

Rezoning Petition Packet

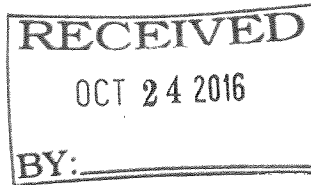
Petitions: **2017-017 through 2017-031**

Petitions that were submitted by November 28, 2016

Staff Review Meeting: **December 15, 2016**

City Public Hearing: **To Be Determined**

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-017

Petition #: _____
Date Filed: 10/24/2016
Received By: Bj

Complete All Fields (Use additional pages if needed)

Property Owner: NODA TERRACE, LLC

Owner's Address: 6000 Fairview Rd. Suite 110 City, State, Zip: Charlotte, NC 28226

Date Property Acquired: May 18th 2016

Property Address: 501 EAST 37th St.

Tax Parcel Number(s): 091-106-01

Current Land Use: Single Family Residence Size (Acres): 0.230

Existing Zoning: UR-3 (CD) via Pet 2005-160 Proposed Zoning: UR-3 (CD) SPA

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

Required Rezoning Pre-Application Meeting* with: Amanda Vari, Sonja Sanders, Monica Holmes
Date of meeting: 9/27/16 Shannon Frye

(*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: This application is submitted to increase the size of the structure from the approved 8,800 sq ft.

Stanley Hines
Name of Rezoning Agent

6000 Fairview Rd. Suite 110
Agent's Address

Charlotte, NC 28210
City, State, Zip

(704) 791-0147
Telephone Number Fax Number

stanhines@carolina.rr.com
E-Mail Address

Gary E. Stephens
Signature of Property Owner

Gary E. Stephens
(Name Typed / Printed)

NODA Terrace, LLC
Name of Petitioner(s)

6000 Fairview Rd. Suite 110
Address of Petitioner(s)

Charlotte, NC 28210
City, State, Zip

(704) 451-4279
Telephone Number Fax Number

gstephens@secapllc.com
E-Mail Address

Gary E. Stephens
Signature of Petitioner

Gary E. Stephens
(Name Typed / Printed)

Development Data

Tax Parcel: #091-106-01
Site Area: 0.23 Acres (10,080 SF)
Current Zoning: UR-3(CD) Pet. #2005-160
Proposed Zoning: UR-3(CD) SPA
Proposed Use: Mixed-use retail and/or office & multi-family (live-work) uses in 2,3, and 4 story building.

Total # Units: 8 D.U. max.
Total Square Footage: 10,000 s.f. max.
Max. Building Ht.: 60 feet
Parking (min.): per UR-3 Ordinance

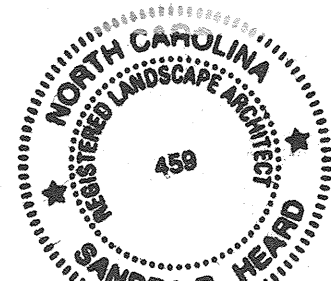
Conditional Notes:

1. THE DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CITY OF CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED BY THIS PLAN IS INTENDED TO REFLECT THE GENERAL ARRANGEMENTS OF THE PROPOSED USES ON THE SITE, BUT THE EXACT DETAILS OF THE CONFIGURATION, PLACEMENT AND SIZE OF THE INDIVIDUAL BUILDING AND/OR SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN LIMITS PRESCRIBED BY THE ORDINANCE AS SPECIFIED IN SECTION 6.20(2). AS MAY BE APPLICABLE, MINOR AND INCIDENTAL CHANGES OF DETAIL WHICH DO NOT ALTER THE BASIC, OVERALL LAYOUT AND/OR RELATIONSHIPS TO ADJUTING PROPERTIES ARE PERMITTED AS A MATTER OF RIGHT, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ZONING ORDINANCE. THE PROPOSED BUILDING CAN BE LOCATED ANYWHERE WITHIN THE BUILDING LIMITS LINE AS DEPICTED ON THIS PLAN.
2. ALL PROPOSED DEVELOPMENT ON THIS PARCEL SHALL COMPLY WITH APPLICABLE ORDINANCE REQUIREMENTS REGARDING THE NUMBER AND ARRANGEMENT OF OFF-STREET PARKING, SETBACKYARD DIMENSIONS, SIGNAGE, TREES, SCREENING, URBAN OPEN SPACE, LANDSCAPING, ETC., UNLESS OTHERWISE INDICATED.
3. ONE POINT OF VEHICULAR ACCESS ONTO E. 37TH STREET WILL BE PERMITTED. THE EXACT LOCATION MAY VARY SLIGHTLY FROM THAT DEPICTED ON THIS SITE PLAN AND WILL BE SUBJECT TO REVIEW AND APPROVAL BY CDOT.
4. ALL USES ALLOWED BY THE UR-3 ZONING DISTRICT, EITHER BY RIGHT OR UNDER PRESCRIBED CONDITIONS, SHALL BE PERMITTED. HOWEVER, ALL RETAIL USES SHALL BE RESTRICTED TO THE GROUND FLOOR AND THE RETAIL USES SHALL BE LIMITED IN FLOOR AREA TO TWO TIMES THE SIZE OF THE COMBINED BUILDINGS FOOTPRINT.
5. THIS DEVELOPMENT SHALL COMPLY WITH THE ZONING ORDINANCE IN REGARDS TO BICYCLE PARKING.
6. NORTH DAVIDSON STREET IS A MINOR THOROUGHFARE INSIDE ROUTE 4 REQUIRING A MINIMUM RIGHT-OF-WAY OF 60 FEET. THE PETITIONER SHALL CONVEY TO THE CITY OF CHARLOTTE IN FEE SIMPLE TITLE MEASURING 30 FEET FROM THE EXISTING CENTERLINE. THIS ADDITIONAL RIGHT-OF-WAY SHALL BE CONVEYED PRIOR TO THE ISSUANCE OF THE INITIAL CERTIFICATE OF OCCUPANCY.
7. THE PETITIONER SHALL INSTALL A NEW 8 FOOT PLANTING STRIP FOLLOWED BY A NEW 6 FOOT SIDEWALK AS MEASURED FROM THE EXISTING BACK OF CURB ALONG NORTH DAVIDSON AND E. 37TH STREETS.
8. STORM WATER FROM THE SITE SHALL BE MANAGED THROUGH PROVEN TECHNIQUES WHICH COMPLY WITH THE STANDARDS OF THE CHARLOTTE-MECKLENBURG STORM WATER DESIGN MANUAL. BECAUSE THE SUBJECT DEVELOPMENT PARCEL IS ± 10,080 SF, IT IS NOT ANTICIPATED THAT STORM WATER DETENTION COMPLIANCE WILL BE REQUIRED.
9. ROOF TOP MECHANICAL EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW.
10. NO WALL PAK LIGHTING SHALL BE ALLOWED.
11. THE PROPOSED BUILDING WILL BE 2 STORIES ADJACENT TO THE ACCESS DRIVEWAY AND WILL BE "STEPPED" TO 3 AND 4 STORIES TOWARDS NORTH DAVIDSON STREET WITHIN THE BUILDING LIMITS LINE.
12. ALL PARKING SHALL BE SCREENED WITH EVERGREEN SHRUBS IN ACCORDANCE WITH ZONING ORDINANCE REQUIREMENTS.
13. A MINIMUM OF ONE OPERABLE DOOR OPENING ONTO N. DAVIDSON AND E. 37TH STREETS SHALL BE REQUIRED. WITH A RECESS AREA OF 15 SQUARE FEET MINIMUM SO THAT THE DOORWAY WON'T SWING INTO THE SIDEWALK. THE GROUND FLOOR ELEVATIONS SHALL INCORPORATE CLEAR VISION GLASS.
14. PETITIONER TO INSTALL PEDESTRIAN SCALE LIGHTING ALONG E. 37TH AND N. DAVIDSON STREET AS PART OF THE DEVELOPMENT OF THIS PROJECT.
15. IF DETACHED LIGHTING IS PROVIDED THE HEIGHT WILL BE LIMITED TO 15 FEET AND THE FIXTURE WILL BE FULLY SHIELDED.
16. NO DETACHED SIGNS SHALL BE PERMITTED.
17. ALL RESTAURANT USES SHALL BE PARKED AT A RATIO OF 1 SPACE PER 125 SF. FINAL PARKING SPACE TOTALS WILL BE DEPENDENT UPON THE FINAL USES. THIS DEVELOPMENT WILL UTILIZE BOTH ON SITE PARKING AS WELL AS ON EXISTING STREET PARKING ON N. DAVIDSON STREET (ONLY).
18. THE PROPOSED MIXED-USE BUILDING WILL HAVE A COMBINATION OF THREE MATERIALS FOR THE EXTERIOR SKIN: MASONRY, WOOD SIDING AND STANDING SEAM METAL SIDING. THE OVERALL DESIGN OF THE BUILDING WILL BE CONTEMPORARY. THERE WILL BE LARGE EXPANSES OF GLASS IN THE GROUND FLOOR RETAIL/OFFICE SPACES AND LARGE EXPANSES OF GLASS IN THE RESIDENTIAL UNITS ON THE SOUTH AND EAST SIDES. FULL LIGHT GLASS DOORS ON THE GROUND FLOOR WILL BE RECESSED. THE MASSING OF THE PROPOSED BUILDING WILL BE SUCH THAT FOUR-STORY ELEMENT WILL FACE NORTH DAVIDSON STREET AND WILL CASCADE DOWN TO A TWO-STORY ELEMENT AT THE REAR OF THE PROPERTY. THIS WILL ALLOW ROOFTOP GARDENS, PATIO AND/OR BALCONIES FOR SOME OF THE UNITS (IF THE BUDGET PERMITS).
19. THE PETITIONER SHALL PROVIDE DECORATIVE STREET FURNITURE TO INCLUDE A BENCH AND A TRASH RECEPTACLE FOR PEDESTRIAN USE IN FRONT OF THE PROPOSED BUILDING ADJACENT TO E. 37TH AND/OR N. DAVIDSON STREETS.
20. THIS DEVELOPMENT SHALL UTILIZE INDIVIDUAL ROLL OUT CONTAINERS FOR REFUSE COLLECTION FOR EACH UNIT. THESE CONTAINERS WILL BE STORED IN A GATED ENCLOSURE ON A CONCRETE PAD AT THE REAR OF THE PROPOSED BUILDING.

NODA Terrace, LLC
6000 Fairview Rd., Suite 110
Charlotte, NC 28210
Ph. 704.451.4271

NODA Terrace

501 E. 37th Street
Charlotte, NC



Edmond
10.24.16

Conditional Rezoning Plan

Petition #2016 -

Illustrative Site Plan

PROJECT NUMBER: 131

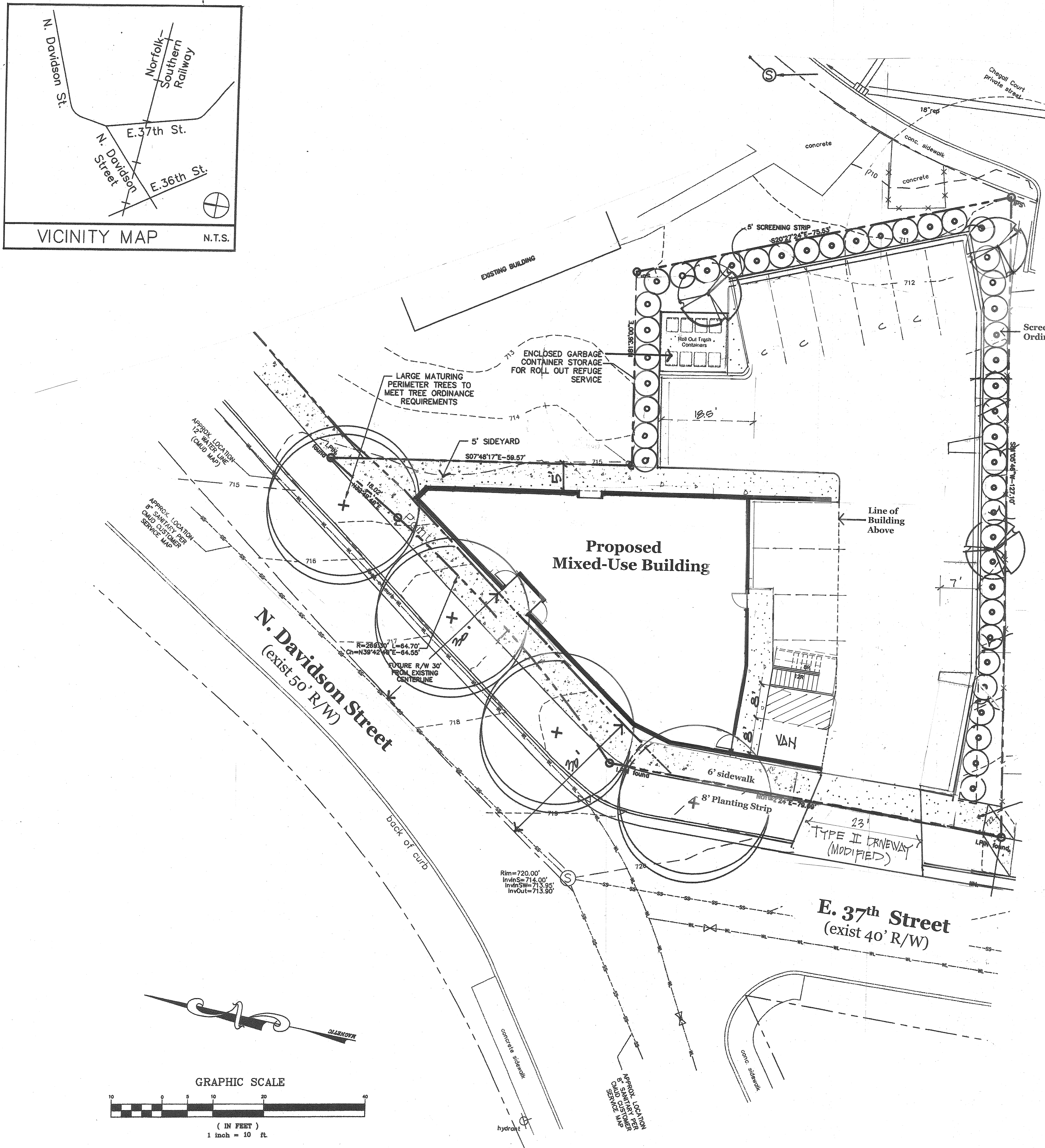
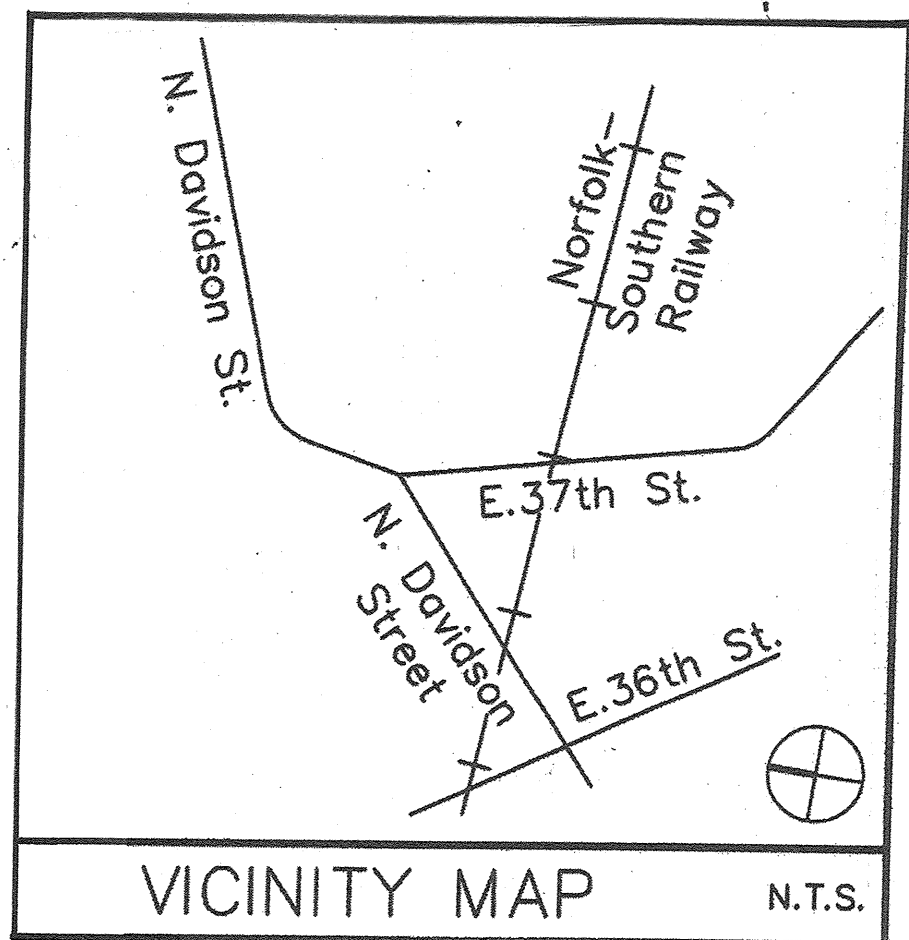
DRAWN BY: SRH

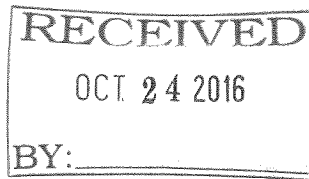
DESIGNED BY: SRH

ISSUE DATE: October 24, 2016

NO. DATE: BY: REVISIONS:

RZ - 1





**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2017-018
Petition #: _____
Date Filed: 10/24/2016
Received By: By

Complete All Fields (Use additional pages if needed)

Property Owner: ROBERT C. PUCKETT AND STEVEN R. MOZELEY

Owner's Address: 6309 BROOKSHIRE BLVD. City, State, Zip: CHARLOTTE, NC 28216

Date Property Acquired: 6/30/15

Property Address: 7716 OLD PLANK ROAD CHARLOTTE, NC 28216

Tax Parcel Number(s): 035-158-02, 035-158-03, AND 035-158-04

Current Land Use: VACANT Size (Acres): +/- 5.958

Existing Zoning: O-1 (CD) and R-3 Proposed Zoning: B3 (CD)

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

Required Rezoning Pre-Application Meeting* with: CLAIRE LYTE-GRAHAM

Date of meeting: 8/30/16

(*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): 5

Purpose/description of Conditional Zoning Plan: MINI STORAGE

THE ISAACS GROUP P.C.

Name of Rezoning Agent

8720 RED OAK BLVD. SUITE 420

Agent's Address

CHARLOTTE, NC 28217

City, State, Zip

(704) 227-9408

Telephone Number

(704) 527-8335

Fax Number

wpugh@isaacsgrp.com

E-Mail Address

Robert C. Puckett
Signature of Property Owner

Steve Mozeley Robert C. Puckett
(Name Typed / Printed)

ROBERT C. PUCKETT AND STEVEN R. MOZELEY

Name of Petitioner(s)

6309 BROOKSHIRE BLVD.

Address of Petitioner(s)

CHARLOTTE, NC 28216

City, State, Zip

(704) 394-0133

Telephone Number

(704) 394-9940

Fax Number

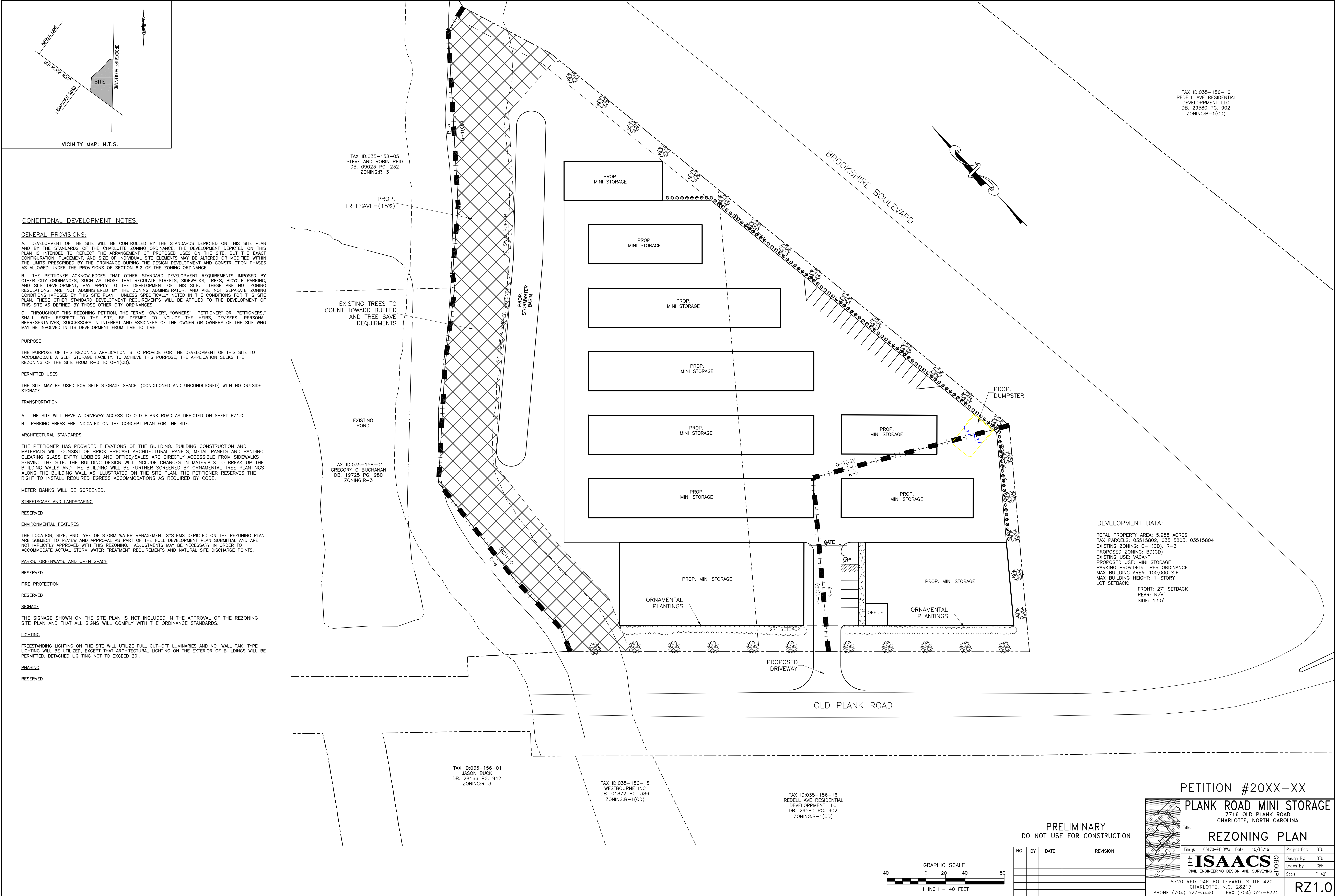
CPuckett@drmozeley.com

E-Mail Address

Robert C. Puckett
Signature of Petitioner

ROBERT C. PUCKETT AND STEVEN R. MOZELEY

(Name Typed / Printed)



CONDITIONAL DEVELOPMENT NOTES:

GENERAL PROVISIONS:

A. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.2 OF THE ZONING ORDINANCE.

B. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, BICYCLE PARKING, AND SITE DEVELOPMENT, MAY APPLY TO THE DEVELOPMENT OF THIS SITE. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR, AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THIS SITE PLAN. UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THIS SITE PLAN, THESE OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THIS SITE AS DEFINED BY THOSE OTHER CITY ORDINANCES.

C. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", "PETITIONER" OR "PETITIONERS," SHALL, WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.

PURPOSE

THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF THIS SITE TO ACCOMMODATE A SELF STORAGE FACILITY. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE FROM R-3 TO O-1(CD).

PERMITTED USES

THE SITE MAY BE USED FOR SELF STORAGE SPACE, (CONDITIONED AND UNCONDITIONED) WITH NO OUTSIDE STORAGE.

TRANSPORTATION

- A. THE SITE WILL HAVE A DRIVEWAY ACCESS TO OLD PLANK ROAD AS DEPICTED ON SHEET RZ1.0.
B. PARKING AREAS ARE INDICATED ON THE CONCEPT PLAN FOR THE SITE.

ARCHITECTURAL STANDARDS

THE PETITIONER HAS PROVIDED ELEVATIONS OF THE BUILDING, BUILDING CONSTRUCTION AND MATERIALS WILL CONSIST OF BRICK PRECAST ARCHITECTURAL PANELS, METAL PANELS AND BANDING, CLEARING GLASS ENTRY LOBBIES AND OFFICE/SALES ARE DIRECTLY ACCESSIBLE FROM SIDEWALKS SERVING THE SITE. THE BUILDING DESIGN WILL INCLUDE CHANGES IN MATERIALS TO BREAK UP THE BUILDING WALLS AND THE BUILDING WILL BE FURTHER SCREENED BY ORNAMENTAL TREE PLANTINGS ALONG THE BUILDING WALL AS ILLUSTRATED ON THE SITE PLAN. THE PETITIONER RESERVES THE RIGHT TO INSTALL REQUIRED EGRESS ACCOMMODATIONS AS REQUIRED BY CODE.

METER BANKS WILL BE SCREENED.

STREETSCAPE AND LANDSCAPING

RESERVED

ENVIRONMENTAL FEATURES

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.

PARKS, GREENWAYS, AND OPEN SPACE

RESERVED

FIRE PROTECTION

RESERVED

SIGNAGE

THE SIGNAGE SHOWN ON THE SITE PLAN IS NOT INCLUDED IN THE APPROVAL OF THE REZONING SITE PLAN AND THAT ALL SIGNS WILL COMPLY WITH THE ORDINANCE STANDARDS.

LIGHTING

FREESTANDING LIGHTING ON THE SITE WILL UTILIZE FULL CUT-OFF LUMINARIES AND NO "WALL PAK" TYPE LIGHTING WILL BE UTILIZED, EXCEPT THAT ARCHITECTURAL LIGHTING ON THE EXTERIOR OF BUILDINGS WILL BE PERMITTED. DETACHED LIGHTING NOT TO EXCEED 20'.

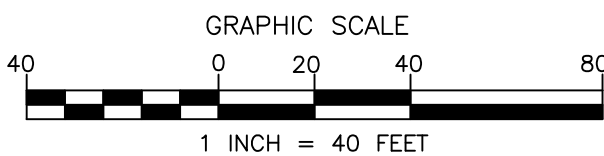
PHASING

RESERVED

DEVELOPMENT DATA:

TOTAL PROPERTY AREA: 5.958 ACRES
TAX PARCELS: 03515802, 03515803, 03515804
EXISTING ZONING: O-1(CD), R-3
PROPOSED ZONING: BD(CD)
EXISTING USE: VACANT
PROPOSED USE: MINI STORAGE
PARKING PROVIDED: PER ORDINANCE
MAX BUILDING AREA: 100,000 S.F.
MAX BUILDING HEIGHT: 1-STORY
LOT SETBACK: FRONT: 27' SETBACK
REAR: N/A
SIDE: 13.5'

PRELIMINARY
DO NOT USE FOR CONSTRUCTION



NO.	BY	DATE	REVISION

ISAACS

CIVIL ENGINEERING DESIGN AND SURVEYING

8720 RED OAK BOULEVARD, SUITE 420
CHARLOTTE, N.C. 28217
PHONE (704) 527-3440 FAX (704) 527-8335

PETITION #20XX-XX

PLANK ROAD MINI STORAGE

7716 OLD PLANK ROAD
CHARLOTTE, NORTH CAROLINA

REZONING PLAN

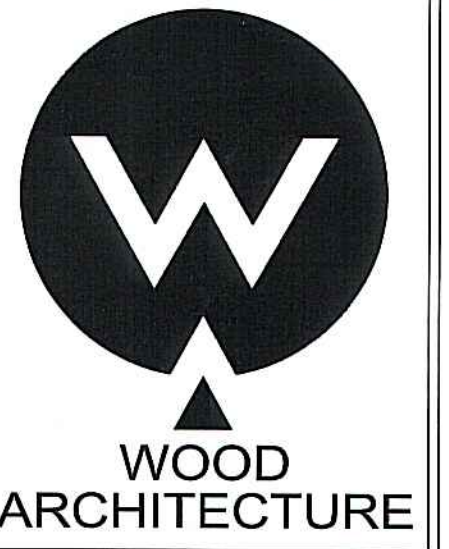
File #: 05170-PB.DWG | Date: 10/18/16 | Project Egr: BTU
Design By: BTU
Drawn By: CBH
Scale: 1"=40'

RZ1.0

1 INCH = 40 FEET

GRAPHIC SCALE

40 0 20 40 80



206 EAST TREMONT AVE.
SUITE A
CHARLOTTE, N.C.
28203
704-358-9393

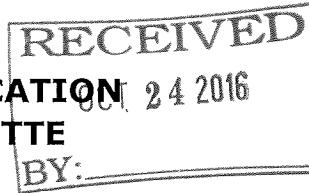


SIDE ELEVATION DIAGRAM



PLANK ROAD ELEVATION DIAGRAM

I. REZONING APPLICATION
CITY OF CHARLOTTE



2017-019

Petition #: ~~2016~~

Date Filed: 10/24/2016

Received By: Bj

Complete All Fields (Use additional pages if needed)

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: Vacant Total Acres: ±16.37

Existing Zoning: R-3 and CC

Proposed Zoning: O-2(CD) and NS

Overlay: Lower Lake Wylie Protected Area Watersheds (LLWPA)
(Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Alberto Gonzalez, Grant Meacci, Josh Weaver, Carlos Alzate

Date of meeting: 10/18/2016

(*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 ~~X~~ No. Number of years (maximum of 5): N/A

Purpose/description of Conditional Zoning Plan: To allow the site to be developed with retail, restaurant, office and hotel uses.

Jeff Brown
Keith MacVean

Name of Rezoning Agent

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

Agent's Address

Charlotte, NC 28202

City, State, Zip

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

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

Telephone Number Fax Number

jeffbrown@mvalaw.com keithmacvean@mvalaw.com

E-mail Address

See Attachment A-E

Signature of Property Owners

Steele-Trojan Properties, LLC (Attn: Muhsin Muhammad)

Name of Petitioner

6100 Fairview Road, Ste 1156

Address of Petitioner

Charlotte, NC 28210

City, State, Zip

704.334.3334

Telephone Number

mmuhammad@axum-partners.com

E-mail Address

See Attachment F

Signature of Petitioner

SCHEDULE 1

	Property Address	Parcel No.	Acreage	Date Acquired	Current Zoning
Steele-Trojan Properties LLC 831 East Morehead St, Ste. 445 Charlotte, NC 28202	N/A	199-59-109	0.197	10/30/2015	R-3
	8900 Gold Medal Circle	199-24-126	1.398	10/30/2015	R-3
	8908 Gold Medal Circle	199-24-125	1.002	10/30/2015	R-3
	4900 Trojan Drive	199-24-124	0.72	1/30/2014	R-3
Muhammad Development Group Inc. 6100 Fairview Road, Ste. 1156 Charlotte, NC 28210	4910 Trojan Drive	199-24-123	0.79	6/19/2008	R-3
	4920 Trojan Drive	199-24-122	0.9	6/19/2008	R-3
	9100 Steele Creek Road	199-24-302	1.914	3/4/2004	R-3
	4917 Trojan Drive	199-24-308	0.337	2/10/2004	R-3
Steele Creek Limited Partnership 6100 Fairview Road Charlotte, NC 28210	N/A	199-24-155	0.919	7/26/2013	CC
Department of Transportation 716 W Main Street Albemarle, NC 28001	N/A	199-24-306	0.5	12/8/1995	R-3
	4901 Trojan Drive	199-24-307	1	12/8/1995	R-3
Samuel M Patterson Jr 198 Willwood Circle Rock Hill, SC 29730	9200 Steele Creek Road	199-24-301	3.761	3/25/1985	R-3

ATTACHMENT A

**REZONING PETITION NO. 2016-
Steele-Trojan Properties LLC**

**PETITIONER JOINDER AGREEMENT
Steele-Trojan Properties LLC**

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

- | | | |
|----|------------------------|------------|
| 1. | N/A | 199-59-109 |
| 2. | 8900 Gold Medal Circle | 199-24-126 |
| 3. | 8908 Gold Medal Circle | 199-24-125 |
| 4. | 4900 Trojan Drive | 199-24-124 |

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcels from the R-3 zoning district to the O-2(CD) and/or NS zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 24th day of October, 2016.

Steele-Trojan Properties LLC

By:

Name:

Title:

Muhsin Muhammad II
Managing Partner

ATTACHMENT B

**REZONING PETITION NO. 2016-
Steele-Trojan Properties LLC**

**PETITIONER JOINDER AGREEMENT
Muhammad Development Group, Inc**

The undersigned, as the owners of the parcel of land:

- | | | |
|----|------------------------|------------|
| 1. | 4910 Trojan Drive | 199-24-123 |
| 2. | 4920 Trojan Drive | 199-24-122 |
| 3. | 9100 Steele Creek Road | 199-24-302 |
| 4. | 4917 Trojan Drive | 199-24-308 |

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcel from the R-3 zoning district to the O-2(CD) and/or NS zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 24th day of October, 2016.

Muhammad Development Group, Inc.

By: Muhsin Muhammad II
Name: Muhsin Muhammad II
Title: Owner

ATTACHMENT D

REZONING PETITION NO. 2016-
Steele-Trojan Properties LLC

PETITIONER JOINDER AGREEMENT
Department of Transportation

The undersigned, as the owners of the parcel of land located:

- | | | |
|----|---|------------|
| 1. | Southwest intersection of Gold Medal Circle
and Trojan Drive | 199-24-306 |
| 2. | 4901 Trojan Drive | 199-24-307 |

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcel from the R-3 zoning district to the O-2(CD) and/or NS zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 24th day of October, 2016.

Department of Transportation

By: Steve Grimes
Name: Steve Grimes
Title: Acting Right of Way Unit Manager

ATTACHMENT E

REZONING PETITION NO. 2016-
Steele-Trojan Properties LLC

PETITIONER JOINDER AGREEMENT
Samuel M Patterson, Jr

The undersigned, as the owners of the parcels of land located at 9200 Steele Creek Road that is designated as Tax Parcel No. 199-24-301 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcels from the R-3 zoning district to the O-2(CD) and/or NS zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 24 day of October, 2016.


Samuel M Patterson, Jr

ATTACHMENT F

REZONING PETITION NO. 2016-128
Steele-Trojan Properties LLC

Steele-Trojan Properties LLC

By: Muhsin Muhammad
Name: Muhsin Muhammad
Title: Managing Partner

ATTACHMENT C

REZONING PETITION NO. 2016-
Steele-Trojan Properties LLC

PETITIONER JOINDER AGREEMENT
Steele Creek (1997), LLC

The undersigned, as the owners of the parcel of land located at the northeast intersection of Trojan Drive and Outlets Boulevard Road that is designated as Tax Parcel No. 199-24-155 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcel from the CC zoning district to the O-2(CD) and/or NS zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

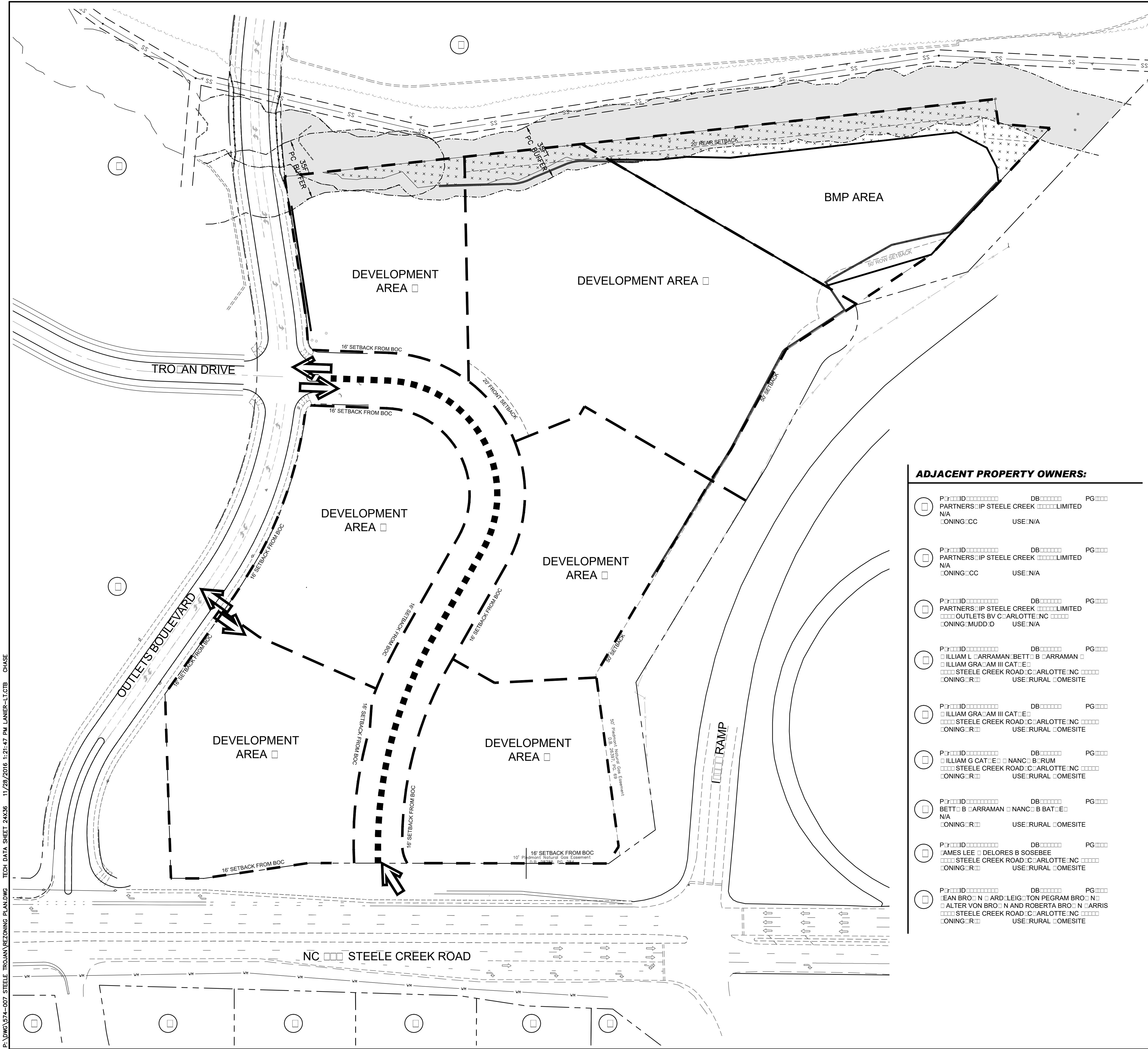
This _____ day of October, 2016.

Steele Creek (1997), LLC

By: _____

Name: Sally Gambrell

Title: Manager



SITE DEVELOPMENT DATA

- ACREAGE: ± 14.958 ACRES
- TAX PARCEL: [Parcel ID] AND [Parcel ID]
- EXISTING ZONING: R-LL, PA, CC, LL, PA
- PROPOSED ZONING: O-CD, LL, PA, AND NS, LL, PA
- EXISTING USES: VACANT
- PROPOSED USES: RETAIL EATING DRINKING ENTERTAINMENT ESTABLISHMENTS, GENERAL AND MEDICAL OFFICE USES, AN AUTOMOTIVE SERVICE STATION, IT, OR IT OUT A CONVENIENCE STORE AS ALLOWED IN THE ZONING DISTRICT AND A HOTEL AND GENERAL AND MEDICAL OFFICE USES AS ALLOWED IN THE ZONING DISTRICT TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE NS AND O-CD ZONING DISTRICTS AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION [Section]
- MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO [Square Feet] SQUARE FEET OF GROSS FLOOR AREA WITHIN THE PORTION OF THE SITE ZONED NS AND A HOTEL WITH UP TO [Rooms] ROOMS OR [Square Feet] SQUARE FEET OF GROSS FLOOR AREA OF GENERAL OR MEDICAL OFFICE USES IN THE PORTION OF THE SITE ZONED O-CD AND AS ALLOWED BY THE CONVERSION PROVISIONS BELOW
- MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE
- PARKING: PARKING WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE

ADJACENT PROPERTY OWNERS:

[Parcel ID]	DB	PG
PARTNERSHIP STEELE CREEK LIMITED		
N/A		
ZONING: CC	USE: N/A	

[Parcel ID]	DB	PG
PARTNERSHIP STEELE CREEK LIMITED		
N/A		
ZONING: CC	USE: N/A	

[Parcel ID]	DB	PG
PARTNERSHIP STEELE CREEK LIMITED		
OUTLETS BY CHARLOTTE, NC		
ZONING: MUDD	USE: N/A	

[Parcel ID]	DB	PG
WILLIAM L. ARRAMAN, BETTIE B. ARRAMAN		
WILLIAM GRAM III, CATIE		
STEELE CREEK ROAD, CHARLOTTE, NC		
ZONING: R	USE: RURAL HOMESITE	

[Parcel ID]	DB	PG
WILLIAM GRAM III, CATIE		
STEELE CREEK ROAD, CHARLOTTE, NC		
ZONING: R	USE: RURAL HOMESITE	

[Parcel ID]	DB	PG
WILLIAM G. CATIE, NANCY B. RUM		
STEELE CREEK ROAD, CHARLOTTE, NC		
ZONING: R	USE: RURAL HOMESITE	

[Parcel ID]	DB	PG
BETTIE B. ARRAMAN, NANCY B. BATIE		
N/A		
ZONING: R	USE: RURAL HOMESITE	

[Parcel ID]	DB	PG
JAMES LEE, DELORES B. ROSEBEE		
STEELE CREEK ROAD, CHARLOTTE, NC		
ZONING: R	USE: RURAL HOMESITE	

[Parcel ID]	DB	PG
JEAN BROOK, ARDLEIGH TON PEGRAM BROOK		
ALTER VON BROOK, N. AND ROBERTA BROOK, N. ARRIS		
STEELE CREEK ROAD, CHARLOTTE, NC		
ZONING: R	USE: RURAL HOMESITE	

TREE SAVE / NATURAL AREA

A MINIMUM OF 10% OF THE SITE SHALL BE PRESERVED AND/OR MITIGATED AS TREE SAVE AREA AS DEFINED BY THE ORDINANCE.

A MINIMUM OF 10% OF THE SITE SHALL BE PRESERVED AND/OR MITIGATED AS NATURAL AREA AS DEFINED BY THE ORDINANCE.

LEGEND

O-CD

NS

POSSIBLE TREE SAVE AREA

SIM BUFFER

North Carolina

Call Before You Dig

800-632-4949

GRAPHIC SCALE

(IN FEET)

1 inch = 60 ft.

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BURTON ENGINEERING ASSOCIATES

CIVIL ENGINEERS LAND PLANNERS

5950 Fairview Rd. • Suite 100 • Charlotte, NC 28210
(704) 553-8881 • Fax (704) 553-8860
Firm License #C-1157

Seal

PROJECT STEELE - TROJAN

CITY OF CHARLOTTE, NC

TECHNICAL DATA SHEET

Project

Engineer

ChB/KT

Drawn By

11/28/2016

Date

Revisions

Project Number

574-007

Sheet

RZ1.0

Sheet
RZ2.0

STEELE TROJAN DEVELOPMENT, LLC
DEVELOPMENT STANDARDS
10/24/2016
REZONING PETITION NO. 2016-000

General Provisions

a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Steele Trojan Development LLC ("Petitioner") to accommodate the development of the Site with up to 35,000 square feet of gross floor area of retail, EDEE, a gas station with or without a convenience store and general and medical office uses as allowed in the NS zoning district, and a hotel with 180 rooms or 50,000 square feet of gross floor area of general or medical office uses as allowed in the O-2 zoning district on approximately 14.958 acre site located on Steele Creek Road between I-485 and Outlets Boulevard (the "Site").

b. **Coning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the NS and O-2 zoning classification shall govern.

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

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

- 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 Accessor**. The total number of principal buildings to be developed on the Site shall not exceed eight (8). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site.

Permitted Uses Development Area Limitation

a. The Site may be developed with up to 35,000 square feet of gross floor area of retail, EDEE, a gas station with or without a convenience store, and general or medical office uses on the portion of the Site zoned NS, and as allowed in the NS zoning district, together with accessory uses as allowed in the NS zoning district.

b. On the portion of the Site zoned O-2(CD) a hotel with up to 180 hotel rooms or up to 50,000 square feet of gross floor area of general or medical office uses as allowed in O-2 zoning district, together with accessory uses as allowed in the O-2 zoning district.

c. Up to two (2) EDEE with accessory drive-through windows will be allowed on the portion of the Site zoned NS. The allowed EDEE with an accessory drive-through window must contain at least 5,000 square feet of gross floor area in order to have an accessory drive-through window.

d. Within the portion of the Site zoned O-2 either: a hotel with 180 rooms may be constructed, or up to 50,000 square feet of general or medical office uses may be constructed in lieu of the allowed 180 hotel rooms.

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, 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).

Access and Transportation

a. Access to the Site will be from NC 160 Steele Creek Road and from Outlets Boulevard in the manner generally depicted on the Rezoning Plan. Access and connections to the Site from the internal public street will also be allowed as generally depicted on the Rezoning Plan, more or fewer connections to the internal public street will be allowed subject to CDOT approval.

b. The Petitioner will construct a new public street on the Site from Steele Creek Road to Outlets Boulevard as generally depicted on the Rezoning Plan.

c. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by CDOT in accordance with applicable published standards.

d. 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.

Transportation Improvements and Access

Proposed Improvements

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

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

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

To be Completed upon the Completion of the Traffic Impact Analysis for the Site.

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 and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad northwest Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

Phasing and Substantial Compliance.

i. **Development Areas ---- and - - .** The Petitioner will be allowed to obtain a certificate of occupancy for any one or all of the buildings located within Development Areas ---- and - upon the substantial completion of the following improvements:

To be Completed upon the completion of the Site's TIA.

c. **Substantial Completion.** Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.II.b. above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.II.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.

d. **Right of 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.

e. **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. The proposed signalized directional cross-over along Providence Road may not be replaced with other improvements.

f. In connection with improvements to Mt. Holly-Huntersville Road, a major-thoroughfare, the Petitioner reserve the right to request the maximum reimbursement amount permitted under CDOT policy.

Architectural Standards

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

b. Architectural and Design Controls

i. Buildings fronting on the existing and proposed public streets will be articulated such that expanses of solid walls exceeding 20 linear feet will be avoided with either horizontal and vertical variations in wall planes, materials and/or building color. A blank wall is a façade that does not add to the character of the streetscape and does not contain transparent windows or door or sufficient ornamentation, decoration or articulation. When this approach is not feasible architectural elements must be used on the building façade at street level. Elements may include, but are not limited to: molding string courses belt courses changes in material or color architectural lighting works of art display areas, porches, or stoops

ii. Facades fronting on public streets shall include a minimum of 40% transparent glass between zero feet (0') and ten feet (10') on the first floor. Shadow boxes or window graphics may be utilized behind transparent glass to screen bathrooms, back of house or kitchens.

iii. 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 throughout the Site.

iv. 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 the Site 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.

c. Meter banks will be screened from view from each of the abutting public streets. HVAC and related mechanical equipment will be screened from public view and from view of each of the abutting public streets at grade.

d. The service side of the buildings may not be oriented towards Steele Creek Road.

Streetscape Buffersards and Landscaping

a. Along the Site's frontage on Steele Creek Road, Outlets Boulevard, and the new internal public street the Petitioner will provide an eight (8) foot planting strip and an eight (8) foot sidewalk as generally depicted on the Rezoning Plan.

b. A 16 foot setback as measured from the future back of curb (Steele Creek Road and the new public street) or existing back of curb (Outlets Boulevard) will be provided. Along I-485 a 50 foot setback will be established as measured from the existing right-of-way line.

c. The Petitioner will provide a sidewalk network that links each building on the Site to the sidewalks along the street or streets that each site abuts in the manner generally depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.

d. Screening requirements of the Ordinance will be met.

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

f. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.

Environmental Features

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

b. The Site will comply with the Tree Ordinance.

Signage

a. Reserved.

Lighting

a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

b. Detached lighting on the Site will be limited to 26 feet in height.

Amendments to the Rezoning Plan

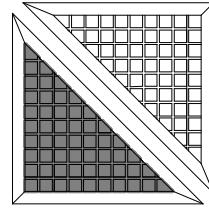
a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

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.

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BURTON
ENGINEERING
ASSOCIATES



CIVIL ENGINEERS
LAND PLANNERS
5950 Fairview Rd. • Suite 100 • Charlotte, NC 28210
(704) 553-8881 • Fax (704) 553-8860
Firm License #C-1157

Seal

PROJECT STEELE - TROJAN
CITY OF CHARLOTTE, NC

DEVELOPMENT STANDARDS

Project

Sheet
Title

CTB
Engineer
ChB/KT
Drawn By
11/28/16
Date

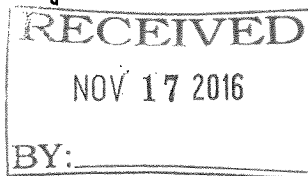
Revisions

Project Number
574-007

Sheet

RZ3.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-020

Petition #:	_____
Date Filed:	11/17/2016
Received By:	Bjt

Complete All Fields (Use additional pages if needed)

Property Owner: BAXTER-BOWERS PROPERTIES LLC, TM-BAXTER PROPERTIES LLC
Owner's Address: 2833 NELLIE BEAVER RD City, State, Zip: MT PLEASANT, NC 28124
Date Property Acquired: 11/13/12
Property Address: 9233 NATIONS FORD RD
Tax Parcel Number(s): 20517110, 20517111
Current Land Use: VACANT Size (Acres): 4.97
Existing Zoning: R-17 MF Proposed Zoning: 1-1(2)
Overlay: _____ (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: _____
Date of meeting: _____

(*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: _____

PETER KATZ 704-632-1022

Name of Rezoning Agent

PETER.KATZ@SUN.COM

Agent's Address

City, State, Zip

Telephone Number

Fax Number

E-Mail Address

William Baxter

Signature of Property Owner

William Baxter

(Name Typed / Printed)

STEVE YOUNG

Name of Petitioner(s)

319 OLD HEBRON RD

Address of Petitioner(s)

CHARLOTTE, NC 28273

City, State, Zip

704-529-6234

Telephone Number

Fax Number

STEVE@DISTINCTIVECABINETS.COM

E-Mail Address

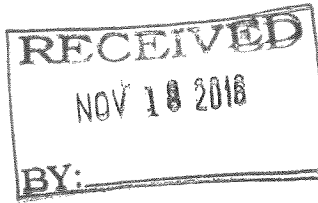
STEVE H. YOUNG

Signature of Petitioner

STEVEN H. YOUNG

(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-021
Petition #: _____
Date Filed: 11/18/2016
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Carmel Road, LLC

Owner's Address: PO Box 35193 City, State, Zip: Charlotte, NC 28235

Date Property Acquired: 2014

Property Address: 6300 Carmel Rd.,

Tax Parcel Number(s): 20924145

Current Land Use: Office/restaurant Size (Acres): Approx. 7 acres

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

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

Required Rezoning Pre-Application Meeting* with: John Kinley et.al.

Date of meeting: 8/16/16

(*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): 5

Purpose/description of Conditional Zoning Plan: Redevelopment of existing former post office site.

Walter Fields
Name of Rezoning Agent

1919 South Blvd., suite 101
Agent's Address

Charlotte, NC 28203
City, State, Zip

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

waltr@walterfieldsgroup.com
E-Mail Address

Signature of Property Owner

(Name Typed / Printed)

RED Partners
Name of Petitioner(s)

711 Central Ave.

Address of Petitioner(s)

Charlotte, NC 28204
City, State, Zip

704-374-9998 704-333-7993
Telephone Number Fax Number

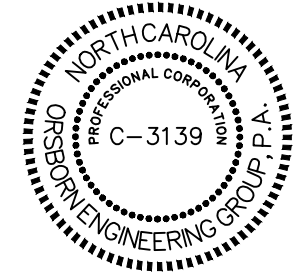
judd@redpart.com
E-Mail Address

[Signature]
Signature of Petitioner

E. JUDSON (JUDD) McADAMS
(Name Typed / Printed)

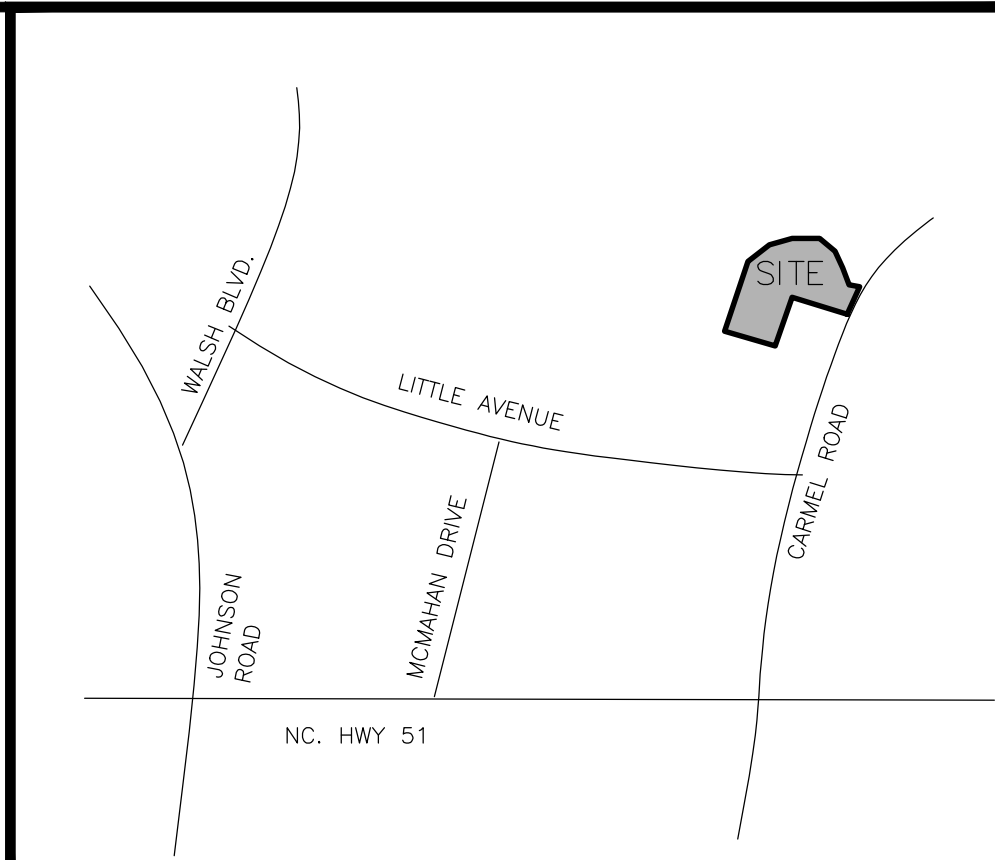
FOR
6300 CARMEL ROAD
CHARLOTTE, NORTH CAROLINA

RED PARTNERS, LLC
711 CENTRAL AVE.
CHARLOTTE, NC 28204

[illegible]

JOB #	16026
DATE:	11/09/16
SCALE:	1" = 40'
DRAWN BY:	JAW
APPROVED BY:	JCO

RZ-1



VICINITY MAP
NOT TO SCALE



1. Development Data Table
 - a. Site Area: 6,942 acres
 - b. Tax Parcel: 209224145
 - c. Existing Zoning: O-1
 - d. Proposed zoning: MUDD-O
 - e. Existing Use: Retail/Office
 - f. Proposed Use: All uses allowed in MUDD-O.
 - g. Residential Units/Housing Type: As allowed by the Ordinance
 - h. Residential Density: As-allowed by the Ordinance
 - i. Square Footage of Non-Residential:
 - j. Floor Area Ratio: As required or allowed by the Ordinance
 - k. Maximum Building Height: As allowed by the Ordinance
 - l. Parking: As required by the Ordinance
 - m. Open Space: As required by the Ordinance

General Provisions.

- a. The exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases as allowed under the provisions of Section 6.207 of the Zoning Ordinance.
- b. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate the use of bicycles parking, and site development, may apply to the development of this site. These are not zoning regulations and are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Even if specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other ordinances and regulations that apply.
- c. Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners" shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.

Purpose

To redevelop a tract of land for a combination of uses including limited retail, restaurant, office, neighborhood services, and conditioned storage. The development may be done at one time or may be done in phases. In that context, the Petitioner is requesting 5 year vesting.

Permitted Uses

Uses allowed on the property included in this Petition are those uses that are permitted in the Mixed Use Development District (MUDD) except as may be further limited by the specific provisions of this site plan. The Petitioner is seeking the approval of a MUDD-O request for the following uses: The elimination of the requirement for retail space within the storage building as it does not address any public street and to allow parking between buildings on the site and the public street that adjoins the site.

Transportation

- a. The site will utilize a private street and private driveway connections to Carmel Rd., as generally depicted on the concept site plans
- b. Parking areas are generally depicted on the concept plan for the site but may be allowed within any area defined by the building/parking envelop.

Architectural Standards

Reserved.

Streetscape and Landscaping

Reserved.

Environmental Features

Reserved

Parks, Greenways, and Open Space

Reserved

Fire Protection

Reserved

Signage

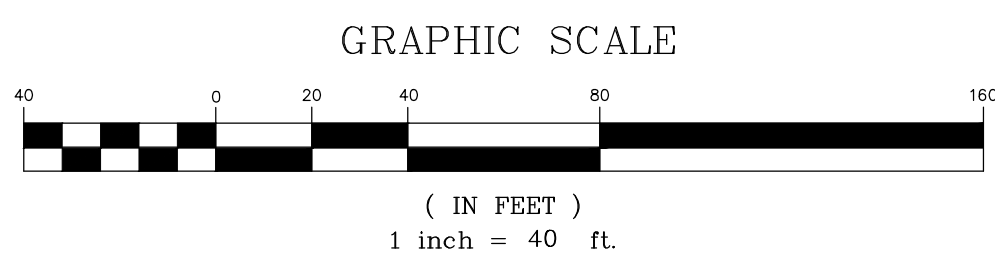
Reserved

Lighting

- a. New freestanding lighting on the site will be limited to 25' in total height and will utilize full cut-off luminaries. No "wall pak" type lighting will be utilized, except that architectural lighting on the exterior of buildings will be permitted.

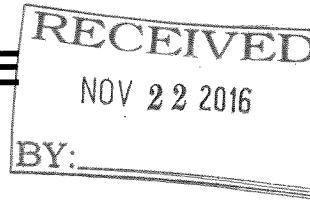
Phasing

The initial redevelopment of the site will include the construction of a conditioned storage building. Other development/redevelopment of the site will occur as various leases are terminated and as market conditions allow and may include the reuse of existing buildings and/or the replacement of existing buildings with new buildings and parking.



**ZONING ORDINANCE
TEXT AMENDMENT APPLICATION**

CITY OF CHARLOTTE



2017-022

FY2016
Petition #:
Date Filed: 11/22/2016
Received By: BK
Office Use Only

Section # 2.201

Definitions

Purpose of Change: The purpose of the text amendment is to delete the requirement that lots with outdoor recreation uses must front on a thoroughfare.

Keith Merritt
Name of Agent
201 South College St Suite 2020
Agent's Address
Charlotte NC 28244
City, State, Zip
704-344-1117
Telephone Number Fax Number
kmerritt@lawhssm.com
E-Mail Address

Signature of Agent

Shaynah Jerrell
Name of Petitioner(s)
1026 Leigh Ave Apt 6
Address of Petitioner(s)
Charlotte NC 28209
City, State, Zip
919-360-0375
Telephone Number Fax Number
shaynayunc@aol.com
E-Mail Address

Shaynah Jerrell
Signature

Petition No. 2016-
Petitioner:

**AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE –ZONING ORDINANCE**

ORDINANCE NO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

1. PART 2: DEFINITIONS

- a. Amend Section 2.201, "Definitions", by modifying the definition for outdoor recreation by deleting the phrase, "and the lot on which such temporary enclosure is located shall have frontage on a thoroughfare." The revised section shall read as follows:

Outdoor recreation.

Outdoor recreation uses include public or private golf courses, swimming pools, tennis courts, ball fields, ball courts, and similar uses which are not enclosed in buildings and are operated on a commercial or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. However, the use of temporary enclosures for swimming pools shall be permitted for periods not exceeding six (6) months in any calendar year, provided such temporary enclosures do not exceed thirty feet (30') in height, ~~and the lot on which such temporary enclosure is located shall have frontage on a thoroughfare.~~ "Outdoor recreation" shall include any accessory uses, such as snack bars, pro shops, clubhouses, country clubs or similar uses, which are designed and intended primarily for the use of patrons of the principal recreational use, as well as those structures and uses that are not designed and intended for the use of patrons, but are used for the maintenance and servicing of such facilities. Outdoor recreation shall not include commercial outdoor amusement or open space recreational uses, such as greenways and other passive parks.

Section 2. That this ordinance shall become effective upon its adoption.

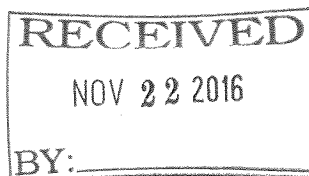
Approved as to form:

City Attorney

I, _____, City Clerk of the City of Charlotte, North Carolina, DO
HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted
by the City Council of the City of Charlotte, North Carolina, in regular session convened
on the _____ day of _____, 2017, the reference having been made in Minute Book _____,
and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this
_____ day of _____, 2017.

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-023

Petition #: _____
Date Filed: 11/22/2016
Received By: B+

Complete All Fields (Use additional pages if needed)

Property Owner: JoAnn Freeman, Forrest Cooper Freeman III, Linda R. Freeman, Charles William Shubert, Pamela R. Shubert, Joseph M. Mazzotta (executor for estate of Lillian Mazzotta)

Owner's Address: 9501, 9601, 9605, 9617 Steele Creek Rd and 7214 Bedfordshire City, State, Zip: Charlotte, NC 28273, 28226

Date Property Acquired: 1/1/1975, 6/30/1986

Property Address: 9501, 9601, 9605, 9617, and unnumbered parcel on Steele Creek Rd, Charlotte, NC 28273

Tax Parcel Number(s): 20109107, 20109105, 20109117, 20109106, 20109115

Current Land Use: Single family, vacant Size (Acres): +/- 24.6 acres

Existing Zoning: R-3 Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Josh Weaver, Alberto Gonzalez, Carlos Alzate
Date of meeting: 10/11/16

(*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): Yes, 5 years.

Purpose/description of Conditional Zoning Plan: to accommodate a mixed use development which may include multifamily residential, grocery, retail, hotel, and/or office uses

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

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

Charlotte, NC 28202
City, State, Zip

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

Collin.Brown@klgates.com
E-Mail Address

[See Attached Joinder Agreement]
Signature of Property Owner

(Name Typed / Printed)

LG Acquisitions, LLC
Name of Petitioner(s)

5970 Fairview Road, Suite 450
Address of Petitioner(s)

Charlotte, NC 28210
City, State, Zip

980-533-4700
Telephone Number Fax Number

BNicholson@leoncapitalgroup.com
E-Mail Address

Todd Harrison
Signature of Petitioner

Todd Harrison
(Name Typed / Printed)


REZONING PETITION NO. 2016-_____

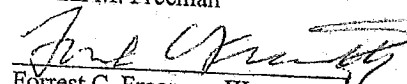
LG ACQUISITIONS LLC, PETITIONER

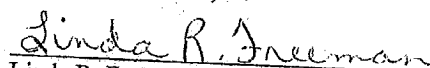
JOINDER AGREEMENT

The undersigned, as the owners of those parcels of land located on Steele Creek Road and Dixie River Road Extension in the City of Charlotte, Mecklenburg County, North Carolina that are designated as Tax Parcel Numbers 201-091-07, 201-091-05, 201-091-17, 201-091-06, and 201-091-15 on the Mecklenburg County Tax Maps and which are the subject of the attached Rezoning Application (the "Property"), hereby joins in this Rezoning Application and consents to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 18 day of November, 2016.


Jo Ann M. Freeman


Forrest C. Freeman, III


Linda R. Freeman

Charles W. Shubert

Pamela R. Shubert

Joseph M. Mazzotta
Executor for estate of Lillian Mazzotta

REZONING PETITION NO. 2016-_____

LG ACQUISITIONS LLC, PETITIONER

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This 17 day of November, 2016.

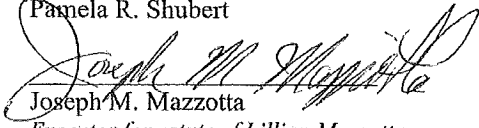
Jo Ann M. Freeman

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REZONING PETITION NO. 2016-_____

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Forrest C. Freeman, III

Linda R. Freeman

Charles W. Shubert

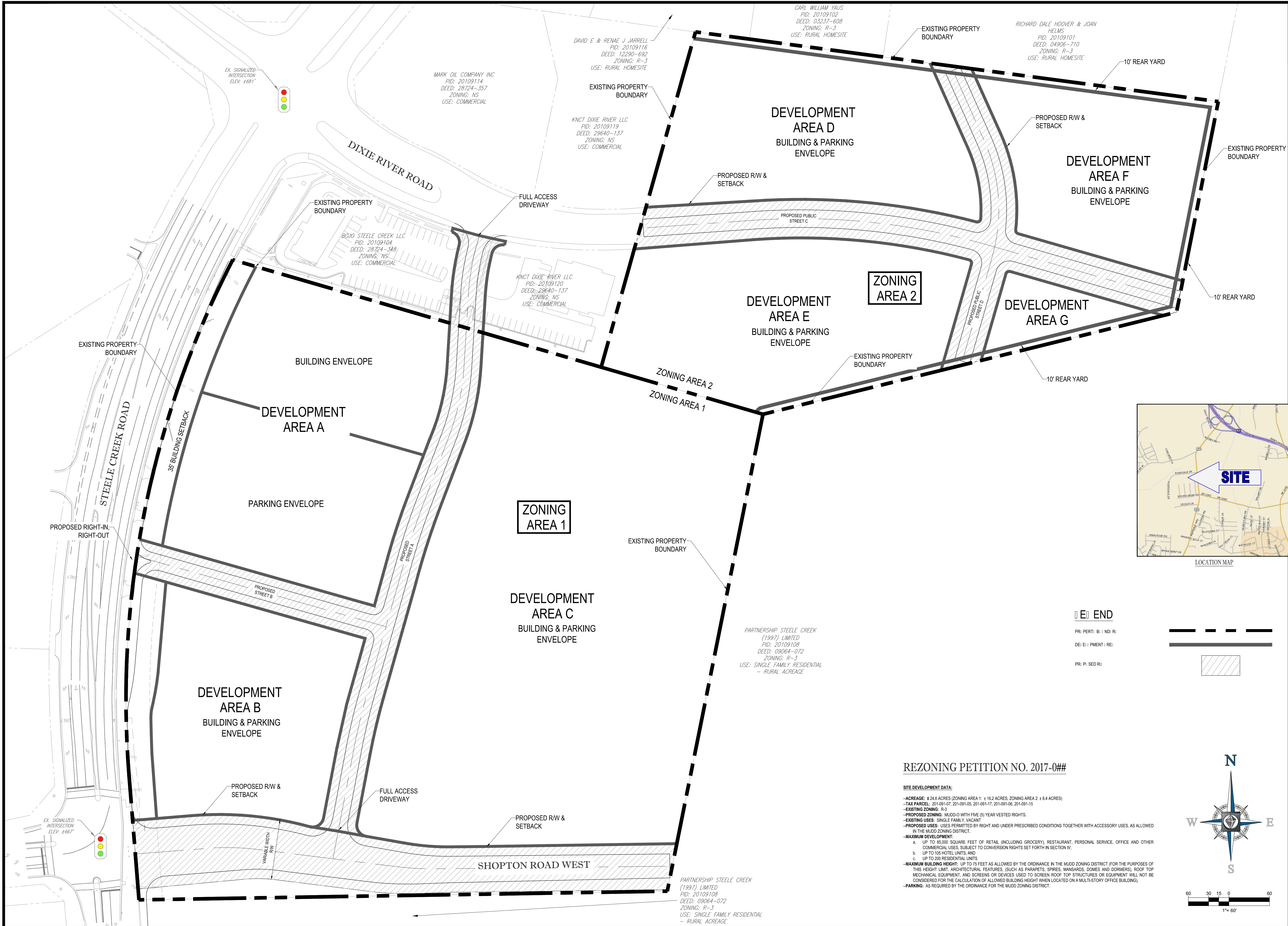
Charles W. Shubert

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Joseph M. Mazzotta

Executor for estate of Lillian Mazzotta



BOHLER
ENGINEERING NC, PLLC

STATE OF NORTH CAROLINA
LAND SURVEYING
SUSTAINABLE DESIGN
PROGRAM MANAGER
PERMITTING SERVICES
TRANSPORTATION SERVICES
NORTHERN VIRGINIA
LEHIGH VALLEY, PA
NEW YORK CITY
REHOBOTH BEACH, DE
BALTIMORE, MD
SOUTHERN MARYLAND
CHARLOTTE, NC
RALEIGH, NC
TAMPA, FL

REVISIONS			
REV	DATE	COMMENT	BY

KNOW WHAT'S BELOW
ALWAYS CALL 811
BEFORE YOU DIG

It's fast. It's free. It's the law.

NOT APPROVED FOR
CONSTRUCTION

PROJECT No.: NCC162008
DRAWN BY: PMK
CHECKED BY: GPP
DATE: 11/22/2016
SCALE: 1"=60'-0"
CAD I.D.: NCC162008RZ12

PROJECT: STEELE CREEK
CROSSING

FOR
LG
ACQUISITIONS,
LLC

LOCATION OF SITE
STEELE CREEK ROAD
CITY OF CHARLOTTE, NC

BOHLER
ENGINEERING NC, PLLC

NOBLE P-1132

1927 S. TRYON STREET, SUITE 310
CHARLOTTE, NC 28203
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com

SHEET TITLE:

TECHNICAL
DATA
SHEET

SHEET NUMBER:

RZ-1



END

PR: PERT: B: I: ND: R:

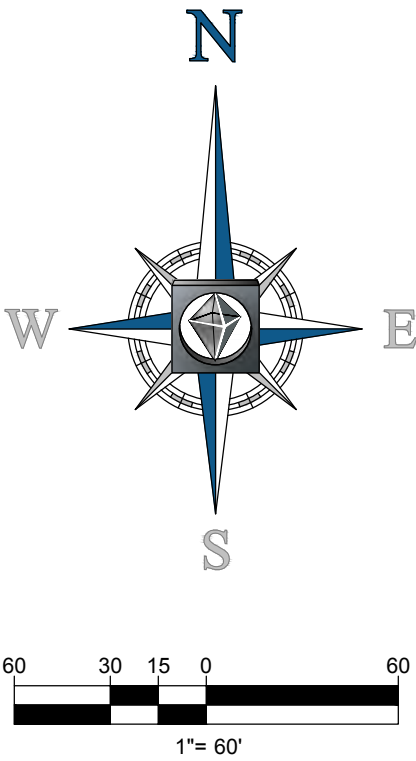
DE: E: P: MENT: I: RE:

PR: P: SED: R:

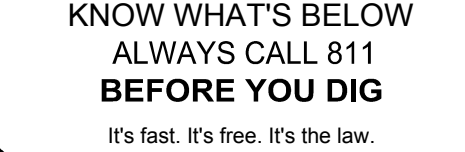
REZONING PETITION NO. 2017-0##

SITE DEVELOPMENT DATA:

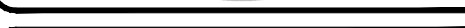
--ACREAGE: ± 24.6 ACRES (ZONING AREA 1: ± 16.2 ACRES, ZONING AREA 2: ± 8.4 ACRES)
--TAX PARCEL: 201-091-07, 201-091-05, 201-091-17, 201-091-06, 201-091-15
--EXISTING ZONING: R-3
--PROPOSED ZONING: MUDD-O WITH FIVE (5) YEAR VESTED RIGHTS.
--EXISTING USES: SINGLE FAMILY, VACANT
--PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT.
--MAXIMUM DEVELOPMENT:
a. UP TO 85,000 SQUARE FEET OF RETAIL (INCLUDING GROCERY), RESTAURANT, PERSONAL SERVICE, OFFICE AND OTHER COMMERCIAL USES, SUBJECT TO CONVERSION RIGHTS SET FORTH IN SECTION IV;
b. UP TO 165 HOTEL UNITS; AND
c. UP TO 200 RESIDENTIAL UNITS
--MAXIMUM BUILDING HEIGHT: UP TO 75 FEET AS ALLOWED BY THE ORDINANCE IN THE MUDD ZONING DISTRICT (FOR THE PURPOSES OF THIS HEIGHT LIMIT, ARCHITECTURAL FEATURES, SUCH AS PARAPETS, SPIRES, MANAROS, DOMES AND DORMERS), ROOF TOP MECHANICAL EQUIPMENT, AND SCREENS OR DEVICES USED TO SCREEN ROOF TOP STRUCTURES OR EQUIPMENT WILL NOT BE CONSIDERED FOR THE CALCULATION OF ALLOWED BUILDING HEIGHT WHEN LOCATED ON A MULTI-STORY OFFICE BUILDING).
--PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD ZONING DISTRICT.



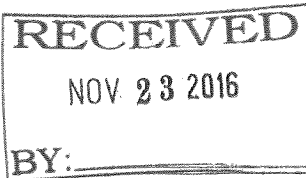
THE INFORMATION, DESIGN AND CONTENT OF THIS PLAN ARE PROPRIETARY AND SHALL NOT BE COPIED OR USED FOR ANY PURPOSE WITHOUT PRIOR WRITTEN AUTHORIZATION FROM THE COMPANY.







**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-024

Petition #:	_____
Date Filed:	11/23/2016
Received By:	BK

Complete All Fields (Use additional pages if needed)

Property Owner: Habitat for Humanity of Charlotte Inc

Owner's Address: PO Box 220287 City, State, Zip: Charlotte, NC 28222

Date Property Acquired: 1/25/2011

Property Address: 120 Bingham Drive, Charlotte, NC

Tax Parcel Number(s): 09105108

Current Land Use: Vacant Size (Acres): 3.68

Existing Zoning: UR-2 (CD) Proposed Zoning: UR-2 (CD) - SPA

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders

Date of meeting: 10/25/16

(*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): 5

Purpose/description of Conditional Zoning Plan: Apartment building and town homes for affordable housing (60% Area Median Income)

Kevin Ammons - ColeJenest & Stone

Name of Rezoning Agent

200 South Tryon Street, Suite 1400

Agent's Address

Charlotte, NC 28202

City, State, Zip

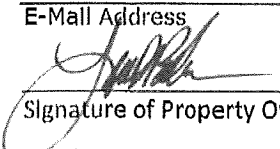
704-971-4546

Telephone Number

Fax Number

kammons@colejeneststone.com

E-Mail Address


Signature of Property Owner

Laura D. Baerner
(Name Typed / Printed)

Jimmy Royster - Mosaic Development Group

Name of Petitioner(s)

4600 Park Road, Suite 390

Address of Petitioner(s)

Charlotte, NC 28209

City, State, Zip

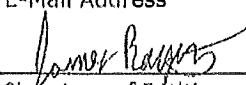
704-342-3316

Telephone Number

Fax Number

JRoyster@mosaicdevelopmentgroup.org

E-Mail Address


Signature of Petitioner

James Royster
(Name Typed / Printed)



- Land Planning
- +
- Landscape Architecture
- +
- Civil Engineering
- +
- Urban Design

**MOSAIC
DEVELOPMENT
GROUP**

BINGHAM DRIVE RESIDENTIAL

REZONING PLAN

Revised

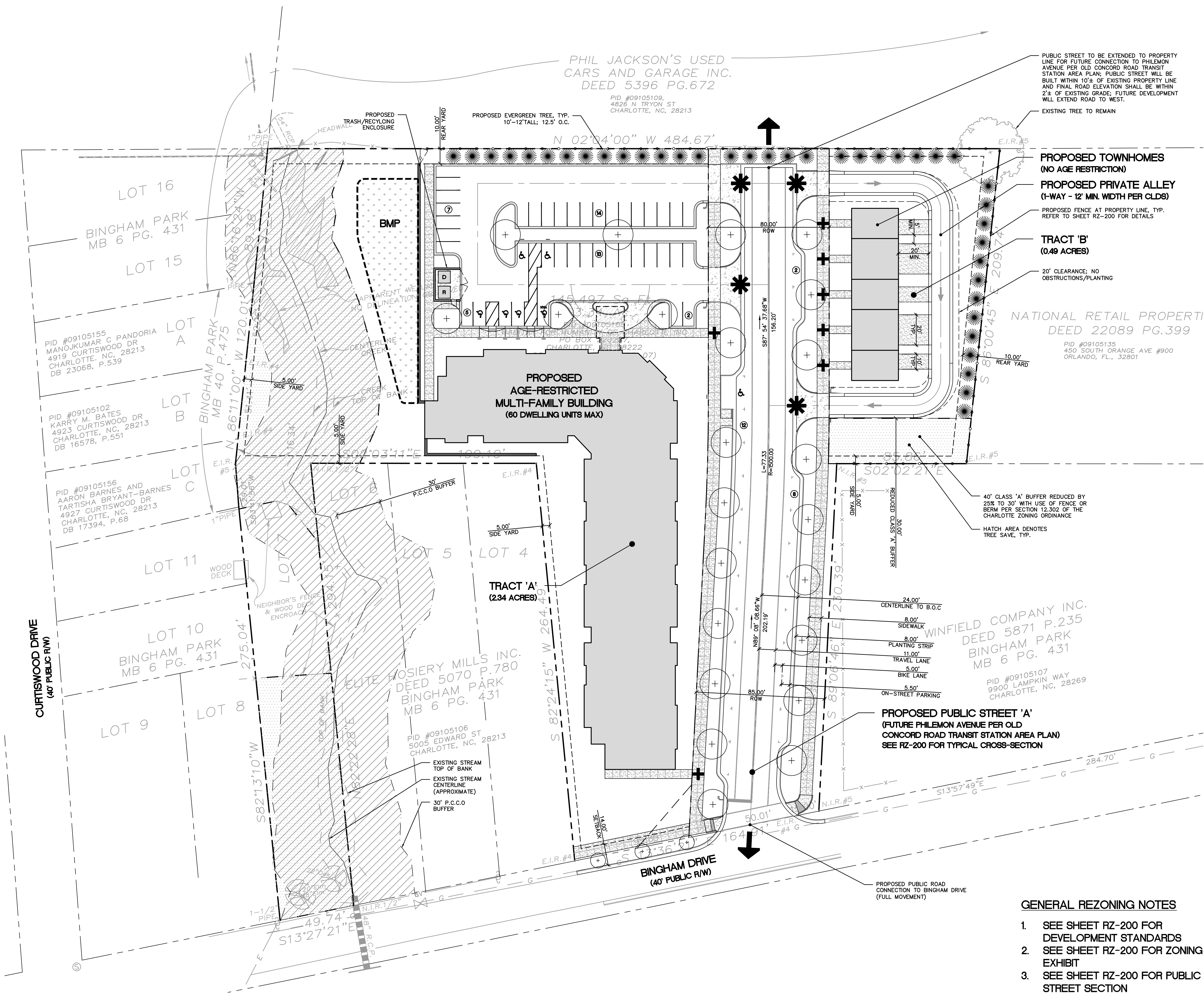
NOTES:

1. THE PROPOSED APARTMENT BUILDING WILL BE DEVELOPED AS HOUSING INTENDED AND OPERATED FOR OCCUPANCY BY PERSONS AGED 55 AND OLDER. IN THE DEFINITION, THE UNITS MUST BE OCCUPIED BY AT LEAST ONE (1) PERSON WHO IS 55 YEARS OF AGE OR OLDER AND ANY OTHER OCCUPANTS MUST BE AT LEAST 45 YEARS OF AGE. HOWEVER, UP TO 10% OF THE UNITS MUST BE OCCUPIED BY PERSONS THE AGE OF 45 AND OLDER IF THEY MEET THE DEFINITION OF HANDICAP OR DISABLED, PROVIDED VERIFICATION OF SUCH IS OBTAINED.
2. PROPOSED DENSITY = PROPOSED NO. DWELLING UNITS
EXISTING SITE AREA

RZ-100

ColeJenest & Stone, P.A. 2016 ©

PETITION #: 2016-XXX



BINGHAM DRIVE RESIDENTIAL DEVELOPMENT STANDARDS
NOVEMBER 28, 2016

SITE DEVELOPMENT DATA:

--ACREAGE:	3.68 ± ACRES
--PROPOSED ROW TO BE DEDICATED:	0.85 ± ACRES
--PROPOSED SITE AREA:	2.34 ± ACRES (TRACT 'A') 0.49 ± ACRES (TRACT 'B') 2.83 ± ACRES (TOTAL)
--TAX PARCEL #S:	091-051-08
--EXISTING ZONING:	UR-2 (CD)
--PROPOSED ZONING:	UR-2 (CD) S.P.A.
--EXISTING USES:	VACANT
--PROPOSED USES:	UP TO 60 AGE-RESTRICTED (ELDERLY) MULTI-FAMILY DWELLING UNITS LOCATED IN A SINGLE BUILDING AND 5 TOWNHOME UNITS (NO-AGE RESTRICTION) TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE UR-2 ZONING DISTRICT
--MAXIMUM BUILDING HEIGHT:	BUILDING HEIGHT WILL BE LIMITED TO THREE (3) STORIES, ARCHITECTURAL FEATURES SUCH AS SPIRES, MANSARDS, DOMES, AND THE LIKE AS WELL AS ROOF TOP MECHANICAL EQUIPMENT, AND SCREENS OR DEVICES USED TO SCREEN ROOF TOP STRUCTURES OR EQUIPMENT WILL BE ALLOWED AND WILL NOT BE CONSIDERED PART OF THE ALLOWED THREE (3) STORY BUILDING HEIGHT.
--TREE SAVE:	A MINIMUM OF 15% OF THE SITE WILL BE ESTABLISHED AS TREE SAVE AREAS AS DEFINED IN CHARLOTTE TREE ORDINANCE.
--PARKING:	TOWNHOMES -- 1.5 SPACES PER UNIT MINIMUM ELDERLY -- 0.25 SPACE PER UNIT MINIMUM

1. GENERAL PROVISIONS:

a. UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS, ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE") FOR THE UR-2 (CD) S.P.A. ZONING DISTRICT CLASSIFICATION SHALL BE FOLLOWED IN CONNECTION WITH DEVELOPMENT TAKING PLACE ON THE SITE. THE REZONING PLAN IS SUBJECT TO MODIFICATIONS DURING THE DESIGN DEVELOPMENT STAGES AS PROVIDED BELOW.

b. THE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY MOSAIC DEVELOPMENT GROUP ("THE PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF AN APPROXIMATELY 3.68 ACRE SITE LOCATED AT 120 BINGHAM DRIVE ("THE SITE") WITH A MULTI-FAMILY RESIDENTIAL COMMUNITY THAT COULD CONTAIN UP TO 65 MULTI-FAMILY DWELLING UNITS.

c. DEVELOPMENT OF THIS SITE WILL BE GOVERNED BY THE ATTACHED REZONING PLAN AND THESE DEVELOPMENT STANDARDS COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE ("THE ORDINANCE"). THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING DISTRICT CLASSIFICATION SHALL GOVERN DEVELOPMENT TAKING PLACE ON THE SITE.

d. THE REZONING PLAN DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, AND OTHER SITE ELEMENTS SET FORTH OF THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT AND SITE ELEMENTS PROPOSED, AND THE MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD AND BUFFER REQUIREMENT SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, ANY SUCH ALTERATION AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN. CHANGES TO THE REZONING PLAN NOT PERMITTED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE. 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:

e. EXPRESSLY PERMITTED BY THE REZONING PLAN (IT IS UNDERSTOOD THAT IF A MODIFICATION IS EXPRESSLY PERMITTED BY THE REZONING PLAN IT IS DEEMED A MINOR MODIFICATION FOR THE PURPOSES OF THESE DEVELOPMENT STANDARDS); OR,

i. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN; OR

iii. 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-100.

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, THE PETITIONER SHALL 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.

2. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

a. THE SITE MAY BE DEVELOPED WITH UP TO 60 AGE-RESTRICTED (ELDERLY) MULTI-FAMILY DWELLING UNITS IN A SINGLE BUILDING AND 5 TOWNHOME UNITS (NO AGE-RESTRICTION) TOGETHER WITH ACCESSORY USES ALLOWED IN THE UR-2 (CD) S.P.A. ZONING DISTRICT.

3. SETBACKS, SIDE YARDS AND REAR YARDS

a. BUILDING SETBACKS AND YARDS WILL BE ESTABLISHED IN THE MANNER DEPICTED ON THE REZONING PLAN.

• ALONG THE INTERIOR PUBLIC STREET, A 14 FOOT SETBACK FROM THE PROPOSED BACK OF CURB WILL BE PROVIDED.

• SIDE AND REAR YARD DETERMINATIONS WILL BE BASED ON THE ORIENTATION OF EACH PROPOSED BUILDING TO THE ADJOINING PROJECT PROPERTY LINE.

b. DECKS SHALL NOT EXTEND INTO ANY REQUIRED SIDE OR REAR YARDS. HOWEVER, AT-GRADE PATIOS MAY BE LOCATED IN WHOLE OR IN PART WITHIN REQUIRED REAR YARDS.

4. SCREENING

a. MECHANICAL EQUIPMENT OR OTHER UTILITY HARDWARE INSTALLED AT GROUND LEVEL AND ON THE ROOFS OF BUILDINGS CONSTRUCTED ON THE SITE WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM A PUBLIC STREET.

b. ABOVE GROUND BACKFLOW PREVENTERS ARE NOT ALLOWED IN THE SETBACKS.

5. STREETScape TREATMENT, SIDEWALKS AND FENCING

a. ALONG THE SITE'S FRONTAGE ON BINGHAM DRIVE, THE PETITIONER SHALL INSTALL AN EIGHT (8) FOOT PLANTING STRIP AND A EIGHT (8) FOOT SIDEWALK. THE LOCATION OF THE SIDEWALK MAY MEANDER TO PRESERVE EXISTING TREES WITHIN THE SETBACK. IN LOCATIONS WHERE THE PLANTING STRIP HAS BEEN REDUCED TO PRESERVE EXISTING TREES, THE REQUIREMENT FOR NEW STREET TREES MAY BE WAIVED BY THE URBAN FORESTRY STAFF.

b. ALONG BOTH SIDES OF THE INTERIOR PUBLIC STREET, THE PETITIONER SHALL CAUSE TO BE INSTALLED AN EIGHT (8) FOOT PLANTING STRIP AND A EIGHT (8) FOOT SIDEWALK.

c. THE PETITIONER AT A MINIMUM WILL INSTALL FENCING AS ILLUSTRATED ON THE REZONING PLAN. THE PETITIONER RESERVES THE RIGHT TO INSTALL ADDITIONAL FENCING IN OTHER AREAS OF THE SITE NOT ILLUSTRATED ON THE REZONING PLAN. CHAIN LINK FENCING WILL NOT BE PERMITTED.

6. TRANSPORTATION IMPROVEMENTS AND ACCESS:

I. PROPOSED IMPROVEMENTS

a. ACCESS TO THE SITE WILL BE FROM BINGHAM DRIVE AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. MINOR ADJUSTMENTS IN THE LOCATION OF THE POSSIBLE CONNECTION CAN BE MADE IN CONSULTATION WITH THE PLANNING DEPARTMENT DURING THE PLANNED MULTI-FAMILY REVIEW AND APPROVAL PROCESS;

c. SUBJECT TO THE PROVISIONS AND DESIGN DESCRIBED IN THE SECTION ABOVE, THE PLACEMENTS AND CONFIGURATIONS OF VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS, AS APPROVED BY CDOT/NCDOT, REQUIRED TO ACCOMMODATE THE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CDOT/NCDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.

d. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS, AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.

II. STANDARDS, PHASING AND OTHER PROVISIONS.

a. CDOT 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. 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 OR 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 COMMERCIALY 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.

c. 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) THE COMPARABLE TRANSPORTATION NETWORK BENEFITS TO THE IMPROVEMENTS IDENTIFIED IN THIS PETITION.

d. ALL PUBLIC TRANSPORTATION IMPROVEMENTS SHALL BE CONSTRUCTED AND APPROVED PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE FIRST NEW BUILDING COMPLETED ON THE SITE.

e. THE PETITIONER WILL DEDICATE IN FEE-SIMPLE AND CONVEY ALL PUBLIC RIGHTS OF WAY TO THE CITY OF CHARLOTTE PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE FIRST NEW BUILDING COMPLETED ON THE SITE.

7. ARCHITECTURAL STANDARDS:

a. PREFERRED EXTERIOR BUILDING MATERIALS -- ALL PRINCIPAL AND ACCESSORY BUILDING ABUTTING A PUBLIC STREET SHALL COMPREISE A MINIMUM OF 30% OF A BUILDING TOTAL FACADE (EXCLUSIVE OF WINDOWS, DOORS AND BALCONIES).

- BRICK
- NATURAL STONE (OR SYNTHETIC EQUIVALENT)
- OTHER EQUIVALENT OR BETTER MATERIAL APPROVED BY THE PLANNING DIRECTOR OR HIS/HER DESIGNEE

b. PROHIBITED EXTERIOR BUILDING MATERIALS -- THE FOLLOWING EXTERIOR BUILDING MATERIALS ARE SPECIFICALLY PROHIBITED:

- VINYL SIDING (EXCEPT FOR SOFFITS AND TRIM INCLUDING WINDOW AND DOOR TRIM)
- CONCRETE MASONRY UNITS (CMU) NOT ARCHITECTURALLY FINISHED.

c. BUILDING PLACEMENT AND DESIGN -- BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING STANDARDS:

- BUILDING STREET FRONTAGE -- BUILDINGS SHALL BE ARRANGED AND ORIENTED TO FRONT ALONG ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE STREETS) AS DEFINED BY THE SUBDIVISION ORDINANCE, EXCEPT FOR U-03 & U-05 STREET TYPES DEFINED BY THE URBAN STREET DESIGN GUIDELINES.
- BUILDINGS SHALL FRONT A MINIMUM OF 50% OF THE TOTAL STREET FRONTAGE ON THE SITE (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS POINTS, USABLE OPEN SPACE, TREE SAVE AREAS, NATURAL AREAS, AND/OR TREE RE-PLANTING AREAS.
- DRIVEWAYS FOR PRIVATE RESIDENTIAL GARAGES AND/OR PARKING SHALL BE PROHIBITED ON ALL NETWORK REQUIRED STREETS.

d. BUILDING MASSING & HEIGHT -- BUILDING MASSING SHALL BE DESIGNED TO BREAK UP LONG, MONOLITHIC BUILDING FORMS THROUGH THE FOLLOWING STANDARDS:

- BUILDING MASSING -- BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FACADE PLANE (RECESS, PROJECTION, ARCHITECTURAL TREATMENT, ETC.). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL EXTEND OR RECESS A MINIMUM OF 5 FEET, EXTENDING THROUGH ALL FLOORS; MODULATIONS WILL OCCUR EVERY 10 FEET.
- BUILDING HEIGHT -- PER THE ZONING ORDINANCE.

e. ARCHITECTURAL ELEVATION DESIGN -- ARCHITECTURAL ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST THROUGH THE FOLLOWING STANDARDS:

- VERTICAL MODULATION AND RHYTHM -- BUILDING ELEVATIONS SHALL BE DESIGNED WITH RECOGNIZABLE VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FACADE FEATURES. THE BAYS AND FEATURES MAY INCLUDE, BUT NOT LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, AND/OR RECESSES, PILASTERS, AND CHANGE IN MATERIALS.
- BUILDING BASE -- BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE. A MINIMUM OF THREE ELEVATIONS OF EACH BUILDING WILL BE ARTICULATED WITH A WAINSCOT OF PREFERRED EXTERIOR BUILDING MATERIALS LISTED ABOVE A MINIMUM OF THREE (3) FEET IN HEIGHT.
- BLANK WALLS -- BUILDING ELEVATIONS FACING STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET.
- ARCHITECTURAL FEATURES SUCH AS, BUT NOT LIMITED TO, BANDING, MEDALLIONS, OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.

f. ROOF FORM AND ARTICULATION -- ROOF FORM AND ROOFLINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE THROUGH THE FOLLOWING STANDARDS:

- LONG ROOFLINES (PITCHED OR FLAT) SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM (E.G. DORMERS, GABLES, ETC.)
- FOR PITCHED ROOFS THE MAXIMUM PITCH SHALL BE 4:12 (FOUR FEET IN VERTICAL HEIGHT FOR EVERY 12 FEET IN HORIZONTAL LENGTH), EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS.
- ROOF-TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET AND FROM THE NEAREST SINGLE-FAMILY STRUCTURE IF LOCATED ON ROOF.

g. SERVICE AREA SCREENING -- SITE SERVICE AREAS (DUMPSTERS, REFUSE AREAS, RECYCLING AREAS, STORAGE) SHALL BE SCREENED FROM VIEW THROUGH THE FOLLOWING STANDARDS:

- SERVICE AREAS WILL BE SCREENED BY A MINIMUM 30 PERCENT MASONRY MATERIAL. UTILITY STRUCTURES NEED TO BE SCREENED ARCHITECTURALLY OR WITH EVERGREEN PLANT MATERIAL.
- WALLS SHALL BE DESIGNED TO MATCH AND COMPLEMENT THE BUILDING ARCHITECTURE OF THE RESIDENTIAL BUILDINGS OF THE SUBJECT PROPERTY.

8. ENVIRONMENTAL FEATURES:

a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

b. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

c. ANY JURISDICTIONAL WETLANDS OR STREAM, IF PRESENT, SHALL BE PROTECTED OR THE APPROPRIATE PROPER ENVIRONMENTAL PERMITS SHALL BE OBTAINED PROPER TO THEIR DISTURBANCE

9. LANDSCAPE BUFFERS/OPEN SPACE/TREE SAVE AREAS:

a. A 40 FOOT CLASS A BUFFER WILL BE PROVIDED AS INDICATED ON THE REZONING PLAN. THIS BUFFER SHALL BE ESTABLISHED IN ACCORDANCE WITH THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE. THIS CLASS A BUFFER MAY BE REDUCED TO 30 FEET BY THE INSTALLATION OF A BERM, FENCE OR WALL.

b. A ROW OF EVERGREEN TREES AND SHRUBS WILL BE PLANTED ALONG THE WESTERN AND NORTHERN PROPERTY LINE AS ILLUSTRATED ON THE REZONING PLAN.

c. OPEN SPACE/TREE SAVE AREAS EQUALING 15% OF THE SITE AREA WILL BE PROVIDED. THE OPEN SPACE/TREE SAVE AREAS DEPICTED ON THE REZONING PLAN MAY BE RELOCATED TO OTHER LOCATION ON THE SITE.

10. 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.

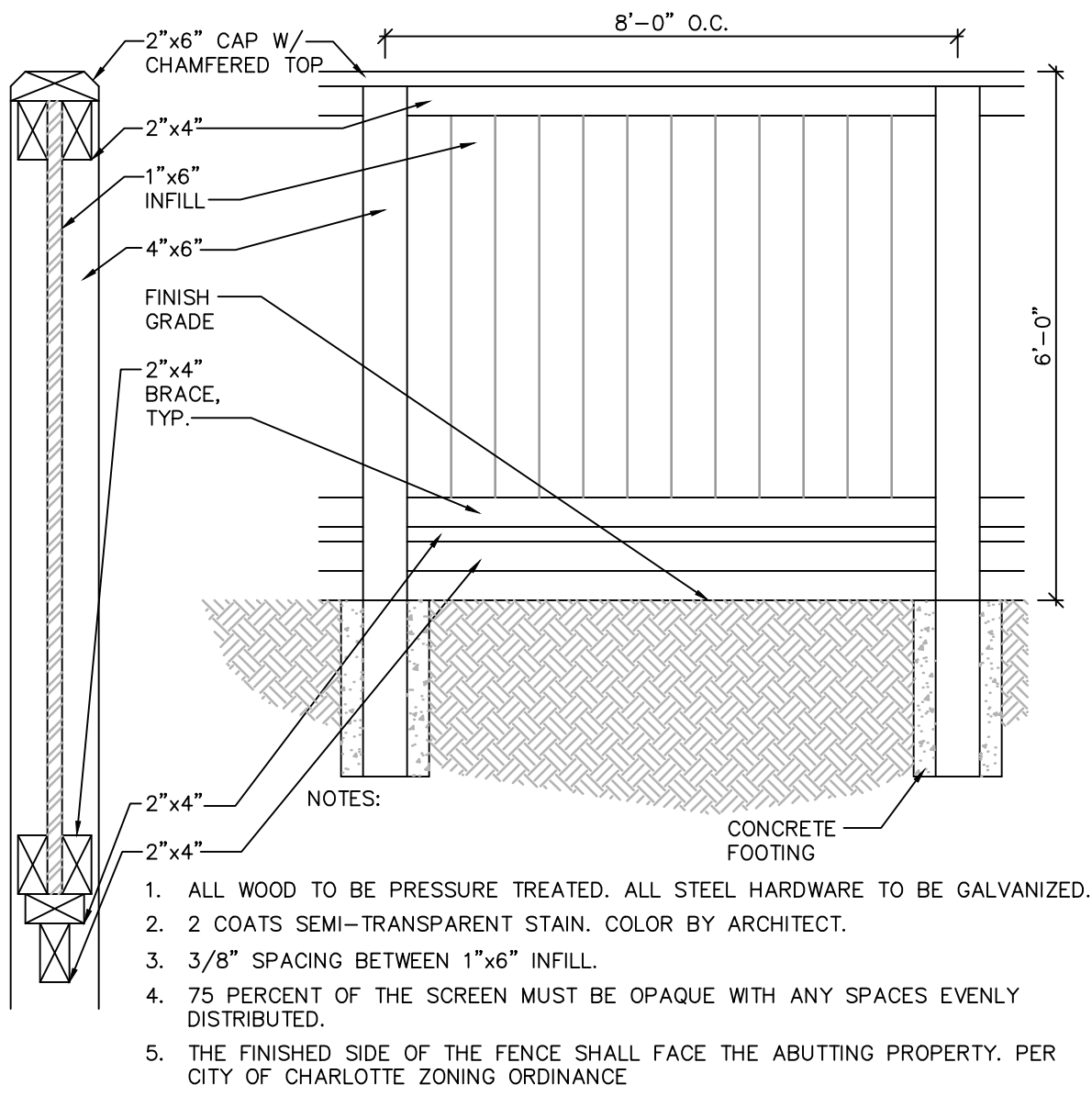
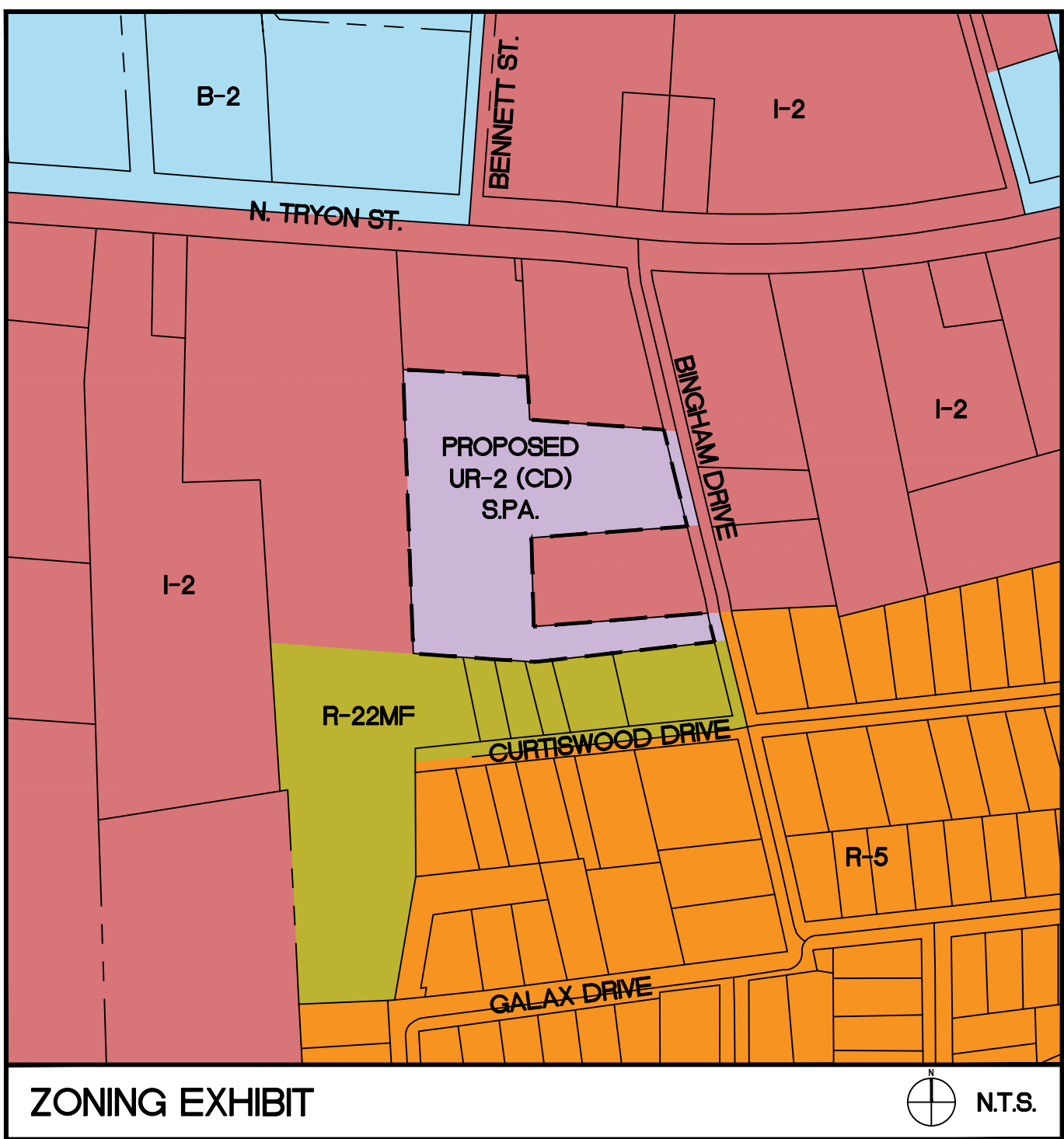
b. DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 21 FEET IN HEIGHT.

11. AMENDMENTS TO THE REZONING PLAN:

a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

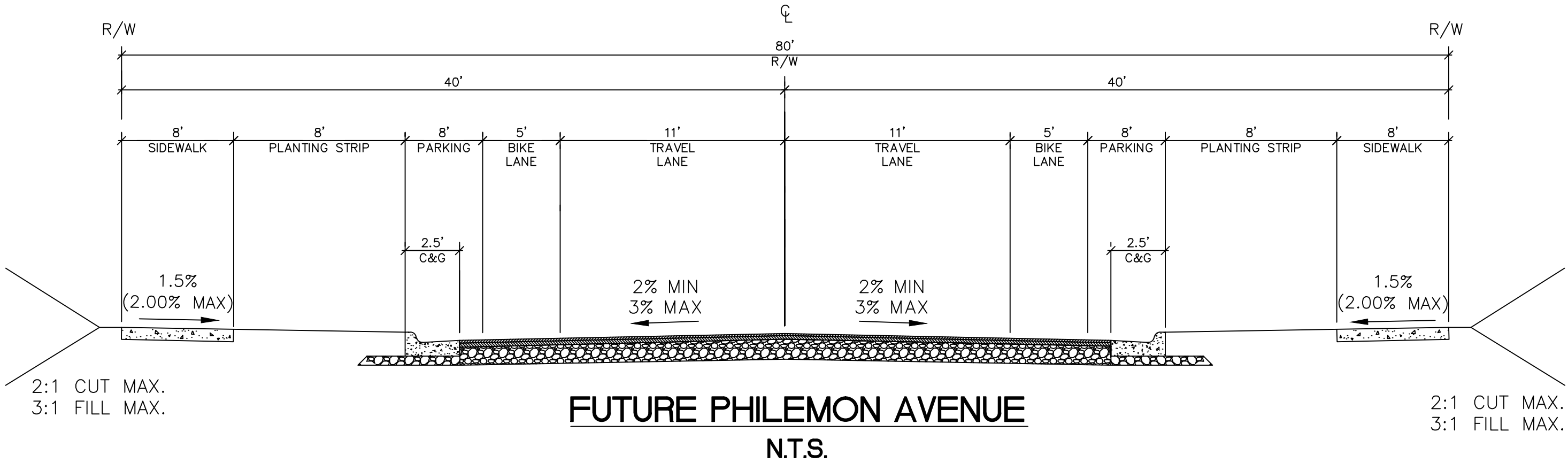
12. BINDING EFFECT OF THE REZONING APPLICATION:

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.



WOOD FENCE

N.T.S.



FUTURE PHILEMON AVENUE

N.T.S.


ColeJenest & Stone
Shaping the Environment
Realizing the Possibilities
Land Planning
+ Landscape Architecture
+ Civil Engineering
+ Urban Design
200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202
p+ 704 376 1555 f+ 704 376 7581
url+ www.colejeneststone.com

MOSAIC DEVELOPMENT GROUP

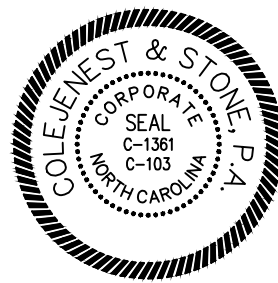
4600 PARK ROAD SUITE 390
CHARLOTTE, NC 28209

BINGHAM DRIVE RESIDENTIAL

120 BINGHAM DRIVE
CHARLOTTE, NC 28213

DEVELOPMENT STANDARDS

Project No.
31813.16
Issued
11/28/16
Revised

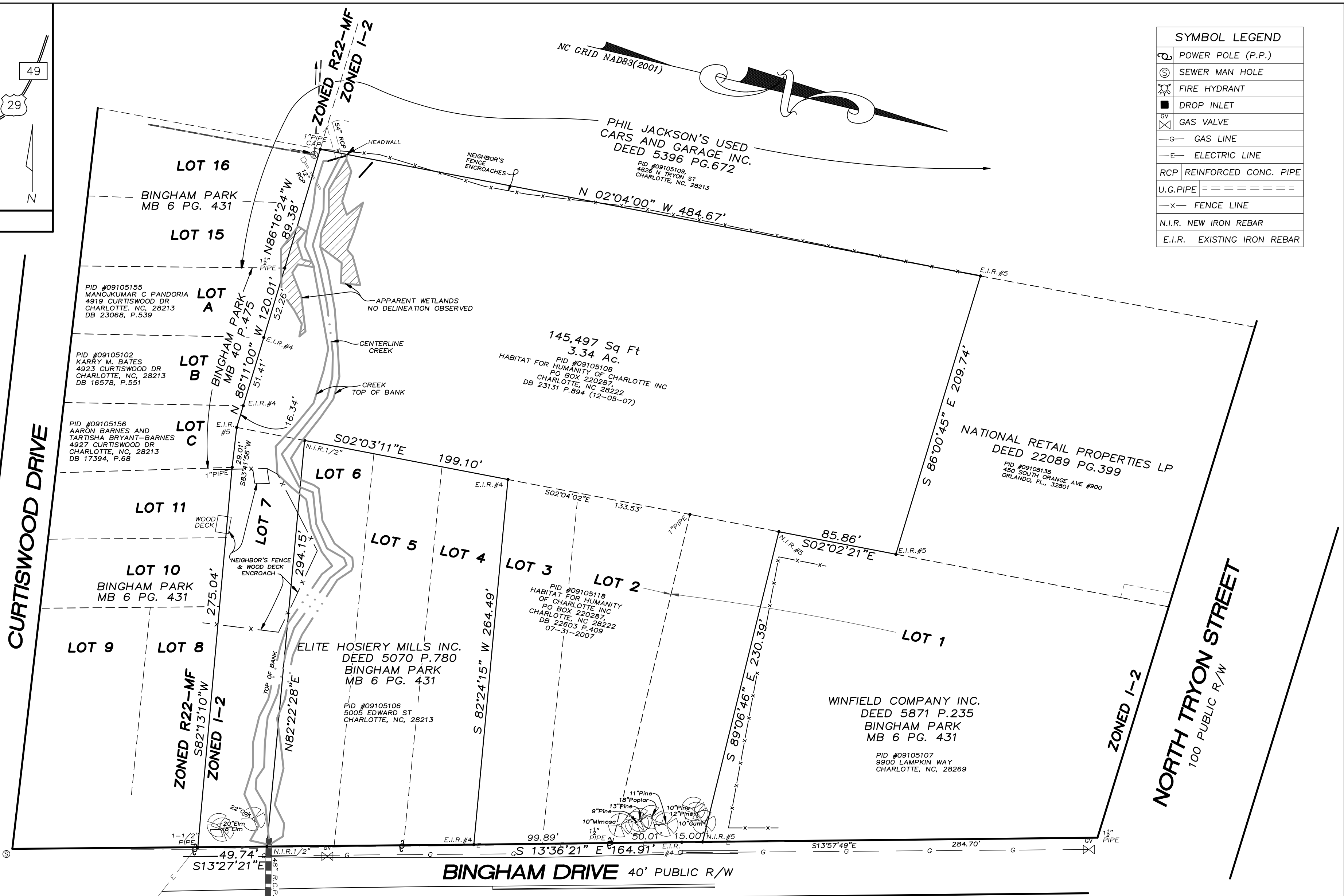
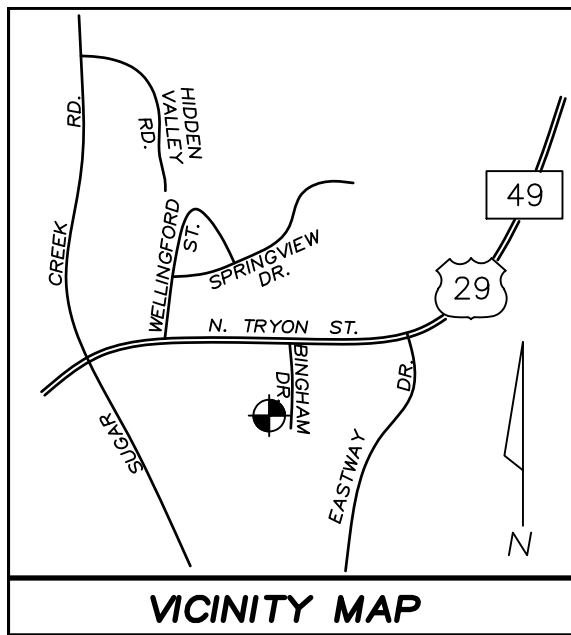


RZ-200

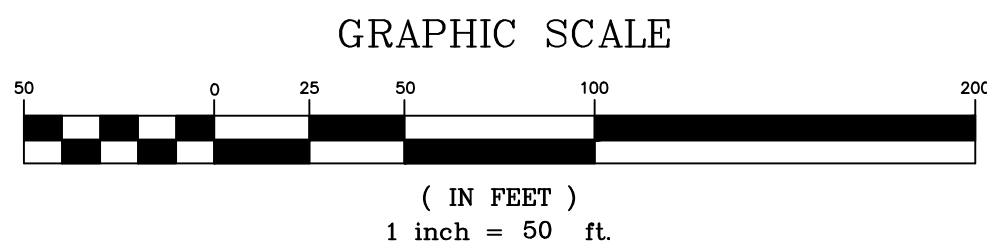
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PETITION #: 2016-XXX



SYMBOL LEGEND	
	POWER POLE (P.P.)
	SEWER MAN HOLE
	FIRE HYDRANT
	DROP INLET
	GAS VALVE
	GAS LINE
	ELECTRIC LINE
	REINFORCED CONC. PIPE
	U.G. PIPE
	FENCE LINE
	NEW IRON REBAR
	EXISTING IRON REBAR



EMAIL: JRCASURV@CAROLINA.RR.COM

BOUNDARY SURVEY
FOR
**HABITAT FOR HUMANITY
OF CHARLOTTE, INC**

PO BOX 220287
CHARLOTTE, NC 28222
PH. 704.376-2054
FAX 704.342-1797

CITY OF CHARLOTTE
MECKLENBURG COUNTY NORTH CAROLINA

NORTH CAROLINA
PROFESSIONAL
SURVEYOR
SEAL
L-2624
JACK R. CHRISTIAN

JACK R. CHRISTIAN & ASSOCIATES
-SURVEYING-

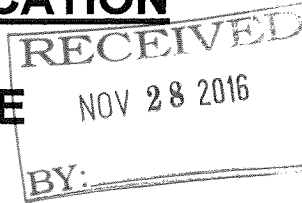
PHONE (704) 596-2214 FAX (704) 596-2338
7811 OLD CONCORD RD. CHARLOTTE, NORTH CAROLINA 28213

DWN:	CHECKED BY:	DATE:
JRC	TAC	MAY 23, 2008
FB:	FILE NAME:	SCALE:
EDC	BING4930	1"=50'
		FILE:
		08-05-02

REVISED 6/14/10 TO SHOW CREEK T.B. & WETLANDS, AND TO ADD LOT 7 TO BOUNDARY

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTE



2017-025

FY2016
Petition #:
Date Filed: 11/28/2016
Received By: BK
Office Use Only

Section # 9.101
11.402

Use Table
Uses permitted by right

Purpose of Change: The purpose of the text amendment is to allow vehicle galleries in the Commercial Center district, with no outdoor sales, no outdoor display, and no outdoor storage.

Name of Agent

Agent's Address

City, State, Zip

Telephone Number

Fax Number

E-Mail Address

Signature of Agent

AUDREY WALTHERT, TESLA

Name of Petitioner(s)

45500 Fremont BLVD

Address of Petitioner(s)

FREMONT, CA 94538

City, State, Zip

949.421.9438

Telephone Number

Fax Number

awalther@tesla.com

E-Mail Address

Signature

**AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE –ZONING ORDINANCE**

ORDINANCE NO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. CHAPTER 9: GENERAL DISTRICTS

1. PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS

- a. Amend Table 9.101, "Use Table", by adding a new entry in the Commercial Center District, under "Office and Business Uses" that reads, "Automobile sales with no outdoor sales, display or storage" in alphabetical order and add a "X" under the CC District column. The new entry shall read as follows:

Table 9.101	
	CC District
OFFICE & BUSINESS USES	
<u>Automobile sales with no outdoor sales, display, or storage</u>	<u>X</u>

B. CHAPTER 11: CONDITIONAL ZONING DISTRICTS

1. PART 4: COMMERCIAL CENTER DISTRICT

- a. Amend Section 11.402, "Uses permitted by right", by adding automobile sales with no outdoor sales, display or storage as a new item (1.5). The new entry shall read as follows:

(1.5) Automobile sales with no outdoor sales, display or storage.

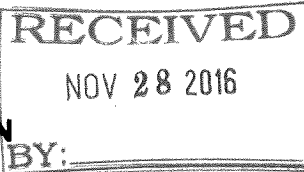
Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

I, _____, City Clerk of the City of Charlotte, North Carolina, DO
HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted
by the City Council of the City of Charlotte, North Carolina, in regular session convened
on the _____ day of _____, 2017, the reference having been made in Minute Book _____,
and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this
_____ day of _____, 2017.



2017-026

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

BY: _____

Petition #: _____
Date Filed: 11/28/2016
Received By: [Signature]

Property Owners: Belk Gambrell Enterprises LLC

Owner's Addresses: 301 S College Street, Ste 2800, Charlotte, NC 28202

Date Properties
Acquired: 5/10/2016

Property Addresses: 5625 Fairview Road, Charlotte, NC 28209

Tax Parcel Numbers: 177-053-35

Current Land Use: Office Size (Acres): * 1.18

Existing Zoning: UR-C(CD) Proposed Zoning: UR-C SPA (CD)

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

Required Rezoning Pre-Application Meeting* with Kent Main, John Kinley and Grant Meacci
Date of meeting: 10/11/2016

(*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 permit the existing structure to remain with office uses and complimentary accessory structures/uses.

Jeff Brown & Bridget Dixon
Name of Rezoning Agent

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

Charlotte, NC 28202

704-331-1144 (JB) **704-378-1925 (JB)**
704-331-2379 (BD) **704-378-1973 (BD)**
Telephone Number Fax Number

jeffbrown@mvalaw.com bridgetdixon@mvalaw.com

E-mail Address
[Signature]
Signature of Property Owner

Belk Gambrell Enterprises LLC
Name of Petitioner

301 S College Street, Ste 2800
Address of Petitioner

Charlotte, NC 28202
City, State, Zip

Telephone Number Fax Number

E-mail Address
[Signature]
Signature of Petitioner

SITE DEVELOPMENT DATA:

--Acreage: ± 1.18 acres
--Tax Parcel #: 177-053-35
--Existing Zoning: UR-C
--Proposed Zoning: UR-C (SPA)
--Existing Uses: Office
--Proposed Uses: Office together with accessory uses, as allowed in the UR-C zoning district.
--Proposed Floor Area Ratio: As allowed by the UR-C 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 Belk Gambrell Enterprises, LLC ("Petitioner") to accommodate an office use on a 1.18 acre site located at 5625 Fairview 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-C zoning classification shall govern.
- c. Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

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

- minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
- modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "external building line" (in this case the external setbacks, rear yards or buffer areas) indicated on Sheet RZ-1.

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

- d. Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site shall not exceed two (2). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site. 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 5,800 square feet of office uses, together with accessory uses allowed in the UR-C zoning district.

3. Access and Transportation:

- a. Access to the Site will be from Fairview Road in the manner generally depicted on the Rezoning Plan.
- b. Per Section 9.407(4)(c), the sidewalk and planting strip shall remain in its current condition to accommodate proposed pedestrian improvements to be completed by the City of Charlotte.
- c. 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.

4. Architectural Standards, Court Yards/Amenity Areas:

- a. The existing structure shall remain and may be renovated. Additions and expansions are permitted subject to the square footage limitation set forth in 2.a.
- b. The proposed new building shall be constructed with a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood (wood siding may not exceed 25% of the wall surface per unit elevation per side). Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.

5. Streetscape, Buffers, Yards, and Landscaping:

- a. A 16 foot Class C Buffer will be provided and maintained by the Petitioner along the northern property boundary as generally depicted on the Rezoning Plan. A 16 foot Class C buffer will also be provided along a portion of the eastern boundary as generally depicted on the Rezoning Plan.
- b. The existing fence located 16' feet off the rear property line shall be replaced and a gate shall be provided for access and maintenance purposes.
- c. Screening requirements of the Ordinance will be met.

6. Environmental Features:

- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- b. The Site will comply with the Tree Ordinance.

7. Lighting:

- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
- b. Detached lighting on the Site will be limited to 15 feet in height.

8. Signage:

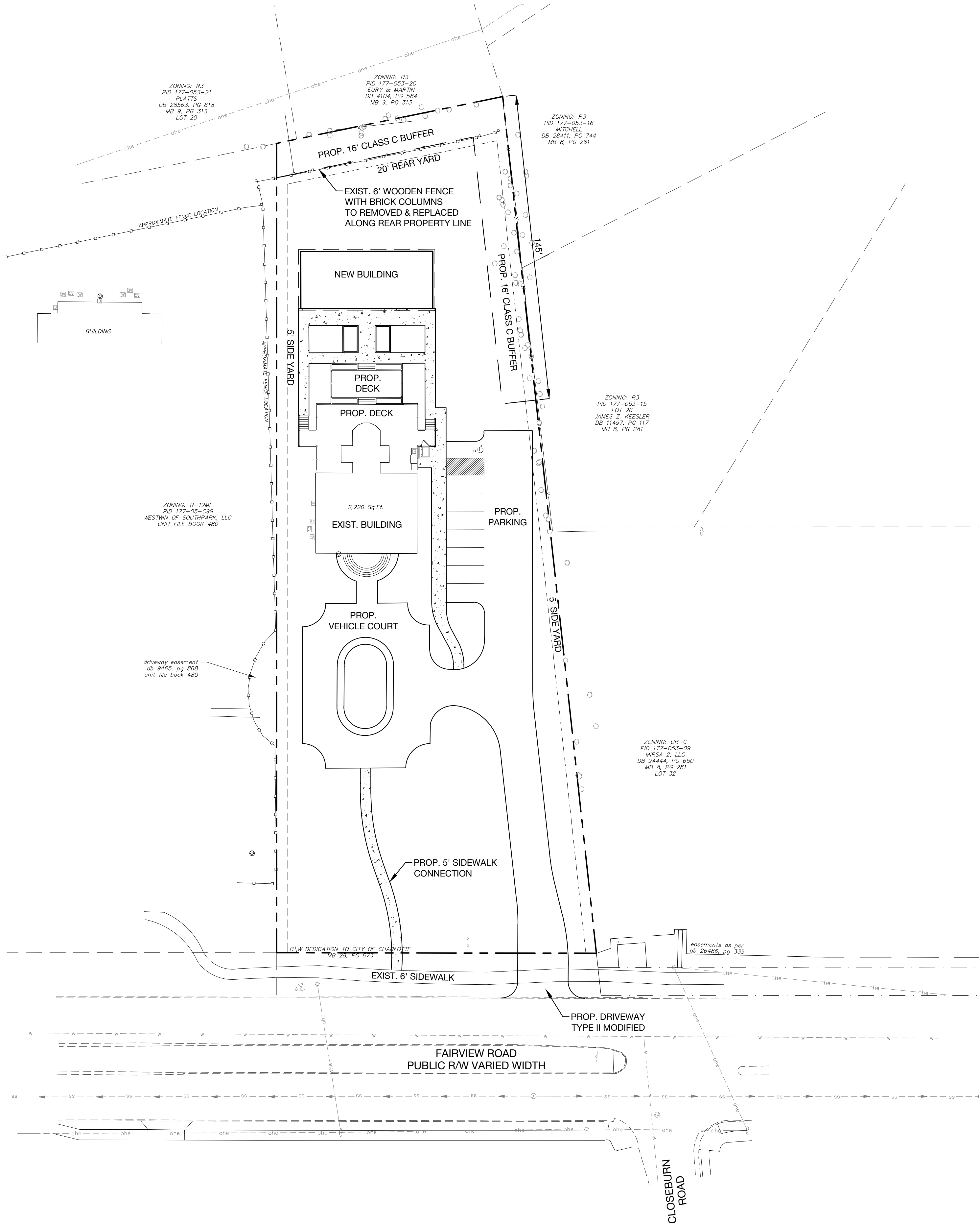
- a. Signage as allowed by Ordinance.

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.

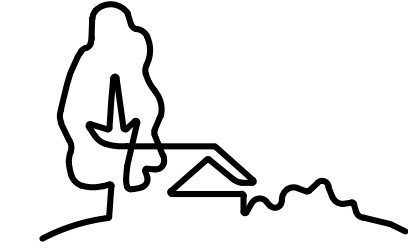


DEVELOPMENT SUMMARY

TAX PARCEL ID #:	177-053-35
TOTAL SITE AREA:	51,608 SF 1.18 AC
EXISTING ZONING:	UR-C
PROPOSED ZONING	UR-C (SPA)
SETBACKS:	14' FROM B.O.C.
FRONT:	5'
SIDE:	20'
REAR:	
MAX. BUILDING HEIGHT:	40'
PROPOSED USE:	OFFICE 5,800 SF

VEHICULAR PARKING:
MEET OR EXCEED ORDINANCE REQUIREMENTS

BICYCLE PARKING:
MEET OR EXCEED ORDINANCE REQUIREMENTS



URBAN
DESIGN
PARTNERS

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

Belk-Gambrell
Enterprises

5625 Fairview Road
Charlotte, NC

5625 Fairview Road

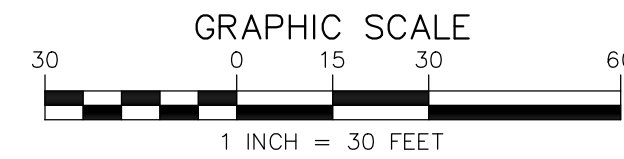
Rezoning Plan
Charlotte, North Carolina

NO. DATE: BY: REVISIONS:

Project No: 16-063
Date: Nov. 21, 2016
Designed by: udp
Drawn by: udp
Scale: 1"=30'
Sheet No:

RZ-1.0

REZONING PETITION #2017-XXX



RECEIVED
NOV 28 2016
BY: _____

Date Filed: 11/28/16

Received By: _____

Signature of Petitioner

SCHEDULE 1

Property Owner	Owner's Address	Property Address	Parcel No.	Acreage	Date Acquired	Current Zoning
Double Oaks Development LLC C/O Housing Partnership	4601 Charlotte Park Dr, Ste 350 Charlotte, NC 28217	N/A	075-113-06	.834	01/10/2008	UR-2(CD)
Double Oaks Development LLC	4601 Charlotte Park Dr, Ste 350 Charlotte, NC 28217	N/A	075-113-02	1.2	04/08/2011	UR-2(CD)
Double Oaks Development LLC	4601 Charlotte Park Dr, Ste 350 Charlotte, NC 28217	N/A	075-123-04	.576	09/13/2007	R-22MF
Double Oaks Development LLC	4601 Charlotte Park Dr, Ste 350 Charlotte, NC 28217	N/A	Portion of 075-113-08	.0606	09/13/2007	UR-2(CD)
Double Oaks Development LLC	4601 Charlotte Park Dr, Ste 350 Charlotte, NC 28217	N/A	Portion of 075-115-69	.1450	09/13/2007	R-22MF and UR-2(CD)
Charlotte Mecklenburg Housing Partnership Inc	4601 Charlotte Park Dr, Ste 350 Charlotte, NC 28217	2701 Statesville Ave Charlotte, NC 28206	Portion of 077-079-01	2.226	01/04/2016	R-22MF

ATTACHMENT A

**REZONING PETITION NO. 2017-
Charlotte Mecklenburg Housing Partnership**

**PETITIONER JOINDER AGREEMENT
Double Oaks Development LLC**


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

- | | | |
|----|-----|-----------------------|
| 1. | N/A | 075-113-06 |
| 2. | N/A | 075-113-02 |
| 3. | N/A | 075-123-04 |
| 4. | N/A | Portion of 075-113-08 |
| 5. | N/A | Portion of 075-115-69 |

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcels from the UR-2(CD) and R-22MF zoning district to the UR-2(CD) and NS zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 20 day of November, 2016.

Double Oaks Development LLC

By: 
Name: JULIE A. PORTER
Title: PRESIDENT

ATTACHMENT B

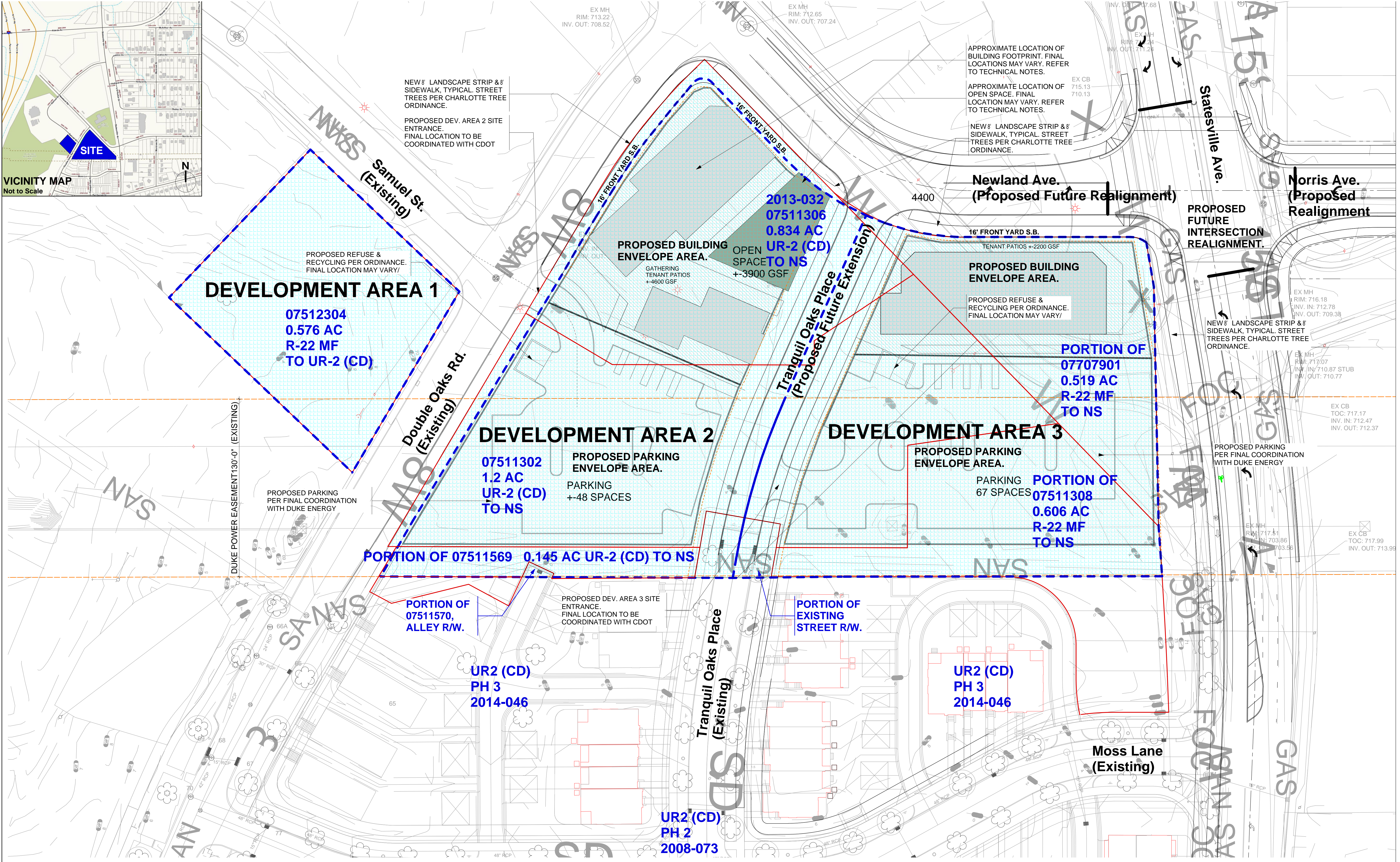
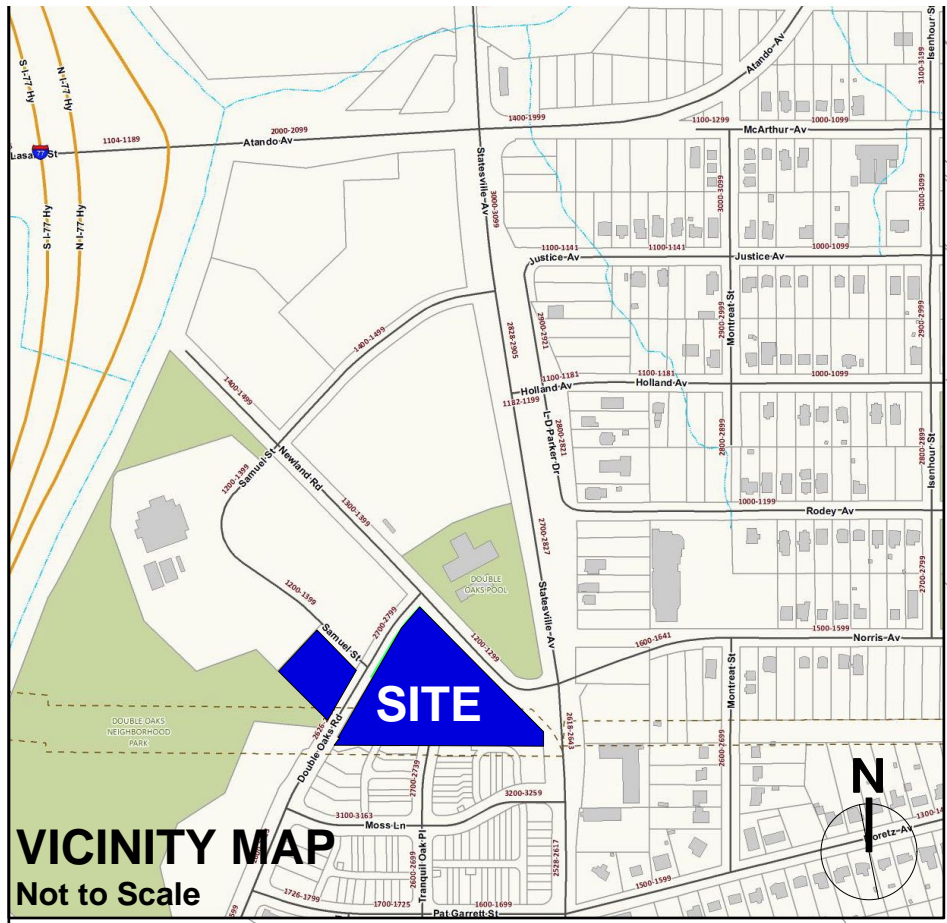
REZONING PETITION NO. 2017-
Charlotte Mecklenburg Housing Partnership

Charlotte Mecklenburg Housing Partnership

By: 

Name: JULIE A. PORTER

Title: PRESIDENT



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**NOT FOR
CONSTRUCTION**

Prepared for:	Mark	Date	Description
Jim Donaldson, Sr. VP-Construction The Housing Partnership, Inc. 4601 Charlotte Park Drive, Suite 350 Charlotte NC 28217			

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

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Brightwalk Retail Village
Double Oaks Road & Newland Avenue
Charlotte, NC 28206
A 11/28/16 Rezoning Package Submittal
16035.001

Rezoning Site Plan
2017-000
11.28.2016 Brightwalk Site Plan
RSP001

Charlotte Mecklenburg Housing Partnership
Development Standards
11/28/16
Rezoning Petition No. 2017-000

Site Development Data:

--**Acreage:** ± 3.804 acres
--**Tax Parcel #:** 075-113-06, 075-113-02, 075-123-04, Portions of 075-113-08, 075-115-69 and 077-079-01
--**Existing Zoning:** UR-2(CD) and R-22MF
--**Proposed Zoning:** NS and UR-2(CD)
--**Existing Uses:** Vacant

--**Proposed Uses:** Residential dwelling units as permitted by right and under prescribed conditions together with accessory uses, as allowed in the UR-2 zoning district in Development Area 1, and Retail, personal service, EDEE (restaurants),office, and other uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the NS zoning district in Development Areas 2 and 3; all as more specifically described and restricted below in Section 2.

--**Prohibited Uses:** The following use is not permitted on the Site: automotive service stations with or without a convenience store and uses with accessory drive-through windows.

--**Maximum Gross Square feet of Development:** Up to 20,000 square feet of gross floor area of non-residential uses as allowed in the NS zoning district on Development Areas 2 and 3, and up to six (6) residential dwelling units on Development Area 1.

--**Maximum Building Height:** As allowed by the Ordinance.

--**Parking:** Parking will be provided as required by the Ordinance.

1. General Provisions:

- Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Charlotte Mecklenburg Housing Partnership ("Petitioner") to accommodate the development of a small neighborhood retail center with up to 20,000 square feet of gross floor area of uses allowed in the NS zoning district as well as additional residential dwelling units on approximately 3.804 acre site located along Double Oaks Road and re-aligned Newland Avenue (the "Site").
- Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the NS and UR-2 zoning classifications shall govern.
- Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

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

- 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.

- Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site shall not exceed four (4) on Development Areas 2 & 3, and up to six (6) on Development Area 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 located on the Site.

2. Permitted Uses & Development Area Limitation:

- For ease of reference, the Rezoning Plan sets forth three (3) Development Areas as generally depicted on the Technical Data Sheet as Development Areas 1, 2, and 3 (each a "Development Area" and collectively the "Development Areas").
- Up to 20,000 square feet of gross floor area of uses allowed in the NS zoning district, together with accessory uses as allowed in the NS zoning district may be developed within Development Areas 2 and 3; and up to six (6) residential dwelling units as allowed in the UR-2 zoning district, together with accessory uses as allowed in the NS zoning district may be development within Development Area 1. *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) and outdoor seating or service areas.*
- The following use is not allowed on the Site: automotive service stations with or without a convenience store and uses with accessory drive-through windows.
- The Petitioner may develop Development Area 2 prior to the extension of Tranquil Oaks Place and the realignment of Newland Avenue.
- The setback along each of the abutting public streets (Double Oaks, Newland Avenue, Statesville Avenue, Samuel Street, and Tranquil Oaks Place) will be 16 feet as measured from the future back of curb, as generally depicted on the Rezoning Plan.

3. Access and Transportation:

- Vehicular access to the Site will be from Double Oaks Road, Samuel Street, and Tranquil Place in the manner generally depicted on the Rezoning Plan. Vehicular access to Statesville Avenue will not be allowed.
- The Petitioner will re-align Newland Avenue and construct the extension of Tranquil Oaks Place as generally depicted on the Rezoning Plan as part of the development of Development Area 3. These roadway improvements will be completed or bonded prior to the issuance of a certificate of occupancy for the first building within Development Area 3.
- The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by CDOT in accordance with applicable published standards.
- 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:

- The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, EIFS, decorative block, architectural metal panels and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings.
- The proposed buildings located within Development Area 2 and 3 will front on Newland Avenue (existing and realigned), existing Double Oaks Road, or on an open space area. Parking other than on-street parking, will not be allowed between the proposed buildings on Development Area 2 and 3 and Newland Avenue (existing and realigned), Double Oaks Road, Tranquil Oaks Place and Statesville Avenue.
- The building walls within Development Area 2 and 3 along Double Oaks and Newland Avenue (existing and realigned), Tranquil Oaks Place, and Statesville Avenue will be designed to have store fronts with clear glass facing each street. The building facades fronting on these public streets shall include a minimum of 60% transparent glass between 2' and 10' on the first floor.
- The buildings within Development Area 2 and 3 facing Double Oaks Road, and Newland Avenue (existing and realigned), will have a building entrances that orient and connects to the sidewalks along Double Oaks Road and Newland Avenue (existing and realigned) (if more than one commercial establishment is constructed each establishment shall have an entrance to the abutting public street and each entrance will be an operable pedestrian door). The entrances to the sidewalks along the abutting streets will be open and operable during the business hours of the associated use.
- The service side of the buildings may not be oriented to Double Oaks Road, Newland Avenue (existing and realigned), and Tranquil Oaks Place.
- The Petitioner will provide an improved open space area within Development Area 2 or 3 at the intersection of Tranquil Oaks Place and Newland Avenue. This area will be improved with sitting areas, landscaping and other amenities to create an open space amenity area along Newland Avenue. The open space area will be located outside of the setback and the future right-of-way for each of the abutting public streets.

5. Streetscape, Buffers, Yards and Landscaping:

- Along the Site's frontage on each of the abutting public streets (Double Oaks Road, Newland Avenue (existing and realigned), Tranquil Oaks Plans, Samuel Street, and Statesville Avenue) the Petitioner will provide an eight (8) foot planting strip and an eight (8) foot sidewalk as generally depicted on the Rezoning Plan.
- The Petitioner will provide a sidewalk network that links the proposed building on the Site to the sidewalk along each of the abutting public streets in the manner generally depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.
- Screening requirements of the Ordinance will be met, including but not limited to screening for roof top equipment with roof parapet walls.
- Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.
- Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.

6. Environmental Features:

- The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance (storm water control ordinance).
- The Site will comply with the Tree Ordinance.

7. Signage:

- Reserved.

8. Lighting:

- All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- Detached lighting on the Site will be limited to 21 feet in height.

9. Amendments to the Rezoning Plan:

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

10. Binding Effect of the Rezoning Application:

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

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**NOT FOR
CONSTRUCTION**

Prepared for: Mark Date Description

Jim Donaldson, Sr. VP-Construction
The Housing Partnership, Inc.
4601 Charlotte Park Drive, Suite 350
Charlote NC 28217

shook kelley

2151 Hawkins Street
Suite 400
Charlotte, NC 28203

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www.shookkelley.com

Brightwalk Retail Village Rezoning Technical Notes
2017-000

Double Oaks Road & Newland Avenue
Charlotte, NC 28206

A 11/28/16 Rezoning Package Submittal
16035.001

11.28.2016 Brightwalk Site Plan

RTP002

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2017-028

Petition #:	
Date Filed:	11/28/2016
Received By:	Bj

Property Owners: HEPVS LLC

Owner's Addresses: 851 S Federal Highway, Ste 201, Boca Raton, FL 33432

Date Properties
Acquired: 10/23/2015

Property Addresses: 5251 Ridge Road, Charlotte, NC 28269

Tax Parcel Numbers: 027-561-28

Current Land Use: Office Size (Acres): ± .77

Existing Zoning: CC Proposed Zoning: NS

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

Required Rezoning Pre-Application Meeting* with Alberto Gonzalez, Sonja Sanders, Rick Grochoske, Solomon Fortune

Date of meeting: 11/15/16

(*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): N/A

Purpose/description of Conditional Zoning Plan: To modify the previously approved conditional plan to allow a use with a drop-off and pick-up lanes (an accessory drive-through window).

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

704.331.3531 (KM)

704-378-1954 (KM)

704-331-1144 (JB)

704-378-1925 (JB)

Telephone Number

Fax Number

keithmacvean@mvalaw.com;

jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENT A

Signature of Property Owner

TAG Ventures, LLC (Attn: Henry Atkins)

Name of Petitioner

421 Penman Street, Ste 100

Address of Petitioner

Charlotte, NC 28203

City, State, Zip

704.376.7484

Telephone Number

Fax Number

henryatkins@atkinsproperties.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

ATTACHMENT A

REZONING PETITION NO. 2016-
TAG Ventures, LLC

PETITIONER JOINDER AGREEMENT
HEPVS LLC

The undersigned, as the owners of the parcels of land located at 5251 Ridge Road that is designated as a portion of Tax Parcel No. 027-561-19 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcels from the CC zoning district to the NS zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 22 day of November, 2016.

HEPVS LLC, a Florida limited liability company

By: Halvorsen Holdings, LLC, a Florida limited liability company, as its Managing Member

By: HH Manager, Inc., a Florida corporation, as its Managing Member

By: _____

Name: Jeffrey T. Halvorsen

Title: President

ATTACHMENT B

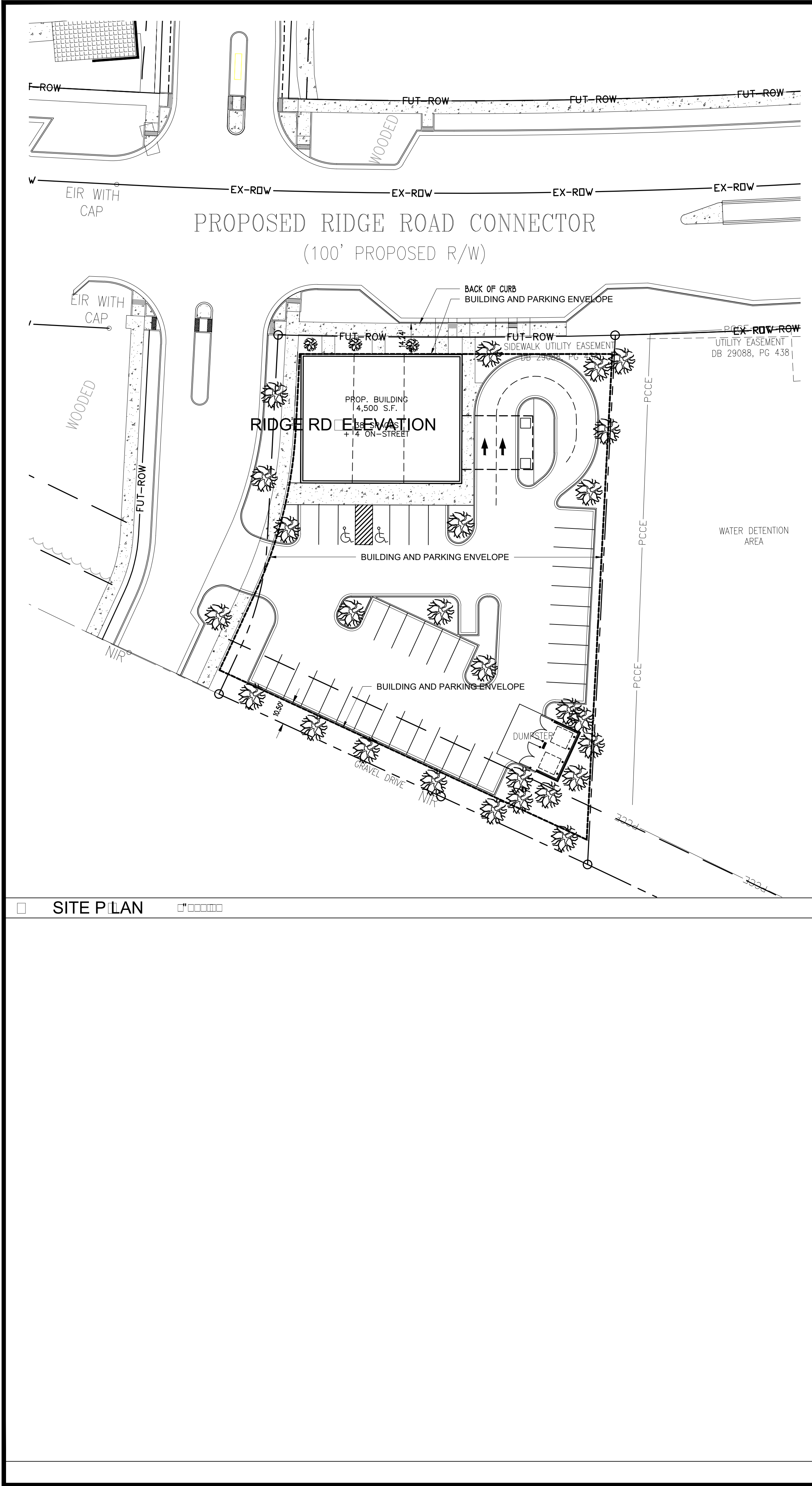
REZONING PETITION NO. 2016-
TAG Ventures, LLC

TAG Ventures, LLC

By: W. Perry Atkins

Name: N. Perry Atkins

Title: Manager



TAG Ventures, LLC
Development Standards
11/28/16
Rezoning Petition No. 2017-000

Site Development Data:

- Acreage: ± .77 acres
- Tax Parcel #: Portion of 027-561-19
- Existing Zoning: CC
- Proposed Zoning: NS
- Existing Uses: Vacant
- Proposed Uses: Retail, personal service, EDEE (restaurants) and other uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the NS zoning district (as more specifically described and restricted below in Section 2).
- Prohibited Uses: The following use is not permitted on the Site: automotive service stations with or without a convenience store, and EDEE with an accessory drive-through window.
- Maximum Gross Square feet of Development: Up to 4,500 square feet of gross floor area.
- Maximum Building Height: As allowed by the Ordinance.
- Parking: Parking will be provided as required by the Ordinance.

- 1. General Provisions:**
- Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by TAG Ventures, LLC ("Petitioner") to accommodate the development of a commercial building with up to 4,500 square feet of gross floor area of uses allowed in the NS zoning district on approximately .77 acre site located at 5251 Ridge Road (the "Site").
 - Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the NS zoning classification shall govern.
 - Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.
- Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:
- minor and don't materially change the overall design intent depicted on the Rezoning Plan.

- 1. Architectural Standards:**
- The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hard-plank), stucco, EIFS, decorative block, architectural metal panels and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings.
 - The proposed building will be located along Ridge Road as generally depicted on the Rezoning Plan. The building wall along Ridge Road will be designed to have store fronts with clear glass facing each street. The building facades fronting on Ridge Road shall include a minimum of 60% transparent glass between 2' and 10' on the first floor.
 - The portion of the building facing Ridge Road, will have a building entrances that orient and connect to the sidewalk along Ridge Road (if more than one commercial establishment is constructed each establishment shall have an entrance to Ridge Road and each entrance will be an operable pedestrian door). The entrances to the sidewalks along Ridge Road will be open and operable during the business hours of the associated use.
 - The service side of the buildings may not be oriented to Ridge Road.
- 2. Streetscape, Buffers, Yards and Landscaping:**
- Along the Site's frontage on Ridge Road and the internal private street the Petitioner will provide an eight (8) foot planting strip and a six (6) foot sidewalk as generally depicted on the Rezoning Plan.
 - The Petitioner will provide a sidewalk network that links the proposed building on the Site to the sidewalk along each of the abutting public streets in the manner generally depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.
 - Screening requirements of the Ordinance will be met, including but not limited to screening for roof top equipment with roof parapet walls. .
 - Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.
 - Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.
- 3. Environmental Features:**
- The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance (storm water control ordinance).
 - The Site will comply with the Tree Ordinance. The Site is part of a previously approved master planned shopping center, therefore the tree save requirements for the Site have been previously approved and on-site tree save areas need not be provided.
- 4. Signage:**

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.

- Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site shall not exceed 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 located on the Site.
 - Permitted Uses & Development Area Limitation:**
 - The Site may be developed with up to 4,500 square feet of gross floor area of uses allowed in the NS zoning district, together with accessory uses as allowed in the NS zoning district.
 - Only one use with accessory drive-through window will be allowed on the Site. The use with an accessory drive-through window will be limited to a retail or personal service use. The proposed accessory drive-through window will be designed so that maneuvering and access to the accessory drive-through window will not occur between the proposed building and Ridge Road.
- 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) and outdoor seating or service areas.*
- The following uses will not allowed on the Site: automotive service stations with or without a convenience store, and an EDEE with an accessory drive-through window.
 - The setback along Ridge Road, and the internal private street will be 14 feet as measured from the existing back of curb, as generally depicted on the Rezoning Plan.
- 3. Access and Transportation:**
- Vehicular access to the Site will be from the internal private street in the manner generally depicted on the Rezoning Plan. Vehicular access to the Site from Ridge Road will not be allowed.
 - The Petitioner will convey to the City of Charlotte 50 feet of right-of-way from the existing center line of Ridge Road. The additional right-of-way will be conveyed prior to the issuance of a certificate of occupancy for the building constructed on the Site.
 - The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by CDOT in accordance with applicable published standards.
 - 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.

- Signage as allowed by the NS zoning district may be provided.
 - Wall signs as allowed by the Ordinance may be provided.
- 2. Lighting:**
- All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
 - Detached lighting on the Site will be limited to 26 feet in height.
- 3. Amendments to the Rezoning Plan:**
- Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.
- 4. Binding Effect of the Rezoning Application:**
- If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

ISSUED FOR
REZONING

1 ON 1

ONE ONE
DESIGN LLC
"d" MILL RD
C:ARLOTTE:NC
C:ARLOTTE:NC
C:ARLOTTE:NC

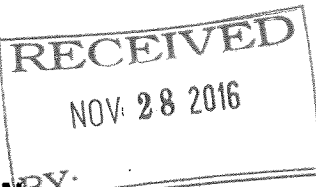
STATE OF
SOUTH CAROLINA
CONSTANTINE
N. VRETOS
No. 2851
11-28-16

TAG
VENTURES LLC
PENMAN ST
SUITE
C:ARLOTTE:NC

REZONING PETITION
PORTION OF
TAG PARCEL
PROPOSED RIDGE RD CONNECTOR
C:ARLOTTE:NC

SITE PLAN
NOTES

Dr: B
CNV
11-28-16
Dr: F: N
2816_RZ1-1_Rezoning Floor Plan.dwg
R:
N: D:
N: D:
N: D:
N: D:
N: D:
Pr: N
B: d
S: O:
R



2017-029

I. REZONING APPLICATION
CITY OF CHARLOTTE

Petition #:	_____
Date Filed:	11/28/2016
Received By:	gjt

Complete All Fields (Use additional pages if needed)

Property Owner: Tar Heel Road, LLC

Owner's Address: P.O. Box 1140 City, State, Zip: Cornelius, NC 28031

Date Property Acquired: April 29, 2010

Property Address: Toddville Road

Tax Parcel Number(s): 057-081-04

Current Land Use: Vacant industrial Size (Acres): +/- 7.713 acres

Existing Zoning: I-2 (CD) Proposed Zoning: I-2 (CD) S.P.A.

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

Required Rezoning Pre-Application Meeting* with: Grant Meacci, Alberto Gonzalez et al.

Date of meeting: November 15, 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 accommodate the development of a maximum 30,000 square foot building on the site that will be devoted to office and industrial uses. The maximum gross floor area of the building that may be devoted to office uses shall be 4,500 square feet.

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@robinsonbradshaw.com
E-Mail Address

TAR HEEL ROAD, LLC

By: [Signature]
Signature of Property Owner

FRED GODLEY
(Name Typed / Printed)

DC Property, LLC (c/o Bernie and Elizabeth Funck)
Name of Petitioner(s)

1234 Wyndcroft Place
Address of Petitioner(s)

Charlotte, NC 28209
City, State, Zip

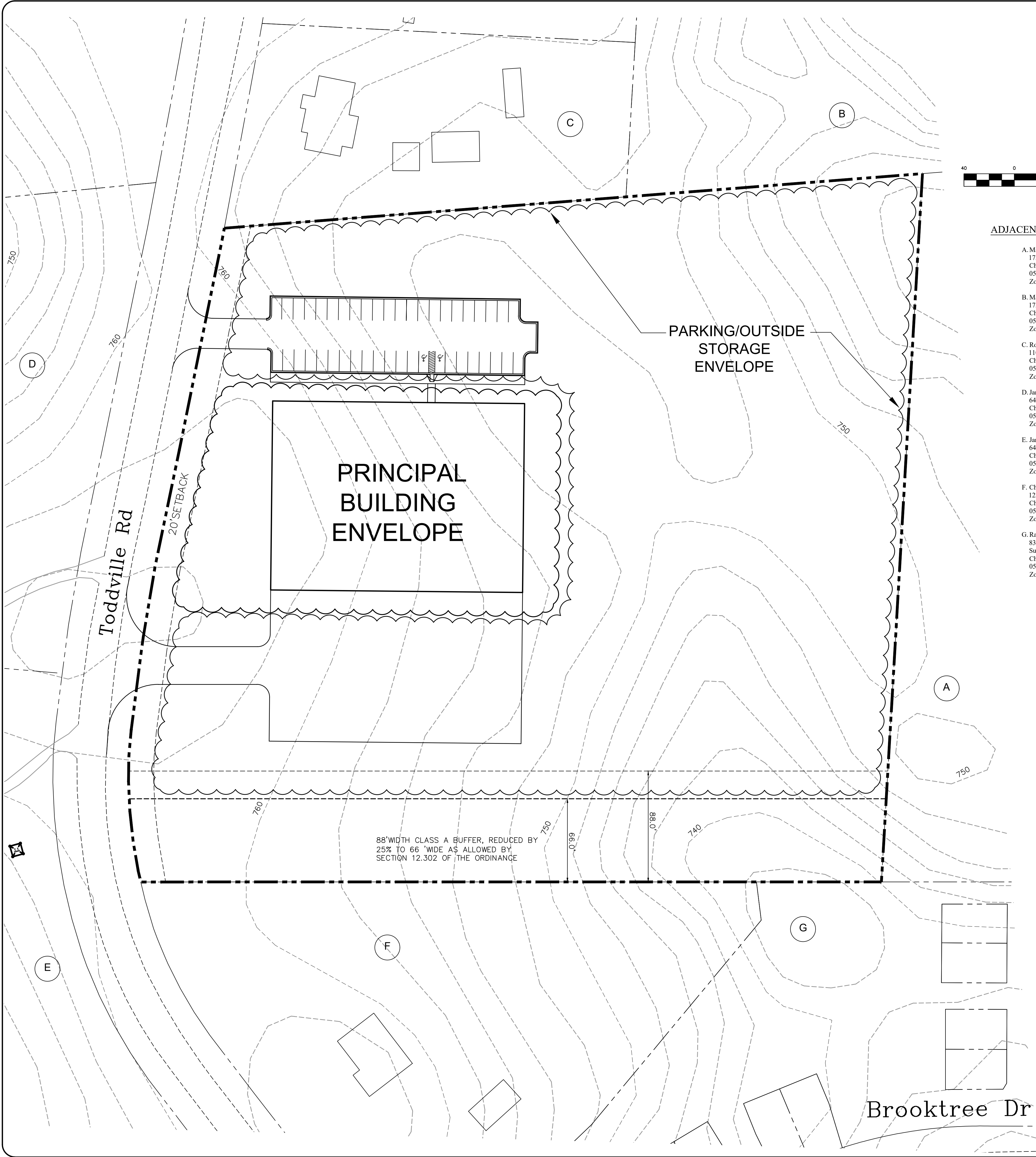
704-519-0775
Telephone Number Fax Number

bfunck@ranger-construction.com
efunck@ranger-construction.com
E-Mail Address

DC PROPERTY, LLC

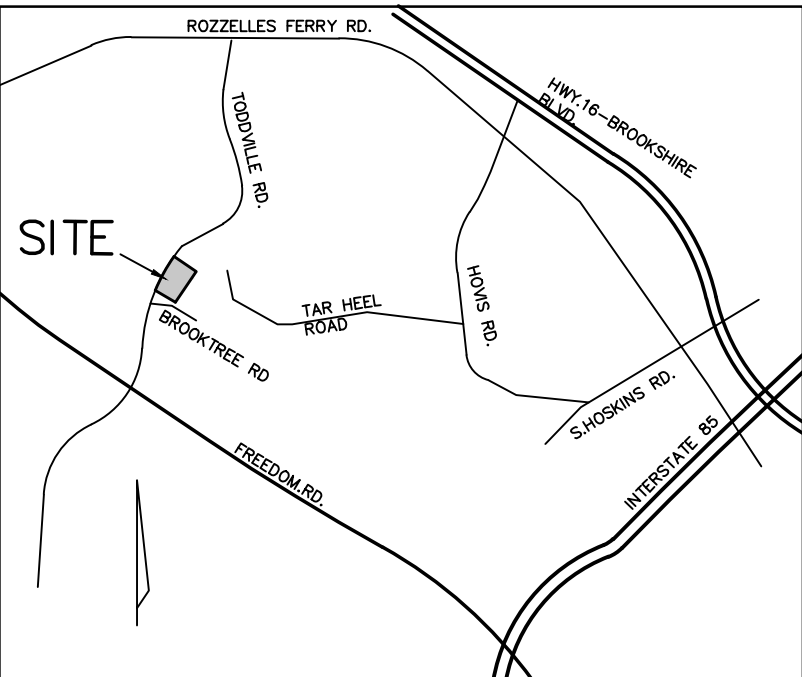
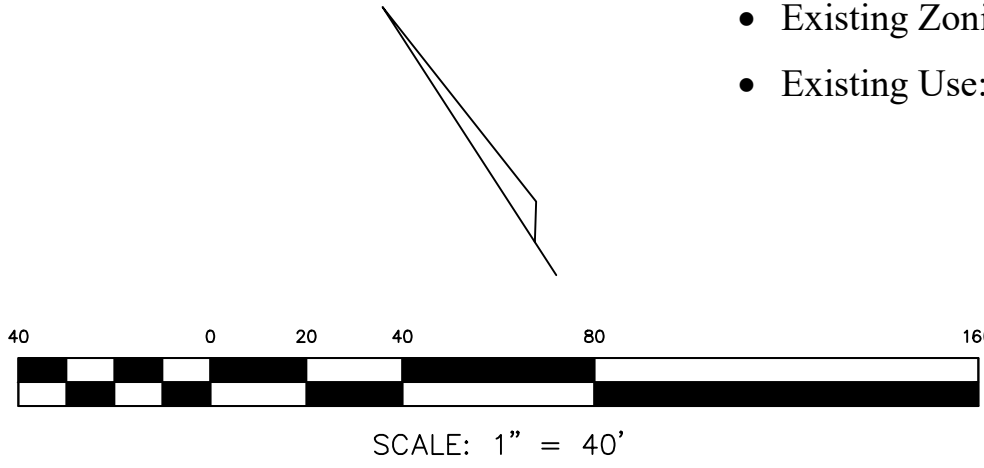
By: [Signature]
Signature of Petitioner

Elizabeth F Funck
(Name Typed / Printed)



DEVELOPMENT DATA TABLE

- Acreage: Approximately 7.71 acres
- Tax Parcel: 057-08-104
- Existing Zoning: I-2 (CD) (1994-77)
- Existing Use: Vacant Land



VICINITY MAP
NOT TO SCALE

DEVELOPMENT STANDARDS
November 28, 2016

ADJACENT LANDOWNER SUMMARY

- A. Mast Brothers Tank Cleaning, Inc.
1730 Tar Heel Road
Charlotte, North Carolina 28208
057-08-108
Zoning: I-2 (CD)
- B. Mast Brothers Tank Cleaning, Inc.
1730 Tar Heel Road
Charlotte, North Carolina 28208
057-08-103
Zoning: I-2 (CD)
- C. Ronda Lynn Cline
1101 Toddville Road
Charlotte, North Carolina 28214
057-08-102
Zoning: I-2
- D. Janet N. Hicks
6400 Woodland Circe
Charlotte, North Carolina 28216
057-13-137
Zoning: I-2
- E. Janet N. Hicks
6400 Woodland Circe
Charlotte, North Carolina 28216
057-13-121
Zoning: I-2 (CD)
- F. Charles Eugene Mayer, Jr.
1225 Toddville Road
Charlotte, North Carolina 28214
057-07-101
Zoning: R-17 MF
- G. Rain Maker Enterprises, Inc.
8318 Pineville-Matthews Road
Suite 708-102
Charlotte, North Carolina 28226
057-07-237
Zoning: R-17MF

A. General Provisions

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by DC Property, LLC requesting a site plan amendment to accommodate the development of a maximum 30,000 square foot building devoted to uses allowed in the I-2 zoning district on that approximately 7.713 acre site located on the east side of Toddville Road, between Brooktree Drive and CSX Way, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel No. 057-081-04.
 - Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
 - Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the I-2 zoning district shall govern all development taking place on the Site.
 - The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, buffer and tree save requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
 - Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.
- B. Permitted Uses/Development Limitations
- The Site may be devoted to any use or uses permitted by right and under prescribed conditions in the I-2 zoning district and to any incidental and accessory uses relating thereto that are allowed in the I-2 zoning district.
 - A maximum of 1 principal building may be located on the Site.
 - The principal building to be located on the Site shall be located within the principal building envelope depicted on the Rezoning Plan.
 - Parking and outside storage may be located within the principal building envelope as well as other portions of the Site.
 - The maximum gross floor area of the principal building to be located on the Site shall be 30,000 square feet.
 - A maximum of 4,500 square feet of gross floor area of the principal building to be located on the Site may be devoted to office uses.

C. Transportation

- Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access point are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.
- The alignments of the internal drives to be located on the Site are subject to any minor modifications or alterations required during the construction permitting process.

D. Architectural Standards

- The maximum height of the principal building to be constructed on the Site shall be 40 feet.
 - 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.
 - All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- E. Streetscape and Landscaping
- A minimum 88 foot wide Class A buffer shall be established along the southern boundary line of the Site, which buffer shall conform to the standards of Section 12.302 of the Ordinance.
 - Notwithstanding paragraph 1 above, pursuant to Section 12.302(8A) of the Ordinance, Petitioner may reduce the required width of the minimum 88 foot wide Class A buffer by 25% by installing a berm that meets the standards of Section 12.302(8A) of the Ordinance.
 - In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas accordingly.
 - The buffer areas shall not be disturbed except for required driveways, sidewalks, or other pedestrian paths, walls, fences, berms or required landscaping, landscaping maintenance and the replacement or the installation and maintenance of utility lines in accordance with Section 12.302(12) of the Ordinance.
 - Where existing trees and natural vegetation have been cleared to accommodate those items set out above in paragraph 4, the cleared unimproved areas will be landscaped with trees and shrubs in accordance with the requirements of the Ordinance.

F. Environmental Features

- Development of the Site shall comply with the City of Charlotte Tree Ordinance.

G. Lighting

- All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways, sidewalks and parking areas and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
- The maximum height of any freestanding lighting fixture installed on the Site shall be 30 feet.
- Any lighting fixtures attached to the principal building to be constructed on the Site shall be capped and downwardly directed.

II. Binding Effect of the Rezoning Documents and Definitions

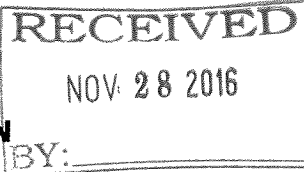
- If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current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



REZONING PLAN

RZ1

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-030

Petition #:	_____
Date Filed:	11/28/2016
Received By:	B+

Complete All Fields (Use additional pages if needed)

Property Owner: Tar Heel Road, LLC

Owner's Address: P.O. Box 1140 City, State, Zip: Cornelius, NC 28031

Date Property Acquired: April 29, 2010

Property Address: Tar Heel Road

Tax Parcel Number(s): 057-081-09

Current Land Use: Vacant industrial Size (Acres): +/- 7.972 acres

Existing Zoning: I-2 (CD) Proposed Zoning: I-2 (CD) S.P.A.

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

Required Rezoning Pre-Application Meeting* with: Grant Meacci, Alberto Gonzalez et al.

Date of meeting: November 15, 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 maximum? Yes/No. Number of years (maximum of 5): N/A

Purpose/description of Conditional Zoning Plan: To accommodate the development of a maximum 30,000 square foot building on the site that will be devoted to office and industrial uses. The maximum gross floor area of the building that may be devoted to office uses shall be 4,500 square feet.

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@robinsonbradshaw.com
E-Mail Address

TAR HEEL ROAD, LLC

By: [Signature]
Signature of Property Owner

FRED GODLEY
(Name Typed / Printed)

DC Property, LLC (c/o Bernie and Elizabeth Funck)
Name of Petitioner(s)

1234 Wyndcroft Place
Address of Petitioner(s)

Charlotte, NC 28209
City, State, Zip

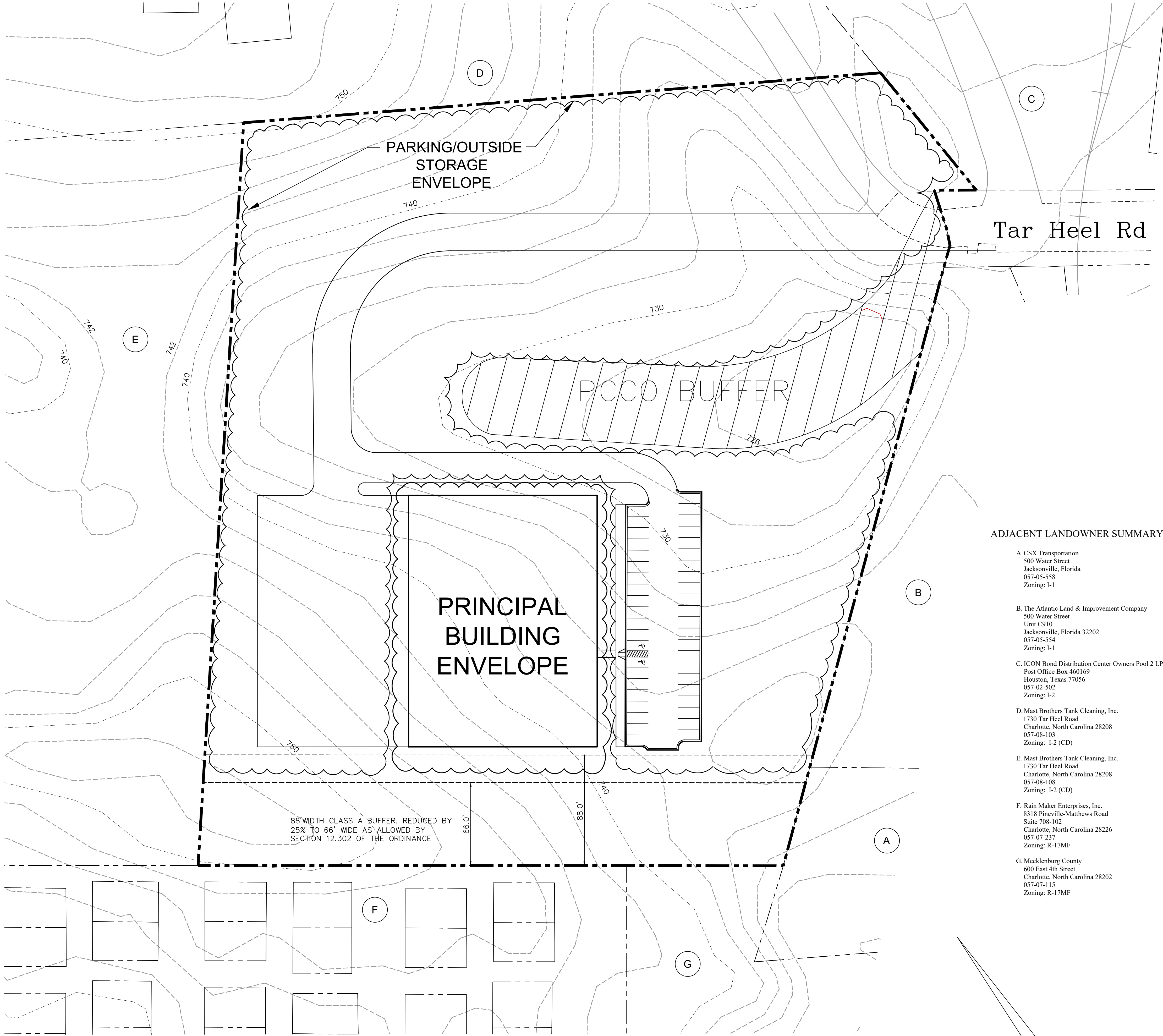
704-519-0775
Telephone Number Fax Number

bfunck@ranger-construction.com
efunck@ranger-construction.com
E-Mail Address

DC PROPERTY, LLC

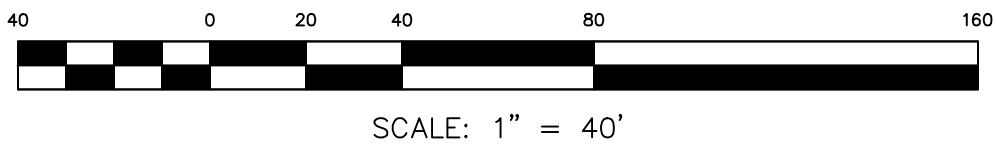
By: [Signature]
Signature of Petitioner

Bernie F. Funck
(Name Typed / Printed)



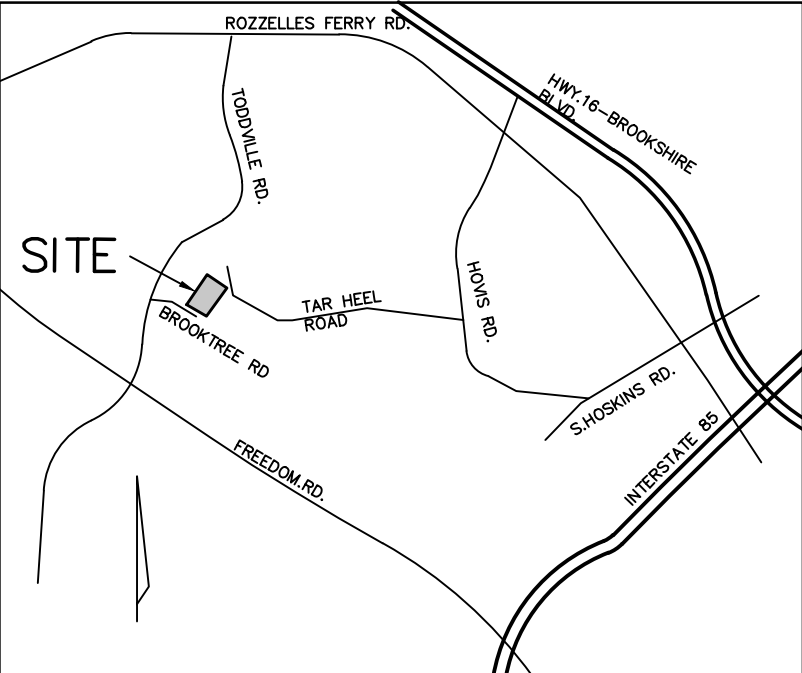
ADJACENT LANDOWNER SUMMARY

- A. CSX Transportation
500 Water Street
Jacksonville, Florida
057-05-558
Zoning: I-1
- B. The Atlantic Land & Improvement Company
500 Water Street
Unit C910
Jacksonville, Florida 32202
057-05-554
Zoning: I-1
- C. ICON Bond Distribution Center Owners Pool 2 LP
Post Office Box 460169
Houston, Texas 77056
057-02-502
Zoning: I-2
- D. Mast Brothers Tank Cleaning, Inc.
1730 Tar Heel Road
Charlotte, North Carolina 28208
057-08-103
Zoning: I-2 (CD)
- E. Mast Brothers Tank Cleaning, Inc.
1730 Tar Heel Road
Charlotte, North Carolina 28208
057-08-108
Zoning: I-2 (CD)
- F. Rain Maker Enterprises, Inc.
8318 Pineville-Matthews Road
Suite 708-102
Charlotte, North Carolina 28226
057-07-237
Zoning: R-17MF
- G. Mecklenburg County
600 East 4th Street
Charlotte, North Carolina 28202
057-07-115
Zoning: R-17MF



DEVELOPMENT DATA TABLE

- Acreage: Approximately 7.97 acres
- Tax Parcel: 057-08-109
- Existing Zoning: I-2 (CD) (1994-77)
- Existing Use: Vacant Land

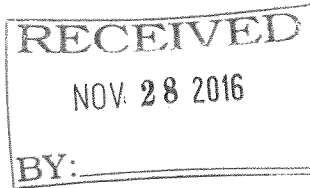


VICINITY MAP
NOT TO SCALE

DEVELOPMENT STANDARDS
November 28, 2016

- A. General Provisions**
- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by DC Property, LLC requesting a site plan amendment to accommodate the development of a maximum 30,000 square foot building devoted to uses allowed in the I-2 zoning district on that approximately 7.972 acre site located at the western terminus of Tar Heel Road, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel No. 057-081-09.
 - Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
 - Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the I-2 zoning district shall govern all development taking place on the Site.
 - The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, buffer and tree save requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
 - Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.
- B. Permitted Uses/Development Limitations**
- The Site may be devoted to any use or uses permitted by right and under prescribed conditions in the I-2 zoning district and to any incidental and accessory uses relating thereto that are allowed in the I-2 zoning district.
 - A maximum of 1 principal building may be located on the Site.
 - The principal building to be located on the Site shall be located within the principal building envelope depicted on the Rezoning Plan.
 - Parking and outside storage may be located within the principal building envelope as well as other portions of the Site.
 - The maximum gross floor area of the principal building to be located on the Site shall be 30,000 square feet.
 - A maximum of 4,500 square feet of gross floor area of the principal building to be located on the Site may be devoted to office uses.
- C. Transportation**
- Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access point are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.
 - The alignments of the internal drives to be located on the Site are subject to any minor modifications or alterations required during the construction permitting process.
- D. Architectural Standards**
- The maximum height of the principal building to be constructed on the Site shall be 40 feet.
 - 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.
 - All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- E. Streetscape and Landscaping**
- A minimum 88 foot wide Class A buffer shall be established along the southern boundary line of the Site, which buffer shall conform to the standards of Section 12.302 of the Ordinance.
 - Notwithstanding paragraph 1 above, pursuant to Section 12.302(8A) of the Ordinance, Petitioner may reduce the required width of the minimum 88 foot wide Class A buffer by 25% by installing a berm that meets the standards of Section 12.302(8A) of the Ordinance.
 - In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas accordingly.
 - The buffer areas shall not be disturbed except for required driveways, sidewalks, or other pedestrian paths, walls, fences, berms or required landscaping, landscaping maintenance and the replacement or the installation and maintenance of utility lines in accordance with Section 12.302(12) of the Ordinance.
 - Where existing trees and natural vegetation have been cleared to accommodate those items set out above in paragraph 4, the cleared unimproved areas will be landscaped with trees and shrubs in accordance with the requirements of the Ordinance.
- F. Environmental Features**
- Development of the Site shall comply with the City of Charlotte Tree Ordinance.
- G. Lighting**
- All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways, sidewalks and parking areas and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
 - The maximum height of any freestanding lighting fixture installed on the Site shall be 30 feet.
 - Any lighting fixtures attached to the principal building to be constructed on the Site shall be capped and downwardly directed.
- H. Binding Effect of the Rezoning Documents and Definitions**
- If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
 - Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
 - Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2017-036
Date Filed: 11/28/16
Received By: Br

Complete All Fields (Use additional pages if needed)

Property Owner: Elite Hosiery Mill Inc.

Owner's Address: 5005 Edward Street

City, State, Zip: Charlotte, NC 28213

Date Property Acquired: Parcel: 08304801 acquired 4/20/1982; Parcel: 08304810 acquired 2/1/1993

Property Address: 2100 & 2116 North Davidson Street, Charlotte, NC 28205

Tax Parcel Number(s): 08304801 & 08304810

Current Land Use: Office/Warehouse

Size (Acres): 1.031 acres total

Existing Zoning: I-1

Proposed Zoning: TOD-m(o)

Overlay: N/A

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

Required Rezoning Pre-Application Meeting* with: Amanda Vari

Date of meeting: 10/25/16

(*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): No

Purpose/description of Conditional Zoning Plan: Existing Parking fronting North Davidson St. and within the setback

Mark Miller

Name of Rezoning Agent

4530 Park Road Ste. 410

Agent's Address

Charlotte, NC 28209

City, State, Zip

704-519-4247

Telephone Number

704-525-8700

Fax Number

Mark.h.miller@latpurser.com

E-Mail Address

Julio C Castillon
Signature of Property Owner

JULIO C CASTILLON
(Name Typed / Printed)

Lat Purser & Associates, Inc.

Name of Petitioner(s)

4530 Park Road Ste. 410

Address of Petitioner(s)

Charlotte, NC 28209

City, State, Zip

704-519-4247

Telephone Number

704-525-8700

Fax Number

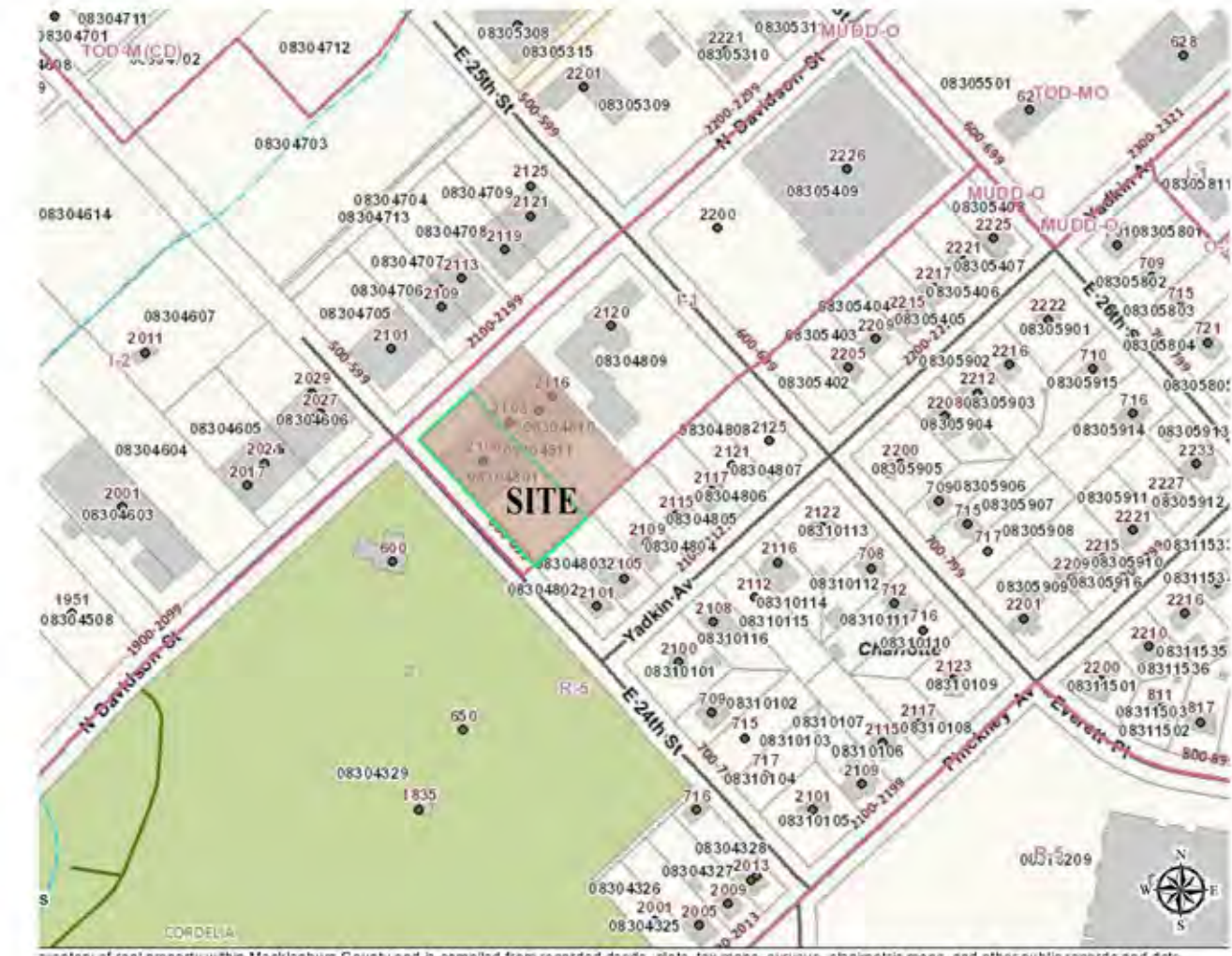
mark.h.miller@latpurser.com

E-Mail Address

Mark Miller
Signature of Petitioner

Mark Miller
(Name Typed / Printed)

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VICINITY MAP

2100 / 2116 N DAVIDSON ST.

CHARLOTTE, NC 28205

FOR: LAT PURSER & ASSOCIATES
CHARLOTTE, NC

1212 KENILWORTH AVENUE
CHARLOTTE, NC 28205
PHONE: 704.370.6000 FAX: 704.370.6006
www.childreyrobinson.com



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SEALS

REVISIONS

REV.	DESCRIPTION

DATE

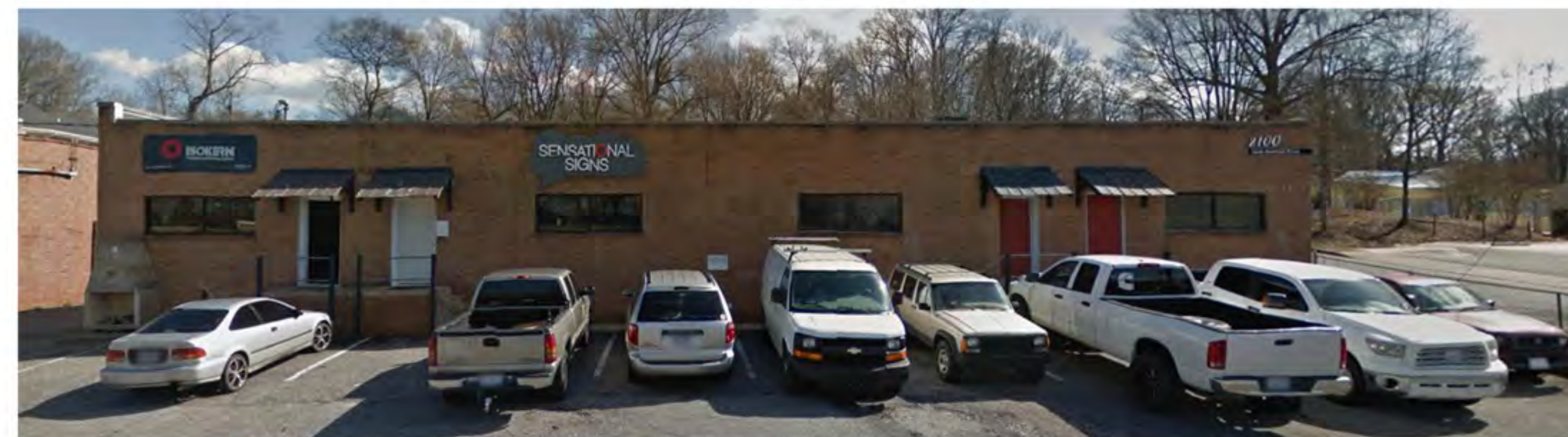
11-15-2016

SHEET NAME

PLAN

SHEET NUMBER

A-100



2100 / 2116 N DAVIDSON ST.
CHARLOTTE, NC 28205

FOR: LAT PURSER & ASSOCIATES
CHARLOTTE, NC

1212 KENILWORTH AVENUE
CHARLOTTE, NORTH CAROLINA 28204
PHONE: 704 370 6000 FAX: 704 370 6006

ARCHITECTURE
PHILIP DREY ROBINSON ASSOCIATES
PHONE: 704.370.6000 FAX: 704.370.6001
www.childreynobinson.com

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SEATS

REVISION

REV.	DESCRIPTION
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10 PAGE

11.22.16

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PROPOSED

PROPOSED ELEVATION

A-200

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