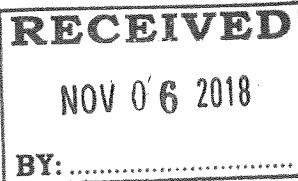


Rezoning Petition Packet

Petitions:
2018-137 through 2018-152

Petitions that were submitted in November 2018

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2018-137
Date Filed: 11/6/2018
Received By: BK

Complete All Fields (Use additional pages if needed)

Property Owner: Lakewood Apartments LLC

Owner's Address: 1300 W Morehead Street City, State, Zip: Charlotte, NC 28208

Date Property Acquired: 6/27/2017

Property Address: 104 & 110 Lakewood Avenue, Charlotte, NC

Tax Parcel Number(s): 065-128-09 & 065-128-11

Current Land Use: Vacant (Single Family) Size (Acres): 0.48

Existing Zoning: R-5 Proposed Zoning: B-2 (CD)

Overlay: N/A Tree Survey Provided: Yes: X

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham and Alberto Gonzalez

Date of meeting: 3/13/2018 Nov. 6, 2018 CPA AK

(*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 expand the proposed adjacent apartment complex with one more building and 12 more units.

Chris Ogunrinde
Name of Rezoning Agent

227 W. 4th Street Ste. 100

Agent's Address

Charlotte, NC 28202
City, State, Zip

704-488-8902 704-746-3963
Telephone Number Fax Number

chris@urbantrendsproperties.com

E-Mail Address

[Signature]
Signature of Property Owner

Howard Kaplan for Lakewood Apartments, LLC
(Name Typed / Printed)

Lakewood Apartments LLC
Name of Petitioner(s)

1300 West Morehead Street

Address of Petitioner(s)

Charlotte, NC 28208
City, State, Zip

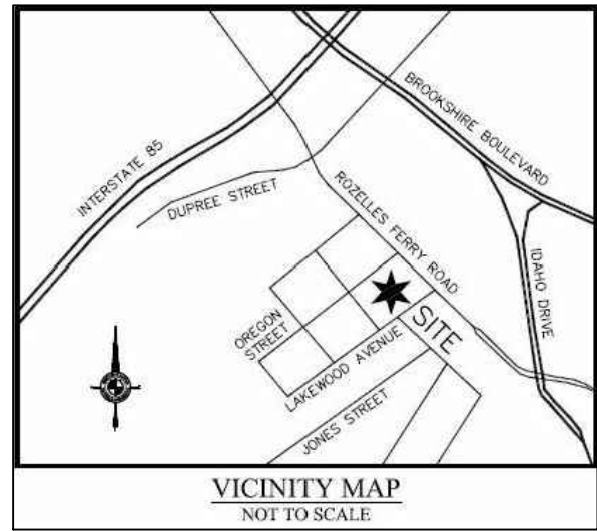
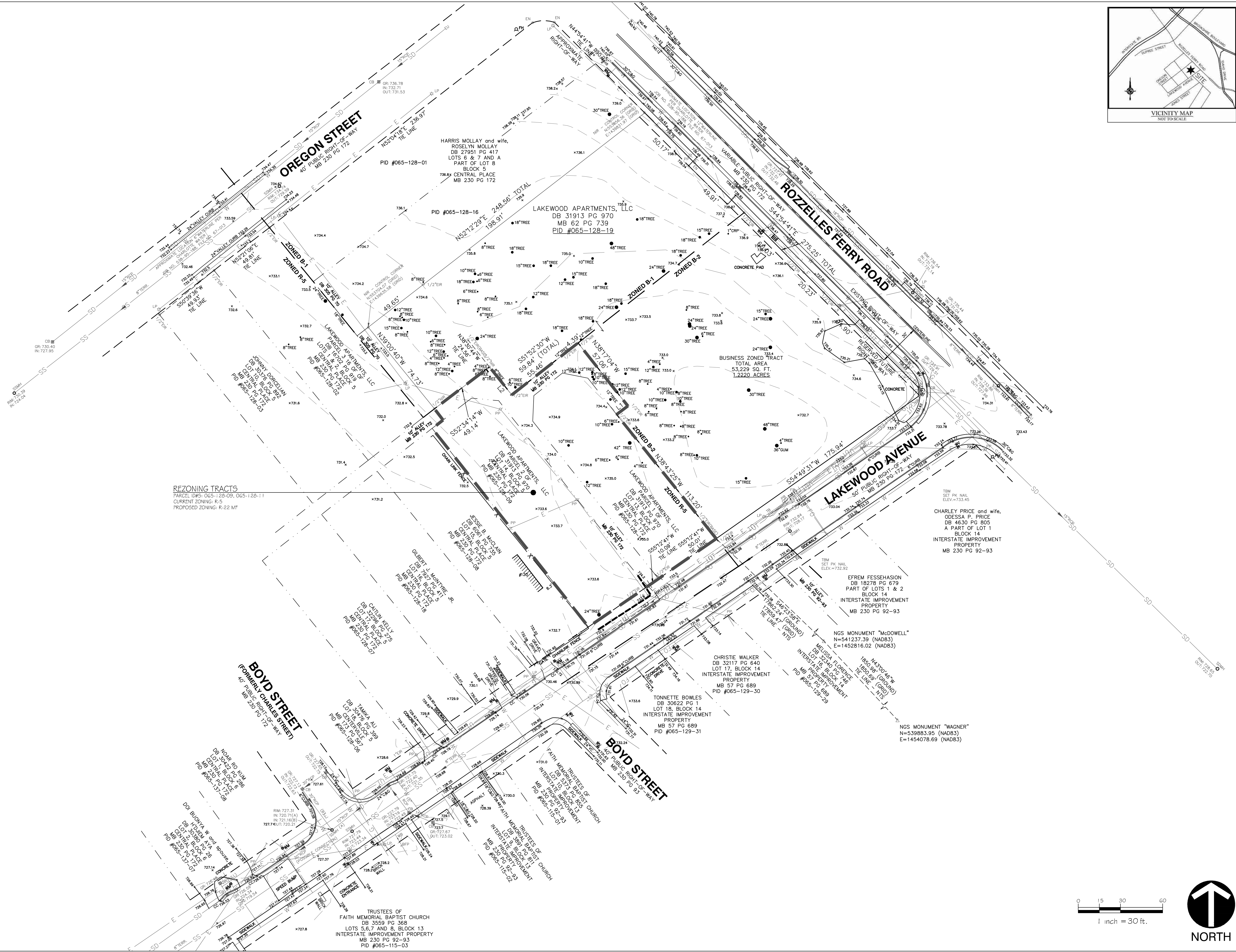
704-774-7934
Telephone Number Fax Number

howard@charlotteinvestmenthomes.com

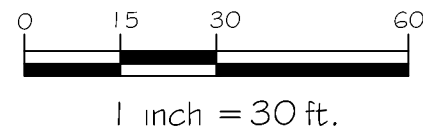
E-Mail Address

[Signature]
Signature of Petitioner

Howard Kaplan
(Name Typed / Printed)



REZONING TRACTS
PARCEL IDs: 065-120-09, 065-120-11
CURRENT ZONING: R-5
PROPOSED ZONING: R-22 MF



DATE: 10-18-2018
DESIGNED BY: GAW
DRAWN BY: CKG
CHECKED BY: GAW
SCALE: 1"=30'
PROJECT #:
SHEET #:

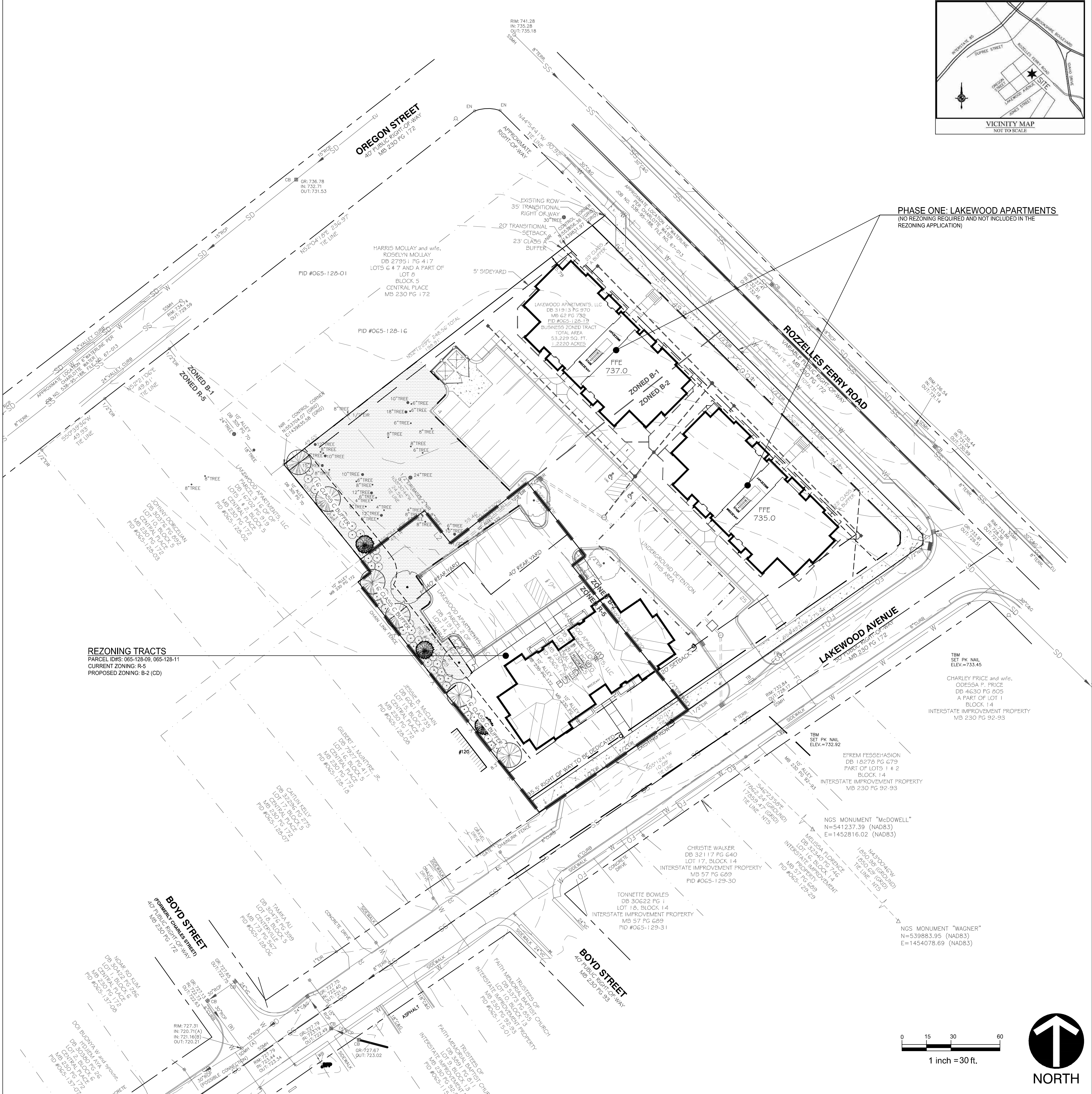
LAKEWOOD APARTMENTS
LAKEWOOD AVENUE
CHARLOTTE, NORTH CAROLINA
EXISTING CONDITIONS

REVISIONS:

RZ-1.0

Wirth & Associates
ARCHITECTS AND LAND PLANNERS
1230 W. Morehead St., Suite 212
Charlotte, NC 28208
Phone: 704.375.3844
Fax: 704.375.3844
Email: gaw@wirthassociates.com

1. **Development Data Table**
- a. Site Acreage: 0.48 AC (1.7 AC in total development)
- b. Tax Parcels included in Rezoning: 065-128-09 & 065-128-11
- c. Existing Zoning: R-5
- d. Proposed Zoning: B-2 (CD)
- e. Number of Residential Units: 10 (Total 36 units on 1.7 AC)
- f. Residential Density: 21.2 DU/AC (Total Development)
- g. Square footage of Non-Residential Uses: NA
- h. Floor Area Ratio: NA
- i. Maximum Building Height: 40 Feet
- j. Maximum Number of Buildings: One
- k. Number of Parking Spaces: Per Ordinance
- l. Amount of open space: Per Ordinance
2. **General Provisions**
- a. Development of the site will be controlled by the standards on this site plan and the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of the proposed buildings and the uses on the site, but the exact configuration, placement, and size of the individual site elements may be altered or modified with the limits prescribed by the ordinance during the design development and construction phases in accordance with the provisions of Section 6.2 of the Zoning Ordinance.
- b. Access to the site will be provided from the existing public roadway, Lakewood, as shown on this site plan.
- c. The petitioner acknowledges that other standard development or requirements imposed by other city ordinances, standards, policies, and appropriate design manuals will exist. Those criteria (for example, those that require buffers, regulate streets, sidewalks, trees, stormwater, and site development, etc.) will apply to the development site. This includes chapters 6, 9, 12, 17, 18, 19, 20 and 21 of the city code. Conditions set forth in the petition are supplemental requirements imposed on the development in addition to the other standards. Where conditions on this plan differ from ordinances, standards, policies, and approaches in existence at the time of formal engineering plan review submission, the stricter condition or existing requirements shall apply.
3. **Optional Provisions (NA)**
4. **Permitted uses**
- a. Development will be restricted to Multi-Family Residential development along with associated parking and service areas.
5. **Transportation**
- a. Petitioner agrees to dedicate any additional right-of-way to City.
- b. Vehicular access shall be provided by driveway access off of Lakewood Avenue. The placement and configuration of the access points are subject to any minor modification required by CDOT.
- c. Parking will be provided by surface lot (+/- 47 spaces for total development) as depicted on the Rezoning Plan.
6. **Architectural Standards**
- a. Building Materials used on the building constructed on the site will be a combination of portions of the following: brick, 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. The attached illustrative sections are included to reflect the building scale and design intent. The intent of the material selections is to complement the character of the surrounding development. Actual building constructed on the site may vary from this illustration provided that the design intent is preserved.
7. **Streetscape and Landscaping**
- a. Street trees will be planted at 40' O.C. outside of the existing or future rights-of-way.
- b. Street trees in the right of way on Lakewood Avenue are protected by the Tree Ordinance. No trees can be removed from or planted in the right of way without permission of the City Arborist's office. Contact the City Arborist's office for a permit before removing trees in the right of way.
- c. Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance.
8. **Environmental Features**
- a. Tree save areas shall meet the requirements of the City of Charlotte Tree Ordinance.
- b. Development of the site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance. BMPs must be designed and constructed in accordance with the latest edition of the Charlotte-Mecklenburg BMP Design Manual.
- c. BMP's will be located in underground detention on parcel #065-128-19 in the general area shown on the site plan. BMP's will be coordinated with stormwater services.
9. **Parks, Greenways, and Open Space**
- a. Open space will conform to the requirements of Ordinance.
10. **Fire Protection**
- a. Fire protection will be provided per the Fire Code.
11. **Signage**
- a. Signage will be provided per the ordinance.
12. **Lighting**
- a. Any detached lighting on the site will not exceed 21 feet in height and will be aimed into the site away from adjoining properties and public streets to prevent glare. Lighting shall be fully shielded.
13. **Phasing**
- a. The project will not be phased.
14. **Other**
- a. Binding Effect of the Rezoning Documents and Definitions: If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns. Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development there.





FRONT ELEVATION - View from Parking Lot

SCALE: 3/16"=1'-0"

2



REAR ELEVATION - View from Lakewood Avenue

SCALE: 3/16"=1'-0"

1

ELEVATION KEYNOTES

- 1 FIBERGLASS-REINFORCED ARCHITECTURAL, ANTI-FUNGAL, ASPHALT SHINGLES, 30-YEAR WARRANTY, CLASS B
- 2 PREFIN SEAMLESS ALUM INUM GUTTER OR DOWNSPOUT, TYPICAL - REFER TO ROOF PLAN FOR LOCATIONS
- 3 SOLID VINYL SINGLE HUNG WINDOW(S) WITH LOW-E GLAZING: U-VALUE = 0.35 MAX, SHGC = 0.30 MAX
- 4 SCHEDULED DOORFRAME TYPE - SEE A8.1
- 5 FACE BRICK VENEER, RUNNING BOND PATTERN
- 6 FACE BRICK VENEER ROWLOCK SILL, SLOPE TO DRAIN
- 7 FACE BRICK VENEER SOLDIER COURSE
- 8 MASONRY CONTROL JOINT (CJ), CJS TO ALSO BE PROVIDED AT ALL INSIDE CORNERS, TYPICAL
- 9 VINYL LAP SIDING, 6" EXPOSURE
- 10 BRICK CASED PLANTER
- 11 VINYL BOARD AND BATTEN VERTICAL SIDING
- 12 NOT USED
- 13 1x6 PVC COATED ALUMINUM COIL WRAPPED WOOD FASCIA
- 14 NOT USED
- 15 VINYL WINDOW/DOOR TRIM
- 16 2x4 PVC COATED ALUMINUM COIL WRAPPED WOOD TRIM
- 17 2x6 PVC COATED ALUMINUM COIL WRAPPED WOOD TRIM
- 18 2x10 PVC COATED ALUMINUM COIL WRAPPED WOOD TRIM
- 19 NOT USED
- 20 VINYL CORNER TRIM
- 21 16"x 24" VINYL LOUVER WITH INSECT SCREEN
- 22 PVC GUARDRAIL
- 23 PVC HANDRAIL
- 24 VINYL COLUMN ENCLOSURE
- 25 NOT USED
- 26 NOT USED
- 27 PVC BRACKET
- 28 EXTERIOR LIGHT FIXTURE - SEE ELECTRICAL
- 29 STAIR IN FOREGROUND

TISE-KIESTER
ARCHITECTS

TkA

119 E. Franklin St. Suite 300
Chapel Hill, NC 27514
Tel: 919.967.0158
Fax: 919.967.0159
www.tisekiesler.com

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for this construction project and remain the
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Lakewood
Apartments

Charlotte, NC

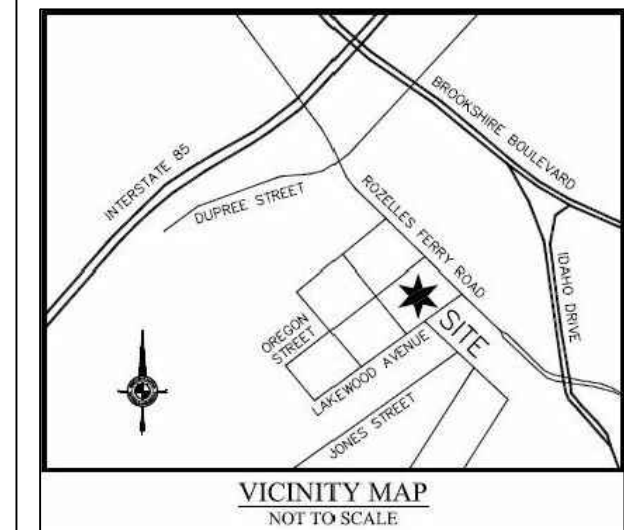
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- Date: 06.08.2017
- Revisions:



Exterior Elevations

Sheet

A3.1

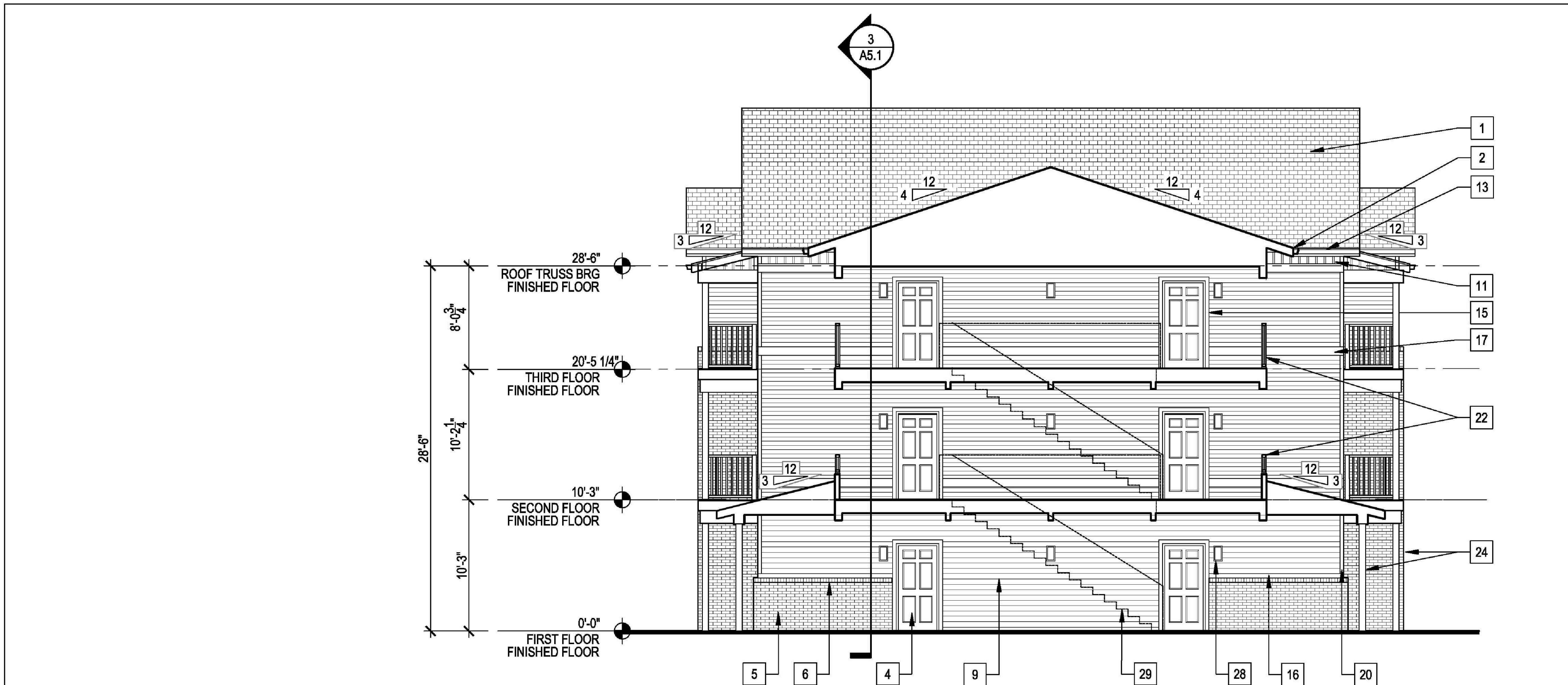


LAKEWOOD APARTMENTS
LAKEWOOD AVENUE
CHARLOTTE, NORTH CAROLINA
ELEVATIONS

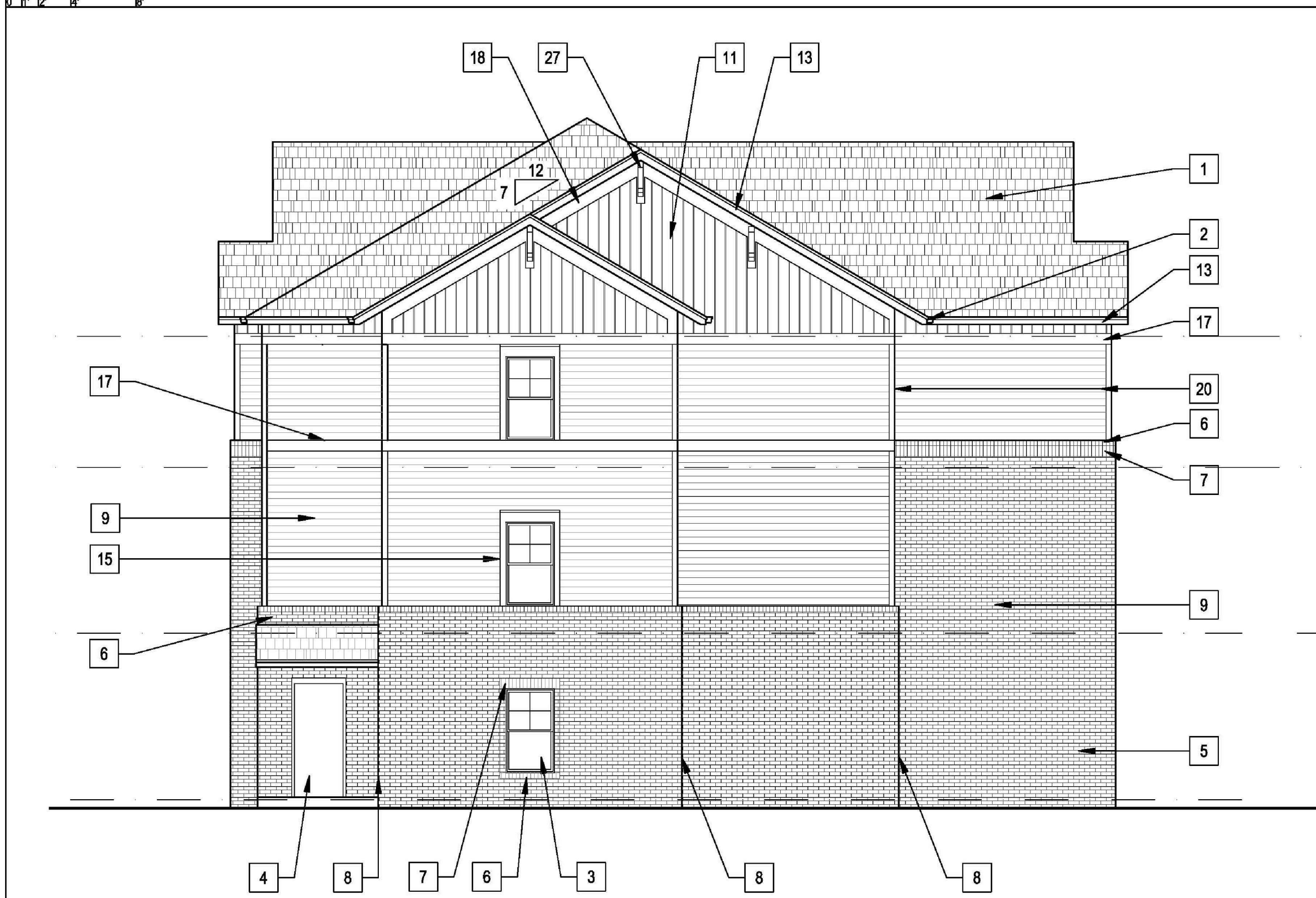
REVISIONS:

DATE: 10-18-2018
DESIGNED BY: GNW
DRAWN BY: CAG
CHECKED BY: GNW
SCALE: N.T.S.
PROJECT #:
SHEET #:
RZ-3.0

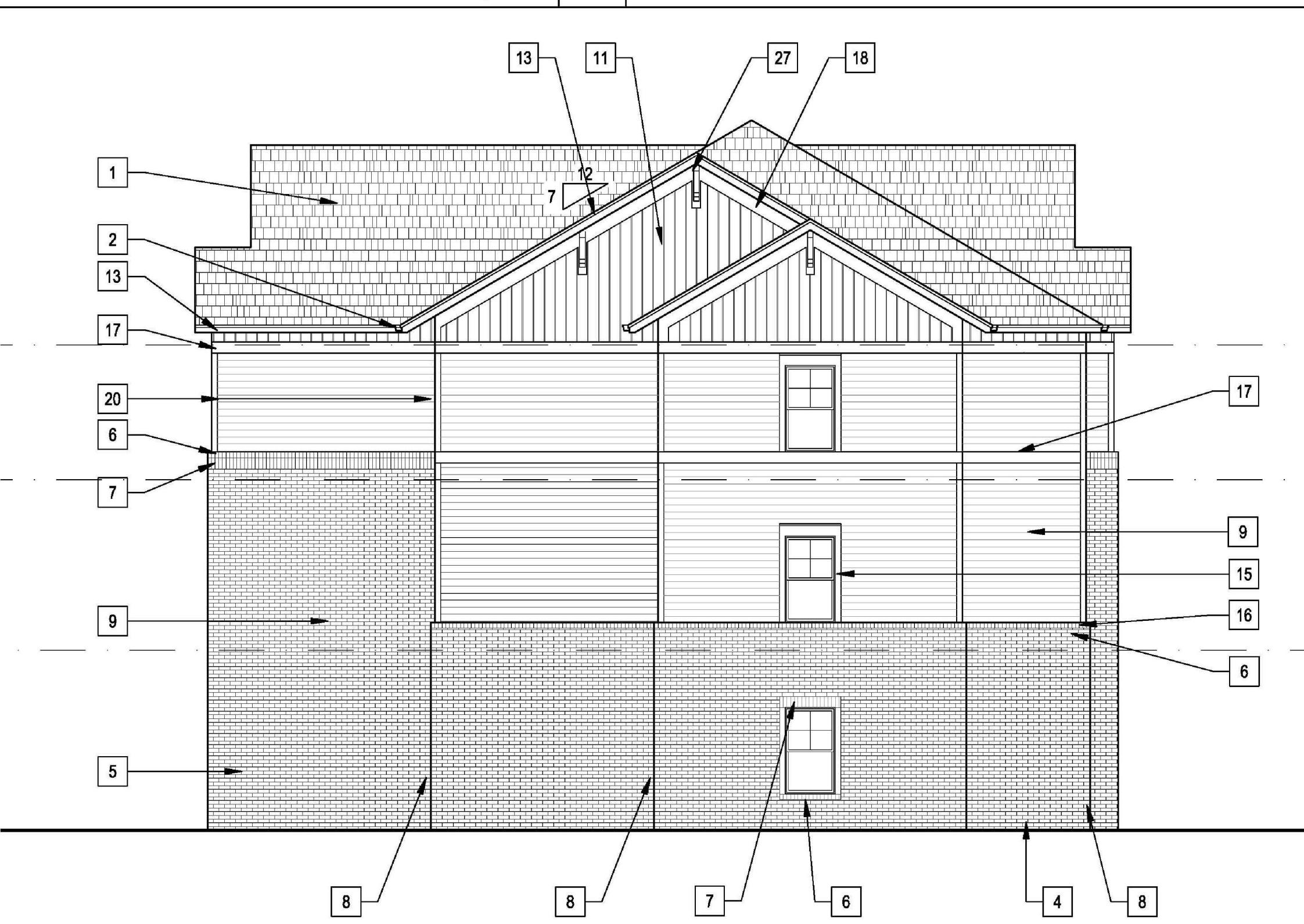
Wirth & Associates
ARCHITECTS AND LAND PLANNERS
1230 W. Morehead St., Suite 212
Charlotte, NC 28208
Phone: 704.375.3844
Fax: 704.375.3844
Email: gnr@wirthassociates.com



ELEVATION THRU BREEZEWAY 3
SCALE: 3/16"=1'-0"



LEFT ELEVATION 2
SCALE: 3/16"=1'-0"



RIGHT ELEVATION 1
SCALE: 3/16"=1'-0"

ELEVATION KEYNOTES

- | | |
|---|--|
| 1 FIBERGLASS-REINFORCED ARCHITECTURAL, ANTI-FUNGAL, ASPHALT SHINGLES, 30-YEAR WARRANTY, CLASS B | 16 2x4 PVC COATED ALUMINUM COIL WRAPPED WOOD TRIM |
| 2 PREFIN SEAMLESS ALUM INUM GUTTER OR DOWNSPOUT, TYPICAL - REFER TO ROOF PLAN FOR LOCATIONS | 17 2x6 PVC COATED ALUMINUM COIL WRAPPED WOOD TRIM |
| 3 SOLID VINYL SINGLE HUNG WINDOW(S) WITH LOW-E GLAZING: U-VALUE = 0.35 MAX, SHGC = 0.30 MAX | 18 2x10 PVC COATED ALUMINUM COIL WRAPPED WOOD TRIM |
| 4 SCHEDULED DOORFRAME TYPE - SEE A8.1 | 19 NOT USED |
| 5 FACE BRICK VENEER, RUNNING BOND PATTERN | 20 VINYL CORNER TRIM |
| 6 FACE BRICK VENEER ROWLOCK SILL, SLOPE TO DRAIN | 21 1 1/2" 24" VINYL LOUVER WITH INSECT SCREEN |
| 7 FACE BRICK VENEER SOLDIER COURSE | 22 PVC GUARDRAIL |
| 8 MASONRY CONTROL JOINT (C.J.) C/J'S TO ALSO BE PROVIDED AT ALL INSIDE CORNERS, TYPICAL | 23 PVC HANDRAIL |
| 9 VINYL LAP SIDING, 6" EXPOSURE | 24 VINYL COLUMN ENCLOSURE |
| 10 NOT USED | 25 NOT USED |
| 11 VINYL BOARD AND BATTEN VERTICAL SIDING | 26 NOT USED |
| 12 NOT USED | 27 PVC BRACKET |
| 13 1x6 PVC COATED ALUMINUM COIL WRAPPED WOOD FASCIA | 28 EXTERIOR LIGHT FIXTURE - SEE ELECTRICAL |
| 14 NOT USED | 29 STAIR IN FOREGROUND |
| 15 VINYL WINDOWDOOR TRIM | |

ELEVATION KEYNOTES

- | | |
|--|---|
| 16 2x4 PVC COATED ALUMINUM COIL WRAPPED WOOD TRIM | 17 2x6 PVC COATED ALUMINUM COIL WRAPPED WOOD TRIM |
| 18 2x10 PVC COATED ALUMINUM COIL WRAPPED WOOD TRIM | 19 NOT USED |
| 20 VINYL CORNER TRIM | 21 1 1/2" 24" VINYL LOUVER WITH INSECT SCREEN |
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| 26 NOT USED | 27 PVC BRACKET |
| 28 EXTERIOR LIGHT FIXTURE - SEE ELECTRICAL | 29 STAIR IN FOREGROUND |

These drawings have been commissioned for this construction project and remain the property of Tise-Kiester Architects. No reproduction or use is allowed without first obtaining the Architect's written consent.

Lakewood Apartments

Charlotte, NC

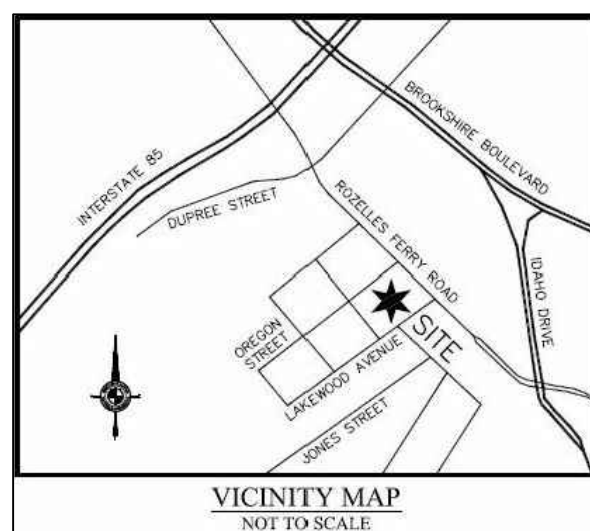
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Date: 06.08.2017
Revisions:



Exterior Elevations

Sheet

A3.2

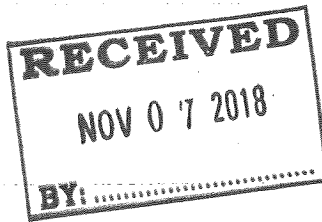


Wirth & Associates
ARCHITECTS AND PLANNERS
1230 W. Morehead St., Suite 212
Charlotte, NC 28208
Phone: 704.375.3844
Email: gwin@wirthassociates.com

LAKEWOOD APARTMENTS
LAKEWOOD AVENUE
CHARLOTTE, NORTH CAROLINA
ELEVATIONS

REVISIONS:
DATE: 10-18-2018
DESIGNED BY: GNV
DRAWN BY: CKG
CHECKED BY: GNV
SCALE: 1/8"=1'-0"
PROJECT #:
SHEET #:
RZ-3.1

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2018-138
Date Filed: 11/7/2018
Received By: RF

Complete All Fields (Use additional pages if needed)

Property Owner: Saadah Rental LLC
Owner's Address: 3558 Wilkinson Blvd City, State, Zip: Charlotte, NC 28205
Date Property Acquired: 07-26-2012
Property Address: 3558 Wilkinson Blvd Charlotte NC 28205
Tax Parcel Number(s): 06102610
Current Land Use: Auto Sales Size (Acres): 1.1
Existing Zoning: B2 & R8 Proposed Zoning: B2 ~~R8~~ (CD)
Overlay: NONE Tree Survey Provided: Yes: N/A:
Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham + Alberto Gonzalez
Date of meeting: 9-24-18

(*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: develop site for Auto Repair Shop

Zack Saadeh

Name of Rezoning Agent

3558 Wilkinson Blvd

Agent's Address

Charlotte, NC 28205

City, State, Zip

(704) 905-1980 (704) 398-8827

Telephone Number

Fax Number

ZackSaadeh@yahoo.co

E-Mail Address

Zi Saadeh

Signature of Property Owner

Zack Saadeh

(Name Typed / Printed)

Wilkinson Auto

Name of Petitioner(s)

3558 Wilkinson Blvd

Address of Petitioner(s)

Charlotte, NC 28205

City, State, Zip

704 905-1980

Telephone Number

(704) 398-8827

Fax Number

ZackSaadeh@yahoo.co

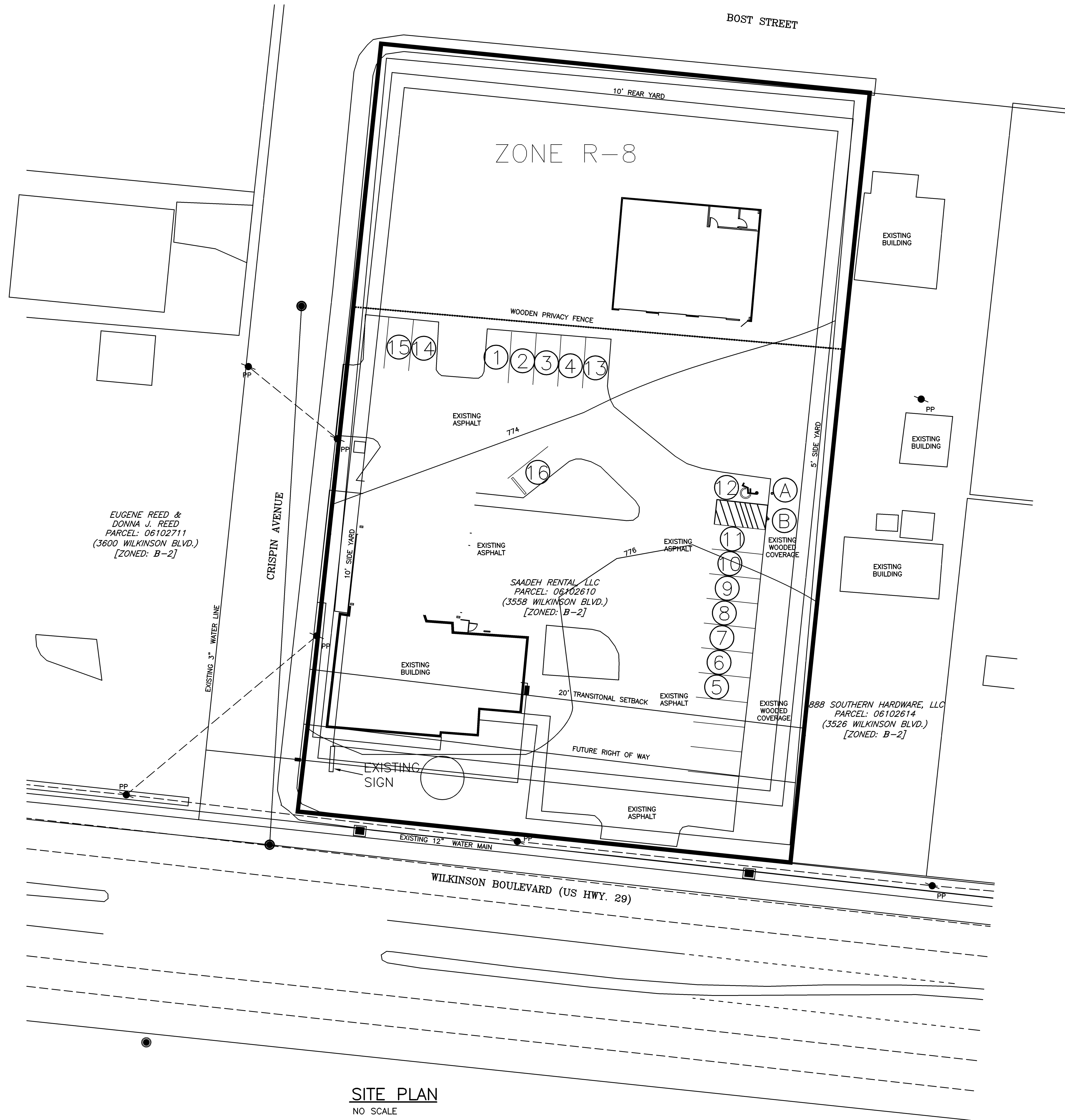
E-Mail Address

Zi Saadeh

Signature of Petitioner

Zack Saadeh

(Name Typed / Printed)



SITE PLAN
NO SCALE

BENSON DESIGN GROUP

TURNKEY DESIGN-COMMERCIAL
RETAIL, RESIDENTIAL & INDUSTRIAL
CHARLOTTE, N.C.
T: 704.578.8688

M S W

MARK S. WARREN
P.O. BOX 77152
CHARLOTTE, NC 28271
704-844-0134
704-844-0135 (FAX)
704-560-9013 (CELL)
CROCKFORD123@WINDSTREAM.NET

WILKINSON BLVD AUTO
3558 WILKINSON BLVD
Charlotte, North Carolina 28208
NEW CONSTRUCTION

DRAWING ISSUED FOR:

FOR ZONING

REVISIONS:

9/21/17
10/23/17

FILE NAME:

DATE: SEPT 29, 2017

PROJECT NUMBER:

SHEET TITLE: **SITE WORK**

SHEET:

C-1

RECEIVED
NOV 09 2018
BY:

Petition #: 2018-139
Date Filed: 11/9/2018
Received By: B

Property Owner: DavidLand LLC

Owner's Address: 6707-C Fairview Road City, State, Zip: Charlotte, NC 28210

Property Address: 2.4 Acres +/- Statesville Road

Tax Parcel Number(s): 025-071-07

Current Land Use: Vacant Land Size (Acres): 2.44

Existing Zoning: BD (CD) Proposed Zoning: 1-1

Overlay: N/A Tree Survey Provided: Yes:____ N/A: X

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham & Alberto Gonzalez

Date of meeting: 10/16/18

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: _____

DavidLand LLC
Name of Petitioner(s)

6707-C Fairview Road
Address of Petitioner(s)

Charlotte, NC 28210
City, State, Zip

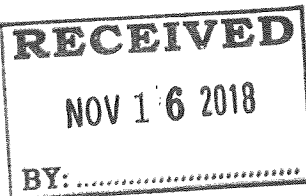
704.362.0400	704.362.2279
Telephone Number	Fax Number

lorin@mdavidproperties.com
E-Mail Address

Signature of Petitioner

Lorin S. Stiefel
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-140
Petition #: _____
Date Filed: 11/16/2018
Received By: [Signature]

Property Owners: Richard M Young and Patricia Jo Harlan
Owner's Addresses: 3004 Bannock Ln, Greensboro, NC 27410
Date Properties Acquired: 01/11/2012
Property Addresses: 1530 Ridge Road, Charlotte, NC 28262
Tax Parcel Numbers: 029-581-10
Current Land Use: residential (Acres): ± 11.87
Existing Zoning: R-3 Proposed Zoning: R-8MF(CD)
Overlay: N/A
(Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Alberto Gonzalez, Joshua Weaver, Grant Meacci, Rick Groehoski, and Charlotte

Date of meeting: 10/16/2018

(*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 redevelopment of the Site with a multi-family community.

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)

704-331-2371 (DK) 704-339-5888 (DK)

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

Telephone Number

Fax Number

bridgetgrant@mvalaw.com;

dujuanakeys@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENT A

Signature of Property Owner

Profile Management, LLC (Attn: Tom Small)

Name of Petitioner

601-B Eagleton Downs Drive

Address of Petitioner

Pineville, NC 28134

City, State, Zip

312.898.4382

Telephone Number

Fax Number

Tom.small@landventurellc.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

Profile Management, LLC

OWNER JOINDER AGREEMENT

Richard M Young
Patricia Jo Harlan

The undersigned, as the owner of the parcel of land located at 1530 Ridge Road that is designated as Tax Parcel No. 029-581-10 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-3 zoning district to the R-8MF(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 ____ day of _____, 2018.

DocuSigned by: <u>Richard M. Young</u> Richard M Young CA4DED2D29DE486...	DocuSigned by: <u>Patricia Jo Harlan</u> Patricia Jo Harlan E4765A5B90C54A4	11/13/2018
--	--	------------

Patricia Jo Harlan 11/15/18
Patricia Jo Harlan

[Signature] 11/15/18

ATTACHMENT B

**REZONING PETITION NO. 2018-
Profile Management, LLC**

Petitioner:

Profile Management, LLC

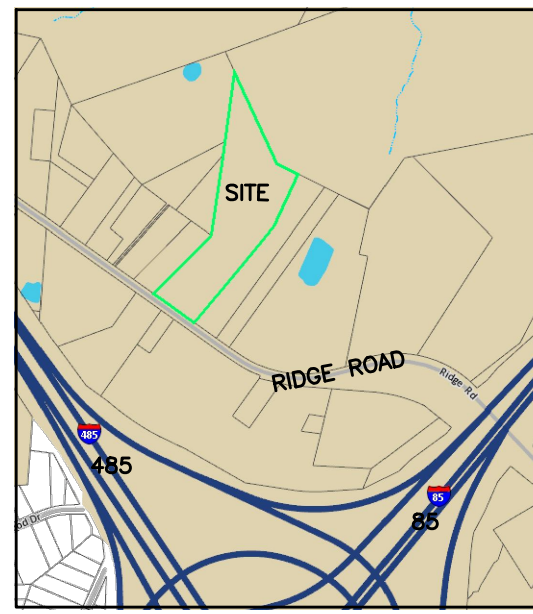
By:

Name:

Title:

Bruno A. Pasquelli

President



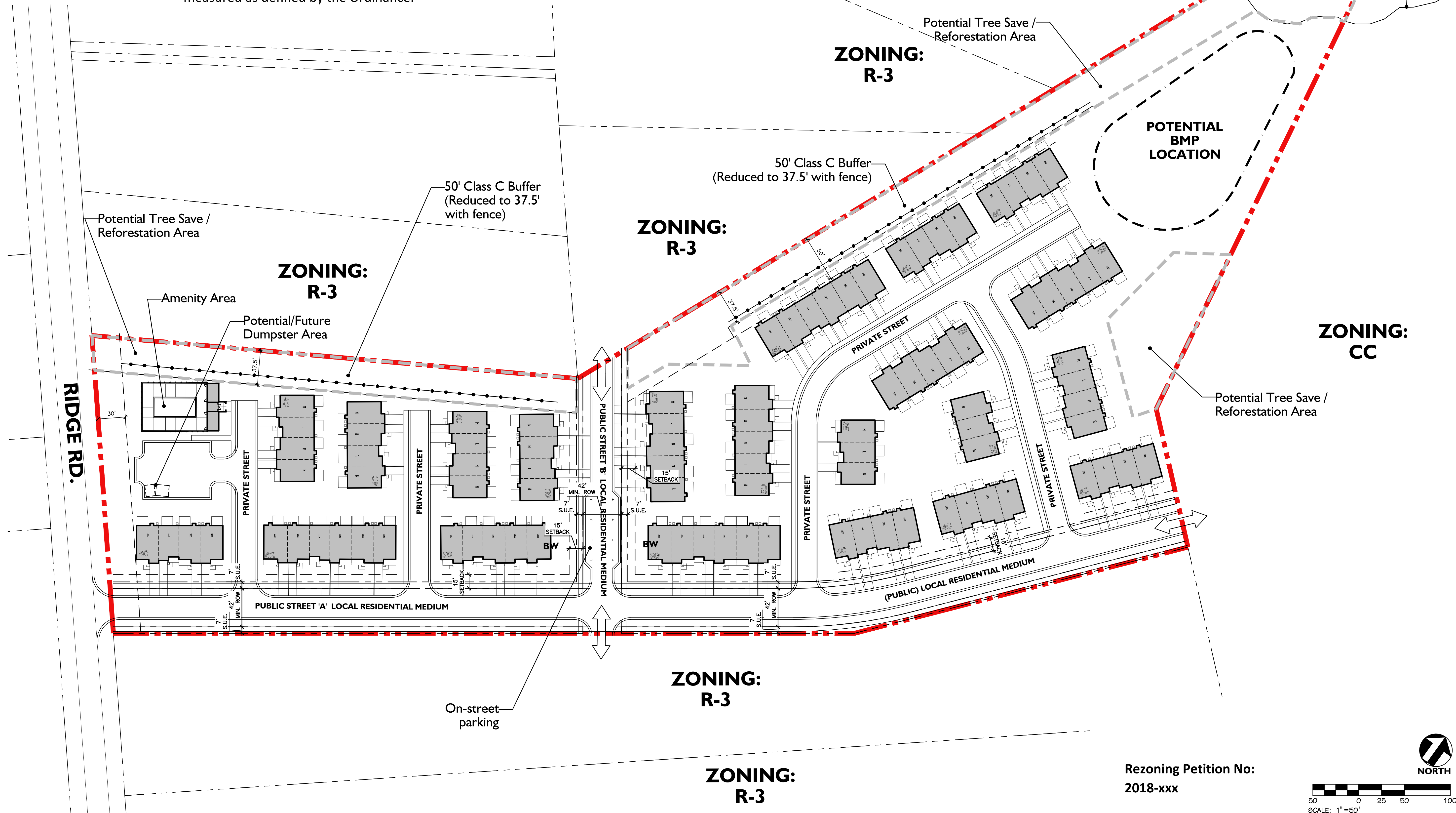
VICINITY MAP
NTS

Site Development Data:

- Acreage: ± 11.87
- Tax Parcel #: 029-581-10
- Existing Zoning: R-3
- Proposed Zoning: R-8MF(CD)
- Existing Uses: Residential
- Proposed Uses: Up to 93 multi-family residential dwelling units together with accessory uses, as allowed in the R-8MF zoning district.
- Maximum Building Height: Not to exceed three (3) stories or 48 feet; building height will be measured as defined by the Ordinance.

LEGEND:

- BUFFER
- BUFFER FENCE
- SIDEYARD/REARYARD
- POSSIBLE TREE SAVE



Ridge Road Development

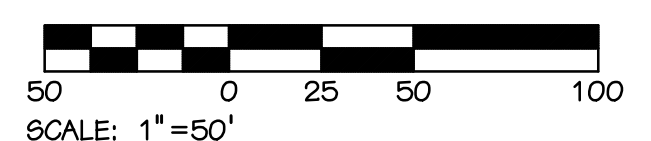
Charlotte, North Carolina

Project no: 17.000268
Date: 11.16.18
Revisions:

Sheet Title:
Rezoning Plan
2018-xxx

Sheet No:
RZ-1

Rezoning Petition No:
2018-xxx



Profile Homes LLC
Development Standards
11/15/18
Rezoning Petition No. 2018-

Site Development Data:

- Acreage: ±11.87
--Tax Parcel #: 029-581-10
--Existing Zoning: R-3
--Proposed Zoning: R-8MF(CD)
--Existing Uses: Residential
--Proposed Uses: Up to 93 multi-family residential dwelling units together with accessory uses, as allowed in the R-8MF zoning district.
--Maximum Building Height: Not to exceed three (3) stories or 48 feet; building height will be measured as defined 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 Profile Homes LLC. (“Petitioner”) to accommodate the development of a residential community on approximately 11.87 acre site generally located at 1530 Ridge Road (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 in existence as of the date of approval of the Rezoning (the “Ordinance”). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the R-8MF 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 residential buildings to be developed on the Site shall not exceed twenty-four (24). 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 93 multi-family residential dwelling units together with accessory uses allowed in the R-8MF zoning district as generally depicted on the Rezoning Plan.

3. Access, and Transportation Improvements:

- a. Access to the Site will be from Ridge Road as generally depicted on the Rezoning Plan.
- b. The Petitioner will as part of the development of the Site shall construct two (2) new public streets on the Site as generally depicted on the Rezoning Plan (Public Street A and Public Street B). The proposed public streets will be designed to meet local residential medium street cross-section. Parallel and angled on-street parking shall be permitted along the new public streets. In the event on-street parking is provided, the location of the required sidewalk may be adjusted. The final location to be determined during the land development process.
- c. Along Public Street A and Public Street B an eight (8) foot planting strip and a five (5) foot sidewalk will be provided as generally depicted on the Rezoning Plan.
- d. The Petitioner shall provide a six (6) foot sidewalk with curb and gutter as required along Ridge Road.
- e. All transportation improvements on Ridge Road 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 roadway improvements not completed at the time a certificate of occupancy is requested. On-site improvements shall be provided as required by the Subdivision Ordinance.
- f. 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 in accordance with applicable published standards.

- g. 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.

- h. All on-site right-of-way dedication will be completed as required by the Subdivision Ordinance. 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.

4. Streetscape, Buffers, Yards, Open Space and Landscaping:

- a. A 15 foot building setback as measured from the right-of-way on Public Street A and Public Street B will be allowed as provided for in Section 9.303.(19)(f) of the Ordinance. Garages must be located twenty (20) feet from the back of sidewalk.
- b. A 30 foot setback will be provided as measured from the future right-of-way of Ridge Road will be provided as generally depicted on the Rezoning Plan.
- c. 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 generally depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.

- d. A Class C Buffer as required by the Ordinance will be provided as generally depicted on the Rezoning Plan. The proposed buffers may be reduced in width as allowed by the Ordinance. If the zoning or land use on the adjoining properties changes to a use or zoning district that no longer requires a buffer then the buffers indicated may be eliminated.

5. General Design Guidelines:

- 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 at grade.

- 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.

- e. The entrances (front door entrances) for the proposed townhomes located within 15 feet of a sidewalk will be raised 24 inches above the average grade of the sidewalk.

- f. Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12.

- g. Porches shall form a predominate motif of the building design. Each unit will be constructed with a front porch with a minimum depth of six (6) feet as generally indicated on the Rezoning Plan.

- h. On the interior of the Site end units that abut the internal private streets will have multiple windows on the end facades to avoid a blank street wall. These units are indicated on the Rezoning Plan with the symbol BW.

- i. Garage doors visible from the public or private streets will be recessed at least one (1) foot behind the front most building face, to minimize the visual impact of the garage doors on the public and private streets.

- j. When vinyl siding is used as a building material, on the proposed buildings, the minimum thickness of the proposed vinyl will be .042 inches.

6. Environmental Features:

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

- b. The Site will comply with the Tree Ordinance.

7. 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 21 feet in height.

8. Amendments to the Rezoning Plan:

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

9. Binding Effect of the Rezoning Application:

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



Seals:

Corp. NC license: F-1320

Ridge Road Development
Charlotte, North Carolina

Project no: 17.000268
Date: 11.16.18
Revisions:

Sheet Title:

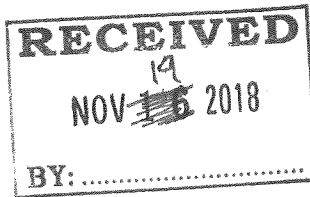
Rezoning Plan

2018-xxx

Sheet No:

RZ-2

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-141

Petition #:	_____
Date Filed:	11/19/2018
Received By:	<i>[Signature]</i>

Complete All Fields (Use additional pages if needed)

Property Owner: Margaret Terasa Long

Owner's Address: 435 South Tryon St. Unit 503 City, State, Zip: Charlotte, NC 28202

Date Property Acquired: 11/17/2006

Property Address: 10133 Harrisburg Road Charlotte, NC 28215

Tax Parcel Number(s): 11106106

Current Land Use: Agriculture Size (Acres): 17.9+/- Acres

Existing Zoning: R-3 Proposed Zoning: R-4

Overlay: N/A Tree Survey Provided: Yes: N/A: X

Required Rezoning Pre-Application Meeting* with: Sonda Kennedy, Mandy Rosen, Jennifer Frixen, etc...

Date of meeting: 11/8/18

(*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: _____

American Engineering - Sara Shirley
Name of Rezoning Agent

8008 Corporate Center Drive, Suite 110
Agent's Address

Charlotte, NC 28226
City, State, Zip

704-749-1021 704-332-9361
Telephone Number Fax Number

sshirley@american-ea.com
E-Mail Address

Margaret Terasa Long
Signature of Property Owner

Margaret Terasa Long
(Name Typed / Printed)

Broadstreet Homes - Michael Iagnemma
Name of Petitioner(s)

1312 Camp Creek Road
Address of Petitioner(s)

Lancaster, SC 29720
City, State, Zip

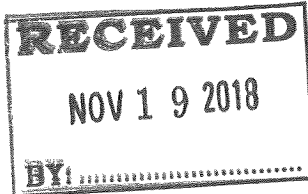
855-552-7623 704-243-9516
Telephone Number Fax Number

michael@broadstreethomes.com
E-Mail Address

Michael Iagnemma
Signature of Petitioner

Michael Iagnemma
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-142

Petition #: _____
Date Filed: 11/19/2018
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Clementi at Park Road LLC; Craig & Jessica Jones; William & Elizabeth Roberts; Maria & Nicholas Pirro; Anna D. Wood; David McAllister; Anna Davis Wood LLC; Salvatore Benedetto; Jonathan & Dina Massachi

Owner's Address: 6300, 6306, 6320, 6336, 6366, 6370, 6408, and 6430 Providence Rd
City, State, Zip: Charlotte, NC 28226

Date Property Acquired: 2/27/2008, 4/18/2013, 7/31/1991, 8/17/2015, 5/1/2017, 12/11/1986, 3/29/2004, 2/11/1980, 3/30/2012

Property Address: 6300, 6306, 6320, 6336, 6366, 6370, unnumbered, 6408, and 6430 Providence Road

Tax Parcel Number(s): 21101102, 21101106, 21101111, 21101108, 21101109, 21101110, 21101105, 21101101, 21101107

Current Land Use: Single-family residential Size (Acres): +/- 20.5

Existing Zoning: R-3 Proposed Zoning: R-8MF(CD) & INST(CD)

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

Required Rezoning Pre-Application Meeting* with: John Kinley, Kent Main, Jason Prescott, Isaiah Washington
Date of meeting: 6/26/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: to accommodate the development of residential development with a mix of housing options, to potentially include a senior housing component

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

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

Charlotte, NC 28202
City, State, Zip

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

Collin.Brown@klgates.com
E-Mail Address

See Attached Joinder Agreement
Signature of Property Owner

See Attached Joinder Agreement
(Name Typed / Printed)

Proffitt Dixon Partners
Name of Petitioner(s)

1355 Greenwood Cliff, Suite 150
Address of Petitioner(s)

Charlotte, NC 28204
City, State, Zip

704-817-9126
Telephone Number Fax Number

matt@everlanedevlopment.com
E-Mail Address

Stuart Proffitt
Signature of Petitioner

Stuart Proffitt
(Name Typed / Printed)

REZONING PETITION NO. 2018-xxx

PROFFITT DIXON PARTNERS, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 6300 Providence Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 211-011-02 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

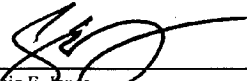
This 20 day of September, 2018

by 
CLEMENTI AT PARK ROAD, LLC

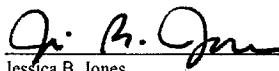
REZONING PETITION NO. 2018-xxx
PROFFITT DIXON PARTNERS, PETITIONER
JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 6306 Providence Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 211-011-06 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 21st day of September, 2018



Craig E. Jones




Jessica B. Jones

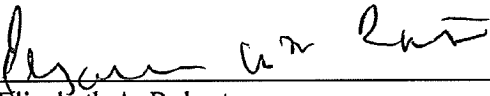
REZONING PETITION NO. 2018-xxx
PROFFITT DIXON PARTNERS, PETITIONER
JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 6320 Providence Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 211-011-11 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 24th day of September, 2018



William H. Roberts



Elizabeth A. Roberts

REZONING PETITION NO. 2018-xxx
PROFFITT DIXON PARTNERS, PETITIONER
JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 6336 Providence Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 211-011-08 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 20 day of September, 2018



Maria B. Pirro



Nicholas J. Pirro

REZONING PETITION NO. 2018-xxx

PROFFITT DIXON PARTNERS, PETITIONER


JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 6366 Providence Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 211-011-09 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 20th day of September, 2018



Anna D. Wood



Anna D. Wood Revocable Trust

REZONING PETITION NO. 2018-xxx
PROFFITT DIXON PARTNERS, PETITIONER
JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 6370 Providence Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 211-011-10 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 20 day of Sept, 2018


David W. McAllister

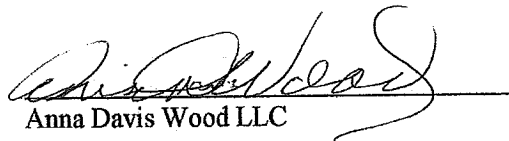
REZONING PETITION NO. 2018-xxx

PROFFITT DIXON PARTNERS, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at an unnumbered parcel on Providence Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 211-011-05 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This th 30 day of September 2018


Anna Davis Wood LLC

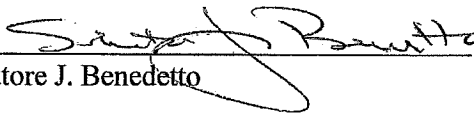
REZONING PETITION NO. 2018-xxx

PROFFITT DIXON PARTNERS, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 6408 Providence Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 211-011-01 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 21 day of SEPT, 2018



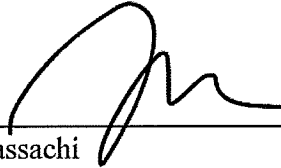
Salvatore J. Benedetto

REZONING PETITION NO. 2018-xxx
PROFFITT DIXON PARTNERS, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 6430 Providence Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 211-011-07 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 21st day of September, 2018



Jonathan Massachi



Dina Massachi



KEY MAP

SEAL

PETITION
NO. 2018-000

PROJECT

08 PROVIDENCE
ROAD

PROFFITT DIXON PARTNERS
6408 PROVIDENCE ROAD
CHARLOTTE, NC 28226

LANDDESIGN PROJ.# 1018227

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY: ----
DRAWN BY: ----
CHECKED BY: ----

SCALE

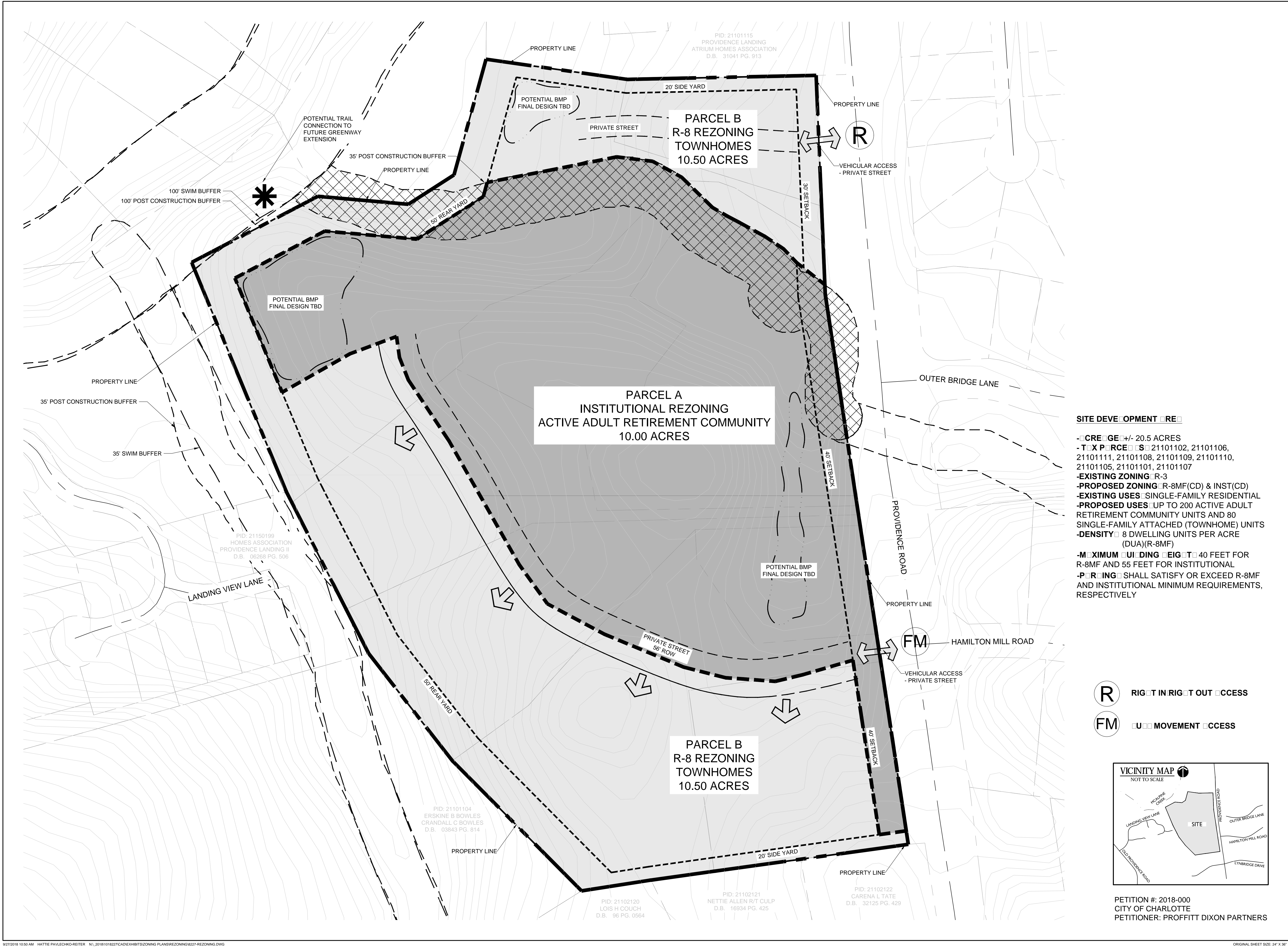
VERT: ----
HORZ: 1"=60'

SHEET TITLE

TECHNICAL DATA SHEET

SHEET NUMBER

RZ-1



PROFFITT DIXON PARTNERS
REZONING PETITION NO. 2018-XXX
DEVELOPMENT STANDARDS

20 2018

DEVELOPMENT DETAILS

SITE AREA: +/- 20.5 ACRES
TAX PARCELS: 21101102, 21101106, 21101111, 21101108, 21101109, 21101110, 21101105, 21101101, 21101107
EXISTING ZONING: R-3
PROPOSED ZONING: R-8MF(CD) & INST(CD)
EXISTING USE: SINGLE-FAMILY RESIDENTIAL
PROPOSED USES:
DENSITY: 8 DWELLING UNITS PER ACRE (DUA)
MAXIMUM BUILDING HEIGHT: 40 FEET FOR R-8MF AND 55 FEET FOR INST
PARKING: SHALL SATISFY OR EXCEED R-8MF AND INST MINIMUM REQUIREMENTS, RESPECTIVELY

I. GENERAL PROVISIONS

- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY PROFFITT DIXON PARTNERS (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL DEVELOPMENT WITH A MIX OF HOUSING OPTIONS, INCLUDING AN ACTIVE ADULT RETIREMENT COMMUNITY AND TOWNHOME UNITS ON THAT APPROXIMATELY 20.5-ACRE SITE LOCATED ON THE WEST SIDE OF PROVIDENCE ROAD, BETWEEN SUMMERTREE LANE AND LYNBRIDGE DRIVE, MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBERS 211-011-02, 211-011-06, 211-011-11, 211-011-08, 211-011-09, 211-011-10, 211-011-05, 211-011-01, AND 211-011-07.
- DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").
- UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE R-8MF AND INST ZONING DISTRICTS SHALL GOVERN THE DEVELOPMENT AND USE OF THE RELEVANT PORTIONS OF THE SITE.
- THE DEVELOPMENT AND STREET LAYOUT DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD, LANDSCAPING AND TREE SAVE REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS.
- FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER(S) OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. MINOR ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

II. PERMITTED USES

THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 200 ACTIVE ADULT RETIREMENT COMMUNITY UNITS AND 80 SINGLE-FAMILY TOWNHOME UNITS, AND ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE INST AND R-8MF ZONING DISTRICTS, RESPECTIVELY.

III. TRANSPORTATION

- VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS SHOWN ON THE REZONING PLAN ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL.
- AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PRIVATE DRIVES, AND ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PRIVATE DRIVES SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
- PETITIONER SHALL DEDICATE ALL RIGHTS-OF-WAY IN FEE SIMPLE CONVEYANCE TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED OR PHASED PER THE SITE'S DEVELOPMENT PLAN.

- PETITIONER SHALL SUBSTANTIALLY COMPLETE ALL TRANSPORTATION IMPROVEMENTS BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED OR PHASED PER THE SITE'S DEVELOPMENT PLAN.
 - SUBSTANTIAL COMPLETION SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE STANDARDS SET FORTH HEREIN PROVIDED, HOWEVER, IN THE EVENT CERTAIN NON-ESSENTIAL ROADWAY IMPROVEMENTS (AS REASONABLY DETERMINED BY CDOT) ARE NOT COMPLETED AT THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE IN CONNECTION WITH RELATED DEVELOPMENT PHASING DESCRIBED ABOVE, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS, AND IN SUCH EVENT THE PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH A CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.

IV. ARCHITECTURAL STANDARDS

1. GENERAL DESIGN GUIDELINES:

- THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS WILL BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, METAL, STONE, SIMULATED STONE, PRE-CAST STONE, ARCHITECTURAL PRECAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTATIOUS SIDING (SUCH AS HARDI-PLANK), OR WOOD. VINYL, AS A BUILDING MATERIAL, WILL ONLY BE ALLOWED ON WINDOWS, SOFFITS AND TRIM FEATURES.
- METER BANKS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE FROM PUBLIC OR PRIVATE STREETS AND SHALL BE LOCATED OUTSIDE OF THE SETBACK.
- ROOFTOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM PUBLIC OR PRIVATE STREETS.
- ALL DUMPSTER, LOADING AND SERVICE AREAS SHALL BE SCREENED FROM STREETS, COMMON OPEN SPACES AND ANY ADJACENT RESIDENTIAL USES WITH MATERIALS COMPLIMENTARY TO THE PRINCIPAL STRUCTURE.
- BACKFLOW PREVENTERS AND TRANSFORMERS SHALL BE SCREENED AND LOCATED OUTSIDE THE SETBACK.

2. STANDARDS FOR THE PORTION OF THE SITE TO BE ZONED R-8MF:

- PITCHED ROOFS, IF PROVIDED, MAY BE OF A CONTEMPORARY STYLE WITH ASYMMETRICAL LOW ROOF SLOPES OF NO LESS THAN 4:12, WITH THE EXCEPTION OF FLAT ROOF ACCENTS OR PARAPETS, WHICH MAY BE PROVIDED IN STRATEGIC LOCATIONS.
- USABLE PORCHES OR STOOPS SHALL FORM A PREDOMINANT FEATURE OF THE BUILDING DESIGN AND BE LOCATED ON THE FRONT AND/OR SIDE OF THE BUILDING. STOOPS AND ENTRY-LEVEL PORCHES MAY BE COVERED BUT SHALL NOT BE ENCLOSED.
- FOR ALL CORNER/END UNITS THAT FACE A PUBLIC OR PRIVATE STREET, STOOPS SHALL FACE THE PUBLIC REALM AND CORNER UNITS WILL HAVE ENHANCED SIDE ELEVATIONS WITH A FRONT STOOP.
- GARAGE DOORS WILL BE RECESSED BEHIND A BALCONY OR BUILDING PROJECTION SO THAT A MINIMUM OF TWELVE (12) INCHES OF THE DRIVEWAY WILL BE COVERED BY A BALCONY OR BUILDING PROJECTION TO MITIGATE THE APPEARANCE OF THE GARAGE.
- FOR TOWNHOME UNITS THAT ARE ALLEY-LOADED, IF ANY, WALKWAYS SHALL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC AND PRIVATE STREETS. FOR TOWNHOME UNITS THAT ARE FRONT-LOADED, THE WALKWAYS SHALL LEAD TO THE DRIVEWAY IN ORDER TO ENSURE LANDSCAPING TREATMENT IN BETWEEN DRIVEWAY ENTRANCES.
- ATTACHED DWELLING UNITS SHALL BE LIMITED TO A MAXIMUM OF EIGHT (8) TOWNHOME UNITS PER BUILDING.
- ROOF OVERHANGS, EAVES, CORNICES, CHIMNEYS, GUTTERS, VENTS, BAY WINDOWS, PILASTERS, PILLARS, OPEN PORCHES (IF PROVIDED), AND OTHER ARCHITECTURAL ELEMENTS MAY PROJECT UP TO TWENTY-FOUR (24) INCHES INTO THE REQUIRED SETBACKS.

3. STANDARDS FOR THE PORTION OF THE SITE TO BE ZONED INST (ACTIVE ADULT RETIREMENT COMMUNITY):

- BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:
 - BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FAÇADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF TWO (2) FEET EXTENDING THROUGH AT LEAST A FULL FLOOR.
 - ARCHITECTURAL ELEVATION DESIGN - ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:
 - BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS;
 - BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FACADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS; AND
 - BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20' IN ALL DIRECTIONS AND 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.
 - ROOF FORM AND ARTICULATION - ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:
 - 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.
 - ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST NETWORK REQUIRED PUBLIC OR PRIVATE STREET.
 - WALKWAYS WILL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC AND PRIVATE STREETS.

V. ENVIRONMENTAL FEATURES

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

VI. OPEN SPACE

- THE PETITIONER SHALL COMPLY WITH TREE SAVE REQUIREMENTS IN THE AREAS PROPOSED ON THE REZONING PLAN.
- THE PETITIONER SHALL PROVIDE AMENITIZED OPEN SPACE AREAS, AS GENERALLY DEPICTED ON THE REZONING PLAN.

VII. LIGHTING

- ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AS LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED TWENTY-ONE (21) FEET.
- ANY LIGHTING FIXTURES ATTACHED TO THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

VIII. AMENDMENTS TO REZONING PLAN

FUTURE AMENDMENTS TO THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF A PARTICULAR TRACT WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

IX. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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

THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.



KEY MAP

SEAL

PETITION
NO. 2018-000

PROFFITT DIXON PARTNERS
6408 PROVIDENCE ROAD
CHARLOTTE, NC 28226

LANDDESIGN PROJ.# 1018227

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY: ----
DRAWN BY: ----
CHECKED BY: ----

SCALE NORTH
VERT: ----
HORZ: NTS
(NOT TO SCALE)

SHEET TITLE

DEVELOPMENT STANDARDS
NOTES

SHEET NUMBER

RZ-2



KEY MAP

SEAL

PETITION
NO. 2018-000

PROJECT

08 PROVIDENCE
ROAD

PROFFITT DIXON PARTNERS
6408 PROVIDENCE ROAD
CHARLOTTE, NC 28226

LANDDESIGN PROJ.# 1018227

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY: ----
DRAWN BY: ----
CHECKED BY: ----

SCALE

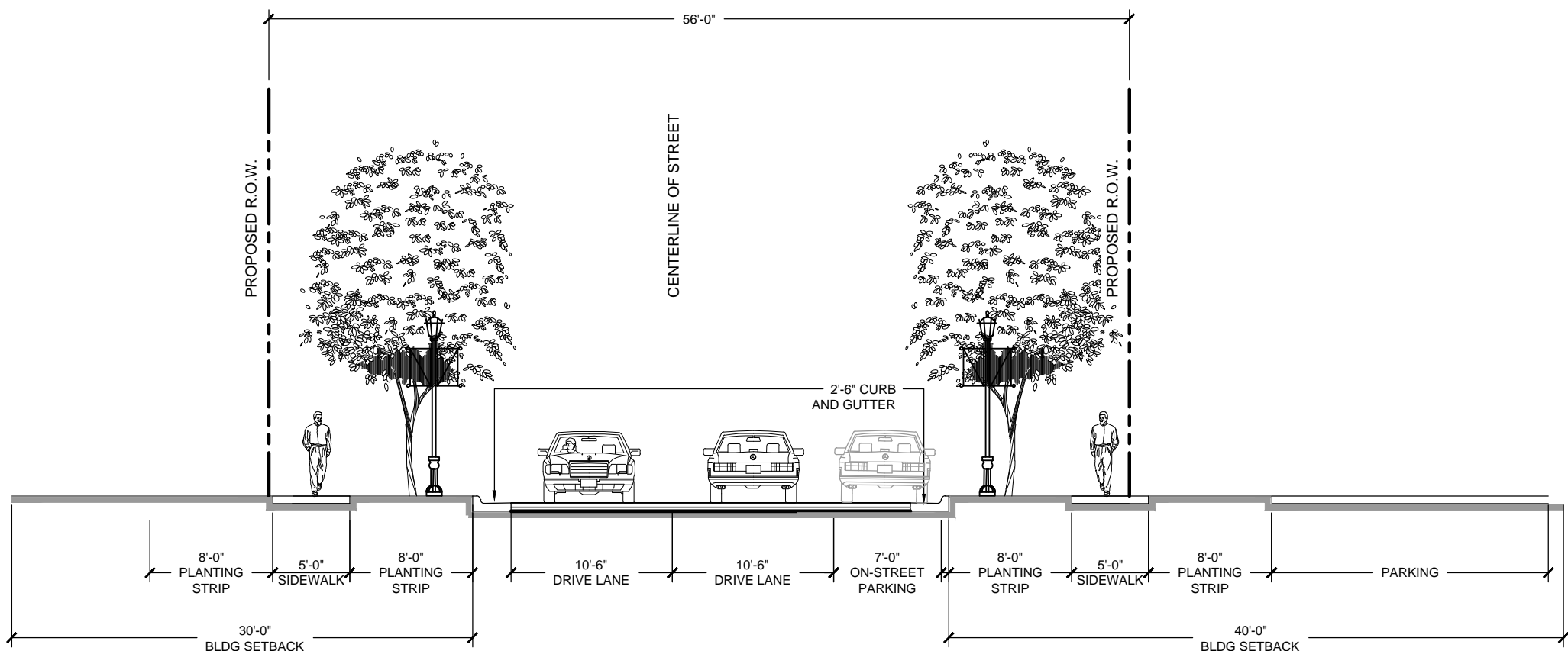
VERT: ----
HORZ: 1"=10'

SHEET TITLE

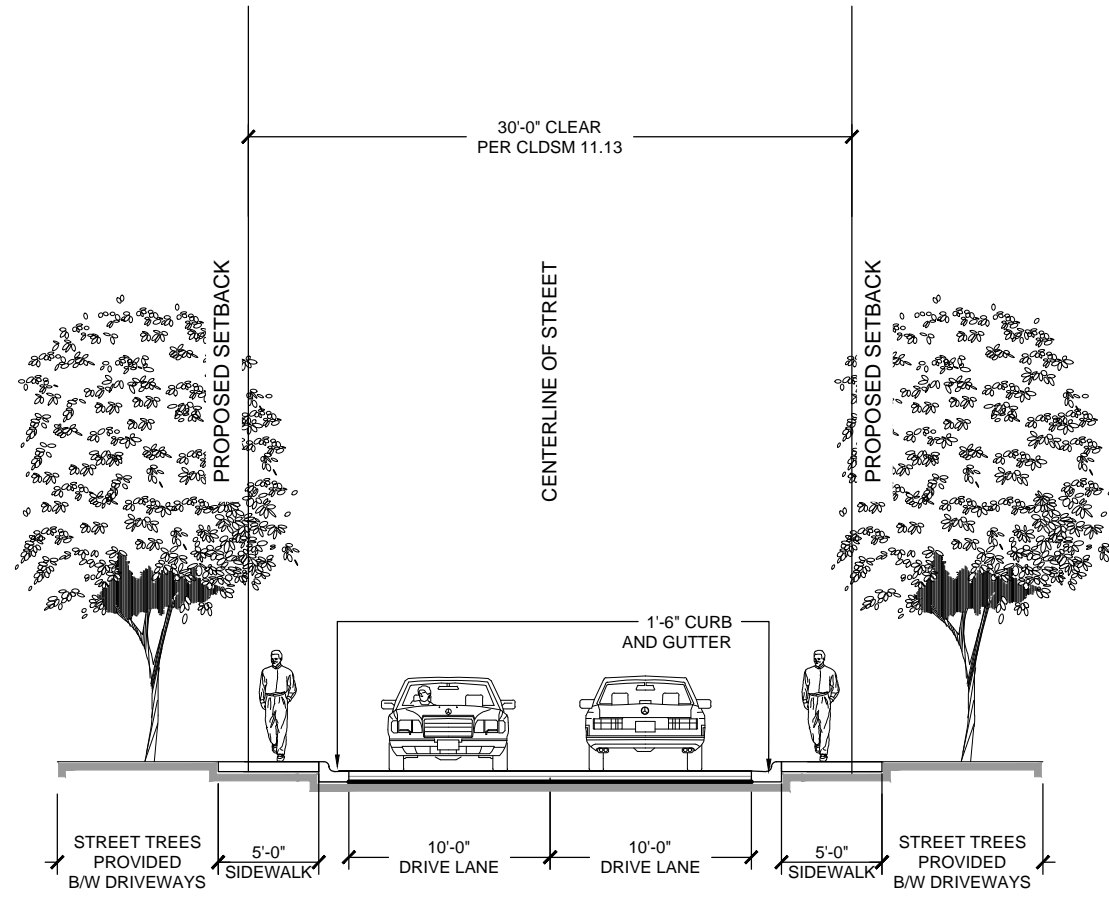
STREET CROSS-SECTIONS

SHEET NUMBER

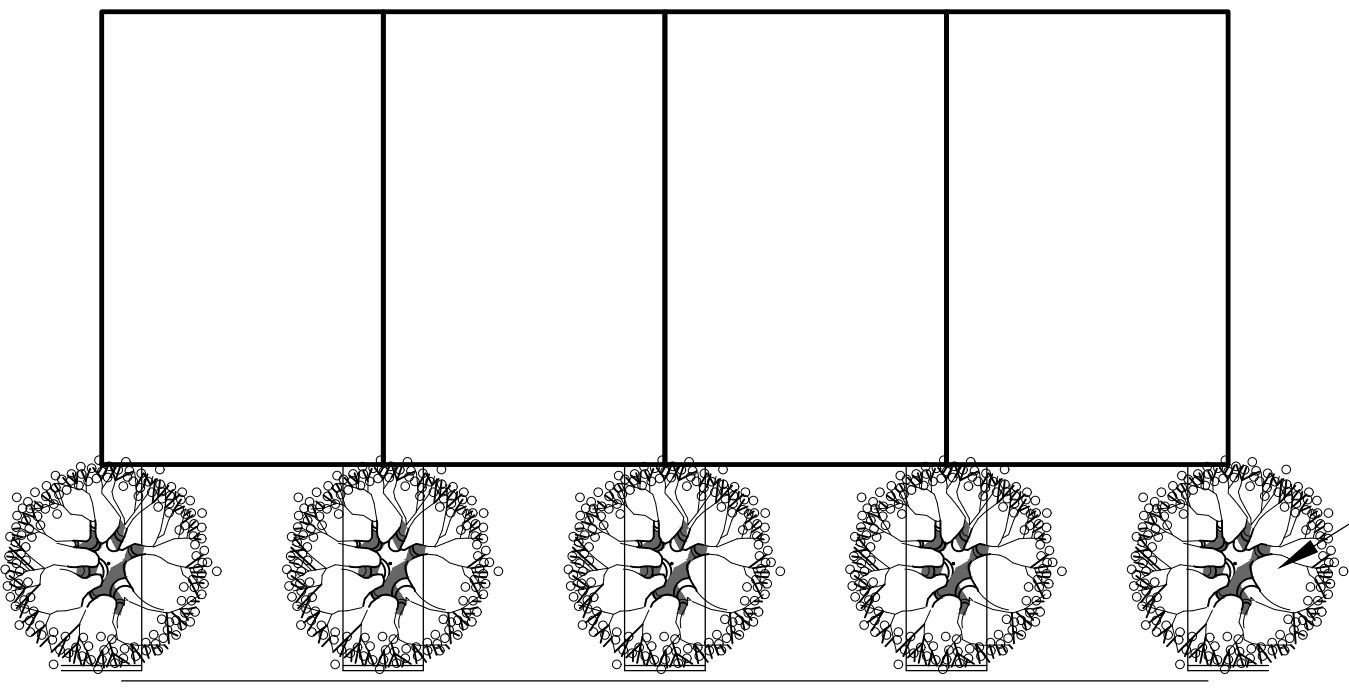
RZ-3



PRIVATE STREET CROSS-SECTION
56' ROW
SECTION A-A
SCALE: 1" = 10'-0"



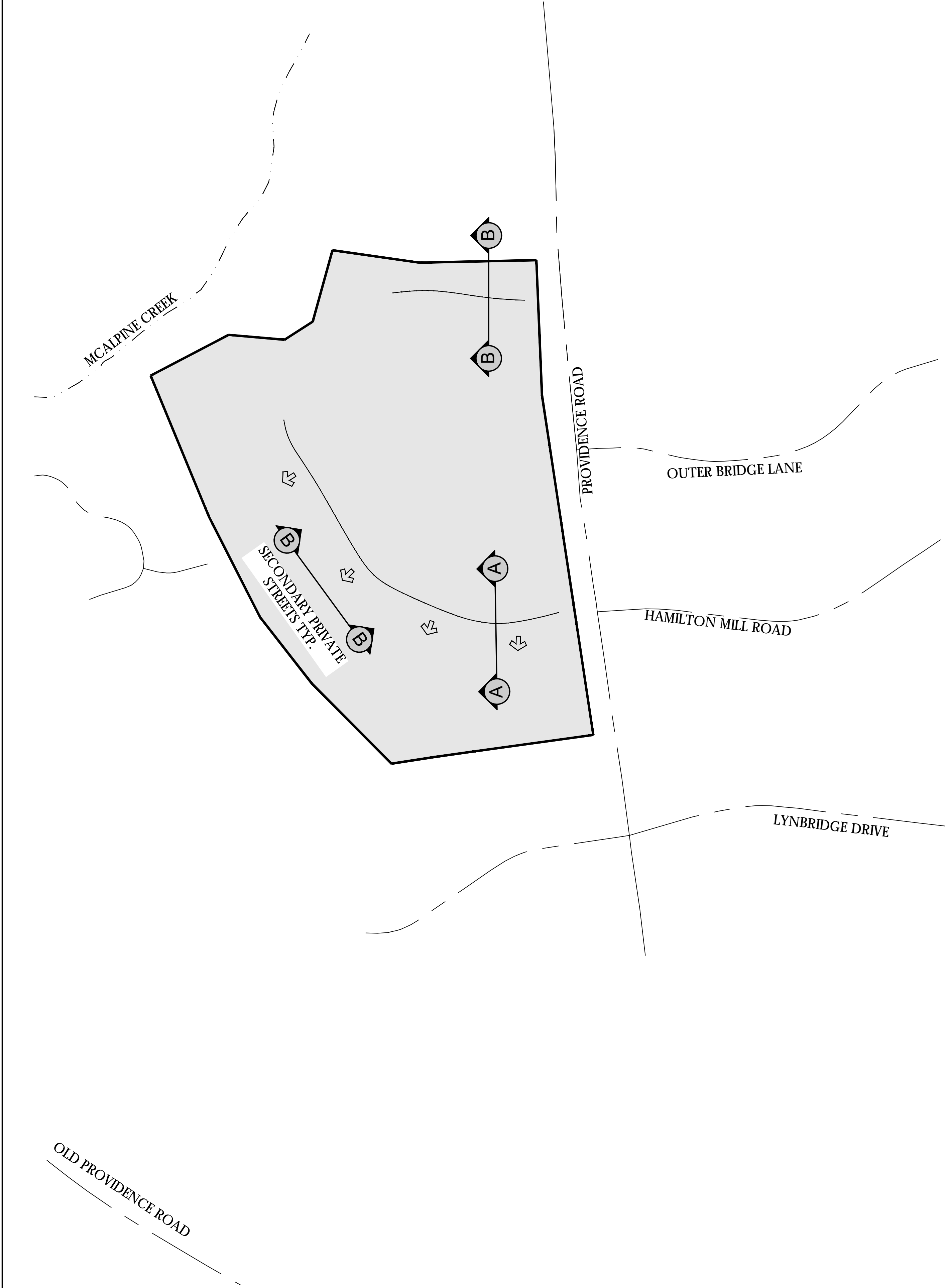
PRIVATE STREET CROSS-SECTION
SECTION B-B
SCALE: 1" = 10'-0"



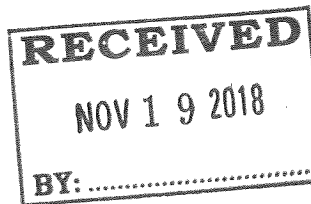
STREET TREES PROVIDED
BETWEEN DRIVEWAYS (TYP.)

PLAN VIEW
NTS

PETITION #: 2018-000
CITY OF CHARLOTTE
PETITIONER: PROFFITT DIXON PARTNERS



**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-143

Petition #:	
Date Filed:	11/19/2018
Received By:	[Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: JSK Investments Company, LLC; Cardinal Property Holdings LLC

Owner's Address: 125 Biscayne Ave; 13400 Broadwell Ct. City, State, Zip: Tampa, FL 33606; Huntersville, NC 28078

Date Property Acquired: 5/23/2013; 4/13/2017

Property Address: 6736 & 6842 N Tryon Street

Tax Parcel Number(s): 049-081-03 and 049-081-08

Current Land Use: Commercial Outdoor Amusement Size (Acres): +/- 8.5 acres

Existing Zoning: B-2; R-3 Proposed Zoning: TOD-MO

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Monica Holmes, Brent Wilkinson, Isaiah Washington, and Jennifer Frixen

Date of meeting: 10/23/18

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: to accommodate a transit-oriented residential community with amenity space

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

Telephone Number

704-353-3231

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)

LIV Development

Name of Petitioner(s)

2204 Lakeshore Drive, Suite 450

Address of Petitioner(s)

Birmingham, AL 35209

City, State, Zip

205-484-2836

Telephone Number

205-484-2837

Fax Number

andrew@livdev.com

E-Mail Address

[Signature]

Signature of Petitioner

Andrew Murray

(Name Typed / Printed)

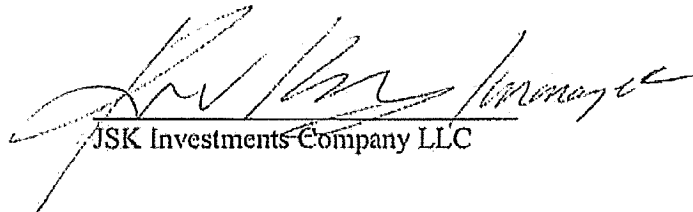
REZONING PETITION NO. 2018-xxx

LIV DEVELOPMENT, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located at 6736 North Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 049-081-03 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 on the associated conditional rezoning plan.

This 24th day of October, 2018


JSK Investments Company LLC

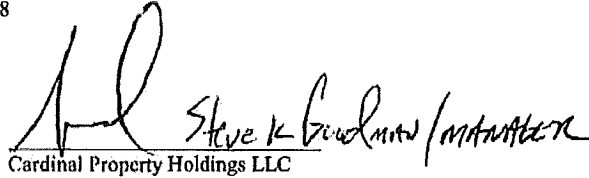
REZONING PETITION NO. 2018-xxx

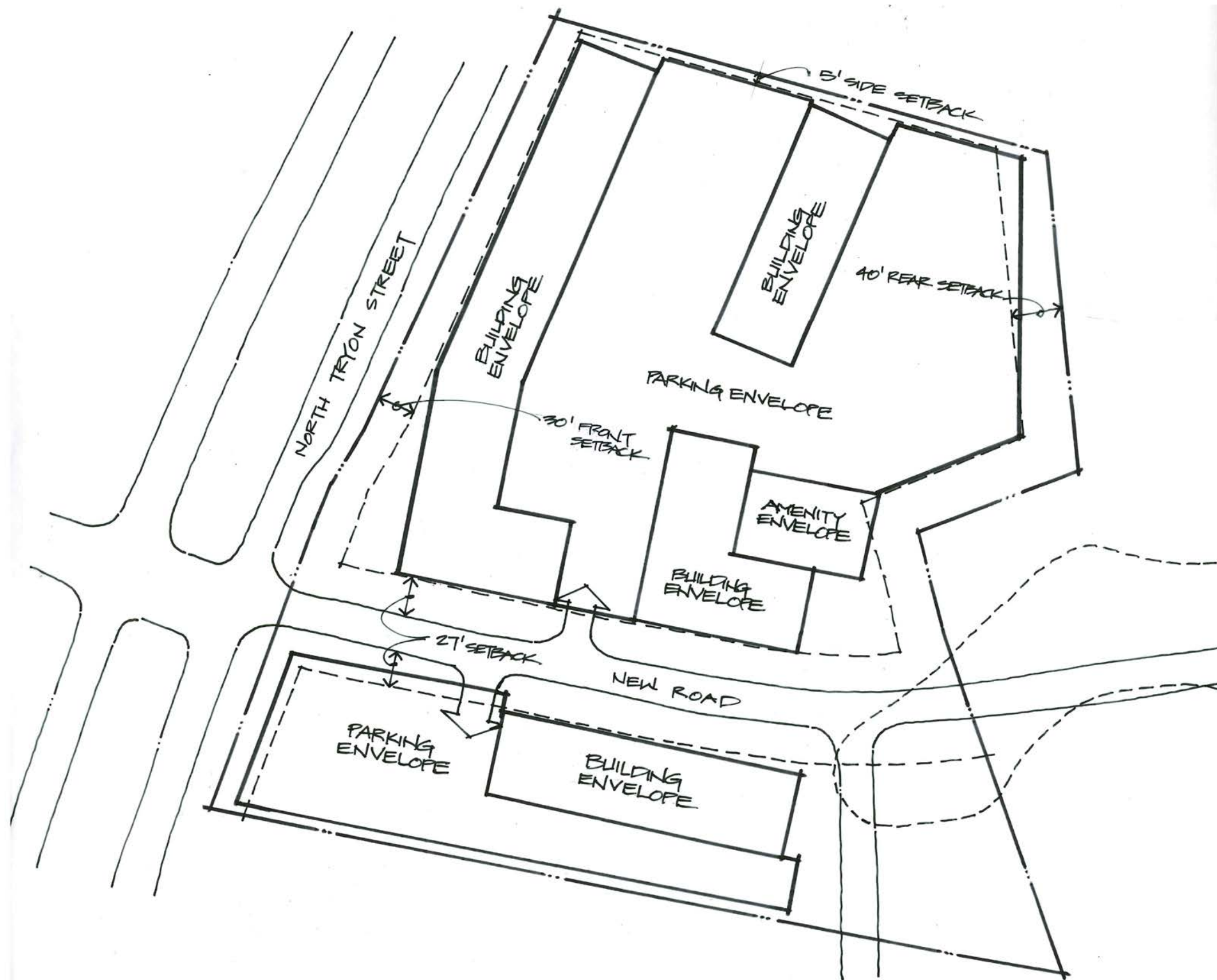
LIV DEVELOPMENT, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located at 6842 North Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 049-081-08 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 on the associated conditional rezoning plan.

This 24TH day of OCTOBER 2018


Steve K. Goodman / *[Signature]*
Cardinal Property Holdings LLC



11-15-2018

LIV DEVELOPMENT
TRYON STREET DENSITY STUDY
CHARLOTTE, NORTH CAROLINA

Development Data Table:

Site Area:	+/- 8.5 acres
Tax Parcels:	049-081-03 and 049-081-08
Existing Zoning:	B-2; R-3
Proposed Zoning:	TOD-M
Existing Use:	Commercial Outdoor Amusement
Proposed Uses:	Up to 260 Multi-family Dwelling Units
Maximum Building Height:	Fifty (50) feet and four (4) stories
Parking:	Per TOD-M standards

I. General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by LIV Development (the “Petitioner”) to accommodate the development of a multi-family residential community on that approximately 8.5-acre site located on the east side of North Tryon Street, adjacent to Orchard Trace Lane, more particularly depicted on the Rezoning Plan (the “Site”). The Site is comprised of Tax Parcel Numbers 049-081-03 and 049-081-08.
2. Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the “Ordinance”).
3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the TOD-M zoning district shall govern the development and use of the Site.
4. The development and street layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.
5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Minor alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

II. Permitted Uses

The Site may be devoted only to a residential community containing a maximum of 260 multi-family dwelling units and any incidental and accessory uses relating thereto that are allowed in the TOD-M zoning district.

III. Transportation

1. Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval. The total number of access points from North Tryon Street shall be limited to one (1).
2. As depicted on the Rezoning Plan, the Site will be served by internal public and private drives, and minor adjustments to the locations of the internal private drives shall be allowed during the construction permitting process.
3. Petitioner shall dedicate all rights-of-way in fee simple conveyance to the City of Charlotte before the Site’s first building certificate of occupancy is issued.
4. Petitioner shall substantially complete all transportation improvements before the Site’s first building certificate of occupancy is issued.

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

IV. Architectural Standards

1. Multi-family buildings shall not be more than four hundred (400) feet in length along a right-of-way.
2. For multi-family buildings of 150 feet in length or longer, facades shall be divided into shorter segments by means of façade modulation or mass separation. Such modulation or mass separation shall occur at intervals of no more than sixty (60) feet.
3. All ground floor entrances shall include a direct pedestrian connection between street facing doors to adjacent sidewalks.
4. Vinyl shall be a prohibited building material, except for windows, trim, and soffits.
5. Band or strip-window fenestration design shall be prohibited.
6. Multi-family buildings shall contain a minimum transparency of 25% for all floors.
7. Surface parking shall be located to the side or rear of buildings.
8. Roof overhangs, eaves, cornices, chimneys, gutters, vents, bay windows, pilasters, pillars, open porches (if provided), and other architectural elements may project up to twenty-four (24) inches into the required setbacks.
9. Dumpsters shall be screened from view from all network required streets.

V. Streetscape and Landscaping

1. The existing planting strip and sidewalk shall remain along the Site’s frontage of North Tryon Street. A minimum eight (8) foot wide planting strip and a minimum six (6) foot wide sidewalk shall be provided along all proposed internal streets adjacent to multi-family buildings.
2. The Petitioner may subdivide the Site and create lots within the Site with no side or rear yards as part of a unified development plan.
3. Petitioner shall provide a minimum setback of at least sixteen (16) feet from the existing back of curb on North Tryon Street. Stoops and stairs may encroach three (3) feet into the setback as a “transition zone.”

VI. Environmental Features

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

VII. Open Space

1. The Petitioner shall comply with tree save requirements.
2. The Petitioner shall provide a minimum of 3,000 square feet of common open space areas within the Site, as generally depicted on the Rezoning Plan, to include amenitized areas which may contain, but not be limited to, landscaping, hardscaping, benches, garden artwork, pools, clubhouses, pet parks, and/or walking paths.

VIII. Lighting

1. All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks as landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
2. The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed twenty-one (21) feet.

IX. Amendments to Rezoning Plan

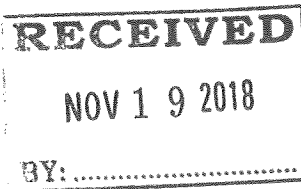
Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of a particular Tract within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

X. Binding Effect of the Rezoning Documents and Definitions

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

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

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-144

Petition #:	_____
Date Filed:	11/19/2018
Received By:	HF

Property Owners: 2151 Hawkins LLC

Owner's Addresses: 2151 Hawkins St. Ste 400, Charlotte, NC 28203

Date Properties
Acquired: 10/29/2018

Property Addresses: 2151 Hawkins Street, Charlotte, NC 28203

Tax Parcel Numbers: 121-031-12

Current Land Use: office (Acres): ± 2.212

Existing Zoning: MUDD-O Proposed Zoning: TOD-M(O)

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

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

Date of meeting: 10/24/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow development of the site with transit supportive uses.

Keith MacVean, Dujuana Keys & 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)

704.331-2371 (DK) 7004-339-5888 (DK)

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

Telephone Number Fax Number

keithmacvean@mvalaw.com;

dujuanakeys@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENT A

Signature of Property Owner

Portman Holdings (Attn: Harri Jarvenpaa)

Name of Petitioner

303 Peachtree Center Avenue NE, Suite 575

Address of Petitioner

Atlanta, GA 30303

City, State, Zip

404-614-5073

Telephone Number Fax Number

hjarvenpaa@portmanholdings.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

ATTACHMENT A

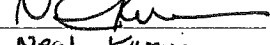
REZONING PETITION NO. 2018-____
Portman Holdings

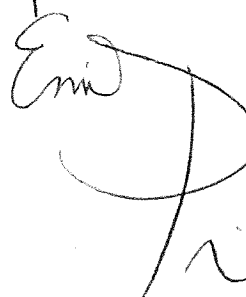
OWNER JOINDER AGREEMENT
2151 Hawkins, LLC

The undersigned, as the owner of the parcel of land located at 2151 Hawkins Street that is designated as Tax Parcel No. 121-031-12 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from MUDD-O zoning district to the TOD-M(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.

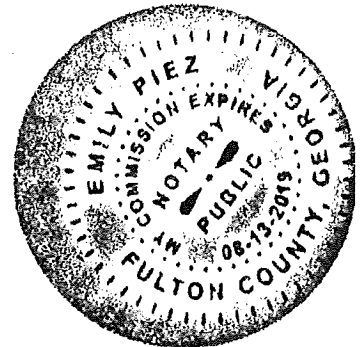
This 9 day of November, 2018.

2151 Hawkins, LLC

By: 
Name: Neal Kumin
Its: Authorized Signatory

Emily Piez


11-09-18



ATTACHMENT B

**REZONING PETITION NO. 2018-
Portman Holdings**

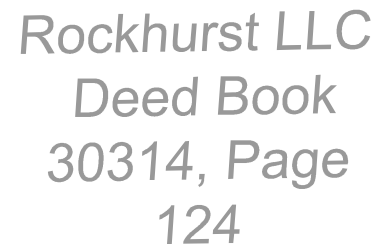
Petitioner:

Portman Holdings

By: 

Name: Harri Jarvenpaa

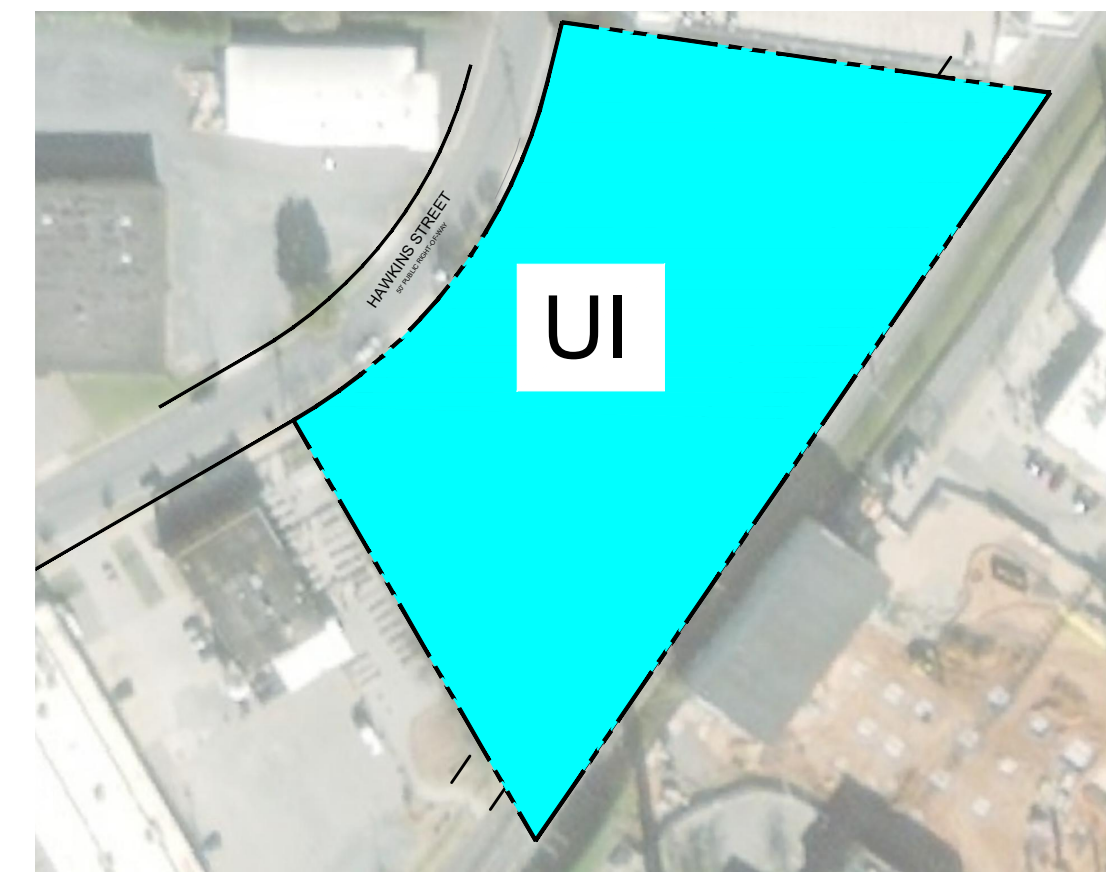
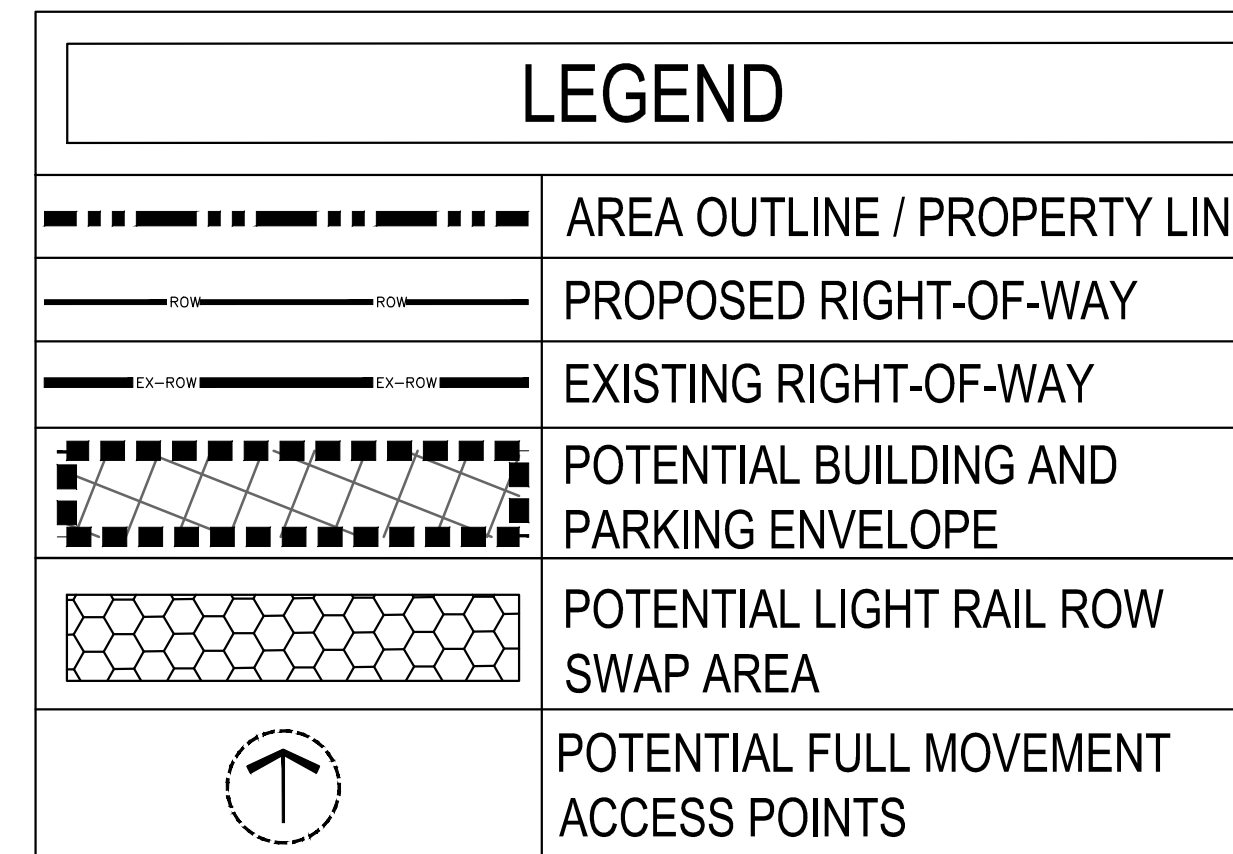
Title: VP of Development



BUILDING AND
PARKING ENVELOPE

—6' AREA FOR TREES IN
GRATE AND 10' SIDEWALK

Margaret Ann
H Schrum
Deed Book
29955, Page
697



EXISTING ZONING MAP
NOT TO SCALE

[illegible]

Kimley»»Horn

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200 SOUTH TRYON STREET SUITE 200, CHARLOTTE, NC 28202
PHONE: 704-353-5131
WWW.KIMLEY-HORN.COM
NC LICENSE #F-0102

PRELIMINARY
DOCUMENT

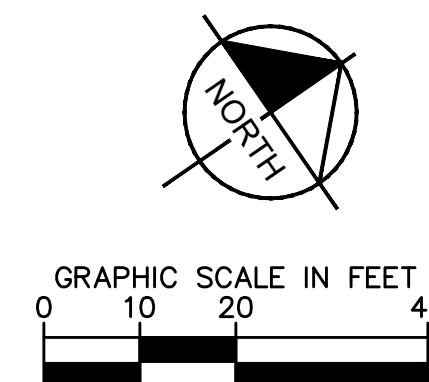
KHA PROJECT 01929011	DATE 11/7/2018	SCALE AS SHOWN	DESIGNED BY JH	DRAWN BY KS	CHECKED BY JH
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TECHNICAL DATA SHEET

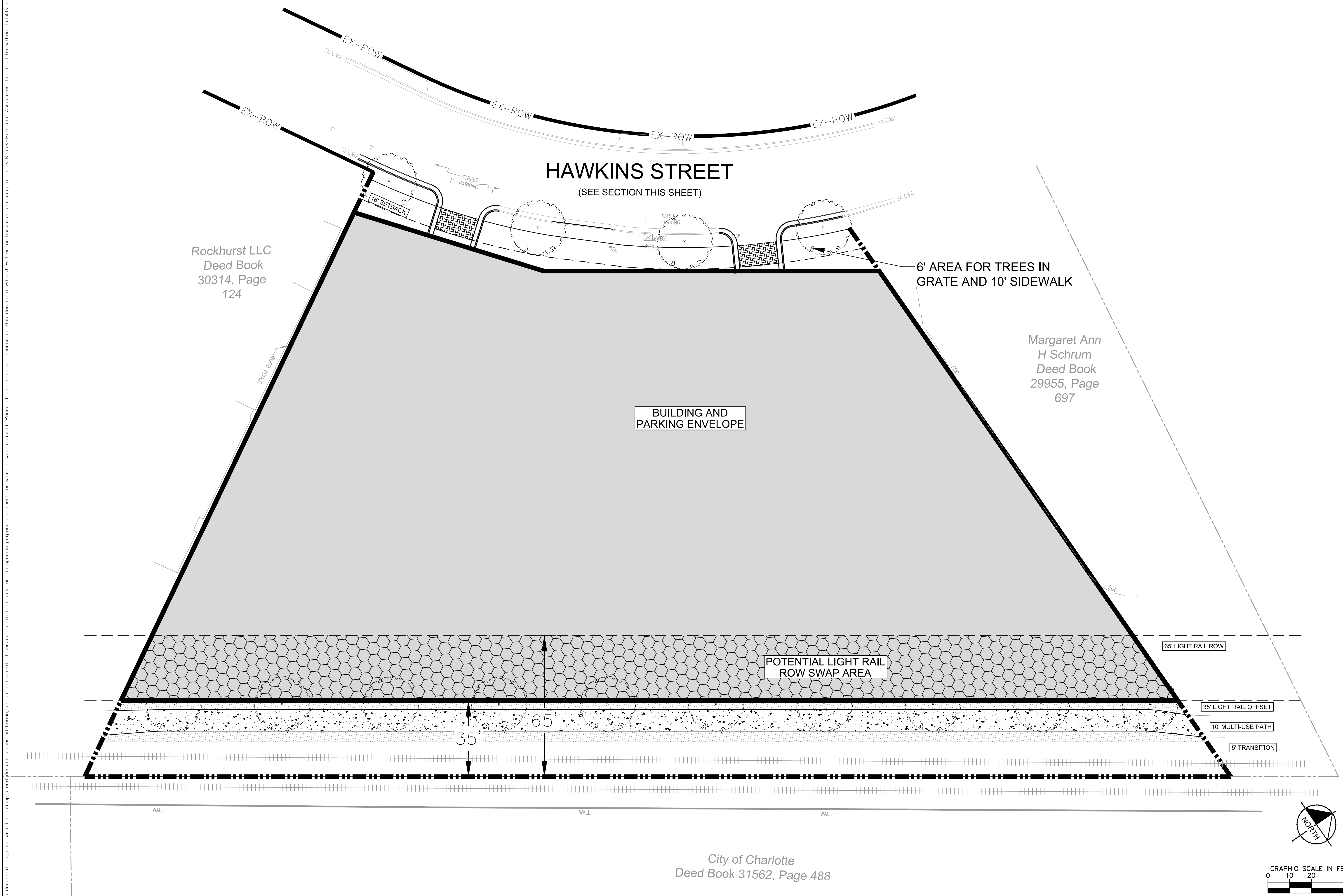
PORTMAN SOUTHBEND
PREPARED FOR
PORTMAN HOLDINGS

SHEET NUMBER
RZ - 1

City of Charlotte
Deed Book 31562, Page 488



This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document, without written authorization and adaptation by Kinney-Horn and Associates, shall be without liability to Kinney-Horn and Associates, Inc.



City of Charlotte
Deed Book 31562, Page 488

Kimley»»Horn

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 200 SOUTH TRYON STREET SUITE 200, CHARLOTTE, NC 28202
 PHONE: 704-333-5131
 WWW.KIMLEY-HORN.COM
 NC LICENSE: #F-0102

PRELIMINARY
DOCUMENT

KHA PROJECT 01929011	DATE 11/7/2018	SCALE AS SHOWN	DESIGNED BY JH	DRAWN BY KS	CHECKED BY JH
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SITE PLAN

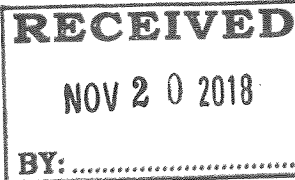
PORTMAN SOUTHEND
PREPARED FOR
PORTMAN HOLDINGS

CITY OF CHARLOTTE NORTH CAROLINA

SHEET NUMBER
RZ - 2

No.	REVISIONS	DATE	BY
-----	-----------	------	----

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-145

Petition #:	_____
Date Filed:	11/20/18
Received By:	[Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Evolution Investment Group

Owner's Address: 13012 Sycamore Ct City, State, Zip: Huntersville NC 28078

Date Property Acquired: 10-30-18

Property Address: 1521 St George St

Tax Parcel Number(s): 129 04 141

Current Land Use: Single family Size (Acres): 1.24 Acre

Existing Zoning: R-4 Proposed Zoning: UR 2 (CD)

Overlay: _____ Tree Survey Provided: Yes: _____ N/A: X

Required Rezoning Pre-Application Meeting* with: Sonya Sanders

Date of meeting: 11-1-18

(*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 develop duplexes on site.

Troy Knight
Name of Rezoning Agent

223 Howe St
Agent's Address

Belmont NC 28012
City, State, Zip

704 619 3302
Telephone Number Fax Number

Troy@LKI Realty.com
E-Mail Address

[Signature]
Signature of Property Owner

Brendan Mylton
(Name Typed / Printed)

Troy Knight
Name of Petitioner(s)

223 Howe St
Address of Petitioner(s)

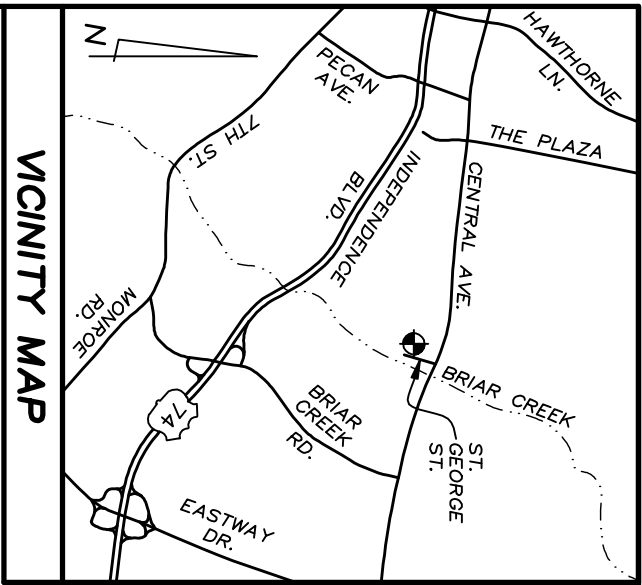
Belmont NC 28012
City, State, Zip

704 619 3302
Telephone Number Fax Number

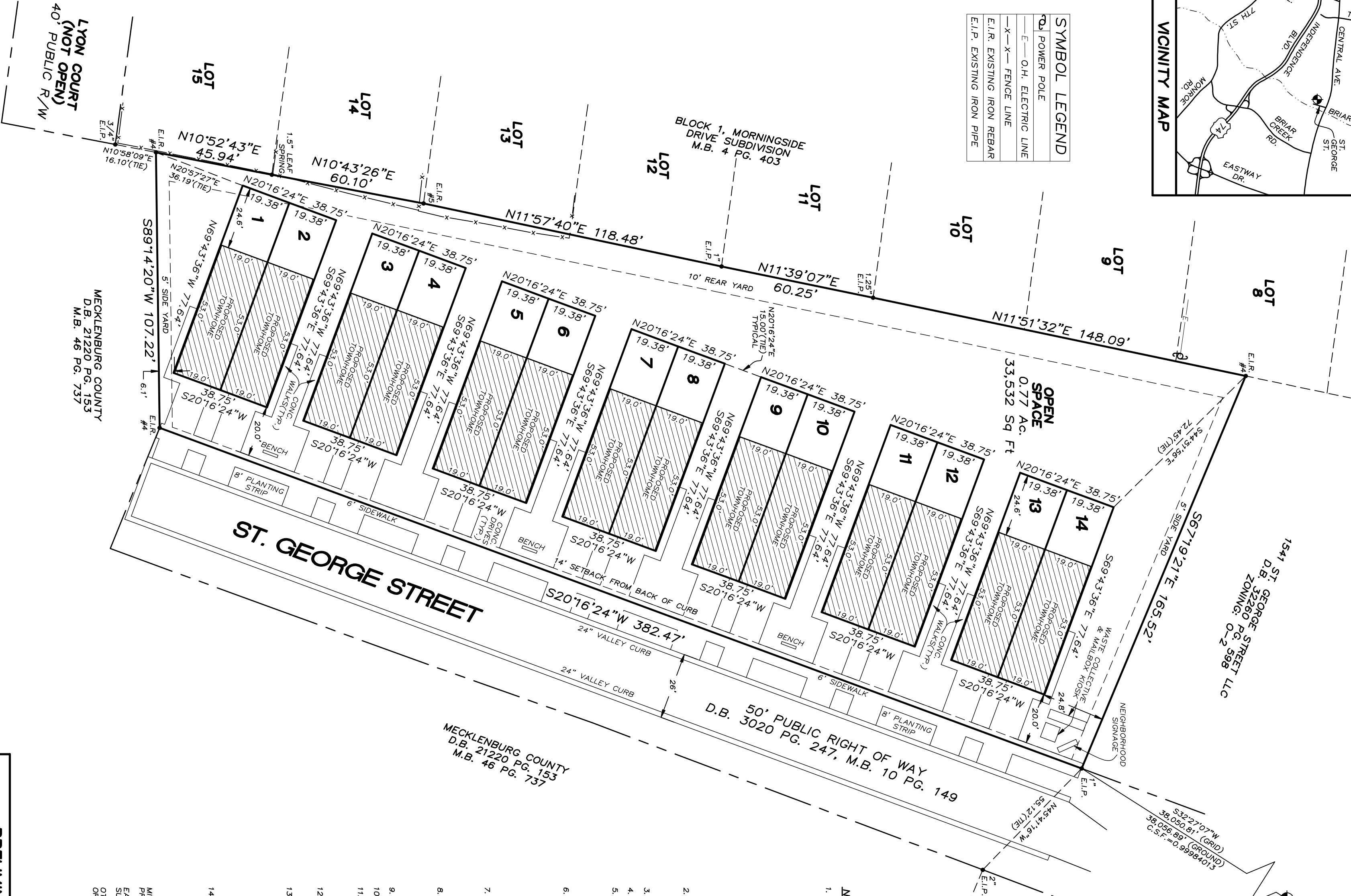
Troy@LKI Realty.com
E-Mail Address

[Signature]
Signature of Petitioner

Troy Knight
(Name Typed / Printed)



SYMBOL LEGEND	
PO	POWER POLE
E	O.H. ELECTRIC LINE
-x-x-	FENCE LINE
E.I.R.	EXISTING IRON REBAR
E.I.P.	EXISTING IRON PIPE



N.C.G.S. CORRS. "NAD83"
NAD 83(2011)
N 571,106.81 SFT
E 1,483,837.60 SFT
S 33°27'07"W
36,050.81' (GRID)
S 38°09'59"W
C.S.F. = 0.999984015



- NOTES:**
1. DEVELOPMENT DATA TABLE
 2. A. SITE AREA: 1.25 Acres
 3. B. TAX PARCEL: 129-041-41
 4. C. EXISTING ZONING: R-4
 5. D. EXISTING ZONING: 129-041-41
 6. E. NUMBER OF RESIDENTIAL UNITS BY HOUSING TYPE: 2 PER BUILDING
 7. F. RESIDENTIAL DENSITY: 11.2 UNITS PER ACRE
 8. G. FLOOR AREA RATIO: 1,007 SF/UNIT X 3 FLOORS X 14 UNITS IS 42,294 SF. 42,294 SF/54,591 SF IS 0.77
 9. H. MAXIMUM BUILDING HEIGHT: 40' PER THE ORDINANCE
 10. I. MAXIMUM BUILDING HEIGHT: 40' PER THE ORDINANCE
 11. J. NUMBER AND/OR RATIO OF PARKING SPACES: 4 PARKING SPACES PER HOME
 12. K. AMOUNT OF OPEN SPACE: 400 SF PRIVATE OPEN SPACE
 13. L. GENERALLY, THE FIRST TWO STRUCTURES WILL BE AT THE CORNER OF THE LOT
 14. M. ANY CHANGES TO THE APPROVED SITE PLAN WILL BE SUBJECT TO THE CONDITIONAL PLAN ARE SUBJECT TO THE DISCRETION OF THE ADOPTING AGENCY
 15. N. OPTIONAL PROVISIONS
 16. A. N/A
 17. B. TRANSPORTATION IMPROVEMENTS INCLUDE DEVELOPING THE STREET PER CDOT STANDARDS INCLUDING 8' SIDEWALKS AND 6' SIDEWALKS ALONG ENTIRE LOT FRONTAGE
 18. C. ARCHITECTURAL STANDARDS
 19. D. BUILDING MATERIALS CONSIST OF EXTERIOR HARDWARE, METAL ROOFING, TILE ROOF TERRACES, AND METAL ROOFING
 20. E. ALL HOMES WILL FEATURE SIDE ENTRANCE AS WELL AS PORCHES
 21. F. FENCING ALONG THE NORTH (RIGHT) AND SOUTHWEST (BACK) PROPERTY LINES WILL BE AN EIGHT FOOT CEDAR PRIVACY FENCE
 22. G. STREETSCAPE AND LANDSCAPING
 23. H. A. 6' PLANTING STRIP WITH 8' PLANTING STRIP WILL BE PLANTED THROUGHOUT THE PROPERTY AND IN THE VARIOUS FLOWERING AND HARDWOOD TREES WILL BE PLANTED THROUGHOUT THE PROPERTY AND IN THE ENVIRONMENTAL FEATURES
 24. I. A. PER AN EMAIL FROM PETE GRIEWOOD ON 11/5/2018, A TREE SURVEY IN THE PUBLIC ROW OR THE PROPERTY WILL NOT BE REQUIRED FOR PURPOSES OF RECORDING
 25. J. B. N/A
 26. K. PARKS, GREENWAYS, AND OPEN SPACE
 27. L. A. OPEN SPACE: 33,532 SF OR .77 ACRES. 61% OPEN SPACE
 28. M. A. N/A
 29. N. A. N/A
 30. O. SIGNAGE
 31. P. A. WELCOME TO BELLAMY SIGN IN NORTH EAST CORNER OF LOT, APPROXIMATELY 6'-8' LONG STANDING Z-4
 32. Q. LIGHTING
 33. R. A. UP-LIGHTING ON SIGNAGE WILL BE PERMANENT AND BASED ON SITE DEVELOPMENT
 34. S. B. NO STREETLIGHTS PLANNED AT THIS TIME
 35. T. C. PHASING
 36. U. A. 3 PHASES TOTAL
 37. V. B. COMMENCE IMMEDIATELY FOLLOWING REZONING AND PERMITTING
 38. W. C. TRIGGER FOR SECOND TWO STRUCTURES IS EITHER A COMPLETION OF THE FIRST TWO UNITS, OR
 39. X. D. TRIGGER FOR THIRD PHASE IS THE SELLING OF 2 ENTIRE STRUCTURES (4 UNITS)
 40. Y. 14. OTHER NEW UNDERGROUND UTILITIES WILL BE AT THE RESPONSIBILITY OF THE OWNER
 41. Z. 1. NEW UNDERGROUND SEWER, WATER, GAS, AND CABLE APPROVALS OF AND DEVELOPMENT BASED ON FUTURE USE
 42. AA. MINIMUM PRIVATE OPEN SPACE OF 400 SF IN AREA IS PROVIDED AT THE REAR OF EACH SUBLOT. EACH SUBLOT IS 1,504 SF.
 43. AB. OTHER RIGHT OF WAYS, EASEMENTS, UNDERGROUND UTILITIES, OR SETBACKS MAY EXIST WHICH MAY NOT BE SHOWN.

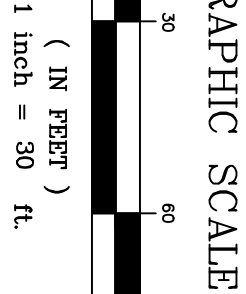
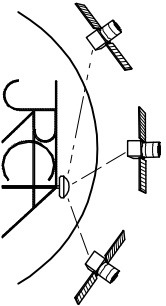
PRELIMINARY SITE PLAN OF THE EVOLUTION INVESTMENT GROUP, INC. PROPERTY

1.25 Acres, 54,591 Square Feet

CITY OF CHARLOTTE
MECKLENBURG COUNTY NORTH CAROLINA

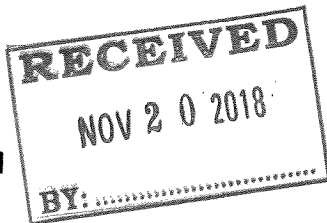
JACK R. CHRISTIAN + ASSOCIATES
-SURVEYING-

PHONE (704) 596-2214 FAX (704) 596-2338
7811 OLD CONCORD RD. CHARLOTTE, NORTH CAROLINA 28213



(IN FEET)
1 inch = 30 ft.

DWN:	TAC	CHECKED BY:	DATE:
FBI:	JAC2	FILE NAME:	OCTOBER 13th, 2018
EDC	STGEOR1521SP	SCALE:	1"=30'
		FILE:	18-09-30



2018-146

I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #: _____
Date Filed: 11/20/2018
Received By: _____

Complete All Fields (Use additional pages if needed)

Property Owner: Charles Land Taylor & Helen B. Taylor c/o Thomas E. Taylor

Owner's Address: 1218 Beechdale Lane City, State, Zip: Charlotte, NC 28212

Date Property Acquired: 1/1/1975

Property Address: 14201 Shopton Road West, Charlotte, NC

Tax Parcel Number(s): 199-111-06

Current Land Use: Single Family Detached Size (Acres): +/- 18.39

Existing Zoning: R-3 Proposed Zoning: MX-1 (Innovative)

Overlay: Lower Lake Wylie Watershed Protected Area Tree Survey Provided: Yes: _____ N/A: X

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham

Date of meeting: 10/30/18

(*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: Rezoning Petition requesting city of Charlotte conditional zoning district MX-1(Innovative).

Sonny Crater

Name of Rezoning Agent

16930 W. Catawba Ave. Ste. 205

Agent's Address

Cornelius, NC 28031

City, State, Zip

980-233-1239

Telephone Number

Fax Number

sonny@madisonsimmonshomes.com

E-Mail Address

Thomas E. Taylor

dotloop verified
11/19/18 6:23 PM EST
SWVT-UXCY-BSCU-H3UW

Signature of Property Owner

Thomas E. Taylor

(Name Typed / Printed)

NorthState Development, LLC

Name of Petitioner(s)

16930 W. Catawba Ave. Ste. 205

Address of Petitioner(s)

Cornelius, NC 28031

City, State, Zip

704-902-7412

Telephone Number

Fax Number

sseagle@northstatedevelopment.com

E-Mail Address

Shane Seagle

Signature of Petitioner

Shane Seagle

(Name Typed / Printed)



VICINITY MAP



Madison Simmons
Homes & Communities, LLC

16930 W. Catalpa Ave, Ste 203
Cornelius, NC 28031

Shopton Road West

Technical Data Sheet

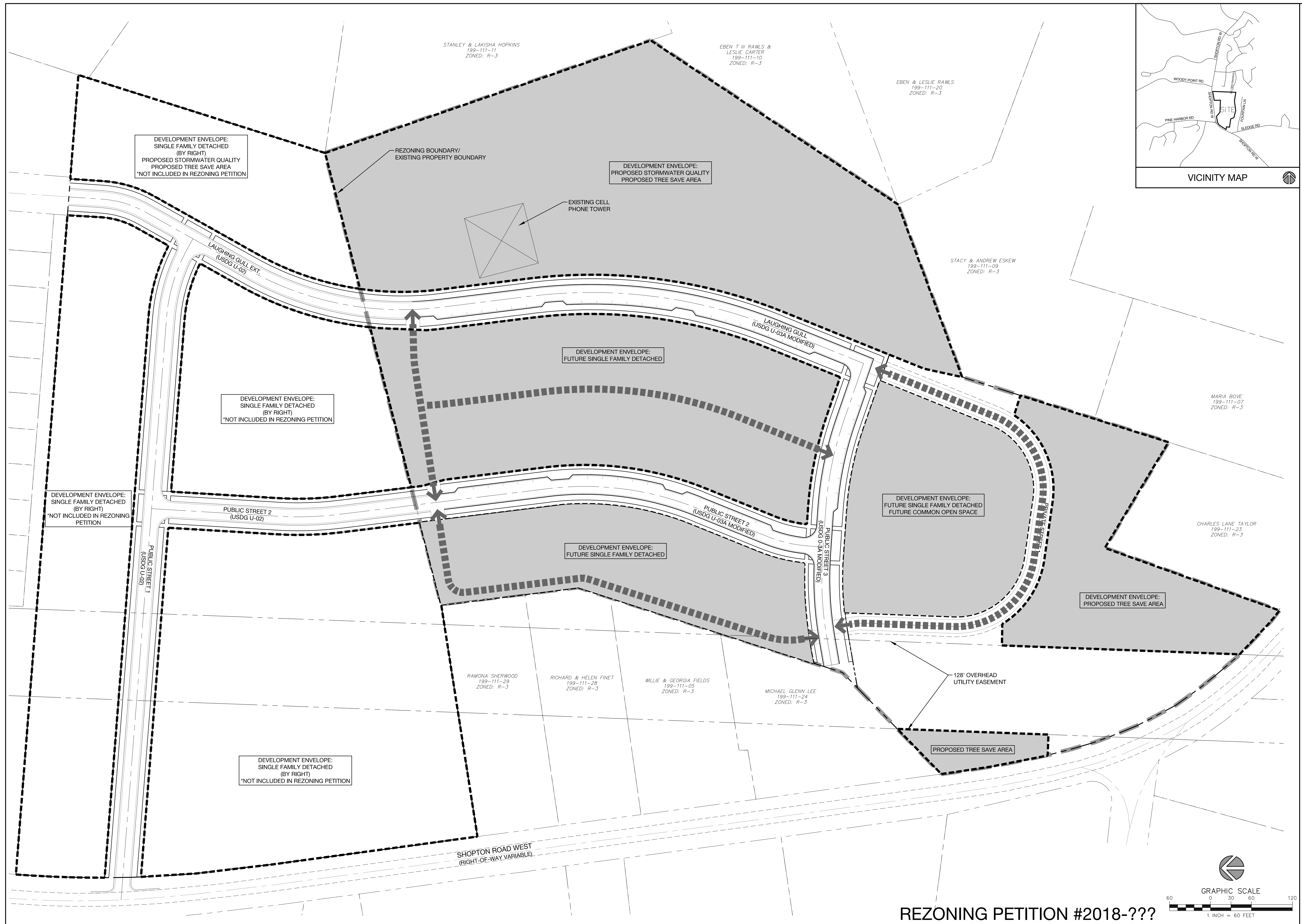
Charlotte, NC

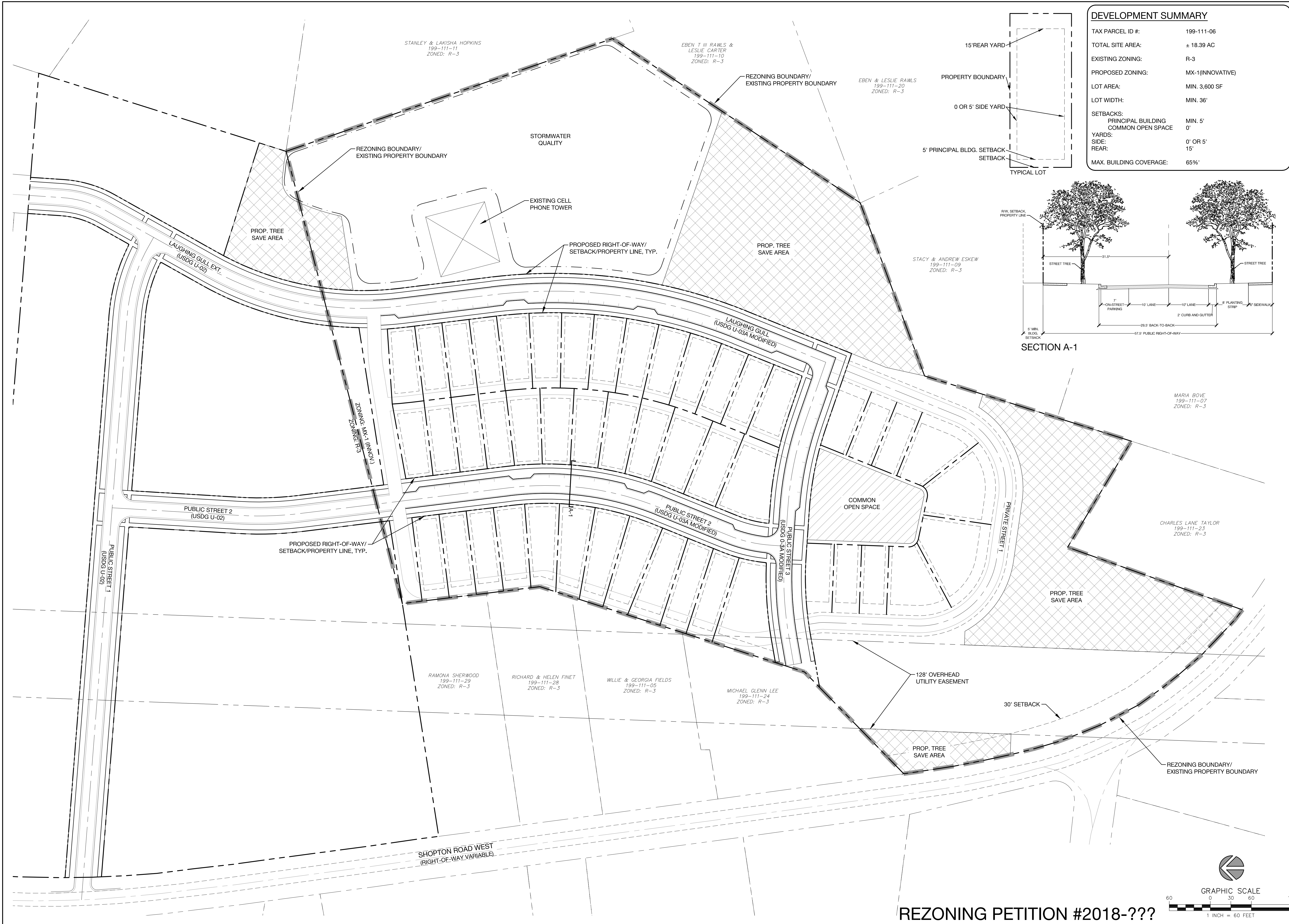
Charlotte, NC

NO. DATE: BY: REVISIONS:

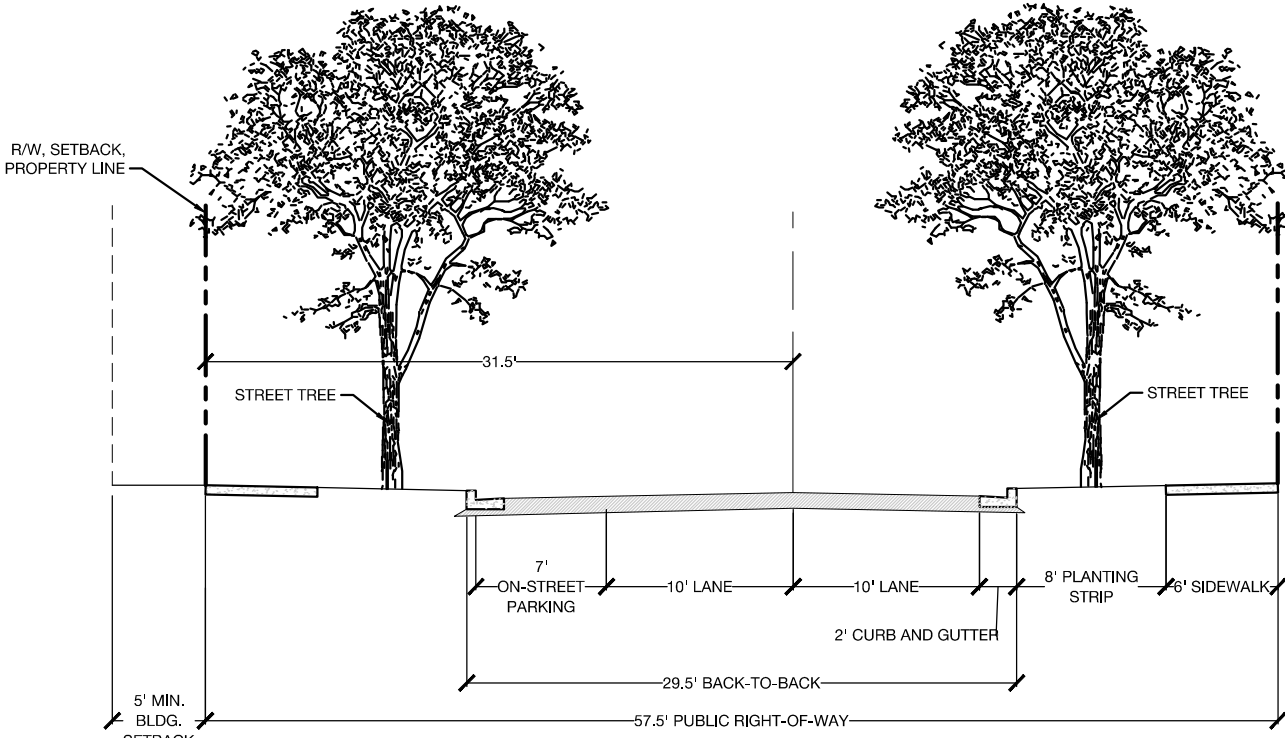
Project No: 18-138
Date: 11.26.2018
Designed by: UDP
Drawn By: UDP
Sheet No:

RZ-1.0





DEVELOPMENT SUMMARY	
TAX PARCEL ID #:	199-111-06
TOTAL SITE AREA:	± 18.39 AC
EXISTING ZONING:	R-3
PROPOSED ZONING:	MX-1(INNOVATIVE)
LOT AREA:	MIN. 3,600 SF
LOT WIDTH:	MIN. 36'
SETBACKS:	
PRINCIPAL BUILDING	MIN. 5'
COMMON OPEN SPACE	0'
YARDS:	
SIDE:	0' OR 5'
REAR:	15'
MAX. BUILDING COVERAGE:	65%



**URBAN
DESIGN
PARTNERS**

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

Madison Simmons
Homes & Communities, LLC

16930 W. Catawba Ave., Ste 205
Cornelius, NC 28031

Shopton Road West

Rezoning Site Plan

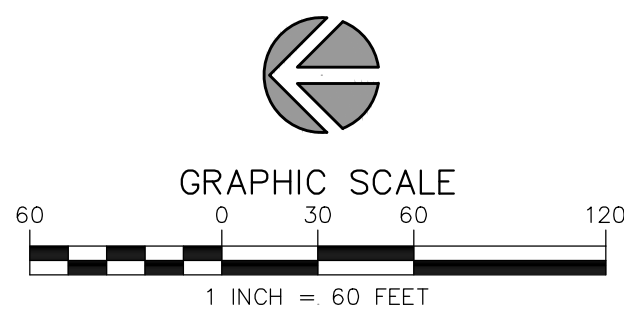
Charlotte, NC

NO.	DATE	BY	REVISIONS:

Project No: 18-138
Date: 11.26.2018
Designed by: UDP
Drawn By: UDP
Sheet No:

RZ-2.0

REZONING PETITION #2018-???



DEVELOPMENT STANDARDS

Acreage: +/- 18.39 AC
Tax Parcel: 199-111-06
Existing Zoning: R-3
Proposed Zoning: MX-1 (Innovative)
Existing Uses: Single Family Detached
Proposed Uses: Single Family Detached
Max Density: Up to (55) Dwelling Units (Approximately 3.0 DUA)

General Provisions:

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by North State Development, LLC (the "Petitioner") to accommodate the development of a single family detached residential community located just north of the intersection of Shopton Road West and Pine Harbor Road, more specifically identified on the Rezoning Plan (the "Site"). The Site includes tax parcel 199-111-06.

Development of the Site will be governed by the accompanying Rezoning Plan, these Development Standards, and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The Rezoning Plan is intended to reflect maximum development rights, building envelopes, the arrangements, and locations of access points and to ensure that any development of the Site is completed in a manner substantially consistent with the Rezoning Plan.

Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MX-1 Zoning District shall govern all development taking place on the Site.

The configurations, placements and sizes of lots, public and private roads, alleys, common area, tree save area and stormwater detention and quality areas depicted on the Rezoning Plan are schematic in nature and therefore are subject to refinements as part of the total design process.

Permitted Uses and Maximum Development:

- The Site development shall be limited to single family detached dwelling units, together with any incidental and accessory uses related thereto that are allowed in the MX-1 Zoning District.
- Maximum Density on the Site shall be 55 single-family detached homes.

Innovative Development Standards:

- The Petitioner seeks the innovative provisions described below in order to support a single family residential development.
 - Single family lots shall be permitted to front on private streets as noted within the Rezoning Plan.
 - Setbacks shall be 14' measured from back of curb along public rights or way.
 - The Petitioner shall adhere to the following Innovative Lot Standards:
 - Minimum Lot Area 3,600 SF
 - Minimum Lot Width: 36'
 - Minimum Principal Building Setback measured from back of Sidewalk: 5'
 - Minimum Setback measured from Common Open Space Boundary Line: 0'
 - Minimum Side Yard: 0' or 5'
 - Minimum Building Separation: 10'
 - Minimum Rear Yard: 15'
 - Maximum Building Coverage on Lots: 65%

Transportation:

- Vehicular access points shall be provided to the site as generally depicted on the Rezoning Plan.
 - Existing Laughing Gull Drive shall be extended across PNH 199-111-03 to the Site.
 - A single access point at PNH199-111-03 to Shopton Road West shall be provided by Public Street 1 as generally depicted on the Rezoning Site Plan.
 - Public Street 2 shall provide a second access point to the Site via Public Street 1.
 - The Petitioner shall provide Public Street 3 as depicted on the Site plan and shall stub up to the Western boundary, as allowable by Duke Power, line to allow for a future access point to Shopton Road West.
 - Private Street 1 shall be two-way and have two points of access to Public Street 3 as generally depicted on the rezoning plan.
- The Petitioner shall install a minimum eight (8) foot wide planting strip and a minimum five (6) foot wide sidewalk along all new public streets to be located within the Site.
- Pettitioner shall install a minimum eight (8) foot wide planting strip and minimum six (6) foot wide sidewalk within new Rights-of-Way associated with Laughing Gull Dr.
- Trees shall be planted a maximum of 40 feet on center within landscape strips.
- Right-of-way dedication and all transportation improvements shall be completed prior to the issuance of the first certificate of occupancy or phased per the Site's development plans.

Architectural Standards and General Design Guidelines:

- General Materials:
 - Houses and garage facades will be primarily constructed of cementitious siding (such as Hardi-plank) with accents of brick, cultured and simulated stone, pre-cast concrete, glass, wood and shall meet the following additional standards.
- Roofs
 - Roofing materials shall include architectural shingle and/or standing metal seam or similar materials in appearance and durability. Flat roof sections shall not be allowable.
- Garages
 - All homes shall provide an attached rear load garage served by a two-way alley or private street.
 - Front load garages along public streets shall not be permitted.
 - Corner lots shall not be provided garage access via driveway along a public street.
- Driveways
 - Residential driveways will enter a lot from a private two-way alley or from a private street.

Amenities, Streetscape and Common Open Space:

- The Pettitioner shall provide community open space, as generally depicted on the Rezoning Plan which may include but shall not be limited to a pocket park, open air pavilion, flower garden, passive lawn areas and hardscape areas.

Environmental Features:

- The Petitioner shall comply with the Post Construction Stormwater Ordinance (PCSO) and tree save requirements. The location, size, and type of stormwater management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual stormwater treatment requirements and natural site discharge points.
- The Site is located within the Lower Lake Wylie Protected Area and shall comply with Chapter 10 Part 7 of the City of Charlotte Zoning Ordinance. Maximum allowable Built Upon Area shall be restricted as described within the overlay district. Maximum allowable built upon area associated with the residential low density option shall be 24% and 70% associated with the high density development option.
- The site shall comply with the City of Charlotte Tree Ordinance. Tree Save Areas shall be satisfied with a combination of tree preservation and new tree plantings.

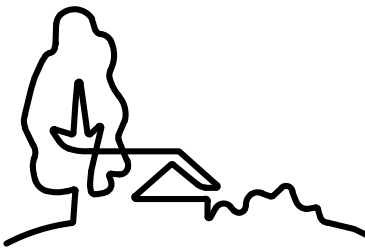
Amendments to Rezoning Plan:

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

Further alteration or modifications to the Rezoning Plan which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the approved Technical Data Sheet or any of its conditions or which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

Binding Effect of the Rezoning Documents and Definitions:

- If this Site Plan Amendment is approved, all conditions applicable to development of the Site imposed under the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- Throughout these Development Standards, the terms, "Petitioner" and "owner" and "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owners of the Site from time to time who may be involved in any future development thereof.



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charlotte, nc 28205 f 704.334.3305
urbandesignpartners.com
nc firm no: P-0418
sc cda no: C-03044

Madison Simmons
Homes & Communities, LLC

16930 W. Catawba Ave., Ste 205
Cornelius, NC 28031

Shopton Road West

Development Notes & Standards
Charlotte, NC

NO. DATE BY REVISIONS:

Project No: 18-138

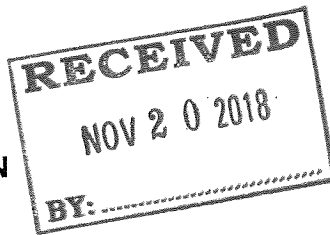
Date: 11.26.2018

Designed by: UDP

Drawn By: UDP

Sheet No:

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-147

Petition #:	
Date Filed:	11/20/2018
Received By:	P H

Property Owners: Think Group LLC

Owner's Addresses: 7808 District Dr. Charlotte, NC 28213

Date Properties Acquired: 08/17/2006

Property Addresses: 10701 Mallard Creek Rd. Charlotte, NC 28262

Tax Parcel Numbers: 029-361-11

Current Land Use: residential (Acres): ± 3.31

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

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Alberto Gonzalez, Charlotte Lamb, Rick Grohoske, Grant Meacci

Date of meeting: 11/6/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow development of the Site with an age restricted residential community.

Keith MacVean, Dujuana Keys & 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)
704.331-2371 (DK) 7004-339-5888 (DK)
704-331-1144 (JB) 704-378-1925 (JB)

Telephone Number Fax Number

keithmacvean@mvalaw.com;

dujuanakeys@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENT A

Signature of Property Owner

Laurel Street Residential (Attn: Rosa Newman)

Name of Petitioner

511 East Boulevard

Address of Petitioner

Charlotte, NC 28203

City, State, Zip

704.561.5231

Telephone Number Fax Number

rnewman@laurelstreetres.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

ATTACHMENT A

REZONING PETITION NO. 2018- ____
Laurel Street Residential

OWNER JOINDER AGREEMENT
Think Group LLC

The undersigned, as the owner of the parcel of land located at 10701 Mallard Creek Rd that is designated as Tax Parcel No. 029-361-11 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 R-3 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 13 day of November, 2018.

Think Group LLC

By: [Signature]
Name: T. Mark Smith
Its: owner

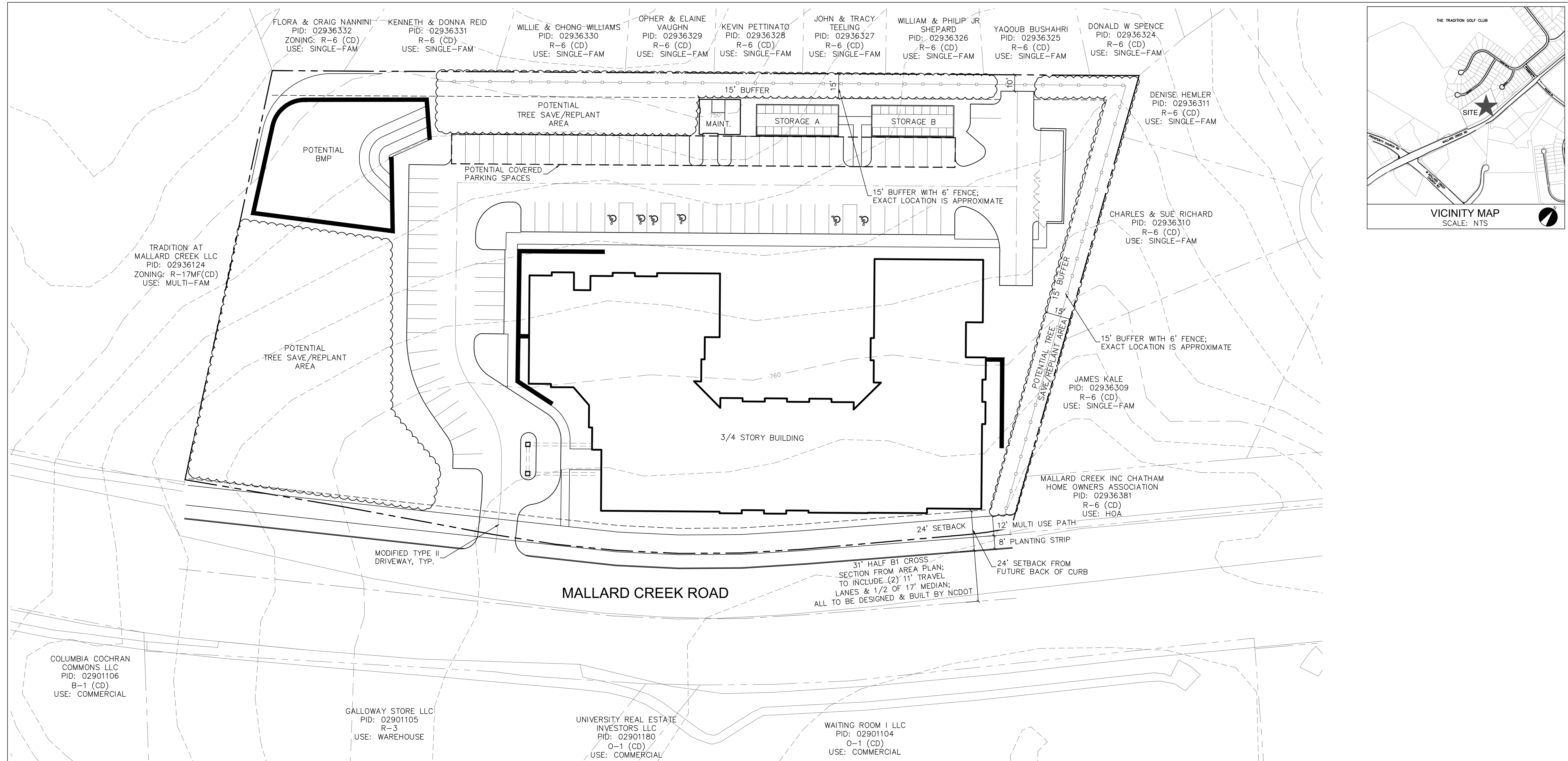
ATTACHMENT B

REZONING PETITION NO. 2018-
Laurel Street Residential

Petitioner:

Laurel Street Residential

By: Lee M. Cochran
Name: Lee M. Cochran
Title: Vice President



SITE DEVELOPMENT DATA:

ACREAGE: ± 3.31 ACRES
TAX PARCEL #: 029-361-11
EXISTING ZONING: R-3
PROPOSED ZONING: UR-2(CD)
EXISTING USES: RESIDENTIAL
PROPOSED USES: (I) UP TO 90 AGE-RESTRICTED DWELLING UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE UR-2 ZONING DISTRICT
MAX. BUILDING HEIGHT: UP TO THREE (3) STORIES AND 45 FEET ALONG MALLARD CREEK ROAD, AND UP TO FOUR (4) STORIES AND 55 FEET AT THE REAR OF THE BUILDING AS MEASURED BY THE ORDINANCE.
PARKING: AS ALLOWED AND REQUIRED BY THE ORDINANCE. SOME OF THE PROPOSED PARKING SPACES MAY BE COVERED SPACES (E.G. CAR PORT LIKE STRUCTURES).

1. GENERAL PROVISIONS:

a. **SITE LOCATION.** THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION (THE "REZONING PLAN") FILED BY LAUREL STREET RESIDENTIAL, LLC (THE "PETITIONER") TO ACCOMMODATE DEVELOPMENT OF AGE RESTRICTED RESIDENTIAL COMMUNITY ON APPROXIMATELY 3.31 ACRE SITE LOCATED AT 10701 MALLARD CREEK ROAD (THE "SITE").

b. **ZONING DISTRICTS/ORDINANCE.** DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE ACCOMPANYING REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS BELOW.

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

SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT 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 WILL BE LIMITED TO 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).

2. PERMITTED USES & DEVELOPMENT AREA LIMITATION:

a) THE SITE MAY BE DEVELOPED WITH UP TO 90 AGE RESTRICTED RESIDENTIAL DWELLINGS UNITS (AN "AGE RESTRICTED COMMUNITY") TOGETHER WITH ACCESSORY USES ALLOWED IN THE UR-2 ZONING DISTRICT.

AGE RESTRICTED OR AN AGE RESTRICTED COMMUNITY SHALL MEAN: (I) A COMMUNITY INTENDED AND OPERATED FOR OCCUPANCY BY PERSONS 55 YEARS OF AGE OR OLDER; (II) A COMMUNITY WHERE 100% OF THE UNITS HAVE AT LEAST ONE OCCUPANT WHO IS 55 YEARS OF AGE OR OLDER; AND (III) THE COMMUNITY MUST PUBLISH AND ADHERE TO POLICIES AND PROCEDURES THAT DEMONSTRATE THE INTENT TO OPERATE AS "55 OR OLDER" HOUSING

III. TRANSPORTATION

a) **ACCESS.** VEHICULAR ACCESS WILL BE FROM MALLARD CREEK ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT GENERALLY DEPICTED ON THE REZONING PLAN IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDOT OR NCDOT FOR APPROVAL.

b) ALL TRANSPORTATION IMPROVEMENTS SHALL BE APPROVED AND CONSTRUCTED PRIOR TO THE RELEASE OF A CERTIFICATE OF OCCUPANCY FOR THE BUILDING ON THE SITE 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.

IV. BUFFERS

a) BUFFERS WITH A SIX (6) FOOT PRIVACY FENCE WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN WILL BE PROVIDED. THE BUFFERS WILL ALSO BE PLANTED WITH TREES AS REQUIRED FOR A CLASS C BUFFER WITH THE CORRESPONDING BUFFER WIDTH.

V. ARCHITECTURAL, SETBACK AND STREETSCAPE STANDARDS

a) **SETBACK ON MALLARD CREEK ROAD.** A 24 FOOT SETBACK WILL BE PROVIDED ALONG MALLARD CREEK ROAD AS MEASURED FROM FUTURE BACK OF CURB SHALL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN.

b) **STREETSCAPE.** THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND A 12 FOOT MULTIPLE USE PATH (MUP) ALONG MALLARD CREEK ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN

c) **DESIGNATED EXTERIOR BUILDING MATERIALS.** THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDING 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.

d) **PROHIBITED EXTERIOR BUILDING MATERIALS.**

1. VINYL SIDING (BUT NOT VINYL HAND-RAILS, WINDOWS OR DOOR TRIM); AND

2. CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.

e) **DEVELOPMENT/SITE ELEMENTS PLACEMENT.** BUILDING PLACEMENT AND SITE ELEMENT PLACEMENT SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:

1. BUILDINGS SHALL FRONT ON MALLARD CREEK ROAD (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS AND STORM-WATER FACILITIES).

2. PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY BUILDING AND MALLARD CREEK ROAD. PARKING AREAS LOCATED TO THE SIDE OF THE BUILDING WILL BE SCREENED FROM VIEW AT GRADE WITH LANDSCAPING.

f) **BUILDING MASSING TREATMENT.** BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:

1. BUILDINGS SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FAÇADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF 2 FEET EXTENDING THROUGH AT LEAST A FULL FLOOR.

2. MODULATION SHALL OCCUR A MINIMUM OF EVERY 75' LINEAR FEET ON FAÇADE PLANES GREATER THAN 150'.

g) **ARCHITECTURAL ELEVATION DESIGN.** ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:

1. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS.

2. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON THE FAÇADE FACING MALLARD CREEK ROAD. SUCH BASE MAY BE EXECUTED THROUGH USE OF DESIGNATED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES AND COLOR CHANGES.

3. BUILDING ELEVATIONS FACING MALLARD CREEK ROAD SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 25' FEET AND 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.

h) **ROOF FORM AND ARTICULATION.** ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:

1. 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.

2. FOR PITCHED ROOFS, THE MINIMUM PITCH SHALL BE 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS.

i) **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.

j) **GROUND FLOOR ELEVATIONS.** RESIDENTIAL GROUND FLOOR FINISH ELEVATIONS SHALL BE RAISED A MINIMUM OF 8" ABOVE FINISH GRADE. BUILDING ENTRANCES SHOULD BE AT GRADE OR AS REQUIRED FOR ADA COMPLIANCE.

k) THE PROPOSED BUILDING ON THE SITE WILL BE CONNECTED TO THE MUP ALONG MALLARD CREEK ROAD TO VIA A SIDEWALK AS GENERALLY DEPICTED ON THE REZONING PLAN. THE MINIMUM WIDTH OF THE SIDEWALK WILL BE FIVE (5) FEET.

VI. ENVIRONMENTAL FEATURES

a) PETITIONER SHALL SATISFY THE REQUIREMENTS OF THE POST CONSTRUCTION STORMWATER ORDINANCE

b) PETITIONER SHALL SATISFY THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE.

c) THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS GENERALLY 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.

VII. LIGHTING

a) **CUFF-OFF FIXTURES.** ALL PARKING AREA LIGHTING FIXTURES WILL BE SHIELDED WITH FULL CUT-OFF FIXTURES.

VIII. SIGNAGE

RESERVED.

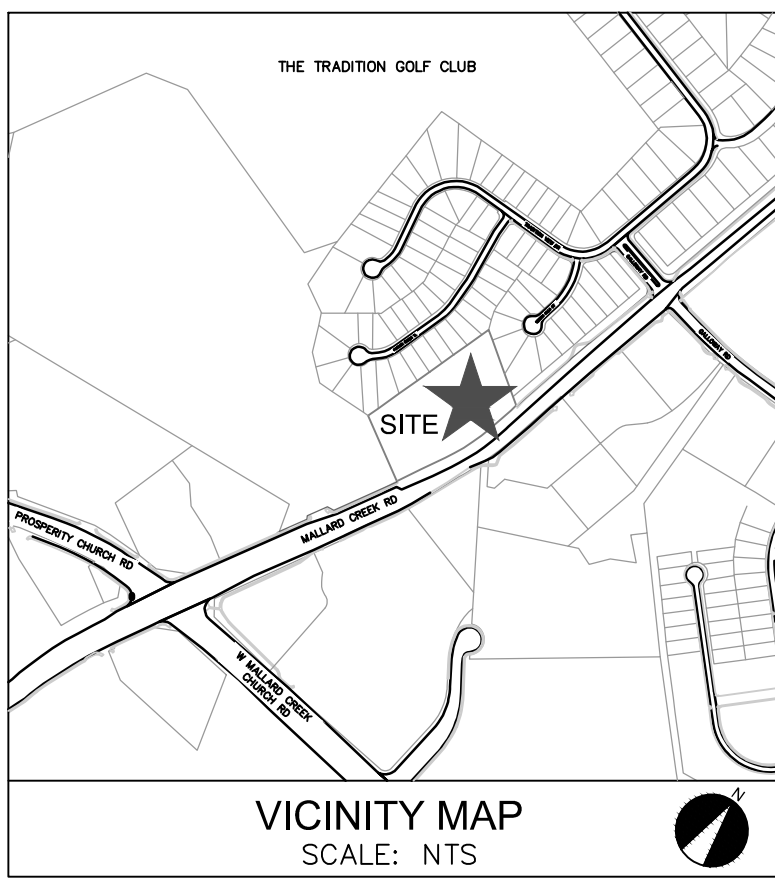
IX. AMENDMENTS TO REZONING PLAN

FUTURE AMENDMENTS TO THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF A PARTICULAR PARCEL WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

X. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

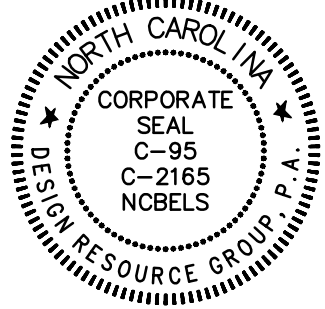
IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS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

THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.



LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

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



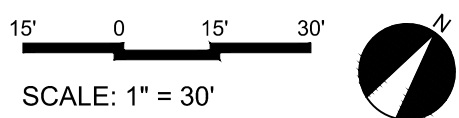
REZONING PETITION
2018-
FOR PUBLIC HEARING

REZONING DOCUMENT



MALLARD CREEK
SENIORS
CHARLOTTE, NORTH CAROLINA
LAUREL STREET RESIDENTIAL
511 EAST BOULEVARD
CHARLOTTE, NORTH CAROLINA 28203
704.581.5225

SCHEMATIC SITE PLAN

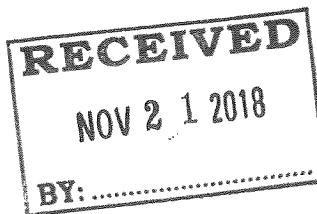


PROJECT #: 479-009
DRAWN BY: LD
CHECKED BY: SK

NOVEMBER 20, 2018

REVISIONS:

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-148

Petition #: _____
Date Filed: 11/21/2018
Received By: B

Complete All Fields (Use additional pages if needed)

Property Owner: Mecklenburg County; 1725 S Tryon St LLC; Rappaport Pearson LLC; CS Commons LLC; Page M. Renger and Ann Cameron M Monckton; B Frank Matthews II and John F Renger Jr; 204 West Blvd LLC; Marilyn L. London and Marilyn L London Living Trust

Owner's Address: 600 E 4th St; 1626 S Tryon St; 224 West Blvd; 500 E Morehead St, Suite 200; 2062 Hopedale Ave; P.O. Box 3737; 1626 S Tryon St; 9826 Whispering Willow Court

City, State, Zip: Charlotte, NC 28202; 28212 28203; 28207, 28210; Gastonia, NC 28054

Date Property Acquired: 5/17/2012; 6/19/2018; 9/5/2007; 6/4/2018; 5/26/1993; 2/11/1988; 9/22/2016; 10/4/2007

Property Address: 1721, 1725 S Tryon St; 228, 216, 212, 208, 204, 200 West Blvd

Tax Parcel Number(s): 12306217, 12306218, 12306201, 12306204, 12306205, 12306206, 12306207, & 12306C99

Current Land Use: Retail/Office/Vacant/Single-family Size (Acres): +/- 1.84 acres

Existing Zoning: B-1 Proposed Zoning: TOD-MO

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

Required Rezoning Pre-Application Meeting* with: Kathy Cornett, Monica Holmes, Catherine Mahoney

Date of meeting: 10/10/2018

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: to accommodate a transit-oriented mixed use development with potential office, residential, retail, and hotel uses that incorporates pedestrian amenities and spurs Kingston Neighborhood Park development

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

Telephone Number

704-353-3231

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)

Beacon Partners

Name of Petitioner(s)

500 East Morehead Street, Suite 200

Address of Petitioner(s)

Charlotte, NC 28202

City, State, Zip

704-597-7757

Telephone Number

704-598-6335

Fax Number

mike@beacondevelopment.com
E-Mail Address

Michael Mull
Signature of Petitioner

Mike Harrell

(Name Typed / Printed)

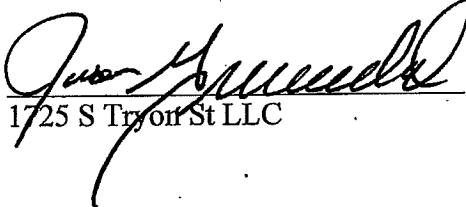
REZONING PETITION NO. 2018-xxx

BEACON PARTNERS, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located at 1725 South Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 123-062-18 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 on the associated conditional rezoning plan.

This 14th day of NOVEMBER, 2018


1725 S Tryon St LLC

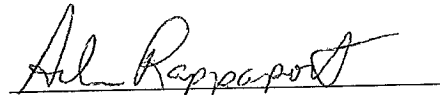
REZONING PETITION NO. 2018-xxx

BEACON PARTNERS, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located at 228 West Boulevard in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 123-062-01 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 on the associated conditional rezoning plan.

This _____ day of _____, 2018


Rappaport Pearson LLC

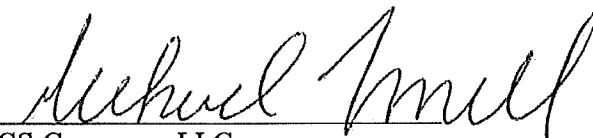
REZONING PETITION NO. 2018-xxx

BEACON PARTNERS, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located at 216 West Boulevard in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 123-062-04 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 on the associated conditional rezoning plan.

This 20 day of November, 2018


CS Commons LLC

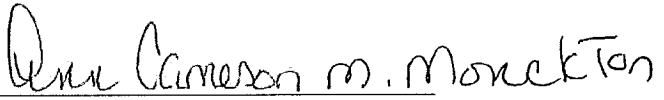
REZONING PETITION NO. 2018-xxx

BEACON PARTNERS, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located at 212 West Boulevard in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 123-062-05 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 on the associated conditional rezoning plan.

This 16th day of November, 2018


Ann Cameron M. Monckton

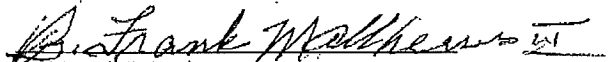
REZONING PETITION NO. 2018-xxx

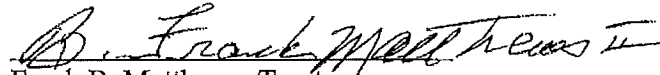
BEACON PARTNERS, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located at 208 West Boulevard in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 123-062-06 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 on the associated conditional rezoning plan.

This 14 day of Nov, 2018


B. Frank Matthews, II


Frank B. Matthews, Trustee
for John F. Renger, Jr. (Deceased)

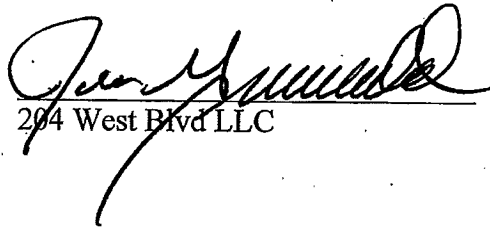
REZONING PETITION NO. 2018-xxx

BEACON PARTNERS, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located at 204 West Boulevard in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 123-062-07 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 on the associated conditional rezoning plan.

This 14th day of NOVEMBER, 2018


204 West Blvd LLC

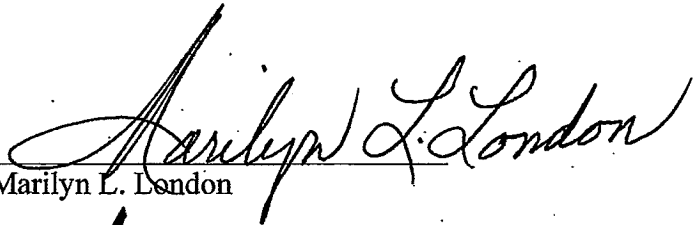
REZONING PETITION NO. 2018-xxx

BEACON PARTNERS, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located at 200 West Boulevard in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 123-06C-99 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 on the associated conditional rezoning plan.

This 4th day of November, 2018


Marilyn L. London


Marilyn L London Living Trust


REZONING PETITION NO. 2018-xxx

BEACON PARTNERS, PETITIONER

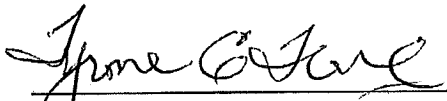
JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located at 1721 South Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 123-062-17 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 on the associated conditional rezoning plan.

This 20th day of November, 2018

By: 
Dena R. Diorio, County Manager
Mecklenburg County

Approved as to Form


County Attorney

APPROVED AS TO FORM:


COUNTY REAL ESTATE ATTORNEY

KEY MAP

SEAL

REZONING
PETITION
NUMBER 2018-0000

PROJECT

COMMON SURFACE

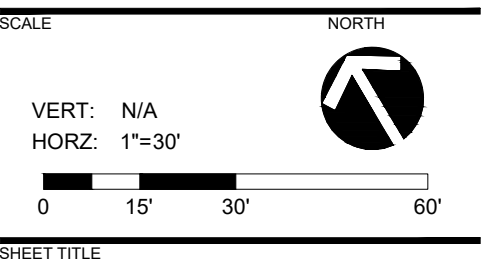
BEACON PARTNERS
CHARLOTTE, NC
REZONING PETITION 2018-XXX

LANDDESIGN PROJ.# 1018243

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	INITIAL REZONING SUBMITTAL	11.21.18

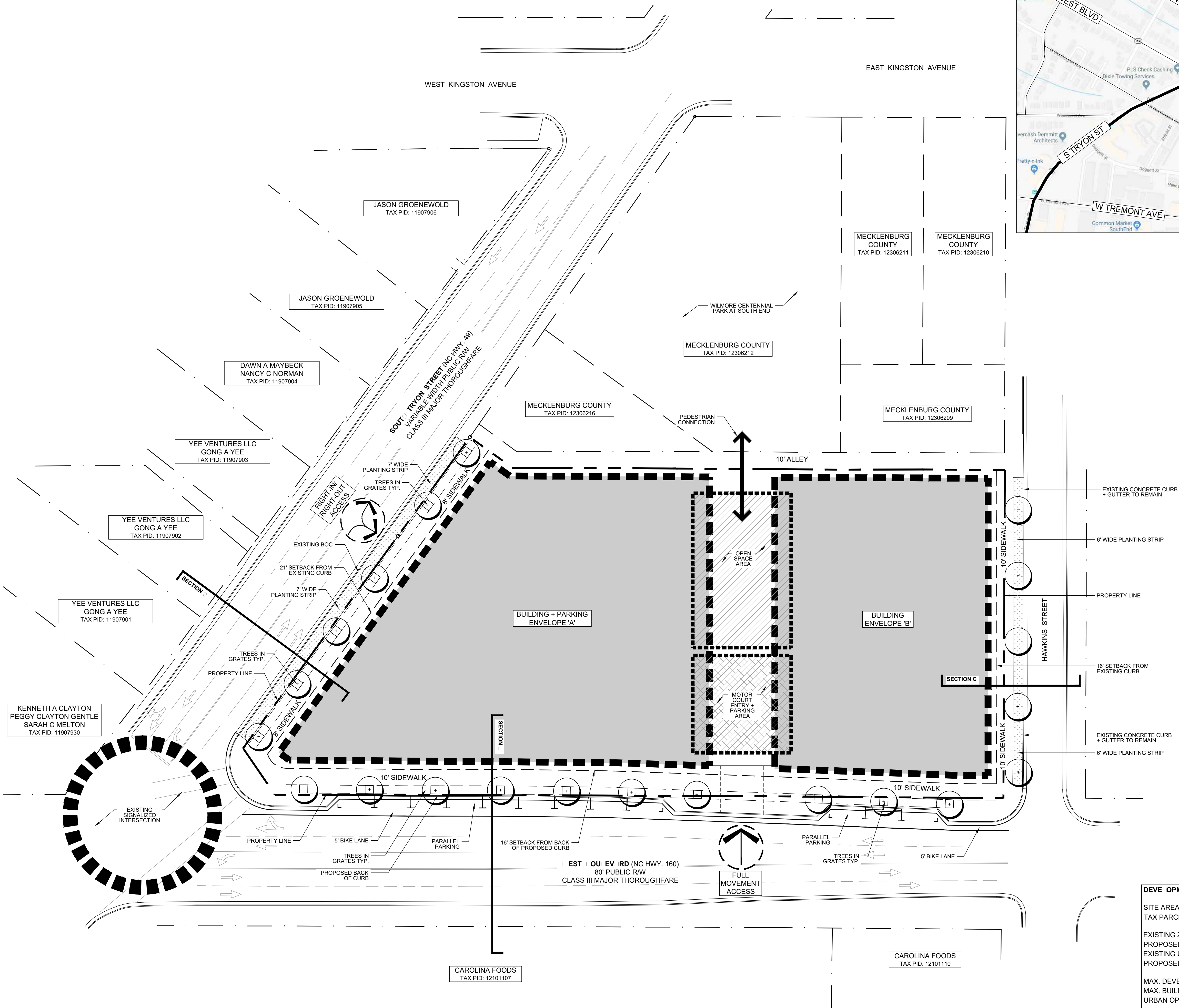
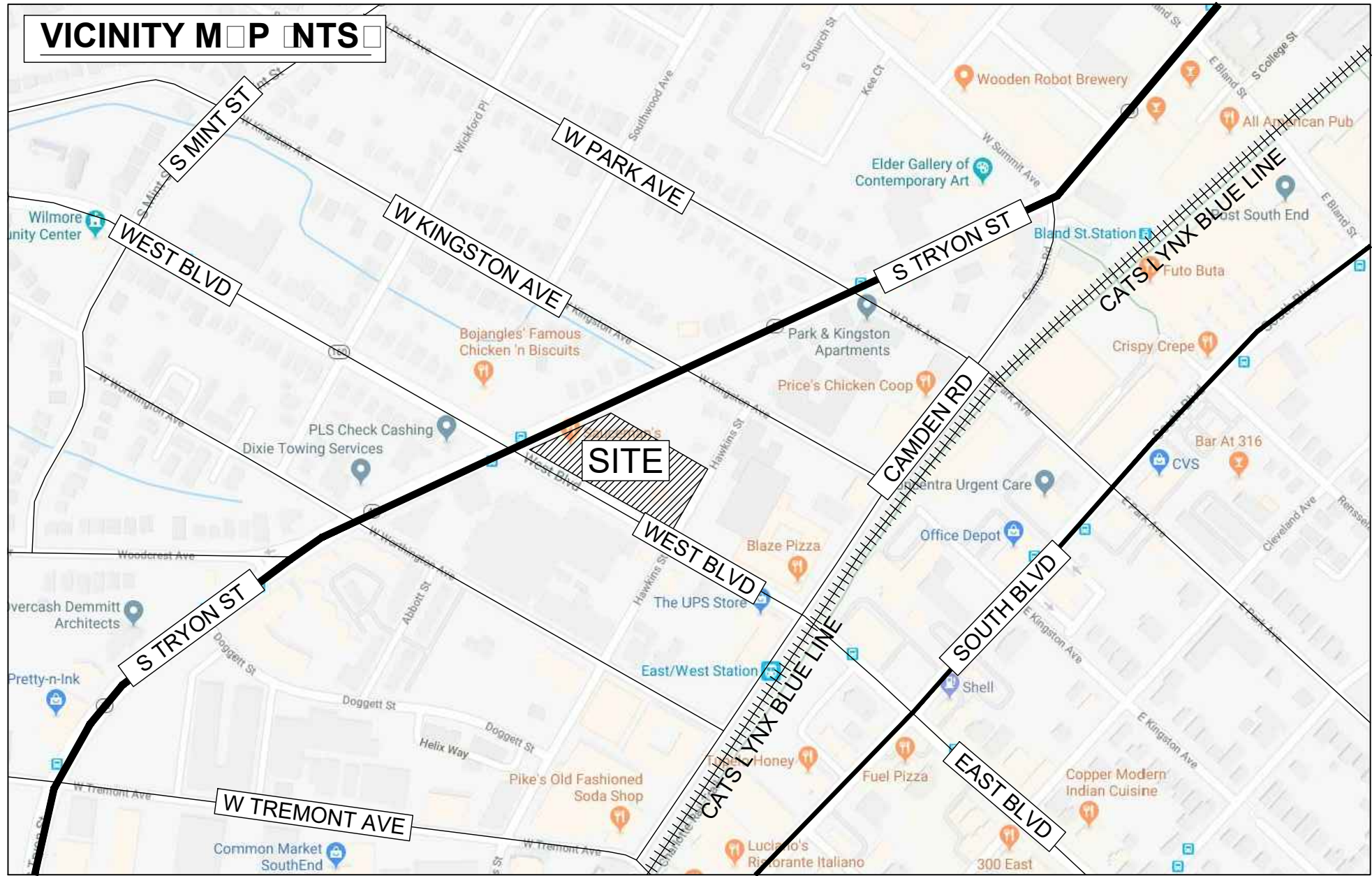
DESIGNED BY: LD
DRAWN BY: SAH
CHECKED BY: DAW



TECHNICAL DATA

SHEET NUMBER

RZ-1



DEVELOPMENT DATA

SITE AREA: +/- 1.84 ACRES
TAX PARCEL: 123-062-17, 123-062-18, 123-062-01, 123-062-04, 123-062-05, 123-062-06, 123-062-07, AND 123-062-19
EXISTING ZONING: B-1
PROPOSED ZONING: TOD-MO
EXISTING USE: RETAIL/OFFICE/VACANT/SINGLE-FAMILY
PROPOSED USES: OFFICE, COMMERCIAL, MULTI-FAMILY RESIDENTIAL, HOTEL, EDEE, PERSONAL SERVICE AND ACCESSORY USES THERETO
MAX. DEVELOPMENT: DEVELOPMENT INTENSITY SHALL NOT EXCEED LIMITS OF TOD-M
MAX. BUILDING HEIGHT: UP TO 150 FEET, AS FURTHER RESTRICTED IN THE OPTIONAL PROVISION BELOW
URBAN OPEN SPACE: MINIMUM OF 5,000 SQ. FEET

DEVE OPMENT D T T E

SITE AREA: +/- 1.84 ACRES
TAX PARCEL: 123-062-17, 123-062-18, 123-062-01, 123-062-04, 123-062-05, 123-062-06, 123-062-07, AND 123-062-19
EXISTING ZONING: B-1
PROPOSED ZONING: TOD-MO
EXISTING USE: RETAIL/OFFICE/VACANT/SINGLE-FAMILY
PROPOSED USES: OFFICE, COMMERCIAL, MULTI-FAMILY RESIDENTIAL, HOTEL, EEDE, PERSONAL SERVICE AND ACCESSORY USES THERETO
MAX. DEVELOPMENT: DEVELOPMENT INTENSITY SHALL NOT EXCEED LIMITS OF TOD-M
MAX. BUILDING HEIGHT: UP TO 150 FEET, AS FURTHER RESTRICTED IN THE OPTIONAL PROVISION BELOW
URBAN OPEN SPACE: MINIMUM OF 5,000 SQ. FEET

1. GENER PROVISIONS

THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY BEACON PARTNERS ("PETITIONER") TO REZONE PROPERTY TAX PARCEL NUMBERS 123-062-17, 123-062-18, 123-062-01, 123-062-04, 123-062-05, 123-062-06, 123-062-07, AND 123-062-19 (THE "SITE") FROM THE B-1 ZONING DISTRICT TO THE TOD-MO ZONING DISTRICT IN ORDER TO ACCOMMODATE A TRANSIT ORIENTED MIXED-USE DEVELOPMENT, AS DEPICTED ON THE REZONING PLAN.

DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE ACCOMPANYING REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). THE REZONING PLAN IS INTENDED TO REFLECT MAXIMUM DEVELOPMENT RIGHTS, BUILDING ENVELOPES, THE ARRANGEMENTS AND LOCATIONS OF ACCESS POINTS.

UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE TOD-M ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

ALTERATIONS OR MODIFICATIONS WHICH, IN THE OPINION OF THE PLANNING DIRECTOR, SUBSTANTIALLY ALTER THE CHARACTER OF THE DEVELOPMENT PROPOSED OR SIGNIFICANTLY ALTER THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS, OR CONSTITUTE CHANGES WHICH INCREASE THE INTENSITY OF DEVELOPMENT, SHALL NOT BE DEEMED TO BE MINOR AND MAY ONLY BE MADE IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTIONS 6.207(1) OR (2) OF THE ORDINANCE, AS APPLICABLE.

2. OPTION PROVISIONS

PETITIONER SEEKS APPROVAL OF THE FOLLOWING OPTIONAL PROVISIONS:

- a. TO ALLOW UP TO 150 FEET OF BUILDING HEIGHT WITHIN BUILDING ENVELOPE B, EXCLUSIVE OF ORNAMENTAL ROOF STRUCTURES SUCH AS PARAPETS, SPIRES, MANSARDS, DOMES, DORMERS OR OTHER ARCHITECTURAL FEATURES.
- b. TO ALLOW WALL SIGNS LOCATED ABOVE THE SECOND FLOOR OF THE PROPOSED BUILDINGS TO HAVE UP TO 250 SQUARE FEET OF SIGN AREA PER BUILDING WALL.
- c. TO ALLOW ONE (1) GROUND MOUNTED SIGN UP TO 10 FEET IN HEIGHT AND CONTAINING UP TO 75 SQUARE FEET OF SIGN AREA ON THE SITE.
- d. TO ALLOW A PHASED DEVELOPMENT THAT EXCEEDS THE PARKING MAXIMUMS OF THE ORDINANCE, AS LONG AS, WHEN THE FINAL PHASE OF THE DEVELOPMENT IS COMPLETED, THE TOTAL NUMBER OF PARKING SPACES ARE IN COMPLIANCE WITH THE TOD-M PARKING STANDARDS OF THE ORDINANCE.
- e. TO ALLOW PARKING, DROP-OFF AND MANEUVERING BETWEEN BUILDINGS AND THE STREET.

NOTE: THE OPTIONAL PROVISIONS REGARDING SIGNS ARE ADDITIONS/MODIFICATIONS TO THE STANDARDS FOR SIGNS IN THE TOD-M DISTRICT AND ARE TO BE USED WITH THE REMAINDER OF TOD-M STANDARDS FOR SIGNS NOT MODIFIED BY THESE OPTIONAL PROVISIONS.

PERMITTED USES

THE SITE MAY BE DEVOTED TO ANY USE CONTEMPLATED IN THE TOD ORDINANCE STANDARD TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH, AS FURTHER RESTRICTED IN SECTION 5, BELOW.

MAXIMUM DEVELOPMENT

DEVELOPMENT SHALL NOT EXCEED THE MAXIMUM ALLOWABLE DEVELOPMENT IN THE TOD ORDINANCE STANDARDS. OFFICE USES SHALL CONSTITUTE AT LEAST 20% OF THE GROSS FLOOR AREA DEVELOPED ON THE SITE (EXCLUSIVE OF PARKING STRUCTURES). OFFICE USES SHALL NOT BE THE SOLE USE ON THE SITE.

TRANSPORTATION

- a. VEHICULAR ACCESS POINTS SHALL BE LIMITED TO ONE FULL-ACCESS DRIVEWAY ON WEST BOULEVARD AND ONE RIGHT-IN/RIGHT-OUT DRIVEWAY ON SOUTH TRYON STREET.
- b. PETITIONER SHALL COORDINATE WITH CDOT DURING THE PERMITTING PHASE OF REDEVELOPMENT REGARDING THE FINAL LOCATION OF PROPOSED VALET/LOADING SPACES. VALET/LOADING SPACES SHALL NOT AT ANY TIME BE LOCATED ON S. TRYON STREET.
- c. PETITIONER SHALL ACCOMMODATE A MINIMUM SIXTEEN (16) FOOT HARDSCAPE AMENITY ZONE ALONG THE SITE'S FRONTAGE OF WEST BOULEVARD AND SOUTH TRYON STREET AND A FIVE (5) FOOT WIDE BIKE LANE ALONG THE SITE'S FRONTAGE OF WEST BOULEVARD.
- d. PETITIONER SHALL DEDICATE ALL RIGHTS-OF-WAY TO THE CITY OF CHARLOTTE IN FEE SIMPLE CONVEYANCE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.
- e. PETITIONER SHALL SUBSTANTIALLY COMPLETE ALL TRANSPORTATION IMPROVEMENTS BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED OR PHASED PER THE SITE'S DEVELOPMENT PLAN.

ARCHITECTURAL STANDARDS

- a. THE PETITIONER IS PROPOSING AN ECLECTIC STYLE OF ARCHITECTURE, REFLECTING THE HISTORICAL ROOTS OF SOUTH END AND RESPECTING THE MORE RECENT SOUTH END RENAISSANCE OF COMMERCIAL AND RESIDENTIAL ARCHITECTURE.
 - i. PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS ABUTTING A NETWORK REQUIRED PUBLIC OR PRIVATE STREET SHALL COMPRISE A MINIMUM OF 20% OF THAT BUILDING'S ENTIRE FAÇADE FACING SUCH NETWORK STREET USING BRICK, GLASS, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO, FIBER CEMENT, CORRUGATED METAL, STEEL ACCENTS, ARCHITECTURAL SHINGLES OR OTHER MATERIAL APPROVED BY THE PLANNING DIRECTOR.
 - ii. PROHIBITED EXTERIOR BUILDING MATERIALS: THE PETITIONER WILL NOT UTILIZE (1) VINYL SIDING (BUT NOT VINYL HAND RAILS, WINDOWS OR DOOR TRIM) OR (2) CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.
- b. ALL PRIMARY BUILDINGS SHALL HAVE A MINIMUM GROUND FLOOR TRANSPARENCY (MEASURED 3' TO 10' FROM GRADE) OF 60% FOR COMMERCIAL USES AND 25% FOR RESIDENTIAL USES ALONG THE SITE'S FRONTAGE OF WEST BOULEVARD. UPPER FLOOR TRANSPARENCY SHALL BE A MINIMUM OF 15% FOR ALL PRIMARY BUILDINGS.
- c. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:
 - i. BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FAÇADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF 2 FEET EXTENDING THROUGH AT LEAST A FULL FLOOR.
 - ii. BUILDING LENGTHS SHALL NOT EXCEED 400 FEET ALONG A RIGHT-OF-WAY.

d. ARCHITECTURAL ELEVATION DESIGN: ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:

- i. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS.
 - ii. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FACADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS, WITH A MINIMUM HEIGHT OF SIXTEEN (16) FEET FOR COMMERCIAL USES. SUCH BASE MAY BE EXECUTED THROUGH USE OF PREFERRED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES AND COLOR CHANGES.
 - iii. BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND 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.
- e. ACTIVE GROUND FLOOR USES SHALL OCCUPY AT LEAST 80% OF THE SITE'S LINEAR STREET-LEVEL BUILDING FRONTAGE OF WEST BOULEVARD.
- f. AT LEAST 75% OF ALL PARKING STRUCTURES SHALL BE SCREENED FROM PUBLIC STREETS AT THE PEDESTRIAN LEVEL OR STREET LEVEL BY ACTIVE USES FRONTING WEST BOULEVARD.
- g. PROMINENT ENTRANCE SPACING SHALL BE PROVIDED AT MAXIMUM OF SEVENTY-FIVE (75) FEET FOR BUILDINGS ONE HUNDRED (100) FEET OR GREATER IN LENGTH FRONTING SOUTH TRYON STREET AND WEST BOULEVARD. ALL PROMINENT ENTRANCES SHALL BE VISUALLY DISTINCTIVE FROM THE REMAINING PORTIONS OF THE FAÇADE ON WHICH THEY ARE LOCATED. ALL GROUND FLOOR ENTRANCES SHALL INCLUDE DIRECT PEDESTRIAN CONNECTIONS BETWEEN STREET FACING DOORS TO ADJACENT SIDEWALKS.

OPEN SPACE

- a. IN ORDER TO STIMULATE PEDESTRIAN ACTIVITY, THE SITE SHALL BE DESIGNED TO INCORPORATE AN URBAN OPEN SPACE AREA AS AN ENTRY POINT INTO THE SITE VIA WEST BOULEVARD, PROVIDING PEDESTRIAN ACCESS TO WILMORE CENTENNIAL PARK AT SOUTH END.
- b. THE SITE SHALL CONTAIN A MINIMUM OF 5,000 SQUARE FEET OF URBAN OPEN SPACE THROUGHOUT THE SITE, IN THE AREAS AS GENERALLY DEPICTED ON THE REZONING PLAN.

ENVIRONMENTAL FEATURES

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

LIGHTING

ALL FREE-STANDING LIGHTING FIXTURES WILL BE SHIELDED WITH FULL CUT-OFF FIXTURES.

AMENDMENTS TO REZONING PLAN

FUTURE AMENDMENTS TO THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF A PARTICULAR TRACT WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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

THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

KEY MAP

SEAL

REZONING
PETITION
NUMBER 2018- 11 1

PROJECT

COMMON S U R E

BEACON PARTNERS
CHARLOTTE, NC
REZONING PETITION 2018-XXX

LANDDESIGN PROJ# 1018243

REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
1	INITIAL REZONING SUBMITTAL	11.21.18

DESIGNED BY: LD
DRAWN BY: SAH
CHECKED BY: DAW

SCALE NORTH

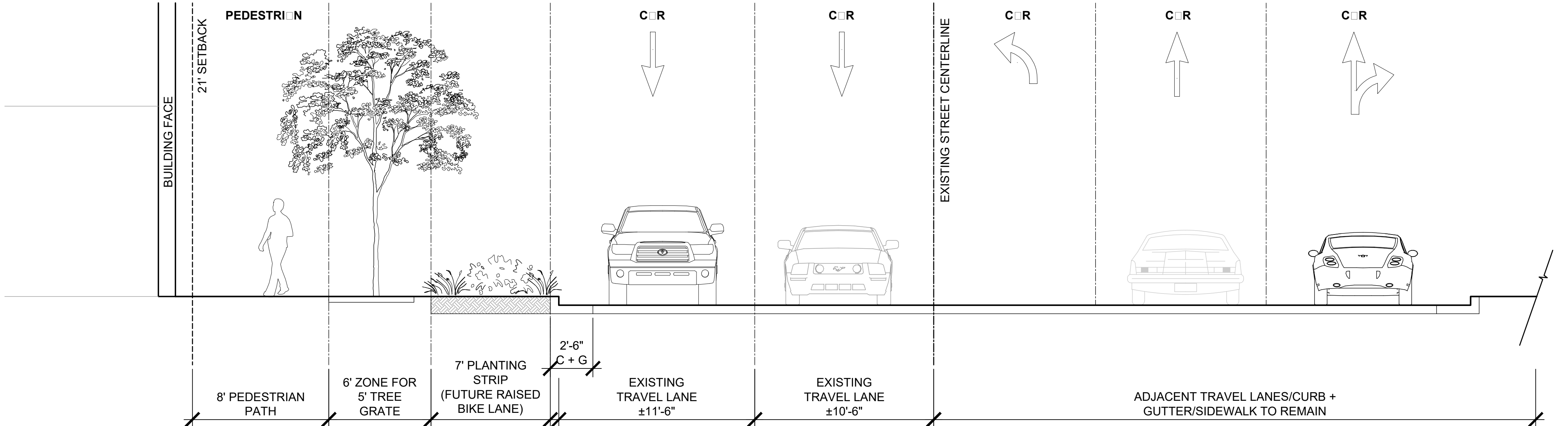
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HORZ:

SHEET TITLE

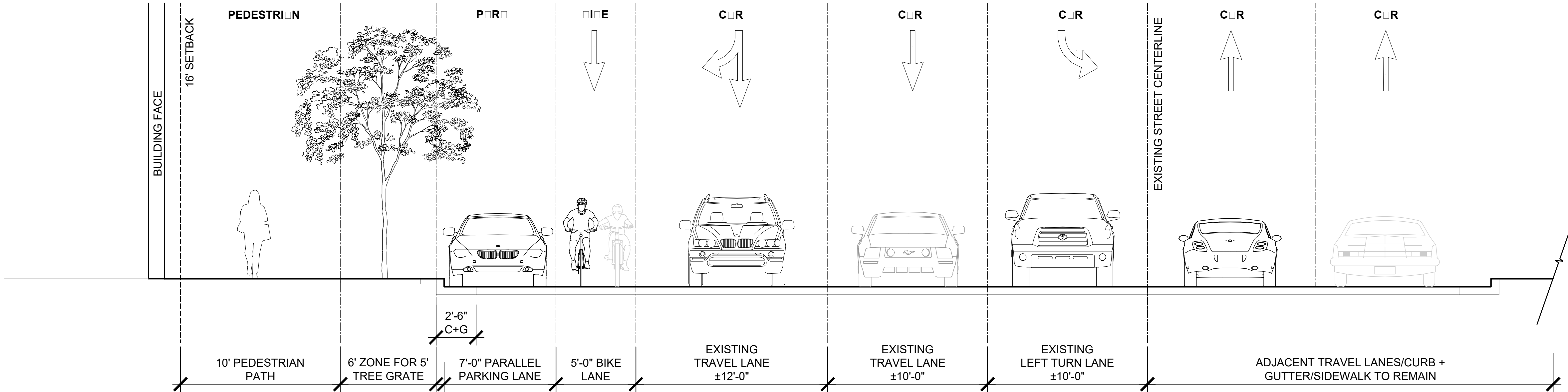
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SHEET NUMBER

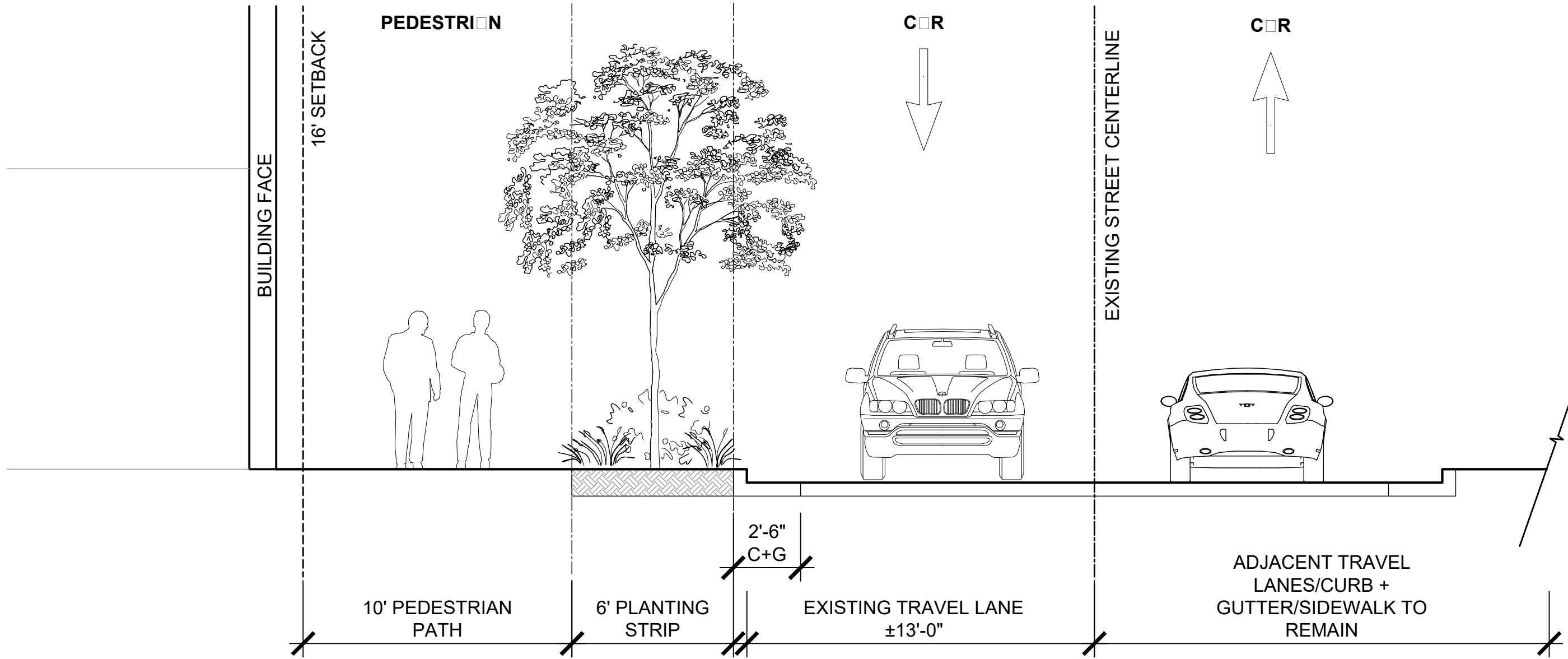
RZ-2



SECTION A - SOUTH TRYON STREET
SCALE: 1/4" = 1'-0"



SECTION B - WEST BOULEVARD
SCALE: 1/4" = 1'-0"



SECTION C - HAWKINS STREET
SCALE: 1/4" = 1'-0"

KEY MAP

SEAL

REZONING
PETITION
NUMBER 2018-0000

PROJECT

COMMON SURE

BEACON PARTNERS
CHARLOTTE, NC
REZONING PETITION 2018-XXX

LANDDESIGN PROJ.# 1018243

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	INITIAL REZONING SUBMITTAL	11.21.18

DESIGNED BY: LD
DRAWN BY: SAH
CHECKED BY: DAW

SCALE NORTH

VERT: N/A
HORZ:

SHEET TITLE

STREET CROSS-SECTIONS

SHEET NUMBER

RZ-3



SEAL

PROJECT _____

BEACON PARTNERS

CHARLOTTE, NC

REZONING PETITION 2018-XXX

LANDDESIGN PROJ.# 1018243

REVISION / ISSUANCE

[illegible]

DESIGNED BY: LD
DRAWN BY: SAH
CHECKED BY: DAW

SCALE

VERT: N/A
HORZ: NTS

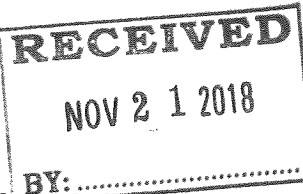
SHEET TITLE

EXISTING CONDITIONS

SHEET NUMBER

RZ-4

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2018-149
Date Filed: 11/21/2018
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: West End Investments, LLC / Mosaic Village Holdings, LLC / Paul Edwin Clouer

Owner's Address: 19109 West Catawba Avenue, Suite 200 Cornelius, NC 28031-5611

Date Property Acquired: _____

Property Address: 1607 West Trade St.

Tax Parcel Number(s): 07101911, 07101919, 07101920, 07101922, 07101923, 07101925, 07101926, & 07101921 (Joinder; Paul Edwin Clouer) & 07101915, 07101917, 07101933 (Joinder: Mosaic Village Holdings, LLC)

Current Land Use: Residential / Retail Size (Acres): 4.134

Existing Zoning: B-1, B-1(PED-O), R-8, R-8(CD) , Proposed Zoning: MUDD (CD)

Overlay: (PED-O) Existing to be replaced by MUDD Tree Survey Provided: NO: N/A: _____

Required Rezoning Pre-Application Meeting* with: Alberto Gonzales, (Planning Coordinator) & Rick Grochoske (CDOT)

Date of meeting: 9/11/2018

(*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: Additional Site Development for New Office Building

Shook Kelley – Frank S. Quattrocchi

Name of Rezoning Agent

2151 Hawkins St, Suite 400

Agent's Address

Charlotte, NC 28203

City, State, Zip

704.944.2392 X101

Telephone Number

704.377-09853

Fax Number

frankquattrocchi@shookkelley.com

E-Mail Address

[Signature]

Signature of Property Owner

Mike Griffin

(Name Typed / Printed)

Mike Griffin – West End Investments, LLC

Mosaic Village Holdings, LLC (07101915, 07101917, 07101933)

Paul Edwin Clouer (07101921)

Name of Petitioner(s)

19109 W. Catawba Ave. Suite 200 Cornelius, NC 28031-5611

5512 Manning Rd, Charlotte NC 28269

Address of Petitioner(s)

Cornelius, NC 28031-5611 / Charlotte NC 28269

City, State, Zip

704. 533. 5781

Telephone Number

Fax Number

griffclt@me.com

E-Mail Address

[Signature]

Signature of Petitioner

Mike Griffin

(Name Typed / Printed)

REZONING PETITION NO. 2018-_____
West End Investments, LLC

OWNER JOINDER AGREEMENT
Mosaic Village Holdings, LLC

The undersigned, as the owner of the parcels of land located at 1622 Duckworth Ave., Charlotte, NC 28208, 1635 W. Trade St., Charlotte NC 28216 & 1607 W. Trade St. 28216 that is designated as Tax Parcels No's. 07101933, 07101917, 07101915, on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "parcels"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from the B-1 zoning district to the MUDD(CD) zoning district as more particularly depicted on the related rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 12 day of November, 2018.

Mosaic Village Holdings, LLC

By: _____

Name: Larry Griffin, Jr

Its: Manager

:

REZONING PETITION NO. 2018-_____
West End Investments – Charlotte

OWNER JOINDER AGREEMENT
Paul Edwin Cloer

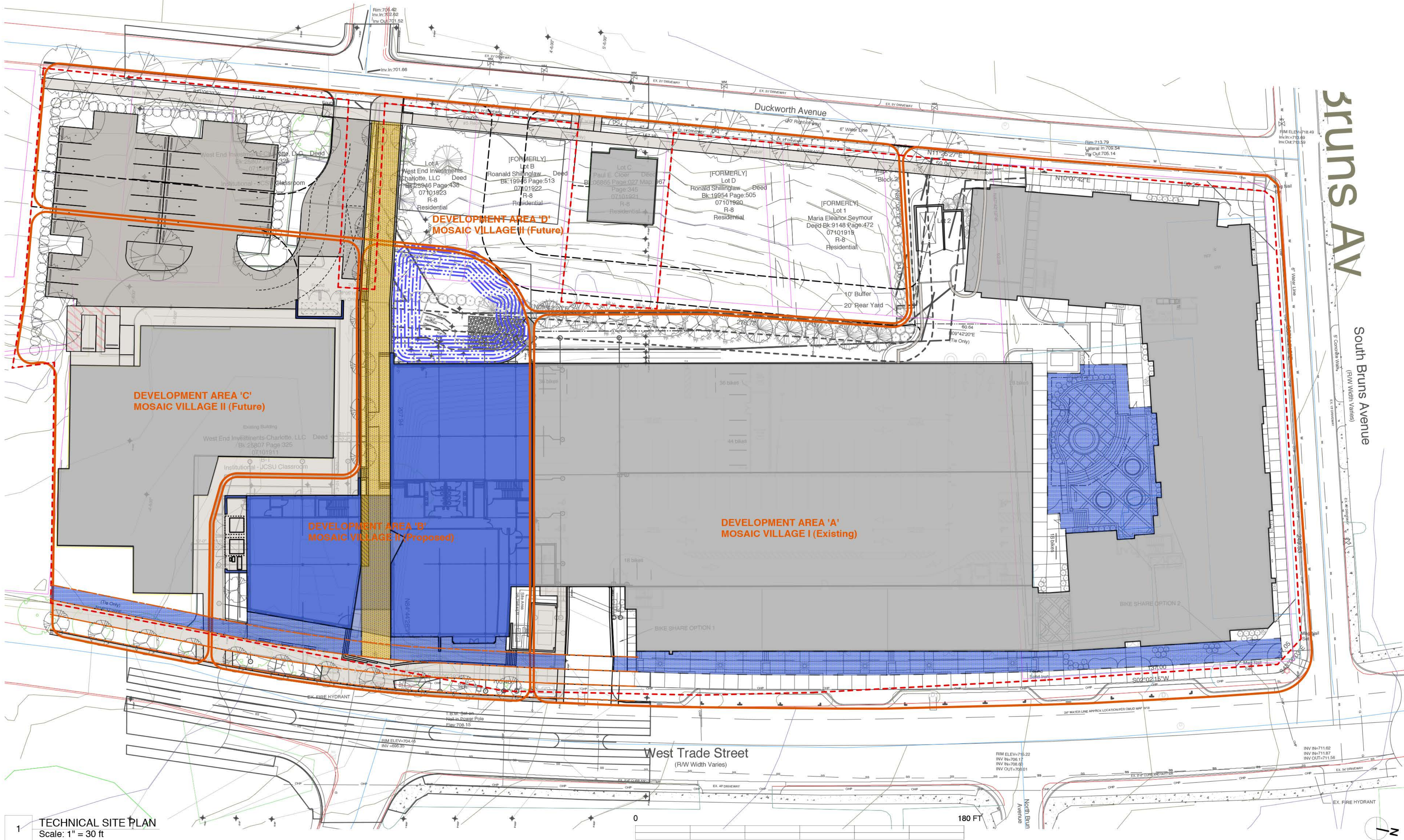
The undersigned, as the owner of the parcel of land located at 1608 Duckworth Ave., Charlotte, NC 28208 that is designated as Tax Parcel No. 071-019-21 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcel from the R-8 zoning district to the MUDD zoning district as more particularly depicted on the related rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 22 day of October, 2018.

By: **Paul Edwin Cloer**

Name: Paul Edwin Cloer

:



1 TECHNICAL SITE PLAN
Scale: 1" = 30 ft

SITE LEGEND

AMENITY AREA
(NEW & EXISTING)

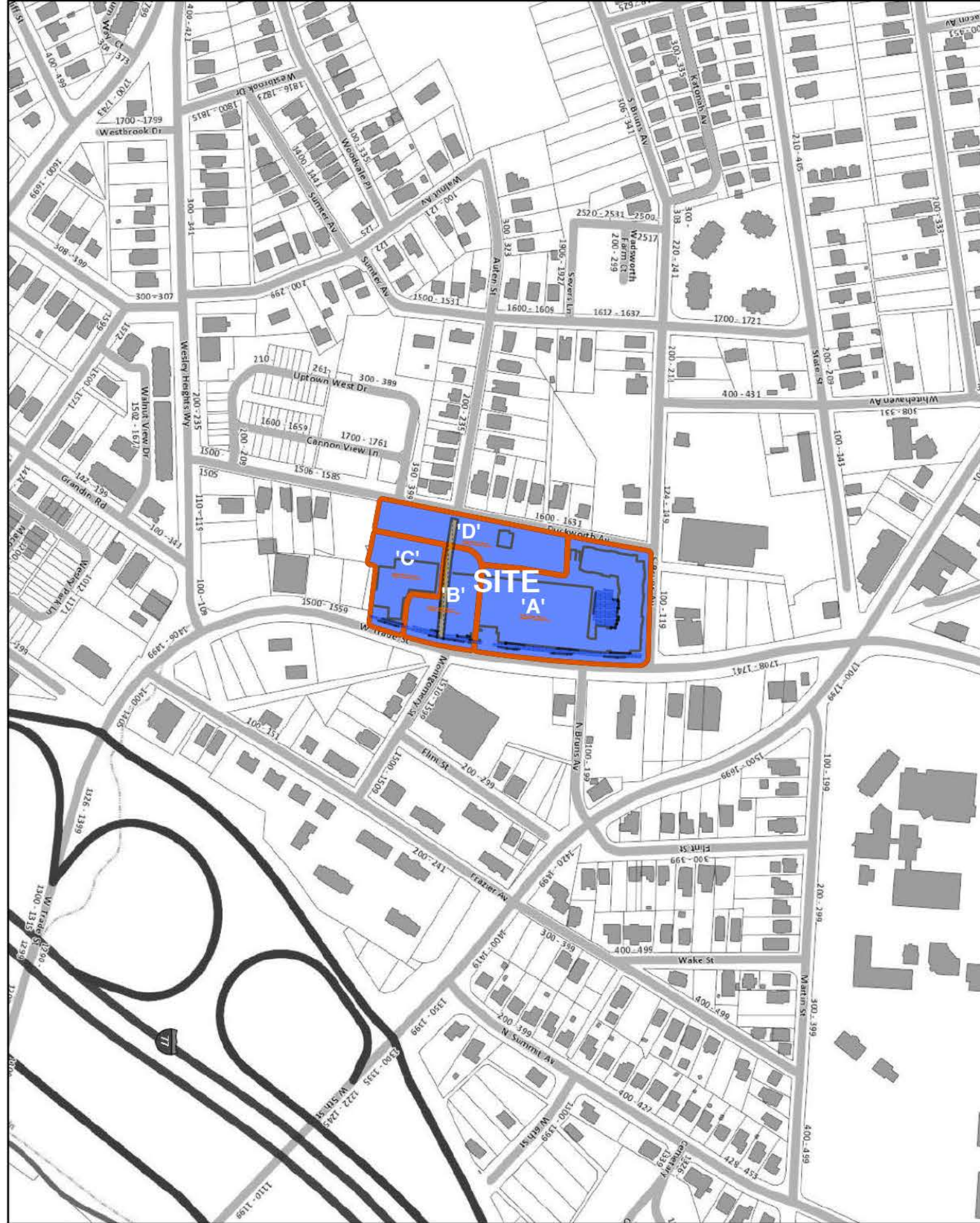
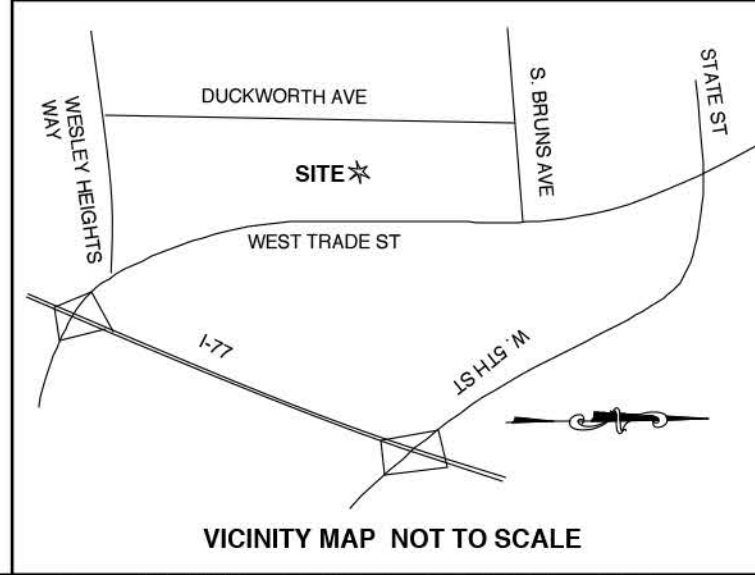
MULTI-USE
PEDESTRIAN PATH

COVERED
BIKE STORAGE

PROPERTY LINE

SETBACK LINE

DEVELOPMENT AREA



2 CONTEXT SITE PLAN
NO SCALE

Mosaic Village II
Development Standards
11/13/18
Rezoning Petition No. 2018

Site Development Data:
- **Acres:** ~ 4.134 acres
- **Tax Parcel #:** 071-01-911, 071-01-919, 071-01-920, 071-01-922, 071-01-923, 071-01-925, 071-01-926, 071-01-921 (Joinder: Paul Edwin Clouer), 071-01-915, 071-01-917, 071-01-933 (Joinder: Mosaic Village Holdings, LLC)
- **Existing Zoning:** B-1, B-1(PED-O), R-8, R-8 (CD)
- **Proposed Zoning:** MUDD(CD); with five (5) year vested rights.
- **Existing Uses:** Office, Retail, Residential (Single Family & Multi-Family)
- **Proposed Uses:** Uses allowed in the MUDD District for Development Areas A, B, C & D as more specifically described in Section 3 Development Standards on sheet RZ4.

- **Maximum Development Levels:** In accordance with the transfer/conversion rights and the other provisions of Section 3 below: (i) up to 170 single family (attached/detached) and/or multi-family residential dwelling units; (ii) indoor community uses of up to 5,000 square feet of gross floor area; (iii) up to 20,000 square feet of gross floor area for visual and performing arts and related uses, and (iv) up to 190,000 square feet of gross floor area of office, retail, restaurant, personal services and other similar commercial uses in each case as more particularly described below in Section 3; all together with accessory uses as permitted in the MUDD district, as applicable.

- **Maximum Building Height:**
- A maximum building height (as measured per Ordinance) of up to (6) Six Stories (existing) shall apply to buildings within Development Area A;
- A maximum building height (as measured per Ordinance) of up to 86.5' feet shall apply to building within Development Area B;
- A maximum building height (as measured per Ordinance) of up to 86.5' feet shall apply to building within Development Area C;
- A maximum building height (as measured per Ordinance) of up to 48' feet shall apply to building within Development Area D;
- Height to be measured as described in the Ordinance and shall not include building service or architectural accent features such as towers and parapet features, it being understood that (i) the service features and other architectural accent features are yet to be determined and may be higher than the maximum height of the building to which such features are attached but excluding occupiable space which shall be subject to the above referenced building height limitations.

- **Parking:** As required by the Ordinance for the MUDD zoning classifications.

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Prepared for:
West End Investments, LLC
19109 West Catawba Ave, Suite 200
Cornelius, NC 28031-5611
Contact: Mike Griffin

Agent:
Shook Kelley
2151 Hawking St., Suite 400
Charlotte, NC 28203
Contact: Frank Quattrocchi

c (704) 953-0364
frankquattrocchi@shookkelley.com

Mark Date Description

shook kelley

2151 Hawkins Street
Suite 400
Charlotte, NC 28203

704 / 377 0661
www.shookkelley.com

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West End Investments, LLC

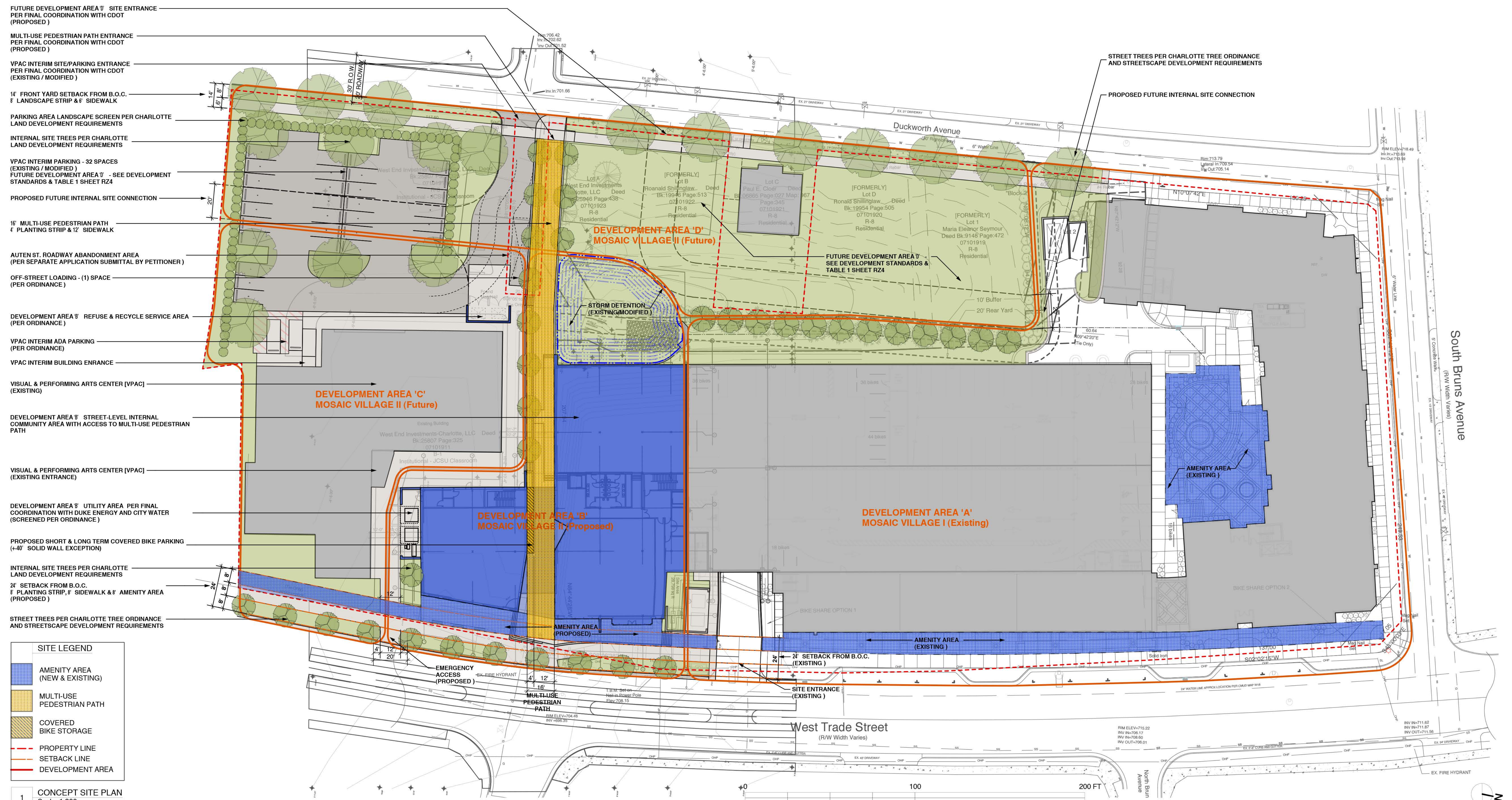
Context & Technical
Site Plan
2018-
M2 Zoning Plan.vwx

1607 West Trade St.
Charlotte, NC 28216

:A 11/21/2018 Rezoning Submittal

Project ID: 18046.001

RZ1



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neighboring concepts

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Contact: Mike Griffin

Agent:
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Mark Date Description

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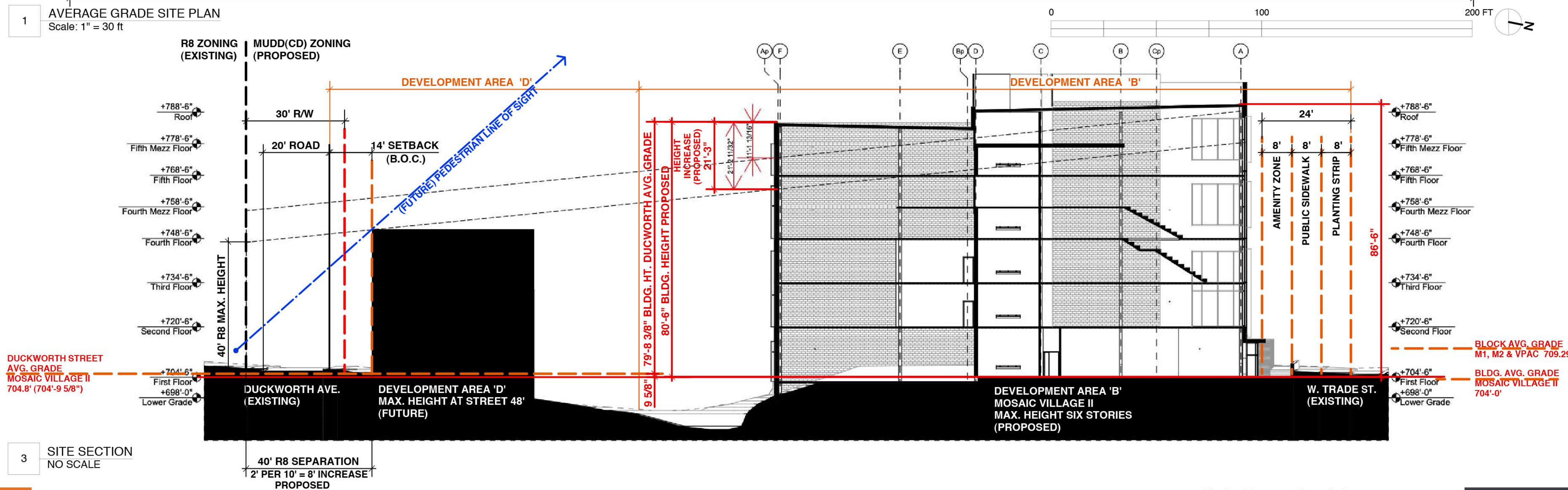
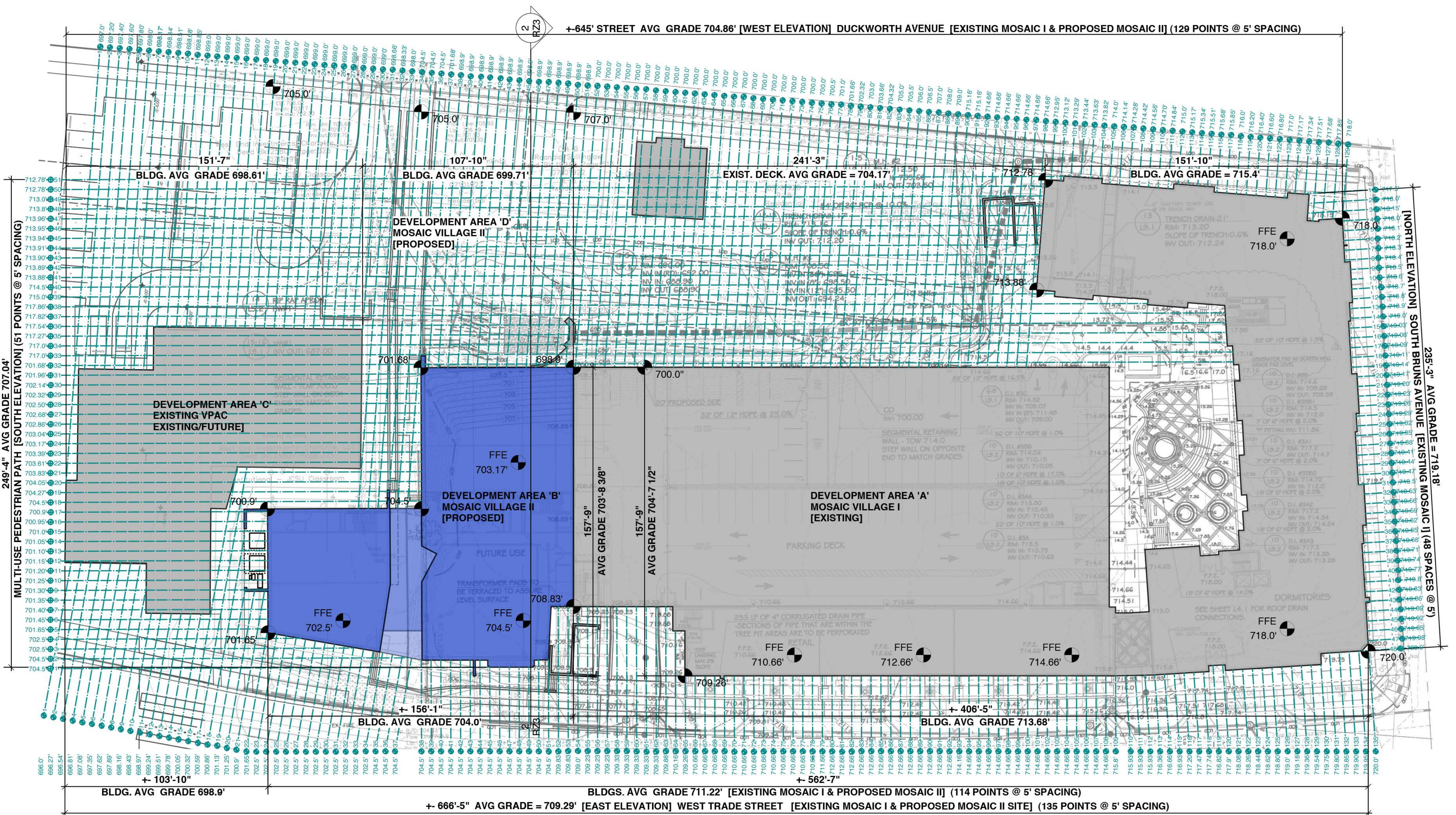
West End Investments, LLC
Mosaic Village II

1607 West Trade St.
Charlotte, NC 28216

11/21/2018 Rezoning Submittal
Project ID: 18046.001

Concept Site Plan
2018-__

M2 Zoning Plan.vwx
RZ2



AVERAGE GRADE CALCULATIONS - MOSAIC I (M1) & MOSAIC II (M2) & VPAC											
W. TRADE ST. [EAST ELEVATION]				DUCKWORTH AVE. [WEST ELEVATION]							
BLOCK TOTAL M1, M2, VPAC	BLDG TOTALS M1 & M2	BLDG TOTAL M2	BLDG TOTAL M1	BLOCK TOTAL M1, M2, VPAC	BLDG TOTAL VPAC			BLOCK TOTAL M1, M2, VPAC	BLDG TOTAL VPAC		
1 696	22 703.65	22 703.65	34 709	1 697	30 699			1 697	30 699		
2 696.27	23 702.5	23 702.5	35 709.23	2 697.2	31 699.33			2 697.2	31 699.33		
3 696.24	24 702.5	24 702.5	36 709.23	3 697.2	32 699.33			3 697.2	32 699.33		
4 696.81	25 702.5	25 702.5	37 709.23	4 697.5	33 699.66			4 697.5	33 699.66		
5 697.08	26 702.5	26 702.5	38 709.23	5 697.8	34 699.99			5 697.8	34 699.99		
6 697.55	27 702.5	27 702.5	39 709.23	6 698.1	35 700.32			6 698.1	35 700.32		
7 697.82	28 702.5	28 702.5	40 709.23	7 698.17	36 700.34			7 698.17	36 700.34		
8 697.89	29 702.5	29 702.5	41 709.23	8 698.34	37 700.66			8 698.34	37 700.66		
9 698.14	30 702.5	30 702.5	42 709.23	9 698.51	38 700.99			9 698.51	38 700.99		
10 698.43	31 702.5	31 702.5	43 709.23	10 698.68	39 701.32			10 698.68	39 701.32		
11 698.67	32 702.5	32 702.5	44 709.23	11 698.85	40 701.66			11 698.85	40 701.66		
12 699.24	33 702.5	33 702.5	45 709.23	12 699	41 701.99			12 699	41 701.99		
13 699.21	34 702.5	34 702.5	46 709.23	13 699	42 702.32			13 699	42 702.32		
14 699.78	35 702.5	35 702.5	47 709.23	14 699	43 702.66			14 699	43 702.66		
15 700.05	36 704.5	36 704.5	48 709.23	15 699	44 702.99			15 699	44 702.99		
16 700.12	37 704.5	37 704.5	49 709.23	16 699	45 703.32			16 699	45 703.32		
17 700.59	38 704.5	38 704.5	50 709.23	17 699	46 703.66			17 699	46 703.66		
18 700.84	39 704.5	39 704.5	51 709.23	18 699	47 703.99			18 699	47 703.99		
19 701.13	40 704.5	40 704.5	52 709.23	19 699	48 704.32			19 699	48 704.32		
20 701.25	41 704.5	41 704.5	53 709.23	20 699	49 704.66			20 699	49 704.66		
21 700.9	42 704.5	42 704.5	54 709.23	21 699	50 704.99			21 699	50 704.99		
22 701.65	43 704.5	43 704.5	55 709.23	22 699	51 705.32			22 699	51 705.32		
23 702.5	44 704.5	44 704.5	56 709.23	23 699	52 705.66			23 699	52 705.66		
24 702.5	45 704.5	45 704.5	57 709.23	24 699	53 705.99			24 699	53 705.99		
25 702.5	46 704.5	46 704.5	58 709.23	25 699	54 706.32			25 699	54 706.32		
26 702.5	47 704.5	47 704.5	59 709.23	26 699	55 706.66			26 699	55 706.66		
27 702.5	48 704.5	48 704.5	60 709.23	27 699	56 706.99			27 699	56 706.99		
28 702.5	49 704.5	49 704.5	61 709.23	28 699	57 707.32			28 699	57 707.32		
29 702.5	50 704.5	50 704.5	62 709.23	29 699	58 707.66			29 699	58 707.66		
30 702.5	51 704.5	51 704.5	63 709.23	30 699	59 707.99			30 699	59 707.99		
31 702.5	52 706.5	52 706.5	64 709.23	31 699.66	60 708.32			31 699.66	60 708.32		
32 702.5	53 706.5	53 706.5	65 709.23	32 699.99	61 708.66			32 699.99	61 708.66		
33 702.5	54 709	54 709	66 709.23	33 698.66	62 709			33 698.66	62 709		
34 702.5	55 709.23	55 709.23	67 709.23	34 704.5	63 709.33			34 704.5	63 709.33		
35 704.5	56 709.23	56 709.23	68 709.23	35 704.5	64 709.66			35 704.5	64 709.66		
36 704.5	57 709.23	57 709.23	69 709.23	36 704.5	65 709.99			36 704.5	65 709.99		
37 704.5	58 709.23	58 709.23	70 709.23	37 704.5	66 710.32			37 704.5	66 710.32		
38 704.5	59 709.23	59 709.23	71 709.23	38 704.5	67 710.66			38 704.5	67 710.66		
39 704.5	60 709.23	60 709.23	72 709.23	39 704.5	68 710.99			39 704.5	68 710.99		
40 704.5	61 709.23	61 709.23	73 709.23	40 704.5	69 711.32			40 704.5	69 711.32		
41 704.5	62 709.23	62 709.23	74 709.23	41 698.9	70 711.66			41 698.9	70 711.66		
42 704.5	63 709.23	63 709.23	75 709.23	42 698.9	71 711.99			42 698.9	71 711.99		
43 704.5	64 710.26	64 710.26	76 709.23	43 698.9	72 712.32			43 698.9	72 712.32		
44 704.5	65 710.26	65 710.26	77 709.23	44 698.9	73 712.66			44 698.9	73 712.66		
45 704.5	66 710.26	66 710.26	78 709.23	45 698.9	74 712.99			45 698.9	74 712.99		
46 704.5	67 710.26	67 710.26	79 709.23	46 698.9	75 713.32			46 698.9	75 713.32		
47 704.5	68 710.26	68 710.26	80 709.23	47 698.9	76 713.66			47 698.9	76 713.66		
48 704.5	69 710.26	69 710.26	81 709.23	48 698.9	77 713.99			48 698.9	77 713.99		
49 704.5	70 710.26	70 710.26	82 709.23	49 698.9	78 714.32			49 698.9	78 714.32		
50 704.5	71 710.26	71 710.26	83 709.23	50 698.9	79 714.66			50 698.9	79 714.66		
51 704.5	72 710.26	72 710.26	84 709.23	51 700	80 714.99			51 700	80 714.99		
52 704.5	73 710.26	73 710.26	85 709.23	52 700	81 715.32			52 700	81 715.32		
53 704.5	74 710.26	74 710.26	86 709.23	53 700	82 715.66			53 700	82 715.66		
54 704.5	75 710.26	75 710.26	87 709.23	54 700	83 715.99			54 700	83 715.99		
55 704.5	76 710.26	76 710.26	88 709.23	55 700	84 716.32			55 700	84 716.32		
56 704.5	77 710.26	77 710.26	89 709.23	56 700	85 716.66			56 700	85 716.66		
57 704.5	78 710.26	78 710.26	90 709.23	57 700	86 716.99			57 700	86 716.99		
58 704.5	79 711.66	79 711.66	91 709.23	58 700	87 717.32			58 700	87 717.32		
59 704.5	80 711.66	80 711.66	92 709.23	59 700	88 717.66			59 700	88 717.66		
60 704.5	81 712.66	81 712.66	93 709.23	60 700	89 717.99			60 700	89 717.99		
61 704.5	82 712.66	82 712.66	94 709.23	61 700	90 718.32			61 700	90 718.32		
62 704.5	83 712.66	83 712.66	95 709.23	62 700	91 718.66			62 700	91 718.66		
63 704.5	84 712.66	84 712.66	96 709.23	63 700	92 718.99			63 700	92 718.99		
64 704.5	85 712.66	85 712.66	97 709.23	64 700	93 719.32			64 700	93 719.32		
65 704.5	86 712.66	86 712.66	98 709.23	65 700	94 719.66			65 700	94 719.66		
66 704.5	87 712.66	87 712.66	99 709.23	66 700	95 719.99			66 700	95 719.99		
67 704.5	88 712.66	88 712.66	100 709.23	67 700	96 720.32			67 700	96 720.32		
68 704.5	89 712.66	89 712.66	101 709.23	68 700	97 720.66			68 700	97 720.66		
69 704.5	90 712.66	90 712.66	102 709.23	69 700	98 720.99			69 700	98 720.99		
70 704.5	91 712.66	91 712.66	103 709.23	70 700	99 721.32			70 700	99 721.32		
71 704.5	92 712.66	92 712.66	104 709.23	71 700	100 721.66			71 700	100 721.66		
72 704.5	93 712.66	93 712.66	105 709.23	72 700	101 721.99			72 700	101 721.99		
73 704.5	94 712.66	94 712.66	106 709.23	73 700	102 722.32			73 700	102 722.32		
74 704.5	95 712.66	95 712.66	107 709.23	74 700	103 722.66			74 700	103 722.66		
75 704.5	96 712.66	96 712.66	108 709.23	75 700	104 722.99			75 700	104 722.99		
76 704.5	97 712.66	97 712.66	109 709.23	76 700	105 723.32			76 700	105 723.32		
77 704.5	98 712.66	98 712.66	110 709.23	77 700	106 723.66			77 700	106 723.66		
78 704.5	99 712.66	99 712.66	111 709.23	78 700	107 723.99			78 700	107 723.99		
79 704.5	100 712.66	100 712.66	112 709.23	79 700	108 724.32			79 700	108 724.32		
80 704.5	101 712.66	101 712.66	113 709.23	80 700	109 724.66			80 700	109 724.66		
81 704.5	102 712.66	102 712.66	114 709.23	81 700	110 724.99			81 700	110 724.99		
82 712.66	103 714.66	103 714.66	115 709.23	82 700.32	111 725.32			82 700.32	111 725.32		
83 712.66	104 714.66	104 714.66	116 709.23	83 700.66	112 725.66			83 700.66	112 725.66		
84 712.66	105 714.66	105 714.66	117 709.23	84 701	113 725.99			84 701	113 725.99		
85 712.66	106 714.66	106 714.66	118 709.23	85 701.33	114 726.32			85 701.33	114 726.32		
86 712.66	107 714.66	107 714.66	119 709.23	86 701.66	115 726.66			86 701.66	115 726.66		
87 712.66	108 714.66	108 714.66	120 709.23	87 701.99	116 726.99			87 701.99	116 726.99	</	

Site Development Data:

- Acresage:** ± 4.134 acres
- Tax Parcel #:** 071-01-911, 071-01-919, 071-01-920, 071-01-922, 071-01-923, 071-01-925, 071-01-926, 071-01-921 (Joinder, Paul Edwin Clouer), 071-01-915, 071-01-917, 071-01-933 (Joinder: Mosaic Village Holdings, LLC)
- Existing Zoning:** B-1, B-1 (PED-O), R-8, R-8 (CD)
- Proposed Zoning:** MUDD(CD), with five (5) year vested rights.
- Existing Uses:** Office, Retail, Residential (Single Family & Multi-Family)
- Proposed Uses:** Uses allowed in the MUDD District for Development Areas A, B, C & D as more specifically described below in Section 3.

-**Maximum Development Levels:** In accordance with the transfer/conversion rights and the other provisions of Section 3 below: (i) up to 170 single family (attached/detached) and or multi-family residential dwelling units; (ii) indoor community uses of up to 5,000 square feet of gross floor area; (iii) up to 20,000 square feet of gross floor area for visual and performing arts and related uses, and (iv) up to 190,000 square feet of gross floor area of office, multi-family, retail, restaurant, personal services and other similar commercial uses in each case as more particularly described below in Section 3; all together with accessory uses as permitted in the MUDD district, as applicable.

-Maximum Building Height:

- A maximum building height (as measured per Ordinance) of up to (6) Six Stories (existing) shall apply to buildings within Development Area A;
- A maximum building height (as measured per Ordinance) of up to 86.5' feet shall apply to building within Development Area B;
- A maximum building height (as measured per Ordinance) of up to 86.5' feet shall apply to building within Development Area C;
- A maximum building height (as measured per Ordinance) of up to 48' feet shall apply to building within Development Area D;
- Height to be measured as described in the Ordinance and shall not include building service or architectural accent features such as towers and parapet features, it being understood that (i) the service features and other architectural accent features are yet to be determined and may be higher than the maximum height of the building to which such features are attached but excluding occupied space which shall be subject to the above referenced building height limitations.

-**Parking:** As required by the Ordinance for the MUDD zoning classifications.

1. General Provisions:

- a. Site Location/Development Areas:** These Development Standards, the Technical Data Sheet and other graphics set forth on attached RZ Sheets, form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Mosaic Village II Rezoning Petition filed by West End Investments, LLC ("Petitioner") to accommodate development of mixed-uses on an approximately 4.134 acre site located along the CATS Gold Line at West Trade Street adjacent to the historic J.C. Smith University 5-Points, as generally depicted on the Rezoning Plan (the "Site") , such development to form a second phase of the original existing Mosaic Village I as described in Section 1.e. below. For ease of reference, the Rezoning Plan sets forth three (4) development areas as generally depicted on Sheets RZ1 & RZ2 as Development Areas A, B, C and D (each a "Development Area" and collectively the "Development Areas") .

- b. Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance") . Unless the Rezoning Plan establishes more stringent standards, (i) the regulations established under the Ordinance for: (i) the MUDD zoning district shall govern development taking place within Development Areas A, B, C and D.

- c. Graphics and Alterations/Modifications.** The conceptual depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Development 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 nor deemed by Planning Staff as so minor as not to require an administrative amendment, 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 documentation 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, as indicated above, there may be instances where minor modifications that don't materially change the overall design intent depicted on the Rezoning Plan such as minor modifications to the Development Areas (as defined below) or the Development/Site Elements, may be allowed by the Planning Staff/Planning Director, in their discretion, without requiring the administrative amendment process per Section 6.207 of the Ordinance; in other instances modifications shall be reviewed and approved as allowed by Section 6.207.

- d. Number of Buildings Principal and Accessory.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site shall not exceed **8**. 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, and the number of accessory buildings (not including non-building structures) on the Site shall not exceed eight and any such accessory buildings shall not exceed a height of 25 feet.

- e. Planned/Unified Development.** The Site together with Development Area A, the existing Mosaic Village I, as generally depicted on Sheets RZ1 & RZ2, shall be reviewed in the aggregate as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning. As such, setbacks, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located on the Site. The Petitioner and/or owner(s) of the Site reserve the right to subdivide the portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in Section 3 below as to the Site and in the applicable rezoning plan, taken as a whole and not individual portions or lots located therein.

- f. Five Year Vested Rights.** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the level of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period, but such provisions shall not be deemed a limitation on any other vested rights whether at common law or otherwise.

- g. Gross Floor Area Clarification.** When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), enclosed loading dock/service areas, balconies, ground/street level outdoor dining areas and exterior special event dining in above ground areas, and all gathering areas whether on the roof of the building or at street level.

- h. Personal Services.** Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spas, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, limited scale medical services such as dental services, and the like.

- i. Project Phasing.** Development taking place on the Site may occur in phases and in such event, except as expressly required in this Rezoning Plan or by the Ordinance, certain streetscape and related improvements and improvements associated with the Multi-Use Pedestrian Path to be developed through Development Areas B & C may take place in connection with the phase of development to which such improvements relate as described herein (such as completion of the Multi-Use Pedestrian Path within Development Area D prior to Area D Development Delivery Date).

- j. Definition of Multi-Use Pedestrian Path.** For the purposes of the Rezoning Plan, references to the term "Multi-Use Pedestrian Path" shall mean that portion of the Site located through Development Areas B & D that will serve to connect Duckworth Avenue at Auten St. to W. Trade Street and the CATS Gold Line.

2. Optional Provisions:

The following Optional Provisions shall apply to Development Areas A, B, C and D:

- a. Internal Driveways.** To the extent an Optional Provision is needed for clarity, internal driveways shall be treated as private driveways for all purposes of the Rezoning Plan, and as such parking shall be allowed between such driveways and buildings located within the MUDD(CD) zoned Development Areas A, B, C and D.

- b. Interim Surface Parking: Phasing Conditions.** To allow during the construction staging and subsequent phasing of development on the Site, surface parking on portions of the Site on an interim basis may be allowed without regard to locations between buildings and streets/driveways, provided that such surface parking areas beyond the construction staging period will meet all required minimum setbacks, streetscape and screening requirements. Driveways during phases of the development may vary in location from those generally depicted on the Rezoning Plan subject to approval of CDOT and the Charlotte Fire Department.
- c. Temporary Signs.** In addition to other signs permitted in this Section 2 and otherwise in the Rezoning Plan, to allow Temporary signs and/or banners along W. Trade St. with up to 64 square feet of sign face area and with a maximum height of seven (7) feet. A total of two (2) Temporary Planned Development signs may be erected along the Site's frontage on W. Trade St. (an increase of two (2) feet above the Ordinance requirements).

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

- d. Recessed Doors.** Not to require doorways to be recessed into the face of buildings when abutting required Open Space or amenity area sidewalks 8 feet or greater.

- e. Bike Parking.** To allow required long term bike parking spaces for the uses located on the Site within Development Areas B to be located within the 4' Multi-Use Pedestrian Path Landscape Area constructed below the building portion of Development Area B at street level. Bike parking at this location will provide the most direct covered access to the Multi-Use Pedestrian Path, proposed Community Room, and MUDD uses within Development Area B.

- f. Encroachments Into Side Yard Separation.** To allow balconies located above the first floor of the building between Development Areas B and C to encroach up to four (4) feet into the assumed side yard separation to Development Area C as generally depicted on the Rezoning Plan subject to approval of the Charlotte Fire Department.

3. Permitted Uses, Development Area Limitations, Transfer & Conversion Rights:

- a.** In addition to other development permitted on the Site as described in this Section 3 and in accordance with and subject to the restrictions, limitations, and transfer/conversion rights listed below and other provisions of the Rezoning Plan, the principal buildings constructed on the Site may be developed with:

- (i) indoor community uses of up to 5,000 square feet of gross floor area to be located in Development Area B (with interior access to office lobby and site access to the Multi-Use Pedestrian Path);
- (ii) up to 20,000 square feet of gross floor area for visual and performing arts and related uses (as existing in Development C building area or as future development within Development Areas B and C);
- (iii) up to 100,000 square feet of gross floor area of office, retail, restaurant, visual & performing arts, personal services and other similar non-office commercial uses as allowed in the MUDD district (not including such uses that are accessory in nature) located in Development Area B;
- (iv) up to 90,000 square feet of gross floor area of office, retail, restaurant, visual & performing arts, personal services and other similar non-office commercial uses and/or residential housing of up to 90 multi-unit residential dwelling units as allowed in the MUDD district (not including such uses that are accessory in nature) located in Development Area C;
- (v) residential housing of up to 80 units of single family (detached or attached) and/or multi-family residential dwelling units, which may be located in Development Area D;
- (vi) Structured parking, as allowed by The Ordinance, may be located in Development Areas C & D.

Note: Existing Residential, Retail, Classroom, Office or any other uses, as previously constructed as part of the Mosaic I development within Development Area A, is to be exempt from the requirements of this rezoning. Any new uses proposed shall follow the requirements of the MUDD(CD) standards as modified by the rezoning.

The development limitations referenced in this Section 3.a, for all of the above together with secondary and accessory uses permitted in the MUDD zoning district as to Development Areas A, B, C and D, do not reflect common areas/transitional area spaces, structured parking or accessory uses related to principal uses and as such shall be excluded from the calculation of the above listed development limitations.

SEE TABLE 1 BELOW FOR DEVELOPMENT AREAS SUMMARY (Text of this Section shall control in event of a conflict)

- a.** Notwithstanding the provisions of Section 3.a above, retail, restaurant, community space, Personal Services and other non-office commercial uses may be reduced and converted into office uses at a rate of one (1) square foot of gross floor of such uses so converted to one square-foot of office uses up to a total of 25,000 square feet of office uses so created by such conversion for up to a total of 25,000 square feet of gross floor area of offices uses allowed upon such conversion, provided that such additional office uses shall be permitted uses as described in Section 3.a. above.
- b.** The following uses are expressly prohibited on the Site:

- (i) no drive-through uses, which includes a prohibition on the following: fast food restaurants with drive-through window facilities, drug stores with drive-through window facilities; and banks with drive-through facilities;
- (ii) no convenience store/gas station uses;
- (iii) no stand-alone retail uses in a building as the sole principal uses of such building;
- (iv) no drugstores with drive-through windows nor drugstores without drive-through windows of greater than 8,000 square feet of gross floor area;
- (v) no retail stores that sell tobacco, e-cigarettes or similar products, except as a minor ancillary part of their business (e.g. drug store under 8,000 sf that also sells tobacco products);
- (vi) no retail stores that offer retail sale of alcohol, except as a minor ancillary part of their business (e.g. a drug store under 8,000 sf that also sells wine and beer);
- (vii) no "hookah" lounges, vape stores, tattoo parlors, or similar facilities;
- (viii) no sweepstakes parlors;
- (ix) no check cashing or payday lender type of operations;
- (x) no gambling/gaming establishments;
- (xi) no gas stations or automotive service/repair uses;
- (xii) no data or telecommunications facilities but this shall not prevent installation and use of data or telecommunications for use by owner or tenants as an ancillary use;
- (xiii) no mailbox storage uses except for those serving existing Mosaic Village I multi-family residents or future single family (attached) or multi-family residents of the Mosaic Village II;
- (xiv) no day labor employment support services of agencies;
- (xv) no donation drop-off facilities operating as a principal use;
- (xvi) no adult clubs or similar facilities;
- (xvii) no temporary employment services as a principal use;
- (xviii) no funeral services as a principal use;
- (xix) no storage facilities as a principal use; and

- c.** The height of principal buildings on the Site shall be as described in the Development Data portion above under "Maximum Building Heights" .

4. Transportation Improvements and Access: Proposed Improvements:

The Petitioner shall provide or cause to be provided on its own, or in cooperation with other parties who may implement portions of the improvements set forth below, the following improvements as generally depicted on Sheet RZ1 & RZ2:

- 1. Multi-Use Pedestrian Path**
 - (Twelve Feet) 12'-wide ADA accessible multi-use path which connects the eastern side of the Duckworth Ave. public sidewalk at Auten St. to the western side of the public sidewalk at W. Trade St. Construction and future maintenance of the Multi-Use Pedestrian Path will be by the Petitioner.
- 2. Multi-Use Landscape Area**
 - (Four Feet) 4'-wide Landscape Area adjacent to the south side of the Multi-Use Pedestrian Path. Actual height and allowance for perpendicular crossing of the Landscape Area within and between Development Areas B and C and within Development Area D in relation to the Multi-Use Pedestrian Path shall be based on final design, review and coordination with CDOT. Construction and future maintenance of the Landscape Area will be by the Petitioner.
- 3. Auten St. Roadway Abandonment**
 - Under separate application, the Petitioner shall seek abandonment of the dead-end portion of Auten St. within Development Area D in order to better accommodate design and construction of the required Multi-Use Pedestrian Path. A separate Subdivision Ordinance Street Exception approval has been previously approved in connection to the Abandonment application.

- b. CDOT Standards.** The proposed public improvements will be subject to the standards and criteria of CDOT. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the W. Trade-Five Points area, by way of a private/public partnership effort or other public sector project support in connection to the CATS Gold Line improvements, but shall be substantially completed in accordance with subsection c. below.
- c. Transportation Improvements Phasing.** Transportation improvements 1 & 2, listed above, will be substantially completed in conjunction with the development of the Site for Development Area B and prior to issuance of the first certificate of occupancy for the first new building on the Site within Development Area B permitted by this plan.
- d. Substantial Completion.** Reference to "substantial completion" or "substantially completed" for certain improvements as set forth in the provisions of Section 3. above shall mean completion of the transportation improvements in accordance with the standards set forth in Section 3.b. above.

- e. Access to Site.** Vehicular access to the Site will be from W. Trade St. via the existing parking deck entry within Development Area A and via driveway access from Duckworth Ave. as generally depicted on the Rezoning Plan as well as internally through Development Areas A, B, C and D and subject to adjustments as set forth below.
- f. Driveways/Pedestrian Connections.** Subject to the Optional Provisions set forth above, the private driveways generally depicted on the Rezoning Plan will be designed as indicated on the Rezoning Plan and treated as driveways. Driveway and pedestrian connections generally depicted on the Rezoning Plan from adjoining properties may be allowed in the location(s) shown on the Rezoning Plan subject to development issues and other constraints reasonably determined by Petitioner.

- g. Alignment/locations of Driveways.** The exact alignment, dimensions and locations of the access points to the Site, the driveways on the Site and Multi-Use Pedestrian Path cross-sections on the Site may be modified from the elements shown on the Rezoning Plan provided that the overall design intent is not materially altered.

5. Setbacks and Streetscape Improvements. W. Trade St. – Development Areas B and C:

- a.** A minimum sixteen (16) foot setback will be provided along W. Trade St. as measured from the existing/future back of curb in Development Areas B and C. An additional minimum eight (8) foot amenity area will be provided along West Trade St., as measured from the back of sidewalk in Development Areas B and C to generally align with the existing setbacks within Development Area A. Within the setback area of W. Trade St., an eight (8) foot planting strip, an eight (8) foot sidewalk and an eight (8) foot amenity area will be provided (i) along the Development Area B portion of W. Trade St. prior to issuance of the first certificate of occupancy for the building(s) within Development Area B, and (ii) along Development Area C prior to the issuance of the first certificate of occupancy for the building(s) within Development Area C.

- b. Duckworth Ave. – Development Area D.** An eight (8) foot planting strip and a six (6) foot sidewalk will be provided along Duckworth Ave. within Development Area D, measured from the existing back of curb in Development Area D. The planting strip and sidewalk within the setback area of Duckworth Ave. will be provided prior to issuance of the first certificate of occupancy for the building(s) within Development Area D. As Development Area D may contain phased construction, it is understood that the planting and sidewalk improvements may be constructed with each of the individual associated phases but prior to the issuance of the certificate of occupancy for the building(s) for each phase within Development Area D.

c. Side Yard Separation:

- (i) Development Areas B & C:**
 - A minimum 20-foot-wide building separation shall be provided along the common boundary between Development Areas B and C, as generally depicted on Sheet RZ1 and RZ2;

- Portions of the Multi-Use Pedestrian Path or required path for building egress may be located within the minimum 20-foot-wide building separation;
- A 20-foot fire lane may be located between Development Areas B and C (such fire lane to be constructed per requirements and may contain grass pavers or similar materials) per final coordination with the City Fire Marshal.

- 6. Parking Areas, Access and Circulation Design Guidelines.** Building materials associated with facades on parking structures that are generally compatible in character and quality with adjoining buildings, plazas and streetscapes will be created, taking into consideration differences associated with parking structures.

- b.** Parking structures shall be designed to materially screen the view of parked cars from adjacent public streets, private driveways, or publicly accessible open spaces or plazas on all levels. Screening of cars on the ground level may be accomplished primarily through the use of landscaping; and screening of cars parked on an exposed upper level will be accomplished by a wall or screen element, at least 36 inches in height, designed as part of the parking deck structure.

- c.** On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances and from the Multi-Use Pedestrian Path grade per The Ordinance.

- d.** Existing parking within Development Area C along Duckworth Ave., associated with the existing J.C. Smith University Visual Performing Arts Center shall remain or shall be modified as required for continuing use until such time that future development occurs within Development Area C, per allowances of the Optional Provisions noted above.

7. Pedestrian Access and Circulation Design Guidelines:

- a.** Within Development Areas B, C & D, along the Site's internal private driveways, the Petitioner will provide a sidewalk and a cross-walk network that links the buildings, parking areas and areas of interest on the Site with one another by way of links to sidewalks along the abutting public right-of-way and Multi-Use Pedestrian Path as generally depicted on the Rezoning Plan. The minimum width for these internal sidewalk will be six (6) feet.

- b.** Walkways through plazas or publicly accessible open space areas will be appropriately designed for the intended use and type of open space area in which they are located.

- c.** Where walkways occur along building walls, a walkway width of at least six (6) feet must be maintained clear of door swings, temporary trash or similar impediments.

8. Open Space Generally:

- a.** The Petitioner will provide open space areas in the manner generally depicted on the Rezoning Plan for Development Area B but subject to minor adjustments needed to accommodate building, parking and service improvements. Any additional Open Space required of the Ordinance for Development Areas C & D shall be provided concurrent with that phase. These open space areas will contain landscaping, seating areas and/or hardscape elements per the Ordinance. **Note:** Existing Open Space, as previously constructed as part of the Mosaic I development within Development Area A, is to be counted toward the minimum requirement for Open Space relative to this rezoning.

- 9. General Design Guidelines.**
 - a. General Considerations.**
 - (i) Buildings will be oriented towards W. Trade St., Duckworth Ave. and the Multi-Use Pedestrian Path to reinforce the streetscape.
 - (ii) Architectural treatment shall continue on all sides of a building except as specifically noted otherwise.
 - (iii) Ground floor elevations shall be treated with a combination of fenestration, clear glass, prominent entrances, change in materials, building step backs, art work and landscaping. Along the public right-of-ways, blank walls greater than twenty feet (20') cannot be addressed with landscape elements only or as noted in (x), below.
 - (iv) Accessory structures shall be consistent with the principal building in material, texture, and color.
 - (v) Structured parking shall be designed per the Ordinance for MUDD and per 6.b. above.
 - (vi) A minimum building separation of 20 feet shall be provided between the buildings in Development Areas B and C.
 - (vii) New dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a new dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side.

- (viii) All roof mounted mechanical equipment on the new buildings and building additions to be constructed on the Site will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- (ix) HVAC condensers shall be screened from view from adjoining public rights-of-way and abutting properties and shall not be located along the W. Trade St. or Duckworth Ave. right-of-way edge.
- (x) A 40-foot portion of blank wall may be maintained and developed as part of the required long and short term bike storage along the south wall of the Mosaic II building in Development Area B along that edge of the Multi-use Pedestrian Path.
- b. Conceptual Renderings.** The conceptual renderings associated with the building to be located on the Site within Development Area B, as generally depicted on Sheet RZ5 in connection with certain permitted uses of the Site are included to reflect the architectural style and quality of the building that will be constructed, it being understood that the actual building(s) so constructed and the nature/location of the building elements may vary from these illustrations as long as (i) the general architectural concept and intent shown is maintained and (ii) heights of any buildings above heights specified in the Development Data portion are not increased.
- c. Streetscape Design Standards:**
 - a.** All buildings and uses developed in Areas B, C and D will meet the MUDD standards of the Ordinance except as noted above in the Optional Provisions.
 - b.** Sidewalks and planting strips shall be as prescribed by the Ordinance in coordination with Urban Forestry.
 - c.** Screening will conform to the applicable standards of 12.303.

- 10. Environmental Features:**
 - a.** The Petitioner shall comply with the Charlotte City Council approved and adopted Tree Ordinance and Post Construction Controls Ordinance. It is understood that some portions of the storm water detention storage facilities on the Site will be underground and existing open storm water detention areas may be modified as may be required by applicable Ordinances. Placement of storm detention shall be allowed below grade within the Multi-Use Pedestrian Path as required by the final site engineering for Development Areas A, b, C & D.

- 11. Signage On Site:**
 - a.** Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided in addition to the signage otherwise allowed in this Section. The exact location of the site signage will be determined as part of the detailed engineering, construction and landscape plans for the Site.

- b.** Because the Site will be viewed as a Planned/Unified Development as defined by the Ordinance, signs may be located throughout the portion of the Site as allowed by the Ordinance and the Optional Provisions. In addition, uses located on the interior of the Site may be identified on the allowed signs (by way of example, the Community Room use and the other uses may be identified on the signs allowed along W. Trade St. and/or Duckworth Ave.). The allowed signs may contain identification signage for any of the permitted uses located on the Site.

- c.** Master signage and graphic systems may be adopted.

- 12. Lighting:**
 - a.** All new lighting shall be full cut-off type lighting fixtures and downwardly directed, excluding lower decorative lighting that may be installed along the driveways, sidewalks, and parking areas. Flashing lighting shall not be permitted.

- b.** Detached lighting on the Site, except street lights located along public and private streets, will be limited to 20 feet in height except as may be required for public safety purposes.

- c.** Any lighting associated with fire lane/emergency access shall be limited to at grade low level lighting except as may be required for public safety purposes.

- 13. 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 herein and of Chapter 6 of the Ordinance. Any reference to the Ordinance or Ordinances shall be deemed to refer to the requirements of the Ordinance or Ordinances in effect as of the date this Rezoning is approved.

- 14. 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.

TABLE 1: DEVELOPMENT AREA SUMMARY (See Development Standards for more complete description which shall control)									
	Zoning Proposed	Principle Uses Proposed	Required Front Yard to Duckworth*	Required Side Yard to R-8*	Required Side Yard to B-1*	Fire Lane Separation Dev. B & C	Max. Ht. Rear Yard*	Max. HT Front*	
Development Area A	MUDD(CD)	[Existing Mixed-Use] ±255,430 sq. ft. Multi-family; 80 Suites Retail/Office/Restaurant Classrooms	(Exist)	(Exist)	N/A	N/A	(Exist.)	(Exist.)	
Development Area B	MUDD(CD)	Mixed-Use; 100,000 sq. ft. Office/Retail/Restaurant Performing Arts Community Space	N/A	N/A	N/A	20'	80'	86'-6"	
Development Area C	MUDD(CD)	Mixed-Use; 90,000 sq. ft. Multi-family; Up to 90 RDU Office/Retail/Restaurant Performing Arts Community Space	NA	10'	N/A	20'	80'	86'-6"	
Development Area D	MUDD(CD)	Multi-family & SF [Attached/Detached]; Up to 80 RDU	14'(B.O.C.)	10'	10'	N/A	Per Ordinance	48'	
* (measured per Ordinance)									

RZ5.1 WEST TRADE STREET CONCEPT VIEW FROM NORTHEAST [TOWARDS I-77 & CENTER CITY]



RZ5.3 WEST TRADE STREET CONCEPT VIEW FROM SOUTHEAST [TOWARDS FIVE POINTS]



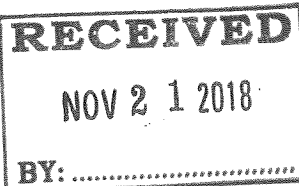
RZ5.2 WEST TRADE STREET CONCEPT VIEW FROM EAST



NOTE: "The RZ5.1, RZ5.2 AND RZ5.3 concept elevations and renderings are illustrative for the proposed Mosaic Village II building and are included to reflect an architectural style and quality of the building that will be constructed on the site. These concept elevations are illustrating the use of varied materials, rooflines, glass (either opaque or clear), wall plane variation, and massing. The actual building and the nature and location of the individual building elements constructed on the site may vary from these illustrations provided that the design intent is preserved."

This Drawing is the property of Shook Kelley, Inc. and is not to be reproduced in whole or in part. It is to be used for the project and site specifically identified herein and is not to be used on any other project. This Drawing is to be returned upon the written request of Shook Kelley, Inc.

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-150

Petition #:	_____
Date Filed:	11/21/2018
Received By:	<i>[Signature]</i>

Complete All Fields (Use additional pages if needed)

Property Owner: TDC Greenville, LLC

Owner's Address: 1914 Brunswick Ave. Suite 2A

City, State, Zip: Charlotte, NC, 28207

Date Property Acquired: November 21, 2018

Property Address: 1615 Statesville Ave, Charlotte NC 28206

Tax Parcel Number(s): 07844101

Current Land Use: Vacant

Size (Acres): 7.2 Acres

Existing Zoning: B-1

Proposed Zoning: MUDD - G

Overlay: N-A

Tree Survey Provided: Yes: _____ N/A: X

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

Date of meeting: 8/28/2018

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: TO DEVELOP A QUALITY MIXED-USE COMMERCIAL & RESIDENTIAL PROJECT ON AN EXISTING VACANT PROPERTY.

Anthony Fox - Parker Poe

Name of Rezoning Agent

401 South Tryon Street, Suite 3000

Agent's Address

Charlotte NC 28202

City, State, Zip

(704) 372 -9000

Telephone Number

(704) 334 - 4706

Fax Number

anthonyfox@parkerpoe.com

E-Mail Address

[Signature]

Signature of Property Owner

Robert T. Drakeford

(Name Typed / Printed)

TDC Greenville, LLC

Name of Petitioner(s)

1914 Brunswick Ave. Suite 1A

Address of Petitioner(s)

Charlotte, NC, 28207

City, State, Zip

(704) 344 -0332

Telephone Number

(704) 344 - 9992

Fax Number

bobby@tdcrealestate.com

E-Mail Address

[Signature]

Signature of Petitioner

Robert T. Drakeford

(Name Typed / Printed)



*PAYMENT IN LIEU MITIGATION FOR TREE SAVE IN MUDD ZONING DISTRICT

SITE DEVELOPMENT DATA:

–**PARKING:** AS REQUIRED BY THE ORDINANCE FOR THE MUDD ZONING DISTRICT.

PROJECT No.:	NCC182134
DRAWN BY:	RB
CHECKED BY:	JG
DATE:	11/21/2018
SCALE:	1"=40'
CAD I.D.:	NCC182223 - RZ0

FOR
TDC
GREENVILLE,
LLC
LOCATION OF SITE
STATESVILLE AVE,
CITY OF CHARLOTTE, NC

SHEET TITLE:	
TECHNICAL DATA SHEET	
SHEET NUMBER:	
RZ-1	

ST. TESVI. E. VENUE MIXED USE
REZONING PETITION
TDC GREENVILLE, E. C. PETITIONER
11/21/2018
REZONING PETITION NO. 2018-XXX

SITE DEVELOPMENT DETAILS

- ACREAGE: ± 7.01 ACRES
- TOTAL PERCENT: 0.7844101
- EXISTING ZONING: B-1
- PROPOSED ZONING: MUDD WITH FIVE (5) YEAR VESTED RIGHTS.
- EXISTING USES: VACANT
- PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT.
- MAXIMUM DEVELOPMENT:
 - a. UP TO 40,000 SQUARE FEET OF COMMERCIAL USES INCLUDING RETAIL, RESTAURANT, PERSONAL SERVICE, PHARMACY AND OFFICE, AND
 - b. UP TO 250 MULTI-FAMILY RESIDENTIAL UNITS.
- MAXIMUM BUILDING HEIGHT: UP TO 65 FEET FOR THE MUDD DEVELOPMENT AREA WITH THE EXCEPTION OF THE AREA BETWEEN THE ADJACENT POLK STREET AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET WHICH SHALL NOT EXCEED 40 FEET IN HEIGHT (FOR THE PURPOSES OF THIS HEIGHT LIMIT, ARCHITECTURAL FEATURES, SUCH AS PARAPETS, SPIRES, MANSARDS, DOMES AND DORMERS), ROOF TOP MECHANICAL EQUIPMENT, AND SCREENS OR DEVICES USED TO SCREEN ROOF TOP STRUCTURES OR EQUIPMENT WILL NOT BE CONSIDERED FOR THE CALCULATION OF ALLOWED BUILDING HEIGHT WHEN LOCATED ON A MULTI-STORY BUILDING).
- SETBACKS: WILL BE FOURTEEN FEET (14') FROM THE BACK OF CURB OR AT THE EXISTING OR PROPOSED RIGHT OF WAY
- PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD DISTRICT.

GENERAL PROVISIONS

- SITE DESCRIPTION.** THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET FORM THE REZONING PLAN (HEREAFTER COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY TDC GREENVILLE, LLC (PETITIONER) TO ACCOMMODATE DEVELOPMENT OF A MIXED USE COMMERCIAL AND RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 7.2-ACRE SITE LOCATED AT THE SOUTHWEST INTERSECTION OF STATESVILLE AVENUE AND OAKLAWN AVENUE (THE "SITE").
- INTENT.** THIS REZONING IS INTENDED ACCOMMODATE DEVELOPMENT ON THE SITE OF A HORIZONTALLY-INTEGRATED MIXTURE OF OFFICE, RETAIL, AND RESIDENTIAL USES. ADDITIONALLY, THE PETITIONER SEEKS TO CREATE AN INTERNAL STREET THROUGH THE SITE TO CREATE A MORE COMPLETE STREET NETWORK THAT WILL ALLOW PEDESTRIAN, BICYCLE AND AUTOMOBILE TRAFFIC TO TRAVEL THROUGH THE SITE.
- ZONING DISTRICTS ORDINANCE.** DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING CLASSIFICATION FOR THE SITE SO DESIGNATED ON THE REZONING PLAN SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON SUCH PORTION OF THE SITE.
- PLANNED UNIFIED DEVELOPMENT.** THE SITE SHALL BE VIEWED AS A PLANNED UNIFIED DEVELOPMENT PLAN AS TO THE ELEMENTS AND PORTIONS OF THE SITE GENERALLY DEPICTED ON THE REZONING PLAN. AS SUCH, SETBACKS, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION STANDARDS, AND OTHER SIMILAR ZONING STANDARDS WILL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS AND OTHER SITE ELEMENTS LOCATED ON THE SITE. FURTHERMORE, THE PETITIONER AND/OR OWNER OF THE SITE RESERVE THE RIGHT TO SUBDIVIDE PORTIONS OR ALL OF THE SITE AND CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS, AND PUBLIC/PRIVATE STREET FRONTAGE REQUIREMENTS. PROVIDED, HOWEVER, THAT ALL SUCH SEPARATION STANDARDS ALONG THE EXTERIOR BOUNDARY OF THE SITE SHALL BE ADHERED TO AND TREATED AS THE SITE AS A WHOLE AND NOT INDIVIDUAL PORTIONS OR LOTS LOCATED THEREIN.

PERMITTED USES

SUBJECT TO THE MAXIMUM DEVELOPMENT PROVISIONS SET FORTH UNDER SECTION III BELOW, THE SITE MAY BE DEVOTED TO ANY COMMERCIAL AND RESIDENTIAL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICTS, IN AREAS AS INDICATED ON THE REZONING PLAN, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH EXCEPT FOR THE FOLLOWING.

DEVELOPMENT RESTRICTIONS REGARDING CONVERSION RIGHTS

- THE REZONING PLAN SETS FORTH TWO (2) DEVELOPMENT AREAS AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET AS DEVELOPMENT AREA "A" RESIDENTIAL AND DEVELOPMENT AREA "B" COMMERCIAL, AND BOTH CONSIDERED THE MUDD DEVELOPMENT AREA (EACH A "DEVELOPMENT AREA" AND COLLECTIVELY THE "DEVELOPMENT AREAS").
- SUBJECT TO THE RESTRICTIONS, LIMITATIONS, AND TRANSFER/CONVERSION RIGHTS LISTED BELOW, THE PRINCIPAL BUILDINGS CONSTRUCTED WITHIN DEVELOPMENT AREA A UP TO 200 MULTI-FAMILY RESIDENTIAL DWELLING UNITS DEVELOPMENT AREA "B" MAY BE DEVELOPED WITH UP TO 20,000 SQUARE FEET OF GROSS FLOOR AREA OF COMMERCIAL NON-RESIDENTIAL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS, ALONG WITH ANY ACCESSORY USES. BOTH DEVELOPMENT AREAS ARE TO BE DEVELOPED AS ALLOWED IN THE MUDD DISTRICT UNDER THE ORDINANCE.
- FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH IN THESE DEVELOPMENT STANDARDS (THE TERM "GROSS FLOOR AREA" OR "GFA" SHALL MEAN AND REFER TO THE SUM OF THE GROSS HORIZONTAL AREAS OF EACH FLOOR OF A PRINCIPAL BUILDING ON THE SITE MEASURED FROM THE OUTSIDE OF THE EXTERIOR WALLS OR FROM THE CENTER LINE OF PARTY WALLS. PROVIDED, HOWEVER, SUCH TERM SHALL EXCLUDE ANY SURFACE PARKING FACILITIES AREAS USED FOR BUILDING AND EQUIPMENT ACCESS (SUCH AS STAIRS, ELEVATOR SHAFTS, VESTIBULES, ROOF TOP EQUIPMENT ROOMS AND MAINTENANCE CRAWL SPACES), ALL LOADING DOCK AREAS (OPEN OR ENCLOSED), OUTDOOR COOLERS AND OUTDOOR DINING AREAS WHETHER ON THE ROOF OF THE BUILDING(S) OR AT STREET LEVEL (PARKING FOR OUTDOOR DINING AREAS WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE OR THESE DEVELOPMENT STANDARDS).

TRANSPORTATION

- ALL PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND NCDOT, AS APPLICABLE, TO THE ROADWAY IMPROVEMENTS WITHIN THEIR RESPECTIVE ROAD SYSTEM AUTHORITY. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE IMMEDIATE AREA OF THE SITE, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC-SECTOR PROJECT SUPPORT.
- PETITIONER SHALL COORDINATE WITH CATS REGARDING THE CONSTRUCTION OF A POTENTIAL BUS STOP LOCATION ALONG THE SITE'S FRONTAGE ON STATESVILLE AVENUE DURING THE PERMITTING PHASE OF REDEVELOPMENT.
- PETITIONER SHALL DEDICATE ALL RIGHTS-OF-WAY TO THE CITY OF CHARLOTTE IN FEE SIMPLE CONVEYANCE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.
- PETITIONER SHALL SUBSTANTIALLY COMPLETE ALL TRANSPORTATION IMPROVEMENTS BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED OR PHASED PER THE SITE'S DEVELOPMENT PLAN OR POST A COMPLETION BOND AS NEGOTIATED WITH CDOT.
- ACCESS AND INTERNAL STREETS.**
 - ACCESS TO THE SITE WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW.
 - PROPOSED PUBLIC STREET A SHALL EXTEND ACROSS THE SITE, AS GENERALLY DEPICTED ON THE REZONING PLAN, MAY CONNECT STATESVILLE AVENUE AND OAKLAWN AVENUE, OR ALTERNATIVELY CONNECT STATESVILLE AVENUE AND CALLAHAN STREET.
 - THE TOTAL NUMBER OF NEW DRIVEWAY ACCESS POINTS TO THE SITE WILL BE LIMITED TO THOSE AREAS AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET SUBJECT TO THE FINAL SITE DESIGN OF THE PROPERTY.
 - THE PETITIONER RESERVES THE RIGHT TO REQUEST THE INSTALLATION OF PAVERS AND/OR STAMPED OR COLORED ASPHALT WITHIN THE SITE'S PUBLIC STREETS IN ORDER TO DESIGNATE AND DEFINE PEDESTRIAN CROSS-WALKS. THE PETITIONER WILL COORDINATE THE DESIGN OF ANY DECORATIVE PAVEMENT ELEMENTS PROPOSED WITHIN THE PUBLIC RIGHT-OF-WAY WITH CDOT DURING THE DRIVEWAY PERMIT PROCESS. FURTHERMORE, THE PETITIONER UNDERSTANDS THAT AN ENCROACHMENT AND MAINTENANCE AGREEMENT MUST BE OBTAINED FROM CDOT BEFORE ANY DECORATIVE PAVERS AND/OR STAMPED PAVEMENT PROPOSED IN THE PUBLIC RIGHT-OF-WAY MAY BE INSTALLED.
 - THE ALIGNMENT OF THE INTERNAL PUBLIC AND PRIVATE STREETS, VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER SUBJECT TO CDOT'S FINAL APPROVAL, TO ACCOMMODATE MINOR CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) IN ACCORDANCE WITH

PUBLISHED STANDARDS AND INDUSTRY BEST PRACTICES SO LONG AS THE STREET NETWORK SET FORTH ON THE REZONING PLAN IS NOT MATERIALLY ALTERED.

- SUBSTANTIALLY COMPLETE.** REFERENCE TO "SUBSTANTIALLY COMPLETE" FOR CERTAIN IMPROVEMENTS AS SET FORTH HEREIN SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE STANDARDS SET FORTH HEREIN PROVIDED, HOWEVER, IN THE EVENT CERTAIN NON-ESSENTIAL ROADWAY IMPROVEMENTS (AS REASONABLY DETERMINED BY CDOT) ARE NOT COMPLETED AT THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE IN CONNECTION WITH RELATED DEVELOPMENT PHASING DESCRIBED ABOVE, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS, AND IN SUCH EVENT THE PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH A CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.

DESIGN GUIDELINES

GENERAL DESIGN GUIDELINES

- THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS WILL BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, METAL, STONE, SIMULATED STONE, PRE-CAST STONE, ARCHITECTURAL PRECAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTATIOUS SIDING (SUCH AS HARDI-PLANK), OR WOOD. VINYL, AS A BUILDING MATERIAL, WILL ONLY BE ALLOWED ON WINDOWS, SOFFITS AND TRIM FEATURES.
- "DEVELOPMENT AREAS" AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET MAY INCLUDE BOTH PRINCIPAL USE BUILDINGS AND ASSOCIATED PARKING.
- ANY PARKING FACING CALLAHAN STREET SHALL BE ORIENTED AWAY FROM THE RIGHT OF WAY AND ADJACENT PROPERTIES
- STREETSCAPE TREATMENT WILL BE A UNIFYING ELEMENT THROUGH THE USE OF CONSISTENT PAVING, LIGHTING, LANDSCAPING, AND, WHEN PROVIDED, SITE FURNISHINGS, THROUGHOUT DEVELOPMENT AREAS.
- METER BANKS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE FROM PUBLIC OR PRIVATE STREETS AND SHALL BE LOCATED OUTSIDE OF THE SETBACK.
- ROOFTOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM PUBLIC OR PRIVATE STREETS.
- ALL DUMPSTER, LOADING AND SERVICE AREAS SHALL BE SCREENED FROM STREETS, COMMON OPEN SPACES AND ANY ADJACENT RESIDENTIAL USES WITH MATERIALS COMPLEMENTARY TO THE PRINCIPAL STRUCTURE. DUMPSTER ENCLOSURES SHALL NOT DIRECTLY ABUT THE BACK OF A SIDEWALK.
- BACKFLOW PREVENTERS AND TRANSFORMERS SHALL BE SCREENED AND LOCATED OUTSIDE THE SETBACK.
- TREES MAY BE PROVIDED IN GRATES OR RAISED PLANTERS RATHER THAN IN PLANTING STRIPS.
- SIDEWALK EXTENSIONS SHALL BE PROVIDED BETWEEN ALL STREET TREES ON ALL PUBLIC AND PRIVATE NETWORK REQUIRED STREETS WHERE PARKING IS ADJACENT.
- BUILDING ELEVATIONS FACING PRIMARY STREET FRONTAGES SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND PROVIDED ARCHITECTURAL FEATURES SUCH AS TO AVOID AN UNARTICULATED BLANK TREATMENT OF SUCH WALLS.

PEDESTRIAN ACCESS AND CIRCULATION DESIGN GUIDELINES

- ALONG THE SITE'S INTERNAL STREETS, THE PETITIONER WILL PROVIDE A SIDEWALK AND A CROSS-WALK NETWORK THAT DIRECTLY CONNECTS THE MAIN ENTRANCES OF BUILDINGS TO PARKING AREAS AND AREAS OF INTEREST ON THE SITE WITH ONE ANOTHER BY WAY OF LINKS TO SIDEWALKS ALONG THE ABUTTING PUBLIC AND PRIVATE STREETS AND/OR OTHER PEDESTRIAN FEATURES.
- PETITIONER WILL EITHER INCLUDE TWO (2) FEET OF ADDITIONAL SIDEWALK WIDTH WHEN SIDEWALK IS ADJACENT TO PARKING SPACES IN ORDER TO ACCOUNT FOR CAR OVERHANG OR WILL PROVIDE CAR STOPS.
- DEVIATIONS FROM TYPICAL SIDEWALK AND PLANTING STRIP REQUIREMENTS ARE ALLOWABLE UPON APPROVAL BY CDOT AND THE PLANNING DIRECTOR. ANY CHANGES TO DIMENSIONAL REQUIREMENTS ARE ALLOWABLE ONLY IN CASES OF HANDSHIP.

SIGNAGE

- SIGNAGE WILL CONFORM TO THE STANDARDS AS SET FORTH IN THE MUDD ZONING DISTRICT AS DEFINED IN THE ORDINANCE.
- ON PREMISES DIRECTIONAL AND INSTRUCTIONAL SIGNS MAY BE LOCATED THROUGHOUT THE SITE PER THE STANDARDS OF THE ORDINANCE.

LIGHTING

- ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.
- DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC AND PRIVATE STREETS, WILL BE LIMITED TO 31 FEET IN HEIGHT.
- ATTACHED AND DETACHED LIGHTING SHALL BE DOWNWARDLY DIRECTED. HOWEVER, UPWARD FACING ACCENT LIGHTING SHALL BE PERMITTED.

SIGN

PETITIONER MAY DEVELOP THE SITE IN PHASES AND MAY DEVELOP INDIVIDUAL DEVELOPMENT AREAS BASED ON MARKET DEMAND. ALL REQUIRED SIDEWALKS, STREET TREES AND OPEN SPACE AMENITIES WITHIN A PARTICULAR DEVELOPMENT AREA SHALL BE INSTALLED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN THE SAME DEVELOPMENT AREA. THIS REQUIREMENT SHALL NOT APPLY TO CERTIFICATES OF OCCUPANCY.

AMENDMENTS TO THE REZONING PLAN

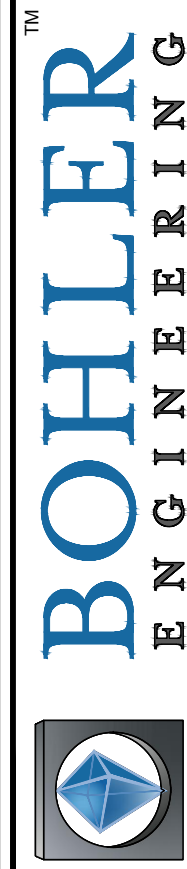
FUTURE AMENDMENTS TO THE REZONING PLAN MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF SECTION 6.207 OF THE ORDINANCE.

BINDING EFFECT OF THE REZONING PERMITTING

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.

VESTED RIGHTS PROVISION

IF THIS REZONING PETITION IS APPROVED BY THE CHARLOTTE CITY COUNCIL, THEN, PURSUANT TO SECTION 1.110 OF THE ORDINANCE, THE PETITIONER HEREBY REQUESTS A FIVE-YEAR VESTED RIGHT TO UNDERTAKE AND COMPLETE THE DEVELOPMENT OF THIS SITE UNDER THE TERMS AND CONDITIONS AS SO APPROVED, COMMENCING UPON APPROVAL OF THIS REZONING PETITION BY THE CHARLOTTE CITY COUNCIL. THE PETITIONER MAKES THIS REQUEST FOR A FIVE-YEAR VESTED RIGHT DUE TO THE SIZE AND PHASING OF THE PROPOSED DEVELOPMENT, MARKET CONDITIONS AND THE LEVEL OF INVESTMENT INVOLVED.



SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION
FROM MATERIALS HANDLING TO CONSTRUCTION

REVISIONS

REV	DATE	COMMENT	BY

PROJECT No.: NCC182134
DRAWN BY: RB
CHECKED BY: JG
DATE: 11/21/2018
SCALE: 1"=40'
CAD I.D.: NCC182223 - R20

PROJECT: STATESVILLE AVE MIXED USE

FOR
TDC GREENVILLE, LLC
LOCATION OF SITE
STATESVILLE AVE,
CITY OF CHARLOTTE, NC

REZONING PLAN PETITION #2018-XXX

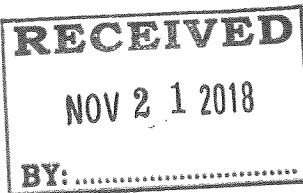
SHEET TITLE:

DEVELOPMENT STANDARDS

SHEET NUMBER:

RZ-2

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-151

Petition #:	
Date Filed:	11/21/2018
Received By:	

Complete All Fields (Use additional pages if needed)

Property Owner: EBA Crystal Real Estate LLC

Owner's Address: 8333 Douglas Ave, Suite 975 City, State, Zip: Dallas, TX 75225

Date Property Acquired: 9/29/2018

Property Address: 8658, 8910, and 8716 J W Clay Blvd

Tax Parcel Number(s): 047-252-04 and 047-252-12

Current Land Use: Commercial Center Size (Acres): +/- 20.56 acres

Existing Zoning: CC Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Monica Holmes, Mandy Rosen, Rick G., Grant Meacci, and Jennifer Frixen

Date of meeting: 10/23/18

(*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

Purpose/description of Conditional Zoning Plan: to accommodate a live/work/play mixed use activity core with significant pedestrian trail network and greenspace amenities.

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

Signature of Property Owner

Todd Minnis, CEO
(Name Typed / Printed)

EBA Crystal Real Estate LLC
Name of Petitioner(s)

8333 Douglas Avenue, Suite 975
Address of Petitioner(s)

Dallas, TX 75205
City, State, Zip

214-306-7900
Telephone Number Fax Number

gregory.wattson@eba-us.com
E-Mail Address

Signature of Petitioner

Todd Minnis, CEO
(Name Typed / Printed)



RZ-1.0

PETITION #: 2018-0XX
CITY OF CHARLOTTE
PETITIONER: EB ARROW

PRIVATE STREET 'A'

ORIGINAL SHEET SIZE: 24" X 36"

Development Standards
Rezoning Petition No. 2018-xxx
EBA Investments - Petitioner
11/20/2018

Site Development Data:

--Acreage: ± 20.56 acres
--Tax Parcel: 047-252-04 and 047-252-12
--Existing Zoning: CC
--Proposed Zoning: MUDD-O with 5-year vested rights
--Existing Uses: Commercial Center
--Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district and as further restricted in Section III, below.
--Maximum Development (subject to Section IV, below):
Commercial: 300,000 square feet
Civic (Library): 20,000 square feet
Residential: 600 Units
Hotel: Subject to the conversion provisions of Section IV.
--Maximum Building Height: As permitted in the MUDD zoning district.
--Parking: As required by the Ordinance for the MUDD zoning district.

I. General Provisions

- a. **Site Description.** These Development Standards and the Technical Data Sheet form the rezoning plan (hereafter collectively referred to as the “Rezoning Plan”) associated with the Rezoning Petition filed by EBA Investments (“Petitioner”) to accommodate development of a mixed use activity center on an approximately 20.56-acre site located on Mecklenburg Tax Parcel Numbers 047-252-04 and 047-252-12 (the “Site”).
- b. **Intent.** This Rezoning is intended to accommodate development on the Site in a manner consistent with the objectives set forth in the Blue Line Extension Transit Station Area Plan and the University City Partners Area Plan. Development of the Site would include a horizontally-integrated mixture of uses, including office, retail, restaurant, residential, public library and other ground floor commercial uses within walking distance of a greenway connection and University City area amenities. The Petitioner seeks to create a pedestrian-scale greenspace multi-modal trail with pocket amenity parks to accent the existing lake feature and provide a connection to the greenway. The overall development plan is intended to allow the Site to evolve in a manner that is consistent with the future vision for the area, resulting in a well designed, quality experience for nearby residents, employees, and visitors, as well as the larger community.

302696583 v1

1

302696583 v1

3

302696583 v1

5

302696583 v1

7

KEY MAP

SEAL

PETITION
NO. 2018-0xx

PROJECT

UNIVERSITY CITY
REZONING

EB ARROW

LANDDESIGN PROJ.#

1018377

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY:
DRAWN BY:
CHECKED BY:

SCALE

NORTH

VERT:
HORZ: NTS

(NOT TO SCALE)

SHEET TITLE

REZONING NOTES

SHEET NUMBER

RZ-2.0

- c. To allow drop off areas in front of office buildings, pick-up and drop off areas in front of EDEE uses, valet parking, and service areas for uses such as mail delivery, loading and delivery. The Petitioner shall coordinate with CDOT during the permitting phase of redevelopment regarding the final location of the proposed valet/loading area.

III. Permitted Uses

- a. Subject to the Maximum Development provisions set forth under Section 4 below, the Site may be devoted to any residential or commercial uses permitted by right or under prescribed conditions in the MUDD Zoning District together with any incidental or accessory uses associated therewith, except for the following:
- Car washes;
 - Automobile service stations; and
 - Drive-through service windows.

IV. Maximum Development

- a. The Site consists of Parcels A, B, C, and D (collectively, “the Parcels”), as generally depicted on the Rezoning Plan.
- The principal buildings within **Parcel A** may be developed with up to 300 multi-family residential units and associated surface parking, along with any accessory uses allowed in the MUDD zoning district.
 - The principal buildings within **Parcel B** may be developed with up to: (i) 20,000 square feet of library, community center or other civic uses and (ii) 180,000 square feet of commercial uses such as office, retail, Eating, Drinking and Entertainment Establishments (“EDEE”), and other commercial non-residential uses permitted by right and under prescribed conditions, along with any accessory uses allowed in the MUDD zoning district.
 - The principal buildings within **Parcel C** may be developed with up to 120,000 square feet of gross floor area of commercial uses such as office, retail, EDEE, and other commercial non-residential uses permitted by right and under prescribed conditions, along with any accessory uses allowed in the MUDD zoning district.
 - The principal buildings within **Parcel D** may be developed with up to 300 multi-family residential units and associated structured parking facility, along with any accessory uses allowed in the MUDD zoning district.

VI. Design Guidelines

- a. General Design Guidelines.

- shall be provided before the first certificate of occupancy is issued for Parcel B, Parcel C, or Parcel D.
- d. Where necessary, the Petitioner shall dedicate and convey in fee simple all rights of way to the City of Charlotte before the Site’s first building certificate of occupancy is issued.
- e. During development of Parcel A, B and C, uses may be served by surface parking areas. Structured parking facilities shall be required prior to the issuance of the first certificate of occupancy for any residential development within Parcel D.
- f. Unless otherwise state herein, all transportation improvements shall be substantially completed before the Site’s first building certificate of occupancy is issued.
- Substantial completion shall mean completion of the roadway improvements in accordance with the standards set forth herein provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.
- g. Access:
- Access to the Site from external public streets will be as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.
 - The Rezoning Plan identifies potential vehicular access points which could be surface drives or entrances to structured parking facilities. There shall be a maximum of three (3) access points, as generally depicted on the Rezoning Plan. The exact number and location of vehicular access points will be determined during the design process and thereafter with approval from appropriate governmental authorities, subject to applicable statutes, ordinances and regulations such as subdivision and driveway regulations. Petitioner, in its discretion may limit ingress and egress movements or restrict certain vehicular access points to one-way traffic if necessary.
 - The alignment of vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT’s final approval.

VI. Design Guidelines

- a. General Design Guidelines.

- Preferred Exterior Building Materials: All principal and accessory buildings abutting a network required public or private street shall comprise a minimum of 50% of that building’s entire facade facing such network street using brick, glass, natural stone (or its synthetic equivalent), stucco, fiber cement, corrugated metal, steel accents, architectural shingles or other material approved by the Planning Director.
- Prohibited Exterior Building Materials: The Petitioner will not utilize (1) vinyl siding (but not vinyl hand rails, windows or door trim) or (2) concrete masonry units not architecturally finished.
- The ground floor of each building facade fronting J W Clay Boulevard or the Pedestrian Greenspace Connection shall contain a minimum of 60% visible active use.
- Building Massing and Height shall be designed to break up long monolithic building forms as follows:
 - Buildings exceeding 120 feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of one (1) foot extending through at least a full floor.
- Meter banks will be screened where visible from public view at grade from public or private streets and shall be located outside of the setback.
- Rooftop HVAC and related mechanical equipment will be screened from public view at grade from public or private streets.
- Dumpsters, loading and services areas shall be screened from streets, common open spaces and any adjacent residential uses with materials complimentary to the principal structure. Dumpster enclosures will not directly abut the back of a sidewalk.
- Backflow preventers and transformers shall be screened and located outside the setback, but can be located in a four (4) foot transition zone.
- With the exception of structured parking facilities, multi-story buildings shall have a minimum of 20% percent transparency on all upper stories.

VII. Parking & Pedestrian Areas

- a. Structured parking facilities shall be designed to encourage and complement pedestrian-scale interest and activity on the ground floor and be architecturally compatible with primary buildings on all levels.

- b. Openings at the street level are limited to vehicular entrances, pedestrian access to the structure, and ventilation openings. All such openings shall be decorative and be an integral part of the overall building design.
- c. On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances.
- d. **Urban Open Space.** The Site shall met or exceed the Urban Open Space requirements of the MUDD zoning district.
- The Petitioner intends to provide a Pedestrian Greenspace Connection in the area as generally depicted on the Rezoning Plan to serve as a focal point adjacent to the existing lake edge. This area is intended to include and multi-modal trail with pocket amenity plazas and linear park features. The Pedestrian Greenspace Connection shall be a minimum of two (2) acres. The Private Plazas, Private Open Space, and Central Green Space areas, as generally shown on the Rezoning Plan, shall be a minimum of one and a half (1.5) acres, total, and may include features such as, but not limited to: water features, gazebos, specialty graphics or sculptures, landscaping, specialty paving, seating areas, signage (e.g., wayfinding, directional, special event), art work, and/or other site elements that help create vibrant pedestrian open space.

VIII. Environmental Features

The Petitioner shall comply with the Post Construction Stormwater Ordinance and Tree Ordinance.

IX. Signage

Signage as allowed by the Ordinance and by the Optional Provisions set forth under Section II above may be provided.

X. Lighting:

- Detached lighting on the Site, except street lights located along public streets, will be limited to 30 feet in height.
- Attached and detached lighting shall be downwardly directed. However, upward facing accent lighting shall be permitted.

XI. Amendments to the Rezoning Plan:

Future amendments to the Rezoning Plan 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 herein and of Chapter 6 of the Ordinance.

XII. Binding Effect of the Rezoning Application:

If this Rezoning Petition is approved, all conditions applicable to the development of the

Site imposed under the Rezoning Plan will, unless amended in the manner provided 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.

XIII. Vested Rights Provision:

If this Rezoning Petition is approved by the Charlotte City Council then, pursuant to Section 1.110 of the Ordinance, the Petitioner hereby requests a five-year vested right to undertake and complete the development of this Site under the terms and conditions as so approved, commencing upon approval of this Rezoning Petition by the Charlotte City Council. The Petitioner makes this request for a five-year vested right due to the size and phasing of the proposed development, market conditions and the level of investment involved.

302696583 v1

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302696583 v1

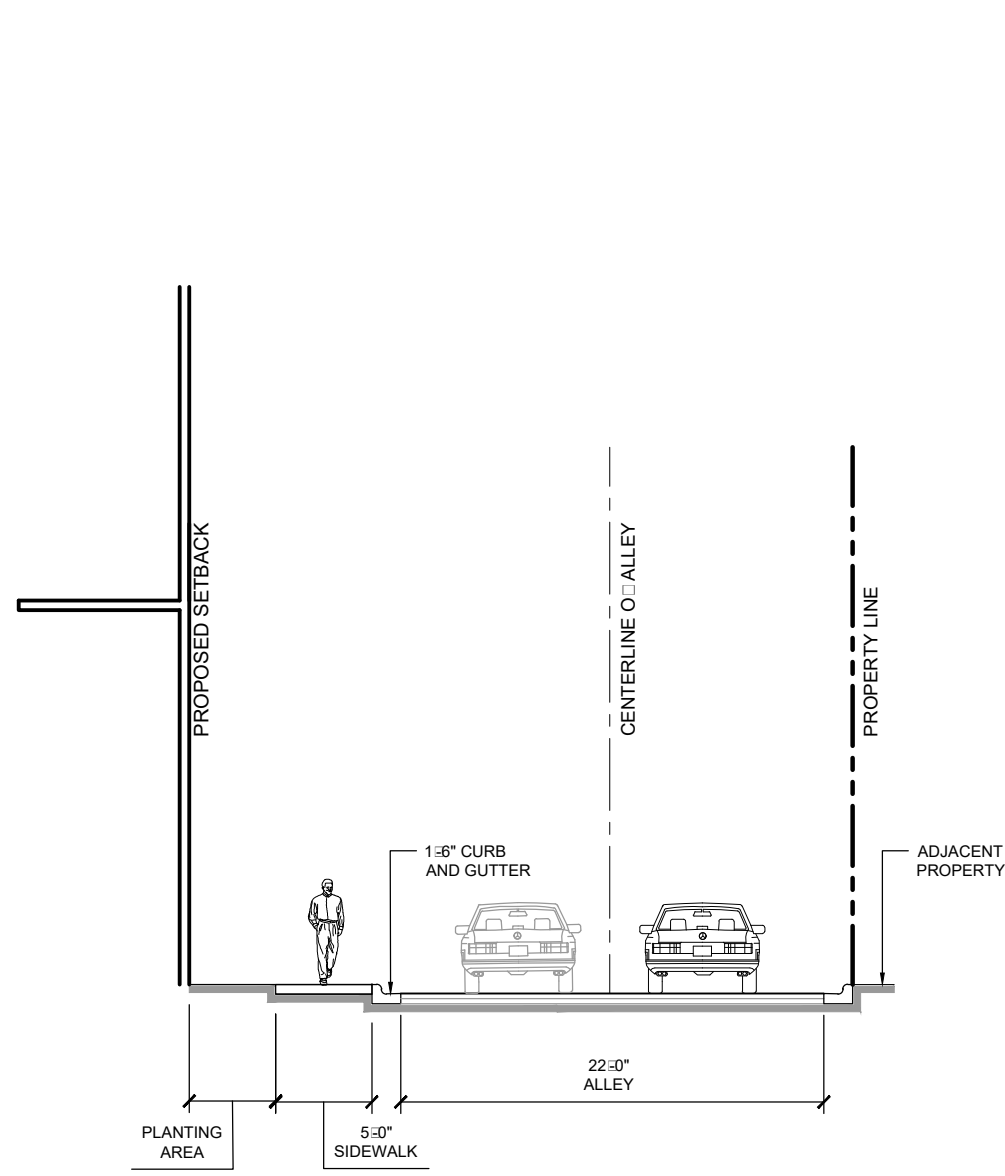
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302696583 v1

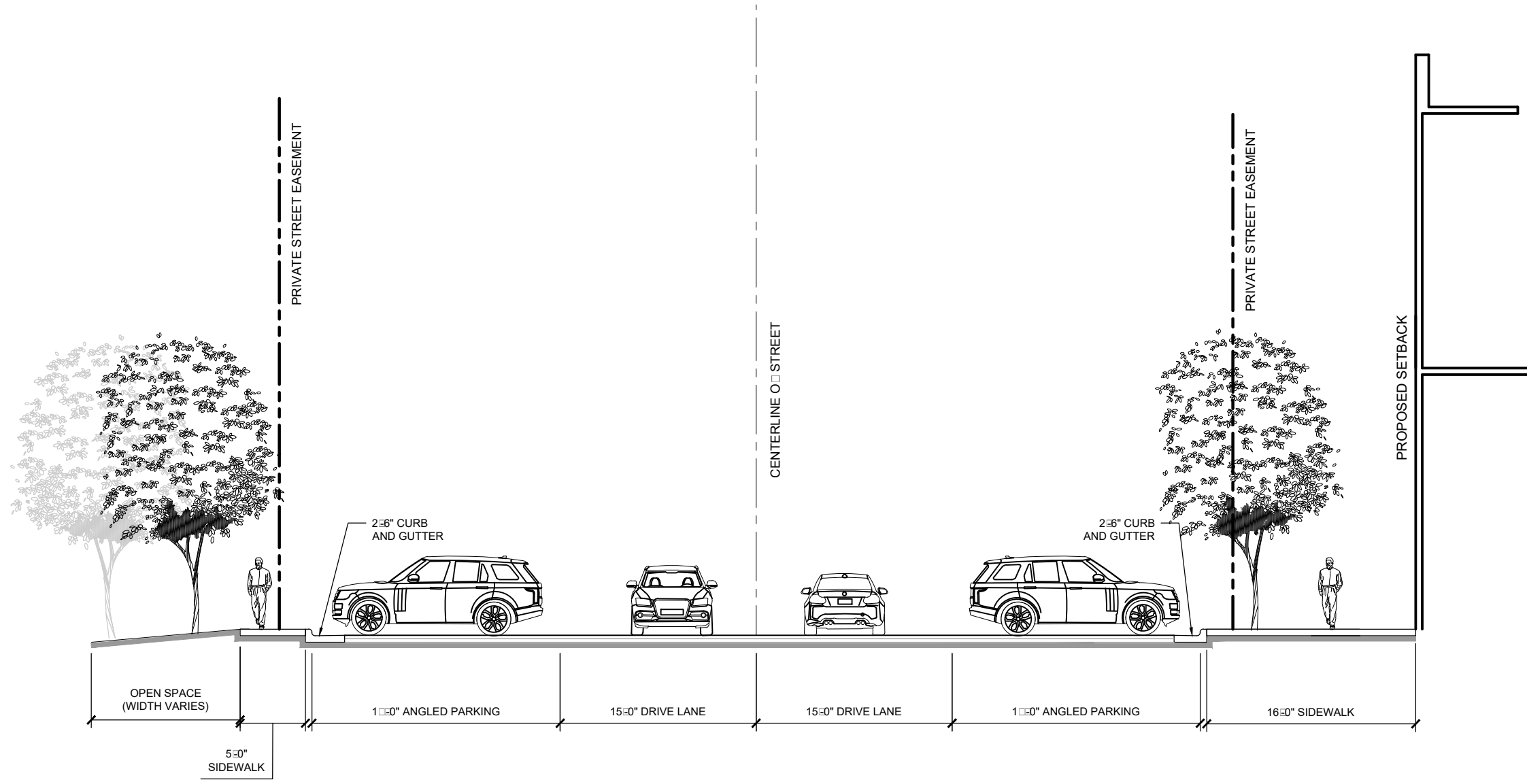
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302696583 v1

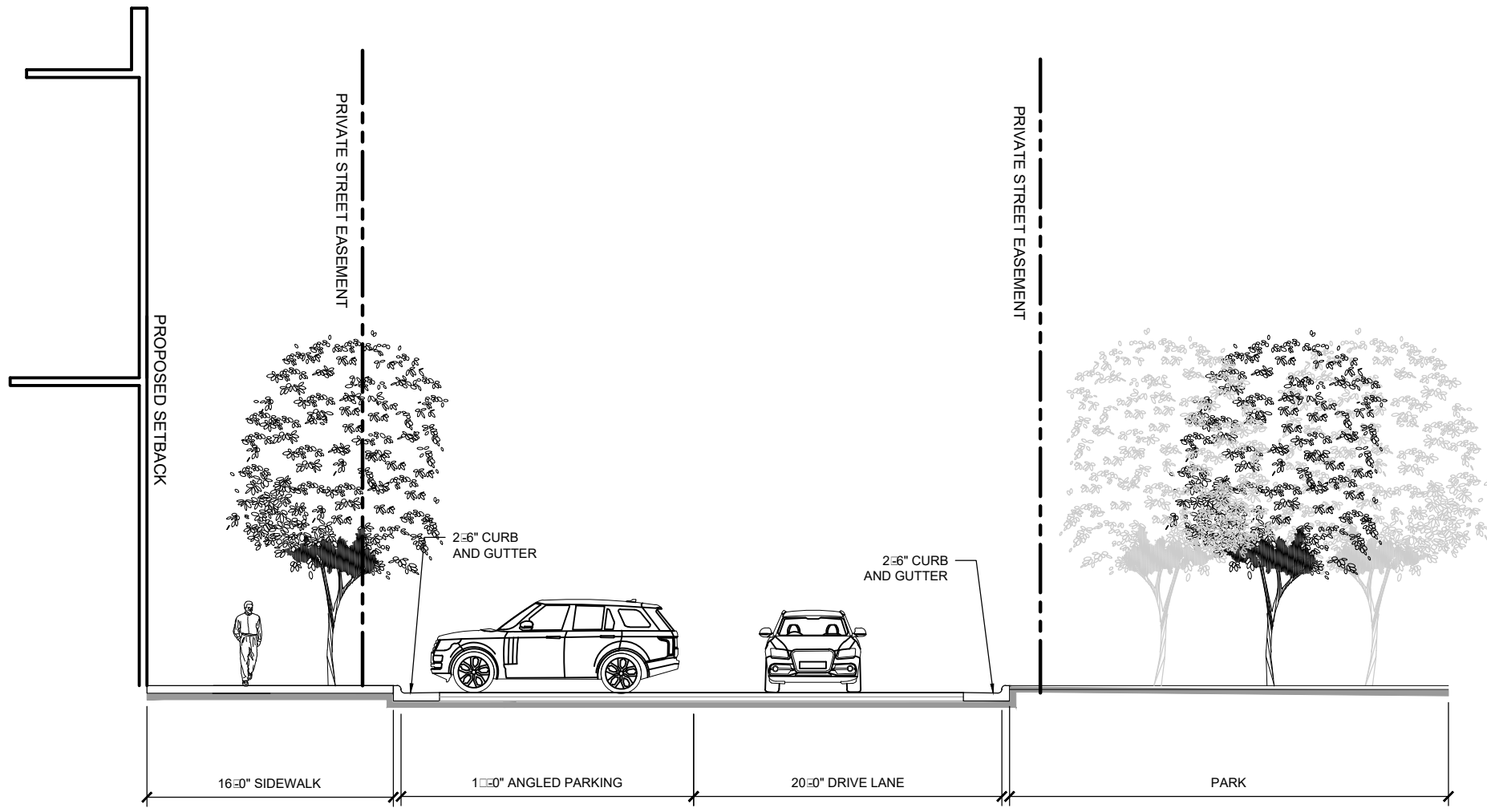
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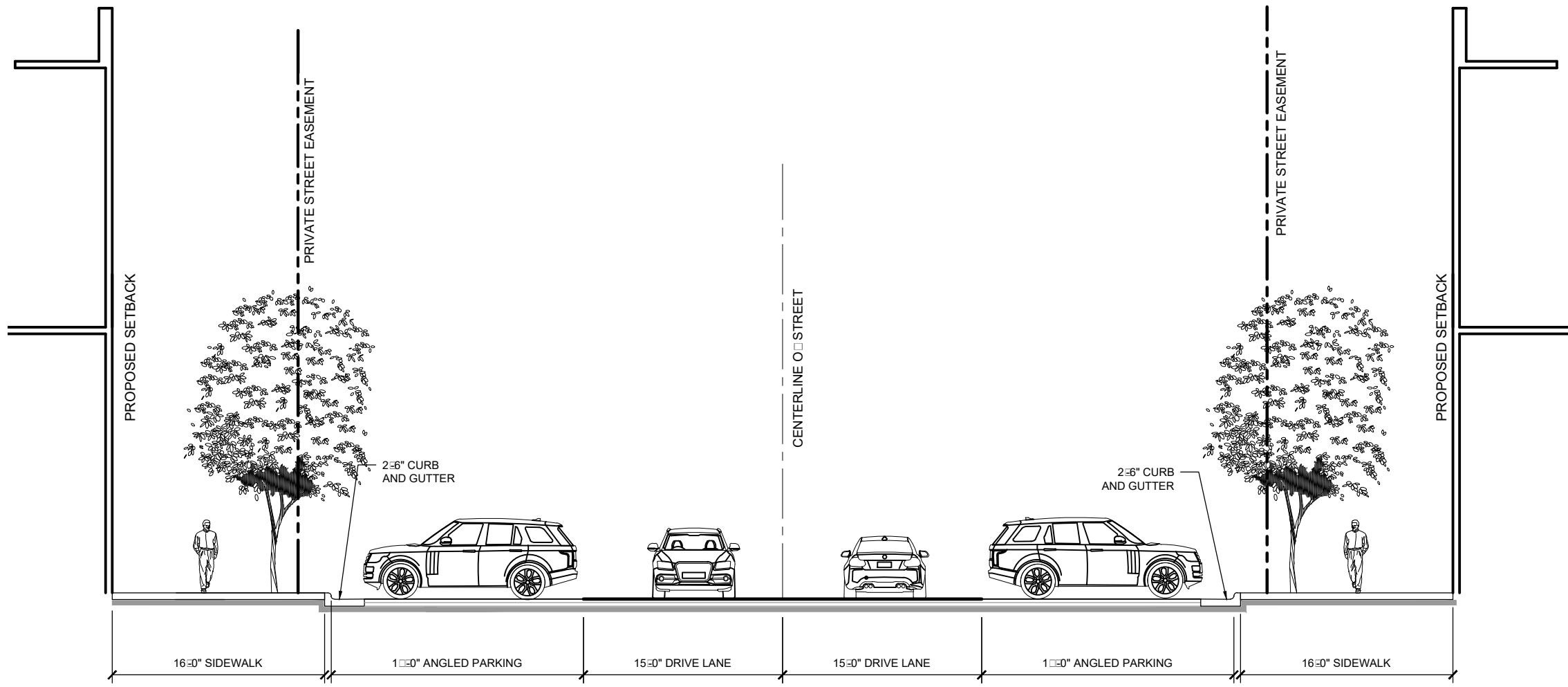
TYPICAL ALLEY CROSS-SECTION
SECTION A-A
SCALE: 1" = 10'-0"



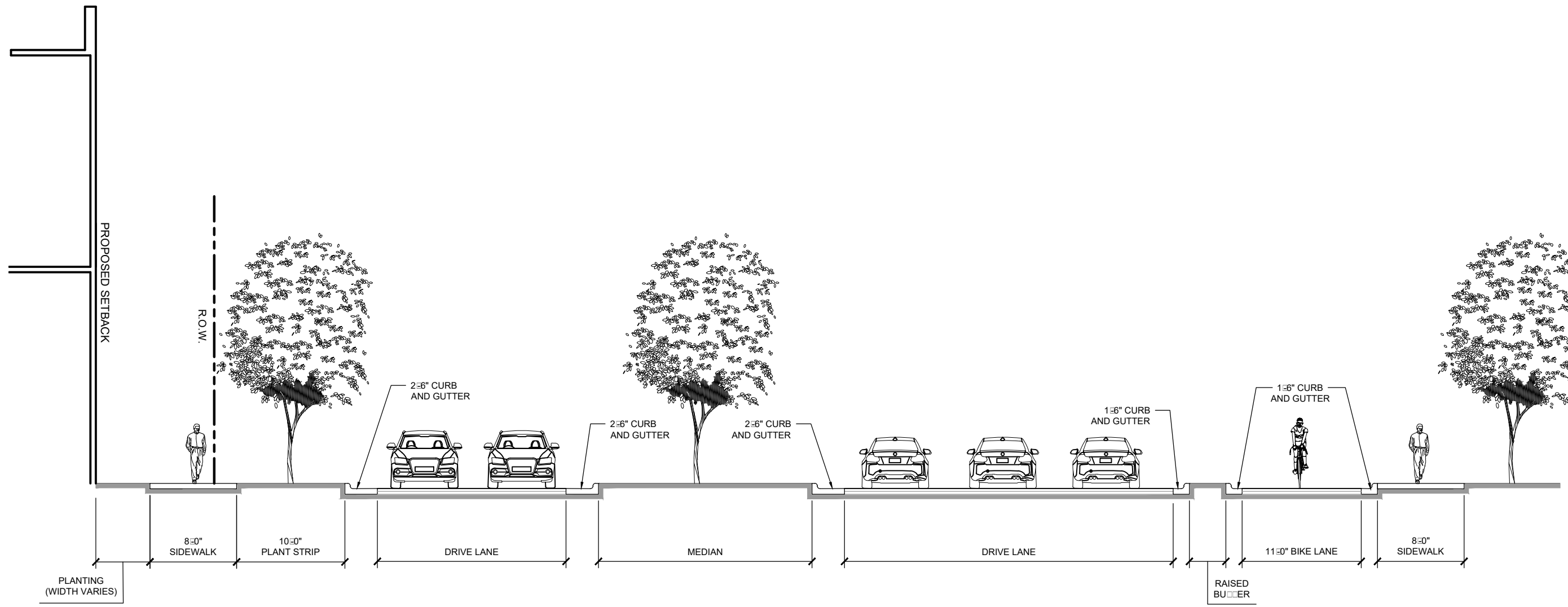
MAIN STREET AT OPEN SPACE CROSS-SECTION
SECTION B-B
SCALE: 1" = 10'-0"



MAIN STREET AT PARK CROSS-SECTION
SECTION C-C
SCALE: 1" = 10'-0"



MAIN STREET CROSS-SECTION
SECTION D-D
SCALE: 1" = 10'-0"



J.W. CLAY CROSS-SECTION
SECTION E-E
SCALE: 1" = 10'-0"

KEY MAP

SEAL

PETITION
NO. 2018-0xx

PROJECT

UNIVERSITY CITY
REZONING

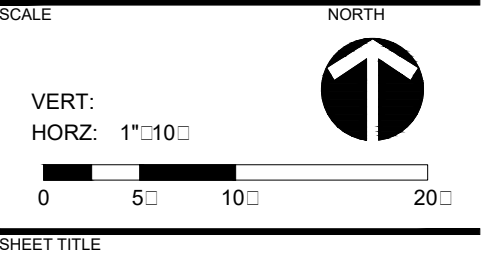
EB ARROW

LANDDESIGN PROJ.#
1018377

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY:
DRAWN BY:
CHECKED BY:



STREET CROSS SECTIONS

SHEET NUMBER

RZ-3.0





- EIP - EXISTING IRON PIN
IPS - IRON PIN SET
F.F.E. - FINISH FLOOR ELEVATION
R/W - RIGHT OF WAY
RWM - RIGHT OF WAY MOUNTAIN
ESMT - EASEMENT
M.B. - MAPBOOK
PG. - PAGE
EX. - EXISTING
- ⊙ - EXISTING IRON PIN
☆ - LIGHT POLE
■ - CATCH BASIN
Ⓢ - STORM MANHOLE
Ⓢ - SEWER MANHOLE
h - HANDICAPPED PARKING
EM - ELECTRICAL METER
EB - ELECTRICAL BOX
CO - CLEAN OUT
UC - UNDER CONSTRUCTION
WV - WATER VALVE
T - TELEPHONE
- Ⓐ - NO. OF PARKING SPACES

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	34.50'	26.99'	14.23'	26.31'	N64°28'22"W	44°49'27"
C2	550.00'	225.08'	114.14'	225.51'	N11°00'40"E	23°26'51"

LAWYERS TITLE INSURANCE CORPORATION ORDER No:CH021365LT-30736 EFFECTIVE DATE: MAY 9, 2005
Amended May 26, 2005 SCHEDULE B-SECTION 2 EXCEPTIONS

- [illegible]

11. Easements with Covenants and Restrictions Affecting the Land recorded in Book 7442, Page 728, amended by First Amendment to Easements with Covenants and Restrictions Affecting the Land recorded in Book 7869, Page 441; Second Amendment recorded in Book 8038, Page 578, re-recorded in Book 8224, Page 848; Third Amendment recorded in Book 8325, Page 879; Fourth Amendment recorded in Book 11174, Page 536 and Fifth Amendment recorded in Book 12637, Page 235, Mecklenburg County Registry.
(GENERAL EASEMENTS & RESTRICTIONS IS NOT SPECIFICALLY LOCATABLE)

As to Tract 1 of Parcel 2

14. Parking easement and access easement contained in Deed to R & M Properties recorded in Book 7818, Page 772, Mecklenburg County Registry. (SHOWN HEREON)

As to Tract I and II of Parcel 2

15. Joint Parking Agreement recorded in Book 5673, Page 892, amended by Amendment to Joint Parking Agreement recorded in Book 7228, Page 877 and Restatement of Amendment recorded in Book 8047, Page 750. (BLANKET EASTMENT AND RESTRICTIONS IS NOT SPECIFICALLY Y LOCATABLE)
16. Declaration of Restrictions and Grant of Nonexclusive Easements for Village at University recorded in Book 7500, Page 100. (BLANKET EASTMENT AND RESTRICTIONS IS NOT SPECIFICALLY LOCATABLE)
17. Declaration of Restrictions and Grant of Nonexclusive Easements recorded in Book 8078, Page 150, Mecklenburg County Registry.
18. Declaration of Restrictions and RESTRICTIONS IS NOT SPECIFICALLY LOCATABLE)
19. Permanent Utility Easement to City of Charlotte recorded in Book 9203, Page 202, Mecklenburg County Registry. (BLANKET EASTMENT FOR ELECTRICAL AND SIGNAL EQUIPMENT)
20. Building restriction line(s), assessment(s) and other matters as shown on p141 recorded in Map Book 186, Page 49 and 567 and Map Book 27, Page 604, Mecklenburg County Registry. (SHOWING)

TOTAL PARKING SPACES
2 - HANDICAPPED SPACES
45 - REG. SPACES
47 - TOTAL SPACES
(40 REG. SPACE REQUIRED)
(1 HANDICAPPED SPACE REQUIRED)

MAP REFERENCES

MAP BOOK 25, PAGES 633 & 950
MAP BOOK 21, PAGE 74
MAP BOOK 26, PAGES 40, 264, 567 & 390
MAP BOOK 21, PAGES 474, 480 & 747

The undersigned, being a registered surveyor of the State of North Carolina certifies to AEGON USA Realty Advisors, Inc., Transamerica Life Insurance Company, CS University Place II, LLC, Lawyer's Title Insurance Corporation, and Squire, Sanders & Dempsey L.L.P.:

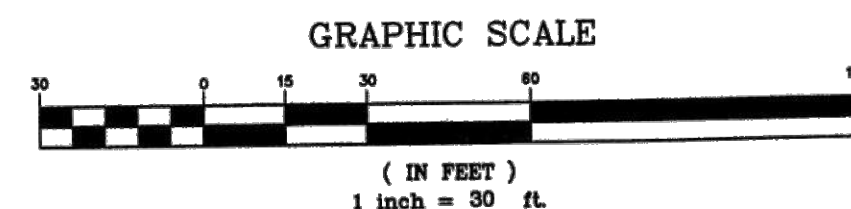
This is to certify that this map and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM land Title Surveys", jointly established and adopted by ALTA, ACSM and NSPS in 1999, and includes items 2, 3, 4, 6, 7(a), 7(b)(7)(c), 8, 9, 10, 11(b), 13, 14, 15 and 16 of Table A thereof. Pursuant to the Accuracy Standard as adopted by ALTA, NSPS, ACSM and in effect on the date of this certification, the undersigned further certifies that the Positional Uncertainties resulting from the survey measurements made on the survey do not exceed the allowable Positional Tolerance.

GPA Professional Land Surveyors of NC

James Timothy Thomas PLS #4330

DATE _____

CS University Place II, LLC
c/o CASTO 191 West Nationwide Boulevard,
Suite 200 Columbus, Ohio 43215
DB.19063 PG.52
PARCEL #3b
M.B. 26 PG. 567
TAX#047-252-04



LEGAL DESCRIPTION (Pier 1 Imports)

Being all of Parcel 3f as described in Plat of "University Place Map 5 recorded at Map Book 27, Page 604, Mecklenburg County Register of Deeds, North Carolina. Situate in the City of Charlotte, N.C., Said property is also described as follows:

Beginning at an X-Mark, the side walk, said X-Mark in the sidewalk being along the right of way of J.W. Gray Boulevard (having a variable right of way), and being a common corner of Parcel 3b as recorded in Plat Book 26 at page 587 in said Registry and being the POINT OF BEGINNING; thence S83°47'56"E, a distance of 176.64 feet to a P.K. nail; thence S06°12'24"W, a distance of 222.22 feet to an X-Mark in the brick paving; thence N68°53'21"E, a distance of 225.31 feet to the POINT OF BEGINNING; or being the point of intersection of the right of way to the right, having a radius of 34.50 feet, and having a chord bearing of N64°28'22"W, and a chord distance of 26.31 feet, thence northwesterly along the arc a distance of 26.99 feet to an X-Mark in the side walk, said X-Mark being the POINT OF BEGINNING; or being the point of intersection of the right of way to the right, having a radius of 34.50 feet, and having a chord bearing of N64°28'22"W, and a chord distance of 26.31 feet, thence northwesterly along the arc a distance of 26.99 feet to an X-Mark in the side walk, said X-Mark being the POINT OF BEGINNING; or being the point of intersection of the right of way to the right, having a radius of 34.50 feet, and having a chord bearing of N110°04'00"E, and a chord distance of 225.31 feet, thence northerly along the said arc Easterly right of way to the POINT OF BEGINNING. Containing 43,992 square feet or 1.00 acres, more or less.



TOGETHER WITH appurtenant easements and rights established and created in that certain University Place Owners' Association Declaration of Easements, Restrictions and Protective Covenants recorded in Deed Book 5678 at Page 277 in the Mecklenburg County, North Carolina, Public Registry.

TOGETHER ALSO WITH appurtenant easements and rights established and created in that certain Joint Parking Agreement recorded in Book 5673 at Page 892 in the Mecklenburg County, North Carolina, Public Registry, as amended by that certain Amendment to Joint Parking Agreement recorded in Deed Book 7226 at Page 977 in said Registry and by that certain Restatement of Amendment to Joint Parking Agreement recorded in Deed Book 8047 at Page 754 in said Registry.

TOGETHER ALSO WITH appurtenant easements and rights established and created in that certain Declaration of Restrictions and Grant of Non-exclusive Easements for the Village at University Place recorded in Deed Book 7815 at Page 234 in the Mecklenburg County, North Carolina, Public Registry, as amended by that certain First Amendment to Declaration of Restrictions and Grant of Non-exclusive Easements for the Village at University Place recorded in Deed Book 8078 at Page 150 in said Registry.

TOGETHER ALSO WITH appurtenant easements and rights established and created in that certain Easement Agreement between Wal-Mart, Stores, Inc. and University Place Mall, Inc. recorded in Deed Book 8038 at Page 573 in the Mecklenburg County, North Carolina, Public Registry.

TOGETHER ALSO WITH all right, title and interest of University Place Mall, Inc. in and to the Right of First Refusal Offer, as contained in special warranty deed to Chick-Fil-A, Inc. dated September 27, 1994 and recorded in Deed Book 7924 at Page 89, Mecklenburg County, North Carolina, Public Registry relating to Parcel #20 (Pad J) (approximately 1.01 acres) as shown on Map of University Place Map 3 dated March 29, 1994, as last revised April 19, 1994, recorded in Map Book 26, at Page 40, Mecklenburg County, North Carolina, Public Registry, and all easements appurtenant to such parcel.

				SCALE 1" = 30'		DATE JUNE 3, 2005		SURVEYED AT THE REQUEST OF: SQUIRE, SANDERS & DEMPSEY L.L.P.		SHEET 1	
				FLD, BK, PG. DATA COLLECTOR		DRAWN BY JEC		UNIVERSITY PLACE PARCEL 3f		OF 1	
11/2/05 CLIENT & LENDER COMMENTS JEC		PROFESSIONAL LAND SURVEYORS OF NC EXCELLENCE AS A WORK		JOB NO. 050036-C		CHECKED BY JTT		CITY OF CHARLOTTE		MECKLENBURG COUNTY, N.C.	
10/25/05 CERTIFICATION AND TEXT CHANGES JEC		605 PHILIP DAVIS DRIVE SUITE 3 CHARLOTTE, N.C. 28217 (704) 335-8650 (800) 334-4951 FAX (704) 335-8655									
9/23/05 CERTIFICATION AND TEXT CHANGES JEC											
8/17/05 CERTIFICATION AND TEXT CHANGES JEC											
DATE REVISION BY											

KEY MAP

SEAL

PROJECT

UNIVERSITY CITY REZONING

EB ARROW

LANDDESIGN PROJ.#

REVISION / ISSUANCE

[illegible]

DESIGNED BY:
DRAWN BY:
CHECKED BY:

SCALE NORTH

VERT:
HORZ: AS NOTED

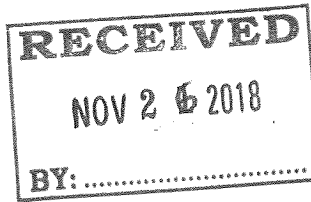
SHEET TITLE

SITE SURVEY

SHEET NUMBER

RZ-4.1

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-152

Petition #:	_____
Date Filed:	11/26/2018
Received By:	gk

Complete All Fields (Use additional pages if needed)

Property Owner: Kyle Short

Owner's Address: 2328 Bay Street City, State, Zip: Charlotte, NC 28205

Date Property Acquired: March 6, 2018

Property Address: 640 N. Sharon Amity Road, Charlotte, NC 28211

Tax Parcel Number(s): 163-082-27, 163-082-28

Current Land Use: VACANT Size (Acres): .56 AC

Existing Zoning: R-3 Proposed Zoning: UR-1(CD)

Overlay: N/A Tree Survey Provided: Yes: _____ N/A: X

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Isaiah Washington

Date of meeting: November 1, 2018

(*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: Establishment of orientation of single family lots


Hollie Colony
Name of Rezoning Agent

1318 E-6 Central Avenue
Agent's Address

Charlotte, NC 28205
City, State, Zip

(704)333-3303 ext 110
Telephone Number Fax Number

Hollie@urbandesignpartners.com
E-Mail Address


Signature of Property Owner

Kyle Short
(Name Typed / Printed)

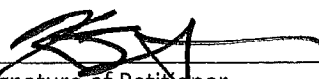
Kyle Short
Name of Petitioner(s)

2328 Bay Street
Address of Petitioner(s)

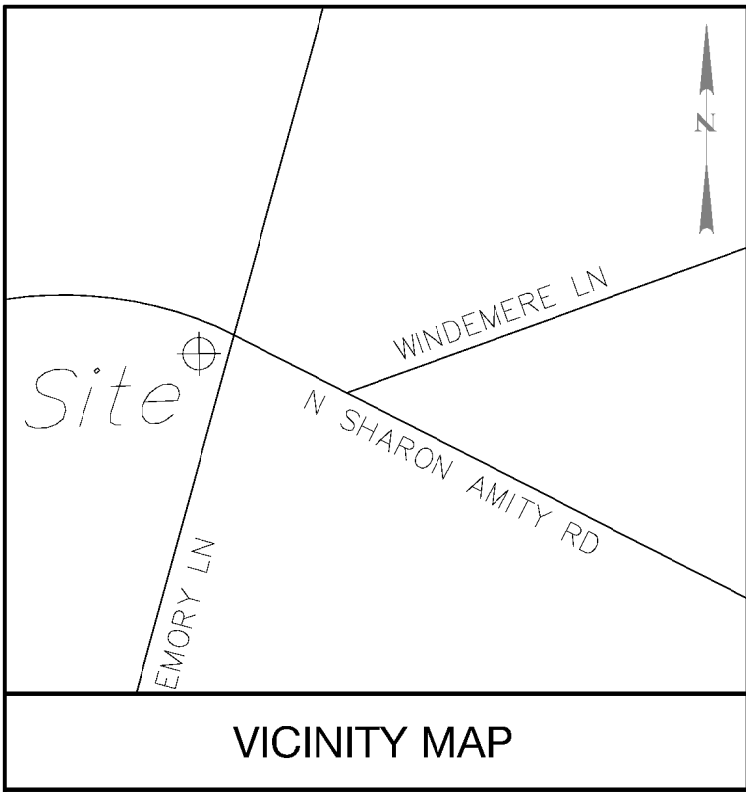
Charlotte, NC 28205
City, State, Zip

(704)258-2396
Telephone Number Fax Number

Kyle.A.Short@gmail.com
E-Mail Address


Signature of Petitioner

Kyle Short
(Name Typed / Printed)



SITE DEVELOPMENT DATA:

ACREAGE: +/- .56 AC
TAX PARCEL: 163-082-27, 163-082-28
EXISTING ZONING: R-3
PROPOSED ZONING: UR-1(CD)
EXISTING USES: VACANT
PROPOSED USES: SINGLE-FAMILY DETACHED
MAX DENSITY: UP TO (7) DWELLING UNITS (12 DUA)

GENERAL PROVISIONS:

THESE DEVELOPMENT STANDARDS FORM PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY SHORT DEVELOPMENT GROUP, LLC (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF SINGLE-FAMILY LOTS ON AN APPROXIMATE .56 ACRE SITE LOCATED ON N. SHARON AMITY ROAD, WHICH IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBERS 163-082-27 AND 163-082-28.

DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"), UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS. THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-1 ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE. THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDINGS AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND THEREFORE ARE SUBJECT TO REFINEMENTS AS PART OF THE TOTAL DESIGN PROCESS.

PERMITTED USES AND MAXIMUM DEVELOPMENT:

THE SITE MAY BE DEVELOPED WITH UP TO 7 SINGLE-FAMILY DETACHED DWELLING UNITS, TOGETHER WITH ANY INCIDENTAL AND ACCESSORY USES RELATED THERETO THAT ARE ALLOWED IN THE UR-1 ZONING DISTRICT.

TRANSPORTATION:

- VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT SHOWN ON THE REZONING PLAN IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL.
- AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY RESIDENTIAL TWO-WAY ALLEYS.
- SIDEWALK IMPROVEMENTS SHALL INCLUDE 8' LANDSCAPE STRIP AND 6' SIDEWALK PROVIDED ALONG THE EXISTING PUBLIC RIGHTS OF WAY AT EMORY LANE AND A 16' LANDSCAPE STRIP AND 6' SIDEWALK PROVIDED ALONG THE EXISTING RIGHTS OF WAY AT N. SHARON AMITY ROAD.

- WHERE NECESSARY, PETITIONER SHALL DEDICATE AND CONVEY IN FEE SIMPLE ALL RIGHTS-OF-WAY TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED OR PHASED PER THE SITE'S DEVELOPMENT PLAN.
- THE PETITIONER SHALL DEDICATE IN FEE SIMPLE CONVEYANCE ALL RIGHTS OF WAY TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.
- ALL TRANSPORTATION IMPROVEMENTS WITHIN THE PUBLIC RIGHT OF WAY SHALL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

ARCHITECTURAL STANDARDS:

- THE PRINCIPAL BUILDINGS USED FOR RESIDENTIAL USES CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS WILL BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRE-CAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING (SUCH AS HARDI-PANK), EIFS, OR WOOD.
- PETITIONER SHALL PROVIDE BLANK WALL PROVISIONS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 20 FEET ON ALL BUILDING LEVELS, INCLUDING BUT NOT LIMITED TO DOORS, WINDOWS, AWNINGS, AND/OR ARCHITECTURAL DESIGN ELEMENTS.
- WALKWAYS WILL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC AND PRIVATE STREETS, AS GENERALLY DEPICTED ON THE REZONING PLAN.
- UNITS FRONTING EMORY LANE SHALL BE ORIENTED TOWARD THE STREET.
- PETITIONER WILL COMPLY WITH THE PRIVATE OPEN SPACE REQUIREMENT IN SECTION 9.406 OF THE ORDINANCE IF REQUIRED IN THE UR-1 ZONING DISTRICT AT THE TIME OF PERMITTING THROUGH CITY OF CHARLOTTE LAND DEVELOPMENT.

STREETSCAPE AND LANDSCAPING:

- THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE TREE ORDINANCE.
- REQUIRED TREE SAVE ON SITE CAN BE SATISFIED WITH A COMBINATION OF TREE PRESERVATION AREAS AND NEW TREE PLANTINGS.

ENVIRONMENTAL FEATURES:

- THE PETITIONER SHALL COMPLY WITH THE CITY OF CHARLOTTE POST CONSTRUCTION ORDINANCE.
- AS NEEDED, THE LOCATION, SIZE, AND TYPE OF STORMWATER MANAGEMENT SYSTEMS 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 STORMWATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

AMENDMENTS TO REZONING PLAN:

FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCEL OR PARCELS WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

FURTHER ALTERATIONS OR MODIFICATIONS TO THE REZONING PLAN WHICH, IN THE OPINION OF THE PLANNING DIRECTOR, SUBSTANTIALLY ALTER THE CHARACTER OF THE DEVELOPMENT OR SIGNIFICANTLY ALTER THE APPROVED TECHNICAL DATA SHEET OR ANY OF ITS CONDITIONS OR WHICH INCREASE THE INTENSITY OF DEVELOPMENT SHALL NOT BE DEEMED TO BE MINOR AND MAY ONLY BE MADE IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTIONS 6.207(1) OR (2) OF THE ORDINANCE, AS APPLICABLE.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS:

- IF THIS SITE PLAN AMENDMENT IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE TECHNICAL DATA SHEET WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
- THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" AND "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

DEVELOPMENT SUMMARY

TAX PARCEL ID #:	163-082-28 163-082-27
TOTAL SITE AREA:	± .56 AC
EXISTING ZONING:	R-3
PROPOSED ZONING:	UR-1(CD)
FLOOR AREA RATIO:	1 (MAX FAR DOES NOT APPLY TO ONE-FAMILY, TWO-FAMILY, OR THREE-FAMILY STRUCTURE LOCATED ON A SINGLE LOT.)
MIN. LOT AREA:	3,000 SF
MIN. LOT WIDTH:	20'
MAX DENSITY:	12 UNITS/ACRE
SETBACKS:	
FRONT:	
EMORY LANE:	0' MEASURED FROM EXISTING ROW
N. SHARON AMITY RD:	0' MEASURED FROM FUTURE ROW
SIDE:	5'
REAR:	10'
MAX. BUILDING HEIGHT:	40' MEASURED AT THE REQUIRED SIDE YARD LINE
MIN. BUILDING SEPARATION:	10'
PROPOSED USE:	SINGLE-FAMILY DETACHED



1318-65 central ave. p. 704.334.3303
charlotte, nc 28205 f. 704.334.3305
urbanidesignpartners.com
nc firm no: P-0418
sc coa no: C-03044

Short Development
Group, LLC

2328 Bay Street
Charlotte, NC 28205

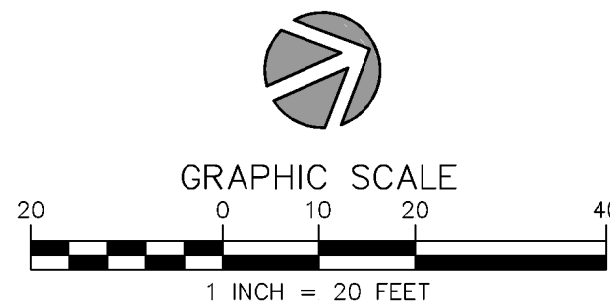
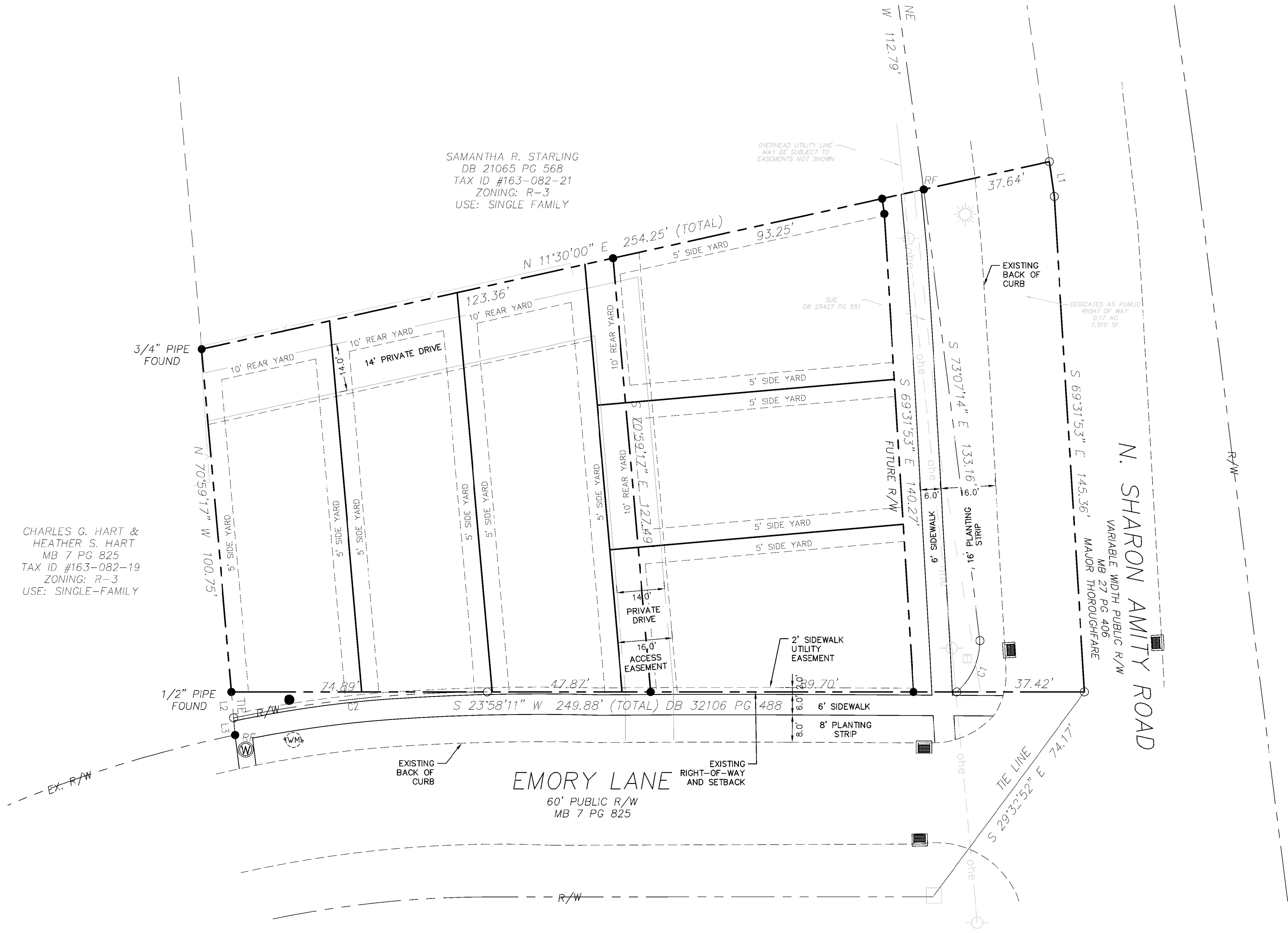
Emory Lane

Rezoning Site Plan
Charlotte, NC

NO. DATE: BY: REVISIONS:

Project No: 18-160
Date: 11.26.2018
Designed by: UDP
Drawn By: UDP
Sheet No:

RZ-1.0



REZONING PETITION #2018-???