

Rezoning Petition Packet

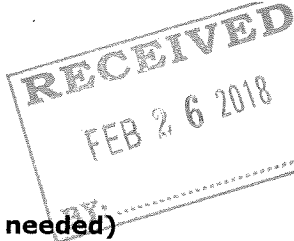
Petitions: 2018-032 through 2018-047

Petitions that were submitted by March 26, 2018

Staff Review Meeting: **April 19, 2018**

City Public Hearing: **To Be Determined**

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2018-032
Date Filed: 2/26/18
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Myers Park United Methodist Church

Owner's Address: 1501 Queens Road City, State, Zip: Charlotte, NC 28207

Date Property Acquired: October 23, 1951 and January 10, 1997

Property Address: 1501 Queens Road

Tax Parcel Number(s): 153-071-01 and 153-071-03

Current Land Use: Religious Institution Size (Acres): +/- 4.615 acres

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

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

Required Rezoning Pre-Application Meeting* with: Tammie Keplinger, Kathy Cornett, Alan Goodwin et al.

Date of meeting: January 25, 2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate the expansion of the facilities of the existing religious institution on the site as more particularly described and depicted on the related conditional rezoning plan.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com
E-Mail Address

MYERS PARK UNITED METHODIST CHURCH

By: James Chandler Martin
Signature of Property Owner

James Chandler Martin
(Name Typed / Printed)

Myers Park United Methodist Church (c/o Chan Martin)
Name of Petitioner(s)

1020 Providence Road
Address of Petitioner(s)

Charlotte, NC 28207
City, State, Zip

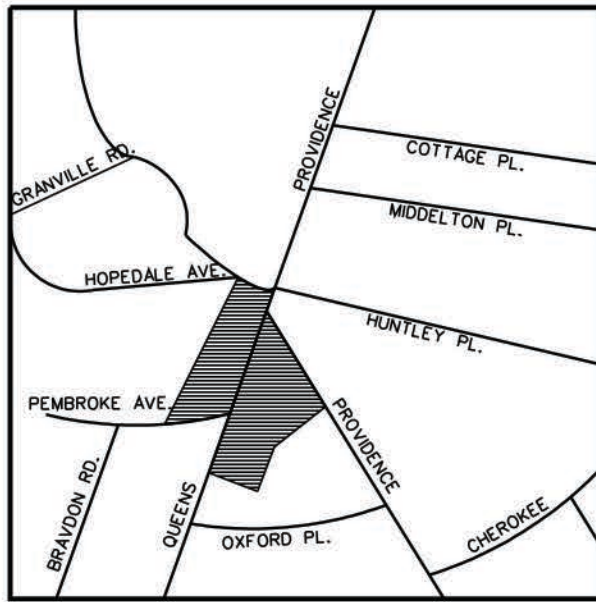
704-517-7087
Telephone Number Fax Number

james.chandler.martin@gmail.com
E-Mail Address

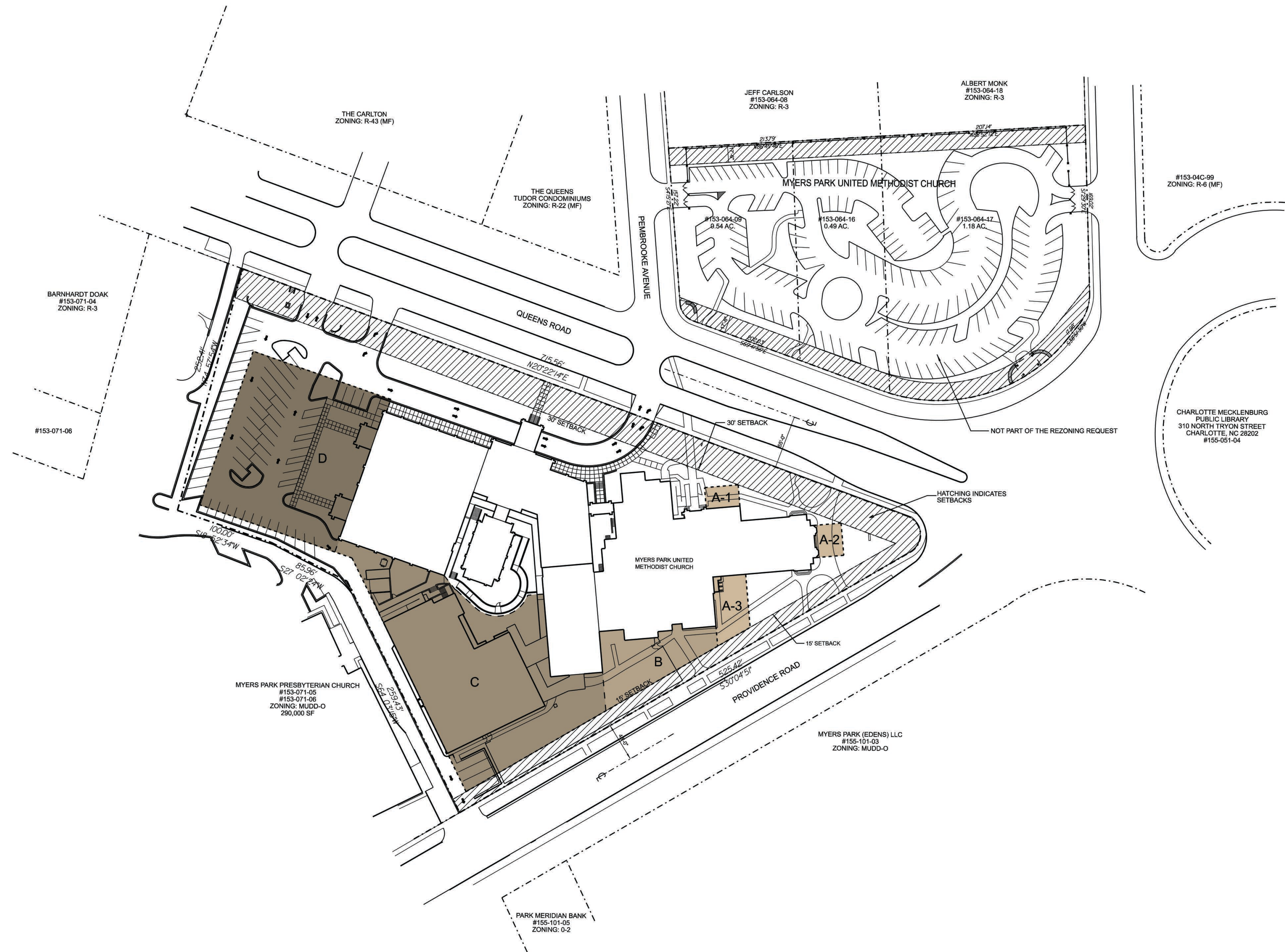
MYERS PARK UNITED METHODIST CHURCH

By: James Chandler Martin
Signature of Petitioner

James Chandler Martin
(Name Typed / Printed)



VICINITY MAP
SCALE: NONE



1 SITE PLAN
SCALE: 1" = 50'-0"

DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN (COMPRISED OF SHEETS RZ1.00 AND RZ2.00) ASSOCIATED WITH THE REZONING PETITION FILED BY MYERS PARK UNITED METHODIST CHURCH (THE "PETITIONER") FOR AN APPROXIMATELY 4.615 ACRE SITE LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF PROVIDENCE ROAD AND QUEENS ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 153-071-01 AND 153-071-03.
- B. THE DEVELOPMENT AND USE OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE DEVELOPMENT DISTRICT ("MUDD") ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- C. THE DEVELOPMENT AND USES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE LAYOUT, LOCATIONS AND SIZES OF THE USES, IMPROVEMENTS AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN AS WELL AS THE INTERNAL DRIVES AND PARKING AREAS ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
- D. A RELIGIOUS INSTITUTION KNOWN AS MYERS PARK UNITED METHODIST CHURCH (THE "CHURCH") IS LOCATED ON THE SITE, AND THE PURPOSE OF THIS REZONING REQUEST IS TO ACCOMMODATE THE EXPANSION OF THE CHURCH'S FACILITIES. THE AREAS ON THE SITE ON WHICH NEW BUILDINGS AND/OR BUILDING ADDITIONS MAY BE CONSTRUCTED ARE DESIGNATED ON THE REZONING PLAN AS DEVELOPMENT AREA A-1, DEVELOPMENT AREA A-2, DEVELOPMENT AREA A-3, DEVELOPMENT AREA B, DEVELOPMENT AREA C AND DEVELOPMENT AREA D. A NEW BUILDING OR NEW BUILDING ADDITION CONSTRUCTED ON DEVELOPMENT AREA C WILL REQUIRE THE DEMOLITION OF THE EXISTING BUILDING LOCATED ON DEVELOPMENT AREA C.
- E. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

2. OPTIONAL PROVISIONS

- THE OPTIONAL PROVISIONS SET OUT BELOW SHALL APPLY TO THE SITE.
- A. PARKING, VEHICULAR CIRCULATION AND VEHICULAR MANEUVERING SPACE MAY BE LOCATED BETWEEN THE BUILDING OR BUILDINGS LOCATED ON THE SITE AND THE REQUIRED SETBACK FROM QUEENS ROAD.
- B. VALET PARKING SERVICE AREA(S) MAY BE LOCATED BETWEEN THE BUILDING OR BUILDINGS LOCATED ON THE SITE AND THE REQUIRED SETBACK FROM QUEENS ROAD.
- C. THE EXISTING SIDEWALKS, PLANTING STRIPS, STREET TREES AND STREETSCAPE LOCATED ALONG THE SITE'S PUBLIC STREET FRONTAGES MAY REMAIN IN PLACE.
- D. THE EXISTING BUILDING(S) AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE REQUIRED TO MEET THE URBAN DESIGN AND DEVELOPMENT STANDARDS SET OUT IN SECTIONS 9.8506(2)(A) AND 9.8506(2)(H) OF THE ORDINANCE.
- E. NEW BUILDINGS AND/OR NEW BUILDING ADDITIONS CONSTRUCTED ON THE SITE SHALL NOT BE REQUIRED TO MEET THE BUILDING REQUIREMENTS OF SECTION 9.8506(2)(H) OF THE ORDINANCE.
- F. THE EXISTING PARKING LOT LOCATED ON THE SITE MAY REMAIN IN PLACE AND SHALL NOT BE REQUIRED TO MEET THE SCREENING REQUIREMENTS OF SECTION 12.303 OF THE ORDINANCE.
- G. THE EXISTING GROUND MOUNTED MONUMENT SIGNS LOCATED ON THE SITE'S FRONTAGE ON QUEENS ROAD AND AT THE INTERSECTION OF QUEENS ROAD AND PROVIDENCE ROAD MAY REMAIN IN PLACE. REPLACEMENT GROUND MOUNTED MONUMENT SIGNS MAY BE INSTALLED IN THE FUTURE AT THE OPTION OF THE PETITIONER IN THE GENERAL LOCATIONS OF THE EXISTING SIGNS, AND ANY SUCH REPLACEMENT GROUND MOUNTED SIGNS SHALL HAVE A MAXIMUM HEIGHT OF 5 FEET AND A MAXIMUM SIGN AREA OF 36 SQUARE FEET. ANY REPLACEMENT GROUND MOUNTED MONUMENT SIGN MAY BE LOCATED IN THE SETBACK.
- H. THE OPTIONAL PROVISIONS REGARDING SIGNAGE ARE AN ADDITION/MODIFICATION TO THE STANDARDS FOR SIGNS IN THE MUDD ZONING DISTRICT AND ARE TO BE USED WITH THE REMAINDER OF THE MUDD STANDARDS FOR SIGNS THAT ARE NOT MODIFIED BY THESE OPTIONAL PROVISIONS.
- I. THE OFF-STREET PARKING REQUIREMENT FOR THE SITE SHALL BE 1 PARKING SPACE PER 4 SEATS IN THE MAIN SANCTUARY OF THE CHURCH. THE PARKING SPACES IN THE PETITIONER'S PARKING LOT LOCATED ACROSS QUEENS ROAD FROM THE SITE MAY BE UTILIZED TO MEET THE OFF-STREET PARKING REQUIREMENT FOR THE SITE.
- J. ONLY 1 OFF-STREET SERVICE/DELIVERY PARKING SPACE SHALL BE REQUIRED ON THE SITE.
- K. EXISTING NON-CONFORMING SIDEWALKS LOCATED ON AND WITHIN THE SITE MAY REMAIN.

3. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. THE SITE MAY ONLY BE DEVOTED TO A RELIGIOUS INSTITUTION AND ANY ACCESSORY, INCIDENTAL AND ANCILLARY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE MUDD ZONING DISTRICT, INCLUDING, WITHOUT LIMITATION, A LARGE CHILD-CARE CENTER, CHURCH OFFICES AND OUTDOOR AND INDOOR RECREATIONAL USES.
- B. THE MAXIMUM GROSS FLOOR AREA OF THE BUILDING OR BUILDINGS TO BE LOCATED ON THE SITE SHALL BE 290,000 SQUARE FEET.
- C. THE SETBACK FROM QUEENS ROAD SHALL BE 30 FEET AS MEASURED FROM THE EXISTING RIGHT OF WAY AS DEPICTED ON THE REZONING PLAN.
- D. THE SETBACK FROM PROVIDENCE ROAD SHALL BE 15 FEET AS MEASURED FROM THE EXISTING RIGHT OF WAY AS DEPICTED ON THE REZONING PLAN.

4. TRANSPORTATION

- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
- B. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AREAS AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

5. ARCHITECTURAL AND DESIGN STANDARDS

- A. THE MAXIMUM HEIGHT OF ANY NEW BUILDING OR NEW BUILDING ADDITION CONSTRUCTED ON DEVELOPMENT AREA A-1, DEVELOPMENT AREA A-2 OR DEVELOPMENT AREA A-3 SHALL BE AS FOLLOWS:
- (1) THE HEIGHT OF THE EAVE SHALL MATCH THE HEIGHT OF THE EAVE OF THE SANCTUARY BUILDING LOCATED IMMEDIATELY ADJACENT TO DEVELOPMENT AREA A-1, DEVELOPMENT AREA A-2 AND DEVELOPMENT AREA A-3.
- (2) A MAXIMUM HEIGHT OF 60 FEET TO THE PEAK OF A SLOPED ROOF.
- B. THE MAXIMUM HEIGHT OF ANY NEW BUILDING OR NEW BUILDING ADDITION CONSTRUCTED ON DEVELOPMENT AREA B SHALL BE AS FOLLOWS:
- (1) A MAXIMUM HEIGHT OF 35 FEET TO THE EAVE.
- (2) A MAXIMUM HEIGHT OF 53 FEET TO THE PEAK OF A SLOPED ROOF.
- C. ANY NEW BUILDING OR NEW BUILDING ADDITION CONSTRUCTED ON DEVELOPMENT AREA C SHALL HAVE A MAXIMUM AVERAGE HEIGHT OF 75 FEET.
- PURSUANT TO THE DEFINITION OF "HEIGHT" FOUND IN SECTION 2.201 OF THE ORDINANCE, ROOFTOP STRUCTURES OR HEAD HOUSES THAT COVER STAIRS OR ELEVATORS THAT PROVIDE ACCESS TO THE ROOF OR THAT COVER ANY MECHANICAL EQUIPMENT SHALL NOT BE INCLUDED OR CONSIDERED WHEN DETERMINING THE HEIGHT OF ANY NEW BUILDING OR NEW BUILDING ADDITION CONSTRUCTED ON DEVELOPMENT AREA C. OTHER EXCLUSIONS SET OUT IN THE DEFINITION OF "HEIGHT" SHALL ALSO BE APPLICABLE.
- D. THE MAXIMUM HEIGHT OF ANY NEW BUILDING OR NEW BUILDING ADDITION CONSTRUCTED ON DEVELOPMENT AREA D SHALL BE AS FOLLOWS:
- (1) A MAXIMUM HEIGHT OF 35 FEET TO THE EAVE.
- (2) A MAXIMUM HEIGHT OF 53 FEET TO THE PEAK OF A SLOPED ROOF.
- E. ANY NEW BUILDING OR NEW BUILDING ADDITION CONSTRUCTED ON THE SITE SHALL BE DESIGNED IN A MANNER TO BE COMPATIBLE TO AND COMPLEMENTARY AND CONSISTENT WITH THE EXISTING BUILDINGS LOCATED ON THE SITE IN TERMS OF ARCHITECTURAL STYLE AND CHARACTER AND TYPES AND COLORS OF EXTERIOR BUILDING MATERIALS.

6. STREETSCAPE AND LANDSCAPING

- A. THE EXISTING SIDEWALKS, PLANTING STRIPS, STREET TREES AND STREETSCAPE LOCATED ALONG THE SITE'S PUBLIC STREET FRONTAGES SHALL REMAIN IN PLACE.

7. ENVIRONMENTAL FEATURES

- A. ALL HEALTHY HARDWOODS LOCATED WITHIN THE 30 FOOT SETBACK ALONG THE QUEENS ROAD FRONTAGE SHALL BE MAINTAINED AND PROTECTED.

8. SIGNS

- A. SUBJECT TO THE OPTIONAL PROVISIONS SET OUT IN THESE DEVELOPMENT STANDARDS, ALL SIGNS INSTALLED ON THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE ORDINANCE.

9. LIGHTING

- A. ANY NEWLY INSTALLED FREESTANDING LIGHTING FIXTURES ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE INTERNAL PRIVATE DRIVES AND SIDEWALKS, LANDSCAPING LIGHTING AND UPLIGHTING FOR ANY BUILDING OR STRUCTURE ON THE SITE) 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. ANY NEWLY INSTALLED FREESTANDING LIGHTING FIXTURES ON THE SITE SHALL MATCH THE EXISTING FREESTANDING LIGHTS AND POLES UTILIZED IN THE PETITIONER'S PARKING LOT LOCATED ACROSS QUEENS ROAD FROM THE SITE. THESE ARE DECORATIVE LIGHT FIXTURES WITH FROSTED GLASS FACES MOUNTED ON 12 FOOT TALL DECORATIVE POLES.
- C. ANY NEWLY INSTALLED LIGHTING FIXTURES ATTACHED TO ANY BUILDING OR STRUCTURE LOCATED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

10. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF 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 TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE 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.

DEVELOPMENT DATA TABLE

SITE ACREAGE	APPROXIMATELY 4.615 ACRES
TAX PARCEL NOS	153-071-01 & 153-071-03
EXISTING ZONING	O-2 (CD)
EXISTING USE	RELIGIOUS INSTITUTION
PROPOSED ZONING	MUDD-O
PROPOSED USE	RELIGIOUS INSTITUTION
MAXIMUM GROSS FLOOR AREA	290,000 SF
PARKING	SEE THE DEVELOPMENT STANDARDS



ARCHITECTURE
MASTERPLANNING
INTERIOR DESIGN
IMAGE DESIGN

916 WEST FIFTH ST.
SUITE 200
CHARLOTTE, NC 28202
TEL. 704.342.9876
FAX. 704.334.4246

MYERS PARK
UNITED METHODIST
CHURCH

REZONING PLAN

REV. DATE DESCRIPTION

DATE:
FEBRUARY 26, 2018

PROJECT NO.:
99000.08

TITLE:
PROPOSED
SITE PLAN

DRAWING NO.

AS-1.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

RECEIVED

FEB 26 2018

Petition #: 2008-033

Complete All Fields (Use additional pages if needed)

Received By:

Owner: Amco Holdings

Property

7001 W. Sugar Creek Rd.

Owner's Address: 8819 University East Blvd Ste 105 City, State, Zip: Charlotte NC 28213

Date Property Acquired: 7/31/14

Property Address: 7001 W Sugar Creek Rd Charlotte NC 28261

Tax Parcel Number(s): 02735346

Current Land Use: R3 - residential Size (Acres): 9.62 acres

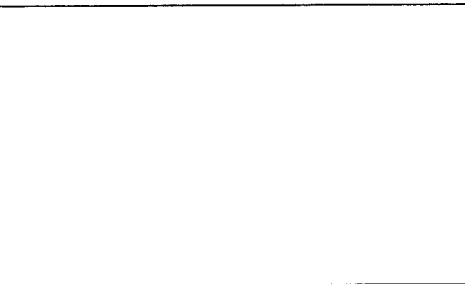
Existing Zoning: R3 Proposed Zoning: RMF-8(CD)

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

Required Rezoning Pre-Application Meeting* with: CMPC

Date of meeting: 1/23/18

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



David Tibbals
Name of Rezoning Agent

11121 Carmel Commons Blvd.
Agent's Address Suite 405

Charlotte NC 28226
City, State, Zip

704. 995. 2808
Telephone Number Fax Number

david@charlottecommercialpartners.com
E-Mail Address

Mohd Khan
Signature of Property Owner

MOHD KHAN MOHAMMED
(Name Typed / Printed)

WAE Land Inc
Name of Petitioner(s)

11121 Carmel Commons Blvd.
Address of Petitioner(s) Suite 405

Charlotte NC 28226
City, State, Zip

704. 995. 2808
Telephone Number Fax Number

david@charlottecommercialpartners.com
E-Mail Address

D. E Tibbals
Signature of Petitioner

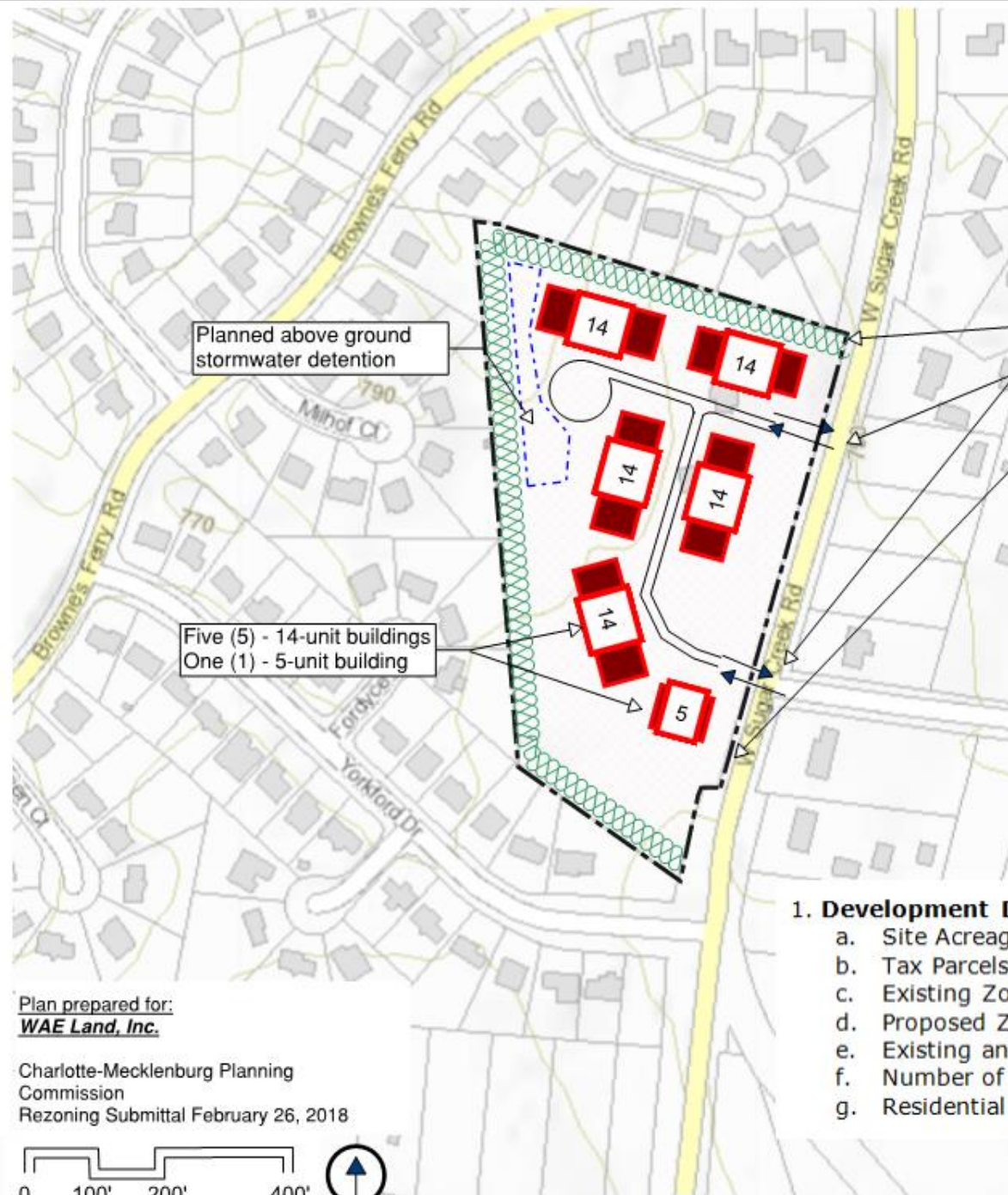
David Tibbals.
(Name Typed / Printed)

II. Rezoning Application Checklist

PRE-SUBMITTAL REQUIREMENTS:

7001 W. Sugar Creek

Proposed Town Home Community Plan
Charlotte, NC



Planned above ground
stormwater detention

Five (5) - 14-unit buildings
One (1) - 5-unit building

50' Class 'C' Buffer to Single Family Residential (R-3)

Two (2) Access Points off Sugar Creek

Owner to dedicate to Public ROW 50' from centerline
of W. Sugar Creek Rd. for future road improvements.

Site design to comply with current land development
standards.

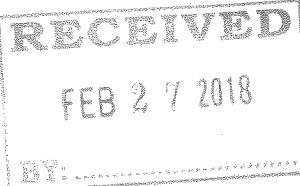
Plan prepared for:
WAE Land, Inc.

Charlotte-Mecklenburg Planning
Commission
Rezoning Submittal February 26, 2018

1. Development Data Table

- a. Site Acreage: 9.7 Ac.
- b. Tax Parcels included in Rezoning: 027-35-346
- c. Existing Zoning: R-3
- d. Proposed Zoning R-MF (8)
- e. Existing and Proposed Uses: All uses in R-MF Districts
- f. Number of Residential Units by Housing Type: 75 Units
- g. Residential Density: 8 Dwelling Units per Acre (DUA)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-034

Petition #:	
Date Filed:	2/27/2018
Received By:	BH

Complete All Fields (Use additional pages if needed)

Property Owner: CHARLES AND ELLEN GRAY

Owner's Address: 702 COLONEL ANDERSON PKY City, State, Zip: LOUISVILLE, KY 40222

Date Property Acquired: OCT 15, 1993

Property Address: 9430 UNIVERSITY CITY BLVD. CHARLOTTE, NC 28213

Tax Parcel Number(s): ~~04292517~~ 04929517

Current Land Use: BOOKSTORE Size (Acres): .71

Existing Zoning: B-1 "CD" 1993-031 Proposed Zoning: B-2

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

Required Rezoning Pre-Application Meeting* with: CHARLOTTE MECKLENBURG PLANNING DEPT.

Date of meeting: 2/27/18 SANDRA SANDERS; ISIAH WASHINGTON; MANDY ROSEN

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: _____

DAVID TIBBALS

Name of Rezoning Agent

11121 CARMEL COMMONS BLVD.

Agent's Address

CHARLOTTE, NC 28277

City, State, Zip

704 995 2808

Telephone Number

Fax Number

david@charlottecommercialpartners.com

E-Mail Address

Charles E. Gray

Signature of Property Owner

CHARLES E. GRAY

(Name Typed / Printed)

CHARLES AND ELLEN GRAY

Name of Petitioner(s)

702 COLONEL ANDERSON PKY

Address of Petitioner(s)

LOUISVILLE, KY 40222

City, State, Zip

502-417-8890

Telephone Number

Fax Number

CGRAY@GRAYSBKBOOKS.COM

E-Mail Address

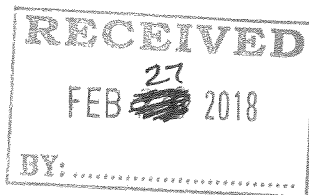
Charles E. Gray

Signature of Petitioner

CHARLES E. GRAY

(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-035

Petition #:	
Date Filed:	2/27/2018
Received By:	BT

Property Owners: The Bailey W Patrick Family, LLC, J Nolan Mills III Family LLC, and Tridolph LLC

Owner's Addresses: 101 South Kings Dr, Ste 200 floor2, Charlotte, NC 28204

Date Properties
Acquired: 06/01/2007

Property Addresses: 11820 University City Blvd, Charlotte, NC 28213

Tax Parcel Numbers: a portion of 051-141-03

Current Land Use: vacant (Acres): ± 13.02

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

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Mandy Vari, Isaiah Washington, Alberto Gonzalez, Carlos Alzate, and Shannon Frye

Date of meeting: 2/27/18

(*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 parcels to be developed with a combination of industrial, retail, and EDEE uses.

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

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

Telephone Number Fax Number

keithmacvean@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENT A

Signature of Property Owner

EM & C Investments, LLC (Attn: Laurens Willard)

Name of Petitioner

7320 Galvan Way

Address of Petitioner

Harrisburg, NC 28075

City, State, Zip

704.455.5102

Telephone Number

Fax Number

lwillard@galvan-12E.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

ATTACHMENT A

REZONING PETITION NO. 2018-____
EM & C Investments, LLC

OWNER JOINDER AGREEMENT
The Bailey W Patrick Family LLC
J Nolan Mills III Family LLC
Tridolph LLC

The undersigned, as the owner of the parcel of land located at 11820 University City Blvd that is designated as Tax Parcel No. 051-141-03 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from B-1SCD 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 19th day of February, 2018.

The Bailey W Patrick Family LLC

By: [Signature]
Name: Bailey W. Patrick
Its: Manager

J Nolan Mills III Family LLC

By: J Nolan Mills III
Name: J. Nolan Mills
Its: Manager

Tridolph LLC

By: [Signature]
Name: E. Blanton Hamilton-Jr
Its: Manager

ATTACHMENT B

**REZONING PETITION NO. 2018-
EM & C Investments, LLC**

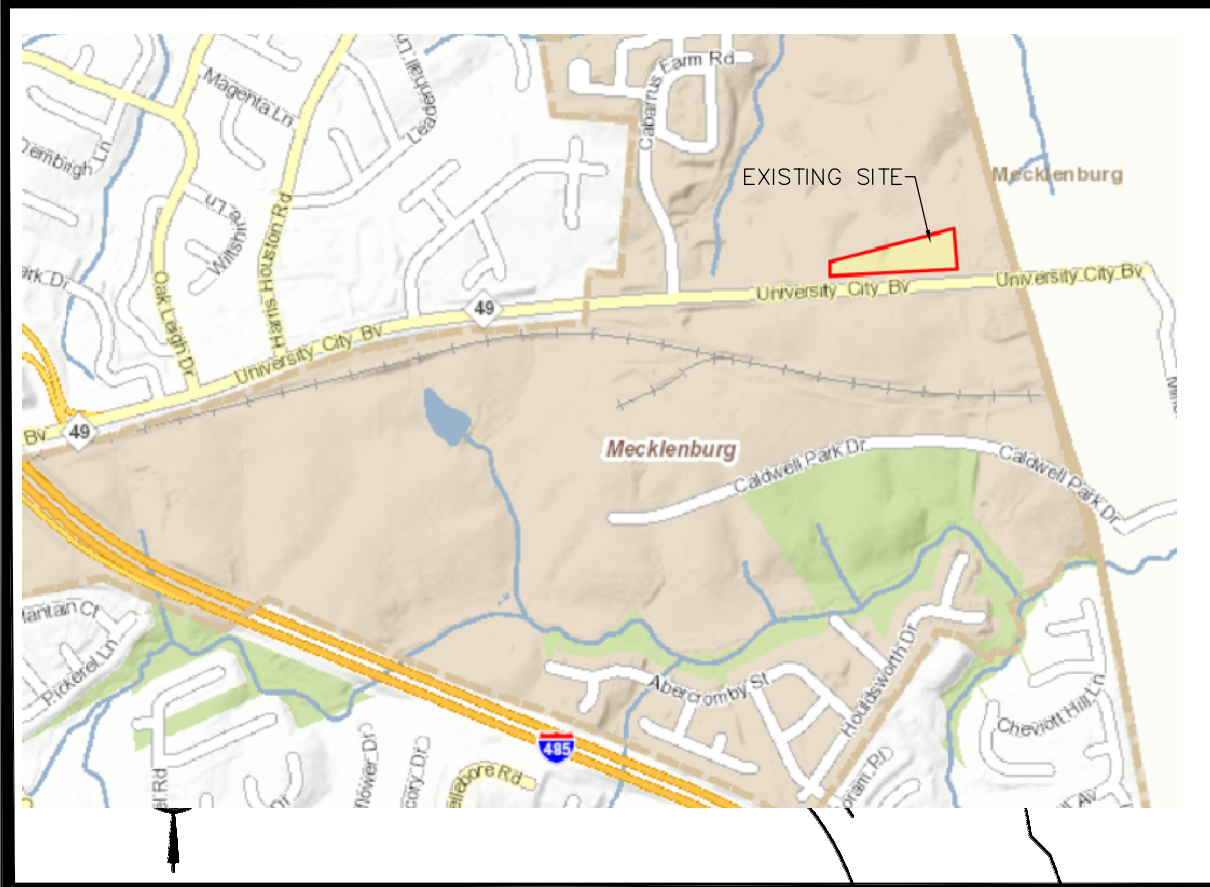
Petitioner:

EM & C Investments, LLC

By: 

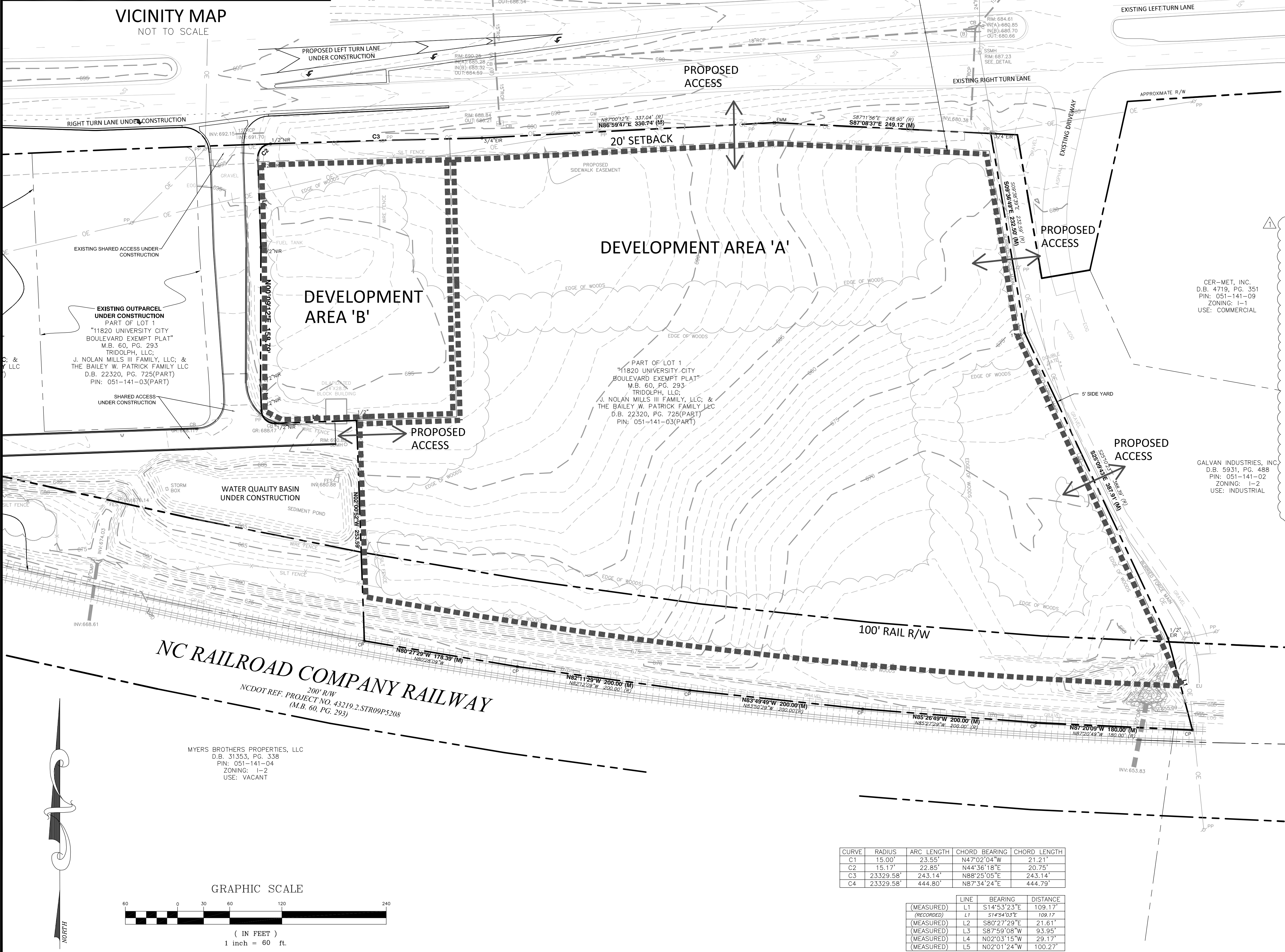
Name: LOURDES WILARDO

Title: MANAGER



VICINITY MAP
NOT TO SCALE

UNIVERSITY CITY BOULEVARD
NC HWY 49
VARIABLE WIDTH PUBLIC R/W
NCDOT REF/ PROJECT NO. 8.1672602 (R-2215)
(M.B. 60, PG. 293)



NC RAILROAD COMPANY RAILWAY
NCDOT REF. PROJECT NO. 43219.2, STR009P5208
(M.B. 60, PG. 293)

MYERS BROTHERS PROPERTIES, LLC
D.B. 31353, PG. 338
PIN: 051-141-04
ZONING: I-2
USE: VACANT

GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	15.00'	23.55'	N47°02'04"W	21.21'
C2	15.17'	22.85'	N44°36'18"E	20.75'
C3	23329.58'	243.14'	N88°25'05"E	243.14'
C4	23329.58'	444.80'	N87°34'24"E	444.79'

LINE	BEARING	DISTANCE
(MEASURED) L1	S14°53'23"E	109.17'
(RECORDED) L1	S14°54'03"E	109.17'
(MEASURED) L2	S80°27'29"E	21.61'
(MEASURED) L3	S87°59'08"W	93.95'
(MEASURED) L4	N02°03'15"W	29.17'
(MEASURED) L5	N02°01'24"W	100.27'

Site Development Data:

- Acreage: ± 13.02 acres
- Tax Parcel #: a portion of 051-141-03
- Existing Zoning: B-1SCD
- Proposed Zoning: I-2(CD)
- Existing Uses: Vacant
- Proposed Uses: The Site may be developed with uses allowed by right and under prescribed conditions in the I-2 zoning district together with accessory uses as allowed in the I-2 zoning district (as more specifically described and restricted in the Development Standards below).
- Maximum Gross Square Feet of Development: Up to 120,000 square feet of gross floor area of uses allowed by right and under prescribed conditions in the I-2 zoning district, (as more specifically described and restricted in the Development Standards below).
- Maximum Building Height: As allowed and required by the Ordinance.
- Parking: As required by the Ordinance for the proposed use.

1. General Provisions:

a. **Site Location:** These Development Standards, the Technical Data Sheet, and other graphics set forth on attached Sheets RZ-1 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by EM&C Investments, LLC ("Petitioner") to accommodate the development of the Site with a variety of uses allowed in the I-2 zoning district on an approximately 13.02 acre site located along University City Boulevard/NC Hwy. 49 (the "Site").

b. **Zoning Districts/Ordinance:** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the I-2 zoning classifications 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, 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. **Planned/Unified Development:** The Site together with that certain site located adjacent to the Site and designated as a portion of Tax Parcel No. 051-141-03, and 21 (the "Adjacent Parcels") 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 Adjacent Parcels. As such, side and rear yards, buffers, building height separation standards, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site and the Adjacent Parcels. The Petitioner and/or owner(s) of the Site and the Adjacent Parcels reserve the right to subdivide the portions or all of the Site and the Adjacent Parcels and create lots within the interior of the Site and the Adjacent Parcels without regard to any such internal separation standards, and public/private street frontage requirements, provided, however, all such separation standards along the exterior boundary of the Site and of the Adjacent Parcels shall be adhered to and all square footage maximum requirements will be regulated by any development limitations set forth in Section 2 below as to the Site and in the applicable conditional rezoning plan as to the Adjacent Parcels, taken as a whole and not individual portions or lots located therein.

2. Permitted Uses, Development Area Limitations:

The Rezoning Plan sets forth two (2) Development Areas as generally depicted on the Rezoning Plan as Development Areas A and B (each a "Development Area" and collectively the "Development Areas").

- a. The Site (Development Area A and B) may be developed with up to 120,000 square feet of gross floor area of uses allowed in the I-2 zoning district as allowed by right and under prescribed conditions, together with accessory uses, subject to the restriction and limitations below.
- b. Up to 5,000 square feet of the allowed floor area may be developed with retail uses, personal service uses, or EDEE uses with or without an accessory drive-through window. These allowed retail, EDEE and personal service uses must be located on Development Area B as generally depicted on the Rezoning Plan.

c. The following uses will not be allowed on Site:

- Airports
- Heliports and helistops
- Railroad freight yards, repair shops and marshalling yards
- Theatres, drive-in motion picture
- Agricultural industries
- Junkyards
- gas stations with or without a convenience store,
- auction sales,
- automobiles, truck and utility trailer rental,
- automotive repair garages,
- automotive sales and repair,
- automotive service stations,
- manufactured housing sales or repair,
- recycling or drop off centers,
- billboards
- jails and prisons,
- religious institutions,
- adult establishment,
- auction sales,
- medical waste disposal facilities as a principal use,
- power generation plants,
- truck stops, Truck terminals,
- waste incinerators (excluding medical waste incinerators),
- beneficial fill site, Construction and demolition (C & D) landfills,
- land clearing and inert debris landfill (LCD) off-site,
- mobile Food Vending Services,
- quarries,
- raceways and dragstrips,
- sanitary landfills,
- solid waste transfer stations
- crematory, within a cemetery,
- Manufacture (heavy) of: Abrasive and asbestos products, agricultural chemicals, asphalt paving and roofing materials, brick, tile and clay products, chemical manufacture, refining and processing, cut stone and stone products, Fats and oils processing, guided missiles, space vehicles and parts, leather tanning, Manufactured housing, Meat products, including slaughtering and dressing, Ordnance and accessories, Paper and allied products, Petroleum and coal products, plastic and rubber products, railroad equipment, Sugar refining, Tires and Inner tubes

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

3. Access:

- a. Access to the Site will be from a private street located along the western property line, University City Boulevard, and the adjoining property to the east.
- b. Petitioner will improve University City Boulevard as required by Chapter 19.

c. The exact alignment, dimensions and location of the access points to the Site, the driveways on the Site may be modified from the elements shown on the Rezoning Plan.

4. Parking Areas, and Circulation Design Guidelines.

a. Outdoor storage areas, as an accessory use or as a principal use, will not be located within 50 feet of University City Boulevard. Outdoor storage areas will be screened from University City Boulevard with evergreen trees.

5. Setbacks, Buffers and Screening.

a. A 20 foot building and parking setback will be provided along University City Boulevard as generally depicted on the Rezoning Plan.

b. The Site will be treated as a unified development and as a result buffers will not be required between the proposed uses located on the Site.

6. Design Guidelines.

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

d. 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.

7. Environmental Features:

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

8. Signage:

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

9. Lighting:

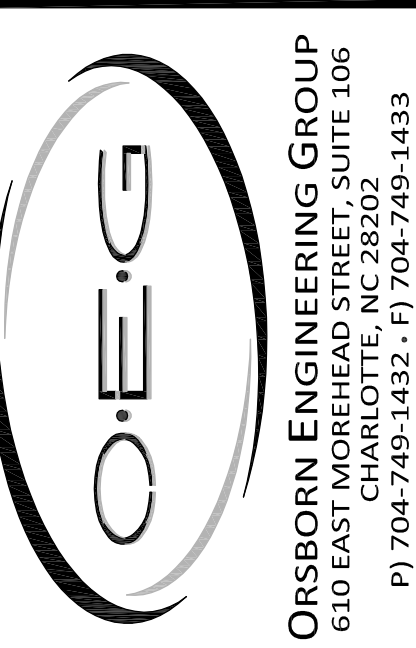
- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- b. Lighting fixtures that are decorative, capped and downwardly directed will be allowed on the proposed building walls.

10. Amendments to the Rezoning Plan:

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

11. Binding Effect of the Rezoning Application:

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



SCHEMATIC SITE PLAN
PETITION #2018-035
FOR
PORTION OF TAX PARCEL 051-141-03
CHARLOTTE, NORTH CAROLINA

EM&C INVESTMENTS, LLC
2626 Glenwood Ave, Ste 550
Raleigh, NC 27608

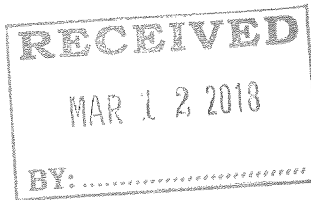


REVISIONS	DATE	REVISED PER REVIEW COMMENTS
1	03/26/18	JAW
2		
3		
4		
5		
6		
7		
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10		
11		
12		
13		
14		
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17		
18		
19		
20		

JOB # 18003
DATE: 02/26/18
SCALE: 1" = 60'
DRAWN BY: JAW
APPROVED BY: JCO

RZ-1

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-036

Petition #:	_____
Date Filed:	3/12/2018
Received By:	RH

Complete All Fields (Use additional pages if needed)

Property Owner: No Fear Investments, LLC

Owner's Address: 5219 The Plaza City, State, Zip: Charlotte, NC, 28215

Date Property Acquired: 1-8-2018

Property Address: 2640 Olando Street, Charlotte NC 28206

Tax Parcel Number(s): 07907204

Current Land Use: Single Family Residential Size (Acres): 0.41

Existing Zoning: I-1 Proposed Zoning: R-8

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Mandy Rosen

Date of meeting: 3-8-18

(*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: _____

Travis Howard
Name of Rezoning Agent

Agent's Address

City, State, Zip

704-201-3128
Telephone Number

Fax Number

travisnofear@gmail.com
E-Mail Address

[Signature]
Signature of Property Owner

Travis Howard
(Name Typed / Printed)

No Fear Investments, LLC (Travis Howard)
Name of Petitioner(s)

5219 The Plaza
Address of Petitioner(s)

Charlotte, NC, 28215
City, State, Zip

704-201-3128
Telephone Number

Fax Number

travisnofear@gmail.com
E-Mail Address

[Signature]
Signature of Petitioner

Travis Howard
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-037

Petition #:	_____
Date Filed:	3/13/2018
Received By:	[Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Ruby H. McAlister
Owner's Address: 13608 Steele Creek Rd City, State, Zip: Charlotte, N.C 28278
Date Property Acquired: 2-3-1986
Property Address: 13608 Steel Creek Road, Charlotte NC 28278
Tax Parcel Number(s): 19951104, 19951105
Current Land Use: Vacant Size (Acres): 12.5
Existing Zoning: R-3 Proposed Zoning: UR-2(CD)
Overlay: _____ (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Claire Lyte Graham, Alberto Gonzales and others
Date of meeting: 1/16/2018

(*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): 5
Purpose/description of Conditional Zoning Plan: The purpose of the Conditional Zoning Plan is to create a new neighborhood at slightly higher density than allowed under the R-4 zoning category

Adam Florenza
Name of Rezoning Agent
301 Fieldbrook Place
Agent's Address
Charlotte, NC 28209
City, State, Zip
704-905-9908
Telephone Number Fax Number
adam@florenzaproperties.com
E-Mail Address
Ruby H. McAlister
Signature of Property Owner
Ruby H. McAlister
(Name Typed / Printed)

Adam Florenza
Name of Petitioner(s)
301 Fieldbrook Place
Address of Petitioner(s)
Charlotte, NC 28209
City, State, Zip
704-905-9908
Telephone Number Fax Number
adam@florenzaproperties.com
E-Mail Address
[Signature]
Signature of Petitioner
Adam Florenza
(Name Typed / Printed)

I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #: _____

Date Filed: _____

Received By: _____

Complete All Fields (Use additional pages if needed)

Property Owner: Melanie C WolfeOwner's Address: 113 Lorenzo Drive City, State, Zip: Syracuse NY 13206Date Property Acquired: November 17 1998Property Address: 13608 Steel Creek Road, Charlotte NC 28278Tax Parcel Number(s): 19951104, 19951105Current Land Use: Vacant Size (Acres): 12.5Existing Zoning: R-3 Proposed Zoning: UR-2(CD)

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte Graham, Alberto Gonzales and othersDate of meeting: 1/16/2018

(*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): 5Purpose/description of Conditional Zoning Plan: The purpose of the Conditional Zoning Plan is to create a new neighborhood at slightly higher density than allowed under the R-4 zoning category

Adam Fiorenza
Name of Rezoning Agent

301 Fieldbrook Place
Agent's Address

Charlotte, NC 28209
City, State, Zip

704-905-9908
Telephone Number Fax Number

adam@fiorenzaproPERTIES.com
E-Mail Address

Melanie C Wolfe
Signature of Property Owner

Melanie C Wolfe

(Name Typed / Printed)

Adam Fiorenza
Name of Petitioner(s)

301 Fieldbrook Place
Address of Petitioner(s)

Charlotte, NC 28209
City, State, Zip

704-905-9908
Telephone Number Fax Number

adam@fiorenzaproPERTIES.com
E-Mail Address

[Signature]
Signature of Petitioner

Adam Fiorenza
(Name Typed / Printed)

I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #: _____

Date Filed: _____

Received By: _____

Complete All Fields (Use additional pages if needed)

Property Owner: Claire Wolfe Whitley

Owner's Address: 4158 Amarillo Drive City, State, Zip: Concord, NC 28027

Date Property Acquired: November 17, 1998

Property Address: 13608 Steel Creek Road, Charlotte NC 28278

Tax Parcel Number(s): 19951104, 19951105

Current Land Use: Vacant Size (Acres): 12.5

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

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte Graham, Alberto Gonzales and others

Date of meeting: 1/16/2018

(*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): 5

Purpose/description of Conditional Zoning Plan: The purpose of the Conditional Zoning Plan is to create a new neighborhood at slightly higher density than allowed under the R-4 zoning category

Adam Fiorenza

Name of Rezoning Agent

301 Fieldbrook Place

Agent's Address

Charlotte, NC 28209

City, State, Zip

704-905-9908

Telephone Number

Fax Number

adam@fiorenzaproPERTIES.com

E-Mail Address

Claire Wolfe Whitley

Signature of Property Owner

Claire Wolfe Whitley

(Name Typed / Printed)

Adam Fiorenza

Name of Petitioner(s)

301 Fieldbrook Place

Address of Petitioner(s)

Charlotte, NC 28209

City, State, Zip

704-905-9908

Telephone Number

Fax Number

adam@fiorenzaproPERTIES.com

E-Mail Address

[Signature]

Signature of Petitioner

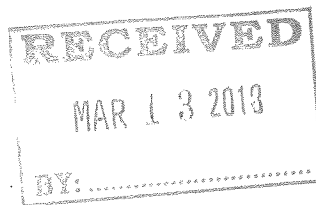
Adam Fiorenza

(Name Typed / Printed)



Building Elevations (typ.)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-038

Petition #:	_____
Date Filed:	3/13/2018
Received By:	<i>[Signature]</i>

Complete All Fields (Use additional pages if needed)

Property Owner: Derrick & Sylvie Walker

Owner's Address: 8928 Lynn Parker Ln. City, State, Zip: Charlotte, NC 28278

Date Property Acquired: 3/9/18

Property Address: 3100 Horseshoe Ln.

Tax Parcel Number(s): 14311106

Current Land Use: Office Size (Acres): 1.95

Existing Zoning: I-1 Proposed Zoning: I-2 Conventional

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

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

Date of meeting: 3/13/18

(*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: _____

Derrick Walker
Name of Rezoning Agent

P.O. Box 411564
Agent's Address

Charlotte, NC 28241
City, State, Zip

704.309.1986 704.424.9883
Telephone Number Fax Number

derrick@newalkerconstruction
E-Mail Address

[Signature]
Signature of Property Owner

Derrick Walker
(Name Typed / Printed)

Derrick Walker
Name of Petitioner(s)

P.O. Box 411564
Address of Petitioner(s)

Charlotte NC 28241
City, State, Zip

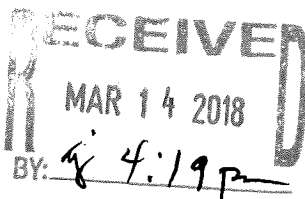
704.309.1986 _____
Telephone Number Fax Number

derrick@newalkerconstruction.com
E-Mail Address

[Signature]
Signature of Petitioner

Derrick Walker
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-039
Petition #: _____
Date Filed: 3/14/2018
Received By: Pf

Complete All Fields (Use additional pages if needed)

Property Owner: Aleksandr Gurlov and Pavel Gurlov

Owner's Address: 3005 Strawberry Rd City, State, Zip: Matthews NC 28104

Date Property Acquired: 12-01-2003

Property Address: 230 (/226) Fairwood Avenue

Tax Parcel Number(s): 14701181

Current Land Use: Industrial Size (Acres): .17

Existing Zoning: I-1 Proposed Zoning: TOD-M

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune

Date of meeting: 3/7/18

(*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: _____

Nikolaus Lischerong
Name of Rezoning Agent
310 Arlington Ave, Ste 402
Agent's Address
Charlotte, NC 28203
City, State, Zip
864.590.6478
Telephone Number Fax Number
Nick@le-h.com
E-Mail Address

Signature of Property Owner

Paul Gurlov Alex Gurlov
(Name Typed / Printed)

Lischerong Enterprises & Holdings
Name of Petitioner(s)
310 Arlington Ave, Ste 402
Address of Petitioner(s)
Charlotte, NC 28203
City, State, Zip
864.590.6478
Telephone Number Fax Number
Nick@le-h.com
E-Mail Address

Signature of Petitioner

Nikolaus Lischerong
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2018-040

Petition #:	
Date Filed:	MAR 16 2018
Received By:	PK
BY:	

Complete All Fields (Use additional pages if needed)

Property Owner: ITG, LLC

Owner's Address: P.O. Box 32612 City, State, Zip: Charlotte, NC 28232

Date Property Acquired: 4/9/2015

Property Address: 4427 Monroe Rd Charlotte, NC 28205

Tax Parcel Number(s): 15906122

Current Land Use: Vacant Size (Acres): 0.38

Existing Zoning: R-17 MF Proposed Zoning: B-1

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders

Date of meeting: 2/15/18

(*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

E-Mail Address

Signature of Property Owner

Charlie Casselman OBO ITG, LLC
(Name Typed / Printed)

Charlie Casselman
Name of Petitioner(s)

P.O. Box 32612
Address of Petitioner(s)

Charlotte, NC 28232
City, State, Zip

704 770 5105
Telephone Number

Fax Number

Cromwell Construction QC@gmail.com
E-Mail Address

Signature of Petitioner

Charlie Casselman
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-041

Petition #:	_____
Date Filed:	3/19/2018
Received By:	BH

Complete All Fields (Use additional pages if needed)

Property Owner: Timothy R. Stevenson ; Citi Properties, LLC

Owner's Address: 901 E. 36th Street ; P.O. Box 32866 City, State, Zip: Charlotte, NC 28205 ; 28232

Date Property Acquired: 6/28/2002 ; 7/5/2005

Property Address: 901 E. 36th Street and 903 E. 36th Street

Tax Parcel Number(s): 09109101 and 09109102

Current Land Use: Single-family residential Size (Acres): +/- ~~1.27~~ 1.27

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

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders

Date of meeting: 3/8/18

(*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 incorporate this additional parcel of land into approved conditional zoning plan 2017-071 in order to accommodate the addition of a maximum of five (5) townhome units into the overall townhome community

Collin Brown and Bailey Patrick, Jr.

Name of Rezoning Agent

214 N. Tryon Street, 47th Floor

Agent's Address

Charlotte, NC 28202

City, State, Zip

704-331-7531

Telephone Number

704-353-3231

Fax Number

Collin.Brown@klgates.com / brittany.lins@klgates.com

E-Mail Address

Timothy R. Stevenson ; see attached joinder
Signature of Property Owner

Timothy R. Stevenson ; see attached joinder
(Name Typed / Printed)

Saussy Burbank, LLC

Name of Petitioner(s)

2550 W. Tyvola Rd., Ste 100

Address of Petitioner(s)

Charlotte, NC 28217

City, State, Zip

704-442-4961

Telephone Number

Fax Number

peter.harakas@saussyburbank.com

E-Mail Address

Peter T. Harakas
Signature of Petitioner


Peter T. Harakas
(Name Typed / Printed)

REZONING PETITION NO. 2018-xxx
SAUSSY BURBANK, LLC, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 902 E. 36th Street in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 091-091-02 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 26 day of February, 2018



Citi Properties, LLC

SITE LEGEND

PROPERTY LINE

EXISTING TREES TO REMAIN

STREETSCAPE SECTIONS: ALTERNATIVE STANDARDS

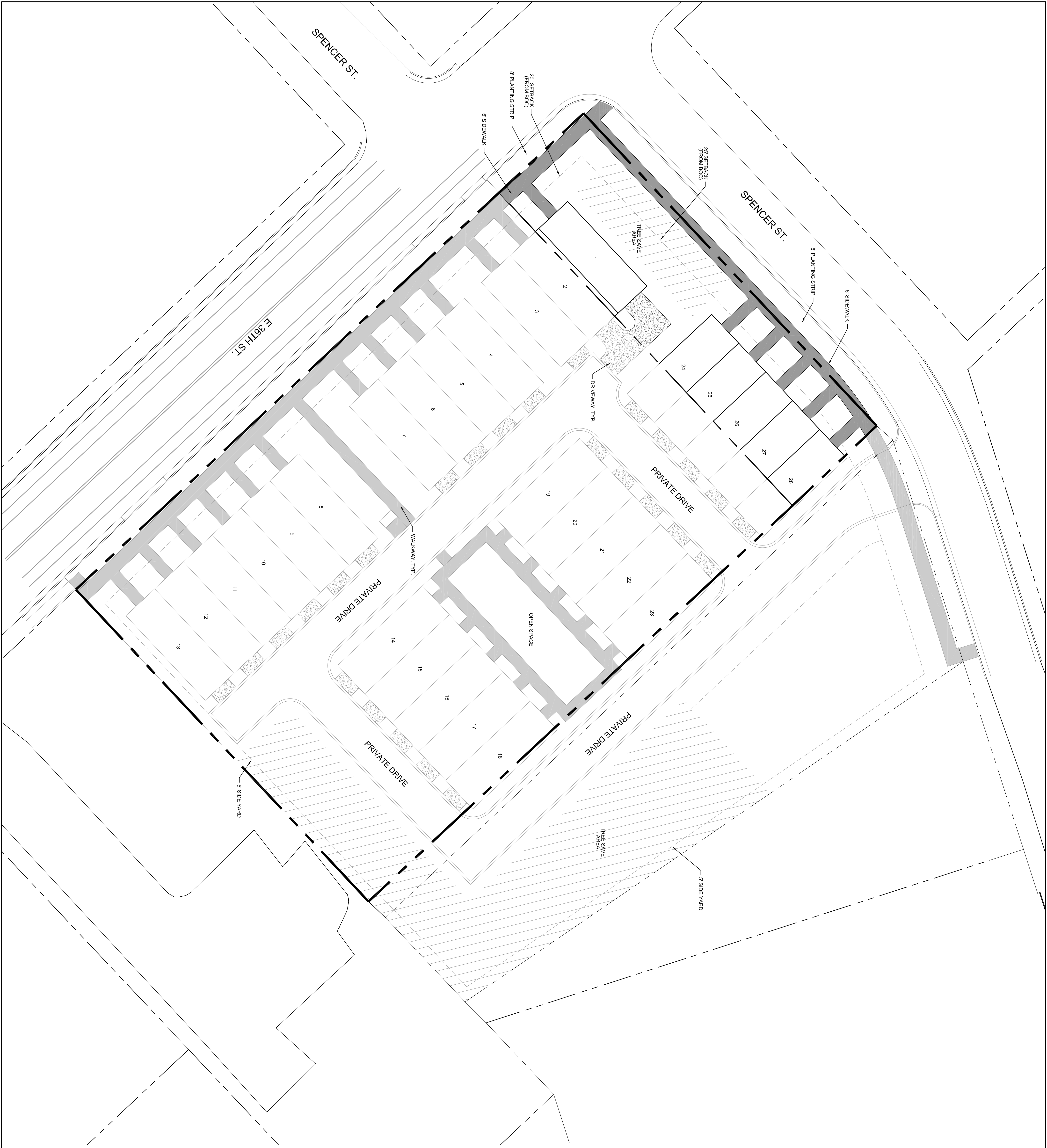


36TH STREET SECTION *



SPENCER STREET SECTION *

* Petitioner intends to provide an alternative streetscape plan along Spencer Street and East 36th Street, see above. However, if during the design and permitting phase of development it is determined that this alternative streetscape plan is not approved, the Petitioner will provide a streetscape plan in accordance with the City's typical streetscape standards.





DATE: 02.26.18
DESIGNED BY: ST
DRAWN BY: JY
CHECKED BY: ST
Q.C. BY: ST
SCALE: 1/8"=1'-0"
PROJECT #: 1018079

SHEET #:
RZ-3

REVISIONS:

36TH STREET TOWNHOUSES
REZONING PETITION No. 2018-XXX
CHARLOTTE, NC
ARCHITECTUAL ELEVATIONS

LandDesign[™]

223 N Graham Street Charlotte, NC 28202
V: 704.333.0325 F: 704.332.3246
www.LandDesign.com

Development Data Table:

Site Area:	+/- 1.27 acres
Tax Parcel:	091-091-01 and 091-091-02
Existing Zoning:	R-5 and UR2(CD)
Proposed Zoning:	UR-2(CD) and UR-2(CD) SPA
Existing Use:	Single-family Residential
Proposed Uses:	Up to twenty-seven (27) Townhome Units
Maximum Building Height:	Fifty (50) feet; 3 stories
Parking:	Shall satisfy or exceed UR-2 minimum requirements

I. General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Sausy Burbank, LLC (the "Petitioner") to accommodate the development of a residential community on that approximately 1.27 acre site located on the south-east side of East 36th Street and Spencer Street, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 091-091-01 and 091-091-02.
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. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.

II.Permitted Uses

The Site may be devoted only to a residential community containing a maximum of twenty-seven (27) townhome units, and any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district.

III. Transportation

1. Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
2. The Petitioner may provide on-street parking along the Site's frontage of East 36th Street.
3. Petitioner shall dedicate in fee simple conveyance a right of way to the City of Charlotte, set at two (2) feet behind the back of sidewalk along Spencer Street and East 36th Street, before the site's first building certificate of occupancy is issued.

IV. Architectural Standards

1. Architectural standards for the townhome units shall consist of the following:
 - a. The townhome units fronting East 36th Street shall face toward East 36th Street and units fronting Spencer Street shall face toward Spencer Street.
 - b. Preferred Exterior Building Materials: All principal and accessory buildings abutting East 36th Street shall comprise of a combination of portions of brick, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement ("HardiPlank") and/or other material approved by the Planning Director.
 - c. Prohibited Exterior Building Materials:
 - i. Vinyl siding (but not vinyl hand rails, windows or door trim); and
 - ii. Concrete Masonry Units not architecturally finished.
 - d. To provide privacy, all residential entrances within 15 feet of the sidewalk along East 36th Street shall be raised from the average sidewalk grade a minimum of twelve (12) inches.
 - e. Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
 - f. Usable porches and stoops shall form a predominant feature of the building design and be located on the front and/or side of the building. Usable front porches shall be covered and be at least six (6) feet deep. Stoops and entry-level porches may be covered but should not be enclosed.
 - g. All corner/end units that face a public or private street shall have a porch or stoop that wraps a portion of the front and side of the unit or provide blank wall provisions that limit the maximum blank wall expanse to fifteen (15) feet on all building levels.
 - h. The Petitioner will minimize the visual impact of any garage doors visible from the public or private streets by providing a 12 to 24 inch setback from the front wall plane and adding additional architectural treatments such as translucent windows or projecting elements over the garage door opening.
 - i. Walkways of at least five (5) feet in width shall be provided to connect all residential entrances to sidewalks along public and private streets.
 - j. Townhouse buildings should be limited to six (6) individual units or fewer.

V.Streetscape and Landscaping

1. The Petitioner shall provide a minimum eight (8) foot wide planting strip and a minimum six (6) foot wide sidewalk along the Site's frontage on East 36th Street.
2. The Petitioner may subdivide the Site and create lots within the Site with no side or rear yards as part of a unified development plan.

3. Petitioner shall provide a minimum setback of at least twenty (20) feet from the existing back of curb of East 36th Street. Stoops and stairs may encroach four (4) feet into the setback as a "transition zone."

4. Petitioner shall provide a minimum setback of at least twenty five (25) feet from the existing back of curb of Spencer Street.

5. Petitioner intends to provide an alternative streetscape plan along Spencer Street and East 36th Street, as shown on the site plan. However, if during the design and permitting phase of development it is determined that this alternative streetscape plan is not approved, the Petitioner will provide a streetscape plan in accordance with the City's typical streetscape standards.

VI. Environment

The Petitioner shall comply with the Post Construction Controls Ordinance and tree save requirements.

VII. Lighting

1. All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks as landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
2. The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed fifteen (15) feet.
3. Any lighting fixtures attached to the buildings to be constructed on the site shall be decorative, capped and downwardly directed.

VIII. Amendments to Rezoning Plan

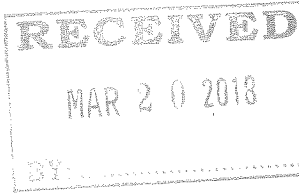
Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of a particular Tract within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

IX. Binding Effect of the Rezoning Documents and Definitions

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

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

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-042

Petition #:	
Date Filed:	3/20/2018
Received By:	BH

Complete All Fields (Use additional pages if needed)

Property Owner: Graham Corp.

Owner's Address: 3221 Monroe Road City, State, Zip: Charlotte, NC 28205

Date Property Acquired: November 11, 2003

Property Address: 1100 North Graham Street

Tax Parcel Number(s): Tax Parcel No. 078-111-03

Current Land Use: Industrial Size (Acres): +/- 3.148 acres

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

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Mandy Rosen, Rick Grochoske et al.

Date of meeting: February 27, 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): —

Purpose/description of Conditional Zoning Plan: To accommodate a multi-use, non-residential development on the site as more particularly depicted and described on the conditional rezoning plan.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com
E-Mail Address

See Attached Joinder Agreement
Signature of Property Owner

(Name Typed / Printed)

SBBH, LLC (c/o Scott Bortz)
Name of Petitioner(s)

101 South Kings Drive, Suite 200
Address of Petitioner(s)

Charlotte, NC 28204
City, State, Zip

704-714-2860
Telephone Number Fax Number

sbortz@tribek.com
E-Mail Address

SBBH, LLC
By: Scott C. Bortz
Signature of Petitioner

Scott C. Bortz
(Name Typed / Printed)

**REZONING APPLICATION FILED BY SBBH, LLC
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by SBBH, LLC that is designated as Tax Parcel No. 078-111-03 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site from the I-2 zoning district to the MUDD-O zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the conditional rezoning plan.

This 15th day of March, 2018.

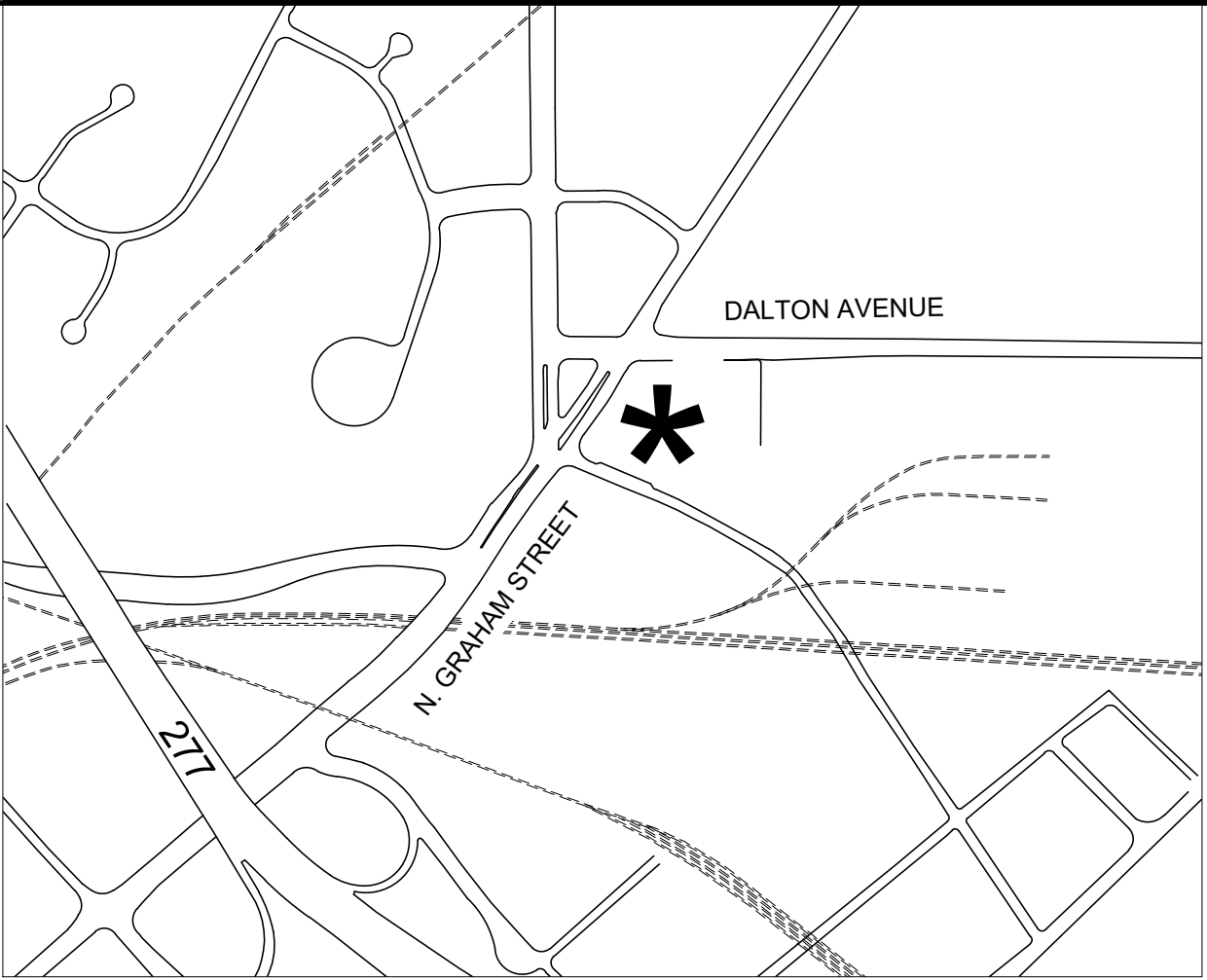
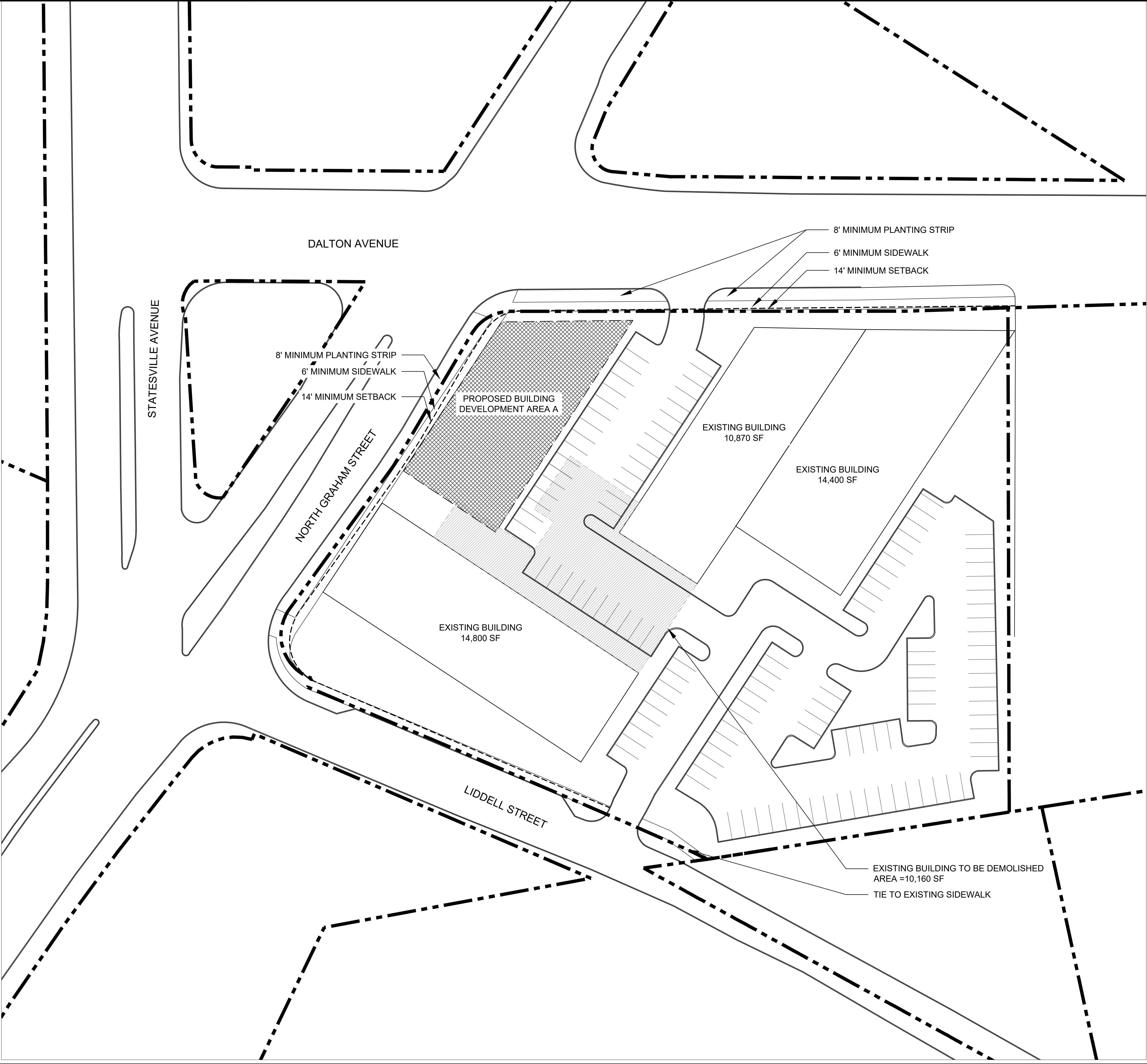
GRAHAM CORP.

By: _____

Name: _____

Title: _____

This document, together with the concepts and designs presented herein, as an instrument of service, 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 adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

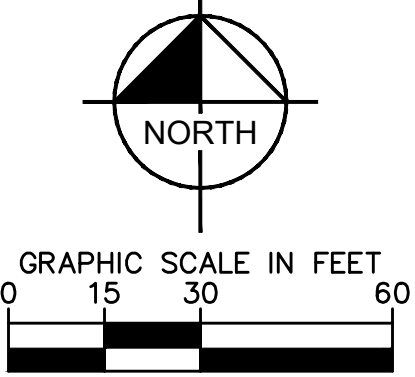


SITE DEVELOPMENT DATA

ACREAGE: 3.148 ACRES
EXISTING ZONING: I-2
PROPOSED ZONING: MUDD-O
TOTAL BUILDING SF: 50,000 (SEE DEVELOPMENT STANDARDS)
MINIMUM PARKING REQUIRED: PER ORDINANCE STANDARDS

LEGEND

- RIGHT - OF - WAY
- 14' MINIMUM SETBACK



N. GRAHAM ST. PREPARED FOR LCRE CAPITAL	NORTH GRAHAM STREET REZONING SITE PLAN	KHA PROJECT 014013000 DATE 3/20/2018 SCALE AS SHOWN DESIGNED BY DRAWN BY CHECKED BY	LICENSED PROFESSIONAL	Kimley»Horn © 2017 KIMLEY-HORN AND ASSOCIATES, INC. 200 SOUTH TRYON, SUITE 200, CHARLOTTE, NC 28202 PHONE: 704-333-5131 WWW.KIMLEY-HORN.COM	REVISIONS		BY
					No.	DATE	
SHEET NUMBER RZ-1		CHARLOTTE		NC			

This document, together with the concepts and designs presented herein, as an instrument of service, 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 adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

1. GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY SBBH, LLC (HEREINAFTER REFERRED TO AS THE "PETITIONER") FOR AN APPROXIMATELY 3.148 ACRE SITE LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF DALTON AVENUE AND NORTH GRAHAM STREET, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NO. 078-111-03.
- B. THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE DEVELOPMENT DISTRICT ("MUDD") ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- C. THE 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 SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
- D. THE SITE IS CURRENTLY IMPROVED WITH ONE CONTIGUOUS BUILDING. PETITIONER INTENDS TO DEMOLISH PORTIONS OF THE EXISTING BUILDING TO CREATE TWO FREESTANDING BUILDINGS ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE ACTUAL LIMITS OF DEMOLITION HAVE NOT BEEN DETERMINED AND THE ACTUAL PORTIONS OF THE BUILDING TO BE DEMOLISHED MAY VARY FROM WHAT IS GENERALLY DEPICTED ON THE REZONING PLAN, AND ADDITIONAL PORTIONS OF THE BUILDING MAY BE DEMOLISHED OR MODIFIED. NOTWITHSTANDING THE FOREGOING, A MAXIMUM OF 25,000 SQUARE FEET OF GROSS FLOOR AREA OF THE EXISTING BUILDING MAY BE DEMOLISHED, AND THE REMAINING PORTIONS OF THE EXISTING BUILDING WILL BE PRESERVED AND REMAIN ON THE SITE AFTER THE DEMOLITION. ALTERATIONS AND RENOVATIONS TO THE EXTERIOR PORTIONS OF THE EXISTING BUILDING SHALL BE PERMITTED. ADDITIONALLY, A NEW FREESTANDING BUILDING MAY BE DEVELOPED ON THE SITE, AND SUCH NEW FREESTANDING BUILDING MUST BE LOCATED WITHIN BUILDING ENVELOPE A ON THE REZONING PLAN.
- E. A MAXIMUM OF 3 PRINCIPAL BUILDINGS MAY BE LOCATED ON THE SITE.
- F. AT THE OPTION OF PETITIONER, THE SITE MAY BE SUBDIVIDED.
- 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.

2. OPTIONAL PROVISIONS

THE OPTIONAL PROVISIONS SET OUT BELOW SHALL APPLY TO THE DEVELOPMENT OF THE SITE.

- A. SURFACE PARKING AND VEHICULAR MANEUVERING AREAS SHALL BE PERMITTED BETWEEN THE EXISTING BUILDING(S) LOCATED ON THE SITE AND THE REQUIRED SETBACKS FROM THE ADJACENT PUBLIC STREETS AS GENERALLY DEPICTED ON THE REZONING PLAN. ADDITIONALLY, IF THE NEW BUILDING TO BE LOCATED IN DEVELOPMENT AREA A IS NOT CONSTRUCTED, THEN SURFACE PARKING AND VEHICULAR MANEUVERING

AREAS SHALL BE PERMITTED BETWEEN THE EXISTING BUILDING(S) LOCATED ON THE SITE AND NORTH GRAHAM STREET.

- B. THE EXISTING FREESTANDING SIGN LOCATED ON THE SITE SHALL BE PERMITTED TO REMAIN ON THE SITE, AND THE EXISTING FREESTANDING SIGN SHALL BE IN ADDITION TO (AND NOT IN LIEU OF) ALL OTHER SIGNS PERMITTED ON THE SITE UNDER THE ORDINANCE.
- C. THE BUILDING ENTRANCE REQUIREMENTS OF SECTION 9.8506(2)(H) OF THE ORDINANCE SHALL NOT APPLY TO THE EXISTING BUILDINGS LOCATED ON THE SITE.
- D. VALET PARKING SERVICE AREA(S) MAY BE LOCATED BETWEEN THE BUILDINGS LOCATED ON THE SITE AND THE ADJACENT PUBLIC STREETS.
- E. WHERE FEASIBLE, PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG THE SITE'S FRONTAGES ON NORTH GRAHAM STREET, DALTON AVENUE AND WEST LIDDELL STREET.

3. PERMITTED USES DEVELOPMENT LIMITATIONS

- A. SUBJECT TO THE LIMITATIONS SET OUT BELOW IN PARAGRAPHS B AND C, THE SITE MAY BE DEVOTED ONLY TO THE USES SET OUT BELOW (INCLUDING ANY COMBINATION OF SUCH USES), TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE MUDD ZONING DISTRICT (INCLUDING, WITHOUT LIMITATION, OUTDOOR DINING).

- (1) ART GALLERIES.
- (2) BREWERIES, SUBJECT TO THE REGULATIONS OF SECTION 12.544 OF THE ORDINANCE.
- (3) EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1), AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 2) SUBJECT TO THE APPLICABLE REGULATIONS OF SECTION 12.546 OF THE ORDINANCE.
- (4) INDOOR RECREATION.
- (5) INDOOR COMMERCIAL AMUSEMENT.
- (6) PROFESSIONAL BUSINESS AND GENERAL OFFICES SUCH AS BANKS, CLINICS, MEDICAL, DENTAL AND DOCTOR'S OFFICES, VETERINARY CLINICS, GOVERNMENT, POST OFFICES, OPTICIAN'S OFFICES AND SIMILAR USES.
- (7) RETAIL SALES.
- (8) SERVICES, INCLUDING, WITHOUT LIMITATION, BEAUTY SHOPS, BARBER SHOPS AND DRY CLEANERS.
- (9) STUDIOS FOR ARTISTS, DESIGNERS, PHOTOGRAPHERS, MUSICIANS, SCULPTORS, GYMNASTS, POTTERS, WOOD AND LEATHER CRAFTSMEN, GLASS BLOWERS, WEAVERS, SILVERSMITHS, AND DESIGNERS OF ORNAMENTAL AND PRECIOUS JEWELRY.
- B. THE TOTAL COMBINED MAXIMUM GROSS FLOOR AREA OF THE PRINCIPAL BUILDINGS LOCATED ON THE SITE SHALL BE 50,000 SQUARE FEET.

- C. OF THE ALLOWED 50,000 SQUARE FEET OF GROSS FLOOR AREA THAT MAY BE LOCATED ON THE SITE, A TOTAL MAXIMUM OF 12,000 SQUARE FEET MAY BE DEVOTED TO EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1), EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 2) AND BREWERIES, AND A TOTAL MAXIMUM OF 15,000 SQUARE FEET MAY BE DEVOTED TO RETAIL SALES.

4. TRANSPORTATION

- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
- B. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AREAS AND THE DRIVEWAYS MAY BE MODIFIED BY PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

5. ARCHITECTURAL STANDARDS

- A. THE MAXIMUM HEIGHT OF ANY BUILDING LOCATED ON THE SITE SHALL BE 30 FEET.

6. STREETScape

- A. WHERE FEASIBLE, PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG THE SITE'S FRONTAGES ON NORTH GRAHAM STREET, DALTON AVENUE AND WEST LIDDELL STREET.

7. LIGHTING

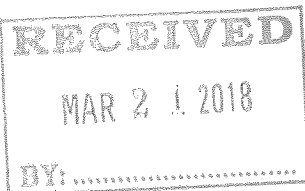
- A. ALL NEWLY INSTALLED FREESTANDING LIGHTING FIXTURES ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE INTERNAL PRIVATE DRIVES AND SIDEWALKS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- B. THE MAXIMUM HEIGHT OF ANY NEWLY INSTALLED FREESTANDING LIGHTING FIXTURE ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 21 FEET.
- C. ANY NEWLY INSTALLED LIGHTING FIXTURES ATTACHED TO THE BUILDINGS ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

8. 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.

KHA PROJECT 014013000		DATE 3/20/2018		SCALE AS SHOWN		DESIGNED BY		DRAWN BY		CHECKED BY		LICENSED PROFESSIONAL		Kimley»Horn © 2017 KIMLEY-HORN AND ASSOCIATES, INC. 200 SOUTH TRYON, SUITE 200, CHARLOTTE, NC 28202 PHONE: 704-333-5131 WWW.KIMLEY-HORN.COM		No.		REVISIONS		DATE		BY	
N. GRAHAM ST. PREPARED FOR LCRE CAPITAL												NORTH GRAHAM STREET DEVELOPMENT NOTES											
SHEET NUMBER RZ-2												NC											

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: 2018-043
Date Filed: 3/21/2018
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Leztier Limited Partnership

Owner's Address: 1970 Odell School Road City, State, Zip: Charlotte, NC

Date Property Acquired: March 8, 2007

Property Address: 9821 McKay Road, Charlotte, NC 28269

Tax Parcel Number(s): Portion of 027-561-11

Current Land Use: Residential Size (Acres): +/- 5.85 acres

Existing Zoning: CC (CD) Proposed Zoning: CC (CD) SPA

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

Required Rezoning Pre-Application Meeting* with: Kent Main, Alberto Gonzalez, Grant Meacci, Rick Grochoske

Date of meeting: March 13, 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 accommodate the development and operation of a commercial nursery with greenhouses on the site as more particularly depicted on the conditional rezoning plan submitted with this application.

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

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

Charlotte, NC 28246
City, State, Zip

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

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

See attached joinder agreements
Signature of Property Owner

(Name Typed / Printed)

Pike Nurseries (c/o Michael Chapman)
Name of Petitioner(s)

3555 Kroger Blvd, Suite 360
Address of Petitioner(s)

Duluth, GA 30096
City, State, Zip

404-606-3830
Telephone Number Fax Number

mchapman@pikernursery.com
E-Mail Address

See attached signature page
Signature of Petitioner

(Name Typed / Printed)

[Signature Page of Petitioner, Pike Nurseries, to Rezoning Application]

Petitioner:

PIKE NURSERIES

A handwritten signature in cursive script, appearing to read "M. Chapman", is written over a solid horizontal line.

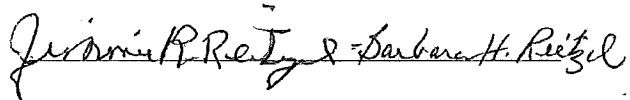
By: Michael Chapman

**REZONING APPLICATION
PIKE NURSERIES, PETITIONER
JOINDER AGREEMENT**

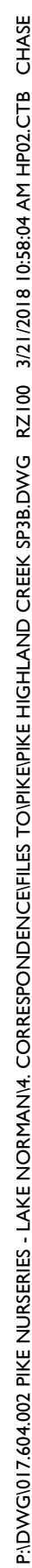
The undersigned, as the owner of the parcel of land subject to the attached Rezoning Application filed by Pike Nurseries that is designated as Tax Parcel No. 027-561-11 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the relevant portion of the Site from the CC (CD) zoning district to the CC (CD) SPA zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

This 20th day of March, 2018.

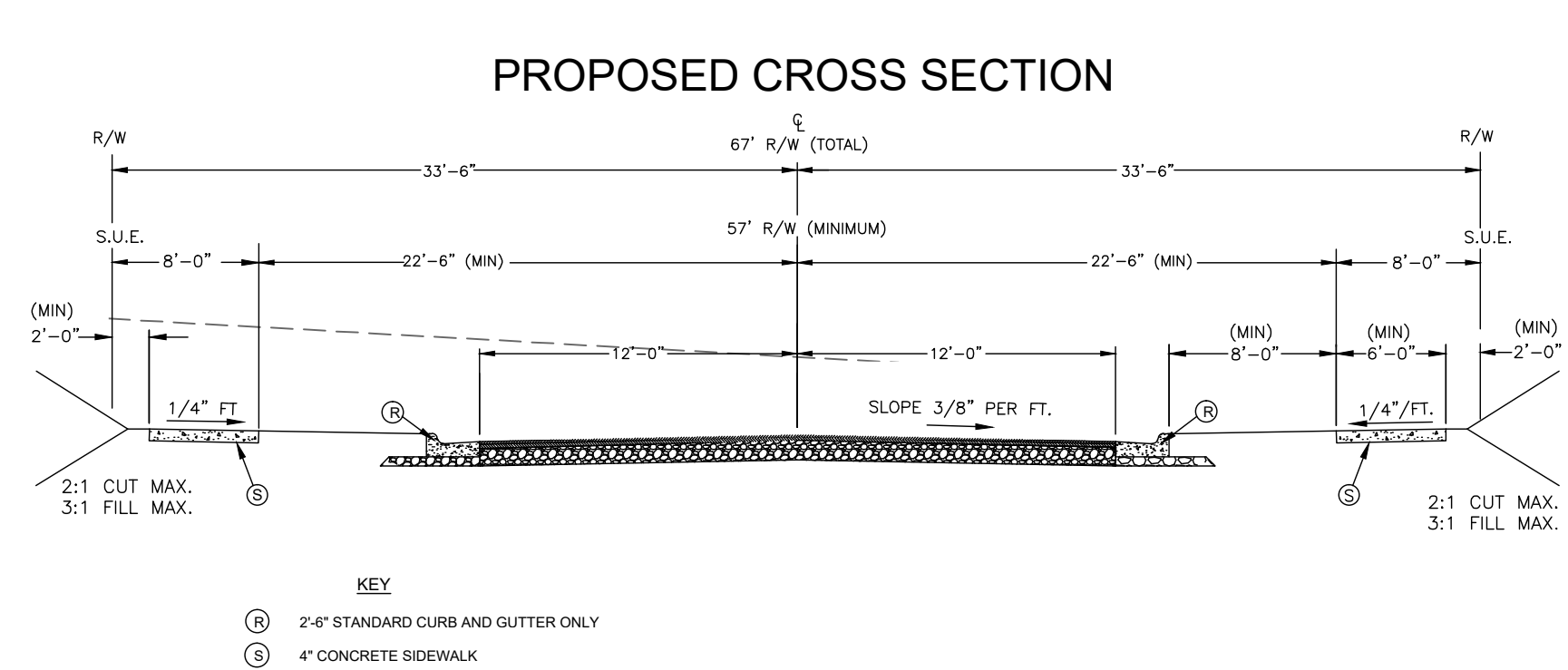
LEZTIER LIMITED PARTNERSHIP



By Jimmie R. Reitzel & Barbara H. Reitzel



RZ1.0
Sheet 1 of 3



NOTES:

1. USE OF VALLEY GUTTER PROHIBITED.
2. WIDER SIDEWALKS MAY BE REQUIRED UNDER CIRCUMSTANCES AS IDENTIFIED IN THE USDG.
3. DEVELOPER MAY SUBMIT AN ALTERNATIVE PAVEMENT DESIGN TO CITY ENGINEER.
4. AN ALTERNATIVE PAVEMENT DESIGN MAY BE REQUIRED BY CDOT/NCDOT BASED ON SPECIFIC TRAFFIC PARAMETERS.
5. AMENITY ZONE (HARDSCAPE) ALLOWED IN LIEU OF PLANTING STRIP WITH PRIOR APPROVAL FROM ENGINEERING, CDOT, AND PLANNING.
6. FOR EXPLANATION OF RIGHT-OF-WAY WIDTHS REFER TO CITY OF CHICAGO SUBURBAN HIGHWAY SECTION 20-20-01.

NOT TO SCALE

- **ACREAGE:** ± 5.85 ACRES
- **TAX PARCEL** ☐ PORTION OF 027-561-11.
- **EXISTING ZONING:** CC
- **PROPOSED ZONING:** CC
- **EXISTING USES:** VACANT
- **PROPOSED USES:** RETAIL, EATING DRINKING ENTERTAINMENT ESTABLISHMENTS (EDEV), GENERAL OFFICE USES, AS ALLOWED IN THE CC ZONING DISTRICT, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE CC ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED IN SECTION 2 ON SHEET RZ1.2).
- **MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT:** UP TO 25,000 SQUARE FEET OF GROSS FLOOR AREA WITHIN THE PORTION OF THE SITE ZONED CC.
- **MAXIMUM BUILDING HEIGHT:** A MAXIMUM HEIGHT OF TWO (2) STORIES AND UP TO 40 FEET WILL BE ALLOWED ON THE PORTION OF THE SITE ZONED CC.
- **PARKING:** PARKING WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

1 Parcel ID: 02707210 DB: 31864 PG:533
PROSPERITY CHURCH INCORPORATED
5533 PPC DRIVE, CHARLOTTE, NC 28269
ZONING: R-3 USE: N/A

2 Parcel ID: 02707203 DB: 04063 PG:090
PROSPERITY CHURCH INCORPORATED
5533 PPC DRIVE, CHARLOTTE, NC 28269
ZONING: R-3 USE: INSTITUTIONAL

3 Parcel ID: 02756111 DB: 21884 PG:69
LEZTIER LIMITED PARTNERSHIP
1970 ODELL SCHOOL ROAD, CONCORD, NC 28027
ZONING: CC USE: N/A

4 Parcel ID: 02756127 DB: 30366 PG:883
HEPV5 LLC C/O EZON INC
1100 5TH AVE SOUTH UNIT 409, NAPLES, FL 34102
ZONING: CC USE: COMMERCIAL/RETAIL

5 Parcel ID: 02756123 DB: 32379 PG:397
SHW LLC
851 S FEDERAL HWY STE 201, BOCA RATON, FL 33432
ZONING: CC USE: RETAIL

6 Parcel ID: 02931133 DB: 29465 PG:466
MECKLENBURG COUNTY ALCOHOLIC BEVERAGE
CONTROL BOARD
3333 N TRYON STREET, CHARLOTTE, NC 28206
ZONING: NS USE: RETAIL

CC

A MINIMUM OF 15% OF THE CC ZONED SITE SHALL BE PRESERVED AS TREE SAVE AREA AS DEFINED BY THE ORDINANCE.

P:\DWG017\664\002 PIKE NURSERIES - LAKE NORMAN\4. CORRESPONDENCE\FILES TO PIKE\PIKE HIGHLAND CREEK SP3B.DWG RZ100 3/21/2018 11:03:06 AM HP02.CTB CHASE

DEVELOPMENT STANDARDS
March 26, 2018

1. General Provisions

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Pike Nurseries (the "Petitioner") for an approximately 5.85 acre site located on the west side of McKay Road, near its intersection with Craven Thomas Road, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of a portion of Tax Parcel No. 027-561-11.
- B. Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the CC zoning district shall govern the development and use of the Site.
- C. The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configurations, placements and sizes of the building footprints as well as the internal drives, parking areas and internal sidewalks depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, may be altered or modified during design development and construction document phases.
- D. The Site shall be considered to be a planned/unified development. Therefore, side and rear yards, buffers, building height separation requirements and other zoning standards shall not be required internally between improvements and uses on the Site. The Site shall be required to meet side and rear yard requirements and buffer requirements with respect to the exterior boundaries of the Site.
- E. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. Permitted Uses DEVELOPMENT LIMITATIONS

- A. That portion of the Site designated as Development Area 1 on the Rezoning Plan may only be devoted to a commercial nursery and greenhouse with an outdoor display area, and to any incidental and accessory uses relating thereto that are allowed in the CC zoning district.
- B. That portion of the Site designated as Development Area 1 on the Rezoning Plan may be developed with a building containing up to 12,000 square feet of gross floor area, a greenhouse containing up to 25,000 square feet of gross floor area and a maximum 17,500 square foot outdoor display area as generally depicted on the Rezoning Plan.
- C. That portion of the Site designated as Development Area 2 on the Rezoning Plan may be developed with a building containing a maximum of 11,000 square feet of gross floor area, and such building may be devoted only to the uses set out below (including any combination of such uses), together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the CC zoning district.
- (1) Clinics, medical, dental and optical.
- (2) Dry cleaning and laundry establishments, without drive through (not to exceed 4,500 square feet).
- (3) Offices.
- (4) Retail establishments permitted in the B-1 district.
- (5) Barber and beauty shops.
- (6) Jewelers.
- (7) Business, personal and recreation services permitted in the B-1 district.
- (8) Eating, drinking and entertainment establishments (Type 1), and eating, drinking and entertainment establishments (Type 2) subject to the applicable regulations of Section 12.546 of the Ordinance.
- D. Accessory drive-in and drive-through service lanes/windows shall not be permitted on the Site.

3. Transportation

- A. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT") in accordance with applicable published standards.
- B. Off-street vehicular parking shall be provided in accordance with the requirements of the Ordinance.
- C. The alignment of the internal drives and vehicular circulation areas may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.
- D. Petitioner shall construct a public street from McKay Road to the western boundary of the Site as more particularly depicted on the Rezoning Plan. Petitioner shall not be required to construct and install a planting strip and a sidewalk on the northern side of such public street.
- E. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan.
- F. All required transportation improvements shall be constructed and approved prior to the issuance of the first certificate of occupancy for a new building to be constructed on the Site.

4. Architectural Standards

- A. The maximum height of any structure to be located on the Site shall be 40 feet.

5. STREETScape Landscaping Buffer

- A. Petitioner shall establish a minimum 40.5 foot wide Class B buffer along the western and southwestern boundary lines of the Site as more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance. Pursuant to Section 12.302(8) of the Ordinance, this Class B buffer has been reduced in width by 25' from 54 feet to 40.5 feet as a result of Petitioner's commitment to meet the requirements of Section 12.302(8) of the Ordinance.
- B. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas accordingly.

6. Environmental Features

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

7. SIGNS

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

8. Lighting

- A. All 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 and in the landscaped and outdoor display 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 freestanding lighting fixture installed on the Site shall be 21 feet.
- C. Any lighting fixtures attached to the buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

9. Binding Effect of the Rezoning Documents and Definitions

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



BURTON
ENGINEERING

5950 FAIRVIEW RD STE 100
CHARLOTTE NC 28210
(T) 704.553.8881
burtonengineering.com
FIRM #C-1157

PIKE NURSERY - HIGHLAND CREEK
CHARLOTTE
MECKLENBURG COUNTY, NC
DEVELOPMENT STANDARDS

REVISIONS

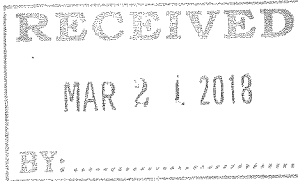
PR ChB
ENG CTB
ChB
DRAWN BY
03/21/18
DATE

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RETURNED UPON REQUEST.

PROJECT NUMBER
XXX.XXX.XXX

RZI.2
Sheet 3 of 3

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-044

Petition #: _____
Date Filed: 3/21/2018
Received By: BH

Complete All Fields (Use additional pages if needed)

Property Owner: Covenant Baptist Church of Charlotte, Inc.

Owner's Address: 8324 Providence Road West City, State, Zip: Charlotte, NC 28277

Date Property Acquired: April 13, 1984

Property Address: 11730 Elm Lane

Tax Parcel Number(s): Portion of Tax Parcel No. 223-281-11

Current Land Use: Religious Institution Size (Acres): +/- 7.5 acres

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

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

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

Date of meeting: February 20, 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): 2

Purpose/description of Conditional Zoning Plan: To accommodate the development of a residential community on the site that could contain up to 64 for sale single family attached dwelling units (townhomes).

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com
E-Mail Address

Land Investment Resources, LLC (c/o Philip M. Hayes)
Name of Petitioner(s)

3440 Toringdon Way, Suite 205
Address of Petitioner(s)

Charlotte, NC 28277
City, State, Zip

704-614-9531
Telephone Number Fax Number

pmhayes@landinvestmentresources.com
E-Mail Address

LAND INVESTMENT RESOURCES, LLC

By: [Signature]
Signature of Petitioner

PHILIP M. HAYES
(Name Typed / Printed)

See Attached Joinder Agreement

Signature of Property Owner

(Name Typed / Printed)

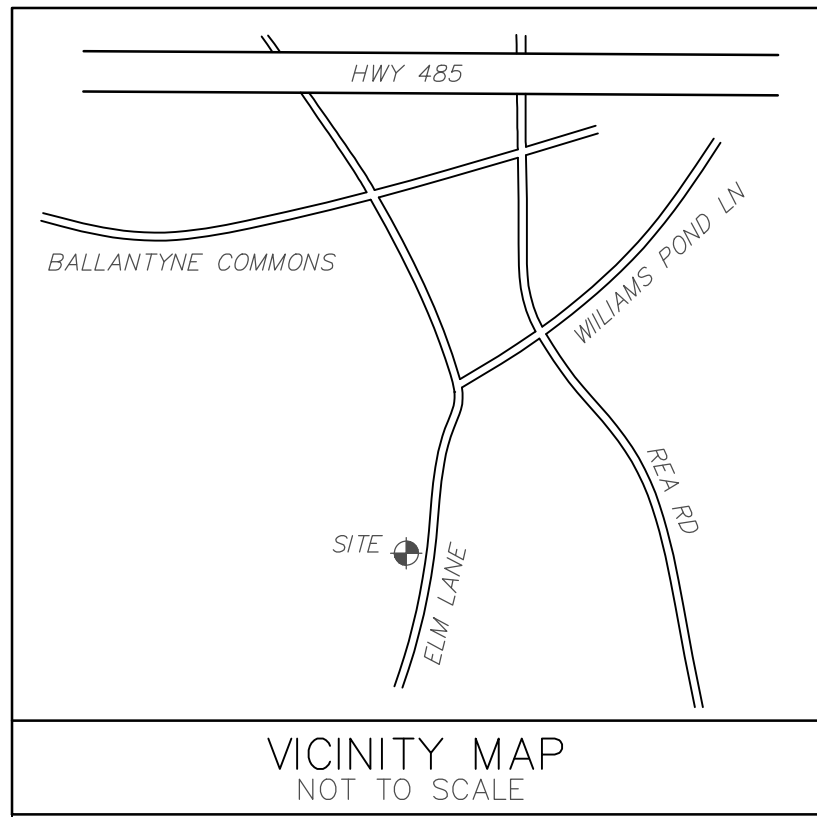
**REZONING APPLICATION FILED BY
LAND INVESTMENT RESOURCES, LLC
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Land Investment Resources, LLC that is designated as Tax Parcel No. 223-281-11 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the relevant portion of the Site from the R-3 zoning district to the UR-2 (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the conditional rezoning plan.

This 21 day of March, 2018.

**COVENANT BAPTIST CHURCH OF CHARLOTTE, INC.
DBA: Living Hope at Ballantyne**

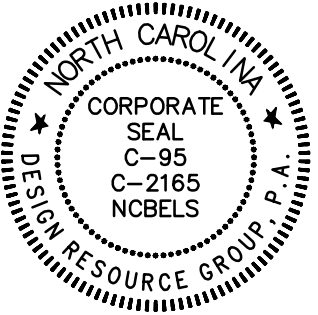
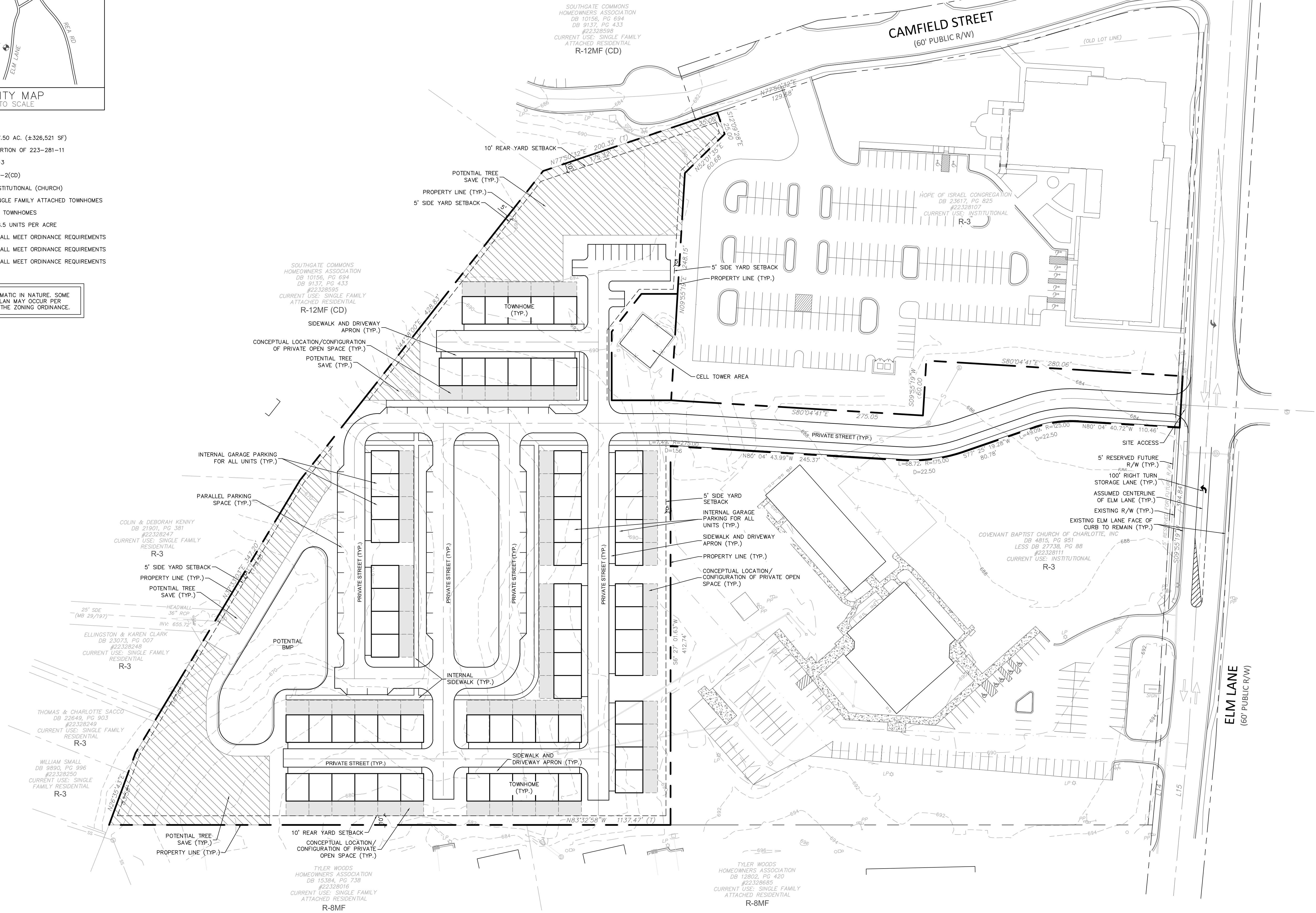
By: Administrative Board 
Name: John Francois
Title: Chairman



SITE DEVELOPMENT DATA

SITE AREA: ±7.50 AC. (±326,521 SF)
TAX PARCEL ID #: PORTION OF 223-281-11
EXISTING ZONING: R-3
PROPOSED ZONING: UR-2(CD)
EXISTING USE: INSTITUTIONAL (CHURCH)
PROPOSED USE: SINGLE FAMILY ATTACHED TOWNHOMES
PROPOSED UNITS: 64 TOWNHOMES
DENSITY PROPOSED: ±8.5 UNITS PER ACRE
BUILDING HEIGHT: SHALL MEET ORDINANCE REQUIREMENTS
PARKING PROVIDED: SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE: SHALL MEET ORDINANCE REQUIREMENTS

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

ELM LANE SITE
CHARLOTTE, NORTH CAROLINA
LAND INVESTMENT RESOURCES
3440 TORRINGTON WAY
SUITE 205
CHARLOTTE, NC 28277

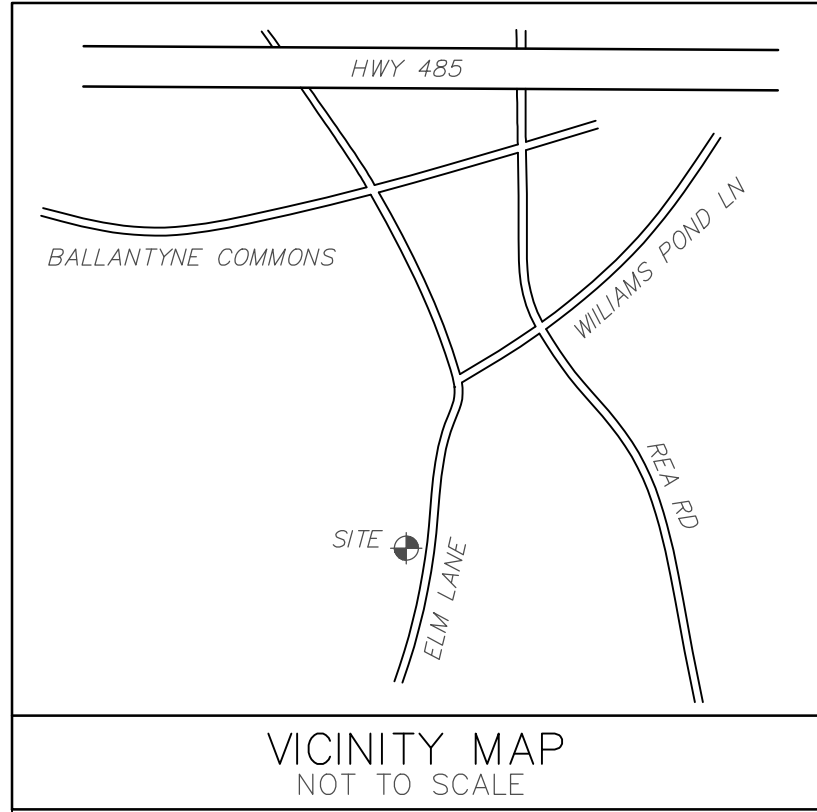
**SCHEMATIC
SITE PLAN**

SCALE: 1" = 50'

PROJECT #: 579-009
DRAWN BY: BS
CHECKED BY: NB

MARCH 21, 2018

REVISIONS:



VICINITY MAP
NOT TO SCALE

SITE DEVELOPMENT DATA

SITE AREA:	±7.50 AC. (±326,521 SF)
TAX PARCEL ID #:	PORTION OF 223-281-11
EXISTING ZONING:	R-3
PROPOSED ZONING:	UR-2(CD)
EXISTING USE:	INSTITUTIONAL (CHURCH)
PROPOSED USE:	SINGLE FAMILY ATTACHED TOWNHOMES
PROPOSED UNITS:	64 TOWNHOMES
DENSITY PROPOSED:	±8.5 UNITS PER ACRE
BUILDING HEIGHT:	SHALL MEET ORDINANCE REQUIREMENTS
PARKING PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE:	SHALL MEET ORDINANCE REQUIREMENTS

DEVELOPMENT STANDARDS

A. GENERAL PROVISIONS

- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY LAND INVESTMENT RESOURCES, LLC (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 7.5 ACRE SITE LOCATED ON THE WEST SIDE OF ELM LANE, SOUTH OF THE INTERSECTION OF CAMFIELD STREET AND ELM LANE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF A PORTION OF TAX PARCEL NO. 223-281-11.
- 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").
- UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 (CD) ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL DRIVES AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
- FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

B. PERMITTED USES/DEVELOPMENT LIMITATIONS

- THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 64 FOR SALE SINGLE FAMILY ATTACHED DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE UR-2 (CD) ZONING DISTRICT.
- NOTWITHSTANDING THE TERMS OF PARAGRAPH 1 ABOVE, THE EXISTING CELLULAR TELEPHONE AND WIRELESS COMMUNICATIONS TOWER AND ANY FACILITY PLANT, SUPPORT STRUCTURES AND SUPPORT BUILDINGS RELATING THERETO MAY BE LOCATED ON THAT PORTION OF THE SITE DESIGNATED AS THE "CELL TOWER AREA" ON THE REZONING PLAN.

C. TRANSPORTATION

- VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY AN INTERNAL PUBLIC STREET AND INTERNAL PRIVATE DRIVES, AND MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PUBLIC STREET AND THE INTERNAL PRIVATE DRIVES SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
- INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE INTERNAL SIDEWALKS MAY MEANDER TO SAVE EXISTING TREES.

D. ARCHITECTURAL STANDARDS

- THE MAXIMUM HEIGHT IN STORIES OF THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE LOCATED ON THE SITE SHALL BE ____ STORIES.
- THE MAXIMUM HEIGHT IN FEET OF THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE LOCATED ON THE SITE SHALL BE ____ FEET.

E. OPEN SPACE

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

F. LIGHTING

- ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 21 FEET.
- ANY LIGHTING FIXTURES ATTACHED TO THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

G. ENVIRONMENTAL FEATURES

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

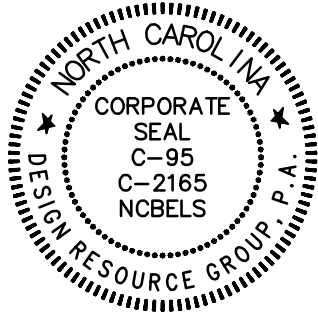
H. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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



LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

O 2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
P 704.343.0608
W www.drgroup.com



REZONING PETITION

FOR PUBLIC HEARING

2018-XXX

REZONING DOCUMENT

ELM LANE SITE
CHARLOTTE, NORTH CAROLINA
LAND INVESTMENT RESOURCES
3440 TORRINGTON WAY
SUITE 205
CHARLOTTE, NC 28277

DEVELOPMENT
STANDARDS
NOTES



SCALE:

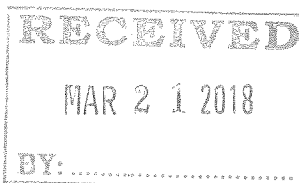
PROJECT #: 579-009
DRAWN BY: BS
CHECKED BY: NB

MARCH 21, 2018

REVISIONS:

RZ2.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-045

Petition #:	_____
Date Filed:	3/21/2018
Received By:	JK

Complete All Fields (Use additional pages if needed)

Property Owner: HWY 16 MHH LLC

Owner's Address: 8210 Crestwood Heights Dr, Apt 434 City, State, Zip: McLean, Va 22102

Date Property Acquired: September 30, 2009

Property Address: 10023 Callabridge Ct, Charlotte, NC 28216

Tax Parcel Number(s): 02326120, 02326121, 02326122

Current Land Use: Vacant Land Size (Acres): 7.37 acres

Existing Zoning: BP Proposed Zoning: BD-CD

Overlay: MIL-CA-4 Watershed Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Claire Lyle-Graham, Alberto Gonzalez, Grant Meacci
Date of meeting: March 20, 2017

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: The Petitioner seeks to build lifestyle storage on this property.

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

William T. Thurnarth Jr
Signature of Property Owner

WILLIAM T. THURNARTH JR
(Name Typed / Printed) FOR

HWY 16-MHH LLC.

Andy Bilmanis
Name of Petitioner(s)

5009 Webb Chapel Church Rd,
Address of Petitioner(s)

Denver, NC 28037
City, State, Zip

704-968-7994
Telephone Number Fax Number

Andy@S3Storage.com
E-Mail Address

Andy Bilmanis
Signature of Petitioner

Andy Bilmanis
(Name Typed / Printed)

Development of the Site will be governed by the accompanying Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The Rezoning Plan is intended to reflect maximum development heights, building envelopes, the arrangements and locations of access points.

2. Permitted Uses

3. Transportation

Vehicle access points shall be limited to one driveway on Callabridge Court.

The petitioner is proposing a style of architecture, generally in keeping with the architectural vocabulary established for Callabridge Village. Allowable building materials include masonry, stucco, synthetic stucco, cementitious siding, and metal panels.

Petitioner shall satisfy the requirements of the Post Construction Controls Ordinance.

Petitioner shall comply with and satisfy the Tree Ordinance, and shall provide tree survey notes per regulations.

The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

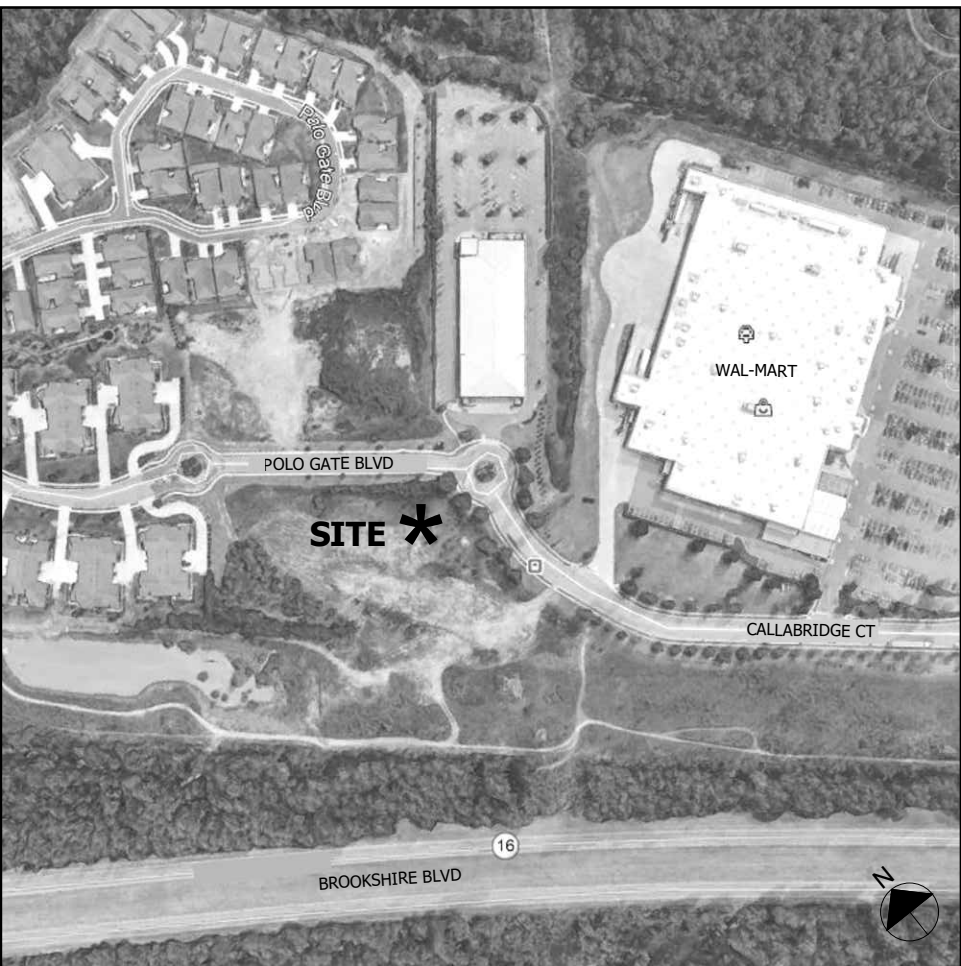
All free-standing lighting fixtures will be shielded with full cut-off fixtures, and shall not exceed 21ft on site.

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

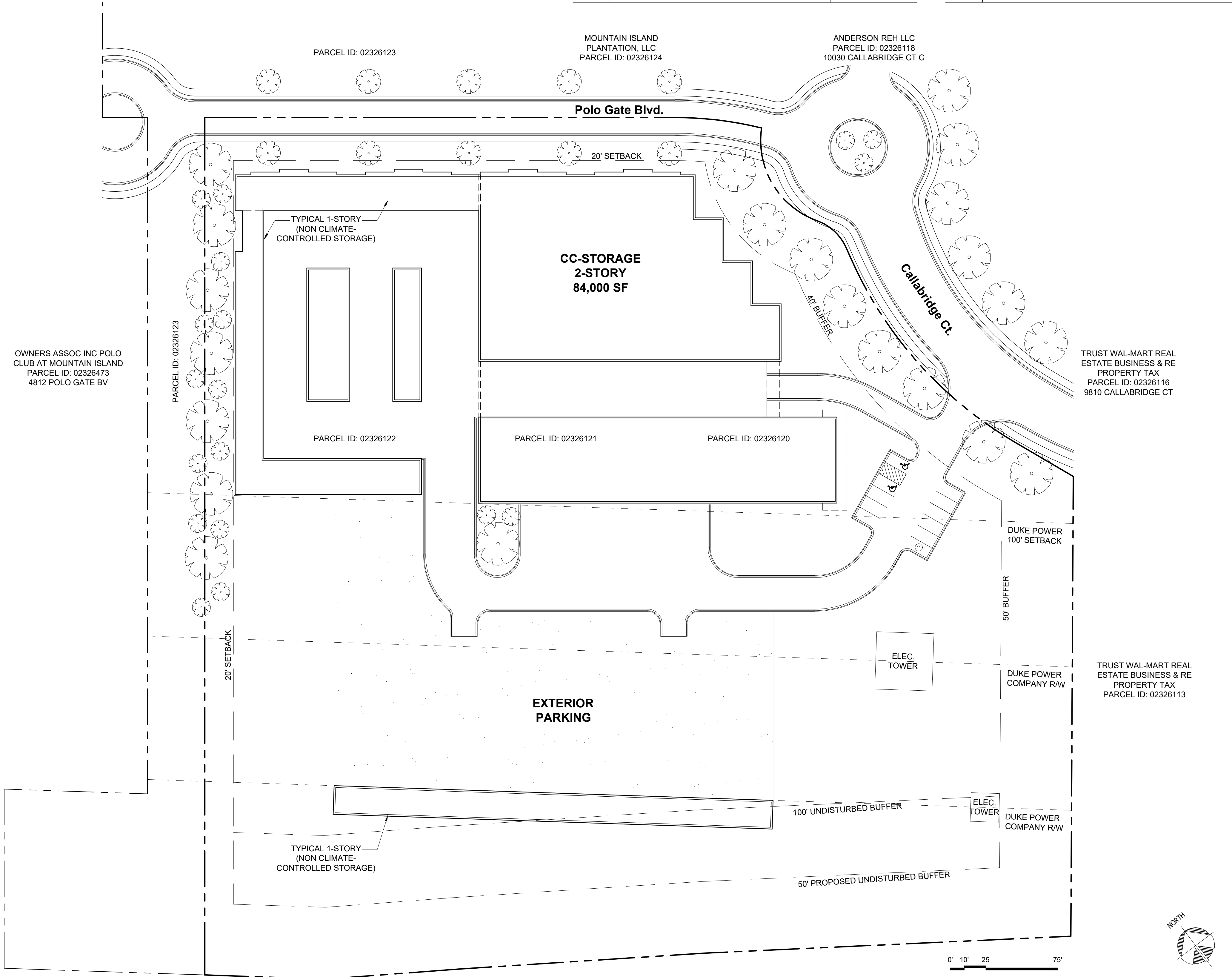
When this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners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

4	NOTES	scale: NTS
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Tax Parcel ID#:	02326120 02326121 02326122
Total Site Acreage:	7.370 acres
Existing Zoning:	BP
Proposed Zoning:	BD (CD)
Total Building Area	84,000 (CC-storage) 27,000 sf (non CC-storage)
Height:	1 + 2-Story



2	VICINITY MAP	scale: NTS
---	--------------	------------



1	SITE PLAN	scale: 1"=40'
---	-----------	---------------

ODa
overcash demmitt

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

MOUNTAIN ISLAND LIFESTYLE STORAGE

CHARLOTTE, NORTH CAROLINA
ODA Project No. 183295

03.20.2018

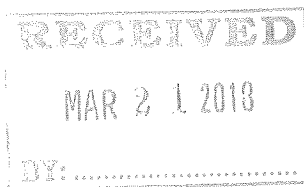
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ILLUSTRATIVE PLAN

RZ-1

Copyright 2018 Overcash Demmitt Architects

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-046

Petition #:	_____
Date Filed:	3/21/2018
Received By:	RK

Complete All Fields (Use additional pages if needed)

Property Owner: Lateef Jackson

Owner's Address: 6437 NE Sacramento St City, State, Zip: Portland, OR 97213

Date Property Acquired: 11/16/2004

Property Address: 2013/2015 Pinckney Ave and 716 East 24th St, Charlotte NC 28205

Tax Parcel Number(s): 08304328

Current Land Use: Residential - Duplex and single family house Size (Acres): 0.22 acres

Existing Zoning: R-5 Proposed Zoning: UR-1

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders

Date of meeting: 03/15/2018

(*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: _____

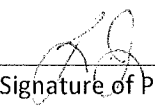
Chip Cannon
Name of Rezoning Agent

1318 Central Ave, Suite E6
Agent's Address

Charlotte, NC, 28205
City, State, Zip

704-219-2021 704-334-3305
Telephone Number Fax Number

chip@urbandesignpartners.com
E-Mail Address


Signature of Property Owner

Lateef Jackson
(Name Typed / Printed)

Melissa Jackson
Name of Petitioner(s)

6437 NE Sacramento St
Address of Petitioner(s)

Portland, OR 97213
City, State, Zip

704-605-4983
Telephone Number Fax Number

mc@cooperjackson.com
E-Mail Address


Signature of Petitioner

Melissa Jackson
(Name Typed / Printed)

Lateef Jackson
Melissa Jackson
Po Box 31064 (704) 266-0009
Charlotte, NC 28231

1000

66-19/530 NC
50500

3/16/18

Date

Pay
to the order of

City of Charlotte

\$ 3,435.⁰⁰Three thousand four hundred thirty five ⁰⁰/₁₀₀

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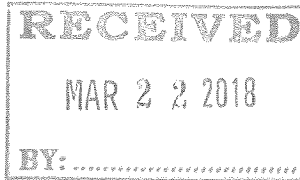
MP

2018-046

Melissa Jackson

UR-1

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-047

Petition #:	
Date Filed:	3/22/2018
Received By:	RH

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/Institutional (Acres): ±4.42

Existing Zoning: INST & TOD-M(O) Proposed Zoning: TOD-M(O) & TOD-M(O) SPA

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Rick Grochoske, Mandy Rosen, Monica Holmes

Date of meeting: 3/20/2018

(*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 develop the parcel with a hotel/conference facility and permitted accessory uses.

Bridget Grant & Jeff Brown
Name of Rezoning Agent

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

Charlotte, NC 28202

704-331-2379 (BG) 704-378-1973 (BG)
704-331-1144 (JB) 704-378-1925 (JB)
Telephone Number Fax Number

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

SEE ATTACHMENT B
Signature of Property Owner

**Foundation of the University of North Carolina at
Charlotte, Inc. (Attn:)**
Name of Petitioner

9201 University City Blvd
Address of Petitioner

Charlotte, NC 28223
City, State, Zip

000-000-0000
Telephone Number Fax Number

name@entity.com
E-mail Address

SEE ATTACHMENT A
Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Date Acquired
portion of 049-311-11	9050 N. Tryon Street, Charlotte, NC 28223	Foundation of the University of North Carolina at Charlotte, Inc.	9201 University City Blvd, Charlotte, NC 28223	06/09/2010
portion of 049-311-02	8714 Phillips Rd, Charlotte, NC 28223	University of North Carolina at Charlotte	9201 University City Blvd, Charlotte, NC 28223	01/01/1975
portion of 049-311-06	8524 Phillips Rd, Charlotte, NC 28223			01/01/1975

ATTACHMENT A

REZONING PETITION NO. 2018-____

Foundation of the University of North Carolina at Charlotte, Inc.

OWNER JOINDER AGREEMENT

Foundation of the University of North Carolina at Charlotte, Inc.

The undersigned, as the owner of the parcel of land located at 9050 N Tryon St, Charlotte, NC that is designated as a portion of Tax Parcel No. 049-311-11 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 & TOD-M(O) zoning district to the TOD-M(O) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 21st day of March, 2018.

**Foundation of the University of North Carolina at Charlotte,
Inc.**

By: 

Name: Niles Sorensen

Its: President

ATTACHMENT B

REZONING PETITION NO. 2018-____

Foundation of the University of North Carolina at Charlotte, Inc.

OWNER JOINDER AGREEMENT

University of North Carolina at Charlotte

The undersigned, as the owner of the parcel of land located at 8714 Phillips Rd, Charlotte, NC that is designated as a portion of Tax Parcel No. 049-311-02 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 zoning district to the TOD-M(O) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 22 day of March, 2018.

University of North Carolina at Charlotte

By: 

Elizabeth A. Hardin

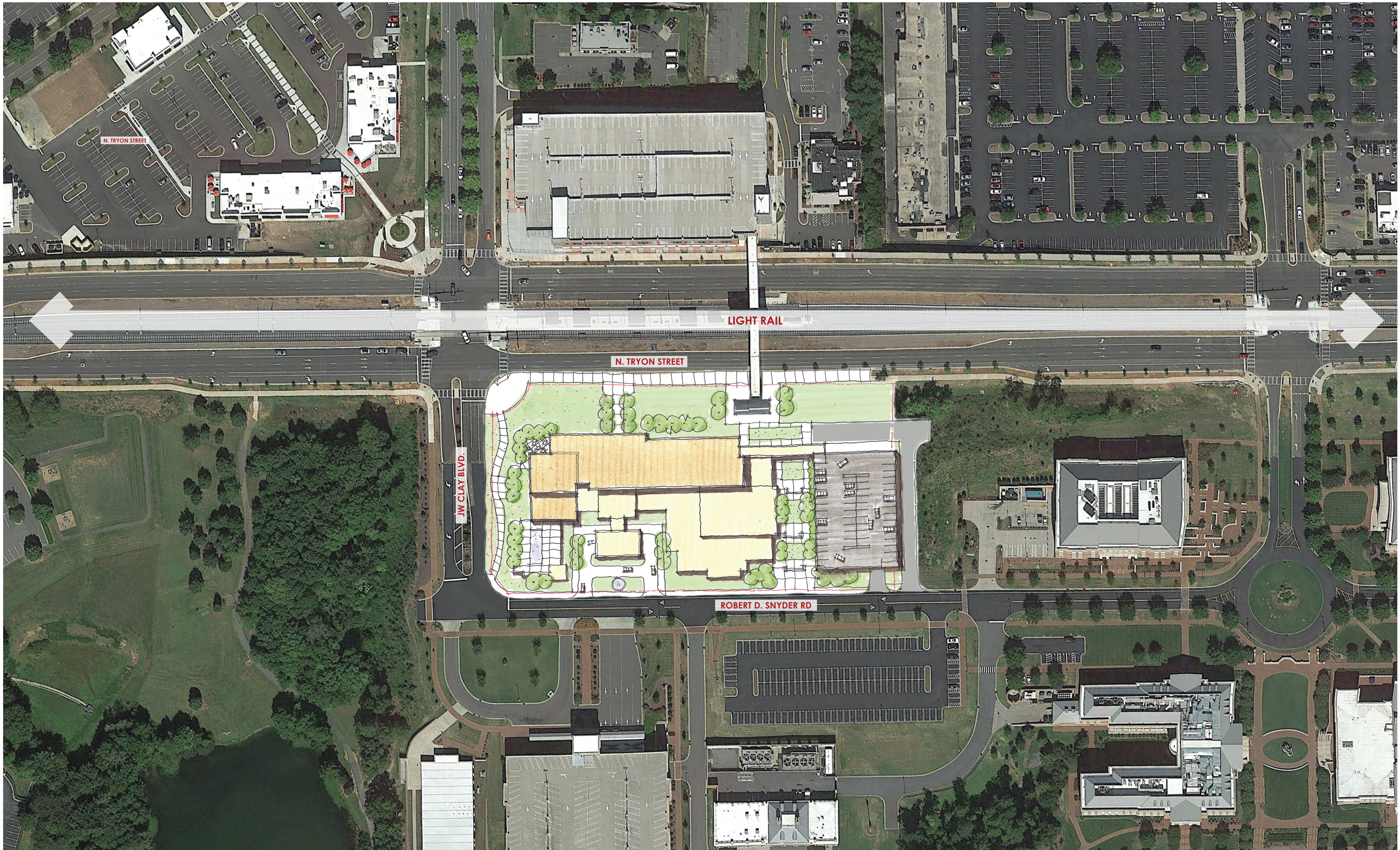
Name: Vice Chancellor for Business Affairs

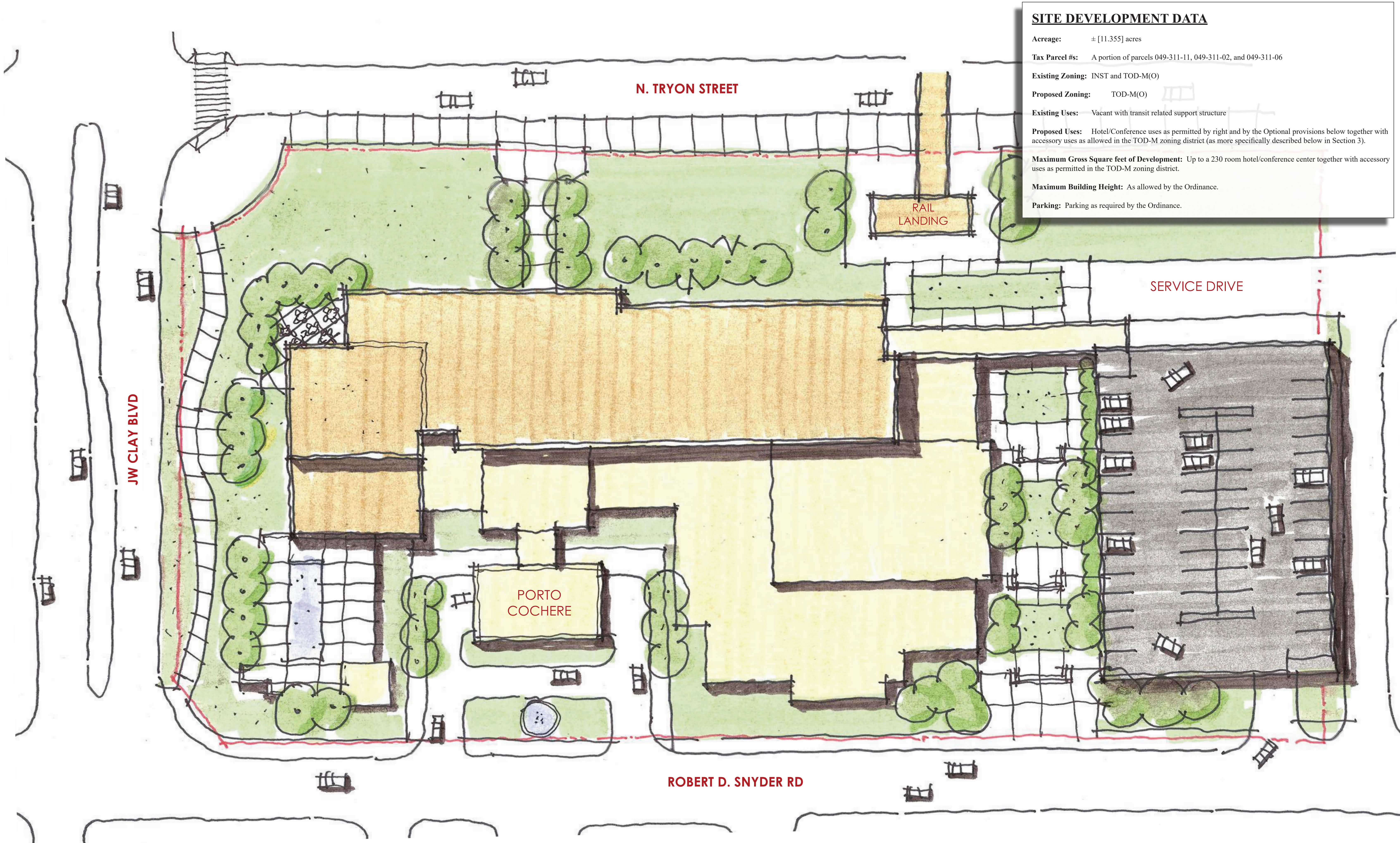
Its: _____

UNIVERSITY HOTEL/CONFERENCE FACILITY **RE-ZONING**

MARCH 22, 2018







SITE DEVELOPMENT DATA	
Acreage:	± [11.355] acres
Tax Parcel #s:	A portion of parcels 049-311-11, 049-311-02, and 049-311-06
Existing Zoning:	INST and TOD-M(O)
Proposed Zoning:	TOD-M(O)
Existing Uses:	Vacant with transit related support structure
Proposed Uses:	Hotel/Conference uses as permitted by right and by the Optional provisions below together with accessory uses as allowed in the TOD-M zoning district (as more specifically described below in Section 3).
Maximum Gross Square feet of Development:	Up to a 230 room hotel/conference center together with accessory uses as permitted in the TOD-M zoning district.
Maximum Building Height:	As allowed by the Ordinance.
Parking:	Parking as required by the Ordinance.

Foundation of the University of North Carolina at Charlotte, Inc
Development Standards
3/22/18
Rezoning Petition No. 2018-_____

1. General Provisions:

a. Site Location. These Development Standards, the Technical Data Sheet, Schematic Site Plan and other site plan sheets form this rezoning plan (collectively referred to as the “Rezoning Plan”) associated with the Rezoning Petition filed by Foundation of the University of North Carolina at Charlotte, Inc (“Petitioner”) to accommodate the development of residential and non-residential uses on an approximately [11.355] acre site located at 9050 N. Tryon Street (the “Site”).

b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the “Ordinance”). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the TOD-M(O) zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.

c. Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the “Development/Site Elements”) set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of 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 on the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are minor and don't materially change the overall design intent and stay within the setbacks and yards 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 two (2). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located on the Site.

2. Optional Provisions.
The following optional provisions shall apply to the Site:

a. To not require structured parking facilities to have 50% of the street level frontage devoted to active uses.

b. To allow surface parking or maneuvering space, including without limitation valet areas, between the building(s) and Robert D. Snyder Road and for the driveway/service area and N. Tryon Street, as generally depicted on the Rezoning Plan.

3. Permitted Uses and Development Limitations:

a. The Site may be developed for a full service hotel/conference center as permitted by right and under prescribed conditions together with allowed accessory uses (such as but not limiting restaurant/EDEE uses, ballrooms & meeting space, concierge services, retail uses, office uses and the like), as set forth in the TOD-M(O) district, subject to limitations described in subsection 3.b. below.

b. For clarity purposes, it is understood that the following uses are prohibited whether as principal or accessory uses; (i) fast food restaurants with a drive-through facility; (ii) convenience stores with gasoline sales; and (iii) stand-alone restaurant/EDEE uses that are not integrated into the principal building(s) on the Site.

4. Access:

a. Access to the Site will be from Robert Snyder Road as generally depicted on the Rezoning Plan.

b. The alignment of the vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

5. Streetscape, Landscaping Open Space and Screening:

a. Along N. Tryon Street, a 40 foot setback as measured from the existing/future back of curb will be provided.

b. Along Robert D. Snyder Road and JW Clay Boulevard, a 16 foot setback as measured from the existing/future back of curb will be provided.

c. An eight (8) foot planting strip and an eight (8) foot sidewalk will be provided along N. Tryon Street, Robert D. Snyder Road, and JW Clay Boulevard as generally depicted on the Rezoning Plan.

d. The open space areas along N. Tryon Street and JW Clay Boulevard on the Site will be improved with landscaping, lighting, seating and hardscape elements.

e. Meter banks will be screened where visible from public view at grade level.

6. Architectural Standards.
- a. The building materials used on the principal buildings constructed on Site will be a combination of some of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, EIFS, decorative metal panels, decorative block and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings
- b. The principal buildings constructed on the Site will be constructed so that the percentage of brick, stone, precast stone, precast concrete, synthetic stone per exterior building façade may vary but in no case be less than [25%] exclusive of windows, doors and roofs.
- c. Entrances: Primary building entrances shall be provided per Ordinance and per the following provisions:
- [i. Each operable pedestrian entrance (defined as an entrance designed to provide customers access to the proposed uses) will be designed to be clearly identifiable and prominent elements within the building facades in which they are located shall include at least 3 of the following:]
- decorative pedestrian lighting;
 - architectural details carried to upper stories;
 - canopies, awnings or sunshades;
 - archways;
 - transom windows;
 - terraced or raised planters that can be utilized as seat walls;
 - common outdoor seating enhanced with specialty details, paving, landscaping or water features; or
 - double doors.
- ii. A minimum of one common entrance from the active ground floor uses shall be provided to the proposed open space along N. Tryon Street.
- iii. Direct pedestrian connections should be provided between street facing doors, corner entrance features to sidewalks on adjacent public streets.
- d. Building placement and site design shall focus on and enhance the pedestrian environment on public streets, through the following:
- i. Buildings shall be placed so as to present a front or side façade to such streets.
- ii. Facades fronting streets shall include a combination of windows and operable doors for a minimum of [60%] of each frontage elevation transparent glass between 2' and 10' on the first floor except as described below in subsection h. for the proposed structured parking deck. Up to 10% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 3'-0" clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 3'-0" above adjacent street sidewalk.
- iii. The facades of first/ground floor of the buildings along streets shall incorporate a minimum of 20% masonry materials such as brick or stone.
- iv. Building elevations shall not have expanses of blank walls greater than twenty feet (20') in all directions and architectural features such as but to limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- v. Multi-story buildings should have a minimum of 20% transparency on all upper stories.
- f. Buildings over 150' in length shall provide façade variations such as window arrangement and size variation, unit entrance design, roof variation, material changes, and/or offset wall planes.
- g. Along streets with on-street parking the Petitioner may utilize tree grates per the CLDSM. All other streetscape infrastructure shall be built per TOD ordinance.
- h. The structured parking deck facade shall provide screening so that interior lighting and cars are not visible from adjacent uses and all streets. This shall primarily accomplished by the use of architectural louvers, decorative screens, solid walls with enhanced architectural details, a combination of sheet walls and landscaping, or similar. The structured parking deck is not subject to the transparency requirements set forth above.
7. Valet Service, Parking, and Maneuvering Restrictions.
- a. As allowed by the Optional Provisions above, valet service, parking, and maneuvering is permitted in the setbacks and/or between the buildings and Robert D. Snyder Road and N. Tryon Street.
8. 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 the Tree Ordinance.
9. Lighting:
- a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding; low landscape, decorative, specialty, and accent lighting that may be installed along the driveways, sidewalks, open space/amenity areas, and parking areas.
- b. Detached lighting on the Site, except street lights located along public streets, will be limited to 20 feet in height.
10. Amendments to the Rezoning Plan:
- a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.
11. Binding Effect of the Rezoning Application:
- a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

