

# Rezoning Petition Packet

## Petitions:

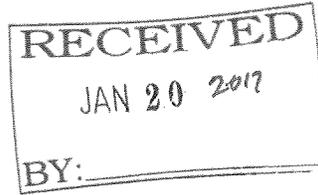
**2017-037 through 2017-044**

Petitions that were submitted by January 23, 2017

Staff Review Meeting: **To Be Determined**

City Public Hearing: **To Be Determined**

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-037  
Petition #: \_\_\_\_\_  
Date Filed: 1/20/17  
Received By: BF

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

Property Owner: Starmount-Presson Associates, LLC (c/o Jerry Rigsby)

Owner's Address: 1220 South Kings Drive City, State, Zip: Charlotte, NC 28207

Date Property Acquired: February 28, 2006

Property Address: 1522 Starmount Cove Lane

Tax Parcel Number(s): 173-162-78

Current Land Use: Vacant Size (Acres): +/- 9.14 acres

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

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

Required Rezoning Pre-Application Meeting\* with: John Kinley, Kent Main, Alberto Gonzalez et al.

Date of meeting: January 3, 2017

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

**For Conditional Rezonings Only:**

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

Purpose/description of Conditional Zoning Plan: To accommodate the development of a residential community on the site that could contain up to 95 single family attached dwelling units.

John Carmichael (Robinson Bradshaw)  
Name of Rezoning Agent

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

Charlotte, NC 28246  
City, State, Zip

704-377-8341  
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com  
E-Mail Address

  
See Attached Joinder Agreement  
Signature of Property Owner  
Jerry C. Rigsby, Manager  
(Name Typed / Printed)

Pulte Home Company, LLC (c/o Cisco Garcia)  
Name of Petitioner(s)

11121 Carmel Commons Boulevard, Suite 450  
Address of Petitioner(s)

Charlotte, NC 28226  
City, State, Zip

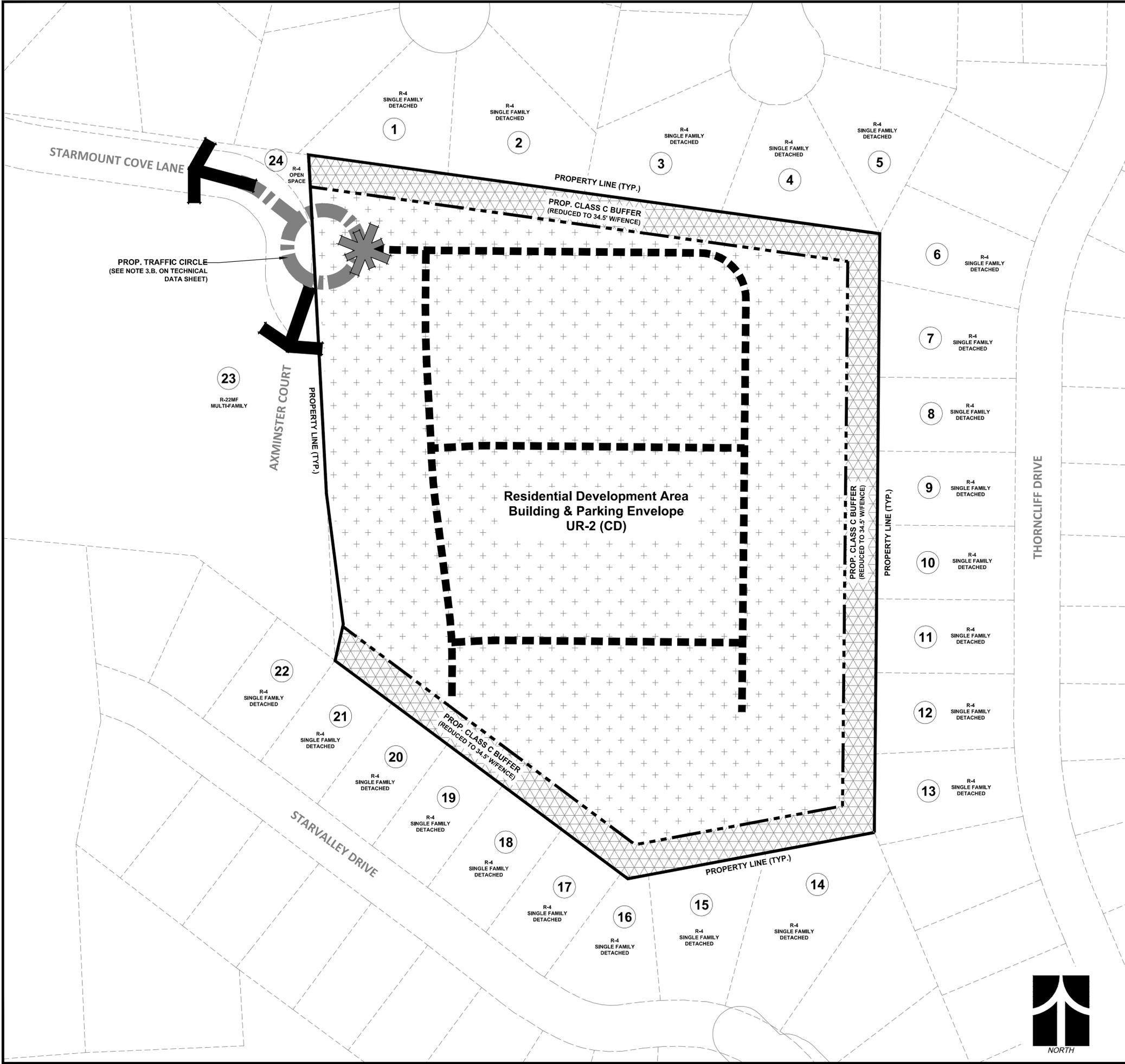
704-414-7007  
Telephone Number Fax Number

cisco.garcia@pultegroup.com  
E-Mail Address

**PULTE HOME COMPANY, LLC**  
By:   
Signature of Petitioner  
CISCO GARCIA  
(Name Typed / Printed)



U:\2016 Projects (E\ERSB) - Starmount Cove (Plan)\Submittal Working Drawings\2016-11-22 Rezoning - 1st Submittal\DWG\Site Plan.dwg - Conceptual Site Plan.dwg, Sheet 2 of 4, mending



**Vicinity Map**  
Not to Scale

**Site Data**

Tax Parcels:	17316278
Total Acreage:	+/- 9.14 Acres
Location:	City of Charlotte
Existing Zoning:	R-8 (CD)
Proposed Zoning:	UR-2 (CD)
Existing Use:	Vacant
Proposed Use:	Residential (Attached); Up to 95 attached dwelling units together with accessory uses, as allowed in the UR-2 zoning district.
Permitted # of Units:	Up to 95 Units
Density:	+/- 10.39 DU/AC
Maximum Building Height:	Not to exceed two (2) stories or 40 feet. Building height will be measured as defined by the ordinance. A minimum of 1.0 parking spaces per unit.
Parking:	A minimum of 1.0 parking spaces per unit.
Private Open Space:	+/- 38,000 SF (400 SF per Unit x 95 Units)

**General Notes**

1. Base information obtained from preliminary site survey prepared by ESP Associates dated November 14, 2016.

**Legend**

	Residential Development Area - Building & Parking Envelope
	Local Residential Street
	Private Street (30' Clear Zone)
	Private Street Access Location
	Connection
	Class C Buffer (Reduced 34.5' w/Fence)

**GRAPHIC SCALE**

(IN FEET)  
1 INCH = 50 FT.

**811**  
Know what's below.  
Call before you dig.

ESP Associates, P.A.  
P.O. Box 7100  
Charlotte, NC 28241  
3475 Lakewood Blvd.  
Fort Mill, SC 29708  
704-583-9449 (NC)  
803-802-2440 (SC)  
www.espaceassociates.com

**ESP**

NO.	DATE	REVISION

BY \_\_\_\_\_

PROJECT INFORMATION

PROJECT MANAGER:	ML
DESIGNED BY:	AB
DRAWN BY:	AB
PROJECT NUMBER:	ERS8.100
ORIGINAL DATE:	01/20/17
SHEET:	2 of 4

Conditional District Rezoning - UR-2 (CD)  
Conceptual Site Plan - Petition # 2017-\_\_\_\_\_  
**Starmount Cove Site**  
Pulte Home Company LLC  
City of Charlotte



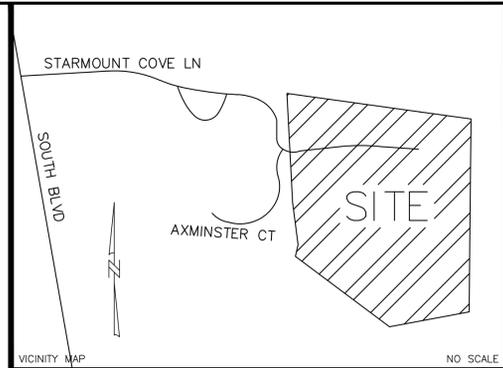


**NOTES**

THIS PROPERTY IS ZONED R-8(CD)  
 TOTAL ACREAGE FOR THE AREA ENCOMPASSED BY THIS PLAT IS 9.14  
 BOUNDARY INFORMATION TAKEN FROM DB 20070 PG 212  
 THIS SURVEY IS OF AN EXISTING PARCEL OF LAND, NO NEW PROPERTY LINES WERE ESTABLISHED.  
 THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENT(S) AND OR RIGHT(S) OF WAY, APPLICABLE DEED RESTRICTIONS, UTILITIES AND COVENANTS.  
 SUBJECT TRACT IS LOCATED OUTSIDE THE 100-YEAR FLOODPLAIN AS SHOWN ON FEMA FIRM COMMUNITY PANEL NO. 3710454000K DATED FEBRUARY 19, 2014  
 DATE OF SURVEY: DECEMBER 2016

**LEGEND**

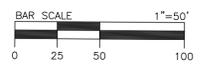
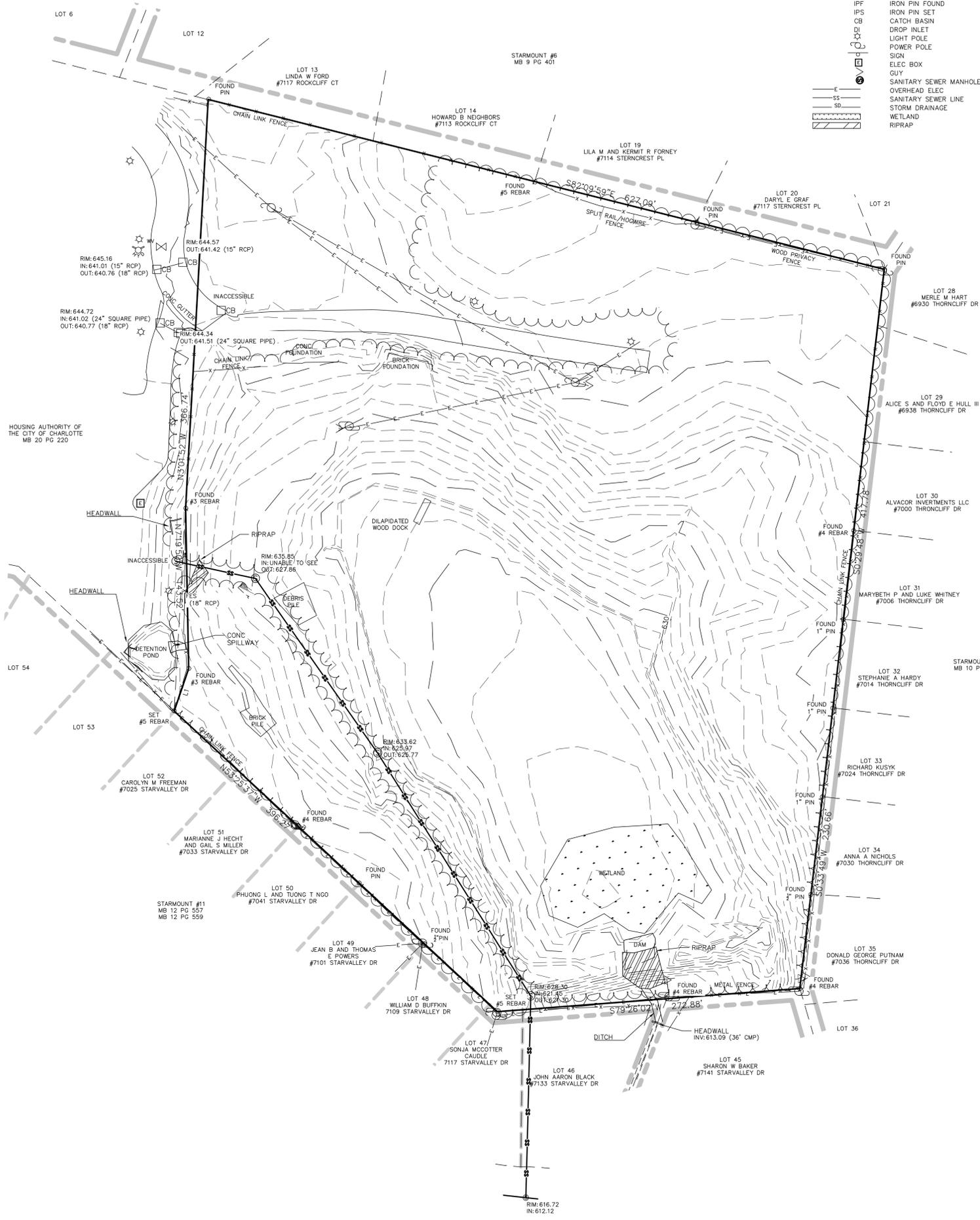
- IPF IRON PIN FOUND
- CB IRON PIN SET
- CB CATCH BASIN
- CB DROP INLET
- CB LIGHT POLE
- CB POWER POLE
- CB SIGN
- CB ELEC BOX
- CB GUY
- CB SANITARY SEWER MANHOLE
- CB OVERHEAD ELEC
- CB SANITARY SEWER LINE
- CB STORM DRAINAGE
- CB WETLAND
- CB RIPRAP



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N12°43'27"E	40.23'

PRELIMINARY

PRELIMINARY



NO.	DATE	REVISION	BY

TOPOGRAPHY SURVEY OF TAX PARCEL# 17316278 STARMOUNT COVE TOWNS	PROJECT NO. ER58 SCALE 1"=50' DATE 12/6/2016 DRAWN BY DMC CHECKED BY DAW
LOCATED IN THE CITY OF CHARLOTTE MECKLENBURG COUNTY NORTH CAROLINA	CLIENT: <b>PULTE HOMES CORP</b> 11121 CARMEL COMMONS BLVD CHARLOTTE, NC 28226 (704) 543-4922

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

DATE: 1/27/2017 7:09 AM DRAWING NAME: C:\2016 PROJECTS\01\2016 - STARMOUNT COVE\01\2016 SURVEY\01\2016 SURVEY.DWG STARMOUNT COVE TOWNS.DWG UPDATED BY: MATT MOORE

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

RECEIVED  
JAN 23 2017

Petition #: 2017-038  
Date Filed: 1/23/2017  
Received By: PK

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

Property Owner: Lakepointe Corporate Center Associates, LLC c/o Childress Klein Properties, Inc.

Owner's Address: 301 S. College Street City, State, Zip: Charlotte, NC 28202

Date Property Acquired: 9/01/2004

Property Address: Cascade Pointe Blvd, Charlotte NC

Tax Parcel Number(s): 143-041-23

Current Land Use: Vacant Size (Acres): +/- 2.12 acres

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

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

Required Rezoning Pre-Application Meeting\* with: Solomon Fortune, Kathy Mahoney, Alan Goodwin, and Carlos Alzate  
Date of meeting: 11/02/16

(\*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: To modify zoning conditions to accommodate drive-through use.

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

Lakepointe Corporate Center Associates LLC  
By CK Lakepointe Corporate Center Associates LLC  
Signature of Property Owner ITS MANAGER

By Childress Klein Properties, Inc. ITS MANAGER  
By Tom Coyle  
(Name Typed / Printed)  
ITS Vice-President

Childress Klein Properties, Inc.  
Name of Petitioner(s)

301 S. College Street, Suite 2800  
Address of Petitioner(s)

Charlotte, NC 28202  
City, State, Zip

704-343-4308  
Telephone Number Fax Number

Tom.Coyle@childressklein.com  
E-Mail Address

Tom Coyle  
Signature of Petitioner

Tom Coyle  
(Name Typed / Printed)

**SITE PLAN AMENDMENT  
PETITION NO. 2017 - xxx  
DEVELOPMENT STANDARDS  
CHILDRESS KLEIN PROPERTIES**

**Development Data Table:**  
**Acreage:** ±2.12 acres  
**Tax Parcels:** 143-041-23  
**Existing Zoning:** I-1(CD)  
**Proposed Zoning:** I-1(CD) S.P.A. (5 year vested rights)  
**Existing Uses:** Vacant  
**Proposed Uses:** Up to 10,000 s.f. of Commercial Uses

**I. General Provisions**

These Development Standards form part of the Technical Data Sheet associated with the I-1(CD) Site Plan Amendment filed by Childress Klein Properties, Inc. to modify several provisions of an I-1(CD) Rezoning Plan which was approved by the City Council on January 20, 1999 in Rezoning Petition No. 1998-125, as thereafter amended administratively on March 5, 2015.

This Site Plan Amendment applies only to that approximately 2.12 acre part of the LakePointe Development which is located at the southeast intersection of West Tyvola Road and Cascade Pointe Boulevard and which has been designated by Mecklenburg County as Tax Parcel 143-041-23 (the "Site").

Unless the Technical Data Sheet, these Development Standards or the accompanying Conceptual Architectural Renderings establish more stringent standards, the regulations established under the Ordinance for the I-1 Zoning District shall govern all development taking place on the Site.

Conceptual Architectural Renderings are intended to convey the architectural vision and design concepts proposed for certain buildings within Site. Ultimately, buildings and improved areas constructed within the Site may deviate from Conceptual Architectural Renderings, as long as any buildings are consistent with the spirit and intent of the Conceptual Exhibits.

Inasmuch as planning for the proposed redevelopment of the Site has not yet advanced beyond the formative stage, the ultimate layouts of the development proposed, the exact alignments of streets and points of access, the configurations and placements of parking areas and the heights and masses of buildings have not yet been determined. As a consequence, the configurations, placements and sizes of the buildings and parking areas depicted on Technical Data Sheet are schematic in nature and therefore are subject to refinements as part of the total design process. They may, therefore, be altered or modified during design development and construction document phases so long as the maximum parking and building envelope lines established on the Technical Data Sheet are not violated and the proposed alterations or modifications do not exceed the parameters established under these Development Standards and under the Ordinance for the I-1 District.

The Site is a small portion of the larger LakePointe development which was developed in accordance with Rezoning Petition 98-125. The LakePointe development includes master stormwater control facilities and open space/tree save areas developed in accordance with Rezoning Petition 98-125. This Site Plan Amendment is intended solely to allow a drive-through service window as an accessory use. This site remains vested under Conditional Rezoning Petition 98-125 with regard to compliance with the PCCO, Tree Ordinances and other development regulations.

**II. Permitted Uses**

The Site may be developed with up to 10,000 square feet of commercial floor area (exclusive of areas used for building and equipment access, such as stairs, elevator shafts and maintenance crawl space) within up to two buildings. Except as otherwise provided in the next succeeding paragraph, the Site may be devoted to any uses (including any incidental or accessory uses associated therewith) which are permitted by right or under prescribed conditions in the I-1 Zoning District under the Ordinance. Only accessory drive-through use shall be permitted.

Notwithstanding the foregoing paragraph of this Section 2, the following uses shall not be allowed on the Site:

1. Convenience stores with gasoline sales;
2. Car washes; and
3. Automotive service stations.

**III. Transportation**

All access points shall be as generally depicted on the Technical Data Sheet.

**IV. Architectural Standards, Streetscape and Landscaping**

1. Upon establishment and completion of the configuration of out parcels, buildings constructed on out parcels will conform to the front yard, rear yard and setback requirements established under the Ordinance.
2. Vehicular access points to each out parcel will be placed on internal project streets. No access to out parcels will be allowed off of West Tyvola Road.
3. All buildings placed within out parcels must be constructed of masonry or stucco or stucco-like materials and designed such that each such building is in harmony with adjoining buildings through the use of similar architectural features, scale and landscaping.
4. Buffer requirements will conform to the standards established in the Ordinance for the I-1 zoning district.
5. The drive-through service window must be oriented internally to the Site, and the drive-through circulation lanes servicing this window must not be located between that building and adjacent streets.
6. Any design for drive-through lanes constructed on the Site must incorporate areas for safe pedestrian crossing.

**V. Screening**

1. Development screening will conform to the standards established under Section 12.303 of the Ordinance.
2. All dumpsters will be located in enclosures constructed of either masonry walls or wooden fences and will be provided with gates. If one or more sides of the dumpster area adjoins a side or rear wall of a building, the wall or walls may be substituted for the fence along each such side.
3. The drive-through service window and circulation lane will be screened from view from the public streets through use of low walls and landscaping.

**VI. Off-Street Parking**

Parking areas depicted on this Rezoning Plan may vary in size, location and configuration but in all events, all site off-street parking and loading will conform to the parking and loading standards established under the Ordinance.

**VII. Environmental Features**

The Site is a small portion of the larger LakePointe development which was developed in accordance with Rezoning Petition 98-125. The LakePointe development includes master stormwater control facilities and open space/tree save areas developed in accordance with Rezoning Petition 98-125. This Site Plan Amendment is intended solely to allow a drive-through service window as an accessory use. This site remains vested under Conditional Rezoning Petition 98-125 with regard to compliance with the PCCO, Tree Ordinances and other development regulations.

1. Development will comply with the Mecklenburg County Storm Water Management Ordinances as applicable upon approval of Rezoning Petition 98-125.
2. Tree Ordinance compliance shall be evaluated based on Conditional Rezoning Petition 98-125. The provisions of the current ordinance shall not be applied to the Site individually.

**VIII. Fire Protection**

Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshal's specifications. Plans for each building will be submitted to the Fire Marshal's office for approval before the construction of that building commences.

**IX. Signs**

1. A master signage and graphics system will be adopted and implemented throughout the Site.
2. All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.
3. Permanent project identification signs and directional signs may be located along West Tyvola Road.
4. All freestanding signs will be of the ground mounted type and no pylon signs will be allowed on the site.
5. Ground mounted sign panels for retail uses will be limited to four (4) feet in height above a sign based which will be limited to two and one-half (2 1/2) feet in height for a total height of six and one-half (6 1/2) feet in height. The sign panel will be no larger than fifty (50) square feet.
6. Billboards will not be allowed on the Site.

**X. Lighting**

1. A uniform lighting system will be employed throughout the project and will include shoebox fixtures which do not, including their bases, exceed thirty (30) feet in height.
2. Consideration will be given to the impact of lighting both within and outside the project. Items for consideration will include intensity, cutoff angles, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards adjacent streets and properties.
3. Wall pack type lighting will not be utilized on buildings adjacent to residential areas.

**XI. Amendments to Rezoning Plan**

Future amendments to the Technical Data Sheet or these Development Standards may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

Further alterations or modifications to the Approved Plan for the LakePointe Development which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the approved Technical Data Sheet for the LakePointe Development or any of its conditions or which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

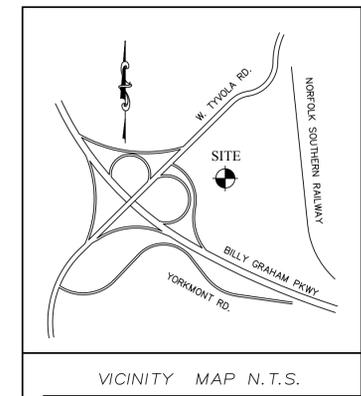
**XII. Binding Effect of the Rezoning Documents and Definitions**

If this Site Plan Amendment is approved, all conditions applicable to development of the Site imposed under the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

Throughout these Development Standards, the terms, "Petitioner" and "owner" and "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owners of the Site from time to time who may be involved in any future development thereof.

**XIII. Vested Rights Provision**

If this Rezoning Petition is approved by the Charlotte City Council then, pursuant to Section 1.110 of the Ordinance, the Petitioner hereby requests a five-year vested right to undertake and complete the development of this Site under the terms and conditions as so approved, commencing upon approval of this Rezoning Petition by the Charlotte City Council. The Petitioner makes this request for a five-year vested right due to the size and phasing of the proposed development, market conditions and the level of investment involved.



PROJECT NUMBER	DATE
PROJECT NAME	DATE
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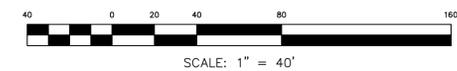
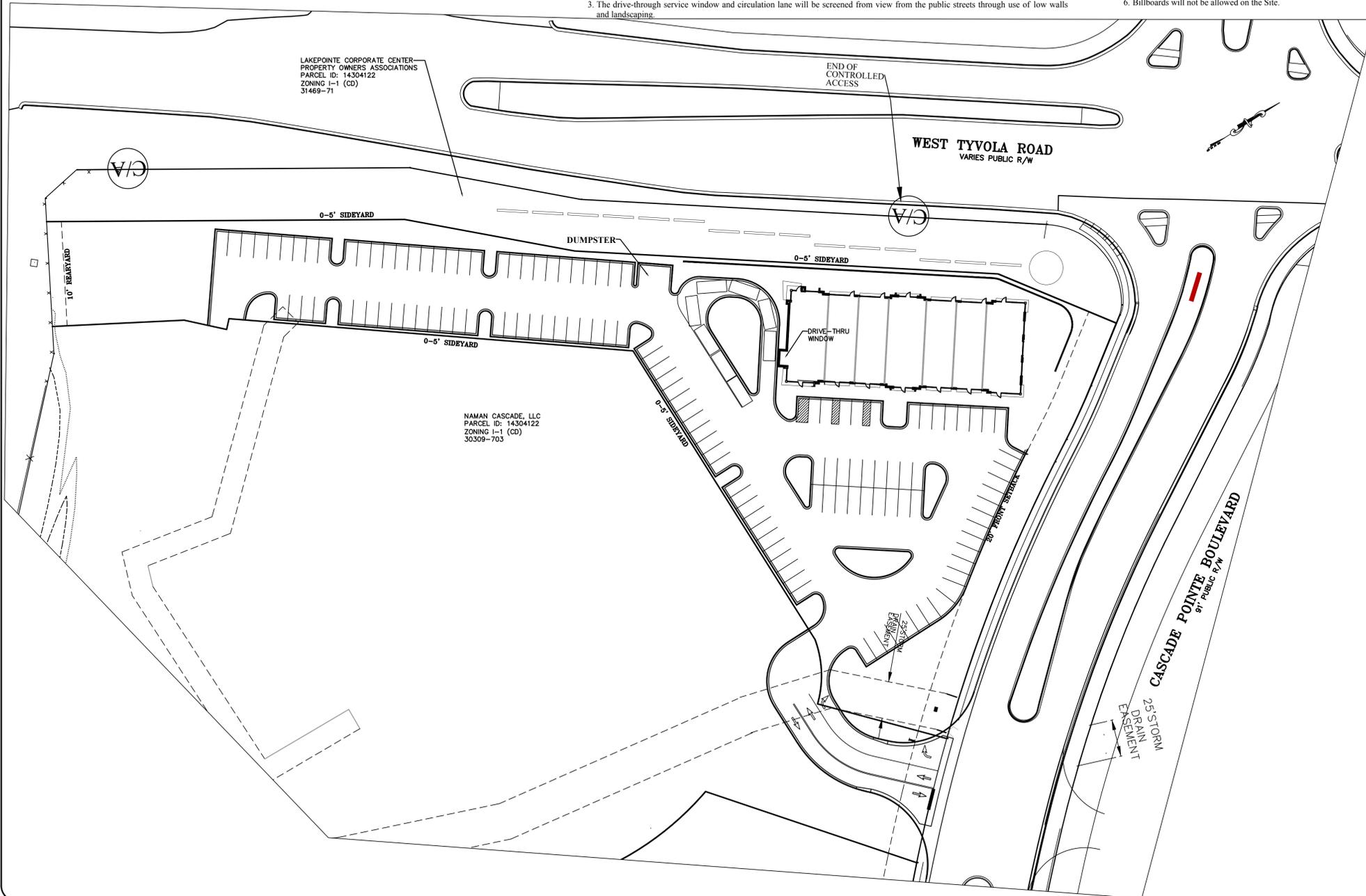
**GEOSCENCE GROUP**  
 11000 North Carolina Road  
 Charlotte, NC 28217  
 Phone: 704.252.2000  
 www.geosciencegroup.com  
 NC REG. LICENSE # 0088090  
 NC REG. LICENSE # 079604

- PRELIMINARY NOT FOR CONSTRUCTION
- ISSUED FOR BIDDING
- ISSUED FOR PERMIT
- ISSUED FOR CONSTRUCTION

LAKEPOINTE RETAIL  
 CHARLOTTE, NORTH CAROLINA

REZONING PETITION

RZ1





**LAKE POINTE RETAIL**

FRONT ELEVATION

ROBERT JOHNSON architects

SCHEMATIC EXTERIOR VIEWS - RJA PROJECT SP #900 - 11.01.16

NOT TO SCALE



**LAKE POINTE RETAIL**

VIEW FROM CORNER

ROBERT JOHNSON architects

SCHEMATIC EXTERIOR VIEWS - RJA PROJECT SP #900 - 11.01.16

NOT TO SCALE



**LAKE POINTE RETAIL**

VIEW FROM CORNER

ROBERT JOHNSON architects

SCHEMATIC EXTERIOR VIEWS - RJA PROJECT SP #900 - 11.01.16

NOT TO SCALE



**LAKE POINTE RETAIL**

VIEW FROM TRYON

ROBERT JOHNSON architects

SCHEMATIC EXTERIOR VIEWS - RJA PROJECT SP #900 - 11.01.16

NOT TO SCALE



PROJECT NUMBER	11-01-16
DESIGN BY	RJA
DATE	11.01.16
PROJECT NUMBER	11-01-16
DATE	11.01.16
PROJECT NUMBER	11-01-16
DATE	11.01.16
PROJECT NUMBER	11-01-16
DATE	11.01.16

**GEOSCIENCE GROUP**  
 10000 University Road  
 Charlotte, NC 28217  
 Phone: 704.252.1000  
 Fax: 704.252.1001  
 www.geosciencengroup.com  
 NC Reg. License # 085809  
 NC Reg. License # 079604

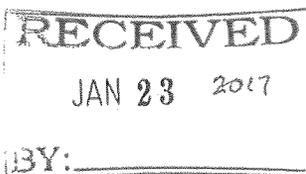
- PRELIMINARY NOT FOR CONSTRUCTION
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- ISSUED FOR PERMIT
- ISSUED FOR CONSTRUCTION

LAKEPOINTE RETAIL  
 CHARLOTTE, NORTH CAROLINA

REZONING PETITION

RZ2

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-039

Petition #: \_\_\_\_\_  
Date Filed: 1/23/2017  
Received By: BJK

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

Property Owner: Beacon MPI-1414ST LLC c/o Beacon Partners

Owner's Address: 610 East Morehead Street, Suite 250 City, State, Zip: Charlotte, NC 28202

Date Property Acquired: 8/31/2015

Property Address: 118 Winona Street, Charlotte NC 28203

Tax Parcel Number(s): 073-092-04

Current Land Use: Warehouse/Office Size (Acres): +/- 3.53 acres

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

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

Required Rezoning Pre-Application Meeting\* with: Solomon Fortune, Alan Goodwin, Kathy Cornett

Date of meeting: 5/4/16 and 9/14/16

(\*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): Yes, 5 years  
Purpose/description of Conditional Zoning Plan: to accommodate a mixed use development which may include office, retail, and/or multi-family residential uses as well as open space

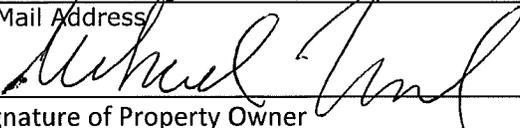
Collin Brown and Bailey Patrick Jr.  
Name of Rezoning Agent

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 / Bailey.Patrick@klgates.com  
E-Mail Address

  
Signature of Property Owner

Mike Harrell  
(Name Typed / Printed)

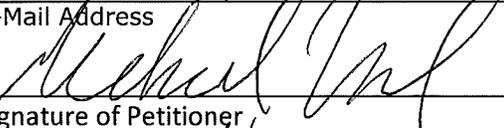
Beacon Partners  
Name of Petitioner(s)

610 E. Morehead Street, Suite 250  
Address of Petitioner(s)

Charlotte, NC 28202  
City, State, Zip

704-597-7757                      \_\_\_\_\_  
Telephone Number                      Fax Number

mike@beacondevelopment.com  
E-Mail Address

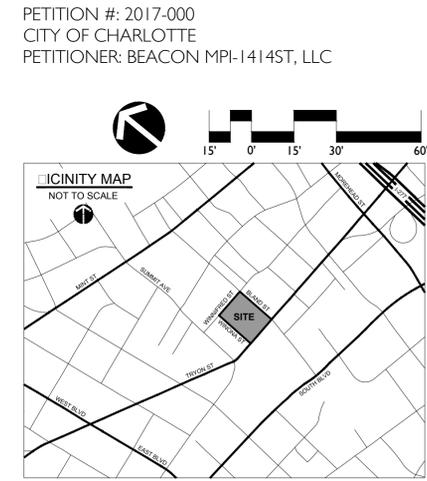
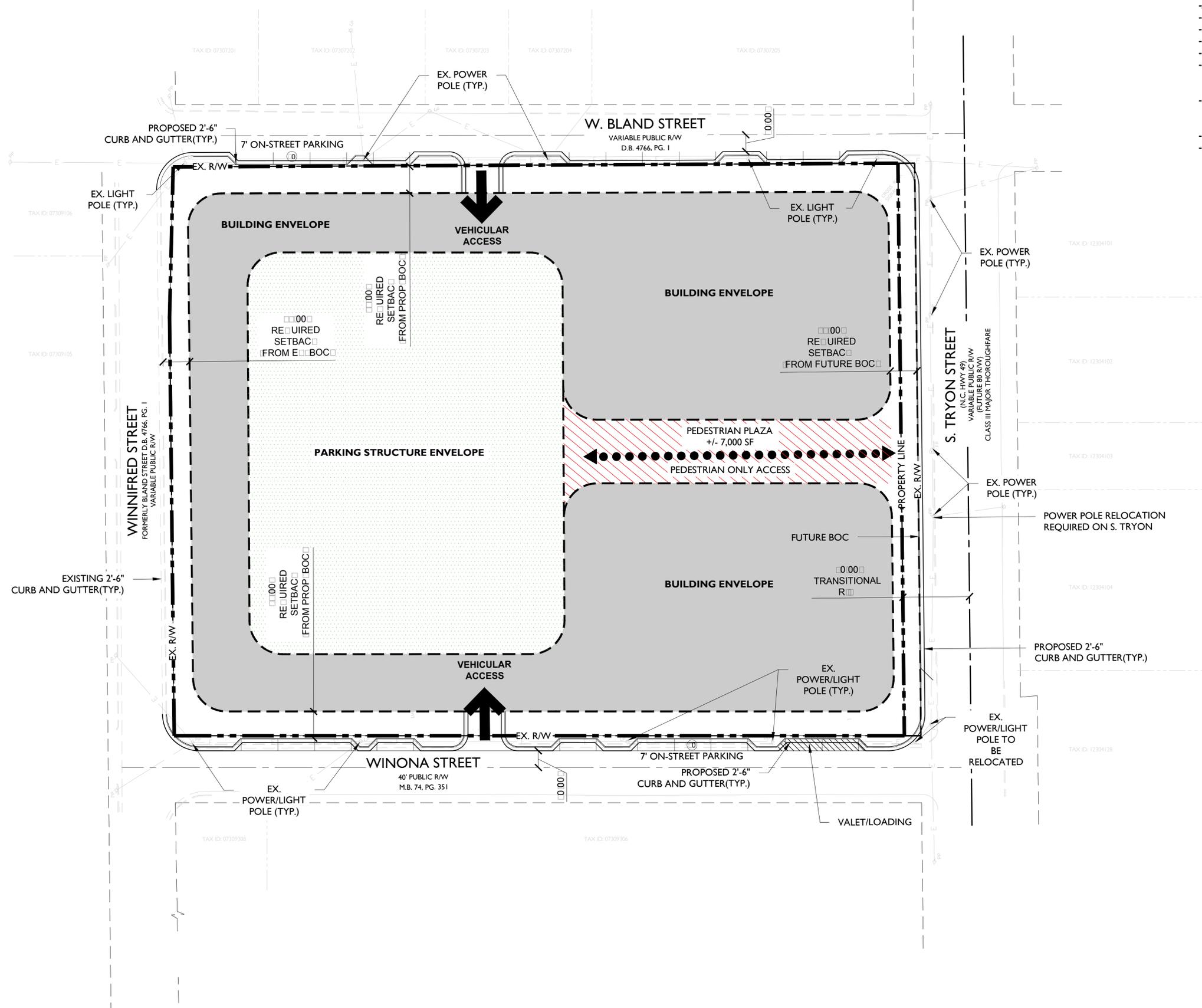
  
Signature of Petitioner

Mike Harrell  
(Name Typed / Printed)



**SITE DEVELOPMENT AREA**

- ACREAGE: 0.0000 ACRES
- TAX PARCEL #: 00000000
- EXISTING ZONING: I1
- PROPOSED ZONING: TOD MO
- EXISTING USES: INDUSTRIAL AREHOUSE
- PROPOSED USES: OFFICE COMMERCIAL MULTIFAMILY RESIDENTIAL HOTEL FOOD PERSONAL SERVICE AND ACCESSORY USES THERE TO
- MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: DEVELOPMENT INTENSITY SHALL NOT EXCEED LIMITS OF TOD MO
- MAXIMUM BUILDING HEIGHT: UP TO 0 FEET
- PARKING: SHALL SATISFY OR EXCEED REQUIREMENTS UNLESS OTHERWISE STATED IN OPTIONAL PROVISIONS OR IN THE DEVELOPMENT NOTES SHEET R000





1. Development Data Table

Site Area: 0.0000 acres  
Tax Parcel: 000000000  
Existing Zoning: I  
Proposed Zoning: TOD/MO  
Existing Uses: Industrial/warehouse  
Proposed Uses: Office/Community Multi-Family Residential/EEDE/Personal Services and Accessory Uses  
Maximum Development: Development Intensity shall not exceed limits of TOD M  
Maximum Building Height: Up to 0 feet  
Parking: Shall satisfy or exceed Ordinance requirements unless otherwise stated in alternative provisions below  
Public Access: 0000 square feet  
Urban Open Space: 0000 square feet

2. General Provisions

These Development Standards are a part of the Rezoning Plan associated with the Rezoning Petition filed by Beacon Partners ("Beacon") to rezone certain parcels (the "Site") into the zoning District to the TOD/MO zoning District in order to accommodate a transit oriented development, as depicted on the Rezoning Plan (the "Site").

Development of the Site will conform to the applicable zoning Rezoning Plan and the Development Standards and the applicable provisions of the City of Charlotte zoning Ordinance (the "Ordinance"). The Rezoning Plan is intended to create a set of development rights including building arrangement and other provisions.

Unless the Rezoning Plan or these Development Standards establish more stringent standards or regulations established under the Ordinance for the TOD/MO zoning District shall conform and development taking place on the Site.

Alterations or modifications will be in the opinion of the Planning Director substantial after the character of the development proposed or significant after the Rezoning Plan or these Development Standards constitute changes which increase the intensity of development shall not be deemed to be minor and shall not be added in accordance with the provisions of Subsections of the Ordinance as applicable.

3. Optional Provisions

A Petitioner shall accept an alternative provision to allow up to 000 feet of building height within Building Envelope A and Building Envelope B.

4. Permitted Uses

The Site shall be deemed to be used in accordance with the TOD Ordinance Standard together with an incidental or accessory use as associated therewith.

5. Maximum Development

Development shall not exceed the allowed maximum height in the TOD Ordinance Standards. Office uses shall be permitted at least 00 feet of gross floor area developed on the Site exclusively for parking structures.

6. Transportation

Regular access points shall be provided to on driveway on inner Street to on driveway on B Band Street and on driveway on inner Street. Non-regular access points will be created from South Street.

7. Architectural Standards/Streetscape and Landscaping

A Petitioner is proposing an architecturally sensitive building to be located on the Site at South End and is requesting that the Ordinance for South End Renaissance District and residential architectural.

At the ground floor uses shall be located at least 00 feet from the linear street fronting building setback.

At least one parking structure shall be provided on the Site at the end of the street at the end of the street at the end of the street.

In order to stimulate pedestrian activity on the Site, the Site shall be designed to incorporate an urban open space area and Pedestrian Plaza as an entrance into the Site from South Street.

Petitioner shall provide right-of-way and streetscape improvements consistent with the standards and cross sections set forth in the South End Station Area Plan as generally depicted in the Site Plan.

8. Environmental Features

Petitioner shall satisfy requirements of the Post Construction Controls Ordinance.

9. Lighting

All existing lighting fixtures will be replaced with outdoor lighting.

10. Amendments to Rezoning Plan

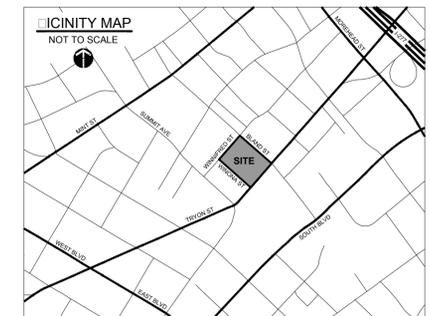
Future amendments to the Rezoning Plan and these Development Standards shall be approved by the Town Owner or Owners of a particular Tract within the Site in accordance with the provisions of Chapter of the Ordinance.

11. Binding Effect of the Rezoning Documents and Definitions

In this Rezoning Petition is a condition and conditions applicable to development of the Site is based under the Rezoning Plan and these Development Standards with the exception of the amendments made under the Ordinance finding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns.

Throughout these Development Standards the terms "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site and the title to the property shall inure to and be held in and for the benefit of the

PETITION #: 2017-000  
CITY OF CHARLOTTE  
PETITIONER: BEACON MPI-1414ST, LLC



REVISIONS:

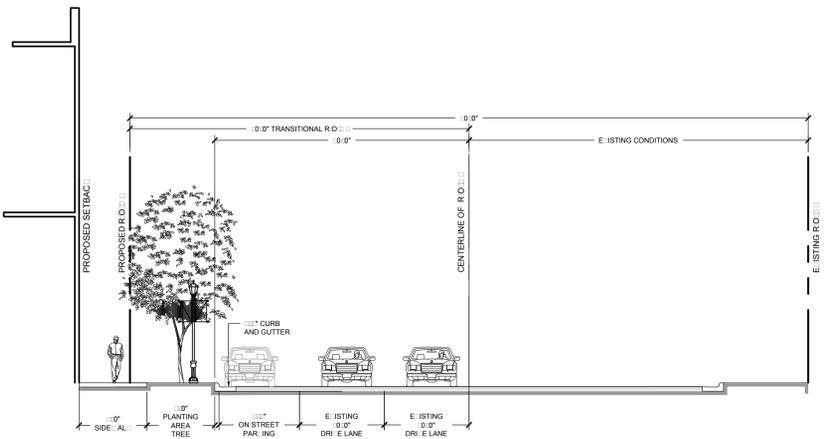
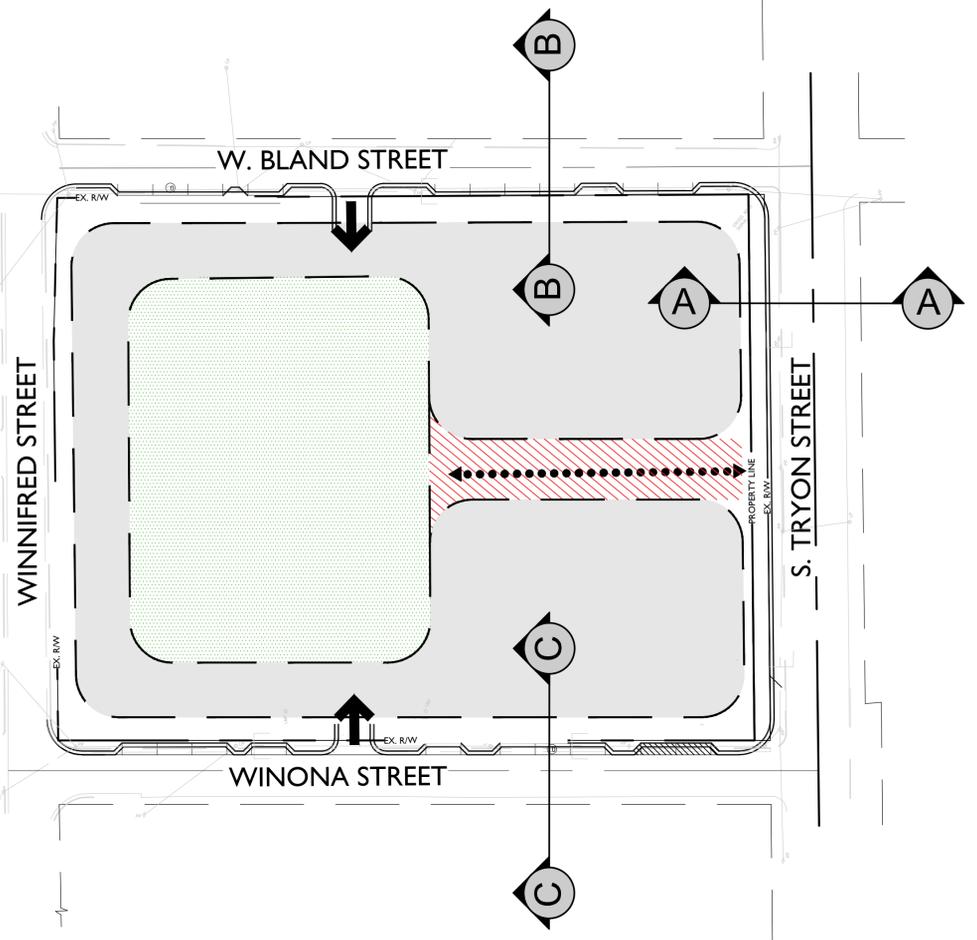
DATE: JANUARY 23, 2017  
DESIGNED BY: JPR  
DRAWN BY: JPR  
CHECKED BY: R.P. NLD  
SCALE: AS SHOWN  
PROJECT #: 1016066



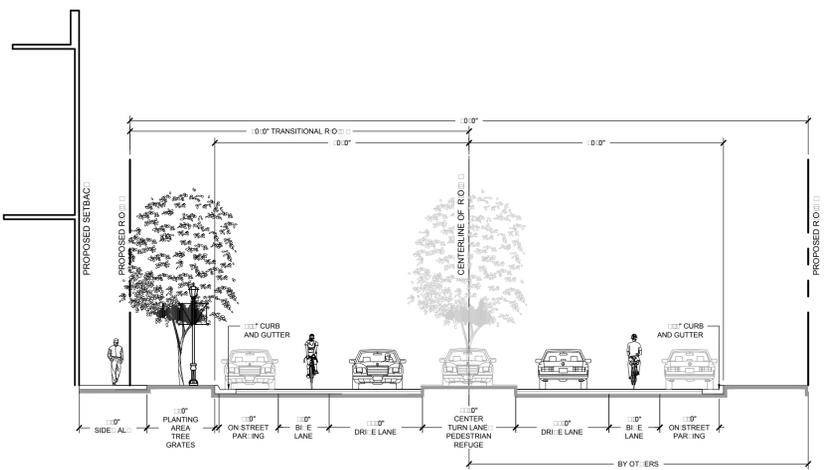
REVISIONS:

DATE: JANUARY 23, 2017  
 DESIGNED BY: JPR  
 DRAWN BY: R.P. NLD  
 CHECKED BY: R.P. NLD  
 SCALE: AS SHOWN  
 PROJECT #: 1016066

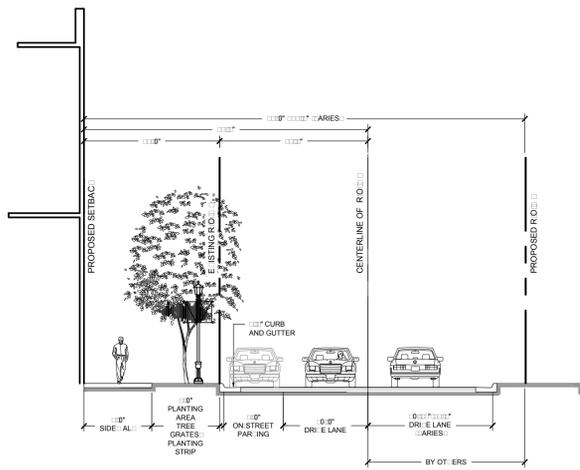
SHEET # **RZ-3**



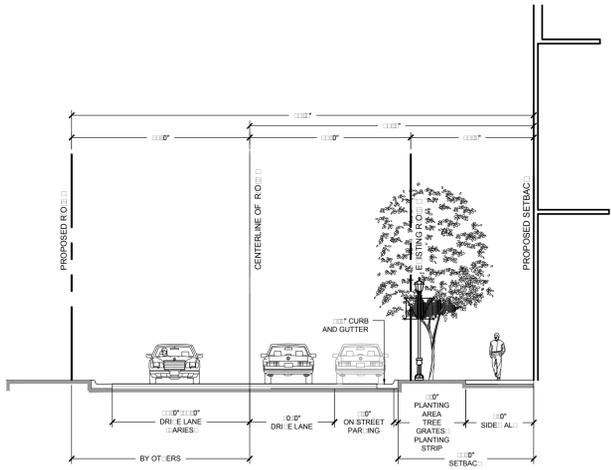
SOUTH TRYON STREET CROSS SECTION  
 PROPOSED INTERIM CONDITION  
 SECTION A-A  
 SCALE 1/4" = 10'-0"



SOUTH TRYON STREET CROSS SECTION  
 PROPOSED FUTURE CONDITION  
 SECTION A-A  
 SCALE 1/4" = 10'-0"

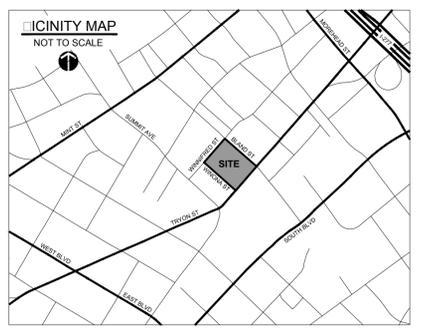


WEST BLAND STREET CROSS SECTION  
 SECTION B-B  
 SCALE 1/4" = 10'-0"



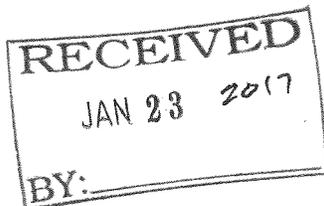
WINONA STREET CROSS SECTION  
 SECTION C-C  
 SCALE 1/4" = 10'-0"

PETITION #: 2017-000  
 CITY OF CHARLOTTE  
 PETITIONER: BEACON MPI-1414ST, LLC





**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-040

Petition #: \_\_\_\_\_  
Date Filed: 1/23/2017  
Received By: RH

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

Property Owner: Louis G. Ratcliffe, Inc.

Owner's Address: 2019 W. Sugar Creek Road City, State, Zip: Charlotte, NC 28262

Date Property Acquired: Unknown

Property Address: 1300 S. Tryon Street, Charlotte, NC 20203

Tax Parcel Number(s): 07307210

Current Land Use: Retail Size (Acres): +/- 0.33 acres

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

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

Required Rezoning Pre-Application Meeting\* with: Solomon Fortune, Alan Goodwin, Kathy Cornett, Kory Hedrick, Catherine Mahoney

Date of meeting: 01/11/17

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

**For Conditional Rezonings Only:**

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

Purpose/description of Conditional Zoning Plan: N/A

Collin Brown & 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

N/A  
Signature of Property Owner

N/A  
(Name Typed / Printed)

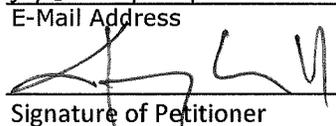
White Point Partners, LLC  
Name of Petitioner(s)

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

Charlotte, NC 28211  
City, State, Zip

704-761-6448  
Telephone Number Fax Number

jay@whitepointpartners.com  
E-Mail Address

  
Signature of Petitioner

Jay Levell, Partner  
(Name Typed / Printed)

2017-041

# I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #:	_____
Date Filed:	<u>1/23/2017</u>
Received By:	<u>BK</u>

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/residential Size (Acres): ± 11.442 acres

Existing Zoning: I-1, R-22MF and R-5 Proposed Zoning: UR-2(CD)

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

Required Rezoning Pre-Application Meeting\* with Shannon Frye, Kelsie Anderson, Mandy Vari and Sonja Sanders

Date of meeting: 01/17/17

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

**For Conditional Rezoning Only:**

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

Purpose/description of Conditional Zoning Plan:  
To allow the redevelopment of the site with a variety of housing types.

**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

**Charlotte Tryon Hills Partners, LLC C/O Todd Jackovich**  
Name of Petitioner

**3200 Westend Avenue, Ste 500**  
Address of Petitioner

**Nashville, TN 37203**  
City, State, Zip

**615.864.4291**  
Telephone Number                      Fax Number

**todd@stonehengereg.com**  
E-mail Address

**SEE ATTACHMENT B**  
Signature of Petitioner

**SCHEDULE 1**

<b>Parcel Number</b>	<b>Property Owners</b>	<b>Owners Address</b>	<b>Date Acquired</b>	<b>Property Address</b>	<b>Acreage</b>	<b>Existing Zoning</b>
079-095-10	MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC	PO Box 36938, Charlotte, NC 28236	8/19/2016	434 W 24th St, Charlotte, NC 28206	0.264	I-1
079-095-11	MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC	PO Box 36938, Charlotte, NC 28237	8/20/2016	432 W 24th St, Charlotte, NC 28206	0.268	I-1
079-095-13	MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC	PO Box 36938, Charlotte, NC 28238	8/21/2016	419 W 25th St, Charlotte, NC 28206	2.516	R-22MF
079-092-09	MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC	PO Box 36938, Charlotte, NC 28239	8/22/2016	319 W 25th St, Charlotte, NC 28206	1.489	R-22MF
079-095-12	MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC	PO Box 36938, Charlotte, NC 28240	8/23/2016	411 W 26th St, Charlotte, NC 28206	2.367	R-22MF
079-094-01	MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC	PO Box 36938, Charlotte, NC 28241	8/24/2016	2204 N Pine St, Charlotte, NC 28206	3.494	R-22MF
079-095-09	MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC	PO Box 36938, Charlotte, NC 28242	8/25/2016	2200 Catalina Ave, Charlotte, NC 28206	0.192	R-5
079-095-08	MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC	PO Box 36938, Charlotte, NC 28243	8/26/2016	2208 Catalina Ave, Charlotte, NC 28206	0.131	R-5

**SCHEDULE 1 CONT.**

<b>Parcel Number</b>	<b>Property Owners</b>	<b>Owners Address</b>	<b>Date Acquired</b>	<b>Property Address</b>	<b>Acreage</b>	<b>Existing Zoning</b>
079-095-07	MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC	PO Box 36938, Charlotte, NC 28244	8/27/2016	2212 Catalina Ave, Charlotte, NC 28206	0.135	R-5
079-095-06	MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC	PO Box 36938, Charlotte, NC 28245	8/28/2016	2216 Catalina Ave, Charlotte, NC 28206	0.139	R-5
079-095-05	MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC	PO Box 36938, Charlotte, NC 28246	8/29/2016	2220 Catalina Ave, Charlotte, NC 28206	0.138	R-5
079-095-04	MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC	PO Box 36938, Charlotte, NC 28247	8/30/2016	2224 Catalina Ave, Charlotte, NC 28206	0.138	R-5
079-095-01	MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC	PO Box 36938, Charlotte, NC 28248	8/31/2016	2308 Catalina Ave, Charlotte, NC 28206	0.171	R-5

**ATTACHMENT A**

REZONING PETITION NO. 2017-  
**Charlotte Tryon Hills Partners, LLC**

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

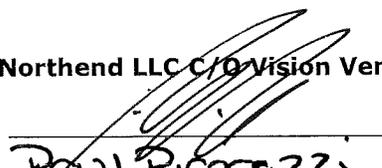
The undersigned, as the owners of the parcels of land located at

1. 434 W 24<sup>th</sup> St that is designated as Tax Parcel No. 079-095-10
2. 432 W 24<sup>th</sup> St that is designated as Tax Parcel No. 079-095-11
3. 419 W 24<sup>th</sup> St that is designated as Tax Parcel No. 079-095-13
4. 319 W 25<sup>th</sup> St that is designated as Tax Parcel No. 079-092-09
5. 411 W 26<sup>th</sup> St that is designated as Tax Parcel No. 079-095-12
6. 2204 N Pine St that is designated as Tax Parcel No. 079-094-01
7. 2200 Catalina Ave that is designated as Tax Parcel No. 079-095-09
8. 2208 Catalina Ave that is designated as Tax Parcel No. 079-095-08
9. 2212 Catalina Ave that is designated as Tax Parcel No. 079-095-07
10. 2216 Catalina Ave that is designated as Tax Parcel No. 079-095-06
11. 2220 Catalina Ave that is designated as Tax Parcel No. 079-095-05
12. 2224 Catalina Ave that is designated as Tax Parcel No. 079-095-04
13. 2308 Catalina Ave that is designated as Tax Parcel No. 079-095-01

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 I-1, R-22MF and R-5 zoning district to the \_\_\_\_ 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 January, 2017.

**MREC Vision Northend LLC C/O Vision Ventures of Carolina LLC**

By: 

Name: Paul Piccarazzi

Title: Managing Member

**ATTACHMENT B**

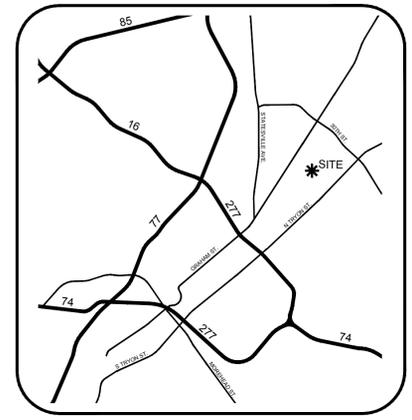
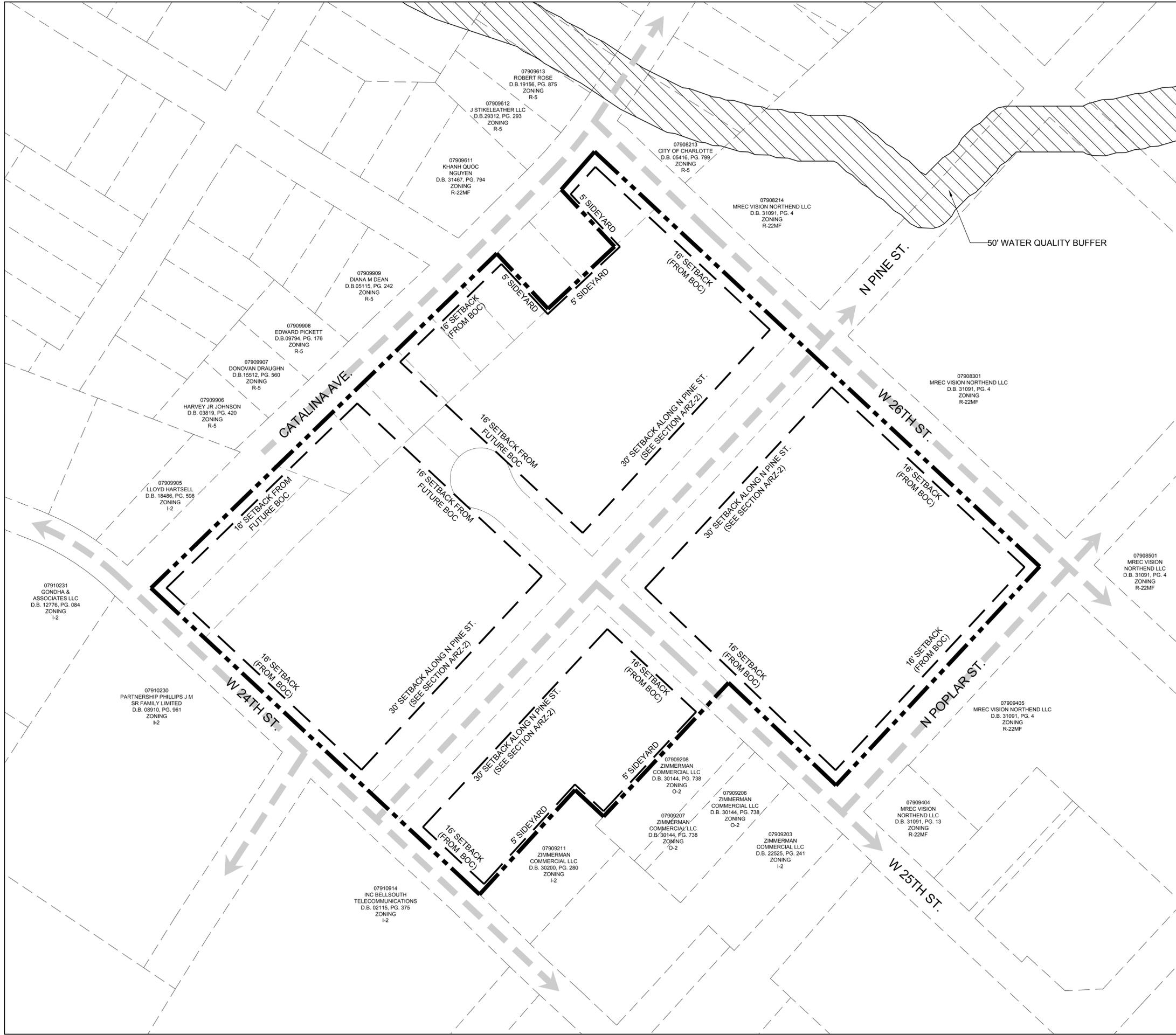
REZONING PETITION NO. 2017-  
**Charlotte Tryon Hills Partners, LLC**

**Charlotte Tryon Hills Partners, LLC**

By: 

Name: TODD JANKOVICH

Title: MANAGER



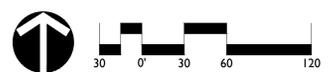
VICINITY MAP  
NTS

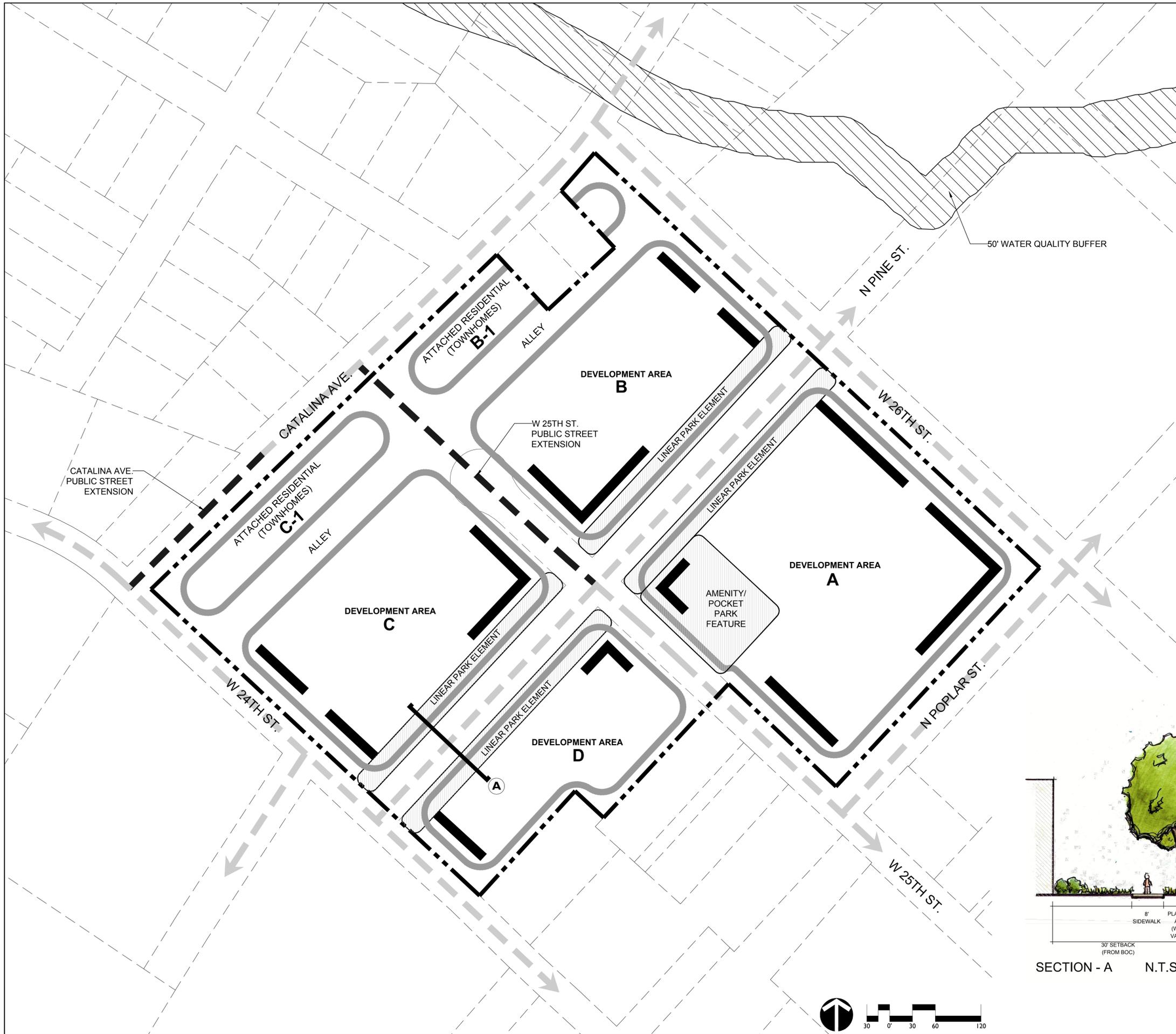
**SITE LEGEND**



**SITE DEVELOPMENT DATA**

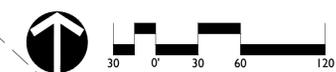
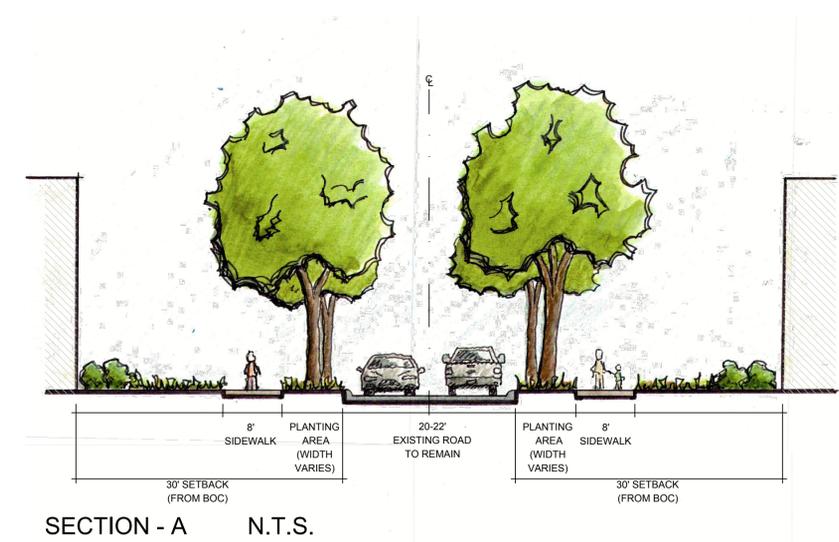
ACREAGE: ± 11.442 ACRES  
 TAX PARCEL #S: 079-095-10, 079-095-11, 079-095-13, 079-092-09, 079-095-12, 079-094-01, 079-095-09, 079-095-08, 079-095-07, 079-095-06, 079-095-05, 079-095-04, and 079-095-01  
 EXISTING ZONING: I-1, R-22MF and R-5  
 PROPOSED ZONING: UR-2(CD)  
 EXISTING USES: VACANT  
 PROPOSED USES: RESIDENTIAL DWELLINGS UNITS





### SITE LEGEND

- EXISTING PUBLIC STREET CIRCULATION
- PROPOSED CIRCULATION
- BUILDING EDGES
- BUILDING/ PARKING ENVELOPE
- PROPERTY LINE



**Charlotte Tryon Hills Partners, LLC**  
**Development Standards**  
**01/23/17**  
**Rezoning Petition No. 2017-000**

**Site Development Data:**

--**Acreage:** ± 11.442 acres  
--**Tax Parcel #s:** 079-095-10, 079-095-11, 079-095-13, 079-092-09, 079-095-12, 079-094-01, 079-095-09, 079-095-08, 079-095-07, 079-095-06, 079-095-05, 079-095-04, and 079-095-01  
--**Existing Zoning:** I-1, R-22MF and R-5  
--**Proposed Zoning:** 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 (as more specifically described and restricted below in Section 3).  
--**Maximum Development:** Up to 343 residential dwellings units; subject to the limitations described below.  
--**Maximum Building Height:** Building height on the Site will be limited to two (2) stories for buildings with frontage on Catalina Avenue, and four (4) stories for the remainder of the buildings constructed on the Site. Building height will be measured as defined by the Ordinance.  
--**Parking:** As required and allowed by the Ordinance for the UR-2 zoning district.

**1. General Provisions:**

a. **Site Location.** These Development Standards, the Technical Data Sheet and Schematic Site Plan, and related graphics form the Rezoning Plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Charlotte Tryon Hills Partners, LLC ("Petitioner") to accommodate development of a residential community on an approximately 11.442 acre site located along Catalina Ave between W 24th and W 26th Streets in Charlotte (the "Site").

b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the UR-2 zoning classification shall govern all development taking place on the Site.

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

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

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

**2. Permitted Uses, Development Area Limitations, and Transfer & Conversion Rights:**

For ease of reference, the Rezoning Plan sets forth six (6) development areas as generally depicted on the Technical Data Sheet as Development Areas A, B, B.1, C, C.1 and D (each a "Development Area" and collectively the "Development Areas").

a. Up to 343 residential dwelling units may be constructed on the Site. The following restrictions will apply to the allowed residential dwelling units:

i. Along Catalina Avenue with Development Areas B.1 and C.1 only one-family attached or detached dwelling units may be constructed.

ii. The remainder of the Site may be developed with residential dwelling units as allowed by the UR-2 Zoning District.

**3. Access, and Pedestrian Circulation.**

a. Access to the Site will be from Catalina Avenue, W. 24th Street, W. 25th Street, W. 26th Street, N. Pine, and N Poplar Street. The number and location of access points will be determined during the land development approval process.

b. The existing public streets will be improved with eight (8) foot sidewalks on both sides, and a minimum of eight (8) foot planting strips.

c. In areas of the Site where trees exist within the street right-of-way the Petitioner will work with the City Arborist and the Urban Forestry staff to provide larger planting strips and other measures to preserve the existing trees.

d. W. 25th Street will be extended to Catalina Avenue as a public street as part of the development of the Site that abuts W. 25th Street.

e. Catalina Avenue will be extend to W. 24th Street as a public street as part of the development to the portion of the Site that abuts Catalina Avenue.

f. The Petitioner will work with CDOT to determine locations where on-street parking may be added to the existing streets.

g. The proposed one-family attached dwelling units located along Catalina Avenue will be accessed via an alley.

**4. Architectural Standards and Parking Location Restrictions:**

a. The principal buildings used for multi-family residential uses constructed on the Site may use a variety of building materials. The building materials used for buildings (other than structured parking facilities, if any) will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardy-plank), EIFS or wood. Vinyl as a building material will not be allowed except on windows, soffits and on handrails/railings.

b. A minimum of a 16 foot setback as measured from the existing back of curb will be provided along each of the existing and extended public streets. Along N. Pine Street in order to preserve the existing trees located along N. Pine Street a minimum setback of 30 feet as measured from the back of curb will be provided.

c. "Building Edges" have been provided along the existing public streets as generally depicted on the Technical Data Sheet. The buildings constructed on the Site must adhere to the Building Edges generally depicted on the Technical Data Sheet (plaza/outdoor dining areas will be considered part of the buildings for the purposes of compliance with this provision). Parking areas may be located between buildings and to the rear of the proposed buildings.

**5. Residential Design Guidelines.**

**a. General Site Considerations**

i. Orient buildings towards Public Streets to reinforce the street scape.

- ii. Orient buildings in a way to enclose and define public space, open space and green space.
- iii. Building features such as porches, patios, stoops, front walkways and centralized doorways or breezeways shall front the public streets, except where ends of buildings front these streets. When the ends of buildings front streets, walkways will be provided to clearly connect the building entrances with the street network.
- iv. Architectural treatment shall continue on all sides of a building except as specifically noted otherwise.
- v. Ground floor elevations shall be treated with a combination of fenestration, clear glass, prominent entrances, porches, stoops, change in materials, building step backs, art work and landscaping. Blank walls cannot be addressed with landscape elements only.
- vi. All building entrances will be connected to the street network subject to grade and ADA standards (private patios will not be considered a building entrance).

**b. Facade Composition**

- i. The Principal Entrance of a building shall be articulated and expressed in greater architectural detail than other building entrances.
- ii. Windows shall be vertically shaped with a height greater than their width. However, in instances of large, feature windows, fenestrations may be used to provide a similar vertical appearance. Square windows may be used as a secondary design element.

Facades shall incorporate windows and doors as follows:

- i. Windows and doors shall be provided for at least 20% of the total Facade area along the proposed streets, with each floor calculated independently. The maximum contiguous area without windows or doors on any floor shall not exceed 10 feet in height and 20 feet in length.
- ii. The above requirement may be reduced where a Facade is not visible from a public street.
- iii. The Facades of first/ground floor of the buildings along the public streets shall incorporate a minimum of 25% masonry materials such as brick, stucco or stone.

Facade articulation:

- i. Facades over 75 feet in length shall incorporate wall projections or recesses a minimum of three feet in depth. The combined length of said recesses and projections shall constitute at least 20% of the total Facade length for Facades over 75 feet in length. Patios and balconies are acceptable projections.

Additional Street Fronting Facade requirements on Public Streets:

- i. Street fronting Facades and End fronting Facades shall be articulated and designed to create additional visual interest by varying architectural details, building materials, the roof line, and building offsets.
- ii. On corner lots, the architectural treatment of a building's intersecting Street Fronting Facades shall be substantially similar, except that said building may emphasize the corner location by incorporating additional height at the corner, varying the roof form at the corner, or providing other architectural embellishments at the corner.
- iii. First Story Facades of all buildings along primary and secondary streets shall incorporate columns, awnings, arcades, porches, stoops, windows, doors, or other architectural elements.
- iv. Facades shall provide visual divisions between the first and second stories, when the building height is more than two stories, through architectural means such as courses, awnings, or a change in primary façade materials or colors.
- v. Facades above the first Story shall incorporate windows, arches, balconies, or other architectural details.
- vi. No more than four different materials, textures, colors, or combinations thereof may be used on a single building. This requirement shall not include materials used on windows, doors, porches, balconies, foundations, awnings or architectural details.
- vii. Materials may be combined horizontally or vertically, with the heavier below the lighter when horizontal.
- viii. Vinyl or aluminum siding, exposed standard concrete masonry unit (CMU) block, corrugated steel, prefabricated metal, exposed plywood, and exposed pressboard are prohibited, except when used as a decorative feature or accent.
- ix. Exterior materials of buildings along the Public Streets shall be limited to brick, stone, pre-cast concrete, wood, stucco, cementitious siding, glass, manufactured stone or granite.
- x. Accessory Structures shall be consistent with the Principal Building in material, texture, and color.

- (a) Foundations, where provided, shall be constructed as a distinct building element that contrasts with Facade materials. Exposed above-ground foundations shall be coated or faced in cement, stucco, brick, manufactured stone, or natural stone to contrast with facade materials.

**c. Roofs**

- i. Pitched or flat roofs are acceptable. The pitch of the building's primary roof shall have a minimum slope of 4:12. Flat roofs shall be screened from the view of Public Streets by a parapet.
- ii. Accessory features on a roof shall be screened from the view of the Public Streets by a parapet or other architectural feature.
- iii. Permitted sloped roof materials are asphalt shingles, composition shingles, wood shingles, tin, standing seam metal, and wood shakes.
- iv. Vents, stacks, and roof fans are to be painted to blend with the roof color and hidden from Public Street view to the greatest extent possible.

**d. Additional Design Standards**

- i. No parking or maneuvering for parking will be allowed between the proposed buildings located on the Site and the abutting public streets. Parking areas may be located adjacent and between the allowed residential buildings or behind the allowed residential buildings.
- ii. If garages are constructed on the Site they may not be oriented toward the existing or proposed public streets, except when the garage is located behind the principal structure.

**6. Environmental Features:**

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

b. Trees located in the City of Charlotte public street right-of-way are protected by the Tree Ordinance; Landscape Management must be contacted before any disturbance or removal of trees in the public street right-of-way occurs.

**7. Lighting:**

a. Detached lighting on the Site, except street lights located along public streets, will be limited to 21 feet in height.

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

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

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

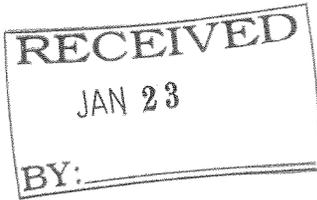
a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and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

b.

REVISIONS:

2017-042

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



Petition #: \_\_\_\_\_  
Date Filed: 1/23/2017  
Received By: [Signature]

Property Owners: Rocky River Road Associates, LLC C/O MPV Properties, LLC

Owner's Addresses: 2400 South Boulevard, Ste 300, Charlotte, NC 28203

Date Properties Acquired: 06/01/2009  
10/15/2015  
10/15/2015

Property Addresses: 5951 and 5737 Rocky River Road, Charlotte, NC 28215  
N/A  
N/A

Tax Parcel Numbers: 105-361-01  
105-361-05  
105-361-06

Current Land Use: vacant Size (Acres): ± 77.31 acres

Existing Zoning: R-8MF(CD), R-12MF(CD) and O-2(CD) Proposed Zoning: CC

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

Required Rezoning Pre-Application Meeting\* with Sonja Sanders, Mandy Vari, Shannon Frye, Monica Holmes, Jonathan Wells and Rick Grochoske

Date of meeting: 11.22.16

(\*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 allow the development of the site with a pedestrian friendly residential and retail mixed-use center.

**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

**Rocky River Road Associates, LLC C/O Jim Merrifield**  
Name of Petitioner

**2400 South Blvd #300**  
Address of Petitioner

**Charlotte, NC 28203**  
City, State, Zip

**704.561.5241**                                      **704.561.5241**  
Telephone Number                                      Fax Number

**jmerrifield@mpvre.com**  
E-mail Address

**SEE ATTACHMENT B**  
Signature of Petitioner

**ATTACHMENT A**

REZONING PETITION NO. 2017-  
**Rocky River Road Associates, LLC**

PETITIONER JOINDER AGREEMENT  
**Rocky River Road Associates, LLC C/O MPV Properties, LLC**

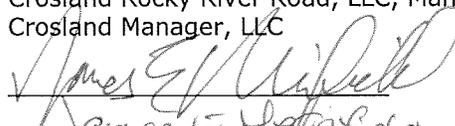
The undersigned, as the owners of the parcels of land located at 5951 and 5737 Rocky River Road that is designated as a portion of Tax Parcel No. 105-361-01, 105-361-05 and 105-361-06 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcels from the R-8MF(CD), R-12MF(CD) and O-2(CD) zoning district to the CC 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 19 day of January, 2017.

**Rocky River Road Associates, LLC**

By: Crosland Rocky River Road, LLC, Manager

By: Crosland Manager, LLC

By: 

Name: James E. Hefner

Title: Authorized Person

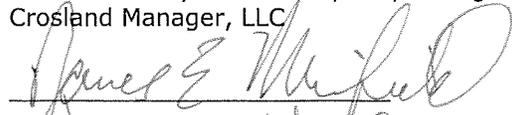
**ATTACHMENT B**

REZONING PETITION NO. 2017-  
**Rocky River Road Associates, LLC**

**Rocky River Road Associates, LLC**

By: Crosland Rocky River Road, LLC, Manager

By: Crosland Manager, LLC

By: 

Name: James E. Merfield

Title: Authorized Person



**ROAD LEGEND**

- PRIVATE STREET
- PUBLIC STREET
- ACCESS POINT
- RIGHT IN/RIGHT OUT ACCESS
- FULL MOVEMENT ACCESS
- SIGNALIZED INTERSECTION

**SITE DEVELOPMENT NOTES:**

- ACREAGE: +/- 77.31 ACRES
- TAX PARCEL #'S: 105-361-01, 105-361-05, 105-361-06
- EXISTING ZONING: R-8MF (CD), R-12MF (CD), O-2 (CD)
- PROPOSED ZONING: CC
- EXISTING USES: VACANT
- PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE CC ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN SECTION 2 ON SHEET RZ-2).
- MAXIMUM GROSS SQUARE FT OF DEVELOPMENT: UP TO 191,000 SQUARE FEET OF GROSS FLOOR AREA OF NON-RESIDENTIAL USES AS ALLOWED IN THE CC ZONING DISTRICT, INCLUDING A MOTION PICTURE THEATER, PLUS A HOTEL WITH UP TO 120 ROOMS, AND UP TO 515 RESIDENTIAL DWELLING UNITS, TOGETHER WITH ACCESSORY USES AS ALLOWED BY THE CC ZONING DISTRICT.
- MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE.
- PARKING: AS REQUIRED BY THE ORDINANCE WILL BE PROVIDED. PARKING FOR THE USES LOCATED WITHIN MECKLENBURG COUNTY MAY BE LOCATED ON THE PORTION OF THE SITE LOCATED WITHIN HARRISBURG AND VICE VERSA.

**PARCEL 'A'**  
 COUNTY: MECKLENBURG  
 EXISTING ZONING: R-8MF  
 PROPOSED ZONING: CC  
 PROPOSED USES:  
 -RESIDENTIAL

**PARCEL 'B'**  
 COUNTY: MECKLENBURG  
 EXISTING ZONING: R-8MF  
 PROPOSED ZONING: CC  
 PROPOSED USES:  
 -RESIDENTIAL (TOWNHOMES)

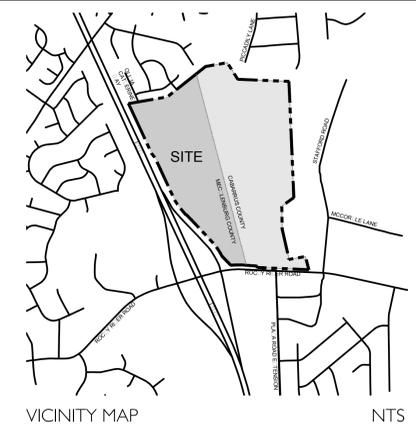
**PARCEL 'C'**  
 COUNTY: MECKLENBURG  
 EXISTING ZONING: R-8MF  
 PROPOSED ZONING: CC  
 PROPOSED USES:  
 -RESIDENTIAL

**PARCEL 'D'**  
 COUNTY: MECKLENBURG  
 EXISTING ZONING: R-8MF / R-12MF  
 PROPOSED ZONING: CC  
 PROPOSED USES:  
 -RESIDENTIAL

**PARCEL 'E'**  
 COUNTY: MECKLENBURG  
 EXISTING ZONING: R-8MF / R-12MF / O-2  
 PROPOSED ZONING: CC  
 PROPOSED USES:  
 -MIXED-USE

**PARCEL 'F'**  
 COUNTY: MECKLENBURG  
 EXISTING ZONING: R-8MF / R-12MF  
 PROPOSED ZONING: CC  
 PROPOSED USES:  
 -MIXED USE

**PARCEL 'G'**  
 COUNTY: MECKLENBURG  
 EXISTING ZONING: R-12MF  
 PROPOSED ZONING: CC  
 PROPOSED USES:  
 -NON-RESIDENTIAL

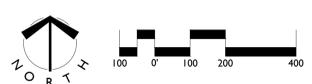


VICINITY MAP NTS

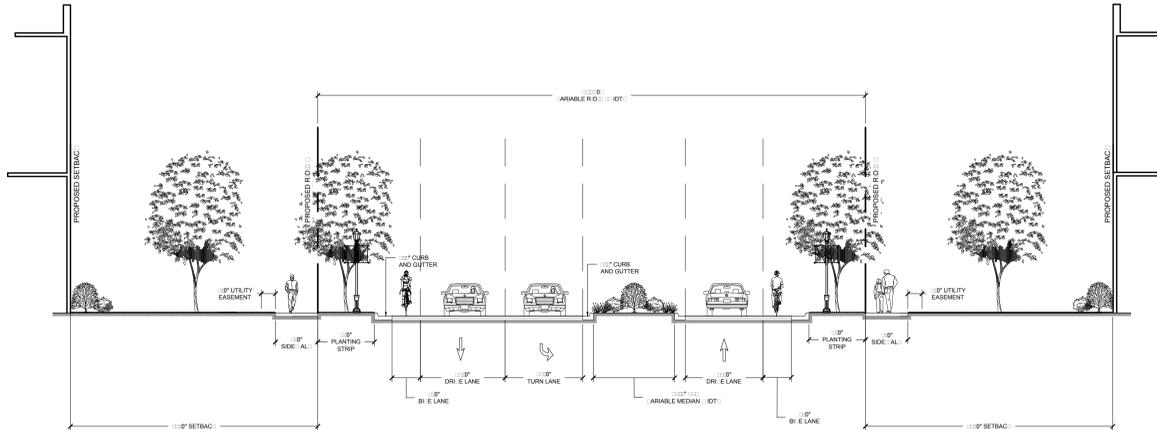
NOTE: STREET CROSS-SECTIONS FOUND ON SHEET RZ-4.

NOTE: SEE CROSS-SECTIONS FOR SETBACK INFORMATION.

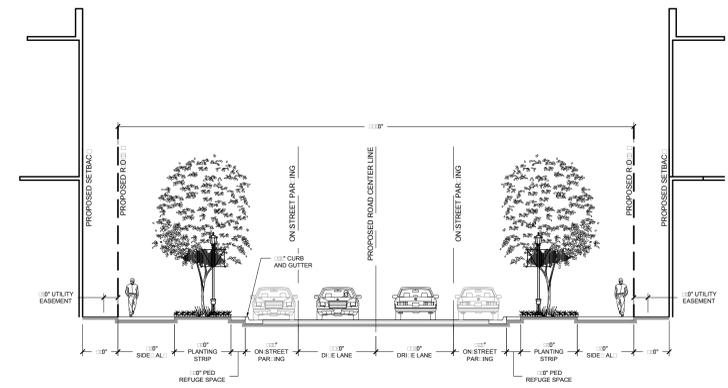
PETITION #: 2017-000  
 CITY OF CHARLOTTE  
 PETITIONER: ROCKY RIVER ROAD ASSOCIATES, LLC



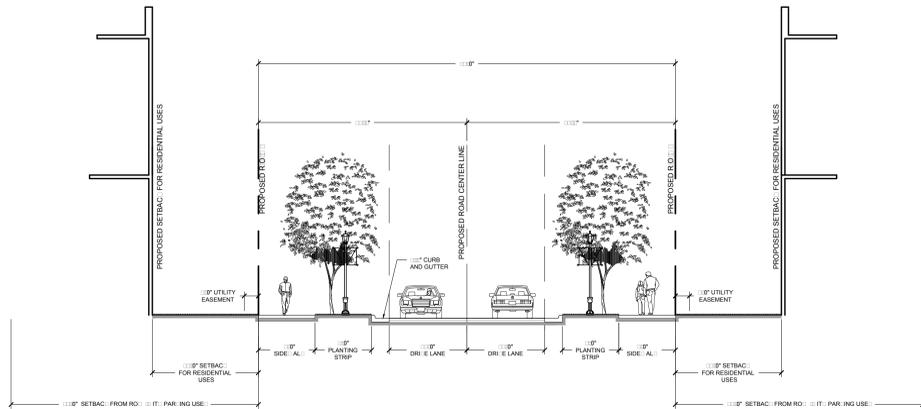




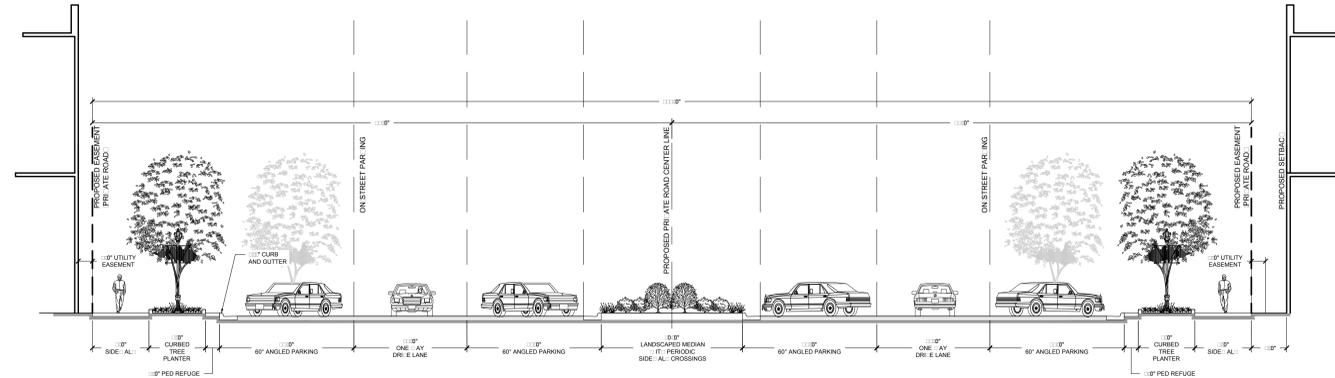
FARMINGTON RIDGE ROAD - FORMERLY PLATA ROAD EXTENSION  
SECTION A-A  
SCALE: 1" = 10.0'



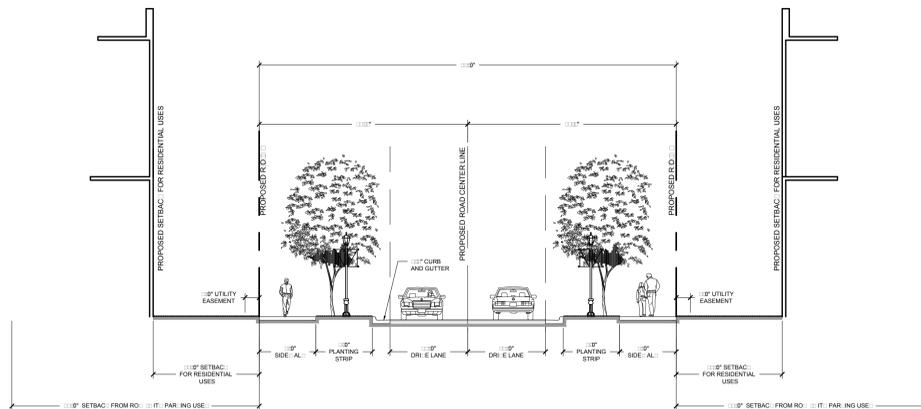
PROPOSED PUBLIC STREET C  
SCALE: 1" = 10.0'



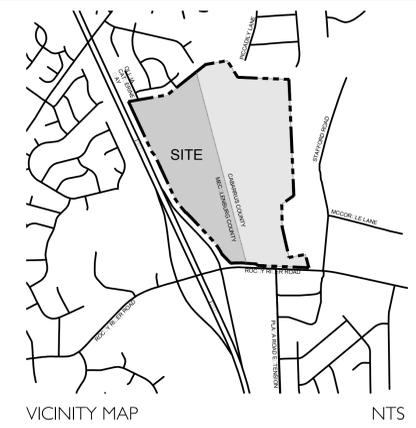
PROPOSED PUBLIC STREET A  
SCALE: 1" = 10.0'



PROPOSED PRIVATE STREET D  
SCALE: 1" = 10.0'

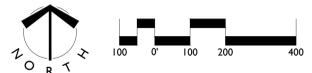


PROPOSED PRIVATE STREET B  
SCALE: 1" = 10.0'



VICINITY MAP NTS

PETITION #: 2017-000  
 CITY OF CHARLOTTE  
 PETITIONER: ROCKY RIVER ROAD ASSOCIATES, LLC



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2017-043

Petition #:	_____
Date Filed:	JAN 23 2017
Received By:	<i>[Signature]</i>
By:	<i>[Signature]</i>

3:46

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

Property Owner: Northlake Systems, LLC, See attached list

Owner's Address: POB 1919 City, State, Zip: Huntersville, NC 28070

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

Property Address: Generally at the corner of Point O' Woods Drive and Northlake Center Parkway.

Tax Parcel Number(s): 02529110, 11, 12, and 17

Current Land Use: former single family and undeveloped Size (Acres): Aprix. 6.15 +/-

Existing Zoning: CC, R-3 Proposed Zoning: MUDD-CD

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

Required Rezoning Pre-Application Meeting\* with: Claire Lyte- Graham, et al.

Date of meeting: 11/1/16

(\*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: Develop the site for use as a hotel along with other retail, restaurant, and office uses

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

See attached sheet  
Signature of Property Owner

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

Northlake Systems, LLC  
Name of Petitioner(s)

POB 1919  
Address of Petitioner(s)

Huntersville, NC 28078  
City, State, Zip

704-694-6833                      704-598 2356  
Telephone Number                      Fax Number

abcone@abcinns.com  
E-Mail Address

*[Signature]*  
Signature of Petitioner

V. N. Patel  
(Name Typed / Printed)

January 17, 2017

V.N. Patel  
President and CEO  
ABC Investments and Management Co.  
P.O.Box 1919  
Huntersville, NC 28070

This letter serves to notify all interested parties that I/we consent to ABC Investments and Management Co. petitioning for the rezoning of property known as Tax Parcels 02529111, 02529112 and 02529117. This letter serves to represent my/our signature on the zoning application.

Thank you.

Owner PAUL H. GALE III Date 1-20-17  
Owner Paul H. Gale III Date 1-20-17  
Address 482 POWELL RD. MOCKSVILLE N.C. 27028  
Phone Number 704-806-7404

Owner SUSAN J GALE Date 1-20-17  
Owner Susan J Gale Date 1-20-17  
Address 482 POWELL RD. MOCKSVILLE N.C. 27028  
Phone Number 704-806-7404

Owner GAIL E. GALE Date 1-20-17  
Owner Gail E. Gale Date 1-20-17  
Address 8001 BLEAD RD. HUNTERSVILLE, N.C.  
Phone Number 704-806-7404

**Paul H Gale, III and Susan J. Gale, 02529111, 02529112**

**Gail E. Gale, 02529117**

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PROJECT NUMBER

DESIGN By

APPROVED By

DRAWN By

Date

DIGITAL FILE

REVISION

**NORTH LAKE SYSTEMS LLC**

P.O. BOX 1919  
HUNTERVILLE, NC 28037  
PHONE#: 704-649-6833  
FAX#: 704-598-2356

FOR PUBLIC HEARING

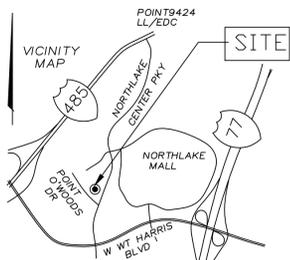
PETITION NUMBER

**NORTH LAKE CENTER PARKWAY**

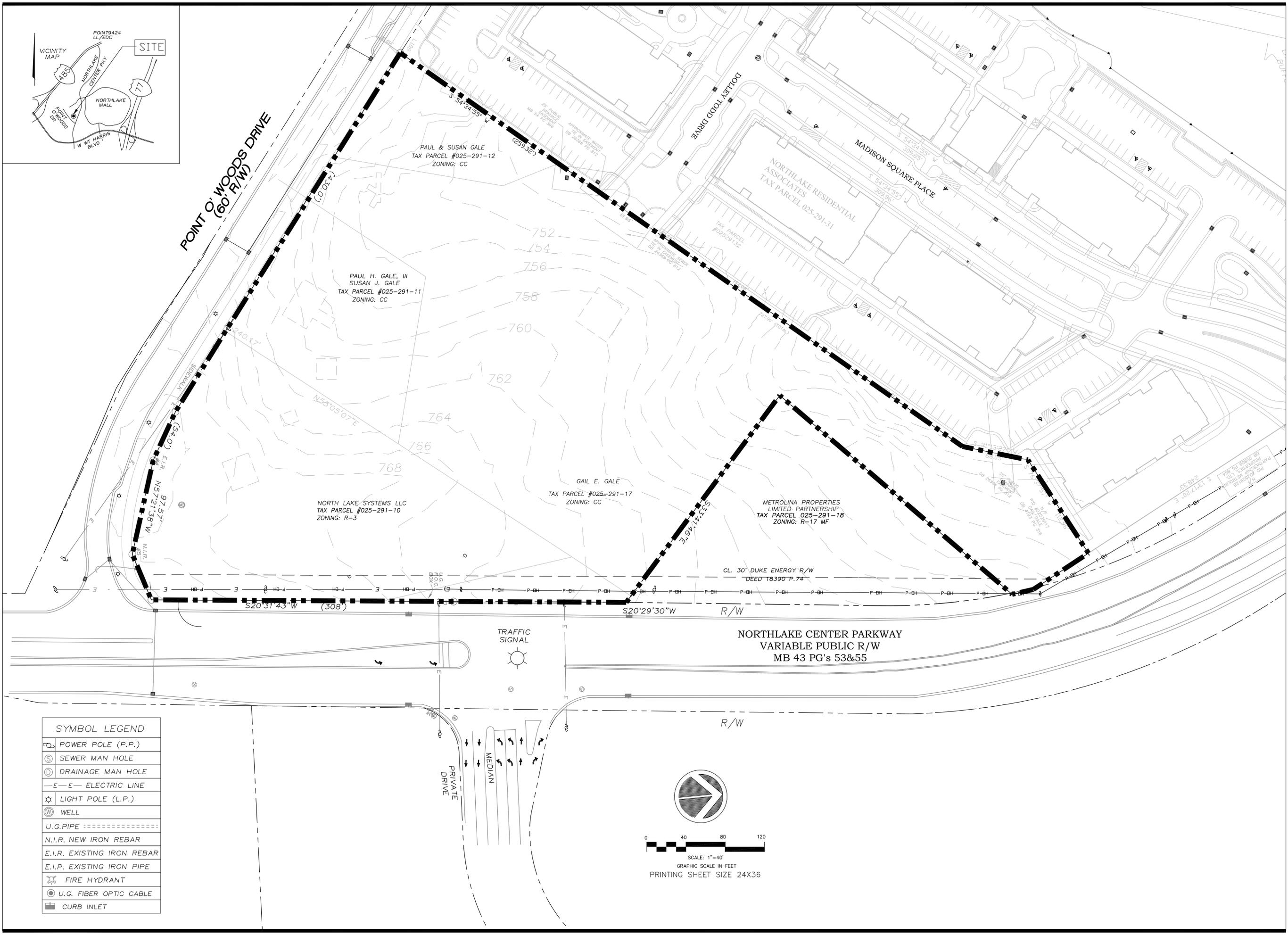
EXISTING CONDITION

RZ-1

PRINTING SHEET SIZE 24X36

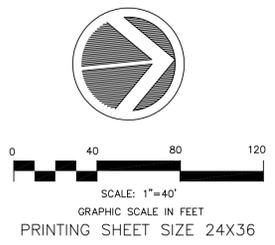


**POINT O' WOODS DRIVE**  
(60' R/W)



**SYMBOL LEGEND**

	POWER POLE (P.P.)
	SEWER MAN HOLE
	DRAINAGE MAN HOLE
	ELECTRIC LINE
	LIGHT POLE (L.P.)
	WELL
	U.G. PIPE
	N.I.R. NEW IRON REBAR
	E.I.R. EXISTING IRON REBAR
	E.I.P. EXISTING IRON PIPE
	FIRE HYDRANT
	U.G. FIBER OPTIC CABLE
	CURB INLET



Z:\art\data\2017 Projects\Point O Wood Rezoning\Zoning\ZONING02\_01\_21\_2017.dwg, 1/23/2017 1:03:12 PM

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PROJECT NUMBER
DESIGN BY
APPROVED BY
DRAWN BY
DATE
DIGITAL FILE

REVISION

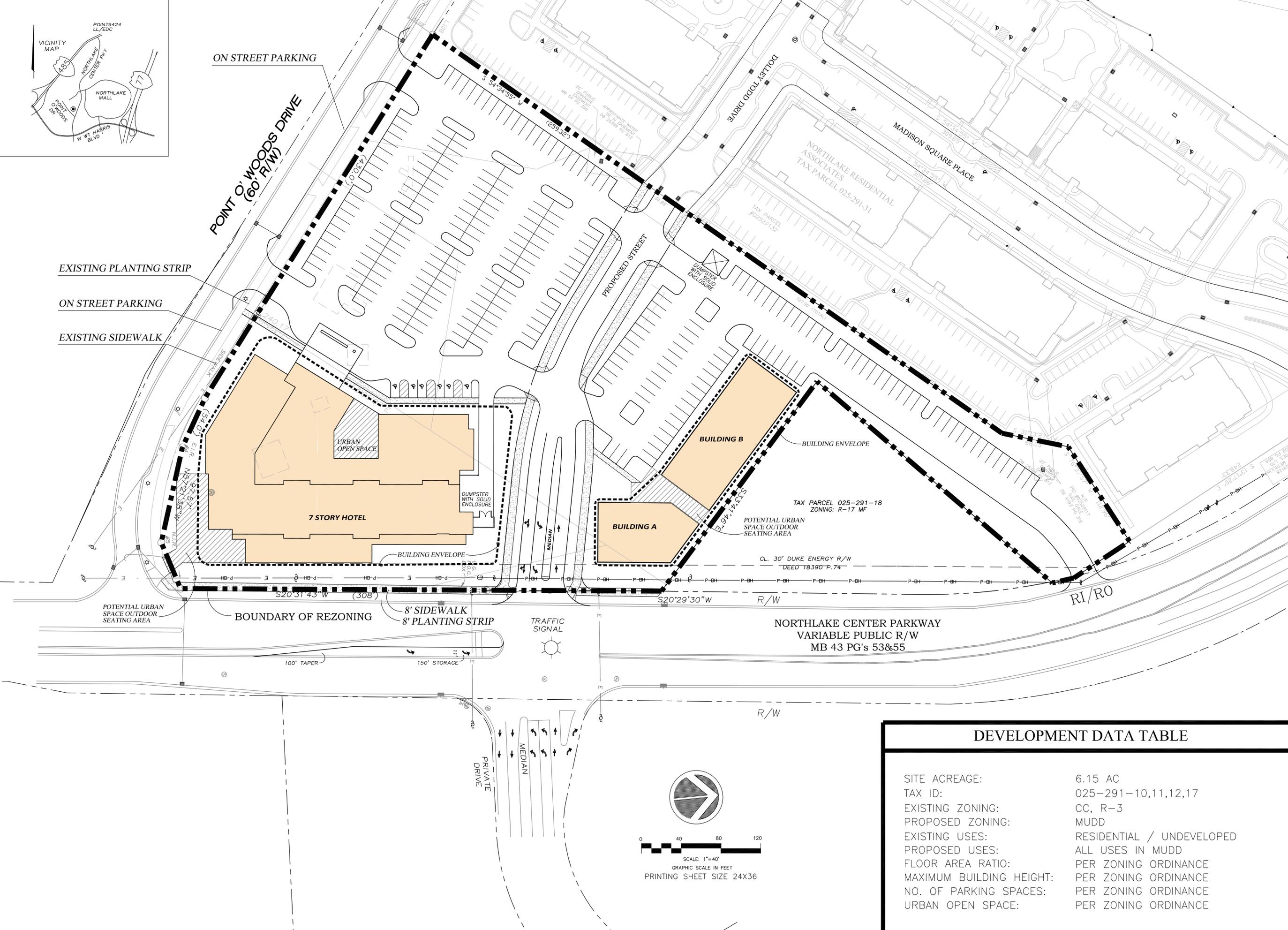
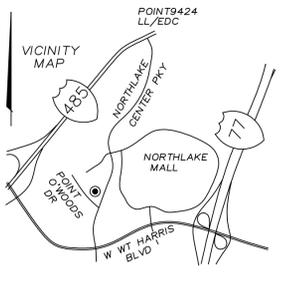
**NORTH LAKE SYSTEMS LLC**  
P.O. BOX 1919  
HUNTERSVILLE, NC 28037  
PHONE#: 704-649-6833  
FAX#: 704-598-2356

FOR PUBLIC HEARING

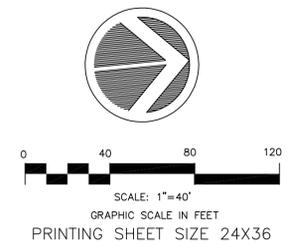
PETITION NUMBER

NORTHLAKE CENTER PARKWAY  
CHARLOTTE, NC

ILLUSTRATIVE SITE PLAN



DEVELOPMENT DATA TABLE	
SITE ACREAGE:	6.15 AC
TAX ID:	025-291-10,11,12,17
EXISTING ZONING:	CC, R-3
PROPOSED ZONING:	MUDD
EXISTING USES:	RESIDENTIAL / UNDEVELOPED
PROPOSED USES:	ALL USES IN MUDD
FLOOR AREA RATIO:	PER ZONING ORDINANCE
MAXIMUM BUILDING HEIGHT:	PER ZONING ORDINANCE
NO. OF PARKING SPACES:	PER ZONING ORDINANCE
URBAN OPEN SPACE:	PER ZONING ORDINANCE



## CONDITIONAL DEVELOPMENT STANDARDS

### GENERAL PROVISIONS.

- A. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.2 OF THE ZONING ORDINANCE.
- B. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, BICYCLE PARKING, AND SITE DEVELOPMENT, MAY APPLY TO THE DEVELOPMENT OF THIS SITE. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR, AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THIS SITE PLAN. UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THIS SITE PLAN, THESE OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THIS SITE AS DEFINED BY THOSE OTHER CITY ORDINANCES.
- C. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", "PETITIONER" OR "PETITIONERS," SHALL, WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.

### PURPOSE

THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF A TRACT OF LAND FRONTING ON NORTHLAKE CENTRE PARKWAY. THIS DEVELOPMENT WILL PROVIDE THE LOCATION FOR A HOTEL AND FOR UP TO 30,000 SQUARE FEET OF RETAIL, RESTAURANT, AND OFFICE USES. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE TO THE MUDD DISTRICT.

### PERMITTED USES

USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION ARE THOSE USES THAT ARE PERMITTED IN THE MUDD DISTRICT EXCEPT AS MAY BE FURTHER LIMITED BY THE SPECIFIC PROVISIONS OF THIS SITE PLAN.

### TRANSPORTATION

- A. THE SITE WILL HAVE A FULL ACCESS CONNECTION TO POINT OF WOODS DRIVE, TO NORTHLAKE CENTER PARKWAY, AND TO A NEW STREET THAT WILL CONNECT TO NORTHLAKE CENTRE PARKWAY AS GENERALLY DEPICTED ON THE CONCEPT PLAN FOR THE SITE
- B. PARKING AREAS ARE GENERALLY DEPICTED ON THE CONCEPT PLAN FOR THE SITE.
- C. THE PETITIONER WILL WORK WITH CDOT ON CHANGES TO THE SIGNAL LOCATED AT THE INTERSECTION OF THE NEW PUBLIC STREET AND NORTHLAKE CENTRE PARKWAY.

### ARCHITECTURAL STANDARDS

THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE DISTRICT REGULATIONS OF THE ZONING ORDINANCE FOR THE MUDD DISTRICT. THE FIRST FLOOR OF THE BUILDING ELEVATIONS FACING NORTHLAKE CENTRE PARKWAY WILL BE DESIGNED TO ENCOURAGE AND COMPLEMENT PEDESTRIAN ACTIVITY BY PROVIDING WINDOWS AND/OR DOORS AND OTHER ARCHITECTURALLY ARTICULATED FACADES THAT PREVENT EXPANSES OF SOLID WALLS THAT EXCEED 20 FEET IN LENGTH

### STREETSCAPE AND LANDSCAPING

RESERVED

### ENVIRONMENTAL FEATURES

RESERVED

### PARKS, GREENWAYS, AND OPEN SPACE

RESERVED

### FIRE PROTECTION

RESERVED

### SIGNAGE

RESERVED

### LIGHTING

- A. 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

### PHASING

RESERVED

INITIAL SUBMISSION- 1-23-17

## DEVELOPMENT DATA TABLE

SITE ACREAGE:	6.15 AC
TAX ID:	025-291-10,11,12,17
EXISTING ZONING:	CC, R-3
PROPOSED ZONING:	MUDD
EXISTING USES:	RESIDENTIAL / UNDEVELOPED
PROPOSED USES:	ALL USES IN MUDD
FLOOR AREA RATIO:	PER ZONING ORDINANCE
MAXIMUM BUILDING HEIGHT:	PER ZONING ORDINANCE
NO. OF PARKING SPACES:	PER ZONING ORDINANCE
URBAN OPEN SPACE:	PER ZONING ORDINANCE

**MANSOUR  
EDLIN  
CONSULTING**

1515 MOCKINGBIRD LANE  
SUITE 802 Charlotte, N. C.  
28209  
Phone 704/672-1560  
Fax 704/672-1562

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PROJECT  
NUMBER

DESIGN  
By

APPROVED  
By

DRAWN  
By

Date

DIGITAL FILE

REVISION

NORTH LAKE  
SYSTEMS LLC

P.O. BOX 1919  
HUNTERSVILLE, NC 28037  
PHONE#: 704-649-6833  
FAX#: 704-598-2356

FOR PUBLIC HEARING

PETITION NUMBER

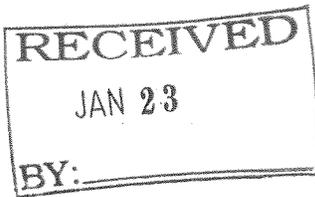
NORTHLAKE  
CENTER  
PARKWAY  
CHARLOTTE, NC

TECHNICAL DATA  
SHEET

RZ-3

PRINTING SHEET SIZE 24X36

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-044  
Petition #: \_\_\_\_\_  
Date Filed: 1/23/2017  
Received By: [Signature]

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

Property Owner: Jacobs Fork Properties, LLC

Owner's Address: 8209 Victoria Lake Drive City, State, Zip: Waxhaw, NC 28173

Date Property Acquired: September 18, 2007 (157-111-27) and October 14, 2016 (157-111-42)

Property Address: 3635 Craig Avenue, Charlotte, NC 28211

Tax Parcel Number(s): 157-111-27 and 157-111-42

Current Land Use: Vacant Size (Acres): +/- 3.78 acres

Existing Zoning: R-4 Proposed Zoning: UR-2 (CD)

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

Required Rezoning Pre-Application Meeting\* with: Sonja Sanders, Solomon Fortune, et al.

Date of meeting: March 3, 2016

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

**For Conditional Rezoning Only:**  
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): N/A  
Purpose/description of Conditional Zoning Plan: To accommodate the development of a residential community containing a maximum of seventeen (17) for sale single-family detached dwelling units.

John Carmichael and Ty Shaffer (Robinson Bradshaw)  
Name of Rezoning Agent

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

Charlotte, NC 28246  
City, State, Zip

704-377-8341; 704.377.8142  
Telephone Number Fax Number

jcarmichael@rbh.com; tshaffer@rbh.com  
E-Mail Address

**JACOBS FORK PROPERTIES, LLC**

By: [Signature]  
Signature of Property Owner

Tim Melton (Member)  
(Name Typed / Printed)

Jacobs Fork Properties, LLC (c/o Tim Melton)  
Name of Petitioner(s)

8209 Victoria Lake Drive  
Address of Petitioner(s)

Waxhaw, NC 28173  
City, State, Zip

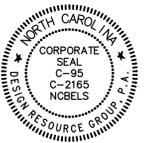
704-905-7159  
Telephone Number Fax Number

tmelton@carolina.rr.com  
E-Mail Address

**JACOBS FORK PROPERTIES, LLC**

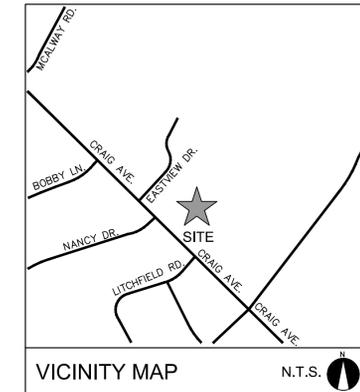
By: [Signature]  
Signature of Petitioner

Tim Melton (Member)  
(Name Typed / Printed)



**SITE DATA**

TOTAL SITE AREA:	±3.78 ACRES (BEFORE ROW DEDICATION) ±3.31 ACRES (AFTER ROW DEDICATION)
TAX PARCEL #:	157-111-27 AND 157-111-42
EXISTING ZONING:	R-4
PROPOSED ZONING:	UR-2 (CD)
EXISTING USE:	VACANT
PROPOSED USE:	DETACHED SINGLE FAMILY LOTS
PROPOSED LOTS:	17 LOTS (5.14 UNITS PER ACRE)
PROPOSED SETBACKS:	LOT AREA: 3,000 SF MIN. SIDE YARD: 5' FRONT SETBACK: 14' FROM BACK OF CURB REAR YARD: 10'
LOT AREA:	3,000 SF
MIN. LOT WIDTH:	20'
BUILDING HEIGHT:	40' MAXIMUM
TREE SAVE:	(10%) SINGLE FAMILY SHALL MEET ORDINANCE REQUIREMENTS
PARKING PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS



**1. GENERAL PROVISIONS**

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY JACOBS FORK PROPERTIES, LLC FOR AN APPROXIMATELY 3.78 ACRE SITE LOCATED ON THE NORTHEAST SIDE OF CRAIG AVENUE, AT THE INTERSECTION OF CRAIG AVENUE AND LITCHFIELD ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE 'SITE'). THE SITE IS COMPRISED OF TAX PARCEL NOS. 157-111-27 AND 157-111-42.
- B. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE (HEREINAFTER REFERRED TO AS THE 'ORDINANCE') FOR THE UR-2 ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
- C. THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL STREETS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
- D. 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.

**2. PERMITTED USES**

- A. THE SITE MAY ONLY BE DEVOTED TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 17 FOR SALE SINGLE-FAMILY DETACHED DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE UR-2 ZONING DISTRICT.

**3. TRANSPORTATION**

- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE LOCATION AND CONFIGURATION OF THE ACCESS POINT ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ('CDOT') AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ('NCDOT').
- B. OFF-STREET VEHICULAR PARKING FOR THE SITE SHALL MEET THE MINIMUM AND MAXIMUM REQUIREMENTS OF THE UR-2 ZONING DISTRICT.
- C. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE INTERNAL SIDEWALKS MAY MEANDER TO SAVE EXISTING TREES.
- D. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY BUILDING CONSTRUCTED ON THE SITE, PETITIONER SHALL DEDICATE AND CONVEY TO THE CITY OF CHARLOTTE (SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS) THOSE PORTIONS OF THE SITE AS REQUIRED TO PROVIDE RIGHT OF WAY TO ACCOMMODATE THE FUTURE REALIGNED LITCHFIELD ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.

**4. ARCHITECTURAL STANDARDS**

- A. THE MAXIMUM HEIGHT IN FEET OF THE SINGLE-FAMILY DETACHED DWELLING UNITS SHALL BE 40 FEET AS MEASURED FROM THE AVERAGE GRADE AT THE BASE OF THE STRUCTURE.

**5. STREETScape AND LANDSCAPING/SCREENING**

- A. PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG THE SITE'S FRONTAGE ON CRAIG AVENUE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- B. PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG THE SITE'S FRONTAGE ON FUTURE REALIGNED LITCHFIELD ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.

**6. ENVIRONMENTAL FEATURES**

- A. PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST-CONSTRUCTION STORMWATER ORDINANCE.
- B. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

**7. LIGHTING**

- A. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- B. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE SHALL BE 21 FEET.

**8. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**

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

SITE PLAN IS SCHEMATIC IN NATURE. SOME VARIATION TO PLAN MAY OCCUR IN FINAL DESIGN BUT SHALL MEET THE OVERALL INTENT OF THIS PLAN AND SHALL COMPLY WITH THE APPLICABLE ORDINANCE REQUIREMENTS

