



NORTHWOOD RAVIN

NORTHWOOD RAVIN, LLC

558 EAST STONEWALL STREET
SUITE 120
CHARLOTTE, NC 28202

PINEHURST MULTIFAMILY REZONING

4100 PROVIDENCE ROAD
CHARLOTTE, NC 28204



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CONDITIONAL REZONING PLAN

Project No.

4403

Issued

03/11/19

Revised

05/13/19 - STAFF REVIEW COMMENTS

06/10/19 - STAFF REVIEW COMMENTS

08/12/19 - STAFF REVIEW COMMENTS

09/26/19 - STAFF REVIEW COMMENTS



REZONING PETITION 2019-047

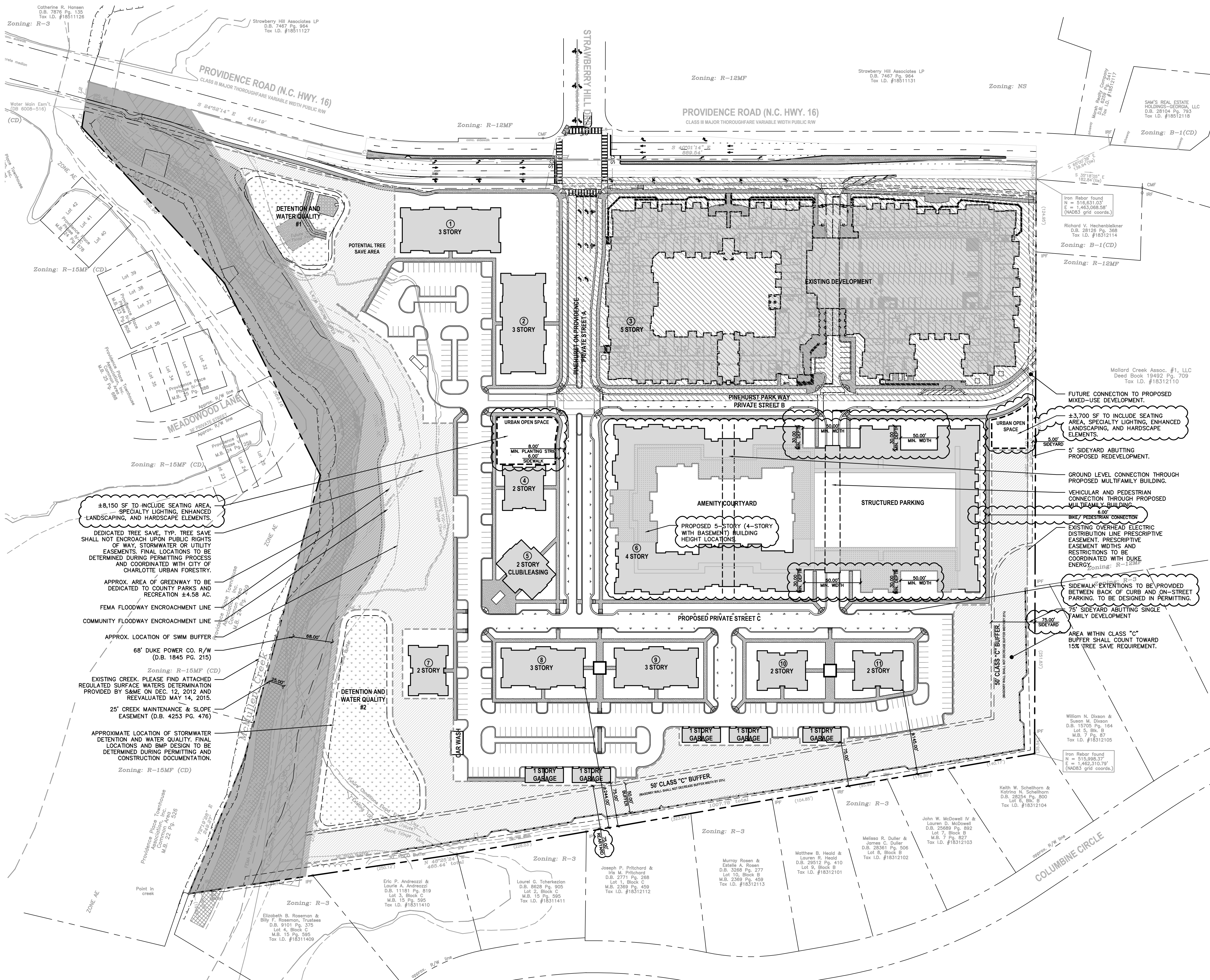
SCALE: 1"=80'

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RZ-100

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LEGEND

SYMBOL

- GREENWAY DEDICATION AREA
- CREEK EASEMENT
- DUKE RIGHT-OF-WAY
- DEDICATED TREE SAVE
- PROPOSED SIDEWALK CONNECTION
- PROPOSED CURB & GUTTER

REZONING SUMMARY

| | |
|---|--|
| PETITIONER: | NR PINEHURST PROPERTY OWNER, LLC 558 E. STONEWALL STREET SUITE 120 CHARLOTTE, NC 28202 |
| PROPERTY OWNER: | NR PINEHURST PROPERTY OWNER, LLC 558 E. STONEWALL STREET SUITE 120 CHARLOTTE, NC 28202 |
| REZONING SITE AREA : (GROSS) | ±36.06 AC |
| AREA TO BE DEDICATED: (PROVIDENCE ROAD TRANSITIONAL R/W) | ±1.89 AC |
| REZONING SITE AREA: (NET) | ±34.21 AC |
| TAX PARCEL #: | 183-121-11 |
| EXISTING ZONING: | MUDD-O |
| PROPOSED ZONING: | MUDD-O - SPA |
| EXISTING USE: | MULTI-FAMILY RESIDENTIAL |
| PROPOSED USE: | MULTI-FAMILY RESIDENTIAL |
| MINIMUM SETBACK: | 14' FROM THE FUTURE BACK OF CURB |
| MINIMUM SIDE YARD: | 75' FOR SITE BOUNDARY ABUTTING SINGLE FAMILY RESIDENTIAL 5' FOR SITE BOUNDARY ABUTTING PROPOSED MIXED-USE DEVELOPMENT |
| MINIMUM REAR YARD: | 75' |
| MAXIMUM BUILDING HEIGHT: | 5 STORIES |
| PARKING RATIO: | 1.00/UNIT MINIMUM |
| DEDICATED TREE SAVE: | REQUIRED: 5.33 AC (15%) PROVIDED: 5.25 AC |
| APPROVED DENSITY: | 581 UNITS PER APPROVED REZONING PETITION #2013-023 & #2015-052 & #2016-032 |
| EXISTING DENSITY (INCLUDING BLDG 3): | 581 UNITS |
| PROPOSED DENSITY: | 830 UNITS |

1. SEE SHEET RZ-200 FOR DEVELOPMENT STANDARDS
2. SEE SHEET RZ-300 FOR REZONING EXHIBITS

Site Development Data:

- Acreage:** ± 36.058 acres
- Tax Parcel #:** 183-121-11
- Existing Zoning:** MUDD-O
- Proposed Zoning:** MUDD-O SPA
- Existing Uses:** residential
- Proposed Uses:** Up to 830 multi-family dwelling units together with accessory uses, as allowed in the MUDD-O zoning district.
- Maximum Building Height:** Up to five (5) stories and as indicated on the Rezoning Plan. Height to be measured as required by the Ordinance.
- Parking:** As required by the Ordinance, a minimum of one (1) space per residential dwelling unit.
- Open Space:** A minimum of 15% of the Site will be established as tree save/open space areas as defined by the Ordinance

1. General Provisions:

- a. These Development Standards form a part of the Rezoning Site Plan associated with the Rezoning Petition filed by Northwood Ravin Development to accommodate development of multi-family dwellings on an approximately 36.058 acre site located at 3924 Providence Road (the "Site").
- b. Development of the Site will be governed by the attached Rezoning Site Plan and these Development Standards (collectively referred to as the "Rezoning Plan") as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD-O zoning district classification shall govern development taking place on the Site.
- c. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, and other site elements set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the development and site elements proposed, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the Development Standards, provided, however, any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Changes to the Rezoning Plan not permitted by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.
- d. Parking layouts and driveways for surface and structured parking may be modified to accommodate final building locations, and parking spaces may be located within the maximum building/parking envelopes and development area boundaries to the extent permitted by the Ordinance. Sidewalks generally depicted on the Rezoning Plan are intended to reflect the general pedestrian circulation for development on the Site but the specific locations of such sidewalks may be subject to variations that do not materially change the design intent generally depicted on the Rezoning Plan.
- e. Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site shall not exceed 14. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site.
- f. The redevelopment of the Site is planned to occur in phases. The improvements depicted on the site plan will be constructed as that portion of the Site is redeveloped as generally depicted on the Rezoning Plan.

2. Optional Provisions:

- a. The following optional provisions shall apply to the development of the Site:

(i) As generally depicted on the Rezoning Plan, parking and maneuvering space shall be allowed between the rear of Building # 3 and the internal private street along the private drive that extends through the center of Building # 3, as generally depicted on the Rezoning Plan.

(ii) The existing buildings, parking and maneuvering areas, amenities and other improvements located on the Site may remain in place and be utilized until such time that the relevant portions of the Site on which these improvements are located are redeveloped.

(iii) Sidewalk and planting strip width, near culvert at northern property line, will be determined during construction plan review and approved by CDOT and Engineering and Property Management.

3. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with up to 830 multi-family dwelling units together with accessory uses allowed in the MUDD-O zoning district.

b. Workforce Housing: The Petitioner shall voluntarily provide a workforce housing program to ensure that some residential units are reasonably priced for persons earning less than the area median income. The Petitioner shall ensure that no fewer than 25 of the units constructed in building #6 (equal to 10% of the additional units added to the site as part of this petition), for a period of not less than 15 years (this 15 year period will begin when the first certificate of occupancy is issued for the first unit in Building # 6), maintain monthly rents that are income restricted for households earning 80% or less of the area median income.

(i) In addition the Petitioner will maintain (will not demolish or redevelop), for a minimum of five (5) years, (the five year period will start on the date of the approval of this Rezoning Petition (2019-047)), a minimum of 130 of the existing Older Units constructed on the Site ("Older Units" defined as the units constructed on or about 1967). The Petitioner reserves the right to reduce the number of Older Units that are maintained by 10% if during the final engineering of the construction plans for building #6 it is determined that a minimum of 130 units cannot be preserved due to engineering constraints and/or requirements associated with the construction of building # 6.

- c. Surface parking areas will not be allowed between Providence Road and the new buildings that abut Providence Road, provided, however, surface parking areas may be located to the side of the new buildings abutting Providence Road as generally depicted on the Rezoning Plan.

- d. Structured parking facilities may be located on the Site.

e. Those buildings designated as Building Nos. 1, 2, 4 and 5 on the Rezoning Plan are each located in a building envelope that is formed by the relevant adjacent internal streets and/or parking areas, and each of these buildings may rotate and/or change locations within their respective building envelopes at the option of Petitioner.

4. Transportation/Access Notes:

- a. Except as described below in this subsection access to the Site will be from Providence Road as generally depicted on the Rezoning Plan. The Rezoning Plan, however, references a possible vehicular/pedestrian connection from the Site to that certain parcel located adjacent and to the south of the Site and known as Tax Parcel # 183-121-10 (the "Southern Adjacent Parcel"). In order to promote such a possible future vehicular/pedestrian connection between the Site and the Southern Adjacent Parcel, Petitioner agrees to the following provisions:

- (i) the Petitioner has designed the Site in such a manner to allow for one vehicular and pedestrian connection by way of a private street to permit pedestrians and automobiles between the Site and the Southern Adjacent Parcel (but not commercial truck traffic);
- (ii) as part of the development contemplated by this Rezoning Plan, such connection has been installed by Petitioner to the common property line in substantially the location and containing substantially the same design generally depicted on the Rezoning Plan, including sidewalk improvements consisting of a 6 foot wide sidewalk and 8 foot wide planting strip on both sides of such private street;

- (iii) the portion of the connection on the Site has been designed and constructed at the property line within ±2 feet above or below the existing grade of the Southern Adjacent Parcel to facilitate the connection;
- (iv) the connection shall be opened only upon the redevelopment of the Southern Adjacent Parcel in such a manner as to require, either by conditional rezoning conditions, subdivision requirements or other regulatory requirements, a vehicular and pedestrian connection from the Southern Adjacent Parcel to the Site;
- (v) once such connection is made it may not be gated and shall remain open to the public for pedestrians and automobiles (but not commercial truck traffic) by way of a private street connection; and
- (vi) it is understood that no financial payment shall be due to either the Petitioner nor the owner of the Southern Adjacent Parcel for the connection except that such parties shall agree to bear the cost of the maintenance and repair of their respective portions of the connection pursuant to a reciprocal cross-easement agreement to be recorded in Mecklenburg County Public Registry.
- b. The Petitioner will modify Pinehurst on Providence Drive to provide two (2) eastbound left-turn lanes at its intersection with Providence Road. Each left-turn lane will have approximately 250 feet of storage and a bay taper as generally depicted on the Rezoning Plan.

c. Petitioner has dedicated an fee-simple to the City of Charlotte that portion of the Site's frontage on Providence Road that is more fully depicted on the Rezoning Plan as right-of-way. (This right-of-way dedication is recorded in map book 65 and page 18.

- d. The Petitioner has designed and constructed the primary driveway on Providence Road as a full movement signalized driveway as generally depicted on the Rezoning Plan.

e. The Petitioner has completed the extension of a northbound left-turn lane from Providence Road to Pinehurst on Providence Drive.

f. Subject to the provisions and design described in Section 3.d. above the placements and configurations of vehicular access points are subject to any minor modifications, as approved by CDOT/NC DOT, required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT/NC DOT in accordance with applicable published standards.

g. The Petitioner will reconstruct the accessible ramps located on the east side of the intersection of Providence Road and Strawberry Hill Drive. The Petitioner is only responsible for the reconstruction of the ramps. The ramps will be reconstructed prior to the issuance of the first certificate of occupancy for building #6.

h. 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.

i. The southernmost vehicular access point into the Site from Providence Road has been constructed as a private drive that extends from Providence Road, through the structured parking facility to the internal private street. A schematic design of this private drive is set out on the Rezoning Plan. This private drive will be open to the public for vehicular ingress and egress to and from the Site.

j. Any required roadway improvements will be approved and constructed prior to the issuance of the last certificate of occupancy for building #6 subject to the petitioner ability to post a bond for any improvements not in place at the time of the issuance of the last certificate of occupancy.

k. The Petitioner will make a \$25,000 contribution to the City of Charlotte to assist with the construction of a sidewalk along Providence Road as part of "Providence Road Sidewalk Project No. 512-17-001". The \$25,000 contribution will be made prior to the issuance of a building permit for Building #6.

5. Architectural Standards:

- a. The exterior building materials used on the new buildings to be 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, and/or wood. At least 35% of the exterior of each building, exclusive of windows, doors and roofs, will be constructed of brick, stone, synthetic stone, precast stone or precast concrete. Vinyl as a building material on the new buildings to be constructed on the Site may only be used on windows, soffits, trim and railings.

- b. The maximum height in stories of each multi-family apartment building to be constructed on the Site is designated on the Rezoning Plan.

c. The buildings to be constructed on the Site may have a variety of architectural styles, however, such buildings shall be compatible to and complementary with the building previously constructed in terms of architectural style and character and exterior building materials.

d. The Rezoning Plan illustrates a number of accessory structures (garages) along the western property boundary. The number of these accessory structures (garages) that may be constructed along this western property boundary may vary from what is depicted. The garages shall have a maximum height of one story, and the garages shall be consistent with the principal buildings in terms of building materials, texture and color, but may have simplified architectural detailing and features.

e. A prominent pedestrian entry into building three (3) has been provided at a grade differing from the grade of the public sidewalk along Providence Road, and shall be highly visible and architecturally treated as a prominent pedestrian entrance through a combination of at least five (5) of the following features: (i) decorative pedestrian lighting/sconces; (ii) architectural details carried through to the upper stories; (iii) covered porches, canopies, awnings or sunshades; (iv) archways; (v) transom windows; (vi) terraced or raised planters that can be utilized as seat walls; (vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (viii) double doors; (ix) stoops or stairs; and/or (x) contrasting pavement from the primary sidewalk; (xi) other elements to be determined during the urban plan review.

f. A prominent pedestrian entry into building six (6) shall be provided from the grade of the public sidewalk along Pinehurst Park Drive, and shall be highly visible and architecturally treated as a prominent pedestrian entrance through a combination of at least five (5) of the following features: (i) decorative pedestrian lighting/sconces; (ii) architectural details carried through to the upper stories; (iii) covered porches, canopies, awnings or sunshades; (iv) archways; (v) transom windows; (vi) terraced or raised planters that can be utilized as seat walls; (vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (viii) double doors; (ix) stoops or stairs; and/or (x) contrasting pavement from the primary sidewalk; (xi) other elements to be determined during the urban plan review.

- g. Meter banks will be screened.

h. HVAC and related mechanical equipment will be screened from public view at grade.

i. Exterior dumpster areas and recycling areas will be enclosed by a solid wall with one side being a decorative gate. The wall used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the buildings. 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. Additionally, dumpster and recycling areas may be located within structured parking facilities or within the interior of a building located on the Site, and any such dumpster and recycling areas may have roll up doors and containers can be moved outside to be emptied and then returned to the interior of the structured parking facility or a building.

j. The new buildings constructed on the Site will be constructed to meet a nationally recognized green building standard such as LEED, NGBS, or the Green Building Initiative's Green Globes program.

6. Streetscape, Buffers, Open Space, and Landscaping:

- a. The Petitioner will provide a minimum of a 75 foot rear yard along the western and southern property lines abutting the existing single-family zoning as generally depicted on the Rezoning Plan (this rear yard will apply to principal and accessory buildings). Other setbacks and yards as required by the Ordinance will be provided.

- b. The Petitioner will provide eight (8) foot planting strips and six (6) foot sidewalks along the Site's frontage on

Providence Road as generally depicted on

- c. The Petitioner will construct an internal sidewalk connection for pedestrians and cyclist along the southern edge of building #6 as generally depicted on the Rezoning Plan.

d. As generally depicted on the Rezoning Plan, Petitioner will provide a sidewalk and cross-walk network that links the buildings on the Site with one another and links the buildings to the sidewalks along the abutting public street. The minimum width for this internal sidewalk will be five (5) feet.

e. Upon the demolition of the existing buildings located on the western boundary of the Site and a portion of the southern boundary of the Site adjacent to the existing single family homes on Columbine Circle (which is expected to occur last), Petitioner shall provide and establish a 50 foot rear yard and a 50 foot Class C buffer along the western boundary of the Site and a 50 foot Class C buffer along a portion of the southern boundary of the Site as generally depicted on the Rezoning Plan. This 50 foot Class C buffer will be landscaped with a combination of trees and shrubs that will exceed the buffer requirements of the Ordinance, a minimum of 20 trees (11 larger maturing & nine (9) medium maturing trees) and 40 shrubs (less than 20% deciduous) will be installed every 100 liner feet within the buffer. The width of the 50 foot Class C buffer may not be reduced. Accessory structures will not be allowed in the 50 foot Class C buffer.

- f. Screening requirements of the Ordinance will be met.

g. Notwithstanding anything contained herein to the contrary and notwithstanding that the redevelopment of the Site is expected to occur in phases. The Petitioner has installed a six (6) foot tall masonry wall along a portion of the western boundary of the Site and along a portion of the southern boundary of the Site as generally depicted on the Rezoning Plan. The installation of this six (6) foot tall masonry wall shall not permit the width of the 50 foot Class C buffer to be reduced when such buffer is established as provided above.

h. In addition to the urban open space areas provided within the interior courtyards of building #3 and #6 the Petitioner will provide two (2) improved urban open space in the areas of the Site; one generally located at the intersection of Private Street A and B; and a second located at the southern terminus of Private Street B as generally depicted on the Rezoning Plan. The minimum size of the open space area at the intersection Private Street A and B will be 8,000 square feet, and the minimum size of the open space area located at the terminus of Private Street B will be 3,000 square feet. Each area will be improved with; landscape areas, hardscape and walkway areas, seating areas, and lighting. The urban open space located at the intersection of Private Street A and B will be constructed as part of the final phase of development. The urban open space located at the terminus of Private Street B will be completed once Private Street B is extended to the south onto the adjoin property and open to Providence Road. Until Private Street B is extended and open a temporary fire truck turn around may be located in the general area of this urban open space. Some of the proposed urban open space may be completed if it can be constructed without interfering with the operation of the temporary fire truck turn around.

- i. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

7. Buffers Adjacent to Providence Place Townhomes & Columbine Circle:

a. As part of the Development of building #6 the Petitioner will provide additional landscaping/buffering along the northern and western property lines as generally depicted on the Rezoning Plan. The additional landscape and buffer areas will be planted with evergreen trees and shrubs (no shrubs to be planted in the area where a brick wall has been provided) at the rate and size required by a Class C Buffer. The exact location and amount of planting within these areas may vary from what is indicated on the Rezoning Plan to accommodate field conditions and existing utility easements.

b. This additional buffer planning will be installed prior to the issuance of the first certificate of occupancy for a unit within building #6.

c. The additional landscape buffer area along the western property line (adjacent to Columbine Circle) may be removed during the redevelopment of that portion of the Site and the area will be replanted with the enhanced 50 foot buffer as described in note 6.d. The Petitioner will use best efforts to preserve as much of the landscaping buffer plantings as possible during redevelopment of this portion of the Site.

d. The majority of the landscape buffer area along the northern property line adjacent to the Providence Place townhomes will be incorporated into the final tree save area to be located in that area of the Site. Modifications and adjustments to the planting areas may be required to comply with tree save standards.

8. 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 but may be relocated to other portions of the Site during the design development and construction phases.

9. Open Space/Tree Save Areas/Greenway Conveyance:

a. Open space/tree save areas equaling 15% of the Site area will be provided. The open space/tree save areas depicted on the Rezoning Plan may be relocated to other locations on the Site. The area of the Site dedicated to County Parks and Recreation for a greenway may be used to meet this requirement.

b. Prior to the issuance of the last certificate of occupancy for the last building constructed along McMullen Creek as generally depicted on the Rezoning Plan, Petitioner will dedicate and convey to Mecklenburg County Parks and Recreation for greenway purposes the area and access easement as generally depicted on the Rezoning Plan along McMullen Creek.

c. The amenity areas for the proposed multi-family residential community to be developed on the Site shall be located generally in those areas depicted on the Rezoning Plan (on the interior of bldg. #3 and #6). The existing amenity areas (developed as part of the original multi-family buildings constructed on the Site) located on Site may remain in place until such time as that portion of the Site is redeveloped.

10. Signage:

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

b. Signage may be installed on the screen walls located at or in proximity to the Site's frontage on Providence Road.

11. 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 20 feet in height.

12. CATS Passenger Concrete Waiting Pad along Providence Road:

- a. The Petitioner has install a concrete waiting pad for CATS passengers along Providence Road as previously requested.

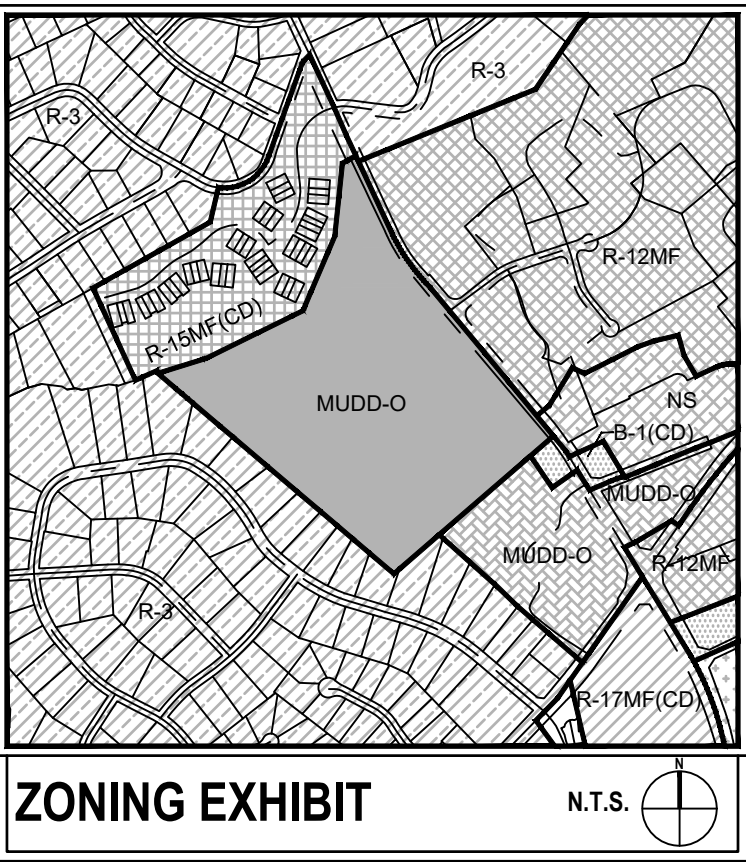
13. Amendments to the Rezoning Plan:

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

14. Binding Effect of the Rezoning Application:

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

b. Pursuant to Section 1.110 of the Ordinance and Section 160A-385.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions.



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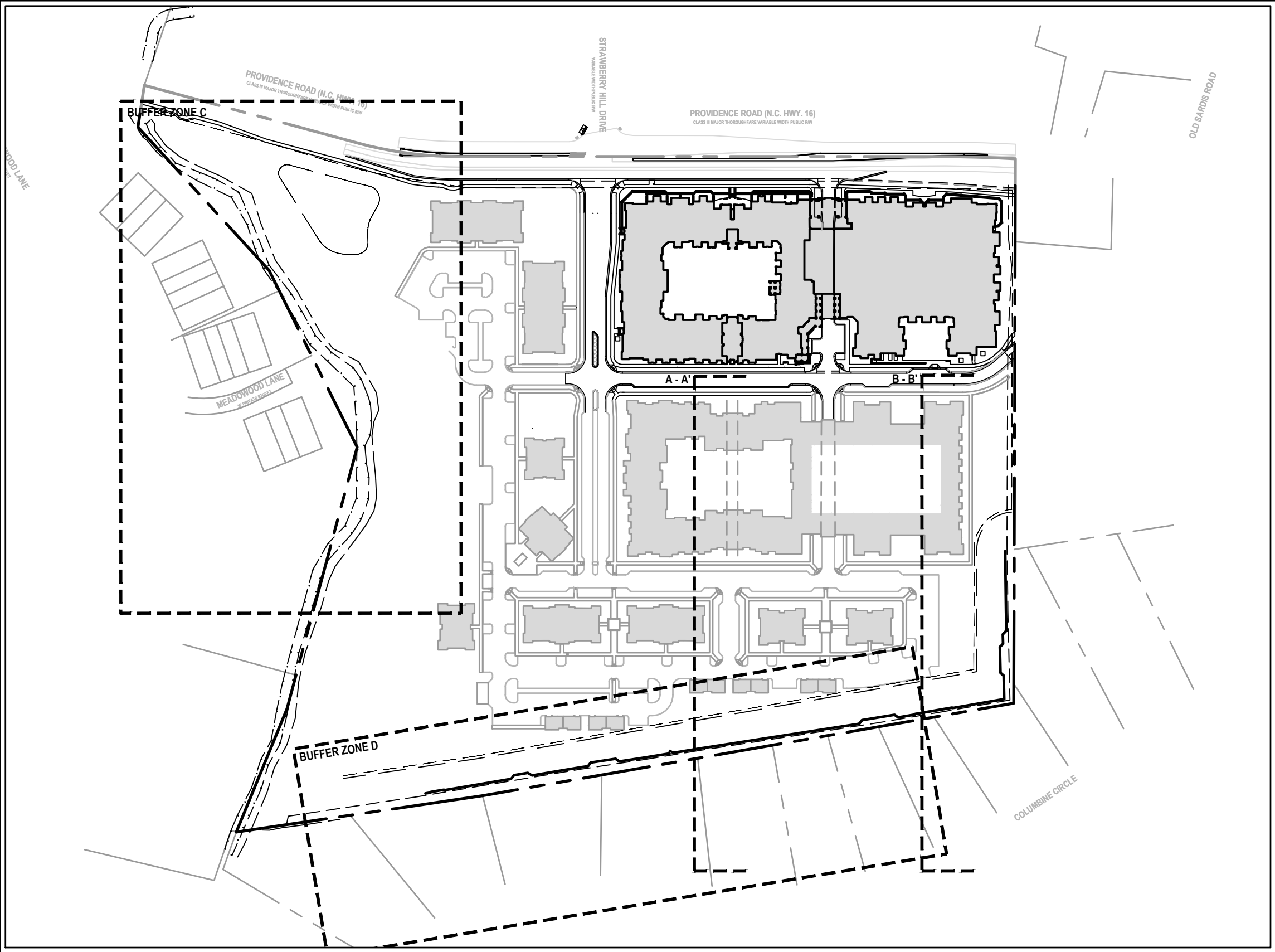


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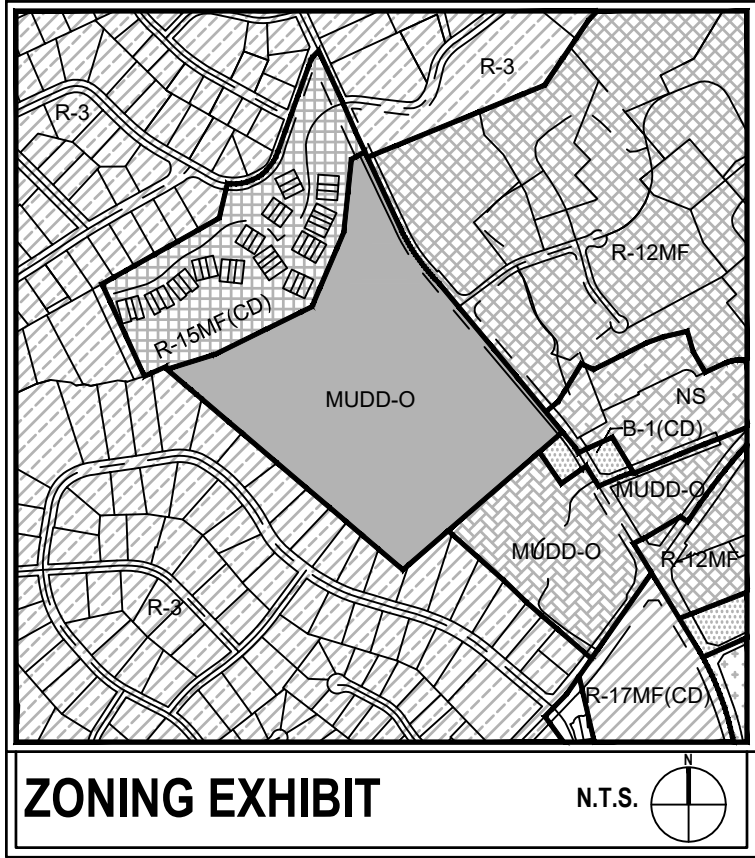
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Realizing the Possibilities*

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