

Rezoning Petition Packet

Petitions: 2017-159 through 2017-174

Petitions that were submitted by October 23, 2017

Staff Review Meeting: **November 16, 2017**

City Public Hearing: **To Be Determined**

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-159

Petition #:	_____
Date Filed:	9/25/2017
Received By:	\$AF

Complete All Fields (Use additional pages if needed)

Property Owner: Ernest David Horne/Summit Ave West Morehead LLC, c/o Matt Browder

Owner's Address: 821 Walnut Ave/1440 S. Tryon, Ste 104 City, State, Zip: Charlotte, NC 28208/28203

Date Property Acquired: 06/24/04 and 11/26/2003 / 8/21/2012

Property Address: 817/819 Walnut Ave. and 821 Walnut Ave / 1516 W. Morehead Street

Tax Parcel Number(s): 071-022-22 and 071-022-23 / 071-022-24 (portion of)

Current Land Use: Residential - Duplex and House Size (Acres): 0.68

Existing Zoning: R-5 and R-8 Proposed Zoning: MUDD (CD) & B-1 (PED overlay)

Overlay: HDC (Wendy Heights) (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Sonya Sanders, Alberto Gonzales, John Howard

Date of meeting: June 27, 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: To allow for attached housing community behind the existing structures

Anthony Fox
Name of Rezoning Agent

Three Wells Fargo Center, 401 S. Tryon St. Suite 3000
Agent's Address

Charlotte, NC 28202
City, State, Zip

(704) 335-9841 (704) 334-4706
Telephone Number Fax Number

anthonyfox@parkerpoe.com
E-Mail Address

Ernest D. Horne
Signature of Property Owner

Ernest David Horne/Summit Avenue W. Morehead, LLC
(Name Typed / Printed)

The Drakeford Company
Name of Petitioner(s)

1914 Brunswick Ave, Suite 1-A
Address of Petitioner(s)

Charlotte, NC 28207
City, State, Zip

(704) 344-0332 (704) 344-9992
Telephone Number Fax Number

bobby@tdcrealestate.com
E-Mail Address

Robert T. Drakeford
Signature of Petitioner

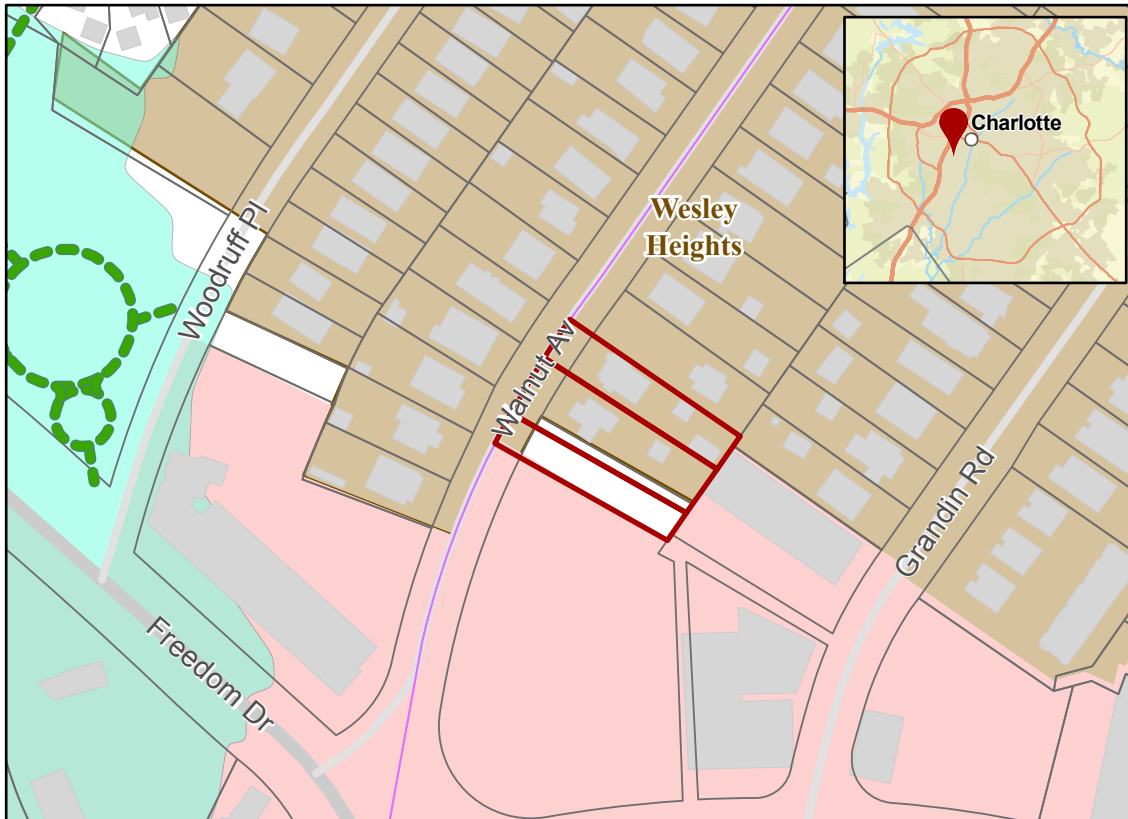
Robert T. Drakeford
(Name Typed / Printed)

Rezoning Map

2017-159 : The Drakeford Company

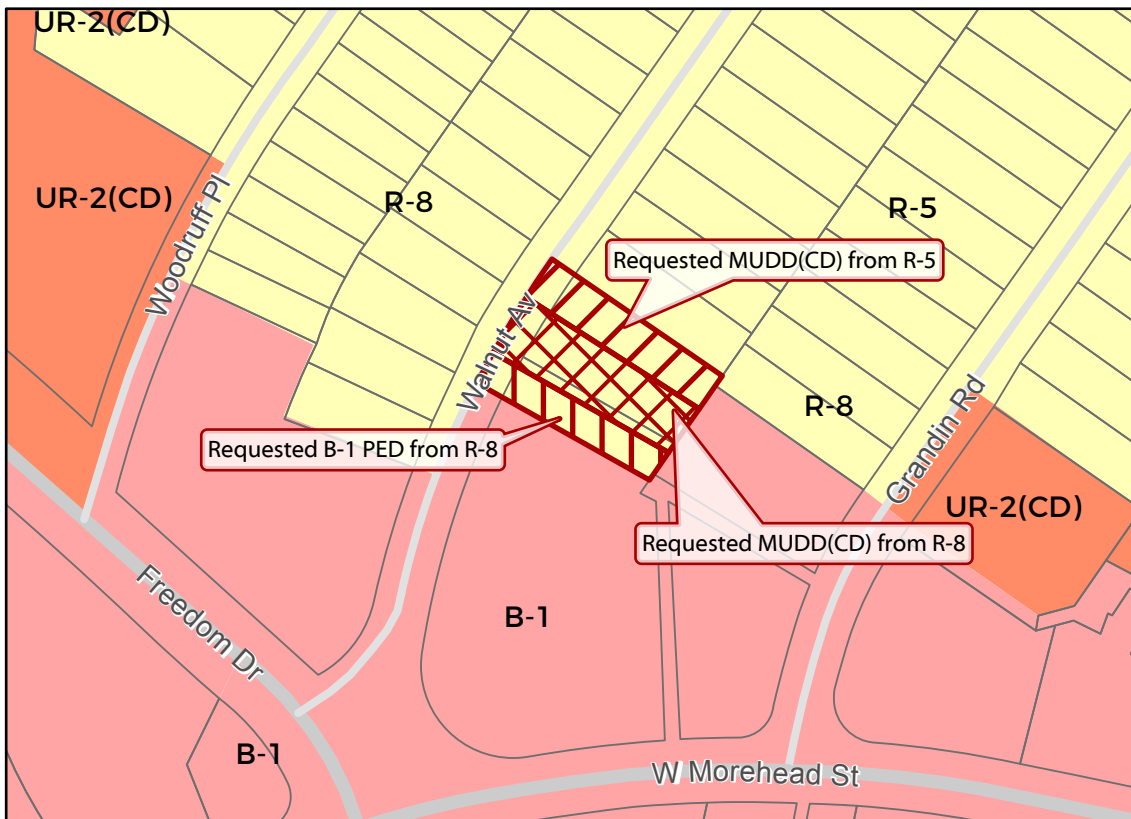
Current Zoning R-5, R-8 (Single Family Residential)
Requested Zoning B-1 PED, MUDD(CD) (Neighborhood Business with Pedestrian Overlay, Mixed Use Development, Conditional)
Approximately 0.648 acres

Location of Requested Rezoning



- 2017-159
- Inside City Limits
- Parcel
- Buildings
- FEMA Flood Plain
- Greenway
- Pedestrian Overlay**
 - West Morehead
 - Historic Districts
- City Council District**
 - 2-Carlenia Ivory

Existing Zoning & Rezoning Request



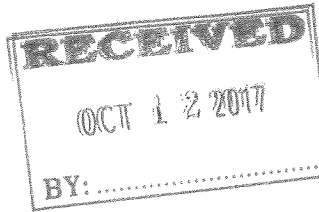
- Requested MUDD(CD) from R-5
- Requested MUDD(CD) from R-8
- Requested B-1 PED from R-8
- Parcel
- Zoning Classification**
 - Single Family
 - Urban Residential
 - Business

0 150 300 600 Feet



Map Created 10/31/2017

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-160

Petition #: _____
Date Filed: 10/12/2017
Received By: BT

Complete All Fields (Use additional pages if needed)

Property Owner: Joseph R. and Christine S. Rotunda

Owner's Address: 4548 Providence Road City, State, Zip: Charlotte NC 28226

Date Property Acquired: September 1, 1992

Property Address: 4548 Providence Road, Charlotte NC 28226

Tax Parcel Number(s): 18706135

Current Land Use: Single Family Residential Size (Acres): 2.08 Acres

Existing Zoning: R-3 Proposed Zoning: UR-2 (C.D.)

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

Required Rezoning Pre-Application Meeting* with: John Kinley, Kent Main, Carlos Alzate, Kelsie Anderson

Date of meeting: August 5, 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: For the Development and Construction of up to 14

Single Family Attached (Townhomes) Residential with Land for Sale.

Sonny Crater

Name of Rezoning Agent

16930 W. Catawba Avenue, Suite 205

Agent's Address

Cornelius NC 28031

City, State, Zip

980-233-1239

Telephone Number

Fax Number

Sonny@madisonsimmonshomes.com

E-Mail Address

Joseph R. Rotunda

Signature of Property Owner

Joseph R. Rotunda

(Name Typed / Printed)

Madison Simmons Homes and Communities, L

Name of Petitioner(s)

16930 W. Catawba Avenue, Suite 205

Address of Petitioner(s)

Cornelius NC 28031

City, State, Zip

980-233-1239

Telephone Number

Fax Number

Sonny@madisonsimmonshomes.com

E-Mail Address

Christine S. Rotunda

Signature of Petitioner

Christine S. Rotunda

(Name Typed / Printed)

ATTACHMENT A

**REZONING PETITION # 2017-xxx
Madison Simmons Homes and Communities, LLC**

Petitioner:

Madison Simmons Homes and Communities, LLC

By: C. Shane Buckner

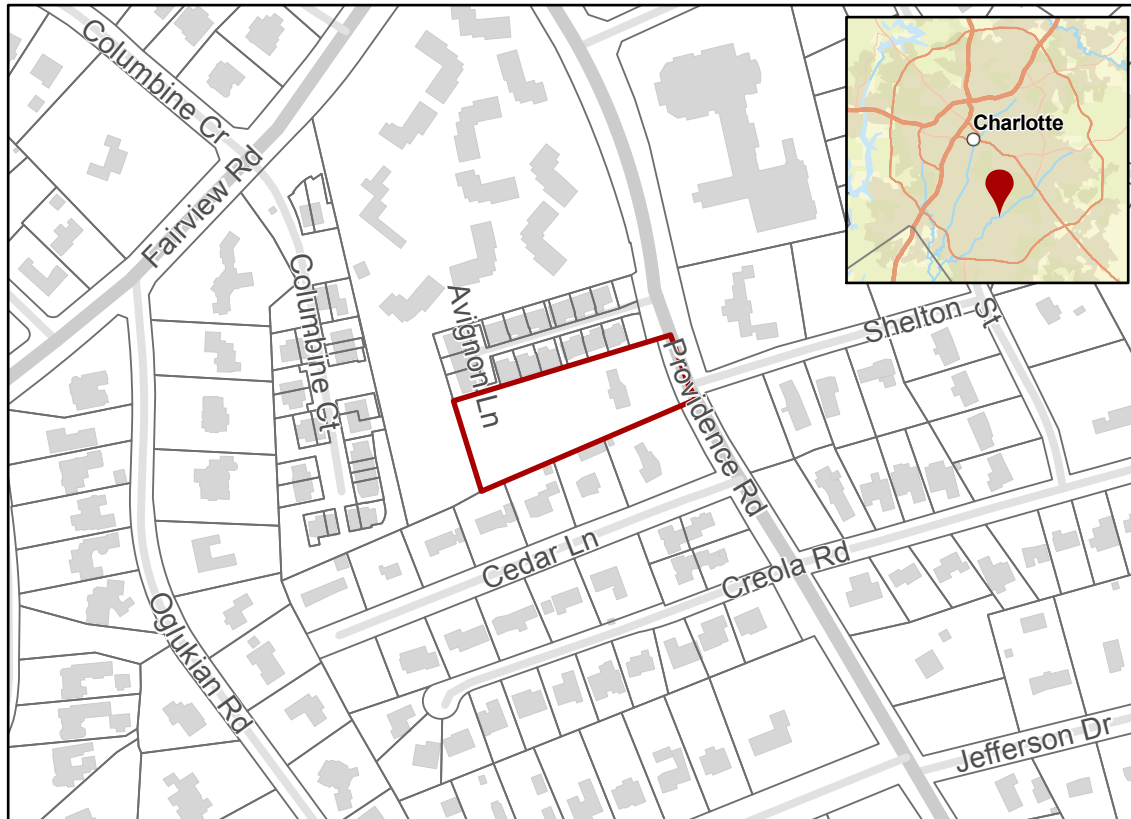
Name: C. Shane Buckner
(Printed)

Title: Managing Member

Rezoning Map

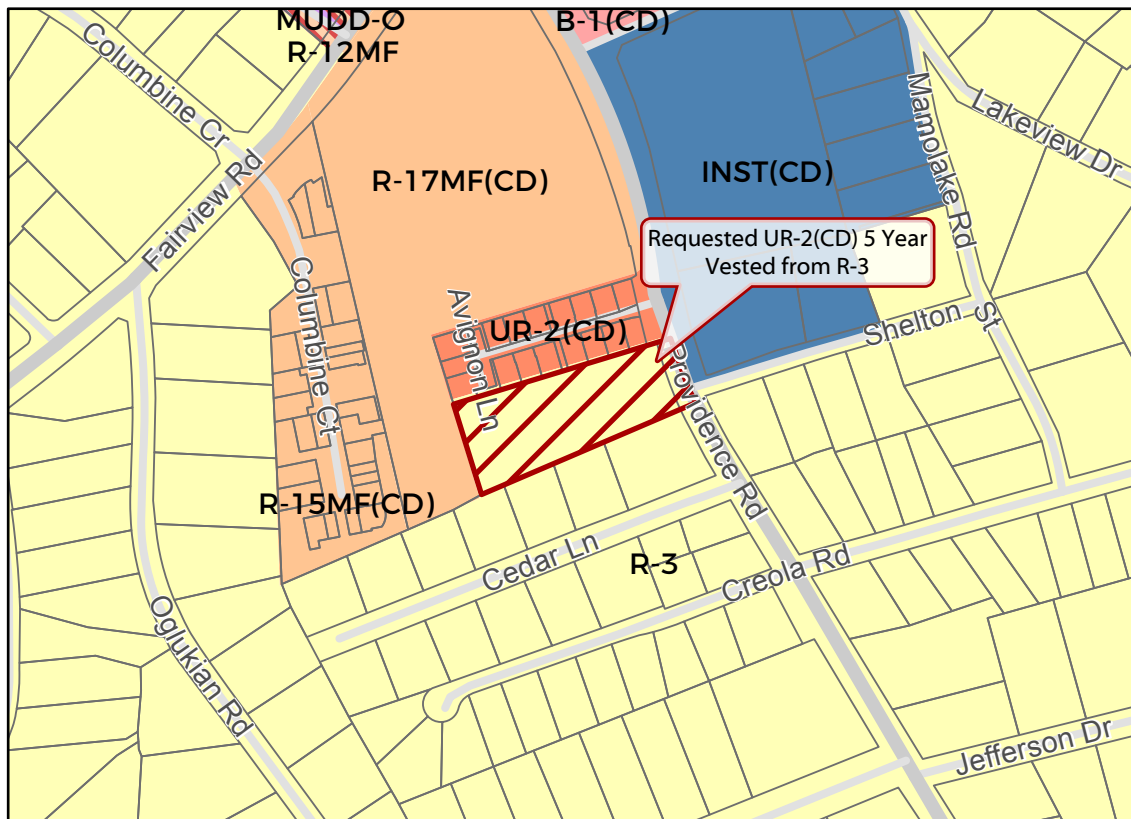
2017-160 : Madison Simmons Homes & Communities, LLC
Current Zoning R-3 (Single Family Residential)
Requested Zoning UR-2(CD) (Urban Residential, Conditional,
with 5 Year Vested Rights)
 Approximately 2.08 acres

Location of Requested Rezoning



- 2017-160
- Inside City Limits
- Parcel
- Buildings
- City Council District**
- 6-Kenny Smith

Existing Zoning & Rezoning Request



- Requested UR-2(CD) 5 Year Vested from R-3
- Parcel
- Zoning Classification**
- Single Family
- Multi-Family
- Urban Residential
- Institutional
- Business
- Mixed Use

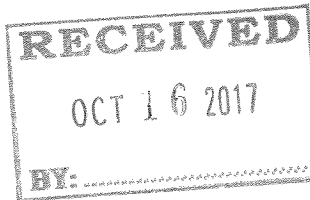


N

0 250 500 1,000 Feet

Map Created 10/31/2017

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-161

Complete All Fields (Use additional pages if needed)

Petition #:	_____
Date Filed:	10/16/2017
Received By:	BH

Property Owner: (1) Trustees of Central Piedmont Community College; (2) Central Piedmont Community College Services Corporation; (3) McRee Family Property-East Independence BV, LLC; (4) Gary D. Hixson and wife, Jane B Hixson

Owner's Address: Please see attached City, State, Zip: Charlotte, NC 28235

Date Property Acquired: Please see attached

Property Address: Eight (8) parcels located in block bounded by Charlottetowne Avenue, Elizabeth Avenue, N. Torrence Street & E. 5th Street.

Tax Parcel Number(s): 080-194-01; 080-194-03; 080-194-04; 080-194-05; 080-194-07; 080-194-14; 080-194-15; and 080-194-16

Current Land Use: commercial Size (Acres): -/-1.76 acres total

Existing Zoning: Please see attached Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune
Date of meeting: 9/27/17

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: Petitioner desires to rezone the eight (8) parcels referenced herein to be compatible with the zoning classifications of its existing Central Campus for future expansion and use of Central Piedmont Community College.

Johnston, Allison & Hord, P.A.
R. Susanne Todd and James W. Allison
Name of Rezoning Agent

1065 E. Morehead Street
Agent's Address

Charlotte, NC 28204
City, State, Zip
704-998-2306
704-998-2236 704-376-1628
Telephone Number Fax Number
stodd@jahlaw.com
jallison@jahlaw.com
E-Mail Address

Please See attached
Signatures of Property Owners

Central Piedmont Community College
Name of Petitioner(s)

P.O. Box 35009
Address of Petitioner(s)

Charlotte, NC 28235
City, State, Zip
704-336-6717 704-330-5045
Telephone Number Fax Number

E-Mail Address

x Michael Moss
Signature of Petitioner
Michael Moss, CPA, CGMA, Vice President of Finance and Administrative Services, Central Piedmont Community College

OWNERS ADDRESSES:

(1) Trustees of Central Piedmont Community College
PO Box 35009, Charlotte, NC 28235

(2) Central Piedmont Community College Services Corporation
PO Box 35009, Charlotte, NC 28235

(3) McRee Family Property-East Independence BV, LLC
1616 Brandon Road Charlotte, NC 28207

(4) Gary D. Hixson and wife, Jane B. Hixson
1414 East 5th Street Charlotte, NC 28204

DATE PROPERTIES ACQUIRED AND EXISTING ZONING:

(1) Trustees of Central Piedmont Community College

Parcels:

08019403: January 31, 2017 (NS)
08019404: June 3, 2016 (NS)
08019405: June 3, 2016 (NS)
08019415: June 3, 2016 (O-2)

(2) Central Piedmont Community College Services Corporation

Parcels:

08019407: June 3, 2016 (O-2)
08019416: June 3, 2016 (NS)

(3) McRee Family Property-East Independence BV, LLC

Parcel: 08019401: April 5, 2007 (B-2)

(4) Gary D. Hixson and wife, Jane B. Hixson

Parcel: 08019414: October 11, 1983 (O-2)

Signature Page

Trustees of Central Piedmont Community College

Michael Moss
By:
Its: Vice President, Finance CPCC

Central Piedmont Community College Services Corporation

Michael Moss
By:
Its: Vice President, Finance CPCC Services Corp.

McRee Family Property-East Independence BV, LLC

Charles W. McRee
By:
Its: Managing Partner

Gary D. Hixson

Jane B. Hixson

Signature Page

Trustees of Central Piedmont Community College

By: _____

Its:

Central Piedmont Community College Services Corporation

By: _____

Its:

McRee Family Property-East Independence BV, LLC

Charles W. McRee

By: _____

Its: *Managing Partner*

Gary D. Hixson

Jane B. Hixson

Signature Page

Trustees of Central Piedmont Community College

By: _____

Its:

Central Piedmont Community College Services Corporation

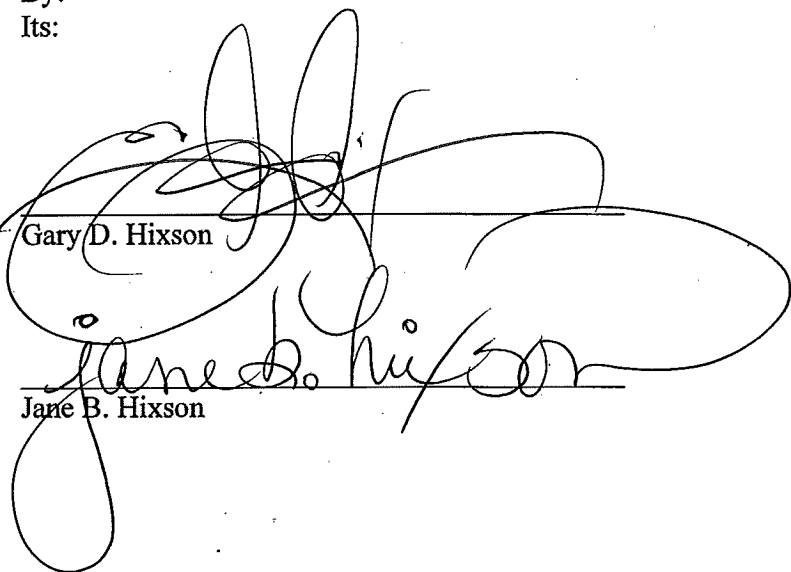
By: _____

Its:

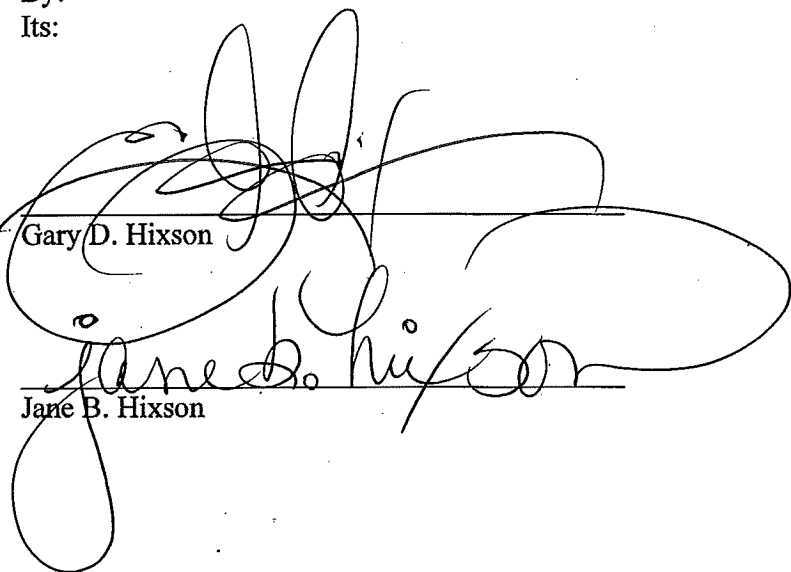
McRee Family Property-East Independence BV, LLC

By: _____

Its:



Gary D. Hixson



Jane B. Hixson

Rezoning Map

2017-161 : Central Piedmont Community College

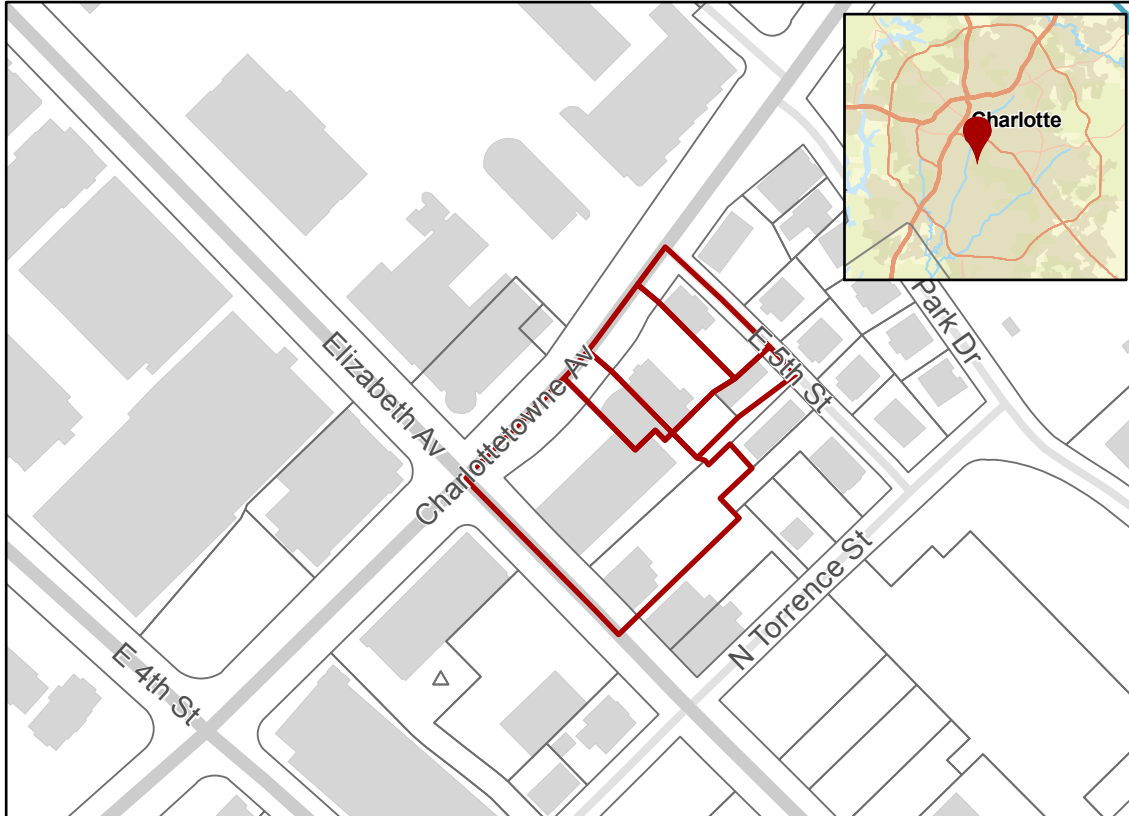
Current Zoning NS, O-2, B-2 (Neighborhood Services, Office, General Business)

Requested Zoning MUDD-O (Mixed Use Development-Optional,
with 5 Year Vested Rights)

Approximately 1.76 acres

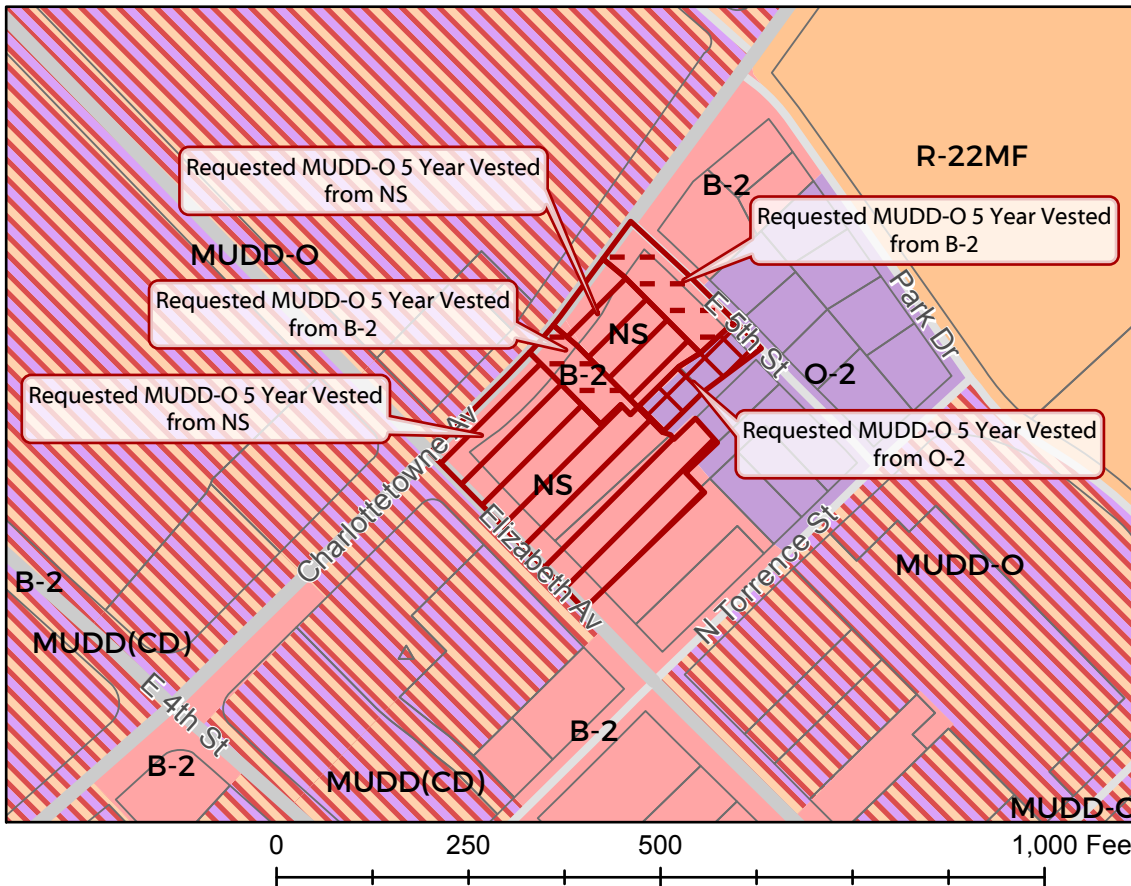


Location of Requested Rezoning



- 2017-161
- Inside City Limits
- Parcel
- Buildings
- Streams
- City Council District**
- 1-Patsy B. Kinsey

Existing Zoning & Rezoning Request



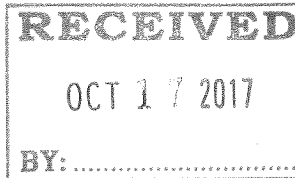
- Requested MUDD-O from NS
- Requested MUDD-O from O-2
- Requested MUDD-O from B-2
- Parcel
- Zoning Classification**
- Multi-Family
- Office
- Business
- Mixed Use



N

Map Created 10/27/2017

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-162

Petition #: _____
Date Filed: 10/17/2017
Received By: BH

Complete All Fields (Use additional pages if needed)

Property Owner: PCMD, LLC
Owner's Address: 11050 Dondarrach Lane City, State, Zip: Charlotte, NC 28277
Date Property Acquired: 12/11/2015
Property Address: 1816 Wickford Place, Charlotte, NC 28203
Tax Parcel Number(s): 11907708
Current Land Use: SF-R Size (Acres): .348 acres
Existing Zoning: UR-1 (CD) Proposed Zoning: UR-1 (CD) SPA
Overlay: Wilmore - Historic District (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Solomon Fortune / Jason Prescott
Date of meeting: 10/10/17

(*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): 0
Purpose/description of Conditional Zoning Plan: To correct site plan

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

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

Rezoning Map 2017-162 : Craig Calcasola

Current Zoning UR-1(CD), HD (Urban Residential, Conditional, Historic District Overlay)

Requested Zoning UR-1(CD) SPA, HD (Urban Residential, Conditional, Site Plan Amendment, Historic District Overlay)

Approximately 0.348 acres

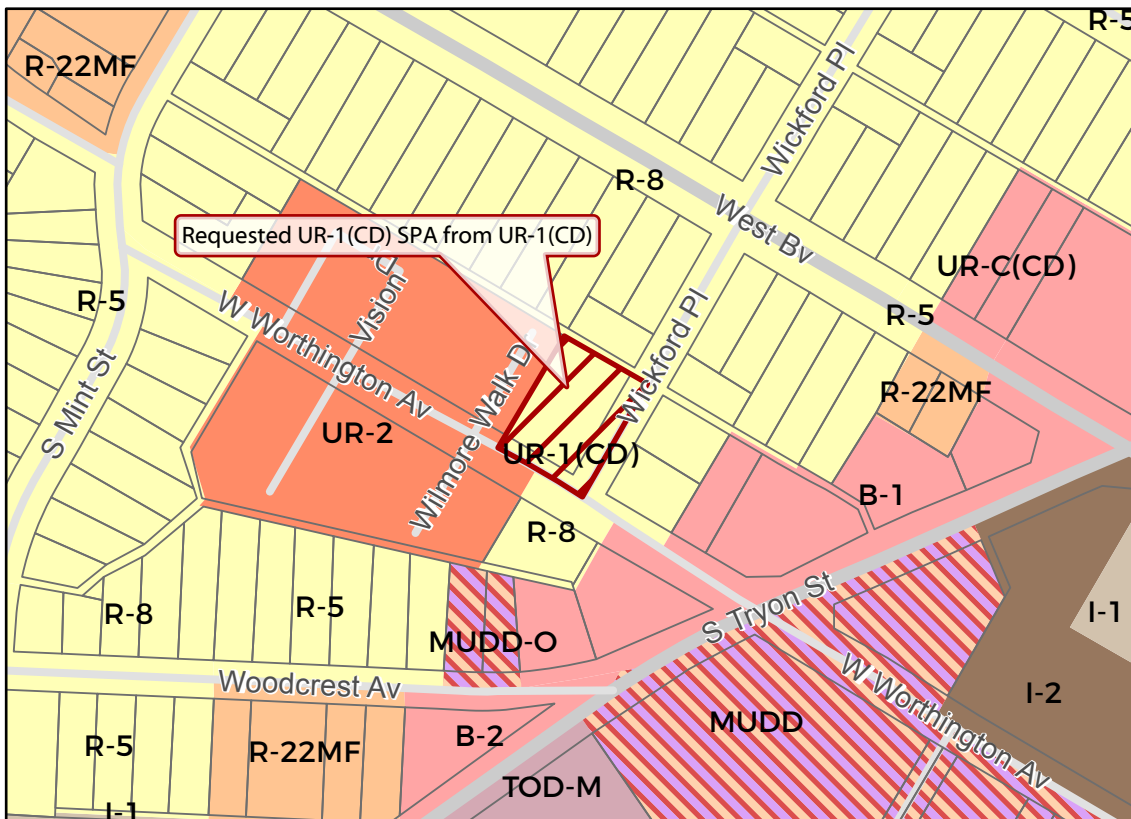


Location of Requested Rezoning



- 2017-162
- Inside City Limits
- Parcel
- Buildings
- Streams
- Historic Districts
- City Council District**
- 3-LaWana Mayfield

Existing Zoning & Rezoning Request



- Requested UR-1(CD) SPA from UR-1(CD)
- Parcel
- Zoning Classification**
- Single Family
- Multi-Family
- Urban Residential
- Business
- Light Industrial
- Heavy Industrial
- Mixed Use
- Transit-Oriented

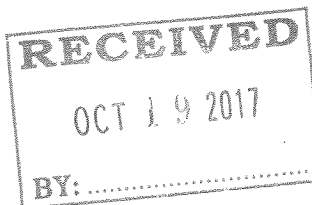


N

0 125 250 500 Feet

Map Created 10/27/2017

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-163

Petition #: _____
Date Filed: 10/19/17
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Not His LLL
Owner's Address: P.O. 11010 City, State, Zip: Charlotte N.C. 28220
Date Property Acquired: 3/31/16
Property Address: 3316, 3320, 3324 North Davidson Street
Tax Parcel Number(s): 083-085-12, 083-085-13, 083-085-14
Current Land Use: Commercial Size (Acres): 0.201 Acres
Existing Zoning: NS Proposed Zoning: TOD-MO
Overlay: NA (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Mandy Rosen
Date of meeting: 10/5/17

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

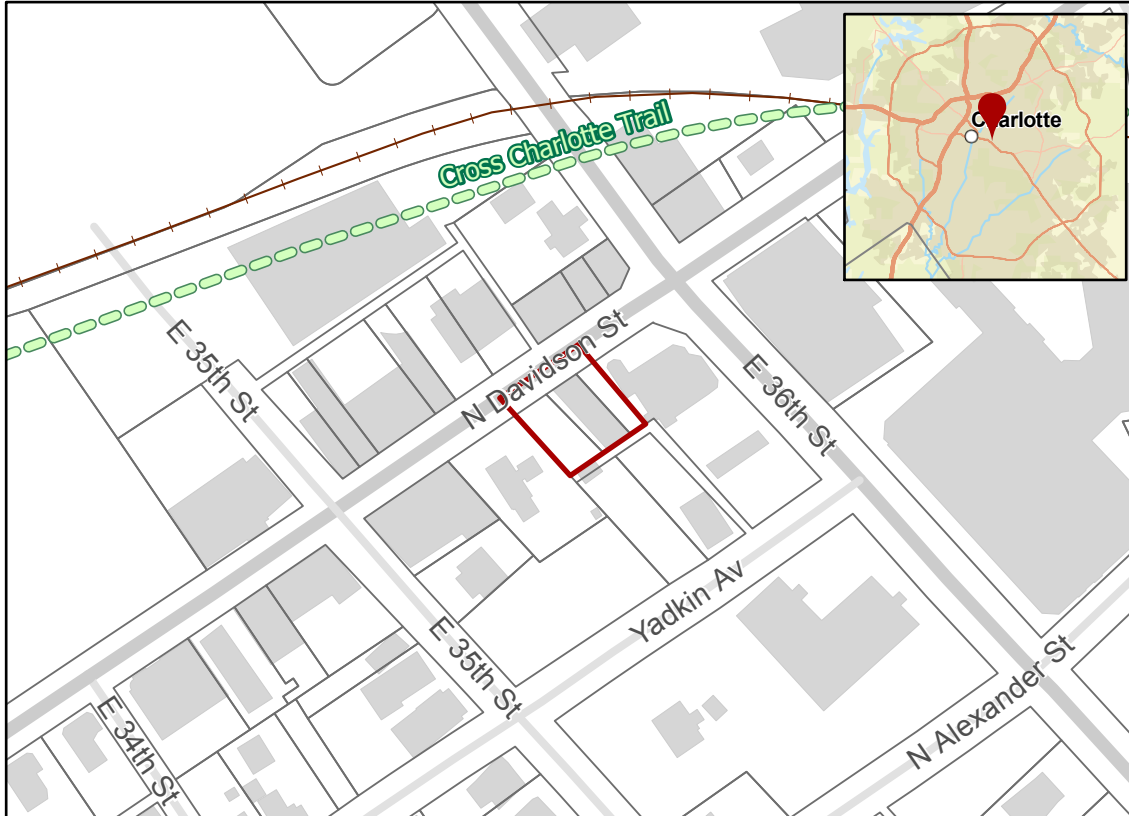
For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes ☒ No ☐ Number of years (maximum of 5): _____
Purpose/description of Conditional Zoning Plan: Current parking Lot to be
Used As open Air Market

Thomas B. Miller
Name of Rezoning Agent
122 Cherokee Road Suite 3
Agent's Address
Charlotte N.C. 28207
City, State, Zip
704-374-1610 704-374-1651
Telephone Number Fax Number
Tom@millerdevelopmentcompany.com
E-Mail Address
[Signature]
Signature of Property Owner
ELIZABETH GUILLO
(Name Typed / Printed)

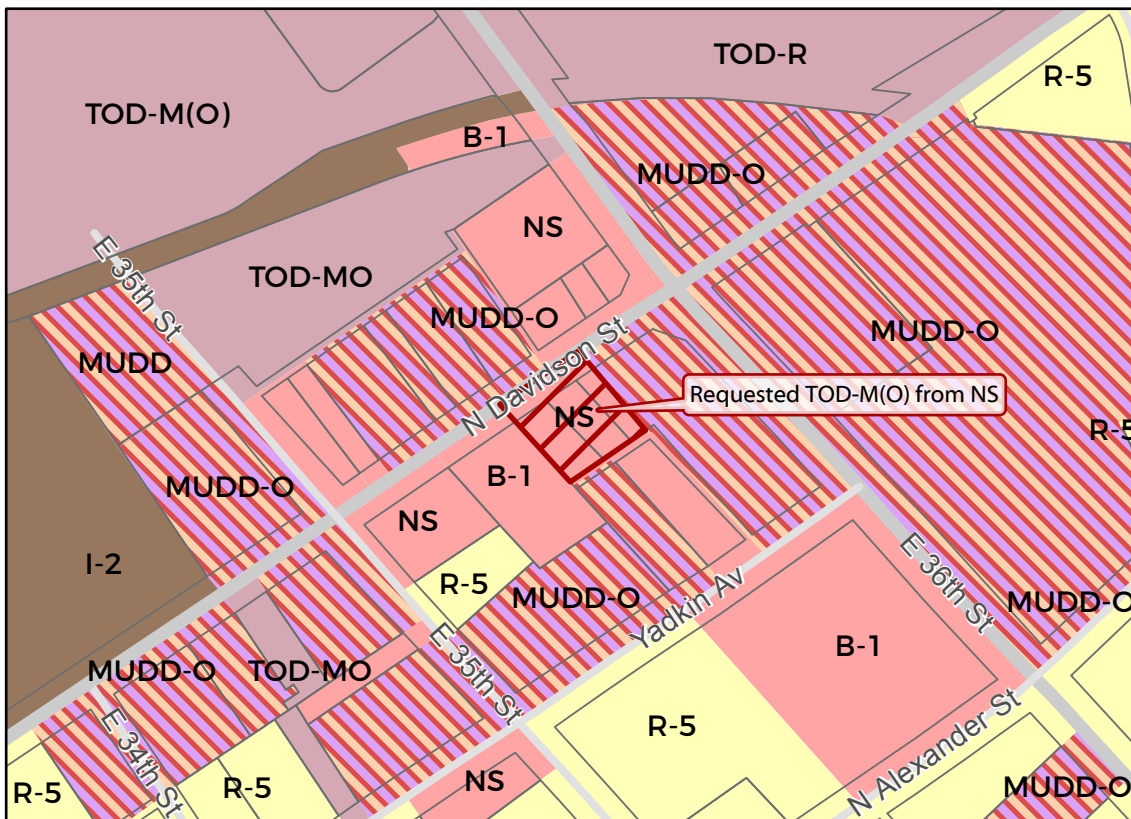
Miller Development Company
Name of Petitioner(s)
122 Cherokee Road Suite 3
Address of Petitioner(s)
Charlotte N.C. 28207
City, State, Zip
704-374-1610 704-374-1651
Telephone Number Fax Number
Tom@millerdevelopmentcompany.com
E-Mail Address
[Signature]
Signature of Petitioner
Thomas B. Miller
(Name Typed / Printed)

Location of Requested Rezoning



- 2017-163
- Inside City Limits
- Parcel
- Buildings
- Railway
- Cross Charlotte Trail
- City Council District**
- 1-Patsy B. Kinsey

Existing Zoning & Rezoning Request



- Requested TOD-M(O) from NS
- Parcel
- Zoning Classification**
- Single Family
- Business
- Heavy Industrial
- Mixed Use
- Transit-Oriented

0 125 250 500 Feet



Map Created 10/30/2017

RECEIVED

OCT 20 2017

BY:

2017-164

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: _____

Date Filed: 10/20/2017

Received By: B. H.

Complete All Fields (Use additional pages if needed)

Property Owner: Adams Outdoor Advertising Limited Partnership

Owner's Address: 3801 Capital City Boulevard City, State, Zip: Lansing, Michigan 48906

Date Property Acquired: December 6, 2016

Property Address: 2110 Alleghany Street

Tax Parcel Number(s): A portion of Tax Parcel No. 061-141-03

Current Land Use: Vacant Industrial Size (Acres): +/- 17.268 acres

Existing Zoning: I-1 Proposed Zoning: R-12 MF (CD)

Overlay: N/A Airport Noise Overlay (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 19, 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 development of a multi-family residential community on the site that will contain up to 198 dwelling units for families at or below 60% of the area median income.

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

ADAMS OUTDOOR ADVERTISING LIMITED PARTNERSHIP

By: [Signature]

Signature of Property Owner

Jeannie Dodson

(Name Typed / Printed)

Pedcor Investments (c/o Michael S. Byron)

Name of Petitioner(s)

770 Third Avenue, S.W.

Address of Petitioner(s)

Carmel, IN 46032

City, State, Zip

317-218-2702

Telephone Number

Fax Number

mbyron@pedcor.net

E-Mail Address

PEDCOR INVESTMENTS

By: [Signature]

Signature of Petitioner

MICHAEL S. BYRON

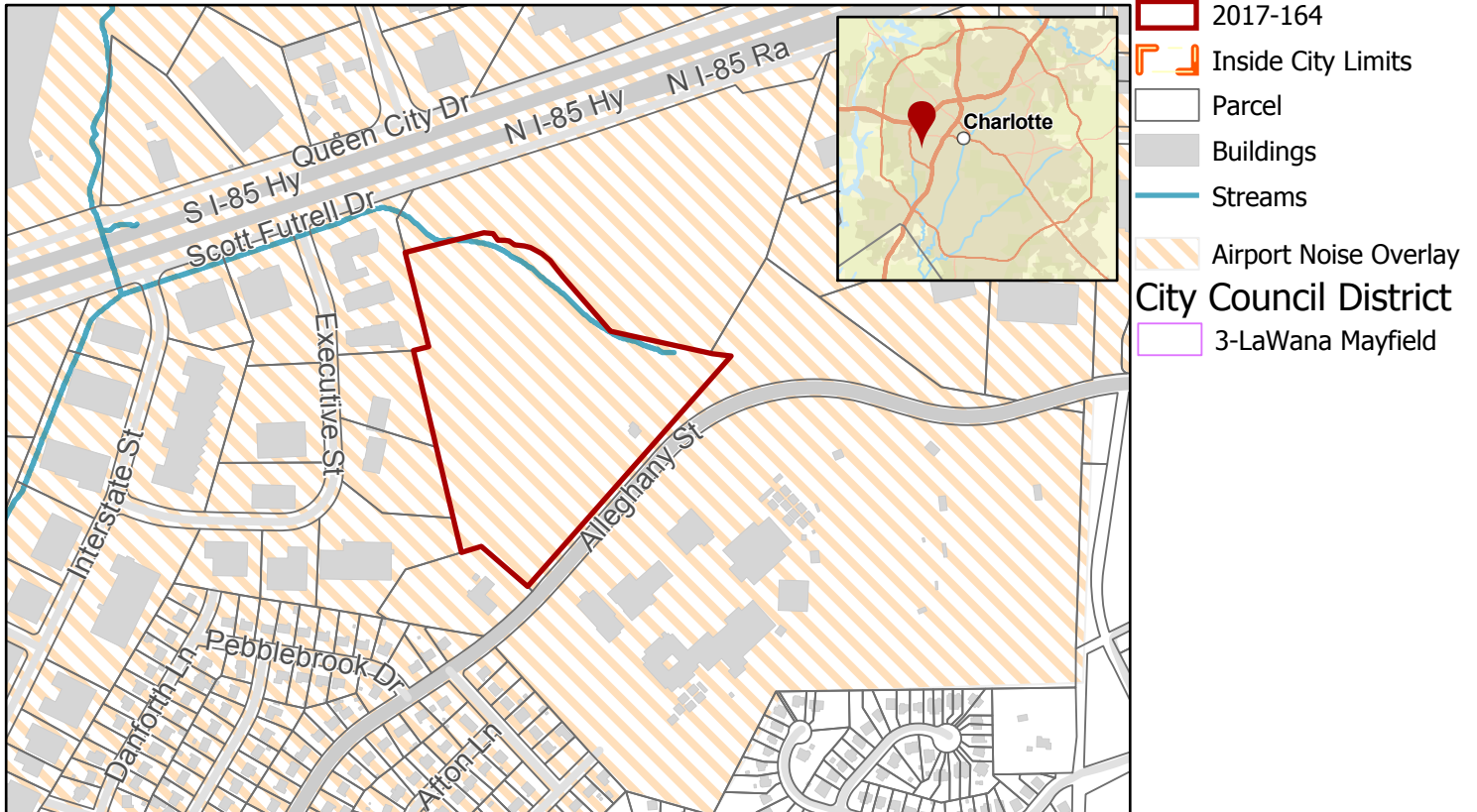
(Name Typed / Printed)

Rezoning Map

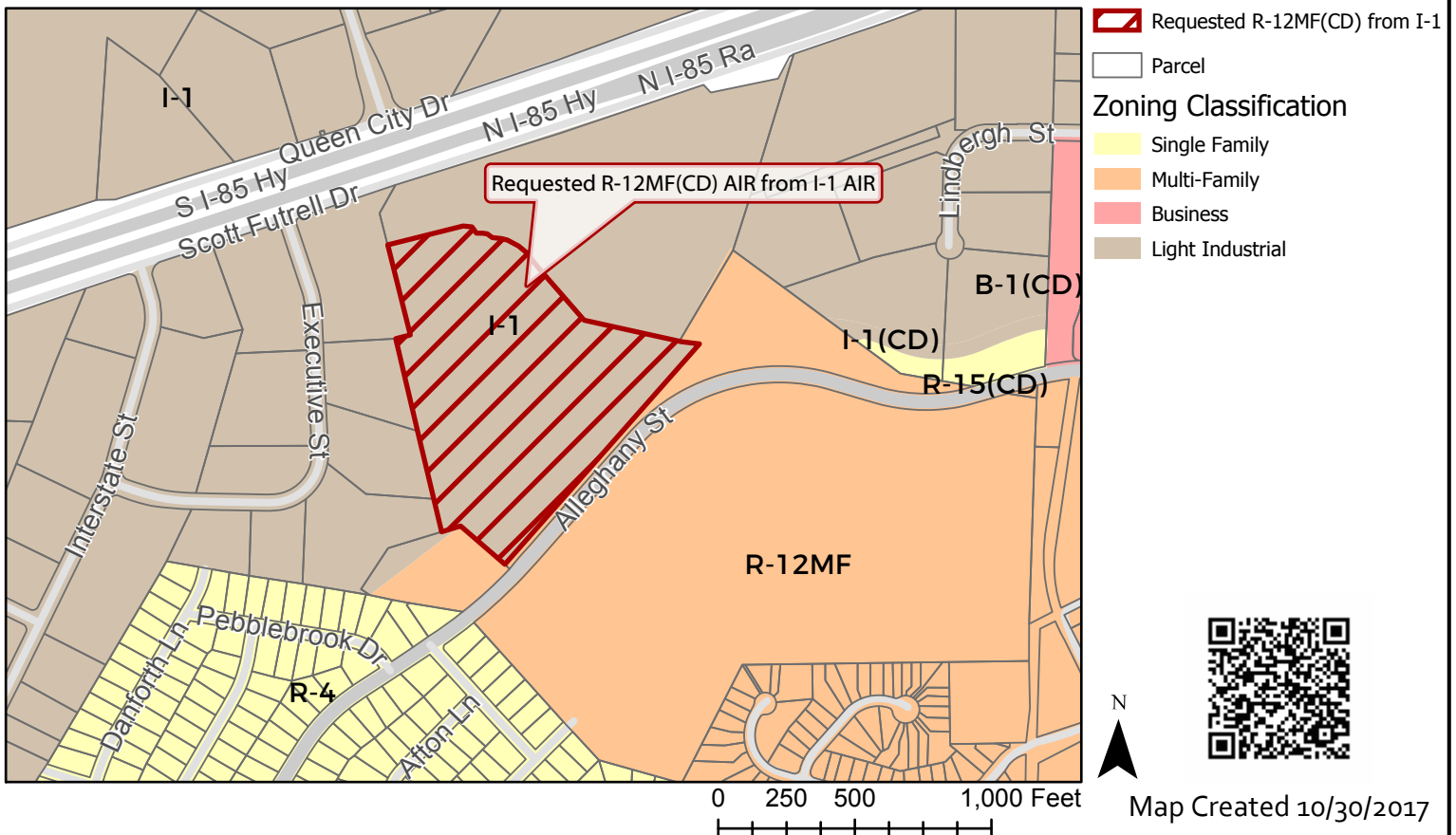
2017-164 : Pedcor Investments

Current Zoning I-1 AIR (Light Industrial, Airport Noise Overlay)
Requested Zoning R-12MF(CD) AIR (Multi-Family Residential, Conditional, Airport Noise Overlay)
 Approximately 17.268 acres

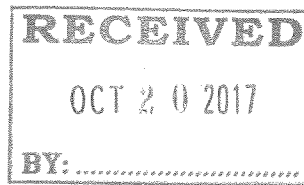
Location of Requested Rezoning



Existing Zoning & Rezoning Request



**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-165

Petition #:	_____
Date Filed:	<u>10/20/2017</u>
Received By:	<u>[Signature]</u>

Property Owners: TM Northlake Mall Outparcels LP C/O Starwood Capital Group LP
TM Northlake Mall LP C/O Starwood Capital Group LP

Owner's Addresses: PO Box 56607, Atlanta, GA 30343
PO Box 56607, Atlanta, GA 30343

Date Properties
Acquired: 11/3/2015
10/20/2014

Property Addresses: N/A
6801 Northlake Mall Dr, Charlotte, NC 28216

Tax Parcel Numbers: 025-091-24
Portion of 025-091-25

Current Land Use: vacant and commercial (Acres): ± 14.4

Existing Zoning: CC Proposed Zoning: CC SPA

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

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

Date of meeting: 10/10/17

(*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 development of the entitled but undeveloped portion of the Village Shops component of the Northlake property for mixed uses under a site plan that varies the specific location of buildings from the current rezoning plan.

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

704.331.3531(KM) 704-378-1954(KM)

Telephone Number

Fax Number

jeffbrown@mvalaw.com; keithmacvean@mvalaw.com

E-mail Address

SEE ATTACHMENTS A - B

Signature of Property Owner

Starwood Retail Partners(Attn: John Albright)

Name of Petitioner

1 East Wacker Drive, Ste. 3600

Address of Petitioner

Chicago, IL 60601

City, State, Zip

312.265.7018

Telephone Number

Fax Number

jalbright@starwoodretail.com

E-mail Address

SEE ATTACHMENT C

Signature of Petitioner

ATTACHMENT A

**REZONING PETITION NO. [2017-____]
Starwood Retail Partners**

**OWNER JOINDER AGREEMENT
TM Northlake Mall Outparcels LP**

The undersigned, as the owner of the parcel of land located at the intersection of Northlake Mall Drive and Northlake Commons Boulevard that is designated as Tax Parcel No. 025-091-24 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcel from CC zoning district to the CC SPA zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 18th day of October, 2017.

TM Northlake Mall Outparcels LP

By: [Signature]

Name: Carl Tash

Its: Chief Operating Officer

ATTACHMENT B

**REZONING PETITION NO. 2017-_____
Starwood Retail Partners**

**OWNER JOINDER AGREEMENT
TM Northlake Mall LP**

The undersigned, as the owner of the parcel of land located at 6801 Northlake Mall Drive that is designated as a portion of Tax Parcel No. 025-091-25 on the Mecklenburg County Tax Map, and a portion of such Tax Parcel as more particularly shown on the rezoning Plan is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcel from CC zoning district to the CC SPA zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 18th day of October, 2017.

TM Northlake Mall LP

By: 

Name: Carl Tash

Its: Chief Operating Officer

ATTACHMENT C

**REZONING PETITION NO. 2017-
Starwood Retail Partners**

Petitioner:

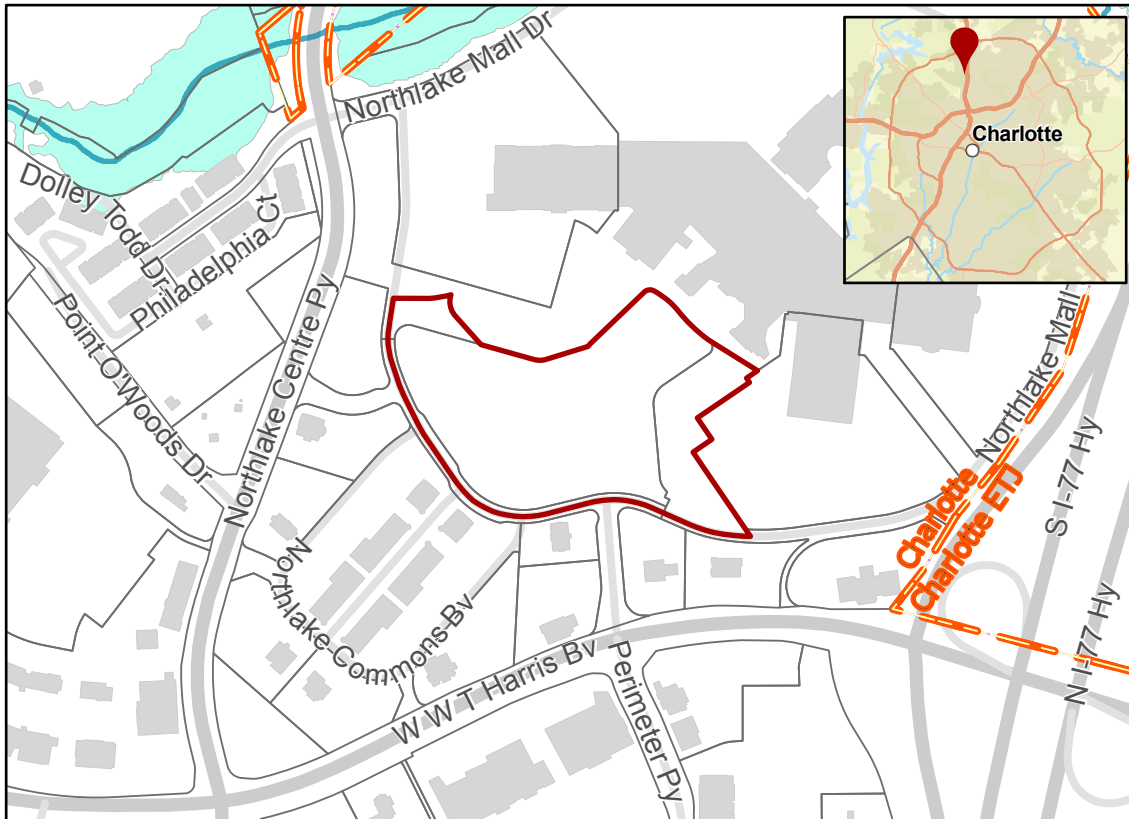
Starwood Retail Partners

By: 

Name: Carl Tush

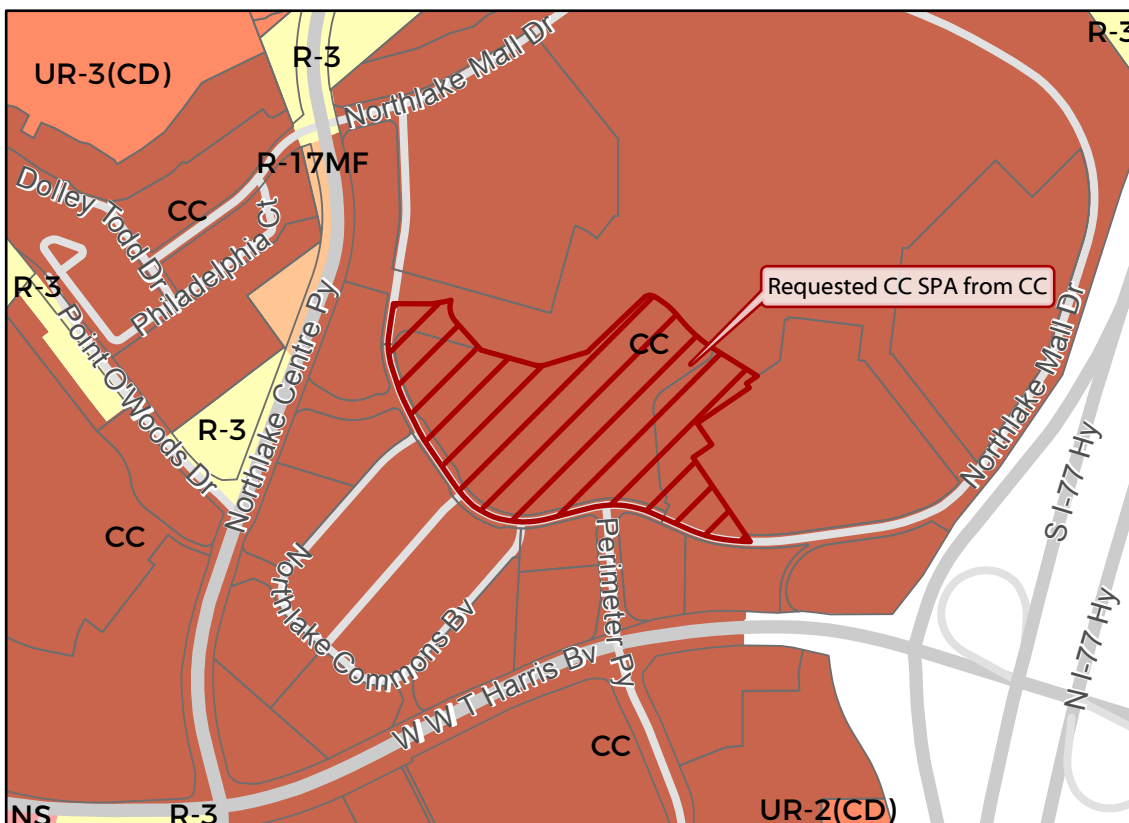
Title: Chief Operating Officer

Location of Requested Rezoning



- 2017-165
- Inside City Limits
- Parcel
- Buildings
- FEMA Flood Plain
- Streams
- City Council District**
- 2-Carlenia Ivory

Existing Zoning & Rezoning Request



- Requested CC SPA from CC
- Parcel
- Zoning Classification**
- Single Family
- Multi-Family
- Urban Residential
- Business
- Commercial Center



0 250 500 1,000 Feet

Map Created 10/30/2017

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-166

Petition #:	_____
Date Filed:	<u>10/20/2017</u>
Received By:	<u>PH</u>

Property Owners: KP Charlotte 1, LLC

Owner's Addresses: 8025 Forsyth Boulevard, St. Louis, MO 63105

Date Properties
Acquired: 6-16-2017

Property Addresses: 1706 Queen City Drive, Charlotte, NC 28208

Tax Parcel Numbers: portion of 061-151-09

Current Land Use: Under Development with Warehouse Distribution Uses (Acres): ± 3.22

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

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

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

Date of meeting: October 2nd 2017

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

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 a driveway to Tuckaseegee Road

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

704.331.3531 (KM) 704-378-1954(KM)

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

Telephone Number Fax Number

keithmacvean@mvalaw.com;

jeffbrown@mvalaw.com

E-mail Address

See Attachment A

Signature of Property Owner

KP Development, LLC (Attn: Scott Haley)

Name of Petitioner

8025 Forsyth Blvd

Address of Petitioner

Clayton, MO 63105

City, State, Zip

314.261.7352

Telephone Number

Fax Number

shaley@kpstl.com

E-mail Address

See Attachment B

Signature of Petitioner

ATTACHMENT A


**REZONING PETITION NO. [2017-____]
KP Development, LLC**

**OWNER JOINDER AGREEMENT
KP Charlotte 1, LLC**

The undersigned, as the owner of the parcel of land located at 1706 Queen City Drive that is designated as a portion of Tax Parcel No. 061-151-09 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from I-1(CD) zoning district to the I-1(CD) SPA zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This ____ day of _____, 2017.

KP Charlotte 1, LLC

By: 
Name: _____
Its: _____

ATTACHMENT B

REZONING PETITION NO. [2017-]
KP Development, LLC

Petitioner:

KP Development, LLC

By: 

Name: _____

Title: _____

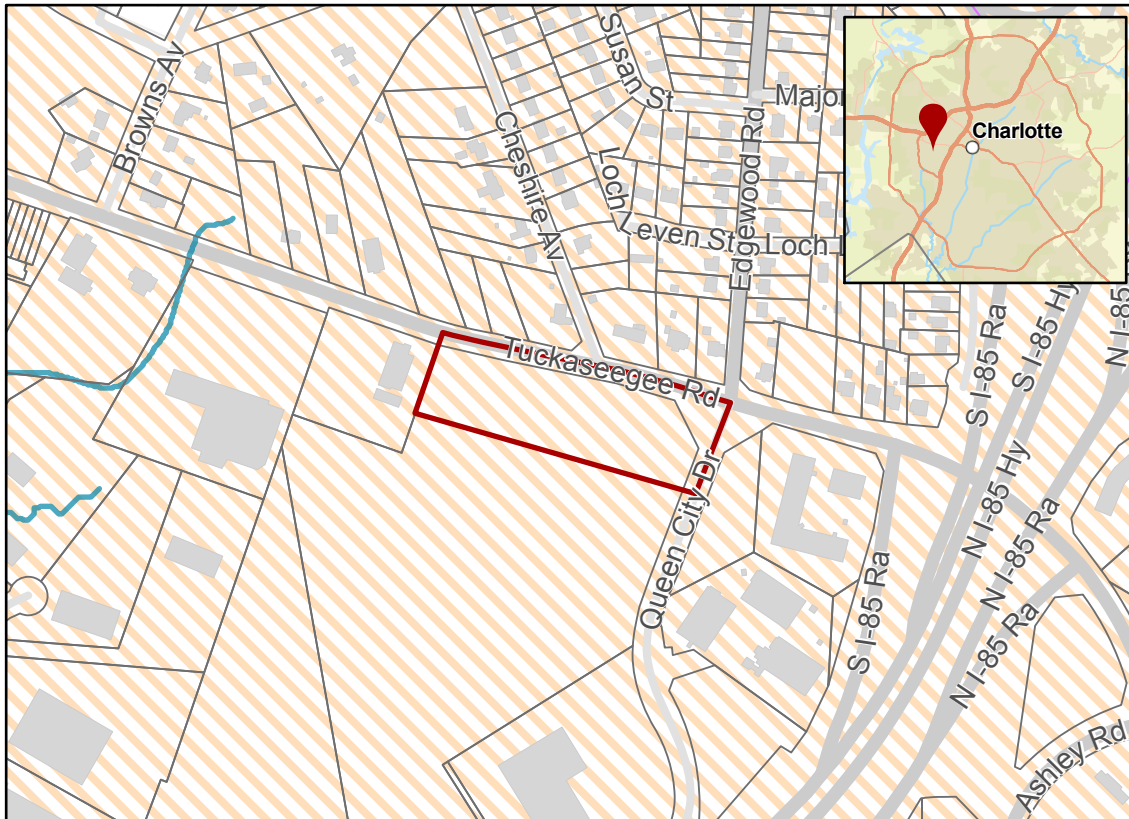
Rezoning Map

2017-166 : KP Development, LLC

Current Zoning I-1(CD)AIR(Light Industrial, Conditional, Airport Noise Overlay)
Requested Zoning I-1(CD) SPA, AIR (Light Industrial, Conditional, Site Plan Amendment, Airport Noise Overlay)
Approximately 3.22acres

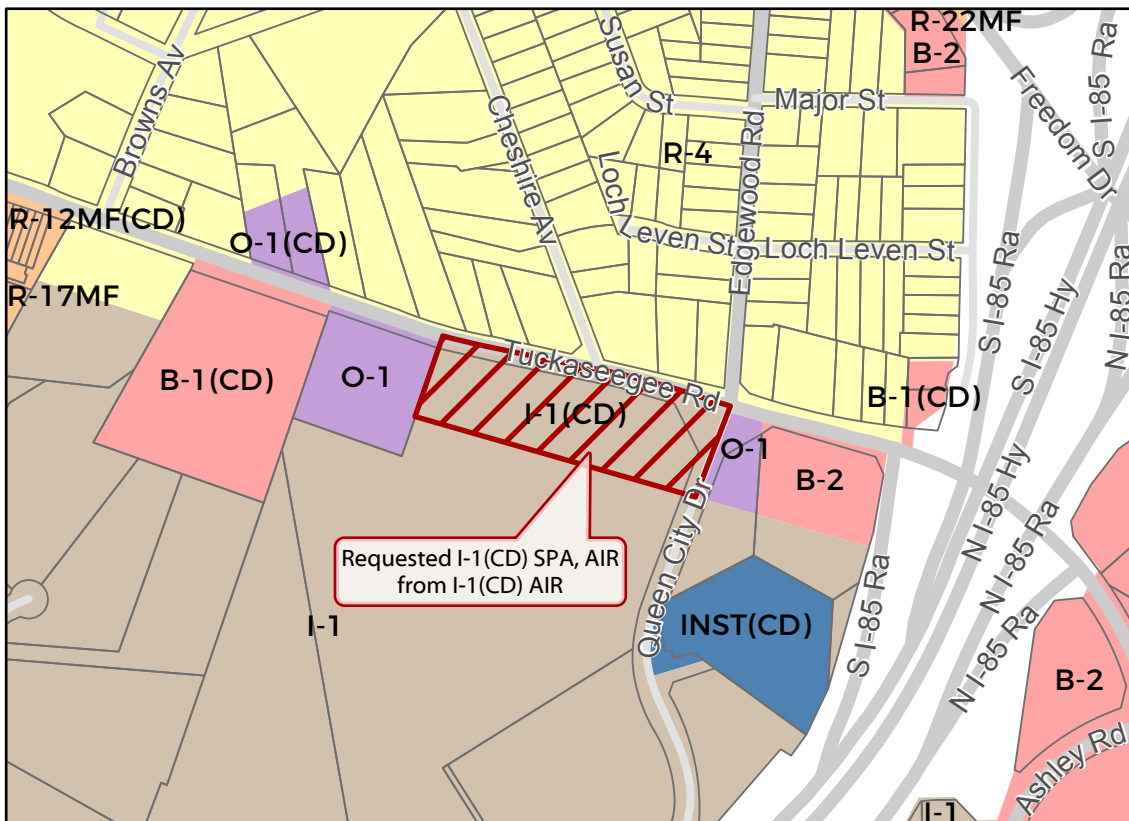


Location of Requested Rezoning



- 2017-166
- Inside City Limits
- Parcel
- Buildings
- Streams
- Airport Noise Overlay
- City Council District**
- 3-LaWana Mayfield

Existing Zoning & Rezoning Request



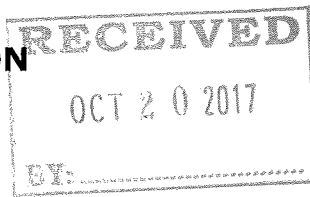
- Requested I-1(CD) SPA, AIR from I-1(CD) AIR
- Parcel
- Zoning Classification**
- Single Family
- Multi-Family
- Institutional
- Office
- Business
- Light Industrial

0 250 500 1,000 Feet



Map Created 10/30/2017

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-167
Petition #: _____
Date Filed: 10/20/2017
Received By: BH

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 (Acres): ± 2.11

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

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

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

Date of meeting: 10/17/2017

(*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 promote redevelopment of the abandoned Site to permit a new mixed-use development.

Jeff Brown & Keith MacVean

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

704.331.3531 (KM) 704-378-1954(KM)

Telephone Number

Fax Number

jeffbrown@mvalaw.com ; keithmacvean@mvalaw.com

E-mail Address

SEE ATTACHMENT A

Signature of Property Owner

Beaver Creek CRE LLC(Attn: Susan Rosenblatt)

Name of Petitioner

8334 Pineville Matthews Road, Ste. 103-256

Address of Petitioner

Pineville, NC 28134

City, State, Zip

704.363.1368

Telephone Number

Fax Number

susan@gvestcapital.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
131-111-12	4001 E Independence Blvd, Charlotte, NC 28205	Executive Building Company LLC	PO Box 33775, Charlotte, NC 28233	.888	07/27/1998
131-111-10	4812 Bamboo St, Charlotte, NC 28205			1.068	07/27/1998
131-111-01	N/A			.154	07/27/1998

ATTACHMENT A

**REZONING PETITION NO. [2017-____]
Beaver Creek CRE LLC**

**OWNER JOINDER AGREEMENT
Executive Building Company LLC**


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

1. 4001 E Independence Blvd, Charlotte, NC that is designated as Tax Parcel No. 131-111-12 on the Mecklenburg County Tax Map
2. 4812 Bamboo Street, Charlotte, NC that is designated as Tax Parcel No. 131-111-10 on the Mecklenburg County Tax Map
3. The intersection of Pierson Drive and Bamboo Street, Charlotte, NC that is designated as Tax Parcel No. 131-111-01 on the Mecklenburg County Tax Map

and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from B-2 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 19th day of October, 2017.

Executive Building Company LLC

By: 
Name: SAM KAPLAN
Its: MGR

ATTACHMENT B

**REZONING PETITION NO. 2017-
Beaver Creek CRE LLC**

Petitioner:

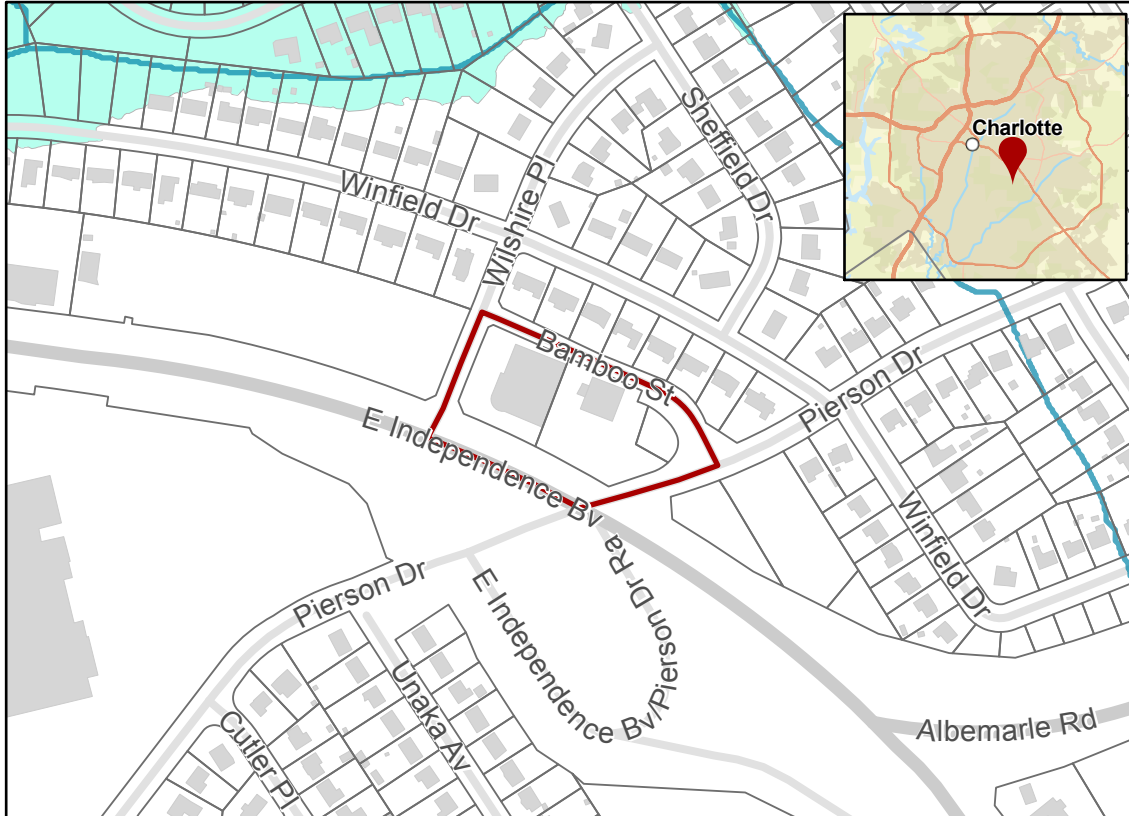
Beaver Creek CRE LLC

By: 

Name: RAYMOND GEE

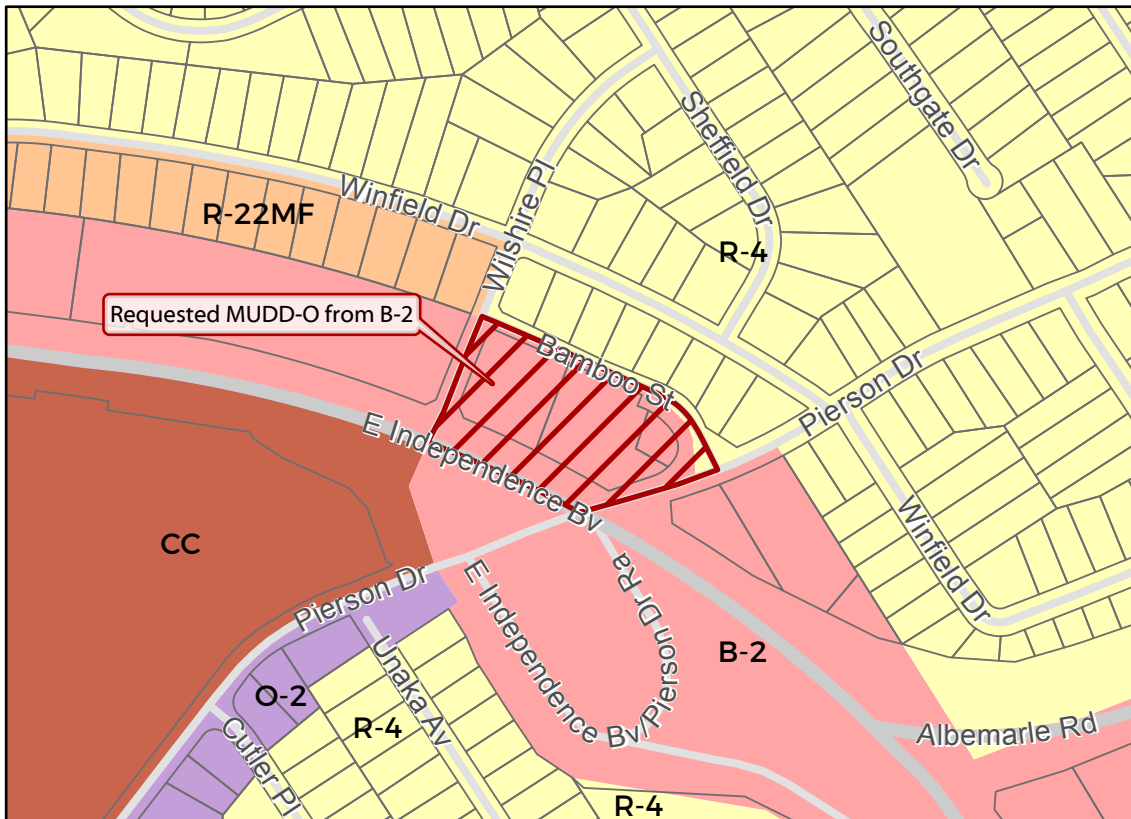
Title: MEMBER

Location of Requested Rezoning



- 2017-167
- Inside City Limits
- Parcel
- Buildings
- FEMA Flood Plain
- Streams
- City Council District**
- 5-Dimple Ajmera

Existing Zoning & Rezoning Request



- Requested MUDD-O from B-2
- Parcel
- Zoning Classification**
- Single Family
- Multi-Family
- Office
- Business
- Commercial Center

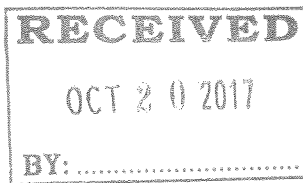
0 250 500 1,000 Feet



N

Map Created 10/30/2017

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-168

Petition #:	_____
Date Filed:	<u>10/20/2017</u>
Received By:	<u>[Signature]</u>

Complete All Fields (Use additional pages if needed)

Property Owner: 601 Kingston LLC

Owner's Address: 5226 Addison Drive City, State, Zip: Charlotte, NC 28211

Date Property Acquired: December 22, 2004 and March 6, 2007

Property Address: 601, 607 and 615 West Boulevard and 541 West Worthington Avenue

Tax Parcel Number(s): 119-074-27 and 119-074-28

Current Land Use: Multi-family & Vacant single family Size (Acres): +/- 3.698 acres

Existing Zoning: R-22 MF & R-5 Proposed Zoning: UR-2 (CD)

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

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

Date of meeting: October 18, 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 development of a residential community on the site that will contain up to 41 single family attached dwelling units.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number

Fax Number

jcarmichael@robinsonbradshaw.com
E-Mail Address

601 KINGSTON LLC

By: [Signature]
Signature of Property Owner

JAMES SCRUGG
(Name Typed / Printed)

J.S. & Son's Construction Company, LLC (c/o James Scruggs)
Name of Petitioner(s)

5226 Addison Drive
Address of Petitioner(s)

Charlotte, NC 28211
City, State, Zip

704-249-7718
Telephone Number

Fax Number

james@upfamilyhomecare.com
E-Mail Address

J.S. & SON'S CONSTRUCTION COMPANY, LLC

By: [Signature]
Signature of Petitioner

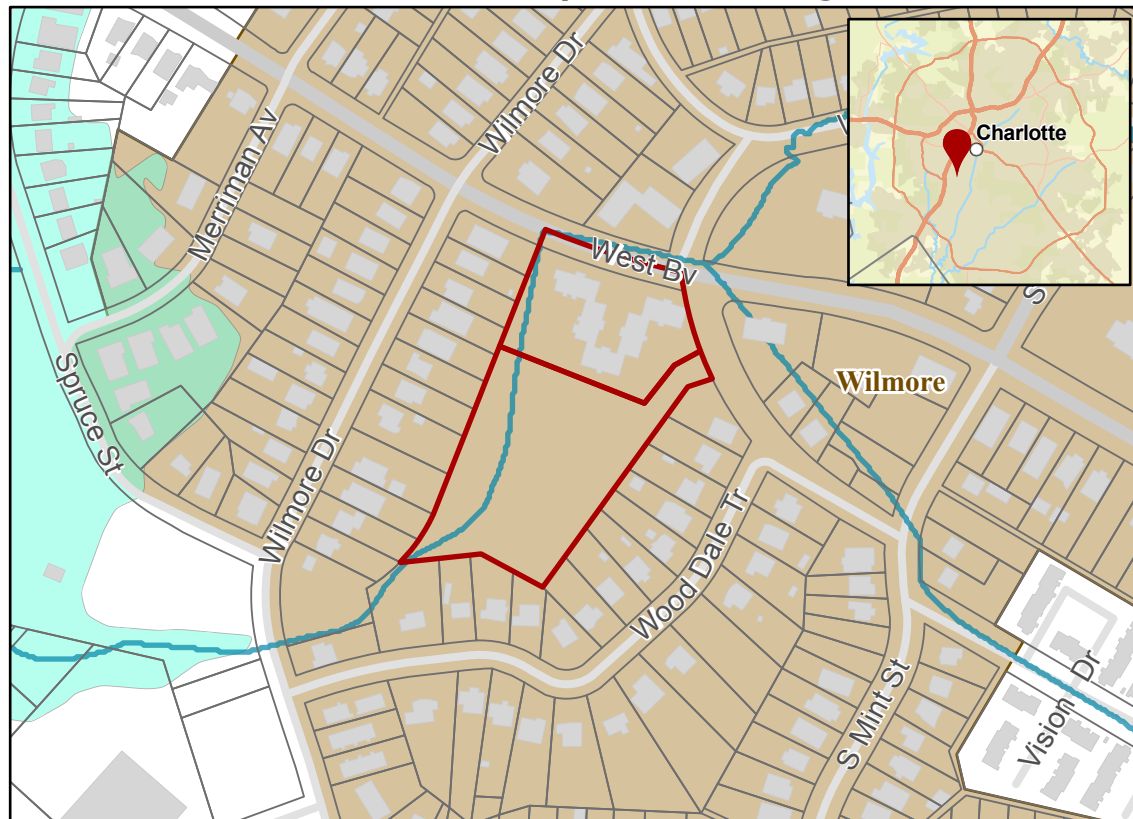
JAMES SCRUGG
(Name Typed / Printed)

Rezoning Map

2017-168 : J.S. & Son's Construction Company, LLC
Current Zoning R-5, R-22MF HD (Single Family Residential, General Business, Historic District Overlay)
Requested Zoning UR-2(CD) (Urban Residential, Conditional, Historic District Overlay)
 Approximately 3.698 acres

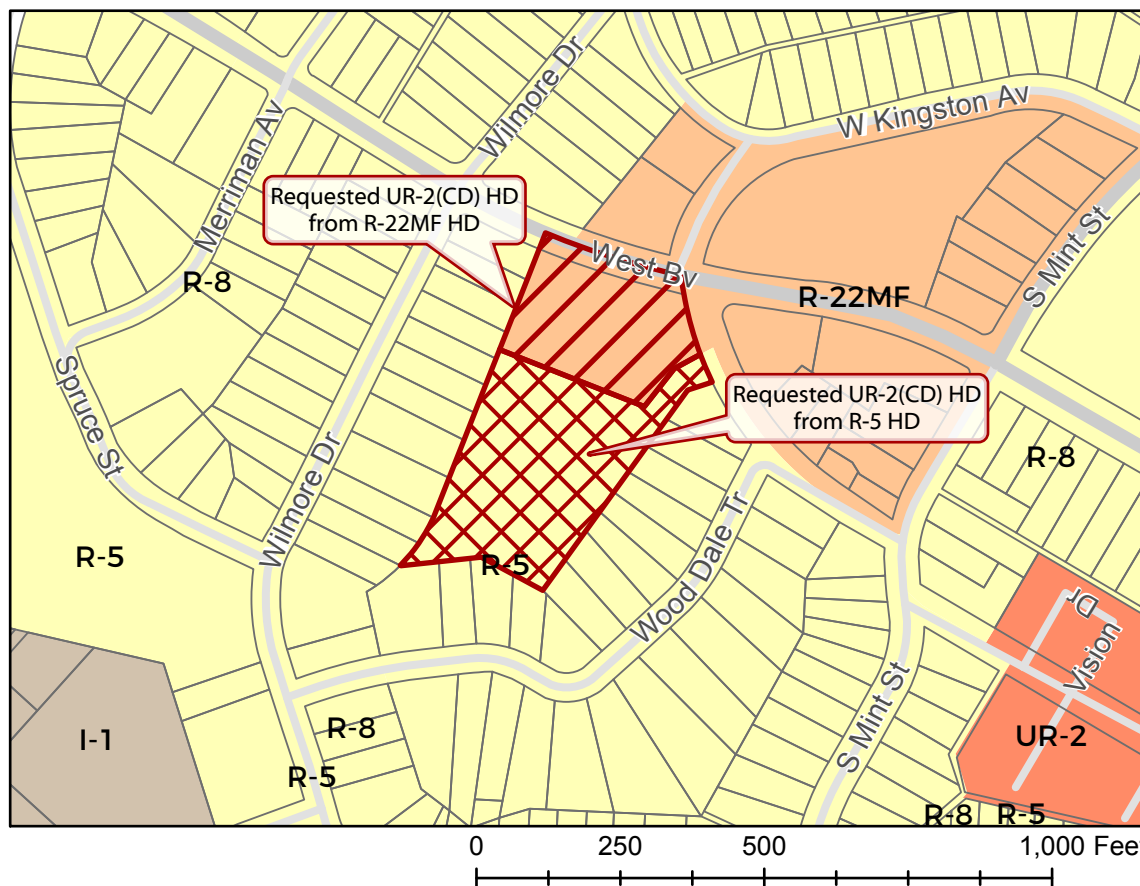


Location of Requested Rezoning



- 2017-168
- Inside City Limits
- Parcel
- Buildings
- FEMA Flood Plain
- Historic Districts
- Streams
- City Council District**
- 3-LaWana Mayfield

Existing Zoning & Rezoning Request



- Requested UR-2(CD) HD from R-5 HD
- Requested UR-2(CD) HD from R-22MF HD
- Parcel
- Zoning Classification**
- Single Family
- Multi-Family
- Urban Residential
- Light Industrial

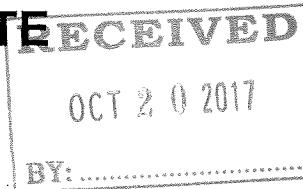


N

Map Created 11/2/2017

ZONING ORDINANCE **TEXT AMENDMENT APPLICATION**

CITY OF CHARLOTTE



FY2017
Petition #: <u>2017-169</u>
Date Filed: <u>10/20/2017</u>
Received By: <u>BH</u>
Office Use Only

Section #: 12.403

Solid waste containers, compactors, recycling containers, solid waste and recycling handling areas, and service entrances.

Purpose of Change:

The purpose of the text amendment is to 1) modify the title, 2) modify the language for set aside space for solid waste and recycling containers in multi-family complexes, and 3) modify the table for required space allocation for recycling containers in multi-family units. The amendment is required to align with revisions to Chapter 10: Health and Sanitation Ordinance with an effective date of January 1, 2018.

Ellen Price
Name of Agent

1105 Otts Street
Agent's Address

Charlotte, NC 28205
City, State, Zip

(704) 302-3566 (cell) (704) 336-4945
Telephone Number Fax Number

eprice@charlottenc.gov
E-Mail Address

Signature of Agent

City of Charlotte – Solid Waste Services Department
Name of Petitioner(s)

1105 Otts Street
Address of Petitioner(s)

Charlotte, NC 28205
City, State, Zip

(704) 336-3410 (704) 336-4945
Telephone Number Fax Number

vojohnson@charlottenc.gov
E-Mail Address

Victoria O. Johnson

Signature

Petition #:
Petitioner:

ORDINANCE NO. _____

**AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 4: ACCESSORY USES AND STRUCTURES

- a. Amend Section 12.403, Subsection (4) "Solid waste containers, compactors, recycling containers, solid waste and recycling handling areas, and service entrances", 1) modifying the title, 2) modifying the language for set aside space for solid waste and recycling containers in multi-family complexes, and 3) modify the table for required space allocation for recycling containers in multi-family units. The modifications shall read as follows:

Section 12.403. Solid waste containers, compactors, recycling containers, solid waste and recycling handling areas, and service entrances.

The following requirements shall apply to all Large Waste Containers (as defined in Chapter 10 of the city code) and any solid waste containers (including dumpsters), compactors, recycling containers, stations, solid waste handling areas, and recycling handling areas and service entrances accessory to any multi-family or nonresidential use and shall be shown on submitted plans:

- (4) All non-residential uses that are permitted after October 17, 2001, shall be required to set aside space for any Large Waste Container and any recycling and solid waste container stations. Equal space shall be allocated for both Large Waste Containers and recycling and solid waste container stations. Any space allocation for each of these containers shall be indicated on the submitted plans even if containers are not proposed as the primary method of solid waste or recycling collection.

All multi-family complexes, which are permitted after October 17, 2001, shall be required to set aside space for any Large Waste Container and any recycling container stations and solid waste containers used for the collection of solid waste as follows:

Space for Large Waste Container, solid waste containers—At a minimum, space for an eight (8) cubic yard container per each thirty (30) units or eight (8) cubic yard compactor per each ninety (90) units. If there are less than thirty (30) units, For eleven (11) units or less, no space allocation is required unless a Large Waste Container solid waste container service is will be used for the primary method of collection. For twelve (12) units or more, the minimum space allocation shall be an eight (8) cubic yard container per every thirty (30) units or eight (8) cubic yard compactor per every ninety (90) units.

Space for recycling containers-stations shall be allocated as follows:

Required space allocation for recycling containers stations in multi-family units.		
Number of Units	Allocate space for:	Approximate Sq. footage required
0— 29 11	No space required	No space required
30 12—80	One recycling station	144 sq. ft.
81—160	Two recycling stations	2 × 144 sq. ft. (288 sq. ft. total)
161—240	Three recycling stations	3 × 144 sq. ft. (432 sq. ft. total)
241—320	Four recycling stations	4 × 144 sq. ft. (576 sq. ft. total)
321—400	Five recycling stations	5 × 144 sq. ft. (720 sq. ft. total)
401—480	Six recycling stations	6 × 144 sq. ft. (864 sq. ft. total)
For each subsequent group of 80 units, space for one recycling station must be added.		
Each recycling station represents space for five 96-gallon carts and is approximately 144 sq. ft. Space for recycling stations may be distributed throughout the complex, however, space for each individual station must equal 144 sq. ft. with a minimum width of 34 inches and accommodate five 96-gallon carts.		

All locations for recycling ~~stationcontainers~~, solid waste handling areas, and ~~recycling handling areas~~, Large Waste Containers ~~solid waste containers and/or compactors~~ and their service entrances as required under section 12.403 shall be shown on site plans for their review and approval.

Exceptions to section 12.403, item (4). A permit shall not be denied if: (a) the project for which the permit is sought is for the renovation or redevelopment of an existing building or facility, and (b) the existing building or facility does not have sufficient exterior property available for any recycling container(s) station. The minimum number of parking spaces required by these regulations may be reduced by up to three (3) spaces, if necessary, to provide space for the location and servicing of any recycling containers stations.

(Ord. No. 1935, § 1, 10-17-2001; Ord. No. 2056, § 1, 4-15-2002; Ord. No. 2850, § 1, 12-20-2004)

Editor's note— Ord. No. 2850, § 1, adopted December 20, 2004, changed the title of section 12.403 from "Dumpsters, compactors, recycling containers, solid waste handling areas, and service entrances" to "Solid waste containers, compactors, recycling containers, solid waste and recycling handling areas, and service entrances."

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

I, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 20____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 20__.

www.charlotteplanning.org

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: 2017-170
Date Filed: 10/23/2017
Received By: BT

Complete All Fields (Use additional pages if needed)

Property Owner: South 48, LLC

Owner's Address: 223 Atherton Street City, State, Zip: Charlotte, NC 28203

Date Property Acquired: 7/2017

Property Address: 2425, 2443, 2501 South Blvd.

Tax Parcel Number(s): 12107704, 05, 06

Current Land Use: E,D,E,E and related parking Size (Acres): Approx. 1.40 +/-

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

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, et. Al.

Date of meeting: October 4, 2017

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: _____

Walter Fields
Name of Rezoning Agent

1919 South Blvd., suite 101
Agent's Address

Charlotte, NC 28203
City, State, Zip

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

waltr@walterfieldsgroup.com
E-Mail Address

Signature of Property Owner

HALL M JOHNSTON
(Name Typed / Printed)

South 48, LLC
Name of Petitioner(s)

223 Atherton Street
Address of Petitioner(s)

Charlotte, NC 28203
City, State, Zip

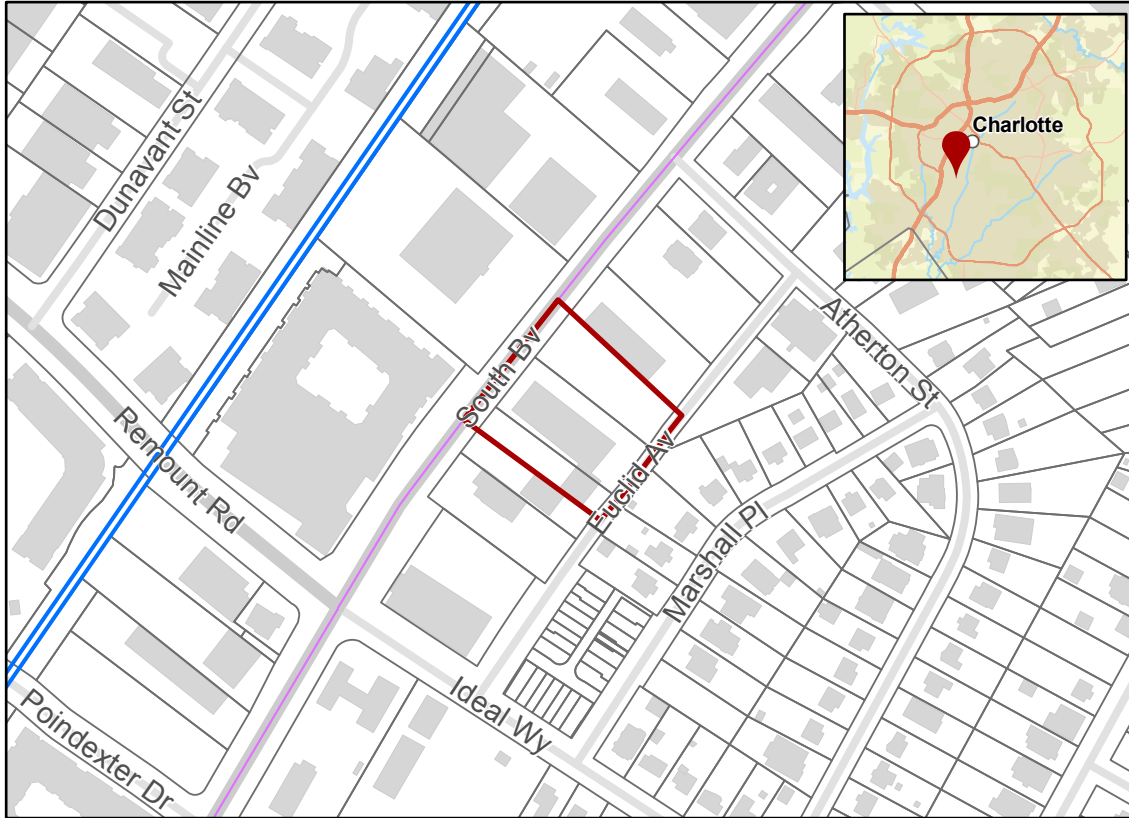
704-333-7997
Telephone Number Fax Number

hal@redpartners.com
E-Mail Address

Signature of Petitioner

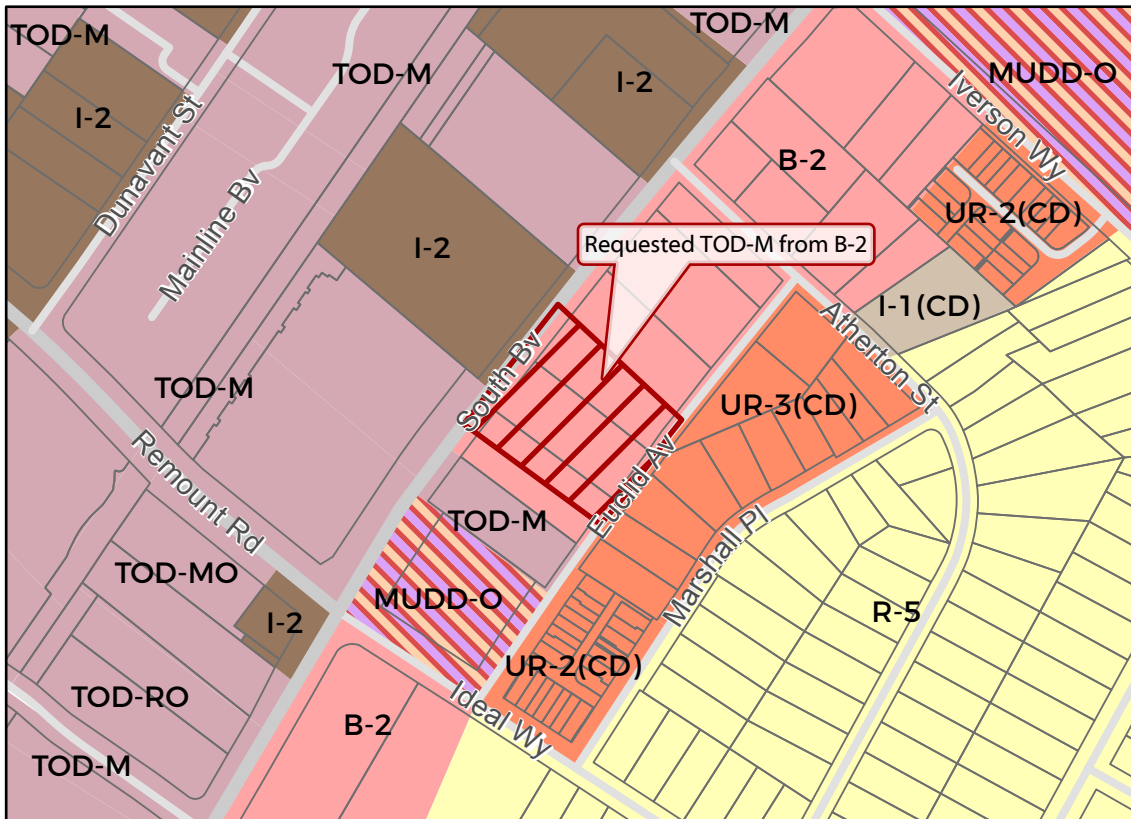
HALL M JOHNSTON
(Name Typed / Printed)

Location of Requested Rezoning



- 2017-170
- Inside City Limits
- Parcel
- Buildings
- LYNX Blue Line
- City Council District**
- 1-Patsy B. Kinsey

Existing Zoning & Rezoning Request



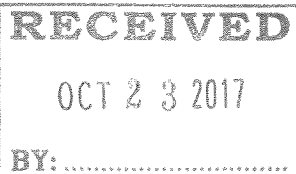
- Requested TOD-M from B-2
- Parcel
- Zoning Classification**
- Single Family
- Urban Residential
- Business
- Light Industrial
- Heavy Industrial
- Mixed Use
- Transit-Oriented

0 250 500 1,000 Feet



Map Created 10/30/2017

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-171

Petition #: _____
Date Filed: 10/23/2017
Received By: RH

Complete All Fields (Use additional pages if needed)

Property Owner: Ronald W. and Tracy C. Singer; Robin P. and Claudio S. Woschkolup; Joe M. and Marshall W. Ardrey

Owner's Address: 11026 Beau Riley Rd; 10115, 10027 Ardrey Kell Rd City, State, Zip: Charlotte, NC 28277

Date Property Acquired: 6/20/2016; 10/22/2016; 5/21/2014; 10/13/2005; 5/11/2001; 6/6/2006

Property Address: 11000, 11026 Beau Riley Rd; 10115, 10027 Ardrey Kell Rd; 9034 Wade Ardrey Rd

Tax Parcel Number(s): 229-021-19, 229-021-14, 229-021-05; 229-021-13; 229-021-87; 229-021-03; 229-021-22

Current Land Use: Single Family/Large Lot Residential/Vacant/Agriculture Size (Acres): +/- 36 acres

Existing Zoning: R-3 Proposed Zoning: MX-2 (INNOV)

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

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

Date of meeting: 8/15/17

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: to accommodate the development of a single-family in-fill residential community with standards to allow significant areas of active and passive open spaces, needed street network improvements, and alley-accessed garages that, together, will create an attractive, pedestrian-friendly community.

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

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

Charlotte, NC 28202
City, State, Zip

704-331-7531 704-353-3231
Telephone Number Fax Number

Collin.Brown@klgates.com
E-Mail Address

See Attached Joinder Agreement
Signature of Property Owner

See Attached Joinder Agreement
(Name Typed / Printed)

Century Communities
Name of Petitioner(s)

7400 Carmel Executive Park Drive, Suite 205
Address of Petitioner(s)

Charlotte, NC 28226
City, State, Zip

704-756-5316
Telephone Number Fax Number

Andrew.Rouzer@centurycommunities.com
E-Mail Address

Andrew P. Rouzer
Signature of Petitioner

ANDREW R. ROUZER
(Name Typed / Printed)

REZONING PETITION NO. 2017-xxx

CENTURY COMMUNITIES, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at or near the intersection of Ardrey Kell Road and Beau Riley Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel Nos. 229-021-05; 229-021-13; 229-021-87; 229-021-03; and 229-021-22 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested rezoning as more particularly set out on the associated conditional rezoning plan.

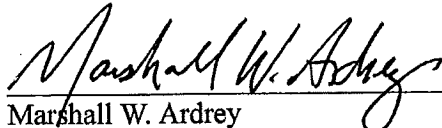
This ____ day of _____, 2017.

Robin P. Woschkolup

Claudio S. Woschkolup



Joe M. Ardrey

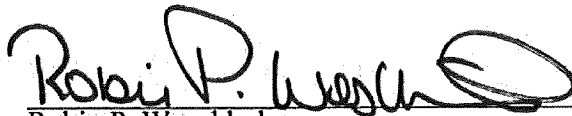


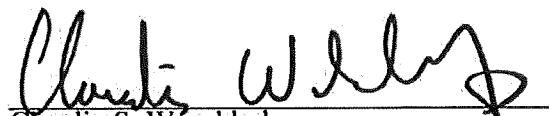
Marshall W. Ardrey

REZONING PETITION NO. 2017-xxx
CENTURY COMMUNITIES, PETITIONER
JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at or near the intersection of Ardrey Kell Road and Beau Riley Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel Nos. 229-021-05; 229-021-13; 229-021-87; 229-021-03; and 229-021-22 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested rezoning as more particularly set out on the associated conditional rezoning plan.

This 18th day of October, 2017.


Robin P. Woschkolup


Claudio S. Woschkolup

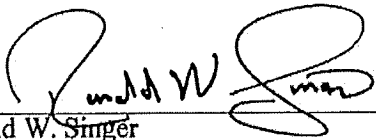
Joe M. Ardrey

Marshall W. Ardrey

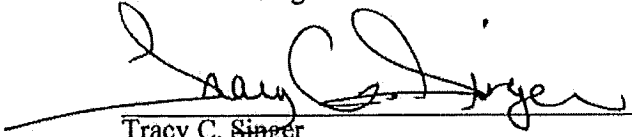
REZONING PETITION NO. 2017-xxx
CENTURY COMMUNITIES, PETITIONER
JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at or near the intersection of Ardrey Kell Road and Beau Riley Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel Nos. 229-021-19 and 229-021-14 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested rezoning as more particularly set out on the associated conditional rezoning plan.

This 22nd day of October, 2017.



Ronald W. Singer



Tracy C. Singer

N. Todd Owens, Receiver

REZONING PETITION NO. 2017-xxx
CENTURY COMMUNITIES, PETITIONER
JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at or near the intersection of Ardrey Kell Road and Beau Riley Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel Nos. 229-021-19 and 229-021-14 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested rezoning as more particularly set out on the associated conditional rezoning plan.

This 20th day of October, 2017.

Ronald W. Singer

Tracy C. Singer



N. Todd Owens, Receiver

Rezoning Map 2017-171 : Century Communities

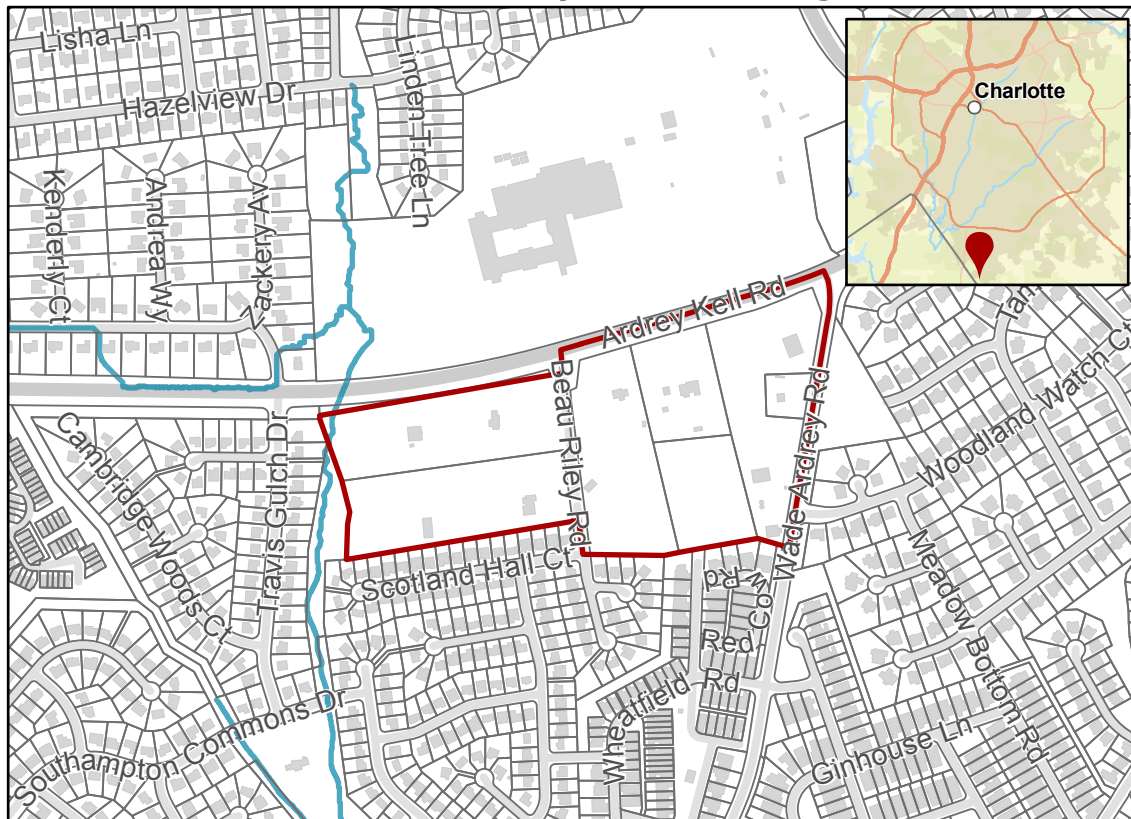
Current Zoning R-3(Single Family Residential)

Requested Zoning MX-2(INNOV)(Mixed Use, Innovative, with 5 Year Vested Rights)

Approximately 36 acres

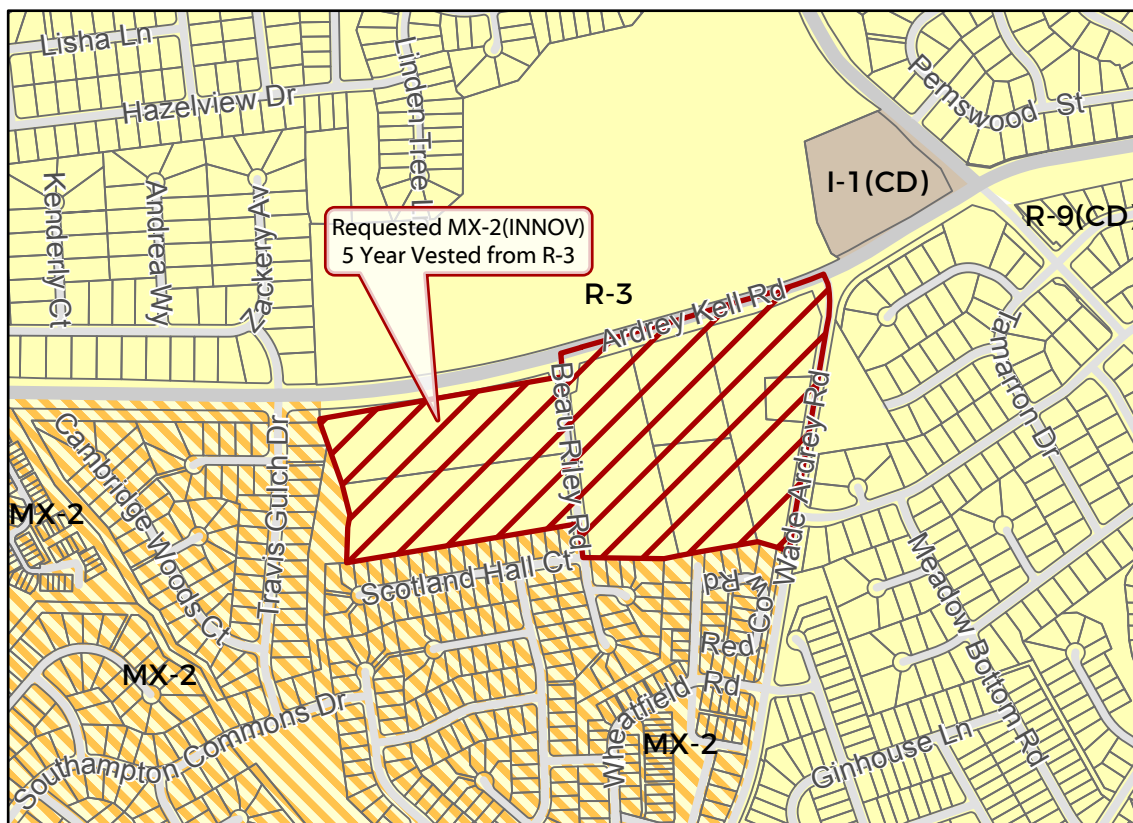


Location of Requested Rezoning



- 2017-171
- Inside City Limits
- Parcel
- Buildings
- Streams
- City Council District**
- 7-Edmund H. Driggs

Existing Zoning & Rezoning Request



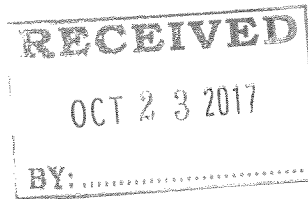
- Requested MX-2(INNOV)
5 Year Vested from R-3
- Parcel
- Zoning Classification**
- Single Family
- Mixed Residential
- Light Industrial



Map Created 10/31/2017

2017-172

I. REZONING APPLICATION CITY OF CHARLOTTE



Petition #: _____
Date Filed: 10/23/2017
Received By: Bf

Complete All Fields (Use additional pages if needed)

Property Owner: City of Charlotte

Owner's Address: 600 E Fourth Street City, State, Zip: Charlotte, NC 28202

Date Property Acquired: 9/23/2014

Property Address: 1035 Harrill Street & 923 Belmont Avenue

Tax Parcel Number(s): #08112410 & 08112902

Current Land Use: vacant Size (Acres): .52ac & .324ac

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

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

Required Rezoning Pre-Application Meeting* with: Pre Development meeting

Date of meeting: 10.5.2017

(*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: to allow for preservation of and repurposing of two existing commercial structures

Todd DeLong
Name of Rezoning Agent

600 East Trade Street
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-432-2989 _____
Telephone Number Fax Number

tdelong@ci.charlotte.nc.us
E-Mail Address

T. Korolus
Signature of Property Owner

Tony Korolus
(Name Typed / Printed)

city of Charlotte / Real Estate
Tony Korolus
Name of Petitioner(s)

600 East 4th Street
Address of Petitioner(s)

Charlotte, NC 28202
City, State, Zip

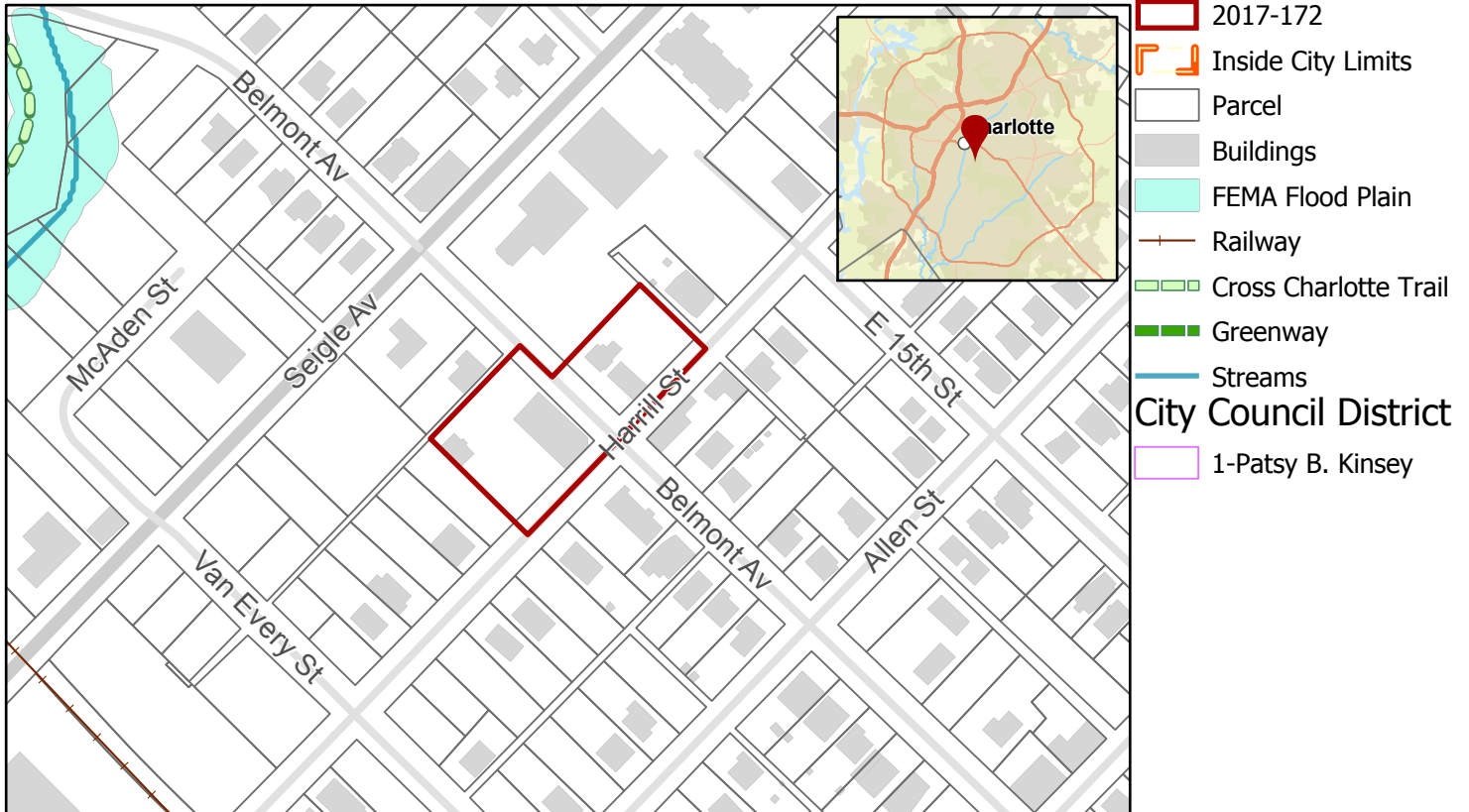
704-249-6148 _____
Telephone Number Fax Number

T. Korolus @ Charlotte DeLong
E-Mail Address

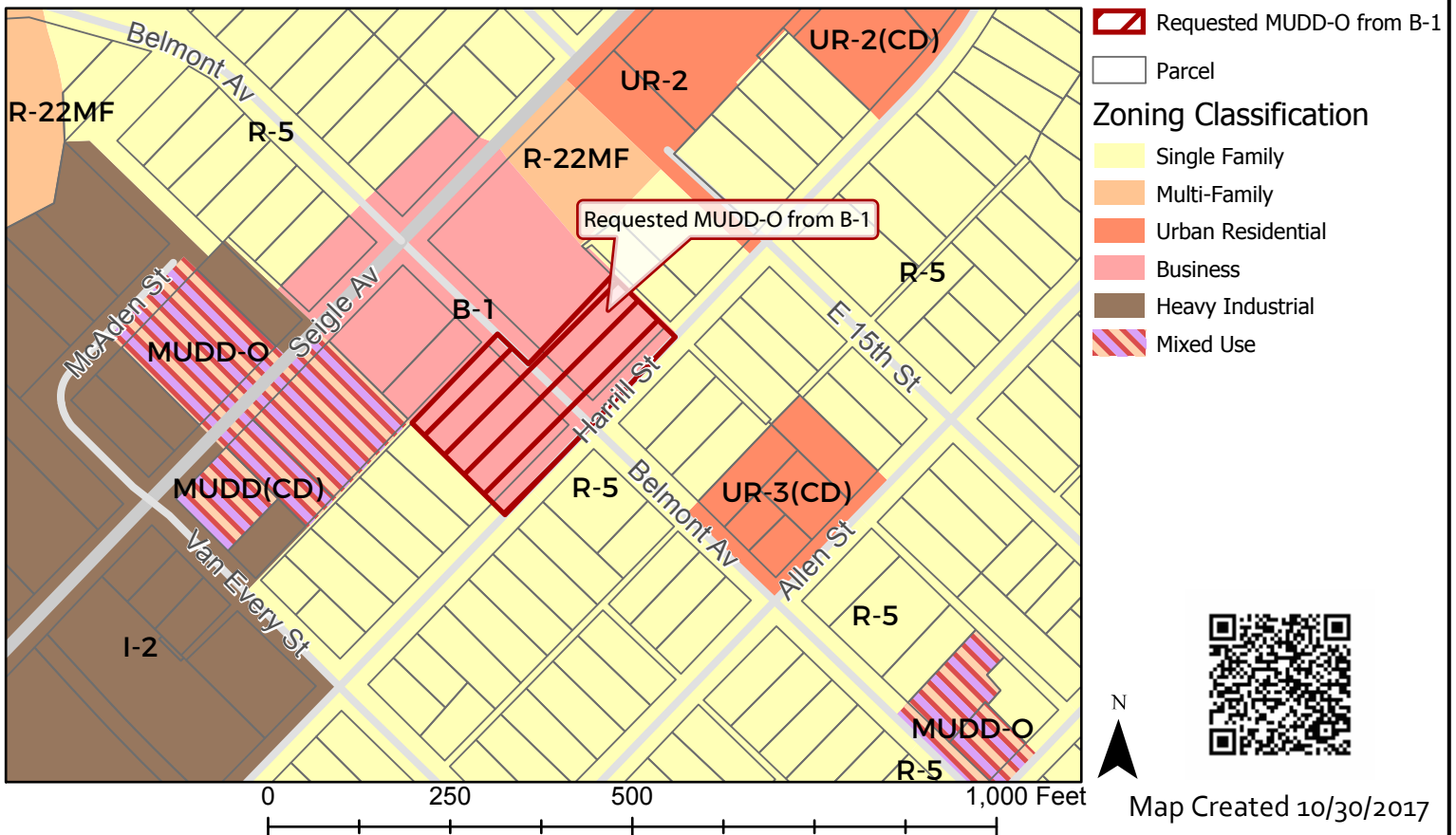
T. Korolus
Signature of Petitioner

Tony Korolus
(Name Typed / Printed)

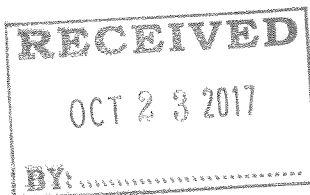
Location of Requested Rezoning



Existing Zoning & Rezoning Request



**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-173

Petition #: _____
Date Filed: 10/23/2017
Received By: Rf

Property Owners: AP 1930 Camden Road LLC

Owner's Addresses: 1616 Camden Road, Ste. 210, Charlotte, NC 28203

Date Properties
Acquired: 04/07/2017

Property Addresses: 240 Doggett St, Charlotte, NC 28203

Tax Parcel Numbers: portion of 121-012-10

Current Land Use: parking deck (Acres): ± 1.416

Existing Zoning: MUDD Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: Alan Goodwin, Catherine Mahoney, Brent Wilkinson, Jennifer Frixen, Carlos Alzate, and Isaiah Washington.

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): N/A

Purpose/description of Conditional Zoning Plan: To develop a residential building on the site with ground floor retail consistent with adopted land use policies.

Bridget Grant & 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

RAM Realty Advisors (Attn: Rachel Russell)

Name of Petitioner

1930 Camden Road, Ste. 130

Address of Petitioner

Charlotte, NC 28203

City, State, Zip

571.214.9325

Telephone Number

Fax Number

rrussell@ramrealestate.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

ATTACHMENT A

**REZONING PETITION NO. [2017-_____]
RAM Realty Advisors**

**OWNER JOINDER AGREEMENT
AP 1930 Camden Rd LLC**

The undersigned, as the owner of the parcel of land located at 240 Doggett Street, Charlotte, NC that is designated as a portion of Tax Parcel No. 121-012-10 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from MUDD 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 23RD day of OCTOBER, 2017.

AP 1930 Camden Rd LLC

By: KEED KRACKS JKL
Name: JKL
Its: DIRECTOR - DEVELOPMENT

ATTACHMENT B

REZONING PETITION NO. [2017-]
RAM Realty Advisors

Petitioner:

RAM Realty Advisors

By: 1212
Name: RACHEL RUSSELL
Title: DIRECTOR

Rezoning Map

2017-173 : RAM Realty Advisors

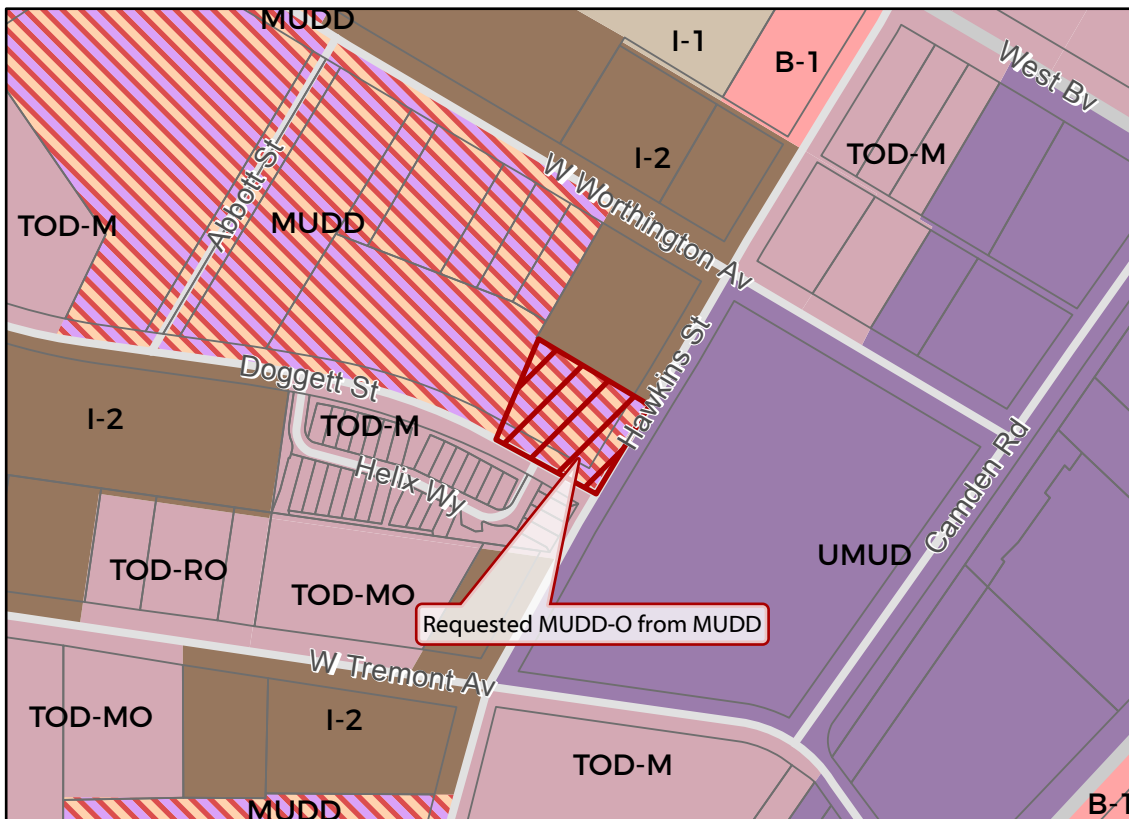
Current Zoning MUDD (Mixed Use Development)
Requested Zoning MUDD-O (Mixed Use Development-Optional)
Approximately 1.416 acres

Location of Requested Rezoning



- 2017-173
- Inside City Limits
- Parcel
- Buildings
- LYNX Blue Line
- City Council District**
- 3-LaWana Mayfield

Existing Zoning & Rezoning Request



- Requested MUDD-O from MUDD
- Parcel
- Zoning Classification**
- Business
- Uptown Mixed Use
- Light Industrial
- Heavy Industrial
- Mixed Use
- Transit-Oriented

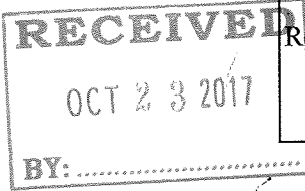
0 125 250 500 Feet



Map Created 10/30/2017

ZONING ORDINANCE **TEXT AMENDMENT APPLICATION**

CITY OF CHARLOTTE



FY2016
Petition #: <u>2017-174</u>
Date Filed: <u>10/23/2017</u>
Received By: <u>[Signature]</u>
Office Use Only

Section #: Winery Text Amendment to amend City of Charlotte Zoning Ordinance: Sections 2.2201, 9.101, 9.101, 9.1003, 9.8503, 9.903, 9.1206, 10.811, 10.905, and 12.544

Purpose of Change: To amend the Zoning Code of the City of Charlotte to include the use of "Winery" as production of wine, including cider and mead production, and with the same restrictions as the use of "Brewery."

Russell W. Fergusson
Name of Agent

PO Box 5645
Agent's Address

Charlotte, NC 28299
City, State, Zip

(704) 234-7488 (704) 612-0271
Telephone Number Fax Number

rwf@russellwfergusson.com
E-Mail Address

[Signature]
Signature of Agent

Lindsay Dorrier III
Name of Petitioner(s)

P.O. Box 528
Address of Petitioner(s)

Nellysford, VA 22958
City, State, Zip

(217) 714-6926 _____
Telephone Number Fax Number

lindsay@boldrock.com
E-Mail Address

[Signature]
Signature

Petition #:

Petition #:

Petitioner: Lindsay Dorrier, III

**AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE**

ORDINANCE NO. _____

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION DISTRICTS

1. PART 2: DEFINITIONS

- a. Amend Section 2.201, "Definitions" by adding a definition in alphabetical order for "winery". The new definition shall read as follows:

Winery.

An establishment that manufactures wine, including cider and mead, exclusive from related agricultural uses.

B. CHAPTER 9: GENERAL DISTRICTS

1. PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS

- a. Amend Table 9.101 by adding "Wineries" in alphabetical order as a use allowed under prescribed conditions in the I-1 and I-2 zoning districts, under the "Industrial Uses" header.

INDUSTRIAL USES			
	U-I	I-1	I-2
<u>Wineries</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>

2. PART 10: URBAN INDUSTRIAL DISTRICT

- a. Amend 9.1003, “Urban Industrial District; uses permitted under prescribed conditions” by adding a new use, “and Wineries” to subsection 2.5. The revised subsection shall read as follows:

(2.5) Breweries and Wineries shall meet the following prescribed conditions:

- (a) Maximum size: 60,000 square feet.
- (b) Primary vehicular access to the use shall be provided by a Class II (limited access arterial), Class III (major arterial), Class III-C (commercial arterial), Class IV (minor arterial), Class V-C (commercial street), or by a commercial cul-de-sac.
- (c) Outdoor production, processing, or repair of equipment shall be located no closer than 300’ from any abutting residentially used or zoned property. Distances shall be measured from the closest edge of the outdoor production, processing, or repair area to the property line of the residential use or zoning district.

3. PART 11: INDUSTRIAL DISTRICT

- a. Amend Section 9.1103, “Uses permitted under prescribed conditions”, by adding a new use, “ and Wineries” to the title of 6.5; and in subsection (6.5)(1), (6.5)(2), (6.5)(2)(a), and (6.5)(2)(b) The revised section shall read as follows:

(6.5) Breweries and Wineries.

- (1) In I-1, breweries and wineries shall meet the following prescribed conditions:
 - (a) Maximum size: 60,000 square feet.
 - (b) Primary vehicular access to the use shall be provided by a Class II (limited access arterial), Class III (major arterial), Class III-C (commercial arterial), Class IV (minor arterial), Class V-C (commercial street), or by a commercial cul-de-sac.
 - (c) Outdoor production, processing, or repair of

equipment shall be located no closer than 300' from any abutting residentially used or zoned property. Distances shall be measured from the closest edge of the outdoor production, processing, or repair area to the property line of the residential use or zoning district.

- (2) In I-2, breweries and wineries shall meet the following prescribed conditions:
 - (a) Breweries and wineries with a maximum size of 60,000 square feet shall meet the following prescribed conditions:
 - 1. Maximum FAR of .80.
 - 2. Outdoor storage of goods and materials used in assembly, fabrication or processing is permitted, but shall not exceed 25% of the floor area of all buildings on a lot.
 - (b) Breweries and wineries greater than 60,000 square feet in size shall meet the following prescribed conditions:
 - 1. Maximum FAR of 1.0.
 - 2. All structures and buildings shall be located a minimum of 300' from any abutting residentially used or zoned property. Distances shall be measured from the closest edge of the structure to the property line of the residential use or zoning district.
 - (c). Primary vehicular access to the use shall be provided by a Class II (limited access arterial), Class III (major arterial), Class III-C (commercial arterial), Class IV (minor arterial), Class V-C (commercial street), or by a commercial cul-de-sac.
 - (d). Outdoor production, processing, or repair of equipment shall be located no closer than 300' from any abutting residentially used or zoned property. Distances shall be measured from the closest edge of the outdoor

production, processing, or repair area to the property line of the residential use or zoning district.

C. CHAPTER 9: GENERAL DISTRICTS

1. PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS

- a. Amend Table 9.101 by adding “Wineries” in alphabetical order as a use allowed under prescribed conditions in the TOD-M, TOD-E, MUDD, and UMUD zoning districts, under the “Industrial Uses” header.

INDUSTRIAL USES				
	TOD-M	TOD-E	MUDD	UMUD
<u>Wineries</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>

2. PART 8.5: MIXED USE DEVELOPMENT DISTRICT

- a. Amend Section 9.8503, “Mixed Use Development District; uses permitted under prescribed conditions”, by adding “wineries” to the list of permitted uses in alphabetical order, as follows:

Wineries, subject to the regulations of Section 12.544.

3. PART 9: UPTOWN MIXED USE DISTRICT

- a. Amend Section 9.903, “Uptown Mixed Use District; uses permitted under prescribed conditions” by adding a new item (18) for wineries. The new entry shall read as follows:

(18) Wineries, subject to the regulations of Section 12.544.

4. PART 12: TRANSIT ORIENTED DEVELOPMENT DISTRICTS

- a. Amend Section 9.1206, “Uses Permitted Under Prescribed Conditions”, by adding a new item (11) for wineries. The new entry shall read as follows:

(11) Wineries, subject to the regulations of Section 12.544 (TOD-E and TOD-M only)

D. CHAPTER 10: OVERLAY DISTRICTS

1. PART 8: PEDESTRIAN OVERLAY DISTRICT

- a. Amend Section 10.811, “Uses” by adding a new item (5) to allow wineries with prescribed conditions. The new entry shall read as follows:

(5) Wineries, permitted only in the underlying zoning districts of B-1, B-2, I-1 and I-2, and subject to the standards of 12.544.

2. PART 9: TRANSIT SUPPORTIVE OVERLAY DISTRICT

- a. Amend Section 10.905, “Uses”, subsection (1), under the entry for “Heavy Industrial uses....” by clarifying that wineries are included in the list of heavy industrial uses that are not permitted in TS. The revised section shall read as follows:

(1) Heavy Industrial uses permitted by right or under prescribed conditions including, but not limited to: abrasive and asbestos products; aircraft and parts; agricultural chemicals; alcoholic beverages, with the exception of breweries and wineries; asphalt paving and roofing materials; brick, tile, and clay products; chemical manufacture, refining and processing; concrete, gypsum and plaster products; construction and related machinery; cut stone and stone products; electrical distribution equipment; electrical industrial apparatus; engines and turbines; fabricated metal products; farm and garden machinery; fats and oils processing; furniture and fixtures; glass and glassware; guided missiles, space vehicles, etc.; industrial machinery; leather tanning; manufactured housing; meat products, including slaughtering and dressing; motorcycles and parts; ordinance and accessories; paper and allied products; petroleum and coal products; plastic and rubber products; railroad equipment; refrigerator and service machinery; sugar refining, textile mill products; tires and inner tubes; wire products; and other similar uses.

- b. Amend Section 10.905, “Uses”, subsection (2) adding a new subsection (2)(c). The new entry adds wineries as a use allowed, under prescribed conditions, when the underlying zoning district is B-1, B-2, I-1 or I-2. The new entry shall be as follows:

(c) Wineries (only when the underlying zoning district is B-1, B-2, I-1, or I-2) and subject to the standards of this overlay district and to the prescribed conditions of Section 12.544.

E. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

(1) PART 5: SPECIAL REQUIREMENTS FOR CERTAIN USES

- (a) Amend Section 12.544, “Breweries”, by replacing “Breweries” with a new title, “Breweries and Wineries”, and adding one of the following: “and wineries”, “or winery”, “or wine”, or “, or winery, “ in subsections (1)(a), (1)(a)(2), (1)(b), (1)(c), (1)(d) (2),

(2)(a), (2)(b), (2)(c), and (2)(d). The revised text shall read as follows:

Section 12.544 Breweries “Breweries and Wineries”

- (1) In TOD-M, TOD-E, MUDD and UMUD, breweries and wineries are subject to the following prescribed conditions:
 - (a) The brewery or winery shall include an Eating, Drinking and Entertainment, located in the same building. The Eating, Drinking and Entertainment Establishment shall meet the following conditions:
 1. All prescribed conditions associated with the Eating, Drinking and Entertainment Establishment shall be met in accordance with the zoning district in which they are located, including any separation distances required in Section 12.546.
 2. The minimum size of the Eating, Drinking and Entertainment Establishment shall be 20% of the total square footage for the brewery or winery and the Eating, Drinking and Entertainment Establishment, or 1,500 square feet, whichever is less.
 - (b) Maximum size for the brewery or winery and the Eating, Drinking and Entertainment Establishment: 15,000 square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size shall be increased to 25,000 square feet, if the brewery and Eating, Drinking and Entertainment Establishment locate in a building constructed prior to 1980.
 - (c) If the brewery or winery is located on a public right-of-way, private street, or rapid transit line, the Eating, Drinking and Entertainment Establishment shall have fenestration through vision glass, doors or active outdoor spaces along 30% of the length of the building side that fronts the public right-of-way, private street, or rapid transit line. If the building architecture or site prohibits meeting the above condition, the Planning Director, or designee, may approve alternative approaches
 - (d) Off-site distribution of manufactured beer or wine is permitted if vehicular access is from a Class II (limited access arterial), Class III (major arterial), Class III-C (commercial arterial), Class IV (minor arterial), Class V-C (commercial street), or by a commercial cul-de-sac.
 - (e) All development and urban design standards of the district shall apply.
- (2) In PED and TS, breweries and wineries shall only be permitted when the underlying zoning district is B-1, B-2, I-1 or I-2, and the following prescribed conditions are met:
 - (a) The brewery or winery shall include an Eating, Drinking and Entertainment Establishment, located in the same building. The Eating, Drinking and Entertainment Establishment shall meet the following conditions:

1. All prescribed conditions associated with the Eating, Drinking and Entertainment Establishment shall be met in accordance with the zoning district in which they are located, including any separation distances required in Section 12.546.
 2. The minimum size, of the Eating, Drinking and Entertainment Establishment shall be 20% of the total square footage for the brewery and the Eating, Drinking and Entertainment Establishment, or 15,000 square feet, whichever is less.
- (b) Maximum size for the brewery, or winery, and the Eating, Drinking and Entertainment Establishment: 15,000 square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size uses shall be increased to 25,000 square feet, if the brewery, or winery, and Eating, Drinking and Entertainment Establishment locate in a building constructed prior to 1980.
 - (c) If the brewery or winery is located on a public right-of-way, private street, or rapid transit line, the Eating, Drinking and Entertainment Establishment shall have fenestration through vision glass, doors or active outdoor spaces along 30% of the building side that fronts the public right-of-way, private street, or rapid transit line. If the building architecture or site prohibits meeting the above condition, Planning Director or designee may approve alternative approaches.
 - (d) Off-site distribution of manufactured beer or wine is permitted if vehicular access is from a Class II (limited access arterial), Class III (major arterial), Class III-C (commercial arterial), Class IV (minor arterial), Class V-C (commercial street), or by a commercial cul-de-sac.
 - (e) All development and urban design standards of the district and underlying district, shall apply.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

I, _____ City Clerk of the City of Charlotte, North Carolina, DO
HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the
City Council of the City of Charlotte, North Carolina, in regular session convened on the _____
day of _____, 20____, the reference having been made in Minute Book _____,
and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the
_____ day of _____, 20__.
