

Rezoning Petition Packet

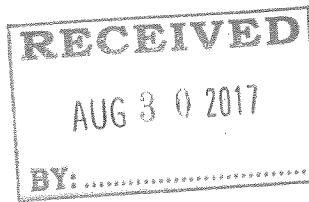
Petitions: 2017-142 through 2017-158

Petitions that were submitted by September 25, 2017

Staff Review Meeting: **October 19, 2017**

City Public Hearing: **To Be Determined**

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-142

Petition #: _____
Date Filed: 8/30/2017
Received By: BH

Complete All Fields (Use additional pages if needed)

Property Owner: JDSI, LLC
Owner's Address: 17537 Jetton Rd City, State, Zip: Cornelius, NC 28031
Date Property Acquired: 03/28/2016 & 04/18/2016
Property Address: 1610 Gum Branch Rd, 2050 Tom Sadler
Tax Parcel Number(s): 03105667 & 03105701
Current Land Use: Vacant Land Size (Acres): 9.19 + 8.58 = 17.77
Existing Zoning: R3 Proposed Zoning: R4
Overlay: Lake Wylie - PA (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, et al
Date of meeting: 08/29/2017

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

For Conditional Rezonings Only:

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

Name of Rezoning Agent

Agent's Address

City, State, Zip

Telephone Number Fax Number

E-Mail Address

Signature of Property Owner

(Name Typed / Printed)

Judson Stringfellow
Name of Petitioner(s)
17537 Jetton Rd
Address of Petitioner(s)
Cornelius, NC 28031
City, State, Zip
704-361-7777
Telephone Number Fax Number
judsonstringfellow@gmail.com
E-Mail Address

Signature of Petitioner
Judson Stringfellow
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-142 (page 2)

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

Complete All Fields (Use additional pages if needed)

Property Owner: Patricia Power

Owner's Address: 8311 Luckey Point Rd City, State, Zip: Denver, NC 29037

Date Property Acquired: 07-16-1993

Property Address: XXX Gum Branch Rd

Tax Parcel Number(s): 03105704

Current Land Use: Vacant Land Size (Acres): 8.58 + 9.19 = 17.77

Existing Zoning: R-3 Proposed Zoning: R-4

Overlay: Lake Wylie - PA (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Claire Lyke-Graham et al

Date of meeting: 8/24/17

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: _____

Judson Stringfellow
Name of Rezoning Agent

17537 Jetton Rd
Agent's Address

Cornelius, NC 28031
City, State, Zip

04-361-7777
Telephone Number

judsonstringfellow@gmail.com
E-Mail Address

Patricia Power
Signature of Property Owner

Patricia Power
(Name Typed / Printed)

Judson Stringfellow
Name of Petitioner(s)

17537 Jetton Rd
Address of Petitioner(s)

Cornelius, NC 28031
City, State, Zip

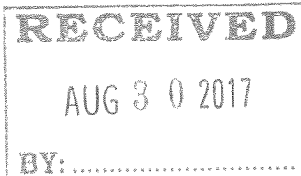
704-361-7777
Telephone Number

judsonstringfellow@gmail.com
E-Mail Address

Judson Stringfellow
Signature of Petitioner

Judson Stringfellow
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-143

Petition #:	_____
Date Filed:	8/30/2017
Received By:	<i>[Signature]</i>

Complete All Fields (Use additional pages if needed)

Property Owner: JDSI, LLC

Owner's Address: 17537 Jetton Rd City, State, Zip: Cornelius, NC 28031

Date Property Acquired: 08/22/2017

Property Address: 13402 Eastfield Rd Legal Description = Lot 1, Map Book 48 Pg 47

Tax Parcel Number(s): 02929161

Current Land Use: Vacant Land Size (Acres): 1.39

Existing Zoning: Inst(CD) Proposed Zoning: R4

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

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

Date of meeting: 08/29/2017

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: _____

Name of Rezoning Agent

Agent's Address

City, State, Zip

Telephone Number

Fax Number

E-Mail Address

Signature of Property Owner

(Name Typed / Printed)

JDSI, LLC

Name of Petitioner(s)

17537 Jetton Rd

Address of Petitioner(s)

Cornelius, NC 28031

City, State, Zip

704-361-7777

Telephone Number

Fax Number

judsonstringfellow@gmail.com

E-Mail Address

[Signature]

Signature of Petitioner

by: Judson Stringfellow Manager Member

(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-144

Petition #:	_____
Date Filed:	9/19/2017
Received By:	BL

Complete All Fields (Use additional pages if needed)

Property Owner: Double L Investments of Charlotte, LLP

Owner's Address: 5226 Terminal Street City, State, Zip: Charlotte, NC 28208

Date Property Acquired: August 17, 2017

Property Address: 511 S. Hoskins Road, Charlotte, NC 28208

Tax Parcel Number(s): 06302102

Current Land Use: Warehouse/Industrial Size (Acres): 2.374 Acres

Existing Zoning: B-1 Proposed Zoning: B-D

Overlay: Irwin Watershed, Central Catawba PC District (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham & Alberto Gonzalez

Date of meeting: September 18, 2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: _____

David W. Murray, The Odom Firm, PLLC
Name of Rezoning Agent

1109 Greenwood Cliff
Agent's Address

Charlotte, NC 28204
City, State, Zip

704-377-7333 704-377-5747
Telephone Number Fax Number

davidmurray@mecklaw.com
E-Mail Address

[Signature]
Signature of Property Owner

Wayne Y. Lee, General Partner and Manager
(Name Typed / Printed)

Double L Investments of Charlotte, LLP
Name of Petitioner(s)

5226 Terminal Street
Address of Petitioner(s)

Charlotte, NC 28208
City, State, Zip

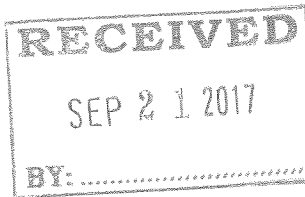
704-621-1688 704-398-1590
Telephone Number Fax Number

jeffrey@bigLfood.com
E-Mail Address

[Signature]
Signature of Petitioner

Wayne Y. Lee, General Partner and Manager
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-145

Petition #: _____
Date Filed: 9/21/2017
Received By: Bj

Complete All Fields (Use additional pages if needed)

Property Owner: Summit Avenue URP LLC.
Owner's Address: 1440 South Tryon St., Suite 104 City, State, Zip: Charlotte, NC., 28203
Date Property Acquired: 12/6/2011
Property Address: 1 Technology Drive, Charlotte, NC.,
Tax Parcel Number(s): 04713199 & 04713157
Current Land Use: Vacant Size (Acres): +/- 22.8 Acres
Existing Zoning: MUDD-O 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: 7/11/17

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

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): 5
Purpose/description of Conditional Zoning Plan: To accommodate a master planned community with "for sale" single family attached dwelling units.

K&L Gates (Attn: Collin Brown)
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
Signature of Property Owner
See Attached Joinder Agreement
(Name Typed / Printed)

Mattamy Homes (Attn: Bob Wiggins)
Name of Petitioner(s)
2025 Ayrley Town Blvd.
Address of Petitioner(s)
Charlotte, NC., 28273
City, State, Zip
(704)-375-9373
Telephone Number Fax Number
Bob.Wiggins@mattamycorp.com
E-Mail Address
[Signature]
Signature of Petitioner
Bob Wiggins
(Name Typed / Printed)

City of Charlotte – Conditional District Rezoning – UR2 (CD)

Tax Parcel ID: 04713199 & 04713157

04713199 - Deed Book 26940, Page 583

04713157 - Deed Book 26940, Page 583

Petitioner Joinder Agreement

The undersigned, as the owner of the parcel of land located on 1 Technology Drive in Charlotte, North Carolina that is designated as Parcel Identification Number 04713199 & 04713157 on the Mecklenburg County Tax Map and which is 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 parcel referenced above.

This 14 day of September 2017
(day) (month)

By: [Signature]
(Owner Signature)

SIGN HERE

Summit Avenue URP LLC.
1440 South Tryon St., Suite 104
Charlotte, NC 28203

North Carolina

County of Mecklenburg

Matthew Browder, 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 September 2017.

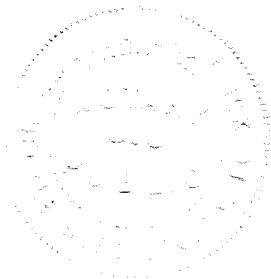
(Official Seal)

Amanda Bratnick
Official Signature of Notary

SIGN HERE

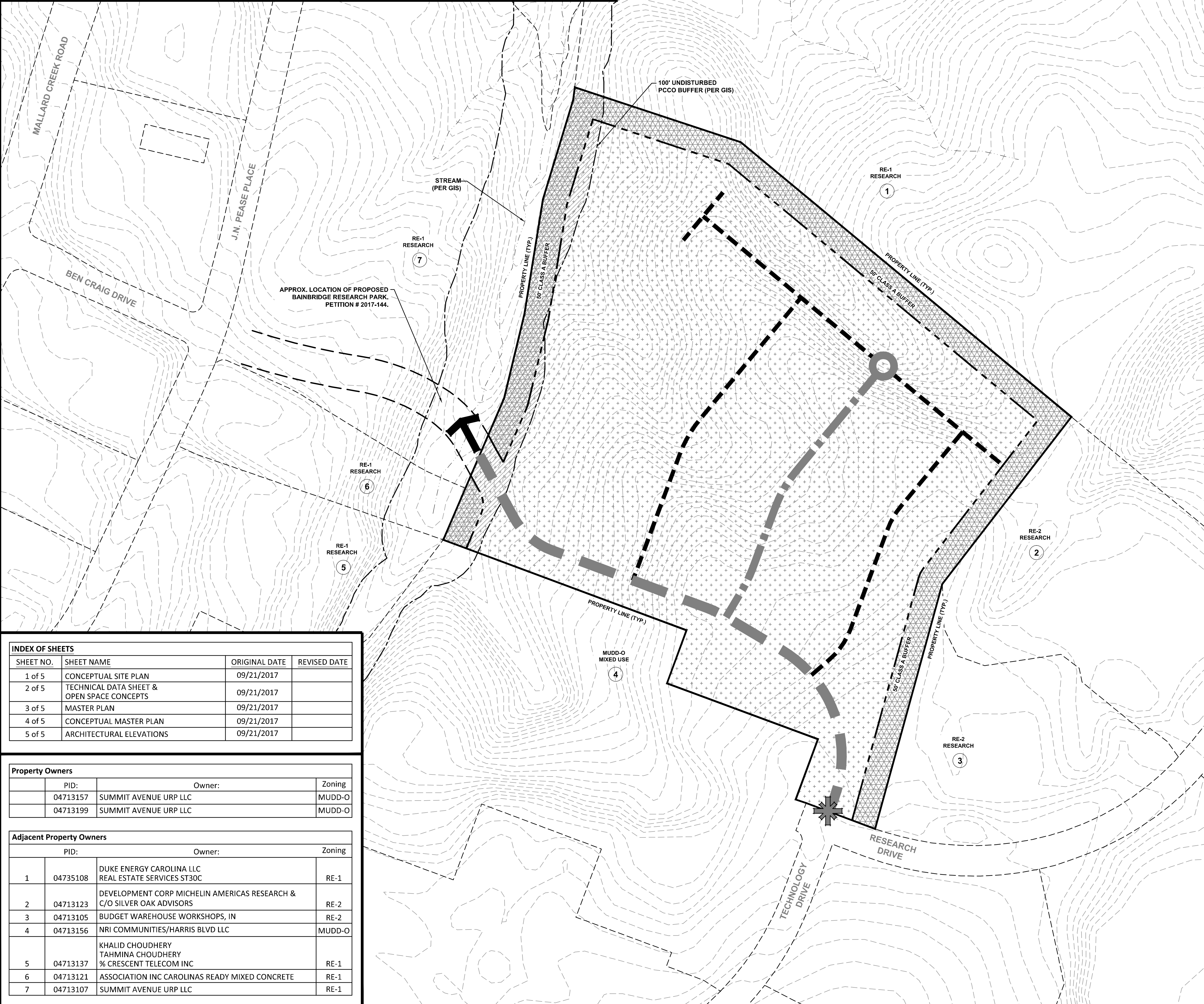
Amanda Bratnick, Notary Public
Notary's Name (printed)

My commission expires: 2/28/21



Technology Site
Conditional District Rezoning - Petition # 2017-145

Located In:
City of Charlotte / Mecklenburg County, North Carolina



INDEX OF SHEETS			
SHEET NO.	SHEET NAME	ORIGINAL DATE	REVISED DATE
1 of 5	CONCEPTUAL SITE PLAN	09/21/2017	
2 of 5	TECHNICAL DATA SHEET & OPEN SPACE CONCEPTS	09/21/2017	
3 of 5	MASTER PLAN	09/21/2017	
4 of 5	CONCEPTUAL MASTER PLAN	09/21/2017	
5 of 5	ARCHITECTURAL ELEVATIONS	09/21/2017	

Property Owners			
	PID:	Owner:	Zoning
	04713157	SUMMIT AVENUE URP LLC	MUDD-O
	04713199	SUMMIT AVENUE URP LLC	MUDD-O

Adjacent Property Owners			
	PID:	Owner:	Zoning
1	04735108	DUKE ENERGY CAROLINA LLC REAL ESTATE SERVICES ST30C	RE-1
2	04713123	DEVELOPMENT CORP MICHELIN AMERICAS RESEARCH & C/O SILVER OAK ADVISORS	RE-2
3	04713105	BUDGET WAREHOUSE WORKSHOPS, IN	RE-2
4	04713156	NRI COMMUNITIES/HARRIS BLVD LLC	MUDD-O
5	04713137	KHALID CHOUDHERY TAHMINA CHOUDHERY % CRESCENT TELECOM INC	RE-1
6	04713121	ASSOCIATION INC CAROLINAS READY MIXED CONCRETE	RE-1
7	04713107	SUMMIT AVENUE URP LLC	RE-1



Vicinity Map
Not to Scale



Site Data

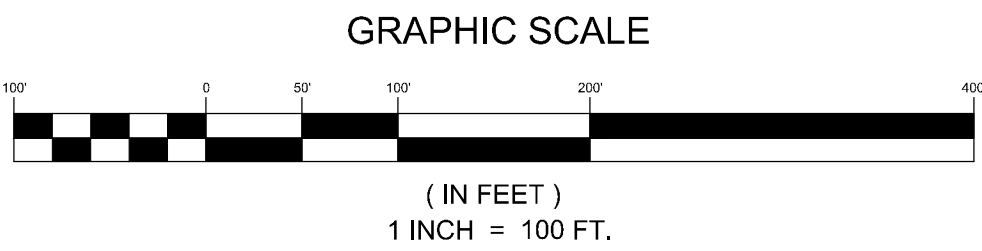
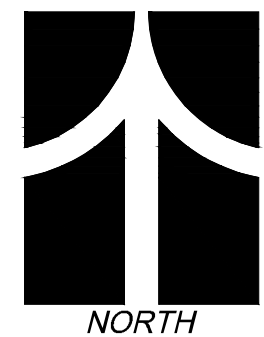
Tax Parcels:	04713199 & 04713157
Total Acreage:	+/- 22.8 Acres (Per GIS)
Location:	City of Charlotte
Existing Zoning:	0-1 (CD), RE-1 & MUDD-O
Proposed Zoning:	UR-2 (CD)
Existing Use:	Vacant
Proposed Use:	Single Family Residential (Attached)
Permitted # of Units:	Up to 132 For-Sale Townhome Units
Proposed Density:	Not to Exceed +/- 5.78 DU/AC
Maximum Building Height:	Maximum three (3) stories and not to exceed 45' feet. Building height will be measured as defined by the ordinance.
Parking:	Minimum of 2.0 parking spaces per unit. Maximum of 3.0 parking spaces per unit.
Private Open Space:	Minimum of 400 SF per Unit x 132 Units.
Floor Area Ratio:	1.0
Tree Save:	
Required:	+/- 3.42 Acres (15%)
Provided:	+/- 3.42 Acres (15%) Minimum

General Notes

1. Base information obtained from Mecklenburg County GIS.

Legend

	Residential Development Area - Building & Parking Envelope
	71' Public Street (Local Residential ROW)
	56' Public Street (Local Residential ROW)
	Private Street (30' Clear Zone)
	Proposed Access Location
	Proposed Stub Location
	Proposed Buffer



ESP Associates, P.A.
P.O. Box 7020
Charlotte, NC 28241
3475 Lakemont Blvd.
Fort Mill, SC 29708
704-583-4946 (NC)
803-502-2440 (SC)
www.espasociates.com

ESP

NO.	DATE	REVISION	BY

Conditional District Rezoning - UR-2 (CD)
Conceptual Site Plan - Petition # 2017-145

TECHNOLOGY SITE

City of Charlotte
Matany Homes

PROJECT INFORMATION	
PROJECT MANAGER:	MM
DESIGNED BY:	AB
DRAWN BY:	ZW
PROJECT NUMBER:	FN27.100
ORIGINAL DATE:	09/21/2017
SHEET:	1 of 5

Technology Site - Petition #2017-145

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 22.8 acre site located on the north-east corner of Technology Drive and Research Drive, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 047-131-99 and 047-131-57.
2. 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").
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 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.

I. Permitted Uses

The Site may be devoted only to a residential community containing a maximum of 132 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 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. Stoops and stairs may encroach three (3) feet into the setback as a "transition zone."
4. 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.

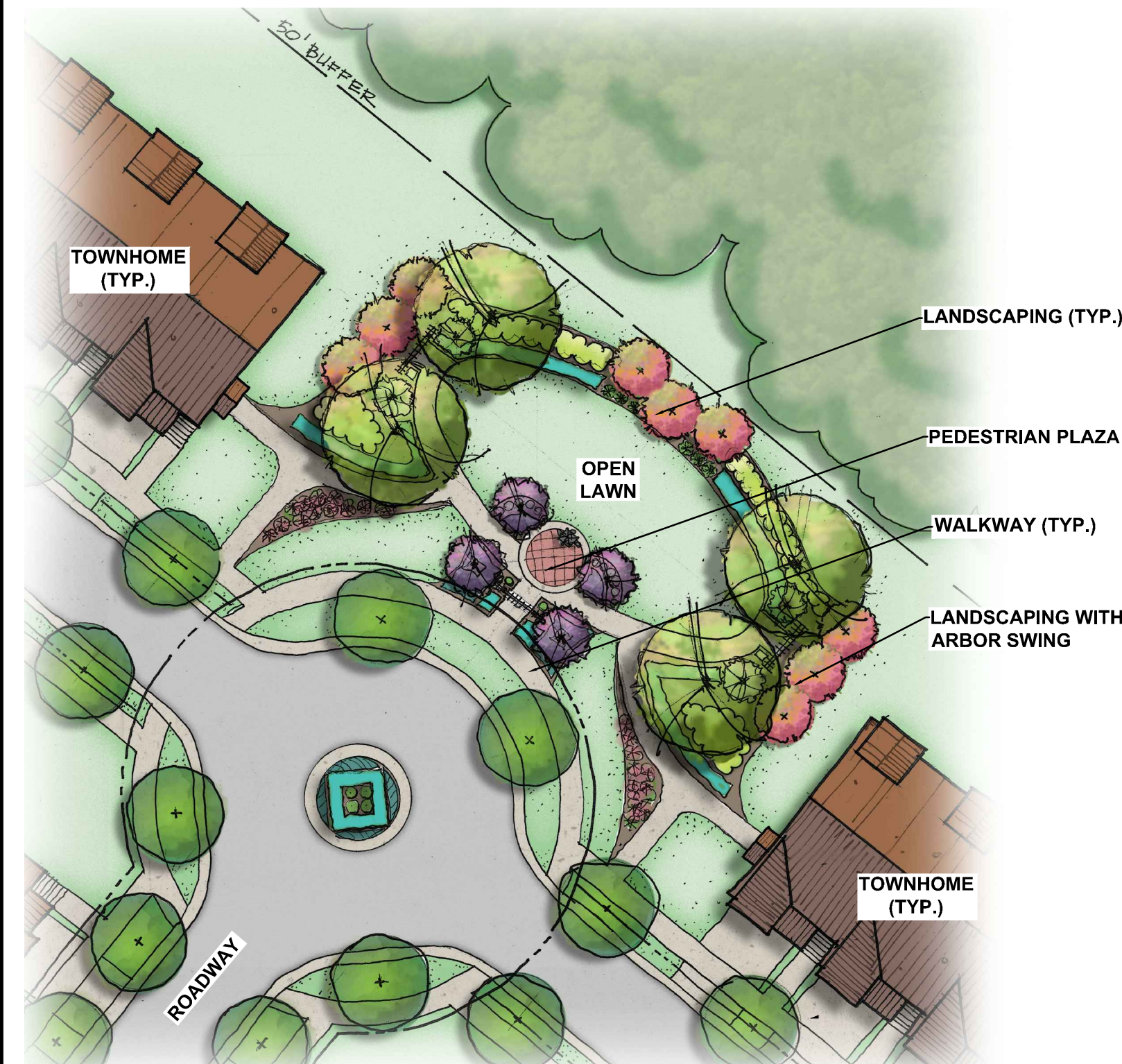
Open Space Locations and Concepts

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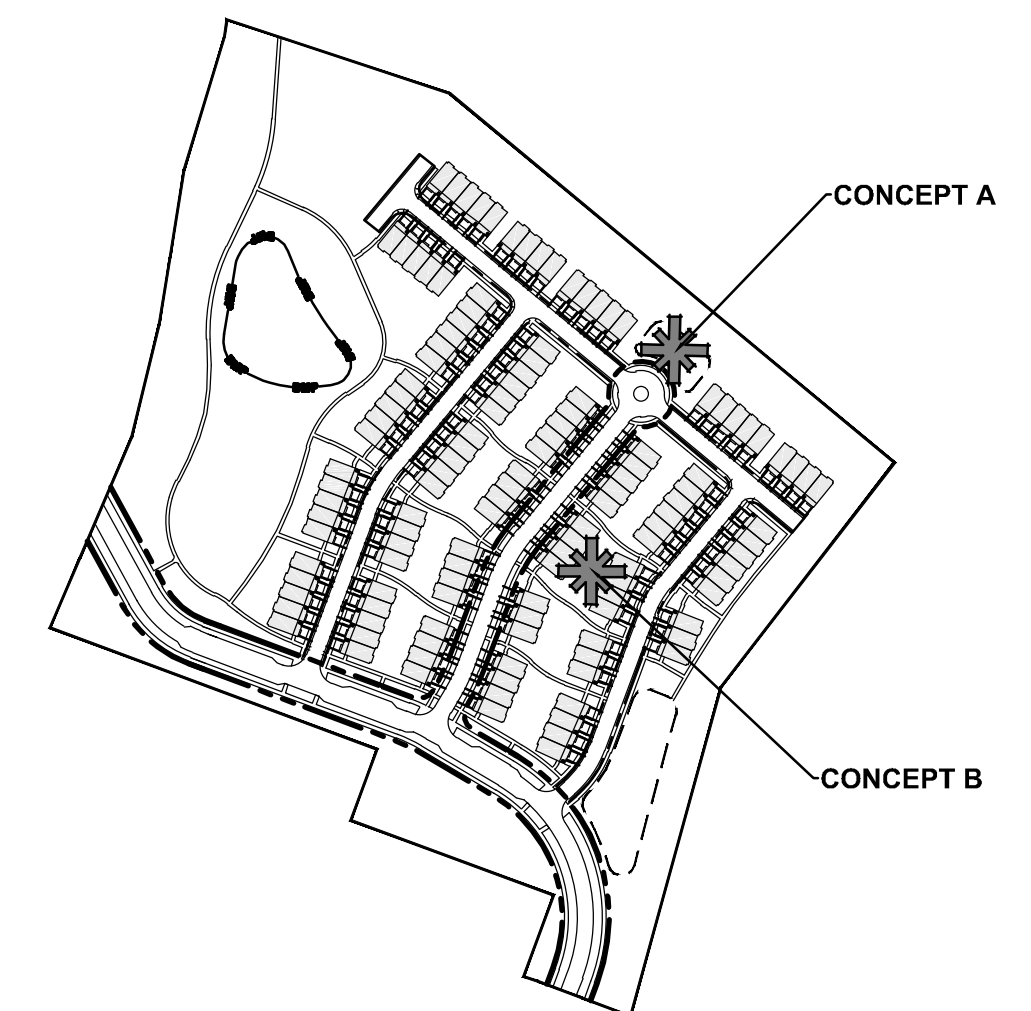


Concept A

Pocket Park Concept

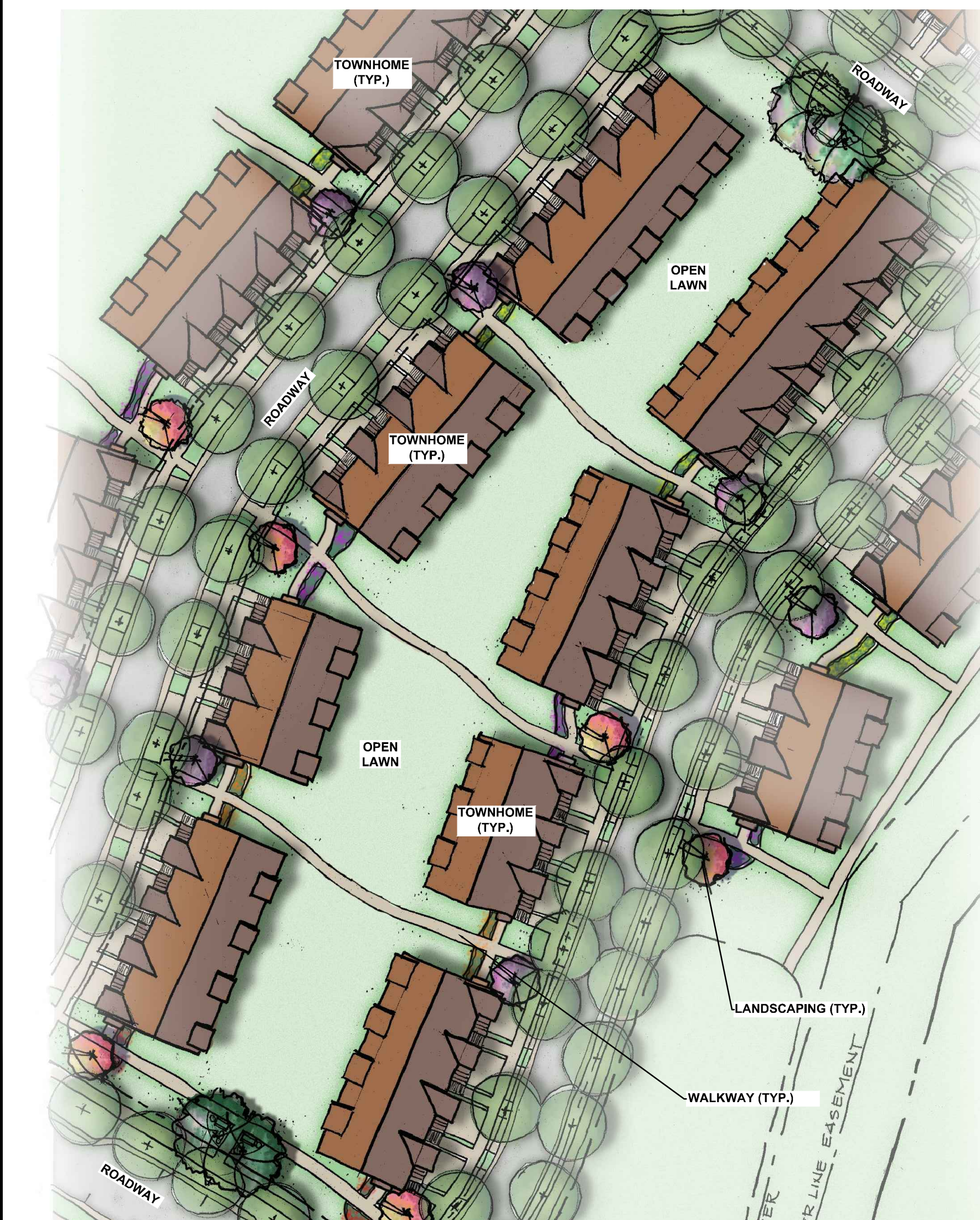


Location Map



Concept B

Linear Park Concept



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

The logo of the European Society for Policy Analysis (ESPA) features the letters 'ESPA' in a large, bold, black serif font. Below the text is a stylized graphic consisting of three nested, upward-pointing chevrons or arrows, rendered in black and grey.

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Conditional District Rezoning - UR-2 (CU)
Technical Data Sheet - Petition # 2017-145

Technical Data Sheet - Petition # 2017-145

TECHNOLOGY SITE

Mattamy Homes

City of Charlotte

PROJECT INFORMATION

PROJECT MANAGER:	M
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SIGNED BY:	
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AWN BY:	Z
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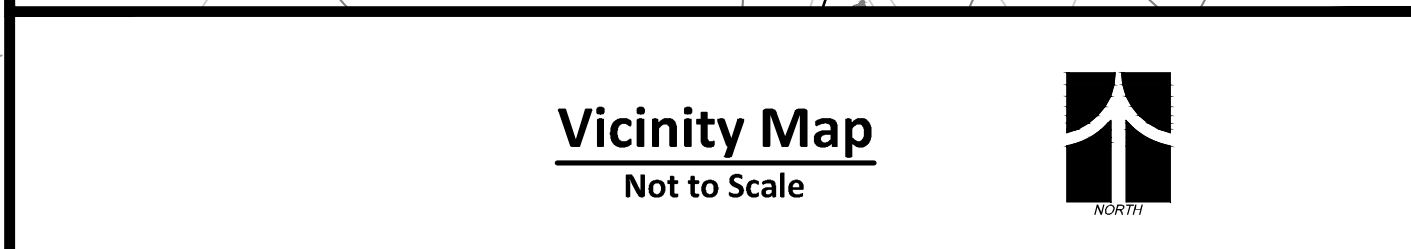
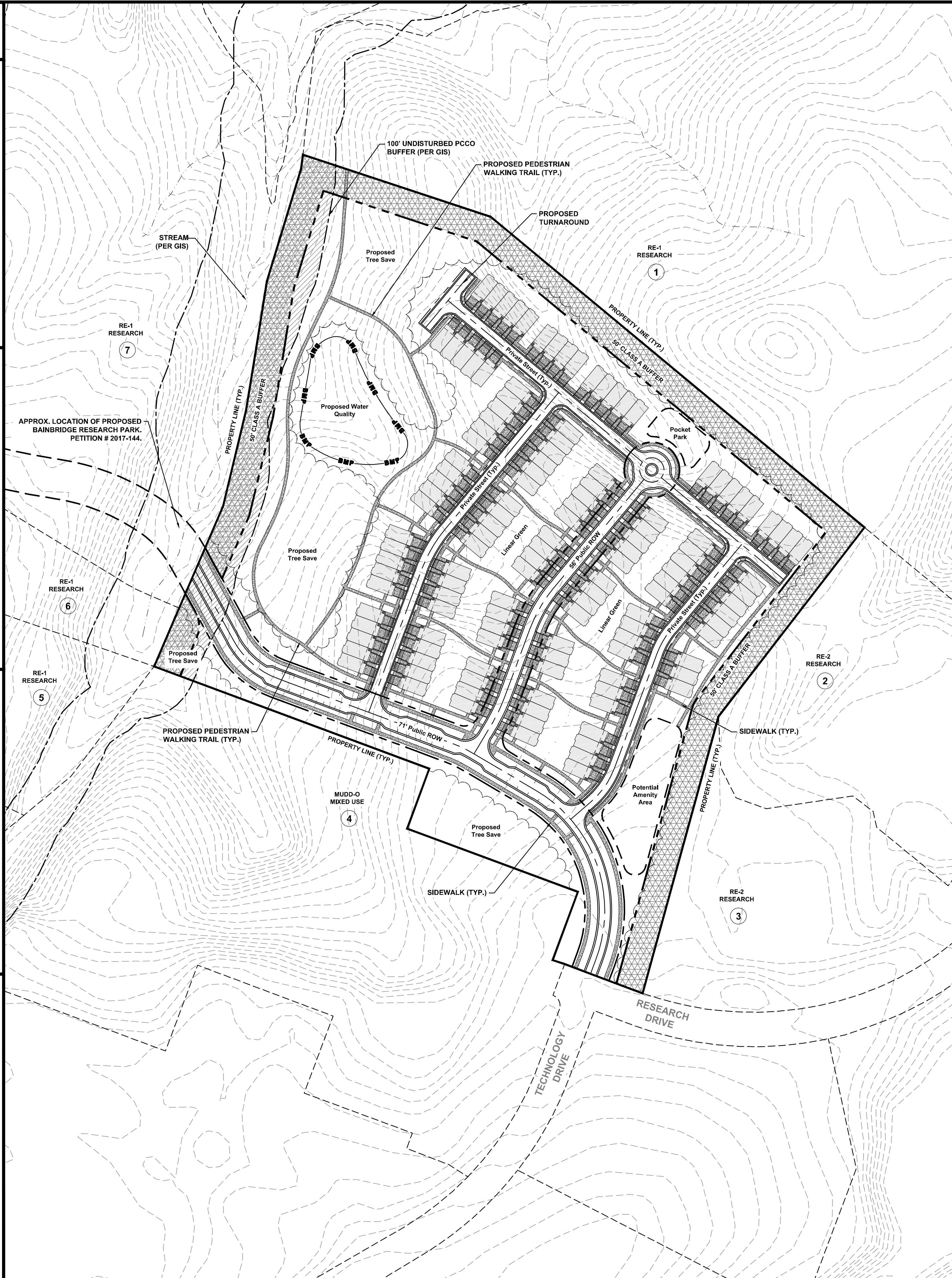
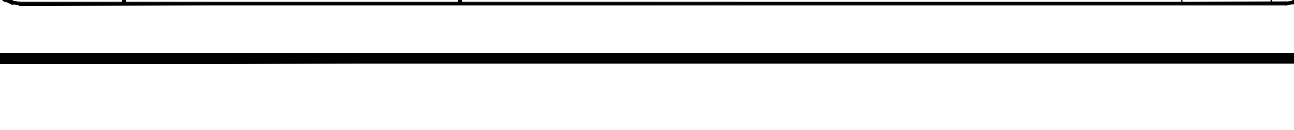
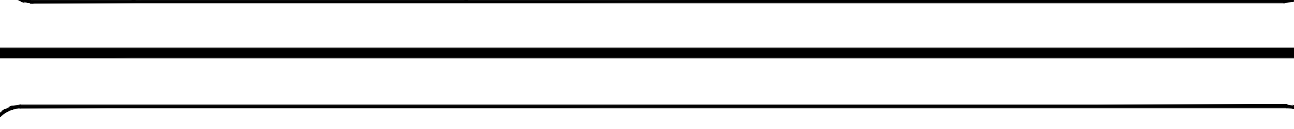
PROJECT NUMBER:	FN2
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ORIGINAL DATE:	09/2
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MEET:

2 of 5

Not to Scale



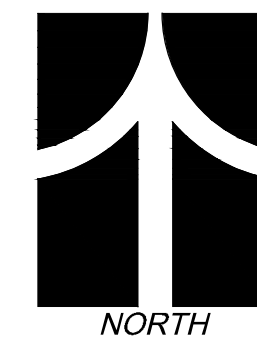
General Notes	
1.	Base information obtained from Mecklenburg County GIS.



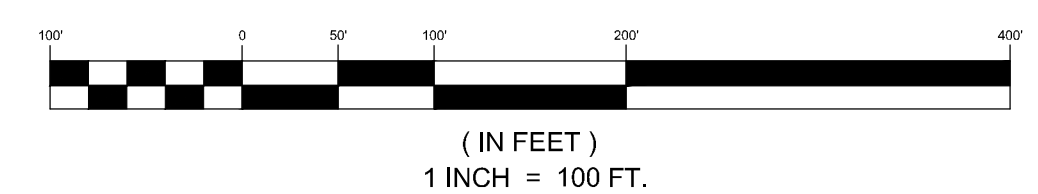
Conceptual Master Plan



Vicinity Map
Not to Scale



GRAPHIC SCALE

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Conditional District Rezoning - UR-2 (CD)
Conceptual Master Plan - Petition # 2017-145

TECHNOLOGY SITE

Mattamy Homes

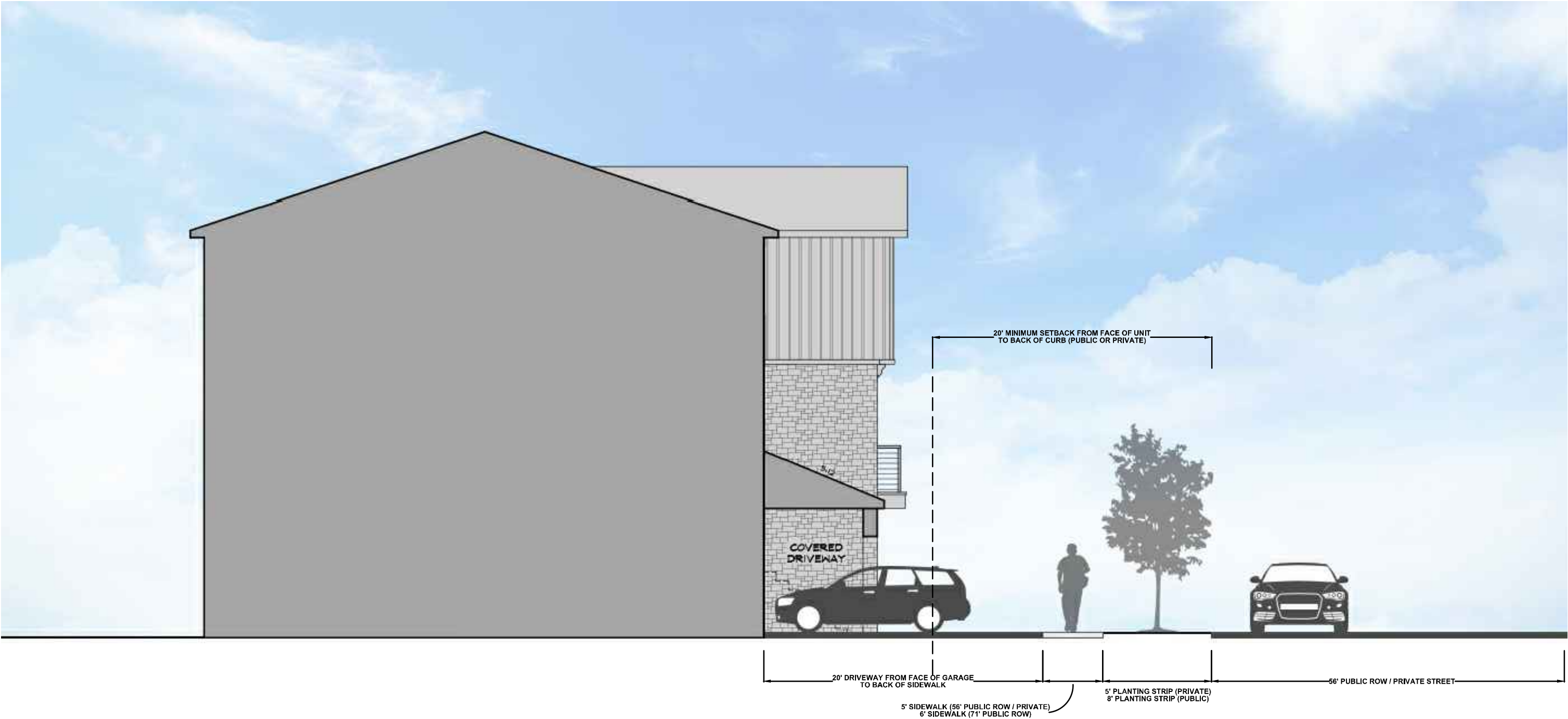
City of Charlotte

PROJECT INFORMATION	
PROJECT MANAGER:	MM
DESIGNED BY:	AB
DRAWN BY:	ZW
PROJECT NUMBER:	FN27.100
ORIGINAL DATE:	09/21/2017
SHEET:	

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 Loaded Cross Section



Front Loaded Cross Section - NTS

U:\2017 Projects (FJ)\F27 - Technology (Mattamy)\Submittal Working Drawings\DWGS\Sheets\FN27 - Technology Property - Architecture Sheet.dwg, Sheet 3 of 4, zmljg@lion

ESP Associates, P.A.
P.O. Box 7020
Charlotte, NC 28241
3475 Lakemont Blvd.
Fort Mill, SC 29708
704-583-4946 (NC)
803-502-2440 (SC)
www.espassociates.com

NO.	DATE	REVISION	BY

Conditional District Rezoning - UR-2 (CD)
Architectural Elevation Sheet - Petition # 2017-145

Mattamy Homes

TECHNOLOGY SITE

City of Charlotte

PROJECT INFORMATION	
PROJECT MANAGER:	MM
DESIGNED BY:	AB
DRAWN BY:	ZW
PROJECT NUMBER:	FN27.100
ORIGINAL DATE:	09/21/2017

SHEET:
5 of 5

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-146

Petition #:	_____
Date Filed:	<u>9/21/2017</u>
Received By:	<u>BJ</u>

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties
Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: vacant/residential (Acres): ± 4.35

Existing Zoning: R-3 Proposed Zoning: UR-2(CD)

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

Required Rezoning Pre-Application Meeting* with: John Kinley, Carlos Alzate, Grant Meacci, and Kent Main

Date of meeting: 6/13/17

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow the development of the parcels with a high quality townhome for sale community.

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

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

Telephone Number

Fax Number

keithmacvean@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENTS A-D

Signature of Property Owner

North State Development, LLC (Attn: Shane Seagle)

Name of Petitioner

16930 W. Catawba Avenue, Ste. 205

Address of Petitioner

Cornelius, NC 28097

City, State, Zip

704.902.7412

Telephone Number

Fax Number

sseagle@citisculpt.com

E-mail Address

SEE ATTACHMENT E

Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
223-141-46	10200 Old Ardrey Kell Rd, Charlotte, NC 28277	Yas Ansari and Armita Marashi	11364 Ballantyne Crossing Ave, Charlotte, NC 28277	.91	3/2/2016
223-141-29	N/A	Jerry W and Peggy J Dorman	10226 Ardrey Kell Rd, Charlotte, NC 28277	1	6/24/1994
223-141-11	10226 Old Ardrey Kell Rd, Charlotte, NC 28277			.47	5/16/1990
223-141-28	N/A	Haskell G and Faye W Earnheart	10304 Ardrey Kell Rd, Charlotte, NC 28277	1	7/5/1997
223-141-09	10304 Old Ardrey Kell Rd, Charlotte, NC 28277			.48	01/01/1975
223-141-10	10236 Old Ardrey Kell Rd, Charlotte, NC 28277	Joseph Craig Stanley	2028 Fitzhugh Ln, Weddington, NC 28104	.49	3/11/1997

ATTACHMENT A

North State Development, LLC

OWNER JOINDER AGREEMENT

Yas Ansari

The undersigned, as the owner of the parcel of land located at 10200 Old Ardrey Kell Road, Charlotte, NC that is designated as Tax Parcel No. 223-141-46 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 UR-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 17 day of August 2017.

A handwritten signature in black ink, appearing to read 'Yas Ansari', is written over a horizontal line.

By: Managing Member
Name: Yas Ansari

ATTACHMENT B

North State Development, LLC

OWNER JOINDER AGREEMENT

Jerry W. and Peggy J. Dorman

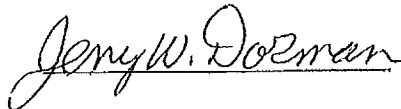
The undersigned, as the owner of the parcel of land located at the

1. 10226 Old Ardrey Kell Road, Charlotte, NC that is designated as Tax Parcel No. 223-141-11
2. N/A, Charlotte, NC that is designated as Tax Parcel No. 223-141-29

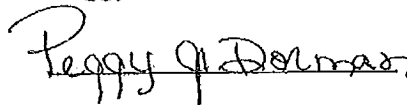
on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcel from the R-3 zoning district to the UR-2(CD) zoning district as more particular depicted on the related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

This 22 day of Aug., 2017.

Jerry W. Dorman



Peggy J. Dorman



ATTACHMENT C

North State Development, LLC

OWNER JOINDER AGREEMENT

Haskell G. and Faye W. Earnheart

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

1. 10304 Old Ardrey Kell Road, Charlotte, NC that is designated as Tax Parcel No. 223-141-09
2. N/A, Charlotte, NC that is designated as Tax Parcel No. 223-141-28

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 UR-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 22nd day of AUGUST, 2017.

Haskell G. Earnheart

Haskell Earnheart P.A. Gary Earnheart

Faye W. Earnheart

Faye W Earnheart P.A. Gary Earnheart

ATTACHMENT D

North State Development, LLC

OWNER JOINDER AGREEMENT

Joseph Craig Stanley

The undersigned, as the owner of the parcel of land located at 10236 Old Ardrey Kell Rd, Charlotte, NC that is designated as Tax Parcel No. 223-141-10 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcel from the R-3 zoning district to the UR-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 20th day of August, 2017.

Joseph Craig Stanley

Joseph Craig Stanley

ATTACHMENT E

REZONING PETITION NO. 2017-000
North State Development, LLC

Petitioner:

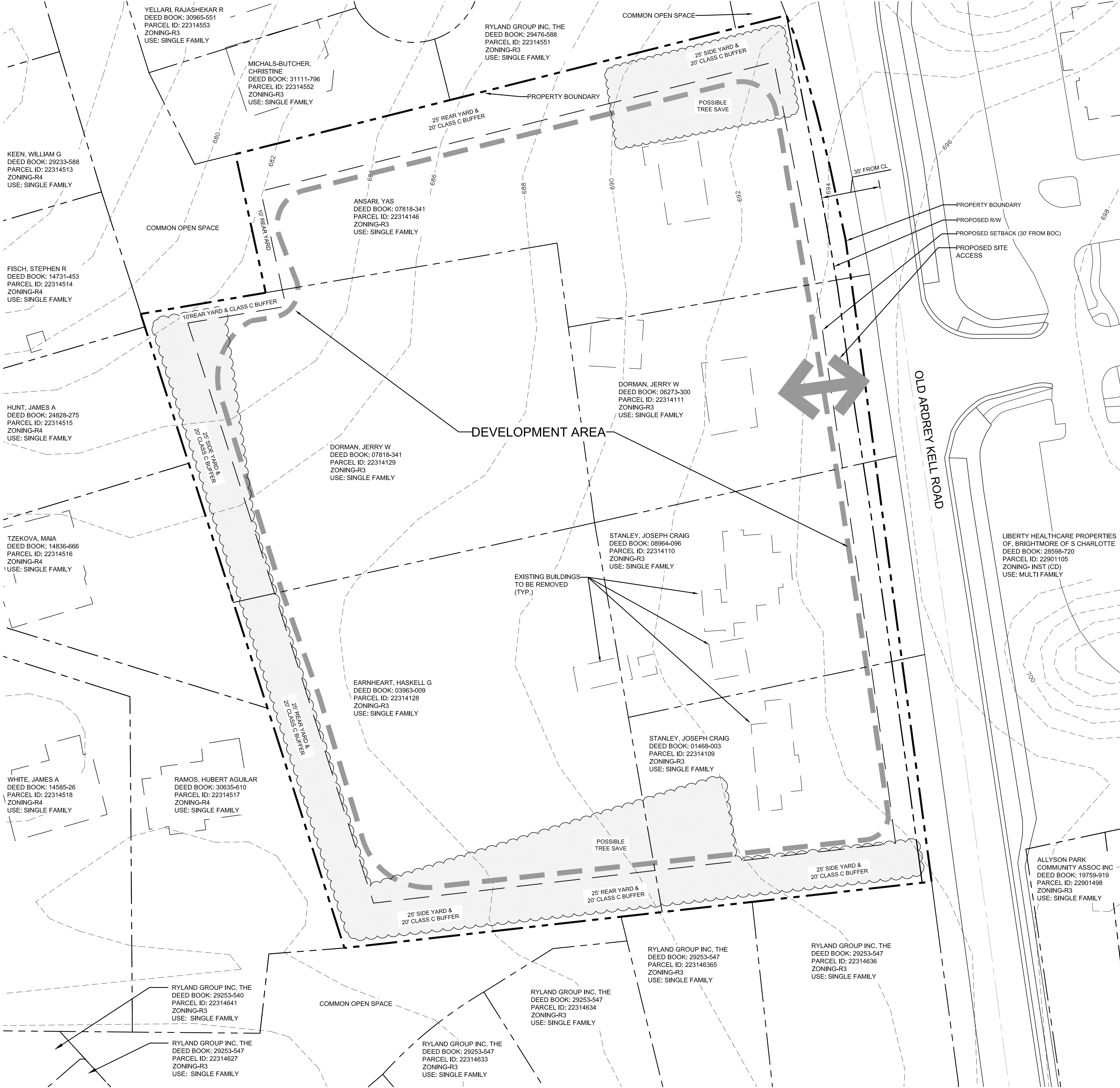
North State Development, LLC

By: 

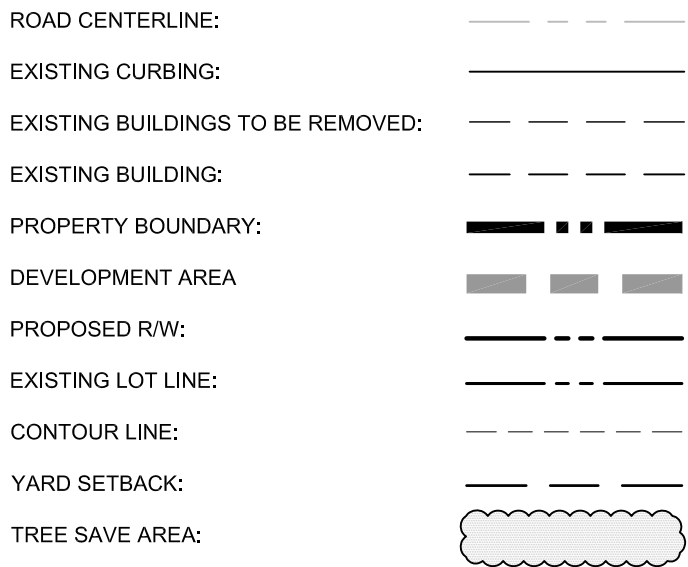
Name: SHANE SEAGLE

Title: MEMBER

P:\2017 Jobs\17020 - Ardrey Kell Townhomes - Norm State\CAD\Sketch Planning\17020 Rezoning Base.dwg



LEGEND:

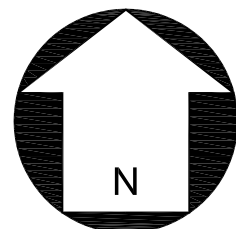


Site Development Data:

Area: 4.35 acres
Tax Parcel #: 223-141-09, 223-141-10, 223-141-11, 223-141-28, 223-141-29, and 223-141-46
Existing Zoning: R-3
Proposed Zoning: UR-2(CD)
Existing Use: Vacant/Residential
Proposed Uses: Up to 35 attached, for sale, dwelling units together with accessory uses, as allowed in the UR-2 zoning district.
Proposed Floor Area Ratio: As allowed by the UR-2 Zoning District.
Maximum Building Height: A maximum building height of three (3) stories.
Parking: Parking as required by the Ordinance will be provided. No less than [8] visitor parking spaces will be provided on the Site.

- General Provisions:**
 - Site Location: These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by North State Development, LLC ("Petitioner") to accommodate the development of a townhome for sale community on approximately 4.35 acre site located along Old Ardrey Kell Road (the "Site").
 - Zoning Districts/Ordinance: Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the UR-2 zoning classification shall govern.
 - Graphics and Alterations: The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.
Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:
minor and don't materially change the overall design intent depicted on the Rezoning Plan.
- The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.
- Number of Buildings Principal and Accessory:** The total number of principal buildings to be developed on the Site shall not exceed 10. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site. Accessory structures and buildings include structures and buildings such as but not limited to; a mail kiosk, dumpster enclosures, gazebos, trellises, storage buildings, and other structures associated with the on-site open space.
- Permitted Uses & Development Area Limitation:**
 - The Site may be developed with up to 35 attached for sale dwelling units, together with accessory uses allowed in the UR-2 zoning district.
- Access and Transportation:**
 - Access to the Site will be from Old Ardrey Kell Road in the manner generally depicted on the Rezoning Plan.
 - The Petitioner will provide an eight (8) foot planting strip and a six (6) foot sidewalk along Ardrey Kell Road as generally depicted on the Rezoning Plan.
 - Along the Site's internal private alleys sidewalks will be provided on at least one side of the proposed private drives as generally depicted on the Rezoning Plan. Street trees will also be provided along the private alleys, where possible, as generally depicted on the Rezoning Plan.
 - The placement and configuration of the vehicular access point is subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT in accordance with applicable published standards.
 - The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.
 - The Petitioner dedicate via a fee simple conveyance 35 feet of right-of-way from the center line of Ardrey Kell Road before the Site's first building certificate of occupancy is issued.
 - The roadway improvements required by the development of the Site must be substantially completed prior to the issuance of the first certificate of occupancy for the first building on the Site, subject to the ability of the Petitioner to post a letter of credit or a bond for any improvements not in place at the time the first certificate of occupancy is issued.
- Architectural Standards, Court Yards/Amenity Areas:**
 - The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Aluminum as a building material may only be used on windows, soffits and on handrails/railings. Vinyl siding may not be utilized as a building material. The proposed roofing materials will be architectural asphalt shingles, metal type roofing materials may also be used.
 - The ends of the buildings facing the internal private drives will not have not have blank walls that exceed 20 feet in length on all building levels. The end units will have multiple windows on the end facades to avoid a blank walls.
 - The attached illustrative building elevations (typical unit front elevations) are included to reflect an architectural style and a quality of the buildings that may be constructed on the Site (the actual buildings constructed on the Site may vary from these illustrations provided that the design intent is preserved).
 - Each unit will have a one or two (2) car garage.
 - The proposed garage doors utilized throughout the Site be decorative style doors that will be stained with a dark tinted stain. The design of the garage doors will utilize translucent windows.
 - Usable porches or stoops shall form an element of the building design and be located on the front and/or side of the building. Stoops and entry level porches may be covered but not be enclosed. The minimum depth of front stoops will be between four (4) and five (5) feet. The building/architectural treatment over the porches will vary to help emphasize the entries into each unit.
 - Townhome buildings shall be limited to five (5) units or less.
 - Meter banks will be screened from adjoining properties and from Ardrey Kell Road.
 - HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
- Streetscape, Buffers, Yards, and Landscaping:**
 - A setback of 30 feet as measured from the future back curb will be provided along Ardrey Kell Road as generally depicted on the Rezoning Plan.
 - A decorative four (4) to five (5) foot fence/wall will be installed within the setback along Ardrey Kell Road as generally depicted on the Rezoning Plan. The decorative fence/wall may also have columns designed to match the building materials used on the buildings. Landscape materials will be planted between the fence/wall and the sidewalk along Ardrey Kell Road.
 - A 25 foot side/rear yard will provided along the Site's perimeter Site as generally depicted on the Rezoning Plan. The required private open space for the proposed units may be located within the proposed rear and side yards, but not in the proposed buffers.
 - A 20 foot class C Buffer will be provided an along the Site's perimeter as generally depicted on the Rezoning Plan.
 - Utilities may cross proposed buffers at angles no greater than 75 degrees. Storm drainage discharge aprons and swales with or without rip-rap may also cross the buffer at angles no greater than 75 degrees in order to allow for the natural flow storm water.
 - Above ground backflow preventers will be screened from public view and will be located behind the proposed right-of-way of Ardrey Kell Road, but may be located within the proposed setback.
- Environmental Features:**
 - The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
 - The location, size and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points. The two storm water management facility locations labeled as "potential" if not utilized for storm water management will be improved as open space areas or tree save areas.
 - The Site will comply with the Tree Ordinance.
 - All utilities within the Site will be placed underground.
- Lighting:**
 - All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
 - Detached lighting on the Site will be limited to 16 feet in height.
 - Decorative pedestrian scale lights will be provided along the internal private drives.
 - Architectural lighting on building facades, such as but not limited to scones, will be permitted.
- Signage:**
 - Reserved.
- Amendments to the Rezoning Plan:**
 - Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.
- Binding Effect of the Rezoning Application:**
 - 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.

This Plan Is A
Preliminary Design.
NOT Released For
Construction.



SCALE: 1"=30'

REVISIONS:

No.	Date	By	Description
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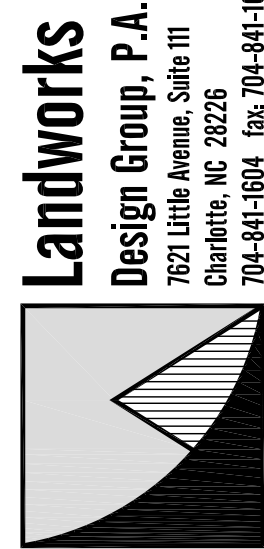
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ARDREY KELL TOWNHOMES
OLD ARDREY KELL ROAD
CHARLOTTE, NC
NORTH STATE DEVELOPMENT, LLC
CORNELIUS, NC

TECHNICAL
DATA SHEET

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

Project Manager: MDL

Drawn By: SCJ














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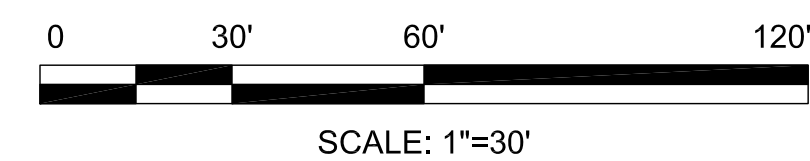

Date: 9/22/17

Project Number: 17020

Sheet Number:

RZ-1

ROAD CENTERLINE:	
EXISTING CURBING:	
EXISTING BUILDINGS TO BE REMOVED:	
EXISTING BUILDING:	
PROPERTY BOUNDARY:	
PROPOSED R/W:	
EXISTING LOT LINE:	
CONTOUR LINE:	
YARD SETBACK:	
PROPOSED BMP BOUNDARY:	
PROPOSED BUILDING:	
TREE SAVE AREA:	
PROPOSED STREET TREE:	

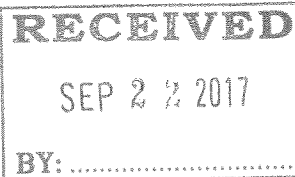


REVISED:			
No.	Date	By	Description

ARDREY KELL TOWNHOMES
OLD ARDREY KELL ROAD
CHARLOTTE, NC
NORTH STATE DEVELOPMENT, LLC
CORNELIUS, NC

REZONING
SITE PLAN

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-147

Petition #:	_____
Date Filed:	9/22/2017
Received By:	BH

Complete All Fields (Use additional pages if needed)

Property Owner: See Exhibit A attached hereto

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

Date Property Acquired: See Exhibit A attached hereto

Property Address: See Exhibit A attached hereto

Tax Parcel Number(s): 039-044-07 and a portion of 039-044-05

Current Land Use: Commercial and single family residential Size (Acres): +/- 2.045 acres

Existing Zoning: B-1 (CD) and R-5 Proposed Zoning: B-1(CD) S.P.A. and B-1 (CD)

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

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

Date of meeting: August 29, 2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate the relocation of the required tree save area for the QuikTrip convenience store with gasoline sales onto a portion of Tax Parcel No. 039-044-05 and an increase in the number of parking spaces on Tax Parcel No. 039-044-07.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com
E-Mail Address

See Attached Joinder Agreements
Signature of Property Owner

(Name Typed / Printed)

QuikTrip Corporation (c/o Judy Allie)
Name of Petitioner(s)

3701 Arco Corporate Drive, Suite 150
Address of Petitioner(s)

Charlotte, NC 28173
City, State, Zip

704-559-8014
Telephone Number Fax Number

jallie@quiktrip.com
E-Mail Address

QuikTrip Corporation
By: Judy Allie
Signature of Petitioner and Property Owner

Judy Allie
(Name Typed / Printed)

Exhibit A to Rezoning Application Filed by QuikTrip Corporation

Property Owner Information, Acquisition Dates and Site Addresses

Tax Parcel No. 039-044-07

QuikTrip Corporation
3701 Arco Corporate Drive
Suite 150
Charlotte, NC 28173

Site Address: 202 North Cloudman Street

Date Property Acquired: September 20, 2016

Tax Parcel No. 039-044-05

Dorothy R. Keistler
302 Dakota Street
Charlotte, NC 28216

Site Address: 206 North Cloudman Street

Date Property Acquired: July 15, 2014

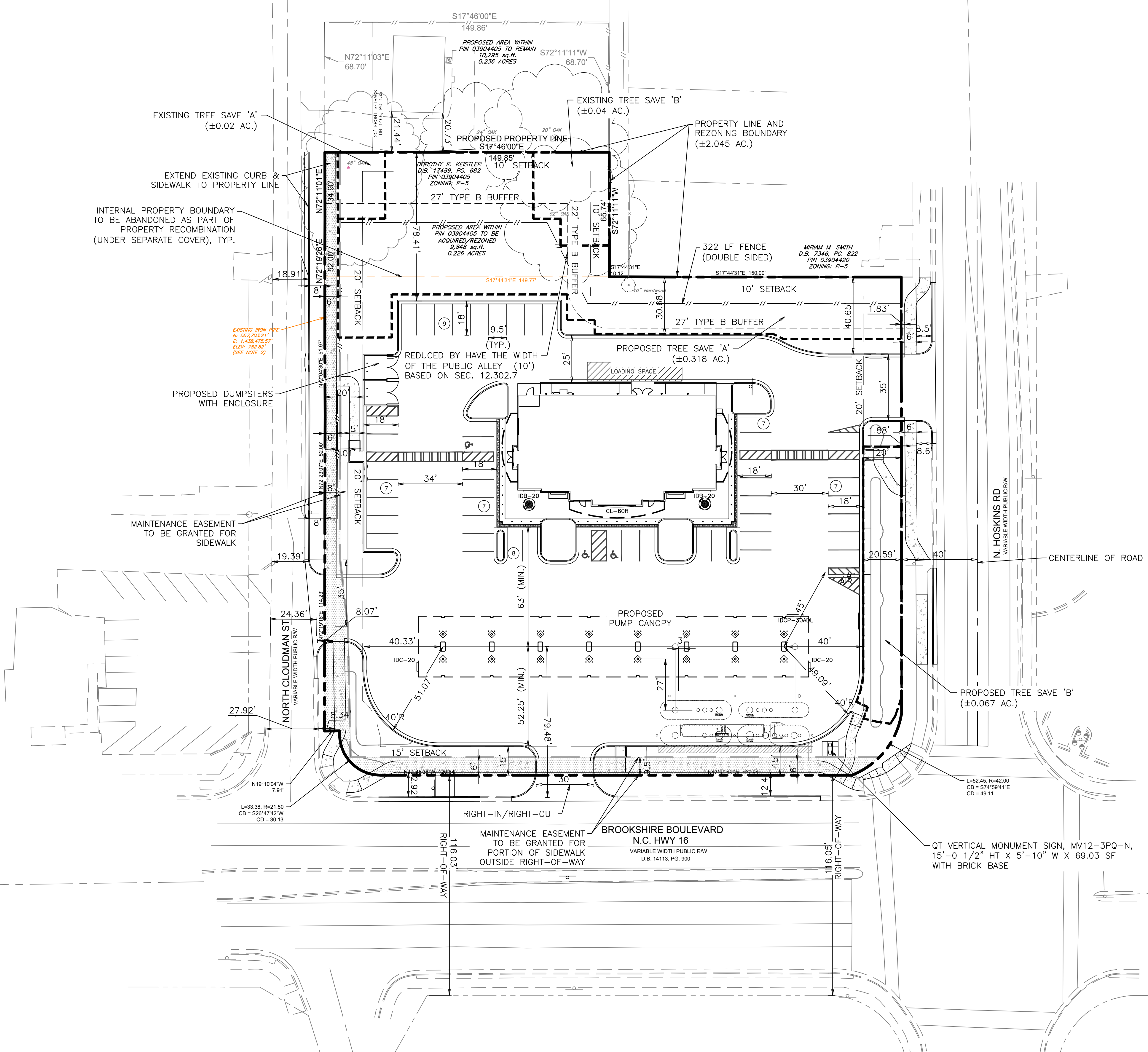
**REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by QuikTrip Corporation that is designated as Tax Parcel No. 039-044-05 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the relevant portion of the Site to the B-1 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the conditional rezoning plan.

This 21st day of September, 2017.


DOROTHY R. KEISTLER

FILE LOCATION: J:\Drawings\Projects\QuikTrip\1024 Charlotte, NC\civil.dwg TAB NAME: Rezoning USER: JEdney SAVED: 9/19/2017 5:19 PM PLOTTED: 9/19/2017 5:21 PM



SITE DATA	
TAX PARCEL ID #:	A PORTION OF 039-044-05 039-044-07
TOTAL SITE / REZONING AREA:	EXISTING (+/-1.819 AC.) PROPOSED (+/-2.045 AC.)
EXISTING ZONING:	B-1 (CD), R-5
PROPOSED ZONING:	B-1 (CD) S.P.A., B-1 (CD)
PROPOSED USE:	CONVENIENCE STORE WITH FUEL SALES
DEVELOPMENT STANDARDS:	SETBACK (BROOKSHIRE BLVD) 10' (15' PROVIDED) SETBACK (N. HOSKINS RD.) 20' SETBACK (N. CLOUDMAN ST.) 20' REAR 10'
BUILDING AREA	MAXIMUM 6,000 SF
BUILDING HEIGHT	MAXIMUM 25' HEIGHT

NC COA: C-1532
ISSUE DATE: 09/19/2017

FREELAND **DAVID WHEELER**
Professional Engineer
205 West Street, Suite 2609
Charlotte, NC 28202
Tel: 704.333.2609
Fax: 704.333.2609

QuikTrip No. 1024

4200 BROOKSHIRE BLVD.
CHARLOTTE, NC

QUIKTRIP CORPORATION - CHARLOTTE DIVISION OFFICE
3701 ARCO CORPORATE DRIVE - SUITE 150 - CHARLOTTE, NC 28273

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ANY UNAUTHORIZED USE, REPRODUCTION,
PUBLICATION, DISTRIBUTION, OR SALE IN
WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

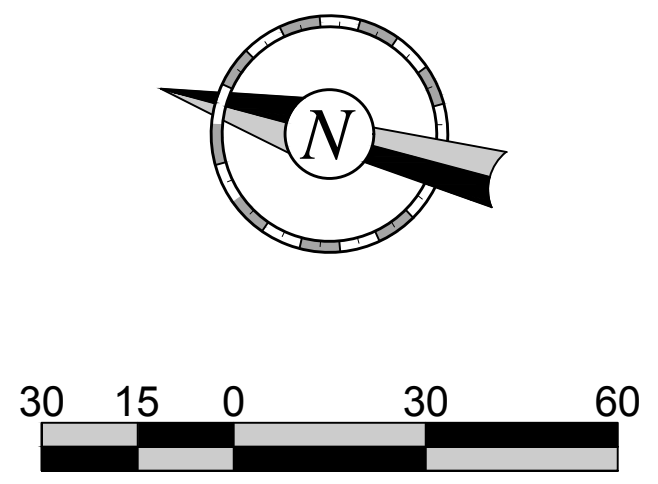
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DIVISION: CAROLINA
VERSION: 001
DESIGNED BY: WP/CG/JE
DRAWN BY: WP/CG/JE
REVIEWED BY: WP/CG/JE

REV	DATE	DESCRIPTION

ORIGINAL ISSUE DATE: 07/20/2016


SHEET TITLE:
REZONING PLAN
PETITION #:

SHEET NUMBER:
RZ-1



FILE LOCATION: \\J:\Drawings\Projects\QuikTrip\1024 (Charlotte, NC)\civil.dwg TAB NAME: Dev Notes USER: JEdiney SAVED: 9/20/2017 2:19 PM PLOTTED: 9/20/2017 2:20 PM

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Q	A. <u>General Provisions</u>														
P	1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by QuikTrip Corporation to accommodate a convenience store with gasoline sales and any incidental or accessory uses relating thereto on that approximately 2.045 acre site located on the northeast corner of the intersection of Brookshire Boulevard and North Hoskins Road, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel No. 039-044-07 and a portion of Tax Parcel No. 039-044-05.														
N	2. The development and use 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").														
M	3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the B-1 zoning district shall govern all development taking place on the Site.														
L	4. The parcels of land that comprise the Site may be recombined into one parcel at the option of Petitioner.														
K	5. 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.														
J	B. <u>Permitted Uses/Development Limitations</u>														
H	1. The Site may only be devoted to a convenience store with gasoline sales and to any incidental or accessory uses associated therewith that are permitted under the Ordinance in the B-1 zoning district. Incidental and accessory uses may include, without limitation, an eating, drinking and entertainment use.														
G	2. Accessory drive through service windows shall not be permitted on the Site.														
F	3. A car wash shall not be permitted on the Site.														
E	4. A maximum of one principal building may be located on the Site.														
D	5. As depicted on the Rezoning Plan, the minimum setback from Brookshire Boulevard shall be 15 feet.														
C	C. <u>Maximum Gross Floor Area</u>														
B	1. The maximum gross floor area of any building located on the Site shall be 6,000 square feet. The area under the canopy over the gas pumps associated with the convenience store and outdoor dining areas shall not be included in the calculation of the maximum gross floor area.														
A	D. <u>Transportation</u>														
	1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.														
	2. The alignments of the internal drives to be located on the Site are subject to any minor modifications or alterations required during the construction permitting process.														
	3. Prior to the issuance of a certificate of occupancy for the new building to be constructed on the Site, Petitioner shall construct a new waiting pad for the existing bus stop located on Brookshire Boulevard. The waiting pad shall be located entirely within the right of way, and the precise location of the waiting pad shall be determined during the permitting process. The waiting pad shall be constructed to CATS Development Standard 60.01B. Petitioner's obligation to construct the waiting pad shall be subject to Petitioner's ability to obtain all approvals and permits required to construct it. CATS shall be responsible for the installation and maintenance of any bench or shelter that may be located on the waiting pad.														
	E. <u>Architectural Standards</u>														
	1. The maximum height of the building to be constructed on the Site shall be 25 feet.														
	2. Attached to the Rezoning Plan are schematic architectural renderings of the building to be constructed on the Site that are intended to depict the general conceptual architectural style and character of this building. Accordingly, the building to be constructed on the Site shall be designed and constructed so that it is substantially similar in appearance to the attached schematic architectural renderings with respect to architectural style, character and primary building materials. Notwithstanding the foregoing, changes and alterations to the elevations of the building which do not materially change the overall conceptual architectural style and character shall be permitted.														
	3. The exterior building materials for the building to be constructed on the Site are designated on the attached schematic architectural renderings.														
	F. <u>Streetscape and Landscaping</u>														
	1. A Class B buffer shall be established along those portions of the Site's boundary lines that are more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance. Pursuant to Section 12.302(8) of the Ordinance, the width of the Class B buffer areas may be reduced by 25% by installing a wall, fence or berm that meets the standards of Section 12.302(8) of the Ordinance. Additionally, the width of the Class B buffer areas may be reduced pursuant to Section 12.302(7) of the Ordinance.														
	2. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas accordingly.														
	3. Internal sidewalks shall be provided on the Site as generally depicted on the Rezoning Plan.														
	4. Petitioner shall install landscaping on the Site, including along the Site's frontages on the adjacent public streets, in accordance with the landscape plan set out on Sheet RZ-2 of the Rezoning Plan.														
	5. Petitioner shall install a 6 foot tall wooden fence along the eastern boundary line of the Site as depicted on Sheet RZ-2 of the Rezoning Plan.														
	6. Petitioner shall install a 6 foot tall wooden fence along a portion of the northern boundary of the Site as depicted on Sheet RZ-2 of the Rezoning Plan.														
	7. Petitioner shall install a minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's frontage on North Cloudman Street as generally depicted on the Rezoning Plan. The minimum 8 foot wide planting strip and the minimum 6 foot wide sidewalk shall be located within a sidewalk utility easement rather than in public right of way as generally depicted on the Rezoning Plan.														
	8. Petitioner shall install a minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's frontage on North Hoskins Road as generally depicted on the Rezoning Plan.														
	9. Petitioner shall install a minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's frontage on Brookshire Boulevard as generally depicted on the Rezoning Plan. The minimum 8 foot wide sidewalk, or portions thereof, shall be located within a sidewalk utility easement rather than in public right of way as generally depicted on the Rezoning Plan.														
	G. <u>Environmental Features</u>														
	1. Development of the Site shall comply with the City of Charlotte Tree Ordinance.														
	2. 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.														
	H. <u>Signage</u>														
	1. All signs installed on the Site shall comply with the requirements of the Ordinance.														
	2. Notwithstanding paragraph 1 above, a pole sign shall not be permitted on the Site.														
	3. Any monument sign installed on the Site shall have a minimum 3 foot tall brick base and a total maximum height of 16 feet.														
	I. <u>Lighting</u>														
	1. Any freestanding lighting fixtures installed on Site shall have a maximum height of 21 feet, and all such freestanding lighting fixtures 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. Any attached lighting will be downwardly directed and a full cutoff fixture.														
	J. <u>Binding Effect of the Rezoning Documents and Definitions</u>														
	1. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.														
	2. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.														
	3. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.														




NC COA: C-1532
ISSUE DATE: 09/19/2017

FREE AND OF: KAUFFMAN, INC.
209 West Stone Avenue
Greenville, SC 29609
tel: 864/295-9965

QuikTrip No. 1024

4200 BROOKSHIRE BLVD.
CHARLOTTE, NC

QUIKTRIP CORPORATION - CHARLOTTE DIVISION OFFICE
3701 ARCO CORPORATE DRIVE - SUITE 150 - CHARLOTTE, NC 28273



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PROTOTYPE: P-87 (05/01/16)
DIVISION: CAROLINA
VERSION: 001
DESIGNED BY: WP/CG/JE
DRAWN BY: WP/CG/JE
REVIEWED BY: WP/CG/JE

REV	DATE	DESCRIPTION

SHEET TITLE:

DEVELOPMENT STANDARDS
AND NOTES


SHEET NUMBER:


RZ-3

ORIGINAL ISSUE DATE: 07/20/2016

FILE LOCATION: J:\Drawings\Projects\QuikTrip\1024 Charlotte, NC\civil.dwg TAB NAME: Bldg Elevations USER: JEdney SAVED: 9/19/2017 5:19 PM PLOTTED: 9/19/2017 5:22 PM




 <div>4705 South 129th East Ave. Tulsa, OK 74134-7008 P.O. Box 3475 Tulsa, OK 74101-3475 (918) 615-7700</div>	Store # 1024 Flat Entry Building Elevations		Address: Brookshire Blvd. & Hoskins Rd.		City, State: Charlotte, NC		<table><thead><tr><th>#</th><th>FINISH</th><th>MANUFACTURER</th><th>SPECIFICATION</th></tr></thead><tbody><tr><td>1</td><td>BRONZESTONE</td><td>INTERSTATE BRICK</td><td>ATLAS STRUCTURAL BRICK</td></tr><tr><td>2</td><td>MIDNIGHT</td><td>INTERSTATE BRICK</td><td>ATLAS STRUCTURAL BRICK</td></tr><tr><td>3</td><td>ALUMINUM</td><td>A-FOUR</td><td>PASCO</td></tr><tr><td>4</td><td>QT RED</td><td>LANE</td><td>STANDING SEAM AWNING</td></tr><tr><td>5</td><td>RED POLYCARBONATE</td><td>ALLEN INDUSTRIES</td><td>ILLUMINATED BRAND</td></tr><tr><td>6</td><td>DARK BRONZE</td><td>LANE</td><td>METAL PAINT</td></tr><tr><td>7</td><td>QT BROWN</td><td>SHERWIN WILLIAMS</td><td>PAINT</td></tr><tr><td>8</td><td>QT-BOR</td><td>ALLEN INDUSTRIES</td><td>SIGNAGE</td></tr><tr><td>9</td><td>EVENING VEIL</td><td>DALTEC</td><td>INVOUM</td></tr><tr><td>10</td><td>BLACK</td><td>COURT FABRICS</td><td>PAN-PRO 95 MESH</td></tr><tr><td>11</td><td>DB-20</td><td>ALLEN INDUSTRIES</td><td>ILLUMINATED SIGNAGE</td></tr></tbody></table>				#	FINISH	MANUFACTURER	SPECIFICATION	1	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK	2	MIDNIGHT	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK	3	ALUMINUM	A-FOUR	PASCO	4	QT RED	LANE	STANDING SEAM AWNING	5	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BRAND	6	DARK BRONZE	LANE	METAL PAINT	7	QT BROWN	SHERWIN WILLIAMS	PAINT	8	QT-BOR	ALLEN INDUSTRIES	SIGNAGE	9	EVENING VEIL	DALTEC	INVOUM	10	BLACK	COURT FABRICS	PAN-PRO 95 MESH	11	DB-20	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE
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Serial # 81-1024-BFTI	Scale: 1/16"=1'-0"	Issue Date: 04.21.16	Drawn By: JK	Rev/Notes:	COPYRIGHT © 2011 QUIKTRIP CORPORATION DESIGN PATENTS QUIKTRIP PLANS ARE THE EXCLUSIVE PROPERTY OF QUIKTRIP CORPORATION, TULSA, OKLAHOMA. THESE PLANS ARE PROTECTED IN THEIR ENTIRETY BY DOMESTIC AND INTERNATIONAL COPYRIGHT AND PATENT STATUTES. ANY UNAUTHORIZED USE, REPRODUCTION, PUBLICATION, DISTRIBUTION OR SALE IN WHOLE OR IN PART, IS STRICTLY FORBIDDEN.																																																					



FREELEAD CHD KAUFMAN, INC.
205 West Stone Avenue
Greenville, South Carolina 29609
Tel: 864-258-3447
Fax: 864-258-3996

QuikTrip No. 1024
4200 BROOKSHIRE BLVD.
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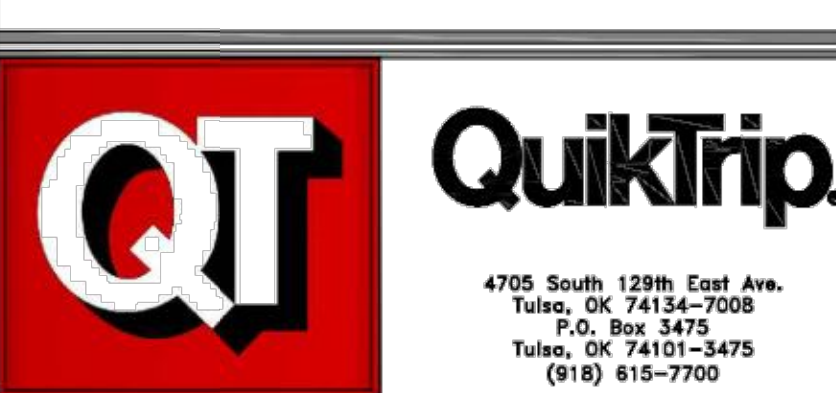
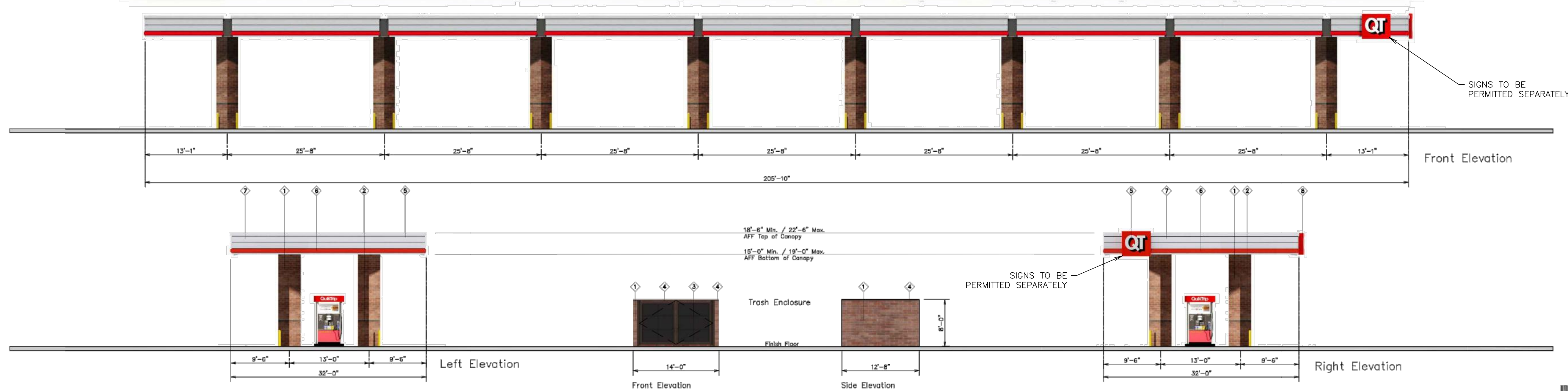
PROTOTYPE: F-87 (05/01/16)
DIVISION: CAROLINA
VERSION: 001
DESIGNED BY: WP/CG/JE
DRAWN BY: WP/CG/JE
REVIEWED BY: WP/CG/JE

REV	DATE	DESCRIPTION

ORIGINAL ISSUE DATE: 07/20/2016

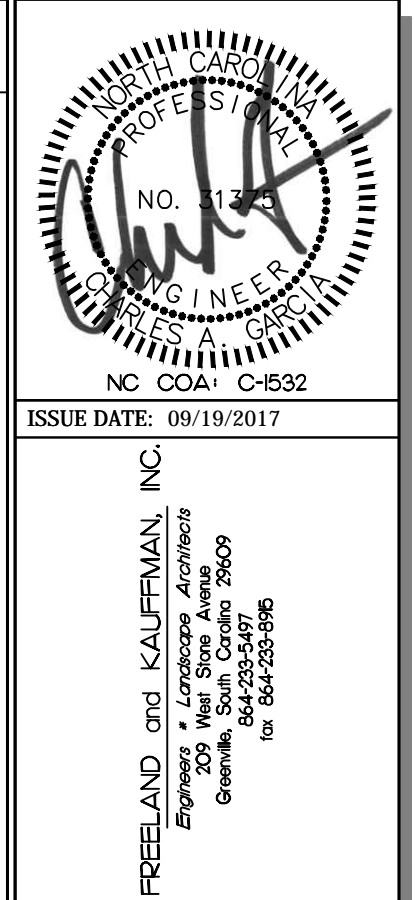
SHEET TITLE:
BUILDING ELEVATIONS
SHEET NUMBER:
RZ-4

FILE LOCATION: J:\Drawings\Projects\QuikTrip\1024 (Charlotte, NC)\cvt.dwg TAB NAME: Canopy Elevations USER: jefaney SAVED: 9/19/2017 5:19 PM PLOTTED: 9/19/2017 5:22 PM



Store #	1024	Vertical 8 Canopy Elevations		Address: Brookshire Blvd. & Hoskins Rd.		City, State: Charlotte, NC	
Serial #	81-1024-GV08	Scale:	NTS	Issue Date:	04.21.16	Drawn By:	JK
				Rev/Notes:		COPYRIGHT © 2011 QUIKTRIP CORPORATION. DESIGN PATENTS. QUIKTRIP PLANS ARE THE EXCLUSIVE PROPERTY OF QUIKTRIP CORPORATION, TULSA, OKLAHOMA. THESE PLANS ARE PROTECTED IN THEIR ENTIRETY BY DOMESTIC AND INTERNATIONAL COPYRIGHT AND PATENT STATUTES. ANY UNAUTHORIZED USE, REPRODUCTION, PUBLICATION, DISTRIBUTION OR SALE IN WHOLE OR IN PART, IS STRICTLY FORBIDDEN.	

Q	FINISH	MANUFACTURER	SPECIFICATION
1	Bronzestone	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
2	Midnight Black	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
3	Black	ALL-COURT FABRICS	POLYPROPYLENE MESH
4	Dark Bronze	LANE	METAL PAINT
5	Dark Bronze	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE
6	Red Polycarbonate	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE
7	Red Aluminum	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE
8	Dark Bronze	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE



QuikTrip No. 1024
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3701 ARCO CORPORATE DRIVE - SUITE 150 - CHARLOTTE, NC 28273

PROTOTYPE: F-87 (05/01/16)
DIVISION: CAROLINA
VERSION: 001
DESIGNED BY: WP/CG/JE
DRAWN BY: WP/CG/JE
REVIEWED BY: WP/CG/JE

REV	DATE	DESCRIPTION

SHEET TITLE:
GAS CANOPY ELEVATIONS
SHEET NUMBER:
RZ-5

RECEIVED

SEP 22 2017

BY:

2017-148

Petition #: _____

Date Filed: 9/22/17

Received By: BH

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Complete All Fields (Use additional pages if needed)

Property Owner: Eastgroup Properties, L.P.

Owner's Address: 2966 Commerce Park Drive, Suite 450 City, State, Zip: Orlando, FL 32819

Date Property Acquired: April 4, 2013

Property Address: 8350 Steele Creek Place Drive, 4725 Entrance Drive and 4630 Entrance Drive

Tax Parcel Number(s): Portion of 201-072-29

Current Land Use: Office, Distribution and Warehouse Size (Acres): +/- 3.96 acres

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

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

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

Date of meeting: September 5, 2017

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: To obtain an amendment to the approved conditional rezoning plan relating to Rezoning Petition No. 2013-021 to allow a revision to the orientation and layout of Building 5 and the elimination of a buffer due to a change in the zoning classification of an adjacent parcel of land.

John Carmichael (Robinson Bradshaw)

Name of Rezoning Agent

101 N. Tryon Street, Suite 1900

Agent's Address

Charlotte, NC 28246

City, State, Zip

704-377-8341

Telephone Number

Fax Number

jcarmichael@robinsonbradshaw.com

E-Mail Address

EASTGROUP PROPERTIES, L.P.

By: [Signature]

Signature of Property Owner

JOHN COLEMAN

(Name Typed / Printed)

Eastgroup Properties, L.P. (c/o John Coleman)

Name of Petitioner(s)

2966 Commerce Park Drive, Suite 450

Address of Petitioner(s)

Orlando, FL 32819

City, State, Zip

407-251-7075

Telephone Number

Fax Number

John.Coleman@eastgroup.net

E-Mail Address

EASTGROUP PROPERTIES, L.P.

By: [Signature]

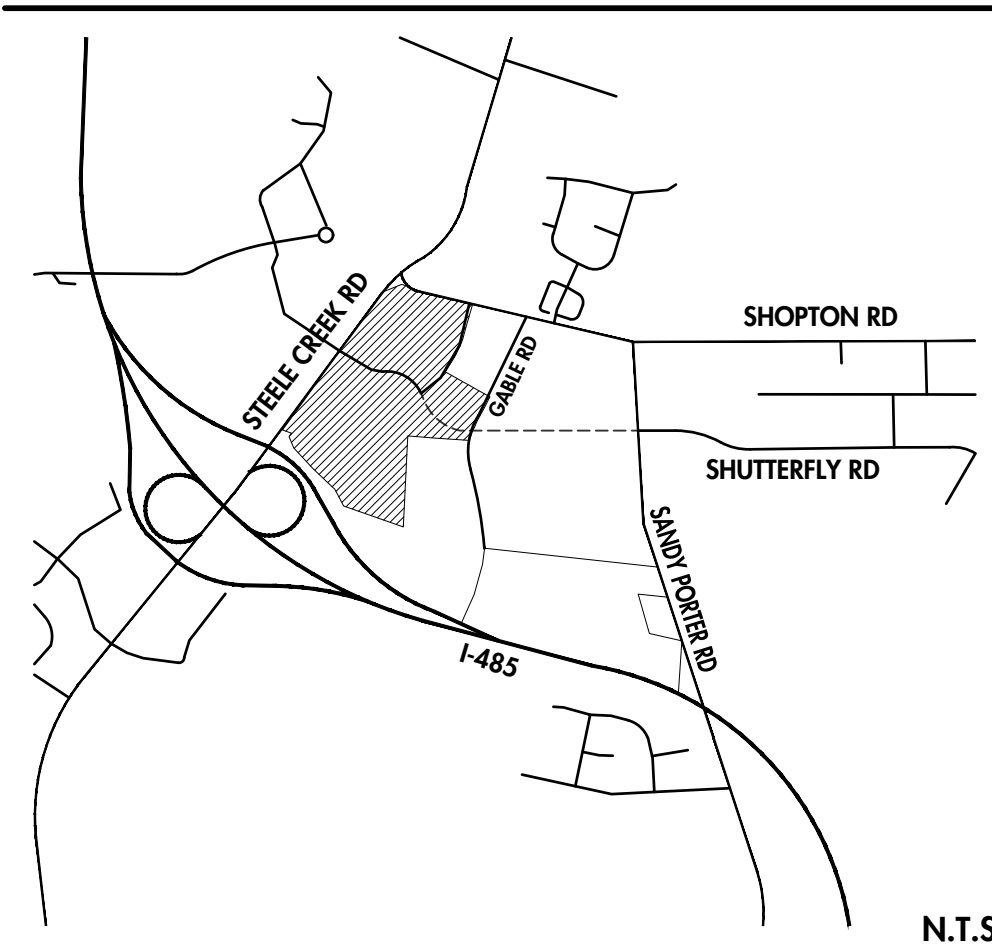
Signature of Petitioner

JOHN COLEMAN

(Name Typed / Printed)



VICINITY MAP



SITE DEVELOPMENT TABLE

PETITION NUMBER	2017-XXX
SITE ACREAGE	± 3.96 AC.
TAX PARCELS	201-072-29 (PORTION OF)
EXISTING ZONING	I-2(CD)
PROPOSED ZONING	I-2(CD) S.P.A.
EXISTING USE	OFFICE / DISTRIBUTION / WAREHOUSE
PROPOSED USE	OFFICE / DISTRIBUTION / WAREHOUSE
MAXIMUM GROSS SF OF DEV. THIS SITE MAY BE DEVELOPED TO ± 429,000 SF OF FLOOR AREA	
MAXIMUM BUILDING HEIGHT	NOT TO EXCEED 40 FEET
PARKING	AS REQUIRED BY THE ORDINANCE
OPEN SPACE	AS REQUIRED BY THE ORDINANCE

LEGEND

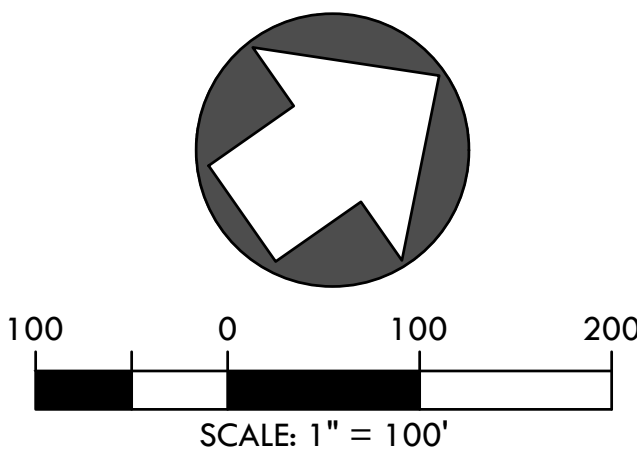
REZONING BOUNDARY

PETITIONER

EASTGROUP
PROPERTIES

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

DRAWING INFORMATION



SCCP PHASE I SITE PLAN AMENDMENT

ENTRANCE ROAD
CHARLOTTE, NORTH CAROLINA
EASTGROUP PROPERTIES, LLP

REZONING PLAN (PETITION #2017-XXX)

REVISIONS:

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

SHEET
RZ.01
SHEET 1 OF 2

OAK
ENGINEERING

828 EAST BOULEVARD, CHARLOTTE, NC 28203
P: 704.989.4046

DEVELOPMENT STANDARDS

September 25, 2017

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan (the “Rezoning Plan”) associated with the Rezoning Petition filed by Eastgroup Properties, L.P. (the “Petitioner”) to request an amendment to the approved Conditional Rezoning Plan relating to Rezoning Petition No. 2013-021 (the “Approved Plan”), which Approved Plan governs the use and development of an approximately 3.96 acre site located generally on the southeast corner of the intersection of Steele Creek Road and Shopton Road. The site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the “Site”).
- B. The Site was rezoned to the I-2 (CD) zoning district by the Charlotte City Council on March 18, 2013 pursuant to Rezoning Petition No. 2013-021 to accommodate the development of an office, warehouse and distribution park on the Site. The purposes of this site plan amendment are to accommodate a revision to the orientation and layout of that building designated as Building 5 on the Approved Plan and the elimination of a buffer adjacent to Building 5 due to a change in the zoning classification of an adjacent parcel of land.
- C. The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the “Ordinance”).
- D. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the I-2 zoning district shall govern all development taking place on the Site.
- E. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
- F. Future omendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. The Site may be devoted only to those uses permitted by right and under prescribed conditions in the I-1 zoning district that are also permitted in the I-2 zoning district, and any accessory uses related thereto.
- B. A maximum of 429,000 square feet of gross floor area may be developed on the Site.

3. TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation (“CDOT”) and/or the North Carolina Department of Transportation.
- B. The alignments of the internal drives to be located on the Site are subject to any minor modifications or alterations required during the construction permitting process.
- C. Subject to paragraph D below, Entrance Drive shall be extended to Gable Road using the local industrial street cross section.
- D. The extension of Entrance Drive to Gable Road will be constructed prior to the final certificate of occupancy being issued for the first of Building 4 or Building 5 along such extension. However, the extension of Entrance Drive to Gable Road shall not be connected to Gable Road unless and until Gable Road is improved from the Site to Shopton Road.
- E. Petitioner shall install a green strip and sidewalk along the east side of Entrance Drive matching the existing green strip and sidewalk on the west side of Entrance Drive.

4. ARCHITECTURAL STANDARDS

- A. The maximum height of any building constructed on the Site shall be 40 feet.

5. STREETScape/LANDSCAPING/BUFFERS

- A. Buffers shall be established on the Site as required by the Ordinance and as depicted on the Rezoning Plan, and such buffers shall conform to the standards of Section 12.302 of the Ordinance. Pursuant to the Ordinance, Petitioner may reduce the required width of any buffer by 25% by installing a berm that meets the standards of Section 12.302(8A) of the Ordinance.
- B. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas accordingly.

6. ENVIRONMENTAL FEATURES

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

7. LIGHTING

- A. All freestanding lighting fixtures installed on the Site (excluding street lights, lower, decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
- B. The maximum height of any freestanding lighting fixture installed on the Site shall be 31 feet.
- C. Any lighting fixtures attached to the buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

8. CONSTRUCTION ACTIVITIES

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

9. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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



SCCP PHASE I SITE PLAN AMENDMENT

ENTRANCE ROAD
CHARLOTTE, NORTH CAROLINA
EASTGROUP PROPERTIES, LLP

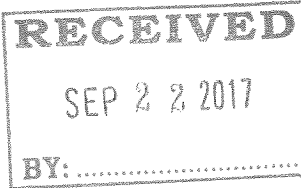
DEVELOPMENT STANDARDS (PETITION #2017-XXX)

REVISIONS:

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

SHEET
RZ.02
SHEET 2 OF 2

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2017-149
Date Filed: 9/22/2017
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: ABW CHARLOTTE, LLC.

Owner's Address: 210 MANOR LAKE WAY City, State, Zip: MILTON, GA 30004

Date Property Acquired: 2/2/2017

Property Address: 1700 & 1708 SOUTH BOULEVARD CHARLOTTE, NC

Tax Parcel Number(s): PID: 12306406 & 12306407

Current Land Use: OFFICE/AUTOMOTIVE SERVICE STATION Size (Acres): PID:12306406=0.261 ACRES
PID:12306407=0.268 ACRES 0.529 ac

Existing Zoning: PID:12306406 = TOD-M Proposed Zoning: TOD-M (O)
PID:12306407 = B-1

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

Required Rezoning Pre-Application Meeting* with: SOLOMON FORTUNE

Date of meeting: 07/26/2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: THE PROPOSED REZONING WILL ALLOW AN EXISTING, HISTORIC BUILDING TO BE ADAPTED AND REUSED AS AN EATING, DRINKING, AND ENTERTAINMENT ESTABLISHMENT AND ENABLE THE OWNER TO CONVERT A HIGHLY VISIBLE STREET-FRONT CORNER PARCEL INTO A VIBRANT OPEN SPACE RATHER THAN A SURFACE PARKING LOT.

COLLIN BROWN & BAILEY PATRICK, JR.
Name of Rezoning Agent
214 NORTH TRYON STREET
Agent's Address
CHARLOTTE, NC 28202
City, State, Zip
704-331-7400 N/A
Telephone Number Fax Number
COLLIN.BROWN@KLGATES.COM
BRITTANY.LINS@KLGATES.COM
E-Mail Address
[Signature]
Signature of Property Owner
CAREY FALCONE
(Name Typed / Printed)

ABW CHARLOTTE, LLC.
Name of Petitioner(s)
1708 South Boulevard
Address of Petitioner(s)
Charlotte, NC 28203
City, State, Zip
N/A N/A
Telephone Number Fax Number
CAREY@AMERICANBEERWORKS.COM
E-Mail Address
[Signature]
Signature of Petitioner
CAREY FALCONE
(Name Typed / Printed)

\\20170886.Dwg (JalShree) Rezoning 2017-09-12 - Rezoning Plan.dwg



P V E
Scale: 1" = 20'

1.) GENERAL PROVISIONS

- Future amendments to the conditional site plan development standards may be applied for by the then Owner of the parcel or parcels involved, in accordance with 6.207 of the Charlotte Zoning Ordinance.
- Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance.
- Alterations to the conditional plan are subject to Section 6.207 "Alterations to Approval".

2.) PERMITTED USES

- Any permitted uses as prescribed under TOD-M as outlined in the Code.

3.) OPTIONAL PROVISIONS

- Petitioner requests deviation from the standard provision of TOM-M standard 9.1208.6.a to allow parking as a typical TOD requirement.

4.) TRANSPORTATION

- The total number of ingress/egress points to the site from existing and proposed thoroughfares that abut the site shall be limited to the number shown on the Plan. The exact locations may vary from those depicted based upon final design and location requirements as regulated by CDOT and NCDOT.
- The Petitioner shall not be responsible for any signal improvements and/or modifications or signal pole relocations at the intersection of Kingston Avenue and South Boulevard.
- Any fence or wall constructed along or adjacent to any sidewalk or street right of way requires a certificate issued by CDOT.

- A Right of Way Encroachment Agreement is required for the installation of any non standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City maintained street right of way by a private individual, group, business or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to the construction/installation of the non-standard item(s). Contact CDOT for additional information concerning costs, submittal and liability insurance coverage requirements.

- Adequate sight triangles must be reserved at the proposed street entrances. Two 35'x35' and two 10'x70' sight triangles are required for the entrances to meet requirements. All proposed trees, berms, walls, fences, and/or identification signs must not interfere with sight distance at the entrances.

5.) ARCHITECTURAL STANDARDS

- The repurposing of the existing building shall utilize the existing building materials and facade as much as possible with the new design. The exterior materials of the building will be maintained and extended and the existing brick facade, curved roof, and other building architectural lines will remain the same as much as possible.
- The treatment of urban design and architectural elements such as fences, street walls, building entrances, canopies, and balconies will be designed in accordance with the South End Transit Station Area Plan.
- The selected materials and colors are designed to accentuate the natural tones of the site and to complement the surrounding landscape.

6.) STREETSCAPE AND LANDSCAPING

- All landscaping and screening requirements shall meet the standards set forth by the City of Charlotte Zoning Ordinance.
- The site is to be extensively landscaped with a goal of providing varying private areas with beautiful outdoor amenities that benefit both our customers and our neighbors. Please note that no outdoor amenities will be provided in tree save areas.
- Along Kingston Avenue an 8' wide sidewalk will abut the patio area. In between the 8' sidewalk and Kingston Avenue will be an 8' wide hardscape area designed per standards set forth in the City of Charlotte Zoning Ordinance.

7.) ENVIRONMENTAL FEATURES

- Development on the site shall comply with the City of Charlotte Post Construction Controls Ordinance (PCCO).
- 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.

8.) FIRE PROTECTION

- Fire protection shall meet the requirements set forth by the City of Charlotte Fire Department.

9.) SIGNAGE

- Any signs used for this site will be in compliance with standards set forth in the South End Transit Station Area Plan and City of Charlotte Zoning Ordinance.

10.) LIGHTING

- All freestanding lighting and all exterior lighting on buildings will be fully shielded and full cut-off type fixtures downwardly directed. No "wall-pak" type lighting will be used but attached decorative lighting fixtures such as sconces may be allowed. All outdoor lighting shall be located, screened or shielded in a manner as not to cause glare or impair the vision of motorists.

11.) PARKING

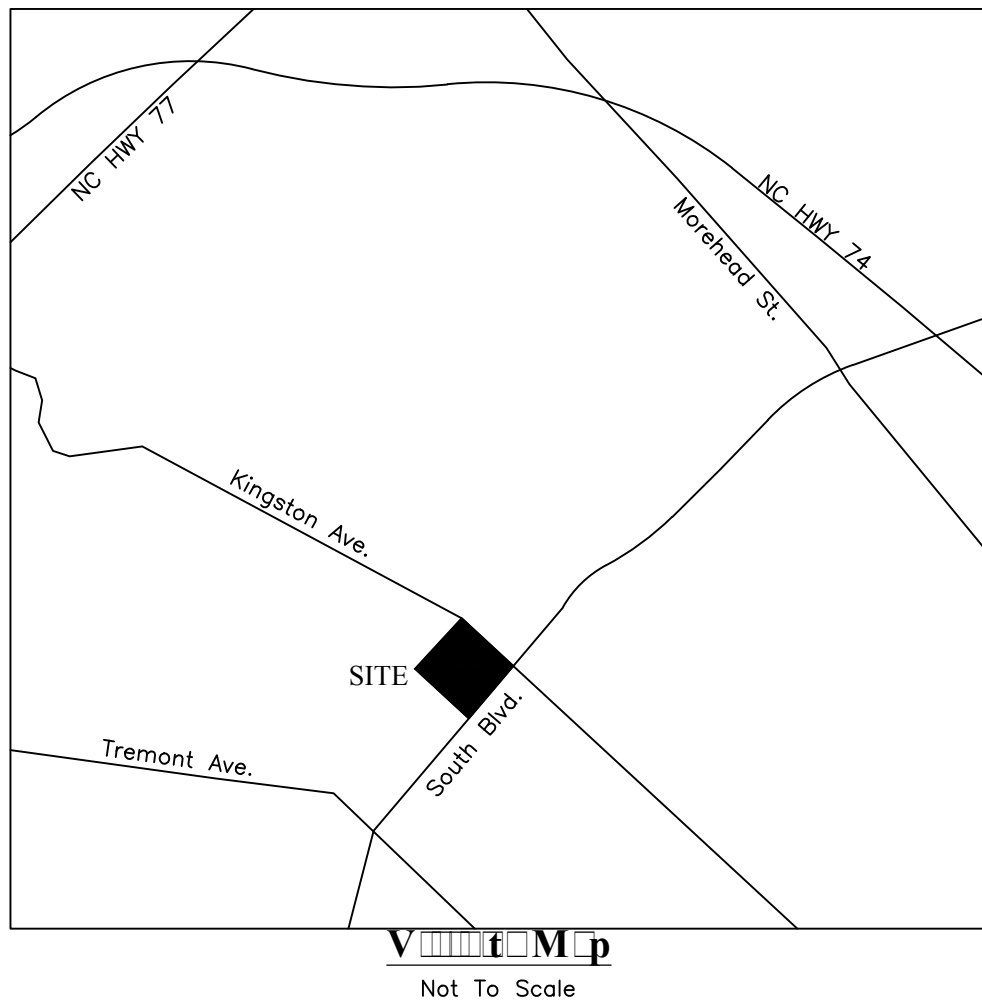
- Parking will generally conform to the layout shown on the plan but will not meet the requirement set forth by the City of Charlotte Zoning Ordinance for TOD-M due to residential zoned property being within 800'.

12.) SOLID WASTE MANAGEMENT PLAN

- The Petitioner shall submit to the Mecklenburg County Solid Waste Department a Solid Waster Management Plan prior to initiating demolition and/or construction activities. Any solid waste containers shall be screened on three sides by a fence, wall or planting materials from the public view from public streets and any abutting properties.

13.) PHASING

- This project will be completed in one phase to minimize disturbance to surrounding areas.



Development Data	
a.) Site Acreage:	PID: 123-06-406 = 0.261 Ac. PID: 123-06-407 = 0.268 Ac.
b.) Tax Parcels included in Rezoning:	PID: 123-06-406 PID: 123-06-407
c.) Existing Zoning:	PID: 123-06-406 = TOD-M PID: 123-06-407 = B-1
d.) Proposed Zoning:	PID: 123-06-406 = TOD-M-(O) PID: 123-06-407 = TOD-M-(O)
e.) Number of Residential Units by Housing Type:	PID: 123-06-406 = 0 PID: 123-06-407 = 0
f.) Residential Density:	N/A
g.) Square Footage of Non-Residential Uses by Type:	Type II Restaurant: 14,000 SF± Outdoor Patio Space: 10,700 SF±
h.) Maximum Building Height:	100'
i.) Maximum Number of Buildings	N/A
j.) Number of Parking Spaces:	5 Parallel Spaces 7 Angled Spaces 1 ADA Space

ABBREVIATIONS

PP	PARALLEL PARKING SPACE
ST	STANDARD PARKING SPACE
C	COMPACT PARKING SPACE
BC	BICYCLE PARKING SPACE
MC	MOTORCYCLE PARKING SPACE
AP	ANGLED PARKING SPACE
EX.	EXISTING
PROP.	PROPOSED
PID	PARCEL IDENTIFICATION NUMBER
SF	SQUARE FEET

PRELIMINARY
NOT TO BE USED FOR
CONSTRUCTION

PLAN SET DATE
SEPTEMBER 20, 2017

REVISIONS

MAKE	DATE	DESCRIPTION

REDLINE I DESIGN GROUP

CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA
SITE DEVELOPMENT
FOR
1708 SOUTH BOULEVARD CHARLOTTE, NC
REZONING PLAN



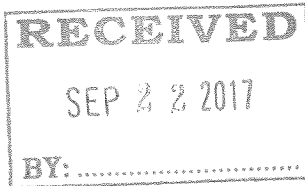
DATE
September 20, 2017

SCALE
1" = 20'

JOB NO.
2017.0886

SHEET
RZ 1.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-150

Petition #:	_____
Date Filed:	9/22/2017
Received By:	BH

Complete All Fields (Use additional pages if needed)

Property Owner: Brian K. Schneider, Robin Morrison & James Parker Lumpkin II

Owner's Address: See Attached Joinder Agreements City, State, Zip: See Attached Joinder Agreements

Date Property Acquired: #02912114 - 08/24/2001, #02912106 - 10/16/2009, #02912107 - 08/25/1986 & #02912108 - 02/13/2017

Property Address: See Attached Joinder Agreements

Tax Parcel Number(s): 02912114, 02912106, 02912107 & 02912108

Current Land Use: Vacant & Single Family Residential Size (Acres): +/- 20.6 Acres

Existing Zoning: R-3 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: 7/11/17

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate a master planned community with "for sale" single family attached dwelling units.

K&L Gates (Attn: Collin Brown)
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
Signature of Property Owner

(Name Typed / Printed)

Mattamy Homes (Attn: Bob Wiggins)
Name of Petitioner(s)
2025 Ayrsley Town Blvd.
Address of Petitioner(s)
Charlotte, NC., 28273
City, State, Zip
(704)-375-9373
Telephone Number Fax Number
Bob.Wiggins@mattamycorp.com
E-Mail Address
[Signature]
Signature of Petitioner
BOB WIGGINS
(Name Typed / Printed)

City of Charlotte – Conditional District Rezoning – UR2 (CD)

Tax Parcel ID: 02912106, 02912107

Deed Book 25153, Page 581

Deed Book 05307, Page 423

Petitioner Joinder Agreement

The undersigned, as the owner of the parcel of land located on 1500 Galloway Rd. in Charlotte, North Carolina that is designated as Parcel Identification Number 02912106 & 02912107 on the Mecklenburg County Tax Map and which is 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 parcel referenced above.

This 14th day of September 2017
(day) (month)

By: Robin G. Morrison
(Owner Signature)

SIGN HERE

Robin Morrison
1500 Galloway Road
Charlotte, NC 28262

North Carolina

County of Lincoln

Robin G. Morrison, appearing before the undersigned
Name of Property Owner (printed)

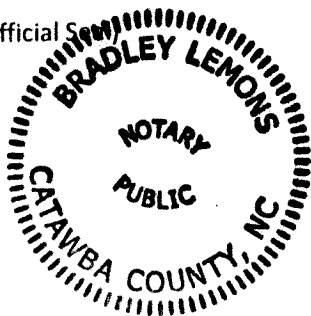
Notary and being duly sworn, says that:

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 14th day of September, 2017.

(Official S



Bradley Lemons
Official Signature of Notary

SIGN HERE

Bradley Lemons, Notary Public
Notary's Name (printed)

My commission expires: 6/25/2022

City of Charlotte – Conditional District Rezoning – UR2 (CD)

Tax Parcel ID: 02912108

Deed Book 31563, Page 786

Petitioner Joinder Agreement

The undersigned, as the owner of the parcel of land located on 1400 Galloway Rd. in Charlotte, North Carolina that is designated as Parcel Identification Number 02912108 on the Mecklenburg County Tax Map and which is 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 parcel referenced above.

This 14th day of SEPTEMBER 2017
(day) (month)

By: 
(Owner Signature)

SIGNATURE

James Parker Lumpkin II
109 North Main St., P.O. Box 505
Louisburg, NC. 27549

North Carolina
County of Franklin

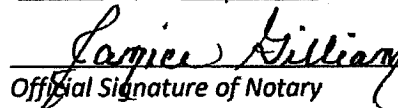
James Parker Lumpkin, II, appearing before the undersigned
Name of Property Owner (printed)

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 14th day of September 2017.

(Official Seal)


Official Signature of Notary

SIGNATURE

Janice Gilliam, Notary Public
Notary's Name (printed)

My commission expires: 09-30-2020



City of Charlotte – Conditional District Rezoning – UR2 (CD)

Tax Parcel ID: 02912114

Deed Book 12589, Page 140

Petitioner Joinder Agreement

The undersigned, as the owner of the parcel of land located on 1421 Garrison Rd. in Charlotte, North Carolina that is designated as Parcel Identification Number **02912114** on the Mecklenburg County Tax Map and which is 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 parcel referenced above.

This 21st day of Sept 2017
(day) (month)

By: Brian K. Schneider
(Owner Signature)

Brian K. Schneider
220 Queens Cove Road
Mooresville, NC. 28117

North Carolina
County of Iredell

Brian K. Schneider, appearing before the undersigned
Name of Property Owner (printed)

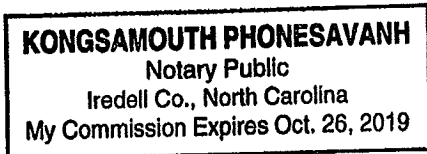
Notary and being duly sworn, says that:

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 21st day of Sept 2017.

(Official Seal)



Kongsamouth Phonesavanh
Official Signature of Notary

Kongsamouth Phonesavanh Notary Public
Notary's Name (printed)

My commission expires: October 26, 2019

Galloway Road Site
Conditional District Rezoning - Petition # 2017-150

Located In:
City of Charlotte / Mecklenburg County, North Carolina

INDEX OF SHEETS

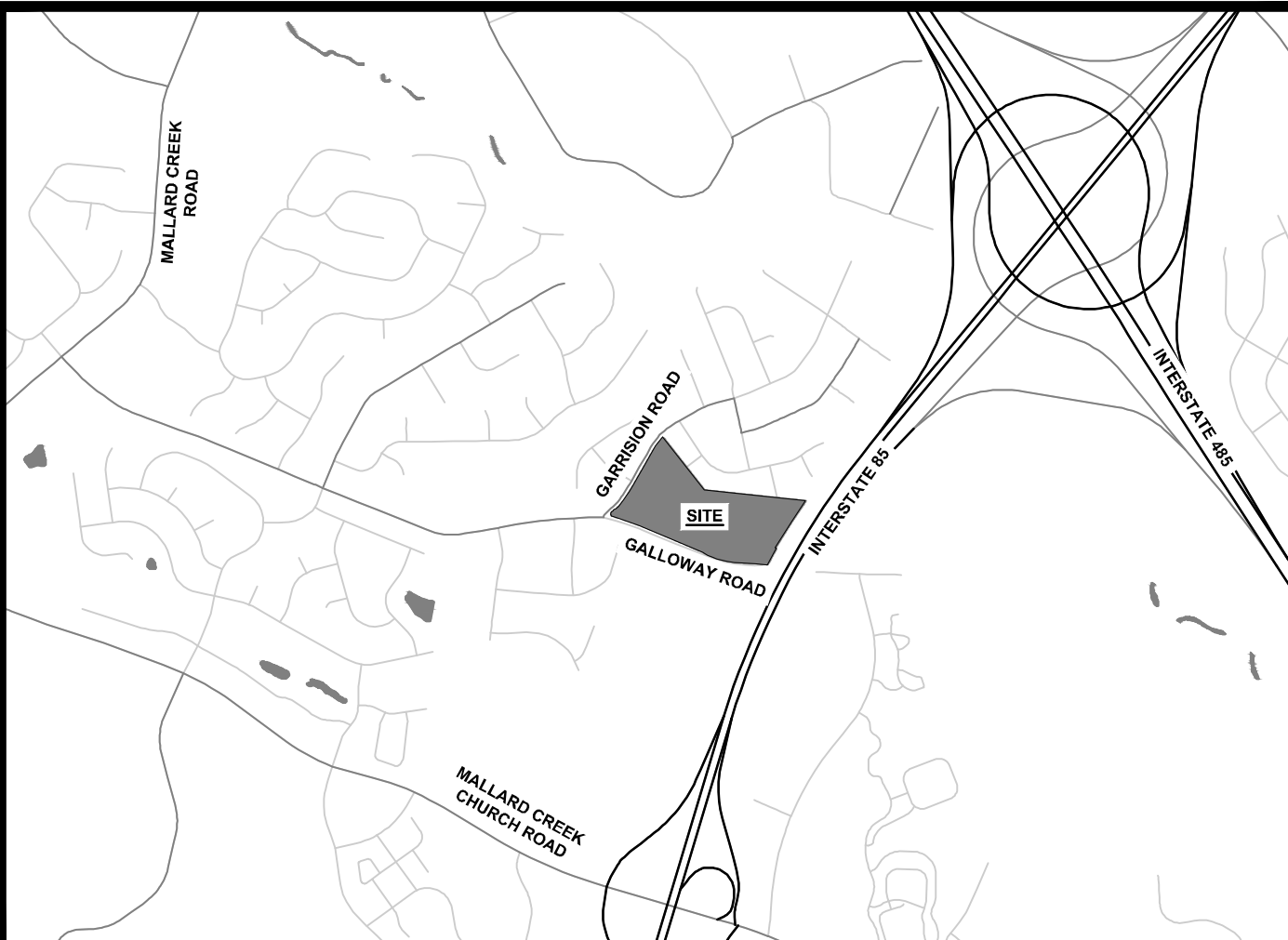
Sheet Number	Sheet Title	Original Date	Revised Date
1 OF 5	CONDITIONAL DISTRICT REZONING - UR2 (CD) CONCEPTUAL SITE PLAN	9/22/17	
2 OF 5	CONDITIONAL DISTRICT REZONING - UR2 (CD) TECHNICAL DATA SHEET	9/22/17	
3 OF 5	CONDITIONAL DISTRICT REZONING - UR2 (CD) MASTER PLAN	9/22/17	
4 OF 5	CONDITIONAL DISTRICT REZONING - UR2 (CD) CONCEPTUAL MASTER PLAN	9/22/17	
5 OF 5	CONDITIONAL DISTRICT REZONING - UR-2(CD) ARCHITECTURAL ELEVATION	9/22/17	

Property Owners

PID:	Owner:	Zoning
02912114	BRIAN K SCHNEIDER & ELLEN BEAVER SCHNEIDER	R-3
02912106	ROBERT H & CARLENE G GARRISON	R-3
02912107	ROBERT H & CARLENE G GARRISON	R-3
02912106	JAMES PARKER II & LYNDA CASANOVA LUMPKIN TRUST BRENDA R HUNTER WEST P. JR HUNTER WILLIE LEE III & SALLY D STROLLO LUMPKIN TRUST	R-3

Adjacent Property Owners

	PID	Owner Name	Address	City	State	Zipcode	Zoning
1	02902133	SELBURN CREEK LLC	1401 GALLOWAY ROAD	CHARLOTTE	NC	28262	R-3
2	02902126	JILL H GARRISON	1401 GALLOWAY ROAD	CHARLOTTE	NC	28262	R-3
3	02902124	TIMOTHY L DANIEL & LINDA GARRISON	1427 GALLOWAY RD	CHARLOTTE	NC	28262	R-3
4	02902132	ROBERT ALAN GARRISON & TERESA A GARRISON	1501 GALLOWAY RD	CHARLOTTE	NC	28262	R-3
5	02902313	SEAN MICHAEL JR HIGGINS & SUMEI ZHAO	1659 SANDRIDGE WIND LN	CHARLOTTE	NC	28262	R-3
6	02902312	AYMAN M MIHIAR	1658 SANDRIDGE WIND LN	CHARLOTTE	NC	28262	R-3
7	02902301	LARRY STEVEN BUFF & GAIL M BUFF	1635 GALLOWAY DR	CHARLOTTE	NC	28262	R-3
8	02912199	MATTHEW W PARROW	1524 GARRISON RD	CHARLOTTE	NC	28262	R-3
9	02912121	STEVE THOMAS, JOAN FRANCIS THOMAS & TERRENCE M HANNEY	1524 GARRISON RD	CHARLOTTE	NC	28262	R-3
10	02912301	MECKLENBURG INC FOUNTAINGROVE HOMEOWNERS OF	PO BOX 79032	CHARLOTTE	NC	28271	R-3
11	02912201	MECKLENBURG INC FOUNTAINGROVE HOMEOWNERS OF	PO BOX 79032	CHARLOTTE	NC	28271	R-3
12	02912213	FOUNTAINGROVE HOMEOWNERS INC	PO BOX 79032	CHARLOTTE	NC	28271	R-3
13	02912935	CHARLOTTE INC MAPLEWOOD HOMEOWNERS ASSOC OF	5200 77 CENTER DR, SUITE 41	CHARLOTTE	NC	28217	R-4(CD)
14	02912934	VALENCIA TERRY & LLOYD D TERRY	1253 JADE GLEN DR	CHARLOTTE	NC	28262	R-4(CD)
15	02912933	ROBYN LAWRENCE	1249 JADE GLEN DRIVE	CHARLOTTE	NC	28262	R-4(CD)
16	02612932	GARY B FRAZIER & BRENDA J FRAZIER	1245 JADE GLEN DR	CHARLOTTE	NC	28262	R-4(CD)
17	02912931	JAMAL GIPSON & FARRAH DAYE	1241 JADE GLEN DR	CHARLOTTE	NC	28262	R-4(CD)
18	02912930	ISAM SAIFEDAWALLA	1233 JADE GLEN DR	CHARLOTTE	NC	28262	R-4(CD)
19	02912929	MELODY GENTRY	1229 JADE GLEN DR	CHARLOTTE	NC	28262	R-4(CD)
20	02912928	CSH 2016-1 BORROWER LLC	8665 EAST HARTFORD DR, STE 200	SCOTTSDALE	AZ	85255	R-4(CD)
21	02912927	AMH NC PROPERTIES LP	30601 AGOURA RD, STE 200	AGOURA HILLS	CA	91301	R-4(CD)
22	02912926	FREDERICK L WALKER & ELAINE M WALKER	1217 JADE GLEN DR	CHARLOTTE	NC	28262	R-4(CD)
23	02912925	JOSHUA B HIGH	1211 JADE GLEN DR	CHARLOTTE	NC	28262	R-4(CD)
24	02912924	CHARLES L CHAMBERS	14136 LISSADELL CIRCLE	CHARLOTTE	NC	28277	R-4(CD)
25	02912923	PROGRESS RESIDENTIAL 2015 -1 BORROWER LLC	PO BOX 4090	SCOTTSDALE	AZ	85261	R-4(CD)
26	02912920	ALI D WEHBI & FRANCE A WEHBI	1435 SOUTHERN SUGAR DR	CHARLOTTE	NC	28262	R-4(CD)
27	02912960	DEBRA GORIS	1432 SOUTHERN SUGAR DRIVE	CHARLOTTE	NC	28262	R-4(CD)
28	02912953	ROBERT CASTLE	11105 AMUR COURT	CHARLOTTE	NC	28262	R-4(CD)



Vicinity Map
Not to Scale



Site Data

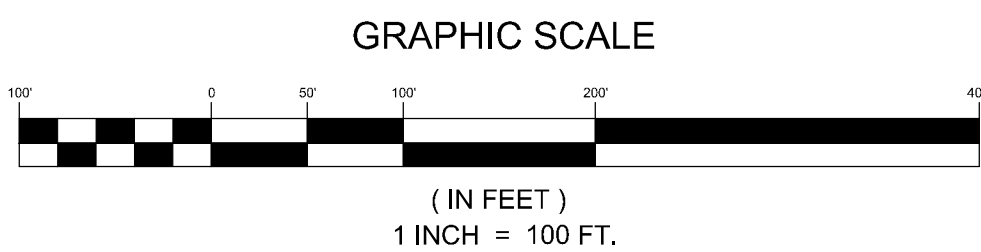
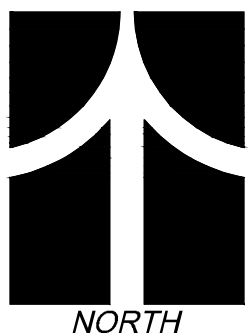
Tax Parcels:	02912114, 02912107, 02912106 & 02912108
Total Acreage:	+/- 20.6 Acres (Per GIS)
Location:	City of Charlotte, North Carolina
Existing Zoning:	R-3
Proposed Zoning:	UR2 (CD)
Existing Use:	Vacant
Proposed Use:	Single Family Residential (Attached)
Permitted # of Units:	Up to 150 For-Sale Townhome Units
Proposed Density:	+/- 7.3 DU/AC
Maximum Building Height:	Maximum three (3) stories and not to exceed 45 feet. Building height will be measured as defined by the ordinance.
Parking:	Minimum of 2.0 Parking Spaces per unit Maximum of 3.0 Parking Spaces per unit
Private Open Space:	Minimum of 400 SF per Unit x 150 Units
Floor Area Ratio:	1.0
Tree Save:	
Required:	+/- 3.09 Acres (15%)
Provided:	+/- 3.10 Acres (15% Minimum)

General Notes

- Base information obtained from Mecklenburg County GIS

Legend

	Residential Development Area - Building & Parking Envelope
	71' Public Street (Local Residential ROW)
	56' Public Street (Local Residential ROW)
	Private Street (30' Clear Zone)
	Proposed Access Location
	Proposed Stub Location
	Proposed Buffer

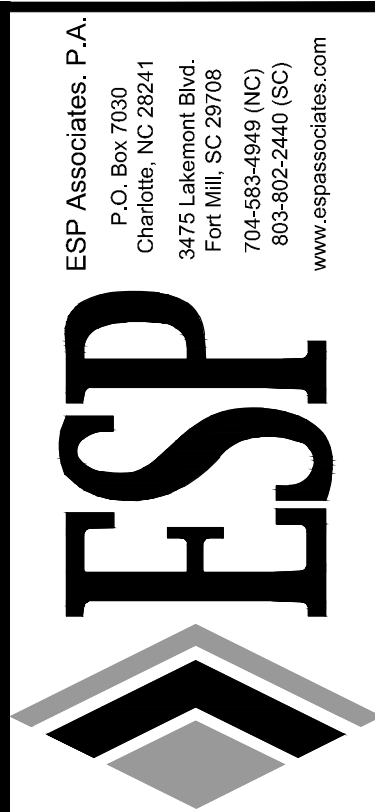


CONDITIONAL DISTRICT REZONING - UR2 (CD)
CONCEPTUAL SITE PLAN - PETITION # 2017-150

GALLOWAY ROAD SITE

MATTAMY HOMES CITY OF CHARLOTTE, NC

PROJECT INFORMATION	
PROJECT MANAGER:	MM
DESIGNED BY:	AB
DRAWN BY:	AH
PROJECT NUMBER:	FR22.100
ORIGINAL DATE:	9/22/17
SHEET:	1 OF 5



Galloway Road Site - Petition #2017-150
Conditional District Rezoning - Development Standards

I. General Provisions

- 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 20.6 acre site located on the north-east side of the intersection Galloway Road and Garrison Road, more particularly depicted on the Rezoning Plan (the “Site”). The Site is comprised of Tax Parcel Numbers 029-121-14, 029-121-07, 029-121-06 and 029-121-08.
- 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 UR-2 zoning district shall govern the development and use of the Site.
- 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.
- 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 150 townhome units and any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district.

III. Transportation

- 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.
- 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.
- 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.
- 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.
 - 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

- 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.
- Prohibited Exterior Building Materials:
 - Vinyl siding (but not vinyl hand rails, windows or door trim); and
 - Concrete Masonry Units not architecturally finished.

V. Streetscape and Landscaping

- 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 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.
- 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.
- 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.”
- 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.
- 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

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

VII. Lighting

- 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.
- The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed twenty-one (21) feet.
- 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.

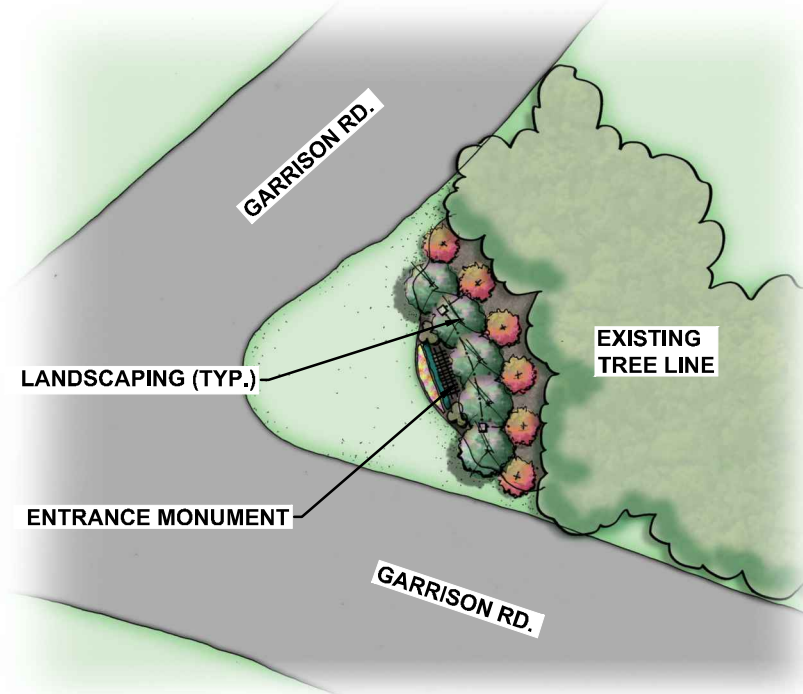
Open Space Locations and Concepts

Not to Scale

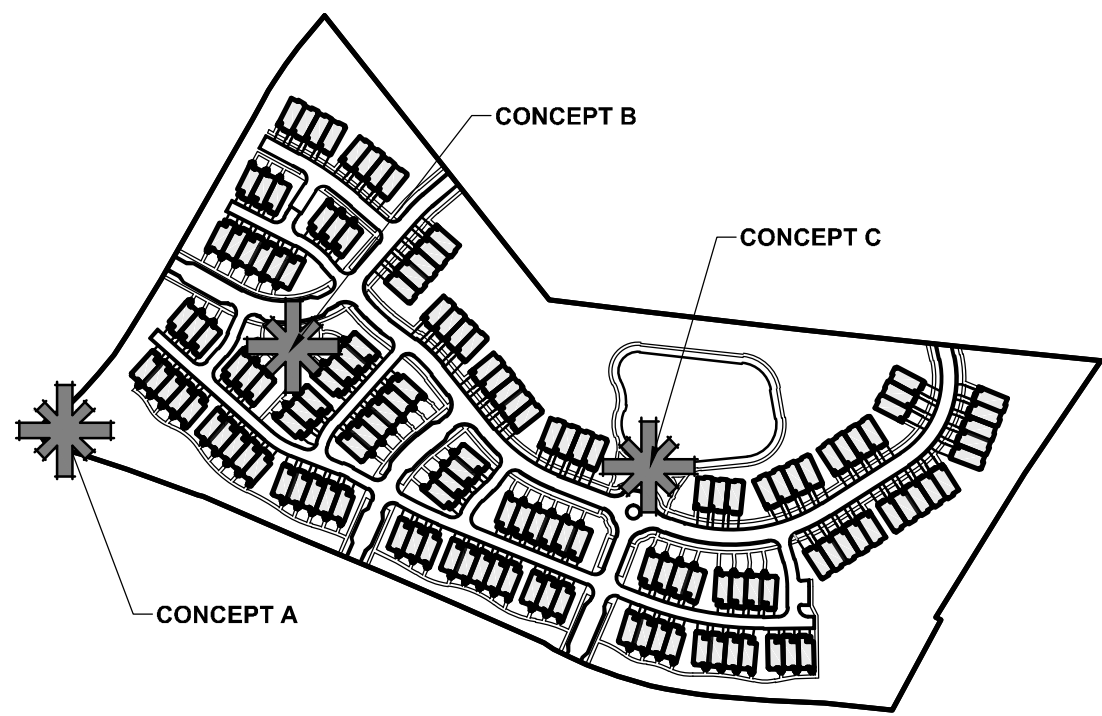


Concept A

Entrance Monument Concept

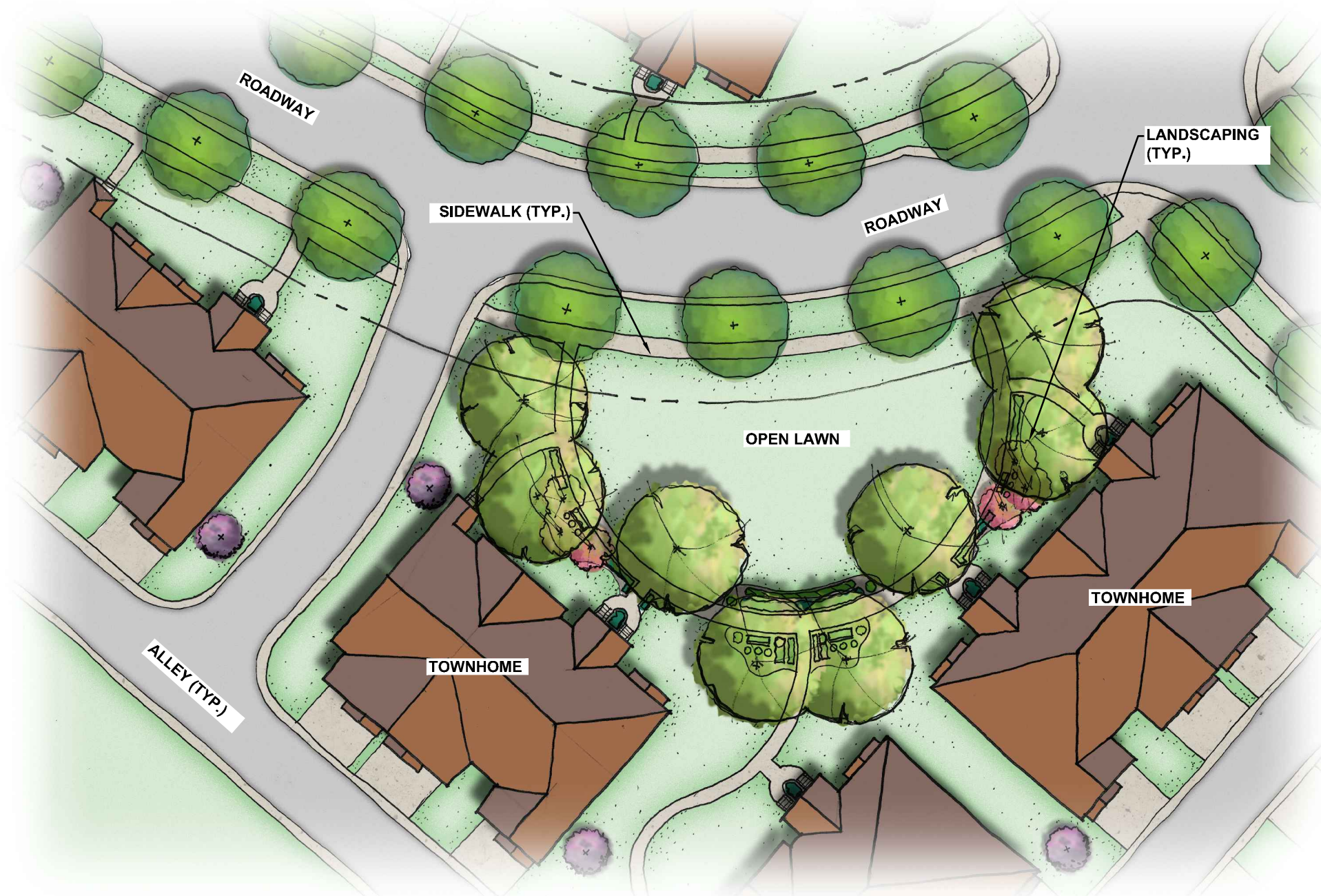


Location Map



Concept B

Pocket Park Concept



Concept C

Pocket Park at Pond Concept



ESP Associates, P.A.
P.O. Box 7030
Charlotte, NC 28241
3475 Lakemont Blvd.
Fort Mill, SC 29708
704-583-4946 (NC)
803-802-2440 (SC)
www.espasociates.com

ESP

NO.	DATE	REVISION	BY

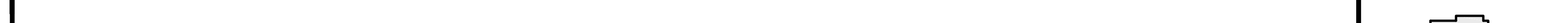
CONDITIONAL DISTRICT REZONING - UR2 (CD)
TECHNICAL DATA SHEET - PETITION # 2017-150

GALLOWAY ROAD SITE
MATTAMY HOMES
CITY OF CHARLOTTE, NC

PROJECT INFORMATION	
PROJECT MANAGER:	MM
DESIGNED BY:	AB
DRAWN BY:	AH
PROJECT NUMBER:	FR22.100
ORIGINAL DATE:	9/22/17
SHEET:	

2 OF 5

Not to Scale

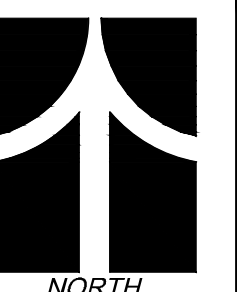
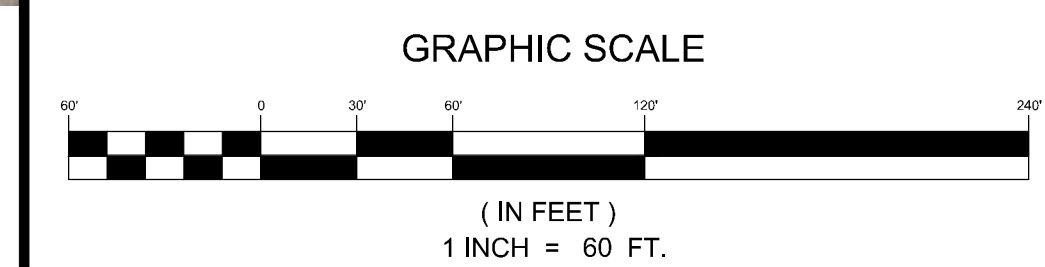
[illegible]

Not to Scale



Not to Scale

Conceptual Master Plan



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.

Diagram illustrating the side elevation of a building and its setbacks from the curb and sidewalk. The building features a gabled roof and a stone-textured section. A car is parked in a "COVERED DRIVEWAY". A dashed line indicates a "20' MINIMUM SETBACK FROM BACK OF CURB TO FACE OF UNIT". Landscaping elements include a tree, a person, and a car on the street. Dimensions at the bottom specify: 20' DRIVEWAY FROM BACK OF SIDEWALK, 5' SIDEWALK, 5' PLANTING STRIP (PRIVATE), 5' PLANTING STRIP (PUBLIC), and PUBLIC/PRIVATE STREET.

Architectural elevation drawing of a building facade. The drawing includes the following labels and dimensions:

- 14' MINIMUM SETBACK FROM BACK OF CURB TO FACE OF UNIT (PRIVATE)**
- 20' MINIMUM SETBACK FROM BACK OF CURB TO FACE OF UNIT (PUBLIC)**
- COVERED BALCONY**
- COVERED DRIVEWAY**
- 3' ENCROACHMENT INTO "TRANSITION ZONE"**
- 5' PLANTING STRIP (PRIVATE)**
- 5' PLANTING STRIP (PUBLIC)**
- 9' SIDEWALK**
- 20' DRIVEWAY FROM BACK OF CURB**
- 10' ALLEY**

ESP Associates, P.A.
P.O. Box 7030
Charlotte, NC 28241
3475 Lakemont Blvd.
Fort Mill, SC 29708
704-563-4949 (NC)
803-802-2440 (SC)
www.espassociates.com

[illegible]

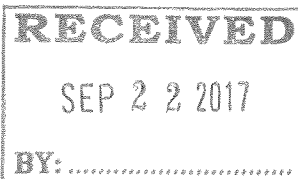
CONDITIONAL DISTRICT REZONING - UR-2(CD)
ARCHITECTURAL ELEVATION - PETITION # 2017-150

GALLOWAY ROAD SITE

PROJECT INFORMATION	
PROJECT MANAGER:	MM
SIGNED BY:	AB
DRAWN BY:	AH
PROJECT NUMBER:	FR22.100
ORIGINAL DATE:	9/22/17

5 OF 5

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-151

Petition #:	
Date Filed:	9/22/2017
Received By:	BH

Property Owners: The Proverbs 31 Ministry Inc.

Owner's Addresses: 630 Team Road, Ste. 100, Matthews, NC 28105

Date Properties
Acquired: 04/07/2016

Property Addresses: Northwest intersection of Nolley Ct and Galleria Boulevard, Charlotte, NC 28270

Tax Parcel Numbers: 213-221-74

Current Land Use: vacant (Acres): ± 3.69

Existing Zoning: NS Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: Mandy Vari

Date of meeting: 08/10/2017

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: To allow the construction of a senior living facility.

Bridget Grant, Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

704.331.2379 (BG) 704-378-1973(BG)

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

Telephone Number Fax Number

bridgetgrant@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENT A

Signature of Property Owner

The Housing Partnership (Attn: Julie Porter)

Name of Petitioner

4601 Charlotte Park Drive, Ste. 350

Address of Petitioner

Charlotte, NC 28217

City, State, Zip

704.342.0933

Telephone Number

704.342.2745

Fax Number

fdodson@cmhp.org

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

ATTACHMENT A

**REZONING PETITION NO. [2017-____]
The Housing Partnership**

**OWNER JOINDER AGREEMENT
The Proverbs 31 Ministry Inc.**

The undersigned, as the owner of the parcel of land located at the northwest intersection of Nolley Court and Galleria Boulevard that is designated as Tax Parcel No. 213-221-74 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Application and consents to the change in zoning for the parcel from NS zoning district to the MUDD-O 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 21 day of September, 2017.

The Proverbs 31 Ministry Inc.

By: Barbara Spencer
Name: Barbara Spencer
Its: Exec. Dir. of Finance & Operations

ATTACHMENT B

REZONING PETITION NO. [2017-]
The Housing Partnership

Petitioner:

The Housing Partnership

By: 

Name: Julie A. Porter

Title: President

a) **Site Location.** These Development Standards form a part of the rezoning plan associated with the Rezoning Petition ("the Rezoning Plan") filed by The Housing Partnership (the "Petitioner") to accommodate development of age restricted multi-family residential dwelling units on an approximately 3.69 acre site located at the intersection of Nolley Court and Galleria Boulevard (the "Site").

b) **Zoning District/Ordinance.** Development of the Site will be governed by the accompanying 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 MUDD Zoning District shall govern all development taking place on the Site, subject to the Optional Provisions below.

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

- i. expressly permitted by the Rezoning Plan (It is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or,
- ii. minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
- iii. modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the external setbacks, side or rear yards) indicated on Sheet RZ-01; or
- iv. modifications to allow minor increases or decreases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

d) **Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site will be limited to 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).

The following MUDD-O (Optional) Provisions apply

[b] To allow a one detached ground mounted sign per street front, each with a maximum height of five (5) feet and a maximum face area of fifty (50) square feet.]

III. Permitted Uses

residents of at least 55 years of age.

V Architectural and Streetscape Standards

d) Designated exterior building materials: All principal and accessory buildings abutting an existing public street shall be comprised of a minimum of 10% of that building's entire façade facing such public street using brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.

b) Prohibited Exterior Building Materials.

1. Vinyl siding (but not vinyl hand rails, windows or door trim); and
2. Concrete masonry units not architecturally finished.

c) **Development/Site Elements Placement.** Building placement and Site Element placement shall focus on and enhance the pedestrian environment through the following:

1. Buildings shall front on Nolley Court (exclusive of driveways, pedestrian access points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities). All other streets containing less than 50% building frontage will be adequately screened with a mixture of walls and landscaping.
2. Parking lots shall not be located between any building and Nolley Court. Parking lots on any other network required public street will be adequately screened from view at grade with a mixture of walls and landscaping.

d) **Building Massing Treatment.** Building massing and height shall be designed to break up long monolithic building forms as follows:

1. Buildings shall include modulations of the building massing/façade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of 2 feet extending through at least a full floor.

e) **Architectural Elevation Design.** Elevations shall be designed to create visual interest as follows:

1. Building elevations shall be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
2. Buildings shall be designed with a recognizable architectural base on all facades facing public streets. Such base may be executed through use of Designated Exterior Building Materials or articulated architectural façade features and color changes.

3. Building elevations facing public streets shall not have expanses of blank walls greater than [100] feet and architectural features such as (but not limited to) banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

f) **Roof Form and Articulation.** Roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:

1. Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers or parapets.
2. For pitched roofs, the minimum pitch shall be 4:12 excluding buildings with a flat roof and parapet walls.
3. Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.

g) **Service Area Screening.** Service areas such as dumpsters, refuse areas, recycling and storage shall be screened from view with materials and design to be compatible with principal structures. Such design shall include a minimum 10% Designated Exterior Building Materials

i) **Streetscape on Nolley Court.** Petitioner shall provide a six (6) foot wide sidewalk and eight (8) foot wide planting strip along the Site's Nolley Court frontage.

Petitioner shall satisfy the requirements of the Post Construction Controls Ordinance and City of Charlotte Tree Ordinance.

a) **Cuff-off Fixtures.** All parking area lighting fixtures will be shielded with full cut-off fixtures.

b) **Pedestrian Scale.** Pedestrian scale lighting will be provided within the site. The maximum height for Freestanding lighting including its base will not exceed twenty-six (26) feet.

The Petitioner shall limit the number of signs to one per street frontage. Signage shall comply with Ordinance standards subject to Optional Provisions set forth above.

Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of a particular parcel 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.

Site Development Data:

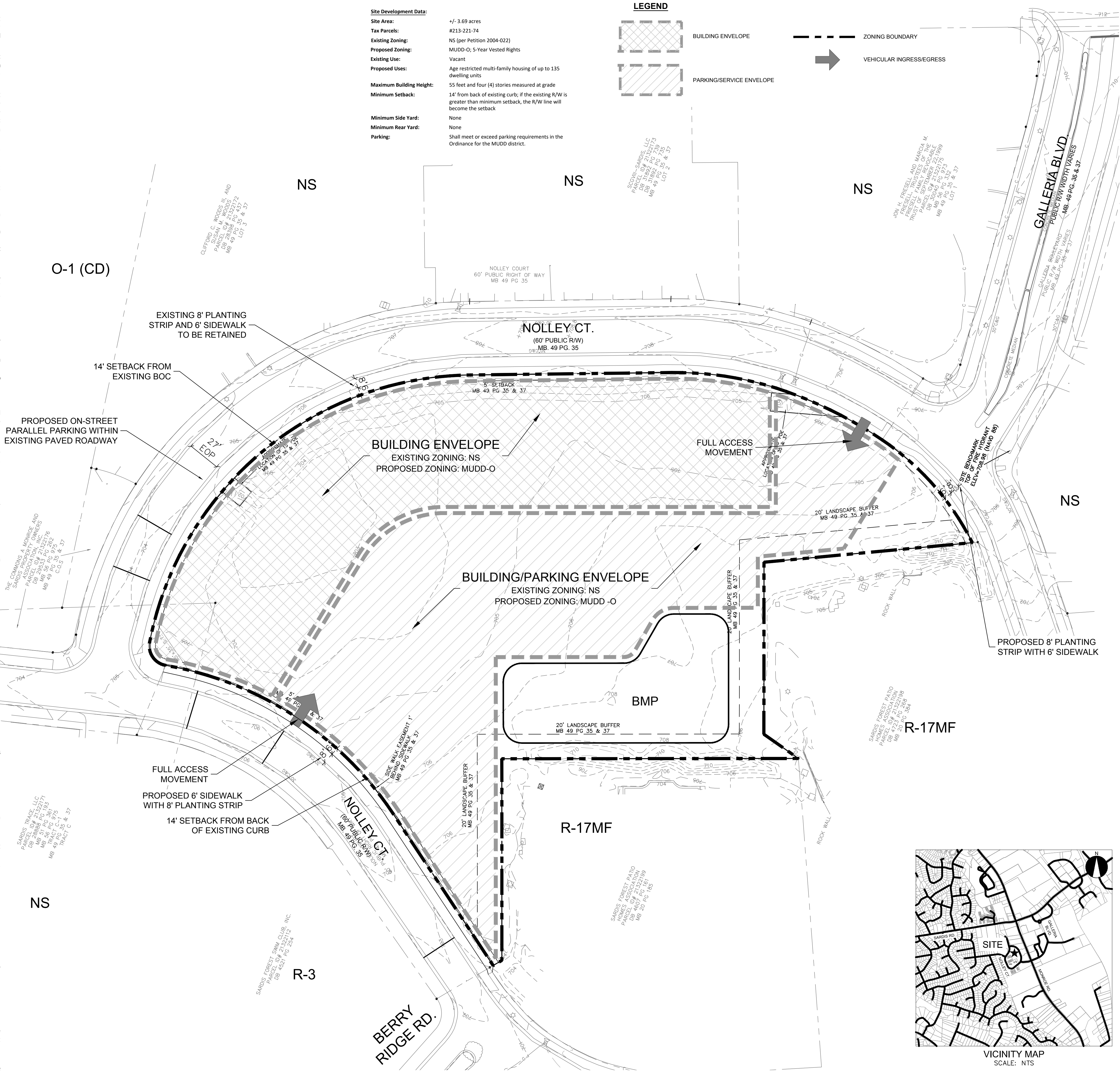
Site Area:	±/ - 3.69 acres
Tax Parcels:	#213-221-74
Existing Zoning:	NS (per Petition 2004-022)
Proposed Zoning:	MUDD-O, 5-year Vested Rights
Existing Use:	Vacant
Proposed Uses:	Age restricted multi-family housing of up to 135 dwelling units
Maximum Building Height:	55 feet and four (4) stories measured at grade
Minimum Setback:	14' from back of existing curb; if the existing R/W is greater than minimum setback, the R/W line will become the setback
Minimum Side Yard:	None
Minimum Rear Yard:	None
Parking:	Shall meet or exceed parking requirements in the Ordinance for the MUDD district.

BUILDING ENVELOPE

PARKING/SERVICE ENVELOPE

■ ZONING BOUNDARY

VEHICULAR INGRESS/EGRESS



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

PETITION 2017-XXX

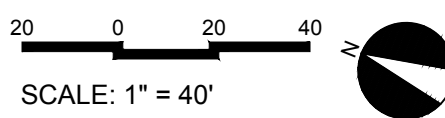
NOLLEY CT SENIOR HOUSING

CHARLOTTE, NORTH CAROLINA

THE HOUSING PARTNERSHIP
CHARLOTTE, NORTH CAROLINA

CHARLOTTE, NORTH CAROLINA

TECHNICAL DATA SHEET

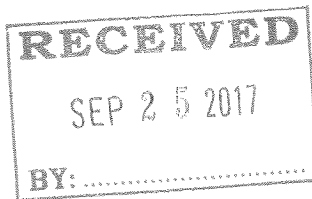


PROJECT: 700-002
DRAWN BY: BMS
CHECKED BY: BS

SEPTEMBER 22, 2017

REVISIONS:

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-152

Petition #: _____
Date Filed: 9/25/2017
Received By: RL

Complete All Fields (Use additional pages if needed)

Property Owner: Lockard Midland Square, L.L.C., Midland Tower Properties, L.L.C. and Lockard Development, Inc., as tenants in common

Owner's Address: 4501 Prairie Parkway City, State, Zip: Cedar Falls, Iowa 50613

Date Property Acquired: March 9, 2016

Property Address: 5336 Docia Crossing Road, Charlotte, North Carolina 28269

Tax Parcel Number(s): 029-32-134

Current Land Use: Retail Shopping Center

Size (Acres): 8.914+- Acres

Existing Zoning: NS

Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: Alberto Gonzalez

Date of meeting: August 9, 2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate uses allowed in MUDD zoning designation

Bryan P. Durrett

Name of Rezoning Agent

6000 Fairview Road, Suite 1200

Agent's Address

Charlotte, North Carolina 28210

City, State, Zip

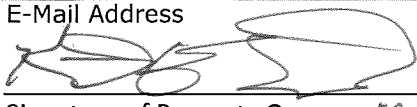
(704) 724-7464

Telephone Number

Fax Number

Bryan.durrett@fisherbroyles.com

E-Mail Address



Signature of Property Owner

manager

Kenneth Lockard

(Name Typed / Printed)

Lockard Development Inc.

Name of Petitioner(s)

Same as property owner

Address of Petitioner(s)

City, State, Zip

Telephone Number

Fax Number

dustinw@lockardonline.com; jackj@lockardonline.com

E-Mail Address

Same as owner

Signature of Petitioner

(Name Typed / Printed)



Site Acreage:	0.7- 8.914 AC.
Existing Building Site:	0.7- 47.625 sq. ft.
Tax Parcel:	029-321-34
Existing Zoning:	NS
Proposed Zoning:	MUDD-O
Existing Uses:	RETAIL, RESTAURANT, NEIGHBORHOOD GROCERY SERVICE
Proposed Uses:	RETAIL, RESTAURANT, RESTAURANT/ MOTION PICTURE THEATER
Maximum Gross Square Feet of Development:	NO NEW CONSTRUCTION PROPOSED: REDEVELOPMENT OF GROCERY STORE (0.7- 47625.83 sq. ft.) TO MOTION PICTURE THEATER
Maximum Building Ht:	120'
Parking Required:	SHALL SATISFY OR EXCEED MUDD MINIMUM REQUIREMENTS EXISTING PARKING = 305 SPACES
Setbacks:	MINIMUM SETBACK: 14 FEET MINIMUM FROM BACK OF EXISTING OR PROPOSED CURB, WHICHEVER IS GREATER. THE SETBACK APPLIES TO ALL STREET FRONTAGES, NOT JUST TO THE STREET TOWARD WHICH THE STRUCTURE IS ORIENTED.
Minimum Side Yards:	NONE, BUT 10' BUILDING SEPARATION REQUIRED ADJACENT TO A RESIDENTIAL USE.
Minimum Back Yards:	NONE, BUT 10' BUILDING SEPARATION REQUIRED ADJACENT TO A RESIDENTIAL USE.

SITE DEVELOPMENT NOTES

1. GENERAL PROVISIONS

These development standards for a part of the technical data sheet associated with the rezoning petition filed by Lockard Midland Square, L.L.C., Midland Tower Properties, L.L.C. and Lockard Development, Inc., as tenants in common, to rezone the site from the NS zoning district to the MUDD-O zoning district in order to accommodate redevelopment of approximately 47,625.83 sq. ft. of existing grocery store space to a movie theater on an approximately 9.054-acre site near the intersection of Prosperity Church Road and Johnston Oehler Road.

Alterations or modifications which, in the opinion of the planning director, substantially alter the façade of the building constitute changes which shall not be deemed minor and may only be made in accordance with the provisions of subsections 6.201(a) or (2) of the ordinance, as applicable.

2. MUDD/OPTIONAL PROVISIONS

This petition proposes utilization of the MUDD-O provisions to allow for the following optional deviations:

- a. Existing non-conforming buildings and other improvements may remain in place as presently constructed.
- b. Renovations to interiors of existing buildings may be made.
- c. Minor modifications and renovations to existing building facades may be made.
- d. The existing pylon sign shall be removed from the Docia Crossing Road entrance to the site and the same or a similar sign may be installed at the Johnston Oehler Road entrance to the site.

3. ROAD IMPROVEMENTS

Upon completion of development of the property located immediately to the north of the unnamed road (30' public r/w), such unnamed road shall be improved to Charlotte Department of Transportation Standards from its current point of completion to Prosperity Church Road.

SIGNAGE

All signage shall meet the requirements of the MUDD zoning district, unless otherwise stated in the Optional Provisions of Section 2 above.

5. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

If this rezoning petition is approved, all conditions applicable to redevelopment of the building imposed under the technical data sheet and these development standards will, unless amended in the manner provided under the ordinance, be binding upon and inure to the benefit of petitioner and subsequent owners of the site and their respective successors in interest and assigns.

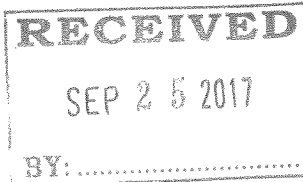
Throughout these development standards, the terms "petitioner" and "owner" or "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the petitioner or the owner or owners of any part of the site from time to time who may be involved in any future development or redevelopment thereof.

6. FUTURE DEVELOPMENT OR REDEVELOPMENT OF SITE

All future development of the site, including, without limitation, new buildings, expansions of existing buildings and major modifications and renovations to the facades of existing buildings, shall comply with MUDD zoning district requirements, without options. Placement and site design of new buildings and expansions of existing buildings shall focus on and enhance the pedestrian environment on public or private network required streets, through the following:

- New buildings shall be placed so as to present a front or side façade to all streets.
- Facades of new buildings and expansions of existing buildings fronting streets shall include a combination of windows and operable doors for a minimum of 80% of each frontage elevation transparent glass between 2' and 10' on the first floor. Up to 10% of this requirement may be comprised of display windows. The display windows must maintain a minimum of 3'-0" clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" above adjacent street sidewalk.
- The facades of first/ground floor of new buildings and expansions of existing buildings along streets shall incorporate a minimum of 20% masonry materials such as brick or stone.
- Direct pedestrian connection should be provided between street facing doors, corner entrance features to sidewalks on adjacent streets.
- Operable door spacing shall not exceed 75 feet.
- New or expanded building elevations shall not have expanses of blank walls greater than 20 feet in all directions, and architectural features such as, but not limited to, banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- New or expanded building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.
- New or expanded buildings shall be a minimum height of 22'.

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-153

Petition #:	_____
Date Filed:	9/25/2017
Received By:	BH

Complete All Fields (Use additional pages if needed)

Property Owner: The Mulvaney Group, Ltd

Owner's Address: PO Box 836 City, State, Zip: Lancaster, SC

Date Property Acquired: 04/30/2002

Property Address: 9232 ROBINSON CHURCH RD CHARLOTTE NC 28215

Tax Parcel Number(s): 10809130

Current Land Use: Vacant Land Size (Acres): 13.99

Existing Zoning: R-3 Proposed Zoning: R-6

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

Required Rezoning Pre-Application Meeting* with: Sonya Sanders, Shannon Frye, et al

Date of meeting: 09/14/2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: _____

JUDSON STRINGFELLOW
Name of Rezoning Agent

17537 Jetton Rd
Agent's Address

Cornelius, NC 28031
City, State, Zip

704 361 7777
Telephone Number

_____ Fax Number

judsonstringfellow@gmail.com
E-Mail Address

Signature of Property Owner

The Mulvaney Group, Ltd, by Michael J. Mulvaney, President
(Name Typed / Printed)

JDSI, LLC by Judson Stringfellow
Name of Petitioner(s)

17537 Jetton Rd
Address of Petitioner(s)

Cornelius, NC 28031
City, State, Zip

704-361-7777
Telephone Number

_____ Fax Number

judsonstringfellow@gmail.com
E-Mail Address

Signature of Petitioner

Judson Stringfellow
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

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

Complete All Fields (Use additional pages if needed)

Property Owner: The Mulvaney Group, Ltd
Owner's Address: PO Box 836 City, State, Zip: Lancaster, SC
Date Property Acquired: 04/30/2002
Property Address: 9232 ROBINSON CHURCH RD CHARLOTTE NC 28215
Tax Parcel Number(s): 10809130
Current Land Use: Vacant Land Size (Acres): 13.99
Existing Zoning: R-3 Proposed Zoning: R-8
Overlay: _____ (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Sonya Sanders, Shannon Frye, et al
Date of meeting: 09/14/2017

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

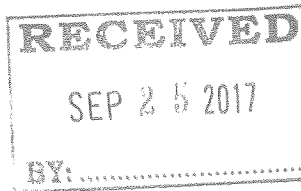
For Conditional Rezonings Only:

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

MULVANEY Group
Name of Rezoning Agent P.O. Box 836
309 N. MAIN STREET
Agent's Address
LANCASTER, S.C. 29721
City, State, Zip
704-671-1796
Telephone Number Fax Number
IRISHMJM@MAC.COM
E-Mail Address
Michael J. Mulvaney
Signature of Property Owner
MICHAEL J. MULVANEY
The Mulvaney Group, Ltd, by Michael J. Mulvaney, President
(Name Typed / Printed)

JDSI, LLC by Judson Stringfellow
Name of Petitioner(s)
17537 Jetton Rd
Address of Petitioner(s)
Cornelius, NC 28031
City, State, Zip
704-361-7777
Telephone Number Fax Number
judsonstringfellow@gmail.com
E-Mail Address
Judson Stringfellow
Signature of Petitioner
Judson Stringfellow
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-154

Petition #: _____
Date Filed: 9/25/2017
Received By: BT

Complete All Fields (Use additional pages if needed)

Property Owner: Gene and Greg LLC.

Owner's Address: 527 W. Tremont Ave City, State, Zip: Charlotte, NC 28203

Date Property Acquired: 12/29/2005 (Deed 19822-532)

Property Address: 527 West Tremont Avenue Charlotte, NC 28203

Tax Parcel Number(s): 119-06-101

Current Land Use: Commercial (automotive) Size (Acres): ±5.58 Acres

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

Overlay: New Bern Station Small Area Plan (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Mr. Solomon Fortune

Date of meeting: 08/23/2017

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

For Conditional Rezoning Only:

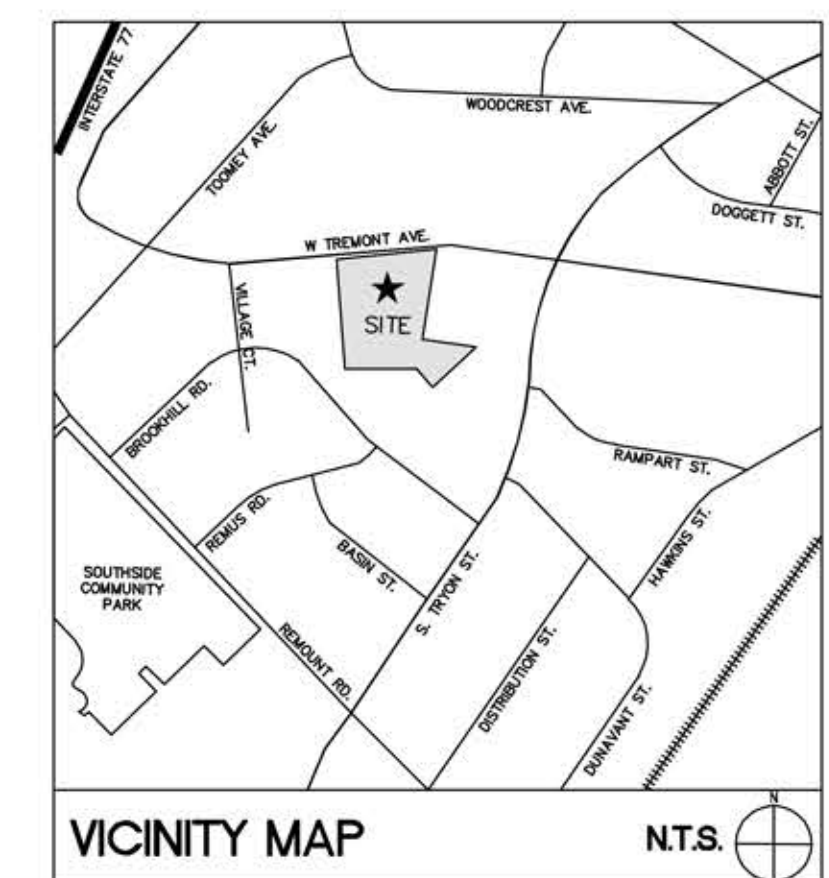
Requesting a vesting period exceeding the 2 year minimum? ☒ Yes/No. Number of years (maximum of 5): 5

Purpose/description of Conditional Zoning Plan: Single-family attached housing project with multiple buildings and an adjoining public street connection to W. Tremont Avenue.

Kevin Ammons - RLA - ColeJenest & Stone
Name of Rezoning Agent
200 S. Tryon St. Suite 1400
Agent's Address
Charlotte, NC 28202
City, State, Zip
704-971-4546
Telephone Number
Fax Number
kammons@colejeneststone.com
E-Mail Address
Gene & Greg, LLC
By: Eugene A. Corey
Signature of Property Owner
Eugene A. Corey, Manager
(Name Typed / Printed)

Jason Braga - Director of Acquisitions - ICON Residential
Name of Petitioner(s)
6911 Pistol Range Rd. Suite 101A
Address of Petitioner(s)
Tampa, FL 33635
City, State, Zip
239-450-0684
Telephone Number
Fax Number
jbraga@iconresliving.com
E-Mail Address
J. B.
Signature of Petitioner
Jason Braga
(Name Typed / Printed)

4.03.7



SURVEY DISCLAIMER
"A.G. ZOUTEWELLE SURVEYORS" SURVEY ISSUE DATE: AUGUST 10, 2017. PROVIDED BY: ANDREW G. ZOUTEWELLE, 1418 EAST FIFTH ST., CHARLOTTE, NC (704) 372-9444

LEGEND	
SYMBOL	
	BUILDING ENVELOPE
	AMENITY ENVELOPE
	DRIVEWAY
	DEDICATED VOLUNTARY VEGETATED BUFFER
	PROPOSED SIDEWALK CONNECTION
	PROPOSED CURB & GUTTER

REZONING SUMMARY	
PARCEL AREA :	± 5.58 AC
TAX PARCEL #:	119-061-01
EXISTING ZONING:	I-2(CD)
PROPOSED ZONING:	MUDD-O
EXISTING USE:	INDUSTRIAL (AUTOMOTIVE)
PROPOSED USE:	SINGLE FAMILY ATTACHED (PROPOSED TOWNHOMES)
MAXIMUM NUMBER OF DWELLING UNITS:	100 UNITS
PROPOSED DENSITY:	15.77 UNITS/ACRE
MINIMUM SETBACK:	14' FROM THE FUTURE BACK OF CURB
MINIMUM SIDE YARD:	NONE; 10' BUILDING SEPARATION ADJACENT TO RESIDENTIAL USE
MINIMUM REAR YARD:	NONE; 10' BUILDING SEPARATION ADJACENT TO RESIDENTIAL USE
MAXIMUM BUILDING HEIGHT:	120'
PARKING REQUIRED:	1.0 SPACE/UNIT
DEDICATED OPEN SPACE:	PER ORDINANCE (REQUIRED COVER OF A 50,000 SF)
TYPICAL BUILDING RANGES (SINGLE FAMILY ATTACHED)	
- BUILDING FRONTAGE :	15' - 30'
- BUILDING DEPTH :	35' - 50'

1. SEE SHEET RZ-200 FOR DEVELOPMENT STANDARDS
2. SEE SHEET RZ-200 FOR ZONING EXHIBIT



ColeJenest & Stone

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ICON
RESIDENTIAL

6911 PISTOL RANGE ROAD
SUITE 101A
TAMPA, FL 33635

**TREMONT
AVENUE
TOWNHOMES**

527 WEST TREMONT AVE.
CHARLOTTE, NC 28203

REZONING PLAN (2017-XX)


Project No.	
4243	
Issued	
09/21/17	

Revised



1. 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.

SCALE: 1" = 40'



RZ-100

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ColeJenest & Stone, P.A. 2017©

DEVELOPMENT STANDARDS

September 21, 2017

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Gene and Greg LLC and ICON Residential LLC (hereinafter collectively referred to as the “Petitioner”) for an approximately 5.58 acre site currently zoned as I-1. The site is located within the City of Charlotte, on the south side of West Tremont Avenue, near the intersection of West Tremont Avenue and South Tryon street, and having a Mecklenburg County Tax Parcel No.119-061-01.
- 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 Mixed Use Development District (“MUDD”) zoning district shall govern the development and use of the Site.
- C. The parcel of land that comprise the Site may be recombined at the option of Petitioner or further subdivided in accordance with the Subdivision Ordinance.
- D. 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, alleys, amenity areas, 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 20 principal buildings may be located on the Site, which includes the provisional option of a small clubhouse/amenity building.
- F. The development of the Site shall include an extension of Dunavant Street to the north, providing a public street connection through the Site, terminating in West Tremont Avenue. This proposed public street connection is at the request of the City of Charlotte Planning Department. The proposed street cross-section shall consist of a sixty-six (66) foot public right-of-way, and shall comply with City of Charlotte Land Development Standards for Local Residential Wide (CLDS #U-03). The sidewalks may be reduced to six (6) feet along the Dunavant Street in compliance with the New Bern Transit Station Area Plan. All minor alterations to the standard section are to be approved by the City of Charlotte Planning Department.
- G. The development of the buildings to be located on the Site may occur in phases.
- H. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

OPTIONAL PROVISIONS

The optional provisions set out below shall apply to the development of the Site.

- A. The location, dimensions, materials, and form of all buildings on the Site are subject to change during the schematic design and construction design phases of the project.
- B. A ten (10) foot voluntary vegetated buffer will be provided as depicted on the Rezoning Plan.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. The Site may only be devoted to the uses set out below.
- (1) A residential community containing up to one hundred (100) dwelling units and any incidental and accessory uses relating thereto that are allowed in the MUDD zoning district. Customary incidental and accessory uses may include, without limitation, a pool, maintenance facility and amenities such as a fitness center. The dwelling units may be comprised of single family attached dwelling units only.
- (2) The Site may provide a combination of single family attached dwelling units. A maximum of one hundred (100) dwelling units are permitted.
- B. A minimum of two (2) freestanding buildings containing single family attached dwelling units may be constructed along the Site's frontage on West Tremont Avenue, depicted on the Rezoning Plan as Building 1 and Building 2. The Petitioner maintains the right to increase the number of buildings and unit allocation along West Tremont Avenue so long as the total unit count does not exceed one-hundred (100) dwelling units.
- C. A minimum of five (5) freestanding buildings containing single family attached dwelling units may be constructed along the Site's proposed Dunavant public right-of-way frontage, depicted on the Rezoning Plan as Building 3, Building 4, Building 5, Building 6, and Building 7. The petitioner maintains the right to increase the number of buildings and unit allocation along Dunavant Street so long as the total unit count does not exceed one-hundred (100) dwelling units.

3. TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access point are subject to any minor modifications required by the Charlotte Department of Transportation (“CDOT”) and/or the North Carolina Department of Transportation (“NCDOT”).
- B. The alignment of the internal vehicular circulation areas and the driveways may be modified by the Petitioner to accommodate changes in traffic patterns, building facades, road alignments, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.
- C. Subject to the approval of CDOT and NCDOT, and prior to the issuance of the final certificate of occupancy for a building constructed on the Site, Petitioner shall install the necessary streetscape improvements along West Tremont Avenue and Dunavant Street in accordance with the City of Charlotte Land Development Standards and the New Bern Transit Area Plan.
- D. All transportation improvements shall be constructed and approved prior to the issuance of the final certificate of occupancy for a building to be constructed on the Site or phased per the Site's development plan.
- E. Prior to the issuance of the final certificate of occupancy for a building constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation for any necessary utility easements) those portions of the Site located within the West Tremont Avenue right-of-way and Dunavant Street right-of-way. The dedicated land immediately adjacent to West Tremont Avenue shall include the necessary limits to expand the existing right-of-way to that point that is located 1 foot behind the existing sidewalk to be installed by the Petitioner along the Site's frontage on West Tremont Avenue, to the extent that such right-of-way does not already exist.

5. ARCHITECTURAL AND DESIGN STANDARDS

- A. The maximum height in stories of all buildings is 5 stories with optional rooftop terraces.
- B. The maximum height in feet of all buildings shall be 120 feet.
- C. The maximum height in stories of the clubhouse/amenity building shall be 2 stories with an optional rooftop terrace.
- D. The minimum building separation between the buildings constructed on the Site shall be 10 feet.
- E. The exterior building materials used on the buildings to be constructed on the Site will be a combination of portions of the following: brick, stone, precast stone, synthetic stone, cementitious siding, stucco and/or wood.
- F. Vinyl, EIFS or masonite may not be used as an exterior building material, provided, however, that vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.
- G. Attached to the Rezoning Plan is a conceptual, schematic imagery of the typical single family attached dwelling unit's elevation and axonometric view. Accordingly, all buildings shall be designed and constructed so that they remain similar in appearance to the attached conceptual, schematic imagery with respect to architectural style, design treatment and character. Notwithstanding the foregoing, changes and alterations that do not materially change the overall conceptual architectural style, design treatment and character shall be permitted.
- H. Dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side. The Petitioner may request a contract for individual garbage container service. In this event, the dumpster and screening discusses above shall not be required.
- I. The colors of any retaining walls constructed on the Site shall be compatible to and complementary with the colors of the buildings to be constructed on the Site.

6. STREETScape/URBAN OPEN SPACE

- A. Petitioner shall install a minimum 8 foot wide planting strip,a minimum 8 foot wide sidewalk, and on-street parking along the Site's frontage on West Tremont Avenue, as generally depicted on the Rezoning Plan.
- B. Petitioner shall install a minimum 8 foot wide planting strip, a minimum 6 foot wide sidewalk, and on-street parking along the Site's frontage on Dunavant Street.

7. ENVIRONMENTAL FEATURES

- A. Development of the Site shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.

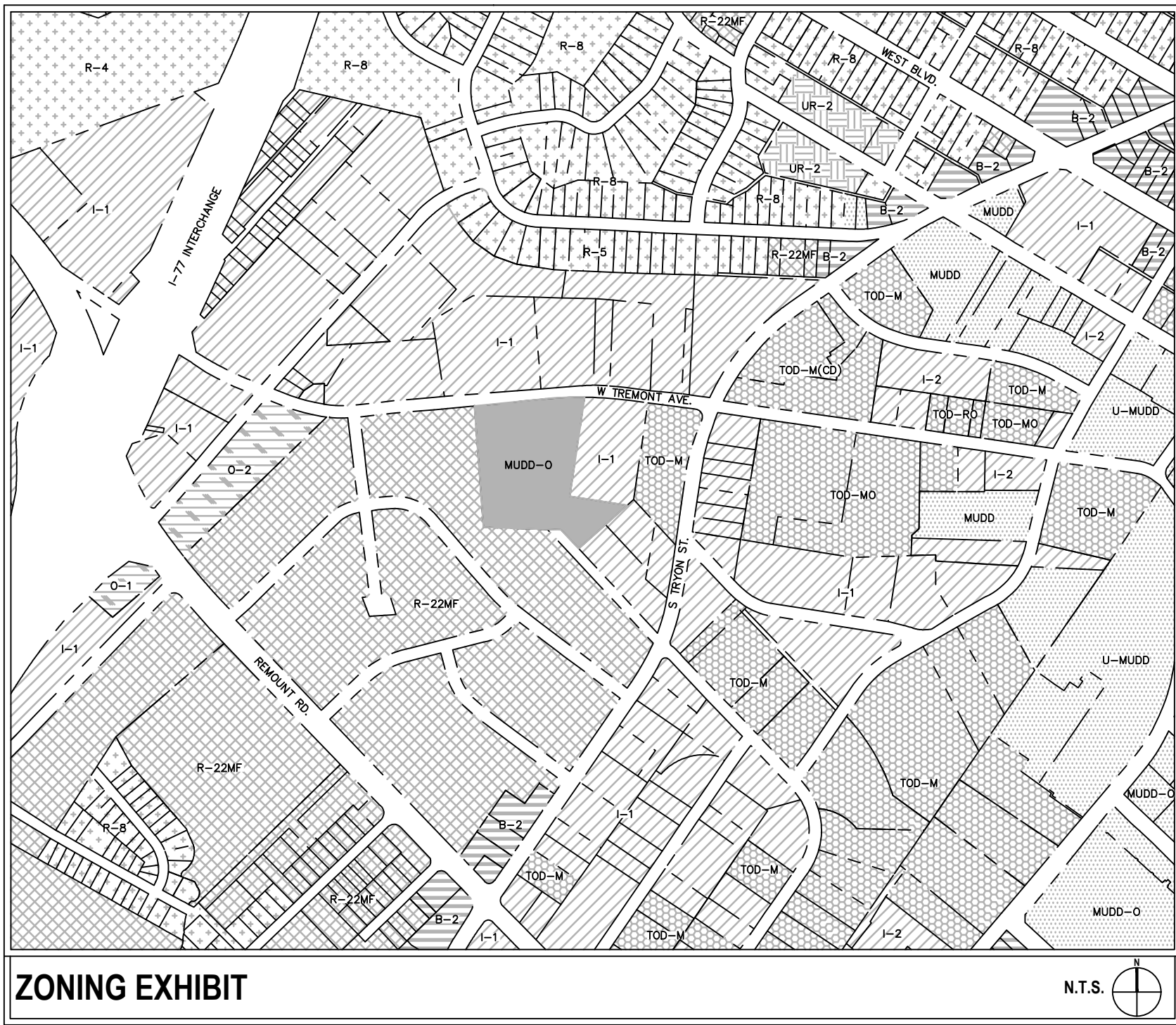
- B. Development of the Site shall comply with the City of Charlotte Tree Ordinance.

8. LIGHTING

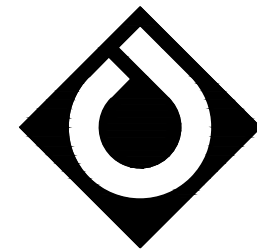
- A. All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the internal private drives and sidewalks, landscaping lighting and uplighting for the buildings) shall be fully capped and shielded and the illumination downwardly directed 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.
- C. Any lighting fixtures attached to the buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

10. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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



1. 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.



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6911 PISTOL RANGE ROAD
SUITE 101A
TAMPA, FL 33635

TREMONT AVENUE TOWNHOMES

527 WEST TREMONT AVE.
CHARLOTTE, NC 28203

DEVELOPMENT STANDARDS

Project No.
4243

Issued

09/21/17

Revised



RZ-200

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Side Elevation - Building 1
1/8" = 1'-0"



Street Scape Elevation - Building 1
1/8" = 1'-0"



Street Scape Plan
1/8" = 1'-0"

REVISIONS:

Number	Description	Date
--------	-------------	------

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-155

Petition #:	_____
Date Filed:	9/25/2017
Received By:	BH

Complete All Fields (Use additional pages if needed)

Property Owner: Scouts, LLC

Owner's Address: 401 Patetown Road City, State, Zip: Goldsboro, NC 27530

Date Property Acquired: May 31, 2017

Property Address: 5531 Equipment Drive, Charlotte, NC 28262

Tax Parcel Number(s): 047-011-32

Current Land Use: Commercial Size (Acres): +/- 8.693 acres

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

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham and Alberto Gonzalez

Date of meeting: May 16, 2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate certain uses permitted in the I-1 zoning district, as well as outdoor storage uses permitted in the I-2 zoning district.

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

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

Charlotte, NC 28246
City, State, Zip

704-377-8142
Telephone Number Fax Number

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

See attached signature page
Signature of Property Owner

(Name Typed / Printed)

Scouts, LLC (c/o Ben Seegars)
Name of Petitioner(s)

401 Patetown Road
Address of Petitioner(s)

Goldsboro, NC 27530
City, State, Zip

919-735-8211
Telephone Number Fax Number

ben@seegarsfence.com
E-Mail Address

See attached signature page
Signature of Petitioner

(Name Typed / Printed)

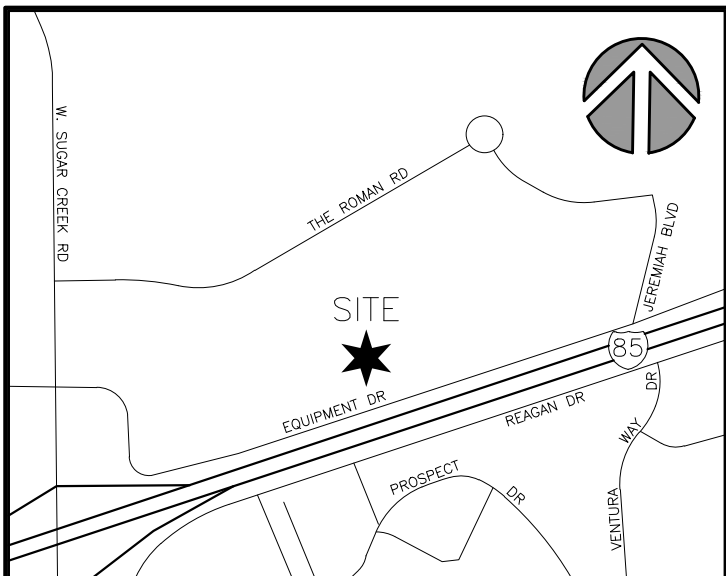
[signature page of Scouts LLC to Rezoning Application for 5531 Equipment Drive, Charlotte, NC]

Property Owner and Petitioner:

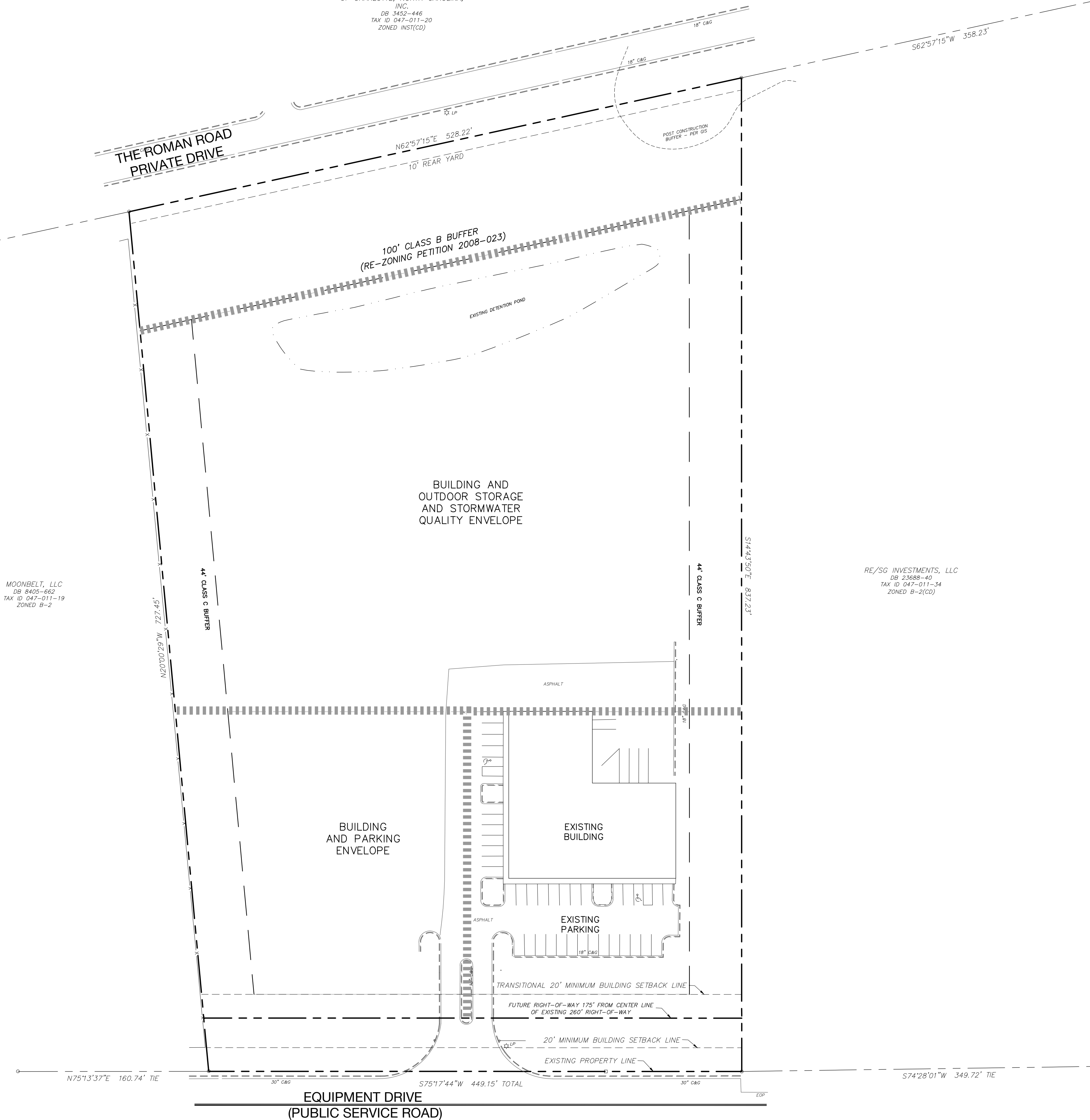
SCOUTS, LLC

DocuSigned by:
Ben Seegars
74EC61BEFC57414...

By: Ben Seegars, Member-Manager



THE NORTHSIDE BAPTIST CHURCH
OF CHARLOTTE, NORTH CAROLINA,
INC.
DB 3452-446
TAX ID 047-011-20
ZONED INST(CD)



MOONBELT, LLC
DB 8405-662
TAX ID 047-011-19
ZONED B-2

RE/SG INVESTMENTS, LLC
DB 23688-40
TAX ID 047-011-34
ZONED B-2(CD)

DEVELOPMENT SUMMARY

TAX PARCEL ID #: 047-011-32
TOTAL SITE AREA: 8.693 AC
ZONING:
EXISTING: I-1(CD)
PROPOSED: I-2(CD)

1. GENERAL PROVISIONS

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Scouts, LLC (the "Petitioner") for an approximately 8.693 acre site located on the north side of Equipment Drive, south of The Roman Road, and designated as Tax Parcel No. 047-011-32, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site").
- Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the I-2 zoning district shall govern all development taking place on the Site.
- The development and uses depicted on the Rezoning Plan are schematic in nature and intended to depict the general arrangement of uses and improvements on the Site and, subject to the terms of these Development Standards and the Ordinance, are subject to alterations or modifications during the design development and construction document phases, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
- Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. PERMITTED USES

- Subject to paragraphs B and C below, the Site may be devoted to any use or uses allowed by right or under prescribed conditions in the I-2 zoning district which also are allowed by right or under prescribed conditions in the I-1 zoning district, together with incidental or accessory uses associated therewith.
- Notwithstanding paragraph 2.A above, the following uses are prohibited on the Site:
 - motels and hotels,
 - fast food restaurants with drive through facilities,
 - convenience stores with gasoline sales,
 - car washes as a principal use,
 - automotive service stations,
 - adult establishments, and
 - nightclubs.
- Notwithstanding paragraph 2.A above, the Site may also be devoted to the following uses allowed in the I-2 zoning district: Outdoor storage of goods and materials used in assembly, fabrication or processing, in excess of 25% of the floor area of all buildings on the Site; provided, however, that in no event shall the area devoted to outdoor storage exceed 152,783 square feet or extend beyond the area designated for outdoor storage on the Rezoning Plan.
- The total number of buildings and the maximum gross floor area allowed on the Site will be governed by the terms of the Ordinance.
- Buildings, structures and parking areas must be located within the building and parking envelopes depicted on the Rezoning Plan. Additionally, buildings, structures and parking areas may be located in the area designated for outdoor storage on the Rezoning Plan if that area, or portions thereof, are not devoted to outdoor storage.

3. TRANSPORTATION

- Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of each vehicular access point are subject to any minor modifications required to accommodate final site and construction plans and designs and any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation ("NCDOT") in accordance with applicable published standards.

4. LANDSCAPING

- A 100 foot Class B buffer shall be established along the northern boundary line of the Site as more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance. This 100 foot Class B buffer shall be undisturbed; provided, however, that in the event that the existing vegetation does not meet the tree and shrub requirements of a Class B buffer, supplemental plantings may be installed to bring this Class B buffer into compliance with these requirements. Notwithstanding anything contained herein to the contrary, the width of this 100 foot Class B buffer may not be reduced.
- As more particularly depicted on the Rezoning Plan, 44 foot Class C buffers shall be established along the western and eastern boundary lines of the Site, which buffers shall conform to the standards of Section 12.302 of the Ordinance.

5. ENVIRONMENTAL FEATURES

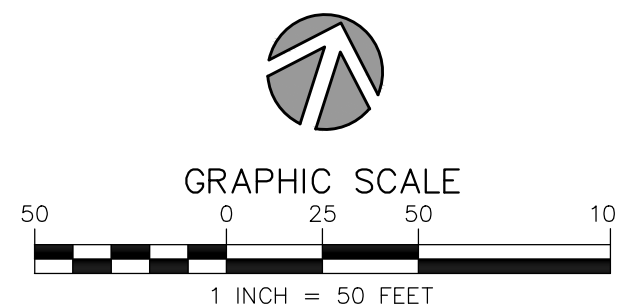
- Development of the Rezoning Site shall comply with the City of Charlotte Tree Ordinance.

6. LIGHTING

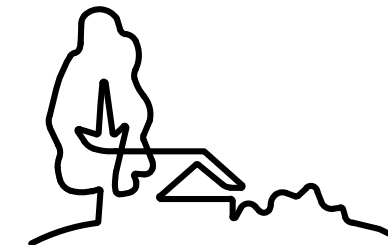
- No wall pack style light fixtures will be permitted on those portions of the buildings oriented directly to Equipment Drive. Any wall mounted light fixtures and any other types of exterior light fixtures (including pole lights) installed on the Site shall be capped and fully cut off and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.

7. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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



Rezoning Petition #2017-XXX



URBAN
DESIGN
PARTNERS

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

5531 Equipment Dr.

Rezoning Plan

5531 Equipment Drive Charlotte, NC 28262

NO. DATE: BY: REVISIONS:

Project No: 17-073
Date: 2017-09-25
Designed by: UDP
Drawn By: UDP
Scale: 1"=50'
Sheet No:

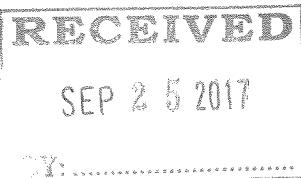
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BEFORE YOU DIG!
CALL 1-800-632-4949
N.C. ONE-CALL CENTER
IT'S THE LAW!

2017-156

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: _____
Date Filed: 9/25/2017
Received By: RH

Complete All Fields (Use additional pages if needed)

Property Owner: Brownstone Properties II, LLC

Owner's Address: 442 1/2 E Main St. STE 5 City, State, Zip: Clayton, NC 27520

Date Property Acquired: Parcel 07105114: 4/4/12, Parcel 07105116 - 3/30/17, Parcel 07105121 - 9/14/16

Property Address: 2317 Thrift Rd

Tax Parcel Number(s): 07105114, 07105116, 07105121

Current Land Use: Automotive Repair Size (Acres): 3.81

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

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

Required Rezoning Pre-Application Meeting* with: Carlos Alzate, Alberto Gonzales, Charles Meacci, Josh Weaver, Julia Zweife
Date of meeting: 8/15/17

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: Allow parking between the streets and any existing buildings.

George N Whiting, Jr
Name of Rezoning Agent

442 1/2 E. Main St STE 5
Agent's Address

CLAYTON NC 27520
City, State, Zip

704-517-8196 919-550-3814
Telephone Number Fax Number

gwhiting@carolina.rr.com
E-Mail Address

George N Whiting, Jr
Signature of Property Owner

GEORGE N WHITING JR
(Name Typed / Printed)

for Brownstone Properties II, LLC

Mark Miller

Name of Petitioner(s)

4530 Park Rd Suite 410
Address of Petitioner(s)

Charlotte, NC 28209
City, State, Zip

704 519 4247
Telephone Number Fax Number

mark.h.miller@latpurser.com
E-Mail Address

Mark Miller
Signature of Petitioner

Mark Miller
(Name Typed / Printed)

Digitally signed by Mark Miller
DN: cn=Mark Miller, c=US, email=mark.miller@latpurser.com, o=US
Date: 2017.09.28 15:47:00 -0400

1. The existing buildings shall remain and be renovated. Minor one story additions may be incorporated, as long as they meet all MUDD-O restrictions. It is the intent of the developer to add parking to the site, in order to satisfy minimum MUDD-O requirements and add exterior recreational and open space adjacent to the buildings. Recreational space, and any fencing required for recreational activities, will be allowed to extend to the new MUDD regulated setbacks. Proposed parking may be a combination of asphalt and gravel.
2. Development of the Site will be governed by the accompanying Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The Rezoning Plan is intended to reflect maximum development rights, parking envelopes, and the arrangements and locations of access points.
3. The petitioner acknowledges that other standard development requirements imposed by other city ordinances, standards, policies, and appropriate design manuals will exist. Those criteria (for example, those that require buffers, regulate streets, sidewalks, trees, stormwater, and site development, etc.) will apply to the development site. This includes Chapters 6, 9, 12, 17, 18, 19, 20, 21 of the City Code Conditions set forth in this petition are supplemental requirements imposed on the development in addition to other standards. Where specified conditions on this plan differ from the ordinances, standards, policies and approaches in existence at the time of formal engineering plan review submission, the conditional notes on this plan shall apply.
4. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MUDD Zoning District shall govern all development taking place on the Site.
5. Alternations or modifications which, in the opinion of the Planning Director, substantially alter the character of the development proposed or significantly alter the Rezoning Plan or these Development Standards, constitute changes which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) or the Ordinance, as applicable.

6. Petitioner seeks approval to allow parking between Thrift Road and Berryhill Road and the existing buildings.

7. Any uses allowed by MUDD Zoning in the Ordinance, will be allowed in the development.

8. Vehicular access points, either new or existing, will be limited to 2 access points on Thrift Road and one access point on Berryhill Road, as generally depicted on the Site Plan. Parking for interior space and exterior recreational / active open space will be provided per minimum MUDD Standards.

9. Exterior architectural standards will generally reflect the style and quality of architecture that is existing. Improvements to the buildings will include new awnings, paint and new openings. Allowable building materials for any minor additions or improvements will include masonry, stucco or synthetic stucco, metal panels, cementitious siding, wood or synthetic wood.

10. Any replaced windows or new windows on the first floor of any building will be clear glass.

11. Petitioner will provide 8' landscaping and 8' sidewalks along Thrift Road and Berryhill Road.

12. There are no existing trees in the setbacks.

13. All free-standing lighting, adjacent to properties to the south and west of the site, will be shielded with full cut-off fixtures.

14. Street lighting to meet all City of Charlotte regulations.

15. The maximum height of any freestanding fixture shall not exceed 21 feet.

16. 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 restrictive successors in interest and assigns.

17. 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 on any part of the Site, from time to time who may be involved in any future development thereof.

Tax Parcel ID#: 07105114, 17105116 & 07105121

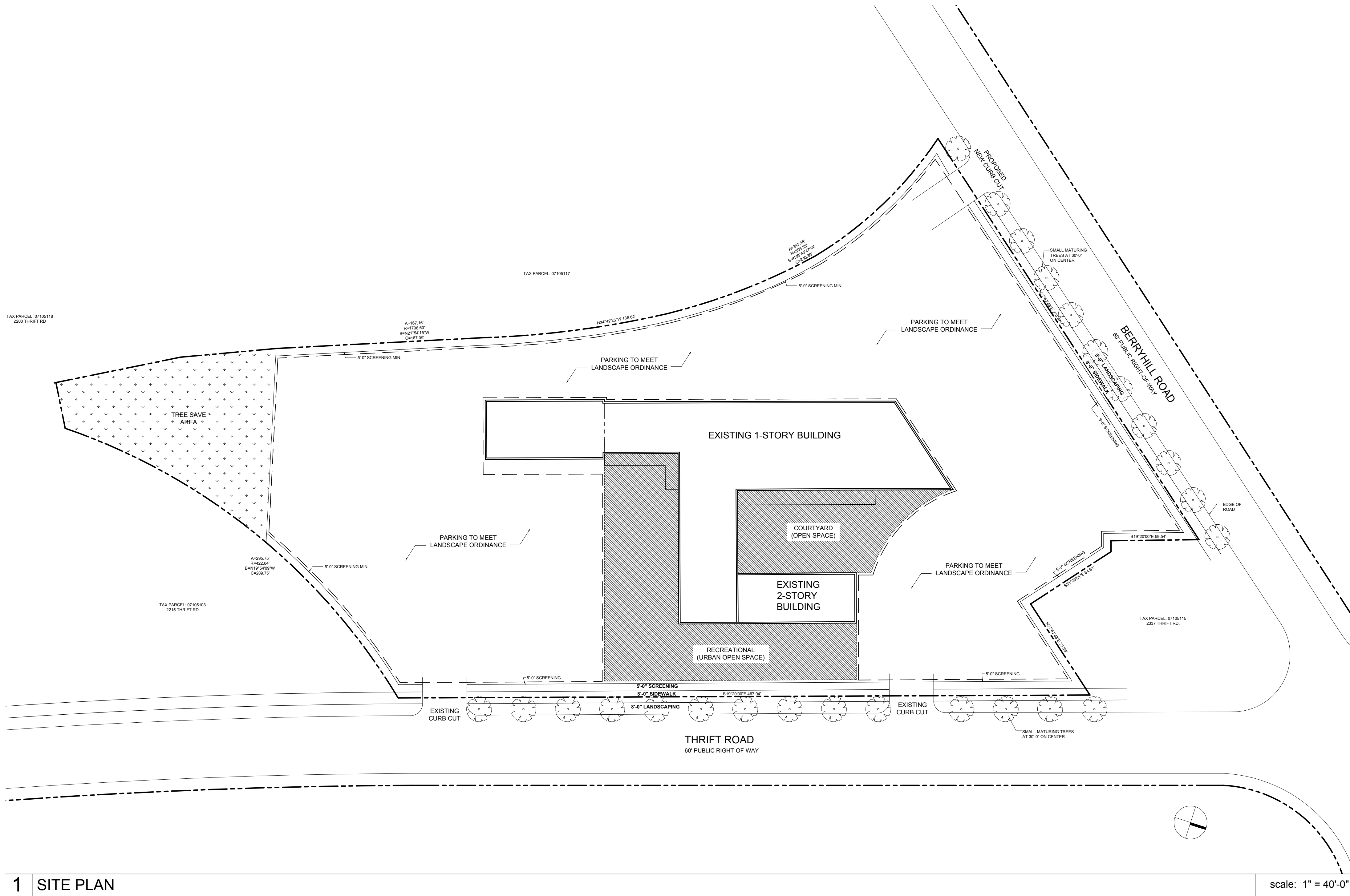
Total Site Acreage:	3.81 ACRES (166,155 SF)
Existing Zoning:	I-2
Proposed Zoning:	MUDD-O
Total Existing Building Area:	13,827 sf
Open Space Required:	1,662 sf
Min. Open Space Provided:	4,000 sf
Parking:	As per MUDD requirements
Tree Save Area:	Approx. 10% of lot



3	VICINITY MAP	scale: NTS
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ODa
overcash demmitt

2010 south tryon st. suite 1a
charlotte north carolina 28203
office.704.332.1615
web.www.odarch.com



1	SITE PLAN	scale: 1" = 40'-0"
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2317 THRIFT RD.
RE-INVENTION

Charlotte, North Carolina

Petition No. XXXXX
For Public Hearing

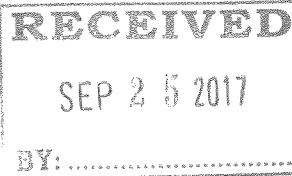
[illegible]

ILLUSTRATIVE PLAN

RZ-1

Copyright 2017 Overcash Demmitt Architects
draw/2859_xsitemplan.dwg

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: _____
Date Filed: 9/25/2017
Received By: RA

Complete All Fields (Use additional pages if needed)

Property Owner: James and Shirley McLaughlin
Owner's Address: 7617 Old Concord Rd City, State, Zip: Charlotte NC 28213
Date Property Acquired: 1998
Property Address: 7617 Old Concord Rd Charlotte NC 28213
Tax Parcel Number(s): 04915109, 04915120, 04915102, 04915124, 04915123, 04915101
Current Land Use: Vacant and/or Large Lot Residential Size (Acres): 28.4 Acres
Existing Zoning: R-3 Proposed Zoning: R-4
Overlay: NA (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Shannon Frye, Sonja Sanders and Mandy Vari
Date of meeting: 7/13/2017

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

For Conditional Rezoning Only:

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

Sara Shirley
American Engineering Associates - Southeast, PA
Name of Rezoning Agent

8008 Corporate Center Drive, Suite 110
Agent's Address

Charlotte, NC 28226
City, State, Zip

(704) 749-1021 (704) 332-9361
Telephone Number Fax Number

sshirley@american-ea.com
E-Mail Address Jim W. McLaughlin

Shirley McLaughlin
Signature of Property Owner

Shirley McLaughlin
(Name Typed / Printed)

James McLaughlin

Essex Homes Southeast, Inc.

Name of Petitioner(s)

13310 South Ridge Drive, Suite A
Address of Petitioner(s)

Charlotte, NC 28273
City, State, Zip

(704) 423-8988 (980) 225-8990
Telephone Number Fax Number

bbennett@essexhomes.net
E-Mail Address

Robert A. Bennett
Signature of Petitioner

Robert A. Bennett
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

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

Complete All Fields (Use additional pages if needed)

Property Owner: FRANK F. FINCHER
Owner's Address: 7625 Old Concord City, State, Zip: CHARLOTTE NC 28213
Date Property Acquired: 1967
Property Address: 7625 Old Concord Rd CHARLOTTE NC 28213
Tax Parcel Number(s): 04915109, 04915120, 04915102, 04915124, 04915123, 04915101
Current Land Use: Vacant and/or Large Lot Residential Size (Acres): 28.4 Acres
Existing Zoning: R-3 Proposed Zoning: R-4
Overlay: NA (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Shannon Frye, Sonja Sanders and Mandy Vari
Date of meeting: 7/13/2017

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

For Conditional Rezoning Only:

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

American Engineering Associates - Southeast, PA

Name of Rezoning Agent

8008 Corporate Center Drive, Suite 110

Agent's Address

Charlotte, NC 28226

City, State, Zip

(704) 749-1021

Telephone Number

(704) 332-9361

Fax Number

sshirley@american-ea.com

E-Mail Address

Frank T. Fincher

Signature of Property Owner

FRANK F. FINCHER

(Name Typed / Printed)

Essex Homes Southeast, Inc.

Name of Petitioner(s)

13310 South Ridge Drive, Suite A

Address of Petitioner(s)

Charlotte, NC 28273

City, State, Zip

(704) 423-8988

Telephone Number

(980) 225-8990

Fax Number

bbennett@essexhomes.net

E-Mail Address

Robert M Bennett

Signature of Petitioner

ROBERT M BENNETT

(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Date Filed: _____

Received By: _____

Complete All Fields (Use additional pages if needed)

Property Owner: MARGARET McLAUGHLIN LIVING TRUST

Owner's Address: 7651 OLD CONCORD RD City, State, Zip: Charlotte NC 28213

Date Property Acquired: _____

Property Address: 7651 OLD CONCORD RD Charlotte, NC 28213

Tax Parcel 04915109, 04915109, 04915120, 04915102, 04915124, 04915123, 04915101

Current Land Use: Vacant and/or Large Lot Residential Size (Acres): _____
28.4 Acres

Existing Zoning: R-3 Proposed Zoning: R-4

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

Required Rezoning Pre-Application Meeting Shannon Frye, Sonja Sanders and Mandy Vari

Date of meeting: 7/13/2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: _____

American Engineering Associates - Southeast, Essex Homes Southeast, Inc.

Name of Rezoning Agent

Name of Petitioner(s)

108 Corporate Center Drive, Suite 110
Agent's Address

13310 South Ridge Drive, Suite A
Address of Petitioner(s)

Charlotte, NC 28226
City, State, Zip

Charlotte, NC 28273
City, State, Zip

(704) 749-1021 (704) 332-9361
Telephone Number Fax Number

(704) 423-8988 (980) 225-8990
Telephone Number Fax Number

sshirley@american-ea.com
E-Mail Address

bbennett@essexhomes.net
E-Mail Address

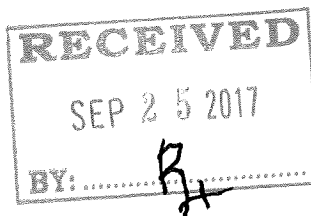
Margaret McLaughlin Living Trust POA
Signature of Property Owner William Dennis Lee

Signature of Petitioner

Margaret McLaughlin Living Trust POA
(Name Typed / Printed) William Dennis Lee

(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-158

Petition #:	_____
Date Filed:	9/25/2017
Received By:	[signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Roman C Garcia

Owner's Address: 4816 William Caldwell Ave City, State, Zip: Charlotte NC 28213

Date Property Acquired: _____

Property Address: 13419 Albemarle Rd Charlotte NC

Tax Parcel Number(s): 11123806

Current Land Use: Vacant Size (Acres): 1.58

Existing Zoning: R-12 MF Proposed Zoning: B2

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

Required Rezoning Pre-Application Meeting* with: Mandy Rosen

Date of meeting: 9-21-17

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: _____

Roman C Garcia
Name of Rezoning Agent

4816 William Caldwell Ave
Agent's Address

Charlotte NC 28213
City, State, Zip

704 904 4368 704 569 3469
Telephone Number Fax Number

garcia@lawn services@hotmail.com
E-Mail Address

[signature]
Signature of Property Owner

Roman C Garcia
(Name Typed / Printed)

Roman C Garcia
Name of Petitioner(s)

4816 William Caldwell Ave
Address of Petitioner(s)

Charlotte NC 28213
City, State, Zip

704 904 4368 704 569 3469
Telephone Number Fax Number

garcia@lawn services@hotmail.com
E-Mail Address

[signature]
Signature of Petitioner

Roman C Garcia
(Name Typed / Printed)