

Rezoning Petition Packet

Petitions:

2017-175 through 2017-190

Petitions that were submitted by November 27, 2017

Staff Review Meeting: **December 14, 2017**

City Public Hearing: **To Be Determined**

Petition #: 2017-175

Date Originally Filed: 10/27/2017

Date Amended: 11/17/17

Received By: R.Hobbs

AMENDED
REZONING APPLICATION
CITY OF CHARLOTTE

Complete All Fields
(Use additional pages if needed)

Please indicate reason for amended application (i.e. change in acreage, ownership, proposed district, etc.):

Updating the property owner information to reflect a change in ownership and the name of the Petitioner.

For Conditional Rezoning Only:

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

Property Owner: 332 West Bland Street, LLC, a North Carolina limited liability company

Owner's Address: 733 3rd Avenue, 16th Floor City, State, Zip: New York, NY

Date Property Acquired: 11/8/2017

Location of Property (Address or Description): SEE SCHEDULE ATTACHED HERETO

Tax Parcel Number(s): SEE SCHEDULE ATTACHED HERETO

Current Land Use: vacant/industrial Size (Acres): ±1.69

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

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

Keith MacVean and Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

City, State, Zip

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

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

Telephone Number

Fax Number

keithmacvean@mvalaw.com;

jeffbrown@mvalaw.com

E-Mail Address

Signature of Property Owner(s)

(Name Typed/Clearly Printed)

332 West Bland Street, LLC (Attn: Vishal Arora)

Name of Petitioner(s)

733 3rd Avenue, 16th floor

Address of Petitioner(s)

New York, NY 10017

City, State, Zip

646.790.5838

Telephone Number

Fax Number

va@magnuscapitalpartners.com

E-Mail Address

Signature of Petitioner

Vishal Arora

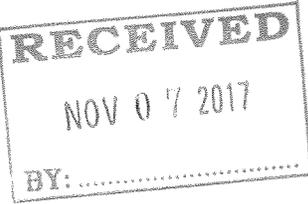
(Name Typed/Clearly Printed)

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
073-083-01	346 W Bland Street, Charlotte, NC 28203	332 West Bland, LLC, a North Carolina limited liability company	733 3 rd Avenue, 16 th floor, New York, NY 10017	.15	11/8/2017
073-083-02	340 W Bland Street, Charlotte, NC 28203			.17	
073-083-03	314 W Bland Street, Charlotte, NC 28203			1.03	
073-083-05	N/A			.17	
073-083-14	N/A			.17	

2017-176

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



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

Property Owners: Mildred Gaunt Gaffney - unmarried
Owner's Addresses: 3626 Shopton Road, Charlotte, NC 28217
Date Properties Acquired: 1988 or later
Property Addresses: 3622 and 3626 Shopton Road
Tax Parcel Numbers: 141-251-14 and 141-071-20
Current Land Use: vacant/residential (Acres): ± 39.26
Existing Zoning: R-3 Proposed Zoning: 141-251-14 to I-1(CD) and 141-071-20 to I-2(CD)
Overlay: Airport Noise Overlay
(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: 10/17/17

(*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 Site with a light industrial warehouse distribution park as well as a limited variety of uses allowed in the I-2 zoning district.

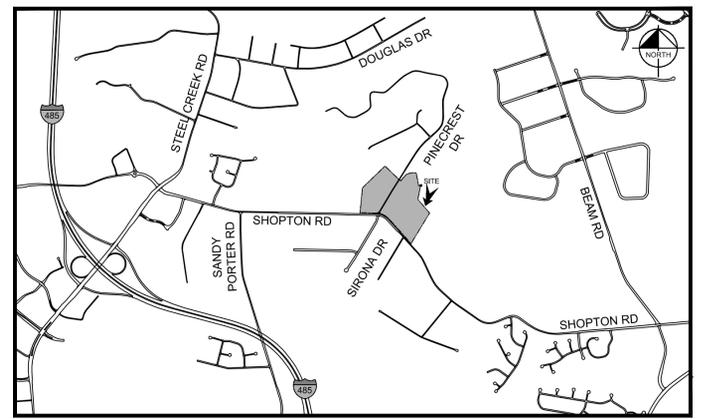
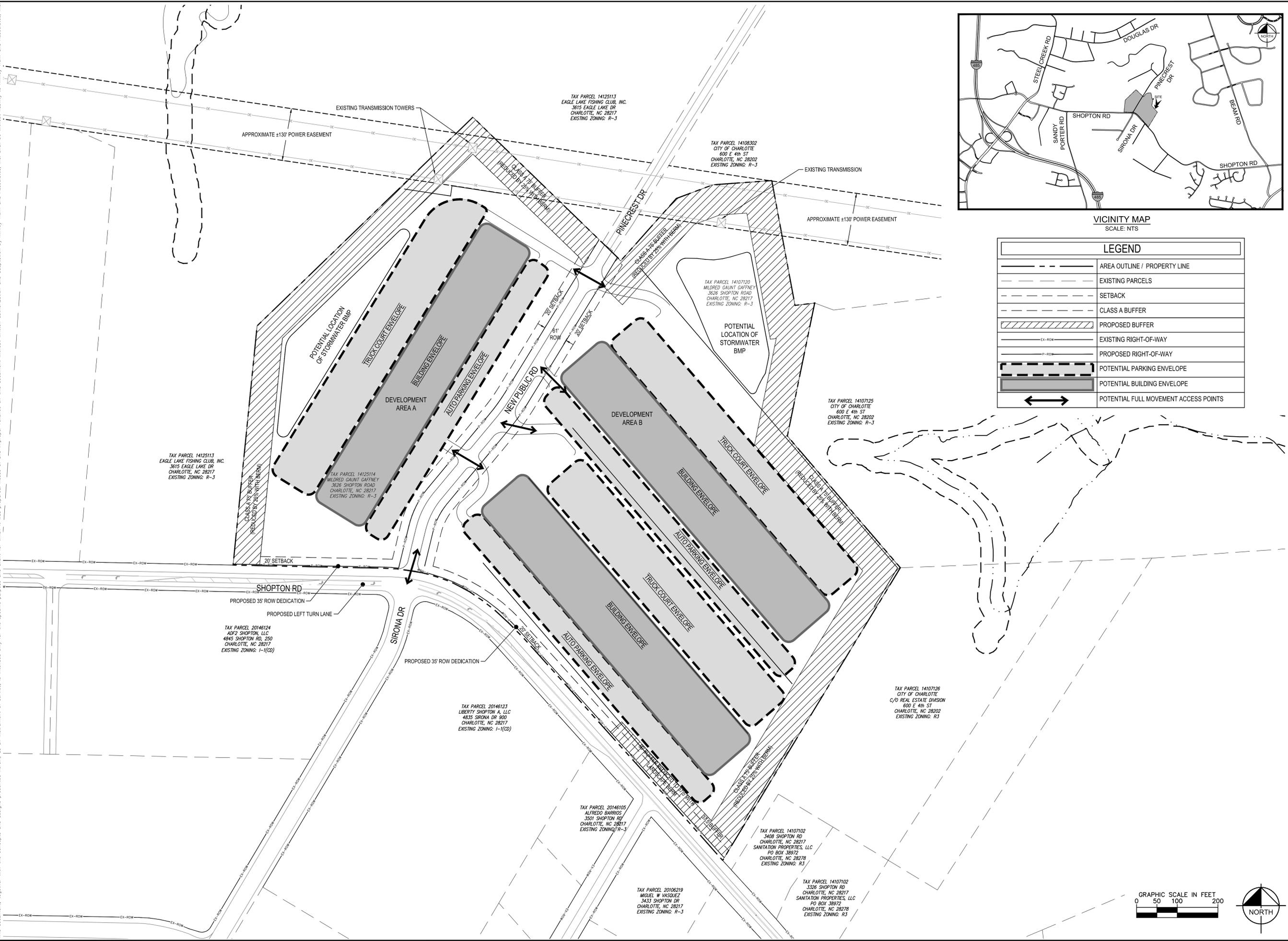
Keith MacVean & Jeff Brown
Name of Rezoning Agent
Moore & Van Allen, PLLC
100 N. Tryon Street, Suite 4700
Agent's Address
Charlotte, NC 28202
704.331.3531 (KM) 704-378-1954(KM)
704-331-1144 (JB) 704-378-1925 (JB)
Telephone Number Fax Number
keithmacvean@mvalaw.com; jeffbrown@mvalaw.com
E-mail Address

Mildred Gaunt Gaffney
Signature of Property Owner - Mildred Gaunt Gaffney

McDonald Development Company (Attn: Tracy White)
Name of Petitioner
525 N Tryon Street, Ste. 1600
Address of Petitioner
Charlotte, NC 28202
City, State, Zip
704.378.8757
Telephone Number Fax Number
twhite@mcdco.com
E-mail Address

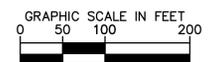
Tracy White, Senior Vice President
Signature of Petitioner - McDonald Development Company

Plotted By: Fitzsimmons, Mason, Street Set: Rezoning - Shopton Rd - 009 - Layout: RZ-2 - November 07, 2017 - 01:37:25pm - K:\DML_PlanSheets\Rezoning\RZ-1 Rezoning Site Plan.dwg
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VICINITY MAP
SCALE: NTS

LEGEND	
	AREA OUTLINE / PROPERTY LINE
	EXISTING PARCELS
	SETBACK
	CLASS A BUFFER
	PROPOSED BUFFER
	EXISTING RIGHT-OF-WAY
	PROPOSED RIGHT-OF-WAY
	POTENTIAL PARKING ENVELOPE
	POTENTIAL BUILDING ENVELOPE
	POTENTIAL FULL MOVEMENT ACCESS POINTS



No.	REVISIONS	DATE	BY

Kimley»Horn

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 200 SOUTH TRYON STREET, SUITE 200, CHARLOTTE, NC 28202
 PHONE: 704-333-5131
 WWW.KIMLEY-HORN.COM NC LICENSE #F-0102

KHA PROJECT	019948009
DATE	11-07-2017
SCALE	AS SHOWN
DESIGNED BY	MAE
DRAWN BY	PLF
CHECKED BY	MAE

**REZONING
SITE PLAN**

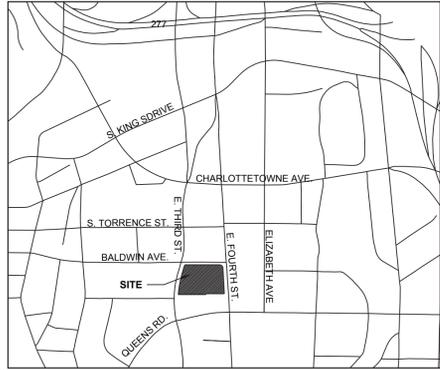
REZONING PETITION NO. 2017-

3626 & 4040 SHOPTON RD
 CHARLOTTE, MECKLENBURG COUNTY
 NORTH CAROLINA 28217

PREPARED FOR
McDONALD DEVELOPMENT COMPANY

SHEET NUMBER
RZ-2

TECHNICAL DATA SHEET



VICINITY MAP NTS

SITE DEVELOPMENT DATA:

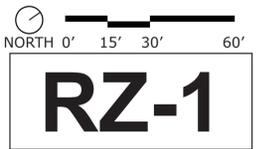
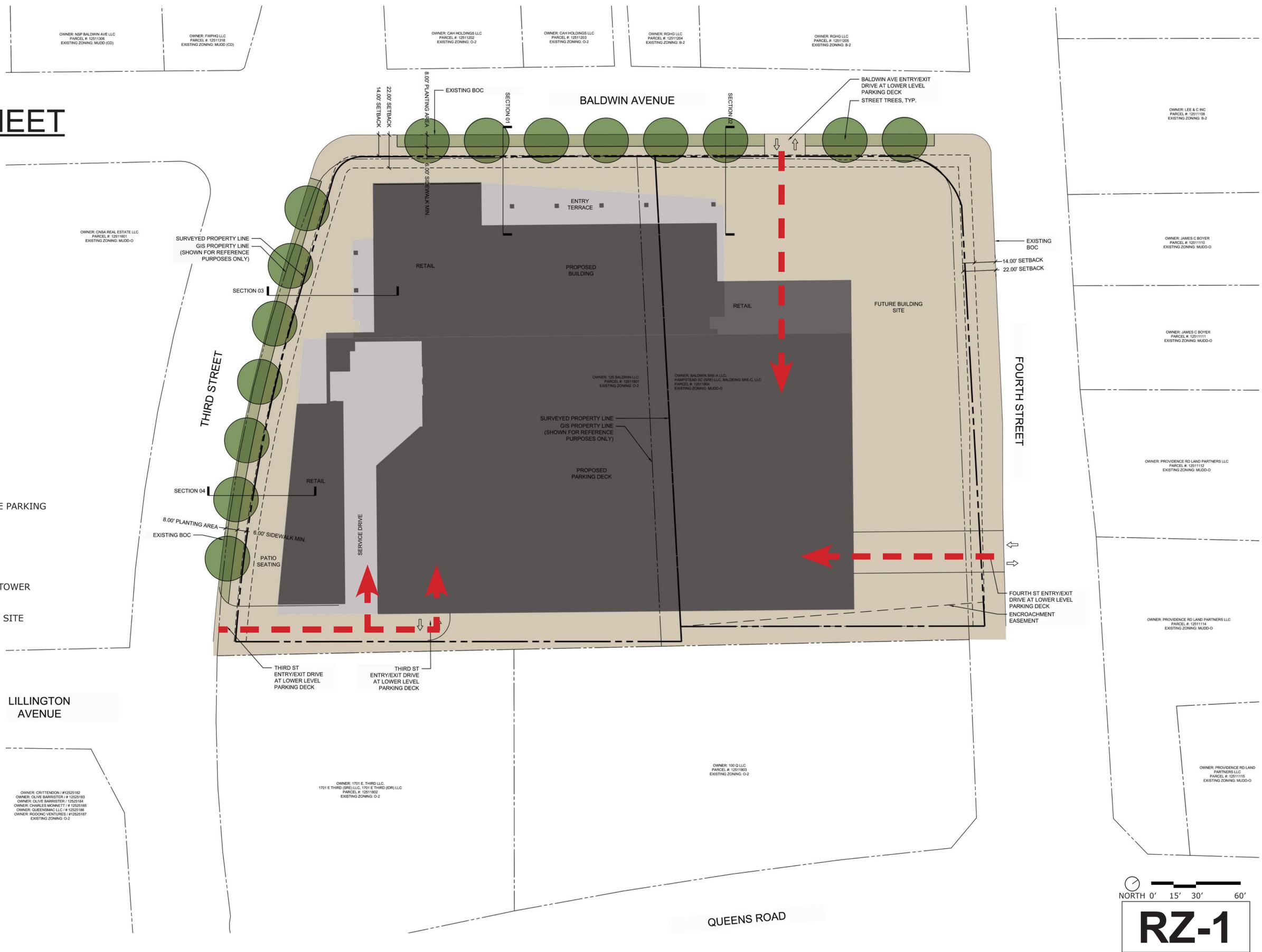
TAX PARCEL NUMBERS: 12511801 / 12511804
 ACRES: 1.94 / 1.46 (3.4 TOTAL)
 EXISTING ZONING: O-2 / MUDD-O
 PROPOSED ZONING: MUDD-O
 EXISTING USE: OFFICE / COMMERCIAL, RETAIL & SURFACE PARKING
 PROPOSED USE: ALL USES PERMITTED IN MUDD DISTRICT

OF RESIDENTIAL UNITS: N/A
 RESIDENTIAL DENSITY: N/A
 SF OF NON-RESIDENTIAL USES: 549,628 SF OFFICE - 20 STORY TOWER
 514,864 SF PARKING DECK
 (1,064,492 SF TOTAL)
 *16,800 FUTURE BUILDING SITE

FLOOR AREA RATIO: 7.187
 MAX BUILDING HEIGHT: 299 FEET
 MAX # OF BUILDINGS: 2
 PARKING RATIO: 3 PER 1,000 GFA
 (APPROX 220/LEVEL FOR 7 LEVELS)
 AMOUNT OF OPEN SPACE: 10,000 SF

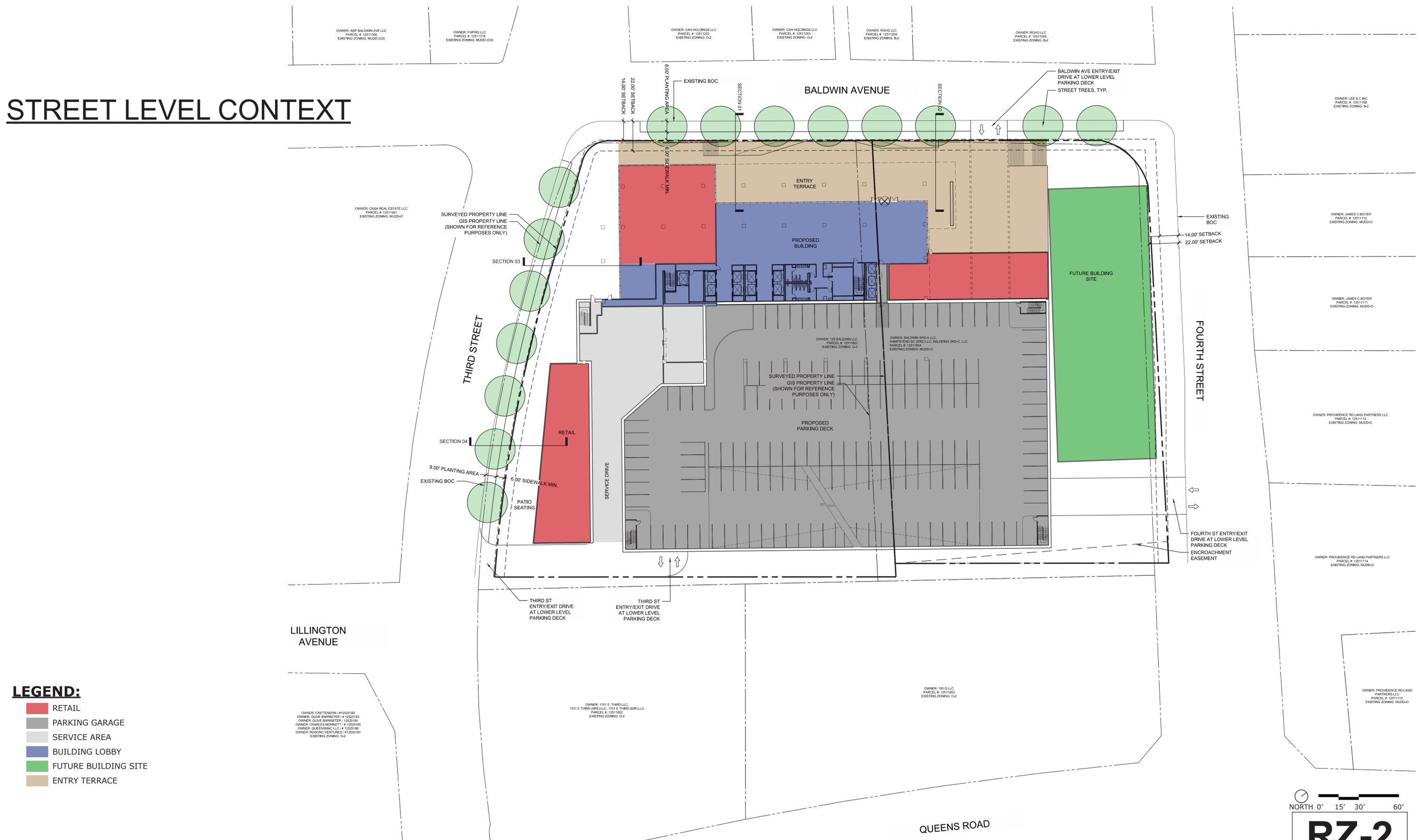
LEGEND:

- 1ST FLOOR LEVEL FOOTPRINT
- 1ST FLOOR LEVEL WITH NO UPPER LEVEL
- UPPER LEVEL FOOTPRINT
- STREET LEVEL



Date: 11.20.2017

STREET LEVEL CONTEXT



LEGEND:

- RETAIL
- PARKING GARAGE
- SERVICE AREA
- BUILDING LOBBY
- FUTURE BUILDING SITE
- ENTRY TERRACE

Date: 11.20.2017



THIRD STREET PROJECT

- REZONING PETITION -



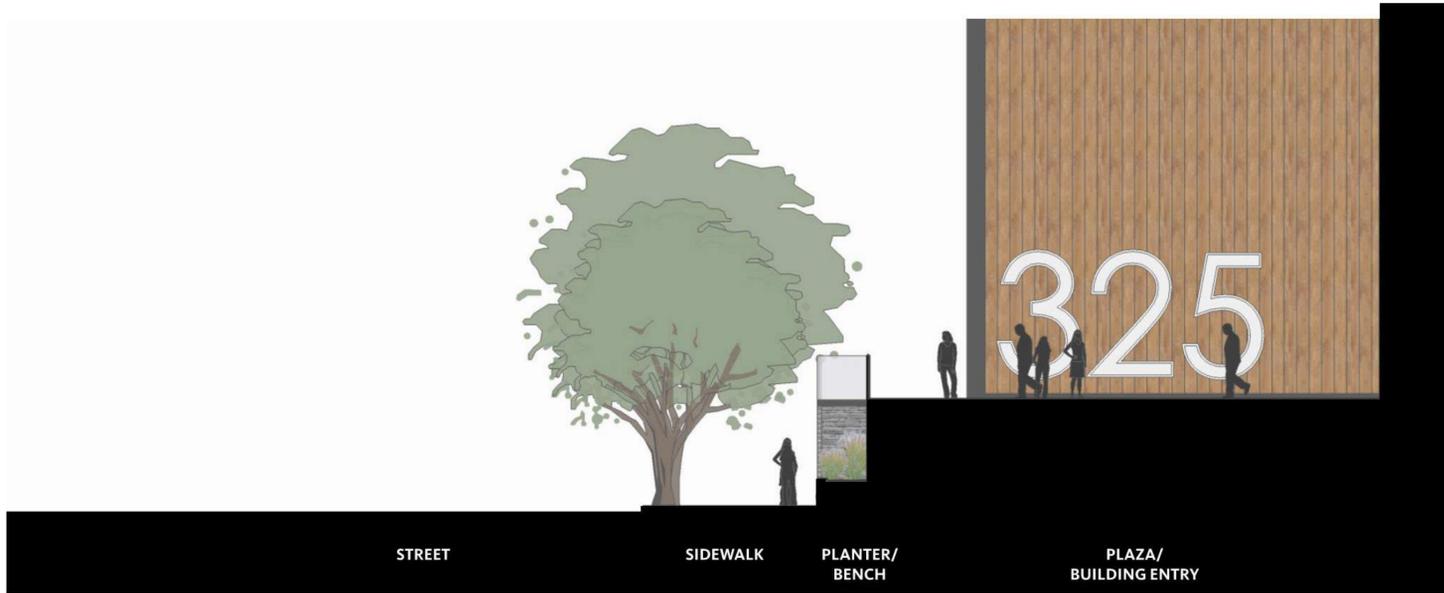
STREET SECTIONS



SECTION 1



SECTION 3



SECTION 2



SECTION 4

RZ-3

Date: 11.20.2017

DEVELOPMENT STANDARDS

Site Development Data:

--Acreage: ± 3.4 acres

--Tax Parcels: 12511804 and 12511801

--Existing Zoning: MUDD-O and O-2

--Proposed Zoning: MUDD-O with five (5) year vested rights.

--Existing Uses: Commercial/Office

--Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district.

--Maximum Development (subject to conversion rights as defined herein):

Office:	512,500 square feet
Retail:	16,800 square feet
Hotel:	240 rooms

--Maximum Building Height: Up to 290 feet as requested in the Optional Provisions to the MUDD zoning district, below.

--Parking: As required by the Ordinance for the MUDD zoning district.

I. General Provisions:

a. **Site Description.** These Development Standards and the Technical Data Sheet form the rezoning plan (hereafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by NAI Southern Real Estate ("Petitioner") to accommodate development of a mixed use commercial development on an approximately 3.4 acre site bounded by Third Street, Fourth Street, and Baldwin Avenue (the "Site").

b. **Intent.** This Rezoning is intended to accommodate development on the Site in a manner consistent with the objectives set forth in the Midtown Morehead Cheery Area Plan. Development of the Site would include a horizontally-integrated mixture of uses, including office, retail, and hotel uses within walking distance of transit. The Petitioner seeks to create a street level public realm with the pedestrian experience in mind. The overall development plan is intended to allow the Site to evolve in a manner that is consistent with the future vision for the area, resulting in a well designed, quality experience for nearby residents, employees, and visitors, as well as the larger community.

c. **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,

1. The regulations established under the Ordinance for the MUDD zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Optional Provisions provided below.

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

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

II. Optional Provisions for the MUDD-O Area.

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

a. The Petitioner seeks approval of an optional provision to allow up to 290 feet of building height within the Site.

b. To allow one (1) porte-cochere or valet parking service area between buildings and a street. The Petitioner shall coordinate with CDOT during the permitting phase of redevelopment regarding the final location of the proposed porte-cochere/loading spaces.

c. To allow wall signs having up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less.

d. To allow temporary signs and banners not to exceed 100 square feet in sign area. Any such signs or banners will be professionally fabricated banners made of fabric or plastic of any type. Paper banners will not be allowed; and no more than two (2) banners will be allowed at a time.

e. To allow one (1) detached, ground mounted sign per street front. The detached signs may be up to five (5) feet in height and contain up to 60 square feet of sign area.

f. To allow the "base" of building requirements of Section 9.8506(2)(i) to be satisfied by providing taller and architecturally differentiated ground floors that distinguish ground floor levels from upper stories.

g. To allow backflow prevention devices to be located within buildings, after verifying the acceptable location with City and County departments. Exposed backflow prevention devices shall be screened.

III. Permitted Uses

a. Subject to the Maximum Development provisions set forth under Section 4 below, the Site may be devoted to any commercial uses permitted by right and under prescribed conditions in the MUDD Zoning District together with any incidental or accessory uses associated therewith, except for the following:

1. Car washes;
2. Automobile service stations; and
3. EDEEs with drive-through service windows.

IV. Maximum Development

a. The principal buildings may be developed with up to 529,300 square feet of gross floor area of commercial non-residential uses permitted by right and under prescribed conditions, along with any accessory uses allowed in the MUDD zoning district. However, the total square footage devoted to retail and Eating, Drinking, and Entertainment uses may not exceed 16,800 square feet.

b. Up to 240 hotel rooms may be developed on the Site. Hotel uses shall not be counted against the total commercial square footage maximums referenced in Section IV.a above.

c. For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements) the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).

d. Petitioner shall provide at least 5,000 square feet of ground floor space that is designed and constructed to accommodate retail activities (leasing offices, fitness centers, lobbies, and other areas that are accessory to residential or office uses shall not be considered retail space for purposes of this provision).

e. The total square feet of gross floor area devoted to office uses and other commercial uses such as retail, restaurant and personal service uses shall be interchangeable provided that:

1. The total square feet of gross floor area of all such office and other commercial uses does not exceed 529,300 square feet of gross floor area; and
2. The total amount of retail square footage shall not exceed 16,800 square feet.

V. Transportation

a. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

b. **Access:**

1. Access to the Site from external public streets will be as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.
2. The Rezoning Plan identifies potential vehicular access points which could be surface drives or entrances to structured parking facilities. The exact number and location of vehicular access points will be determined during the design process and thereafter with approval from appropriate governmental authorities, subject to applicable statutes, ordinances and regulations such as subdivision and driveway regulations. Petitioner, in its discretion may limit ingress and egress movements or restrict certain vehicular access points to one-way traffic if necessary.
3. The Petitioner reserves the right to request the installation of pavers and/or stamped or colored asphalt within streets abutting the Site in order to designate and define pedestrian cross-walks. The Petitioner will coordinate the design of any decorative pavement elements proposed within the public right-of-way with CDOT during the driveway permit process. Furthermore, the Petitioner understands that an encroachment and maintenance agreement must be obtained from CDOT before any decorative pavers and/or stamped pavement proposed in the public right-of-way may be installed.
4. The alignment of vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT's final approval.

VI. Design Guidelines:

a. **General Design Guidelines.**

1. Preferred Exterior Building Materials: All principal and accessory buildings abutting a network required public or private street shall comprise a minimum of 20% of that building's entire façade facing such network street using brick, glass, natural stone (or its synthetic equivalent), stucco, fiber cement, corrugated metal, steel accents, architectural shingles or other material approved by the Planning Director.
2. Prohibited Exterior Building Materials: The Petitioner will not utilize (1) vinyl siding (but not vinyl hand rails, windows or door trim) or (2) concrete masonry units not architecturally finished.
3. Meter banks will be screened where visible from public view at grade from public or private streets and shall be located outside of the setback.
4. Rooftop HVAC and related mechanical equipment will be screened from public view at grade from public or private streets.
5. Trees may be provided in grates or raised planters rather than in planting strips.
6. Dumpsters, loading and services areas shall be screened from streets, common open spaces and any adjacent residential uses with materials complimentary to the principal structure. Dumpster enclosures will not directly abut the back of a sidewalk.
7. Backflow preventers and transformers shall be screened and located outside the setback, but can be located in a four (4) foot transition zone. Backflow prevention devices may also be located inside buildings, as permitted in the optional provisions above.

VII. Parking Areas, Access and Circulation Design Guidelines.

a. Structured parking facilities shall be designed to encourage and complement pedestrian-scale interest and activity on the ground floor and be architecturally compatible with primary buildings on all levels.

b. Petitioner seeks to limit areas where parking structures are visible from public or private streets. Therefore, exposed parking structures (driveway entrances to parking decks are permitted) that are visible from public or private streets shall not be allowed in the areas generally depicted on the Rezoning Plan.

c. Openings at the street level are limited to vehicular entrances, pedestrian access to the structure, and ventilation openings. All such openings shall be decorative and be an integral part of the overall building design.

d. On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances and from Third Street and Fourth Street.

VIII. Pedestrian Access and Circulation Design Guidelines.

a. Where walkways occur along building walls, a walkway width of at least six (6) feet must be maintained clear of main door swings, shopping cart storage, and temporary trash or similar impediments. Main door swings are to be distinguished from emergency exits, with emergency exits only requiring a walkway width of at least four (4) feet.

IX. Open Space and Amenity Areas.

a. Urban Open Spaces: the Site shall meet or exceed the Urban Open Space requirements of the MUDD district.

X. Environmental Features

a. The Petitioner shall comply with the Post Construction Stormwater Ordinance and Tree Ordinance.

XI. Signage

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

XII. Lighting:

- a. Detached lighting on the Site, except street lights located along public streets, will be limited to 30 feet in height.
- b. Attached and detached lighting shall be downwardly directed. However, upward facing accent lighting shall be permitted.

XIII. Amendments to the Rezoning Plan:

Future amendments to the Rezoning Plan may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

XIV. 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 herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

XV. Vested Rights Provision:

If this Rezoning Petition is approved by the Charlotte City Council then, pursuant to Section 1.110 of the Ordinance, the Petitioner hereby requests a five-year vested right to undertake and complete the development of this Site under the terms and conditions as so approved, commencing upon approval of this Rezoning Petition by the Charlotte City Council. The Petitioner makes this request for a five-year vested right due to the size and phasing of the proposed development, market conditions and the level of investment involved.

Date: 11.20.2017

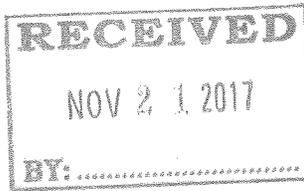


THIRD STREET PROJECT

- REZONING PETITION -



**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-128

Petition #: _____
Date Filed: 11/21/2017
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Mike P Rea (under contract to Atlantic Coast Contractors, inc)

Owner's Address: 201 East South St City, State, Zip: Greensboro, Ga 30642

Date Property Acquired: 2003

Property Address: 1435 Cressida Drive

Tax Parcel Number(s): .20701120

Current Land Use: Water/Sewer Size (Acres): 4.34

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

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

Required Rezoning Pre-Application Meeting* with: John Kinney

Date of meeting: 8-12-17

(*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: Allow for the existing use established in 2009 to remain and be able to expand

Walter Fields
Name of Rezoning Agent

1919 South Blvd., Suite 101
Agent's Address

Charlotte, NC 28203
City, State, Zip

704-372-7855 704-272-7856
Telephone Number Fax Number

walter@walterfieldsgroup.com
E-Mail Address

[Signature]
Signature of Property Owner

WATSON M. REA
(Name Typed / Printed)

Atlantic Coast Contractors, inc.
Name of Petitioner(s)

PO Box 463
Address of Petitioner(s)

Denver, NC 28037
City, State, Zip

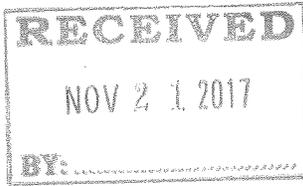
704-483-7120 704-483-7310
Telephone Number Fax Number

mbutler@atlanticcoastcontractors.net
E-Mail Address

[Signature] President
Signature of Petitioner

MATTHEW S. BUTLER
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-179
Petition #: _____
Date Filed: 11/21/2017
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: See Exhibit A

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

Date Property Acquired: See Exhibit A

Property Address: See Exhibit A

Tax Parcel Number(s): All of 029-191-04, and portions of 029-191-14 and 029-191-15

Current Land Use: Vacant and residential Size (Acres): +/- 19.52 acres

Existing Zoning: R-3 Proposed Zoning: R-12 MF (CD)

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

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

Date of meeting: October 10, 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 up to 234 multi-family dwelling units on the site.

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

704-377-8341/704-377-8142
Telephone Number Fax Number

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

See attached joinder agreements
Signature of Property Owner

(Name Typed / Printed)

Davis Development, Inc. (c/o Lance Chernow)
Name of Petitioner(s)

403 Corporate Center Drive, Suite 201
Address of Petitioner(s)

Stockbridge, GA 30281
City, State, Zip

770-474-4345
Telephone Number Fax Number

lance.chernow@davisdevga.com
E-Mail Address

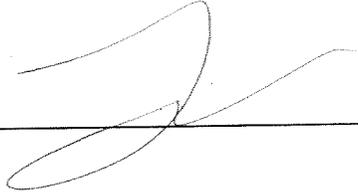
See attached signature page
Signature of Petitioner

(Name Typed / Printed)

[Signature Page of Petitioner, Davis Development, Inc., to Rezoning Application]

Petitioner:

DAVIS DEVELOPMENT, INC.



By: Lance Chernow, General Counsel

Exhibit A

Tax Parcel No. 029-191-04

Owners: Richard M. McCoy and Dixie McCoy
Address: 13032 Mallard Creek Rd.
Charlotte, NC 28262
Date Acquired: 11/19/1999

Tax Parcel No. 029-191-14

Owner: Phyllis Stewart
Address: 5100 Glen Forest Dr.
Raleigh, NC 27612
Date Acquired: 7/10/1998

Tax Parcel No. 029-191-15

Owner: Phyllis Stewart
Address: 5100 Glen Forest Dr.
Raleigh, NC 27612
Date Acquired: 2/8/1999

Petitioner:

DAVIS DEVELOPMENT,

INC.

By: Lance Chernow, General

Counsel

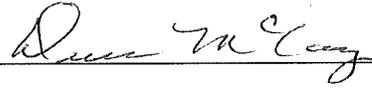
**REZONING APPLICATION
DAVIS DEVELOPMENT, INC., PETITIONER
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by Davis Development, Inc. that is designated as Tax Parcel No. 029-191-04 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site from the R-3 zoning district to the R-12 MF (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

This 15 day of November, 2017.



Richard M. McCoy



Dixie McCoy

**REZONING APPLICATION
DAVIS DEVELOPMENT, INC., PETITIONER
JOINDER AGREEMENT**

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by Davis Development, Inc. that are designated as Tax Parcel Nos. 029-191-14 and 029-191-15 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the relevant portions of the Site from the R-3 zoning district to the R-12 MF (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

This _____ day of November, 2017.

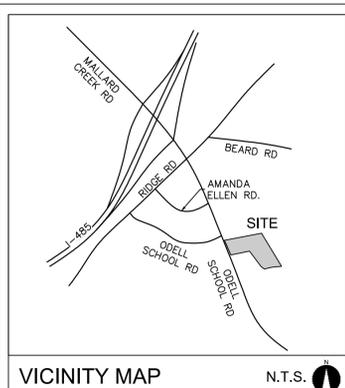
Phyllis Stewart

**REZONING APPLICATION
DAVIS DEVELOPMENT, INC., PETITIONER
JOINDER AGREEMENT**

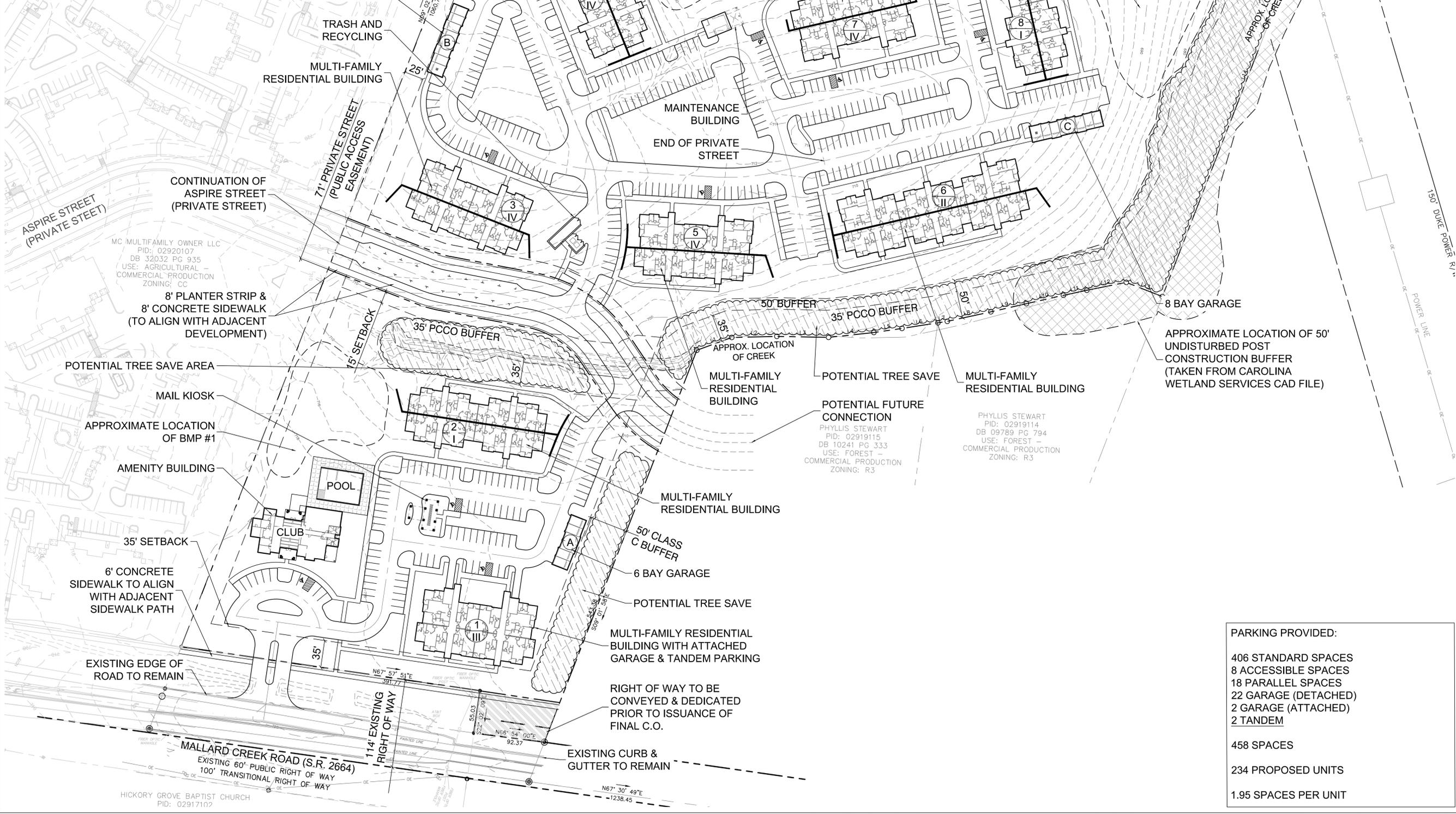
The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by Davis Development, Inc. that are designated as Tax Parcel Nos. 029-191-14 and 029-191-15 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the relevant portions of the Site from the R-3 zoning district to the R-12 MF (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

This 17th day of November, 2017.


Phyllis Stewart



VICINITY MAP N.T.S.

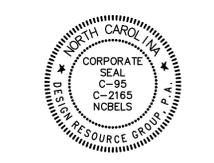


PARKING PROVIDED:

406 STANDARD SPACES
8 ACCESSIBLE SPACES
18 PARALLEL SPACES
22 GARAGE (DETACHED)
2 GARAGE (ATTACHED)
2 TANDEM
458 SPACES
234 PROPOSED UNITS
1.95 SPACES PER UNIT



DESIGN RESOURCE GROUP
 LANDSCAPE ARCHITECTURE
 CIVIL ENGINEERING
 TRANSPORTATION PLANNING
 2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
 704.343.0608
 www.drgpr.com

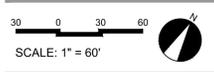


REZONING PETITION
 FOR PUBLIC HEARING
 2017 - ____
 REZONING DOCUMENT



DAVIS (MALLARD) APARTMENTS
 CHARLOTTE, NORTH CAROLINA
DAVIS DEVELOPMENT
 403 CORPORATE CENTER DRIVE
 SUITE 201
 STOCKBRIDGE, GA 30281

SCHEMATIC SITE PLAN

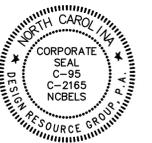


PROJECT #: 721-001
 DRAWN BY: NK
 CHECKED BY: SK

OCTOBER 27, 2017

REVISIONS:

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REZONING PETITION
FOR PUBLIC HEARING

2017 -

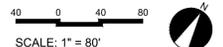
REZONING DOCUMENT



DAVIS (MALLARD) APARTMENTS
CHARLOTTE, NORTH CAROLINA

DAVIS DEVELOPMENT
403 CORPORATE CENTER DRIVE
SUITE 201
STOCKBRIDGE, GA 30281

TECHNICAL
DATA PLAN



PROJECT #: 721-001
DRAWN BY: NK
CHECKED BY: SK

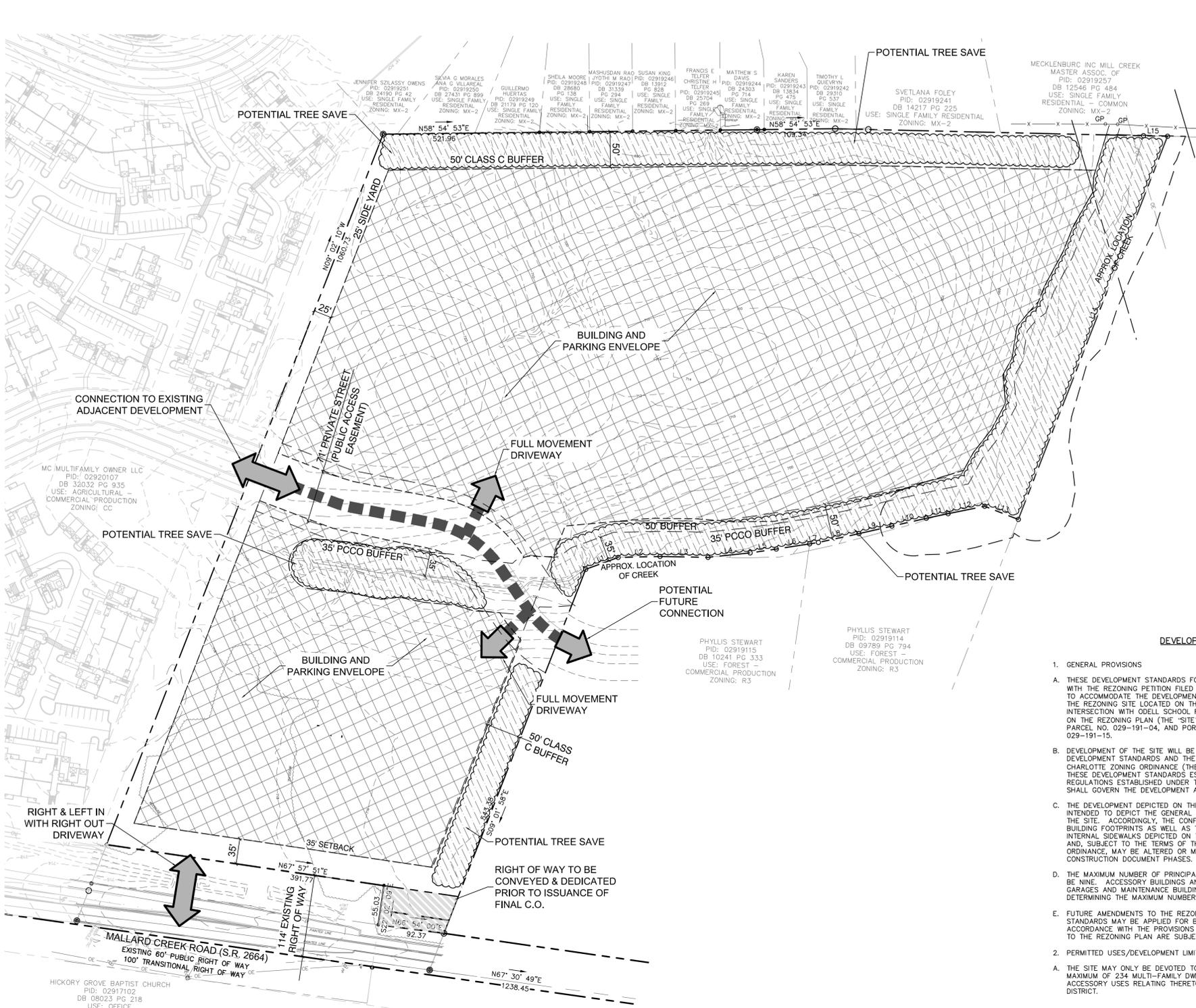
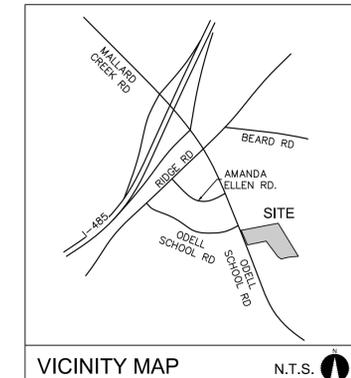
NOVEMBER 27, 2017

REVISIONS:

LINE	BEARING	LENGTH
RW1	S09°01'58"E	54.89
RW2	S67°30'00"W	497.38
RW3	N09°02'10"W	55.78
RW4	S67°57'38"W	307.95

CURVE	RADIUS	LENGTH	BEARING	CHORD
RW-C1	3310.82	96.87	S67°07'20"W	96.87

Line #	Length	Direction
L1	48.11	N39° 39' 28"E
L2	58.60	N58° 13' 02"E
L3	67.07	N60° 40' 36"E
L4	59.09	N53° 32' 37"E
L5	36.89	N51° 20' 34"E
L6	47.15	N50° 45' 33"E
L7	12.39	N50° 45' 33"E
L8	57.85	N47° 21' 25"E
L9	47.32	N46° 44' 56"E
L10	49.22	N46° 53' 01"E
L11	31.05	N47° 35' 55"E
L12	52.23	N48° 17' 26"E
L13	50.33	N80° 57' 50"E
L14	572.07	N09° 02' 10"W
L15	33.59	S60° 46' 10"W



DEVELOPMENT STANDARDS

- GENERAL PROVISIONS
 - THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY DAVIS DEVELOPMENT, INC. (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A MULTI-FAMILY RESIDENTIAL COMMUNITY ON THE REZONING SITE LOCATED ON THE NORTH SIDE OF MALLARD CREEK ROAD NEAR ITS INTERSECTION WITH ODELL SCHOOL ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF ALL OF TAX PARCEL NO. 029-191-04, AND PORTIONS OF TAX PARCEL NOS. 029-191-14 AND 029-191-15.
 - DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE R-12 MF ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
 - THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL DRIVES, PARKING AREAS AND INTERNAL SIDEWALKS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
 - THE MAXIMUM NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL BE NINE. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE, SUCH AS GARAGES AND MAINTENANCE BUILDINGS, SHALL NOT BE CONSIDERED WHEN DETERMINING THE MAXIMUM NUMBER OF PRINCIPAL BUILDINGS LOCATED ON THE SITE.
 - 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. ADJUSTMENTS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.
- PERMITTED USES/DEVELOPMENT LIMITATIONS
 - THE SITE MAY ONLY BE DEVOTED TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 234 MULTI-FAMILY DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE R-12 MF ZONING DISTRICT.
- TRANSPORTATION
 - 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 ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT") IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
 - OFF-STREET VEHICULAR PARKING AND BICYCLE PARKING SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.
 - THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AREAS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
 - GARAGES MAY BE PROVIDED ON THE SITE, AND THE PARKING SPACES LOCATED WITHIN THE GARAGES SHALL BE COUNTED TOWARDS THE TOTAL NUMBER OF PARKING SPACES REQUIRED TO BE LOCATED ON THE SITE. THE LOCATION AND CONFIGURATION OF THE GARAGES DEPICTED ON THE REZONING PLAN MAY BE MODIFIED.
 - PRIOR TO THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR 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 IMMEDIATELY ADJACENT TO MALLARD CREEK ROAD AS REQUIRED TO PROVIDE RIGHT OF WAY MEASURING 57 FEET FROM THE EXISTING CENTERLINE OF MALLARD CREEK ROAD, TO THE EXTENT THAT SUCH RIGHT OF WAY DOES NOT ALREADY EXIST, AND AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN.

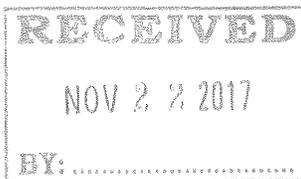
DEVELOPMENT DATA TABLE

- SITE ACREAGE: APPROXIMATELY 19.52 ACRES
- TAX PARCEL NOS. ALL OF 029-191-04 AND PORTIONS OF 029-191-14 & 029-191-15
- EXISTING ZONING: R-3
- EXISTING USES: VACANT AND RESIDENTIAL
- PROPOSED ZONING: R-12 MF (CD)
- PROPOSED USE: MULTI-FAMILY RESIDENTIAL
- MAXIMUM NO. OF DWELLING UNITS: 234 DWELLING UNITS

F. PETITIONER SHALL CONTINUE THE PRIVATE STREET LOCATED ON THE ADJACENT PARCEL OF LAND (ASPIRE STREET) ACROSS THE SITE AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, AND SHALL PROVIDE A PUBLIC ACCESS EASEMENT ACROSS THE SAME.

- ARCHITECTURAL STANDARDS
 - THE MAXIMUM HEIGHT IN STORIES OF THE MULTI-FAMILY RESIDENTIAL BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE FOUR STORIES.
 - THE MAXIMUM HEIGHT IN FEET OF THE MULTI-FAMILY RESIDENTIAL BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE AS MEASURED UNDER THE ORDINANCE.
- STREETSCAPE/LANDSCAPING/BUFFER
 - A 50 FOOT CLASS C BUFFER SHALL BE ESTABLISHED ALONG THOSE PORTIONS OF THE SITE'S BOUNDARY LINES THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, AND SUCH BUFFER SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE. EXCEPT AS PROVIDED BELOW IN PARAGRAPH B, THE WIDTH OF THE CLASS C BUFFER MAY NOT BE REDUCED.
 - 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.
- INTERNAL SIDEWALKS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- ENVIRONMENTAL FEATURES
 - DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.
 - THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER 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.
- LIGHTING
 - ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS AND PARKING AREAS 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.
 - THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE SHALL BE 21 FEET.
 - ANY LIGHTING FIXTURES ATTACHED TO THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.
- BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
 - IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
 - THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.
 - ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-180
Petition #: _____
Date Filed: 11/22/2017
Received By: [Signature]

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO
Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO
Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO
Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO
Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO
Current Land Use: vacant and single family use (Acres): ± 66.90
Existing Zoning: R-3 Proposed Zoning: NS and MX-1
Overlay: N/A
(Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Mandy Rosen, Isaiah Washington, Jason Prescott, and Sonja Sanders

Date of meeting: 9/21/17

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

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 Site with a residential based pedestrian-friendly mixed-use 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

[Signature]
Signature of Property Owner

for JS Helms Family Properties, LLC
CHAR2\1951578v1

JS Helms Family Properties, LLC (Attn: Jerry Helms)
Name of Petitioner

11901 Albemarle Road
Address of Petitioner

Charlotte, NC 28227
City, State, Zip

704.609.5263
Telephone Number Fax Number

bbhelms@yahoo.com
E-mail Address

[Signature]
Signature of Petitioner

for JS Helms Family Properties, LLC

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Date Acquired
111-46-103	NA	JS Helms Family Properties, LLC	11901 Albemarle Road, Charlotte, NC 28227	03/22/2012
111-46-104	NA			03/22/2012
111-46-105	11901 Albemarle Road, Charlotte, NC 28227			03/22/2012
111-46-108	NA			3/22/2012
111-46-109	NA			3/22/2012

SITE DEVELOPMENT DATA:

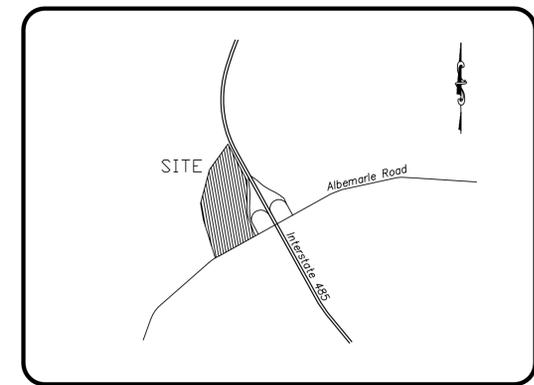
ACREAGE: ± 66.90 ACRES
 TAX PARCEL NUMBERS: 111-461-03, 111-461-04, 111-461-05, 111-461-08, AND 111-461-09
 EXISTING ZONING: R-3
 PROPOSED ZONING: MX-1 AND NS
 EXISTING USES: RESIDENTIAL FARM

PROPOSED USES: NON-RESIDENTIAL AND RESIDENTIAL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE NS ZONING DISTRICT ON THE PORTION OF THE SITE ZONED NS AND USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MX-1 ZONING DISTRICT ON THE PORTION OF THE SITE ZONED MX-1 (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).

MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: WITHIN THE NS ZONING DISTRICT UP TO: (I) 45,000 SQUARE FEET OF GROSS FLOOR AREA OF RETAIL, GENERAL AND MEDICAL OFFICE USES, EATING DRINKING ENTERTAINMENT ESTABLISHMENTS (EDER), PERSONAL SERVICES, AND OTHER COMMERCIAL USES (AS MORE SPECIFICALLY DESCRIBED BELOW IN SECTION 3); (II) 5,000 SQUARE FEET OF GROSS FLOOR AREA FOR AN ART GALLERY, ART STUDIO, CULTURAL ARTS FACILITY THAT MAY ALSO INCLUDE A RESIDENTIAL UNIT (THIS ALLOWED USE WILL BE LOCATED WITHIN THE EXISTING HOME LOCATED ON THE SITE); AND (III) 350 MULTI-FAMILY RESIDENTIAL DWELLING UNITS. WITHIN THE MX-1 ZONING DISTRICT UP TO 75 DETACHED DWELLING UNITS.

MAXIMUM BUILDING HEIGHT: IN THE AREA ZONED MX-1, BUILDING HEIGHT AS SPECIFIED BY THE ORDINANCE WILL BE ALLOWED. IN THE AREA ZONED NS, BUILDING HEIGHTS WILL BE LIMITED TO A MAXIMUM OF THREE (3) STORES AND 50 FEET. BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.

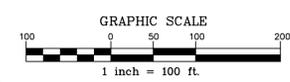
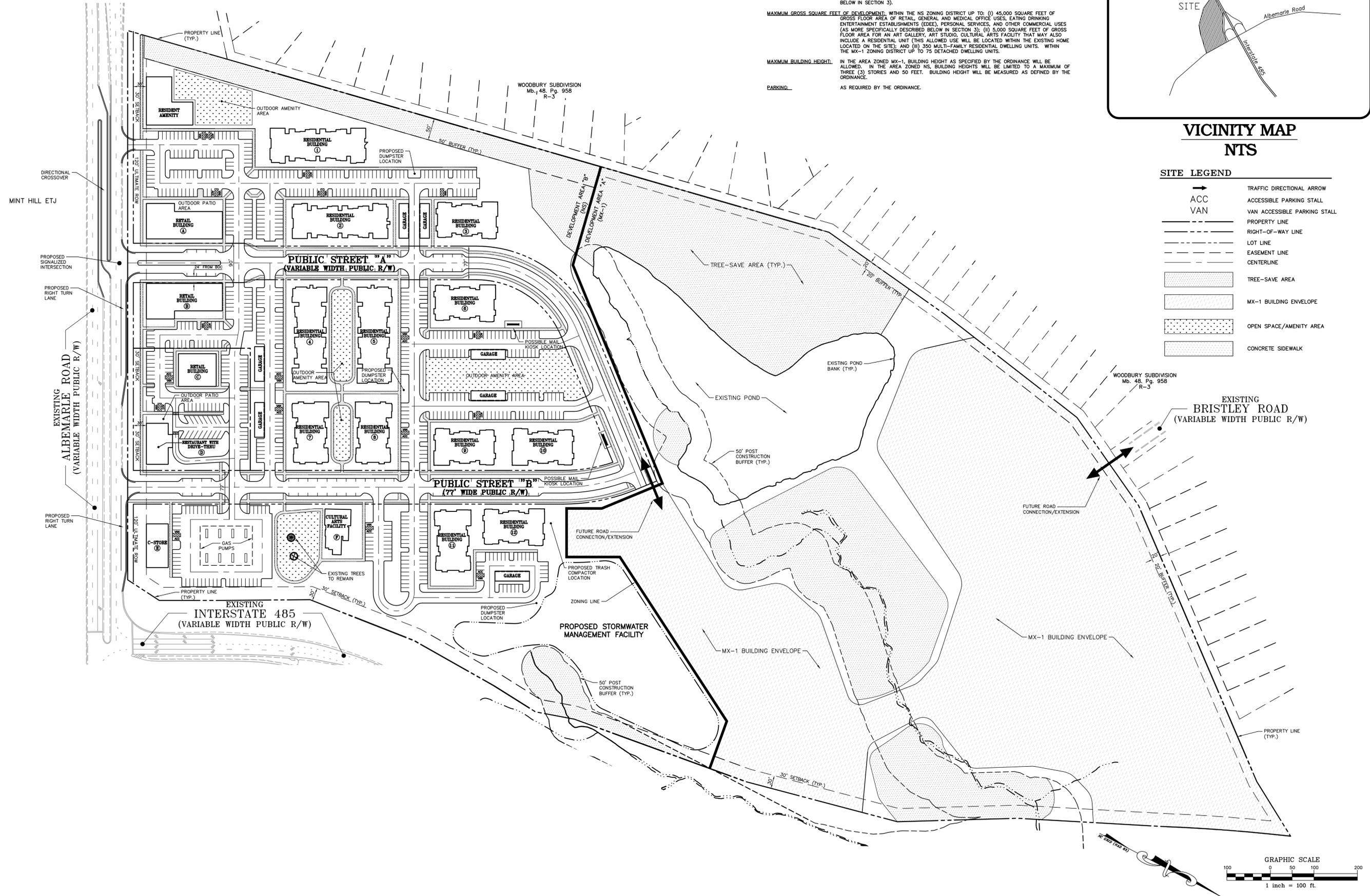
PARKING: AS REQUIRED BY THE ORDINANCE.



**VICINITY MAP
NTS**

SITE LEGEND

- TRAFFIC DIRECTIONAL ARROW
- ACC VAN
- ACCESSIBLE PARKING STALL
- VAN ACCESSIBLE PARKING STALL
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- TREE-SAVE AREA
- MX-1 BUILDING ENVELOPE
- OPEN SPACE/AMENITY AREA
- CONCRETE SIDEWALK



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

THE JOHN R. MCADAMS COMPANY, INC.
 3436 Torrington Way
 Suite 110
 Charlotte, North Carolina 28277
 License No.: C-0283
 (800) 733-5646 • McAdamsCo.com



REVISIONS:

OWNER:
 J S HELMS FAMILY PROPERTIES, LLC
 11901 ALBEMARLE ROAD
 CHARLOTTE, NC 28227

LEMMOND FARM
 ALBEMARLE ROAD
 CHARLOTTE, NORTH CAROLINA
 REZONING CONCEPT PLAN

PROJECT NO:	ALL-17030
FILENAME:	ALL17030-RZ1
CHECKED BY:	RMR
DRAWN BY:	AJB
SCALE:	1"=100'
DATE:	11-21-17
SHEET NO.	RZ-1

McAdams

X:\Projects\ALL-17030\Leond\Rezoning\ALL17030-RZ1.dwg, 11/21/2017 2:11:38 PM, Bernard, Andrew

I. General Provisions:

a. **Site Location.** These Development Standards, the Technical Data Sheet and Schematic Site Plan, and related graphics form the Rezoning Plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by JS Helms Family Properties ("Petitioner") to accommodate development of a residential based pedestrian-friendly mixed-use community on an approximately 66.90 acres (the "Site").

b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, (i) the regulations established under the Ordinance for the NS zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site; and (ii) the regulations established under the Ordinance for the MX-1 zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Innovative Provisions provided 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 the Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

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

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

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

d. **Number of Buildings Principal and Accessory; Accessory Building Design.** Notwithstanding the number of buildings or lots shown on the Rezoning Plan, the total number of principal buildings to be developed: (i) on the portions of the Site zoned NS and developed for residential and commercial uses (retail, EDDE, office, personal service uses), shall not exceed 25; and (ii) on the portion of the Site zoned MX-1 and developed for detached residential dwellings shall not exceed 75 lots. Accessory buildings and structures located on the Site, including, without limitation, community clubhouse, recreation and related uses, shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

CHAR21951649-2

e. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located on the Site. Furthermore, the Petitioner and/or owners of the Site reserve the right to subdivide the portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in Section 3 below as to the Site as a whole and not individual portions, Development Areas or lots located therein.

f. **Gross Floor Area Clarification.** When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), enclosed loading dock/service areas, and outdoor dining and gathering areas whether on the roof of the building or at street level.

2. Permitted Uses, Development Area Limitations, and Transfer & Conversion Rights:

a. For ease of reference, the Rezoning Plan sets forth two (2) development areas as generally depicted on the Technical Data Sheet as Development Areas A and B (each a "Development Area" and collectively the "Development Areas").

b. Development Area A may be developed with up to 75 detached dwelling units together with accessory uses in MX-1 Innovative zoning district, including, without limitation, community clubhouse, recreation, and related uses (e.g. improved passive and active open spaces, picnic shelters, gazebos, ball fields, maintenance buildings, outdoor recreational uses, and other uses typically associated with residential communities etc.).

c. Subject to the restrictions, limitations, listed below, the principal buildings constructed within Development Area B may be developed with (i) up to 45,000 square feet of gross floor area of retail, Eating Drinking Entertainment Establishment (EDEE), a gas station convenience store with or without gasoline sales, and personal services uses; (ii) 5,000 square feet of gross floor area for an art gallery, art studio, cultural arts facility that may also include a residential unit (this allowed use will be located within the existing home located on the Site); and (iii) 350 multi-family residential dwelling units, together with accessory uses as allowed in the NS zoning district. One (1) use with an accessory drive-through window may be constructed within Development Area B and only one gas station convenience store with or without gasoline sales will be allowed within Development Area B.

d. Only one use with an accessory drive-through window will be allowed within Development Area B as generally depicted on the Rezoning Plan. Only one gas station convenience store with or without gasoline sales will be allowed within Development Area B.

Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa's, Yoga and exercise studios, nail salons, massage shops, martial art training studios, laundries and dry-cleaning establishments, locksmiths, and alike (uses that are similar to the items listed but have not been listed but share the common trait that the primary purpose of the use is the sale of a service rather than goods).

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3. Transportation Improvements and Access:

I. Proposed Improvements:

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

The following Transportation Improvements are also illustrated on Figure -- on Sheet RZ-0 of the Rezoning Plan. The figure on Sheet RZ-04 is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number or letter when describing an improvement corresponds to the number or letter found on figure -- for the proposed improvement).

To be completed after the review of the TIA.

II. Standards, Phasing and Other Provisions.

a. **CDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT (as it relates to the roadway improvements within its road system authority). It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

b. Phasing.

Notwithstanding the commitments of the Petitioner to provide for the roadway improvements described in Section 3.I above, the following provisions shall permit development to take place prior to completion of all of the above-referenced improvements:

- (i) To be completed after review of traffic study

The areas of the Site associated with the following phases are illustrated on Sheet RZ-0 "Development Phasing for Off-Site Roadway Improvements" of the Rezoning Plan.

The phase #'s for the non-residential Development Areas are not meant to require them to be completed in the sequential order they are listed (before the residential or before each other) and as a result may be developed sooner upon the substantial construction of the roadway improvements listed for each non-residential Development Area.

c. **Substantial Completion.** Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.II above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.II.a above provided, however, in the event 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.

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d. **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

e. **Alternative Improvements.** Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT and the Planning Director; provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

III. Access, and Pedestrian Circulation.

a. Access to the Site will be from Albemarle Road and Bristley Road as generally depicted on the Rezoning Plan.

b. The number and location of access points to the internal public streets will be determined during the building permit process and thereafter additional or fewer driveways and/or additional private/public streets may be installed or removed with approval from appropriate governmental authorities subject to applicable statutes, ordinances and regulations.

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

d. The Petitioner will build two (2) Public Streets and one (1) private drive to access the Site from Albemarle Road as generally depicted on the Rezoning Plan. These two (2) public streets will be built to meet USDG standards.

e. The Petitioner will dedicate 60 feet of right-of-way from the existing center line of Albemarle Road to the City of Charlotte prior to the issuance of the first certificate of occupancy.

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4. Architectural Standards and Parking Location Restrictions:

a. The principal buildings constructed on the Site (Development Areas A and B) may use a variety of building materials. The building materials used for buildings (other than structured parking facilities, if any) will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardy-plank), EIFS or wood. Vinyl as a building material will not be allowed except on windows and soffits.

b. Parking and maneuvering for parking will not be allowed between the proposed buildings in Development Areas B located at the intersections of Albemarle Road and Public Street A and B as generally depicted on the Rezoning Petition. Parking areas may be located to the side of the proposed buildings.

c. The minimum height of one-story non-residential buildings constructed within Development Areas B will be a minimum 22 feet including architectural elements. This will not apply to the existing single-family home located on the Site that is to be re-used as a cultural arts facility.

d. The non-residential buildings shall provide street level, pedestrian oriented active uses along Public Street A.

e. For non-residential buildings (not including the leasing office/amenity center for multi-family) at least 40% of the first floor building façades between two (2) and ten (10) feet above grade of buildings facing Public Street A and B will utilize transparent, vision glass. In areas where transparent vision glass cannot be utilized due to building or tenant constraints display windows may be utilized, however, no more than 30% of the first floor building façade can be made up of display windows.

f. The Street Walls of the non-residential buildings constructed within Development Area B abutting Albemarle Road will be treated with a combination of the following features: (i) windows with applied graphic images; (ii) internally illuminated window boxes with applied graphic images; (iii) vertical elements such as art work and/or decorative garden and landscape elements; (iv) decorative lighting elements; and (v) landscaped areas composed of a combination of large and small maturing evergreen and deciduous trees, evergreen and deciduous shrubs and seasonal color.

5. Design Guidelines for Residential Buildings Located Within Development Area B:

a. General Site Considerations

- i. Architectural treatment shall continue on all sides of a building except as specifically noted otherwise.
- ii. All shared/common building entrances will be connected to the street network subject to grade and ADA standards (private patios will be considered a building entrance).

b. Façade Composition

- i. The Principal Entrances of a building that face a public street shall be articulated and expressed in greater architectural detail than other building entrances.

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1. Façades shall incorporate windows and doors as follows:

- i. Windows and doors shall be provided for at least 20% of the total Façade area along the proposed public streets, with each floor calculated independently. The maximum contiguous area without windows or doors on any floor facing a public street shall not exceed 30 feet in length in any direction. Changes in materials and other treatments may be used to break up walls where windows are not possible due to building layout (e.g. stairwells and/or mechanical/utility rooms).
- ii. The above requirement for windows and doors may be reduced by 50% where a Façade is not visible from a public street and the maximum contiguous area without windows or doors on any floor may be increased to 40 feet in length.

2. Façade articulation:

- i. Façades over 75 feet in length shall incorporate wall projections or recesses. Patios and balconies are acceptable projections.

3. Additional Street Fronting Façade requirements on Public Streets:

- i. Street fronting Façades and End fronting Façades shall be articulated and designed to create additional visual interest by varying architectural details, building materials, the roof line, and building offsets.
- ii. On corner lots, the architectural treatment of a building's intersecting Street Fronting Façades shall be substantially similar, except that said building may emphasize the corner location by incorporating other architectural embellishments at the corner.
- iii. First Story Façades of all buildings along streets shall incorporate up to three (3) of the following; columns, awnings, arcades, porches, stoops, windows, doors, or other architectural elements.
- iv. No more than four different materials, textures, colors, or combinations thereof may be used on a single building. This requirement shall not include materials used on windows, doors, porches, balconies, foundations, awnings or architectural details.
- v. Vinyl or aluminum siding, exposed standard concrete masonry unit (CMU) block, corrugated steel, prefabricated metal, exposed plywood, and exposed pressboard are prohibited, except when used as a decorative feature or accent.
- vi. Exterior materials of buildings along the Public Streets shall be limited to brick, stone, pre-cast concrete, wood, stucco, cementitious materials, glass, manufactured stone or granite.
- vii. Accessory Structures shall be consistent with the Principal Building in material, texture, and color.

c. Roofs

- i. Pitched or flat roofs are acceptable. The pitch of the building's primary roof shall have a minimum slope of 3:12. Flat roofs shall be screened from the view of Public Streets by a parapet.
- ii. Accessory features on a roof shall be screened from the view of the Public Streets by a parapet or other architectural feature.
- iii. Permitted sloped roof materials are asphalt shingles, composition shingles, wood shingles, tin, standing seam metal, and wood shakes.
- iv. Vents, stacks, and roof fans are to be painted to blend with the roof color and hidden from Public Street view to the greatest extent possible.

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6. Streetscape, Landscaping and Buffer:

a. Setbacks and yards as required by the MX-1 zoning district will be provided. Along I-485 a 30 foot setback as measured from the existing right-of-way will be provided.

b. Within Development Areas B a minimum building and parking setback of 30 feet as measured from the future right-of-way for Albemarle Road will be provided as generally depicted. Along Public Street A and B a minimum building setback of 24 feet as measured from the back of curb will be provided. Along I-485 within Development Area B a 30 foot setback from the existing right-of-way will be provided.

c. A 50 foot Class C buffer will be provided between the proposed uses in Development Area B and the adjoining Woodbury Neighborhood. Within Development Area A a 20 foot Class C Buffer will be provided adjacent to the Woodbury Neighborhood as generally depicted on the Rezoning Plan.

d. Along the Site's internal streets, the Petitioner will provide a sidewalk and a cross-walk network that links all of the principal buildings on the Site with one another by way of links to sidewalks along the abutting public and private streets and/or other pedestrian features. The minimum width for these internal sidewalks with the portion of the Site zoned NS will be six (6) feet and within the portions of the Site zoned MX-1 will be a minimum of five (5) feet.

7. Environmental Features

a. 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 from and engineering perspective with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

b. Storm water detention areas and water quality areas located along an interior public street will be landscaped to create an attractive street edge.

c. The Site will comply with the requirements of the City of Charlotte Tree Ordinance.

8. Plazas and Open Space:

a. The Petitioner will provide a series of passive and active open space areas throughout the Site as generally depicted on the Rezoning Plan (the exact location and configuration of these open space areas may vary from what is illustrated; the final locations and configuration of the open space areas will be determined/finalized during each phase of the approval process). The existing pond on the Site will be preserved. The existing pond may be used to meet storm water and water quality requirements.

9. Signage:

a. Signage as allowed by the Ordinance may be provided.

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10. Lighting:

a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

b. Detached lighting on the Site, except street lights located along public streets, will be limited to 26 feet in height.

11. Amendments to the Rezoning Plan:

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

12. Binding Effect of the Rezoning Application:

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

THE JOHN R. McADAMS COMPANY, INC.
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REVISIONS:

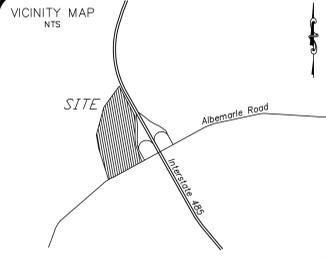
OWNER:
J S HELMS FAMILY PROPERTIES, LLC.
11901 ALBEMARLE ROAD
CHARLOTTE, NC 28227

LEMMOND FARM
ALBEMARLE ROAD
CHARLOTTE, NORTH CAROLINA
REZONING NOTES

Table with project details: PROJECT NO., FILENAME, CHECKED BY, DRAWN BY, SCALE, DATE, SHEET NO.

RZ-2

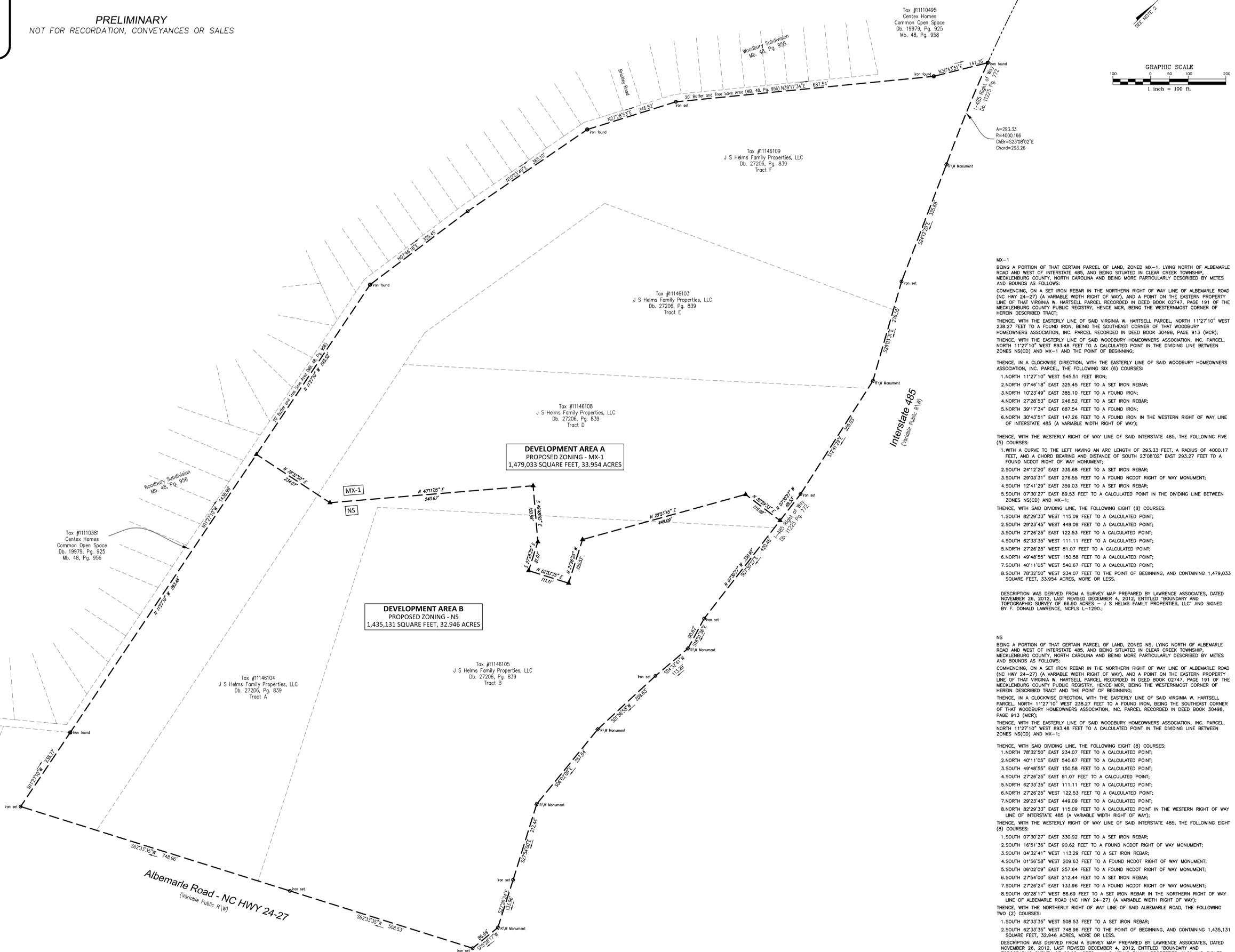
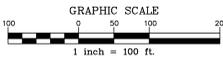




- GENERAL NOTES**
- 1.) THIS IS AN EXHIBIT TO SHOW THE LOCATION OF THE DIVIDING LINE BETWEEN ZONES NS(CD) & MX-1.
 - 2.) BOUNDARY INFO AND BEARINGS FOR THIS SURVEY ARE BASED ON A MAP TITLED, "ALTA SURVEY FOR: 66.90 ACRES - J S HELMS FAMILY PROPERTIES, LLC" BY LAWRENCE ASSOCIATES, DATED SEPTEMBER 28, 2017, NOT OF PUBLIC RECORD.
 - 3.) NO FIELD SURVEY DATA WAS USED IN THE PREPARATION OF THIS EXHIBIT.

PRELIMINARY
NOT FOR RECORDATION, CONVEYANCES OR SALES

- LEGEND:**
- ▲ CALCULATED POINT
 - SURVEYED PROPERTY LINE
 - - - PROPERTY LINE NOT SURVEYED
 - - - ZONING LINE



MX-1
BEING A PORTION OF THAT CERTAIN PARCEL OF LAND, ZONED MX-1, LYING NORTH OF ALBEMARLE ROAD AND WEST OF INTERSTATE 485, AND BEING SITUATED IN CLEAR CREEK TOWNSHIP, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
COMMENCING, ON A SET IRON REBAR IN THE NORTHERN RIGHT OF WAY LINE OF ALBEMARLE ROAD (NC HWY 24-27) (A VARIABLE WIDTH RIGHT OF WAY), AND A POINT ON THE EASTERN PROPERTY LINE OF THAT VIRGINIA W. HARTSELL PARCEL RECORDED IN DEED BOOK 02747, PAGE 191 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY, HENCE MCR, BEING THE WESTERMOST CORNER OF HEREIN DESCRIBED TRACT;
THENCE, WITH THE EASTERLY LINE OF SAID VIRGINIA W. HARTSELL PARCEL, NORTH 11°27'10" WEST 238.27 FEET TO A FOUND IRON, BEING THE SOUTHEAST CORNER OF THAT WOODBURY HOMEOWNERS ASSOCIATION, INC. PARCEL RECORDED IN DEED BOOK 30498, PAGE 913 (MCR);
THENCE, WITH THE EASTERLY LINE OF SAID WOODBURY HOMEOWNERS ASSOCIATION, INC. PARCEL, NORTH 11°27'10" WEST 893.48 FEET TO A CALCULATED POINT IN THE DIVIDING LINE BETWEEN ZONES NS(CD) AND MX-1 AND THE POINT OF BEGINNING;

THENCE, IN A CLOCKWISE DIRECTION, WITH THE EASTERLY LINE OF SAID WOODBURY HOMEOWNERS ASSOCIATION, INC. PARCEL, THE FOLLOWING SIX (6) COURSES:
1. NORTH 11°27'10" WEST 545.51 FEET IRON;
2. NORTH 07°46'18" EAST 325.45 FEET TO A SET IRON REBAR;
3. NORTH 10°23'49" EAST 385.10 FEET TO A FOUND IRON;
4. NORTH 27°28'53" EAST 246.52 FEET TO A SET IRON REBAR;
5. NORTH 39°17'34" EAST 687.54 FEET TO A FOUND IRON;
6. NORTH 30°43'51" EAST 147.26 FEET TO A FOUND IRON IN THE WESTERN RIGHT OF WAY LINE OF INTERSTATE 485 (A VARIABLE WIDTH RIGHT OF WAY);

THENCE, WITH THE WESTERLY RIGHT OF WAY LINE OF SAID INTERSTATE 485, THE FOLLOWING FIVE (5) COURSES:
1. WITH A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 293.33 FEET, A RADIUS OF 4000.17 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 23°08'02" EAST 293.27 FEET TO A FOUND NCDOT RIGHT OF WAY MONUMENT;
2. SOUTH 24°12'20" EAST 335.68 FEET TO A SET IRON REBAR;
3. SOUTH 29°03'31" EAST 276.55 FEET TO A FOUND NCDOT RIGHT OF WAY MONUMENT;
4. SOUTH 12°41'29" EAST 359.03 FEET TO A SET IRON REBAR;
5. SOUTH 07°30'27" EAST 89.53 FEET TO A CALCULATED POINT IN THE DIVIDING LINE BETWEEN ZONES NS(CD) AND MX-1;

THENCE, WITH SAID DIVIDING LINE, THE FOLLOWING EIGHT (8) COURSES:
1. SOUTH 82°29'33" WEST 115.09 FEET TO A CALCULATED POINT;
2. SOUTH 29°23'45" WEST 449.09 FEET TO A CALCULATED POINT;
3. SOUTH 27°26'25" EAST 122.53 FEET TO A CALCULATED POINT;
4. SOUTH 62°33'35" WEST 111.11 FEET TO A CALCULATED POINT;
5. NORTH 27°26'25" WEST 81.07 FEET TO A CALCULATED POINT;
6. NORTH 49°48'55" WEST 150.58 FEET TO A CALCULATED POINT;
7. SOUTH 40°11'05" WEST 540.67 FEET TO A CALCULATED POINT;
8. SOUTH 78°32'50" WEST 234.07 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1,479,033 SQUARE FEET, 33.954 ACRES, MORE OR LESS.

DESCRIPTION WAS DERIVED FROM A SURVEY MAP PREPARED BY LAWRENCE ASSOCIATES, DATED NOVEMBER 26, 2012, LAST REVISED DECEMBER 4, 2012, ENTITLED "BOUNDARY AND TOPOGRAPHIC SURVEY OF 66.90 ACRES - J S HELMS FAMILY PROPERTIES, LLC" AND SIGNED BY F. DONALD LAWRENCE, NCPLS L-1290.

NS
BEING A PORTION OF THAT CERTAIN PARCEL OF LAND, ZONED NS, LYING NORTH OF ALBEMARLE ROAD AND WEST OF INTERSTATE 485, AND BEING SITUATED IN CLEAR CREEK TOWNSHIP, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
COMMENCING, ON A SET IRON REBAR IN THE NORTHERN RIGHT OF WAY LINE OF ALBEMARLE ROAD (NC HWY 24-27) (A VARIABLE WIDTH RIGHT OF WAY), AND A POINT ON THE EASTERN PROPERTY LINE OF THAT VIRGINIA W. HARTSELL PARCEL RECORDED IN DEED BOOK 02747, PAGE 191 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY, HENCE MCR, BEING THE WESTERMOST CORNER OF HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;
THENCE, IN A CLOCKWISE DIRECTION, WITH THE EASTERLY LINE OF SAID VIRGINIA W. HARTSELL PARCEL, NORTH 11°27'10" WEST 238.27 FEET TO A FOUND IRON, BEING THE SOUTHEAST CORNER OF THAT WOODBURY HOMEOWNERS ASSOCIATION, INC. PARCEL RECORDED IN DEED BOOK 30498, PAGE 913 (MCR);
THENCE, WITH THE EASTERLY LINE OF SAID WOODBURY HOMEOWNERS ASSOCIATION, INC. PARCEL, NORTH 11°27'10" WEST 893.48 FEET TO A CALCULATED POINT IN THE DIVIDING LINE BETWEEN ZONES NS(CD) AND MX-1;

THENCE, WITH SAID DIVIDING LINE, THE FOLLOWING EIGHT (8) COURSES:
1. NORTH 78°32'50" EAST 234.07 FEET TO A CALCULATED POINT;
2. NORTH 40°11'05" EAST 540.67 FEET TO A CALCULATED POINT;
3. SOUTH 49°48'55" WEST 150.58 FEET TO A CALCULATED POINT;
4. SOUTH 27°26'25" EAST 81.07 FEET TO A CALCULATED POINT;
5. NORTH 62°33'35" WEST 111.11 FEET TO A CALCULATED POINT;
6. NORTH 27°26'25" WEST 122.53 FEET TO A CALCULATED POINT;
7. NORTH 29°23'45" EAST 449.09 FEET TO A CALCULATED POINT;
8. NORTH 82°29'33" EAST 115.09 FEET TO A CALCULATED POINT IN THE WESTERN RIGHT OF WAY LINE OF INTERSTATE 485 (A VARIABLE WIDTH RIGHT OF WAY);

THENCE, WITH THE WESTERLY RIGHT OF WAY LINE OF SAID INTERSTATE 485, THE FOLLOWING EIGHT (8) COURSES:
1. SOUTH 07°30'27" EAST 330.92 FEET TO A SET IRON REBAR;
2. SOUTH 16°51'36" EAST 90.62 FEET TO A FOUND NCDOT RIGHT OF WAY MONUMENT;
3. SOUTH 04°32'41" WEST 113.29 FEET TO A SET IRON REBAR;
4. SOUTH 01°56'58" WEST 209.63 FEET TO A FOUND NCDOT RIGHT OF WAY MONUMENT;
5. SOUTH 06°02'09" EAST 257.64 FEET TO A FOUND NCDOT RIGHT OF WAY MONUMENT;
6. SOUTH 27°54'00" EAST 212.44 FEET TO A SET IRON REBAR;
7. SOUTH 27°26'24" EAST 133.96 FEET TO A FOUND NCDOT RIGHT OF WAY MONUMENT;
8. SOUTH 05°28'17" WEST 86.69 FEET TO A SET IRON REBAR IN THE NORTHERN RIGHT OF WAY LINE OF ALBEMARLE ROAD (NC HWY 24-27) (A VARIABLE WIDTH RIGHT OF WAY);

THENCE, WITH THE NORTHERLY RIGHT OF WAY LINE OF SAID ALBEMARLE ROAD, THE FOLLOWING TWO (2) COURSES:
1. SOUTH 62°33'35" WEST 508.53 FEET TO A SET IRON REBAR;
2. SOUTH 62°33'35" WEST 748.96 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1,435,131 SQUARE FEET, 32.948 ACRES, MORE OR LESS.
DESCRIPTION WAS DERIVED FROM A SURVEY MAP PREPARED BY LAWRENCE ASSOCIATES, DATED NOVEMBER 26, 2012, LAST REVISED DECEMBER 4, 2012, ENTITLED "BOUNDARY AND TOPOGRAPHIC SURVEY OF 66.90 ACRES - J S HELMS FAMILY PROPERTIES, LLC" AND SIGNED BY F. DONALD LAWRENCE, NCPLS L-1290.

THE JOHN R. MCADAMS COMPANY, INC.
3456 Tetonville Way
Suite 110
Charlotte, North Carolina 28277
(800) 735-5646 • McAdamsCo.com

MCADAMS

OWNER: J S HELMS FAMILY PROPERTIES, LLC
11901 ALBEMARLE ROAD
CHARLOTTE, NC 28227

LEMMOND FARM
ALBEMARLE ROAD
CHARLOTTE, NORTH CAROLINA

ZONE EXHIBIT

PROJECT NO: ALL-17030
FILENAME: ALL17030-Q1.DWG
DRAWN BY: RMR
SCALE: 1"=100'
DATE: 11-21-2017
SHEET NO: 1-1

MCADAMS

MX-1 (APPROXIMATELY 33.954 ACRES) – DEVELOPMENT AREA A

Being A portion of that certain parcel of land, zoned MX-1, lying North of Albemarle Road and West of Interstate 485, and being situated in Clear Creek Township, Mecklenburg County, North Carolina and being more particularly described by Metes and Bounds as follows:

Commencing, on a set iron rebar in the Northern right of way line of Albemarle Road (NC HWY 24-27) (A variable width Right of Way), and a point on the eastern property line of that Virginia W. Hartsell parcel recorded in Deed book 02747, Page 191 of the Mecklenburg County Public Registry, hence MCR, being the Westernmost corner of herein described tract;

Thence, with the Easterly line of said Virginia W. Hartsell parcel, North 11°27'10" West 238.27 feet to a found iron, being the Southeast corner of that Woodbury Homeowners Association, Inc. parcel recorded in Deed book 30498, Page 913 (MCR);

Thence, with the Easterly line of said Woodbury Homeowners Association, Inc. parcel, North 11°27'10" West 893.48 feet to a calculated point in the dividing line between Zones NS(CD) and MX-1 and the **Point of Beginning**;

Thence, in a clockwise direction, with the Easterly line of said Woodbury Homeowners Association, Inc. parcel, the following six (6) courses:

1. North 11°27'10" West 545.51 feet iron;
2. North 07°46'18" East 325.45 feet to a set iron rebar;
3. North 10°23'49" East 385.10 feet to a found iron;
4. North 27°28'53" East 246.52 feet to a set iron rebar;
5. North 39°17'34" East 687.54 feet to a found iron;
6. North 30°43'51" East 147.26 feet to a found iron in the Western right of way line of Interstate 485 (A variable width Right of Way);

Thence, with the Westerly Right of Way line of said Interstate 485, the following five (5) courses:

1. With a curve to the left having an arc length of 293.33 feet, a radius of 4000.17 feet, and a chord bearing and distance of South 23°08'02" East 293.27 feet to a found NCDOT right of way monument;
2. South 24°12'20" East 335.68 feet to a set iron rebar;
3. South 29°03'31" East 276.55 feet to a found NCDOT right of way monument;
4. South 12°41'29" East 359.03 feet to a set iron rebar;
5. South 07°30'27" East 89.53 feet to a calculated point in the dividing line between Zones NS(CD) and MX-1;

Thence, with said dividing line, the following eight (8) courses:

1. South 82°29'33" West 115.09 feet to a calculated point;
2. South 29°23'45" West 449.09 feet to a calculated point;
3. South 27°26'25" East 122.53 feet to a calculated point;
4. South 62°33'35" West 111.11 feet to a calculated point;
5. North 27°26'25" West 81.07 feet to a calculated point;
6. North 49°48'55" West 150.58 feet to a calculated point;
7. South 40°11'05" West 540.67 feet to a calculated point;
8. South 78°32'50" West 234.07 feet to the **Point of Beginning**, and containing 1,479,033 Square Feet, 33.954 Acres, more or less.

Description was derived from a survey map prepared by Lawrence Associates, Dated November 26, 2012, last revised December 4, 2012, entitled "Boundary and Topographic Survey of 66.90 acres – J S Helms Family Properties, LLC" and signed by F. Donald Lawrence, NCPLS L-1290.

NS (APPROXIMATELY 32.946 ACRES) – DEVELOPMENT AREA B

Being A portion of that certain parcel of land, zoned NS, lying North of Albemarle Road and West of Interstate 485, and being situated in Clear Creek Township, Mecklenburg County, North Carolina and being more particularly described by Metes and Bounds as follows:

Commencing, on a set iron rebar in the Northern right of way line of Albemarle Road (NC HWY 24-27) (A variable width Right of Way), and a point on the eastern property line of that Virginia W. Hartsell parcel recorded in Deed book 02747, Page 191 of the Mecklenburg County Public Registry, hence MCR, being the Westernmost corner of herein described tract and the **Point of Beginning**;

Thence, in a clockwise direction, with the Easterly line of said Virginia W. Hartsell parcel, North 11°27'10" West 238.27 feet to a found iron, being the Southeast corner of that Woodbury Homeowners Association, Inc. parcel recorded in Deed book 30498, Page 913 (MCR);

Thence, with the Easterly line of said Woodbury Homeowners Association, Inc. parcel, North 11°27'10" West 893.48 feet to a calculated point in the dividing line between Zones NS(CD) and MX-1;

Thence, with said dividing line, the following eight (8) courses:

1. North 78°32'50" East 234.07 feet to a calculated point;
2. North 40°11'05" East 540.67 feet to a calculated point;
3. South 49°48'55" East 150.58 feet to a calculated point;
4. South 27°26'25" East 81.07 feet to a calculated point;
5. North 62°33'35" East 111.11 feet to a calculated point;
6. North 27°26'25" West 122.53 feet to a calculated point;
7. North 29°23'45" East 449.09 feet to a calculated point;
8. North 82°29'33" East 115.09 feet to a calculated point in the Western right of way line of Interstate 485 (A variable width Right of Way);

Thence, with the Westerly Right of Way line of said Interstate 485, the following eight (8) courses:

1. South 07°30'27" East 330.92 feet to a set iron rebar;
2. South 16°51'36" East 90.62 feet to a found NCDOT right of way monument;
3. South 04°32'41" West 113.29 feet to a set iron rebar;
4. South 01°56'58" West 209.63 feet to a found NCDOT right of way monument;
5. South 06°02'09" East 257.64 feet to a found NCDOT right of way monument;
6. South 27°54'00" East 212.44 feet to a set iron rebar;
7. South 27°26'24" East 133.96 feet to a found NCDOT right of way monument;
8. South 05°28'17" West 86.69 feet to a set iron rebar in the Northern right of way line of Albemarle Road (NC HWY 24-27) (A variable width Right of Way);

Thence, with the Northerly Right of Way line of said Albemarle Road, the following two (2) courses:

1. South 62°33'35" West 508.53 feet to a set iron rebar;
2. South 62°33'35" West 748.96 feet to the **Point of Beginning**, and containing 1,435,131 Square Feet, 32.946 Acres, more or less.

Description was derived from a survey map prepared by Lawrence Associates, Dated November 26, 2012, last revised December 4, 2012, entitled "Boundary and Topographic Survey of 66.90 acres – J S Helms Family Properties, LLC" and signed by F. Donald Lawrence, NCPLS L-1290.



2017-181

I. REZONING APPLICATION
CITY OF CHARLOTTE

Petition #:	_____
Date Filed:	<u>11/22/2017</u>
Received By:	<u>R</u>

Complete All Fields (Use additional pages if needed)

Property Owner: DDR Belgate, LP

Owner's Address: 3300 Enterprise Parkway City, State, Zip: Beachwood, OH 44122

Date Property Acquired: 6/18/2012

Property Address: Unnumbered parcel on University Pointe Blvd

Tax Parcel Number(s): Portion of 047-461-07

Current Land Use: Vacant Size (Acres): +/- 3.58

Existing Zoning: CC Proposed Zoning: CC S.P.A.

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune ; SONJA SANDERS + MANDY ROSEN
Date of meeting: 8/16/2017 ; 11/21/2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate hotel uses on Parcel B3, without increasing the number of hotel rooms within the overall Belgate Development, as described in Approved Rezoning Plan No. 2008-059.

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@kkgates.com / brittany.lins@kkgates.com
E-Mail Address

DDR Belgate LP
Kenneth L. Stern
Signature of Property Owner

Kenneth L. STERN
(Name Typed / Printed)

Dakota Legacy Group
Name of Petitioner(s)

1202 Westrac Drive, 3rd Floor
Address of Petitioner(s)

Fargo, ND 58103
City, State, Zip

701-293-4077
Telephone Number Fax Number

tlm@dakotaleg.com
E-Mail Address

Richard Larson
Signature of Petitioner

Richard LARSON
(Name Typed / Printed)

BELGATE

2017 SITE PLAN AMENDMENT

CHARLOTTE, NORTH CAROLINA

SHEET INDEX:

	REVISED
RZ-1 Technical Data Sheet	01/28/08 (ORIGINAL SUBMITTAL)
RZ-2 Conceptual Site Plan	11/27/17
RZ-2.1 Conceptual Site Plan - Parcel B3 Enlargement	11/27/17
RZ-3 Development Standards	11/27/17
RZ-4 Development Standards	11/27/17

DATE: 11/27/17
DESIGNED BY: KST
DRAWN BY: MRC
CHECKED BY: MRC
O.C. BY: MRC
PROJECT #: 107735
SHEET #:

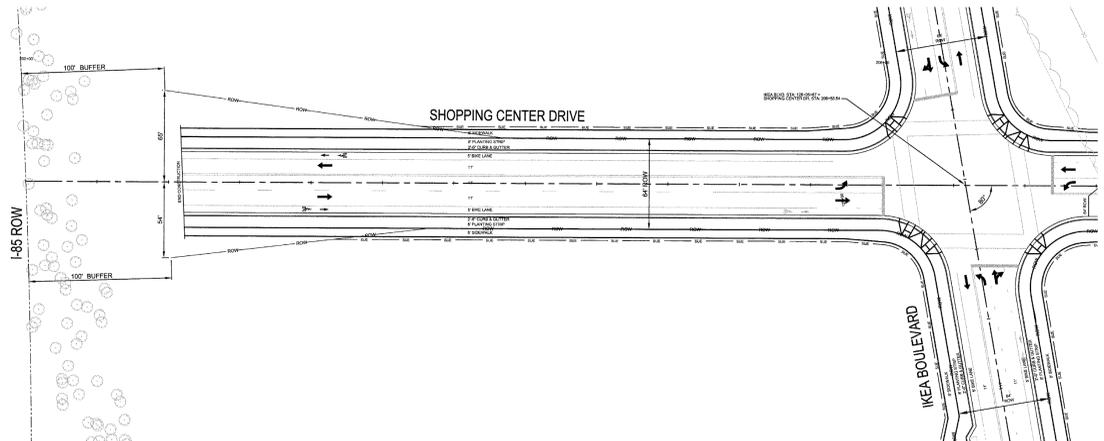
REVISIONS:

Belgate 2017 Site Plan Amendment (Petition No. 2017-XXX)
Charlotte, North Carolina
Crescent Resources, LLC
COVER

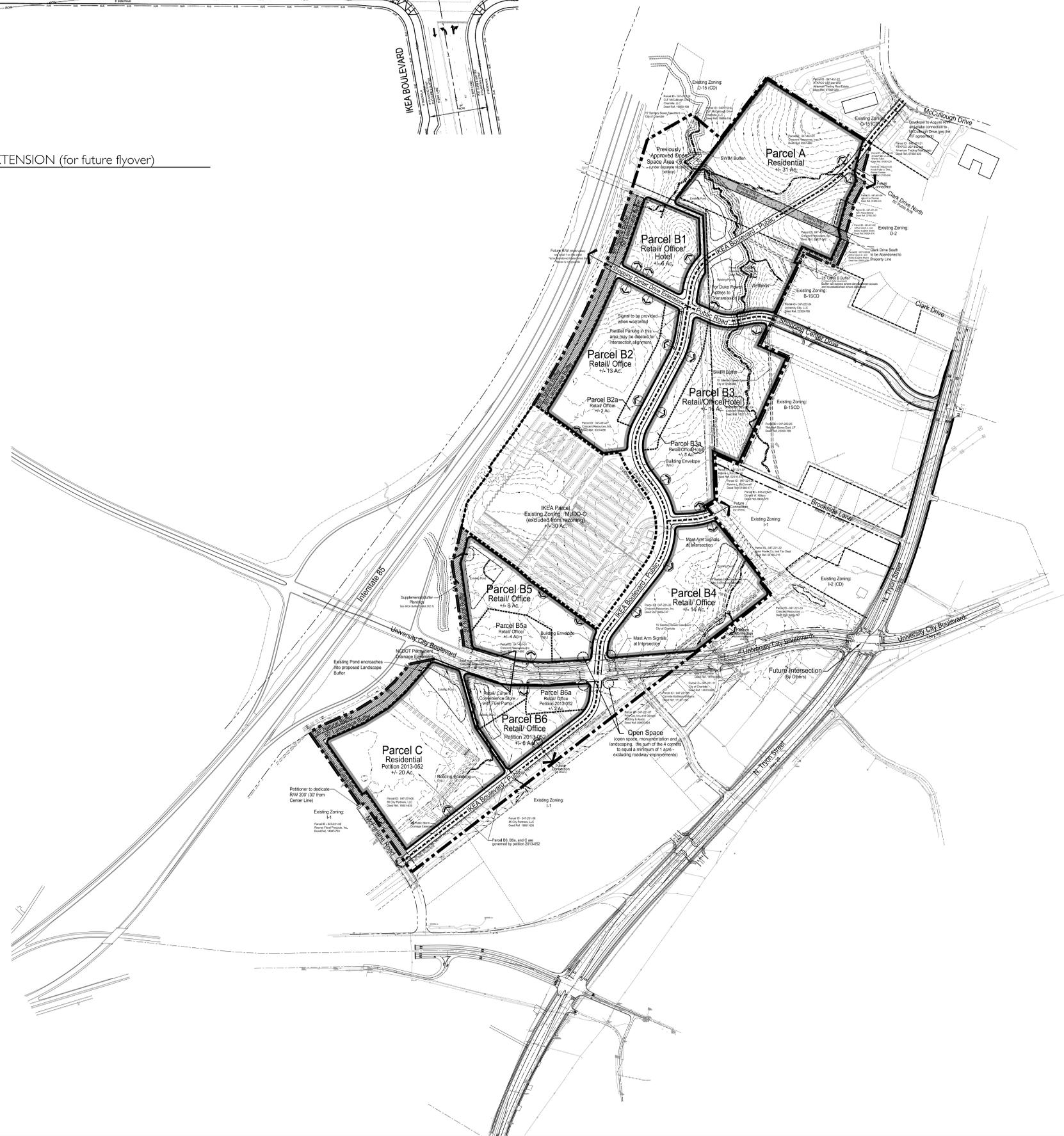
Cover



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www.LandDesign.com



SHOPPING CENTER DRIVE EXTENSION (for future flyover)
DETAIL I



Site Data

Site Area: +/- 198 Ac.
Ikea parcel: +/- 30 Ac.
Total: +/- 168 Ac.

Parcels A, B, C: +/- 125 Ac.
Undeveloped +/- 43 Ac.

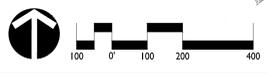
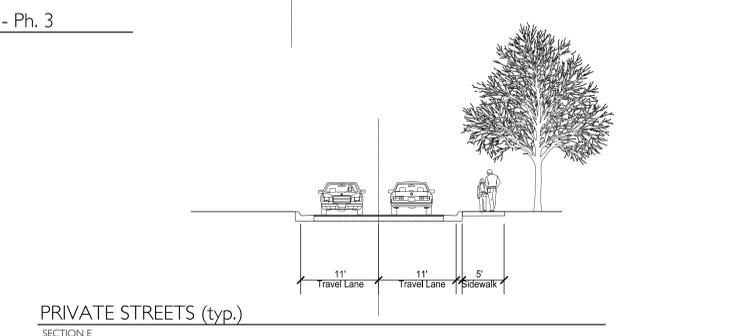
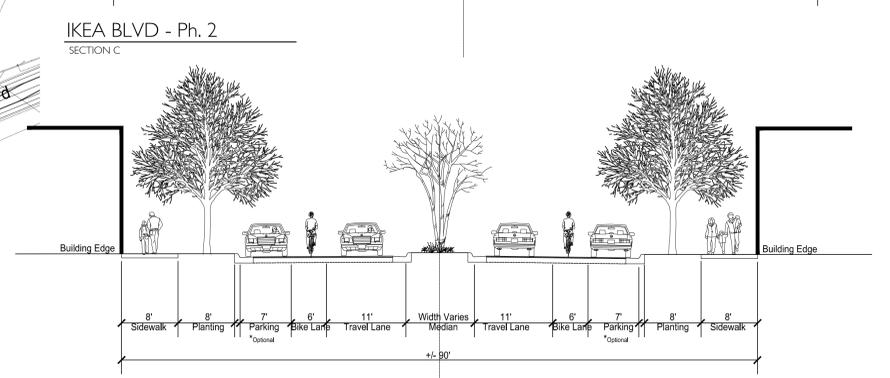
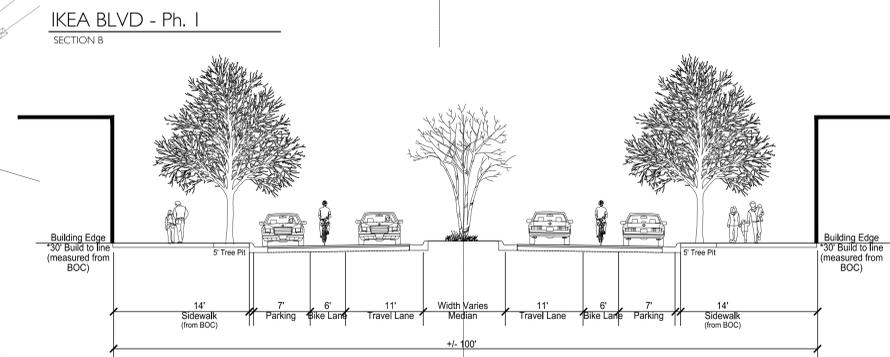
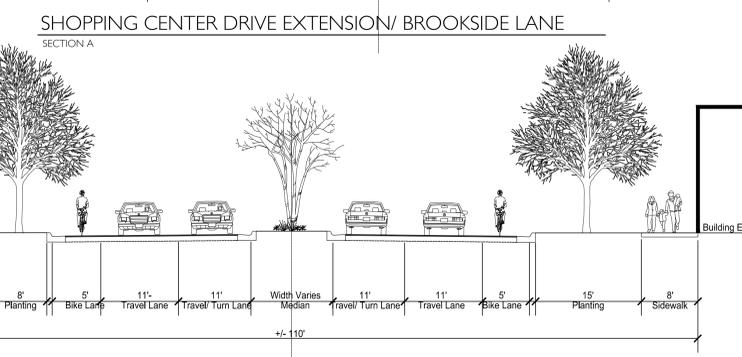
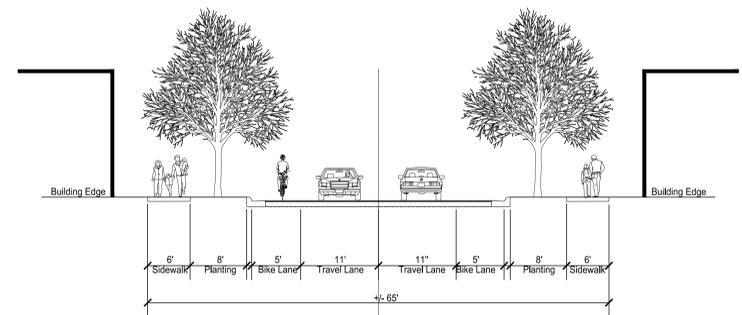
** (buffers, previously approved treesave, circulation, undevelopable land...etc)

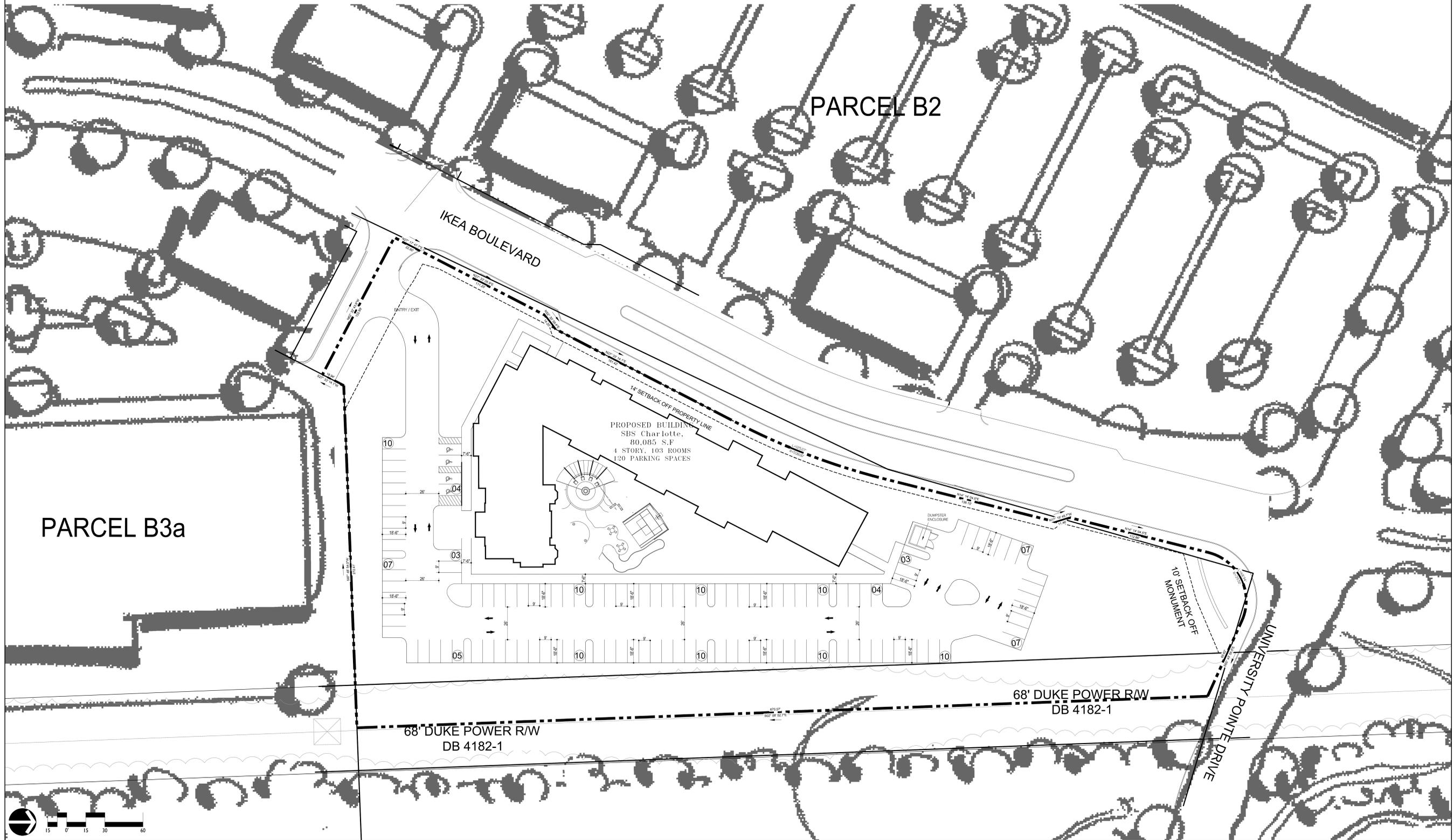
Open Space: +/- 30 Ac. (18%)

*excludes previously approved open space (5 ac.)

Current Zoning: O-2, RE-1, B-1 SCD, I-1, MUDD-O
Proposed Zoning: CC







PARCEL B3a

PARCEL B2

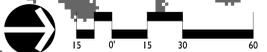
IKEA BOULEVARD

68' DUKE POWER RW
DB 4182-1

68' DUKE POWER RW
DB 4182-1

UNIVERSITY POINTE DRIVE

PROPOSED BUILDING
SBS Charlotte,
80,085 S.F.
4 STORY, 103 ROOMS
120 PARKING SPACES



REVISIONS
09/27/17 - REVISED PER CLIENT COMMENTS
DATE: 11/27/17
DESIGNED BY: KST
CHECKED BY: MRC
O.C. BY: MRC
PROJECT #: 107735

Belgate 2017 Site Plan Amendment (Petition No. 2017-XXX)
Charlotte, North Carolina
Crescent Resources, LLC

CONCEPTUAL SITE PLAN - PARCEL B3 ENLARGEMENT

SHEET #:
RZ-2.1



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**BELGATE SITE PLAN AMENDMENT
DEVELOPMENT STANDARDS
Rezoning Petition No. 2008-059
As amended August 23, 2013**

General Provisions

These Development Standards form a part of the Technical Data Sheet (Sheet RZ-1) associated with the Rezoning Petition filed by Crescent Resources, LLC to accommodate development of Belgate, a pedestrian-friendly multi-use development, on an 168 ± acre site located along University City Boulevard between Interstate 85 and North Tryon Street (the "Site").

Accompanying the Rezoning Petition are the Technical Data Sheet (Sheet RZ-1) a Conceptual Site Plan for the development of the Site (Sheet RZ-2), the elevations for a Furniture Row retail establishment proposed to be built within Parcel B-3 depicted on Sheet RZ-5 and the IKEA Buffer Exhibit (Sheet RZ-6). The Petitioner reserves the right to decrease the number of buildings shown on Sheet RZ-2.

Unless the Technical Data Sheet, these Development Standards (Sheet RZ-3) or the other sheets accompanying this Rezoning Petition establish more stringent standards, the regulations established under the Charlotte Zoning Ordinance (the "Ordinance") for the CC Zoning District shall govern all development taking place on the Site.

In as much as planning for the proposed development of the Site has not yet advanced beyond the formative stage, the ultimate layouts of the development proposed, the exact alignments of streets and points of access, the configurations and placements of parking areas and the heights and masses of buildings have not yet been determined.

As a consequence, the configurations, placements and sizes of the building footprints as well as the locations of streets depicted on the Conceptual Site Plan and the Conceptual Rendering are schematic in nature and therefore are subject to refinements as part of the total design process. They may, therefore, be altered or modified during design development and construction document phases so long as the maximum parking and building envelope lines established on the Technical Data Sheet are not violated and the proposed alterations or modifications do not exceed the parameters established under these Development Standards and under the Ordinance for the CC Zoning District. Parking layouts may also be modified to accommodate final building locations to the extent permitted by these Development Standards and the Ordinance.

For purposes of the preceding paragraphs, any alterations or modifications which substantially alter the character of the development or significantly alter the Conceptual Site Plan, the Conceptual Rendering, the Perspective Rendering or the elevations for the Furniture Row building or their respective conditions and any 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 Sections 6.207(1) or (2) of the Ordinance, as applicable.

The Petitioner agrees to submit detailed plans with respect to each phase of development proposed on the Site to the Staff of the Charlotte Mecklenburg Planning Commission for review prior to the issuance of building permits for construction of the proposed phase of development so that Staff may be assured that such development satisfies the conditions imposed under the Technical Data Sheet, these Development Standards and the other Sheets accompanying the Rezoning Petition. However, compliance with the provisions of this paragraph shall not be deemed to be an administrative site plan application or require administrative site plan approval as envisioned by section 6.207 of the Ordinance.

1. Permitted Uses

(a) Parcel A and Parcel C of the Site may be devoted to all types of attached residential development which may be all rental, all for sale or some combination thereof along with any incidental or accessory uses associated therewith which are permitted under the Ordinance by right or under prescribed conditions in the CC Zoning District.

At all times, no less than 90% of the total number of residential units developed on Parcel A and Parcel C shall be one bedroom and two bedroom units.

(b) Parcel B of the Site may be devoted to

- Any combination of retail, restaurant and office uses along with any incidental or accessory uses associated therewith which are permitted under the Ordinance by right or under the Ordinance by right or under prescribed conditions in the CC Zoning District; and
- Hotel uses, along with any incidental or accessory uses associated therewith which are permitted under the Ordinance by right or under prescribed conditions in the CC District zoning.

2. Maximum Building Areas and Development Limitations

(a) The base number of attached residential units that may be developed on Parcel A is 360 units. However, for every two units not developed on Parcel A, the Petitioner may transfer one unit to Parcel C for additional development, subject to a maximum number of units that can be transferred of 40 units. By way of example, should the Petitioner elect to transfer 40 units from Parcel A to Parcel C, the maximum units that could be developed on Parcel A would be 280 units.

(b) The base number of attached residential units that may be developed on Parcel C is 360 units. This number, however, may be increased up to a maximum of 400 units through the exercise of the transfer rights reserved for Parcel A under Paragraph 2(a) above.

(c) The following limitations and restrictions shall apply to the development of Parcel B:

(i) Subject to the provisions of Paragraph (a) of Section 1, the total amount of gross floor area devoted to retail, restaurant and office uses within Parcel B may not exceed 450,000 square feet, of which no more than 400,000 square feet may be devoted to retail and restaurant uses.

(ii) No more than three (3) hotels may be developed within Parcel B and they must be located within Parcel B-1 or Parcel B-3. None of these hotels may contain more than 250 rooms and none of them may be an extended stay hotel. The total number of hotel rooms within Parcel B shall not exceed 500 hotel rooms.

(iii) If three hotels are not developed or all of the hotels are developed with less than 500 total hotel rooms, then additional office floor area may be developed in lieu of the undeveloped hotel rooms at the rate of 250 square feet of office space for each hotel room that is not constructed, up to a maximum of 25,000 square feet of additional office space.

(iv) Parcel B1 may also be devoted to retail, restaurant or office uses, subject to the square footage restrictions established under subparagraphs 2(c)(i) and 2(c)(iii) of this Section 2.

(v) Financial institutions and hotels shall be deemed to be office uses within the context of this Paragraph 2(c) and not retail uses.

(vi) Notwithstanding the development plan for Parcel B2 and B3 depicted on Sheet RZ-2, Brookside Lane (east of the Site) must be extended along its current under an alternative alignment is assured through legally binding agreements and approved subdivision plans.

3. Setbacks, Side Yards and Rear Yards

(a) All buildings constructed on Parcels A, B and C of the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the CC zoning district.

(b) The Site may be considered a unified development plan and as such internal side and/or rear yards may be eliminated, subject to the normally required staff review and approval process.

4. Design and Performance Standards

(a) Internal Landscaping and Screening

(i) Internal areas of the Site shall be landscaped in accordance with the requirements of the City of Charlotte Tree Ordinance.

(ii) All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties.

(iii) All screening and landscaping shall meet or exceed the standards of the Ordinance.

(iv) Dumpster areas will be enclosed on all three sides by an opaque wall with the fourth side being a hinged opaque gate. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side.

(b) Streetscape Treatment

(i) The streetscape treatment running along both sides of IKEA Boulevard as it passes through subparcels B-2a and B-3a shall include a building and parking setback which is at least 14 feet and at most 30 feet in depth as measured from back of curb and will consist of a sidewalk and/or decorative pavers with large maturing trees planted in tree pits, all as more particularly specified on the Conceptual Site Plan.

(ii) Pedestrian scaled decorative lighting fixtures will be installed along both sides of IKEA Boulevard except for the streetscape on the western side of IKEA Boulevard as it passes through the IKEA Store Site,

(iii) In order to enhance pedestrian connectivity and the aesthetic appeal of the streetscape, decorative pavers and/or stamped asphalt will be used at IKEA Boulevard within the zone bounded by Subparcels B-2a and B-3a.

(c) Architectural and Design Controls

(i) With regard to buildings located within Parcel B2a and B3a, facades that directly face Ikea Boulevard shall meet the following standards:

Purpose:

Establish building standards for each building along Ikea Boulevard (for Parcels B2a and B3a) in order to reinforce the pedestrian design of Ikea Boulevard by providing visual interest and street activity for pedestrians, visually connecting the interior building activity to the exterior, putting eyes on the street, and promoting long-term building adaptability.

Definitions:

Fenestration - An opening in the exterior building wall allowing light and views between the interior and exterior.

Fenestration Zone - The square foot area of a building's ground floor frontage designated for *fenestration*. It is the area between two to ten feet above the fronting sidewalk along the entire length of the building.

Display windows - Any fenestration encased or enclosed by an interior wall for the purposes of displaying merchandise visible from the public street.

Frontage Standards (OPTION A):

1. The ground floor facades of individual buildings fronting along Ikea Boulevard shall have a minimum area of 60 percent *fenestration* within the *fenestration zone*.
2. A maximum area of 40 percent of the required *fenestration* within the *fenestration zone* can be comprised of *display windows*. Leaving the balance for clear glass and direct views into the building's primary use and sales area.

Frontage Standards (OPTION B):

1. The ground floor facades of individual buildings fronting along Ikea Boulevard shall have a minimum area of 60 percent *fenestration* within the *fenestration zone*.
2. A maximum area of 70 percent of the required *fenestration* within the *fenestration zone* can be comprised of *display windows*.
3. A contiguous 30 percent (minimum area) of the required *fenestration* within the *fenestration zone* must include an operable and publically accessible door and *fenestration (clear glass)* that provides direct access and views to the primary tenant use or sales area.

General Standards:

1. The required *fenestration (including display windows)* shall not be screened by film, decals, other opaque materials, glazing finishes or window treatments for the purpose of screening service areas, merchandise or secondary operational functions to the primary business.
2. For tenants with 50 feet or less of frontage, the required *fenestration* may be screened by removable treatments such as film, decals, or other window treatments in order to screen service areas or other secondary operational functions.
3. Interior walls for *display windows* shall be located a minimum of three feet from the exterior wall.

(ii) Meter boxes, back flow preventers and similar items will be screened from public streets.

(iii) All retail buildings located within Parcel B except the Furniture Row building proposed for subparcel B-3 must be architecturally integrated to compliment one another by using similar exterior materials.

(iv) With respect to the buildings fronting University City Boulevard within subparcels B-4, B-5a, B-5a, B-6, and B-6a external vertical wall surfaces (exclusive of windows and doors) of all buildings shall be constructed with a minimum of 70 percent masonry materials from Belgate's Standard finishes (brick, stone, pre-cast or poured concrete). No aluminum or vinyl siding or spandrel glass may be used on the elevations of any of these buildings. In addition a minimum of three elevations of each such building will be articulated and a waicost of brick or stone (from Belgate's standard finishes) having a minimum height of 3 feet will be incorporated with in each such elevation. At least two of Belgate's standard colors will be incorporated with in the elevation fronting University City Boulevard and the two side elevations of each such building. Metal canopies, awnings, and other elements may be incorporated within storefronts to accommodate tenant brand images.

(v) With respect to all other buildings constructed with in Parcel B external vertical wall surfaces (exclusive of windows and doors) of all buildings except the Furniture Row building (on subparcel B-3) shall be constructed with a minimum of 60 percent masonry materials from Belgate's standard finishes (brick, stone, pre-cast or poured concrete). No aluminum or vinyl siding or spandrel glass may be used on buildings constructed within Parcel B.

(vi) Sheet RZ-5 depicts the front, sides and rear elevations for the Furniture Row building proposed to be built with in subparcel B-3 and demonstrates the general intent of the Petitioner with respect to height, scale, articulation, rhythm, proportions and design elements for each elevation of this building should Furniture Row elect to locate within Belgate. If no such election is made, then the construction of all buildings within subparcel B-3 will be governed by the other Design and Performance Standards set forth under in this Section 4. No spandrel glass, aluminum or vinyl siding may be used on the elevation of the Furniture Row building. While Furniture Row may construct its prototype building as depicted on these elevations, each elevation will contain some common design element(s) which are utilized on other commercial building constructed with in Parcel B.

(vii) External vertical wall surfaces (exclusive of windows and doors) of all residential buildings developed on Parcel A and Parcel C shall be constructed with a minimum 30 percent masonry materials (brick, stone, precast or poured concrete, or other finished masonry materials). No aluminum or vinyl siding or spandrel glass may be used on buildings constructed within Parcel A or Parcel C.

(viii) All buildings must be sited with an emphasis on maintaining pedestrian interconnectivity between buildings and through parking areas.

(ix) All commercial building entrances located within Parcel B, except those for fire exits and loading, will be connected directly to a sidewalk along a public street or to a private street/driver or to an open space sidewalk having a width of at least 5 feet.

(x) Except for the Furniture Row building proposed to be built on subparcel B-3 parking and loading areas shall be located to the side and/or rear of all buildings fronting on and abutting that portion of IKEA Boulevard which runs north of University City Boulevard and no parking outside the public right-of-way shall be located between such buildings and IKEA Boulevard.

(xi) No more than four retail uses within Parcel B may include drive-through window facilities, as defined in the Ordinance and three of the four retail uses with drive through facilities must be located on lots with frontage on University City Boulevard.

(xii) No more than two banking institutions that include drive through facilities shall be permitted on Parcel B. Only one of these banking institutions will be permitted on that portion of Parcel B which is located north of University City Boulevard and only one of these banking institutions will be permitted on that portion of Parcel B which is located south of University City Boulevard.

(xiii) No more than one gasoline sales establishment will be permitted on Parcel B and it must be located on a lot with frontage on University City Boulevard.

(xiv) Except for the two drive through facilities located within subparcel B-5a and the one such facility located within subparcel B-6a (all as indicated on the Technical Data Sheet), drive through facilities shall be internally oriented and shall not be located between the buildings they serve and the public street they face.

(d) Buffer Area Requirements

(i) Natural Buffer Area Requirements

Each Buffer Area established along 1-85 which is labeled as a "50' Natural Buffer" on the Technical Data Sheet shall satisfy the following requirements:

- Within the Natural Buffer Area, trees four inches in caliper and greater will be preserved and the Petitioner reserves the right to remove weeds and vines and trees that measure less than 4 inches in caliper.
- Best efforts will be employed to not disturb any healthy native, understory trees which are less than 4 inches in caliper that are known to produce seasonal color. If any of these trees are removed, replanting of these tree species north and/or south of the removal area will occur along the Site's 1-85 property line. These trees shall be preserved in accordance with the City of Charlotte's Tree Ordinance Guidelines. This is limited to Dogwoods, Eastern Redbuds, Beeches, Serviceberries and Tulip Trees.
- Tree measurements will be taken as follows: If the tree is less than 4 inches in caliper, it will be measured 6 inches above ground level. If the tree is 4 inches or wider in diameter, it will be measured one foot above ground level.
- Dead trees and materials may be removed. The grounds located within the maintained tree save area will be maintained in a natural state.
- The Petitioner agrees to supplement plantings within the 50' Natural Buffer Area located adjacent to Parcel B5 between the existing pond and the right-of-way for I-85 in the manner generally depicted on the IKEA Buffer Exhibit (Sheet RZ-6).

(ii) Landscaped Buffer Acres Requirements

- Each landscape areas established along I-85 with in subparcel B-1, subparcel B-2, and Parcel C which is labeled "50' Landscape Buffer" on the Technical Data Sheet has already been graded and will be replanted with plants in accordance with the same specifications provided in the Ordinance for a Class A Buffer.
- With respect to each Parcel which contains such a landscape area, in order to prevent damage to the trees, plants and root systems to be planted within these areas, the planting will not take place until the final phase of development for the property which abuts the Landscape Buffer Area and prior to the issuance of the final Certificate of Occupancy for the building.
- Grading for a permanent wet detention pond which will serve Parcel C has already taken place and a portion of that pond is located within the 50 foot Landscape Buffer established for that Parcel, all as generally depicted on the Technical Data Sheet and the Conceptual Site Plan. Because the Petitioner is unable to install plants within this pond area, it agrees to plant those particular plants which it would have planted in this area had the pond not been there with in other areas established within Parcel C.
- Grading for a permanent wet detention pond which will serve subparcel B-5 and subparcel B-5a and the IKEA Site has already taken place and a portion of that pond is located closest to the right of way for I-85 and the slopes created by the installation of the northbound ramp for I-85 as well as the general topography for the area have created slope conditions which are within 50 feet of the Natural Buffer Area which that make it impractical to reestablish a Landscape Buffer in those areas. Because the Petitioner is unable to install plants within these areas, it agrees to install landscaping materials it would have planted in this area had the pond not been there within other areas established falling within 50' of the right of way of I-85. Landscaped Areas will be provided adjacent to the Natural Buffer Area established within subparcel B-5 and subparcel B-5a.

(iii) Other Required Buffer Areas

Where Buffer Areas are required by the Ordinance to be established in other portions of the perimeter of the Site, the following standards shall apply:

- All such buffer areas shall conform to the standards of Section 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304.
- The width of any such buffer may be reduced to the extent allowed by the Ordinance. The buffers may be disturbed to accommodate access points, berms, walls, fences, drainage pipes or channels, utility lines and facilities, pedestrian pathways and bicycle pathways.

(iv) Standards Applicable to All Buffer Areas

No buildings, parking spaces or maneuvering areas may be located within buffer areas, and utility installations may only cross the Buffer Areas at interior angles measured at property lines which are not less than 75 degrees.

(e) Roadway Designs

Roadway Sections depicting the designs the Petitioner commits to follow in the construction of Shopping Center Drive Extension/Brookside Lane (Section A), IKEA Blvd - Phase 1 (Section B), IKEA Blvd - Phase 2 (Section 3), IKEA Blvd - Phase 3 (Section D), and Private Streets (Typical) (Section E) are set forth on the Conceptual Site Plan (Sheet RZ-2). The designs for Shopping Center Drive, IKEA Blvd - Phase 1, IKEA Blvd - Phase 2 and IKEA Blvd - Phase 3 are subject to approval by the Charlotte Department of Transportation.

(f) Parcel C To Be a Gated Community

The attached residential units project to be developed on Parcel C will be served by private streets and the points of entry into the private street system on IKEA Boulevard South and McFarlane Road (if Petitioner elects to have an entry on that street) will both include gates for purposes of controlling access to this project.

5. Storm Water Management

(a) Storm Water Quality Treatment

For projects with defined watersheds greater than 10% built-upon area, the Petitioner shall construct water quality best management practices (BMPs) to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the runoff generated from the first 1-inch of rainfall. BMPs must be designed and constructed in accordance with the Mecklenburg County BMP Design Manual, July 2007 or North Carolina Division of Water Quality Stormwater Best Management Practices Manual, July 2007. (Design Standards shall be met according to the City of Charlotte Best Management Practices Manual, when available). Use of Low Impact Development (LID) techniques is optional.

(b) Volume and Peak Control

For projects with defined watersheds greater than 10% built upon area, the Petitioner shall control the entire volume for the 1-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 24 hours, but not more than 120 hours.

For residential projects with greater than 10% BUA, the Petitioner shall control the peak to match the predevelopment runoff rates for the 10-year and 25-year, 6-hour storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency. "Residential" shall be defined as "A development containing dwelling units with open yards on at least two sides where land is sold with each dwelling unit."

For commercial projects with greater than 10% BUA, the Petitioner shall control the peak to match the predevelopment runoff rates for the 10-year, 6-ur storm and perform a downstream flood analysis to determine whether additional peak control is needed, and if so, for what level of storm frequency, or if a downstream analysis is not performed, the Petitioner shall control the peak for the 10-yr and 25-yr, 6-hour storms.

For commercial projects with less than or equal to 10% BUA, but greater than one acre of disturbed area, the Petitioner shall control the peak to match the predevelopment runoff rates for the 25-yr and 10-yr, 6-hour storms.

(c) Stream Buffers

The Petitioner shall abide by the S.W.I.M. Stream Buffer requirements, as described in the City of Charlotte Zoning Ordinance, Chapter 12, where applicable. In addition, intermittent and perennial streams within the project boundary shall be delineated by a certified professional using U.S. Army Corps of Engineers and N.C. Division of Water Quality methodology and shall be shown on the site plan.

All perennial and intermittent streams draining less than 100 acres shall have a minimum 10-foot undisturbed buffer.

When applicable, the following agencies will be contacted prior to construction regarding wetland and water quality permitting:

- Section 401 Permit NCDEHNR Raleigh Office - (919-733-1786)
- Section 404 Permit - US Army Corps of Engineers - (704-271-4854)

6. Street Network and Street Design

(a) Bike lanes of at least 5 feet in width shall be included as part of the cross sections for IKEA Boulevard and Shopping Center Drive. Bike lanes of at least 6 feet in width shall be provided along these roads if they are located next to parallel parking.

(b) Parallel parking may be permitted subject to approval by CDOT.

7. Vehicular Access, Rights-of-Way and Signalization

(a) Vehicular access to the Site shall be as generally depicted on the Technical Data Sheet

(b) The placements and configurations of these 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 ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT") including alterations to accommodate right-of-way needs and construction easements.

(c) The Petitioner shall dedicate and convey (by quitclaim deed and subject to reservations for any necessary utility easements) right-of-way measuring up to sixty-five (65) feet in width extending the future Shopping Center Drive from Petitioner's eastern property line to eastern right-of-way line of Interstate 85 for the planned flyover connector road across I-85. Alignment location to be as shown on the Technical Data Sheet. Dedication of this right-of-way shall occur when one of the abutting parcels is developed. The City has agreed at such time as it might choose not to make a crossing over I-85 to the west, to convey the land back to the land owner at no cost;

(d) The proposed traffic signals located at the intersection of IKEA Boulevard and City Boulevard and at the intersection of IKEA Boulevard and Brookside Lane shall include steel poles and mast arms;

(e) Dedicate and convey (by quitclaim deed and subject to reservations for necessary utility easements) all right-of-way necessary for the IKEA Boulevard Phase 2;

(f) Dedicate and convey (by quitclaim deed and subject to reservations for necessary utility easements) all right-of-way necessary for the IKEA Blvd South connection to McFarlane Boulevard, with the actual width not to exceed eighty (80) feet and the alignment to be as shown on the Technical Data Sheet. Dedication of this right-of-way shall occur when one of the abutting parcels is developed.

(g) Dedicate and convey (by quitclaim deed and subject to reservations for necessary utility easements) one half of the right-of-way necessary to extend McFarlane Boulevard to a point 200 feet west of its existing terminus. Actual width not to exceed thirty (30) feet from the centerline and the location to be as shown on the Technical Data Sheet. Dedication of this right-of-way shall occur when one of the abutting parcels is developed.

(h) The Petitioner will cause to be erected at its expense a traffic signal at the intersection of IKEA Boulevard and Shopping Center when warranted and approved by CDOT. This traffic signal shall include steel poles and mast arms.

(i) University Pointe Boulevard Extension (AKA Shopping Center Drive)

(i) Petitioner agrees to dedicate to the city 64 feet of right-of-way for the extension of Shopping Center Drive from its intersection with IKEA Boulevard to the eastern right-of-way line for I-85 between Parcel B1 and Parcel B2 (by quitclaim deed and subject to reservations for any necessary utility easements), all as shown on a preliminary concept plan prepared by Kimley Horn Associates (the "Concept Plan") and as depicted on Sheet RZ-1.

(ii) Petitioner agrees to grant easements to the City 8 feet wide on both sides of Shopping Center Drive to accommodate sidewalks and utilities from its intersection with IKEA Boulevard to the eastern right-of-way line for I-85 between Parcel B1 and Parcel B2, all as shown on the Concept Plan and as depicted on Sheet RZ-1, subject to reservations for any necessary utility easements. The right-of-way is to be measured 32 feet from the centerline established by the City, all as shown the Concept Plan and as depicted on Sheet RZ-1.

(iii) Petitioner agrees to design and construct a temporary at-grade road section within the right-of-way for the extension of Shopping Center Drive from its intersection with IKEA Boulevard to the 50' Landscape Buffer at the time of development of Parcel B2 is developed. Petitioner reserves the right to construct two permanent curb cuts off this extension to serve Parcel B1 and Parcel B2 between the intersection of IKEA Boulevard and Shopping Center Drive subject to review and approval by CDOT. The exact location and dimensions of the proposed curb cuts will be addressed during the construction plan permitting process.

(iv) Petitioner agrees to design and construct a permanent at-grade road section, built to city approved public street standards, within the right-of-way for the extension of Shopping Center Drive from its intersection with IKEA Boulevard to the eastern property line (to the University Pointe Boulevard to North Tryon Street) prior to the issuance of certificates of occupancy for development on Parcel B2.

(v) Petitioner further agrees to dedicate and convey additional rights-of-way on both sides of Shopping Center Drive to accommodate future slope and tie back areas for the proposed extension of Shopping Center Drive across I-85, all as shown on the Concept Plan and as depicted on Sheet RZ-1 (the "reserved right-of-way areas"). The reserved right-of-way areas shall be dedicated by the Petitioner to the City or NCDOT, as appropriate (by quit claim deed and subject to reservations for any necessary utility easements) upon request. Until dedication and conveyance occurs, the right-of-way will be considered reserved for future dedication and conveyance.

(vi) Petitioner reserves the right to utilize the reserved rights-of-way areas for any lawful purposes except those prohibited under Subparagraphs 7(i)(viii) and (ix) below, including, without limitation, the following purposes:

- Access areas
- Maneuvering areas in excess of the minimum requirements of the Ordinance,
- Side-walks
- Curb and gutters
- Curb cuts
- Landscaping
- Grading

(vii) The Petitioner agrees to exercise best efforts to refrain from installing or causing to be installed any utilities within the reserved right-of-way areas. However, should CMUD or any other utility insist that lateral lines be run through these areas, the Petitioner reserves the right to do so with CDOT approval.

(viii) For purposes of this subsection 7(i), the following uses will be prohibited in the dedicated and conveyed, granted and reserved right-of-way areas:

- Required off-street parking spaces, maneuvering areas, or loading areas required by the Ordinance.
- Occupiable and other permanent structures
- Backflow preventers, grease traps, or transformers.

(ix) Except for any utilities installed within the reserved right-of-way areas which were not required by CMUD or other utilities and except for streetlights installed within the right-of-way areas, the City or NCDOT, as appropriate, shall be responsible for the removal or covering up of any appropriate, shall be responsible for the removal or covering up of any permissible uses constructed within the dedicated and conveyed, granted and reserved right-of-way areas.

(x) The Petitioner shall be responsible for the removal of any improvements installed within these areas which are not permitted under Subparagraph 7(i) (viii) or Subparagraph 7(i) (ix) above.

(xi) The Petitioner agrees that it will not seek damages or fees for the additional right-of-way granted under this Subsection 7(i).

(xii) If the City and State ever abandon the project to extend Shopping Center Drive across I-85, the City will support a request for an administrative approval by the Petitioner to eliminate the requirements imposed under this Subsection 7(i) with respect to the reserved right-of-way areas from these Development Standards.

(xiii) Setbacks shall be measured from back of curb for local and collector streets.

8. Roadway Improvements

(a) The Petitioner commits to make the following roadway improvements as defined in the Infrastructure Reimbursement Agreement between the City of Charlotte and the Petitioner no later April 1, 2014 or subsequent amended dates of this reimbursement agreement:

- Design the IKEA Boulevard Phase 2 improvement (extension from IKEA's northern entrance to McCullough Drive).
- Obtain all necessary regulatory approvals for construction of IKEA Boulevard Phase 2 including, but not limited to subdivision approval, grading and erosion control permits, and wetlands permits.
- Acquire all rights-of-way and temporary construction easements necessary for the construction of IKEA Boulevard Phase 2.
- Construct IKEA Boulevard Phase 2 in accordance with all regulatory standards and approvals, including all modifications or improvements required through normal governmental inspection processes.
- Construction of the portion of IKEA Boulevard Phase 2 extending from the Shopping Center Drive north to McCullough Blvd. shall be completed prior to the issuance of the first certificate of occupancy for any development within Parcel A or Parcel B1.
- If Petitioner, after a good faith effort, is unable to acquire any additional right-of-way needed to make the roadway improvements required by this Section voluntarily the Petitioner may request the City to condemn the property, provided the Petitioner agrees to pay for all costs and expenses associated therewith.
- Construct a traffic signal at the intersection of Shopping Center Drive and Ikea Blvd once Shopping Center Drive is connected to N. Tryon Street and Ikea Blvd. is connected to McCullough Drive.

(a) The Petitioner also commits to make the following additional Roadway Improvements:

- Obtain all necessary regulatory approvals for construction of the IKEA Boulevard south extension including, but not limited to, subdivision approval, grading and erosion control permits, and wetlands permits;
- Acquire all rights-of-way and temporary construction easements necessary for construction of the IKEA Boulevard south extension;
- Design the entire IKEA Boulevard south extension (extension from City Boulevard to McFarlane Road) as part of the first phase of development taking place on the south side of University City Boulevard;
- Construct the IKEA Boulevard South Extension in accordance with all regulatory standards and approvals, including all modifications or improvements required through normal governmental processes. While the construction of the IKEA Boulevard South Extension may be phased, the construction of at least the section between University City Boulevard and the north side of the existing stream, approximately 950 linear feet south of University City Boulevard, must be included within the first phase of development taking place on the south side of University City Boulevard.

(a) The Petitioner makes the following commitments with respect to Clark Drive South, Clark Drive North and Clark Drive:

- The existing 60 foot wide right-of-way for Clark Drive South which runs within Parcel A for a distance of some 1,100 feet will be abandoned clear to the Petitioner's eastern property line; and
- The Petitioner agrees to extend existing unopened, unpaired and adversely possessed Clark Drive North right of way in a westerly direction from Petitioner's eastern property line to the future IKEA Boulevard as shown on exhibit A as "Clark Street Stub". These improvements will be constructed at the same time as the furthest north section of the IKEA Boulevard Road is built north of the existing creek on Parcel A. Petitioner agrees to pay to the City of Charlotte, care of the Charlotte Department of Transportation, \$123,000.00 which represents the cost of constructing the portion of the Clark Drive North that Petitioner is unable to build because of right of way does not exist from Petitioner's easterly property line to the existing Clark Drive. Petitioner agrees to pay the funds to the City of Charlotte, care of the Charlotte Department of Transportation at the time the Petitioner records a subdivision street record plat for this phase of work.

REVISIONS:

DATE: 11/27/17
DESIGNED BY: KST
DRAWN BY: KST
CHECKED BY: HRC
O.C. BY: HRC
PROJECT #: 107325
SHEET #:

RZ-3

Belgate 2017 Site Plan Amendment (Petition No. 2017-XXX)

Charlotte, North Carolina

Crescent Resources, LLC

DEVELOPMENT STANDARDS



9. Vacancy Clause

If the Furniture Row building is constructed on subparcel B3 and if it should at any time or times after its initial occupation be permanently vacated by any occupant, the owner or owners or former occupant thereof (as appropriate) shall implement the following building vacancy mitigation procedures:

- (a) The exterior of the building, associated parking lot, outside lighting, landscaping and irrigation system shall continue to be operated, maintained secured, repaired or replaced in the same manner as when the building was occupied.
- (b) All exterior business signs associated with the former occupant shall be removed and exterior building surfaces shall be repaired and repainted to provide a neat appearance within 45 days after the building has been permanently vacated by any occupant for a period longer than 6 months for any reason other than fire or some other casualty or a force majeure event, or alterations, remodeling, additions and/or similar construction activities.
- (c) Trash and litter shall be removed on a regular basis at least once a week.
- (d) Should the building be permanently vacated by any occupant for a period longer than 6 months for any reason other than fire or some other casualty or a force majeure event, or alterations, remodeling, additions and/or similar construction activities, then the owner or owners or occupant of the building (as appropriate) shall thereafter implement with reasonable dispatch commercially reasonable efforts (including listing the property with a commercial brokerage firm) which are designed to cause the building to be reoccupied and devoted to any use or uses permitted in the CC District (or any other permissible use authorized by a subsequently approved Rezoning Petition). In offering the building for sale or lease, the owner/occupant of the building may not impose anti-competitive covenants or restrictions by deed or contract that would prevent a business which is similar to the business conducted by the former occupant of the building from occupying and conducting its business within the building, if it purchased or leased the building, the intent being to ensure that such competitors are not discouraged from purchasing or seeking to lease the building by the imposition of restrictions which would prevent them from occupying and conducting their competitive business within the building.
- (e) If at some future time the owner of the Furniture Row building proposed to be constructed on subparcel B-3 elects to demolish the building, the Zoning Committee of the Planning Commission may approve an amendment to the approved Rezoning Plan for this Site which would accommodate more buildings than the two buildings which the Conceptual Site Plan (Sheet R7- 2) currently allows within Parcel B3 through an Administrative Site Plan amendment; subject, however, to the satisfaction of all applicable regulations under the CC Zoning District in effect at the time such approval is sought.

10. Lighting

- (a) The maximum height of any freestanding light fixtures, including its base, erected in the parking areas within Parcel A and Parcel C shall not exceed twenty-five (25) feet.
- (b) The maximum height of any freestanding light fixtures, including its base, erected in the parking areas within Parcel B shall not exceed twenty-five (25) feet.
- (c) All freestanding parking lot fixtures within the site will be uniform in design.
- (d) All lighting fixtures installed within the Site shall be full cut-off fixtures and capped and downward diverted.

11. Connectivity

Pedestrian and vehicular connections throughout the Site will be provided in the manner generally depicted on the Technical Data Sheet. Where internal sidewalks are located between buildings and parking bays, the sidewalk width will be established based on the requirements listed in the Charlotte Land Development Standard Detail 50.09-B.

12. Bicycle Parking

Bicycle parking spaces (bike racks) shall be provided in accordance with the Ordinance.

13. Signs

- (a) All signs placed on the Site will be erected in accordance with the requirements of the Ordinance for the CC District.
- (b) A uniform signage and graphics systems will be employed throughout the site.

14. Tree Ordinance

All development will comply with the City of Charlotte Tree Ordinance.

15. Open Space

- (a) An open space area totaling at least one acre in area will be created at the intersection of University City Boulevard and IKEA Boulevard. This area will contain a combination of open space, monumentation, and landscaping which will serve to unify the four corners of this intersection.
- (b) Other open space areas will be provided at various points throughout the site. Areas generally depicted on the Conceptual Site Plan.
- (c) Open Space Areas established throughout the Site will total, in the aggregate, at least 30 acres.

16. CATS

Subject to refinements to the total design process, the Petitioner will install a concrete waiting pad on IKEA Boulevard (Parcel B-4), constructed to CATS Development Standards 60.01 A. The waiting pad will be located approximately 60 feet south of the intersection of IKEA Boulevard and Brookside Lane, the stub road as depicted as a future connection to the western I-1 parcel.

17. Utility Placement

Newly installed utility lines (not including existing or relocated lines) shall be placed underground subject to the review and approval of the respective agency or authority.

18. Fire Protection

Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshals specifications. Plans for each building will submitted to the Fire Marshals office for approval before the construction of that building commences.

19. Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet, the Schematic Site Plan, other sheets accompanying the Petition and these Development Standards may be applied for by the then Owner or Owners of the Parcel or Parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

20. Request for 5-Year Vesting

Pursuant to Sections 1.110 of the Ordinance, the Petitioner hereby requests a 5-year vesting of these Development Standards and other related rezoning documents commencing upon approval of this Rezoning Petition by the Charlotte City Council. Petitioner requests a 5-year vesting right due to the size and phasing of the proposed development and the level of Petitioner's investment.

21. Binding Effect of the Rezoning Documents and Definitions

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

DATE: 11/27/17
DESIGNED BY: KST
DRAWN BY: JST
CHECKED BY: MRC
O.C. BY: MRC
PROJECT #: 107735

SHEET #:
RZ-4

REVISIONS:

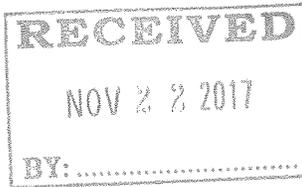
Belgate 2017 Site Plan Amendment (Petition No. 2017-XXX)
Charlotte, North Carolina
Crescent Resources, LLC

DEVELOPMENT STANDARDS



LandDesign .
233 N Graham Street Charlotte, NC 28002
T: 704.332.0325 F: 704.332.3246
www.LandDesign.com

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-182

Petition #: _____
Date Filed: 6/22/2017
Received By: [Signature]

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: 8291 West W.T. Harris Boulevard

Tax Parcel Number(s): 025-211-98, 025-211-99 and 025-211-93

Current Land Use: Vacant single family residential Size (Acres): +/- 12.1397 acres

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

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Julia Lund and Rick Grochoske
Date of meeting: November 13, 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 accommodate the development of a QuikTrip convenience store with fuel sales and other non-residential uses specified on the conditional rezoning plan on the site.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com
E-Mail Address

See Attached Joinder Agreements
Signature of Property Owner

(Name Typed / Printed)

QuikTrip Corporation (c/o Paulette Morin)
Name of Petitioner(s)

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

Charlotte, NC 28273
City, State, Zip

704-559-8015
Telephone Number Fax Number

pmorin@quiktrip.com
E-Mail Address

QuikTrip Corporation
By: [Signature]
Signature of Petitioner

Paulette Morin
(Name Typed / Printed)

Exhibit A to Rezoning Application Filed by QuikTrip Corporation

Property Owners Information, Site Addresses and Acquisition Dates

Tax Parcel No. 025-211-98

Dorothy B. Florentine
63 Kingfisher Lane
Palm Coast, FL 32137-3379

Site Address: West W.T. Harris Boulevard

Date Property Acquired: January 23, 2014

Tax Parcel No. 025-211-99

Dorothy B. Florentine, Trustee, or her successors in trust under the DOROTHY B. FLORENTINE FAMILY LEGACY TRUST, dated December 17, 2015, and any amendments thereto
63 Kingfisher Lane
Palm Coast, FL 32137-3379

Edwin Lee Blythe
6658 Kidville Road
Denver, NC 28037

Angela B. Ares
8913 Cypress Forest Drive
Charlotte, NC 28216

Melanie B. Moreau
28933 Craggs Drive
Agoura, CA 91301

Floyd McCoy Blythe, Jr.
1132 Carlos Road
Lincolnton, NC 28092

Bryan Kelly Blythe
203 Robert E. Lee Street
Stanley, NC 28164

Site Address: 8291 West W.T. Harris Boulevard

Date Property Acquired: May 26, 2004

Tax Parcel No. 025-211-93

Dorothy B. Florentine, Trustee, or her successors in trust under the DOROTHY B. FLORENTINE FAMILY LEGACY TRUST, dated December 17, 2015, and any amendments thereto

63 Kingfisher Lane

Palm Coast, FL 32137-3379

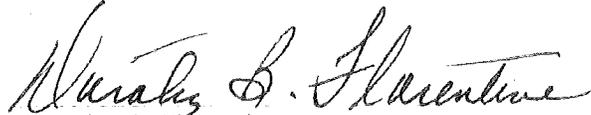
Site Address: West W.T. Harris Boulevard

Date Property Acquired: February 14, 1995

**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. 025-211-98 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in the Rezoning Application and consents to the change in zoning for the Site to the B-2 (C1) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the conditional rezoning plan.

This 17 day of November, 2017.


Dorothy B. Florentine

REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by Quik Trip Corporation that is designated as Tax Parcel No. 025-211-99 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the B-2 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the conditional rezoning plan.

This 17 day of November, 2017.

Dorothy B. Florentine, Trustee, or her successors in trust under the DOROTHY B. FLORENTINE FAMILY LEGACY TRUST, dated December 17, 2015, and any amendments thereto

By: *Dorothy B. Florentine, Trustee*
Name: *Dorothy B. Florentine Family Legacy Trust*
Title: *Trustee*

Edwin Lee Blythe

Angela B. Ares

Melanie B. Moreau

Floyd McCoy Blythe, Jr.

Brian Kelly Blythe

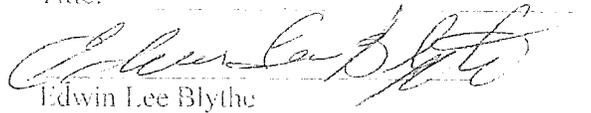
REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by QuikTrip Corporation that is designated as Tax Parcel No. 025-211-99 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the B-2 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the conditional rezoning plan.

This 16 day of November, 2017.

Dorothy B. Florentine, Trustee, or her successors in trust under the DOROTHY B. FLORENTINE FAMILY LEGACY TRUST, dated December 17, 2015, and any amendments thereto

By: _____
Name: _____
Title: _____


Edwin Lee Blythe

Angela B. Ares

Melanie B. Moreau

Floyd McCoy Blythe, Jr.

Brian Kelly Blythe

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

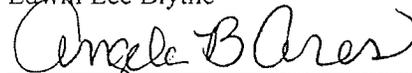
The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by QuikTrip Corporation that is designated as Tax Parcel No. 025-211-99 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the B-2 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the conditional rezoning plan.

This ____ day of November, 2017.

Dorothy B. Florentine, Trustee, or her successors in trust under the DOROTHY B. FLORENTINE FAMILY LEGACY TRUST, dated December 17, 2015, and any amendments thereto

By: _____
Name: _____
Title: _____

Edwin Lee Blythe



Angela B. Ares

Melanie B. Moreau

Floyd McCoy Blythe, Jr.

Brian Kelly Blythe

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

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by QuikTrip Corporation that is designated as Tax Parcel No. 025-211-99 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the B-2 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the conditional rezoning plan.

This day of November, 2017.

Dorothy B. Florentine, Trustee, or her successors in trust under the DOROTHY B. FLORENTINE FAMILY LEGACY TRUST, dated December 17, 2015, and any amendments thereto

By: _____

Name: _____

Title: _____

Edwin Lee Blythe

Angela B. Ares


Melanie B. Moreau

Floyd McCoy Blythe, Jr.

Brian Kelly Blythe

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

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by Quik Trip Corporation that is designated as Tax Parcel No. 025-211-09 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the B-2 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the conditional rezoning plan.

This ^{19th} day of November, 2017.

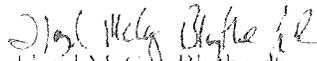
Dorothy B. Florentine, Trustee, or her successors in trust under the DOROTHY B. FLORENTINE FAMILY LEGACY TRUST, dated December 17, 2015, and any amendments thereto:

By:
Name:
Title:

Edwin Lee Blythe

Angela B. Ares

Melanie B. Moreau


Floyd Mc Coy Blythe, Jr.

Brian Kelly Blythe

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

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by QuikTrip Corporation that is designated as Tax Parcel No. 025-211-99 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site to the B-2 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the conditional rezoning plan.

This 14th day of November, 2017.

Dorothy B. Florentine, Trustee, or her successors in trust under the DOROTHY B. FLORENTINE FAMILY LEGACY TRUST, dated December 17, 2015, and any amendments thereto

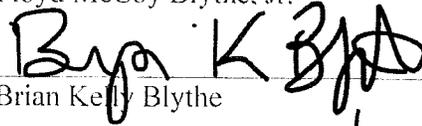
By: _____
Name: _____
Title: _____

Edwin Lee Blythe

Angela B. Arcs

Melanie B. Moreau

Floyd McCoy Blythe, Jr.



Brian Kelly Blythe

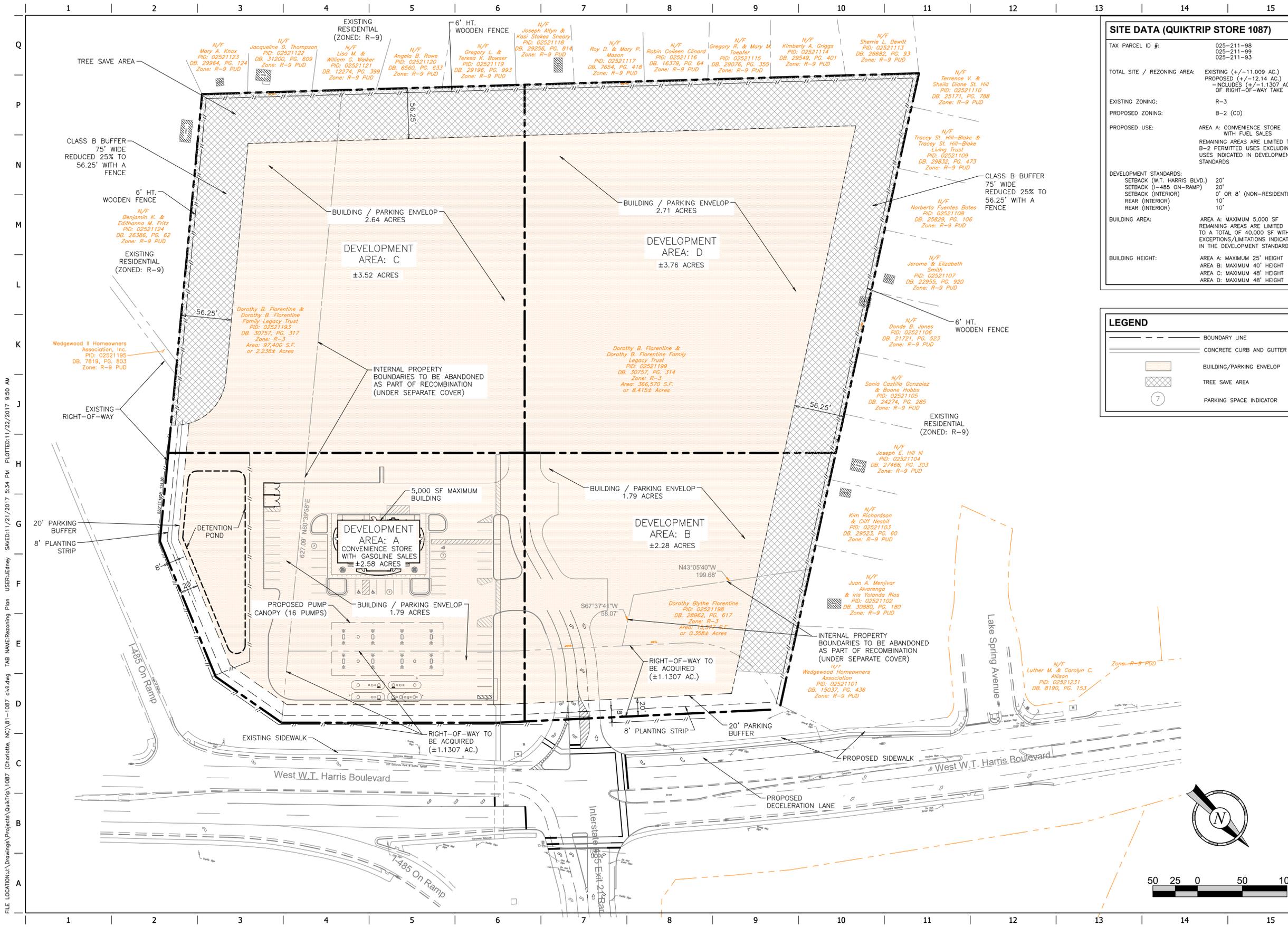
REZONING APPLICATION FILED BY QUIKTRIP CORPORATION
JOINDER AGREEMENT

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. 025-211-93 on the Mecklenburg County Tax Maps (the "Site"), hereby joins to the Rezoning Application and consents to the change in zoning for the Site to the H-2 (C-1) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the conditional rezoning plan.

This 17 day of November, 2017.

Dorothy B. Florentine, Trustee, or her successors in trust under the DOROTHY B. FLORENTINE FAMILY LEGACY TRUST, dated December 17, 2015, and any amendments thereto

By: *Dorothy B. Florentine, Trustee*
Name: *Dorothy B. Florentine Family legacy TRUST*
Title: *Trustee*

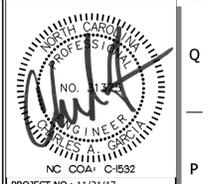


SITE DATA (QUIKTRIP STORE 1087)

TAX PARCEL ID #:	025-211-98 025-211-99 025-211-93
TOTAL SITE / REZONING AREA:	EXISTING (+/-11.009 AC.) PROPOSED (+/-12.14 AC.) -INCLUDES (+/-1.1307 AC.) OF RIGHT-OF-WAY TAKE
EXISTING ZONING:	R-3
PROPOSED ZONING:	B-2 (CD)
PROPOSED USE:	AREA A: CONVENIENCE STORE WITH FUEL SALES REMAINING AREAS ARE LIMITED TO B-2 PERMITTED USES EXCLUDING USES INDICATED IN DEVELOPMENT STANDARDS
DEVELOPMENT STANDARDS:	SETBACK (W.T. HARRIS BLVD.) 20' SETBACK (-1485 ON-RAMP) 20' SETBACK (INTERIOR) 0' OR 8' (NON-RESIDENTIAL) REAR (INTERIOR) 10' REAR (EXTERIOR) 10'
BUILDING AREA:	AREA A: MAXIMUM 5,000 SF REMAINING AREAS ARE LIMITED TO A TOTAL OF 40,000 SF WITH EXCEPTIONS/LIMITATIONS INDICATED IN THE DEVELOPMENT STANDARDS
BUILDING HEIGHT:	AREA A: MAXIMUM 25' HEIGHT AREA B: MAXIMUM 40' HEIGHT AREA C: MAXIMUM 48' HEIGHT AREA D: MAXIMUM 48' HEIGHT

LEGEND

	BOUNDARY LINE
	CONCRETE CURB AND GUTTER
	BUILDING/PARKING ENVELOP
	TREE SAVE AREA
	PARKING SPACE INDICATOR



NC COA: C-532
PROJECT NO.: 11/21/17
FREELAND CIVIL ENGINEERING, INC.
205 West Stone Avenue
Greensboro, NC 27403-3400
Tel: 336-853-2400
Fax: 336-853-2401

QuikTrip No. 1087
8291 WEST W.T. HARRIS BLVD.
CHARLOTTE, NC
QUIKTRIP CORPORATION - CHARLOTTE DIVISION OFFICE
3701 ARCO CORPORATE DRIVE - SUITE 150 - CHARLOTTE, NC 28273



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WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

PROTOTYPE: P-92.02 (11/01/17)
DIVISION:
VERSION: 001
DESIGNED BY:
DRAWN BY: JHE
REVIEWED BY:

REV	DATE	DESCRIPTION

ORIGINAL ISSUE DATE:

SHEET TITLE:
REZONING PLAN
PETITION #:
SHEET NUMBER:
RZ-1

FILE LOCATION: \\Drawings\Projects\QuikTrip\1087 (Charlotte, NC)\81-1087 civil.dwg TAB NAME: Rezoning Plan USER: EEdney SAVED: 11/21/2017 5:34 PM PLOTTED: 11/22/2017 9:50 AM

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

FILE LOCATION: \\Drawings\Projects\QuikTrip\1087 (Charlotte, NC)\81-1087-1087.civil.dwg TAB NAME: Building Elevations 1 USER: JdeJeny SAVED: 11/21/2017 5:08 PM PLOTTED: 11/21/2017 5:16 PM



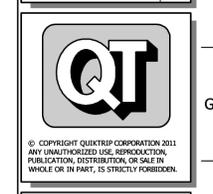
	QuikTrip 4705 South 129th East Ave. Tulsa, OK 74134-7008 P.O. Box 3475 Tulsa, OK 74101-3475 (918) 615-7700	Store #	G3S Building Elevations		Address:	City, State:
		1087	81-1087-G3S2		NW Corner Harris Blvd. & I-485	Charlotte, NC
		Serial #	Scale:	Issue Date:	Drawn By:	Rev/Notes:
		81-1087-G3S2	1/16" = 1'-0"	11.17.17	TR	
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#	FINISH	MANUFACTURER	SPECIFICATION
1	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
2	IMBRIGHT	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
3	HLZ ALUMINUM	ALPOLIC	FASCIA
4	CF REB	LANE	STANDING SEAM AWNINGS
5	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BAND
6	DARK BRONZE	LANE	METAL PAINT
7	BLACK	ALL COURT FABRICS	POLYPROP MESH
8	CLZBR	ALLEN INDUSTRIES	SIGNAGE
9	GRANITE	SYCO	ATKINS EFS
10	IDB20	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE



FREE LAND CIVIL ENGINEERING
 205 West Stone Avenue
 Greensboro, NC 27403-2497
 Tel: 864-226-8986

QuikTrip No. 1087
 8291 WEST W.T. HARRIS BLVD.
 CHARLOTTE, NC
 QUIKTRIP CORPORATION - CHARLOTTE DIVISION OFFICE
 3701 ARCO CORPORATE DRIVE - SUITE 150 - CHARLOTTE, NC 28273



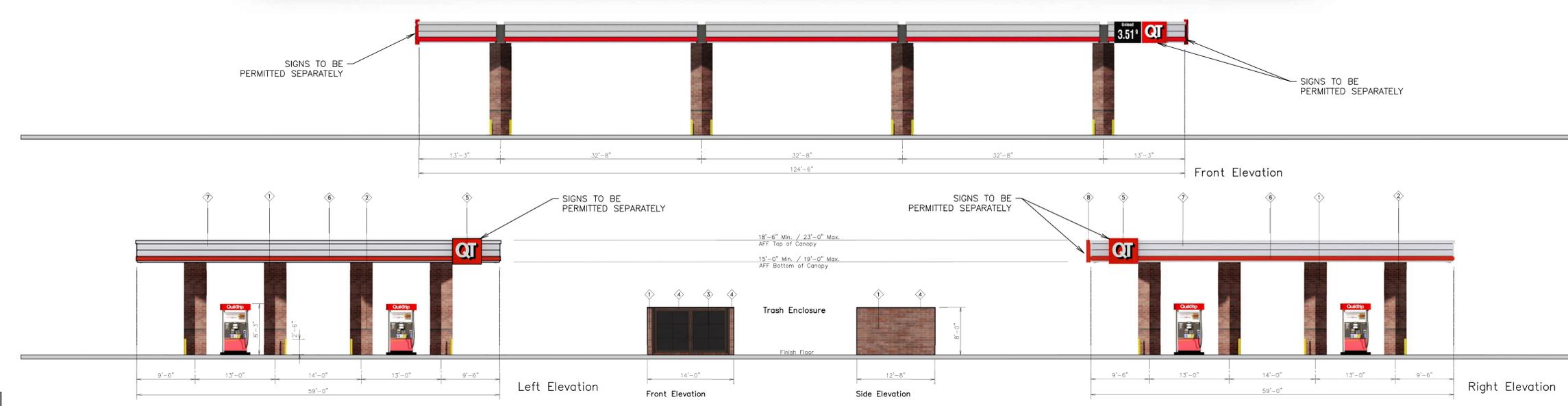
PROTOTYPE: P-92.02 (11/01/17)
 DIVISION:
 VERSION: 001
 DESIGNED BY:
 DRAWN BY: JHE
 REVIEWED BY:

REV	DATE	DESCRIPTION	ORIGINAL ISSUE DATE:

SHEET TITLE:
 BUILDING ELEVATIONS
 PETITION #:
 SHEET NUMBER:
RZ-4

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

FILE LOCATION: \\Drawings\Projects\QuikTrip\1087 (Charlotte, NC)\81-1087-civil.dwg TAB NAME: Canopy Elevations USER: JEF: jefy SAVED: 11/21/2017 5:20 PM PLOTTED: 11/21/2017 5:20 PM



Store #	1087 Double Stack 8 Canopy Elevations	Address:	NW Corner Harris Blvd. & I-485	City, State:	Charlotte, NC
Serial #	81-1087-GD08	Scale:	1/16" = 1'-0"	Issue Date:	11.17.17
		Drawn By:	TR	Rev/Notes:	

①	FINISH	MANUFACTURER	SPECIFICATION
1	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
2	MOULDED BLACK	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
3	BLACK	ALL COURTY FABRICS	500 GRID 96 MESH
4	DARK BRONZE	ALLEN	W/FL FLANT
5	DOOR-01	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE
6	R50 POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BRAND
7	HS-ALUMINUM	ALLEN	CANOPY
8	DOOR-300-R	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE

Free Land and Kalfmann, Inc.
 Engineers
 205 West Stone Avenue
 Charlotte, NC 28203-3497
 Tel: 864-295-9196

QuikTrip No. 1087
 8291 WEST W.T. HARRIS BLVD.
 CHARLOTTE, NC
QUIKTRIP CORPORATION - CHARLOTTE DIVISION OFFICE
 3701 ARCO CORPORATE DRIVE - SUITE 150 - CHARLOTTE, NC 28273

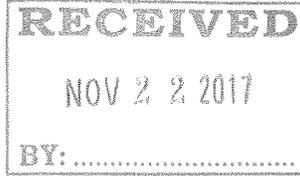
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 WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

PROTOTYPE: P-92.02 (11/01/17)
 DIVISION:
 VERSION: 001
 DESIGNED BY:
 DRAWN BY: JHE
 REVIEWED BY:

REV	DATE	DESCRIPTION	ORIGINAL	ISSUE DATE:

SHEET TITLE:
CANOPY ELEVATIONS
 PETITION #:
 SHEET NUMBER:
RZ-5

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: _____
Date Filed: 11/21/2017
Received By: BH

Complete All Fields (Use additional pages if needed)

Property Owner: See Exhibit A attached hereto

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

Date Property Acquired: See Exhibit A attached hereto

Property Address: See Exhibit A attached hereto

Tax Parcel Number(s): 175-094-44, 175-094-45, 175-094-46, 175-094-47 and 175-094-48

Current Land Use: Single family residential Size (Acres): +/- 2.962 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: Solomon Fortune, Carlos Alzate, Alan Goodwin et al.

Date of meeting: October 11, 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 could contain up to 26 for sale 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

See Attached Joinder Agreements
Signature of Property Owner

(Name Typed / Printed)

Hopper Communities, Inc. (c/o Bart Hopper)
Name of Petitioner(s)

1814 Euclid Avenue
Address of Petitioner(s)

Charlotte, NC 28203
City, State, Zip

704-805-4801
Telephone Number Fax Number

bhopper@hoppercommunities.com
E-Mail Address

HOPPER COMMUNITIES, INC.

By: [Signature]
Signature of Petitioner

J. Bart Hopper
(Name Typed / Printed)

Exhibit A to Rezoning Application Filed by Hopper Communities, Inc.

Property Owner Information, Acquisition Dates and Property Addresses

Tax Parcel Nos. 175-094-44 & 175-094-45

W. Scarborough Chandler, Jr.
P.O. Box 5421
Pinehurst, NC 28374

Dates Property Acquired: March 29, 1979 and November 15, 2012

Property Addresses: 2508 Runnymede Lane and 2500 Runnymede Lane

Tax Parcel No. 175-094-46

Collin W. Brown
2446 Runnymede Lane
Charlotte, NC 28209

Date Property Acquired: April 30, 2003

Property Address: 2446 Runnymede Lane

Tax Parcel No. 175-094-47

Thomas B. Grice, Jr.
Suzanne F. Grice
2440 Runnymede Lane
Charlotte, NC 28209

Date Property Acquired: May 24, 2013

Property Address: 2440 Runnymede Lane

Tax Parcel No. 175-094-48

Shane M. Bernard
2430 Runnymede Lane
Charlotte, NC 28209

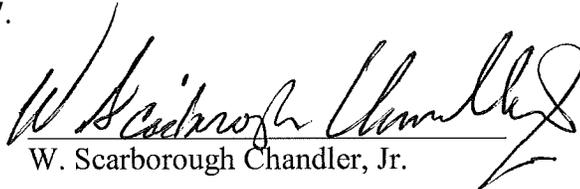
Date Property Acquired: May 24, 2013

Property Address: 2430 Runnymede Lane

**REZONING APPLICATION
HOPPER COMMUNITIES, INC., PETITIONER
JOINDER AGREEMENT**

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by Hopper Communities, Inc. that are designated as Tax Parcel Nos. 175-094-44 and 175-094-45 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site from the R-3 zoning district to the UR-2 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

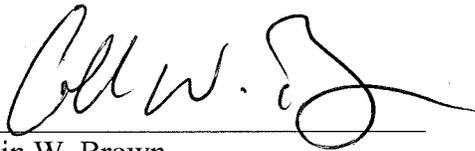
This 15 day of November, 2017.


W. Scarborough Chandler, Jr.

**REZONING APPLICATION
HOPPER COMMUNITIES, INC., PETITIONER
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Hopper Communities, Inc. that is designated as Tax Parcel No. 175-094-46 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site from the R-3 zoning district to the UR-2 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

This 15 day of November, 2017.

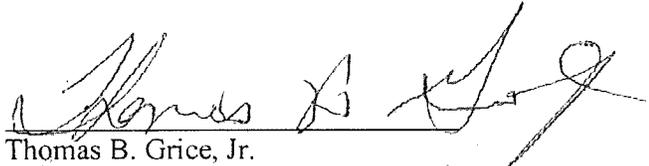


Collin W. Brown

**REZONING APPLICATION
HOPPER COMMUNITIES, INC., PETITIONER
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Rezoning Application filed by Hopper Communities, Inc. that is designated as Tax Parcel No. 175-094-47 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site from the R-3 zoning district to the UR-2 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

This 16th day of November, 2017.


Thomas B. Grice, Jr.


Suzanne F. Grice

**REZONING APPLICATION
HOPPER COMMUNITIES, INC., PETITIONER
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Hopper Communities, Inc. that is designated as Tax Parcel No. 175-094-48 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site from the R-3 zoning district to the UR-2 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

This 15 day of November, 2017.



Shane M. Bernard

SITE DEVELOPMENT DATA

SITE ACREAGE:	±3.01 ACRES (131,124 SQ FT)
TAX PARCEL #:	17509444, 17509445, 17509446, 17509447 AND 17509448
EXISTING ZONING:	R-3
PROPOSED ZONING:	UR-2 (CD)
EXISTING USE:	SINGLE FAMILY DETACHED HOUSES
PROPOSED USE:	SINGLE FAMILY ATTACHED TOWNHOMES
PROPOSED UNITS:	±26 UNITS
PROPOSED DENSITY:	±8.64 UNITS PER ACRE
TREE SAVE:	SHALL MEET ORDINANCE REQUIREMENTS
BUILDING HEIGHT:	SHALL MEET ORDINANCE REQUIREMENTS
PARKING PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS

DEVELOPMENT STANDARDS

A. GENERAL PROVISIONS

- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY HOPPER COMMUNITIES (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 3.01 ACRE SITE LOCATED ON THE NORTH SIDE OF RUNNYMEDE LANE AT THE INTERSECTION OF WINDSOR DRIVE AND RUNNYMEDE LANE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN 9,(THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 175-094-44, 175-094-45, 175-094-46, 175-094-47 AND 175-094-48.
- 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 (CD) ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL DRIVES AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
- 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.

B. PERMITTED USES/DEVELOPMENT LIMITATIONS

- THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 26 FOR SALE SINGLE FAMILY ATTACHED DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE UR-2 (CD) ZONING DISTRICT.

C. TRANSPORTATION

- VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PRIVATE DRIVES, AND MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PRIVATE DRIVES SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
- EACH SINGLE FAMILY ATTACHED DWELLING UNIT SHALL HAVE A MINIMUM 2 CAR GARAGE THAT IS ACCESSED FROM AN INTERNAL PRIVATE DRIVE.
- THE PARKING SPACES LOCATED IN THE GARAGES SHALL BE COUNTED WHEN DETERMINING WHETHER THE SITE MEETS THE MINIMUM PARKING REQUIREMENTS OF THE UR-2 ZONING DISTRICT. HOWEVER, THE PARKING SPACES LOCATED IN THE GARAGES SHALL NOT BE CONSIDERED WHEN DETERMINING WHETHER THE SITE EXCEEDS THE MAXIMUM NUMBER OF PARKING SPACES ALLOWED IN THE UR-2 ZONING DISTRICT.
- INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE INTERNAL SIDEWALKS MAY MEANDER TO SAVE EXISTING TREES.

D. ARCHITECTURAL STANDARDS

- THE MAXIMUM HEIGHT IN STORIES OF THAT BUILDING DESIGNATED AS BUILDING A ON THE REZONING PLAN SHALL BE 3 STORIES. THE MAXIMUM HEIGHT IN FEET OF THAT BUILDING DESIGNATED AS BUILDING A ON THE REZONING PLAN SHALL BE 40 FEET.
- THE MAXIMUM HEIGHT IN STORIES OF THAT BUILDING DESIGNATED AS BUILDING B ON THE REZONING PLAN SHALL BE 3 STORIES. THE MAXIMUM HEIGHT IN FEET OF THAT BUILDING DESIGNATED AS BUILDING B ON THE REZONING PLAN SHALL BE 40 FEET.
- THE MAXIMUM HEIGHT IN STORIES OF THAT BUILDING DESIGNATED AS BUILDING C ON THE REZONING PLAN SHALL BE 3 STORIES WITH AN OCCUPIABLE ROOF TERRACE. THE MAXIMUM HEIGHT IN FEET OF THAT BUILDING DESIGNATED AS BUILDING C ON THE REZONING PLAN SHALL BE 50 FEET.
- THE MAXIMUM HEIGHT IN STORIES OF THAT BUILDING DESIGNATED AS BUILDING D ON THE REZONING PLAN SHALL BE 3 STORIES WITH AN OCCUPIABLE ROOF TERRACE. THE MAXIMUM HEIGHT IN FEET OF THAT BUILDING DESIGNATED AS BUILDING D ON THE REZONING PLAN SHALL BE 50 FEET.
- THE MAXIMUM HEIGHT IN STORIES OF THAT BUILDING DESIGNATED AS BUILDING E ON THE REZONING PLAN SHALL BE 3 STORIES WITH AN OCCUPIABLE ATTIC. THE MAXIMUM HEIGHT IN FEET OF THAT BUILDING DESIGNATED AS BUILDING E ON THE REZONING PLAN SHALL BE 45 FEET.
- THE MAXIMUM HEIGHT IN STORIES OF THAT BUILDING DESIGNATED AS BUILDING F ON THE REZONING PLAN SHALL BE 2 STORIES WITH AN OCCUPIABLE ATTIC. THE MAXIMUM HEIGHT IN FEET OF THAT BUILDING DESIGNATED AS BUILDING F ON THE REZONING PLAN SHALL BE 40 FEET.
- THE MAXIMUM HEIGHT IN STORIES OF THAT BUILDING DESIGNATED AS BUILDING G ON THE REZONING PLAN SHALL BE 3 STORIES WITH AN OCCUPIABLE ATTIC. THE MAXIMUM HEIGHT IN FEET OF THAT BUILDING DESIGNATED AS BUILDING G ON THE REZONING PLAN SHALL BE 45 FEET.
- THE MAXIMUM HEIGHT IN STORIES OF THAT BUILDING DESIGNATED AS BUILDING H ON THE REZONING PLAN SHALL BE 3 STORIES. THE MAXIMUM HEIGHT IN FEET OF THAT BUILDING DESIGNATED AS BUILDING H ON THE REZONING PLAN SHALL BE 40 FEET.
- THE PRIMARY EXTERIOR BUILDING MATERIALS FOR THE BUILDINGS TO BE CONSTRUCTED ON THE SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK AND CEMENTITIOUS SIDING WITH ARCHITECTURAL SHINGLE ROOFING.
- VINYL MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL ON ANY BUILDING TO BE CONSTRUCTED ON THE SITE. NOTWITHSTANDING THE FOREGOING, VINYL MAY BE UTILIZED ON WINDOWS, DOORS, SOFFITS, TRIM AND RAILINGS.
- ATTACHED TO THE REZONING PLAN ARE CONCEPTUAL, ARCHITECTURAL RENDERINGS OF THE BUILDINGS TO BE CONSTRUCTED ON THE SITE THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THE BUILDINGS TO BE CONSTRUCTED ON THE SITE. ACCORDINGLY, THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE DESIGNED AND CONSTRUCTED SO THAT THE BUILDINGS ARE SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE ATTACHED RELEVANT CONCEPTUAL ARCHITECTURAL RENDERING WITH RESPECT TO ARCHITECTURAL STYLE AND CHARACTER. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS TO THE EXTERIOR OF THE BUILDINGS TO BE CONSTRUCTED ON THE SITE THAT DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER SHALL BE PERMITTED.

E. STREETScape AND LANDSCAPING

- A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 12 FOOT WIDE CONCRETE MULTI-USE PATH SHALL BE INSTALLED ALONG THE SITE'S FRONTAGE ON RUNNYMEDE LANE AS GENERALLY DEPICTED ON THE REZONING PLAN. NOTWITHSTANDING THE FOREGOING, THE WIDTH OF THE PLANTING STRIP AND THE WIDTH OF THE MULTI-USE PATH MAY BE REDUCED AS REQUIRED WHERE THE MULTI-USE PATH TIES INTO THE EXISTING SIDEWALK LOCATED ON RUNNYMEDE LANE.
- THE MINIMUM 12 FOOT WIDE CONCRETE MULTI-USE PATH TO BE INSTALLED ALONG THE SITE'S FRONTAGE ON RUNNYMEDE LANE, OR PORTIONS THEREOF, MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT AS NECESSARY.

F. OPEN SPACE

- EACH INDIVIDUAL SUB-LOT ON WHICH A SINGLE FAMILY ATTACHED DWELLING UNIT IS LOCATED MUST INCLUDE A MINIMUM OF 400 SQUARE FEET OF PRIVATE OPEN SPACE.

G. LIGHTING

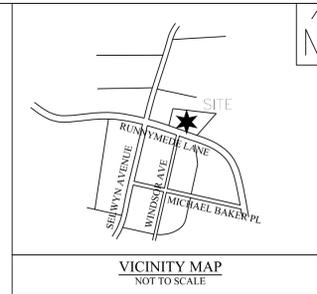
- ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 16 FEET.
- ANY LIGHTING FIXTURES ATTACHED TO THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

H. ENVIRONMENTAL FEATURES

- DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
- DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE TREE ORDINANCE.

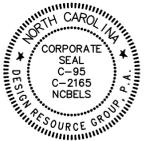
I. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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



LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

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



REZONING PETITION

FOR PUBLIC HEARING

2017-XXX

REZONING PETITION

RUNNYMEDE – MYERS PARK
CHARLOTTE, NORTH CAROLINA

HOPPER COMMUNITIES
229 E. KINGSTON AVE.
CHARLOTTE, NC 28203
704-805-4802

DEVELOPMENT STANDARDS NOTES



PROJECT #: 598-006
DRAWN BY: NB

NOVEMBER 21, 2017

REVISIONS:



FRONT ELEVATION

505 DESIGN

BOULDER:
1360 Walnut Street, 102 telephone 720 565 0505
CO 80302 facsimile 720 565 0504

CHARLOTTE:
508 West Fifth St., 250 telephone 704 348 7000
Charlotte, NC 28202 facsimile 704 348 7005

SAN FRANCISCO:
461 Bush Street, 300 telephone 415 421 9900
San Francisco, CA 94108



REAR ELEVATION

505 DESIGN

BOULDER:
1360 Walnut Street, 102 telephone 720 565 0505
CO 80302 facsimile 720 565 0504

CHARLOTTE:
508 West Fifth St., 250 telephone 704 348 7000
Charlotte, NC 28202 facsimile 704 348 7005

SAN FRANCISCO:
461 Bush Street, 300 telephone 415 421 9900
San Francisco, CA 94108



COURTYARD VIEW AT REAR PROPERTY LINE

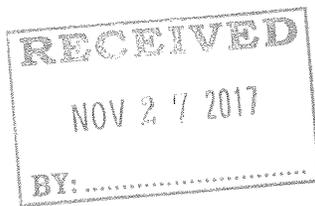
505 DESIGN

BOULDER:
1360 Walnut Street, 102 telephone 720 565 0505
CO 80302 facsimile 720 565 0504

CHARLOTTE:
508 West Fifth St., 250 telephone 704 348 7000
Charlotte, NC 28202 facsimile 704 348 7005

SAN FRANCISCO:
461 Bush Street, 300 telephone 415 421 9900
San Francisco, CA 94108

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-184

Petition #: _____
 Date Filed: 11/27/2017
 Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Edward Parks Trust; Betty J. Parks Trust; Daniel E. Parks; Myra Triplett; Myra T. Parks
 Owner's Address: 169 Cedar Point Rd City, State, Zip: Winnsboro, SC 29180
 Date Property Acquired: _____
 Property Address: 3230 Mt. Holly-Huntersville Rd, Charlotte, NC28216
 Tax Parcel Number(s): 03301201; 03301202; 03301221; 03301223; 03301236
 Current Land Use: Single-Family Homes; Wooded Size (Acres): 8.557 acres
 Existing Zoning: R-3 Proposed Zoning: R-12MF
 Overlay: Brookeshire Boulevard/I-485 Activity Center (Specify PED, Watershed, Historic District, etc.)
 Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham; Alberto Gonzalez
 Date of meeting: November 14, 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: _____

Collin W. Brown; Bailey Patrick, Jr.
 Name of Rezoning Agent
K & L Gates, Hearst Tower, 47th Floor
214 North Tryon Street
 Agent's Address
Charlotte, NC 28202
 City, State, Zip
(704) 641-8522 (704) 353-3231
 Telephone Number Fax Number
collin.brown@klgates.com
 E-Mail Address

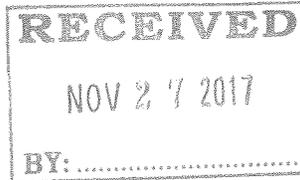
 Signature of Property Owner

 (Name Typed / Printed)

Sean Brady
 Name of Petitioner(s)
WJR NC Development, LLC - P.O. Box 1259
 Address of Petitioner(s)
Highlands, NC 28741
 City, State, Zip
(678) 591-7002
 Telephone Number Fax Number
sbrady820@yahoo.com
 E-Mail Address
[Signature]
 Signature of Petitioner
Sean M. Brady

 (Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-185

Petition #: _____
Date Filed: 11/27/2017
Received By: [Signature]

Property Owners: High Family Partnership I LP

Owner's Addresses: PO Box 450233, Atlanta, GA 31145 or PO Box 10008, Lancaster PA 17605

Date Properties Acquired: 12/02/2004
11/09/2000

Property Addresses: N/A
11030 David Taylor Drive, Charlotte, NC 28262

Tax Parcel Numbers: 029-011-32
029-011-20

Current Land Use: vacant (Acres): ± 11.75

Existing Zoning: O-1(CD) Proposed Zoning: UR-2(CD)

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Joshua Weaver, Grant Meacci, Rick Grochoske, and Julie Zweifel.

Date of meeting: 6/20 and 9/28

(*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 Site with a residential community composed of high quality multi-family residential dwelling units.

Keith MacVean & Jeff Brown
Name of Rezoning Agent

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

Charlotte, NC 28202

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

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

SEE ATTACHMENT A
Signature of Property Owner

High Family Partnership I, LP (Attn: Andrew Basile)
Name of Petitioner

1853 William Penn Way
Address of Petitioner

Lancaster, PA 17601
City, State, Zip

717.209.4058 717.293.4488
Telephone Number Fax Number

abasile@high.net
E-mail Address

SEE ATTACHMENT B
Signature of Petitioner

ATTACHMENT A

**REZONING PETITION NO. [2017-____]
High Family Partnership I, LP**

**OWNER JOINDER AGREEMENT
*High Family Partnership I, LP***

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

1. At the end David Taylor Drive that are designated as Tax Parcel No.'s *029-011-20 and 32*

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from O-1(CD) 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 ____ day of _____, 2017.

High Family Partnership I, LP

By: 
Name: Mark C. Fitzgerald
Its: High Family Partnership I, LP

ATTACHMENT B

**REZONING PETITION NO. [2017-]
High Family Partnership I, LP**

Petitioner:

High Family Partnership I, LP

By: 
Name: Mark C. Fitzgerald
Title: Exec VP & COO



333 WEST TRADE STREET, SUITE 300
CHARLOTTE, NC 28202
T: 704.333.7842 F: 704.343.9380
www.housingstudio.com

MALLARD POINTE APARTMENTS
CHARLOTTE, NC
COLORED ELEVATIONS
08 SEPTEMBER 2017
NOT TO SCALE



- FIBER CEMENT PANEL WITH REVEAL TRIM
- FIBER CEMENT PANEL WRAPPED VISOR
- FRENCH DOORS WITH TRANSOM AT BALCONY
- VINYL WINDOW AT UNIT, TYP.
- FIBER CEMENT LAP SIDING WITH ALTERNATING EXPOSURE
- FIBER CEMENT PANEL WRAPPED VISOR, SLOPED BACK TO ROOF
- GYPCRETE OVER TRUSS BALCONY
- FIBER CEMENT PANEL WRAPPED COLUMNS
- 1/2" RECESS ACCENT AT BRICK VENEER
- STACKED BOND BRICK VENEER ACCENTS
- STAINED, POLISHED CONCRETE VISOR AT PODIUM
- BRICK VENEER
- METAL RAILING
- ALUMINUM STOREFRONT
- ALUMINUM CANOPY

BUILDING 1 - COLORED ELEVATION



- FIBER CEMENT PANEL WRAPPED VISOR, SLOPED BACK TO ROOF
- VINYL WINDOW WITH TRANSOM AT UNIT, TYP.
- BRICK SOLDIER AND ROWLOCK
- VINYL WINDOW AT UNIT, TYP.
- FIBER CEMENT LAP SIDING WITH ALTERNATING EXPOSURE
- ALUMINUM CANOPY
- FIBER CEMENT PANEL WITH REVEAL TRIM
- METAL RAILING
- GYPCRETE OVER BALCONY TRUSS
- FRENCH DOORS WITH TRANSOM AND SIDELITES
- 1/2" RECESS ACCENT AT BRICK VENEER
- BRICK VENEER
- BRICK SOLDIER AT WINDOW HEAD; ROWLOCK AT WINDOW SILL

BUILDING 3 - COLORED ELEVATION

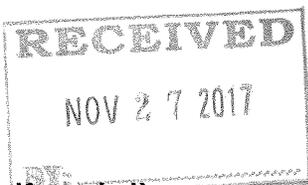
PETITION #
MALLARD POINTE - MULTI-FAMILY
CHARLOTTE, NORTH CAROLINA
FOR
HIGH REAL ESTATE GROUP, LLC

INITIAL SUBMISSION: 11-27-17

Sheet Number
RZ-2
Sheet 2 of 2

projects\2017_projects\17027_mallard_point_appt-high
associates\cad\17027-rezone_base.rvt

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2017-186
Date Filed: 11/27/2017
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: BrNell Holdings, LLC

Owner's Address: 205 SILVERCLIFF DR. City, State, Zip: MOUNT HOLLY, NC 28129

Date Property Acquired: 08/10/2010

Property Address: 224/228/232/236 W KINGSTON AVENUE

Tax Parcel Number(s): 119-08-907/119-08-906/119-08-905/119-08-904

Current Land Use: BOARDING HOUSE Size (Acres): .87 ACRES

Existing Zoning: R-22 MF Proposed Zoning: WR-2(20) Transit
~~MUDD(CD) Overlay District~~

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, John Howard, Allan Goodwin, Katherine Mahoney

Date of meeting: 10/25/17

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

For Conditional Rezoning Only:
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): 5
Purpose/description of Conditional Zoning Plan: To allow for an attached housing community.

The Law Offices of Russell Fergusson, PLLC

Name of Rezoning Agent

1208 The Plaza

Agent's Address

Charlotte, NC 28205

City, State, Zip

(704)234-7488

Telephone Number

(704) 612-0271

Fax Number

russell.fergusson@russellwfergusson.com

E-Mail Address

[Signature]

Signature of Property Owner

LeNell C. Grier

(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

Telephone Number

(704) 344-9992

Fax Number

bobby@tdcrealestate.com

E-Mail Address

[Signature]

Signature of Petitioner

Robert T. Drakeford

(Name Typed / Printed)



REZONING PETITION

FOR PUBLIC HEARING

2017-XXX

REZONING DOCUMENT

WILMORE TOWNHOME SITE
CHARLOTTE, NC

THE DRAKEFORD COMPANY
1914 BRUNSWICK AVENUE, SUITE 1A
CHARLOTTE, NC 28207

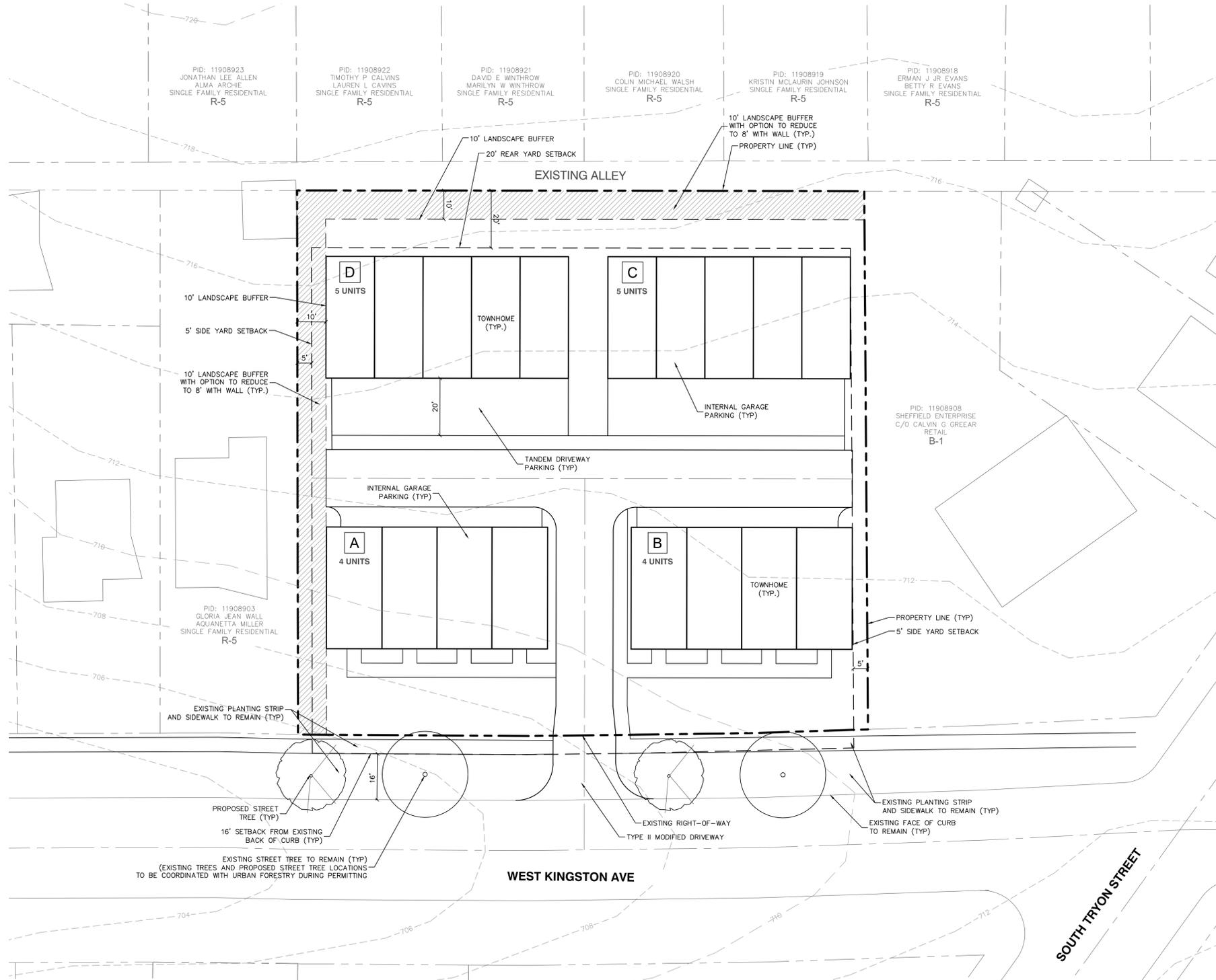
SCHEMATIC
SITE PLAN

10 0 10 20
SCALE: 1"=20'

PROJECT #: 090-026
DRAWN BY: BMS
CHECKED BY: NB

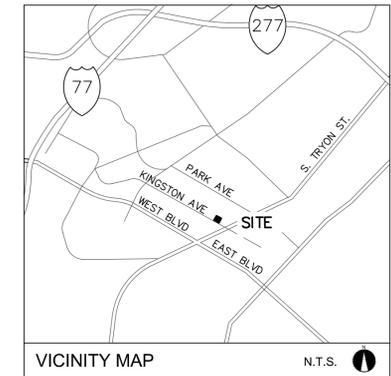
NOVEMBER 27, 2017

REVISIONS:



SITE DEVELOPMENT DATA

SITE AREA: ±0.87 AC. (±37,821 SF)
TAX PARCEL ID #: 11908904, 11908905, 11908906 AND 11908907
EXISTING ZONING: R-22 MF
PROPOSED ZONING: UR-2(CD) TS (TRANSIT SUPPORTIVE OVERLAY)
EXISTING USE: ATTACHED MULTIFAMILY
PROPOSED USE: SINGLE FAMILY ATTACHED TOWNHOMES
PROPOSED UNITS: 18 TOWNHOMES
DENSITY PROPOSED: ±21 UNITS PER ACRE
BUILDING HEIGHT: 45' MAXIMUM (4 STORIES)
PARKING PROVIDED: SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE: SHALL MEET ORDINANCE REQUIREMENTS



1. GENERAL PROVISIONS.

- DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.207 OF THE ZONING 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. UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING CLASSIFICATION SHALL GOVERN.
- THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT. 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.

2. PURPOSE

- THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF SINGLE FAMILY ATTACHED TOWNHOMES. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE FROM R-22MF TO THE UR-2(CD) TS (TRANSIT SUPPORTIVE OVERLAY DISTRICT) ZONING DISTRICT.

3. PERMITTED USES

- USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION WILL BE SINGLE FAMILY ATTACHED TOWNHOME UNITS AND RELATED ACCESSORY USES AS ARE PERMITTED IN THE UR-2 DISTRICT.

4. TRANSPORTATION

- 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 DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- THE SITE WILL HAVE ONE INGRESS/EGRESS DRIVEWAY SERVING THE DEVELOPMENT FROM WEST KINGSTON AVENUE AS DEPICTED ON THE REZONING PLAN.
- ALL DEVELOPMENT WILL COMPLY WITH THE CHARLOTTE DEPARTMENT OF TRANSPORTATION STANDARDS AND WILL BE PART OF THE REVIEW AND APPROVAL OF THE DESIGN DEVELOPMENT AND CONSTRUCTION PROCESS.

5. ARCHITECTURAL STANDARDS

- BUILDINGS CONSTRUCTED ON SITE WILL BE COMPRISED OF A 4 STORY STRUCTURE AS DEPICTED ON THE REZONING PLAN.
- VINYL MATERIAL IS PROHIBITED. VINYL AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS, GARAGE DOORS AND FENCES, AND HANDRAILS/RAILINGS.

6. STREETScape, YARDS, AND LANDSCAPING

- THE EXISTING SIDEWALK AND PLANTING STRIP ARE TO REMAIN AS DEPICTED ON THE REZONING PLAN.

7. ENVIRONMENTAL FEATURES/TREE SAVE

- THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION ORDINANCE.
- THE SITE WILL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

8. LIGHTING

- 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
- THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 22 FEET.

9. AMENDMENTS TO THE REZONING PLAN

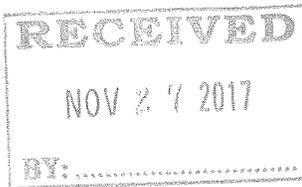
- FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA; PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

10. 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.

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

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-187

Petition #: _____
 Date Filed: 11/27/2017
 Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: MAGA DEVELOPMENT LLC
 Owner's Address: 2410 PROVIDENCE RD SOUTH City, State, Zip: WAXHAW, NC 28173
 Date Property Acquired: OCT. 13TH 2017
 Property Address: 9500 OLD MOORES CHAPEL RD. CHARLOTTE NC 28214
 Tax Parcel Number(s): 05509109, ~~05566328~~
 Current Land Use: RESIDENTIAL Size (Acres): ~~70~~ 79.3
 Existing Zoning: R3, R4, R5, R8 Proposed Zoning: ~~R3~~ R6
 Overlay: CR/LWWPA (Specify PED, Watershed, Historic District, etc.)
 Required Rezoning Pre-Application Meeting* with: CLAIRE / TAMMY KEPLINGER / ALBERTO
 Date of meeting: 11/27/17

(*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: _____

MAGA DEVELOPMENT LLC
TY A. MATTHEWS
 Name of Rezoning Agent
2410 PROVIDENCE RD SOUTH
 Agent's Address
WAXHAW NC 28173
 City, State, Zip
704-369-1145 _____
 Telephone Number Fax Number
Ty @ MAGA DEVELOPMENT . Com
 E-Mail Address
[Signature]
 Signature of Property Owner
TY A. MATTHEWS
 (Name Typed / Printed)

MAGA DEVELOPMENT LLC
 Name of Petitioner(s)
2410 PROVIDENCE RD. SOUTH
 Address of Petitioner(s)
WAXHAW NC 28173
 City, State, Zip
704-369-1145 _____
 Telephone Number Fax Number
Ty @ MAGA DEVELOPMENT . Com
 E-Mail Address
[Signature]
 Signature of Petitioner
TY A. MATTHEWS
 (Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-188

Petition #: _____
Date Filed: 11/27/2017
Received By: [Signature]

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: vacant/commercial (Acres): ± 5.96

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

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, Catherine Mahoney, Carlos Alzate, Alan Goodwin, and Brent Wilkinson

Date of meeting: 10/25/17

(*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 re-use of the existing buildings and to allow redevelopment of the Site as allowed by the TOD-M zoning district.

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

Providence Group Capital, LLC (Attn: J.Q. Freeman)
Name of Petitioner

1616 Camden Road, Ste. 550
Address of Petitioner

Charlotte, NC 28203
City, State, Zip

704.904.0713
Telephone Number Fax Number

jfreeman@providencegroup.com
E-mail Address

SEE ATTACHMENT B
Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
149-024-05	200 E Cama Street, Charlotte, NC 28217	Barringer Partners LLC	4020 Old Pineville Road, Charlotte, NC 28217	3.04	10/19/2017
149-024-14	4006 and 4010 Old Pineville Road, Charlotte, NC 28217			1.69	07/21/2016
149-024-16	4020 Old Pineville Road, Charlotte, NC 28217			1.23	08/26/2015

ATTACHMENT A

**REZONING PETITION NO. [2017-_____]]
Providence Group Capital, LLC**

**OWNER JOINDER AGREEMENT
Barringer Partners LLC**

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

1. 200 E Cama Street, Charlotte, NC 28217 that is designated as Tax Parcel No. 149-024-05
2. 4006 and 4010 Old Pineville Road, Charlotte, NC 28217 that is designated as Tax Parcel No. 149-024-14
3. 4020 Old Pineville Road, Charlotte, NC 28217 that is designated as Tax Parcel No. 149-024-16

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 TOD-M zoning district to the TOD-M(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 NOVEMBER, 2017.

Barringer Partners LLC

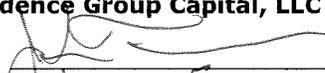
By: 
Name: CHRISTOPHER A BUTLAK
Its: EMP / MEMBER MANAGER

ATTACHMENT B

**REZONING PETITION NO. 2017-
Providence Capital Group**

Petitioner:

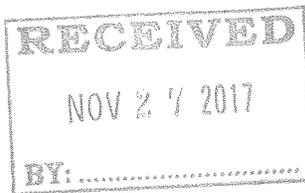
Providence Group Capital, LLC

By: 

Name: James Q. Freeman

Title: Member/Manager & Principal

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2017-189

Petition #: _____
Date Filed: 11/27/2017
Received By: [Signature]

Property Owners: William H Kelley III
Owner's Addresses: 10137 Horton Road, Charlotte, NC 28278
Date Properties Acquired: 06/28/1984
Property Addresses: 10137 Horton Road, Charlotte, NC 28278
Tax Parcel Numbers: 141-181-02
Current Land Use: Vacant (Acres): ± 42.6
Existing Zoning: R-3 Proposed Zoning: I-1(CD)
Overlay: Airport Noise Overlay
(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: November 6, 2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow the development of industrial uses on the Site.

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

SL Horton Road, LLC
c/o The Silverman Group (Attn: Dan Lacz)
Name of Petitioner

788 Morris Turnpike
Address of Petitioner

Short Hills, NJ 07078
City, State, Zip

973.765.0100 x4063 973.765.0101
Telephone Number Fax Number

DanLacz@silvermangroup.net
E-mail Address

SEE ATTACHMENT B
Signature of Petitioner

ATTACHMENT A

**REZONING PETITION NO. 2017-_____
SL Horton Road, LLC**

**OWNER JOINDER AGREEMENT
William H Kelley III**

The undersigned, as the owner of the parcel of land located at 10137 Horton Road, Charlotte, NC 28278 that is designated as Tax Parcel No. 141-181-02 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 R-3 zoning district to the I-1 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 November, 2017.

William H Kelley III

William H. Kelley III

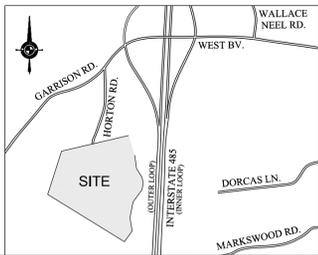
ATTACHMENT B

**REZONING PETITION NO. 2017-
SL Horton Road, LLC**

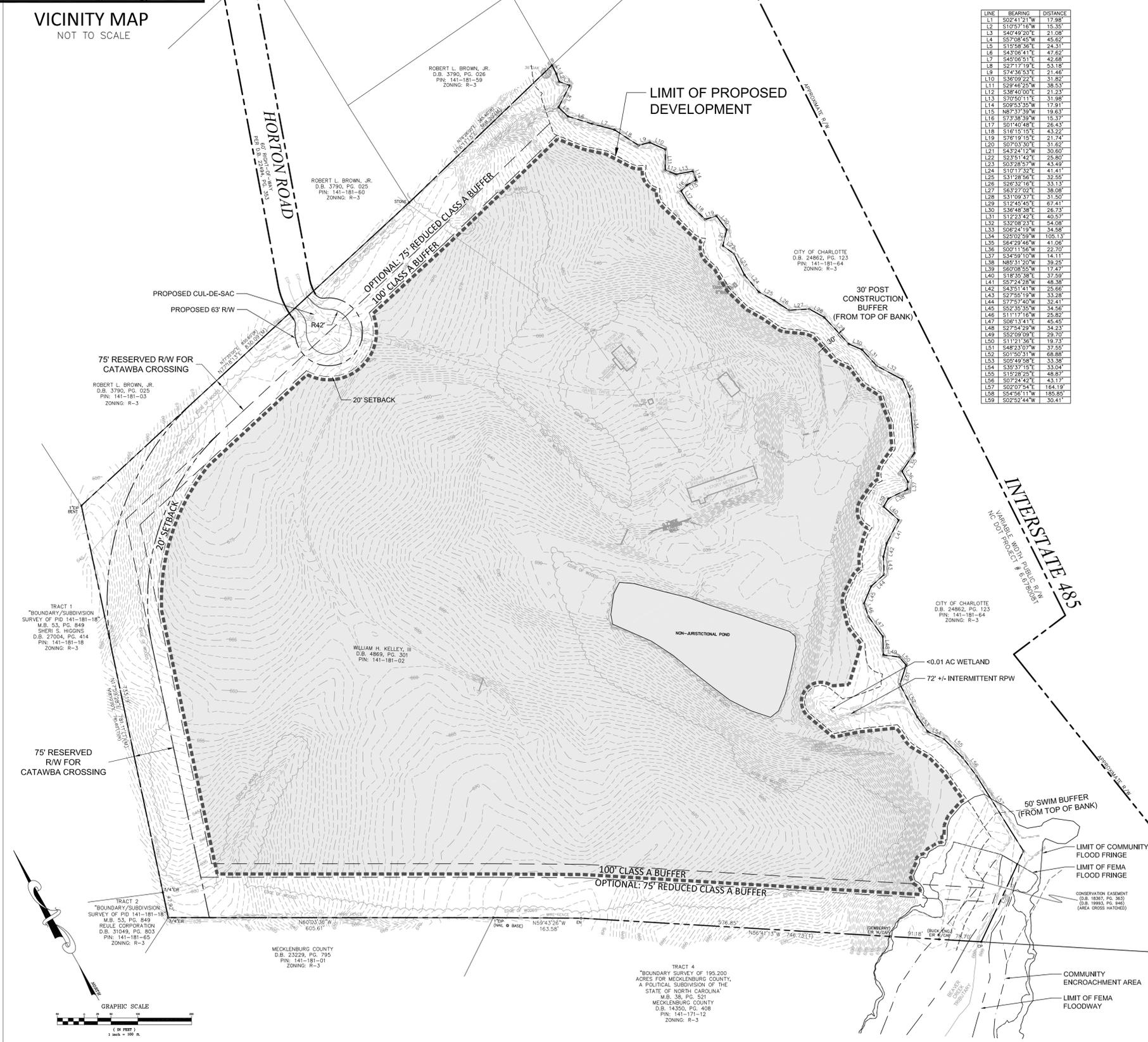
Petitioner:

SL Horton Road, LLC

By: _____
Name: Blake Silverman
Title: Member



VICINITY MAP
NOT TO SCALE



LINE	BEARING	DISTANCE
L1	S02°41'21"W	17.98'
L2	S10°23'16"W	15.35'
L3	S40°49'20"E	21.08'
L4	S57°08'45"W	45.52'
L5	S15°06'36"E	25.31'
L6	S43°06'41"E	47.52'
L7	S45°06'51"E	42.86'
L8	S07°17'01"E	53.18'
L9	S74°38'53"E	21.46'
L10	S36°08'22"E	31.82'
L11	S25°42'25"W	38.53'
L12	S38°40'00"E	21.23'
L13	S70°50'11"E	31.98'
L14	S09°53'35"W	17.91'
L15	N87°37'39"W	19.63'
L16	S73°38'39"W	15.37'
L17	S01°40'48"E	26.43'
L18	S16°15'15"E	43.22'
L19	S78°19'15"E	21.74'
L20	S07°03'30"E	31.62'
L21	S43°24'12"W	30.60'
L22	S23°51'42"E	25.80'
L23	S03°28'57"W	43.49'
L24	S10°17'32"E	41.41'
L25	S31°28'56"E	32.53'
L26	S28°32'16"E	33.13'
L27	S63°27'02"E	38.06'
L28	S31°09'37"E	31.50'
L29	S12°45'45"E	67.41'
L30	S38°46'38"E	26.73'
L31	S12°23'42"E	40.57'
L32	S32°08'23"E	54.08'
L33	S08°24'19"W	34.58'
L34	S20°02'59"W	105.13'
L35	S64°29'48"W	41.06'
L36	S02°17'56"W	22.10'
L37	S34°59'10"W	14.11'
L38	N85°31'20"W	39.25'
L39	S60°08'55"W	17.43'
L40	S18°35'38"E	37.59'
L41	S57°24'28"W	48.38'
L42	S43°21'41"W	34.68'
L43	S27°55'19"W	33.28'
L44	S72°57'40"W	32.41'
L45	S02°33'35"W	34.55'
L46	S11°17'16"W	25.82'
L47	S08°13'41"E	45.45'
L48	S27°44'29"W	34.23'
L49	S52°09'09"E	29.70'
L50	S11°21'36"E	19.73'
L51	S48°23'07"W	37.55'
L52	S01°50'31"W	68.88'
L53	S08°49'58"E	33.38'
L54	S35°37'15"E	33.04'
L55	S15°28'25"E	48.87'
L56	S07°24'42"E	43.17'
L57	S02°07'54"E	184.19'
L58	S54°56'11"W	185.85'
L59	S02°52'44"W	33.41'

Site Development Data:

- Acreage: ± 42.6 acres
- Tax Parcel #s: 141-181-02
- Existing Zoning: R-3
- Proposed Zoning: I-1(CD)
- Existing Uses: Vacant
- Proposed Uses: Warehousing, warehouse distribution, manufacturing, office, and industrial uses as permitted by right and under prescribed conditions together with accessory uses, all as allowed in the I-1 zoning district (as more specifically described and restricted in the Development Standards below).
- Maximum Gross Square Feet of Development: Up to 450,000 square feet of gross floor area
- Maximum Building Height: Height as permitted by Ordinance and will be measured as defined by the Ordinance.
- Parking: As required by the Ordinance for the proposed uses.

1. General Provisions:

- a. Site Location. These Development Standards, Schematic Site Plan and other graphics set forth on Sheet RZ-1 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by SL Horton Road, LLC ("Petitioner") to accommodate the development of industrial uses on an approximately 42.6 acre site located at 10137 Horton Road (the "Site").
- b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the I-1 zoning classification shall govern all development taking place on the Site.
- c. Graphics and Alterations. Any 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. Any layouts, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance. Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:
 - i. minor and don't materially change the overall design intent depicted on the Rezoning Plan, such as minor modifications to the configurations of any building location, driveways and parking area dimensions and the like as long as the modifications maintain the general building/parking orientation and character of the development generally depicted on the Rezoning Plan.

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

- d. Number of Buildings Principal and Accessory. Notwithstanding the number of building(s) shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site will be limited to three (3). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s).

2. Permitted Uses, Development Area Limitations:

- a. Subject to the restrictions and limitations listed below in subsection 2.b. below, the principal building constructed on the Site may be developed with up to 450,000 square feet gross floor area of warehousing, warehouse distribution, office, manufacturing, and industrial uses permitted by right and under prescribed conditions together with accessory uses; all allowed in the I-1 zoning district.
- b. In no event shall the following uses be permitted:
 - Outdoor storage.
 - Eating, Drinking, and Entertainment establishments.
 - Retail establishments, shopping centers and business, personal and recreation services.
 - auction sales.
 - automobiles, truck and utility trailer rental.
 - automotive repair garages.
 - automotive sales and repair.
 - automotive service stations.
 - manufactured housing sales or repair.
 - petroleum storage facilities.
 - recycling or drop off centers

For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, and all loading dock areas (open or enclosed).

3. Transportation Improvements and Access:

- a. Access to the Site will be from Horton Road as generally depicted on the Rezoning Plan, subject to adjustments as set forth below. The exact alignment, dimensions and location of the access point to the Site and the driveway on the Site may be modified from the elements shown on the Rezoning Plan provided that the overall design intent is not materially altered and requirements described in this Section 3 are met.
- b. The Petitioner will reserve a seventy-five foot (75') wide right-of-way for the proposed "Catawba Crossing" as generally depicted on RZ-01.
- c. The Petitioner shall provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, substantial completion of modifications to Horton Road within the existing right-of-way to the standards of a local industrial street from face of curb to face of curb but excluding sidewalk improvements. The above-referenced improvements in this subsection 3.c. shall be substantially completed prior to the issuance of the first certificate of occupancy for the first new building constructed on the Site.
- d. Subject to the provisions of Section 3.e. below, Petitioner shall dedicate and convey to the City all rights-of-way required for the improvements referenced in subsection 3.c. prior to the issuance of the first certificate of occupancy for the first new building constructed on the Site, and where practicable, such right-of-way shall be set at two (2) feet behind the back of sidewalk.
- e. The foregoing public roadway improvements described in subsection 3.c. will be subject to the standards and criteria of CDOT as applicable. Reference to "substantial completed" or "substantially completed" for improvements as set forth in the provisions above shall mean completion of the roadway improvements in accordance with the above standards provided; however, in the event all such roadway improvements 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 the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.
- f. Alternative Improvements. Changes to the above referenced roadway improvements in subsection 3.c. can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, and the Planning Director as applicable, provided, however, the proposed alternate transportation improvements provided (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

4. Setbacks, Buffers and Screening.

- a. A 20' foot setback shall be provided as defined by Ordinance from public streets.
- b. A 75' foot reduced Class A Buffer will be provided along the Site's property lines as is generally depicted on the Rezoning Plan; provided however the proposed "Catawba Crossing" alignment shall be permitted within the buffer as generally depicted on Sheet RZ-01, and if the "Catawba Crossing" is installed the buffer will be reduced or eliminated in that area.
5. Architectural Standards Design Guidelines.
 - a. The principal building constructed on the Site may use a variety of building materials. The building materials used for buildings will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardi-plank), metal panels (on north and west elevations only), EIFS or wood. Vinyl as a building material will not be allowed except on windows and soffits.
 - b. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties and proposed public streets at grade.
 - c. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.
6. Environmental Features:
 - a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
 - b. The Site will comply with Tree Ordinance.
7. Lighting:
 - a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
 - b. Detached lighting on the Site, except street lights located along public streets, will be limited to 22 feet in height.
8. Amendments to the Rezoning Plan:
 - a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners or applicable parcels within the Site in accordance with the provisions herein and of Chapter 6 of the Ordinance.
9. Binding Effect of the Rezoning Application:
 - a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



SCHEMATIC SITE PLAN
PETITION #2018-XXX
FOR
10137 HORTON ROAD
CHARLOTTE, NORTH CAROLINA

SL HORTON ROAD, LLC
788 MORRIS TURNPIKE
SHORT HILLS, NJ 07078



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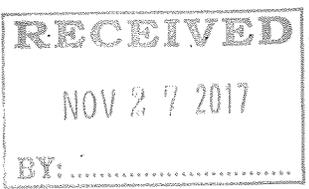
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NO. 19	DATE
NO. 20	DATE

JOB #	17044
DATE:	11/22/17
SCALE:	1" = 40'
DRAWN BY:	DLG
APPROVED BY:	JCO
RZ-1	

November 27, 2017, 9:20am By: DCS/chen
C:\Users\chen\Documents\2017\17044 CLT Intermodal Park\DWG\17044 BASE Rezoning.dwg

2017-190

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: _____
Date Filed: 11/27/2017
Received By: [Signature]

Property Owners: Royal Properties LLC
Owner's Addresses: 3331 Johnny Cake Lane, Charlotte, NC 28226
Date Properties Acquired: 04/15/2005
Property Addresses: 924 W Sugar Creek Road, Charlotte, NC 28213
Tax Parcel Numbers: 089-064-39
Current Land Use: vacant (Acres): ± 9.82
Existing Zoning: R-4 Proposed Zoning: UR-2(CD)
Overlay: N/A
(Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Mandy Rosen, Monica Holmes, Shannon Frye, and Isaiah Washington

Date of meeting: 11/21/17

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

For Conditional Rezoning Only:
Requesting a vesting period exceeding the 2 year minimum? Yes No. Number of years (maximum of 5): N/A
Purpose/description of Conditional Zoning Plan: To allow the development of the Site with a high-quality multi-family residential community.

Keith MacVean & Jeff Brown
Name of Rezoning Agent

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

Charlotte, NC 28202

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

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

SEE ATTACHMENT A
Signature of Property Owner

C4 Investments, LLC (Attn: Barry James)
Name of Petitioner

121 West Trade Street, Ste. 2550
Address of Petitioner

Charlotte, NC 28202
City, State, Zip

704.414.7477
Telephone Number Fax Number

bjames@csere.com
E-mail Address

SEE ATTACHMENT B
Signature of Petitioner

ATTACHMENT A

**REZONING PETITION NO. [2017-_____]
 C4 Investments, LLC**

**OWNER JOINDER AGREEMENT
 Royal Properties LLC**

The undersigned, as the owner of the parcel of land located at 924 W Sugar Creek Road that is designated as Tax Parcel No. 089-064-39 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 R-4 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 20 day of November, 2017.

Royal Properties LLC

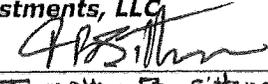
By: [Signature]
Name: D. H. Patel
Its: Owner/Manager

ATTACHMENT B

**REZONING PETITION NO. 2017-
C4 Investments, LLC**

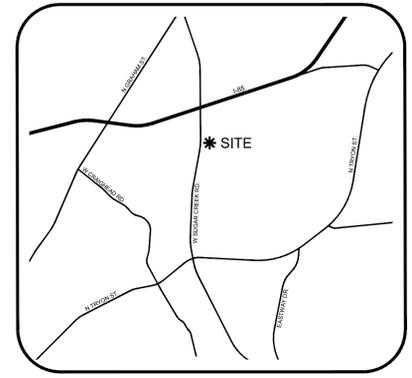
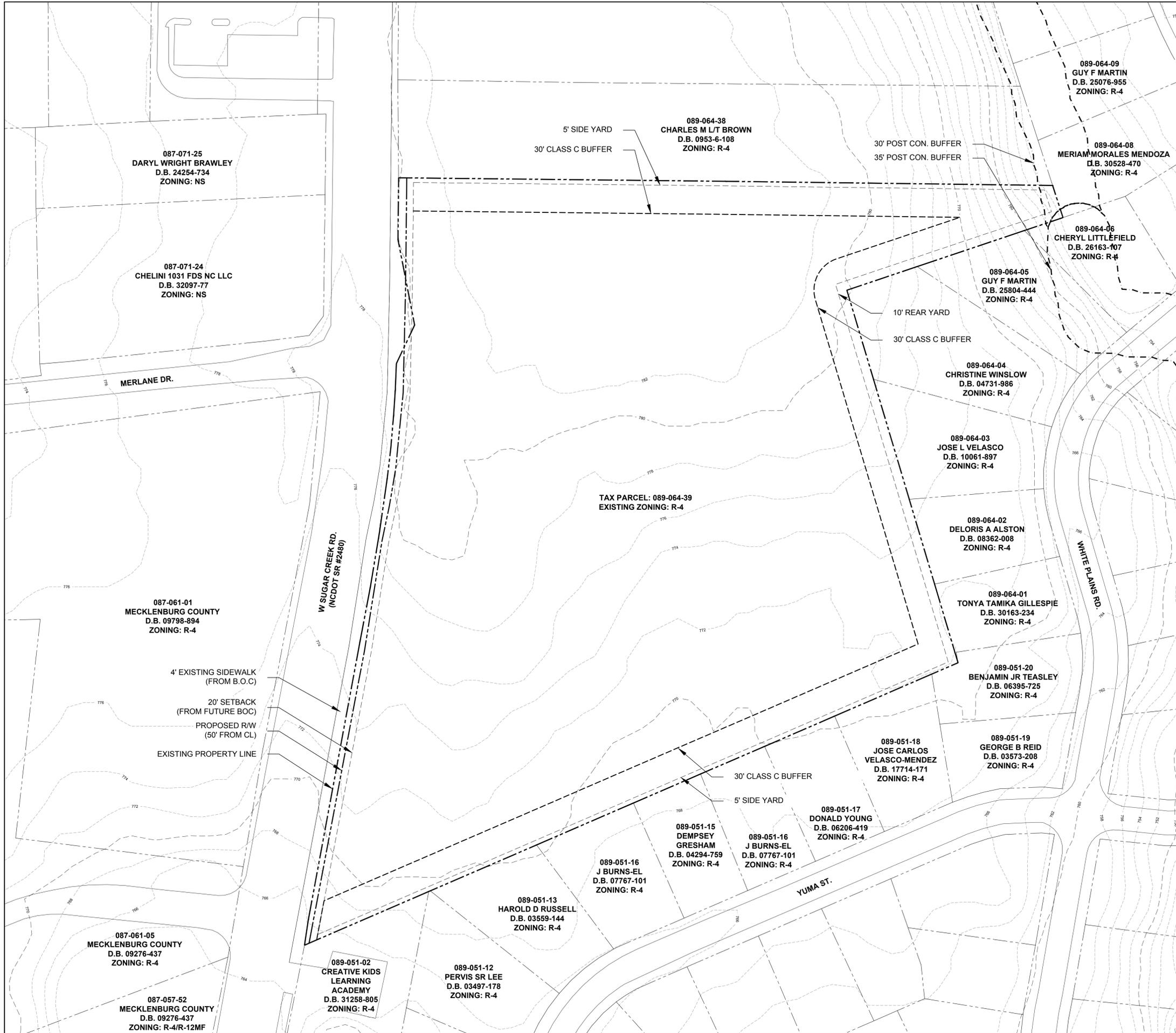
Petitioner:

C4 Investments, LLC

By: 

Name: Timothy D. Sitema

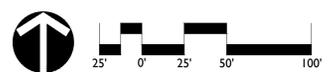
Title: Manager

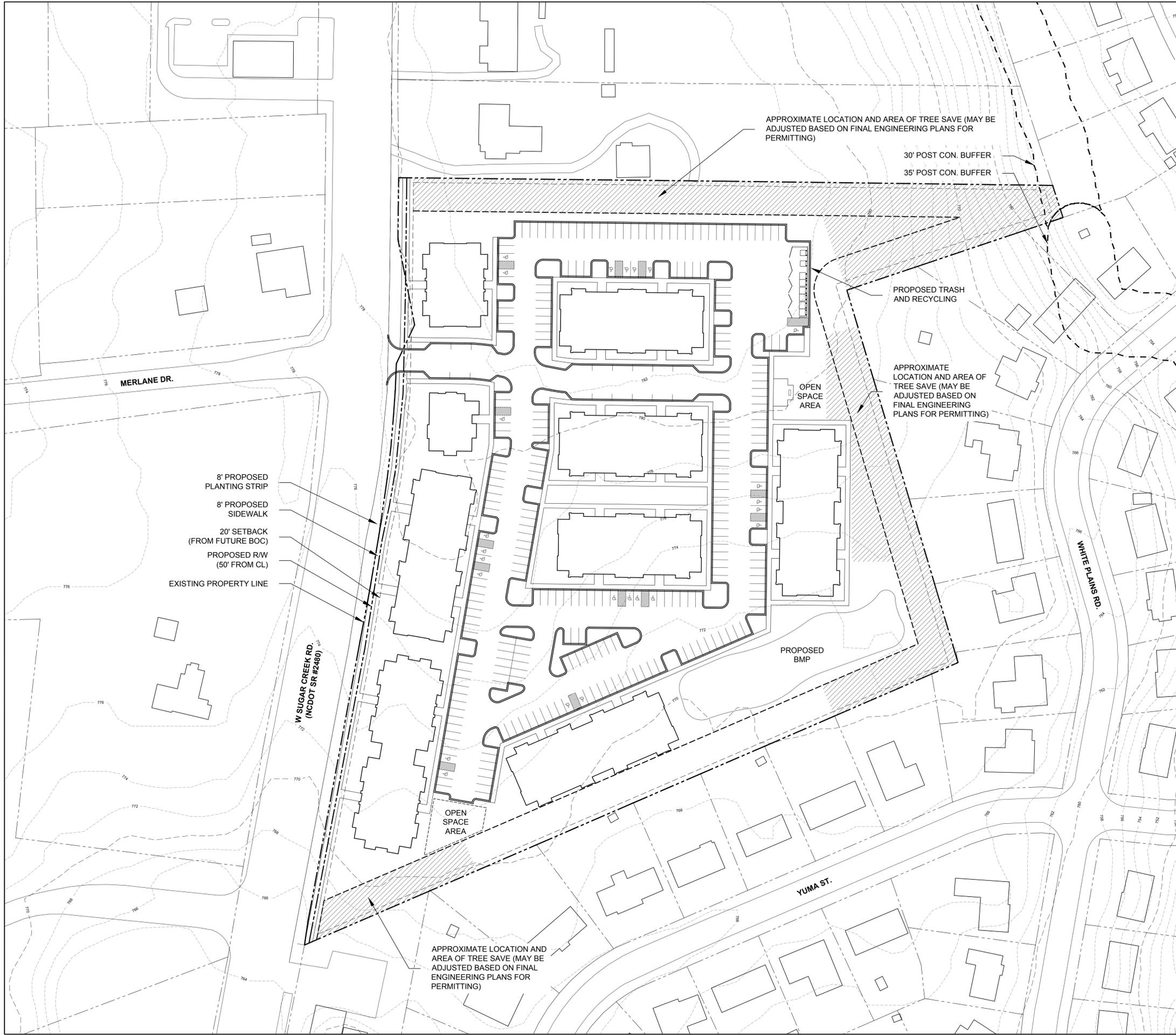


VICINITY MAP
NTS

SITE DEVELOPMENT DATA

- ACREAGE: ± 9.82 AC
- TAX PARCEL #: 089-064-39
- EXISTING ZONING: R-4
- PROPOSED ZONING: UR-2(CD)
- EXISTING USES: VACANT
- PROPOSED USES: UP TO 180 MULTI-FAMILY RESIDENTIAL DWELLING UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN UR-2 ZONING DISTRICT.



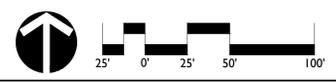


SITE LEGEND

- PROPERTY LINE
- SETBACK
- CLASS C BUFFER
- POST CONSTRUCTION BUFFER

REVISIONS:

DATE: 11/27/17
 DESIGNED BY: JY
 DRAWN BY: JY
 CHECKED BY: FM
 SCALE: 1"=50'
 PROJECT #: 1017333
 SHEET #:



C4 Investments, LLC
Development Standards
11/27/17
Rezoning Petition No. 2017-000

Site Development Data:

- Acreeage:** ± 9.82 acres
- Tax Parcel #:** 089-064-39
- Existing Zoning:** R-4
- Proposed Zoning:** UR-2(CD)
- Existing Uses:** vacant
- Proposed Uses:** Up to 180 multi-family residential 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:** The proposed buildings will be a maximum of three (3) story buildings. The allowed building height will be measured as required by the Ordinance.
- Parking:** Parking as required by the Ordinance will be provided.

1. General Provisions:

- a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by C4 Investments, LLC ("Petitioner") to accommodate the development of a 180 multi-family residential dwelling unit community on approximately 9.82 acre site located at 924 W Sugar Creek Road (the "Site").
- b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the UR-2 zoning classification shall govern.
- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

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

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

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

- d. **Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site shall not exceed 11. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site.

2. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with up to 180 multi-family residential dwelling units together with accessory uses as allowed by the UR-2 zoning district.
- b. Parking spaces and maneuvering for parking spaces may not be located between the proposed buildings and West Sugar Creek Road as generally depicted on the Rezoning Plan.

3. Access and Transportation:

- a. Access to the Site will be from West Sugar Creek Road in the manner generally depicted on the Rezoning Plan. Access to the Site will line up with Merlane Drive.
- b. The placement and configuration of the vehicular access points is subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT in accordance with applicable published standards.
- c. The Petitioner will dedicate 50 feet of right-of-way as measured from the existing center line of West Sugar Creek Road to the NCDOT.
- d. The Petitioner will dedicate and convey via a fee simple deed any additional right-of-way indicated on the proposed site plan prior to the issuance of the first certificate of occupancy. Right-of-way conveyance to be located two feet behind the sidewalk or a two (2) utility easement to be provided behind the sidewalk if two (2) feet right-of-way cannot be conveyed behind the sidewalk.
- e. Any required roadway improvement will be approved and constructed prior to the issuance of the first certificate of occupancy subject to the petitioner ability to post a bond for any improvements not in place at the time of the issuance of the first certificate of occupancy.
- f. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

4. Architectural Standards, Court Yards/Amenity Areas:

- a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits, canopies, and on handrails/railings; concrete masonry units not architecturally finished are prohibited as a building material.
- b. Preferred Exterior Building Materials: All principal and accessory buildings abutting West Sugar Creek Road shall comprise a minimum of 20% of that building's entire façade (exclusive, of windows and doors) facing West Sugar Creek Road using brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.
- c. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
- d. 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 20 percent Preferred Exterior Building Materials and/or architecturally finished concrete masonry units. The location of the proposed dumpster and recycling areas is generally depicted on the Rezoning Plan.

5. Streetscape, Buffers, Yards, and Landscaping:

- a. A 20 foot setback as measured from the future back of curb will be provided along West Sugar Creek Road as generally depicted on the Rezoning Plan. The last four (4) feet of the proposed setback may be used as a transition zone; the four (4) foot transition zone will be located between the back of the sidewalk and the face of the building if located outside of the R/W. The principle buildings will not be allowed to be located in the four (4) foot transition zone, however, stoops, porches, steps, rails, and similar items may be located within the transition zone.
- b. Cantilevered balconies located above the first floor may extend up to two (2) feet into the transition zone described in above.
- c. Along West Sugar Creek Road an eight (8) foot planting strip will be provided and a six (6) foot sidewalk will be provided as generally depicted on the Rezoning Plan.
- d. Along the Site's internal parking area, the Petitioner will provide a sidewalk and cross-walk network that links to the proposed buildings on the Site and to the sidewalks along West Sugar Creek Road in the manner depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.
- e. A 30 foot class C buffer will be provided where the Site abuts existing single-family homes as generally depicted on the Rezoning Plan. If the zoning on the adjoining property changes to a use or zoning no longer requiring a buffer as outlined in the Ordinance the buffer may be eliminated.
- f. Screening requirements of the Ordinance will be met.
- g. Above ground backflow preventers will be screened from public view and will be located outside of the proposed setback.

6. General Design Guidelines:

- a. The scale and massing of buildings longer than 120' along a street feet shall be minimized by utilizing a combination of the following options: (i) varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions; (ii) utilize building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses; (iii) utilize horizontal variation of a minimum of 8 inches and vertical variations of a minimum of 24 inches in wall planes; or (iv) provide enclosed balconies.
- b. The maximum contiguous area without windows or doors on any floor facing West Sugar Creek Road shall not exceed 20 feet in length. Where blank or unarticulated walls 20' or greater cannot be addressed principally with doors or windows, they shall be treated with a combination the following options: (i) provide a higher level of transparency on the ground floor (exaggerated or larger windows indicative of living areas); (ii) utilize horizontal and vertical variations in wall planes; and/or (iii) provide architectural protrusion.
- c. If the final architectural design cannot meet the design standards for blank wall articulation, alternative innovative design solutions may be considered for approval by the Planning Director or designee.
- d. Architectural Elevation Design - elevations shall be designed to create visual interest as follows:
 - (a) Building elevations shall be designed with vertical bays or articulated architectural façade features which shall include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors
 - (b) Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets. Such base may be executed through use of Preferred Exterior Building Materials or articulated architectural façade features and color changes
- e. Building entrances serving 50% or more of the units in a proposed building, and when provided along West Sugar Creek Road shall be at or slightly above grade (one to two feet above average grade) and shall be highly visible and architecturally treated as prominent pedestrian entrance through a combination of at least five (5) of the following features: (i) decorative pedestrian lighting/sconces; (ii) architectural details carried through to upper stories; (iii) covered porches, canopies, awnings or sunshades; (iv) archways; (v) transom windows; (vi) terraced or raised planters that can be utilized as seat walls; (vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (viii) double doors; (ix) stoops or stairs; and/or (x) contrasting pavement from primary sidewalk.
- f. Common and/or private individual unit entrances shall be provided along West Sugar Creek Road at intervals of no greater than 110 feet.
- g. Where a building is served by common entrances (not individual unit entrances) and cannot achieve the interval spacing, common usable open spaces, amenity areas or courtyards can be utilized to break up the wall plane.
- h. Individual residential unit entrances, if oriented to West Sugar Creek Road should give the appearance of a front door orientation rather than a back patio design and will provide a pedestrian connection to the proposed sidewalk along on West Sugar Creek Road.
- i. Balconies will be design so that their size and location maximize their intended use for open space. The balconies may encroach into the transition zone above the first story of the building.
- j. If breezeways are included in the proposed residential buildings on the Site, the breezeways shall be framed with architectural elements to minimize the size of the breezeway opening and to provide the appearance of an enclosed breezeway.
- k. All facades shall incorporate windows, arches, balconies or other architectural details along with varying build materials, or roof lines or building offsets.

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

- (a) 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
- (b) For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls

- m. Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street

7. Environmental Features:

- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- b. The location, size and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements, natural site discharge points, a future Greenway site, and the Renaissance Golf Course.
- c. The Site will comply with the Tree Ordinance.

8. Signage:

- a. Signage as allowed by the Ordinance will be provided.

9. Lighting:

- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
- b. Detached lighting on the Site will be limited to 26 feet in height. Street lights new and existing along West Sugar Creek Road are not subject to this standard.

10. Amendments to the Rezoning Plan:

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

11. Binding Effect of the Rezoning Application:

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

REVISIONS:

DATE: 11/27/17
DESIGNED BY:
DRAWN BY:
CHECKED BY:
SCALE:
PROJECT #: 1017333
SHEET #:

RZ-3

**WEST SUGAR CREEK AFFORDABLE
REZONING PETITION No. 2017-XXX**

CHARLOTTE, NC

DEVELOPMENT STANDARDS

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