

Rezoning Petition Packet

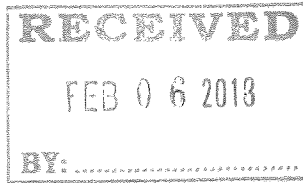
Petitions: 2018-016 through 2018-031

Petitions that were submitted by February 26, 2018

Staff Review Meeting: **March 22, 2018**

City Public Hearing: **To Be Determined**

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-016

Petition #:	_____
Date Filed:	2/6/18
Received By:	RH

Complete All Fields (Use additional pages if needed)

Property Owner: Michael Loeb

Owner's Address: 615 N Center St City, State, Zip: Hickory, NC 28601

Date Property Acquired: _____

Property Address: 1300 E Sugar Creek Rd, Charlotte, NC 28205

Tax Parcel Number(s): 09302207

Current Land Use: Vacant Land Size (Acres): 0.35

Existing Zoning: R-4 Proposed Zoning: R-5

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders

Date of meeting: 1/23/2018

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: _____

Michael Loeb
Name of Rezoning Agent

615 N Center St
Agent's Address

Hickory, NC 28601
City, State, Zip

828-999-2033
Telephone Number

Fax Number

michael.loeb22@gmail.com
E-Mail Address

Michael Loeb
Signature of Property Owner

Michael Loeb
(Name Typed / Printed)

Michael Loeb
Name of Petitioner(s)

615 N Center St
Address of Petitioner(s)

Hickory, NC 28601
City, State, Zip

828-999-2033
Telephone Number

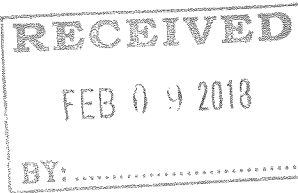
Fax Number

michael.loeb22@gmail.com
E-Mail Address

Michael Loeb
Signature of Petitioner

Michael Loeb
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2018-017
Date Filed: 2/9/18
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Underdogs LLC

Owner's Address: 1700 Mecklenburg Ave City, State, Zip: Charlotte, NC 28205

Date Property Acquired: November 28, 2017

Property Address: 901 E Arrowood Rd, Charlotte, NC 28217

Tax Parcel Number(s): 20523105

Current Land Use: Commercial Size (Acres): 2.09 acres

Existing Zoning: B-1 SCD Proposed Zoning: TOD-M

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

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

Date of meeting: January 30, 2018

(*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: _____

Caren Wingate
Name of Rezoning Agent

1030 Edgehill Rd S, Unit 103
Agent's Address

Charlotte, NC 28207
City, State, Zip

704-641-2154
Telephone Number Fax Number

cwingate@wingadgroup.com
E-Mail Address

[Signature]
Signature of Property Owner

Alex Smereczniak
(Name Typed / Printed)

Underdogs LLC
Name of Petitioner(s)

1700 Mecklenburg Avenue, Suite 1
Address of Petitioner(s)

Charlotte, NC 28205
City, State, Zip

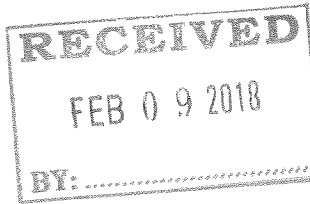
651.764.0342
Telephone Number Fax Number

alex@2ULaundry.com
E-Mail Address

[Signature]
Signature of Petitioner

Alex Smereczniak
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-018

Petition #:	_____
Date Filed:	2/9/2018
Received By:	<i>[Signature]</i>

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: 2010 The Plaza, 1926 The Plaza, 1925 Nassau Boulevard

Tax Parcel Number(s): 095-061-01, 095-061-02, and 095-061-26

Current Land Use: Hotel and events facility (Vanlandingham Estate) and single family residential Size (Acres): 4.54 acres

Existing Zoning: R-5, R-5(HD-O) & B-2(CD)(HD-O) Proposed Zoning: MUDD-O (HD-O)

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune

Date of meeting: 01/24/18 2/8/18

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: Requesting MUDD-O (HD-O) zoning to allow townhomes and uses allowed within MUDD district for the existing hotel as described in the development standards noted on sheet RZ-200 of the rezoning documents.

Colin M. Jenest, PE
ColeJenest & Stone, PA

Name of Rezoning Agent

200 South Tryon Street, Suite 1400

Agent's Address

Charlotte, NC 28202

City, State, Zip

704-971-4510 704-376-7851

Telephone Number Fax Number

cjenest@colejeneststone.com

E-Mail Address

See Attached Joinder Agreement

Signature of Property Owner

(Name Typed / Printed)

Unique Southern Estates, LLC
c/o Billy Maddalon

Name of Petitioner(s)

2010 The Plaza

Address of Petitioner(s)

Charlotte, NC 28205

City, State, Zip

704-376-3357

Telephone Number Fax Number

billy@vanlandinghamestate.com

E-Mail Address

See Attached Signature Page

Signature of Petitioner

(Name Typed / Printed)

Exhibit A to Rezoning Application Filed by Unique Southern Estates, LLC

Property Owner Information and Acquisition Dates

Tax Parcel No. 095-061-01

Unique Southern Estates, LLC
c/o Billy Maddalon
2010 The Plaza
Charlotte, NC 28205-3032

Date Property Acquired: April 2, 1998

Tax Parcel No. 095-061-02

Mark A. Maddalon
1926 The Plaza
Charlotte, NC 28205-3030

Date Property Acquired: October 29, 1999

Tax Parcel No. 095-061-26

Unique Southern Estates, LLC
c/o Billy Maddalon
2010 The Plaza
Charlotte, NC 28205-3032

Date Property Acquired: April 1, 2002

Signature of Unique Southern Estates, LLC

UNIQUE SOUTHERN ESTATES, LLC

By: B. D. D.

Name: BILLY MADDALON

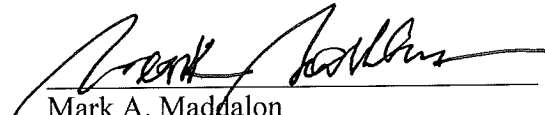
Title: MANAGING MEMBER

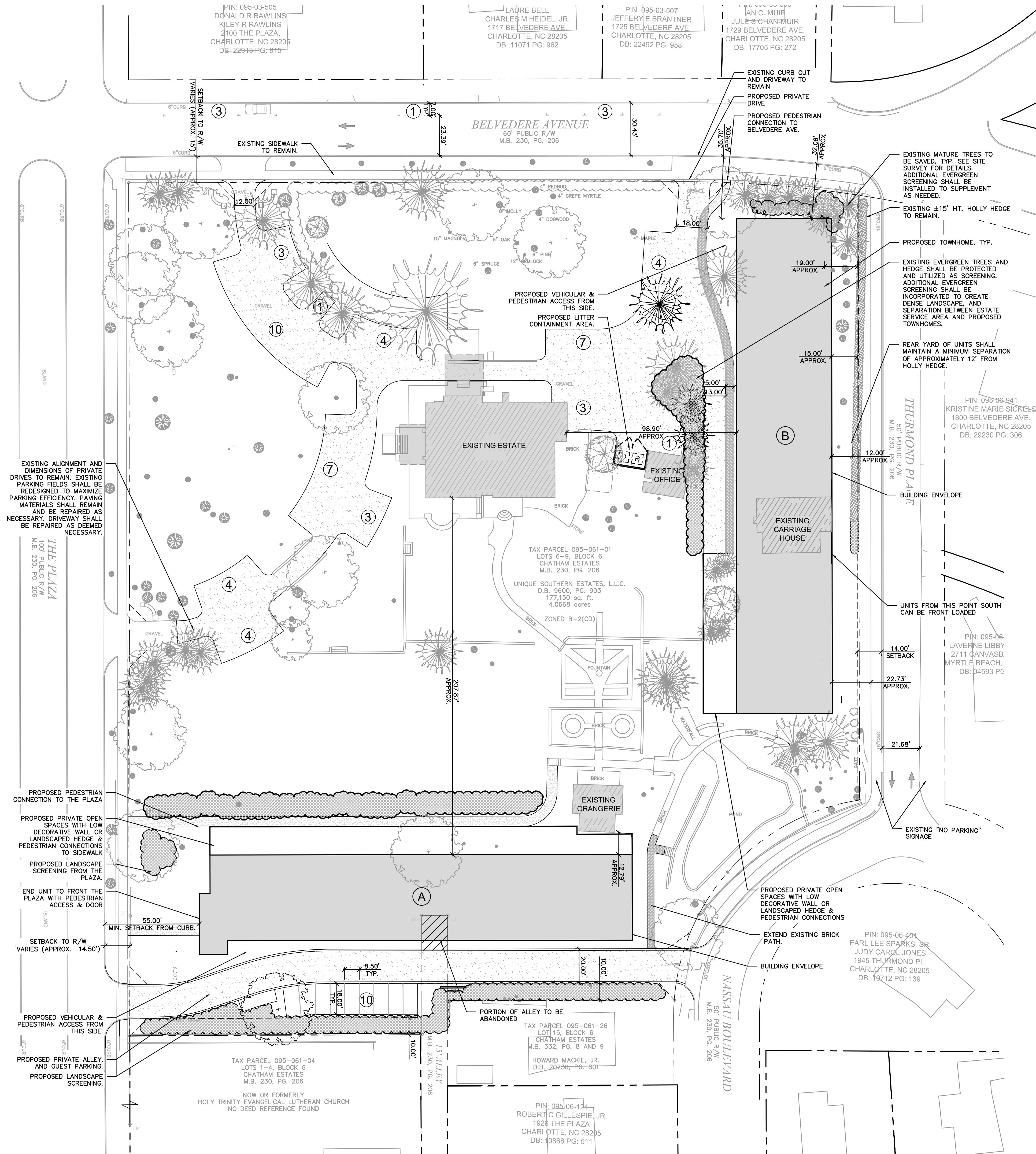
Date: January 21, 2018

**REZONING APPLICATION NO. 2018 - _____
UNIQUE SOUTHERN ESTATES, LLC, PETITIONER
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Unique Southern Estates, LLC that is designated as Tax Parcel No. 095-061-02 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the MUDD-O zoning district.

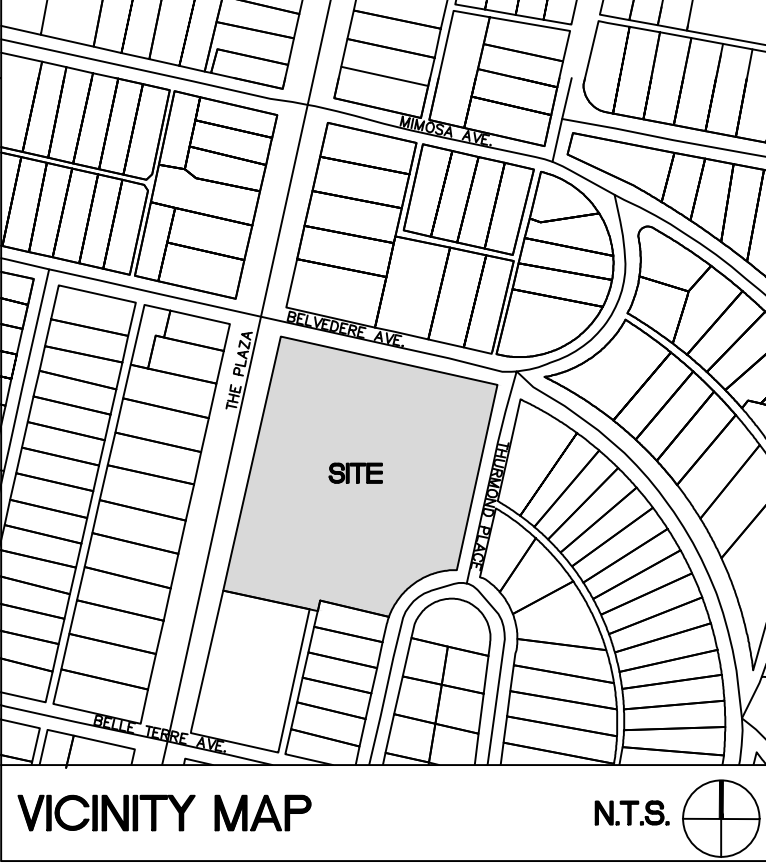
This 21 day of January, 2018.


Mark A. Maddalon



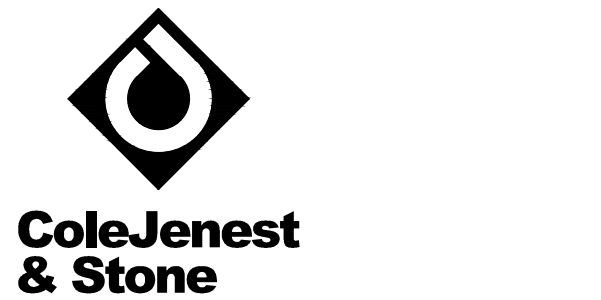
REZONING SUMMARY	
PETITIONER:	BILLY MADDALON 2010 THE PLAZA CHARLOTTE, NC 28205
PROPERTY OWNER:	BILLY MADDALON 2010 THE PLAZA CHARLOTTE, NC 28205
REZONING SITE AREA:	TOTAL: 4.521 AC
TAX PARCEL #:	095-06-101A 095-06-101B 095-06-102 095-06-126
EXISTING ZONING:	B-2 (CD) (HISTORIC DISTRICT OVERLAY) R-5 (HISTORIC DISTRICT OVERLAY)
PROPOSED ZONING:	MUDD-O (HISTORIC DISTRICT OVERLAY)
EXISTING USE:	HOTEL/ SINGLE FAMILY DETACHED
PROPOSED USE:	ALL USES ALLOWED IN THE MUDD ZONING DISTRICT EXCEPT AS DESCRIBED ON SHEET RZ-200
NUMBER OF UNITS:	UP TO 22 NEW SINGLE FAMILY ATTACHED 1 EXISTING HISTORIC STRUCTURE
MINIMUM SETBACK:	EXISTING RIGHT-OF-WAY OR 14' FROM BACK OF CURB, WHICH EVER IS GREATER SETBACK ALONG THURMOND PL. SHALL MATCH SETBACK OF EXISTING STRUCTURE.
MINIMUM REQUIRED PARKING:	AS REQUIRED BY THE ORDINANCE IN THE MUDD ZONING DISTRICT

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



SURVEY DISCLAIMER
BOUNDARY SURVEY, ISSUE DATE AUGUST 14, 2014. PROVIDED BY R.B. PHARR & ASSOCIATES, P.A., 420 HAWTHORNE LANE, CHARLOTTE, NC 28204, (336) 782-3796

LEGEND	
	PROPOSED BUILDING ENVELOPE
	EXISTING BUILDING ENVELOPE
	EXISTING TREE
	SIGNIFICANT EXISTING TREE TO BE PROTECTED WITHIN PROJECT AREA
	SIGNIFICANT PROPOSED TREE WITHIN PROJECT AREA
	PROPOSED LANDSCAPE SCREENING



Shaping the Environment
Realizing the Possibilities

Land Planning
+ Landscape Architecture
+ Civil Engineering
+ Urban Design

200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202
p+ 704 376 1555 f+ 704 376 7851
info- www.colejeneststone.com

BILLY MADDALON
2010 The Plaza
Charlotte
North Carolina 28205

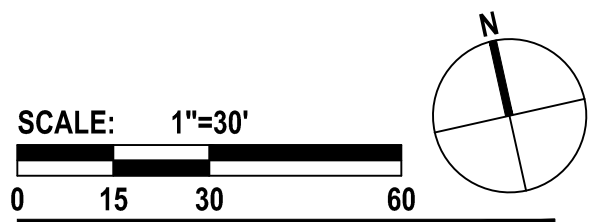
VANLANDINGHAM ESTATE

2010 The Plaza
Charlotte
North Carolina 28205

CONDITIONAL REZONING PLAN

Project No.
4344.01
Issued
02/26/18

Revised



RZ-100

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DEVELOPMENT STANDARDS

Febuary 22, 2018

GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Unique Southern Estates, LLC for an approximately 4.54-acre site located at the southeastern corner of the intersection of The Plaza and Belvedere Avenue, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the “Site”). The purpose of this rezoning request is to accommodate the development of up to 22 for sale single family attached dwelling units along portions of the perimeter of the Site and to maintain the existing Estate structures and grounds for use as noted on the plans.
- B. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the “Ordinance”). Subject to the optional provisions set out below, the regulations established under the Ordinance for the Mixed Use Development District (“MUDD”) zoning district shall govern the development of the Site.
- C. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback and yard requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
- D. Internal sidewalks generally depicted on the Rezoning Plan may be altered provided that such alterations do not materially change the design intent generally depicted on the Rezoning Plan.
- E. The parcels of land that comprise the Site may be recombined into one parcel at the option of the Petitioner.
- F. The Site is located in the Plaza Midwood Historic District and the Site and the existing principal structure (the “Main House”) have been designated as a historic landmark by the Charlotte City Council. Additionally, the Site has been designated as a National Historic Landmark.
- G. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

OPTIONAL PROVISIONS

The following optional provisions shall apply to the development of the Site:

- A. Parking and maneuvering space may be located between the buildings and structures located on the Site and the required setbacks from all adjacent public streets as more particularly depicted on the Rezoning Plan.
- B. Parking and maneuvering space may be located between the single family attached dwelling units and the required setback from Thurnmond Place as more particularly depicted on the Rezoning Plan.
- C. The existing sidewalks, planting strips and streetscape located along the Site's public street frontages shall remain in place.
- D. As depicted on the Rezoning Plan, screening hedges are located in portions of the setback.
- E. Notwithstanding the provisions of Section 12.529 of the Ordinance, only the internal pedestrian sidewalks and sidewalk connections that are more particularly depicted on the Rezoning Plan shall be required on the Site.
- F. Valet parking service area(s) may be located between the buildings and structures located on the Site and the adjacent public streets.

PERMITTED USES

- A. The Site may be devoted only to the uses permitted under the Ordinance in the MUDD zoning district, including any incidental or accessory uses associated therewith, except for the following:
- (1) Dormitories
 - (2) Athletic and sports facilities
 - (3) Civic, social service, and fraternal facilities
 - (4) Country and swim clubs
 - (5) Elementary and secondary schools
 - (6) Group homes, up to 10 residents
 - (7) Orphanages, children's homes, and similar non-profits
 - (8) Police and fire stations
 - (9) Post offices
 - (10) Stadiums, coliseums
 - (11) Adult establishment
 - (12) Automotive service stations, including minor adjustments, repairs, lubrication and accessory car washes
 - (13) Dry cleaning and laundry establishments, up to 4,500 square feet
 - (14) Equipment rental and leasing, within an enclosed building
 - (15) Showrooms, up to 70,000 square feet
 - (16) Accessory shelters
 - (17) Bus passenger stations
 - (18) Bus stop shelters
 - (19) Donation drop-off facility
 - (20) Electric and gas substations
 - (21) Homeless shelter
 - (22) Parking decks, structured
 - (23) Crematory, accessory to a funeral home

USE RESTRICTIONS

- A. Notwithstanding anything contained herein to the contrary, the use limitations and restrictions set out below shall apply to the Site.
- (1) The Site shall comply with the City of Charlotte Noise Ordinance.
 - (2) All amplified outdoor music on the Site must end by 10:30 PM on weekdays and 11:00 PM on weekends.
 - (3) Temporary structures such as stages and event tents will be located at least 40 feet from the right of way along The Plaza and Belvedere Avenue and 20 feet from the right of way of Thurnmond Place and the southwest property line. All temporary structures shall be erected no sooner than 24 hours prior to events and dismantled no later than 24 hours following events, and in no case shall they be erected or dismantled before 8:00 AM or after 9:00 PM except in case of emergency.
 - (4) With the exception of one event per calendar year, the maximum number of guests or attendees at a single event held in the Main House, the Orangerie and/or on the grounds of the Estate shall be 325. Staff shall not be counted towards the maximum number of guests or attendees.

TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation.
- B. The Site shall comply with the minimum parking requirements of the MUDD zoning district under the Ordinance.

ARCHITECTURAL AND DESIGN STANDARDS

- A. A maximum of 6 units per building block shall be permitted.
- B. The maximum height of the single family attached dwelling units to be constructed on the Site shall not exceed the height of the historic house.
- C. The existing Carriage House, existing Office, and existing Orangerie may be demolished if desired.
- D. Architectural renderings of the elevations of the single family attached dwelling units to be constructed on the Site and the exterior building materials shall be approved by the Charlotte-Mecklenburg Historic Landmarks Commission and the Charlotte Historic District Commission.
- E. The exterior building materials used on the single family attached dwelling units to be constructed on Site shall include stained or painted wood lap siding, painted cementitious-soffit at upper roof eaves, painted cementitious-board fascia at upper roof eaves, stone or simulated stone foundation walls and water tables with 4 inch brick rowlock coping, stained or painted wood overhead garage doors or simulated stained wood, simulated divided light double-hung and fixed windows and 30 year architectural composition roof shingles. Vinyl shall not be a permitted exterior building material.

SETBACK AND YARDS/STREETSCAPE/SCREENING

- A. Subject to any optional provisions, development of the Site shall comply with the setback, side yard and rear yard requirements of the MUDD zoning district.
- B. The existing sidewalks, planting strips and streetscape located along the Site's public street frontages shall remain in place.

ENVIRONMENTAL FEATURES

- A. Development of the Site shall be in compliance with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- B. Development of the Site shall comply with the City of Charlotte Tree Ordinance.

SIGNS

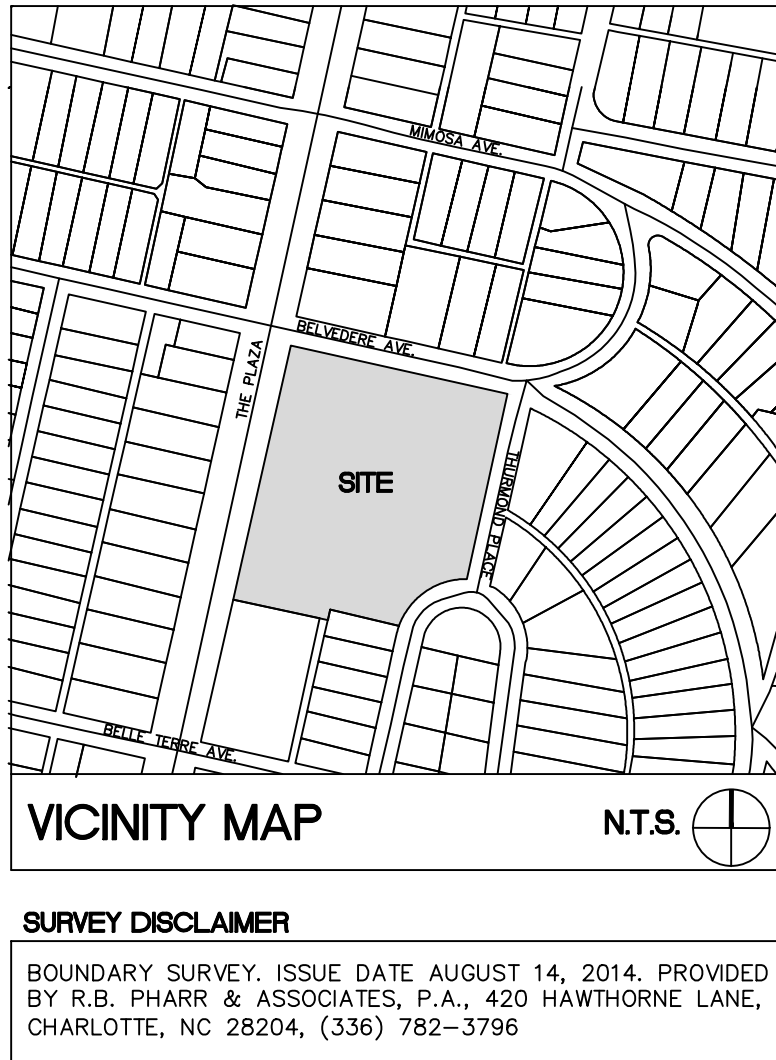
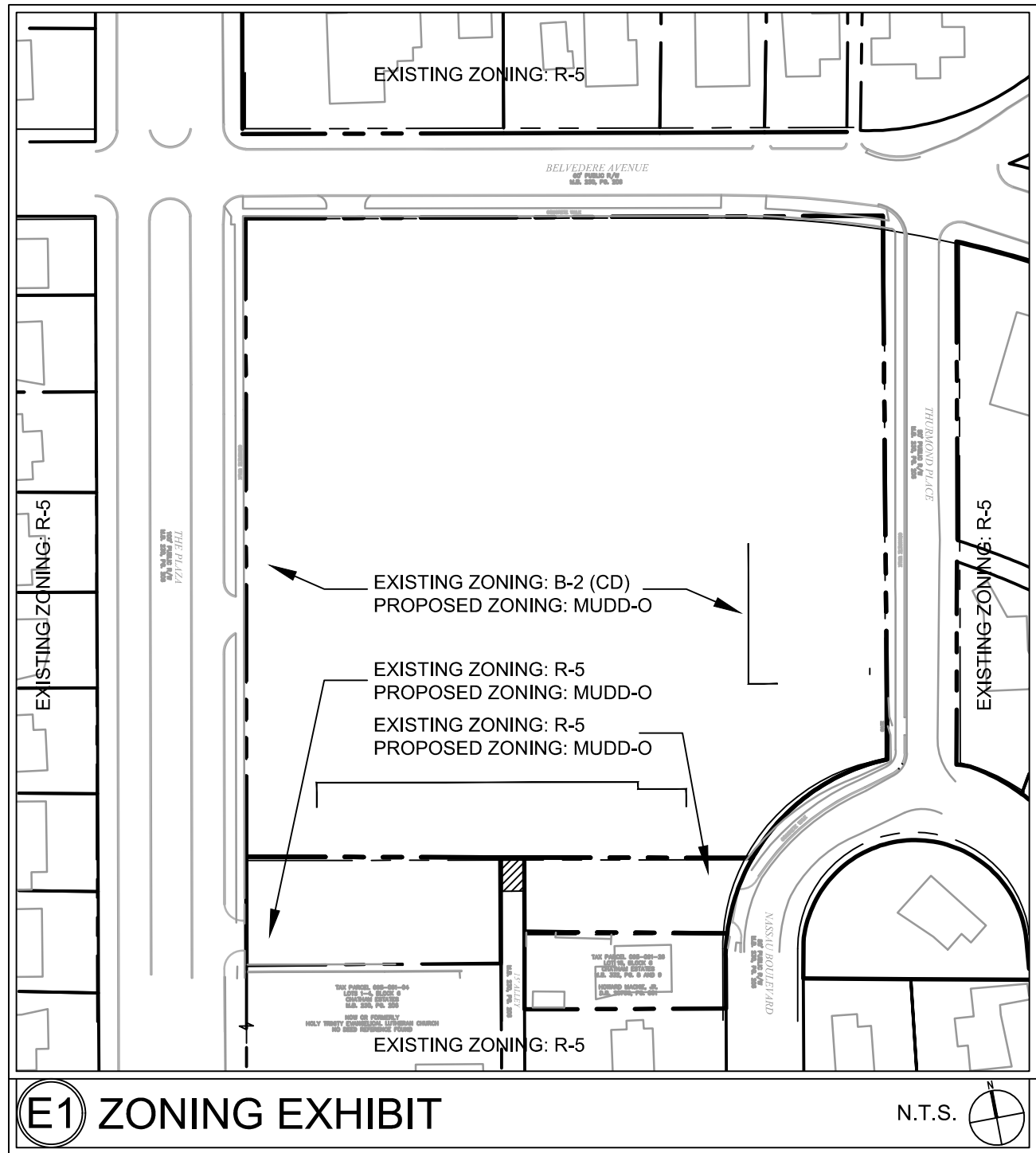
- A. All signs installed on the Site shall comply with the requirements of the Ordinance.

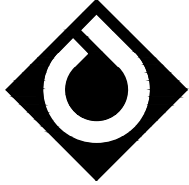
LIGHTING

- A. All new freestanding lighting fixtures installed on the Site (excluding street lights and lower, decorative lighting that may be installed along the driveways, sidewalks and parking areas) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
- B. The maximum height of any newly installed freestanding lighting fixtures on the Site shall be 20 feet, excluding street lights.
- C. Any new lighting fixtures attached to the structures on the Site shall be decorative, capped and downwardly directed, except for street lights.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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





**ColeJenest
& Stone**

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Realizing the Possibilities*

Land Planning
+ Landscape Architecture
+ Civil Engineering
+ Urban Design

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

**BILLY
MADDALON**

2010 The Plaza
Charlotte
North Carolina 28205

VANLANDINGHAM
ESTATE

2010 The Plaza
Charlotte
North Carolina 28205

DEVELOPMENT
STANDARDS

Project No.
4344.01

Issued
02/26/18

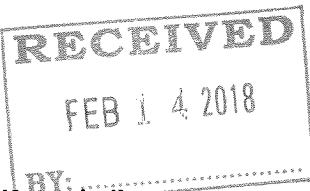
Revised



RZ-200

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**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-019

Petition #: _____
Date Filed: 2/14/2018
Received By: Bf

Complete All Fields (Use additional pages if needed)

Property Owner: Ricardo Torres

Owner's Address: _____ City, State, Zip: _____

Date Property Acquired: _____

Property Address: 3540 N. Sharon Amity Rd

Tax Parcel Number(s): 10301112

Current Land Use: OFFICE Size (Acres): .52 Ac

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

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Mandy Rosen, Isaiah Washington
Date of meeting: 2/11/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To replace existing building with a new structure. All other conditions of prior rezoning remain.

LUCIA GRIFFITH
Name of Rezoning Agent

224 W 10th ST.
Agent's Address

Charlotte NC 28202
City, State, Zip

704 5267600
Telephone Number Fax Number

lucia@metrolandmarks.com
E-Mail Address

[Signature]
Signature of Property Owner

Ricardo Torres
(Name Typed / Printed)

Ricardo Torres
Name of Petitioner(s)

Address of Petitioner(s)

City, State, Zip

Telephone Number Fax Number

E-Mail Address

[Signature]
Signature of Petitioner

Ricardo Torres
(Name Typed / Printed)

SITE DATA TABLE

Area of Site: 0.42 Acres
Proposed Use: as allowed for O-1 – Office and Business
Building area: 4,200 S.F. max.
Requested zoning: O-1 (CD)
Existing zoning: O-1 (CD)
Lot area: 18,295 sq.ft.

Buffer Requirements:
Class C Buffer –width: 7.5’ reduced 25% per Table 12.302(b)
Trees: 3 per 100 ft. (6’ high fence)
Shrubs: 20 per 100 ft.

Parking Requirements:
Required: 14 Spaces
1 Handicap Space Req.
Provided: 14 Spaces (1 HC)

Setbacks:
Front setback –20’
Side yards –10’
Rear yard – 20’

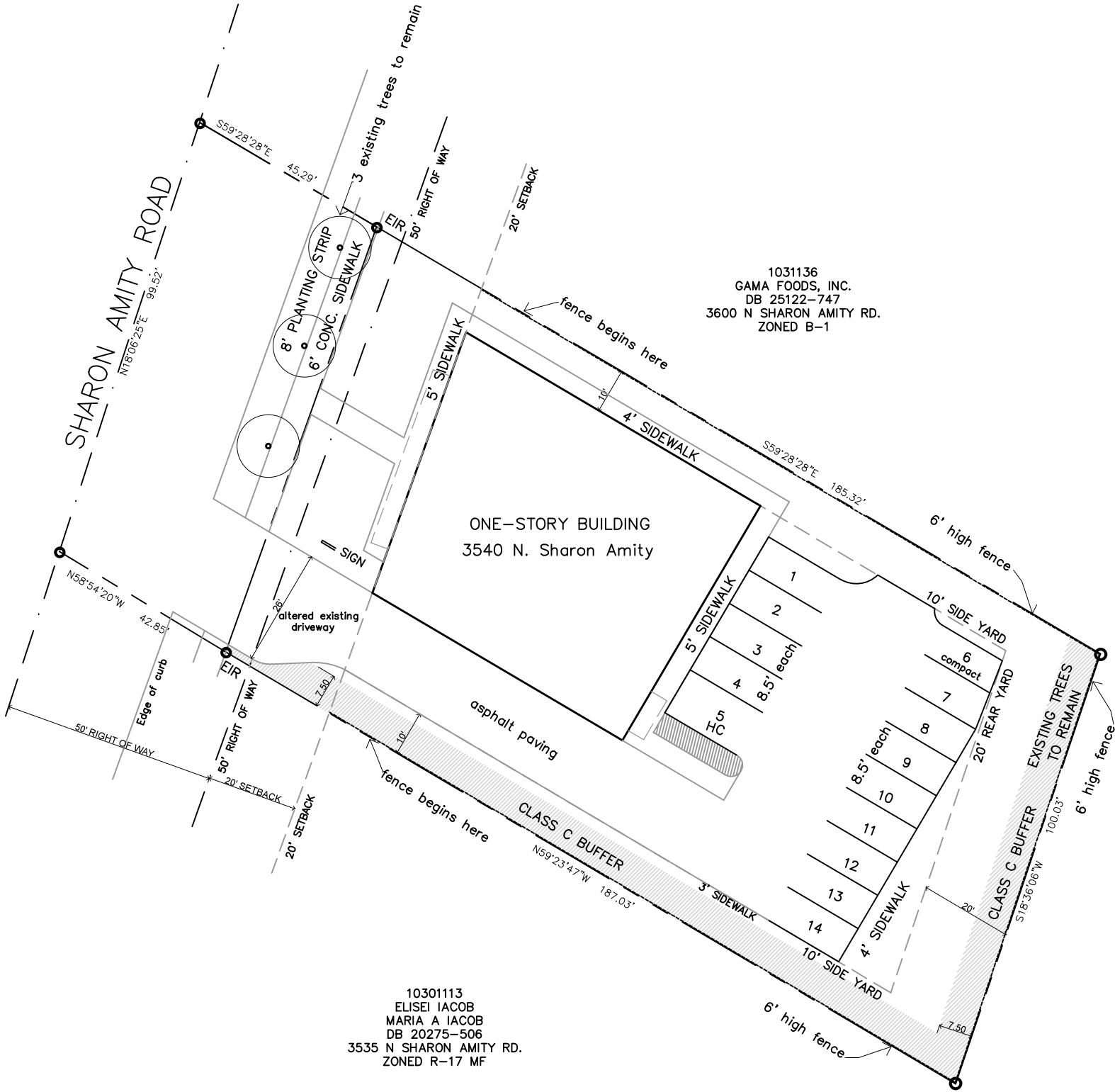
Driveway Requirements:

Driveway to be Drop Curb Type II Driveway w/ Monolithic Curb (without Radii)

Existing driveway width: 21’
Proposed driveway width: 26’–0” min.
Typical parking module: as noted

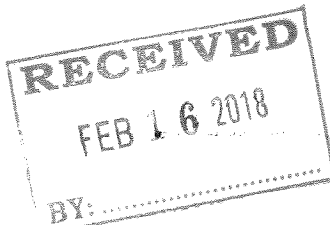
Driveway Notes:
1. A driveway permit will be applied for and submitted to CDOT for approval of altered existing driveway.
2. Exact location will be determined by DCOT.
3. All driveway permits to be in accordance with Charlotte Driveway Regulations.

This property is not located in a special flood hazard area per FEMA Panel Number 3710457300K 3/2/2009.



LEGEND:
● EIR Existing iron rod

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-020

Petition #:	_____
Date Filed:	2/16/2018
Received By:	BH

Complete All Fields (Use additional pages if needed)

Property Owner: LCRE Arrowood LLC

Owner's Address: 333 W Trade St, Suite 370 City, State, Zip: Charlotte, NC 28202

Date Property Acquired: September 1, 2017

Property Address: 809 E Arrowood Rd, Charlotte NC 28217

Tax Parcel Number(s): 20523107

Current Land Use: Commercial/Retail Strip Center Size (Acres): 3.16 acres

Existing Zoning: B-1 SCD Proposed Zoning: TOD=M

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

Required Rezoning Pre-Application Meeting* with: John Kinley, Grant Meacci, Jason Prescott, Michael Russell, Carlos Alzate

Date of meeting: February 12, 2018

(*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: _____

Caren Wingate
Name of Rezoning Agent

1030 Edgehill Rd S, Unit 103
Agent's Address

Charlotte, NC 28207
City, State, Zip

704-641-2154 _____
Telephone Number Fax Number

cwingate@wingadgroup.com
E-Mail Address

[Signature]
Signature of Property Owner

Jon Dixon
(Name Typed / Printed)

LCRE Arrowood LLC
Name of Petitioner(s)

333 W Trade St, Suite 370
Address of Petitioner(s)

Charlotte, NC 28202
City, State, Zip

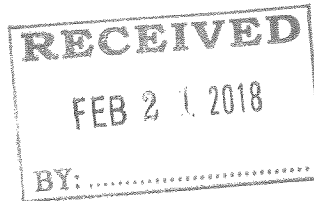
704.900.7307 _____
Telephone Number Fax Number

Jon.Dixon@lcrepartners.com
E-Mail Address

[Signature]
Signature of Petitioner

Jon Dixon
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-021

Petition #: _____
Date Filed: 2/21/2018
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Michael Melton
Owner's Address: 3000 Johnston Dehler Rd City, State, Zip: Charlotte NC 28205
Date Property Acquired: 10-25-06
Property Address: 3100 The Plaza Charlotte NC 28205
Tax Parcel Number(s): 09309201
Current Land Use: Retail Size (Acres): 0.370 GIS Acre
Existing Zoning: Conditional B-1(CD) Proposed Zoning: Conventional B-1
Overlay: Retail Store (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Soldman Fortune
Date of meeting: 2-20-18

(*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: _____

Name of Rezoning Agent

Agent's Address

City, State, Zip

Telephone Number

Fax Number

mike@TheTireDepot.com
E-Mail Address

[Signature]
Signature of Property Owner

(Name Typed / Printed)

Michael Melton
Name of Petitioner(s)

3000 Johnston Dehler Rd
Address of Petitioner(s)

Charlotte NC 28269
City, State, Zip

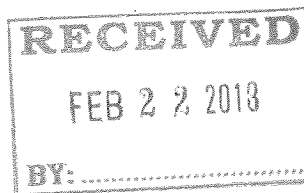
704-201-3664 704-334-0646
Telephone Number Fax Number

mike@TheTireDepot.com
E-Mail Address

[Signature]
Signature of Petitioner

Michael Melton
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-022

Petition #: _____
Date Filed: 2/22/2018
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Short Development Group, LLC

Owner's Address: 2328 Bay Street City, State, Zip: Charlotte, NC, 28205

Date Property Acquired: October 8, 2013

Property Address: 700 East Woodlawn Road, Charlotte, NC 28209

Tax Parcel Number(s): 17101152

Current Land Use: Single Family Size (Acres): 1.57 Acres

Existing Zoning: UR-2 (CD)(SPA) Proposed Zoning: UR-2 (CD)(SPA)

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

Required Rezoning Pre-Application Meeting* with: John Kinley

Date of meeting: February 6, 2018

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: _____

Brian Smith
Name of Rezoning Agent

1318 E-6 Central Avenue
Agent's Address

Charlotte, NC, 28205
City, State, Zip

(704)334-3303 (704)334-3305
Telephone Number Fax Number

Brian@urbandesignpartners.com
E-Mail Address

[Signature]
Signature of Property Owner

Kyle Short
(Name Typed / Printed)

Kyle Short
Name of Petitioner(s)

2328 Bay Street
Address of Petitioner(s)

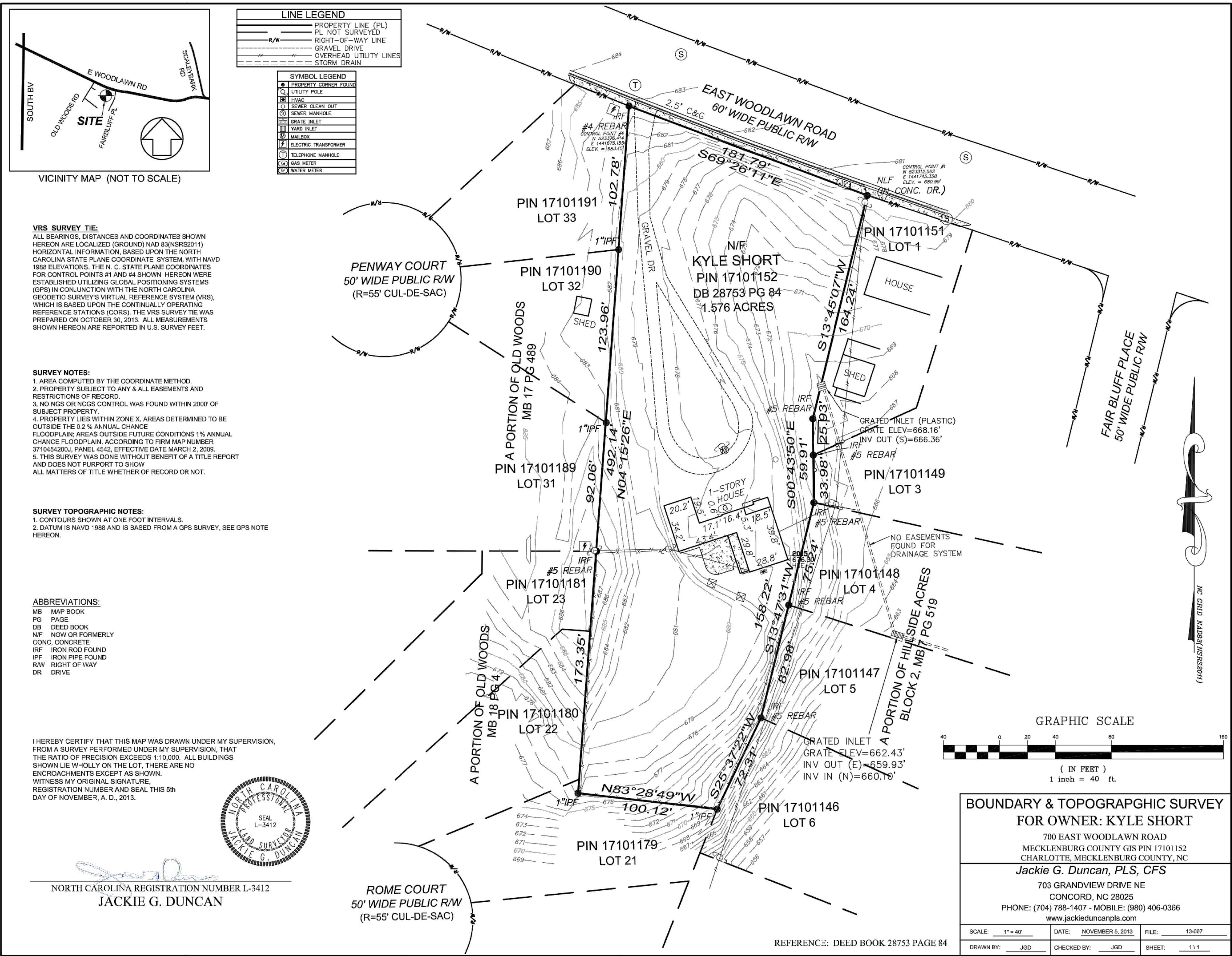
Charlotte, NC, 28205
City, State, Zip

(704)258-2396
Telephone Number Fax Number

Kyle.A.Short@Gmail.com
E-Mail Address

[Signature]
Signature of Petitioner

Kyle Short
(Name Typed / Printed)



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



TAX PARCEL ID #:	17101152
TOTAL SITE AREA:	1.57
EXISTING ZONING:	UR-2 (CD)(SPA)
DENSITY:	12.10 DUA
SETBACKS:	
FRONT:	14' FROM BACK OF FUTURE CURB
SIDE:	5'
REAR:	10'
MAX. BUILDING HEIGHT:	3 STORIES
PROPOSED USE:	TOWNHOMES
VEHICULAR PARKING:	
REQUIRED:	1 PER UNIT, 3 PER UNIT MAX*
PROPOSED:	44 (2 SPACES PER UNIT & 6 SHARED SPACES)
TREE SAVE:	
REQUIRED:	10,300 SF (15%)
PROPOSED:	MIN. 15%
	* SITE IS OUTSIDE OF ROUTE 4

- General Provisions**

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Short Development Group, LLC ("Petitioner") to accommodate the development of a residential community on that approximately 1.57 acre site located on the south side of Woodlawn Road, east of the intersection of Woodlawn Road and Old Woods Road, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel No. 171-011-52.
2. Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 zoning district shall govern the development and use of the Site.
4. Future amendments or modifications to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations or modifications to the Rezoning Plan are subject to Section 6.207 of the Ordinance.
- B. Permitted Uses**

1. The Site may be devoted only to a residential community containing a maximum of 19 attached dwelling units and to any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district. These accessory uses may include, but not be limited to, detached garages.
- C. Transportation**

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access point is subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.

2. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan.

3. The Petitioner shall dedicate and convey additional Right of Way along the site's frontage measuring fifty (50) feet from the centerline of the roadway as more generally depicted on the Rezoning Plan. This dedication and conveyance will be recorded prior to the issuance of the first Certificate of Occupancy.

4. All transportation improvements will be constructed and approved before the site's first building Certificate of Occupancy is issued.
- D. Architectural Standards**

1. The maximum height in stories of the dwelling units shall be 3 stories.

2. Exterior building materials may include brick/masonry, fiber cement siding, asphalt roofing, glazing/windows, and stucco, or a combination thereof. Vinyl is not allowed as a material except on windows and soffits.

3. For sale townhomes will include 400 square feet of private open space per subplot in accordance with Section 9.406 of the Ordinance.

4. To provide privacy, all residential entrances must be raised from the average internal sidewalk grade a minimum of 12 inches.

5. Pitched roofs shall be sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12.

6. All corner/end units that face a public street will include architectural embellishments such as, but not limited to, windows on each floor, bays, exterior wall openings, projections, and chimneys but are not required to have a "front door" or porch/stoop.

7. Garage doors visible from public streets should minimize the visual impact by additional architectural elements such as translucent windows or projecting elements over the garage door opening.

1. An 18 foot planting strip and a 6 foot sidewalk shall be installed along the Site's frontage on Woodlawn Road as generally depicted on the Rezoning Plan.
2. A 10 foot Class C Buffer will be provided along the property boundaries abutting single family uses as generally depicted on the Rezoning Plan. The Class C buffer along the western property line will include a 6 foot height screening fence and required plantings to comply with the Class C buffer plantings requirements. The Class C buffer along the southern and eastern property lines will include shrub and tree plantings as required to comply with the Class C buffer plantings requirements. Evergreen shrubs and trees will be selected so as to attain a minimum 8' height at time of maturity.
3. A sidewalk will be provided along the internal residential alley as generally depicted on the Rezoning Plan to connect all residential entrances to sidewalks along the adjacent public street.

F. Environmental Features

1. The site will comply with the City of Charlotte Tree Ordinance.
2. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance. The location, size, and type of stormwater 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 to accommodate actual stormwater treatment requirements and natural discharge points.

G. Lighting

1. 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.
2. The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed 21 feet.
3. Any lighting fixtures attached to the buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

H. Binding Effect of the Rezoning Documents and Definitions

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

[illegible]

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

Short Development
Group, LLC

2328 Bay Street
Charlotte, NC 28205

Woodlawn Townhomes

Rezoning Site Plan

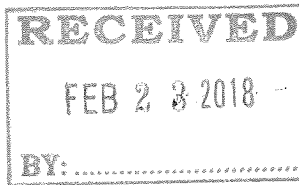
Charlotte, North Carolina

NO. DATE: BY: REVISIONS:

Project No: 16-064
Date: February 22, 2018
Designed by: UDP
Drawn By: HMC
Sheet No:

RZ-1.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-023

Petition #:	
Date Filed:	2/23/2018
Received By:	JH

Complete All Fields (Use additional pages if needed)

Property Owner: Jason Idilbi

Owner's Address: 509 Spring Street City, State, Zip: Davidson, NC 28036

Date Property Acquired: 2016

Property Address: 3346 Spencer Street Charlotte, NC 28205

Tax Parcel Number(s): 091-091-29

Current Land Use: Residential Size (Acres): 0.54

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

Overlay: 36th Street Station (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Planning, CDOT, Subdivision

Date of meeting: 2/15/2018 2:00pm

(*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): n/a

Purpose/description of Conditional Zoning Plan: Provide for up to 3 detached residential units - reference site plan for additional information.

Urban Design Partners PLLC
Name of Rezoning Agent

1318-e6 Central Ave
Agent's Address

Charlotte, NC 28205
City, State, Zip

704-334-3303 704-334-3304
Telephone Number Fax Number

Paul@UrbanDesignPartners.com
E-Mail Address


Signature of Property Owner

Jason Idilbi
(Name Typed / Printed)

Jason Idilbi
Name of Petitioner(s)

509 Spring Street
Address of Petitioner(s)

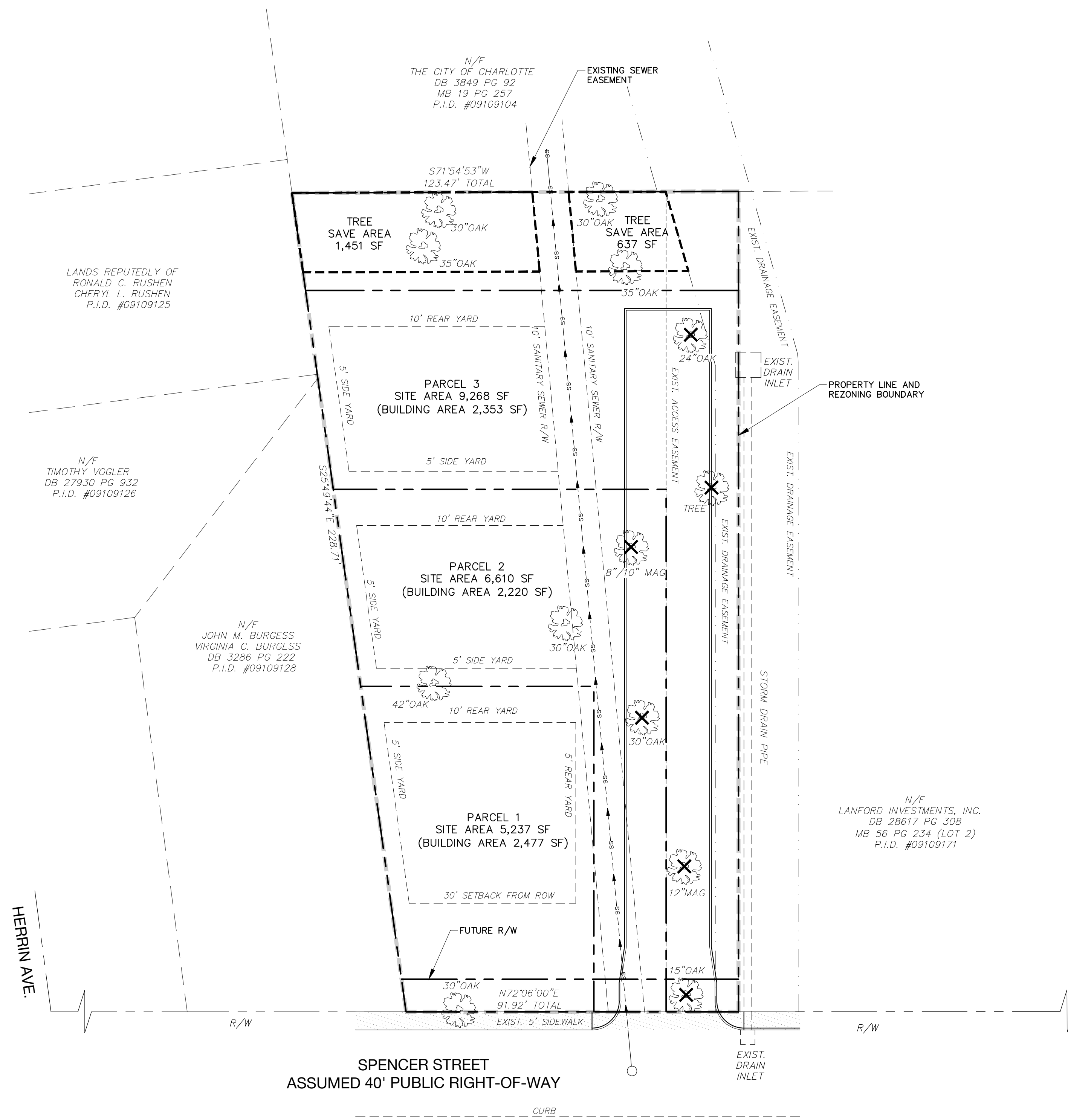
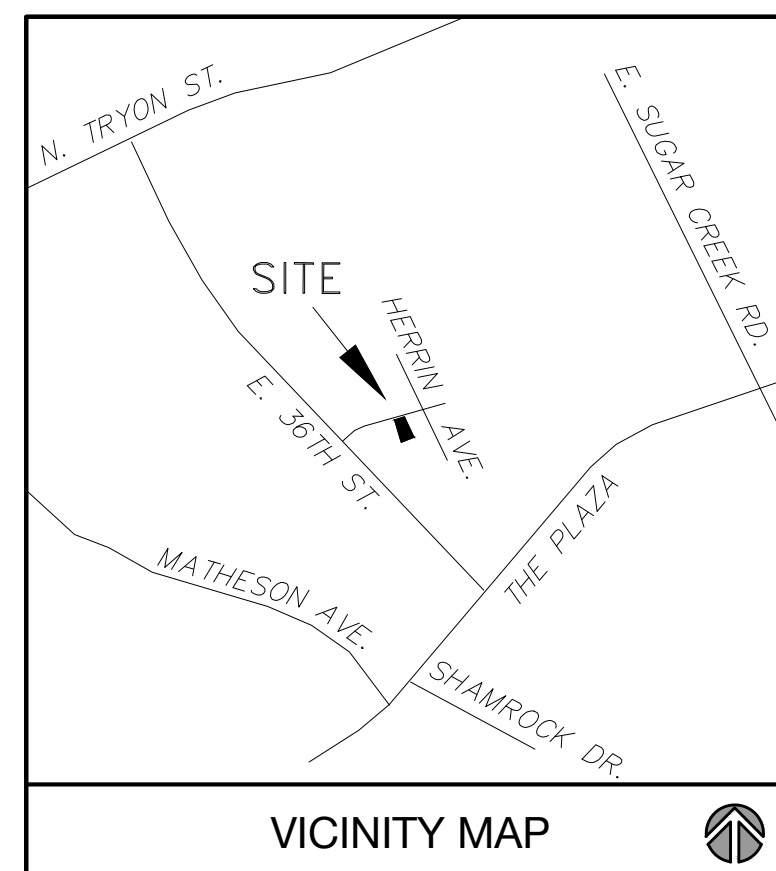
Davidson, NC 28036
City, State, Zip

202-531-8999
Telephone Number Fax Number

Jason.Idilbi@gmail.com
E-Mail Address


Signature of Petitioner

Jason Idilbi
(Name Typed / Printed)



DEVELOPMENT SUMMARY

TAX PARCEL ID:	091-091-29
TOTAL SITE AREA:	±0.561 ACRES
ZONING:	
EXISTING:	R-5
PROPOSED:	UR-2(CD)
PROPOSED USE:	UP TO (3) SINGLE FAMILY DETACHED UNITS
DENSITY:	5.2 DUA
PARKING:	
REQUIRED:	MIN. 1, MAX. 2 SP/UNIT
PROVIDED:	2 SPACES PER UNIT

Development Standards

A. GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY JASON IDLBI ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF THREE SINGLE FAMILY DETACHED RESIDENTIAL UNITS ON THAT APPROXIMATELY 0.540-ACRE SITE LOCATED ON THE SOUTH SIDE OF SPENCER STREET, WEST OF THE INTERSECTION OF SPENCER STREET AND HERRIN AVENUE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NO. 091-091-29.
2. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").
3. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
4. FUTURE AMENDMENTS OR MODIFICATIONS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS OR MODIFICATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

B. PERMITTED USES

1. THE SITE MAY BE DEVOTED ONLY TO A MAXIMUM OF THREE (3) DETACHED RESIDENTIAL DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE UR-2 ZONING DISTRICT

C. TRANSPORTATION

1. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE ACCESS AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.
2. THE PETITIONER SHALL PROVIDE ADDITIONAL RIGHT OF WAY DEDICATION ON SITE AS MEASURED FROM THE EXISTING SPENCER STREET BACK OF CURB TO PROVIDE FOR THE CITY STANDARD 8' LANDSCAPE STRIP AND 6' SIDEWALK.

D. ARCHITECTURAL STANDARDS

RESERVED

E. STREETSCAPE/LANDSCAPING

RESERVED

F. ENVIRONMENTAL FEATURES

RESERVED

G. LIGHTING


1. 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.
2. ANY LIGHTING FIXTURES ATTACHED TO THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

H. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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

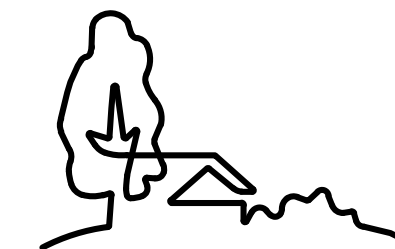


GRAPHIC SCALE



1 INCH = 20 FEET

REZONING PETITION #2018-XXX



URBAN
DESIGN
PARTNERS

1318-e6 central ave. P 704.334.330
charlotte, nc 28205 F 704.334.330
urbandesignpartners.com
ncbels firm no: P-0418
sc coa no: C-03044

Jason Idilbi

3346 Spencer St.

Rezoning Site Plan

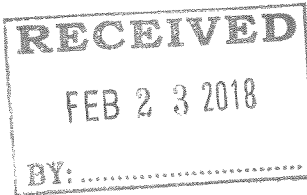
Charlotte, North Carolina

NO. DATE: BY: REVISIONS:

Project No: 17-009
Date: 02.26.2018
Designed by: udp
Drawn By: udp
Scale: 1"=20'
Sheet No:

RZ-1.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-024

Petition #:	_____
Date Filed:	<u>2/23/2018</u>
Received By:	<u>RF</u>

Complete All Fields (Use additional pages if needed)

Property Owner: Marcelo Halpern; Kenneth W. and Mary K. Turco; Nicholas and Christine Irwin; David C. Welling

Owner's Address: 2742 Picardy Pl; 1305, 1309 Reece Rd; 405 Jefferson Rd City, State, Zip: Charlotte, NC 28209; 28270

Date Property Acquired: 4/18/2008; 3/5/2012; 2/27/2014; 11/21/1991

Property Address: 1301, 1305, 1309, 1313 Reece Road

Tax Parcel Number(s): 175-182-21, 175-182-22, 175-182-23, and 175-182-24

Current Land Use: Residential Size (Acres): +/- .87 acres

Existing Zoning: R-22MF Proposed Zoning: NS

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, Isalah Washington, and Catherine Mahoney
Date of meeting: 9/27/2017

(*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): No

Purpose/description of Conditional Zoning Plan: To accommodate the development of up to 20 "for sale" single-family townhome units with potential for a live-work housing component.

Collin W. Brown & 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 704-353-7598
Telephone Number Fax Number

Collin.Brown@klgates.com / Brittany.Lins@klgates.com
E-Mail Address

See attached Joinder Agreement
Signature of Property Owner

(Name Typed / Printed)

The Drakeford Company
Name of Petitioner(s)

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

Charlotte, NC 28207
City, State, Zip

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

bobby@tdcrealestate.com
E-Mail Address

Robert T. Drakeford
Signature of Petitioner

Robert T. Drakeford
(Name Typed / Printed)

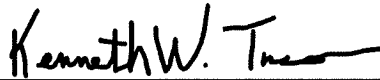
REZONING PETITION NO. 2018-xxx

THE DRAKEFORD COMPANY, PETITIONER

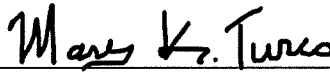
JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 1305 Reece Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 175-182-22 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 16 day of February, 2018



Kenneth W. Turco



Mary K. Turco

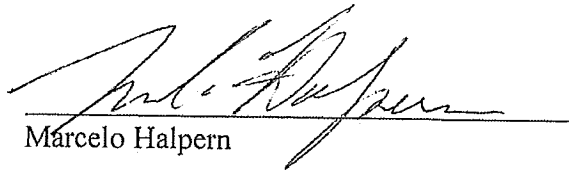
REZONING PETITION NO. 2018-xxx

THE DRAKEFORD COMPANY, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 1301 Reece Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 175-182-21 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This __15__ day of february__, 2018


Marcelo Halpern

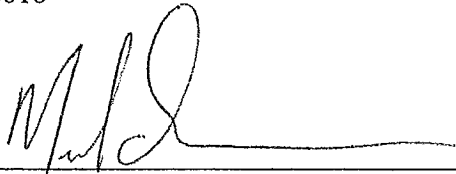
REZONING PETITION NO. 2018-xxx

THE DRAKEFORD COMPANY, PETITIONER

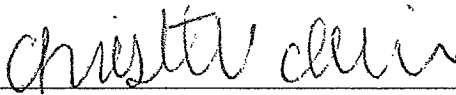
JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 1309 Reece Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 175-182-23 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 15 day of February, 2018

A handwritten signature in black ink, appearing to read 'N. Irwin', written over a horizontal line.

Nicholas Irwin

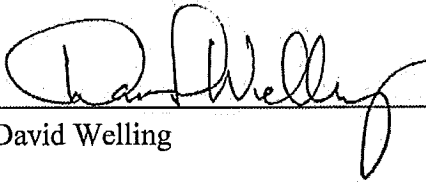
A handwritten signature in black ink, appearing to read 'Christine Irwin', written over a horizontal line.

Christine Irwin

REZONING PETITION NO. 2018-xxx
THE DRAKEFORD COMPANY, PETITIONER
JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 1313 Reece Road in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 175-182-24 on the Mecklenburg County Tax Maps and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment as more particularly set out on the associated conditional rezoning plan.

This 21 day of February, 2018



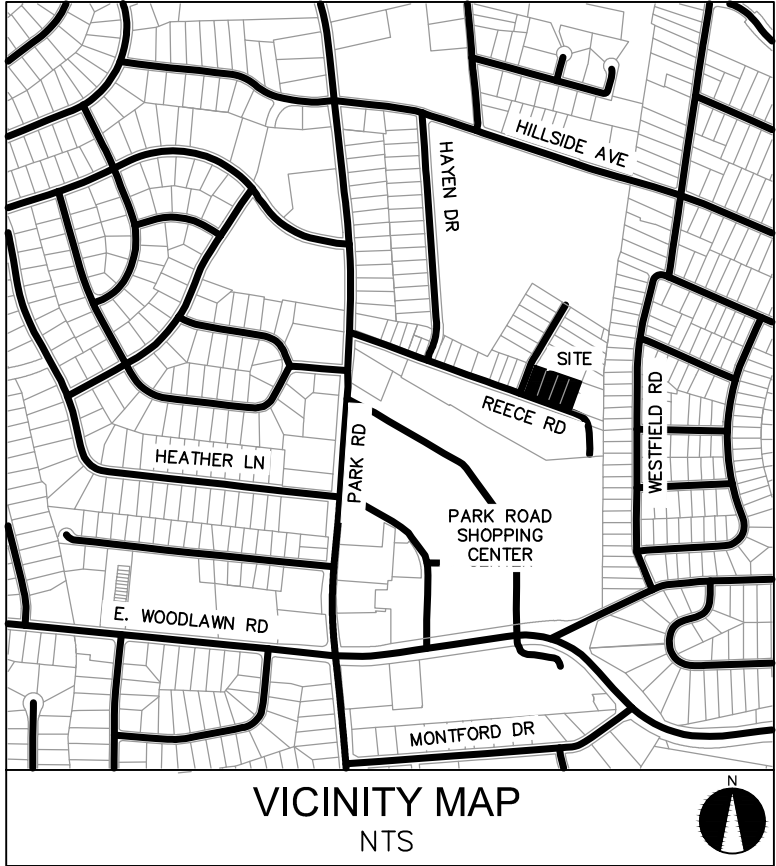
David Welling

C:\Users\paul\OneDrive\Documents\Projects\2018\REZONING\RECE ROAD SITE\DWG\RECE ROAD SITE.DWG - STUDY FILE 14 - 8-29-2018 10:23:18 AM



SITE DEVELOPMENT DATA

SITE AREA: ±0.874 AC. (±38,108 SF)
TAX PARCEL ID #: 17518221, 17518222, 17518223, AND 17518224
EXISTING ZONING: R-22MF
PROPOSED ZONING: NS
EXISTING USE: SINGLE FAMILY DETACHED
PROPOSED USE: UP TO 21 SINGLE FAMILY ATTACHED TOWNHOME UNITS AND 1 MIXED USE DWELLING UNIT (TOTAL OF 22 UNITS)
DENSITY PROPOSED: ±25.1 UNITS PER ACRE
BUILDING HEIGHT: 50' MAXIMUM
PARKING PROVIDED: SHALL MEET ORDINANCE REQUIREMENTS



1. GENERAL PROVISIONS.

THESE DEVELOPMENT STANDARDS FORM PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY THE DRAKEFORD COMPANY (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL TOWNHOME COMMUNITY WITH A LIVE-WORK COMPONENT ON THAT APPROXIMATELY 0.847 ACRE SITE LOCATED ON REECE ROAD, WHICH IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBERS 17518221, 17518222, 17518223, AND 17518224.

DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"), UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS. THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE NS ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

INASMUCH AS PLANNING FOR THE PROPOSED REDEVELOPMENT 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 BUILDINGS AND PARKING AREAS DEPICTED ON THE REZONING PLAN 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 REZONING PLAN 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 NS DISTRICT.

2. PERMITTED USES AND MAXIMUM DEVELOPMENT

THE SITE MAY BE DEVELOPED WITH UP TO TWENTY-ONE (21) SINGLE-FAMILY ATTACHED DWELLING UNITS (TOWNHOMES) AND ONE (1) MIXED USE DWELLING UNIT (FOR A TOTAL OF 22 UNITS), TOGETHER WITH ANY INCIDENTAL AND ACCESSORY USES RELATED THERETO THAT ARE ALLOWED IN THE NS ZONING DISTRICT.

3. TRANSPORTATION

A) VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT SHOWN ON THE REZONING PLAN IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL.

B) 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.

4. ARCHITECTURAL STANDARDS

A) THE PRINCIPAL BUILDINGS USED FOR RESIDENTIAL USES 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, PRE-CAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTATIOUS SIDING (SUCH AS HARDI-PLANK), VINYL, EIFS OR WOOD.

B) EACH ATTACHED AND DETACHED SINGLE-FAMILY RESIDENTIAL DWELLING UNIT SHALL BE PROVIDED WITH A MINIMUM ONE-CAR GARAGE. AT LEAST 50% OF THE DWELLING UNITS SHALL HAVE A TWO-CAR GARAGE.

C) ALL RESIDENTIAL ENTRANCES WITHIN 15 FEET OF THE SIDEWALK MUST BE RAISED FROM THE AVERAGE SIDEWALK GRADE A MINIMUM OF TWELVE (12) INCHES.

D) PETITIONER SHALL PROVIDE BLANK WALL PROVISIONS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 15 FEET ON ALL BUILDING LEVELS, INCLUDING BUT NOT LIMITED TO DOORS, WINDOWS, AWNINGS, AND/OR ARCHITECTURAL DESIGN ELEMENTS.

E) WALKWAYS WILL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC AND PRIVATE STREETS, AS GENERALLY DEPICTED ON THE REZONING PLAN.

F) TOWNHOUSE BUILDINGS WILL BE LIMITED TO SIX (6) INDIVIDUAL UNITS OR FEWER OR WILL OTHERWISE BE MEANINGFULLY DIFFERENTIATED BETWEEN UNITS, INCLUDING, BUT NOT LIMITED TO, FORWARD OFFSETS IN THE FRONT WALLS OF UNITS, VERTICAL HEIGHT DIFFERENCES, OR ARCHITECTURAL DIFFERENCES IN ELEVATIONS (SUCH AS WINDOWS, DOORS, BAYS, TRIM, OR MATERIALS).

5. STREETScape AND LANDSCAPING

A) THE PETITIONER SHALL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND A SIX (6) FOOT SIDEWALK ALONG THE SITE'S FRONTAGE ON REECE ROAD AND ARBOR LANE.

6. AMENDMENTS TO REZONING PLAN

FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET OR 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.

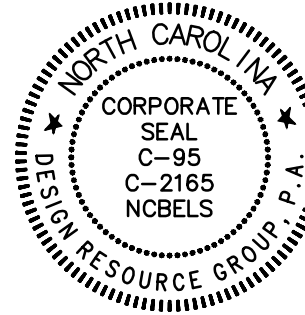
FURTHER ALTERATIONS OR MODIFICATIONS TO THE APPROVED PLAN FOR THE CITY PARK DEVELOPMENT WHICH, IN THE OPINION OF THE PLANNING DIRECTOR, SUBSTANTIALLY ALTER THE CHARACTER OF THE DEVELOPMENT OR SIGNIFICANTLY ALTER THE APPROVED TECHNICAL DATA SHEET FOR THE CITY PARK DEVELOPMENT OR ANY OF ITS CONDITIONS OR WHICH INCREASE THE INTENSITY OF DEVELOPMENT SHALL NOT BE DEEMED TO BE MINOR AND MAY ONLY BE MADE IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTIONS 6.207(1) OR (2) OF THE ORDINANCE, AS APPLICABLE.

7. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

A) IF THIS SITE PLAN AMENDMENT IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE TECHNICAL DATA SHEET WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.

B) THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" AND "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

SITE PLAN IS SCHEMATIC IN NATURE. SOME VARIATION TO PLAN MAY OCCUR PER SECTION 6.207 OF THE ZONING ORDINANCE.



REZONING PETITION

FOR PUBLIC HEARING

2018-XXX

REZONING DOCUMENT

REECE ROAD SITE

CHARLOTTE, NORTH CAROLINA

THE DRAKEFORD COMPANY

1914 BRUNSWICK AVENUE SUITE 1A

CHARLOTTE, NORTH CAROLINA 28207

SCHEMATIC SITE PLAN

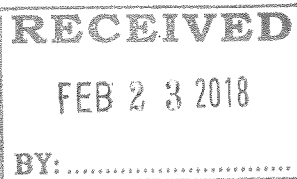
10 0 10 20
SCALE: 1"=20'

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

FEBRUARY 23, 2018

REVISIONS:

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-025

Petition #: _____
Date Filed: 2/23/2018
Received By: P

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties
Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: vacant/residential (Acres): ± 108

Existing Zoning: B-2, I-2, R-3, and R-MH(LLWPA) Proposed Zoning: I-2(CD)

Overlay: ~~NA~~ LLW-PA
(Specify PED, Watershed, Historic District, etc.)

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

Date of meeting: 1/23/2018

(*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 redevelopment of the Site with warehouse distribution uses.

Stuart Hair

Name of Rezoning Agent

5601 Wilkinson Blvd

Agent's Address

Charlotte, NC 28208

704-359-4895

Telephone Number

Fax Number

sphair@cltairport.com

E-mail Address

SEE ATTACHMENTS A-B

Signature of Property Owner

Charlotte Douglas International Airport

Name of Petitioner

600 E Fourth St

Address of Petitioner

Charlotte, NC 28202

City, State, Zip

704.359.4895

Telephone Number

Fax Number

sphair@cltairport.com

E-mail Address

SEE ATTACHMENT C

Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Date Acquired
055-381-04	8404 TUCKASEEGEE RD	City of Charlotte	600 East Fourth Street, Charlotte, NC 28202	10/18/2000
055-381-05	8300 TUCKASEEGEE RD			12/03/1999
055-381-09	8124 TUCKASEEGEE RD			2/18/1999
055-381-10	8108 TUCKASEEGEE RD			4/25/2000
055-381-13	8411 TODD RD			2/6/1997
055-381-15	8627 TODD RD			1/27/2005
055-381-16	8635 TODD RD			2/20/1997
055-381-30	8301 TODD RD			2/6/1997
055-381-32	8401 TODD RD			5/13/1998
055-381-33	8529 TODD RD			3/31/1998
055-381-34	8507 TODD RD			5/3/2002
055-381-46	8341 TODD RD			7/26/2000
055-382-02	8600 TODD RD			8/13/1999
055-382-03	8524 TODD RD			3/24/1997
055-382-05	8508 TODD RD			10/15/2003
055-382-06	8502 TODD RD			09/26/1996
055-382-07	8414 TODD RD			5/6/1997
055-382-08	8412 TODD RD			12/04/1996
055-382-09	8408 TODD RD			10/17/1996
055-382-10	8404 TODD RD			7/2/1997
055-531-01	8650 TODD RD			11/03/2006
055-381-08	8200 TUCKASEEGEE RD			10/08/2017
055-381-11	8100 TUCKASEEGEE RD			10/01/2012
055-381-18	8312 TODD RD			12/26/2012
055-381-24	8617 TODD RD			8/11/2009
055-381-25	8621 TODD RD			11/21/2011
055-381-35	8607 TODD RD			11/21/2011
055-381-44	8311 TODD RD			7/19/2013
055-381-47	8420 TUCKASEEGEE RD			9/17/2015
055-381-53	8006 TUCKASEEGEE RD			6/3/2005
055-382-01	8620 TODD RD			11/03/2011
055-382-04	8516 TODD RD			11/3/2011
055-382-11	8312 TODD RD			11/3/2011
055-382-13	5615 S I-85 HY			1/24/2013
055-382-14	N/A			1/24/2013
055-381-01	N/A			7/30/2012
055-381-03	8428 TUCKASEEGEE RD			11/7/2012
055-381-26	8500 TUCKASEEGEE RD			11/7/2012
Portion of 055-371-17	7200 WILKINSON BLVD			10/19/2009
Portion of 055-371-18	7126 WILKINSON BLVD			11/6/2002
Portion of 055-371-01	7913 TUCKASEEGEE RD			12/27/1996
Portion of 055-371-02	7919 TUCKASEEGEE RD			8/13/1998
Portion of 055-371-03	7927 TUCKASEEGEE RD			3/24/1997
Portion of 055-371-11	8321 TUCKASEEGEE RD			4/16/1997
Portion of 055-371-10	8315 TUCKASEEGEE RD			11/7/1997
Portion of 055-371-09	8303 TUCKASEEGEE RD			7/30/1997
Portion of 055-371-07	N/A			7/2/1997
Portion of 055-371-04	8105 TUCKASEEGEE RD			7/2/1997

055-371-12	8403 TUCKASEEGEE RD			2/2018
055-371-05	8021 TUCKASEEGEE RD			2/2018
055-381-14	8419 TODD RD			2/2018
055-381-29	8605 TODD RD	Winnifred H Elliott	8605 Todd Rd, Charlotte, NC 28214	1/1/1975

ATTACHMENT A

REZONING PETITION NO. 2018-____
Charlotte Douglas International Airport

OWNER JOINDER AGREEMENT
City of Charlotte

The undersigned, as the owner of the parcels of land with the designated Tax Parcel Nos. on the Mecklenburg County Tax Map and locations, below:

1.	055-381-04	8404 TUCKASEEGEE RD
2.	055-381-05	8300 TUCKASEEGEE RD
3.	055-381-09	8124 TUCKASEEGEE RD
4.	055-381-10	8108 TUCKASEEGEE RD
5.	055-381-13	8411 TODD RD
6.	055-381-15	8627 TODD RD
7.	055-381-16	8635 TODD RD
8.	055-381-30	8301 TODD RD
9.	055-381-32	8401 TODD RD
10.	055-381-33	8529 TODD RD
11.	055-381-34	8507 TODD RD
12.	055-381-46	8341 TODD RD
13.	055-382-02	8600 TODD RD
14.	055-382-03	8524 TODD RD
15.	055-382-05	8508 TODD RD
16.	055-382-06	8502 TODD RD
17.	055-382-07	8414 TODD RD
18.	055-382-08	8412 TODD RD
19.	055-382-09	8408 TODD RD
20.	055-382-10	8404 TODD RD
21.	055-531-01	8650 TODD RD
22.	055-381-08	8200 TUCKASEEGEE RD
23.	055-381-11	8100 TUCKASEEGEE RD
24.	055-381-18	8312 TODD RD
25.	055-381-24	8617 TODD RD
26.	055-381-25	8621 TODD RD
27.	055-381-35	8607 TODD RD
28.	055-381-44	8311 TODD RD
29.	055-381-47	8420 TUCKASEEGEE RD
30.	055-381-53	8006 TUCKASEEGEE RD
31.	055-382-01	8620 TODD RD
32.	055-382-04	8516 TODD RD
33.	055-382-11	8312 TODD RD
34.	055-382-13	5615 S I-85 HY
35.	055-382-14	N/A
36.	055-381-01	N/A
37.	055-381-03	8428 TUCKASEEGEE RD
38.	055-381-14	8419 TODD RD
39.	055-381-26	8500 TUCKASEEGEE RD
40.	Portion of 055-371-17	7200 WILKINSON BLVD
41.	Portion of 055-371-18	7126 WILKINSON BLVD
42.	Portion of 055-371-01	7913 TUCKASEEGEE RD
43.	Portion of 055-371-02	7919 TUCKASEEGEE RD
44.	Portion of 055-371-03	7927 TUCKASEEGEE RD
45.	Portion of 055-371-11	8321 TUCKASEEGEE RD
46.	Portion of 055-371-10	8315 TUCKASEEGEE RD
47.	Portion of 055-371-09	8303 TUCKASEEGEE RD
48.	Portion of 055-371-07	N/A
49.	Portion of 055-371-04	8105 TUCKASEEGEE RD
50.	Portion of 055-371-16	7320 WILKINSON BLVD
51.	Portion of 055-371-12	8403 TUCKASEEGEE RD
52.	Portion of 055-371-05	8021 TUCKASEEGEE RD

ATTACHMENT A cont.

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

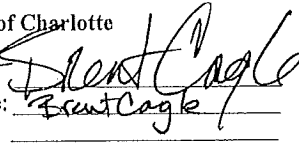
This 22 day of February, 2018.

City of Charlotte

By:

Name:

Its:


Brent Cagle

ATTACHMENT B

**REZONING PETITION NO. 2018-_____
Charlotte Douglas International Airport**

**OWNER JOINDER AGREEMENT
Winnifred H Elliott**

The undersigned, as the owner of the parcel of land located at 8605 Todd Rd that is designated as Tax Parcel No. 055-381-29 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-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 _____, 2018.

Winnifred H Elliott

ATTACHMENT C

REZONING PETITION NO. 2018-
Charlotte Douglas International Airport

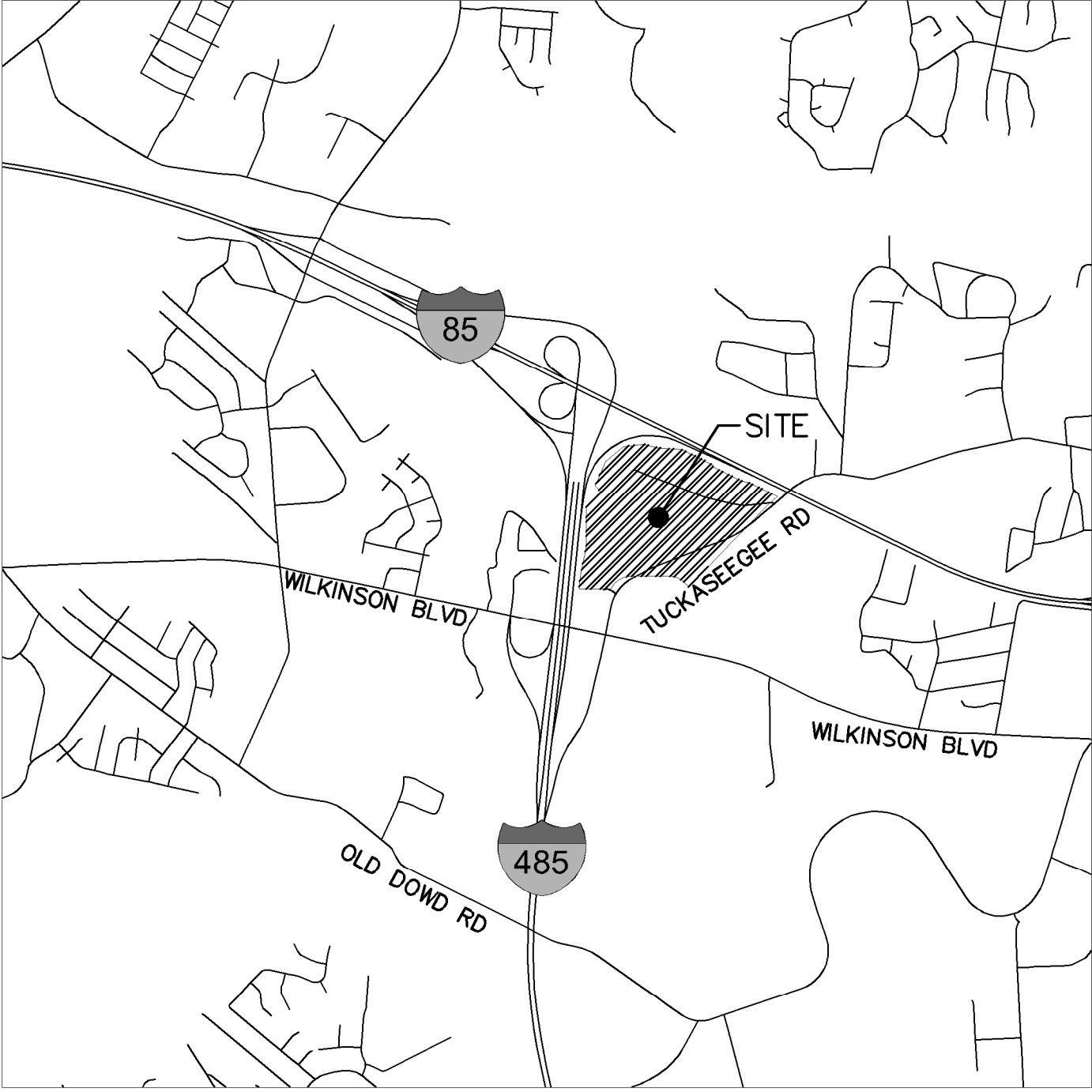
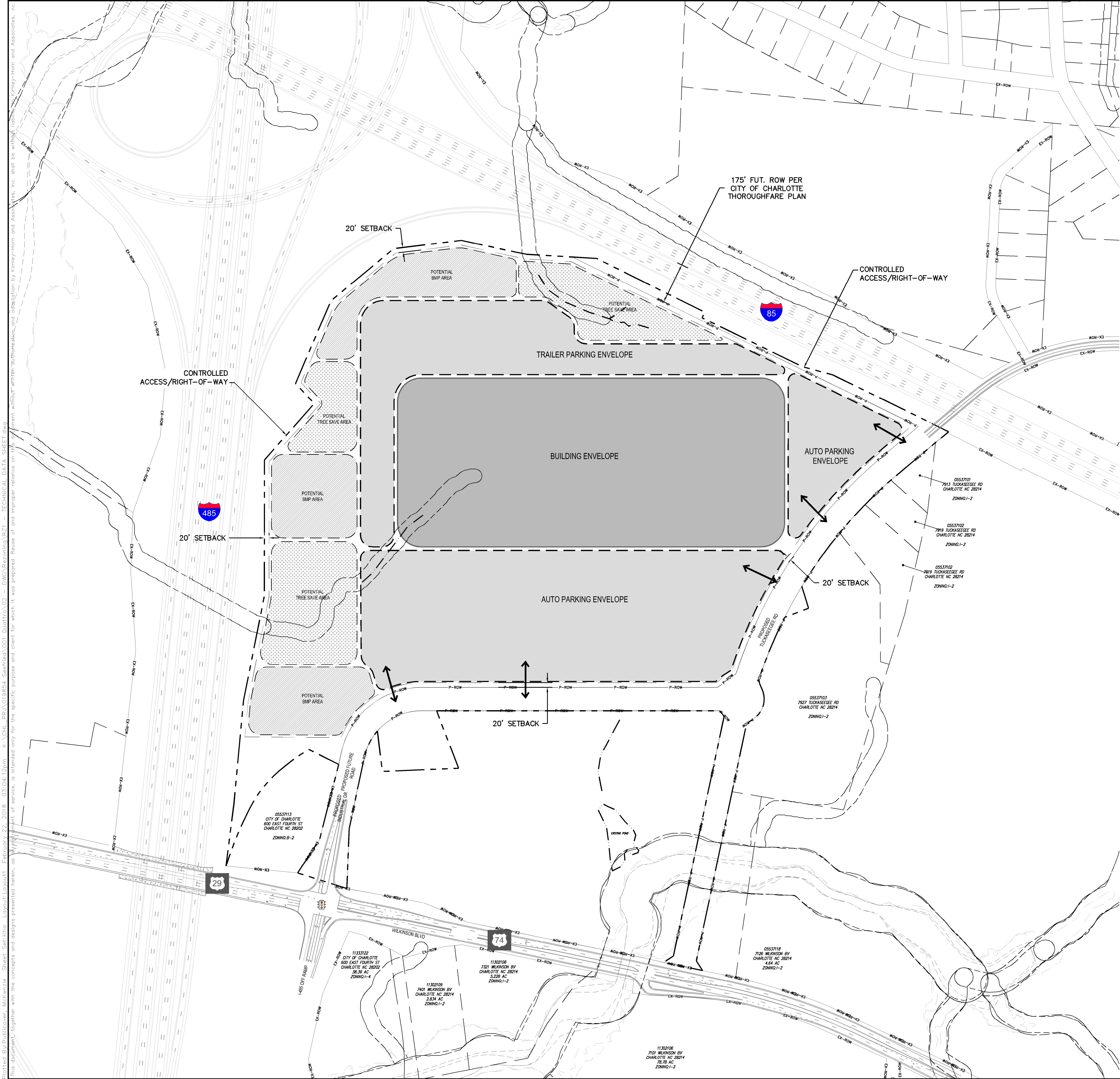
Petitioner:

Charlotte Douglas International Airport

By: 

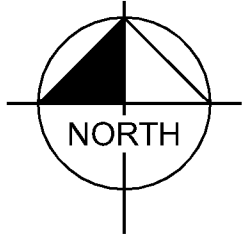
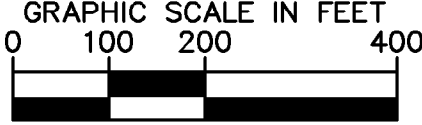
Name: STUART HADER

Title: ECONOMIC & COMMUNITY
AFFAIRS MANAGER



LEGEND	
	AREA OUTLINE / PROPERTY LINE
	EXISTING PARCELS
	SETBACK
	POTENTIAL JURISDICTIONAL STREAM
	EXISTING POST CONSTRUCTION BUFFER
	EXISTING RIGHT-OF-WAY
	PROPOSED RIGHT-OF-WAY
	POTENTIAL PARKING ENVELOPE
	POTENTIAL BUILDING ENVELOPE
	POTENTIAL TREE SAVE AREA
	POTENTIAL BMP AREA
	POTENTIAL FULL MOVEMENT ACCESS POINTS

SITE DEVELOPMENT DATA:
ACREAGE: ± 108 ACRES
EXISTING ZONING: B-2, I-2, R-3, AND R-MH(LLWPA)
PROPOSED ZONING: I-2(CD)
EXISTING USES: VACANT/ RESIDENTIAL
MAXIMUM BUILDING HEIGHT: SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE: SHALL MEET ORDINANCE REQUIREMENTS
PARKING: SHALL MEET ORDINANCE REQUIREMENTS



Plotted By: Publicover, McKenzie. Sheet Set: Data. Layout: Layout1. February 22, 2018. 03:04:12pm. K:\CHL-PRJ\01954-Site\Final\001-Quattro\02 - DWG\Resoning\021 - TECHNICAL DATA SHEET.dwg
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and objection by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

PROJECT QUATTRO
PREPARED FOR
CHARLOTTE DOUGLAS
INTERNATIONAL AIRPORT
CITY OF CHARLOTTE

REZONING PETITION NO. 2018-
NORTH CAROLINA

TECHNICAL DATA
SHEET

DATE
02/22/2018
SCALE AS SHOWN
DESIGNED BY MHP
DRAWN BY MHP
CHECKED BY MAE

Kimley»Horn

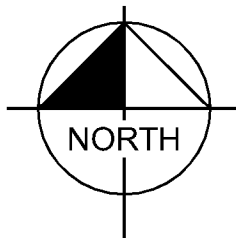
© 2018 KIMLEY-HORN AND ASSOCIATES, INC.
200 SOUTH TRYON ST., SUITE 200, CHARLOTTE, NC 28202
PHONE: 704-333-5131
WWW.KIMLEY-HORN.COM
NC LICENSE #P-0102

REVISIONS

NO.

DATE

BY



SHEET NUMBER
RZ-3

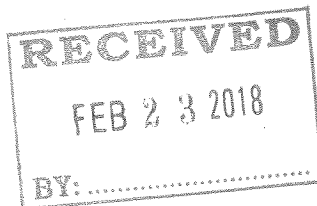
REZONING PETITION NO. 2018-

DATE	02/22/2018
SCALE	AS SHOWN
DESIGNED BY	MHP
DRAWN BY	MHP
CHECKED BY	MAE

© 2018 KIMLEY-HORN AND ASSOCIATES, INC.
200 SOUTH TRYON ST, SUITE 200, CHARLOTTE, NC 28202
PHONE: 704-333-5131
WWW.KIMLEY-HORN.COM
NC LICENSE #F-0102

No.	REVISIONS	DATE	BY
-----	-----------	------	----

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018 - 026

Petition #: _____
Date Filed: 2/23/18
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: see attached sheets

Owner's Address: see attached sheets City, State, Zip: see attached sheets

Date Property Acquired: varies

Property Address: 7823, 7827, 7901 7909 Park Rd.

Tax Parcel Number(s): 17911234, 17911266, 17911299, 17911235, 17911236

Current Land Use: single family Size (Acres): Approx. 3.49 ac. +/-

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

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

Required Rezoning Pre-Application Meeting* with: John Kinley, et. al

Date of meeting: 2/20/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: Develop the site for 20 townhomes

Walter Fields

Name of Rezoning Agent

1919 South Blvd., suite 101

Agent's Address

Charlotte, NC 28203

City, State, Zip

704-372-7855

Telephone Number

704-372-7856

Fax Number

waltr@walterfieldsgroup.com

E-Mail Address

See attached sheets

Signature of Property Owner

(Name Typed / Printed)

Llewellyn Dvelopment, LLC

Name of Petitioner(s)

PO Box 473023

Address of Petitioner(s)

Charlotte, NC 28247

City, State, Zip

704-408-4830

Telephone Number

Fax Number

terrence@llewellyndevelopment.com

E-Mail Address

[Signature]

Signature of Petitioner

Llewellyn Development, LLC , Terrence Llewellyn

(Name Typed / Printed)

February 15, 2018

Mr. Terrence Llewellyn
PO Box 473023
Charlotte, NC 28247

This letter serves to notify all interested parties that I/we consent to Llewellyn Development, LLC petitioning for the rezoning of property known as Tax Parcel 17911234 located at 7823 Park Road. in Charlotte, North Carolina. This letter serves to represent my/our signature on the zoning application.

Thank you.

Owner Mark W. Peters, as manager Date 19 FEB 2018
Owner for Park Cottage LLC Date _____
Address 9115 Glisson Ct, Charlotte, N.C., 28210
Phone Number (704)-649-2499

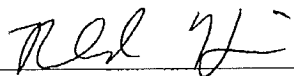
Park Cottage, LLC
9115 Glisson Ct.
Charlotte, NC 28210

February 15, 2018

Mr. Terrence Llewellyn
PO Box 473023
Charlotte, NC 28247

This letter serves to notify all interested parties that I/we consent to Llewellyn Development, LLC petitioning for the rezoning of property known as Tax Parcels 17911235, 17911299, and 17911266 located at 7827 and 7901 Park Road in Charlotte, North Carolina. This letter serves to represent my/our signature on the zoning application.

Thank you.

Owner  Date 2/15/2018
Owner _____ Date _____
Address 6915 Conservatory Lane, Charlotte, NC 28210
Phone Number 704 819 0913

Ronald N. Harris
7827 Park Road
Charlotte, NC 28210

February 15, 2018

Mr. Terrence Llewellyn
PO Box 473023
Charlotte, NC 28247

This letter serves to notify all interested parties that I/we consent to Llewellyn Development, LLC petitioning for the rezoning of property known as Tax Parcel 17911236 located at 7909 Park Road in Charlotte, North Carolina. This letter serves to represent my/our signature on the zoning application.

Thank you.

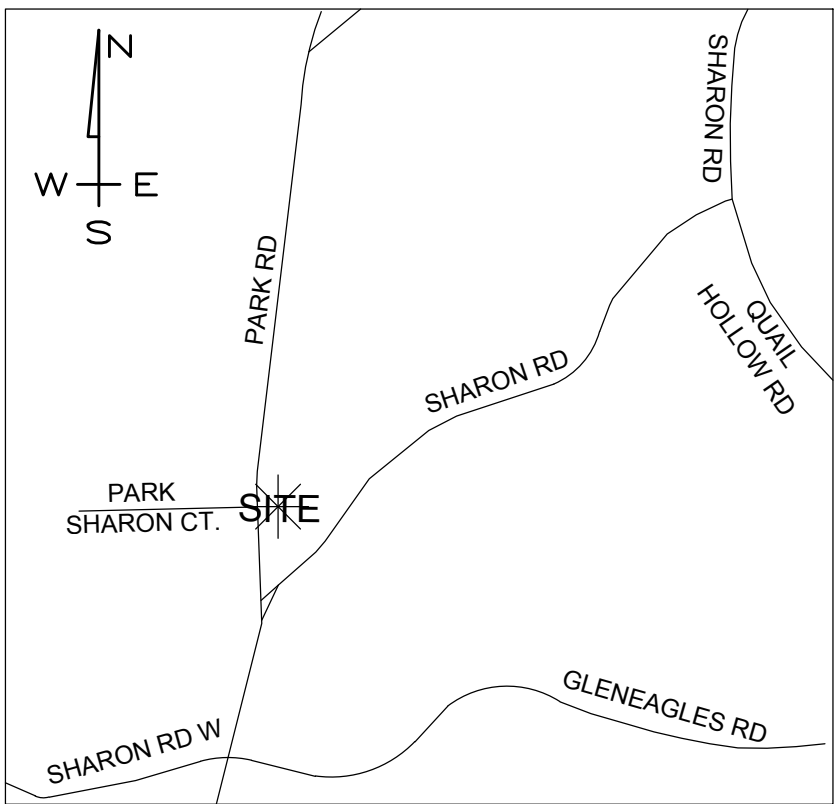


Owner Elaine Hoke White Date 2/15/2018
Owner _____ Date _____
Address 5224 Leonardslee Ct. Charlotte, NC 28226
Phone Number 704-617-3333

Elaine Hoke White
5224 Leonardslee Court
Charlotte NC 28226



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C 1	1382.39'	32.33'	32.33'	N 09°50'50\"
C 2	1382.39'	192.17'	192.01'	N 05°11'42\"



GENERAL NOTES (for Petition #2018-???)

- DEVELOPMENT DATA TABLE
 - SITE ACREAGE: ±3.49 AC
 - TAX PARCEL INCLUDED IN REZONING: 17911234, 17911299, 17911266, 17911235, 17911236
 - EXISTING ZONING: R-3
 - PROPOSED ZONING: UR-2
 - EXISTING USE: SINGLE FAMILY
 - PROPOSED USE: ATTACHED SINGLE FAMILY AND RELATED ACCESSORY USES
 - FLOOR AREA RATIO: PER ORDINANCE REQUIREMENT (1.0)
 - MAXIMUM BUILDING HEIGHT: 3 STORY
 - PARKING SPACES: PER ORDINANCE REQUIREMENT
- 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 6.2 OF THE ZONING ORDINANCE.
 - THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, BICYCLE PARKING, AND SITE DEVELOPMENT, MAY APPLY TO THE DEVELOPMENT OF THIS SITE. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR, AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THIS SITE PLAN. UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THIS SITE PLAN, THESE OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THIS SITE AS DEFINED BY THOSE OTHER CITY ORDINANCES.
 - THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", "PETITIONER" OR "PETITIONERS," SHALL, WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.
- PURPOSE

THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF A SMALL TOWNHOME COMMUNITY. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE TO THE UR-2 (CD) DISTRICT.
- PERMITTED USES

USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION WILL BE SINGLE FAMILY ATTACHED DWELLING UNITS AND RELATED ACCESSORY USES AS ARE PERMITTED IN THE UR-2 DISTRICT.
- TRANSPORTATION
 - THE SITE WILL HAVE ACCESS VIA TWO DRIVEWAYS TO PARK ROAD LANE AS GENERALLY IDENTIFIED ON THE CONCEPT PLAN FOR THE SITE.
 - PARKING AREAS ARE GENERALLY INDICATED ON THE CONCEPT PLAN FOR THE SITE.
- ARCHITECTURAL STANDARDS

THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE DISTRICT REGULATIONS OF THE ZONING ORDINANCE FOR THE UR-2 DISTRICT.
- STREETSCAPE AND LANDSCAPING

RESERVED
- ENVIRONMENTAL FEATURES:

RESERVED
- PARKS, GREENWAYS, AND OPEN SPACE

RESERVED
- FIRE PROTECTION

RESERVED
- SIGNAGE

RESERVED
- LIGHTING
 - FREESTANDING LIGHTING ON THE SITE WILL UTILIZE FULL CUT-OFF LUMINARIES.
- PHASING

RESERVED
- OTHER

N/A

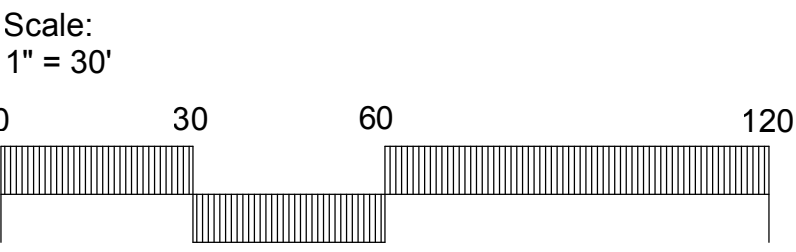
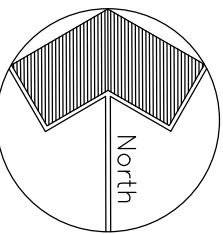
Project Manager
LM
Drawn By
DL
Checked By
LM
Date
2-15-18
Project Number
17052



landscape architecture
civil engineering
planning

DPR Associates, Inc. ■ 420 Hawthorne Lane ■ Charlotte, NC 28204
phone 704. 332. 1204 ■ fax 704. 332. 1210 ■ www.dprassociates.net

PARK ROAD TOWNHOMES
PETITION #2018-???
CHARLOTTE, NORTH CAROLINA

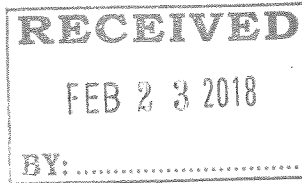


Sheet Number

RZ-1

Sheet 1 of 1

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-027

Petition #:	
Date Filed:	2/23/2018
Received By:	BH

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: vacant/residential (Acres): ± 8.025

Existing Zoning: INST(CD) and R-3 Proposed Zoning: INST(CD), R3(CD) and MUDD-O

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

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

Date of meeting: 11/7/17

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow the development of the Site with high-quality age restricted residential units with complimentary non-residential uses and open space features

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 ATTACHMENTS A & B

Signature of Property Owner

**Sharon Towers – The Presbyterian Home at
Charlotte, Inc. (Attn: Anne Moffat)**

Name of Petitioner

5100 Sharon Road, Charlotte, NC 28210

Address of Petitioner

Charlotte, NC 28210

City, State, Zip

704.553.3709

Telephone Number

Fax Number

Anne.O.Moffat@sharontowers.org

E-mail Address

SEE ATTACHMENT C

Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
179-032-45	5100 Sharon Road, Charlotte, NC 28210	The Presbyterian Home at Charlotte, Inc.	5100 Sharon Road, Charlotte, NC 28210	[22.4]	01/01/1975
179-032-47	4932 Sharon Road, Charlotte, NC 28210			1.324	08/22/2014
179-032-48	4916 Sharon Road, Charlotte, NC 28210			.946	08/22/2017
179-032-01	4900 Sharon Road, Charlotte, NC 28210			.292	10/03/2013
179-032-02	6514 Hazelton Drive, Charlotte, NC 28210	Marshall Glenn and Arlene P Kerns	6507 Tensbury Court, Charlotte, NC 28210	.270	12/06/1972

ATTACHMENT A

REZONING PETITION NO. 2018-____
Sharon Towers – The Presbyterian Home at Charlotte, Inc.

OWNER JOINDER AGREEMENT
The Presbyterian Home at Charlotte, Inc.

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

1. 5100 Sharon Road, Charlotte, NC 28210 that is designated as a portion of Tax Parcel No. 179-032-45
2. 4932 Sharon Road, Charlotte, NC 28210 that is designated as Tax Parcel No. 179-032-47
3. 4916 Sharon Road, Charlotte, NC 28210 that is designated as Tax Parcel No. 179-032-48
4. 4900 Sharon Road, Charlotte, NC 28210 that is designated as Tax Parcel No. 179-032-02

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 INST(CD) and R-3 zoning districts to the INST(CD), R3(CD) and MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 26th day of February, 2018.

The Presbyterian Home at Charlotte, Inc.

By: Anne O. Moffat
Name: Anne O. Moffat
Its: President & CEO

ATTACHMENT B

REZONING PETITION NO. 2018-____
Sharon Towers – The Presbyterian Home at Charlotte, Inc.

OWNER JOINDER AGREEMENT
Marshall Glenn Kerns and Arlene P. Kerns

The undersigned, as the owner of the parcel of land located at 6514 Hazelton Drive, Charlotte, NC 28210 that is designated as a portion of Tax Parcel No. 179-032-02 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 parcel from R-3 zoning district to R-3(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 23rd day of February, 2018.

Marshall Glenn Kerns

Marshall Glenn Kerns

Arlene P. Kerns

Arlene P. Kerns

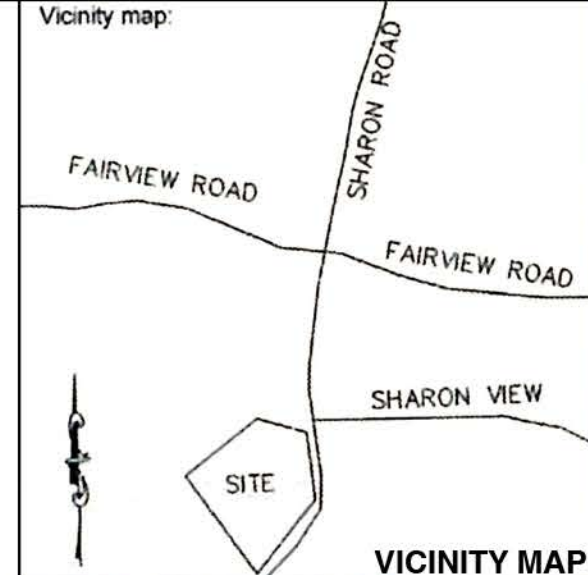
ATTACHMENT C

**REZONING PETITION NO. 2018-
Sharon Towers – The Presbyterian Home at Charlotte, Inc.**

Petitioner:

Sharon Towers – The Presbyterian Home at Charlotte, Inc.

By: Anne O. Moffat
Name: Anne O. Moffat
Title: President & CEO



This Drawing is the property of Shook Kelley, Inc. and is not to be reproduced in whole or in part. It is to be used for the project and site specifically identified herein and is not to be used on any other project. This Drawing is to be returned upon the written request of Shook Kelley, Inc.

Prepared for: Mark Date
Project Manager: No Note Description

shook kelley

2151 Hawkins Street
Suite 400
Charlotte, NC 28203

704 / 377 0661
www.shookkelley.com

Sharon Towers

5100 Sharon Road
Charlotte, NC 28210

:A :02/23/2018 :Rezoning Submittal
Project ID: 17027.001

**Context
Campus Plan**

2018 Rezoning.vwx

RZ-1



Sharon Towers
Development Standards
2/18/18
Rezoning Petition No. 2017-

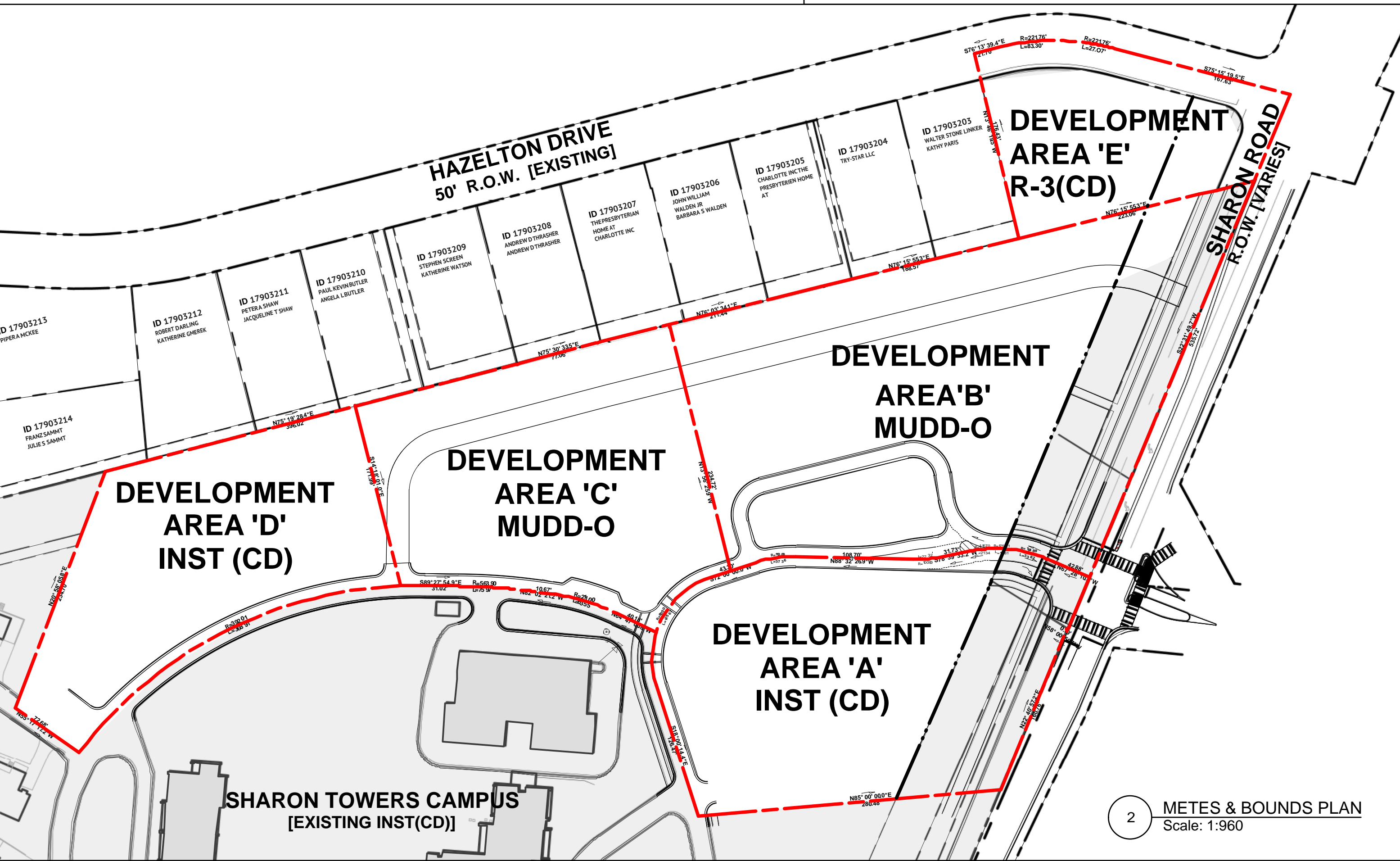
Site Development Data:
--Acreage: ± 8.025 acres
--Tax Parcel #: 179-032-02, 179-032-01, and a portion of 179-032-45
--Existing Zoning: INST(CD)
--Proposed Zoning: MUDD-O; INST(CD) and R-3(CD) with five (5) year vested rights.
--Existing Uses: Institutional principally for senior housing and associated senior care facilities

--**Proposed Uses:** Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in Institutional district for Development Areas A and D; the MUDD-O district for Development Areas B and C; and the R-3 district for Development Area E (as more specifically described below in Section 3).

--**Maximum Development Levels:** In accordance with the transfer/conversion rights and the other provisions of Section 3 below: (i) up to 130 age restricted residential dwelling units; (ii) indoor recreation uses of up to 34,000 square feet of gross floor area; (iii) up to 4,000 square feet of gross floor area for conference, performance and similar uses including up to 250 seats, and (iv) up to 22,000 square feet of gross floor area of office, retail, restaurant (EDEE), personal services, greenhouse and other commercial uses (subject to limitations set forth in Section 3 below); all together with accessory uses as permitted in the Institutional, MUDD and R-3 districts, as applicable (as more particularly described below in Section 3).

--**Maximum Building Height:** A maximum building height of up to 78 feet shall apply to building(s) within Development Area A, and no principal buildings are allowed in Development Area E. A maximum building height of up to 78 feet shall apply to Development Area B, up to 72 feet for Development Area C and up to 72 feet for Development Area D, which maximum heights are located in portions of buildings that are stepped back significant distances from the 60 foot wide side yard building setback from the common boundary with residences along the Hazelton Drive; as generally depicted on Sheet RZ-6, a maximum building height at such 60 foot wide side yard building setback of up to 58 feet shall apply for Development Area B, up to 60 feet for Development Area C, and up to 65 feet for Development Area D. Height to be measured as described in the Ordinance and shall not include architectural accent features such as the proposed clock tower and chimney features.

--**Parking:** As required by the Ordinance for the MUDD-O and Institutional zoning classifications.



2 METES & BOUNDS PLAN
Scale: 1:960

1 TECHNICAL PLAN
Scale: 1:960



Prepared for:	Mark	Date	Description
Project Manager	:No	:Note	

shook kelley

2151 Hawkins Street
Suite 400
Charlotte, NC 28203

704 / 377 0661
www.shookkelley.com

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All Rights Reserved

Sharon Towers

5100 Sharon Road
Charlotte, NC 28210

:A :02/23/2018 :Rezoning Submittal
Project ID: 17027.001

Technical Data Sheet
Technical Plan
Mete & Bounds Plan
2018 Rezoning.vwx
RZ-2

This Drawing is the property of Shook Kelley, Inc. and is not to be reproduced in whole or in part. It is to be used for the project and site specifically identified herein and is not to be used on any other project. This Drawing is to be returned upon the written request of Shook Kelley, Inc.

Sharon Towers Development Standards 2/7/18 Rezoning Petition No. 2017-

Site Development Data:
--**Acreage:** ± 8.025 acres
--**Tax Parcel #:** 179-032-02, 179-032-01, and a portion of 179-032-45
--**Existing Zoning:** INST(CD)
--**Proposed Zoning:** MUDD-O; INST(CD) and R-3(CD) with five (5) year vested rights.
--**Existing Uses:** Institutional principally for senior housing and associated senior care facilities

--**Proposed Uses:** Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in Institutional district for Development Areas A and D; the MUDD-O district for Development Areas B and C; and the R-3 district for Development Area E (as more specifically described below in Section 3).

--**Maximum Development Levels:** In accordance with the transfer/conversion rights and the other provisions of Section 3 below: (i) up to 130 age restricted residential dwelling units; (ii) indoor recreation uses of up to 34,000 square feet of gross floor area; (iii) up to 4,000 square feet of gross floor area for conference, performance and similar uses including up to 250 seats, and (iv) up to 22,000 square feet of gross floor area of office, retail, restaurant (EDEE), personal services, greenhouse and other commercial uses (subject to limitations set forth in Section 3 below); all together with accessory uses as permitted in the Institutional, MUDD and R-3 districts, as applicable (as more particularly described below in Section 3).

--**Maximum Building Height:** A maximum building height of up to 78 feet shall apply to building(s) within Development Area A, and no principal buildings are allowed in Development Area E. A maximum building height of up to 78 feet shall apply to Development Area B, up to 72 feet for Development Area C and up to 72 feet for Development Area D, which maximum heights are located in portions of buildings that are stepped back significant distances from the 60 foot wide side yard building setback from the common boundary with residences along the Hazelton Drive; as generally depicted on Sheet RZ-6, a maximum building height at such 60 foot wide side yard building setback of up to 58 feet shall apply for Development Area B, up to 60 feet for Development Area C, and up to 65 feet for Development Area D. Height to be measured as described in the Ordinance and shall not include architectural accent features such as the proposed clock tower and chimney features.

--**Parking:** As required by the Ordinance for the MUDD-O and Institutional zoning classifications.

1. General Provisions:

a. **Site Location; Development Areas** These Development Standards, the Technical Data Sheet and other graphics set forth on attached RZ Sheets, form this rezoning plan (collectively referred to as the “Rezoning Plan”) associated with the Rezoning Petition filed by [Sharon Towers] (“Petitioner”) to accommodate development of an age restricted residential community with supporting active indoor recreation and limited commercial uses on an approximately 8.025 acre site located at the intersection of Sharon Road and Hazelton Drive as generally depicted on the Rezoning Plan (the “Site”), such development to form a part of the overall existing Sharon Towers Campus as described in Section 1.e. below.
For ease of reference, the Rezoning Plan sets forth five (5) development areas as generally depicted on Sheet RZ-2 as Development Areas A, B, C, D and E (each a “Development Area” and collectively the “Development Areas”).

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: (i) the Institutional zoning district shall govern development taking place within Development Areas A and D, (ii) the MUDD-O zoning district shall govern development taking place within Development Areas B and C, subject to and in accordance with the Optional Provisions below, and (iii) the R-3 zoning district shall govern all development taking place within Development Area E.
This Rezoning Plan replaces and supersedes the existing conditional zoning plan and zoning for the Site, but does not change the zoning established for other portions of the Sharon Towers Campus (as defined below) not included within the Site.

c. **Graphics and Alterations/Modifications** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Development Areas (as defined below) 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 documentation phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements.

Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

(i) minor and don’t materially change the overall design intent depicted on the Rezoning Plan, such as minor modifications to the configurations of the Development Areas (as defined below), street dimensions and the like as long as the modifications maintain the general building/parking orientation and character of the development generally depicted on the Rezoning Plan; or

(ii) modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the “external building lines” generally depicted on Sheet RZ-2 (in this case the external setbacks, rear/side yards or buffer areas as generally depicted thereon); or

(iii) modifications to allow minor increases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.
The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner’s appeal rights set forth in the Ordinance.

d. **Number of Buildings Principal and Accessory** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site shall not exceed 6. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

ee. **Planned/Unified Development** The Site together with the remainder of the Sharon Towers campus not including the Site (the “Remainder of the Sharon Towers Campus”; and together with the Site, the “Sharon Towers Campus”) as generally depicted on Sheet RZ-1, shall be viewed in the aggregate as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan and those depicted on the applicable conditional rezoning plan for the Remainder of the Sharon Towers Campus. 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 Development/Site Elements located on the Site and the Remainder of the Sharon Towers Campus. The Petitioner and/or owner(s) of the Site and the Remainder of the Sharon Towers Campus reserve the right to subdivide the portions or all of the Site and the Remainder of the Sharon Towers Campus and create lots within the interior of the Site and the Remainder of the Sharon Towers Campus 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 and the Remainder of the Sharon Towers Campus 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 and in the applicable conditional rezoning plan as to the Remainder of the Sharon Towers Campus, taken as a whole and not individual portions or lots located therein.

f. **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, but such provisions shall not be deemed a limitation on any other vested rights whether at common law or otherwise.

g. **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, balconies, and outdoor dining and gathering areas whether on the roof of the building or at street level per the Optional Provisions set forth below.

h. **Personal Services.** 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, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and the like).

i. **Project Phasing** Development taking place on the Site may occur in phases and in such event, except as expressly required in this Rezoning Plan or by the Ordinance, certain streetscape and related improvements and improvements associated with the open space to be developed within Development Area E may take place in connection with the phase of development to which such improvements relate.

2. **Optional Provisions**
The following Optional Provisions shall apply to the portion of the Site zoned MUDD-O, namely Development Areas B and C:

a. **Gross Floor Area.** To the extent an Optional Provision is needed for clarity, the clarification as to the definition of gross floor area set forth above shall apply.

b. **Internal Driveway.** To the extent an Optional Provision is needed for clarity, internal streets and driveways shall be treated as private driveways for all purposes of the Rezoning Plan, and as such parking shall be allowed between such driveways and buildings located within the MUDD-O zoned Development Areas B and C (no such provision is needed for the other Development Areas).

c. **Interim Surface Parking; Phasing Conditions.** To allow during the construction staging and subsequent phasing of development on the Site, surface parking in lieu of parking decks on portions of the Site on an interim basis may be allowed without regard to locations between buildings and streets/driveways, provided that such surface parking areas beyond the construction staging period will meet all required minimum setbacks, streetscape and screening requirements. Driveways during phases of the development may vary in location from those generally depicted on the Rezoning Plan, and the proposed fire lane and associated curb cut along Sharon Road may be used for construction access during the development phases.

d. **Detached Signs** To allow one detached, ground mounted sign up to 12 feet in height and containing up to 100 square feet of sign area on Sharon Road. This sign may be used to identify any of the uses located on the Site and/or located on the Remainder of the Sharon Towers Campus. In addition to the foregoing and other signs permitted in this Section 2 and otherwise in the Rezoning Plan, to allow one (1) additional detached, ground mounted sign along Sharon Road; this additional detached sign may be up to four (4) feet high and contain up to 32 square feet of sign area.

e. **Temporary Signs.** In addition to other signs permitted in this Section 2 and otherwise in the Rezoning Plan, to allow Temporary signs and/or banners along Sharon Road with up to 100 square feet of sign face area and with a maximum height of seven (7) feet. A total of two (2) Temporary Planned Development signs may be erected along the Site’s frontage on Sharon Road (an increase of two (2) feet above the Ordinance requirements).

***Note:** The optional provisions regarding signs are additions/modifications to the standards for signs in the MUDD district and are to be used with the remainder of MUDD standards for signs not modified by these optional provisions.*

f. **Recessed Doors.** Not to require doorways to be recessed into the face of buildings when the abutting sidewalk width is greater than 10 feet.

g. **Bike Parking.** To allow required long term bike parking spaces for the uses located on the Site to be located within the parking decks constructed on the Site.

2. **Permitted Uses, Development Area Limitations, Transfer & Conversion Rights:**
a. In addition to other development permitted on the Site as described in this Section 3 and in accordance with the restrictions, limitations, and transfer/conversion rights listed below, the principal buildings constructed on the Site may be developed with: (i) up to 130 age restricted residential dwelling units; (ii) indoor recreation uses of up to [34,000] square feet of gross floor area; (iii) up to 4,000 square feet of conference, performance and related uses with up to 250 seats, and (iv) up to 22,000 square feet of gross floor area of office, retail, restaurant (EDEE), Personal Services, greenhouse and other commercial uses; all together with accessory uses permitted in the MUDD-O zoning district as to Development Areas B and C, the Institutional zoning district as to Development Areas A and D, and the R-3 zoning district as to Development Area E. In addition, a greenhouse facility may be located within Development Area B but shall be operated as an accessory use to other principal uses on the Site and as such shall be included within the above listed development levels..

b. The total square feet of gross floor area devoted to office uses and other commercial uses such as retail, restaurant (EDEE) and Personal Services uses shall be interchangeable provided that:

(i) the total square feet of gross floor area of all office uses (not including such uses that are accessory uses) does not exceed 7,100 square feet of gross floor area;

(ii) the total square feet of gross floor area for non-office commercial uses such as retail, restaurant (EDEE) and Personal Services (not including accessory uses) shall not exceed 14,900 square feet of gross floor area; and

(iii) the total square feet of gross floor area of all commercial uses (e.g. retail, restaurants/EDEE, personal services and office uses but not including accessory uses) shall not exceed 22,000]square feet of gross floor area.

The development limitations referenced in this subsection b. above do not reflect the indoor recreation uses, the conference, performance and similar uses nor accessory uses. The above referenced office and commercial uses shall not take place in a single separate building that is designed to only accommodate one of such uses.

c. In addition to other development permitted on the Site as described herein, Development Area E may be developed for open space together with accessory uses and structures (such as signage among other items). Such open space shall include the following improvements: landscaping, benches and seating areas, and/or walk paths. Convenient pedestrian access from the open space to the uses to be developed within Development Area B shall be provided. The open space and referenced improvements shall be installed prior to the issuance of the first certificate of occupancy for the building located within Development Area B.

d. In no event shall the following uses shall be developed on the Site: fast food restaurants with drive-through window facilities, drug stores with drive-through window facilities, banks with drive-through facilities; and convenience store/gas station uses.

e. The height of principal buildings on the Site shall be as described in the Development Data portion above under “Maximum Building Heights”.

3. Transportation Improvements and Access:

a. 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 set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions and as generally depicted on Sheet RZ-4:

1. Sharon Road & Sharon View Road/Realigned Sharon Towers Access (signalized)

[THE FOLLOWING ARE SUBJECT TO CONFIRMATION AND ADJUSTMENT DURING EVALUATION ASPECTS AND IN CONSULTATION WITH CDOT SINCE THESE ARE UNDER FURTHER REVIEW BY PETITIONER AND CDOT]

- Re-align Sharon Towers access directly across from Sharon View Road
- Modify the Sharon View Road approach for the realignment by reducing the size of the existing island between the separate dual right turn lanes and the through and left turn lane and provide a separate westbound through lane with approximately 30 feet of storage.
- Modify/implement appropriate pedestrian amenities (high-visibility crosswalks, pedestrian signal heads and pushbuttons) for all four legs of the intersection. These improvements include a new crosswalk on the north side of the intersection.
- Construct the Realigned Sharon Towers Access with one ingress lane and separate left (termination lane) and combined thru-right (minimum of 50 feet of storage) egress lanes.
- With the realignment of the Sharon Towers leg of the intersection the northbound left turn lane storage on Sharon Road is increased from 100 feet to 125 feet
- Increase the southbound left turn lane storage on Sharon Road from 155 feet to 205 feet (combination of pavement-remark and modifying the median resulting in reducing the bay tapers between the southbound left to Sharon View Road and the northbound left to Hazleton Drive while maintain the left turn lane storage to Hazleton Drive).]

b. **CDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT. 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 SouthPark area, by way of a private/public partnership effort or other public sector project support.

lc. **Road Improvements Phasing.** All transportation improvements listed above will be completed in conjunction with the development of the Site and prior to issuance of the first certificate of occupancy for the first building on the Site; except implementation of the streetscape improvements in Development Area A, which will be implemented when redevelopment of Development Area A occurs. **[THE ABOVE PROVISION IS ALSO SUBJECT TO FURTHER REVIEW]**

d. **Substantial Completion.** Reference to “substantial completion” for certain improvements as set forth in the provisions of Section 4.1 and in Section 4II. b. 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.

lc. **Right-of-way Availability.** It is understood that some of the public 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, as specified by the City of Charlotte right-of-way acquisition process as administered by the City of Charlotte’s Engineering & Property Management Department, 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 may elect to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein above, then the Petitioner will contact the Planning Department and CDOT regarding an appropriate infrastructure phasing plan that appropriately matches the scale of the development proposed to the public infrastructure mitigations. If after contacting the Planning Department and CDOT to determine the appropriate infrastructure phasing plan, delays in the acquisition of additional right-of-way extends beyond the time that the Petitioner seeks to obtain

ea certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT may 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.] **[THE ABOVE PROVISION IS SUBJECT TO FURTHER REVIEW]**

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, Planning Director, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

f. **Access to Streets.** Access to the Site will be from Sharon Road as generally depicted on the Rezoning Plan as well as internally through the Remainder of the Sharon Towers Campus and subject to adjustments as set forth below.

g. **Driveways/Pedestrian Connections.** Subject to the Optional Provisions set forth above, the private streets/driveways generally depicted on the Rezoning Plan will be designed as indicated on the Rezoning Plan and treated as driveways. Driveway and pedestrian connections generally depicted on the Rezoning Plan from adjoining properties may be allowed in the location(s) shown on the Rezoning Plan if the Petitioner and the parties seeking the connection(s) are in agreement on the location(s) and the terms of the connection(s).

h. **Alignment/Locations of Driveways.** The exact alignment, dimensions and locations of the access points to the Site, the driveways on the Site and streetscape cross-sections on the Site may be modified from the elements shown on the Rezoning Plan provided that the overall design intent is not materially altered.

4. Setbacks, Side Yards & Buffers.

a. **Sharon Road.** A minimum forty (40) foot setback will be provided along Sharon Road as measured from the right of way in Development Areas A and E. A minimum sixty (60) foot setback will be provided along Sharon Road as measured from the existing/future back of curb in Development Area B. Within the setback area of Sharon Road, a ten (10) foot planting strip and a ten (10) foot sidewalk will be provided.

b. **Hazelton Drive along Open Space – Development Area E.** An eight (8) foot planting strip and a six (6) foot sidewalk will be provided along Hazelton Drive within Development Area E, and as indicated no principal buildings shall be allowed within Development Area E.

c. **Side Yard Setback/Buffer Area Hazelton Residential Boundary.** A minimum 60 foot wide side yard building setback shall be provided along the common boundary with the residences located along Hazelton Drive. A 20 foot fire lane may be located adjacent to and on the interior side of the 60 foot side yard setback. A landscaped buffer extending a minimum distance of 25 feet from the common boundary with the residences along Hazelton Drive shall be maintained. Except in connection with unusual top or site conditions, no grading shall take place within such 25 foot wide buffer and additional tree and landscaping shall be installed and maintained in the manner described on the Rezoning Plan. Trees of greater than 8” in caliper within such 25 foot wide buffer area shall preserved subject to tree condition and unusual top and site related conditions. Furthermore, a 6 foot high privacy fence shall be installed in the area between the 25 foot wide buffer area and the 20 foot fire lane.

d. Balconies located above the first floor of the building(s) along Sharon Road may encroach up to four (4) feet into the setback.

e. Outdoor dining canopies and awnings on the building(s) along Sharon Road may encroach up to ten (10) feet into the setback.

5. **Parking Areas, Access and Circulation Design Guidelines.**
a. Building materials associated with facades on parking structures that are generally compatible in character and quality with adjoining buildings, plazas and streetscapes will be created, taking into consideration differences associated with parking structures.

b. Parking structures shall be designed to materially screen the view of parked cars from adjacent public streets, private driveways, or publicly accessible open spaces or plazas on all levels. Screening of cars on the ground level will be accomplished primarily through the use of landscaping; and screening of cars parked on an exposed upper level will be accomplished by a wall, at least 36 inches in height, designed as part of the parking deck structure.

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

6. **Pedestrian Access and Circulation Design Guidelines.**
a. Along the Site’s internal private driveways, the Petitioner will provide a sidewalk and a cross-walk network that links the buildings, parking areas and areas of interest on the Site with one another by way of links to sidewalks along the abutting public and/or other pedestrian features as generally depicted on the Rezoning Plan. The minimum width for these internal sidewalks will be six (6) feet.

b. Walkways through plazas or publicly accessible open space areas will be appropriately designed for the intended use and type of open space area in which they are located.

c. Where walkways occur along building walls, a walkway width of at least six (6) feet must be maintained clear of door swings, temporary trash or similar impediments.

7. **Open Space.**
a. The Petitioner will provide open space areas in the manner generally depicted on the Rezoning Plan but subject to minor adjustments needed to accommodate building and parking improvements. These open space areas will be contain landscaping, seating areas and hardscape elements.

b. Petitioner shall provide for the open space and improvements for Development Area E as described in Section 3 above.

8. **General Design Guidelines.**
a. General Considerations
i. Buildings will be oriented towards Sharon Road and the internal driveway to reinforce the streetscape.

ii. Architectural treatment shall continue on all sides of a building except as specifically noted otherwise.

iii. Ground floor elevations shall be treated with a combination of fenestration, clear glass, prominent entrances, change in materials, building step backs, art work and landscaping. Blank walls greater than twenty feet (20’) cannot be addressed with landscape elements only.

i

iv. Accessory structures shall be consistent with the principal building in material, texture, and color.

b. **Architectural Conceptual Renderings.** The conceptual renderings associated with the building(s) to be located on the Site as generally depicted on Sheet RZ-5 in connection with certain of permitted uses of the Site are included to reflect the architectural style and quality of the building(s) that will be constructed, it being understood that the actual building(s) so constructed may vary from these illustrations as long as the general architectural concept and intent shown is maintained. *[It is understood that the rendering related to the open space within Development Area E reflects enhanced improvements over those committed to in this rezoning based on Petitioner’s efforts to obtain funding from CNIP for street related improvements that would allow for funding to be shifted to enhanced open space improvements.]*

c. Facades Materials:

i. Windows and doors shall be provided for at least 30% of the total facade area along Sharon Road, with each floor calculated independently. This standard will not apply to the portions of the buildings that are located along internal private driveways and/or along the buffer parallel to Hazelton Drive that are visible from public streets.

ii. The Facades of first/ground floor of the buildings along Sharon Road shall incorporate a minimum of 25% masonry materials such as brick, stucco or stone.

iii. Foundations, where provided, shall be constructed as a distinct building element that contrasts with Facade materials. Exposed above-ground foundations shall be coated or faced in cement, stucco, brick, manufactured stone, or natural stone to contrast with facade materials.

d. Façade articulation:

i. Sharon Road fronting Facades and End fronting Facades shall be articulated and designed to create additional visual interest by varying architectural details, building materials, the roof line, and building offsets.

ii. First Story Facades of all buildings along Sharon Road shall incorporate columns, awnings, arcades, windows, doors, and/or other architectural elements.

9. Environmental Features:

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

10. Signage:

a. **Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided in addition to the signage otherwise allowed in this Section.**

b. Because the Site will be viewed as a Planned/Unified Development as defined by the Ordinance, shopping center signs may be located throughout the portion of the Site designated MUDD-O as allowed by the Ordinance and the Optional Provisions. In addition, uses located on the interior of the Site may be identified on the allowed signs (by way of example, the indoor recreation use and the other uses may be identified on the signs allowed along Sharon Road). The allowed signs may contain identification signage for any of the uses located on the Site.
c. Master signage and graphic systems may be adopted.

11. 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 and private streets, will be limited to 25 feet in height.

c. Detached pedestrian scale lighting along internal streets shall not exceed 20 feet in height.

12. Amendments to the Rezoning Plan:

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

13. 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.



Sharon Road View



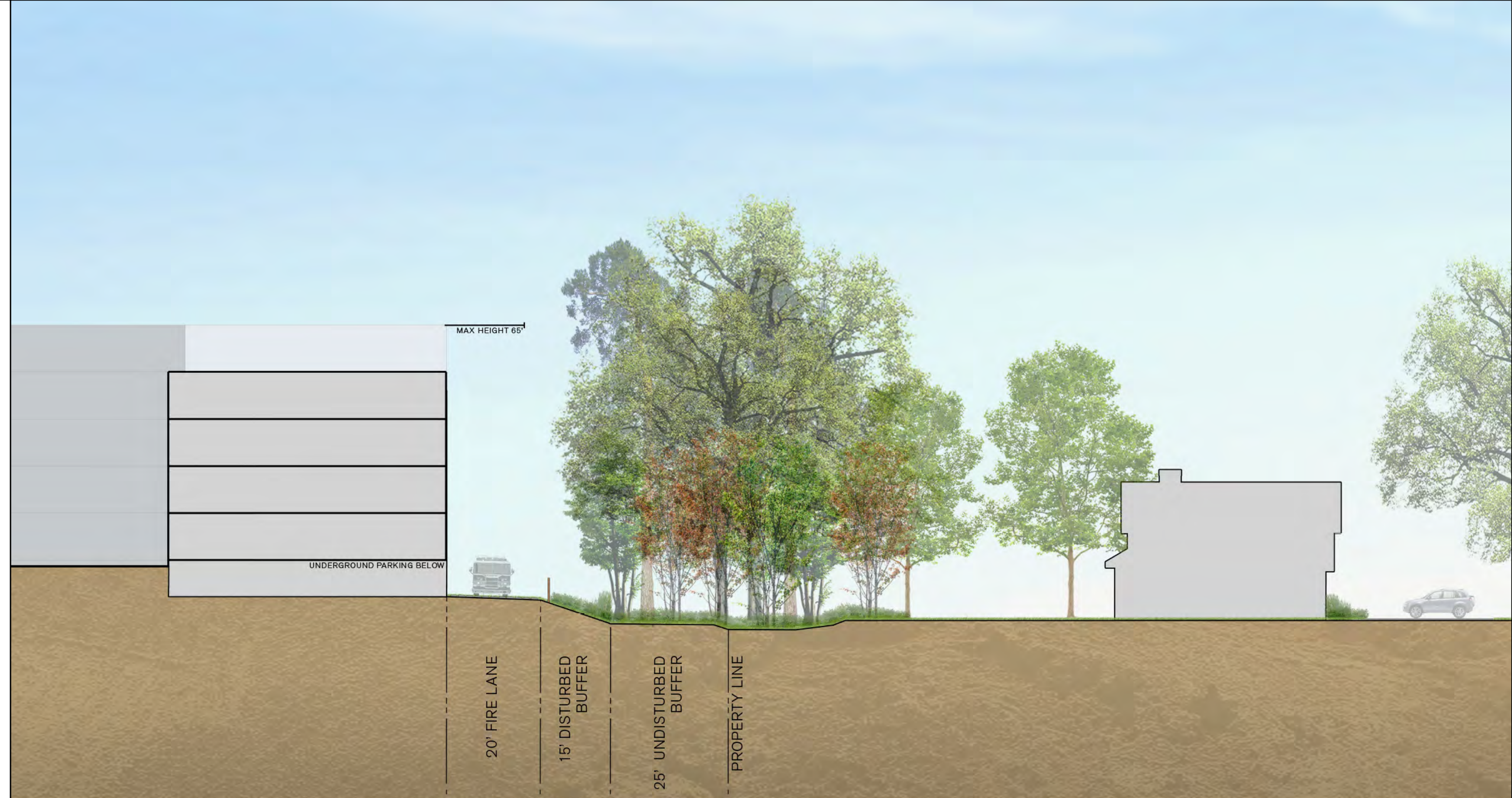
"NOTE:
(i) these rendering perspectives are conceptual in nature to generally depict the architectural treatment; alternations may take place that do not materially change the design intent.

(ii) Furthermore, the depictions of the open space area at the corner of Hazelton Dr. and Sharon Rd are subject to further consideration and depict improvements beyond commitments of Petitioner as described in Section 3 of the Development Standards on Sheet RZ-4.

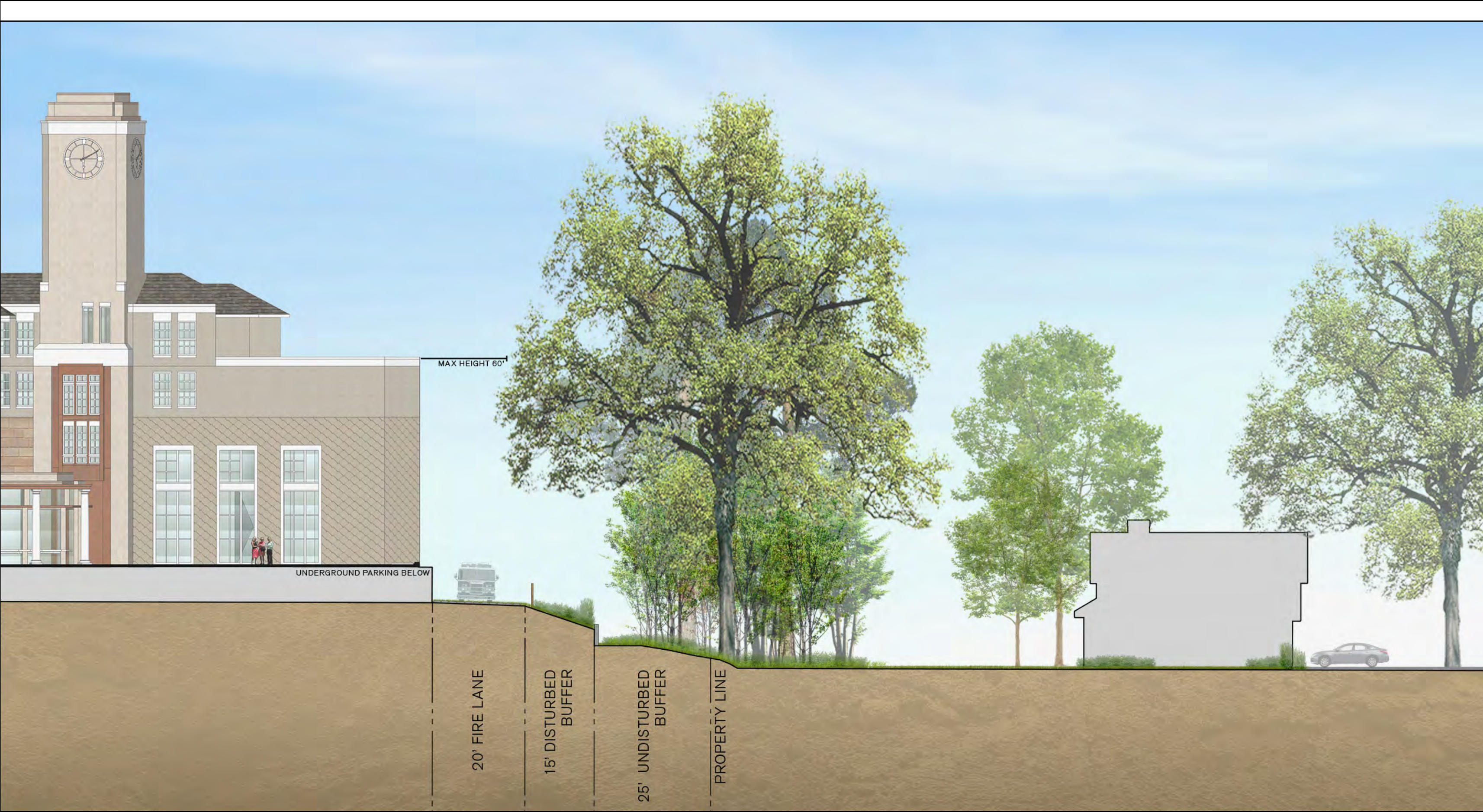
Open Space View



Site Section - Development Area B



Site Section - Development Area D



Site Section - Development Area C

Illustrative Building Height Explanation

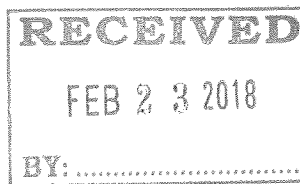
- This drawing seeks to illustrate maximum height of the building within [the applicable Development Area at the fixed point represented by the 60 foot wide side yard that extends from common boundary with Hazelton Dr. residences.
- The drawing is not to scale but is illustrative to demonstrate the intended treatment of the 60 foot side yard area and generally how the building is intended to step back in height from the side yard line.
- The maximum building height shown is highest point along the 60 foot side yard line. As described in the Development Data portion of Sheet RZ-4, the overall building height may be higher farther from the residential edge.



Traffic Improvement Diagrams

"NOTE: the improvements generally depicted are subject to further review by Petitioner in consultation with CDOT and other departments."

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-028

Petition #:	
Date Filed:	2/23/18
Received By:	R H

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: vacant/residential/cell tower (Acres): ± 28.05 gross; 27.62(net)

Existing Zoning: MX-1, R-3, and CC Proposed Zoning: R-17MF(CD)(LLWPA)

Overlay: Lower Lake Wylie Protected Area
(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: 1/16/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow the development of the parcels with a high-quality 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 ATTACHMENTS A-D

Signature of Property Owner

Pollack Shores (Attn: Palmer McArthur)

Name of Petitioner

5605 Glenridge Dr. NE, Ste. 775

Address of Petitioner

Atlanta, GA 30342

City, State, Zip

404.214.5336

Telephone Number

Fax Number

pmcarthur@pollackshores.com

E-mail Address

SEE ATTACHMENT E

Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
141-171-02	NA	E Mae Byrum	13406 Pine Harbor Rd, Charlotte, NC 28278	3.87	06/03/1977
141-141-05	5724 Dixie River Rd, Charlotte, NC 28278	Richard M Byrum	5756 Saint James Ln, York, SC 29745	11.71	06/03/1977
141-171-06	5632 Shopton Rd, Charlotte, NC 28278	Richard Martin Byrum by will	8128 Maude Stewart Rd, Fuquay Varina, NC 27526	2.76	06/03/1977
141-171-07	5616 Shopton Rd, Charlotte, NC 28278	Martha B Kales	8105 Hemby Wood Dr, Indian Trail, NC 28079	3.37	06/13/1977
141-171-08	NA	Martha B Kales	8105 Hemby Wood Dr, Indian Trail, NC 28079	3.87	06/03/1977
141-171-09	5500 Shopton Rd, Charlotte, NC 28278	Charles E Averitt & Frances B Averitt	5500 Shopton Rd, Charlotte, NC 28278	2.04	06/03/1977

ATTACHMENT A

REZONING PETITION NO. 2018-____
Pollack Shores

OWNER JOINDER AGREEMENT
E Mae Byrum

The undersigned, as the owner of the parcel of land located on the northern side of Shopton Rd. across from Outlet Blvd that is designated as Tax Parcel No. 141-171-02 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 R-17MF(CD)LLWPA zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This ~~20th~~ day of February, 2018.

E. Mae Byrum

A handwritten signature in cursive script that reads "E. Mae Byrum McGowan".

ATTACHMENT C

REZONING PETITION NO. 2018-____
Pollack Shores

OWNER JOINDER AGREEMENT
Martha B Kales

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

1. 5616 Shopton Road that is designated as Tax Parcel No. 141-171-07 on the Mecklenburg County Tax Map
2. North side of Shopton Road between Outlet Blvd and New Fashion Way that is designated as Tax Parcel No. 141-171-08 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 R-17MF(CD)LL WPA 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 February, 2018.

Martha B Kales

Martha B Kales

ATTACHMENT B**REZONING PETITION NO. 2018-____**
Pollack Shores**OWNER JOINDER AGREEMENT**
Richard M Byrum

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

1. 5724 Dixie River Road that is designated as Tax Parcel No. 141-171-05 on the Mecklenburg County Tax Map
2. 5632 Shopton Road that is designated as Tax Parcel No. 141-171-06 on the Mecklenburg County Tax Map

and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from MX-1 and CC zoning districts to the R-17MF(CD)LLWPA zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19th day of Feb, 2018.

Richard M Byrum

Richard M. Byrum
By Cynthia C. Byrum
FOA

CHAR2\1991876v1

ATTACHMENT D

REZONING PETITION NO. 2018-____
Pollack Shores

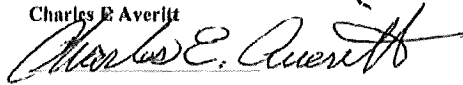
OWNER JOINDER AGREEMENT

Charles E Averitt
Frances B Averitt

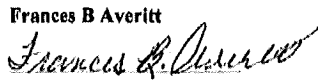
The undersigned, as the owner of the parcel of land located at 5500 Shopton Road that is designated as Tax Parcel No. 141-171-09 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-3 zoning district to the R-17MF(CD)LLWPA 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 Feb., 2018.

Charles E Averitt



Frances B Averitt




ATTACHMENT E

**REZONING PETITION NO. 2018-
Pollack Shores**

Petitioner:

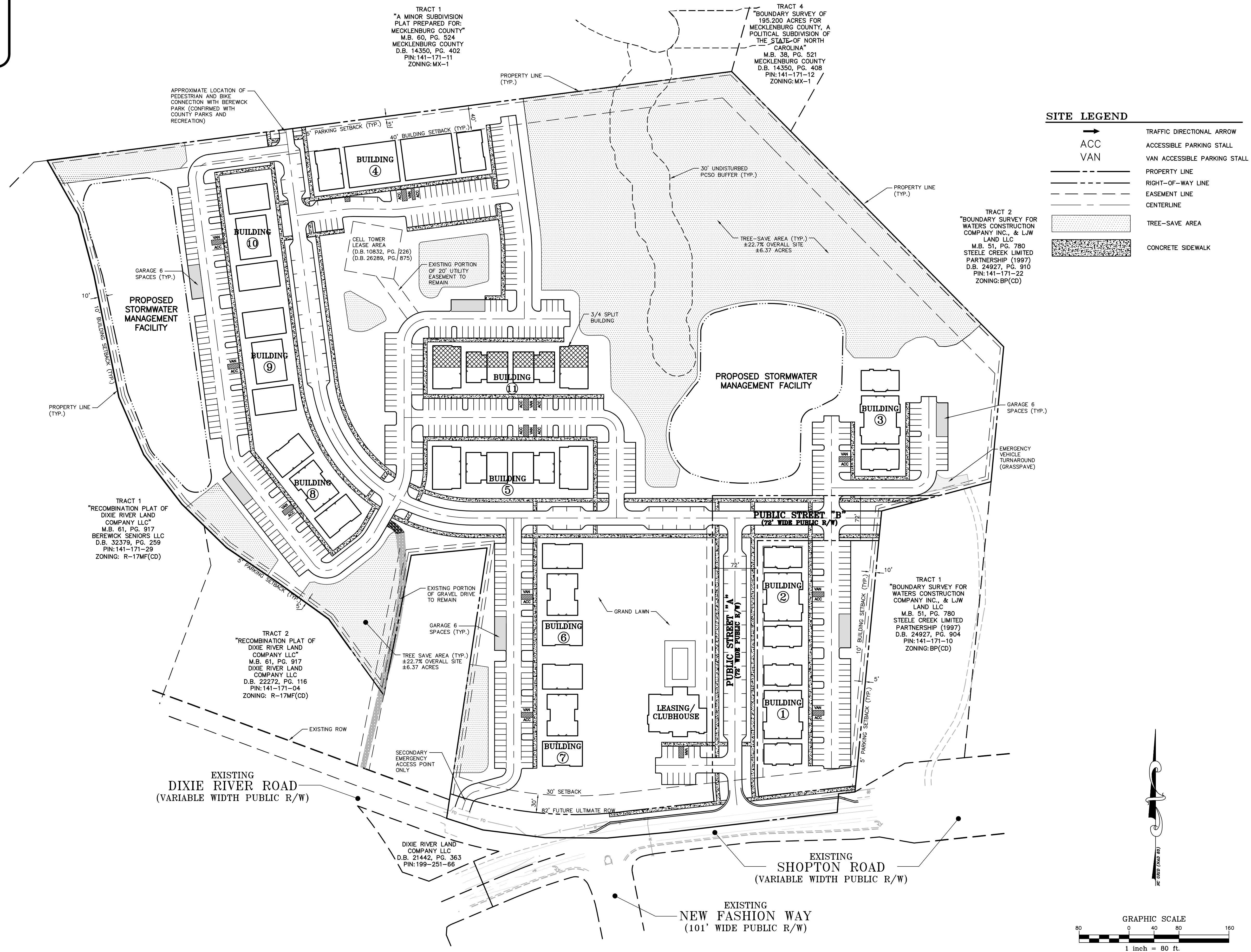
Pollack Shores

By: 
Name: Palmer McArthur
Title: VP



SITE DEVELOPMENT DATA:

<u>ACREAGE:</u>	±28.05 GROSS; 27.82 NET
<u>TAX PARCEL NUMBERS:</u>	141-171-02, 141-171-03, 141-171-06, 141-171-07, 141-171-08, 141-171-09
<u>EXISTING ZONING:</u>	MX-1, R-3, AND CC
<u>PROPOSED ZONING:</u>	R-17M(CO/LLWPA)
<u>EXISTING USES:</u>	VACANT/RESIDENTIAL/CAMP. TOWER
<u>PROPOSED USES:</u>	UP TO 330 MULL-FAMILY RESIDENTIAL DWELLING UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE R-17M ZONING DISTRICT.
<u>MAXIMUM BUILDING HEIGHT:</u>	NOT TO EXCEED FOUR (4) STORIES OR 60 FEET BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.
<u>PARKING:</u>	AS REQUIRED BY THE ORDINANCE WILL BE PROVIDED.



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

Y:\Projects\PSR\18000\Land\Rezoning\PSR18000-RZ1.dwg, 2/23/2018 2:06:12 PM, Bernard, Andrew

**THE JOHN R. McADAMS
COMPANY, INC.**
3436 Toringdon Way
Suite 110
Charlotte, North Carolina 28277
License No.: C-0293
704. 527. 0800 ■ McAdamsCo.co



POLLACK SHORES
MATRIX RESIDENTIAL
5605 GELNRIDGE DR. NE, STE 775
ATLANTA, GA 30342

IN ROAD APARTMENTS
SHOPTON ROAD
CHARLOTTE, NORTH CAROLINA

PROJECT NO. PSR-18000

LENAME: PSR18000-RZ

CHECKED BY: RMR

DRAWN BY: AJB

CALB: $1''=80'$

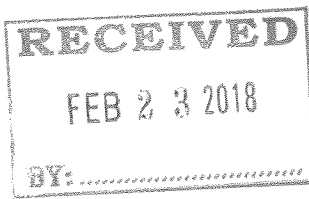
DATE: 02-23-2018

SHEET NO. **B7-1**

1121



**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-029

Petition #: _____
Date Filed: 2/23/2018
Received By: PJ

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties
Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: vacant (Acres): ± 15.78

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

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

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

Date of meeting: 1/30/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow the development of the parcels with a quality multi-family 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 B

Signature of Property Owner

Metrolina Properties Limited Partnership

Name of Petitioner

1341 E Morehead St., Ste. 201

Address of Petitioner

Charlotte, NC 28226

City, State, Zip

704.344.1868

Telephone Number

Fax Number

twilliams@withrowcapital.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Date Acquired
025-081-22	N/A	Metrolina Properties LP	1341 E Morehead St, Ste 201 Charlotte, NC 28209	05/05/2009
A portion of 025-081-23	N/A			06/21/1988
025-103-02	N/A			07/13/2004
025-103-03	N/A			7/13/2004
025-103-09	N/A			12/22/2014

ATTACHMENT B

REZONING PETITION NO. 2018-

Owner / Petitioner:

Metrolina Properties Limited Partnership

By: Withrow Capital Investments, LLC

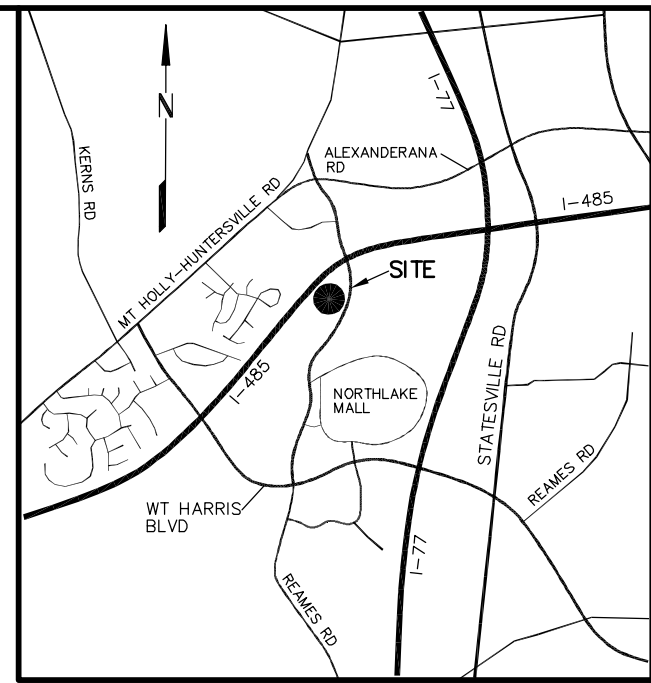
Its General Partner

By: 

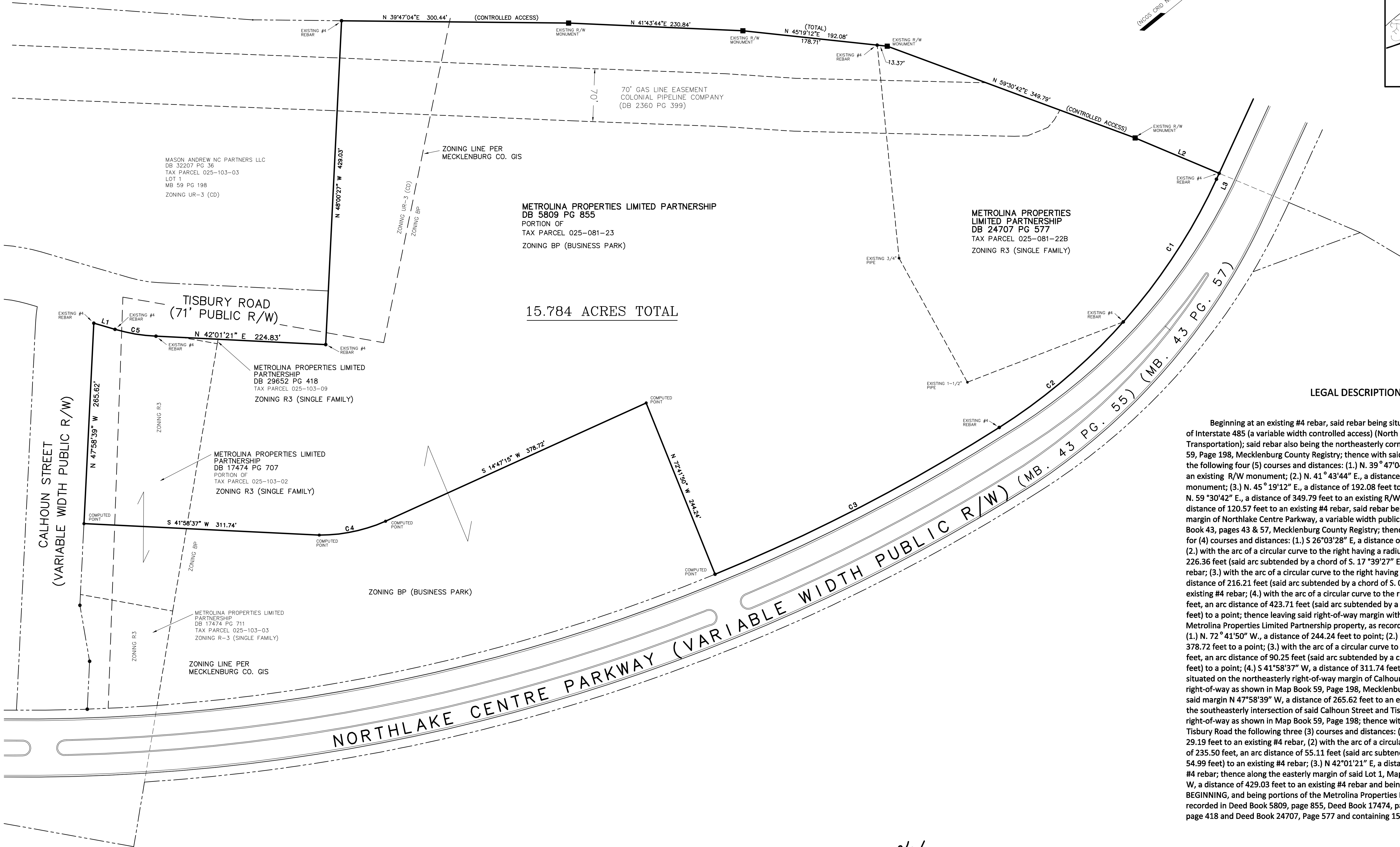
Name: Ronald J. Withrow

Title: Manager

INTERSTATE 485 (VARIABLE WIDTH CONTROLLED ACCESS)
N.C. DEPARTMENT OF TRANSPORTATION (NCDOT TIP# R-2248D)



VICINITY MAP



LEGAL DESCRIPTION

Beginning at an existing #4 rebar, said rebar being situated on the Southeasterly margin of Interstate 485 (a variable width controlled access) (North Carolina Department of Transportation); said rebar also being the northeasterly corner of Lot 1 as shown in Map Book 59, Page 198, Mecklenburg County Registry; thence with said Interstate 485 controlled access the following four (5) courses and distances: (1.) N. 39° 47' 04" E., a distance of 300.44 feet to an existing R/W monument; (2.) N. 41° 43' 44" E., a distance of 230.84 feet to an existing R/W monument; (3.) N. 45° 19' 12" E., a distance of 192.08 feet to an existing R/W monument; (4.) N. 59° 30' 42" E., a distance of 349.79 feet to an existing R/W monument; (5.) N. 61° 58' 46" E., a distance of 120.57 feet to an existing #4 rebar, said rebar being situated on the northwesterly margin of Northlake Centre Parkway, a variable width public right-of-way as shown in Map Book 43, pages 43 & 57, Mecklenburg County Registry; thence with said margin the following for (4) courses and distances: (1.) S 26° 03' 28" E., a distance of 8.62 feet to an existing #4 rebar; (2.) with the arc of a circular curve to the right having a radius of 770.21 feet, an arc distance of 226.36 feet (said arc subtended by a chord of S. 17° 39' 27" E., 225.55 feet) to an existing #4 rebar; (3.) with the arc of a circular curve to the right having a radius of 770.21 feet, an arc distance of 216.21 feet (said arc subtended by a chord of S. 01° 11' 44" E., 215.50 feet) to an existing #4 rebar; (4.) with the arc of a circular curve to the right having a radius of 2410.63 feet, an arc distance of 423.71 feet (said arc subtended by a chord of S. 11° 52' 54" W., 423.17 feet) to a point; thence leaving said right-of-way margin with four (4) new lines through the Metrolina Properties Limited Partnership property, as recorded in Deed Book 5809, Page 855; (1.) N. 72° 41' 50" W., a distance of 244.24 feet to point; (2.) S 14° 47' 15" W., a distance of 378.72 feet to a point; (3.) with the arc of a circular curve to the right having a radius of 216.85 feet, an arc distance of 90.25 feet (said arc subtended by a chord of S. 27° 24' 20" W., 89.60 feet) to a point; (4.) S 41° 58' 37" W., a distance of 311.74 feet to a point, said point being situated on the northeasterly right-of-way margin of Calhoun Street, a variable width public right-of-way as shown in Map Book 59, Page 198, Mecklenburg County Registry; thence with said margin N 47° 58' 39" W., a distance of 265.62 feet to an existing #4 rebar, said rebar marking the southeasterly intersection of said Calhoun Street and Tisbury Road, a 71' public right-of-way as shown in Map Book 59, Page 198; thence with the southerly right-of-way of Tisbury Road the following three (3) courses and distances: (1.) N 55° 25' 53" E., a distance of 29.19 feet to an existing #4 rebar, (2) with the arc of a circular curve to the left having a radius of 235.50 feet, an arc distance of 55.11 feet (said arc subtended by a chord of N 48° 43' 37" E., 54.99 feet) to an existing #4 rebar; (3.) N 42° 01' 21" E., a distance of 224.83 feet to an existing #4 rebar; thence along the easterly margin of said Lot 1, Map Book 59, Page 198, N 48° 00' 27" W., a distance of 429.03 feet to an existing #4 rebar and being the point and place of BEGINNING, and being portions of the Metrolina Properties Limited Partnership properties as recorded in Deed Book 5809, page 855, Deed Book 17474, page 707, and Deed Book 29652, page 418 and Deed Book 24707, Page 577 and containing 15.784 acres, more or less.

GENERAL NOTES:

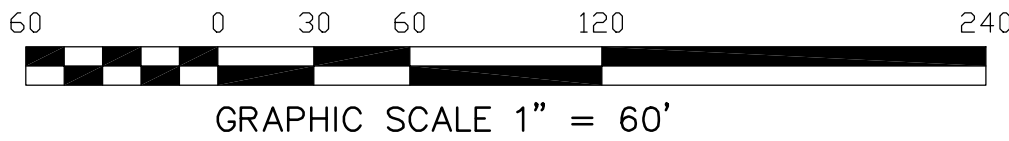
- BOUNDARY SURVEY IS BASED ON EXISTING PHYSICAL EVIDENCE OBSERVED IN FIELD ON DATE(S) OF SURVEY.
- NORTH ORIENTATION IS BASED ON NORTH CAROLINA STATE PLANE GRID COORDINATE SYSTEM (NAD-83).
- ALL DISTANCE SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED. ALL AREAS WERE CALCULATED USING THE COORDINATE METHOD.

CURVE TABLE

Curve	Radius	Length	Chord	Chord Bear.
C1	770.21'	226.36'	225.55'	S 17° 39' 27" E
C2	770.21'	216.21'	215.50'	S 01° 11' 44" E
C3	2410.63'	423.71'	423.17'	S 11° 52' 54" W
C4	216.85'	90.25'	89.60'	S 27° 24' 20" W
C5	235.50'	55.11'	54.99'	N 48° 43' 37" E

LINE TABLE

Course	Bearing	Distance
L1	N 55° 25' 53" E	29.19'
L2	N 61° 58' 46" E	120.57'
L3	S 26° 03' 28" E	8.62'



CITY OF CHARLOTTE
MECKLENBURG COUNTY, NORTH CAROLINA
REZONING MAP FOR:

METROLINA PROPERTIES LIMITED PARTNERSHIP

SURVEYED BY:	SURVEY DATE(S):	PROJECT NUMBER:
MB,EG	2-18	18006
DRAWN BY:	PLAT DATE:	DRAWING NAME:
EG	2-18	18006
CHECKED BY:	DRAWING SCALE:	FIELD BOOK:
EG	1"=60'	01-13



SITE DEVELOPMENT DATA

--Acreage: ± 15.78 acres
--Tax Parcel #: 025-081-22, 025-103-02, 025-103-03, 025-103-09, and a portion of 025-081-23
--Existing Zoning: UR-3(CD), R-3, and BP
--Proposed Zoning: UR-3(CD)
--Existing Uses: Vacant
--Proposed Uses: Residential Dwelling units as permitted by right and under prescribed conditions together with accessory uses as allowed in the UR-2 zoning district (as more specifically described and restricted below in Section 3).
--Maximum Development: Up to 300 residential dwellings units, subject to the limitations described below.
--Maximum Building Height: Building height on the Site will be limited to four (4) stories, and will not to exceed 60 feet. Building height will be measured as defined by the Ordinance.
--Parking: As required and allowed by the Ordinance for the UR-2 zoning district.

1. 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 Metrolina Properties Limited Partnership ("Petitioner") to accommodate development of a residential community on an approximately 15.78 acre site generally located at the northeast intersection of Calhoun Street and Northlake Centre Parkway (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 all development taking place on the Site.

c. **Graphics and Alterations.** The schematic depictions of sidewalks, 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.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site will be limited to 12. 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 buildings(s).

2. Permitted Uses:

a. Up to 300 residential dwelling units may be constructed on the Site as allowed by right and under prescribed conditions together with accessory uses as allowed in the UR-2 zoning district.

3. Access, Buffers, Screening, Open Space and Pedestrian Circulation.

a. Access to the Site will be from Northlake Centre Parkway, Calhoun Street, and Tisbury Road as generally depicted on the Rezoning Plan.

b. A 24 foot setback as measured from the existing and future back of curb, as applicable will be provided along Northlake Centre Parkway as generally depicted on the Rezoning Plan.

c. Along Calhoun Street and Tisbury Road a 16 foot setback as measured from the back of curb will be provided.

d. The Site's frontage on Northlake Centre Parkway, will be improved with an eight (8) foot planting strip and a six (6) foot sidewalk as generally depicted on the Rezoning Plan.

e. The Site's frontage on Calhoun Street, and both sides of Tisbury Road extension will be improved with an eight (8) foot planting strip and an eight (8) foot sidewalk.

f. The buildings on the Site will be connected to the sidewalks along the abutting public street via a network of internal sidewalks and crosswalks. The minimum width of the internal sidewalks will be five (5) feet. The building on the Site will also be connected to the internal sidewalk system via sidewalks with a minimum width of five (5) feet.

g. The Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

h. All transportation improvements shall be constructed and approved prior to the release of a certificate of occupancy for more than six (6) buildings on the Site. The Petitioner may post a bond for any improvements not completed at the time a certificate of occupancy is requested.

4. Architectural Standards and Parking Location Restrictions:

a. The principal buildings used for multi-family residential uses 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 hardy-plank), EIFS or wood. Vinyl as a building material will not be allowed except on windows, soffits and on handrails/railings.

b. Preferred Exterior Building Materials: All principal and accessory buildings abutting Northlake Centre Parkway, Tisbury Road, and Calhoun Street shall comprise a minimum of 30% of that building's entire facade facing such network street using brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.

c. Prohibited Exterior Building Materials:

i. Vinyl siding (but not vinyl hand rails, windows or door trim).

ii. Concrete Masonry Units not architecturally finished.

d. Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:

i. Buildings shall be placed so as to present a front or side façade to Northlake Centre Parkway, Tisbury Road, and Calhoun Street.

ii. Buildings shall front a minimum of 50% of the total Northlake Centre Parkway, Tisbury Road, and Calhoun Street frontage on the site (exclusive of driveways, pedestrian access, points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities).

iii. Parking lots shall not be located between any building and Northlake Centre Parkway, Tisbury Road, and Calhoun Street.

iv. Driveways intended to serve single units shall be prohibited on all network required streets.

e. Building Massing and Height shall be designed to break up long monolithic building forms as follows:

i. Buildings exceeding 135 feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of 4 feet extending through the building.

f. Architectural Elevation Design - elevations shall be designed to create visual interest as follows:

i. Building elevations shall be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.

ii. Buildings shall be designed with a recognizable architectural base on all facades facing Northlake Centre Parkway, Tisbury Road, and Calhoun Street. Such base may be executed through use of Preferred Exterior Building Materials or articulated architectural façade features and color changes.

iii. Building elevations facing Northlake Centre Parkway, Tisbury Road, and Calhoun Street shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

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

i. 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.

ii. For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls. This standard will not apply to roofs on dormers, balconies, or other minor building elements that may have a pitched roof.

iii. Ground mounted HVAC will be screened from public streets per the requirements. If rooftop HVAC units are used they will be screened from the public streets per the requirements.

h. 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 or a Class B buffer not less than 10' in depth at all above grade perimeter not paved for access. The location of the proposed dumpster and recycling areas is generally depicted on the Rezoning Plan.

i. Sidewalk extensions should be provided between all street trees on all public and private streets when parking is adjacent.

5. Environmental Features:

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance. The location, size, and type of storm water management systems if 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.

b. Trees located in the City of Charlotte public street right-of-way are protected by the Tree Ordinance; Landscape Management must be contacted before any disturbance

or removal of trees in the public street right-of-way occurs.

c. The Site will comply with the Tree Ordinance.

6. Open Space/ Amenity Areas and Improvements:

a. The Petitioner will provide at a minimum the following type of amenities for the residents of the community; a dog park, outdoor seating areas with hardscape and landscaping elements, a pool area, a club house, and outdoor cooking areas.

7. Lighting:

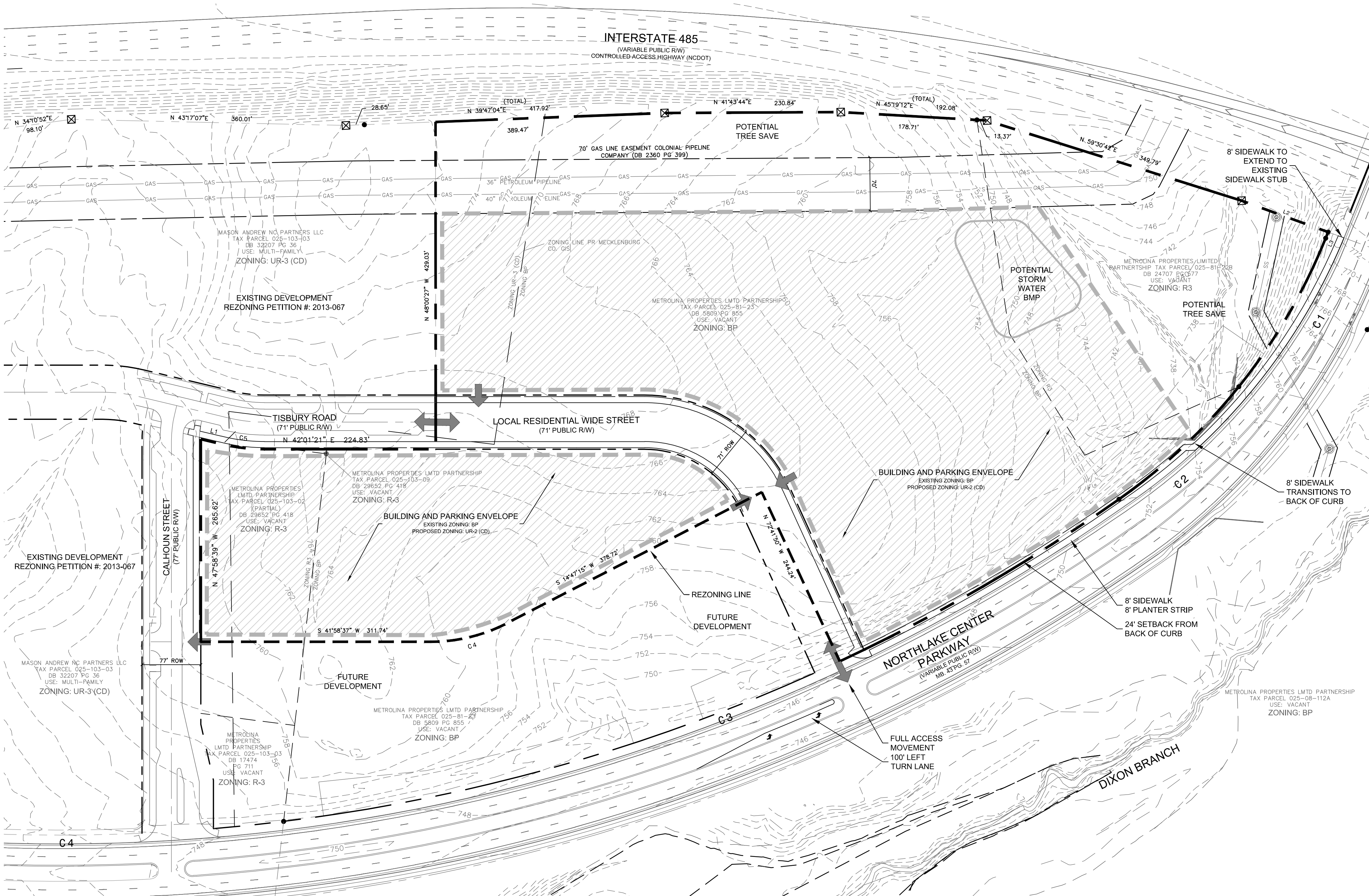
a. Detached lighting on the Site, except street lights located along public streets, will be limited to 21 feet in height.

8. Amendments to the Rezoning Plan:

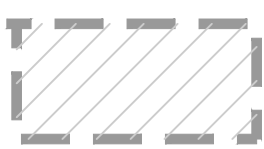
a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

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 and their respective heirs, devisees, personal representatives, successors in interest or assigns.



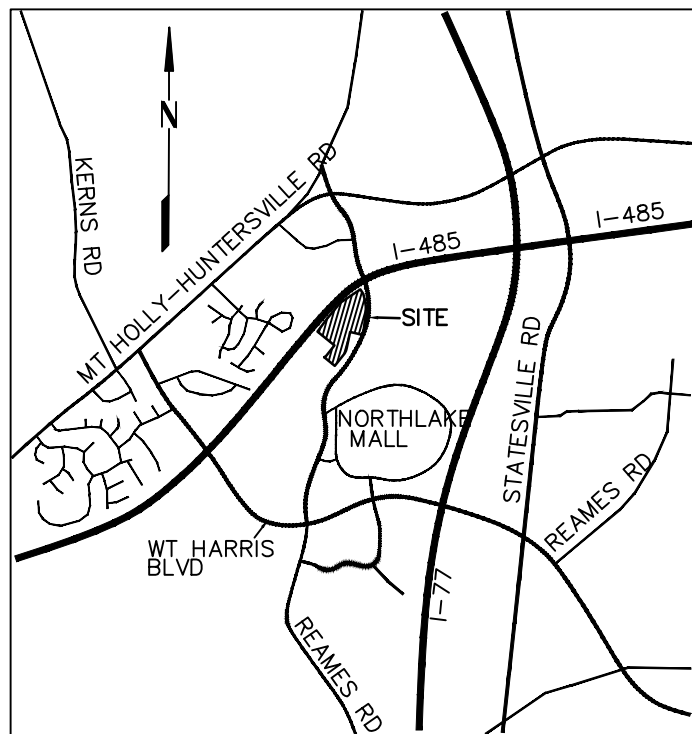
LEGEND



BUILDING AND PARKING ENVELOPE

ZONING BOUNDARY

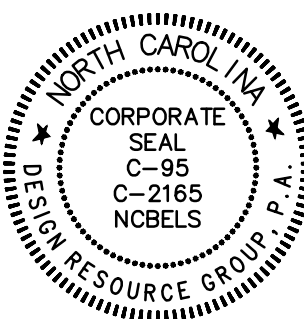
VEHICULAR INGRESS/EGRESS



VICINITY MAP
(NOT TO SCALE)

CURVE TABLE				
Curve	Radius	Length	Chord	Chord Bear.
C1	770.21'	226.36'	225.55'	S 17°39'27" E
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REZONING PETITION

FOR PUBLIC HEARING

2018-XXX

REZONING PETITION

NORTHLAKE APARTMENTS - PHASE III

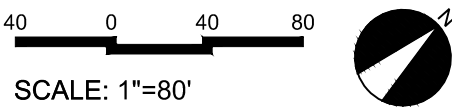
CHARLOTTE, NORTH CAROLINA

METROLINA PROPERTIES LMTD PARTNERSHIP

1341 EAST MOREHEAD STREET

CHARLOTTE, NORTH CAROLINA 28204

TECHNICAL
DATA SHEET

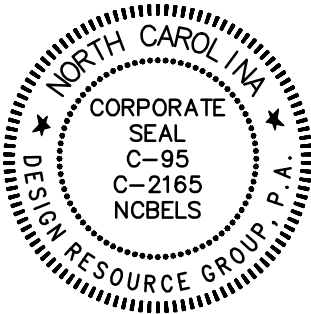


SCALE: 1"=80'

PROJECT #: 297-014
DRAWN BY: NFK
CHECKED BY: BS

FEBRUARY 23, 2018

REVISIONS:



REZONING PETITION
FOR PUBLIC HEARING
2018-XXX

REZONING PETITION

NORTHLAKE APARTMENTS - PHASE III
CHARLOTTE, NORTH CAROLINA
METROLINA PROPERTIES LMTD PARTNERSHIP
1341 EAST MOREHEAD STREET
CHARLOTTE, NORTH CAROLINA 28204

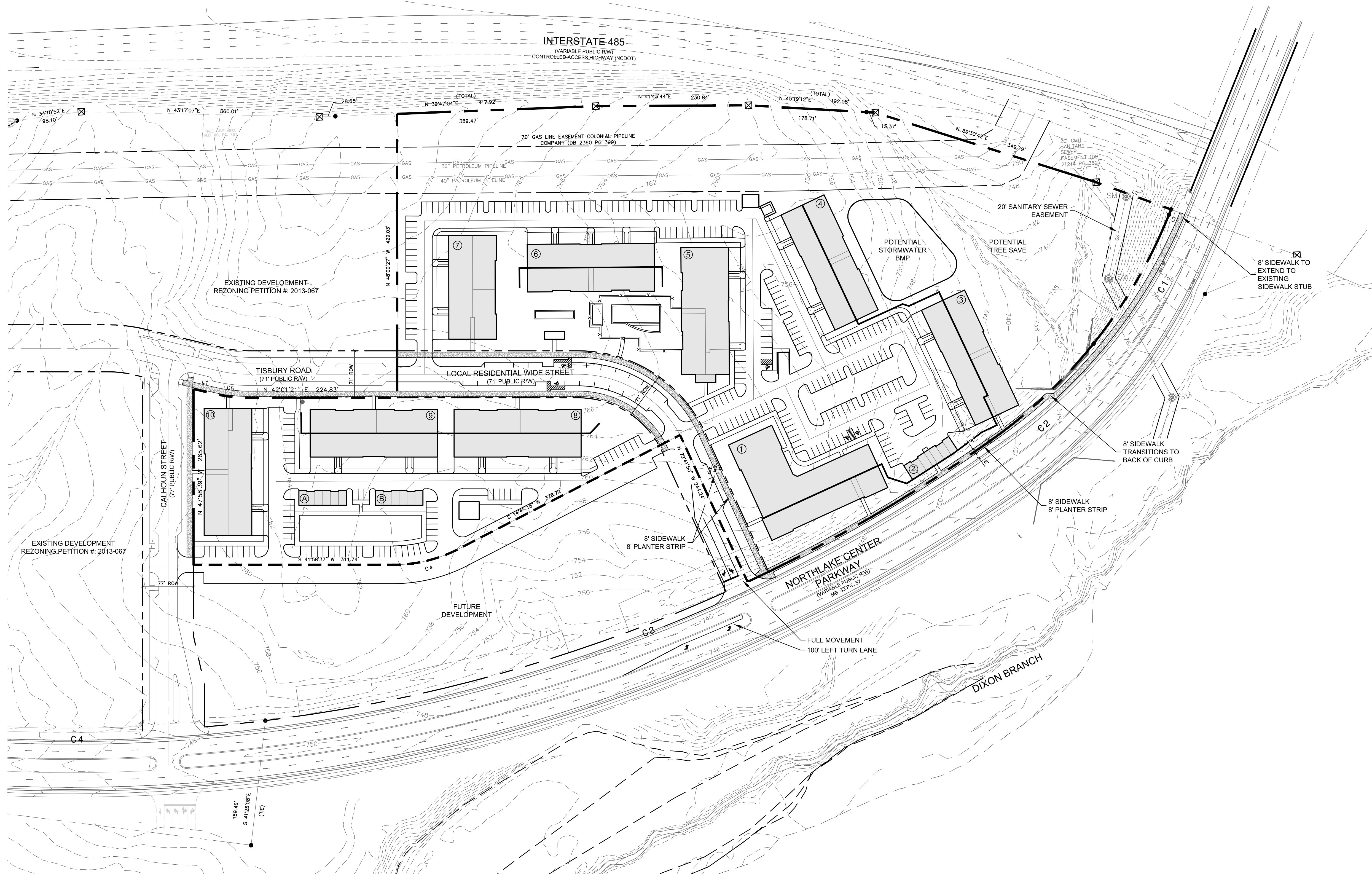
SCHEMATIC
SITE PLAN

40 0 40 80
SCALE: 1"=80'

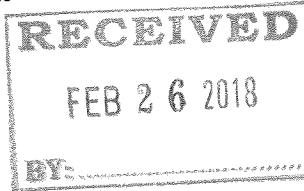
PROJECT #: 297-014
DRAWN BY: NFK
CHECKED BY: BS

FEBRUARY 23, 2018

REVISIONS:



I. REZONING APPLICATION CITY OF CHARLOTTE



2018-030

Petition #:	
Date Filed:	2/26/2018
Received By:	<i>[Signature]</i>

Complete All Fields (Use additional pages if needed)

Property Owner: Patti A Blackwell

Owner's Address: P.O. Box 824 City, State, Zip: Cornelius, NC 28031

Date Property Acquired: 02/06/2017

Property Address: 4200 and 4420 Northpointe Industrial Blvd Charlotte, NC 28216

Tax Parcel Number(s): 03910205 + 03910206

Current Land Use: Raw Land Size (Acres): 2.75

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

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

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

Date of meeting: 02/20/2018

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To take out certain I-2 uses.

Ty Chapman
Name of Rezoning Agent

20117 W Catawba Ave
Agent's Address

Cornelius, NC 28031
City, State, Zip

704-640-3388
Telephone Number Fax Number

Ty.Chapman3@gmail.com
E-Mail Address

DocuSigned by:
Patti A Blackwell
Signature of Property Owner

Patti A Blackwell
(Name Typed / Printed)

JV Transport Inc
Name of Petitioner(s)

10616 Barvas Street
Address of Petitioner(s)

Charlotte, NC 28262
City, State, Zip

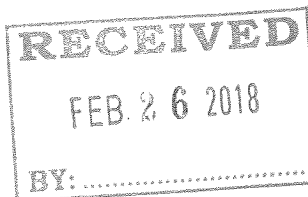
704-989-8228 & 704-219-3859
Telephone Number Fax Number

JVTransportinc2018@gmail.com
E-Mail Address

DocuSigned by:
[Signature]
Signature of Petitioner

Jose Contreras- Owner
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-031

Petition #: _____
Date Filed: 2/26/2018
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: office (Acres): ± .49

Existing Zoning: O-2(PED) Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, Kathy Cornett, Grant Meacci, Julie Lund, and Catherine Mahoney

Date of meeting: 2/14/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow development of the parcel with an office building as allowed by the current zoning, with the addition of subterranean climate controlled storage.

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

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

Telephone Number

Fax Number

keithmacvean@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENTS A-B

Signature of Property Owner

CitiSculpt (Attn: Daniel Sterns)

Name of Petitioner

1435 W. Morehead St, Ste. 130

Address of Petitioner

Charlotte, NC 28208

City, State, Zip

704.362.2400

Telephone Number

Fax Number

dsterns@citisculpt.com

E-mail Address

SEE ATTACHMENT C

Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
125-212-04	1301 Harding Place, Charlotte, NC 28204	West Morehead Ventures, LLC	1435 West Morehead Street, Suite 130 Charlotte, NC 28208	.28	1/31/2018
125-212-05	1309 Harding Place, Charlotte, NC 28204	BEVCO, LLC	3920 Windwood Circle, Charlotte, NC 28226	.21	12/31/1999

ATTACHMENT A


REZONING PETITION NO. 2018-____
CitiSculpt

OWNER JOINDER AGREEMENT
WEST MOREHEAD VENTURES, LLC

The undersigned, as the owner of the parcel of land located at 1301 Harding Place that is designated as Tax Parcel No. 125-212-04 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from O-2(PED) zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 20 day of FEBRUARY, 2018.

WEST MOREHEAD VENTURES, LLC
A North Carolina limited liability company

By: 

Name: SHANE SEAGUE

Its: MEMBER

ATTACHMENT B

REZONING PETITION NO. 2018-____
CitiSculpt

OWNER JOINDER AGREEMENT
BEVCO, LLC

The undersigned, as the owner of the parcel of land located at 1309 Harding Place that is designated as Tax Parcel No. 125-212-05 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-2(PED) zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 26th day of Feb., 2018.

BEVCO, LLC

A North Carolina limited liability company

By: _____

Name: _____

Its: _____

Beverly C Scott
BEVERLY C SCOTT
Manager

ATTACHMENT B

REZONING PETITION NO. 2018-____
CitiSculpt

OWNER JOINDER AGREEMENT
BEVCO, LLC

The undersigned, as the owner of the parcel of land located at 1309 Harding Place that is designated as Tax Parcel No. 125-212-05 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-2(PED) zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 26th day of Feb., 2018.

BEVCO, LLC

A North Carolina limited liability company

By: _____

Name: _____

Its: _____

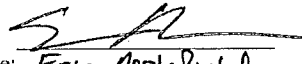
Benny C Scott
BEVERLY C SCOTT
Manager

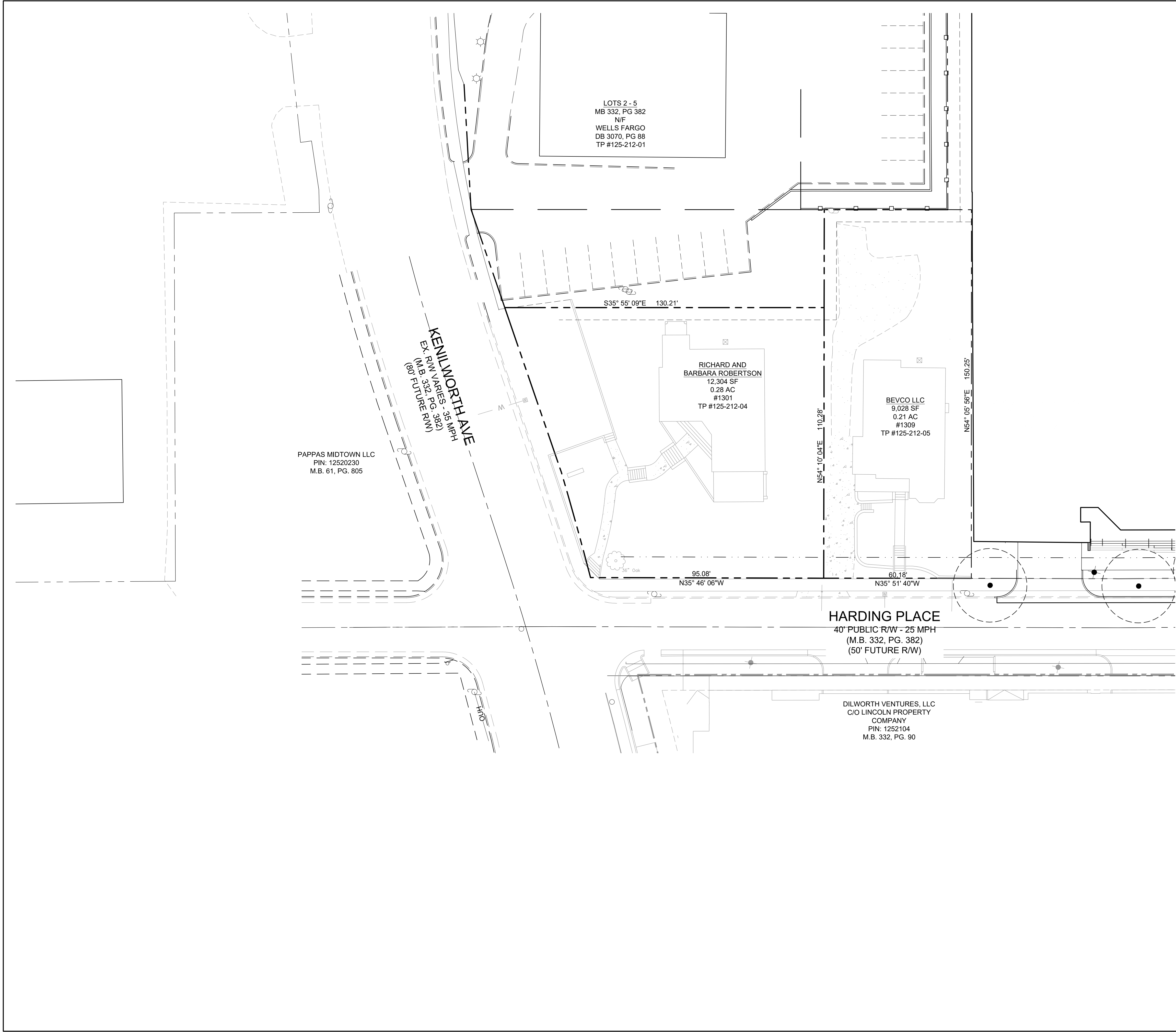
ATTACHMENT C

REZONING PETITION NO. 2018-
CitiSculpt

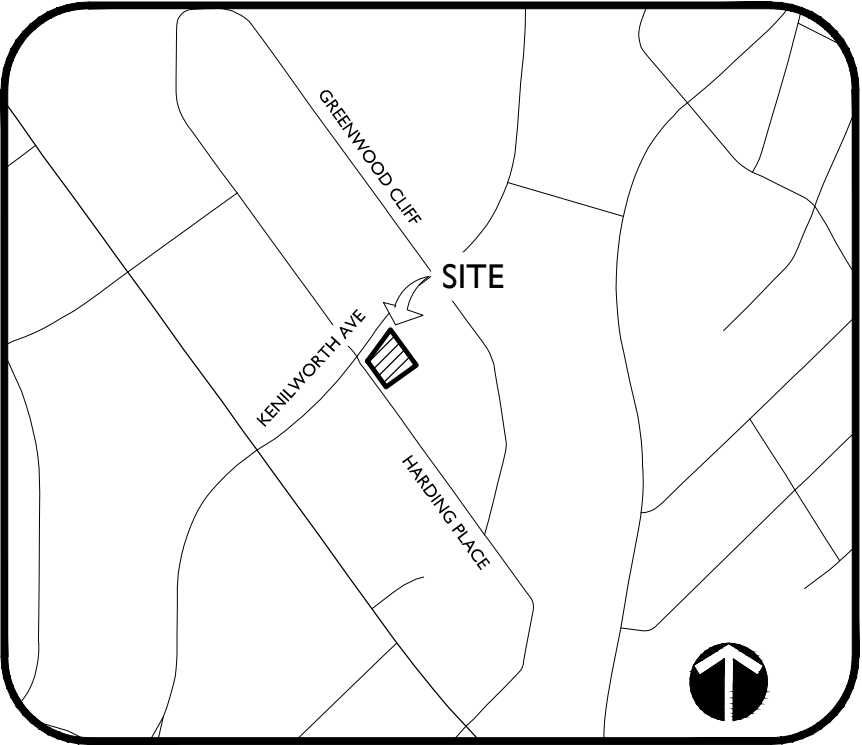
Petitioner:

CitiSculpt

By: 
Name: Eric Applefield
Title: Counsel



SITE INFORMATION	
SITE AREA	0.49 ACRES (+/- 21,332 SQFT)
TAX PARCEL(S) INCLUDED WITHIN THE AREA TO BE REZONED	12521204, 12521205
EXISTING ZONING	0-2 (PED)
EXISTING USES	VACANT STRUCTURES: OFFICE AND PARKING
PROPERTY OWNERS	VARIES (AS SHOWN)



VICINITY MAP
NTS

KEY MAP

SEAL

REZONING
PETITIONS
2018-__

PROJECT

HARDING
PLACE
OFFICE

CITISCUPT

LANDDESIGN PROJ.#
1016388

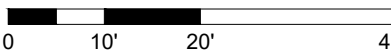
REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
	REZONING SUB. 1	2-23-18

DESIGNED BY: LDI
DRAWN BY: LDI
CHECKED BY: NLD

SCALE

VERT: N/A
HORZ: 1"=20'



SHEET TITLE

EXISTING CONDITIONS PLAN

SHEET NUMBER

RZ-EC

KEY MAP

SEAL

REZONING
PETITIONS
2018-__

PROJECT

HARDING
PLACE
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REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
	REZONING SUB.1	02-23-18

DESIGNED BY: LDI
DRAWN BY: LDI
CHECKED BY: NLD

SCALE NORTH

VERT: N/A
HORZ: 1"=20'

SHEET TITLE

SCHEMATIC SITE PLAN

SHEET NUMBER

RZ-01

SITE DEVELOPMENT SUMMARY

SITE AREA	0.47 ACRES (+/- 20,4730 SQFT)
TAX PARCEL(S) INCLUDED WITHIN THE AREA TO BE REZONED	12521204, 12521205
EXISTING ZONING	OFFICE: O-2 (PED)
EXISTING USES	VACANT STRUCTURES: OFFICE AND PARKING
PROPOSED ZONING	MUDD-O
PROPOSED USES	OFFICE / UNDERGROUND STORAGE

LOTS 2 - 5
MB 332, PG 382
N/F
WELLS FARGO
DB 3070, PG 88
TP #125-212-01

KENILWORTH AVE
EX. R/W VARIES - 35 MPH
(M.B. 332, PG. 382)
(80' FUTURE R/W)

PAPPAS MIDTOWN LLC
PIN: 12520230
M.B. 61, PG. 805

CURB SHIFT FOR FUTURE BIKE LANE
BIKE LANE STRIPING TO BE
COORDINATED BY CDOT

1
RZ-01

22' SETBACK

EX. ROW

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CitiSculpt
Development Standards
02/20/18
Rezoning Petition No. 2018-

Site Development Data:

--Acreage: ± .49 acres
--Tax Parcel #: 125-212-04 and 125-212-05
--Existing Zoning: O-2 (PED)
--Proposed Zoning: MUDD-O
--Existing Uses: Office
--Proposed Uses: Uses as allowed by right under prescribed conditions together with accessory uses, as allowed in the MUDD-O zoning district (as more specifically described in Section 3 below which controls).
--Maximum Building Height: The maximum allowed building height will be 100'; building height will be measured as defined by the Ordinance.
--Parking: As required by the Ordinance and modified by the Optional Provisions below.

1. General Provisions:

a. Site Location. These Development Standards, the Technical Data Sheet, Schematic Site Plan and other graphics set forth on attached Sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by CitiSculpt ("Petitioner") in connection with development on an approximately 0.49 acre site located at 1301 and 1309 Harding Place (the "Site").

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

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. Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site will be limited to one (1). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s).

e. Personal Services. 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, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and alike).

2. Optional Provisions:

The following Options Provisions shall apply to the Site:

a. To allow building access features as generally depicted to encroach up to [7] seven feet into the 22' setback. Building access features shall include but not limited to: drains, guard rails, hand rails, steps, ramps, landing, small retaining/cheek walls and footings as necessary to accommodate entry features.

b. To not require parking spaces for warehousing within an enclosed building for a self- storage facility.

3. Permitted Uses, Development Area Limitations:

a. Subject to the restrictions and limitations listed below in b. c. and d, the principal building constructed on the Site may be developed with general office, medical office, residential, EDEE, personal services, retail, warehousing within an enclosed building for a self-storage facility only, and other non-residential uses as allowed by right and under prescribed conditions together with accessory uses allowed in the MUDD-O zoning district.

b. EDEE, personal services, or retail uses may only be located on the ground floor (street level) of the building

c. Warehousing within an enclosed building for a self-storage facility may only be located in subterranean levels of the building. However, office, retail, or similar associated uses with the self-storage facility may be located on the ground floor (street level).

4. Access & Parking:

a. Access and parking for the Site will be on adjacent parcel 125-212-06 as permitted.

b. The Petitioner will improve Harding Place to add on-street parking as generally depicted on the Rezoning Plan and subject to CDOT approval. If CDOT does not allow for these improvements to occur the Petitioner will provide at a minimum a six (6) foot sidewalk and an eight (8) foot planting strip.

5. Setbacks, Buffers and Screening.

a. Along Harding Place a twenty-two (22) foot setback as measured from the future back of curb as generally depicted on the Rezoning Plan will be provided.

b. Along Kenilworth Avenue a twenty-two (22) foot setback as measured from the future back of curb as generally depicted on the Rezoning Plan will be provided. The curb shall shift 4.5' for future bike lane to be coordinated with CDOT as generally depicted on the rezoning plan.

6. Architectural Standards Design Guidelines.

a. The principal building constructed on the Site shall adhere to the design standards set forth in the Pedestrian Overlay District Section 10.813 of the Ordinance.

b. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.

c. If provided on site, 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. The

location of the proposed dumpster and recycling areas is generally depicted on the Rezoning Plan.

d. Direct access to the individual self-storage units located in the building shall not be provided from the exterior of the building. Access to the individual self-storage storage units shall be provided only by internal hallways.

7. Environmental Features:

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

b. The Site will comply with Tree Ordinance.

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 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.

KEY MAP

SEAL

REZONING
PETITIONS
2018-__

PROJECT

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OFFICE

CITISCUPT

LANDESIGN PROJ.#
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REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
	REZONING SUB. 1	2-23-2018

DESIGNED BY: LDI
DRAWN BY: LDI
CHECKED BY: NLD

SCALE NORTH

VERT: N/A
HORZ: N/A

SHEET TITLE

REZONING NOTES -
DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-N1