

February 2016

Rezoning Petition Packet

City Petitions:

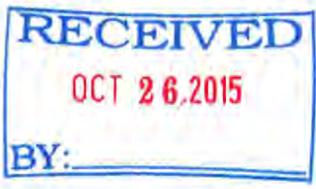
2016-017 through 2016-032

Staff Review Meeting: December 17, 2015 - 9:00 a.m.

City Public Hearing: February 15, 2016 - 6:00 p.m.

2016-017

I. REZONING APPLICATION CITY OF CHARLOTTE



| | |
|--------------|-----------|
| Petition #: | _____ |
| Date Filed: | _____ |
| Received By: | <u>BH</u> |

Complete All Fields (Use additional pages if needed)

Property Owner: See Exhibit A attached hereto

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

Date Property Acquired: See Exhibit A attached hereto

Property Address: See Exhibit A attached hereto

Tax Parcel Number(s): See Exhibit A attached hereto

Current Land Use: Single family and commercial Size (Acres): +/- ~~2.71~~ 2.71 acres

Existing Zoning: R-5 and B-2 Proposed Zoning: UR-3 (CD)

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, Kathy Cornett, Alan Goodwin, Brent Wilkinson et al.
Date of meeting: October 21, 2015

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate the development of a residential community that could contain up to 16 for sale duplex dwelling units and up to 51 for sale multi-family dwelling units.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@rbh.com
E-Mail Address

See Attached Joinder Agreements
Signature of Property Owner

(Name Typed / Printed)

Rockwell Capital, LLC (c/o Julie Lowe)
Name of Petitioner(s)

227 West Trade Street, Suite 1980
Address of Petitioner(s)

Charlotte, NC 28202
City, State, Zip

704-774-7175
Telephone Number Fax Number

JLowe@remax.net
E-Mail Address

See Attached Signature Page
Signature of Petitioner

Julie Lowe
(Name Typed / Printed)

Exhibit A to Rezoning Application Filed by Rockwell Capital, LLC

Tax Parcel Numbers, Property Owner Information, Acquisition Dates and Addresses

I. Tax Parcel Numbers

121-076-05, 121-076-06, 121-076-07, 121-076-08, 121-076-09, 121-076-10, 121-076-11, 121-076-12, 121-076-13, 121-076-14, 121-076-15 and 121-076-16

II. Property Owner Information and Acquisition Dates

Tax Parcel No. 121-076-05

Harry G. Lainis
Vasilike Lainis
1808 Summey Avenue
Charlotte, NC 28205

Date Property Acquired: March 10, 1999

Tax Parcel No. 121-076-06

Debra Sue Young
Tony Young
1301 Greyllyn Drive
Charlotte, NC 28226

Date Property Acquired: April 21, 1994

Tax Parcel Nos. 121-076-07, 121-076-08, 121-076-09, 121-076-10 and 121-076-13

Charles T. Stack
Yvonne M. Stack
8029 Wind Jammer Drive
Fort Mill, SC 29708

Date Property Acquired:

Tax Parcel No. 121-076-07: July 19, 2005

Tax Parcel No. 121-076-08: November 24, 2003

Tax Parcel No. 121-076-09: May 30, 2006

Tax Parcel No. 121-076-10: March 24, 2006

Tax Parcel No. 121-076-13: February 15, 2005

Tax Parcel No. 121-076-11

TPM Properties Limited Partnership
3816 Mooreland Farms Road
Charlotte, NC 28226

Date Property Acquired: July 31, 2015

Tax Parcel No. 121-076-12

Stephanie L. Haire
David B. Krahe
3003 Niagara Drive
Austin, Texas

Date Property Acquired: March 24, 2005

Tax Parcel No. 121-076-14

Thomas Sharp
Robin Lynn Sharp
2409 Euclid Avenue
Charlotte, NC 28203

Date Property Acquired: December 30, 2003

Tax Parcel No. 121-076-15

TPM Properties Limited Partnership
3816 Mooreland Farms Road
Charlotte, NC 28226

Date Property Acquired: March 15, 2013

Tax Parcel No. 121-076-16

Sharp Start Auto Repair, LLC
2409 Euclid Avenue
Charlotte, NC 28203

Date Property Acquired: September 26, 2003

III. Addresses of Parcels

2504 Marshall Place, 2500 Marshall Place, 2428 Marshall Place, 2424 Marshall Place,
2420 Marshall Place, 2416 Marshall Place, 2412 Marshall Place, 2408 Marshall Place,
2404 Marshall Place, 2400 Marshall Place, 2401 Marshall Place and 2409 Euclid Avenue

Signature of Petitioner

ROCKWELL CAPITAL, LLC

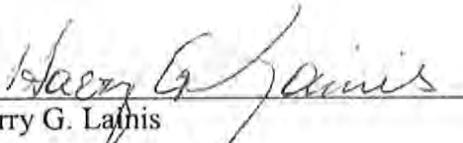
By: Julie Lowe
Name: Julie Lowe
Title: Member

Date: October 23, 2015

**REZONING APPLICATION FILED BY
ROCKWELL CAPITAL, LLC
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by Rockwell Capital, LLC that is designated as Tax Parcel No. 121-076-05 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the UR-3 (CD) zoning district.

This 23 day of October, 2015.



Harry G. Lainis

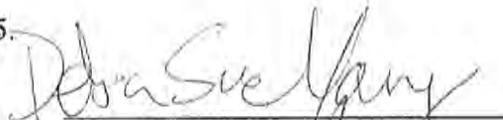


Vasilike Lainis

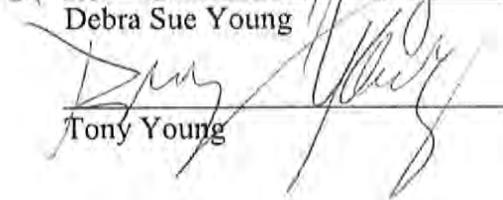
**REZONING APPLICATION FILED BY
ROCKWELL CAPITAL, LLC
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by Rockwell Capital, LLC that is designated as Tax Parcel No. 121-076-06 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the UR-3 (CD) zoning district.

This 23 day of October, 2015.



Debra Sue Young



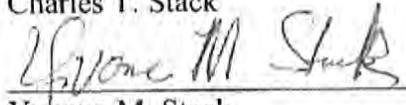
Tony Young

**REZONING APPLICATION FILED BY
ROCKWELL CAPITAL, LLC
JOINDER AGREEMENT**

The undersigned, as the owners of those parcels of land subject to the attached Rezoning Application filed by Rockwell Capital, LLC that are designated as Tax Parcel Nos. 121-076-07, 121-076-08, 121-076-09, 121-076-10 and 121-076-13 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the UR-3 (CD) zoning district.

This 23 day of October, 2015.



Charles T. Stack


Yvonne M. Stack

**REZONING APPLICATION FILED BY
ROCKWELL CAPITAL, LLC
JOINDER AGREEMENT**

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by Rockwell Capital, LLC that are designated as Tax Parcel Nos. 121-076-011 and 121-076-15 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the UR-3 (CD) zoning district.

This 23 day of October, 2015.

TPM PROPERTIES LIMITED PARTNERSHIP

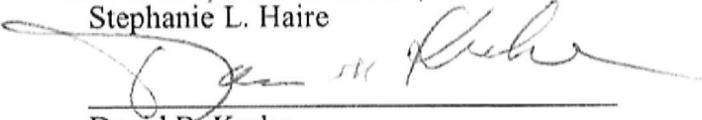
By: Thomas P. Moore III
Name: Thomas P. Moore III
Title: Principle/Partner

**REZONING APPLICATION FILED BY
ROCKWELL CAPITAL, LLC
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by Rockwell Capital, LLC that is designated as Tax Parcel No. 121-076-12 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the UR-3 (CD) zoning district.

This 23 day of October, 2015.


Stephanie L. Haire


David B. Krahe

**REZONING APPLICATION
FILED BY
ROCKWELL CAPITAL, LLC
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by Rockwell Capital, LLC that is designated as Tax Parcel No. 121-076-14 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the UR-3 (CD) zoning district.

This 23 day of October, 2015.



Thomas Sharp



Robin Lynn Sharp

**REZONING APPLICATION FILED BY
ROCKWELL CAPITAL, LLC
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Rockwell Capital, LLC that is designated as Tax Parcel No. 121-076-16 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the UR-3 (CD) zoning district.

This 23 day of October, 2015.

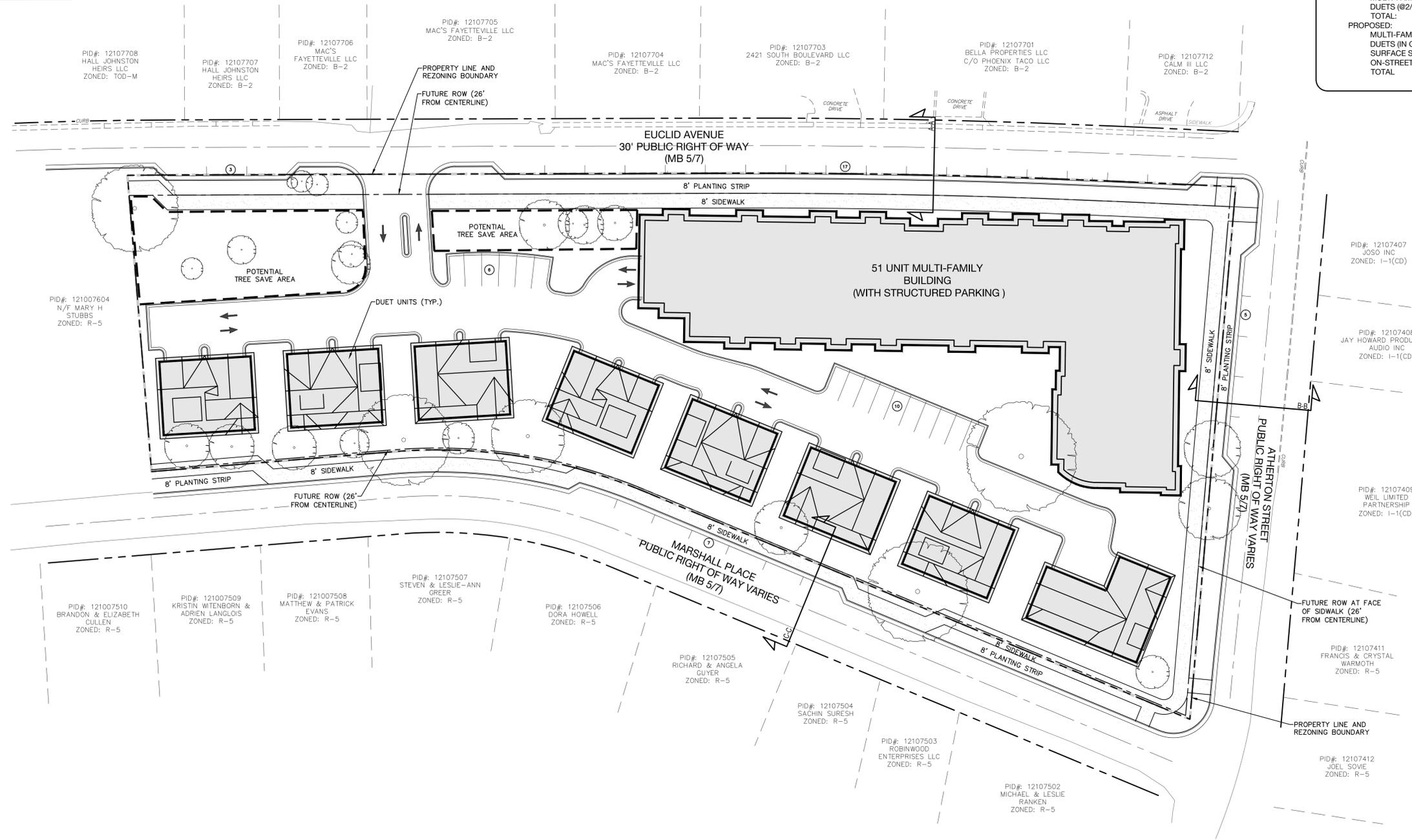
SHARP START AUTO REPAIR, LLC

By: _____

Name: _____

Title: _____

Thomas E. Sharp
THOMAS E. SHARP
Owner



DEVELOPMENT SUMMARY

TAX PARCEL ID #: 12107605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616

TOTAL SITE AREA: ± 2.71 ACRES

ZONING:
 EXISTING: B-2 and R-5
 PROPOSED: UR-3

SETBACK: 14' From B.O.C.

TOTAL UNITS:
 MULTI-FAMILY BLDG: 51 UNITS MAX.
 DUETS: 16 UNITS (8 BLDGS.)

DENSITY: 24.7 D.U.A.

VEHICULAR PARKING:
 REQUIRED:
 MULTI-FAMILY (@1.5/UNIT) 77
 DUETS (@2/UNIT) 32
 TOTAL: 121 SPACES
 PROPOSED:
 MULTI-FAMILY (STRUCTURED) 69
 DUETS (IN GARAGE) 32
 SURFACE SPACES 16
 ON-STREET 32
 TOTAL 149 SPACES



TPM Properties

PO Box 221497
 Charlotte, North Carolina 28222

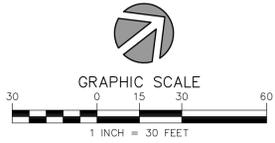
EUCLID/ATHERTON SITE

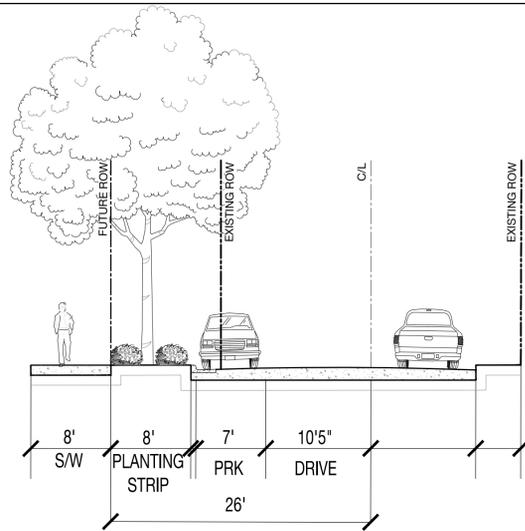
Rezoning Site Plan
 Charlotte, North Carolina

NO. DATE: BY: REVISIONS:

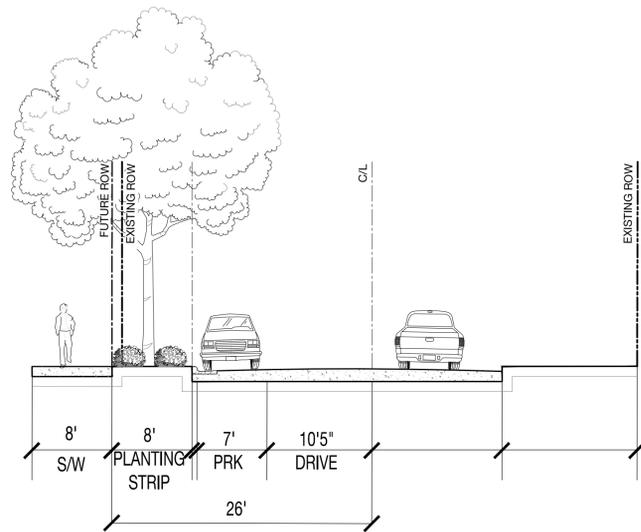
Project No: 15-065
 Date: 11.02.2015
 Designed by: udp
 Drawn By: udp
 Scale: 1"=30'
 Sheet No:

RZ-1



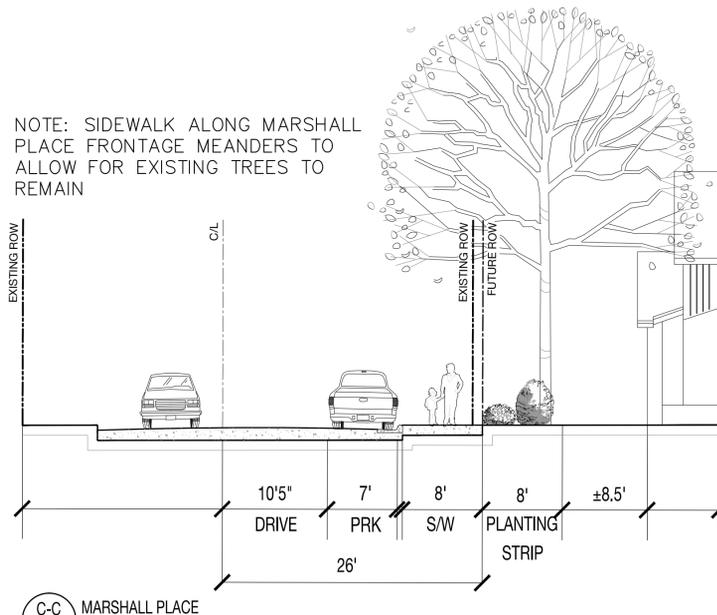


A-A EUCLID AVE.
STREET SECTION



B-B ATHERTON ST.
STREET SECTION

NOTE: SIDEWALK ALONG MARSHALL PLACE FRONTAGE MEANDERS TO ALLOW FOR EXISTING TREES TO REMAIN



C-C MARSHALL PLACE
STREET SECTION



PERSPECTIVE ILLUSTRATIVE: LOOKING FROM CORNER OF ATHERTON ST AND MARSHALL PLACE

DEVELOPMENT STANDARDS

A. General Provisions

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Rockwell Capital, LLC ("Petitioner") to accommodate the development of a residential community on that approximately 2.71 acre site located at the northwest corner of the intersection of Atherton Street and Marshall Place, which site is more particularly depicted on the Rezoning Plan (the "Site").
- Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-3 zoning district shall govern all development taking place on the Site.
- The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and the improvements to be constructed on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard and tree save requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
- Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

B. Permitted Uses

- The Site may be devoted only to a residential community containing up to 16 for sale duplex dwelling units and up to 51 for sale multi-family dwelling units and to any incidental and accessory uses relating thereto that are allowed in the UR-3 zoning district.

C. Transportation

- Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access point are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation.
- As depicted on the Rezoning Plan, the Site will be served by an internal private drive, and minor adjustments to the location of the internal private drive shall be allowed during the construction permitting process.
- The Site shall comply with the parking requirements of the UR-3 zoning district under the Ordinance. Notwithstanding the foregoing, a minimum of 117 parking spaces shall be provided on the Site for the permitted uses on the Site, and a minimum of 32 recessed, on-street parking spaces shall be installed by Petitioner along the Site's public street frontages as provided below in paragraph 4.
- A minimum of 7 recessed, on-street parking spaces shall be installed along the Site's frontage on Marshall Place, a minimum of 20 recessed, on-street parking spaces shall be installed along the Site's frontage on Euclid Avenue and a minimum of 5 recessed, on-street parking spaces shall be installed along the Site's frontage on Atherton Street.
- Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.
- Prior to the issuance of a certificate of occupancy for any new building constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation for any necessary utility easements) those portions of the Site immediately adjacent to Euclid Avenue, Atherton Street and Marshall Place as required to provide right of way measuring 26 feet from the existing centerline of such rights of way, to the extent that such right of way does not already exist.

D. Architectural Standards

- The maximum height in feet of the duplex dwelling units shall be 40 feet as measured from the average grade at the base of the structure.
- The maximum height in feet of the building containing the multi-family dwelling units shall be 50 feet as measured from the average grade at the base of the structure.
- Set out on Sheet RZ-2 is a conceptual, schematic perspective of the proposed development and the duplex dwelling units and the building containing the multi-family dwelling units as viewed from the intersection of Marshall Place and Atherton Street. This conceptual, schematic perspective is included to reflect the architectural style and quality of the duplex dwelling units and the building containing the multi-family dwelling units, however, the actual buildings constructed may vary from the conceptual, schematic perspective provided that the design intent is preserved.

E. Streetscape

- Petitioner shall install a minimum 8 foot planting strip and a minimum 8 foot sidewalk along the Site's frontages on Euclid Avenue, Atherton Street and Marshall Place as depicted on the Rezoning Plan. The sidewalks may meander to preserve existing trees.

F. Lighting

- All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
- The maximum height of any freestanding lighting fixture installed on the Site, including its base, shall not exceed 20 feet.
- Any lighting fixtures attached to the buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

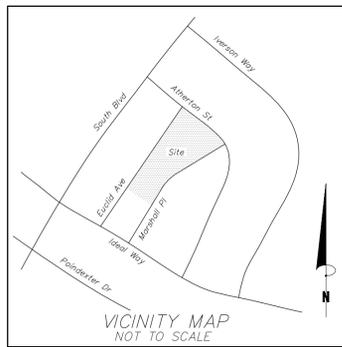
G. Binding Effect of the Rezoning Documents and Definitions

- If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
- Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

NO. DATE: BY: REVISIONS:

Project No: 15-065
Date: 11.02.2015
Designed by: udp
Drawn By: udp
Scale: NTS
Sheet No:





| LINE | BEARING | LENGTH |
|------|-------------|--------|
| L1 | S37°36'59"W | 34.85 |
| L2 | S37°36'59"W | 60.18 |
| L3 | S37°36'59"W | 88.11 |
| L4 | S37°36'59"W | 43.13 |
| L5 | S37°36'59"W | 78.01 |
| L6 | S40°23'01"W | 63.50 |

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION REFERENCES ARE AS SHOWN ALONG WITH OTHER REFERENCED SOURCE MAP BOOK 5, PAGE 7); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN REFERENCE SOURCES AS SHOWN; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600)

THIS _____ DAY OF _____ 20____

PROFESSIONAL LAND SURVEYOR

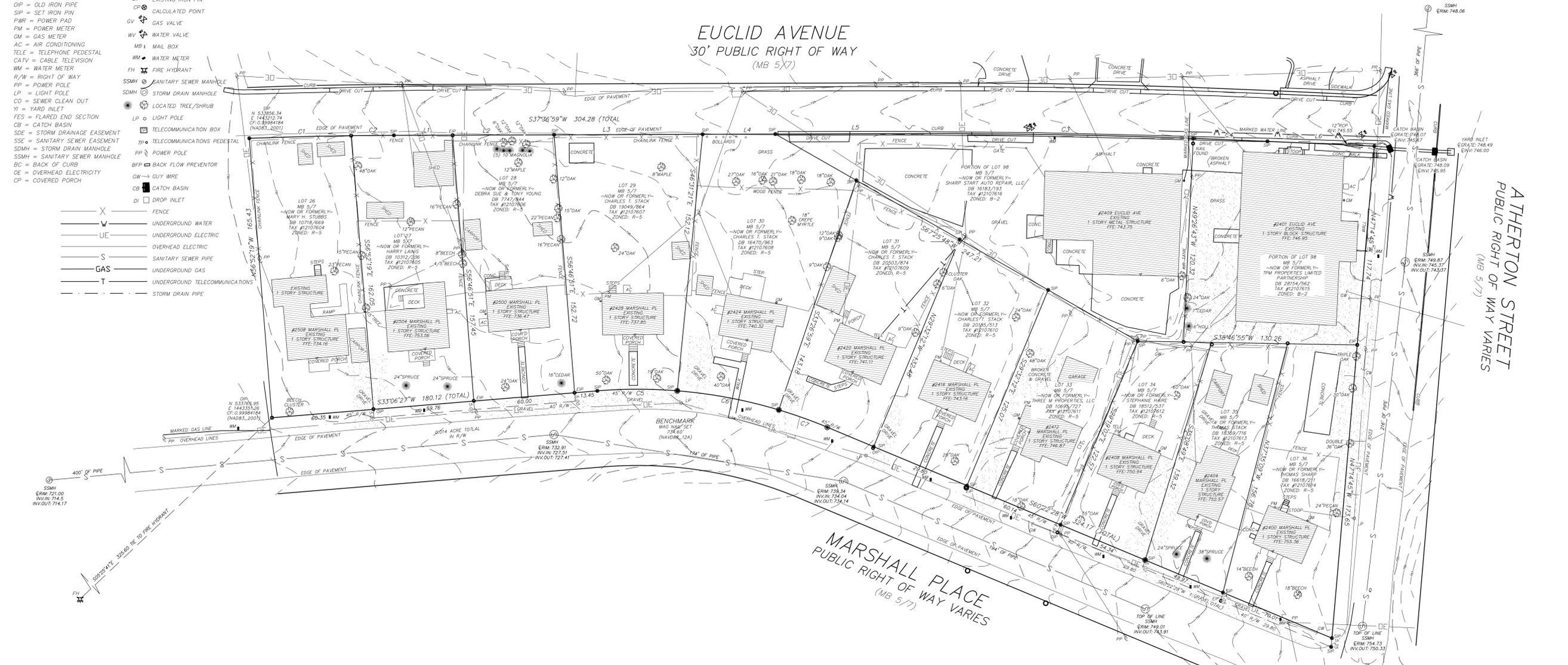
| DATE | REVISIONS |
|------|-----------------------|
| | SCALE: 1" = 30' |
| | 2014/2/27/MARSHALL PL |
| | 2014/1/1/MARSHALL PL |
| | DRAWN BY: TW |
| | CHECKED BY: HW |
| | FIELD WORK: JWEW |
| | APRIL 21, 2014 |

- LEGEND:**
- EIP = EXISTING IRON PIN
 - OIP = OLD IRON PIPE
 - SIP = SET IRON PIN
 - PWR = POWER PAD
 - PM = POWER METER
 - GM = GAS METER
 - AC = AIR CONDITIONING
 - TELE = TELEPHONE PEDESTAL
 - CATV = CABLE TELEVISION
 - WM = WATER METER
 - R/W = RIGHT OF WAY
 - PP = POWER POLE
 - LP = LIGHT POLE
 - CO = SEWER CLEAN OUT
 - YI = YARD INLET
 - FES = FLARED END SECTION
 - CB = CATCH BASIN
 - SDE = STORM DRAINAGE EASEMENT
 - SSE = SANITARY SEWER EASEMENT
 - SSMH = STORM DRAIN MANHOLE
 - SSM = SANITARY SEWER MANHOLE
 - BC = BACK OF CURB
 - OE = OVERHEAD ELECTRICITY
 - CP = COVERED PORCH
 - DI = DROP INLET
 - X = FENCE
 - W = UNDERGROUND WATER
 - UE = UNDERGROUND ELECTRIC
 - S = OVERHEAD ELECTRIC
 - GAS = SANITARY SEWER PIPE
 - T = UNDERGROUND GAS
 - STORM DRAIN PIPE

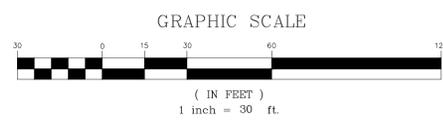
EUCLID AVENUE
30' PUBLIC RIGHT OF WAY
(MB 5/7)

ATHERTON STREET
PUBLIC RIGHT OF WAY VARIES
(MB 5/7)

MARSHALL PLACE
PUBLIC RIGHT OF WAY VARIES
(MB 5/7)



- NOTES:**
- IRON PINS SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
 - PROPERTY ZONED AS SHOWN.
 - TAX PARCEL NUMBERS ARE AS SHOWN.
 - DEED REFERENCES ARE AS SHOWN.
 - BOUNDARY SURVEY ONLY THROUGH POINTS AS SHOWN.
 - THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP (FIRM) NO. 3710454300K, WITH A DATE OF IDENTIFICATION OF 3/2/09.
 - THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RECORDED OR UNRECORDED EASEMENTS, RIGHTS-OF-WAY, OR RESTRICTIVE COVENANTS, OTHER THAN SHOWN. SURVEY MADE WITHOUT THE BENEFIT OF A TITLE EXAMINATION.
 - AREA COMPUTED BY COORDINATED METHOD.
 - NO NCGS MONUMENT FOUND WITHIN 2000'.
 - UTILITY LOCATIONS SHOWN ARE LOCATED BASED ON SITE CONDITIONS AND MARKINGS AT THE TIME OF SURVEY. CONTRACTORS ARE TO HAVE ALL UTILITIES ACCURATELY MARKED PRIOR TO CONSTRUCTION.



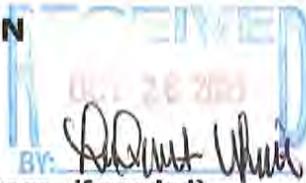
| CURVE | RADIUS | LENGTH | BEARING | CHORD |
|-------|---------|--------|-------------|--------|
| C1 | 2448.50 | 60.45 | S36°18'59"W | 60.45 |
| C2 | 2448.50 | 25.33 | S37°19'12"W | 25.33 |
| C3 | 4375.79 | 169.90 | S38°43'44"W | 169.89 |
| C4 | 4375.79 | 44.01 | S40°07'45"W | 44.01 |
| C5 | 292.94 | 47.51 | S37°45'12"W | 47.45 |
| C6 | 292.94 | 61.37 | S48°24'02"W | 61.26 |
| C7 | 292.94 | 30.54 | S57°23'18"W | 30.52 |

CAROLINA SURVEYORS, INC.
P.O. BOX 267 PINEVILLE, N.C. 28134 - 0287
HUGH E. WHITE, JR., NCRLS & SCRLS 889-7601
CERTIFICATE OF AUTHORIZATION MCG-1242 SC886

MARSHALL PLACE
(NEAR THE INTERSECTION OF ATHERTON STREET & EUCLID AVENUE)
SURVEYED FOR: AMERICAN ENGINEERING
TOTAL AREA NET OF R/W: 2.909 ACRES
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

2016-018

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: _____
Date Filed: _____
Received By: _____

Complete All Fields (Use additional pages if needed)

Property Owner: See Exhibit A attached hereto

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

Date Property Acquired: See Exhibit A attached hereto

Property Address: 420 South Sharon Amity Road, 418 South Sharon Amity Road and 416 South Sharon Amity Road

Tax Parcel Number(s): 181-111-08, 181-111-09 and 181-111-10

Current Land Use: Single family Size (Acres): +/- 1.445 acres

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

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

Required Rezoning Pre-Application Meeting* with: John Kinley, Kent Main, Matt Magnasco and Kory Hedrick

Date of meeting: September 22, 2015

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate the development of a residential community that would contain a maximum of 19 for sale single family attached dwelling units.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@rbh.com
E-Mail Address

See Attached Joinder Agreements
Signature of Property Owner

(Name Typed / Printed)

Chen Development, LLC (c/o Jeff Watson)
Name of Petitioner(s)

568 Jetton Street, Suite 200
Address of Petitioner(s)

Davidson, NC 28036
City, State, Zip

704-895-2084
Telephone Number Fax Number

watson@piedmontlanddevelopment.com
E-Mail Address

See Attached Signature Page
Signature of Petitioner

(Name Typed / Printed)

Signature of Petitioner

CHEN DEVELOPMENT, LLC

By: Piedmont Land Dev, Inc, Managing Member

By: 

Name: Ron L. Turner, Jr.

Title: President

Date: October 23, 2015

Exhibit A to Rezoning Application Filed by Chen Development, LLC

Property Owner Information and Acquisition Dates

Tax Parcel No. 181-111-08

Franklin Young
13001 Marlstone Lane
Charlotte, NC 28215

Date Property Acquired: November 8, 2007

Tax Parcel No. 181-111-09

Laura T. Pridemore
Scott A. Pridemore
~~1401 Ferncliff Road~~ 2518 Maybank Drive
Charlotte, NC 28211

Date Property Acquired: March 30, 2007

Tax Parcel No. 181-111-10

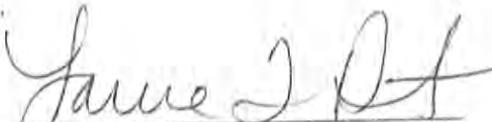
Kelly Ange
7100 Applecross Lane
Charlotte, NC 28215

Date Property Acquired: May 23, 2007

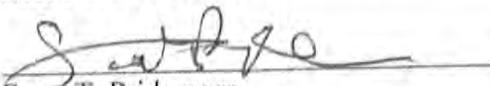
**REZONING APPLICATION FILED BY
CHEN DEVELOPMENT, LLC
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by Chen Development, LLC that is designated as Tax Parcel No. 181-111-09 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the UR-2 (CD) zoning district.

This 23rd day of October, 2015.



Laura T. Pridemore

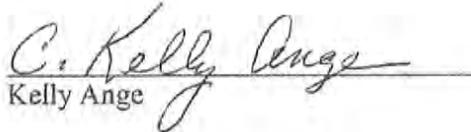


Scott T. Pridemore

**REZONING APPLICATION FILED BY
CHEN DEVELOPMENT, LLC
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Chen Development, LLC that is designated as Tax Parcel No. 181-111-10 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the UR-2 (CD) zoning district.

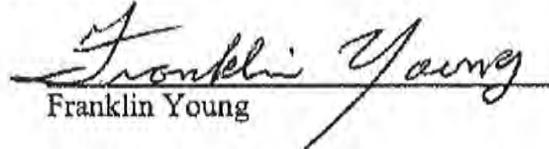
This 23 day of October, 2015.


Kelly Ange

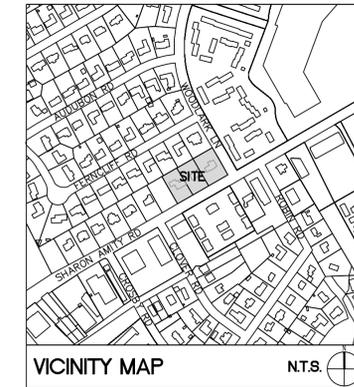
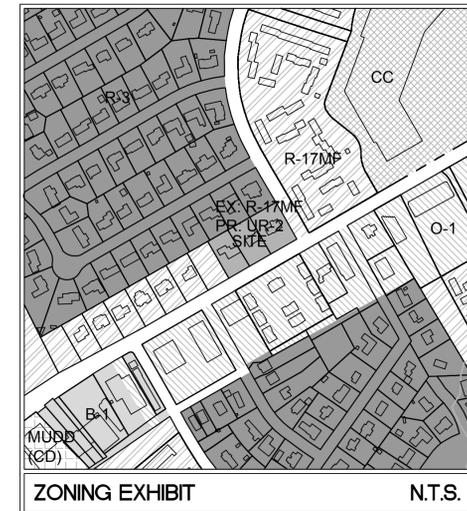
**REZONING APPLICATION FILED BY
CHEN DEVELOPMENT, LLC
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Chen Development, LLC that is designated as Tax Parcel No. 181-111-08 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the UR-2 (CD) zoning district.

This 10-23 day of October, 2015.


Franklin Young

| REZONING SUMMARY | |
|----------------------------|---|
| PETITIONER: | -CHEN DEVELOPMENT, INC. 21235 CATAWBA AVENUE CORNELIUS, NC 28031 |
| PROPERTY OWNER: | -SCOTT A. PRIDEMORE & LAURA T. PRIDEMORE -FRANKLIN YOUNG -KELLY ANGE |
| REZONING SITE AREA: | TOTAL: 1.383 AC |
| TAX PARCEL #S: | 181-111-08, 181-111-09, 181-111-10 |
| EXISTING ZONING: | R-12MF |
| PROPOSED ZONING: | UR-2 (CD) |
| EXISTING USE: | SINGLE FAMILY DETACHED |
| PROPOSED USE: | SINGLE FAMILY ATTACHED |
| TOTAL UNITS: | 19 |
| MINIMUM SETBACK: | 14' FROM BACK OF CURB OR EXISTING OR FUTURE RIGHT-OF-WAY, WHICHEVER IS GREATER. |
| MINIMUM SIDE YARD (NORTH): | 5' |
| MINIMUM REAR YARD: | 10' |
| MINIMUM TREE SAVE: | 15% = 0.207 ACRES |
| TOTAL ON-SITE PARKING: | 27 SPACES (INCLUDING SPACES INTERNAL TO UNITS) |



SURVEY DISCLAIMER
 TOPOGRAPHIC OR "ALTA/ASCM LAND TITLE SURVEY" SURVEY
 ISSUE DATE: NOVEMBER 02, 2015. PROVIDED BY R.B. PHARR
 & ASSOCIATES, 420 HAWTHORNE LANE CHARLOTTE, NC
 28204 (704) 376-2186



**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
 www.colejeneststone.com

CHEN DEVELOPMENT, LLC

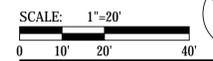
21235 Catawba Avenue
 Cornelius, North Carolina 28031

Townhomes at South Sharon Amity and Woodlark Lane Charlotte North Carolina 28211

CONDITIONAL REZONING PLAN

Project No.
4456.00
Issued
10/28/15

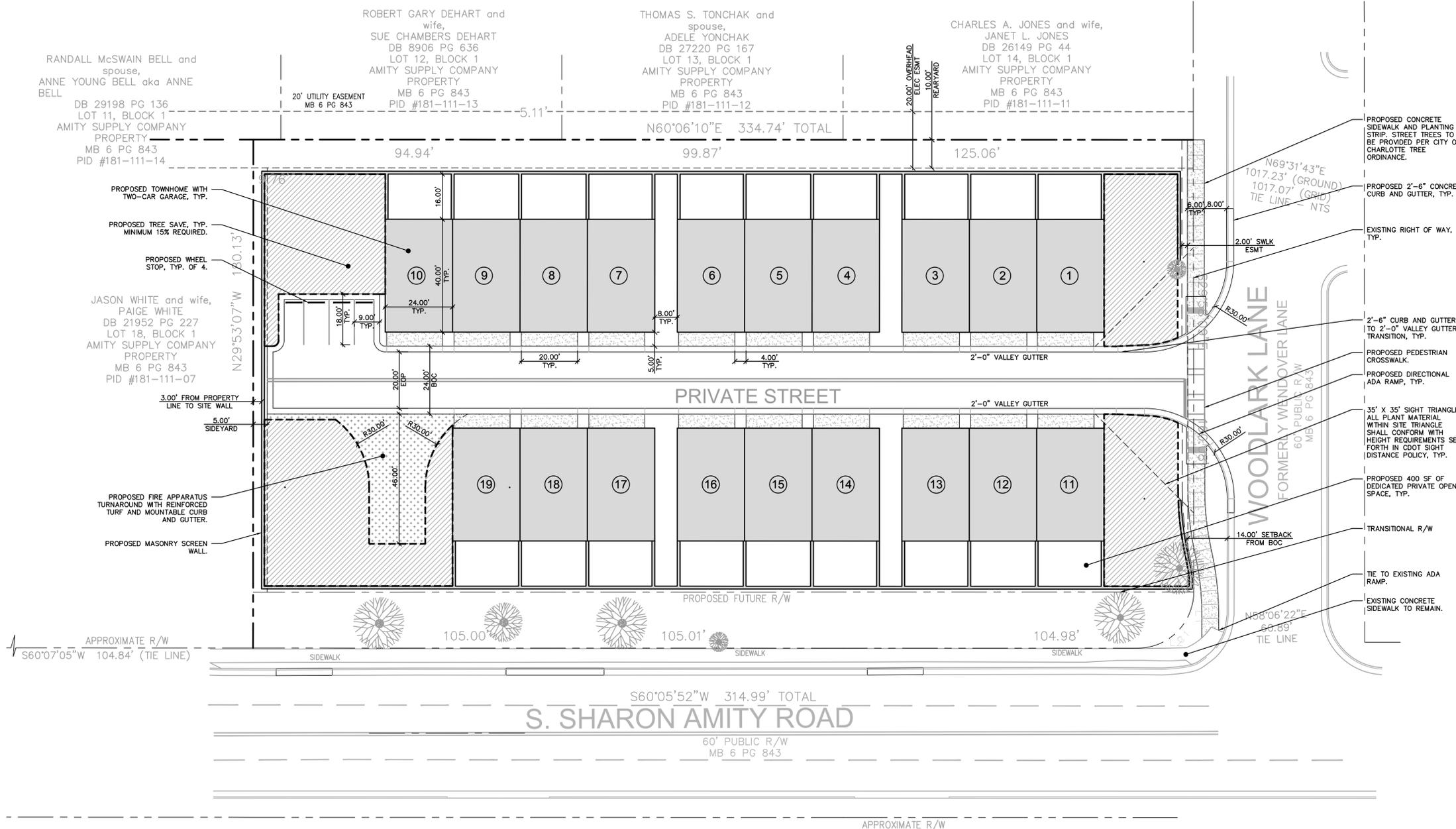
Revised



RZ-100

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ColeJenest & Stone, P.A. 2015 ©



DEVELOPMENT STANDARDS

October 26, 2015

A. General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Chen Development, LLC (“Petitioner”) to accommodate the development of a residential community on that approximately 1.445 acre site located on the northwest corner of the intersection of South Sharon Amity Road and Woodlark Lane, which site is more particularly depicted on the Rezoning Plan (the “Site”). The Site is comprised of Tax Parcel Nos. 181-111-08, 181-111-09 and 181-111-10.
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 (CD) zoning district shall govern the development and use of the Site.
4. The development and use depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such use and the improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard and tree save requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Site Plan are subject to Section 6.207 of the Ordinance.

B. Permitted Uses

1. The Site may be devoted only to a residential community containing a maximum of 19 for sale single family attached dwelling units and to any incidental and accessory uses relating thereto that are allowed in the UR-2 (CD) zoning district.

C. Transportation

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access point 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.
2. As depicted on the Rezoning Plan, the Site will be served by an internal private street, and minor adjustments to the location of the internal private street shall be allowed during the construction permitting process.
3. A minimum of 27 parking spaces shall be provided on the Site. Parking spaces located in the garages associated with the single family attached dwelling units shall count towards the minimum amount of required parking.
4. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.

D. Architectural Standards

1. The maximum height in stories of the single family attached dwelling units to be located on the Site shall be 3 stories.
2. Garages shall be setback less than 7 feet or more than 20 feet from the back of curb or the back of sidewalk.

E. Streetscape/Screening

1. A minimum 8 foot planting strip and a minimum 8 foot sidewalk shall be installed along the Site's frontage on Woodlark Lane.
2. The existing sidewalk located along the Site's frontage on South Sharon Amity Road shall remain in place.
3. A minimum 6 foot tall masonry screen wall shall be installed around the perimeter of the site as more particularly depicted on the Rezoning Plan.
4. A minimum 10 foot rear yard shall be established on the Site as more particularly depicted on the Rezoning Plan.

F. Open Space

1. Each individual subplot on which a single family attached dwelling unit is located must include a minimum of 400 square feet of private open space.

G. Lighting

1. All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
2. The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed 20 feet.
3. Any lighting fixtures attached to the buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

H. Binding Effect of the Rezoning Documents and Definitions

1. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
2. Throughout these Development Standards, the term “Petitioner” shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
3. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



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Landscape Architecture
Civil Engineering
Urban Design

200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202

PH 704.376.1555 FX 704.376.7851
WWW.COlejENESTSTONE.COM

CHEN DEVELOPMENT, LLC

21235 Catawba Avenue
Cornelius, North Carolina 28031

Townhomes at South Sharon Amity and Woodlark Lane

Charlotte
North Carolina
28211

DEVELOPMENT STANDARDS

Project No.

4456.00

Issued

10/26/15

Revised



RZ-200

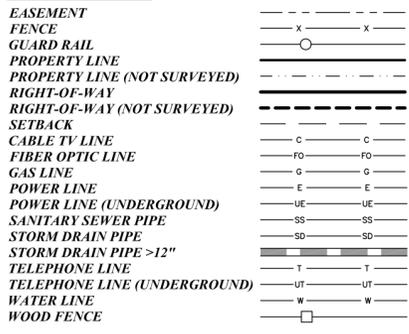
The drawings, the project manual and the design shown thereon are instruments of ColeJenest & Stone, P.A.. The reproduction or unauthorized use of the documents without consent of ColeJenest & Stone, P.A. is prohibited.

ColeJenest & Stone, P.A. 2015 ©

NOTES:

- 1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
2. ALL CORNERS MONUMENTED AS SHOWN.
3. NO RECOVERABLE NGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
4. UNDERGROUND UTILITIES MAY EXIST THAT ARE NOT SHOWN HEREON. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
5. ELEVATIONS BASED ON N.G.S. MONUMENT "M 073", ELEVATION = 715.13 FEET, NAVD 88.
6. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
7. S. SHARON AMITY ROAD IS SHOWN AS A "MAJOR THROUGHFARE" ON THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION THROUGHFARE PLAN OF 2004 AND MAY BE SUBJECT TO A FUTURE RIGHT-OF-WAY OF 50' FROM CENTERLINE.
8. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.

LINE LEGEND:



ZONING:

SUBJECT PROPERTY ZONED: R-17 MF (RESIDENTIAL MULTI-FAMILY) ZONING RESTRICTIONS AS PER ZONING ORDINANCE:
MINIMUM SETBACK: 20 FEET
MINIMUM SIDE YARD: 5 FEET
MINIMUM REAR YARD: 20 FEET
FOR FURTHER INFORMATION CONTACT THE CHARLOTTE-MECKLENBURG ZONING DEPARTMENT AT 704-336-3569.

FLOOD CERTIFICATION:

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 FEBRUARY 19, 2014 (MAP NUMBER: 3710456200K; ZONE "X")

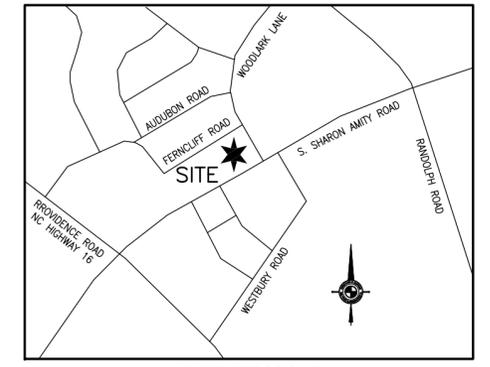
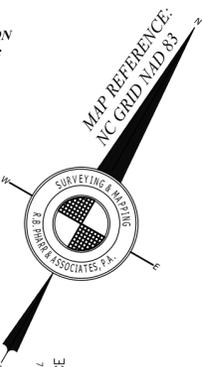
GPS CERTIFICATION:

I, ANDREW B. BAKER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:
(1) CLASS OF SURVEY: A1-10,000
(2) POSITIONAL ACCURACY: HORIZ. NORTH=0.0003 EAST=0.00045 VERT.=0.00665
(3) TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINEMATIC
(4) DATE OF SURVEY: AUGUST 13, 2015
(5) DATUM/EPOCH: NAVD 88
(6) PUBLISHED/FIXED-CONTROL USE: NGS MONUMENT "M 073"
(7) GEOID MODEL: GEOID12b(CONUS)
(8) COMBINED GRID FACTOR: 0.99984403
(9) UNITS: US FEET

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.



VICINITY MAP NOT TO SCALE

RANDALL McSWAIN BELL and spouse, ANNE YOUNG BELL aka ANNE BELL DB 29198 PG 136 LOT 11, BLOCK 1 AMITY SUPPLY COMPANY PROPERTY MB 6 PG 843 PID #181-111-14

ROBERT GARY DEHART and wife, SUE CHAMBERS DEHART DB 8906 PG 636 LOT 12, BLOCK 1 AMITY SUPPLY COMPANY PROPERTY MB 6 PG 843 PID #181-111-13

THOMAS S. TONCHAK and spouse, ADELE YONCHAK DB 27220 PG 167 LOT 13, BLOCK 1 AMITY SUPPLY COMPANY PROPERTY MB 6 PG 843 PID #181-111-12

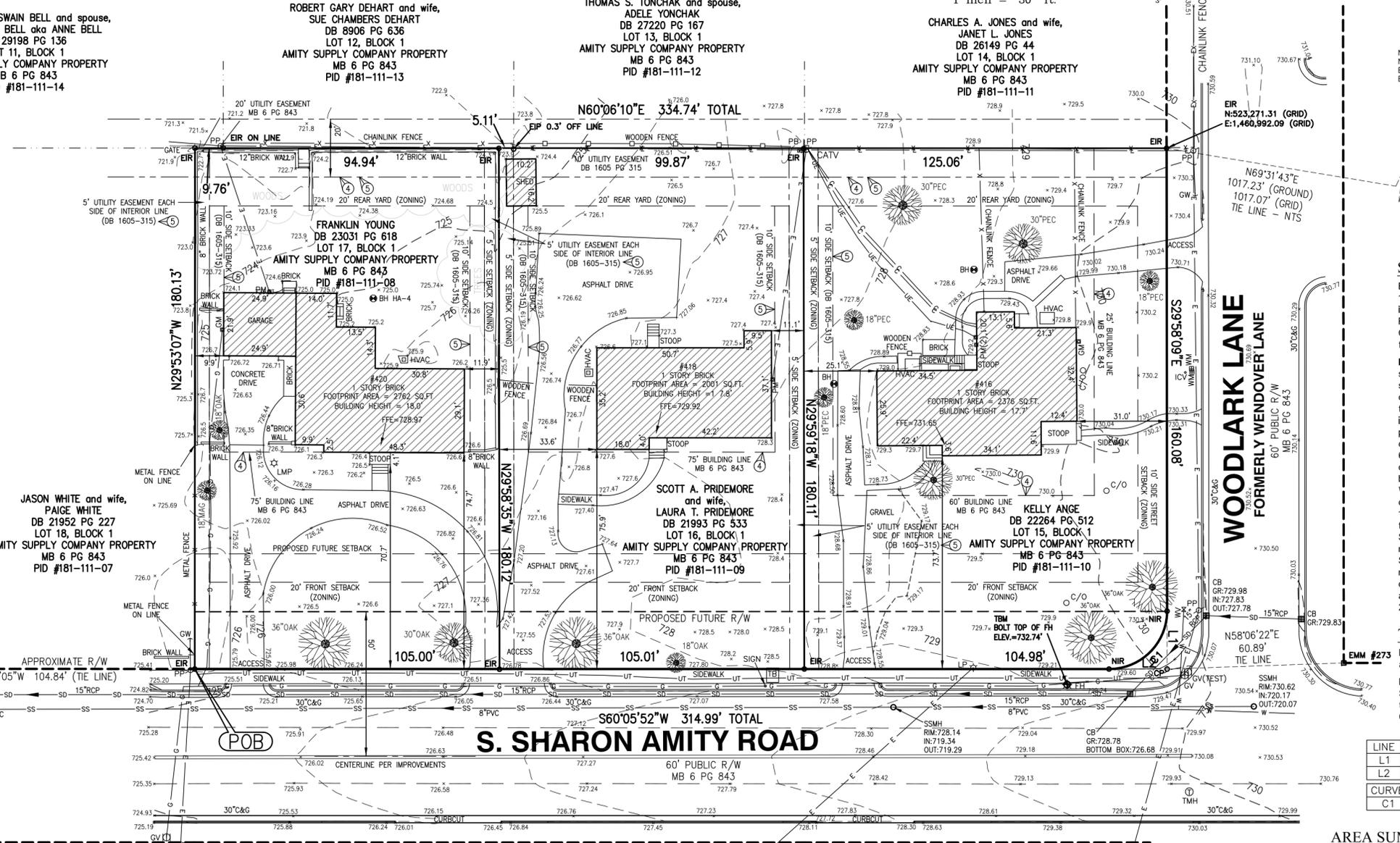
CHARLES A. JONES and wife, JANET L. JONES DB 26149 PG 44 LOT 14, BLOCK 1 AMITY SUPPLY COMPANY PROPERTY MB 6 PG 843 PID #181-111-11

TREE LEGEND:

MAG - MAGNOLIA
PEC - PECAN

LEGEND:

- BH - BOREHOLE
C&G - CURB & GUTTER
CB - CATCH BASIN
CMP - CORRUGATED METAL PIPE
CP - CALCULATED POINT
CPP - CORRUGATED PLASTIC PIPE
CO - CLEAN OUT
D.B. - DEED BOOK
DIP - DUCTILE IRON PIPE
ECM - EXISTING CONCRETE MONUMENT
FFE - FINISHED FLOOR ELEVATION
EIP - EXISTING IRON PIPE
EIR - EXISTING IRON ROD
EMM - EXISTING METAL MONUMENT
EN - EXISTING NAIL
EU - END UNKNOWN
FH - FIRE HYDRANT
GM - GAS METER
GV - GAS VALVE
GW - GUY WIRE
HVAC - HEATING, VENTILATION, AIR COND.
LMP - LAMP POST
LP - LIGHT POLE
(M) - MEASURED
M.B. - MAP BOOK
N.G.S. - NATIONAL GEODETIC SURVEY
NIR - NEW IRON ROD
NN - NEW NAIL
PB - POWER BOX
PIN - PARCEL IDENTIFICATION NUMBER
PM - POWER METER
PP - POWER POLE
PG - PAGE
PVC - PLASTIC PIPE
(R) - RECORDED
R/W - RIGHT-OF-WAY
RCP - REINFORCED CONCRETE PIPE
SDMH - STORM DRAIN MANHOLE
SSMH - SANITARY SEWER MANHOLE
(T) - TOTAL
TB - TELEPHONE BOX
TBM - TEMPORARY BENCHMARK
TERR - TERRACOTTA PIPE
TMH - TELEPHONE MANHOLE
WV - WATER VALVE



NGS MONUMENT "M 065" N=529246.79 E=1459414.13 ELEV=675.34

NGS MONUMENT "M 073" N=523627.02 E=1461944.93 ELEV=715.13

SURVEYOR'S DESCRIPTION

Being all of that certain tract or parcel of land known as Lots 15, 16 and 17, Block 1, Amity Supply Company property as described in Map Book 6, Page 843 of the Mecklenburg County Public Registry, being located in The City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

BEGINNING at an existing iron pin, said point being the southwest corner of Lot 17, Block 1 of Map Book 6, Page 843 of said registry, said point being located in the northwestern margin of S. Sharon Amity Road (a 60' public right-of-way); thence with the line of Lot 17, Block 1, N 29°53'07" W - 180.13' to an existing iron pin, said point being the west corner of Lot 17, Block 1, said point also being located in the southerly line of Lot 11, Block 1 of Map Book 6, Page 843; thence with line of Lot 17, Block 1, N 60°06'10" E - 334.74' to an existing iron rod located at the north corner of Lot 15, Block 1 of Map Book 6, Page 843, said point being located in the southerly margin of Woodlark Lane, aka Wendover Lane (a 60' public right-of-way); thence with the margin of Woodlark Lane, the following two (2) calls: 1) S 29°58'09" E - 160.08' to a new iron rod set; with the arc of a circular curve to the right, having a radius of 20.00', an arc length of 31.44'; (Chord: S 15°03'52" W - 28.30') to a new iron rod set in the northwesterly margin of S. Sharon Amity Road; thence with the margin of S. Sharon Amity Road, S 60°05'52" W - 314.99' to an existing iron rod, which is the POINT AND PLACE OF BEGINNING, containing an area of 60, 229 sq. ft. or 1.3827 acres, as shown on a survey by R. B. Pharr & Associates, P.A., dated September 2, 2015, job no. 83691, file no. W-4171.

TITLE DESCRIPTION

Lying and being situate in Mecklenburg County, North Carolina, and being more particularly described as follows:
BEING ALL OF Lot(s) 15, 16 and 17 in Block 1 of AMITY SUPPLY COMPANY PROPERTY as same is shown on a map thereof recorded in Map Book 6, page 843 of the Mecklenburg County Public Registry.

Table with columns: LINE, BEARING, DISTANCE, CURVE, RADIUS, ARC, CHORD, LENGTH. Contains data for lines L1, L2 and curve C1.

AREA SUMMARY:
PID #181-111-08: 18,886 SQ.FT. OR 0.4336 ACRES
PID #181-111-09: 18,911 SQ.FT. OR 0.4341 ACRES
PID #181-111-10: 22,432 SQ.FT. OR 0.5150 ACRES
TOTAL AREA: 60,229 SQ.FT. OR 1.3827 ACRES



Know what's below. Call before you dig.

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT NO: 15-18862CH, EFFECTIVE DATE: AUGUST 17, 2015
SCHEDULE B - II (EXCEPTIONS)

ALTA/ACSM CERTIFICATION:

TO: CHEN DEVELOPMENT, LLC; AND CHICAGO TITLE INSURANCE COMPANY
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(a), 7(a), 7(b)(1), 7(c), 8, 11(a), AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 2, 2015.

ANDREW B. BAKER, PLS (L-4542) DATE
email: abaker@rbpharr.com

THIS IS TO CERTIFY THAT ON THE 2nd DAY OF SEPTEMBER 2015 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 NCAC 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



REVISIONS

9/9/15 - ADD TITLE COMMITMENT

ALTA/ACSM LAND TITLE SURVEY PREPARED FOR: CHEN DEVELOPMENT, LLC

416, 418 and 420 S. SHARON AMITY ROAD
LOTS 15, 16 and 17, BLOCK 1, AMITY SUPPLY COMPANY PROPERTY
CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.
DEED REFERENCE: 23031-618, 21993-533, 22264-512
MAP REFERENCE: 6-843
TAX PARCEL NO: 181-111-08, 181-111-09, 181-111-10

R.B. PHARR & ASSOCIATES, P.A.
SURVEYING & MAPPING
LICENSE NO. C-1471
420 HAWTHORNE LANE, CHARLOTTE, NC 28204 TEL: (704) 376-2186

Table with columns: CREW, DRAWN, REVISED, SCALE, DATE, FILE NO., JOB NO. Contains values for BM/SAM, TLM, 1"=30', 9/2/2015, XX-4171, 83691.

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

RECEIVED
NOV 06 2015
BY: _____

2016-019
Petition #: _____
Date Filed: _____
Received By: JE

Complete All Fields (Use additional pages if needed)

Property Owner: Johnson C. Smith University, Inc.

Owner's Address: 100 Beatties Ford Road City, State, Zip: Charlotte, NC 28216

Date Property Acquired: 7/13/1987 (former church properties); 3/19/2013 (residences and vacant Mill Road lot);

Property Address: 412 Campus St., 420 Campus St. & 409 Beatties Ford Rd. (former church properties); 400 Campus St. & 407 Mill Rd. (residences); & 417 Mill Rd. (vacant lot)

Tax Parcel Number(s): 06901103; 06901104; 06901123; 06901105; 06901120; 06901121

Current Land Use: Church, Residential, Vacant Size (Acres): 1.6013 acres

Existing Zoning: B-1(PED), R-22MF & R-22MF(PED) Proposed Zoning: MUDD-O & MUDD-O(PED)

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham (and West and North Service Area Staff)

Date of meeting: 9/1/2015

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To preserve existing structures and allow the adaptive reuse of the existing Mt. Carmel Baptist Church building for University use; and to develop a new University building.

Neighboring Concepts, PLLC
Name of Rezoning Agent

1230 West Morehead, Suite 204
Agent's Address

Charlotte, NC 28208
City, State, Zip

704-957-5597 704-342-3808
Telephone Number Fax Number

darrel@neighboringconcepts.com
E-Mail Address

Anayochukwu C. Ezeigbo
Signature of Property Owner

Anayochukwu C. Ezeigbo
(Name Typed / Printed) 11/6/15

Johnson C. Smith University, Inc.
Name of Petitioner(s)

100 Beatties Ford Road
Address of Petitioner(s)

Charlotte, NC 28216
City, State, Zip

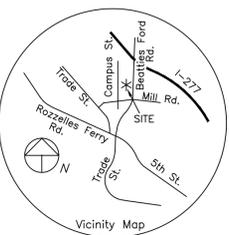
704-330-1412 704-371-6727
Telephone Number Fax Number

aezeigbo@jcsu.edu
E-Mail Address

Anayochukwu C. Ezeigbo
Signature of Petitioner

Anayochukwu C. Ezeigbo
(Name Typed / Printed) 11/6/15

SSMH
Rim 745.52'
I.E. in 739.9'
I.E. out 739.0'



T.B.M.
P.K. nail (1)
Elev. 745.00'

SSMH
Rim 748.43'
I.E. in 742.8'(a)
I.E. in 742.6'(b)
I.E. out 742.2'

SSMH
Rim 753.15'
I.E. out 745.8'
(appears to flow both to the east and west)

SSMH
Rim 744.95'
I.E. in 739.7'(a)
I.E. in 739.7'(b)
I.E. out 739.3'

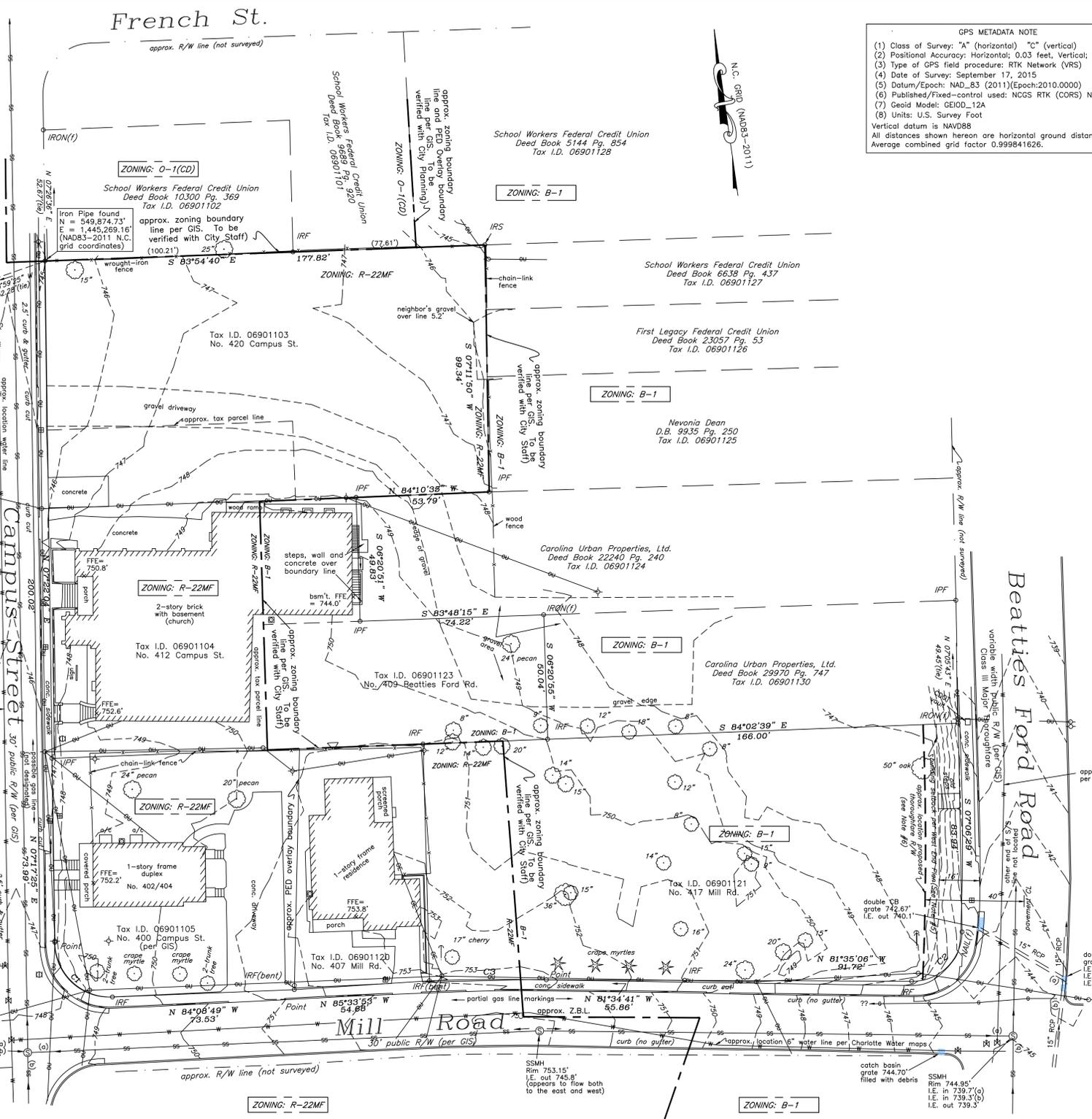
SSMH
Rim 744.70'
I.E. in 739.7'(a)
I.E. in 739.7'(b)
I.E. out 739.3'

SSMH
Rim 744.95'
I.E. in 739.7'(a)
I.E. in 739.7'(b)
I.E. out 739.3'

SSMH
Rim 744.95'
I.E. in 739.7'(a)
I.E. in 739.7'(b)
I.E. out 739.3'

SSMH
Rim 744.95'
I.E. in 739.7'(a)
I.E. in 739.7'(b)
I.E. out 739.3'

SSMH
Rim 744.95'
I.E. in 739.7'(a)
I.E. in 739.7'(b)
I.E. out 739.3'



GPS METADATA NOTE
(1) Class of Survey: "A" (horizontal) "C" (vertical)
(2) Positional Accuracy: Horizontal; 0.03 feet. Vertical; 0.18 feet
(3) Type of GPS field procedure: RTK Network (VRS)
(4) Date of Survey: September 17, 2015
(5) Datum/Epoch: NAD_83 (2011)(Epoch:2010.0000)
(6) Published/Fixed-control used: NCGS RTK (CORS) Network
(7) Geoid Model: GEOID_12A
(8) Units: U.S. Survey Foot
Vertical datum is NAVD83
All distances shown hereon are horizontal grid distances.
Average combined grid factor 0.999841626.

**PRELIMINARY ELECTRONIC FILE.
FOR REVIEW PURPOSES ONLY.**

Andrew G. Zoutewelle, N.C. PLS No. L-3098

| CURVE TABLE | | | | |
|-------------|--------|------------|-----------------|--------------|
| NUMBER | RADIUS | ARC LENGTH | CHORD DIRECTION | CHORD LENGTH |
| C1 | 22.34 | 35.67 | N 38°23'32" W | 32.00 |
| C2 | 20.00 | 31.64 | S 53°52'46" W | 28.44 |
| C3 | 817.00 | 47.30 | N 82°17'14" W | 47.29 |

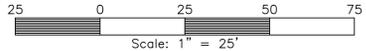
- GENERAL NOTES**
- Source of title recorded in Deed Book 5569 Page 459 and Book 28163 Page 459.
Tax parcel I.D. numbers are: 06901103, 06901104, 06901105, 06901120, 06901121 and 06901123.
 - This survey does not reflect all title matters and is subject to an attorney's title examination. However, see the following recorded title matters:
- general utility easements to Time Warner Entertainment-Advance/Newhouse Partnership recorded in Deed Book 16424 Page 911 and Book 22403 Page 965. (no plottable items).
 - Only observed, above-ground utilities are shown on this survey. There are additional utilities not shown. Developer to contact the NC ONE-CALL Utility Locating Center at 1-800-632-4949 before beginning any design, excavation or grading.
 - The total area of this property is 69,752 S.F. (1.6013 ac.), by coordinates.
 - Existing zoning of this property, per Mecklenburg County GIS, is B-1 and R-22MF and is partially located within a PED Overlay District. See the West End Land Use and Landscape Plan.
This survey does not reflect a complete zoning analysis and does not show any building setbacks lines. The locations of the zoning boundary lines were scaled from Mecklenburg County GIS and "Virtual Charlotte" and should be verified with City staff.
Any development of this property is subject to the approval of the City of Charlotte. The purpose of this survey is for a rezoning application submittal.
 - Per the Charlotte Regional Transportation Planning Organization (CRTPO) thoroughfare map, Beatties Ford Road is a Class III Major Thoroughfare and per the City of Charlotte Zoning Ordinance (Sec. 12.103) is subject to an 80'-wide proposed thoroughfare right-of-way. The proposed right-of-way shown hereon is measured 40' from pavement centerline. The location and applicability of the thoroughfare right-of-way should be verified with Charlotte DOT.
 - This property is not located within a designated flood hazard area (lies in Zone X) per graphic scaling from Flood Insurance Rate Map Panel #3710454400K dated September 2, 2015.

*** CAUTION ***
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

Copyright 2015

TOPOGRAPHIC SURVEY
Campus Street at Mill Road
Johnson C. Smith University
School of Social Work
Charlotte, Mecklenburg County, N.C.
JOHNSON C. SMITH UNIVERSITY (owner)
Date of Survey: September 17, 2015



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

JCSU Mill Road Rezoning

| | |
|-------------|--|
| REV. 1 DATE | |
| REV. 2 DATE | |
| REV. 3 DATE | |
| REV. 4 DATE | |
| REV. 5 DATE | |
| REV. 6 DATE | |
| REV. 7 DATE | |
| REV. 8 DATE | |

Rezoning Documents

Petition #2016-XXX

SURVEY SHEET

| | |
|----------------|------------------|
| ISSUE DATE | November 6, 2015 |
| CHECKED | DJW |
| SHEET BY | CKG |
| PROJECT NUMBER | NC 14-009 |

RZ-1

TECHNICAL NOTES / DEVELOPMENT STANDARDS

DEVELOPMENT DATA TABLE

- a. SITE ACREAGE: 1.6013 ACRES
- b. TAX ID: 06901103, 06901104, 06901123, 06901105, 06901120, & 06901121
- c. EXISTING ZONING: R-22MF, B-1, & B-1 PED
- d. PROPOSED ZONING: MUDD-O
- e. EXISTING USES: CHURCH, RESIDENTIAL, & VACANT
- f. PROPOSED USES:
 - CLASSROOMS AND OFFICE USES IN EXISTING CHURCH RENOVATION
 - EXISTING DUPLEX AND RESIDENTIAL HOME TO REMAIN AS IS
 - NEW CLASSROOM BUILDING SPACE NOT TO EXCEED 12,000 SF
- g. FLOOR AREA RATIO: PER ZONING ORDINANCE
- h. MAXIMUM BUILDING HEIGHT: 40' (FORTY) FEET, EXEMPTING THE EXISTING BELFRY TOWER OF THE CHURCH
- i. NO. OF PARKING SPACES: PER ZONING ORDINANCE
- j. AMOUNT OF OPEN SPACE: PER ZONING ORDINANCE

GENERAL PROVISIONS

- a. UNLESS OTHER STANDARDS ARE ESTABLISHED BY THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS, ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE") FOR THE MUDD-O ZONING DISTRICT SHALL BE FOLLOWED IN CONNECTION WITH THE DEVELOPMENT TAKING PLACE ON THE SITE DEPICTED ON THIS REZONING PLAN.
- b. CHANGES TO THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.
- c. DEVELOPMENT WILL ADHERE TO THE CITY OF CHARLOTTE TREE ORDINANCE PER CHAPTER 21 OF THE CITY CODE, SECTION 94 FOR TREE SAVE AREA REQUIREMENTS FOR COMMERCIAL DEVELOPMENT.

OPTIONAL PROVISIONS

- a. RELIEF FROM SIDEWALK AND PLANTING STRIP PROVISIONS OF THE MUDD-O DISTRICT WHERE EXISTING CONDITIONS PROHIBIT THEM.
- b. RELIEF FROM MUDD SETBACK PROVISIONS TO ACCOMMODATE EXISTING BUILDINGS AND PORCHES ALONG CAMPUS STREET.

GRAPHICS AND ALTERATIONS

- a. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS COLLECTIVELY SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATION, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS.

PERMITTED USES

- a. DEVELOPMENT WILL CONFORM TO MUDD-O DISTRICT.
- b. THE PROPOSED BUILDINGS ON THE SITE WILL SATISFY OR EXCEED THE SETBACK, SIDE YARD, REAR YARD, SCREENING AND BUFFER REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE.

TRANSPORTATION

- a. PARKING LAYOUT IS GENERAL AND MAY BE MODIFIED TO SAVE EXISTING TREES PER SECTION 6.207 OF THE ZONING ORDINANCE.
- b. PARKING WILL BE PROVIDED WHICH WILL MEET OR EXCEED THE STANDARDS OF THE ZONING ORDINANCE.
- c. PETITIONER TO COORDINATE FINAL ACCESS AND DRIVEWAY DESIGNS WITH CDOT DURING PERMITTING.

ARCHITECTURAL STANDARDS

- a. THE BUILDING MATERIALS USED ON THE BUILDINGS CONSTRUCTED ON THE SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTIOUS FIBER BOARD, STUCCO, EIFS, DECORATIVE BLOCK AND/OR WOOD. VINYL OR ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS AND ON HANDRAILS/RAILINGS.
- b. HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND VIEW OF ADJACENT PROPERTIES AT GRADE.
- c. ROLLOUT COLLECTION WILL BE USED. ROLLOUT CONTAINERS SHALL BE SCREENED WITH GATED ENCLOSURES.

STREETSCAPE AND LANDSCAPING

- a. STREET FRONTAGE ALONG MILL ROAD AND CAMPUS STREET WILL BE REDEVELOPED PER MUDD DISTRICT REQUIREMENTS. EXISTING FRONTAGE AT THE CHURCH AND THE EXISTING DUPLEX AND RESIDENTIAL HOME ARE EXEMPT FROM THESE REQUIREMENTS DUE TO EXISTING CONDITIONS.
- b. SIDEWALKS AND PLANTING STRIPS WILL BE AS PRESCRIBED BY THE ORDINANCE IN COORDINATION WITH URBAN FORESTRY EXCEPT WHERE EXISTING CONDITIONS AND BUILDINGS PROHIBIT THIS DEVELOPMENT.
- c. SCREENING WILL CONFIRM TO THE APPLICABLE STANDARDS OF SECT. 12.303 OF THE ZONING ORDINANCE.
- d. OFF-SITE PARKING AND LOADING AREAS WILL BE SCREENED PER SECTION 12.303
- e. PLANTINGS IN SIGHT TRIANGLE WILL BE LOW LYING AND WILL NOT OBSTRUCT VISIBILITY.

ENVIRONMENTAL FEATURES

- a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
- b. THE PETITIONER SHALL COMPLY WITH THE TREE ORDINANCE.

PARKS, GREENWAYS & OPEN SPACE

- a. CONNECTIONS TO PARK OR GREENWAYS ARE NOT APPLICABLE.
- b. OPEN SPACE SHALL COMPLY WITH ORDINANCE.

SIGNAGE

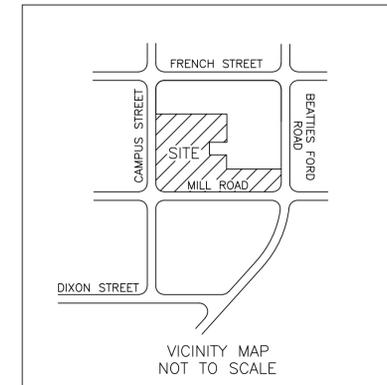
- a. SIGNAGE WILL BE PERMITTED IN ACCORDANCE WITH APPLICABLE ZONING STANDARDS.

LIGHTING

- a. DETACHED LIGHTING WILL BE LIMITED TO A HEIGHT OF 20 FEET.
- b. DETACHED LIGHTING WILL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING ANY DECORATIVE LIGHTING.

OTHER

- a. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", OR "PETITIONER" 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.



neighboring concepts

ARCHITECTURE ■ PLANNING ■ INTERIORS

1230 West Morehead Street, Suite 204
Charlotte, North Carolina 28208
T: 704.374.0916 F: 704.342.3808

www.neighboringconcepts.com

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Neighboring Concepts, PLLC



JCSU Mill Road Rezoning

| | |
|-------------|-------|
| REV. 1 DATE | _____ |
| REV. 2 DATE | _____ |
| REV. 3 DATE | _____ |
| REV. 4 DATE | _____ |
| REV. 5 DATE | _____ |
| REV. 6 DATE | _____ |
| REV. 7 DATE | _____ |
| REV. 8 DATE | _____ |

Rezoning Documents

Petition #2016-XXX

TECHNICAL NOTES

| | |
|----------------|------------------|
| ISSUE DATE | November 6, 2015 |
| CHECKED | DJW |
| SHEET BY | CKG |
| PROJECT NUMBER | NC 14-009 |

RZ-2

TECHNICAL NOTES

DEVELOPMENT DATA TABLE

SITE ACREAGE: 1.6013 ACRES

TAX ID: 06901103, 06901104, 06901123, 06901105, 06901120, & 06901121

EXISTING ZONING: R-22MF, B-1, & B-1 PED

PROPOSED ZONING: MUDD-O

EXISTING USES: CHURCH, RESIDENTIAL, & VACANT

PROPOSED USES:
 -CLASSROOMS AND OFFICE USES IN EXISTING CHURCH RENOVATION
 -EXISTING DUPLEX AND RESIDENTIAL HOME TO REMAIN AS IS
 -NEW UNIVERSITY BUILDING SPACE NOT TO EXCEED 12,000 SF

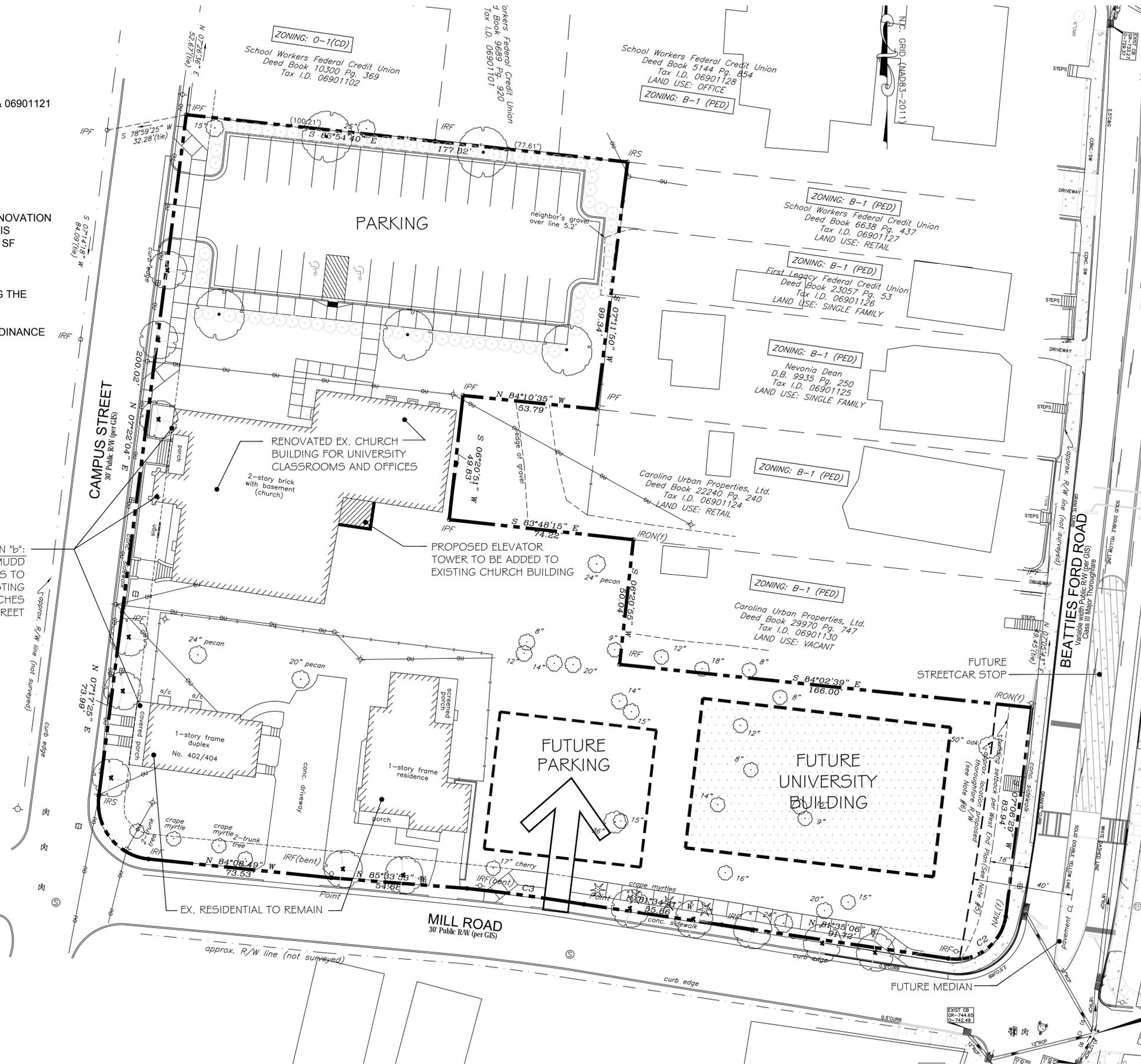
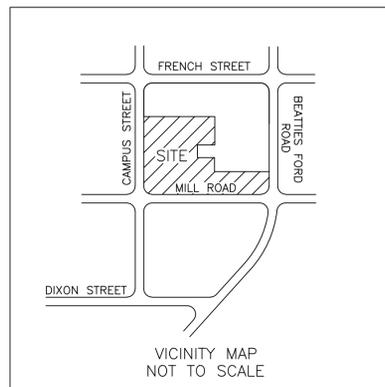
FLOOR AREA RATIO: PER ZONING ORDINANCE

MAXIMUM BUILDING HEIGHT: 40' (FORTY) FEET, EXEMPTING THE EXISTING BELFRY TOWER OF THE CHURCH

NUMBER OF PARKING SPACES REQUIRED: PER ZONING ORDINANCE

AMOUNT OF OPEN SPACE: PER ZONING ORDINANCE

OPTIONAL PROVISION "b":
 RELIEF FROM MUDD
 SETBACK PROVISIONS TO
 ACCOMMODATE EXISTING
 BUILDINGS AND PORCHES
 ALONG CAMPUS STREET



**I. REZONING APPLICATION
CITY OF CHARLOTTE**

RECEIVED
NOV 13 2015
BY: _____

2016 - 020

Petition #: _____
Date Filed: _____
Received By: BF

Complete All Fields (Use additional pages if needed)

Property Owner: Cedron W. Hester
 Owner's Address: Po Box 595 City, State, Zip: Stanley, NC 28164
 Date Property Acquired: See Attached Schedule
 Property Address: Parcels on Lakebrook Rd. (See Schedule)
 Tax Parcel Number(s): See Attached Schedule
 Current Land Use: Mixed Size (Acres): 7.03 +/-
 Existing Zoning: Mixed R-3 & I-2(=0) Proposed Zoning: I1-CD
 Overlay: Lake Wylie - Protected (Specify PED, Watershed, Historic District, etc.)
 Required Rezoning Pre-Application Meeting* with: Chaire Lyte Graham & Alberto Gonzales
 Date of meeting: 5/12/2015

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

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____
 Purpose/description of Conditional Zoning Plan: Rezoning to permit the display, sale, and service of vehicles, boats, recreational vehicles and related accessories.

Thomas H. Shields III
Name of Rezoning Agent
2475 Westel Rd.
Agent's Address
Rockwood, TN 37854
City, State, Zip
865-354-2140 865-354-4407
Telephone Number Fax Number
tshields@beatrice.com
E-Mail Address

Cedron W. Hester
Signature of Property Owner
Cedron W. HESTER
(Name Typed / Printed)

Ridgeland Recreational Vehicles, Inc.
Name of Petitioner(s)
2475 Westel Rd.
Address of Petitioner(s)
Rockwood TN 37854
City, State, Zip
865-354-2140 865-354-4407
Telephone Number Fax Number
tshields@beatrice.com
E-Mail Address

Thomas H. Shields III, Gen. Counsel
Signature of Petitioner
Thomas H. Shields III Gen. Counsel
(Name Typed / Printed)

SCHEDULE OF PARCELS:
 REZONING APPLICATION OF
 RIDGELAND RECREATIONAL
 VEHICLES, INC.

| COUNT | PARCEL ID | OWNER | ADDRESS | DATE ACQUIRED | CURRENT ZONING | PROPOSED ZONING |
|-------|-----------|------------------|-----------------------|---------------|----------------|-----------------|
| 1 | 5322107 | CEDRON W. HESTER | LAKEBROOK ROAD UNINC | 8/31/1984 | 12-CD | 11-CD |
| 2 | 5322108 | CEDRON W. HESTER | 9204 N LAKEBROOK ROAD | 3/22/1977 | 12-CD | 11-CD |
| 3 | 5322112 | CEDRON W. HESTER | N LAKEBROOK ROAD | 2/28/1983 | R-3 | 11-CD |
| 4 | 5322113 | CEDRON W. HESTER | LAKEBROOK ROAD UNINC | 1/31/1985 | R-3 | 11-CD |
| 5 | 5322114 | CEDRON W. HESTER | N LAKEBROOK ROAD | 1/31/1985 | R-3 | 11-CD |

INTERSTATE HWY 85

A=521.12(T)
R=14858.86
C=S70°13'02"(T)
C=S21.05"(T)

LEGEND:

- BFP - BACK FLOW PREVENTOR
- C/A - CONTROLLED ACCESS
- C&G - CURB & GUTTER
- CB - CATCH BASIN
- CI - CURB INLET
- CMP - CORRUGATED METAL PIPE
- CP - CORRUGATED PLASTIC PIPE
- C/O - CLEAN OUT
- D.B. - DEED BOOK
- DI - DROP INLET
- DIP - DUCTILE IRON PIPE
- ECM - EXISTING CONCRETE MONUMENT
- EIP - EXISTING IRON PIPE
- EIR - EXISTING IRON ROD
- EMM - EXISTING METAL MONUMENT
- EN - EXISTING NAIL
- EOG - EDGE OF GRAVEL
- EOP - EDGE OF PAVEMENT
- EU - END UNKNOWN
- FC - FIRE CONNECTION
- PH - FIRE HYDRANT
- FP - FLAG POLE
- FF - FIRE VALVE
- GDP - GUARD POST
- GLT - GROUND LIGHT
- GM - GAS METER
- GP - GATE POST
- GF - GAS VALVE
- GW - GUY WIRE
- HVAC - HEATING, VENTILATION, AIR COND.
- HW - HEADWALL
- ICV - IRRIGATION CONTROL VALVE
- JBX - JUNCTION BOX
- LMP - LAMP POST
- LP - LIGHT POLE
- (M) - MEASURED
- MBX - MAILBOX
- MB - MAIL BOX
- MW - MONITORING WELL
- N.G.S. - NATIONAL GEODETIC SURVEY
- NIR - NEW IRON ROD
- NX - NEW NAIL
- O/HANG - OVERHANG
- PB - POWER BOX
- PIN - PARCEL IDENTIFICATION NUMBER
- PM - POWER METER
- PMH - POWER MANHOLE
- PP - POWER POLE
- PG - PILE
- PVC - PLASTIC PIPE
- (R) - RECORDED
- R/W - RIGHT-OF-WAY
- RCP - REINFORCED CONCRETE PIPE
- RF - RETAINING WALL
- SBB - BILLBOARD
- SDMH - STORM DRAIN MANHOLE
- SMP - MULTI-POST SIGN
- SSM - SANITARY SEWER MANHOLE
- (T) - TOTAL
- TB - TELEPHONE BOX
- TERR - TERRACOTTA PIPE
- TMH - TELEPHONE MANHOLE
- TSM - TRAFFIC SIGNAL BOX
- TVB - CABLE TV BOX
- WB - WATER BOX
- WM - WATER METER
- WSP - WATER SPOUT
- WY - WATER VALVE

Riscal LLC
Tract I
D.B. 16919, PG. 333
PIN: 053-221-05

Michael McAndrew
D.B. 21167, PG. 734
PIN: 053-221-29

Riscal LLC
Tract I
D.B. 16919, PG. 333
PIN: 053-221-05

Cebrow W. Hester
D.B. 4898, PG. 493
PIN: 053-221-26

Cebrow W. Hester
D.B. 4634, PG. 151
PIN: 053-221-12

Harry P. Wentz & David E. Wentz
D.B. 4727, PG. 496

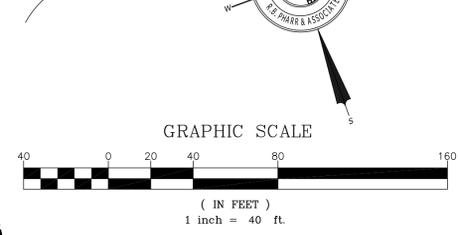
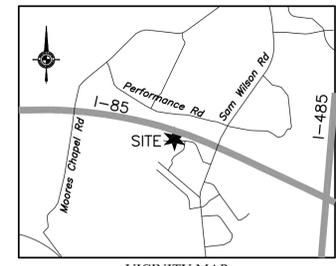
Georgia S. Muller
Tract II
D.B. 4909, PG. 961
PIN: 053-221-24

Harry P. Wentz & David E. Wentz
D.B. 4727, PG. 496
Part of Lots 144 & 145
Shadybrook
M.B. 4, PG. 501
PIN: 053-221-18

Randy K. Wilbanks & Melanie Bradford
D.B. 3623, PG. 589
PIN: 053-221-22

Harry P. Wentz & David E. Wentz
D.B. 3058, PG. 108
Part of Lots 139 to 143
Shadybrook
M.B. 4, PG. 501
PIN: 053-221-17

PIN: 053-221-07
24,006 SQ. FT. or 0.5511 ACRES
PIN: 053-221-08
59,917 SQ. FT. or 1.3755 ACRES
PIN: 053-221-12
171,484 SQ. FT. or 3.9367 ACRES
PIN: 053-221-13
22,496 SQ. FT. or 0.5164 ACRE
PIN: 053-221-14
19,842 SQ. FT. or 0.4555 ACRE
PIN: 053-221-26
8,468 SQ. FT. or 0.1944 ACRE
306,213 SQ. FT. or 7.0296 ACRES



MAP REFERENCES:

- (R1) - D.B. 3926, PG. 961
- (R2) - D.B. 4898, PG. 493
- (R3) - D.B. 4634, PG. 151
- (R4) - D.B. 4909, PG. 171
- (R5) - D.B. 21167, PG. 734
- (R6) - D.B. 16919, PG. 333
- (R7) - D.B. 3058, PG. 108
- (R8) - D.B. 4909, PG. 961

NOTES:

- THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
- ALL CORNERS MONUMENTED AS SHOWN.
- THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
- THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
- BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
- INTERSTATE 85 IS SHOWN AS A "FREEWAY/EXPRESSWAY" ON THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION THROUGHFARE PLAN OF 2004 AND MAY BE SUBJECT TO A FUTURE RIGHT-OF-WAY OF 350' FROM CENTERLINE.
- THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.

ZONING:

- ZONING RESTRICTIONS AS PER ZONING ORDINANCE:
SUBJECT PROPERTY ZONED: R-3 & I-2(CD)
- R-3 (SINGLE FAMILY DISTRICT)**
MINIMUM SETBACK: 27'
MINIMUM SIDE YARD: 20' (NON-RESIDENTIAL)
MINIMUM REAR YARD: 45'
MAX. BUILDING HEIGHT: 40'
- I-2 (INDUSTRIAL DISTRICT)**
MINIMUM SETBACK: 20'
MINIMUM SIDE YARD: 0 OR 5'
MINIMUM REAR YARD: 10'
MAX. BUILDING HEIGHT: 40'
* NO SIDE YARD IS REQUIRED, BUT IF ONE IS PROVIDED, IT MUST BE A MINIMUM OF FIVE (5) FEET.

FOR FURTHER INFORMATION CONTACT THE CHARLOTTE-MECKLENBURG ZONING DEPARTMENT AT 704-336-3569.

PARKING:

NO MARKED SPACES ON SUBJECT PROPERTY.

ALTA/ACSM CERTIFICATION:

TO: RIDGELAND RECREATIONAL VEHICLES, INC.
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, 6, 7(a), 7(b)(1), 7(c), 8, 9, 10, 11(a), AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 16, 2015.

C. Clark Neilson 4/15/15
C. CLARK NEILSON
PROFESSIONAL LAND SURVEYOR

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L1 | N61°41'27"W | 14.57' |
| L2 | N45°25'21"W | 14.01' |
| L3 | N2°58'42"E | 19.33' |
| L4 | N02°49'20"W | 17.54' |
| L5 | N22°53'50"W | 11.27' |
| L6 | N72°38'50"W | 17.83' |
| L7 | S78°54'11"W | 17.42' |
| L8 | S52°40'40"W | 27.43' |
| L9 | S47°13'36"W | 46.99' |
| L10 | S64°46'01"W | 15.39' |
| L11 | N71°52'16"W | 8.65' |
| L12 | N50°39'40"W | 12.07' |
| L13 | N74°05'48"W | 4.71' |
| L14 | S86°53'31"W | 16.61' |

1327 Mint Street
Holding Company LLC
D.B. 28153, PG. 552
PIN: 053-221-23

GPS CERTIFICATION:

- I, C. CLARK NEILSON, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:
- CLASS OF SURVEY: A(1), 10, 1000
 - POSITIONAL ACCURACY: HORZ. NORTH-0.0033, EAST-0.0000, VERT.-0.0051
 - TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINEMATIC
 - DATE(S) OF SURVEY: 03/15/15
 - DATUM/EPOCH: NAD 1983, NAVD 88
 - PUBLISHED/FIXED-CONTROL USE: NGS MONUMENT "ME 27"
 - GEOID MODEL: GEOID09 CONUS 9
 - COMBINED GRID FACTORS: 0.99984728
 - UNITS: US SURVEY FEET

UTILITIES:

- POWER**
DUKE POWER ENERGY
1-800-777-9698
- TELEPHONE**
BELL SOUTH TELECOMMUNICATIONS
1-888-757-6500
- WATER & SEWER**
CHAR-MECK. UTILITY DEPT. (CMUD)
(704) 336-2564 WATER
(704) 357-6064 SEWER
- GAS**
PIEDMONT NATURAL GAS CO.
1-800-752-7504
- CABLE TELEVISION**
TIME WARNER CABLE
1-800-892-2353



Know what's below.
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FLOOD CERTIFICATION
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 FEBRUARY 19, 2014. MAP NUMBER: 3710450500L, ZONE 'X'

THIS IS TO CERTIFY THAT ON THE 19TH DAY OF MARCH 20 15, 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.A.C. 50 AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR SIX SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.



| REVISIONS | | ALTA/ACSM LAND TITLE SURVEY | |
|-----------|--------|--|-----------------|
| | | RIDGELAND RECREATIONAL VEHICLES, INC. 9204 NORTH LANEBROOK ROAD CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C. DEED REFERENCE: 4898-493; 3926-961; TAX PARCEL NO: 053-221-07, -08, -12, -13, -14, -26, | |
| | | R.B. PHARR & ASSOCIATES, P.A. SURVEYING & MAPPING 420 HAWTHORNE LANE CHARLOTTE, NC 28204 TEL: (704) 376-2186 | |
| CREW: | DRAWN: | SCALE: | FILE NO. W-4770 |
| TN | NM | 1" = 40' | MARCH 19, 2015 |
| REVISD: | DATE: | JOB NO. B2869 | |
| | | | |

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



| | |
|--------------|-----------------|
| Petition #: | <u>2016-021</u> |
| Date Filed: | <u>11/17/15</u> |
| Received By: | <u>Bf</u> |

Complete All Fields (Use additional pages if needed)

City of Charlotte /

Property Owner: Charlotte Douglas International Airport

600 E. Fourth Street, Charlotte, NC 28202 /

Owner's Address: 5601 Wilkinson Blvd, Charlotte, NC 28208 City, State, Zip: _____

Date Property Acquired: _____

Property Address: _____

Tax Parcel Number(s): Tax ID 061-235-04, 061-235-05, 061-235-06 and 061-235-07.

Current Land Use: vacant Size (Acres): 2.02 approximately

Existing Zoning: R-17 MF Proposed Zoning: I-2

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

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

Date of meeting: 11/17/2015

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

For Conditional Rezonings Only:
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____
Purpose/description of Conditional Zoning Plan: _____

Brent Cagle/Diane Carter

Name of Rezoning Agent

5601 Wilkinson Blvd

Agent's Address
Charlotte NC 28208

City, State, Zip
704 359 4000

Telephone Number Fax Number

E-Mail Address

Brent Cagle
Signature of Property Owner

Charlotte Douglas International Airport

Name of Petitioner(s)

5601 Wilkinson Blvd

Address of Petitioner(s)
Charlotte NC 28208

City, State, Zip
same

Telephone Number Fax Number

E-Mail Address

Brent Cagle
Signature of Petitioner

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



| | |
|--------------|------------|
| Petition #: | 2016-022 |
| Date Filed: | 11/18/2015 |
| Received By: | BH |

Complete All Fields (Use additional pages if needed)

Property Owner: Edward W. McLamb

Owner's Address: 1568 STANFORD PL City, State, Zip: Charlotte, NC 28207

Date Property Acquired: August 31, 1982

Property Address: 2101 Central Avenue, Charlotte NC 28205

Tax Parcel Number(s): # 09507716 and 09507718

Current Land Use: Warehouse Size (Acres): 1.02

Existing Zoning: B-1 Proposed Zoning: MUDD-CD

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders Frye, Shannon Frye, Monica Holmes and Kory Hedrick
Date of meeting: November 8, 2015

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: Rezoning of two adjacent parcels to allow for the adaptive reuse of the existing building and a change of use from warehouse to a brewery and taproom. Conditional rezoning required to utilize the existing building with the unique constraints of the subject parcels.

Russell W. Fergusson
Name of Rezoning Agent

P.O. Box 5645
Agent's Address

Charlotte, NC 28299
City, State, Zip

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

rwf@russellwfergusson.com
E-Mail Address

Edward W. McLamb
Signature of Property Owner

Edward W. McLamb
(Name Typed / Printed)

Phillip W. McLamb
Name of Petitioner(s)

200 McAlway Rd
Address of Petitioner(s)

Charlotte, NC 28211
City, State, Zip

704-707-6930
Telephone Number Fax Number

pmclamb@gmail.com
E-Mail Address

Phillip W. McLamb
Signature of Petitioner

Phillip W. McLamb
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

| | |
|--------------|-------------------|
| Petition #: | <u>2016-023</u> |
| Date Filed: | <u>11/20/2015</u> |
| Received By: | <u>PH</u> |

Complete All Fields (Use additional pages if needed)

Property Owner: The McLaughlin Living Trust - James & Shirley McLaughlin

Owner's Address: PO Box 17 City, State, Zip: Newell, NC 28126

Date Property Acquired: 8/15/2008

Property Address: 8120 Newell Farm Road, Newell, NC 28126

Tax Parcel Number(s): 10501202

Current Land Use: Vacant Size (Acres): 2.80+/-

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

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders

Date of meeting: 11/4/2015

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

| |
|--|
| For Conditional Rezoning Only: |
| Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): <u>N/A</u> |
| Purpose/description of Conditional Zoning Plan: <u>Change approved site plan from sports complex building to Wireless Communications Tower</u> |

Thomas H. Johnson, Jr. - Nexsen Pruet

Name of Rezoning Agent

4141 Parklake Ave # 200

Agent's Address

Raleigh, NC 27612

City, State, Zip

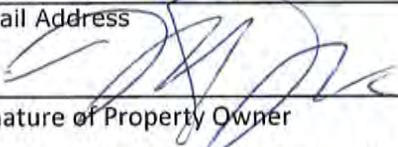
919-653-7807

Telephone Number

Fax Number

tjohnson@nexsenpruet.com

E-Mail Address



Signature of Property Owner

Thomas H. Johnson, Jr. - Agent

(Name Typed / Printed)

Jill House - American Towers, LLC

Name of Petitioner(s)

3500 Regency Parkway #100

Address of Petitioner(s)

Cary, NC 27518

City, State, Zip

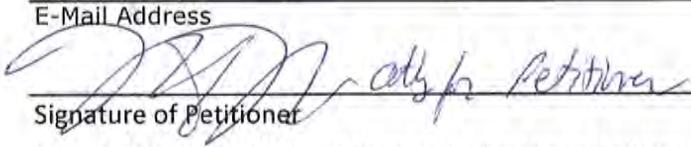
919-466-5163

Telephone Number

Fax Number

jill.house@americantower.com

E-Mail Address



Signature of Petitioner

Thomas H. Johnson, Jr. - Attorney for American Towers, LLC

(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

| | |
|--------------|-------|
| Petition #: | _____ |
| Date Filed: | _____ |
| Received By: | _____ |

Complete All Fields (Use additional pages if needed)

Property Owner: The McLaughlin Living Trust - James & Shirley McLaughlin

Owner's Address: PO Box 17 City, State, Zip: Newell, NC 28126

Date Property Acquired: 8/15/2008

Property Address: 8120 Newell Farm Road, Newell, NC 28126

Tax Parcel Number(s): 10501202

Current Land Use: Vacant Size (Acres): 2.80+/-

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

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders

Date of meeting: 11/4/2015

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: _____

Thomas H. Johnson, Jr. - Nexsen Pruet
Name of Rezoning Agent

4141 Parklake Ave # 200
Agent's Address

Raleigh, NC 27612
City, State, Zip

919-653-7807
Telephone Number

_____ Fax Number

tjohnson@nexsenpruet.com
E-Mail Address

X Shirley W McLaughlin
X James W McLaughlin
Signature of Property Owner

SHIRLEY W. McLAUGHLIN, TRUSTEE
JAMES W. McLAUGHLIN, TRUSTEE
(Name Typed / Printed)

Jill House - American Towers, LLC
Name of Petitioner(s)

3500 Regency Parkway #100
Address of Petitioner(s)

Cary, NC 27518
City, State, Zip

919-466-5163
Telephone Number

_____ Fax Number

jill.house@americantower.com
E-Mail Address

Signature of Petitioner

(Name Typed / Printed)

Appointment of Agent
AT&T Site # 5CT0991 Old Concord

The undersigned, The McLaughlin Trust – James & Shirley McLaughlin (“Owner”), hereby appoints Nexsen Pruet, PLLC as Owner’s exclusive agent for the purpose of petitioning The City of Charlotte and Mecklenburg County for all necessary zoning, site plan, building permit and other local governmental approvals required for the location of a wireless telecommunications tower on the property located at 8120 Newell Farm Road (Parcel # 10501202) including, without limitation, the following:

1. To submit the proper applications and the required supplemental materials.
2. To appear at public meetings to give representation and commitments on behalf of the Owner.
3. To act on the Owner’s behalf without limitation with regard to any and all things directly or indirectly connected with or arising out of the applications for zoning, site plan, building permit and other local governmental approvals required for the wireless telecommunications tower.

This agency agreement shall continue in effect until written notice of revocation by the Owner is delivered to the City of Charlotte and Mecklenburg County.

This the 18 day of Nov, 2015.

Agent’s Name, Address & Telephone

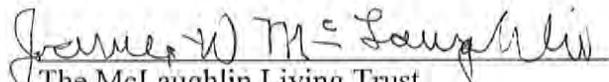
Signature of Owner(s)

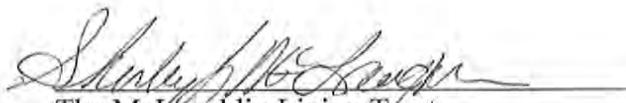
Nexsen Pruet, PLLC

4141 Parklake Avenue, Ste. 200

Raleigh, NC 27612

919-786-2764


The McLaughlin Living Trust
James McLaughlin


The McLaughlin Living Trust
Shirley McLaughlin

2016-024

I. REZONING APPLICATION CITY OF CHARLOTTE

| | |
|--------------|-------------------|
| Petition #: | _____ |
| Date Filed: | <u>11/20/2015</u> |
| Received By: | <u>BJ</u> |

Complete All Fields (Use additional pages if needed)

Property Owners: (Scottish) Trustees for the Scottish Rite Bodies of Charlotte
 (Mathis) A. Ray Mathis Revocable Living Trust U/W/A dated April 18, 2012

Owner's Addresses: (Scottish) P.O. Box 221149, Charlotte, NC 28222
 (Mathis) 7111 Hopeton Road, Charlotte, NC 28210

Date Properties Acquired: (Scottish) 5/22/75
 (Mathis) 4/16/15

Property Addresses: (Scottish) 4740 Randolph Road, Charlotte, NC
 (Mathis) 4640 Randolph Road, Charlotte, NC

Tax Parcel Numbers: (Scottish) 185-021-34
 (Mathis) 185-021-36

Current Land Use: Fraternal organization and a single-family home

Size Gross Acres: ±6.5 Net Acres: ±6.01

Existing Zoning: R-3 and R-8MF(CD) Proposed Zoning: UR-2(CD)

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

Required Rezoning Pre-Application Meeting* with: John Kinley, Kent Main, Bridget Dixon, Jason Prescott, and Kory Hendrick

Date of meeting: 10/20/15

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

| |
|---|
| <p>For Conditional Rezonings Only:</p> <p>Requesting a vesting period exceeding the 2 year minimum? <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No. Number of years (maximum of 5): <u>5</u></p> <p>Purpose/description of Conditional Zoning Plan: <u>To allow the redevelopment of Site with a high quality age restricted residential community.</u></p> |
|---|

[signatures on following pages]

Jeff Brown
Keith MacVean

Name of Rezoning Agent

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

Agent's Address

Charlotte, NC 28202

City, State, Zip

704-331-1144 (JB) **704-348-1925 (JB)**
704-331-3531 (KM) **704-378-1954 (KM)**

Telephone Number

Fax Number

jeffbrown@mvalaw.com **keithmacvean@mvalaw.com**

E-mail Address

See Attachments A and B

Signature of Property Owners

(Name Typed/Printed)

Greystar GP II, LLC.
(Attn: Ben Liebetrau)

Name of Petitioner

18 Broad Street, Suite 300

Address of Petitioner

Charleston, SC 29401

City, State, Zip

843-579-3221

Telephone Number

Fax Number

bliebetrau@greystar.com

E-mail Address

See Attachment C

Signature of Petitioner

(Name Typed/Printed)

ATTACHMENT A

REZONING PETITION NO. [2016-____]
Greystar GP II, LLC

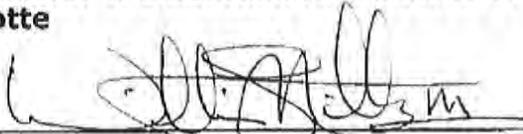
**PETITIONER JOINDER AGREEMENT
Trustees for the Scottish Rite Bodies of Charlotte**

The undersigned, as the owner of the parcel of land located at 4740 Randolph Road that is designated as Tax Parcel No. 185-021-34 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the R-3 zoning district to the UR-2(CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 18th day of November, 2015.

**Trustees for the Scottish Rite Bodies of
Charlotte**

By:



William C. Mills, III, as Authorized Agent

ATTACHMENT B

REZONING PETITION NO. [2016-_____] **Greystar GP II, LLC.**

PETITIONER JOINDER AGREEMENT

A. Ray Mathis Revocable Living Trust U/W/A dated April 18, 2012

The undersigned, as the owner of the parcel of vacant land located at 4640 Randolph Road that is designated as Tax Parcel No. 185-021-36 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the R-8MF(CD) zoning district to the UR-2(CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 17th day of November, 2015.

Alfred Ray Mathis, Trustee

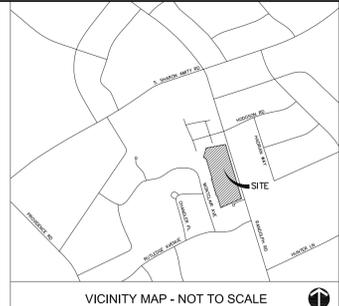
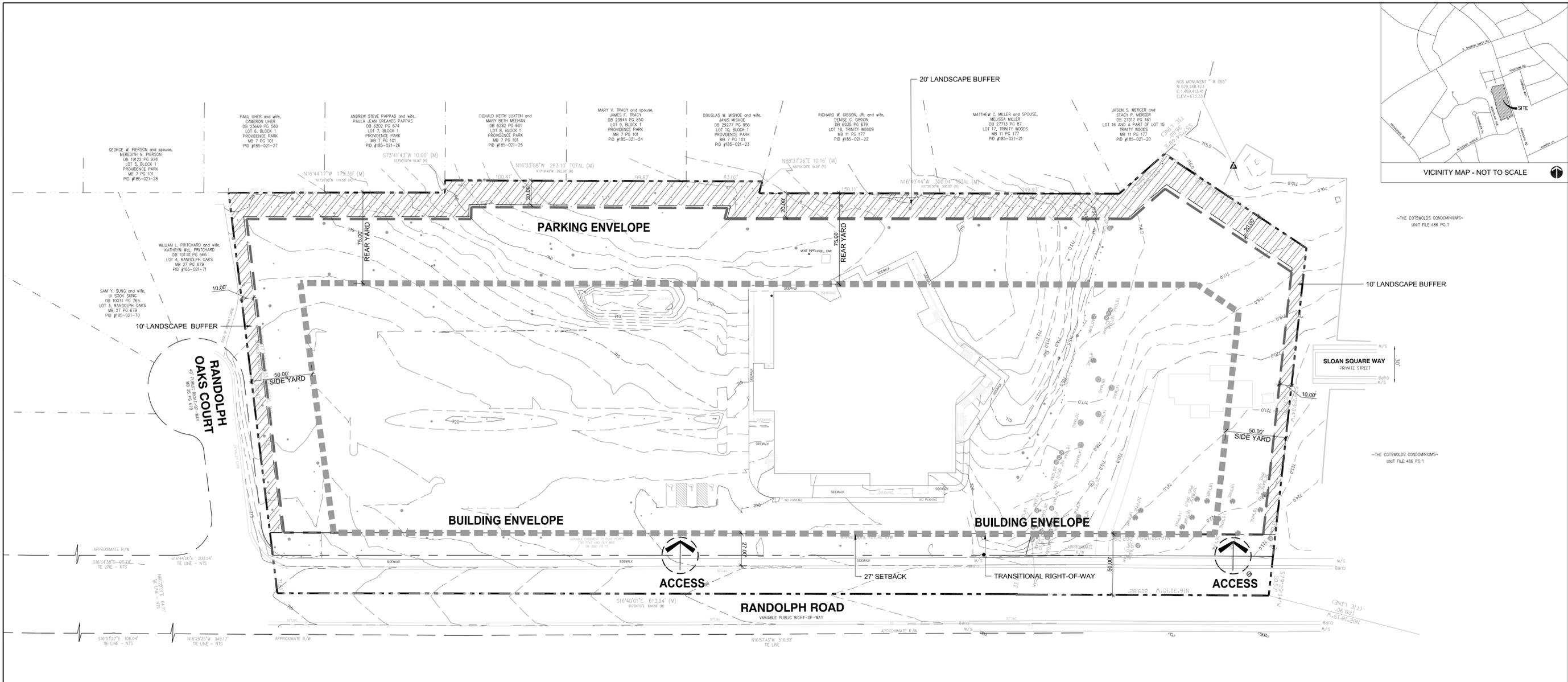
Alfred Ray Mathis, Trustee of the A. Ray Mathis Revocable Living Trust U/W/A dated April 18, 2012

ATTACHMENT C

GREYSTAR GP II, LLC

Greystar GP II, LLC,
a Delaware limited liability company

By: 
Name: DAN LIEBERMAN
Title: VICE PRESIDENT



Greystar GP II, LLC
Development Standards
11/20/15
Rezoning Petition No. 2016-000

Site Development Data:

- Acres:** a 6.01 acres net of existing right-of-way.
- Tax Parcel #:** 185-021-34 and 36
- Existing Zoning:** R-3 and R-BMF(CD)
- Proposed Zoning:** UR-2(CD)
- Existing Uses:** A fraternal organization and a single-family home.
- Proposed Uses:** Up to 198 age restricted multi-family dwelling units together with accessory uses, as allowed in the UR-2 zoning district.
- Proposed Floor Area Ratio:** As allowed by the UR-2 Zoning District.
- Maximum Building Height:** Not to exceed three (3) stories and 50 feet, height to be measured as required by the Ordinance.
- Parking:** Parking as required by the Ordinance will be provided.

1. General Provisions:

- a. Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Greystar GP II, LLC ("Petitioner") to accommodate the development of a 198-unit age restricted residential community on approximately 6.01-acre site located on west side of Randolph Road adjacent to Randolph Oaks Court (the "Site").
- b. Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the UR-2 zoning classification shall govern.
- c. Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

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

- 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, rear yards or buffer areas) indicated on Sheet RZ-1; or

if modifications to allow minor increases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

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

d. Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site shall not exceed two (2). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site.

2. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with up to 198 age restricted multi-family dwellings units (an "Age Restricted Community") together with accessory uses allowed in the UR-2 zoning district.
- b. Surface parking lots, drop off zones, teaser parking shall only be permitted between the building and Randolph Road as generally depicted on the Rezoning Plan. Surface parking lots may be located on the sides of the building.

Per current department of HUD standards, age restricted or an age restricted community shall mean: (i) a community intended and operated for occupancy by persons 55 years of age or older; (ii) a community where at least 80% of the units have at least one occupant who is 55 years of age or older; (iii) the community must publish and adhere to policies and procedures that demonstrate the intent to operate as "55 or older" housing; and (iv) the community must comply with HUD's regulatory requirements for age verification of residents.

3. Access and Transportation:

- a. Access to the Site will be from Randolph Road in the manner generally depicted on the Rezoning Plan.
- b. The placement and configuration of the vehicular access points is subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT in accordance with applicable published standards.
- c. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

4. Architectural Standards, Court Yards/Amenity Areas:

- a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may 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 buildings that may be constructed on the Site (the actual buildings constructed on the Site may vary from these illustrations provided that the design intent is preserved).

- c. Meter banks will be screened from adjoining properties and from Randolph Road.
- d. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
- e. 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. Dumpster enclosures will not directly abut the back of a sidewalk. The location of the proposed dumpster and recycling areas is generally depicted on the Rezoning Plan.

5. Streetscape, Buffers, Yards, and Landscaping:

- a. A 27 foot setback as measured from the existing or future back of curb along Randolph Road will be provided. The inner eight (8) feet of the setback may be utilized for private open space court yards for the ground floor units located along Randolph Road. Low (not to exceed four feet) decorative fences may be used to enclose these private court yards.
- b. Cantilevered balconies located on the second and third floors may extend up to two (2) feet into the 27 foot setback along Randolph Road.
- c. A 13 foot planting strip and a six (6) foot sidewalk will be provided along the Site's frontage on Randolph Road as generally depicted on the Rezoning Plan.
- d. A 20 foot buffer will be established along the Site's western property boundary abutting the existing single-family homes as generally depicted on the Rezoning Plan. The Petitioner will utilize a combination of existing trees, new small maturing evergreen trees and a six (6) foot decorative opaque fence to buffer and screen the proposed development from the adjoining residence.
- e. A 10 foot buffer will be established along the southern property boundary adjacent to the single-family development on Randolph Oaks Court as generally depicted on the Rezoning Plan. The Petitioner will utilize a combination of existing trees, new small maturing evergreen trees and a six (6) foot decorative opaque fence to buffer and screen the proposed development from the adjoining residence.
- f. A 10 foot buffer will be established along the northern property boundary adjacent to the existing town homes. This 10 foot buffer will also be landscaped with a combination of existing trees and small maturing evergreen trees.
- g. Retaining walls may be located within the proposed buffers.
- h. The petitioner will utilize its best efforts to preserve existing trees within the buffers as generally depicted on the Rezoning Plan.
- i. A 75 foot rear yard will be provided along the western property line adjacent to the homes on Montclair Avenue as generally depicted on the Rezoning Plan.
- j. A 50 foot side yard will be provided along the southern and northern property lines as generally depicted on the Rezoning Plan.
- k. Accessory structures and uses including but not limited to parking areas, detached garages, dumpsters and recycling containers, retaining walls, tree save areas, open space, storm water and water quality structures may be located within the side and rear yards established on the Site (but outside of the proposed buffers) as generally depicted on the Rezoning Plan.
- l. Utilities may cross required buffers at angles no greater than 75 degrees. Storm water drainage swales with and without rip rap may also cross the buffer at angles no greater than 75 degrees.

- m. Along the Site's internal parking area, the Petitioner will provide a sidewalk and cross-walk network that links to the building on the Site and to the sidewalks along Randolph Road in the manner depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.
- n. Screening requirements of the Ordinance will be met.
- o. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks and proposed buffers, but may be located in the transition zone adjacent to the building when not part of the Randolph Road setback.

6. General Design Guidelines:

- a. Specialty pavers, stained and patterned concrete/paving or other similar means will be used to call attention to amenity areas, gathering spaces, plazas and as method of way finding.
- b. A transition zoned with an average depth five (5) feet will be established between each building face and the back of any sidewalk located adjacent to the building. The transition zone may be used for enhanced landscaping. Stairs and stoops may encroach into this transition zone.
- c. The scale and massing of buildings longer than 150' along a street face shall be minimized by utilizing a combination of the following options: (i) varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions; (ii) utilize building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses; (iii) utilize horizontal and vertical variations in wall planes; and/or (iv) provide architectural protrusion to accentuate enclosed balconies
- d. The maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length. Where blank or unarticulated walls 20' or greater cannot be addressed principally with doors or windows, they shall be treated with a combination of the following options: (i) provide a higher level of transparency on the ground floor (exaggerated or larger windows indicative of living areas); (ii) utilize horizontal and vertical variations in wall planes; and/or (iii) provide architectural protrusion.
- e. If the final architectural design cannot meet the design standards for blank wall articulation, alternative innovative design solutions may be considered for approval by the Planning Director.
- f. Building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrance through a combination of at least five (5) of the following features: (i) decorative pedestrian lighting/scones; (ii) architectural details carried through to upper stories; (iii) covered porches, canopies, awnings or sunshades; (iv) archways; (v) transom windows; (vi) terraced or raised planters that can be utilized as seat walls; (vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (viii) double doors; (ix) stoops or stairs; and/or (x) contrasting pavement from primary sidewalk.
- g. Common and private individual entrances will be provided along Randolph Road at intervals of no less than 125 feet.
- h. Where a building is serviced by common entrances (not individual unit entrances) and cannot achieve the interval spacing, common usable open spaces, amenity areas or courtyards can be utilized to break up the wall planes.
- i. Individual residential unit entrances oriented to Randolph Road should give the appearance of a front door entrance rather than a back patio design.
- j. The ground floor shall architecturally differentiate active ground floor uses such as common areas, lounges, amenity areas or leasing offices from the residential uses or upper stories.

- k. The allowed accessory non-residential uses located on ground floor of the building shall maintain a high level of visibility through the use of clear glass, larger windows and an unobstructed view from Randolph Road into the space when located along Randolph Road.
- l. Balconies will be design so that their size and location maximize their intended use for open space. The balconies may encroach into the transition zone above the first story of the building.
- m. All facades shall incorporate windows, arches, balconies or other architectural details along with varying built materials, or roof lines or building offsets.

7. Open Space:

- a. A ground level amenity courtyard will be provided and improved as usable open space area for the residents of the Site. This amenity courtyard will have a minimum of 7,500 square feet of improved open space area.

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 submitted 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.
- 9. **Signage:**
- a. Signage as allowed by the Ordinance will be provided.
- 10. **Lighting:**
- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
- b. Detached lighting on the Site will be limited to 15 feet in height.

11. Construction Staging and Timing of Construction.

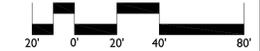
- a. Staging for the development of the Site will not be allowed on the adjoining single-family zoned properties.
- b. The Petitioner will use good faith efforts to direct the general contractor for the Site to not begin outdoor construction activity on the Site on Saturday mornings before 8:30 AM EST. The Petitioner will also use good faith efforts to direct the general contractor for the Site to avoid late night concrete pours.

12. 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.

13. 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.

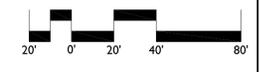
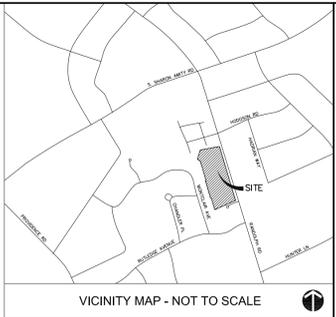
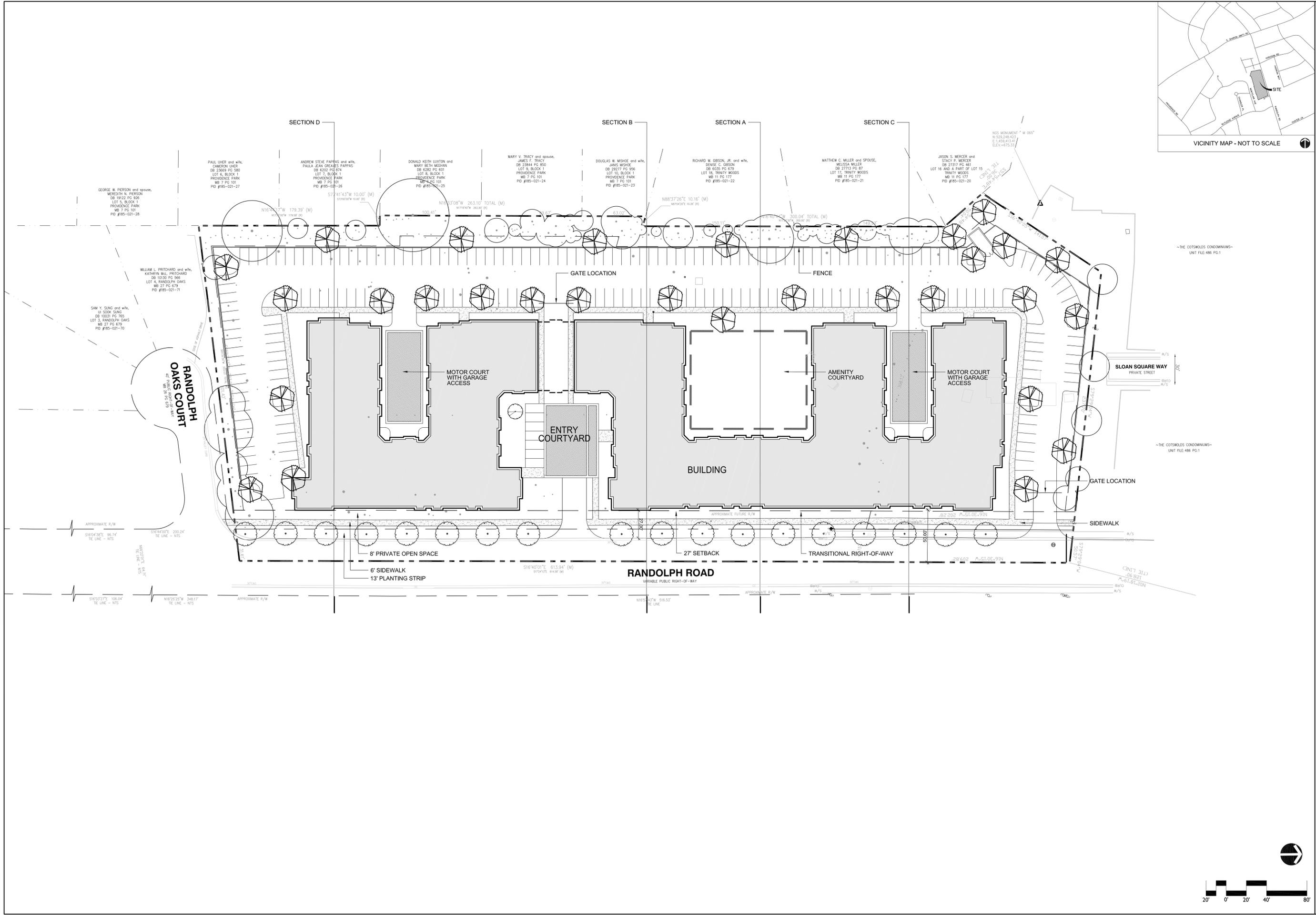


OVERTURE COTSWOLD
REZONING PETITION # 2016-000
 CHARLOTTE, NC
TECHNICAL DATA SHEET

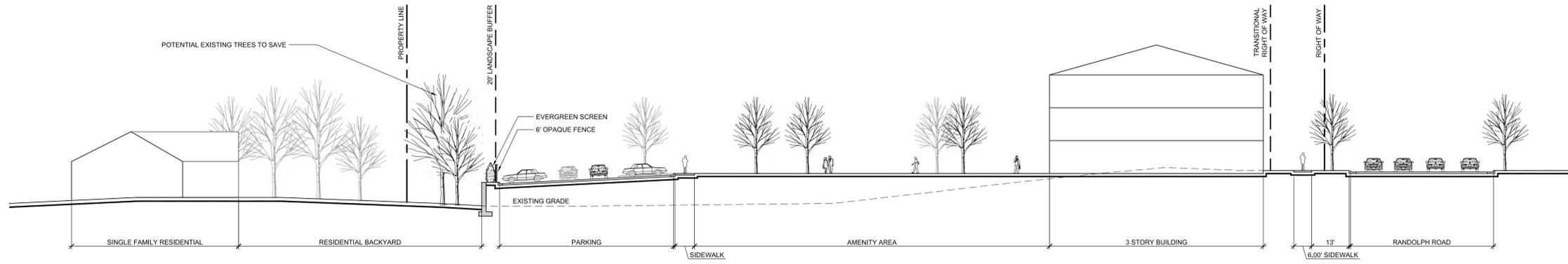
REVISIONS:
 DATE: NOVEMBER 20, 2015
 DESIGNED BY: ND
 DRAWN BY: DP
 CHECKED BY: ND
 SCALE: 1"=40'
 PROJECT #: 1015346
 SHEET #:
RZ-1

LandDesign
 223 N Graham Street Charlotte, NC 28202
 V. 704.333.0225 F. 704.333.3746
 www.LandDesign.com

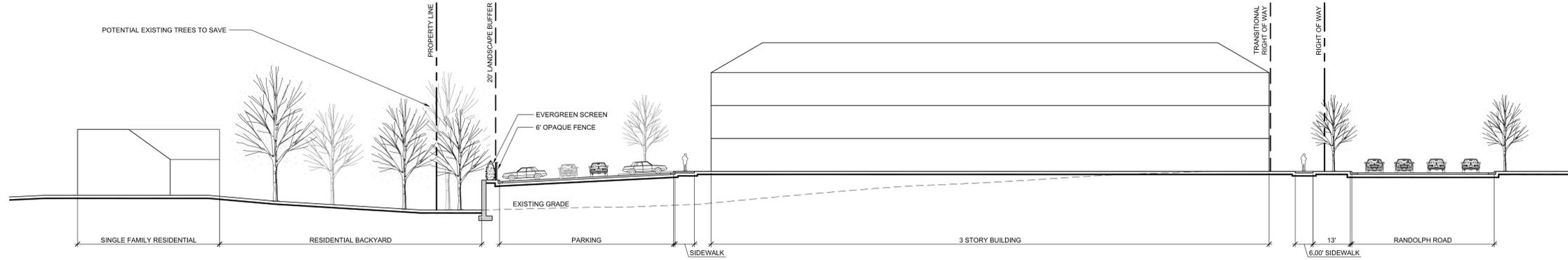




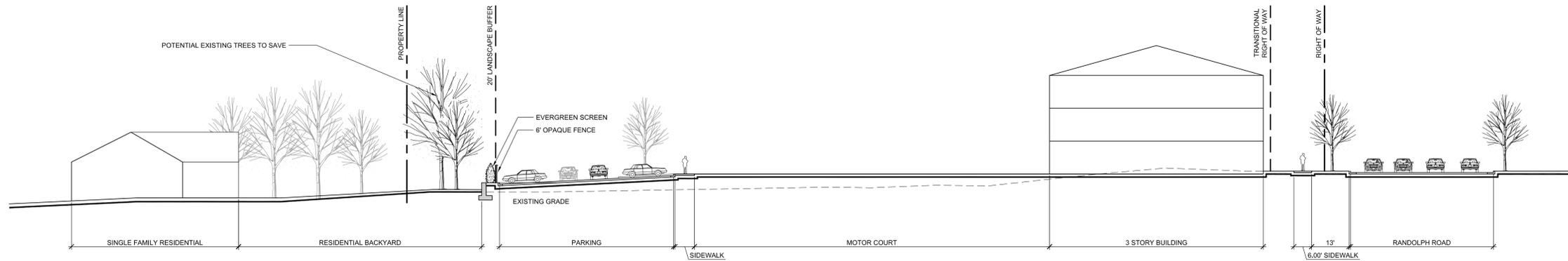
REVISIONS:



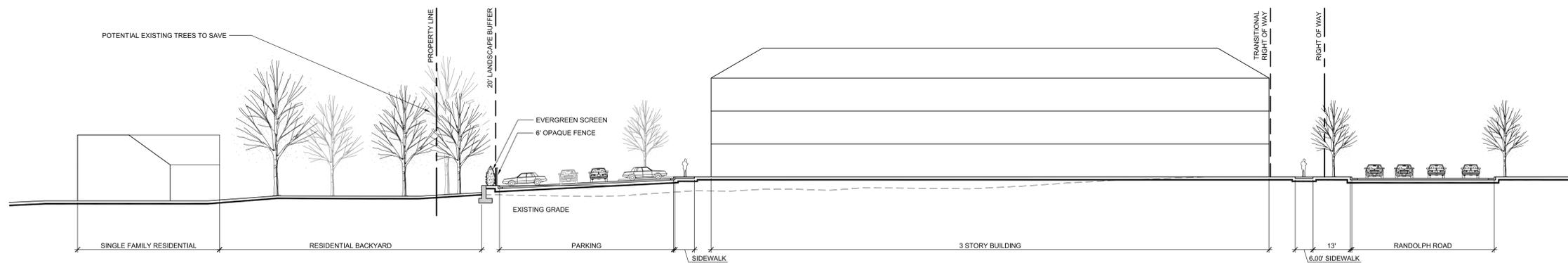
SECTION A
SCALE: 1" = 20'



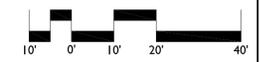
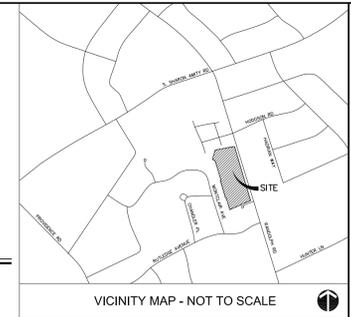
SECTION B
SCALE: 1" = 20'



SECTION C
SCALE: 1" = 20'



SECTION D
SCALE: 1" = 20'



**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2016-025

| | |
|--------------|-----------------|
| Petition #: | _____ |
| Date Filed: | <u>11/28/15</u> |
| Received By: | <u>BK</u> |

Complete All Fields (Use additional pages if needed)

Property Owner: Compton Contracting Co.

Owner's Address: P.O. Box 7424 City, State, Zip: Charlotte, NC 28241

Date Property Acquired: 1/5/81

Property Address: Vacant land - York Road

Tax Parcel Number: 199-551-05

Current Land Use: Vacant Land Size (Acres): ±9.52

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

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

Required Rezoning Pre-Application Meeting* with: Brent Wilkinson, Grant Meacci, Alberto Gonzales, and Carlos Alzate, Claire Lyte-Graham

Date of meeting: 8/18/15

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow the development of Site with a townhome for sale community and to allow a portion of the Site to be used in conjunction in with a climate controlled storage facility as part of a shared public street access.

Jeff Brown
Keith MacVean
Name of Rezoning Agent

Moore & Van Allen, PLLC
100 N. Tryon Street, Suite 4700
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-331-1144 (JB) **704-348-1925 (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

BNA Homes, LLC
(Attn: Curt Hathaway)
Name of Petitioner

10648 Bunclody Drive
Address of Petitioner

Charlotte, NC 28213
City, State, Zip

704-201-8859
Telephone Number Fax Number

curt.hathaway@bnahomes.com
E-mail Address

See Attachment B
Signature of Petitioner

(Name Typed/Printed)

(Name Typed/Printed)

ATTACHMENT A

REZONING PETITION NO. [2016-____]
BnA Homes, LLC

PETITIONER JOINDER AGREEMENT
Compton Contracting Co.

The undersigned, as the owner of the parcel of vacant land designated as Tax Parcel No. 199-551-05 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcel from the R-3 zoning district to the R-12MF(CD) and BD(CD) zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19th day of November, 20 15.

Compton Contracting Co.,
a North Carolina corporation

By: David Compton
Name: David Compton DATE: 11/19/15
Title: President VIC - PRES. DDC

ATTACHMENT B

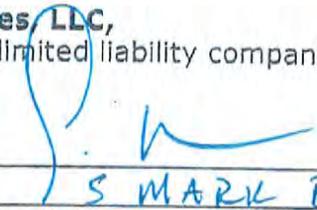
BNA HOMES, LLC

BnA Homes LLC,
an Illinois limited liability company

By: _____

Name: _____

Title: _____


S MARK BLYTHE
COMPANY MANAGER

DEVELOPMENT STANDARDS

BNA Homes, LLC
Development Standards
11/19/15
Rezoning Petition No. 2016-000

Site Development Data:

--**Acreage:** ±9.52
--**Tax Parcel #:** 199-551-05
--**Existing Zoning:** R-3
--**Proposed Zoning:** R-12MF(CD) & BD(CD)
--**Existing Uses:** Vacant.
--**Proposed Uses:** Up to 74 attached dwelling units (town homes for sale) together with accessory uses, as allowed in the R-12MF zoning district, and a climate controlled storage facility together with accessory uses, as allowed in the BD zoning district.
--**Maximum Building Height:** Not to exceed two (2) stories or 38 feet on the portion of the Site zoned R-12MF(CD) and per the Ordinance on the portion of the Site zoned BD(CD); height will be measured as defined by the Ordinance.

I. General Provisions:

- a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by BNA Homes, LLC, ("Petitioner") to accommodate the development of a 74 townhome for sale community (attached dwellings) and a portion of climate controlled storage facility on approximately 9.24 acre site located on the north side of S. Tryon Street between Wright's Ferry Drive and Grandiflora Drive (the "Site").
- b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards: (i) the regulations established under the Ordinance for the R-12MF zoning classification shall govern for the portion of the Site zoned R-12MF; and (ii) the regulations established under the Ordinance for the BD zoning classification shall govern for the portion of the Site zoned BD.
- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

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

- i. minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
- ii. 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, rear yards or buffer areas) indicated on the Rezoning Plan.

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

d. **Number of Buildings Principal and Accessory.** The total number of principal residential buildings to be developed on the Site shall not exceed 18 on the portion of the Site zoned R-12MF(CD), and one (1) on the portion of the Site zoned BD(CD). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal buildings located on the Site.

2. Permitted Uses & Development Area Limitation:

- a. For ease of reference, the Rezoning Plan sets forth two (2) development areas as generally depicted on the Technical Data Sheet as Development Areas A and B (each a "Development Area" and collectively the "Development Areas").
- b. Development Area A may be developed with up to 74 attached dwelling units (town homes for sale) together with accessory uses allowed in the R-12MF zoning district as generally depicted on the Rezoning Plan.
- c. Development Area B may be developed with a climate controlled storage facility together with accessory uses allowed in the BD zoning district as generally depicted on the Rezoning Plan. Development Area B is proposed to be developed in conjunction with the adjoining parcel (tax parcel # 199-551-06) (the "Storage Parcel") as part of separate rezoning petition filed for the Storage Parcel to allow the development of climate controlled storage facility.
- d. In the event that the Storage Parcel is not rezoned to allow the development of a climate controlled storage facility then Development Area B will be developed with a public street that will provide access to Development Area A (the "Alternate Access").

3. Access and Transportation:

- a. Access to the Site will be from S. Tryon Street via a public street to be constructed on the Storage Parcel in the manner generally depicted on the Rezoning Plan. Or via a public street constructed within Development Area B (the "Alternate Access").
- b. A future connection to Wright's Ferry Road will also be allowed as an extension of the proposed internal public street.
- c. The Petitioner will as part of the development of the Site construct an internal public street that connects the Site to the adjoining parcels located on the east and west sides of the Site as generally depicted on Rezoning Plan (these streets will be constructed to meet the standards for a "Local Residential Medium Street"). The final alignment and configuration of the internal Public Streets may change to accommodate changes to the building placement and to accommodate other modifications required due to final site grading, and utility installations. If this street is extended in the future access to the Site from the extension of the street will be allowed.
- d. The 27 foot building and parking setbacks along the internal public streets may be measured from the minimum 42 foot right-of-way line established on the Rezoning Plan.
- e. The placement and configuration of the vehicular access point is subject to minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT and NCDOT in accordance with applicable published standards.
- f. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

4. Architectural Standards, Court Yards/Amenity Areas:

- a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, vinyl, aluminum, stucco, EIFS, decorative block and/or wood.

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

- a. A 30 foot setback as measured from the right-of-way of S. Tryon Street will be provided within Development Area B as generally depicted on the Rezoning Plan. A setback as required by the Ordinance will be provided along the internal public streets.
- b. Along the Site's internal parking areas the Petitioner will provide a sidewalk and cross-walk network that links to the building on the Site and to the sidewalks along S. Tryon Street and the internal public streets in the manner depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.
- c. Within Development Area A, a Class C Buffer reduced with a fence will be provided where the Site abuts existing single-family zoning as generally depicted on the Rezoning Plan. If the use or zoning on the adjoining parcel changes so a buffer is no longer required by the Ordinance then buffer may be eliminated. Utilities may cross the proposed buffer at angles no greater than 75 degrees. Storm water drainage swales with and without rip rap may also cross the buffer at angles no greater than 75 degrees.
- d. Within Development Area B a Class B Buffer as required by the Ordinance will be provided if Development Area B is developed as part of the Storage Parcel. The Petitioner serves the right to reduce the width of the buffer as allowed by the Ordinance. If the use or zoning on the adjoining parcel changes so a buffer is no longer required by the Ordinance then buffer may be eliminated. Utilities may cross the proposed buffer at angles no greater than 75 degrees. Storm water drainage swales with and without rip rap may also cross the buffer at angles no greater than 75 degrees.
- e. If Development Area B is not developed as part of the Storage Parcel but is instead developed with a Public Street a buffer is not required to be provided.
- f. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

6. Environmental Features:

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

7. Lighting:

- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
- b. Detached lighting on the Site will be limited to 20 feet in height. No wall pak type lighting will be allowed, but architectural lighting on building facades will be permitted.

8. Amendments to the Rezoning Plan:

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

9. Binding Effect of the Rezoning Application:

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



Alfred Benesch & Company
2320 West Morehead Street
Charlotte, NC 28208
www.benesch.com
P. 704.521.9880

Seals:

Corp. NC license: F-1320

Compton Development

Charlotte, North Carolina

Project no: 17.000044
Date: 11.20.15
Revisions:

Sheet Title:

Rezoning
Plan

Sheet No:

RZ-2

2016-026

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

| | |
|--------------|-------------------|
| Petition #: | _____ |
| Date Filed: | <u>11/20/2015</u> |
| Received By: | <u>JK</u> |

Complete All Fields (Use additional pages if needed)

Property Owner: New Bethel Church Ministries, Inc.

Owner's Address: 1520 Little Rock Road City, State, Zip: Charlotte, NC 28214

Date Property Acquired: August 25, 2005, February 20, 2015, January 22, 2007 and July 12, 2007

Property Address: 200 Wesley Heights Way, 1529 Duckworth Avenue, 1512 Sumter Avenue and Sumter Avenue

Tax Parcel Number(s): 071-017-08, 071-017-10, 071-017-16 and 071-017-20

Current Land Use: Single family and church Size (Acres): +/- 4.55 acres

Existing Zoning: R-8, UR-3(CD)PED-O and UR-3(CD) Proposed Zoning: UR-3(CD)PED-O S.P.A. & UR-3(CD)PED-O

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Josh Weaver, Grant Meacci and others

Date of meeting: September 29, 2015

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate the development of a residential community that could contain up to 85 for sale single family attached dwelling units.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@rbh.com
E-Mail Address

See Attached Joinder Agreement
Signature of Property Owner

(Name Typed / Printed)

Hopper Communities (c/o Bart Hopper)
Name of Petitioner(s)

229 East Kingston Avenue
Address of Petitioner(s)

Charlotte, NC 28203
City, State, Zip

704-805-4801
Telephone Number Fax Number

bhopper@hoppercommunities.com
E-Mail Address

See Attached Signature Page
Signature of Petitioner

(Name Typed / Printed)

Signature of Petitioner

HOPPER COMMUNITIES

By: J. Bert Hopper
Name: J. Bert Hopper
Title: Pres.

Date: November 9, 2015

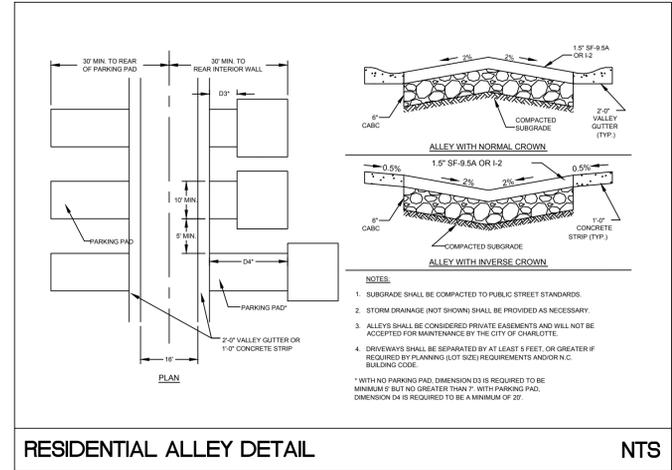
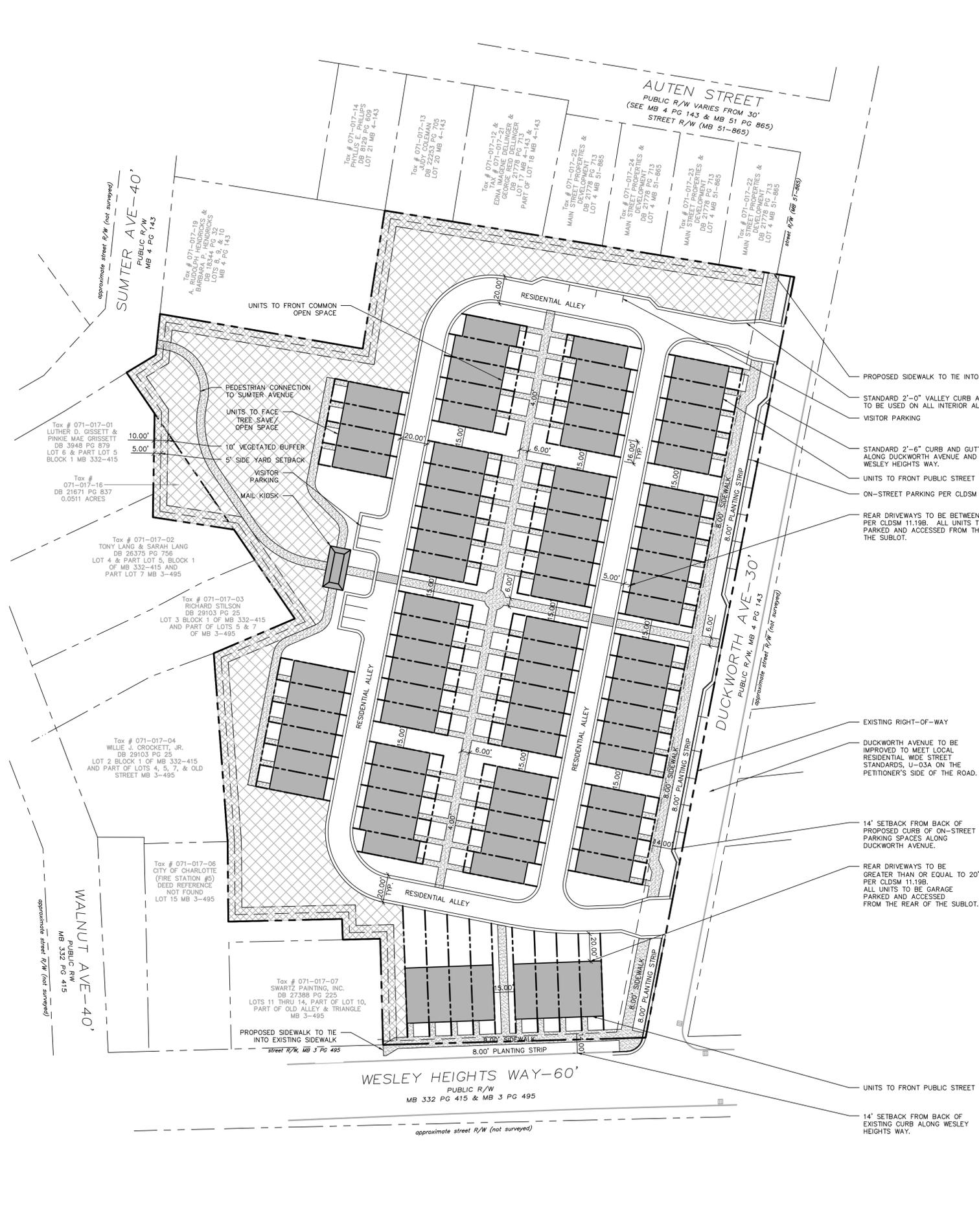
**REZONING APPLICATION FILED BY
HOPPER COMMUNITIES
JOINDER AGREEMENT**

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by Hopper Communities that are designated as Tax Parcel Nos. 071-017-08, 071-017-10, 071-017-16 and 071-017-20 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the UR-3 (CD) PED-O S.P.A and UR-3 (CD) PED-O zoning districts.

This 6 day of November, 2015.

NEW BETHEL CHURCH MINISTRIES, INC.

By: *Joyance A. Murphy*
Name: *Joyance A. Murphy*
Title: *President*



SURVEY DISCLAIMER

BOUNDARY SURVEY ISSUE DATE NOVEMBER 12, 2015.
PROVIDED BY A.G. ZOUTEWELLE SURVEYORS, 1418 EAST FIFTH STREET, CHARLOTTE, NC 28204, 704-372-9444.

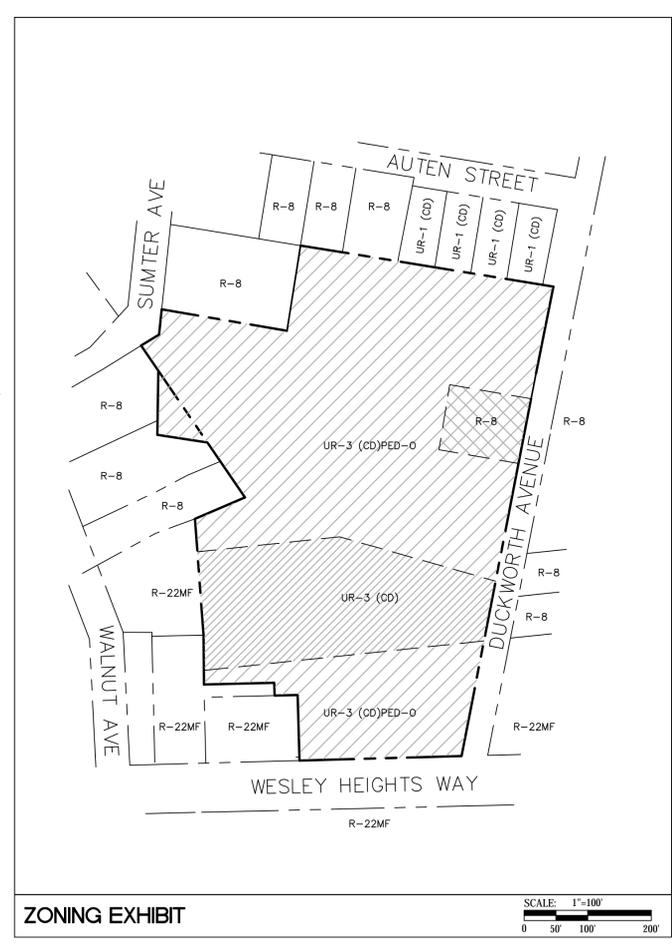
LEGEND

SYMBOL

| | |
|----------|--|
| [Symbol] | PROPOSED VALLEY CURB PER CLDSM |
| [Symbol] | PROPOSED SIDEWALK |
| [Symbol] | PROPOSED STANDARD VERTICAL CURB AND GUTTER PER CLDSM |
| [Symbol] | PROPOSED TREE SAVE AREA |
| [Symbol] | PROPOSED 10' VEGETATED BUFFER |

REZONING SUMMARY

| | |
|-----------------------|--|
| PETITIONER: | HOPPER COMMUNITIES 228 EAST KINGSTON AVENUE CHARLOTTE, NC 28203 |
| PROPERTY OWNER: | NEW BETHEL CHURCH MINISTRIES 1520 LITTLE ROCK ROAD CHARLOTTE, NC 28214 |
| REZONING SITE AREA: | 4.5548 ACRES ± |
| TAX PARCEL #: | 071-017-16, 071-017-20 071-017-10, 071-017-08 |
| EXISTING ZONING: | UR-3 (CD), UR-3 (CD)PED-O & R-8 |
| PROPOSED ZONING: | UR-3 (CD)PED-O & UR-3 (CD)PED-O S.P.A. |
| EXISTING USE: | VACANT |
| PROPOSED USE: | ATTACHED SINGLE FAMILY |
| NUMBER OF UNITS: | 85 UNITS ± |
| PROPOSED DENSITY: | 18.66 DUA |
| PROPOSED FAR: | PER ORDINANCE STANDARDS |
| MINIMUM SETBACK: | PER ORDINANCE STANDARDS |
| OPEN SPACE: | PER ORDINANCE STANDARDS |
| TREE SAVE: | PER ORDINANCE STANDARDS |
| MAX. BUILDING HEIGHT: | 50.00 FEET |



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

HOPPER COMMUNITIES

229 East Kingston Avenue
Charlotte, North Carolina 28203

200 WESLEY HEIGHTS WAY TOWNHOMES

200 Wesley Heights Way
Charlotte, NC 28208

REZONING PLAN

Project No.
4384.00

Issued
11/20/15

Petition Number
2015-XXX

Revised



SCALE: 1"=40'

0 20 40 80'

RZ1.0

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

ColeJenest & Stone, P.A. © 2015

SEE SHEET RZ11 FOR DEVELOPMENT NOTES

North Carolina 811
www.nc811.org

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAG MEN, ETC. AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.
- SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.

A. 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 4.55 ACRE SITE LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF WESLEY HEIGHTS WAY AND DUCKWORTH AVENUE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE").
2. THE 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"). SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-3 (PED-0) ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
3. 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 RESIDENTIAL 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.
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 CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

B. OPTIONAL PROVISIONS

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE DEVELOPMENT OF THE SITE:

1. THE MAXIMUM HEIGHT OF THE SINGLE FAMILY ATTACHED DWELLING UNITS SHALL BE 50 FEET.
2. THE PEDESTRIAN CONNECTION FROM THE SITE TO SUMTER AVENUE DEPICTED ON THE REZONING PLAN MAY BE GATED AT THE OPTION OF PETITIONER.

C. PERMITTED USES

1. THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 85 FOR SALE SINGLE FAMILY ATTACHED DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE UR-3 (PED-0) ZONING DISTRICT.

D. 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.
2. ON-STREET PARKING SHALL BE INSTALLED ALONG THE SITE'S FRONTAGE ON DUCKWORTH AVENUE AS GENERALLY DEPICTED ON THE REZONING PLAN.
3. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL RESIDENTIAL ALLEYS.
4. THE EXACT ALIGNMENTS OF THE INTERNAL RESIDENTIAL ALLEYS MAY BE ALTERED DURING THE CONSTRUCTION PERMITTING PROCESS.
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 EXISTING TREES.

E. ARCHITECTURAL STANDARDS

1. THE MAXIMUM HEIGHT OF THE SINGLE FAMILY ATTACHED DWELLING UNITS SHALL BE 50 FEET.

F. STREETSCAPE AND LANDSCAPING/BUFFER

1. LANDSCAPING WILL MEET OR EXCEED THE REQUIREMENTS OF THE ORDINANCE.
2. INTERNAL LANDSCAPED AREAS SHALL BE INSTALLED ON THE SITE AS DEPICTED ON THE REZONING PLAN.
3. A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 8 FOOT SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTAGES ON WESLEY HEIGHTS WAY AND DUCKWORTH AVENUE.
4. A MINIMUM 10 FOOT WDE BUFFER THAT MEETS THE REQUIREMENTS OF SECTION 10.812(5) OF THE ORDINANCE SHALL BE ESTABLISHED ALONG THOSE PORTIONS OF THE SITE'S BOUNDARY LINES THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING PLAN.

G. ENVIRONMENTAL FEATURES

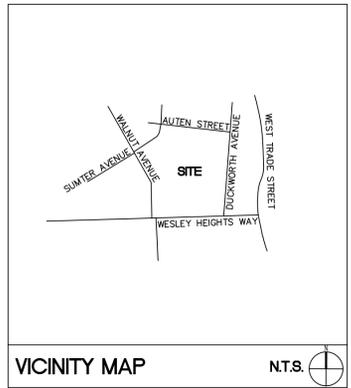
1. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

H. LIGHTING

1. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
2. THE MAXIMUM HEIGHT OF THE LIGHT SOURCE (LIGHT BULB) ON A FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE SHALL BE 20 FEET.
3. ANY LIGHTING FIXTURES ATTACHED TO THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

J. 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. "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 NOVEMBER 12, 2015.
PROVIDED BY A.G. ZOUTEWELLE SURVEYORS, 1418 EAST FIFTH STREET, CHARLOTTE, NC 28204, 704-372-9444.



**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

200 WESLEY HEIGHTS WAY TOWNHOMES

200 Wesley Heights Way
Charlotte, NC 28208

DEVELOPMENT NOTES

Project No.

4384.00

Issued

11/20/15

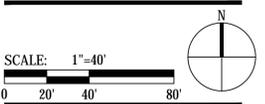
Petition Number

2015-XXX

Revised



1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAG MEN, ETC. AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.
4. SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.

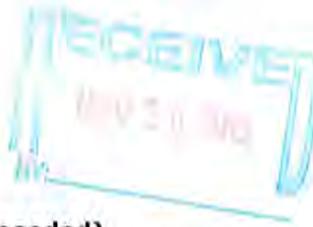


RZ1.1

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

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**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2016-027

Petition #: _____
Date Filed: 11/20/2015
Received By: By

Complete All Fields (Use additional pages if needed)

Property Owner: GAH International Ltd.; Metrolina Mini Storage, LLC

Owner's Address: 7100 Statesville Rd.; PO Box 26668 City, State, Zip: Charlotte, NC 28269; Charlotte, NC 28221

Date Property Acquired: 1/1/1975; 3/27/1998

Property Address: 7000 Apache Ave., Charlotte NC 28269

Tax Parcel Number(s): 037-203-17; 037-203-43

Current Land Use: Industrial/Exposition Center Size (Acres): 93.7 +/-; 1.97 +/-

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

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

Required Rezoning Pre-Application Meeting* with: Shannon Frye, Tammie Keplinger, Grant Meacci,

Date of meeting: 11/17/2015

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: _____

Collin Brown and Bailey Patrick
Name of Rezoning Agent

K&L Gates LLP, 214 North Tryon Street, 47th Floor
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-331-7531 (CBrown); 704-331-7454 (BPatrick)
Telephone Number
704-353-3231
Fax Number

Collin.Brown@klgates.com
E-Mail Address

Linda Pistone
Signature of Property Owner

Linda Pistone

Linda Pistone
Name of Petitioner(s)

7100 Statesville Rd.
Address of Petitioner(s)

Charlotte, NC 28269
City, State, Zip

704-641-0559 (LPistone) 704-295-1983
Telephone Number Fax Number

robysawyer@metrolinatradeshowexpo.com
E-Mail Address

Linda Pistone
Signature of Petitioner

Linda Pistone

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2016-028

By 3:21 pm

| | |
|--------------|-----------|
| Petition #: | _____ |
| Date Filed: | 4/20/2015 |
| Received By: | BT |

Complete All Fields (Use additional pages if needed)

Property Owner: Bill Parkis Compton

Owner's Address: 6451 Highway 55 East City, State, Zip: Clover, SC 29710

Date Property Acquired: 1977

Property Address: 13400 South Tryon St, Charlotte, NC

Tax Parcel Number(s): 19955106

Current Land Use: single family Size (Acres): approx. 4.09

Existing Zoning: R-3 Proposed Zoning: BD (CD)

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

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

Date of meeting: October 20, 2015

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow for the construction of up to 100,000 sq. ft of conditioned storage space

Walter Fields
Name of Rezoning Agent

1919 South Blvd, Suite 101
Agent's Address

Charlotte, NC 28203
City, State, Zip

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

walter@walterfieldsgroup.com
E-Mail Address

Linda S Compton
Signature of Property Owner

Linda S. Compton
(Name Typed / Printed)

Stor-All Properties, Inc
Name of Petitioner(s)

1375 W. Hillsboro Blvd.
Address of Petitioner(s)

Deerfield Beach, FL, 33442
City, State, Zip

954-421-7888 954-426-1108
Telephone Number Fax Number

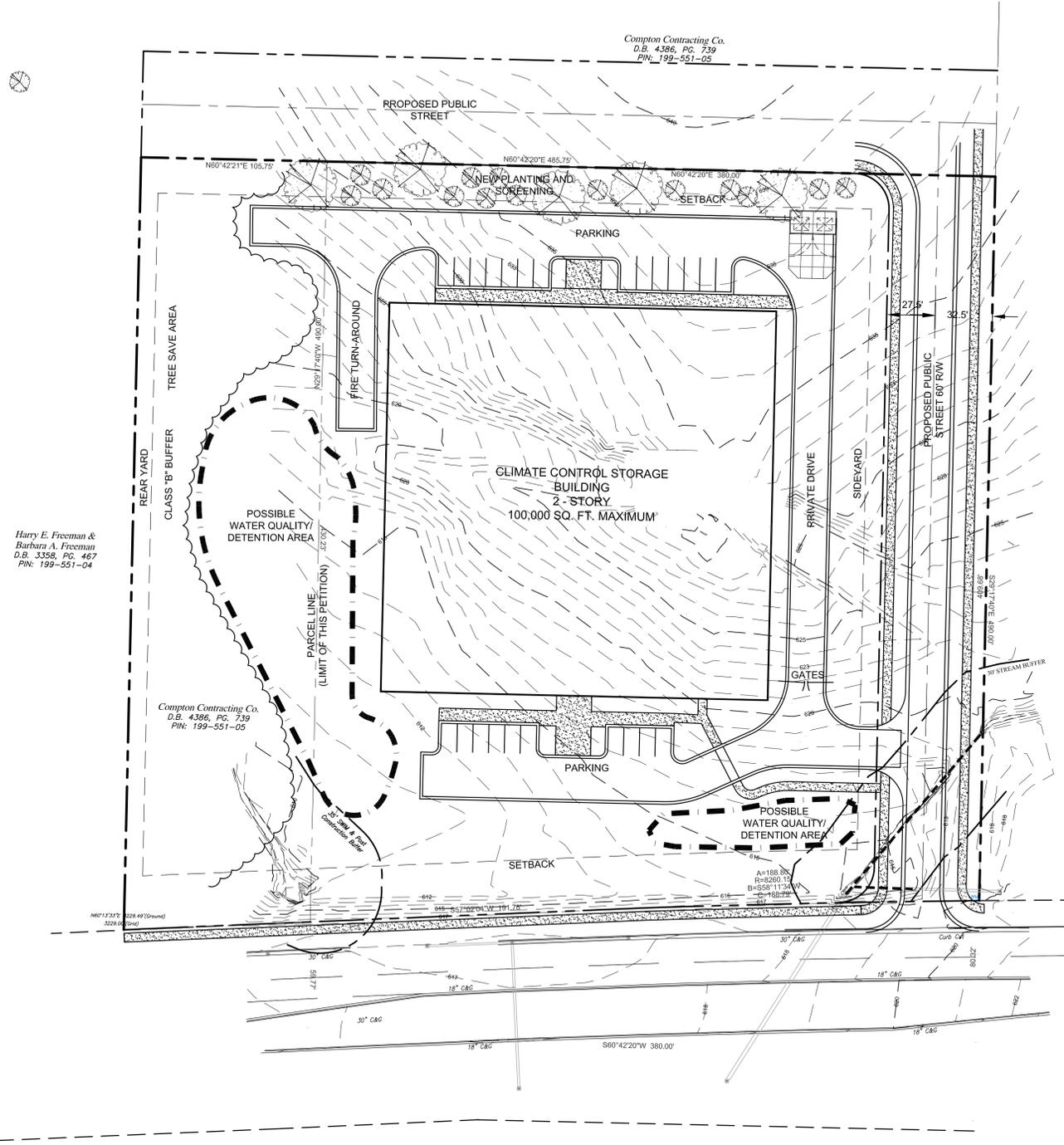
twells@kdsllc.net
E-Mail Address

Kristi Bergquist
Signature of Petitioner

Kristi Bergquist
(Name Typed / Printed)



VICINITY MAP - NTS



Harry E. Freeman &
Barbara A. Freeman
D.B. 3338, PG. 467
PIN: 199-551-04

Compton Contracting Co.
D.B. 4386, PG. 739
PIN: 199-551-05

Steele Creek Charlotte
Associates LLC
D.B. 27378, PG. 523
Lot 1, Magnolia Station
M.B. 48, PG. 587
PIN: 199-551-07

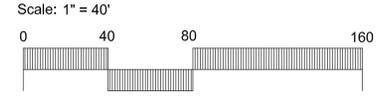
DEVELOPMENT DATA

EXISTING SITE
TAX PARCEL NO.: 19955106
TOTAL SITE AREA: ± 3.65 Ac.
EXIST. ZONING: R-3

PROPOSED:
PROPOSED ZONING: BD (CD)
PROPOSED USE: CLIMATE CONTROLLED, ENCLOSED STORAGE FACILITY AND ACCESS TO ADJACENT PROPERTY
MAXIMUM BUILDING AREA: 100,000 Sq. Ft.
BUILDING HEIGHT: PER ORDINANCE REQUIREMENT
MINIMUM PARKING REQUIRED: PER ORDINANCE REQUIREMENT
MINIMUM TREE SAVE: PER ORDINANCE REQUIREMENT
SETBACKS, SIDEYARDS, REAR YARD, AND BUFFERS: PER ORDINANCE REQUIREMENT

CONDITIONAL DEVELOPMENT STANDARDS

- GENERAL PROVISIONS**
- a. Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases as allowed under the provisions of Section 6.2 of the Zoning Ordinance.
 - b. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, bicycle parking, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.
 - c. Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners," shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.
- PURPOSE**
- The purpose of this Rezoning application is to provide for the development of this site to accommodate a conditioned self storage facility. To achieve this purpose, the application seeks the rezoning of the site from the current R-3 classification to BD (CD). This site has been planned in conjunction with the adjoining site located to the north that is proposed to be developed for a new town home community. The two development plans have coordinated their designs to share a single access point to York Road (South Tryon Street). If for any reason the new public street is not constructed to provide access to the adjacent parcel, the Petitioner reserves the right to construct a private driveway to provide access to the Petitioner's site in the same general location as the proposed public street.
- PERMITTED USES**
- The site may be used for conditioned self storage space, with no outside storage of any type, and as may be further limited by this site plan.
- TRANSPORTATION**
- a. The site will have a driveway access to a new street that will connect York Rd. (South Tryon Street) to a new residential community north of the site. These connections are generally depicted on the site plan.
 - b. Parking areas are generally depicted on the concept plan for the site.
- ARCHITECTURAL STANDARDS**
- Reserved
- STREETSCAPE AND LANDSCAPING**
- Reserved
- ENVIRONMENTAL FEATURES**
- Reserved
- PARKS, GREENWAYS, AND OPEN SPACE**
- Reserved
- FIRE PROTECTION**
- Reserved
- SIGNAGE**
- Reserved
- LIGHTING**
- Freestanding light will be fully shielded and downwardly directed. All new detached lighting installed on the site will be limited to 20' in height.
- PHASING**
- Reserved
- Initial Submission- 11-23-15. 1.0



DPR COMM. #: 15044 DATE: 11-20-2015

PETITION NUMBER: XXXX

STOR-ALL STORAGE ON TRYON

13400 SOUTH TRYON STREET
CHARLOTTE, NORTH CAROLINA

DPR landscape architecture
civil engineering
planning

DPR Associates, Inc. • 420 Hawthorne Lane • Charlotte, NC 28204
phone 704.332.1204 • fax 704.332.1210 • www.dprassociates.net

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

uj 5/27/15

| | |
|--------------|-------------------|
| Petition #: | _____ |
| Date Filed: | <u>11/20/2015</u> |
| Received By: | <u>RH</u> |

Complete All Fields (Use additional pages if needed)

Property Owner: See Exhibit A attached hereto

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

Date Property Acquired: See Exhibit A attached hereto

Property Address: See Exhibit A attached hereto

Tax Parcel Number(s): See Exhibit A attached hereto

Current Land Use: Industrial and residential Size (Acres): +/-11.85 acres

Existing Zoning: I-2, R-8 and R-22 MF Proposed Zoning: TOD-MO

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

Required Rezoning Pre-Application Meeting* with: Mandy Vari, Sonja Sanders, Monica Carney, Shannon Frye and others
Date of meeting: July 22, 2015

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate a maximum 175,000 square foot mixed use development that could contain, among other things, office, retail and restaurant uses. The original portions of the existing mill building on the site shall be preserved and re-purposed to accommodate the permitted uses.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@rbh.com
E-Mail Address

See Attached Joinder Agreements
Signature of Property Owner

(Name Typed / Printed)

White Point Paces Properties, LLC (c/o Jay Levell)
Name of Petitioner(s)

4064 Colony Road, Suite 430
Address of Petitioner(s)

Charlotte, NC 28211
City, State, Zip

704-761-6448
Telephone Number Fax Number

jay@whitepointpartners.com
E-Mail Address

See Attached Signature Page
Signature of Petitioner

(Name Typed / Printed)

Signature of Petitioner

WHITE POINT PACES PROPERTIES, LLC

By: 
Name: Jay Lovell
Title: Manager

Date: November 19, 2015

Exhibit A to Rezoning Application Filed by White Point Paces Properties, LLC

Tax Parcel Numbers, Property Owner Information, Acquisition Dates and Addresses

I. Tax Parcel Numbers

083-011-25, 081-042-02, 081-062-13, 081-062-14, 081-062-15, 081-062-20, 081-062-07,
081-062-18, 081-041-03, 081-042-01 and 081-062-04

II. Property Owner Information and Acquisition Dates

Tax Parcel Nos. 081-011-25 and 081-042-02

Highland Mills, Inc.
P.O. Box 33775
Charlotte, NC 28233

Date Property Acquired: July 1, 1977

Tax Parcel No. 081-062-13

Highland Mills, Inc.
P.O. Box 33775
Charlotte, NC 28233

Date Property Acquired: May 2, 1995

Tax Parcel Nos. 081-062-14, 081-062-15, 081-062-20, 081-062-07 and 081-062-18

Highland Mills, Inc.
P.O. Box 33775
Charlotte, NC 28233

Date Property Acquired: August 4, 1994

Tax Parcel No. 081-041-03

Charles M. Creech, Jr. and Marilyn S. Creech
5833 Creola Road
Charlotte, NC 28270

Date Property Acquired: August 8, 2005

Tax Parcel No. 081-042-01

1101, LLC
4808 Milliken Close
Wilson, NC 27896

Date Property Acquired: August 21, 2009

Tax Parcel No. 081-062-04

Belmont Avenue, LLC
2525 Innsbrook Road
Charlotte, NC 28226

Date Property Acquired: May 27, 2009

III. Addresses of Parcels

North Brevard Street, 340 East 16th Street, 1128 North Brevard Street, 1124 North Brevard Street, 1120 North Brevard Street, Parkwood Avenue, 1115 North Caldwell Street, 1109 North Caldwell Street, 1021 North Brevard Street, 1101 North Brevard Street and 429 Belmont Avenue

**REZONING APPLICATION FILED BY
WHITE POINT PACES PROPERTIES, LLC
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by White Point Paces Properties, LLC that is designated as Tax Parcel No. 081-042-01 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the TOD-MO zoning district.

This 18 day of November, 2015.

1101, LLC

By: 

Name: Logan Watts

Title: President

**REZONING APPLICATION FILED BY
WHITE POINT PACES PROPERTIES, LLC
JOINDER AGREEMENT**

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by White Point Paces Properties, LLC that are designated as Tax Parcel Nos. 083-011-25, 081-042-02, 081-062-13, 081-062-14, 081-062-15, 081-062-20, 081-062-07 and 081-062-18 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the TOD-MO zoning district.

This _____ day of November, 2015.

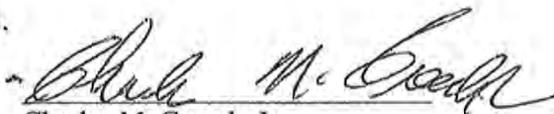
HIGHLAND MILLS, INC.

By: 
Name: SAM KAPLAN
Title: Sec.

**REZONING APPLICATION FILED BY
WHITE POINT PACES PROPERTIES, LLC
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by White Point Paces Properties, LLC that is designated as Tax Parcel No. 081-041-03 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the TOD-MO zoning district.

This 18TH day of November, 2015.


Charles M. Creech, Jr.

Marilyn S. Creech

Charles M. Creech, Jr.

Marilyn S. Creech
Marilyn S. Creech

**REZONING APPLICATION FILED BY
WHITE POINT PACES PROPERTIES, LLC
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by White Point Paces Properties, LLC that is designated as Tax Parcel No. 081-042-01 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the TOD-MO zoning district.

This ____ day of November, 2015.

1101, LLC

By: _____

Name: _____

Title: _____

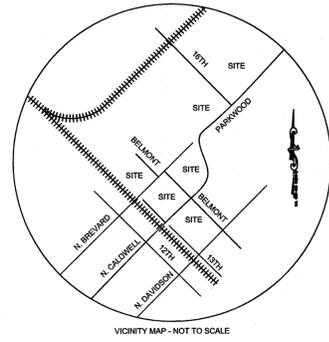
**REZONING APPLICATION FILED BY
WHITE POINT PACES PROPERTIES, LLC
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by White Point Paces Properties, LLC that is designated as Tax Parcel No. 081-062-04 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the TOD-MO zoning district.

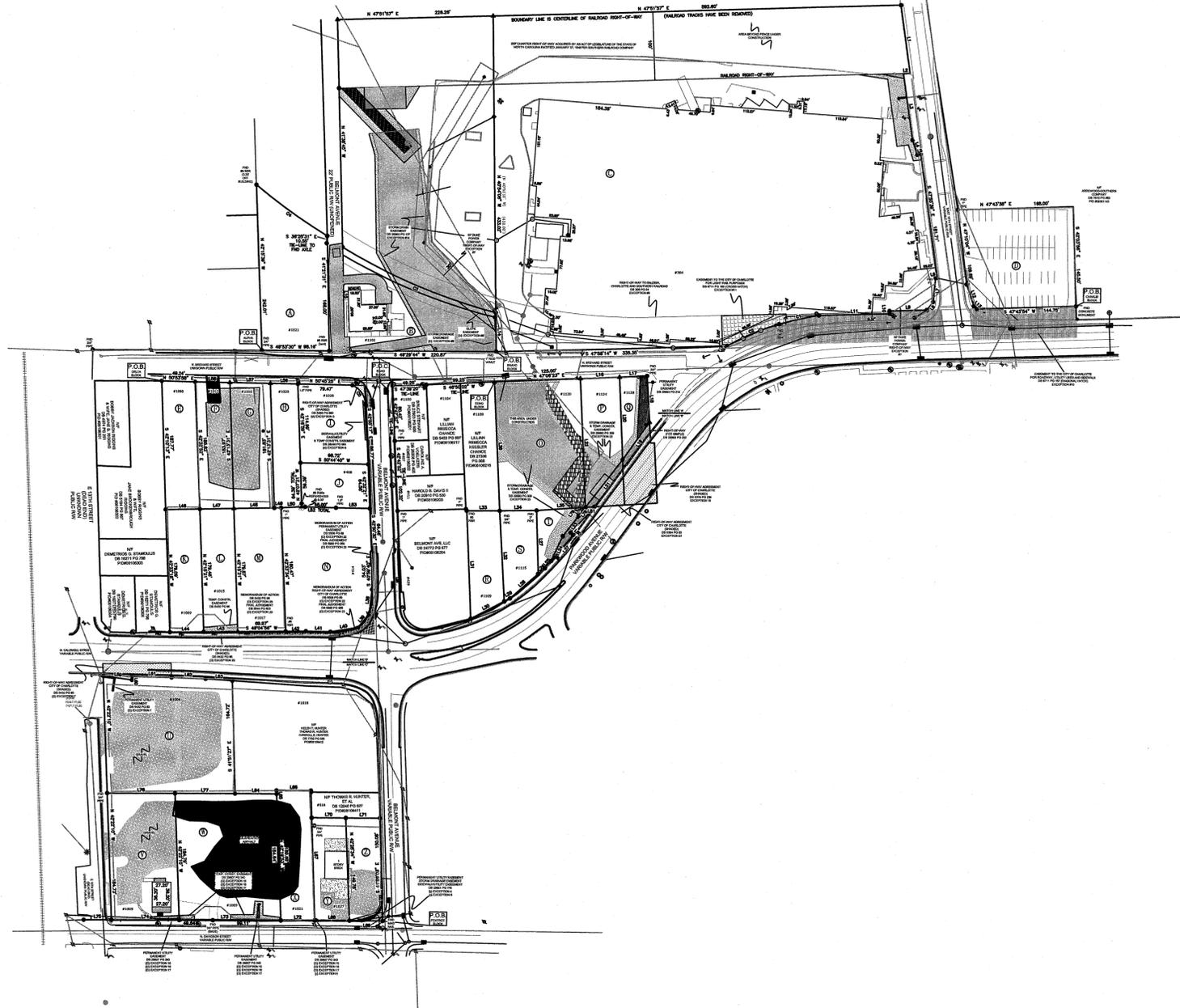
This 20 day of November, 2015.

BELMONT AVENUE, LLC

By: TANE M. DIAMOND
Name: TANE M. DIAMOND
Title: MANAGER



- LEGEND:**
- - DRILL HOLE
 - - MONUMENT DISC
 - ▲ - COMPUTED POINT
 - ⊙ - SET #4 REBAR
 - - FOUND REBAR OR MONUMENTATION FOUND AS NOTED
 - ⊕ - GAS VALVE
 - ⊖ - WATER VALVE
 - ⊗ - WATER BOX
 - ⊘ - WATER METER
 - ⊙ - BOLLARD
 - ⊕ - FIRE HYDRANT
 - ⊖ - MAIL BOX
 - ⊗ - SANITARY SEWER MANHOLE
 - N/F - NOW OR FORMERLY
 - ⊙ - STORM DRAIN MANHOLE
 - N.C.G.S. - NORTH CAROLINA GEODETIC SURVEY
 - ⊕ - POWER POLE
 - R/W - RIGHT-OF-WAY
 - POB - POINT OF BEGINNING
 - FND - FOUND
 - PID - PARCEL ID
 - EP - EDGE OF PAVEMENT
 - RCP - REINFORCED CONCRETE PIPE
 - CMP - CORRUGATED METAL PIPE
 - TEMP - TEMPORARY
 - CONST - CONSTRUCTION
 - ICV - IRRIGATION CONTROL VALVE
 - ⊕ - SEWER CLEAN OUT
 - ⊖ - CABLE TV BOX
 - TP - TELEPHONE PEDESTAL
 - TCOMM - TELECOMMUNICATIONS BOX
 - ⊕ - SIGN
 - - FENCE
 - - GAS LINE
 - - STORM DRAIN
 - - SANITARY SEWER
 - - OVERHEAD UTILITIES
 - - CONCRETE
 - - CONCRETE
 - - GRAVEL
 - - FEE SIMPLE
 - - TEMPORARY CONSTRUCTION EASEMENT
 - - SANITARY SEWER EASEMENT
 - - STORM DRAIN EASEMENT
 - - SANITARY & STORM COMBINED EASEMENT
 - - PERMANENT UTILITY EASEMENT
 - - WATERLINE EASEMENT
 - - GRANTED R/W
 - - R/W AREA TAKEN BY CITY
 - - SIDEWALK/UTILITY EASEMENT
 - - SLOPE EASEMENT
 - - LIGHT RAIL EASEMENT



| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 47°55'39" E | 100.51' |
| L2 | S 47°51'57" W | 9.70' |
| L3 | S 48°12'25" E | 97.72' |
| L4 | S 58°29'56" E | 22.40' |
| L5 | N 41°47'35" E | 5.07' |
| L6 | N 41°52'08" E | 2.33' |
| L7 | S 34°50'51" E | 34.93' |
| L8 | S 02°39'12" E | 15.08' |
| L9 | S 47°45'02" W | 54.19' |
| L10 | S 42°38'36" E | 4.02' |
| L11 | N 47°46'43" E | 102.46' |
| L12 | N 58°40'59" W | 33.48' |
| L13 | N 86°03'44" W | 5.65' |
| L14 | S 41°04'51" E | 56.74' |
| L15 | N 41°21'31" W | 151.86' |
| L16 | N 47°06'23" E | 57.00' |
| L17 | N 47°06'23" E | 40.01' |
| L18 | S 43°25'34" E | 67.28' |
| L19 | S 04°45'54" E | 67.17' |
| L20 | S 42°30'11" E | 120.30' |
| L21 | S 02°43'12" E | 88.04' |
| L22 | S 42°42'18" E | 187.58' |
| L23 | N 02°37'59" W | 38.07' |
| L24 | N 15°21'49" W | 40.06' |
| L25 | S 00°30'41" E | 14.03' |
| L26 | N 09°25'01" E | 12.61' |
| L27 | S 41°52'51" E | 92.50' |
| L28 | N 08°15'08" E | 54.56' |
| L29 | N 21°44'31" E | 9.49' |
| L30 | N 21°54'57" E | 55.01' |
| L31 | S 42°33'42" E | 157.49' |
| L32 | S 43°20'41" E | 132.33' |
| L33 | N 49°12'03" E | 47.86' |
| L34 | S 48°45'14" W | 53.76' |
| L35 | S 45°19'46" W | 71.16' |
| L36 | N 42°44'46" W | 188.24' |
| L37 | N 00°30'41" W | 49.93' |
| L38 | S 33°54'14" E | 35.43' |
| L39 | S 01°17'30" E | 25.84' |
| L40 | S 40°15'56" W | 40.59' |
| L41 | S 50°55'54" W | 35.98' |
| L42 | S 49°01'47" W | 29.35' |
| L43 | S 49°04'56" W | 49.51' |
| L44 | S 49°02'36" W | 49.99' |
| L45 | S 48°36'23" W | 99.90' |
| L46 | S 48°37'38" W | 50.40' |
| L47 | S 48°35'38" W | 49.50' |
| L48 | S 48°36'23" W | 59.04' |
| L49 | S 48°35'21" W | 9.97' |
| L50 | S 46°41'22" W | 30.04' |
| L51 | S 50°37'21" W | 49.33' |
| L52 | S 51°06'43" W | 45.00' |
| L53 | S 50°34'26" W | 49.19' |
| L54 | N 50°40'46" E | 40.05' |
| L55 | N 50°40'46" E | 59.11' |
| L56 | N 50°40'46" E | 50.61' |
| L57 | S 57°48'35" W | 42.36' |
| L58 | N 39°20'25" W | 5.00' |
| L59 | N 50°46'48" E | 57.58' |
| L60 | S 51°43'31" W | 50.16' |
| L61 | N 53°32'37" E | 39.06' |
| L62 | S 49°54'24" W | 60.75' |
| L63 | S 42°19'53" E | 5.04' |
| L64 | N 49°43'01" E | 50.10' |
| L65 | N 42°07'29" W | 189.66' |
| L66 | N 49°27'12" E | 50.82' |
| L67 | S 50°09'15" W | 48.31' |
| L68 | N 49°44'33" E | 49.71' |
| L69 | S 49°44'33" W | 49.71' |
| L70 | S 49°43'11" W | 49.42' |
| L71 | N 49°43'11" E | 148.75' |
| L72 | S 49°43'11" W | 98.85' |
| L73 | S 49°43'11" W | 40.44' |
| L74 | S 49°41'03" W | 98.85' |
| L75 | S 49°41'03" W | 88.14' |
| L76 | S 02°36'36" E | 15.12' |
| L77 | S 02°43'12" E | 0.67' |
| L78 | N 89°14'01" W | 4.98' |
| L79 | N 46°48'20" E | 12.90' |

I HAVE EXAMINED THE FLOOD INSURANCE RATE MAP FOR MECKLENBURG COUNTY, NORTH CAROLINA, COMMUNITY PANEL NUMBER 3710455400K WITH AN EFFECTIVE DATE OF FEBRUARY 19, 2014, AND HEREBY CERTIFY THAT NO PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

I, ROY P. FOWLER, PLS, CERTIFY TO THE FOLLOWING:
THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND.

TO: WHITE POINT PACES PARTNERS, LLC & WELLS FARGO BANK, NATIONAL ASSOCIATION, THEIR SUCCESSORS AND/OR ASSIGNS & FIDELITY NATIONAL TITLE INSURANCE COMPANY:

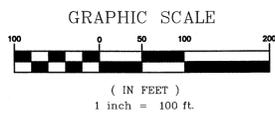
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 6(a), 7(a), 8, 11(c), 13, & 18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON OCTOBER 22, 2015.

DATE OF PLAT: OCTOBER 30, 2015

ROY P. FOWLER, PLS #4232



PRELIMINARY
NOT FOR SALE OR CONVEYANCE



- NOTES:**
1. BEARINGS BASED ON NORTH CAROLINA GRID NAD 83 (2011)
 2. RECORD INFORMATION FROM TITLE COMMITMENTS IS SHOWN IN PARENTHESIS.
 3. AREA COMPUTED BY COORDINATE GEOMETRY METHOD.
 4. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
 5. REFERENCES AS SHOWN ON PLAT.
 6. DASHED LINES INDICATE LINES NOT SURVEYED.
 7. BOUNDARY SURVEY COMPLETED 10/05/15 BY SUMMIT LAND SERVICES
 8. CURRENT PROPERTY OWNERS AND REFERENCES AS SHOWN.
 9. TOTAL ACREAGE OF THE SUBJECT PARCELS = 16.211 ACRES.

REVISIONS:

| DATE | DESCRIPTION AND REVISIONS |
|------|---------------------------|
| | |

CLIENT:
WHITE POINT PACES PARTNERS, LLC
TWO MORCROFT CENTRE
4064 COLONY ROAD, SUITE 430
CHARLOTTE, NC 28211

PROJECT:
ALTA/ACSM LAND TITLE SURVEY OF
16.211 ACRES
CHARLOTTE, MECKLENBURG COUNTY, NC
PARCEL NUMBERS 08106403, 08106401, 08106402, 08106405,
08106315, 08106314, 08106313, 08106312, 08106311, 08106317, 08106310,
08106308, 08106307, 08106306, 08106215, 08106214, 08106213,
08106218, 08106207, 08106220, 08106401, 08106404, 08106405,
08106408, 08106409, & 08106410.

OVERALL
SITE VIEW

ORIG.PROJ.DATE: 10/09/15
SCALE: 1" = 100'
DRAWN BY: RPF
CHECKED BY: KCH
PROJECT NO: #3569
SHEET



**URBAN
DESIGN
PARTNERS**

1318-w. central ave. # 704.334.3303
charlotte, nc 28205 # 704.334.3305
urbandesignpartners.com

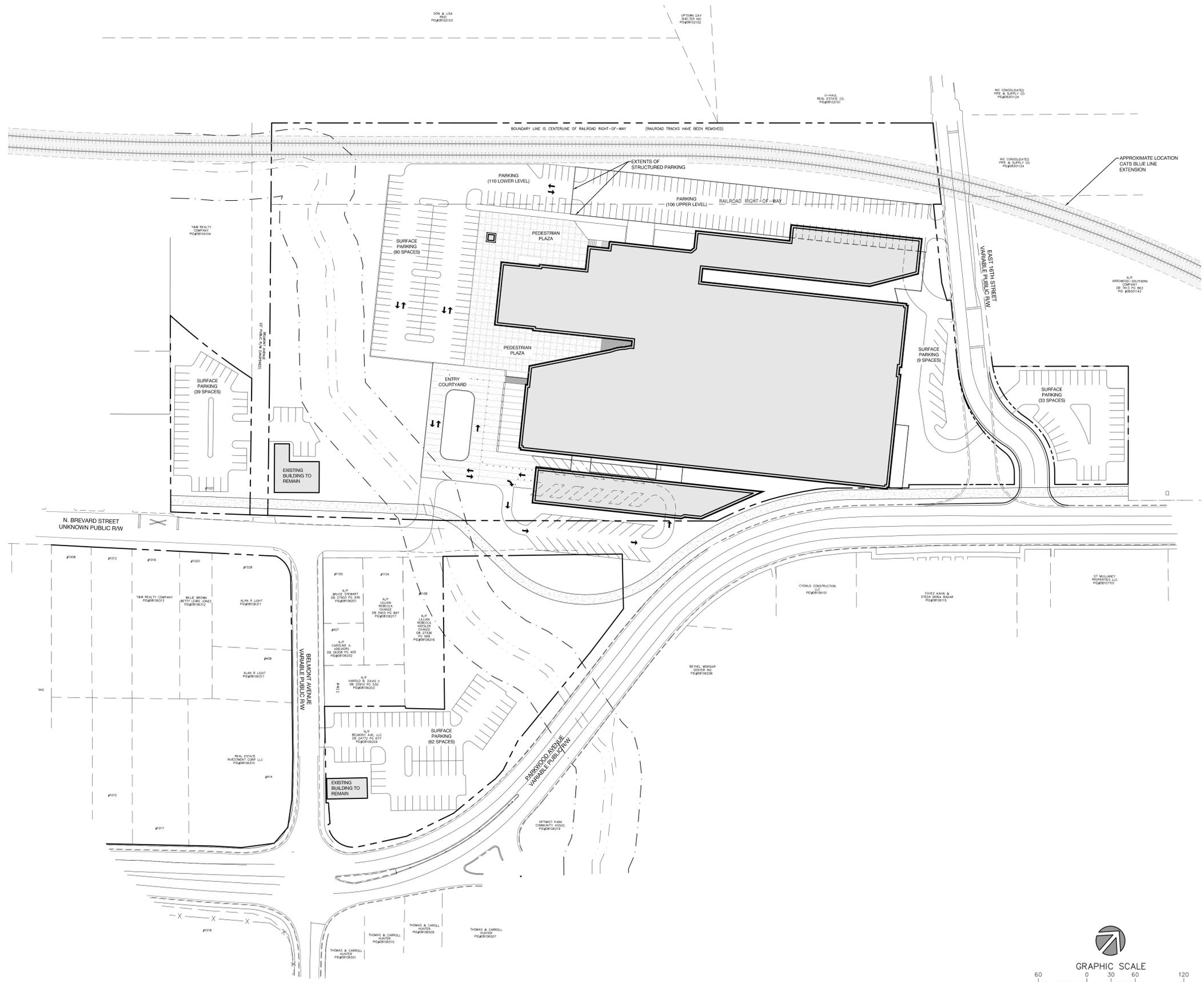
PERKINS+WILL

White Point Paces
Partners LLC

Two Morrocroft Centre
4064 Colony Road, Suite 430
Charlotte, NC 28211

HIGHLAND PARK MILL

Rezoning Site Plan
Charlotte, NC



I. REZONING APPLICATION
CITY OF CHARLOTTE

2016-030

| | |
|--------------|------------|
| Petition #: | |
| Date Filed: | 11/23/2015 |
| Received By: | BH |

Complete All Fields (Use additional pages if needed)

Property Owner: The Campus at Pfeiffer, LLC

Owner's Address: 4701 Park Road City, State, Zip: Charlotte, NC 28209

Date Property Acquired: 10/13/06

Property Address: 4701 Park Road, Charlotte, NC

Tax Parcel Number: 175-143-01

Current Land Use: Pfeiffer University Size (Acres): ±5.0

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

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

Required Rezoning Pre-Application Meeting* with: John Kinley, Kent Main, Jason Prescott, Kory Hedrick, and Bridget Dixon.

Date of meeting: 11/17/15

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow the redevelopment of Site with a new high quality residential community with ground floor retail uses.

Jeff Brown
Keith MacVean
Name of Rezoning Agent

Moore & Van Allen, PLLC
100 N. Tryon Street, Suite 4700
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-331-1144 (JB) **704-348-1925 (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
Colleen Perry Keith
(Name Typed/Printed)

Johnson Development Associates, Inc.
(Attn: Brett Basnight)
Name of Petitioner

100 Dunbar Street, Suite 400
Address of Petitioner

Spartanburg, SC 29306
City, State, Zip

864-594-5717
Telephone Number Fax Number

bbasnight@johnsondevelopment.com
E-mail Address

See Attachment B
Signature of Petitioner
Brett Basnight
(Name Typed/Printed)

ATTACHMENT A

REZONING PETITION NO. [2016-____]
Johnson Development Associates, Inc.

PETITIONER JOINDER AGREEMENT
The Campus at Pfeiffer, LLC

The undersigned, as the owner of the parcel of land located at 4701 Park Road that is designated as Tax Parcel No. 175-143-01 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcel from the MUDD(CD) zoning district to the MUDD-O zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19th day of November, 2015.

The Campus at Pfeiffer, LLC,
a North Carolina limited liability company

By: Pfeiffer University, a North Carolina non-profit corporation, its sole member

By: Colleen Perry Keith
Name: Colleen Perry Keith
Title: President

ATTACHMENT B

JOHNSON DEVELOPMENT ASSOCIATES, INC.

Johnson Development Associates, Inc.,
a South Carolina corporation

By: 
Name: Brett L. Basnight
Title: Real Estate Director, MF

Site Development Data:
 --Acreage: ± 5.0 acres
 --Tax Parcel #: 175-143-01
 --Existing Zoning: MUDD(CD)
 --Proposed Zoning: MUDD-O
 --Existing Uses: Pfeiffer University.
 --Proposed Uses: Residential dwellings unit, retail, Eating, Drinking, Entertainment, Establishments (EDEE), general and medical office uses; and Personal Service Uses as permitted by right, under prescribed conditions, and by the Optional provisions below together with accessory uses, as allowed in the MUDD zoning district (as more specifically described and restricted below in Section 3).
 --Maximum Gross Square Feet of Development: Up to 360 multi-family residential dwelling units and up to 17,000 square feet of gross floor area devoted to: retail, EDEE, general and medical office uses and personal service uses; as allowed by right and under prescribed conditions in the MUDD zoning district, provided, however, loading docks (open or enclosed), outdoor dining areas and surface and structure parking areas shall not be counted toward the allowed gross floor area (floor area as defined by the ordinance) proposed by this rezoning petition.
 --Maximum Building Height: Maximum building height of six (6) stories, not to exceed 80 feet. Building height to be measured per the Ordinance.
 --Parking: As required by the Ordinance.

1. General Provisions:

a. **Site Location.** These Development Standards, the Technical Data Sheet, Schematic Site Plan and other site plan sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Johnson Development Associates, Inc. ("Petitioner") to accommodate the development of a high quality residential mixed-use community with ground floor retail uses; Eating, Drinking Entertainment Establishments; general and medical office uses; and Personal Service uses on an approximately 5.00 acre site located on the southeast quadrant of the intersection of Park Road and Mockingbird Lane (the "Site").

b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD-O zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.

c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and

buildings, building elevations, driveways, streets, Permissible Building Areas (as defined below) and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance. Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

- i. minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
- ii. modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the external setbacks, side or rear yards) indicated on Sheet RZ-1; or
- iii. modifications to allow minor increases or decreases 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 will be limited to three (3). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

2. Optional Provisions:

The following optional provisions shall apply to the Site:

- a. To allow wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less.
- b. To allow one detached ground mounted sign per street front with a maximum height of 16 feet and containing up to 100 square feet of sign area.

c. To not require doorways to be recessed into the face of the building(s) when the width of the sidewalk is at least 12 feet and to not required doorways to be recessed when sliding glass doors are used to provide access.

d. To not require surface and structure parking areas, outdoor dining areas, and loading dock areas (open or enclosed) to be counted as part of the allowed Gross Floor Area (floor area as defined by the ordinance) for the Site.

e. To allow the use of a "green screen" to meet the screening requirements of the Ordinance for surface parking areas. The green screen to be used along the southern property boundary.

Note: The optional provision regarding signs is an addition/modification to the standards for signs in the MUDD district and is to be used with the remainder of MUDD standards for signs not modified by these optional provisions.

3. Permitted Uses, Development Area Limitations:

a. The principal buildings constructed on the Site may be developed with up to 360 multi-family residential dwellings units and up to 17,000 square feet of gross floor area devoted to: retail, EDEE, general and medical office uses, and personal service uses as permitted by right, under prescribed conditions and per the Optional provisions above together with accessory uses allowed in the MUDD-O zoning district.

Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa's, Yoga and exercise studios, nail salons, massage shops, martial art training studios, dry cleaning establishments, locksmiths, and alike.

b. The allowed non-residential uses will be located on the ground floor of the building located at the intersection of Park Road and Mockingbird Lane as generally depicted on the Rezoning Plan.

c. The following use will not be allowed; gasoline service stations with or without a convenience store.

For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structure parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).

4. Transportation Improvements and Access:

I. Proposed Improvements:

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

The following Transportation Improvements are also illustrated on figure -- located on Sheet -- of the Rezoning Plan. Figure -- on Sheet -- is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number when describing an improvement corresponds to the number found on Figure -- on Sheet -- for the proposed improvement).

The following roadway improvements will be made by the Petitioner as part of the redevelopment of the Site as proposed by the Rezoning Plan:

To be completed after the review of the proposed development by CDOT.

II. Standards, Phasing and Other Provisions:

a. **CDOT/NC DOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT as applicable. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the area, by way of a private/public partnership effort or other public sector project support.

b. **Substantial Completion.** Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.III.b. above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.III.a. above provided, however, in the event all roadway improvements are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

c. **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department and governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings, provided, however, Petitioner continues to exercise good faith efforts to complete the applicable roadway improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

d. **Alternative Improvements.** Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of the Petitioner, CDOT, and the Planning Director as applicable, provided, however, the proposed alternative transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

III. Access:

a. Access to the Site will be from Park Road and Mockingbird Lane as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

b. The Petitioner as part of the development of Site will construct a Private Street from Mockingbird Lane through the Site to the southern property boundary as generally depicted on the Rezoning Plan. A public access easement will be provided on this private street. The public access easement will prohibit the private street from being closed or gated and will require that the private street be kept open to allow the public to use the street for ingress and egress. The Public Access Easement will be documented on applicable approved building permit plans which will include a provision stating that the easement can be modified as permitted herein. This provision and provisions to be included on the building plans are not intended to create private easements rights that may be enforced by individual land owners, but rather are intended to comply with desire of the City to have a private street extended from Mockingbird Lane to the adjoining property located along the southern property boundary to create additional connectivity in the area. Portions of all of the Storm Water Management features may be located within the private street.

c. The alignment of the vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

d. The Site's internal private street will be designed to include sidewalks and planting strips as generally depicted on the Rezoning Plan.

e. The Petitioner will provide parallel on-street parking along Mockingbird Lane.

5. Streetscape, Buffer, Landscaping Open Space and Screening:

a. A 21 foot setback as measured from the existing back of curb along Park Road will be provided, as generally depicted on the Rezoning Plan.

b. A 16 foot setback, as measured from the existing back of curb along Mockingbird Lane will be provided all as generally depicted on the Rezoning Plan.

c. A 13 foot planting strip and an eight (8) foot sidewalk will be provided along Park Road, and an eight (8) foot planting strip and an eight (8) foot sidewalk will be provided along Mockingbird Lane, within the required setbacks as generally depicted on the Rezoning Plan.

d. Meter banks will be screened where visible from public view at grade level.

e. Roof top HVAC and related mechanical equipment will be screened from public view at grade level.

6. General Design Guidelines:

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, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.

b. The attached illustrative building elevations are included to reflect an architectural style and a quality of the buildings that may be constructed on the Site (the actual buildings constructed on the Site may vary from these illustrations provided that the design intent is preserved).

c. Building Street Walls will meet or exceed the MUDD requirements for blank walls.

d. Non-residential uses located along Park Road and Mockingbird Lane will have entrances oriented toward these streets.

e. Each operable pedestrian entrance (defined as an entrance design to provide customers access to the proposed non-residential uses) will be designed to be clearly identifiable and prominent elements within the building facades in which they are located.

f. A transition zone with an average depth five (5) feet will be established between building face and the back of the sidewalk located along Mockingbird Lane. The transition zone may be used for enhanced landscaping. Stairs and stoops may encroach into this transition zone.

g. The scale and massing of buildings longer than 150' along a street face shall be minimized by utilizing a combination of the following options: (i) varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions; (ii) utilize building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses; (iii) utilize horizontal and vertical variations in wall planes; and/or (iv) provide architectural protrusion to accentuate enclosed balconies.

h. The maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length. Where blank or unarticulated walls 20' or greater cannot be addressed principally with doors or windows, they shall be treated with a combination of the following options: (i) provide a higher level of transparency on the ground floor (exaggerated or larger windows indicative of living areas); (ii) utilize horizontal and vertical variations in wall planes; and/or (iii) provide architectural protrusion.

i. If the final architectural design cannot meet the design standards for blank wall articulation, alternative innovative design solutions may be considered for approval by the Planning Director.

j. Residential building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrance through a combination of at least five (5) of the following features: (i) decorative pedestrian lighting/soffits; (ii) architectural details carried through to upper stories; (iii) covered porches, canopies, awnings or sunshades; (iv) arcways; (v) transom windows; (vi) terraced or raised planters that can be utilized as seat walls; (vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (viii) double doors; (ix) stoops or stairs; and/or (x) contrasting pavement from primary sidewalk.

k. Common and private individual entrances to residential units will be provided along Mockingbird Lane at intervals of no less than 125 feet.

l. Where a building is served by common entrances (not individual unit entrances) and cannot achieve the interval spacing, common usable open spaces, amenity areas or courtyards can be utilized to break up the wall plane.

m. Individual residential unit entrances oriented to Mockingbird Lane should give the appearance of a front door orientation rather than a back patio design.

n. The allowed accessory non-residential uses located on ground floor of the building shall maintain a high level of visibility through the use of clear glass, larger windows and a unobstructed view from Park Road and Mockingbird Lane into the space.

o. Balconies will be designed so that their size and location maximize their intended use for open space. The balconies may encroach into the transition zone provided along Mockingbird Lane above the first story of the building.

p. All facades shall incorporate windows, arches, balconies or other architectural details along with varying build materials, or roof lines or building offsets.

7. Environmental Features:

a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

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

c. The Site will comply with the Tree Ordinance.

8. Signage:

a. Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided.

b. On premises directional and instructional signs may be located throughout the Site per the standards of the Ordinance.

9. Lighting:

a. All new attached and detached lighting shall be fully shielded downwardly directed and full cut off fixture type lighting excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

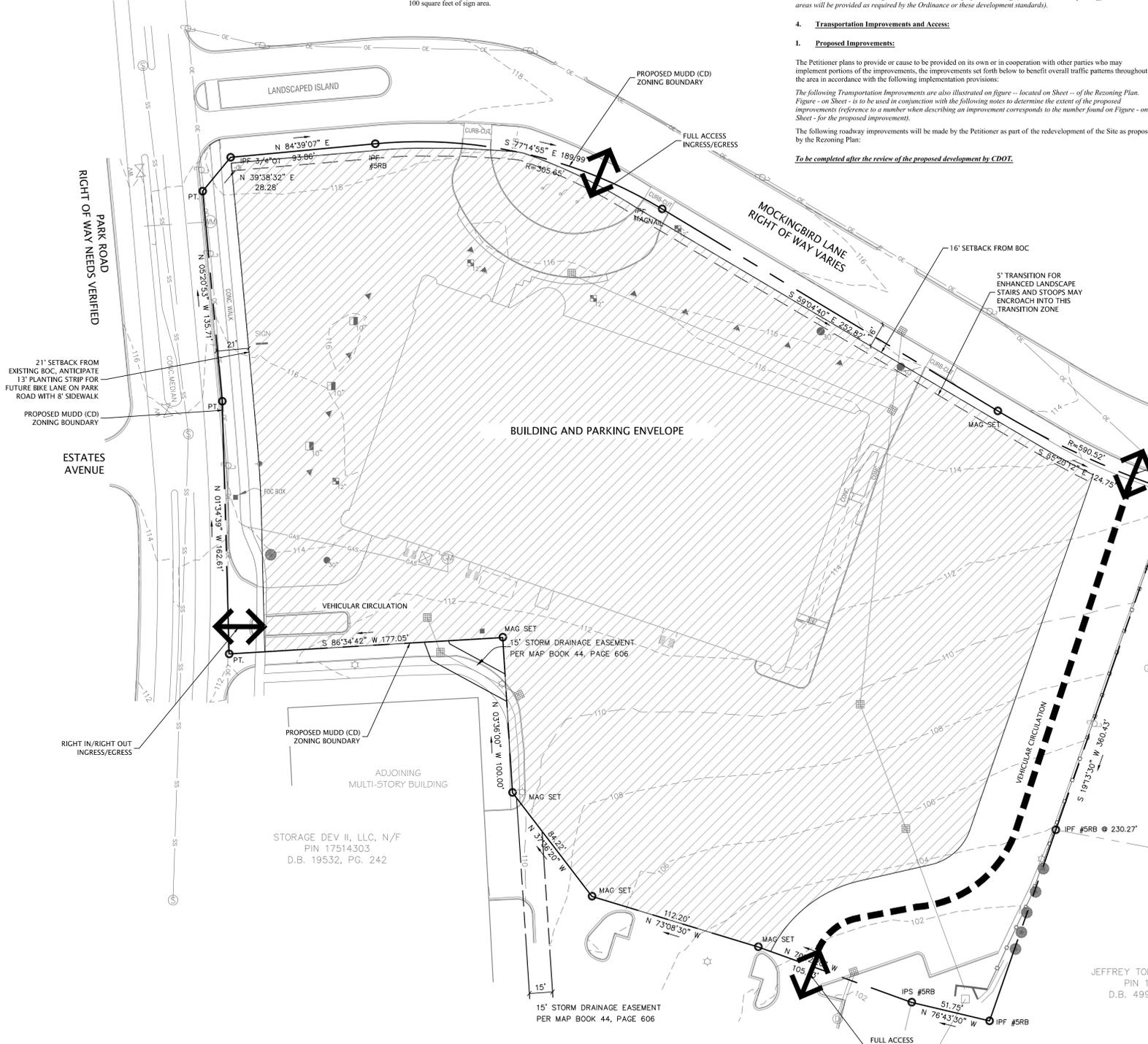
b. Detached lighting on the Site, except street lights located along public streets, will be limited to 20 feet in height.

10. Amendments to the Rezoning Plan:

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

11. Binding Effect of the Rezoning Application:

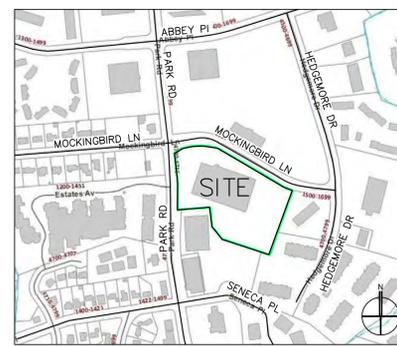
a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development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



GOLDEN TRIANGLE #9, N/F
 PIN 17514307
 D.B. 29543, PG. 996

JEFFREY TODD TERRY, N/F
 PIN 17514319
 D.B. 4999, PG. 577

STORAGE DEV II, LLC, N/F
 PIN 17514303
 D.B. 19532, PG. 242



design resource group
 • landscape architecture
 • civil engineering
 • urban design
 • land planning
 • traffic engineering
 • transportation planning
 2459 wilkinson boulevard, suite 200
 charlotte, nc 28208
 p 704.343.0608 f 704.358.3093
 www.drgrp.com

PFEIFFER SITE REZONING
 CHARLOTTE, NORTH CAROLINA
JOHNSON DEVELOPMENT ASSOCIATES, INC.
 100 DUNBAR STREET SUITE 400
 SPARTANBURG, SC 29306
 864.594.5717

FOR PUBLIC HEARING

REZONING PETITION #
 XXXX-XXX

SCALE: 1" = 40'

PROJECT #: 586-002
 DRAWN BY: JL
 CHECKED BY: BS

TECHNICAL DATA PLAN

NOVEMBER 23, 2015

REVISIONS:

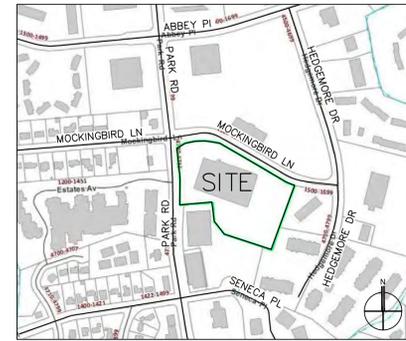
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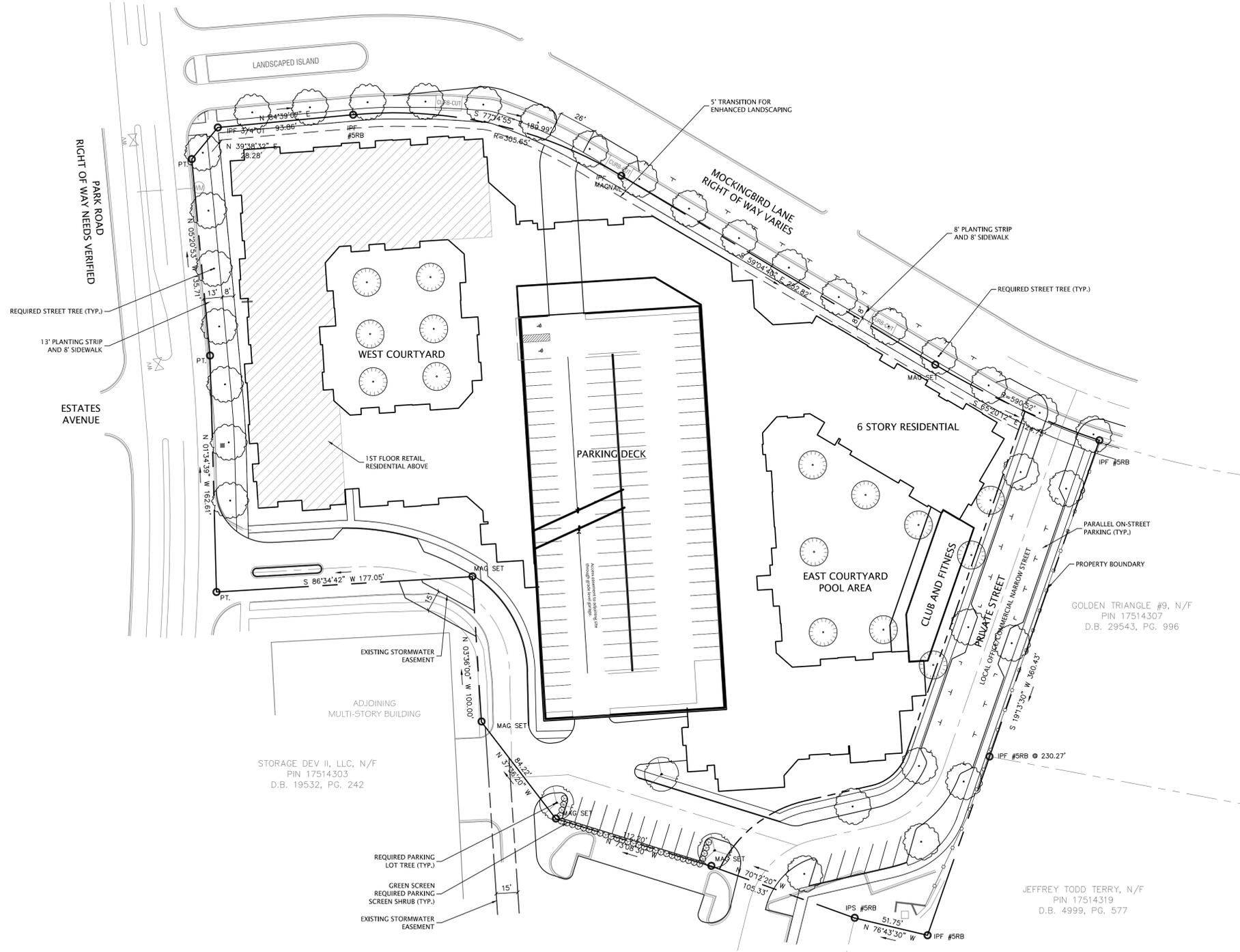
design resource group

- landscape architecture
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2459 wilkinson boulevard, suite 200
 charlotte, nc 28208
 p 704.343.0608 f 704.358.3093
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VICINITY MAP
(NOT TO SCALE)



SITE DEVELOPMENT DATA

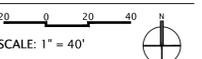
| | |
|----------------------------|--|
| SITE AREA: | 217,876 SF (±5.00 AC) |
| PARCEL ID #: | 17514301 |
| EXISTING ZONING: | MUDD-O(CD) |
| EXISTING USE: | PFEIFFER UNIVERSITY |
| PROPOSED ZONING: | MUDD(CD) |
| PROPOSED USE: | RESIDENTIAL DWELLING UNITS; RETAIL; EATING, DRINKING, ENTERTAINMENT, ESTABLISHMENTS (EDEE); GENERAL AND MEDICAL OFFICE USES; PERSONAL SERVICE USES; ACCESSORY USES |
| NUMBER OF DWELLING UNITS: | UP TO 360 |
| NON-RESIDENTIAL USE: | UP TO 17,000 SF OF GROSS FLOOR AREA |
| BUILDING HEIGHT ALLOWED: | 120' MAX. |
| BUILDING HEIGHT PROVIDED: | 6 STORIES MAX. (80' MAX.) |
| SIDE YARD REQUIRED: | NONE, BUT 10' BUILDING SEPARATION REQUIRED ADJACENT TO A RESIDENTIAL USE |
| REAR YARD REQUIRED: | NONE, BUT 10' BUILDING SEPARATION REQUIRED ADJACENT TO A RESIDENTIAL USE |
| URBAN OPEN SPACE REQUIRED: | 1 SF/100 GROSS SF OF FLOOR AREA PER ORDINANCE |
| URBAN OPEN SPACE PROVIDED: | |
| PARKING SPACE REQUIRED: | 1 SPACE PER DWELLING UNIT (RESIDENTIAL) |
| PARKING SPACE PROVIDED: | 1 SPACE PER 600 GROSS SF (ALL OTHER USES) PER ORDINANCE |
| BICYCLE PARKING REQUIRED: | 2, OR 1 SPACE PER 20 UNITS PER ORDINANCE |
| BICYCLE PARKING PROVIDED: | |
| LOADING SPACE REQUIRED: | 1 SPACE PER ORDINANCE |
| LOADING SPACE PROVIDED: | |

PFEIFFER SITE REZONING
 CHARLOTTE, NORTH CAROLINA

JOHNSON DEVELOPMENT ASSOCIATES, INC.
 100 DUNBAR STREET SUITE 400
 SPARTANBURG, SC 29306
 864.594.5717

FOR PUBLIC HEARING

REZONING PETITION #
XXXX-XXX



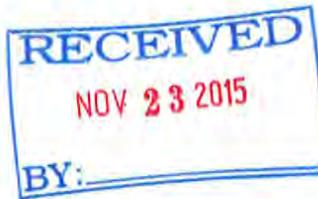
PROJECT #: 586-002
 DRAWN BY: JL
 CHECKED BY: BS

SCHEMATIC SITE PLAN

NOVEMBER 23, 2015

REVISIONS:

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2016-031
 Date Filed: 11/23/2015
 Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: LUMA LOCO LLC
 Owner's Address: 9300 BOB BEATTY RD City, State, Zip: CHARLOTTE NC 28209
 Date Property Acquired: 1-24-1997
 Property Address: 9232 + 9300 BOB BEATTY RD CHARLOTTE 28209
 Tax Parcel Number(s): 02719116 + 02719122
 Current Land Use: BARBERS HALL Size (Acres): 7 ACRES
 Existing Zoning: I-1 Proposed Zoning: B-2
 Overlay: _____ (Specify PED, Watershed, Historic District, etc.)
 Required Rezoning Pre-Application Meeting* with: ALBERTO GONZALEZ
 Date of meeting: 11-10-15

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

For Conditional Rezoning Only:
 Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____
 Purpose/description of Conditional Zoning Plan: _____

| | |
|-----------------------------|---------------------------------------|
| _____ | <u>DOMENIC BIZIA JR</u> |
| Name of Rezoning Agent | Name of Petitioner(s) |
| _____ | <u>310 ARLINGTON AVE #400</u> |
| Agent's Address | Address of Petitioner(s) |
| _____ | <u>CHARLOTTE NC 28203</u> |
| City, State, Zip | City, State, Zip |
| _____ | <u>704-737-4406</u> |
| Telephone Number | Telephone Number |
| _____ | _____ |
| Fax Number | Fax Number |
| _____ | <u>ASBURY PARK BLVD @ BRISBANE MS</u> |
| E-Mail Address | E-Mail Address |
| _____ | <u>[Signature]</u> |
| Signature of Property Owner | Signature of Petitioner |
| _____ | <u>DOMENIC BIZIA JR</u> |
| (Name Typed / Printed) | (Name Typed / Printed) |

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2016-032
Date Filed: 11/23/2015
Received By: BH

Complete All Fields (Use additional pages if needed)

Property Owner: NR Pinehurst Property Owner LLC

Owner's Address: 1057 East Morehead Street, Suite 300 City, State, Zip: Charlotte, NC 28204

Date Property Acquired: 12/19/14

Property Address: 4100 Providence Road

Tax Parcel Number(s): 183-121-11

Current Land Use: Multifamily Residential Size (Acres): Approximately 36.10 acres

Existing Zoning: R-17MF(CD) Site Plan Amendment Proposed Zoning: R-17MF(CD) Site Plan Amendment

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

Required Rezoning Pre-Application Meeting* with: Mr. John Kinely

Date of meeting: 11/17/15

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: The purpose of this Site Plan Amendment is to modify the approved rezoning rezoning petition#2015-052 to allow for alternative building articulation along Providence Road, and to remove the Class "B" buffer requirement adjacent to the recently approved rezoning petition#2015-046.

Jacob Bachman
ColeJenest & Stone, P.A.
Name of Rezoning Agent

200 South Tryon Street, Suite 1400
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-971-4513 704-376-7851
Telephone Number Fax Number

jbachman@colejeneststone.com
E-Mail Address

[Signature]
Signature of Property Owner

David Ravin
(Name Typed / Printed)

NR Pinehurst Property Owner LLC
c/o David Ravin, Northwood Ravin
Name of Petitioner(s)

1057 East Morehead Street, Suite 300
Address of Petitioner(s)

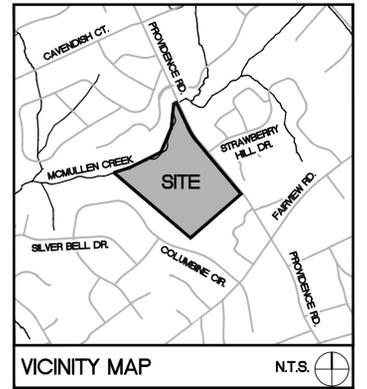
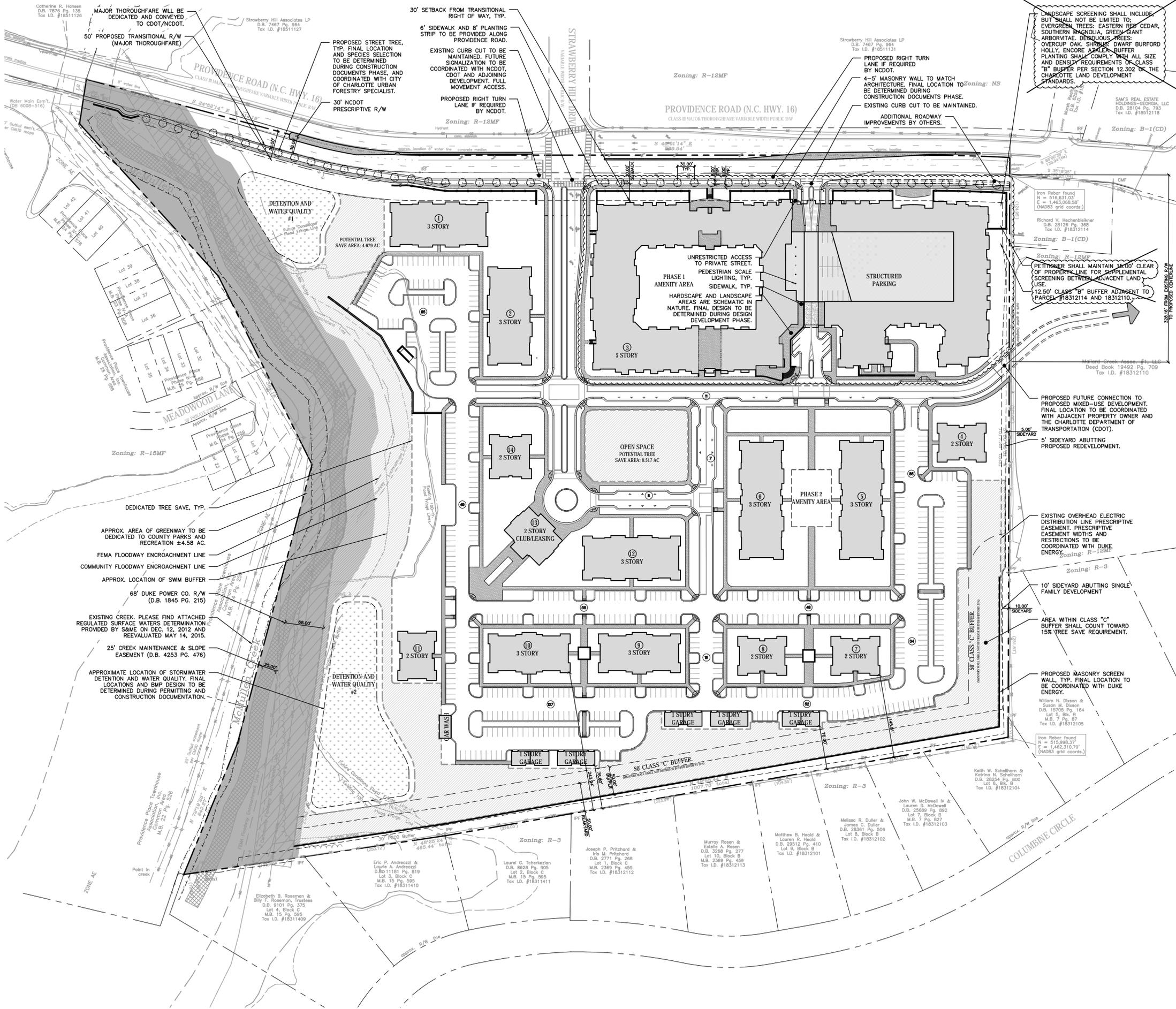
Charlotte, NC 28204
City, State, Zip

704-714-9640
Telephone Number Fax Number

dravin@northwoodravin.com
E-Mail Address

[Signature]
Signature of Petitioner

David Ravin
(Name Typed / Printed)



SURVEY DISCLAIMER
 ALTA/ASCM LAND TITLE SURVEY ISSUED OCTOBER 31, 2014.
 PROVIDED BY A.G. ZOUTEWELLE SURVEYORS, 1418 EAST
 FIFTH STREET, CHARLOTTE, NC 28204, (704) 372-9444.

LEGEND

| SYMBOL | DESCRIPTION |
|------------------------|------------------------------|
| [Green hatched box] | GREENWAY DEDICATION AREA |
| [Cross-hatched box] | CREEK EASEMENT |
| [Diagonal hatched box] | DUKE RIGHT-OF-WAY |
| [Arrow symbol] | FUTURE SITE ACCESS |
| [Dashed line symbol] | DEDICATED TREE SAVE |
| [Dotted line symbol] | PROPOSED SIDEWALK CONNECTION |
| [Solid line symbol] | PROPOSED CURB & GUTTER |

REZONING SUMMARY

| | |
|--|--|
| PETITIONER: | NR PINEHURST PROPERTY OWNER, LLC 1057 E. MOREHEAD STREET SUITE 300 CHARLOTTE, NC 28204 |
| PROPERTY OWNER: | NR PINEHURST PROPERTY OWNER, LLC 1057 E. MOREHEAD STREET SUITE 300 CHARLOTTE, NC 28204 |
| REZONING SITE AREA (GROSS): | ±36.10 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: | R-17MF (CD)-SPA-5 YEAR VESTED RIGHTS |
| PROPOSED ZONING: | R-17MF (CD)-SPA-5 YEAR VESTED RIGHTS |
| EXISTING USE: | MULTI-FAMILY RESIDENTIAL |
| PROPOSED USE: | MULTI-FAMILY RESIDENTIAL |
| MINIMUM SETBACK: | 30' FROM TRANSITIONAL R/W |
| MINIMUM SIDE YARD: | 10' FOR SITE BOUNDARY ABUTTING SINGLE FAMILY RESIDENTIAL 5' FOR SITE BOUNDARY ABUTTING PROPOSED MIXED-USE DEVELOPMENT |
| MINIMUM REAR YARD: | 50' |
| MAXIMUM BUILDING HEIGHT: | 5 STORIES |
| PARKING RATIO: | 1.50/UNIT MINIMUM |
| DEDICATED TREE SAVE: | REQUIRED: 5.13 AC (15%) PROVIDED: 5.19 AC |
| APPROVED DENSITY: | 580 UNITS PER APPROVED REZONING PETITION #2013-023 & #2015-052 |
| PROPOSED DENSITY: | 580 UNITS |



NORTHWOOD RAVIN, LLC
 1057 EAST MOREHEAD STREET
 SUITE 300
 CHARLOTTE, NC 28204

PINEHURST MULTIFAMILY REZONING
 4100 PROVIDENCE ROAD
 CHARLOTTE, NC 28204

ColeJenest & Stone
*Shaping the Environment
 Realizing the Possibilities*
 200 South Tryon Street, Suite 1400
 Charlotte, North Carolina 28202
 p+ 704 376 1555 f+ 704 376 7851
 url+ www.colejeneststone.com

CONDITIONAL REZONING PLAN

Project No. 4403
 Issued 11/23/15
 Revised



RZ-100

1. SEE SHEET RZ-200 FOR DEVELOPMENT STANDARDS
2. SEE SHEET RZ-200 FOR ZONING EXHIBIT
3. SEE SHEET RZ-200 FOR PROJECT PHASING EXHIBIT
4. SEE SHEET RZ-200 FOR TYPICAL STREET SECTION

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Site Development Data:

- Average: 36.10 acres
- Tax Parcel #: 183-121-11
- Existing Zoning: R-17MF (CD) Site Plan Amendment with 5 Year Vested Rights
- Proposed Zoning: R-17MF (CD) Site Plan Amendment with 5 Year Vested Rights
- Permitted Uses
- Under Existing Zoning:** Up to 580 multi-family dwelling units and accessory uses
- Proposed Uses: Up to 580 multi-family dwelling units together with accessory uses, as allowed in the R-17MF zoning district
- Parking: 1.5 spaces per unit minimum
- 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 Plan associated with the Rezoning Petition filed by NR Pinehurst Property Owner LLC (the "Petitioner") to amend the approved R-17MF (CD) conditional rezoning plan for an approximately 36.10 acre site located at 4100 Providence Road (the "Site").
- b. On March 18, 2013, the Charlotte City Council rezoned the Site to the R-17MF (CD) zoning district pursuant to Rezoning Petition No. 2013-023 to accommodate the redevelopment of the Site with up to 580 multi-family dwelling units.
- c. On June 15, 2015, the Charlotte City Council rezoned the Site to the R-17MF(CD) Site Plan Amendment with 5 Year Vested Rights pursuant to Rezoning Petition No. 2015-052 to modify conditional approval of the Rezoning Petition No. 2013-023.
- d. Pursuant to this Rezoning Petition, Petitioner is requesting an amendment to the approved R-17MF (CD) conditional rezoning plan for the Site to revise the layout and design of the proposed multi-family residential community, and to delineate the optional development phases. The requested amendment does not seek to increase the maximum number of multi-family dwelling units that may be developed on the Site over the 580 units that were approved pursuant to Rezoning Petition No. 2013-023.

e. Development of the Site will be governed by the attached Rezoning 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 R-17MF zoning district classification shall govern development taking place on the Site.

f. 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.

g. The redevelopment of the Site is planned to occur in two phases, which phases are designated as "Phase 1" and "Phase 2" on the Rezoning Plan. The redevelopment of that portion of the Site designated as Phase 1 is planned to occur first. Except as specifically provided below, the improvements depicted on that portion of the Site designated as Phase 2 shall not be required to be constructed and installed until such time that Phase 2 is developed. Notwithstanding the foregoing, at the option of the Petitioner, both phases of the proposed multi-family residential community may be developed concurrently.

2. Permitted Uses & Development Area Limitations:

- a. The Site may be redeveloped with up to 580 multi-family dwelling units together with accessory uses allowed in the R-17MF zoning district.
- b. As noted above, the redevelopment of the Site is planned to occur in two phases, which phases are designated as "Phase 1" and "Phase 2" on the Rezoning Plan. The maximum number of multi-family dwelling units that may be developed in Phase 1 shall be 350 dwelling units.
- c. Surface parking areas will not be allowed between Providence Road and the buildings that abut Providence Road, provided, however, surface parking areas may be located to the side of the 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 1,2,5,6,12,13 and Building 14 on the Rezoning Plan are located in a building envelope formed by the internal street to the east and the parking areas to the north, west and south, and Building 1,2,5,6,12,13 and Building 14 may rotate and/or change locations within that building envelope at the option of the Petitioner.

3. 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 No. 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 shall design the Site in such a manner to allow for one vehicular and pedestrian connection by way of a private driveway or 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 will be installed by Petitioner to the common property line in substantially the location and containing substantially the same design as 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) minor adjustments in the location of the possible connection can be made in consultation with the Planning Department during the Planned Multi-family review and approval process;
 - (iv) to the extent that development of the portion of the Site over which the possible connection is to be made occurs prior to the redevelopment of the Southern Adjacent Parcel, the portion of the connection on the Site will be 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;
 - (v) 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;
 - (vi) once such connection is made it shall remain open to the public for pedestrians and automobiles (but not commercial truck traffic) by way of a private driveway/street connection; and
 - (vii) 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 in the event that the connection is opened as provided in subparagraph (v) above, 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 the Mecklenburg County Public Registry.
- b. The Petitioner will dedicate in fee-simple to the City of Charlotte up to 50 feet of right-of-way from the center line of Providence Road. This right-of-way dedication will occur prior to the issuance of the first certificate of occupancy for the first new building completed on the Site.
- c. The Petitioner will design the primary driveway into the Site on Providence Road across from Strawberry Hill Drive as a full movement potentially signalized driveway as generally depicted on the Rezoning Plan. The estimated cost of installing a traffic signal at this location is \$80,000. Prior to the issuance of a building permit for the first new building constructed on the Site, the Petitioner shall submit the sum of \$80,000 to CDOT for the potential traffic signal. This \$80,000 payment shall be held by CDOT for the 3 year period commencing on the date of the issuance of the building permit for the first new building constructed on the Site. If CDOT/NCDDOT approves the installation of the traffic signal within this 3 year period, then the \$80,000 will be applied to the cost of installing the traffic signal. If CDOT/NCDDOT do not approve the installation of the traffic signal within this 3 year period, then the \$80,000 payment shall be returned to the Petitioner. CDOT and the Petitioner shall enter into an Escrow Agreement to document this agreement. Notwithstanding the foregoing, in the event that CDOT and/or NCDDOT determine prior to the expiration of the 3 year period that a traffic signal will not be installed at this location, then CDOT shall return the \$80,000 payment to the Petitioner upon making such determination.
- d. The Petitioner will extend, from 65 feet to 150 feet, the northbound left turn lane from Providence Road to the Site's new northern driveway.
- e. 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/NCDDOT, required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT/NCDDOT in accordance with applicable published standards.
- f. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.
- g. The southernmost vehicular access point into the Site from Providence Road shall be 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.

- b. The Petitioner will dedicate in fee-simple to the City of Charlotte up to 50 feet of right-of-way from the center line of Providence Road. This right-of-way dedication will occur prior to the issuance of the first certificate of occupancy for the first new building completed on the Site.
- c. The Petitioner will design the primary driveway into the Site on Providence Road across from Strawberry Hill Drive as a full movement potentially signalized driveway as generally depicted on the Rezoning Plan. The estimated cost of installing a traffic signal at this location is \$80,000. Prior to the issuance of a building permit for the first new building constructed on the Site, the Petitioner shall submit the sum of \$80,000 to CDOT for the potential traffic signal. This \$80,000 payment shall be held by CDOT for the 3 year period commencing on the date of the issuance of the building permit for the first new building constructed on the Site. If CDOT/NCDDOT approves the installation of the traffic signal within this 3 year period, then the \$80,000 will be applied to the cost of installing the traffic signal. If CDOT/NCDDOT do not approve the installation of the traffic signal within this 3 year period, then the \$80,000 payment shall be returned to the Petitioner. CDOT and the Petitioner shall enter into an Escrow Agreement to document this agreement. Notwithstanding the foregoing, in the event that CDOT and/or NCDDOT determine prior to the expiration of the 3 year period that a traffic signal will not be installed at this location, then CDOT shall return the \$80,000 payment to the Petitioner upon making such determination.
- d. The Petitioner will extend, from 65 feet to 150 feet, the northbound left turn lane from Providence Road to the Site's new northern driveway.
- e. 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/NCDDOT, required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT/NCDDOT in accordance with applicable published standards.
- f. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.
- g. The southernmost vehicular access point into the Site from Providence Road shall be 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.

4. Architectural Standards:

- a. The building materials used on the 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, 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 may only be used on windows and soffits.
- 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. Attached to the Rezoning Plan are conceptual, architectural renderings of the elevation of the building to be constructed on that portion of the Site adjacent to Providence Road that is designated as Phase 1 on the Rezoning Plan that are intended to depict the general conceptual architectural style and character of such building. Accordingly, the building to be constructed on that portion of the Site designated as Phase 1 shall be designed and constructed so that the elevation is substantially similar in appearance to the attached conceptual, architectural rendering with respect to architectural style and character. Notwithstanding the foregoing, changes and alterations to the exterior of the building which do not materially change the overall conceptual architectural style and character shall be permitted.
- d. In addition to the design flexibility provided in paragraph c above, the exterior design of the building to be constructed on that portion of the Site

designated as Phase 1 may be modified to accommodate optional courtyards, recesses, modulations and other forms of building articulation. The Providence Road elevation will include recessed areas as generally depicted on the Phase 1 building footprint.

- e. As generally depicted on the Rezoning Plan, the Phase 1 units located along the southern edge of the Site and directly fronting Providence Road shall be treated architecturally to address both the Providence Road street frontage and the Site's frontage of the adjacent, proposed public street.
 - f. The buildings to be constructed on that portion of the Site designated as Phase 2 on the Rezoning Plan may have a variety of architectural styles, however, such buildings shall be compatible to and complementary with the building to be constructed in Phase 1 in terms of architectural style and character and exterior building materials.
 - g. 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.
 - h. The exterior building material of the southern edge of the structured parking facility shall be pre-cast or cast in place concrete, and the screening of the structured parking facility shall be accomplished through a combination of the use of pre-cast barrier panels designed as a part of the structured parking facility, and the installation of a dense, evergreen landscape buffer as depicted on the Rezoning Plan. The pre-cast or cast in place concrete barrier panels shall be painted with additional masonry or stone accents compatible with the Phase 1 building architecture provided on either the concrete barrier panels or columns of the southern edge of the parking facility.
 - i. Meter banks will be screened.
 - j. HVAC and related mechanical equipment will be screened from public view at grade.
 - k. 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.
- 5. Streetscape, Buffers and Landscaping:**
- a. Setbacks and yards as required by the Ordinance will be provided.
 - b. The Petitioner will provide an eight (8) foot planting strip and a six (6) foot sidewalk along the Site's frontage on Providence Road as generally depicted on the Rezoning Plan.
 - c. As generally depicted on the Rezoning Plan, the 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.
 - d. A minimum 15 foot wide landscape area shall be established along that portion of the Site's southern boundary line that is more particularly depicted on the Rezoning Plan, adjacent to parcel # 18312114 and parcel # 18312110. The outer 12.5 feet of this landscape area shall be a Class B buffer, and such buffer shall conform to the standards of Section 12.30 of the Ordinance. The inner 2.5 feet shall contain supplemental landscaping. Among other things, the purpose of this 15 foot wide landscape area is to screen the ground floor of the southern edge of the structured parking facility, and the building design of Building 4 on the Rezoning Plan.

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 in Phase 2), the 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 required by the Ordinance and as 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. 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. The 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 two phases, prior to the issuance of a certificate of occupancy for the first new building to be constructed on the Site, the Petitioner shall install a minimum 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 exact location of the 6 foot tall masonry wall shall be determined in conjunction with Duke Energy. The installation of this 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. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.
- i. That portion of the 4 to 5 foot tall masonry wall located at the southern edge of the building to be constructed in Phase 1 that is depicted on the Rezoning Plan may be eliminated at the option of the Petitioner.

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 but may be relocated to other portions of the Site during the design development and construction phases.
- 7. Open Space/Tree Save Areas/Greenway Conveyance/Amenities:**
- 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 to be dedicated to County Parks and Recreation for a greenway may be used to meet this requirement.
 - b. Prior to the issuance of a certificate of occupancy for the first new building constructed on that portion of the Site designated as Phase 2 on the Rezoning Plan, the 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 new 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. The existing amenity areas located on that portion of the Site designated as Phase 2 may remain in place until such time that Phase 2 is developed.

8. Signage:

- a. Signage as allowed by the Ordinance will be provided.
- b. Signage may be installed on the 4 to 5 foot masonry wall located at or in proximity to the Site's frontage on Providence Road.

9. Lighting:

- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- b. Newly installed detached lighting on the Site will be limited to 20 feet in height.

10. CATS Passenger Waiting Pad:

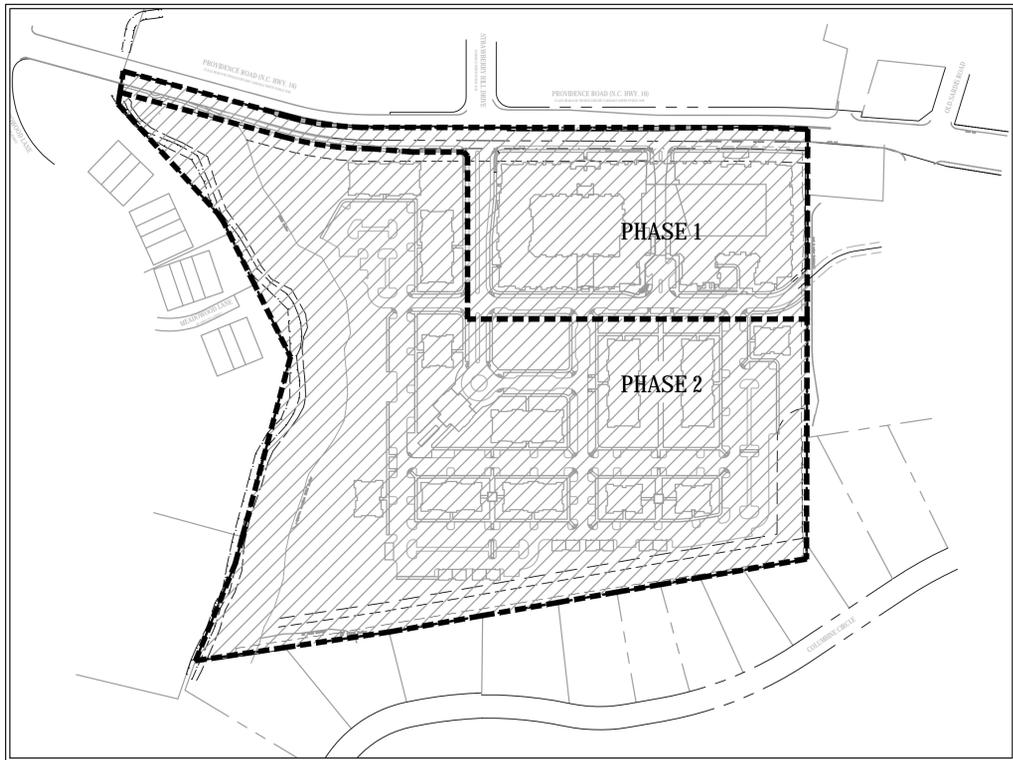
- a. The Petitioner will provide a CATS passenger waiting pad (CMLD Std. 60.01B) along Providence Road. The final location of the waiting pad to be coordinated with CATS during the Planned Multi-family review process.

11. Amendments to the Rezoning Plan:

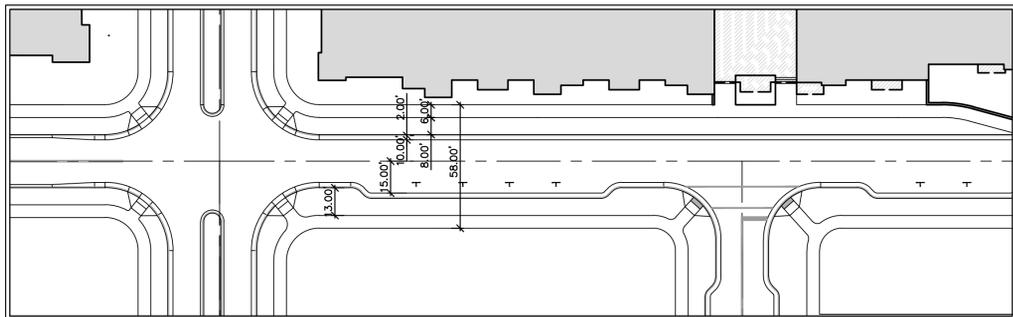
- a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

12. Binding Effect of the Rezoning Application:

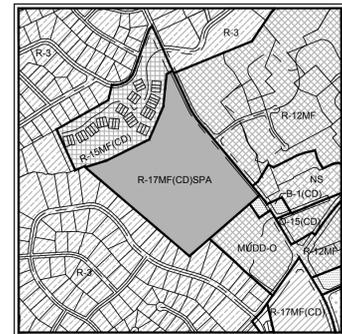
- a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their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



PROJECT PHASING EXHIBIT



TYPICAL STREET SECTION "A" NOTE: THE PETITIONER HAS MODIFIED THE PROPOSED CROSS-SECTION TO UTILIZE SIX (6) FOOT SIDEWALKS, IN LIEU OF EIGHT (8) FOOT SIDEWALKS, AS PART OF THE CONSTRUCTION OF THIS PRIVATE STREET.



ZONING EXHIBIT



NORTHWOOD RAVIN, LLC
 1057 EAST MOREHEAD STREET
 SUITE 300
 CHARLOTTE, NC 28204

PINEHURST MULTIFAMILY REZONING
 4100 PROVIDENCE ROAD
 CHARLOTTE, NC 28204



DEVELOPMENT STANDARDS

Project No.
 4403
 Issued
 11/23/15
 Revised



RZ-200

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