

# Rezoning Petition Packet

## **Petitions:**

**2016-107 through 2016-121**

Petitions that were submitted by June 27, 2016

Staff Review Meeting: **July 21, 2016**

City Public Hearing: **To Be Determined**

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2016-107

|              |                  |
|--------------|------------------|
| Petition #:  | _____            |
| Date Filed:  | <u>5/23/2016</u> |
| Received By: | <u>EM</u>        |

**Complete All Fields (Use additional pages if needed)**

Property Owner: Trevi Partners, LLC

Owner's Address: 55 Midtown Park East City, State, Zip: Mobile, AL 36606

Date Property Acquired: 2005

Property Address: 12220 US Highway 29 Charlotte, NC 28262

Tax Parcel Number(s): 05018126

Current Land Use: Vacant Size (Acres): 15.86 AC

Existing Zoning: CC, UR-C (CD) Proposed Zoning: UR-C (CD)

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

Required Rezoning Pre-Application Meeting\* with: Subdivision (Shannon Frye), Planning/Zoning (Solomon Fortune), CDOT (Rick Grochoske)

Date of meeting: 02/23/2016

(\*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: To increase residential density and allow for multi-family development.

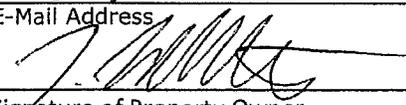
ColeJenest & Stone, PA  
Name of Rezoning Agent

200 South Tryon Street, Suite 1400  
Agent's Address

Charlotte, NC 28202  
City, State, Zip

704-376-1555 704-376-7851  
Telephone Number Fax Number

icore@colejeneststone.com  
E-Mail Address

  
Signature of Property Owner

Todd Martin  
(Name Typed / Printed)

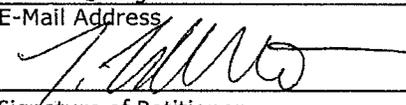
Trevi Partners, LLC  
Name of Petitioner(s)

55 Midtown Park East  
Address of Petitioner(s)

Mobile, AL 36606  
City, State, Zip

251-450-2823 251-450-2788  
Telephone Number Fax Number

tmartin@scrgllcc.com  
E-Mail Address

  
Signature of Petitioner

Todd Martin  
(Name Typed / Printed)



# ColeJenest & Stone

Shaping the Environment  
Realizing the Possibilities

- Land Planning
- Landscaping 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

## SOUTHLAND CAPITAL REALTY GROUP, LLC

55 MIDTOWN PARK EAST  
MOBILE, AL 36606

## TREVI VILLAGE MULTI-FAMILY REZONING

12220 U.S. HIGHWAY 29  
CHARLOTTE, NC 28262

## REZONING PLAN

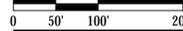
Project No.  
4004

Issued  
05/23/16

Revised



SCALE: 1"=100'

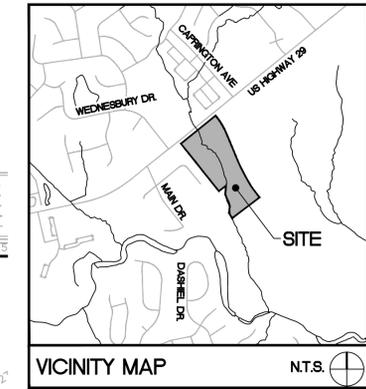


## RZ-100

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ColeJenest & Stone, P.A. 2016 ©

PETITION #: 2016-XXX



**VICINITY MAP** N.T.S.

**SURVEY DISCLAIMER**  
ALTA/ASCM LAND TITLE SURVEY ISSUED JUNE 6, 2010, PROVIDED BY R.B. PHARR & ASSOCIATES, P.A., 420 HAWTHORNE LANE, CHARLOTTE, NC 28204, (704) 376-2186.

**LEGEND**

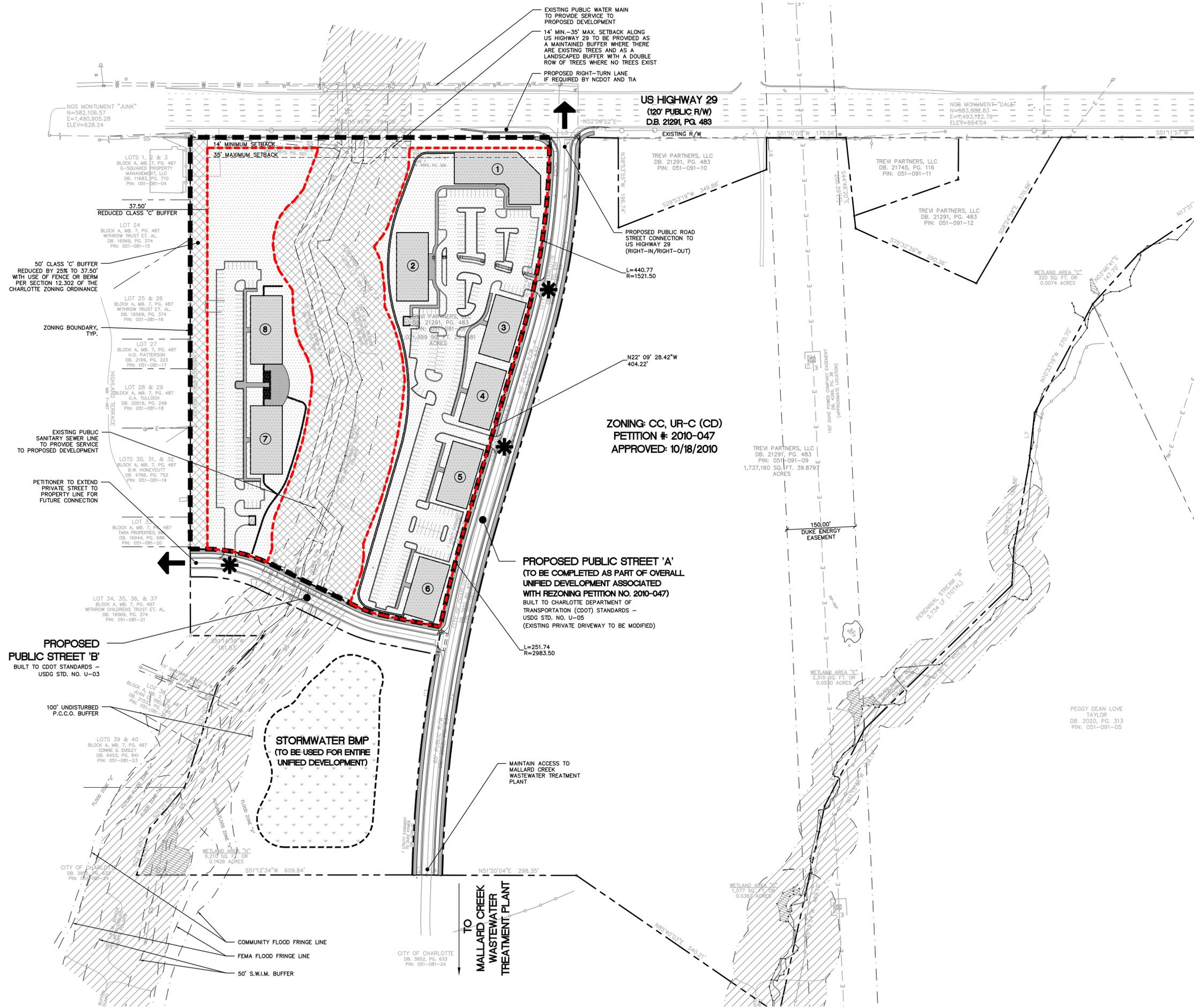
- PROPOSED SIDEWALK
- PROPOSED CURB & GUTTER
- STREET CONNECTION
- DRIVEWAY CONNECTION
- ZONING BOUNDARY
- UNDISTURBED P.C.C.O. BUFFER
- BUILDING & PARKING ENVELOPE
- TREE SAVE AREA

**REZONING SUMMARY:**

|   |   |
|---|---|
| PETITIONER:                             | TREVI PARTNERS, LLC<br>55 MIDTOWN PARK EAST<br>MOBILE AL, 36606 |
| PROPERTY OWNER:                         | TREVI PARTNERS, LLC<br>55 MIDTOWN PARK EAST<br>MOBILE AL, 36606 |
| REZONING SITE AREA:                     | 15.86± ACRES  |
| TAX PARCEL #:                           | 051-081-26  |
| EXISTING ZONING:                        | CC, UR-C (CD)   |
| PROPOSED ZONING:                        | UR-C (CD)   |
| EXISTING USE:                           | VACANT  |
| PROPOSED USE:                           | MULTI-FAMILY RESIDENTIAL  |
| MIN. SETBACK: (ALONG US 29)             | 14' FROM RIGHT-OF-WAY   |
| MIN. SETBACK: (INTERNAL PUBLIC STREETS) | 14' FROM BACK-OF-CURB   |
| MAX. SETBACK: (ALONG US 29)             | 35' FROM RIGHT-OF-WAY   |
| MIN. SIDE YARD:                         | 5'  |
| MIN. REAR YARD:                         | 20'   |
| MAX. BUILDING HEIGHT:                   | 70'   |
| MAX. FLOOR AREA RATIO: (F.A.R.)         | 3.0   |
| PARKING RATIO:                          | 1.25/UNIT MINIMUM   |
| DEDICATED TREE SAVE:                    | REQUIRED: 2.38 AC (15%)<br>PROVIDED: 4.62 AC                    |
| PROPOSED DENSITY:                       | 275 UNITS   |

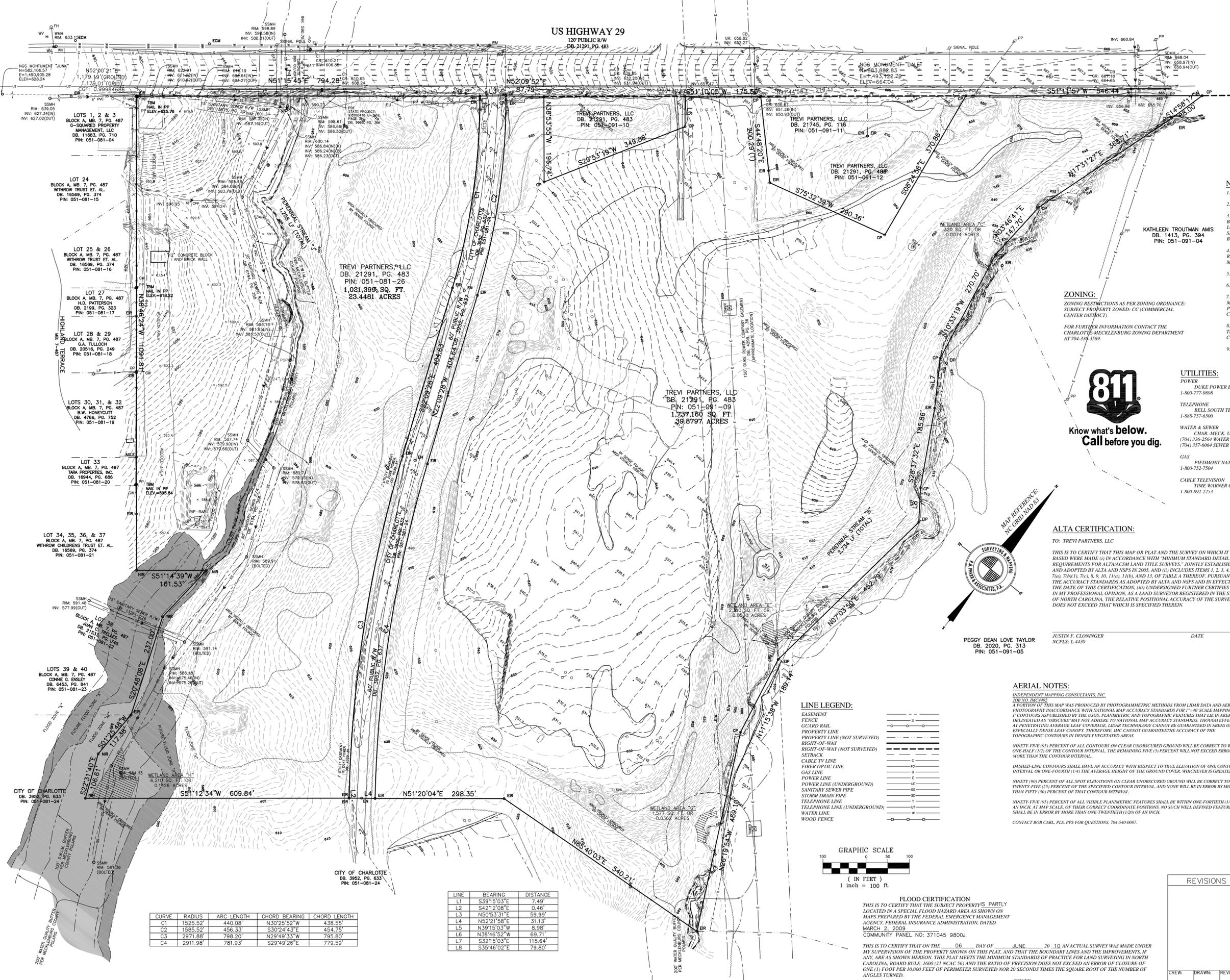
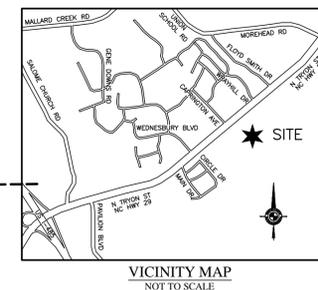
### GENERAL REZONING NOTES

- SEE SHEET RZ-200 FOR DEVELOPMENT STANDARDS
- SEE SHEET RZ-200 FOR ZONING EXHIBIT
- SEE SHEET RZ-200 FOR PUBLIC AND PRIVATE STREET SECTIONS





**US HIGHWAY 29**  
120' PUBLIC R/W  
DB. 21291, PG. 483



- 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. 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.
  - ELEVATIONS BASED ON N.G.S. MONUMENT "DALE". ELEVATION = 664.04 FEET, NAVD 88.
  - BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
  - NORTH TRYON STREET IS SHOWN AS A "MAJOR THOROUGHFARE" ON THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION THOROUGHFARE PLAN OF 2004 AND MAY BE SUBJECT TO A FUTURE RIGHT-OF-WAY OF 50' 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.
  - SEE SHEET 2 OF 2 FOR WETLAND INFORMATION.

**ZONING:**  
ZONING RESTRICTIONS AS PER ZONING ORDINANCE. SUBJECT PROPERTY ZONED: CC (COMMERCIAL CENTER DISTRICT).  
FOR FURTHER INFORMATION CONTACT THE CHARLOTTE-MECKLENBURG ZONING DEPARTMENT AT 704-339-3369.



- UTILITIES:**
- POWER: DUKE POWER ENERGY (1-800-777-9898)
  - TELEPHONE: BELL SOUTH TELECOMMUNICATIONS (1-888-757-6599)
  - 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 (1-800-892-2253)

- LEGEND:**
- BFP - BACK FLOW PREVENTOR
  - C&C - CURB & GUTTER
  - CB - CATCH BASIN
  - CI - CURB INLET
  - CMF - CORRUGATED METAL PIPE
  - CP - CALCULATED POINT
  - CPP - CORRUGATED PLASTIC PIPE
  - CO - CLEAN OUT
  - D.B. - DRAIN BOX
  - DI - DROP INLET
  - DIP - DUCTILE IRON PIPE
  - ECM - EXISTING CONCRETE MONUMENT
  - EIP - EXISTING IRON PIPE
  - EIR - EXISTING IRON ROD
  - EMM - EXISTING METAL MONUMENT
  - EX - EXISTING
  - EOG - EDGE OF GRAVEL
  - EOP - EDGE OF PAVEMENT
  - EU - END UNKNOWN
  - FC - FIRE CONNECTION
  - FH - FIRE HYDRANT
  - FP - FLAG POLE
  - FV - FIRE VALVE
  - GDP - GUARD POST
  - GM - GAS METER
  - GP - GATE POST
  - GV - GAS VALVE
  - GW - GUY WIRE
  - HVC - HEATING, VENTILATION, AIR COND.
  - HW - HEADWALL
  - ICV - IRRIGATION CONTROL VALVE
  - JBX - JUNCTION BOX
  - LMP - LAMP POST
  - LP - LIGHT POLE
  - (M) - MEASURED
  - MIX - MAILBOX
  - M.B. - MAP BOOK
  - MW - MONITORING WELL
  - N.G.S. - NATIONAL GEODETIC SURVEY
  - NIK - NEW IRON ROD
  - NN - NEW NAIL
  - OHANG - OVERHANG
  - OB - POWER BOX
  - PIK - PARCEL IDENTIFICATION NUMBER
  - PM - POWER METER
  - PMH - POWER MANHOLE
  - PP - POWER POLE
  - PG - PAGE
  - PVC - PLASTIC PIPE
  - (R) - RECORDED
  - R/W - RIGHT-OF-WAY
  - RCF - REINFORCED CONCRETE PIPE
  - RW - RETAINING WALL
  - SRB - BELLEBOARD
  - SDMH - STORM DRAIN MANHOLE
  - SMP - MULTI-POST SIGN
  - SSMH - SANITARY SEWER MANHOLE
  - (T) - TOTAL
  - TB - TELEPHONE BOX
  - TERR. - TERRACOTTA PIPE
  - TMH - TELEPHONE MANHOLE
  - TSB - TRAFFIC SIGNAL BOX
  - TVB - CABLE TV BOX
  - WB - WATER BOX
  - WM - WATER METER
  - WSP - WATER SPIGOT
  - WV - WATER VALVE

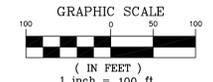
**ALTA CERTIFICATION:**  
TO: TREVI PARTNERS, LLC  
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE (1) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND (II) INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7(a), 7(b), 7(c), 8, 9, 10, 11(a), 11(b), AND 13, OF TABLE A THEREOF, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. (III) UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NORTH CAROLINA, THE RELATIVE POSITIONAL ACCURACY OF THE SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.  
JUSTIN F. CLOINGER  
NCPIS, L-4430  
DATE



PEGGY DEAN LOVE TAYLOR  
DB. 2020, PG. 313  
PIN: 051-081-05

**AERIAL NOTES:**  
INDEPENDENT MAPPING CONSULTANTS, INC.  
A PORTION OF THIS MAP WAS PRODUCED BY PHOTOGRAMMETRIC METHODS FROM LIDAR DATA AND AERIAL PHOTOGRAPHY IN ACCORDANCE WITH NATIONAL MAP ACCURACY STANDARDS FOR 1"=40' SCALE MAPPING WITH 1' CONTOURS AS PUBLISHED BY THE U.S.G.S. PLANIMETRIC AND TOPOGRAPHIC FEATURES THAT LIE IN AREAS DELINEATED AS "OBSCURE" MAY NOT ADHERE TO NATIONAL MAP ACCURACY STANDARDS, THOUGH EFFECTIVE AT PENETRATING AVERAGE LEAF COVERAGE. LIDAR TECHNOLOGY CANNOT BE GUARANTEED IN AREAS OF ESPECIALLY DENSE LEAF CANOPY. THEREFORE, IMC CANNOT GUARANTEE THE ACCURACY OF THE TOPOGRAPHIC CONTOURS IN DENSELY VEGETATED AREAS.  
NINETY-FIVE (95) PERCENT OF ALL CONTOURS ON CLEAR UNOBSERVED GROUND WILL BE CORRECT TO WITHIN ONE-HALF (1/2) OF THE CONTOUR INTERVAL. THE REMAINING FIVE (5) PERCENT WILL NOT EXCEED ERROR OF MORE THAN THE CONTOUR INTERVAL.  
DASHED-LINE CONTOURS SHALL HAVE AN ACCURACY WITH RESPECT TO TRUE ELEVATION OF ONE CONTOUR INTERVAL OR ONE-FOURTH (1/4) THE AVERAGE HEIGHT OF THE GROUND COVER, WHICHEVER IS GREATER.  
NINETY (90) PERCENT OF ALL SPOT ELEVATIONS ON CLEAR UNOBSERVED GROUND WILL BE CORRECT TO WITHIN TWENTY-FIVE (25) PERCENT OF THE SPECIFIED CONTOUR INTERVAL, AND NONE WILL BE IN ERROR BY MORE THAN FIFTY (50) PERCENT OF THAT CONTOUR INTERVAL.  
NINETY-FIVE (95) PERCENT OF ALL VISIBLE PLANIMETRIC FEATURES SHALL BE WITHIN ONE-FORTIETH (1/40) OF AN INCH (1" MAP SCALE) OF THEIR CORRECT COORDINATE POSITIONS, NO SUCH WELL DEFINED FEATURES SHALL BE IN ERROR BY MORE THAN ONE-TWENTIETH (1/20) OF AN INCH.  
CONTACT BOB CARL, PLS. PFS FOR QUESTIONS, 704-540-0087.

- LINE LEGEND:**
- EASEMENT
  - FENCE
  - GUARD RAIL
  - PROPERTY LINE
  - PROPERTY LINE (NOT SURVEYED)
  - RIGHT-OF-WAY
  - RIGHT-OF-WAY (NOT SURVEYED)
  - SETBACK
  - CABLE TV LINE
  - FIBER OPTIC LINE
  - GAS LINE
  - POWER LINE
  - POWER LINE (UNDERGROUND)
  - SANITARY SEWER PIPE
  - STORM DRAIN PIPE
  - TELEPHONE LINE
  - TELEPHONE LINE (UNDERGROUND)
  - WATER LINE
  - WOOD FENCE

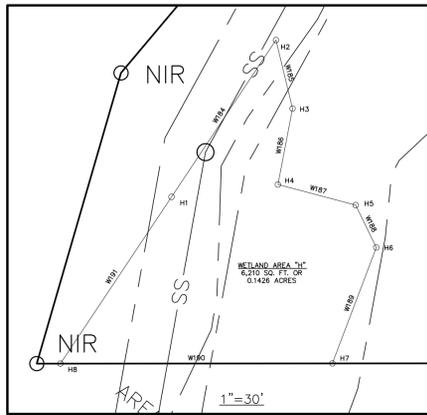


**FLOOD CERTIFICATION**  
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS PARTLY LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED MARCH 2, 2009. COMMUNITY PANEL NO: 371045 9800J.  
THIS IS TO CERTIFY THAT ON THE 06 DAY OF JUNE 20 10 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 NCA&S, AND THE RATIO OF PRECISION DOES NOT EXCEED ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 50 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.  
SIGNED

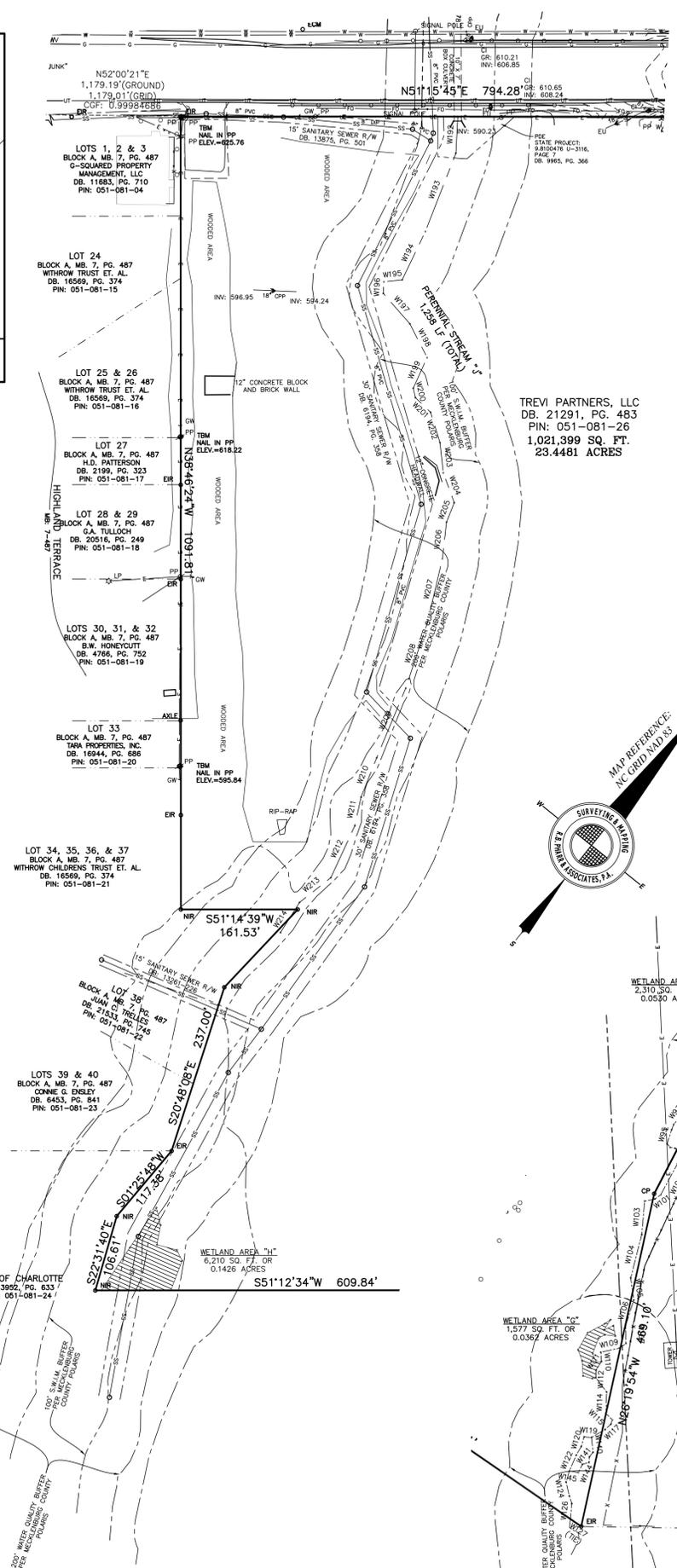
| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | S39°15'03"E | 7.49'    |
| L2   | S42°12'08"E | 0.46'    |
| L3   | N50°53'37"E | 59.99'   |
| L4   | N52°21'58"E | 31.13'   |
| L5   | N39°15'03"W | 8.98'    |
| L6   | N38°46'52"W | 69.71'   |
| L7   | S32°15'03"E | 115.64'  |
| L8   | S35°46'02"E | 79.80'   |

| CURVE | RADIUS   | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
|-------|----------|------------|---------------|--------------|
| C1    | 1525.52' | 440.08'    | N30°25'52"W   | 438.55'      |
| C2    | 1585.52' | 456.33'    | S30°24'43"E   | 454.70'      |
| C3    | 2971.88' | 798.20'    | N29°49'33"W   | 795.80'      |
| C4    | 2911.98' | 781.93'    | S29°49'26"E   | 779.59'      |

| REVISIONS | ALTA/ACSM LAND TITLE SURVEY PREPARED FOR:   |
|-----------|---|
|           | <b>TREVI PARTNERS, LLC</b><br>NORTH TRYON STREET/US HIGHWAY 29<br>CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC<br>DB. 21291, PG. 483<br>TAX PARCEL NO: 051-091-09 & 051-081-26 |
|           | <b>R.B. PHARR &amp; ASSOCIATES, P.A.</b><br>SURVEYING & MAPPING<br>420 HAWTHORNE LANE CHARLOTTE, NC 28204 TEL: (704) 376-2186   |
| CREW: TR  | DATE: JUNE 06, 2010   |
| DRAWN: CW | FILE NO. W-3916   |
| REVISED:  | JOB NO. 76218   |



| LINE | BEARING      | DISTANCE |
|------|--------------|----------|
| W1   | S2817°04'W   | 19.94'   |
| W2   | S23°36'03"W  | 27.91'   |
| W3   | S19°32'18"W  | 19.70'   |
| W4   | S09°41'33"E  | 7.92'    |
| W5   | S211°32'8"W  | 11.49'   |
| W6   | S2511°32'W   | 36.47'   |
| W7   | S16°58'01"W  | 10.24'   |
| W8   | S0517°59'W   | 32.63'   |
| W9   | S0012°34"E   | 30.30'   |
| W10  | S0420°06'W   | 30.26'   |
| W11  | S5727°17'W   | 20.33'   |
| W12  | S25°24'38"W  | 20.83'   |
| W13  | S38°00'09'W  | 27.52'   |
| W14  | S0811°06'W   | 19.27'   |
| W15  | S32°48'26"E  | 7.38'    |
| W16  | S25°33'39"E  | 10.06'   |
| W17  | S08°38'44"E  | 24.40'   |
| W18  | S11°43'00"E  | 16.83'   |
| W19  | S26°38'12"E  | 8.08'    |
| W20  | S49°34'27"E  | 13.86'   |
| W21  | S26°32'37'W  | 27.46'   |
| W22  | S47°44'49'W  | 19.73'   |
| W23  | S27°05'10'W  | 17.13'   |
| W24  | S30°50'46'E  | 10.43'   |
| W25  | S022°01'07"E | 4.95'    |
| W26  | S10°56'25'W  | 24.85'   |
| W27  | S0310°20'E   | 11.23'   |
| W28  | S241°50'07"E | 14.20'   |
| W29  | S31°56'22'E  | 19.50'   |
| W30  | S03°39'45"E  | 24.18'   |
| W31  | S0027°20'E   | 29.43'   |
| W32  | S17°38'29'E  | 49.35'   |
| W33  | S0516°02'W   | 4.28'    |
| W34  | S0105°53'E   | 8.57'    |
| W35  | S0640°36'W   | 50.25'   |
| W36  | S122°34'8"E  | 12.19'   |
| W37  | S21°29'13"E  | 40.31'   |
| W38  | S24°38'01"E  | 20.40'   |
| W39  | S29°49'44'E  | 17.14'   |
| W40  | S40°28'17'E  | 30.02'   |
| W41  | S211°41'07"E | 14.46'   |
| W42  | S20°37'39'E  | 16.30'   |
| W43  | S68°00'52'E  | 19.48'   |
| W44  | S24°52'54'E  | 18.91'   |
| W45  | S32°36'30"E  | 38.17'   |
| W46  | S32°50'34"E  | 43.50'   |
| W47  | S26°30'10"E  | 41.47'   |
| W48  | S13°58'14"W  | 27.28'   |
| W49  | S13°21'50"E  | 25.88'   |
| W50  | S35°25'21"E  | 5.15'    |
| W51  | S59°33'25"E  | 31.28'   |
| W52  | S78°34'09"E  | 4.68'    |
| W53  | N76°00'38"E  | 18.43'   |
| W54  | S72°39'28"E  | 25.39'   |
| W55  | S48°31'48"E  | 25.38'   |
| W56  | S41°46'13"E  | 13.65'   |
| W57  | S0217°42'E   | 15.70'   |
| W58  | S44°20'06'W  | 9.55'    |
| W59  | S67°27'29'W  | 8.22'    |
| W60  | S80°25'55'W  | 11.18'   |
| W61  | S53°54'21'W  | 6.18'    |
| W62  | S10°46'10'W  | 18.19'   |
| W63  | S17°00'59'W  | 25.01'   |
| W64  | S10°37'39'E  | 28.91'   |
| W65  | S15°30'51'W  | 26.99'   |
| W66  | S06°00'08'W  | 32.86'   |
| W67  | S09°32'39'W  | 61.49'   |
| W68  | S0615°16'W   | 21.66'   |
| W69  | S2516°40'W   | 7.07'    |
| W70  | S4919°21'W   | 24.30'   |
| W71  | S45°41'17'W  | 40.71'   |
| W72  | S47°51'00'W  | 19.27'   |
| W73  | S37°52'04'W  | 10.55'   |
| W74  | S0914°08'E   | 9.92'    |
| W75  | S43°36'08'E  | 9.65'    |
| W76  | S79°55'39'E  | 40.60'   |
| W77  | S31°17'17'E  | 26.17'   |
| W78  | S29°33'20'W  | 14.13'   |
| W79  | S68°30'14'W  | 10.65'   |
| W80  | S4211°50'W   | 20.82'   |
| W81  | S5317°45'W   | 10.89'   |
| W82  | S5347°10'W   | 14.58'   |
| W83  | S3847°13'W   | 11.06'   |
| W84  | S47°01'08'W  | 15.07'   |
| W85  | S5310°23'E   | 6.29'    |
| W86  | S32°05'08'E  | 16.30'   |
| W87  | S17°08'10'E  | 21.76'   |
| W88  | S24°05'07'W  | 7.75'    |
| W89  | S39°34'02'W  | 23.00'   |
| W90  | S19°20'37'E  | 16.95'   |
| W91  | S0947°57'W   | 7.37'    |
| W92  | S0748°10'W   | 19.28'   |
| W93  | S0023°05'W   | 22.37'   |
| W94  | S16°26'33'E  | 7.76'    |
| W95  | S21°05'47'E  | 20.63'   |



| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| W96  | S79°38'22"E | 6.33'    |
| W97  | N61°48'48"E | 7.03'    |
| W98  | S82°20'06"E | 5.21'    |
| W99  | S37°33'22"E | 17.59'   |
| W100 | S10°18'17"E | 48.81'   |
| W101 | S16°31'08'W | 9.67'    |
| W102 | S3917°30'W  | 14.52'   |
| W103 | S33°52'29"E | 46.05'   |
| W104 | S24°24'12"E | 61.66'   |
| W105 | S46°36'18"E | 30.89'   |
| W106 | S20°56'15"E | 36.67'   |
| W107 | S39°28'50"E | 24.92'   |
| W108 | S14°53'49'W | 10.74'   |
| W109 | S39°01'38'W | 26.68'   |
| W110 | S43°01'32"E | 12.75'   |
| W111 | S06°13'18"E | 14.02'   |
| W112 | S37°09'05"E | 10.60'   |
| W113 | S7°59'36"E  | 24.95'   |
| W114 | S36°35'12"E | 29.23'   |
| W115 | S84°06'52"E | 12.51'   |
| W116 | S20°18'53"E | 6.44'    |
| W117 | S08°41'55'W | 10.83'   |
| W118 | S21°22'08'W | 21.78'   |
| W119 | S55°51'18'W | 10.17'   |
| W120 | S21°52'05'E | 14.08'   |
| W121 | S08°48'29'E | 13.62'   |
| W122 | S15°05'48'E | 23.55'   |
| W123 | S21°48'00"E | 15.92'   |
| W124 | S51°40'56'E | 19.75'   |
| W125 | S57°00'39'E | 11.28'   |
| W126 | S33°14'11"E | 21.08'   |
| W127 | N85°40'03"E | 18.32'   |
| W128 | N67°05'36'W | 7.83'    |
| W129 | N45°19'28'W | 11.29'   |
| W130 | N76°41'22'W | 7.30'    |
| W131 | S80°31'14'W | 19.91'   |
| W132 | N50°00'09'W | 14.07'   |
| W133 | N65°53'00'W | 8.53'    |
| W134 | S18°04'56'E | 5.48'    |
| W135 | S49°16'11'W | 8.78'    |
| W136 | S01°47'13'W | 37.78'   |
| W137 | S38°03'59'E | 18.87'   |
| W138 | S29°23'10'E | 24.60'   |
| W139 | S20°46'38'W | 24.86'   |
| W140 | S44°58'47'E | 20.56'   |
| W141 | S00°16'48'W | 8.08'    |
| W142 | S34°44'46'E | 7.74'    |
| W143 | S35°40'08'W | 9.45'    |
| W144 | S12°33'36'E | 12.67'   |

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| W145 | S61°47'50'W | 12.59'   |
| W146 | S22°04'27'E | 4.05'    |
| W147 | S76°18'59'W | 11.65'   |
| W148 | N88°00'33'W | 7.75'    |
| W149 | N46°28'21'W | 10.32'   |
| W150 | N42°30'56'W | 13.01'   |
| W151 | N20°39'02'E | 3.85'    |
| W152 | S66°38'45'E | 24.27'   |
| W153 | S66°26'05'E | 11.10'   |
| W154 | N44°59'34'W | 22.37'   |
| W155 | N73°41'38'W | 20.48'   |
| W156 | N10°08'34'W | 15.83'   |
| W157 | N82°33'49'W | 13.06'   |
| W158 | N36°48'51'W | 13.74'   |
| W159 | N29°02'52'E | 10.90'   |
| W160 | N26°20'11'E | 12.89'   |
| W161 | S56°02'36'E | 11.53'   |
| W162 | S39°25'37'E | 13.64'   |
| W163 | N31°49'51'E | 7.82'    |
| W164 | N43°03'24'E | 16.46'   |
| W165 | N03°19'12'E | 7.50'    |
| W166 | S72°24'14'E | 15.03'   |
| W167 | S72°23'12'E | 13.18'   |
| W168 | N40°48'54'E | 7.57'    |
| W169 | S38°15'11'W | 4.93'    |
| W170 | S66°59'23'W | 13.29'   |
| W171 | N42°27'06'W | 20.76'   |
| W172 | N59°08'46'W | 16.29'   |
| W173 | N09°13'27'W | 27.03'   |
| W174 | N23°25'54'E | 26.55'   |
| W175 | N16°34'12'E | 10.02'   |
| W176 | S06°02'14'E | 17.04'   |
| W177 | N26°22'09'E | 14.44'   |
| W178 | S49°19'24'E | 14.70'   |

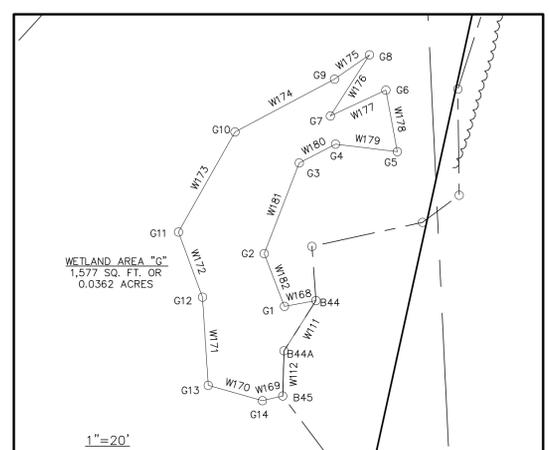
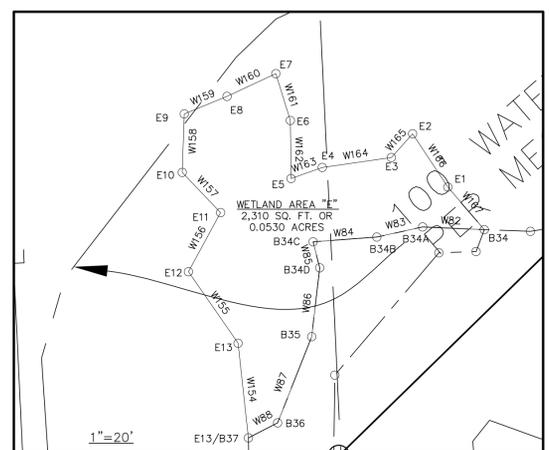
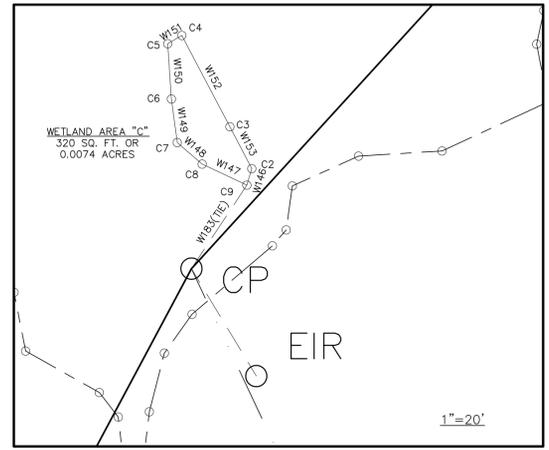
PEGGY DEAN LOVE TAYLOR  
DB. 2020, PG. 313  
PIN: 051-091-05

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| W179 | S58°06'54'W | 14.68'   |
| W180 | S24°01'20'W | 9.64'    |
| W181 | S17°35'07'E | 22.84'   |
| W182 | S59°48'14'E | 13.27'   |
| W183 | N05°03'10'W | 23.56'   |
| W184 | N04°58'06'W | 66.44'   |
| W185 | S52°24'58'E | 24.82'   |
| W186 | S27°48'46'E | 27.28'   |
| W187 | N65°59'58'E | 28.43'   |
| W188 | S64°52'47'E | 16.60'   |
| W189 | S17°55'32'E | 43.69'   |
| W190 | S51°12'34'W | 96.19'   |
| W191 | N04°58'06'W | 70.64'   |
| W192 | S35°37'27'E | 50.40'   |
| W193 | S17°23'58'E | 115.93'  |
| W194 | S13°02'45'E | 73.75'   |
| W195 | S44°51'04'W | 25.55'   |
| W196 | S36°00'10'E | 15.89'   |
| W197 | S80°00'07'E | 55.66'   |
| W198 | S65°55'37'E | 52.39'   |
| W199 | S14°08'25'E | 46.22'   |
| W200 | S52°00'08'E | 13.40'   |
| W201 | S84°50'17'E | 29.03'   |
| W202 | S56°09'23'E | 43.89'   |
| W203 | S44°58'06'E | 41.73'   |
| W204 | S59°51'38'E | 43.81'   |
| W205 | S17°41'20'E | 28.77'   |
| W206 | S32°10'19'E | 50.64'   |
| W207 | S25°30'49'E | 91.24'   |
| W208 | S20°25'28'E | 94.15'   |
| W209 | S15°59'16'E | 104.09'  |
| W210 | S17°00'41'E | 55.35'   |
| W211 | S26°19'15'E | 40.43'   |
| W212 | S13°52'08'E | 78.60'   |
| W213 | S12°56'44'W | 55.30'   |
| W214 | S06°21'18'E | 49.10'   |

**FLOOD CERTIFICATION**  
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS PARTLY LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED MARCH 2, 2009. COMMUNITY PLAN NO: 371045 9800J

THIS IS TO CERTIFY THAT ON THE 06 DAY OF JUNE 2010 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 NAC 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 50 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

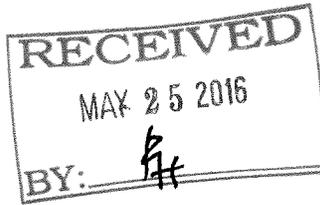
NOTES:  
1. SEE SHEET 1 OF 2 FOR ALL NOTE INFORMATION.



SHEET 2 OF 2

| REVISIONS |        | ALTA/ACSM LAND TITLE SURVEY PREPARED FOR:   |                 |
|-----------|--------|---|-----------------|
|           |        | <b>TREVI PARTNERS, LLC</b>  |                 |
|           |        | NORTH TRYON STREET/US HIGHWAY 29<br>CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC<br>DB. 21291, PG. 483<br>TAX PARCEL NO: 051-091-09 & 051-081-26 |                 |
|           |        | <b>R.B. PHARR &amp; ASSOCIATES, P.A.</b>  |                 |
|           |        | SURVEYING & MAPPING<br>LICENSURE NO. 2141<br>420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL. (704) 376-2186                                     |                 |
| CREW:     | DRAWN: | REVISIONS:  | SCALE:          |
| TR        | CW     |   | 1" = 100'/20'   |
|           |        |   | DATE:           |
|           |        |   | JUNE 06, 2010   |
|           |        |   | FILE NO. W-3916 |
|           |        |   | JOB NO. 76218   |

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2016-108

|              |             |
|--------------|-------------|
| Petition #:  | _____       |
| Date Filed:  | 5/25/2016   |
| Received By: | [Signature] |

**Complete All Fields (Use additional pages if needed)**

Property Owner: Laurel Falls, Trustee for LMGF Family Trust; Falls Enterprises LLC; Boyd P. Falls Irrevocable Trust

Owner's Address: 114 W. Bland Street City, State, Zip: Charlotte, NC 28203

Date Property Acquired: August 14, 2015

Property Address: 114-120 W. Bland Street, Charlotte NC 28203

Tax Parcel Number(s): 07307204, 07307203

Current Land Use: Warehouse / Office Size (Acres): .212 ac, .209 ac

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

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

Required Rezoning Pre-Application Meeting\* with: Cathy Mahoney

Date of meeting: 05/24/2016

(\*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: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Name of Rezoning Agent

\_\_\_\_\_  
Agent's Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone Number                      Fax Number

\_\_\_\_\_  
E-Mail Address

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
(Name Typed / Printed)

Laurel Falls  
Name of Petitioner(s)

114 W. Bland Street  
Address of Petitioner(s)

Charlotte, NC 28203  
City, State, Zip

704-641-1244  
Telephone Number                      Fax Number

fallsenterprises@yahoo.com  
E-Mail Address

[Signature]  
Signature of Petitioner

Laurel S. Falls  
Name Typed / Printed

RECEIVED  
JUN 10 2016  
BY: \_\_\_\_\_

2016-109

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #: \_\_\_\_\_  
Date Filed: 6/10/2016  
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: PRESTON IRA AARON

Owner's Address: 3111 GRAND LAKE DR City, State, Zip: CHARLOTTE, NC 28208

Date Property Acquired: 8/23/1994

Property Address: 3111 Grand Lake DR

Tax Parcel Number(s): 06125112

Current Land Use: COMMERCIAL OFFICE Size (Acres): 20.09

Existing Zoning: R17-MF Proposed Zoning: B-2

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

Required Rezoning Pre-Application Meeting\* with: Josh Weaver, Alberto Gonzalez, Claire Lyte-Graham, Rick Grochoske  
Date of meeting: 16 FEB 16

(\*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: \_\_\_\_\_

Michael Newman - MDV Engineering  
Name of Rezoning Agent

215 Johnston St  
Agent's Address

Rock Hill, SC 29730  
City, State, Zip

704-400-1044 803-325-8257  
Telephone Number Fax Number

michael@mdveng.com  
E-Mail Address

ROYAL PANTHERA, LLC  
Name of Petitioner(s)

1579 Bellini CT  
Address of Petitioner(s)

Myrtle Beach, SC 29579  
City, State, Zip

843-997-5973 843-423-4276  
Telephone Number Fax Number

AGPARTI@aol.com  
E-Mail Address

[Signature]

Signature of Petitioner

[Signature]  
Signature of Property Owner

① IRENE AARON  
(Name Typed / Printed)

② JANICE A MALONEY

③ DANE S. AARON

Ghanshyam Parmar  
(Name Typed / Printed)

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

RECEIVED  
JUN 13 2016  
City 4:42 pm

Petition #: 2016-110  
Date Filed: 6/15/2016  
Received By: BA

**Complete All Fields (Use additional pages if needed)**

Property Owner: Betty Jo S. Barbre 2004 Living Trust and the Claude B. Barbre, Jr. 2004 Family Trust

Owner's Address: 2300 Whilden Court Charlotte, N.C. 28211

Date Property Acquired: September 29, 2004

Property Address: 1531 Central Ave, 28205

Tax Parcel Number(s): # 08117416 and 08117417

Current Land Use: EDEE Type II Size (Acres): .25

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

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

Required Rezoning Pre-Application Meeting\* with: Sonja Sanders, Monica Holmes and Amanda Vari  
Date of meeting: May 5, 2016

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

**For Conditional Rezoning Only:**  
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): N/A  
Purpose/description of Conditional Zoning Plan: Rezoning of two adjacent parcels to allow for the adaptive reuse of the existing buildings and a change of use to a mixed use multi-tenant commercial shopping, restaurant and services location. Optional conditions required to utilize the existing buildings 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

Betty Jo S. Barbre, Trustee  
Signature of Property Owner

Betty Jo S. Barbre, as Trustee of the Betty Jo S. Barbre 2004 Living Trust and the Claude B. Barbre, Jr. 2004 Family Trust

Three Publicans, LLC  
Name of Petitioner(s)

1531 Central Ave., Charlotte NC 28205  
Address of Petitioner(s)

City, State, Zip

(704) 491-9061   
Telephone Number Fax Number

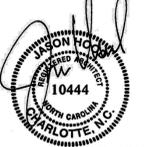
maynard@thedandelionmarket.com  
E-Mail Address

Maynard Goble  
Signature of Petitioner

Maynard Goble, Manager of Three Publicans, LLC  
(Name Typed / Printed)



HOOD PLLC  
4400 PARK ROAD  
CHARLOTTE NC 28209  
704 576 1427



06/13/2016

**1. GENERAL PROVISIONS**

- A. THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THIS REZONING PLAN, THESE STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). THE REGULATIONS ESTABLISHED FOR THE ZONING OF THE MUDD ZONING DISTRICT SHALL APPLY, SUBJECT TO THE OPTIONAL PROVISIONS HEREIN.
- B. THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC AND REPRESENTS THE GENERAL PROPOSAL FOR THE PROJECT. ACCORDINGLY, THE CONFIGURATION, PLACEMENT, SIZE AND NUMBER OF STAIRS, SIDEWALKS, TREES, RAMPS, PATIO, PARKING AREAS AND/OR SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ZONING ORDINANCE, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.
- C. ALTERATIONS TO THE CONDITIONAL PLAN ARE SUBJECT TO SECTION 6.207, ALTERATIONS TO APPROVAL.
- D. EXISTING BUILDING TO REMAIN.

**2. OPTIONAL PROVISIONS**

- a. SETBACK REQUIREMENTS ON CENTRAL AVENUE SHALL BE REDUCED TO THE EXISTING SETBACK.
- b. EXISTING SIDEWALK ON CENTRAL AVENUE TO REMAIN WITHOUT REQUIREMENT TO MEET MUDD OR CURRENT STREETSCAPE AND AREA REQUIREMENTS.
- c. SETBACK REQUIREMENTS ON THOMAS AVENUE SHALL BE REDUCED TO EXISTING SETBACK.
- d. EXISTING SIDEWALK AND PLANTING STRIP ON THOMAS AVENUE TO REMAIN WITHOUT REQUIREMENT TO MEET MUDD OR CURRENT STREETSCAPE AND AREA STANDARDS.
- e. INTERNAL AND PERIMETER TREE REQUIREMENTS SHALL BE REDUCED TO THE EXISTING TREES IN ORDER TO ACCOMMODATE SITE CONSTRAINTS.
- f. IN ORDER TO ACCOMMODATE THE USE OF THE EXISTING BUILDING, THE PARKING REQUIREMENTS SHALL BE REDUCED BY 25%, FROM 12 SPACES TO 9 SPACES.
- g. EXISTING PARKING TO REMAIN ON ALLEY WITHOUT REQUIREMENT TO MEET MUDD OR CURRENT AREA STANDARDS.
- h. EXISTING BUILDING, ENTRYWAYS, WINDOWS AND DOORWAYS MAY REMAIN WITHOUT REQUIREMENT TO MEET MUDD DESIGN STANDARDS.

**3. PERMITTED USES**

- A. ALLOWED USES: ANY USE OR COMBINATION OF USES AND ACCESSORY USES PERMITTED IN MUDD.

**4. TRANSPORTATION**

- A. EXISTING PARKING SPACES ADJACENT TO ALLEY SHALL REMAIN.

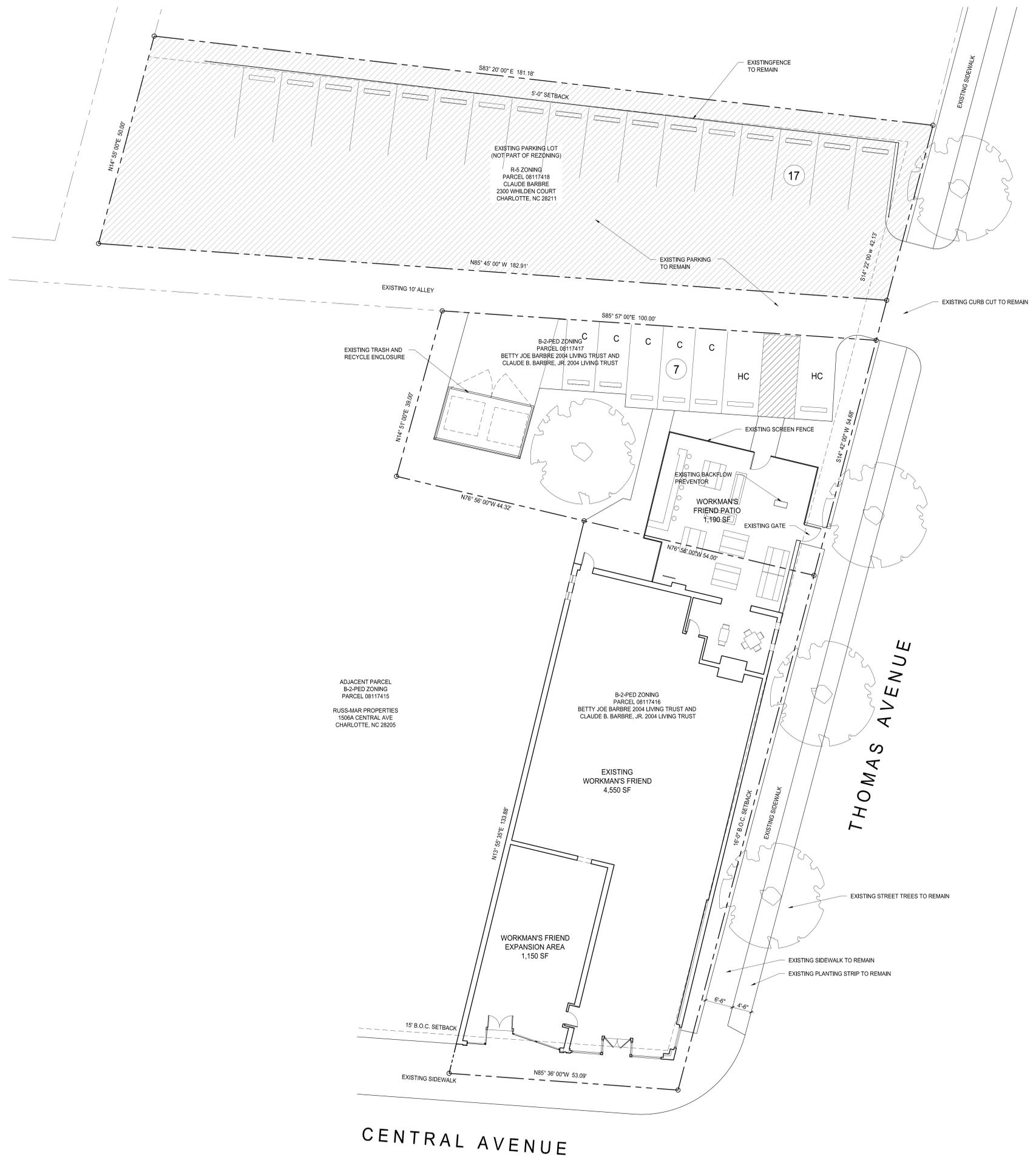
**5. ARCHITECTURAL STANDARDS**

- A. OVERALL HEIGHT SHALL NOT EXCEED 50'.

**6. STREETSCAPE AND LANDSCAPING**

- A. EXISTING STREETSCAPE, SIDEWALKS AND PLANTING STRIPS TO REMAIN AS SET FORTH IN THE OPTIONAL PROVISIONS.

| SITE DATA          |   |
|--------------------|---|
| TAX PARCEL ID      | 08117416 AND 08117417   |
| REZONING SITE AREA | 0.145 + 0.100 / .246 ACRES TOTAL  |
| EXISTING ZONING    | B-2   |
| PROPOSED ZONING    | MUDD-O  |
| BUILDING AREA      | 4,550 SF (WORKMANS'S FRIEND)<br>1,150 SF (PROPOSED EXPANSION)<br>1,190 EXTERIOR PATIO<br>TOTAL 5,700 SF / 1,190 PATIO |
| EXISTING USE       | EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT TYPE 2   |
| PROPOSED USE       | USES PERMITTED IN MUDD  |



**WORKMAN'S FRIEND REZONING**  
CHARLOTTE, NC

PROJECT LOCATION:  
1533 CENTRAL AVE  
CHARLOTTE, NC 28205

OWNER:  
WORKMAN'S FRIEND  
1533 CENTRAL AVE  
CHARLOTTE, NC 28205

This drawing is the property of Hood, PLLC and is not to be reproduced in whole, or in part, without permission. It is to be used only for the project and site identified herein. This drawing shall be returned to Hood, PLLC upon request.

Project Number: 2716

Issue Date: 06/13/2016

Revisions:

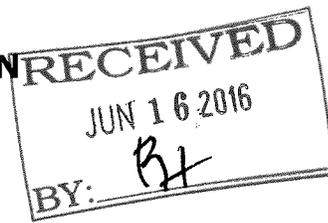
Sheet Name:

**REZONING PLAN**

Sheet Number:

**RZ100**

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2016-111

Petition #: \_\_\_\_\_  
Date Filed: 6/16/2016  
Received By: BH

Property Owners: (Parcel 1,2,4,5) MREC Vision Craighead LLC  
(Parcel 3) MREC Vision Craighead LLC, C/O Vision Ventures of Carolina LLC

Owner's Addresses: (Parcel 1,2,4,5) 13860 Ballantyne Corporate Pl, Suite 130, Charlotte, NC  
(Parcel 3) 214 W Tremont Avenue, Suite 300

Date Properties Acquired: (Parcel 1) 12/11/15  
(Parcel 2) 12/11/15  
(Parcel 3) 08/19/15  
(Parcel 4) 06/05/14  
(Parcel 5) 12/27/13

Property Addresses: (Parcel 1) 3736 Philemon Avenue, Charlotte, NC  
(Parcel 2) 3732 Philemon Avenue, Charlotte, NC  
(Parcel 3) 3720 Philemon Avenue, Charlotte, NC  
(Parcel 4) 3712 Philemon Avenue, Charlotte, NC  
(Parcel 5) 3708 Philemon Avenue, Charlotte, NC

Tax Parcel Numbers: (Parcel 1) 091-112-03  
(Parcel 2) 091-112-04  
(Parcel 3) 091-112-05  
(Parcel 4) 091-112-07  
(Parcel 5) 091-112-08

Current Land Use: (Parcel 4) Residential  
(Parcel 1,2,3,5) Vacant Size (Acres): ± 9.91

Existing Zoning: (Parcel 1,2,3) I-1  
(Parcel 4,5) UR-2(CD) Proposed Zoning: TOD-M(CD)

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

Required Rezoning Pre-Application Meeting\* with: Solomon Fortune, Brent Wilkinson and Shad Spencer

Date of meeting: May 11<sup>th</sup> 2016

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

**For Conditional Rezoning Only:**

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

Purpose/description of Conditional Zoning Plan: To update the previously approved conditional plan for the proposed residential community, and to add three previously excluded parcels to the Petition.

Jeff Brown, Keith MacVean & Bridget Dixon  
Name of Rezoning Agent  
Moore & Van Allen, PLLC  
100 N. Tryon Street, Suite 4700  
Agent's Address  
Charlotte, NC 28202  
City, State, Zip

Philemon NODA Partners, LLC  
(Attn: Eric R. Wilensky)  
Name of Petitioner  
201 17<sup>th</sup> Street NW, Suite 1700  
Address of Petitioner  
Atlanta, GA 30363  
City, State, Zip

**704-331-1144 (JB)**  
**704-331-3531 (KM)**

---

Telephone Number

**704-348-1925 (JB)**  
**704-378-1954 (KM)**

---

Fax Number

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

---

E-mail Address

**See Attachments A - B**

---

Signature of Property Owner

**404-322-6469**

---

Telephone Number

**404-322-6050**

---

Fax Number

**eric.wilensky@nelsonmullins.com**

---

E-mail Address

**See Attachment C**

---

Signature of Petitioner

ATTACHMENT A

**REZONING PETITION NO. [2016-\_\_\_\_]  
Philemon NODA Partners, LLC**

**PETITIONER JOINDER AGREEMENT  
MREC Vision Craighead LLC**

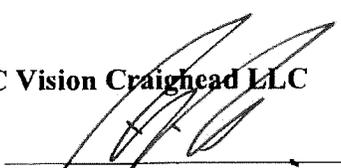
The undersigned, as the owner of the parcels of land:

- |    |                                     |                     |
|----|-------------------------------------|---------------------|
| a) | 3736 Philemon Avenue, Charlotte, NC | Parcel # 091-112-03 |
| b) | 3732 Philemon Avenue, Charlotte, NC | Parcel # 091-112-04 |
| c) | 3712 Philemon Avenue, Charlotte, NC | Parcel # 091-112-07 |
| d) | 3708 Philemon Avenue, Charlotte, NC | Parcel # 091-112-08 |

on the Mecklenburg County Tax Map and which are subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from I-1 and UR-2(CD) zoning district to the TOD-M(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**MREC Vision Craighead LLC**

By: 

Name: Paul Picarozzi

Its: Managing Member

**ATTACHMENT B**

**REZONING PETITION NO. [2016-\_\_\_\_]  
Philemon NODA Partners, LLC**

**PETITIONER JOINDER AGREEMENT  
MREC Vision Craighead LLC, C/O Vision Ventures of Carolina, LLC**

The undersigned, as the owner of the parcel of land located at 3720 Philemon Avenue, Charlotte, NC that is designated as Tax Parcel No. 091-112-05 on the Mecklenburg County Tax Map and which are subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from I-1 zoning district to the TOD-M(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This \_\_\_\_ day of \_\_\_\_\_, 2016.

**MREC Vision Craighead LLC, C/O  
Vision Ventures of Carolina, LLC**

By: \_\_\_\_\_

Name: Paul Riccerzzi

Its: Managing Member

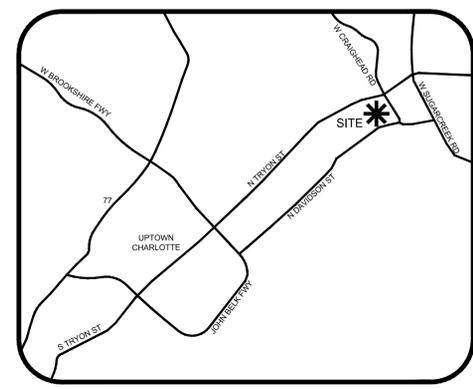
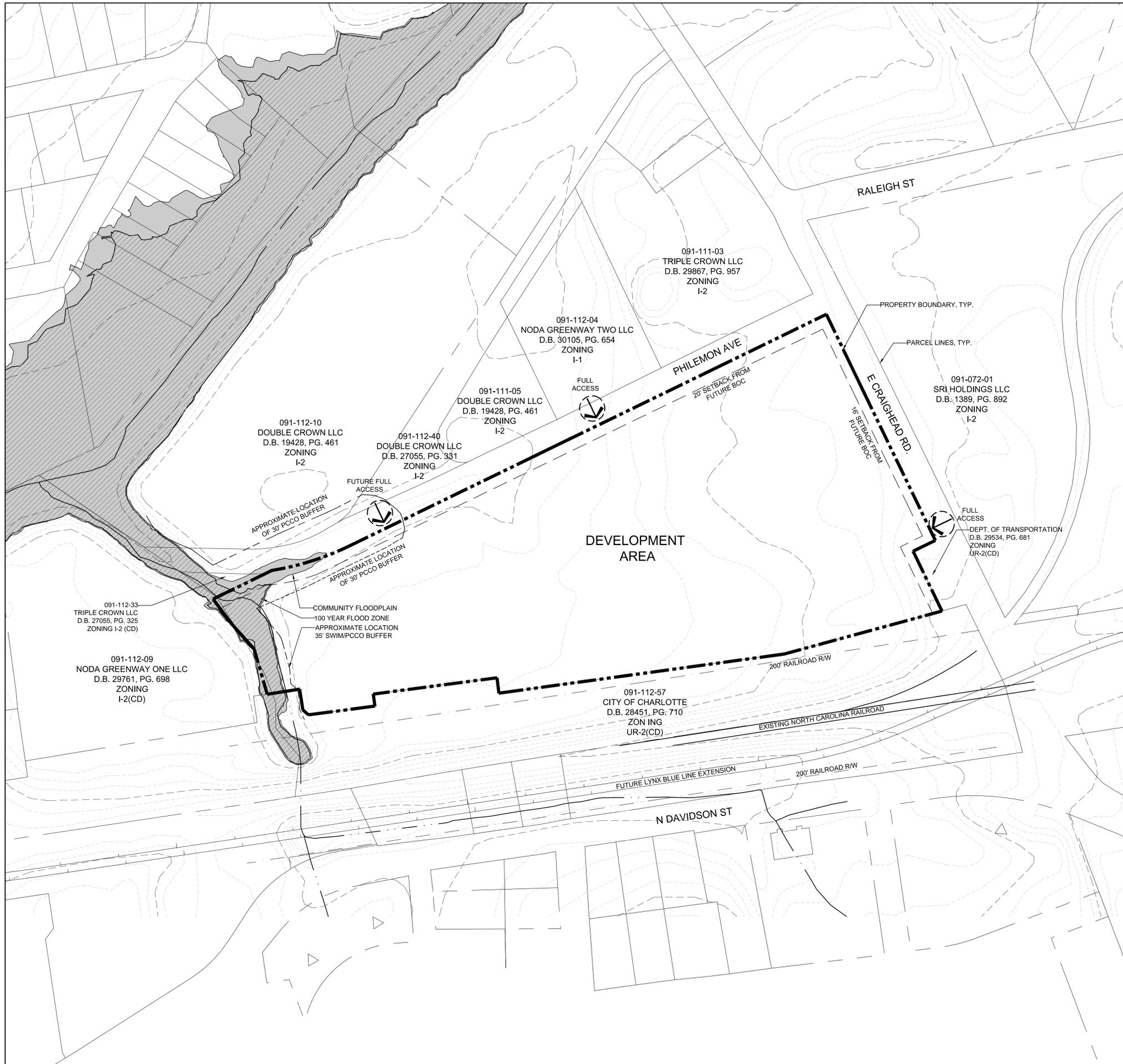
**ATTACHMENT C**

**REZONING PETITION NO. [2016- ]  
Philemon NODA Partners, LLC**

**Petitioner:**

**Philemon NODA Partners, LLC**

By:   
Name: MATT LAITINEN  
Title: AUTHORIZED SIGNATORY



VICINITY MAP  
NTS

**SITE LEGEND**



**SITE DEVELOPMENT DATA**

**ACREAGE:** ± 9.91 ACRES  
**TAX PARCEL #S:** 091-112-03, 091-112-04, 091-112-05, 091-112-07, 091-112-08  
**EXISTING ZONING:** I-1, UR-2(CD)  
**PROPOSED ZONING:** TOD-M (CD)  
**EXISTING USES:** RESIDENTIAL, VACANT  
**PROPOSED USES:** RESIDENTIAL DWELLINGS UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE TOD-M ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).

**TOD-M (CD) ZONING REQUIREMENTS:**  
**MINIMUM DENSITY:**  
 20 RESIDENTIAL DWELLING UNITS PER ACRE WITHIN 1/4 MILE WALKING DISTANCE FROM A TRANSIT STATION  
 15 RESIDENTIAL DWELLING UNITS PER ACRE WITHIN 1/2 MILE TO 1/4 MILE WALKING DISTANCE FROM A TRANSIT STATION  
**MAXIMUM BUILDING HEIGHT:** THE MAXIMUM BUILDING HEIGHT WILL BE 60 FEET AS DEFINED BY THE ORDINANCE.

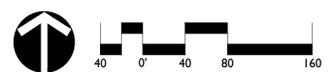
**PROPOSED PLANNED DEVELOPMENT TOD-M(CD):**  
 UP TO 300 UNITS (30 DUA)  
 A MAXIMUM BUILDING HEIGHT OF FOUR (4) STORIES AND UP TO 60' AS ALLOWED BY THE ORDINANCE. BUILDING HEIGHT TO BE MEASURED AS REQUIRED BY THE ORDINANCE.

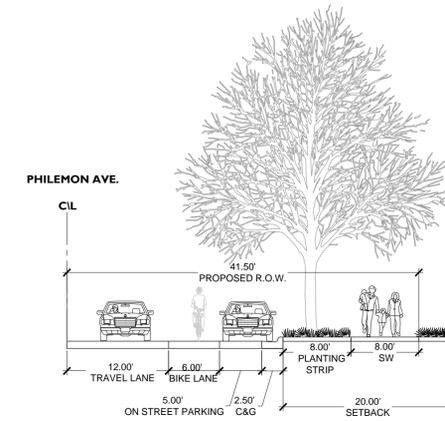
**MIN. FRONT SETBACK:** 16' (OF THE FUTURE OR EXISTING BACK OF CURB, WHICHEVER IS GREATER)  
**MIN. SIDE YARD WIDTH:** NONE REQUIRED, EXCEPT IF A SIDE AND/OR REAR YARD IS PROVIDED, THE MINIMUM WIDTH SHALL BE FIVE (5) FEET.  
**MIN. REAR YARD WITH:** NONE REQUIRED, EXCEPT IF A SIDE AND/OR REAR YARD IS PROVIDED, THE MINIMUM WIDTH SHALL BE FIVE (5) FEET.

16' SETBACK ALONG E. CRAIGHEAD ROAD, 20' SETBACK ALONG PHILEMON AVE.

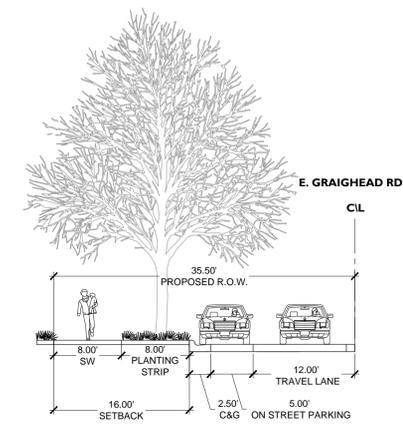
**PARKING:** NO MIN. PARKING REQUIRED, 1.6 PARKING SPACES MAX.

AS PER ORDINANCE REQUIREMENTS





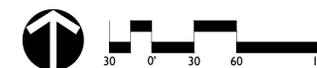
SECTION - A



SECTION - B

### SITE LEGEND

- SITE ACCESS
- PEDESTRIAN CIRCULATION



**Site Development Data:**

- Acres:** ± 9.91
- Tax Parcel #s:** 091-112-03, 091-112-04, 091-112-05, 091-112-07 and 091-112-08
- Existing Zoning:** I-1 and UR-2(CD)
- Proposed Zoning:** TOD-M(CD)
- Existing Uses:** Residential/Vacant
- Proposed Uses:** Residential dwellings units together with accessory uses, as allowed in the TOD-M zoning district (as more specifically described and restricted below in Section 3).
- Maximum Amount of Development:** Up to 300 residential dwelling units as allowed and required by the TOD-M zoning district.
- Maximum Building Height:** A maximum building height of four (4) stories and up to 60 feet as allowed by the Ordinance. Building height to be measured as required by the Ordinance.
- Parking:** 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 Philemon NoDa Partners, LLC ("Petitioner") to accommodate the development of transit supportive residential community on an approximately 9.91 acre site located on the southwest quadrant of the intersection of Philemon Avenue and E. Craighead Road (the "Site").

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

c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

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

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

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

d. **Number of Buildings Principal and Accessory.** Notwithstanding the number of buildings shown on the Rezoning Plan, 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.**

a. N/A.

**3. Permitted Uses, Development Area Limitations:**

a. The Site may be developed with up to 300 residential dwelling units as permitted by right and under prescribed conditions in the TOD-M Zoning district together with accessory uses as allowed in the TOD-M zoning district.

**4. Access and Right-of-way Dedication:**

a. Vehicular access to the Site will be from Philemon Avenue and E. Craighead Road as generally depicted on the Rezoning Plan.

b. The southernmost access point to the Site from Philemon Avenue may not be open or utilized until Philemon Avenue is improved beyond the proposed driveway.

c. The location of the driveway 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. Along Philemon Avenue the Petitioner shall dedicate and convey (by quitclaim deed and subject to a reservation of any necessary utility easements) that portion of the Site located along Philemon Avenue as may be necessary to provide for a right-of-way extending 41.5 feet from the proposed or existing centerline as generally depicted on the Rezoning Plan; said dedication and conveyance to occur prior to issuance of the first certificate of occupancy for the first residential dwelling building constructed on the Site.

e. The Petitioner shall dedicate and convey (by quitclaim deed and subject to a reservation of any necessary utility easements) that portion of the Site located along Craighead Road as may be necessary to provide for a right-of-way extending 35.5 feet from the existing centerline as generally depicted on the Rezoning plan; said dedication and conveyance to occur prior to issuance of the first certificate of occupancy for the first residential building constructed on the Site.

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

a. Along Philemon Avenue a 20 foot setback as measured from the future back of curb will be provided. Along E. Craighead Road a 16 foot setback as measured from the future back of curb will be provided.

b. As part of the development of the Site, the Petitioner will provide the following streetscape improvements along Philemon Avenue and E. Craighead Road; an eight (8) foot planting strip and an eight (8) foot sidewalk as generally depicted on the rezoning plan.

c. The open space areas on the Site will be improved with landscaping, lighting, seating and hardscape elements.

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

**6. Architectural Standards.**

a. The building materials used on the principal buildings constructed on Site will be a combination of some of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, EIFS, decorative metal panels, decorative block and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings

b. The Petitioner will contribute funds to the Arts and Science Fund established to implement public Art on the Site. A minimum of \$20,000 dollars will be contributed to this fund by the Petitioner prior to the issuance of a certificate of occupancy for the proposed building. Unless approved by the Petitioner the art work secured or commissioned by these funds must be located on the Site or off-site in the NoDa

neighborhood if approved by the Petitioner. The Petitioner will have the right to review and approve the art work purchased or commissioned by these funds.

c. The portions of the buildings facing Philemon Avenue and E. Craighead Road will have building entrances oriented toward these public streets at least every 100' linear feet.

d. The ground floor shall be taller than and architecturally different than upper floors with more transparency than upper floors, this standard will only apply to building walls located along public streets.

e. In addition to the Blank Wall provisions of the TOD-M zoning district Blank Walls shall be treated with both horizontal and vertical variations in wall planes.

f. Ground floor residential units shall be raised an average of 24" above grade. Units shall be no more than 5' above grade and 2' below.

**7. Environmental Features:**

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

b. The Site will comply with the Tree Ordinance.

**8. Lighting:**

a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding; low landscape, decorative, specialty, and accent lighting that may be installed along the driveways, sidewalks, open space/amenity areas, and parking areas.

b. Detached lighting on the Site, except street lights located along public streets, will be limited to 21 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 will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

REVISIONS:

DATE: 06/22/16  
DESIGNED BY: ST  
DRAWN BY: NG  
CHECKED BY: ST  
SCALE: 1"=1'-0"  
PROJECT #: 1016151  
SHEET #:

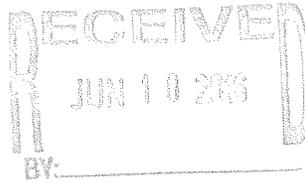
**RZ-3**

**NODA SOUTH VILLAGE MULTI-FAMILY  
REZONING PETITION No. 2016-000  
CHARLOTTE  
DEVELOPMENT STANDARDS**

**PHILEMON NODA  
PARTNERS, LLC**

**LandDesign**  
223 N Graham Street Charlotte, NC 28202  
V: 704.333.0235 F: 704.332.3746  
www.LandDesign.com

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



Petition #: 2016-112  
Date Filed: \_\_\_\_\_  
Received By: Bf

**Complete All Fields (Use additional pages if needed)**

Property Owner: Savina, LLC, 2030 South Tryon, LLC  
Caraustar Mill Group, Inc. & CARAUSTAR RECOVERED FIBER GROUP, INC.

Owner's Address: 1800 CAMDEN RD. STE 107-230 City, State, Zip: CHARLOTTE, NC 28203  
P.O. Box 115; 5000 Austell-Powder Springs Road #300 City, State, Zip: Austell, GA 30168; 30106

Date Property Acquired: 4/19/2012, 8/6/2010  
5/22/2001, 11/5/1999, 7/31/1996, and 9/23/1988

Property Address: 528 S. TURNER AVE; 525 COXE AVE; 536 STATE ST; 524 STATE ST.  
432, 428, 420, 408, 404, and 400 S. Turner Ave; 401, 443, and 326 S. Gardner Ave; 418, 2426,  
and unnumbered Chamberlain Ave.; unnumbered Stewart Ave, Charlotte, NC 28208

Tax Parcel Number(s): 071-114-01, 071-114-02, 071-114-03, 071-114-04, 071-114-05, 071-114-06, 071-114-07,  
071-114-08, 071-114-09, 071-114-11, 071-114-12, 071-114-13, 071-114-14, 071-113-09, 071-113-10, 071-112-  
09, 071-112-10, 071-114-17, 071-105-51, 071-105-52, 071-105-01, 071-105-03

Current Land Use: Industrial, Vacant Size (Acres): +/- <sup>30</sup>28 acres

Existing Zoning: I-1 and I-2 ~~0-2~~ Proposed Zoning: MUDD

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

Required Rezoning Pre-Application Meeting with: Grant Meacci, Sonja Sanders, Joshua Weaver, Carlos Alzate  
Date of meeting: May 3, 2016

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

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

Collin Brown and Bailey Patrick Jr.  
Name of Rezoning Agent

Hearst Tower, 214 North Tryon Street, 47th Floor  
Agent's Address

Charlotte, NC 28202  
City, State, Zip

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

Collin.brown@klgates.com / bailey.patrick@klgates.com  
E-Mail Address

N/A  
Signature of Property Owner

\_\_\_\_\_  
(Name Typed / Printed)

Argos Real Estate Advisors, Inc.  
Name of Petitioner(s)

1101 South Blvd., Suite 100  
Address of Petitioner(s)

Charlotte, NC 28203  
City, State, Zip

704-343-7444      704-343-7445  
Telephone Number      Fax Number

gpappanastos@argosadvisors.com  
E-Mail Address

[Signature]  
Signature of Petitioner

Greg Pappanastos, Manager Member  
(Name Typed / Printed)

2016-113

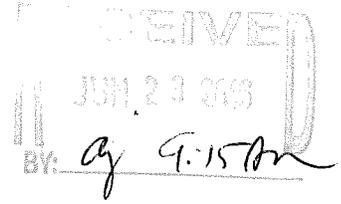
**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

|              |                |
|--------------|----------------|
| Petition #:  | _____          |
| Date Filed:  | <u>6/23/16</u> |
| Received By: | <u>Bf</u>      |

Property Owners: CEC-BDA-II Partners LLC

Owner's Addresses: 4401 Barclay Downs Drive, Suite 200, Charlotte, NC 28209

Date Properties Acquired: 05/08/2015



Property Addresses: 4401 Barclay Downs Drive, Charlotte, NC

Tax Parcel Numbers: 177-061-07

Current Land Use: Office Building Size (Acres): ± 2.679

Existing Zoning: O-1 Proposed Zoning: MUDD (O)

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

Required Rezoning Pre-Application Meeting\* with: John Kinley, Kent Main, Jason Prescott; Grant Meacci and Erin Chantry

Date of meeting: 5/17/16: JK, KM, JP 5/26/16: GM and EC

(\*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: To develop a well-designed high quality residential community with active ground floor uses, retail, and units that directly relate to the street.

Jeff Brown, Keith MacVean & Bridget Dixon  
Name of Rezoning Agent

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

Charlotte, NC 28202  
City, State, Zip

|                          |                          |
|--------------------------|--------------------------|
| <u>704-331-1144 (JB)</u> | <u>704-348-1925 (JB)</u> |
| <u>704-331-3531 (KM)</u> | <u>704-378-1954 (KM)</u> |
| Telephone Number         | Fax Number               |

jeffbrown@mvalaw.com keithmacvean@mvalaw.com dixonb@mvalaw.com  
E-mail Address

See Attachment A  
Signature of Property Owner

ZOM Development  
(Attn: Darryl Hemminger)  
Name of Petitioner

4208 Six Forks Road, Suite 1000  
Address of Petitioner

Raleigh, NC 27609  
City, State, Zip

|                   |            |
|-------------------|------------|
| <u>9198900698</u> |            |
| Telephone Number  | Fax Number |

djh@zomusa.com  
E-mail Address

See Attachment B  
Signature of Petitioner

ATTACHMENT A

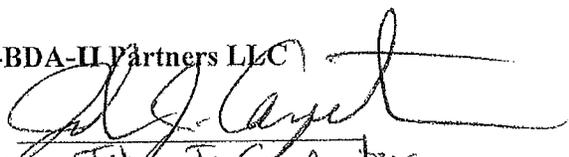
REZONING PETITION NO. [2016-\_\_\_\_]  
ZOM Development

PETITIONER JOINDER AGREEMENT  
CEC-BDA-II Partners LLC

The undersigned, as the owner of the parcel of land located at 4401 Barclay Downs Drive, Charlotte, NC that is designated as Tax Parcel No. 177-061-07 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from O-1 zoning district to the MUDD(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 22<sup>nd</sup> day of June, 2016.

CEC-BDA-II Partners LLC

By: 

Name: John S. Carpenter

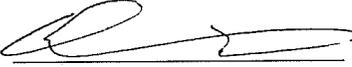
Its: Manager

**ATTACHMENT B**

**REZONING PETITION NO. [2016- ]  
ZOM Development**

**Petitioner:**

**Zom Development**

By: 

Name: Darryl Hemminger

Title: Senior Vice President

ZOM Carolinas

**Site Development Data:**

- Acreage: ± 2.679 acres
--Tax Parcel #: 177-06-107
--Existing Zoning: O-1
--Proposed Zoning: MUDD-O
--Existing Uses: Office building with surface parking
--Proposed Uses: Residential dwellings units; retail; Eating, Drinking, Entertainment, Establishments (EDEE); and personal services uses as all permitted by right, as well as other uses allowed under prescribed conditions, and by the Optional provisions below, and accessory uses, as allowed in the MUDD zoning district (all as more specifically described below in Section 3 including certain conversion of uses rights set forth therein).
--Maximum Gross Square Feet of Development: Up to 266 multi-family residential dwelling units and up to 15,000 square feet of gross floor area devoted to: non-residential permitted 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" (as defined by the Ordinance) proposed by this Rezoning Plan; provided further, however, such limitations may be adjusted pursuant to the conversion of uses rights set forth below.
--Maximum Building Height: Maximum building height of six (6) stories, not to exceed 96 feet. Building height shall be measured per the Ordinance.
--Parking: As required by the Ordinance.

**I. General Provisions:**

- a. Site Location. These Development Standards, the Technical Data Sheet, Schematic Site Plan and other sheets that form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Zom Carolinas ("Petitioner") to accommodate the development of a high quality residential based/mixed-use community with: ground floor non-residential uses on an approximately 2.68 acre site located on the northeast quadrant of the intersection of Barclay Downs Drive and Bulfinch Road (the "Site").
b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the 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, 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 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 one (1). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

e. Exclusions for Calculation of Maximum Development Levels. 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 (as defined by the Ordinance) for the Site: surface or structured 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).

**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 7 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 10 feet or it is an individual residential doorway designed with an elevated porch stoop.
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 for the Site.

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 266 multi-family residential dwellings units and up to 15,000 square feet of gross floor area devoted to: retail, EDEE, and personal service uses as permitted by right as well as other uses allowed under prescribed conditions and per the Optional provisions above and together with accessory uses, all as 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.
c. The following use will not be allowed: gasoline service stations with or without a convenience store, car washes (except for a car wash(es) for the residents of the Site that are part of the amenities/accessory uses associated with the proposed apartments and located within the structured parking facility).
d. Additional non-residential square footage may be developed by converting residential units at a rate of one (1) residential unit converted into 500 square feet of gross floor area of non-residential uses up to a maximum of 20 residential units so converted for a maximum of 10,000 square feet of such non-residential uses.

**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: [TO BE FORTHCOMING TO THE EXTENT NEEDED PER TRAFFIC ANALYSIS UNDERWAY]

**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 or 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 road-way 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 Petitioner, CDOT, and the Planning Director as applicable, provided, however, the proposed alternate 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 Barclay Downs, Carnegie Boulevard and Bulfinch Road as generally depicted on Sheet RZ-2, subject to adjustments as set forth below.
b. 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.

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

- a. A 25 foot setback as measured from the existing/future (the existing and future back of curb are the same) back of curb along Barclay Downs Drive, Carnegie Boulevard and Bulfinch Road will be provided, as generally depicted on the Rezoning Plan.
b. A 15 foot planting strip and 10 foot sidewalk will be provided on Barclay Downs, Carnegie Boulevard and Bulfinch Road as generally depicted on the Rezoning Plan.
c. The Petitioner will use good faith reasonable efforts to preserve the existing trees in the 15 foot planting strip on Barclay Downs, Carnegie Boulevard and Bulfinch Road, as generally depicted. The Petitioner will work with the City Arborist to determine appropriate approaches for tree protection and preservation. Trees may be removed to provide fire access to the Site from both Bulfinch and Carnegie Boulevard and primary access from Barclay Downs Drive.
d. Cars parked in the proposed parking structure will be screened from the adjacent public streets and the adjoining properties. Detached lighting located on the upper level of the parking will be designed to full cut-off type fixtures.
e. Meter banks will be screened where visible from public view at grade level.
f. 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 building constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.
b. The attached illustrative building elevation(s) 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 Barclay Downs Drive and Bulfinch Road will have an entrance(s) oriented toward these streets. The proposed ground floor residential units along Bulfinch Road will have entrances oriented toward Bulfinch Road, except when due to topography.
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 two (2) feet will be established along building face and within the 10' sidewalk located along Carnegie Boulevard and Bulfinch Road. Stairs, porches, and stoops may encroach into this transition zone or it may be used for enhanced landscaping.
g. The scale and massing of buildings longer than 150 feet along a street 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) building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses; (iii) horizontal variation of a minimum of 8" and vertical variations of a minimum 24" in wall planes; or (iv) utilize 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) a higher level of transparency on the ground floor (exaggerated or larger windows indicative of living areas); and (ii) horizontal and vertical variations in wall planes accompanied with a change in material. If the final architectural design cannot meet the design standards for blank wall articulation, alternative innovative design solutions may be considered for approval by the Planning Director or designee.

i. Common and private individual entrances to residential units will be provided along Bulfinch Road at intervals of no less than 125 feet. 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.

l. Individual ground floor residential unit entrances oriented to Bulfinch Road should give the appearance of a front door orientation rather than a back patio design, and have direct sidewalk connections to the public right-of-way, if the ground floor units are not more than four (4) feet above the grade of public street right-of-way. If entrances to the proposed units along Bulfinch Road are located more than four (4) feet above the existing grade of the street and stoops are not provided, the Petitioner will break up any resulting blank walls with terraced landscape areas and/or building articulation. The details of the treatment to be determined during the site plan approval process for the Site.

m. 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 Barclay Downs Drive into the space.

n. 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 provided along Barclay Downs Drive and Bulfinch Road above the first story of the building.

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

p. The Petitioner shall create focal points at the corner of Barclay Downs Drive and Bulfinch Road and Barclay Downs Drive and Carnegie Boulevard, as generally depicted on the Rezoning Plan. In order to stimulate pedestrian activity and interest at this location, the first floor (street level) of the building at that intersection shall be designed to address the corner and promote a visual relationship to the street and encourage movement and activity at street level.

**7. Environmental Features:**

a. 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 21 feet in height.

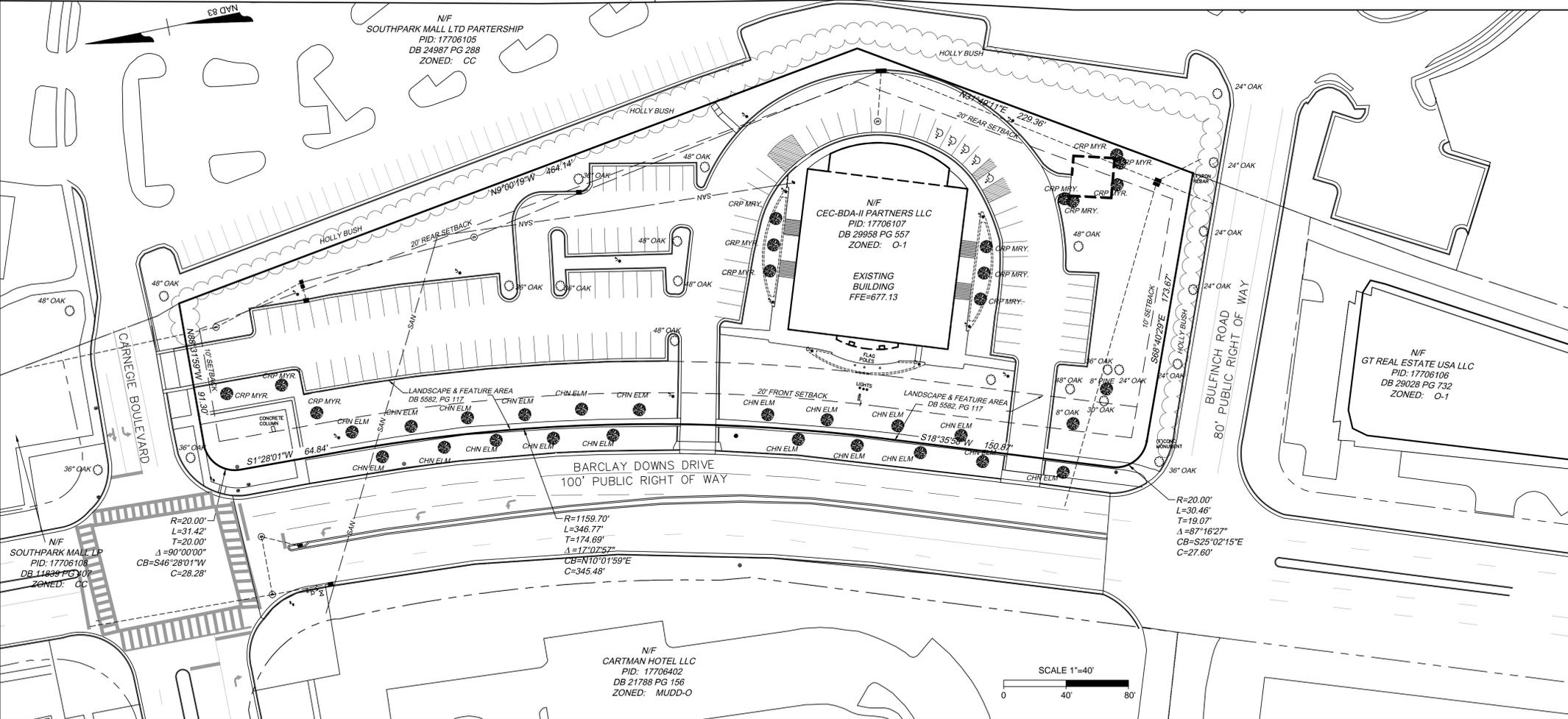
10. CATS Bus Stop: The Petitioner shall coordinate the relocation of the current stop on Barclay Downs to align with the redevelopment of the site.

**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 or portion of the Site affected by such amendment in accordance with the provisions herein and 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 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.



shook kelley logo and contact information: 2151 Hawkins Street, Suite 400, Charlotte, NC 28203. Phone: 704 / 377 0661. Website: www.shookkelley.com.

NOT FOR CONSTRUCTION stamp.

LOM LIVING logo.

PREPARED FOR: ZOM Carolinas, 4208 Six Forks Road, Suite # 1000, Raleigh, NC 27609. (919) 890 0698, www.zomusa.com.

REZONING SUBMITTAL: June 20, 2016.

Table with 3 columns: Mark, Date, Description. Row 1: :No, :Date, :Note.

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BARCLAY DOWNS DRIVE TECHNICAL DATA PLAN SITE REZONING. 4401 Barclay Downs Drive, Charlotte, NC 28209. REZONING PETITION # (TBD) Project # RZ-01.



10' SIDEWALK AT BACK OF EXISTING PLANTING STRIP

EXISTING 15' PLANTING STRIP, MATURE STREET TREES, AND CURB TO REMAIN (SEE DEV. STANDARDS)

IMPROVEMENTS IN RIGHT OF WAY SUBJECT TO CDOT/ OTHER APPROVALS

IMPROVEMENTS TO PEDESTRAIN CROSSING WITH SPECIALTY PAVERS AND IMPROVEMENTS TO AREA OF REFUGE SUBJECT TO CDOT/ OTHER APPROVALS

EXISTING 15' PLANTING STRIP, MATURE STREET TREES, AND CURB TO REMAIN (SEE DEV. STANDARDS)

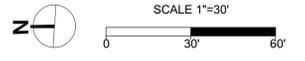
GREEN SCREEN AREA TO MATCH EXISTING SHRUBS, TREES, AND PLANTING ON OPPOSITE SIDE OF PROPERTY LINE

PAVED DRIVEWAY AND FIRELANE

EXISTING 15' PLANTING STRIP, MATURE STREET TREES, AND CURB TO REMAIN (SEE DEV. STANDARDS)

10' SIDEWALK AT BACK OF EXISTING PLANTING STRIP

IMPROVEMENTS TO PEDESTRAIN CROSSING SUBJECT TO CDOT/ OTHER APPROVALS



**shook kelley**  
 2151 Hawkins Street  
 Suite 400  
 Charlotte, NC 28203  
 704 / 377 0661  
 www.shookkelley.com

SHOOK KELLEY, INC. ARCHITECTURAL  
 CHARLES TERRY SHOOK  
 NOT FOR CONSTRUCTION  
 CHARLOTTE, N.C.

**LOM**  
 LIVING

PREPARED FOR:  
 ZOM Carolinas  
 4208 Six Forks Road  
 Suite # 1000  
 Raleigh, NC 27609  
 (919) 890 0698  
 www.zomusa.com

REZONING SUBMITTAL:  
 June 20, 2016  
 REVISIONS:  
 Mark Date Description

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**BARCLAY DOWNS DRIVE SITE REZONING** SCHEMATIC SITE PLAN  
 4401 Barclay Downs Drive  
 Charlotte, NC 28209  
 REZONING PETITION # (TBD)  
 16007

**RZ-02**



**shook kelley**

2151 Hawkins Street  
Suite 400  
Charlotte, NC 28203

704 / 377 0661  
www.shookkelley.com

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PREPARED FOR:  
ZOM Carolinas  
4208 Six Forks Road  
Suite # 1000  
Raleigh, NC 27609

(919) 890 0698  
www.zomusa.com

REZONING SUBMITTAL:  
June 20, 2016

REVISIONS:  
Mark Date Description

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**BARCLAY DOWNS DRIVE  
SITE REZONING**

4401 Barclay Downs Drive  
Charlotte, NC 28209

REZONING PETITION # (TBD)  
16007

CONCEPT RENDERING

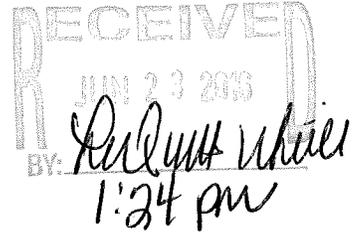
**RZ-03**

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2016-114

Petition #: \_\_\_\_\_  
Date Filed: 6/23/16  
Received By: RJ

Property Owners: Nuga Properties LLC  
Owner's Addresses: 117 Turkey Hunt Court, Waxhaw, NC  
Date Properties Acquired: 12/11/08  
Property Addresses: 8915 Albemarle Road, Charlotte, NC  
Tax Parcel Numbers: 109-102-05  
Current Land Use: Vacant Size (Acres): \* 1.95  
Existing Zoning: B-1(CD) Proposed Zoning: B-2(CD)  
Overlay: N/A  
*(Specify PED, Watershed, Historic District, etc.)*  
Required Rezoning Pre-Application Meeting\* with: Sonja Sanders, and Amanda Vari  
Date of meeting: April 21, 2016



(\*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: To allow the development of the Site with a sit down restaurant and other retail or restaurants uses.

Jeff Brown, Keith MacVean & Bridget Dixon  
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

Harris Doulaveris  
Name of Petitioner  
9012 Skipaway Drive  
Address of Petitioner  
Waxhaw, NC 28173  
City, State, Zip  
704-258-8686  
Telephone Number Fax Number  
harrisdoulaveris@gmail.com  
E-mail Address  
See Attachment B  
Signature of Petitioner

**ATTACHMENT A**

**REZONING PETITION NO. [2016-\_\_\_\_]  
Harris Doulaveris**

**PETITIONER JOINDER AGREEMENT  
NUGA Properties LLC**

The undersigned, as the owner of the parcel of land located at 8915 Albemarle Road, Charlotte, NC that is designated as Tax Parcel No. 109-102-05 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from B-1(CD) zoning district to the B-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 23 day of JUNE, 2016.

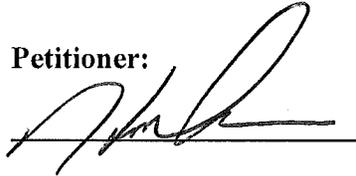
**Nuga Properties LLC**

By: Name: NEC O'HANON  
Its: ANDREW LIGNE MAMOR

**ATTACHMENT B**

**REZONING PETITION NO. [2016- ]  
Harris Doulaveris**

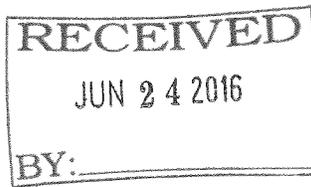
**Petitioner:**

A handwritten signature in black ink, appearing to read 'H. Doulaveris', is written over a horizontal line.

**Harris Doulaveris**



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2016-115

Petition #: \_\_\_\_\_  
Date Filed: 6/24/16  
Received By: Bf

Property Owners: Crescent Resources LLC & Crescent Resources Inc.

Owner's Addresses: 227 W. Trade Street, Suite 1000

Date Properties Acquired: (Parcel 1) 03/24/00  
(Parcel 2) 01/29/01  
(Parcel 3) 03/24/00

Property Addresses: (Parcel 1) Intersection of Mallard Creek Church Road and Senator Royall Dr, Charlotte, NC  
(Parcel 2) 1919 W. Mallard Creek Church Rd, Charlotte, NC  
(Parcel 3) Parcel between Alexander Village Main Dr, Senator Royall Dr and Mallard Creek Church Rd, Charlotte, NC

Tax Parcel Numbers: (Parcel 1) 04742101  
(Parcel 2) 04742102  
(Parcel 3) 04742106

Current Land Use: Vacant Size (Acres): ± 37.07

Existing Zoning: RE-3(O) Proposed Zoning: RE-3(O) SPA

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

Required Rezoning Pre-Application Meeting\* with: Alberto Gonzalez, Sonja Sanders, Grant Meacci, Josh Weaver, and Rick Grochoske.

Date of meeting: May 10<sup>th</sup> 2016

(\*Rezoning applications will not be processed until a required preapplication 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: To modify the previously approved site plan to allow an additional residential community in lieu of office uses, and to modify various conditions related to the allowed retail uses.

Jeff Brown, Keith MacVean & Bridget Dixon  
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 & B**  
Signature of Property Owner

Crescent Communities  
(Attn: Elizabeth McMillan)  
Name of Petitioner  
227 W. Trade Street, Suite 1000  
Address of Petitioner  
Charlotte, NC 28202  
City, State, Zip  
980-321-6161  
Telephone Number      Fax Number  
emcmillan@crescentcommunities.com  
E-mail Address  
**See Attachment C**  
Signature of Petitioner

**ATTACHMENT A**

**REZONING PETITION NO. [2016-\_\_\_\_]  
Crescent Communities**

**PETITIONER JOINDER AGREEMENT  
Crescent Resources, Inc.**

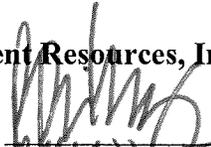
The undersigned, as the owner of the parcels of land located:

- a) The intersection of Mallard Creek Church Road and Senator Royall Drive,  
Charlotte, NC  
**Parcel # 04742101**
  
- b) Parcel between Alexander Village Main Drive, Senator Royall Drive and Mallard  
Creek Church Rd, Charlotte, NC  
**Parcel # 04742106**

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from RE-3(O) zoning district to the RE-3(O)SPA zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This \_\_\_\_ day of \_\_\_\_\_, 2016.

**Crescent Resources, Inc.**

By:   
Name: JULIAN DEARY  
Its: PRESIDENT

**ATTACHMENT B**

**REZONING PETITION NO. [2016-\_\_\_\_]  
Crescent Communities**

**PETITIONER JOINDER AGREEMENT  
Crescent Resources, LLC**

The undersigned, as the owner of the parcels of land located:

1919 W. Mallard Creek Church Road, Charlotte, NC

**Parcel # 04742102**

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from RE-3(O) zoning district to the RE-3(O)SPA zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**Crescent Resources LLC.**

By:   
Name: BRIAN LEAHY  
Its: PRESIDENT

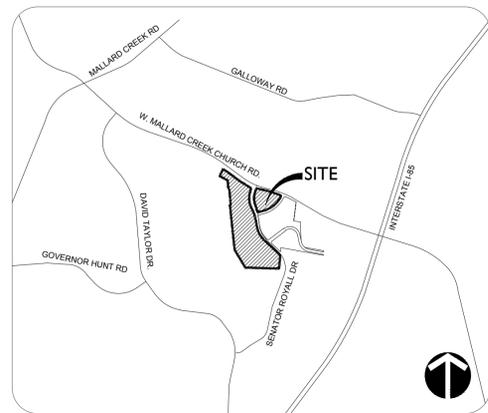
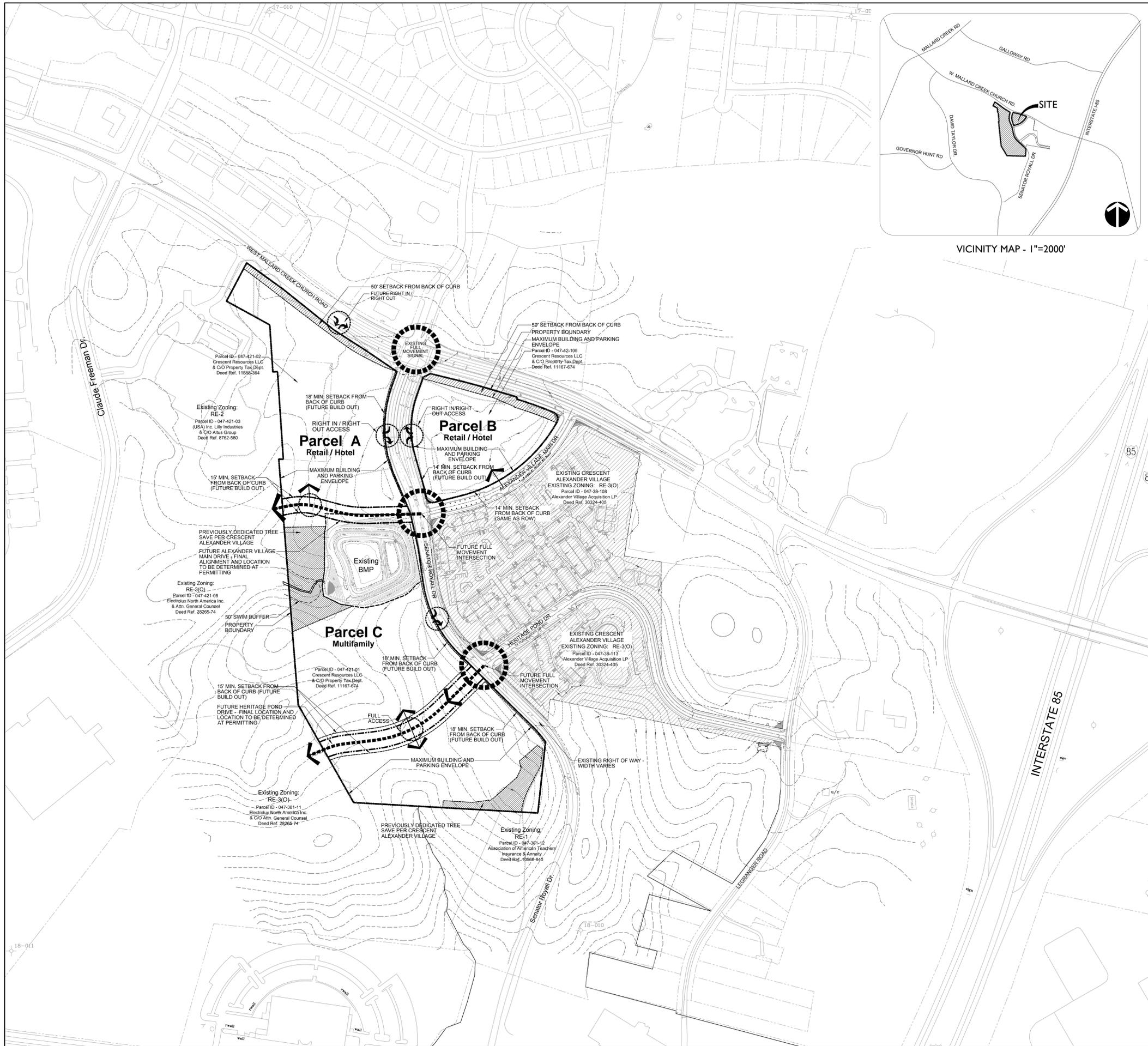
**ATTACHMENT C**

**REZONING PETITION NO. [2016- ]  
Crescent Communities**

**Petitioner:**

**Crescent Communities**

By: \_\_\_\_\_  
Name: WILLIAM GRAY  
Title: PRESIDENT



VICINITY MAP - 1"=2000'

**Site Data**

Site Area: +/- 37.54 Ac.  
 Parcels to be Rezoned: 047-421-02, 047-421-01, 047-421-06  
 Current Zoning: RE-3 Optional  
 Proposed Zoning: RE-3 Optional SPA

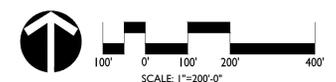
|   |   |
|---|---|
| Existing Uses:                                  | Vacant  |
| Proposed Uses:                                  | Uses allowed in the RE-3 district as restricted in the development standards  |
| Number of Residential Units by Housing Type:    | 300 multi-family dwelling units on Parcel C   |
| Square footage of non-Residential Uses by Type: | 75,000 sf retail, restaurant and other uses as allowed in the RE-3 district on Parcel A and B.*<br>200 Room Hotel on Parcel A or B.**<br>(*see development standards for further detail)<br>(**subject to the conversion rights specified in the development standards) |
| Maximum Building Height                         | 90 ft. as defined by the Ordinance  |

**Parking Ratios (as defined by the Ordinance):**

| Use:               | Required Parking:                 |
|--------------------|-----------------------------------|
| Retail             | 1 Space per 250 gross square feet |
| Restaurant         | 1 Space per 125 gross square feet |
| Hotel              | 1 Space per Room                  |
| Multi-Family Units | 1.5 Spaces per Dwelling Unit      |

**Legend**

- Property Line
- Setback
- 10' Contours
- Existing Vegetation



**REVISIONS:**

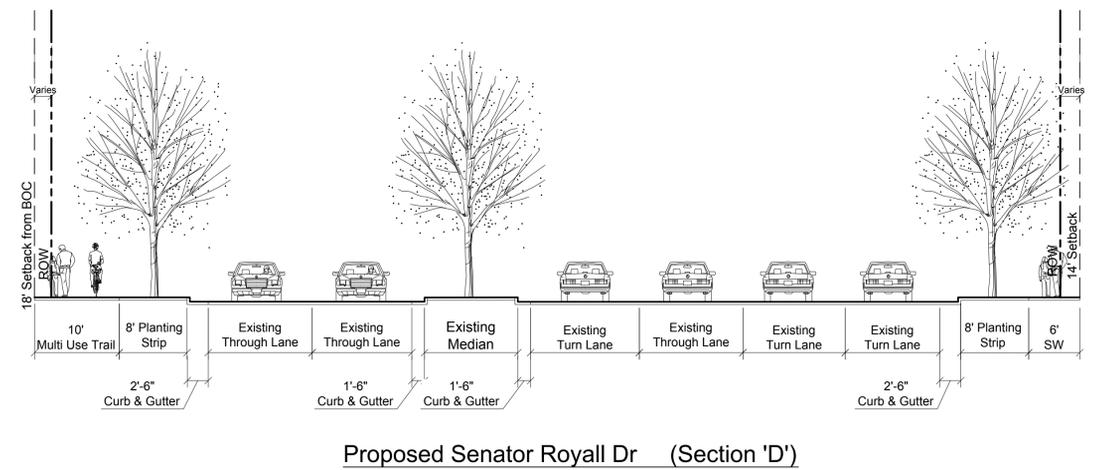
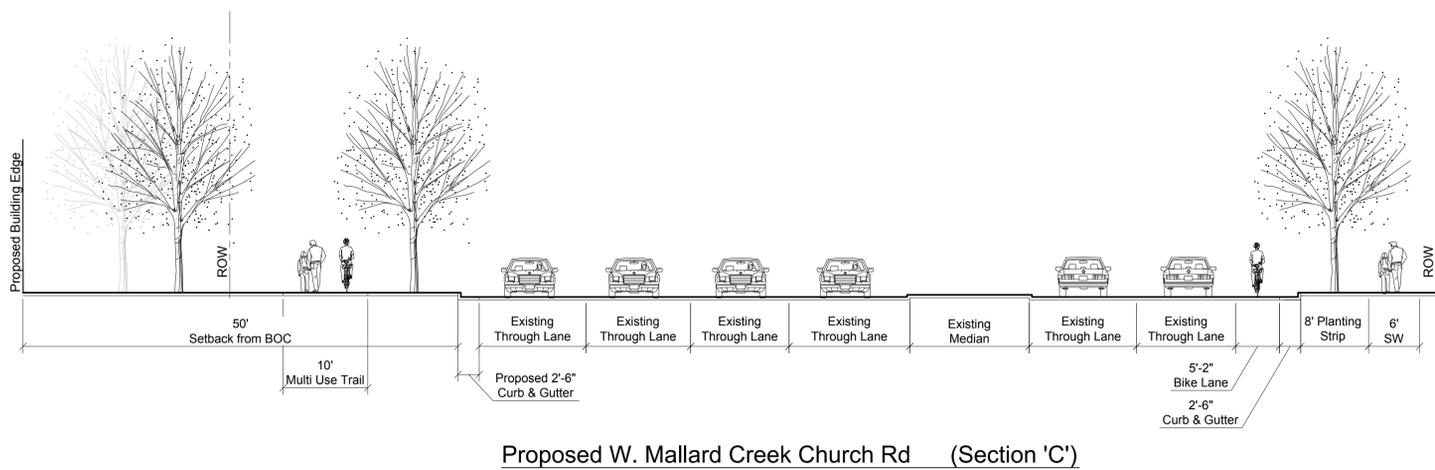
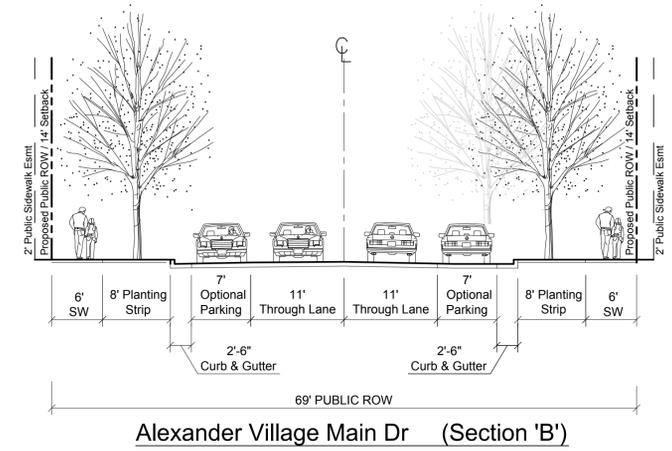
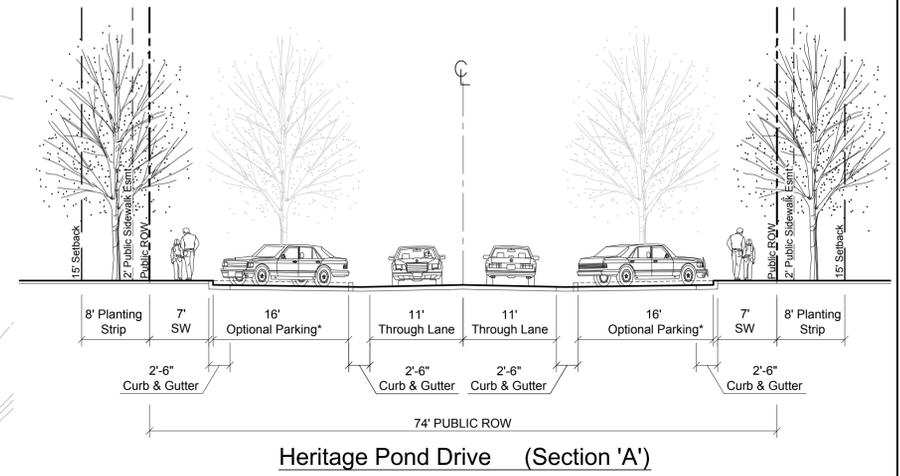
DATE: JUNE 23, 2016  
 DESIGNED BY: LBM  
 DRAWN BY: LBM  
 CHECKED BY: CC  
 SCALE: 1"=2000'  
 PROJECT #1012002

SHEET #:

**SENATOR ROYALL  
 REZONING PETITION NO.  
 CRESCENT RESOURCES; CHARLOTTE, NC**  
 TECHNICAL DATA SHEET



**LandDesign**  
 223 N Graham Street Charlotte, NC 28202  
 V. 704.333.0325 F. 704.332.3246  
 www.LandDesign.com



- Property Line
- Setback
- 10' Contours
- 2' Contours
- Existing Vegetation



**Crescent Communities  
Development Standards  
06/24/16  
Rezoning Petition No. 2016-000**

**Site Development Data:**

- Acreage: ± 37.54
- Tax Parcel #s: 047-421-02, 047-421-01, and 047-421-06
- Existing Zoning: RE-1
- Proposed Zoning: RE-3(O)
- Existing Uses: Vacant
- Proposed Uses: Residential and non-residential uses as allowed in the RE-3(O) zoning district (as more specifically described and restricted below in Section 3).
- Maximum Amount of Development: Up to 300 multi-family dwelling units, up to 75,000 square feet of gross floor area of non-residential uses, and a hotel with up to 200 rooms, subject to the conversion rights described below, together with accessory uses as allowed in the RE-3 district (as more specifically described and restricted below in Section 3).
- Maximum Building Height: A maximum building height of 90 feet as allowed by the Ordinance. Building height to be measured as required by the Ordinance.
- Parking: Parking as required by the Ordinance.

**1. General Provisions:**

- a. **Site Location.** These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Crescent Communities to accommodate development of a pedestrian-friendly multi-use development on an approximately 37.54 ± acre Site located along W. Mallard Creek Church Road at Senator Royall Drive (the "Site").
- b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the attached Technical Data Sheet and Schematic Site Plan and these Development Standards (together with the site plan 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 or the Supplemental Sheets establish more stringent standards, the regulations established under the Charlotte Zoning Ordinance (the "Ordinance") for the RE-3 Conditional District zoning district classification, subject to the Optional Provisions provided below, shall govern all development taking place on Parcel A, Parcel B, and Parcel C of the Site.
- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Permissible Building Areas (as defined below) and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance. Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:
  - i. minor and don't materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director, or designee 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.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site shall not exceed eight (8) as to Parcel A, five (5) as to Parcel B, and fourteen (14) as to Parcel C. The Petitioner reserves the right to combine buildings on each of the parcels to have a lesser number of buildings than is illustrated on the Schematic Site Plan. Accessory building and structures located on each of the Parcels shall not be considered in any limitation on the number of buildings on each of the Parcels.

**2. Optional Provisions.**

- a. The Petitioner seeks the Optional provision to allow retail sales uses over 10,000 square feet on Parcel A and Parcel B subject to the restrictions below.
- b. The Petitioner seeks the Optional provision to provide a 50 foot landscape setback as measured from the future back of curb along W. Mallard Creek Church Road as generally depicted on the Rezoning Plan.
- c. The Petitioner seeks the Optional Provision to provide 15 foot setbacks along the new internal public streets as indicated on the Rezoning Plan.
- d. The Petitioner seeks the Optional provision to allow parking and maneuvering for parking to be located between the proposed buildings and W. Mallard Creek Church Road. This proposed parking and maneuvering area will be screened from W. Mallard Creek Church Road.

**3. Permitted Uses, Development Area Limitations :**

- a. Parcels A and B of the Site may be devoted to uses allowed in the RE-3 zoning district including, without limitation, retail (including grocery), restaurant, and hotel uses along with accessory uses, subject to the restrictions listed below.
  - i. Parcels A and B of the Site may collectively be developed with up to 75,000 square feet of gross floor area of retail and restaurant (EDEE) uses as well as other uses as allowed by the RE-3 zoning district. A hotel containing up to 200 rooms may also be located on Parcel A or B. In the event the hotel is not developed or a hotel with a lesser number of hotel rooms is developed, additional retail, restaurants, and other uses allowed in the RE-3 district will be allowed in lieu of hotel rooms. In such an event, an additional 250 square feet of gross floor area may be developed for each hotel room that is not constructed up to a maximum of 25,000 square feet of additional floor area.
  - ii. No more than two uses may include accessory drive-through window facilities within the Site. The drive-through facilities may be located either on Parcel A or Parcel B.
  - iii. Drive-through service windows shall be limited to the following uses: financial institutions, pharmacies, dry cleaners, and restaurants (EDEE) provided that such restaurants (EDEE) will be limited to a maximum of 3,500 square feet of gross floor area (restaurants (EDEE) without an accessory drive-through window are not subject to this square footage restriction).
  - iv. The number of drive-through lanes will be limited to one for uses allowed to have an accessory drive-through window except financial institutions (e.g. banks) which may have up to four (4) drive-through lanes including a lane for a drive up automatic teller machine (ATM) if an ATM is provided.
  - v. The following uses will not be allowed on Parcels A and B: residential units; theaters, motion picture; manufacture of electronic, computing and communications equipment and related devices; stadiums and arenas and vehicle leasing offices.
- b. Parcel C of the Site may be developed with up to 300 multi-family dwelling units along with associated accessory uses which are permitted under the Ordinance of all types in the RE-3 Zoning District. This parcel may be developed in multiple phases.

*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 structured parking facilities, and all loading dock areas (open or enclosed).*

**4. Transportation Improvements/Development Allocations:**

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:

- a. **Public Street abutting Parcel B and certain Senator Royall Drive Improvements (Project # 2).** Up to 40,000 square feet of gross floor area of retail and restaurant uses on Parcel B upon the construction of: (i) the proposed public street along the southern boundary of Parcel B, (ii) an additional north bound left turn lane on Senator Royall Drive at its intersection with W. Mallard Creek Church Road (the existing median in Senator Royall Drive must maintain a minimum width of eight (8) feet), (iii) a 100 foot right turn lane on W. Mallard Creek Church Road for the right-in right-out access located east of the intersection of Senator Royall Drive and W. Mallard Creek Church Road, (iv) a sidewalk or multi-use trail as required along Parcel B frontage on Senator Royall Drive and (v) along Parcel B frontage on W. Mallard Creek Church Road a five (5) foot bike lane, curb and gutter, an eight (8) foot planting strip and a 10 foot multi-use trail.
- b. **Public Street abutting Parcel A and certain Senator Royall Drive Improvements (project # 3).** Up to 35,000 square feet of gross floor area of retail and restaurant uses and up to 200 hotel rooms or a lesser amount of hotel rooms and a greater amount of retail and restaurants uses as allowed by the conversion rights above on Parcel A upon the construction of: (i) the public street along the southern boundary of Parcel A, (ii) the extension of the existing southbound outside travel lane on Senator Royall Drive for approximately 700 feet to the first full movement intersection located on the Site, (iii) channelized north bound dual right turn lanes with protected traffic signal phasing on Senator Royall Drive and its intersection with W. Mallard Creek Church Road, (iv) a 100 foot right turn lane on W. Mallard Creek Church Road for the right-in right-out access located west of the intersection of Senator Royall Drive and W. Mallard Creek Church Road, (v) a sidewalk or multi-use trail as required along Parcel A frontage on Senator Royall Drive, and (vi) along Parcel A frontage on W. Mallard Creek Church Road a five (5) foot bike lane, curb and gutter, an eight (8) foot planting strip and a 10 foot multi-use trail. The Petitioner will be responsible for traffic signal modifications at Senator Royall Drive at W. Mallard Creek Church Road if CDOT review of the intersection improvements determines that traffic signal modifications are required to accommodate safe pedestrian movements in all four directions as a result of the required northbound approach laneway.
- c. **Public Streets Abutting Parcel C, and Improvements at I-85 southbound ramp at W. Mallard Creek Church Road (project #4).** Up to 300 multi-family dwelling units allowed on Parcel C upon the construction of: (i) the public street shown on Parcel C, (ii) an additional southbound right turn lane on the I-85 southbound ramp at W. Mallard Creek Church Road, (iii) channelized dual right turn lanes with protected traffic signal phasing at the southbound I-85 exit ramp at W. Mallard Creek Church Road; and (iv) a sidewalk as required along Parcel C frontage on Senator Royall Drive.

**5. Timing of Completion of Road Improvements and Right-of-Way.**

- a. The roadway improvements referenced in Section 4 a - c. above must be substantially completed prior to the issuance of the final certificate of occupancy for the first space/unit located with the referenced development, subject to the ability of the Petitioner to post a letter of credit or a bond for any improvements not in place at the time the first certificate of occupancy is issued.
- b. It is understood that some of the roadway improvements referenced in Section 4 may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, 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, and to the extent that the applicable area in which the right of way is located is within the City of Charlotte, then CDOT, the City of Charlotte Engineering Division or other applicable agency or department agree to proceed with condemnation of any such land. In such event, the Petitioner shall reimburse the applicable agency or department for the cost of any such condemnation proceedings including compensation paid by the applicable agency or department for any such land and the expenses of such proceedings.

**6. Access and Right-of-way Dedication:**

- a. The Petitioner will provide along the Site's W. Mallard Creek Church Road frontage a five (5) foot bike lane, curb and gutter, an eight (8) foot planting strip and a 10 foot multi-use trail. These improvements will be installed along the Site's W. Mallard Creek Church Road frontage as development occurs on each of the Parcels abutting W. Mallard Creek Church Road
- b. All new streets shall be designed per CDOT and Subdivision standards.
- c. Vehicular access to the Site shall be provided as generally depicted on the Technical Data Sheet (Sheet RZ-1). The number and locations of driveways connecting to the interior public streets is not limited by what is indicated on the Technical Data Sheet; the location and number will be determined during the land development process.
- d. The placements and configurations of these 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 CDOT and/or the North Carolina Department of Transportation ("NCDOT").

**7. Streetscape, Landscaping Open Space and Screening:**

- a. Necessary setbacks and streetscape treatment along Senator Royall and the proposed new public streets will be constructed as generally depicted on the Rezoning Plan, and as modified by the Optional Provisions.
- b. A network of streets and pedestrian walkways or paths will be provided in the manner generally depicted on the Technical Data Sheet. Pedestrian and vehicular connections shall be created along all internal streets. Where internal sidewalks are located between buildings and parking bays, a sidewalk at least five feet in width shall be provided with either curb or wheelstops as protection.
- c. Each of the Parcels will include improved open space areas as generally indicated on the Schematic Site Plan. These open space areas will be improved with landscaping, walkways, seating areas and other amenities appropriate to the type of open space provided.
- d. A multi-use path/trail at least six (6) feet wide will be developed throughout the Site that links each of the Parcels as generally illustrated on the Schematic Plan. Links from adjoining properties to this path/trail as generally illustrated on the Schematic plan will be allowed to provide for an eventual connection to the Greenway located within the University Research Park.

**8. Architectural Standards.**

- a. Setbacks, Side Yards, Rear Yards, and Build Heights
  - i. All buildings constructed on Parcels A, B, and C of the Site shall satisfy or exceed the rear yard, and side yard established under the Ordinance for the RE-3 zoning district, and as indicated in the Optional provisions above.
  - ii. The setback along the future public streets will be at a minimum 15 feet from the back of the curb. The setback along Senator Royall Drive will be 18 feet as measured from the future back of curb for Parcel A and Parcel C, and 14 feet as measured from the future back of curb for Parcel B. The setback for Parcel C along existing Alexander Village Main Drive will be 14 feet as measured from the back of curb.
  - iii. The Site may be considered a unified development plan and as such internal separation standards such as buffers, side and/or rear yards may be eliminated, subject to the normally required Staff review and approval process.
  - iii. Building heights shall not exceed 90 feet or 8 stories, whichever is less
- iv. Within the proposed 50 foot landscape setback off of W. Mallard Creek Church Road the Petitioner will create and attractive landscape treatment composed of new large and small maturing trees, evergreen and deciduous shrub, and areas of seasonal color. Existing trees within the landscape setback may be preserved when the existing trees enhance the appearance of the landscape setback. A 10 foot multi-use trail will included within 50 landscape setback, the trail may be located in the right-of-way of W. Mallard Creek Church Road

- b. Design and Performance Standards

The development depicted on the Technical Data Sheet (RZ-1) is schematic in nature and intended to describe the general arrangement of uses on the Site. Once a specific development plan is proposed, it is understood that the Petitioner will submit specific site improvements to the RE-3 review process including: building layout, parking and circulation, open space, architecture elevations, signage, etc.

- i. Landscaping and Screening will be provided as required by the Ordinance.
- ii. Parking and Loading will be in accordance with the Ordinance.
- c. Architectural and Design Controls

i. Buildings fronting on Senator Royall Drive will be articulated such that expanses of solid walls exceeding 20 linear feet will be avoided through the introduction of articulated facades and other specially designed architectural elements.

ii. All buildings must be sited maintaining pedestrian interconnectivity between buildings and through parking areas. This will be done by providing a minimum of a five (5) foot sidewalk between buildings and through parking areas and connecting each building to the sidewalk network that will be provided through out the Site.

iii. All buildings located within the Site will be architecturally integrated to complement one another by using similar or compatible architectural styles, building materials, landscape elements, plants and signage treatments to create a unified and cohesive development. In addition, buildings located on Parcels A and B must be designed using a similar: (i) architectural style, (ii) building materials, (iii) colors and (iv) signage so that development on these Parcels creates a cohesive whole and not a series of buildings with unrelated and wholly dissimilar architectural styles, building materials, colors and signage.

iv. The buildings constructed on the Site will use a variety of building materials. The building materials used on the buildings constructed on Parcels A, B will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementations siding (such as hardi-plank), stucco, EFIS or wood. At least 30% of each building façade exclusive of windows, doors and roofs will be constructed of brick, stone, synthetic stone, precast concrete or precast stone. Vinyl as a building material may only be used on windows and soffits.

v. The building materials used on the buildings constructed on Parcel C will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementations siding (such as hardi-plank), stucco, or wood. At least 37% 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.

vi. All sides of the buildings to be constructed on the Site will be built using four-sided architecture.

vii. If breezeways are included in the proposed multi-family buildings on the Site, the breezeways shall be framed with architectural elements to minimize the size of the breezeway opening and to provide the appearance of an enclosed breezeway.

**9. Environmental Features:**

a. Development on the Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance (PCCO) and Tree Ordinance.

- b. The storm water/water quality pond constructed on Parcel D will be designed as a wet pond.

**10. Signage:**

a. The detached signs installed throughout the Site will utilize similar materials and colors so as to create a unified design. In addition the signs will utilize materials and colors that re-enforce the image of the University Research Park. Signs will be integrated into the landscape setbacks with accent plants and seasonal color.

b. A sign identifying the University Research Park may be placed on the Site as recommend by the adopted University Research Park Charlotte Area Plan.

**11. Lighting:**

- a. All lighting fixtures located on the Site shall be full cut-off type lighting fixtures with the exception of lower, decorative lighting that is not visible from off-Site residentially zoned or used property that may be installed along the internal sidewalks
- b. Detached lighting on the Site will be regulated by the Ordinance.
- c. No "wall pak" lighting will be allowed on any buildings constructed on the Site, however architectural lighting on building facades, such as sconces, will be permitted.

**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 herein and 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 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.

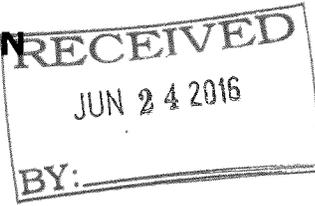


REVISIONS:

DATE: JUNE 23, 2016  
DESIGNED BY:  
DRAWN BY:  
CHECKED BY:  
SCALE:  
PROJECT #1012002

SHEET #:  
**RZ-3**

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2016-116

Petition #: \_\_\_\_\_  
Date Filed: 6/24/16  
Received By: [Signature]

Property Owners: McCondichie Properties

Owner's Addresses: PO Box 548, Newnan, GA

Date Properties Acquired: 06/28/06

Property Addresses: (Parcel 1) 7001 S Tryon Street, Charlotte, NC  
(Parcel 2) 6825 S Tryon Street, Charlotte, NC  
(Parcel 3) N/A

Tax Parcel Numbers: (Parcel 1) 16724102  
(Parcel 2) 16724101  
(Parcel 3) 16724199

Current Land Use: (Parcel 1,2) Residential Size (Acres): ± 15.87  
(Parcel 3) Vacant

Existing Zoning: MX-1 Proposed Zoning: MX-2

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

Required Rezoning Pre-Application Meeting\* with: Alberto Gonzalez, Sonja Sanders, and Carlos Alzate.

Date of meeting: May 17<sup>th</sup> 2016

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

**For Conditional Rezoning Only:**

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

Purpose/description of Conditional Zoning Plan: To allow the development of a townhome for sale community.

Jeff Brown, Keith MacVean & Bridget Dixon  
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  
(Attn: Mark Blythe)  
Name of Petitioner

10648 Bunclody Drive  
Address of Petitioner

Charlotte, NC 28213  
City, State, Zip

404-557-5822  
Telephone Number                      Fax Number

mark.blythe@bnahomes.com  
E-mail Address

See Attachment B  
Signature of Petitioner

**ATTACHMENT A**

**REZONING PETITION NO. [2016-\_\_\_\_]  
BNA Homes**

**PETITIONER JOINDER AGREEMENT  
McCondichie Properties**

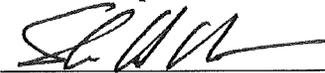
The undersigned, as the owner of the parcels of land located:

- |    |                                    |                   |
|----|------------------------------------|-------------------|
| a) | 7001 S Tryon Street, Charlotte, NC | Parcel # 16724102 |
| b) | 6825 S Tryon Street, Charlotte, NC | Parcel # 16724101 |
| c) | N/A                                | Parcel # 16724199 |

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from MX-1 zoning district to the MX-2 zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 20th day of June, 2016.

**McCondichie Properties**

By: 

Name: Steven H. McCondichie

Its: General Partner

**ATTACHMENT B**

**REZONING PETITION NO. [2016- ]  
BNA Homes**

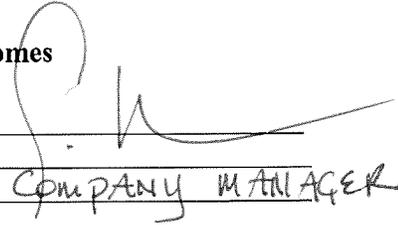
**Petitioner:**

**BNA Homes**

By: \_\_\_\_\_

Name: \_\_\_\_\_

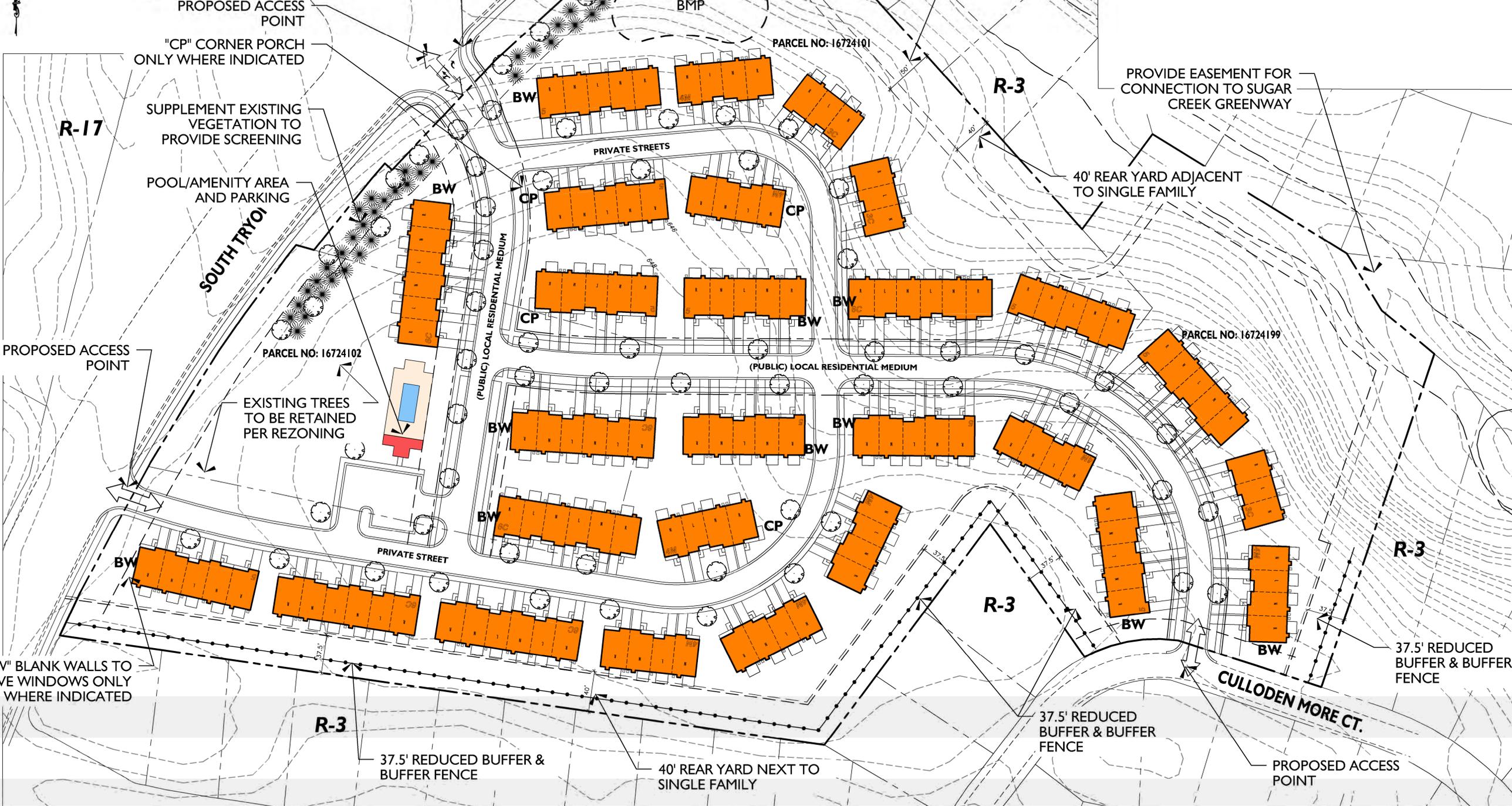
Title: \_\_\_\_\_



A handwritten signature is written over the signature line. Below the signature line, the title "COMPANY MANAGER" is handwritten in all caps.



VICINITY MAP  
NTS



**SITE DATA:**

REZONING PETITION: 2016-000  
 PARCEL NUMBERS: 167-241-01  
 167-241-02  
 167-241-99  
 SITE AREA: +- 15.87 AC  
 JURISDICTION: CITY OF CHARLOTTE  
 EXISTING ZONING: MX-1  
 PROPOSED ZONING: MX-2  
 EXISTING USES: RESIDENTIAL / VACANT

PROPOSED USES:  
 UP TO 127 ATTACHED DWELLING UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MX-2 ZONING DISTRICT.

**LEGEND:**

- BUFFER
- BUFFER FENCE
- SIDEYARD/REARYARD

Seals:

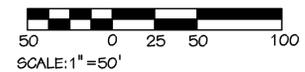
Corp. NC license: F-1320

Project no: 17.000103  
 Date: 06.23.16  
 Revisions:

Sheet Title:  
**Rezoning Site Plan**

Sheet No:  
**RZ-1**

Rezoning Petition No:  
 2016-000



DEVELOPMENT STANDARDS

**BNA Homes  
Development Standards  
06/24/16  
Rezoning Petition No. 2016-000**

**Site Development Data:**

- Acreage: ± 15.87 acres
- Tax Parcel #: 167-241-02, 167-241-01, 167-241-99
- Existing Zoning: MX-1
- Proposed Zoning: MX-2
- Existing Uses: Residential/Vacant land
- Proposed Uses: Up to 127 attached dwelling units together with accessory uses, as allowed in the MX-2 zoning district.
- Maximum Building Height: Not to exceed two (2) stories and not to exceed 40 feet; building 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 BNA Homes ("Petitioner") to accommodate the development of a townhome community on approximately 15.8 acre site located on the east side of South Tryon Street between Gretna Green Drive and Land Grant Road (the "Site").
- b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the MX-2 zoning classification shall govern.
- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

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

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

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

- d. **Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site shall not exceed 30. 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. Accessory structures and buildings include structures and buildings such as but not limited to; a mail kiosk, dumpster enclosures, gazebos, trellises, storage buildings, and other structures associated with the on-site open space.

- e. Parking layouts for surface parking may be modified to accommodate final building locations and parking spaces may be located within the development area boundaries to the extent permitted by the Ordinance. Sidewalks depicted on the Rezoning Plan are intended to reflect the general pedestrian circulation for the development on Site but specific locations of sidewalks maybe subject to variations that do not materially change the design intent depicted on the Rezoning Plan.

**2. Permitted Uses & Development Area Limitation:**

- a. The Site may be developed with up to 127 attached dwelling units, together with accessory uses allowed in the MX-2 zoning district.

**3. Access and Transportation:**

- a. Access to the Site will be from South Tryon Street and Culloden More Court in the manner generally depicted on the Rezoning Plan.
- b. The Petitioner will provide sidewalks and planting strips along the interior public and private streets as required by the Ordinance and as required by CMDLS standards for a local residential medium public street.
- c. Street trees will also be provided along the private streets as generally depicted on the Rezoning Plan.
- d. The placement and configuration of the vehicular access point 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.
- e. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

**4. Architectural Standards, Court Yards/Amenity Areas:**

- a. The entrances (front door entrances) for the proposed townhomes located within 15 feet of a sidewalk will be raised 24 inches above the average grade of the sidewalk.
- b. Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12.
- c. Porches shall form a predominate motif of the building design. Each unit will be constructed with a front porch with a minimum depth of six (6) feet as generally indicated on the Rezoning Plan.
- d. The proposed units located on the interior of the Site that have end elevations directly across the proposed private street from units that front the same private street will be constructed with corner porches. Corner porches will extend a minimum of six (6) feet from the front elevation and will have a minimum depth of six (6) feet. These units are indicated on the Rezoning Plan with the letters CP (Corner Porch).
- e. On the interior of the Site end units that abut the internal private streets will have multiple windows on the end facades to avoid a blank street wall. These units are indicated on the Rezoning Plan with the letters BW (Blank Wall).
- f. Garage doors visible from the public or private streets will be recessed at least one (1) foot behind the front most building face, to minimize the visual impact of the garage doors on the public and private streets.
- g. Meter banks will be screened from adjoining properties and from S. Tryon Street.
- h. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.

**5. Streetscape, Buffers, Yards, and Landscaping:**

- a. A 30 foot building setback measured from the existing right-of-way back of S. Tryon Street will be provided.
- b. Rear yards as required by the Ordinance will provided along as generally depicted on the Rezoning Plan. The required private open space for the proposed units may be located within the proposed rear and side yards, but not in the proposed buffers.
- c. Buffers as required by the Ordinance will be provided as generally depicted on the Rezoning Plan. The buffer along the southern property boundary will have a 6 (six) foot fence as generally depicted on the rezoning plan.
- d. Utilities may cross proposed buffers at angles no greater than 75 degrees. Storm drainage discharge aprons and swales with or without rip-rap may also cross the buffer at angles no greater than 75 degrees in order to allow for the natural flow storm water.
- e. Screening requirements of the Ordinance will be met.
- f. Above ground backflow preventers will be screened from public view and will be located behind the existing right-of-way of Camel Road.

**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. The two storm water management facility locations labeled as "potential" if not utilized for storm water management will be improved as open space areas or tree save areas.
- c. The Site will comply with the Tree Ordinance.
- d. All utilities within the Site will be placed underground.

**7. Lighting:**

- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
- b. Detached lighting on the Site will be limited to 21 feet in height.
- c. Decorative pedestrian scale lights will be provided along the internal private and public streets.
- d. No exterior "wall pak" lighting will be allowed, however architectural lighting on building facades, such as but not limited to scones, will be permitted.

**8. Signage:**

- a. Signage as allowed by Ordinance.

**9. Amendments to the Rezoning Plan:**

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

**10. Binding Effect of the Rezoning Application:**

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



Seals:

Corp. NC license: F-1320

**McCondichie Property**  
7001 & 6825 South Tryon St.  
Charlotte, North Carolina

Project no: 17.000103  
Date: 06.23.16  
Revisions:

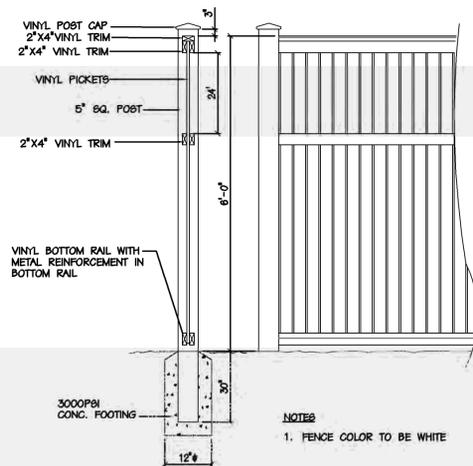
Sheet Title:

**Rezoning Notes**

**Rezoning Petition No:  
2016-000**

Sheet No:

**RZ - 2**



**1 6' Vinyl Buffer Fence Detail**  
N.T.S.

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

RECEIVED  
JUN 24 2016  
BY: \_\_\_\_\_

2016-117

Petition #: \_\_\_\_\_  
Date Filed: 6/24/2016  
Received By: BH

**Complete All Fields (Use additional pages if needed)**

Property Owner: ATAPCO UEP, INC.

Owner's Address: 1 South Street, Suite 2800 City, State, Zip: Baltimore, MD 21202-1630

Date Property Acquired: November 1, 1994

Property Address: 8310 University Executive Park Drive and 8320 University Executive Park Drive

Tax Parcel Number(s): 047-211-25 and 047-211-13

Current Land Use: Office Size (Acres): +/- 4.51 acres

Existing Zoning: O-15 (CD) Proposed Zoning: TOD-M (CD)

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

Required Rezoning Pre-Application Meeting\* with: Mandy Vari, Sonja Sanders, Monica Holmes, Shannon Frye et al.  
Date of meeting: April 14, 2016

(\*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 building on the site that could contain a maximum of 280 multi-family dwelling units and related amenities and accessory uses, and up to 10,000 square feet of gross floor area devoted to non-residential 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

ATAPCO UEP, INC.  
By: [Signature]  
Signature of Property Owner

DAVID M. LAZAS  
(Name Typed / Printed)

ATAPCO UEP, INC. (c/o Dave Lazas)  
Name of Petitioner(s)

1 South Street, Suite 2800  
Address of Petitioner(s)

Baltimore, MD 21202-1630  
City, State, Zip

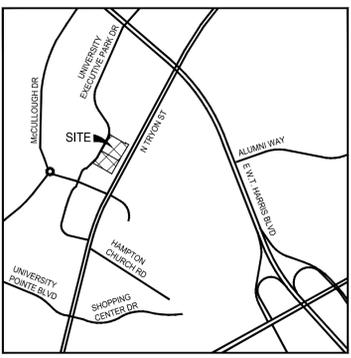
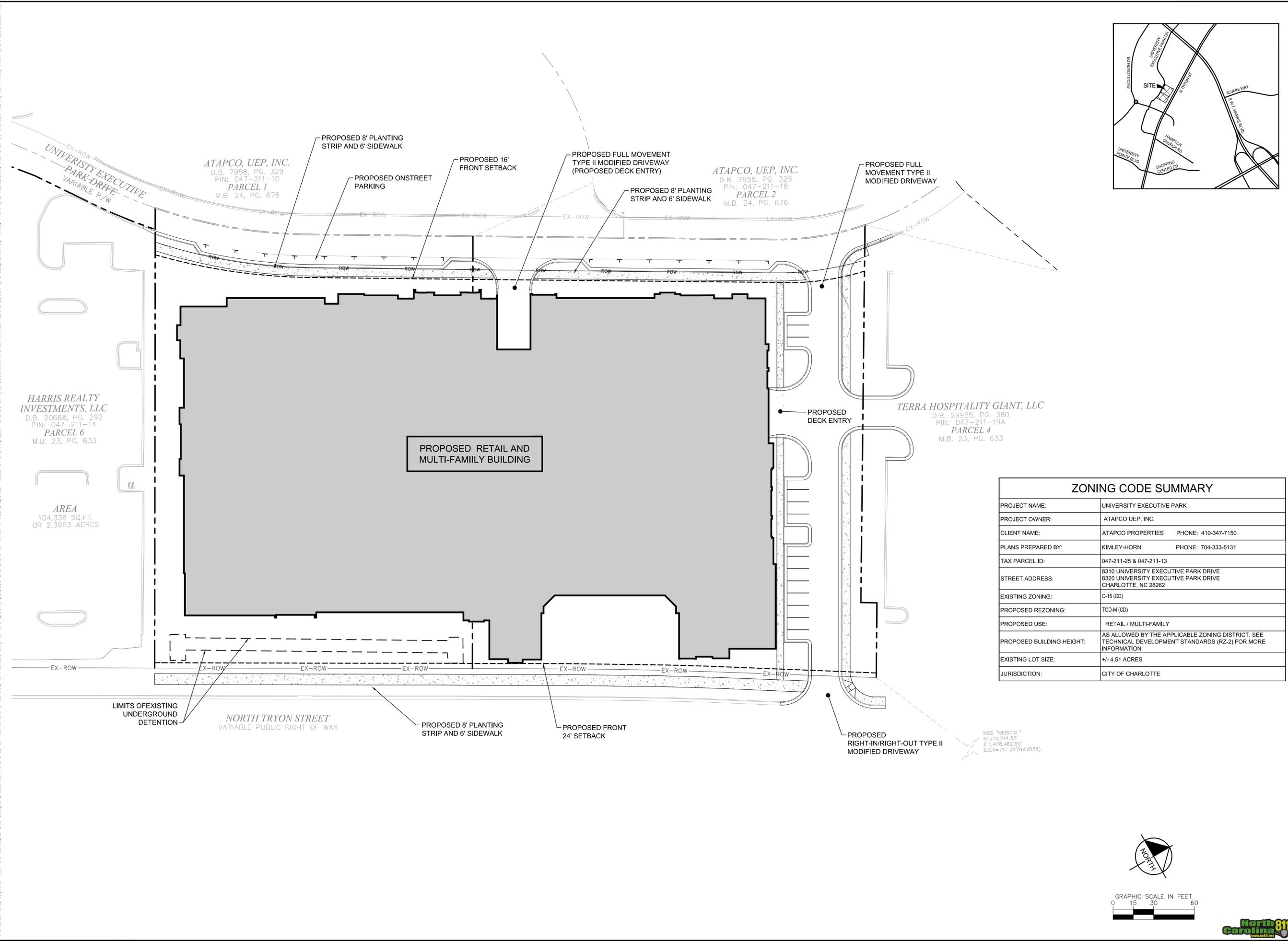
410-347-7170  
Telephone Number Fax Number

dlazas@ATAPCO.com  
E-Mail Address

ATAPCO UEP, INC.  
By: [Signature]  
Signature of Petitioner

DAVID M. LAZAS  
(Name Typed / Printed)

Plotted By: Farenczi, Patricia Sheet Set: ATAPCO-UEP Rezoning Layout: RZ-1 June 24, 2016 10:10:42am K:\CHL\_PRA\011172\_ATAPCO\003\_University\_Executive\_Park\02 - DWG\Rezoning\RZ-1.dwg  
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



**HARRIS REALTY INVESTMENTS, LLC**  
 D.B. 20668, PG. 292  
 PIN: 047-211-14  
**PARCEL 6**  
 M.B. 23, PG. 633

**AREA**  
 104,338 SQ.FT.  
 OR 2.3953 ACRES

**ATAPCO, UEP, INC.**  
 D.B. 7958, PG. 329  
 PIN: 047-211-10  
**PARCEL 1**  
 M.B. 24, PG. 676

**ATAPCO, UEP, INC.**  
 D.B. 7958, PG. 329  
 PIN: 047-211-18  
**PARCEL 2**  
 M.B. 24, PG. 676

**TERRA HOSPITALITY GIANT, LLC**  
 D.B. 29955, PG. 380  
 PIN: 047-211-19A  
**PARCEL 4**  
 M.B. 23, PG. 633

**PROPOSED RETAIL AND MULTI-FAMILY BUILDING**

| ZONING CODE SUMMARY       |   |
|---------------------------|---|
| PROJECT NAME:             | UNIVERSITY EXECUTIVE PARK   |
| PROJECT OWNER:            | ATAPCO UEP, INC.  |
| CLIENT NAME:              | ATAPCO PROPERTIES PHONE: 410-347-7150   |
| PLANS PREPARED BY:        | KIMLEY-HORN PHONE: 704-333-5131   |
| TAX PARCEL ID:            | 047-211-25 & 047-211-13   |
| STREET ADDRESS:           | 8310 UNIVERSITY EXECUTIVE PARK DRIVE<br>8320 UNIVERSITY EXECUTIVE PARK DRIVE<br>CHARLOTTE, NC 28262           |
| EXISTING ZONING:          | O-15 (CD)   |
| PROPOSED REZONING:        | TOD-M (CD)  |
| PROPOSED USE:             | RETAIL / MULTI-FAMILY   |
| PROPOSED BUILDING HEIGHT: | AS ALLOWED BY THE APPLICABLE ZONING DISTRICT. SEE TECHNICAL DEVELOPMENT STANDARDS (RZ-2) FOR MORE INFORMATION |
| EXISTING LOT SIZE:        | +/- 4.51 ACRES  |
| JURISDICTION:             | CITY OF CHARLOTTE   |

| No. | REVISIONS | DATE |
|-----|-----------|------|
|     |           |      |

**Kimley»Horn**  
 © 2016 KIMLEY-HORN AND ASSOCIATES, INC.  
 200 SOUTH TRYON ST., SUITE 200, CHARLOTTE, NC 28202  
 WWW.KIMLEY-HORN.COM  
 NC LICENSE #F-0102

NOT FOR CONSTRUCTION

SCALE AS NOTED  
 DESIGNED BY  
 DRAWN BY  
 CHECKED BY

**TECHNICAL DATA SHEET**

UNIVERSITY EXECUTIVE PARK  
 8310 - 8320 UNIVERSITY EXECUTIVE PARK  
 CHARLOTTE, MECKLENBURG COUNTY, NC 28262  
 ATAPCO UEP  
 ONE SOUTH STREET, SUITE 2800  
 BALTIMORE, MD 21202

DATE 06/27/2016  
 PROJECT NO. 011172003  
 SHEET NUMBER

**RZ-1**







EAST  
1  
1/16" = 1'-0"



(SAMPLE PRODUCT IMAGE)



SOUTH  
2  
1/16" = 1'-0"



WEST  
3  
1/16" = 1'-0"



NORTH  
4  
1/16" = 1'-0"



| PROJECT:         | 16038            | DATE       |
|------------------|------------------|------------|
| ISSUE:           | SCHEMATIC DESIGN | XX-XX-2016 |
| DESIGN DEV.      |                  | XX-XX-2016 |
| CONST. DOCS.     |                  | XX-XX-2017 |
| PERMIT           |                  | XX-XX-2017 |
| FOR CONSTRUCTION |                  | XX-XX-2017 |

| REVISIONS: | DATE |
|------------|------|
|            |      |
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|            |      |

DRAWN BY: Author  
CHECKED BY: Checker  
CONTENT: EXTERIOR BUILDING ELEVATIONS

© 2016, JDAVIS ARCHITECTS EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN PERMISSION AND CONSENT OF JDAVIS ARCHITECTS, P.C.

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

**RECEIVED**  
JUN 24 2016  
BY: \_\_\_\_\_

2016-118

Petition #: \_\_\_\_\_  
Date Filed: 6/24/2016  
Received By: [Signature]

Property Owners: Holy Covenant United Church of Christ Inc

Owner's Addresses: PO Box 481285, Charlotte, NC

Date Properties Acquired: 08/24/90

Property Addresses: 6153 Sharon Rd, Charlotte, NC

Tax Parcel Numbers: 209-401-21

Current Land Use: Church Size (Acres): \* 2.97

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

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

Required Rezoning Pre-Application Meeting\* with: Kent Main, John Kinley, Grant Meacci, and Jason Prescott

Date of meeting: April 19<sup>th</sup>

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

**For Conditional Rezoning Only:**

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

Purpose/description of Conditional Zoning Plan: To allow the redevelopment of the Site with a high quality town home for sale community.

Jeff Brown, Keith MacVean & Bridget Dixon  
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

NVR Homes  
(Attn: Mallie M. Colavita)  
Name of Petitioner

10710 Sikes Place, Suite 200  
Address of Petitioner

Charlotte, NC 28277  
City, State, Zip

704-815-3519  
Telephone Number                      Fax Number

mcolavita@nvrinc.com  
E-mail Address

See Attachment B  
Signature of Petitioner

**ATTACHMENT A**

**REZONING PETITION NO. [2016-\_\_\_\_]  
NVR Homes**

**PETITIONER JOINDER AGREEMENT  
Holy Covenant United Church of Christ Inc.**

The undersigned, as the owner of the parcel of land located at 6153 Sharon Road, Charlotte, NC that is designated as Tax Parcel No. 20940121 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-3 zoning district to the UR-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 22 day of June, 2016.

**Holy Covenant United Church of Christ  
Inc.**

By: 

Name: Robert B Furr

Its: Consistory President

**ATTACHMENT B**

**REZONING PETITION NO. [2016- ]  
NVR Homes**

**Petitioner:**

**NVR Homes**

By: Mallie Coleto  
Name: Mallie Coleto  
Title: RAW LAND ACQUISITION MGR.



**Site Development Data:**

**Acreeage:** ± 2.97 acres

**Tax Parcel #s:** 209-401-21 (6151 Sharon Road, Charlotte, NC 28269)

**Existing Zoning:** R-3

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

**Existing Uses:** Church

**Proposed Uses:** Up to 24 attached 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 two (2) stories and not to exceed 40 feet; building height to be measured as required by Ordinance.

**Parking:** Parking as required by the Ordinance will be provided. No less than 8 visitor parking spaces will be provided on the site.



1. **General Provisions:**
  - a. **Site Location:** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by NVR Homes ("Petitioner") to accommodate the development of a townhome community on approximately 2.97 acres located on the east side of Sharon Road between Sherbrooke Drive and Chandlerville Road (the "Site").
  - b. **Zoning Districts/Ordinance:** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the 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 in the Rezoning Plan not anticipated by the Ordinance. Changes to the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

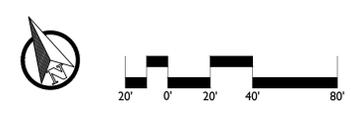
Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor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

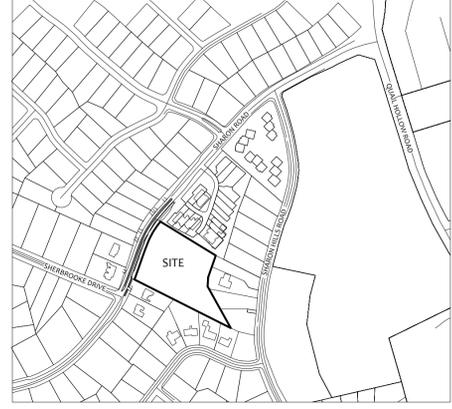
  - i. minor and don't materially change the overall design intent depicted on the Rezoning Plan.

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

  - d. **Number of Buildings Principal and Accessory:** The total number of principal buildings to be developed on the Site shall not exceed seven (7). Accessory buildings and structures located on the Site shall not exceed 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. Accessory structures and buildings include structures and buildings such as but not limited to: a mail kiosk, dumpster enclosures, gazebos, trellises, storage buildings, and other structures associated with the on-site open space.
2. **Permitted Uses & Development Area Limitation:**
  - a. The Site may be developed with up to 24 attached dwelling units, together with accessory uses allowed in the UR-2 zoning district.
3. **Access and Transportation:**
  - a. Access to the Site will be from Sharon Road in the manner generally depicted on the Rezoning Plan.
  - b. The Petitioner will provide a 13 foot planting strip and an eight (8) foot sidewalk along Sharon Road as generally depicted on the Rezoning Petition. The Petitioner will dedicate right-of-way along Sharon Road to accommodate the proposed 13 foot planting strip, the proposed eight (8) foot sidewalk may be located in a sidewalk easement with the approval of Planning and CDOT. If the proposed sidewalk extends beyond the proposed right-of-way.
  - c. The Petitioner will dedicate a minimum of 35 feet of right-of-way from the existing center line of Sharon Road as generally depicted on the Rezoning Plan.
  - d. Along the Site's internal private drive planting strips and sidewalks will be provided on at least one side of the proposed private drive as generally depicted on the Rezoning Plan. Street trees will also be provided along the private drive as generally depicted on the Rezoning Plan.
  - e. The placement and configuration of the vehicular access point is subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by CDOT in accordance with applicable published standards.
  - 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 applicable 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, dimensioned 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. The proposed roofing materials will be architectural asphalt shingles, metal type roofing materials may also be used.
  - b. The principal buildings constructed on the Site will be constructed so the percentage of brick, stone, precast stone, precast concrete, synthetic stone per exterior building facade may vary but in no case be less than [50%] exclusive of windows, doors and roofs.
  - c. The attached illustrative building elevations (typical unit front elevations and side 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).
  - d. Each unit will have a two (2) car garage.
  - e. The proposed garage doors utilized throughout the Site be decorative style doors that will be stained with a dark tinted stain.
  - f. Pitched roofs, if provided, shall be symmetrical sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12.
  - g. Usable porches or stoops shall form an element of the building design and be located on the front and/or side of the building. Stoops and entry level porches may be covered but not be enclosed.
  - h. Townhome buildings shall be limited to five units or less.
  - i. The Petitioner will provide along Sharon Road a five (5) foot decorative metal ornamental fence and landscaping as generally depicted on the Rezoning Plan.
  - j. Meter banks will be screened from adjoining properties and from Sharon Road.
  - k. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
5. **Streetscape, Buffers, Yards, and Landscaping:**
  - a. A 50 foot building setback measured from the existing back curb will be provided along Sharon Road as generally depicted on the Rezoning Plan. Portions of a private drive and parking may be located in the 50 foot building setback as generally depicted on the Rezoning Plan. The 50 foot building setback area may be used to comply with the Post Control Ordinance and Tree Ordinance.
  - b. A 30 foot rear yard will be provided along the eastern property boundary of the Site as generally depicted on the Rezoning Plan. The required private open space for the proposed units may be located within the proposed rear and side yards, but not in the proposed buffers.
  - c. A 16.5 foot undisturbed open space area will be provided along the eastern property boundary as generally depicted on the Rezoning Plan.
  - d. A 16.5 foot Class C Buffer will be provided along the northern and southern eastern property boundaries as generally depicted on the Rezoning Plan.
  - e. Utilities may cross proposed buffers at angles no greater than 75 degrees. Storm drainage discharge aprons and swales with or without rip-rap may also cross the buffer at angles no greater than 75 degrees in order to allow for the natural flow storm water.
  - f. Along the Site's internal parking area, the Petitioner will provide a sidewalk network that links to the building on the Site and to the sidewalks along Sharon Road in the manner depicted on the Rezoning Plan. Portions of the internal sidewalk network will be designed and constructed from either concrete pavers or brick pavers.
  - g. The design of the internal private drive and sidewalk network may be designed and constructed to resemble a "woonerf" type roadway.
  - f. Screening requirements of the Ordinance will be met.
  - g. Above ground backflow preventers will be screened from public view and will be located behind the existing right-of-way of Sharon Road, but may be located within the [50] foot landscape setback.
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. The two storm water management facility locations labeled as "potential" if not utilized for storm water management will be improved as open space areas or tree save areas.
  - c. The Site will comply with the Tree Ordinance.
  - d. All utilities within the Site will be placed underground.
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 16 feet in height.
  - c. Decorative pedestrian scale lights will be provided along the internal private drives.
  - d. No exterior "wall pak" lighting will be allowed, however architectural lighting on building facades, such as but not limited to scones, will be permitted.
8. **Signage:**
  - a. Signage as allowed by Ordinance.
9. **Amendments to the Rezoning Plan:**
  - a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.
10. **Binding Effect of the Rezoning Application:**
  - a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

  
**BEFORE YOU DIG!**  
 CALL 1-800-632-4949  
 N.C. ONE-CALL CENTER  
 IT'S THE LAW!





VICINITY MAP  
NTS

DATE: MAY 4, 2016  
 DESIGNED BY:  
 DRAWN BY:  
 CHECKED BY: NLD  
 C.C. BY: NLD  
 PROJECT #: 1016093

REVISIONS:

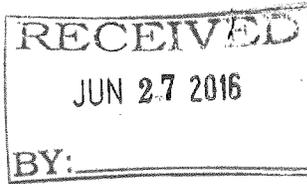
**6151 SHARON ROAD**  
**SINGLE FAMILY ATTACHED**  
 CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA  
 REZONING PLAN

PETITION NO.: 2016-XXX

**LandDesign**  
 NC Engineering Firm License # C-6688  
 223 N Graham Street, Charlotte, NC 28202  
 V: 704.333.0325 F: 704.332.3746  
 www.LandDesign.com

SHEET #:  
**Z-1.1**

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2016-119  
Petition #: \_\_\_\_\_  
Date Filed: 6/27/2016  
Received By: B#

**Complete All Fields (Use additional pages if needed)**

Property Owner: C.O. Ackerman, Jr.

Owner's Address: 3300 Shopton Rd. City, State, Zip: Charlotte, NC 28217

Date Property Acquired: August 13, 2004

Property Address: 3300 Shopton Rd., Charlotte, NC 28217

Tax Parcel Number(s): 141-071-05

Current Land Use: Office Size (Acres): +/- 3.619 acres

Existing Zoning: O-1 (CD) Proposed Zoning: O-1 (CD) S.P.A.

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

Required Rezoning Pre-Application Meeting\* with: Alberto Gonzalez, Grant Meacci, Sonja Sanders, Carlos Alzate  
Date of meeting: May 3, 2016

(\*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: Site plan amendment to accommodate general and professional office and related incidental and accessory uses.

Ty Shaffer (Robinson, Bradshaw & Hinson, P.A.)  
Name of Rezoning Agent

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

Charlotte, NC 28246  
City, State, Zip

704-377-8142 Fax Number  
Telephone Number

tshaffer@rbh.com  
E-Mail Address

**C.O. ACKERMAN, JR.**

By:   
Signature of Property Owner

C.O. (LADD) ACKERMAN JR  
(Name Typed / Printed)

C.O. Ackerman, Jr.  
Name of Petitioner(s)

3300 Shopton Rd.  
Address of Petitioner(s)

Charlotte, NC 28217  
City, State, Zip

704-522-7733 Fax Number  
Telephone Number

lackerman@ackermanlawpa.com  
E-Mail Address

**C.O. ACKERMAN, JR.**

By:   
Signature of Petitioner

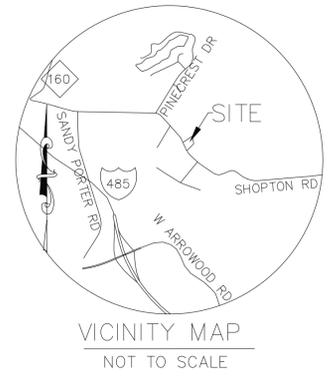
C.O. (LADD) ACKERMAN JR  
(Name Typed / Printed)

DEVELOPMENT STANDARDS

- I. GENERAL PROVISIONS
  - A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY C.O. ACKERMAN, JR. (THE "PETITIONER") TO AMEND THE EXISTING APPROVED 0-1 (GD) CONDITIONAL REZONING PLAN (REZONING PETITION NO. 2005-40) (THE "ORIGINAL PLAN") FOR AN APPROXIMATELY 3.619 ACRE SITE LOCATED ON THE NORTH SIDE OF SHOPTON ROAD AND DESIGNATED AS TAX PARCEL NO. 141-071-05, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER, THE "SITE").
  - B. THE SITE WAS REZONED TO THE 0-1 (GD) ZONING DISTRICT BY THE CHARLOTTE CITY COUNCIL IN 2005 TO ACCOMMODATE PETITIONER'S USE OF THE SITE FOR OPERATION OF A LAW PRACTICE WITHIN THE CURRENTLY HISTORICALLY DESIGNATED RESIDENCE, AND CONSTRUCTION OF A FUTURE GARAGE/OFFICE ADDITION ON THE SITE IN THE AREA OF DEVELOPMENT INDICATED ON THE PLAN (THE "APPROVED BUILDING"). PURSUANT TO THIS REZONING PETITION, THE PETITIONER IS REQUESTING AN AMENDMENT OF THE ORIGINAL PLAN TO ACCOMMODATE, IN ADDITION TO THE APPROVED BUILDING, USE OF THE HISTORICALLY DESIGNATED RESIDENCE FOR GENERAL AND PROFESSIONAL OFFICE USES, AND ALSO TO ACCOMMODATE THE EXISTING POLE BARN CONSTRUCTED ON THE SITE BY PETITIONER.
  - C. THE EXISTING USE AND 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") FOR THE 0-1 ZONING DISTRICT UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THESE DEVELOPMENT STANDARDS OR THE REZONING PLAN.
  - D. THE DEVELOPMENT AND USES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE PLACEMENT AND SIZE OF THE NEW CONSTRUCTION BUILDING FOOTPRINT AND PARKING AREA ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS AND SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE. MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES; PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
  - E. 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 PROVISION OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.201 OF THE ORDINANCE.

| SITE DATA TABLE                  |  |                     |
|----------------------------------|--|---------------------|
| EXISTING SQ. FT. *               |  |                     |
| 1840                             |  |                     |
| FUTURE OFFICE BUILDING SQ. FT. * | TYP. PARKING SPACE TO BE 8'-6" X 18'-6" MIN. |                     |
| 3500                             |  |                     |
| TOTAL SQ. FT. *                  | PARKING REQUIRED                             | TOTAL PARKING SHOWN |
| 5340                             | 1/300 = 18                                   | 15**                |

\* BASED ON HEATED AREA  
 \*\*SITE WILL MEET PARKING REQUIREMENTS. DEVELOPER HAS THE OPTION OF SEEKING A 25% PARKING REDUCTION TO SAVE EXISTING TREES. 12,202 PARKING SHOWN ASSUMES 25% REDUCTION.



2. PERMITTED USES
  - A. THE SITE MAY BE DEVOTED TO GENERAL AND PROFESSIONAL OFFICE USES AND ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE ALLOWED IN THE 0-1 ZONING DISTRICT.
3. DEVELOPMENT LIMITATIONS

- A. IT IS THE INTENT OF THE REZONING TO PRESERVE THE HISTORIC LANDMARK "JAMES MORROW COFFEY HOUSE AND GROUNDS" AS DESCRIBED IN THE HISTORIC DESIGNATION DATED JUNE 19, 2001, BY USING THE MAIN STRUCTURE (THE "2 STORY HOUSE") FOR THE USES PERMITTED HEREUNDER. ANY ALTERATIONS TO OR EXPANSIONS OF THE 2 STORY HOUSE SHALL BE PERMITTED ONLY AS ALLOWED BY THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICE OR ANY OTHER APPLICABLE REGULATING AGENCY. ALL OTHER EXISTING STRUCTURES ON THE SITE DESIGNATED AS A HISTORIC LANDMARK SHALL REMAIN IN PLACE AND MAY BE ALTERED OR EXPANDED ONLY AS ALLOWED BY THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICE OR ANY OTHER APPLICABLE REGULATING AGENCY.

4. TRANSPORTATION
  - A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF EACH ACCESS POINT ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
  - B. PETITIONER WILL DEDICATE AND CONVEY TO CDOT RIGHT-OF-WAY TOTALING 35' FROM THE CENTERLINE OF SHOPTON ROAD.
  - C. OFF-STREET VEHICULAR PARKING SHALL BE PROVIDED ON THE SITE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE. FOR THE 2 STORY HOUSE TO REMAIN RESIDENTIAL AND HISTORICAL IN APPEARANCE AND CHARACTER, PARKING WILL BE PROVIDED BY THE EXISTING GRAVEL DRIVE, GRAVEL TURNAROUND AREA, AND GRAVEL PARKING AREA ADJACENT TO THE 2 STORY HOUSE AS DEPICTED ON THE REZONING PLAN. PARKING MAY BE EXPANDED TO THE APPROVED BUILDING, WHEN CONSTRUCTED, AND AN ASPHALT APRON MAY BE USED IN FRONT OF THE APPROVED BUILDING, AS INDICATED ON THE REZONING PLAN.

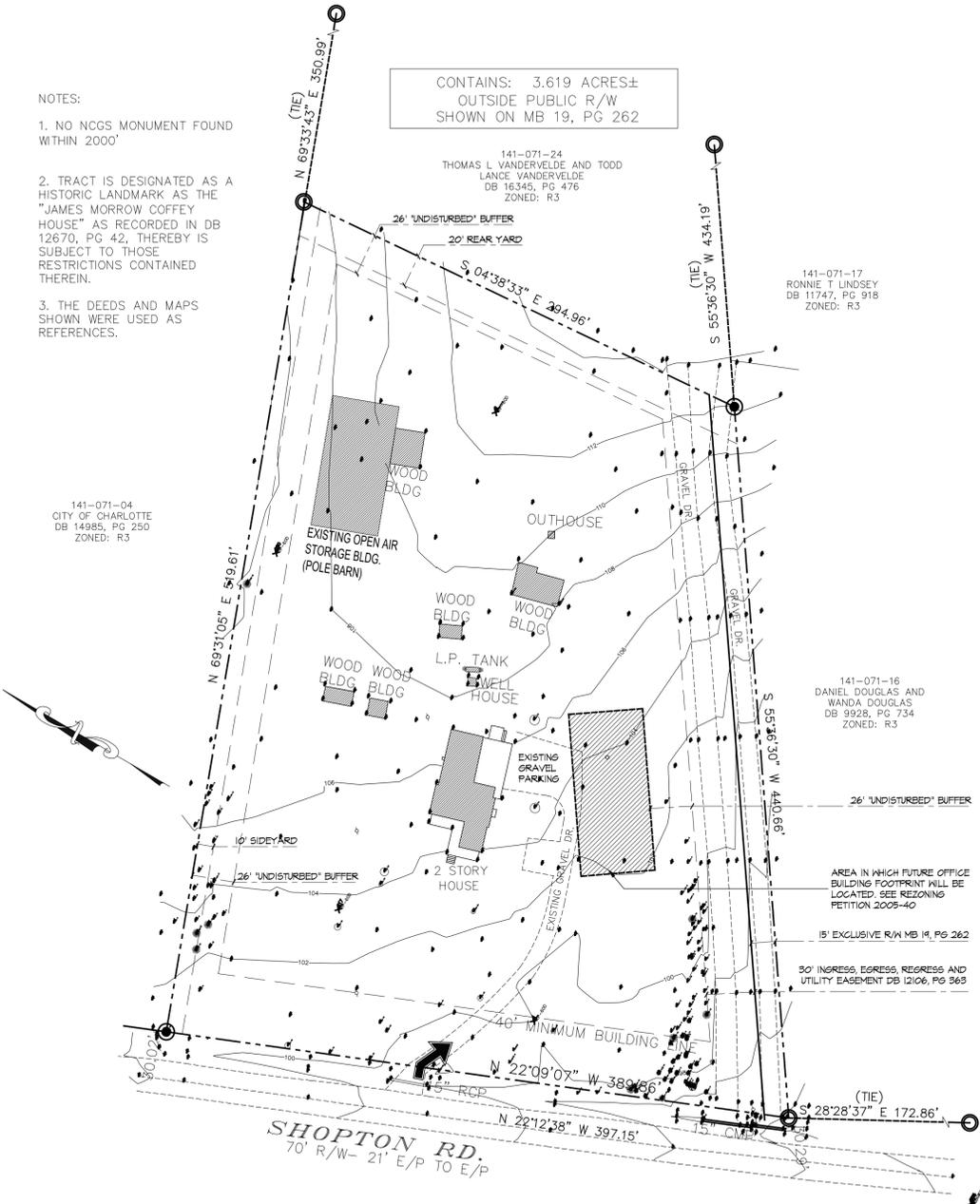
5. ARCHITECTURAL AND DESIGN STANDARDS
  - A. THE APPROVED BUILDING SHALL BE COMPATIBLE WITH THE HISTORIC NATURE OF THE 2 STORY HOME, USING RESIDENTIAL MATERIALS.
  - B. THE APPROVED BUILDING WILL NOT EXCEED 40' IN HEIGHT, AND WILL BE RESIDENTIAL IN SCALE.
  - C. THE APPROVED BUILDING WILL NOT EXCEED 3500 SQUARE FEET ON TWO FLOORS, WITH A FOOTPRINT NOT TO EXCEED 2,000 SQUARE FEET AS DEPICTED IN THE REZONING PLAN.

6. STREETScape AND LANDSCAPING
  - A. A 26' CLASS C UNDISTURBED BUFFER SHALL BE ESTABLISHED ALONG THE WESTERN, NORTHERN, AND EASTERN BOUNDARY LINES AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN.
  - B. AS DEPICTED ON THE REZONING PLAN, PETITIONER SHALL INSTALL A 5' SIDEWALK AND AN 8' PLANTING STRIP ALONG THE SITE'S FRONTAGE ON SHOPTON ROAD.

7. ENVIRONMENTAL FEATURES
  - A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE.
  - B. LIGHTING
    - A. ALL NEWLY INSTALLED FREESTANDING LIGHTING FIXTURES ON THE SITE SHALL BE FULLY GAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED. "WALL-PAK" TYPE LIGHTING FIXTURES MAY NOT BE INSTALLED ON THE BUILDINGS LOCATED ON THE SITE.

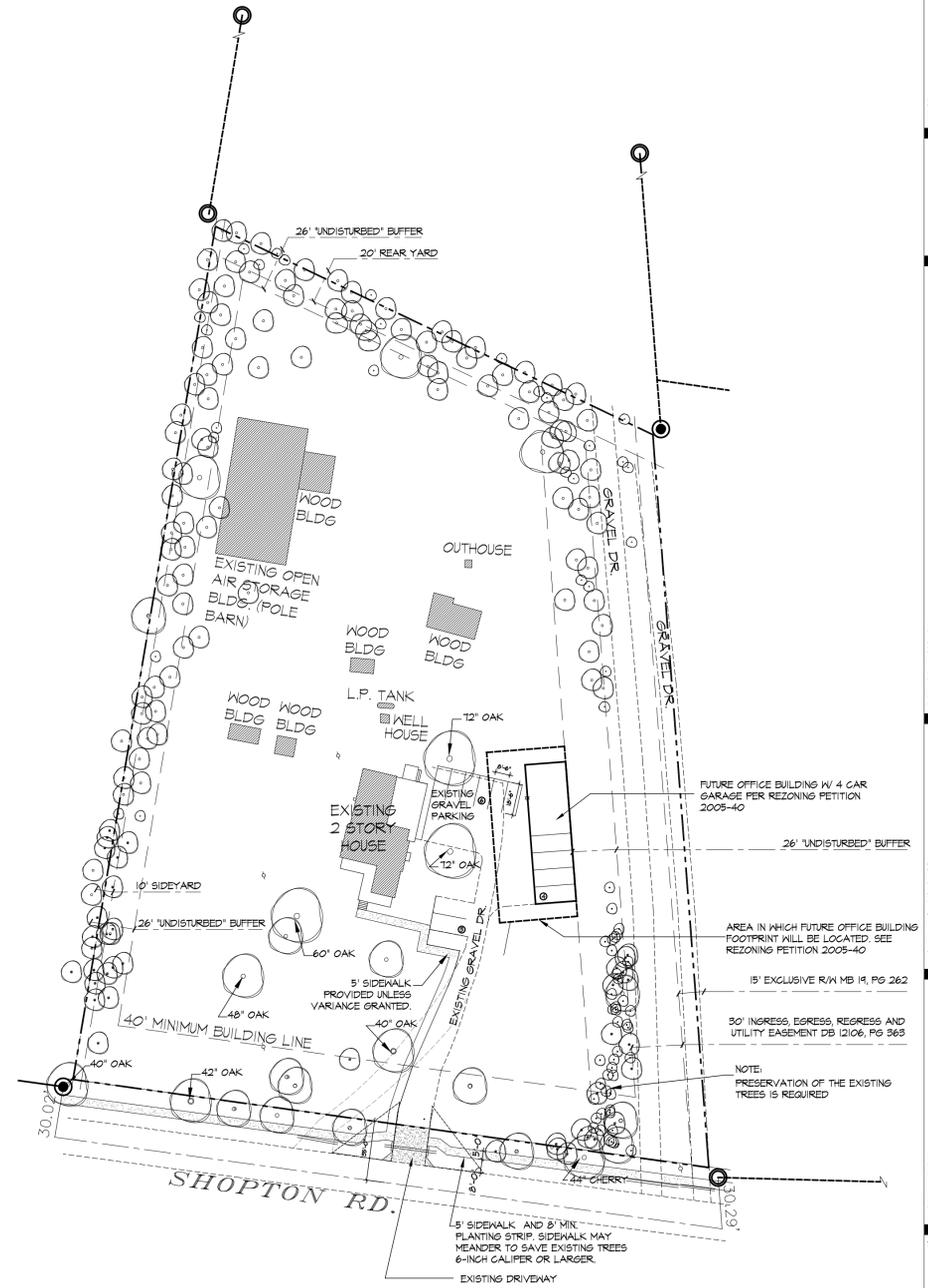
8. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
  - A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE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

NOTES:  
 1. NO NCGS MONUMENT FOUND WITHIN 2000'  
 2. TRACT IS DESIGNATED AS A HISTORIC LANDMARK AS THE "JAMES MORROW COFFEY HOUSE" AS RECORDED IN DB 12670, PG 42, THEREBY IS SUBJECT TO THOSE RESTRICTIONS CONTAINED THEREIN.  
 3. THE DEEDS AND MAPS SHOWN WERE USED AS REFERENCES.



02 TECHNICAL SITE PLAN

SCALE: 1" = 50'-0"



01 ILLUSTRATIVE SITE PLAN- EXISTING 2 STORY HOUSE AND OFFICE BUILDING

SCALE: 1" = 50'-0"

SEAL:

ACKERMAN PROPERTY - REZONING  
 3300 Shopton Rd.  
 Charlotte, North Carolina

PROJECT NAME:

DATE: 06-27-2016  
 ISSUED FOR REZONING  
 REVISIONS:

REZONING PETITION  
 FOR PUBLIC HEARING  
 PETITION NO. \_\_\_\_\_

SHEET NUMBER:

RZ.I

DRAWN BY:



Exhibit A to Rezoning Application Filed by Pulte Group

Property Owner Information, Acquisition Dates and Property Addresses

**Tax Parcel No. 201-481-01**

Ralph S. Grier, Trustee of the Marital Trust of the Revocable Trust of R. Ralph Grier, Jr.  
Dated 12/2/99  
9900 Withers Road  
Charlotte, NC 28278

Date Property Acquired: October 17, 2015

Property Address: 13632 Brown-Grier Road

**Tax Parcel No. 201-481-02**

Roy T. Grier  
13631 Brown-Grier Road  
Charlotte, NC 28273

Date Property Acquired: September 25, 1991

Property Address: 13631 Brown-Grier Road

**Tax Parcel No. 201-481-03**

Ralph S. Grier, Trustee of the Marital Trust of the Revocable Trust of R. Ralph Grier, Jr.  
Dated 12/2/99  
9900 Withers Road  
Charlotte, NC 28278

Date Property Acquired: October 29, 2002

Property Address: Brown-Grier Road

**Tax Parcel No. 201-481-05**

Ralph S. Grier, Trustee of the Marital Trust of the Revocable Trust of R. Ralph Grier, Jr.  
Dated 12/2/99  
9900 Withers Road  
Charlotte, NC 28278

Date Property Acquired: \_\_\_\_\_

Property Address: Brown-Grier Road

**Tax Parcel No. 201-105-09**

Ralph S. Grier, Trustee for the Family Trust of the R. Ralph Grier, Jr. Revocable Trust  
Dated 12/2/99  
9900 Withers Road  
Charlotte, NC 28278

Date Property Acquired: October 29, 2002

Property Address: Brown-Grier Road

**Tax Parcel No. 201-101-04A & B**

Edith H. Grier  
9900 Withers Road  
Charlotte, NC 28278

Date Property Acquired: July 2, 1954

Property Address: 13632 Brown-Grier Road

**Signature of Petitioner**

**PULTE HOME CORP**

By: 

Name: CISCO GARCIA

Title: VP OF LAND

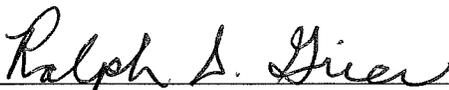
Date: June 21, 2016

**REZONING APPLICATION FILED BY PULTE GROUP  
JOINDER AGREEMENT**

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by Pulte Group that are designated as Tax Parcel Nos. 201-481-01, 201-481-03 and 201-481-05 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 NS zoning district and the R-17MF (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 23<sup>rd</sup> day of June, 2016.

**Ralph S. Grier, Trustee of the Marital Trust of  
the Revocable Trust of R. Ralph Grier, Jr. Dated  
12/2/99**

  
\_\_\_\_\_  
Ralph S. Grier

**REZONING APPLICATION FILED BY PULTE GROUP  
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Pulte Group that is designated as Tax Parcel No. 201-481-02 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 R-17MF (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 23 day of June, 2016.

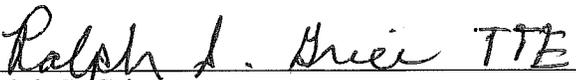
  
\_\_\_\_\_  
Roy T. Grier

**REZONING APPLICATION FILED BY PULTE GROUP  
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Pulte Group that is designated as Tax Parcel No. 201-105-09 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 NS zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 23 day of June, 2016.

**Ralph S. Grier, Trustee for the Family Trust of  
the R. Ralph Grier, Jr. Revocable Trust Dated  
12/2/99**

  
\_\_\_\_\_  
Ralph S. Grier

**REZONING APPLICATION FILED BY PULTE GROUP  
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by Pulte Group that is designated as Tax Parcel No. 201-101-04A & B 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 R-17MF (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 23 day of June, 2016.

*Edith H. Grier by*  
*Ralph P. Grier Pot*  
\_\_\_\_\_  
Edith H. Grier

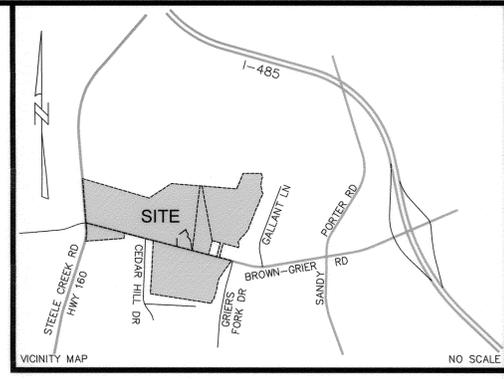








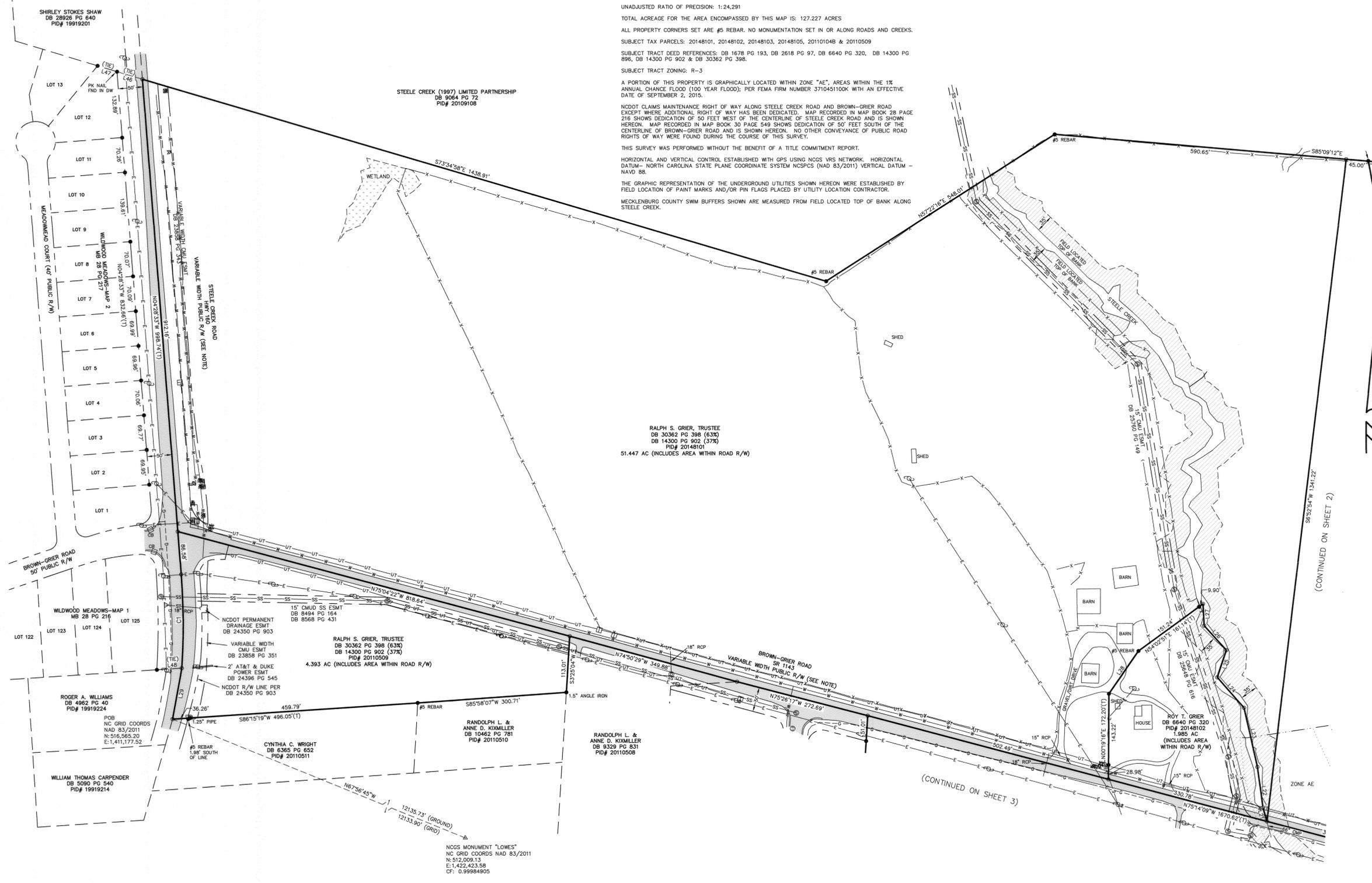
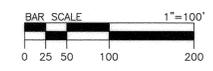
NOTES:  
 THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RESTRICTIONS, EASEMENTS AND/OR RIGHTS-OF-WAY.  
 AREAS COMPUTED BY COORDINATE METHOD.  
 UNADJUSTED RATIO OF PRECISION: 1:24,291  
 TOTAL ACREAGE FOR THE AREA ENCOMPASSED BY THIS MAP IS: 127.227 ACRES  
 ALL PROPERTY CORNERS SET ARE #5 REBAR. NO MONUMENTATION SET IN OR ALONG ROADS AND CREEKS.  
 SUBJECT TAX PARCELS: 20148101, 20148102, 20148103, 20148105, 20110104B & 20110509  
 SUBJECT TRACT DEED REFERENCES: DB 1678 PG 193, DB 2618 PG 97, DB 6640 PG 320, DB 14300 PG 896, DB 14300 PG 902 & DB 30362 PG 398.  
 SUBJECT TRACT ZONING: R-3  
 A PORTION OF THIS PROPERTY IS GRAPHICALLY LOCATED WITHIN ZONE "AE", AREAS WITHIN THE 1% ANNUAL CHANCE FLOOD (100 YEAR FLOOD); PER FEMA FIRM NUMBER 3710451100K WITH AN EFFECTIVE DATE OF SEPTEMBER 2, 2015.  
 NCDOT CLAIMS MAINTENANCE RIGHT OF WAY ALONG STEELE CREEK ROAD AND BROWN-GRIER ROAD EXCEPT WHERE ADDITIONAL RIGHT OF WAY HAS BEEN DEDICATED. MAP RECORDED IN MAP BOOK 28 PAGE 216 SHOWS DEDICATION OF 50 FEET WEST OF THE CENTERLINE OF STEELE CREEK ROAD AND IS SHOWN HEREON. MAP RECORDED IN MAP BOOK 30 PAGE 549 SHOWS DEDICATION OF 50 FEET SOUTH OF THE CENTERLINE OF BROWN-GRIER ROAD AND IS SHOWN HEREON. NO OTHER CONVEYANCE OF PUBLIC ROAD RIGHTS OF WAY WERE FOUND DURING THE COURSE OF THIS SURVEY.  
 THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT.  
 HORIZONTAL AND VERTICAL CONTROL ESTABLISHED WITH GPS USING NCGS VRS NETWORK. HORIZONTAL DATUM - NORTH CAROLINA STATE PLANE COORDINATE SYSTEM NCSPCS (NAD 83/2011) VERTICAL DATUM - NAVD 88.  
 THE GRAPHIC REPRESENTATION OF THE UNDERGROUND UTILITIES SHOWN HEREON WERE ESTABLISHED BY FIELD LOCATION OF PAINT MARKS AND/OR PIN FLAGS PLACED BY UTILITY LOCATION CONTRACTOR.  
 MECKLENBURG COUNTY SWIM BUFFERS SHOWN ARE MEASURED FROM FIELD LOCATED TOP OF BANK ALONG STEELE CREEK.



| Line # | Direction     | Length |
|--------|---------------|--------|
| L21    | S 16°16'08" E | 28.35  |
| L22    | S 07°41'04" E | 82.98  |
| L23    | S 12°50'00" E | 122.12 |
| L24    | S 41°27'46" E | 81.72  |
| L25    | S 18°48'23" W | 57.63  |
| L26    | S 42°27'42" E | 66.68  |
| L27    | S 02°45'04" E | 43.71  |
| L28    | N 34°43'27" E | 104.71 |
| L29    | S 10°16'34" W | 104.22 |
| L46    | N 73°34'58" W | 53.47  |
| L47    | N 73°24'56" W | 41.18  |
| L48    | N 86°10'07" E | 50.44  |

| Curve # | Radius  | Length | Bearing       | Chord  |
|---------|---------|--------|---------------|--------|
| C1      | 1309.59 | 188.52 | N 00°21'07" W | 188.36 |

- LEGEND
- CB - CATCH BASIN
  - CM - CONCRETE MONUMENT
  - DB - DEED BOOK
  - DW - DRIVEWAY
  - MB - MAP BOOK
  - PS - PILE
  - SS - SANITARY SEWER
  - CMP - CORRUGATED METAL PIPE
  - CMU - CHARLOTTE-MECKLENBURG UTILITIES
  - FND - FOUND
  - PIG - PARCEL IDENTIFICATION
  - NAD - NORTH AMERICAN DATUM
  - RCP - REINFORCED CONCRETE PIPE
  - SR# - SECONDARY ROAD NUMBER
  - CMUD - CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT
  - ESMT - EASEMENT
  - FEMA - FEDERAL EMERGENCY MANAGEMENT AGENCY
  - FIRM - FLOOD INSURANCE RATE MAP
  - NAV - NORTH AMERICAN VERTICAL DATUM
  - NCGS - NORTH CAROLINA GEODETIC SURVEY
  - SWIM - SURFACE WATER IMPROVEMENT AND MANAGEMENT
  - INTS - NOT TO SCALE
  - - FOUND CORNER #4 REBAR UNLESS OTHERWISE NOTED
  - - SET CORNER #5 REBAR UNLESS OTHERWISE NOTED
  - △ - GEODETIC MONUMENT
  - - TELEPHONE PEDESTAL OR VAULT
  - ⊠ - ELECTRICAL BOX
  - - UTILITY POLE
  - - WATER VALVE
  - ⊕ - WATER METER
  - ⊕ - SANITARY SEWER MANHOLE
  - ⊕ - GAS VALVE
  - ⊕ - STORM DRAIN MANHOLE
  - - CATCH BASIN
  - - - - - PROPERTY LINE
  - - - - - ADJOINING PROPERTY LINE (NOT SURVEYED)
  - - - - - RIGHT OF WAY LINE
  - - - - - EASEMENT LINE
  - - - - - OVER HEAD UTILITY LINE
  - - - - - UNDERGROUND TELEPHONE/CABLE/FIBER OPTIC LINE
  - - - - - GAS LINE
  - - - - - WATER LINE
  - - - - - BARBED WIRE FENCE
  - - - - - FEMA FLOODPLAIN BOUNDARY
  - - - - - FEMA COMMUNITY ENCROACHMENT
  - - - - - MECKLENBURG COUNTY SWIM BUFFER
  - - - - - ASPHALT PAVEMENT



SHIRLEY STOKES SHAW  
 DB 28926 PG 640  
 PID# 19919201

STEELE CREEK (1997) LIMITED PARTNERSHIP  
 DB 9064 PG 72  
 PID# 20109108

RALPH S. GRIER, TRUSTEE  
 DB 30362 PG 398 (63%)  
 DB 14300 PG 902 (37%)  
 PID# 20148101  
 51.447 AC (INCLUDES AREA WITHIN ROAD R/W)

RALPH S. GRIER, TRUSTEE  
 DB 30362 PG 398 (63%)  
 DB 14300 PG 902 (37%)  
 PID# 20110509  
 4.393 AC (INCLUDES AREA WITHIN ROAD R/W)

RANDOLPH L. & ANNE D. KIMMILLER  
 DB 10462 PG 781  
 PID# 20110510

RANDOLPH L. & ANNE D. KIMMILLER  
 DB 9329 PG 831  
 PID# 20110506

ROY T. GRIER  
 DB 6640 PG 320  
 PID# 20148102  
 1.985 AC  
 (INCLUDES AREA WITHIN ROAD R/W)

CYNTHIA C. WRIGHT  
 DB 6365 PG 852  
 PID# 20110511

ROGER A. WILLIAMS  
 DB 4962 PG 40  
 PID# 19919224

WILLIAM THOMAS CARPENDER  
 DB 5090 PG 540  
 PID# 19919214

NCGS MONUMENT "LOWES"  
 NC GRID COORDS NAD 83/2011  
 N: 512,009.13  
 E: 1,422,423.58  
 CF: 0.99984805

I, FRANCIS M. HARTER III, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DB 1678 PG 193, DB 2618 PG 97, DB 6640 PG 320, DB 14300 PG 896, DB 14300 PG 902 & DB 30362 PG 398); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK AND PAGES SHOWN; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:24,291; THAT THE GLOBAL POSITIONING SYSTEM (GPS) WAS USED TO ORIENT THIS SITE TO THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, PARTICULARS OF THE GPS SURVEY ARE AS FOLLOWS:

CLASS OF SURVEY: A  
 POSITIONAL ACCURACY: 0.03  
 TYPE OF GPS FIELD PROCEDURE: NCVRS  
 DATE OF SURVEY: 1/28/16  
 DATUM/EPOCH: NAD83/2011  
 PUBLISHED/FIXED-CONTROL USE: NCGS MONUMENT "LOWES" PID D66484  
 GEOD MODEL: GEOD 12A  
 COMBINED GRID FACTOR(S): 0.99984805  
 UNITS: USLT

THAT THIS PLAT MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 22ND DAY OF JUNE 2016.

FRANCIS M. HARTER III, PLS REGISTRATION NO. L-4924



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 ESP Associates, P.A.

**ESP** Associates, P.A.  
 P.O. Box 7030 3475 Lakemont Blvd.  
 Charlotte, NC 28241 Port Mill, SC 29708  
 704-583-4949 (NC)  
 803-802-2440 (SC)  
 www.espassociates.com

| NO. | DATE | REVISION | BY |
|-----|------|----------|----|
|     |      |          |    |
|     |      |          |    |

PROJECT NO: D005.800.000  
 SCALE: 1"=100'  
 DATE: 06-22-16  
 DRAWN BY: FMH  
 CHECKED BY: DAW  
 DATE SURVEYED: FEBRUARY 2016  
 DRAWING NO: D005-GRIER-BOUNDARY.DWG

BOUNDARY SURVEY OF  
 GRIER SITE  
 127.227 ACRES (TOTAL)  
 LOCATED IN STEELE CREEK TOWNSHIP  
 MECKLENBURG COUNTY  
 NORTH CAROLINA

CLIENT:  
**PULTE HOME CORPORATION**  
 11121 CARMEL COMMONS BLVD, STE. 450  
 CHARLOTTE, NC 28226  
 (704) 543-4922

**1**  
 SHEET 1 OF 3

NOTES:  
 THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RESTRICTIONS, EASEMENTS AND/OR RIGHTS-OF-WAY.  
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 SUBJECT TRACT ZONING: R-3

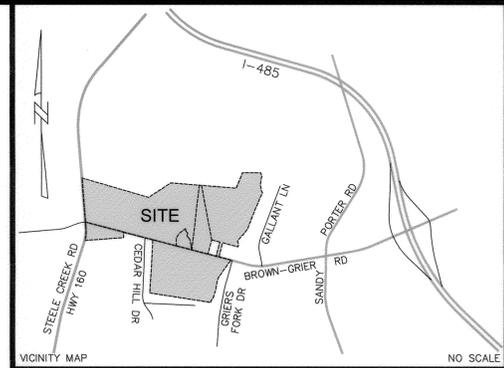
A PORTION OF THIS PROPERTY IS GRAPHICALLY LOCATED WITHIN ZONE "AE", AREAS WITHIN THE 1% ANNUAL CHANCE FLOOD (100 YEAR FLOOD), PER FEMA FIRM NUMBER 3710451100K WITH AN EFFECTIVE DATE OF SEPTEMBER 2, 2015.

NC DOT CLAIMS MAINTENANCE RIGHT OF WAY ALONG STEELE CREEK ROAD AND BROWN-GRIER ROAD EXCEPT WHERE ADDITIONAL RIGHT OF WAY HAS BEEN DEDICATED. MAP RECORDED IN MAP BOOK 28 PAGE 216 SHOWS DEDICATION OF 50 FEET WEST OF THE CENTERLINE OF STEELE CREEK ROAD AND IS SHOWN HEREON. MAP RECORDED IN MAP BOOK 30 PAGE 549 SHOWS DEDICATION OF 50' FEET SOUTH OF THE CENTERLINE OF BROWN-GRIER ROAD AND IS SHOWN HEREON. NO OTHER CONVEYANCE OF PUBLIC ROAD RIGHTS OF WAY WERE FOUND DURING THE COURSE OF THIS SURVEY.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT.  
 HORIZONTAL AND VERTICAL CONTROL ESTABLISHED WITH GPS USING NCGS VRS NETWORK. HORIZONTAL DATUM - NORTH CAROLINA STATE PLANE COORDINATE SYSTEM NCSPCS (NAD 83/2011) VERTICAL DATUM - NAVD 88.

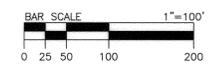
THE GRAPHIC REPRESENTATION OF THE UNDERGROUND UTILITIES SHOWN HEREON WERE ESTABLISHED BY FIELD LOCATION OF PAINT MARKS AND/OR PIN FLAGS PLACED BY UTILITY LOCATION CONTRACTOR.

MECKLENBURG COUNTY SWIM BUFFERS SHOWN ARE MEASURED FROM FIELD LOCATED TOP OF BANK ALONG STEELE CREEK.



| Line # | Direction     | Length |
|--------|---------------|--------|
| L1     | S 21°52'56" E | 77.95  |
| L2     | S 21°22'58" W | 48.93  |
| L3     | S 08°22'08" W | 133.82 |
| L4     | S 13°53'06" E | 24.75  |
| L5     | S 17°54'05" E | 26.00  |
| L6     | S 06°38'45" E | 74.00  |
| L7     | S 30°06'12" E | 48.00  |
| L8     | S 25°15'25" W | 84.00  |
| L9     | S 47°36'46" W | 32.00  |
| L10    | S 11°49'15" W | 72.00  |
| L11    | S 25°28'53" W | 167.50 |
| L12    | S 21°45'08" W | 227.00 |
| L13    | S 20°41'15" W | 65.00  |
| L14    | S 26°32'22" W | 67.00  |
| L15    | S 15°07'33" W | 83.00  |
| L16    | S 37°49'06" W | 170.00 |
| L17    | S 58°44'21" W | 30.00  |
| L18    | S 37°41'25" W | 144.00 |
| L19    | S 19°47'46" E | 60.00  |
| L20    | S 12°00'38" W | 59.24  |
| L21    | S 16°16'08" E | 28.35  |
| L22    | S 07°41'04" E | 82.98  |
| L30    | S 33°58'54" W | 28.22  |
| L31    | S 42°36'42" W | 26.50  |
| L32    | S 42°36'42" W | 41.92  |
| L45    | S 73°59'57" E | 15.29  |

- LEGEND**
- CB - CATCH BASIN
  - CM - CONCRETE MONUMENT
  - DB - DEED BOOK
  - DW - DRAINAGE WAY
  - MB - MAP BOOK
  - PG - PAGE
  - SS - SANITARY SEWER
  - CMP - CORRUGATED METAL PIPE
  - CMU - CHARLOTTE-MECKLENBURG UTILITIES
  - FND - FOUND
  - PI - PARCEL IDENTIFICATION
  - NAD - NORTH AMERICAN DATUM
  - ROP - REINFORCED CONCRETE PIPE
  - SR# - SECONDARY ROAD NUMBER
  - SMU - CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT
  - ESMT - EASEMENT
  - FEMA - FEDERAL EMERGENCY MANAGEMENT AGENCY
  - FIRM - FLOOD INSURANCE RATE MAP
  - NAVD - NORTH AMERICAN VERTICAL DATUM
  - NCGS - NORTH CAROLINA GEODETIC SURVEY
  - SWM - SURFACE WATER IMPROVEMENT AND MANAGEMENT
  - INTS - NOT TO SCALE
  - - FOUND CORNER #4 REBAR UNLESS OTHERWISE NOTED
  - - SET CORNER #5 REBAR UNLESS OTHERWISE NOTED
  - △ - GEODETIC MONUMENT
  - - TELEPHONE PEDESTAL OR VAULT
  - ⊞ - ELECTRICAL BOX
  - ⊙ - UTILITY POLE
  - ⊕ - WATER VALVE
  - ⊖ - WATER VALVE
  - ⊗ - WATER METER
  - ⊘ - GAS VALVE
  - ⊙ - SANITARY SEWER MANHOLE
  - ⊚ - GAS VALVE
  - ⊛ - STORM DRAIN MANHOLE
  - ⊜ - CATCH BASIN
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  - - - - ADJOINING PROPERTY LINE (NOT SURVEYED)
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  - - - - BARBED WIRE FENCE
  - - - - FEMA FLOODPLAIN BOUNDARY
  - - - - FEMA COMMUNITY ENCROACHMENT
  - - - - MECKLENBURG COUNTY SWIM BUFFER LINE
  - ▨ - MECKLENBURG COUNTY SWIM BUFFER
  - ▩ - ASPHALT PAVEMENT



I, FRANCIS M. HARTER III, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DB 1678 PG 193, DB 2818 PG 97, DB 6640 PG 320, DB 14300 PG 896, DB 14300 PG 902 & DB 30362 PG 398); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK AND PAGES SHOWN; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:24,291; THAT THE GLOBAL POSITIONING SYSTEM (GPS) WAS USED TO ORIENT THIS SITE TO THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, PARTICULARS OF THE GPS SURVEY ARE AS FOLLOWS:

CLASS OF SURVEY: A  
 POSITIONAL ACCURACY: 0.03  
 TYPE OF GPS FIELD PROCEDURE: NCVRS  
 DATE OF SURVEY: 1/28/16  
 DATUM/EPOCH: NAD83/2011  
 PUBLISHED/FIXED-CONTROL USE: NCGS MONUMENT "LOWES" PID D6644  
 GEOD MODEL: GEOD 12A  
 COMBINED GRID FACTOR(S): 0.99984805  
 UNITS: USFT

THIS PLAT MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 22ND DAY OF JUNE, 2016.

FRANCIS M. HARTER III, PLS REGISTRATION NO. L-4924



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ESP Associates, P.A.

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 P.O. Box 7030 3475 Lakemont Blvd.  
 Charlotte, NC 28241 Fort Mill, SC 29708  
 704-583-4949 (NC)  
 803-802-2440 (SC)  
 www.espassociates.com

| NO. | DATE | REVISION | BY |
|-----|------|----------|----|
|     |      |          |    |
|     |      |          |    |

**BOUNDARY SURVEY OF  
 GRIER SITE  
 127.227 ACRES (TOTAL)**

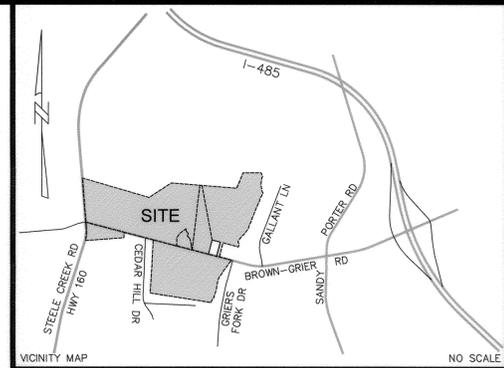
LOCATED IN STEELE CREEK TOWNSHIP  
 MECKLENBURG COUNTY  
 NORTH CAROLINA

CLIENT:  
**PULTE HOME CORPORATION**  
 11121 CARMEL COMMONS BLVD, STE. 450  
 CHARLOTTE, NC 28226  
 (704) 543-4922

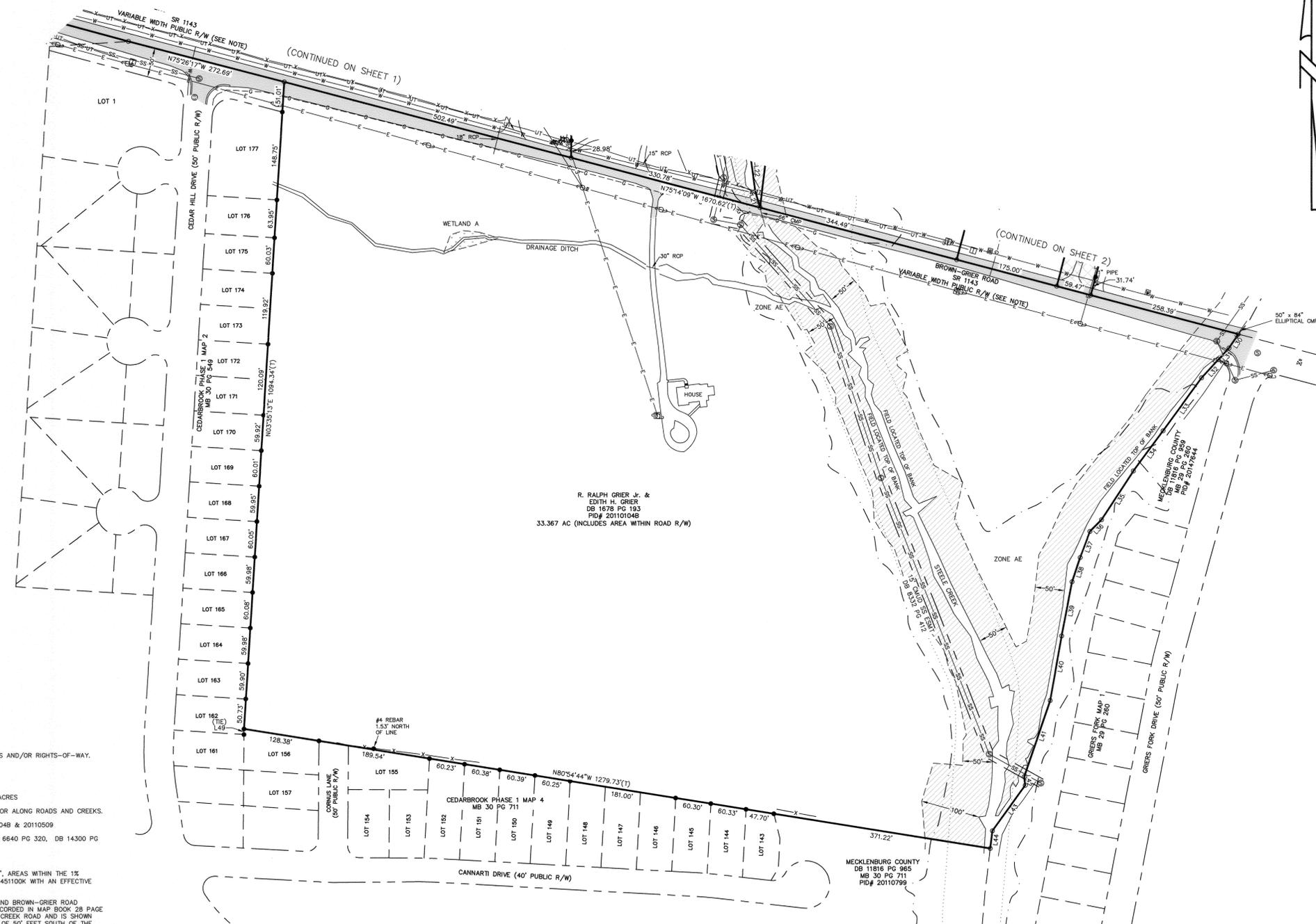
PROJECT NO: D005.800.000  
 SCALE: 1"=100'  
 DATE: 05-16-16  
 DRAWN BY: FMH  
 CHECKED BY: DAW  
 DATE SURVEYED: FEBRUARY 2016  
 DRAWING NO: D005-GRIER-BOUNDARY.DWG

**2**

SHEET 2 OF 3

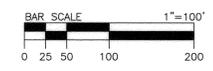


NORTH ORIENTED TO  
NC GRID (NAD 83/2011)



| Line # | Direction     | Length |
|--------|---------------|--------|
| L21    | S 16°16'08" E | 28.35  |
| L22    | S 07°41'04" E | 82.98  |
| L30    | S 33°58'54" W | 28.22  |
| L31    | S 42°36'42" W | 26.50  |
| L32    | S 42°36'42" W | 41.92  |
| L33    | S 36°05'56" W | 110.64 |
| L34    | S 36°42'09" W | 84.65  |
| L35    | S 33°13'10" W | 98.42  |
| L36    | S 44°56'45" W | 27.91  |
| L37    | S 20°37'14" W | 47.12  |
| L38    | S 18°25'59" W | 43.35  |
| L39    | S 10°59'34" W | 92.97  |
| L40    | S 10°03'45" W | 110.62 |
| L41    | S 18°48'58" W | 136.34 |
| L42    | S 06°49'19" E | 14.61  |
| L43    | S 35°52'48" W | 94.71  |
| L44    | S 06°59'59" W | 29.99  |
| L49    | S 00°52'06" W | 9.57   |

- LEGEND**
- CB - CATCH BASIN
  - CM - CONCRETE MONUMENT
  - DB - DEED BOOK
  - DW - DRIVEWAY
  - MB - MAP BOOK
  - PS - PAGE
  - SS - SANITARY SEWER
  - CMP - CORRUGATED METAL PIPE
  - CMU - CHARLOTTE-MECKLENBURG UTILITIES
  - FND - FOUND
  - PID - PARCEL IDENTIFICATION
  - NAD - NORTH AMERICAN DATUM
  - RCP - REINFORCED CONCRETE PIPE
  - SR# - SECONDARY ROAD NUMBER
  - DMUD - CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT
  - ESMT - EASEMENT
  - FEMA - FEDERAL EMERGENCY MANAGEMENT AGENCY
  - FIRM - FLOOD INSURANCE RATE MAP
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  - - - - - MECKLENBURG COUNTY SWM BUFFER LINE
  - - - - - MECKLENBURG COUNTY SWM BUFFER
  - - - - - ASPHALT PAVEMENT



**NOTES:**

THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RESTRICTIONS, EASEMENTS AND/OR RIGHTS-OF-WAY. AREAS COMPUTED BY COORDINATE METHOD.

UNADJUSTED RATIO OF PRECISION: 1:24,291

TOTAL ACRES FOR THE AREA ENCOMPASSED BY THIS MAP IS: 127.227 ACRES

ALL PROPERTY CORNERS SET ARE #5 REBAR, NO MONUMENTATION SET IN OR ALONG ROADS AND CREEKS.

SUBJECT TAX PARCELS: 20148101, 20148102, 20148103, 20148105, 201101048 & 20110509

SUBJECT TRACT DEED REFERENCES: DB 1678 PG 193, DB 2618 PG 97, DB 6640 PG 320, DB 14300 PG 896, DB 14300 PG 902 & DB 30362 PG 398.

SUBJECT TRACT ZONING: R-3

A PORTION OF THIS PROPERTY IS GRAPHICALLY LOCATED WITHIN ZONE "AE", AREAS WITHIN THE 1% ANNUAL CHANCE FLOOD (100 YEAR FLOOD); PER FEMA FIRM NUMBER 3710451100K WITH AN EFFECTIVE DATE OF SEPTEMBER 2, 2015.

NC DOT CLAIMS MAINTENANCE RIGHT OF WAY ALONG STEELE CREEK ROAD AND BROWN-GRIER ROAD EXCEPT WHERE ADDITIONAL RIGHT OF WAY HAS BEEN DEDICATED. MAP RECORDED IN MAP BOOK 28 PAGE 216 SHOWS DEDICATION OF 50 FEET WEST OF THE CENTERLINE OF STEELE CREEK ROAD AND IS SHOWN HEREON. MAP RECORDED IN MAP BOOK 30 PAGE 549 SHOWS DEDICATION OF 50 FEET SOUTH OF THE CENTERLINE OF BROWN-GRIER ROAD AND IS SHOWN HEREON. NO OTHER CONVEYANCE OF PUBLIC ROAD RIGHTS OF WAY WERE FOUND DURING THE COURSE OF THIS SURVEY.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT.

HORIZONTAL AND VERTICAL CONTROL ESTABLISHED WITH GPS USING NCOS VRS NETWORK. HORIZONTAL DATUM - NORTH CAROLINA STATE PLANE COORDINATE SYSTEM NCSPCS (NAD 83/2011) VERTICAL DATUM - NAVD 88.

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MECKLENBURG COUNTY SWM BUFFERS SHOWN ARE MEASURED FROM FIELD LOCATED TOP OF BANK ALONG STEELE CREEK.

R. RALPH GRIER JR. &  
EDITH H. GRIER  
DB 1678 PG 193  
PID# 201101048  
33.367 AC (INCLUDES AREA WITHIN ROAD R/W)

MECKLENBURG COUNTY  
DB 1816 PG 965  
MB 30 PG 711  
PID# 20110799

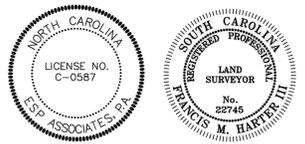
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CLASS OF SURVEY: A  
POSITIONAL ACCURACY: 0.03  
TYPE OF GPS FIELD PROCEDURE: NCVRS  
DATE OF SURVEY: 1/28/16  
DATUM/EPOCH: NAD83/2011  
PUBLISHED/FIXED-CONTROL USE: NCOS MONUMENT "LOWES" PID D6844  
GEOD MODEL: GEOD 12A  
COMBINED GRID FACTOR(S): 0.99984805  
UNITS: USFT

THIS PLAT MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 22ND DAY OF JUNE, 2016.

FRANCIS M. HARTER III, PLS REGISTRATION NO. L-4924



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| NO. | DATE | REVISION | BY |
|-----|------|----------|----|
|     |      |          |    |
|     |      |          |    |
|     |      |          |    |

BOUNDARY SURVEY OF  
GRIER SITE  
127.227 ACRES (TOTAL)

LOCATED IN STEELE CREEK TOWNSHIP  
MECKLENBURG COUNTY  
NORTH CAROLINA

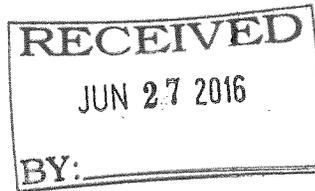
CLIENT:  
**PULTE HOME CORPORATION**  
11121 CARMEL COMMONS BLVD, STE. 450  
CHARLOTTE, NC 28226  
(704) 543-4922

PROJECT NO: D005.800.000  
SCALE: 1"=100'  
DATE: 6-22-16  
DRAWN BY: FMH  
CHECKED BY: DAW  
DATE SURVEYED: FEBRUARY 2016  
DRAWING NO: D005-GRIER-BOUNDARY.DWG

**3**

SHEET 3 OF 3

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2016-121  
Petition #: \_\_\_\_\_  
Date Filed: 6/27/2016  
Received By: BH

**Complete All Fields (Use additional pages if needed)**

Property Owner: Medical Specialists Properties, LLC

Owner's Address: 4444 Park Road City, State, Zip: Charlotte, NC 28209

Date Property Acquired: January 2, 2009

Property Address: 4444 Park Road

Tax Parcel Number(s): 171-043-15

Current Land Use: Office Size (Acres): +/- .39 acres

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

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

Required Rezoning Pre-Application Meeting\* with: John Kinley, Kent Main and Grant Meacci

Date of meeting: May 24, 2016

(\*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 allow restaurant (with no drive through windows), retail and office uses to operate in the existing building located on the site.

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

**MEDICAL SPECIALISTS PROPERTIES, LLC**

By: Blake Prelipp Thomas Whitfield  
Signature of Property Owner

Blake Prelipp Thomas Whitfield  
(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

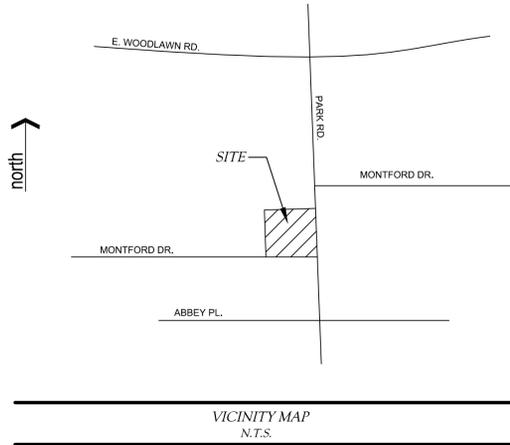
704-895-2084  
Telephone Number Fax Number

watson@piedmontlanddevelopment.com  
E-Mail Address

**CHEN DEVELOPMENT, LLC**

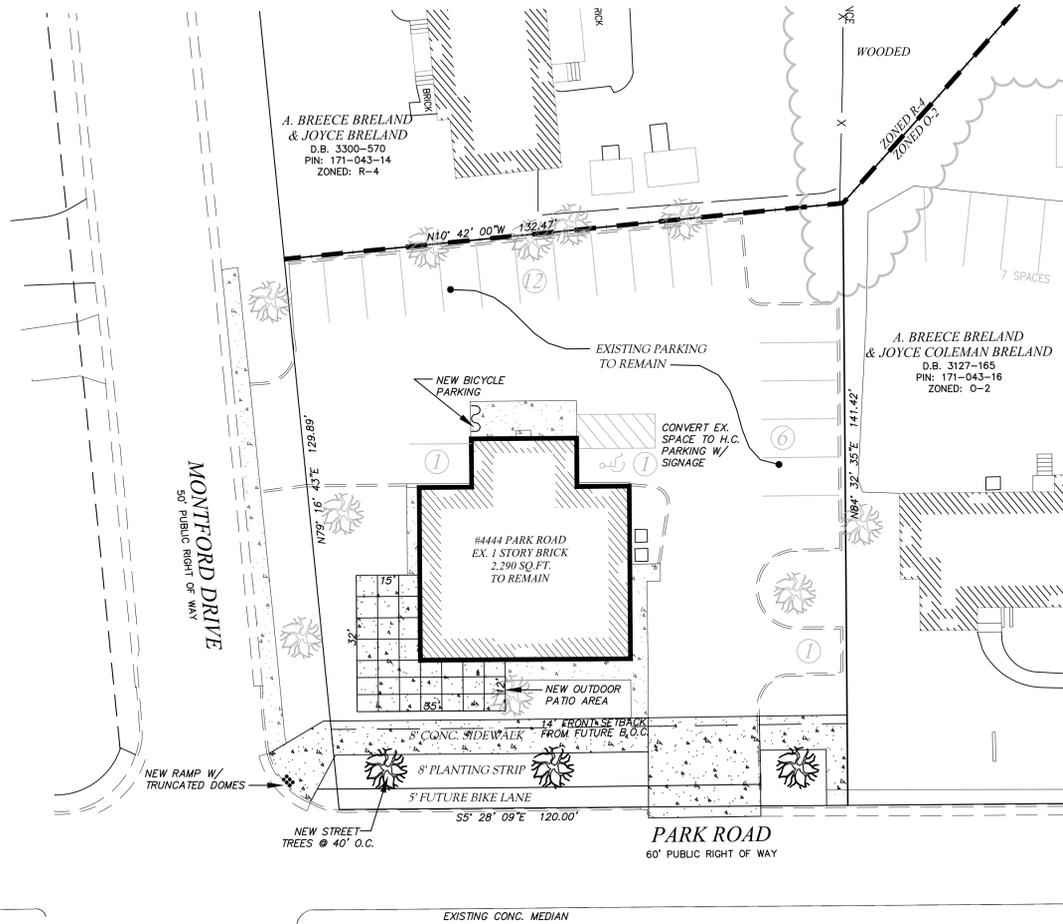
By: Jeff Watson  
Signature of Petitioner

Jeff Watson  
(Name Typed / Printed)



**SITE DEVELOPMENT DATA:**

1. PARCEL ID: 17104315  
DB: 24346, PG. 185  
LEGAL DESC.: L1 B2 M6-411  
SITE AREA: ±0.39 AC.
2. SITE ADDRESS: 4444 PARK ROAD  
CHARLOTTE, NC 28209
3. EXISTING ZONING: O-2  
PROPOSED ZONING: MUDD-0  
EXISTING USE: MEDICAL OFFICE  
PROPOSED USE: RESTAURANT/RETAIL/OFFICE
4. EXISTING BUILDING AREAS: 2,290 S.F.
5. ADDITIONS:  
720 S.F. OUTDOOR PATIO AREA  
BICYCLE PARKING
6. MAXIMUM BUILDING HEIGHT: EXISTING HT. 17.2', MAX. 120'
7. VINYL SIDING WILL BE PROHIBITED AS AN EXTERIOR BUILDING MATERIAL AND EXPANSES OF ANY BLANK WALL WILL NOT EXCEED 20 CONTINUOUS FEET IN LENGTH.
8. SETBACKS:  
FRONT: 14' MIN. FROM FUTURE BACK OF CURB  
SIDE: 0 (10' MIN. BUILDING SEPARATION)  
REAR: 0 (10' MIN. BUILDING SEPARATION)
9. PARKING:  
EXISTING SPACES: 21 SPACES W/ 1 NEW VAN ACCESSIBLE SPACE
10. SURVEY INFORMATION PROVIDED BY:  
R.B. PHARR AND ASSOCIATES  
420 HAWTHORNE LANE, CHARLOTTE, NC 28204



- I. GENERAL PROVISIONS**
- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Chen Development, LLC (the "Petitioner") for an approximately .39 acre site located at the intersection of Montford Drive and Park Road, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is designated as Tax Parcel No. 171-043-15.
  - The development and use 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 MUDD zoning district shall govern the development and use of the Site.
  - The use of the Site will be restricted to the re-use of the existing approximately 2,500 square foot building located on the Site (the "Building"), the related parking areas and the other improvements located on the Site. Notwithstanding the foregoing, an outdoor patio may be constructed on the Site as generally depicted on the Rezoning Plan, and the exterior of the Building may be renovated and/or modified at the option of Petitioner.
  - The Building, as an existing structure, shall not be required to meet the urban design and development standards set out in Section 9.8506 of the Ordinance. Additionally, any renovation of the Building shall not be required to meet these standards.
  - Future amendments to the Rezoning Plan and these Development Standards may be applied by the then Owner or Owners of the Site in accordance with the provisions of Section 6.207 of the Ordinance.
- 2. OPTIONAL PROVISIONS**
- The following optional provisions shall apply to the development of the Site:
- The Site shall not be required to meet the parking lot screening requirements set out in Section 12.303 of the Ordinance.
  - The existing sidewalk located along the Site's frontage on Montford Drive shall remain in place.
  - PERMITTED USES/DEVELOPMENT LIMITATIONS**
  - The Site may only be devoted to the uses set out below (including any combination of such uses), together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUDD zoning district:
    - (1) Eating, drinking and entertainment establishments (Type 1), and eating, drinking and entertainment establishments (Type 2) subject to the applicable regulations of Section 12.546 of the Ordinance;
    - (2) Art galleries;
    - (3) Professional business and general offices;
    - (4) Retail sales; and
    - (5) Beauty shops and barbershops.
  - Accessory drive-in and drive through service windows shall not be permitted on the Site.
  - No additions to or expansions of the Building's existing gross floor area of approximately 2,500 square feet shall be permitted. Notwithstanding the foregoing, an outdoor patio may be constructed on the Site as generally depicted on the Rezoning Plan, and the exterior of the Building may be renovated and/or modified at the option of Petitioner.
  - Eating, drinking and entertainment establishments (Type 1 and Type 2) may not play live, recorded or broadcast music outdoors between the hours of 10 PM and 10 AM.
  - TRANSPORTATION**
  - Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of each access point are subject to any minor modifications required by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.
  - Off-street vehicular parking shall be provided on the Site in accordance with the requirements of the Ordinance. Notwithstanding the foregoing, a minimum of 21 parking spaces shall be located on the Site.
  - Bicycle parking shall be provided on the Site in accordance with the requirements of the Ordinance.
  - STREETScape AND LANDSCAPING/SCREENING**
  - Petitioner shall install a minimum 8 foot planting strip and a minimum 8 foot sidewalk along the Site's frontage on Park Road. The width of the planting strip and the width of the sidewalk may be reduced where the sidewalk tapers into and connects with the existing sidewalks located along Park Road and Montford Drive.
  - The existing sidewalk located along the Site's frontage on Montford Drive shall remain in place.
  - Dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side.
  - LIGHTING**
  - All newly installed freestanding lighting fixtures on the Site (excluding street lights and lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas, landscaped areas and the patio) 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 fixtures installed on the Site shall be 21 feet.
  - Any newly installed lighting fixtures attached to the building on the Site shall be decorative, capped and downwardly directed.
  - BINDING EFFECT OF THE REZONING PETITION**
  - 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.

**LWE**  
LATHAM-WALTERS  
ENGINEERING, INC.  
N.C. CORP. LIC. C-1815  
16507-A NORTH CROSS DRIVE  
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PHONE: (704) 895-8484  
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JUNE 27, 2016

**CHEN  
DEVELOPMENT,  
LLC**

568 JETTON STREET  
SUITE 200  
DAVIDSON, NC 28036  
PH: 704-895-2084

watson@piedmontlanddevelopment.com

**4444 PARK ROAD  
IMPROVEMENTS  
CHARLOTTE, NC 28209**

**PETITION NO. 2016-0XX  
FOR PUBLIC HEARING**

REVISIONS

PROJECT NO.: XXXX.XX  
SCALE:  
DRAWN BY: MRH 1" = 20'  
CHECKED BY: JLW

SHEET NO:

**RZ 1.**