# Rezoning Petition Packet

# **Petitions:**

2018-064 through 2018-079

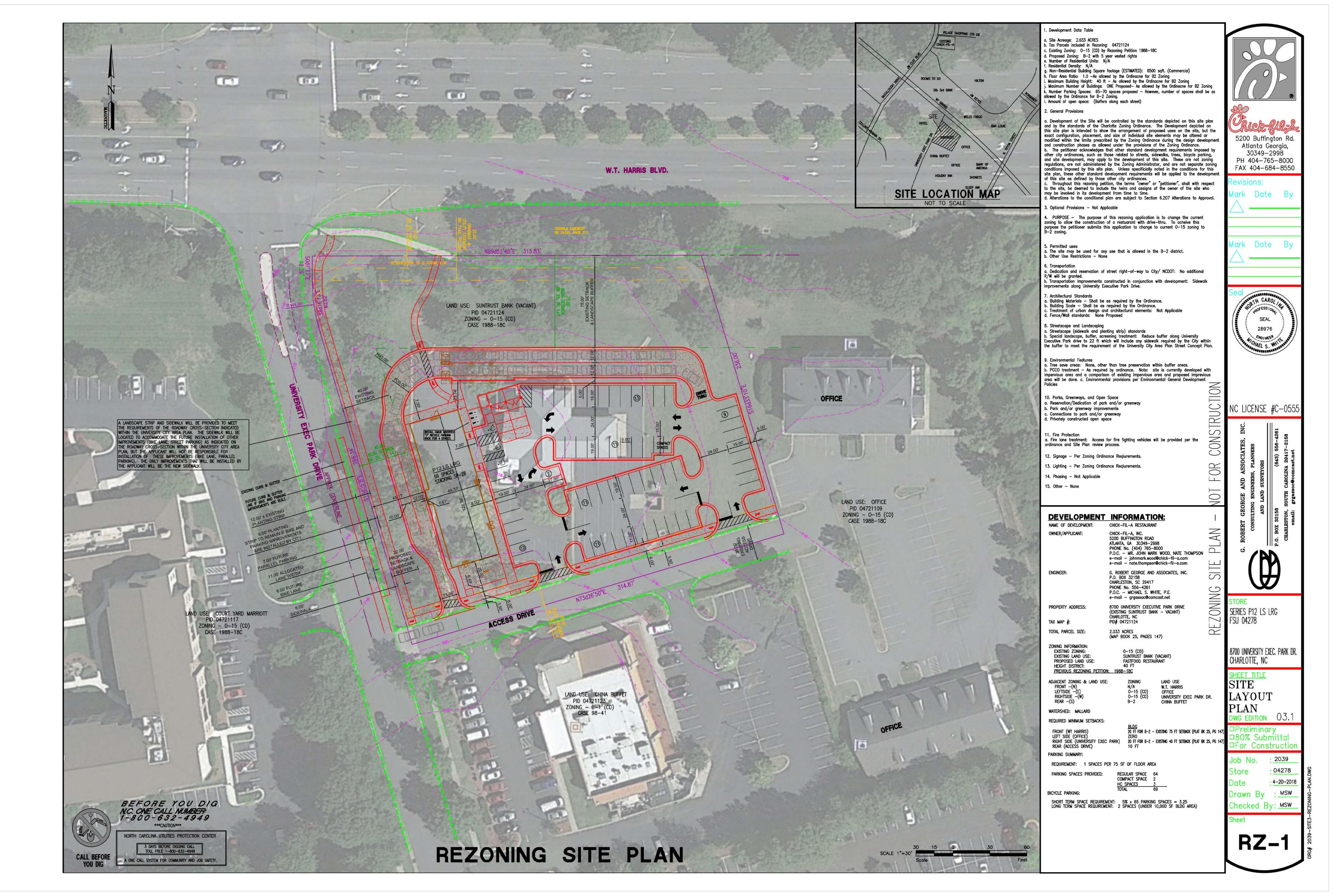
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	2018-064
Petition #: _	
Date Filed:	4/23/2018
Received By:	h(_

Complete All Fields (Use additional pages if needed) Property Owner: Pontus Vault Portfolio, LLC City, State, Zip: La Jolla, CA 92037 Owner's Address: 875 Prospect Street Suite 303 Date Property Acquired: 04/27/2016 - Map Book 25, Page 147 Property Address: 8700 University Executive Park Drive Tax Parcel Number(s): 04721124 Size (Acres): 2.033 SunTrust Bank Current Land Use: Existing Zoning: O-15 (CD) Proposed Zoning: B-2 (CD) None Overlay: (Specify PED, Watershed, Historic District, etc.) Planning Staff (Sonja Sanders, Rick Grochoske, Mandy Rosen, etc. Required Rezoning Pre-Application Meeting\* with: Date of meeting: March 27, 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): Yes/ 5 yr Purpose/description of Conditional Zoning Plan: Request rezoning of existing parcel from O-15 (CD) to B-2 (CD) to allow the construction of a Restaurant or any other use allowed within the B-2 zoning district Chick-fil-A, Inc. (Nate Thompson) G. Robert George & Assoc., Inc. (Michael White) Name of Rezoning Agent Name of Petitioner(s) P.O. 32158 5200 Buffington Road Agent's Address Address of Petitioner(s) Charleston, SC 29714 Atlanta, GA 30349-2998 City, State, Zip City, State, Zip 843-556-4261 571-0276 770-363-2863 404-864-8550 Telephone Number Fax Number Telephone Number Fax Number grgassoc@comcast.net nate.thompson@cfacorp.com E-Mail Address E-Mail Address That Sharps Signature of Property Owner Signature of Petitioner Nate Thompson

(Name Typed / Printed)

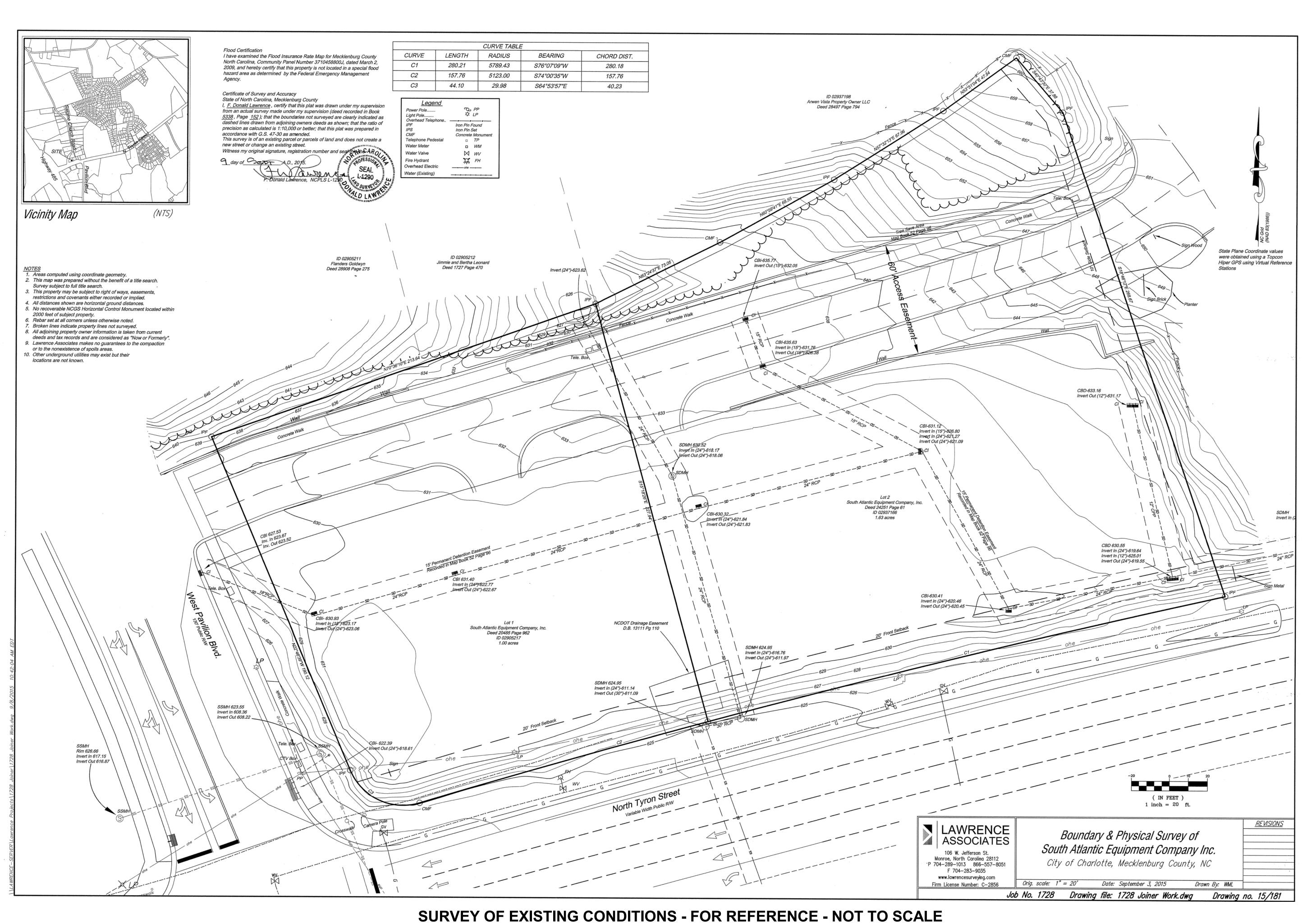


Petition #: I. REZONING APPLICATION CITY OF CHARLOTTE Date Filed: Received By: Complete All Fields (Use additional pages if needed) Equipment Co. Inc. ( POBOX SON)
City, State, Zip:\_ NC 28110 11/11/2008 Current Land Use: Commercial 1.629 ac. Size (Acres): 1.09 ac (SPA Proposed Zoning:\_ NC (Specify PED, Watershed, Historic District, etc.) Overlay: Required Rezoning Pre-Application Meeting\* with: Monica Holmes

Date of meeting: 8/22/2017 w/ follow-up mts. m Holmes (\*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? (s) No. Number of years (maximum of 5):  $\underline{5}$ Sitc Purpose/description of Conditional Zoning Plan: Orndo 10615 Agent's Address 10815 Sikes Address of Petitioner(s) Chavlotte City, State, Zip Charlotte City, State, Zip 704321 1000 Telephone Number to432/1001 704321 704321 1001 Fax Number Telephone Number Fax Number Ken @ ralaymiller E-Mail Address Ken (co) E-Mail Address

(Name Typed / Printed)

(Name Typed / Printed)





# W. PAVILION **MIXED USE**

**FOR** 

RALEY MILLER PROPERTIES

**US29 & WEST PAVILION BOULEVARD** CHARLOTTE, NORTH CAROLINA

Revisions # Date Description

> **REZONING PETITION** NO. 2018-000

**AMENDMENT TO PETITION** NO. 2007-047

Issued for: Issue Date:

DRAWING TITLE SURVEY OF **EXISTING** 

CONDITIONS

SHEET NUMBER

**RZ-01** 

17001 REZONING

# **VICINITY MAP**

# SITE DATA SUMMARY

PARCEL A = 02905217 PARCEL B = 02937166 PARCEL AREAS: PARCEL A = 1.00 AC

PARCEL B = 1.63 AC TOTAL SITE AREA: 2.63 ACRES / 114,300 SF

**EXISTING ZONING:** (NS) NEIGHBORHOOD SERVICES PROPOSED ZONING: (NS) NEIGHBORHOOD SERVICES

**MAXIMUM GROSS** 20,000 GSF **BUILDING AREA:** 

PARCELS NO:

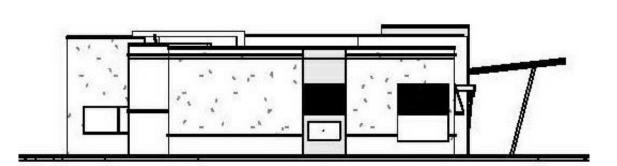
PARKING REQUIRED: 1/600 SF = 28.17 = 29 SPACES TOTAL 78 SPACES PARKING PROVIDED:

1 @ 10'X50' LOADING SPACE LOADING SPACES: **BICYCLE PARKING:** 

2 BIKE RACKS

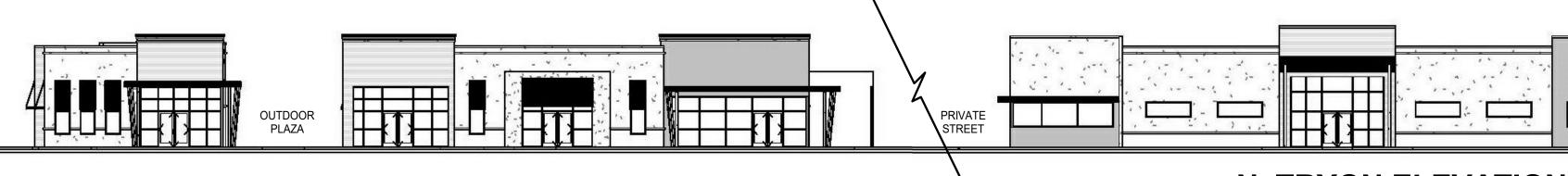
# **GENERAL NOTES**

- 1. TOPOGRAPHICAL, PARCEL AND RIGHT-OF WAY INFORAMTION PROVIDED BY MECKLENBURG COUNTY GIS DATABASE
- 2. REFER TO BOUNDARY AND PHYSICAL SURVEY CREATED BY LAWRENCE ASSOCIATES DATED SEPTEMBER 3, 2015 FOR BOUNDARY AND EASEMENT INFORMATION
- 3. ALL PLAN AND ELEVATION INFORMATION SHOWN IS PRELIMINARY AND SUBJECT TO CHANGE 4. SITE(S) WAS PREVIOUSLY REZONED, PETITION NUMBER 2007-047 AND APPROVED BY CITY COUNCIL JANUARY 22, 2008.



# W. PAVILION ELEVATION

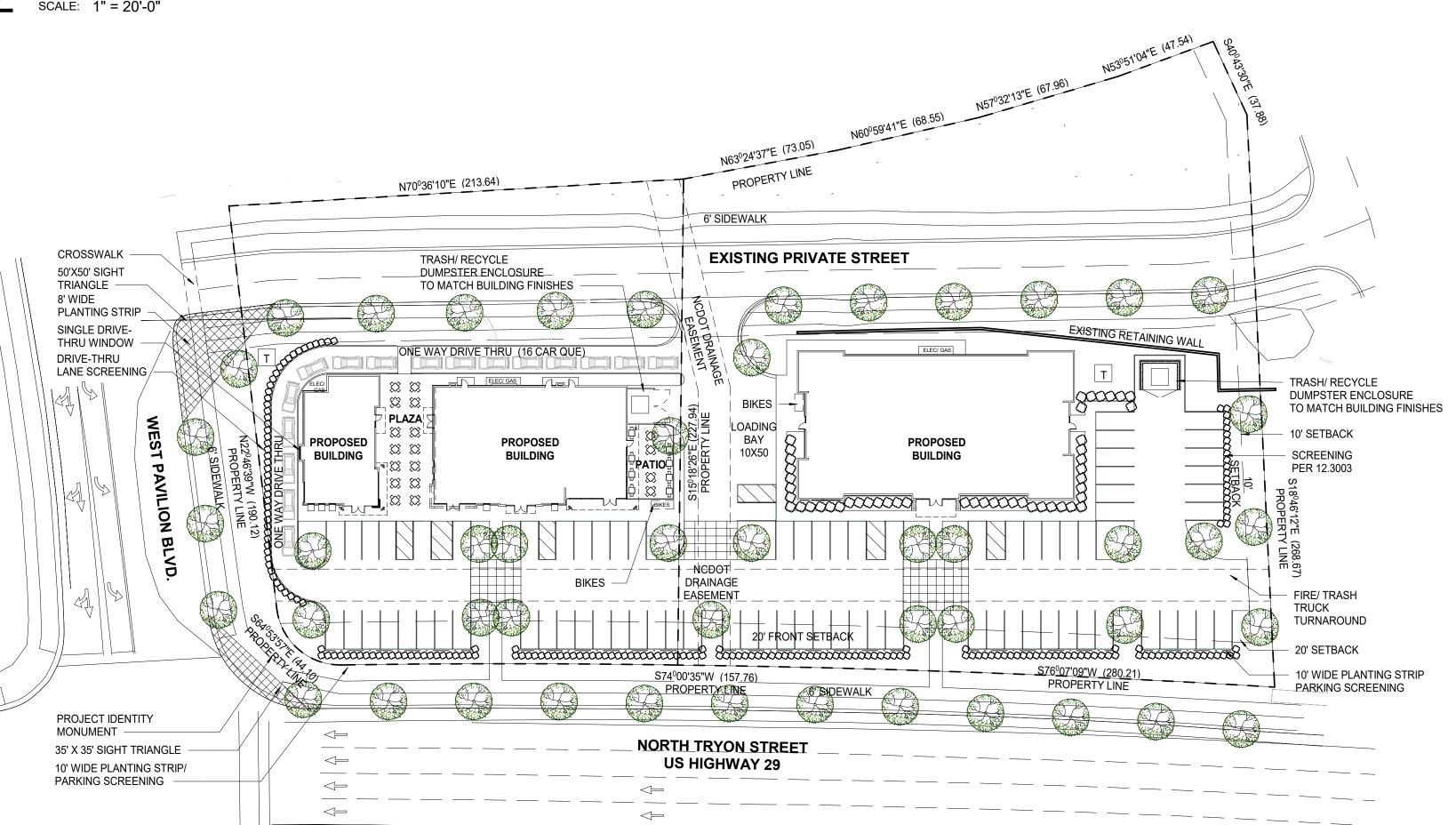
DELINIATION OF PROPOSED MATERIALS SUBJECT TO CHANGE



# SCHEMATIC ELEVATIONS SCALE: 1" = 20'-0"

N. TRYON ELEVATIONS

DELINIATION OF PROPOSED MATERIALS SUBJECT TO CHANGE



### construction plans and designs and to any adjustments required for approval by the City of Charlotte and/or the NC Department of Transportation. Bicycle parking spaces (bike racks) shall be provided within the areas generally depicted on Sheet RZ-02 in accordance with the Ordinance.

ARCHITECTURAL STANDARDS:

DEVELOPMENT DATA TABLE:

**GENERAL PROVISIONS:** 

Not applicable.

3. OPTIONAL PROVISIONS:

PERMITTED USES:

TRANSPORTATION:

2.63 ACRES/ 114,300 SF

Tryon Street), West Pavilion Boulevard and Masterton Road.

be located on Masterton Road generally as depicted on the Site Plan.

Alterations to this conditional plan are Subject to Section 6.207 of the Ordinance.

EXISTING ZONING: (NS) NEIGHBORHOOD SERVICES

PROPOSE ZONING: (NS) NEIGHBORHOOD SERVICES

SITE DATA:

ACREAGE:

- The exterior elevations of each of the buildings to be constructed on the Site shall be designed and constructed such that they are substantially similar to the elevations depicted on the Site Plan.
- To the extent practical, buildings shall be placed in a manner that presents a front or side façade to all public streets.
- Facades fronting public streets shall include a combination of windows and operable doors for a minimum of eighty (80) percent of each frontage elevation, transparent glass between 2' and 10' on the first floor. Up to ten (10) percent 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 4'-0" above adjacent street sidewalk.

**DEVELOPMENT STANDARDS** 

Unless more stringent standards are established herein, all development standards established under the City of Charlotte Zoning Ordinance (the

There shall be no additional right of way reservation or dedication required for the Site. Sufficient right of way exists along US Highway 29 (North

There shall be no direct access to the site from US Highway 29 (North Tryon Street) or West Pavilion Boulevard. Instead, access points shall

The placement and configuration of each access point is subject to any minor modifications required to accommodate final site and architectural

"Ordinance") for the NS zoning district classification shall be followed in connection with development taking place on the Site.

Permitted uses shall be those allowed in the NS zoning classification; however, the following uses will not be permitted on the site: Convenience stores, Gasoline sales, and Drive-through window facilities as an accessory to any more than one (1) establishment. The gross floor area of all buildings constructed on the Site may not exceed, in the aggregate, twenty thousand (20,000) square feet.

- The facades of first/ground floor of the buildings along public streets shall incorporate a minimum of twenty (20) percent masonry materials such as brick or stone.
- Pedestrian connections should be provided between street facing doors and corner entrance features to sidewalks on adjacent public streets. Operable door spacing shall not exceed seventy-five (75) feet
- Building elevations shall not have expanses of blank walls greater than twenty (20) feet in length 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
- Building elevations shall be designed with vertical bays or articulated architectural features that shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or
- other architectural elements.
- Buildings should be a minimum height of twenty-two (22) feet.

## STREETSCAPE AND LANDSCAPING:

- Building setbacks shall be ten (10) feet measured from the R/W line of West Pavilion Boulevard and twenty (20) feet from the R/W line of US
- Highway 29 (North Tryon Street). Building setback shall be twenty (20) feet from the curb line of Masterton Road.
- Screening shall conform with the standards and treatments specified in the Ordinance. Any dumpsters located upon the Site that are visible from a public street or from an external adjoining property shall be screened from view by a solid enclosure with gates.
- The Site shall comply with the City of Charlotte Tree Ordinance. Roof-top mechanical equipment shall be screened from public view to the greatest extent practical given the topography of the Site relative to adjoining
- streets and driveways. A sidewalk shall be provided along the US Highway 29 (North Tryon Street), which shall be at least six (6) feet in width and have a planting strip between the sidewalk and the street curb or edge of pavement which is at least eight (8) feet in width. The existing sidewalk and planting strip along
- West Pavilion Boulevard shall remain in its current state. A six (6) foot sidewalk and six (6) foot planting strip along the north side of Masterton Road currently exists and shall remain in its current state. No
- sidewalk shall be required along the south side of Masterton Road. Planting strips and sidewalks may be located within the setback and/or the rights-of-way subject to any necessary government approval.

## **ENVIRONMENTAL FEATURES:**

## Site shall comply with the City of Charlotte Tree Ordinance.

## 9. PARKS, GREENWAYS AND OPEN SPACE:

Not applicable.

In accordance with the Ordinance.

#### 11. SIGNAGE:

10. FIRE PROTECTION:

- Building signs shall conform to the provisions of the Ordinance.
- No more than one (1) detached monumental project identification sign shall be permitted. This sign may not exceed seven (7) feet in height and the actual sign area may not exceed sixty-four (64) square feet on either side.
- Directional signs shall be allowed, but shall not exceed thirty (30) inches in height if located in a sight triangle.

## 12. LIGHTING:

- All freestanding lighting fixtures shall be uniform in design, boxed and fully shielded and not exceed 20 feet in height, including any structural base. Parking lot light poles shall not be placed in the tree islands, but decorative, pedestrian-oriented lighting may be in tree islands.
- Wall 'Pack' lighting shall not be permitted.

#### 13. PHASING:

Buildings on the Site may be built in sequences, but the sidewalk and required street trees along US Highway 29 (North Tryon Street) shall be installed with the initial building on the Site.

## 14. OTHER:

Not applicable



T: 704.372.0116 www.rad-arch.com

# W. PAVILION MIXED USE

**FOR** 



**US29 & WEST PAVILION BOULEVARD** CHARLOTTE, NORTH CAROLINA

Revisions

Description

1 Date 1 Revision 1

**REZONING PETITION** NO. 2018-000

**AMENDMENT TO PETITION** NO. 2007-047

Project Number: REZONING Issued for: Issue Date:

DRAWING TITLE

SCHEMATIC PLAN

04/13/18

SHEET NUMBER RZ-02

SCHEMATIC MASTER PLAN



2018-066

Petition #:

Date Filed: 4(24/26/8

Received By: 4

Complete All Fields (Use additional pages if needed)	<b>ř</b> [
Property Owner: Pike Development Compan	y LLC
Owner's Address: 1401 Central Ave Suite	200 b City, State, Zip: Charlotte, NC 28205
Data Drananty Assurady 07/73/18	
Property Address: 3101 Providence R	d Charlotte, NC 28211
Tax Parcel Number(s): 18504208	
Current Land Use: Single Family Home	Size (Acres): . & l acres
Tax Parcel Number(s): 18504208  Current Land Use: Single Family Home  Existing Zoning: R-3	Proposed Zoning: R - Y
Required Rezoning Pre-Application Meeting* with:	hn Kinley
(*Rezoning applications will not be processed until a required	
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimum	? Yes/No. Number of years (maximum of 5):
Purpose/description of Conditional Zoning Plan:	
A	A 1)
Anthony Moore  Name of Rezoning Agent	Anthony Moore  Name of Petitioner(s)  1401 (rut-al Ave Suite 200-6
	Name of Petitionér(s)
1401 Central Ave Snite 200-6	
Adent's Address	Address of Petitioner(s)
City, State, Zip	Charlotte, NC 28205
	City, State, Zip
704-332- 3332.	707-332-3332
Telephone Number Fax Number	Telephone Number Fax Number
anthony apite properties IIc. com	anthony apineproperties Ilc. com
E-Mail Address	E-Mail Address
Signature of Property Owner	Signature of Petitioner
Anthony Moore	Anthony Moore
(Name Typed / Printed)	(Name Typed / Printed)



		7018-067
Pet	ition #: _	
Dat	e Filed: _	4/26/2018
Rec	reived By:	<del></del>

#### Complete All Fields (Use additional pages if needed)

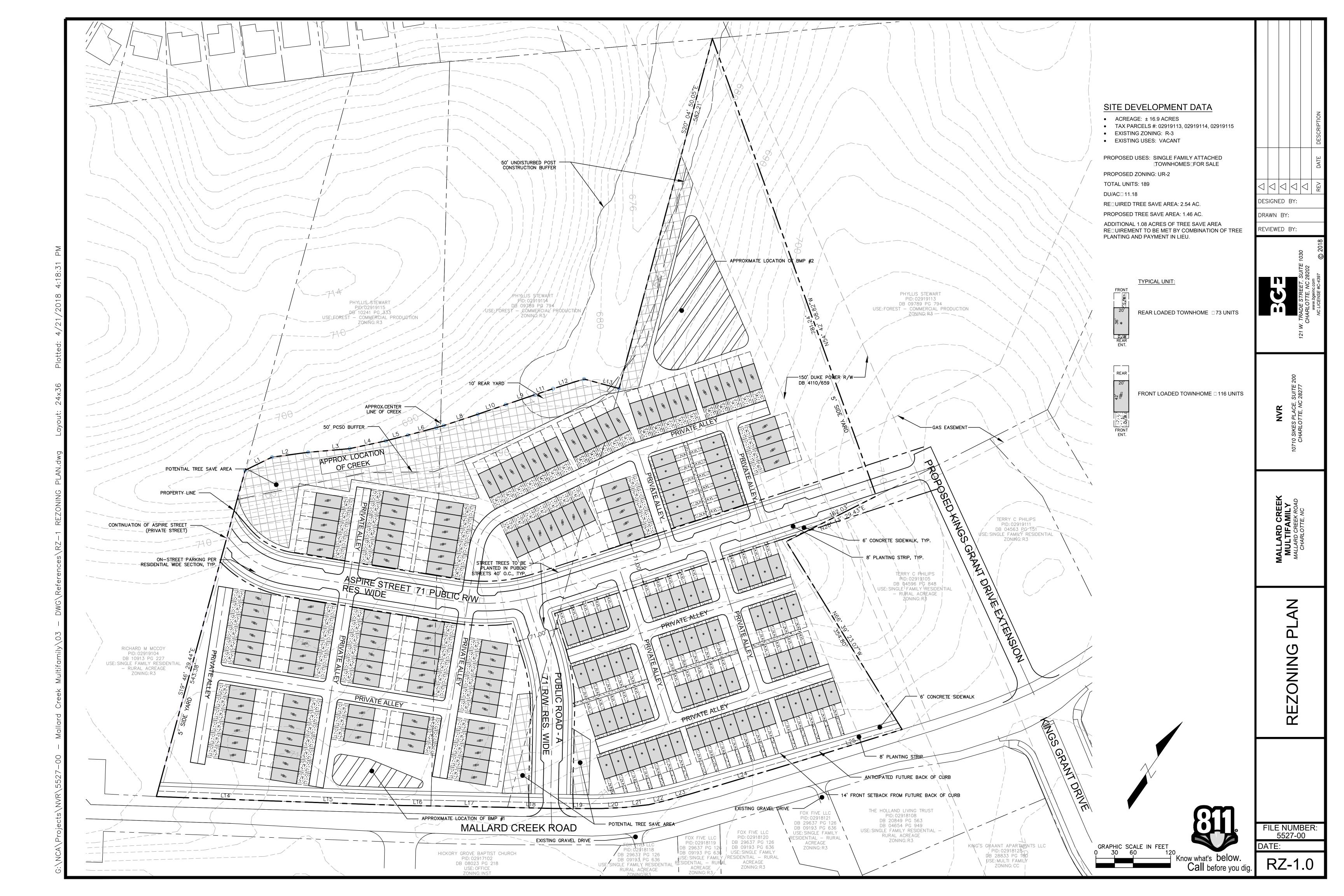
Property Owner: Phyllis Stewart	
Owner's Address: 5100 Glen Forest Drive	City, State, Zip: Raleigh, NC 27612
Date Property Acquired: <u>July 10, 1998 and February 8, 19</u>	
Property Address: Mallard Creek Road	
Tax Parcel Number(s): Portions of Tax Parcels Nos. 029-19	1-13, 029-191-14 and 029-191-15
Current Land Use: Vacant	Size (Acres): <u>+/- 15.68 acres</u>
Existing Zoning: R-3	Proposed Zoning: UR-2 (CD)
Overlay: N/A	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Alberto Contact of Meeting: April 9, 2018	Gonzalez, Josh Weaver, Grant Meacci, et al.
(*Rezoning applications will not be processed until a require held.)	ed pre-application meeting with a rezoning team member is
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimum	n? Yes/No. Number of years (maximum of 5): N/A
Purpose/description of Conditional Zoning Plan: <u>To accomm</u>	
	hodate the development of a residential community on the
site that could contain up to 189 single family attached dwe	
site that could contain up to 189 single family attached dwe	
site that could contain up to 189 single family attached dwe	elling units (townhomes).
site that could contain up to 189 single family attached dwe	NVR, Inc. (c/o Mallie M. Colavita)  Name of Petitioner(s)  10710 Sikes Place, Suite 200
John Carmichael (Robinson Bradshaw) Name of Rezoning Agent  101 N. Tryon Street, Suite 1900 Agent's Address	NVR, Inc. (c/o Mallie M. Colavita) Name of Petitioner(s)  10710 Sikes Place, Suite 200 Address of Petitioner(s)
John Carmichael (Robinson Bradshaw) Name of Rezoning Agent  101 N. Tryon Street, Suite 1900	NVR, Inc. (c/o Mallie M. Colavita)  Name of Petitioner(s)  10710 Sikes Place, Suite 200
site that could contain up to 189 single family attached dween 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	NVR, Inc. (c/o Mallie M. Colavita) Name of Petitioner(s)  10710 Sikes Place, Suite 200 Address of Petitioner(s)  Charlotte, NC 28277 City, State, Zip  704-815-3519
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	NVR, Inc. (c/o Mallie M. Colavita) Name of Petitioner(s)  10710 Sikes Place, Suite 200 Address of Petitioner(s)  Charlotte, NC 28277 City, State, Zip  704-815-3519 Telephone Number Fax Number
site that could contain up to 189 single family attached dween 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	NVR, Inc. (c/o Mallie M. Colavita) Name of Petitioner(s)  10710 Sikes Place, Suite 200 Address of Petitioner(s)  Charlotte, NC 28277 City, State, Zip  704-815-3519
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	NVR, Inc. (c/o Mallie M. Colavita) Name of Petitioner(s)  10710 Sikes Place, Suite 200 Address of Petitioner(s)  Charlotte, NC 28277 City, State, Zip  704-815-3519 Telephone Number Fax Number mcolavit@nvrinc.com
Site that could contain up to 189 single family attached dween site that could contain up to 189 single family attached dween site single family attached dween site site site site site site site site	NVR, Inc. (c/o Mallie M. Colavita) Name of Petitioner(s)  10710 Sikes Place, Suite 200 Address of Petitioner(s)  Charlotte, NC 28277 City, State, Zip  704-815-3519 Telephone Number Fax Number  mcolavit@nvrinc.com E-Mail Address  NVR, INC. By:
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  jcarmichael@robinsonbradshaw.com E-Mail Address	NVR, Inc. (c/o Mallie M. Colavita) Name of Petitioner(s)  10710 Sikes Place, Suite 200 Address of Petitioner(s)  Charlotte, NC 28277 City, State, Zip  704-815-3519 Telephone Number Fax Number  mcolavit@nvrinc.com E-Mail Address  NVR, INC.
Site that could contain up to 189 single family attached dween site that could contain up to 189 single family attached dween site single family attached dween site site site site site site site site	NVR, Inc. (c/o Mallie M. Colavita) Name of Petitioner(s)  10710 Sikes Place, Suite 200 Address of Petitioner(s)  Charlotte, NC 28277 City, State, Zip  704-815-3519 Telephone Number Fax Number  mcolavit@nvrinc.com E-Mail Address  NVR, INC. By:

# REZONING APPLICATION FILED BY NVR, INC. JOINDER AGREEMENT

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by NVR, Inc. that are designated as Tax Parcel Nos. 029-191-13, 029-191-14 and 029-191-15 (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the relevant portions of the Site from the R-3 zoning district to the 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 18 day of April, 2018.

Hydis Stewart
Phyllis Stewart



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	2018-068
Petition #: _	
Date Filed: _	5/1/2018
Received By:	
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Complete All Fields (Use additional pages if needed)
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Property Owner: J.R. Atkinson	
Owner's Address: 11541 U.S. Highway 29	City, State, Zip: Chatham, VA 24531
Date Property Acquired: <u>December 3, 1993</u>	
Property Address: 4270 Trailer Drive	
Tax Parcel Number(s): 045-058-02	
Current Land Use: <u>Industrial</u>	Size (Acres):
Existing Zoning: I-1	Proposed Zoning: I-2
Overlay: N/A	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: <u>Claire Lyt</u> Date of meeting: <u>March 27, 2018</u> .	e-Graham, Alberto Gonzalez and Rick Grochoske
(*Rezoning applications will not be processed until a required held.)	d pre-application meeting with a rezoning team member is
For Conditional Rezonings Only:  Requesting a vesting period exceeding the 2 year minimum?	? Yes/No. Number of years (maximum of 5):
Purpose/description of Conditional Zoning Plan:	
John Carmichael (Robinson Bradshaw)	J.R. Atkinson
Name of Rezoning Agent	Name of Petitioner(s)
Agent's Address	11541 U.S. Highway 29 Address of Petitioner(s)
Charlotte, NC 28246 City, State, Zip	Chatham, VA 24531 City, State, Zip
704-377-8341 Fax Number	<u>434-432-9770</u> <u>434-432-9774</u> Telephone Number Fax Number
jcarmichael@robinsonbradshaw.com E-Mail Address	Chrism@ atkinson truck sales. Com E-Mail Address
Signature of Property Owner	Signature of Petitioner
J.R Atkinson	J.R. Atkinson
(Name Typed / Printed)	(Name Typed / Printed)



	2018-069
Petition #: _	
Date Filed:	5/14/2018
Received By:	Be

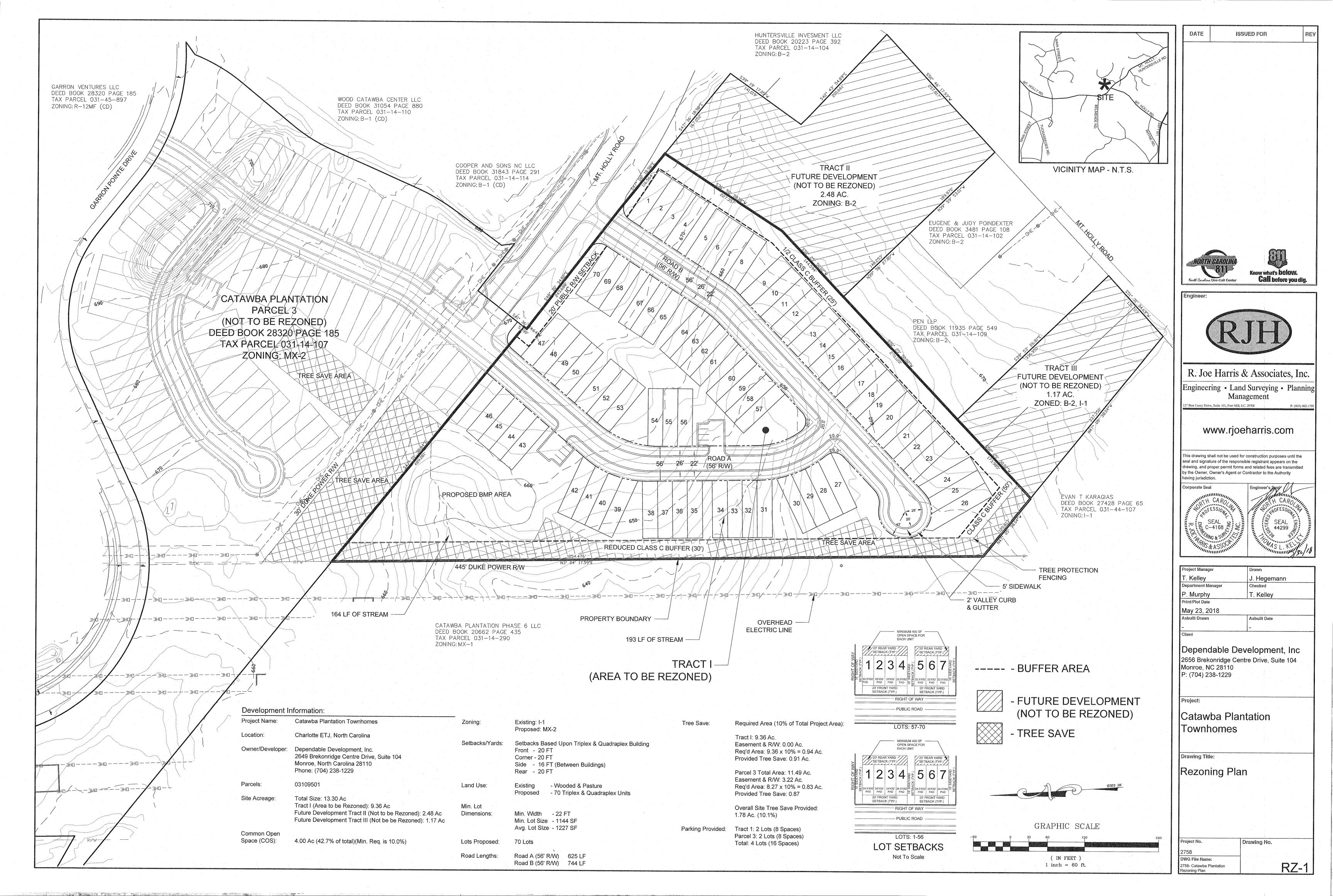
Complete All Fields (Use additional pages if needed)	
Property Owner: Huntersville Investment, LLC	
Owner's Address: 5925 Carnegie Blvd, Suite 200	City, State, Zip: Charlotte, NC 28209
Date Property Acquired: 11/16/2001	
Property Address: 11120 Mount Holly Road, Charlo	tte, NC 28214
Tax Parcel Number(s): 03114103 portion	
Current Land Use: Industrial	Size (Acres): 9.36
Existing Zoning: 1-1 \(\frac{\beta}{B} - \frac{2}{-}\)	Proposed Zoning: MX-2
Overlay: Lake Wylie (Protected & Critical Area)	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Claire Date of meeting: 04/03/2018	Lyle Graham, Rick Grochoske, Grant Meacci, Joshua Weaver
(*Rezoning applications will not be processed until a requir	red pre-application meeting with a rezoning team is held.)
For Conditional Rezonings Only:	
- •	-2 ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) (
Requesting a vesting period exceeding the 2 year minimum	
Purpose/description of Conditional Zoning Plan: 10 acco	omodate the development of a multifamily residential
site that will contain approximately 70 multifamily	attached units.
Huntersville Investment, LLC (Billy Packer)	Dependable Development, Inc,
Name of Rezoning Agent	Name of Petitioner(s)
5925 Carnegie Blvd, Suite 200	2649 Brekonridge Centre Drive, Suite 104
Agent's Address	Address of Petitioner(s)
City, State, Zip	Monroe, NC 28110 City, State, Zip
(704) 849-9044	
Telephone Number Fax Number	(704) 238-1229 Telephone Number Fax Number
bpacker@sstractllc.com	sgasparini@truehomes.com
E-Mail Address	E-Mail Address
Marchan Sind	
Signature of Property Owner	Signature of Petitioner
Author alle Partes	
(Name Typed / Printed)	(Name Typed / Printed)

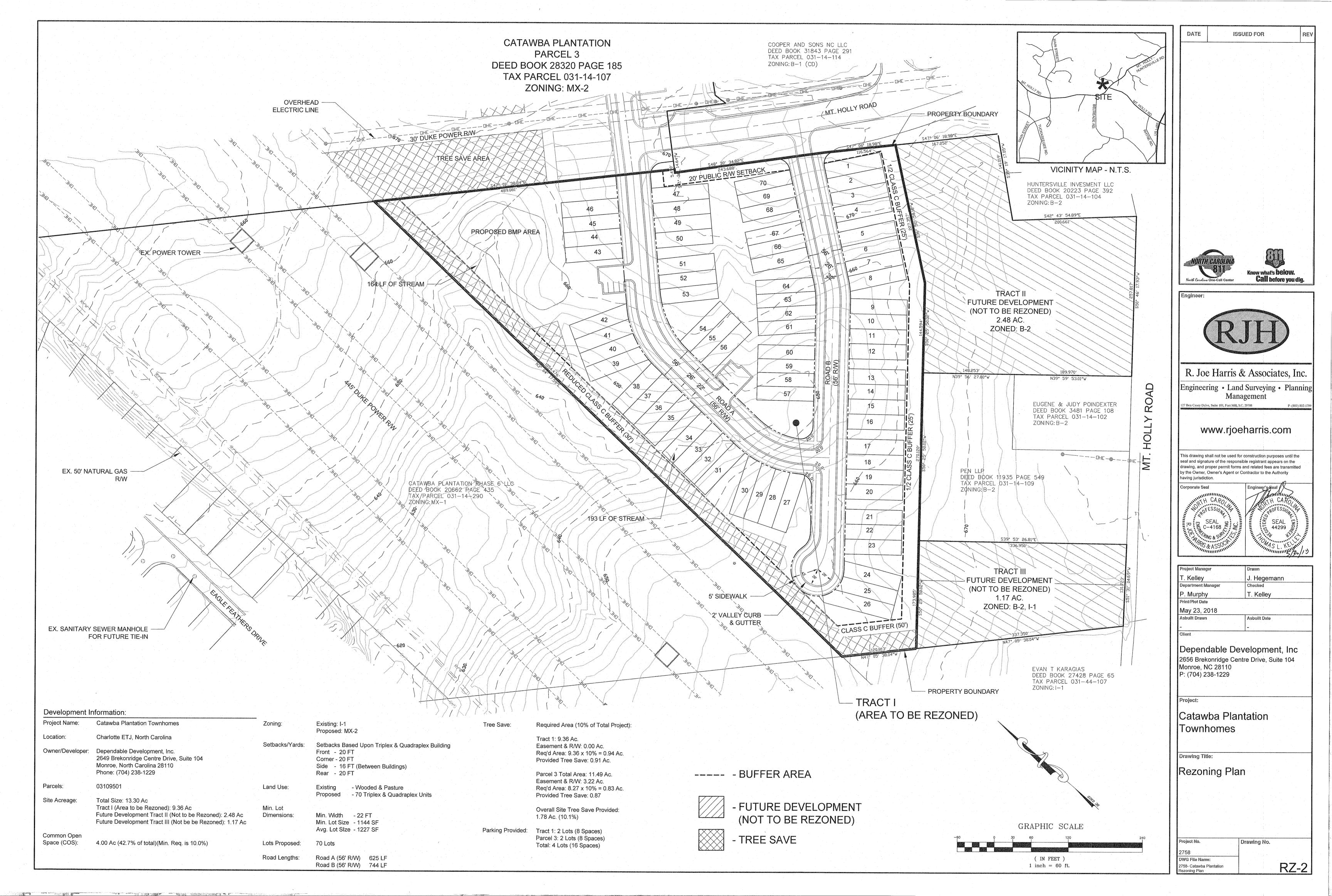
# I. REZONING APPLICATION MAY 1 4 2018 CITY OF CHARLOTTE



Petition #:
Date Filed:
Received By:

Complete All Fields (Use additional pages if needed)	
Property Owner: Huntersville Investment, LLC	
Owner's Address: 5925 Carnegie Blvd, Suite 200	City, State, Zip: Charlotte, NC 28209
Date Property Acquired: 11/16/2001	
Property Address: <u>11120 Mount Holly Road, Charlot</u>	te, NC 28214
Tax Parcel Number(s): 03114103 portion	
Current Land Use: Industrial	Size (Acres): <b>?.36</b>
Existing Zoning: I-1 & B-2	Proposed Zoning: MX-2
Overlay: Lake Wylie (Protected & Critical Area)	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Claire L Date of meeting: _04/03/2018	yle Graham, Rick Grochoske, Grant Meacci, Joshua Weaver
*Rezoning applications will not be processed until a require	ed pre-application meeting with a rezoning team is held.)
Requesting a vesting period exceeding the 2 year minimum Purpose/description of Conditional Zoning Plan: To accosite that will contain approximately 70 multifamily	modate the development of a multifamily residential
Huntersville Investment, LLC (Billy Packer)	Dependable Development, Inc,
Name of Rezoning Agent	Name of Petitioner(s)
5925 Carnegie Blvd, Suite 200 Agent's Address	2649 Brekonridge Centre Drive, Suite 104  Address of Petitioner(s)
Charlotte, NC 28209	Monroe, NC 28110
City, State, Zip	City, State, Zip
(704) 849-9044 Felephone Number Fax Number	(704) 238-1229 Telephone Number Fax Number
bpacker@sstractllc.com	Telephone Number Fax Number sgasparini@truehomes.com
E-Mail Address	E-Mail Address
ignature of Property Owner	Signature of Petitioner
Alone Timed / Drinked)	JOHNATHAN MCCALL
Name Typed / Printed)	(Name Typed / Printed)





### I. General Provisions

- 1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Dependable Development, Inc., (the "Petitioner") to accommodate the development of a residential community on an approximately 13.3 acre site located on the south side of Mt. Holly Road, more particularly depicted on the Rezoning Plan (Sheet CP-1). The residential
- development is comprised of Tax Parcel Number 03109501.

  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").Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MX-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 be minor and not materially change the overall design intent depicted on the Rezoning Plan.
- 5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

## II. Permitted Uses

1. The Site may be devoted only to a residential community with up to 70 dwelling units, together with any incidental and accessory uses relating thereto that are allowed in the MX-2 zoning district. While the total number of townhome lots shall not exceed 70, the Petitioner may convert townhome unit lots into single family detached lots. However, single family lots shall not be permitted to be converted to townhome units and townhome units shall not be permitted to abut the southern 30' buffer. Non-residential uses will not be permitted on the Site.

## III. Transportation

- 1. Vehicular access will be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access point shown on the Rezoning Plan is subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
- The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.
   The Petitioner shall address Site access as generally depicted on the Rezoning Plan.
- 4. Petitioner shall substantially complete all transportation improvements before the Site's first building certificate of occupancy is
- a. Substantial completion shall mean completion of the roadway improvements in accordance with the standards set forth herein provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

## V. Architectural Standards

- 1. The principal buildings used for single family attached (townhome) constructed on the Site may use a variety of building materials. The building materials used for buildings will be a combination of the following: glass, brick, stone, simulated stone, pre-cast
- stone, pre-cast concrete, synthetic stone, stucco, cementatious siding (such as Hardi-plank), vinyl, EIFS or wood.

  2. Attached townhome buildings shall be limited to four (4) individual units or fewer per building.
- 2. Attached townhome buildings shall be limited to four (4) individual units or fewer per building.
- 3. Each attached single-family residential dwelling unit shall be provided with a minimum one-car garage.
- 4. Sidewalks shall be provided to connect the front doors of townhome units to a sidewalk network.
- 5. Townhomes that directly abut internal sidewalks shall include, but not be limited to, elements such as stoops, porches, and architectural details.

### IV. Streetscape, Landscaping and Open Space

- 1. Per Section 11.207 of the Ordinance, at least 10% of the Site shall be set aside as common open space. The required open space will be set aside and improved as required by the Ordinance. The possible locations of the common open space areas are generally depicted on the Rezoning Plan.
- 2. A thirty (30) foot undisturbed buffer will be provided along the Duke Energy Power Easement to the west of the proposed residential development. If existing vegetation is not adequate, this buffer shall be landscaped to meet reduced Class C buffer standards.
- 3. A fifty (50 foot undistrubed buffer will be provided along the common property line with the Karagias Property to the southwest
- (Parcel No. 05302201). If existing vegetation is not adequate, this buffer shall be landscaped to meet Class C buffer standards.
- 4. A twenty (20) foot setback will be provided along the Right-of-way of Mount Holly Road5. The Petitioner may subdivide the Site and create sublots within the Site with no side or rear yards as part of a unified development
- plan.
- 6. The Petitioner shall provide a eight (8) foot planting strip and a five (5) foot sidewalk along all public streets within the Site and
- around the perimeter of the Site. The front of sidewalk shall be installed forty-nine (49) feet from the centerline.

  7. The Petitioner shall provide a minimum 400 square foot private open space for each townhome unit.
- 8. Petitioner will provide a pedestrian trail network connecting open space areas throughout the Site.

  9. The Petitioner shall provide amenity areas of pocket parks, community greens, and amenity spaces as indicated.
- 9. The Petitioner shall provide amenity areas of pocket parks, community greens, and amenity spaces as indicated on plan. Such amenity areas may include, but shall not be limited to, clubhouses, pools, playgrounds, dog parks, and or picnic areas.

## VII. Environmental Features

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

  3. The Site will comply with the Tree Ordinance. The locations of the proposed 10% tree save areas are generally depicted on the

# VIII. Lighting

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

## IX. Amendments to Rezoning Plan

Rezoning Plan.

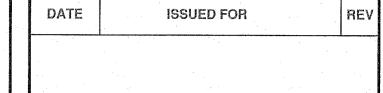
Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of a particular Tract within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

## X. Binding Effect of the Rezoning Documents and Definitions

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns. Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof. Owner or owners of any part of the Site from time to time who may be involved in any future development thereof.



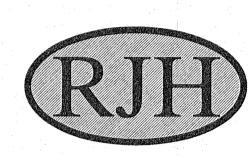
Example Townhome Model (For Reference Only, Actual Product May Vary)







ineer:



R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

127 Ben Casey Drive, Suite 101, Fort Mill, S.C. 29708

# www.rjoeharris.com

This drawing shall not be used for construction purposes until the seal and signature of the responsible registrant appears on the drawing, and proper permit forms and related fees are transmitted by the Owner, Owner's Agent or Contractor to the Authority

having jurisdiction.

Corporate Seal

Kelley



SEAL SEAL HOW AS L. KELLING

J. Hegemann

Department Manager	Checked		
P. Murphy	T. Kelley		
Print/Plot Date			
May 23, 2018			
Asbuilt Drawn	Asbuilt Date		
-	-		
Client			

Dependable Development, Inc 2656 Brekonridge Centre Drive, Suite 104 Monroe, NC 28110 P: (704) 238-1229

Projec

Catawba Plantation Townhomes

Drawing Title:

Rezoning Plan Site Details

Project No.

2758

DWG File Name:
2758- Catawba Plantation
Rezoning Plan

REZ-3



	20(8-070
Petition #:	
Date Filed:	5/21/2018
Received By: _	- Br

Complete All Fields (Use additional pages if needed)	
Property Owner: Florian and Oltita	Balaj
Owner's Address: 543 Bubbling Well Rd.	City, State, Zip: <u>Matthews NC 28105</u>
Date Property Acquired: 11 - 17 - 2017	
Property Address: 2216 Boyer St. Che	arlotte NC 28208
Tax Parcel Number(s): 061 27113	
	Size (Acres): 21
Existing Zoning: <u>R17</u>	_
	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with:Albe	rto Gonzalez
(*Rezoning applications will not be processed until a required	pre-application meeting with a rezoning team is held.)
Requesting a vesting period exceeding the 2 year minimum?  Purpose/description of Conditional Zoning Plan:	
Florian Balaj Name of Rezoning Agent	
Agent's Address  Charlotte NC 28/05  City, State, Zip  (704) 557-5049  Telephone Number  Fax Number	Florian & Oltita Balaj Name of Petitioner(s)  543 Bubbling Well Rd Address of Petitioner(s)  Matthews NC 28105  City, State, Zip  (704) 557-5049  Telèphone Number Fax Number
<u>Charlotte</u> NC 28/05 City, State, Zip (704) 557-5049	Name of Petitioner(s)  543 Bubbling Well Rd  Address of Petitioner(s)  Matthews NC 28105  City, State, Zip  (704) 557-5049

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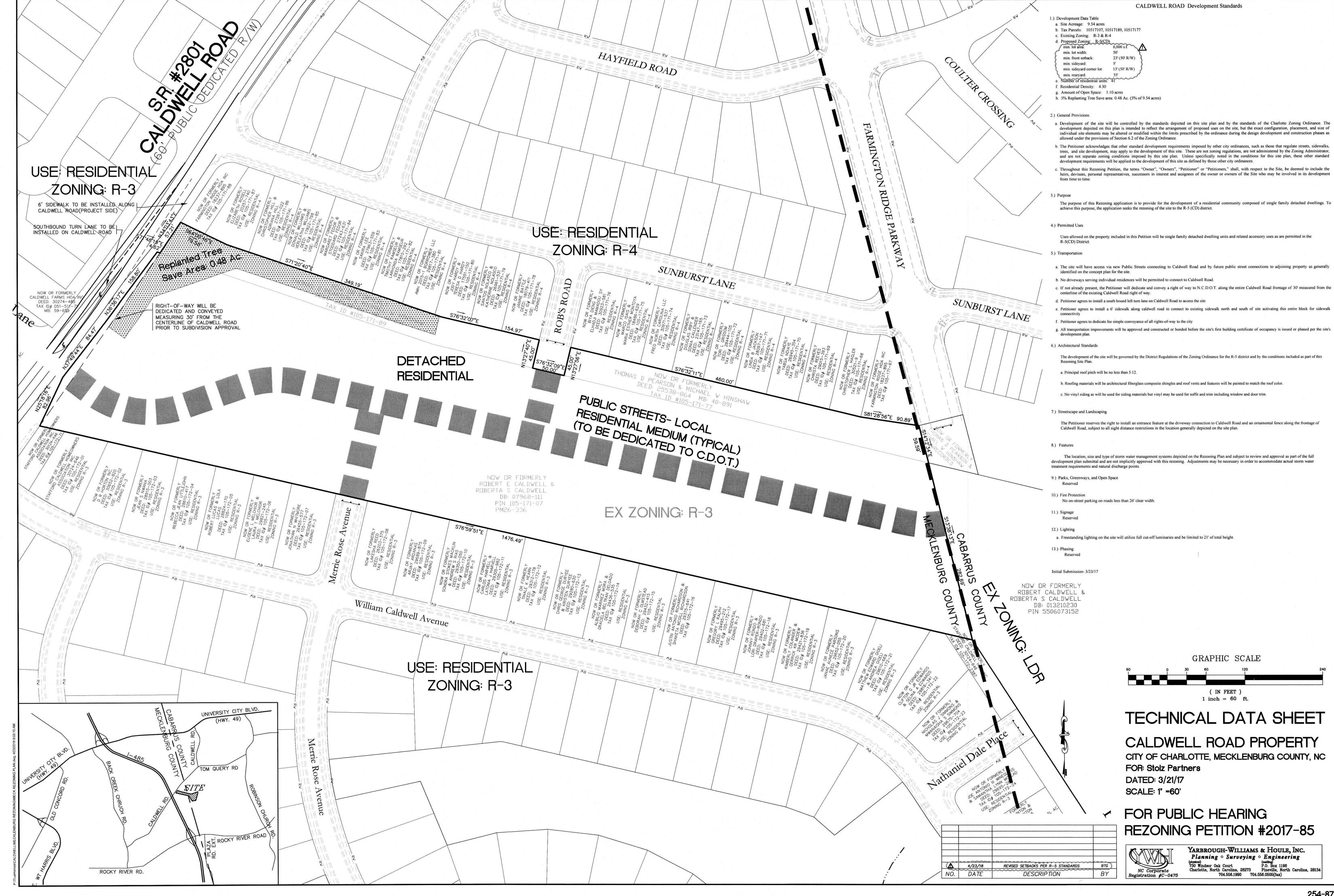
# I. REZONING APPLICATION CITY OF CHARLOTTE

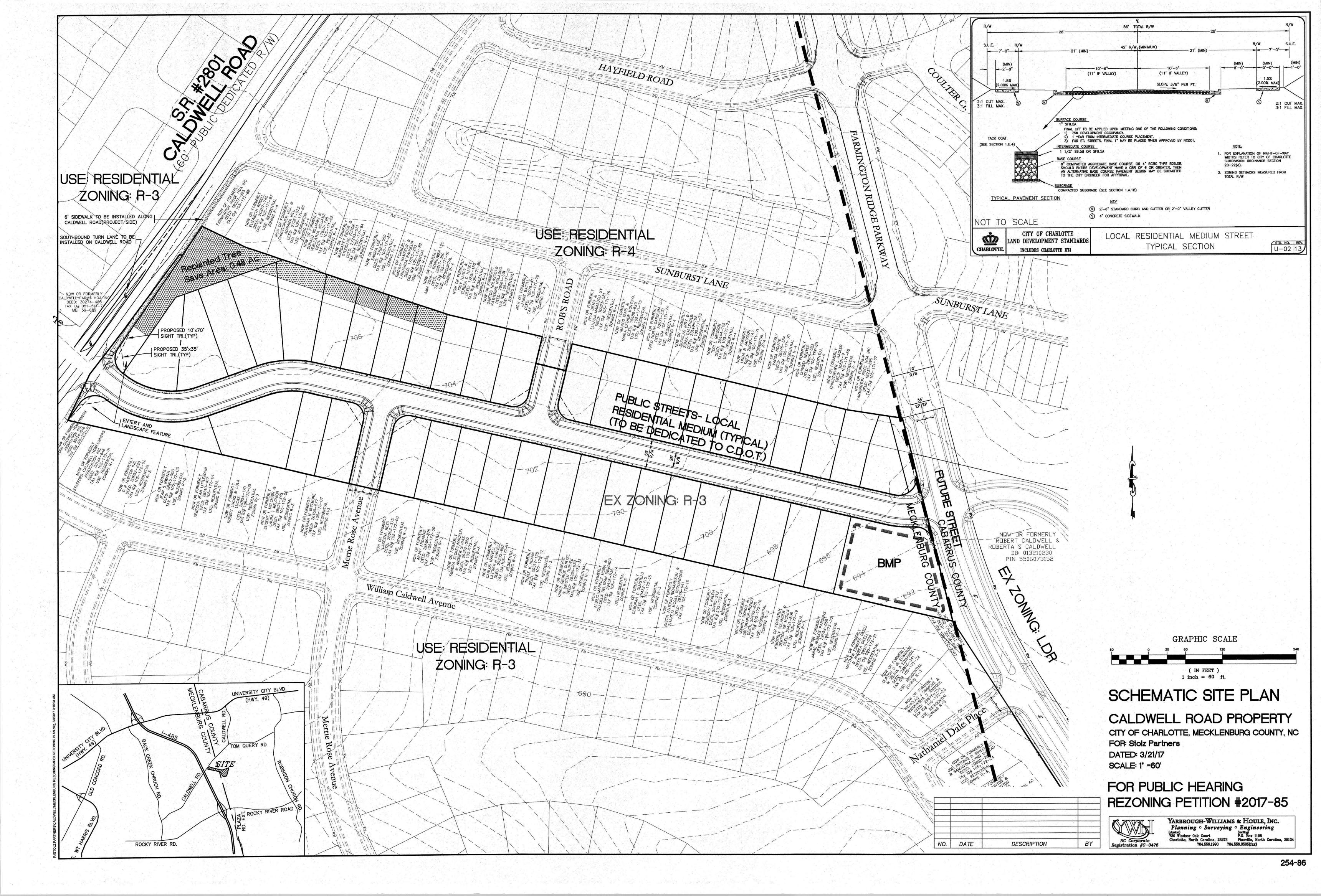


	2018-071
Petition #: _	
Date Filed:	5/24/2018
Received By:	- R
Date Filed: _	5/24/2018 

Complete All Fields (Use additional pages if needed)

Property Owner: Dependable Development Inc.	
Owner's Address: 2627 Brekonridge Centre Drive	City, State, Zip: Monroe, NC 28110
Date Property Acquired: 12/08/17	
Property Address: _13713.Caldwell Road UNINC	
Tax Parcel Number(s): 10517107,10517189, 10517177	
Current Land Use: Vacant	Size (Acres):
Existing Zoning: R-5 CD	Proposed Zoning: R-5 CD SPA
Overlay: N/A	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Son Date of meeting: 04/12/18	a Sanders
(*Rezoning applications will not be processed until a required	pre-application meeting with a rezoning team is held.)
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimum?	Yes/No. Number of years (maximum of 5):5_
Purpose/description of Conditional Zoning Plan: <u>Clarify</u>	Setbacks
	Setbacks
Marc A Houle	Dependable Development Inc.
Marc A Houle Name of Rezoning Agent	Dependable Development Inc.  Name of Petitioner(s)
Marc A Houle	Dependable Development Inc.
Marc A Houle Name of Rezoning Agent  PO Box 1198 Agent's Address  Pineville, NC 28134	Dependable Development Inc.  Name of Petitioner(s)  2627 Brekonridge Centre Drive  Address of Petitioner(s)  Monroe, NC 28110
Marc A Houle Name of Rezoning Agent PO Box 1198 Agent's Address	Dependable Development Inc.  Name of Petitioner(s)  2627 Brekonridge Centre Drive  Address of Petitioner(s)
Marc A Houle Name of Rezoning Agent  PO Box 1198 Agent's Address  Pineville, NC 28134 City, State, Zip  704-556-1990 704-556-0505	Dependable Development Inc.  Name of Petitioner(s)  2627 Brekonridge Centre Drive  Address of Petitioner(s)  Monroe, NC 28110  City, State, Zip  704-779-4126  704-556-0505
Marc A Houle Name of Rezoning Agent  PO Box 1198 Agent's Address  Pineville, NC 28134 City, State, Zip  704-556-1990 Telephone Number  704-556-0505 Fax Number	Dependable Development Inc.  Name of Petitioner(s)  2627 Brekonridge Centre Drive  Address of Petitioner(s)  Monroe, NC 28110  City, State, Zip  704-779-4126  704-556-0505  Telephone Number  Fax Number
Marc A Houle Name of Rezoning Agent  PO Box 1198 Agent's Address  Pineville, NC 28134 City, State, Zip  704-556-1990 Telephone Number march@y-wh.com	Dependable Development Inc.  Name of Petitioner(s)  2627 Brekonridge Centre Drive  Address of Petitioner(s)  Monroe, NC 28110  City, State, Zip  704-779-4126  704-779-4126  Telephone Number  sgasparini@truehomesusal.com
Marc A Houle Name of Rezoning Agent  PO Box 1198 Agent's Address  Pineville, NC 28134 City, State, Zip  704-556-1990 Telephone Number  704-556-0505 Fax Number	Dependable Development Inc.  Name of Petitioner(s)  2627 Brekonridge Centre Drive  Address of Petitioner(s)  Monroe, NC 28110  City, State, Zip  704-779-4126  704-556-0505  Telephone Number  Fax Number
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Marc A Houle Name of Rezoning Agent  PO Box 1198 Agent's Address  Pineville, NC 28134 City, State, Zip  704-556-1990 Telephone Number  march@y-wh.com E-Mail Address	Dependable Development Inc. Name of Petitioner(s)  2627 Brekonridge Centre Drive Address of Petitioner(s)  Monroe, NC 28110  City, State, Zip  704-779-4126  Telephone Number  sgasparini@truehomesusal.com E-Mail Address



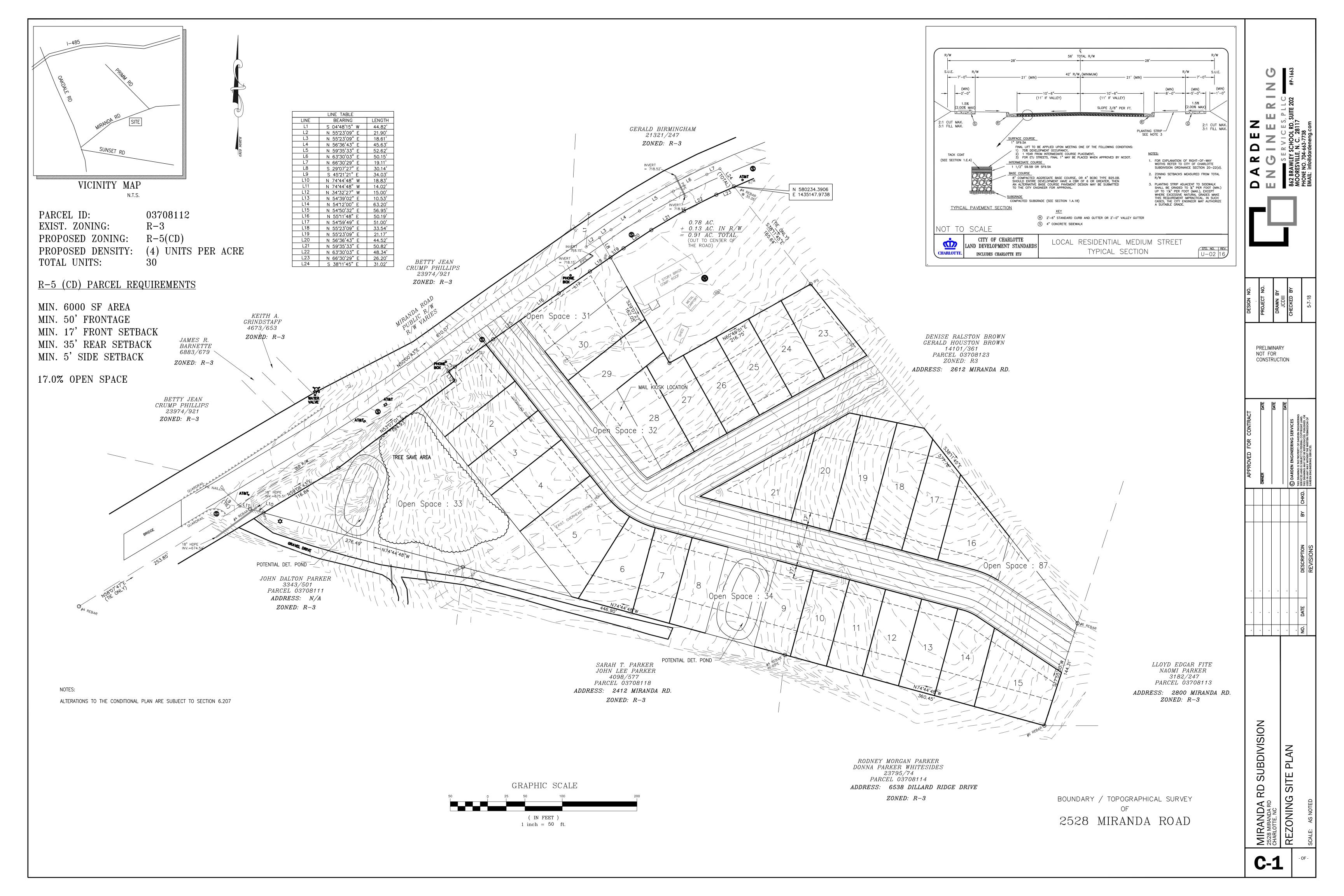


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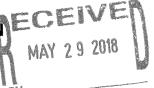


Petition #:	
Date Filed:	5/25/2018
Received By: _	B.

Complete All Fields (Use additional pages if needed)	
Property Owner: Peggy Gale Beach	
Owner's Address: 2528 Miranda Rd	City, State, Zip: Charlotk NC 28216
Date Property Acquired: Not Sure the exact dat	e but is the mid 1980's
Property Address: 2528 Miranda Rd., Ch	anloHe NC 28216
Tax Parcel Number(s): 43748112	
Current Land Use: Residential	Size (Acres): 905
Existing Zoning: R-3	Proposed Zoning: R-5 (CD)
Overlay: Western Catawa Protested Area	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Claire Date of meeting:	Lyte-Graham and Alberto Gonzalez
(*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?	
Purpose/description of Conditional Zoning Plan: The petition	
	welling units/acre (30 units), but the design flexibility an R-5 district.
arrorded by	an K-5 district.
Tom Mushy Name of Rezoning Agent	Name of Petitioner(s)
4023 Antorway Agent's Address	Address of Petitioner(s)
Agent's Address	Address of Petitioner(s)
Charlotte, NC 25211 City, State, Zip	Charlo He NC 28211 City, State, Zip
704-560-1333 Telephone Number Fax Number	704-560-1333 Telephone Number Fax Number
•	
E-Mail Address  E-Mail Address  Rept Gale Brach	E-Mail Address
Reggy Gale Beach	Tr. h. M
Signature of Property Owner	/ /// / // - // -
Peggy Gail Beach	Signature of Petitioner
reggy Gan Beach	Signature of Petitioner  Tom Murphy  (Name Typed / Printed)



# I. REZONING APPLICATION ECE! CITY OF CHARLOTTE MAY 2.9



2018-073
5/29/2018
R

#### Complete All Fields (Use additional pages if needed)

Jerry C Barefoot by Entirety (The Estate of Jerry C. Barefoo	9
Owner's Address: P.O. Box 19006	City, State, Zip: Charlotte, NC 28219
Date Property Acquired: 12/26/1996	
Property Address: <u>1407 Rhyne Rd Charlotte</u> , NC 28214	
Tax Parcel Number(s): 05549113, 0559114, 05549115, &	05549128
Current Land Use: Vacant	Size (Acres): <u>3.99</u>
Existing Zoning: R3	Proposed Zoning: B-1(CD)
Overlay: Lower Lake Wylie Watershed - PA	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Date of meeting:4/17/18	Clair Lyte-Graham
(*Rezoning applications will not be processed until a require	ed pre-application meeting with a rezoning team is held.)
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimur	n? <b>Yes/</b> No. Number of years (maximum of 5):5
Purpose/description of Conditional Zoning Plan: <u>develop</u>	small retail,, restaurant, and/or office
NA/alaan Fialda	
Walter Fields	Marina Chanal Batail II C
Name of Rezoning Agent	Moores Chapel Retail, LLC Name of Petitioner(s)
	Name of Petitioner(s)
Name of Rezoning Agent  1919 South Blvd., Suite 101  Agent's Address	
1919 South Blvd., Suite 101 Agent's Address Charlotte, NC 28203	Name of Petitioner(s)  106 Foster Ave Address of Petitioner(s)  Charlotte, NC 28203
1919 South Blvd., Suite 101 Agent's Address	Name of Petitioner(s)  106 Foster Ave Address of Petitioner(s)
1919 South Blvd., Suite 101 Agent's Address  Charlotte, NC 28203 City, State, Zip 704-372-7855 704-372-7856	Name of Petitioner(s)  106 Foster Ave Address of Petitioner(s)  Charlotte, NC 28203 City, State, Zip 704-319-8346
1919 South Blvd., Suite 101 Agent's Address  Charlotte, NC 28203 City, State, Zip  704-372-7855 Telephone Number  704-372-7856 Fax Number	Name of Petitioner(s)  106 Foster Ave Address of Petitioner(s)  Charlotte, NC 28203 City, State, Zip  704-319-8346 Telephone Number Fax Number
1919 South Blvd., Suite 101 Agent's Address  Charlotte, NC 28203 City, State, Zip 704-372-7855 704-372-7856	Name of Petitioner(s)  106 Foster Ave Address of Petitioner(s)  Charlotte, NC 28203 City, State, Zip 704-319-8346
1919 South Blvd., Suite 101 Agent's Address  Charlotte, NC 28203 City, State, Zip  704-372-7855 Telephone Number  walter@walterfieldsgroup.com	Name of Petitioner(s)  106 Foster Ave Address of Petitioner(s)  Charlotte, NC 28203 City, State, Zip  704-319-8346 Telephone Number Fax Number stephen.knudsen@durbangroup.com
1919 South Blvd., Suite 101  Agent's Address  Charlotte, NC 28203  City, State, Zip  704-372-7855  Telephone Number  walter@walterfieldsgroup.com  E-Mail Address	Name of Petitioner(s)  106 Foster Ave Address of Petitioner(s)  Charlotte, NC 28203 City, State, Zip  704-319-8346 Telephone Number Fax Number stephen.knudsen@durbangroup.com
1919 South Blvd., Suite 101 Agent's Address  Charlotte, NC 28203 City, State, Zip  704-372-7855 Telephone Number  walter@walterfieldsgroup.com E-Mail Address  See attached sheet	Name of Petitioner(s)  106 Foster Ave Address of Petitioner(s)  Charlotte, NC 28203 City, State, Zip  704-319-8346 Telephone Number  stephen.knudsen@durbangroup.com E-Mail Address



April 19, 2018

Re: Tax Parcel ID # 05549113, 05549114, 05549115 & 05549128,

To Whom It May Concern:

The undersigned are the owner(s) of the property located at the intersection of Moores Chapel Road and Rhyne Road in the City of Charlotte, County of Mecklenburg, State of North Carolina, having the aforementioned Tax Parcel Identification Numbers (the "Property"). The undersigned owner(s) of the Property, on behalf of themselves and their respective estates and entities, hereby provides its written consent for The Durban Group, LLC and any of its subsidiaries, affiliated entities, and their agents, including Moores Chapel Retail, LLC, to act on behalf of the undersigned to file or apply for any rezoning, permits and/or general entitlements for development of the aforementioned Property for its intended use.

J.C. Barefoot Properties of North Carolina, LLC

By:

Jeffrey Barefoot

Name:

Jeffrey Barefoot

Manager:

Manager

Jeffrey Barefoot, Executor of the Estate of Jerry C. Barefoot

By:

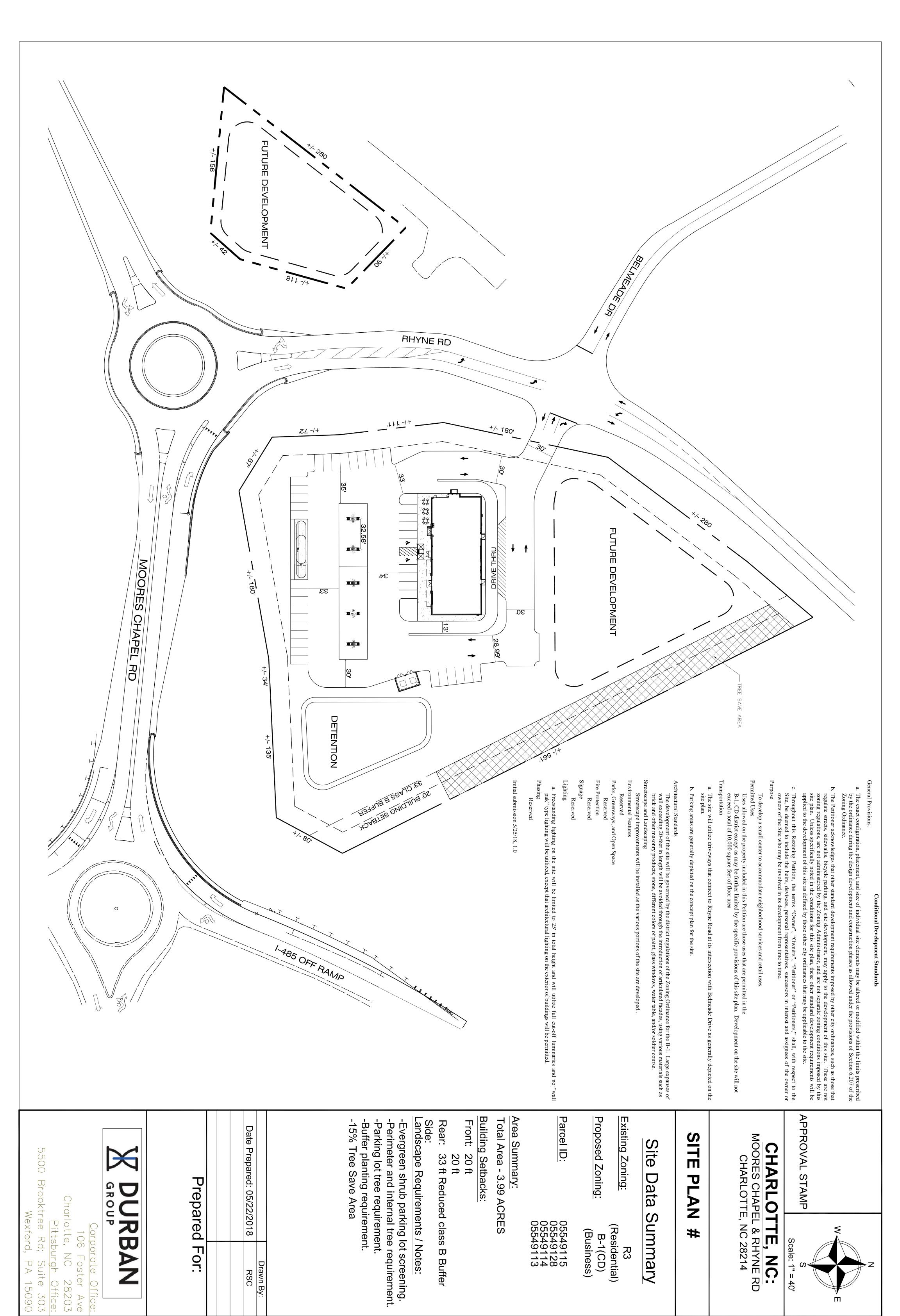
Jeffrey Barefoot (05:34 PM EDT

Name:

Jeffrey Barefoot

Title:

Executor of the Estate of Jerry C. Barefoot



(Name Typed / Printed)

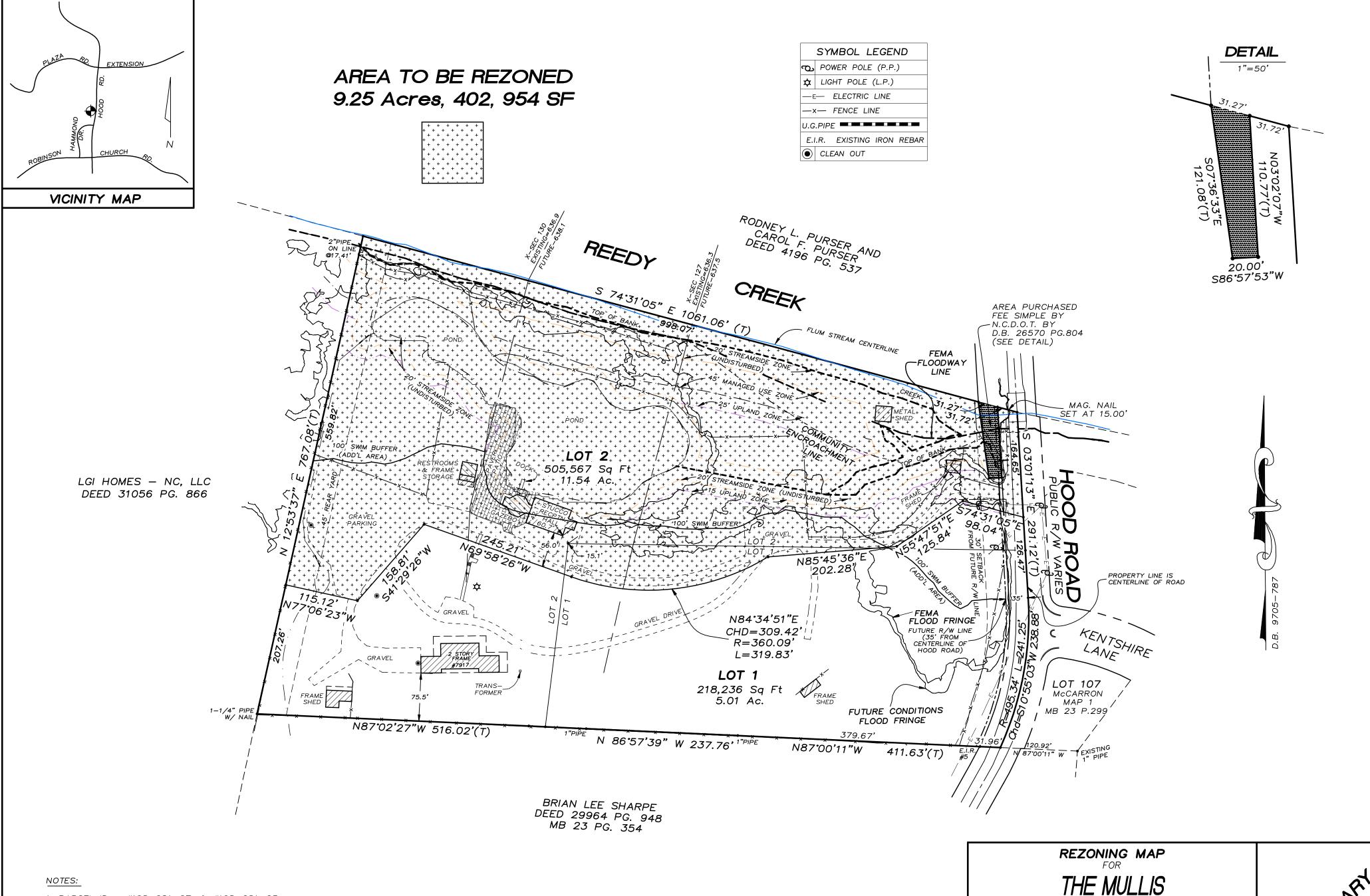
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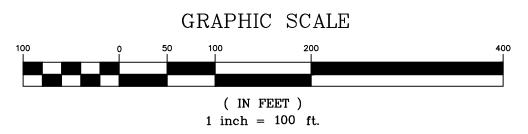
Complete All Fields (Use additional pages if needed)	
Property Owner: EMSSA MULLS	
Owner's Address: 7917 Hood Rd.	City, State, Zip: Chalotte ac 28215
Date Property Acquired: 1998	
Property Address: 7917 Hood Rd., Cha	rlotte NC 28215
Tax Parcel Number(s): 108-08-107 / 108 - 08	1-23
Current Land Use: R-3	Size (Acres):
Existing Zoning: $\mathbb{R}^{-3}$	Proposed Zoning: Trof-CD
Overlay: N/A	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: $\frac{5000}{100}$ Date of meeting: $\frac{5-29\times18}{100}$	a Sanders
(*Rezoning applications will not be processed until a require	d pre-application meeting with a rezoning team is held.)
For Conditional Rezonings Only:  Requesting a vesting period exceeding the 2 year minimum  Purpose/description of Conditional Zoning Plan:	(Yes/No. Number of years (maximum of 5): 5
Requesting a vesting period exceeding the 2 year minimum	on a wedding event facility fon site
Requesting a vesting period exceeding the 2 year minimum  Purpose/description of Conditional Zoning Plan:	Elissa Mulis
Requesting a vesting period exceeding the 2 year minimum  Purpose/description of Conditional Zoning Plan:	on a wedding event facility fon site
Requesting a vesting period exceeding the 2 year minimum  Purpose/description of Conditional Zoning Plan:	Elissa Mulis
Requesting a vesting period exceeding the 2 year minimum  Purpose/description of Conditional Zoning Plan:  To all  Self  Name of Rezoning Agent  Agent's Address  Above	Wa Wedding event facility on site  Elissa Mulis  Name of Petitioner(s)  7917 Hocal Rd.  Address of Petitioner(s)  Charlotte, NC
Requesting a vesting period exceeding the 2 year minimum Purpose/description of Conditional Zoning Plan:  Sef Name of Rezoning Agent Agent's Address Clty, State, Zip	Was wedding event facility on site  Elissa Mulis  Name of Petitioner(s)  7917 Hocal Rd.  Address of Petitioner(s)  Chantothe, NC  City, State, Zip
Requesting a vesting period exceeding the 2 year minimum  Purpose/description of Conditional Zoning Plan:  To all  Self  Name of Rezoning Agent  Agent's Address  Above	Wa Wedding event facility on site  Elissa Mulis  Name of Petitioner(s)  7917 Hocal Rd.  Address of Petitioner(s)  Charlotte, NC

Signature of Petitioner
Elissa Mulus

(Name Typed / Printed)



- 1. PARCEL IDs- #108-081-07, & #108-081-23.
- 2. CURRENT ZONING R-3
- 3. NEW IRON REBARS (#4) SET AT ALL PROPERTY CORNERS, UNLESS OTHERWISE NOTED.
- 4. ANY CONSTRUCTION OR USE WITHIN ANY DELINEATED FLOOD AREAS IS SUBJECT TO THE RESTRICTIONS IMPOSED BY THE FLOODWAY REGULATIONS
- 5. THIS MAP CONTAINS LOTS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS DESIGNATED ON FIRM COMMUNITY PANEL 37010459500J ZONE AE, X, WITH AN EFFECTIVE DATE OF 02/19/2014.



TAC	CHECKED BY: JRC	MARCH 2	7, 2018
FB:	FILE NAME:	SCALE:	FILE:
329	HOODREC2	1"=100'	18-03-43

# THE MULLIS PROPERTY

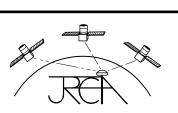
OWNER: HAROLD E. MULLIS ELISSA M. MULLIS DEED 9705 P.787

CRAB ORCHARD TOWNSHIP

MECKLENBURG COUNTY NORTH CAROLINA

## JACK R. CHRISTIAN + ASSOCIATES -SURVEYING-

PHONE (704) 596-2214 FAX (704) 596-2338 7811 OLD CONCORD RD. CHARLOTTE, NORTH CAROLINA 28213



- I. Development Data Table
  - a. Site Acreage: 9.25
  - b. Tax Parcels included in rezoning: #108-081-07 and #108-081-23
  - c. Existing Zoning (including overlays and vesting): R-3 (see attachment A) (Deed of Trust-A)
- d. Proposed Zoning (including overlays and vesting): INST-CD (<u>see attachment B</u>) (<u>attachment B</u>-additional notes)
  - e. Number of Residential Units by Housing Type: n/a
  - f. Residential Density: n/a, use for wedding/event site only
  - g. Square Footage of Non-Residential Uses for INST-CD is 402,954 square feet
- h. Floor Area Ratio: Recreational building (2758 square feet) and Gazebo (1200 square feet) and trailer restrooms (199.2 square feet)
- i. Maximum Building Height: Recreational Building 30 feet and Gazebo 20 feet and trailer bathrooms 8.3 feet
  - j. Maximum Number of Buildings: 2 plus one trailer bathrooms (on wheels)
  - k. Number of Parking Spaces: 70
  - I. Amount of open space: 398,796.8 square feet
- 2. General Provisions
  - a. Seeking INST-CD for outdoor garden weddings/events
- 3. Optional Provisions
  - a. None
- 4. Permitted uses
  - a. Allowed uses for outdoor garden weddings/events
- 5. Transportation
  - a. Dedication and reservation of street right-of-way to City/NCDOT: clearly marked by NCDOT
- b. Transportation Improvements constructed in conjunction with development: Completed by NCDOT
- 6. Architectural Standards
  - a. Building Materials: wood (see attachment C)
  - b. Building Scale: (see attachment C)
- c. Treatment of urban design and architectural elements: Wood structure surrounded by Natural woodlands
  - d. Fence/wall: Not needed as natural woodlands are present

- 7. Streetscape and Landscaping
  - a. Streetscape: Mulched areas for walking and gravel
- b. Special landscape: Palm trees, Crepe Myrtles, Holly, Azaleas, Knockout roses, Oak trees, Leyland Cypress, Dogwoods used for buffers and screening (see attachment D)
- 8. Environmental Features
  - a. Tree save areas: along gravel road: Oaks, Crepe Myrtles, palms
  - b. PCCO treatment: Water is absorbed naturally into ground
  - c. Environmental provisions per Environmental General Development Policies: natural wood lands
- 9. Parks, Greenways, and Open Space
  - a. Reservation/Dedication of park and/or greenway: for future consideration
  - b. Park and/or greenway improvements: : for future consideration
  - c. Connections to park and/or greenway: none at this time
  - d. Privately constructed open space: Terrace adjacent to pond
- 10. Fire Protection
  - a. Extra wide fire lane along the easement throughout the property
  - b. Five egresses in reception hall
  - c. Five fire extinguishers in reception hall
  - d. Three fire alarms in reception hall

#### 11. Signage

a. Sign Limitations and size: standard green and white city street sign of metal posted at standard road/street front entrance

#### 12. Lighting

- a. Limitations on type or location of lighting: Natural light used only at front entrance and pole light in parking area and walkway solar lights
- b. Location and height of special lighting, such as pedestrian scale lighting: 30 foot pole light in the parking lot and on terrace; gazebo ceiling lights, landscape lights throughout and several palm trees with string lights

#### 13. Phasing

- a. Development phasing by use, area and/or square footage and trigger for each phase: No plans for future development
- 14. Other

- a. Indicate if a request for right of way abandonment or a variance has been submitted for the subject property. Such request may need approval prior to a City Council vote on the rezoning: None submitted at this time.
- b. Property corner tie points for mapping: Located by the surveyor <u>See Attachment B</u> Surveyor, Jack R. Christian and Associates
- c. Public facilities/sites to be provided: see www.deerpondplantation.com
- d. Provision of public art: Nature's best with azaleas, flowers, and trees
- e. Underground utilities: Water and Sewer provided by Charlotte Mecklenburg Utilities with right of ways / easements sold to them
- f. Other conditions not previously listed: None

The following items should be shown on site plan drawing. There may be other items that are not listed but are appropriate for inclusion.

#### 1. General

- a. Date of site plan **Mar. 27, 2017**
- b. Vicinity Map Crab Orchard Township, Mecklenberg County, NC
- c. North arrow present Yes, see See Attachment B
- d. If more than one zoning district is requested, the zoning boundary should be clearly identified and labeled: **Yes, see** See Attachment B
- e. Topography at four-foot contour intervals or less (existing and, in some cases proposed). **Yes, see** See Attachment B
- f. All existing easements, reservations and rights-of-way. Yes, see See Attachment B
- Surface Water Improvement and Management (SWIM) buffers and delineation of areas within the regulatory floodplain as shown on the Official Flood Hazard Boundary Maps for Mecklenburg County. Yes, see See Attachment B
- 3. Specific to the proposed development
  - a. All yards, buffers, screening, and landscaping required or proposed: Preserve existing native vegetation as an integral part of the wildlife habitats, and incorporate native plants and ecosystems into landscape design; I.e. existing boulders, shrubbery, and trees
  - b. Areas designated for structures and/or parking (surface or deck to be noted): areas /deck is along the easement and parking is in the back of the property line/buffers, surfaces are square pavers and gravel and also grass, deck is a wooden gazebo along the easement.
  - c. Location of exiting and proposed storm drainage patterns and facilities intended to serve the proposed development: using natural earth absorption
  - d. Proposed treatment of any existing natural features: No problems at this time, fertilizer and top soil, mulching, if needed.
  - e. Building elevations (if provided):
  - f. Public or Private Streets labeled: Public sign that says Deerpond Plantation Pl. (green and white sign)
  - g. Transit facilities: n/a
  - h. Location of proposed bike/pedestrian improvements: proposed mulched path alongside of easements to Hood Road
  - i. Location of existing and proposed thoroughfares: none



	1018-013
Petition #:	
Date Filed:	6/4/2018
Received By:	- 6

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:	<u>vacant/residential</u> (Acres): $\pm 10.77$
Existing Zoning:	INST and R-12MFCD) Proposed Zoning: MUDD-O
Overlay:	N/A (Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-A Keith Bryant	pplication Meeting* with: Sonja Sanders, Isaiah Washington, Shannon Frye, Mandy Rosen, Jim Keenan

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

#### For Conditional Rezonings Only:

Date of meeting: 4/12/18

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

Purpose/description of Conditional Zoning Plan: \_\_\_\_\_\_ To allow development of the Site with a student housing community

Keith MacVean & Bridget Grant	Fountain Residential Partners (Attn: Brent Little) / Max (4nn
Name of Rezoning Agent	Name of Petitioner
Moore & Van Allen, PLLC	
100 N. Tryon Street, Suite 4700	2626 Cole Avenue, Ste. 620
Agent's Address	Address of Petitioner
Charlotte, NC 28202	Dallas, TX 75204
	City, State, Zip
704-331-3531 (KM) 704-378-1954(KM)	
704.331.2379 (BG) 704-378-1973(BG)	972-861-5082
Telephone Number Fax Number	Telephone Number Fax Number
keithmacvean@mvalaw.com; bridgetgrant@	valaw.com blittle@fountainresidential.com
E-mail Address	E-mail Address
SEE ATTACHMENTS A-F	SEE ATTACHMENT G
Signature of Property Owner	Signature of Petitioner

## SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Date Acquired
051-013-04	N/A	Sigma Phi Epsilon Nu Housing Chapter of North Carolina	PO Box 2801 Concord, NC 28025	N/A
051-013-03	N/A	Hareesha Yandapalli Sekhar Battineni Srikanth B Yellanki Pradeepti Kanagala	8405 Channel Way Waxhaw, NC 28173	3/14/2013
051-013-01	N/A	Trudeoph Ramagaia	20173	3/14/2013
051-013-02	1700 Marlynn Dr, Charlotte, NC 28213	Luis Morales	1700 Marlynn Dr Charlotte, NC 28213	2/8/2006
051-011-16	1725 Marlynn Dr, Charlotte, NC 28213	Grove Holdings I LLC	9240 Sunset Dr, Ste 236 Miami, FL 33173	2/22/2017
051-011-15	1631 Marlynn Dr, Charlotte, NC 28262	111 Hecht Place Apartments LLC	PO Box 1317 Troutman, NC 28166	12/23/2014
051-011-35	N/A	LJW Land LLC	7620 Baultusrol Ln, Charlotte, NC 28210	3/26/2009

#### ATTACHMENT A

## REZONING PETITION NO. 2018-\_\_\_\_\_ Fountain Residential Partners

#### OWNER JOINDER AGREEMENT Sigma Phi Epsilon Nu Housing Chapter of North Carolina

The undersigned, as the owner of the parcel of land located at the northeast intersection of E Mallard Creek Church Rd and University City Blvd, Charlotte, NC that is designated as Tax Parcel No. 051-013-04 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from INST zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 22nday of April , 20	118,
	Sigma Phi Epsilon Nu Housing Chapter of North Carolina
	By:
	Name: Alex Mills
	Its: President

#### ATTACHMENT B

REZONING PETITION NO. 2018-\_\_\_\_\_\_
Fountain: Residential Partners

#### OWNER JOINDER AGREEMENT

Hareesha Yandapalli Sekhar Battineni Srikanth B Yellanki Pradeepti Kanagala

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

- northeast intersection of E Mallard Creek Church Rd and University City Blvd, Charlotte, NC that is designated as Tax Parcel No. 051-013-03
- northeast intersection of E Mallard Creek Church Rd and University City Blvd, Charlotte, NC that is designated as Tax Parcel No. 051-013-01

on the Mecklenburg County Tax Map and which are 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 MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 20 day of APY, 2018.

Hareesha Yandapalli

Sekhar Battineni

Srikanth B Yellanki

Pradeepti Kanagala

Bull Realty

04/19/2018 17:46

FEDEX OFFICE 704--510-4582

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PAGE Ø1

#### ATTACHMENT C

REZONING PETITION NO. 2018-\_ Fountain: Residential Partners

#### OWNER JOINDER AGREEMENT Luis Morales

The undersigned, as the owner of the parcel of land located at 1700 Marlynn Dr, Charlotte, NC that is designated as Tax Parcel No. 051-013-02 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 MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

Luis Morales

CHAR2\2012162v1

#### ATTACHMENT D

# REZONING PETITION NO. 2018-\_\_\_\_ Fountain Residential Partners

# OWNER JOINDER AGREEMENT Grove Holdings I LLC

The undersigned, as the owner of the parcel of land located at 1725 Marlynn Dr, Charlotte, NC that is designated as Tax Parcel No. 051-011-16 on the
Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and
consents to the change in zoning for the parcels from INST zoning district to the MUDD-O zoning district as more particular depicted on the related
conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.
04/19/2018 04:32 PM
This day of, 2018.

By: Efrain Logreira
Name: Efrain H Logreira President/Manager
Title:

Grove Holdings I LLC

#### ATTACHMENT E

REZONING PETITION NO. 2018-Fountain Residential Partners

#### OWNER JOINDER AGREEMENT 111 Hecht Place Apartments LLC

The undersigned, as the owner of the parcel of land located at 1631 Marlynn Dr, Charlotte, NC that is designated as Tax Parcel No. 051-011-15 on the Mccklenburg 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 MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19th day of April , 2018.

111 Hecht Place Apartments LLC

Name: Andrew Sutherland
Title: Member

IN WITNESS WHEREOF, the parties have execute	d this Agreement on the respective dates.
Buyer's date of execution: 77/9, 2018  FOUNTAIN RESIDENTIAL PARTNERS, LLC  By: K. Brent Little President	Sellers' date of execution: April 8 25/5 2018  LJW LAND, LLC  By: Name: Title:
With concurrent copies to:	
Munsch Hardt Kopf & Harr, P.C.	With concurrent copies to:
500 N. Akard St., Suite 3800	
Dallas, TX 75201	
Attn: Aryn Self	The contraction of the party of
P: 214.855.7586	P:
E-mail: aself@munsch.com	Fmail:

#### ATTACHMENT F

#### REZONING PETITION NO. 2018-\_\_\_\_\_ Fountain : Residential Partners

#### OWNER JOINDER AGREEMENT LJW Land LLC

The undersigned, as the owner of the parcel of land located at the northwest intersection of Thomas Combs Dr and University City Blvd, Charlotte, NC that is designated as Tax Parcel No. 051-011-35 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-12MF(CD) zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 20 day of Apri , 2018.

LJW Land LLC

Bu hhalt

Name: William W Water

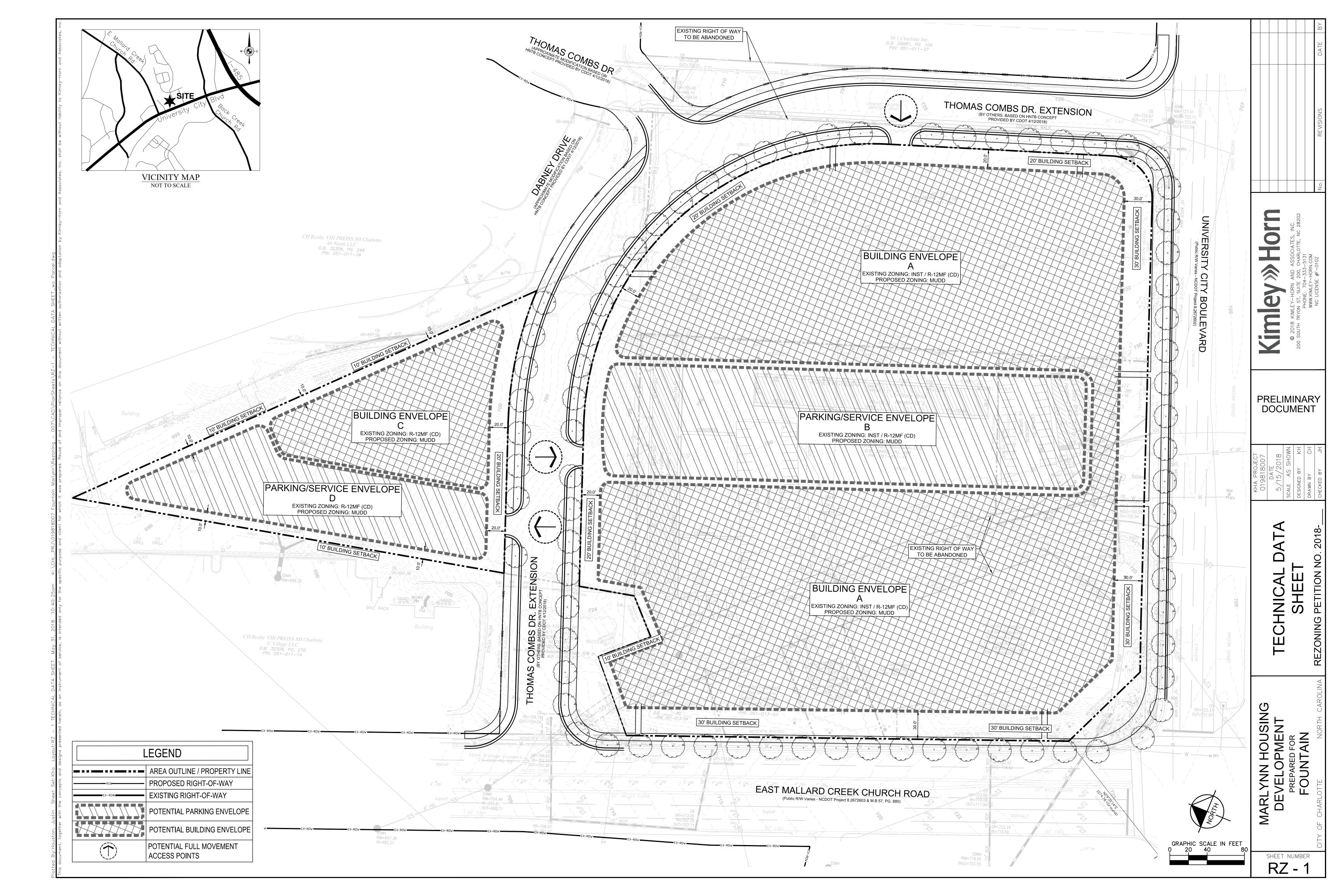
#### ATTACHMENT G

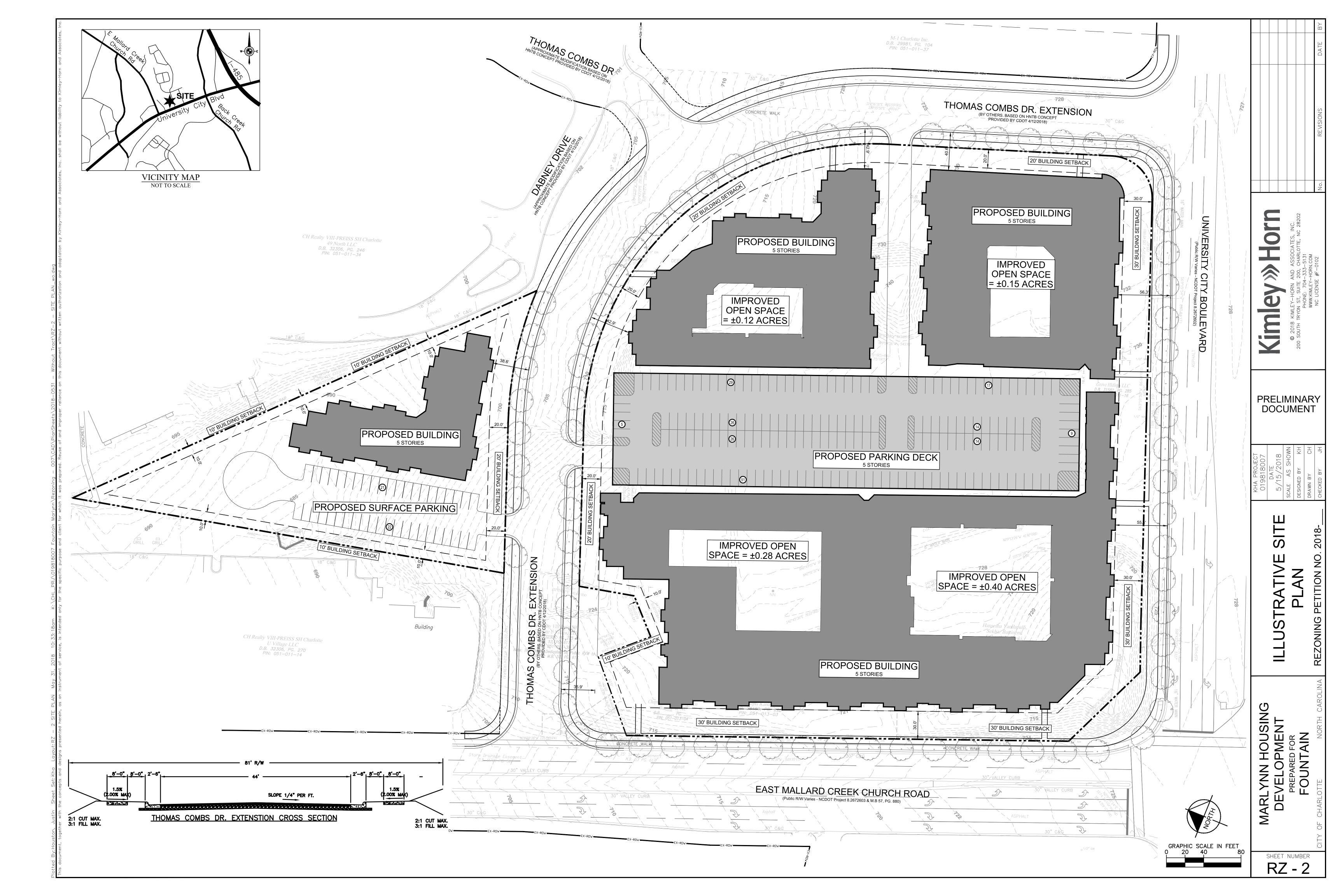
### REZONING PETITION NO. 2018-Fountain Residential Partners

Petitioner:

Fountain Residential Partners

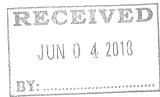
By://Name: //Title:





2018-076

## I. REZONING APPLICATION CITY OF CHARLOTTE



Petition #:	
Date Filed:	6/4/2018
· · · · · · · · · · · · · · · · · · ·	t b
Received By:	

Property Owners:	SEE SCHEDULE 1 ATTACHED HERI	ETO
Owner's Addresses:	SEE SCHEDULE 1 ATTACHED HERI	<u>eto</u>
Date Properties Acquired:	SEE SCHEDULE 1 ATTACHED HERI	E <u>TO</u>
Property Addresses:	SEE SCHEDULE 1 ATTACHED HERI	E <u>TO</u>
Tax Parcel Numbers:	SEE SCHEDULE 1 ATTACHED HERI	<u>ETO</u>
Current Land Use:	vacant/residential (Acr	es): ± 25.47
Existing Zoning:	R-3 Proposed Zoning: <u>UR-</u>	2(CD)
Overlay:	N/A (Specify PED, Watershe	d, Historic District, etc.)
Required Rezoning Pre-A Keith Bryant	pplication Meeting* with: Sonja Sander	s, Isaiah Washington, Shannon Frye, Mandy Rosen, Jim Keenan,
Date of meeting: 4/12/18		
(*Rezoning applicati	ons will not be processed until a required	pre-application meeting with a rezoning team member is held.)
For Conditional Rez	onings Only:	
Requesting a vesting	period exceeding the 2 year minimum	m? □Yes ☑No. Number of years (maximum of 5): <u>N/A</u>
Purpose/description o community	of Conditional Zoning Plan: To allo	
		v development of the Site with a student housing
Bridget Grant & Keith I		Fountain Residential Partners (Attn: Brent Little)
Bridget Grant & Keith I Name of Rezoning Agent	MacVean	
	MacVean LC	Fountain Residential Partners (Attn: Brent Little)/Caroly
Name of Rezoning Agent Moore & Van Allen, PL 100 N. Tryon Street, Sui	MacVean LC	Fountain Residential Partners (Attn: Brent Little) / Car of Quantum Name of Petitioner  2626 Cole Avenue, Ste. 620
Name of Rezoning Agent  Moore & Van Allen, PL  100 N. Tryon Street, Sui  Agent's Address	MacVean LC	Fountain Residential Partners (Attn: Brent Little) Name of Petitioner  2626 Cole Avenue, Ste. 620 Address of Petitioner  Dallas, TX 75204
Name of Rezoning Agent Moore & Van Allen, PL 100 N. Tryon Street, Sui Agent's Address Charlotte, NC 28202  704.331.2379 (BG) 704-331-3531 (KM) Telephone Number	MacVean  LC te 4700  704-378-1973(BG) 704-378-1954 (KM)	Fountain Residential Partners (Attn: Brent Little) Name of Petitioner  2626 Cole Avenue, Ste. 620 Address of Petitioner  Dallas, TX 75204 City, State, Zip  972-861-5082 Telephone Number  Fax Number
Name of Rezoning Agent Moore & Van Allen, PL 100 N. Tryon Street, Sui Agent's Address Charlotte, NC 28202  704.331.2379 (BG) 704-331-3531 (KM) Telephone Number	MacVean  LC tte 4700  704-378-1973(BG) 704-378-1954 (KM) Fax Number	Fountain Residential Partners (Attn: Brent Little) Name of Petitioner  2626 Cole Avenue, Ste. 620 Address of Petitioner  Dallas, TX 75204 City, State, Zip  972-861-5082
Name of Rezoning Agent Moore & Van Allen, PL 100 N. Tryon Street, Sui Agent's Address Charlotte, NC 28202  704.331.2379 (BG) 704-331-3531 (KM) Telephone Number bridgetgrant@mvalaw.c	MacVean  LC tte 4700  704-378-1973(BG) 704-378-1954 (KM) Fax Number  com; keithmacvean@mvalaw.com	Fountain Residential Partners (Attn: Brent Little) Name of Petitioner  2626 Cole Avenue, Ste. 620 Address of Petitioner  Dallas, TX 75204 City, State, Zip  972-861-5082 Telephone Number Fax Number  blittle@fountainresidential.com

#### SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Date Acquired
049-242-09	320 Carolyn Ln Charlotte, NC 28213	Santos Olga Rodriguez Chavez	2700 McLean Rd Charlotte, NC 28213	6/20/2016
049-242-08	328 Carolyn Ln Charlotte, NC 28213	L Frank Caldwell Virginia B Caldwell Caldwell Family	352 N Caswell Rd Charlotte, NC 28204	5/27/2014
049-242-15	N/A	Trust		5/27/2014
049-242-07	400 Carolyn Ln Charlotte, NC 28213	Steven Shawn Martin Sr Deborah Anne Martin	400 Carolyn Ln Charlotte, NC 28213	7/11/2013
049-242-22	414 Joe Whitener Rd Charlotte, NC 28213	Steven L Mullis II Melissa Ellen Mullis	414 Joe Whitener Rd Charlotte, NC 28213	7/11/2013
049-242-19	336 Joe Whitener Rd Charlotte, NC 28213	Louise B Snider	336 Carolyn Ln Charlotte, NC 28213	7/10/1984

#### Fountains Residential Partners

#### OWNER JOINDER AGREEMENT Santos Olga Rodriguez Chavez

The undersigned, as the owner of the parcel of land located at 320 Carolyn Ln, Charlotte, NC that is designated as Tax Parcel No. 049-242-09 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-3 zoning district to the UR-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 18 day of APP 1 , 2018.

Santos Olga Rodriguez Chavez

#### ATTACHMENT B

#### REZONING PETITION NO. 2018-\_\_\_\_ Fountains Residential Partners

# OWNER JOINDER AGREEMENT L Frank Caldwell Virginia B Caldwell Caldwell Family Trust

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

- 1. 328 Carolyn Ln, Charlotte, NC that is designated as Tax Parcel No. 049-242-08
- 2. The termination of Joe Whitener Rd, Charlotte, NC that is designated as Tax Parcel No. 049-242-15

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

TRUSTEE

This day of	APRIL	, 2018.	
			L Frank Caldwell
			Virgiuia B Caldwell
			Caldwell Family Trust 5.21.11
			By: Brue 7 Coldwell Name: BRUCE F. CALDWELL

#### ATTACTMENT C

REZONING PETITION NO. 2018-Pountains Residential Partners

#### OWNER JOINDER AGREEMEN'T Steven Shawn Martin Sr. Deborah Anne Martin

The undersigned, as the owner of the parcel of land located at 400 Carolyn Ln, Charlotte, NC that is designated as Tax Parcel No. 049-242-07 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-3 zoning district to the UR-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 1 day of Opril, 2018.

Steven Shawa Martin Sr.

Deborah Anne Martin

#### ATTACHMENT O

REZONING PETITION NO. 2018-Fountains Residential Partners

#### OWNER JOHNDER AGREEMEN'T Steven L Mullis II Melissa Eilen Mullis

The undersigned, as the owner of the parcel of land located at 414 Joe Whitener Rd, Charlotte, NC that is designated as Tax Parcel No. 049-242-22 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-3 zoning district to the UR-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 17 day of Opril , 2018.

Steven L. Mullis H

Steven & Mullis II

Melina Mullis

Melissa Ellen Mullis

#### **ATTACHMENT E**

#### REZONING PETITION NO. 2018-Fountains Residential Partners

#### OWNER JOINDER AGREEMENT Louis B Snider

The undersigned, as the owner of the parcel of land located at 336 Joe Whitener Rd, Charlotte, NC that is designated as Tax Parcel No. 049-242-19 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-3 zoning district to the UR-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 18 day of 1011, 2018.

Louise B Snider

Louise B. Snider

#### ATTACHMENT F

### REZONING PETITION NO. 2018-Fountain Residential Partners

Petitioner:

Fountain Residential Partners

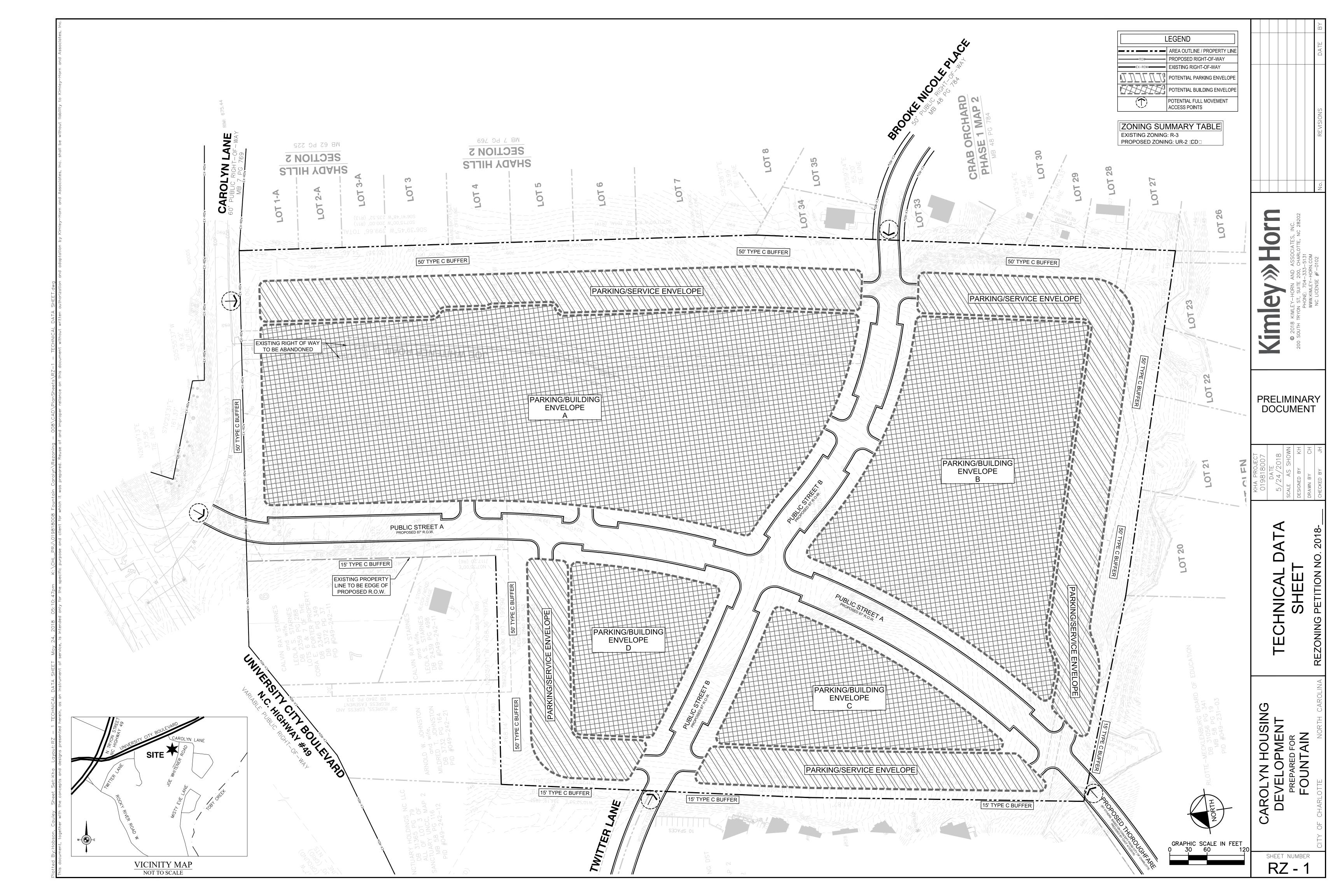
By: Name: \_\_\_\_\_\_ Title: \_\_\_\_

#### ATTACHMENT F

### REZONING PETITION NO. 2018-Fountain Residential Partners

Petitioner:

By Brost Title: President





PRELIMINARY DOCUMENT

RZ - 2

#### **Fountain Residential Partners Development Standards** 05/21/2018 **Rezoning Petition No. 2018-**

**Site Development Data:** 

- --Acreage:  $\pm$  25.47 acres
- --Tax Parcel #s: 049-242-09, 049-242-08, 049-242-15, 049-242-07, 049-242-22, 049-242-19
- -- Existing Zoning: R-3
- -- Proposed Zoning: UR-2(CD)
- -- Existing Uses: Vacant and Residential
- --Proposed Uses: Residential dwellings units as permitted by right, under prescribed conditions, and by the Optional provisions below, together with accessory uses, as allowed in the UR-2 zoning district (all as more specifically described and restricted below in Section 3).
- --Maximum Number of Residential Dwelling Units: Up to 258 residential dwelling units as allowed by right and under prescribed conditions in the UR-2 zoning district.
- -- Maximum Building Height: Building height to be measured per the Ordinance.
- --Parking: As required by the Ordinance.

#### 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 Fountain Residential Partners. ("Petitioner") to accommodate the development of a high quality residential student housing community on an approximately 25.47 acre site located at the intersection of Carolyn Lane and Joe Whitener Road (the "Site").
- b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the UR-2(CD) 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, building and parking envelopes other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

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

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

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

d. **Number of Buildings Principal and Accessory**. The total number of principal buildings to be developed on the Site will be limited to eighty (80). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

#### 2. Permitted Uses, Development Area Limitations:

The principal buildings constructed on the Site may be developed with up to 258 multi-family residential dwellings units as permitted by right, under prescribed conditions above together with accessory uses allowed in the UR-2(CD) zoning district.

#### **Transportation Improvements and Access:**

#### **Proposed Improvements:**

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

- a. The Petitioner will construct the proposed north/south public street, Public Street A, to meet the requirements of a residential wide street section as generally depicted on the Rezoning Plan.
- The Petitioner will extend Twitter Lane and Brook Nicole Place to meet the requirements of a residential wide street section as generally depicted on the Rezoning Plan. [NOTE: Abandon Joe Whitener Road]
- f. The Petitioner will construct the required roadway improvements and provide any required sidewalk and utility easements needed for these improvements prior to the issuance of a certificate of occupancy. The Petitioner reserves the right to post a bond for any roadway improvements not finalized at the time of the issuance of the certificate of occupancy.

#### II. Standards, Phasing and Other Provisions.

- a. **CDOT/NCDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT as applicable. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the area, by way of a private/public partnership effort or other public sector project support.
- b. Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 3.I. above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 3.IIa above provided, however, in the event all roadway improvements are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.
- c. Right-of-way Availability. It is understood that some of the public roadway improvements referenced in section I. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte

Engineering Division or other applicable agency, department or governmental body may proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in section I. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

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

#### III. Access.

- a. Access to the Site will be from Carolyn Lane, by way of a Public Street A, and from the extension of Twitter Lane and Brook Nicole Place as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.
- 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

#### Streetscape, Buffer, Landscaping Open Space and Screening:

- a. A sixteen (16) foot setback as measured from the future proposed back of curb along Carolyn Lane, Public Street A, and Public Street B will be provided as generally depicted on the Rezoning Plan.
- b. An eight (8) foot planting strip and an eight (8) foot sidewalk will be provided along Carolyn Lane, Public Street A, and Public Street B, within the required setbacks as generally depicted on the Rezoning Plan provided, however, the streetscape may be amended to accommodate on-street parking.
- Meter banks will be screened where visible from public view at grade level.

#### General Design Guidelines:

- a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings. The proposed building will be designed and constructed so that the each building elevation(s) that abut/face an existing or proposed Public Street have at least 20% masonry (including but not limited to brick, stone, precast brick, precast stone, and/or stucco) exclusive of windows, doors and roofs.
- b. The maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length. Where blank or unarticulated walls 20' or greater cannot be addressed principally with doors or windows, they shall be treated with a combination the following options: (i) a higher level of transparency on the ground floor (exaggerated or larger windows indicative of living areas); and (ii) horizontal and vertical variations in wall planes. If the final architectural design cannot meet the design standards for blank wall articulation, alternative innovative design solutions may be considered for approval
- Buildings over 150 feet in length shall provide façade variations that visually separate the individual units. This can be accomplished through measures such as window arrangement and size variation, Balcony arrangement, unit entrance design, roof variation, material changes, and/or offset wall planes.
- d. Residential building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrances through a combination of at least five (5) of the following features: (i) decorative pedestrian lighting/sconces; (ii) architectural details carried through to upper stories; (iii) covered porches, canopies, awnings or sunshades; (iv) archways; (v) transom windows; (vi) terraced or raised planters that can be utilized as seat walls; (vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (viii) double doors; (ix) stoops or stairs; and/or (x) contrasting pavement from primary sidewalk.
- e. To provide a level of comfort and security for residents on the first floor of residential buildings, the first floor shall be visually and physically separated from the sidewalk. Examples include increasing the setback, installing additional landscaping, raising or lowering the first floor or other methods.
- Where ground floor connection to units is not possible and a shared or common entry is used, transition from the street to the entry itself is provided to create a unique sense of entry for pedestrians. The ground level transitions are thoughtfully designed and incorporated into the overall character of the building and include any / all the following: changes in grade or setback, stairs, low masonry walls, ornamental railing, changes in paving material, additional landscaping or other methods.
- Buildings are placed to present a front or side façade to all network required streets (public or private).
- Buildings front a minimum of 50% of the total network required street frontage on the site (exclusive of driveways, pedestrian access, points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities).
- Parking lot areas are not located between any building and any network required public or private street however, parking lot areas may be located to the side as generally depicted on the Rezoning Plan.
- Provide usable and accessible public open space at a minimum of 1 square foot/100 square feet gross floor area or 1 square feet /200 square feet lot area, whichever is greater, incorporating seating, plantings and/or other amenities.
- k. Internal sidewalk connections shall be provided between buildings and from buildings to all publicly accessible on-site facilities (parking areas, bicycle facilities, open space, etc.) and abutting or adjacent parks, greenways, bikeways, trails, developments and transit stops. Internal sidewalks shall be hard surfaced and at least 5 feet in width unless connecting to four units or less.
- Fences or walls used for screening shall be constructed in a durable fashion of brick, stone, other finished masonry materials, wood split-rail, metal or other materials specifically designed as fencing materials.
- m. Service equipment such as dumpsters, refuse areas, recycling and storage are screened from view from public streets with materials and design to be compatible with principal structures. Such design includes a minimum 20% Preferred Exterior Building Materials or a Class B buffer not less than 10 feet in depth at all above grade perimeter not paved for access.

- n. All rooftop mechanical equipment on buildings shall be screened from public view from below by integrating the equipment into the building and roof design to the maximum extent feasible, using parapet walls or similar architectural
- o. Ventilation grates or emergency exit doors located at the first floor level in the building facade oriented to any public street must be decorative.
- Roof line variation every 30 feet is required. This can be accomplished by using vertical offset in height, ridge lines, gables, cornices, dormers, roof top patios, material changes, and/or other architectural features such as trellises, portals or
- For flat roofs, a parapet extends above the roof plane and include an element that provides a visual termination of the façade. The parapet extends far enough above the roof plane that all mechanical equipment is concealed from views extending to the far edge of any adjacent ROW.
- r. For pitched roofs (not including details that may include crickets, towers or other elements that slope back to the primary roof) the minimum (4:12), excluding buildings with a flat roof and parapet walls.

#### **Environmental Features:**

- The Site will comply with the Post Construction Ordinance.
- The Site will comply with the Tree Ordinance.

All new attached and detached lighting shall be fully shielded downwardly directed and full cut off fixture type lighting excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

Detached lighting on the Site, except street lights located along public streets, will be limited to 22 feet in height.

#### **Amendments to the Rezoning Plan:**

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

#### **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.

0 0 

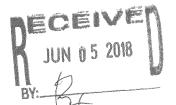
**PRELIMINARY** DOCUMENT

SS S

VICINITY MAP SHEET NUMBER NOT TO SCALE **RZ - 3** 

CAROLYN HOUS
DEVELOPMEN
PREPARED FOR
FOUNTAIN

## I. REZONING APPLICATION CITY OF CHARLOTTE



	2018-077
Petition #: _	
Date Filed:	6/5/2018
Received By:	R
	1

Complete All Fields (Use additional pages if needed)

Owner's Address: See Exhibits A & B attached hereto City	y, State, Zip: See Exhibits A & B attached hereto
Date Property Acquired: <u>See Exhibits A &amp; B attached heret</u> e	0
Property Address: <u>15500, 15510 Steele Creek Road &amp; 1330</u>	1, 13315 Hamilton Road, Charlotte, NC 28278
Tax Parcel Number(s): 219-09-127, 219-09-126, 219-09-1	.28, 219-09-129
Current Land Use: Residential / Vacant	Size (Acres): _ +- 7.69 acres
Existing Zoning: R-3 Prop	oosed Zoning: UR-1(CD)
Overlay: N/A	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Claire Ly	te-Graham & Alberto Gonzalez / Grant Meacci
Date of meeting: <u>04/10/18 / 04/17/18</u>	
(*Rezoning applications will not be processed until a require	ed pre-application meeting with a rezoning team is held.)
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimum	n? Yes/No. Number of years (maximum of 5): <u>Yes, 5</u>
Purpose/description of Conditional Zoning Plan: Petitioner I	requests conditional rezoning to UR-1(CD) designation for
the construction of 32 townhomes.	
1	
Eddie Moore, AICP - McAdams	
A	R2 Development (Pete Elmer)
Name of Rezoning Agent	R2 Development (Pete Elmer) Name of Petitioner(s)
Name of Rezoning Agent 3430 Toringdon Way, Suite 110 Agent's Address	
3430 Toringdon Way, Suite 110	Name of Petitioner(s)  517 Alcove Road, Suite 302 Address of Petitioner(s)
3430 Toringdon Way, Suite 110 Agent's Address	Name of Petitioner(s) 517 Alcove Road, Suite 302
Agent's Address  Charlotte, NC 28277  City, State, Zip  704-527-0800 x324	Name of Petitioner(s)  517 Alcove Road, Suite 302 Address of Petitioner(s)  Mooresville, NC 28117 City, State, Zip 704-519-9016
Agent's Address  Charlotte, NC 28277  City, State, Zip	Name of Petitioner(s)  517 Alcove Road, Suite 302 Address of Petitioner(s)  Mooresville, NC 28117 City, State, Zip
Agent's Address  Charlotte, NC 28277  City, State, Zip  704-527-0800 x324  Telephone Number  Emoore@mcadamsco.com	Name of Petitioner(s)  517 Alcove Road, Suite 302 Address of Petitioner(s)  Mooresville, NC 28117 City, State, Zip  704-519-9016 Telephone Number Fax Number pelmer@r2devpartners.com
Agent's Address  Charlotte, NC 28277  City, State, Zip  704-527-0800 x324  Telephone Number  Fax Number	Name of Petitioner(s)  517 Alcove Road, Suite 302 Address of Petitioner(s)  Mooresville, NC 28117 City, State, Zip  704-519-9016 Telephone Number  Fax Number
Agent's Address  Charlotte, NC 28277  City, State, Zip  704-527-0800 x324  Telephone Number  Emoore@mcadamsco.com  E-Mail Address  See Exhibits A & B attached hereto	Name of Petitioner(s)  517 Alcove Road, Suite 302 Address of Petitioner(s)  Mooresville, NC 28117 City, State, Zip  704-519-9016 Telephone Number Fax Number  pelmer@r2devpartners.com E-Mail Address
Agent's Address  Charlotte, NC 28277  City, State, Zip  704-527-0800 x324  Telephone Number  Emoore@mcadamsco.com  F-Mail Address	Name of Petitioner(s)  517 Alcove Road, Suite 302 Address of Petitioner(s)  Mooresville, NC 28117 City, State, Zip  704-519-9016 Telephone Number Fax Number pelmer@r2devpartners.com
Agent's Address  Charlotte, NC 28277  City, State, Zip  704-527-0800 x324  Telephone Number  E-Mail Address  See Exhibits A & B attached hereto  Signature of Property Owner  Eddie Moore	Name of Petitioner(s)  517 Alcove Road, Suite 302 Address of Petitioner(s)  Mooresville, NC 28117 City, State, Zip  704-519-9016 Telephone Number Fax Number  pelmer@r2devpartners.com E-Mail Address  Signature of Petitioner  Pete Elmer
Agent's Address  Charlotte, NC 28277  City, State, Zip  704-527-0800 x324  Telephone Number  Emoore@mcadamsco.com  E-Mail Address  See Exhibits A & B attached hereto  Eignature of Property Owner	Name of Petitioner(s)  517 Alcove Road, Suite 302 Address of Petitioner(s)  Mooresville, NC 28117 City, State, Zip  704-519-9016 Telephone Number Fax Number pelmer@r2devpartners.com E-Mail Address  Signature of Petitioner

#### **EXHIBIT A**

#### PETITIONER JOINDER AGREEMENT:

Owner:	Sarah H Stroup Revocable Trust Frank G. Stroup Revocable Trust
Address:	15500 Steele Creek Road Charlotte, NC 28278
Tax Parcel ID:	219-09-127, 219-09-126, 219-09-129
Acreage:	+- 6 Acres
Deed Book/Page:	15217/ 316, 320
The undersigned, as ov	wner of these parcels of land located at 15500 & 15510 Steele Creek Road and 13315 Hamilton
Road in Charlotte, Nort	h Carolina that are designated as Parcel Identification Number 219-09-127, 219-09-126, 219-
09-129 on the Mecklen	burg County Tax Map and which is the subject of the attached Rezoning Application, hereby
join and give permissio	n to R2 Development, to request and file
this Application with the	e City of Charlotte of Charlotte for the parcel referenced above.
Thisday of _ Day	Month 2018
Owner's Name (printed	SARAH H. STROUP, TRUSTEE
Owner's Name (signatu	re): Sarah H Strong

#### EXHIBIT B

#### PETITIONER JOINDER AGREEMENT:

Owner:

Robert Thomas Stroup

Debra Hudson Stroup

Address:

13301 Hamilton Road

Charlotte, NC 28278

Tax Parcel ID:

219-09-128

Acreage:

+- 2 Acres

Deed Book/Page:

9556 / 235

The undersigned, as owner of these parcels of land located at 13301 Hamilton Road in Charlotte, North Carolina that are designated as Parcel Identification Number 219-09-128 on the Mecklenburg County Tax Map and which is the subject of the attached Rezoning Application, hereby join and give permission to R2 Development to request and file this Application with the City of Charlotte of Charlotte for the parcel referenced above.

This HTH day of TUNE 2018

Day

Owner's Name (printed): ROBERT THOMAS STROUP

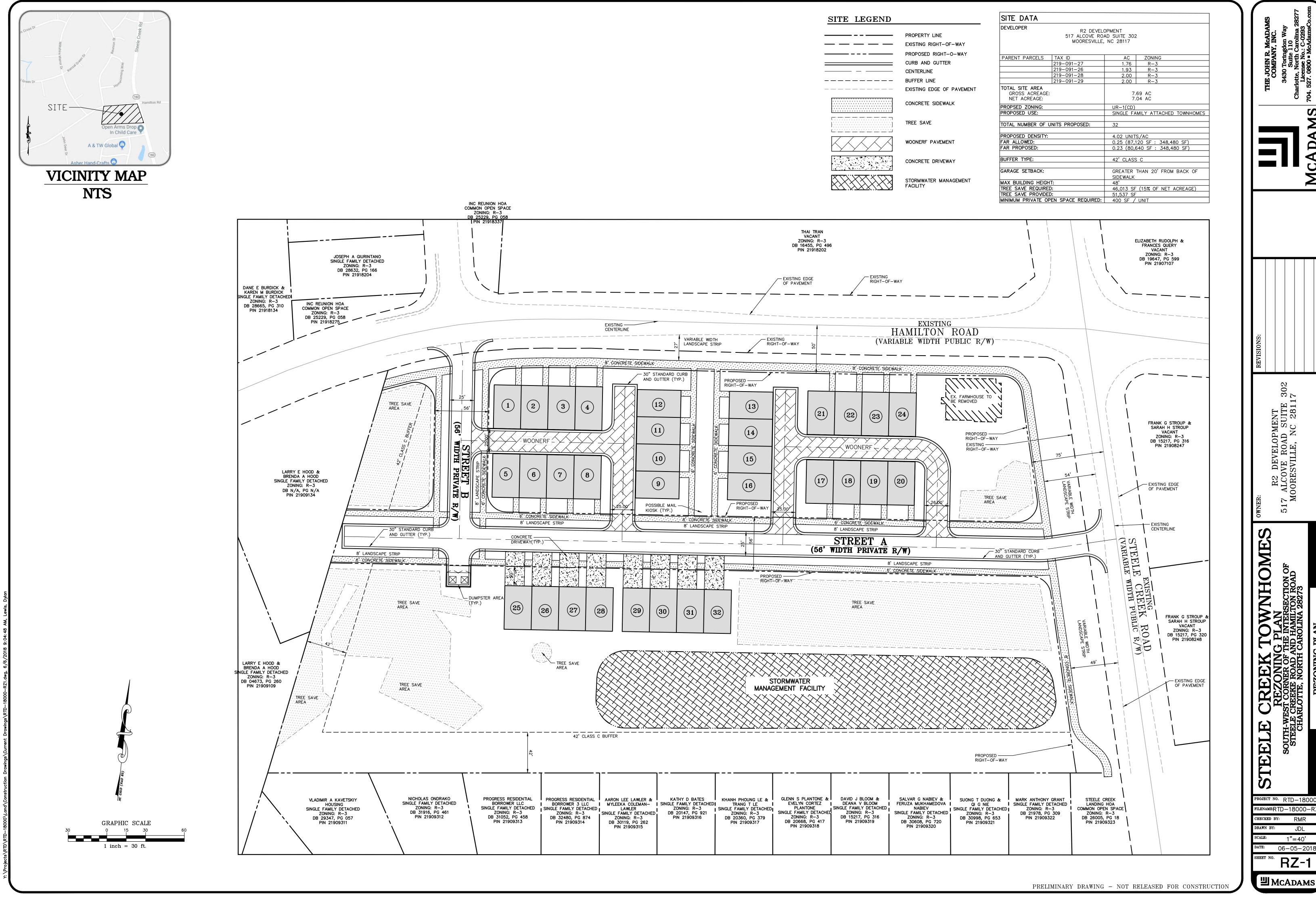
Owner's Name (signature): Kolli

This 5 day of June 2018

Day Month

Owner's Name (printed): DEBRA HUDSON STROUP

Owner's Name (signature): Sebra Hudoon



CREEKE ROAD AND HAMILTON ROAD RLOTTE, NORTH CAROLINA 28273 PROJECT NO. RTD-18000 FILENAMERTD-18000-R RMR JDL 1"=40' 06-05-2018 RZ-1

#### PETITION NO. 2018-xxx DEVELOPMENT STANDARDS R2 DEVELOPMENT 6/5/18

#### Site Development Data:

Gross Acreage: +- 7.69 acres

Net Acreage: +- 7.04 acres (after Steele Creek and Hamilton Roads ROW

dedications)

Tax Parcels: 219-091-26, 219-091-27, 219-091-28, and 219-091-29

Existing Zoning: R-3

Proposed Zoning: UR-1(CD)

Existing Uses: Single-family dwellings (one occupied and one vacant)

Proposed Uses: Up to 32 Single Family Attached (Townhome) Dwellings

Max. Building Height: 48 feet

Tree Save (Net Acreage): +- 51,537 square feet provided

Residential Gross Density: 4.2 units per acre

#### 1. General Provisions:

These Development Standards form part of the Rezoning Plan associated with the Rezoning Petition filed by R2 Development (the "Petitioner") to accommodate the development of a residential townhome community on that approximately 7.69 gross acre site located at the southwest intersection of Steele Creek Road and Hamilton Road, which is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 219-091-26, 219-091-27, 219-091-28, and 219-091-29.

Development of the Site shall be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-1 Zoning District shall govern all development taking place on the Site.

In as much as planning for the proposed development of the Site has not yet advanced beyond the formative stage, the ultimate layouts of the development proposed, the exact alignments of streets and points of access, the configurations and placements of parking areas and the heights and masses of buildings have not yet been determined. Therefore, the configurations, placements and sizes of the buildings and parking areas depicted on the Rezoning Plan are schematic in nature and therefore are subject to refinements as part of the total design process. They may, therefore, be altered or modified during design development and construction document phases so long as the maximum parking and building envelope lines established on the Rezoning Plan are not violated and the proposed alterations or modifications do not exceed the parameters established under these Development Standards and under the Ordinance for the UR-1 District.

#### 2. Permitted Uses and Maximum Development:

The Site may be developed with up to 32 single-family attached dwelling units (townhomes), together with any incidental and accessory uses related thereto that are allowed in the UR-1 zoning district. Each dwelling unit will have a two car garage.

#### 3. Transportation:

- a) Vehicular access will be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access point shown on the Rezoning Plan is subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT and/or NCDOT for approval.
- b) As depicted on the Rezoning Plan, the Site will be served by private streets, built to public standards, and private driveways.
- c) Internal sidewalks and pedestrian connections shall be provided along all private streets throughout the Site. The internal sidewalks may meander to save existing trees.
- d) Where necessary along Steele Creek and Hamilton Roads, Petitioner shall dedicate and convey in fee simple all rights-of-way to the City of Charlotte before the Site's first building certificate of occupancy is issued. The right-of-way shall be set at two (2) feet behind the back of sidewalk where feasible.

#### 4. Architectural Standards:

- a) The principal buildings used for residential uses constructed on the Site may use a variety of building materials. The building materials used for buildings will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, synthetic stone, stucco, cementitious siding (such as Hardi-plank), vinyl, EIFS or wood.
- b) Each attached single-family residential dwelling unit shall be provided with a minimum of either a one or two-car garage. Parking for the overall site will meet the Ordinance.
- c) 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.
- d) Petitioner shall provide blank wall provisions that limit the maximum blank wall expanse to 15 feet on all building levels, including but not limited to doors, windows, awnings, and/or architectural design elements.
- e) Walkways will be provided to connect all residential entrances to sidewalks along public and private streets, as generally depicted on the Rezoning Plan.
- f) Townhouse buildings will be limited to four (4) individual units or fewer or will otherwise be meaningfully differentiated between units, including, but not limited to, forward offsets in

the front walls of units, vertical height differences, or architectural differences in elevations (such as windows, doors, bays, trim, or materials).

#### 5. Streetscape and Landscaping:

- a) The Petitioner may subdivide the Site and create sublots within the Site with no side or rear yards as part of a unified development plan.
- b) The Petitioner shall comply with the Tree Ordinance and Post Construction Stormwater Ordinance.

#### 6. Lighting

a) Pedestrian scale lighting will be provided within the Site along private streets.

#### 7. Amendments to Rezoning Plan:

Future amendments to the Technical Data Sheet or these Development Standards may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

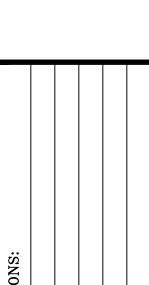
Further alterations or modifications to this Rezoning Plan which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the Technical Data Sheet or any of its conditions or which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

#### 8. Binding Effect of the Rezoning Documents and Definitions:

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

THE JOHN R. M. COMPANY, 13430 Toringdoi Suite 110





R2 DEVELOPMENT 517 ALCOVE ROAD SUITE 302 MOORESVILLE, NC 28117

CONTING PLAN
RNER OF THE INTERSECTION OF
E ROAD AND HAMILTON ROAD
S, NORTH CAROLINA 28273

REZONING I SOUTH-WEST CORNER OF THE STEELE CREEKE ROAD AND CHARLOTTE, NORTH CAF

ROJECT NO. RTD-18000

ILENAMERTD-18000-RZ1

HECKED BY: RMR

PRAWN BY: JDL

CALE: 1"=40'

ATE: 06-05-2018

RZ-2

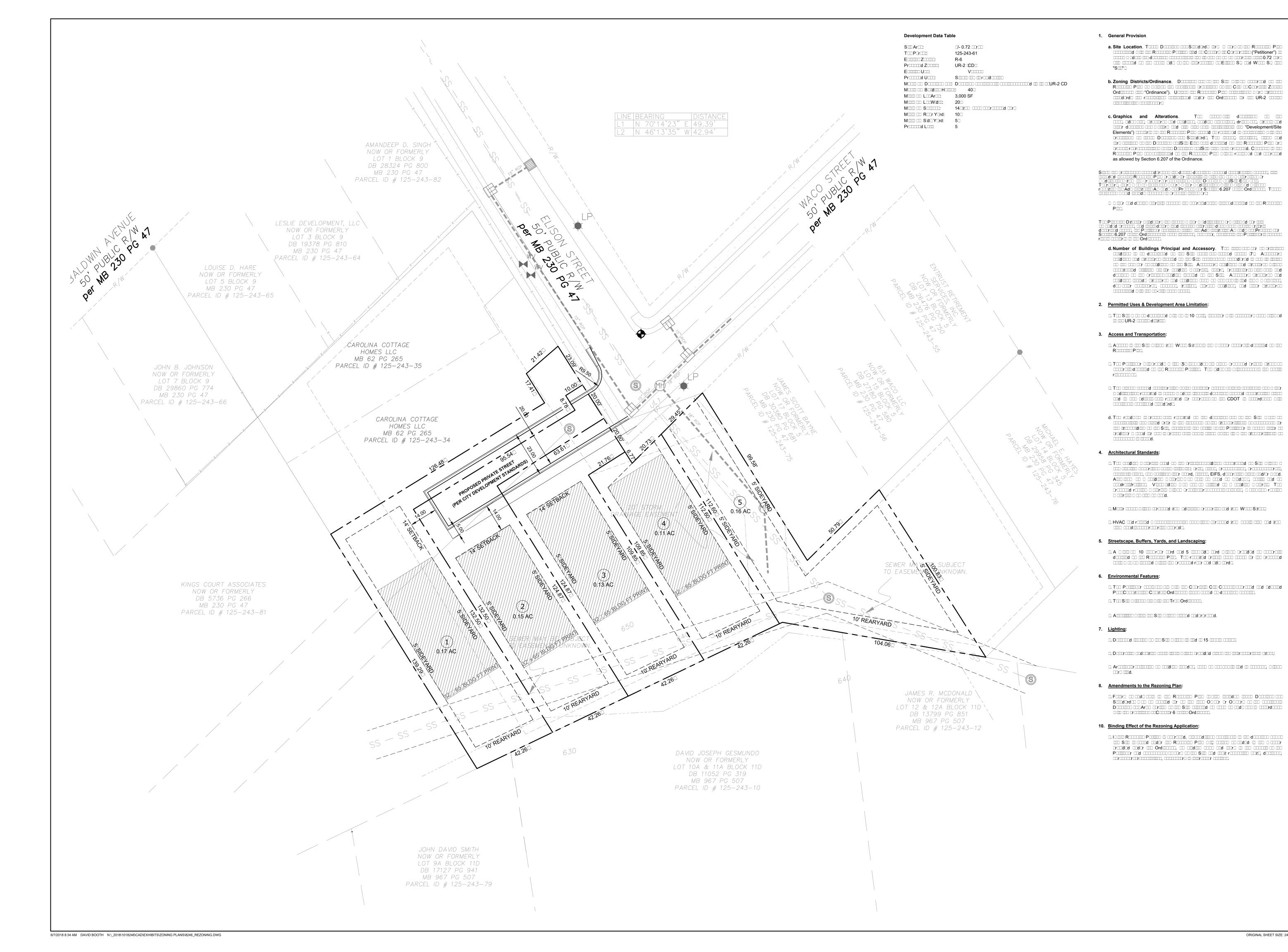
**凹MCADAMS** 

## I. REZONING APPLICATION CITY OF CHARLOTTE

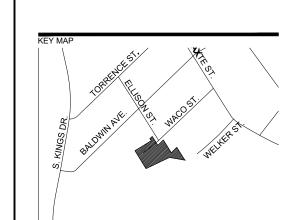
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	2018-078
Petition #:	
Date Filed:	6/7/2018
Received By: _	Br.

Complete All Fields (Use additional pages if needed)	
Property Owner: <u>CVHC,VV</u>	
Owner's Address: PO BOX 33219	City, State, Zip: CHAPLOTTE, NC 28233
Date Property Acquired: JAN 17,2017	
Property Address: NOT DEFINED	
Tax Parcel Number(s): 125 - 24 - 36	
Current Land Use: VACANT	Size (Acres): 14 AURES
Existing Zoning: P-6	Proposed Zoning: UR-2 (CD)
Overlay: NA	Tree Survey Provided: Yes: X N/A:
Required Rezoning Pre-Application Meeting* with: 6000	DMON FORTUNE & OTHERS
(*Rezoning applications will not be processed until a require	red pre-application meeting with a rezoning team is held.)
MONTE PITCHEY Name of Rezoning Agent	MONTE RITCHEY / CONFORMITY CORP.  Name of Petitioner(s)
PO BOX 33218	PO BOX 33218
Agent's Address  CHARVOTE NO 1902-3-3	Address of Petitioner(s)
CHARVOTE, NC 20233 City, State, Zip	CHARLOTTE NO 18233 City, State, Zip
OA. 334. 5516   980.122.0922 (MOBILE) Telephone Number Fax Number	104.334.5516 / 980.122.0922 (MOBIL Telephone Number Fax Number
MRITCHEY @ CONFORMITY CORP. COM	Albertain and O a partie And discourse and A
	E-Mail Address
mille	Michigan
Signature of Property Owner	E-Mail Address  Signature of Petitioner



223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM



## **NOT FOR** CONSTRUCTION

### **WACO STREET REZONING**

CONFORMITY CORPORATION

WACO ST. & ELLISON ST.

1018246

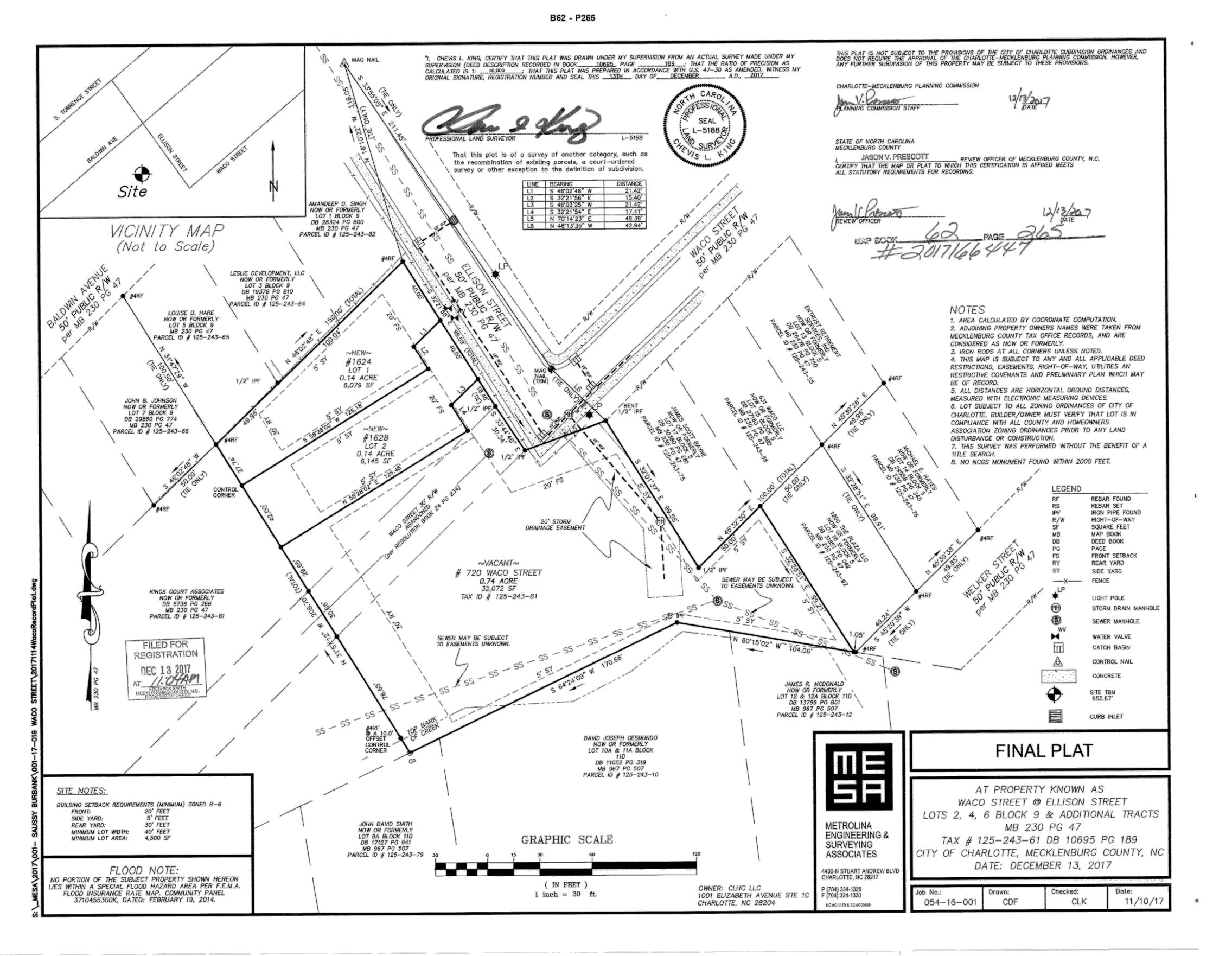
REVISION / ISSUANCE DESCRIPTION

> DESIGNED BY: DRAWN BY: CHECKED BY:

REZONING PLAN

RZ-3.0

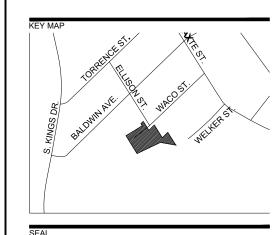
ORIGINAL SHEET SIZE: 24" X 36"



6/7/2018 8:28 AM DAVID BOOTH N:\\_2018\1018246\CAD\EXHIBITS\ZONING PLANS\8246\_REZONING.DWG



223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM



# NOT FOR CONSTRUCTION

# WACO STREET REZONING

CONFORMITY CORPORATION
WACO ST. & ELLISON ST.

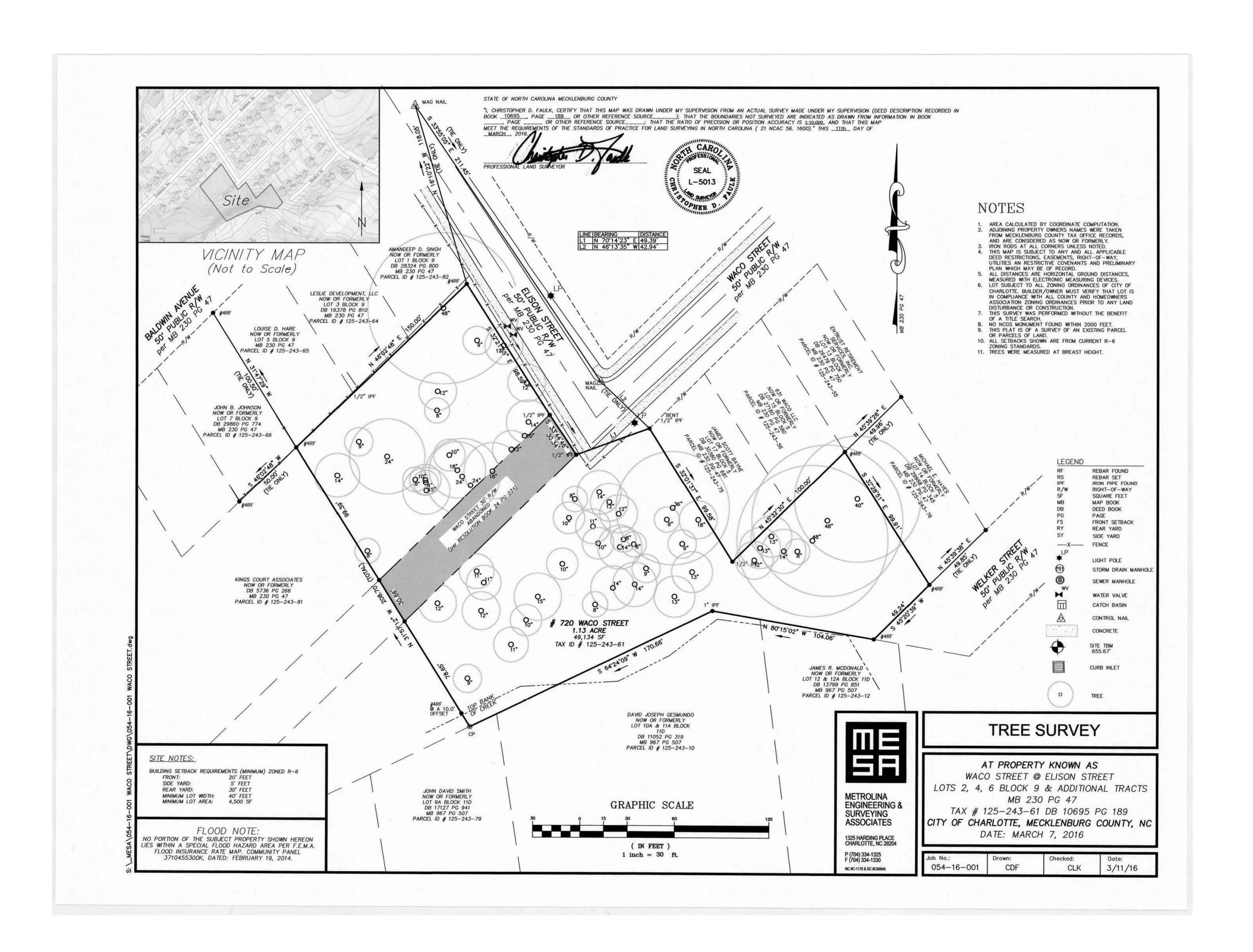
REVISION / ISSUANCE		

VERT: HORZ: AS NOTED

ORIGINAL SHEET SIZE: 24" X 36"

AS NOTED

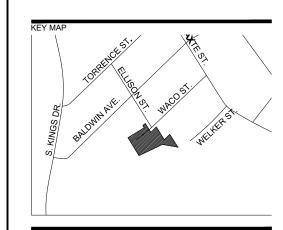
**EXISTING CONDITIONS** 



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# NOT FOR CONSTRUCTION

# WACO STREET REZONING

CONFORMITY CORPORATION
WACO ST. & ELLISON ST.

REVISION / ISSUANCE		
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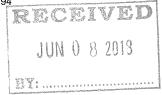
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TREE SURVEY

RZ-2.0

DocuSign Envelope ID: 71495953-05A0-4BBA-AF57-F29A2841CF94

## REZONING APPLICATION CITY OF CHARLOTTE



	1018-019
Petition #: _	
Date Filed:	6/8/2018
Received By:	<u> </u>
	$\tau$

Complete All Fields (Use additional pages if needed)

Property Owner: <u>Summit Avenue Browder Family, LLC</u>				
Owner's Address: 1440 South Tryon Street, Suite 104	City, State, Zip: Charlotte, NC 28203			
Date Property Acquired: 07/29/2014				
Property Address: 1800, 1808, and 1812 N. Brevard Street				
Tax Parcel Number(s): 083-044-01,083-044-30, and 083-044-29				
Current Land Use: Vacant	Size (Acres): ±0.747			
Existing Zoning:	Proposed Zoning: TOD-M(O)			
Overlay: N/A	Tree Survey Provided: Yes: N/A:X			
Required Rezoning Pre-Application Meeting* with: <u>Sonja S</u> Date of meeting: <u>5/22/18</u>	anders, Monica Holmes, Carlos Alzate, and Mandy Rosen			
(*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. Number of years (maximum of 5): $5$				
Purpose/description of Conditional Zoning Plan: <u>To allow the site to be redeveloped and re-used with the uses allowed</u>				
in the TOD-M zoning district.				
Nick Tosco	Three Pillars Capital, LLC			
Name of Rezoning Agent	Name of Petitioner(s)			
401 S. Tryon St., Suite 3000	4315 Tangle Drive			
Agent's Address	Address of Petitioner(s)			
Charlotte, NC 28202	Charlotte, NC 28211 City, State, Zip			
City, State, Zip	•			
704-335-6636 704-334-4706 Telephone Number Fax Number	513-226-4960 Fax Number			
	, <del></del>			
<u>nicktosco@parkerpoe.com</u> E-Mail Address	salz@threepillarsbrewing.com  E-Mail Address — DocuSigned by:			
E-Mail Address	MOO			
SEE ATTACHMENT A	Signature of Petitioner			
Signature of Property Owner	Signature of reducties			
SEE ATTACHMENT A	Michael Salzarulo			
(Name Typed / Printed)	(Name Typed / Printed)			

#### ATTACHMENT A

#### REZONING PETITION NO. 2018-\_\_\_\_ Three Pillars Capital, LLC

#### OWNER JOINDER AGREEMENT

Summit Avenue Browder Family, LLC

The undersigned, as the owner of the parcels of land located at 1800, 1808, and 1812 N. Brevard Street that are designated as Tax Parcel Numbers 083-044-01,083-044-30, and 083-044-29 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcels"), hereby joins in the Rezoning Application and consents to the change in zoning for the parcels from I-2 zoning district to the TOD-M(O) zoning distract as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

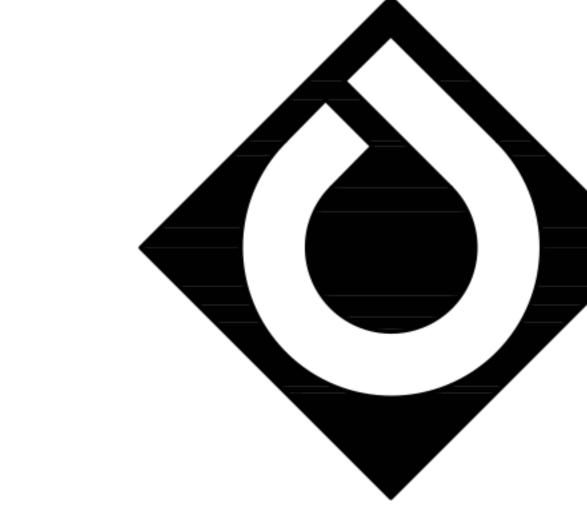
This  $8^{th}$  day of  $5^{th}$  2018.

Summit Avenue Browder Family, LLC

By: Matthew Browder

Name: Manager





# ColeJenest & Stone

p+ 704 376 1555 f+ 704 376 7851

# THREE PILLARS CAPITAL, LLC

**4315 TANGLE DRIVE** CHARLOTTE, NC 28211

# THREE PILLARS BREWING

1800 N. BREVARD STREET CHARLOTTE, NC 28206

# TECHNICAL DATA SHEET

Project No.

06/08/18

#### **DEVELOPMENT STANDARDS**

#### **GENERAL PROVISIONS**

- a. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.2 OF THE ZONING ORDINANCE.
- b. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CHARLOTTE ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, BICYCLE PARKING, AND SITE DEVELOPMENT MAY APPLY TO THE DEVELOPMENT OF THIS SITE. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THIS SITE PLAN. UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THIS SITE PLAN, THESE OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THIS SITE AS DEFINED BY THOSE OTHER CHARLOTTE ORDINANCES.
- c. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", "PETITIONER" OR "PETITIONERS", SHALL, WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.
- d. ALTERATIONS TO THE CONDITIONAL ZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE CHARLOTTE ZONING ORDINANCE.

#### PERMITTED USES

a. THE SITE MAY BE DEVOTED TO THE CERTAIN USE OR USES IN THE TOD-M ZONING DISTRICT PERMITTED UNDER THE CHARLOTTE ZONING ORDINANCE AND SHOWN ON THE ATTACHED SITE PLAN, INCLUDING, WITHOUT LIMITATION, A BREWERY AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT.

#### **TRANSPORTATION**

a. THE SITE WILL HAVE A FULL ACCESS DRIVEWAY ON NORTH BREVARD STREET AS GENERALLY DEPICTED ON THE SITE PLAN. FINAL DRIVEWAY LOCATION AND TYPE WILL BE DETERMINED DURING SITE PERMITTING.

#### ARCHITECTURAL STANDARDS

a. BUILDING ENVELOPE WILL INCLUDE AREA FOR ROOFTOP DECK OR PATIO.

#### PARKING, STREETSCAPE AND LANDSCAPING

- a. PLANTING STRIPS AND SIDEWALKS ALONG NORTH BREVARD STREET AND EAST 21ST STREET ARE GENERALLY DEPICTED ON THE CONCEPT PLAN FOR THE SITE.
- b. PARKING AREAS ARE GENERALLY DEPICTED ON THE CONCEPT PLAN FOR THE SITE.

#### ENVIRONMENTAL FEATURES

- a. ALL REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE SHALL BE MET WITH THIS DEVELOPMENT.
- b. ALL REQUIREMENTS OF THE CHARLOTTE POST CONSTRUCTION STORMWATER ORDINANCE (PSCO) SHALL BE MET WITH THIS DEVELOPMENT.

#### PARKS, GREENWAYS, AND OPEN SPACE

RESERVED

#### FIRE PROTECTION

RESERVED

#### LIGHTING

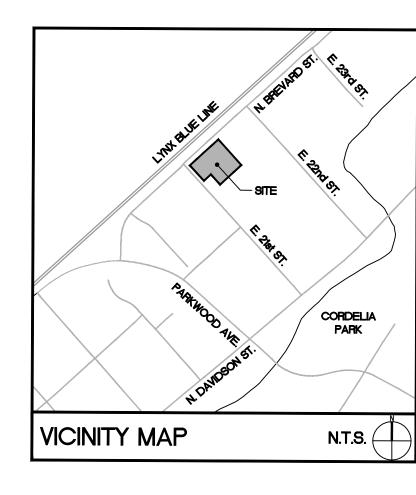
a. FREESTANDING LIGHT WILL BE FULLY SHIELDED AND DOWNWARDLY DIRECTED. ALL NEW DETACHED LIGHTING INSTALLED ON THE SITE WILL BE LIMITED TO 21' IN HEIGHT.

#### **PHASING**

RESERVED

#### **OPTIONAL PROVISIONS**

- a. TO NOT REQUIRE MINIMUM PARKING FOR ANY EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT USE ON THE SITE. THE PARKING MAXIMUM OF ONE (1) SPACE PER SEVENTY FIVE (75) SQUARE FEET WILL STILL APPLY FOR ANY EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT USE ON THE SITE.
- b. TO ALLOW THE TOTAL MINIMUM FLOOR AREA RATIO OF BUILDINGS ON THE SITE TO BE .50 SQUARE FEET OF FLOOR AREA TO 1 SQUARE FOOT OF THE SITE AND TO ALLOW MORE THAN 20% OF THE PEDESTRIAN AREA TO BE CREDITED TOWARD THE REQUIRED FLOOR AREA RATIO.



# ColeJenest & Stone

Shaping the Environment Realizing the Possibilities

Land Planning
+
Landscape Architecture
+
Civil Engineering
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# THREE PILLARS CAPITAL, LLC

4315 TANGLE DRIVE CHARLOTTE. NC 28211

# THREE PILLARS BREWING

1800 N. BREVARD STREET CHARLOTTE, NC 28206

## DEVELOPMENT STANDARDS

Project No.

4007

**Issued** 06/08/18

Revised

## RZ-2

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ColeJenest & Stone, P. & 2018

2018-XXX