

# Rezoning Petition Packet

## Petitions:

**2017-061 through 2017-076**

Petitions that were submitted by March 27, 2017

Staff Review Meeting: **April 20, 2017**

City Public Hearing: **To Be Determined**

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

**RECEIVED**  
FEB 27 2017  
BY: .....

2017-061

Petition #: \_\_\_\_\_  
Date Filed: 2/27/2017  
Received By: [Signature]

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/commercial Size (Acres): ± 42.11

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

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

Required Rezoning Pre-Application Meeting\* with: Claire Lyte-Graham, Alberto Gonzalez, Carlos Alzate, Joshua Weaver, Grant Meacci

Date of meeting: 2/14/17

(\*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 amend a portion of the previously approved conditional plan to eliminate the restriction on warehouse/distribution space.

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 ATTACHMENTS A-B  
Signature of Property Owner

LBP Berryhill, LLC (Attn: Alan Kerry)  
Name of Petitioner

4045 Perimeter Street West  
Address of Petitioner

Charlotte, NC 28214  
City, State, Zip

443.253.5116  
Telephone Number Fax Number

akerry@lordbalt.com  
E-mail Address

SEE ATTACHMENT C  
Signature of Petitioner

**SCHEDULE 1**

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
113-031-08	N/A	LBP Berryhill, LLC Charlotte	6225 Smith Ave #B- 100 Baltimore, MD 21209	4.78	11/17/2004
113-031-11	N/A			9.17	11/17/2004
113-031-09	4045 Perimeter West Dr.	Liberty Property Limited Partnership	500 Chesterfield Parkway Malvern, PA 19355	12.73	2/24/2012
113-031-10	4047 Perimeter West Dr.			15.43	2/24/2012

**ATTACHMENT A**

**LBP Berryhill, LLC**

**PETITIONER JOINDER AGREEMENT  
LBP Berryhill, LLC**

The undersigned, as the owner of the parcel of land located at the

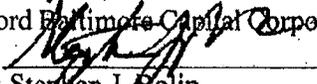
1. The southeast intersection of Wilkinson Blvd and Perimeter West Drive, Charlotte, NC  
that is designated as Tax Parcel No. 113-031-08
2. The southwest intersection of Wilkinson Blvd and Perimeter West Drive, Charlotte, NC  
that is designated as Tax Parcel No. 113-031-11

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

This 24<sup>th</sup> day of February, 2017.

**LBP Berryhill, LLC**

By: Lord Baltimore Capital Corporation, its manager

By: 

Name: Stephen J. Bolin

Title: Senior Vice President

and Chief Administrative Officer

**ATTACHMENT B**

**LBP Berryhill, LLC**

**PETITIONER JOINDER AGREEMENT  
Liberty Property Limited Partnership**

The undersigned, as the owner of the parcel of land located at

1. 4045 Perimeter West Drive, Charlotte, NC that is designated as Tax Parcel No. 113-031-09
2. 4047 Perimeter West Drive, Charlotte, NC that is designated as Tax Parcel No. 113-031-10

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

This 24<sup>th</sup> day of February, 2017.

**Liberty Property Limited Partnership**

By: Massie Flippin  
Name: Massie Flippin  
Title: Vice President, Market Leader

**ATTACHMENT C**

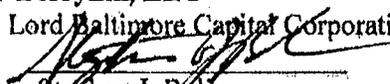
**ATTACHMENT C**

**REZONING PETITION NO. 2017-000  
LBP Berryhill, LLC**

**Petitioner:**

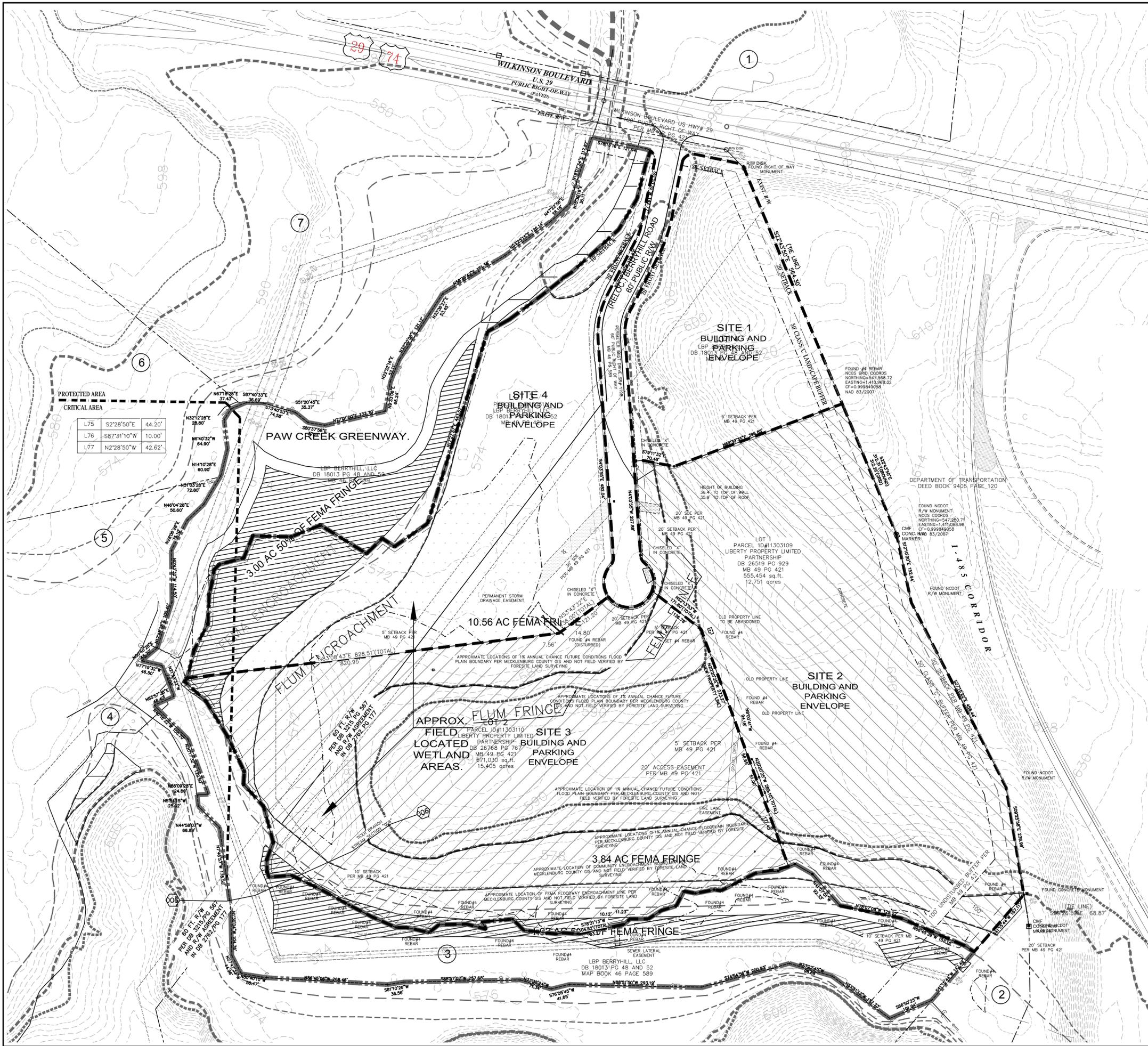
**LBP Berryhill, LLC**

By: Lord Baltimore Capital Corporation, its manager

By: 

Name: Stephen J. Bolin

Title: Senior Vice President  
and Chief Administrative Officer



Lot	Dimensions	Area
L75	S2°28'50"E 44.20'	44.20'
L76	S87°31'10"W 10.00'	10.00'
L77	N2°28'50"W 42.62'	42.62'

**SITE DEVELOPMENT DATA**

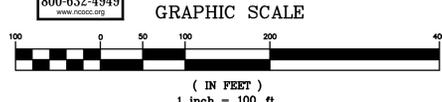
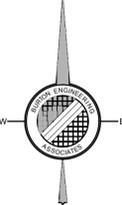
- **ACREAGE:** ± 42.11 ACRES
- **TAX PARCEL #:** 113-031-08, 113-031-09, 113-031-10, AND 113-031-11
- **EXISTING ZONING:** I-1 (CD) LLWPA
- **PROPOSED ZONING:** I-1 (CD) LLWPA SPA
- **EXISTING USES:** WAREHOUSE AND DISTRIBUTIONS BUILDINGS AND VACANT.
- **PROPOSED USES:** WAREHOUSING, WAREHOUSE DISTRIBUTION, MANUFACTURING, OFFICE, AND INDUSTRIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE I-1 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN THE DEVELOPMENT STANDARDS BELOW).
- **MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT:** UP TO 462,000 SQUARE FEET OF GROSS FLOOR AREA OF OFFICE, WAREHOUSING, DISTRIBUTION, MANUFACTURING AND INDUSTRIAL USES; ALL AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-1 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN THE DEVELOPMENT STANDARDS ON SHEET RZ.3).
- **MAXIMUM BUILDING HEIGHT:** THE MAXIMUM ALLOWED BUILDING HEIGHT WILL BE THREE (3) STORIES NOT TO EXCEED 40 FEET; BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.
- **PARKING:** AS REQUIRED BY THE ORDINANCE FOR THE PROPOSED USE.

**ADJACENT PROPERTY OWNERS:**

- ① Parcel ID: 05538301A DB: 13190 PG:667  
SUTCO PROPERTIES LLC  
ZONING: B-2 USE: SINGLE-FAMILY
- ② Parcel ID: 11303105A DB: 22532 PG:786  
DBSI CHARLOTTE I-485 UNITS LLC  
8038 MARSHALL ACRES DR, CHARLOTTE, NC 28214  
ZONING: I-1, I-2, R-4 USE: INDUSTRIAL
- ③ Parcel ID: 11303106 DB: 27312 PG:527  
MECKLENBURG COUNTY  
4045 PERIMETER WEST DRIVE, CHARLOTTE, NC 28214  
ZONING: I-1(CD) USE: INDUSTRIAL
- ④ Parcel ID: 11303104 DB: N/A PG:N/A  
ATTN: TAX DEPT - PB05B DUKE OWER CO.  
OLD DOWN ROAD, CHARLOTTE, NC  
ZONING: I-2 USE: 100YR FLOOD PLAIN
- ⑤ Parcel ID: 11303103 DB: 20386 PG:120  
EMERALD CAROLINA CHEMICAL LLC  
8309 WILKINSON BLVD, CHARLOTTE, NC 28214  
ZONING: I-2 USE: WAREHOUSE
- ⑥ Parcel ID: 11303107 DB: 21786 PG:334  
LANE CONSTRUCTION CORPORATION  
ZONING: I-2, I-1, B-2 USE: INDUSTRIAL
- ⑦ Parcel ID: 11303101 DB: 16373 PG:519  
LANE CONSTRUCTION CORPORATION  
8205 WILKINSON BLVD, CHARLOTTE, NC 28214  
ZONING: I-2, B-2 USE: INDUSTRIAL & OFFICE

**TREE SAVE / NATURAL AREA**

A MINIMUM OF 15% OF THE SITE SHALL BE PRESERVED AND/OR MITIGATED AS TREE SAVE AREA AS DEFINED BY THE ORDINANCE.  
A MINIMUM OF 25% OF THE SITE SHALL BE PRESERVED AND/OR MITIGATED AS NATURAL AREA AS DEFINED BY THE ORDINANCE.



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Seal

**BURTON ENGINEERING ASSOCIATES**  
 CIVIL ENGINEERS  
 LAND SURVEYORS  
 5950 Fairview Rd. • Suite 100 • Charlotte, NC 28210  
 (704) 553-8881  
 Firm License #C-1157

**PREVIOUS REZONING PETITION 2004-070**

**BERRYHILL ROAD PROPERTY**  
 MECKLENBURG COUNTY, NC

**TECHNICAL DATA SHEET**

Project: Lord Baltimore Properties  
 1200 EAST MOREHEAD STREET  
 CHARLOTTE, NORTH CAROLINA 28204

Engineer: CTB  
 GM/KT/JKM  
 Drawn By: 2/24/2017  
 Date: \_\_\_\_\_  
 Revisions: \_\_\_\_\_

Project Number: 017.407.010  
 Sheet: **RZ1.0**



**SITE DEVELOPMENT DATA**

- **ACREAGE:** ± 42.11 ACRES
- **TAX PARCEL #:** 113-031-08, 113-031-09, 113-031-10, AND 113-031-11
- **EXISTING ZONING:** I-1 (CD) LLWPA
- **PROPOSED ZONING:** I-1 (CD) LLWPA SPA
- **EXISTING USES:** WAREHOUSE AND DISTRIBUTIONS BUILDINGS AND VACANT.
- **PROPOSED USES:** WAREHOUSING, WAREHOUSE DISTRIBUTION, MANUFACTURING, OFFICE, AND INDUSTRIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE I-1 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN THE DEVELOPMENT STANDARDS BELOW).
- **MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT:** UP TO 462,000 SQUARE FEET OF GROSS FLOOR AREA OF OFFICE, WAREHOUSING, DISTRIBUTION, MANUFACTURING AND INDUSTRIAL USES; ALL AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-1 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN THE DEVELOPMENT STANDARDS ON SHEET RZ.3).
- **MAXIMUM BUILDING HEIGHT:** THE MAXIMUM ALLOWED BUILDING HEIGHT WILL BE THREE (3) STORIES NOT TO EXCEED 40 FEET; BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.
- **PARKING:** AS REQUIRED BY THE ORDINANCE FOR THE PROPOSED USE.

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 Firm License #IC-1157

**PREVIOUS REZONING PETITION 2004-070**

**BERRYHILL ROAD PROPERTY**  
 MECKLENBURG COUNTY, NC  
**CONCEPTUAL SITE PLAN**

Project  
 Lord Baltimore Properties  
 1200 EAST MOREHEAD STREET  
 CHARLOTTE, NORTH CAROLINA 28204

Sheet Title  
 Engineer  
 GM/KT/JKM  
 Drawn By  
 2/24/2017  
 Date  
 Revisions

Project Number  
 017.407.010  
 Sheet

**RZ2.0**

North Carolina One-Call Center  
 Call Before You Dig!  
 800-632-4949  
 www.ncoccc.org

GRAPHIC SCALE  
 ( IN FEET )  
 1 inch = 100 ft.

**DEVELOPMENT STANDARDS**

**1. General Provisions:**

a. Site Location. These Development Standards, the Technical Data Sheet, Schematic Site Plan and other graphics set forth on attached Sheets RZ-1 and RZ-2 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by LBP, LLC ("Petitioner") to amend the conditions on the previously approved conditional plan regarding the maximum amount of warehouse/distribution space on an approximately 42.11 acre site located on the southwest corner of the intersection of Wilkinson Boulevard and I-485 (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 I-1 zoning classification shall govern all development taking place on the Site.

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

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

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

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

d. Number of Buildings Principal and Accessory. Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site will be limited to seven (7). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s).

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

a. Subject to the restrictions and limitations listed below in b., the principal building constructed on the Site may be developed with up to 462,000 square feet of gross floor area of warehousing, warehouse distribution, office, manufacturing, and other industrial uses together with accessory uses allowed in the I-1 zoning district.

b. In no event shall any of the following uses be permitted on the Site:

- adult entertainment establishments,
- armories,
- auction sales,
- automobiles, truck and utility trailer rental,
- automotive repair garages,
- automotive sales and repair,
- automotive service stations,
- billboards,
- car washes,
- civic, social service and fraternal facilities,
- convenience stores,
- dog kennels,
- dry cleaning and laundry establishments,
- farms,
- flea markets,
- industrial process discharges requiring NPDES permits,
- jails or prisons,
- off-site or sanitary landfills,
- manufactured housing sales or repair,
- nightclubs, bars and lounges,
- petroleum storage facilities,
- raceways and dragstrips,
- recycling or drop off centers,
- restaurants with drive-in or drive through services,
- stadiums and arenas,
- treatment or disposal of petroleum contaminated soils, or
- wastewater treatment facilities.

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).

**3. Access:**

a. Access to the Site will be from Wilkinson Boulevard via Perimeter West Drive an existing public street as generally depicted on the Rezoning Plan. Buildings located within the Site shall be accessed internally via existing Perimeter West Drive.

b. The exact alignment, dimensions and location of the access point to the Site, the driveway on the Site may be modified from the elements shown on the Rezoning Plan provided that the overall design intent is not materially altered and requirements described in this Section 3 are met.

**4. Parking Areas, Access and Circulation Design Guidelines.**

- a. Off street parking will meet the minimum standards established under the Ordinance.
- b. Loading dock facilities on the Site shall not face directly onto the internal public sheet located on the Site.
- c. Parking layouts may be modified to accommodate final building locations and ancillary facilities and parking spaces may be located inside or outside development area boundaries to the extent permitted by the Ordinance.

**5. Setbacks, Buffers and Screening.**

- a. A landscape area of 30 feet in width will be provided along Wilkinson Boulevard as generally depicted on the Rezoning Plan. The required 20 foot building setback will be included within the 30 foot landscape area.
- b. A setback as required by the I-1 zoning district will be provided along Perimeter West Drive.
- c. The provided building setback areas will predominately contain areas of existing trees, new trees/landscaping, and the required water quality/storm water detention area designed as a shallow grassed detention area that will store/treat water only during rain/storm events. The provided building setback areas may also include limited areas for access and parking for the building in the manner as generally depicted on the Rezoning Plan.
- d. A 50 foot Class C Buffer will be established along I-485 as generally depicted on Rezoning Plan.

**6. Environmental Features:**

a. The Site 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. The Site will comply with Tree Ordinance.

**7. Signage:**

a. All signs will conform to the Ordinance.

**8. Lighting:**

- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- b. Lighting fixtures that are decorative, capped and downwardly directed will be allowed on the proposed building walls.

**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 in accordance with the provisions herein and 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 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.

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PREVIOUS REZONING PETITION 2004-070

BERRYHILL ROAD PROPERTY  
 MECKLENBURG COUNTY, NC

DEVELOPMENT STANDARDS

Project

Sheet Title

Lord Baltimore Properties  
 1200 EAST MOREHEAD STREET  
 CHARLOTTE, NORTH CAROLINA 28204

CTB  
 Engineer  
 GM/KT/KM  
 Drawn By  
 2/24/2017  
 Date

Revisions

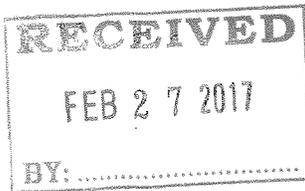
Project Number  
 017.407.010

Sheet

**RZ3.0**

2017-062

# I. REZONING APPLICATION CITY OF CHARLOTTE



Petition #: \_\_\_\_\_  
 Date Filed: 2/27/2017  
 Received By: [Signature]

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

Property Owner: Doggett, LLC

Owner's Address: 1425 Cressida Drive City, State, Zip: Charlotte, NC 28210

Date Property Acquired: 1997

Property Address: 1425 Cressida Drive

Tax Parcel Number(s): 20701118,,20701119

Current Land Use: Concrete contractor Size (Acres): Approx 5.8 ac. +/-

Existing Zoning: I-1 Proposed Zoning: I-2 (CD)

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

Required Rezoning Pre-Application Meeting\* with: John Kinney

Date of meeting: 2/14/17

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

Purpose/description of Conditional Zoning Plan: Allow for the existing use established 19 years ago to remain and be able to expand

Walter Fields  
Name of Rezoning Agent

1919 South Blvd., suite 101  
Agent's Address

Charlotte, NC 28203  
City, State, Zip

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

walter@walterfieldsgroup.com  
E-Mail Address

[Signature] **MANAGER MEMBER**  
Signature of Property Owner

DONALD D DOGGETT MANAGER MEMBER  
(Name Typed / Printed)

Doggett Concrete, Inc.  
Name of Petitioner(s)

1425 Cressida Drive  
Address of Petitioner(s)

Charlotte, NC 28210  
City, State, Zip

704-554-9200                      704-554-9211  
Telephone Number                      Fax Number

ddoggett@doggettconcrete.com  
E-Mail Address

[Signature] **PRESIDENT**  
Signature of Petitioner

DONALD D DOGGETT PRESIDENT  
(Name Typed / Printed)

**SITE AND PROJECT DEVELOPMENT DATA:**  
**SUBJECT TRACTS:**  
 1425 CRESSIDA DRIVE  
 TP 2070118 AND 2071119  
 NOW OR FORMERLY  
 DOGGETT, LLC  
 DB 9940-782  
 TOTAL SITE AREA = 5.90 AC  
 F.E.M.A. - F.I.R.M. INFORMATION  
 COMMUNITY 370159 MAP NUMBER 371045000L ZONE X  
 EFFECTIVE 09/02/2015. ZONE X IS NOT A SPECIAL FLOOD  
 HAZARD AREA.  
 ZONING: I-1 (CURRENT)  
 I-2CD (PROPOSED)  
 SETBACKS:  
 FRONT 20'  
 REAR 10'  
 SIDE 0 OR 5'  
 PARKING: PER ZONING REQUIREMENTS

**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 continued use of an industrial tract of land fronting on Cressida Drive. The site may be used for any use that is allowed in the I-1 district and for limited uses in the I-2 district including outdoor storage and contractor's office and storage yard. To achieve this purpose, the application seeks the rezoning of the site to the I-2 district as a conditional district (I-2 (CD)).

**Permitted Uses**  
 Uses allowed on the property included in this Petition are those uses that are permitted in the I-2 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 Cressida Drive. This connection will be at an existing private driveway and a new private driveway.  
 b. Parking areas are allowed anywhere within the building and parking envelope as generally depicted on the concept plan for the site.

**Architectural Standards**  
 The existing building on the site are allowed to remain and will be allowed to expand and new buildings will be permitted within the building and parking envelop.

**Streetscape and Landscaping**  
 The Petitioner will install landscape screen along the front of the site to screen outdoor storage areas from Cressida Drive. This landscaped area may include existing trees and vegetation as well as new trees and evergreen shrubbery.

**Environmental Features**  
 Reserved

**Parks, Greenways, and Open Space**  
 Reserved

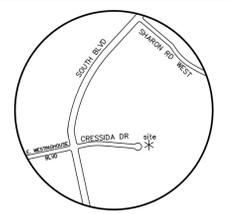
**Fire Protection**  
 Reserved

**Signage**  
 Reserved

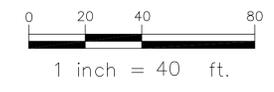
**Lighting**  
 a. New freestanding lighting on the site will utilize full cut-off luminaires and no "wall pak" type lighting will be utilized, except that architectural lighting on the exterior of buildings will be permitted. New freestanding lighting will be limited to 50' in height but none will be permitted to be installed within 75' of any property used for residential uses  
 Reserved

**Phasing**  
 Reserved

Initial Submission-2-27-17, 1.0



DB8605-897



**DRAWING ISSUE & REVISION STATUS**

ISSUE DATE	BY	DESCRIPTION



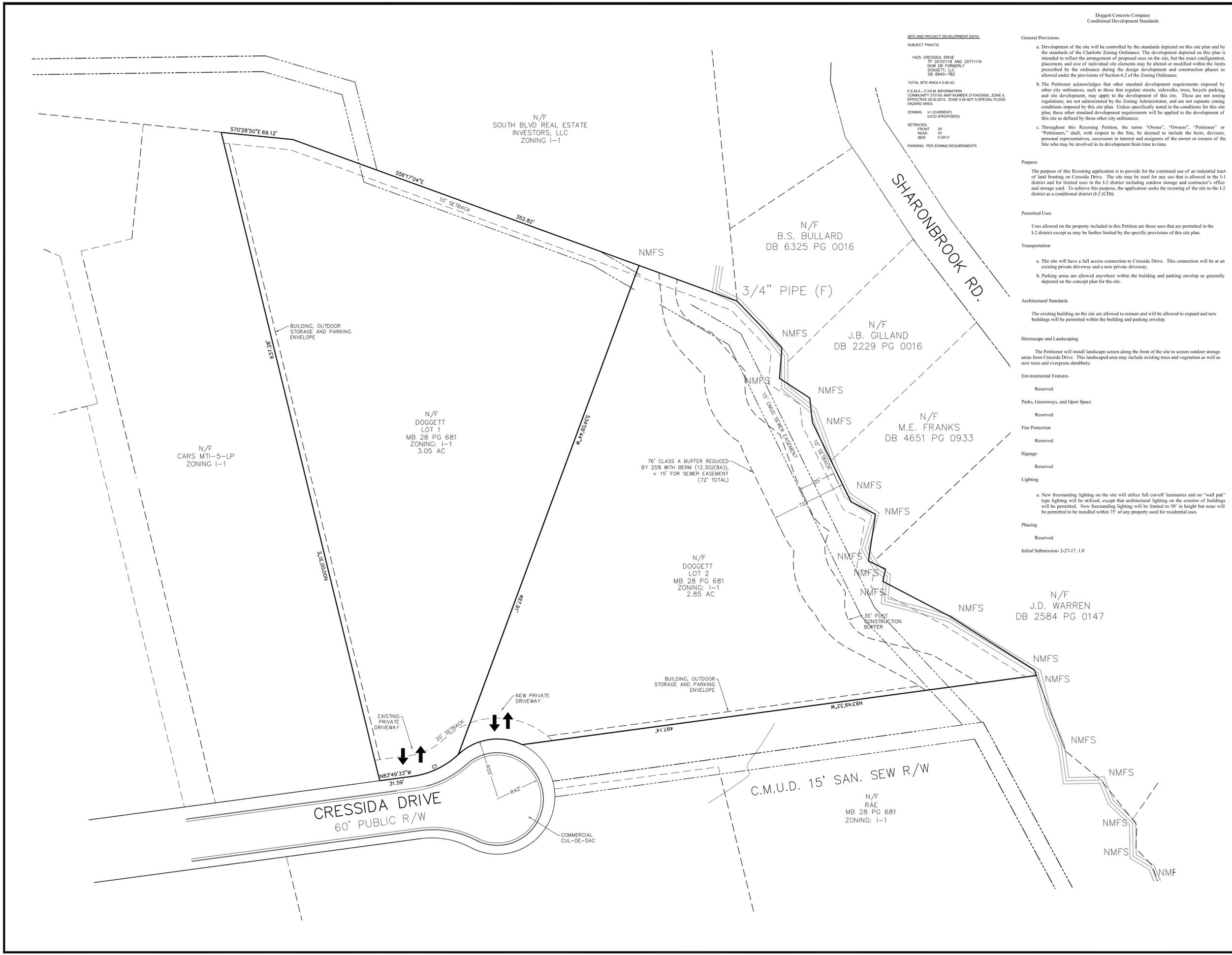
**Lucas-Forman Incorporated**  
 Land Surveying  
 Planning & Engineering

4000 Stuart Andrew Boulevard  
 Charlotte, North Carolina 28217  
 P.O. Box 11386 28220-1386  
 (704) 527-6626 Fax 527-9640  
 email: postmaster@lucas-forman.com

PROJECT NAME  
**DOGGETT CONCRETE**  
 1415 CRESSIDA DRIVE  
 CHARLOTTE, NC 28273

SHEET NAME  
**REZONING SITE PLAN**

SURVEYED BY	DESIGNED BY	DRAWN BY
17007	C.H. HODGE	C.H. HODGE
JOB NUMBER	DATE	SHEET NUMBER
17007	02.27.17	1
FILE NUMBER	DWG FILE NAME	
301	17007-REZONING	



N/F SOUTH BLVD REAL ESTATE INVESTORS, LLC  
 ZONING I-1

N/F B.S. BULLARD  
 DB 6325 PG 0016

N/F J.B. GILLAND  
 DB 2229 PG 0016

N/F M.E. FRANKS  
 DB 4651 PG 0933

N/F J.D. WARREN  
 DB 2584 PG 0147

N/F DOGGETT LOT 2  
 MB 28 PG 681  
 ZONING: I-1  
 2.85 AC

N/F DOGGETT LOT 1  
 MB 28 PG 681  
 ZONING: I-1  
 3.05 AC

N/F CARS MTI-5-LP  
 ZONING I-1

N/F RAE  
 MB 28 PG 681  
 ZONING: I-1

CRESSIDA DRIVE  
 60' PUBLIC R/W

C.M.U.D. 15' SAN. SEW R/W

COMMERCIAL CUL-DE-SAC

BUILDING, OUTDOOR STORAGE AND PARKING ENVELOPE

76' CLASS A BUFFER REDUCED BY 25% WITH BERM (12.302(8A)), + 15' FOR SEWER EASEMENT (72' TOTAL)

BUILDING, OUTDOOR STORAGE AND PARKING ENVELOPE

EXISTING PRIVATE DRIVEWAY

NEW PRIVATE DRIVEWAY

35' POST CONSTRUCTION BUFFER

NEW PRIVATE DRIVEWAY

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-063

Petition #: \_\_\_\_\_  
Date Filed: 2/27/2017  
Received By: [Signature]

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

Property Owner: BAM Property Holdings, LLC

Owner's Address: 9624 Bailey Rd. , Suite 287 City, State, Zip: Cornelius, NC 28031

Date Property Acquired: 2005

Property Address: 11881 Vance Davis Dr., Charlotte, NC

Tax Parcel Number(s): 02506308

Current Land Use: commercial/industrial building and parking Size (Acres): Approx.3.2 ac.

Existing Zoning: BP Proposed Zoning: I-1

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

Required Rezoning Pre-Application Meeting\* with: Claire Lyte Graham

Date of meeting: 2/13/17

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

Purpose/description of Conditional Zoning Plan: \_\_\_\_\_

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)

GodSpeed Motors

Name of Petitioner(s)

200-A Forsyth Hall Drive

Address of Petitioner(s)

Charlotte, NC 28273

City, State, Zip

704-930-4500

Telephone Number Fax Number

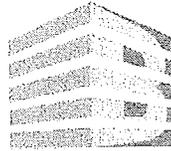
Matt Nietupski <boooost@hotmail.com>

E-Mail Address

[Signature]

Signature of Petitioner

(Name Typed / Printed)



**BAM Property Holdings**

9624 Bailey Road, Suite 287, Cornelius, NC 28031  
PH 305-668-6441 FAX 305-668-6442

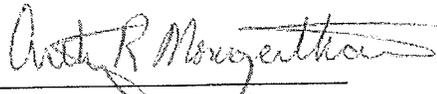
February 18, 2017

Matt Nietupski  
Godspeed Motors  
200-A Forsyth Hall Dr.  
Charlotte NC 28273

This letter serves to notify all interested parties that I/we consent to Matt Nietupski (dba Godspeed Motors) petitioning for the rezoning of property known as Tax Parcel 02506308 located at 11881 Vance Davis Drive in Mecklenburg County, North Carolina, USA from the BP zoning district to I-1 zoning district. This letter serves to represent my/our signature on the zoning application.

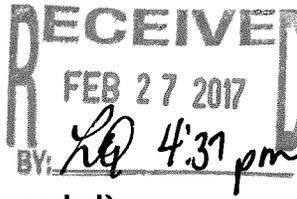
Thank you.

Owner: BAM Property Holdings, LLC Date: 2-18-2017  
Address: 9624 Bailey Road, Suite 287, Cornelius, NC 28031  
Phone Number: 305-668-6441

By:   
Anthony R. Morgenthau  
Managing Partner



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



Petition #: 2017-064  
Date Filed: 2/22/2017  
Received By: [Signature]

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

Property Owner: Executive Building Company LLC

Owner's Address: 340 East 16<sup>th</sup> Street City, State, Zip: Charlotte, NC 28206

Date Property Acquired: 7/27/1998

Property Address: 4001 and 4037 East Independence Boulevard, Charlotte, NC 28205

Tax Parcel Number(s): 131-111-01, 131-111-10, 131-111-12

Current Land Use: Vacant Size (Acres): +/- 2.11 acres

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

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

Required Rezoning Pre-Application Meeting\* with: East Planning Area Team (Sonja Sanders, Mandy Vari, Monica Holmes)

Date of meeting: 02/21/17

(\*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? **No.** Number of years (maximum of 5): \_\_\_\_\_

Purpose/description of Conditional Zoning Plan: To refurbish the existing abandoned structures for a variety of educational, community-based and retail uses, including classroom space, shared work space, conference rooms, coffee shop, bakery, aquaponics farm, holistic wellness center, hotel, restaurant and art-based/community-based LED

Daniel A. Merlin (Alexander Ricks PLLC)  
Name of Rezoning Agent

4601 Park Road, Suite 580  
Agent's Address

Charlotte, NC 28209  
City, State, Zip

980-335-0713 704-365-3676  
Telephone Number Fax Number

danny@alexanderricks.com  
E-Mail Address

See attached joinder agreement  
Signature of Property Owner

See attached joinder agreement  
(Name Typed / Printed)

Our Local, LLC  
Name of Petitioner(s)

2132 Park Road  
Address of Petitioner(s)

Charlotte, NC 28209  
City, State, Zip

704-578-6860  
Telephone Number Fax Number

emaj@chrismau@gmail.com  
E-Mail Address

[Signature]  
Signature of Petitioner

Christopher Jon Mau  
(Name Typed / Printed)

**Attachment A**  
REZONING APPLICATION NO. 2017-\_\_\_\_  
Our Local, LLC

**PETITIONER JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Our Local, LLC that is designated as Tax Parcel Nos. 131-111-01, 131-111-10, and 131-111-12 on the Mecklenburg County Tax Maps, hereby joins in this Rezoning Application. Should the applicant, Kevin Higgins or their assigns under the Agreement for Purchase and Sale of Real Property dated July 12, 2016, fail to purchase the above described property from Executive Building Company, LLC by ninety (90) days from the date of this Petitioner Joinder Agreement, Executive Building Company, LLC, removes its consent for the Rezoning Application and requests dismissal of the Rezoning Application.

This the 13 day of March 2017.

**EXECUTIVE BUILDING COMPANY LLC**

By:   
Print Name: Sam Kaplan  
Title: Mgr





**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

**RECEIVED**  
MAR 07 2017  
BY: SF 4:15PM

2017-065

Petition #:	_____
Date Filed:	3/7/2017
Received By:	SF

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

Property Owner: Harper Capital I LLC

Owner's Address: 1254 Quiet Creek Dr City, State, Zip: Lancaster SC, 29720

Date Property Acquired: 5/21/2004

Property Address: East end of Rigsby Road

Tax Parcel Number(s): 20107504

Current Land Use: Vacant Land Size (Acres): 11.98

Existing Zoning: R-3 Proposed Zoning: R-22MF(CD)

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

Required Rezoning Pre-Application Meeting\* with: Claire Lyte-Graham

Date of meeting: 12/20/2016

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

**For Conditional Rezoning Only:**

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

Purpose/description of Conditional Zoning Plan: To permit the development of a multifamily housing community.

Patrick Woods  
Name of Rezoning Agent

700 Battleground Avenue  
Agent's Address

Greensboro, NC 27401  
City, State, Zip

336-601-7530 336-547-7707  
Telephone Number Fax Number

pwoods@lomaxproperties.com  
E-Mail Address

[Signature]  
Signature of Property Owner  
Manager - Member

NLC Investments LLC  
Name of Petitioner(s)

700 Battleground Avenue  
Address of Petitioner(s)

Greensboro, NC 27401  
City, State, Zip

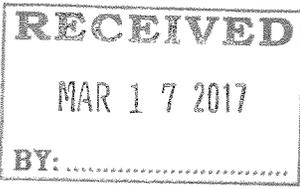
336-601-7530 336-547-7707  
Telephone Number Fax Number

pwoods@lomaxproperties.com  
E-Mail Address

[Signature]  
Signature of Petitioner



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



Petition #: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Received By: SF 3-17-17

Complete All Fields (Use additional pages if needed)

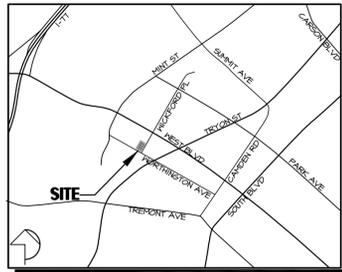
Property Owner: RCMD, LLC  
Owner's Address: 11050 Dondarrach Lane City, State, Zip: Charlotte, NC 28277  
Date Property Acquired: 12/11/2015  
Property Address: 1816 Wickford Place, Charlotte, NC 28203  
Tax Parcel Number(s): 11907708  
Current Land Use: SF-R Size (Acres): .348 acres  
Existing Zoning: MF-R43 MF Proposed Zoning: OR-1(CD)  
Overlay: Historic District (Wilmore) (Specify PED, Watershed, Historic District, etc.)  
Required Rezoning Pre-Application Meeting\* with: Solomon Fortune  
Date of meeting: Oct. 19<sup>th</sup>, 2016

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

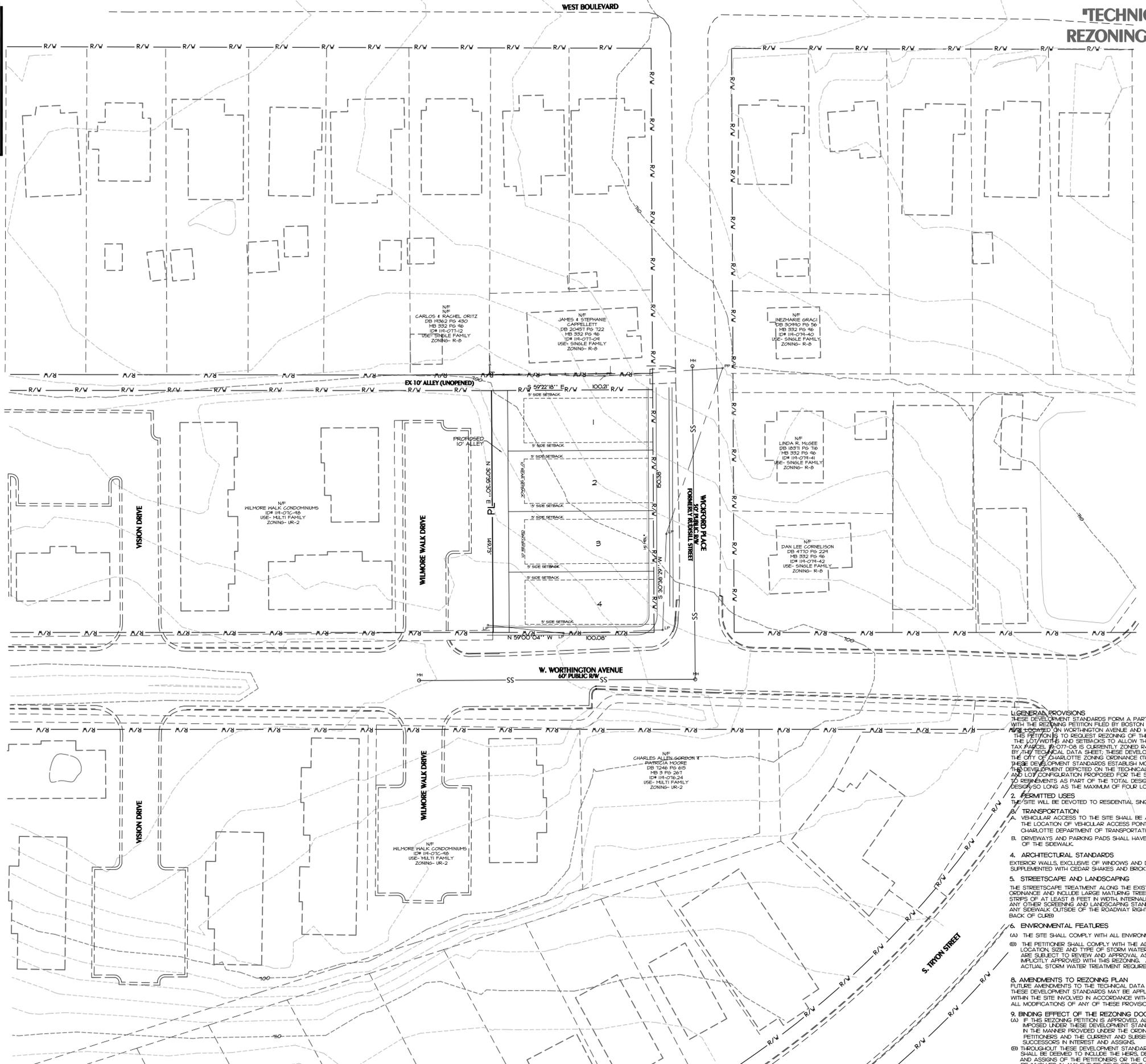
**For Conditional Rezonings Only:**  
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): No  
Purpose/description of Conditional Zoning Plan: To allow for Single-Family Development

Craig Calcasola  
Name of Rezoning Agent  
11050 Dondarrach Lane  
Agent's Address  
Charlotte, NC 28277  
City, State, Zip  
980-207-9806  
Telephone Number Fax Number  
craigcalcasola@gmail.com  
E-Mail Address  
Craig Calcasola  
Signature of Property Owner  
Craig Calcasola  
(Name Typed / Printed)

Craig Calcasola  
Name of Petitioner(s)  
11050 Dondarrach Lane  
Address of Petitioner(s)  
Charlotte, NC 28277  
City, State, Zip  
980-207-9806  
Telephone Number Fax Number  
craigcalcasola@gmail.com  
E-Mail Address  
Craig Calcasola  
Signature of Petitioner  
Craig Calcasola  
(Name Typed / Printed)



VICINITY MAP



**'TECHNICAL DATA SHEET'**  
**REZONING PETITION # 2016-XXX**



**DEVELOPMENT STANDARDS**

TAX PARCEL NO. 114-071-08  
EXIST ZONING CLASSIFICATION: R43-MF  
PROP. ZONING CLASSIFICATION: UR-1 (GD)  
EXIST # PROP USE: SINGLE FAMILY DETACHED  
SITE ACRES: 0.345 AC  
MAX. NO. OF UNITS PROPOSED: 4  
MAX. PROPOSED DENSITY: 12 DUA  
PROPERTY IS LOCATED IN THE CHARLOTTE HISTORIC DISTRICT

UR-1 (GD) LOT DATA:  
MIN. LOT SIZE = 4,000 SF  
MIN. LOT WIDTH = 40'  
MIN. SETBACK = 14' FROM BACK OF CURB  
MIN. SIDE YARD = 5'  
MIN. REAR YARD = 10'  
MAX. BUILDING HEIGHT = 40'

**1. GENERAL PROVISIONS**  
THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE REZONING PETITION FILED BY BOSTON PROPERTIES TO REZONE AN 0.34 ACRES PARCEL LOCATED ON WORTHINGTON AVENUE AND WICKFORD PLACE (THE SITE). THE PURPOSE OF THIS PETITION IS TO REQUEST REZONING OF THE SITE (THE SITE) TO THE UR-1 (GD) TO REDUCE THE LOT WIDTHS AND SETBACKS TO ALLOW THE CONSTRUCTION OF SINGLE FAMILY DETACHED HOMES. TAX PARCEL 114-071-08 IS CURRENTLY ZONED R43-MF. THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE") UNLESS THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS. THE DEVELOPMENT DEPICTED ON THE TECHNICAL DATA SHEET IS INTENDED TO REFLECT THE ROADWAY AND LOT CONFIGURATION PROPOSED FOR THE SITE. AREAS DEPICTED ARE SCHEMATIC AND ARE SUBJECT TO REVISIONS AS PART OF THE TOTAL DESIGN PROCESS. THEY MAY, THEREFORE, BE MODIFIED DURING DESIGN SO LONG AS THE MAXIMUM OF FOUR LOTS IS NOT VIOLATED.

**2. PERMITTED USES**  
THE SITE WILL BE DEVOTED TO RESIDENTIAL SINGLE-FAMILY DWELLING UNITS AS PERMITTED UNDER THE ORDINANCE.

**3. TRANSPORTATION**  
A. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. THE LOCATION OF VEHICULAR ACCESS POINT IS SUBJECT TO ANY MINOR MODIFICATIONS NECESSARY TO MEET THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) REQUIREMENTS FOR APPROVAL.  
B. DRIVEWAYS AND PARKING PADS SHALL HAVE A MINIMUM LENGTH OF 20 FT. MEASURED FROM THE BACK OF THE SIDEWALK.

**4. ARCHITECTURAL STANDARDS**  
EXTERIOR WALLS, EXCLUSIVE OF WINDOWS AND DOORS, SHALL BE CONSTRUCTED WITH GERMAN STYLE SIDING SUPPLEMENTED WITH CEDAR SHAKES AND BROCK VENEER ACCENTS.

**5. STREETScape AND LANDSCAPING**  
THE STREETScape TREATMENT ALONG THE EXISTING PUBLIC STREETS WILL MEET OR EXCEED THE STANDARDS OF THE ORDINANCE AND INCLUDE LARGE MATURING TREES, SIDEWALKS OF AT LEAST FIVE FEET IN WIDTH AND PLANTING STRIPS OF AT LEAST 8 FEET IN WIDTH INTERNALLY. ANY OTHER SCREENING AND LANDSCAPING STANDARDS ANY OTHER SCREENING AND LANDSCAPING STANDARDS SHALL CONFORM TO THE ORDINANCE. ANY SIDEWALK OUTSIDE OF THE ROADWAY RIGHT-OF-WAY SHALL BE WITHIN A MIN. 1 FOOT UTILITY EASEMENT (FROM BACK OF CURB).

**6. ENVIRONMENTAL FEATURES**  
(A) THE SITE SHALL COMPLY WITH ALL ENVIRONMENTAL REGULATIONS.  
(B) THE PETITIONER SHALL COMPLY WITH THE ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEM AS 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.

**8. AMENDMENTS TO REZONING PLAN**  
FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET, OTHER SHEETS ACCOMPANYING THE PETITION AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCEL WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 6.207 OF THE ORDINANCE. ALL MODIFICATIONS OF ANY OF THESE PROVISIONS MUST COMPLY WITH SECTION 6.207 OF THE ZONING ORDINANCE.

**9. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**  
(A) IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONERS AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.  
(B) THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS "PETITIONERS" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONERS 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.



**KENNEY DESIGN GROUP, PA**  
C-1986  
1216 PARSONS TRAIL  
DENVER, NORTH CAROLINA 28037  
PH: 704/377-6099  
EMAIL: KENNEY@KENNEYDESIGN.COM

Engineering  
Surveying  
Land Surveying

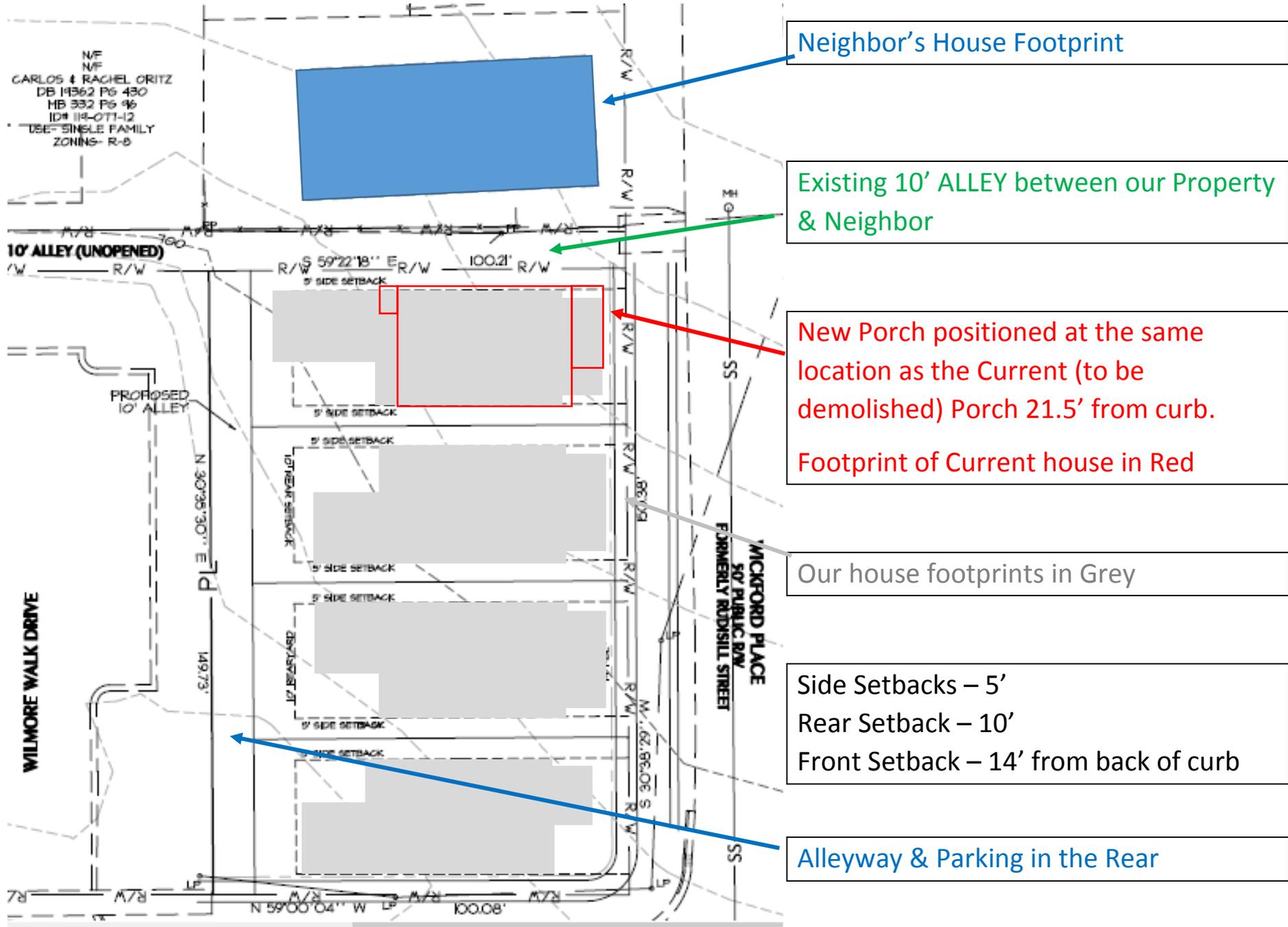
Revisions:

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Scale:	1"=30'		
Date:	9/21/16		
Drawn By:	MIK		
Designed By:	MIK		
Job No.:	XXXX		

**Public Hearing Map for Rezoning Petition #2016-xxx**  
**1816 Wickford Place**  
City of Charlotte, Mecklenburg County, North Carolina  
Boston Properties

# SITE PLAN ZOOM-IN



Neighbor's House Footprint

Existing 10' ALLEY between our Property & Neighbor

New Porch positioned at the same location as the Current (to be demolished) Porch 21.5' from curb. Footprint of Current house in Red

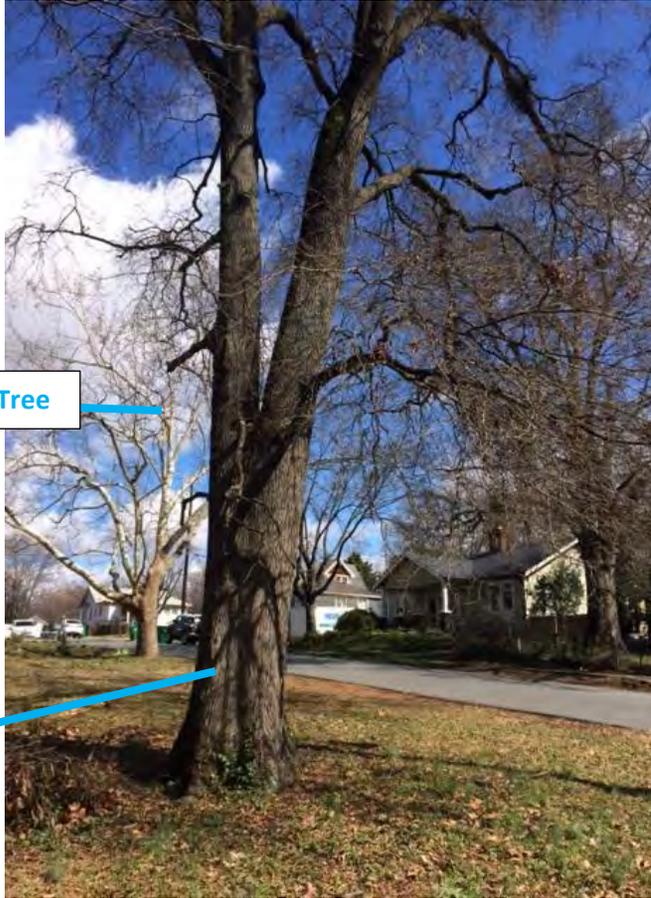
Our house footprints in Grey

Side Setbacks – 5'  
Rear Setback – 10'  
Front Setback – 14' from back of curb

Alleyway & Parking in the Rear

# SITE PLAN

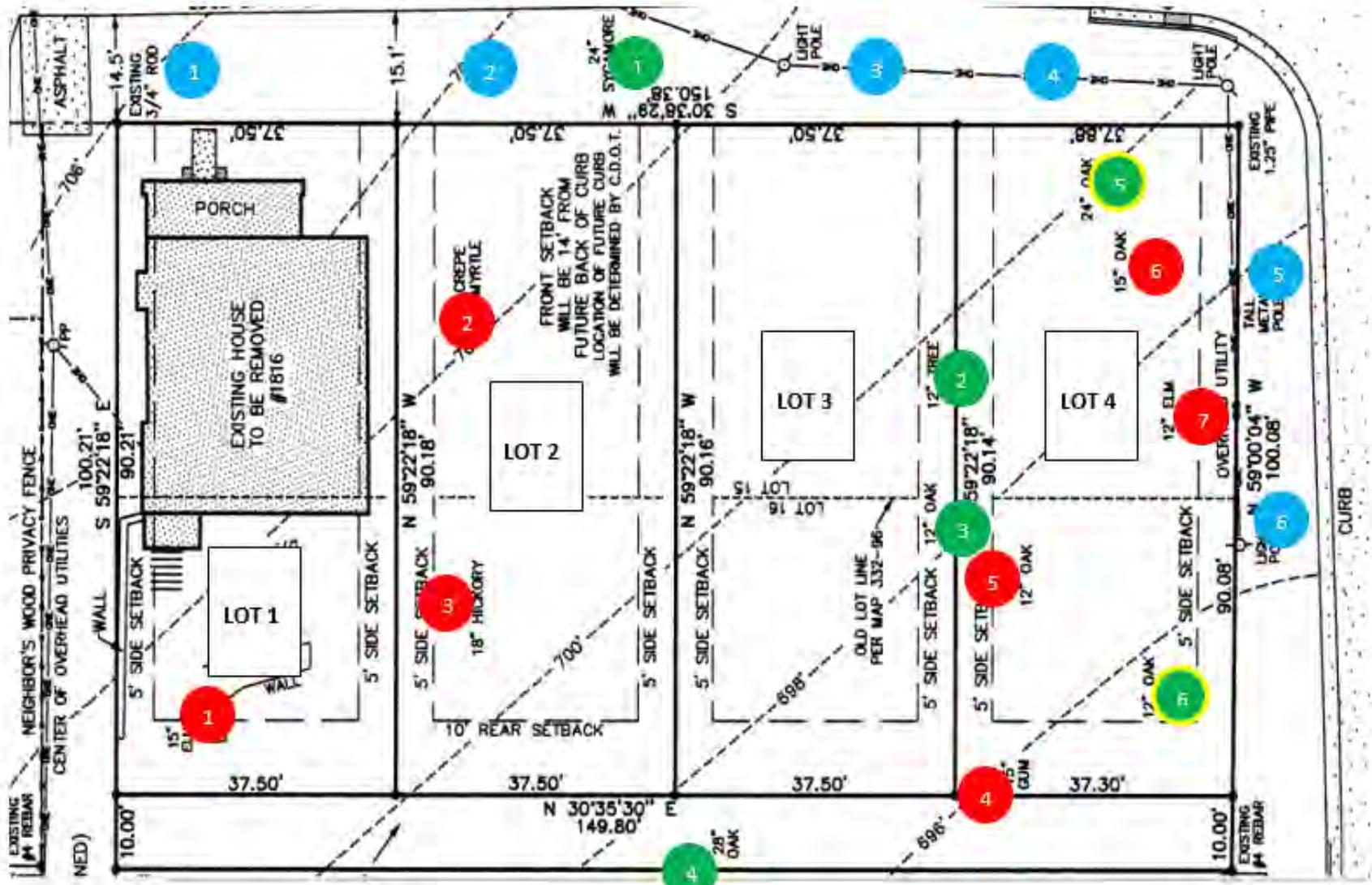
There is an additional 10' green space (Unopened Alley) that runs between our property and the neighbor to our



SYCAMORE Tree

OAK Tree

# TREE SAVE -

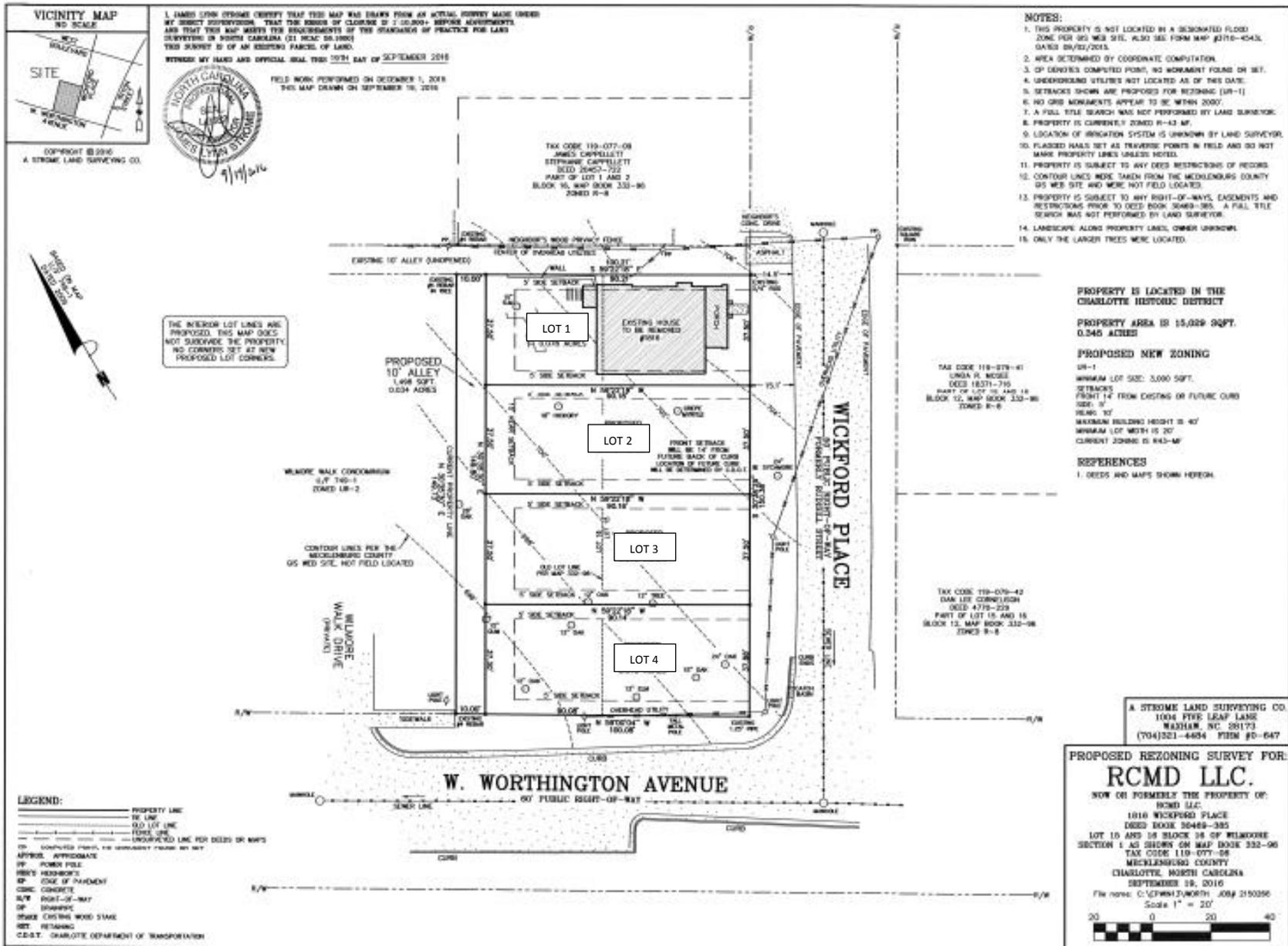


- KEEP**
- 1. 24" Sycamore
  - 2. 12" Oak
  - 3. 12" Oak
  - 4. 28" Oak
  - 5. 24" Oak
  - 6. 12" Oak

- ADD**
- (6) Medium Size Oak Trees

- REMOVE**
- 1. 15" Elm
  - 2. Crepe Myrtle
  - 3. 18" Hickory
  - 4. 15" Gum
  - 5. 12" Oak
  - 6. 15" Oak
  - 7. 12" Elm

# SURVEY



## STREETSCAPE

LOT 4

LOT 3

LOT 2

LOT 1



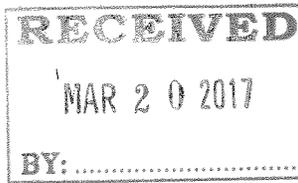
**ZONING** – We are currently **Multi-Family R-43** and wish to re-zone to **UR-1**. With the Re-Zoning, we are going to **reduce the density** instead of 14 multi-family units we are purposing 4 single family homes.

**HISTORICAL DISTRICT** – we have been working with the HDC on scale, size, and style of the houses to be in keeping with the look and feel of Wilmore. We plan on building the same setback as the existing house.

**SURROUNDINGS** - half (50%) of our neighbors are **Non-Wilmore Historical District**. We have Multi-Family and a to be developed Commercial property that make up two of our sides.

**ADDITIONAL ELEMENTS** – we will be putting in the appropriate sidewalks, curbs, and trees. As well as putting in a rear alleyway to remove cars from parking on the street.

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-067

Petition #: \_\_\_\_\_  
Date Filed: 3/20/2017  
Received By: [Signature]

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

Property Owner: The Committee to Restore and Preserve Third Ward Inc.

Owner's Address: 1001 W. 1<sup>st</sup> Street City, State, Zip: Charlotte, NC 28202

Date Property Acquired: April 3, 1995 and June 16, 2015

Property Address: 1015 and 1005 Margaret Brown Street, Charlotte, NC 28202

Tax Parcel Number(s): 07321513 and 07321511

Current Land Use: Residential Size (Acres): 0.172 and 0.177

Existing Zoning: UR-1 Proposed Zoning: MUDD-O and URC (CD)

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

Required Rezoning Pre-Application Meeting\* with: Solomon Fortune

Date of meeting: February 1, 2017

(\*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 allow uses and functions permitted in MUDD and URC Districts

Chris Ogunrinde  
Name of Rezoning Agent

256 Victoria Avenue  
Agent's Address

Charlotte, NC 28202  
City, State, Zip

704-334-3303 ext. 102      704-334-3305  
Telephone Number      Fax Number

chris@urbantrendsproperties.com  
E-Mail Address

Virginia S. Woolard  
Signature of Property Owner

Ginny Woolard  
Name Typed / Printed)

Chris Ogunrinde  
Name of Petitioner(s)

256 Victoria Ave.  
Address of Petitioner(s)

Charlotte, NC 28202  
City, State, Zip

704-488-8902      704-746-3963  
Telephone Number      Fax Number

chris@urbantrendsproperties.com  
E-Mail Address

[Signature]  
Signature of Petitioner

Chris Ogunrinde  
(Name Typed / Printed)

**1005 MARGARET BROWN ST - PARCEL ID: 07321511**

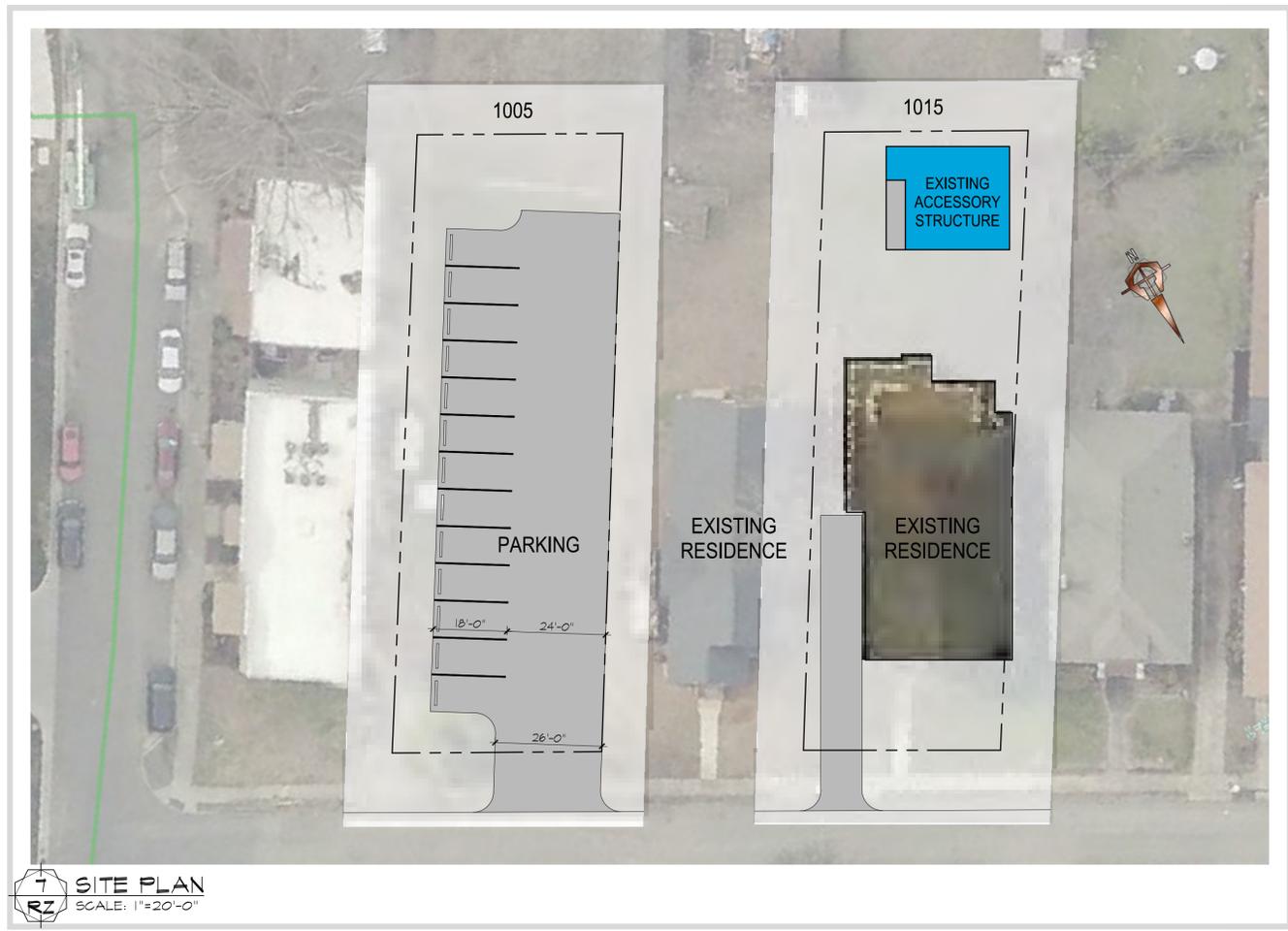
1. Development Data Table
  - a. Site Acreage: 0.177 AC
  - b. Tax Parcels included in Rezoning: 073-215-11
  - c. Existing Zoning: UR-1
  - d. Proposed Zoning: UR-C
  - e. Square footage: NA
  - f. Floor Area Ratio: NA
  - g. Maximum Building Height: NA
  - h. Maximum Number of Buildings: NA
  - i. Number and/or Ratio of Parking Spaces: NA
  - j. Amount of open space: NA
2. General Provisions
  - a. Development of the site will be controlled by the standards on this site plan and the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of the proposed parking and the uses on the site, but the exact configuration, placement, and size of the individual site elements may be altered or modified with the limits prescribed by the ordinance during the design development and construction phases in accordance with the provisions of Section 6.2 of the Zoning Ordinance.
  - b. Access to the site will be provided from the existing public roadway, Margaret Brown Street, as shown on this site plan.
  - c. The petitioner acknowledges that other standard development or requirements imposed by other city ordinances, standards, policies, and appropriate design manuals will exist. Those criteria (for example, those that require buffers, regulate streets, sidewalks, trees, stormwater, and site development, etc.) will apply to the development site. This includes chapters 6, 9, 12, 17, 18, 19, 20 and 21 of the city code. Conditions set forth in the petition are supplemental requirements imposed on the development in addition to the other standards. Where conditions on this plan differ from ordinances, standards, policies, and approaches in existence at the time of formal engineering plan review submission, the stricter condition or existing requirements shall apply.
  - d. The project will comply with all UR-C standards.
3. Optional Provisions: NA
4. Permitted uses: Use permitted under section 9.404 (3)
5. Transportation: NA
6. Architectural Standards: NA
7. Streetscape and Landscaping
  - a. Landscaping will be provide per section 9.404 (3)
8. Environmental Features:
  - a. The petitioner will comply with the City of Charlotte Tree Ordinance.
9. Parks, Greenways, and Open Space: NA
10. Fire Protection: NA
11. Signage
  - a. Signage will be provided per the ordinance.
12. Lighting
  - a. Any detached lighting on the site will not exceed 20 feet in height and will be aimed into the site away from adjoining properties and public streets to prevent glare. Lighting shall be fully shielded and no wall pak lighting will be used.
13. Phasing: NA
14. Other
  - a. Binding Effect of the Rezoning Documents and Definitions: If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards 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 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 from time to time who may be involved in any future development there.
  - b. Parcel may revert back to UR-1 should the property be sold.

**9 TECHNICAL DATA**

**1015 MARGARET BROWN ST - PARCEL ID: 07321513**

1. Development Data Table
  - a. Site Acreage: 0.172 AC
  - b. Tax Parcels included in Rezoning: 071-041-13
  - c. Existing Zoning: UR-1
  - d. Proposed Zoning: MUDD-O
  - e. Existing Square footage: 1826 SQ. FT
  - f. Floor Area Ratio: NA
  - g. Maximum Building Height: NA
  - h. Maximum Number of Buildings: NA
  - i. Number and/or Ratio of Parking Spaces: 1 Space/600 SF = 3
  - j. Number of Parking Spaces provided: 16
2. General Provisions
  - a. Development of the site will be controlled by the standards on this site plan and the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of the proposed buildings and the uses on the site, but the exact configuration, placement, and size of the individual site elements may be altered or modified with the limits prescribed by the ordinance during the design development and construction phases in accordance with the provisions of Section 6.2 of the Zoning Ordinance.
  - b. Access to the site will be provided from the existing public roadway, Margaret Brown Street, as shown on this site plan.
  - c. The petitioner acknowledges that other standard development or requirements imposed by other city ordinances, standards, policies, and appropriate design manuals will exist. Those criteria (for example, those that require buffers, regulate streets, sidewalks, trees, stormwater, and site development, etc.) will apply to the development site. This includes chapters 6, 9, 12, 17, 18, 19, 20 and 21 of the city code. Conditions set forth in the petition are supplemental requirements imposed on the development in addition to the other standards. Where conditions on this plan differ from ordinances, standards, policies, and approaches in existence at the time of formal engineering plan review submission, the stricter condition or existing requirements shall apply.
  - d. The site and occupant are existing and no changes to the site are proposed.
3. Optional Provisions
  - a. Petitioner requests to opt out of the 10' Building Separation when adjacent to a residential use
4. Permitted uses
  - a. Permitted use in MUDD zoning
5. Transportation: NA
6. Architectural Standards: NA
7. Parks, Greenways, and Open Space
  - a. Open space will conform to the requirements of Ordinance.
8. Fire Protection: NA
9. Signage: NA
10. Lighting: NA
11. Phasing: NA
12. Other
  - a. Binding Effect of the Rezoning Documents and Definitions: If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards 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 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 from time to time who may be involved in any future development there.
  - b. Parcel may revert back to UR-1 should the property be sold.

**10 TECHNICAL DATA**



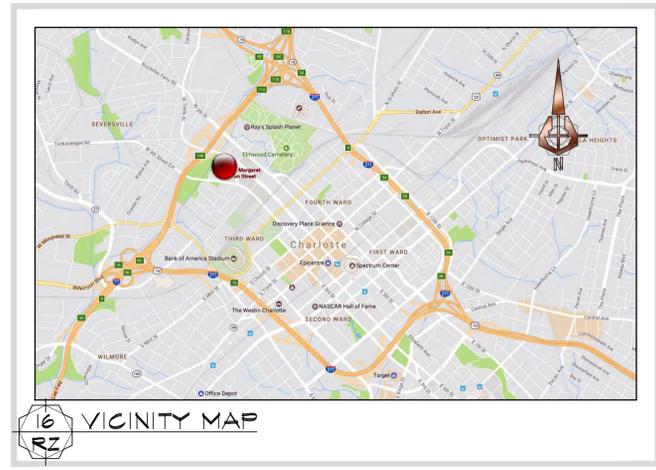
**7 SITE PLAN**  
SCALE: 1"=20'-0"



**11 EXISTING GIS MAP**  
SCALE: 1"=100'-0"



**12 EXISTING AERIAL MAP**  
SCALE: 1"=100'-0"



**16 VICINITY MAP**



**REZONING PROPOSAL FOR THE COMMITTEE TO RESTORE AND PRESERVE THIRD WARD INC.**  
 1005 AND 1015 MARGARET BROWN ST, CHARLOTTE, NORTH CAROLINA, 28202



ISSUE DATE: 20 MAR 2017



F:\Users\jgott\OneDrive\Documents\Third Ward\GIS\11\_PLOT\_REZONING\_and\_headers\Plotted By: Bernd, Plotted: Mar 20, 2017 - 10:34am

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



Petition #: 2017-068  
Date Filed: 3/20/2017  
Received By: [Signature]

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

Property Owner: Hopedale Properties, LLC

Owner's Address: PO Box 11982 City, State, Zip: Charlotte, NC 28220

Date Property Acquired: 8/15/2002, 5/3/2005

Property Address: 410, 404 and 424 Faison Avenue

Tax Parcel Number(s): 08306821; 08306820; 08306816

Current Land Use: Residential Size (Acres): +/- 0.41 acres

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

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

Required Rezoning Pre-Application Meeting\* with: Sonja Sanders, Amanda Vari

Date of meeting: March 16, 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): No.

Purpose/description of Conditional Zoning Plan: To accommodate townhome units

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

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

[Signature]  
Signature of Property Owner

BRETT TAYLOR  
(Name Typed / Printed)

Hopedale Builders, Inc.  
Name of Petitioner(s)

PO Box 11982  
Address of Petitioner(s)

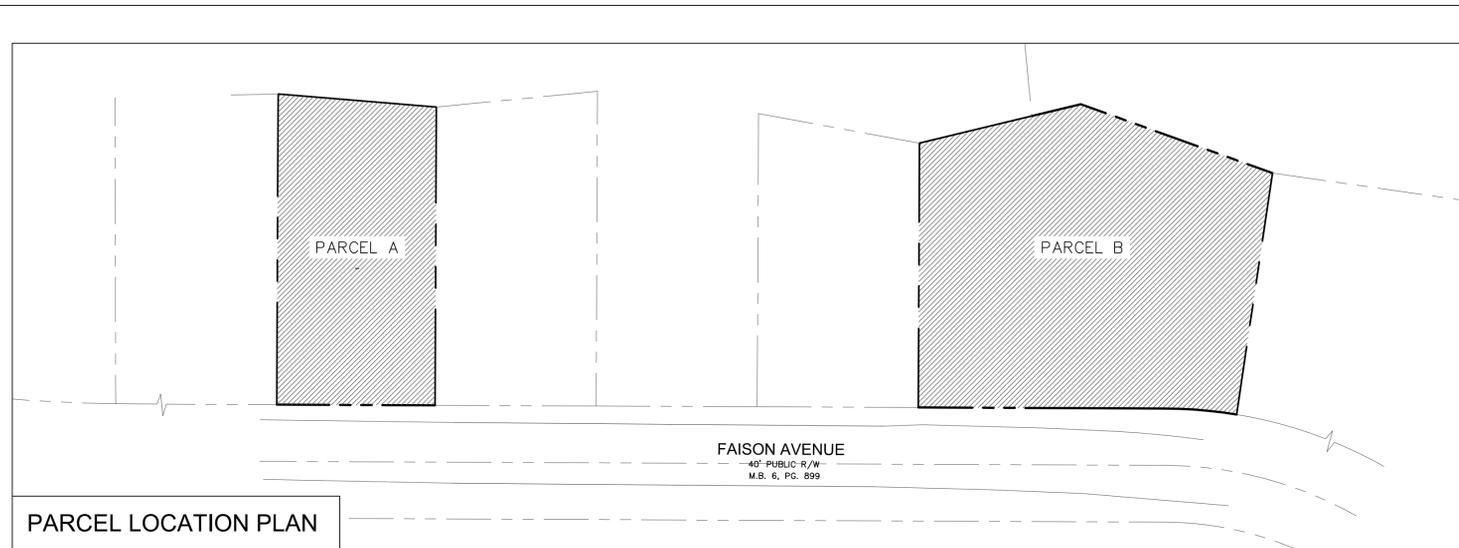
Charlotte, NC 28220  
City, State, Zip

704-372-2696 704-372-2221  
Telephone Number Fax Number

btaylor@hopedalebuilders.com  
E-Mail Address

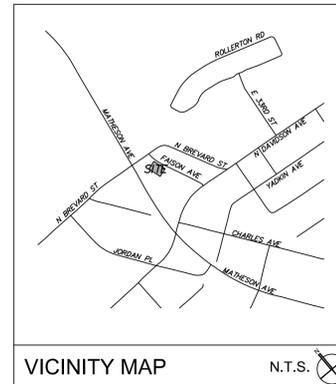
[Signature]  
Signature of Petitioner

Brett Taylor, Owner of Hopedale Builders, Inc.  
(Name Typed / Printed)



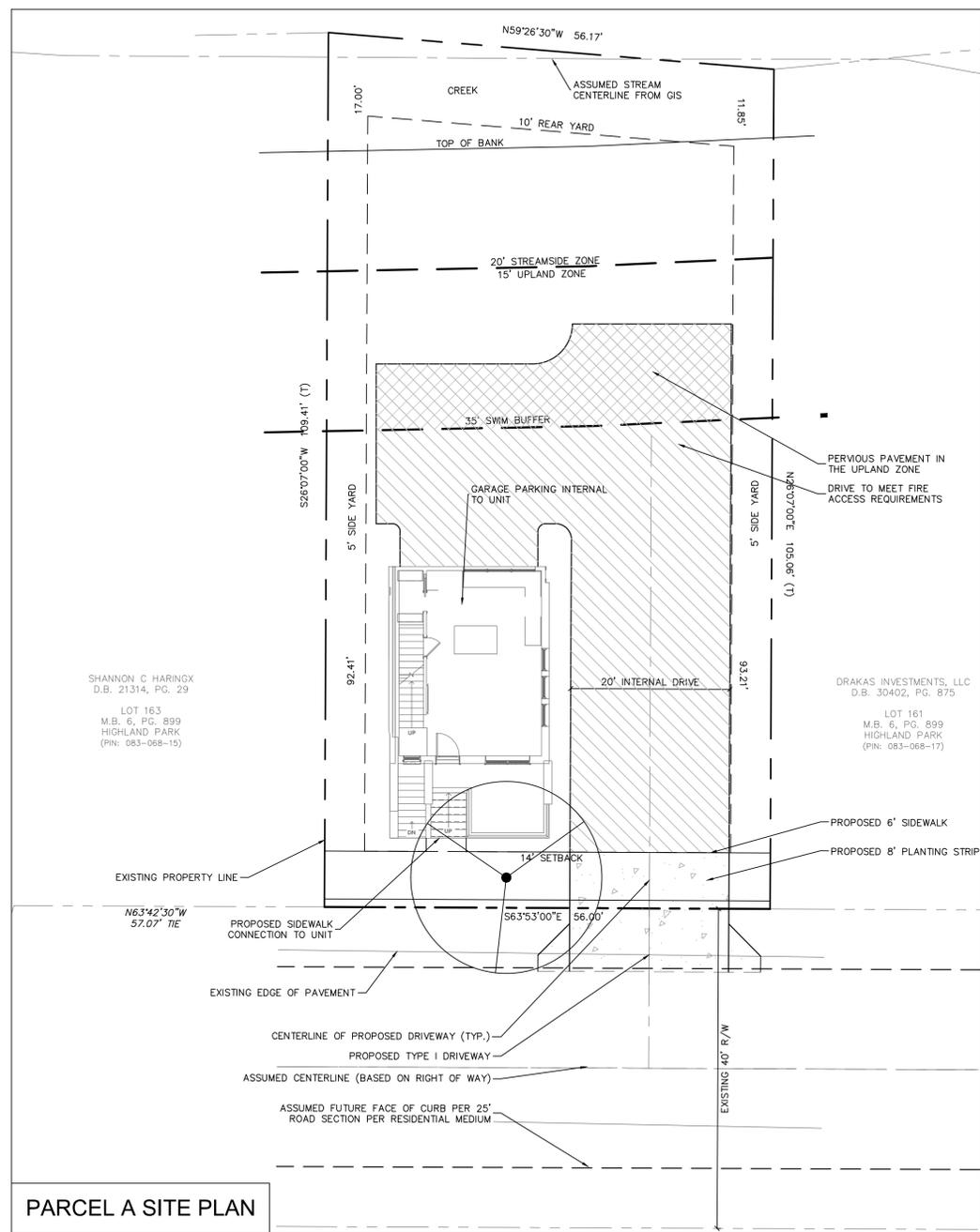
PARCEL LOCATION PLAN

DEVELOPMENT DATA TABLE	
SITE ACREAGE:	±0.41 AC
TAX PARCEL:	083-068-21, 083-068-20, AND 083-068-16
EXISTING ZONING:	R-5
PROPOSED ZONING:	UR-2
EXISTING USE:	RESIDENTIAL
PROPOSED USES:	UP TO 12 TOWN HOME UNITS
MAXIMUM BUILDING HEIGHT:	40'
PARKING PROVIDED:	SHALL SATISFY OR EXCEED UR-2 MINIMUM REQUIREMENTS.

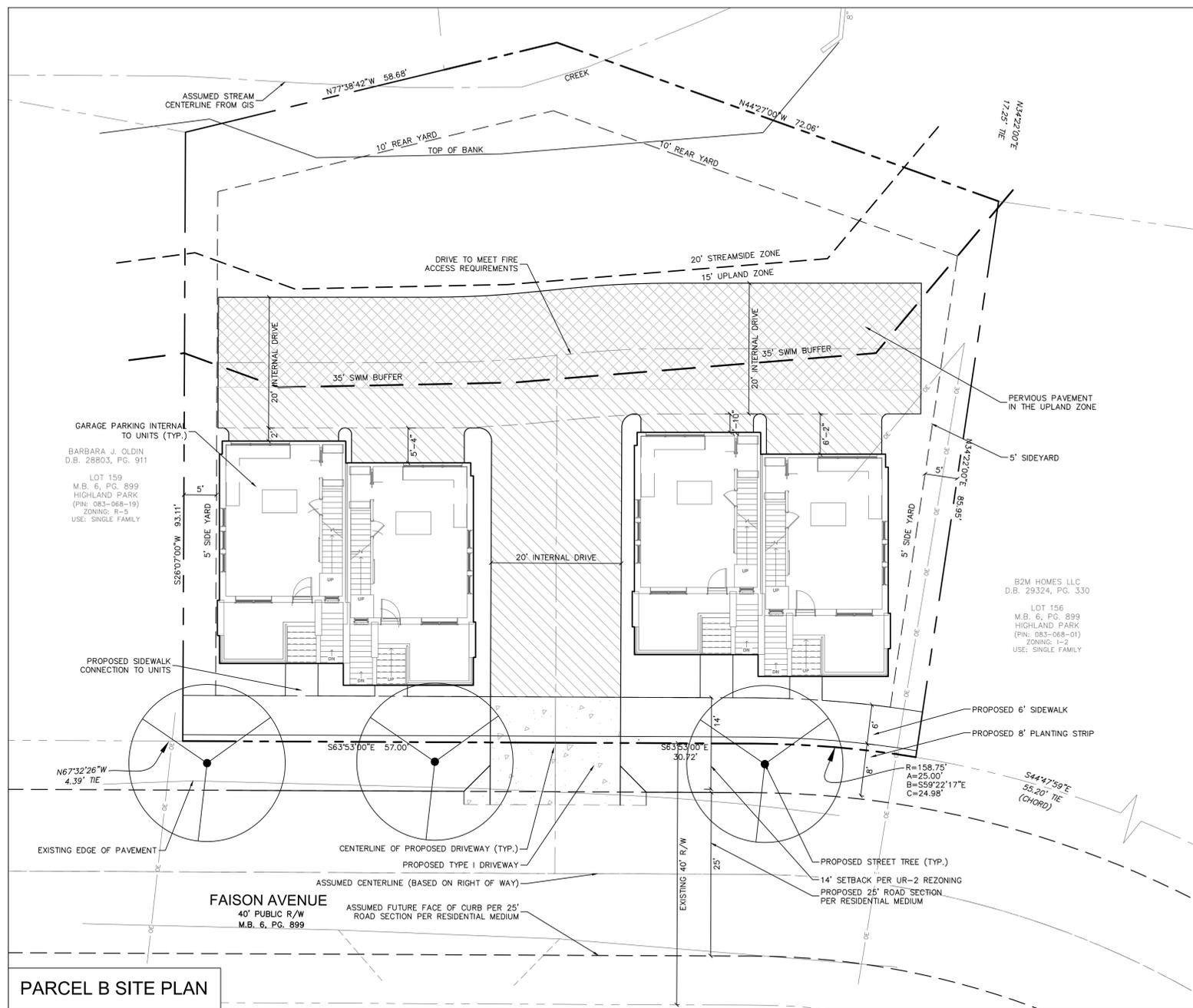


VICINITY MAP

N.T.S.



PARCEL A SITE PLAN



PARCEL B SITE PLAN



LANDSCAPE ARCHITECTURE  
CIVIL ENGINEERING  
TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208  
704.343.0608  
www.drgrp.com



REZONING PETITION  
FOR PUBLIC HEARING:  
2017-XXX

REZONING DOCUMENTS

**FAISON STREET HOMES**  
CHARLOTTE, NORTH CAROLINA

**HOPEDALE BUILDERS, INC.**  
P.O. BOX 11982  
CHARLOTTE, NC 28220  
(704) 372-2696

**SCHEMATIC  
SITE PLAN**

SCALE: 1" = 10'

PROJECT #: 686-001  
DRAWN BY: SVK  
CHECKED BY: THH

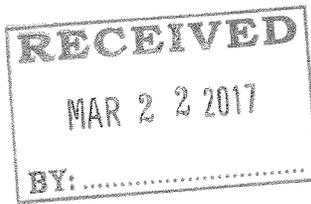
MARCH 21, 2017

REVISIONS:

RZ1.00



I. REZONING APPLICATION  
CITY OF CHARLOTTE



2017-069

Petition #: \_\_\_\_\_  
Date Filed: 3/22/2017  
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Heydon Hall II, LLC; Wayne Edge and Deborah Belk Edge; Ruth Reid Stewart (see attached Joinder Agreements for ownership by parcel)

Owner's Address: See Attached City, State, Zip: Charlotte, NC 28226

Date Property Acquired: Various

Property Address: Various

Tax Parcel Number(s): 209-222-03, 209-222-09, 209-222-04, 209-222-15, 209-222-16, 209-222-17, 209-222-18, 209-222-19, 209-222-20, 209-222-12, 209-222-13, 209-222-14, 209-222-99, 209-222-21, 209-222-22, 209-222-24, and 209-222-25

Current Land Use: Single-Family Residential Size (Acres): +/- 7

Existing Zoning: MX-1 Proposed Zoning: MX-1 S.P.A.

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

Required Rezoning Pre-Application Meeting\* with: T. Keplinger, S. Fortwell, L. Harmon  
Date of meeting: February 2, 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 No Number of years (maximum of 5): \_\_\_\_\_

Purpose/description of Conditional Zoning Plan: To accommodate a site plan that is consistent with the design of existing portions of Heydon Hall.

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

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

\_\_\_\_\_  
Signature of Property Owner  
(See Attached Joinder Agreement)

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

Heydon Hall II, LLC c/o Michael Dodson  
Name of Petitioner(s)

11301 Carmel Commons Blvd. Suite 108  
Address of Petitioner(s)

Charlotte, NC 28226  
City, State, Zip

704-258-4243  
Telephone Number Fax Number

Mike.Dodson@hotmail.com  
E-Mail Address

[Signature]  
Signature of Petitioner

Michael Dodson  
(Name Typed / Printed)

REZONING PETITION NO. 2017-\_\_\_\_\_

HEYDON HALL II, LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at or near 3533 Smithfield Church Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel Nos. 209-222-03 and 209-222-09 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 23 day of MARCH, 2017.

  
Deborah Belk Edge

  
Wayne Edward Edge

REZONING PETITION NO. 2017-\_\_\_\_\_

HEYDON HALL II, LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at or near 3609 Smithfield Church Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel Nos. 209-222-04, 209-222-15, 209-222-16, 209-222-17, 209-222-18, 209-222-19, and 209-222-20 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 22 day of March, 2017.

  
Ruth Reid Stewart

REZONING PETITION NO. 2017-\_\_\_\_\_

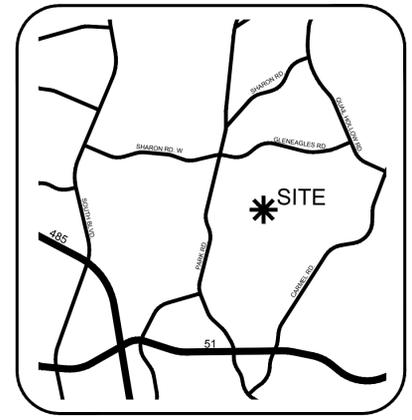
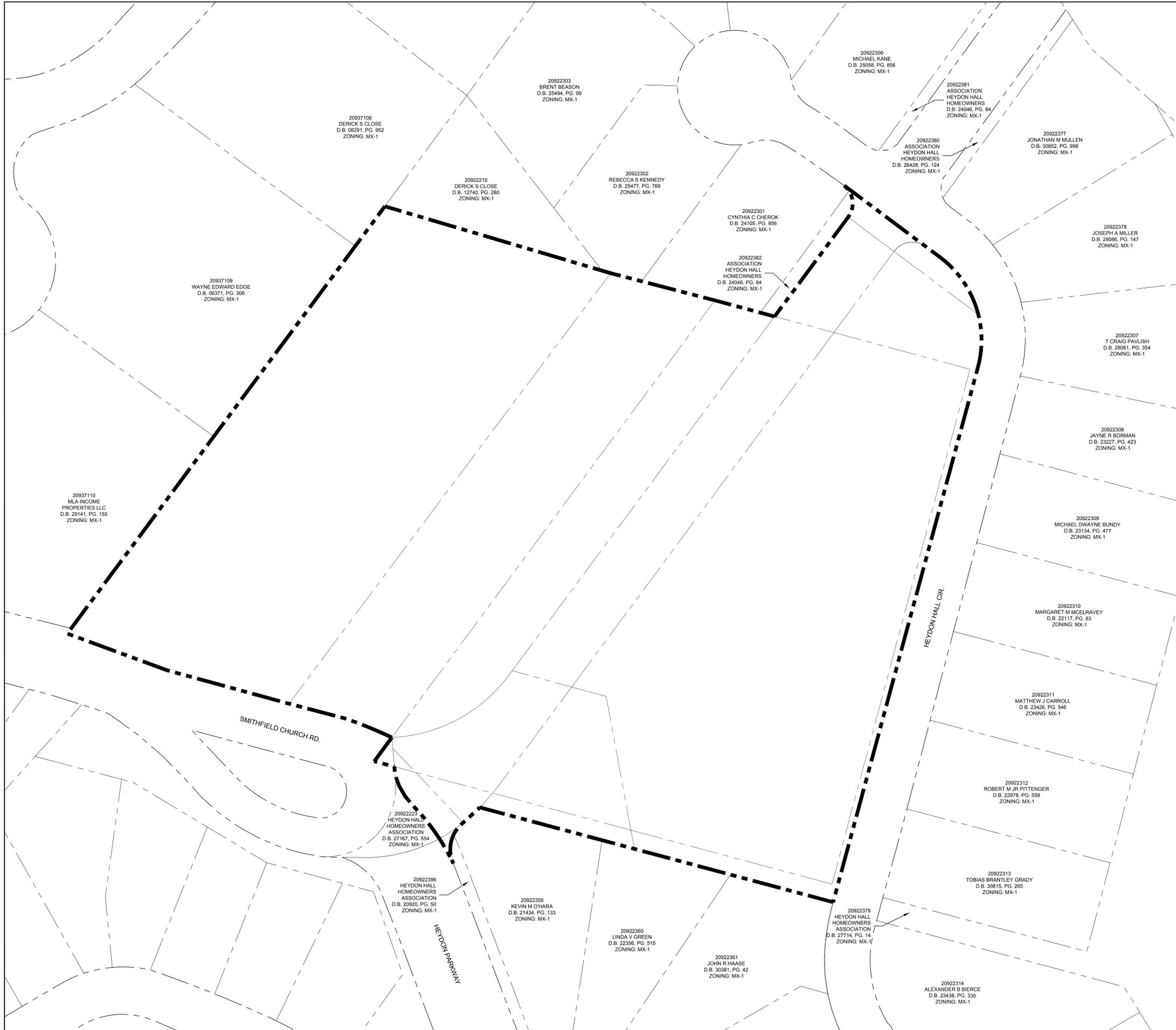
HEYDON HALL II, LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at or near Heydon Hall Circle in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel Nos. 209-222-12, 209-222-13, 209-222-14, 209-222-99, 209-222-21, 209-222-22, 209-222-24, and 209-222-25 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 23 day of March, 2017.

  
\_\_\_\_\_  
Heydon Hall II LLC



VICINITY MAP  
NTS

**SITE DEVELOPMENT DATA**

**ACREAGE:** ± 7.045 AC

**TAX PARCEL #S:** 209-222-03, 209-222-09, 209-222-04, 209-222-15, 209-222-16, 209-222-17, 209-222-18, 209-222-19, 209-222-20, 209-222-12, 209-222-13, 209-222-14, 209-222-99, 209-222-21, 209-222-22, 209-222-24, 209-222-25

**EXISTING ZONING:** MX-1 (SPA)

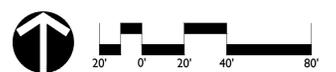
**PROPOSED ZONING:** MX-1 (SPA)

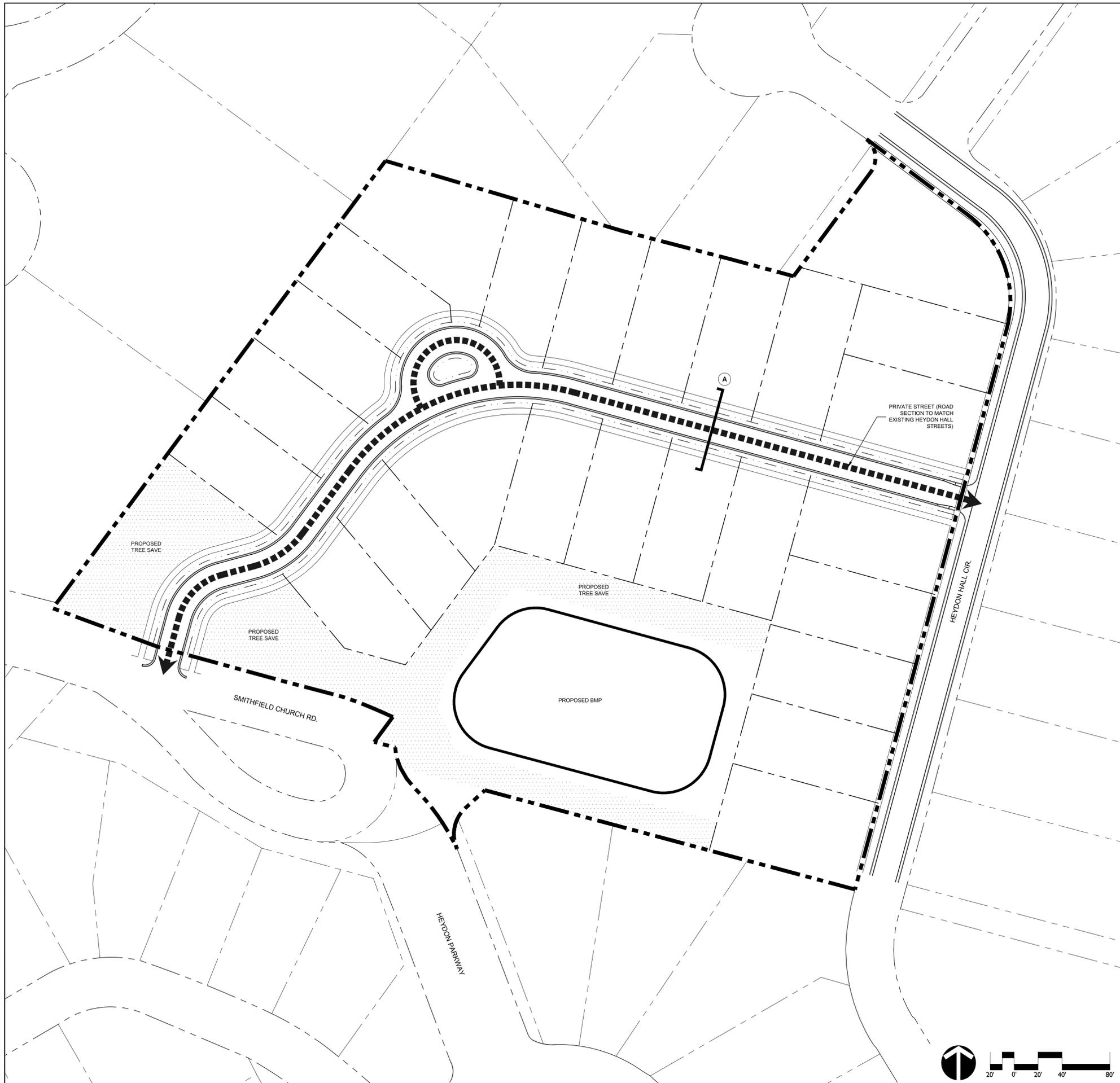
**EXISTING USES:** VACANT/RESIDENTIAL

**PROPOSED USES:** SINGLE FAMILY RESIDENTIAL

**ORIGINAL HEYDON HALL DENSITY ENTITLEMENTS:** 63.28 AC @ 3 DUA  
189 TOTAL UNITS

**HEYDON HALL EXISTING UNITS:** 130 TOTAL UNITS





**SITE LEGEND**

- PROPOSED CIRCULATION
- PROPERTY LINE

**SITE DEVELOPMENT DATA**

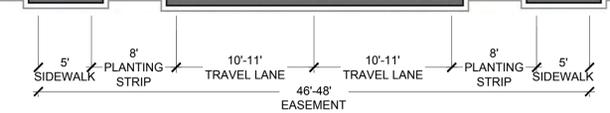
1. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE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

2. LOT STANDARDS:
- MINIMUM LOT AREA: 7,200 SF
  - MINIMUM LOT WIDTH: 60'
  - MINIMUM SETBACK: 17'
  - MINIMUM SIDE YARD: 5'
  - MINIMUM REAR YARD: 30'
  - MAXIMUM BUILDING COVERAGE:
- |                   |     |
|-------------------|-----|
| UP TO 4,000 SF    | 50% |
| 4,000-6,500 SF    | 45% |
| 6,501-8,500 SF    | 40% |
| 8,501-15,000 SF   | 35% |
| 15,001 OR GREATER | 30% |

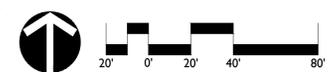
INNOVATIVE DEVELOPMENT STANDARDS:  
THE PETITIONER SEEKS THE INNOVATIVE PROVISIONS DESCRIBED BELOW IN ORDER TO SUPPORT A SMALL LOT RESIDENTIAL VILLAGE:

1. SINGLE FAMILY LOTS SHALL BE PERMITTED TO FRONT ON PRIVATE STREETS.
  2. MINIMUM GARAGE SETBACK FOR LOTS FRONTING ON PRIVATE STREETS SHALL BE 20 FEET FROM THE BACK OF SIDEWALK. THE MINIMUM BUILDING SETBACK FOR LOTS FRONTING ON PRIVATE STREETS SHALL BE 10 FEET FROM THE BACK OF SIDEWALK.
  3. MINIMUM CORNER SETBACK FOR LOTS WHERE A PRIVATE STREET FORMS THE CORNER OF THE LOT SHALL BE 5 FEET FROM THE BACK OF SIDEWALK.
  4. MAXIMUM BUILDING COVERAGE FOR DETACHED DWELLINGS SHALL BE 70 PERCENT.
3. THIS DEVELOPMENT WILL CONFORM TO ALL APPLICABLE ORDINANCES FOR THE CITY OF CHARLOTTE.

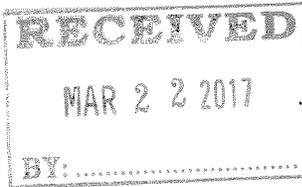
**PROPOSED PRIVATE STREET**



**SECTION - A N.T.S.**



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-070

Petition #: \_\_\_\_\_  
Date Filed: 3/22/2017  
Received By: [Signature]

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

Property Owner: The Estate of Eugene Roy Carpenter et al and Margaret C. Smith

Owner's Address: 4920 Pine Ridge Rd City, State, Zip: Charlotte, NC 28226

Date Property Acquired: unknown

Property Address: 3620 Park Road, Charlotte, NC

Tax Parcel Number(s): 149-144-37

Current Land Use: Single-Family Residential Size (Acres): +/- 2.22 acres

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

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

Required Rezoning Pre-Application Meeting\* with: Solomon Fortune

Date of meeting: March 22, 2017

(\*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 accommodate townhome units

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

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)

Saussy Burbank, LLC  
Name of Petitioner(s)

3730 Glen Lake Drive #125  
Address of Petitioner(s)

Charlotte, NC 28208  
City, State, Zip

704-442-4961                      \_\_\_\_\_  
Telephone Number                      Fax Number

Peter.Harakas@saussyburbank.com  
E-Mail Address

[Signature]  
Signature of Petitioner

PETER T. HARAKAS  
(Name Typed / Printed)

REZONING PETITION NO. 2017-\_\_\_\_\_

SAUSSY BURBANK, LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 3620 Park Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 149-114-37 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 17<sup>th</sup> day of March, 2017.

Heather Carty Ward, Guardian of Estate  
Heather Carty-Ward, as Guardian of the Estate of  
Margaret C. Smith, as to a 1/3 interest *Margaret C. Smith*

\_\_\_\_\_  
William Scott Carpenter, as to a 1/6 interest

\_\_\_\_\_  
Sharry Carpenter  
(Spouse of William Scott Carpenter)

\_\_\_\_\_  
Shella Carpenter, as to a 1/6 interest

\_\_\_\_\_  
Barbara G. Meares, as to a 1/3 interest



I. REZONING APPLICATION  
CITY OF CHARLOTTE

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

Complete All Fields (Use additional pages if needed)

Property Owner: The Estate of Eugene Roy Carpenter et al and Margaret C. Smith

Owner's Address: 4920 Pine Ridge Rd City, State, Zip: Charlotte, NC 28226

Date Property Acquired: unknown

Property Address: 3620 Park Road, Charlotte, NC

Tax Parcel Number(s): 149-114-37

Current Land Use: Single-Family Residential Size (Acres): +/- 2.22 acres

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

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

Required Rezoning Pre-Application Meeting\* with: Solomon Fortune

Date of meeting: March 22, 2017

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

<b>For Conditional Rezoning Only:</b>
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): <u>No.</u>
Purpose/description of Conditional Zoning Plan: <u>To accommodate townhome units</u>
_____
_____

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

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

William Scott Carpenter  
Signature of Property Owner

\_\_\_\_\_

Saussy Burbank, LLC  
Name of Petitioner(s)

3730 Glen Lake Drive #125  
Address of Petitioner(s)

Charlotte, NC 28208  
City, State, Zip

704-442-4961                      \_\_\_\_\_  
Telephone Number                      Fax Number

Peter.Harakas@saussyburbank.com  
E-Mail Address

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_

(Name Typed / Printed)

(Name Typed / Printed)



I. REZONING APPLICATION  
CITY OF CHARLOTTE

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

Complete All Fields (Use additional pages if needed)

Property Owner: The Estate of Eugene Roy Carpenter et al and Margaret C. Smith

Owner's Address: 4920 Pine Ridge Rd City, State, Zip: Charlotte, NC 28226

Date Property Acquired: unknown

Property Address: 3620 Park Road, Charlotte, NC

Tax Parcel Number(s): 149-114-37

Current Land Use: Single-Family Residential Size (Acres): +/- 2.22 acres

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

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

Required Rezoning Pre-Application Meeting\* with: Solomon Fortune

Date of meeting: March 22, 2017

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

<b>For Conditional Rezoning Only:</b>
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): <u>No.</u>
Purpose/description of Conditional Zoning Plan: <u>To accommodate townhome units</u>
_____
_____

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

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@kigates.com  
E-Mail Address

Saussy Burbank, LLC  
Name of Petitioner(s)

3730 Glen Lake Drive #125  
Address of Petitioner(s)

Charlotte, NC 28208  
City, State, Zip

704-442-4961      \_\_\_\_\_  
Telephone Number      Fax Number

Peter.Harakas@saussyburbank.com  
E-Mail Address

*Collin Carpenter* 03/21/2017  
Signature of Property Owner

\_\_\_\_\_  
Signature of Petitioner

(Name Typed / Printed)

(Name Typed / Printed)

REZONING PETITION NO. 2017-\_\_\_\_\_

SAUSSY BURBANK, LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 3620 Park Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 149-114-37 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Heather Carty-Ward, as Guardian of the Estate of  
Margaret C. Smith, as to a 1/3 interest

\_\_\_\_\_  
William Scott Carpenter, as to a 1/6 interest

\_\_\_\_\_  
Sharry Carpenter  
(Spouse of William Scott Carpenter)

*Sheila Carpenter*  
\_\_\_\_\_  
Sheila Carpenter, as to a 1/6 interest

\_\_\_\_\_  
Barbara G. Meares, as to a 1/3 interest

REZONING PETITION NO. 2017-\_\_\_\_\_

SAUSSY BURBANK, LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 3620 Park Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 149-114-37 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 22 day of March, 2017.

\_\_\_\_\_  
Heather Carty-Ward, as Guardian of the Estate of  
Margaret C. Smith, as to a 1/3 interest

\_\_\_\_\_  
William Scott Carpenter, as to a 1/6 interest

\_\_\_\_\_  
Sharry Carpenter  
(Spouse of William Scott Carpenter)

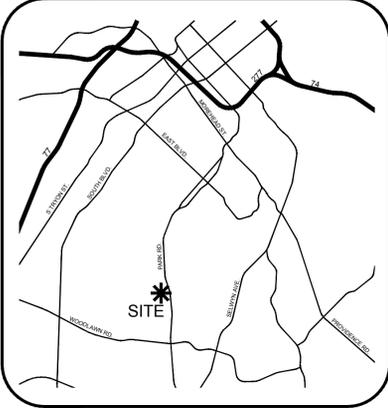
\_\_\_\_\_  
Sheila Carpenter, as to a 1/6 interest

Louis M. Dineen POWER OF ATTORNEY  
Barbara G. Meares, as to a 1/3 interest  
FOR BARBARA G. MEARES



**SITE DEVELOPMENT DATA**

ACREAGE: ± 2.22 ACRES  
 TAX PARCEL #: 149-144-37  
 EXISTING ZONING: R-4  
 PROPOSED ZONING: UR-2(CD)  
 EXISTING USES: SINGLE FAMILY RESIDENTIAL, VACANT  
 PROPOSED USES: SINGLE FAMILY ATTACHED



VICINITY MAP  
 NTS

**3620 PARK RD. MULTI-FAMILY  
 REZONING PETITION No. 2017-XXX**  
 CHARLOTTE

**LandDesign**  
 223 N Graham Street Charlotte, NC 28202  
 V. 704.332.0325 F. 704.332.3246  
 www.LandDesign.com

REVISIONS:  
 DATE: 03/22/17  
 DESIGNED BY: ST  
 DRAWN BY: JY  
 CHECKED BY: ST  
 SCALE: 1"=30'  
 PROJECT #: 1016485  
 SHEET #:

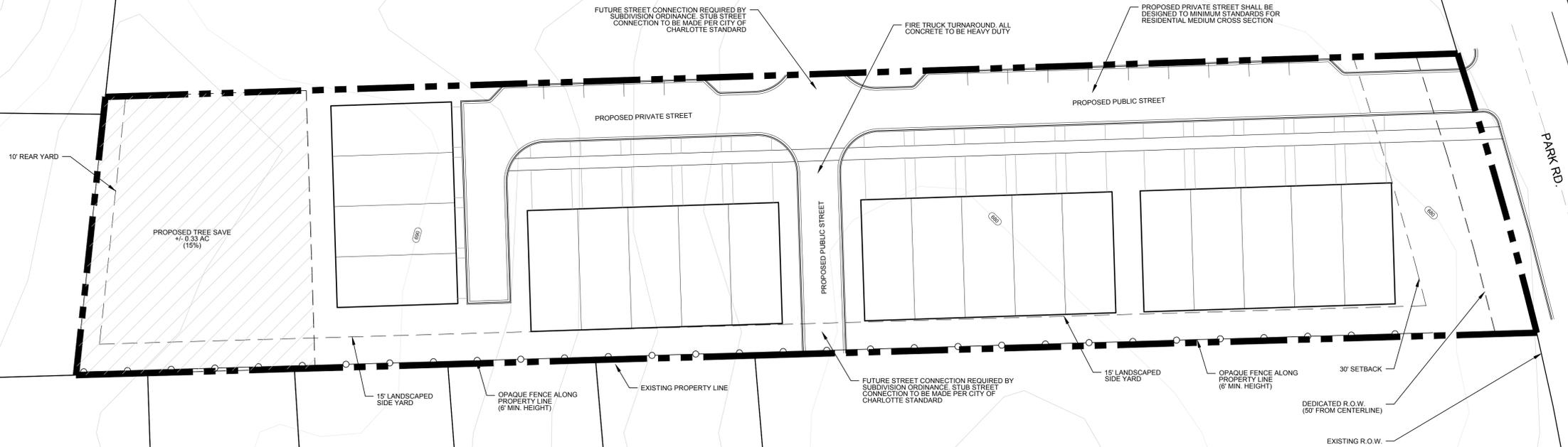


**TECHNICAL DATA SHEET**

**RZ-1**

# SITE LEGEND

**-----** PROPERTY LINE



FUTURE STREET CONNECTION REQUIRED BY SUBDIVISION ORDINANCE. STUB STREET CONNECTION TO BE MADE PER CITY OF CHARLOTTE STANDARD

FIRE TRUCK TURNAROUND. ALL CONCRETE TO BE HEAVY DUTY

PROPOSED PRIVATE STREET SHALL BE DESIGNED TO MINIMUM STANDARDS FOR RESIDENTIAL MEDIUM CROSS SECTION

10' REAR YARD

PROPOSED TREE SAVE  
47.033 AC  
(15%)

PROPOSED PRIVATE STREET

PROPOSED PUBLIC STREET

PARK RD.

PROPOSED PUBLIC STREET

15' LANDSCAPED SIDE YARD

OPAQUE FENCE ALONG PROPERTY LINE (6' MIN. HEIGHT)

EXISTING PROPERTY LINE

FUTURE STREET CONNECTION REQUIRED BY SUBDIVISION ORDINANCE. STUB STREET CONNECTION TO BE MADE PER CITY OF CHARLOTTE STANDARD

15' LANDSCAPED SIDE YARD

OPAQUE FENCE ALONG PROPERTY LINE (6' MIN. HEIGHT)

30' SETBACK

DEDICATED R.O.W. (50' FROM CENTERLINE)

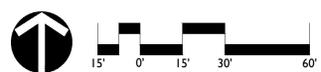
EXISTING R.O.W.

REVISIONS:

DATE: 03/21/17  
 DESIGNED BY: ST  
 DRAWN BY: JY  
 CHECKED BY: ST  
 SCALE: 1"=30'  
 PROJECT #: 1016485

**3620 PARK RD. MULTI-FAMILY**  
**REZONING PETITION No. 2017-XXX**  
 CHARLOTTE  
**SCHEMATIC SITE PLAN**

**LandDesign**  
 223 N Graham Street Charlotte, NC 28202  
 T: 704.332.0325 F: 704.332.3246  
 www.LandDesign.com



SHEET #:  
**RZ-2**

RECEIVED

MAR 23 2017

2017-071

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #: \_\_\_\_\_

Complete All Fields (Use  
additional pages if needed)

3/23/17

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

RL

Owner: Citi Properties, LLC

Property \_\_\_\_\_

Owner's Address: P.O. Box 32866

City, State, Zip: Charlotte, NC 28232

Date Property Acquired: 7/5/2005

Property Address: 903 E. 36th Street

Tax Parcel Number(s): 091-091-02

Current Land Use: Multi-family residential

Size (Acres): +/- 1.05 acres

Existing Zoning: R22-MF

Proposed Zoning: UR-2 (CD)

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

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

Required Rezoning Pre-Application Meeting\* with: Amanda Vari, Sonia Sanders, Laurie Reid, Shannon Frye

Date of meeting: 3/9/2017

(\*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 accommodate up to 22 townhome units

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

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

Charlotte, NC 28202  
City, State, Zip

704-331-7531  
Telephone Number

704-353-3231  
Fax Number

Collin.Brown@kigates.com  
E-Mail Address

James M. Doyle  
Signature of Property Owner

James M. DOYLE  
(Name Typed / Printed)

Saussy Burbank, LLC  
Name of Petitioner(s)

3730 Glen Lake Drive #125  
Address of Petitioner(s)

Charlotte, NC 28208  
City, State, Zip

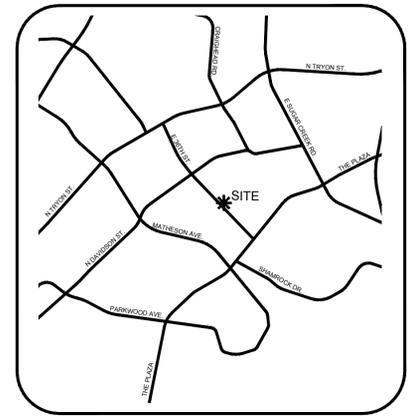
704-442-4961  
Telephone Number

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

Peter.Harakas@saussyburbank.com  
E-Mail Address

Peter T. Harakas  
Signature of Petitioner

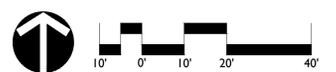
PETER T. HARAKAS  
(Name Typed / Printed)



VICINITY MAP  
NTS

SITE DEVELOPMENT DATA

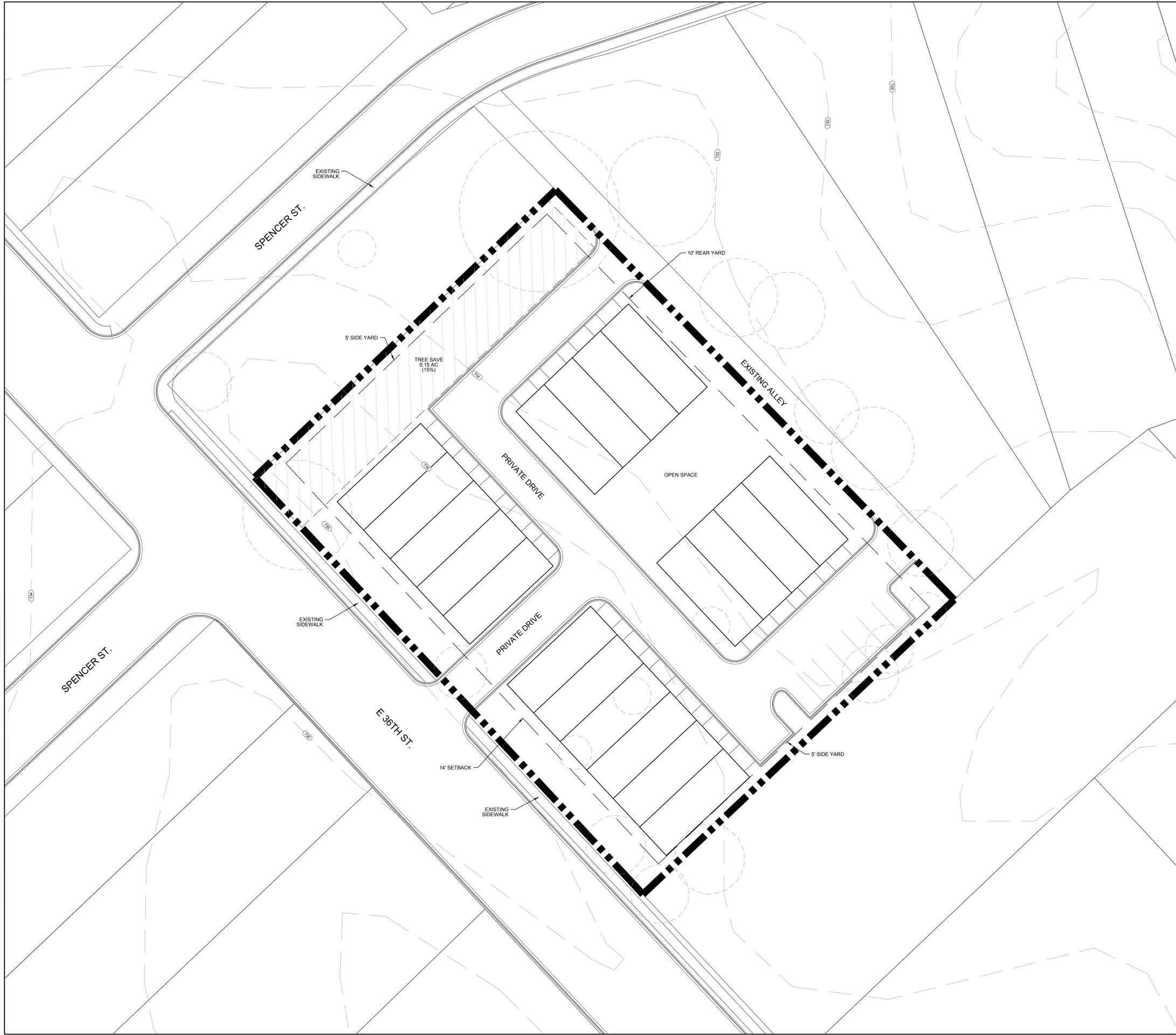
- ACREAGE: ± 1.053 AC
- TAX PARCEL #S: 091-091-02
- EXISTING ZONING: R-22MF
- PROPOSED ZONING: UR-2(CD)
- EXISTING USES: MULTI-FAMILY RESIDENTIAL
- PROPOSED USES: MULTI-FAMILY TOWNHOUSES



REVISIONS:

DATE: 03/23/17  
 DESIGNED BY: ST  
 DRAWN BY: JY  
 CHECKED BY: ST  
 SCALE: 1"=20'  
 PROJECT #: 1017074  
 SHEET #:

36TH STREET TOWNHOUSES  
 REZONING PETITION No. 2017-XXX  
 CHARLOTTE  
 TECHNICAL DATA SHEET



### SITE LEGEND

-  PROPERTY LINE
-  EXISTING TREES

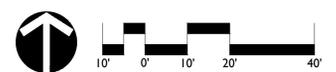
**36TH STREET TOWNHOUSES**  
**REZONING PETITION No. 2017-XXX**  
 CHARLOTTE  
**SCHEMATIC SITE PLAN**

**LandDesign**  
 223 N Graham Street Charlotte, NC 28202  
 V. 704.332.0325 F. 704.332.3246  
 www.LandDesign.com

REVISIONS:

DATE: 03/23/17  
 DESIGNED BY: ST  
 DRAWN BY: JY  
 CHECKED BY: ST  
 SCALE: 1/4"=20'  
 PROJECT #: 1017074

SHEET #:  
**RZ-2**



Saussy Burbank, LLC

REZONING PETITION NO. 2017-xxx

DEVELOPMENT STANDARDS

3/21/2017

**Development Data Table:**

Site Area:	+/- 1.05 acres
Tax Parcels:	091-091-02
Existing Zoning:	R22-MF
Proposed Zoning:	UR-2
Existing Use:	Multi-family Residential
Proposed Uses:	Up to 22 Townhome Units
Maximum Building Height:	Fifty (50) feet
Parking:	Shall satisfy or exceed UR-2 minimum requirements

**I. General Provisions**

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Saussy Burbank, LLC (the "Petitioner") to accommodate the development of a residential community on that approximately 1.05 acre site located on the south-east side of East 36th Street, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Number 091-091-02.
2. Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 zoning district shall govern the development and use of the Site.
4. 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, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) 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.

**II. Permitted Uses**

The Site may be devoted only to a residential community containing a maximum of 22 townhome units and to any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district.

**III. Transportation**

1. Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
2. As depicted on the Rezoning Plan, the Site will be served by internal private drives, and minor adjustments to the locations of the internal private drives shall be allowed during the construction permitting process.

**IV. Architectural Standards**

1. The townhome units shall front East 36th Street, as depicted on the Rezoning Plan.
2. Preferred Exterior Building Materials: All principal and accessory buildings abutting East 36th Street shall comprise of a combination of portions of brick, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement ("hardyplank") and/or other material approved by the Planning Director.
3. Prohibited Exterior Building Materials:
  - a. Vinyl siding (but not vinyl hand rails, windows or door trim); and
  - b. Concrete Masonry Units not architecturally finished.

**V. Streetscape and Landscaping**

1. The Petitioner shall provide a minimum eight (8) foot wide planting strip and a minimum six (6) foot wide sidewalk along the Site's frontage on East 36th Street.
2. The Petitioner may subdivide the Site and create lots within the Site with no side or rear yards as part of a unified development plan.
3. Petitioner shall provide a minimum setback of at least twenty (20) feet from the existing back of curb of East 36th Street. Stoops and stairs may encroach four (4) feet into the setback as a "transition zone."

**VI. Open Space**

The Petitioner shall comply with the Post Construction Controls Ordinance and tree save requirements.

**VII. Lighting**

1. All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks as landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
2. The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed fifteen (15) feet.
3. Any lighting fixtures attached to the buildings to be constructed on the site shall be decorative, capped and downwardly directed.

**VIII. Amendments to Rezoning Plan**

Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of a particular Tract within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

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

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards 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 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 from time to time who may be involved in any future development thereof.

REVISIONS:

DATE: 03/21/17  
DESIGNED BY: ST  
DRAWN BY: JY  
CHECKED BY: ST  
SCALE: 1"=1'-0"  
PROJECT #: 1017074  
SHEET #:

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



Petition #: 2017-072  
Date Filed: 3/23/2017  
Received By: RF

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

Property Owner: SMS Catering Service, Inc.

Owner's Address: 1764 Norland Road City, State, Zip: Charlotte, NC 28205

Date Property Acquired: 5/3/1984, 3/17/2006, 11/19/2004, 8/19/2003

Property Address: 1764, 1718, 1718, and 1710 Norland Road

Tax Parcel Number(s): 13102405, 13102406; 13102407, 13102402, and 13102401

Current Land Use: Banquet hall, parking Size (Acres): +/- 4.68 (portion thereof TBD)

Existing Zoning: B-2(CD), O-6(CD), R-4 Proposed Zoning: UR-C

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

Required Rezoning Pre-Application Meeting\* with: Sonja Sanders, Mandy Vari, Laurie Reid

Date of meeting: 3-09-17

(\*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 and Bailey Patrick, Jr.  
Name of Rezoning Agent

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

SMS Catering Service, Inc.  
Name of Petitioner(s)

1764 Norland Road  
Address of Petitioner(s)

Charlotte, NC 28205  
City, State, Zip

704-536-1500   
Telephone Number Fax Number

robert@smscater.com  
E-Mail Address

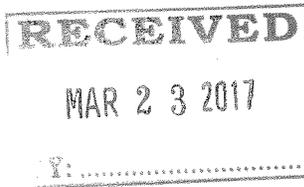
[Signature]  
Signature of Property Owner

[Signature]  
Signature of Petitioner

Bob Freeman, President of SMS Catering Service, Inc.  
(Name Typed / Printed)

Bob Freeman, President  
(Name Typed / Printed)

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2017-073

Petition #: \_\_\_\_\_  
Date Filed: 3/23/2017  
Received By: [Signature]

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

Property Owner: SEE ATTACHED SHEETS

Owner's Address: SEE ATTACHED SHEETS City, State, Zip: SEE ATTACHED SHEETS

Date Property Acquired: VARIES

Property Address: SEE ATTACHED SHEETS

Tax Parcel Number(s): SEE ATTACHED SHEETS

Current Land Use: VARIOUS BUSINESS AND INDUSTRIAL Size (Acres): approx. 8.03 +/-

Existing Zoning: I-1, I-2, B-2 Proposed Zoning: I-1 TS, I-2 TS, B-2 TS

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

Required Rezoning Pre-Application Meeting\* with: Alan Goodwin, Sandy Montgomery, et. al.

Date of meeting: 1/18/2017

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

Purpose/description of Conditional Zoning Plan: \_\_\_\_\_

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 SHEETS  
Signature of Property Owner

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

The Gold District of Charlotte, Inc  
Name of Petitioner(s)

1030 Edgehill Rd. South, #103  
Address of Petitioner(s)

Charlotte, NC 28207  
City, State, Zip

704-641-2154 \_\_\_\_\_  
Telephone Number Fax Number

cwingate@wingadgroup.com  
E-Mail Address

[Signature]  
Signature of Petitioner

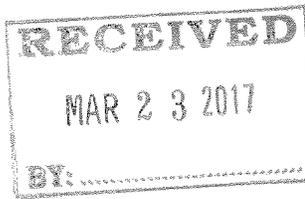
Caren Wingate  
(Name Typed / Printed)

## THE GOLD DISTRICT OVERLAY PARTICIPATION ROSTER

Ownership Entity	Mailing Address	PID #1	Property Size	Current Zoning
Hal H Conroy & Joanne L Conroy	501 Penman St; Charlotte, NC 28203	07326217	0.282 ac	I-2
1300 S Church St LLC	PO Box 690833; Charlotte, NC 28227	07308206	0.335 ac	I-2
	9551 Hitchgate Dr; Charlotte, NC 28227			
1445 LLC	1445 S Mint St; Charlotte, NC 28203	07310103	0.72 ac	I-2
Rickie Lee Hartsell & Nancy Gerns Hartsell	6710 Tree Hill Rd; Matthews, NC 28104	11908312	0.576 ac	B-2
Richard Lee Williams	230 Millwood Ln; Charlotte, NC 28270	07326701	0.175 ac	I-2
Woodie Properties LLC	PO Box 30755; Charlotte, NC 28230	07308118	0.31 ac	I-2
Southend Gold, LLC	1300 S Mint St, Suite 400; Charlotte, NC 28203	07326702 07326703 07326225	0.08 ac 0.09 ac 0.666 ac	I-2
Auto Parts & Salvage c/o Little Hardware Co Inc	1400 S Mint St; Charlotte, NC 28203	07308302 07308301	0.174 ac 0.150 ac	I-2
Clarence W Wall & Millicent M Wall	1108 S Graham St; Charlotte, NC 28203	07326807	0.369 ac	I-2
Beverly Welch	2019 Harris Rd; Charlotte, NC 28211	11908314 11908313	0.599 ac 0.836 ac	I-1
Sam B. Dillard, Jr.	2503 Roswell Ave, Unit 202; Charlotte, NC 28209	07326211	0.453 ac	I-2

<b>Ownership Entity</b>	<b>Mailing Address</b>	<b>PID #1</b>	<b>Property Size</b>	<b>Current Zoning</b>
Historic <b>Textile Supply Building</b> - We are considering this property as a single component of the Overlay	6 Individual parcel ID's		1.361 ac	I-2
Fitzhugh L Stout & Ann M Stout	908 Berkeley Ave; Charlotte, NC 28203	07326512		
P & A Realty LLC	1927 S Tryon St; Charlotte NC 28203	07326507		
Circle F South Mint LLC	11286 McClure Manor Dr. Charlotte, NC 28277	07326510		
Circle F South Mint LLC	11286 McClure Manor Dr. Charlotte, NC 28277	07326509		
C S Mint, LLC	2205 Selwyn Ave; Charlotte, NC 28207	07326508		
Historic LLC	1300 S Mint St, Suite 400; Charlotte, NC 2820	07326511		
Mint Street of NC, LLC	1224 S. Mint St Charlotte, NC 28203	07326602	0.175 ac	I-2
Mint Street of NC, LLC	1216 S. Mint St Charlotte, NC 28203	07326603	0.34 ac	I-2
Ruth Chambers	1310 S. Church Street Charlotte, NC 28203	07308204	0.343 ac	I-2

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



Petition #: 2017-074  
Date Filed: 3/23/2017  
Received By: [Signature]

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

Property Owner: FINE PLAZA, LLC  
Owner's Address: 7600 WESTMONT WAY WAXHAW, NC 28173  
Date Property Acquired: 6/30/2016  
Property Address: 2501 THE PLAZA, CHARLOTTE, NC 28205  
Tax Parcel Number(s): 08314303  
Current Land Use: Neighborhood Business 1.358 (Acres):  
Existing Zoning: B-1 Proposed Zoning: MUDD-O  
Overlay: \_\_\_\_\_ (Specify PED, Watershed, Historic District, etc.)  
Required Rezoning Pre-Application Meeting\* with: S. SANDERS, S. FRYE, L. DUKES, K. HEDRICK & A.VARI  
Date of meeting: 2/16/2017

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

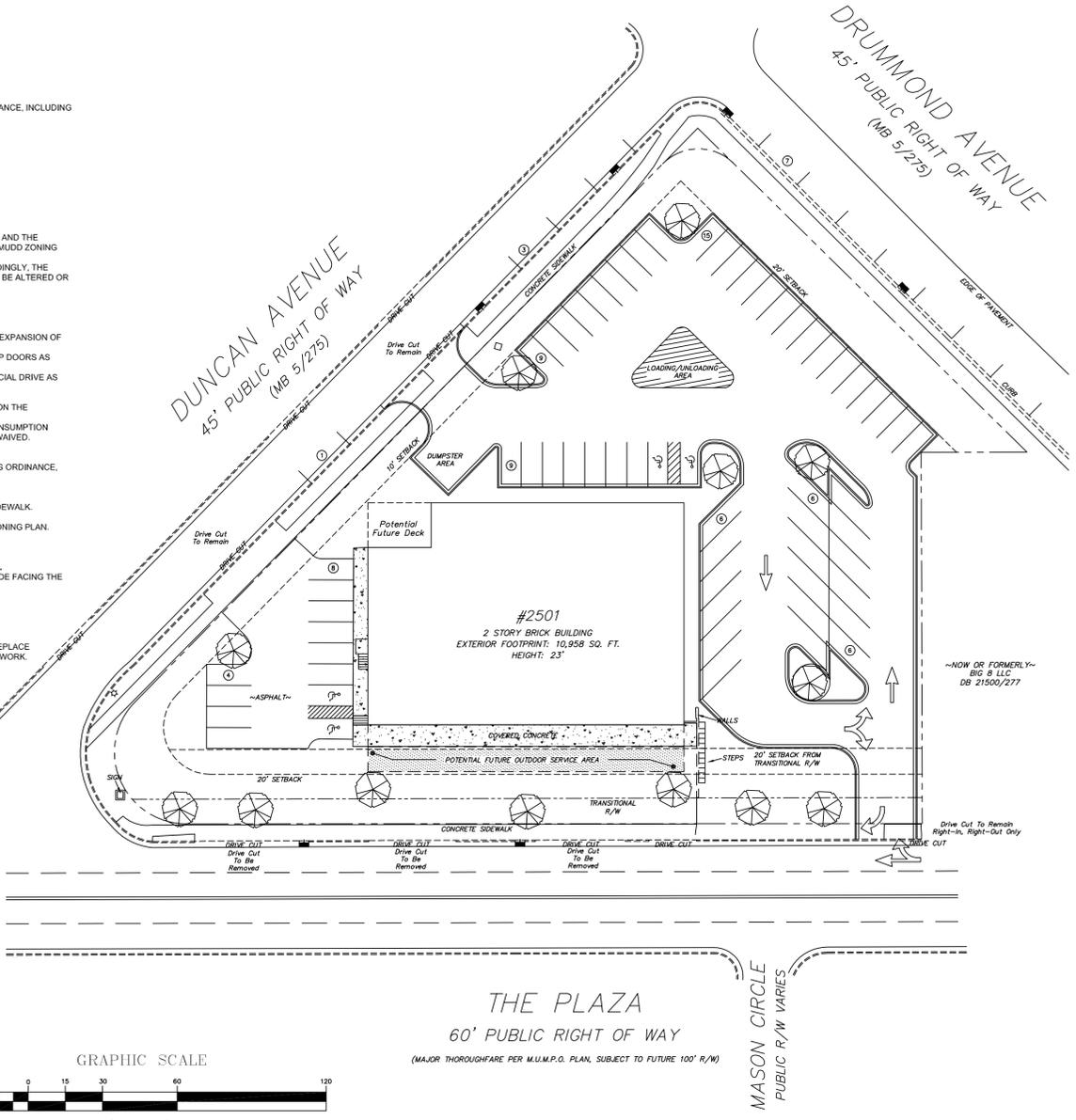
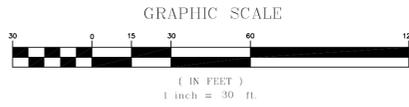
**For Conditional Rezoning Only:**  
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): n/a  
Purpose/description of Conditional Zoning Plan: Rezoning of parcel to allow adaptive reuse of the existing building. Optional zoning is required to allow use with the unique constraints of the subject parcel and use of the existing building.

Scott W. Stevens  
Name of Rezoning Agent  
3430 Torindon Way, Suite 200  
Agent's Address  
Charlotte, NC 28277  
City, State, Zip  
704-400-5040  
Telephone Number Fax Number  
scottstevens@kw.com  
E-Mail Address  
[Signature]  
Signature of Property Owner  
Ben Huh  
(Name Typed / Printed)

Fine Plaza, LLC  
Name of Petitioner(s)  
7600 Westmont Way  
Address of Petitioner(s)  
Waxhaw, NC 28173  
City, State, Zip  
201-675-7963  
Telephone Number Fax Number  
bhuh77@yahoo.com  
E-Mail Address  
[Signature]  
Signature of Petitioner  
Ben Huh  
(Name Typed / Printed)

**NOTES FOR REZONING #**  
**2501 THE PLAZA, PARCEL # 08314303**

- DEVELOPMENT DATA TABLE
    - SITE ACREAGE: 1.358 ACRES
    - TAX PARCELS INCLUDED IN REZONING: #08314303
    - EXISTING ZONING: B-1
    - PROPOSED ZONING: MUDD-O
    - EXISTING USE: NEIGHBORHOOD BUSINESS
  - PROPOSED USES: ANY USE OR COMBINATION OF USES PERMITTED IN SECTIONS 9.8502 AND 9.8503 OF THE CITY OF CHARLOTTE ZONING ORDINANCE, INCLUDING AND WITHOUT LIMITATION, A BREWERY SUBJECT TO CONDITIONS OF 12.544.
  - NUMBER OF RESIDENTIAL UNITS BY HOUSING TYPE: N/A
  - RESIDENTIAL DENSITY: N/A
  - SQUARE FOOTAGE CALCUS:
    - BLDG: 22,000 +/- SF EXISTING BLDG
    - CANOPY: 1,016 +/- SF EXISTING
  - FLOOR AREA RATIO: 22,000sf / 59,154sf = 0.37
  - MAXIMUM BUILDING HEIGHT: 50 FT.
  - NUMBER AND/OR RATIO OF PARKING SPACES: NONE, PER ORDINANCE & OPTIONAL PROVISIONS NOTED
  - AMOUNT OF OPEN SPACE: N/A - BUILDING AREA < 50,000 SF
- GENERAL PROVISIONS
    - THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE SITE PLAN AND NOTES COMPRISING THIS REZONING PLAN (THE "REZONING PLAN") AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ORDINANCE ("ORDINANCE"). THE REGULATIONS ESTABLISHED FOR THE MUDD ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT OF THIS SITE, SUBJECT TO THE OPTIONAL PROVISIONS HEREIN.
    - THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC AND REPRESENTS THE GENERAL PROPOSAL FOR THE PROJECT. ACCORDINGLY, THE CONFIGURATION, PLACEMENT, SIZE AND NUMBER OF STAIRS, SIDEWALKS, TREES, RAMP, PATIO, PARKING AREAS AND/OR SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ZONING ORDINANCE, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.
    - THE EXISTING BUILDING SHALL REMAIN.
    - ALTERATIONS TO THE CONDITIONAL PLAN ARE SUBJECT TO SECTION 6.207.
  - OPTIONAL PROVISIONS
    - PARKING REQUIREMENTS SHALL BE REDUCED TO ZERO TOTAL SPACES FOR ANY PERMITTED USES AND NO PARKING SHALL BE REQUIRED FOR EXPANSION OF THE SQUARE FOOTAGE AS PERMITTED BY THIS REZONING PLAN.
    - EXISTING BUILDINGS, FACADE, ENTRYWAYS AND DOORS MAY BE PRESERVED AND ADDITIONAL DOORWAYS MAY BE ADDED, INCLUDING ROLL-UP DOORS AS SET FORTH IN THE REZONING PLAN.
    - THE EXISTING SIDEWALK FOOTPRINT SHALL REMAIN WITH IMPROVEMENT OF THE CURB AND IMPLEMENTATION OF A MODIFIED TYPE II COMMERCIAL DRIVE AS SHOWN ON THE REZONING PLAN.
    - SHOULD THE EXISTING BUILDING BE TORN DOWN, SITE WILL BE REQUIRED TO BE REZONED.
    - PLANTING AREAS, AS SHOWN, SHALL REPLACE REQUIREMENT FOR PLANTING STRIPS AND MAY ENCROACH INTO 14 FOOT SETBACK AS SHOWN ON THE REZONING PLAN.
    - THE AREA MARKED AS "POTENTIAL FUTURE OUTDOOR SERVICE AREA" MAY BE USED FOR EXPANSION OF THE OUTDOOR SERVICE, SEATING, CONSUMPTION AND/OR ENTERTAINMENT. ADDITIONAL PARKING SPACES SHALL NOT BE REQUIRED AND ANY APPLICABLE PARKING REQUIREMENTS SHALL BE WAIVED.
  - PERMITTED USES
    - ANY USE OR COMBINATION OF USES AND ACCESSORY USES AS PERMITTED IN SECTIONS 9.8502 AND 9.8503 OF THE CITY OF CHARLOTTE ZONING ORDINANCE, INCLUDING AND WITHOUT LIMITATION TO, A BREWERY SUBJECT TO CONDITIONS OF 12.544.
  - TRANSPORTATION
    - MODIFIED TYPE II COMMERCIAL DRIVE AS SHOWN ON REZONING PLAN, WHICH MAY BE MODIFIED TO LIMIT GRADE CHANGES TO PEDESTRIAN SIDEWALK.
    - BICYCLE PARKING SPACES TO BE PROVIDED PER ORDINANCE REQUIREMENTS.
    - PLANTING AREAS SHALL REPLACE REQUIREMENT FOR PLANTING STRIPS AND MAY ENCROACH INTO 20 FOOT SETBACK AS SHOWN ON THE REZONING PLAN.
    - PARKING INTERNAL AND ON-STREET.
  - ARCHITECTURAL STANDARDS
    - EXISTING BUILDINGS TO REMAIN THE SAME HEIGHT WITH THE EXCEPTION OF POTENTIAL ROOF PATIO, OVERALL HEIGHT SHALL NOT EXCEED 50'.
    - URBAN DESIGN ELEMENTS TO INCLUDE PEDESTRIAN ORIENTED ENTRANCES, COVERED AND UNCOVERED PATIOS AND PENETRATION OF FACADE FACING THE PLAZA SHALL MAINTAIN AT LEAST THE EXISTING TRANSPARENCY BETWEEN ELEVATIONS OF 2' AND 10' ON THE FIRST FLOOR.
    - INCORPORATION OF ARTWORK AND DESIGN COMPONENTS IN OUTDOOR SPACES AS A PART OF PATIO AND PLANTING AREAS.
    - ADDITIONAL COVERED PATIOS AND PERMANENT FIXED AWNINGS MAY BE ADDED TO EXISTING BUILDING AS SHOWN ON THE SITE PLAN.
    - SCREENED TRASH ENCLOSURE ADDED TO SITE.
  - STREETSCAPE AND LANDSCAPING
    - PETITIONER TO PROVIDE A 6" SIDEWALK AND PLANTING AREAS AS SHOWN ON THE REZONING PLAN. PLANTING AREAS SHOWN ON MAP SHALL REPLACE REQUIREMENT FOR PLANTING STRIPS AND MAY ENCROACH INTO 20 FOOT SETBACK AS SHOWN ON THE REZONING PLAN AND MAY INCLUDE ARTWORK.
    - ADDITION OF STREET TREES AND INTERIOR TREES SHALL BE LIMITED TO THE PLANTING AREAS.
  - ENVIRONMENTAL FEATURES
    - TREESAVE AREAS - N/A
  - PARKS, GREENWAYS AND OPEN SPACE
    - RESERVATION/DEDICATION OF PARK AND/OR GREENWAY: N/A
    - PARK AND/OR GREENWAY IMPROVEMENTS: N/A
    - PRIVATELY CONSTRUCTED OPEN SPACE AS SHOWN ON PATIO AREA.
  - FIRE PROTECTION
    - FIRE TRUCK ACCESS TO BE MAD FROM STREET. ALL AREAS OF BUILDING CAN BE ACCESSED BY 250' HOSE PULL.
  - SIGNAGE
    - ALL NEW FREE STANDING LIGHTING TO BE SCREENED AND SHIELDED LIGHTING PER 12.402.
  - PHASING - N/A



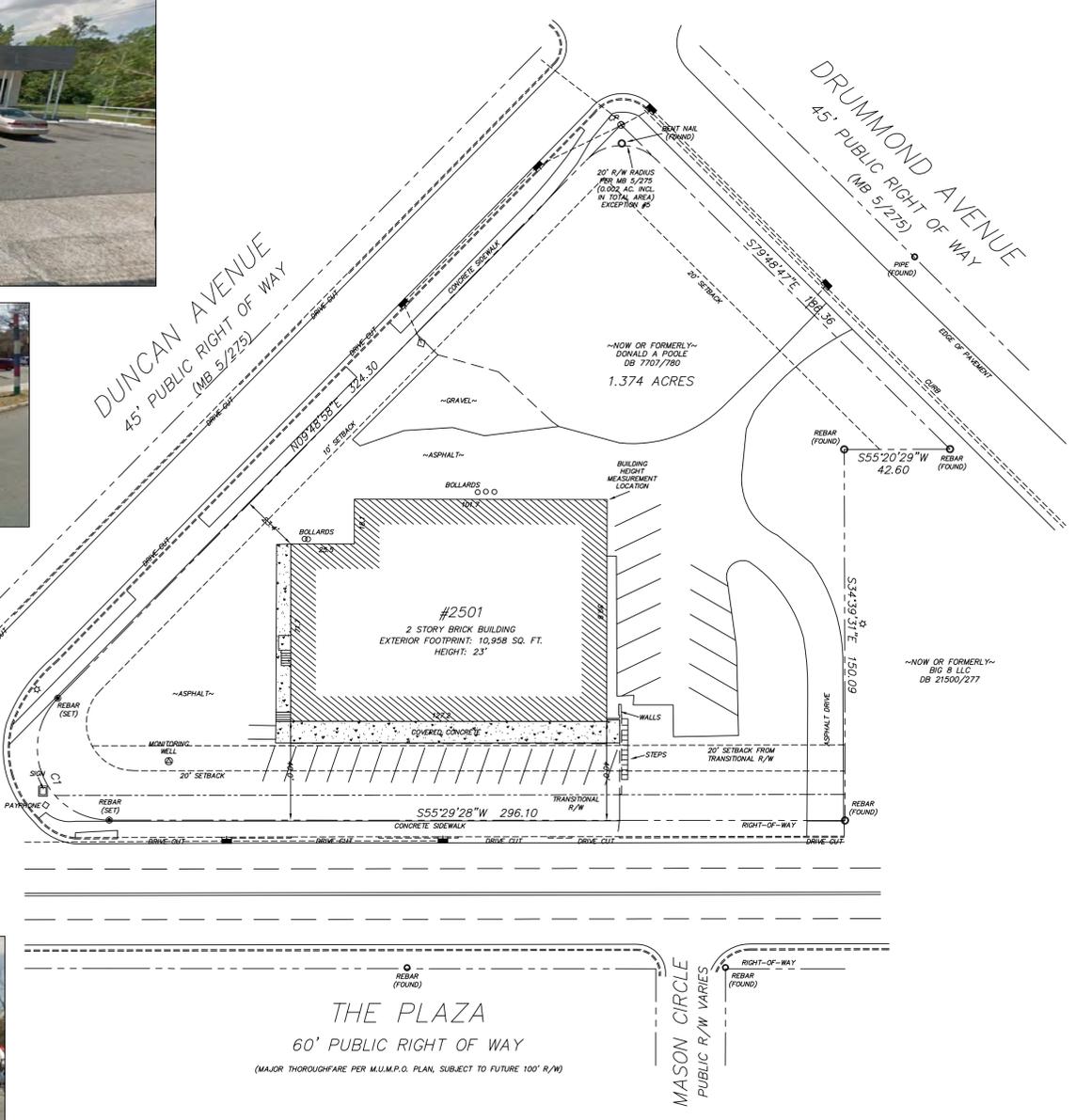
Rezoning  
 Petition

March 27, 2017

**SiteLogix**  
 Charlotte, NC 704.400.5040

**2501 The Plaza**  
 Charlotte, NC 28105

SITEPLAN  
**RZ-1**



Existing  
 Conditions

March 27, 2017

**SiteLogix**  
 Charlotte, NC 704.400.5040

**2501 The Plaza**  
 Charlotte, NC 28105

SITEPLAN  
**RZ-2**

I. REZONING APPLICATION  
CITY OF CHARLOTTE

RECEIVED  
MAR 24 2017  
BY: [Signature] 1:15pm

Petition #: \_\_\_\_\_  
Date Filed: 3/23/2017  
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: OSBORN PROPERTIES, LLC ; CM3 PROPERTIES, LLC ; SUGAR CREEK PROPERTIES, LLC ; ALL  
Owner's Address: 115 E PARK AVE SUITE B City, State, Zip: CHARLOTTE, NC 28203

Date Property Acquired: OCT 6<sup>th</sup>, 2016

Property Address: 601 EAST SUGAR CREEK

Tax Parcel Number(s): 09105151

Current Land Use: INDUSTRIAL

Size (Acres): 4.07

Existing Zoning: I-2

Proposed Zoning: TO-D-1A

Overlay: N/A

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

Required Rezoning Pre-Application Meeting\* with: SONJA SANDERS AMANDA VARI  
Date of meeting: 3-21-2017

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

MONTE RITCHEY

Name of Rezoning Agent

CONFORMITY CORP.

Name of Petitioner(s)

1001 ELIZABETH AVE

Agent's Address

SUITE 1C

1001 ELIZABETH AVE.

Address of Petitioner(s)

SUITE 1C

CHARLOTTE, NC 28204

City, State, Zip

CHARLOTTE, NC 28204

City, State, Zip

704 334 5516

Telephone Number

Fax Number

704-334-5516

Telephone Number

Fax Number

M.RITCHEY@CONFORMITYCORP.COM

E-Mail Address

COM

M.RITCHEY@CONFORMITYCORP.COM

E-Mail Address

[Signature of Lester E. Osborn]

Signature of Property Owner

[Signature of Monte Ritchey]

Signature of Petitioner

LESTER OSBORN

(Name Typed / Printed)

(FOR OSBORN PROPERTIES) LLC

MONTE RITCHEY, PRES

(Name Typed / Printed)

[Signature of Clark Markley]

CLARK MARKLEY

(FOR SUGAR CREEK PROPERTIES) LLC

[Signature of Cynthia Markley]

CYNTHIA MARKLEY

(FOR CM3 PROPERTIES) LLC

2017-076

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #:	_____
Date Filed:	<u>3/23/2017</u>
Received By:	<u>[Signature]</u>

Property Owners: City of Charlotte

Owner's Addresses: 600 E 4<sup>th</sup> Street, Charlotte, NC 28202

Date Properties Acquired: N/A

Property Addresses: N/A

Tax Parcel Numbers: 143-133-01

Current Land Use: vacant Size (Acres): ± 17.68

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

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

Required Rezoning Pre-Application Meeting\* with: Claire Lyte-Graham, Carlos Alzate, Alberto Gonzalez, Joshua Weaver and Julia Zweifel

Date of meeting: 1/31/17

(\*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 develop the site with a variety of housing types (age restricted and non-age restricted residential units)

**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

**Laurel Street Residential, LLC (Attn: Andy Miller)**  
Name of Petitioner

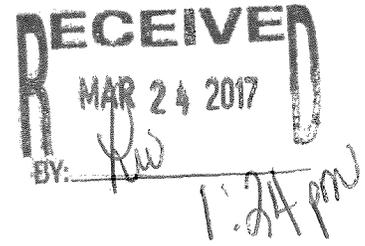
**511 East Boulevard**  
Address of Petitioner

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

**704.561.5234**  
Telephone Number Fax Number

**amiller@laurelstreetres.com**  
E-mail Address

**SEE ATTACHMENT B**  
Signature of Petitioner



**ATTACHMENT A**

**Laurel Street Residential, LLC**

**OWNER JOINDER AGREEMENT  
City of Charlotte**

The undersigned, as the owner of the parcel of land located along W. Tyvola Road that is designated as Tax Parcel No. 143-133-01 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcel from the MUDD-O zoning district to the UR-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 23<sup>rd</sup> day of March, 2017.

**City of Charlotte**

By: 

Name: Tony Koutos

Title: Red Plate Division Manager

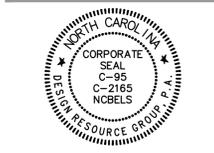
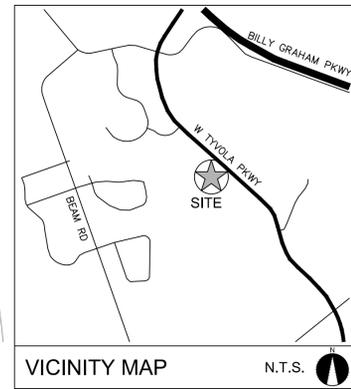
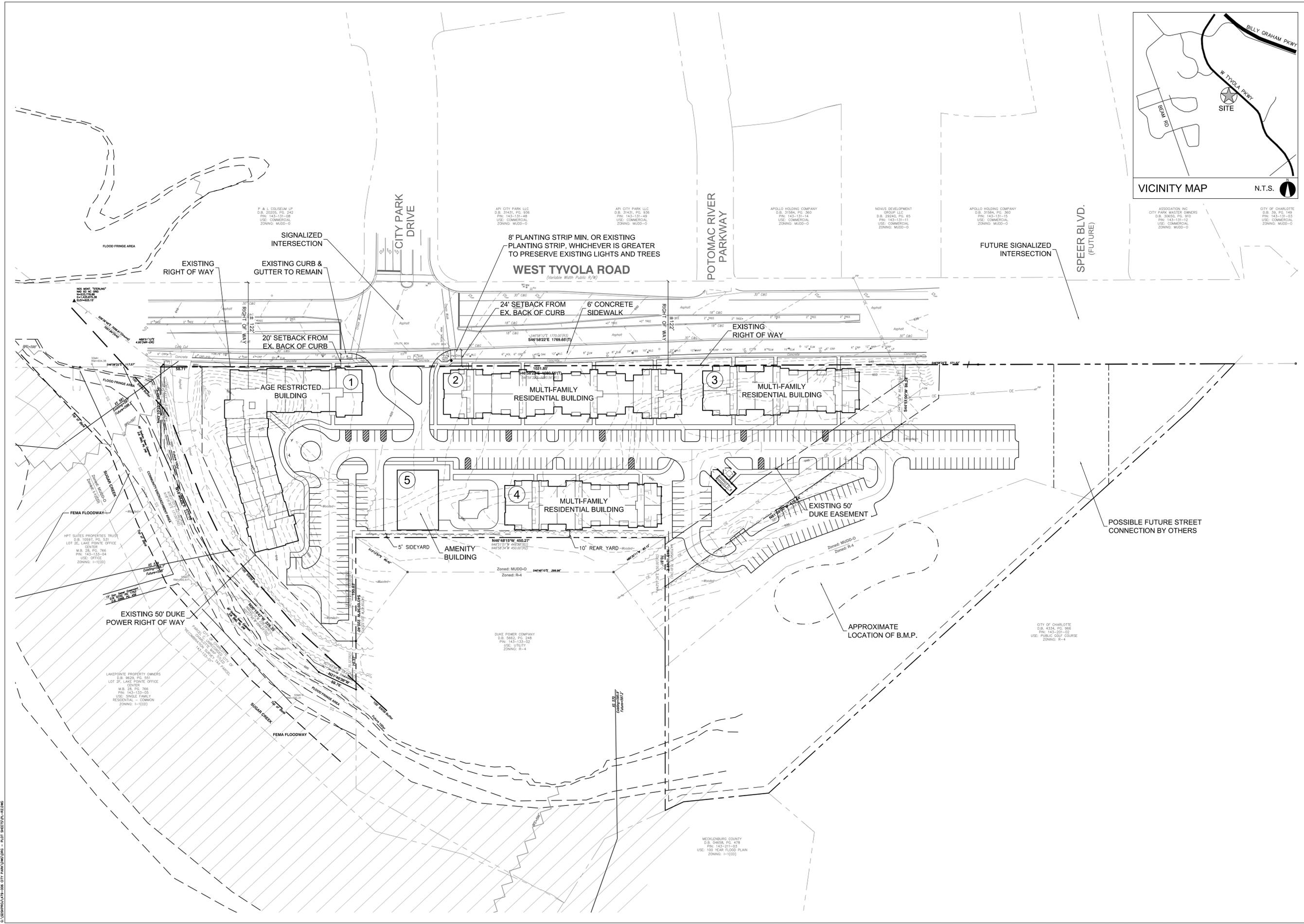
**ATTACHMENT B**

**PETITIONER SIGNATURE  
REZONING PETITION NO. 2017-000  
Laurel Street Residential, LLC**

**Petitioner:**

**Laurel Street Residential, LLC**

By: Lee M. Cochran  
Name: Lee M. Cochran  
Title: Vice-President



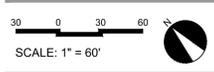
REZONING DOCUMENT



**WEST TYVOLA**  
**MULTI-FAMILY REZONING**  
 CHARLOTTE, NORTH CAROLINA

**LAUREL STREET RESIDENTIAL**  
 511 EAST BOULEVARD  
 CHARLOTTE, NORTH CAROLINA 28203  
 704.581.5225

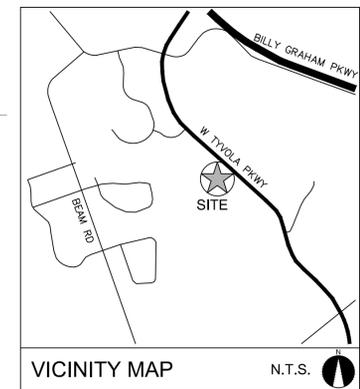
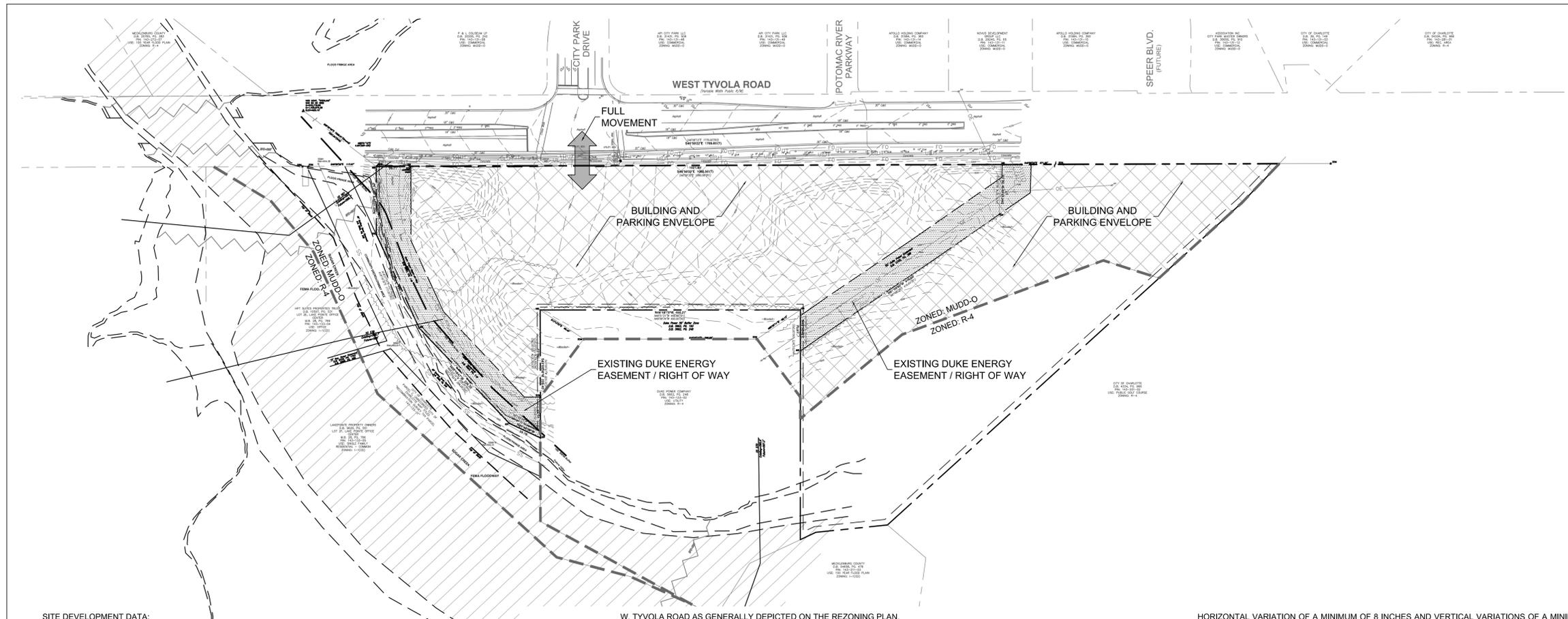
**SCHEMATIC**  
**SITE PLAN**



PROJECT #: 479-006  
 DRAWN BY: DK  
 CHECKED BY: SK

MARCH 24, 2017

REVISIONS:



**SITE DEVELOPMENT DATA:**

- ACREAGE: ± 17.68 ACRES
- TAX PARCEL #: 143-133-01
- EXISTING ZONING: MUDD-O AND R-4
- PROPOSED ZONING: UR-2(CD)
- EXISTING USES: VACANT
- PROPOSED USES: (I) UP TO 120 MULTI-FAMILY RESIDENTIAL DWELLING UNITS; (II) UP TO 80 AGE RESTRICTED MULTI-FAMILY UNITS; AND (III) AN OUTDOOR RECREATION USE (PORTIONS OF AN EXISTING GOLF COURSE), TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE UR-2 ZONING DISTRICT.
- PROPOSED FLOOR AREA RATIO: AS ALLOWED BY THE UR-2 ZONING DISTRICT.
- MAXIMUM BUILDING HEIGHT: AS INDICATED ON THE REZONING PLAN THE PROPOSED BUILDINGS WILL BE A COMBINATION OF THREE (3) STORY AND FOUR (4) STORY BUILDINGS, ONLY ONE FOUR (4) STORY BUILDING WILL BE ALLOWED. THE ALLOWED BUILDING HEIGHT WILL 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 LAUREL STREET RESIDENTIAL, LLC ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A 200 UNIT RESIDENTIAL COMMUNITY (A MIX OF AGE RESTRICTED AND NON-AGE RESTRICTED RESIDENTIAL UNITS) ON APPROXIMATELY 17.68 ACRE SITE LOCATED ON WEST SIDE OF TYVOLA ROAD BETWEEN SOUTH STREAM AND SPEER BOULEVARDS AND (THE "SITE").
  - b. **ZONING DISTRICTS/ORDINANCE.** DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"), UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING CLASSIFICATION SHALL GOVERN.
  - c. **GRAPHICS AND ALTERATIONS.** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.
- SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

- i. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
- THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE, IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.
- d. **NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY.** THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED SEVEN (7). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT 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.
  - e. **UNIFIED DEVELOPMENT.** THE SITE MAY BE DEVELOPED AS TWO (2) SEPARATE DEVELOPMENT AREAS ON SEPARATE LOTS. ONE DEVELOPMENT AREA WOULD BE DEVELOPED WITH AN AGE RESTRICTED RESIDENTIAL COMMUNITY, THE SECOND DEVELOPMENT AREA WOULD BE DEVELOPED WITH A MULTI-FAMILY RESIDENTIAL COMMUNITY. IF THE SITE IS DEVELOPED AS TWO SEPARATE DEVELOPMENT AREAS ON SEPARATE LOTS, SIDE AND REAR YARDS, BUFFERS OR OTHER SEPARATION STANDARDS OR FAR LIMITATIONS WILL NOT BE APPLIED TO EACH INDIVIDUAL DEVELOPMENT AREA OR LOT BUT WILL INSTEAD BE APPLIED TO THE OVERALL SITE AS PART OF A UNIFIED DEVELOPMENT. IN ADDITION, THE PROPOSED DEVELOPMENT AREAS MAY SHARE CERTAIN COMMON SITE ELEMENTS SUCH AS BUT NOT LIMITED TO DUMPSTERS, AMENITY AREAS, AND OPEN SPACE.

**2. PERMITTED USES & DEVELOPMENT AREA LIMITATION:**

- a. THE SITE MAY BE DEVELOPED WITH UP TO 120 MULTI-FAMILY RESIDENTIAL DWELLINGS UNITS; UP TO 80 AGE RESTRICTED RESIDENTIAL UNITS ("AGE RESTRICTED UNITS"); AND AN OUTDOOR RECREATION USE (PORTIONS OF AN EXISTING GOLF COURSE), TOGETHER WITH ACCESSORY USES ALLOWED IN THE UR-2 ZONING DISTRICT.
- b. PARKING SPACES AND MANEUVERING FOR PARKING SPACES MAY NOT BE LOCATED BETWEEN THE PROPOSED BUILDINGS AND

**W. TYVOLA ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.**

AGE RESTRICTED UNITS OR AN AGE RESTRICTED COMMUNITY SHALL MEAN: (I) A UNIT/COMMUNITY INTENDED AND OPERATED FOR OCCUPANCY BY PERSONS 55 YEARS OF AGE OR OLDER; (II) UNITS OR A COMMUNITY WHERE 100% OF THE UNITS HAVE AT LEAST ONE OCCUPANT WHO IS 55 YEARS OF AGE OR OLDER; (III) THE UNITS/COMMUNITY MUST PUBLISH AND ADHERE TO POLICIES AND PROCEDURES THAT DEMONSTRATE THE INTENT TO OPERATE AS "55 OR OLDER" HOUSING; AND (IV) THE UNITS/COMMUNITY MUST COMPLY WITH HUD'S REGULATORY REQUIREMENTS FOR AGE VERIFICATION OF RESIDENTS.

**3. ACCESS AND TRANSPORTATION:**

- a. ACCESS TO THE SITE WILL BE FROM W. TYVOLA ROAD IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN.
- b. THE PETITIONER WILL RE-STRIP W. TYVOLA ROAD TO CREATE A NORTHBOUND LEFT-TURN LANE INTO THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- c. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- 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.

**4. ARCHITECTURAL STANDARDS, COURT YARDS/AMENITY AREAS:**

- a. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS FIBER BOARD, STUCCO, EIFS, DECORATIVE BLOCK AND/OR WOOD, VINYL OR ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS, CANOPIES, AND ON HANDRAILS/RAILINGS.
- b. HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND FROM VIEW OF ADJACENT PROPERTIES AT GRADE.
- c. DUMPSTER AREAS AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A DECORATIVE GATE. THE WALL OR FENCE USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDING. DUMPSTER ENCLOSURES WILL NOT DIRECTLY ABUT THE BACK OF A SIDEWALK. THE LOCATION OF THE PROPOSED DUMPSTER AND RECYCLING AREAS IS GENERALLY DEPICTED ON THE REZONING PLAN.
- d. THE SITE MAY BE DEVELOPED WITH ONE COMMON DUMPSTER AREA THAT WILL SERVE BOTH RESIDENTIAL COMMUNITIES (AGE AND NON-AGE RESTRICTED RESIDENTIAL UNITS). THEREFORE, ONE OF THE DEVELOPMENT AREAS (RESIDENTIAL COMMUNITIES) MAY NOT HAVE AN ON-SITE DUMPSTER AREA.

**5. STREETScape, BUFFERS, YARDS, AND LANDSCAPING:**

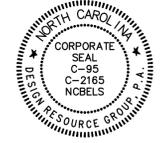
- a. A 20 FOOT AND A 24 FOOT SETBACK AS MEASURED FROM THE EXISTING BACK OF CURB ALONG TYVOLA ROAD WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. BUILDING # 1 WILL UTILIZE A 20 FOOT MINIMUM SETBACK, THE REMAINDER OF THE BUILDINGS WILL MAINTAIN A 24 FOOT BUILDING SETBACK. THE LAST FOUR (4) FEET OF THE 24 FOOT SETBACK MAY BE USED AS A TRANSITION ZONE. THE FOUR (4) FOOT TRANSITION ZONE WILL BE LOCATED BETWEEN THE BACK OF THE SIDEWALK AND THE FACE OF THE BUILDING IF LOCATED OUTSIDE OF THE R.W. THE PRINCIPLE BUILDINGS WILL NOT BE ALLOWED TO BE LOCATED IN THE FOUR (4) FOOT TRANSITION ZONE, HOWEVER, STOOPS, PORCHES, STEPS, RAILS, AND SIMILAR ITEMS MAY BE LOCATED WITHIN THE TRANSITION ZONE.
- b. CANTILEVERED BALCONIES LOCATED ABOVE THE FIRST FLOOR MAY EXTEND UP TO TWO (2) FEET INTO THE TRANSITION ZONE DESCRIBED IN ABOVE IN NOTE 5.A.
- c. ALONG TYVOLA ROAD THE EXISTING PLANTING STRIP WILL BE MAINTAINED AND A NEW SIX (6) FOOT SIDEWALK WILL REPLACE THE EXISTING NARROWER SIDEWALK ALONG THE SITE'S FRONTAGE ON TYVOLA ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.
- d. ALONG THE SITE'S INTERNAL PARKING AREA, THE PETITIONER WILL PROVIDE A SIDEWALK AND CROSS-WALK NETWORK THAT LINKS TO THE PROPOSED BUILDINGS ON THE SITE AND TO THE SIDEWALKS ALONG TYVOLA ROAD IN THE MANNER DEPICTED ON THE REZONING PLAN. THE MINIMUM WIDTH FOR THIS INTERNAL SIDEWALK WILL BE FIVE (5) FEET.
- e. SCREENING REQUIREMENTS OF THE ORDINANCE WILL BE MET.
- f. ABOVE GROUND BACKFLOW PREVENTERS WILL BE SCREENED FROM PUBLIC VIEW AND WILL BE LOCATED OUTSIDE OF THE PROPOSED SETBACK.

**6. GENERAL DESIGN GUIDELINES:**

- a. THE SCALE AND MASSING OF BUILDINGS LONGER THAN 150' ALONG A STREET FEET SHALL BE MINIMIZED BY UTILIZING A COMBINATION OF THE FOLLOWING OPTIONS: (I) VARIED ROOF LINES THROUGH THE USE OF SLOPES, MODULATED BUILDINGS HEIGHTS, GABLES, DORMERS OR INNOVATIVE ARCHITECTURAL SOLUTIONS; (II) UTILIZE BUILDING CORNERS TO PROVIDE VISUAL INTEREST AT THE PEDESTRIAN LEVEL AS WELL AS TO DIFFERENTIATE ROOF LINES OR HIGHLIGHT GROUND FLOOR USES; (III) UTILIZE

HORIZONTAL VARIATION OF A MINIMUM OF 8 INCHES AND VERTICAL VARIATIONS OF A MINIMUM OF 24 INCHES IN WALL PLANES; OR (IV) PROVIDE ENCLOSED BALCONIES.

- b. THE MAXIMUM CONTIGUOUS AREA WITHOUT WINDOWS OR DOORS ON ANY FLOOR FACING TYVOLA ROAD SHALL NOT EXCEED 20 FEET IN LENGTH. WHERE BLANK OR UNARTICULATED WALLS 20' OR GREATER CANNOT BE ADDRESSED PRINCIPALLY WITH DOORS OR WINDOWS, THEY SHALL BE TREATED WITH A COMBINATION THE FOLLOWING OPTIONS: (I) PROVIDE A HIGHER LEVEL OF TRANSPARENCY ON THE GROUND FLOOR (EXAGGERATED OR LARGER WINDOWS INDICATIVE OF LIVING AREAS); (II) UTILIZE HORIZONTAL AND VERTICAL VARIATIONS IN WALL PLANES; AND/OR (III) PROVIDE ARCHITECTURAL PROTRUSION.
  - c. IF THE FINAL ARCHITECTURAL DESIGN CANNOT MEET THE DESIGN STANDARDS FOR BLANK WALL ARTICULATION, ALTERNATIVE INNOVATIVE DESIGN SOLUTIONS MAY BE CONSIDERED FOR APPROVAL BY THE PLANNING DIRECTOR OR DESIGNEE.
  - d. BUILDING ENTRANCES SERVING 50% OR MORE OF THE UNITS IN A PROPOSED BUILDING, AND WHEN PROVIDED ALONG TYVOLA ROAD SHALL BE AT OR SLIGHTLY ABOVE GRADE (ONE TO TWO FEET ABOVE AVERAGE GRADE) AND SHALL BE HIGHLY VISIBLE AND ARCHITECTURALLY TREATED AS PROMINENT PEDESTRIAN ENTRANCE THROUGH A COMBINATION OF AT LEAST FIVE (5) OF THE FOLLOWING FEATURES: (I) DECORATIVE PEDESTRIAN LIGHTING/SCONCES; (II) ARCHITECTURAL DETAILS CARRIED THROUGH TO UPPER STORIES; (III) COVERED PORCHES, CANOPIES, AWNINGS OR SUNSHADES; (IV) ARCHWAYS; (V) TRANSOM WINDOWS; (VI) TERRACED OR RAISED PLANTERS THAT CAN BE UTILIZED AS SEAT WALLS; (VII) COMMON OUTDOOR SEATING ENHANCED WITH SPECIALTY DETAILS; PAVING, LANDSCAPING OR WATER FEATURES; (VIII) DOUBLE DOORS; (IX) STOOPS OR STAIRS; AND/OR (X) CONTRASTING PAVEMENT FROM PRIMARY SIDEWALK.
  - e. COMMON AND/OR PRIVATE INDIVIDUAL UNIT ENTRANCES MAY BE PROVIDED ALONG TYVOLA ROAD AT INTERVALS OF NO GREATER THAN 125 FEET.
  - f. WHERE A BUILDING IS SERVED BY COMMON ENTRANCES (NOT INDIVIDUAL UNIT ENTRANCES) AND CANNOT ACHIEVE THE INTERVAL SPACING, COMMON USABLE OPEN SPACES, AMENITY AREAS OR COURTYARDS CAN BE UTILIZED TO BREAK UP THE WALL PLANE.
  - g. INDIVIDUAL RESIDENTIAL UNIT ENTRANCES, IF ORIENTED TO TYVOLA ROAD SHOULD GIVE THE APPEARANCE OF A FRONT DOOR ORIENTATION RATHER THAN A BACK PATIO DESIGN AND WILL PROVIDE A PEDESTRIAN CONNECTION TO THE PROPOSED SIDEWALK ALONG ON TYVOLA ROAD.
  - h. BALCONIES WILL BE DESIGN SO THAT THEIR SIZE AND LOCATION MAXIMIZE THEIR INTENDED USE FOR OPEN SPACE. THE BALCONIES MAY ENCRoACH INTO THE TRANSITION ZONE ABOVE THE FIRST STORY OF THE BUILDING.
  - i. IF BREEZEWAYS ARE INCLUDED IN THE PROPOSED RESIDENTIAL BUILDINGS ON THE SITE, THE BREEZEWAYS SHALL BE FRAMED WITH ARCHITECTURAL ELEMENTS TO MINIMIZE THE SIZE OF THE BREEZEWAY OPENING AND TO PROVIDE THE APPEARANCE OF AN ENCLOSED BREEZEWAY.
  - j. ALL FACADES SHALL INCORPORATE WINDOWS, ARCHES, BALCONIES OR OTHER ARCHITECTURAL DETAILS ALONG WITH VARYING BUILD MATERIALS, OR ROOF LINES OR BUILDING OFFSETS.
- 7. ENVIRONMENTAL FEATURES:**
- a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
  - b. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
  - c. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.
- 8. SIGNAGE:**
- a. SIGNAGE AS ALLOWED BY THE ORDINANCE WILL BE PROVIDED.
- 9. LIGHTING:**
- a. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, PARKING AREAS AND COURTYARDS.
  - b. DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 26 FEET IN HEIGHT. STREET LIGHTS NEW AND EXISTING ALONG TYVOLA ROAD ARE NOT SUBJECT TO THIS STANDARD.
- 10. AMENDMENTS TO THE REZONING PLAN:**
- a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.
  - b. 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.



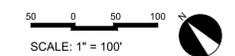
REZONING DOCUMENT



**WEST TYVOLA  
MULTI-FAMILY REZONING**  
CHARLOTTE, NORTH CAROLINA

**LAUREL STREET RESIDENTIAL**  
511 EAST BOULEVARD  
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TECHNICAL  
DATA  
SHEET



PROJECT #: 479-006  
DRAWN BY: DK  
CHECKED BY: SK

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REVISIONS: