

Rezoning Petition Packet

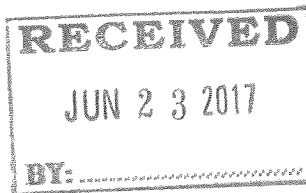
Petitions: **2017-111 through 2017-126**

Petitions that were submitted by July 24, 2017

Staff Review Meeting: **August 17, 2017**

City Public Hearing: **To Be Determined**

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-111

Petition #:	_____
Date Filed:	6/23/2017
Received By:	

Complete All Fields (Use additional pages if needed)

Property Owner: 600 South Tryon Development, LLC

Owner's Address: 4725 Piedmont Row Dr, Suite 800, City, State, Zip: Charlotte, NC 28210

Date Property Acquired: 1/9/2017

Property Address: 600 South Tryon Street, Charlotte, NC 28202

Tax Parcel Number(s): 07303203

Current Land Use: Future Office Size (Acres): 2.13 +/- 2.13 acres

Existing Zoning: UMUD Proposed Zoning: UMUD-O

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, Alan Goodwin, Kelsie Anderson

Date of meeting: 6/13/17

(*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): Yes

Purpose/description of Conditional Zoning Plan: To accommodate signage plans

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

Signature of Property Owner

(Name Typed / Printed)

Lincoln Harris, LLC
Name of Petitioner(s)

4725 Piedmont Row Drive, Suite 800
Address of Petitioner(s)

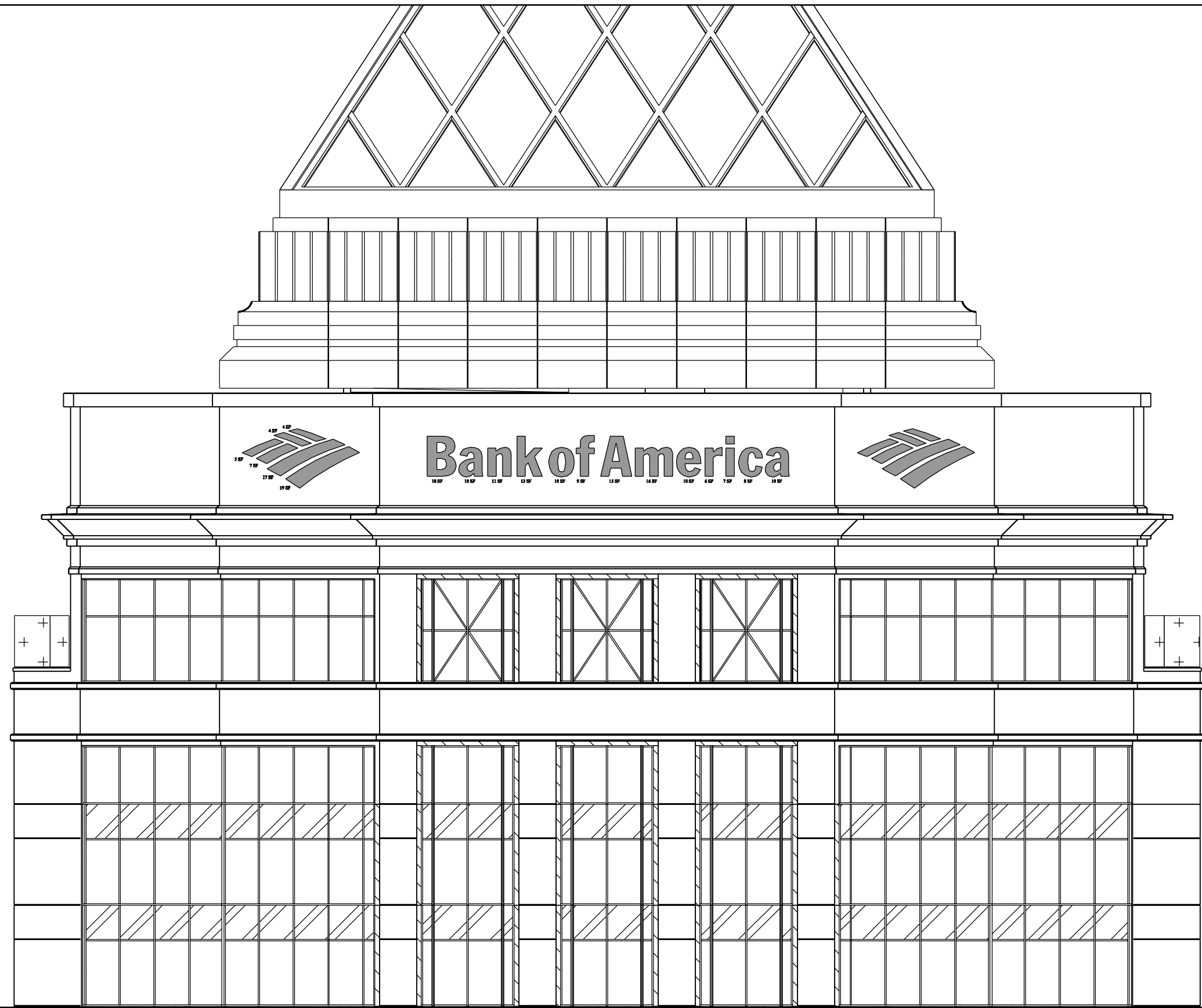
Charlotte, NC 28210
City, State, Zip

704-714-7694 704-716-8600
Telephone Number Fax Number

Tracy.Dodson@lincolnharris.com
E-Mail Address

Signature of Petitioner

Tracy F. Dodson, Vice President of Lincoln Harris, LLC
(Name Typed / Printed)



TOWER SIGNAGE AREAS

PARAPET SIGN x1	255 SF
TOTAL PER ELEVATION x4	1,020 SF
LOWER PODIUM SIGNAGE x1	50 SF
TRYON AND CHURCH ST x2	100 SF
TRYON PLAQUE SIGN x2	70 SF
TOTAL SIGN AREA FOR TOWER	1,190 SF

TRYON STREET SIGN AREA	375 SF
CHURCH STREET SIGN AREA	305 SF
STONEWALL STREET SIGN AREA	255 SF
HILL STREET SIGN AREA	255 SF



Site Development Data:

- Acreage:** ± 2.13 acres
- Tax Parcels:** 073-032-03
- Existing Zoning:** UMUD
- Proposed Zoning:** UMUD-O
- Existing Uses:** Future Office Tower
- Proposed Uses:** Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the UMUD zoning district.
- Proposed Signage:**
 - a. Up to 400 square feet of sign area along the Tryon Street frontage.
 - b. Up to 325 square feet of sign area along Church Street frontage.
 - c. Up to 275 square feet of sign area along Stonewall Street frontage.
 - d. Up to 275 square feet of sign area along Hill Street frontage.
 - e. Total wall sign area shall not exceed 1,275 square feet

I. General Provisions:

- a. **Site Description.** The sole purpose of this Rezoning Plan is to accommodate the signage plans for a proposed office tower development on an approximately 2.13 acre site on the east side of South Church Street and north side of West Hill Street (the “Site”).
- b. Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the UMUD zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Optional Provisions provided below.

II. Optional Provisions for UMUD-O:

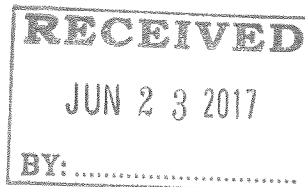
The following optional provisions are provided to accommodate deviations from the UMUD standards:

- a. To allow the following sign building areas:
 - 1. Up to 400 square feet of wall sign area along the Tryon Street frontage.
 - 2. Up to 325 square feet of wall sign area along Church Street frontage.
 - 3. Up to 275 square feet of wall sign area along Stonewall Street frontage.
 - 4. Up to 275 square feet of wall sign area along Hill Street frontage.
- b. Total wall sign area shall not exceed 1,275 square feet

III. Signage:

Signage as allowed by the Ordinance and by the Optional Provisions set forth under Section II above may be provided.

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-112

Petition #: _____
Date Filed: 6/23/2017
Received By: RF

Complete All Fields (Use additional pages if needed)

Property Owner: George F. and Diane P. Nance; APS Investments, LLC and Patrick Family, LLC; Troy James McAuley; Alan A. Presley and LLP Associates, LLC; Franciscus and Ann Voortmans; Rodger D. and Phyllis F. Galloway; W. Ted and Sarah J. Harkey

Owner's Address: 1417 Youngblood Road; P.O. Box 34689; 14624 Birnamwood Ln; 304 E Morehead St; 14001 York Rd; 16601 Capps Rd; 255 Cherokee Rd; and 14229 Youngblood Rd.

City, State, Zip: Charlotte, NC, 28278; 28234; 28273; 28202; 28207

Date Property Acquired: 9/27/1990; 4/16/2007; 6/28/1972; 8/15/2013; 6/6/1977; 12/1/1994; 4/13/07; and 11/1/1983

Property Address: 14217, 14221, 14229 and unnumbered parcels on Youngblood Rd; 14624 Birnamwood Ln; 13915 and 14001 S. Tryon St., Charlotte, NC 28278

Tax Parcel Number(s): 219-111-21; 219-111-15; 219-111-30; 219-111-29; 219-111-28; 219-111-01; 219-111-17; and 219-111-19

Current Land Use: Residential; vacant Size (Acres): +/- 28 acres

Existing Zoning: R-3 Proposed Zoning: NS

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Carlos Alzate, Alberto Gonzalez, Grant Meacci, Laurie Dukes

Date of meeting: 5/2/17

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate the development of a mixed use community, including multi-family residential, office and commercial uses.

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

See Attached Joinder Agreement
Signature of Property Owner

See Attached Joinder Agreement

Sweetgrass Residential Partners, LLC
Name of Petitioner(s)

701 East Bay St, Ste 405
Address of Petitioner(s)

Charleston, SC 29403
City, State, Zip

704-998-8646
Telephone Number Fax Number

ryan@whitepointpartners.com
E-Mail Address

[Signature]
Signature of Petitioner

Ryan Hanks


REZONING PETITION NO. 2017- _____

WHITE POINT PARTNERS, L.L.C. PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 14221 and an unnumbered parcel on Youngblood Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel Nos. 219-111-15 and 129-111-17 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 8 day of June, 2017.


APS Investments, L.L.C.


PATRICK FAMILY, LLC

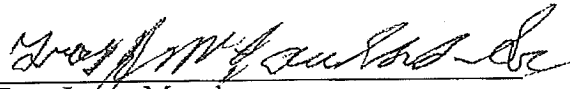
REZONING PETITION NO. 2017-_____

WHITE POINT PARTNERS, LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 14624 Birnamwood Lane in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 219-111-30 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 18th day of May, 2017.


Troy James Mcauley

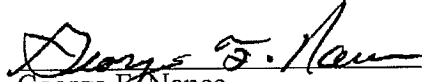
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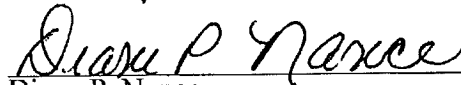
WHITE POINT PARTNERS, LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 14217 Youngblood Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 219-111-21 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 29 day of May, 2017.


George E. Nance


Diane P. Nance

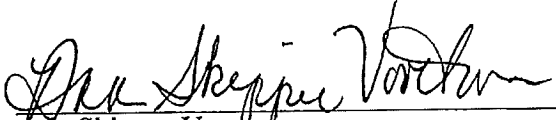
REZONING PETITION NO. 2017-_____


WHITE POINT PARTNERS, LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 14001 South Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 219-111-28 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 29 day of MAY, 2017.


Ann Skipper Voornans


Franciscus C (B/W)

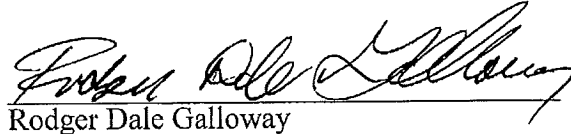
REZONING PETITION NO. 2017-_____

WHITE POINT PARTNERS, LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at or near Youngblood Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 219-111-01 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 31 day of May, 2017.


Rodger Dale Galloway


Phyllis F. Galloway

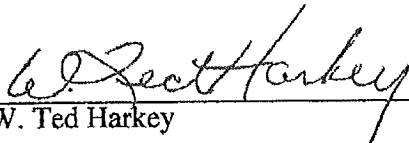
REZONING PETITION NO. 2017-_____

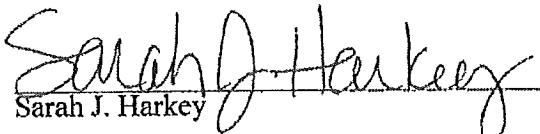
WHITE POINT PARTNERS, LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 14229 Youngblood Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 219-111-19 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 26 day of MAY, 2017.


W. Ted Harkey


Sarah J. Harkey

REZONING PETITION NO. 2017-_____

WHITE POINT PARTNERS, LLC, PETITIONER

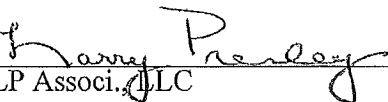
JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 13915 South Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 219-111-29 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 17th day of June, 2017.



Alan A. Presley



LLP Associ., LLC

I. General Provisions

1. **Site Description.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Sweetgrass Residential Partners, LLC (the "Petitioner") to accommodate the development of a residential community on that approximately 28 acre site located on the east side of South Tryon Street, north of the intersection of South Tryon Street and Youngblood Road, and south of the intersection of South Tryon Street and Briarwood Lane, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 219-111-21, 219-111-15, 219-111-30, 219-111-29, 219-111-28, 219-111-40, 129-111-17, and 129-111-19.

2. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").

Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the NS zoning district shall govern the development and use of the Site.

3. **Intent.** This Rezoning is intended to accommodate development on the Site of an integrated mixture of office, retail and residential uses, intended to serve the surrounding neighborhood. Additionally, the Petitioner seeks to create an internal street network through the Site to create a more complete street network that will allow pedestrian, bicycle and automobile traffic to travel through the Site, thereby helping to alleviate congestion at existing intersections.

4. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, setbacks, side and rear yards, buffers, building height separation standards, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, and public/private street frontage requirements, provided, however, that all such separation standards along the exterior boundary of the Site shall be adhered to and treated as the Site as a whole and not individual portions or lots located therein.

5. **Five Year Vested Rights.** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the level of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period.

II. Permitted Uses

Subject to the Maximum Development provisions set forth under Section III below, the Site may be devoted to any commercial or residential uses permitted by right or under prescribed conditions in the NS Zoning District together with any incidental and accessory uses associated therewith.

III. Maximum Development

1. The Site may be developed with up to:

- a. 280 multi-family residential units;
- b. 20,000 square feet of gross floor area of Office uses; and
- c. 10,000 square feet of gross floor area of Retail and EDEE uses (including EDEE with accessory drive-through windows).

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

IV. Transportation

1. Vehicular access will be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access point 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 generally depicted on the Rezoning Plan, the Site will be served by public and private streets.

3. Prior to the issuance of a certificate of occupancy for any new building constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation of any necessary utility easements) a 100 foot wide area extending south through the Site from South Tryon Street to the southern boundary of the Site in order to accommodate the future extension of Shopton Road West by the City of Charlotte.

4. Petitioner shall substantially complete all transportation improvements before the Site's first building certificate of occupancy is issued.

- a. Substantial completion shall mean completion of the roadway improvements in accordance with the standards set forth herein provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such certificate of occupancy is issued to secure completion of the applicable improvements.

V. Architectural Standards

1. The intent of the redevelopment concept is to create architectural features that utilize a variety of architectural expressions. The exterior building materials will consist of primarily glass, brick, stucco, metal, stone, simulated stone, pre-cast stone, and composite panels, cementitious siding, architectural pre-cast concrete panels, and/or architectural face block construction materials. Vinyl, as a building material, will only be allowed on windows, soffits and trim features.

2. The maximum height of buildings located adjacent to residentially-zoned properties shall be fifty (50) feet. The maximum height for buildings located adjacent to non-residentially-zoned properties is sixty (60) feet.

- a. For the purposes of this height limit, architectural features (such as parapets, spires, mansards, domes and dormers), roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment will not be considered for the calculation of allowed building height when located on a multi-story building.

3. Residential Buildings shall conform to the following standards:

- a. Pitched roofs, if provided, shall be symmetrically sloped no less than 4:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
- b. Building Massing and Height shall be designed to break up long monolithic building forms as follows:
 - i. Buildings exceeding 120 feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of two (2) feet extending through at least a full floor.
- c. Architectural Elevation Design - elevations shall be designed to create visual interest as follows:
 - i. Building elevations shall be designed with vertical bays or articulated architectural facade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
 - ii. Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets; and
 - iii. Building elevations facing network required public or private streets shall not have expanses of blank walls greater than 20' in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- d. Walkways will be provided to connect all residential entrances to sidewalks along public and private streets.

4. Commercial and Office Buildings shall conform to the following standards:

- a. Building Placement and Site Design shall focus on and enhance the pedestrian environment on public or private network required streets, through the following:
 - i. Facades fronting streets shall include a combination of windows and operable doors for a minimum of 40% of each frontage elevation transparent glass between 2' and 10' on the first floor. Up to 20% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 3'-0" clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" above adjacent street sidewalk.
 - ii. Direct pedestrian connection shall be provided between street facing doors and corner entrance features to sidewalks on adjacent streets.
 - iii. Building elevations shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
 - iv. Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.
 - v. Multi-story buildings shall have a minimum of 20% transparency on upper floors.

5. Meter boxes, back flow preventers, dumpsters and similar items will be screened from public view.

6. A minimum setback of at least fourteen (14) feet from the proposed back of curb shall be provided along the Site's street frontages.

VI. Streetscape/Landscaping

1. Streetscape treatment will be a unifying element through the use of consistent paving, lighting, landscaping, and, when provided, site furnishings, throughout the Site.

2. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.

3. 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 South Tryon Street.

4. All structures and off-street parking and service areas will be separated by a Class C buffer along the side or rear yard from any abutting lot located in a single family residential district or abutting a single family use.

5. Internal Side Yards and Rear Yards: 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.

VII. Environmental Features

The Petitioner shall comply with the City of Charlotte Tree Ordinance and Post Construction Controls Ordinance.

VIII. Parking

Surface parking will be provided that is sufficient to accommodate all uses at the Site and shall meet or exceed Ordinance requirements for the NS Zoning District.

IX. Signage

All signage shall meet the requirements of the NS zoning district.

X. 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 twenty (20) feet.

3. Any lighting fixtures attached to the buildings to be constructed on the site shall be decorative, capped and downwardly directed.

XI. 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.

XII. 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.

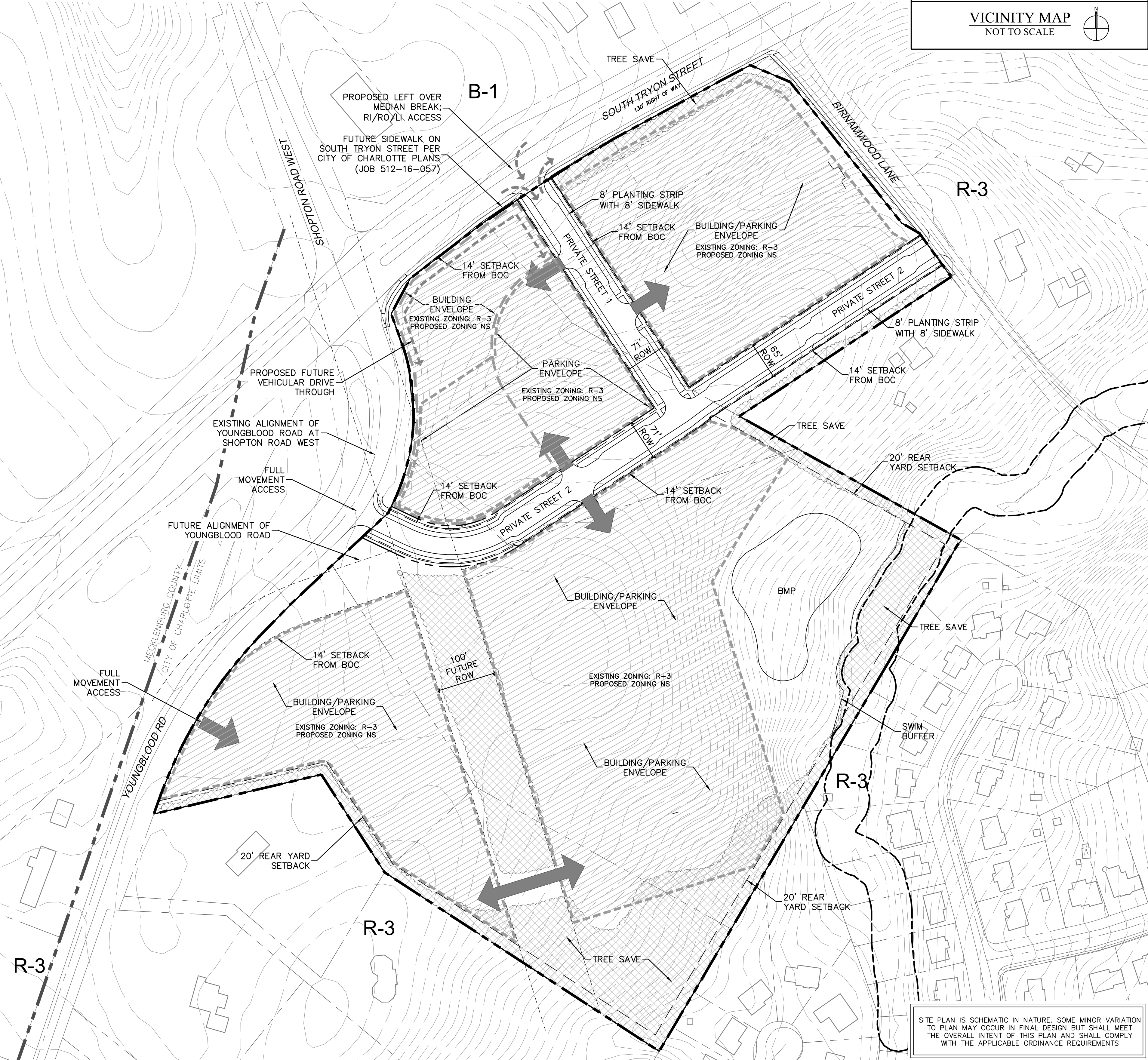
Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

Development Data Table:

Site Area: +/- 28 acres
Tax Parcels: 219-111-21, 219-111-15, 219-111-30, 219-111-29, 219-111-28, 219-111-40, 219-111-17, and 219-111-19
Existing Zoning: R-3
Proposed Zoning: NS
Existing Use: Residential, Vacant
Proposed Uses: Multi-Family Residential, Office, Commercial
Maximum Height: 50' adjacent to residential; 60' adjacent to non-residential
Minimum Setback: 14' from back of curb
Minimum Side Yard: 10'
Minimum Rear Yard: 20' adjacent to residential; 10' adjacent to non-residential

Maximum Development:
- 280 Multi-Family Residential Units
- 20,000 square feet of Office uses
- 10,000 square feet of Retail and EDEE uses

Parking: will meet or exceed parking requirements in the Ordinance for the NS district.



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

REZONING PET 2017 -

STEELE CREEK PROPERTY

CHARLOTTE, NORTH CAROLINA

WHITEPOINTE PARTNERS

4064 COLONY ROAD SUITE 430
CHARLOTTE NC 28211

704-709-0538

TECHNICAL
DATA SHEET

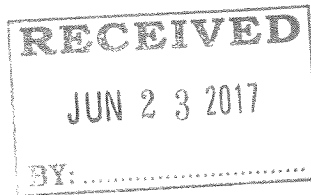
50 0 50 100
SCALE: 1" = 100'

PROJECT #: 712-001
DRAWN BY: BMS
CHECKED BY: BS

JUNE 26, 2017

REVISIONS:

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-113

Petition #:	
Date Filed:	6/23/2017
Received By:	PH

Property Owners: KH Mint Hill LLP

Owner's Addresses: 701 S Olive Ave, Ste. 104, West Palm Beach, FL 33407

Date Properties
Acquired: 4/15/2016

Property Addresses: 9243 Cresswind Boulevard, Charlotte, NC 28215

Tax Parcel Numbers: Portion of 111-201-04

Current Land Use: vacant (Acres): ± 8.3

Existing Zoning: MX-1(INNOV) Proposed Zoning: NS

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Mandy Vari and Rick Grochoske

Date of meeting: 6/22/17

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow the site to be developed with an indoor recreational amenity area for the exclusive use by the residents of Cresswind.

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

Kolter Homes, LLC (Attn: Ben Stevens)

Name of Petitioner

8913 Silver Springs Court

Address of Petitioner

Charlotte, NC 28227

City, State, Zip

704.891.6004

Telephone Number Fax Number

bstevens@kolter.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

ATTACHMENT A

**REZONING PETITION NO. [2017-____]
Kolter Homes, LLC**

**OWNER JOINDER AGREEMENT
KH Mint Hill LLP**

The undersigned, as the owner of the parcel of land located at 9243 Cresswind Boulevard, Charlotte, NC 28215 that is designated as a portion of Tax Parcel No. 111-201-04 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from MX-1(INNOV) zoning district to the NS 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 22nd day of June, 2017.

KH Mint Hill LLP

By: 

Name: L. Kyle Rasmussen

Its: Project Director - Aerial Sprinkler

ATTACHMENT B

REZONING PETITION NO. [2017-]
Kolter Homes, LLC

Petitioner:

Kolter Homes, LLC

By:  _____

Name: L. Kyle R. R.

Title: Project Director - Apartment Square

[illegible]

VICINITY MAP
NTS

PETITIONER: KH MINT HILL LP
 701 S. OLIVE AVE, SUITE 104
 702 PALM BEACH, FL 33401
 CONTACT: BEN STEVENS
 (704) 891-6004
 BSTEVENS@KOLTER.COM

ACREAGE: ± 8.3 ACRES

TAX PARCEL: PORTION OF 11120104

EXISTING ZONING: MX-1 (INNOV.)

PROPOSED ZONING: NS

EXISTING USES: VACANT

PROPOSED USE: INDOOR RECREATION USE TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE NS ZONING DISTRICT.

PROHIBITED USES: THE FOLLOWING USES; RETAIL, EDEE, OFFICE, AUTOMOTIVE SERVICE STATIONS WITH OR WITHOUT A CONVENIENCE STORE, AND RESIDENTIAL USES WILL NOT BE PERMITTED ON THE SITE.

MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 23,000 SQUARE FEET OF GROSS FLOOR AREA.

MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE.

PARKING: PARKING WILL BE REQUIRED BY THE ORDINANCE.

DISCLAIMER: PETITIONER SHALL DEVELOP THE SITE IN A MANNER GENERALLY CONSISTENT WITH THE CONCEPTUAL MASTER PLAN, WITH THE UNDERSTANDING THAT THE CONFIGURATIONS, PLACEMENTS AND SIZES OF BUILDINGS, PARKING AREAS AND OPEN SPACES MAY BE ALTERED OR MODIFIED AS LONG AS THE ULTIMATE DESIGN IS CONSISTENT WITH THE SPIRIT AND INTENT OF THE CONCEPTUAL MASTER PLAN, THE CONFIGURATIONS, PLACEMENTS, NUMBER AND SIZES OF THE BUILDINGS AND TREATMENT OF OPEN SPACE AREAS DEPICTED ON THE CONCEPTUAL MASTER PLAN AND ANY BUILDING DESIGNS DEPICTED ARE CONCEPTUAL IN NATURE AND THEREFORE ARE SUBJECT TO REFINEMENTS AS PART OF THE TOTAL DESIGN PROCESS.

Diagram illustrating the site access and zoning line. The site access is indicated by a circular arrow pointing right. The zoning line is indicated by a horizontal line with a shaded area to the left. A scale bar below shows distances of 30', 0', 30', 60', and 120'. A north arrow is also present.



Site Development Data:

- Acreage: + 8.30 acres
--Tax Parcel #: Portion of 111-201-04
--Existing Zoning: MX-1(INNOV)
--Proposed Zoning: NS
--Existing Uses: Vacant
--Proposed Use: Indoor Recreational Use together with accessory uses, as allowed in the NS zoning district (as more specifically described and restricted below in Section 2).
--Prohibited Uses: The following uses; retail, EDEF, office, automotive service stations with or without a convenience store, and residential uses will not be permitted on the Site.
--Maximum Gross Square feet of Development: Up to 23,000 square feet of gross floor area.
--Maximum Building Height: As allowed by the Ordinance.
--Parking: Parking will be provided as required by the Ordinance.

1. General Provisions:

- a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Kotter Homes, LLC ("Petitioner") to accommodate the development of an Indoor Recreational amenity area for the residents of Cresswind with up to 23,000 square feet of gross floor area on approximately 8.30 acre site located along Cresswind Boulevard (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 NS zoning classification shall govern.
- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

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

- 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 one (1). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site.

2. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with an indoor recreational use with up to 23,000 square feet of gross floor area as allowed in the NS zoning district, together with accessory uses as allowed in the NS zoning district.
- For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, and all loading dock areas (open or enclosed) and outdoor seating or service areas.*
- b. The following uses will not be allowed on the Site: retail, EDEF, office, automotive service stations with or without a convenience store, and residential uses.

3. Access and Transportation:

- a. Vehicular access to the Site will be from Cresswind Boulevard in the manner generally depicted on the Rezoning Plan.
- b. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by CDOT in accordance with applicable published standards.
- c. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.
- d. Any required transportation improvements will be approved and constructed before the Site's first certificate of occupancy is issued.

4. Streetscape, Buffers, Setbacks and Yards and Landscaping:

- a. The setback along Cresswind Boulevard will be 20 feet as measured from the proposed right-of-way line of Cresswind Boulevard, as generally depicted on the Rezoning Plan.
- b. Along the Site's frontage on Cresswind Boulevard the Petitioner will provide an eight (8) foot planting strip and an eight (8) foot sidewalk as generally depicted on the Rezoning Plan.
- c. The Petitioner will provide a sidewalk network that links the proposed building on the Site to the sidewalk along the abutting public street in the manner generally depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.
- d. Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.
- e. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.

5. Environmental Features:

- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance (storm water control ordinance).
- b. The Site will comply with the Tree Ordinance. The Site is part of approved master plan community, therefore, tree save requirements for the Site may be met on-site or as part of the approved tree save area of the master planned community.

6. Signage:

- a. Reserved.

7. Lighting:

- a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- b. Detached lighting on the Site will be limited to 26 feet in height.

8. Amendments to the Rezoning Plan:

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

9. Binding Effect of the Rezoning Application:

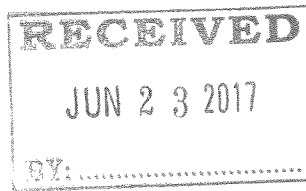
- a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their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



CRESSWIND - AMENITY SITE
SINGLE FAMILY RESIDENTIAL DEVELOPMENT
KH MINT HILL LLLP; MECKLENBURG COUNTY, NC
DEVELOPMENT CONDITIONS

REVISIONS:

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-114

Petition #: _____

Date Filed: 6/23/2017

Received By: Bj

Property Owners: Summit Avenue URP, LLC

Owner's Addresses: 1440 South Tryon Street, Ste. 104, Charlotte, NC 28203

Date Properties
Acquired: 12/06/2011

Property Addresses: N/A

Tax Parcel Numbers: 047-131-07

Current Land Use: vacant Size (Acres): ± 26.26

Existing Zoning: O-1(CD) and RE-1 Proposed Zoning: R-12MF(CD)

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

Required Rezoning Pre-Application Meeting* with: Alberto Gonzalez, Josh Weaver and Julia Zweifel

Date of meeting: 5/25/2017

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: To allow the development of the site with a high quality multi-family residential community.

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

Bainbridge Companies (Attn: Ron Perera)

Name of Petitioner

401 Harrison Oaks Blvd. Ste. 250

Address of Petitioner

Cary, NC 27513

City, State, Zip

919.462.1275

Telephone Number

Fax Number

rperera@bainbridgere.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

ATTACHMENT A

**REZONING PETITION NO. [2017-____]
Bainbridge**

**OWNER JOINDER AGREEMENT
Summit Avenue URP, LLC**

The undersigned, as the owner of the parcel of land located in the northeast quadrant at the intersection of J N Pease Place and Ben Craig Drive, Charlotte, NC that is designated as Tax Parcel No. 047-131-07 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from O-1(CD) and RE-1 zoning district to the R-12MF(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 20th day of June, 2017.

Summit Avenue URP, LLC

By: 

Name: Matthew D. Browder

Its: Manager

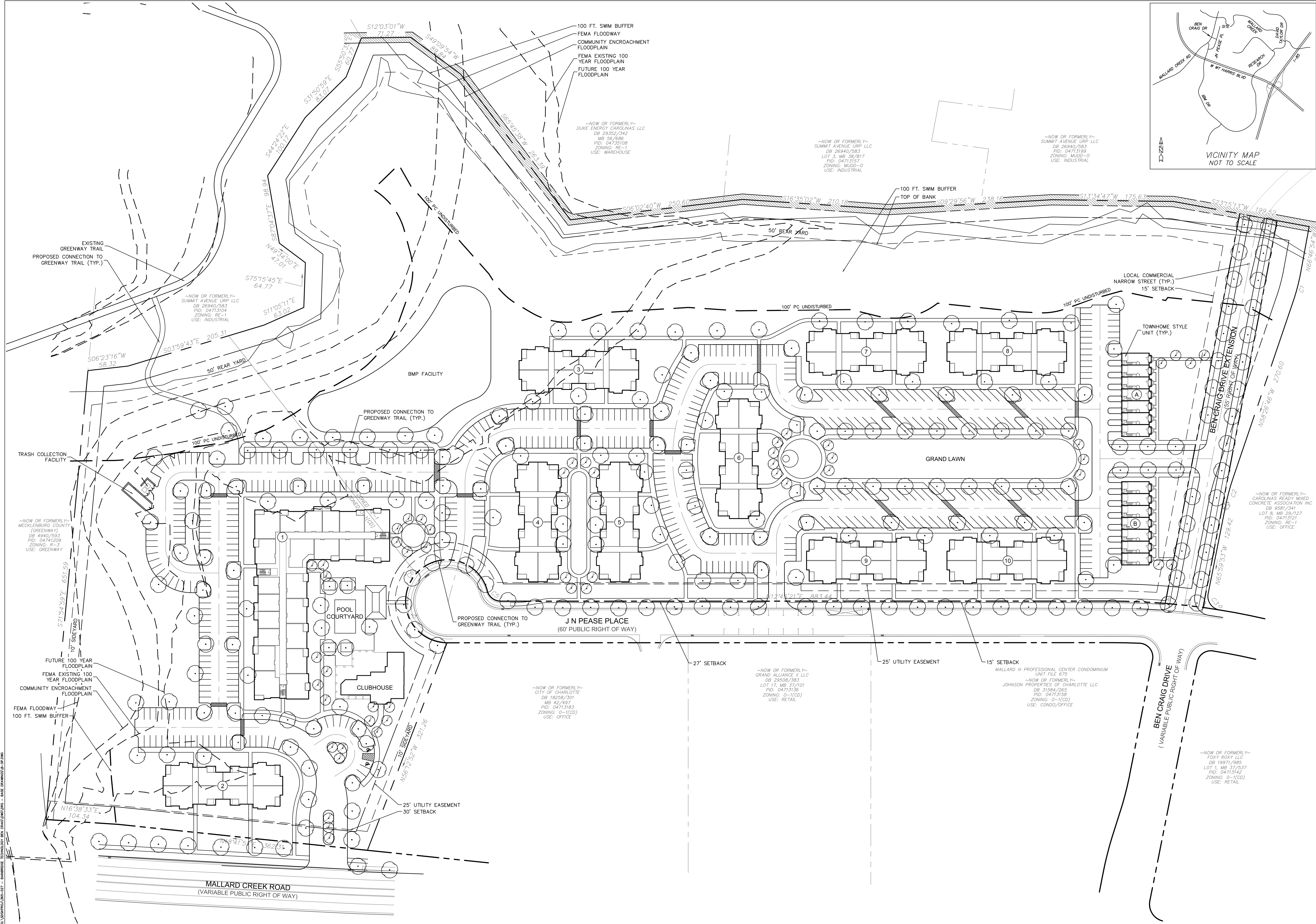
ATTACHMENT B

REZONING PETITION NO. [2017-]
Bainbridge Companies

Petitioner:

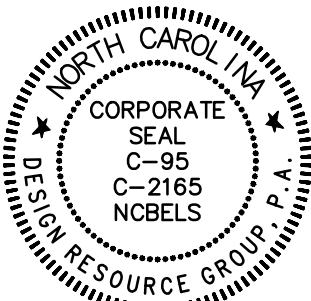
Bainbridge Companies

By: Ronald P. Perera
Name: RONALD P. PERERA
Title: VP, DEVELOPMENT



LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
704.343.0808
www.drgroup.com



REZONING PETITION
FOR PUBLIC HEARING:
2017-XXX

MASTER PLANNING

BAINBRIDGE RESEARCH PARK
CHARLOTTE, NORTH CAROLINA

BAINBRIDGE COMPANIES
401 HARRISON OAKS BLVD., SUITE 250
CARY, NC 27513
919.462.1275

**SCHEMATIC
SITE PLAN**

50 0 50 100
SCALE: 1" = 60'

PROJECT #: 365-027
DRAWN BY: SVK
CHECKED BY: THH

JUNE 23, 2017

REVISIONS:

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #:	<u>2017-115</u>
Date Filed:	<u>6/23/2017</u>
Received By:	<u>[Signature]</u>

Complete All Fields (Use additional pages if needed)

Property Owner: Da Mai Mai

Owner's Address: 3124 Windsor Drive City, State, Zip: Charlotte NC 28209

Date Property Acquired: 3/15/2006

Property Address: 301 Eastway Drive Charlotte NC 28213

Tax Parcel Number(s): 09713115

Current Land Use: Commercial Size (Acres): 4.62

Existing Zoning: B-2 Proposed Zoning: TOD-R(0)

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders

Date of meeting: 4/20/2017

(*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. Number of years (maximum of 5): 5

Purpose/description of Conditional Zoning Plan: To confirm height restriction relative to single family homes adjacent to site

CapRock, LLC
Name of Rezoning Agent

2410 Dunavant Street
Agent's Address

Charlotte NC 28203
City, State, Zip

980.201.3265
Telephone Number Fax Number

jroyster@caprockinvest.com
E-Mail Address

[Signature]
Signature of Property Owner

DA D. MAI
(Name Typed / Printed)

CapRock, LLC
Name of Petitioner(s)

2410 Dunavant Street
Address of Petitioner(s)

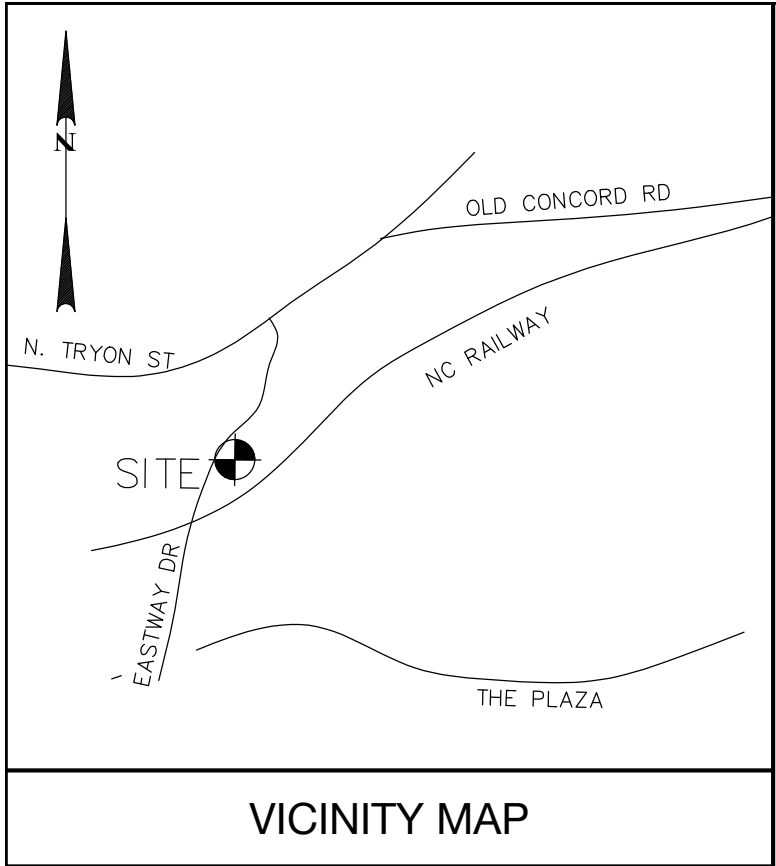
Charlotte, NC 28203
City, State, Zip

704.418.5100
Telephone Number Fax Number

jroyster@caprockinvest.com
E-Mail Address

[Signature]
Signature of Petitioner

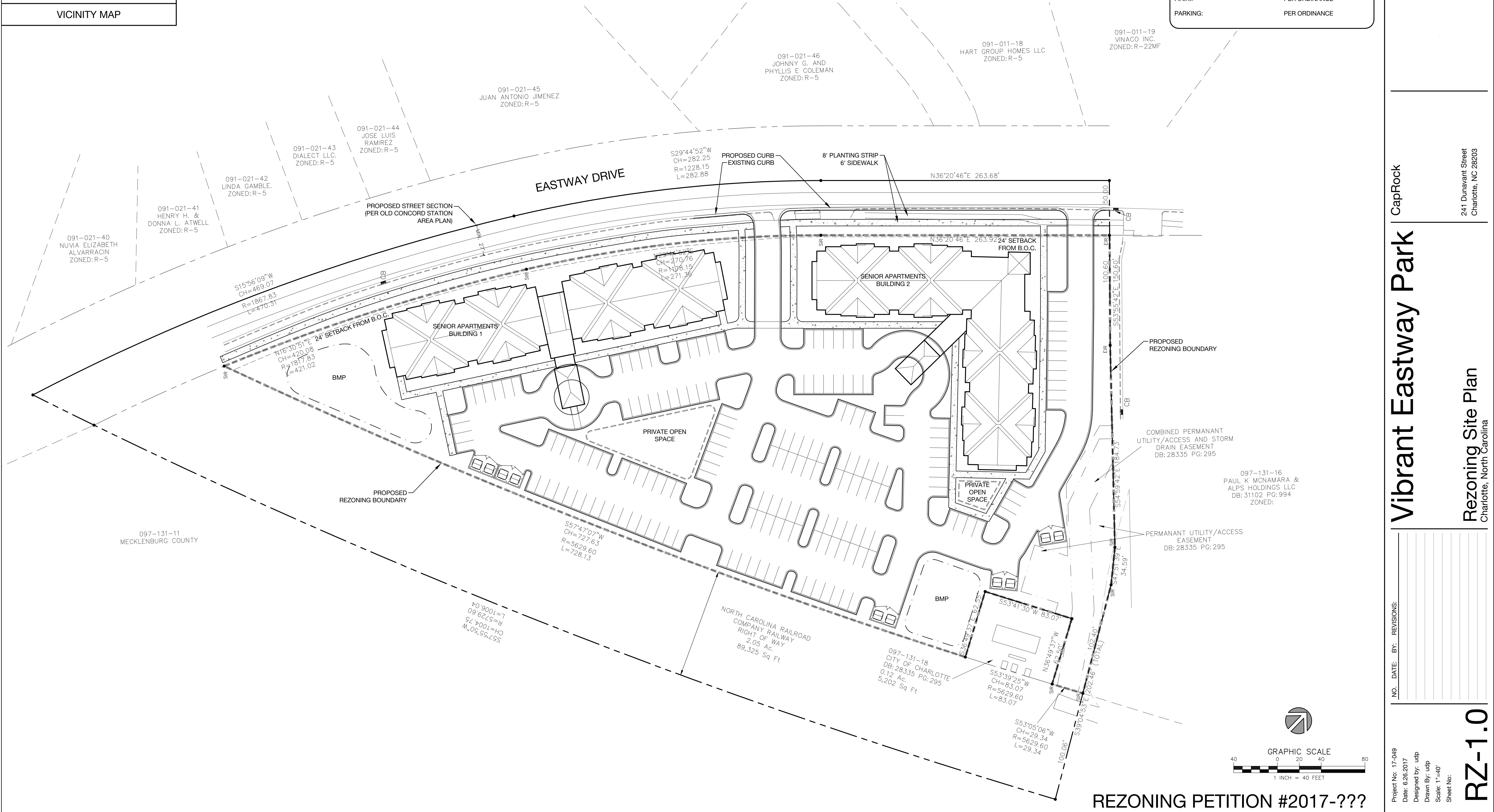
RYAN LAMBERT
(Name Typed / Printed)



DEVELOPMENT SUMMARY	
TAX PARCEL ID #:	097-131-15
TOTAL SITE AREA:	± 4.65 ACRES
ZONING:	
EXISTING:	B-2
PROPOSED:	TOD-R(O)
STATION AREA PLAN:	OLD CONCORD
TREE SAVE AREA:	EXEMPT
PRIVATE OPEN SPACE	1 SF/100SF GROSS FLR. AREA or 1 SF/200 SF LOT AREA
PROPOSED USE:	SENIOR MULTI-FAMILY (UP TO 150 UNITS)
F.A.R.:	PER ORDINANCE
PARKING:	PER ORDINANCE

**URBAN
DESIGN
PARTNERS**

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



CapRock

241 Dunavant Street
Charlotte, NC 28203

Vibrant Eastway Park

Rezoning Site Plan
Charlotte, North Carolina

NO.	DATE	BY	REVISIONS:

Project No: 17-049
Date: 6/26/2017
Designed by: udp
Drawn By: udp
Scale: 1"=40'
Sheet No:

RZ-1.0

DEVELOPMENT STANDARDS

A. General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by CapRock, LLC ("Petitioner") to accommodate the development of an elderly multi-family community on the approximately 4.65 acre site located on the east side of Eastway Drive north of the North Carolina Railroad Company Right of Way, which is more particularly depicted on the Rezoning Plan as the ("Site"). The Site is comprised of Tax Parcel No. 097-131-15.
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 TOD-RIO zoning district shall govern the development and use of the Site.
4. Future amendments or modifications to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations or modifications to the Rezoning Plan are subject to Section 6.207 and 9.1210 of the Ordinance.
5. The Petitioner acknowledges that other standard development 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. Conditions outlined 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 submissions, the stricter condition or existing requirements shall apply.

B. Permitted Uses

1. The Site may be devoted only to a residential community containing a maximum of 150 senior multi-family units and to any incidental and accessory uses relating thereto that are allowed in the TOD-R(O) zoning district. Incidental and accessory uses may include, without limitation, amenities for the residents, such as a clubhouse and fitness center.

C. Transportation

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.
2. The maximum number of parking spaces allowed on the Site shall be limited to the maximum allowed in the TOD-RO(z) zoning district.
3. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan.
4. Eastway Drive will be improved to the proposed street section outlined in the Old Concord Station Area Plan.

D. Architectural & Site Design Standards

- i. Brick
 - ii. Natural Stone (or synthetic equivalent)
 - iii. Other equivalent approved by the Planning Director or his/her designee.
 - b. The building materials used on the principal buildings constructed on the site is a combination of the following building materials: masonry, precast concrete, cementitious siding. Vinyl or aluminum material may only be used on windows, soffits and railings.
 - c. The proposed roofing materials will be architectural asphalt shingles; metal type roofing materials may be used on portions of the roofs that cover porches or bay windows.
2. a. **Prohibited Exterior Building Materials** - The following exterior materials are specifically prohibited:
 - i. Vinyl Siding (except for soffits and trim including window and door trim)
 - ii. Concrete Masonry Units (CMU) not architecturally finished
3. a. **Building Placement and Site Design** - Building placement and site design shall focus on enhancing the pedestrian environment through the following standards:
 - i. Building Street Frontage - Buildings shall be arranged and oriented to front along all network streets (public or private streets).
 - ii. Buildings shall front a minimum of 50% of the total street frontage on the site (exclusive of driveways, pedestrian access points, usable open space and/or natural areas).
 - iii. Parking lots shall not be located between any building and any public or private street.
 - iv. Building entrances shall be highly visible and architecturally treated as prominent pedestrian entrances through a combination of at least three (3) of the following features: (a) decorative pedestrian lighting sconces; (b) architectural details carried above the ground floor: (c) covered porches, canopies, awnings or sunshades; (d) archways; (e) transom windows; (f) terraced or raised planters that can be utilized as seat walls; (g) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (h) double doors; (i) stoops or stairs; and/or (j) contrasting pavement from primary sidewalk.
- b. Buildings shall have a minimum 16-foot separation from each other.
4. a. **Building Massing & Height** - Building massing shall be designed to break up long, monolithic building forms through the following standards:
 - i. Building Massing - Buildings exceeding 120 feet in length shall include modulations of the building massing/facade plane (recesses, projection, architectural treatment, etc.)
 - ii. Building Height - As allowed in section 9.1208(3) of the Ordinance.
5. a. **Architectural Elevation Design** - Architectural elevations shall be designed to create visual interest through the following standards:
 - i. Vertical Modulation and Rhythm: Building elevations shall be designed bays and features may include, but will not be limited to a combination of exterior wall offsets, projection, and/or recesses, pilasters, and change in materials.
 - ii. Blank Walls - Building elevations facing public or private streets shall not have expanses of blank walls greater than 20 feet.
 - iii. Architectural features such as, but not limited to, banding, medallions, building articulation, a change in materials will be provided to avoid unarticulated blank walls.
6. a. **Roof Form and Articulation** - Roof form and rooflines shall be designed to avoid the appearance of a large monolithic roof structure through the following standards:
 - i. Long rooflines (pitched or flat) shall avoid continuous expanses without variation by including changes in height and/or roof form (e.g. dormers, gables, etc.).
 - ii. For pitched roofs the allowed minimum pitch shall be 5:12 (five feet in vertical height for every twelve in horizontal length), excluding buildings with a flat roof and parapet walls.
 - iii. Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street and from the nearest single family structure.
7. a. **Service Area Screening** - Site service areas (dumpsters, refuse areas, recycling and storage) shall be screened from the view through the following standards:
 - i. Service areas will be screened by a minimum 30 percent masonry material.
 - ii. Utility structures need to be screened architecturally or with evergreen plant material.
 - iii. Walls shall be designed to match and complement the building architecture of the residential buildings of the subject property.

E. Streetscape/Landscaping

1. An 8-foot wide planting strip and a 6-foot wide sidewalk shall be installed along the east side of Eastway as generally depicted on the Rezoning Plan and as required in the Concord Station Area Plan

F. Environmental

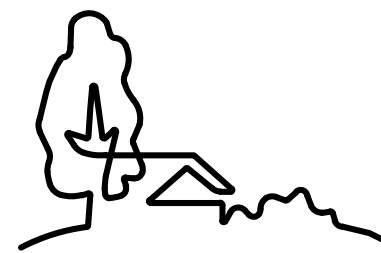
1. Development of the Site shall comply with the requirements of the City of Charlotte Tree Ordinance. Tree Save Area is not required because of the requested TOD-R/O zoning district and location within the Concord Station Area Plan.
2. The Petitioner shall comply with City of Charlotte adopted Post Construction Controls Ordinance.
3. The location, size and type of stormwater management system depicted on the rezoning plan is subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning petition. Adjustments may be necessary to accommodate actual stormwater treatment requirements and natural site discharge points.)

G. Lighting

1. All freestanding lighting fixtures installed on the Site (excluding low, decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
2. The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed 21 feet.
3. Any lighting fixtures attached to the buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

H. Binding Effect of the Rezoning Documents and Definitions

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



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

CapRock

241 Dunavant Street
Charlotte, NC 28203

Vibrant Eastway Park

Development Standards

Charlotte, North Carolina

NO. DATE: BY: REVISIONS:

Project No: 17-049

Date: 6.26.2017

Designed by: uid

Drawn By: udp

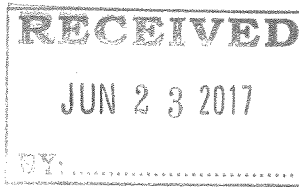
Scale: NTS

Sheet No:

RZ-2.0

REZONING PETITION #2017-???

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-116

Petition #:	_____
Date Filed:	6/23/2017
Received By:	

Complete All Fields (Use additional pages if needed)

Property Owner: JKS Management 1600 Montford, LLC

Owner's Address: 2131 Ayrsley Town Blvd., Suite 300 City, State, Zip: Charlotte, NC 28273

Date Property Acquired: June 6, 2015

Property Address: 1600 Montford Dr., Charlotte NC 28209

Tax Parcel Number(s): # 175-145-03

Current Land Use: Commercial (Restaurant/Retail (EDEC Type II)) Size (Acres): 0.82

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

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

Required Rezoning Pre-Application Meeting* with: Kent Main, Charles Meacci, and Jason Prescott

Date of meeting: Tuesday, May 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 two adjacent parcels to allow for the adaptive reuse of the existing buildings and a change of use to a mixed use multi-tenant commercial shopping, restaurant and services location. Optional conditions required to utilize the existing buildings with the unique constraints of the subject parcels.

Russell W. Fergusson

Name of Rezoning Agent

P.O. Box 5645

Agent's Address

Charlotte, NC 28299

City, State, Zip

(704) 234-7488

Telephone Number

(704) 612-0271

Fax Number

rwf@russellwfergusson.com

E-Mail Address

Signature of Property Owner

Thomas B. Henson, Manager

(Name Typed / Printed)

JKS Management 1600 Montford, LLC

Name of Petitioner(s)

2131 Ayrsley Town Blvd., Suite 300

Address of Petitioner(s)

Charlotte NC, 28273

City, State, Zip

(704) 643-4148

Telephone Number

(704) 642-4482

Fax Number

thenson@ayrsley.com

E-Mail Address

Signature of Petitioner

Thomas B. Henson, Manager

(Name Typed / Printed)

1. General Provisions

- a. The development of the Site will be governed by this Rezoning Plan and the standards/ applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The regulations established for the zoning of the MUDD zoning district, shall govern the development of this Site, subject to the optional provisions herein.
- b. The development depicted on the Rezoning Plan is schematic and represents the general proposal for the project. Accordingly, the configuration, placement, size and number of the stairs, sidewalks, trees, ramps, patio, parking areas and/or site elements may be altered or modified within the limits prescribed by the zoning ordinance, subject to the Optional Provisions provided below.
- c. Alterations to the conditional plan are subject to section 6.207, Alterations to Approval.

2. Optional Provisions:

The following optional provisions shall apply to the Site:

- a. There is no existing storm system adjacent to the Site, therefore the Montford Drive planting strip shall be built by alternate means of compliance with the Ordinance. Petitioner shall install a suspended sidewalk as depicted on the Rezoning Plan instead of utilizing the storm system for drainage.
- b. The Site shall be exempt from any requirement to install, extend or connect to the existing storm system to tie tree pit drains.
- c. The Site shall be exempt from any requirement to install or add curb inlets to existing storm system and will generally maintain existing sheet flow condition to the southern property line
- d. Parking shall be permitted to extend past the building façade on the unnamed street border and up to the setback and may be located between the existing building/permitted uses and the required setback in the manner shown on the Rezoning Plan.
- e. The southern and eastern boundary lines of the Site shall not be required to meet the parking lot screening requirements set forth in Sections 9.8506(2)(b) and 12.303 of the Ordinance.

3. Permitted Uses

- a. Allowed uses: Any use or combination of uses and accessory uses as permitted in MUDD, including without limitation, Eating Drinking and Entertainment Establishments (Types 1 and 2) and Brewery uses.

4. Transportation

- a. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of each access point are subject to any minor modifications.

- b. Off-street vehicular parking shall be provided on the Site in accordance with the requirements of the Ordinance as set forth in the Rezoning Plan.
- c. On-street vehicular parking shall be provided as set forth on the Rezoning Plan.
- d. Parking for all uses shall be provided at a minimum rate of one space per 500 square feet of gross floor area.

5. Streetscape and Landscaping

- a. A fourteen (14) foot setback as measured from the back of the existing curb along the unnamed street on the western border of the Site will be provided. The setback shall include a six (6) foot sidewalk adjacent to the on-street parallel parking as depicted on the Rezoning Plan, and an eight (8) foot planting strip adjacent.
- b. A forty (40) foot setback as measured from the road center line along Montford Dr. per the Park Road Area Plan - Montford Drive street section will be provided as generally set forth in the Rezoning Plan. The setback shall include an eight (8) foot planting strip, with suspended sidewalk sections covering portions of the planting strip and connecting the curb to the sidewalk as depicted on the Rezoning Plan, and a minimum of an (8) foot wide sidewalk will be which will extend to the building façade.
- c. Addition of street trees and interior trees as shown on the Rezoning Plan, subject to the Optional Provisions.

6. Architectural Standards

- a. Area marked as Building/Patio Envelope may be any combination of multi-story or single story patio and building provided that overall height shall not exceed 60' including any rooftop patio structure.

7. Environmental Features

- a. Tree save areas - The subject site is located within an area that has been designated as a "center" with mitigation options. For the purpose of this rezoning plan, it has been assumed that a payment in lieu has been exercised. However, developer may opt to provide on-site tree save for all or a portion of the 15% requirement via modification of the layout shown.

8. Parks, Greenways and Open Space

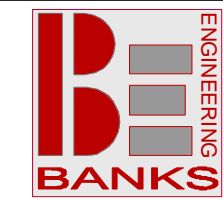
- a. Reservation/Dedication of park and/or greenway: N/A
- b. Park and/or greenway improvements: N/A

9. Binding Effect of the Rezoning Application

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

DEVELOPMENT SUMMARY

REZONING SITE AREA:	0.82 ACRES
TAX PARCEL ID:	175-145-03
EXISTING ZONING:	B-1
PROPOSED ZONING:	MUDD-O
EXISTING USES:	RESTAURANT / RETAIL
PROPOSED USES:	RESTAURANT / RETAIL
EXISTING BUILDING SF:	N/A - TO BE REMOVED
PROPOSED SF:	TBD SF (54 x 500 = 27,000 SF ALLOWABLE)
PARKING:	54 SPACES
BUILDING HEIGHT:	PER ORDINANCE REQUIREMENTS
OPEN SPACE:	N/A



1919 SOUTH BOULEVARD
SUITE 200
CHARLOTTE, NC 28203
T: 704.780.4972
NC License #P-1370
© 2017

CLIENT:

JKS MANAGEMENT
1600 MONTFORD, LLC

2833 ROCKBROOK DR.
CHARLOTTE, NC 28211

PROJECT:

MONTFORD
1600 MONTFORD RD.
Charlotte, NC 28209

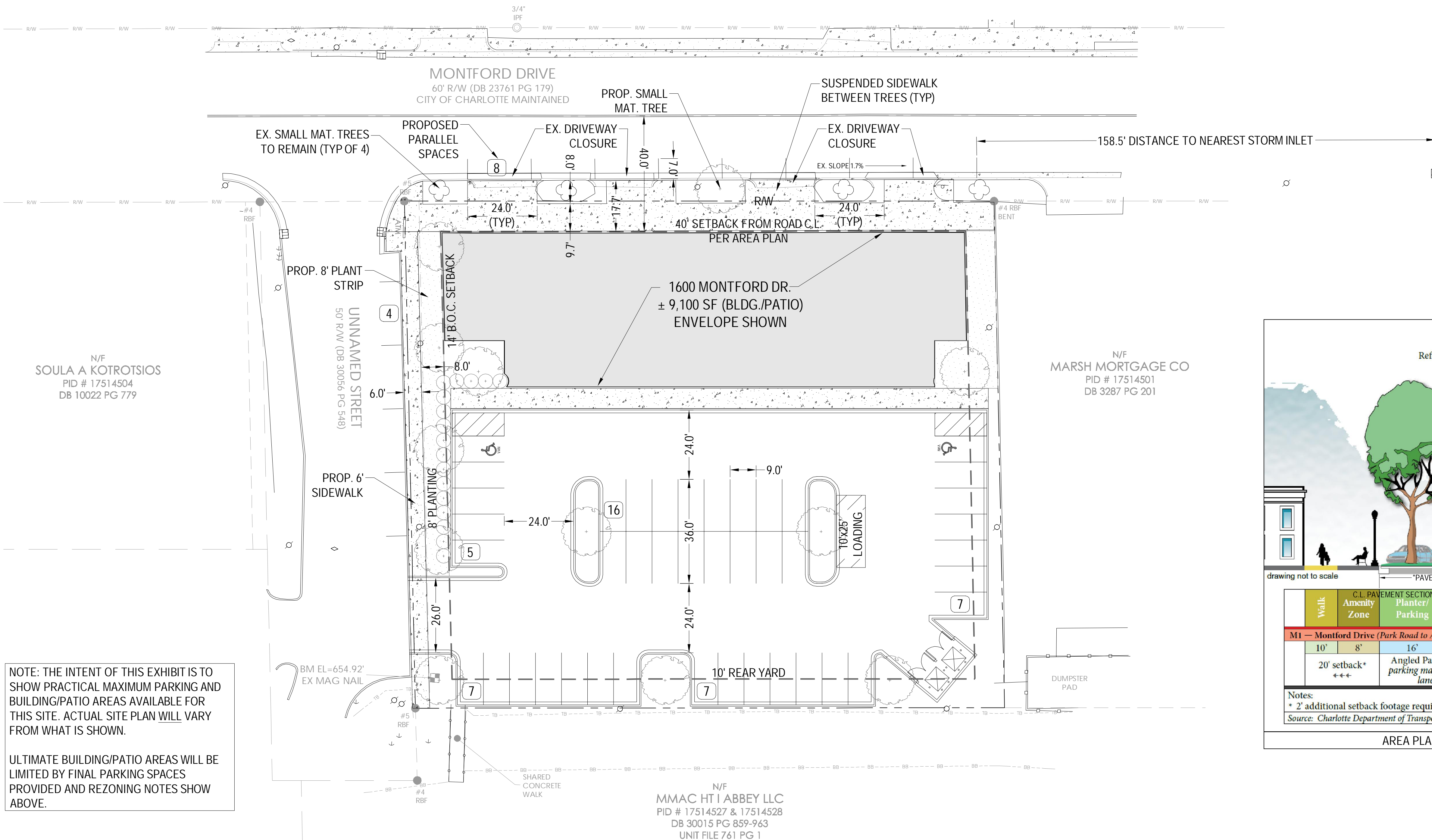
SHEET:

TECHNICAL DATA
SHEET
PETITION 2017-xxx

REV. DATE DESCRIPTION

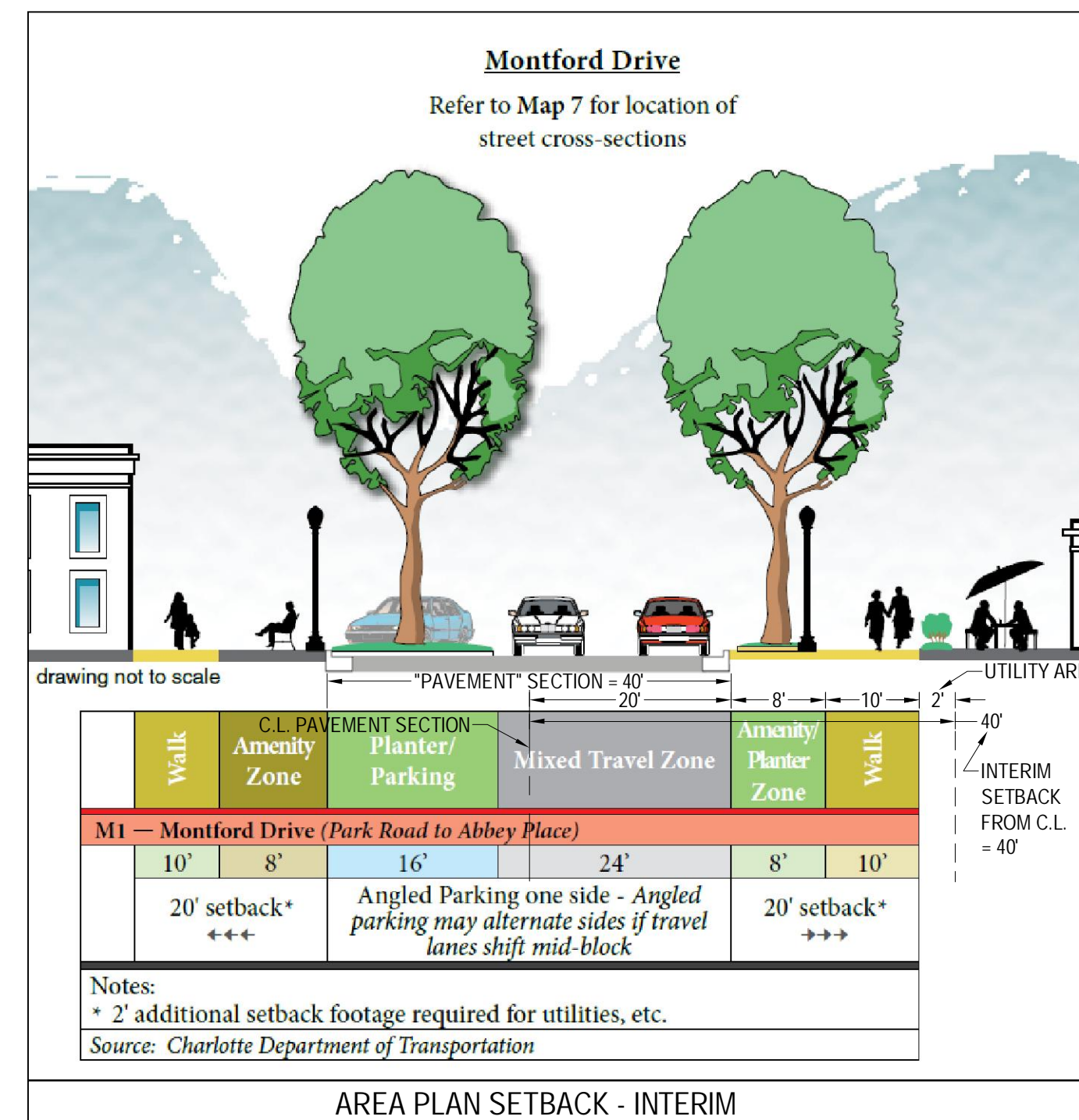
DESIGNED:	JDB
DRAWN:	
CHECKED:	
PROJECT:	01043001
DATE:	06.23.17

RZ1-0

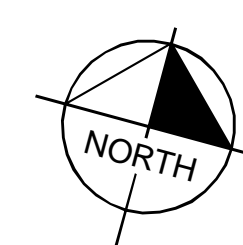


NOTE: THE INTENT OF THIS EXHIBIT IS TO SHOW PRACTICAL MAXIMUM PARKING AND BUILDING/PATIO AREAS AVAILABLE FOR THIS SITE. ACTUAL SITE PLAN WILL VARY FROM WHAT IS SHOWN.

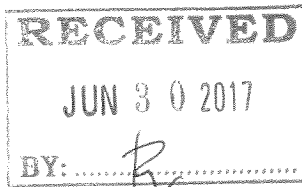
ULTIMATE BUILDING/PATIO AREAS WILL BE LIMITED BY FINAL PARKING SPACES PROVIDED AND REZONING NOTES SHOW ABOVE.



SCALE: 1" = 20'
0 10 20 40



**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-117

Petition #: _____
Date Filed: 6/30/2017
Received By: [signature]

Property Owners: BMO Properties Group LLC

Owner's Addresses: 1815 Back Creek Dr, Ste. 200, Charlotte, NC 28213

Date Properties
Acquired: 12/31/2015

Property Addresses: 8401 and 8405 University East Dr., Charlotte, NC 28213

Tax Parcel Numbers: 105-021-18

Current Land Use: vacant (Acres): ± 5.1

Existing Zoning: B-1(CD) Proposed Zoning: O-1

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

Required Rezoning Pre-Application Meeting* with: Mandy Vari and Sonja Sanders

Date of meeting: 6/15/17

(*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: To rezone the property to be consistent with the surrounding zoning.

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

[signature]
Signature of Property Owner

Profile Homes (Attn: Mark Blythe)

Name of Petitioner

10648 Bunclody Drive

Address of Petitioner

Charlotte, NC 28213

City, State, Zip

404.557.5822

Telephone Number

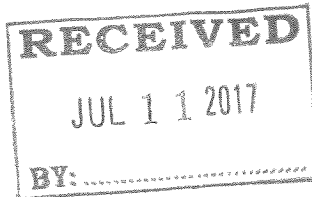
Fax Number

Mark.blythe@bnaohomes.com

E-mail Address

S Mark Blythe
Signature of Petitioner

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-118

Petition #: _____
Date Filed: 7/11/2017
Received By: BH

Complete All Fields (Use additional pages if needed)

Property Owner: Phillips Investment Properties, LLC

Owner's Address: 2401 Forest Drive City, State, Zip: Charlotte, NC 28211

Date Property Acquired: 30 April 2008

Property Address: 4799 Statesville Road 28269

Tax Parcel Number(s): 04115106

Current Land Use: overflow parking Size (Acres): .78

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

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

Required Rezoning Pre-Application Meeting* with: Alberto Gonzalez, Claire Lyte-Graham, Rick Grochoske

Date of meeting: 28 Feb 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): 5

Purpose/description of Conditional Zoning Plan: To allow combination with adjacent parcel and expansion of existing business; will replace square footage lost in widening of Statesville Road and allow for creation of additional jobs

John Phillips
Name of Rezoning Agent

2401 Forest Drive
Agent's Address

Charlotte, NC 28211
City, State, Zip

7045764053
Telephone Number Fax Number
john@parkcre.com

E-Mail Address
John Phillips
Signature of Property Owner

John Phillips
(Name Typed / Printed)

Phillips Investment Properties, LLC
Name of Petitioner(s)

2401 Forest Drive
Address of Petitioner(s)

Charlotte, NC 28211
City, State, Zip

7045764053
Telephone Number Fax Number

john@parkcre.com
E-Mail Address
John Phillips
Signature of Petitioner

John Phillips
(Name Typed / Printed)



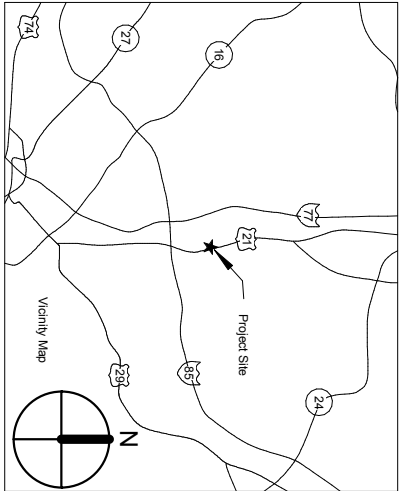
- Development Data Table**
 - Site Acreage: 0.78
 - Tax Parcels included in Rezoning: 04115106
 - Existing Zoning (including overlays and vesting): R-4
 - Proposed Zoning (including overlays and vesting): B-2(CD)
 - Number of Residential Units by Housing Type: NA
 - Residential Density: NA
 - Square Footage of Non-Residential Uses by Type: 11,500
 - Floor Area Ratio: 0.34
 - Maximum Building Height: 22'
 - Maximum Number of Buildings: 1 (Attached)
 - Number and/or Ratio of Parking Spaces: 12 provided / 3 required
 - Amount of open space: 0.66
- General Provisions**
 - Note addressing applicability of ordinances: B-2(CD) allows for wholesale business operations.
 - Note final alterations to the conditional plan are subject to Section 6.207 Alterations to Approval
- Optional Provisions**
 - Listing of all optional provisions: NA
- Permitted uses**
 - Allowed uses or prohibited uses: Wholesale and Part Reconditioning
 - Other Use Restrictions: NA
- Transportation**
 - Dedication and reservation of street right-of-way to City/NCDDOT: Already done via widening of Statesville Rd
 - Transportation improvements constructed in conjunction with development: Use of existing drive
- Architectural Standards**
 - Building Materials: Concrete, Aluminum, Steel to match existing
 - Building Scale: Single Story w/ mezzanine and knee wall
 - Treatment of urban design and architectural elements, such as street walls, building entrances, canopies and balconies: Canopies at building entrance, shutubs at parking areas
- Streetscape and Landscaping**
 - Fence/Wall Standards: Wrought iron, wood, or similar.
 - Streetscape (sidewalk and planting strip) standards: Bushes planted at back of sidewalk
 - Special landscape, buffer, screening treatment: Fencing around perimeter
- Environmental Features**
 - Tree save areas: See drawing
 - PCCO treatment: NA
 - Environmental provisions per Environmental General Development Policies (reference the EGDP in packet): Existing non-conforming
- Parks, Greenways, and Open Space**
 - Reservation/Dedication of park and or greenway: NA
 - Park and/or greenway improvements: NA
 - Connections to park and/or greenway: NA
 - Privately constructed open space: NA
- Fire Protection**
 - Fire lane treatment: See drawing
- Signage**
 - Sign limitations – size, type, location if different from ordinance requirements: Signage to remain building mounted
- Lighting**
 - Limitations on type or location of lighting: Building mounted security lighting only.
 - Location and height of special lighting, such as pedestrian scale lighting: NA
- Phasing**
 - Development phasing by use, area and/or square footage and trigger for each phase: Single Phase Addition to Existing.
- Other**
 - Indicate if a request for right-of-way abandonment or a variance has been submitted for the subject property. Such request may need approval prior to a City Council vote on the rezoning: NA
 - Property corner the points for mapping: Statesville Road and Cindy Lane
 - Public facilities/sites to be provided: NA
 - Provision of public art: NA
 - Underground utilities: Tie to existing.
 - Other conditions not previously listed: NA

Scale: 1" = 50'

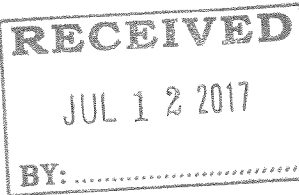
New Warehouse Building = 11,500sf
Parking at :25 per 1000 SF
3 Parking Spaces Required

Bicycle Parking at 1 per 40,000sf
1 Bicycle Parking Required

Rezoning Site Plan and Building Expansion



**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-119

Petition #:	_____
Date Filed:	7/12/2017
Received By:	BK

Complete All Fields (Use additional pages if needed)

Property Owner: BRINKER PROPERTIES, LLC

Owner's Address: 10600 NATIONS FORD RD City, State, Zip: CHARLOTTE, NC 28273

Date Property Acquired: MAY 2013

Property Address: 10600 NATIONS FORD RD, CHARLOTTE, NC 28273

Tax Parcel Number(s): 20305513

Current Land Use: INDUSTRIAL / OFFICE Size (Acres): 6.81

Existing Zoning: I-1 Proposed Zoning: I-2

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

Required Rezoning Pre-Application Meeting* with: JOHN KINLEY

Date of meeting: 6-20-17

(*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: _____

Name of Rezoning Agent

Agent's Address

City, State, Zip

Telephone Number

Fax Number

E-Mail Address

William P. Brinker
Signature of Property Owner

WILLIAM P. BRINKER
(Name Typed / Printed)

BRINKER PROPERTIES, LLC
Name of Petitioner(s)

10600 NATIONS FORD RD
Address of Petitioner(s)

CHARLOTTE, NC 28273
City, State, Zip

704-844-8990 704-844-8994
Telephone Number Fax Number

BPLLC@LANDFILLGROUP.COM
E-Mail Address

Kathleen S. Masters
Signature of Petitioner

KATHLEEN S. MASTERS
(Name Typed / Printed)

RECEIVED

JUL 14 2017

2017-120

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

BY:

Petition #:

Date Filed: 7/14/2017

Received By: B

Property Owners: Sugar Creek One LLC
Sugar Creek Station LLC

Owner's Addresses: 1001 Elizabeth Avenue, Ste. 1D, Charlotte, NC 28204
427 Shasta Lane, Charlotte, NC 28211

Date Properties
Acquired: 2/27/2017
2/3/2017

Property Addresses: 530 E Sugar Creek Road, Charlotte, NC 28206
600 E Sugar Creek Road, Charlotte, NC 28213

Tax Parcel Numbers: 091-071-04
091-072-04

Current Land Use: Industrial Size (Acres): ± 8.3

Existing Zoning: I-2 Proposed Zoning: TOD-M (O)

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

Required Rezoning Pre-Application Meeting* with Sonia Sanders, Amanda Vari and Monica Holmes

Date of meeting: 6/21/2017
(*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): 5
Purpose/description of Conditional Zoning Plan: To allow the redevelopment of the Site with a transit supportive uses consistent with the goals of the Blue Line Extension Area Plans.

Bridget Grant, Keith MacVean & Jeff Brown

Name of Rezoning Agent

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

Charlotte, NC 28202
City, State, Zip

704.331.2379 (BG) 704-378-1973(BG)
704.331.3531 (KM) 704-378-1954 (KM)
704-331-1144 (JB) 704-378-1925 (JB)
Telephone Number Fax Number

bridgetgrant@mvalaw.com; keithmacvean@mvalaw.com
jeffbrown@mvalaw.com
E-mail Address

SEE ATTACHMENTS A-B

Signature of Property Owner

Flywheel Group (Attn: Tony Kuhn)

Name of Petitioner

427 Shasta Lane
Address of Petitioner

Charlotte, NC 28211
City, State, Zip

901.219.3987
Telephone Number Fax Number

tony@flywheelgrp.com
E-mail Address

SEE ATTACHMENT C

Signature of Petitioner

ATTACHMENT A

REZONING PETITION NO. 2017-
Flywheel Group

OWNER JOINDER AGREEMENT
Sugar Creek One LLC

The undersigned, as the owners of the parcel of land located at 530 E Sugar Creek Road, Charlotte, NC 28206 that is designated as Tax Parcel No. 091-071-04 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcels from the I-2 zoning district to the TOD-M zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19th day of JUNE, 2017.

Sugar Creek One LLC

By: 

Name: ANTHONY KUY

Title: MEMBER

ATTACHMENT B

REZONING PETITION NO. 2017-
Flywheel Group

OWNER JOINDER AGREEMENT
Sugar Creek Station LLC

The undersigned, as the owners of the parcel of land located at 600 E Sugar Creek Road, Charlotte, NC 28213 that is designated as Tax Parcel No. 091-072-04 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcels from the J-2 zoning district to the TOD-M zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19th day of JUNE, 2017.

Sugar Creek Station LLC


By: _____

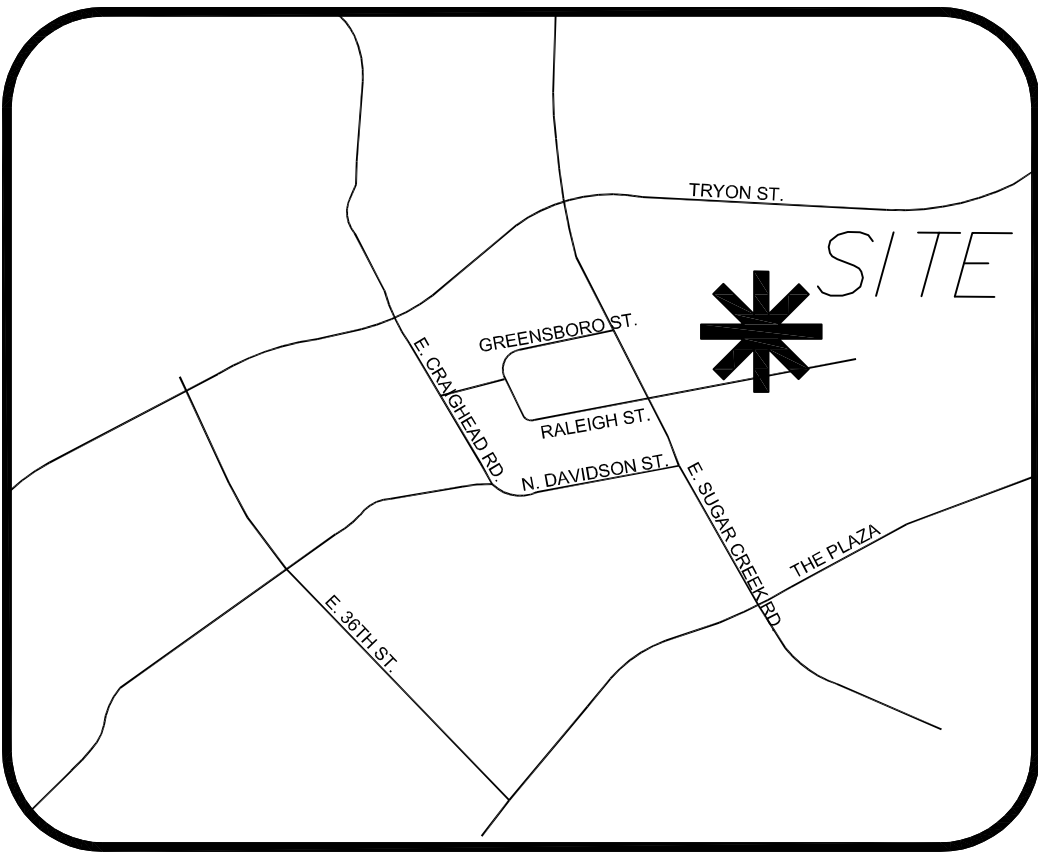
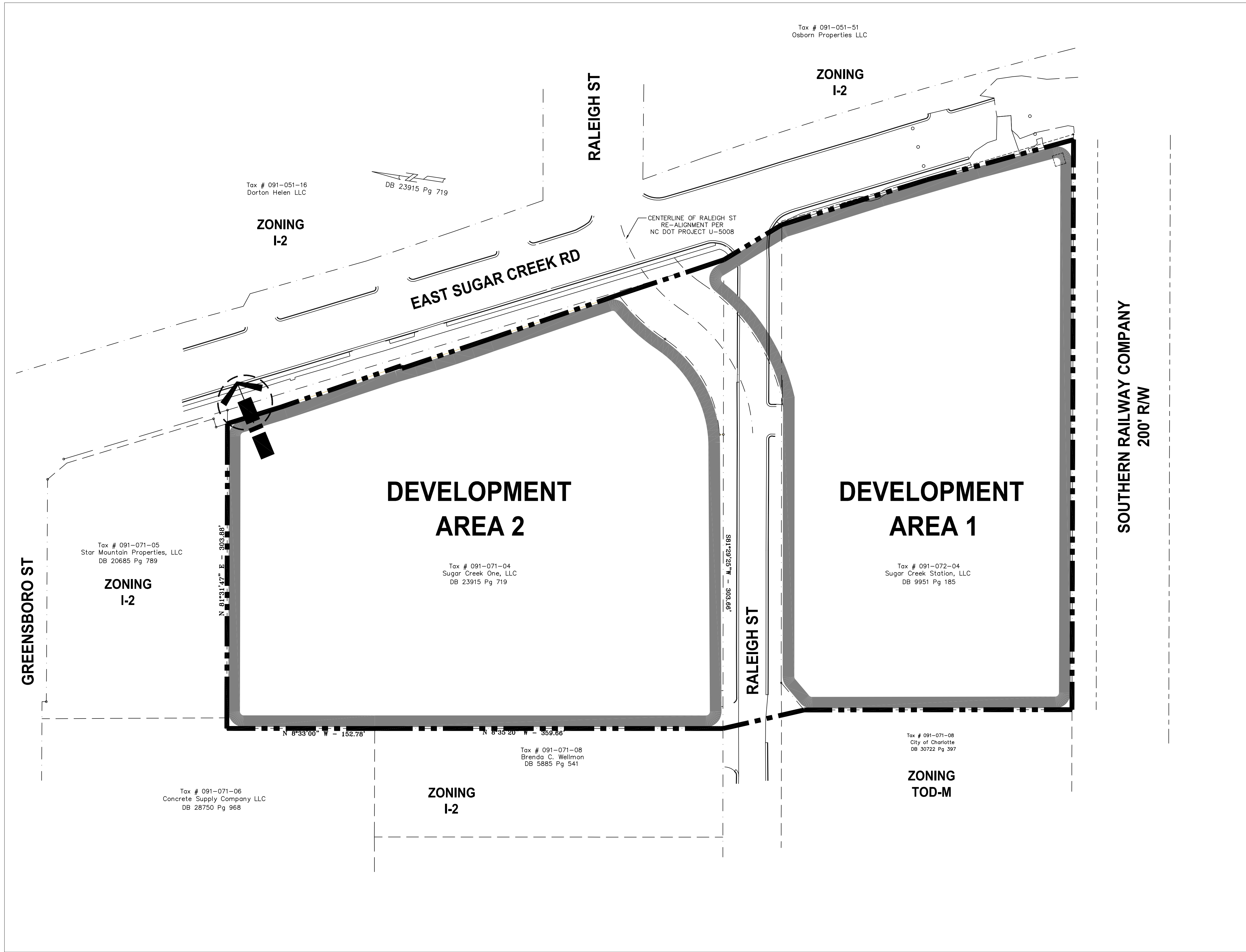
Name: _____

Title: _____

ATTACHMENT C
PETITIONER SIGNATURE
REZONING PETITION NO. 2017-
Flywheel Group

Flywheel Group

By: 
Name: Anthony I. Cuthbert
Title: Mayor



VICINITY MAP
NTS

SITE DEVELOPMENT DATA

Site Acreage: +/-8.3 AC.

Tax Parcels: 091-072-04 and 091-071-04

Proposed Zoning:TOD-M (O)

Existing Zoning: I-2

Existing Uses: Industrial

Proposed Uses:
Uses permitted by right, under prescribed conditions and by the Optional provisions below together with accessory uses, as allowed in the TOD-M zoning district (as more specifically described and restricted below in Section 3).

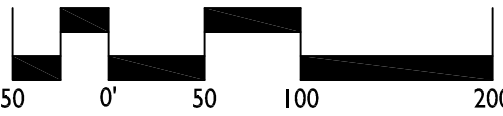
Maximum Gross Square feet of Development:
As allowed and required by the TOD-M zoning district.

Maximum Building Height
As allowed by the Ordinance and the Optional provisions below. Building height to be measured as required by the Ordinance.

Parking
Parking as required by the Ordinance and the Optional Provisions below.

SITE LEGEND

- SITE ACCESS
- GREENWAY ACCESS
- ZONING LINE
- STREET NETWORK
- PEDESTRIAN NETWORK
- DEVELOPMENT AREA



DEVELOPMENT STANDARDS

1. General Provisions:

a. **Site Location.** These Development Standards and the Technical Data Sheet form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Flywheel Group ("Petitioner") to accommodate the development of transit supportive uses on an approximately 8.3 acre site located between Greensboro Street and the rail corridor west of East Sugar Creek Road (the "Site").

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

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

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

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

2. Optional Provisions.

a. To allow parking for EDEE at the rate of one space per 300 square feet. This optional provisions changes the required parking for EDEE from one space for 150 square feet to one space per 300 square feet.

b. To not require functional entrance to the future multi-use trail until the trail is constructed. Entrances will be added in the future when the multi-use trail is constructed.

3. Permitted Uses, Development Area Limitations:

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

4. Access:

a. Vehicular access to the Site will be from East Sugar Creek Road and Raleigh Street as generally depicted on the Technical Data Sheet.

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

5. Streetscape, Landscaping, Open Space and Screening:

a. Along Raleigh Street a 16 foot setback as measured from the existing/future back of curb will be provided.

b. The Petitioner will improve the area between the proposed building and the rail corridor/station area as an amenitized open space. This area may be used to meet the public and private open space requirements of the Ordinance.

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

d. The Petitioner will coordinate with City staff and the Cross Charlotte Trail (XCLT) team during development and review of the site plan in an effort to provide access from the development.

e. The exact location of the XCLT has not been determined, however, the Petitioner shall dedicate a minimum 25 foot right-of-way during the permitting process to accommodate relevant portions of the XCLT as needed.

f. Utilities, including transformers, mechanical and electrical equipment, utility meters, dumpsters and back flow preventers shall be screened from the XCLT. Meter banks will be also screened where visible from public street view at grade level.

6. Architectural Standards.

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

b. The ground floor portion of any building facing the future XCLT will be designed to orient to the XCLT. Entrances that face the XCLT shall have direct access to the XCLT.

c. Proposed non-residential uses located on ground floor of buildings fronting public streets will orient and provide a primary entrance that connects to the public sidewalk. The entrance to the sidewalk along the public streets will be open and operable during the business hours of the associated use. If individual uses and/or tenant entrances are not provided, primary building entrances shall be provided at a minimum of every 100'.

d. Entrances shall be provided for all residential units located on the ground floor fronting a public street. If individual unit entrances are not provided, a primary building entrance shall be provided at a minimum of every 100'.

e. All primary entrances shall include at least 3 of the following:

- decorative pedestrian lighting
- architectural details carried to upper stories
- covered porches, canopies, awnings or sunshades
- archways
- transom windows
- terraced or raised planters that can be utilized as seat walls
- common outdoor seating enhanced with specialty details, paving, landscaping or water features
- double doors

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

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

7. Environmental Features:

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

b. The Site will comply with the Tree Ordinance.

8. Lighting:

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

9. Amendments to the Rezoning Plan:

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

REVISIONS:

1.

DATE: 07/14/17
DESIGNED BY:
DRAWN BY: mm
CHECKED BY:
SCALE:
PROJECT # 4095-001

SHEET #

RZ-2

EAST SUGAR CREEK - NODA STATION

REZONING PETITION No. 2017-__

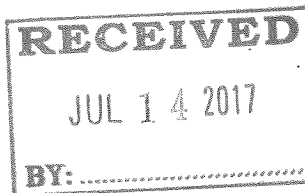
FLYWHEEL GROUP

DEVELOPMENT STANDARDS

ODELL

212 S. Tryon Street
Suite 800
Charlotte, NC 28281
(T) 704-414-1000 (F) 704-414-1111
www.odell.com

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-121
Petition #: _____
Date Filed: 7/14/2017
Received By: BH

Property Owners: SEE SCHEDULE 1

Owner's Addresses: SEE SCHEDULE 1

Date Properties
Acquired: SEE SCHEDULE 1

Property Addresses: SEE SCHEDULE 1

Tax Parcel Numbers: SEE SCHEDULE 1

Current Land Use: Industrial Size (Acres): ± 19.0

Existing Zoning: I-2 Proposed Zoning: TOD-M(O)

Overlay: N/A

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

Required Rezoning Pre-Application Meeting* with Sonja Sanders, Amanda Vari and Monica Holmes, Fran West, Kelsie Anderson

Date of meeting: 7/6/17

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow the redevelopment of the Site with a transit oriented development consistent with the goals of the Blue Line Extension Area Plans.

Bridget Grant, Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

City, State, Zip

704.331.2379 (BG)

704-378-1973(BG)

704.331.3531 (KM)

704-378-1954 (KM)

704-331-1144 (JB)

704-378-1925 (JB)

Telephone Number

Fax Number

bridgetgrant@mvalaw.com; keithmacvean@mvalaw.com

jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENT A

Signature of Property Owner

Flywheel Group (Attn: Tony Kuhn)

Name of Petitioner

427 Shasta Lane

Address of Petitioner

Charlotte, NC 28211

City, State, Zip

901.219.3987

Telephone Number

Fax Number

tony@flywheelgrp.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

SCHEDULE 1

<u>Parcel ID</u>	<u>Property Address</u>	<u>Owner</u>	<u>Owner's Address</u>	<u>Date Acquired</u>	<u>Zoning</u>	<u>Acreage</u>
091-051-25	4301 and 4311 Raleigh Street, Charlotte, NC 28213	Raleigh 20, LLC	212 S Tryon, STE 980 Charlotte, NC 28281	3/22/2005	I-2	3.39
091-051-12	4357 Raleigh Street, Charlotte, NC 28213			3/24/2015	I-2	11.72
091-051-59	N/A (Along Raleigh Street, Charlotte, NC 28213)			3/24/2015	I-2	.10
091-051-31	4375 Raleigh Street, Charlotte, NC 28213			12/30/2015	I-2	3.91

ATTACHMENT A

REZONING PETITION NO. 2017-
Flywheel Group

OWNER JOINDER AGREEMENT
Raleigh 20, LLC

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

1. 4301 and 4311 Raleigh Street, Charlotte, NC 28213 that is designated as Tax Parcel No. 091-051-25
2. 4357 Raleigh Street, Charlotte, NC 28213 that is designated as Tax Parcel No. 091-051-12
3. Along Raleigh Street, Charlotte, NC 28213 that is designated as Tax Parcel No. 091-051-59
4. 4375 Raleigh Street, Charlotte, NC 28213 that is designated as Tax Parcel No. 091-051-31

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

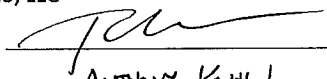
This 14th day of July, 2017.

Raleigh 20, LLC

By: _____

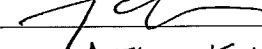
Name: _____

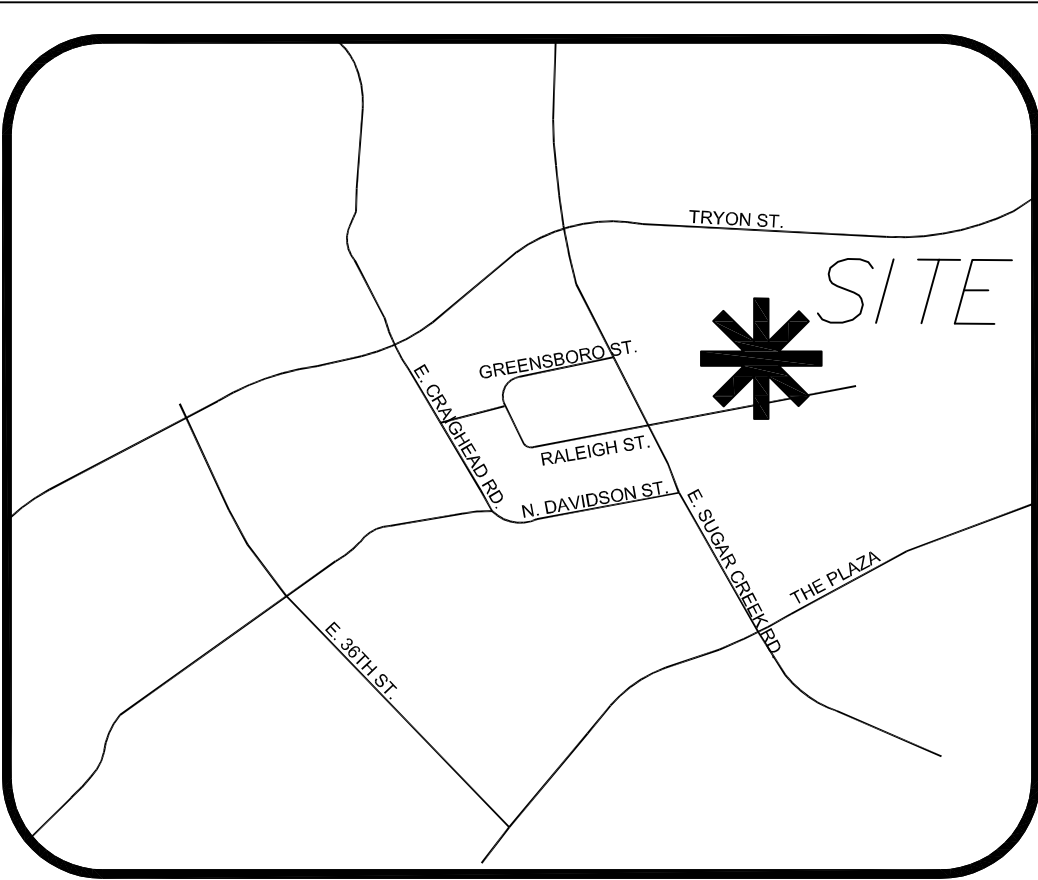
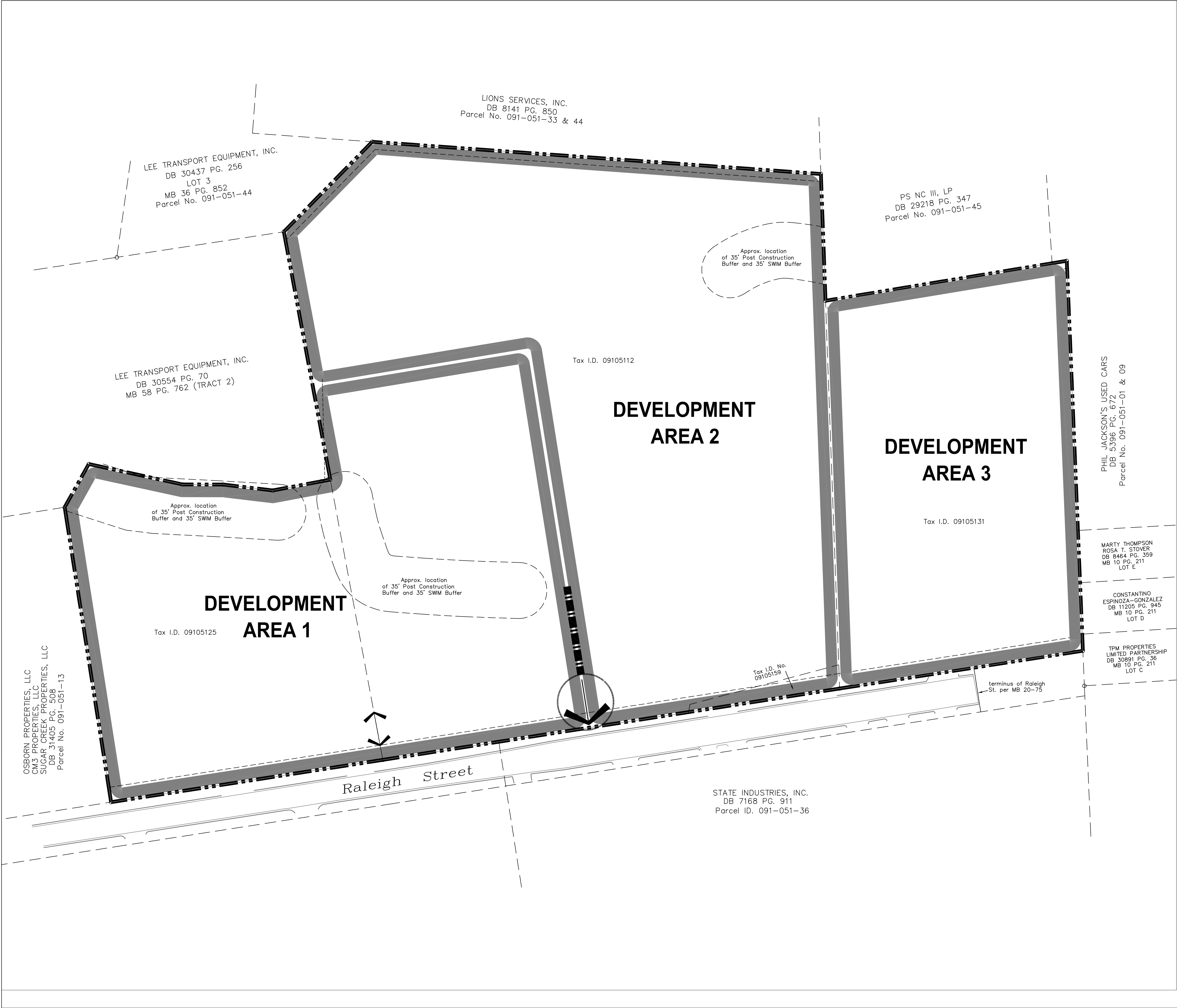
Title: _____


ANTHONY KUHN
Member

ATTACHMENT B
PETITIONER SIGNATURE
REZONING PETITION NO. 2017-
Flywheel Group

Flywheel Group

By: 
Name: Anthony Kufw
Title: Mayor



VICINITY MAP
NTS

SITE DEVELOPMENT DATA

Site Acreage: +/-19.0 AC.

Tax Parcels: 091-051-25, 091-051-12, 091-051-59 and 091-051-31

Proposed Zoning: TOD-M (O)

Existing Zoning: I-2

Existing Uses: Industrial

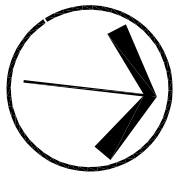
Proposed Uses:
Uses permitted by right, under prescribed conditions and by the Optional provisions below together with accessory uses, as allowed in the TOD-M zoning district (as more specifically described and restricted below in Section 3).

Maximum Gross Square feet of Development:
As allowed and required by the TOD-M zoning district.

Maximum Building Height
As allowed by the Ordinance and the Optional provisions below. Building height to be measured as required by the Ordinance.

Parking
Parking as required by the Ordinance and the Optional Provisions below.

SITE LEGEND



SITE ACCESS



PEDESTRIAN ACCESS



ZONING LINE



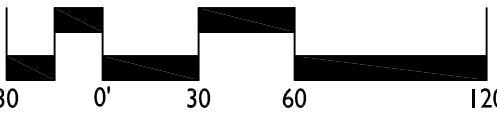
STREET NETWORK



PEDESTRIAN NETWORK



DEVELOPMENT AREA



DEVELOPMENT STANDARDS

1. General Provisions:

- a. **Site Location.** These Development Standards and the Technical Data Sheet form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Flywheel Group ("Petitioner") to accommodate the development of transit supportive uses on an approximately 19 acre site located on Raleigh Street (the "Site").
- b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the TOD-M (O) zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.
- c. **Graphics and Alterations.** The schematic depictions of the development areas, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance. Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:
- i. minor and don't materially change the overall design intent depicted on the Rezoning Plan.

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

2. Optional Provisions.

- a. To allow parking for EDEE at the rate of one space per 300 square feet. This optional provisions changes the required parking for EDEE from one space for 150 square feet to one space per 300 square feet.
- b. To not require functional entrance to the future multi-use trail until the trail is constructed. Entrances will be added in the future when the multi-use trail is constructed.

3. Permitted Uses, Development Area Limitations:

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

4. Access:

- a. Vehicular access to the Site will be from Raleigh Street as generally depicted on the Technical Data Sheet.
- b. The location of the access may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

5. Streetscape, Landscaping, Open Space and Screening:

- a. Along Raleigh Street a 16 foot setback as measured from the existing/future back of curb will be provided.
- b. The open space areas on the Site will be improved with landscaping, lighting, seating and hardscape elements.
- c. The Petitioner will coordinate with City staff and the Cross Charlotte Trail (XCLT) team during development and review of the site plan in an effort to provide access from the development.
- d. The exact location of the XCLT has not been determined, however, the Petitioner shall dedicate a minimum 25 foot right-of-way during the permitting process to accommodate relevant portions of the XCLT as needed.
- e. Utilities, including transformers, mechanical and electrical equipment, utility meters, dumpsters and back flow preventers shall be screened from the XCLT. Meter banks will be also screened where visible from public street view at grade level.

6. Architectural Standards.

- a. The building materials used on the principal buildings constructed on Site will be a combination of some of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, EIFS, decorative metal panels, decorative block and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings
- b. The ground floor portion of any building facing the future XCLT will be designed to orient to the XCLT. Entrances that face the XCLT shall have direct access to the XCLT.
- c. Proposed non-residential uses located on ground floor of buildings fronting public streets will orient and provide a primary entrance that connects to the public sidewalk. The entrance to the sidewalk along the public streets will be open and operable during the business hours of the associated use. If individual uses and/or tenant entrances are not provided, primary building entrances shall be provided at a minimum of every 100'.
- d. Entrances shall be provided for all residential units located on the ground floor fronting a public street. If individual unit entrances are not provided, a primary building entrance shall be provided at a minimum of every 100'.
- e. All primary entrances shall include at least 3 of the following:
- i. decorative pedestrian lighting
- ii. architectural details carried 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
- f. The ground floor shall be taller than and architecturally different than upper floors with more transparency than upper floors, this standard will only apply to building walls located along public streets.
- m. In addition to the Blank Wall provisions of the TOD-M zoning district, Blank Walls shall be treated with both horizontal and vertical variations in wall planes.

7. Environmental Features:

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

8. Lighting:

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

9. Amendments to the Rezoning Plan:

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

REVISIONS:

1.

DATE: 07/14/17
DESIGNED BY:
DRAWN BY: mm
CHECKED BY:
SCALE:
PROJECT # 4095-001

SHEET #

RZ-2

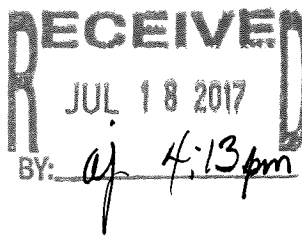
RALEIGH STREET COMMUNITY
REZONING PETITION No. 2017-__
FLYWHEEL GROUP

DEVELOPMENT STANDARDS

ODELL

212 S. Tryon Street
Suite 800
Charlotte, NC 28281
(T) 704-414-1000 (F) 704-414-1111
www.odell.com

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #:	2017-122
Date Filed:	7/18/2017
Received By:	[Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Victory Christian Center Inc.

Owner's Address: PO Box 240433 Charlotte, NC 28224 City, State, Zip:

Date Property Acquired: 5/17/2006

Property Address: 9401 Nations Ford Rd. Charlotte, NC 28273

Tax Parcel Number(s): 20515304

Current Land Use: Warehousing Size (Acres): 4.418

Existing Zoning: INST Proposed Zoning: I-1

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

Required Rezoning Pre-Application Meeting* with: John Kinley

Date of meeting: 4/25/17

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team 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: _____

Brooks Whiteside
Name of Rezoning Agent

1300 S Mint St. Suite 400
Agent's Address

Charlotte, NC 28203
City, State, Zip

704-347-4676 Fax Number
Telephone Number

brooks@whitesideindustrial.com
E-Mail Address

[Signature]
Signature of Property Owner

Robyn Gool (for VCC, Inc.)

Victory Christian Center Inc.
Name of Petitioner(s)

PO Box 240433
Address of Petitioner(s)

Charlotte, NC 28224
City, State, Zip

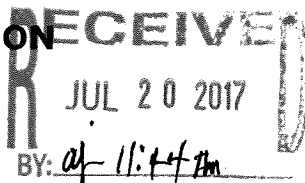
704-602-6027 Fax Number
Telephone Number

schapman@vccenter.net
E-Mail Address

[Signature]
Signature of Petitioner

Robyn Gool (for VCC, Inc.)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-123

Petition #:	_____
Date Filed:	<u>7/20/2017</u>
Received By:	<u>[Signature]</u>

Complete All Fields (Use additional pages if needed)

Property Owner: Town Center Associates c/o Crosland

Owner's Address: 5960 Fairview Road, Suite 200 City, State, Zip: Charlotte, NC 28210

Date Property Acquired: November 29, 1989

Property Address: 8514 University City Boulevard

Tax Parcel Number(s): Portion of Tax Parcel No. 049-282-01

Current Land Use: Retail Size (Acres): +/- .5268 acres

Existing Zoning: B-1 SCD Proposed Zoning: B-2 (CD)

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Monica Holmes and Mandy Vari

Date of meeting: May 4, 2017

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate a fuel center comprised of fueling stations and an accessory building, and certain other uses described on the rezoning plan.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com
E-Mail Address

See Attached Joinder Agreement
Signature of Property Owner

(Name Typed / Printed)

Harris Teeter, LLC (c/o Jacob Phares)
Name of Petitioner(s)

701 Crestdale Road
Address of Petitioner(s)

Matthews, NC 28105
City, State, Zip

704-844-3240
Telephone Number Fax Number

JPhares@harristeeter.com
E-Mail Address

HARRIS TEETER, LLC
By: Taryn G Meia
Signature of Petitioner

Taryn G Meia, VP Legal Compliance
(Name Typed / Printed)

**REZONING APPLICATION
HARRIS TEETER, LLC, PETITIONER
JOINDER AGREEMENT**

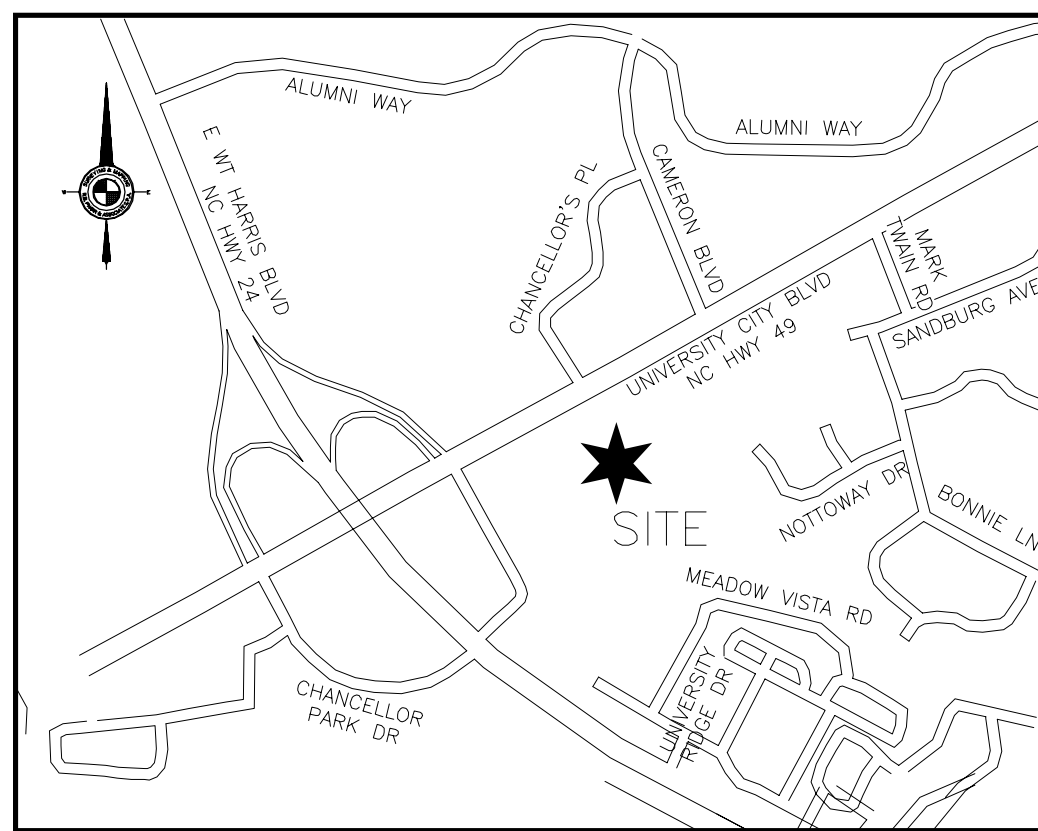
The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Harris Teeter, LLC that is designated as Tax Parcel No. 049-282-01 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the relevant portion of the Site to the B-2 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

This 19th day of July, 2017.




TOWN CENTER ASSOCIATES

By: *John Crosland III*
Name: John Crosland III
Title: Manager

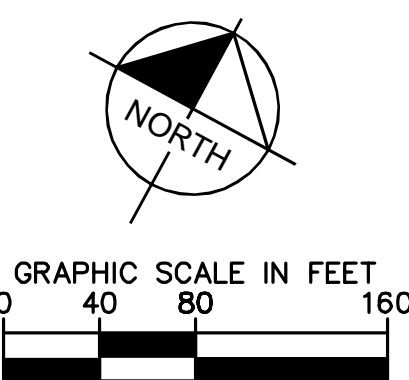
By: Crosland Holdings, LLC
its managing
partner



VICINITY MAP
NOT TO SCALE

LEGEND	
	REZONING BOUNDARY
	DEVELOPMENT AREA
	FULL MOVEMENT ACCESS POINTS

ZONING CODE SUMMARY	
PROJECT NAME:	STORE # 258 UNIVERSITY
PROJECT OWNER:	HARRIS TEETER
CLIENT NAME:	HARRIS TEETER, LLC.
PLANS PREPARED BY:	KIMLEY-HORN, CHARLOTTE, NC PHONE 704-333-5131
JURISDICTION:	CITY OF CHARLOTTE
TAX PARCEL ID:	A PORTION OF 049-202-01
STREET ADDRESS:	8600 UNIVERSITY CITY BLVD CHARLOTTE, MECKLENBURG COUNTY, NC 28213
TAX PARCEL SIZE:	17.5591 ACRES
REZONING SITE SIZE	±0.5268 ACRES
EXISTING ZONING:	B-1 SCD
PROPOSED ZONING:	B-2 (CD)
PROPOSED USE:	FUEL CENTER
PROPOSED BUILDING HEIGHT:	LESS THAN 40'
YARD REQUIREMENTS:	
SETBACK (FRONT):	0'
SIDE YARD:	0'
SIDE YARD:	0'
REAR YARD:	0'
PARKING SUMMARY	
FUEL:	
PARKING REQUIREMENT:	1 SPACE PER 250 SF
REQUIRED PARKING:	1 SPACE INCLUDING 1 VAN ACCESSIBLE SPACE
PROVIDED PARKING:	2 SPACES INCLUDING 1 VAN ACCESSIBLE SPACE
SHOPPING CENTER:	
PARKING REQUIREMENT:	1 SPACE PER 250 SF
REQUIRED PARKING:	549 SPACES
EXISTING PARKING:	761 SPACES
LOST PARKING:	72 SPACES
REMAINING PARKING:	689 SPACES

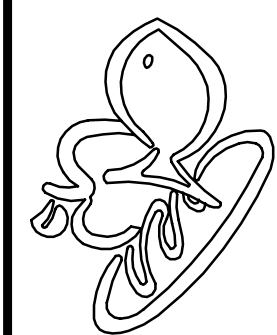


Know what's **below.**
Call before you dig.

Kimley»Horn
NC License #F-0102
200 SOUTH TRYON ST.
SUITE 200
CHARLOTTE, NC 28202
PHONE: (704) 333-5131

© 2017

Page 10 of 10

[illegible][illegible]

CLIENT:

HARRIS TEETER

PROJECT: HARRIS TEETER FUEL CENTER
STORE #258 UNIVERSITY
8600 UNIVERSITY CITY BLVD
CHARLOTTE, NORTH CAROLINA 28213
MECKLENBURG COUNTY

REZONING PETITION #2017-

TITLE:

OVERALL SITE PLAN

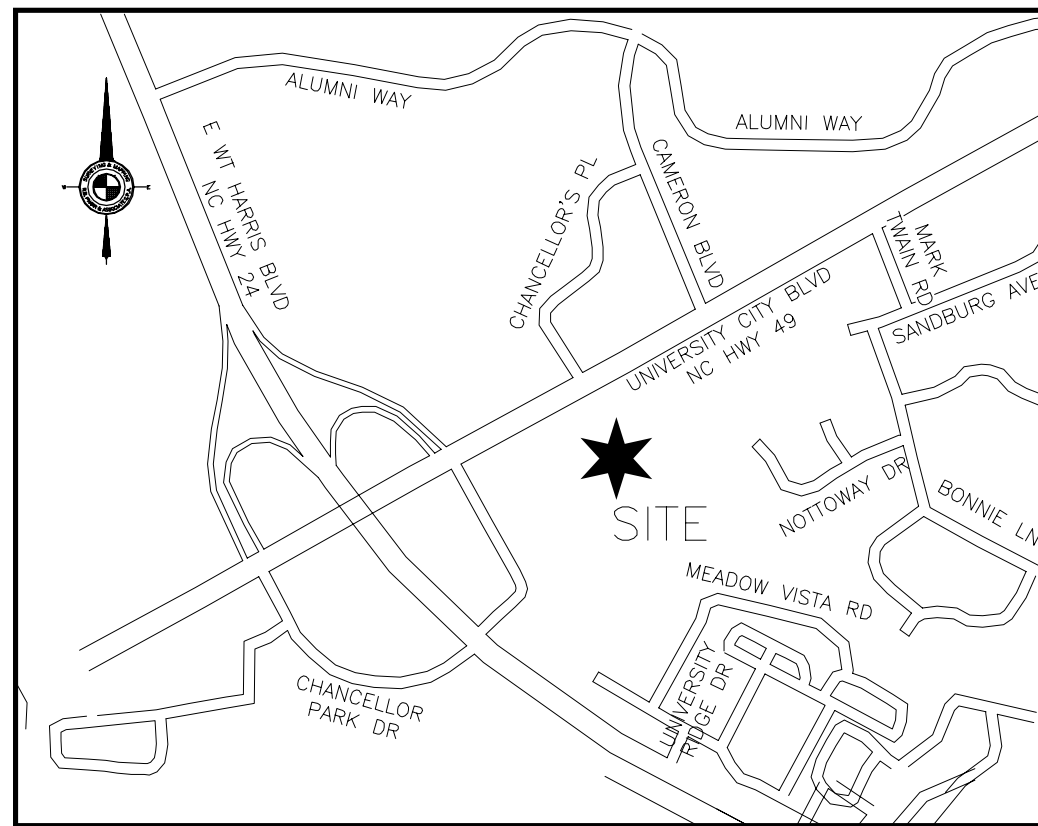
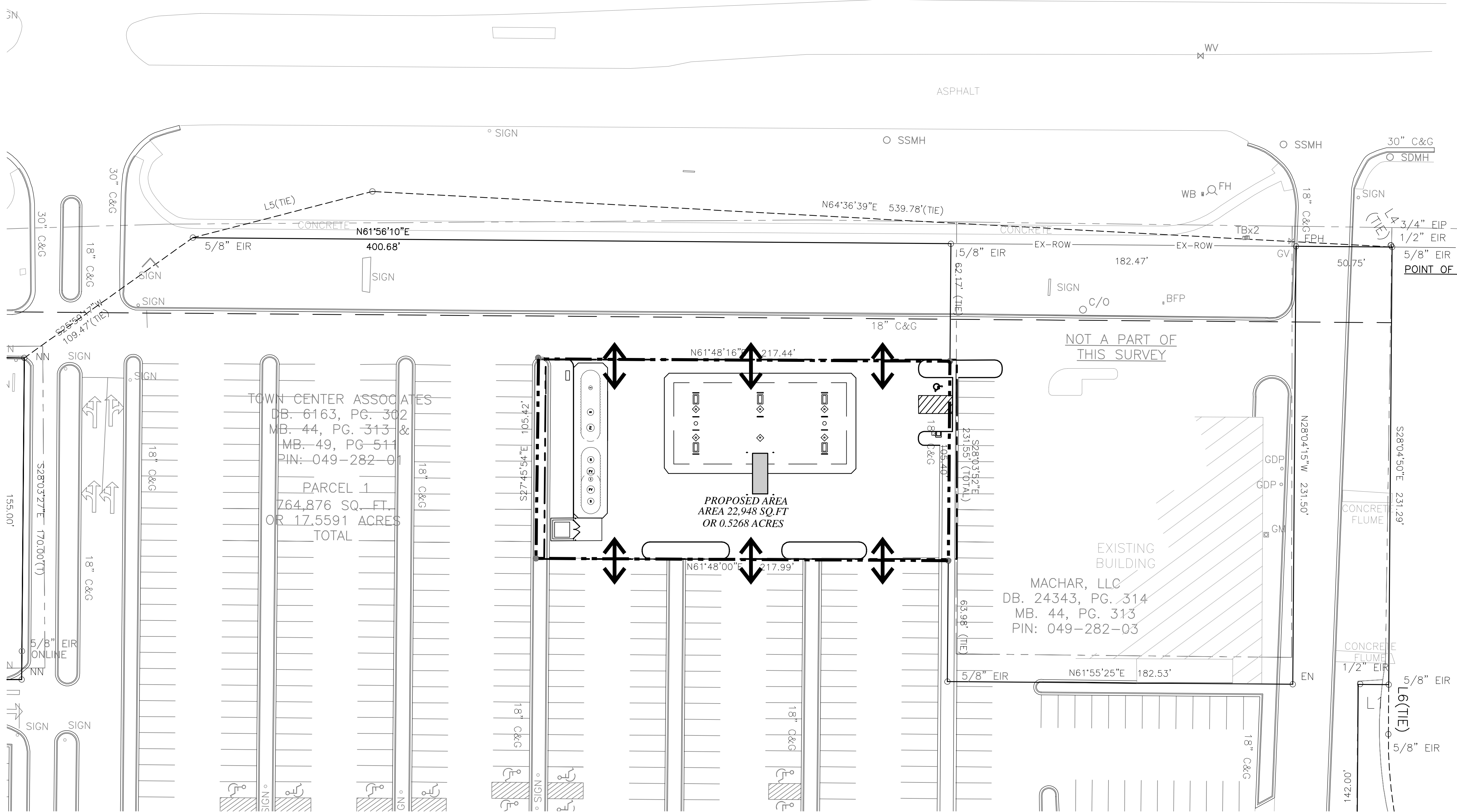
DESIGNED BY:	MJ
DRAWN BY:	PF
CHECKED BY:	ME
DATE:	07/14/2017
PROJECT#:	015640050

RZ-1

UNIVERSITY CITY BOULEVARD

NC HWY 49

VARIABLE WIDTH PUBLIC RIGHT-OF-WAY



LEGEND	
---	REZONING BOUNDARY
	BUILDING ENVELOPE FOR FUEL CENTER ACCESSORY BUILDING
↔	FULL MOVEMENT ACCESS POINTS

DEVELOPMENT STANDARDS

JULY 24, 2017

1. GENERAL PROVISIONS

- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY HARRIS TEETER, LLC (HEREINAFTER REFERRED TO AS THE "PETITIONER") FOR AN APPROXIMATELY .5268 ACRE SITE LOCATED AT 8514 UNIVERSITY CITY BOULEVARD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS A PORTION OF TAX PARCEL NO. 049-282-01, AND THE SITE IS A PORTION OF TOWN CENTER PLAZA SHOPPING CENTER.
- DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").
- UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE B-2 ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
- THE SITE IS CURRENTLY IMPROVED WITH A SURFACE PARKING LOT THAT SERVES TOWN CENTER PLAZA SHOPPING CENTER.
- AS NOTED ABOVE, THE SITE IS A PORTION OF TOWN CENTER PLAZA SHOPPING CENTER. THE SITE AND THE OTHER PORTIONS TOWN CENTER PLAZA SHOPPING CENTER ARE AND SHALL BE CONSIDERED TO BE A PLANNED/UNIFIED DEVELOPMENT. THEREFORE, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION REQUIREMENTS AND OTHER SIMILAR ZONING STANDARDS SHALL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS, USES AND OTHER SITE ELEMENTS LOCATED ON THE SITE AND THE OTHER PORTIONS OF TOWN CENTER PLAZA SHOPPING CENTER.
- FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE

DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

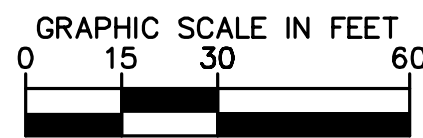
- THE SITE MAY ONLY BE DEVOTED TO THE FOLLOWING USES:
 - A FUEL/GASOLINE CENTER WITH A MAXIMUM OF 7 FUEL PUMPS AND 14 FUELING STATIONS, AND ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE B-2 ZONING DISTRICT.
 - RETAIL SALES OUT OF THE MAXIMUM 250 SQUARE FOOT ACCESSORY BUILDING DESCRIBED BELOW.
 - A MAXIMUM OF ONE ACCESSORY BUILDING FOR THE FUEL/GASOLINE CENTER MAY BE LOCATED ON THE SITE, AND THE MAXIMUM GROSS FLOOR AREA OF THE ACCESSORY BUILDING SHALL BE 250 SQUARE FEET. THE ACCESSORY BUILDING MAY CONTAIN, AMONG OTHER THINGS, A RETAIL SALES AREA, RESTROOM FACILITIES AND AN OFFICE.
 - OUTDOOR MERCHANDISING AND VENDING MACHINES.
 - A CANOPY MAY BE LOCATED OVER THE FUEL/GASOLINE CENTER.
- AN EXPRESS LANE FOR CUSTOMER GROCERY PICKUP FOR A GROCERY STORE LOCATED IN TOWN CENTER PLAZA SHOPPING CENTER.
- AN EXPRESS LANE FOR CUSTOMER GROCERY PICKUP MAY HAVE A MAXIMUM 2,000 SQUARE FOOT ACCESSORY BUILDING.
- ELECTRIC CAR CHARGING STATIONS.

- A SURFACE PARKING LOT.
- A CAR WASH SHALL NOT BE PERMITTED ON THE SITE.
- TRANSPORTATION

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

4. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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

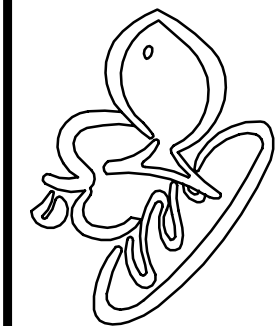


Know what's below.
Call before you dig.

Kimley»Horn

NC License #F-0102
200 SOUTH TRYON ST.
SUITE 200
CHARLOTTE, NC 28202
PHONE: (704) 333-5131

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HARRIS TEETER

HARRIS TEETER FUEL CENTER
STORE #258 UNIVERSITY
8600 UNIVERSITY CITY BLVD
CHARLOTTE, NORTH CAROLINA 28213
MECKLENBURG COUNTY

REZONING PETITION #2017-


FUEL CENTER SITE
PLAN AND
REZONING NOTES

DESIGNED BY: MJ
DRAWN BY: PF
CHECKED BY: ME
DATE: 07/14/2017
PROJECT#: 015640050

RZ-2



HARRIS TEETER FUEL CENTER - UNIVERSITY, CHARLOTTE, NC - STORE #258



HARRIS TEETER

ARRIS TEETER FUEL CENTER
STORE #258 UNIVERSITY
8600 UNIVERSITY CITY BLVD
CHARLOTTE, NORTH CAROLINA 28213
MECKLENBURG COUNTY
REZONING PETITION #2017-

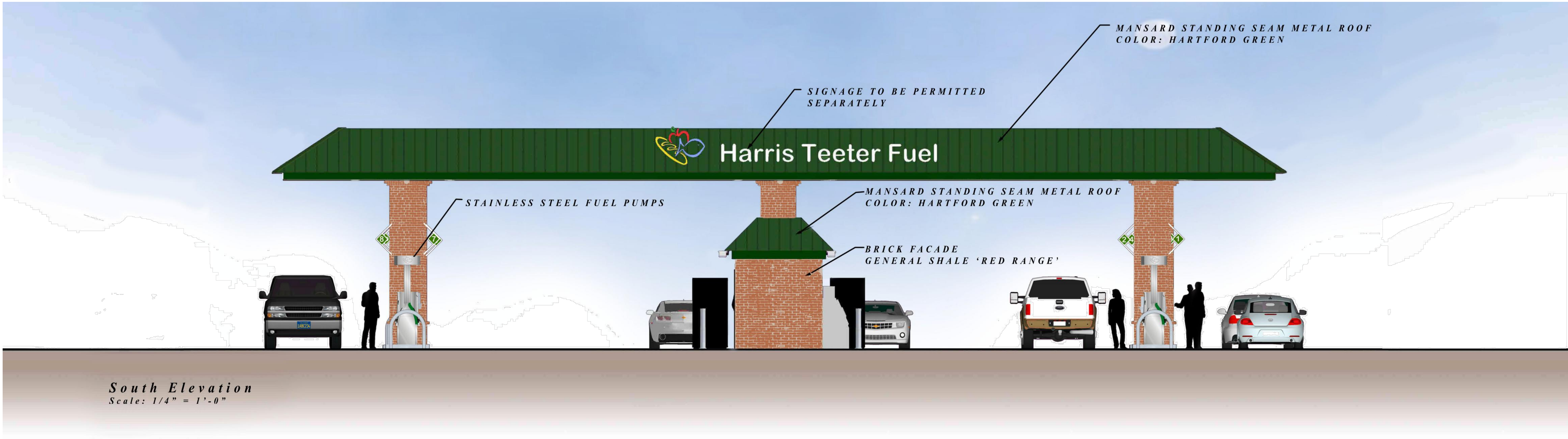
SCHEMATIC ELEVATIONS

DESIGNED BY:	MJ
DRAWN BY:	LH
CHECKED BY:	ME
DATE:	07/14/2017
PROJECT#:	015640050

RZ-3

July 19, 2017 - 5:05pm By: patricia.ferenczi

K:\CHL_PRJ\015640 harris teeter\050 university, charlotte, nc fuel center\02 - DWG\Elevations\02-4 ELEVATIONS.dwg



South Elevation
Scale: 1/4" = 1'-0"



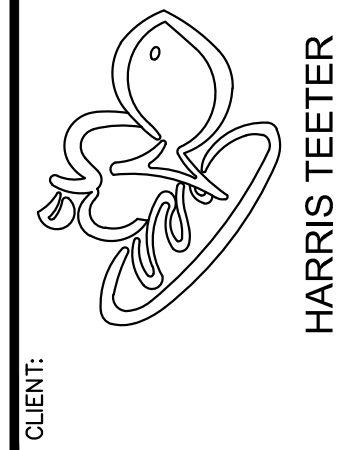
East Elevation
Scale: 1/4" = 1'-0"

HARRIS TEETER FUEL CENTER - UNIVERSITY, CHARLOTTE, NC - STORE #258

Kimley»Horn
NC License #F-0102
200 SOUTH TRYON ST.
SUITE 200
CHARLOTTE, NC 28202
PHONE: (704) 333-5131

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NO.	DATE	REVISIONS



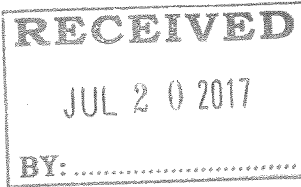
PROJECT:
HARRIS TEETER FUEL CENTER
STORE #258 UNIVERSITY
8800 UNIVERSITY CITY BLVD.
CHARLOTTE, NC 28213
MECKLENBURG COUNTY
REZONING PETITION #2017-

TITLE:
SCHEMATIC ELEVATIONS

DESIGNED BY: MJ
DRAWN BY: LH
CHECKED BY: ME
DATE: 07/14/2017
PROJECT#: 015640050

RZ-4

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #:	<u>2017-124</u>
Date Filed:	<u>7/20/2017</u>
Received By:	<u>BH</u>

Complete All Fields (Use additional pages if needed)

Property Owner: Stockbridge 77 Corporate Park, LLC c/o Terry Brennan, Trinity Partners

Owner's Address: 440 South Church Street, Suite 800 City, State, Zip: Charlotte, NC 28202

Date Property Acquired: May 8, 2015

Property Address: 3420 St. Vardell Lane

Tax Parcel Number(s): Portion of Tax Parcel No. 145-061-22

Current Land Use: Office and Warehouse Size (Acres): +/- 2.77 acres

Existing Zoning: B-D Proposed Zoning: B-2 (CD)

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, Brent Wilkinson, Kathy Cornett et al.

Date of meeting: July 12, 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: To allow certain uses permitted in the B-2 zoning district to be located in the existing approximately 32,540 square foot building located on the site.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com
E-Mail Address

See Attached Signature Page
Signature of Property Owner

(Name Typed / Printed)

Stockbridge 77 Corporate Park, LLC (c/o Terry Brennan)
Name of Petitioner(s)

440 South Church Street, Suite 800
Address of Petitioner(s)

Charlotte, NC 28202
City, State, Zip

704-295-0452
Telephone Number Fax Number

tjb@trinity-partners.com
E-Mail Address

See Attached Signature Page
Signature of Petitioner

(Name Typed / Printed)

Signature of Property Owner and Petitioner

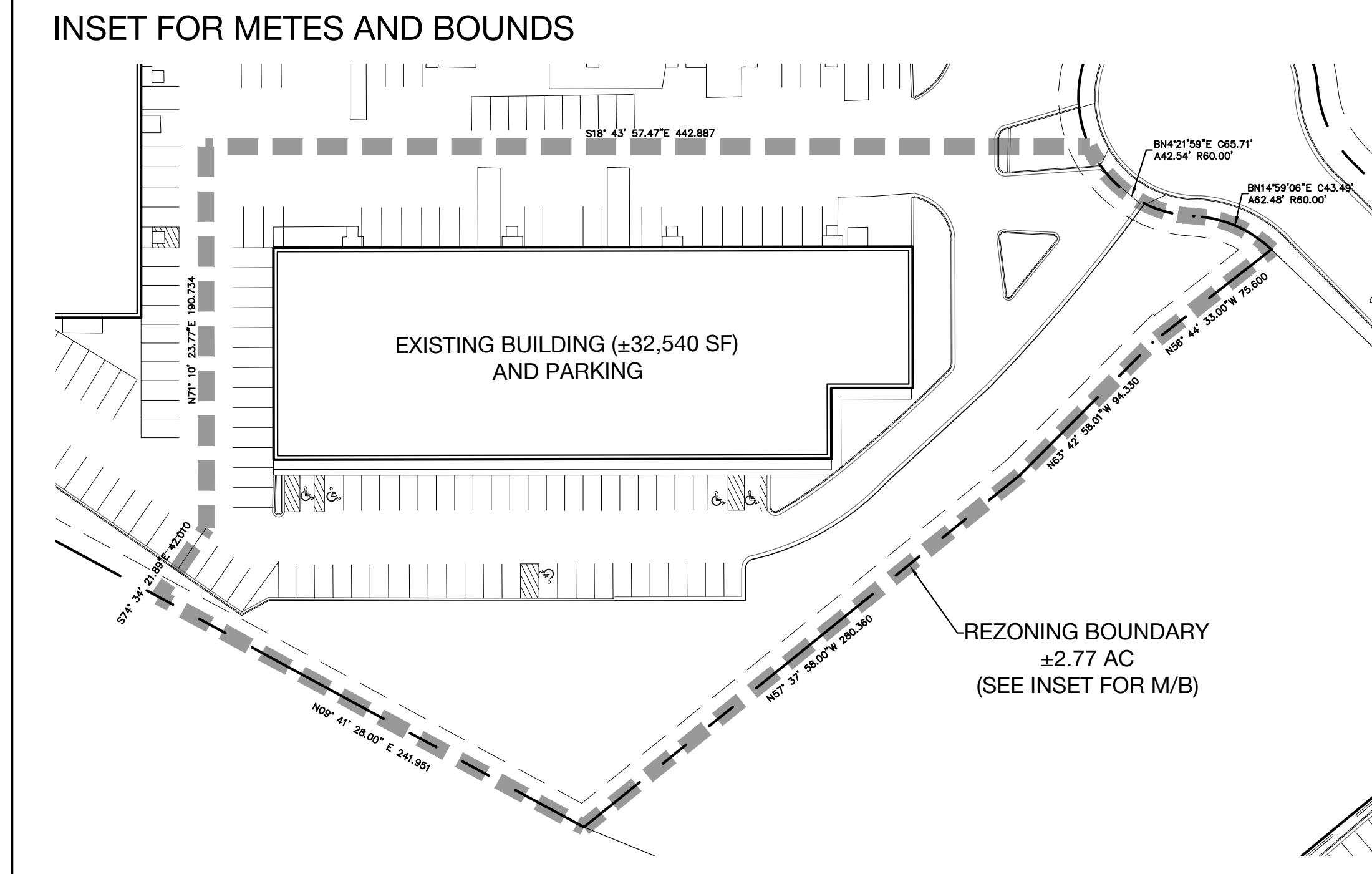
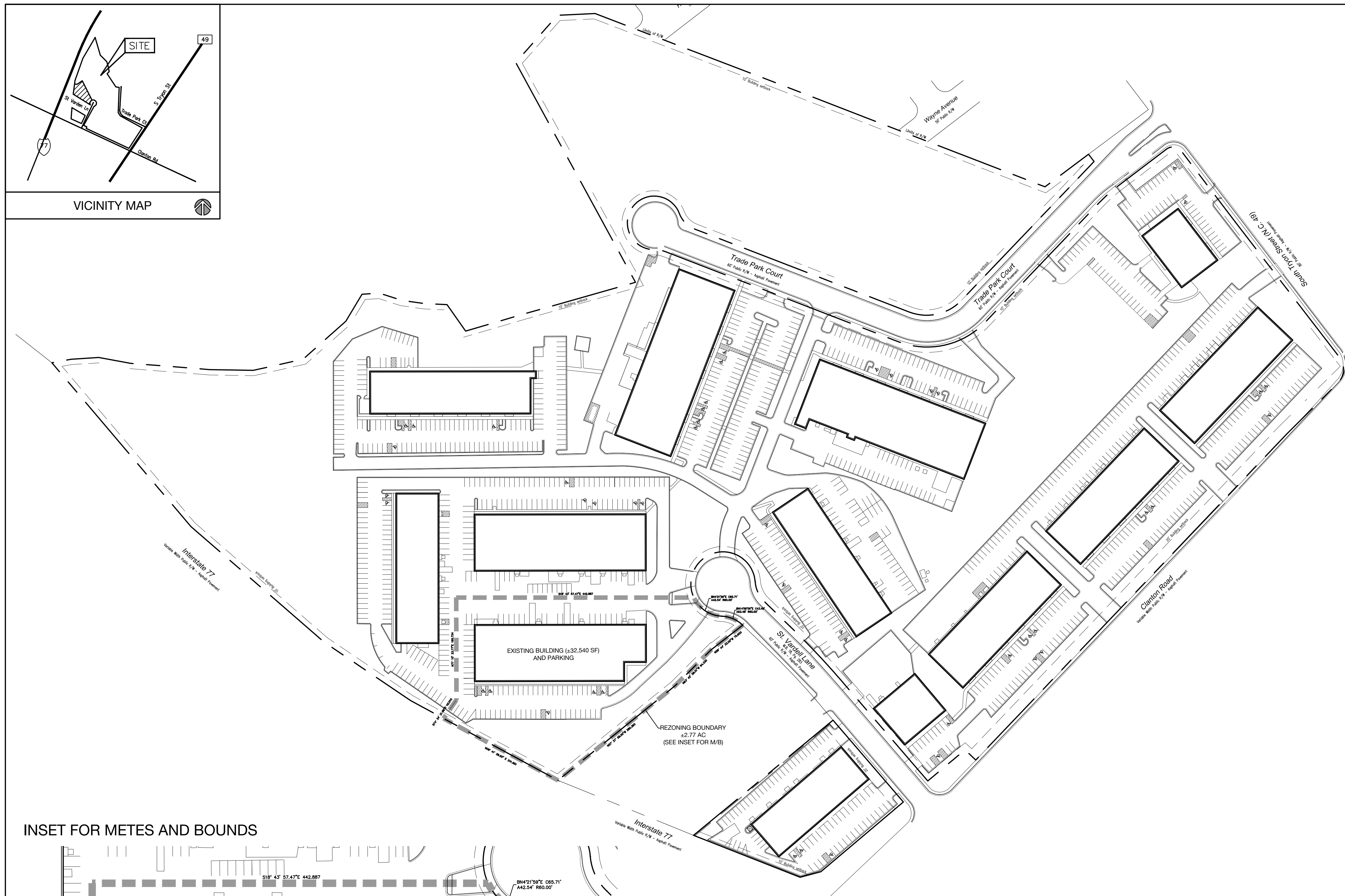
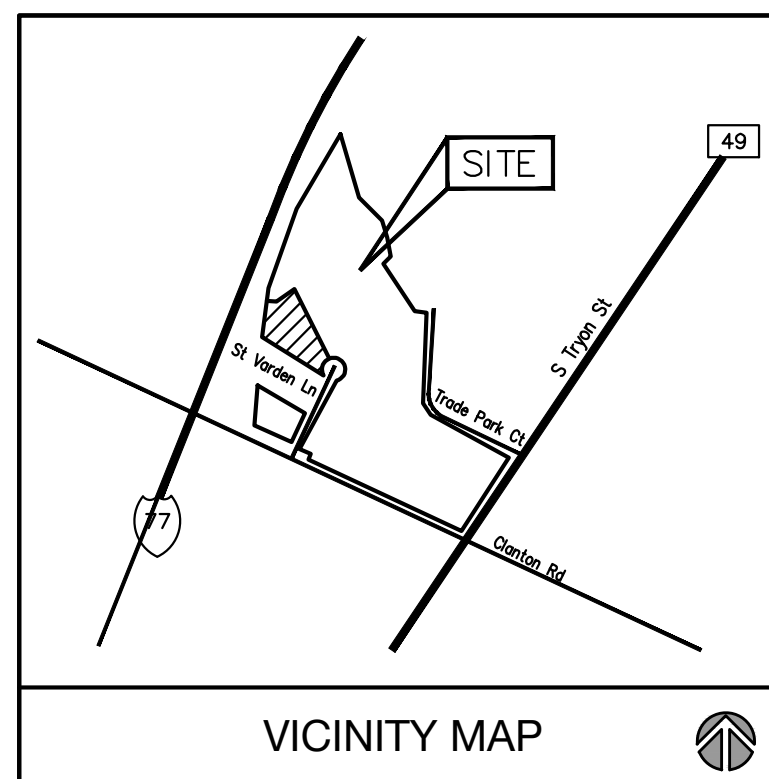
STOCKBRIDGE 77 CORPORATE PARK, LLC

By: 

Name: GARY HUNTER

Title: VICE PRESIDENT

Date: July 17, 2017



DEVELOPMENT SUMMARY

TAX PARCEL ID #:	PORTION OF 14506122
TOTAL BUSINESS PARK AREA:	±41.19 AC
TOTAL REZONING SITE AREA:	±2.77 AC
PROPOSED USE:	SEE DEVELOPMENT STANDARDS
VEHICULAR PARKING:	PER ORDINANCE

DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS

A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Stockbridge 77 Corporate Park, LLC (hereinafter referred to as the "Petitioner") for an approximately 2.77 acre site located at 3420 St. Vardell Lane, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is a portion Tax Parcel No. 145-061-22, and the Site is a portion of South End Business Park.

B. 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").

C. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the B-2 zoning district shall govern all development taking place on the Site.

D. The Site is currently improved with one building that contains approximately 32,540 square feet of gross floor area and is one story in height ("the Building"). The use of the Site will be restricted to the use and re-use of the Building, the related parking areas and the other improvements located on the Site. Notwithstanding the foregoing, the exterior and interior portions of the Building may be renovated and/or modified at the option of the Petitioner, and the Building may be demolished and replaced with a building of equal size and height.

F. As noted above, the Site is a portion of South End Business Park (the "Business Park"), which is located on Tax Parcel No. 145-061-22. The Site and the other portions of the Business Park are and shall be considered to be a planned/unified development. Therefore, side and rear yards, buffers, building height separation requirements and other similar zoning standards shall not be required internally between improvements, uses and other site elements located on the Site and the other portions of the Business Park.

G. Any existing use located in the Building at the time of the approval of this Rezoning Petition that is not allowed in the B-2 zoning district or under the terms of this Rezoning Plan shall be considered to be a legal, non-conforming use.

H. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

A. Subject to the limitations set out below, the Site may be devoted to any use or uses allowed by right or under prescribed conditions in the B-2 zoning district, including, without limitation, a martial arts studio, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the B-2 zoning district.

B. Notwithstanding the terms of paragraph A above, the following uses shall be prohibited on the Site:

- (1) Amusement, commercial, outdoor.
- (2) Automobiles, truck and utility trailer rental.
- (3) Automotive repair garages, including engine overhaul, body and paint shops and similar operations.
- (4) Automotive sales and repair including tractor-trucks and accompanying trailer units.
- (5) Automotive service stations, including minor adjustments, repairs and lubrication.
- (6) Bakeries, retail.
- (7) Barber and beauty shops.
- (8) Boat and ship sales and repair.
- (9) Car washes.
- (10) Dry cleaning and laundry establishments.
- (11) Dwellings of any kind.
- (12) Fences and fence material, retail sales.
- (13) Florist, retail.
- (14) Funeral homes and embalming.
- (15) Jewelers, retail.
- (16) Locksmiths and gunsmiths.
- (17) Manufactured housing sales and repairs.
- (18) Nurseries and greenhouses retail and wholesale.
- (19) Eating, drinking and entertainment establishments (Type 1), drive-in service.
- (20) Eating, drinking and entertainment establishments (Type 2).
- (21) Retail establishments and shopping centers.
- (22) Theaters, motion picture.
- (23) Tire recapping and re-treading.
- (24) Active adult retirement communities.
- (25) Adult care homes.
- (26) Adult establishments.
- (27) Bed and Breakfasts.
- (28) Boarding houses.
- (29) Crematory facilities.
- (30) Commercial rooming houses.

C. The maximum gross floor area of the Building or any replacement building located on the Site shall be 32,540 square feet.

D. The use of the Site will be restricted to the use and re-use of the Building, the related parking areas and the other improvements located on the Site. Notwithstanding the foregoing, the exterior and interior portions of the Building may be renovated and/or modified at the option of Petitioner, and the Building may be demolished and replaced with a building of equal size and height.

E. The Building may not be expanded in size.

3. TRANSPORTATION

A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").

B. The alignment of the internal vehicular circulation areas and the driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.

4. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

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

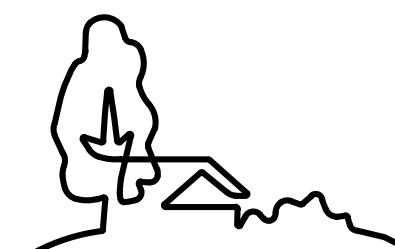
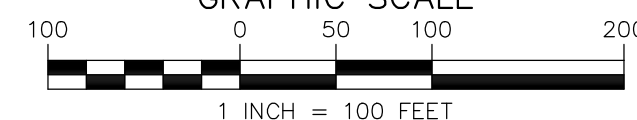
C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



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



GRAPHIC SCALE



URBAN
DESIGN
PARTNERS

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

Mr. Terry Brennan
Mr. Brick Bryant

Trinity Partners Management
4440 S. Church Street, Suite 800
Charlotte NC, 28202

South End Business Park Rezoning Plan

Charlotte, NC

[illegible]

Project No: 17-068

Date: Value

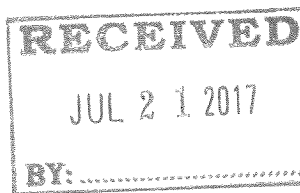
Designed by: UDP

Drawn By: UDP

Scale: 1"=100'

RZ-1.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-125
Petition #: _____
Date Filed: 7/21/2017
Received By: BH

Complete All Fields (Use additional pages if needed)

Property Owner: See Exhibit A attached hereto

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

Date Property Acquired: See Exhibit A attached hereto

Property Address: See Exhibit A attached hereto

Tax Parcel Number(s): 201-071-10, 201-082-02 and 201-082-01

Current Land Use: Vacant Industrial and Commercial Size (Acres): +/- 24.23 acres

Existing Zoning: R-3 and I-1 (CD) Proposed Zoning: I-1 (CD) and I-1 (CD) S.P.A.

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

Required Rezoning Pre-Application Meeting* with: Alberto Gonzalez, Claire Lyte-Graham, Carlos Alzate et al.

Date of meeting: May 9, 2017

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate the development of two buildings on the site that would be devoted to office, warehouse and distribution uses and other uses allowed in the I-1 zoning district and that would together contain a maximum of 277,000 square feet of gross floor area.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com
E-Mail Address

See Attached Joinder Agreements
Signature of Property Owner

(Name Typed / Printed)

Eastgroup Properties, L.P. (c/o John Coleman)
Name of Petitioner(s)

2966 Commerce Park Drive, Suite 450
Address of Petitioner(s)

Orlando, FL 32819
City, State, Zip

407-251-7075
Telephone Number Fax Number

John.Coleman@eastgroup.net
E-Mail Address

EASTGROUP PROPERTIES, L.P.
By: [Signature]
Signature of Petitioner

JOHN COLEMAN
(Name Typed / Printed)

Exhibit A to Rezoning Application Filed by Eastgroup Properties, L.P.

Property Owner Information, Acquisition Dates and Site Addresses

Tax Parcel No. 201-071-10

Eastgroup Steele Creek, LLC
2966 Commerce Park Drive
Suite 450
Orlando, FL 32819

Site Address: Sandy Porter Road

Date Property Acquired: March 23, 2016

Tax Parcel No. 201-082-02

Eastgroup Properties, L.P.
2966 Commerce Park Drive
Suite 450
Orlando, FL 32819

Site Address: Sandy Porter Road

Date Property Acquired: March 30, 2017

Tax Parcel No. 201-082-01

Eastgroup Properties, L.P.
2966 Commerce Park Drive
Suite 450
Orlando, FL 32819

Site Address: Sandy Porter Road

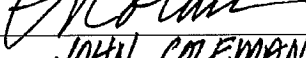
Date Property Acquired: February 25, 2016

**REZONING APPLICATION FILED BY EASTGROUP PROPERTIES, L.P.
JOINDER AGREEMENT**

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by Eastgroup Properties, L.P. that are designated as Tax Parcel Nos. 201-082-02 and 201-082-01 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the I-1 (CD) S.P.A. zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 20TH day of July, 2017.

EASTGROUP PROPERTIES, L.P.

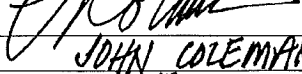
By: 
Name: JOHN COLEMAN
Title: EVP

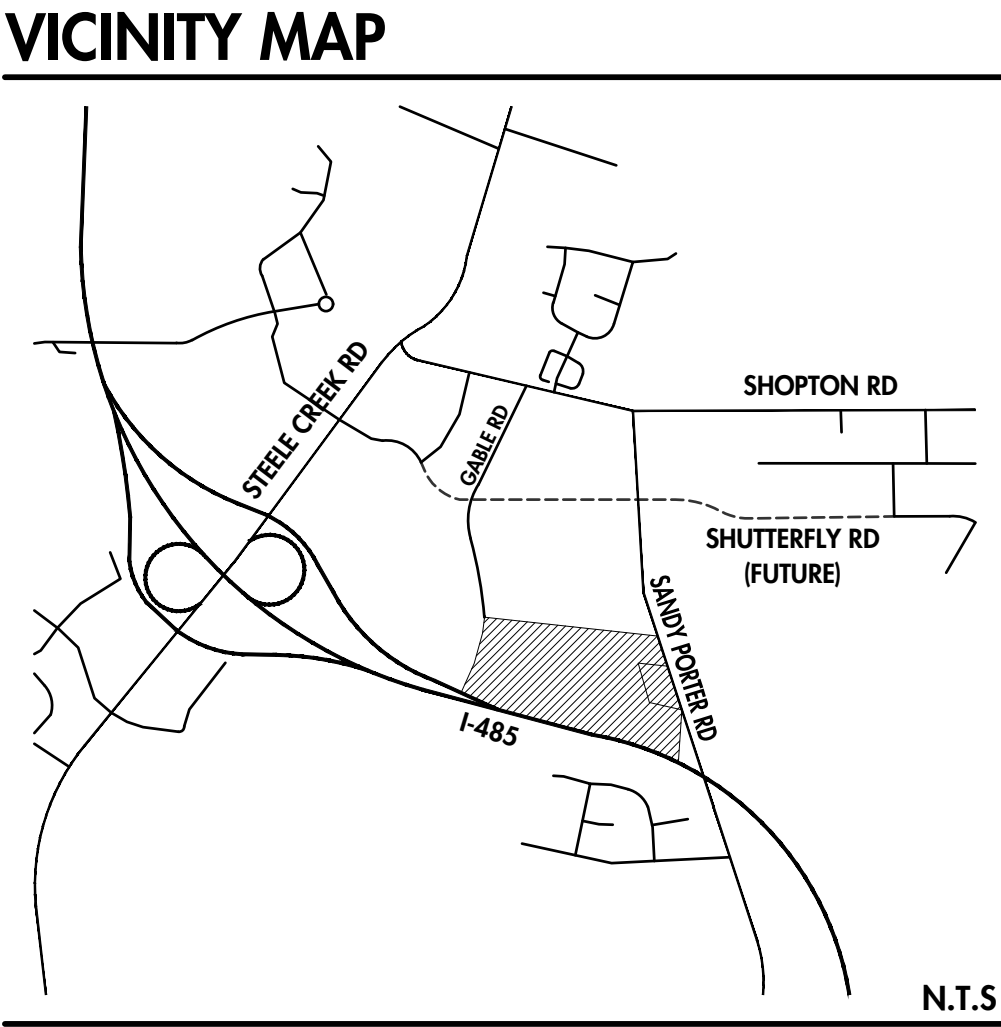
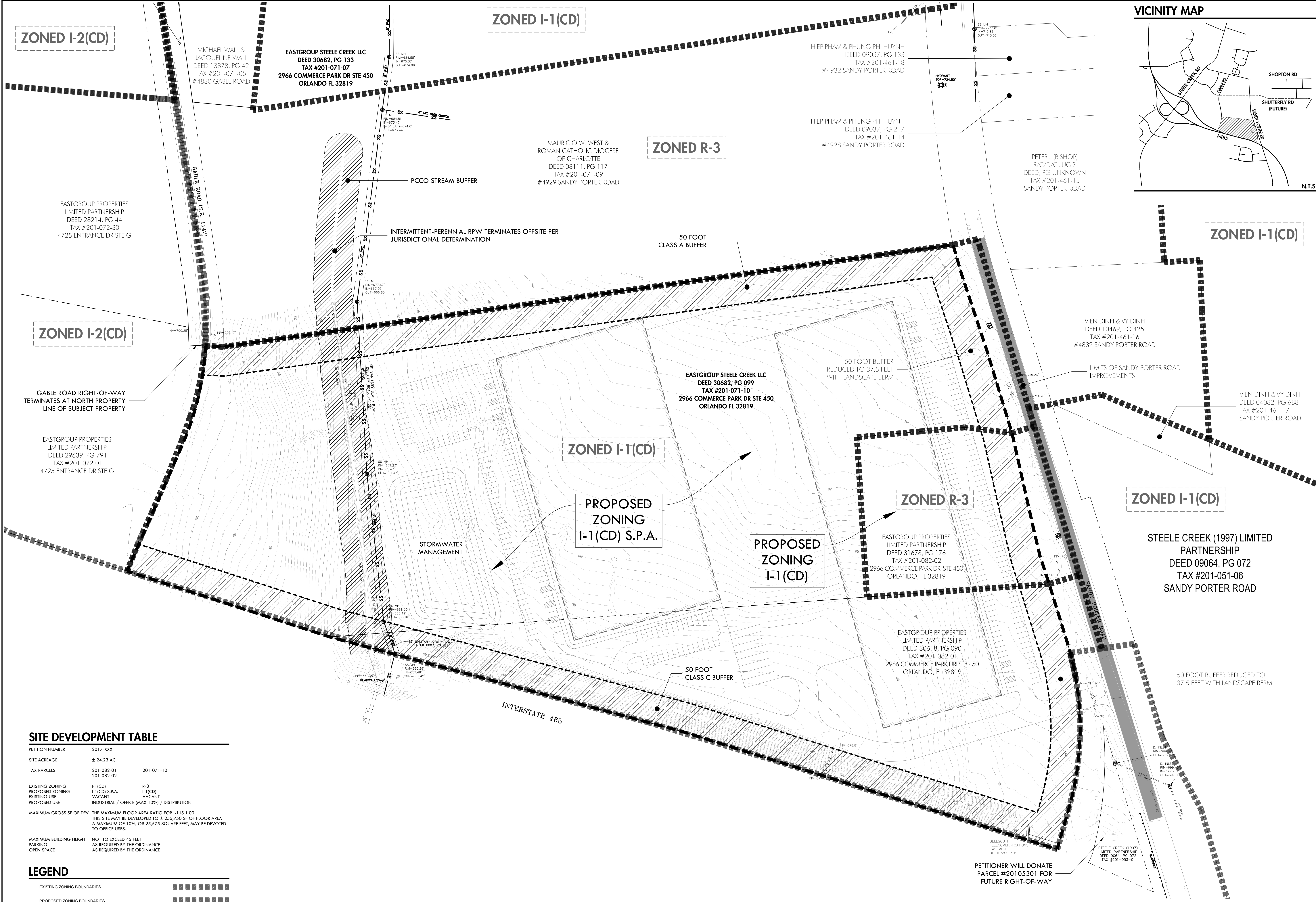
**REZONING APPLICATION FILED BY EASTGROUP PROPERTIES, L.P.
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Eastgroup Properties, L.P. that is designated as Tax Parcel Nos. 201-071-10 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the I-1 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 20th day of July, 2017.

EASTGROUP STEELE CREEK, LLC

By: 
Name: JOHN COLEMAN
Title: EVP



SITE DEVELOPMENT TABLE	
PETITION NUMBER	2017-XXX
SITE ACREAGE	± 24.23 AC.
TAX PARCELS	201-082-01 201-082-02
EXISTING ZONING	I-1(CD) R-3
PROPOSED ZONING	I-1(CD) S.P.A. I-1(CD)
EXISTING USE	VACANT
PROPOSED USE	INDUSTRIAL / OFFICE (MAX 10%) / DISTRIBUTION
MAXIMUM GROSS SF OF DEV.	THE MAXIMUM FLOOR AREA RATIO FOR I-1 IS 1.00. THIS SITE MAY BE DEVELOPED TO ± 255,750 SF OF FLOOR AREA. A MAXIMUM OF 10% OR 25,575 SQUARE FEET, MAY BE DEVOTED TO OFFICE USES.
MAXIMUM BUILDING HEIGHT	NOT TO EXCEED 45 FEET
PARKING	AS REQUIRED BY THE ORDINANCE
OPEN SPACE	AS REQUIRED BY THE ORDINANCE

LEGEND	
EXISTING ZONING BOUNDARIES	-----
PROPOSED ZONING BOUNDARIES	- - - - -
PROPOSED BUFFERS	

PETITIONER

EASTGROUP

PROPERTIES

4725 ENTRANCE DRIVE, SUITE G
CHARLOTTE, NORTH CAROLINA 28273
(704) 625-4030

DRAWING INFORMATION

1200

0

60

120

SCALE: 1" = 60'



STEELE CREEK COMMERCE PARK PHASE IV

SANDY PORTER ROAD
CHARLOTTE, NORTH CAROLINA
EASTGROUP PROPERTIES, LLP

REZONING PLAN (PETITION #2017-XXX)

REVISIONS:

ENGINEER: GTW
DRAWN BY: GTW
CHECKED BY: LB
PROJECT #: 017.006

SHEET

RZ.01

SHEET 1 OF 2

DEVELOPMENT STANDARDS

July 24, 2017

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Eastgroup Properties, L.P. (the “Petitioner”) for an approximately 24.23-acre site located on the west side of Sandy Porter Road, south of Shopton Road and immediately north of Interstate 485, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the “Site”).
- B. The Site is comprised of Tax Parcel Nos. 201-071-10, 201-082-01 and 201-082-02.
- C. 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”).
- D. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the I-1 zoning district shall govern all development taking place on the Site.
- E. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard and buffer 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. Alterations and modifications shall be in accordance with Section 6.207 of the Ordinance.
- F. The development of the Site proposed under this Rezoning Plan shall be considered to be a planned/unified development. Therefore, side and rear yards, buffers, building height separation requirements and other similar zoning standards shall not be required internally between improvements, uses and other site elements located on the Site. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide portions or all of the Site and to create lots within the interior of the Site without regard to any such internal separation standards and public/private street frontage requirements, provided, however, that the development of the Site shall be required to meet any applicable setback, side yard, rear yard and buffer requirements with respect to the exterior boundaries of the Site.
- G. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. Subject to the limitations set out below, the buildings to be located on the Site may be devoted to any use or uses allowed by right or under prescribed conditions in the I-1 zoning district, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the I-1 zoning district.
- B. Notwithstanding the terms of paragraph A above, the following uses shall be prohibited on the Site:
- (1) Automobiles, truck and utility trailer rental.
- (2) Automotive repair garages.
- (3) Automotive service stations.
- (4) Barber and beauty shops.
- (5) Financial institutions.
- (6) Eating, Drinking and Entertainment Establishments (Type 1 and Type 2).
- (7) Retail establishments, shopping centers and business, personal and recreational services.
- (8) Adult establishments.
- C. A maximum of 2 principal buildings may be located on the Site.
- D. A total maximum of 255,750 square feet of gross floor area may be developed on the Site.
- E. Notwithstanding the foregoing, of the allowed 255,750 square feet of gross floor area that may be developed on the Site, a maximum of ten percent of such allowable gross floor area, or 25,575 square feet, may be devoted to office uses.

3. TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access point are subject to any minor modifications required by the Charlotte Department of Transportation (“CDOT”) and/or the North Carolina Department of Transportation.
- B. The alignments of the internal drives to be located on the Site are subject to any minor modifications or alterations required during the construction permitting process.
- C. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan.
- D. As the Site is developed, Petitioner shall install curb and gutter along the Site's frontage on Sandy Porter Road. The back of the curb and gutter shall be located 19 feet from the existing centerline of Sandy Porter Road, and Petitioner shall pave the area located between the lip of the newly installed gutter and the existing pavement on Sandy Porter Road.
- E. In lieu of a bike lane and a concrete sidewalk, Petitioner install an 8 foot planting strip and a 12 foot wide asphalt multi-use path along the Site's frontage on Sandy Porter Road behind the back of curb described above in paragraph D.
- F. Prior to the issuance of the first certificate of occupancy for a new building constructed on the Site, Petitioner shall pay the sum of \$25,000 (the “Funds”) to CDOT, which Funds shall be used by CDOT to pay for future planned improvements to Sandy Porter Road.

4. ARCHITECTURAL STANDARDS

- A. The maximum height of any building constructed on the Site shall be 45 feet.
- B. The improvements proposed to be developed on the Site are an additional phase of Steele Creek Commerce Park, which is located on a site on Steele Creek Road across Gable Road from the Site (the “Steele Creek Commerce Park Site”). The Steele Creek Commerce Park Site was rezoned to accommodate the development of Steele Creek Commerce Park by the Charlotte City Council pursuant to Rezoning Petition No. 2013-021 and Rezoning Petition No. 2014-051. Petitioner is the developer of Steele Creek Commerce Park.
- C. The buildings to be constructed on the Site shall be compatible to and complementary and consistent with the buildings constructed on the Steele Creek Commerce Park Site in terms of architectural style and character, types and colors of exterior building materials and fenestration.

5. STREETSCAPE/LANDSCAPING/BUFFERS

- A. Buffers shall be established on the Site as required by the Ordinance and as depicted on the Rezoning Plan, and such buffers shall conform to the standards of Section 12.302 of the Ordinance. Pursuant to the Ordinance, Petitioner may reduce the required width of any buffer by 25% by installing a berm that meets the standards of Section 12.302(8A) of the Ordinance.
- B. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas accordingly.
- C. As noted above, an 8 foot planting strip and a 12 foot wide asphalt multi-use path shall be installed along the Site's frontage on Sandy Porter Road as depicted on the Rezoning Plan.

6. ENVIRONMENTAL FEATURES

- A. Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.
- B. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

7. LIGHTING

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

8. CONSTRUCTION ACTIVITIES

- A. Petitioner shall prohibit construction vehicles serving the Site from utilizing Gable Road for ingress to and egress from the Site.
- B. Construction activities may only be conducted on the Site daily from 7 AM to 7 PM. Notwithstanding the foregoing, the slabs for the buildings proposed to be constructed under this Rezoning Plan may be poured prior to 7 AM or after 7 PM as a result of the need to pour the slabs in cooler temperatures.

9. ADMINISTRATIVE SITE PLAN AMENDMENT

- A. A portion of the Site is a portion of an approximately 48.80 acre site (the “2016 Rezoning Site”) that was rezoned to the I-1 (CD) zoning district by the Charlotte City Council pursuant to Rezoning Petition No. 2016-009. Pursuant to Rezoning Petition No. 2016-009, the 2016 Rezoning Site may be developed with up to 525,000 square feet of gross floor area.
- B. Prior to the Charlotte City Council's decision on this Rezoning Petition, Petitioner shall file with the Planning Department a request for two administrative amendments to the approved conditional rezoning plan relating to Rezoning Petition No. 2016-009, which administrative amendment requests are described below.

- (1) Reduce the maximum gross floor area allowed on that portion of the 2016 Rezoning Site that is not subject to this Rezoning Petition to 359,250 square feet.
- (2) Delete Note IX.A and insert the following in lieu thereof:

To satisfy the requirements of the City of Charlotte Subdivision Ordinance, the Petitioner shall, at its sole cost and expense and prior to the issuance of a certificate of occupancy for *the second and final building to be constructed on the site comprised of Tax Parcel Nos. 201-071-10, 201-082-02 and 201-082-01* , improve that portion of Gable Road located between that point designated on the Rezoning Plan as “Beginning of Gable Road Improvements” and that point designated on the Rezoning Plan as “Termination of Gable Road Improvements” to the local industrial street section as set out in the City of Charlotte Land Development Standards Manual. The improvements associated with the local industrial street section include 2 foot, 6 inch standard curb and gutter, an 8 foot planting strip, street trees and a minimum 5 foot sidewalk on both sides of the relevant portion of Gable Road. Notwithstanding the foregoing, a planting strip and sidewalk shall not be required to be installed by Petitioner along the frontage of Tax Parcel No. 201-072-27 on Gable Road if Tax Parcel No. 201-072-27 is not owned by Petitioner or a subsequent developer of the Site at the time that the Gable Road improvements are installed. (The revised portion of this note is in italics and bold type).

- C. In the event that this Rezoning Petition is approved by the Charlotte City Council, the above described administrative amendment requests shall be approved by the Planning Department.
- D. In the event that this Rezoning Petition is not approved by the Charlotte City Council or is withdrawn by the Petitioner prior to a decision, the above described administrative amendment requests shall not be approved by the Planning Department, and the requests shall be returned to Petitioner.

10. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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



828 EAST BOULEVARD, CHARLOTTE, NC 28203
P. 704.689.4046

STEELE CREEK COMMERCE PARK PHASE IV

SANDY PORTER ROAD
CHARLOTTE, NORTH CAROLINA
EASTGROUP PROPERTIES, LLP

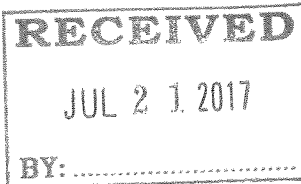
DEVELOPMENT STANDARDS (PETITION #2017-XXX)

REVISIONS:

ENGINEER: GTW
DRAWN BY: GTW
CHECKED BY: LB
PROJECT #: 017.006

SHEET
RZ.02
SHEET 2 OF 2

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-126

Petition #:	_____
Date Filed:	7/21/2017
Received By:	

Complete All Fields (Use additional pages if needed)

Property Owner: MPV Mallard Oaks LLC

Owner's Address: 521 E Morehead Street City, State, Zip: Suite 400, Charlotte, NC 28202

Date Property Acquired: 08-14-2015

Property Address: 1030 Mallard Oaks Drive

Tax Parcel Number(s): 02902213

Current Land Use: Undeveloped Size (Acres): 2.497

Existing Zoning: O-1 (CD) Proposed Zoning: B-1 conventional

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

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

Date of meeting: July 13, 2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: _____

Michael R. McLeod Architect P.A.
Name of Rezoning Agent

72 South End Court
Agent's Address

Hampstead, NC 28443
City, State, Zip

910-270-9778 ofc 910-620-7674 cell 910-270-9461 fax
Telephone Number Fax Number

mike@mcleodarchitectpa.com
E-Mail Address

Signature of Property Owner

James E. Merrifield
(Name Typed / Printed)

Corporation of the Presiding Bishop of
The Church of Jesus Christ of Latter-day Saints,
A Utah Corporation Sole
Name of Petitioner(s)

50 East North Temple Street
Address of Petitioner(s)

Salt Lake City, Utah 84150
City, State, Zip

801-240-2991
Telephone Number Fax Number

JohnsonDJ@ldschurch.org a.sanchez@ldschurch.org
E-Mail Address

Signature of Petitioner

Augustus Sanchez
(Name Typed / Printed)

II. Rezoning Application Checklist