) |
| ⊙ TELEPHONE MANHOLE | ⌒ EXISTING TREE LINE |
| ⊙ CLEANOUT | |
| ⊙ UTILITY POLE | |
| ⊙ LIGHT POLE | |
| ⊙ GUY WIRE | |

WATERWALK REAL ESTATE SERVICES LLC
DEVELOPMENT STANDARDS
12/13/17
REZONING PETITION NO. 2017-000

SITE DEVELOPMENT DATA:

- ACREAGE: ± 5.75 ACRES.
- TAX PARCEL #: A PORTION OF 203-221-01
- EXISTING ZONING: B-D(CD) AND I-1
- PROPOSED ZONING: O-2(CD)
- EXISTING USES: VACANT.
- PROPOSED USES: UP TO 150 CORPORATE HOUSING UNITS MADE UP OF A COMBINATION OF HOTEL AND RESIDENTIAL DWELLING UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE O-2 ZONING DISTRICT AND FURTHER DEFINED BELOW IN SECTION 3.
- MAXIMUM BUILDING HEIGHT: NOT TO EXCEED FOUR (4) STORIES AND 60 FEET; HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.
- PARKING: AS REQUIRED BY THE ORDINANCE.

1. GENERAL PROVISIONS:
- a. SITE LOCATION. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY WATERWALK REAL ESTATE SERVICES LLC ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A 160 UNIT (HOTEL ROOMS AND RESIDENTIAL DWELLINGS) CORPORATE LIVING COMMUNITY ON APPROXIMATELY 5.75 ACRE SITE LOCATED AT THE SOUTHWEST INTERSECTION OF W. ARROWWOOD ROAD AND ARROWPOINT BLVD. (THE "SITE").
- b. ZONING DISTRICTS/ORDINANCE. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE O-2 ZONING CLASSIFICATION SHALL GOVERN, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.
- c. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.
- SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:
- MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN; OR
 - MODIFICATIONS TO MOVE THE STRUCTURE GRAPHICALLY DEPICTED ON THE REZONING PLAN CLOSER TO ADJACENT PROPERTIES WITH A RESIDENTIAL USE BUT NO CLOSER THAN THE "EXTERNAL BUILDING LINE" (IN THIS CASE THE EXTERNAL SETBACKS, REAR YARDS OR BUFFER AREAS) INDICATED ON SHEET RZ-1; OR
 - MODIFICATIONS TO ALLOW MINOR INCREASES IN THE MASS OF THE BUILDINGS THAT DO NOT MATERIALLY CHANGE THE DESIGN INTENT DEPICTED ON OR DESCRIBED IN THE REZONING PLAN.

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

d. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED TWO (2). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING LOCATED ON THE SITE.

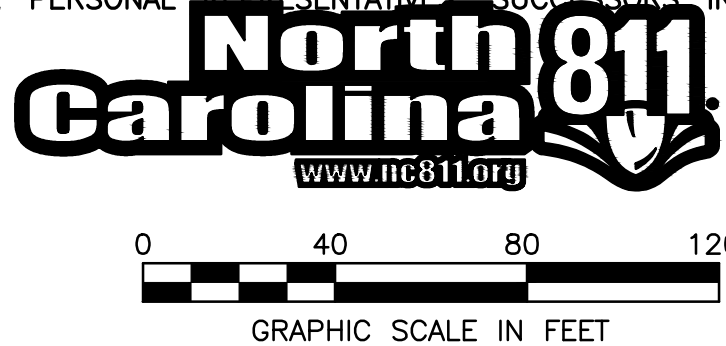
2. PERMITTED USES & DEVELOPMENT AREA LIMITATION:
- a. THE SITE MAY BE DEVELOPED WITH A COMBINATION OF CORPORATE LIVING HOTEL ROOMS AND CORPORATE LIVING RESIDENTIAL DWELLING UNITS. THE TOTAL NUMBER OF CORPORATE LIVING HOTEL ROOMS AND CORPORATE LIVING RESIDENTIAL DWELLING UNITS SHALL NOT EXCEED 160 ROOMS/UNITS.
3. ACCESS, NEW PUBLIC STREET, CITY AGREEMENT AND TRANSPORTATION:
- a. ACCESS TO THE SITE WILL BE FROM AN EXISTING PRIVATE STREET LOCATED ALONG THE SOUTHERN PROPERTY LINE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- b. THE PETITIONER WILL IMPROVE THE SITE'S FRONTAGE ALONG W. ARROWWOOD ROAD AND ARROWPOINT BOULEVARD WITH A SIX (6) FOOT SIDEWALK AND AN EIGHT (8) PLANTING STRIP AS GENERALLY DEPICTED ON THE REZONING PETITION.
- c. THE PETITIONER WILL ALSO PROVIDE A SIX (6) FOOT SIDEWALK ALONG THE PRIVATE ACCESS EASEMENT THAT WILL BE USED AS INGRESS AND EGRESS FOR THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THIS SIDEWALK WILL CONNECT TO THE SIDEWALK ALONG ARROWPOINT BOULEVARD.
- d. 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.
- e. 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.
4. ARCHITECTURAL STANDARDS, COURT YARDS/AMENITY AREAS:
- a. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS FIBER BOARD, STUCCO, EIFS, DECORATIVE BLOCK AND/OR WOOD. VINYL OR ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS AND ON HANDRAILS/RAILINGS.
- b. METER BANKS WILL BE SCREENED FROM ADJOINING PROPERTIES.
- c. HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND FROM VIEW OF ADJACENT PROPERTIES AT GRADE.
5. STREETSCAPE, BUFFERS, YARDS, LANDSCAPING AND TREE SAVE AREA:
- a. A 50 FOOT BUILDING AND PARKING SETBACK WILL BE ESTABLISHED ALONG W. ARROWWOOD ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. ALONG ARROWPOINT BOULEVARD A 50 FOOT BUILDING SETBACK AND 20 FOOT PARKING SETBACK WILL BE ESTABLISHED AS GENERALLY DEPICTED ON THE REZONING PLAN.
- b. ALONG THE SITE'S INTERNAL PARKING AREA, THE PETITIONER WILL PROVIDE A SIDEWALK AND CROSS-WALK NETWORK THAT LINKS TO THE BUILDING ON THE SITE AND TO THE SIDEWALKS ALONG W. ARROWWOOD ROAD AND ARROWPOINT BOULEVARD IN THE MANNER DEPICTED ON THE REZONING PLAN. THE MINIMUM WIDTH FOR THIS INTERNAL SIDEWALK WILL BE FIVE (5) FEET.
- c. ABOVE GROUND BACKFLOW PREVENTERS WILL BE SCREENED FROM PUBLIC VIEW AND WILL BE LOCATED OUTSIDE OF THE REQUIRED SETBACKS.


6. ENVIRONMENTAL FEATURES:
- a. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
- b. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.
7. SIGNAGE:
- a. RESERVED.
8. LIGHTING:
- a. DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 26 FEET IN HEIGHT.
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.

BENCHMARK:

THE BASIS OF ELEVATIONS HEREON IS THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM (NAD 83).

⦿ REBAR WITH CAP SET - ELEVATION = 615.583
REFER TO ALTA SURVEY DATED 2/13/17 BY WOOLPERT, INC.



SHEET NO.		C100		REZONING PLAN		WATERWALK CHARLOTTE SW CORNER OF W ARROWWOOD ROAD & ARROWPOINT BOULEVARD CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA		 11301 CARMEL COMMONS BL. CHARLOTTE, NC 28226 704.525.6284 FAX: 704.525.8529		PROJECT No: 075358		REVISION	
										DATE 12/12/17		No.	
										DES. RW			
										DR. DH			
										CKD. RW			

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-199

Petition #:	_____
Date Filed:	<u>12/15/2017</u>
Received By:	<u>[Signature]</u>

Complete All Fields (Use additional pages if needed)

Property Owner: Asana Partners Fund I TRS, LLC; Crescent Communities, LLC; CLT Development, LLC

Owner's Address: 1616 Camden Rd Suite 210; 227 W Trade St. Ste. 1000 City, State, Zip: Charlotte, NC 28203; 28202

Date Property Acquired: 7/17/2017 7/18/2016 7/21/2006

Property Address: 600 S College St.; 122 E Stonewall St.; 601 and 615 S Tryon St

Tax Parcel Number(s): 12512101, 12512102, 12512103, and 12512105

Current Land Use: Office Size (Acres): +/- 3.5 acres

Existing Zoning: UMUD and UMUD-O Proposed Zoning: UMUD-O and UMUD-O (SPA)

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, Grant Meacci, Carlos Alzate

Date of meeting: 12/13/2017

(*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): No

Purpose/description of Conditional Zoning Plan: To accommodate a cantilevered building design in order to allow second and third level floors to extend out over a portion of the streetscape and to accommodate additional wall signage

Collin Brown & 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
Telephone Number Fax Number

Collin.Brown@klgates.com / brittany.lins@klgates.com
E-Mail Address

See Attached Joinder Agreement
Signature of Property Owner

See Attached Joinder Agreement
(Name Typed / Printed)

Crescent Communities, LLC
Name of Petitioner(s)

227 W Trade St, Suite 1000
Address of Petitioner(s)

Charlotte, NC 28202
City, State, Zip

980-321-6161
Telephone Number Fax Number

emcmillan@crescentcommunities.com
E-Mail Address

[Signature]
Signature of Petitioner

Elizabeth McMillan
(Name Typed / Printed)

REZONING PETITION NO. 2017-xxx

PETITIONER Crescent Communities, LLC

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located at 600 S. College Street, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 21510101 on the Mecklenburg County Tax Map and which is the subject of the attached Rezoning Application (the "Property"), hereby joins in this Rezoning Application and consents to the requested Zoning Map Amendment as more particularly set out therein.

This 15th day of December, 2017.



Asana Partners Fund I TRS, LLC

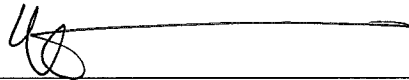
REZONING PETITION NO. 2017-xxx

PETITIONER Crescent Communities, LLC

JOINDER AGREEMENT

The undersigned, as the owner of those parcels of land located at 122 East Stonewall Street and 601 S. Tryon Street, Mecklenburg County, North Carolina that are designated as Tax Parcel Nos. 21510102 21510103 on the Mecklenburg County Tax Map and which are the subject of the attached Rezoning Application (the "Property"), hereby joins in this Rezoning Application and consents to the requested Zoning Map Amendment as more particularly set out therein.

This 15 day of December, 2017.



Crescent Communities, LLC

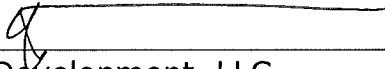
REZONING PETITION NO. 2017-xxx

PETITIONER Crescent Communities, LLC

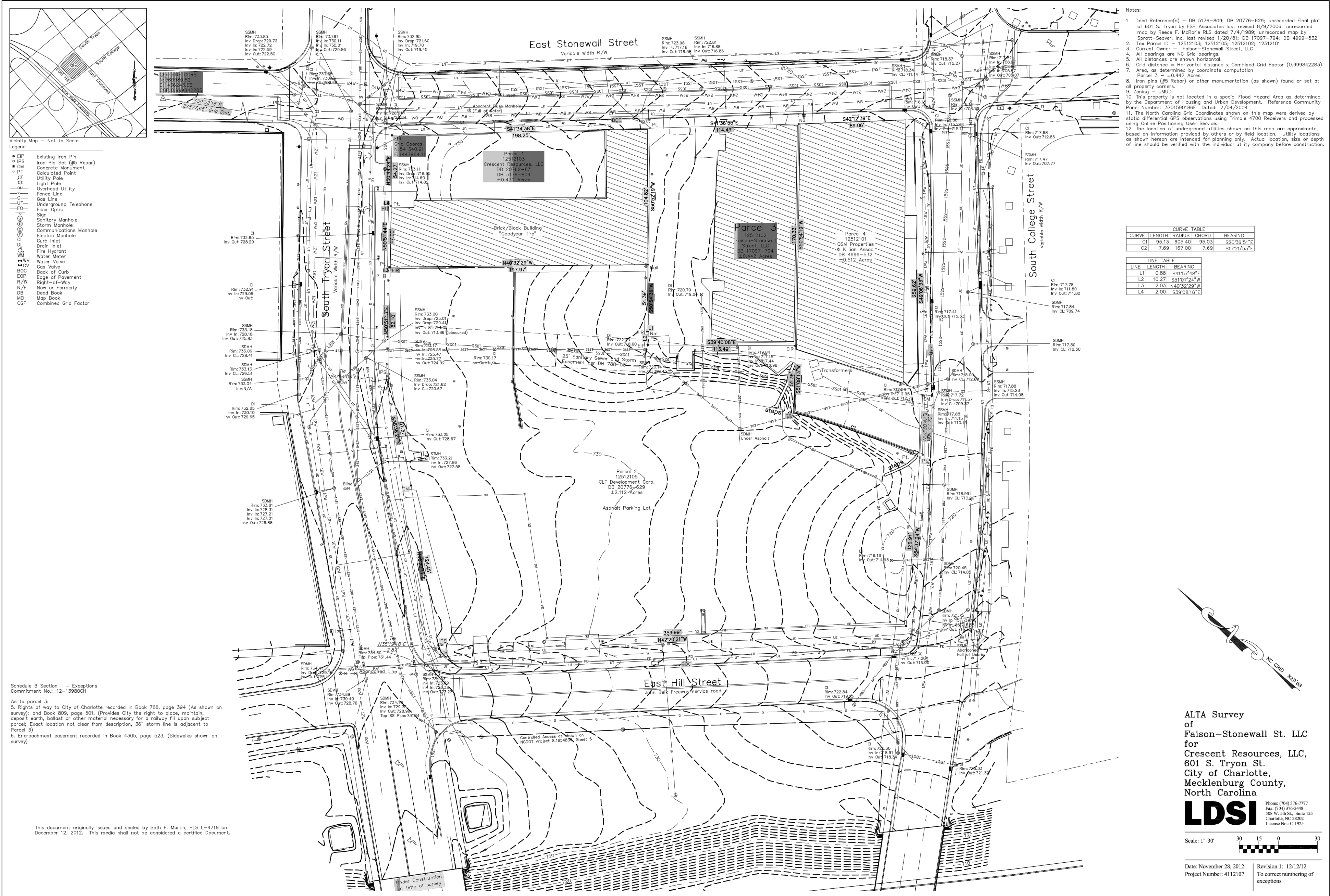
JOINDER AGREEMENT

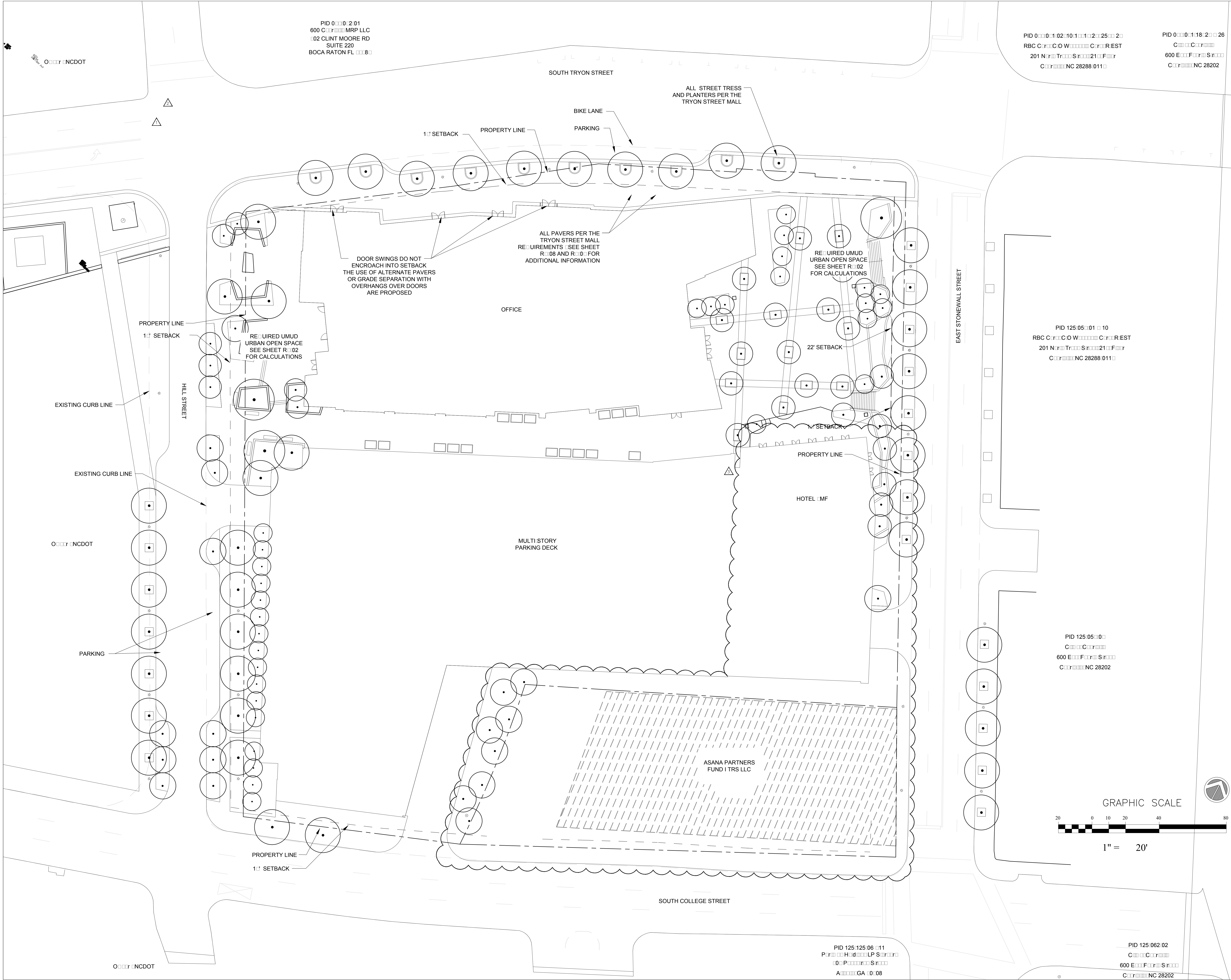
The undersigned, as the owner of that parcel of land located at 615 S. Tryon Street, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 21510105 on the Mecklenburg County Tax Map and which is the subject of the attached Rezoning Application (the "Property"), hereby joins in this Rezoning Application and consents to the requested Zoning Map Amendment as more particularly set out therein.

This 15 day of December, 2017.



CLT Development, LLC





PID 01101201
600 C... MRP LLC
102 CLINT MOORE RD
SUITE 220
BOCA RATON FL 33488

PID 01101021010102125002
RBC C... C... W... C... R... E... S... T...
201 N... T... S... 21... F...
C... NC 28288 011

PID 0110111820026
C... C...
600 E... F... S...
C... NC 28202

PID 125 05001010
RBC C... C... W... C... R... E... S... T...
201 N... T... S... 21... F...
C... NC 28288 011

PID 125 0500
C... C...
600 E... F... S...
C... NC 28202

PID 125 125 06 11
P... H... LP S...
10 P... S...
A... GA 00 08

PID 125 062 02
C... C...
600 E... F... S...
C... NC 28202

LITTLE
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5815 Westpark Drive Charlotte, NC 28217
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TRYON PLACE

ISSUE FOR
R... P... 2010

ISSUE DATE
06/11

REV	DATE	REASON
1	06/11	REVIEW COMMENTS
2	06/11	REVIEW COMMENTS
3	06/11	SITE LAYOUT

PROJECT TEAM

PRINCIPAL IN CHARGE
EDDIE PORTIS AIA LEED® AP BD+C

PROJECT MANAGER
FRANK DEBOLT AIA LEED® AP BD+C

PROJECT ARCHITECT
CHRISTOPHER HOYT AIA

PROJECT NAME
TRYON PLACE
OFFICE

601 SOUTH TRYON
CHARLOTTE, NC

PROJECT NO.
1121500

SHEET TITLE
TECHNICAL DATA SHEET

SHEET NUMBER
R001

△₁ △₃

If the Petitioner seeks to take advantage of any of the "Optional" provisions approved as part of the Rezoning Petition, development of the Site will be governed by the accompanying Technical Data Sheet, these Development Standards (including any Optional provisions utilized) and the applicable provisions Ordinance. The development depicted on the Technical Data Sheet is intended to reflect in general terms, the arrangement, location and design of the component parts and street improvements for the Site as if the Optional provisions requested in these Development Standards are implemented.

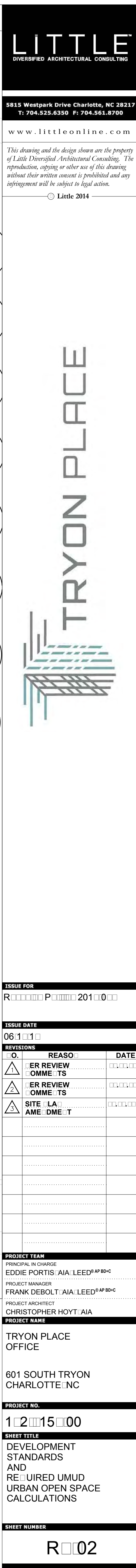
Except as otherwise provided under the UMUD-Optional provisions set forth under Paragraph 2 of these Development Standards and unless the accompanying Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UMUD Zoning District shall govern all development taking place on the Site.

2

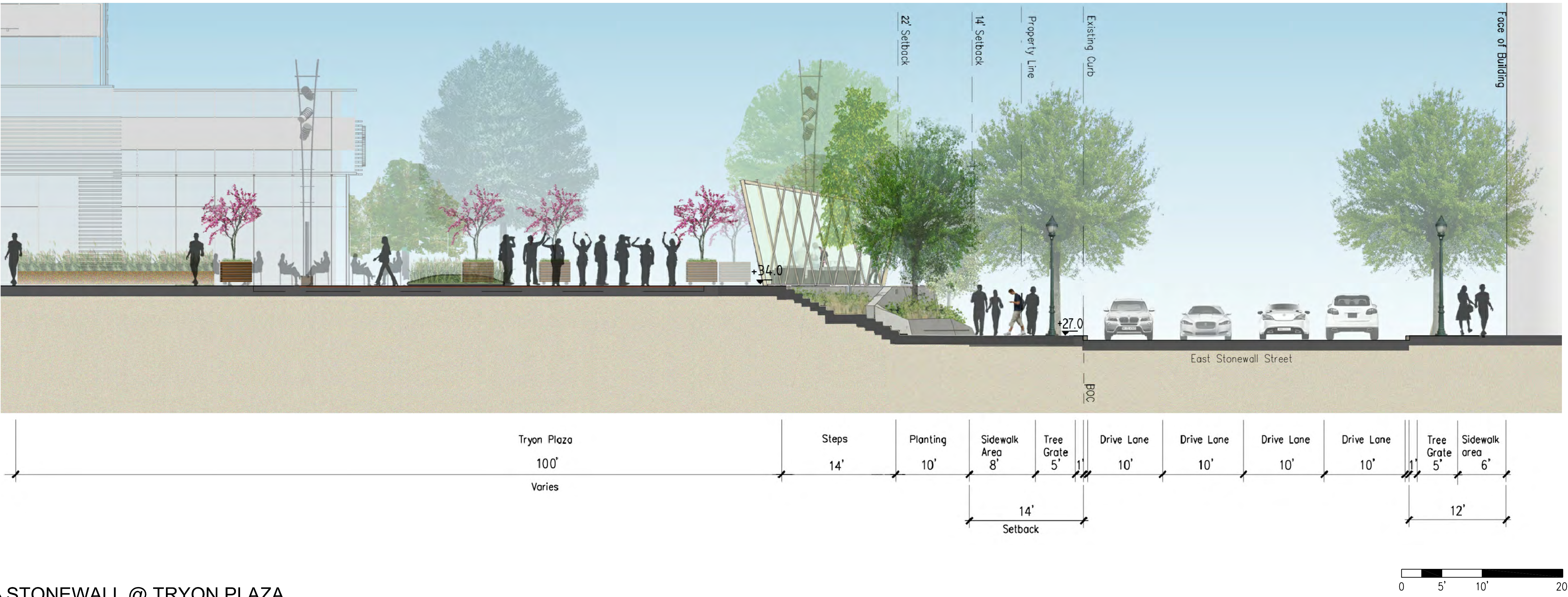
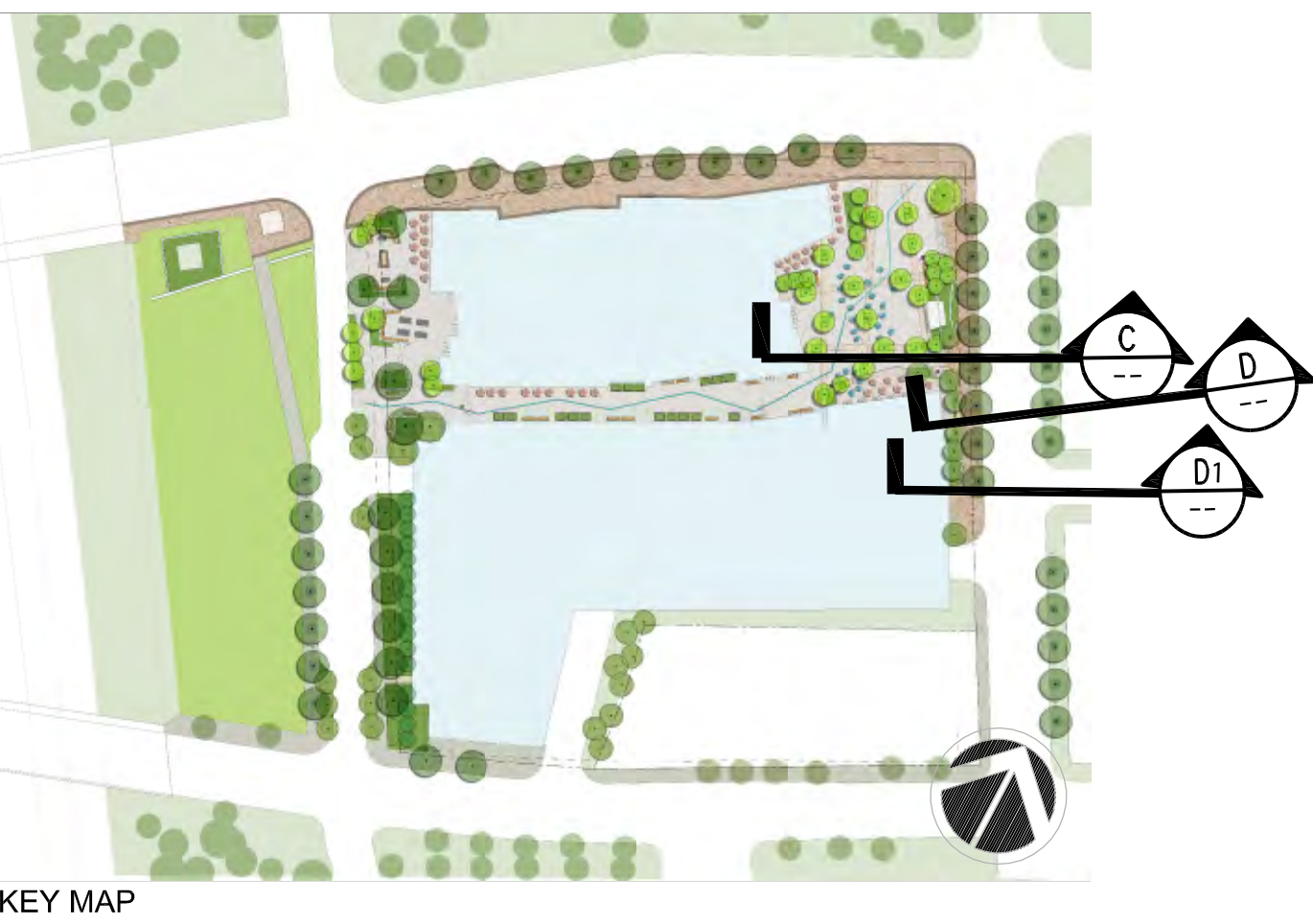
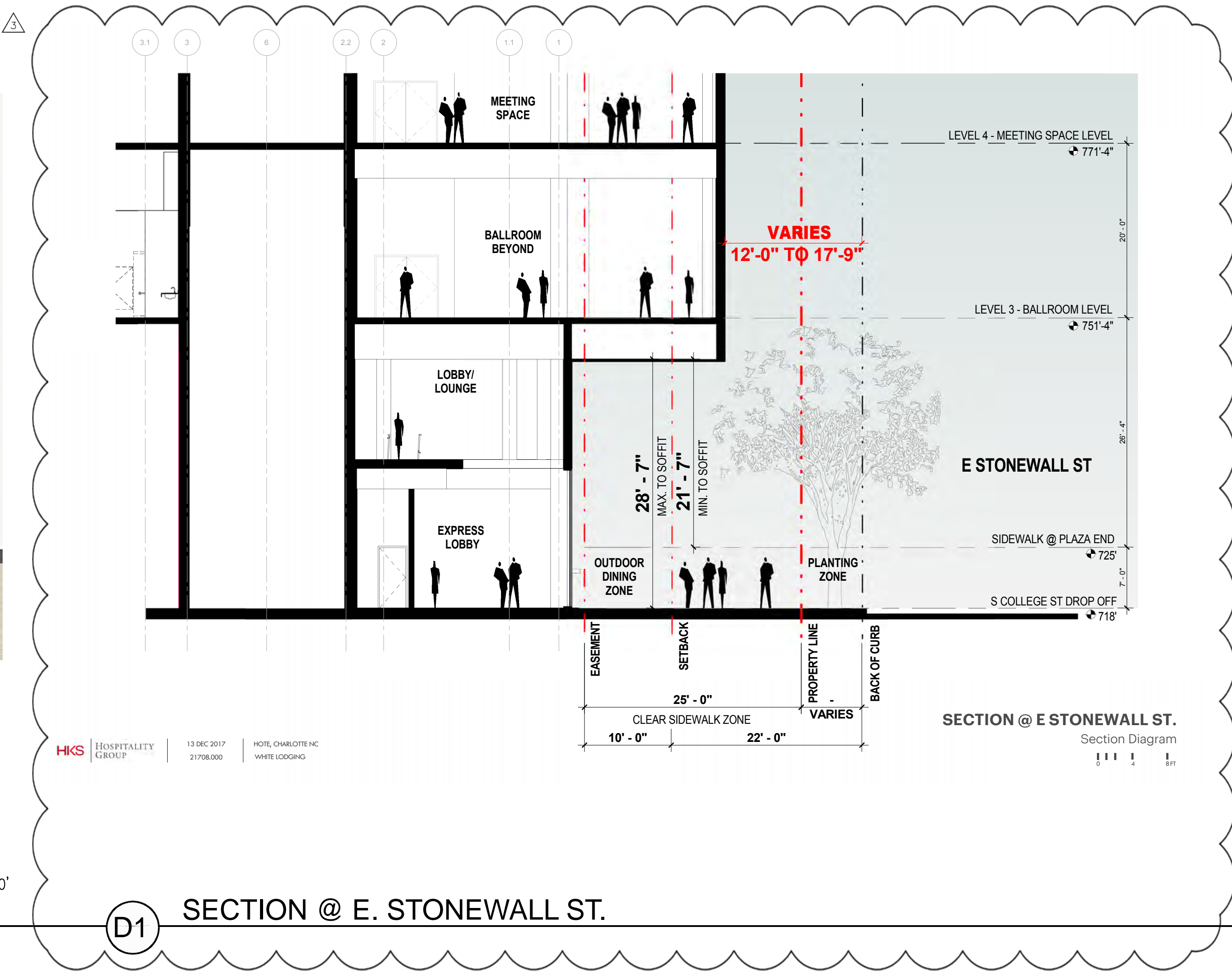
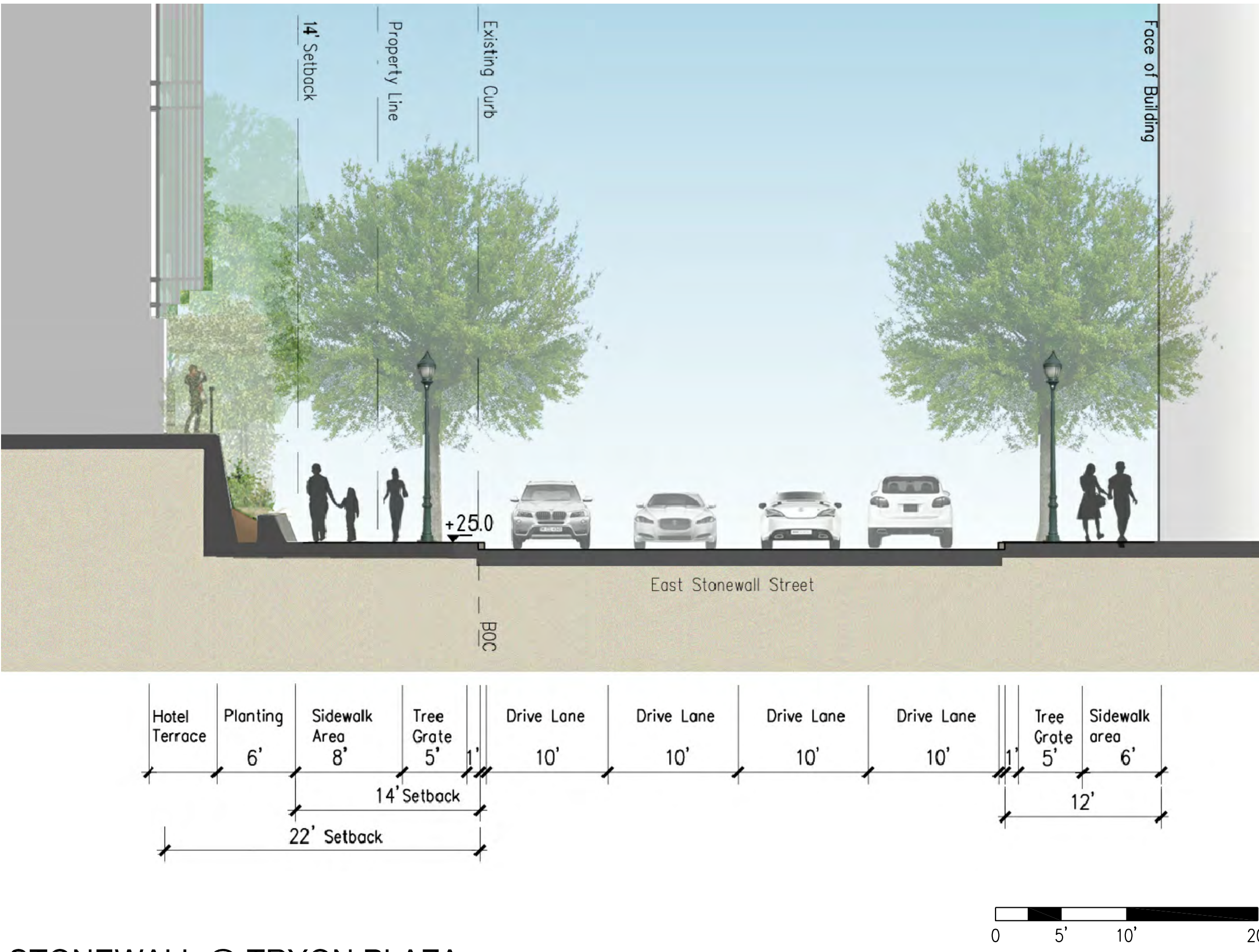
Pursuant to the Optional provisions of Section 9.908 of the Ordinance, the Petitioner seeks approval of the following UMUD Optional provisions to allow deviations from specific provisions of the Ordinance in order to accommodate the development depicted on the Technical Data Sheet:

- 3

Site Area:	3.5 acres +/-
Tax Parcels:	125-121-01, 125-121-02, 125-121-03, 125-121-05
Existing Zoning:	UMUD and UMUD-O
Proposed Zoning:	UMUD-O and UMUD-O (SPA)
Existing Uses:	Office, Vacant Buildings and Surface Parking Lots
Proposed Use:	All Uses Permitted in UMUD District
Maximum Development:	N/A
Maximum Square Footage:	N/A
Maximum FAR:	N/A
Maximum Building Height:	N/A
Parking:	Must satisfy or exceed UMUD minimum requirements



STREET CROSS SECTIONS



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5815 Westpark Drive Charlotte, NC 28217
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TRYON PLACE

ISSUE FOR
Rezoning Petition 2014-079

ISSUE DATE
08/19/14

NO.	REASON	DATE
1	PER REVIEW COMMENTS	10.17.14
2	PER REVIEW COMMENTS	11.21.14
3	SITE PLAN AMENDMENT	12.18.17

PROJECT TEAM

PRINCIPAL IN CHARGE
EDDIE PORTIS, AIA, LEED[®] AP BD+C

PROJECT MANAGER
FRANK DEBOLT, AIA, LEED[®] AP BD+C

PROJECT ARCHITECT
CHRISTOPHER HOYT, AIA

PROJECT NAME

TRYON PLACE OFFICE

PROJECT NO.

132.9153.00

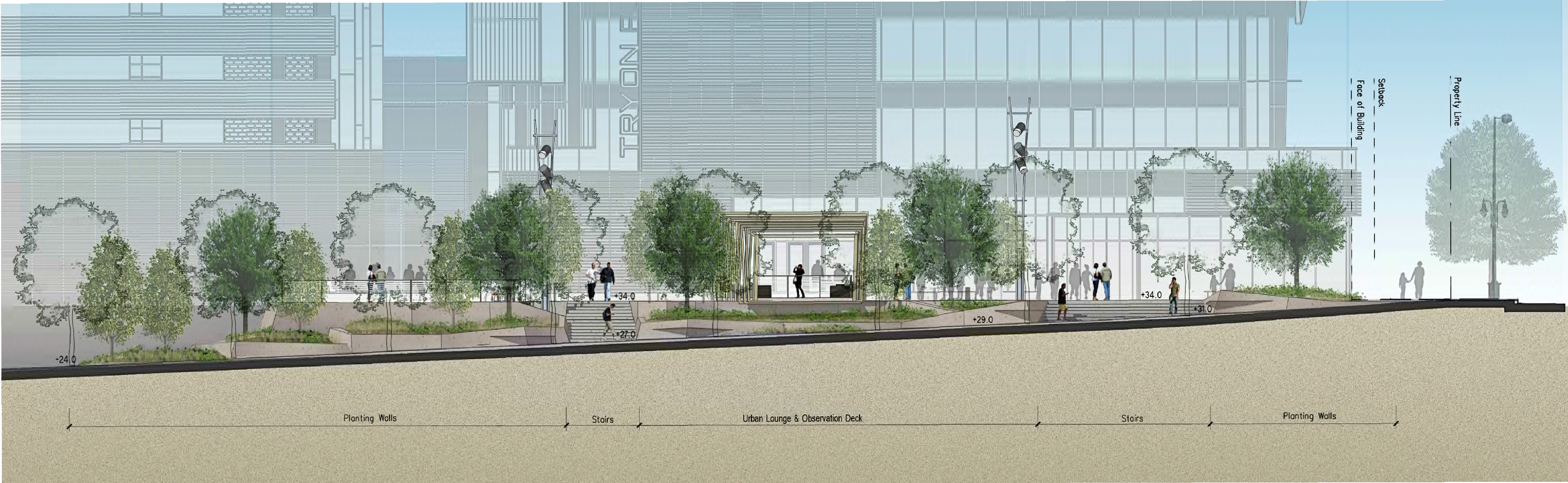
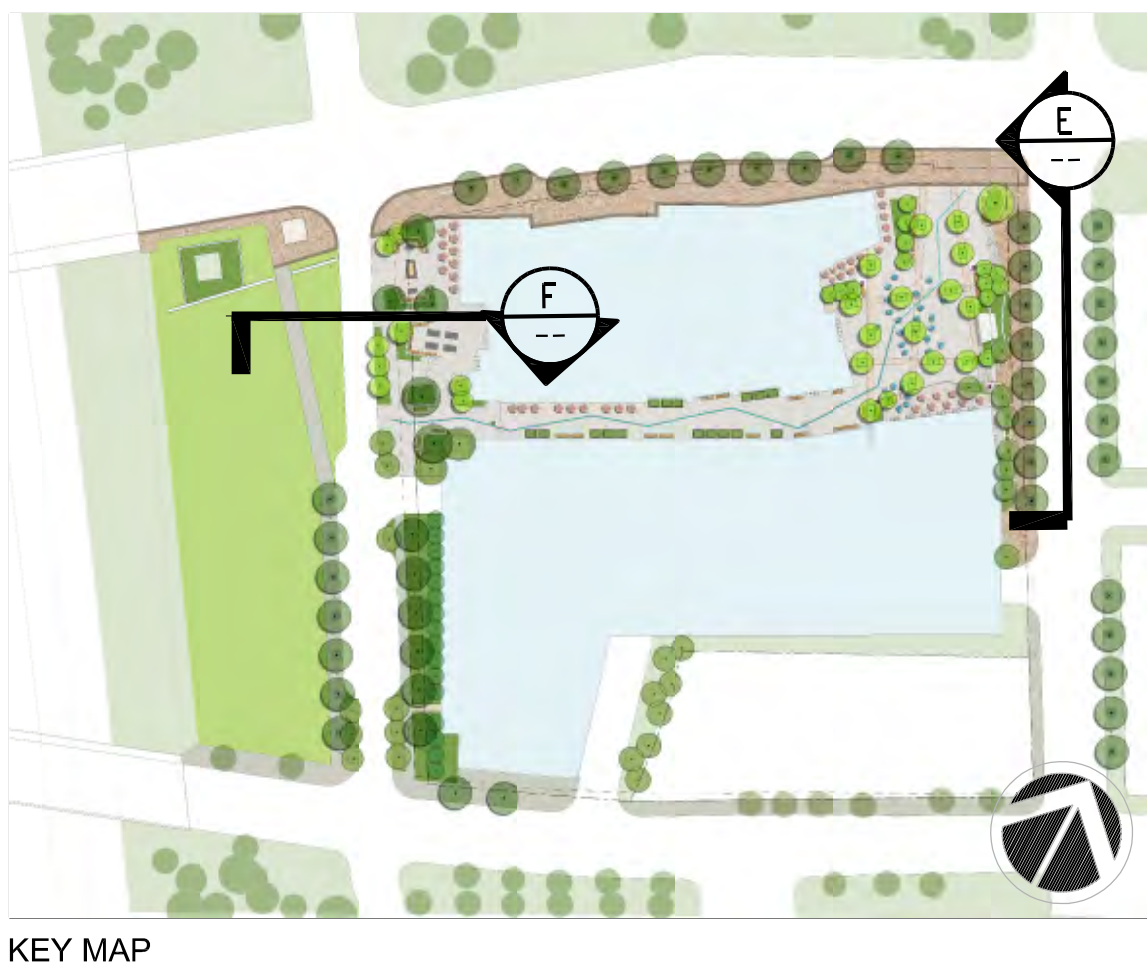
SHEET TITLE

STREET CROSS SECTION

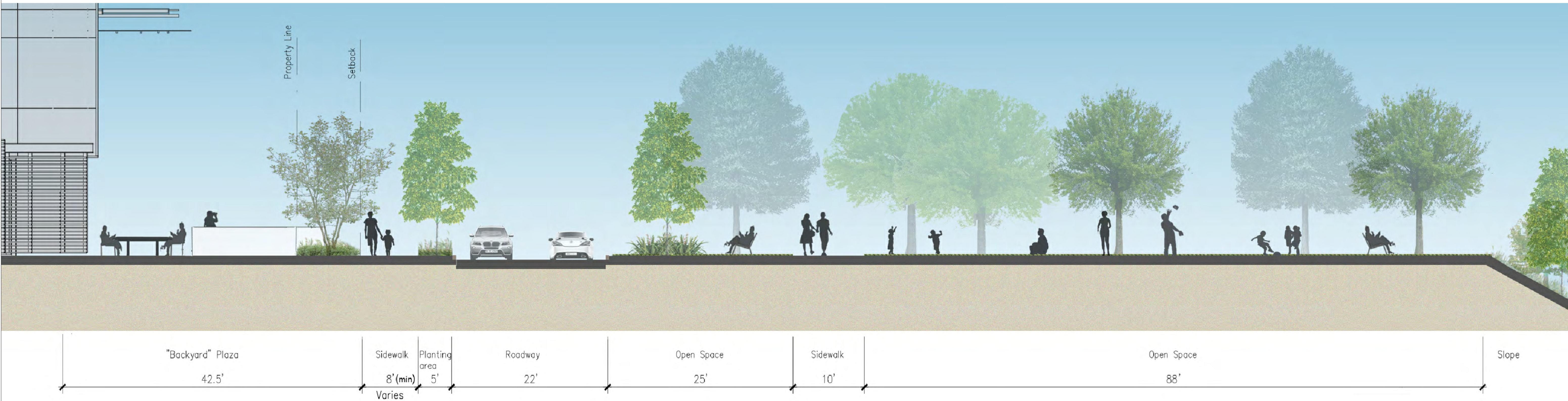
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RZ-04

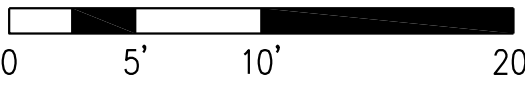
STREET CROSS SECTIONS



E EAST STONEWALL STREET



F HILL STREET @ "BACKYARD" AND PUBLIC PARK



NO CHANGES TO THIS SHEET.

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TRYON PLACE

ISSUE FOR

Rezoning Petition 2014-079

ISSUE DATE

08/19/14

NO.	REASON	DATE
1	PER REVIEW COMMENTS	10.17.14
2	PER REVIEW COMMENTS	11.21.14
3	SITE PLAN AMENDMENT	12.18.17

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PRINCIPAL IN CHARGE
EDDIE PORTIS, AIA, LEED[®] AP BD+C

PROJECT MANAGER
FRANK DEBOLT, AIA, LEED[®] AP BD+C

PROJECT ARCHITECT
CHRISTOPHER HOYT, AIA

PROJECT NAME

TRYON PLACE
OFFICE

601 SOUTH TRYON
CHARLOTTE, NC

PROJECT NO.

132.9153.00

SHEET TITLE

STREET CROSS SECTION

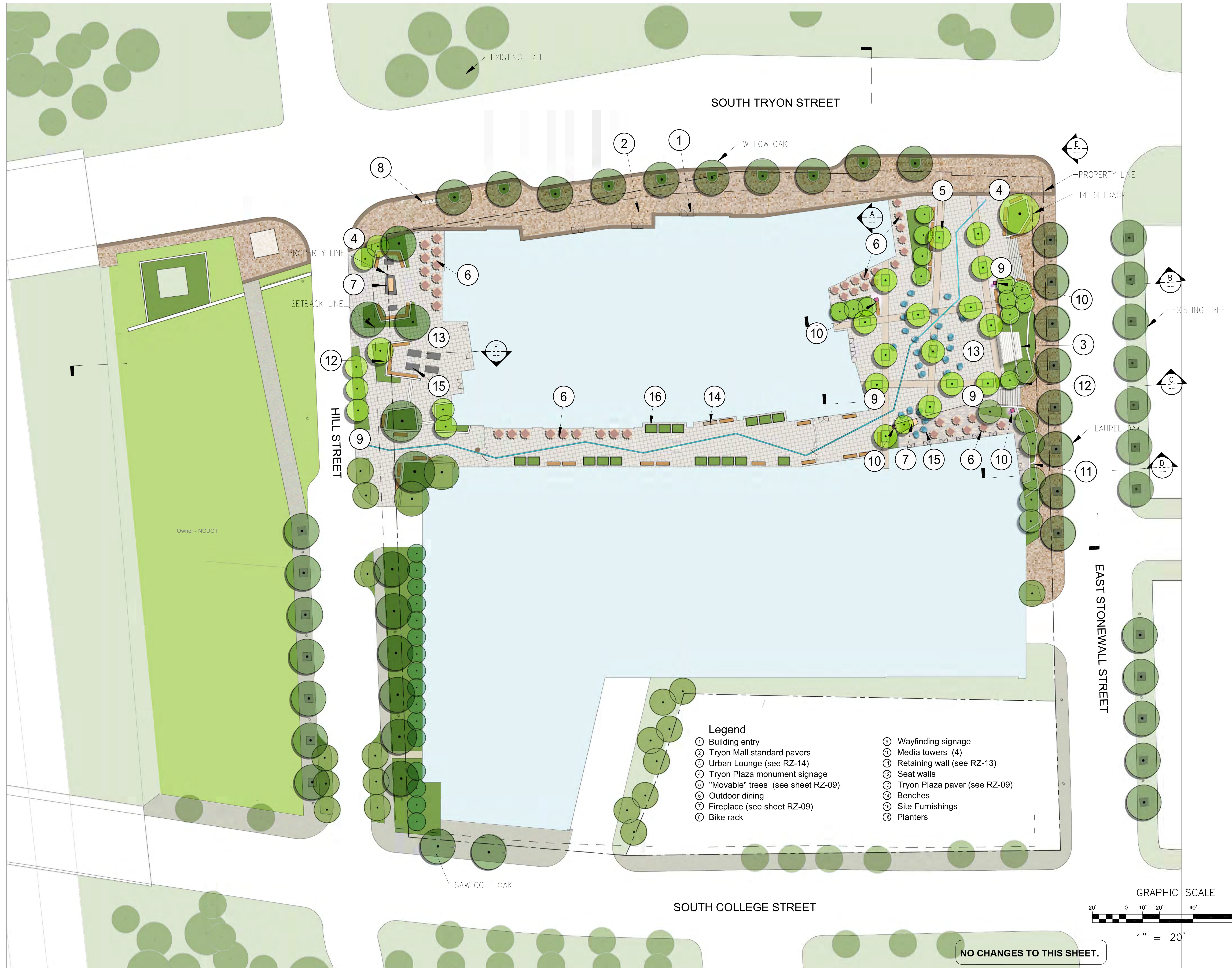
SHEET NUMBER

RZ-05

R006



DO HAZARDS TO THIS SHEET.



NO.	REASON	DATE
△	PER REVIEW COMMENTS	10.17.14
△	PER REVIEW COMMENTS	11.21.14
△	SITE PLAN AMENDMENT	12.18.17

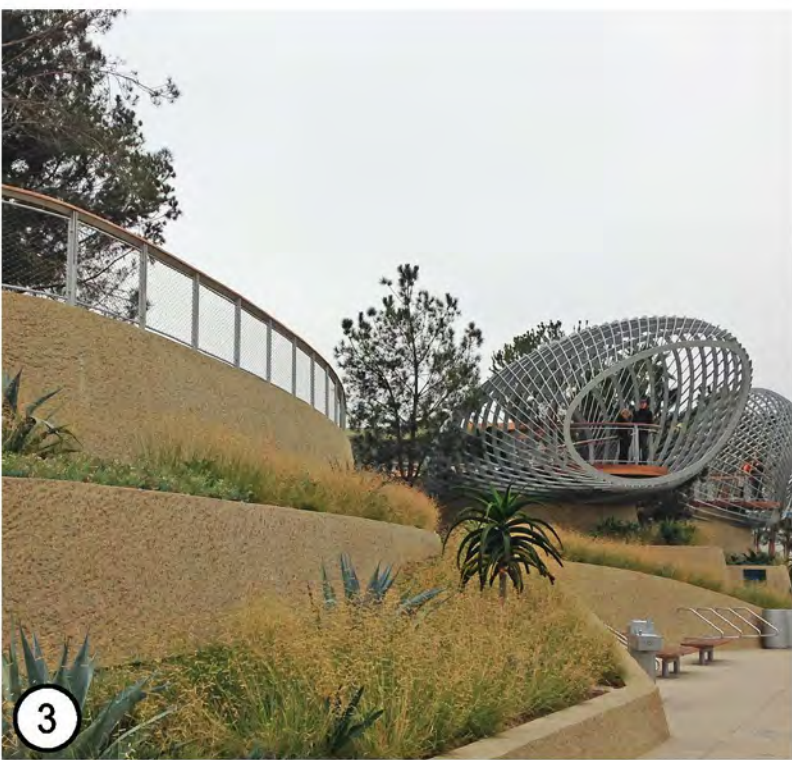
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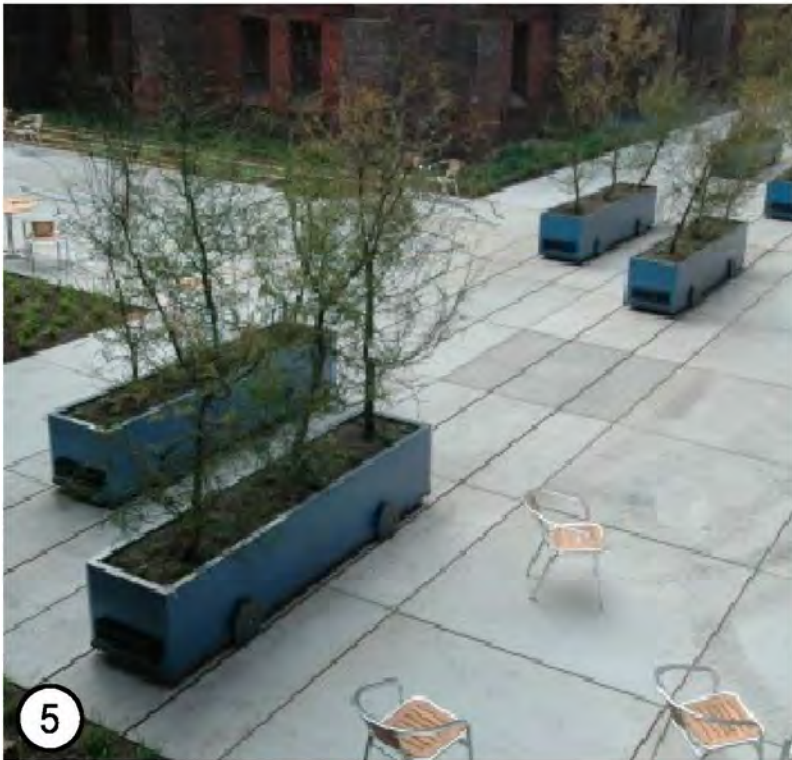
1 "Backyard" + Public Park rendering



2 Promenade building entry pavers
• Match Tryon Mall standards



3 Urban Lounge
• Materials to be determined



5 "Movable" Trees
• 4' x 6' planter boxes
• Materials to be determined



7 Back Porch Fireplace
• Metal finish
• Open on both sides



13 Tryon Plaza pavers
• Pattern and materials to be determined

3 Inspiration images



South Tryon Street tree pit
• Match Tryon Mall standards



E Stonewall Street trees and materials
• Match Tryon Mall standards



South Tryon Street trees
• Quercus phellos - Willow oak
• Match Tryon Mall standards

2 Existing conditions

NO CHANGES TO THIS SHEET.

LITTLE

DIVERSIFIED ARCHITECTURAL CONSULTING

5815 Westpark Drive Charlotte, NC 28217
T: 704.525.6350 F: 704.561.8700
www.littleonline.com

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strategy planning architecture landscape interiors

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TRYON PLACE

ISSUE FOR

Rezoning Petition 2014-079

ISSUE DATE

06/19/14

NO.	REASON	DATE
△	PER REVIEW COMMENTS	10.17.14
△	PER REVIEW COMMENTS	11.21.14
△	SITE PLAN AMENDMENT	12.18.17

PROJECT TEAM

PRINCIPAL IN CHARGE
EDDIE PORTIS, AIA, LEED AP BD+C

PROJECT MANAGER
FRANK DEBOLT, AIA, LEED AP BD+C

PROJECT ARCHITECT
CHRISTOPHER HOYT, AIA

PROJECT NAME

TRYON PLACE
OFFICE

601 SOUTH TRYON
CHARLOTTE, NC

PROJECT NO.

132.9153.00

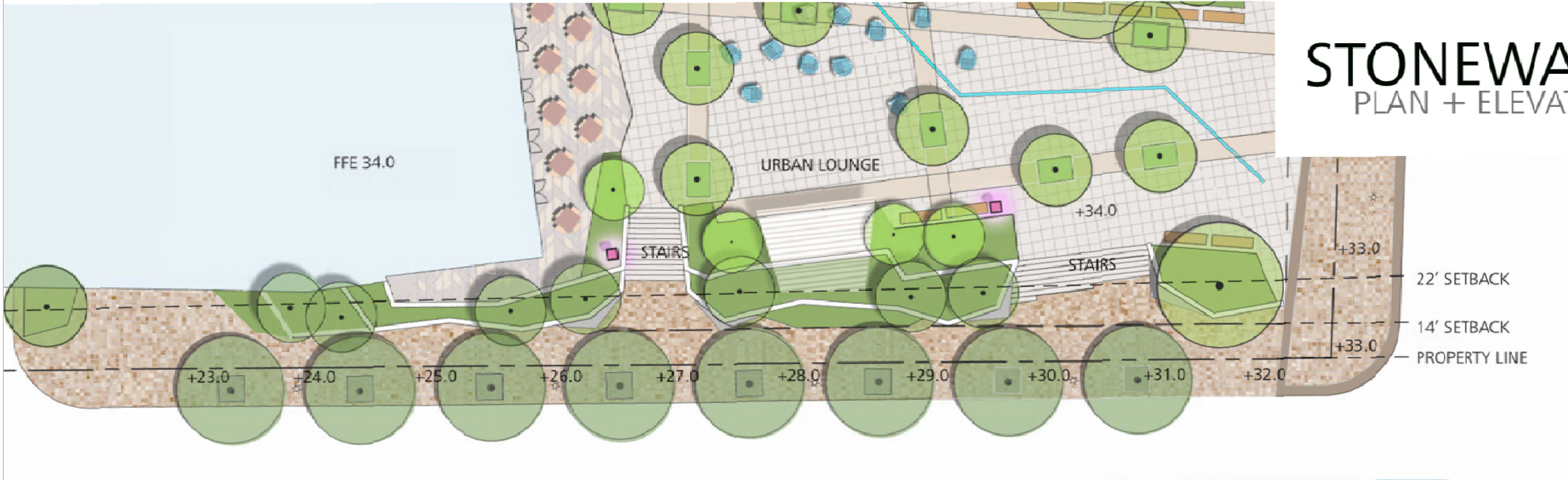
SHEET TITLE

Imagery

SHEET NUMBER

RZ-09

STONEWALL PLAN AND ELEVATION



STONEWALL
PLAN + ELEVATION



NO CHANGES TO THIS SHEET.

LITTLE
OVERSPREAD ARCHITECTURAL CONSULTING

5815 Westpark Drive Charlotte, NC 28217
T: 704.525.6350 F: 704.561.8700
www.littleonline.com

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TRYON PLACE

ISSUE FOR
Rezoning Petition 2014-079

ISSUE DATE
06/19/14

REVISIONS

NO.	REASON	DATE
1	PER REVIEW COMMENTS	10.17.14
2	PER REVIEW COMMENTS	11.21.14
3	SITE PLAN AMENDMENT	12.18.17

PRINCIPAL IN CHARGE
EDDIE PORTIS, AIA, LEED AP BD+C

PROJECT MANAGER
FRANK DEBOLT, AIA, LEED AP BD+C

PROJECT ARCHITECT
CHRISTOPHER HOYT, AIA

PROJECT NAME
TRYON PLACE
OFFICE

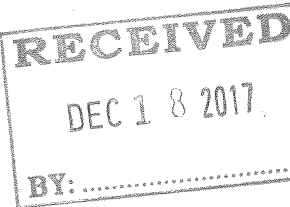
601 SOUTH TRYON
CHARLOTTE, NC

PROJECT NO.
132.9153.00

SHEET TITLE
Stonewall Plan and Elevation

SHEET NUMBER
RZ-10

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-200

Petition #:

Complete All Fields (Use
additional pages if needed)

12/

Received By:

Property owner: Landover Development, LLC / Lehigh Holdings Owner: Landover Development, LLC

Owner's Address: 214 Cherokee Road City, State, Zip: Charlotte, NC 28207

Date Property Acquired: 12/30/2015

Property Address: 920 Craighead Road

Tax Parcel Number(s): 087-041-07

Current Land Use: Industrial Size (Acres): +/- 1.62 acres

Existing Zoning: I-1 Proposed Zoning: I-2 (CD)

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

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

Date of meeting: 8/10/2017

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

Requesting a vesting period exceeding the 2 year minimum? No.

Purpose/description of Conditional Zoning Plan: To allow for outdoor storage and parking related to existing moving company operations.

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

Roger W. Lovellett FOR
Signature of Property Owner Lehigh Holdings

Roger W. Lovellett
(Name Typed / Printed)

Hornet Moving, LLC
Name of Petitioner(s)

2614 McClintock Road #111
Address of Petitioner(s)

Charlotte, NC 28205
City, State, Zip

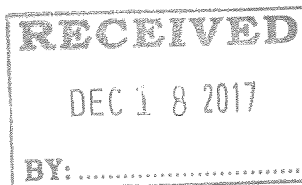
704-777-0724
Telephone Number Fax Number

blakebrunernc@gmail.com
E-Mail Address

Blake Bruner
Signature of Petitioner

Blake Bruner
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-201

Petition #: _____
Date Filed: 12/18/2017
Received By: B.

Complete All Fields (Use additional pages if needed)

Property Owner: Charlotte Aircraft Corporation

Owner's Address: PO Box 25555 City, State, Zip: Charlotte, NC 28229

Date Property Acquired: (a) 07/24/1996, (b) 12/14/1994, (c) 03/05/1992

Property Address: (a) 7705/7815 E WT Harris Blvd, (b) 7705 E WT Harris Blvd, (c) E WT Harris Blvd

Tax Parcel Number(s): (a) 10915106, (b) 10915107, (c) 10915110

Current Land Use: Industrial Size (Acres): 26.949 AC Total (a) 12.18 AC

Existing Zoning: R20-MF (CD) Proposed Zoning: R12-MF (CD) (b) 8.319 AC

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

Required Rezoning Pre-Application Meeting* with: Mandy Rosen, Sonja Sanders, Shannon Frye,
Date of meeting: October 12, 2017 Monica Carney Holmes, Rick Grochoske

(*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: Develop a multifamily community

Jim Cirello Paramounte Engineering, Inc.

Name of Rezoning Agent

122 Cinema Drive

Agent's Address

Wilmington, NC 28403

City, State, Zip

910-791-6707

Telephone Number

910-791-6760

Fax Number

jcirello@paramounte-eng.com

E-Mail Address

[Signature]

Signature of Property Owner

Charlotte Aircraft Corporation

(Name Typed / Printed)

K Sade Ventures

(Keith Saieed - Developer Representative)

Name of Petitioner(s)

4242 Six Forks Road, Suite 1500

Address of Petitioner(s)

Raleigh, NC 27609

City, State, Zip

919-868-2007

Telephone Number

Fax Number

keith@ksade.com

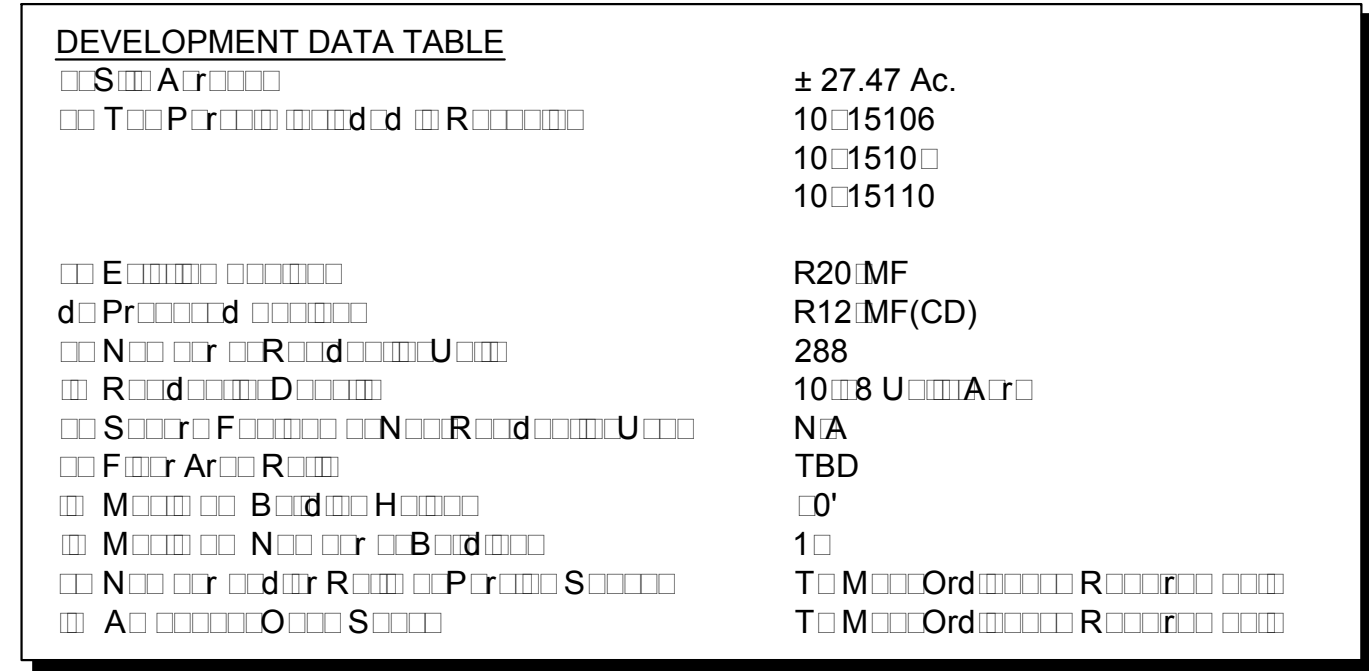
E-Mail Address

[Signature]

Signature of Petitioner

Keith Saieed

(Name Typed / Printed)



G r P r

[illegible][illegible][illegible]

Pr

The proposed amendment to the **read** or **download** functions of the **CD** is to be made to the **R.12MF(CD)** **CD**.

Prind U

[illegible]

Tr[]r[]

T S H B D L R
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 P

Primer for SPP or S

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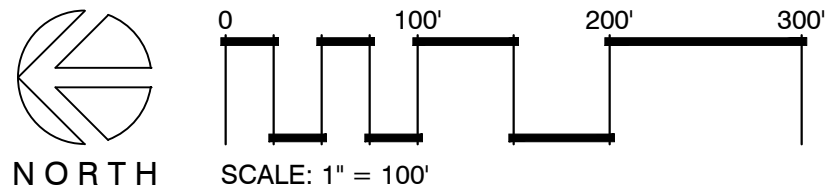
L

Friedrich ist ein Mann mit einem Namen, der auf einen deutschen Vornamen hindeutet.

P

R11110

ISSN 1218-1101

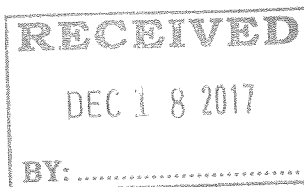


PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

CRZ-1		SEAL		
PROJECT STATUS CONCEPTUAL LAYOUT: 10.2.15 FINAL DESIGN: RELEASED FOR GORET:		DRAWING INFORMATION DATE: 12.18.15 DESIGNED BY: F-JRC CHECKED BY: JRC DRAWN BY: JRC		
CONDITIONAL REZONING PLAN 7705 E WT HARRIS BLVD CHARLOTTE NORTH CAROLINA				
				
CLIENT INFORMATION: KSADE VENTURES 4242 SIX FORKS ROAD, SUITE 1500 RALEIGH, NC 27609				
122 Cinema Drive Wilmington, North Carolina 28403 (910) 791-6707 (O) (910) 791-6760 (F) NC License #: C-2846				
REVISIONS:				

2017-202

I. REZONING APPLICATION CITY OF CHARLOTTE



Petition #:	_____
Date Filed:	<u>12/28/2017</u>
Received By:	<u>BH</u>

Complete All Fields (Use additional pages if needed)

Property Owner: Charlotte Latin Schools

Owner's Address: 9502 Providence Road City, State, Zip: Charlotte, NC 28277

Date Property Acquired: 1/28/16

Property Address: Corner of Providence Road and Providence Church Lane

Tax Parcel Number(s): 22538151

Current Land Use: vacant Size (Acres): Approx. 0.81 ac.

Existing Zoning: R-3 Proposed Zoning: UR-2 CD

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

Required Rezoning Pre-Application Meeting* with: John Kinley, et al.

Date of meeting: 12/12/17

(*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): 5

Purpose/description of Conditional Zoning Plan: develop the site for a small townhome project not to exceed 8 units

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

waltr@walterfieldsgroup.com
E-Mail Address

See attached sheet
Signature of Property Owner

(Name Typed / Printed)

Sinacori Builders, LLC
Name of Petitioner(s)

P.O. Box 471785
Address of Petitioner(s)

Charlotte, NC 28247
City, State, Zip

704-543-7474
Telephone Number Fax Number

russ@sinacoribuilders.com
E-Mail Address

[Signature]
Signature of Petitioner

Russell Sinacori
(Name Typed / Printed)

December, 11, 2017

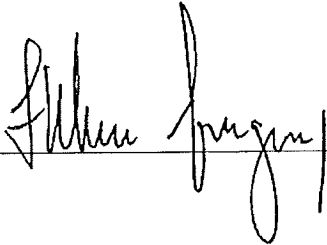
Sinacori Builders, LLC, c/o Russ Sinacori
P.O. Box 471785
Charlotte, NC 28247

This letter serves to notify all interested parties that I/we consent to Sinacori Builders, LLC, petitioning for the rezoning of property located at the intersection of NC 16 (Providence Road) and Providence Church Lane in Mecklenburg County, North Carolina known as approximately a .66 acre plot and further identified as Tax Parcel 22538151. This letter serves to represent my/our signature on the rezoning application.

Thank you.

Charlotte Latin Schools
9502 Providence Road
Charlotte, NC 28277

Owner/Authorized Agent

A handwritten signature in black ink, appearing to read "William J. Jorgensen", written over a horizontal line.

Date

12-12-17



ACREAGE: ± 0.815 ACRES

TAX PARCEL #: 22538151

EXISTING ZONING: R-3

PROPOSED ZONING: UR-2

EXISTING USES: VACANT

PROPOSED USES: SINGLE FAMILY ATTACHED

MIN. LOT AREA: 3,000 SF REQ. (2,375 SF PROPOSED)

MIN. SIDE YARD: 5'

MIN. SETBACK: 14' FROM BACK OF CURB

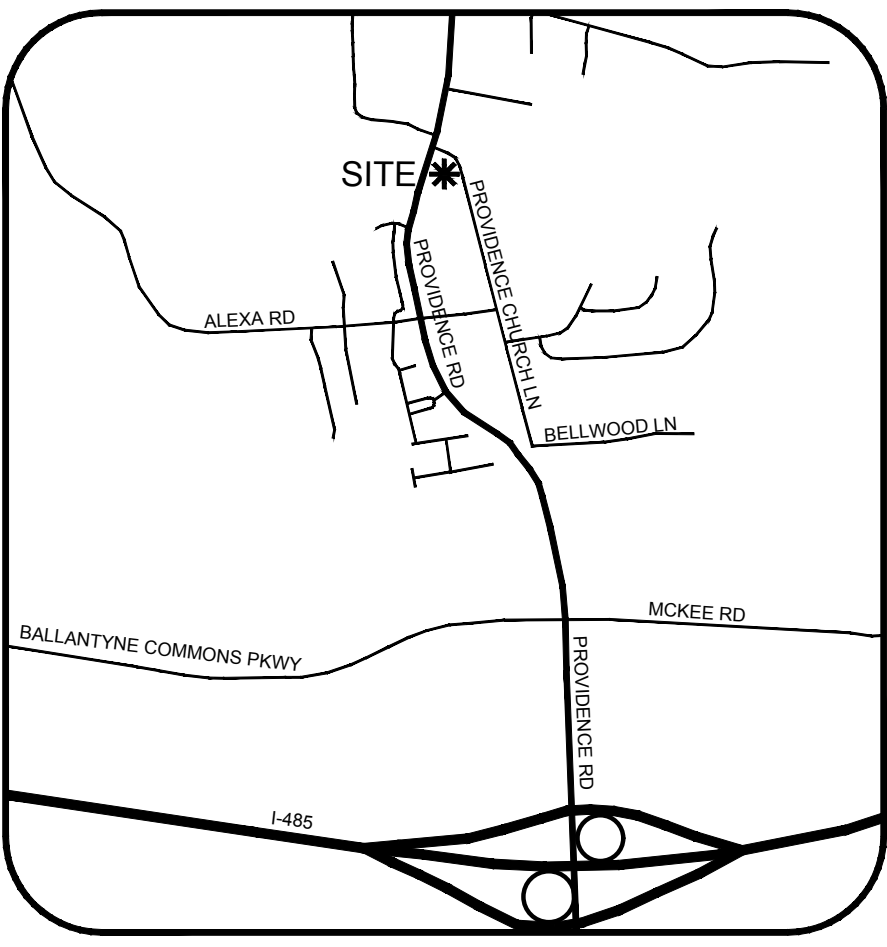
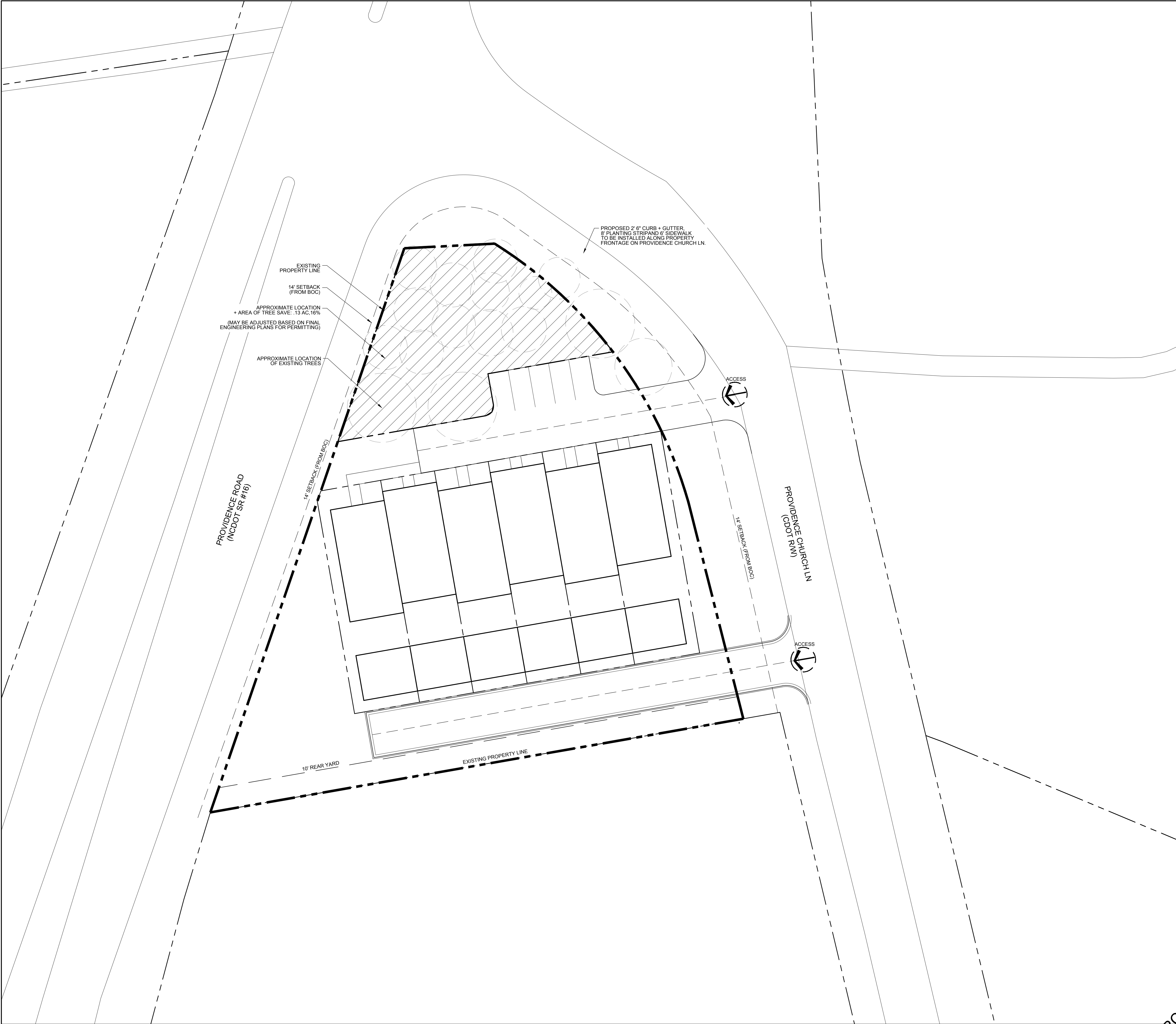
MIN. REAR YARD: 10'

MAX. BUILDING HEIGHT: 100'

TREE SAVE AREA: .13 AC (16%)

DATE: 12.18.17
DESIGNED BY: ST
DRAWN BY: AE
CHECKED BY: ST
Q.C. BY: ST
SCALE: 1"=20'
PROJECT #: 1017313

SHEET #: **RZ-1**



VICINITY MAP
NTS

SITE LEGEND

- PROPOSED PROPERTY LINE
- 14' SETBACK FROM BOC
- 10' REAR YARD
- PROPOSED TREE SAVE
- PROPOSED ACCESS

DATE: 12/18/17
DESIGNED BY: ST
DRAWN BY: AE
CHECKED BY: ST
SCALE: 1"=20'
PROJECT #: 1017313

SHEET #:
RZ-2

PROVIDENCE ROAD TOWNHOMES
REZONING PETITION No. 2017-XXX
CHARLOTTE
SCHEMATIC SITE PLAN

REVISIONS:

LandDesign

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

Providence Road
Development Standards
12/18/17
Rezoning Petition No. 2017-XXX

General Provisions.

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

Purpose

The purpose of this Rezoning application is to provide for the development of a small townhome community. To achieve this purpose, the application seeks the rezoning of the site to the UR-2 (CD) district.

Permitted Uses

Uses allowed on the property included in this Petition will be single family attached dwelling units and related accessory uses as are permitted in the UR-2 district.

Transportation

- a. The site will have access via two driveways to Providence Church Lane as generally identified on the concept plan for the site.
- b. Parking areas are generally indicated on the concept plan for the site.

Architectural Standards

The development of the site will be governed by the district regulations of the Zoning Ordinance for the UR-2 district.

Streetscape and Landscaping

Reserved

Environmental Features

Reserved

Parks, Greenways, and Open Space

Reserved

Fire Protection

Reserved

Signage

Reserved

Lighting

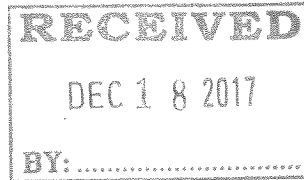
- a. Freestanding lighting on the site will utilize full cut-off luminaries.

Phasing

Reserved

Initial Submission- 12-18-17, 1.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-203

Petition #:	_____
Date Filed:	<u>12/18/2017</u>
Received By:	<u>PH</u>

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/commercial/church (Acres): ± .75

Existing Zoning: B-1 and R-8 Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: _____

Date of meeting: 12/13/2017

(*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 the site with a high-quality residential community with active ground floor uses that adheres to the recommendations of the adopted land use plan

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 ATTACHMENTS A-B

Signature of Property Owner

South End West Syndicate, LLC (Attn: Shawn McAlister)

Name of Petitioner

115-D East Park Avenue

Address of Petitioner

Charlotte, NC 28203

City, State, Zip

704.377.2262

Telephone Number

Fax Number

shawn@verticalresults.com

E-mail Address

SEE ATTACHMENT C

Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
119-076-23	1900 S Tryon Street, Charlotte, NC	South Tryon Ventures LLC	421 Penman Street, Ste. 110, Charlotte, NC 28203	.319	06/30/2017
119-076-24	401 W. Worthington Ave, Charlotte, NC			.211	00/00/0000
119-076-22	1916 S Tryon Street, Charlotte, NC	TAG Ventures LLC		.218	06/14/2017

ATTACHMENT A

**REZONING PETITION NO. 2017-_____
South End West Syndicate, LLC**

**OWNER JOINDER AGREEMENT
South Tryon Ventures LLC**

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

1. 1900 S Tryon Street, Charlotte, NC that is designated as Tax Parcel No. 119-076-23
2. 401 W. Worthington Ave, Charlotte, NC that is designated as Tax Parcel No. 119-076-24

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 parcels from B-1 and R-8 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 12 day of Dec., 2017.

South Tryon Ventures LLC

By: 

Name: Anthony Attah

Its: member/manager

ATTACHMENT B

**REZONING PETITION NO. 2017-_____
South End West Syndicate, LLC**

**OWNER JOINDER AGREEMENT
TAG Ventures LLC**

The undersigned, as the owner of the parcel of land located at 1916 S. Tryon Street, Charlotte, NC that is designated as Tax Parcel No. 119-076-22 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-1 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 12 day of Dec., 2017.

TAG Ventures LLC

By: *[Signature]*

Name: *ASHLEY ATKINS*

Its: *member / manager*

ATTACHMENT C

**REZONING PETITION NO. 2017-
South End West Syndicate, LLC**

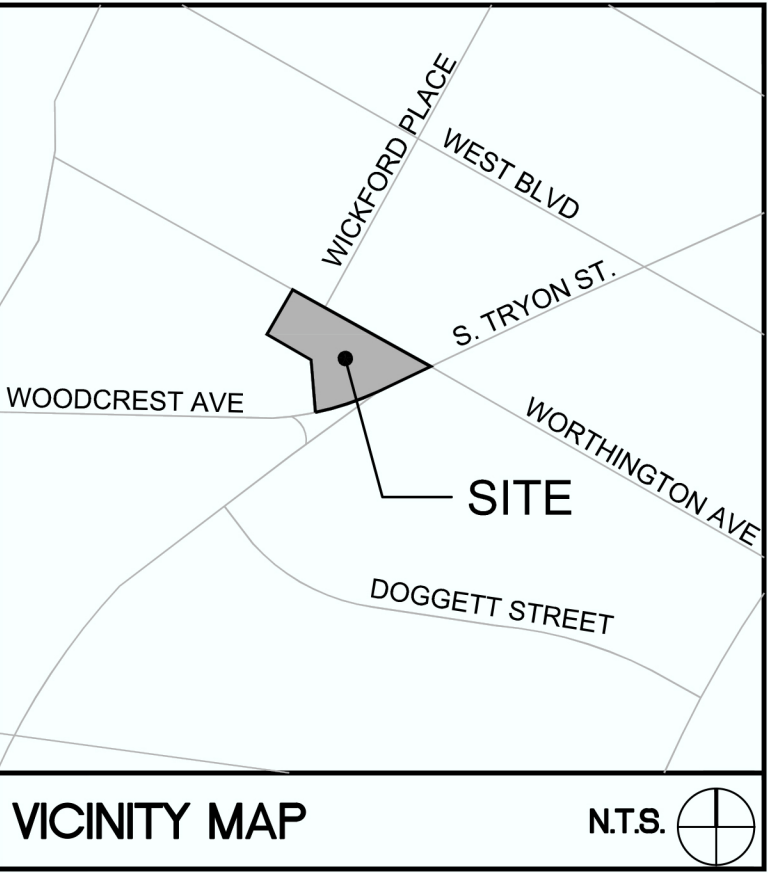
Petitioner:

South End West Syndicate, LLC

By: 

Name: Shawn McAllister

Title: Manager



SURVEY DISCLAIMER
ALTA/ASCM LAND TITLE SURVEY ISSUED NOVEMBER 2, 2017.
PROVIDED BY THE ISAACS GROUP, P.C., 8720 RED OAK BLVD
SUITE 420, CHARLOTTE, NC 28217, (704) 527-3440

LEGEND

SYMBOL

- PROPOSED SIDEWALK
- PROPOSED CURB & GUTTER
- VEHICULAR ACCESS
- PROPERTY LINE
- BUILDING SETBACKS/
BUILDING ENVELOPE

REZONING SUMMARY:	
PETITIONER:	SOUTHWEST WEST SYNDICATE, LLC
PROPERTY OWNER:	SOUTH TRYON VENTURES,LLC AND TAG VENTURES, LLC
REZONING SITE AREA:	0.75± ACRES
TAX PARCEL #:	119-076-23 119-076-24 119-076-25
EXISTING ZONING:	B1, R8
PROPOSED ZONING:	MUDD-0
PREVIOUS PETITION NO:	N/A
EXISTING USE:	VACANT (FORMERLY CHURCH, COMMERCIAL & PARKING)
PROPOSED USE:	FOR-SALE CONDOS COMMERCIAL
BUILDING SETBACK: (ALONG WORTHINGTON)	20' FROM FUTURE BOC
BUILDING SETBACK: (ALONG S. TRYON ST)	16' FROM FUTURE BOC 21' FROM EXISTING BOC
MIN. SIDE YARD:	NONE
MIN. REAR YARD:	NONE
MAX. BUILDING HEIGHT:	120'
MAX. FLOOR AREA RATIO: (F.A.R.)	NONE
PARKING RATIO:	1/UNIT MINIMUM RESIDENTIAL 1/600sf COMMERCIAL
PROPOSED DENSITY:	45 UNITS RESIDENTIAL +/- 3,500 SF COMMERCIAL
REQUIRED OPEN SPACE:	1sf/150sf GROSS FLOOR AREA

- GENERAL REZONING NOTES**
- SEE SHEET RZ-2 FOR DEVELOPMENT STANDARDS
 - SEE SHEET RZ-2 FOR ZONING EXHIBIT

*THIS SPACE WILL BE DESIGNED FOR ACTIVE USES (COMMERCIAL AND AMENITY USES)

ColeJenest & Stone

Shaping the Environment
Realizing the Possibilities

Land Planning
+ Landscape Architecture
+ Civil Engineering
+ Urban Design

200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202
p+ 704 376 1555 f+ 704 376 7851
url+ www.colejeneststone.com

SOUTH END WEST SYNDICATE, LLC
115-D East Park Avenue
Charlotte
North Carolina 28203

1900 S. TRYON MULTI-FAMILY

1900 S. Tryon St.
Charlotte
North Carolina 28203

TECHNICAL DATA SHEET

Project No.
4576

Issued
12/18/17

Revised
00/00/00



RZ-1

The drawings, the project manual and the design shown thereon are instruments of ColeJenest & Stone, P.A.. The reproduction or unauthorized use of the documents without consent of ColeJenest & Stone, P.A. is prohibited.

ColeJenest & Stone, P.A. 2014 ©

SOUTH END WEST SYNDICATE, LLC
DEVELOPMENT STANDARDS
12/15/17
REZONING PETITION NO. 2017-

SITE DEVELOPMENT DATA:

–**ACREAGE:** ± .75 ACRES
–**TAX PARCEL #S:** 119-076-23, 119-076-24, AND 119-076-22
–**EXISTING ZONING:** B-1 AND R-8
–**PROPOSED ZONING:** MUDD - OPTIONAL
–**EXISTING USES:** VACANT (FORMERLY CHURCH, COMMERCIAL, PARKING)
–**PROPOSED USES:** RESIDENTIAL DWELLINGS UNITS; RETAIL; EATING, DRINKING, ENTERTAINMENT, ESTABLISHMENTS (EDEE); GENERAL AND MEDICAL OFFICE USES; AND PERSONAL SERVICE USES, ALL AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT (ALL AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).
–**MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT:** UP TO 45 MULTI-FAMILY RESIDENTIAL DWELLING UNITS AND UP TO 3,500 SQUARE FEET OF GROSS FLOOR AREA ON NON-RESIDENTIAL PERMITTED USES; PROVIDED, HOWEVER, LOADING DOCKS (OPEN OR ENCLOSED), OUTDOOR DINING AREAS AND SURFACE AND STRUCTURE PARKING AREAS SHALL NOT BE COUNTED TOWARD THE ALLOWED "GROSS FLOOR AREA."
–**MAXIMUM BUILDING HEIGHT:** MAXIMUM BUILDING HEIGHT OF FIVE (5) STORIES. BUILDING HEIGHT TO BE MEASURED PER THE ORDINANCE.
–**PARKING:** AS REQUIRED BY THE ORDINANCE.

1. GENERAL PROVISIONS:

a. **SITE LOCATION.** THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER SITE PLAN SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY SOUTH END SYNDICATE, LLC ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL MIXED-USE COMMUNITY ON AN APPROXIMATELY .75 ACRE SITE LOCATED ON THE SOUTHWEST QUADRANT OF THE INTERSECTION OF S. TRYON ST. AND W. WORTHINGTON AVE. (THE "SITE").

b. **ZONING DISTRICTS/ORDINANCE.** DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.

c. **GRAPHICS AND ALTERATIONS.** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, PERMISSIBLE BUILDING AREAS (AS DEFINED BELOW) AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE. SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

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

d. **NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY.** THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED ONE (1). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING(S) LOCATED WITHIN THE SAME DEVELOPMENT AREA AS THE ACCESSORY STRUCTURE/BUILDING.

e. **PERSONAL SERVICE USES.** THE TERM "PERSONAL SERVICE USES" WILL BE DEFINED AS USES THAT PRIMARILY PROVIDE OR SELL A SERVICE TO CUSTOMERS VERSUS THE SELLING OF GOODS. A PERSONAL SERVICE USE MAY ALSO SELL PRODUCTS OR MERCHANDISE BUT THE SALE OF PRODUCTS AND MERCHANDISE IS TYPICALLY ANCILLARY. EXAMPLES OF PERSONAL SERVICE USES INCLUDE BUT ARE NOT LIMITED TO: BEAUTY SALONS AND BARBER SHOPS, SPAS, YOGA AND EXERCISE STUDIOS, NAIL SALONS, MASSAGE SHOPS, MARTIAL ART TRAINING STUDIOS, DRY CLEANING ESTABLISHMENTS, LOCKSMITHS, AND ALIKE.

[2. OPTIONAL PROVISIONS.]

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE SITE:

a. TO NOT REQUIRE SURFACE AND STRUCTURE PARKING AREAS, OUTDOOR DINING AREAS, AND LOADING DOCK AREAS (OPEN OR ENCLOSED) TO BE COUNTED AS PART OF THE ALLOW GROSS FLOOR AREA (GROSS FLOOR AREA AS DEFINED BY THE ORDINANCE) FOR THE SITE.

3. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

a. THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 45 MULTI-FAMILY RESIDENTIAL DWELLINGS UNITS AND UP TO 7,500 SQUARE FEET OF GROSS FLOOR AREA DEVOTED TO: RETAIL, EDEE, GENERAL AND MEDICAL OFFICE USES, AND PERSONAL SERVICE USES AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS AND PER THE OPTIONAL PROVISIONS ABOVE, TOGETHER WITH ACCESSORY USES ALLOWED IN THE MUDD ZONING DISTRICT.

b. THE ALLOWED NON-RESIDENTIAL USES WILL BE LOCATED ON THE GROUND FLOOR OF THE BUILDING LOCATED AT THE INTERSECTION OF S. TRYON STREET AND WORTHINGTON AVENUE AS GENERALLY DEPICTED ON THE REZONING PLAN.

c. THE FOLLOWING USE WILL NOT BE ALLOWED: ADULT ESTABLISHMENTS, GASOLINE SERVICE STATIONS WITH OR WITHOUT A CONVENIENCE STORE, CAR WASHES (EXCEPT FOR A CAR WASH(ES) FOR THE RESIDENTS OF THE SITE THAT ARE PART OF THE AMENITIES/ACCESSORY USES ASSOCIATED WITH THE PROPOSED APARTMENTS).

4. ACCESS:

a. ACCESS TO THE SITE WILL BE FROM WORTHINGTON AVE AS GENERALLY DEPICTED ON THE REZONING PLAN, PROVIDED THE ALIGNMENT OF THE VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) IN ACCORDANCE WITH PUBLISHED STANDARDS SO LONG AS THE STREET NETWORK SET FORTH ON THE REZONING PLAN IS NOT MATERIALLY ALTERED.

b. THE PETITIONER MAY PROVIDE PARALLEL ON-STREET PARKING ALONG WORTHINGTON AVENUE.

5. STREETScape, BUFFER, LANDSCAPING OPEN SPACE AND SCREENING:

a. A 20 FOOT SETBACK AS MEASURED FROM THE FUTURE BACK OF CURB ALONG WORTHINGTON AVENUE WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. A 21 FOOT SETBACK AS MEASURED FROM THE BACK OF CURB ALONG TRYON STREET WILL BE PROVIDED ALL AS GENERALLY DEPICTED ON THE REZONING PLAN.

c. CARS PARKED IN THE PROPOSED PARKING STRUCTURE WILL BE SCREENED FROM THE ADJACENT PUBLIC STREETS AND THE ADJOINING PROPERTIES.

d. METER BANKS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE LEVEL.

e. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE LEVEL.

6. GENERAL DESIGN GUIDELINES:

BUILDINGS CONSTRUCTED ON THE SITE SHALL ADHERE TO THE FOLLOWING ARCHITECTURAL STANDARDS DESCRIBED HEREIN:

a. THE PETITIONER SHALL CREATE A FOCAL POINT AT THE CORNER OF S. TRYON STREET AND WORTHINGTON AVENUE, AS GENERALLY DEPICTED ON THE REZONING PLAN. IN ORDER TO STIMULATE PEDESTRIAN ACTIVITY AND INTEREST AT THIS LOCATION, THE FIRST FLOOR (STREET LEVEL) OF THE BUILDING AT THAT INTERSECTION SHALL BE DESIGNED TO ADDRESS THE CORNER AND PROMOTE A VISUAL RELATIONSHIP TO THE STREET AND ENCOURAGE MOVEMENT AND ACTIVITY AT STREET LEVEL.

b. THE BUILDING MAY BE CONSTRUCTED WITH SOME COMBINATION OF THE FOLLOWING MATERIALS: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS SIDING (SUCH AS HARDI-PLANK), STUCCO, EIFS, DECORATIVE METAL PANELS, DECORATIVE BLOCK AND/OR WOOD. VINYL AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS, AND ON HANDRAILS/RAILINGS.

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

d. THE WINDOWS SHALL HAVE SLIGHT INSETS TO AVOID MONOLITHIC AND DULL FACADES.

e. FACADES OVER 50 FEET IN LENGTH SHALL BE DIVIDED INTO SHORTER SEGMENT BY MEANS OF FAÇADE MODULATION, REPEATING WINDOW PATTERNS, CHANGE IN MATERIALS, CANOPIES OR AWNINGS, VARYING ROOF LINES AND/OR OTHER ARCHITECTURAL TREATMENTS.

f. TENANT SPACE LOCATED ALONG PUBLIC STREETS SHALL BE A MINIMUM OF 20 FEET DEEP.

- g. PRIMARY BUILDING ENTRANCES SHALL BE PROVIDED AT A MINIMUM OF EVERY 100'. EACH OPERABLE PEDESTRIAN ENTRANCE (DEFINED AS AN ENTRANCE DESIGN TO PROVIDE CUSTOMERS ACCESS TO THE PROPOSED NON-RESIDENTIAL USES) WILL BE DESIGNED TO BE CLEARLY IDENTIFIABLE AND PROMINENT ELEMENTS WITHIN THE BUILDING FACADES IN WHICH THEY ARE LOCATED SHALL INCLUDE AT LEAST 3 OF THE FOLLOWINGS:
1. DECORATIVE PEDESTRIAN LIGHTING;
 2. ARCHITECTURAL DETAILS CARRIED TO UPPER STORIES;
 3. COVERED PORCHES, CANOPIES, AWNINGS OR SUNSHADES;
 4. ARCHWAYS;
 5. TRANSOM WINDOWS;
 6. TERRACED OR RAISED PLANTERS THAT CAN BE UTILIZED AS SEAT WALLS;
 7. COMMON OUTDOOR SEATING ENHANCED WITH SPECIALTY DETAILS, PAVING, LANDSCAPING OR WATER FEATURES; OR
 8. DOUBLE DOORS.

h. A TRANSITION ZONE WITH AN AVERAGE DEPTH FOUR (4) FEET WILL BE ESTABLISHED BETWEEN BUILDING FACE AND THE BACK OF THE SIDEWALK ALONG S. TRYON STREET AND W. WORTHINGTON AVENUE. THE TRANSITION ZONE MAY BE USED FOR ENHANCED LANDSCAPING, STAIRS, PORCHES, STOOPS, ARCHITECTURAL FEATURES OR SIMILAR AND SUCH FEATURES MAY ENCROACH INTO THIS TRANSITION ZONE.

i. IF BALCONIES ARE PROVIDED, THEY WILL BE DESIGNED SO THAT THEIR SIZE AND LOCATION MAXIMIZE THEIR INTENDED USE FOR OPEN SPACE. THE BALCONIES MAY ENCROACH INTO THE TRANSITION ZONE PROVIDED ALONG WORTHINGTON AVENUE AND S. TRYON STREET ABOVE THE FIRST STORY OF THE BUILDING.

7. ENVIRONMENTAL FEATURES:

a. THE SITE WILL COMPLY WITH THE TREE ORDINANCE AND THE POST CONSTRUCTION ORDINANCE.

8. SIGNAGE:

a. SIGNAGE AS ALLOWED BY THE ORDINANCE.

9. LIGHTING:

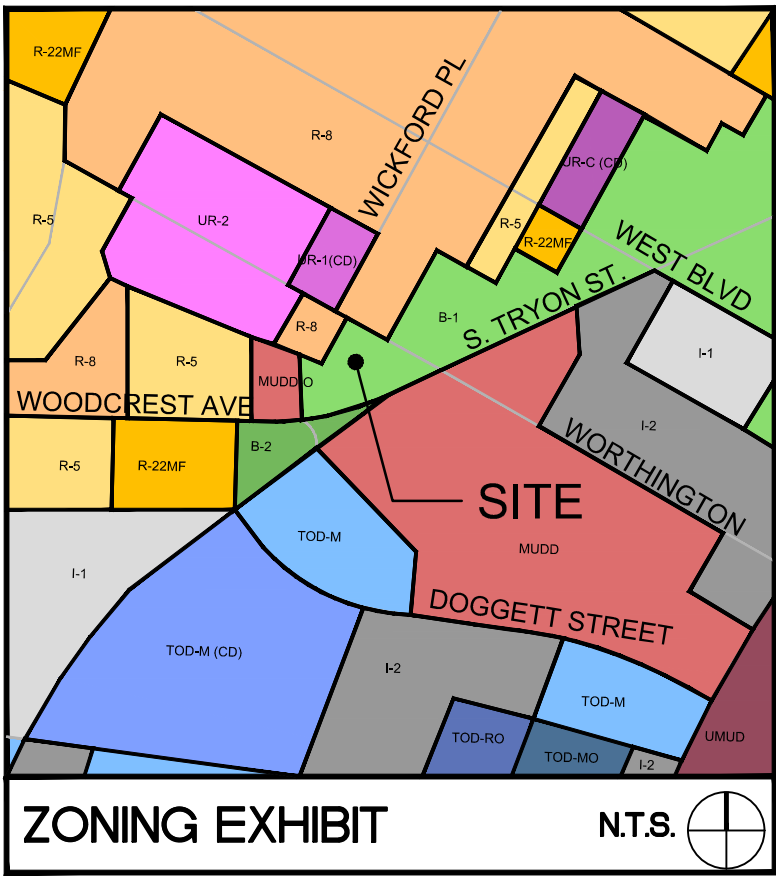
- a. ALL NEW ATTACHED AND DETACHED LIGHTING SHALL BE FULLY SHIELDED DOWNWARDLY DIRECTED AND FULL CUT OFF FIXTURE TYPE LIGHTING EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.
- b. DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 20 FEET IN HEIGHT.

10. AMENDMENTS TO THE REZONING PLAN:

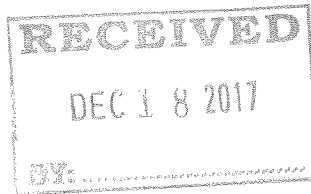
a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA OR PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

11. BINDING EFFECT OF THE REZONING APPLICATION:

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



**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-204

Petition #: _____
Date Filed: 12/18/2017
Received By: Bj

Complete All Fields (Use additional pages if needed)

Property Owner: Ed Zepa

Owner's Address: 1501 Westinghouse Blvd City, State, Zip: Charlotte, NC 28273

Date Property Acquired: 1992

Property Address: 4516 Nations Crossing Road, Charlotte, NC 28217

Tax Parcel Number(s): 149-034-06

Current Land Use: Industrial Size (Acres): 0.952

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

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

Required Rezoning Pre-Application Meeting* with: Council Member LaWanda Mayfield Solomon Fortune

Date of meeting: 11/02/2017 Carlos

(*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: Reuse of property

Thomas C. West
Name of Rezoning Agent

PO Box 470303
Agent's Address

Charlotte, NC 28247-0303
City, State, Zip

(704) 583-9378 (704) 583-4118
Telephone Number Fax Number

tom.west@west-eng.com
E-Mail Address

[Signature]
Signature of Property Owner

Ed Zepa
(Name Typed / Printed)

Ed Zepa
Name of Petitioner(s)

1501 Westinghouse Blvd.
Address of Petitioner(s)

Charlotte, NC 28273
City, State, Zip

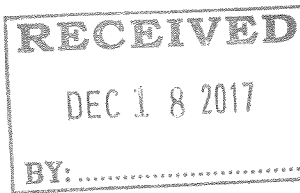
(704) 583-9220 (704) 583-9674
Telephone Number Fax Number

ed@zepa.com
E-Mail Address

[Signature]
Signature of Petitioner

Ed Zepa
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-205

Petition #:	_____
Date Filed:	<u>12/18/2017</u>
Received By:	<u>RJ</u>

Complete All Fields (Use additional pages if needed)

Property Owner: P & L Coliseum LP

Owner's Address: 3330 Cumberland Blvd SE #300 City, State, Zip: Atlanta, GA 30339

Date Property Acquired: 3/29/2006

Property Address: Unnumbered parcel Yorkmont Road

Tax Parcel Number(s): Portion of 143-131-08, as described in the attached legal description.

Current Land Use: Parking Lot/Vacant Size (Acres): +/- 23.38 acres

Existing Zoning: MUDD-O Proposed Zoning: MUDD-O SPA

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Grant Macci, Carlos Alzate
Date of meeting: 12/12/17

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate the development of a for-sale townhome community with primarily alley loaded units.


Collin W. Brown & 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 704-353-7598
Telephone Number Fax Number

Collin.Brown@klgates.com / Brittany.Lins@klgates.com
E-Mail Address


Signature of Property Owner
Richard Jersey
(Name Typed / Printed)


Pope & Land Enterprises, Inc.
Name of Petitioner(s)

3330 Cumberland Blvd SE #300
Address of Petitioner(s)

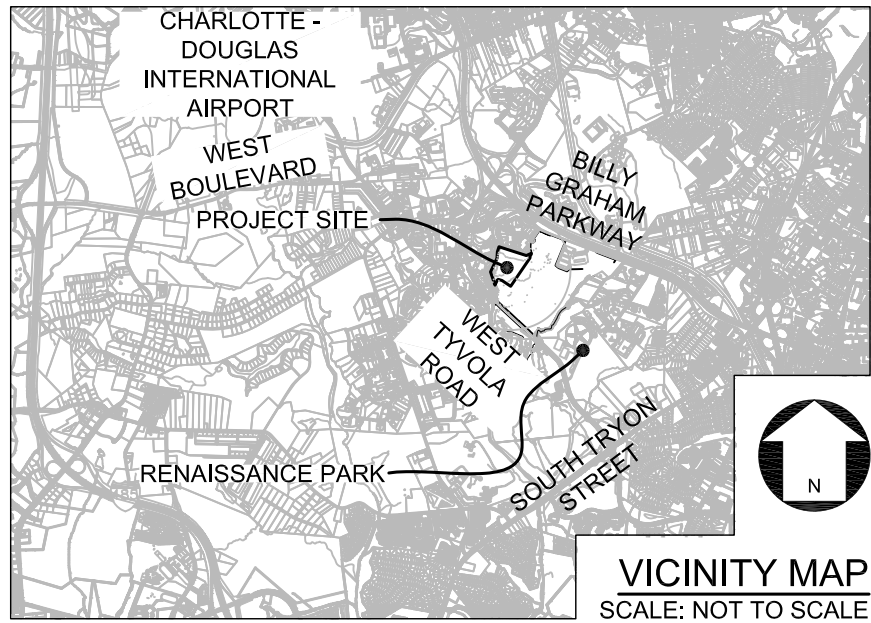
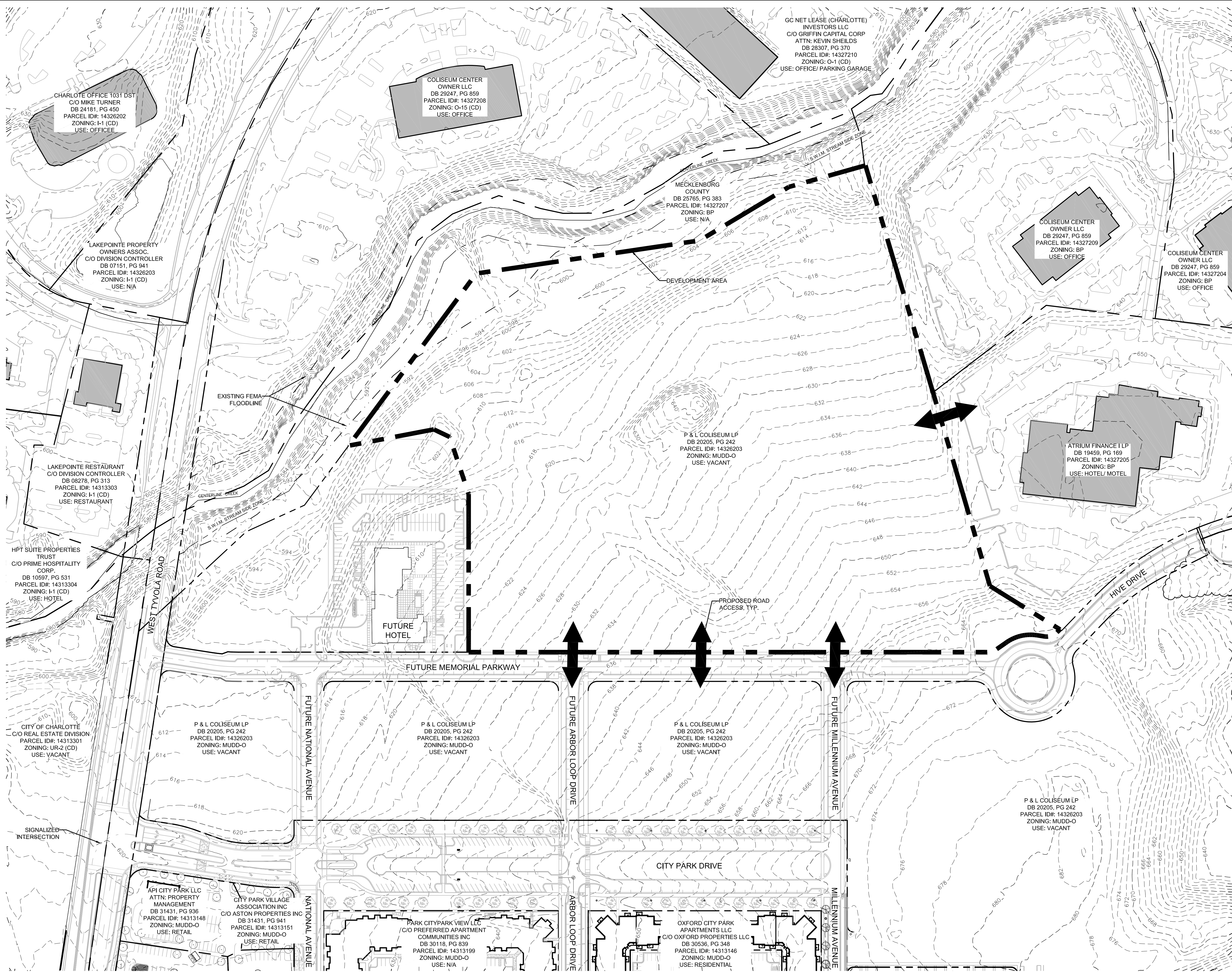
Atlanta, GA 30339
City, State, Zip

(770) 980-0808
Telephone Number Fax Number

rjersey@popeandland.com
E-Mail Address


Signature of Petitioner
Richard Jersey
(Name Typed / Printed)

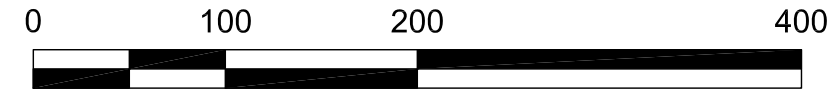
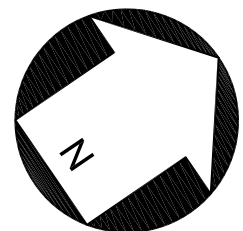
P:\2014 Jobs\14008 - City Park Townhomes\CAD\Re zoning\14008 - RZ BASE.dwg



DEVELOPMENT DATA:

TAX PARCEL ID:	14313108 (PARTIAL)
ACREAGE:	± 23.38 AC (1,018,363 SF)
EXISTING ZONING:	MUDD-O
EXISTING USE:	COMMERCIAL
PROPOSED ZONING:	MUDD-O (SPA)
PROPOSED USE:	SINGLE-FAMILY ATTACHED TOWNHOMES
PROPOSED UNITS:	UP TO 260 TOWNHOMES
PROPOSED DENSITY:	±11.12 UNITS/ AC MAX.
WASTE MANAGEMENT:	ROLLOUT CONTAINERS

This Plan Is A
Preliminary Design.
NOT Released For
Construction.



REVISIONS:

No.	Date	By	Description

CITY PARK TOWNHOMES CHARLOTTE, NC 2250 WEST TYVOLA ROAD CHARLOTTE, NC 28217

TECHNICAL DATA SHEET

CORPORATE CERTIFICATIONS
NC PE : C-2930 NC LA : C-293
SC ENG : NO. 3599 SC LA : NO. 211

Project Manager: MDL

Drawn By: DRW

Checked By: MDL

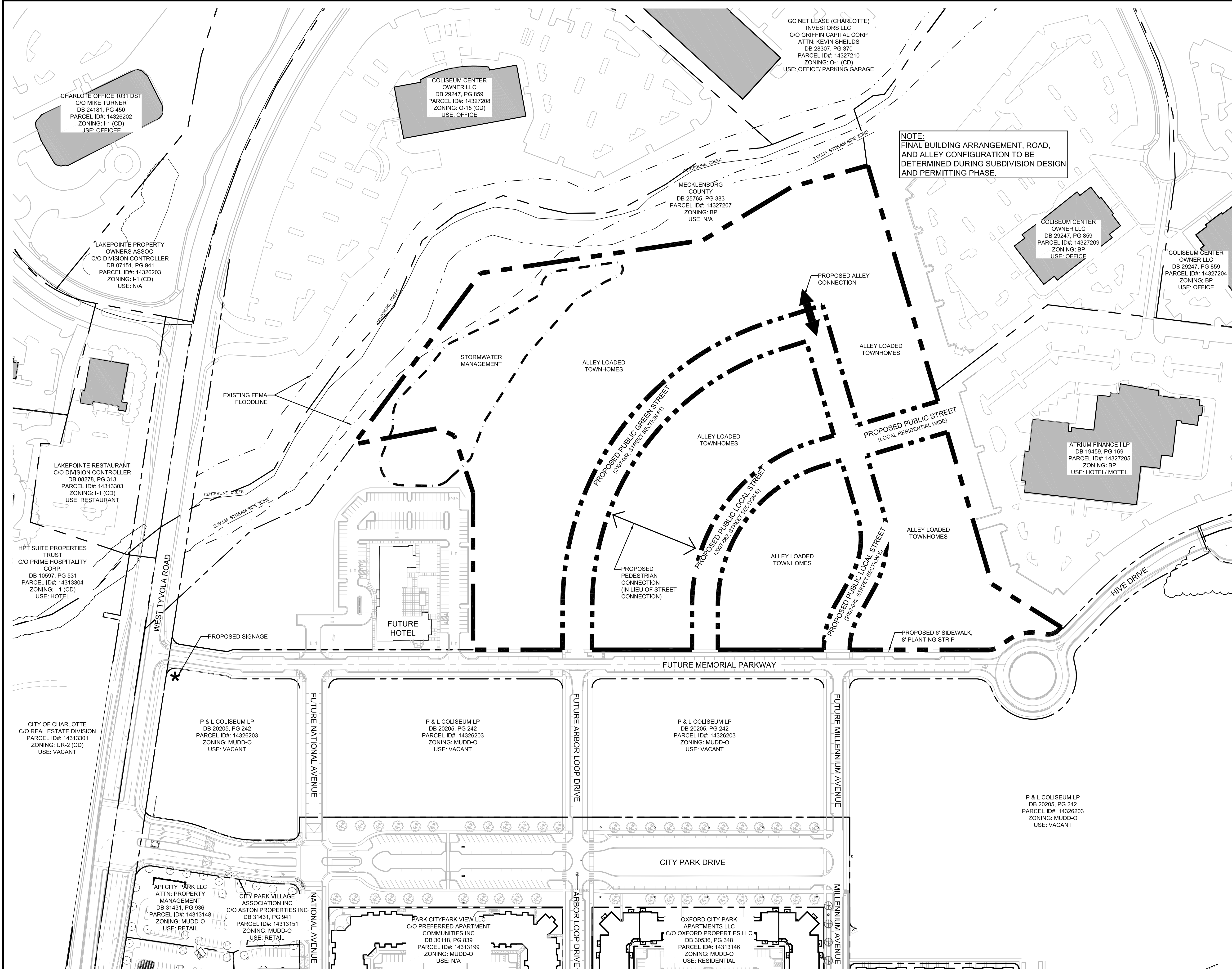
Date: 12/18/17

Project Number: 14008

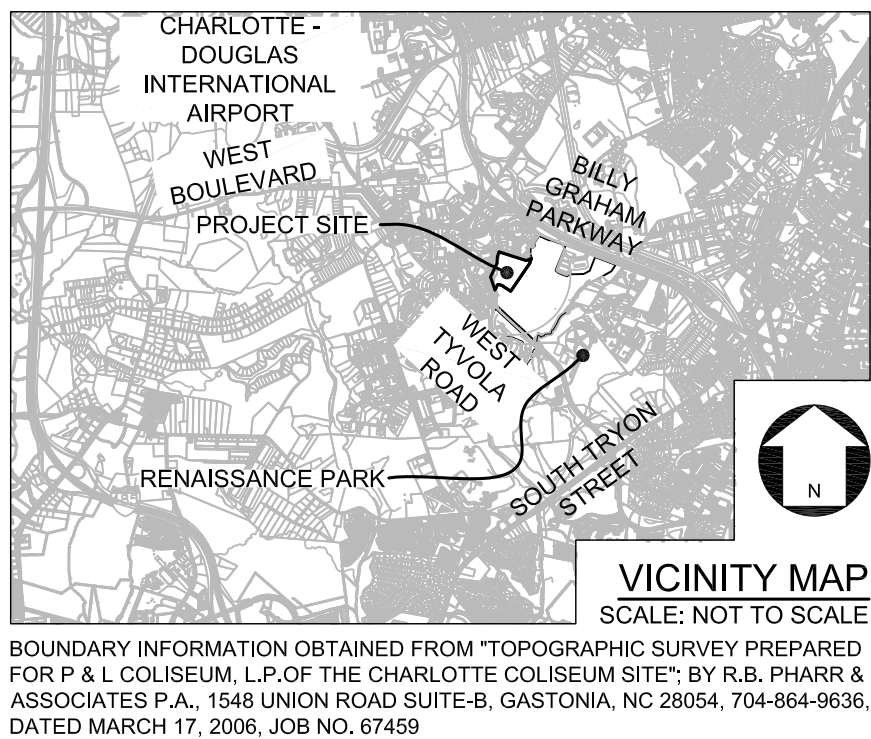
Sheet Number:

RZ1.0

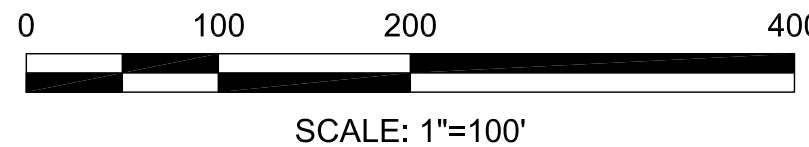
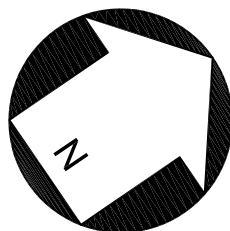
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NOTE:
FINAL BUILDING ARRANGEMENT, ROAD,
AND ALLEY CONFIGURATION TO BE
DETERMINED DURING SUBDIVISION DESIGN
AND PERMITTING PHASE.



This Plan Is A
Preliminary Design.
NOT Released For
Construction.



REVISIONS:			
No.	Date	By	Description

Landworks
Design Group, P.A.
7621 Little Avenue, Suite 111
Charlotte, NC 28226
704-941-1604 fax 704-941-1604

CITY PARK TOWNHOMES
CHARLOTTE, NC
2250 WEST TYVOLA ROAD
CHARLOTTE, NC 28217

**REZONING
SITE PLAN**

CORPORATE CERTIFICATIONS
NC PE : C-2930 NC LA : C-293
SC ENG : NO. 3599 SC LA : NO. 211

Project Manager: MDL

Drawn By: DRW

Checked By: MDL

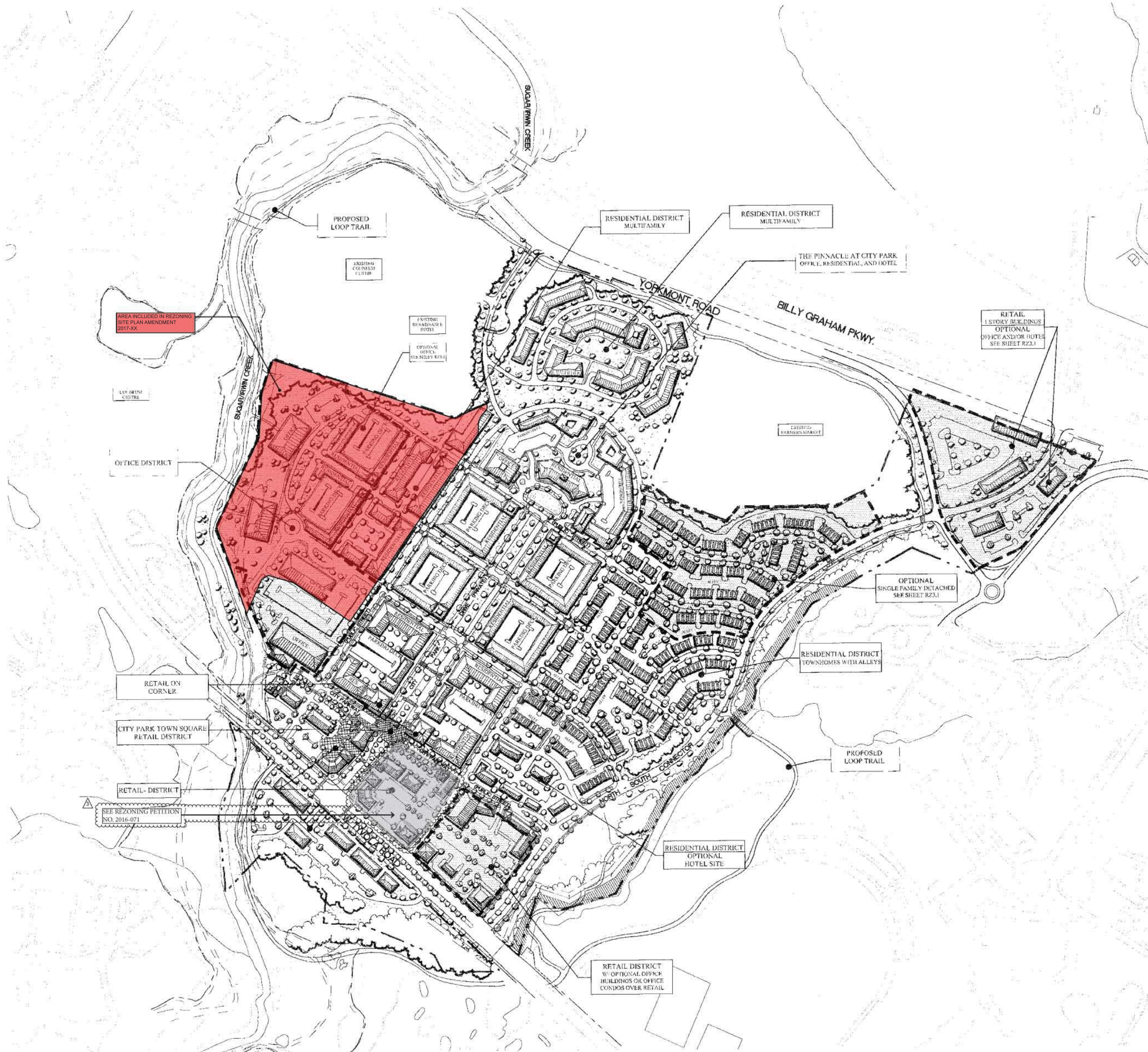
Date: 12/18/17

Project Number: 14008

Sheet Number:

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SHEET # 2 OF 6



VICINITY MAP N.T.S.
 BOUNDARY INFORMATION OBTAINED FROM "TOPOGRAPHIC SURVEY PREPARED FOR A. L. COLEMAN, L.P. OF THE CHARLOTTE DISTRICT, N.C. BY J.B. PHILLIPS & ASSOCIATES, P.A., 1548 UNION ROAD, SUITE 100, GASTONIA, NC 28054, 704-864-9636, DATED MARCH 17, 2006, JOB NO. 07459



ColeJenest & Stone
 Shaping the Environment
 Redefining the Possibilities
 Land Planning
 Landscape Architecture
 Civil Engineering
 Urban Design

730 South Tryon Street, Suite 1600 Charlotte, NC 28202
 P: 704.375.1555 F: 704.375.1551 www.colejeneststone.com

POPE & LAND ENTERPRISES, INC
 CUMBERLAND CENTER IV
 3225 CUMBERLAND BLVD, SUITE 400
 ATLANTA, GEORGIA 30339

CITY PARK

CHARLOTTE, NORTH CAROLINA

Attached to Administrative
 Approval

Solomon A. Fortune
 Solomon A. Fortune

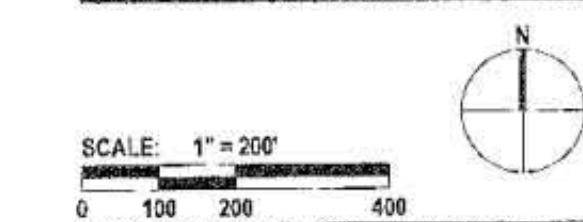
CONCEPTUAL SITE PLAN For Public Hearing Petition # 2007-082

Project No.
 3592

Issued
 03.26.07

FOR REFERENCE
 ONLY

Revised
 09/14/07
 11/7/07
 12/7/07
 06/08/08 ADMINISTRATIVE AMENDMENT



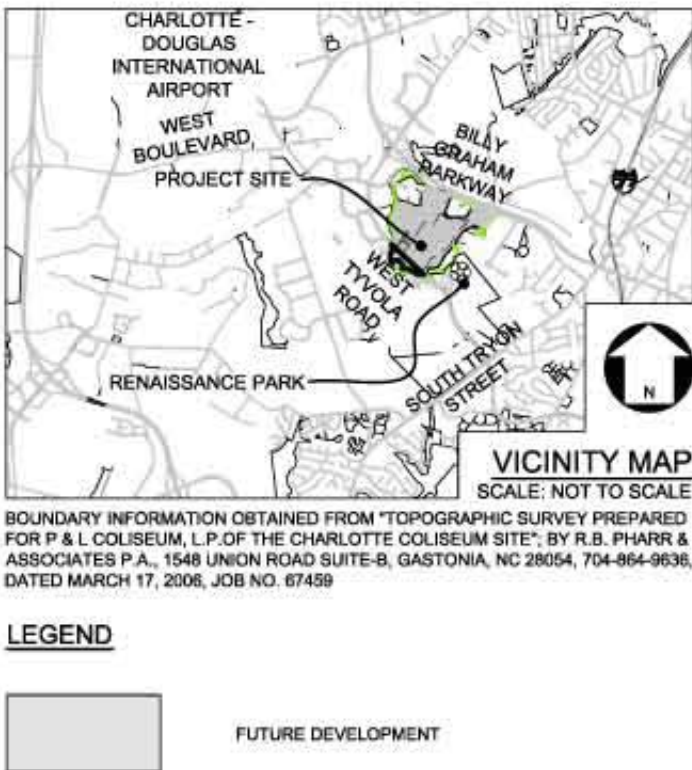
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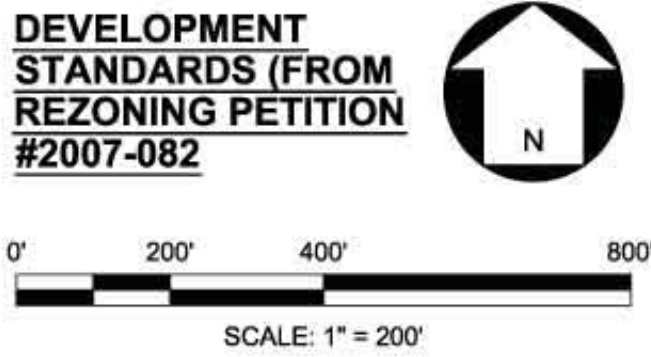
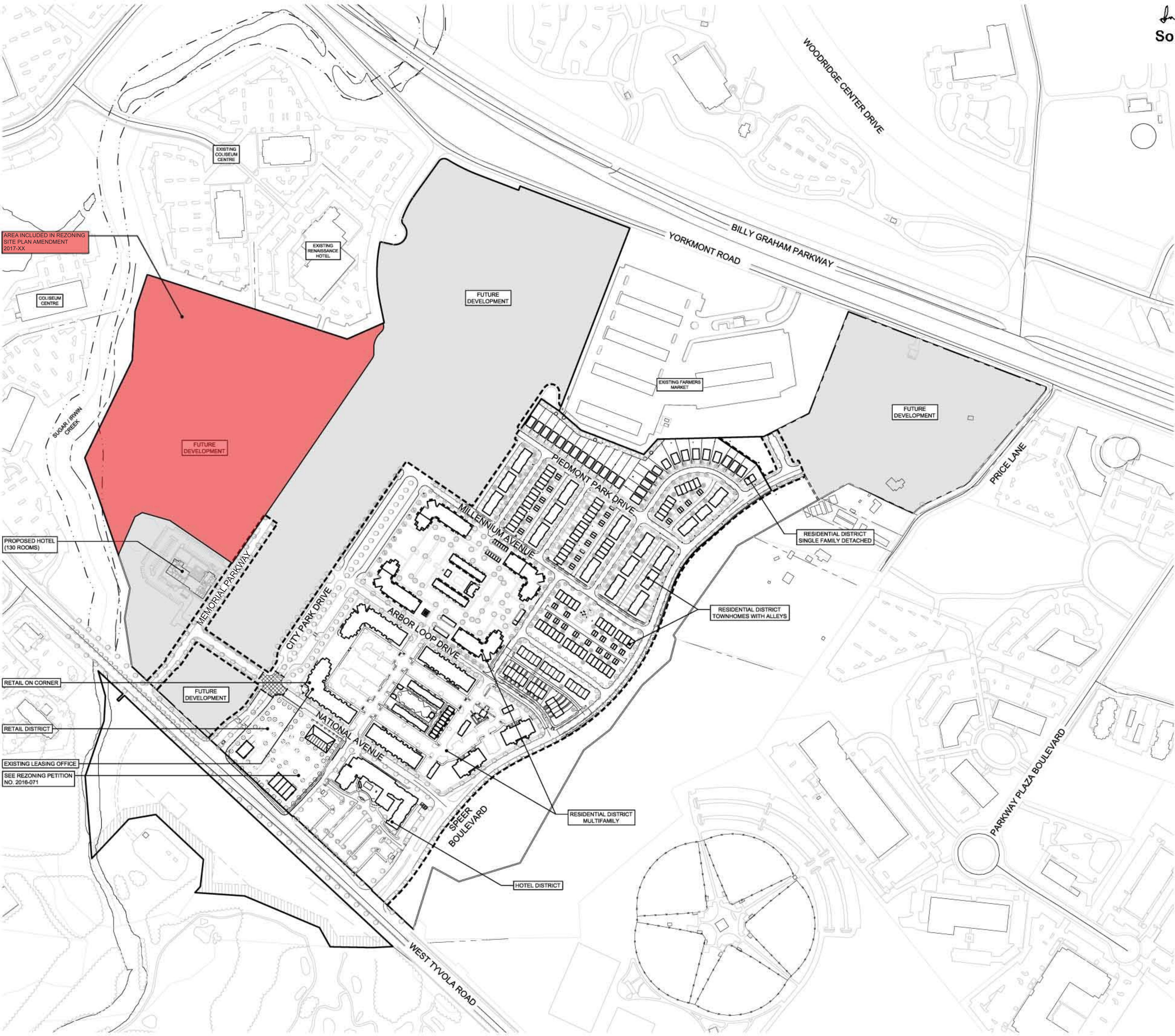
Attached to Administrative
Approval

Solomon A. Fortune *SE*
Solomon A. Fortune

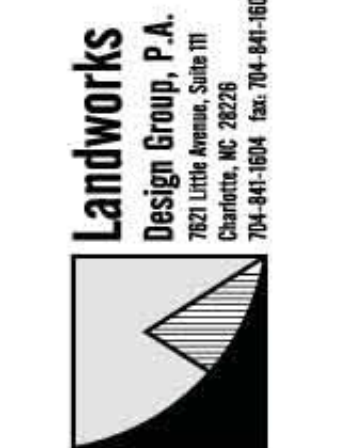


Original Entitlement	SF or # Units	Trips	Phase 1 Development	SF or # Units	Trips	Balance
Phase 1			Phase 1			
Retail	90,000	6,342	Retail	20,000	2,386	70,000
Office	150,000	1,823	Retail Lost (through Retail -> Hotel conversion of 1m = 114,286 retail)	-	-	(52,056)
Hotel	175	1,193	Office	175	1,193	150,000
Residential for Sale (Townhomes)	225	1,303	Hotel Added (through Retail -> Hotel conversion of 1m = 114,286 retail)	157	1,032	-
Residential High Density (Apartments)	525	3,305	Residential for Sale (Townhomes)	205	1,201	20
Residential Medium Density (High Rise)			Residential High Density (Apartments)	484	3,057	41
Total trips (entitled)		13,965	Residential Medium Density (High Rise)			
			Total trips (actual)		8,869	

GENERAL NOTE
THIS ADMINISTRATIVE AMENDMENT SERVES TO UPDATE THE TECHNICAL DATA SHEET AND CONCEPTUAL SITE PLANS ASSOCIATED WITH REZONING PETITION 2007-082 IN ORDER TO REFLECT THE ACTUAL DEVELOPMENT THAT HAS OCCURRED OR IS CURRENTLY PROJECTED TO OCCUR IN CITY PARK. THESE CHANGES DO NOT SIGNIFICANTLY ALTER THE CHARACTER OF THE ORIGINAL DEVELOPMENT CONCEPT AND ARE THEREFORE PERMITTED IN ACCORDANCE WITH THE GENERAL PROVISIONS PORTION OF THE DEVELOPMENT NOTES ASSOCIATED WITH REZONING PETITION 2007-082. THE PETITIONER UNDERSTANDS THAT FUTURE DEVELOPMENT OF THE SITE THAT COMPLIES WITH THE APPROVED REZONING PLAN MAY PROCEED, BUT CHANGES THAT SIGNIFICANTLY ALTER THE CHARACTER OF THE DEVELOPMENT WILL REQUIRE A REZONING SITE PLAN AMENDMENT AND PUBLIC HEARING.

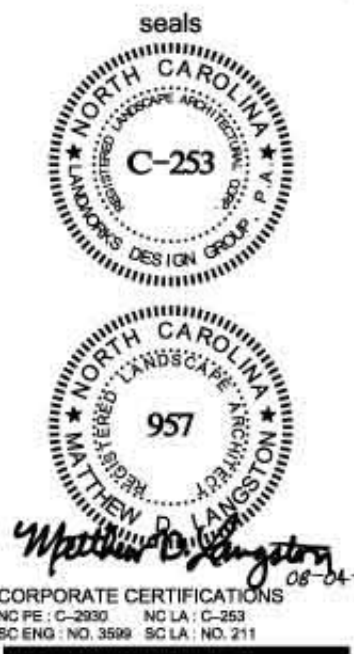


FOR REFERENCE
ONLY



CITY PARK
ADMINISTRATIVE AMENDMENT
CHARLOTTE, NC
POPE & LAND ENTERPRISES
3330 CUMBERLAND BOULEVARD, SUITE 300
ATLANTA, GA 30339

RECORD
SITE PLAN
For Public
Hearing Petition
#2007-082



Description
Review Comments - 10/07/2016
Review Comments - 05/24/2017

By
Date
08/04/17
08/04/17

Project Manager: MDL

Drawn By: SDW

Checked By: MDL

Date: 08/24/2016

Project Number: 14008

Sheet Number:

RZ3.0A

1. GENERAL PROVISIONS

THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET (SHEET RZ 1) ASSOCIATED WITH THE REZONING PETITION FILED BY THE PETITIONER TO ACCOMMODATE REDEVELOPMENT OF THE 19W ACRE TRACT OCCUPIED BY THE OLD CHARLOTTE COLISEUM WHICH LIES BETWEEN TYVOLA ROAD AND YORKMONT ROAD AND THE 12 ACRE TRACT LOCATED ON THE OPPOSITE SIDE OF TYVOLA ROAD (COLLECTIVELY CALLED THE SITE), ALL AS MORE PARTICULARLY DEPICTED ON THE TECHNICAL DATA SHEET. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE TECHNICAL DATA SHEET AND THE STANDARDS AND PROVISIONS OF THE ORDINANCE. THE PETITIONER AGREES TO ADHERE TO THE STANDARDS AND PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"), ACCOMPANYING THE REZONING PETITION ARE THE TECHNICAL DATA SHEET (SHEET RZ 1), A CONCEPTUAL SITE PLAN FOR THE DEVELOPMENT OF THE SITE (SHEET RZ 3.0), A CONCEPTUAL SITE PLAN ALTERNATE, DEPICTING OPTIONAL DEVELOPMENT PLANS FOR VARIOUS AREAS WITHIN THE SITE (SHEET RZ 3.1) AND A PERSPECTIVE RENDERING LOOKING NORTH UP CITY PARK DRIVE (SHEET RZ 3.2). THE PETITIONER RESERVES THE OPTION TO COMBINE OR NOT COMBINE BUILDINGS DEPICTED ON SHEETS RZ 3.0 AND RZ 3.1. HOWEVER, THIS OPTION DOES NOT INCLUDE THE RIGHT TO INCREASE THE NUMBER OF BUILDINGS SHOWN ON EITHER OF THESE SHEETS, UNLESS THE TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS OR THE ACCOMPANYING EXHIBITS ESTABLISH MORE STRINGENT STANDARDS. THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE. INASMUCH AS PLANNING FOR THE PROPOSED REDEVELOPMENT OF THE SITE HAS NOT YET ADVANCED BEYOND THE FORMATIVE STAGE, THE ULTIMATE LAYOUTS OF THE DEVELOPMENT PROPOSED, THE EXACT ALIGNMENTS OF STREETS AND POINTS OF ACCESS, THE CONFIGURATIONS AND PLACEMENTS OF PARKING AREAS AND THE HEIGHTS AND MASSES OF BUILDINGS HAVE NOT YET BEEN DETERMINED. AS A CONSEQUENCE, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDINGS AND PARKING AREAS DEPICTED ON THE CONCEPTUAL SITE PLAN (SHEET RZ 3.0) AND THE OPTIONAL DEVELOPMENT PLANS (SHEET RZ 3.1) ARE SCHEMATIC IN NATURE AND THEREFORE ARE SUBJECT TO REFINEMENTS AS PART OF THE TOTAL DESIGN PROCESS. THEY MAY, THEREFORE, BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES SO LONG AS THE MAXIMUM PARKING AND BUILDING ENVELOPE LINES ESTABLISHED ON THE TECHNICAL DATA SHEET (SHEET RZ 1) ARE NOT VIOLATED AND THE PROPOSED ALTERATIONS OR MODIFICATIONS DO NOT EXCEED THE PARAMETERS ESTABLISHED UNDER THESE DEVELOPMENT STANDARDS AND UNDER THE ORDINANCE FOR THE MUDD DISTRICT. FOR PURPOSES OF THE PRECEDING PARAGRAPH, ANY ALTERATIONS OR MODIFICATIONS WHICH SUBSTANTIALLY ALTER THE CHARACTER OF THE DEVELOPMENT OR SIGNIFICANTLY ALTER THE CONCEPTUAL SITE PLAN, THE CONCEPTUAL SITE PLAN ALTERNATE, OR THEIR RESPECTIVE CONDITIONS AS WELL AS ANY CHANGES WHICH INCREASE THE INTENSITY OF DEVELOPMENT SHALL NOT BE DEEMED TO BE MINOR AND MAY ONLY BE MADE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 6.20(1) OR (2) OF THE ORDINANCE, AS APPLICABLE. THE PERSPECTIVE RENDERING ACCOMPANYING THE TECHNICAL DATA SHEET (SHEET RZ 3.2), WHICH HAS AS ITS VIEWPOINT OR POINT OF REFERENCE THE VIEW A MOTORIST ENTERING CITY PARK TOWN SQUARE FROM TYVOLA ROAD WOULD HAVE OF DEVELOPMENT WITHIN THE SITE ALONG EITHER SIDE OF CITY PARK DRIVE AS THE MOTORIST CONTINUED TRAVELING IN A NORTHERLY DIRECTION, THE PETITIONER INTENDS TO ACHIEVE FOR CITY PARK. THE PETITIONER AGREES TO SUBMIT DETAILED PLANS WITH RESPECT TO EACH PHASE OF DEVELOPMENT PROPOSED ON THE SITE TO THE STAFF OF THE CHARLOTTE MECKLENBURG PLANNING COMMISSION FOR REVIEW PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR CONSTRUCTION OF THE PROPOSED PHASE OF DEVELOPMENT SO THAT STAFF MAY BE ASSURED THAT SUCH DEVELOPMENT SATISFIES THE CONDITIONS IMPOSED UNDER THE REZONING PLAN. THESE DEVELOPMENT STANDARDS AND THE OTHER SHEETS AND EXHIBITS ACCOMPANYING THE REZONING PETITION, COMPLIANCE WITH THE PROVISIONS OF THIS PARAGRAPH SHALL NOT BE DEEMED TO BE AN ADMINISTRATIVE SITE PLAN APPLICATION OR REQUIRE ADMINISTRATIVE SITE PLAN APPROVAL AS ENVISIONED BY SECTION 6.20(7) OF THE ORDINANCE.

2. REQUIREMENTS FOR REMOVING PUBLIC ART PIECE

THERE IS CURRENTLY IN PLACE IN FRONT OF THE CHARLOTTE COLISEUM A MAYA LIN PUBLIC ART PIECE FEATURING NINE HOLLY SHRUBS SCULPTED TO GIVE THE APPEARANCE OF ROLLING HILLS. THE CONTRACT WHICH THE CITY OF CHARLOTTE ENTERED INTO WITH ITS ARTIST RESERVED A RIGHT ON THE PART OF THE CITY TO REMOVE THIS ART PIECE, PROVIDED CERTAIN TERMS AND CONDITIONS WERE SATISFIED. A COPY OF THIS CONTRACT IS ON FILE IN THE OFFICE OF THE CITY MANAGER OF THE CITY OF CHARLOTTE.

WHILE THE OWNER OR OWNERS OF THAT PORTION OF THIS SITE INVOLVED MAY REMOVE THIS PIECE OF ART, THEY MAY ONLY DO SO AFTER HAVING FULLY COMPLIED WITH ALL OF THE TERMS AND CONDITIONS SET FORTH IN THE MAYA LIN CONTRACT.

3. PERMITTED USES

EXCEPT AS OTHERWISE PROVIDED IN THE NEXT SUCCEEDING PARAGRAPH, THE SITE MAY BE DEVOTED TO ANY USES (INCLUDING ANY INCIDENTAL, OR ACCESSORY USES ASSOCIATED THEREWITH) WHICH ARE PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN A MUDD ZONING DISTRICT UNDER THE ORDINANCE.

NOTWITHSTANDING THE FOREGOING PARAGRAPH OF THIS SECTION 3, THE FOLLOWING USES SHALL NOT BE ALLOWED ON THE SITE:

- FAST FOOD RESTAURANTS WITH DRIVE THROUGH FACILITIES;
- CONVENIENCE STORES WITH GASOLINE SALES;
- CAR WASHES; AND
- AUTOMOTIVE SERVICE STATIONS

SUBJECT TO THE PROVISIONS OF THE NEXT SUCCEEDING PARAGRAPH OF THIS SECTION 3, TWO OF THE FOLLOWING USES MAY BE LOCATED ON THE SITE WITHIN AREAS A AND C DEPICTED ON THE TECHNICAL DATA SHEET AND WILL BE ALLOWED TO HAVE DRIVE-THROUGH SERVICE LANES AND WINDOWS AS AN ACCESSORY USE:

- A BANK;
 - A DRUG STORE; AND
 - A DRY CLEANER
- BILLY GRAHAM EVANGELISTIC ASSOCIATION LIBRARY Y AND HEADQUARTERS;
 - THE FARMER'S MARKET;
 - RENAISSANCE PARK; AND
 - RENAISSANCE GOLF CLUB

DRIVE-THROUGH WINDOWS SHALL ONLY BE LOCATED ON THE SAME PARCEL AS THE PRINCIPAL USE; AND, TO MINIMIZE VISIBILITY ALONG PUBLIC RIGHTS-OF-WAY, SHALL BE LOCATED TO THE REAR OR SIDE OF THE PRINCIPAL USE. EXCEPT AS OTHERWISE DEPICTED ON THE CONCEPTUAL SITE PLAN, THE CONCEPTUAL SITE PLAN ALTERNATE, OR AS APPROVED THROUGH AN ADMINISTRATIVE VARIANCE, MANEUVERING/TACKLING FOR THE DRIVE-THROUGH WINDOWS MAY NOT OCCUR BETWEEN BUILDINGS AND PUBLIC OR PRIVATE STREETS. NO MORE THAN A DRIVE-THROUGH SERVICE LANE SHALL BE PERMITTED PER INDIVIDUAL USE AND FREESTANDING DRIVE-THROUGH LANES SHALL BE PROHIBITED. EACH SUCH DRIVE-THROUGH SERVICE LANE MUST BE APPROVED AND DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 12.4(3) OF THE ORDINANCE.

THE BUILDING CURRENTLY SITUATED BEHIND THE COLISEUM BUILDING WHICH WAS FORMERLY OCCUPIED BY THE CHARLOTTE HORNETS MAY BE RENOVATED, REUSED OR REPLACED WITH NEW DEVELOPMENT.

4. MAXIMUM DEVELOPMENT

THE MAXIMUM MIXED/MULTI-USE DEVELOPMENT WHICH MAY TAKE PLACE ON THE SITE SHALL BE AS FOLLOWS:

COMMERCIAL

- UP TO 180,000 SQUARE FEET OF RETAIL DEVELOPMENT, EXCLUSIVE OF AREAS USED FOR BUILDING AND EQUIPMENT ACCESS (SUCH AS STAIRS, ELEVATOR SHAFTS AND MAINTENANCE CRAWL SPACE), SERVICE AREAS, MECHANICAL AND ELECTRICAL ROOMS, STORAGE AREAS AND BACK OF HOUSE OFFICE SPACES MAY BE CONSTRUCTED ON THE SITE.
- UP TO TWO HOTELS CONTAINING, IN THE AGGREGATE, NO MORE THAN 350 ROOMS; AND
- UP TO 180,000 SQUARE FEET OF OFFICE DEVELOPMENT, EXCLUSIVE OF AREAS USED FOR BUILDING AND EQUIPMENT ACCESS (SUCH AS STAIRS, ELEVATOR SHAFTS AND MAINTENANCE CRAWL SPACE), SERVICE AREAS, MECHANICAL AND ELECTRICAL ROOMS, STORAGE AREAS AND BACK OF HOUSE OFFICE SPACES MAY BE CONSTRUCTED ON THE SITE.

AREAS DEVOTED TO OUTDOOR DINING, COURTYARDS AND PLAZAS ARE NOT INCLUDED IN THE SQUARE FOOTAGE AMOUNTS NOTED ABOVE.

RESIDENTIAL

FOR SALE RESIDENTIAL:

- UP TO 1,090 DWELLING UNITS CONSISTING OF ANY COMBINATION OF TOWNHOMES, CONDOS, FLATS, AND DETACHED DUPLEX OR SINGLE FAMILY RESIDENCES.

MULTI-FAMILY RESIDENTIAL:

- UP TO 1,210 HIGH DENSITY RESIDENTIAL UNITS; AND
- UP TO 200 MEDIUM DENSITY RESIDENTIAL UNITS.

5. SETBACKS, SIDE YARDS AND REAR YARDS

EXCEPT AS MAY OTHERWISE BE PROVIDED HEREIN, ALL BUILDINGS BEING CONSTRUCTED ON THE SITE SHALL, AT A MINIMUM, SATISFY THE REQUIREMENTS OF THE MUDD DISTRICT. THE DEVELOPER MAY SUBSIDE THE SITE AND CREATE LOTS WITHIN THE INTERIORS OF THE PARCELS WITH NO SIDE OR REAR YARDS AS PART OF A UNIFIED DEVELOPMENT PLAN.

6. MUDD-OPTIONAL PROVISIONS / WAIVER OF SIGHT TRIANGLE REQUIREMENTS

(a) THIS PETITION PROPOSES UTILIZATION OF THE MUDD-D PROVISIONS TO ALLOW FOR THE FOLLOWING OPTIONAL DEVIATIONS:

- DEVIATIONS THAT WOULD ALLOW SURFACE LEVEL, OFF-STREET PARKING SPACES AND MANEUVERING WITHIN AREAS BETWEEN ANY BUILDING FRONTING ON ANY PUBLIC STREET THAT WAS IN EXISTENCE AS OF THE DATE ON WHICH THIS REZONING PETITION IS APPROVED AND THE PARTICULAR PUBLIC STREET INVOLVED.
- DEVIATIONS THAT WOULD ALLOW THOSE BUILDINGS WITHIN THE CITY PARK TOWN SQUARE RETAIL DISTRICT WHICH ARE SHOWN ON THE CONCEPTUAL SITE PLAN ALTERNATE TO HAVE OFF-STREET PARKING SPACES OR MANEUVERING WITHIN AREAS BETWEEN THESE BUILDINGS AND THE PUBLIC OR PRIVATE STREET ON WHICH THEY FRONT TO HAVE SUCH AREAS.
- DEVIATIONS THAT WOULD ALLOW SURFACE LEVEL, OFF-STREET PARKING SPACES AND MANEUVERING WITHIN AREAS LOCATED BETWEEN ANY BUILDING CONSTRUCTED WITHIN THAT PART OF THE SITE WHICH IS BOUNDED BY BILLY GRAHAM PARKWAY, RE-ALIGNED YORKMONT ROAD AND PRICE LANE AND THE STREET ON WHICH IT FRONTS.
- DEVIATIONS THAT WOULD ALLOW TEMPORARY SURFACE LEVEL PARKING AND MANEUVERING WITHIN AREAS BETWEEN PUBLIC OR PRIVATE STREETS AND BUILDINGS FRONTING THESE STREETS IN INSTANCES WHERE THE AREAS ARE EARMARKED FOR FUTURE BUILDINGS.
- A PORTE-COCHERE FOR A HOTEL.
- ENCLOSED, SHELTERED AND UNENCLOSED URBAN SPACES AND PLAZAS

- DROP OFF AREAS IN FRONT OF OFFICE BUILDINGS;
- SERVICE AREAS FOR USES SUCH AS MAIL DELIVERY, TRASH DISPOSAL, ABOVE-GROUND UTILITIES, LOADING AND DELIVERY;
- A DEVIATION FROM THE HEIGHT REQUIREMENTS TO ALLOW AN 11 STORY BUILDING WITHIN THE AREA AT THE END OF THE PROPOSED CITY PARK DRIVE TO BE KNOWN AS THE PINNACLE AT CITY PARK WITH A HEIGHT OF UP TO BUT NOT EXCEEDING 150 FEET.
- A DEVIATION THAT WOULD ALLOW THE SIDEWALKS CURRENTLY LOCATED ON THE SITE WHICH RUN ALONG TYVOLA ROAD TO REMAIN IN PLACE;
- DEVIATIONS TO ACCOMMODATE OPTIONAL PAVING SYSTEMS USED ON PRIVATE PLAZAS AND WALKWAYS;
- DEVIATIONS FROM THE SIGNAGE PROVISIONS TO ALLOW THE FOLLOWING:

TWO DETACHED, GROUND-MOUNTED PROJECT IDENTIFICATION SIGNS ALONG TYVOLA ROAD AND ONE EACH ON YORKMONT ROAD AND BILLY GRAHAM PARKWAY. THESE SIGNS MAY EACH EXTEND TO A HEIGHT OF UP TO 25 FEET AND MAY INCLUDE UP TO 100 SQUARE FEET IN SIGNAGE AREA;

OTHER DETACHED PROJECT/TEAM IDENTIFICATION SIGNS SHALL BE LIMITED IN SIZE TO 10 FEET IN HEIGHT AND 80 SQUARE FEET IN SIGNAGE AREA AND MUST BE LOCATED INTERNAL TO THE PROJECT.

ALLOWABLE SIGN TYPES INCLUDING ALL TYPES OF SIGNAGE PERMITTED UNDER CHAPTER 13 AND/OR, IN ADDITION, COMPUTER PROGRAMMABLE, I.E.O. SYSTEMS WITH FULL COLOR, FULL MATRIX DISPLAYS AND MESSAGE BOARDS, INCLUDING TICKER TAPE TYPE MOVING MESSAGES, HOWEVER, IN NO EVENT SHALL A L.E.D. SIGN OR A MESSAGE BOARD SIGN BE PERMITTED ALONG ANY PORTION OF THE SITE'S FRONTAGE ALONG TYVOLA ROAD, YORKMONT ROAD OR BILLY GRAHAM PARKWAY.

ONE MONUMENT STYLE BUILDING IDENTIFICATION SIGN OF UP TO 6 FEET IN HEIGHT AND UP TO 36 SQUARE FEET IN SIGNAGE SIZE AREA FOR EACH BUILDING LOCATED WITHIN THE SITE;

WALL MOUNTED SIGNAGE WHICH CONFORMS TO THE MUDD DISTRICT STANDARDS OF THE ORDINANCE; GROUND-MOUNTED PROJECT IDENTIFICATION SIGN AT THE INTERSECTION OF TYVOLA AND MEMORIAL PARKWAY SHALL BE LIMITED IN SIZE TO 8 FEET IN HEIGHT AND 100 SQUARE FEET IN SIGNAGE AREA

- THE ESTABLISHMENT OF LIMITED DRIVE-THROUGH FACILITIES AS ACCESSORY USES FOR EACH OF THE FOLLOWING PRINCIPAL USES THAT MAY BE LOCATED ON THE SITE IN ACCORDANCE WITH (AND SUBJECT TO) THE PROVISIONS OF SECTION 3:

- A BANK;
- A DRUG STORE; AND
- A DRY CLEANERS

- (a) WAIVER OF SIGHT TRIANGLE REQUIREMENTS

- IN ADDITION TO THE FOREGOING MUDD OPTIONAL DEVIATIONS, THE PETITIONER RESERVES THE RIGHT TO REQUEST THE DIRECTOR OF CDDOT TO WAIVE ALL OR PART OF THE SIGHT TRIANGLE REQUIREMENTS OF THE ORDINANCE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 12.10(9) THEREOF

7. GRANDFATHER PROVISIONS

DURING THE VARIOUS PHASES OF THE REDEVELOPMENT PROCESS, IT IS THE INTENTION OF THE PETITIONER TO RETAIN AND PRESERVE ANY AND ALL GRANDFATHERING RIGHTS UNDER THE ORDINANCE WITH RESPECT TO ALL STRUCTURES, STREETS, SIDEWALKS, PARKING AREAS, AND OTHER IMPROVEMENTS CURRENTLY IN PLACE ON THE SITE (INCLUDING THE SIDEWALKS IN PLACE ALONG PAUL BUCK BOULEVARD AND TYVOLA ROAD) WHICH ARE NOT REMOVED OR RENOVATED TO ACCOMMODATE THE PARTICULAR ASSOCIATED REDEVELOPMENT PHASE.

8. CONNECTIVITY

PEDESTRIAN AND VEHICULAR CONNECTIVITY WILL BE ENHANCED BY THE PROPOSED LOOP AT CITY PARK, A 3 MILE HARD SURFACE TRAIL SYSTEM THAT WILL ENCRIRCLE THE SITE. THE GENERAL ALIGNMENT OF WHICH IS MORE PARTICULARLY DEPICTED ON THE TECHNICAL DATA SHEET (SHEET RZ-1) AND DESIGNATED AS THE PROPOSED LOOP PEDESTRIAN TRAIL SYSTEM.

IT IS TO BE NOTED THAT PORTIONS OF THIS TRAIL SYSTEM RUN THROUGH ADJOINING PROPERTIES SO AS TO PROVIDE BETTER PEDESTRIAN/BICYCLISTS LINKAGE TO:

- LAKE POINTE OFFICE PARK;
- COLISEUM CENTER OFFICE PARK;
- LAKE POINTE CORPORATE CENTER;
- PARKWAY PLAZA OFFICE PARK;
- 500 HOTEL ROOMS
- THE FUTURE GREENWAY TRAIL;
- BILLY GRAHAM EVANGELISTIC ASSOCIATION LIBRARY Y AND HEADQUARTERS;
- THE FARMER'S MARKET;
- RENAISSANCE PARK; AND
- RENAISSANCE GOLF CLUB

9. INTERNAL STREET SYSTEMS

THE SITE'S INTERNAL STREET SYSTEM SHALL BE COMPOSED OF PUBLIC AND PRIVATE STREETS AS DEPICTED ON THE TECHNICAL DATA SHEET. THE RIGHT TO DEViate FROM THE STREET ALIGNMENTS DEPICTED ON THE TECHNICAL DATA SHEET IS RESERVED. PROVIDED ANY PROPOSED CHANGE IN ALIGNMENT IS APPROVED IN ADVANCE BY CDDOT AND/OR NCDDOT. AS APPLICABLE, EACH STREET SECTION WILL BE CONSISTENT WITH THE PROPOSED URBAN STREET DESIGN GUIDELINES FOR ITS TYPE OF STREET.

10. VEHICULAR ACCESS AND ROADWAY RIGHT-OF-WAY

VEHICULAR ACCESS TO TYVOLA ROAD AND YORKMONT ROAD WILL BE AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. THE EXTENSION OF SOUTH STREAM BOULEVARD TO THE SITE IS OPTIONAL. GIVEN THE FACT THAT THE PETITIONER DOES NOT OWN ALL OF THE RIGHT-OF-WAY NECESSARY TO MAKE THE CONNECTION, HOWEVER, IF OTHER PARTIES, AT THEIR EXPENSE, EXTEND SOUTH STREAM BOULEVARD TO THE SITE, THE PETITIONER WILL PROVIDE ANY RIGHT-OF-WAY NEEDED TO CONNECT SOUTH STREAM BOULEVARD TO THE SITE'S INTERNAL ROADWAY SYSTEM ALONG THE ALIGNMENT GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. PEDESTRIAN CONNECTIONS ACROSS TYVOLA ROAD WINDING TO THE WEST EXIST CURRENTLY, WITH A LEFT-TURN LANE ON YORKMONT ROAD LEADING INTO THE SITE. THE NEW ACCESS POINT FURTHEST TO THE EAST WILL BE CONSTRUCTED IN PHASE TWO AS PART OF THE NEW NORTHSOUTH CONNECTOR ROAD EXTENDING FROM TYVOLA ROAD TO BILLY GRAHAM PARKWAY WHICH WILL INTERSECT A REALIGNED YORKMONT ROAD. THE TWO ADDITIONAL ACCESS POINTS DEPICTED ALONG THE REALIGNED YORKMONT ROAD WILL SERVE THE LAND PARCELS BETWEEN REALIGNED YORKMONT ROAD, THE NEW NORTHSOUTH CONNECTOR ROAD, AND BILLY GRAHAM PARKWAY. THESE ACCESS POINTS MAY REQUIRE LEFT-TURN LANES WHICH WILL BE DETERMINED THROUGH THE BUILDING/DRIVEWAY PERMIT PROCESS. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS SHOWN ON THE TECHNICAL DATA SHEET ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDDOT) AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDDOT). THE PETITIONER WILL BE RESPONSIBLE FOR THE GEOMETRY AT ALL INTERNAL INTERSECTIONS, INCLUDING TURN LANES AS DEEMED NECESSARY BY CDDOT. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT FOR ANY PHASE TWO DEVELOPMENT TO BE CONSTRUCTED ON THE SITE, THE PETITIONER AGREES TO DEDICATE AND CONVEY OUT OF THE SITE (BY QUITCLAIM DEED AND SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS) ANY ADDITIONAL RIGHT-OF-WAY SOUTH OF THE CENTERLINE OF YORKMONT ROAD REQUIRED TO PROVIDE 30 FEET OF RIGHT-OF-WAY SOUTH OF THE CENTERLINE. THE PETITIONER FURTHER AGREES TO DEDICATE AND CONVEY ADDITIONAL RIGHT OF WAY OUT OF THE SITE NECESSARY TO ACCOMMODATE THE EXTENSION OF YORKMONT ROAD THROUGH THE SITE AS A 60 FOOT-WIDE SECTION ALONG THE ALIGNMENT GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. THE PETITIONER ANTICIPATES THAT IF THE NORTHSOUTH CONNECTOR IS APPROVED AND YORKMONT ROAD IS REALIGNED AND EXTENDED THROUGH THE SITE, IT WILL PETITION FOR THE ABANDONMENT OF THAT PART OF THE EXISTING RIGHT-OF-WAY FOR YORKMONT ROAD WHICH IS NO LONGER NEEDED FOR ROADWAY PURPOSES. IF ADDITIONAL RIGHT-OF-WAY IS REQUIRED TO COMPLETE THE NORTHSOUTH CONNECTOR ALONG THE ALIGNMENT GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET AND THE PETITIONER, AFTER A GOOD FAITH EFFORT, IS UNABLE TO ACQUIRE THIS ADDITIONAL RIGHT-OF-WAY VOLUNTARILY, THE PETITIONER MAY REQUEST THE CITY TO CONDEMN THE PROPERTY, PROVIDED THE PETITIONER AGREES TO PAY FOR ALL COSTS AND EXPENSES ASSOCIATED THEREWITH. IF THE PETITIONER FURTHER AGREES AND CONVEY (BY QUITCLAIM DEED AND SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS) ADDITIONAL PORTIONS OF THE SITE REQUIRED TO ACCOMMODATE ALL PUBLIC STREETS DEPICTED ON THE TECHNICAL DATA SHEET, IF SUCH RIGHT-OF-WAY DOES NOT PRESENTLY EXIST.

11. ROADWAY IMPROVEMENTS

- (a) MINIMUM ROADWAY IMPROVEMENTS FOR PHASE ONE DEVELOPMENT

FOR PURPOSES OF THIS PARAGRAPH 11(A), PHASE ONE DEVELOPMENT SHALL BE DEEMED TO INCLUDE:

- 90,000 SQUARE FEET OF RETAIL/COMMERCIAL FLOOR AREA
- 150,000 SQUARE FEET OF OFFICE DEVELOPMENT
- 175 HOTEL ROOMS
- 750 DWELLING UNITS

THE PETITIONER MAY APPLY FOR BUILDING PERMITS FOR PHASE ONE DEVELOPMENT AFTER OBTAINING FINAL PLAN APPROVAL FOR THE PUBLIC STREET SYSTEM AND AFTER THE LETTING OF CONTRACTS FOR THE FOLLOWING TYVOLA ROAD IMPROVEMENTS, ALL OF WHICH MUST BE DESIGNED IN ACCORDANCE WITH THE CITY'S STANDARDS AND BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL:

- DESIGN AND CONSTRUCTION OF A RAISED LANDSCAPED MEDIAN ON TYVOLA ROAD BEGINNING AT SOUTH STREAM

BLYN, AND TERMINATING EAST OF THE NORTHSOUTH CONNECTOR ROAD. MEDIAN MAY VARY IN WIDTH FROM A MINIMUM OF 8 FEET TO UP TO 22 FEET, FACE-OF-CURB TO FACE-OF-CURB. DESIGN AND INSTALLATION OF A NEW PAVEMENT MARKING PLAN ON TYVOLA ROAD TO INCLUDE PAVEMENT MILLING/OVERLAY MAY BE NECESSARY BY THE LANDSCAPED MEDIAN AND APPROPRIATE TRANSITIONS TO EXISTING CROSS SECTIONS.

THE PETITIONER RESERVES THE RIGHT TO REQUEST CDDOT TO CONSIDER ALLOWING IT TO CONSTRUCT AN EXCLUSIVE EAST BOUND LEFT-TURN LANE ON TYVOLA ROAD WITH 150 FEET OF STORAGE AT THE PROPOSED NORTHSOUTH CONNECTOR ROAD TO MINIMIZE CONSTRUCTION COSTS ASSOCIATED WITH CONSTRUCTION OF THE INTERSECTION BETWEEN TYVOLA ROAD AND THE PROPOSED NORTHSOUTH CONNECTOR IN LIEU OF THE EXTENDED MEDIAN.

- AS PART OF THE FIRST SUBDIVISION SUBMITTAL, FOR ANY PART OF THE CONSTRUCTION OF THE PROPOSED NORTHSOUTH CONNECTOR ROAD, THE PETITIONER WILL ALSO SUBMIT A PLAN TO CONSTRUCT THE VERTICAL/HORIZONTAL ALIGNMENT FOR THE NORTHSOUTH CONNECTOR ROAD BETWEEN BILLY GRAHAM PARKWAY AND TYVOLA ROAD, INCLUDING THE REALIGNED PORTION OF YORKMONT ROAD TO ENSURE THAT THE TURN LANE DESCRIBED IN THE PRECEDING PARAGRAPH (IF APPROVED BY CDDOT) IS CONSTRUCTED IN ITS FINAL LOCATION.

- CONSTRUCTION OF THE TWO RIGHT-IN/RIGHT-OUT ACCESSES ON TYVOLA ROAD;

- TYVOLA ROAD/CITY PARK DRIVE INTERSECTION;

EASTBOUND TYVOLA ROAD LEFT-TURN LANE WITH 275 FEET OF STORAGE;

WESTBOUND TYVOLA ROAD LEFT-TURN LANE WITH 150 FEET OF STORAGE;

WESTBOUND TYVOLA ROAD RIGHT-TURN LANE WITH 150 FEET OF STORAGE;

SOUTHBOUND CITY PARK APPROACH WITH DUAL LEFT-TURN LANES WITH 250 FEET OF STORAGE EACH AND A THROUGH/RIGHT-TURN LANE;

NORTHBOUND CITY PARK APPROACH WITH LEFT-TURN LANE WITH 150 FEET OF STORAGE AND A THROUGH/RIGHT-TURN LANE;

INSTALLATION OF A TRAFFIC SIGNAL AT CITY PARK DRIVE AND TYVOLA ROAD. THE SIGNAL WILL UTILIZE MAST ARM ASSEMBLY POLES/STEEL POSTS (USING EQUIPMENT FROM THE FORMER REVERSIBLE LANE SYSTEM WHERE FEASIBLE) AND TIE INTO THE EXISTING INTERCONNECT ALONG TYVOLA ROAD;

- BIKE LANES WILL NOT BE PROVIDED ALONG THE SITE'S TYVOLA ROAD FRONTAGE; THEREFORE, A CONTINUOUS ROUTE WITHIN THE NORTHSOUTH CONNECTOR ROAD TO ACCOMMODATE BICYCLISTS WILL BE PROVIDED. BIKE LANES WILL BE LOCATED BETWEEN BUILDINGS FRONTING ON PUBLIC OR PRIVATE STREETS AND THE PUBLIC OR PRIVATE STREETS ON WHICH THE BUILDINGS FRONT. HOWEVER, PARKING MAY BE LOCATED TO THE SIDE AND/OR REAR OF BUILDINGS LOCATED ALONG THE PUBLIC OR PRIVATE STREETS.
- ANY LIGHTING ATTACHED TO A NEARBY EXTERIOR BUILDING WALL FACING A RESIDENTIAL COMPONENT SHALL BE CAPTED AND DOWNWARDLY DIRECTED.
- ALL STREET AND PARKING LOT LIGHTING FIXTURES WILL BE FULLY SHELDED;
- PEDESTRIAN SCALE LIGHTING WILL BE PROVIDED WITHIN THE SITE ALONG PUBLIC AND PRIVATE STREETS.
- DUMPSTER AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE WALL WITH ONE SIDE BEING A HINGED OPAQUE GATE, IF ONE OR MORE SIDES OF A DUMPSTER AREA ADJOIN A SIDE OR REAR WALL OF A BUILDING, THEN THE SIDE OR REAR WALL MAY BE SUBSTITUTED FOR A SIDE.

THE PETITIONER MAY NOT RECEIVE CERTIFICATES OF OCCUPANCY FOR ANY PHASE ONE DEVELOPMENT UNTIL AFTER THE PHASE ONE ROADWAY IMPROVEMENTS DESCRIBED ABOVE HAVE BEEN COMPLETED.

- (a) MINIMUM ROADWAY IMPROVEMENTS FOR PHASE TWO DEVELOPMENT

FOR PURPOSES OF THIS SECTION 11(B), PHASE TWO DEVELOPMENT SHALL BE DEEMED TO INCLUDE:

- 110,000 SQUARE FEET OF ADDITIONAL RETAIL/COMMERCIAL FLOOR AREA
- 250,000 SQUARE FEET OF ADDITIONAL OFFICE SPACE
- 175 ADDITIONAL HOTEL ROOMS
- 1,000 ADDITIONAL DWELLING UNITS

THE PETITIONER MAY NOT APPLY FOR BUILDING PERMITS FOR PHASE TWO DEVELOPMENT UNTIL AFTER THE LETTING OF CONTRACTS FOR THE FOLLOWING ROADWAY IMPROVEMENTS, ALL OF WHICH MUST BE DESIGNED IN ACCORDANCE WITH THE CITY'S STANDARDS AND BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL:

- EXTENSION OF THE RIGHT-TURN LANE ON EASTBOUND TYVOLA ROAD AT TRYON STREET TO A TOTAL LENGTH OF 1,000 FEET;
- CONSTRUCTION OF AN ADDITIONAL EASTBOUND LEFT-TURN LANE ON YORKMONT ROAD CREATING 350 FEET OF DUAL LEFT-TURN STORAGE AT TYVOLA ROAD. THIS IMPROVEMENT IS TO BE COMPLETED BY OTHERS AND IS NOT THE RESPONSIBILITY OF THE PETITIONER;
- CONSTRUCTION OF A NEW ROAD (THE NORTHSOUTH CONNECTOR ROAD) WHICH WILL EXTEND THROUGH THE EASTERN PORTION OF THE SITE FROM TYVOLA ROAD NORTHWARD INTERSECTING WITH YORKMONT ROAD AND BILLY GRAHAM PARKWAY ALONG THE ALIGNMENT GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET.

THIS ROAD SHALL HAVE THE FOLLOWING ELEMENTS:

CONSTRUCTION OF THE NORTHSOUTH CONNECTOR ROAD BETWEEN YORKMONT ROAD AND BILLY GRAHAM PARKWAY TO INCLUDE TWO TRAVEL LANES NORTHBOUND AND TWO TRAVEL LANES SOUTHBOUND. THE NORTHBOUND APPROACH OF THE NORTHSOUTH CONNECTOR ROAD AT BILLY GRAHAM PARKWAY WILL INCLUDE AN EXCLUSIVE LEFT-TURN LANE, A SHARED THROUGH/RIGHT TURN LANE AND AN EXCLUSIVE RIGHT TURN LANE. THE SOUTHBOUND APPROACH OF THE BILLY GRAHAM PARKWAY AND WESTMONT DRIVE INTERSECTION TO ACCOMMODATE THE PROPOSED FOURTH LEG OF THE INTERSECTION (NORTHSOUTH CONNECTOR ROAD), MODIFICATIONS TO THE EXISTING BILLY GRAHAM PARKWAY AND WESTMONT DRIVE TRAFFIC SIGNAL, THE EXISTING TRAFFIC SIGNAL EQUIPMENT, AND INTERCONNECT WILL BE UTILIZED TO THE EXTENT POSSIBLE AT THE INTERSECTION OF BILLY GRAHAM PARKWAY AND WESTMONT DRIVE AND THE CONSTRUCTION OF, OPERATION OF, AND THE LANEAQE REQUIRED AT THE INTERSECTION OF THE REALIGNED YORKMONT ROAD AND THE NORTHSOUTH CONNECTOR ROAD AND AT THE INTERSECTION OF BILLY GRAHAM PARKWAY AND THE NORTHSOUTH CONNECTOR ROAD ARE SUBJECT TO APPROVAL BY CDDOT AND NCDDOT. INSTALLATION OF A TRAFFIC SIGNAL AT THE TYVOLA ROAD AND NORTHSOUTH CONNECTOR ROAD INTERSECTION (WHEN WARRANTED IN PHASE TWO OR BEYOND), THE SIGNAL WILL UTILIZE MAST ARM ASSEMBLY POLES/STEEL POSTS (USING EQUIPMENT FROM THE FORMER REVERSIBLE LANE SYSTEM WHERE FEASIBLE) AND TIE INTO THE EXISTING INTERCONNECT ALONG TYVOLA ROAD. REALIGNMENT OF YORKMONT ROAD IN THE MANNER GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET, BILLY GRAHAM PARKWAY/NORTH-SOUTH CONNECTOR ROAD/WESTMONT DRIVE INTERSECTION (NEW 4TH LEG CONNECTION) CONSTRUCTION OF AN ADDITIONAL WESTBOUND LEFT-TURN LANE ON BILLY GRAHAM PARKWAY AT THE NORTHSOUTH CONNECTOR ROAD TO PROVIDE DUAL LEFT-TURN LANE STORAGE OF 275 FEET, RESTRIPTING, AS DEPICTED, ON THE SOUTHBOUND AND EASTBOUND APPROACH OF THE BILLY GRAHAM PARKWAY AND WESTMONT DRIVE INTERSECTION TO ACCOMMODATE THE PROPOSED FOURTH LEG OF THE INTERSECTION (NORTHSOUTH CONNECTOR ROAD), MODIFICATIONS TO THE EXISTING BILLY GRAHAM PARKWAY AND WESTMONT DRIVE TRAFFIC SIGNAL, THE EXISTING TRAFFIC SIGNAL EQUIPMENT, AND INTERCONNECT WILL BE UTILIZED TO THE EXTENT POSSIBLE AT THE INTERSECTION OF BILLY GRAHAM PARKWAY AND WESTMONT DRIVE AND THE CONSTRUCTION OF, OPERATION OF, AND THE LANEAQE REQUIRED AT THE INTERSECTION OF THE REALIGNED YORKMONT ROAD AND THE NORTHSOUTH CONNECTOR ROAD AND AT THE INTERSECTION OF BILLY GRAHAM PARKWAY AND THE NORTHSOUTH CONNECTOR ROAD ARE SUBJECT TO APPROVAL BY CDDOT AND NCDDOT. INSTALLATION OF A TRAFFIC SIGNAL AT THE TYVOLA ROAD AND NORTHSOUTH CONNECTOR ROAD INTERSECTION (WHEN WARRANTED IN PHASE TWO OR BEYOND), THE SIGNAL WILL UTILIZE MAST ARM ASSEMBLY POLES/STEEL POSTS (USING EQUIPMENT FROM THE FORMER REVERSIBLE LANE SYSTEM WHERE FEASIBLE) AND TIE INTO THE EXISTING INTERCONNECT ALONG TYVOLA ROAD. THE SOUTHBOUND APPROACH OF THE NORTHSOUTH CONNECTOR ROAD AT TYVOLA ROAD WILL CONSIST OF DUAL LEFT-TURN LANES WITH AT LEAST 275 FEET OF STORAGE AND AN EXCLUSIVE RIGHT-TURN LANE. THE EASTBOUND APPROACH WILL CONSIST OF TWO THROUGH LANES AND AN EXCLUSIVE LEFT-TURN LANE WITH 150 FEET OF STORAGE. THE WESTBOUND APPROACH WILL CONSIST OF A THROUGH LANE AND A SHARED THROUGH/RIGHT TURN LANE. IF A CONNECTION TO BILLY GRAHAM PARKWAY IS NOT POSSIBLE, THEN IN PLACE OF THE ROADWAY/OPERATIONAL IMPROVEMENTS DESCRIBED ABOVE, THE NORTHBOUND RIGHT-TURN LANE ON TYVOLA ROAD AT YORKMONT ROAD MUST BE CONVERTED TO A SHARED THROUGH/RIGHT LANE INSTEAD, AND THE PETITIONER MAY NOT RECEIVE CERTIFICATES OF OCCUPANCY FOR ANY PHASE TWO DEVELOPMENT UNTIL AFTER THE PHASE TWO ROADWAY.

- (c) MINIMUM ROADWAY IMPROVEMENTS FOR PHASE THREE DEVELOPMENT

FOR PURPOSES OF THIS SECTION 11(C), PHASE THREE DEVELOPMENT SHALL BE DEEMED TO INCLUDE 750 ADDITIONAL DWELLING UNITS. THE PETITIONER MAY NOT APPLY FOR BUILDING PERMITS FOR PHASE THREE DEVELOPMENT UNTIL AFTER THE LETTING OF CONTRACTS FOR THE FOLLOWING ROADWAY IMPROVEMENT, ALL OF WHICH MUST BE DESIGNED IN ACCORDANCE WITH THE CITY'S STANDARDS AND BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL:

- MODIFICATION OF THE OFF-RAMP FROM SOUTHBOUND BILLY GRAHAM PARKWAY TO TYVOLA ROAD TO REMOVE THE FREE-FLOW RIGHT-TURN LANE AND EXPAND THE SIGNALIZED INTERSECTION APPROACH FROM TWO TO THREE LANES (ONE LEFT-TURN, ONE LEFT-RIGHT AND ONE RIGHT-TURN) WITH AT LEAST 1000 FEET OF STORAGE;
- MODIFICATION OF PAVEMENT MARKINGS ON EASTBOUND YORKMONT ROAD AT S. TRYON STREET TO PROVIDE AT LEAST 500 FEET OF DUAL LEFT-TURN LANE STORAGE; AND
- THE ADDITION OF A SOUTHBOUND THROUGH LANE ON YORKMONT ROAD AT BEAM ROAD. THIS IMPROVEMENT IS TO BE COMPLETED BY OTHERS AND IS NOT THE RESPONSIBILITY OF THE PETITIONER.

THE PETITIONER MAY NOT RECEIVE CERTIFICATES OF OCCUPANCY FOR ANY PHASE THREE DEVELOPMENT UNTIL AFTER THE PHASE THREE ROADWAY IMPROVEMENTS DESCRIBED ABOVE HAVE BEEN COMPLETED, IF PETITIONER IS UNABLE TO ACQUIRE ANY ADDITIONAL RIGHT-OF-WAY NEEDED TO MAKE THE ROADWAY IMPROVEMENTS ASSOCIATED WITH PHASES 11(C) OR 11(D) WHICH PETITIONER ELECTS TO MAKE AND IF THE PETITIONER, AFTER A GOOD FAITH EFFORT, IS UNABLE TO ACQUIRE ANY SUCH ADDITIONAL RIGHT-OF-WAY VOLUNTARILY, THE PETITIONER MAY REQUEST THE CITY TO CONDEMN THE PROPERTY PROVIDED THE PETITIONER AGREES TO PAY FOR ALL COSTS AND EXPENSES ASSOCIATED THEREWITH.

12. PHASING ADJUSTMENTS

TO PROVIDE FLEXIBILITY FOR ADDRESSING EMERGING MARKETS, THE SQUARE FOOTAGE ALLOTMENTS FOR RETAIL AND OFFICE DEVELOPMENT, THE NUMBER OF HOTEL ROOMS AND THE NUMBER OF DWELLING UNITS SPECIFIED FOR EACH USE IN A PARTICULAR PHASE CAN BE CHANGED FROM ONE USE TO ANOTHER USE PROVIDED THAT THE TOTAL NEW EXTERNAL TRIPS GENERATED BY THE SITE WITHIN THAT PHASE DO NOT EXCEED THE TOTAL NET NEW EXTERNAL TRIPS THAT WOULD HAVE BEEN GENERATED BY THE LAND USES SPECIFIED FOR THE PHASE INVOLVED AND PROVIDED FURTHER THAT IN NO EVENT SHALL ANY USE CATEGORY OR COMPONENT OF THE MIXED/MULTI-USE DEVELOPMENT COMPREHENSIVE FOR THE SITE EXCEED, IN THE AGGREGATE, THE MAXIMUM SQUARE FOOTAGE OR NUMBER OF UNITS ESTABLISHED FOR THAT PARTICULAR USE CATEGORY OR COMPONENT UNDER SECTION 4 ABOVE. BY WAY OF AN EXAMPLE, THE MAXIMUM AMOUNT OF OFFICE SPACE THAT COULD BE BUILT ON THE SITE WOULD BE 40,000 SQUARE FEET. IN NO EVENT THAT ONE OR MORE OF THE TRANSPORTATION IMPROVEMENTS TIED TO A PARTICULAR PHASE ARE COMPLETED DURING A PRECEDING PHASE, THE PHASING PROVISIONS CONTAINED IN SECTION 11 ABOVE MAY BE ALTERED TO ACCOMMODATE ADDITIONAL DEVELOPMENT WARRANTED BY SUCH IMPROVEMENT OR IMPROVEMENTS BY WAY OF AN ADMINISTRATIVE SITE PLAN AMENDMENT THE APPLICATION OF

WHICH MUST BE JOINED IN BY CDDOT.

- TO PROVIDE CONNECTIVITY TO A POTENTIAL REDEVELOPED FARMER'S MARKET, A ROAD SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY STANDARDS AS PART OF THE PHASE II ROADWAY IMPROVEMENTS OR AT THE TIME THE FARMER'S MARKET IS REDEVELOPED, WHICHEVER COMES FIRST

13. TRANSIT

PRIOR TO THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR MORE THAN 100,000 SQUARE FEET OF RETAIL SPACE, THE OWNER OR OWNERS INVOLVED SHALL PROVIDE AT ITS OR THEIR EXPENSE THE FOLLOWING TRAMP IMPROVEMENTS (AND SHALL DEDICATE AND CONVEY TO THE CHARLOTTE AREA TRANSIT SYSTEM ("CATS") EASEMENTS TO ACCOMMODATE THE SAME):

- TWO PULL OFF TYPE TRANSIT STOP AREAS WITHIN THE SITE THAT WILL ACCOMMODATE UP TO TWO BUSES EACH. THE OWNER SHALL SEEK FROM CATS COMMENTS ON THE DESIGN(S) AND TIMING OF THE CONSTRUCTION OF THESE BUS STOP FACILITIES AND GIVE CONSIDERATION TO ANY SUCH COMMENTS PRIOR TO MAKING FINAL DECISIONS WITH REGARD TO THERE TO.
- DEVELOPMENT OF EACH OF THESE BUS STOPS WHICH SHALL BE CONSTRUCTED IN ACCORDANCE WITH EXISTING CATS PROTOTYPE DESIGNS OR, SUBJECT TO PRIOR APPROVAL BY CATS, IN ACCORDANCE WITH AN INDIVIDUAL DESIGN OR DESIGNS.

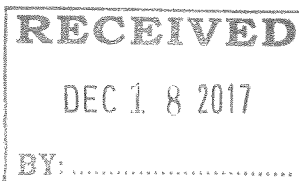
THE FORM AND CONTENT OF EACH OF THE EASEMENTS DESCRIBED ABOVE SHALL BE MUTUALLY SATISFACTORY WITH COUNSEL FOR CATS AND COUNSEL FOR THE OWNER OR OWNERS INVOLVED.

14. DESIGN AND PERFORMANCE STANDARDS

- THE INTENT OF THE CITY PARK REDEVELOPMENT CONCEPT IS TO CREATE A VARIETY OF ARCHITECTURAL EXPERIENCES. THE REDEVELOPMENT WILL UTILIZE PRIMARILY STONE, BRICK, STUCCO AND/OR ARCHITECTURAL FACE BLOCK CONSTRUCTION MATERIALS. THE ATTACHED PERSPECTIVE RENDERING IS INTENDED TO DESCRIBE THE SECTION THAT PROVIDES INGRESS AND EGRESS TO THE LOOP TRAIL SHALL BE LEFT AND ACCESSIBLE. ONCE CONSTRUCTION IS COMPLETE, THE LOOP TRAIL WILL BE MAINTAINED BY THE COUNTY.
- EXCEPT AS OTHERWISE PROVIDED UNDER SECTION 6 ABOVE, ALL BUILDINGS CONSTRUCTED ON THIS SITE SHALL CONFORM TO THE MUDD URBAN DESIGN AND DEVELOPMENT STANDARDS OUTLINED IN SECTION 8.50(6) OF THE ORDINANCE.
- EXCEPT AS OTHERWISE PROVIDED UNDER SECTION 6 ABOVE, SURFACE LEVEL, OFF-STREET PARKING SHALL NOT BE LOCATED BETWEEN BUILDINGS FRONTING ON PUBLIC OR PRIVATE STREETS AND THE PUBLIC OR PRIVATE STREETS ON WHICH THE BUILDINGS FRONT. HOWEVER, PARKING MAY BE LOCATED TO THE SIDE AND/OR REAR OF BUILDINGS LOCATED ALONG THE PUBLIC OR PRIVATE STREETS.
- ANY LIGHTING ATTACHED TO A NEARBY EXTERIOR BUILDING WALL FACING A RESIDENTIAL COMPONENT SHALL BE CAPTED AND DOWNWARDLY DIRECTED.
- ALL STREET AND PARKING LOT LIGHTING FIXTURES WILL BE FULLY SHELDED;
- PEDESTRIAN SCALE LIGHTING WILL BE PROVIDED WITHIN THE SITE ALONG PUBLIC AND PRIVATE STREETS.
- DUMPSTER AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE WALL WITH ONE SIDE BEING A HINGED OPAQUE GATE, IF ONE OR MORE SIDES OF A DUMPSTER AREA ADJOIN A SIDE OR REAR WALL OF A BUILDING, THEN THE SIDE OR REAR WALL MAY BE SUBSTITUTED FOR A SIDE.

- INTERNAL AREAS OF THE SITE SHALL BE LANDSCAPED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.
- ALL ROOF MATERIAL MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHTS-OF-WAY AND ADJUTING PROPERTIES AS VIEWED FROM GRADE.
- ALL OTHER SCREENING AND LANDSCAPING SHALL CONFORM TO THE STANDARDS OF THE ORDINANCE.
- THE STREET ELEVATIONS OF THE FIRST FLOORS OF ALL BUILDINGS IN WHICH GROUND FLOOR RETAIL USES ARE TO BE LOCATED ON CITY PARK DRIVE AND CITY PARKWAY

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #:	<u>2017-206</u>
Date Filed:	<u>12/18/2017</u>
Received By:	<u>BH</u>

Complete All Fields (Use additional pages if needed)

Property Owner: BWN Investments LLC

Owner's Address: 7935 Council Place, #200 City, State, Zip: Matthews, NC 28105

Date Property Acquired: September 9, 2004 (8515 E. WT Harris); December 6, 2016 (8429 E. WT Harris)

Property Address: 8429 and 8515 E. WT Harris Boulevard

Tax Parcel Number(s): 10917104; 10917105

Current Land Use: Vacant Size (Acres): 1.6 acres

Existing Zoning: R-17 MF Proposed Zoning: B-2 (CD)

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders

Date of meeting: October 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 years

Purpose/description of Conditional Zoning Plan: To accommodate an automobile car wash and gasoline facilities.

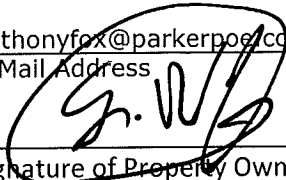
Anthony Fox
Name of Rezoning Agent

401 S. Tryon Street, Suite 3000
Agent's Address

Charlotte, NC 28202
City, State, Zip

704.335.9841 _____
Telephone Number Fax Number

anthonyfox@parkerpoel.com
E-Mail Address


Signature of Property Owner

Sami Nafisi
(Name Typed / Printed)

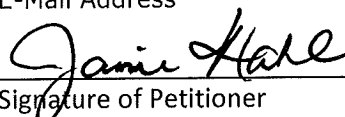
BWN Investments LLC
Name of Petitioner(s)

7935 Council Place, #200
Address of Petitioner(s)

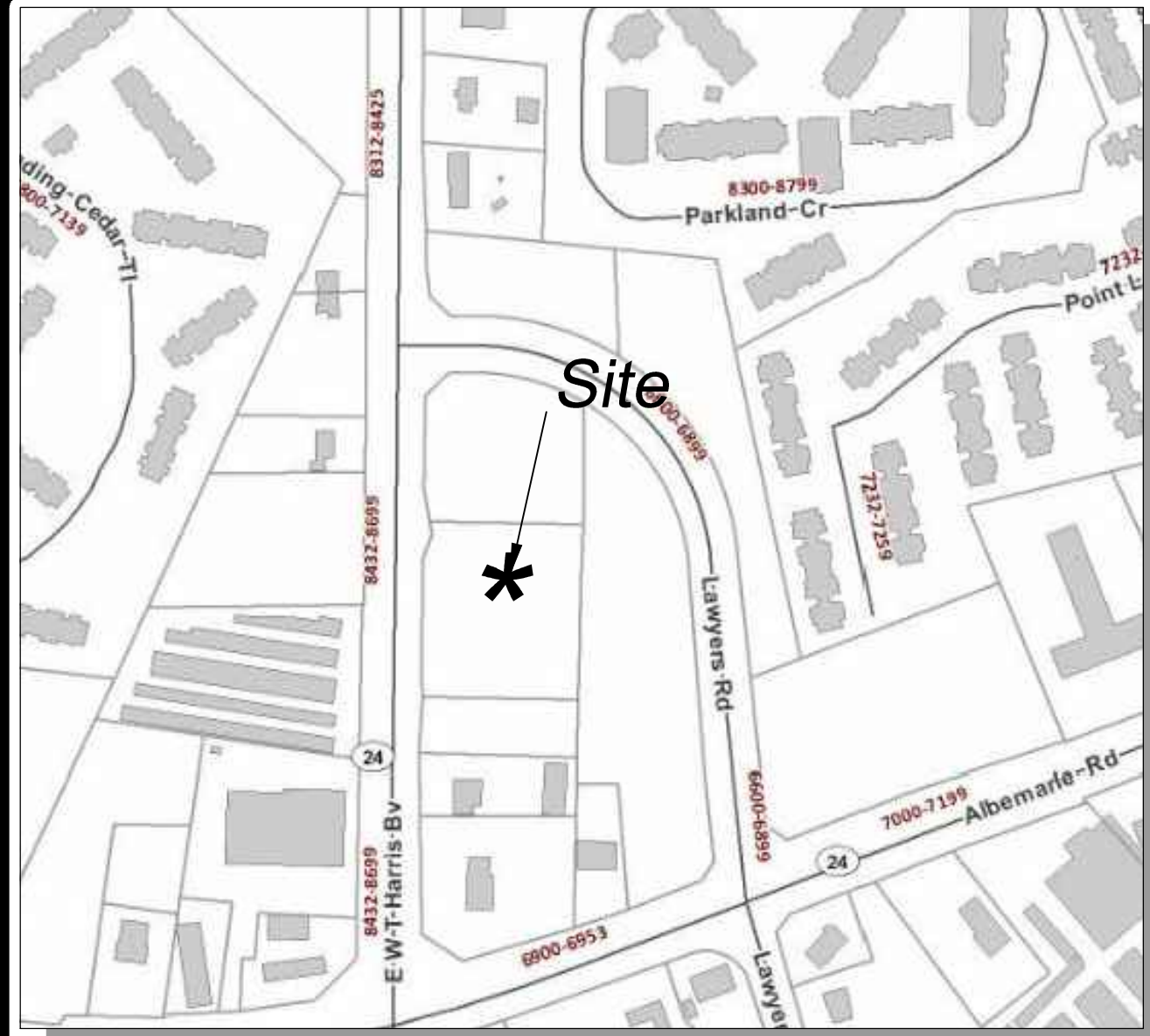
Matthews, NC 28105
City, State, Zip

704.504.7667 _____
Telephone Number Fax Number

jhahl@samsholdings.com
E-Mail Address


Signature of Petitioner

Jamie Hahl, Corporate Counsel
(Name Typed / Printed)



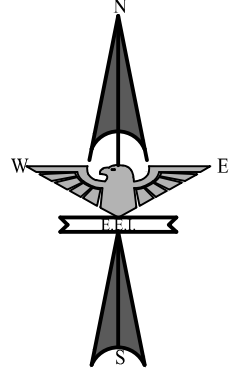
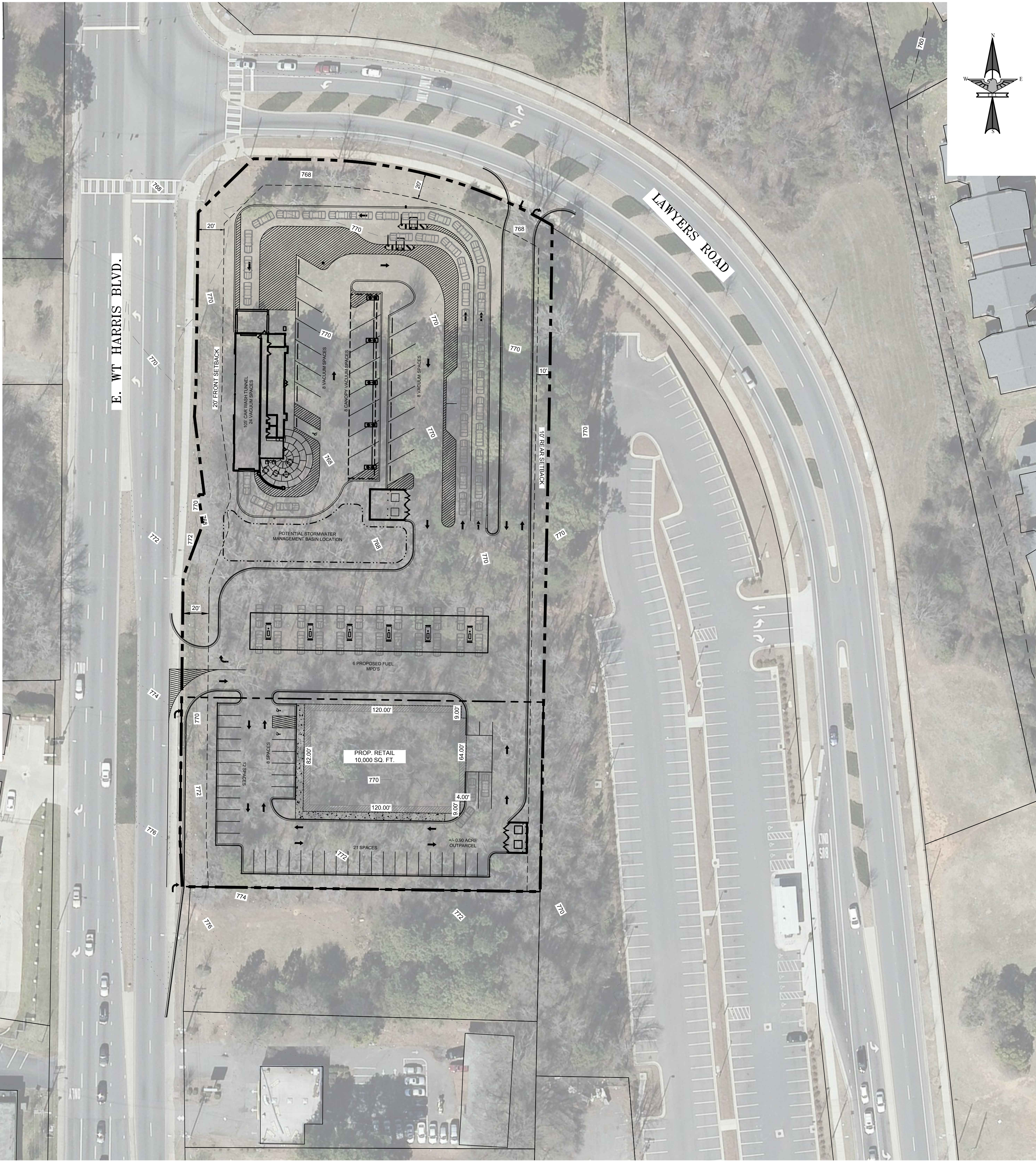
VICINITY MAP
NOT TO SCALE

SITE AND DEVELOPMENT DATA	
JURISDICTION	CITY OF CHARLOTTE
TAX PARCEL(S)	10917104 & 10917105
SITE ADDRESS:	8429 & 8515 EAST W.T. HARRIS BLVD.
EXISTING ZONING	R-17 (MF)
PROPOSED ZONING	B-2
USE CLASSIFICATION	COMMERCIAL
TOTAL SITE AREA	+/- 3.35 AC.
MINIMUM FRONT SETBACK*	20 FEET
MINIMUM CORNER/SIDE SETBACK*	0 FEET**
MINIMUM REAR SETBACK*	10 FEET
MAXIMUM BUILDING HEIGHT	40 FEET
MAXIMUM NUMBER OF PRIMARY BUILDINGS***	2
REQUIRED PARKING	1 SPACE / 250 SQ. FT. 4,150 SQ. FT. / 250 SQ. FT. 17 SPACES REQUIRED (CAR WASH) 1 SPACE / 250 SQ. FT. 10,000 SQ. FT. / 250 SQ. FT. 40 SPACES REQUIRED (RETAIL)
PARKING SHOWN	24 SPACES (CAR WASH) 41 SPACES (RETAIL)

* SETBACKS SHOWN ASSUME A B-2 REZONING

**IN B-1 AND B-2 DISTRICTS, NO SIDE YARD IS REQUIRED, BUT IF THEY ARE PROVIDED, THE FIRST ONE MUST BE A MINIMUM OF 8 FEET AND IF A SECOND ONE IS PROVIDED, IT MUST BE A MINIMUM OF 4 FEET. HOWEVER, IN ANY COMBINATION, THERE SHALL BE A MINIMUM OF 8 FEET BUILDING SEPARATION AT THE SIDE YARDS.

***DOES NOT INCLUDE PROPOSED FUEL/VACUUM CANOPIES NOR ACCESSORY BUILDINGS



DEVELOPMENT STANDARDS

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 8.2 OF THE ZONING ORDINANCE.
- b. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, BICYCLE PARKING, AND SITE DEVELOPMENT, MAY APPLY TO THE DEVELOPMENT OF THIS SITE. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR, AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THIS SITE PLAN, UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THIS SITE PLAN. THESE OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THIS SITE AS DEFINED BY THOSE OTHER CITY ORDINANCES.
- c. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", "PETITIONER" OR "PETITIONERS", SHALL WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.
- d. ALTERATIONS TO THE CONDITIONAL ZONING PLAN ARE SUBJECT TO SECTION 8.207 ALTERATIONS TO APPROVAL OF THE ZONING ORDINANCE, SUCH ALTERATIONS WOULD BE LESS INTENSE AND THEREFORE SUBJECT TO ADMINISTRATIVE APPROVALS.
- e. WHILE REZONING SITE PLAN SHOWS A 10,000 SQUARE FOOT RETAIL BUILDING PETITIONER MAY SEEK TO AMEND THE PROPOSED USE TO INCLUDE A BANK, OFFICE, OR PHARMACY USE DEPENDING ON MARKET CONDITIONS.

PERMITTED USES

- CAR WASHES
- FINANCIAL INSTITUTIONS UP TO 300,000 SQUARE FEET
- OFFICES UP TO 100,000 SQUARE FEET
- RETAIL AND SHOPPING CENTERS, PERSONAL AND RECREATIONAL SERVICES UP TO 10,000 SQUARE FEET
- DRIVE IN SERVICES WINDOWS AS AN ACCESSORY TO PRINCIPAL USE
- PETROLEUM STORAGE ACCESSORY TO A PERMITTED USE OR STRUCTURE
- EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS TYPE 2
- EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS TYPE 1 WITH DRIVE IN SERVICE AS A PRINCIPAL USE

TRANSPORTATION

- a. THE SITE WILL HAVE RIGHT IN/ RIGHT OUT DRIVEWAY ACCESS TO BOTH EAST W.T. HARRIS BLVD. AND LAWYERS ROAD AS GENERALLY DEPICTED ON THE SITE PLAN.
- b. PETITIONER PROPOSES A NEW DECELERATION / RIGHT TURN LANE ON EAST W.T. HARRIS BLVD. STREET RIGHT OF WAY WILL BE DEDICATED TO COVER THE PROPOSED TURN LANE.

ARCHITECTURAL STANDARDS

RESERVED

STREETSCAPE AND LANDSCAPING

- a. EXISTING PLANTING STRIPS AND SIDEWALKS ALONG EAST W.T. HARRIS AND LAWYERS ROAD SHALL REMAIN WITH THE EXCEPTION OF THE PROPOSED RIGHT TURN LANE. NEW SIDEWALK SHALL BE CONSTRUCTED ALONG THE PROPOSED RIGHT TURN LANE.
- b. PARKING AREAS ARE GENERALLY DEPICTED ON THE CONCEPT PLAN FOR THE SITE.

ENVIRONMENTAL FEATURES

- a. ALL REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE SHALL BE MET WITH THIS DEVELOPMENT.
- b. ALL REQUIREMENTS OF THE CITY OF CHARLOTTE POST CONSTRUCTION STORMWATER ORDINANCE (PSCO) SHALL BE MET WITH THIS DEVELOPMENT.

PARKS, GREENWAYS, AND OPEN SPACE

RESERVED

FIRE PROTECTION

RESERVED

SIGNAGE

- a. ALL SIGNAGE SHALL BE IN ACCORDANCE WITH CHAPTER 13 OF THE CITY OF CHARLOTTE ZONING ORDINANCE.

LIGHTING

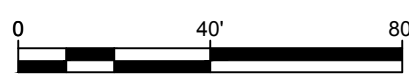
- FREESTANDING LIGHT WILL BE FULLY SHIELDED AND DOWNWARDLY DIRECTED. ALL NEW DETACHED LIGHTING INSTALLED ON THE SITE WILL BE LIMITED TO 21' IN HEIGHT.

PHASING

RESERVED

INITIAL SUBMISSION- 12-18-2017

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

EAGLE ENGINEERING

FIRM LICENSE # C-0873
P.O. BOX 551
2013A Van Buren Avenue
Indian Trail, NC 28079
(704) 852-4222
www.eagleonline.net

**PRELIMINARY
NOT FOR
CONSTRUCTION**

NO.	DATE	BY	ISSUE



**EAST W.T. HARRIS BLVD. &
LAWYERS RD
CHARLOTTE, NC**

**SAM'S XPRESS CAR WASH
7935 COUNCIL PLACE, SUITE 200
MATTHEWS, NC 28105**

DESIGNED BY	DRAWN BY	CHECKED BY
JLR	JAR	JLR
SCALE	DATE	JOB NUMBER
AS SHOWN	12/18/17	5808

Sheet
RZ-1.0