# **Rezoning Petition Packet**

# **Petitions:**

2017-127 through 2017-141

Petitions that were submitted by August 28, 2017

Staff Review Meeting: September 14, 2017

City Public Hearing: **To Be Determined** 

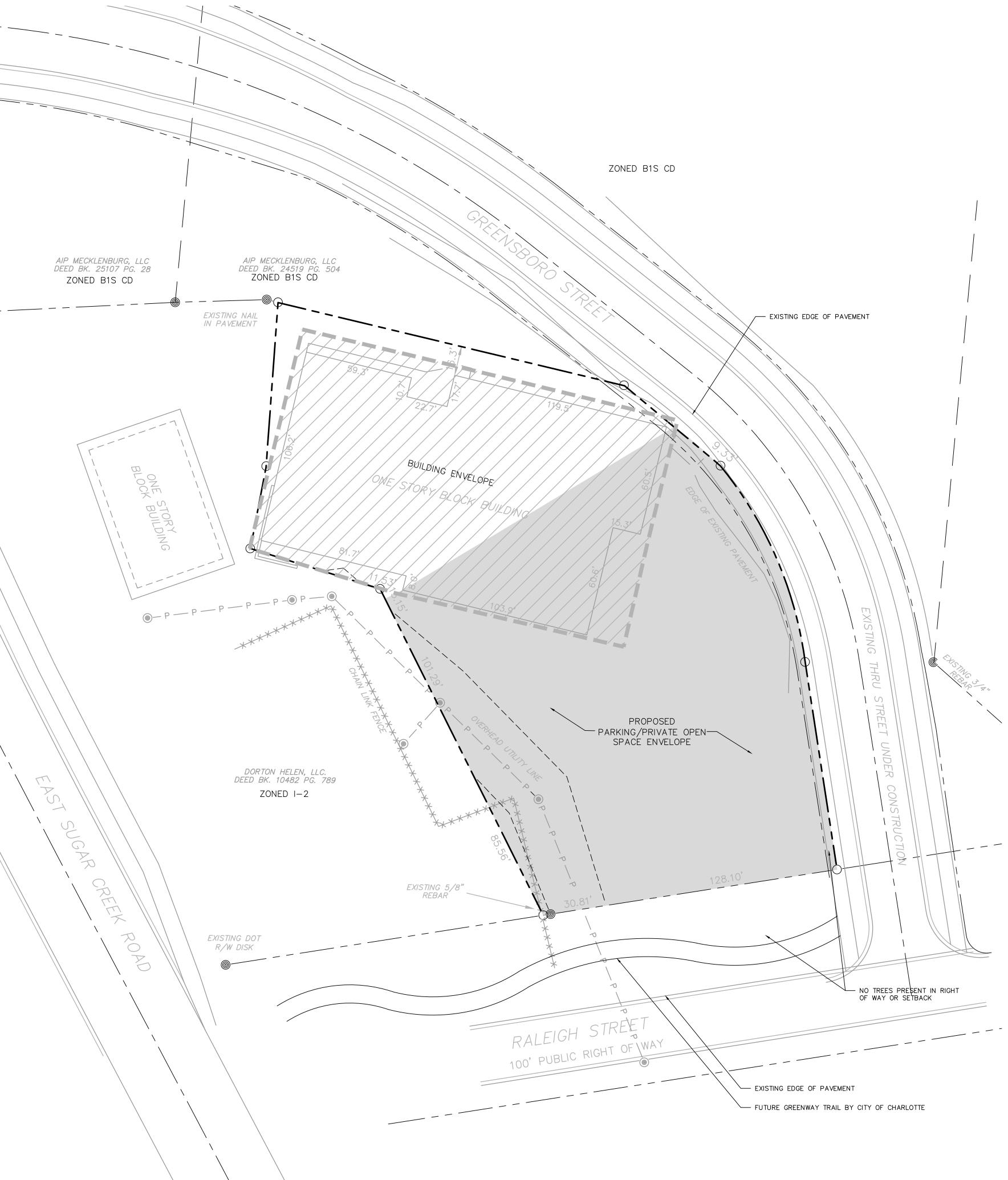
#### I. REZONING APPLICATION CITY OF CHARLOTTE



2	017-127
Petition #: _	
Date Filed:	7/28/2017
Received By:	B.
	"1]

Complete All Fields (Use additional pages if needed)

Property Owner: Blue Line LLC. Craig Smith	
Owner's Address: 2000 Innovation Drive	Indian Trail, NC, Zip: 28079
Date Property Acquired: <u>Unknown</u>	
Property Address: 421 East Sugar Creek Road, Charlotte, NO	28213
Tax Parcel Number(s): 091-051-40	
Current Land Use: <u>Industrial/Vacant</u>	Size (Acres): _+/- 1.49
Existing Zoning: <u>I-2</u>	Proposed Zoning: TOD-M (O)
Overlay: N/A	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: <u>Sonja Sa</u> Date of meeting: <u>April 18. 2017</u>	nders
(*Rezoning applications will not be processed until a required	I pre-application meeting with a rezoning team is held.)
For Conditional Rezonings Only:  Requesting a vesting period exceeding the 2 year minimum?  Purpose/description of Conditional Zoning Plan:Reuse of a	$\circ$
Casey P. Werner, PE ColeJenest & Stone Name of Rezoning Agent  200 S. Tryon Suite 1400 Agent's Address  Charlotte, NC, 28202 City, State, Zip  704-971-4507 Telephone Number  cwerner@colejeneststone.com E-Mail Address  Signature of Property Owner	Craig Smith Name of Petitioner(s)  2000 Innovation Drive Address of Petitioner(s)  Indian Trail, NC, 28079 City, State, Zip  704-506-2367 Telephone Number Fax Number csmith@innovativedigitalsystems.com E-Mail Address Signature of Petitioner
Craig Smith (Name Typed / Printed)	Craig Smith (Name Typed / Printed)



#### **DEVELOPMENT STANDARDS**

#### **JULY 27, 2017**

#### 1. GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY BLUE LINE LLC (HEREINAFTER COLLECTIVELY REFERRED TO AS THE "PETITIONER") FOR AN APPROXIMATELY 1.49 ACRE SITE LOCATED ON THE NORTH SIDE OF RALEIGH STREET AT THE INTERSECTION OF RALEIGH STREET AND EAST SUGAR CREEK ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS CONSISTS OF TAX PARCEL NO. 091-051-40.
- B. THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE TRANSIT ORIENTED DISTRICT ("TOD-M") ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- C. THE PARCEL OF LAND THAT COMPRISES THE SITE MAY BE AT THE OPTION OF
- PETITIONER SUBDIVIDED IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE.

  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 LAYOUT, LOCATIONS AND SIZES OF THE USES, IMPROVEMENTS AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN AS WELL AS THE INTERNAL DRIVES AND PARKING AREAS ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
- E. A MAXIMUM OF 1 PRINCIPAL BUILDING MAY BE LOCATED ON THE SITE.
- F. 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. OPTIONAL PROVISIONS

- A. SURFACE PARKING AND VEHICULAR MANEUVERING AREAS SHALL BE PERMITTED BETWEEN BUILDING 1 AND THE REQUIRED SETBACK FROM RALEIGH STREET AND GREENSBORO STREET.
- B. THERE SHALL BE NO MINIMUM PARKING REQUIREMENTS.

### 3. PERMITTED USES

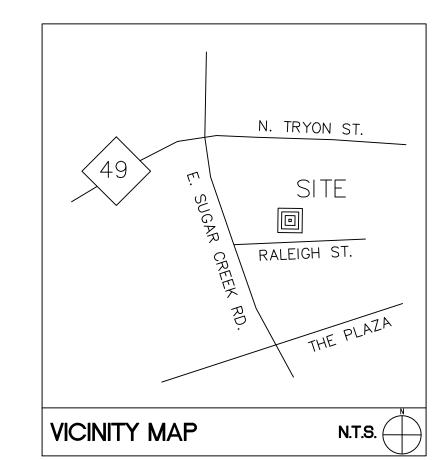
- A. THE SITE MAY BE USED FOR USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS AS INDICATED FOR THE TRANSIT ORIENTED DEVELOPMENT-MIXED USE DISTRICT IN THE ZONING ORDINANCE.
- B. THE EXISTING BUILDING MAY BE EXPANDED UP TO 5%. A REZONING WILL BE REQUIRED IF AN EXPANSION EXCEEDS 5%.

### 4. TRANSPORTATION

- A. THE SITE WILL HAVE DRIVEWAY ACCESS TO GREENSBORO STREET AS WELL AS RALEIGH STREET. THE PROPOSED DRIVEWAY CONNECTION(S) WILL REQUIRE A DRIVEWAY PERMIT(S) TO BE SUBMITTED TO CDOT FOR REVIEW AND APPROVAL.
- B. PARKING AREAS ARE INDICATED ON THE REZONING PLAN FOR THE SITE.
- C. 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.
- D. ALL TRANSPORTATION IMPROVEMENTS SHALL BE CONSTRUCTED AND APPROVED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A BUILDING TO BE CONSTRUCTED ON THE SITE OR PHASED PER THE SITE'S DEVELOPMENT PLAN.
- ARCHITECTURAL STANDARDS RESERVED
- **6. STREETSCAPE AND LANDSCAPING** RESERVED
- 7. ENVIRONMENTAL FEATURES RESERVED
- 8. PARKS, GREENWAYS AND OPEN SPACE RESERVED

### . LIGHTING

- ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE INTERNAL PRIVATE DRIVES AND SIDEWALKS, LANDSCAPING LIGHTING AND UPLIGHTING FOR THE BUILDINGS) 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, INCLUDING ITS BASE, SHALL NOT EXCEED 21 FEET.
- ANY LIGHTING FIXTURES ATTACHED TO THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.
- 10. FIRE PROTECTION RESERVED
- **11. SIGNAGE** RESERVED



#### SURVEY DISCLAIMER

BOWDEN SURVEYING & MAPPING. SURVEY ISSUE DATE OCTOBER 4, 2016. PROVIDED MY MICHAEL R. BOWDEN. 317 SOUTH LAUREL ST., LINCOLNTON, NC. (704) 691-5256

### LEGEND

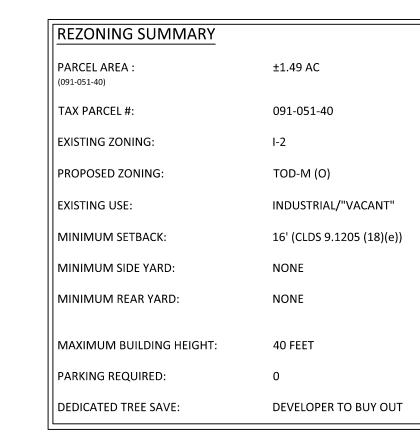
<u>SYMBOL</u>

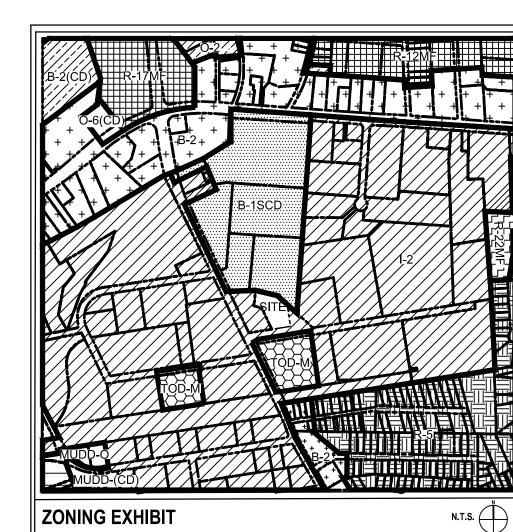


BUILDING ENVELOPE



PARKING ENVELOPE







Shaping the Environment Realizing the Possibilities

Land Planning

Urban Design

Landscape Architecture + Civil Engineering

200 South Tryon Street, Suite 1400 Charlotte, North Carolina 28202

p+ 704 376 1555 f+ 704 376 7851

url+ www.colejeneststone.com

**BLUE LINE LLC.** 

2000 Innovation Drive Indian Trail, NC 28079

TRYON THEATRE REDEVELOPMENT

421 E. Sugar Creek Road Charlotte, NC 28213

CONDITIONAL REZONING PLAN (2017-XXX)

Project No. 31886.17

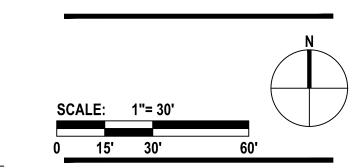
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Revised





- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- 2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAG MEN, ETC. AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- 3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, TOWN OF HUNTERSVILLE AND CHARLOTTE—MECKLENBURG UTILITIES SPECIFICATIONS.
- 4. SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.



**RZ-100** 

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# I. REZONING APPLICATION CITY OF CHARLOTTE

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201	6-128
Petition #:	
Date Filed:	8/3/2017
Received By: _	4

Complete	All Fields	(Use additional	pages if	needed)
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Property Owner: Metropolitan Realty Company LLC c/o	Sara Haight
Owner's Address: 1111 Metropolitan Avenue, Suite 300	City, State, Zip: Charlotte, NC 28204
Date Property Acquired: <u>February 1, 2013</u>	
Property Address: <u>1055 Metropolitan Avenue</u>	
Tax Parcel Number(s): Tax Parcel No. 125-22C-97	
Current Land Use: Office and Retail	Size (Acres):+/- 8.042 acres
Existing Zoning: <u>MUDD-O</u>	Proposed Zoning: MUDD-O S.P.A.
Overlay: None	
	on Fortune, Alan Goodwin et al.
(*Rezoning applications will not be processed until a requheld.)	lired pre-application meeting with a rezoning team member is
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minim	um? Yes/No. Number of years (maximum of 5): N/A
+:L_	ify the approved MUDD-O Signage Package for portions of the
John Carmichael (Robinson Bradshaw) Name of Rezoning Agent 101 N. Tryon Street, Suite 1900 Agent's Address	Metropolitan Realty Company LLC  Metropolitan Midtown Master Condominium Owners Association, Inc.  Name of Petitioner(s)  c/o Sara Haight  1111 Metropolitan Avenue, Suite 300  Address of Petitioner(s)
Charlotte, NC 28246 City, State, Zip	Charlotte, NC 28204 City, State, Zip
704-377-8341 Telephone Number Fax Number	704-375-6418 Telephone Number Fax Number
icarmichael@robinsonbradshaw.com E-Mail Address	shaight@bayerproperties.com E-Mail Address
See Attached Signature Page Signature of Property Owner	See Attached Signature Page Signature of Petitioner
(Name Typed / Printed)	Appropriate the state of the st

#### Signatures of Property Owner and Petitioners

#### METROPOLITAN REALTY COMPANY LLC

a Delaware limited liability company

By:

Commingled Pension Trust Fund

(Strategic Property) of JPMorgan

Chase Bank, N.A., its sole member

By:

JPMorgan Chase Bank, N.A.,

as Trustee

Name: Mary Ann Cate

Title: Executive Director

METROPOLITAN MIDTOWN MASTER CONDOMINIUM OWNERS ASSOCIATION, INC.

Name: Mary Ann Cate

Title: President

# MMETROPOLITAN SIGN PLAN





Approved 2/18/08
SIGNAGE PACKAGE FOR
METEOPORTON South of
For Citopolotte-Townie Alfongue
(Formenly hydepondence Town)
ZAM



This Application is Solely For The Purpose Of Amending The Approved Sign Plan For Portions Of The Metropolitan Development

Proposed Amendments To The Sign Plan Are Designated By Black Bold Face Type

Sign Plan Amendment 6/19/2017

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Introduction

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Labeled Site Plan

Page 03

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Page 04-

with Sign Area Locations

-Building A

-Building B

-Building C

-Building D

-Building E

-Building F

-Building P

-Branded Entry Features

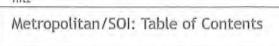
This Application is Solely For The Purpose Of Amending The Approved Sign Plan For Portions Of The Metropolitan Development Sign Plan Amendment 6/19/2017













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PAGE

### Introduction

This is the signage exhibit for (and an addendum to) the petition for MUDD-O for proposed mixed-use development in the Midtown area of Charlotte, NC by Pappas Properties, LLC, Colonial Properties and Collett & Associates.

As evidenced by all submitted components, significant effort has been made to create a dense, urban environment that succeeds in "disguising" large retail components which are more typically sited with acres of ground level parking.

The success of such a diverse mix of retail and business tenants, along with residential occupants, presents a unique communication and aesthetic challenge. This solution uses a high-density, richly urban mix of signs, banners, etc. to communicate to the public at large the exciting multiple functions and benefits "packed" on one site.

Special Note from Charlotte Planning Commission:

"Staff is supportive of permitting administrative approval; content on a specific sign design, location and plan, for up to a 25% increase of allowed square footage or wall space, percentage based on unique, unusual and special circumstances." The physical configuration of this "stratified" development presents unique communication challenges, both for its tenants and residents, and the visiting public, which suggest an "urban" density of signage. Such a mix of components required the "options" to the modest standard MUDD allowances depicted within.

Generally, the sign provisions outlined in Chapter 13 of the City of Charlotte Zoning Ordinance for Businesses (B1 & B2) and Shopping Centers, would meet the needs of the public and most tenants of this site, as they have for other enterprises within the City. However, this development's unique "layered" configuration of diverse tenants, the public's limited visual access, and its "indirect" physical access, especially in the cases of its larger retail tenants, called for specific considerations which follow the spirit if not always the present letter of more typical sign provisions.

The conditions of this project and the options allowed by MUDD-O are unique and are not intended to set precedents for any future project.

**Rezoning Application:** This Application Is For Changes To The Sign Plans Only

This request provides a solution for Branding the Development and encouraging marketing solutions for the Retail Tenants. The primary purpose for this request is to assure the success of the Development and the Retail Businesses in a unified and aesthetically pleasing manner.

Sign Plan Amendment 6/19/2017

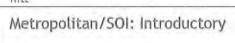
### Proposed Amendments To The Sign Plan Are Designated By Black Bold Face Type

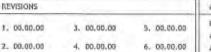












FAGE

# **Building A**









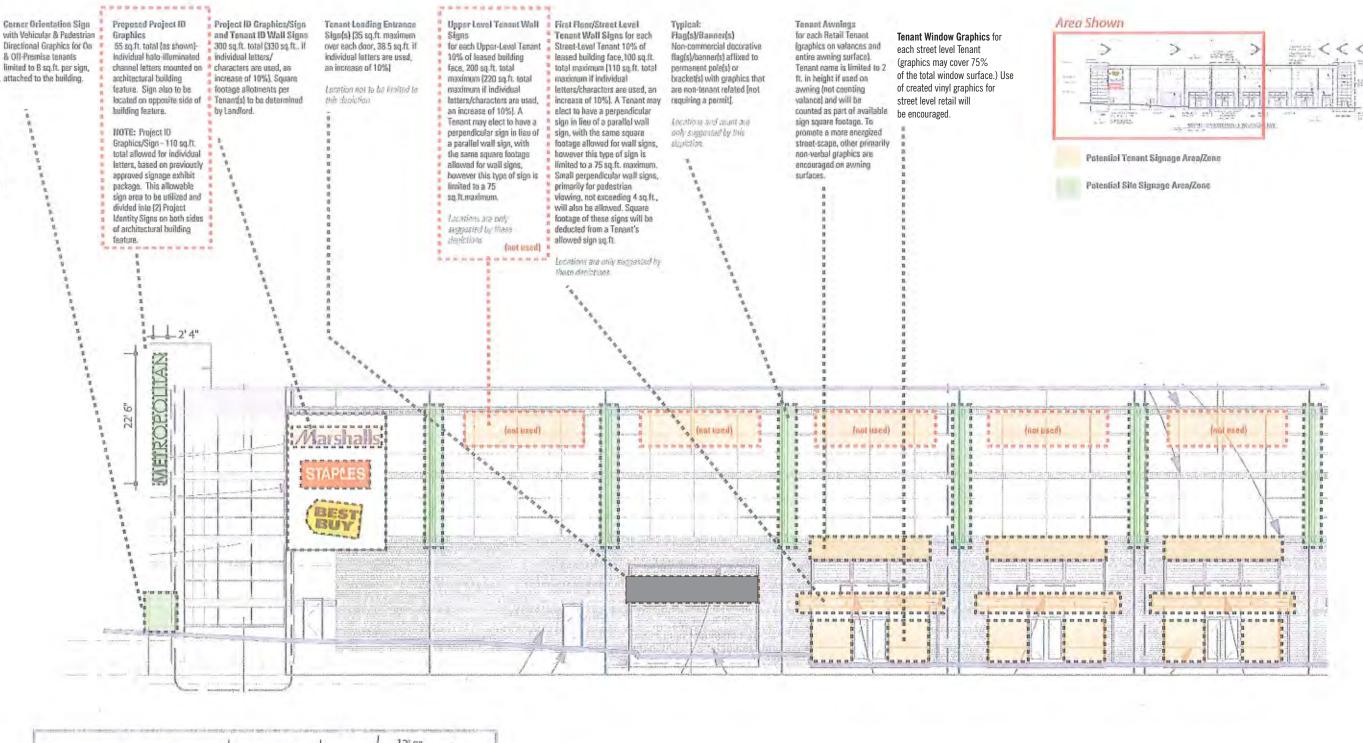




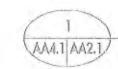
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Wall Sign Hots: Any Tenant (and/or the Landlord, in the case of Project ID wall signs) may or in addition to a parallel wall sign, as long as the total allowed square footage is not exceeded. A perpendicular sign is limited to 75 sq.ft. max., no matter what total square footage is allowed, may extend up to 4' away from building but may not extend above the building's parapet.

perpendicular sign in lieu of, attached to the building.







NORTH BUILDING ELEVATION - S. INDEPENDENCE BLVD.

SCALE: 1/16° = 1'-0"

Sign Plan Amendment 6/19/2017

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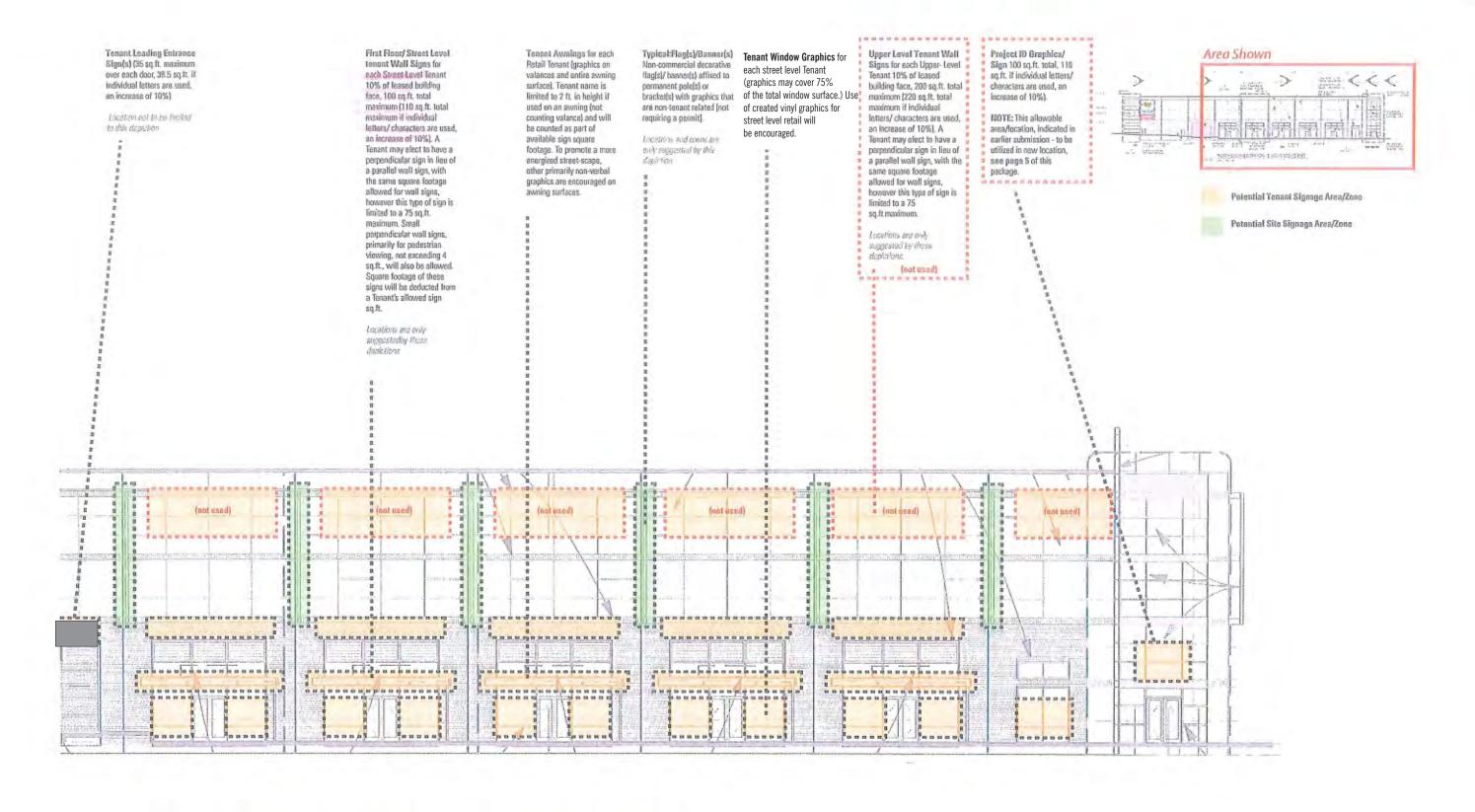






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### NORTH BUILDING ELEVATION - S. INDEPENDENCE BLVD.

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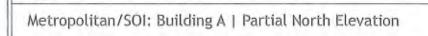
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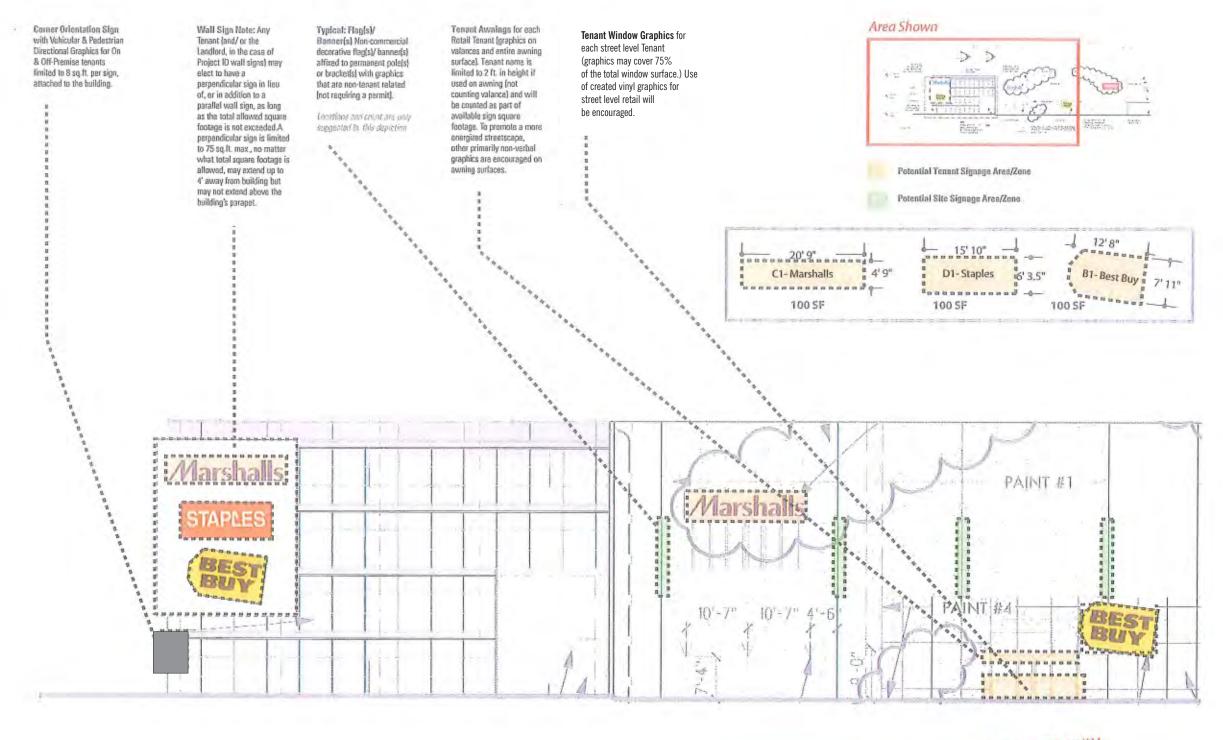


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INTERNAL PROJECT ELEVATION - FOR REFERENCE ONLY

### Sign Plan Amendment 6/19/2017

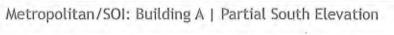
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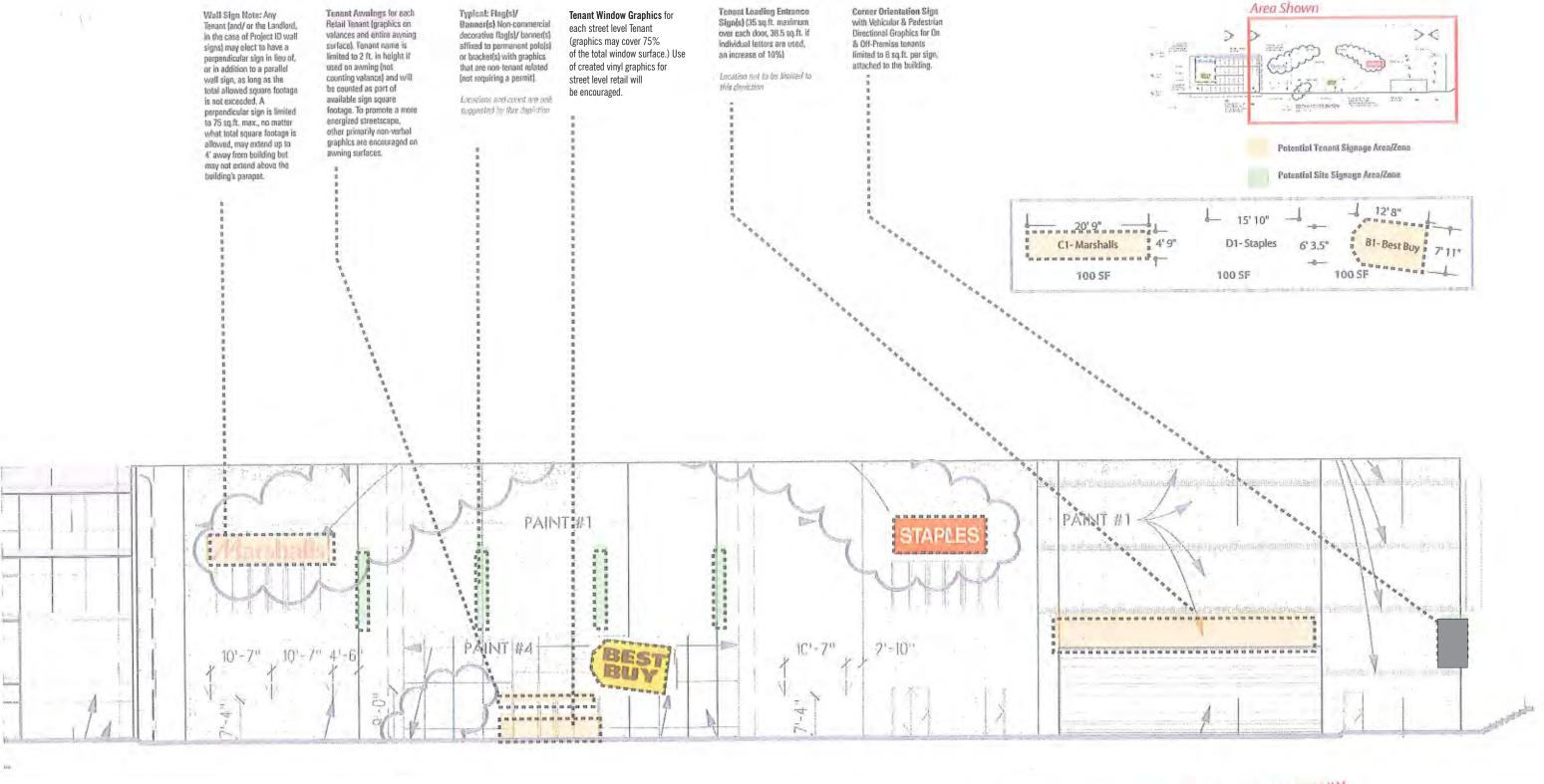






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### Sign Plan Amendment 6/19/2017

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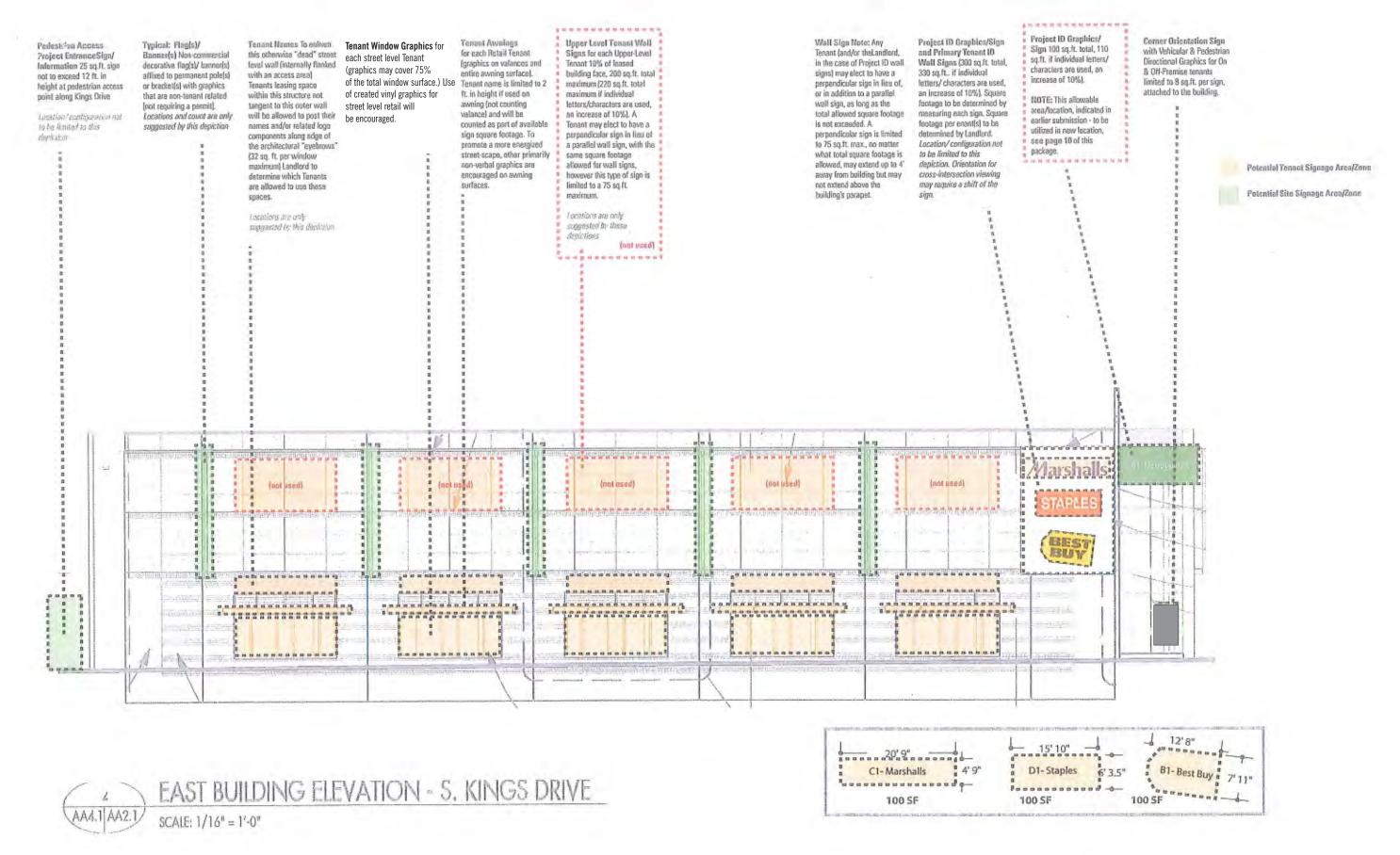




Metropolitan/SOI: Building A | Partial South Elevation

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## Sign Plan Amendment 6/19/2017









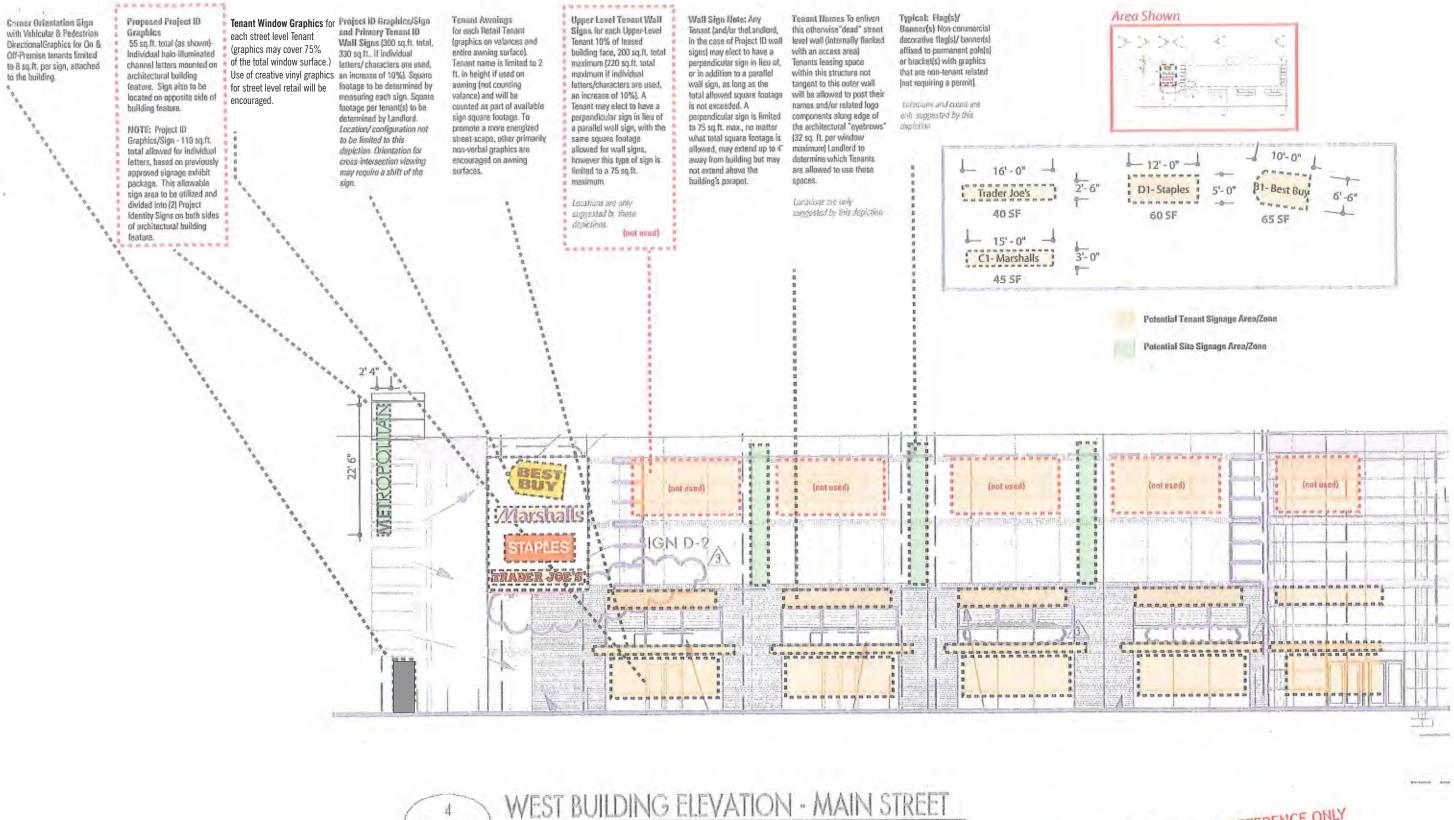
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Metropolitan/SOI: Building A | East Elevation

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SCALE: 1/16" = 1'-0"

INTERNAL PROJECT ELEVATION - FOR REFERENCE ONLY

Sign Plan Amendment 6/19/2017









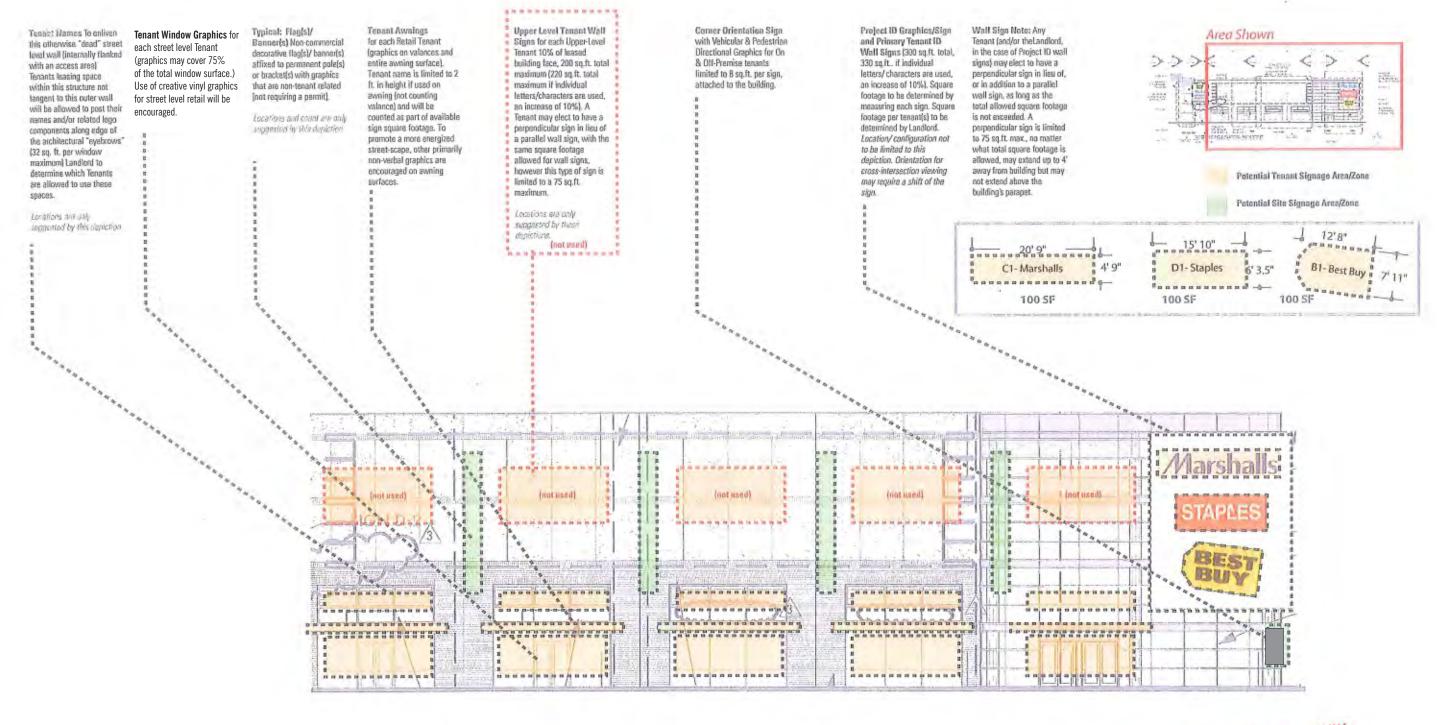




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INTERNAL PROJECT ELEVATION - FOR REFERENCE ONLY



## Sign Plan Amendment 6/19/2017

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Midtown/SOI: Building A | Partial West Elevation

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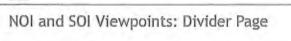
# NOI and SOI Viewpoints













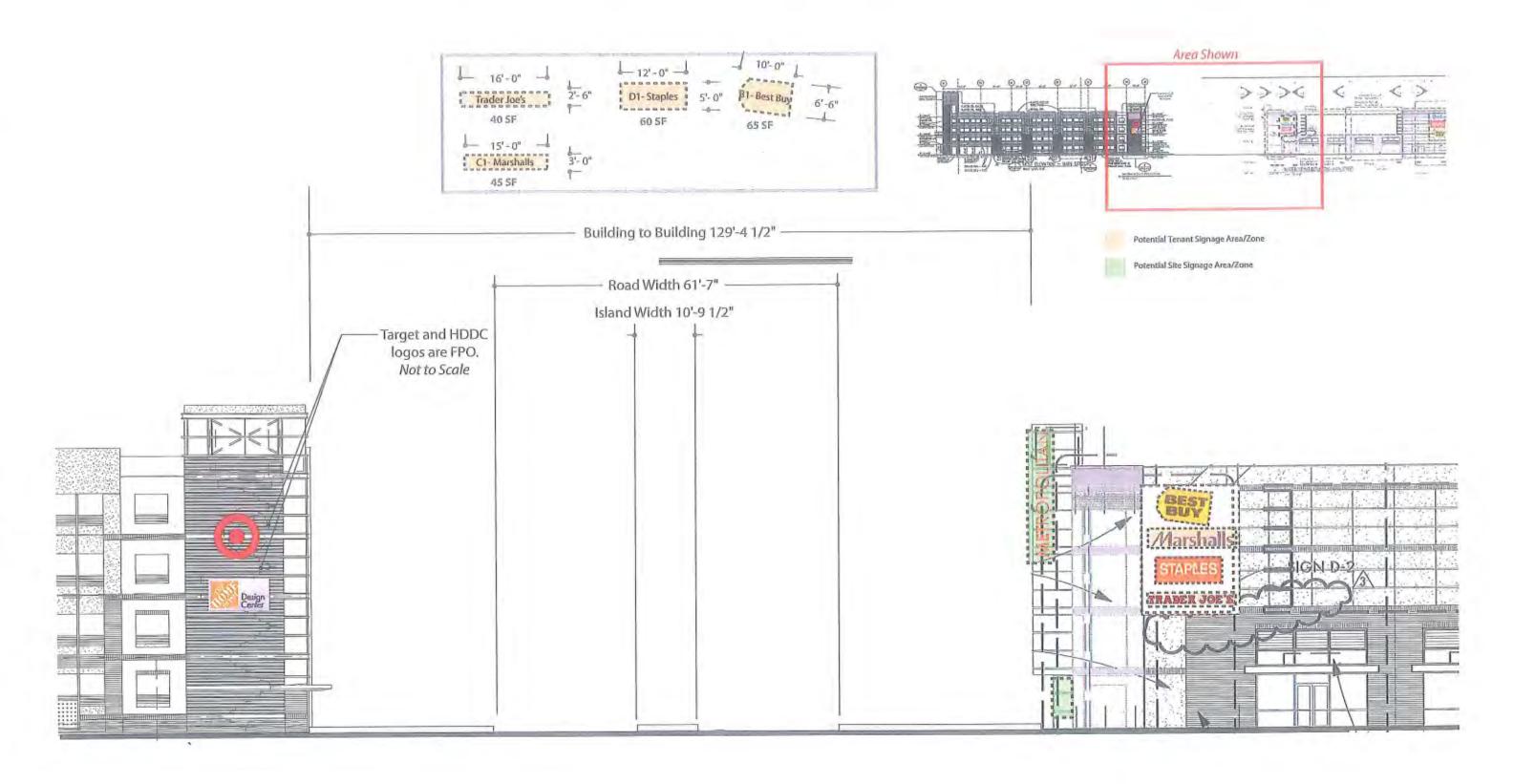
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West Elevation | North of Independence

SCALE: 1/16'=1'

West Elevation | South of Independence

SCALE: 1/16'=1'





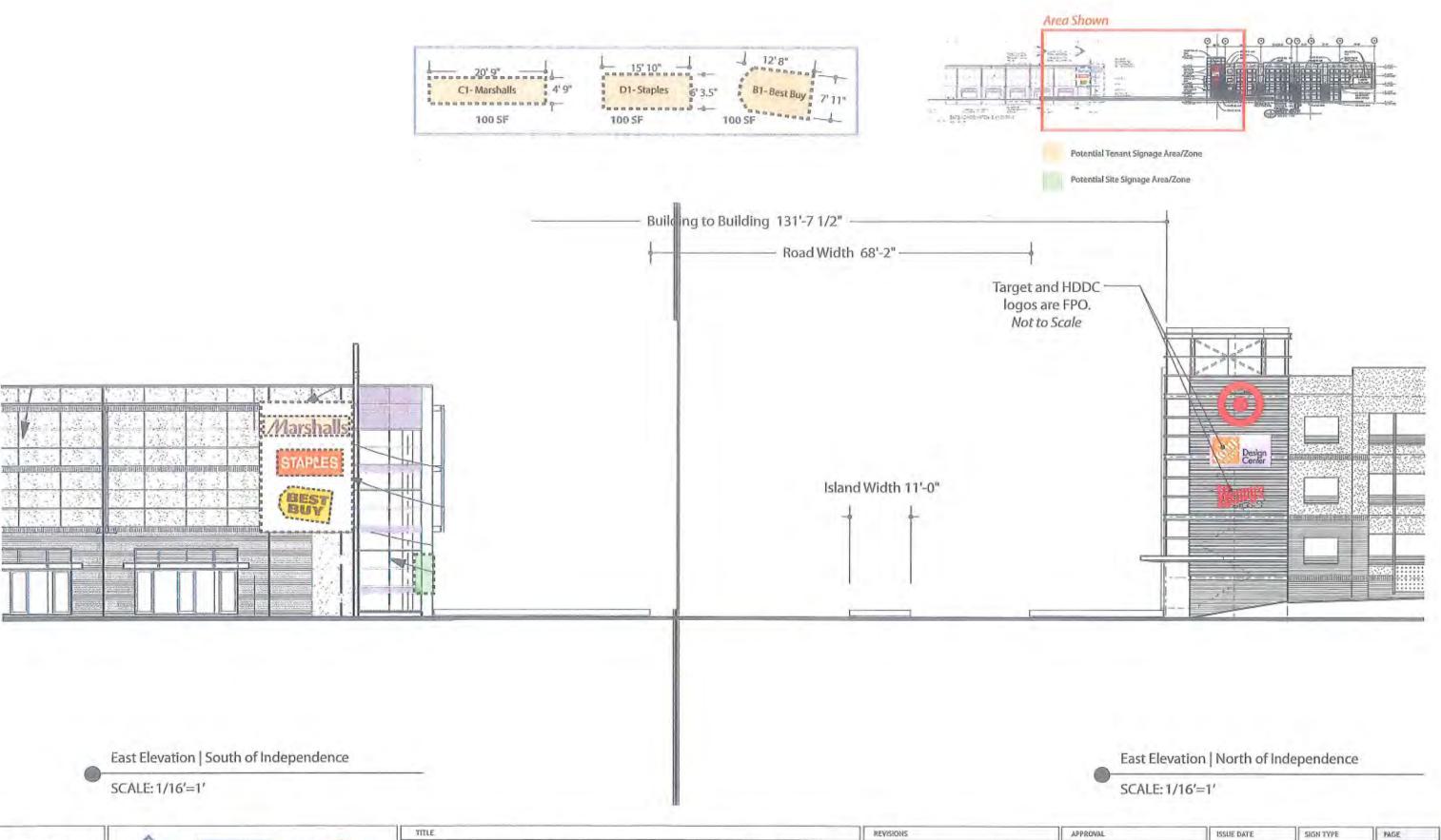






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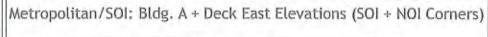












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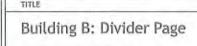
# **Building B**









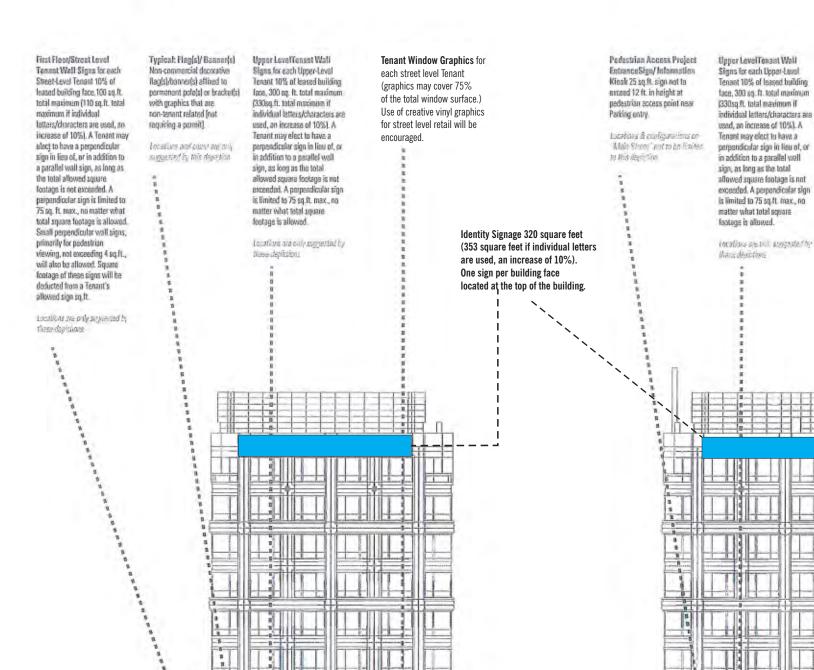




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**Tenant Loading Entrance** Sign(s) (35 sq.ft, maximum over each door, 38.5 sq.ft. if individual letters are used. an increase of 10%)

facation not to be implied to this depiction

Petential Tenant Signage Area/Zeno

Petential Site Signage Area/Zene

SOUTH ELEVATION

INTERNAL PROJECT ELEVATION - FOR REFERENCE ONLY
Sign Plan Amendment 6/19/2017

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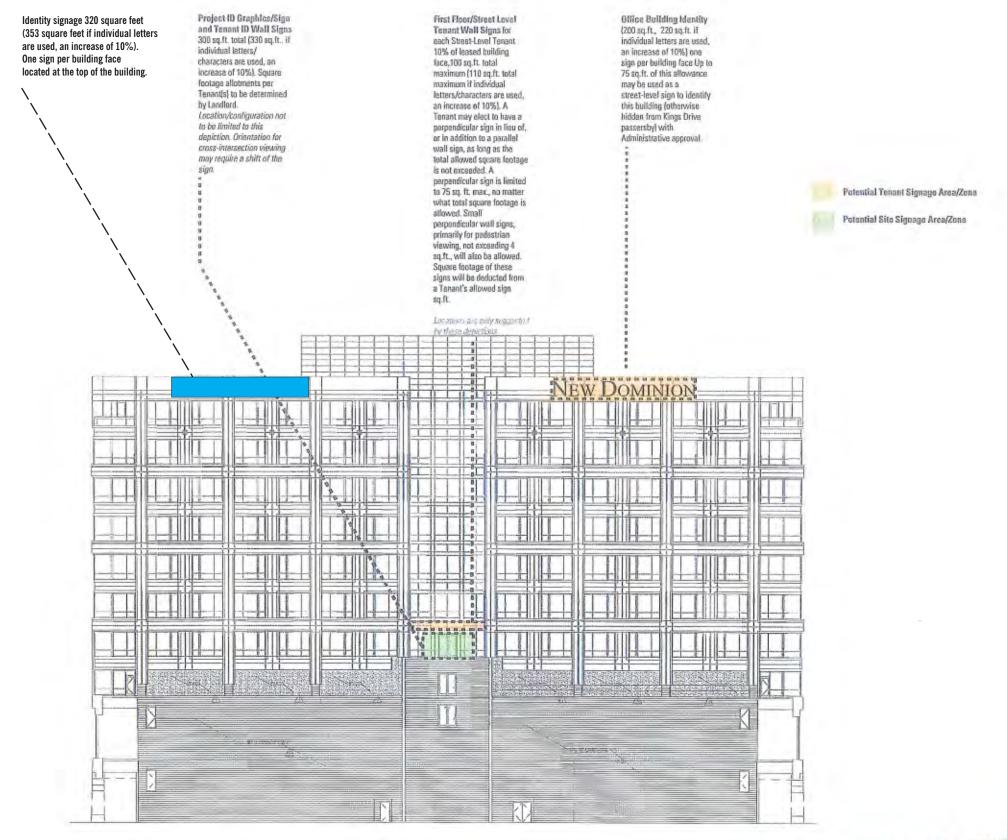




MORTH ELEVATION



TITLE



INTERNAL PROJECT ELEVATION - FOR REFERENCE ONLY

Sign Plan Amendment 6/19/2017

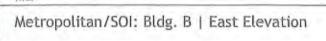
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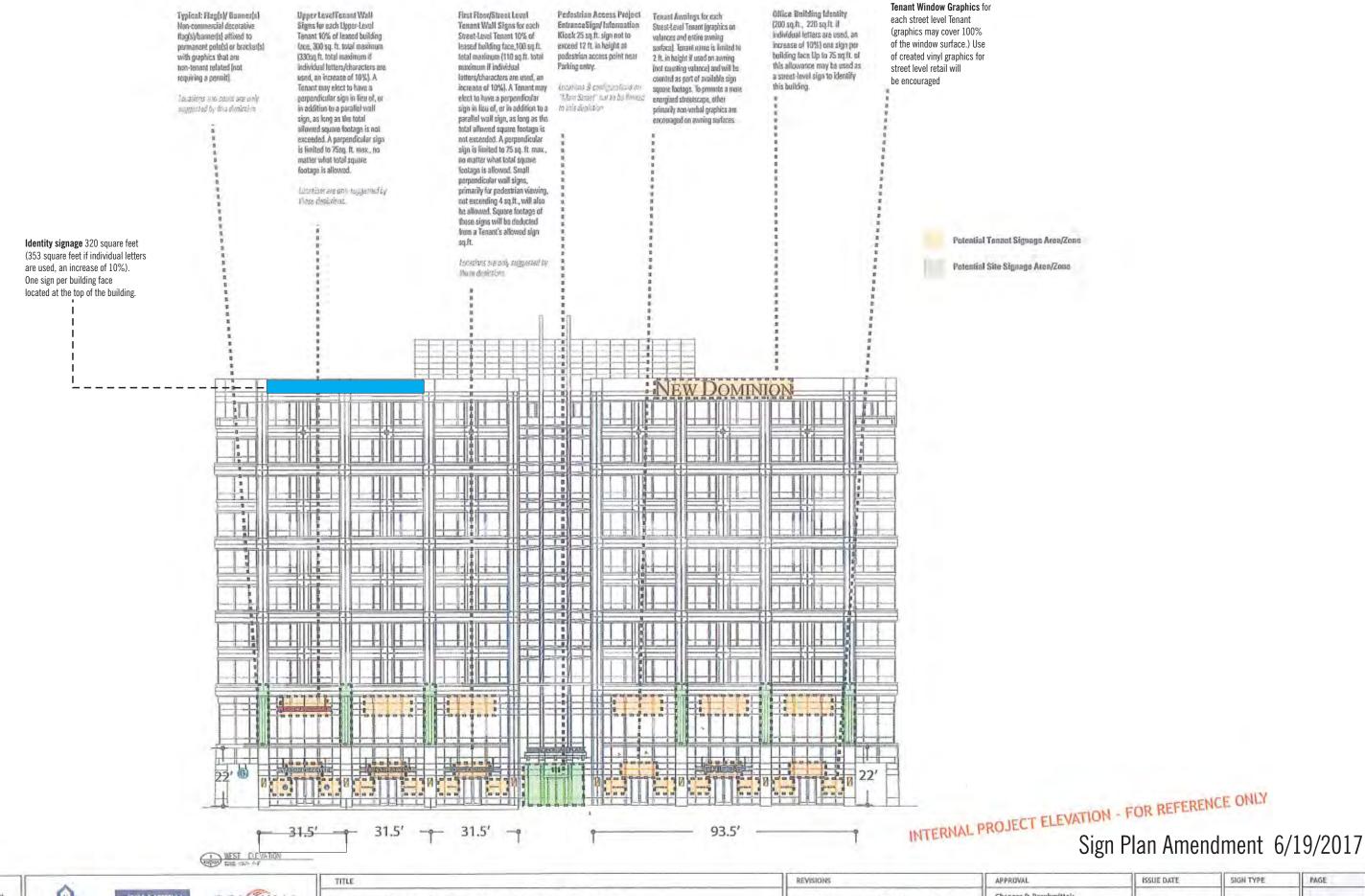






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# Building C





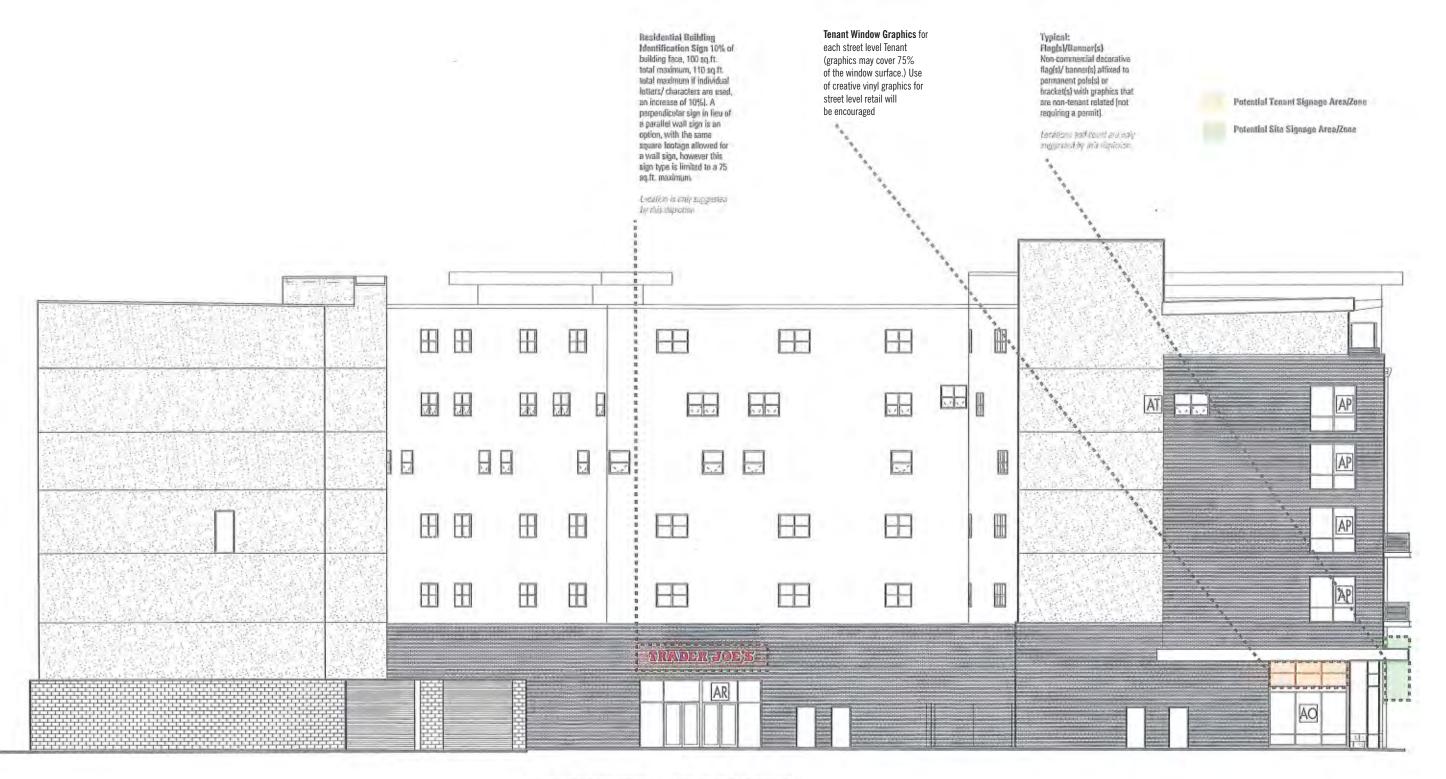




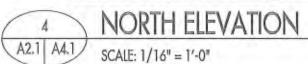




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NOTE: GARAGE SECTION NOT SHOWN FOR CLARITY



INTERNAL PROJECT ELEVATION - FOR REFERENCE ONLY

Sign Plan Amendment 6/19/2017

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Changes & Resubmittal:	12.05.07	





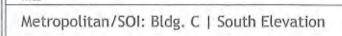
### Sign Plan Amendment 6/19/2017











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### Sign Plan Amendment 6/19/2017





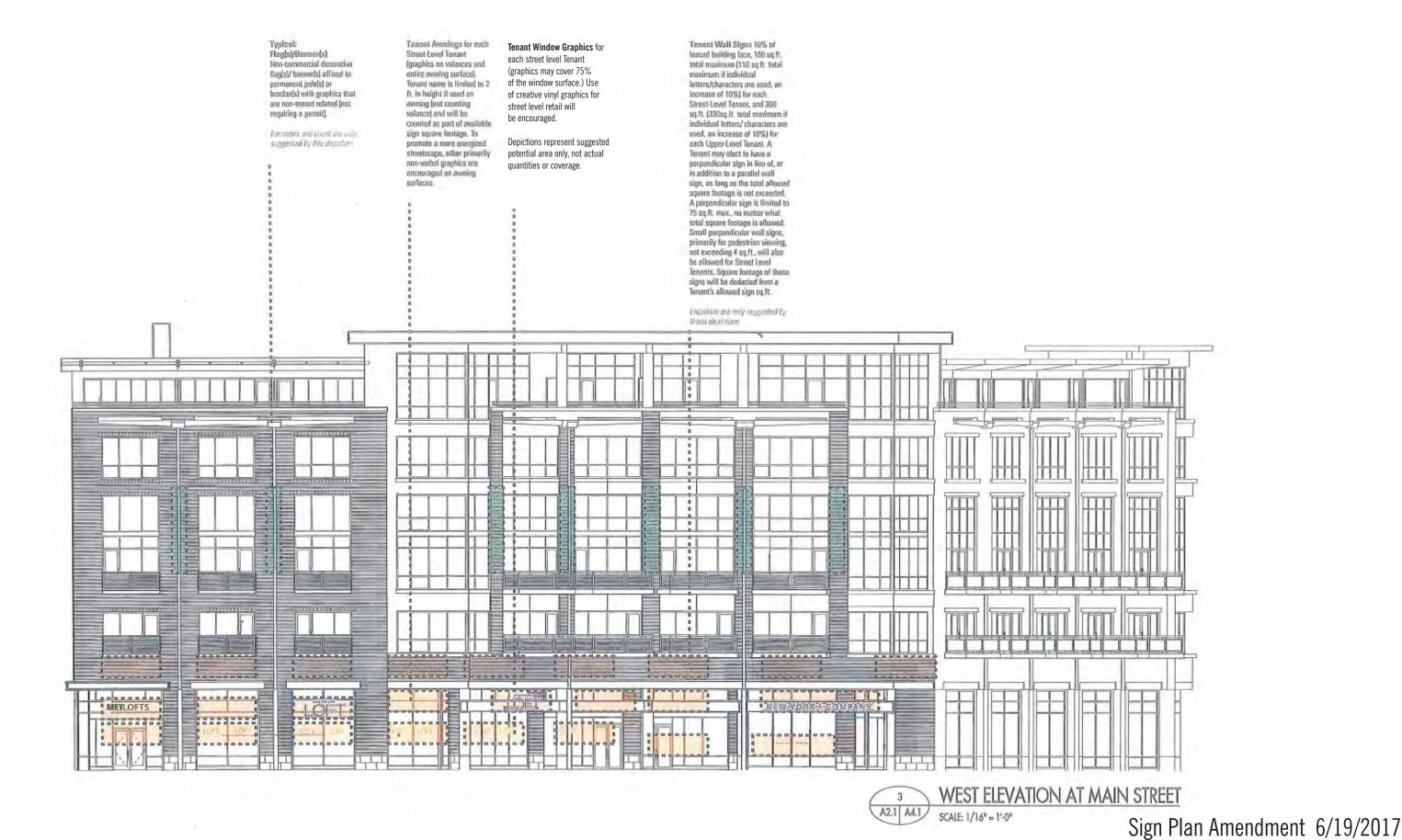






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Approved with Changes:
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12.05.07 | SIGN TYPE | PAGE | 23

# **Building D**

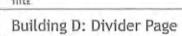
(elevations to be developed)













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Changes & Resubmittal; Approved with Changes; Approved:	12.05.07	

PAGE

# Building E

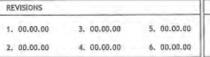










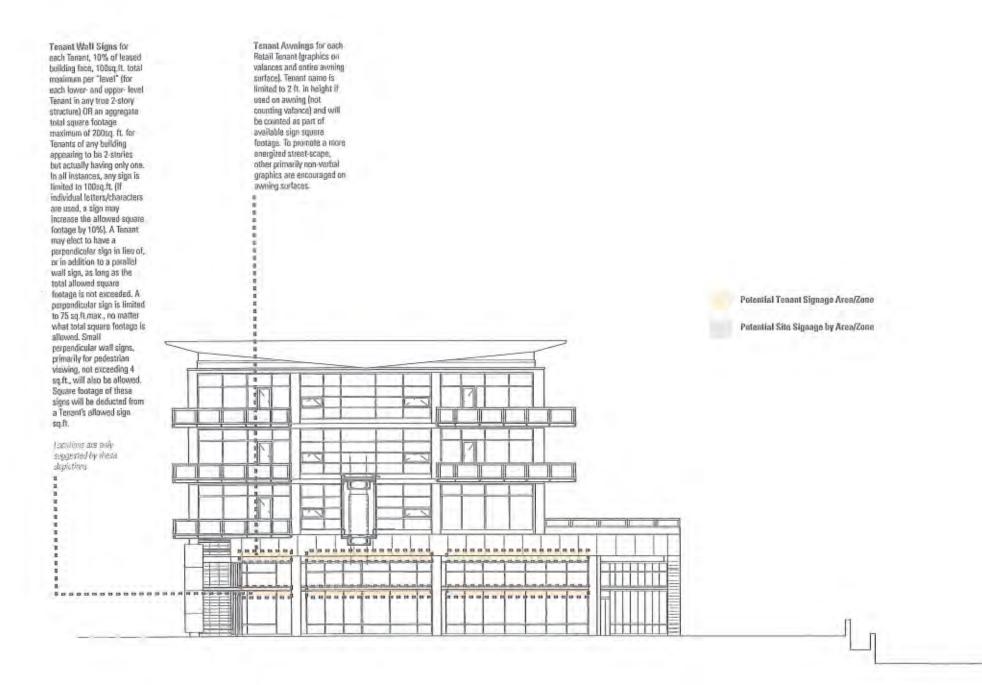


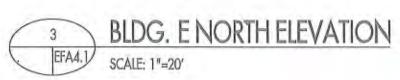
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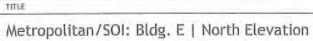
INTERNAL PROJECT ELEVATION - FOR REFERENCE ONLY







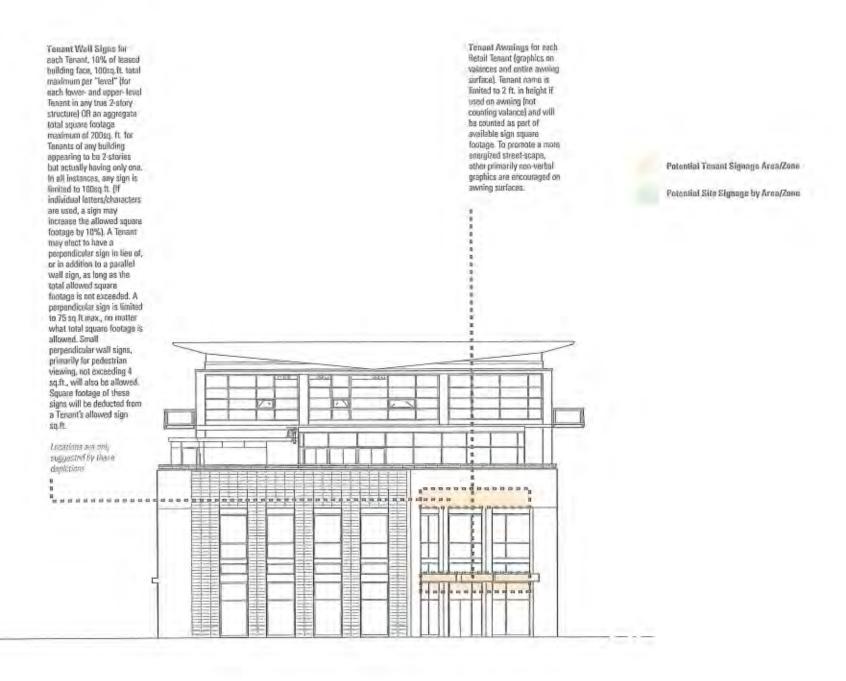


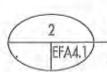


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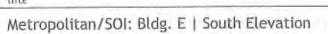
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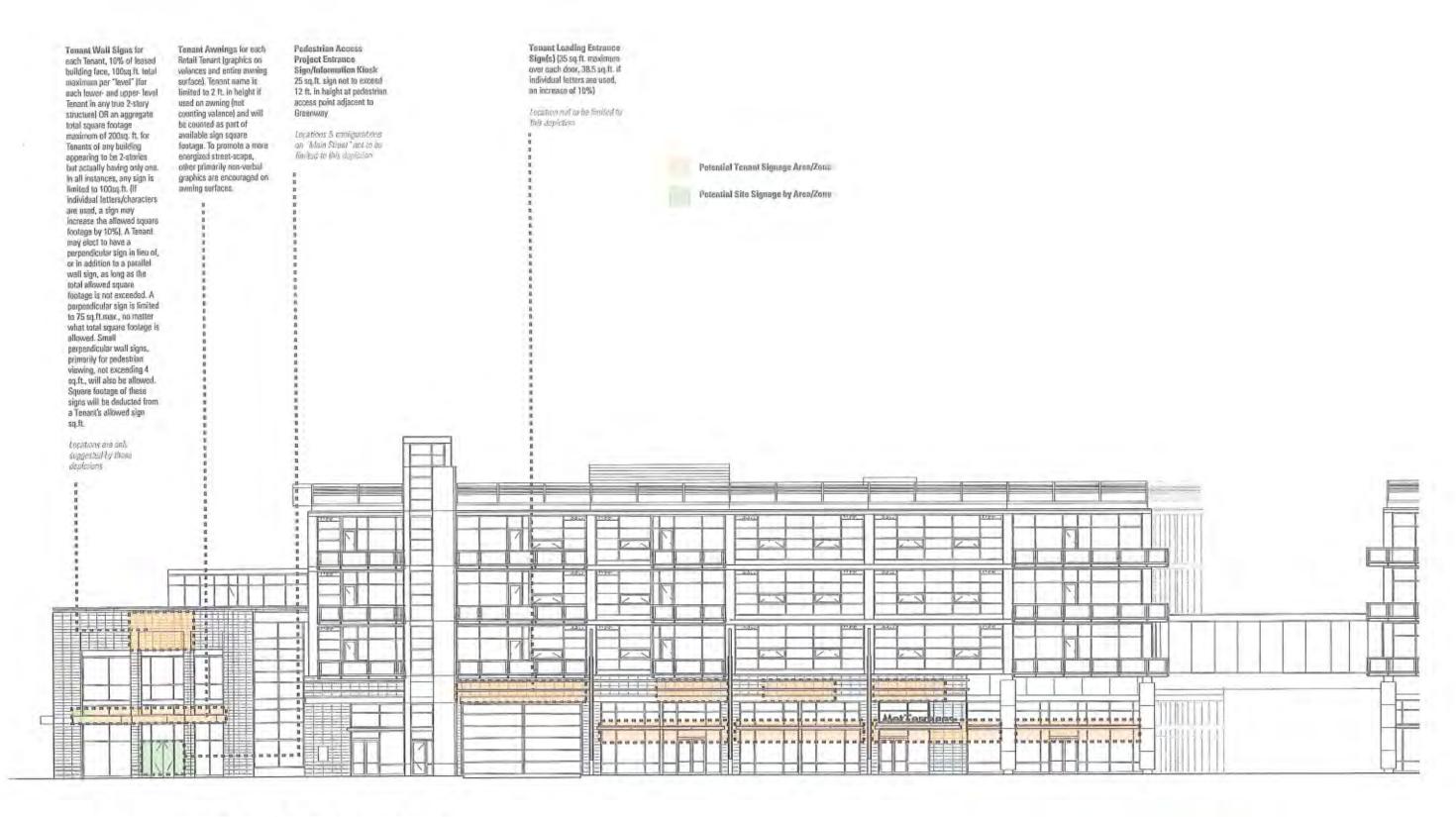


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# BLDG. E EAST ELEVATION

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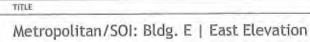
INTERNAL PROJECT ELEVATION - FOR REFERENCE ONLY





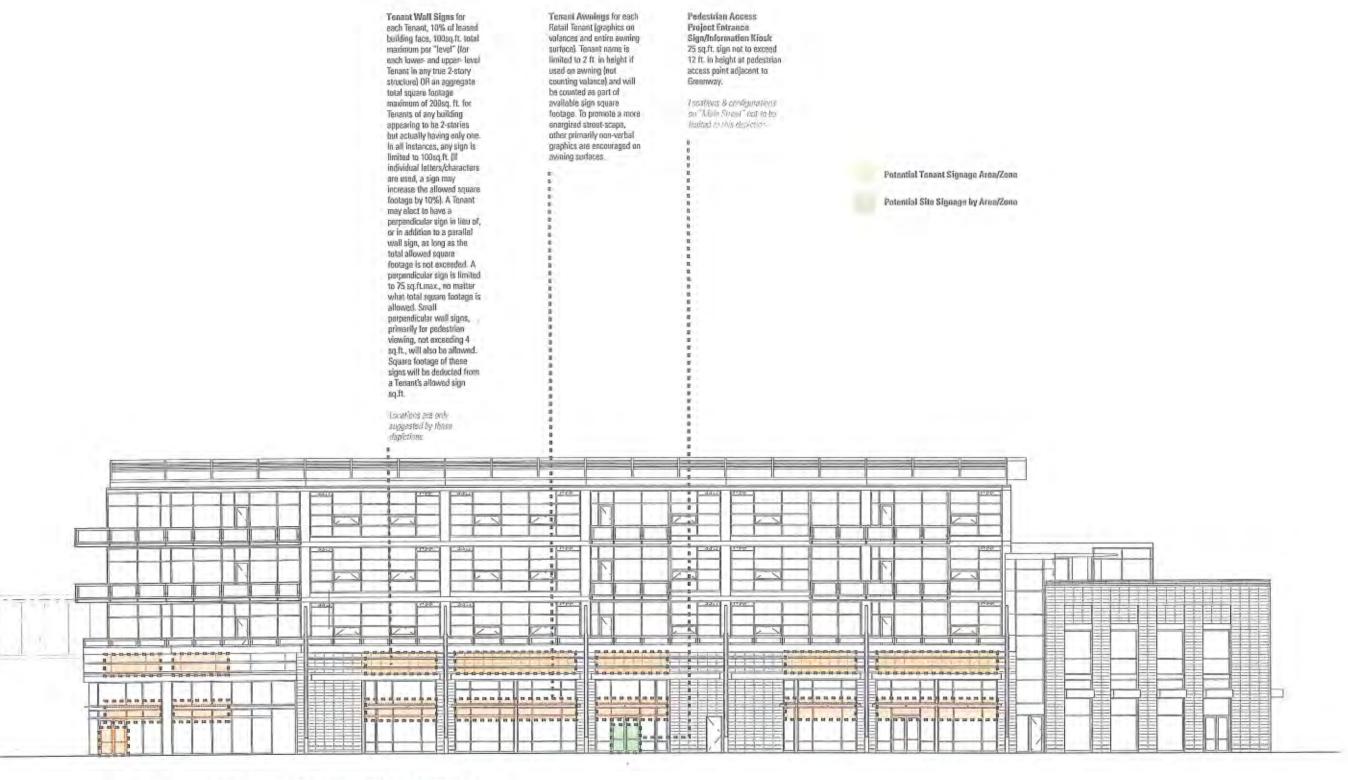






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BLDG. E WEST ELEVATION

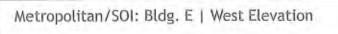
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# Building F









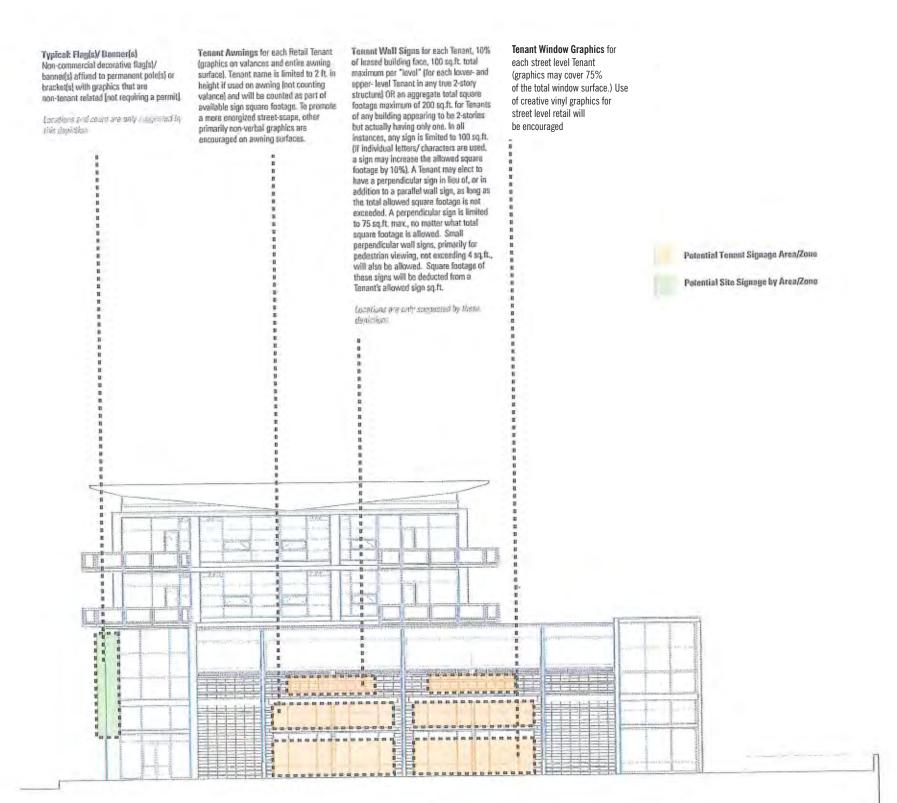




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#### Sign Plan Amendment 6/19/2017

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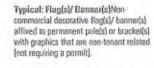






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Changes & Resubmittal:	12.05.07	



cecestors and count one only suggested by Bill dy Ston

Tenant Wall Signs for each Tenant, 10% of leased building face, 100 sq.ft. total Tenant Awnings for each Retail Tenant maximum per "level" (for each lower- and upper-level Tenant in any true 2-story structure) OR an aggregate total square footage maximum of 200 sq.ft. for Tenants of any building appearing to be 2-stories but actually having only one. In all instances, any sign is limited to 100 sq.ft. (If individual letters/ characters are used, a sign may increase the allowed square

have a perpendicular sign in lieu of, or in addition to a parallel wall sign, as long as the total allowed square footage is not exceeded. A perpendicular sign is limited to 75 sq.ft. max., no matter what total square footage is allowed. Small perpendicular wall signs, primarily for pedestrian viewing, not exceeding 4 sq.ft.,

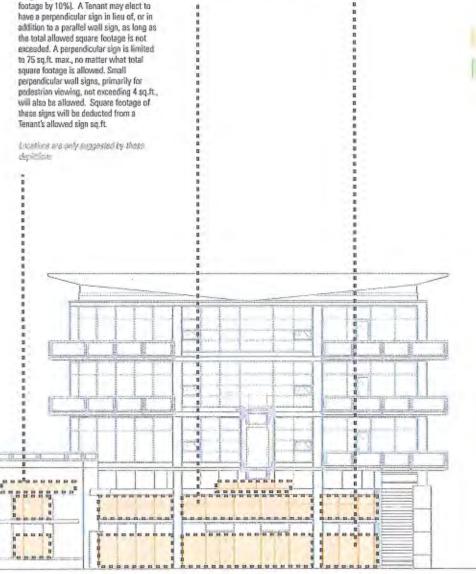
(graphics on valances and entire awning surface). Tenant name is limited to 2 ft. in height if used on awning (not counting valance) and will be counted as part of available sign square footage. To promote of creative vinyl graphics for a more energized street-scape, other primarily non-verbal graphics are encouraged on awning surfaces.

#### Tenant Window Graphics for

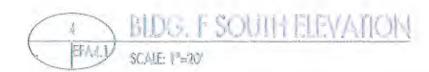
each street level Tenant (graphics may cover 75% of the total window surface.) Use street level retail will be encouraged

Potential Tenant Signage Area/Zone

Potential Site Signage by Area/Zone



INTERNAL PROJECT ELEVATION - FOR REFERENCE ONLY



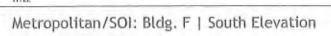
Sign Plan Amendment 6/19/2017











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each street level Tenant Tenant Awnings for each Retail Tenant Typical: Flag(s)/ Banner(s)Non-Tenant Loading Entrance Sign(s) Tenant Wall Signs for each Tenant, 10% [35 sq.ft. maximum over each door, 38.5 sq.ft. if individual letters are used, an commercial decorative flag(s)/ banner(s) (graphics may cover 75% (graphics on valances and entire awning of leased building face, 100 sq.ft. total surface). Tenant name is limited to 2 ft. in affixed to permanent pole(s) or bracket(s) maximum per "level" (for each lower- and of the total window surface.) Use increase of 10%) upper-level Tenant in any true 2-story height if used on awning (not counting with graphics that are non-tenant related of creative vinyl graphics for structure) OR an aggregate total square valance) and will be counted as part of [not requiring a permit]. street level retail will Location not to be brinted to this depiction footage maximum of 200 sq.ft. for Tenants available sign square footage. To promote be encouraged of any building appearing to be 2-stories a more energized street-scape, other Locations and count are only suggested by but actually having only one. In all primarily non-verbal graphics are this dayletion instances, any sign is limited to 100 sq.ft. encouraged on awning surfaces. (If Individual letters/ characters are used, a sign may increase the allowed square footage by 10%). A Tenant may elect to Potential Tenant Signage Area/Zone have a perpendicular sign in lieu of, or in addition to a parallel wall sign, as long as the total allowed square footage is not Potential Site Signage by Area/Zone exceeded. A perpendicular sign is limited to 75 sq.ft. max., no matter what total square footage is allowed. Small perpendicular wall signs, primarily for pedestrian viewing, not exceeding 4 sq.ft., will also be allowed. Square footage of these signs will be deducted from a Tenant's allowed sign sq.ft. Locations are only suggested by there dealctions ...... ...... \*\*\*\*\*\*\*\*\* ........... -------



TITLE

INTERNAL PROJECT ELEVATION - FOR REFERENCE ONLY

Tenant Window Graphics for

Sign Plan Amendment 6/19/2017







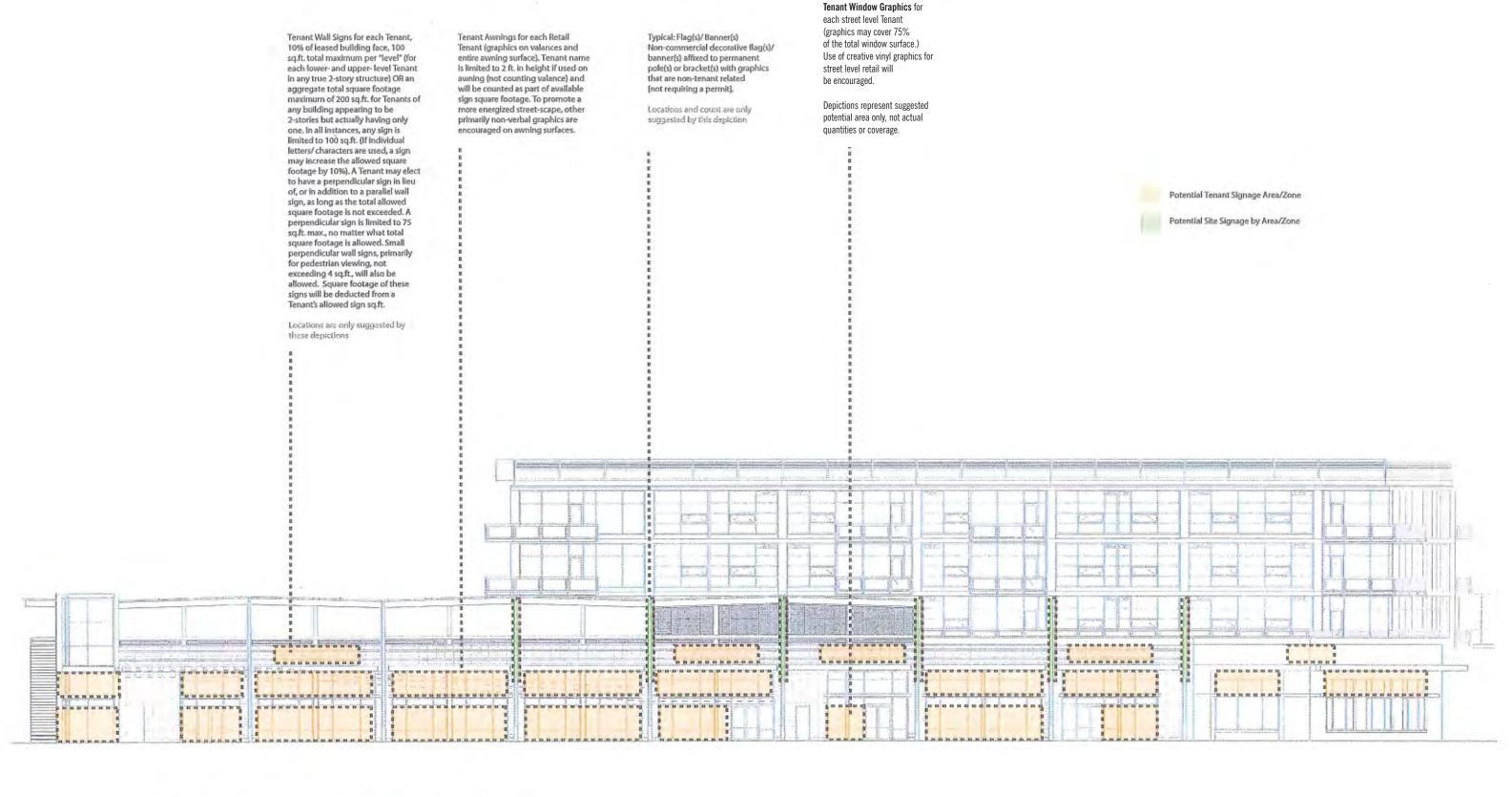


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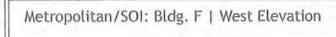
#### Sign Plan Amendment 6/19/2017











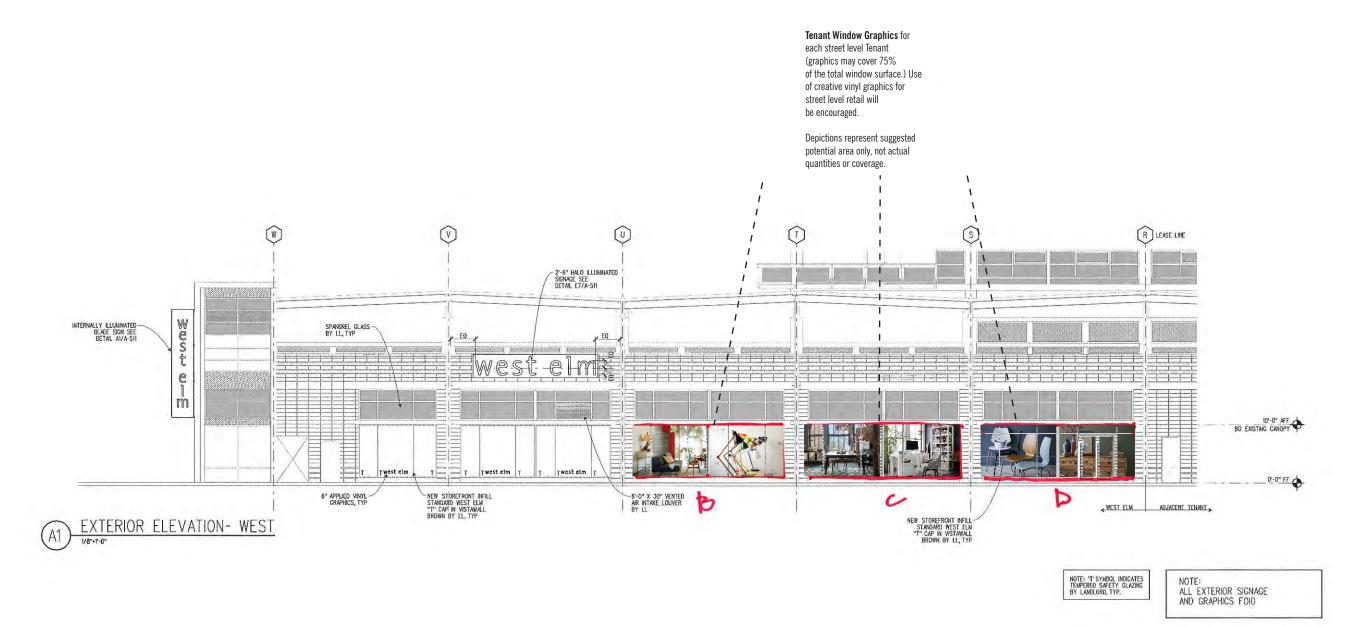
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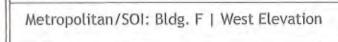
#### Sign Plan Amendment 6/19/2017











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Approved with Changes: \_\_\_\_\_\_ 12.05.

12.05.07 SIGN TYPE PAGE 35

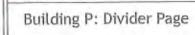
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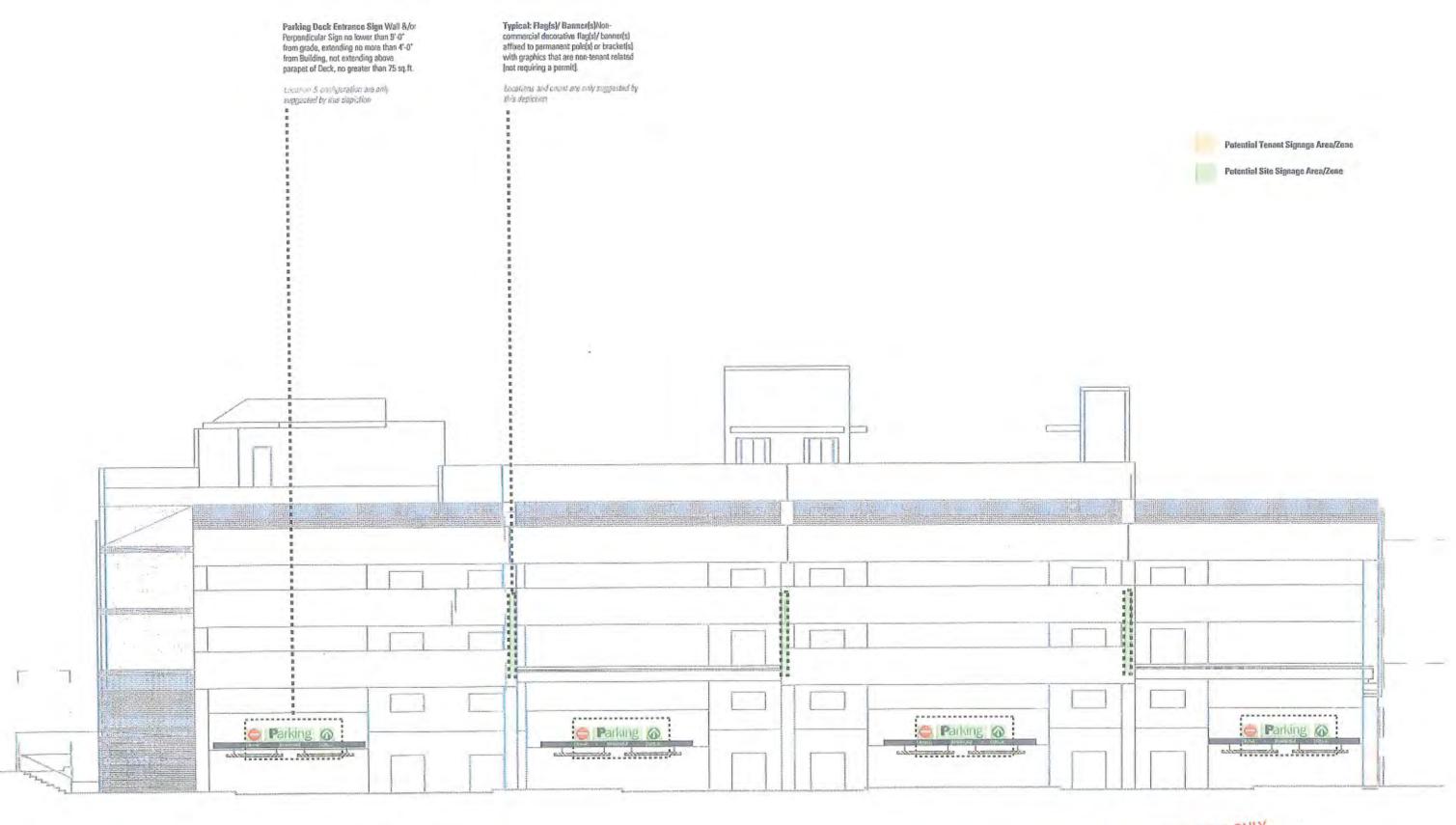


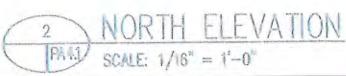




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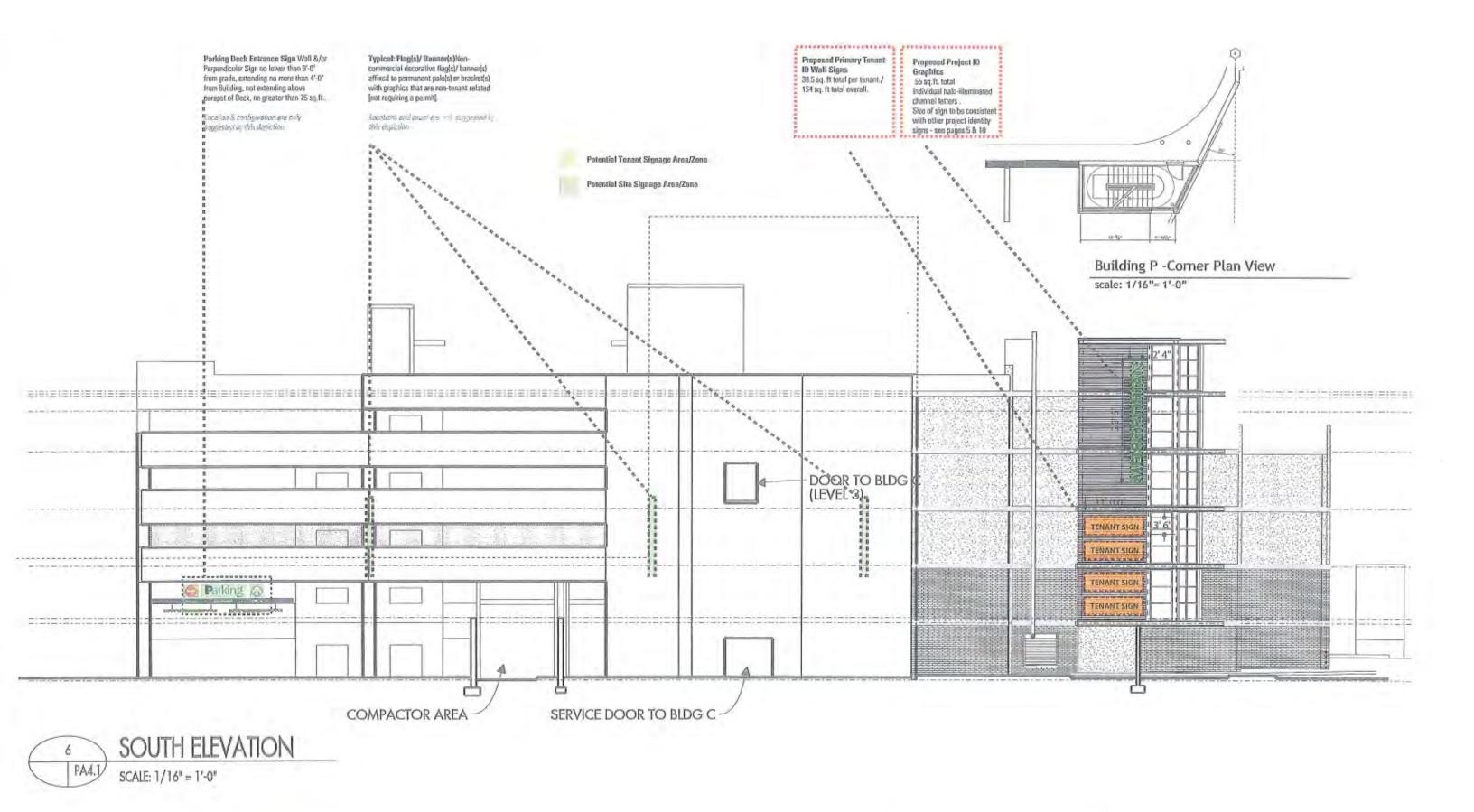


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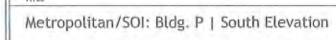






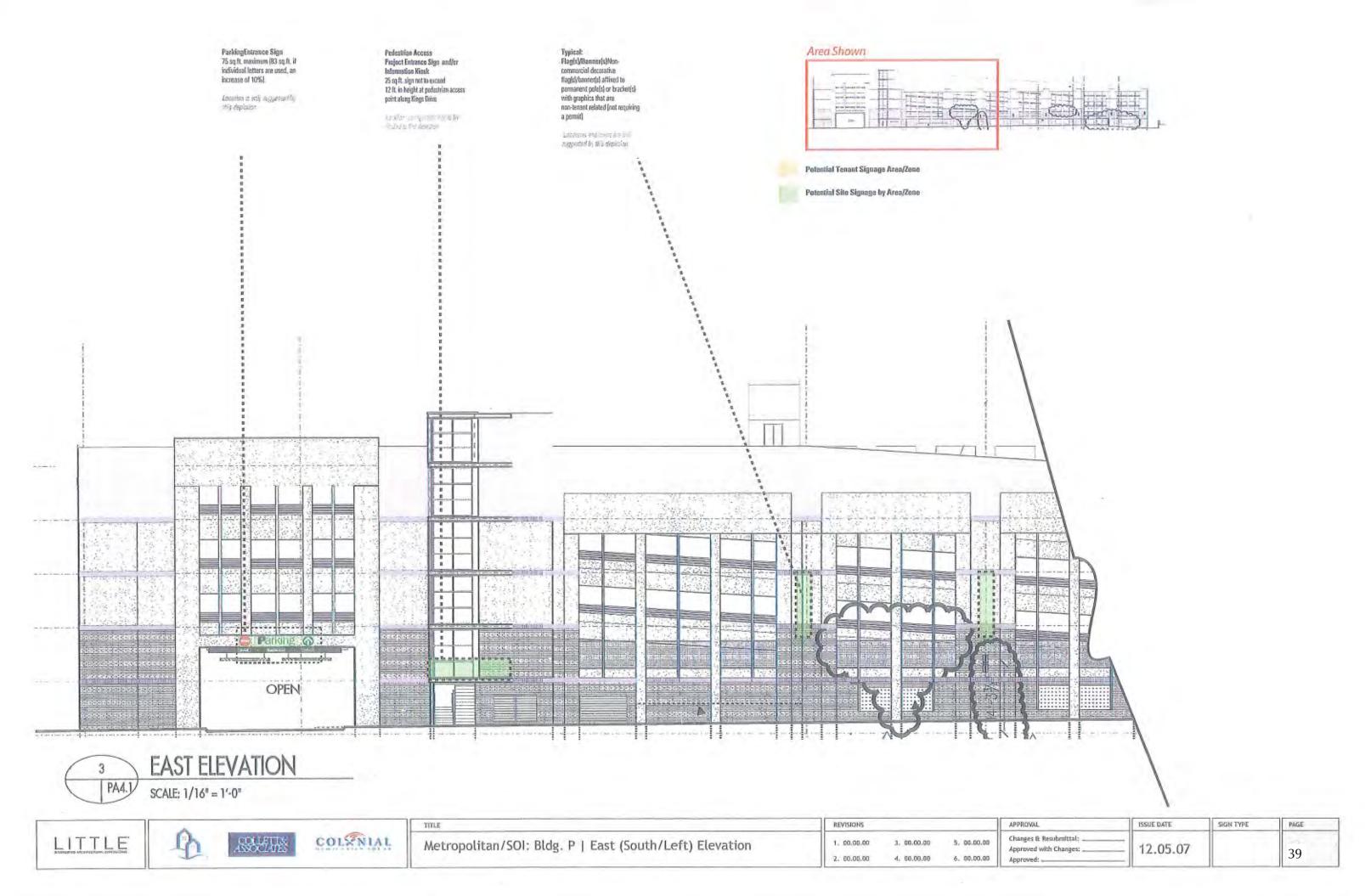


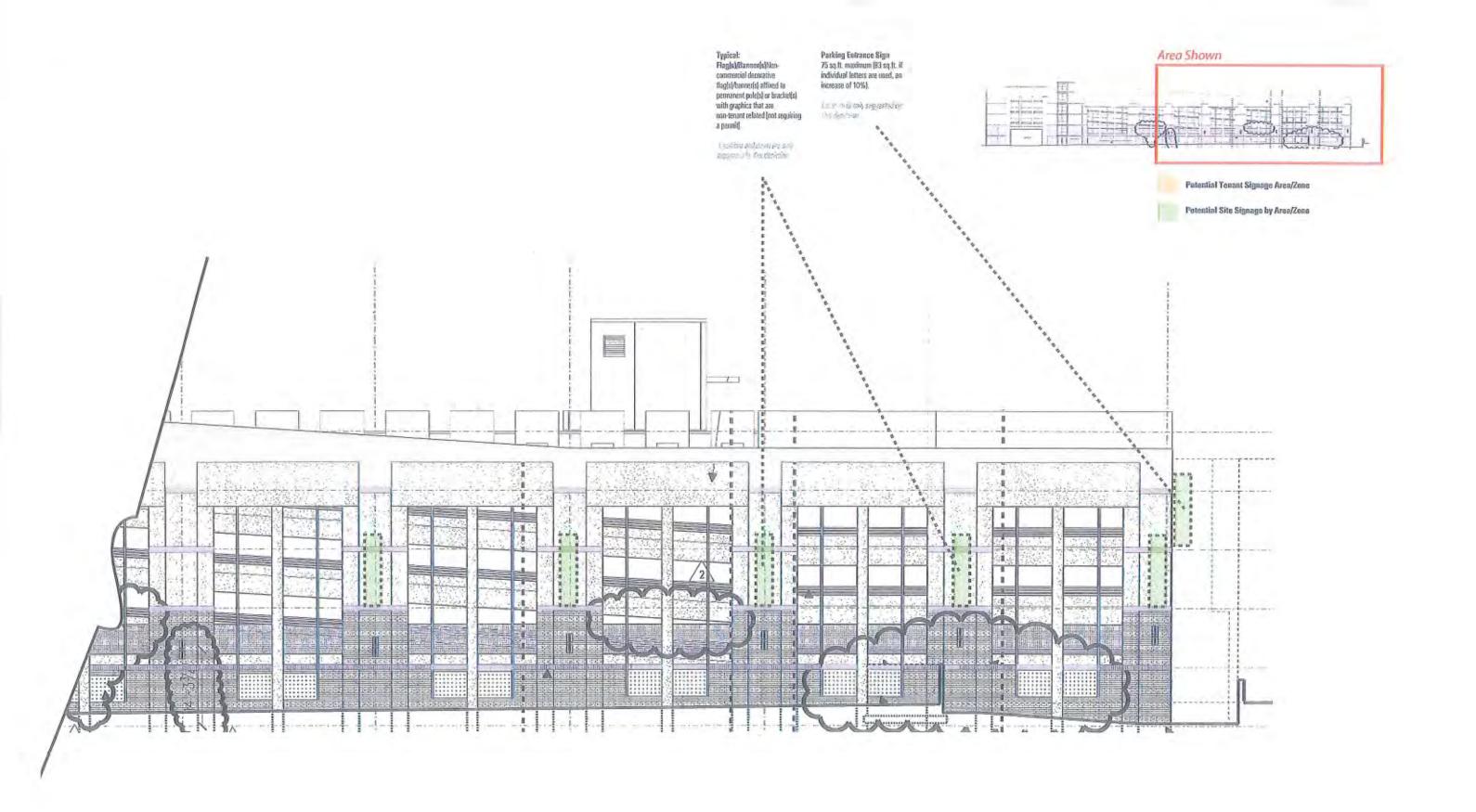




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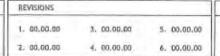




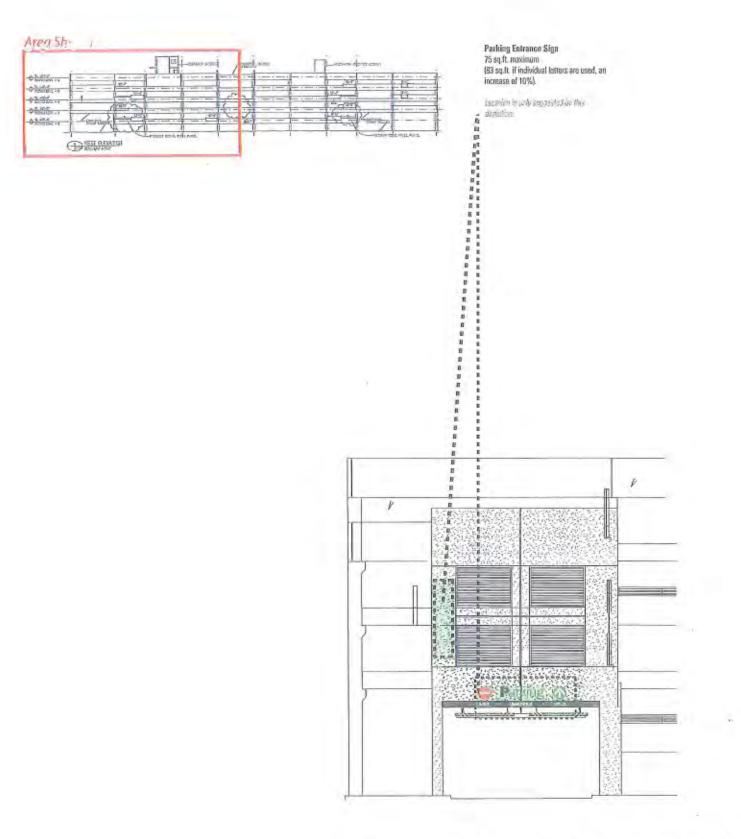


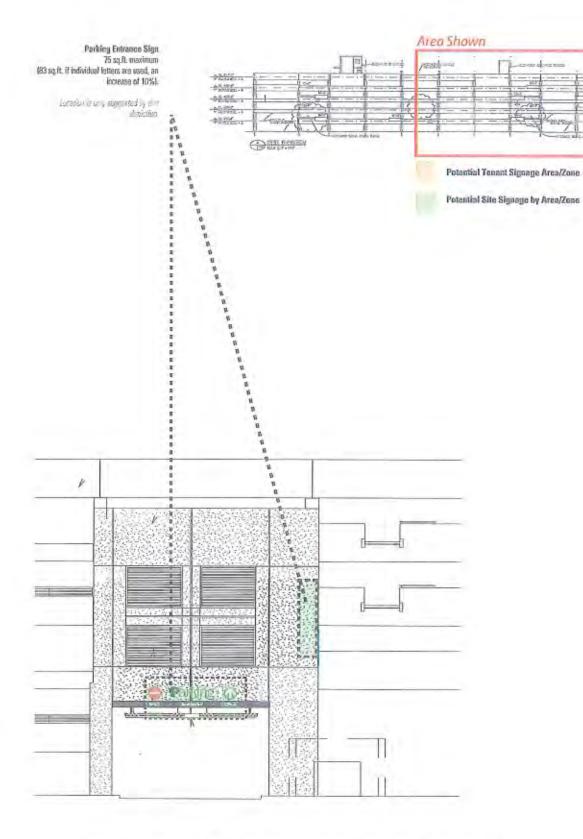


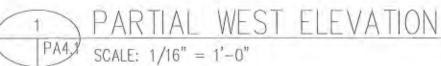




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8 PARTIAL WEST ELEVATION

| PA43 | SCALE: 1/16" = 1'-0"





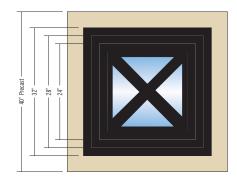




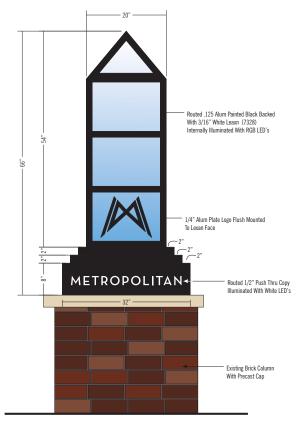


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# **Branded Entry Features**



Plan Elevation



Internally Illuminated Four Sides Obelisk Painted Black With White Acrylic Fcaes 1/4" Alum Plate Logo & Push Thru Copy

Entry Features For The Development Entrances Concept Rendering, The Actual Entry Feature Style And Shape May Vary



As shown on the above rendering, two obelisks with signage may be located on the site at the entrance into the site from Charlottetowne Avenue, with one obelisk with signage being located on the southwest corner of the intersection at Charlottetowne Avenue and Metropolitan Avenue, and the second obelisk with signage being located on the southeast corner of the intersection of Charlottetowne Avenue and Metropolitan Avenue.

Sign Plan Amendment Branded Entry Feature 6/19/2017

I. REZONING APPLICATION

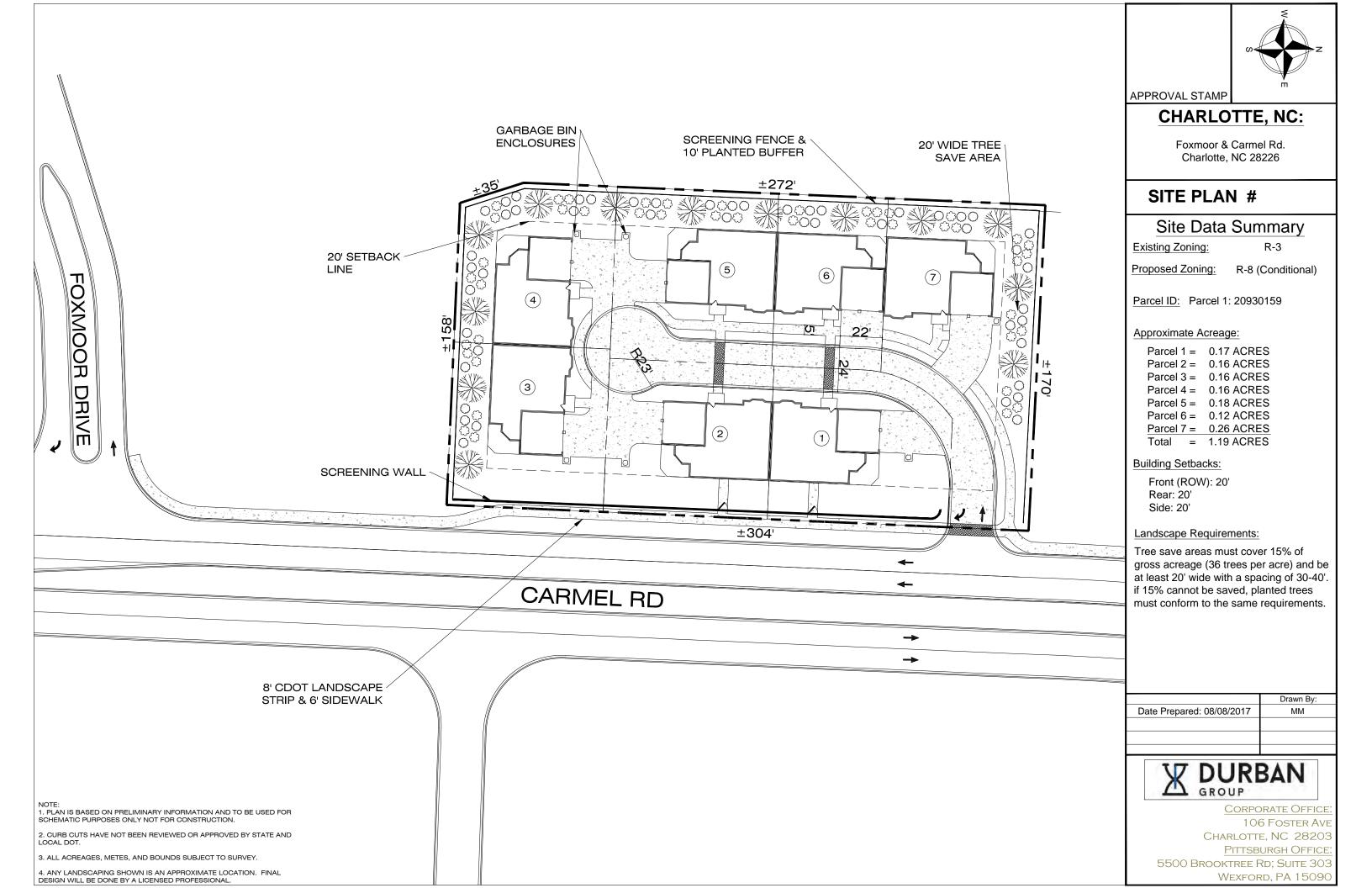
CITY OF CHARLOTTE

BY: 4 2017

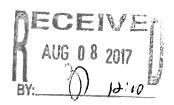
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Petition #:	BY	E S COLUMN TO THE STREET STREET		Y		
Date Filed:						
Received B	v:		5	_		

Complete All Fields (Use additional pages if needed	
Property Owner: Charles V. Ricks	2017-12
Owner's Address: 4618 Carmel Road	City, State, Zip: Charlotte, NC, 28226
Date Property Acquired: 1/22/2015	·
Property Address: 4618 Carmel Road Charlotte, NC 2822	26
Tax Parcel Number(s): 20930159	
Current Land Use: Residential	Size (Acres): 1.22
Existing Zoning: R-3	Proposed Zoning: R-8 (CD)
Overlay: N/A etc.)	(Specify PED, Watershed, Historic District,
Required Rezoning Pre-Application Meeting* with:	ohn Kinley
(*Rezoning applications will not be processed until a requheld.)	aired pre-application meeting with a rezoning team member is
For Conditional Rezonings Only:	
Requesting a vesting perlod exceeding the 2 year minim	num? Yes(No) Number of years (maximum of 5):
	allow the redevelopment of the site for a
single family atta	ched residential development
•	
N/A Name of Rezoning Agent	Durban Development, LLC Name of Petitioner(s)
N/A	106 Foster Ave
Agent's Address	Address of Petitioner(s)
N/A City, State, Zip	Charlotte, NC 28203 City, State, Zip
N/A N/A Telephone Number Fax Number	704-319-8303 704-423-0339
N/A	
E-Mall Address	matt.marflake@drubangroup.com E-Mail Address
Mayer Dicks	Clyun (le
Signature of Property Owner	Signature of Peritioner
(Name Typed / Printed)	CALIN PICKS
transcent Changet Consument	(Name Typed / Printed)



# I. REZONING APPLICATION CITY OF CHARLOTTE



	2017-130
Petition #: _	
Date Filed:	8/4/2017
Received By:	Br-

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

Property Owner: George & Ruth Barrett Family, LLC	
Owner's Address: 7718 Blue Ridge Circle	_ City, State, Zip: Charlotte, NC 28270
Date Property Acquired: <u>January 12, 2001</u>	,
Property Address: 2915 Griffith St Charlotte, NC 28203	· ·
Tax Parcel Number(s): 14701704	
Current Land Use: <u>Industrial Miscellaneous</u>	Size (Acres): 0.42 acres
Existing Zoning: <u>I-2</u>	Proposed Zoning: TOD-M
Overlay: N/A	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Solomo Date of meeting: May 17, 2017	n Fortune
(*Rezoning applications will not be processed until a required held.)	pre-application meeting with a rezoning team member is
Requesting a vesting period exceeding the 2 year minimum?  Purpose/description of Conditional Zoning Plan:	
N/A Name of Rezoning Agent	TWENTYNINE FIFTEEN OPERATIONS, LLC  Name of Petitioner(s)
N/A	106 Foster Ave
Agent's Address	Address of Petitioner(s)
N/A City, State, Zip	Charlotte, NC 28203 City, State, Zip
N/A N/A Telephone Number Fax Number	704-319-8347 704-423-0339 Telephone Number Fax Number
E-Mail Address	jason.mathis@durbangroup.com E-Mail Address
Signature of Property Owner  Company Sarrett	Signature of Petitioner
(Name Typed / Printed)	(Name Typed / Printed)

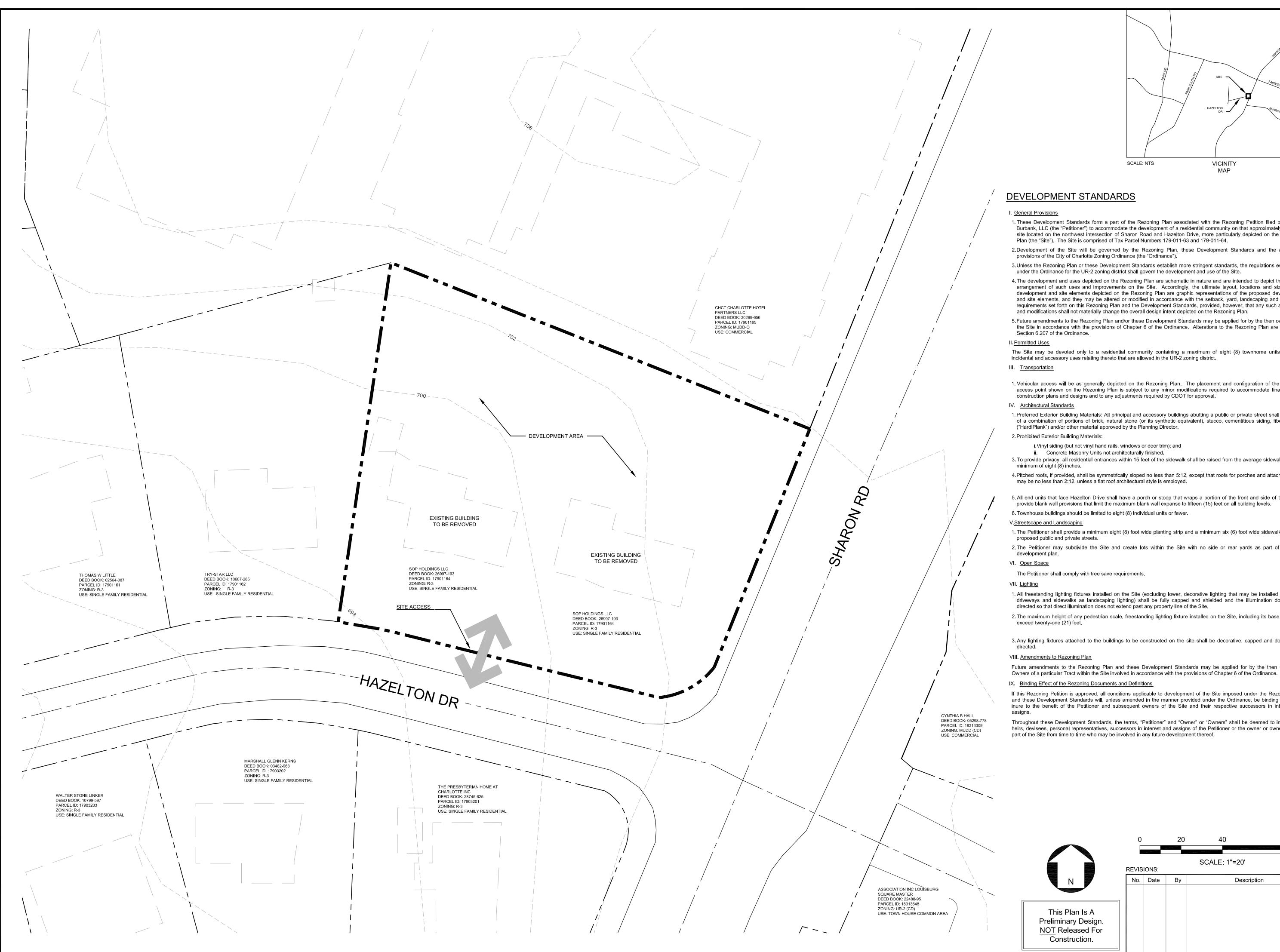
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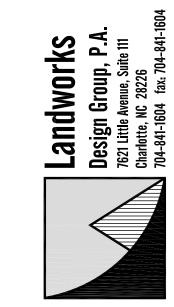
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2017-131
8/16/2017
RL

Complete All Fields (Use additional pages if needed)

Property Owner: SOP Holdings, LLC	
Owner's Address: 419 S. Sharon Amity Rd	City, State, Zip: Charlotte, NC 28211
Date Property Acquired: 8/6/2017	
Property Address: 6527 and 6521 Hazelton Drive	
Tax Parcel Number(s):179-011-63 and 179-011-64	
	Size (Acres): +/- 0.7 acres
	Proposed Zoning: UR-2(CD)
Existing Zoning: R-3	
Overlay: None	
Required Rezoning Pre-Application Meeting* with: <u>John I</u> Date of meeting: $\underline{7/18/17}$ (*Rezoning applications will not be processed until a requheld.)	ired pre-application meeting with a rezoning team member is
Purpose/description of Conditional Zoning Plan: <u>To acco</u>	ommodate the redevelopment of 8 townhome units
Collin Brown and Bailey Patrick, Jr.  Name of Rezoning Agent	Saussy Burbank, LLC  Name of Petitioner(s)
214 N. Tryon Street, 47th Floor Agent's Address	2550 West Tyvola Road, Suite 100 Address of Petitioner(s)
Charlotte, NC 28202 City, State, Zip	Charlotte, NC 28217 City, State, Zip
704-331-7531 704-353-3231 Telephone Number Fax Number	704-945-1515 Telephone Number Fax Number
Collin.Brown@klgates.com E-Mail Address  Signature of Property Owner  SIEVEN C. HINSHAW	charles.teal@saussyburbank.com  E-Mail Address  Signature of Petitioner  Charles E Teal
(Name Typed / Printed)	(Name Typed / Printed)





#### DEVELOPMENT STANDARDS

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Saussy Burbank, LLC (the "Petitioner") to accommodate the development of a residential community on that approximately 0.7 acre site located on the northwest intersection of Sharon Road and Hazelton Drive, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 179-011-63 and 179-011-64.

VICINITY

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").

SCALE: NTS

- 3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 zoning district shall govern the development and use of the Site.
- 4. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
- 5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to
- The Site may be devoted only to a residential community containing a maximum of eight (8) townhome units and any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district.
- 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 is subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.

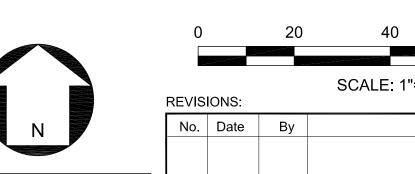
1. Preferred Exterior Building Materials: All principal and accessory buildings abutting a public or private street shall comprise of a combination of portions of brick, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement ("HardiPlank") and/or other material approved by the Planning Director.

#### 2. Prohibited Exterior Building Materials:

- i. Vinyl siding (but not vinyl hand rails, windows or door trim); and
- ii. Concrete Masonry Units not architecturally finished. 3. To provide privacy, all residential entrances within 15 feet of the sidewalk shall be raised from the average sidewalk grade a
- 4. Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
- 5. All end units that face Hazelton Drive shall have a porch or stoop that wraps a portion of the front and side of the unit or
- 6. Townhouse buildings should be limited to eight (8) individual units or fewer.
- V. Streetscape and Landscaping
- 1. The Petitioner shall provide a minimum eight (8) foot wide planting strip and a minimum six (6) foot wide sidewalk along all
- 2. The Petitioner may subdivide the Site and create lots within the Site with no side or rear yards as part of a unified
- The Petitioner shall comply with tree save requirements.
- 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-one (21) feet.
- 3. Any lighting fixtures attached to the buildings to be constructed on the site shall be decorative, capped and downwardly

#### VIII. Amendments to Rezoning Plan

- Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or
- IX. Binding Effect of the Rezoning Documents and Definitions
- If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and
- 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.



This Plan Is A Preliminary Design. NOT Released For

ISI	SCALE: 1"=20' SIONS:						
٠.	Date	Ву	Description				

CORPORATE CERTIFICATIONS NC PE : C-2930 NC LA : C-253 SC ENG : NO. 3599 SC LA : NO. 211

REZONING

SITE PLAN

**REZONING PETITION:** 

2017-XX

Project Manager Drawn By:

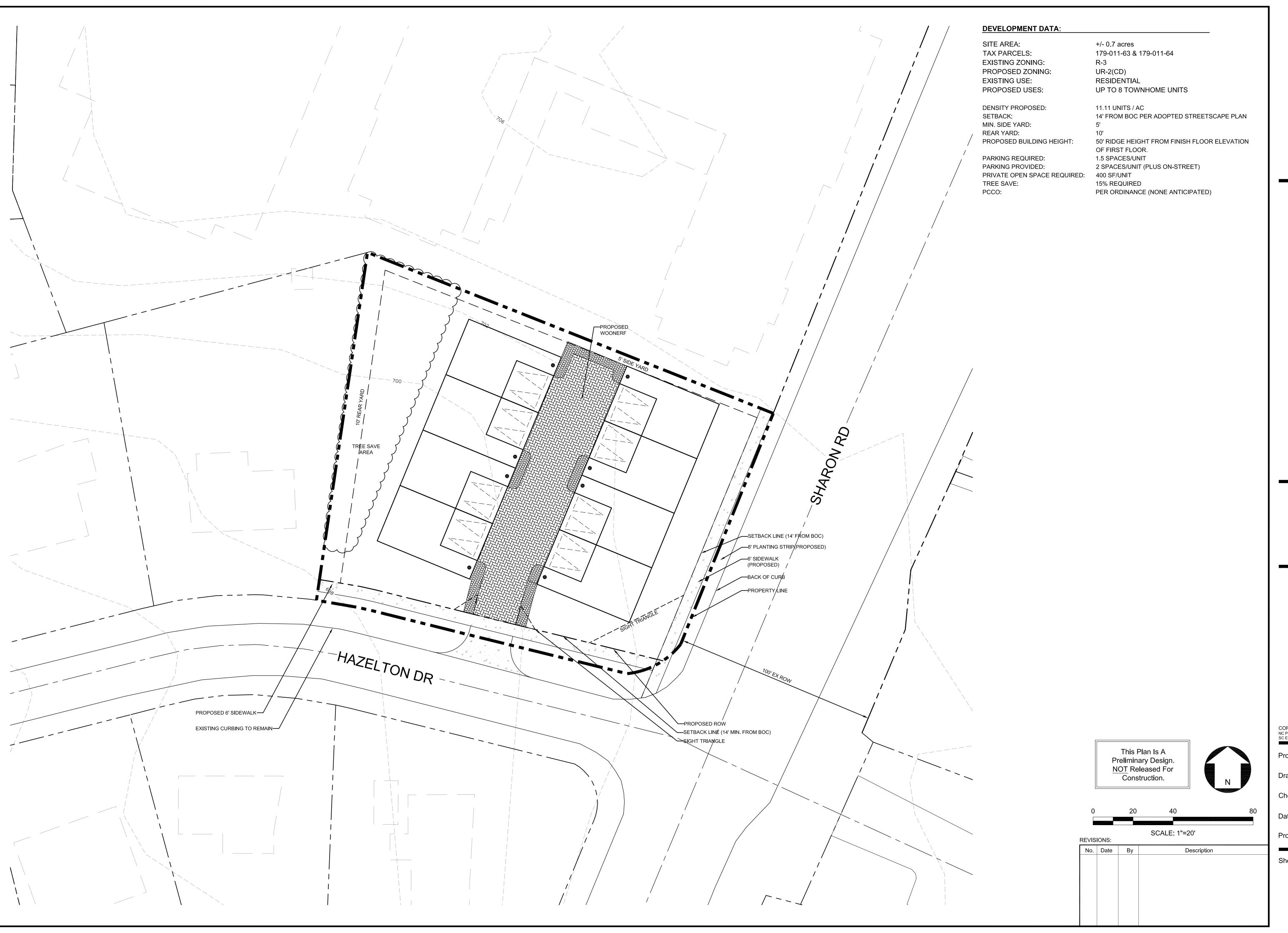
Checked By: 8/15/17

Project Number

Sheet Number:

RZ-1

SHEET #1 OF 2





CHARLOTTE, NC
PETITIONER: SAUSSY BURBANK, I

REZONING SITE PLAN
REZONING PETITION:

2017-XX

CORPORATE CERTIFICATIONS
NC PE : C-2930 NC LA : C-253
SC ENG : NO. 3599 SC LA : NO. 211

SC ENG: NO. 3599 SC LA: NO. 211

Project Manager: MC

Drawn By: SC.

Checked By: MDL

Date: 8/15/17

Project Number:

Sheet Number:

RZ-1

SHEET #1 OF 2

# I. REZONING APPLICATION CITY OF CHARLOTTE

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	2017-132
Petition #:	
Date Filed: _	3/23/2017
Received By	· R
	1 7 7

Complete All Fields (Use additional pages if needed) Property Owner: Crescent Communities, LLC  Owner's Address: 227 West Trade St., Suite 1000  Date Property Acquired: #04716213 - 10/6/1995, #04  Property Address: 2615 West Mallard Creek Church  Tax Parcel Number(s): 04716213, 04716211 & 0471  Current Land Use: Vacant  Existing Zoning: RE-2 (1998-066(C)), R-3	1716211 - 4/1/99 & #04716205 - 1/31/2000 h Road, Charlotte, NC. 28262
Owner's Address: 227 West Trade St., Suite 1000  Date Property Acquired: #04716213 - 10/6/1995, #049  Property Address: 2615 West Mallard Creek Church  Tax Parcel Number(s): 04716213, 04716211 & 0471  Current Land Use: Vacant  Existing Zoning: RE-2 (1998-066(C)), R-3	1716211 - 4/1/99 & #04716205 - 1/31/2000 h Road, Charlotte, NC. 28262 6205
Owner's Address: 227 West Trade St., Suite 1000  Date Property Acquired: #04716213 - 10/6/1995, #049  Property Address: 2615 West Mallard Creek Church  Tax Parcel Number(s): 04716213, 04716211 & 0471  Current Land Use: Vacant  Existing Zoning: RE-2 (1998-066(C)), R-3	1716211 - 4/1/99 & #04716205 - 1/31/2000 h Road, Charlotte, NC. 28262 6205
Date Property Acquired: #04716213 - 10/6/1995, #048  Property Address: 2615 West Mallard Creek Church  Tax Parcel Number(s): 04716213, 04716211 & 0471  Current Land Use: Vacant  Existing Zoning: RE-2 (1998-066(C)), R-3	1716211 - 4/1/99 & #04716205 - 1/31/2000 h Road, Charlotte, NC. 28262 6205
Property Address: 2615 West Mallard Creek Church Tax Parcel Number(s): 04716213, 04716211 & 0471 Current Land Use: Vacant Existing Zoning: RE-2 (1998-066(C)), R-3	n Road, Charlotte, NC. 28262 6205
Property Address: 2615 West Mallard Creek Church Tax Parcel Number(s): 04716213, 04716211 & 0471 Current Land Use: Vacant Existing Zoning: RE-2 (1998-066(C)), R-3	n Road, Charlotte, NC. 28262 6205
Tax Parcel Number(s): 04716213, 04716211 & 0471  Current Land Use: Vacant  Existing Zoning: RE-2 (1998-066(C)), R-3	6205
Current Land Use: Vacant Existing Zoning: RE-2 (1998-066(C)), R-3	
Existing Zoning: RE-2 (1998-066(C)), R-3	Size (Acres): +/- 21 Acres (Per GIS)
N.176	Proposed Zoning: UR-2 (CD)
Overlay: N/A	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Alberto	Gonzalez et al.
Date of meeting: 7/11/2017	
(*Rezoning applications will not be processed until a require	d pre-application meeting with a rezoning team member is
held.)	
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimum	2 Yes/No. Number of years (maximum of 5). 5
Purpose/description of Conditional Zoning Plan:	nodate a master planned community with "for sale" single
Purpose/description of Conditional Zoning Plan: family attached dwelling units.	
army accorded dwelling armo.	<u> </u>
	Matterna I damas (Atter Dela Minaina)
K&L GATES (Attn: Collin Brown)	Mattamy Homes (Attn: Bob Wiggins)
Name of Rezoning Agent	Name of Petitioner(s)
Name of Rezoning Agent Hearst Tower, 214 North Tryon Street, 47th Floor	Name of Petitioner(s) 2025 Ayrsley Town Blvd., Suite 1104
Name of Rezoning Agent Hearst Tower, 214 North Tryon Street, 47th Floor Agent's Address	Name of Petitioner(s) 2025 Ayrsley Town Blvd., Suite 1104 Address of Petitioner(s)
Name of Rezoning Agent Hearst Tower, 214 North Tryon Street, 47th Floor Agent's Address Charlotte, NC, 28202	Name of Petitioner(s)  2025 Ayrsley Town Blvd., Suite 1104  Address of Petitioner(s)  Charlotte, NC, 28273
Name of Rezoning Agent Hearst Tower, 214 North Tryon Street, 47th Floor Agent's Address Charlotte, NC, 28202 City, State, Zip	Name of Petitioner(s)  2025 Ayrsley Town Blvd., Suite 1104  Address of Petitioner(s)  Charlotte, NC, 28273  City, State, Zip
Name of Rezoning Agent  Hearst Tower, 214 North Tryon Street, 47th Floor  Agent's Address  Charlotte, NC, 28202  City, State, Zip  (704)-331-7531	Name of Petitioner(s)  2025 Ayrsley Town Blvd., Suite 1104  Address of Petitioner(s)  Charlotte, NC, 28273  City, State, Zip  (704)-375-9373
Name of Rezoning Agent  Hearst Tower, 214 North Tryon Street, 47th Floor  Agent's Address  Charlotte, NC, 28202  City, State, Zip  (704)-331-7531  Telephone Number  Fax Number	Name of Petitioner(s)  2025 Ayrsley Town Blvd., Suite 1104  Address of Petitioner(s)  Charlotte, NC, 28273  City, State, Zip  (704)-375-9373  Telephone Number Fax Number
Name of Rezoning Agent Hearst Tower, 214 North Tryon Street, 47th Floor Agent's Address Charlotte, NC, 28202 City, State, Zip (704)-331-7531	Name of Petitioner(s)  2025 Ayrsley Town Blvd., Suite 1104  Address of Petitioner(s)  Charlotte, NC, 28273  City, State, Zip  (704)-375-9373
Name of Rezoning Agent  Hearst Tower, 214 North Tryon Street, 47th Floor  Agent's Address  Charlotte, NC, 28202  City, State, Zip  (704)-331-7531  Telephone Number Fax Number  collin.brown@klgates.com	Name of Petitioner(s)  2025 Ayrsley Town Blvd., Suite 1104  Address of Petitioner(s)  Charlotte, NC, 28273  City, State, Zip  (704)-375-9373  Telephone Number Fax Number  Bob.Wiggins@mattamycorp.com
Name of Rezoning Agent Hearst Tower, 214 North Tryon Street, 47th Floor Agent's Address Charlotte, NC, 28202 City, State, Zip (704)-331-7531 Telephone Number Fax Number collin.brown@klgates.com E-Mail Address	Name of Petitioner(s)  2025 Ayrsley Town Blvd., Suite 1104  Address of Petitioner(s)  Charlotte, NC, 28273  City, State, Zip  (704)-375-9373  Telephone Number Fax Number  Bob.Wiggins@mattamycorp.com
Name of Rezoning Agent  Hearst Tower, 214 North Tryon Street, 47th Floor  Agent's Address  Charlotte, NC, 28202  City, State, Zip  (704)-331-7531  Telephone Number Fax Number  collin.brown@klgates.com  E-Mail Address  See Attached Joinder Agreement	Name of Petitioner(s)  2025 Ayrsley Town Blvd., Suite 1104  Address of Petitioner(s)  Charlotte, NC, 28273  City, State, Zip  (704)-375-9373  Telephone Number Fax Number  Bob.Wiggins@mattamycorp.com  E-Mail Address
<u> </u>	

#### City of Charlotte - Conditional District Rezoning - UR-2 (CD)

Tax Parcel ID: 04716213, 04716211 & 04716205

This day of (month) 2017

04716213 - Deed Book 8320, Page 829 04716211 - Deed Book 10372, Page 487 04716205 - Deed Book 11057, Page 241

#### **Petitioner Joinder Agreement**

The undersigned, as the owner of these parcels of land located on 2615 West Mallard Creek Church Road in Charlotte, North Carolina that are designated as Parcel Identification Numbers **04716213**, **04716211 & 04716205** on the Mecklenburg County Tax Map and which are the subject of the attached Conditional District Rezoning Application, hereby join and give permission to Mattamy Homes to request and file this Application with the City of Charlotte for the parcels referenced above.

Selet

North Carolina
County of Mecklenburg

Brian Leary, appearing before the undersigned

Name of Property Ownel (printed)

Notary and being duly sworn, says that:

1. I am the owner of the property described above

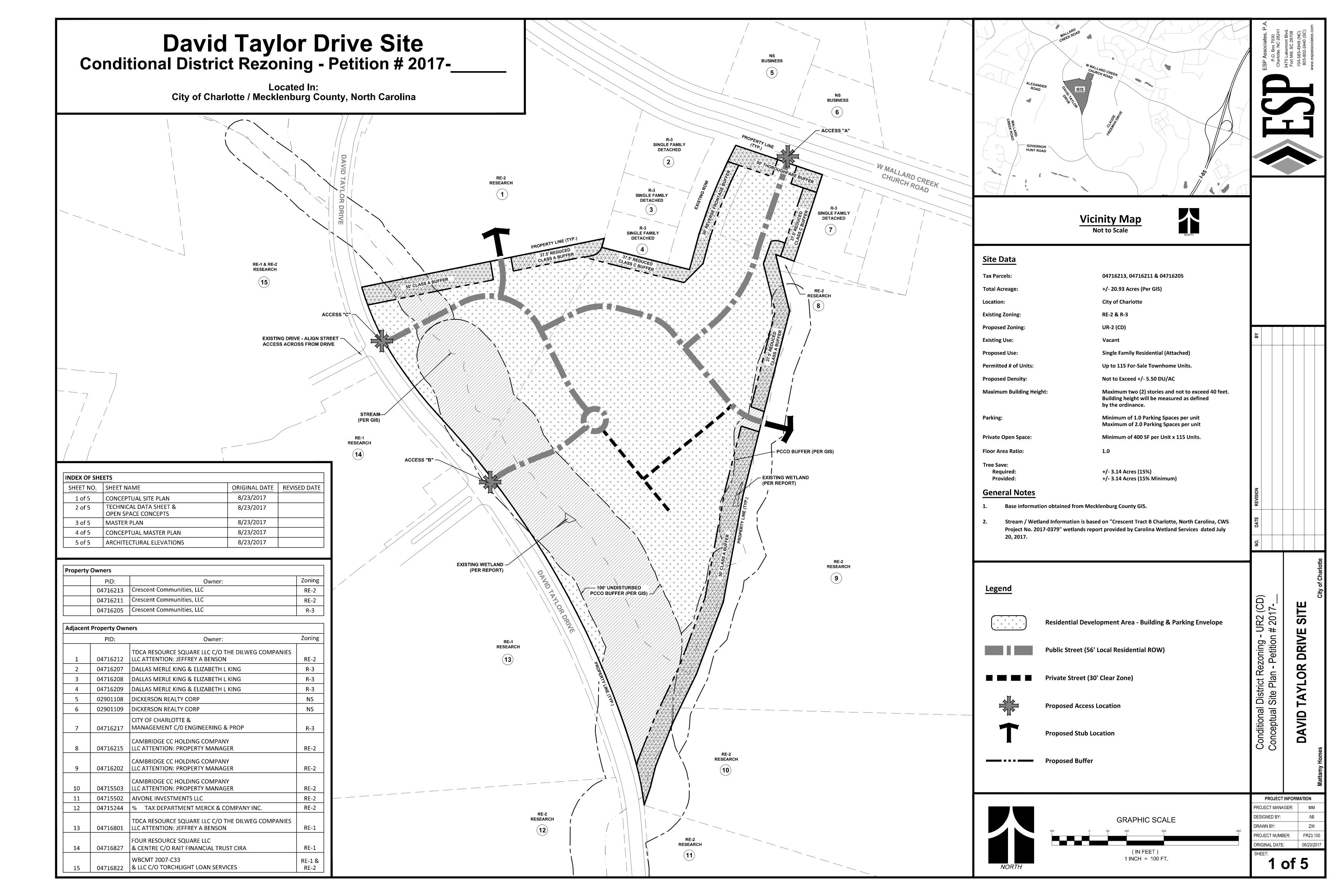
2. All statements above are true and correct

Property Owners Signature

Sworn to (or affirmed) and subscribed before me this the day of day

Crescent Communities, LLC 227 West Trade St., Suite 1000

ner Signature)



#### David Taylor Drive Site - Petition #2017-\_\_\_ **Conditional District Rezoning - Development Standards**

#### I. General Provisions

- 1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Mattamy Homes (the "Petitioner") to accommodate the development of a residential community on that approximately 20.93 acre site located on the north-east side of David Taylor Drive and south of West Mallard Creek Church Road, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 047-162-13, 047-162-11, and 047-162-05.
- 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 IX. Binding Effect of the Rezoning Documents and Definitions regulations established under the Ordinance for the UR-2 zoning district shall govern the development and use of the Site.
- 4. The development and street layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
- 5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

#### **II. Permitted Uses**

The Site may be devoted only to a residential community containing a maximum of 115 townhome units and any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district.

#### III. Transportation

- 1. Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required
- 2. As depicted on the Rezoning Plan, the Site will be served by internal public and private drives, and minor adjustments to the locations of the internal public and private drives shall be allowed during the construction permitting process.
- 3. Petitioner shall dedicate all rights-of-way in fee simple conveyance to the City of Charlotte before the Site's first building certificate of occupancy is issued or phased per the Site's development plan.
- 4. Petitioner shall substantially complete all transportation improvements before the Site's first building certificate of occupancy is issued or phased per the Site's development plan.
- 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 a certificate of occupancy is issued to secure completion of the applicable improvements.

#### IV. Architectural Standards

- 1. Exterior Building Materials: All principal and accessory buildings abutting a public or private street shall comprise of a combination of portions of brick, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement ("HardiPlank") and/or other material approved by the Planning
- 2. Prohibited Exterior Building Materials:
- i. Vinyl siding (but not vinyl hand rails, windows or door trim); and
- ii. Concrete Masonry Units not architecturally finished.

#### V. Streetscape and Landscaping

- 1. The Petitioner shall provide a minimum eight (8) foot wide planting strip and a minimum five (5) foot wide sidewalk along both sides of all proposed public and private streets. A minimum five (5) foot wide planting strip and a minimum five (5) foot wide sidewalk shall be provided along both sides of all proposed private streets.
- 2. The Petitioner may subdivide the Site and create lots within the Site with no side or rear yards as part of a unified development plan.
- 3. Petitioner shall provide a minimum setback of at least twenty (20) feet from the proposed back of curb for front-loaded units fronting public and private streets, a minimum setback of twenty (20) feet from the proposed back of curb for alley-loaded units fronting public streets, and a minimum setback of fourteen (14) feet from the proposed back of curb for alley-loaded units fronting private streets. Stoops and stairs may encroach three (3) feet into the setback as a "transition zone."
- 4. For alley loaded units, driveway lengths shall be a minimum of 5-7' or 20' and greater measured from the back of curb to face of garage.
- 5. For front loaded units, driveway lengths shall be a minimum of 20' measured from the back of sidewalk to face of garage.

#### VI. Open Space

- 1. The Petitioner shall comply with the Post Construction Controls Ordinance and tree save requirements.
- 2. The Petitioner shall provide amenitized open space areas, as generally depicted on the Rezoning Plan.

#### VII. Lighting

1. All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks as landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.

- 2. The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed twenty-one (21) feet.
- 3. Any lighting fixtures attached to the buildings to be constructed on the site shall be decorative, capped and downwardly directed.

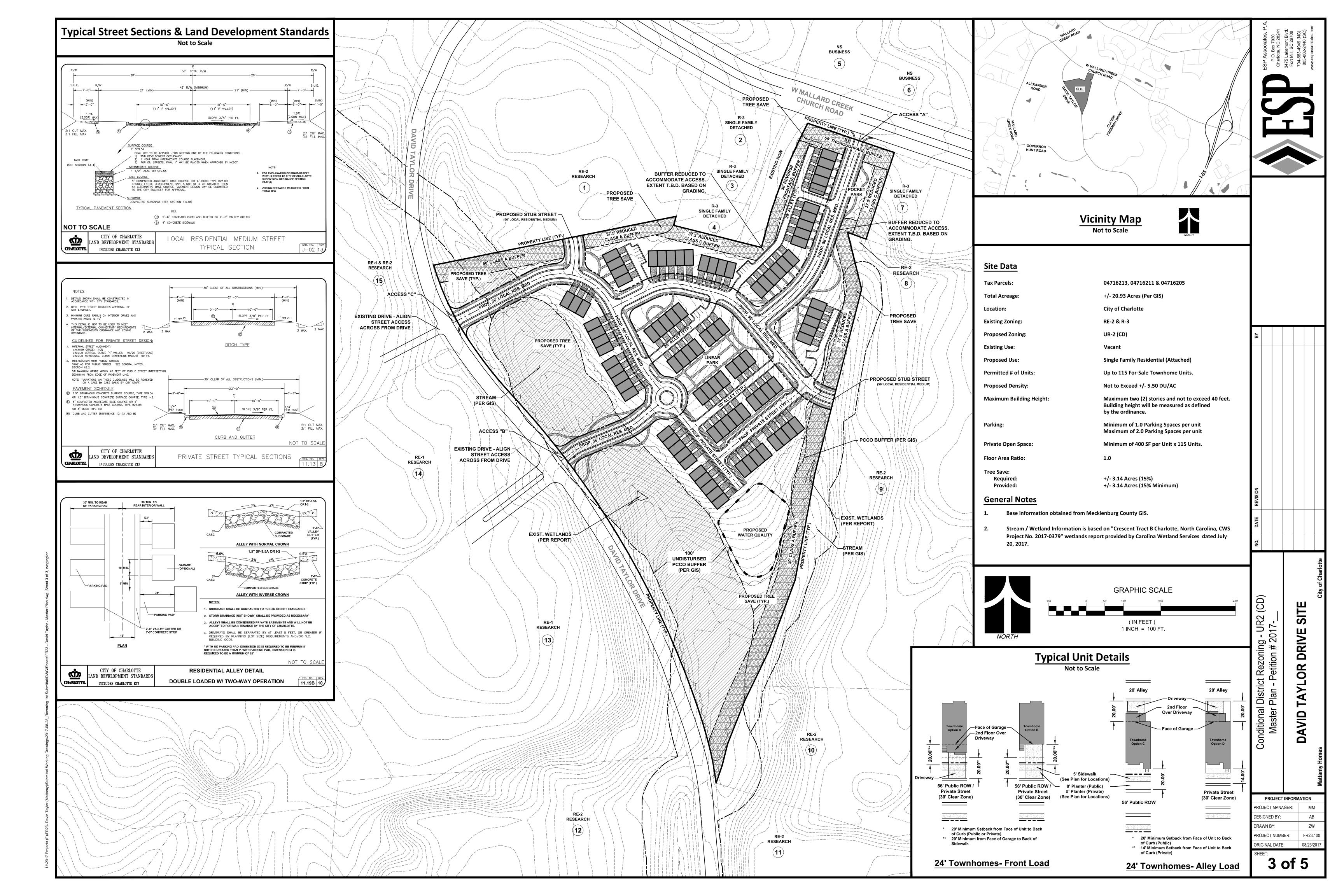
#### VIII. Amendments to Rezoning Plan

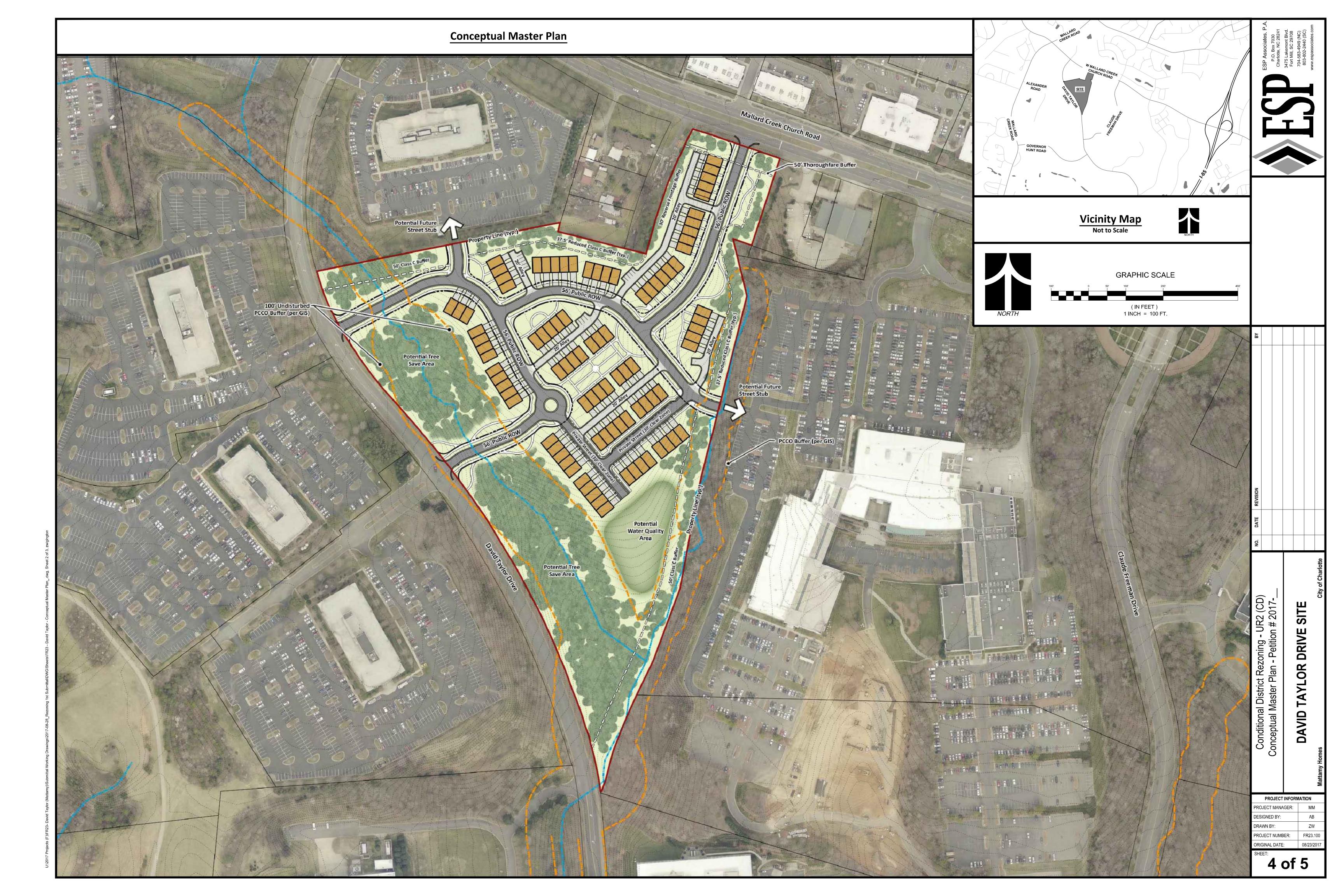
Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of a particular Tract within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

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.







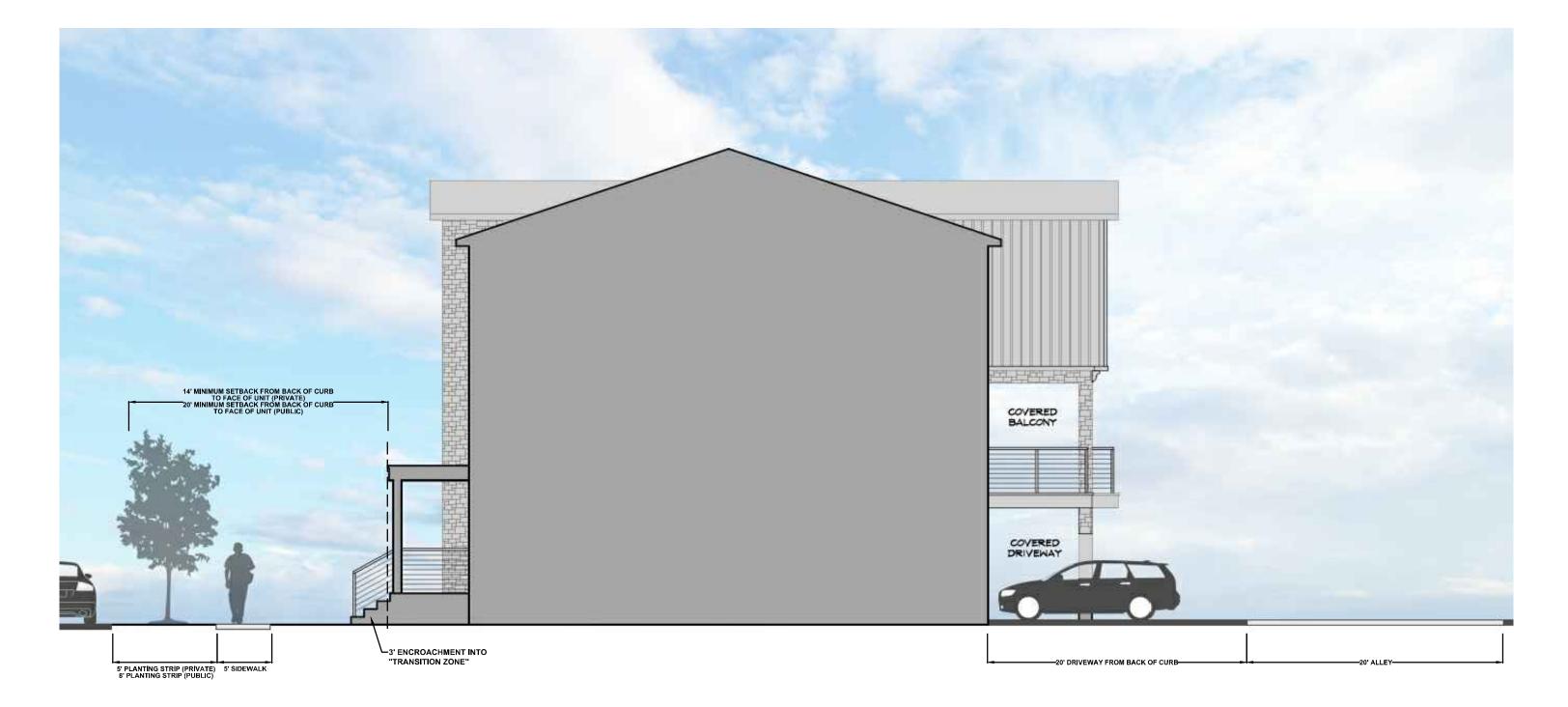
### **Architectural Standards**

- 1. Exterior Building Materials: All principal and accessory buildings abutting a public or private street shall comprise of a combination of portions of brick, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement ("HardiPlank") and/or other material approved by the Planning Director.
- 2. Prohibited Exterior Building Materials:
- i. Vinyl siding (but not vinyl hand rails, windows or door trim); and
- ii. Concrete Masonry Units not architecturally finished.

### Front & Alley Loaded Cross Sections



#### Front Loaded Cross Section - NTS



**Alley Loaded Cross Section - NTS** 

DAVID TAYLOR DRIVE SITE

PROJECT INFORMATION

PROJECT MANAGER: MM

DESIGNED BY: AB

DRAWN BY: ZW

PROJECT NUMBER: FR23.100

ORIGINAL DATE: 08/23/2017

5 of 5

## I. REZONING APPLICATION CITY OF CHARLOTTE

Signature of Property Owner

(Name Typed / Printed)



	<del>40(1-153)</del>
Petition #:	
Date Filed:	8/23/2017
Received By: _	· f,
	Iharrier

	Received By:
Complete All Fields (Use additional pages if needed	<del></del>
Property Owner: Crescent Communities, LLC	
Owner's Address: 227 West Trade St., Suite 100	O City, State, Zip: Charlotte, NC. 28202
Date Property Acquired: #04716828 - 10/6/1995, #	‡04715239 & #04715237 - 3/24/2000
Property Address: 1 College View Lane, Charlotte	e, NC. 28262
Tax Parcel Number(s): 04716828, 04715239 & 04	715237
Current Land Use: Vacant	Size (Acres): +/- 38 Acres (Per GIS)
Existing Zoning: RE-1 (1995-012(C))	
Overlay: N/A	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Alber Date of meeting: 7/11/17	
(*Rezoning applications will not be processed until a requheld.)	ired pre-application meeting with a rezoning team member is
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimum	um? Yes/No. Number of years (maximum of 5): 5
	mmodate a master planned community with "for sale" single
K&L GATES (Attn: Collin Brown)	Mattamy Homes (Attn: Bob Wiggins)
Name of Rezoning Agent	Name of Petitioner(s)
Hearst Tower, 214 North Tryon Street, 47th Floor	2025 Ayrsley Town Blvd., Suite 1104
Agent's Address	Address of Petitioner(s)
Charlotte, NC, 28202	Charlotte, NC, 28273
City, State, Zip	City, State, Zip
(704)-331-7531	(704)-375-9373
Telephone Number Fax Number	· · · · · · · · · · · · · · · · · · ·
collin.brown@klgates.com	Telephone Number Fax Number
E-Mail Address	Telephone Number Fax Number Bob.Wiggins@mattamycorp.com  E-Mail Address

Bob.Wiggins@mattamycorp.com

E-Mail Address

Signature of Petitioner

(Name Typed / Printed)

#### City of Charlotte - Conditional District Rezoning - UR-2 (CD)

Tax Parcel ID: 04716828, 04715239 & 04715237

04716828 - Deed Book 8320, Page 829 04715239 - Deed Book 11167, Page 680 04715237 - Deed Book 11167, Page 670

#### **Petitioner Joinder Agreement**

The undersigned, as the owner of these parcels of land located on 1 College View Lane in Charlotte, North Carolina that are designated as Parcel Identification Numbers **04716828**, **04715239 & 04715237** on the Mecklenburg County Tax Map and which are the subject of the attached Conditional District Rezoning Application, hereby join and give permission to Mattamy Homes to request and file this Application with the City of Charlotte for the parcels referenced above.

This day of (month) 2017

By: (Owner Signature)

Crescent Communities, LLC 227 West Trade St., Suite 1000 Charlotte, NC 28202

North Carolina
County of Medelanburg

Brian Leana, appearing before the undersigned
Name of Property Owner (printed)

Notary and being duly sworn, says that:

1. I am the owner of the property described above

2. All statements above are true and correct

**Property Owners Signature** 

Sworn to (or affirmed) and subscribed before me this the 14 day of  $\leq$ 

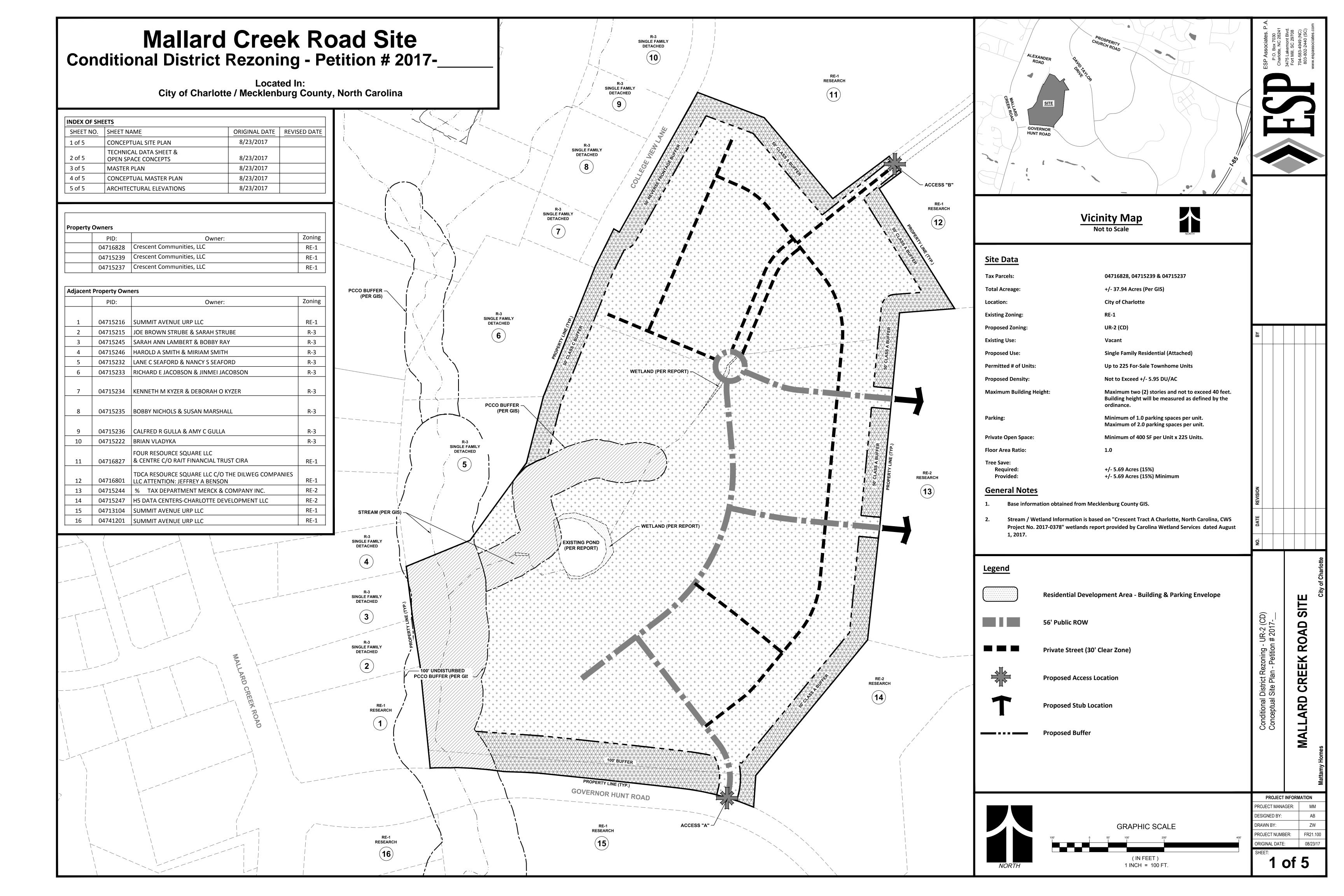
(Official Seal)

NOTARY DIMENSION OF AUBLIC

Official Signature of Notary

Melanie C. Concadotary Public Notary's Name (printed)

My commission expires: June le, Ju 2 2



#### Mallard Creek Road Site - Petition #2017-XX **Conditional District Rezoning - Development Standards**

#### I. General Provisions

- 1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Mattamy Homes (the "Petitioner") to accommodate the development of a residential community on that approximately 37.94 acre site located on the south-west side of College View Lane and north of Governor Hunt Road, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 047-168-28, 047-152-39, and 047-152-37
- 2. Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- 3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 zoning district shall govern the development
- 4. The development and street layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
- 5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

#### **II. Permitted Uses**

The Site may be devoted only to a residential community containing a maximum of 225 townhome units and any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district.

#### **III.Transportation**

- 1. Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
- 2. As depicted on the Rezoning Plan, the Site will be served by internal public and private drives, and minor adjustments to the locations of the internal public and private drives shall be allowed during the construction permitting process.
- 3. Petitioner shall dedicate all rights-of-way in fee simple conveyance to the City of Charlotte before the Site's first building certificate of occupancy is issued or phased per the Site's development plan.
- 4. Petitioner shall substantially complete all transportation improvements before the Site's first building certificate of occupancy is issued or phased per the Site's development plan.
  - 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 a certificate of occupancy is issued to secure completion of the applicable improvements.

#### IV. Architectural Standards

1. Exterior Building Materials: All principal and accessory buildings abutting a public or private street shall comprise of a combination of portions of brick, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement ("HardiPlank") and/or other material approved by the Planning Director.

#### 2. Prohibited Exterior Building Materials:

- i. Vinyl siding (but not vinyl hand rails, windows or door trim); and
- ii. Concrete Masonry Units not architecturally finished.

#### V. Streetscape and Landscaping

- 1. The Petitioner shall provide a minimum eight (8) foot wide planting strip and a minimum five (5) foot wide sidewalk along both sides of all proposed public and private streets. A minimum five (5) foot wide planting strip and a minimum five (5) foot wide sidewalk shall be provided along both sides of all proposed private streets.
- 2. The Petitioner may subdivide the Site and create lots within the Site with no side or rear yards as part of a unified development plan.
- 3. Petitioner shall provide a minimum setback of at least twenty (20) feet from the proposed back of curb for front-loaded units fronting public and private streets, a minimum setback of twenty (20) feet from the proposed back of curb for alley-loaded units fronting public streets, and a minimum setback of fourteen (14) feet from the proposed back of curb for alley-loaded units fronting private streets. Stoops and stairs may encroach three (3) feet into the setback as a "transition zone."
- 4. For alley loaded units, driveway lengths shall be a minimum of 5-7' or 20' and greater measured from the back of curb to face of garage.
- 5. For front loaded units, driveway lengths shall be a minimum of 20' measured from the back of sidewalk to face of garage.

#### VI. Open Space

- 1. The Petitioner shall comply with the Post Construction Controls Ordinance and tree save requirements.
- 2. The Petitioner shall provide amenitized open space areas, as generally depicted on the Rezoning Plan.

#### VII. Lighting

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

#### VIII. Amendments to Rezoning Plan

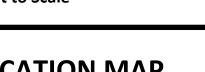
Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of a particular Tract within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

# IX. Binding Effect of the Rezoning Documents and Definitions

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

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

# Open Space Locations and Concepts Not to Scale



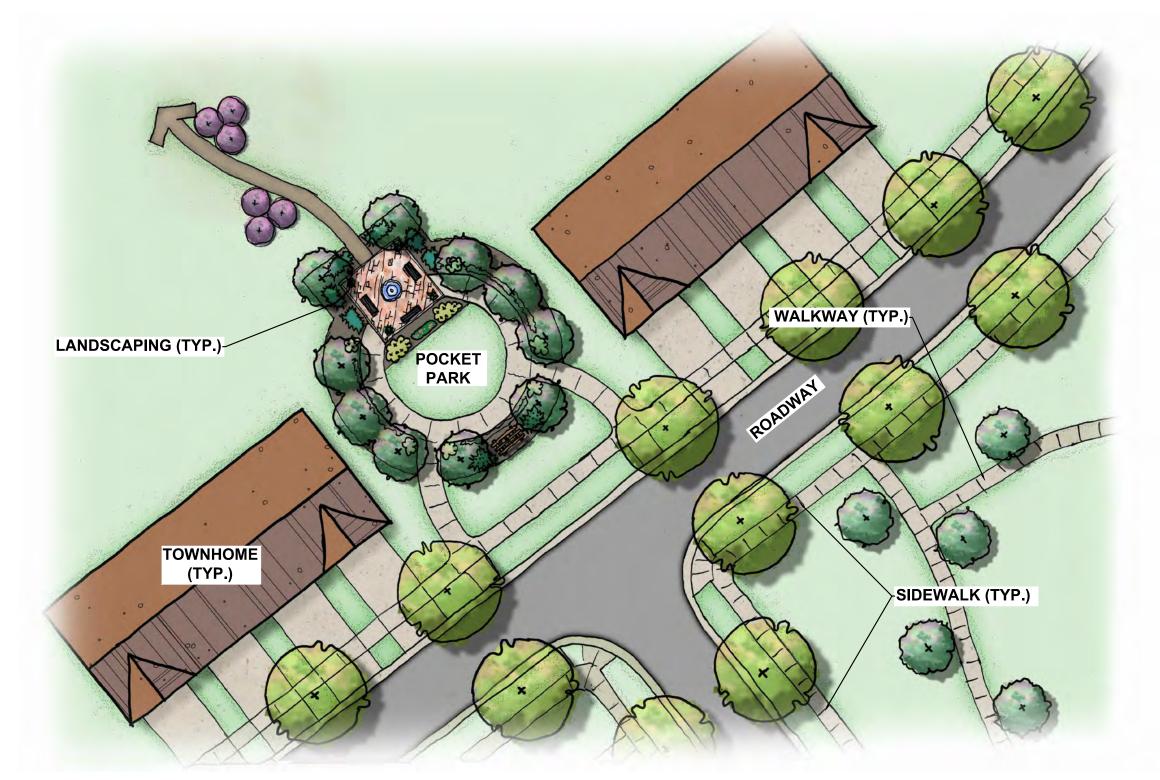
# **LOCATION MAP** CONCEPT B1

#### **CONCEPT B** Pedestrian Plaza Concept

**CONCEPT A** 

**Linear Park Concept** 

PEDESTRIAN PLAZA

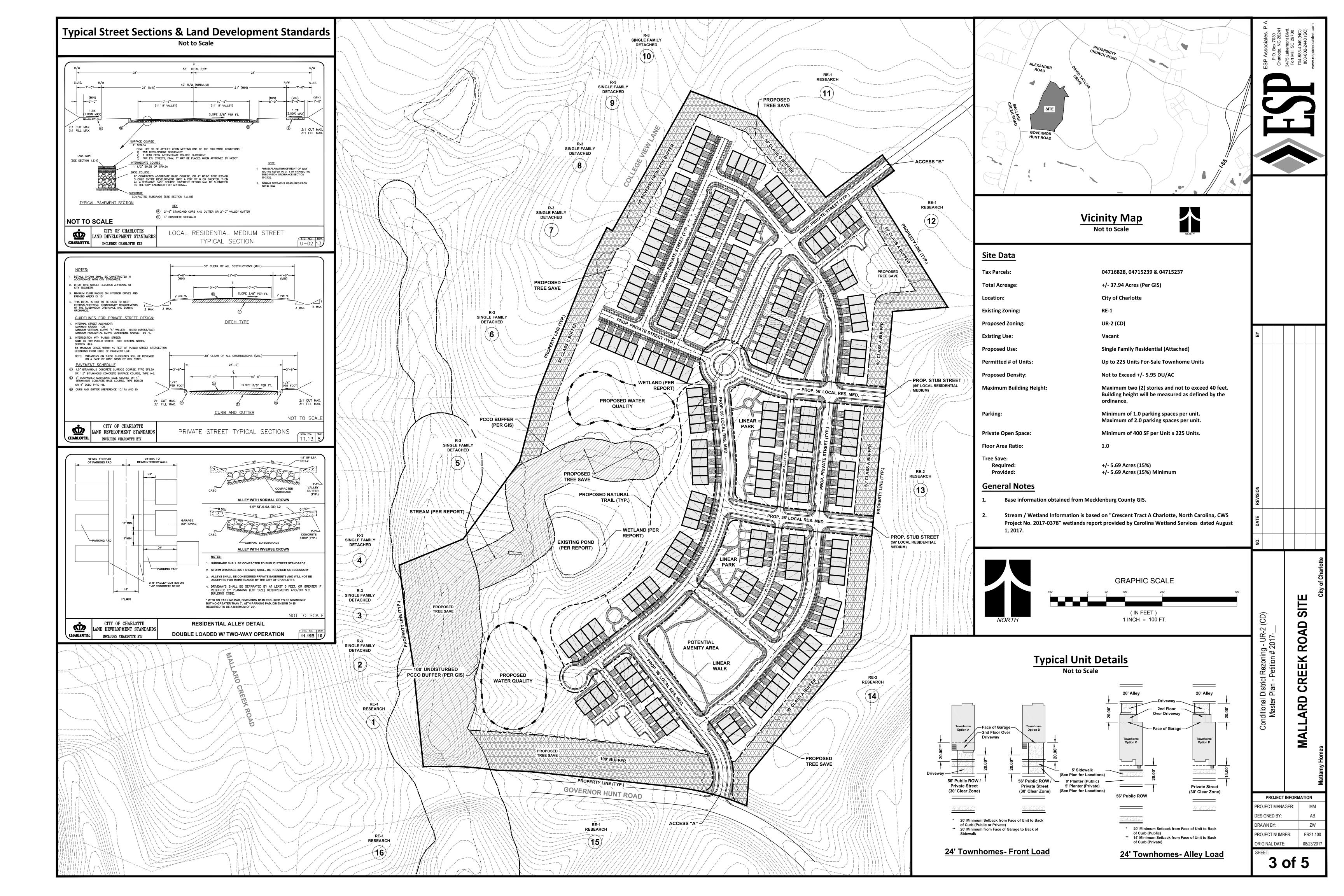


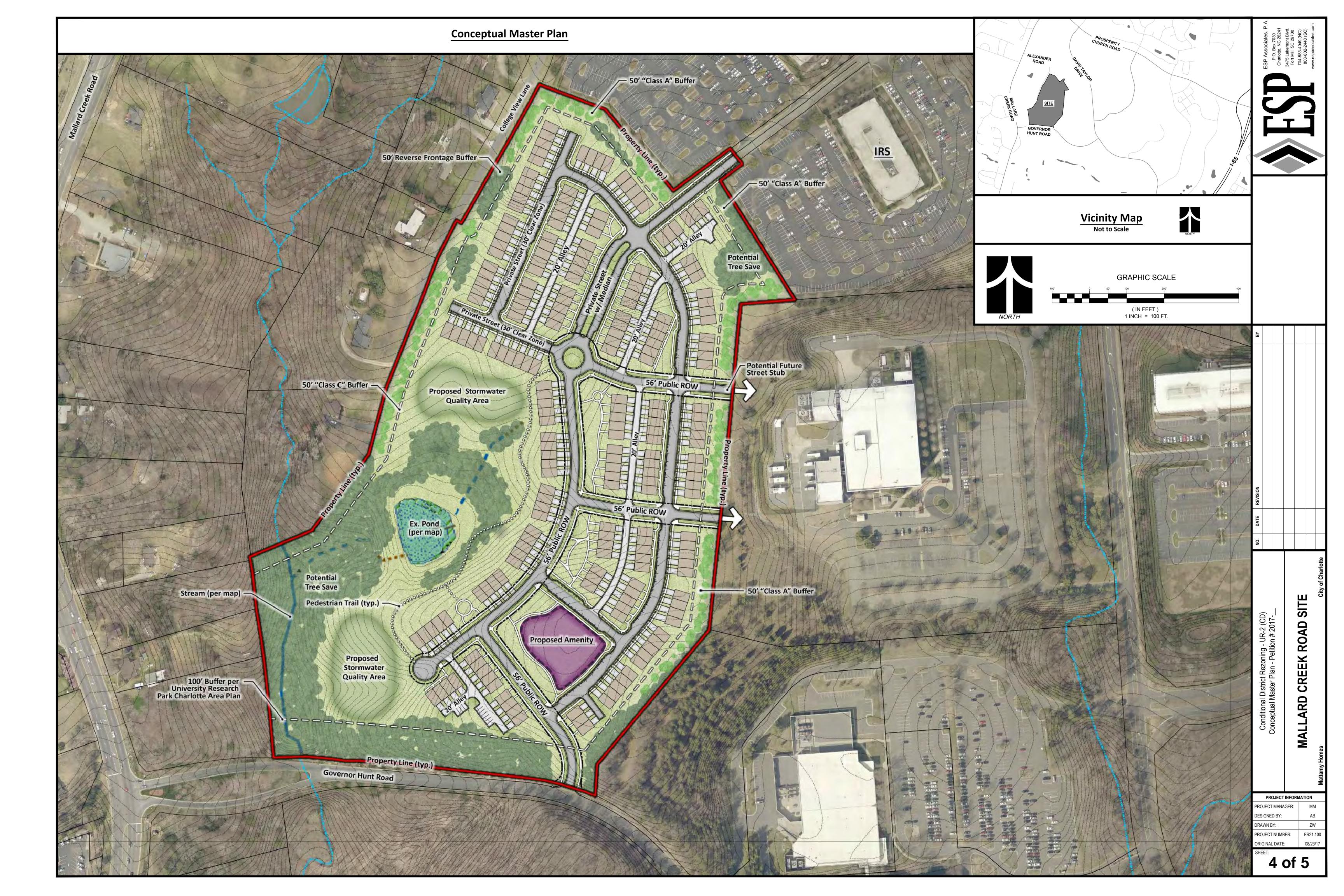
AD **R**0/

PROJECT INFORMATION PROJECT MANAGER: DESIGNED BY: RAWN BY: PROJECT NUMBER:

2 of 5

ORIGINAL DATE:





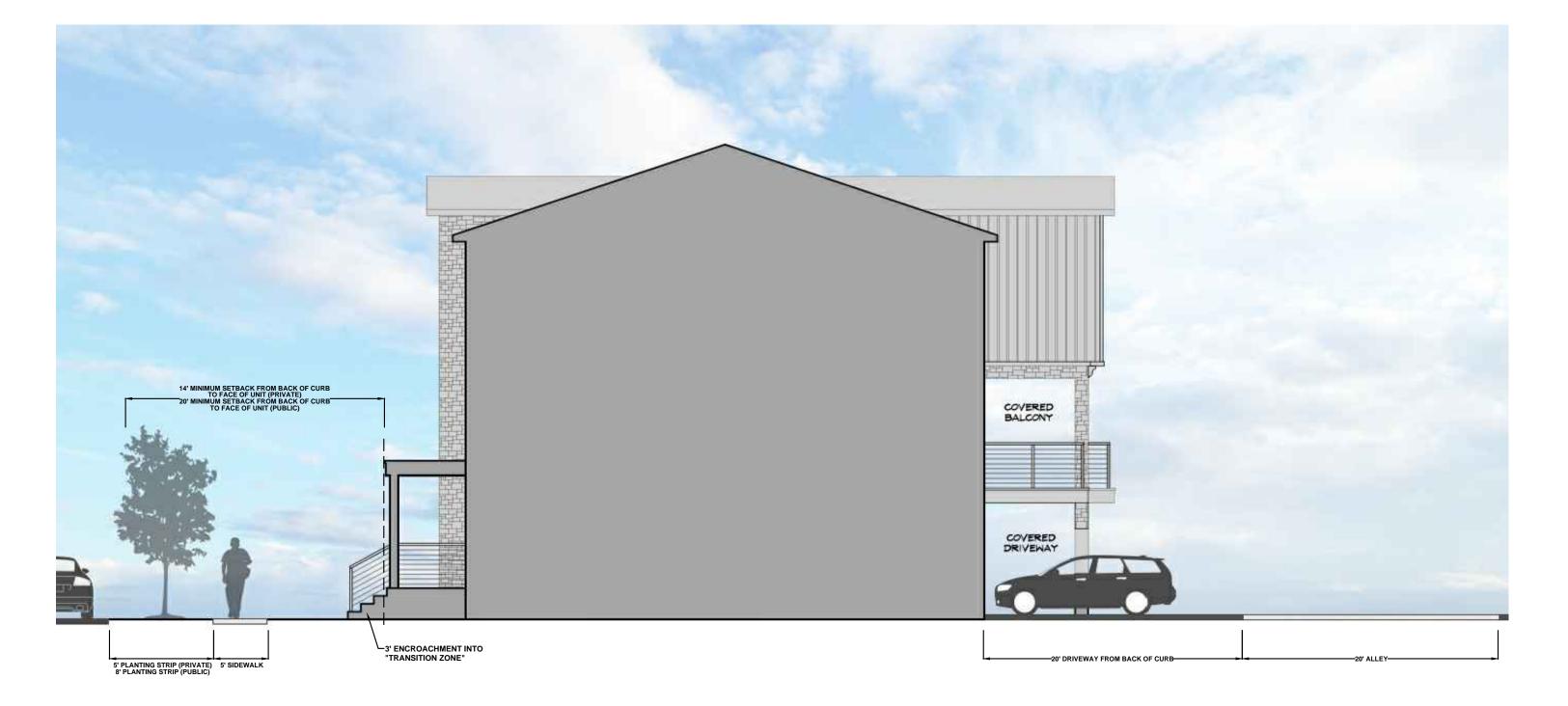
## **Architectural Standards**

- Exterior Building Materials: All principal and accessory buildings abutting a public or private street shall comprise of a combination of portions of brick, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement ("HardiPlank") and/or other material approved by the Planning Director.
- 2. Prohibited Exterior Building Materials:
- i. Vinyl siding (but not vinyl hand rails, windows or door trim); and
- ii. Concrete Masonry Units not architecturally finished.

### Front & Alley Loaded Cross Sections



#### **Front Loaded Cross Section - NTS**



**Alley Loaded Cross Section - NTS** 

Charlotte, NC 28241
3475 Lakemont Blvd.
Fort Mill, SC 29708
704-583-4949 (NC)
803-802-2440 (SC)
www.espassociates.cor



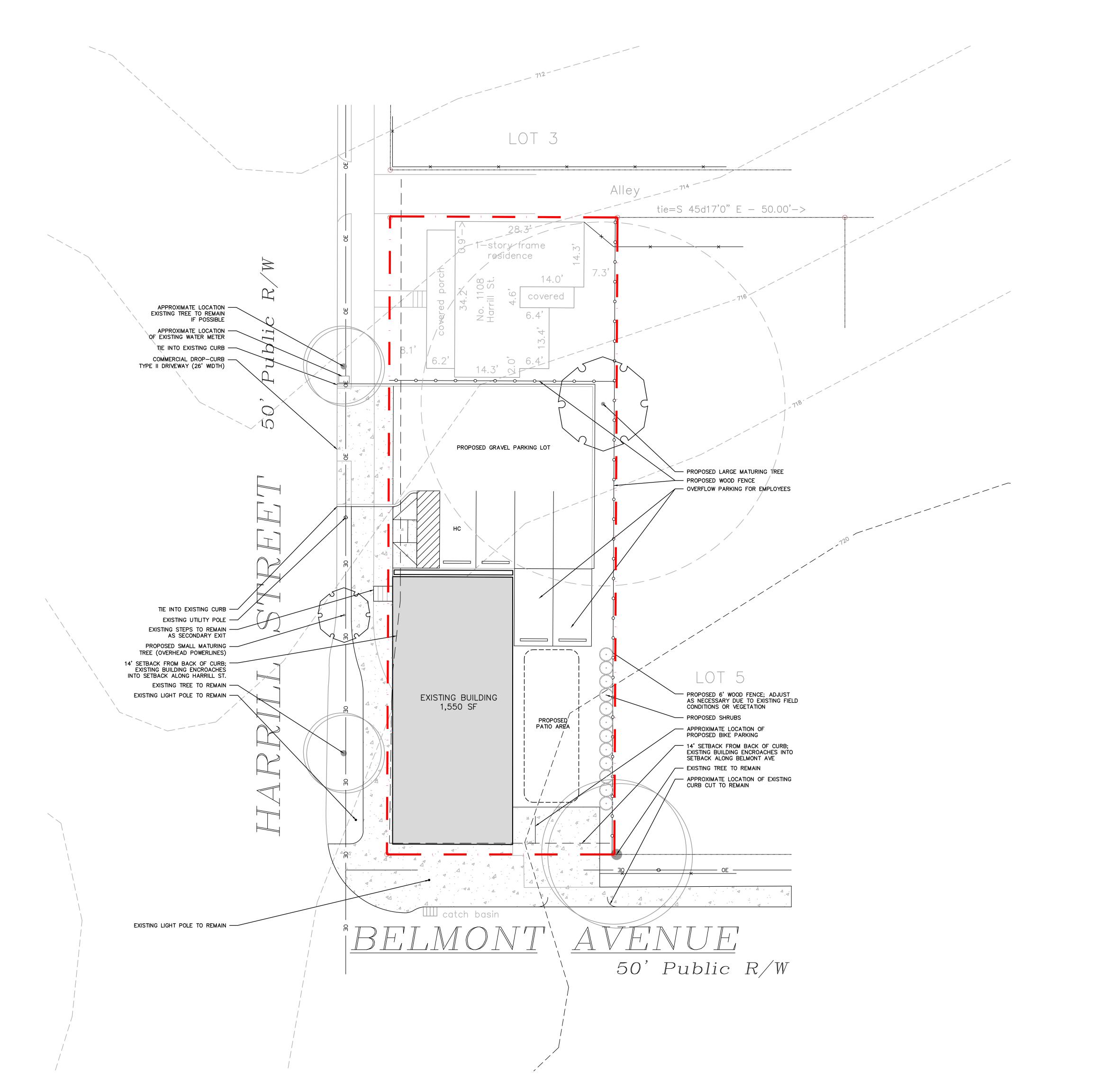
Conditional District Rezoning - UR-2 (CD) Architectural Elevation Sheet - Petition # 2017	Ö	DATE	REVISION	ВУ
MALLARD CREEK ROAD SITE				
nes City of Charlotte				

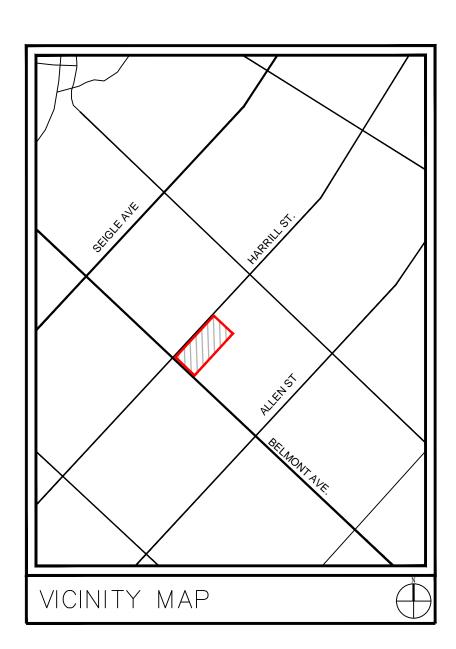
# I. REZONING APPLICATION CITY OF CHARLOTTE

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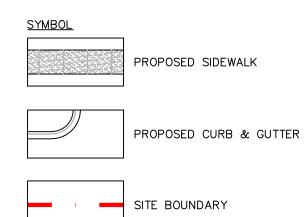
,	2017-134
Petition #:	
Date Filed:	8/23/2017
Received By:	A,
	C J T

	Received By:
Complete All Fields (Use additional pages if needed)	T
Property Owner: 813 Belmont LLC	
	City, State, Zip: Brookly, N/ 1/201
Date Property Acquired: 7.19.2017	
Property Address: 1001 Belmont Avenue,	Charlotte NC 28205
Tax Parcel Number(s): 08 11 2801	
Current Land Use: <u>Vacant</u> /Residential	Size (Acres):
Existing Zoning: $R-5$	Proposed Zoning: MUDD-0
Overlay:	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Amand Date of meeting:	a Vari, Sonja Sandars, carlos Alzate
(*Rezoning applications will not be processed until a required	pre-application meeting with a rezoning team is held.)
Requesting a vesting period exceeding the 2 year minimum?  Purpose/description of Conditional Zoning Plan:   Preserve  Allow for a neighborhood Care	ve existing building and change use
Signit Solito (Siggy) Name of Rezoning Agent  177 Gold St. 5-F Agent's Address	Name of Petitioner(s)  1916 St. 5-F  Address of Petitioner(s)
Brooklyn, NY 11201 City, State, Zp	Brookly, NJ 1/201 City, State, Zib
917 - 520 - 2752  Felephone Number Fax Number	Telephone Number Fax Number
Signicita Com.  E-Mail Address  The state of	Sigg Nyc Q JAHOO. Com
	E-Mail Address
Signature of Property Owner	Signature of Petitioner
Signature of Property Owner  Sigalit Salitto  Name Typed / Printed)	SHARLE.

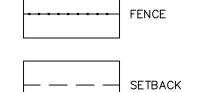




#### LEGEND







	SITE DEVELOPM	ENT DATA
	TAX PARCEL NUMBER:	081-128-01
	SITE AREA (ACRES):	.16 AC <u>+</u>
	EXISTING ZONING:	R-5
	PROPOSED ZONING:	MUDD-O
	EXISTING USES:	COMMERCIAL BUILDING & SINGLE FAMILY RESIDENTIAL
	PROPOSED USES:	COMMERCIAL BUILDING (EDEE — TYPE I) AND SINGLE FAMILY RESIDENTIAL
	PARKING REQUIRED:	1 SPACE/600 SF = 3 1 SPACE/DWELLING UNIT = 1 TOTAL: 4 SPACES
l	PARKING PROVIDED:	4 SPACES (1 ACCESSIBLE)
	BICYCLE PARKING REQUIRED:	O LONG-TERM SPACES (BUILDIN AREA IS LESS THAN 2,500 SF) .2 SHORT-TERM SPACES (5% OF AUTO PARKING)
	BICYCLE PARKING PROVIDED:	5 SHORT-TERM SPACES
-		

GENERAL REZONING NOTES

1. SEE SHEET RZ-200 FOR DEVELOPMENT
STANDARDS

2. SEE SHEET RZ-200 FOR ZONING EXHIBIT

SURVEY DISCLAIMER

SURVEY ISSUED ON AUGUST 16, 2015 BY ZOUTEWELLE

LAND SURVEYORS, PC, 1123 SHADOWBROOK LANE

CHARLOTTE, NC 28211; (704) 910-2329



# ColeJenest & Stone

Shaping the Environment Realizing the Possibilities

Land Planning
+
Landscape Architecture
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Civil Engineering
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Urban Design

200 South Tryon Street, Suite 1400 Charlotte, North Carolina 28202

p+ 704 376 1555 f+ 704 376 7851 url+ www.colejeneststone.com

# 813 BELMONT, LLC.

277 GOLD STREET UNIT 5F BROOKLYN, NY 11201

1001 BELMONT AVENUE CHARLOTTE, NC 28205 North Carolina 28284

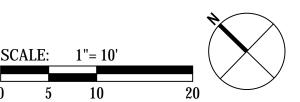
# OVERALL REZONING PLAN

Project No.

Issued

08/23/17

Revised



## RZ-1

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ColeJenest & Stone, P.A. 2017 ©

**PETITION #: 2017-XXX** 

#### SITE DEVELOPMENT DATA:

- -- **ACREAGE:** 0.16 ACRES ±
- -- TAX PARCEL #: 081-128-01
- -- EXISTING ZONING: R-5
- -- PROPOSED ZONING: MUDD-O
- -- EXISTING USES: COMMERCIAL BUILDING AND SINGLE FAMILY RESIDENTIAL
- -- PROPOSED USES: COMMERCIAL BUILDING (EDEE TYPE 1) AND SINGLE FAMILY RESIDENTIAL
- -- MAXIMUM BUILDING HEIGHT: 120 FEET MAXIMUM AS ALLOWED IN THE MUDD-O DISTRICT.
- -- PARKING: RESIDENTIAL 1 SPACE/DWELLING UNIT
  - COMMERCIAL 1 SPACE/600 SQ. FT.

#### 1. GENERAL PROVISIONS:

- a. <u>SITE LOCATION</u>. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND OTHER GRAPHICS SET FORTH ON ATTACHED RZ SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY 813 BELMONT, LLC ("PETITIONER") TO ACCOMMODATE DEVELOPMENT OF AN EDEE DEVELOPMENT ON AN APPROXIMATELY 0.16 ACRE SITE LOCATED AT THE INTERSECTION OF BELMONT AVENUE AND HARRILL 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 MUDD-O ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE. SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.
- c. **GRAPHICS AND ALTERATIONS/MODIFICATIONS**. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, BUILDING MATERIALS, STREETSCAPE PERSPECTIVES, 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, SUCH AS MINOR MODIFICATIONS TO THE CONFIGURATIONS OF THE DRIVEWAY/SIDEWALK DIMENSIONS AND THE LIKE AS LONG AS THE MODIFICATIONS MAINTAIN THE GENERAL BUILDING/PARKING ORIENTATION AND CHARACTER OF THE DEVELOPMENT GENERALLY DEPICTED ON THE REZONING PLAN; OR
- (ii) MODIFICATIONS TO MOVE STRUCTURES GRAPHICALLY DEPICTED ON THE REZONING PLAN CLOSER TO ADJACENT PROPERTIES IN A RESIDENTIAL DISTRICT OR ABUTTING RESIDENTIAL USE BUT NO CLOSER THAN THE "EXTERNAL BUILDING LINE" (IN THIS CASE THE EXTERNAL SETBACKS, REAR/SIDE YARDS OR BUFFER AREAS, IF APPLICABLE) INDICATED ON SHEET RZ-1; OR
- (iii) MODIFICATIONS TO ALLOW MINOR INCREASES IN THE MASS OF THE BUILDING THAT DOES NOT MATERIALLY CHANGE THE DESIGN INTENT DEPICTED ON OR DESCRIBED IN THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE; IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

d. <u>Number of Buildings Principal and Accessory</u>. Notwithstanding the number of Buildings shown on the rezoning plan, the total number of principal buildings to be developed on the site shall not exceed one (1). Accessory buildings and structures located on the site shall not be considered in any limitation on the number of buildings on the site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located on the site as the accessory structure/building.

e. **GROSS FLOOR AREA.** WHEN DETERMINING THE MAXIMUM DEVELOPMENT LEVELS SET FORTH IN THIS REZONING PLAN, GROSS FLOOR AREA AS DEFINED IN THE ORDINANCE SHALL EXCLUDE ANY SURFACE OR STRUCTURED PARKING FACILITIES (INCLUDING, WITHOUT LIMITATION, CORRIDORS AND ELEVATORS WITHIN SUCH FACILITIES), ENCLOSED LOADING DOCK/SERVICE AREAS, AND OUTDOOR DINING AND GATHERING AREAS WHETHER ON THE ROOF OF THE BUILDING OR AT STREET LEVEL.

#### 2. OPTIONAL PROVISIONS.

- THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE SITE:
- a. TO ALLOW THE EXISTING SECONDARY STAIR EGRESS ALONG HARRILL STREET TO REMAIN AND ENCROACH WITHIN THE PUBLIC RIGHT-OF-WAY.
- b. TO ALLOW MODIFIED SIDEWALK AND PLANTING STRIP WIDTH AND QUANTITY OF STREET TREES ALONG HARRILL STREET AND BELMONT AVENUE AS PRACTICAL DUE TO EXISTING SITE CONDITIONS.

#### 3. PERMITTED USES & DEVELOPMENT AREA LIMITATIONS:

- a. THE SITE MAY BE DEVELOPED WITH EDEE AND RESIDENTIAL USES ALONG WITH ACCESSORY USES AS ALLOWED IN THE MUDD-O ZONING DISTRICT.
- 4. TRANSPORTATION IMPROVEMENTS AND ACCESS:

#### I. PROPOSED IMPROVEMENTS:

- a. VEHICULAR ACCESS TO THE SITE WILL BE PROVIDED FROM BELMONT AVENUE AND HARRILL STREET AS GENERALLY DEPICTED ON THE REZONING PLAN.
- b. MINOR ADJUSTMENTS IN THE LOCATION OF THE POSSIBLE CONNECTIONS CAN BE MADE IN CONSULTATION WITH THE PLANNING DEPARTMENT DURING THE URBAN REVIEW AND APPROVAL PROCESS.
- c. SUBJECT TO THE PROVISIONS AND DESIGN DESCRIBED IN THE SECTION ABOVE, THE PLACEMENTS AND CONFIGURATIONS OF VEHICULAR ACCESS POINTS ARE SUBJECT TO MINOR MODIFICATIONS, AS APPROVED BY CDOT, REQUIRED TO ACCOMMODATE THE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND ANY ADJUSTMENTS REQUIRED TO FOR APPROVAL BY CDOT IN ACCORDANCE WITH THE PUBLISHED STANDARDS.

#### II. STANDARDS, PHASING AND OTHER PROVISIONS.

a. ALL PUBLIC TRANSPORTATION IMPROVEMENTS SHALL BE APPROVED AND CONSTRUCTED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED DEVELOPMENT EDEE BUILDING ON THE SITE.

#### 5. PEDESTRIAN ACCESS AND CIRCULATION DESIGN

a. PEDESTRIAN ACCESS WILL BE PROVIDED FROM BELMONT, WITH SECONDARY ACCESS ON HARRILL.

#### 6. ARCHITECTURAL STANDARDS

- a. THE PETITIONER WILL PROVIDE ADDITIONAL BUILDING FENESTRATION INCLUDING WINDOWS ALONG THE EXISTING BUILDING'S HARRILL STREET FRONTAGE AS REQUIRED PER THE MUDD ZONING DISTRICT REGULATIONS.
- b. SERVICE AREA SCREENING ANY SITE SERVICE AREAS (DUMPSTERS, REFUSE AREAS, RECYCLING AREAS, STORAGE) SHALL BE SCREENED FROM PUBLIC VIEW IN ACCORDANCE WITH THE ZONING REGULATIONS.

#### 7. SIGNAGE:

a. SIGNAGE AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED IN ACCORDANCE WITH THE ZONING REGULATIONS.

#### 8. LIGHTING:

- a. LIGHTING AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED IN ADDITION TO THE LIGHTING OTHERWISE ALLOWED IN THIS SECTION.
- b. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.
- c. DETACHED LIGHTING ON THE SITE, EXCEPT DECORATIVE LIGHTING OR ART WORK THAT UTILIZES LIGHTING ELEMENTS WHEN LOCATED IN THE PUBLIC OPEN SPACE AREAS AND STREET LIGHTS LOCATED ALONG PUBLIC STREETS. WILL BE LIMITED TO 20 FEET IN HEIGHT.

#### 9. ENVIRONMENTAL FEATURES

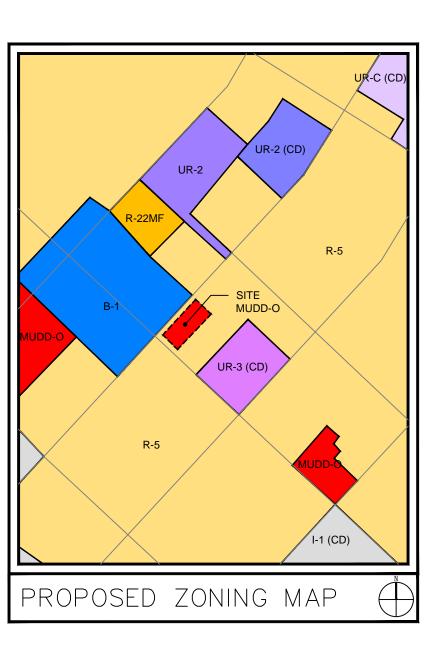
a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

#### 10. AMENDMENTS TO THE REZONING PLAN:

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

#### 11. BINDING EFFECT OF THE REZONING APPLICATION:

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE OR DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.



# ColeJenest & Stone

Shaping the Environment Realizing the Possibilities

Land Planning
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Landscape Architecture
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Civil Engineering
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Urban Design

200 South Tryon Street, Suite 1400 Charlotte, North Carolina 28202

p+ 704 376 1555 f+ 704 376

## 813 BELMONT, LLC.

277 GOLD STREET UNIT 5F BROOKLYN, NY 11201

1001 BELMONT AVENUE CHARLOTTE, NC 28205 North Carolina 28284

# DEVELOPMENT STANDARDS

Project No. 4550

Issued

08/23/17

Revised

00/00/00

RZ-

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**PETITION #: 2017-XXX** 



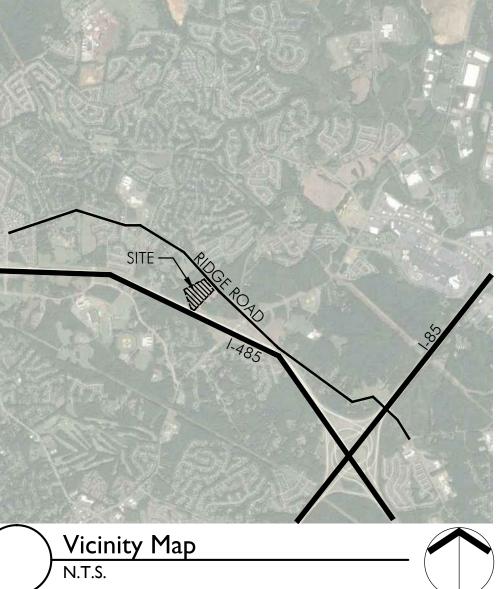
Petition #:

Date Filed: 8/4/207

Received By: 4

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Complete All Fields (Use additional pages if needed)	(1
Property Owner Donald L. Dehler - Tho	mas F. Dehler - Craven Ochler
Owner's Address: 4503 Ridge Rd.	City, State, Zip: Charlotte, NC 28269
Date Property Acquired: 11 8 13 ~ Deed 29	8822-283
Property Address: Ridge Rd.	
Tax Parcel Number(s): 02972118 B	
Current Land Use: Agricultural - Commercial 4	AL Size (Acres): 20.54 t
Existing Zoning: R-3	Proposed Zoning: R-BMF (CD)
Overlay: NA	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: CLAIR! Date of meeting: 1200pm	E, ALBERTO, JONATHAN, KENT, etc.
(*Rezoning applications will not be processed until a required	pre-application meeting with a rezoning team is held.)
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimum?	Yes No Number of years (maximum of 5): 10
Purpose/description of Conditional Zoning Plan: Dwg	
luxury apartment homes. 21	DL - LDASO, - ASSALL EN AMELAND.
Museum Alexander	
Luzoy flurman Name of Rezorking Agent	Redwood USA  Name of Petitioner(s)
59 Evergrun Circle	Redwood USA  Name of Petitioner(s)  7510 E. Pleasant Valley Rd.
59 Evergrun Cicle	Redwood USA  Name of Petitioner(s)  1510 E. Pleasant Valley Rd.  Address of Petitioner(s)
59 Evergrun Cicle Agent's Address Ciceinnati, Oh. 45215 City, State, Zip	Redwood USA  Name of Petitioner(s)  7510 E. Pleasant Valley Rd.  Address of Petitioner(s)  Independence. Oh. 44131  City, State, Zip
59 Evergrun Cicle Agent's Address  Circinnati, Oh. 45215 City, State, Zip  513.458.9810  11A	Redwood USA  Name of Petitioner(s)  7510 E. Pleasant Valley Rd.  Address of Petitioner(s)  Ludependence, Oh. 44131  City, State, Zip  216 360 9441
59 Evergrun Circle Agent's Address  Circinnati, Oh. 45215 City, State, Zip 513.458.9810 Telephone Number  Fax Number	Redwood USA  Name of Petitioner(s)  1510 E. Pleasant Valley Rd.  Address of Petitioner(s)  Independence Oh. 44131  City, State, Zip  216 360 9441  Telephone Number Fax Number
Agent's Address  Circinati, Oh. 45215  City, State, Zip  513.458.9810  Telephone Number  GTHURMANE BYREDWOOD. COM E-Mail Address	Redwood USA  Name of Petitioner(s)  7510 E. Pleasant Valley Rd.  Address of Petitioner(s)  Independence Oh. 44131  City, State, Zip  216 360 9441  Telephone Number Fax Number  GTHURMAN @ BYREDWOOD. COM  E-Mail Address
Agent's Address  Circinnati, Oh. 45215  City, State, Zip  513.458.9810  Telephone Number  GTHURMANG BYREDWOOD. COM	Redwood USA  Name of Petitioner(s)  7510 E. Pleasant Valley Rd.  Address of Petitioner(s)  Independence Oh. 44131  City, State, Zip  216 360 9441  Telephone Number Fax Number  GTHURMAN @ BYREDWOOD. COM  E-Mail Address
G9 Evergrun Circle  Agent's Address  Circinnati, Oh. 45215  City, State, Zip  513.458.9810  Telephone Number  GTHURMANE BYREDWOOD. COM  E-Mail Address  Lee Ochler - Thomas F. Ochler  Ochler - Thomas F. Ochler	Redwood USA  Name of Petitioner(s)  7510 E. Pleasant Valley Rd.  Address of Petitioner(s)  Independence, Oh. 44131  City, State, Zip  216 360 9441  Telephone Number Fax Number  GTHURMAN @ B4REDWOOD, COM  E-Mail Address  Alex Manney
G9 Evergrun Circle Agent's Address  Circinati, Oh. 45215 City, State, Zip  513.458.9810 Telephone Number  GTHURMANE BYREDWOOD. COM E-Mail Address  Lee Ochler - Throng FERRED Crown De	Redwood USA  Name of Petitioner(s)  7510 E. Pleasant Valley Rd.  Address of Petitioner(s)  Ludependence, Oh. 44131  City, State, Zip  216 360 9441  Telephone Number Fax Number  GTHURMAN @ B4REDWOOD, com  E-Mail Address  Ale Manual Company of Petitioner





NOTE:

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

# Redwood

# PROJECT TEAM:

Greg Thurman
VP Development
59 Evergreen Circle
Cincinnati, Ohio 45215



Todd Foley
Principal
Land Planning/Landscape Architecture
100 Northwoods Blvd, Suite A
Columbus, Ohio 43235
(614) 360-3055



Mark Belmont
Program Director
8534 Yankee Street
Dayton, Ohio 45458
(937) 435-8584



Daniel Priest
Architecture
1204 The Plaza, Unit #2
Charlotte, North Carolina 28205
(704) 379-1810

DEVELOPMENT DATA TABLE								
TOTAL SITE ACREAGE	±19.88 AC							
TAX PARCELS INCLUDED IN REZONING	02972118B							
Current zoning	R-3							
PROPOSED ZONING	R-8 MF							
existing uses	VACANT / AGRICULTURAL							
PROPOSED USES	MULTI-FAMILY RESIDENTIAL							
residential units	105							
JNITS PER ACRE	±5.28 DU/AC							
OPEN SPACE PROVIDED	±7.4 AC (37%)							
Parking required	158 (1.5 SPACE/UNIT)							
PARKING PROVIDED	470							
GARAGE	210							
DRIVEWAY	210							
GUEST	50							



Columbu

100 Northwoods Blvd, Ste A Columbus, Ohio 43235 p 614.255.3399

Cincinnati

10816 Millington Court, Ste 118 Cincinnati, Ohio 45242 p 614.360.3066

PODdesign.net

Project Name

# Redwood Ridge Road

Charlotte, NC 28269

Prepared For

Redwood Living 7510 Pleasant Valley Rd. Independence, OH 44131



Project Info

Project # 17034
Date 08/28/17
By SO, TF
Scale As Noted

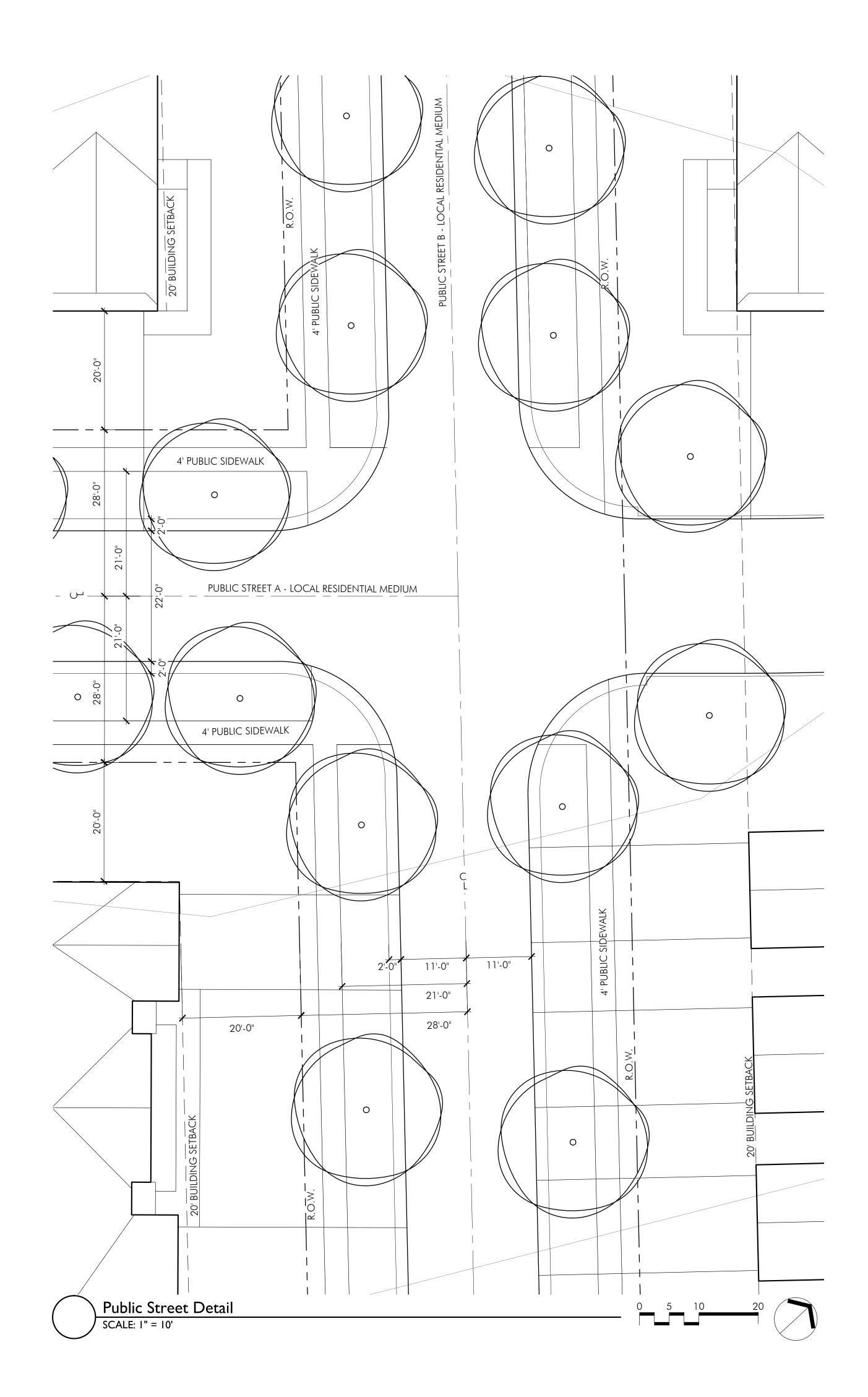
Revisions

Sheet Title

Conditional Rezoning Request: Conceptual Site Plan

Sheet #

**RZ1.0** 



# REDWOOD RIDGE ROAD CONDITIONAL REZONING REQUEST - DEVELOPMENT STANDARDS

#### 1 General Provisions

- a. These development standards form a part of the rezoning plan associated with the rezoning petition filed by Redwood USA to accommodate the development of a multi-family residential community on that approximately 20.54 acre site located on the southwest side of Ridge Road, which site is more particularly depicted on the rezoning plan (the "site"). The site is comprised of tax parcel no. 02972118 B.
- 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"). Unless the rezoning plan or these development standards establish more stringent standards, the regulations established under the ordinance for the R-8MF zoning district shall govern the development and use of the site.
- c. The development depicted on the rezoning plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the site. Accordingly, the configuration, placement and size of the principal building footprint as well as the internal drives and parking areas depicted on the rezoning plan are schematic in nature and, subject to the terms of these development standards and the ordinance, are subject to minor alterations or modifications during the design development and construction document phases.
- d. Future amendments to the rezoning plan and/or these development standards may be applied for by the then owner or owners of the site in accordance with the provisions of chapter 6 of the ordinance.

  Alterations to the rezoning plan are subject to section 6.207 of the ordinance.

#### 2. Permitted Uses

- a. The Site may only be devoted to a multi-family residential community containing a maximum of 105 attached dwelling units and to any incidental and accessory uses relating thereto that are allowed in the R-89MF zoning district.
- b. A single story accessory structure such as a gazebo or picnic shelter may be constructed in the amenity area located adjacent to the potential BMP.

#### 3. Transportation

- a. Vehicular Access to the site will be from Ridge Road as generally depicted on Rezoning Plan. The placement and configuration of the vehicular aces point are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation (CDOT) and/or the North Carolina Department of Transportation (NCDOT) in accordance with applicable published standards.
- b. Petitioner shall install Public Street A and Public Street B in the location generally depicted on Rezoning Plan. Public Streets constructed on site will conform to the Local Residential Medium Street Typical Section as depicted on Rezoning Plan.
- c. The site will utilize private streets and private driveway connections as well as the construction of two public streets that will connect to Ridge Road and provide future connectivity to adjacent properties to the northwest and southeast.
- d. Parking for each individual unit is provided in a two car garage with an additional two spaces within the driveway area. Additional guest parking spaces have been provided and dispersed evenly across the site.
- e. Proposed buildings adjacent to Public Street A & B shall have direct driveway access to said public streets as depicted on Rezoning Plan.
- f. The alignment of the internal driveways and vehicular circulation areas may be modified by the Petitioner to accommodate changes the final layout, traffic patterns and any adjustments required for approval by CDOT or NCDOT in accordance with applicable published standards.

# 4. Architectural Standards

- a. The maximum height in stories of the principal buildings to be constructed on site shall by one (1) story.
- b. The maximum height in feet of the principal buildings to be constructed on the site shall be 20'. Building height shall be measured as provided in the ordinance.
- c. Attached to the rezoning plan are conceptual, schematic images of some elevations of the principal buildings to be constructed on the site. They are intended to depict the general conceptual architectural style, design treatment and character of the elevations of the buildings to be constructed on site. Changes and alternations to the exterior of the principal buildings to be constructed on site that do not materially change the overall conceptual architectural style, design treatment and character shall be permitted.
- d. Vinyl may be used as an exterior building material on the principal buildings to be constructed on site.

# 5. Streetscape and Landscaping

a. The Petitioner has included a conceptual landscaping plan for the overall site to demonstrate design intent for streetscape along private streets, public streets as wells open space and perimeter buffer areas.

- b. The Petitioner will provide an 8' planting strip and a 4' sidewalk for Public Street A and Public Street B as generally depicted on the rezoning
- c. The Petitioner will provide a 4' pedestrian path along the southern portion of the site around the proposed BMP area. Also provided will
- d. An entry feature with landscaping and project identity signage will be provided at main entry along Ridge Road.

be a resident dog park and community gardens.

### 6. Environmental Features

- a. Development of the site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- b. The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and actual site discharge points.
- c. The development of this site will comply with the City of Charlotte tree ordinance.
- d. It is anticipated that solid waste and recycling collection services are to be provided by a private collection service and in this event, roll-out bins will be provided for each dwelling unit.

#### 7. Sign

a. Principal signage for the Site shall consist of a monument style sign to be located at project entry and will be in accordance with the Charlotte Land Development Standards Manual.

#### 8. Lightir

- a. All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
- b. The maximum height of any freestanding lighting fixture installed on the site shall be 21 feet from grade.
- c. Any lighting fixtures attached to principal buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

# 9. Phasing

a. Project will be constructed under one continuous phase, with initial construction occurring at project entry at Ridge Road.

# 10. Binding Effect of the Rezoning Application

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



# Columbus

100 Northwoods Blvd, Ste A Columbus, Ohio 43235 p 614.255.3399

# Cincinnati

10816 Millington Court, Ste 118 Cincinnati, Ohio 45242 p 614.360.3066

**POD**design.net

# Project Name

# Redwood Ridge Road

Charlotte, NC 28269

**Prepared For** 

Redwood Living
7510 Pleasant Valley Rd.
Independence, OH 44131



# Project Info

Project # 17034
Date 08/28/17
By SO, TF

As Noted

Revisions

Scale

Sheet Title

Conditional
Rezoning
Request:
Public Street
Detail and
Development
Standards

Sheet #

**RZ2.0** 





# Columb

DECIDUOUS SHADE TREE

EVERGREEN TREE

DECIDUOUS ORNAMENTAL TREE

EXISTING TREES TO BE PRESERVED

100 Northwoods Blvd, Ste A Columbus, Ohio 43235 p 614.255.3399

### Cincinnati

10816 Millington Court, Ste 118 Cincinnati, Ohio 45242 p 614.360.3066

**POD**design.net

# Project Name

# Redwood Ridge Road

Charlotte, NC 28269

# **Prepared For**

Redwood Living 7510 Pleasant Valley Rd. Independence, OH 44131



# Project Info

rject # 17034 te 08/28/17 SO, TF ale As Noted

# Revisions

# **Sheet Title**

Conditional Rezoning Request: Conceptual Landscape Plan

Sheet #

**RZ3.0** 







100 Northwoods Blvd, Ste A Columbus, Ohio 43235 р 614.255.3399

# Cincinnati

10816 Millington Court, Ste 118 Cincinnati, Ohio 45242 p 614.360.3066

**POD**design.net

# Project Name

# **Redwood Ridge** Road

Charlotte, NC 28269





# **Prepared For** Redwood Living 7510 Pleasant Valley Rd. Independence, OH 44131



# Project Info

SO, TF As Noted

**Sheet Title Conditional** Rezoning Request: **Architectural** Character & Materials **Plans** 

**RZ4.0** 

















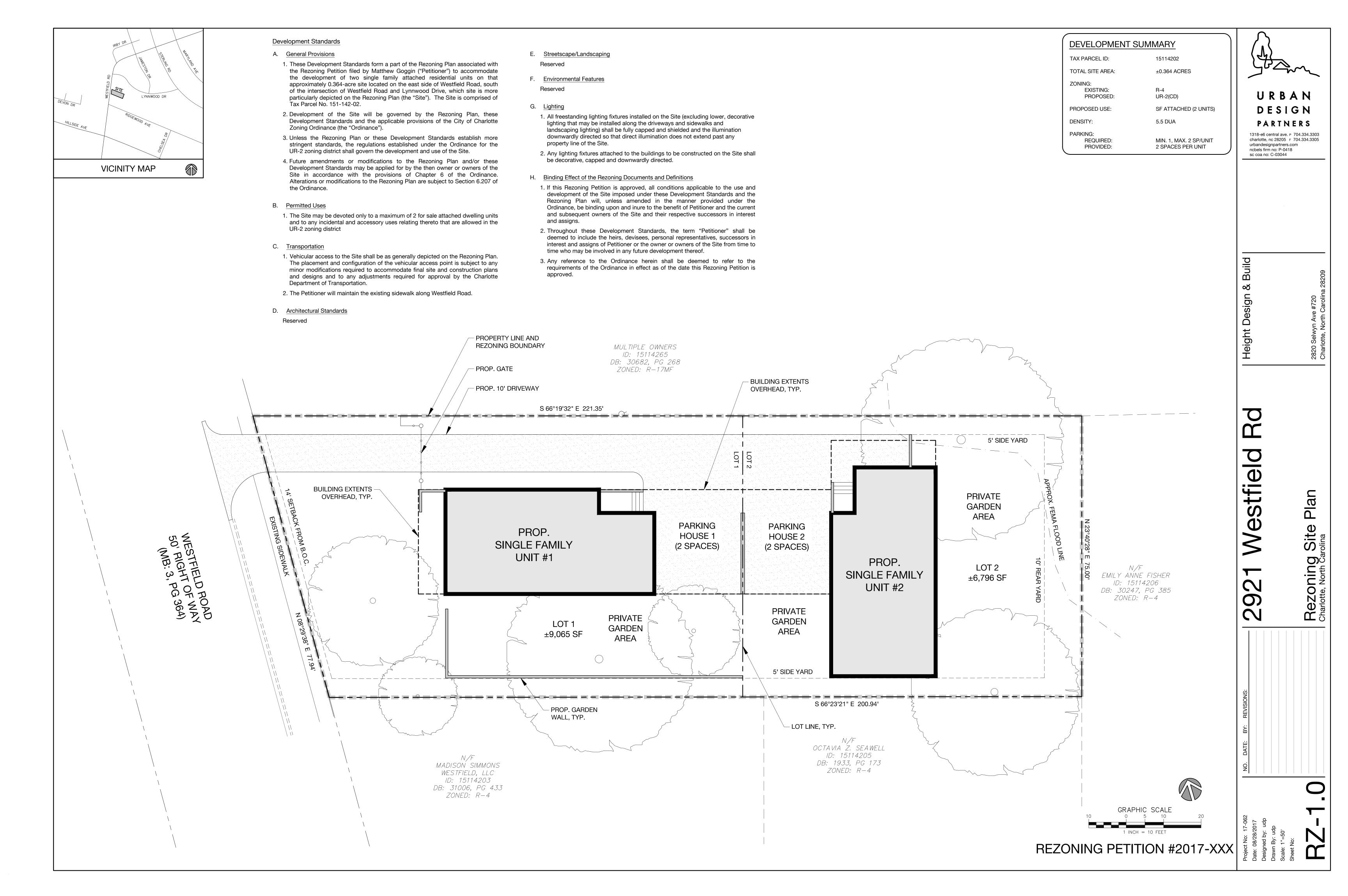
Redwood Ridge Road Illustrative Site Plan | 08.28.2017

RECEIVED
AUG 2 4 2017

2017	_ (	. 36
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Petition #:	
Date Filed:	8/24/2017
Received By: _	<u>B</u> ,

Complete All Fleids (Use additional pages if needed)	
Property Owner: MATHEN GOLLIN	
Owner's Address: 2820 SELLYN AUE #790	City, State, Zip: CHARLOTTE NC 28209
Date Property Acquired: 65/31/16	
Property Address: 2921 WESTFIELD RO CHA	ARWITE NC 28209
Tax Parcel Number(s): 15114262	
Current Land Use: SINGLE FAMILY	
Existing Zoning: $R-\Psi$	Proposed Zoning: $UR-2(CD)$
Overlay:	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Solo Date of meeting: 423/17  (*Rezoning applications will not be processed until a require	
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimum	
Purpose/description of Conditional Zoning Plan: to be astached residential wits.	wild 2 & Single Family
URBAN DESIGN PARTNELS Name of Rezoning Agent	MATHEN GOLLIN
318 e-6 CENTRAC AVE	Name of Petitioner(s) 2876 SECWIN AUE #790
Agent's Address	Address of Petitioner(s)
CHARWITE AC 28205	CHARLOTTE NC 28209
City, State, Zip	City, State, Zip
764 - 334 - 3363	480-23-2(3)
relephone Number Fax Number Chip@urbandesignPartners_C=n	Male htdesign build. Com
-Mail Address	E-Mail Address
Signature of Property Owner	Signature of Petitioner
MATHEW LOWIN Name Typed / Printed)	MATHEW GOLGIW
	(Name Typed / Printed)



# AUG 2 4 2017

2017-137

I. REZONING APPLICATION CITY OF CHARLOTTE

Property Owners:

Roy I Denman

Muskrat Point Properties, LLC

Owner's Addresses:

4300 W Waco Dr, Ste B2 #205, Waco. TX 76710

5250 Masons Ferry Road, Lake Wylie, SC 29710

**Date Properties** 

Acquired:

09/17/1982 12/15/2015

Property Addresses:

7625 W WT Harris Boulevard, Charlotte, NC 28216

Southeast intersection of W. WT Harris Boulevard and Reams Road, Charlotte, NC 28216

Tax Parcel Numbers:

025-221-04

025-221-05

Current Land Use:

vacant

Size (Acres):

± 10,44

Existing Zoning:

R-3

Proposed Zoning:

B-1(CD)

Overlay:

N/A

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

Required Rezoning Pre-Application Meeting\* with: <u>Alberto Gonzalez , Grant Meacci, Sonja Sanders, Kelsie Anderson, Tammie Keplinger, and Laura Harmon.</u>

Date of meeting: <u>01/6/2017</u>

(\*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: <u>To allow the Site to be developed with a mix of retail and restaurants uses.</u>

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 and B

Signature of Property Owner

Jemsite Development (Attn.; Jeff Flattery)

Name of Petitioner

PO Box 1000

Address of Petitioner

**Jefferson, NC 28640** City, State, Zip

336.846.7133

Telephone Number

Fax Number

Jeff.flattery@jemsitedevelopment.com

E-mail Address

**SEE ATTACHMENT C** 

Signature of Petitioner

#### **ATTACHMENT A**

#### Jemsite Development

#### PETITIONER JOINDER AGREEMENT Roy I Denman

The undersigned, as the owner of the parcel of land located at 7625 W. WT Harris Boulevard that is designated as Tax Parcel No. 025-221-04 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcel from the R-3 zoning district to the B-1(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 <u>day of AUGUST</u>, 2017.

Roy I Denman

Ey Lumman

#### **ATTACHMENT B**

#### Jemsite Development

# PETITIONER JOINDER AGREEMENT Muskrat Point Properties

The undersigned, as the owner of the parcel of land located at the southeast intersection of W. WT Harris Boulevard and Reams Road that is designated as Tax Parcel No. 025-221-05 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcel from the R-3 zoning district to the B-1(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This day of freguest, 2017.

Muskrat Point Properties electronic LLC

By: Lloyd F. Bancon
Name: Thyd F. Bancon
Title: Sto Mark ger

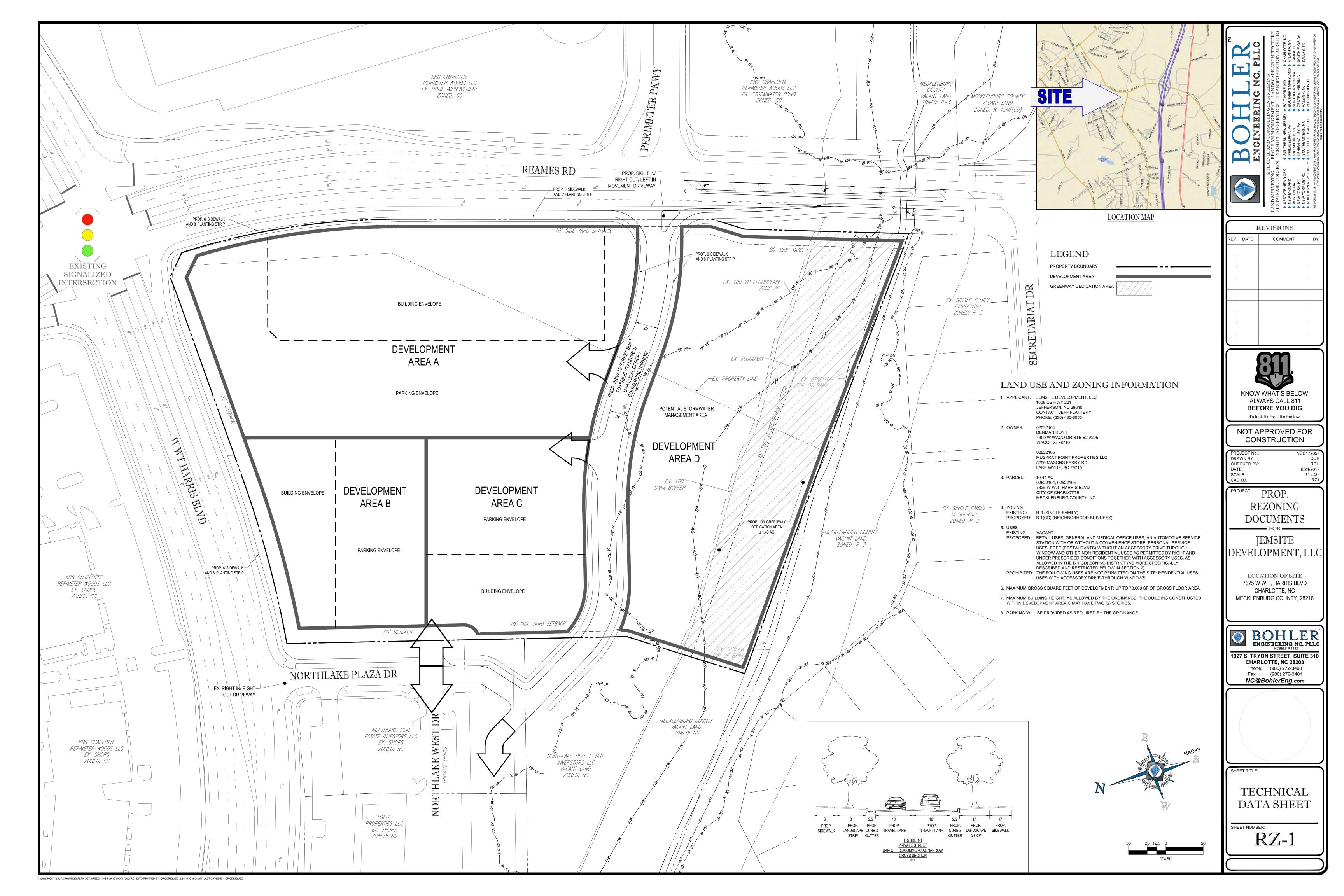
#### **ATTACHMENT C**

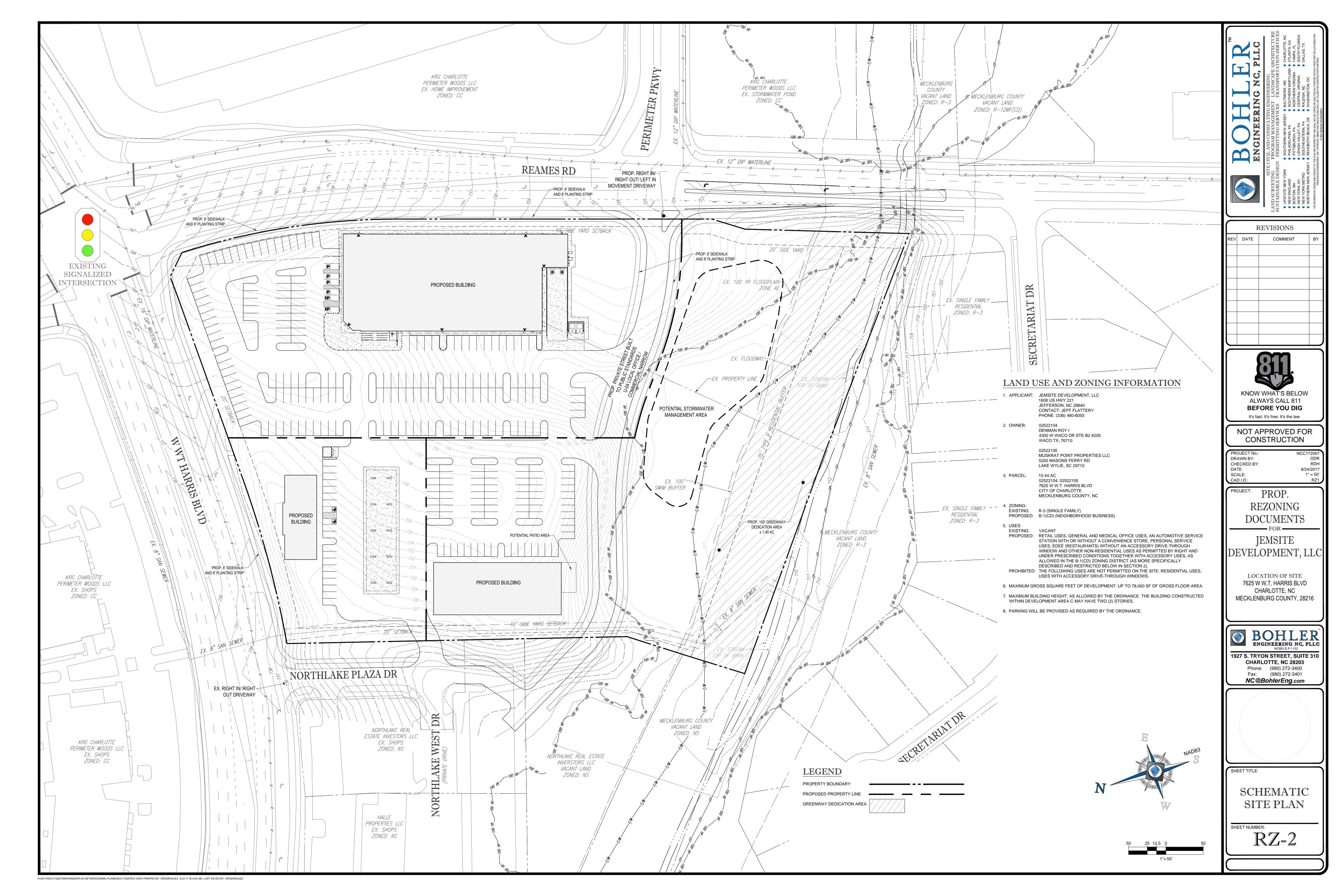
# REZONING PETITION NO. [2017- ] Jemsite Development

Petitioner:

Jemsite Development

Name: \_ Title:





#### SITE DEVELOPMENT DATAS

- ACREAGE: ± 10.44 ACRES
- TAX PARCEL #: 025-221-04 AND 05
- EXISTING ZONING: R-3
- PROPOSED ZONING: B-1(CD)
- EXISTING USES: VACANT
- PROPOSED USES: RETAIL USES. GENERAL AND MEDICAL OFFICE USES. AN AUTOMOTIVE SERVICE STATION WITH OR WITHOUT A CONVENIENCE STORE PERSONAL SERVICE USES, EDEE (RESTAURANTS) WITHOUT AN ACCESSORY DRIVE-THROUGH WINDOW AND OTHER NON-RESIDENTIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE B-1(CD) ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 2).
- PROHIBITED USES: THE FOLLOWING USES ARE NOT PERMITTED ON THE SITE: RESIDENTIAL USES, USES WITH ACCESSORY DRIVE-THROUGH WINDOWS.
- MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 78,000 SQUARE FEET OF GROSS FLOOR AREA.
- MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE. THE BUILDING CONSTRUCTED WITHIN DEVELOPMENT AREA C MAY HAVE TWO (2)
- 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 JEMSITE DEVELOPMENT ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A SMALL NEIGHBORHOOD SHOPPING CENTER WITH UP TO 78,000 SQUARE FEET OF GROSS FLOOR AREA OF NON-RESIDENTIAL USES ALLOWED IN THE B-1 ZONING DISTRICT ON APPROXIMATELY 10.44 ACRE SITE LOCATED ON THE SOUTHWEST QUADRANT OF THE INTERSECTION OF W. T. HARRIS AND REAMES 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 B-1 ZONING CLASSIFICATION SHALL GOVERN.
- c. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS, AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.

SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

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

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE; IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE

- NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED FOUR (4). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING LOCATED ON THE SITE.
- e. BUILDING/PARKING ENVELOPES. FOUR (4) DEVELOPMENT AREAS WITH CORRESPONDING BUILDING AND PARKING ENVELOPES HAVE BEEN INDICATED ON THE REZONING PLAN. THE PRINCIPLE BUILDINGS CONSTRUCTED ON THE SITE MUST BE LOCATED WITHIN THE INDICATED BUILDING AND PARKING ENVELOPES. PORTIONS OF THE BUILDING AND PARKING ENVELOPE MAY ALSO BE USED FOR SUPPLEMENTAL PARKING AND MANEUVERING AREAS FOR THE PROPOSED USES SUBJECT TO THE RESTRICTIONS BELOW IN (SECTION 2.E.)
- f. PARCEL SUBDIVISION: THE PETITIONER MAY SUBDIVIDE THE SITE. IF THE SITE IS SUBDIVIDED YARDS, AND OTHER SEPARATION STANDARDS WILL NOT BE REQUIRED BETWEEN THE INTERNAL PROPERTY LINES AND THE SITE WILL BE TREATED AS A UNIFIED DEVELOPMENT.

# 2. PERMITTED USES & DEVELOPMENT AREA LIMITATION:

- a. THE REZONING PLAN SETS FORTH FOUR (4) DEVELOPMENT AREAS AS GENERALLY DEPICTED ON THE REZONING PLAN AS DEVELOPMENT AREAS A, B, C AND D (EACH A "DEVELOPMENT AREA" AND COLLECTIVELY THE "DEVELOPMENT AREAS"). THE DEVELOPMENT AREAS MAY BE DEVELOPED WITH A VARIETY OF RETAIL, PERSONAL SERVICE USES, GENERAL OR MEDICAL OFFICE USES, AN AUTOMOBILE SERVICE STATION WITH OR WITHOUT A CONVENIENCE STORE, RESTAURANTS (EDEE) USES WITHOUT AN ACCESSORY DRIVE-THROUGH WINDOW, AS WELL AS OTHER NON-RESIDENTIAL USES AS ALLOWED IN THE B-1 ZONING DISTRICT AS FURTHER DEFINED AND RESTRICTED BELOW.
- THE SITE MAY BE DEVELOPED WITH UP TO 78,000 SQUARE FEET OF GROSS FLOOR AREA OF: A VARIETY OF RETAIL USES, PERSONAL SERVICE USES, GENERAL OR MEDICAL OFFICE USES, AN AUTOMOTIVE SERVICE STATION WITH OR WITHOUT A CONVENIENCE STORE, RESTAURANTS (EDEE) WITHOUT AN ACCESSORY DRIVE-THROUGH WINDOW. AS WELL AS OTHER NON-RESIDENTIAL USES AS ALLOWED IN THE B-1 ZONING DISTRICT, TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE B-1 ZONING DISTRICT, SUBJECT TO THE RESTRICTIONS BELOW.
- THE FOLLOWING USES ARE NOT TO BE ALLOWED ON THE SITE: RESIDENTIAL USES, USES WITH ACCESSORY DRIVE-THROUGH WINDOWS. FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH IN THESE DEVELOPMENT STANDARDS (BUT NOT TO BE CONSTRUED AS A LIMITATION

  d. ANY EXISTING STREET TREES IN THE STREET RIGHT OF WAY ALONG W. T. HARRIS OR REAMES ROAD THAT ARE TO REMAIN MUST BE PROTECTED
- 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). THE SETBACK ALONG W. T. HARRIS BOULEVARD WILL BE 20 FEET AS MEASURED FROM THE EXISTING RIGHT-OF-WAY LINE, AND A 10 FOOT SETBACK WILL
- BE PROVIDED ALONG REAMES ROAD ALONG DEVELOPMENT AREA A'S FRONTAGE ON REAMES ROAD AND A 20 FOOT SETBACK ALONG REAMES ROAD ALONG DEVELOPMENT AREA D'S FRONTAGE ON REAMES ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.
- e. PARKING WILL NOT BE ALLOWED BETWEEN THE BUILDING DEVELOPED/CONSTRUCTED WITHIN DEVELOPMENT AREA B AND W. T. HARRIS BOULEVARD AND BETWEEN THE BUILDING CONSTRUCTED IN DEVELOPMENT AREA A AND REAMES ROAD.

- a. ACCESS TO THE SITE WILL BE FROM REAMES ROAD, NORTHLAKE PLAZA DRIVE AND NORTHLAKE WEST DRIVE (A PRIVATE DRIVE) 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 AND/OR NCDOT 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 AND/OR NCDOT IN ACCORDANCE WITH PUBLISHED
- 4. TRANSPORTATION IMPROVEMENTS AND ACCESS:

# PROPOSED IMPROVEMENTS:

THE PETITIONER PLANS TO PROVIDE OR CAUSE TO BE PROVIDED ON ITS OWN OR IN COOPERATION WITH OTHER PARTIES WHO MAY IMPLEMENT PORTIONS OF THE IMPROVEMENTS. THE IMPROVEMENTS SET FORTH BELOW TO BENEFIT OVERALL TRAFFIC PATTERNS THROUGHOUT THE AREA IN ACCORDANCE WITH THE FOLLOWING IMPLEMENTATION PROVISIONS:

THE FOLLOWING TRANSPORTATION IMPROVEMENTS ARE ALSO ILLUSTRATED ON FIGURE 1-1 LOCATED ON SHEET RZ-1 OF THE REZONING PLAN. FIGURE 1-1 ON SHEET RZ-1 IS TO BE USED IN CONJUNCTION WITH THE FOLLOWING NOTES TO DETERMINE THE EXTENT OF THE PROPOSED IMPROVEMENTS (REFERENCE TO A NUMBER WHEN DESCRIBING AN IMPROVEMENT CORRESPONDS TO THE NUMBER FOUND ON FIGURE 1-1 ON SHEET RZ-1 FOR THE

THE FOLLOWING ROADWAY IMPROVEMENTS, WILL BE MADE BY THE PETITIONER AS PART OF THE DEVELOPMENT OF THE SITE AS PROPOSED BY THE REZONING PLAN. THE PETITIONER WILL BE ALLOWED TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR ANY ONE OR ALL OF THE BUILDINGS LOCATED ON THE SITE UPON THE SUBSTANTIAL COMPLETION OF THE FOLLOWING IMPROVEMENTS AS REASONABLY DETERMINED BY CDOT AND NCDOT AS

### TO BE DETERMINED AFTER THE COMPLETION AND REVIEW OF THE TRAFFIC IMPACT STUDY

- a. <u>INTERSECTION OF</u>
- b. <u>INTERSECTION OF</u>

#### II. STANDARDS, PHASING AND OTHER PROVISIONS.

- a. CDOT/NCDOT STANDARDS. ALL OF THE FOREGOING PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND NCDOT, AS APPLICABLE, TO THE ROADWAY IMPROVEMENTS WITHIN THEIR RESPECTIVE ROAD SYSTEM AUTHORITY. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE BROAD NORTHERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.
- b. SUBSTANTIAL COMPLETION. REFERENCE TO "SUBSTANTIAL COMPLETION" FOR CERTAIN IMPROVEMENTS AS SET FORTH IN THE PROVISIONS OF SECTION 4.I. ABOVE SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE STANDARDS SET FORTH IN SECTION 4.II.A ABOVE PROVIDED. HOWEVER, IN THE EVENT ALL ROADWAY IMPROVEMENTS ARE NOT COMPLETED AT THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE, THEN THE PETITIONER WILL WORK WITH CITY STAFF TO DETERMINE A PROCESS TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS, AND IN SUCH EVENT THE PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH A CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.
- RIGHT-OF-WAY AVAILABILITY. IT IS UNDERSTOOD THAT SOME OF THE PUBLIC ROADWAY IMPROVEMENTS REFERENCED IN SUBSECTION A. ABOVE MAY NOT BE POSSIBLE WITHOUT THE ACQUISITION OF ADDITIONAL RIGHT OF WAY. IF AFTER THE EXERCISE OF DILIGENT GOOD FAITH EFFORTS OVER A MINIMUM OF A 60 DAY PERIOD, THE PETITIONER IS UNABLE TO ACQUIRE ANY LAND NECESSARY TO PROVIDE FOR ANY SUCH ADDITIONAL RIGHT OF WAY UPON COMMERCIALLY REASONABLE TERMS AND AT MARKET PRICES, THEN CDOT, THE CITY OF CHARLOTTE ENGINEERING DIVISION OR OTHER APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY AGREE TO PROCEED WITH ACQUISITION OF ANY SUCH LAND. IN SUCH EVENT, THE PETITIONER SHALL REIMBURSE THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY FOR THE COST OF ANY SUCH ACQUISITION PROCEEDINGS INCLUDING COMPENSATION PAID BY THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY FOR ANY SUCH LAND AND THE EXPENSES OF SUCH PROCEEDINGS. FURTHERMORE, IN THE EVENT PUBLIC ROADWAY IMPROVEMENTS REFERENCED IN SUBSECTION A. ABOVE ARE DELAYED BECAUSE OF DELAYS IN THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY AS CONTEMPLATED HEREIN AND SUCH DELAY EXTENDS BEYOND THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE IN CONNECTION WITH RELATED DEVELOPMENT PHASING DESCRIBED ABOVE, THEN THE PETITIONER WILL WORK WITH CITY STAFF TO DETERMINE A PROCESS TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS; PROVIDED, HOWEVER, PETITIONER CONTINUES TO EXERCISE GOOD FAITH EFFORTS TO COMPLETE THE APPLICABLE ROAD-WAY IMPROVEMENTS: IN SUCH EVENT THE PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH A CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.
- d. ALTERNATIVE IMPROVEMENTS. CHANGES TO THE ABOVE REFERENCED ROADWAY IMPROVEMENTS CAN BE APPROVED THROUGH THE ADMINISTRATIVE AMENDMENT PROCESS UPON THE DETERMINATION AND MUTUAL AGREEMENT OF PETITIONER, CDOT AND NCDOT, AND THE PLANNING DIRECTOR AS APPLICABLE, PROVIDED, HOWEVER, THE PROPOSED ALTERNATE TRANSPORTATION IMPROVEMENTS PROVIDE (IN THE AGGREGATE) COMPARABLE TRANSPORTATION NETWORK BENEFITS TO THE IMPROVEMENTS IDENTIFIED IN THIS PETITION.

### 5. ARCHITECTURAL STANDARDS:

- THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS SIDING (SUCH AS HARDI-PLANK), GLASS, STUCCO, EIFS, DECORATIVE BLOCK, ARCHITECTURAL METAL PANELS AND/OR WOOD. VINYL AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS, AND
- THE SERVICE SIDE OF THE BUILDINGS MAY NOT BE ORIENTED TOWARD REAMES ROAD OR W. T. HARRIS BOULEVARD.

#### 6. STREETSCAPE, BUFFERS, YARDS AND LANDSCAPING:

- a. ALONG THE SITE'S FRONTAGE ON REAMES ROAD AND W. T. HARRIS BOULEVARD THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND A SIX (6) FOOT SIDEWALK AS GENERALLY DEPICTED ON THE REZONING PLAN. IF THE PROPOSED SIDEWALK FALLS OUTSIDE OF THE RIGHT-OF-WAY A SIDEWALK EASEMENT WILL BE PROVIDED.
- b. ALONG THE NEW INTERNAL PRIVATE STREET AN EIGHT (8) FOOT PLANTING STRIP AND A SIX (6) FOOT SIDEWALK WILL BE PROVIDED.
- c. THE PETITIONER WILL PROVIDE A SIDEWALK NETWORK THAT LINKS EACH BUILDING ON THE SITE TO THE SIDEWALK ALONG REAMES ROAD, W. T. HARRIS, THE INTERNAL PRIVATE STREET, AS WELL AS THE SIDEWALK ALONG NORTHLAKE PLAZA DRIVE 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 WITH ONE SIDE BEING A DECORATIVE GATE. THE WALL USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDING.

#### 7. ENVIRONMENTAL FEATURES:

- a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION ORDINANCE.
- b. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
- c. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.
- DURING ALL PHASES OF CONSTRUCTION BY FENCING.

- 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.

# 9. GREENWAY DEDICATION:

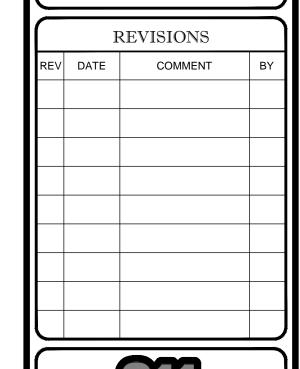
a. THE PETITIONER WILL DEDICATE AND CONVEY TO COUNTY PARKS AND RECREATION THE PORTION OF THE 100 FOOT SWIM BUFFER LOCATED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THIS AREA WILL BE DEDICATED AND CONVEYED TO COUNTY PARKS AND RECREATION AS PART OF THE LAND DEVELOPMENT APPROVAL PROCESS FOR THE SITE. STORM WATER DETENTION AND WATER QUALITY TREATMENT AREAS MAY NOT BE LOCATED WITHIN THE AREA TO BE DEDICATED TO COUNTY PARKS AND RECREATION.

# 10. AMENDMENTS TO THE REZONING PLAN:

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

# 11. BINDING EFFECT OF THE REZONING APPLICATION:

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED 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.





NOT APPROVED FOR CONSTRUCTION

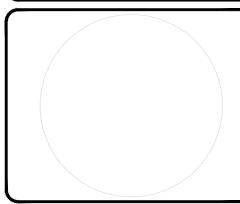
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CHECKED BY:	
DATE:	8/24/
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**JEMSITE** 

DEVELOPMENT, LL

LOCATION OF SITE 7625 W W.T. HARRIS BLVD CHARLOTTE, NC MECKLENBURG COUNTY, 28216



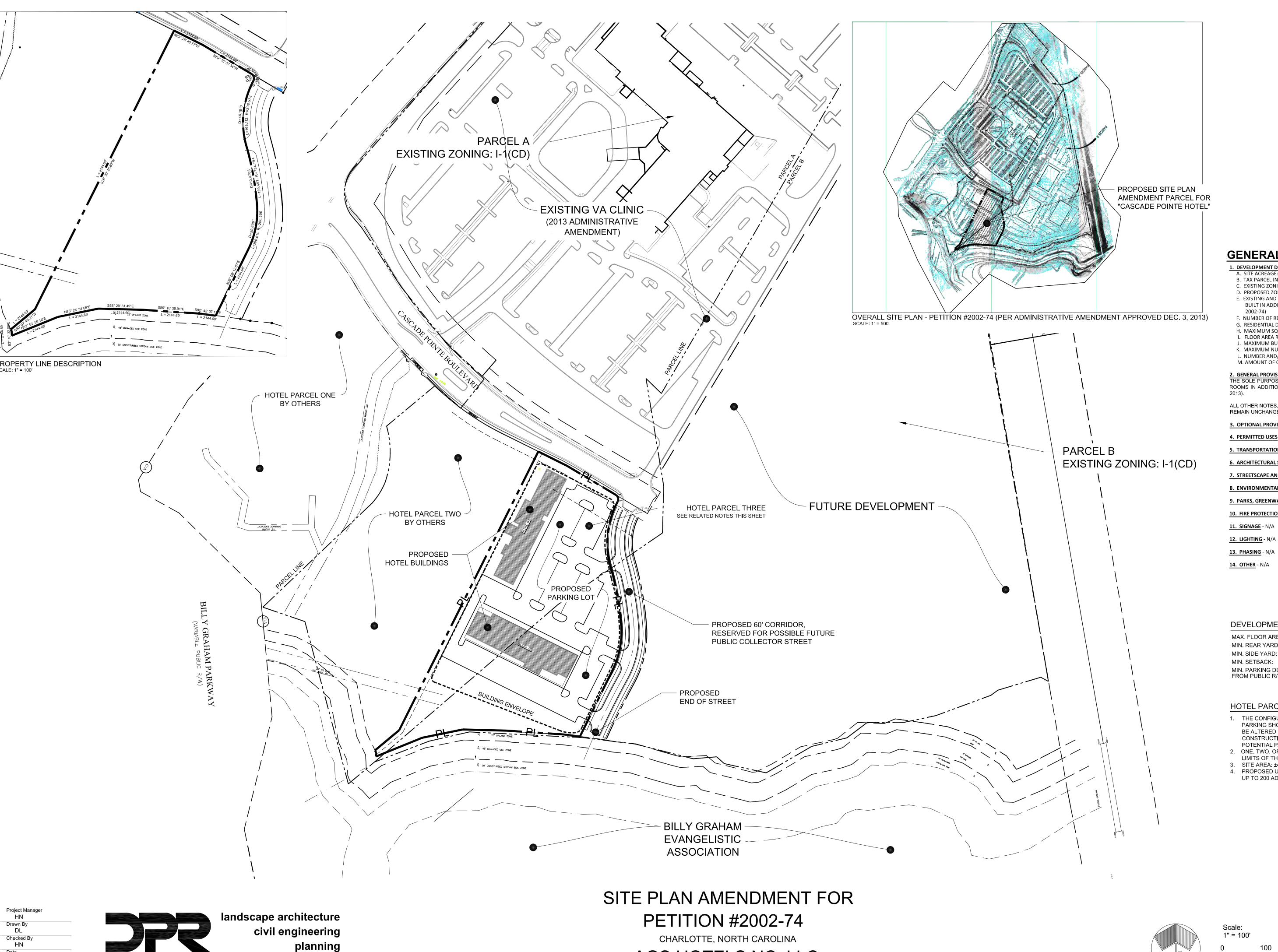


DEVELOPMENT STANDARDS

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Petition #:	
Date Filed:	8/25/2017
Received By	« <u> </u>

Complete All Fields (Use additional pages if needed)	
Property Owner: LakePointe Corporate Center Ass	ociates and CK LakePointe Corporate Center
Associates. (Manager: Childress I	Klein - Tom Coyle)
Owner's Address: 301 South College St. Suite 2800	D. City, State, Zip: Charlotte, NC 28202
Date Property Acquired: 1558	
roperty Address: Cascade Pointe Boulevard, Charlotte, I	
ax Parcel Number(s): 14304112, 14304120, 14304114, approved Site – Petition #2002-7	, 14303106 (Sub-parcel to be separated out for previously 4.)
Current Land Use: Vacant	Size (Acres): 5.07 Ac.
xisting Zoning: I-1(CD)	I-1(60) SPA
Sugar Watershad Central Catawha Pr	C District (Specify PED, Watershed, Historic District, etc.
	2000년 전 100년 1일 전 10 - 100년 1월 100년 1일 전 100년 1일 전 - 100년 1일 전 100년 1일
equired Rezoning Pre-Application Meeting* with: Solom	on Fortune, CDOT, and other City Staff
ate of meeting: 5-11-17	
	lired pre-application meeting with a rezoning team member
ēld.)	
For Conditional Rezonings Only:  Requesting a vesting period exceeding the 2 year minimum Purpose/description of Conditional Zoning Plan:	um? (fes)No. Number of years (maximum of 5): 5
Requesting a vesting period exceeding the 2 year minim	um? (res)No. Number of years (maximum of 5):
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Requesting a vesting period exceeding the 2 year minim Purpose/description of Conditional Zoning Plan: <u>Tp 5</u> DPR Associates, Inc	AGS Hotels NC, LLC  Name of Petitioner(s)  190 South Equity Dr.
Requesting a vesting period exceeding the 2 year minimi Purpose/description of Conditional Zoning Plan: To 6 DPR Associates, Inc lame of Rezoning Agent	AGS Hotels NC, LLC Name of Petitioner(s)
Requesting a vesting period exceeding the 2 year minimic Purpose/description of Conditional Zoning Plan: To 5  DPR Associates, Inc. ame of Rezoning Agent  420 Hawthorne Lane gent's Address  Charlotte, NC 28204	AGS Hotels NC, LLC  Name of Petitioner(s)  190 South Equity Dr.  Address of Petitioner(s)  Smithfield, NC 27577
Requesting a vesting period exceeding the 2 year minimic Purpose/description of Conditional Zoning Plan: To 5  DPR Associates, Inclame of Rezoning Agent  420 Hawthorne Lane gent's Address  Charlotte, NC 28204	AGS Hotels NC, LLC  Name of Petitioner(s)  190 South Equity Dr.  Address of Petitioner(s)
Requesting a vesting period exceeding the 2 year minimizer Purpose/description of Conditional Zoning Plan: To 6  DPR Associates, Inc. lame of Rezoning Agent  420 Hawthorne Lane gent's Address  Charlotte, NC 28204  City, State, Zip  (704) 332-1204  (704) 332-1210	AGS Hotels NC, LLC  Name of Petitioner(s)  190 South Equity Dr.  Address of Petitioner(s)  Smithfield, NC 27577  City, State, Zip  804-605-8248
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Requesting a vesting period exceeding the 2 year minimiper Purpose/description of Conditional Zoning Plan:  DPR Associates, Inc.  Jame of Rezoning Agent  420 Hawthorne Lane Agent's Address  Charlotte, NG 28204  City, State, Zip  (704) 332-1204  Telephone Number  Hinguyen@dprassociates.net (Hy Nguyen)  Fax Number  Hinguyen@dprassociates.net (Hy Nguyen)  Fax Number  C & C & Corporate Center Associates. LL C  C & C & C & Corporate Center Associates.	AGS Hotels NC, LLC Name of Petitioner(s)  190 South Equity Dr. Address of Petitioner(s)  Smithfield, NC 27577  City, State, Zip  804-605-8248  Telephone Number  harry.singh@easternmgmt.net  E-Mail Address  Particles
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Requesting a vesting period exceeding the 2 year minimiper purpose/description of Conditional Zoning Plan:  DPR Associates, Inc.  Iame of Rezoning Agent  420 Hawthorne Lane Agent's Address  Charlotte, NC 28204  City, State, Zip  (704) 332-1204  Telephone Number  Hinguyen@dprassociates.net (Hy Nguyen)  -Mail Address  Ce Power Corporate Centre Associates  Ce La Ke Power Corporate Centre Associates  The Manager  Name Typed / Printed)	AGS Hotels NC, LLC Name of Petitioner(s)  190 South Equity Dr. Address of Petitioner(s)  Smithfield, NC 27577  City, State, Zip  804-605-8248  Telephone Number  harry.singh@easternmgmt.net  E-Mail Address  Particles
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N.T.S. VICINITY MAP

# **GENERAL NOTES**

- 1. DEVELOPMENT DATA TABLE
  A. SITE ACREAGE: ±4.6 AC
  B. TAX PARCEL INCLUDED IN REZONING
- C. EXISTING ZONING: I-1 CD PET. #2002-74 AS AMENDED
- D. PROPOSED ZONING: I-1 CD(SPA)
- E. EXISTING AND PROPOSED USES: UNCHANGED, EXCEPT MAXIMUM 200 HOTEL ROOMS MAY BE BUILT IN ADDITION TO THE 475 ROOMS CURRENTLY ALLOWED ON THE LARGER SITE (PET.
- F. NUMBER OF RESIDENTIAL UNITS BY HOUSING TYPE: N/A G. RESIDENTIAL DENSITY: N/A
- H. MAXIMUM SQUARE FOOTAGE OF NON-RESIDENTIAL USES: SEE PET. 2002-74 AS AMENDED
- I. FLOOR AREA RATIO: UNCHANGED 0.8 J. MAXIMUM BUILDING HEIGHT: UNCHANGED, SEE PET. 2002-74
- K. MAXIMUM NUMBER OF BUILDINGS: UNCHANGED
- L. NUMBER AND/OR RATIO OF PARKING SPACES: UNCHANGED M. AMOUNT OF OPEN SPACE: UNCHANGED

THE SOLE PURPOSE OF THIS SITE PLAN AMENDMENT IS TO ALLOW AN ADDITIONAL 200 HOTEL ROOMS IN ADDITION TO THOSE APPROVED BY PETITION (#2002-74 AS AMENDED DECEMBER 3,

ALL OTHER NOTES, REQUIREMENTS, AGREEMENTS AND CONDITIONS OF THE EXISTING ZONING REMAIN UNCHANGED, AND CONTINUE TO APPLY TO THIS SITE.

#### 3. OPTIONAL PROVISIONS - N/A

4. PERMITTED USES - SEE NOTE "2" ABOVE.

#### **5. TRANSPORTATION** - N/A

6. ARCHITECTURAL STANDARDS - N/A

7. STREETSCAPE AND LANDSCAPING - N/A

8. ENVIRONMENTAL FEATURES - N/A

# 9. PARKS, GREENWAYS, AND OPEN SPACE - N/A

10. FIRE PROTECTION - N/A

12. LIGHTING - N/A

**13. PHASING** - N/A

**14. OTHER** - N/A

# DEVELOPMENT STANDARDS

MAX. FLOOR AREA RATIO: .80 (UNCHANGED) MIN. REAR YARD: 10.0' (UNCHANGED) MIN. SIDE YARD: 4.0' (UNCHANGED) MIN. SETBACK: VARIES (UNCHANGED) MIN. PARKING DECK SETBACK FROM PUBLIC R/W: 30' (UNCHANGED)

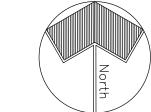
# HOTEL PARCEL THREE SITE PLAN NOTES

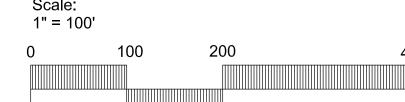
- 1. THE CONFIGURATION, PLACEMENT AND SIZE OF THE BUILDINGS AND PARKING SHOWN ON THIS SITE PLAN ARE SCHEMATIC IN NATURE AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASE. THIS SITE PLAN ILLUSTRATES ONE POTENTIAL PATTERN FOR THE SITE IF DEVELOPED TO THE MAXIMUM. 2. ONE, TWO, OR THREE BUILDINGS MAY BE BUILT ON THIS SITE WITHIN THE
  - LIMITS OF THE BUILDING ENVELOPE.

4. PROPOSED USE: ANY USES ALLOWED UNDER EXISTING ZONING, TO INCLUDE UP TO 200 ADDITIONAL HOTEL ROOMS.

CHARLOTTE, NORTH CAROLINA

AGS HOTELS NC, LLC



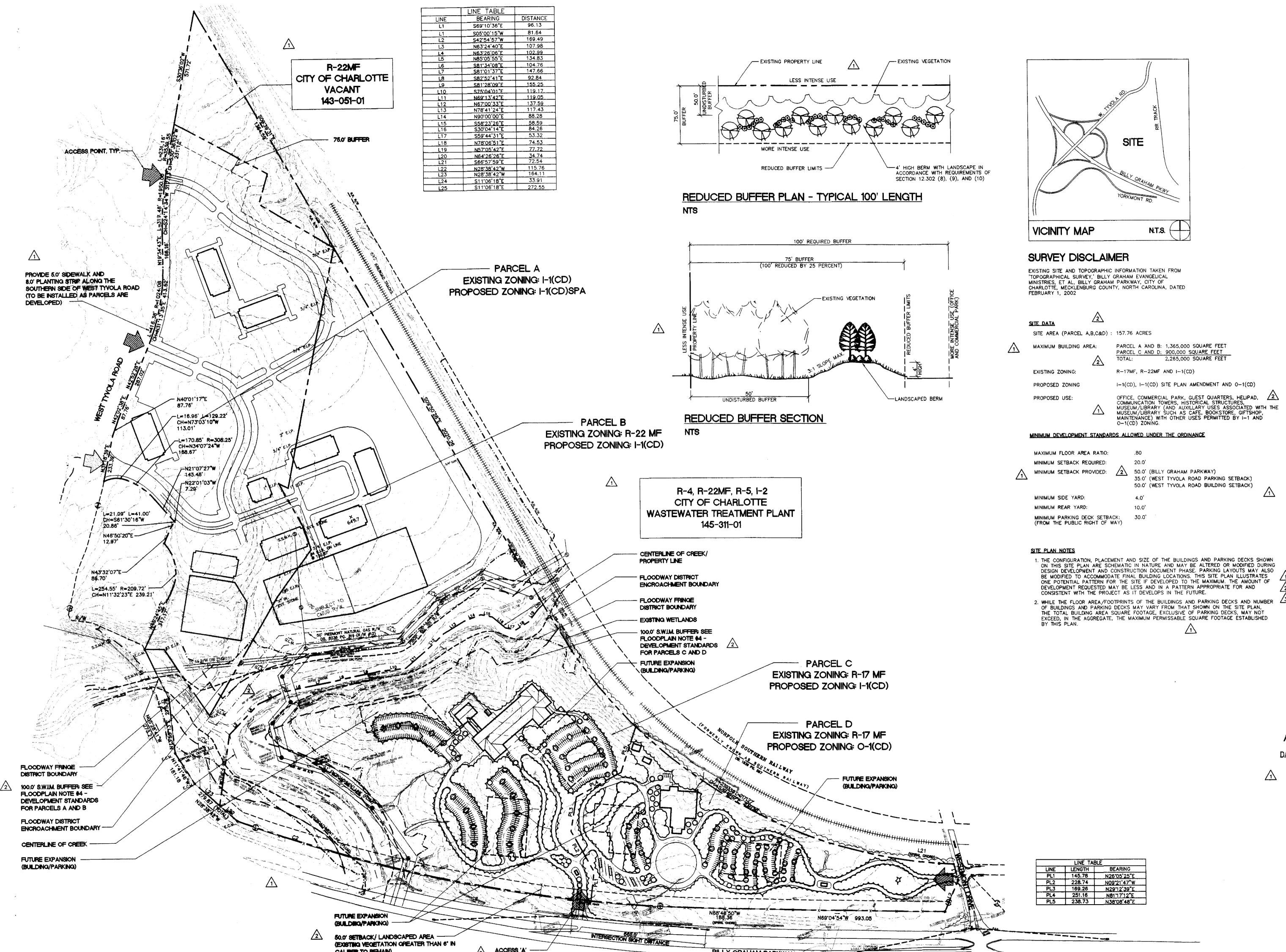


RZ-1



Project Number 17007

phone 704. 332. 1204 • fax 704. 332. 1210 • www.dprassociates.net





112 South Tryon Street Suite 300 Charlotte, North Carolina 28284 Tel 704. 376. 1555 Fax 704, 376, 7851 www.colejeneststone.com

# The Keith Corporation

Charlotte North Carolina

# **Childress Klein Properties**

Charlotte **North Carolina** 

# Rezoning Plan

# **PETITION #2002-74**

Project No. 2455

03/25/02

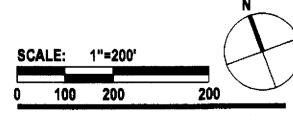
Issued

Revised 1 05/17/02 - REVISED PER CMPC COMMENTS

2 07/22/02 - REVISED PER CMPC COMMENTS 3 08/05/02 - REVISED PER CMPC COMMENTS

APPROVED BY CITY COUNCIL

FOR PUBLIC HEARING



of 2

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# PHASING OF DEVELOPMENT (PARCELS A AND B)

PARCEL A WAS PREVIOUSLY A PART OF ZONING PETITION #98-125, WHICH PROVIDES FOR DEVELOPMENT OF UP TO 2,665,000 SQUARE FEET ON BOTH SIDES OF WEST TYVOLA ROAD. OF THE MAXIMUM SQUARE FOOTAGE ALLOWED BY PETITION #98-125, 765,000 SQUARE FEET IS HEREBY ASSIGNED TO PARCEL A, LEAVING 1,900,000 SQUARE FEET FOR THE REMAINING LAND COVERED BY PETITION #98-125. UNDER THE PRESENT ZONING PETITION #02-074; AN ADDITIONAL 600,000 SQUARE FEET IS PERMITTED ON PARCELS A AND B SUCH THAT PARCELS A AND B HAVE A COMBINED MAXIMUM BUILDING AREA (EXCLUSIVE OF PARKING STRUCTURES) OF 1,365,000 SQUARE FEET. HAY BE DEVELOPED ON THE REMAINING LAND COVERED BY PETITION #98-125 (HEREINAFTER REFERRED TO AS "LAKEPOINTE CORPORATE CENTER NORTH") AND 1,365,000 SQUARE FEET MAY BE DEVELOPED ON PARCELS A AND B (HEREINAFTER REFERRED TO AS "LAKEPOINTE CORPORATE CENTER SOUTH").

THE OWNERS OF LAKEPOINTE CORPORATE CENTER SOUTH AGREE TO DEVELOP LAKEPOINTE CORPORATE CENTER SOUTH IN ACCORDANCE WITH THE PHASING SCHEDULE SET FORTH BELOW.

UP TO A COMBINED 500,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED ON LAKEPOINTE CORPORATE CENTER NORTH AND LAKEPOINTE CORPORATE CENTER SOUTH AT ANY TIME WITH NO ADDITIONAL ROAD IMPROVEMENTS. PHASE II

AN ADDITIONAL COMBINED 784,000 SQUARE FEET GROSS FLOOR AREA MAY BE DEVELOPED ON LAKEPOINTE CORPORATE CENTER NORTH AND LAKEPOINTE CORPORATE CENTER SOUTH AT ANY TIME AFTER THE FOLLOWING TRANSPORTATION IMPROVEMENTS HAVE BEEN COMPLETED:

- A. INSTALLATION OF TRAFFIC SIGNAL AT THE INTERSECTION OF THE BILLY GRAHAM PARKWAY SOUTH-BOUND RAMP WITH WEST TYVOLA ROAD.
- B. INSTALLATION OF TURN LANES AT ALL THREE ACCESS POINTS FROM LAKEPOINTE CORPORATE CENTER NORTH AND LAKEPOINTE CORPORATE CENTER SOUTH ONTO WEST TYVOLA ROAD, STORAGE LANES AS DETAILED IN THE PETITIONER'S OCTOBER 1996 TRAFFIC ACCESS ANALYSIS PREPARED BY KUBILINS TRAFFIC CONSULTING, INC. WHICH WAS PART OF REZONING PETITION
- C. INSTALLATION OF TRAFFIC SIGNALS AT THE SITE'S EASTERN AND WESTERN ACCESS POINTS ONTO WEST TYVOLA ROAD, AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET IN PETITION #98-125, AND IN ACCEPTANCE WITH CDOT AND NCDOT REQUIREMENTS AND UPON MEETING

WHILE THE ADDITIONAL DEVELOPMENT APPROVED FOR PHASE II MAY BE CONSTRUCTED CONTEMPORANEOUSLY WITH THE REQUIRED TRANSPORTATION IMPROVEMENTS, NO CERTIFICATES OF OCCUPANCY MAY BE ISSUED FOR ANY OF THIS ADDITIONAL DEVELOPMENT UNTIL THE IMPROVEMENTS HAVE BEEN COMPLETED.

AN ADDITIONAL COMBINED 1,381,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED ON LAKEPOINTE CORPORATE CENTER NORTH AND LAKEPOINTE CORPORATE CENTER SOUTH AT ANY TIME AFTER THE TRANSPORTATION IMPROVEMENTS REQUIRED FOR PHASE IF HAVE BEEN SATISFIED AND THE FOLLOWING ADDITIONAL TRANSPORTATION IMPROVEMENTS HAVE BEEN COMPLETED:

A. INSTALLATION OF THE TRAFFIC SIGNAL AND ROADWAY IMPROVEMENTS AT THE INTERSECTION OF THE BILLY GRAHAM PARKWAY SOUTH-BOUND RAMPS WITH WEST TYVOLA ROAD PER APPROVED ENCROACHMENT AGREEMENT #01-191-P AND SIGNAL PLANS PREPARED BY CDOT.

WHILE THE ADDITIONAL DEVELOPMENT APPROVED FOR PHASE III MAY BE CONSTRUCTED CONTEMPORANEOUSLY WITH THE REQUIRED TRANSPORTATION IMPROVEMENTS, NO CERTIFICATES OF OCCUPANCY MAY BE ISSUED FOR ANY OF THIS ADDITIONAL DEVELOPMENT UNTIL THE IMPROVEMENTS HAVE BEEN COMPLETED. PHASE IV

AN ADDITIONAL 300,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED ON LAKEPOINTE CORPORATE CENTER SOUTH AT ANY TIME AFTER THE TRANSPORTATION IMPROVEMENTS REQUIRED FOR PHASES II AND III HAVE BEEN SATISFIED AND THE FOLLOWING ADDITIONAL TRANSPORTATION IMPROVEMENTS HAVE BEEN COMPLETED:

- A. CONVERT THROUGH-LANE ON SOUTH-BOUND CASCADE POINTE TO THROUGH-RIGHT LANE. B. INCREASE SOUTH BOUND CASCADE POINTE LEFT-TURN LANE STORAGE TO 150 FEET WITH 150 FEET OF TAPER, UNLESS OTHERWISE AGREED UPON BY COOT AND DEVELOPER'S CONSULTANT.
- C. INCREASE EAST BOUND TYVOLA DUAL LEFT-TURN STORAGE AT CASCADE POINTE TO 350 FEET, UNLESS OTHERWISE AGREED UPON BY COOT AND DEVELOPER'S CONSULTANT.
- D. ADD LEFT-TURN LANE ON NORTH-BOUND CASCADE POINTE WITH 275 FEET STORAGE AND 120 FEET TAPER, UNLESS OTHERWISE AGREED UPON BY CDOT AND DEVELOPER'S CONSULTANT. E. ADD LEFT-TURN LANE ON NORTH-BOUND PERIMETER POINTE WITH 275 FEET STORAGE AND 120 FEET TAPER, UNLESS OTHERWISE AGREED UPON BY COOT AND DEVELOPER'S

WHILE THE ADDITIONAL DEVELOPMENT APPROVED FOR PHASE IV MAY BE CONSTRUCTED CONTEMPORANEOUSLY WITH THE REQUIRED TRANSPORTATION IMPROVEMENTS, NO CERTIFICATES OF OCCUPANCY MAY BE ISSUED FOR ANY OF THIS ADDITIONAL DEVELOPMENT UNTIL THE MPROVEMENTS HAVE BEEN COMPLETED.

AN ADDITIONAL 175,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED ON LAKEPOINTE CORPORATE CENTER SOUTH AT ANY TIME AFTER THE TRANSPORTATION IMPROVEMENTS REQUIRED FOR PHASES II, III AND IV HAVE BEEN SATISFIED AND THE FOLLOWING ADDITIONAL TRANSPORTATION IMPROVEMENTS HAVE BEEN COMPLETED:

- A. MODIFY BILLY GRAHAM PARKWAY ("BGP")/TYVOLA ROAD INTERCHANGE TO PROVIDE WEST-BOUND TYVOLA ROAD DUAL LEFT-TURN LANES WITH 475 FEET OF STORAGE AT SOUTH BOUND BGP RAMPS INTERSECTION (INCLUDES COMMENSURATE SOUTH BOUND ON-RAMP MODIFICATIONS/EXTENSION, AND NORTH-BOUND OFF RAMP TO WEST BOUND TYVOLA ROAD RAMP MODIFICÁTIONS, CONSTRUCTION OF A MEDIAN, AND INSTALLATION OF A TRAFFIC SIGNAL). B. PROVIDE DUAL RIGHT-TURN LANES ON NORTH-BOUND BGP OFF-RAMP TO EAST-BOUND TYVOLA
- ROAD, 450 FEET OF STORAGE, CONSTRUCTION OF A MEDIAN, AND INSTALLATION OF A NEW TRAFFIC SIGNAL
- C. WIDEN BGP SOUTH-BOUND OFF-RAMP TO INCREASE LEFT-TURN STORAGE LENGTH TO 375 FEET UNLESS PROVIDED BY CURRENT PROJECT (NC ENCROACHMENT AGREEMENT #01-191-P).
- WHILE THE ADDITIONAL DEVELOPMENT APPROVED FOR PHASE V MAY BE CONSTRUCTED CONTEMPORANEOUSLY WITH THE REQUIRED TRANSPORTATION IMPROVEMENTS, NO CERTIFICATES OF OCCUPANCY MAY BE ISSUED FOR ANY OF THIS ADDITIONAL DEVELOPMENT UNTIL THE IMPROVEMENTS HAVE BEEN COMPLETED.

# PHASE VI

AN ADDITIONAL 125,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED ON LAKEPOINTE CORPORATE CENTER SOUTH AT ANY TIME AFTER THE TRANSPORTATION IMPROVEMENTS REQUIRED FOR PHASE II, III, IV AND VIEW OF THE SATISFIED AND THE FOLLOWING ADDITIONAL TRANSPORTATION MPROVEMENTS HAVE BEEN COMPLETED:

A ADDITION OF EASTBOUND LEFT-TURN AND RIGHT-TURN LANES ON WEST BOULEVARD AND BGP, UNLESS INTERSECTION HAS BEEN CONVERTED TO A GRADE SEPARATED INTERCHANGE.

WHILE THE ADDITIONAL DEVELOPMENT APPROVED FOR PHASE VI MAY BE CONSTRUCTED CONTEMPORANEOUSLY WITH THE REQUIRED TRANSPORTATION IMPROVEMENTS, NO CERTIFICATES OF OCCUPANCY MAY BE ISSUED FOR ANY OF THIS ADDITIONAL DEVELOPMENT UNTIL THE IMPROVEMENTS HAVE BEEN COMPLETED.

PLANS FOR ALL SIGNAL INSTALLATIONS AND ROADWAY IMPROVEMENTS DESCRIBED ABOVE MUST BE APPROVED IN ADVANCE BY NCDOT AND COOT.

ANY PETITIONER/DEVELOPER TRANSPORTATION IMPROVEMENT HEREIN OUTLINED FOR PARCELS A AND B SHALL NOT BE REQUIRED IF THE TRANSPORTATION IMPROVEMENT HAS BEEN OTHERWISE FUNDED AND/OR COMPLETED BY APPLICABLE LOCAL, STATE OR FEDERAL AGENCY RESPONSIBLE FOR SUCH IMPROVEMENTS.

# ABILITY TO TRANSFER SQUARE FOOTAGE

PARCEL A WAS PREVIOUSLY A PART OF ZONING PETITION #98-125, WHICH PROVIDES FOR DEVELOPMENT OF UP TO 2,665,000 SQUARE FEET ON BOTH SIDES OF WEST TYVOLA ROAD. OF THE MAXIMUM SQUARE FOOTAGE ALLOWED BY PETITION #98-125, 765,000 SQUARE FEET IS HEREBY ASSIGNED TO PARCEL A, LEAVING 1,900,000 SQUARE FEET FOR THE REMAINING LAND COVERED BY PETITION #98-125. UNDER THE PRESENT ZONING PETITION #02-074, AN ADDITIONAL 600,000 SQUARE FEET IS PERMITTED ON PARCELS A AND B SUCH THAT PARCELS A AND B HAVE A TOTAL MAXIMUM BUILDING AREA (EXCLUSIVE OF PARKING STRUCTURES) OF 1,365,000 SQUARE FEET. HENCE, 1,900,00 SQUARE FEET (EXCLUSIVE OF PARKING STRUCTURES) MAY BE DEVELOPED ON THE REMAINING LAND COVERED BY PETITION #98-125 (HEREINAFTER REFERRED TO AS "LAKEPOINTE CORPORATE CENTER NORTH") AND 1,365,000 SQUARE FEET MAY BE DEVELOPED ON PARCELS A AND B (HEREINAFTER REFERRED TO AS "LAKEPOINTE CORPORATE CENTER SOUTH"). PETITIONER HEREBY RESERVES THE RIGHT TO TRANSFER SQUARE FOOTAGE BETWEEN LAKEPOINTE CORPORATE CENTER NORTH RESERVES THE RIGHT TO TRANSFER SQUARE FOOTAGE BETWEEN LAKEPOINTE CORPORATE CENTER NORTH AND LAKEPOINTE CORPORATE CENTER SOUTH AT ANY TIME, PROVIDED PETITIONER SUBMITS AN UPDATED TRAFFIC IMPACT ANALYSIS TO BE REVIEWED AND APPROVED BY COOT.

#### BUFFER AREA (PARCELS A AND B ONLY)

BUFFER AREA ESTABLISHED ON THIS SITE PLAN SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ZONING ORDINANCE, SUBJECT, HOWEVER, TO THE PROVISIONS OF SECTION 12.304 AND TO THE PROVISIONS OF SECTION 12.302 (8) THE FOLLOWING PARAGRAPHS

2. THE EXTERIOR 50 FEET OF ALL BUFFER AREA ARE TO REMAIN IN THEIR UNDISTURBED CONDITIONS EXCEPT TO THE EXTENT NECESSARY TO ACCOMMODATE ACCESS POINTS AND UTILITY LINES AND FACILITIES. ALL UTILITY LINES AND FACILITIES INSTALLED IN THE FUTURE MAY ONLY CROSS THE UNDISTURBED PORTIONS OF BUFFER AREA AT INTERIOR ANGLES MEASURED AT PROPERTY LINES WHICH ARE NOT LESS THAN 75 DEGREES AND, TO THE EXTENT POSSIBLE, PATHS CLEARED FOR SUCH UTILITY LINES AND FACILITIES SHALL BE REPLANTED WITH PLANT MATERIALS WHICH ARE THE SAME AS OR SIMILAR TO THE TYPES OF MATERIALS THAT ARE IN PLACE WITHIN THE BUFFER AREA AND MEET MINIMUM BUFFER REQUIREMENTS.

- 3. THE REMAINING PORTIONS OF ALL BUFFER AREA ARE TO REMAIN AS OPEN SPACE, EXCEPT TO THE EXTENT NECESSARY TO ACCOMMODATE ACCESS POINTS, BERMS, WALLS, FENCES, GRADING, DRAINAGE PIPES OR CHANNELS, UTILITY LINES AND FACILITIES AND PEDESTRIAN
- 4. IN ALL BUFFER AREAS WHERE EXISTING TREES AND NATURAL VEGETATION HAVE BEEN CLEARED TO ACCOMMODATE BERMS, WALLS, FENCES, GRADING PIPE OR CHANNELS, UTILITY LINES AND FACILITIES AND PEDESTRIAN PATHWAYS, THE CLEARED, UNIMPROVED AREA WILL BE LANDSCAPED AS REQUIRED BY SECTION 12.302 OF THE ORDINANCE.
- 5. IN ALL BUFFER AREA THE PETITIONER RESERVES THE RIGHT TO REMOVE VINES, UNDERBRUSH AND SMALL UNDERSTORY TREES (LESS THAN 4 INCHES IN CALIPER), TO MULCH THE AREA BENEATH THE TREES AND TO PLANT GRASS OUTSIDE OF THE EXISTING TREE AREA FOR PURPOSES OF IMPROVING THE OVERALL APPEARANCE OF NATURALLY VEGETATED AREA. THE OWNERS OF PARCELS A AND B MAY ALSO INSTALL SUPPLEMENTAL LANDSCAPING WITHIN SUCH AREA WHERE NEFORD
- 6. IF IN THE FUTURE ADJOINING ZONING DISTRICTS ARE CHANGED TO ZONING DISTRICTS WHICH DO NOT REQUIRE A BUFFER OR WHICH REQUIRE A REDUCED BUFFER, THEN THE BUFFER PROVIDED AT THE APPLICABLE EDGE DEPICTED ON SHEET RZ1 MAY BE ADJUSTED IN ACCORDANCE WITH TABLE 12.302 (a) AND TABLE 12.302 (b) OF THE ORDINANCE.
- 7. SIGNS AND GRAPHICS WILL NOT BE ALLOWED IN BUFFER AREA.
- 8. OFF-STREET PARKING WILL NOT BE ALLOWED IN THE BUFFER.

# DEVELOPMENT STANDARDS (PARCELS A, B, C AND D)

ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE") FOR THE I-1(CD) AND O-1(CD) ZONING DISTRICT CLASSIFICATION SHALL BE FOLLOWED IN CONNECTION WITH DEVELOPMENT TAKING PLACE ON THE SITE. CONFIGURATION, PLACEMENT, NUMBER AND ALIGNMENT OF THE BUILDINGS COMPRISING THE DEVELOPMENT AS SHOWN ON THE SCHEMATIC SITE PLAN MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES WITHIN THE MAXIMUM BUILDING ENVELOPES ESTABLISHED ON THIS SITE PLAN, SUBJECT ONLY TO THE PROVISIONS SET FORTH BELOW AND PER CHAPTER 6 OF THE ORDINANCE. THE SITE MAY BE SUBDIVIDED AS DETERMINED BY THE PETITIONERS. ANY SUCH SUBDIVISION OF THE SITE SHALL BE IN ACCORDANCE WITH ALL APPLICABLE SUBDIVISION REGULATIONS.

#### PERMITTED USES

- 1. EXCEPT AS OTHERWISE PROVIDED BELOW, THE SITE MAY BE DEVOTED TO ANY USE (INCLUDING ANY ACCESSORY USE) WHICH IS PERMITTED UNDER THE ORDINANCE BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN AN I-1 (CD) AND O-1(CD) ZONING DISTRICT.
- 2. NO FAST FOOD RESTAURANTS (I.E. RESTAURANTS WITH DRIVE-THROUGH SERVICES) OR GAS/CONVENIENCE STORES WILL BE ALLOWED.
- 3. RETAIL USES WITHIN THE SITE SHALL BE LIMITED TO 70,000 S.F. FOR PARCELS A AND B.
- 4. THE NUMBER OF HOTEL ROOMS ASSOCIATED WITH PARCELS A AND B SHALL BE A MAXIMUM OF 475 ROOMS. THERE ARE NO HOTELS ASSOCIATED WITH PARCELS C AND D. 5. THE PROPOSED GUEST COTTAGES/QUARTERS WILL BE AN ANCILLARY FUNCTION OF PARCELS C AND D. THESE COTTAGES WILL NOT HAVE A KITCHEN; THE MAXIMUM LENGTH OF STAY SHALL BE 90 DAYS.
- 6. OFFICES GREATER THAN 400,000 SQUARE FEET ARE ALLOWED AS PROVIDED FOR UNDER SECTION 9.1103 (PARAGRAPH 13).

# 1. DEVELOPMENT SCREENING WILL CONFORM TO THE STANDARDS ESTABLISHED UNDER CHAPTER 12.303 OF THE ORDINANCE.

2. ALL DUMPSTERS WILL BE LOCATED IN ENCLOSURES CONSTRUCTED OF EITHER MASONRY WALLS OR WOODEN FENCES AND WILL BE PROVIDED WITH GATES. IF ONE OR MORE SIDES OF THE DUMPSTER AREA ADJOINS A SIDE OR REAR WALL OF A BUILDING. THE WALL OR WALLS MAY BE SUBSTITUTED FOR THE FENCE ALONG EACH SIDE.

# OFF-STREET PARKING

PARKING AREA DEPICTED ON THIS REZONING PLAN MAY VARY IN SIZE, LOCATION AND CONFIGURATION, BUT IN ALL EVENTS, ALL SITE OFF-STREET PARKING AND LOADING WILL CONFORM TO THE PARKING AND LOADING STANDARDS ESTABLISHED UNDER THE ORDINANCE.

# 1. A UNIFORM LIGHTING SYSTEM WILL BE EMPLOYED EACH FOR PARCELS A AND B AS WELL AS PARCELS C AND D AND WILL INCLUDE SHOE BOX FIXTURES WHICH DO NOT, INCLUDING THEIR BASES, EXCEED 30 FEET IN HEIGHT. 2. CONSIDERATION WILL BE GIVEN TO THE IMPACT OF LIGHTING BOTH WITHIN AND OUTSIDE THE BRO JECT LITTURE FOR CONSIDERATION WILL INCLUDE INTENSITY OUTSIDE AND SECONDARY AND THE IMPACT OF LIGHTING BOTH WITHIN AND OUTSIDE THE

- PROJECT. ITEMS FOR CONSIDERATION WILL INCLUDE INTENSITY, CUTOFF ANGLES, COLOR, ENERGY EFFICIENCY AND SHIELDING OF SOURCES OF LIGHT, THE INTENT BEING TO ELIMINATE GLARE TOWARDS ADJACENT STREETS AND PROPERTIES.
- 3. WALL-PAK TYPE LIGHTING WILL NOT BE UTILIZED ON BUILDINGS.

- 1. UPON ESTABLISHMENT AND COMPLETION OF THE CONFIGURATION OF OUTPARCELS, BUILDINGS CONSTRUCTED ON OUTPARCELS WILL CONFORM TO THE FRONT YARD, REAR YARD AND SETBACK REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE.
- 2. VEHICULAR ACCESS POINTS TO EACH OUTPARCEL WILL BE PLACED ON INTERNAL PROJECT STREETS. NO ACCESS TO OUT PARCELS WILL BE ALLOWED OFF OF WEST TYVOLA ROAD.
- 3. ALL BUILDINGS PLACED WITHIN OUTPARCELS MUST BE CONSTRUCTED OF MASONRY OR STUCCO OR STUCCO-LIKE MATERIALS AND DESIGNED SUCH THAT EACH SUCH BUILDING IS IN HARMONY WITH ADJOINING BUILDINGS THROUGH THE USE OF SIMILAR ARCHITECTURAL FEATURES, SCALE, AND LANDSCAPING.
- 4. A MAXIMUM OF 5 OUTPARCELS SHALL BE ALLOWED IN ASSOCIATION WITH THE DEVELOPMENT OF PARCELS A AND B. NO OUTPARCELS ARE ALLOWED ON PARCELS C AND D.

- 1. DEVELOPMENT WILL COMPLY WITH THE CITY OF CHARLOTTE STORM WATER MANAGEMENT ORDINANCES.
- 2. STORMWATER DETENTION IS NOT REQUIRED AS THE SITE IS LOCATED ADJACENT TO THE FLOODWAY. FLOOD PLAIN
- 1. THE PETITIONER SHALL COMPLY WITH ALL APPLICABLE S.W.I.M. BUFFER REGULATIONS.
- 2. THE FLOODWAY FRINGE SHALL BE PRESERVED AS AN OPEN SPACE/NATURAL AMENITY AREA. THE PETITIONERS MAY IMPROVE THE FRINGE AREA BY CLEARING, GRADING, AND PROVIDING FILL, AND BY ESTABLISHING PEDESTRIAN PATHS AS WELL AS PLACING PEDESTRIAN AMENITY FURNITURE WITHIN THIS AREA, SUCH AS BENCHES, PICNIC TABLES, ETC.
- 3. IN ORDER TO IMPROVE THE OVERALL APPEARANCE OF THE FRINGE AREA, THE PETITIONERS RESERVE THE RIGHT TO CLEAN AND REMOVE MANMADE AND NATURAL DEBRIS FROM THE AREA, INCLUDING THE REMOVAL OF WEEDS, VINES, UNDERSTORY GROWTH, ETC.
- 4. THE PETITIONERS/DEVELOPERS OF PARCELS A AND B SHALL DEDICATE THE S.W.I.M. BUFFER OF THE SITE TO THE MECKLENBURG COUNTY PARKS AND RECREATION DEPARTMENT FOR PUBLIC GREENWAY PURPOSES. THE DEDICATION SHALL OCCUR PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT ASSOCIATED WITH PARCELS A OR B. ANY AND ALL PUBLIC ACCESS, USAGE, PEDESTRIAN PATHWAY OR OTHER IMPROVEMENTS DESIGNED FOR PUBLIC USAGE OF THE GREENWAY AREA SHALL BE SPECIFICALLY DESIGNATED ON PARCELS A AND B AND SHALL NOT BE LOCATED OR PERMITTED ON PARCELS C OR D. THE PETITIONER/DEVELOPER OF PARCELS C AND D SHALL DEDICATE AN AREA MEASURING 100 FEET IN DEPTH AS MEASURED FROM THE TOP OF THE BANK. THE DEDICATION FOR PARCELS C AND D SHALL OCCUR PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY ASSOCIATED WITH PARCELS C OR D.

# FIRE PROTECTION

1. A FIRE HYDRANT IS REQUIRED WITHIN 750' OF THE MOST REMOTE POINT OF A BUILDING AS A TRUCK TRAVELS.

1. AN INDIVIDUAL SIGNAGE MASTER PLAN AND GRAPHICS SYSTEM WILL BE CREATED AND IMPLEMENTED FOR PARCELS A AND B AS WELL AS ONE FOR PARCELS C AND D.

2. ALL SIGNS PLACED ON THE SITE WILL BE ERECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.

3. PERMANENT PROJECT IDENTIFICATION SIGNS AND DIRECTIONAL SIGNS MAY BE LOCATED ALONG WEST TYVOLA ROAD AND BILLY GRAHAM PARKWAY. , 4. ALL FREESTANDING SIGNS WILL BE OF THE GROUND MOUNTED TYPE AND NO PYLON SIGNS WILL BE ALLOWED ON THE SITE.

5. GROUND MOUNTED SIGN PANELS FOR RETAIL USES WILL BE LIMITED TO FOUR (4) FEET IN HEIGHT ABOVE A SIGN BASE WHICH WILL BE LIMITED TO TWO AND ONE—HALF (2 1/2) FEI IN HEIGHT FOR A TOTAL HEIGHT OF SIX AND ONE—HALF (6 1/2) FEET IN HEIGHT. THE SIX PANEL WILL BE NO LARGER THAN FIFTY (50) SQUARE FEET. 6. BILLBOARDS WILL NOT BE ALLOWED ON SITE.

1. THE NUMBER OF VEHICULAR ACCESS POINTS TO THE PROJECT SITE SHALL BE LIMITED TO TO THE GENERAL AREAS DEPICTED ON THIS SITE PLAN. ACCESS POINTS WILL BE PLACED AND CONFIGURED TO ACCOMMODATE FINAL SITE PLANS AND DESIGN, BUT IN ALL EVENTS, WILL CONFORM TO REQUIREMENTS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

2. VEHICULAR ACCESS POINTS ON PROPOSED ROADS WITHIN THE PROJECT SITE BOUNDARY WILL BE PLACED AND CONFIGURED TO ACCOMMODATE FINAL SITE PLANS AND DESIGN, BUT IN ALL EVENTS, WILL CONFORM TO THE REQUIREMENTS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION OR THE CITY OF CHARLOTTE DEPARTMENT OF TRANSPORTATION. 3. THE PLACEMENTS AND CONFIGURATIONS OF EACH ACCESS POINT ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE PLANS AND DESIGN AND ANY AND DESIGN AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION OR THE CITY OF CHARLOTTE DEPARTMENT

4. CONSTRUCTION OF THE ACCESS POINTS OFF OF WEST TYVOLA ROAD AND THE PROPOSED INTERNAL ROADS WILL CONFORM TO THE FINAL SITE PLANS AND DESIGN APPROVED BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION OR THE CITY OF CHARLOTTE DEPARTMENT OF TRANSPORTATION.



5. THE PETITIONER/DEVELOPERS SHALL PROVIDE, AS HEREIN PROVIDED, FOR THE POSSIBLE FUTURE VEHICULAR CONNECTIVITY OF PARCELS A AND B TO PARCELS C AND D ACROSS IRWIN CREEK. THE PETITIONER/DEVELOPERS AGREE TO WORK COOPERATIVELY TOGETHER TO ESTABLISH A MUTUALLY SUITABLE LOCATION FOR THE CREEK CROSSING AND TO DESIGNATE AN AREA AT THE CREEK WHERE THE POSSIBLE FUTURE CONNECTION ACROSS THE CREEK COULD OCCUR. EACH PETITIONER/DEVELOPER SHALL RECOGNIZE THIS AREA WITH RESPECT TO THE PLACEMENT OF BUILDINGS AND OTHER IMPROVEMENTS MADE ON THE SITE SUCH THAT THE DESIGNATED CROSSING POINT OF THE CREEK IS NOT UNDULY BLOCKED. HINDERED OR OTHERWISE PREVENTED FROM OCCURRING DUE TO THE PLACEMENT OF SAID IMPROVEMENTS. FURTHERMORE, THE PETITIONER / DEVELOPER OF PARCELS A AND B SHALL DEDICATE A STREET RIGHT-OF-WAY MEASURING 60 FEET WIDE THROUGH SAID PARCELS TO CONNECT TO THE DESIGNATED CREEK CROSSING AREA. THE PETITIONER/DEVELOPER OF PARCELS C AND D SHALL ESTABLISH DEVELOPMENT PLANS THAT RESPECT THE CREEK CROSSING AREA AND REASONABLY PROVIDE FOR THE POSSIBLE FUTURE CONNECTION ON SAID PARCELS. THE AREA OF THE CREEK CROSSING AND/OR STREET RIGHT-OF-WAY ALIGNMENT MAY BE ALTERED BY THE MUTUAL AGREEMENT OF THE PETITIONER/DEVELOPERS SO LONG AS THE INTENT OF THE PROPOSED VEHICULAR CONNECTION IS PRESERVED AND MAINTAINED. THE RIGHT-OF-WAY ALIGNMENT SHALL BE DETERMINED THROUGH NORMAL SUBDIVISION REGULATIONS AND REQUIREMENTS. THE EVENT THAT THE VEHICULAR CONNECTION PROCEEDS AND NO SUBDIVISION OF PARCELS A AND/OR B HAS OCCURRED (I.E.: NO RIGHT-OF-WAY DEDICATION), THEN THE PETITIONER/DEVELOPER OF PARCELS A AND B SHALL PROVIDE THE RIGHT-OF-WAY UPON THI REQUEST OF THE CITY OF CHARLOTTE. IT IS UNDERSTOOD AND AGREED THAT NO ROADWAY OF RIGHT-OF-WAY FOR THE CONNECTION OF PARCELS A AND B AND PARCELS C AND D WILL BE ESTABLISHED ON PARCELS C AND D WHILE THE BILLY GRAHAM EVANGELISTIC ASSOCIATION (BGEA) OR ITS SUCCESSORS ARE THE OWNERS OR USERS OF ANY PORTION OF PARCELS C AND D UNLESS THE BGEA OR SUCH SUCCESSORS AND THE CITY OF CHARLOTTE BOTH AGREE TO SAID CONNECTION. IF THE BILLY GRAHAM EVANGELISTIC ASSOCIATION OR ITS SUCCESSORS SELL PARCELS C AND D TO ANOTHER SINGLE USER WHOSE PARTICULAR NEEDS ARE INCONSISTENT WITH THE CONNECTIVITY OF C AND D TO A AND B, THEN THE CITY WILL CONSIDER THOSE NEEDS IN DETERMINING WHETHER OR NOT CONNECTIVITY WILL BE REQUIRED.

# PHASING OF DEVELOPMENT (PARCELS C AND D)

#### TRANSPORTATION COMMITMENTS

1. PROPOSED BREAK IN THE CONTROLLED ACCESS ALONG BILLY GRAHAM PARKWAY HAS BEEN APPROVED BY THE STATE HIGHWAY ADMINISTRATOR AND BOARD OF TRANSPORTATION OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

2. IMPROVEMENTS BY THE OWNERS OF PARCELS C AND D TO BE PROVIDED AS FOLLOWS:

1. UP TO 600,000 SF OF BUILDING SPACE CAN BE DEVELOPED ON PARCELS C AND D AT ANY TIME AFTER THE FOLLOWING TRANSPORTATION IMPROVEMENTS HAVE BEEN COMPLETED: BILLY GRAHAM PARKWAY (US 521) AND WESTMONT DRIVE

. INSTALL A TRAFFIC SIGNAL UPON MEETING APPLICABLE WARRANTS AND WITH APPROVAL OF

 CONSTRUCT AN ADDITIONAL SOUTHBOUND LEFT-TURN LANE ON BILLY GRAHAM PARKWAY TO TOTAL A COMBINED 720 FEET OF STORAGE AND AN ADDITIONAL 375 FEET FOR DECELERATION,

· CONSTRUCT A NORTHBOUND RIGHT-TURN LANE ON BILLY GRAHAM PARKWAY WITH 330 FEET OF STORAGE, 375 FEET OF DECELERATION LENGTH AND A 20:1 BAY TAPER.

• RECONFIGURE THE WESTMONT DRIVE APPROACH TO INCLUDE DUAL LEFT-TURN EXITING LANES WITH A MINIMUM COMBINED STORAGE LENGTH OF 760 FEET AND ONE EXITING RIGHT-TURN LANE WITH A STORAGE LENGTH OF 250 FEET AND A 15:1 BAY TAPER. THE ENTERING THROUGH LANE ON WESTMONT DRIVE WILL ENTER INTO THE BILLY GRAHAM EVANGELICAL ASSOCIATION HEADQUARTERS, WOODRIDGE CENTER DRIVE TEEING INTO THE REALIGNED WESTMONT DRIVE. THE ACCESS ROAD TO THE WASTEWATER TREATMENT CENTER WILL THEN TEE INTO THE REALIGNED WOODRIDGE CENTER DRIVE.

### BILLY GRAHAM PARKWAY (US 521) AND ACCESS "A" (DIRECTIONAL CROSSOVER)

- . CONSTRUCT A SOUTHBOUND LEFT-TURN LANE ON BILLY GRAHAM PARKWAY WITH 175 FEET OF STORAGE, 375 FEET OF DECELERATION LENGTH, A 20:1 BAY TAPER.
- . CONSTRUCT A NORTHBOUND RIGHT-TURN LANE ON BILLY GRAHAM PARKWAY WITH 300 FEET OF STORAGE, 375 FEET OF DECELERATION LENGTH AND A 20:1 BAY TAPER.
- . CONSTRUCT ACCESS "A" WITH ONE ENTRY LANE AND ONE RIGHT-TURNING EXIT LANE. THIS ACCESS HAS BEEN GIVEN FINAL APPROVAL BY NCDOT FOR THE REQUESTED BREAK IN THE CONTROLLED ACCESS ON BILLY GRAHAM PARKWAY (US 521) AT APPROXIMATELY STATION





~~~~~ OVER 600,000 SQUARE FEET UP TO 725,000 SQUARE FEET OF BUILDING SPACE CAN BE DEVELOPED UPON THE COMPLETION OF THE FOLLOWING TRANSPORTATION IMPROVEMENTS:

1. COMPLETE THE PROPOSED PUBLIC STREET (REALIGNED WESTMONT DRIVE) BY PROVIDING THE FOLLOWING MODIFICATIONS:

- . THE ADDITION OF A MEDIAN WITHIN THE PROPOSED STREET TO CONVERT ITS INTERSECTION WITH WOODRIDGE CENTER DRIVE TO RIGHT-IN/RIGHT-OUT MOVEMENTS ONLY.
- ADDITION OF AN INTERNAL LOOP WITHIN THE WIDE MEDIAN OF THE PROPOSED STREET TO PROVIDE FOR TRAFFIC TO EXIT WOODRIDGE CENTER DRIVE TO BILLY GRAHAM PARKWAY.
- 2. PROVIDE THE FOLLOWING IMPROVEMENTS TO THE INTERSECTION OF BILLY GRAHAM PARKWAY-WOODLAWN ROAD AND SOUTH TRYON STREET:
- . THE CONSTRUCTION OF AN EASTBOUND RIGHT TURN LANE ON BILLY GRAHAM PARKWAY WITH 150 FEET OF STORAGE AND A 20:1 BAY TAPER.
- THE CONSTRUCTION OF AN ADDITIONAL EASTBOUND LEFT TURN LANE ON BILLY GRAHAM PARKWAY WITH 375 FEET OF TOTAL STORAGE (BOTH LANES), 15:1 BAY TAPER AND APPROPRIATE THROUGH LANE TAPERS.



PHASE III OVER 725,000 SQUARE FEET UP TO 900,000 SQUARE FEET OF BUILDING SPACE CAN BE DEVELOPED UPON THE COMPLETION OF THE FOLLOWING TRANSPORTATION IMPROVEMENT:

ADDITION OF EASTBOUND LEFT-TURN AND RIGHT-TURN LANES ON WEST BOULEVARD AND BGP, UNLESS INTERSECTION HAS BEEN CONVERTED TO A GRADE SEPARATED INTERCHANGE. ANY PETITIONER/DEVELOPER TRANSPORTATION IMPROVEMENTS HEREIN OUTLINED FOR PARCELS C AND D SHALL NOT BE REQUIRED IF THE TRANSPORTATION IMPROVEMENT HAS BEEN OTHERWISE FUNDED AND/OR COMPLETED BY APPLICABLE LOCAL, STATE OR FEDERAL AGENCY RESPONSIBLE FOR SUCH IMPROVEMENTS.



Land Planning Landscape Architecture Civil Engineering Urban Design

112 South Tryon Street Suite 300 Charlotte, North Carolina 28284 Tel 704. 376. 1555 Fax 704, 376, 7851 www.colejeneststone.com

# The Keith Corporation

North Carolina

# Childress Klein **Properties**

Charlotte North Carolina

# Rezoning

# **PETITION #2002-74**

Project No.

issued 03/25/02

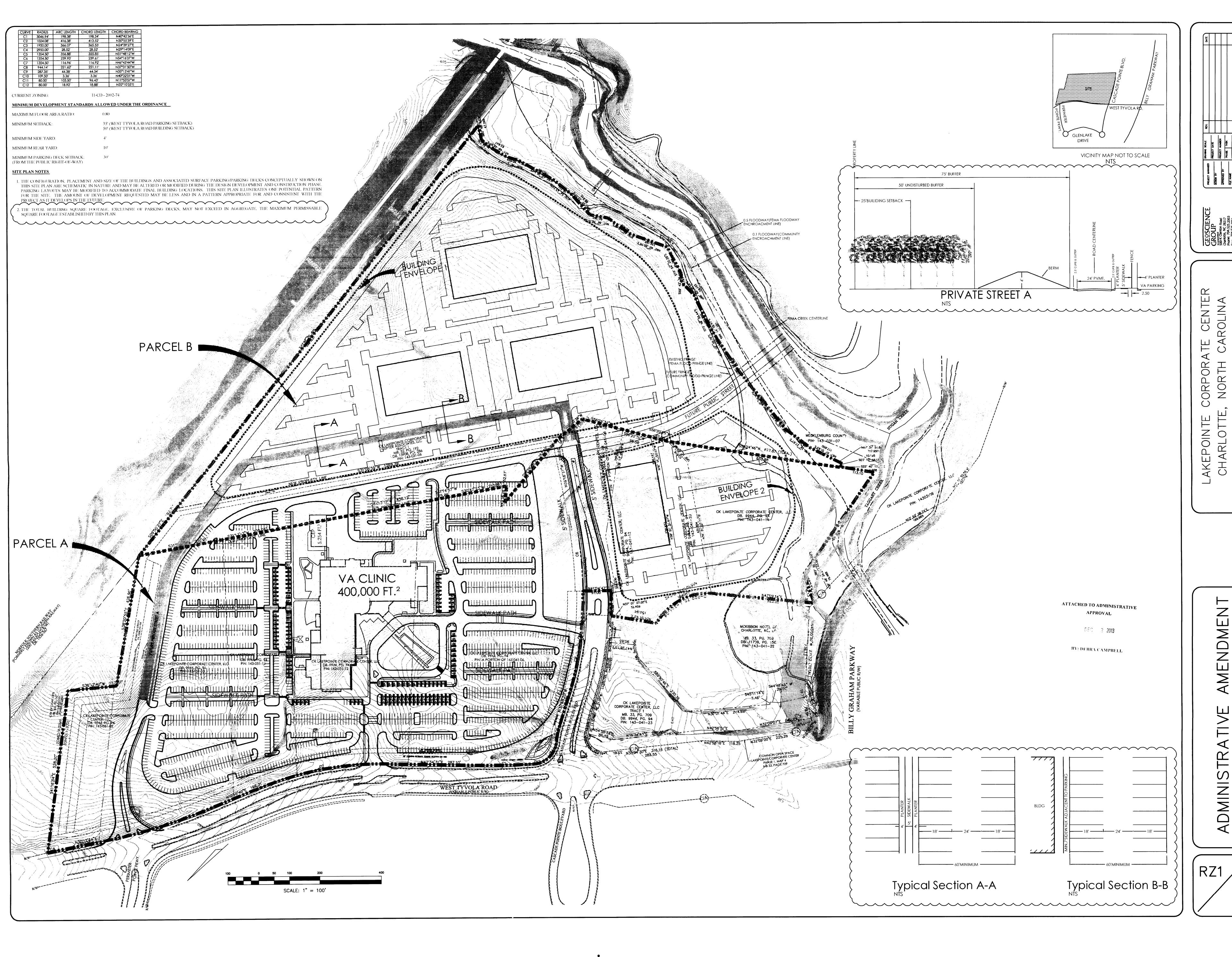
Revised

1 05/17/02 - REVISED PER CMPC COMMENTS 07/22/02 - REVISED PER CMPC COMMENTS 23 08/05/02 - REVISED PER CMPC COMMENTS

APPROVED BY CITY COUNCIL

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# Charlotte-Mecklenburg Planning Department

|                           |                                                                                                                                                                                                                          | DATE:                                          | December 3, 2013                                 |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|--------------------------------------------------|
| TO:                       | Mark Fowler<br>Zoning Supervisor                                                                                                                                                                                         | FROM:                                          | Debra Campbell Planning Director                 |
| SUB.                      | JECT: Administrative Approval for Petitio                                                                                                                                                                                | n No. 2002-074 Chile                           | dress Klein Properties.                          |
| gove<br>required<br>build | ched is the site plan showing the modification ernment building. Since these changes do not irements of the conditional site plan. Please using permits and certificates of occupancy.  E: All other Zoning, Subdivision | alter the intent of the see these plans when e | development and meet the evaluating requests for |
| -                         | irements still apply.<br>lage was note reviewed as part of t                                                                                                                                                             | his request.                                   |                                                  |
|                           | es with approval stamp were reviev                                                                                                                                                                                       |                                                |                                                  |
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|                           |                                                                                                                                                                                                                          |                                                |                                                  |

CHARLOTTE-MECKLENBURG PLANNING DEPARTMENT

www.charmeck.org 600 East Fourth Street Charlotte, NC 28202-2853 PH: (704)-336-2205 FAX: (704)-336-5123 A copy of the rezoning plan related to Rezoning Petition 2002-074 is attached as Exhibit A for reference.

### PHASING OF DEVELOPMENT (PARCELS A AND B)

Parcel A was previously a part of Zoning Petition #98-125, which provides for development of up to 2,665,000 square feet on both sides of West Tyvola Road. Of the maximum square footage allowed by Petition #98-125, 765,000 square feet is hereby assigned to Parcel A leaving 1,900,000 square feet for the remaining land covered by Petition #98-125. Under the present Zoning petition #02-074, an additional 600,000 square feet is permitted on Parcels A and B such that Parcels A and B havehad a combined maximum building area (exclusive of parking structures) of 1,365,000 square feet. Hence, following Zoning Petition #98-125 1,900,000 square feet maycould be developed on the remaining land covered by Petition #98-125 (hereinafter referred to as "Lakepointe Corporate Center North") and 1,365,000 square feet may be developed on Parcels A and B (hereinafter referred to as "Lakepointe Corporate Center South"). Thus, in the aggregate, a total of 3,265,000 is allowed on Lakepointe Corporate Center North and Lakepointe Corporate Center South.

Petitioner agrees to limit development within Lakepointe Corporate Center South to 1,000,000 (exclusive of parking structures) square feet. As provided below, Petitioner reserves the right to transfer the additional 365,000 square foot of developable square footage to Lakepointe Corporate Center North as contemplated by the previous rezoning affection Lakepointe Corporate Center North and Lakepointe Corporate Center South.

The owners of Lakepointe Corporate Center South agree to develop Lakepointe Corporate Center South in accordance with the phase schedule set forth below.

# Phase I

Up to a combined 500,000 square feet of gross floor area may be developed on Lakepointe Corporate Center North and Lakepointe Corporate Center South at any time with no additional road improvements.

# Phase II

An additional combined 784,000 square feet gross floor area may be developed on Lakepointe Corporate Center North and Lakepointe Corporate Center South at any time after the following transportation improvements have been completed:

- A. Installation of traffic signal at the intersection of the Billy Graham Parkway south-bound ramp with West Tyvola Road.
- B. Installation of turn lanes at all three access points from Lakepointe Corporate Center North and Lakepointe Corporate Center South onto West Tyvola Road. Storage lanes as detailed in the Petitioner's October 1996 Traffic Access Analysis prepared by Kublins Traffic Consulting, Inc. which was part of Rezoning Petition #98-125.
- C. Installation of traffic signals at the site's eastern and western access points onto West Tyvola Road, as generally depicted on the technical data sheet in Petition #98-125, and in acceptance with CDOT and NCDOT requirements and upon meeting signal warrants.

While the additional development approved for Phase II may be constructed contemporaneously with the required transportation improvements, no certificates of occupancy may be issued for any of this additional development until the improvements have been completed.

# Phase III

An additional combined 1,381,000 square feet of gross floor area may be developed on Lakepointe Corporate Center North and Lakepointe Corporate Center South at any time after the transportation improvements required for Phase II have been satisfied and the following additional transportation improvements have been completed.

A. Installation of the traffic signal and roadway improvements at the intersection of the Billy Graham Parkway south-bound ramps with West Tyvola Road per approved encroachment agreement #01-191-P and signal plans prepared by CDOT.

While the additional development approved for Phase III may be constructed contemporaneously with the required transportation improvements, no certificates of occupancy may be issued for any of this additional development until the improvements have been completed.

# Phase IV

An additional 300,000 square feet of gross floor area may be developed on Lakepointe Corporate Center South at any time after the transportation improvements required for Phases II and III have been satisfied and the following additional transportation improvements have been completed:

A. Convert through-lane on south-bound Cascade Pointe to through-right lane.

unless otherwise agree upon by CDOT and developer's consultant.

- B. Increase south bound Cascade Pointe left-turn lane storage to 150 feet with 150 feet of taper, unless otherwise agreed upon by CDOT and developer's consultant.
- C. Increase east bound Tyvola dual left-turn storage at Cascade Pointe to 350 feet, unless otherwise agreed upon by CDOT and developer's consultant.
- D. Add left-turn lane on north-bound Cascade Pointe with 275 feet storage and 120 feet taper,
- E. Add left-turn lane on north-bound Perimeter Pointe with 275 feet storage and 120 feet taper, unless otherwise agreed upon by CDOT and developer's consultant.

While the additional development approved for Phase IV may be constructed contemporaneously with the required transportation improvements, no certificates of occupancy may be issued for any of this additional development until the improvements have been completed.

# Phase V

An additional 175,000 square feet of gross floor area may be developed on Lakepointe Corporate Center South at any time after the transportation improvements required for Phase II, III and IV have been satisfied and the following additional transportation improvements have been completed.:

- A. Modify Billy Graham Parkway ("BGP")/Tyvola Road interchange to provide west-bound Tyvola Road dual left-turn lanes with 475 feet of storage at south-bound BGP ramps intersection (includes commensurate south bound on-ramp modifications/extension, and north-bound off ramp to west bound Tyvola Road ramp modifications, construction of a median and installation of a traffic signal).
- B. Provide dual right-turn lanes on north-bound BGP off-ramp to east-bound Tyvola Road, feet of storage, construction of a median, and installation of a new traffic signal.
- C. Widen BGP south-bound off-ramp to increase left-turn storage length to 375 feet unless provided by current project (NC Encroachment Agreement #01-191-P).

While the additional development approved for Phase V may be constructed contemporaneously with the required transportation improvements, no certificates of occupancy may be issued for any of this additional development until the improvements have been completed:

### Phase VI

An additional 125,000 square feet of gross floor area may be developed on Lakepointe Corporate Center South at any time after the transportation improvements required for Phase II, III, IV and V have been satisfied and the following additional transportation improvements have been completed.

A. Addition of eastbound left-turn and right-turn lanes on West Boulevard and BGP, unless intersection has been converted to a grade separated interchange.

While the additional development approved for Phase VI may be constructed contemporaneously with the required transportation improvement, no certificates of occupancy may be issued for any of this additional development until the improvements have been completed.

Plans for all signal installations and roadway improvements described above must be approved in advance by NCDOT and CDOT.

Any Petitioner/Developer transportation improvement herein outlined for Parcels A and B shall not be required if the transportation improvement has been otherwise funded and/or completed by applicable local state or federal agency responsible for such improvements.

### **Ability To Transfer Square Footage**

Buffer Area (Parcels A and B Only

Parcel A was previously a part of Zoning Petition #98-125, which provides for development of up to 2,665,000 square feet on both sides of West Tyvola Road of the maximum square footage allowed by Petition #98-125, 765,000 square feet is hereby assigned to Parcel A leaving 1,900,000 square feet for the remaining land covered by Petition #98-125. Under the present zoning Petition #02-074, an additional 600,000 square feet is permitted on Parcels A and B such that Parcels A and B have a total maximum building area (exclusive of parking structures) of 1,365,000 square feet. Remaining land covered by Petition #98-125 (hereinafter referred to as Lakepointe Corporate Center North") and 1,365,000 square feet may be developed on Parcels A and B (hereinafter referred to as "Lakepointe Corporate Center South"). Petitioner hereby reserves the right to transfer square footage between Lakepointe Corporate Center North and Lakepointe Corporate Center South at any time, provided petitioner submits an updated traffic impact analysis to be reviewed and approved by CDOT.

- 1. Buffer area established on this site plan shall conform to the standards of Section 12.302 of the zoning ordinance. Subject, however, to the provisions of Section 12.304 and to the provisions of Section
- 2. The exterior 50 feet of all buffer area are to remain in their undisturbed conditions except to the extent necessary to accommodate access points and utility lines and facilities. All utility lines and facilities installed in the future may only cross the undisturbed portions of buffer area at interior angles measured at property lines which are not less than 75 degrees and to the extent possible. Paths cleared for such utility lines and facilities shall be replanted with plant materials which are the same as or similar to the types of materials that are in place within the buffer area and meet minimum buffer requirements.

12.302 (8) the following paragraphs 2 through 8 of this subsection.

- 3. The remaining portions of all buffer area are to remain as open space except to the extent necessary to accommodate access points, berms, walls, fences, grading, drainage pipes or channels, utility lines and facilities and pedestrian pathways.
- 4. In all buffer areas where existing trees and natural vegetation have been cleared to accommodate berms, walls, fences, grading pipe or channels, utility lines and facilities and pedestrian pathways, the cleared, unimproved area will be landscaped as required by Section 12.302 of the ordinance.
- 5. In all buffer area the Petitioner reserves the right to remove vines, underbrush and small understory trees (less than 4 inches in caliper), to mulch the area beneath the trees and to plant grass outside of the existing tree area for purposes of improving the overall appearance of naturally vegetated area. The owners of Parcels A and B may also install supplemental landscaping within such area where needed.
- 6. If in the future adjoining zoning districts are changed to zoning districts which do not require a buffer or which require a reduced buffer then the buffer provided at the applicable edge depicted on Sheet RZ1 may be adjusted in accordance with Table 12.302 (a) and table 12.302 (b) of the ordinance.
- 7. Signs and graphics will not be allowed in buffer area.
- 8. Off-street parking will not be allowed in the buffer.

# DEVELOPMENT STANDARDS (PARCELS A, B, C AND D)

# <u>General</u>

All development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the I-1(CD) and O-1(CD) zoning district classification shall be followed in connection with development taking place on the site. Configuration, placement, number and alignment of the buildings comprising the development as shown on the Schematic Site Plan may be altered or modified during design development and construction document phases within the maximum building envelopes established on this site plan subject only to the provisions set forth below and per Chapter 6 of the Ordinance. The site may be subdivided as determined by the Petitioners. Any such subdivision of the site shall be in accordance with all applicable subdivision regulations.

# **Permitted Uses**

- 1. Except as otherwise provided below, the site may be devoted to any use (including any accessory use) which is permitted under the Ordinance by right or under prescribed conditions in an I-1(CD and O-1(CD) zoning district.
- 2. No fast food restaurants (i.e. Restaurants with drive-through services) or gas/convenience stores will be allowed.
- 3. Retail uses within the site shall be limited to 70,000 s.f. for Parcels A and B.
- 4. The number of hotel rooms associated with Parcels A and B shall be a maximum of 475 rooms. There are no hotels associated with Parcels C and D.
- 5. The proposed guest cottages/quarters will be an ancillary function of Parcels C and D. These cottages will not have a kitchen; the maximum length of stay shall be 90 days.
- 6. Offices greater than 400,000 square feet are allowed as provided for under Section 9.1103 (paragraph 13).

# **Screening**

- 1. Development screening will conform to the standards established under Chapter 12.303 of the Ordinance.
- 2. All dumpsters will be located in enclosures constructed of either masonry walls or wooden fences and will be provided with gates if one or more sides of the dumpster area adjoins a side or rear wall of a building. The wall or walls may be substituted for the fence along each side.

# Off-Street Parking

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

# Lighting

- 1. A uniform lighting system will be employed each for Parcels A and B as well as Parcels C and D and will include shoe box fixtures which do not, including their bases, exceed 30 feet in height.
- 2. Consideration will be given to the impact of lighting both within and outside the project. Items for consideration will include intensity, cutoff angles, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards adjacent streets and properties.
- 3. Wall-pak type lighting will not be utilized on buildings.

# Outparcels

- 1. Upon establishment and completion of the configuration of outparcels, buildings constructed on outparcels will conform to the front yard, rear yard and setback requirements established under the Ordinance.
- 2. Vehicular access points to each outparcel will be placed on internal project streets. No access to out parcels will be allowed off of West Tyvola Road.
- 3. All buildings placed within outparcels must be constructed of masonry or stucco or stucco-like materials and designed such that each such building is in harmony with adjoining buildings through the use of similar architectural features, scale and landscaping.
- 4. A maximum of 5 outparcels shall be allowed in association with the development of Parcels A and B. NO OUTPARCELS ARE ALLOWED ON PARCELS C AND D.

## Stormwater Management

- 1. Development will comply with the City of Charlotte Storm Water Management Ordinances.
- 2. Stormwater detention is not required as the site is located adjacent to the floodway.

# Flood Plain

- 1. The Petitioner shall comply with all applicable S.W.I.M. buffer regulations.
- 2. The floodway fringe shall be preserved as an open space/natural amenity area. The Petitioners may improve the fringe area by cleaning, grading, and providing fill and by establishing pedestrian paths as well as placing pedestrian amenity furniture within this area such as benches, picnic tables, etc.
- 3. In order to improve the overall appearance of the fringe area, the Petitioners reserve the right to clean and remove manmade and natural debris from the area, including the removal of weeds, vines, understory growth, etc.
- 4. The Petitioners/Developers of Parcels A and B shall dedicate the S.W.I.M. buffer of the site to the Mecklenburg County Parks and Recreation Department for public greenway purposes. The dedication shall occur prior to the issuance of any building permit associated with Parcels A or B. Any and all public access, usage, pedestrian pathway or other improvements designed for public usage of the greenway area shall be specifically designated on Parcels A and B and shall not be located or permitted on Parcels C or D. The Petitioner/Developer of Parcels C and D shall dedicate an area measuring 100 feet in depth as measured from the top of the bank. The dedication for Parcels C and D shall occur prior to the issuance of any certificate of occupancy associated with Parcels C or D.

## **Fire Protection**

1. A fire hydrant is required within 750' of the most remote point of a building as a truck travels.

## Signs

- 1. An individual signage master plan and graphics system will be created and implemented for Parcels A and B as well as one for Parcels C and D.
- 2. All signs placed on the site will be erected in accordance with the requirements of the Ordinance.
- 3. Permanent project identification signs and directional signs may be located along West Tyvola Road and Billy Graham Parkway.
- 4. All freestanding signs will be of the ground mounted type and no pylon signs will be allowed on the site.
- 5. Ground mounted sign panels for retail uses will be limited to four (4) feet in height above a sign base which will be limited to two and one-half (2 ½) feet in height for a total height of six and one-half (6 ½) feet in height. The sign panel will be no larger than fifty (50) square feet.
- 6. Billboards will not be allowed on site.

# Access

- 1. The number of vehicular access points to the project site shall be limited to the general areas depicted on this site plan. Access points will be placed and configured to accommodate final site plans and design, but in all events, will conform to requirements of the North Carolina Department of Transportation.
- 2. Vehicular access points on proposed roads within the project site boundary will be placed and configured to accommodate final site plans and design, but in all events, will conform to the requirements of the North Carolina Department of Transportation or the City of Charlotte Department of Transportation.
- 3. The placements and configurations of each access point are subject to any minor modifications required to accommodate final site plans and design and any and design and to any adjustments required for approval by the North Carolina Department of Transportation or the City of Charlotte Department of Transportation.
- 4. Construction of the access points off of West Tyvola Road and the proposed internal roads will conform to the final site plans and design approved by the North Carolina Department of Transportation or the City of Charlotte Department of Transportation.
- 5. The Petitioner/Developers shall provide a network of internal street and sidewalk connections as generally depicted on the Conceptual Site Plan related to this Administrative Amendment. Private streets shall be allowed in areas as designated and may be designed to the cross-section standards shown on the Conceptual Site Plan.
- 6. The Petitioner/Developer shall construct an extension of Cascade Pointe Boulevard, as generally depicted on the Conceptual Site Plan, prior to the issuance of a certificate of occupancy for the VA facility building. The petitioner agrees to install and provide sidewalk along both sides of the extension. Additionally sidewalk will provide along existing Cascade Pointe Blvd. where none exist.
- 7. Construction of Private Street A, as generally depicted on the Conceptual Site Plan, shall be completed prior to the issuance of the first certificate of occupancy for any building developed within Building Envelope 1 as shown on the Conceptual Site Plan.
- 8. A street connection shall not be required between Private Street A and Cascade Pointe Boulevard.
- 9. The Petitioner will install a four foot sidewalk on one side of the vehicular connection as depected on the site plan. This connection shall completed prior to the issuance of the first certificate of occupancy for any building developed in this vicinity.
- 10. The Petitioner/Developers shall provide, as herein provided, for the possible future vehicular connectivity of Parcels A and B to Parcels C and D across Irwin Creek. The Petitioner/Developers agree to work cooperatively together to establish a mutually suitable location for the creek crossing and to designate an area at the creek where the possible future connection across the creek could occur. Each Petitioner/Developer shall recognize this area with respect to the placement of buildings and other improvements made on the site such that the designated crossing point of the creek is not unduly blocked, hindered or otherwise prevented from occurring due to the placement of said improvements. Furthermore, the Petitioner/Developer of Parcels A and B shall dedicate a street right-of-way measuring 60 feet wide through said parcels to connect to the designated creek crossing area. The Petitioner/Developer of Parcels C and D shall establish development plans that respect the creek crossing area and reasonably provide for the possible future connection on said parcels. The area of the creek crossing and/or street right-of-way alignment may be altered by the mutual agreement of the Petitioner/Developers so long as the intent of the proposed vehicular connection is preserved and maintained. The right-of-way alignment shall be determined through normal subdivision regulations and requirements. In the event that the vehicular connection proceeds and no subdivision of Parcels A and/or B has occurred (i.e., no right-of-way dedication), the Petitioner/Developer of Parcels A and B shall provide the right-of-way upon the request of the City of Charlotte. It is understood and agreed that no roadway or right-of-way for the connection of Parcels A and B and Parcels C and D will be established on Parcels C and D while the Billy Graham Evangelistic Association (BGEA) or its successors are the owners or users of any portion of Parcels C and D unless the BGEA or such successors and the City of Charlotte both agree to said connection. If the Billy Graham Evangelistic Association or its successors sell Parcels C and D to another single user whose particular needs are inconsistent with the connectivity of C and D to A and B, then the City will consider those needs in determining whether or not connectivity will be required. Until the right-of-way is purchased by the City, the Petitioner reserves the right to use this future right-of-way for parking associated with the proposed development with the understanding that this parking can not be used for code parking.

## PHASING OF DEVELOPMENT (PARCELS C AND D)

## **Transportation Commitments**

- 1. Proposed break in the controlled access along Billy Graham Parkway has been approved by the State Highway Administrator and Board of Transportation of the North Carolina Department of Transportation.
- 2. Improvements by the owners of Parcels C and D to be provided as follows:

# Phase I

1. Up to 600,000 SF of building space can be developed on Parcels C and D at any time aft the following transportation improvements have been completed:

# Billy Graham Parkway (US 521) and Westmont Drive

- Install a traffic signal upon meeting applicable warrants and with approval of CDOT and NCDOT.
- Construct an additional southbound left-turn lane on Billy Graham Parkway to total a combined 720 feet of storage and an additional 375 feet for deceleration, with a 20:1 bay taper
- Construct a northbound right-turn lane on Billy Graham Parkway with 330 feet of storag 375 feet of deceleration length and a 20:1 bay taper.
- Reconfigure the Westmont Drive approach to include dual left-turn exiting lanes with a minimum combined storage length of 760 feet and one exiting right-turn lane with a storage length of 250 feet and a 15:1 bay taper. The entering through lane on Westmont Drive will enter into the Billy Graham Evangelical Association Headquarters, Woodridg Center Drive teeing into the realigned Westmont Drive. The access road to the Wastewater Treatment Center will then tee into the realigned Woodridge Center Drive.

## Billy Graham Parkway (US 521) and Access "A: (Directional Crossover)

- Construct a southbound left-turn lane on Billy Graham Parkway with 175 feet of storage 375 feet of deceleration length, a 20:1 bay taper.
- Construct a northbound right-turn lane on Billy Graham Parkway with 300 feet of storag 375 feet of deceleration length and a 20:1 bay taper.
- Construct access "A" with one entry lane and one right-turning exit lane. This access has been given final approval by NCDOT for the requested break in the controlled access on Billy Graham Parkway (US 521) at approximately Station 75+00.

# Phase II

Over 600,000 square feet up to 725,000 square feet of building space can be developed upon the completion of the following transportation improvements:

- 1. Complete the proposed public street (realigned Westmont Drive) by providing the following modifications:
- The addition of a median within the proposed street to convert its intersection with Woodridge Center Drive to right-in/right-out movements only.
- Addition of an internal loop with the wide median of the proposed street to provide for traffic to exit Woodridge Center Drive to Billy Graham Parkway.
- 2. Provide the following improvements to the intersection of Billy Graham Parkway-Woodlawn Road and South Tryon Street:
- The construction of an eastbound right turn lane on Billy Graham Parkway with 150 feet of storage and a 20:1 bay taper.
- The construction of an additional eastbound left turn lane on Billy Graham Parkway with 375 feet of total storage (both lanes), 15:1 bay taper and appropriate through lane tapers.

# Phase III

Over 725,000 square feet up to 900,000 square feet of building space can be developed upon the completion of the following transportation improvement:

1. Addition of east bound left-turn and right-turn lanes on West Boulevard and BGP, unless intersection has been converted to a grade separated interchange.

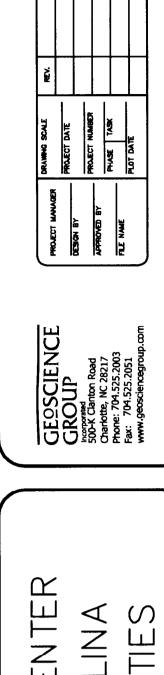
Any Petitioner/Developer transportation improvements herein outlined for Parcels C and D shall not be required if the transportation improvement has been otherwise funded and/or completed by applicable local, state or federal agency responsible for such improvements.

ATTACHED TO ADMINISTRATIVE

APPROVAL

DEC 3 2013

BY: DEBRA CAMPBELL



LAKEPOINTE CHARLOTTE CHILDRESS

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| Date Filed:  | 8/25/2017 |
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Complete All Fields (Use additional pages if needed) City Salvage F INC Property Owner: 460 Hwy 29 North City, State, Zip: Concord, NO 28027 Owner's Address: 4-10-1980 Date Property Acquired: \_ 3615 Rd Charlotte NC 28206 Northerly Property Address: \_\_\_\_\_ Tax Parcel Number(s): 67705569Auto Salvage Yard Inkygod Size (Acres): .685 Current Land Use: Proposed Zoning: I-2Existing Zoning: (Post Constant)
District (Specify PED, Watershed, Historic District, etc.) Overlay: Irwin (water steed), Cantral Carbontes Required Rezoning Pre-Application Meeting\* with: \_\_\_\_\_ Date of meeting: 3 - 16 - 17(\*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.) For Conditional Rezonings Only: Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): Purpose/description of Conditional Zoning Plan: David Murray, The Odum Firmfll City Salvage I Fre Name of Rezoning Agent Name of Petitioner(s) 1109 Coppenned Cliff Agent's Address 460 Hwy 29 North Address of Petitioner(s) Concord WC 28027 City, State, Zip Charlotte WC 28204
City, State, Zip 
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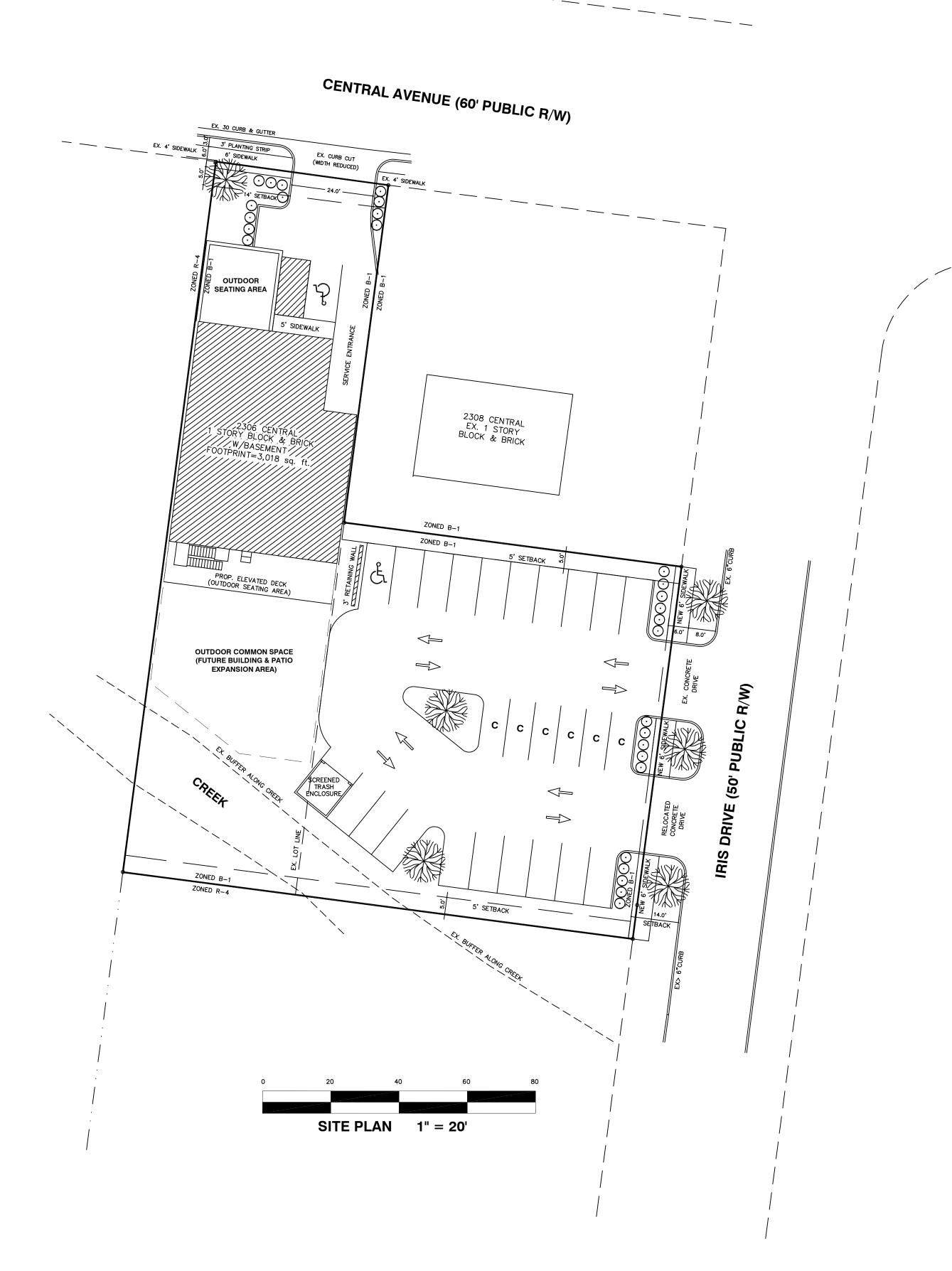
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| Property Owner: MIDWOOD-OVERLOOK, LLC                                                                                     |                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Owner's Address: 2616 COUNTRY CLUB LANE                                                                                   | City, State, Zip: CHARLOTTE, NC 28205                                                                                              |
| Date Property Acquired: <u>JANUARY 26, 2017</u>                                                                           |                                                                                                                                    |
| Property Address: 2306 CENTRAL AVENUE (129-02-109), 15                                                                    | 33 IRIS DRIVE (129-02-107), CHARLOTTE, NC 28205                                                                                    |
| Tax Parcel Number(s): 129-02-109, 129-02-107                                                                              |                                                                                                                                    |
| Current Land Use: (129-02-109) RETAIL DRY CLEANERS, (12                                                                   | 9-02-107) VACANT LAND Size (Acres):0.49                                                                                            |
| Existing Zoning: B-1                                                                                                      | Proposed Zoning: MUDD-                                                                                                             |
| Overlay: Central District                                                                                                 | (Specify PED, Watershed, Historic District, etc.)                                                                                  |
| Required Rezoning Pre-Application Meeting* with: Amanda Va                                                                | ari, Carlos Alzate, Sonja Sanders                                                                                                  |
| Date of meeting: August 3, 2017                                                                                           |                                                                                                                                    |
| (*Rezoning applications will not be processed until a required                                                            | pre-application meeting with a rezoning team is held.)                                                                             |
| Requesting a vesting period exceeding the 2 year minimum?  Purpose/description of Conditional Zoning Plan: Re-us          | Yes/No. Number of years (maximum of 5): NA e of existing Building                                                                  |
| RKM DEVELOPMENT, LLC Name of Rezoning Agent  2616 COUNTRY CLUB LANE Agent's Address  CHARLOTTE, NC 28205 City, State, Zip | MIDWOOD-OVERLOOK, LLC Name of Petitioner(s)  2616 COUNTRY CLUB LANE Address of Petitioner(s)  CHARLOTTE, NC 28205 City, State, Zip |
| 704-719-6993 NONE                                                                                                         | 704-719-6993 NONE                                                                                                                  |
| Telephone Number Fax Number                                                                                               | Telephone Number Fax Number                                                                                                        |
| RANDY@RKMRESOURCES.COM E-Mail Address                                                                                     | RANDY@RKMRESOURCES.COM E-Mail Address                                                                                              |
| Signature of Property Owner  RANDALL K MARTIN                                                                             | Signature of Petitioner                                                                                                            |
| D was to show                                                                                                             | $oldsymbol{\mathcal{U}}$                                                                                                           |



Notes for rezoning of 2306 Central Ave., Parcel #12902107 and 12902109

1. Development Data Table

12902107, 12902109 Tax Parcels: 0.50 Acres Total Site Area:

Existing Zoning: MUDD Proposed Zoning:

Retail (Dry Cleaners) Existing Use: Any use permitted in Sections 9.8502 & Proposed Use:

9.8503 of City of Charlotte Zoning Ord.

Residential Density: Square Footage (Retail):

5,585 SF Floor Area: 1,085 SF Outdoor Seating:

**Building Expansion:** 6,670 SF / 21,936 SF = 0.30Floor Area Ratio:

Maximum Building Height: Maximum No. of Buildings:

Parking Spaces:

1 per 600 (14,670 SF / 600 SF = 25) Required: Proposed:

N/A

TBD (Up to 8,000 SF)

#### 2. General Provisions

Open Space:

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.

#### 3. Optional Provisions

a. Parking requirements shall be reduced by 25%, to facilitate preservation of the existing buildings.

b. Existing Building to remain provided that Petitioner may increase the building footprint or add an additional floors to the existing building not to exceed 50' in height as measured from Central Ave. The areas marked for Future Building and Patio Expansion Area may be developed or utilized subject to the Ordinance.

c. To facilitate ADA parking and service entrance, parking shall be permitted between Central Ave. and the building façade, between the existing building/permitted uses and the required setback in the manner shown on the Rezoning Plan. d. The Parking lot accessible from Iris Dr. shall be exempt from screening

requirements along the southern and northern sides, provided that screening pursuant to 12.303 of the Ordinance shall be provided along Iris Dr. e. In order to maintain alignment with the existing adjacent sidewalk to the west, Petitioner to construct a 6' sidewalk along Central Ave. with a consistent 3' planting strip between the sidewalk and existing curb and tapered on the interior of the parcel to connect to the existing adjacent sidewalk.

# 4. Permitted uses

a. Allowed uses: Any use or combination of uses and accessory uses as permitted in sections 9.8502 and 9.8503 of the City of Charlotte Zoning Ordinance.

### 5. Transportation

a. Parking located on internal surface lot.

b. Petitioner to construct a new 6' sidewalk and 8' planting strip along Iris Dr. c. Petitioner to improve the existing sidewalk on Central Ave. to a 6' sidewalk with a modified planting strip as depicted on the Site Plan. d. Existing curb cuts shall remain.

e. The Central Ave. curb cut shall be reduced to a width of 24 feet.

# 6. Architectural Standards

a. Area marked as Future Building and Patio Expansion Area may be any combination of multi-story or single story patio and building provided that overall height shall not exceed 50' including any rooftop patio structure. b. Urban Design elements to include new pedestrian oriented entrances, covered and uncovered patios and improved fenestration of existing building.

c. Incorporation of artwork and design components.

d. Screened trash enclosure added to Site

# 7. Streetscape and Landscaping

a. A fourteen (14) foot setback as measured from the back of the existing curb along Iris Dr. will be provided. The setback shall include a six (6) foot sidewalk and an eight (8) foot planting strip as depicted on the Site Plan. b. In order to maintain alignment with the existing adjacent sidewalk to the west, Petitioner to construct a 6' sidewalk along Central Ave. with a consistent 3' planting strip between the sidewalk and existing curb and tapered on the interior of the parcel to connect to the existing adjacent sidewalk. c. Petitioner to include a modified planting area as depicted on the Site Plan of approximately (115 sq ft) to facilitate tree placement and modification. d. Addition of street trees and interior trees as shown on the site plan, subject

to Optional Provisions. 8. Environmental Features

# a. Tree save areas - N/A

9. Parks, Greenways and Open Space

a. Reservation/Dedication of park and/or greenway: N/A

b. Park and/or greenway improvements: N/A

c. Privately constructed open space as shown on patio areas and planting areas.

### 10. Fire Protection

a. Per applicable Ordinance.

11. Signage a. Sign limitations - Per Ordinance requirements.

### the Ordinance.

12. Lighting

a. All new outdoor lighting to be screened and shielded lighting per 12.402 of

13. Phasing

a. Per Ordinance requirements.



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# I. REZONING APPLICATION OX:

| AUG 2 5 2017 | 2017-           | - (41 |
|--------------|-----------------|-------|
|              | Petition #:     |       |
|              | Date Filed: 8/2 | 5/201 |
|              | Received By:    |       |

| Complete All Fields (Use additional pages if needed)                                                 | l .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Property Owner: KSS Charlotte, LLC                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Owner's Address: P.O. Box 79026                                                                      | City, State, Zip: Charlotte, NC 28271                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Date Property Acquired: 3/16/2010                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Property Address: 4916 Airway Avenue                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Tax Parcel Number(s): 037-203-01                                                                     | - Andrews - Andr |
| Current Land Use: <u>Industrial</u>                                                                  | Size (Acres): +/- 39.7 acres                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Existing Zoning: I-1(CD)                                                                             | Proposed Zoning: I-1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Overlay: None                                                                                        | (Specify PED, Watershed, Historic District, etc.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Required Rezoning Pre-Application Meeting* with: <u>Claire Lyte-</u> Date of meeting: <u>8/22/17</u> | Graham                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| (*Rezoning applications will not be processed until a required held.)                                | pre-application meeting with a rezoning team member is                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| For Conditional Rezonings Only:                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Requesting a vesting period exceeding the 2 year minimum?                                            | Yes/No. Number of years (maximum of 5): <u>N/A</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Purpose/description of Conditional Zoning Plan: N/A                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| Collin Brown and Bailey Patrick, Jr.  Name of Rezoning Agent                                         | Reacon Partners Name of Petitioner(s)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 214 N. Tryon Street, 47th Floor                                                                      | 500 E Morehead Street, Suite 200                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Agent's Address                                                                                      | Address of Petitioner(s)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Charlotte, NC 28202<br>City, State, Zip                                                              | Clty, State, Zip                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 704-331-7531 704-353-3231 Fax Number                                                                 | 704-926-1391<br>Telephone Number Fax Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Collin.Brown@klgates.com E-Mail Address                                                              | jon@beacondevelopment.com<br>E-Mail Address                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Marent                                                                                               | Joseph .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Signature of Property Owner                                                                          | Signature of Petitioner                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Nuriya Mendygariyeva (Name Typed / Printed)  KSS Charlotte, LLC 301003272 v1                         | Jon L. Morris<br>(Name Typed / Printed)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |