

OCTOBER 2014

Rezoning Petition Packet

City Petitions:

2014-081, 2014-089 through 2014-096

Staff Review Meeting: August 21, 2014 10:00 a.m.

City Public Hearing: October 20, 2014 6:00 p.m.

OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Complete All Fields

FY2015	2014-081
Petition #:	_____
Date Filed:	_____
Received By:	_____

OWNERSHIP INFORMATION:

Property Owner: Multiple – Provident Development Group, Inc. / DR Horton, Inc. / REO Funding Solutions III LLC
PDG – 6707 B Fairview Rd, Charlotte NC 28210 /
DRH – 8001 Arrowridge Blvd, Charlotte NC 28273
Owner's Address: REO – PO Box 56607, Atlanta GA 30343 City, State, Zip: _____

Date Property Acquired: 2012, 2007 & 2008 Utilities Provided: (Water) (Sewer)
(CMUD, Private, Other) *(CMUD, Private, Other)*

LOCATION OF PROPERTY (Address or Description): Amos Smith Rd, on the south side of Old Dowd West of 485 on the
northern edge of Lake Wylie, Catawba River

Tax Parcel Number(s): PDG – 113-073-49, DRH – 113-221-79, 113-073-46, 113-073-50, REO – 113-351-03, 113-221-81,
113-221-19, 113-082-49, 113-222-01, 113-222-05, 113-073-41, 113-073-40, 113-073-45, 113-221-17, 113-073-48,
113-221-80, 113-082-51, 113-082-47

Current Land Use: Vacant land/ Partially developed land from Rezoning Petition 2005-014

Size (Sq.Ft. or Acres): +/- 391 Ac.

ZONING REQUEST:

Existing Zoning: MX-2 (INNOV) (LWCA & LLWCA) + Proposed Zoning MX-2 (INNOV) (SPA) (LWCA & LLWCA)
NS (LWCA & LLWCA) NS (SPA) (LWCA & LLWCA)

Purpose of Zoning Change: *(Include the maximum # of residential units or non-residential square footages):*

Adjust off site transportation commitments, revise lot widths, and revise proposed land use for certain parcels

Tom Waters / Keith MacVean
Provident Land Services
Name of Agent

6707 Fairview Rd, Suite B / 100 N. Trvon St, Suite 2700
Agent's Address (Keith)

Charlotte NC 28210 / Charlotte NC 28202
City, State, Zip

704.367.0167x104 (Tom) 704.331.3531 (Keith)
Telephone Number Fax Number

tom@providentdev.com / keithmacvean@mvalaw.com

Provident Land Services – attn.: Tom Waters

Name of Petitioner(s)

6707 Fairview Rd, Suite B
Address of Petitioner(s)

Charlotte NC 28210
City, State, Zip

704.367.0167x104
Telephone Number Fax Number

tom@providentdev.com

E-Mail Address

See attachments A, B & C

Signature of Property Owner if other than Petitioner

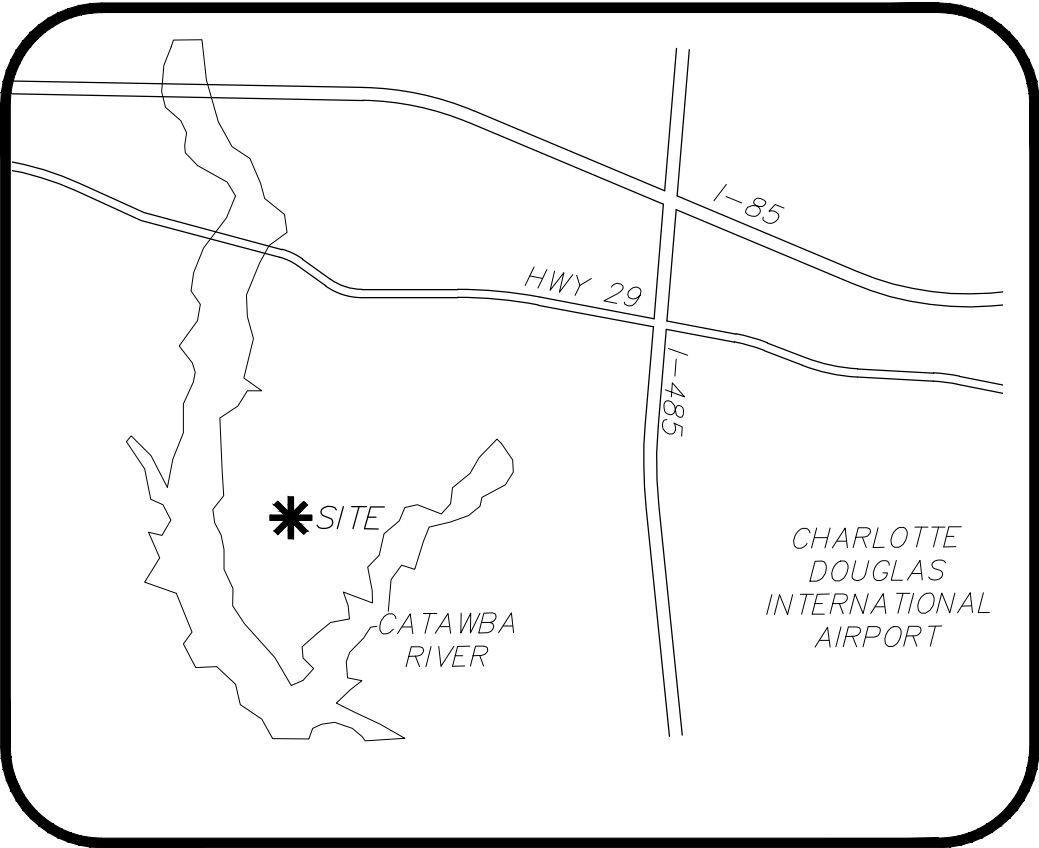
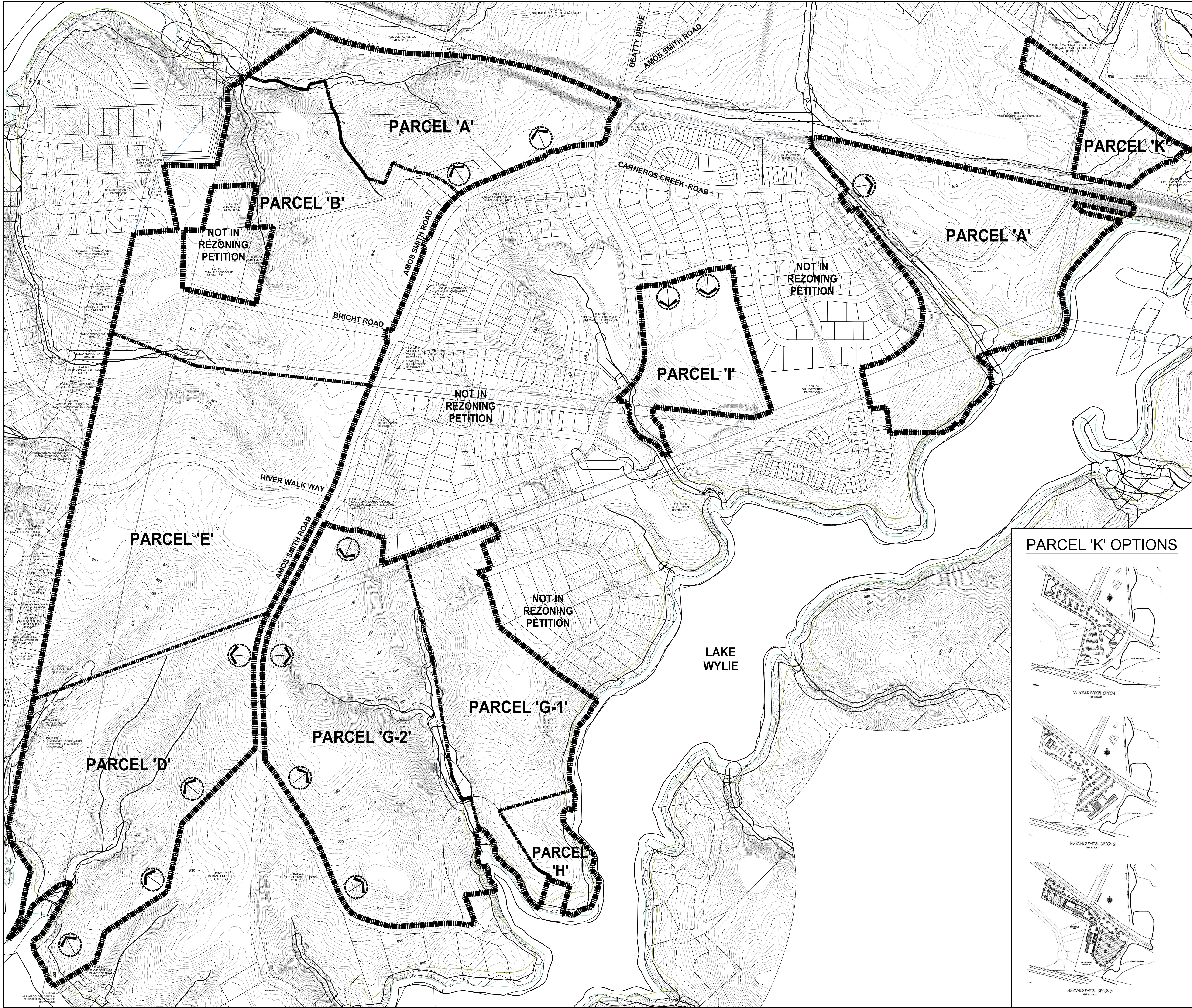
(Name Typed / Printed)

E-Mail Address

see attachment D

Signature

(Name Typed / Printed)

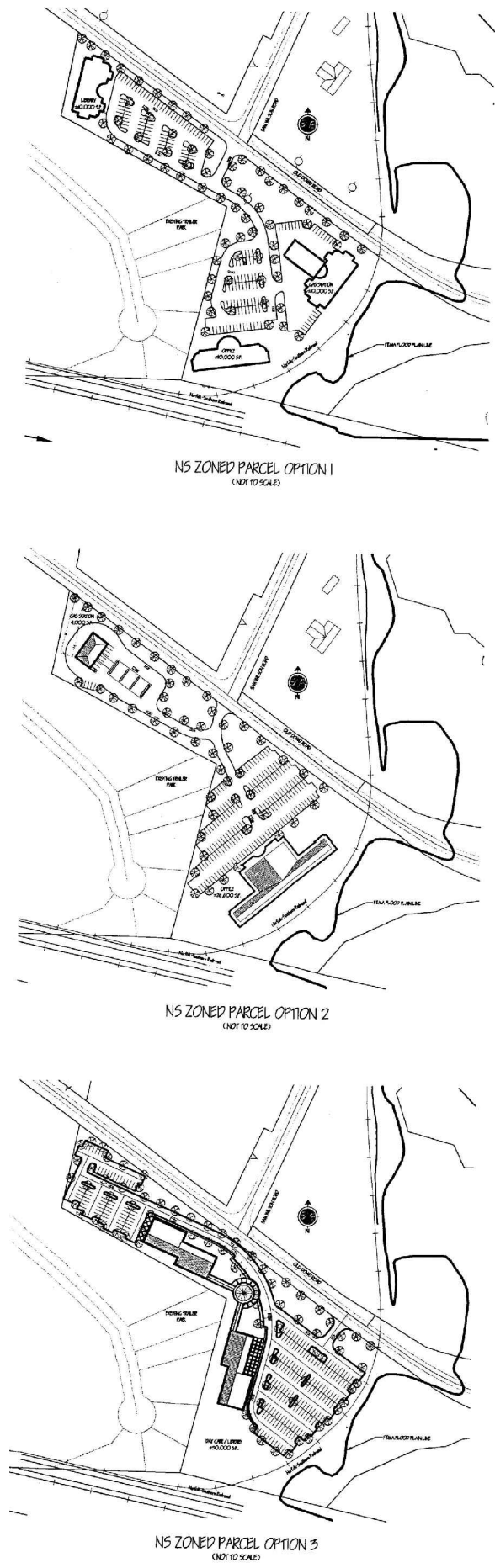


VICINITY MAP
NTS

SITE DEVELOPMENT DATA

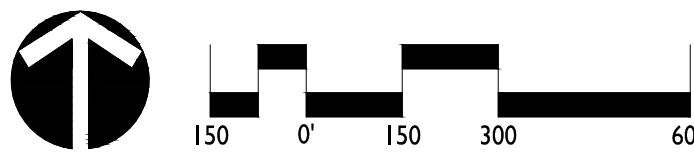
Site Acreage:	+/- 390.75 Ac.	
Tax Parcels:	Provident Development Group, Inc. 113-073-49	
	DR Horton, Inc. 113-073-46 113-073-50 113-221-79	
	REO Funding Solutions III, LLC 113-351-03 113-221-81 113-221-80 113-221-17 113-221-19 113-082-49 113-222-01 113-222-05 113-073-41 113-073-40 113-073-45 113-073-48 113-082-51 113-082-47	
Existing Zoning:	MX-2 (INNOV) (LWCA & LLWCA) NS (LWCA & LLWCA)	
Proposed Zoning:	MX-2 (INNOV) (SPA)(LWCA & LLWCA) NS (SPA)(LWCA & LLWCA)	
Existing Uses:	Vacant	
Proposed Uses:	Residential/ Commercial	

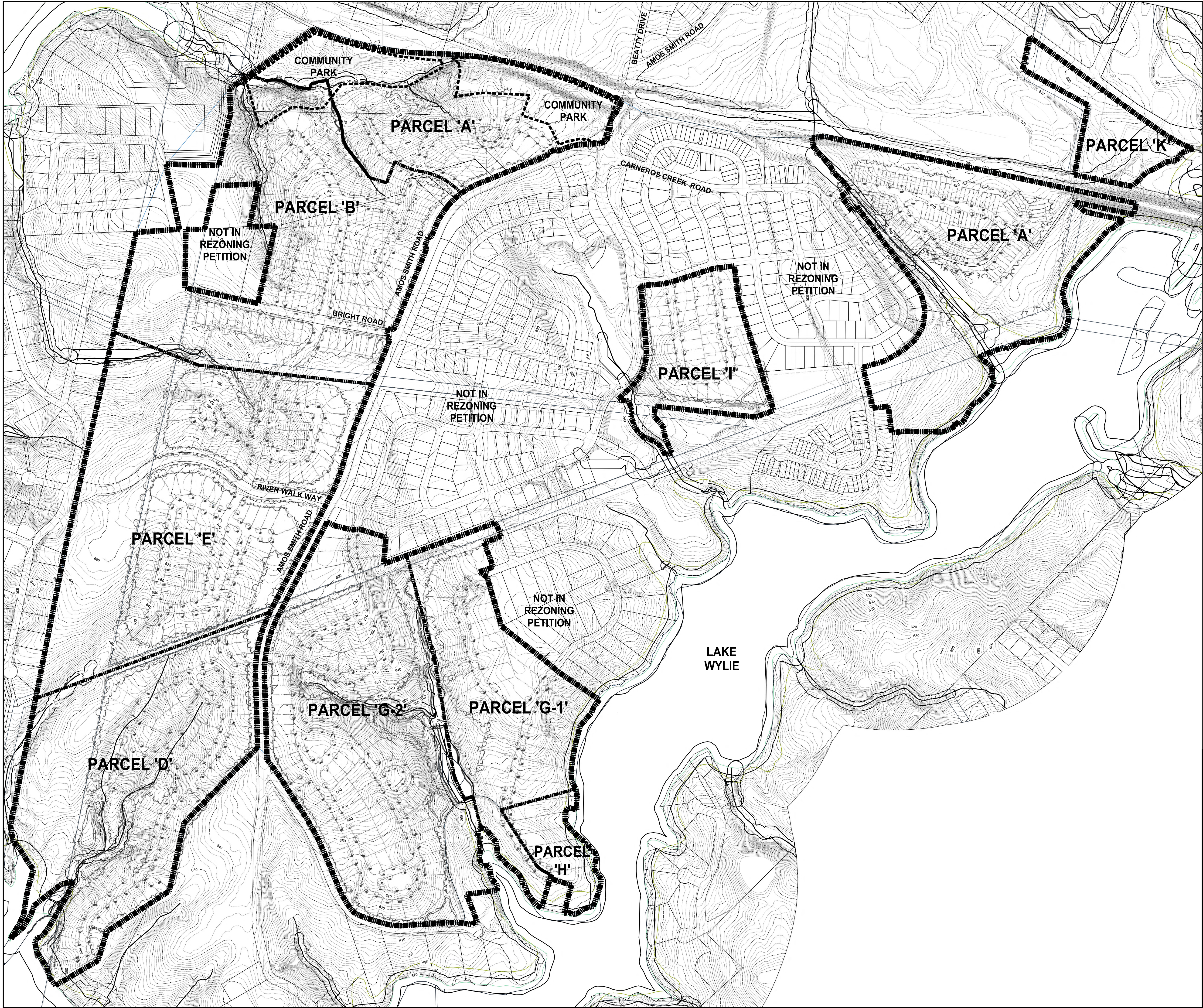
PARCEL 'K' OPTIONS



SITE LEGEND

- SITE ACCESS
- PARCEL BOUNDARY





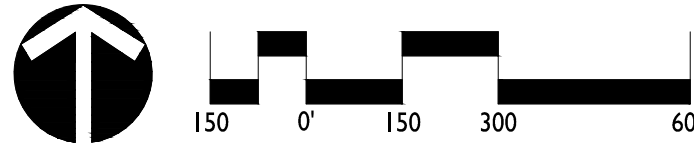
ALLOWABLE DENSITY:		
Currently Entitled Lots:		1,030 lots
Completed/ Planned Lots:		432 lots
Remaining Lots from 2005-014:		598 lots

- Pods 'A', 'B', 'E', 'D', 'G-1', 'G-2', and 'H' will be limited to 598 total lots.
- Pod 'I' will be limited to an additional 70 lots.

THE VINEYARDS
REZONING PETITION No. 2014-XX
TURNSTONE GROUP, LLC
SCHEMATIC SITE

DATE: 07/25/14
DESIGNED BY: KST
DRAWN BY: MB
CHECKED BY: KST
C.C. BY: KST
PROJECT #: 1014170
SHEET #:
RZ-2

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



Site Acreage: +/- 391 Ac.
Tax Parcels: Multiple
Existing Zoning: MX-2 (INNOV)(LWCA & LLWCA) and NS (LWCA & LLWCA)
Proposed Zoning: MX-2 (INNOV)(SPA)(LWCA & LLWCA) and NS (SPA)(LWCA & LLWCA)
Existing Uses: Vacant land/ Partially developed land from Rezoning Petition 2005-014
Proposed Uses: Residential / Commercial

I. GENERAL PROVISIONS

A. The development of the Site will be governed by the Technical Data Sheet, these Development Standards, the Schematic Site Plan, and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MX-2 District zoning classification shall govern the development of the Parcels included in this petition and the regulations established under the Ordinance for the NS District zoning classification shall govern the development of Parcel K.

B. The development depicted on the Schematic Site Plan is intended to reflect the arrangement of proposed uses on the Site. However, subject only to the provisions of Section III below, the exact configurations, placements, and sizes of individual site elements may be altered or modified during design development and construction document phases. This allowance applies to all site elements, including building areas, open space areas, recreation areas, and the configurations of lots and streets.

II. SUMMARY OF REQUEST

This proposal is intended to accommodate development on the Site of a master planned community composed of a mixture of detached single-family homes, attached single family homes, (town homes for sale) neighborhood services, interconnected with open space, pedestrian, and/or vehicular linkages.

III. PERMISSIBLE DEVELOPMENT

A. Residential Development

This Rezoning Petition requests that the remaining undeveloped pods from the original Rezoning Petition No. 2005-014 be altered to reduce lot width, but not increase the overall density for the originally rezoned Parcels. Parcel I. The following parcels are either partially developed or have not yet been developed and are included with this Rezoning Petition:

- Parcel A
- Parcel B
- Parcel D
- Parcel E
- Parcel G-1
- Parcel G-2
- Parcel H
- Parcel I
- Parcel K

The following is the breakdown of allowable density for the site.

Currently Entitled Lots: 1,030 lots

Completed/ Planned Lots: 432 lots

Remaining Lots: 598 lots

1. Parcel A

- Development of Parcel A of the Site shall be restricted to attached single family homes (town homes for sale).
-
- sale) or detached single-family homes, together with incidental or accessory uses related thereto, as permitted under the Ordinance in the MX-2 District.
- The minimum permitted unit width for any town home unit shall be 20 feet.
- The minimum permitted lot width within this Parcel for detached single family home lots shall be 50 feet.
- Parcel A may contain a community park to be conveyed to Mecklenburg County Parks & Recreation. The size of this park will be a minimum of 10 acres and will combine active and passive recreational components.

2. Parcel B

Development of Parcel B of the Site shall be restricted to single family homes, together with any incidental or accessory uses related thereto, as permitted under the Ordinance in the MX-2 District. Minimum lot width within this Parcel shall be 65 feet.

3. Parcel D

Development of Parcel D of the Site shall be restricted to detached single family homes and any incidental or accessory uses related thereto, as permitted under the Ordinance in the MX-2 District. The minimum permitted lot width within this Parcel shall be 65 feet.

4. Parcel E

Development of Parcel E of the Site shall be restricted to detached single family homes and any incidental or accessory uses related thereto, as permitted under the Ordinance in the MX-2 District. The minimum permitted lot width within this Parcel shall be 65 feet.

5. Parcel G-1

- Development of Parcel G-1 of the Site shall be restricted to detached single family homes and any incidental or accessory uses related thereto, as permitted under the Ordinance in the MX-2 District. The minimum permitted lot width within this Parcel shall be 80 feet.
- The following architectural restrictions apply to Parcel G-1 only:
Minimum dwelling size:

Waterfront Lots Min. total heated area Min. Gross ground floor heated area 1 - 1 Story 2,000 square feet 1 ½ Story, Bi-level, Tri-level 2,250 square feet 1,500 square feet main floor for bi-level, 750 lower level for tri-level (1,500 sq. ft. upper two floors for tri-level) 2 Story, 2 ½ Story 2,600 square feet Water Access Lots 1 - 1 Story 1,800 square feet 1 ½ Story, Bi-level, Tri-level 2,100 square feet 1,400 square feet for bi-level, upper two floors for tri-level 2 Story, 2 ½ Story 2,400 square feet

- PRIVATE DOCKS WATER FRONT LOTS Individual homeowners with private lake frontage in Parcel G-1 will be permitted to apply for individual residential boat docks in the same fashion that existing lake front homeowners may apply for such permits.

6. Parcel G-2

Development of Parcel G-2 of the Site shall be restricted to detached single family homes and any incidental or accessory uses related thereto, as permitted under the Ordinance in the MX-2 District. The minimum permitted lot width within this Parcel shall be 65 feet.

7. Parcel H

- Development of Parcel H of the Site shall be restricted to detached single family homes and any incidental or accessory uses related thereto, as permitted under the Ordinance in the MX-2 District. The minimum permitted lot width within this Parcel shall be 60 feet.
- DOCKS

Community or common use boat docks are permitted within this Parcel and shall conform to the applicable requirements of Section 12.515 of the Ordinance. Any community or common use docks shall also satisfy all other applicable local, state, or federal regulations.

Common boat docks may be provided for purchase and rental to the residents of "The Vineyards" only. Proof of home ownership is required to own or rent these boat docks. Additional fees may be charged for the use of these facilities by the homeowner's association.

C. PRIVATE DOCKS WATER FRONT LOTS

Individual homeowners with private lake frontage in Parcel H will be permitted to apply for individual residential boat docks in the same fashion that existing lake front homeowners may apply for such permits.

8. Parcel I

- The proposed use for Parcel I detached single family homes and any incidental or accessory uses related thereto, as permitted under the Ordinance in the MX-2 District. The minimum permitted lot width within this Parcel shall be 65 feet.

9. General Notes

- All residential development will be "for sale".
- COMMUNITY BOAT STORAGE, PARCELS B and E :
Community boat storage may be provided in Parcels B and E for use of residents and their guests. Fees may be charged by the homeowners association to members for the use of these facilities. Security for the boat storage areas is part of the offering and will include a six foot security fence and electronic gate access with night light at entrances.

c. TYPICAL LOT WIDTHS

Typical lot widths are designated for each parcel. The setback for the minimum lot width may be increased to greater than the minimum front setback.

- Within Parcels G-1, G-2, D and H. One representative from the Catawba Colony Community Association will serve in an advisory capacity to the Architectural Review Committee of the Vineyard at Lake Wylie Community Association for Parcels G-1, G-2, D and H.

A. Neighborhood Services - Commercial Development

1. PARCEL K

Parcel K may be devoted to retail convenience sales, including sales of gas, daycare, library, general medical and professional offices and any other commercial use permitted in the NS zone. No fast food windows will be allowed and drive through service windows will be limited to financial institutions.

- Buildings constructed on an out parcel will be designed as part of the overall development within this Parcel in terms of consistent landscaping, signage, and architectural style. More than one use or type of use may locate on an out parcel so long as the uses are located within the same structure. No more than one gasoline sales facility will be permitted with Parcel K

- Up to 30,000 square feet of space may be developed within Parcel K.

- Lighting will be pedestrian friendly with a maximum height of 20 feet. Lighting will be designed to prevent spill over of light into residential areas.

- Internal sidewalks and vehicular circulation will provide internal connectivity.

- Any detached lighting fixture will be limited to 30 feet in height with Parcel K.

- No 'wall-pak' lighting may be used.

- All lighting will be fully shielded.

B. Amenity Areas

- Amenity areas, as depicted with this Petition and with the previous Petition, will or have been provided throughout the Site for common use by the residents for the community, their families and guests. Amenities include community gardens, grape vine/fruit and/or vegetable gardens, public or private parks, pedestrian trails, boardwalks, and community recreational facilities. Common areas are to be maintained by a homeowners association. The common dock facilities and amenity center are restricted in their uses to residents and member of the Vineyards at Lake Wylie Homeowner Association and their guests. Such facilities may not be made available for use by the general public.

- Amenities include but are not limited to the following: Amenity Center, Common Dock Facility, Boat Ramp, Picnic areas Walking/jogging trails, play areas, swimming pool, sports fields and courts.

a. Development of Pedestrian Walk and Trails

- The Petitioner will provide pedestrian connection between various elements of the Site.
- Pedestrian connections within the Site will be developed on a phase by phase basis in accordance with normal subdivision standards. Soft surface trails of varying widths may be located throughout the Site. Along creek bottoms, along stream corridors, within environmentally sensitive areas. Along Duke Power line rights of way, and selected alignments within common open space areas, all as generally depicted on the Technical Data Sheet.

- Soft surface trails may be either natural mulch or primitive trails. Wooden footbridges and catwalks for minor stream crossings and wetlands area will also be provided, where appropriate. The alignment of the trail system depicted on the Schematic Site Plan is for illustrative purposes only and actual locations of these trails will be determined in the field so as to avoid trees worthy or preservation.

- Maintenance of trails and walks in Common Open Space areas will be the responsibility of the Home Owners Association.

b. Picnic Areas

A minimum of two (2) picnic areas for general use by residents and their guests will be provided within the Site. No more than 480 certificate of occupancy for homes built on the Site may be issued unless and until both these areas have been completed.

c. Play Areas

A play area will be provided within the Site with actual play equipment to be determined by buyer profile to assure maximum and appropriate use of apparatus.

d. Open Space Areas

- Petitioner will satisfy or exceed the open space requirements of the Ordinance. Open space areas depicted on the Technical Data Sheet represent approximate locations and the extent of the areas to be set aside to meet the open space requirement of the Ordinance. The exact locations of the open space areas will be determined through detailed designs and subsequent administrative review of developments plans.

- The open space areas will be developed with a combination of active and passive recreation areas, trail, pathways, and other amenities consistent with the purpose and provisions of this Petition.

- Open space areas created within the residential Parcels will either be organized as common open space that is owned and maintained by a property owners association, or be deeded out to individual owners subject to restrictive covenants designed to preserve these open space areas, or be dedicated to the general public.

C. Owners Associations

- Developments taking place within each of the residential parcels will be subject to covenants and restrictions governed by a Master Owners Association. Documents will be prepared to incorporate the conditions of these Development Standards and the Rezoning Plan as approved by the Charlotte City Council and may contain such other covenants, restrictions and by-laws as the Petitioner may deem necessary or advisable for the effective administration of the Master Owners Association or to insure compliance with local, state and federal laws.

- Individual Parcels which contain one or more of the following features:

- Specialized amenities;
- Open space uniquely associated with that Parcel;
- Private street and
- Private utilities

May be governed by separate sub-owners associations. Except as otherwise provided in the next succeeding paragraph, each owner of property within the residential Parcels must be a member of the Master Owners Association and may be a member of a sub-owners association.

- Common open space not otherwise owned and maintained by a sub-owners association shall be owned and maintained by the Master Owners Association.

- Any amenity provided for one or more Parcels that may be constructed within a residential element may be privately owned and operated and in such case the operator shall be responsible for the operation, maintenance and preservation of its grounds and facilities.

IV. GENERAL PROVISIONS

A. Architectural Restrictions

- All detached single family homes and town homes constructed on The Site must satisfy the following minimum standards:
 - Building Front Elevations - 25% minimum masonry (including rock) and /or organic material front elevations, except in Parcel G-1 where all front elevations will be 75% masonry or organic material front elevations. Organic materials may include wood, cedar shakers, cedar siding, etc.
 - Garages - Each detached single family home constructed on the Site will have a garage which accommodates at least two cars and all attached town homes will have one or two car garages.
- Architectural Front Façade materials - Up to 30% of the homes in any Parcel may have vinyl siding if the home includes a usable front porch. A useable porch shall be at least 6 feet deep in depth and 75 square feet in area.
- The minimum width of a single car garage town home unit will be 20 feet. The minimum width of a two-car garage town home will be 28 feet.

B. Monumentation and signage

Signing and entry monuments will meet or exceed the requirements of the Ordinance.

C. Parking

- Each town home unit will also have a driveway in front of its garage measuring a distance of 20 feet from the back of the street right-of-way or sidewalk, whichever is greater. A single car garage town home unit will have a maximum drive way width of 10 feet with a minimum planting island between driveways of 10 feet. A two-car garage town home unit driveway width will be a maximum of 20 feet, with a minimum planting island between driveways of 10 feet.
- Two parking spaces will be provided for each residential attached or detached unit.

D. Lighting

- Pedestrian lighting fixtures limited to 15 feet in height may be installed in pedestrian areas, except for pedestrian trails in undisturbed or natural areas.
- Light fixtures along public streets are exempt from the foregoing height limits.

E. Temporary Sales Centers

Temporary sales centers with temporary parking may be provided throughout the Site. The structures may not serve as a temporary or permanent residence.

F. Dumpsters

All non-residential dumpsters on the Site will be screened with a solid enclosure with gates.

G. Site Access

The number of vehicular access points to the Site shall be located as generally depicted on the Technical Data sheet.

The placement and configuration of each access point is subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the North Carolina Department of Transportation or the Charlotte Department of Transportation. Configuration of intersections within the proposed development to be determined in conjunction with the Charlotte Department of Transportation during the subdivision plan review process.

H. Road Improvements

The petitioner agrees to provide for the construction/installation of the following roadway improvements as part of the development project before more than 480 attached/detached lots may be platted:

- Wilkinson Boulevard and Sam Wilson Road
 - Widen the Northbound approach to provide an exclusive right turn lane with Restripe/Widen the Southbound approach to accommodate the south leg
 - Modify the signal to provide permitted/overlap phasing for the northbound
- Sam Wilson Road and Old Dowd Road
 - Construct an eastbound left turn lane on Old Dowd Road with 150 foot of
 - Construct a southbound right turn lane on Sam Wilson Road with 150 foot of

The petitioner agrees to provide for the construction/installation of the following roadway improvements as part of the development project before the NS parcel may be platted and/or through the NCDOT Driveway Permit Approval process:

- Sam Wilson Road and Old Dowd Road
 - Construct the 4th leg to the intersection as a driveway for the neighborhood
 - Construct a westbound left turn lane on Old Dowd Road with 150 foot of
 - Re-stripe the southbound through movement to terminate as a combination
 - Install a traffic signal, when appropriate NCDOT/CDOT/MUTCD warrants are

I. Water & Sewer

1. Wastewater Collection and Treatment

- In view of the location of this Site in the Lake Wylie Watershed, all development on the Site may only be served with wastewater collection and treatment provided by the Charlotte-Mecklenburg Utilities Department which will utilize pump stations designed to meet Charlotte-Mecklenburg design criteria for pump stations. If these pump stations are required in close proximity to the lake, they will be equipped with the following protection devices:

- On-site generator with weekly automatic chaser
 - Audible and visible high water alarms, high water auto-dialer
 - Power surge protection and lightning protection' and
 - 24-hour storage capacity.
- The developer proposes the use of low-pressure sewer systems at various location as necessary on the site. The Site's Master Owner's Association will maintain these individual lift stations under a common written agreement with a contractor who can respond to service calls within twenty-four (24) hours. Each lift station will be equipped with audible and visual alarms and the maintenance provider's name and phone number must be prominently displayed on the lift station.
 - Pump stations will be provided as required to serve the phasing of the development.

J. Storm Water Management / Erosion Control

- The Site is located within the Critical Area, as defined by the the Lower Lake Wylie Watershed and Lake Wylie Watershed overlay districts and corresponding development regulations. The site is also subject the City of Charlotte's Post Construction Ordinance and is located within the Western Catawba District. As such the project will adhere to said regulations and ordinances. The

Petitioner reserves the right to utilize either or both of the low-density and/or high-density development standards as described and allowed for within the respective ordinances and corresponding districts. Density shall be defined by individual drainage basins within the project site as determined by outlet points of interests located at shorelines or at tributaries to the lake and as coordinated with City of Charlotte Engineering and Land Development review staff.

- Additionally, the project will adhere to the City of Charlotte Sediment and Erosion Control Ordinance, including guidelines for development within sensitive watersheds. The Petitioner shall employ an enforcement officer to monitor compliance with erosion control, buffer and watershed protection requirements as well as the requirements specified as part of the rezoning approval. The enforcement officer shall be empowered to take the actions necessary to ensure the prompt correction of all problems detected.

- The Petitioner shall create and implement a contractor/builder/homeowner education and outreach program in the community to foster a commitment to environmental stewardship both during construction, and permanently.

- The Petitioner will require all contractors and sub-contractors providing site development work to complete Charlotte-Mecklenburg's Certified Site Inspector Program.

- Water supply throughout the entire development will be connection to the Charlotte Mecklenburg Utilities Department (CMUD) system.

K. Utilities Rights of Way

Portions of the Site lie within Duke Power and/or Piedmont Natural Gas rights of way. Subject to proper authorization, streets, trails, landscaping, vines, gardens, parks and similar uses may be located within these rights-of-way. In addition, storage of boats owned by residents within the areas generally depicted on the Schematic Site Plan of the Site may, with proper authorization, occur within the Duke Power and/or Piedmont Natural Gas rights of way.

L. Environmental

1. Watershed

- These Development Standards provide extensive provisions in response to concerns about water quality in Lake Wylie. The following restrictions are proposed on development to significantly reduce the impact of the development proposed for the Site on the watershed areas.
- This Site includes the separation between the Upper and Lower Lake Wylie Watersheds. A buffer at least 100 feet in width will be provided along the entire lake front property line in these watersheds. With the limited exceptions herein below provided in this Section, the entire buffer width will remain undisturbed.

- Ash development occurring on the Site shall conform with the requirements of the applicable Lake Wylie or Lower Lake Wylie Watershed District Critical Areas regulation. The Petitioner agrees to provide additional buffer land along certain selected portions of the shoreline within the project area generally depicted on the Technical Data Sheet, such that width of the Lake Wylie Watershed District Critical Area buffer and the additional provided buffer will total a minimum of 100 feet.

- No dwelling units may be located within the required shoreline buffer or the additional shoreline buffer.

- Soft surface trails and accessories to the trails, including accessory structures and benches, boardwalks, trash receptacles, shelters, lighting and signage will be permitted within the additional shoreline buffer.

- Limbing-up of trees and removal of smaller or dead trees within the shoreline buffer and the additional shoreline buffer are permissible to the extent authorized in the watershed regulations applicable to the shoreline buffer and will be regulated by restrictive covenants.

2. Irrigation Management Plan (Community Garden)

- An irrigation plan shall be developed to ensure that irrigation runoff from managed crops to surface waters is prevented and to reduce subsurface losses of nutrients and pesticides. This irrigation plan shall be based on a water budget, weather conditions and soil moisture data obtained from on-site instrumentation. Use of any existing wells, or construction of new wells for irrigation purposed shall comply with the Mecklenburg County Groundwater well regulations. Abandonment of any existing wells within the project site shall also comply with these same rules and regulations.

- Water Quality Management Zones shall be established by the Vineyard's plant type and soils, with specific strategies developed for each zone.

3. Nutrient Management Plan (Community Garden)

A nutrient management plan must be developed to limit nutrient applications to levels equal to or less than crops and vegetation nutrient uptake in order to minimize nutrient transportation via surface runoff, subsurface interflow, or deep percolation.

- Slow release fertilizers are to be used predominately to reduce nitrogen loss below the root zone. Occasional spot application of liquid fertilizers shall be allowed.
- Fertilizer applications are to be commensurate with turf grass growth requirements based on species and cultivar, climate, soil conditions, and chemical formulation.
- Nutrient applications are not to exceed turf and plant uptake requirements during any growing season.
- Fertilizers are to be incorporated into the soil/hurf wherever possible to reduce exposure to runoff and enhance absorption.
- The potential for off-site transport of nutrients must be assessed prior to application and measures must be taken to prevent negative water quality impacts.

4. Integrated Pest Management (IMP) (Community Garden)

- An IMP Plan shall be developed to minimize toxic chemical transport via surface water runoff, subsurface interflow, or deep percolation.
- The IMP Plan shall be integrated with irrigation and nutrient management plans.
- Action thresholds shall be developed and implemented below which no applications are used in order to reduce pesticide use.
- Pest specific products are to be used which are less toxic, less mobile, and less persistent.
- Spot specific treatment shall be used wherever possible to avoid broadcast treatments.
- Pesticides should be incorporated into the soil/hurf wherever possible to reduce exposure to runoff and enhance absorption.
- Application of toxic chemicals shall be prohibited to sensitive zones such as wetlands.
- The potential for off-site transport of pesticides shall be assessed prior to application and measures must be taken to prevent negative water quality impacts.

5. Swim Buffers

- All swim buffers shall be provided and development adjacent and within said buffers shall be in accordance with the S.W.I.M. Ordinance.

6. Tree Save

- The petitioner shall comply with the City of Charlotte adopted Tree Ordinance, as it may apply to required Treesave areas on site. The developer will provide a tree save plan with details with the erosion control plans submitted for approvals during the preparation of construction documents for the development of the individual parcels within the project.

- The area east of the existing gas main easement to Paw Creek will not be developed, including trails, picnic tables, or other structural elements, except for storm water management BMPs. The area will become a blue heron rookery preserve.

V. INNOVATIVE STANDARDS

A. The Petitioner acknowledges that the Innovative Process is a separate process that may only be pursued after its Rezoning Petition has been approved and that subsequent (innovative) site plan approval by the Zoning Committee of the Charlotte-Mecklenburg Planning Commission will be required. The Petitioner, in accordance with the provisions of the Section 11.208 of the Ordinance, "Innovative Development Standards," may propose modifications to only the following standards:

- Street type and construction standards, including private streets
- Front, side and rear yards
- Sidewalk types

B. The innovative provisions of the MX-2 zoning district regulations of the Ordinance shall apply to Parcels A through J to the extent provided on the Technical Data Sheet and these Development Standards.

C. The following is a list of possible request for innovative standards:

- Street type and construction standards, including private streets:
 - The Petitioner proposes to improve the existing section of Amos Smith Road from Midsomer Road up to the proposed new intersection just south of the stands for a limited residential collector road section, with valley curb and gutter (29 feet wide back of curb to back of curb with a 60 foot right of way). A five foot wide concrete sidewalk will be constructed on the eastern side of the road, and a 10 foot wide trail/bikeway (asphalt or concrete) will be constructed on the western side of the road, with the trail being located to meander so as to save as many of the existing trees as possible. (The 10' trail to be maintained by the HOA.) These improvements are to occur on a phased basis as the development progresses. Methods of construction will be determined at the site plan/construction document phase.
 - Midsomer Road - The Petitioner proposes to improve the existing section of Midsomer Road from its terminus at the southern end to the intersection with Amos Smith Road along the northern side of the existing road up to City standards for a local residential street section (28' wide back of curb to back of curb with a 50' right of way.) A five foot wide concrete sidewalk will be constructed on the northern side of the road. These improvements are to occur on a phased basis as the development progresses. Methods of construction will be determined at the site plan/construction document phase.
 - Gated Neighborhoods - Areas within Parcels G-1 and/or G-2 designated as Gated may be gated communities. If gated, these areas will be served by private roads. If un-gated they may be public roads. Trash removal on these private roads will be through private contractors and consist of curb-side roll-out containers. Private gated streets will meet public street design standards.
 - A 50 foot wide landscape screen will be established along both sides of Amos Smith Road which about the Site to preserve the rural characteristics of the road. Existing trees will be used toward creating a 'Class C' buffer. This landscape screen will continue along the northeast side of Midsomer Road, all as generally depicted on the Schematic Site Plan.
- Rear yards: Petitioner proposes a minimum interior rear yard for detached single family of 15 feet. Zero lot line units will have a minimum of 7 feet between buildings.
- Setback lines
- Sidewalk types:
 - The Petitioner will propose a network of linkages that may include any combination of sidewalks, and/or trails to connect various portions of the site.
- Sidewalks will be provided on both sides of all streets.
- Lot widths:
Minimum lot width may be measured at a setback greater than the minimum 20' setback on street curves, cul-de-sacs and lots with a shared private drive.
- Minimum Street Frontage:
In Parcel G-1 the minimum street frontage may be 15 feet in areas where there is a shared private drive.

- Should this Rezoning Petition be approved, the listing of these requests above will in no way constitute approvals of any of them.

VI. AMENDMENTS TO REZONING PLAN

Future amendments to the Technical Data Sheet, the Schematic Plan and 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.

VII. 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 Technical Data Sheet and these Development Standards, 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.
- At the time of submittal of each site plan, developments will be subject to current standards, ordinances, and development requirements in place at the time, unless modified by an approved innovative standards plan.
- Throughout these Development Standards, the terms, "Petitioner", "Developer", and "Owner" or "Owners" shall be deemed to include the successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

REVISIONS:

DATE: 07/25/14
DESIGNED BY: KST
DRAWN BY: MB
CHECKED BY: KST
QC BY: KST/007
PROJECT #: 1014170
SHEET #:
RZ-3

THE VINEYARDS
REZONING PETITION No. 2014-XX
TURNSTONE GROUP, LLC
DEVELOPMENT STANDARDS

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

OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Complete All Fields

FY2014

Petition #: 2014-089

Date Filed: _____

Received By: _____

OWNERSHIP INFORMATION:

Property Owner: South Central Oil Co., Inc.

Owner's Address: 2121 West Main Street

City, State, Zip: Albemarle, NC 28001-5423

Date Property Acquired: See Exhibit A Utilities Provided: (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description): 131 Grandin Road, 123 Grandin Road, 115 Grandin Road and 1401 West Trade Street

Tax Parcel Number(s): 071-016-02; 071-016-13; 071-016-12; and 071-016-05

Current Land Use: Vacant and single family attached (quadraplex)

Size (Sq.Ft. or Acres): Approximately 2.683 acres

ZONING REQUEST:

Existing Zoning: R-8 MF and R-22 MF

Proposed Zoning: UR-2 (CD) (HDO)

Purpose of Zoning Change: *(Include the maximum # of residential units or non-residential square footages):*

To accommodate the development of a maximum of 49 for sale single family attached dwelling units

John Carmichael
Robinson Bradshaw & Hinson, P.A.

Name of Agent

101 N. Tryon Street, Suite 1900

Agent's Address

Charlotte, NC 28246

City, State, Zip

704-377-8341

Telephone Number

704-373-3941

Fax Number

jcarmichael@rbh.com

E-Mail Address

SOUTH CENTRAL OIL CO., INC.

By: Will Lisk

Name: Will Lisk

Signature of Property Owner if other than Petitioner

Hopper Communities

c/o Bart Hopper

Name of Petitioner(s)

229 Kingston Avenue

Address of Petitioner(s)

Charlotte, NC 28203

City, State, Zip

704-805-4800

Telephone Number

704-805-4812

Fax Number

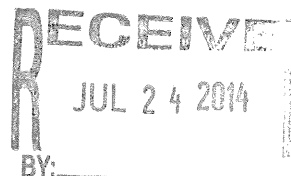
bhopper@hoppercommunities.com

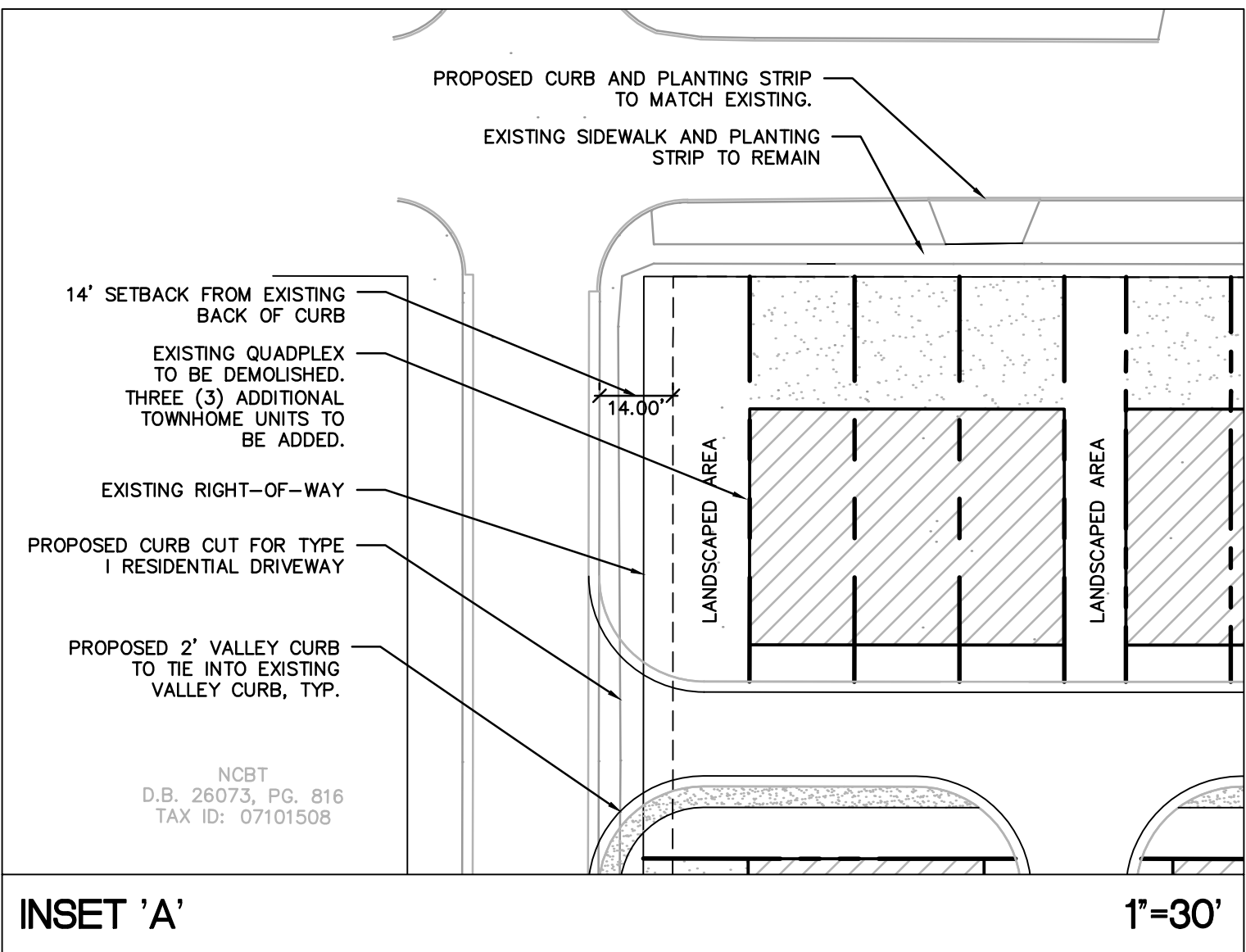
E-Mail Address

HOPPER COMMUNITIES

By: J. Bart Hopper / Pres.

Name: J. Bart Hopper



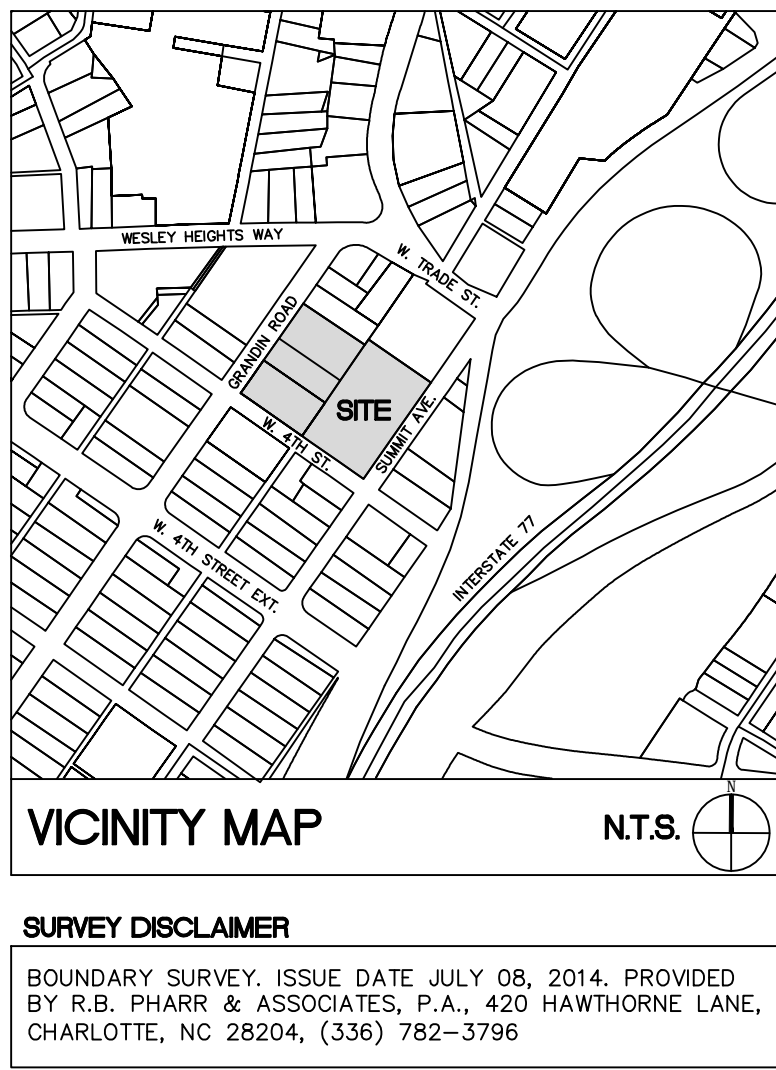
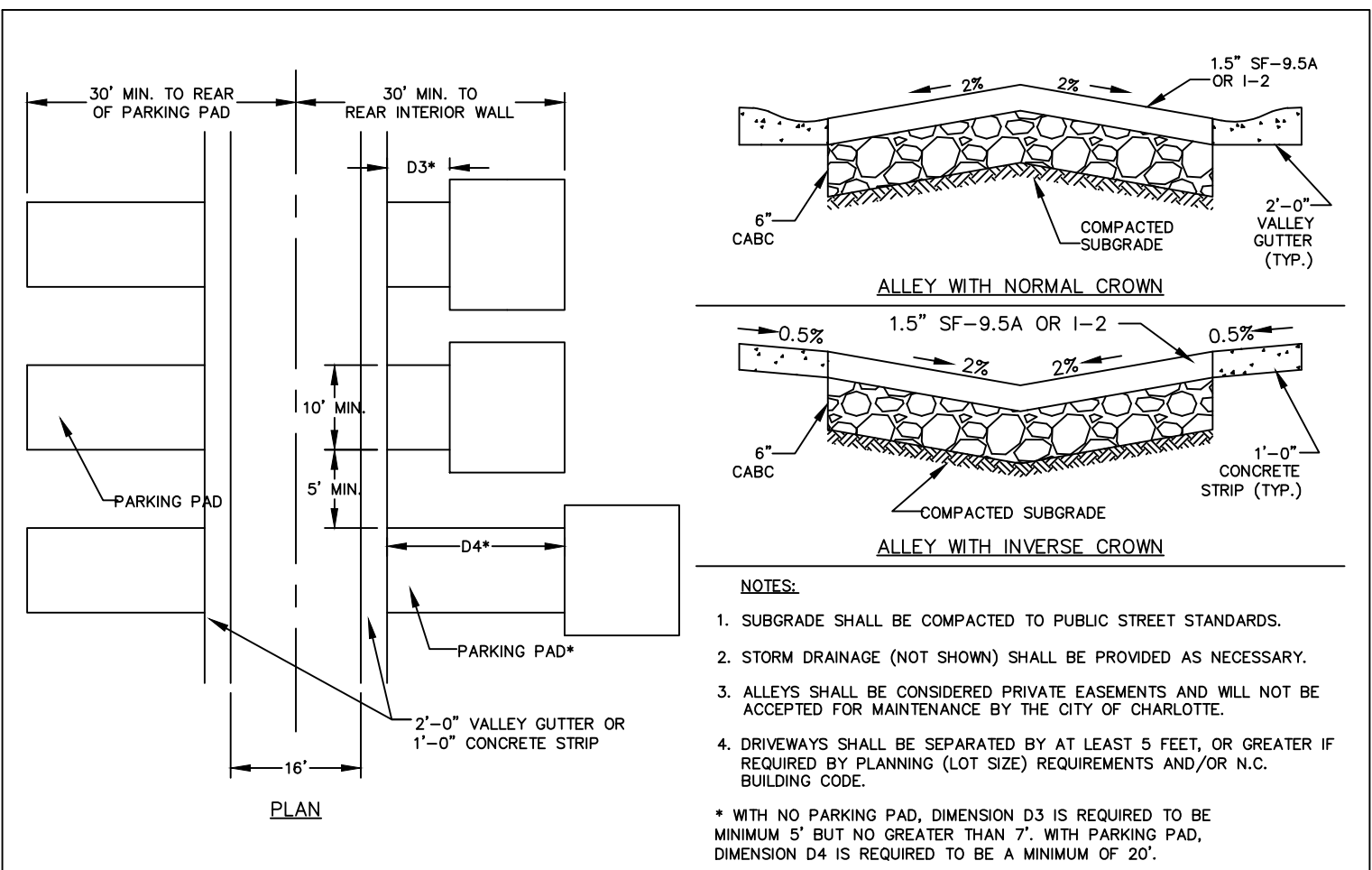



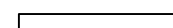

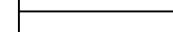
MICHAEL DONEY
D.B. 20577, PG. 923
TAX ID: 07101611

COMMON OPEN SPACE TO
BE MAINTAINED BY AN HOA

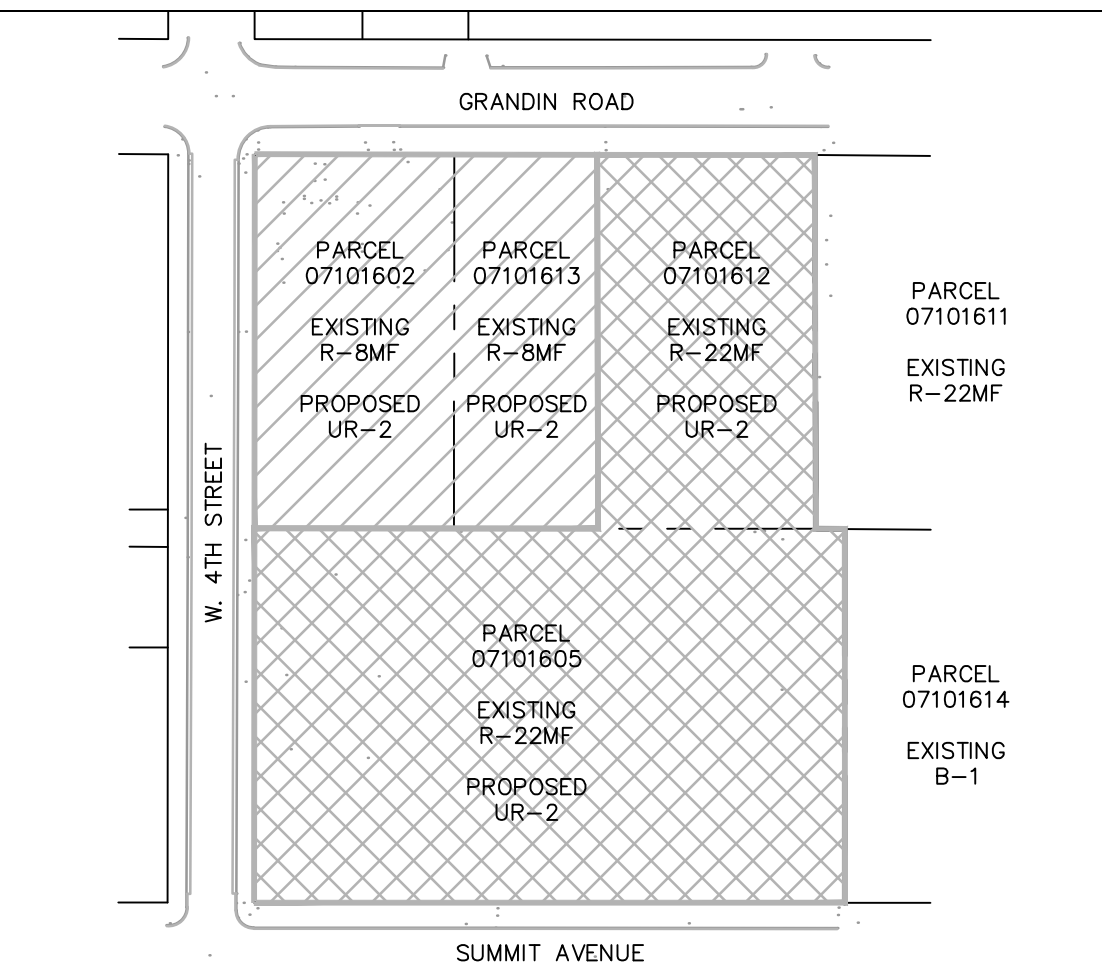
7' SETBACK FROM BACK OF CURB
TO BUILDING PER CITY OF CHARLOTTE
LAND DEVELOPMENT STANDARDS. TYP.
ALL UNITS TO BE GARAGES PARKED
FROM THE REAR OF THE SUBLOT

ADJACENT PROPERTY LINES DERIVED
FROM COUNTY GIS INFORMATION



SYMBOL	
	PROPOSED PRIVATE OPEN SPACE (400 SF MINIMUM)
	PROPOSED VALLEY CURB PER CLDSM
	PROPOSED SIDEWALK
	PROPOSED LANDSCAPED AREA

<u>REZONING SUMMARY</u>	
PETITIONER:	HOPPER COMMUNITIES 228 EAST KINGSTON AVENUE CHARLOTTE, NC 28203
PROPERTY OWNER:	SOUTH CENTRAL OIL COMPANY, INC 2121 WEST MAIN STREET ALBEMARLE, NC 28001
REZONING SITE AREA:	2.683 ACRES
TAX PARCEL #:	07101602, 07101613 07101612, 07101605
EXISTING ZONING:	07101602 (R-8 MF) 07101613 (R-8 MF) 07101612 (R-22 MF) 07101605 (R-22 MF)
PROPOSED ZONING:	UR-2 (CD) (HDO)
EXISTING USE:	SINGLE FAMILY ATTACHED (QUADPLEX) VACANT
PROPOSED USE:	SINGLE FAMILY ATTACHED (PROPOSED TOWNHOMES) SINGLE FAMILY ATTACHED (EXISTING QUADPLEX)
NUMBER OF UNITS:	4 (EXISTING QUADPLEX) 45 (PROPOSED TOWNHOMES) 49 TOTAL (48 WITH ALTERNATE PLAN OF CONVERTING EXISTING QUAD INTO 3)THREE TOWNHOMES. SEE INSERT.)
MINIMUM SETBACK:	EXISTING RIGHT-OF-WAY OR 14' FROM BACK OF CURB, WHICH EVER IS GREATER.
OPEN SPACE:	ALL UNITS SHALL BE PROVIDED A MINIMUM OF 400 SQUARE FEET OF PRIVATE OPEN SPACE PER THE CITY OF CHARLOTTE UR-2 ZONING ORDINANCE.
MAX. BUILDING HEIGHT:	AS ALLOWED BY THE ORDINANCE, BUT NOT TO EXCEED FOUR STORIES.



ZONING EXHIBIT 1"=200'



229 East Kingston Avenue
Charlotte, North Carolina 28203

GRANDIN ROAD / W. 4TH STREET TOWNHOMES

Grandin Road / West 4th Street
Charlotte, NC 28208


REZONING PLAN

Project No.
4328.00

Issued
07/25/14

Revised
00/00/00

SCALE: 1"=30'



0 15' 30' 60'

RZ1.0

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ColeJenest & Stone, P.A. 2014 ©

GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY HOPPER COMMUNITIES TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 2.683 ACRE SITE LOCATED AT THE NORTHEASTERN CORNER OF THE INTERSECTION OF WEST 4TH STREET AND GRANDIN ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE").
2. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").
3. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR- 2 ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
4. THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL ALLEYS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
5. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

PERMITTED USES

1. THE SITE MAY BE DEVOTED ONLY TO A MAXIMUM OF 45 FOR SALE SINGLE FAMILY ATTACHED DWELLING UNITS AND TO A MAXIMUM OF 4 FOR SALE DWELLING UNITS LOCATED IN AN EXISTING QUADRAPLEX BUILDING, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THERewith THAT ARE PERMITTED UNDER THE ORDINANCE IN THE UR-2 ZONING DISTRICT. SUBJECT TO PARAGRAPH 2 BELOW, A MAXIMUM OF 49 FOR SALE DWELLING UNITS MAY BE LOCATED ON THE SITE.
2. AT THE OPTION OF THE PETITIONER, THE PETITIONER MAY DEMOLISH THE EXISTING QUADRAPLEX BUILDING LOCATED ON THE SITE AND CONSTRUCT UP TO 3 FOR SALE SINGLE FAMILY ATTACHED DWELLING UNITS IN THE GENERAL LOCATION OF THE EXISTING QUADRAPLEX BUILDING AS MORE PARTICULARLY DEPICTED ON INSET A ON THE REZONING PLAN. IN THE EVENT THAT THE PETITIONER EXERCISES THIS OPTION, A MAXIMUM OF 48 FOR SALE SINGLE FAMILY ATTACHED DWELLING UNITS MAY BE LOCATED ON THE SITE.

TRANSPORTATION

1. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
2. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL RESIDENTIAL ALLEYS.
3. THE EXACT ALIGNMENTS OF THE INTERNAL RESIDENTIAL ALLEYS MAY BE ALTERED DURING THE CONSTRUCTION PERMITTING PROCESS.
4. OFF-STREET VEHICULAR PARKING WILL MEET THE REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING DISTRICT.
5. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE INTERNAL SIDEWALKS MAY MEANDER TO SAVE ANY EXISTING TREES.

ARCHITECTURAL STANDARDS

1. THE EXTERIOR FINISHES OF THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE CONSTRUCTED ON THE SITE SHALL BE COMPOSED OF A COMBINATION OF BRICK, STONE OR SIMILAR MASONRY PRODUCTS AND/OR HARDI-PLANK/FIBER CEMENT BOARD.
2. VINYL, EIFS OR MASONITE MAY NOT BE USED AS AN EXTERIOR SIDING MATERIAL ON THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE CONSTRUCTED ON THE SITE, HOWEVER, VINYL MAY BE USED ON THE SOFFITS AND TRIM, INCLUDING WINDOW AND DOOR TRIM, AND VINYL WINDOWS MAY BE INSTALLED.
3. BALCONY RAILINGS, IF INSTALLED ON THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE CONSTRUCTED ON THE SITE, WILL BE CONSTRUCTED OF A DURABLE PREFINISHED MATERIAL AND WILL NOT BE PAINTED PRESSURE TREATED LUMBER.
4. THE SITE IS LOCATED IN THE WESLEY HEIGHTS HISTORIC DISTRICT, AND THE EXTERIOR PORTIONS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS AND CERTAIN OTHER IMPROVEMENTS TO BE CONSTRUCTED ON THE SITE ARE SUBJECT TO THE REVIEW AND APPROVAL OF THE HISTORIC DISTRICT COMMISSION, AND A CERTIFICATE OF APPROPRIATENESS MUST BE ISSUED BY THE HISTORIC DISTRICT COMMISSION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT OR OTHER APPROVALS AUTHORIZING THE CONSTRUCTION OF SUCH IMPROVEMENTS. ACCORDINGLY, THE ARCHITECTURAL COMMITMENTS SET OUT HEREIN MAY BE ALTERED OR MODIFIED BY THE HISTORIC DISTRICT COMMISSION.

STREETSCAPE AND LANDSCAPING

1. LANDSCAPING WILL MEET OR EXCEED THE REQUIREMENTS OF THE ORDINANCE.
2. INTERNAL LANDSCAPED AREAS SHALL BE INSTALLED AS DEPICTED ON THE REZONING PLAN.
3. PURSUANT TO SECTION 9.407(4)(C) OF THE ORDINANCE, THE EXISTING SIDEWALKS AND PLANTING STRIPS (IF ANY) LOCATED ALONG THE SITE'S FRONTAGES ON WEST 4TH STREET, GRANDIN ROAD AND SUMMIT AVENUE SHALL REMAIN IN PLACE AS DEPICTED ON THE REZONING PLAN TO MAINTAIN THE CONTEXT OF THE NEIGHBORHOOD AND TO PRESERVE EXISTING TREES. ACCORDINGLY, THE PETITIONER SHALL NOT BE REQUIRED TO INSTALL NEW SIDEWALKS OR PLANTING STRIPS ALONG THE SITE'S FRONTAGES ON THESE STREETS.

ENVIRONMENTAL FEATURES

1. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
2. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.
3. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

SIGNAGE

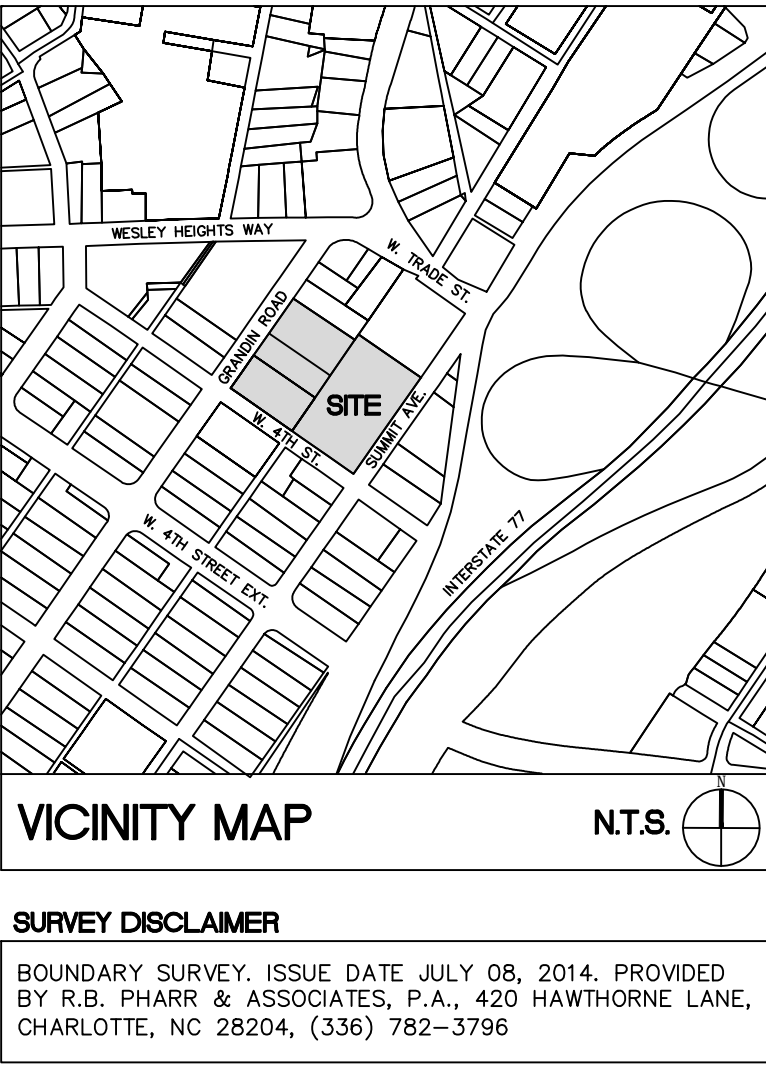
ALL SIGNS INSTALLED ON THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE ORDINANCE.

LIGHTING


1. ANY FREESTANDING LIGHTING FIXTURES INSTALLED ON SITE SHALL HAVE A MAXIMUM HEIGHT OF 20 FEET, AND ALL SUCH FREESTANDING LIGHTING FIXTURES 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. NO "WALL PAK" LIGHTING FIXTURES MAY BE INSTALLED ON THE SITE, HOWEVER, ARCHITECTURAL LIGHTING ON BUILDING FACADES SHALL BE PERMITTED.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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



SURVEY DISCLAIMER
BOUNDARY SURVEY, ISSUE DATE JULY 08, 2014, PROVIDED BY R.B. PHARR & ASSOCIATES, P.A., 420 HAWTHORNE LANE, CHARLOTTE, NC 28204, (336) 782-3796



**ColeJenest
& Stone**

*Shaping the Environment
Realizing the Possibilities*

Land Planning
+
Landscape Architecture
+
Civil Engineering
+
Urban Design

200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202
p+ 704.376.1555 f+ 704.376.7851
url+ www.colejeneststone.com



229 East Kingston Avenue
Charlotte, North Carolina 28203

GRANDIN ROAD / W. 4TH STREET TOWNHOMES

Grandin Road / West 4th Street
Charlotte, NC 28208

REZONING PLAN

Project No.
4328.00
Issued
07/25/14

Revised
00/00/00



SCALE: 1"=30'

0 15' 30' 60'

RZ2.0

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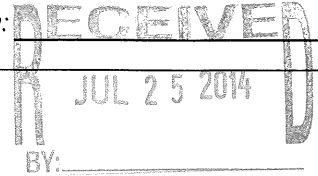
OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

FY2011

Petition #: 2014-090

Date Filed: _____

Received By: _____



Complete All Fields

OWNERSHIP INFORMATION:

Property Owner: HSREI, LLC

Owner's Address: 4400 Papa Joe Hendrick Blvd. City, State, Zip: Charlotte, NC 28262

Date Property Acquired: 2006,8,9,14 Utilities Provided: (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description northeast corner of Stowe Lane and Morehead Rd.

Tax Parcel Number(s): 092907103, 02907111, portions of 02907x01,02907104, 02907105

Current Land Use: vacant, single family, and Hendrick Motorsports facilities

Size (Sq.Ft. or Acres): 17.66

ZONING REQUEST:

Existing Zoning: R-3 and I-1 (CD) Proposed Zoning: I-1 (CD) and I-1 (CD) SPA

Purpose of Zoning Change: (Include the maximum # of residential units or non-residential square footages):

Allow for the construction of an additional 150,000 sq. ft. of building area for various uses including warehouse,

storage of cars, products, and other materials, shop and fabrication space, office and meeting space, tenant space for vendors,
and related uses.

WALTER FIELDS

Name of Agent

1919 SOUTH BLVD., SUITE 101

Agent's Address

Charlotte, NC 28262

CHARLOTTE, NC 28203

City, State, Zip

704-372-7855

Telephone Number

704-372-7856

Fax Number

walter@walterfieldsgroup.com

E-Mail Address

Signature of Property Owner if other than Petitioner

(Name Typed / Printed)

HSREI, LLC

Name of Petitioner(s)

4400 Papa Joe Hendrick Blvd

Address of Petitioner(s)

Charlotte, NC 28262

City, State, Zip

704-455-0530

Telephone Number

704-455-0346

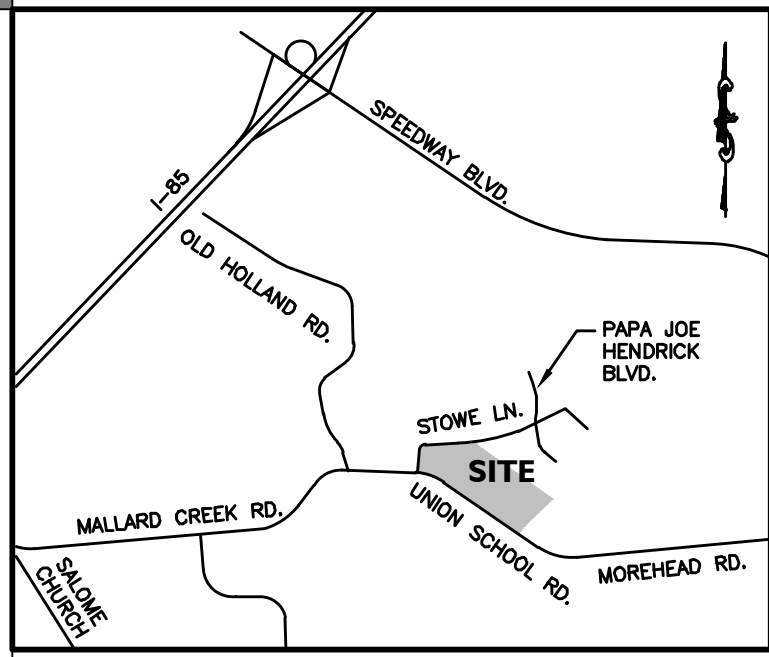
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slampe@hmsracing.com

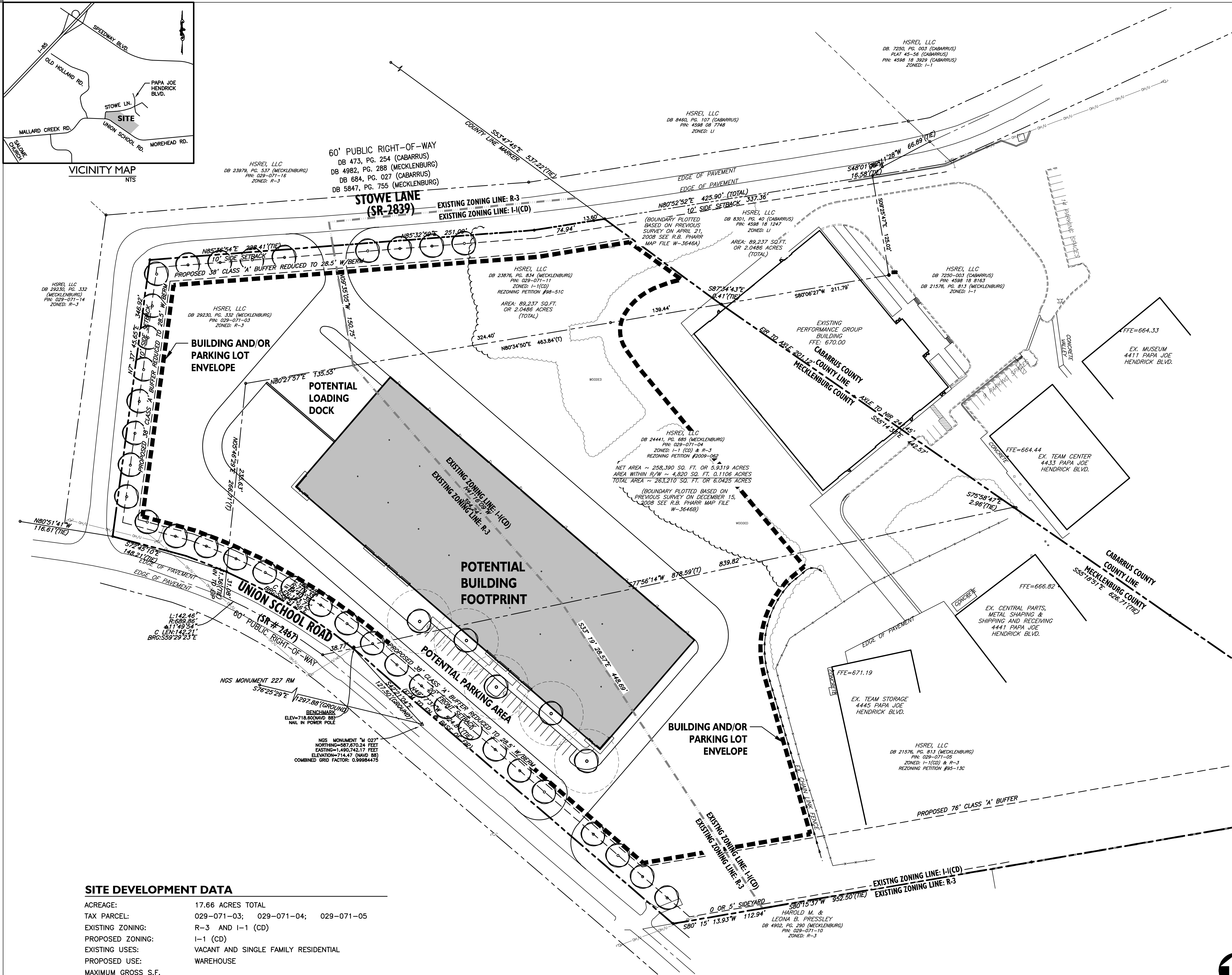
E-Mail Address

Signature

(Name Typed / Printed)



VICINITY MAP
NTS



SITE DEVELOPMENT DATA

ACREAGE:	17.66 ACRES TOTAL
TAX PARCEL:	029-071-03; 029-071-04; 029-071-05
EXISTING ZONING:	R-3 AND I-1 (CD)
PROPOSED ZONING:	I-1 (CD)
EXISTING USES:	VACANT AND SINGLE FAMILY RESIDENTIAL
PROPOSED USE:	WAREHOUSE
MAXIMUM GROSS S.F. OF DEVELOPMENT:	150,000 S.F.
MAXIMUM BUILDING HEIGHT:	AS ALLOWED BY THE ORDINANCE
PARKING:	AS REQUIRED BY THE ORDINANCE

REZONING NOTES

General Provisions.

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

Purpose

The proposed use of the property will be for the expansion of the existing Hendrick Motorsports complex that occupies a large site extending across the Mecklenburg/Cabarrus County line, along with associated parking and service areas.

Permitted Uses

The site may be used for any use that is allowed in the I-1 district. More specifically, the building that would be constructed as part of this expansion will be used predominantly for storage of cars and other materials and products and may include other uses such as meeting and office space, tenant space for related uses and vendors, and other related uses.

Transportation

- The site currently will have full access connections to Stowe Lane (SR 2839) and Morehead Road (also known as Union School Road) (SR 2467) as generally depicted on the site plan.
- Parking areas are generally depicted on the concept plan for the site.

Architectural Standards

Reserved

Streetscape and Landscaping

The Petitioner will install landscape screening that will comply with the Ordinance for industrially zoned property that lies across a public street from residentially zoned property. This landscaped area may include existing trees and vegetation as well as new trees and evergreen shrubbery. Required buffers on the site may be eliminated or reduced if the adjoining parcels or parcels across a public street from the site are rezoned such that buffers are no longer required. The removal of such buffers will be approved administratively.

Environmental Features

Reserved

Parks, Greenways, and Open Space

Reserved

Fire Protection

Reserved

Signage

Reserved

Lighting

Reserved

Phasing

In accordance with the provisions of Section 1.110 of the Zoning Ordinance, the Petitioner specifically requests that the development permitted and standards contained in the Charlotte Zoning Ordinance along with this site plan and conditions be vested for a period of 5 years.



2 3 2 0
W. Morehead Street
Charlotte, NC 28208
Landscape Architecture
Site Planning
Civil Engineering
www.sitesolutionspa.com
Telephone: (704) 521-0980
Facsimile: (704) 521-0955
CADD PROJECT #3534
CORP. NC LICENSE: C-1398

HSREI, LLC. WAREHOUSE

Tax Parcel #'s - 029-071-03, 029-071-04, 029-071-05
Existing Zoning: R-3 and I-1(CD)
Proposed Zoning: I-1 (CD)
Rezoning Petition # 2014-XXC

Petitioner:

HSREI, LLC

Conditional Zoning

Project Number: 3534
Drawn By: Site Solutions
Designed By: Site Solutions
Date: 07.23.14

Revisions

OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Complete All Fields

FY2014

Petition #: **2014-091**

Date Filed: _____

Received By: _____

OWNERSHIP INFORMATION:

Property Owner: Columbus Circle Indemnity, Inc.

Owner's Address: 7820 Crescent Executive Drive City, State, Zip: Charlotte, NC 28217

Date Property Acquired: 10/1/12 Utilities Provided: (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description): 7800, 7815, 7820, 7910 Crescent Executive Drive
8730 Green Ridge Drive

Tax Parcel Number(s): 16717205, 16717206, 16717207, 16717210

Current Land Use: Office

Size (Sq.Ft. or Acres): 85.3 Acres

ZONING REQUEST:

Existing Zoning: B-1 (CD) and O-1 (CD) Proposed Zoning: O-1 (CD) and O-1(CD)SPA

Purpose of Zoning Change: (Include the maximum # of residential units or non-residential square footages):

Increase gross square footage to 1,188,881 square feet of total building area

Cole Jenest & Stone

Jason Dolan

Name of Agent

200 South Tryon Street

Agent's Address

Charlotte, NC 28202

City, State, Zip

704-376-1555

Telephone Number

704-376-7851

Fax Number

jdolan@colejeneststone.com

E-Mail Address

Signature of Property Owner if other than Petitioner

(Name Typed / Printed)

Time Warner Cable

Susie Glass

Name of Petitioner(s)

7820 Crescent Executive Drive

Address of Petitioner(s)

Charlotte, NC 28217

City, State, Zip

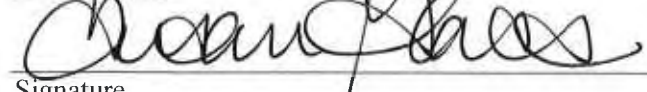
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Telephone Number

Fax Number

susie.glass@twcable.com

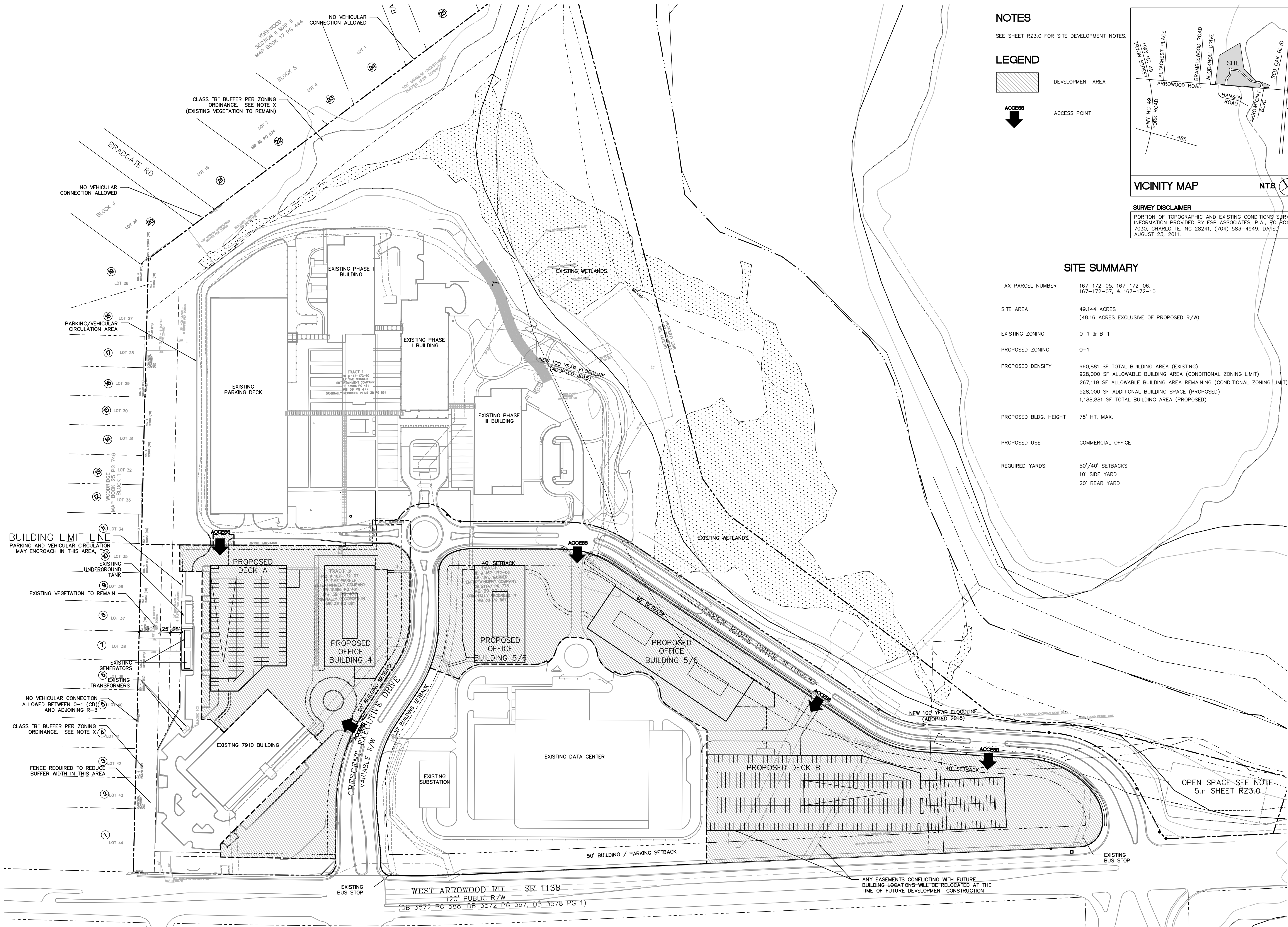
E-Mail Address



Signature

SUSAN GLASS

(Name Typed / Printed)

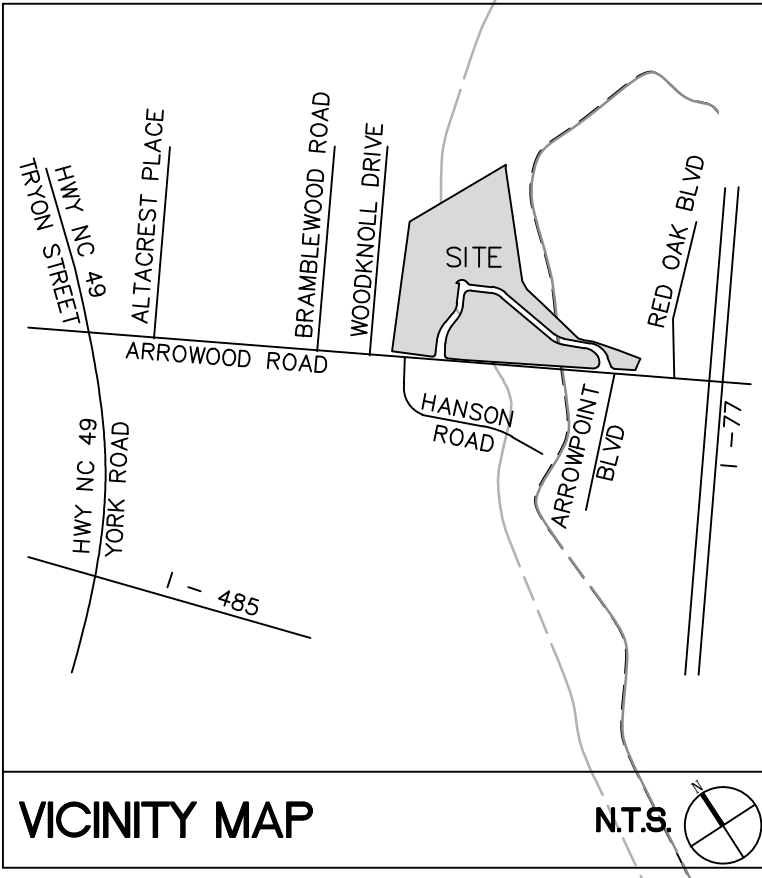


NOTES

SEE SHEET RZ3.0 FOR SITE DEVELOPMENT NOTES.

LEGEND

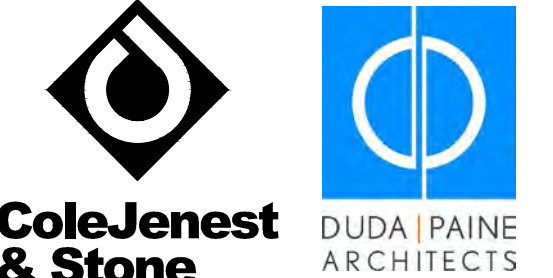
- DEVELOPMENT AREA
- ACCESS POINT



SURVEY DISCLAIMER
PORTION OF TOPOGRAPHIC AND EXISTING CONDITIONS SURVEY INFORMATION PROVIDED BY ESP ASSOCIATES, P.A., PO BOX 7030, CHARLOTTE, NC 28241, (704) 585-4949, DATED AUGUST 23, 2011.

SITE SUMMARY

TAX PARCEL NUMBER	167-172-05, 167-172-06, 167-172-07, & 167-172-10
SITE AREA	49.144 ACRES (48.16 ACRES EXCLUSIVE OF PROPOSED R/W)
EXISTING ZONING	O-1 & B-1
PROPOSED ZONING	O-1
PROPOSED DENSITY	660,881 SF TOTAL BUILDING AREA (EXISTING) 928,000 SF ALLOWABLE BUILDING AREA (CONDITIONAL ZONING LIMIT) 267,119 SF ALLOWABLE BUILDING AREA REMAINING (CONDITIONAL ZONING LIMIT) 528,000 SF ADDITIONAL BUILDING SPACE (PROPOSED) 1,188,881 SF TOTAL BUILDING AREA (PROPOSED)
PROPOSED BLDG. HEIGHT	78' HT. MAX.
PROPOSED USE	COMMERCIAL OFFICE
REQUIRED YARDS:	50'/40' SETBACKS 10' SIDE YARD 20' REAR YARD



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Land Planning
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7815 Crescent Executive Drive
Charlotte,
North Carolina 28217

TIME WARNER
CABLE
REZONING

Charlotte
North Carolina 28217

TECHNICAL
DATA SHEET
PET. # 2014-XXX

Project No.
4332

Issued
07/28/14

Revised



SCALE: 1" = 100'

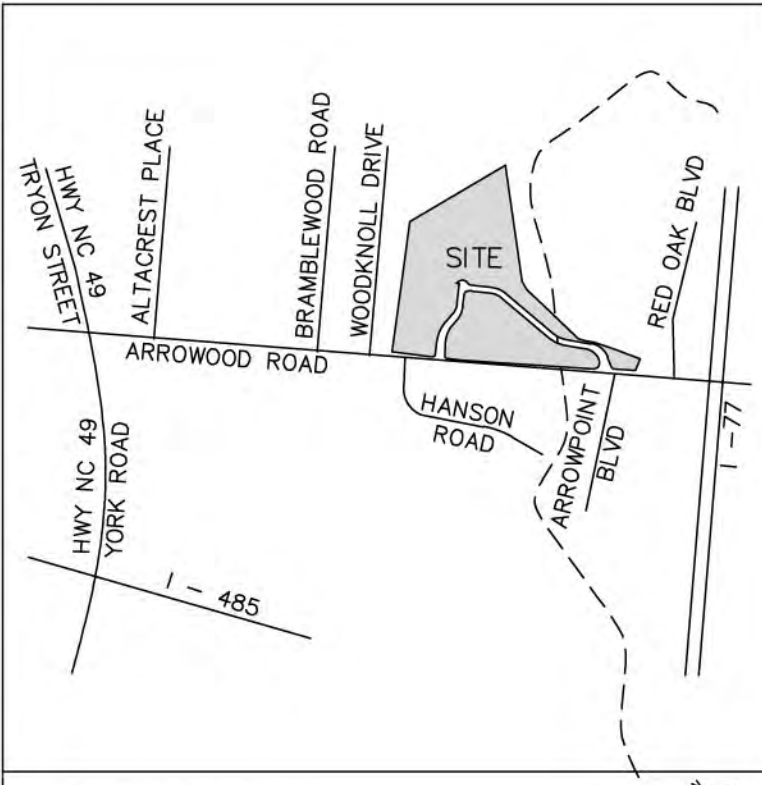
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RZ1.0

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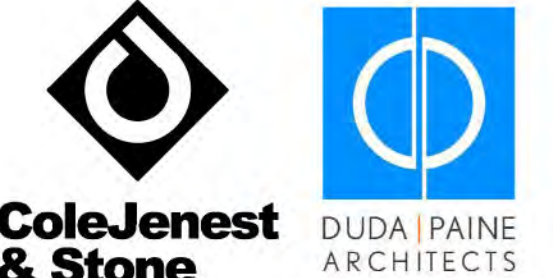
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VICINITY MAP N.T.S.

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TIME WARNER CABLE REZONING

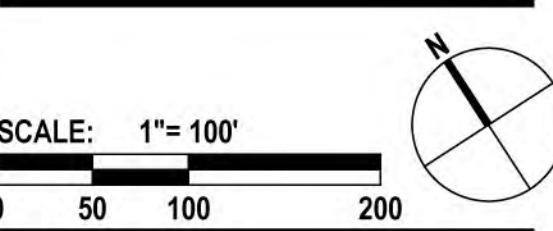
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CONCEPTUAL SITE PLAN PET. # 2014-XXX

Project No.
4332

Issued
07/28/14

Revised



RZ2.0

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PET. # 2014-XXX

DEVELOPMENT NOTES

SITE DEVELOPMENT DATA:

- ACREAGE: ± 85.3 ACRES
- TAX PARCEL #: 167-172-05, 167-172-06, 167-172-07, 167-172-10
- EXISTING ZONING: O-1 (CD) and B-1 (CD)
- PROPOSED ZONING: O-1 (CD)
- EXISTING USES: OFFICE
- PROPOSED USES: OFFICE
- MAXIMUM BUILDING HEIGHT: 85'
- PARKING: TBD TOTAL SPACES
TBD SURFACE SPACES
TBD PARKING DECK SPACES

1. GENERAL PROVISIONS:

- a. SITE LOCATION. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY TIME WARNER CABLE ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF AN OFFICE CAMPUS ON APPROXIMATELY 85.3 ACRE SITE LOCATED NORTH OF ARROWWOOD 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 (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE O-1 ZONING CLASSIFICATION SHALL GOVERN.
- c. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS, AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "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:

- 1) EXPRESSLY PERMITTED BY THE REZONING PLAN (IT IS UNDERSTOOD THAT IF A MODIFICATION IS EXPRESSLY PERMITTED BY THE REZONING PLAN IT IS DEEMED A MINOR MODIFICATION FOR THE PURPOSES OF THESE DEVELOPMENT STANDARDS); OR,
- 2) MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN; OR
- 3) MODIFICATIONS TO MOVE STRUCTURES GRAPHICALLY DEPICTED ON THE REZONING PLAN CLOSER TO ADJACENT PROPERTY OR INTO A RESIDENTIAL DISTRICT OR ADJUTING A RESIDENTIAL USE BUT NO CLOSER THAN THE "EXTERNAL BUILDING LINE" (IN THIS CASE THE EXTERNAL SETBACKS OR BUFFER AREAS) INDICATED ON THE REZONING PLAN; OR
- 4) MODIFICATIONS TO ALLOW MINOR INCREASES IN THE MASS OF THE BUILDINGS THAT DO NOT MATERIALLY CHANGE THE DESIGN INTENT DEPICTED ON OR DESCRIBED IN THE REZONING PLAN.

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

- d. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED TWELVE (12) WHICH INCLUDES EXISTING AND PROPOSED BUILDINGS AND PARKING DECKS. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING LOCATED ON THE SITE.
- e. THE PETITIONER RESERVES THE RIGHT TO PHASE THE CONSTRUCTION BUT IN ANY EVENT, WILL BE IN ACCORDANCE WITH ORDINANCE REQUIREMENTS.
- f. THE PETITIONER RESERVES THE RIGHT TO LOCATE THE SATELLITE DISH FARM WITHIN THE PROPOSED PARKING DECK ALONG ARROWWOOD ROAD. THE EQUIPMENT WOULD BE LOCATED IN A SUNKEN WELL WITHIN THE DECK TO SCREEN IT FROM THE PUBLIC RIGHT OF WAY.
2. PERMITTED USES & DEVELOPMENT AREA LIMITATION:
- a. THE SITE MAY BE DEVELOPED WITH UP TO A SQUARE FOOTAGE TO BE DETERMINED, TOGETHER WITH ACCESSORY USES WHICH ARE PERMITTED OR UNDER PRESCRIBED CONDITIONS IN THE O-1 (CD) ZONING DISTRICT.
- b. THE SURFACE PARKING AREAS DEPICTED ON THE REZONING PLAN MAY VARY IN SIZE AND LOCATION. BUT IN ALL EVENTS WILL BE SUFFICIENT TO SATISFY THE MINIMUM OFF-STREET PARKING STANDARDS ESTABLISHED UNDER THE APPLICABLE ORDINANCES. PARKING AREAS MAY BE CONSTRUCTED WITHIN THE BUILDING LIMIT LINES..
- c. SQUARE FOOTAGE OF PARKING DECK STRUCTURES WILL NOT COUNT TOWARD THE TOTAL BUILD OUT SQUARE FOOTAGE FOR THE PROJECT, FOLLOWING ESTABLISHED PRECEDENT FOR THE CAMPUS.

3. ACCESS AND TRANSPORTATION:

- a. ACCESS TO THE SITE WILL BE FROM CRESCENT EXECUTIVE DRIVE AND GREEN RIDGE DRIVE IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN.
- b. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- c. 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.
- d. THE PETITIONER RESERVES THE RIGHT TO CONVERT A PORTION OF GREEN RIDGE ROAD SOUTH OF BUILDING 3 (EXISTING) AND THE FUTURE BUILDING ON THE SOUTH SIDE OF THE ROAD TO A PRIVATE STREET TO ALLOW FOR A RAISED PEDESTRIAN CROSSING CONDITION WITH ALTERNATE PAVING MATERIALS (PAVERS).
- e. PER SECTION 12.206 OF THE CHARLOTTE ZONING ORDINANCE, SITE PLAN IS PERMITTED TO HAVE SEPARATION DISTANCES WHICH EXCEED 400 FEET, BUT ARE LESS THAN 1200 FEET BASED ON ESTABLISHED PRECEDENT FOR THE CAMPUS, AND THE FOLLOWING HEIGHTENED PEDESTRIAN AMENITIES:
- 1) PEDESTRIAN LIGHTING
 - 2) A WELL-DEFINED PEDESTRIAN PATHWAY SYSTEM INCLUDING SIDEWALKS OF NO LESS THAN SIX- FEET IN WIDTH
 - 3) A CIRCULATORY BUS (SHUTTLE) SYSTEM THROUGHOUT THE SITE
- f. DECELERATION LANES ALONG ARROWWOOD ROAD WILL BE CONSTRUCTED AT ACCESS POINTS INTO THE SITE AS REQUIRED BY THE PUBLIC AUTHORITY HAVING JURISDICTION OVER ARROWWOOD ROAD, INCLUDING OFF-SITE IMPROVEMENTS IF SUCH AUTHORITY OWNS OR ACQUIRES THE NECESSARY RIGHTS OF WAY.
- g. ADDITIONAL RIGHT OF WAY ALONG THE SOUTHERN MARGIN OF THE SITE WILL BE DEDICATED TO THE PUBLIC AUTHORITY HAVING JURISDICTION OVER ARROWWOOD ROAD IF ANY SUCH RIGHT OF WAY IS REQUIRED TO SATISFY THE COMMITMENTS MADE BY THE PETITIONER UNDER PARAGRAPH (3) (f).
- h. THE OWNER WILL FUND THE INSTALLATION OF A TRAFFIC SIGNAL AT HANSON ROAD AND ARROWWOOD ROAD INTERSECTION AT SUCH TIME AS THE CHARLOTTE DEPARTMENT OF TRANSPORTATION DEEMS THAT TRAFFIC GENERATED BY THE OWNER'S DEVELOPMENT WOULD WARRANT THE SIGNAL.
- i. FUTURE IMPROVEMENTS TO EXISTING THOROUGHFARES, SPECIFICALLY I-77 AND ARROWWOOD ROAD, ARE REQUIRED ONCE SPECIFIC THRESHOLDS RELATED TO TOTAL CONSTRUCTED BUILDING SQUARE FOOTAGES ARE MET OR EXCEEDED. PLEASE REFER TO TRAFFIC IMPACT ANALYSIS FOR MORE DETAILED INFORMATION.

4. ARCHITECTURAL STANDARDS:

- a. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE DETERMINED AT A FUTURE TIME. PLEASE REFER TO EXISTING PRECEDENTS SHEET RZ3.0 FOR PRECEDENT.
- b. HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND FROM VIEW OF ADJACENT PROPERTIES AT GRADE.
- c. ALL TRASH AND UTILITY SERVICE AREAS WILL BE SCREENED.
- d. REFLECTIVE GLASS MAY NOT BE USED AS THE SOLE EXTERIOR ARCHITECTURAL ELEMENT OR DESIGN OF ANY BUILDING CONSTRUCTED WITHIN THE PROJECT.
- e. ALSO, NO BUILDING CONSTRUCTED WITHIN DEVELOPMENT AREAS SHALL EXCEED SIX STORIES IN HEIGHT AS MEASURED FROM THE HIGHEST EXISTING GROUND ELEVATION ALONG THE SITE'S WESTERLY PROPERTY LINE.
- f. THE PETITIONER INTENDS TO ACHIEVE COMPATIBILITY OF VISUAL AESTHETICS AND ARCHITECTURAL DESIGN OF BUILDING AND STRUCTURED PARKING (IF ANY) CONSTRUCTED WITHIN THE O-1 (CD) AREA THROUGH THE USE OF ONE OR A COMBINATION OF COLOR, MATERIAL, TEXTURE, ARCHITECTURAL FACADES, ROOFLINES, BUILDING MASS, SCALE AND SIMILAR CRITERIA. PROVIDED, HOWEVER, THAT PETITIONER SHALL HAVE THE RIGHT TO UTILIZE VARIANT COLORS, MATERIALS, TEXTURES, ARCHITECTURAL FACADES, ROOFLINES, BUILDING MASSES AND SCALES AS LONG AS COMPATIBILITY IN AESTHETICS AND DESIGN IS ACHIEVED.
- g. THE GENERAL ARCHITECTURAL STYLE AND CONSTRUCTION MATERIALS USED IN THE DEVELOPMENT OF THE O-1 (CD) AREA OF THE SITE SHALL BE SUBSTANTIALLY SIMILAR IN QUALITY AND GENERAL IMPRESSION WITH THE FOLLOWING OFFICE PARKS WHICH ARE LOCATED NEAR THE SITE:

OAKHILL OFFICE PARK
FOREST BROOK OFFICE PARK
ARROWPOINT OFFICE PARK

5. STREETScape, BUFFERS, YARDS AND LANDSCAPING:

- a. NO BUILDING OR PARKING AREAS MAY BE PLACED WITHIN ANY BUFFER AREA ESTABLISHED ON THIS REZONING PLAN.
- b. THE EXISTING TREE COVER AND NATURAL VEGETATION WITHIN THE WESTERN BUFFER AREAS ADJACENT TO WOODRIDGE SUBDIVISION ESTABLISHED ON THE REZONING PLAN WILL BE PRESERVED. THE PETITIONER RESERVES THE RIGHT, HOWEVER, TO REMOVE VINES, UNDERBRUSH AND SMALL UNDERSTORY TREES FOR THE PURPOSE OF IMPROVING THE OVERALL APPEARANCES OF NATURALLY VEGETATED AREAS. IN ANY EVENT, ALL BUFFER AREAS SHALL BE ESTABLISHED AND MAINTAINED IN ACCORDANCE WITH ORDINANCE REQUIREMENTS.
- c. IN THE WESTERN BUFFER AREAS ADJACENT TO WOODRIDGE SUBDIVISION WHERE EXISTING TREES AND NATURAL VEGETATION HAVE BEEN CLEARED, ALL SUCH CLEARED, UNIMPROVED AREAS WILL BE LANDSCAPED IN ORDER TO ATTAIN THE DESIRED SCREENING RELATIONSHIPS BETWEEN THE SITE AND ADJOINING PROPERTIES EXCEPT IN AREAS WHERE THE APPLICABLE ORDINANCES OR CONSTRAINTS IMPOSED BY UTILITIES WOULD PROHIBIT SUCH LANDSCAPING.
- d. ALONG ARROWWOOD ROAD A 50 FOOT SETBACK AS MEASURED FROM THE RIGHT-OF-WAY WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. NO BUILDINGS OR PARKING AREAS MAY BE LOCATED WITHIN THE 50 FOOT SETBACK AREA AS THE SAME MAY BE RELOCATED TO ACCOMMODATE THE TRANSPORTATION IMPROVEMENTS CONTEMPLATED UNDER THE PROVISIONS OF PARAGRAPH (i). THESE SETBACK AREAS WILL BE ATTRACTIVELY LANDSCAPED WITH ELEMENTS CONSISTING OF TREES, SHRUBS, LAWNS AND/OR NATURAL VEGETATION AND WILL BE A CONTINUATION OF THE DESIGN IMPLEMENTED ADJACENT TO THE DATA CENTER.
- e. ALONG CRESCENT EXECUTIVE DRIVE A 20 FOOT SETBACK AS MEASURED FROM THE RIGHT-OF-WAY WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN.
- f. ALONG GREEN RIDGE DRIVE A 40 FOOT SETBACK AS MEASURED FROM THE RIGHT-OF-WAY WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN.
- g. AN FOUR (4) FOOT PLANTING STRIP AND A FIVE (5) FOOT SIDEWALK WILL BE PROVIDED ALONG THE SITE'S FRONTAGE ON CRESCENT EXECUTIVE DRIVE AND GREEN RIDGE DRIVE.
- h. THE INTERIOR ROAD SYSTEM WHICH INCORPORATES INTERMITTENT 8 FOOT WIDE MEDIANS AND WHICH ARE LANDSCAPED SO AS TO REFLECT A PARKWAY/BOULEVARD ATMOSPHERE WILL BE PRESERVED. ADDITIONAL BREAKS/CUTS IN THE MEDIANS FOR VEHICULAR ACCESS OFF OF GREEN RIDGE DRIVE MAY BE INSTALLED.
- i. A 100 FOOT CLASS B BUFFER WILL BE PROVIDED WHERE THE SITE ABUTS EXISTING SINGLE-FAMILY HOMES AS GENERALLY DEPICTED ON THE REZONING PLAN.
- j. SCREENING REQUIREMENTS OF THE ORDINANCE WILL BE MET.
- k. ABOVE GROUND BACKFLOW PREVENTERS WILL BE SCREENED FROM PUBLIC VIEW AND WILL BE LOCATED OUTSIDE OF THE REQUIRED SETBACKS. ABOVE GROUND BACK FLOW PREVENTERS AND TRANSFORMERS MAY BE LOCATED IN THE LAST TEN FEET OF THE 35 FOOT LANDSCAPE SETBACK (I.E. THE 10 FEET OF THE LANDSCAPE SETBACK CLOSEST TO THE PROPOSED BUILDINGS).

- l. DUMPSTER AREAS AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A DECORATIVE GATE. THE WALL OR FENCE USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDING. THE LOCATION OF THE PROPOSED DUMPSTER AND RECYCLING AREAS ARE GENERALLY DEPICTED ON THE REZONING PLAN. EXACT LOCATIONS TO BE DETERMINED DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES.
- m. A CLASS "B" BUFFER WHICH CONTAINS A MINIMUM OF 100' IN DEPTH SHALL BE ESTABLISHED ALONG THE NORTHERLY EDGE OF THE SITE.
- n. NO BUILDINGS OR PARKING AREAS MAY BE CONSTRUCTED WITHIN THE AREA DEPICTED ON THE REZONING PLAN AS "OPEN SPACE".
- o. PROVISIONS WILL BE MADE FOR THE MAINTENANCE OF ALL BUFFER AREAS AND LANDSCAPED AREAS, EXCEPT THOSE AREAS WHICH ARE TO BE DEDICATED TO MECKLENBURG COUNTY FOR GREENWAY PURPOSES.
- p. A 75 FOOT CLASS "B" BUFFER IN ACCORDANCE WITH ORDINANCE STANDARDS SHALL BE ESTABLISHED ALONG THE WESTERLY EDGE OF THE SITE. FURTHERMORE, AN ADDITIONAL 25 FEET OF LAND AREA (NON-GLASS "B" BUFFER) SHALL ALSO BE MADE PART OF THE BUFFER, THUS MAKING FOR A 100 FOOT WIDE BUFFER AS NOTED ON THE SITE PLAN. ALL OR PORTIONS OF THIS 100' BUFFER MAY BE GRADED SO LONG AS THE PLANTING REQUIREMENTS OF THE 75' PORTION OF THE CLASS "B" BUFFER ARE MET. HOWEVER, AS NOTED ON THE PLAN, A FENCE, ERECTED IN ACCORDANCE WITH ORDINANCE STANDARDS, SHALL BE PROVIDED AT THE ENTRANCE AT HANSON ROAD WHERE INADEQUATE SPACE IS AVAILABLE TO COMPLY WITH THE 75 FOOT CLASS "B" BUFFER. THE FENCE SHALL BE LOCATED AT THE POINT NO CLOSER THAN 25 FEET FROM THE WESTERLY PROPERTY LINE WITH THE POSSIBLE EXCEPTION OF A SMALL AREA AT THE INTERSECTION (ARROWWOOD RD/STREET ENTRANCE) WHERE THE FENCE MAY BE DESIGNED AS A SIGN IDENTIFICATION FEATURE OF THE OFFICE PARK.

6. LANDSCAPING AND SCREENING:

- a. ALL DUMPSTER AND SERVICE AREAS WILL BE HEAVILY SCREENED FROM PUBLIC STREETS AND FROM ADJACENT PROPERTIES.
- b. ALL OPEN (NON-STRUCTURED) PARKING LOTS WILL HAVE LANDSCAPING AND PLANTED AREAS EQUAL TO AT LEAST 10 PAVED AREAS SO AS TO PREVENT THE MASSING OF PAVED SURFACES.
- c. THE LANDSCAPING PROGRAM FOR PARKING AREAS WILL SATISFY THE REQUIREMENTS OF THE APPLICABLE ORDINANCES.

7. ENVIRONMENTAL FEATURES:

- a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
- b. STORM WATER RUNOFF FROM THE SITE WILL BE MANAGED THROUGH A VARIETY OF PROVEN TECHNIQUES WHICH SATISFY THE STANDARDS IMPOSED BY THE APPLICABLE ORDINANCES. IN NO EVENT, HOWEVER, SHALL ANY STORM WATER MANAGEMENT SYSTEM BE LOCATED IN A REQUIRED BUFFER.
- c. STORM WATER DETENTION AND WATER QUALITY REQUIREMENTS FOR INTERIOR PARCELS NOT ADJACENT TO THE REGULATED FLOODWAY MAY BE MET BY PROVIDING PERMANENT PIPE DRAINAGE EASEMENTS THROUGH PARCELS ADJOINING THE REGULATED FLOODWAY (GREENWAY) TO HANDLE THE STORM WATER FLOW, OR BY PROVIDING ON-SITE DETENTION AND WATER QUALITY.
- d. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS, INCLUDING EASEMENTS, 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.
- e. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.
- f. LANDSCAPING MUST CONFORM TO CITY OF CHARLOTTE REQUIREMENTS.

8. SIGNAGE:

- a. SIGNS AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED.
- b. NO OUTDOOR BILLBOARDS MAY BE PLACED ON THE SITE.
- c. ALL SIGNS MUST BE FIXED AND MAY NOT MOVE, ROTATE OR FLASH.
- d. TEMPORARY PROJECT SIGNS MAY BE LOCATED WITHIN THE SETBACK OR BUFFER AREAS ESTABLISHED ALONG ARROWWOOD ROAD.

9. LIGHTING:

- a. A UNIFORM STREET LIGHTING SYSTEM WITH UNDERGROUND SERVICE WILL BE EMPLOYED THROUGHOUT THE AREA OF THE SITE.
- b. ALL DIRECT LIGHTING WILL BE DESIGNED SUCH THAT LIGHTING IS DIRECTED AWAY FROM ADJACENT RESIDENTIAL PROPERTIES.
- c. ALL PARKING DECK LIGHTING WILL BE 12' IN HEIGHT AND DESIGNED SUCH THAT LIGHTING IS DIRECTED AWAY FROM ADJACENT RESIDENTIAL PROPERTIES.
- d. DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 15 FEET IN HEIGHT.

10. ACCESS POINTS:

- a. THE NUMBER OF VEHICULAR ACCESS POINTS TO ARROWWOOD ROAD WILL BE LIMITED TO TWO, THREE TOTAL INCLUDING TRACT II, AS SHOWN ON THIS REZONING PLAN. HOWEVER, EITHER OF THESE ACCESSSES MAY BE RELOCATED WITH THE PRIOR APPROVAL OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR PURPOSES OF REALIGNING EITHER OF THE ACCESS ROADS SO AS TO INTERSECT WITH ANY MEDIAN CUT OR CROSS-OVER THAT MAY HEREAFTER BE ESTABLISHED ON ARROWWOOD ROAD. SITE ADJUSTMENTS MAY BE MADE TO BUILDING PARCELS WITHIN THE O-1 (CD) AREA WHICH ARE IMPACTED BY ANY SUCH ACCESS REALIGNMENT.
- b. THE CONFIGURATIONS OF DRIVEWAYS AND ACCESS POINTS WITHIN THE SITE ARE SUBJECT TO MINOR SHIFTS OR OTHER MODIFICATIONS THAT MAY BE REQUIRED TO ACCOMMODATE FINAL SITE ENGINEERING AND CONSTRUCTION PLANS AND DESIGNS AND ARE FURTHER SUBJECT TO TRANSPORTATION AND THE CHARLOTTE DEPARTMENT OF TRANSPORTATION. THE ALIGNMENT AND CONFIGURATION FOR THE PUBLIC STREET ENTRANCE OPPOSITE THE HANSON ROAD WILL BE SUBJECT TO FINAL REVIEW AND APPROVAL BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.
- c. SPECIAL EMPHASIS WILL BE GIVEN TO THE DESIGN AND CONSTRUCTION OF EACH ENTRANCE TO THE SITE. FEATURES WILL INCLUDE SUCH ELEMENTS AS LANDSCAPED MEDIANS AND COORDINATED SIGNAGE MONUMENTS.
- d. THERE SHALL BE NO VEHICULAR ACCESS BETWEEN TRACT I AND THE RESIDENTIAL ZONED PROPERTY LOCATED NW & W OF THE SITE.

11. FIRE PROTECTION

ADEQUATE FIRE PROTECTION IN THE FORM OF FIRE HYDRANTS WILL BE PROVIDED TO THE CITY OF CHARLOTTE FIRE MARSHAL'S SPECIFICALLY PLANS FOR EACH BUILDING WILL BE SUBMITTED FOR APPROVAL BY THE FIRE MARSHAL'S OFFICE BEFORE CONSTRUCTION OF THE BUILDING COMMENCES.

12. GREENWAY DEDICATION

ALL OF THE LAND WITHIN THE SITE WHICH LIES WITHIN THE FLOODWAY ENCROACHMENT DISTRICT OF BIG SUGAR CREEK WILL BE DEDICATED TO MECKLENBURG COUNTY AS PART OF ITS GREENWAY PARK SYSTEM, SUBJECT ONLY TO THE PETITIONER'S RIGHT TO RETAIN MINOR PORTIONS THEREOF WHERE REQUIRED TO AVOID UNDEE IRREGULARITIES IN DIMENSIONS. A MINIMUM DEPTH OF 100' OF THE GREENWAY AREA, AS MEASURED FROM THE TOP OF THE CREEK BANK AND RUNNING PARALLEL TO THE CREEK BANK, SHALL BE DEDICATED AT THE TIME OF THE ISSUANCE OF THE FIRST BUILDING PERMIT ASSOCIATED WITH ANY DEVELOPMENT CONTAINED WITHIN THE PROJECT. THE BALANCE OF THE GREENWAY SHALL BE DEDICATED NO LATER THAN THE ISSUANCE OF THE LAST BUILDING PERMIT ASSOCIATED WITH THE DEVELOPMENT.

13. PERMITTED USES.

O-1 (CD) AREA

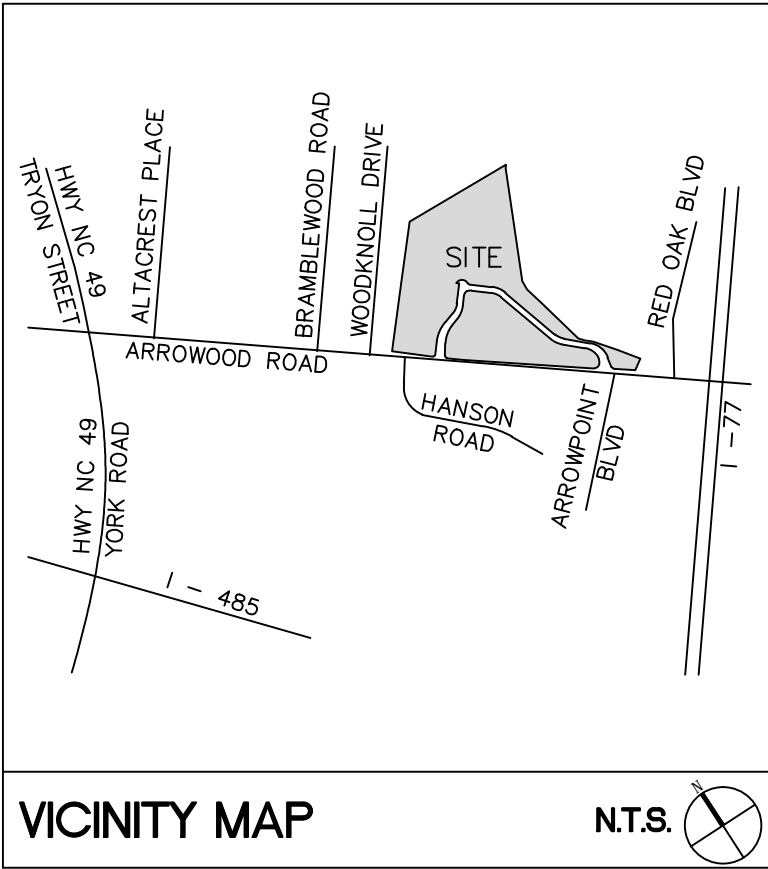
- i. THE O-1 (CD) AREA OF THE SITE MAY BE DEVOTED TO ANY USE (INCLUDING ANY ACCESSORY USE) WHICH IS PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN AN O-1 ZONING DISTRICT.
- ii. THE TOTAL GROSS FLOOR AREA WITHIN THE O-1 (CD) AREA OF THE SITE WHICH MAY BE DEVOTED TO OFFICE USES CANNOT EXCEED XXXXXX SQUARE FEET.

14. AMENDMENTS TO THE REZONING PLAN:

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.

15. 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 (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.



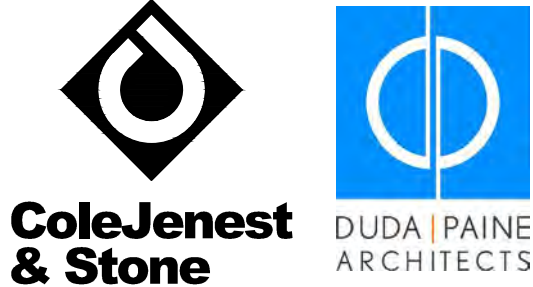
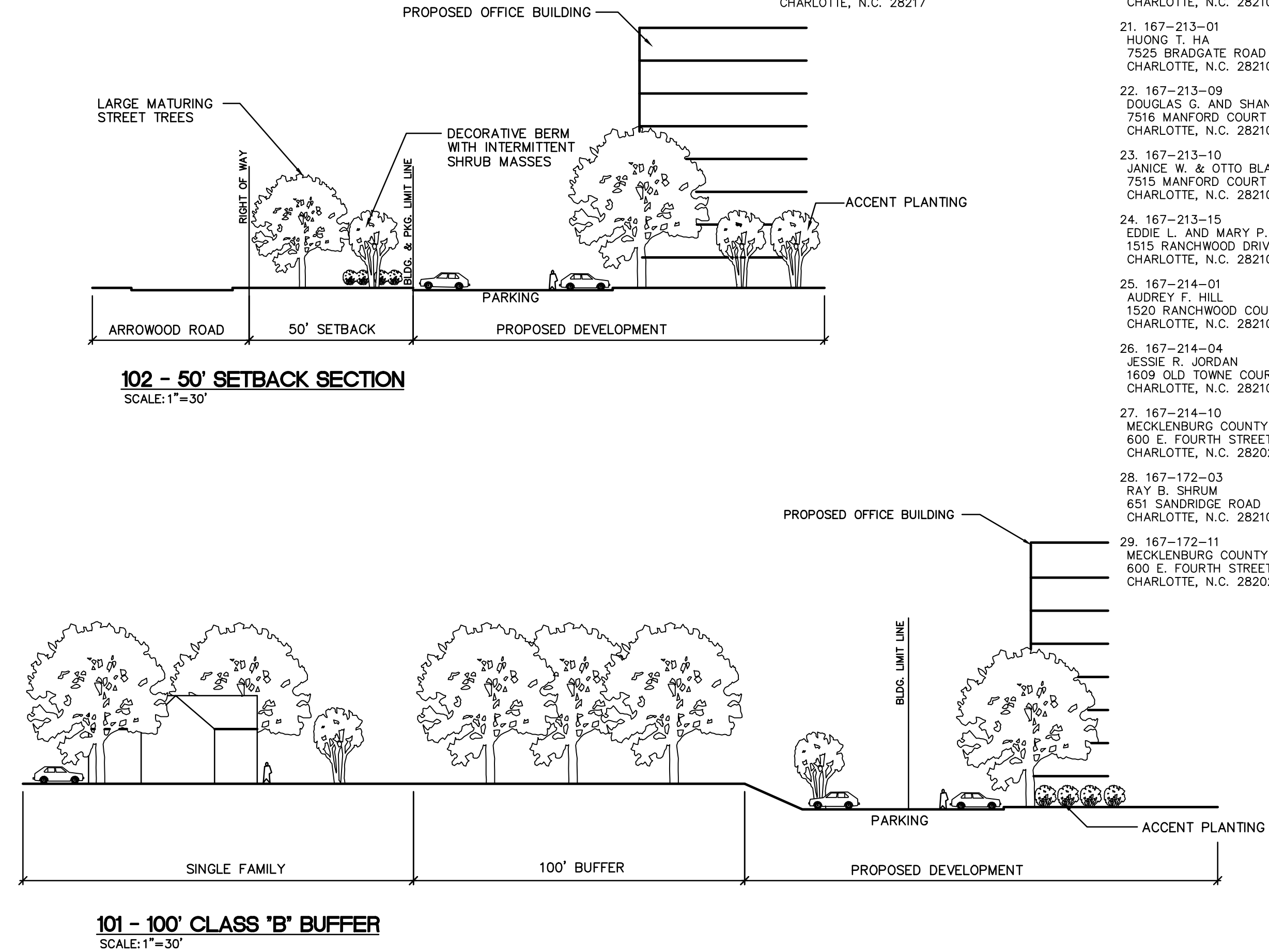
SURVEY DISCLAIMER

PORTION OF TOPOGRAPHIC AND EXISTING CONDITIONS SURVEY INFORMATION PROVIDED BY ESP ASSOCIATES, P.A., PO BOX 7030, CHARLOTTE, NC 28241, (704) 583-4949, DATED AUGUST 23, 2011.

ADJOINING PROPERTY OWNERS

(PETITON VS 93-9 AND 87-9)

- | | |
|--|--|
| 1. 167-168-30
DENNIS A. & JOAN D. BAXTER
7729 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 | 11. 167-168-20
GABRIEL ASOMANI & PAULA TATE
7619 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 |
| 2. 167-168-29
ROBERT M. & DEBORAH A. GILLIAM
7719 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 | 12. 167-168-19
TEDDY K. & GERGINA B. AGYEMANG
7713 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 |
| 3. 167-168-28
ROY & MARLENY CRISANTO
7713 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 | 13. 167-168-18
DORIS A. FOOTE
7607 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 |
| 4. 167-168-27
NAKISHA BOSAH & CHRISTOPHER FINLEY
7707 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 | 14. 167-168-17
BRYANT L. PARHAM
7549 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 |
| 5. 167-168-26
BROADWAY WENDELL WILKIE
7701 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 | 15. 167-168-16
SHAQUANNA POTTS
7701 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 |
| 6. 167-168-25
JOSEPH M. DIXON
7649 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 | 16. 167-168-15
ROBERT F. MONDOZA & ALBA LUIZ RODRIGUEZ MORALES
7537 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 |
| 7. 167-168-24
VANESSA G. LUSTER
7643 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 | 17. 167-168-14
LATONYA S. ROSE
7531 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 |
| 8. 167-168-23
NADIA BOUJIL
7637 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 | 18. 167-168-13
LISA PFALTZGRAF
7527 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 |
| 9. 167-168-22
JEROME & ROBIN W. STRAYHORN
7631 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 | 19. 167-168-12
EDWIN CAMPOS
7523 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 |
| 10. 167-168-21
WILLIE J. MOBLEY & SHARON MOORE
7625 WOODKNOLL DRIVE
CHARLOTTE, N.C. 28217 | 20. 167-211-26
ROY LEE LOWERY, JR.
7526 BRADGATE ROAD
CHARLOTTE, N.C. 28210 |
| 21. 167-213-01
HUONG T. HA
7525 BRADGATE ROAD
CHARLOTTE, N.C. 28210 | 22. 167-213-09
DOUGLAS G. AND SHANNON M. LEE
7516 MANFORD COURT
CHARLOTTE, N.C. 28210 |
| 23. 167-213-10
JANILE W. & OTTO BLAKE JR.
7515 MANFORD COURT
CHARLOTTE, N.C. 28210 | 24. 167-213-15
EDDIE L. AND MARY P. WEATHERS
1515 RANCHWOOD DRIVE
CHARLOTTE, N.C. 28210 |
| 25. 167-214-01
AUDREY F. HILL
1520 RANCHWOOD COURT
CHARLOTTE, N.C. 28210 | 26. 167-214-04
JESSIE R. JORDAN
1609 OLD TOWNE COURT
CHARLOTTE, N.C. 28210 |
| 27. 167-214-10
MECKLENBURG COUNTY
600 E. FOURTH STREET
CHARLOTTE, N.C. 28202 | 28. 167-172-03
RAY B. SHRUM
651 SANDRIDGE ROAD
CHARLOTTE, N.C. 28210 |
| 29. 167-172-11
MECKLENBURG COUNTY
600 E. FOURTH STREET
CHARLOTTE, N.C. 28202 | |



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Realizing the Possibilities

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Urban Design

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Charlotte, North Carolina 28202
P# 704.376.1555 F# 704.376.7851
info@www.colejeneststone.com



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Charlotte,
North Carolina 28217

TIME WARNER
CABLE
REZONING

Charlotte
North Carolina 28217

DEVELOPMENT
NOTES

PET. # 2014-XXX

Project No.

4332

Issued

07/28/14

Revised

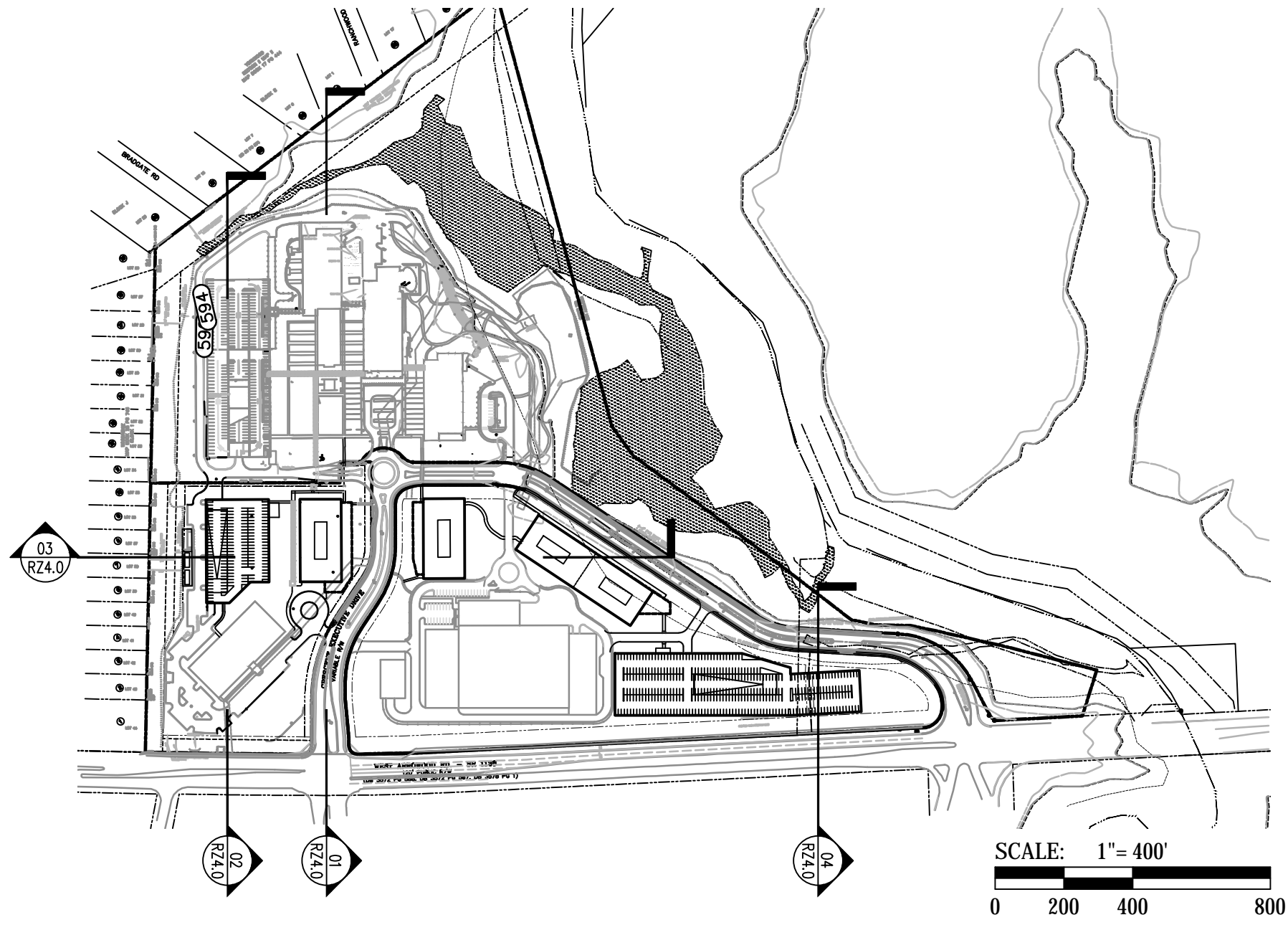


RZ3.0

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PET. # 2014-XXX



VICINITY MAP

N.T.S.

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p+ 704.376.1555 f+ 704.376.7851
url+ www.colejeneststone.com

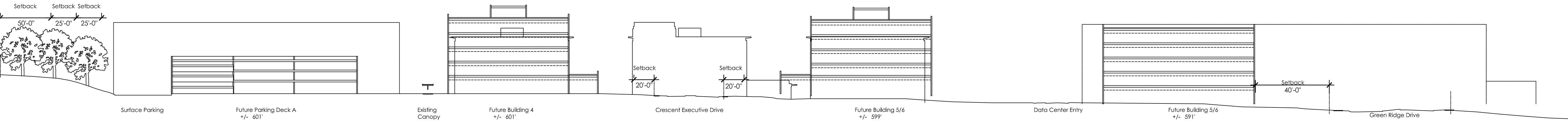
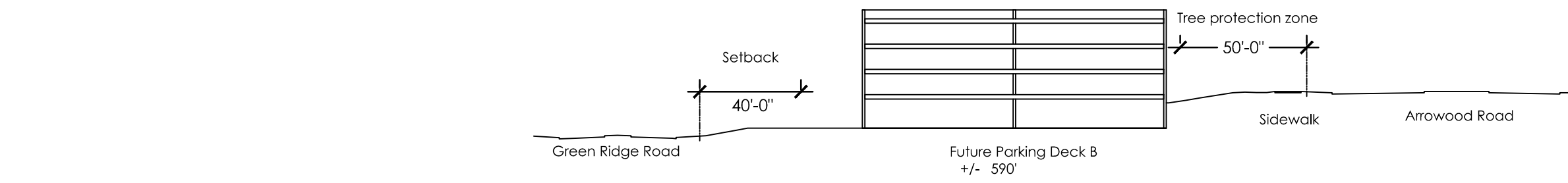
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North Carolina 28217

**TIME WARNER
CABLE
REZONING**

Charlotte
North Carolina 28217

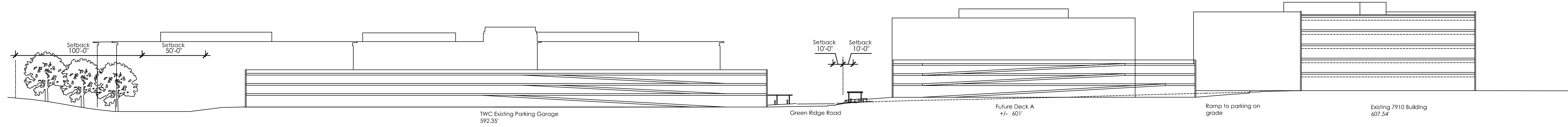
04
RZ4.0

Site Section through Future Parking Deck B
Scale: 1" = 50'-0"



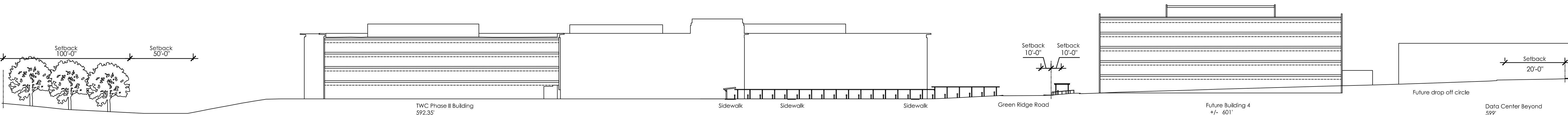
03
RZ4.0

Site Section through Future Buildings 4-6 and Parking Deck A
Scale: 1" = 50'-0"



02
RZ4.0

Site Section through Future Parking Deck A
Scale: 1" = 50'-0"



01
RZ4.0

Site Section through Future Building 4
Scale: 1" = 50'-0"

**SITE CROSS
SECTIONS**
PET. # 2014-XXX

Project No.
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PET. # 2014-XXX



107 - EXISTING TIME WARNER CABLE CAMPUS LOOKING NORTH EAST
SCALE: N/A



DENSE LANDSCAPING
BUFFER BETWEEN
GARAGE AND
ADJACENT
RESIDENTIAL
SUBDIVISION

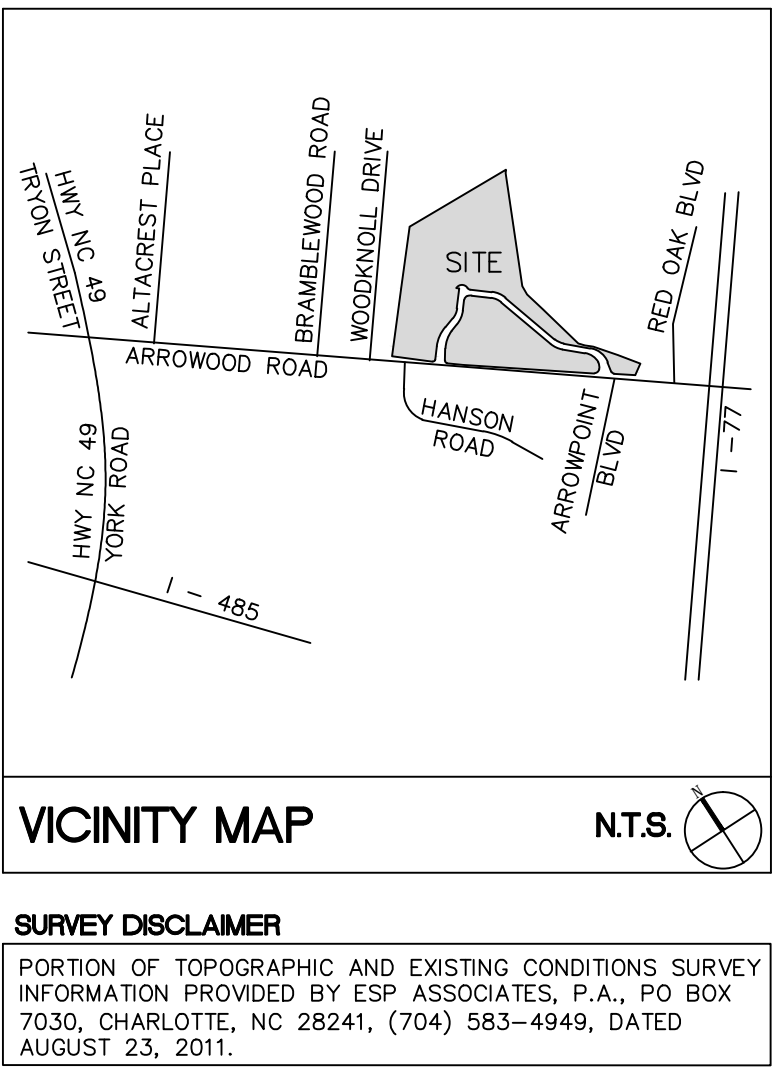
LUSH GARDENS
AND WATER
FEATURES
SURROUNDED BY
WALKING PATHS



SEATING AREAS IN
GARDENS

COVERED WALKWAYS

PATHWAY LIGHTING



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DUDA PAINE ARCHITECTS

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North Carolina 28217

108 - EXISTING TIME WARNER CABLE CAMPUS DESIGN ELEMENTS
SCALE: N/A



ALUMINUM PANELS
AND SOFFITS

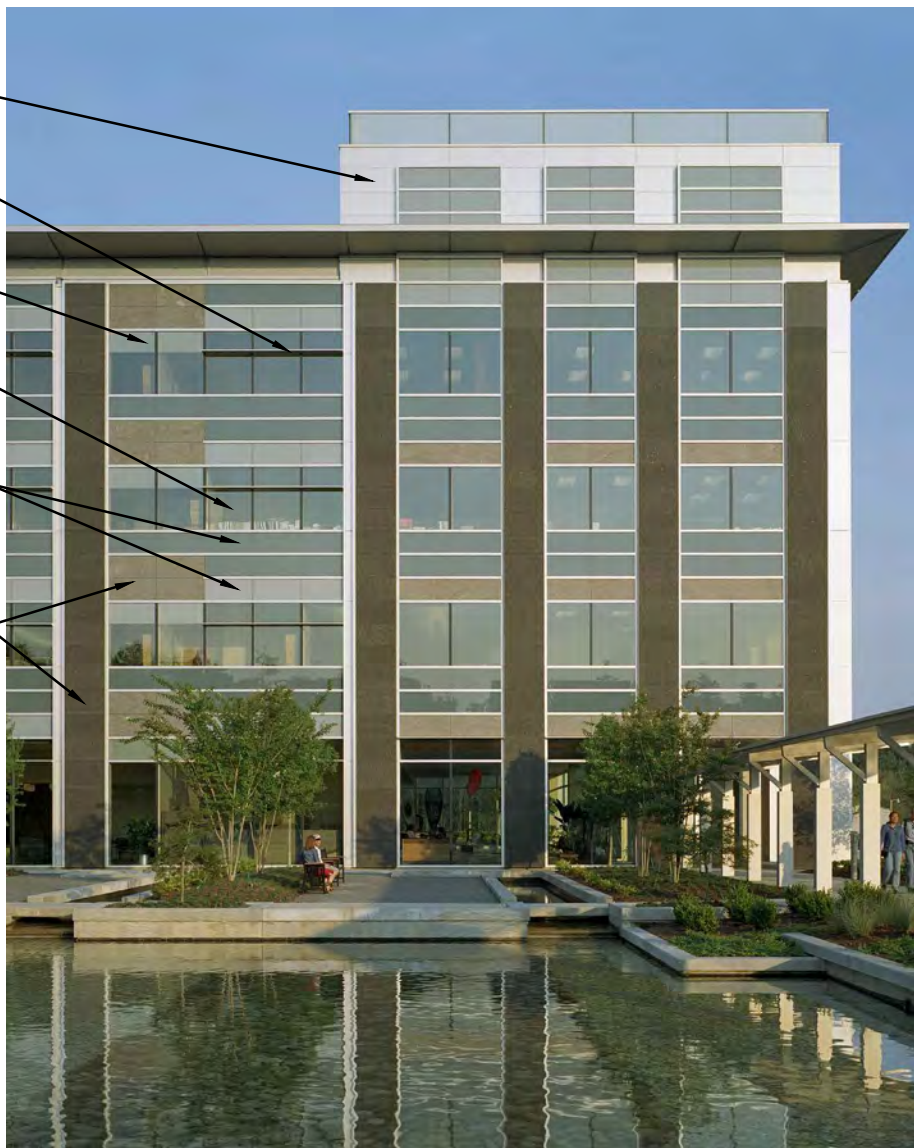
PAINTED ALUMINUM
FINS AND
MULLIONS

LOW-E VISION
GLASS WITH
CERAMIC FRIT

LOW-E VISION
GLASS

SPANDREL GLASS
IN THREE SHADES
OF BLUE

STONE PANELS IN
ALUMINUM
SUB-FRAME



104 - EXISTING BUILDING FINISH MATERIALS
SCALE: N/A



ARCHITECTURAL
LIGHTING

ARCHITECTURAL
PRECAST CONCRETE
GARAGE WITH
SPANDREL PANELS
AND REVEAL
PATTERNS ON ALL
FOUR SIDES

ALUMINUM PANELS

PAINTED ALUMINUM
FINS AND
MULLIONS

SPANDREL GLASS
IN THREE SHADES
OF BLUE

EVERGREEN
LANDSCAPING
BUFFER

PAINTED
GUARDRAILS

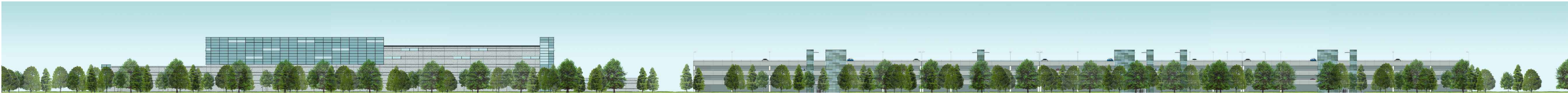
LANDSCAPING
BUFFER OF
EVERGREENS AND
DECIDUOUS TREES

PERIMETER FENCE
FOR DATA CENTER
SECURITY

105 - EXISTING DATA CENTER FINISH MATERIALS
SCALE: N/A



106 - EXISTING GARAGE FINISH MATERIALS
SCALE: N/A



102 - PROPOSED CAMPUS ELEVATION ALONG ARROWOOD ROAD
SCALE: N/A



ROOFTOP
EQUIPMENT IS
SCREENED FROM
VIEW

COVERED WALKWAYS

COVERED ENTRY

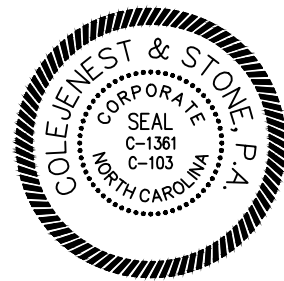
101 - EXISTING CAMPUS ELEVATION ALONG GREEN RIDGE DRIVE
SCALE: N/A

Charlotte
North Carolina 28217

EXISTING PRECEDENTS PET. # 2014-XXX

Project No.
4332
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RZ5.0

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PET. # 2014-XXX

OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Complete All Fields

FY2014 Petition #: <u>2014-092</u>
Date Filed: _____
Received By: <u>RECEIVE</u>

OWNERSHIP INFORMATION:

Property Owner: Corporate Trust Properties NC LLC

Owner's Address: 3517 Hayden Drive City, State, Zip: Charlotte, NC 28269

Date Property Acquired: 12/31/07 Utilities Provided: (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description): Intersection of Nations Ford and Tyvola Road

Tax Parcel Number(s): 16912112

Current Land Use: Commercial, Vacant

Size (Sq.Ft. or Acres): Approx 1.79 AC

ZONING REQUEST:

Existing Zoning: CC (With Special Conditions) Proposed Zoning: CC (With Revised Special Conditions)

Purpose of Zoning Change: (Include the maximum # of residential units or non-residential square footages):

To allow for the current restricted use of automobile service stations to be

permitted within the specified CC zoning classification. Proposed convenience store for gas station

is approximately 2,940 SF.

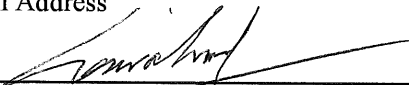
Bohler Engineering, NC PLLC
Name of Agent

800 W. Hill Street, Suite 101
Agent's Address

Charlotte, NC 28208
City, State, Zip

(980)272-3400 (980)272-3401
Telephone Number Fax Number

ccapellini@bohlereng.com
E-Mail Address


Signature of Property Owner if other than Petitioner

NASIR AHMAD.
(Name Typed / Printed)

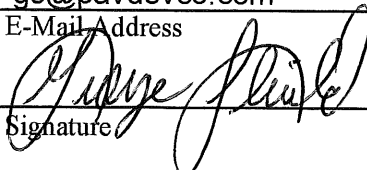
Pavilion Development Company
Name of Petitioner(s)

5605 Carnegie Blvd, Suite 110
Address of Petitioner(s)

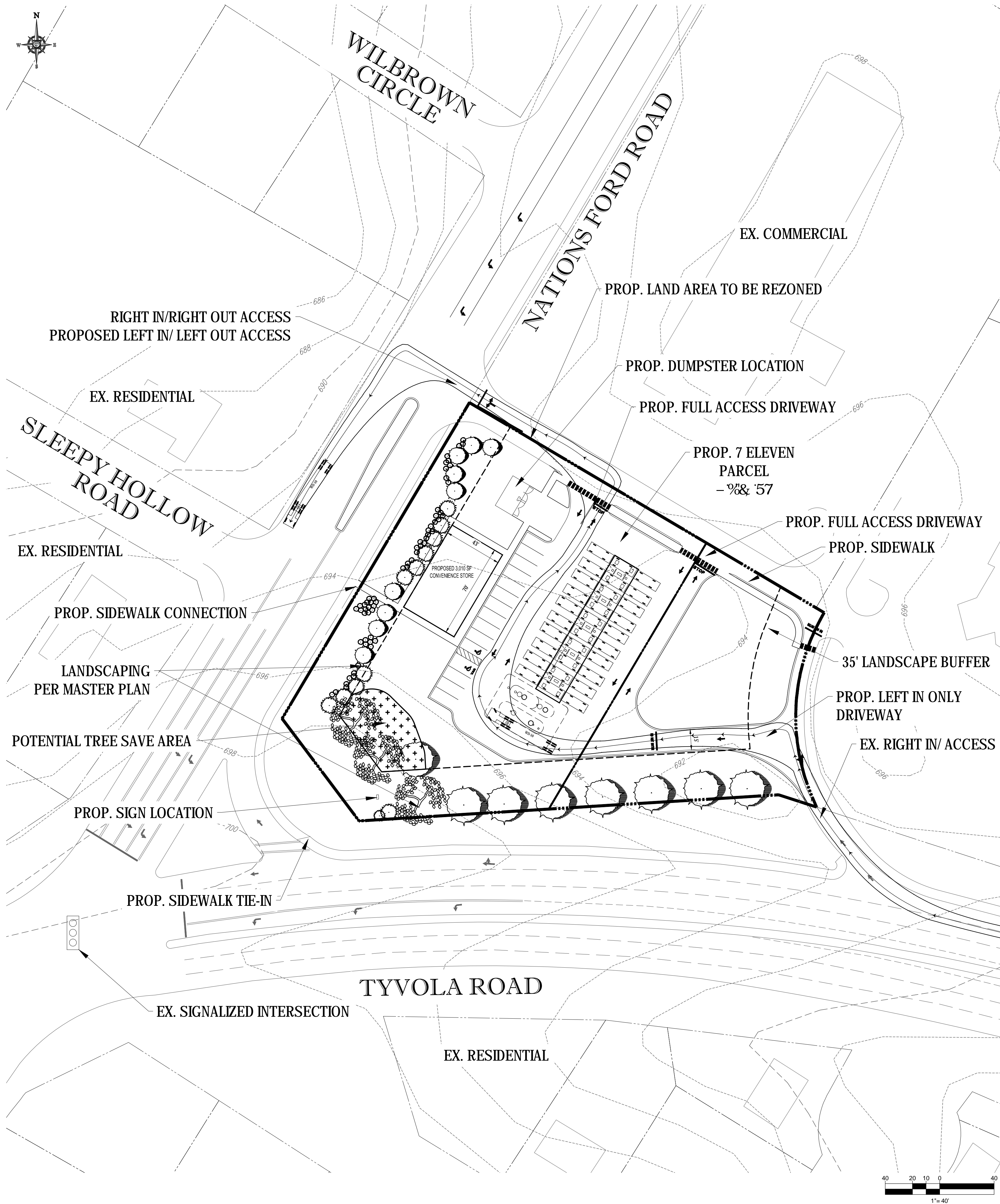
Charlotte, NC, 28209
City, State, Zip

(704) 557-9267 (704) 552-1159
Telephone Number Fax Number

gs@pavdevco.com
E-Mail Address


Signature

George Sheild
(Name Typed / Printed)



SITE DATA

TAX PARCEL ID NO:16912112

SITE AREA: ± 1.79 AC (PROPOSED SUBDIVISION OF SUBJECT PARCEL)

EXISTING ZONING: CC (WITH SPECIAL CONDITIONS)

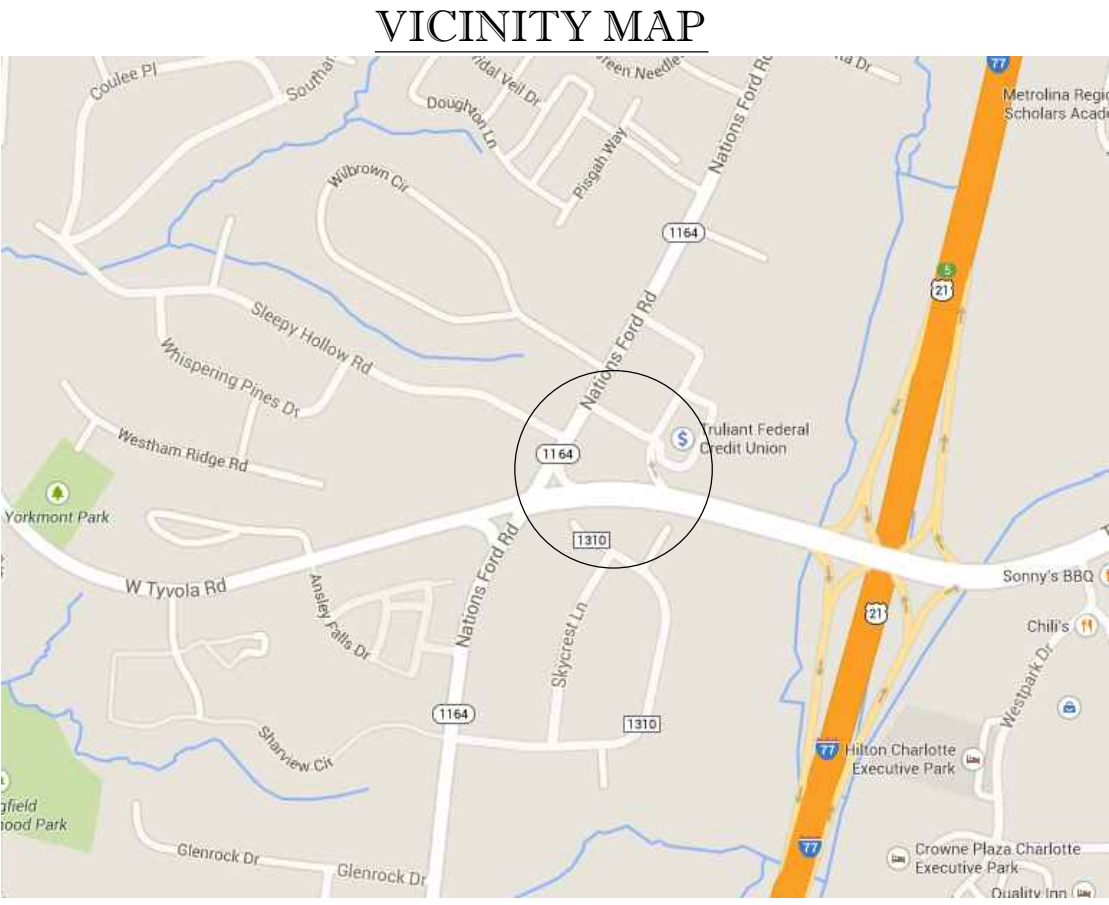
PROPOSED ZONING: CC (WITH REVISIONS TO SPECIAL CONDITIONS)

PROPOSED BUILDING SF: ± 3,010 SF

BUILDING HEIGHT: ± 19' (BUILDINGS MAY NOT EXCEED 2 STORIES)

PROPOSED FLOOR AREA RATIO: 0.05

PARKING: 15 SPACES PROVIDED, WILL ADHERE TO ANY ORDINANCE STANDARDS.



DEVELOPMENT STANDARDS

GENERAL PROVISIONS

DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE SCHEMATIC SITE PLAN. THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CHARLOTTE ZONING ORDINANCE, THE DEVELOPMENT DEPICTED ON THIS SITE PLAN IS INTENDED TO REFLECT THE GENERAL ARRANGEMENT OF PROPOSED USES ON THIS SITE. HOWEVER, THE CONFIGURATIONS, PLACEMENTS, SIZE OF BUILDING FOOTPRINT AND LOTS INCLUDING LOCATION OF STREETS AND PARKING AREAS SHOWN ARE SCHEMATIC IN NATURE AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, WITHIN THE LIMITS SET FORTH BY THE ORDINANCE UNDER THE PROVISIONS DETAILED IN SECTION 6.207 OF THE CHARLOTTE ZONING ORDINANCE.

A. PURPOSE

THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE A DEVELOPMENT TRACT OF LAND AT THE INTERSECTION OF NATIONS FORD ROAD AND TYVOLA ROAD. THIS DEVELOPMENT WILL PROVIDE THE LOCATION OF A GAS STATION, ASSOCIATED CONVENIENCE STORE AND ANOTHER PROPOSED COMMERCIAL USE ON THE ADJACENT EASTERN PARCEL THAT IS CURRENTLY PART OF A PROPOSED SUBDIVISION. THE MAIN PURPOSE FOR THIS REZONING IS TO REVISE THE SPECIAL CONDITIONS ATTACHED TO THE ORIGINAL REZONING IN ORDER TO ALLOW FOR AUTOMOBILE SERVICE STATION USE ON THE SUBJECT PARCEL, AS WELL AS ALLOW FOR A CHANGE IN ACCESS ALONG NATIONS FORD ROAD AS SEEN ON THE SITE PLAN. A SUBDIVISION OF SAID PARCEL IS PROPOSED AND WAS PRELIMINARILY APPROVED BY PLANNING STAFF.

B. PERMITTED USES

ALL USES ARE PERMITTED UNDER THE CC ZONING CLASSIFICATION EXCEPT AUTOMOBILE SERVICE STATIONS, BUILDING MATERIAL SALES AND DWELLINGS.

C. MAXIMUM DEVELOPMENT STANDARDS AND DEVELOPMENT LIMITATIONS

THE SITE MAY BE DEVELOPED WITH UP TO 16,000 SF OF OFFICE SPACE, 10,500 SF OF RETAIL. IN ADDITION, FOR PARCELS 4,5,6, AND 7 AS OUTLINED IN THE ORIGINAL OVERALL REZONING PLAN, PETITION # 97-15, THE TOTAL RESTAURANT USE SHALL NOT EXCEED 24,000 SF.

RECOMBINATIONS OF PARCELS 4 THROUGH 7 SHALL BE PERMITTED BUT IN NO CASE SHALL BE SUBDIVIDED INTO MORE THAN 4 PARCELS. SUBDIVISION OF PARCEL 4 IS PROPOSED IN THIS PLAN.

D. TRANSPORTATION

THE PROPOSED SITE PLAN SHOWS 2 ACCESS DRIVEWAYS OFF OF TYVOLA GLEN CIRCLE WHICH CONNECTS THE OVERALL DEVELOPMENT TO NATIONS FORD ROAD TO THE WEST. THE CURRENT MOVEMENT AT THE NATIONS FORD ENTRANCE IS A RIGHT-IN, RIGHT-OUT MOVEMENT. A SEPARATE DRIVE IS PROPOSED OFF THE RIGHT-IN ACCESS OFF OF TYVOLA ROAD TO THE SOUTH. THE EXACT LOCATION AND DESIGN DETAIL OF THESE DRIVEWAYS WILL BE DETERMINED DURING THE DEVELOPMENT REVIEW PROCESS AND WILL BE SUBJECT TO MODIFICATIONS REQUIRED FOR APPROVAL BY THE CITY OF CHARLOTTE AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

PARKING AREAS ARE GENERALLY DEPICTED ON THE CONCEPT PLAN OF THIS SITE.

A FULL MOVEMENT DRIVEWAY HAS BEEN PROPOSED TO MODIFY THE CURRENT MOVEMENT AT THE NATIONS FORD ENTRANCE AND FURTHER COORDINATION AND APPROVALS WILL BE NEEDED.

E. SCREENING AND LANDSCAPED AREAS

AT A MINIMUM, SCREENING AND LANDSCAPING SHALL CONFORM TO THE STANDARDS SPECIFIED IN SECTION 12.302-12.303 OF THE ORDINANCE.

LANDSCAPE STRIPS AND ISLANDS SHALL BE CREATED TO BREAK THE VISUAL IMPACT OF THE PARKING AREAS AS STATED IN NOTE 8 OF OVERALL REZONING PLAN PETITION #97-15.

CONTINUOUS LANDSCAPING STRIPS AND ISLANDS SHALL BE CREATED ALONG NATIONS FORD ROAD, AS SHOWN ON REZONING PLAN PETITION #97-15, TO BREAK THE VISUAL IMPACT OF THE PARKING AREAS.

TREE SAVE AREA REQUIRED PER TREE ORDINANCE. PROPOSED TREE SAVE AREA SHOWN; HOWEVER FURTHER COORDINATION WITH THE CITY OF CHARLOTTE URBAN FORESTRY DEPARTMENT NEEDED TO DETERMINE FINAL TREE SAVE AREA.

PETITIONER WILL COMPLY WITH THE CHARLOTTE TREE ORDINANCE.

F. ARCHITECTURAL STANDARDS

AS STATED IN NOTE 16 OF THE SPECIAL CONDITIONS ASSOCIATED WITH THE OVERALL REZONING PLAN, PETITION # 97-15, THE SUBJECT PARCEL SHALL BE DESIGNED WITH MATERIALS COMPATIBLE WITH ADJACENT RESIDENTIAL NEIGHBORHOOD. IN ORDER TO ACHIEVE ARCHITECTURAL COHESIVENESS FOR THE ENTIRE PROJECT, THE DEVELOPER SHALL ESTABLISH AND ENFORCE RESTRICTIVE COVENANTS FOR APPROVAL OF BUILDING STYLE AND MATERIALS. IN ADDITION, TO BUILDING LOCATED ON THE SUBJECT PARCEL, THEIR ELEVATIONS FRONTING NATIONS FORD ROAD SHALL INCLUDE (WITHOUT LIMITATION AND WITHOUT REQUIRING ALL SUCH MATERIALS AND FEATURES AS: BRICK, MASONRY STUCCO, PITCHED OR MANSARD ROOFS OR DECORATIVE PARAPETS OR AWNINGS OR PALLADIAN WINDOWS OR MULLIONED WINDOWS AND THE LIKE, IN ORDER TO RESPECT THE RESIDENTIAL NATURE OF AND VIEW FROM RESIDENCES FRONTING NATIONS FORD ROAD.

G. LIGHTING

ALL SITE LIGHTING SHALL BE INWARDLY DIRECTED SO AS NOT TO REFLECT OR BEAM TOWARD ADJACENT PROPERTY PER NOTE 6 OF THE SPECIAL CONDITIONS OF THE OVERALL REZONING PLAN, PETITION #97-15.

H. SIGNAGE

PER NOTE 4 IN THE SPECIAL CONDITIONS OF THE OVERALL REZONING PLAN, PETITION #97-15, ALL SIGNAGE SHALL MEET APPLICABLE REGULATIONS. AS A MINIMUM IN EFFECT AT TIME OF PERMITTING, GROUND MOUNTED SIGNAGE FOR INDIVIDUAL PARCELS SHALL BE A MAXIMUM OF FOUR FEET HIGH AND 50 SQUARE FEET. ONE "SHOPPING CENTER SIGN" SHALL BE PERMITTED AT TYVOLA ROAD ENTRANCE, MAXIMUM 100 SQUARE FEET. ONE "SHOPPING CENTER SIGN" SHALL BE PERMITTED ALONG NATIONS FORD ROAD FRONTAGE, MAXIMUM 25 SQUARE FEET.

I. STORMWATER MANAGEMENT

PER NOTE 5 IN THE SPECIAL CONDITIONS ON THE OVERALL REZONING PLAN, PETITION #97-15, CONTROL OF STORMWATER FROM THE SITE SHALL CONFORM TO ALL REGULATIONS WITH DETAILED PLANS TO BE SUBMITTED TO AND APPROVED BY THE CITY ENGINEERING DEPARTMENT. STORMWATER DETENTION FOR THE ENTIRE SITE MAY BE PROVIDED IN A COMMON FACILITY AT THE LOW POINT OF THE SITE. NO DETENTION FACILITIES SHALL BE PERMITTED WITHIN THE 75 FOOT BUFFER.

SITE REQUIRED TO REMOVE 85% TSS AND ADHERE TO PCCO STANDARDS. FURTHER COORDINATION NEEDED REGARDING NATURAL AREA REQUIREMENTS.

SITE IS NOT LOCATED WITHIN ANY FLOODPLAIN.

REZONING PLAN

BOHLER ENGINEERING

NC, PLLC

800 WEST HILL STREET, SUITE 101
CHARLOTTE, NC 28208
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com

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LANDSCAPE ARCHITECTURE
PROGRAM MANAGEMENT
PERMITTING SERVICES

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UPSTATE NEW YORK
PHILADELPHIA/SOUTHERN NJ
BALTIMORE, MD
SOUTHERN MARYLAND
WASHINGTON, DC
CENTRAL VIRGINIA
RALEIGH, NC

REVISIONS		
REV	DATE	COMMENTS

NOT APPROVED FOR CONSTRUCTION

THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE OF NORTH CAROLINA AND DELAWARE CALL 811 (WV 1-800-245-4848) (PA 1-800-242-1776) (DC 1-800-257-7777) (VA 1-800-952-7071) (MD 1-800-251-7777) (DE 1-800-293-8555)

7-ELEVEN

NEW STORE DEVELOPMENT (NATIONS FORD/TYVOLA)

FOR

INTERSECTION OF TYVOLA ROAD AND NATIONS FORD ROAD

BOHLER ENGINEERING

NC, PLLC

800 WEST HILL STREET, SUITE 101
CHARLOTTE, NC 28208
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com

Pavilion

SHEET TITLE:

REZONING SITE PLAN

SHEET NUMBER:

P-1

I, Richard Boyd Brooks, certify that this plat was drawn under my supervision from an actual survey made under my supervision, (deed description recorded in Book 5674, page 265); that the boundaries not surveyed are clearly indicated as drawn from the deeds shown hereon; that the ratio of precision as calculated is 1:10,000+; that this plat was prepared in accordance with G.S. 47-30 as amended. This is a survey of an existing parcel of land and does not create a new street or change an existing street. Subject to underground utilities and or any easements or right-of-ways of record. Area by the coordinate method of area computation. Copying this plat could be a violation of copyright laws. Witness my original signature, registration number and seal this 23rd day of November, A.D., 2007.

RICHARD BOYD BROOKS
1200 JENKINS DRIVE
CHARLOTTE, N.C. 28212
(704) 568-1719

SIGNED _____
Professional Land Surveyor, L-2689

Preliminary Plat
For Review Only
Not for Sales Conveyance
or Recording

Notes:
1) The R/W of Nations Ford Rd. and Tyvola Rd. were taken from MB 40-179.

Tyvola Inn, LLC
DB 9320-871
Lot 1, MB 28-668
PID 16912108
6057 Tyvola Glen Cr

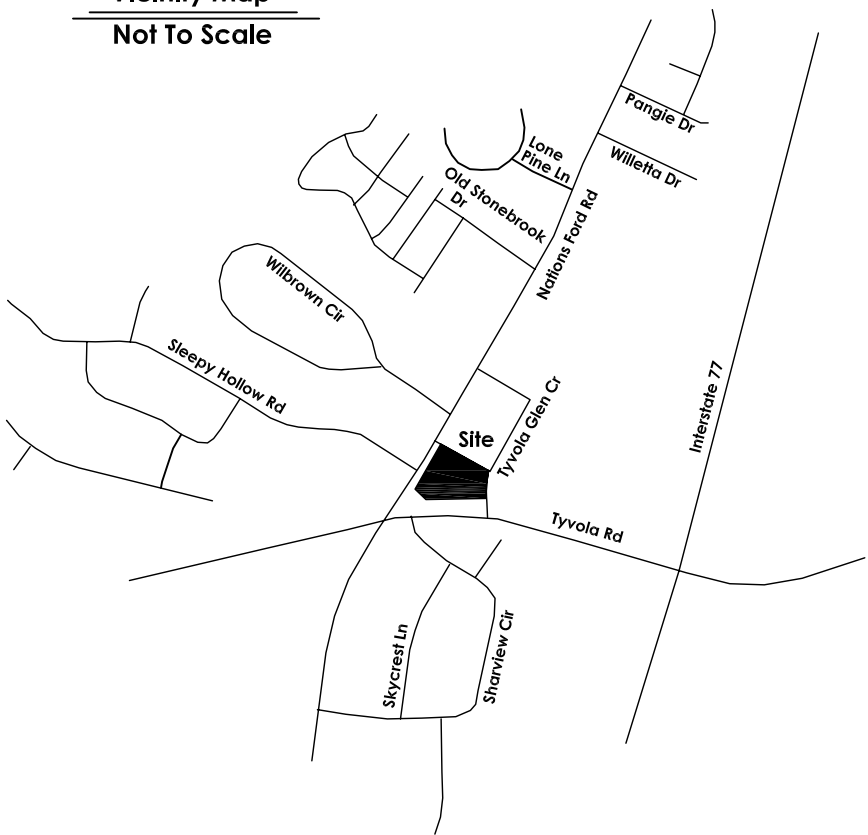
Truliant Federal Credit Union
DB 16193-346
Lot 4, MB 40-179
PID 16912111
6051 Tyvola Glen Cr

B=S04°38'27"W
R=150.00
A=144.20
C=138.71

1.79 Acres
DB 5674-265
Lot 5, MB 40-179
PID 16912112

Tyvola Road
(Public R/W width varies)

Vicinity Map
Not To Scale



MB 40-179

- LEGEND:
- EIP ● = Existing Iron Pin
 - NIP ○ = New Iron Pin
 - NPS ■ = No Point Set
 - R/W = Right Of Way
 - ⊙ = Power Pole
 - MBSL = Minimum Building Setback Line
 - ESMT = Easement
 - ⊕ = Manhole
 - EP = Edge of Pavement

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

Line Table		
Line	Length	Bearing
L1	7.00	S57°49'11"E

1
SHEET NO.
1
OF

PLAN NO. 07296
SCALE 1"=30'
DATE 11/23/07
CHECKED R.B.B.
DRAWN S.R.S.

City of Charlotte
Mecklenburg County, N.C.

Boundary Survey
for
Stephen Lucas

Spratt & Brooks
P.O. BOX 25175 - CHARLOTTE, NC
LAND SURVEYING
(704) 568-1719

REVISIONS					BY
NO.	DATE	DESCRIPTION	BY	DATE	

Spratt & Brooks
S&B
Land Surveying

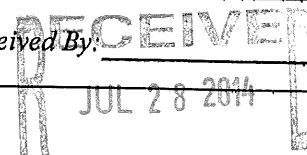
OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

FY2015

Petition #: 2014-093

Date Filed: _____

Received By: _____



Complete All Fields

OWNERSHIP INFORMATION:

Property Owner: Cynthia Smith, Robert Suther, Sarah Pollock, Erin A. Cole, Shannon B. Martin and Lynda P. Fagan

Owner's Address: P.O. Box 167 City, State, Zip: Winston-Salem, NC 27102-0167

Date Property Acquired: 1976 Utilities Provided: (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description): Northeastern quadrant of the intersection of Providence Road and Sardis Road

Tax Parcel Number(s): 187-016-012 (and a portion of Old Sardis Road right-of-way to be abandoned)

Current Land Use: Bank branch with drive through

Size (Sq.Ft. or Acres): 3.15 acres±

ZONING REQUEST:

Existing Zoning: O-15 (CD)

Proposed Zoning: MUDD-O (Optional Provisions may be requested if necessary)

Purpose of Zoning Change: *(Include the maximum # of residential units or non-residential square footages):*

To allow the property to be redeveloped as a mixed use project that can be integrated with the proposed redevelopment of the adjoining center.

Collin Brown/Bailey Patrick, Jr.

Name of Agent

Hearst Tower, 47th Floor, 214 North Tryon Street

Agent's Address

Charlotte, NC 28202

City, State, Zip

(704) 331-7531/(704) 331-7454 (704) 353-3231/(704) 353-3154

Telephone Number

Fax Number

collin.brown@klgates.com / bailey.patrick@klgates.com

E-Mail Address

(See attached Joinder Agreements)

Signature of Property Owners if other than Petitioner

(Name Typed / Printed)

Merrifield Patrick Vermillion LLC

Name of Petitioner(s)

521 E. Morehead Street, Suite 400

Address of Petitioner(s)

Charlotte, NC 28202

City, State, Zip

(704) 248-2100

Telephone Number

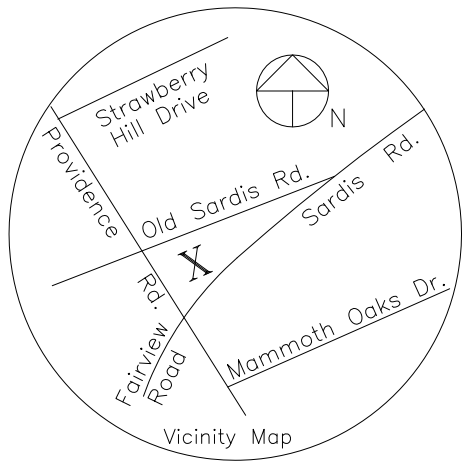
Fax Number

Svermillion@mpvre.com

E-Mail Address

Stephen L. Vermillion
Signature

(Name Typed / Printed)

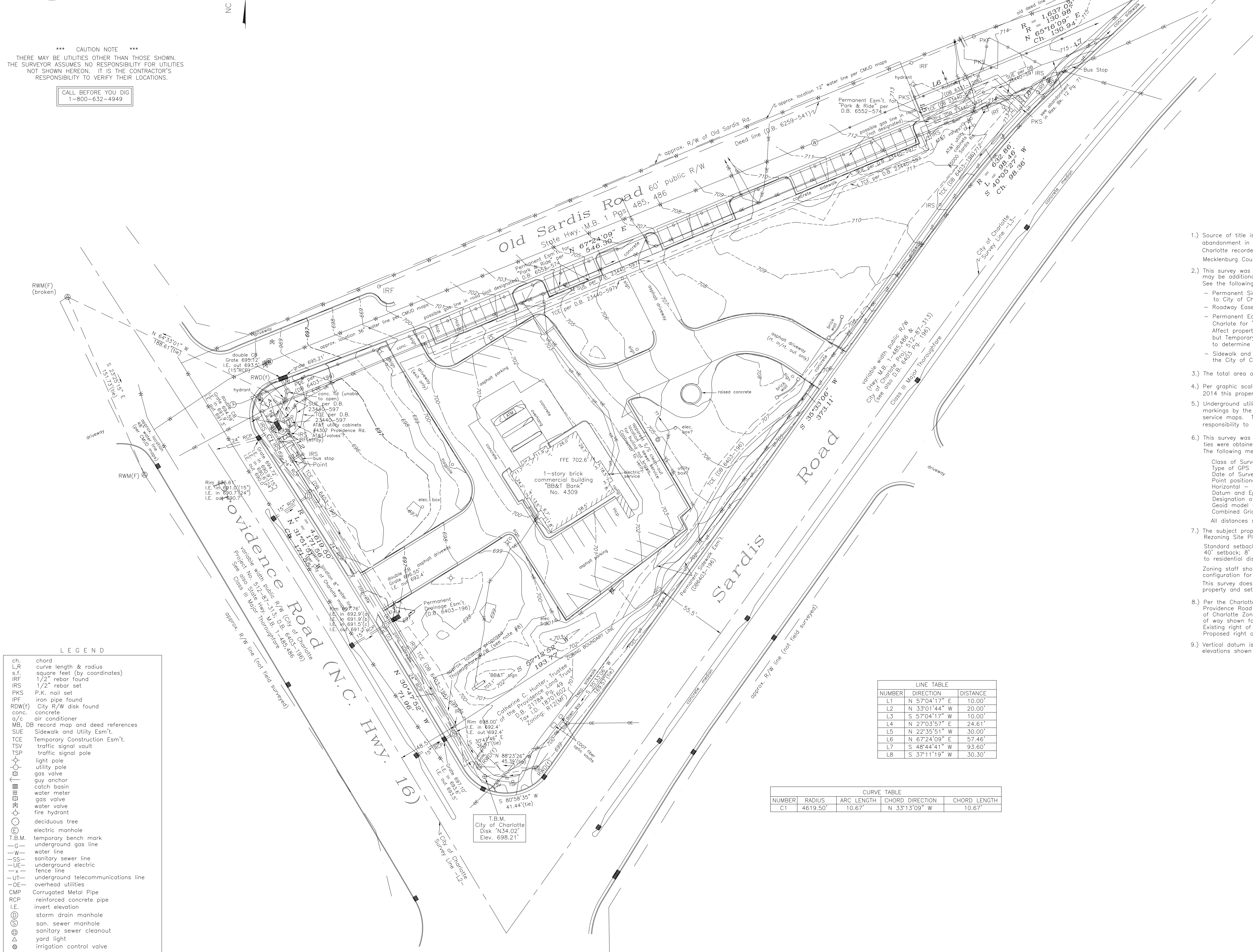


NC GRID (NAD 1983)

*** CAUTION NOTE ***
THERE MAY BE UTILITIES OTHER THAN THOSE SHOWN.
THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR UTILITIES
NOT SHOWN HEREON. IT IS THE CONTRACTOR'S
RESPONSIBILITY TO VERIFY THEIR LOCATIONS.

CALL BEFORE YOU DIG
1-800-632-4949

LEGEND	
ch.	chord
LR	curve length & radius
s.f.	square feet (by coordinates)
IRF	1/2" rebar found
IRS	1/2" rebar set
PKS	P.K. nail set
IRF	iron pipe found
RDW(F)	City R/W disk found
conc.	concrete
a/c	air conditioner
MB, DB	record map and deed references
SUE	Sidewalk and Utility Esm't.
TCE	Temporary Construction Esm't.
TSV	traffic signal vault
TSP	traffic signal pole
light pole	light pole
utility pole	utility pole
gas valve	gas valve
guy anchor	guy anchor
catch basin	catch basin
water meter	water meter
gas valve	gas valve
water valve	water valve
fire hydrant	fire hydrant
deciduous tree	deciduous tree
electric manhole	electric manhole
T.B.M.	temporary bench mark
—G—	underground gas line
—W—	water line
—SS—	sanitary sewer line
—UE—	underground electric
—x—	fence line
—UT—	underground telecommunications line
—OE—	overhead utilities
CMP	Corrugated Metal Pipe
RCP	reinforced concrete pipe
I.E.	invert elevation
⊙	storm drain manhole
⊙	san. sewer manhole
⊙	sanitary sewer cleanout
△	yard light
⊙	irrigation control valve



THIS SURVEY IS CERTIFIED ONLY TO
Merrifield, Patrick, Vermillion, LLC.

I, ANDREW G. ZOUTEWELLE, do hereby certify;
that this survey is based upon my best knowledge, information and belief;
that this map was drawn under my supervision from an actual survey
made under my supervision (deed description recorded in deed and
map books as noted); that the boundaries not surveyed are indicated
as dashed lines drawn from adjoining deed sources as shown hereon;
that the ratio of precision or positional accuracy is 1:10,000;
that this map meets the requirements of The Standards of Practice
for Land Surveying in North Carolina (21 NCAC 56.1600).
This map is not intended to meet G.S. 47-30 recording requirements.
Actual ground elevations are within 1/2 contour interval of the contour
lines shown across 95% of the surveyed area.

This _____ day of _____, 2014.

Andrew G. Zoutewelle
Professional Land Surveyor
NC License No. L-3098

GENERAL NOTES

- Source of title is recorded in Deed Book 303 Page 293. See also Right of Way abandonment in Resolution Book 12 Page 71, and fee conveyances to City of Charlotte recorded in Deed Book 6403 Page 196. Mecklenburg County Tax I.D. number is 18701601.
- This survey was done without the benefit of a complete title examination. There may be additional easements, restrictions or other matters of title not shown. See the following:
 - Permanent Sidewalk, Permanent Drainage and Temporary Construction Easements to City of Charlotte recorded in Deed Book 6403 Page 196. (As shown).
 - Roadway Easement recorded in Deed Book 6331 Page 1206. (As shown).
 - Permanent Easement(s) and Temporary Construction Easement(s) to the City of Charlotte for "Park and Ride" recorded in Deed Book 6552 Page 574. Affect property; Permanent Easements are shown, but Temporary Easements are not. The City of Charlotte should be contacted to determine if these temporary easements are still in effect).
 - Sidewalk and Utility Easement(s) and Temporary Construction Easement(s) to the City of Charlotte recorded in Deed Book 23440 Page 597. (As shown).
- The total area of the subject property is 112,995 S.F. (or 2.5940 acres), by coordinates.
- Per graphic scaling from FEMA Flood Insurance Rate Map 3710456100K dated Feb. 19, 2014 this property does not lie within a designated flood hazard area (lies in Zone X).
- Underground utilities were located from: 1) surface observations, 2) paint designation markings by the NC ONE-CALL Utility Locating Center and 3) from CMUD customer service maps. There may be additional utilities not shown. It is the contractor's responsibility to contact NC ONE-CALL before any design, excavation or construction.
- This survey was done using conventional survey equipment (i.e. total station). N.C. grid ties were obtained from multiple GPS (VRS) observations. The following metadata relates to the N.C. grid ties only:
 - Class of Survey: A
 - Type of GPS field procedure: RTK/GNSS
 - Date of Survey: 05-26-2014
 - Point positional accuracy at 95% confidence:
 - Horizontal - 0.04'; Vertical - 0.1'
 - Datum and Epoch: NAD83-2011 (Epoch 2010.0000)
 - Designation of fixed control stations: NCGS CORS network stations
 - Geoid model used: GEOID_12A
 - Combined Grid Factor: 0.999845363All distances shown hereon are horizontal ground distances.
- The subject property is zoned O-15 (CD) per Mecklenburg County GIS. See Rezoning Site Plan #76-53 approved Oct. 14, 1997. Standard setbacks for O-15 under the old ordinance were: 40' setback; 8' side; 20' rear adjacent to non-residential; 40' adjacent to residential districts. Zoning staff should be consulted to determine building setbacks and setback configuration for this property. No zoning setbacks are shown. This survey does not reflect a complete zoning analysis. Development of this property and setback configuration is subject to the approval of the City of Charlotte.
- Per the Charlotte Regional Thoroughfare Planning Organization (CRTPO) Map, Providence Road and Sardis Road are Class III Major Thoroughfares and per the City of Charlotte Zoning Ordinance, are subject to 100' proposed rights of way. Proposed of way shown for Providence Road is measured 50' from DOT survey centerline. Existing right of way of Sardis Road is greater than 50' from survey centerline. Proposed right of way location should be confirmed with City of Charlotte DOT.
- Vertical datum is relative to a prior survey by this firm. To convert from the elevations shown to NAVD83, add 0.4' to the numerical elevations shown.

LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L1	N 57°04'17" E	10.00'
L2	N 33°01'44" W	20.00'
L3	S 57°04'17" W	10.00'
L4	N 27°03'57" E	24.61'
L5	N 22°35'51" W	30.00'
L6	N 67°24'09" E	57.46'
L7	S 48°44'41" W	93.60'
L8	S 37°11'19" W	30.30'

CURVE TABLE			
NUMBER	RADIUS	ARC LENGTH	CHORD DIRECTION
C1	4619.50'	10.67'	N 33°13'09" W

Copyright 2014
TOPOGRAPHIC SURVEY OF
4309 Providence Road
CHARLOTTE, MECKLENBURG COUNTY, N.C.
for Merrifield, Patrick, Vermillion, LLC
Date of Survey: June 9, 2014

Scale: 1" = 40'

1418 East Fifth St. Charlotte, NC 28204
Phone: 704-372-9444 Fax: 704-372-9555
Firm Licensure Number C-1054

LandDesign
223 N Graham Street Charlotte, NC 28202
V: 704-333-0325 F: 704-332-3746
www.LandDesign.com

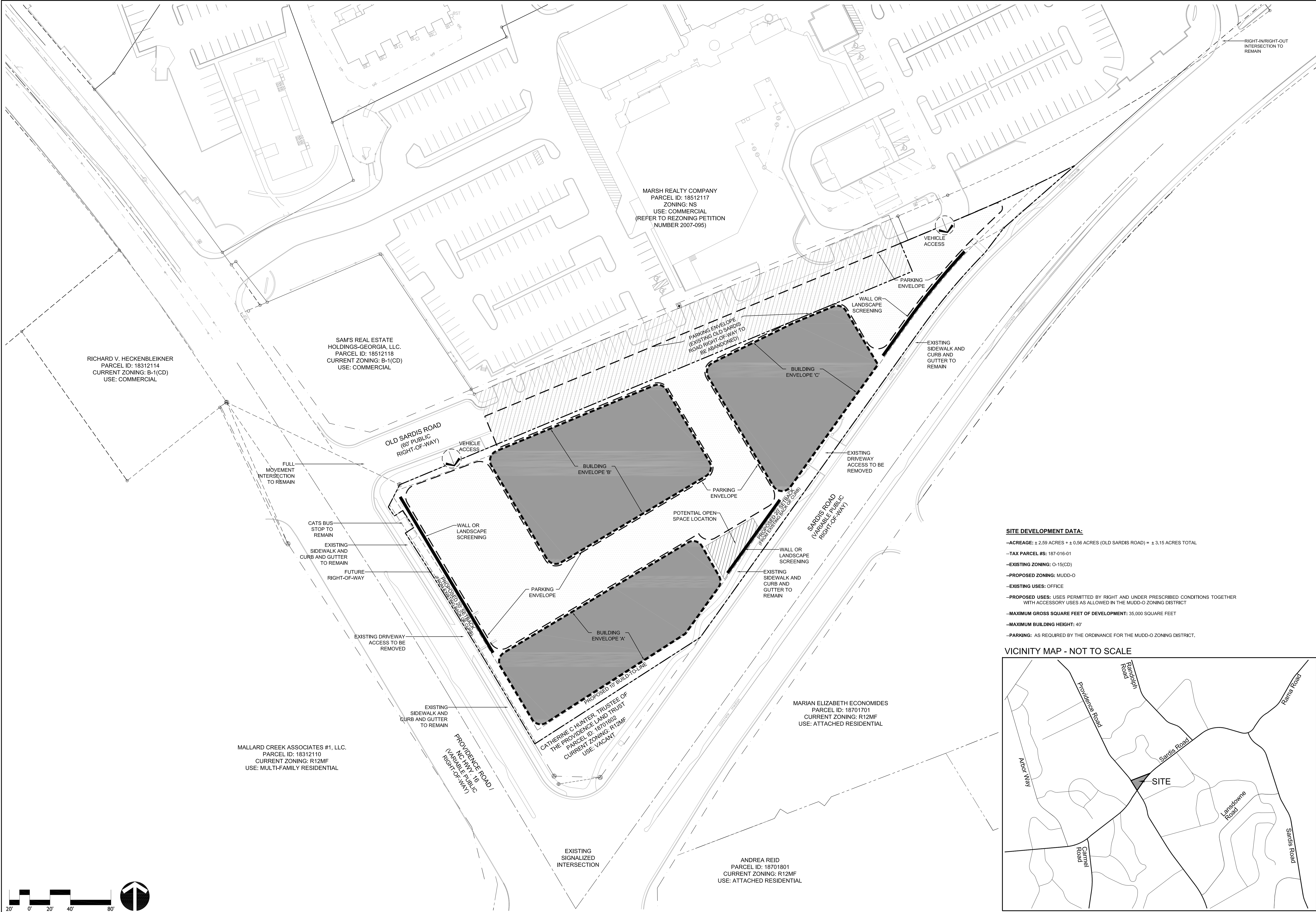
REZONING PETITION
#2014-XXX

STRAWBERRY HILL
REZONING DOCUMENTS
Merrifield, Patrick, Vermillion Properties, Charlotte, NC
EXISTING CONDITIONS

REVISIONS:

DATE: 07/28/2014
DESIGNED BY: SURVEYOR
DRAWN BY: SURVEYOR
CHECKED BY: SURVEYOR
SCALE: 1" = 40'-0"
PROJECT #: 1014209
SHEET #:

RZ-1.0



SITE DEVELOPMENT DATA:

--ACREAGE: ± 2.59 ACRES + ± 0.56 ACRES (OLD SARDIS ROAD) = ± 3.15 ACRES TOTAL

--TAX PARCEL #S: 187-016-01

--EXISTING ZONING: O-15(CD)

--PROPOSED ZONING: MUDD-O

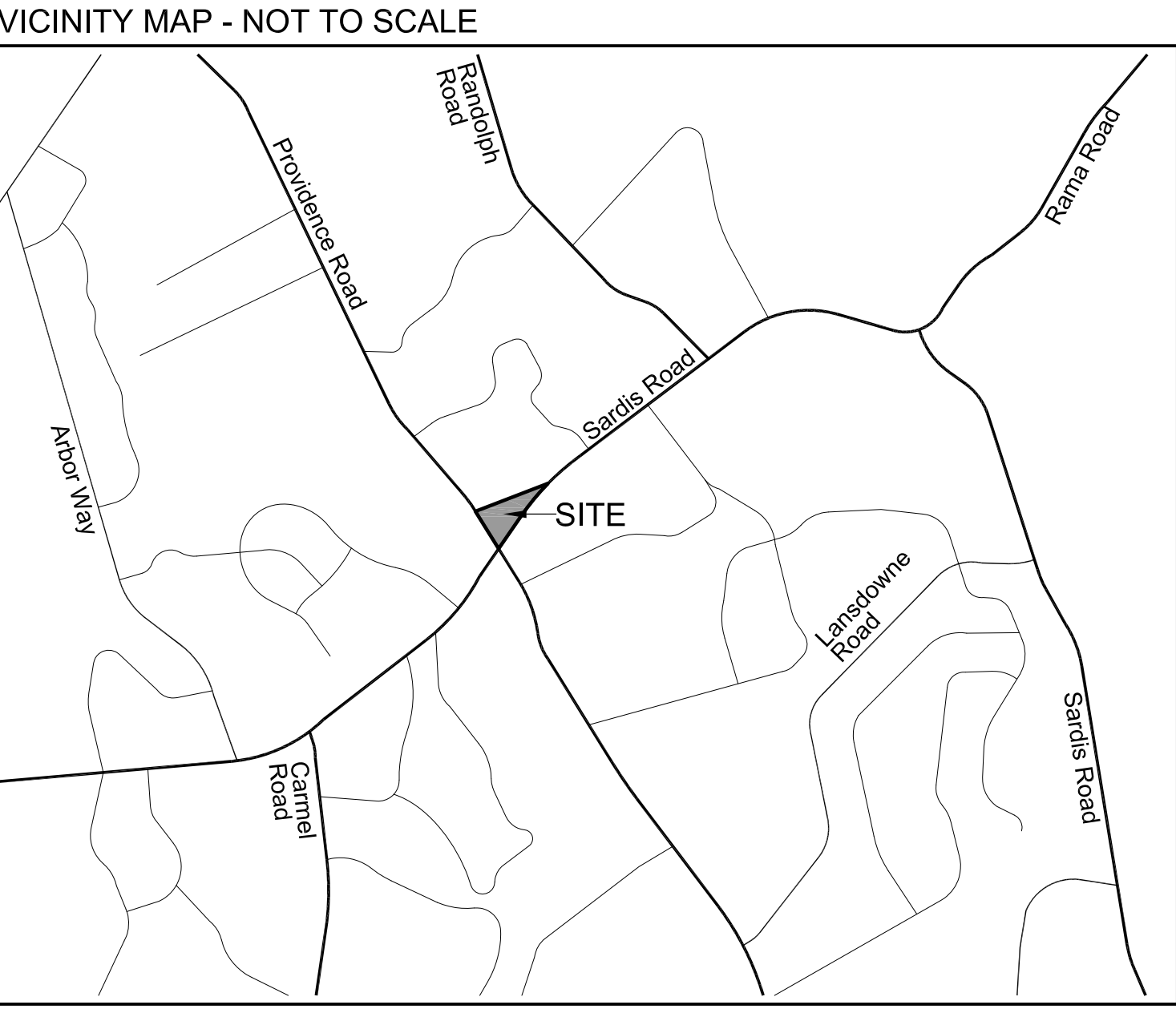
--EXISTING USES: OFFICE

--PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD-O ZONING DISTRICT

--MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: 35,000 SQUARE FEET

--MAXIMUM BUILDING HEIGHT: 40'

--PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD-O ZONING DISTRICT.



DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS

THE PURPOSE OF THIS REZONING REQUEST IS TO ACCOMMODATE THE REDEVELOPMENT OF AN APPROXIMATELY 3.15 ACRE PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF PROVIDENCE ROAD AND SARDIS ROAD ALSO IDENTIFIED AS MECKLENBURG COUNTY TAX PARCEL 187-016-01 (THE "SITE").

DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE ACCOMPANYING TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").

EXCEPT AS OTHERWISE PROVIDED UNDER THE MUDD-OPTIONAL PROVISIONS SET FORTH UNDER SECTION 2 HEREOF AND UNLESS THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

THE DEVELOPMENT DEPICTED ON THE TECHNICAL DATA SHEET IS INTENDED TO REFLECT THE SETBACKS, BUILDING ENVELOPES AND VEHICULAR ACCESS POINT RELATED TO THE PROPOSED DEVELOPMENT ON THE SITE.

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

2. MUDD-O OPTIONAL PROVISIONS

THE PETITIONER PROPOSES TO UTILIZE THE MUDD-O PROVISIONS OF THE ORDINANCE IN ORDER TO ACCOMMODATE THE FOLLOWING:

(a) A MAXIMUM OF TWO DRIVE-THROUGH SERVICE WINDOWS. HOWEVER, DRIVE-THROUGH SERVICE WINDOWS SHALL NOT BE PERMITTED AS AN ACCESSORY TO RESTAURANT USES.

3. PERMITTED USES AND MAXIMUM DEVELOPMENT

THE SITE MAY BE DEVELOPED WITH UP TO 35,000 SQUARE FEET OF COMMERCIAL FLOOR AREA. PERMITTED USES SHALL INCLUDE ALL PRINCIPAL AND ACCESSORY USES PERMITTED IN THE MUDD ZONING DISTRICT AS WELL AS ANY DRIVE-THROUGH SERVICE WINDOWS PERMITTED SUBJECT TO THE OPTIONAL PROVISIONS IN PARAGRAPH 2 ABOVE.

4. TRANSPORTATION

(a) VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINT SHOWN ON THE TECHNICAL DATA SHEET ARE SUBJECT TO ANY MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL.

(b) PETITIONERS SHALL ELIMINATE ONE EXISTING DRIVEWAY ACCESS TO PROVIDENCE ROAD AND ONE EXISTING DRIVEWAY ACCESS TO SARDIS ROAD AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET.

(c) THE PETITIONERS RESERVE THE RIGHT TO DEVIATE FROM THE STREET DESIGN DEPICTED ON THE TECHNICAL DATA SHEET, PROVIDED ANY PROPOSED CHANGE IS APPROVED IN ADVANCE BY CDOT.

(c) ALL PRIVATE STREETS MAY BE CONVERTED TO PUBLIC STREETS AT THE PETITIONERS' OPTION, PROVIDED THEY ARE DESIGNED TO PUBLIC STREET STANDARDS.

(d) PETITIONER SHALL PETITION FOR THE ABANDONMENT OF A PORTION OF THE OLD SARDIS ROAD RIGHT-OF-WAY AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. IN THE EVENT THAT A PORTION OF THE OLD SARDIS ROAD RIGHT-OF-WAY IS ABANDONED, THE ABANDONED AREA SHALL BE SUBJECT TO THE PROVISIONS OF THE REZONING PLAN.

(e) PETITIONER SHALL COORDINATE WITH CATS STAFF TO RELOCATE THE EXISTING PARK-AND-RIDE EASEMENT LYING WITHIN THE OLD SARDIS ROAD RIGHT-OF-WAY.

5. ARCHITECTURAL STANDARDS

(a) EXTERIOR BUILDING MATERIALS MAY INCLUDE BRICK, STONE, CAST STONE, PRECAST CONCRETE, CEMENTITIOUS SIDING, STUCCO, EIFS, AND METAL PANEL.

(b) ALL ROOF MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHTS-OF-WAY AND ABUTTING PROPERTIES AS VIEWED FROM GRADE.

(c) DUMPSTER AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE WALL WITH ONE SIDE BEING A HINGED OPAQUE GATE. IF ONE OR MORE SIDES OF A DUMPSTER AREA ADJOIN A SIDE OR REAR WALL OF A BUILDING, THEN THE SIDE OR REAR WALL MAY BE SUBSTITUTED FOR A SIDE.

6. STREETSCAPE AND LANDSCAPING

(a) PETITIONERS SHALL PROVIDE A TWENTY (20) FOOT SETBACK ALONG THE PORTIONS OF THE SITE THAT FRONT PROVIDENCE ROAD AND SARDIS ROAD.

(b) PETITIONER SHALL MAINTAIN THE EXISTING CURB LINES AND SIDEWALKS ALONG PROVIDENCE ROAD AND SARDIS ROAD.

7. ENVIRONMENTAL FEATURES

DEVELOPMENT ON THE SITE SHALL COMPLY WITH THE POST CONSTRUCTION CONTROLS ORDINANCE. PETITIONER MAY UTILIZE PORTIONS THE PROPERTY LYING TO THE NORTH OF THE SITE (CURRENTLY IDENTIFIED AS MECKLENBURG COUNTY TAX PARCEL 185-121-17) TO ACCOMMODATE STORMWATER FACILITIES THAT WILL SERVE THE SITE.

DEVELOPMENT ON THE SITE SHALL COMPLY WITH THE CHARLOTTE TREE ORDINANCE. REDEVELOPMENT ACTIVITY ON THE SITE IS EXEMPT FROM TREE SAVE REQUIREMENTS UNDER TREE ORDINANCE. HOWEVER, PETITIONER WILL PRESERVE TREES OVER EIGHT (8) INCHES DBH LOCATED WITHIN FOURTEEN (14) FEET OF THE BACK OF CURB ALONG THE PROVIDENCE ROAD AND SARDIS ROAD RIGHT-OF-WAYS.

8. OPEN SPACE

OPEN SPACES SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.

9. FIRE PROTECTION

FIRE PROTECTION SHALL BE PROVIDED IN CONFORMITY WITH THE SPECIFICATIONS OF THE FIRE MARSHALL.

10. SIGNAGE

SIGNAGE SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.

11. LIGHTING

(a) FREESTANDING LIGHTS SHALL NOT EXCEED 20 FEET IN HEIGHT.

REVISIONS:

DATE: 07/28/2014
DESIGNED BY: N/A
DRAWN BY: N/A
CHECKED BY: CB
Q.C. BY: CB
SCALE: N/A
PROJECT #: 1014209

SHEET #:
RZ-3.0

**STRAWBERRY HILL
REZONING DOCUMENTS**
Merrifield, Patrick, Vermillion Properties; Charlotte, NC

REZONING PETITION
#2014-XXX

LandDesign^{INC.}
2223 N Graham Street Charlotte, NC 28202
V: 704.333.0925 F: 704.332.3246
www.LandDesign.com

OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Complete All Fields

FY2013

Petition #: 2014-094

Date Filed: _____

Received By: _____

OWNERSHIP INFORMATION:

Property Owner: Eastway II Holdings LLC

Owner's Address: P.O. Box 36799 City, State, Zip: Charlotte, NC 28236

Date Property Acquired: _____ Utilities Provided: (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description): 3304 Eastway Drive

Tax Parcel Number(s): 12909121 (Portion of)

Current Land Use: Commercial/Retail/Vacant

Size (Sq.Ft. or Acres): Parcel (+\15.98 AC.) / Re-zone Area (+\3.05 ac)

ZONING REQUEST:

Existing Zoning: B-1SCD/B-D (CD)

Proposed Zoning: B-D (CD) & B-D(CD) S.P.A.

Purpose of Zoning Change: *(Include the maximum # of residential units or non-residential square footages):*

The purpose of the zoning change is to allow for the re-purpose of approximately 50,000sf of the currently vacant Wal-mart building. The size and dimensions of the existing building limits the potential uses and/or tenants for re-purpose of the building. The proposed zoning change will allow for self-storage as an approved use under the B-D (Business Development) zoning classification.

The B-D zoning classification will also require additional buffers between adjacent uses as noted on the rezoning plan.

Kevin Ammons, RLA

Name of Agent

200 S. Tryon, Suite 1400

Agent's Address

Charlotte, NC 28202

City, State, Zip

704-376-1555

Telephone Number

704-376-7851

Fax Number

KAmmons@ColeJenestStone.com

E-Mail Address

Signature of Property Owner if other than Petitioner

(Name Typed / Printed)

Eastway II Holdings LLC c/o John Turner

Name of Petitioner(s)

Post Office Box 36799

Address of Petitioner(s)

Charlotte, NC 28236-6799

City, State, Zip

704-941-3790

Telephone Number

Fax Number

JTurner@returnholdings.com

E-Mail Address

John L. Turner Jr.

Signature

John Turner

(Name Typed / Printed)

DEVELOPMENT STANDARDS

GENERAL PROVISIONS

1.

THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY EASTWAY HOLDINGS II, LLC TO ACCOMMODATE THE CONVERSION OF AN APPROXIMATELY 49,742 SQUARE FOOT PORTION OF A RETAIL BUILDING FORMERLY OCCUPIED BY WAL-MART TO A CLIMATE CONTROLLED SELF-STORAGE FACILITY ON THAT APPROXIMATELY 3.05 ACRE SITE LOCATED ON THE WEST SIDE OF EASTWAY DRIVE SOUTH OF THE INTERSECTION OF EASTWAY DRIVE AND CENTRAL AVENUE (THE "SITE").
2.

THE SITE IS A PORTION OF AN APPROXIMATELY 15.98 ACRE PARCEL OF LAND DESIGNATED AS TAX PARCEL NO. 129-091-21 (THE "PROPERTY"), AND THAT PORTION OF THE PROPERTY THAT IS NOT SUBJECT TO THIS REZONING PLAN IS THE SUBJECT OF A PENDING REZONING PETITION DESIGNATED AS REZONING PETITION NO. 2012-102.
3.

UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS, ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE FOR THE B-D (CD) ZONING DISTRICT SHALL GOVERN THE USE AND DEVELOPMENT OF THE SITE.
4.

FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 6.207 OF THE ORDINANCE.

PERMITTED USES

1.

THE SITE MAY BE DEVOTED ONLY TO A SELF-STORAGE FACILITY. SUCH FACILITY'S RENTAL AND MANAGEMENT OFFICES AND TO ANY ACCESSORY USES THAT ARE CLEARLY INCIDENTAL AND RELATED THERETO.
2.

THE STORAGE OF HAZARDOUS MATERIALS IS PROHIBITED.

TRANSPORTATION

1.

VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF EACH VEHICULAR ACCESS POINT ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
2.

OFF STREET PARKING WILL MEET THE MINIMUM STANDARDS ESTABLISHED UNDER THE ORDINANCE.

ARCHITECTURAL STANDARDS

1.

THE MAXIMUM HEIGHT OF THE BUILDING LOCATED ON THE SITE SHALL BE AS PERMITTED UNDER THE ORDINANCE.
2.

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 THE BUILDING, THEN THE SIDE WALL OR REAR WALL OF THE BUILDING MAY BE SUBSTITUTED FOR THE WALL OR FENCE ALONG EACH SUCH SIDE.

STREETSCAPE AND LANDSCAPING

1.

LANDSCAPING WILL MEET OR EXCEED THE REQUIREMENTS OF THE ORDINANCE.
2.

A 100 FOOT CLASS B BUFFER SHALL BE ESTABLISHED ALONG THE SITE'S SOUTHERN BOUNDARY LINE AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, WHICH BUFFER SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE. THIS 100 FOOT CLASS B BUFFER SHALL REMAIN UNDISTURBED, PROVIDED, HOWEVER, THAT IN THE EVENT THAT THE EXISTING VEGETATION DOES NOT MEET THE TREE AND SHRUB REQUIREMENTS OF A CLASS B BUFFER, PETITIONER MAY INSTALL SUPPLEMENTAL PLANTINGS TO BRING THIS CLASS B BUFFER INTO COMPLIANCE WITH THESE REQUIREMENTS.

3.

A 38 FOOT CLASS B BUFFER SHALL BE ESTABLISHED ALONG THE SITE'S WESTERN BOUNDARY LINE AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, WHICH BUFFER SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE. PURSUANT TO SECTION 12.302(8) OF THE ORDINANCE, PETITIONER MAY REDUCE THE WIDTH OF THE 38 FOOT CLASS B BUFFER BY 25% BY INSTALLING A WALL, FENCE OR BERM THAT MEETS THE STANDARDS OF SECTION 12.302(8) OF THE ORDINANCE.
4.

THE 38 FOOT CLASS B BUFFER SHALL NOT BE DISTURBED EXCEPT FOR REQUIRED DRIVEWAYS, SIDEWALKS, OR OTHER PEDESTRIAN PATHS, WALLS, FENCES, REQUIRED LANDSCAPING, LANDSCAPING MAINTENANCE AND REPLACEMENT OR THE INSTALLATION AND MAINTENANCE OF UTILITY LINES IN ACCORDANCE WITH SECTION 12.302(12) OF THE ORDINANCE.
5.

WHERE EXISTING TREES AND NATURAL VEGETATION HAVE BEEN CLEARED WITHIN THE 38 FOOT CLASS B BUFFER TO ACCOMMODATE THOSE ITEMS SET OUT ABOVE IN PARAGRAPH 4, THE CLEARED AND UNIMPROVED AREAS WILL BE LANDSCAPED WITH TREES AND SHRUBS IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.
6.

IN THE EVENT THAT AN ADJACENT PARCEL OF LAND IS EITHER REZONED TO A ZONING DISTRICT OR DEVOTED TO A USE THAT ELIMINATES OR REDUCES THE BUFFER REQUIREMENTS ON THE SITE, PETITIONER MAY REDUCE OR ELIMINATE, AS THE CASE MAY BE, THE RELEVANT BUFFER AREAS SET OUT ON THE REZONING PLAN ACCORDINGLY.

SIGNS

ALL NEW SIGNS INSTALLED ON THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE ORDINANCE.

LIGHTING

1.

ALL NEWLY INSTALLED FREESTANDING LIGHTING FIXTURES ON THE SITE (EXCLUDING STREET LIGHTS) 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 NEWLY INSTALLED FREESTANDING LIGHTING FIXTURE ON THE SITE SHALL BE 25 FEET.
3.

ANY NEW LIGHTING FIXTURES ATTACHED TO THE BUILDING LOCATED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

1.

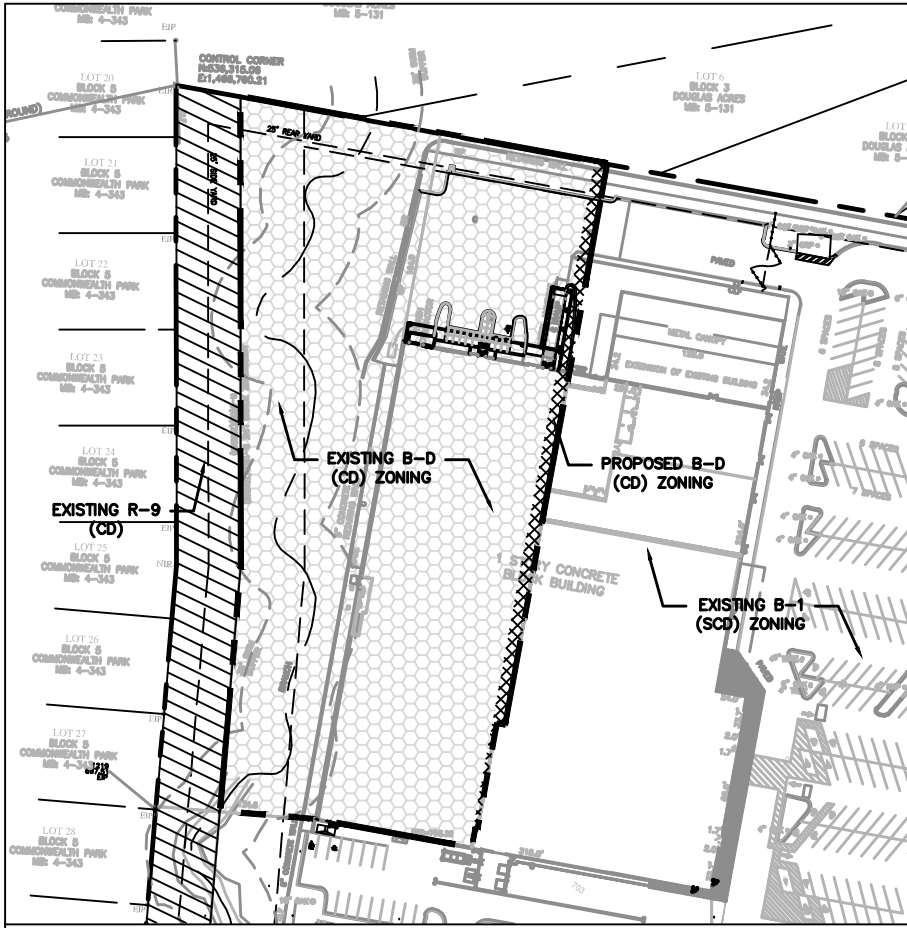
IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
2.

THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.
3.

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

ADJACENT PROPERTY OWNERS

PROPERTY	PARCEL	OWNER	ADDRESS
1	12909144	DOUGLAS FRANKSSON SHERIDAN AND PATRICIA FALKNER	1452 CAROLYN DR. CHARLOTTE, NC 28205
2	12909143	GENE T LIVINGSTON	1458 CAROLYN DR. CHARLOTTE, NC 28205
3	12909142	MABLE VEY	1468 CAROLYN DR CHARLOTTE, NC 28205
4	12909141	JAMES LAMARR JR DRUMM AND EDWARD GRANT CURTIS JR	1476 CAROLYN DR CHARLOTTE, NC 28205
5	12909140	JOHN R JR ASBURY AND CAROL W	1482 CAROLYN DR. CHARLOTTE, NC 28205
6	12909139	PAULINE J ASBURY	1490 CAROLYN DR. CHARLOTTE, NC 28205
7	12909122	EASTWAY I HOLDINGS LLC	P.O. BOX 36799 CHARLOTTE, NC 28236
8	12909120	THE SOUTH STREET GROUP LLC (C/O SOLID ROCK PROPERTIES)	438 GARRISON SUITE A, GATONIA NC, 28054
9	12909117	ELROY CLARKSON JR COX	1545 PINECREST AVE, CHARLOTTE, NC
10	12909116	MUHAMMED HUTASUHUT	807 EAST NEW ORLEANS AVE, TAMPA, FL 33603
11	12909115	HARRY R FLORKE	1533 PINECREST AVE, CHARLOTTE, NC 28205
12	12909114	WILLIAM J RUNYAN	1527 PINECREST AVE, CHARLOTTE, NC 28205
13	12909113	JOSEPH C SOLAN	1524 PINECREST AVE, CHARLOTTE, NC 28205
14	12909112	JOSE P WAEVER	1515 PINECREST AVE, CHARLOTTE, NC 28205
15	12909111	GEORGE W WHATI	1509 PINECREST AVE, CHARLOTTE, NC 28205
16	12909110	LEE BEFORD	1501 PINECREST AVE, CHARLOTTE, NC 28205
17	12909109	MORICEAU PROPERTIES, LLC	3719 ASHFORD LEIGH CT, CHARLOTTE, NC 28269
18	12909145	MARGARET FISHER	1442 CAROLYN DR, CHARLOTTE, NC 28205



EXISTING & PROPOSED ZONING

N.T.S.

PETITIONER: EASTWAY HOLDINGS II, LLC
P.O. BOX 36799
CHARLOTTE, NORTH CAROLINA 28236

ACREAGE: 3.05 ± INCLUDED IN REZONING

TAX PARCEL #: 12909121(PORION OF)

EXISTING ZONING: B-1SCD / B-D (CD)
PROPOSED ZONING: B-D (CD)

EXISTING USES: COMMERCIAL / RETAIL
PROPOSED USE: SELF STORAGE

MAX. BUILDING HEIGHT PER THE ORDINANCE

PARKING:

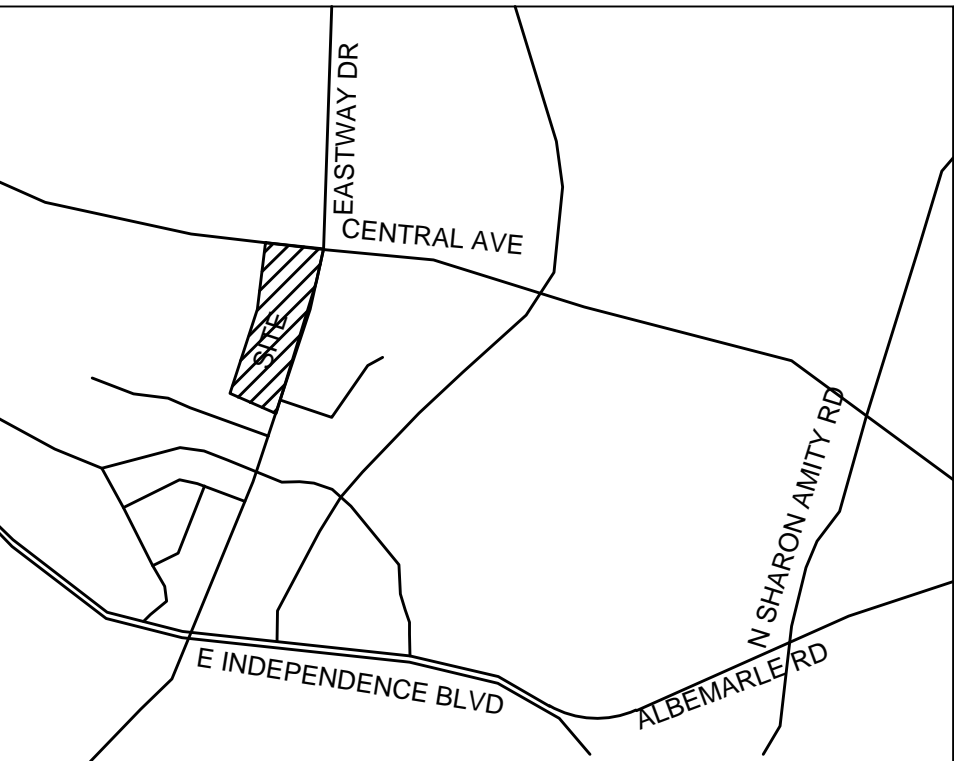
REQUIRED: 13 SPACES
TOTAL PROVIDED: 13 SPACES

TOTAL EXISTING BUILDING SF: 119,640 SF

PROPOSED BUILDING SUMMARY:

EXISTING BUILDING TO REMAIN B-1(SCD): 69,898 SF
EXISTING BUILDING TO BE REZONED: 49,742 SF

MAX ALLOWABLE FAR: 0.70, AS DEFINED BY THE ORDINANCE
PROPOSED FAR: 0.33

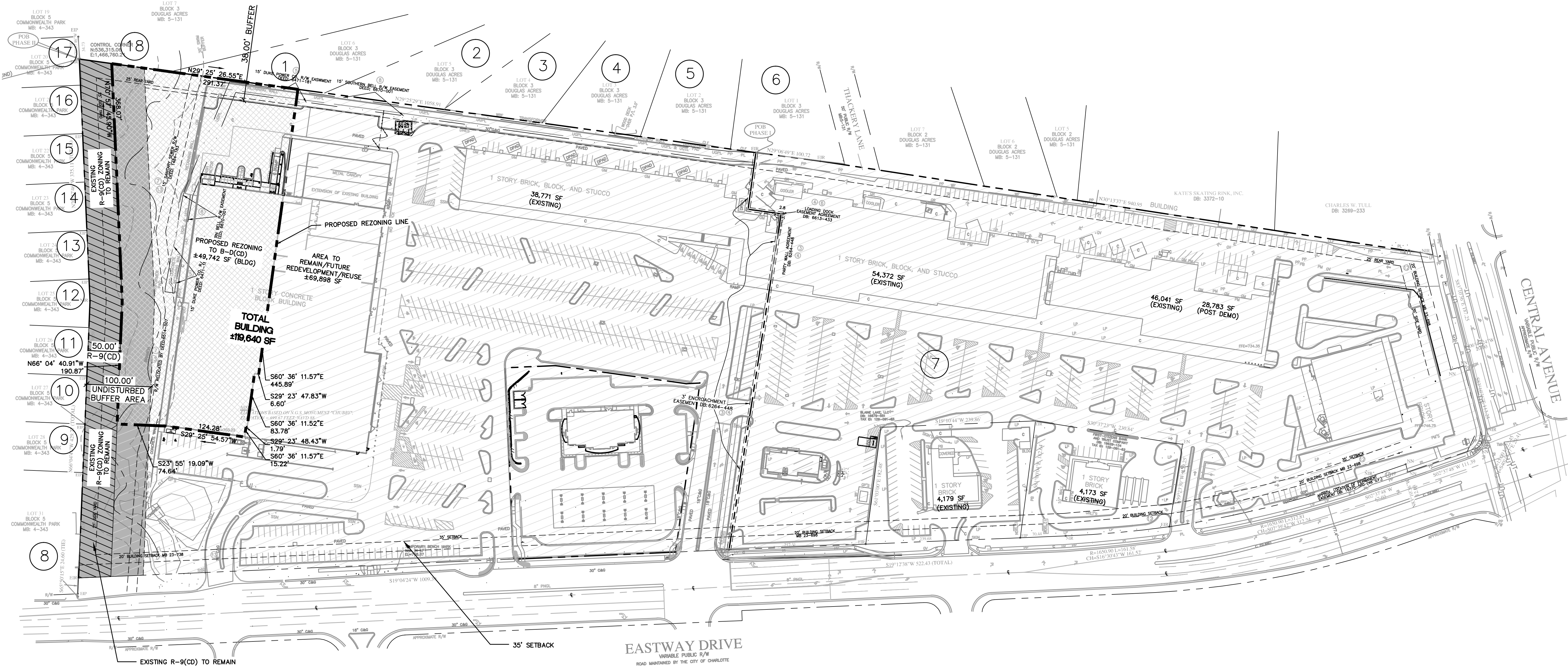


VICINITY MAP

N.T.S.

LEGEND

- PROPERTY TO BE RE-ZONED TO B-D(CD)
- SITE PLAN AMENDMENT; PETITION NO. 2012-102
- EXISTING R-9(CD) ZONING
- 100' UNDISTURBED BUFFER AREA



ColeJenest & Stone

Shaping the Environment
Realizing the Possibilities

Land Planning
Landscape Architecture
Civil Engineering
Urban Design

200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202
p+ 704.376.1555 f+ 704.376.7851
url+ www.colejeneststone.com

EASTWAY
HOLDINGS II,LLC
PO BOX 36799
Charlotte
North Carolina 28236

EASTWAY
CROSSINGS II

EASTWAY RD/CENTRAL AVE.
Charlotte
North Carolina 28284

REZONING PLAN
PETITION # 2014-XXX

Project No.
4189

Issued
07/28/14

Revised



SCALE: 1"= 80'

0 40' 80' 160'

RZ1.0

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OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

FY2014

Petition #: 2014-095

Date Filed: _____

Received By: _____

Complete All Fields

OWNERSHIP INFORMATION:

Property Owner: See Exhibit A attached hereto

Owner's Address: See Exhibit A attached hereto City, State, Zip: See Exhibit A attached hereto

Date Property Acquired: See Exhibit A Utilities Provided: (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description): North side of North Tryon Street between West Pavilion Boulevard and Salome Church Road

Tax Parcel Number(s): Portion of 029-052-11; 029-052-13; 029-052-14; 029-052-15; and 029-052-19

Current Land Use: Vacant

Size (Sq.Ft. or Acres): Approximately 5.08 acres

ZONING REQUEST:

Existing Zoning: R-3 and NS Proposed Zoning: B-1 (CD)

Purpose of Zoning Change: (Include the maximum # of residential units or non-residential square footages):
To accommodate the development of a QuikTrip convenience store with gasoline sales.

John Carmichael
Robinson Bradshaw & Hinson, P.A.
Name of Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341 704-373-3941
Telephone Number Fax Number

jcarmichael@rbh.com
E-Mail Address

See Attached Joinder Agreements
Signature of Property Owner if other than Petitioner

QuikTrip Corporation
c/o Brandon Forshee
Name of Petitioner(s)

3701 Arco Corporate Drive, Suite 150
Address of Petitioner(s)

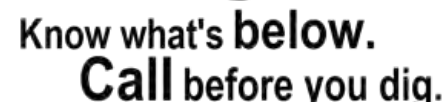
Charlotte, NC 28173
City, State, Zip

704-559-8015
Telephone Number Fax Number

bforshee@quiktrip.com
E-Mail Address

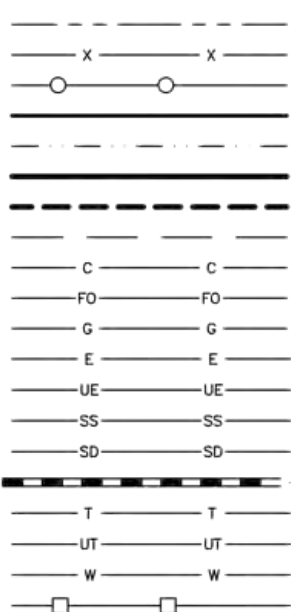
QUIKTRIP CORPORATION

By: Brandon Forshee
Name: Brandon Forshee
Its: _____



BCH – Beech
BRC – Birch
BRAD – Bradford Pear
CED – Cedar
CHY – Cherry
CRP – Crepe Myrtle
CYP – Cypress
DGW – Dogwood
HIC – Hickory
HOL – Holly
LOC – Locust
MAG – Magnolia
MAP – Maple
PEC – Pecan
PIN – Pine
POP – Poplar
SYC – Sycamore
WLN – Walnut
WLC – Wild Cherry

- Easement
- Fence
- Guard Rail
- Property Line
- Property Line (not surveyed)
- Right-Of-Way
- Right-Of-Way (not surveyed)
- Setback
- Cable tv Line
- Fiber optic Line
- Gas Line
- Power Line
- Power Line (underground)
- Sanitary Sewer Pipe
- Storm Drain Pipe
- Storm Drain Pipe >12"
- Telephone Line
- Telephone Line (underground)
- Water Line
- Wood Fence



this is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 minimum standard detail requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 6, 7(a), 7(b), 7(c), 8, 9, 10, 11(a), and 13 of table a thereof. the field work was completed on February 19, 2014.

Justin F. Cloninger
Professional Land Surveyor NCPLS L-4430

This is to certify that the subject property Is Not located in a special flood hazard area as shown on maps prepared by the federal emergency management agency, federal insurance administration, dated March 2, 2004
Community Panel NO: 3710458800J; Zone 'X'

This is to certify that on the 19th day of February 20 14 an actual survey was made under my supervision of the property shown on this plat, and that the boundary lines and the improvements, if any, are as shown hereon. This plat meets the minimum standards of practice for land surveying in North Carolina, board rule .1600 (21 n.c.m. 56) and the ratio of precision does not exceed an error of closure of one (1) foot per 10,000 feet of perimeter surveyed nor 20 seconds times the square root of the number of angles turned.

Signed

SURVEYED AND MAPPED BY:
R.B. PHARR & ASSOCIATES, P.
SURVEYING & MAPPING
LICENSURE NO: C-1471
420 HAWTHORNE LANE
CHARLOTTE, N.C. 28204
TEL. (704) 376-2186
FILE NO: W-4519
JOB NO: 80787

PRELIMINARY PLAN
NOT FOR RECORDATION
CONVEYANCE OR SALES

PROJECT NO.:#####

QuikTrip No. 1036

N. TRYON STREET & SALOME CHURCH ROAD
CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.



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REVIEWED BY

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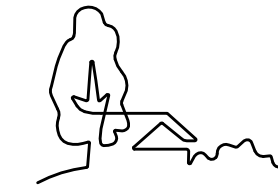
SURVEY PLAN

SU-4



SITE DATA (QUIKTRIP STORE 1036)	
TAX PARCEL ID #:	029-052-13 029-052-19 029-052-14 029-052-15 PORTION OF 029-052-11
TOTAL SITE/REZONING AREA:	±5.08 AC
EXISTING ZONING:	R-3 AND NS
PROPOSED ZONING:	B-1(CD)
PROPOSED USE:	SEE NOTES
DEVELOPMENT STANDARDS:	
SETBACK:	20' FROM ROW
SIDE:	0'
REAR:	10'
BUILDING AREA:	8,000 SF MAXIMUM
BUILDING HEIGHT:	25' MAXIMUM
VEHICULAR PARKING:	
REQUIRED:	32 (1 SP./250 SF)
PROPOSED:	60 (INC. 3 HANDICAP)

PROJECT NO.: 14-050



URBAN
DESIGN
PARTNERS

1318-e6 central ave. p 704.334.1
charlotte, nc 28205 p 704.334.2
urbandesignpartners.com
license no: P-0418

QuikTrip No. 1036

NORTH TRYON STREET AND SALOME CHURCH ROAD
CHARLOTTE NC



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PROTOTYPE: P-79
DIVISION: CAROLINAS (81
VERSION: 001
DESIGNED BY: UDP
DRAWN BY: UDP
REVIEWED BY: TK

[illegible]

ORIGINAL ISSUE DATE: 07 28 14

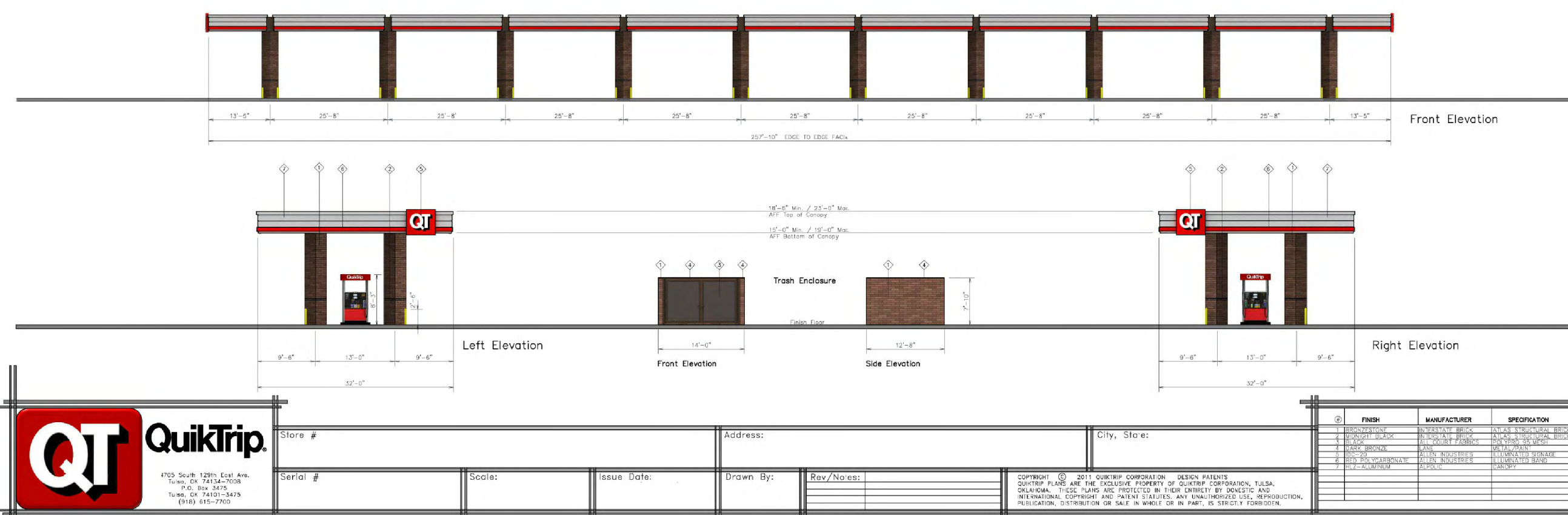
SHEET TITLE:

REZONING PLAN

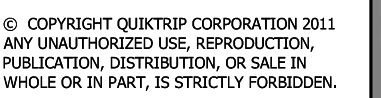
SHEET NUMBER:

RZ-1.0

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QuikTrip No. 1036
NORTH TRYON STREET AND SALOME CHURCH ROAD
CHARLOTTE, NC



PROTOTYPE: P-79
DIVISION: CAROLINAS (81)
VERSION: 001
DESIGNED BY: UDP
DRAWN BY: UDP
REVIEWED BY: TK

[illegible]

SHEET TITLE:
BUILDING ELEVATIONS AND
ILLUSTRATIVES

SHEET NUMBER:

RZ-3.0

OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

FY2014

Petition #: 2014-096

Date Filed: _____

Received By: _____

Complete All Fields

OWNERSHIP INFORMATION:

Property Owner: North Carolina Department of Transportation

Owner's Address: 716 West Main Street City, State, Zip: Albemarle NC 28001-4626

Date Property Acquired: 2001 Utilities Provided: (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTY (Address or Description): Located on the North Side of Ardrey Kell Road between Blakeney Heath Road and Community House Road across from Carson Whitley Ave.

Tax Parcel Number(s): 229-051-35

Current Land Use: Vacant

Size (Sq.Ft. or Acres): ±6.09 Acres

ZONING REQUEST:

Existing Zoning: R-3 Proposed Zoning: NS

Purpose of Zoning Change: (Include the maximum # of residential units or non-residential square footages):

To allow the development of a small group of "village styled" one-story buildings with office and retail uses.

Jeff Brown

Keith MacVean

Name of Agent

Moore & Van Allen

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

City, State, Zip

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

704-331-3531(KM) 704-378-1954(KM)

Telephone Number Fax Number

jeffbrown@mvalaw.com

keithmacvean@mvalaw.com

E-Mail Address

See Attachment A

Signature of Property Owner if other than Petitioner

(Name Typed / Printed)

Lenox Development Group, LLC (attn. Eric Vargosko)

Name of Petitioner(s)

PO Box 40

Address of Petitioner(s)

Cramerton, NC 28032

City, State, Zip

980-428-3904

Telephone Number

Fax Number

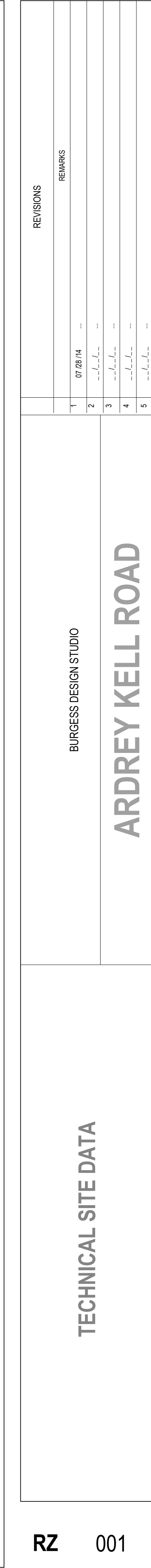
eric@lenoxdg.com

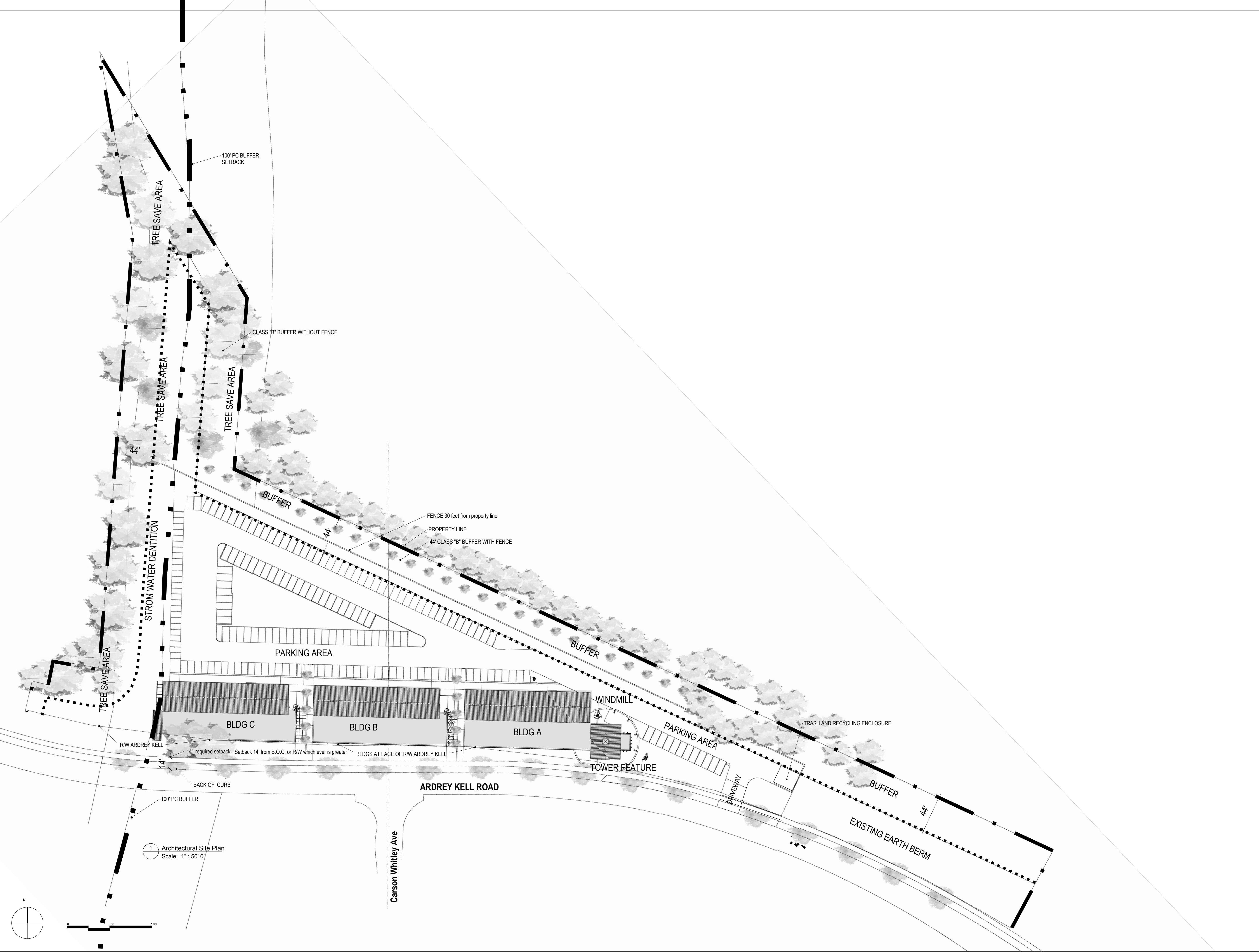
E-Mail Address

See Attachment B

Signature

(Name Typed / Printed)





ARCHITECTURAL SITE PLAN		BURGESS DESIGN STUDIO		REVISIONS		
				REMARKS		
				1	07/28/14	...
				2
				3
		ARDREY KELL ROAD		4
5		
RZ						
002						

1. General Provisions:

- a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Lenox Development Group, LLC ("Petitioner") to accommodate the development of a "village styled" group of one-story buildings with up to 30,000 square feet of gross floor area on approximately ± 6.09 acre site located on the north side of Ardrey Kell Road between Blakeney Heath Road and Community House Road across from Carson Whitley Avenue (the "Site").
- b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the NS zoning classification shall govern.
- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, and other development matters and site elements (collectively the "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:

- expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or,
- minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
- modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "external building line" (in this case the external setbacks or buffer areas) indicated on the Rezoning Plan; or
- modifications to allow minor increases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

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

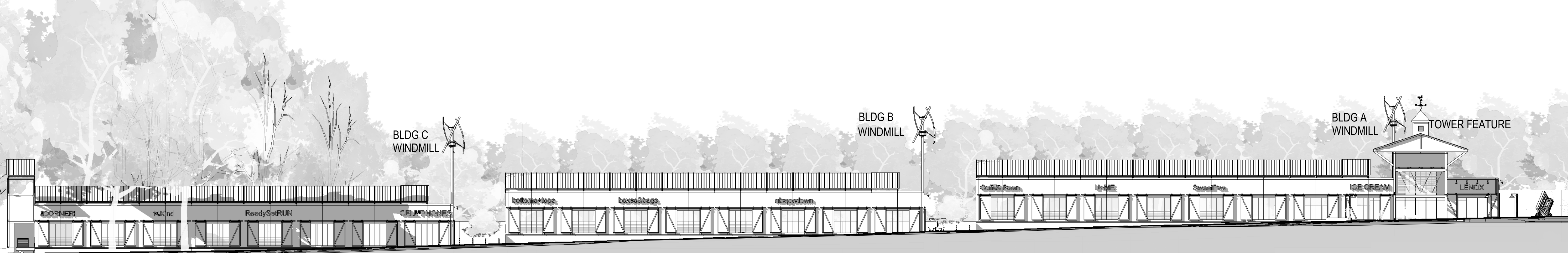
- d. **Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site shall not exceed four (4). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site.



PERSPECTIVE ALONG ARDREY KELL SIDEWALK



PERSPECTIVE ALONG ARDREY KELL SIDEWALK



2 Ardrey Kell Elevation
Scale: 1" = 20' 0"

2. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with up to 30,000 square feet of gross floor area of the following uses; office, retail, personal services, and restaurants with no more than 5,000 square feet of gross floor area (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 merchandised but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa's, Yoga and exercise studios, nail salons, massage shops, martial art training studios, locksmiths, and alike), together with accessory uses allowed in the NS zoning district.
- b. The following uses will not be allowed on the Site: uses with accessory drive-through windows, gasoline service stations with or without a convenience store, residential dwelling units, and restaurants with more than 5,000 square feet of gross floor area.
- c. Surface parking areas will not be allowed between the proposed buildings and Ardrey Kell Road.
- d. A 14 foot setback will be established along Ardrey Kell Road. The 14 foot setback will be measured from the back of the existing curb along Ardrey Kell Road.
3. **Access and Transportation:**
- a. Access to the Site will be from Ardrey Kell Road in the manner generally depicted on the Rezoning Plan.
- b. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by CDOT in accordance with applicable published standards.
- c. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.
4. **Architectural Standards:**
- 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 siding (such as hardi-plank), stucco, EIFS, decorative block, architectural metal panels and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings.
- b. The attached illustrative building elevations are included to reflect an architectural style and a quality of the building that may be constructed on the Site (the actual building constructed on the Site may vary from these illustrations provided that the design intent is preserved).
- c. The buildings constructed on the Site abutting Ardrey Kell Road will be designed and constructed so that the building facades facing Ardrey Kell Road will include 40% fenestration (fenestration will be defined as an opening in the exterior building wall with windows allowing light and views between the interior and exterior and not screened from view). Glazing of windows shall be transparent under all lighting conditions; however, spandrel or colored glass may be used in the area above the height of the door head. Fenestrations shall extend from a height of no more than three feet from the exterior average grade at the base of the building to at least the height of the door head.
- d. Meter banks will be screened from adjoining properties and from Ardrey Kell Road.
- e. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade. HVAC and related mechanical equipment may not be located between the proposed building and Ardrey Kell Road.

5. Streetscape, Buffers, Yards and Landscaping:

- a. Along Ardrey Kell Road the existing sidewalk and planting strip will be preserved.
- b. A 44 foot Class B Buffer with a solid six foot decorative fence will be provided where the Site abuts existing single-family homes or R-3 zoning as generally depicted on the Rezoning Plan.
- c. The Petitioner will provide a sidewalk network that links to each building on the Site to the sidewalk along Ardrey Kell Road in the manner generally depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.
- d. Screening requirements of the Ordinance will be met.
- e. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.
- f. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building. The location of the proposed dumpster and recycling areas is generally depicted on the Rezoning Plan.

6. Environmental Features:

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

7. Signage:

- a. One detached ground mounted identification sing sign will be allowed along Ardrey Kell Road. The allowed detached sign may be up to five (5) high and contain up to 50 square feet of sign area.
- b. Wall signs as allowed by the ordinance may be provided.

8. 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, and parking areas.
- b. Detached lighting on the Site will be limited to 15 feet in height.

9. Amendments to the Rezoning Plan:

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

10. Binding Effect of the Rezoning Application:

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.

CHARACTER IMAGES					BURGESS DESIGN STUDIO					ARDREY KELL ROAD				
REVISIONS														
REMARKS														
1					07/28/14	---	---	---						
2					--	--	--	--						
3					--	--	--	--						
4					--	--	--	--						
5					--	--	--	--						