Rezoning Petition Packet

Petitions:

2018-113 through 2018-125



Property Owners:	James H. Briscoe, IRA	
Owner's Addresses:	PO Box 16216, Jackson, MS 39236	
Date Properties Acquired:	09/29/2003	
Property Addresses:	2200 Shopton Road, Charlotte, NC	
Tax Parcel Numbers:	141-241-02	
Current Land Use:	vacant (Acres):	± 11.339
Existing Zoning:	I-1 Proposed Zoning: INST	
Overlay:	Airport Noise Overlay (Specify PED, Watershed,	Historic District, etc.)
Required Rezoning Pre-	Application Meeting* with: <u>Claire Lyre-Gr</u>	aham, Alberto Gonzalez. Carlos Alzate. Joshua Weaver. Gront-
Date of meeting: 8/23/1	8	
(*Rezoning applicat	ions will not be processed until a required pr	e-application meeting with a rezoning team member is held.)
For Conditional Re	zonings Only:	
Requesting a vesting	period exceeding the 2 year minimum	? ロYes 図No. Number of years (maximum of 5): <u>N/A</u>
Purpose/description	of Conditional Zoning Plan:	
•		
Bridget Grant & Jef		Ryan Companies (Attn: Max Bosso)
Name of Rezoning Ag	ent	Name of Petitioner
Moore & Van Allen, 100 N. Tryon Street		201 N. Symplify Chroat Cha 2500
Agent's Address	, suite 4700	201 N. Franklin Street, Ste 3500 Address of Petitioner
Charlotte, NC 2820	2	Tampa, FL 33602
		City, State, Zip
704.331.2379 (BG) 704-331-1144 (JB)	704-378-1973(BG) 704-378-1925 (JB)	813.204.5025
Telephone Number	Fax Number	Telephone Number Fax Number
bridgetgrant@mvalaw	.com; jeffbrown@mvalaw.com	max.bosso@ryancompanies.com
E-mail Address		E-mail Address
SEE ATTACHMENT		SEE ATTACHMENT B
Signature of Property	Owner	Signature of Petitioner

REZONING PETITION NO. 2018-____ Ryan Companies

OWNER JOINDER AGREEMENT James H. Briscoe, IRA

The undersigned, as the owner of the parcel of land located at 2200 Shopton Road that is designated as Tax Parcel No. 141-241-02 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 I-1 zoning district to the INST 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 22nd day of August, 2018.

James H. Briscoe, IRA

ATTACHMENT B

REZONING PETITION NO. 2018-Ryan Companies

Petitioner:

Ryan Compagies

By: Mouse Max Bosso
Title: DIR OF REAL ESTATE
DEVELOPMENT

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	st)
Owner's Address: 4133 Orr Ranch Rd	City, State, Zip: Santa Rosa, CA 95404
Date Property Acquired: <u>n/a</u>	
Property Address: 1316 Thomas Avenue Charlotte, NC 2	8205
Tax Parcel Number(s): 08117305	크리 크리 시크 리크
Current Land Use: "gravel off-street parking"	Size (Acres): +/- 0.178 acres
Existing Zoning: R-5	Proposed Zoning: B-2 CD
Overlay: HD etc.)	(Specify PED, Watershed, Historic District,
Required Rezoning Pre-Application Meeting* with: <u>Sonja</u> Date of meeting: <u>4/24/18</u>	Sanders
(*Rezoning applications will not be processed until a required.)	ired pre-application meeting with a rezoning team member is
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minim	um? Yes/No. Number of years (maximum of 5): No.
[4일본 사람들의 회장점점점 중요한 시간 집에 다른 사람들이 되었다. 회교 교육 사람들은 사람들은 이 바라 아이들이 되었다.	rty had previously been used as a parking lot for 1312 Thomas
Ave until a zoning judgement was issued suspending this current state to a parking use that is code compliant.	use. Petitioner would like to improve the property past its
content state to a parting date that is code compliant.	- 10명이 이렇게 있는 것이 되었다. 그는 것이 사람들이 함께 생각하게 했다. 그렇지 않는 것이 없는 것이다.
J. Andrew Rowe Name of Rezoning Agent	Seahawk Partner Holdings LLC Name of Petitioner(s)
Name of Rezoning Agent 1355 Greenwood Cliff Ste 300	Seahawk Partner Holdings LLC
Name of Rezoning Agent	Seahawk Partner Holdings LLC Name of Petitioner(s)
Name of Rezoning Agent 1355 Greenwood Cliff Ste 300 Agent's Address Charlotte, NC 28204	Seahawk Partner Holdings LLC Name of Petitioner(s) 1355 Greenwood Cliff Ste 300 Address of Petitioner(s) Charlotte, NC 28204
Name of Rezoning Agent 1355 Greenwood Cliff Ste 300 Agent's Address Charlotte, NC 28204 City, State, Zip	Seahawk Partner Holdings LLC Name of Petitioner(s) 1355 Greenwood Cliff Ste 300 Address of Petitioner(s) Charlotte, NC 28204 City, State, Zip
Name of Rezoning Agent 1355 Greenwood Cliff Ste 300 Agent's Address Charlotte, NC 28204	Seahawk Partner Holdings LLC Name of Petitioner(s) 1355 Greenwood Cliff Ste 300 Address of Petitioner(s) Charlotte, NC 28204
Name of Rezoning Agent 1355 Greenwood Cliff Ste 300 Agent's Address Charlotte, NC 28204 City, State, Zip 704-351-7208 Telephone Number arowe@dcg-construction.com	Seahawk Partner Holdings LLC Name of Petitioner(s) 1355 Greenwood Cliff Ste 300 Address of Petitioner(s) Charlotte, NC 28204 City, State, Zip 704-351-7208 704-200-2079 Telephone Number arowe@dcg-construction.com
Name of Rezoning Agent 1355 Greenwood Cliff Ste 300 Agent's Address Charlotte, NC 28204 City, State, Zip 704-351-7208 704-200-2079 Telephone Number Fax Number	Seahawk Partner Holdings LLC Name of Petitioner(s) 1355 Greenwood Cliff Ste 300 Address of Petitioner(s) Charlotte, NC 28204 City, State, Zip 704-351-7208 704-200-2079 Telephone Number Fax Number
Name of Rezoning Agent 1355 Greenwood Cliff Ste 300 Agent's Address Charlotte, NC 28204 City, State, Zip 704-351-7208 Telephone Number arowe@dcg-construction.com	Seahawk Partner Holdings LLC Name of Petitioner(s) 1355 Greenwood Cliff Ste 300 Address of Petitioner(s) Charlotte, NC 28204 City, State, Zip 704-351-7208 704-200-2079 Telephone Number arowe@dcg-construction.com
Name of Rezoning Agent 1355 Greenwood Cliff Ste 300 Agent's Address Charlotte, NC 28204 City, State, Zip 704-351-7208 704-200-2079 Telephone Number arowe@dcq-construction.com E-Mail Address Quarter Mall	Seahawk Partner Holdings LLC Name of Petitioner(s) 1355 Greenwood Cliff Ste 300 Address of Petitioner(s) Charlotte, NC 28204 City, State, Zip 704-351-7208 704-200-2079 Telephone Number arowe@dcg-construction.com E-Mail Address

SECTION 1 - DEVELOPMENT DATA TABLE:

SITE ANALYSIS

SITE AREA	7,366 SF (0.1691 ACRES)
TAX PARCEL NUMBER	08117305
EXISTING ZONING	R-5
PROPOSED ZONING	B-1 (CD) NEIGHBORHOOD BUSINESS CONDITIONAL
EXISTING USE	GRAVEL OFF-STREET PARKING
PROPOSED USE	PAVED OFF-STREET PARKING
EXISTING BUILDING AREA	N/A
PROPOSED BUILDING AREA	NONE AT THIS TIME
FLOOR AREA RATIO (FAR)	N/A
PARKING (SEE PLAN)	13 SPACES W/ 13 LIFT SPACES

SECTION 2 - GENERAL PROVISIONS

- A. THE PURPOSE OF THIS REZONING REQUEST IS TO PROVIDE FOR THE ADAPTIVE RE-USE AND ACCOMMODATE THE FUTURE REDEVELOPMENT OF AN APPROXIMATELY 0.1691 ACRE PROPERTY LOCATED NEAR THE THE INTERSECTION OF THOMAS AVENUE AND CENTRAL AVENUE ALSO IDENTIFIED AS MECKLENBURG COUNTY TAX PARCEL 08117305 (THE "SITE).
- B. DEVELOPMENT OF THE SITE IS GOVERNED BY THE CONDITIONAL REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE ORDINANCE"). SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED IN THE ORDINANCE FOR THE NEIGHBORHOOD BUSINESS DEVELOPMENT DISTRICT ("B-1(CD)") ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT OF THE SITE.
- C. THE DEVELOPMENT AND USES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH IN THE SETBACK AND YARD REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
- D. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

SECTION 3 OPTIONAL PROVISIONS - N/A.

SECTION 4 - PERMITTED USES

A. OFF-STREET PARKING AND ANY OTHER USES THAT ARE PERMITTED UNDER THE ORDINANCE IN THE B-1 ZONING

SECTION 5 - TRANSPORTATION

- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.
- B. THE SITE SHALL COMPLY WITH THE MINIMUM PARKING REQUIREMENTS OF THE ORDINANCE AND AS DEPICTED ON THIS PLAN.

SECTION 6 - ARCHITECTURAL STANDARDS

- A. EXTERIOR BUILDING MATERIALS MAY INCLUDE BRICK, STONE, CAST STONE, PRECAST CONCRETE, CEMENTITIOUS SIDING, STUCCO, EIFIS AND METAL PANEL.
- B. ALL MECHANICAL EQUIPMENT SHALL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHT-OF-WAYS AND ABUTTING PROPERTIES AS VIEWED FROM FROM GRADE.
- C. DUMPSTER/REFUSE/RECYCLING AREAS SHALL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE WALL WITH ONE SIDE BEING A HINGED OPAQUE GATE. THE DUMPSTER/REFUSE/RECYCLING AREAS MAY BE LOCATED IN THE SETBACKS AND BUFFER YARDS SO LONG AS THEY ARE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHT-OF-WAYS AND ABUTTING PROPERTIES AS VIEWED FROM FROM GRADE.

SECTION 7 - SETBACKS & STREETSCAPE & LANDSCAPING

- A. SUBJECT TO ANY OPTIONAL PROVISIONS, DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE SETBACK, SIDE YARD AND REAR YARD REQUIREMENTS OF THE B-1 ZONING DISTRICT
- B. THE EXISTING SIDEWALK AND PLANTER STRIP LOCATED ALONG THE SITE'S THE THOMAS AVENUE FRONTAGE SHALL REMAIN IN PLACE.

SECTION 8 - ENVIRONMENTAL FEATURES

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

SECTION 9 - PARKS, GREENWAYS AND OPEN SPACE - N/A.

SECTION 10 - FIRE PROTECTION

A. ADEQUATE FIRE PROTECTION IN THE FORM OF FIRE HYDRANTS WILL BE PROVIDED TO THE CHARLOTTE FIRE MARSHAL'S SPECIFICATIONS. PLANS FOR EACH BUILDING WILL BE SUBMITTED TO THE FIRE MARSHAL'S OFFICE FOR APPROVAL BEFORE THE CONSTRUCTION.

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B. FIRE HYDRANTS SHALL BE INSTALLED SO THAT A FIRE TRUCK DOES NOT HAVE TO TRAVEL MORE THAN 750 FEET TO THE MOST REMOTELY ACCESSIBLE POINT OF ALL BUILDINGS.

SECTION 11 - SIGNAGE

A. SIGNAGE SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.

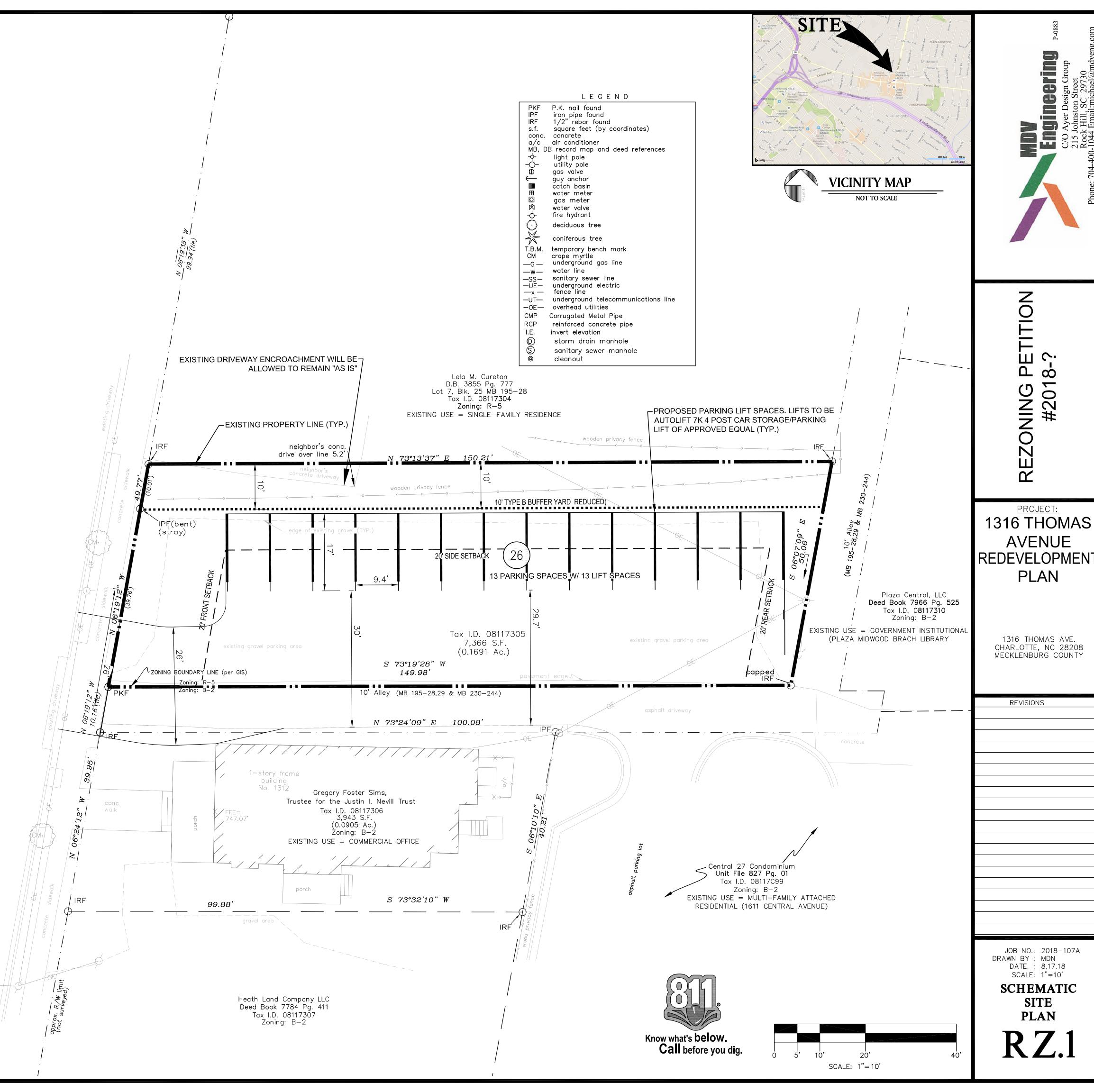
SECTION 12 - LIGHTING

- A. ALL NEW FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING STREET LIGHTS AND LOWER DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG DRIVEWAYS, SIDEWALKS AND PARKING AREAS) SHALL BE FULLY CAPPED AND SHIELDED AND ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- B. ANY NEW LIGHTING FIXTURES ATTACHED TO THE STRUCTURES ON THE SITE SHALL BE CAPPED AND DOWNWARDLY DIRECTED.

SECTION 13 - PHASING - N/A

SECTION 14 - BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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



Engineering

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Property Owner: Naomi Lee	
Owner's Address: PO Box 3144	City, State, Zip: Huntersville NC 28070
Date Property Acquired:	
7400 Beatties Ford Rd	
Tax Parcel Number(s): 02518111	
	Size (Acres): 9.68 + (0.4 = 20.08
Existing Zoning: R-3	Proposed Zoning: R-4
Overlay:	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with:	rg
(*Rezoning applications will not be processed until a required.)	ired pre-application meeting with a rezoning team member is
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minima	um? Yes/No. Number of years (maximum of 5);
A L	JDSI, LLC
Name of Rezoning Agent	Name of Petitioner(s)
Agent's Address	3515 Dovewood Dr Address of Petitioner(s)
	Addicas of Petitioner(s)
	* *
City, State, Zip	Charlotte NC 28226 City, State, Zip
	Charlotte NC 28226 City, State, Zip 704-361-7777
	Charlotte NC 28226 City, State, Zip 704-361-7777 Telephone Number Fax Number
	Charlotte NC 28226 City, State, Zip 704-361-7777 Telephone Number Fax Number judsonstringfellow@gmail.com
Telephone Number Fax Number E-Mail Address 7	Charlotte NC 28226 City, State, Zip 704-361-7777 Telephone Number Fax Number judsonstringfellow@gmail.com E-Mail Address
Telephone Number Fax Number	Charlotte NC 28226 City, State, Zip 704-361-7777 Telephone Number Fax Number judsonstringfellow@gmail.com
Telephone Number Fax Number E-Mail Address 7	Charlotte NC 28226 City, State, Zip 704-361-7777 Telephone Number Fax Number judsonstringfellow@gmail.com E-Mail Address

Petition #;
Date Filed:
Received By:

Complete All Fields (Use additional pages if needed)	Pur Or Damildon
Property Owner: Nancy Annette Donaldson	Aur. J. Nomeldson
Owner's Address: 12 Ballybunion Way	City, State, Zip: Bluffton, SC 29910
Date Property Acquired:	
Property Address: 7420 Beatties Ford Rd - 4100 McClure	
Tay Parcal Number(s): 02519440	
Current Land Use: Vacant Land	Size (Acres): 10.4
Existing Zoning: R-3	
Overlay:	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Date of meeting:	
(*Rezoning applications will not be processed until a required.)	ired pre-application meeting with a rezoning team member is
Purpose/description of Conditional Zoning Plan:	
	JDSI, LLC
Name of Rezoning Agent	Name of Petitioner(s)
	3515 Dovewood Dr
Agent's Address	Address of Petitioner(s)
City, State, Zip	Charlotte NC 28226 City, State, Zip
Telephone Number Fax Number	704-361-7777 Telephone Number Fax Number
E-Mail Address May Author Would Cash Signature of Property Owner	judsonstringfellow@gmail.com E-Mail Address Signature of Petitioner
) ∬ Nạncy Annette Donaldson	Judson Stringfellow
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Complete All Fields (Use additional pages if needed)

Property Owner: JDSI, LLC	· .
Owner's Address: 3515 Dovewood Dr	City, State, Zip: Charlotte NC 28226
Date Property Acquired:05/2016	
7205 Mallard Crook Pd	
Tax Parcel Number(s): 02769104	
Current Land Use: Vacant Land	
	Proposed Zoning: R-4
	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with:	rz ·
(*Rezoning applications will not be processed until a requiheld.) $ \label{eq:control} % \begin{center} \begin$	red pre-application meeting with a rezoning team member is
Purpose/description of Conditional Zoning Plan:	
	JDSI, LLC
Name of Rezoning Agent	Name of Petitioner(s)
Agent's Address	3515 Dovewood Dr
	Address of Petitioner(s)
City, State, Zip	
	Address of Petitioner(s) Charlotte NC 28226 City, State, Zip 704-361-7777
City, State, Zip Telephone Number Fax Number	Address of Petitioner(s) Charlotte NC 28226 City, State, Zip 704-361-7777 Telephone Number Fax Number
	Address of Petitioner(s) Charlotte NC 28226 City, State, Zip 704-361-7777
Telephone Number Fax Number	Address of Petitioner(s) Charlotte NC 28226 City, State, Zip 704-361-7777 Telephone Number Fax Number judsonstringfellow@gmail.com

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Complete All Fields (Use additional pages if needed)	
Property Owner: See Exhibit A attached hereto	
Owner's Address: See Exhibit A attached hereto	City, State, Zip: See Exhibit A attached hereto
Date Property Acquired: <u>See Exhibit A attached hereto</u>	
Property Address: <u>See Exhibit A attached hereto</u>	
Tax Parcel Number(s): 149-026-03, 149-026-04, 149-026-05	and 149-026-06
Current Land Use: Single family residential	Size (Acres):
Existing Zoning: R-8 and MUDD (CD)	Proposed Zoning: UR-2 (CD)
Overlay: N/A	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Claire Lyte Date of meeting: July 18, 2018	e-Graham, Grant Meacci, Katherine Mahoney et al.
(*Rezoning applications will not be processed until a required held.)	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): N/A
Purpose/description of Conditional Zoning Plan: <u>To accomme</u>	odate the development of a residential community on the
site that could contain up to 38 for sale single family attache	d dwelling units.
John Carmichael (Robinson Bradshaw) Name of Rezoning Agent	Hopper Communities, Inc. (c/o Bart Hopper) Name of Petitioner(s)
101 N. Tryon Street, Suite 1900	1814 Euclid Avenue
Agent's Address	Address of Petitioner(s)
City, State, Zip	Charlotte, NC 28203 City, State, Zip
704-377-8341	704-805-4801
704-377-8341 Telephone Number Fax Number	Telephone Number Fax Number
jcarmichael@robinsonbradshaw.com E-Mail Address	bhopper@hoppercommunities.com E-Mail Address
	HOPPER COMMUNITIES, INC.
	10 File Colonial Street Coloni
See Attached Joinder Agreements Signature of Property Owner	By: Signature of Petitioner
	Signature of Petitioner J. BART HOPPER

(Name Typed / Printed)

(Name Typed / Printed)

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

Property Owner Information, Acquisition Dates and Site Addresses

Tax Parcel No. 149-026-03

Leon T. Shanklin, III 4117 South Tryon Street Charlotte, NC 28217

Acquisition Date: June 29, 2010

Site Address: 4117 South Tryon Street

Tax Parcel No. 149-026-04

Leon T. Shanklin, III 4127 South Tryon Street Charlotte, NC 28217

Acquisition Date: March 23, 2009

Site Address: 4125 South Tryon Street

Tax Parcel No. 149-026-05

Leon T. Shanklin, III 4127 South Tryon Street Charlotte, NC 28217

Acquisition Date: August 1, 2008

Site Address: 4127 South Tryon Street

Tax Parcel No. 149-026-06

Leon T. Shanklin, III 13108 Pine Harbor Road Charlotte, NC 28278

Acquisition Date: February 4, 1994

Site Address: None

REZONING APPLICATION FILED BY HOPPER COMMUNITIES, INC. JOINDER AGREEMENT

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by Hopper Communities, Inc. that are designated as Tax Parcel Nos. 149-026-03, 149-026-04, 149-026-05 and 149-026-06 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the UR-2 (CD) zoning district.

Leon T. Shanklin, III

This 27 day of August, 2018.

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SITE DATA:

+/- 1.73 acres 149-026-03, 149-026-04, 149-026-05, 149-026-06 Tax Parcels: R-8 & MUDD (CD) Existing Zoning:

UR-2(CD) Proposed Zoning: Existing Use: Residential 38 Townhome Units Proposed Uses: 21.97 Units/AC Density Proposed:

Private open space shall be permitted in the setback area. Front Setback: 14' From BOC (S. Tryon St) 30' From Proposed BOC (Peterson Dr) Min. Side Yard: Min. Rear Yard:

Maximum Building Height: 45'. For the purposes of computing additional building height above 40 feet, the base setbacks and yards for the district will be utilized. Max. Floor Area Ratio: Parking Required: 1.5 spaces/unit

> XX spaces/unit Per Ordinance

DEVELOPMENT STANDARDS

A. General Provisions

- 1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Hopper Communities (the "Petitioner") to accommodate the development of a residential community on that approximately 1.7 acre site located on the northeast corner of the intersection of South Tryon Street and East Peterson Drive, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Nos. 149-026-03, 149-026-04, 149-026-05 and 149-026-06.
- Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 (CD) zoning district shall govern the development and use of the Site.
- The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configurations, placements and sizes of the building footprints as well as the internal private streets/private alleys depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during the design development and construction document phases.
- Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

Permitted Uses/Development Limitations

The Site may be devoted only to a residential community containing a maximum of 38 for sale single family attached dwelling units and to any incidental and accessory uses relating thereto that are allowed in the UR-2 (CD) zoning district.

- Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.
- As depicted on the Rezoning Plan, the Site will be served by private streets/private alleys. Minor adjustments to the locations of the internal private streets/private alleys shall be allowed during the construction permitting process.
- Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.

Architectural Standards

- 1. The maximum height in feet of the single family attached dwelling units to be located on the Site shall be 45 feet as measured under the Ordinance.
- The primary exterior building materials for the single family attached dwelling units to be located on the Site will be a combination of portions of the following: brick veneer or similar masonry products, stone, manufactured stone, stucco and
- 3. Vinyl, EIFS or masonite may not be used as an exterior building material on any building to be constructed on the Site. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.
- 4. The actual widths of the single family attached dwelling units may vary from the widths depicted on the Rezoning Plan.

E. Streetscape and Landscaping

- 1. A minimum 8 foot wide planting strip and a minimum 8 foot wide sidewalk shall be installed along the Site's frontage on South Tryon Street as generally depicted on the Rezoning Plan. The minimum 8 foot wide planting strip and minimum 8 foot wide sidewalk shall be located behind the existing back of curb on South Tryon Street. Notwithstanding the foregoing, the width of the planting strip and the width of the sidewalk may be reduced as required where the sidewalk ties into the existing sidewalk located on South Tryon Street at the Site's northern boundary line.
- A minimum 8 foot wide planting strip and a minimum 8 foot wide sidewalk shall be installed along the Site's frontage on East Peterson Drive as generally depicted on the Rezoning Plan. The minimum 8 foot wide planting strip and minimum 8 foot wide sidewalk shall be located behind the future back of curb on East Peterson Drive. Notwithstanding the foregoing, the width of the planting strip and the width of the sidewalk may be reduced as required where the sidewalk ties into the existing sidewalk located on East Peterson Drive at the Site's eastern boundary line.
- The sidewalks described above, or portions thereof, may be located in a sidewalk utility easement.

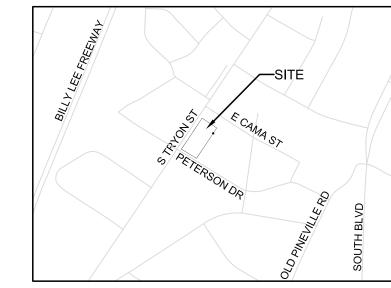
- 1. All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways, private streets/private alleys and sidewalks, walkways and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the
- 2. The maximum height of any freestanding lighting fixture installed on the Site, including its base, shall not exceed 21 feet.

G. <u>Environmental Features</u>

- Development of the Site shall comply with the City of Charlotte Tree Ordinance.
- 2. Development of the Site shall comply with the City of Charlotte Post Construction Stormwater Ordinance.

H. Binding Effect of the Rezoning Documents and Definitions

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



VICINITY MAP

LEGEND:

SETBACK LINE:

ROAD CENTERLINE:	
EXISTING SIDEWALK:	
EXISTING BUILDING:	
PROPOSED PROPERTY BOUNDARY:	
EXISTING PUBLIC R/W:	
EXISTING LOT LINE:	
EXISTING CHANNEL:	
EXISTING 30' PCCO CHANNEL BUFFER:	
EXISTING STORM DRAIN EASEMENT (SDE):	

This Plan Is A Preliminary Design. NOT Released For Construction.

N	
	4.

SCALE: 1"=40' **REVISIONS:** No. Date By Description

Sheet Number:

Project Number:

RZ-1

CORPORATE CERTIFICATIONS NC PE : C-2930 NC LA : C-253 SC ENG : NO. 3599 SC LA : NO. 211

MDL

08/27/18

Project Manager

Drawn By:

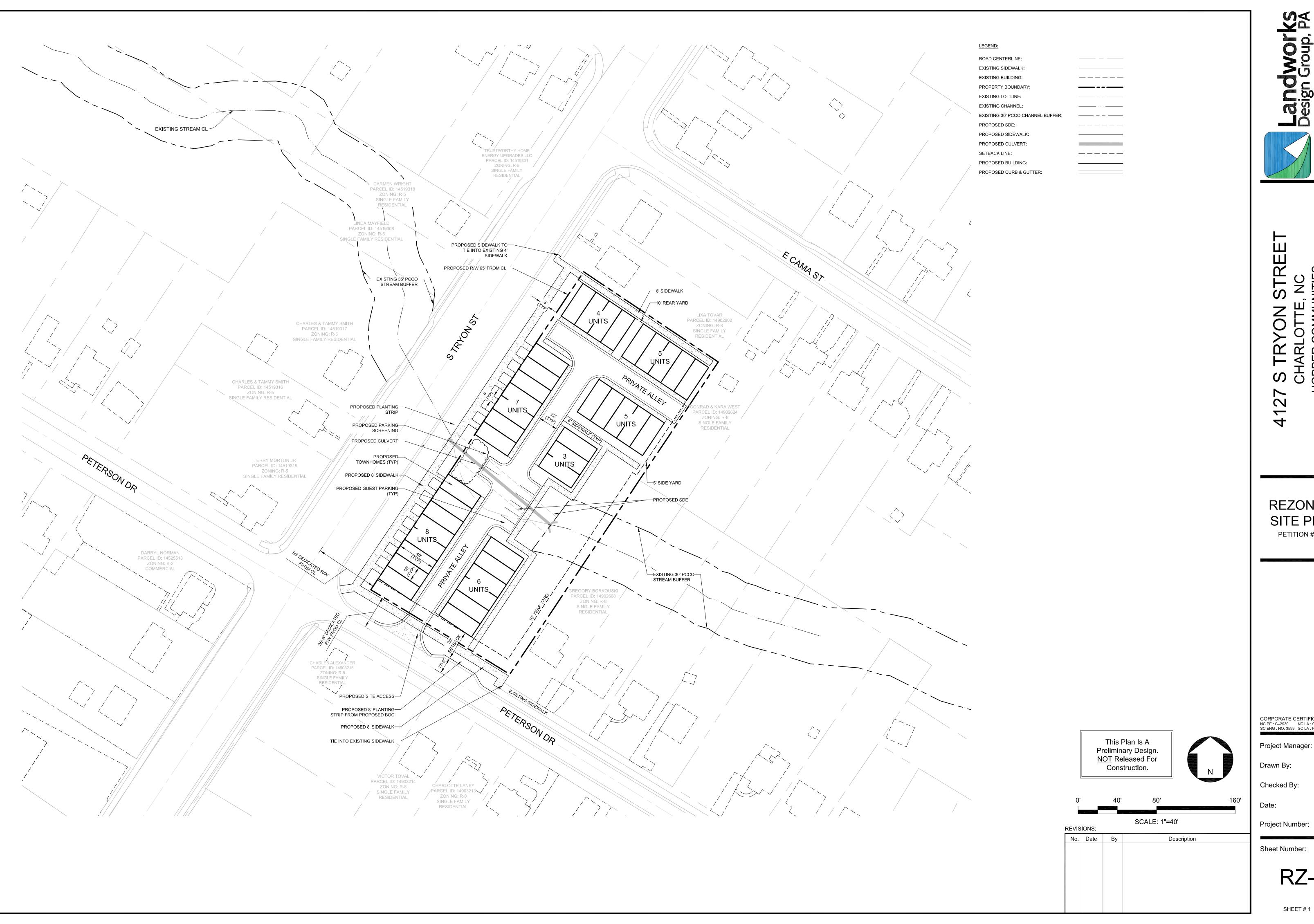
Checked By:

TECHNICAL

DATA SHEET

PETITION #####

SHEET#1 OF 2



REZONING SITE PLAN PETITION #####

CORPORATE CERTIFICATIONS
NC PE : C-2930 NC LA : C-253
SC ENG : NO. 3599 SC LA : NO. 211

MDL Checked By:

08/27/18

Sheet Number:

RZ-2

SHEET#1 OF 2

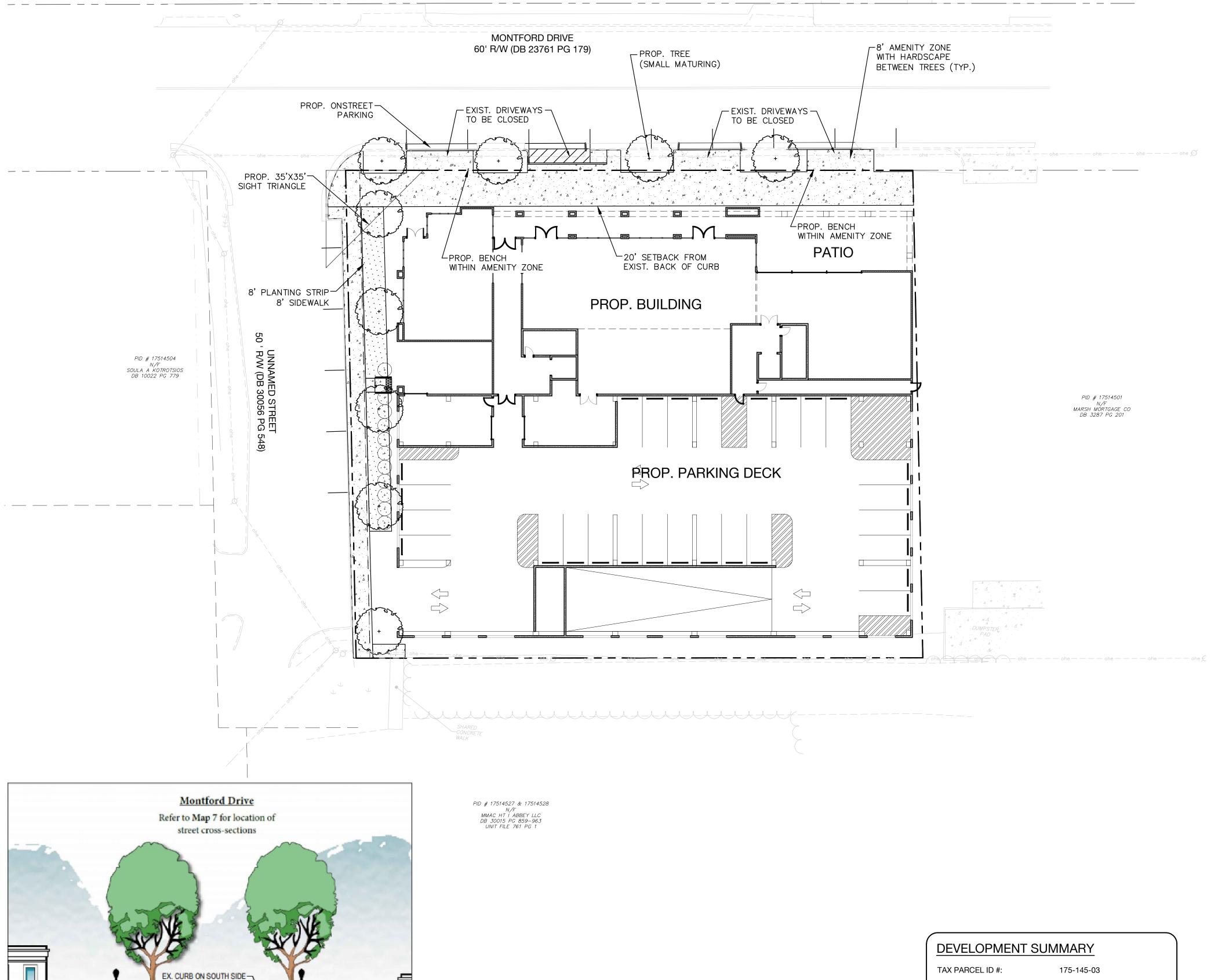


Petition #:	2018-118
Date Filed:	9/13/2018
Received By:	<u> </u>

Complete All Fields (Use additional pages if needed)

Property Owner: JKS Management 1600 Montford, LLC

Owner's Address: 2131 Ayrsley Town Blvd., Suite 300	City, State, Zip: Charlotte, NC 28273
Date Property Acquired: <u>June 6, 2015</u>	
Property Address: <u>1600 Montford Dr., Charlotte NC 28209</u>	
Tax Parcel Number(s): # 175-145-03	
Current Land Use: Commercial (Restaurant/Retail (EDEE	Type II)) Size (Acres): 0.82
Existing Zoning: MUDD-O	Proposed Zoning: MUDD-O SPA
Overlay:N/A	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: Kent Main, Date of meeting: August 14, 2018	John Kinley, Isaiah Washington, and Charles Meacci.
(*Rezoning applications will not be processed until a required held.)	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):N/A
Purpose/description of Conditional Zoning Plan: Rezoning of additional building space. Optional conditions required to uti	
subject parcel.	
Russell W. Fergusson	JKS Management, LLC
Name of Rezoning Agent	Name of Petitioner(s)
P.O. Box 5645 Agent's Address	2424 Austria Traus Blad Culta 200
	2131 Ayrsley Town Blvd., Suite 300 Address of Petitioner(s)
Charlotte, NC 28299	Address of Petitioner(s) Charlotte NC, 28273
City, State, Zip	Address of Petitioner(s) Charlotte NC, 28273 City, State, Zip
	Address of Petitioner(s) Charlotte NC, 28273
City, State, Zip (704) 234-7488 (704) 612-0271	Address of Petitioner(s) Charlotte NC, 28273 City, State, Zip (704) 234-7488



OF MONTFORD TO REMAIN

C.L. PAVEMENT SECTION -

2' additional setback footage required for utilities, etc.

M1 — Montford Drive (Park Road to Abbey Place)

Source: Charlotte Department of Transportation

drawing not to scale

10'

20' setback*

PER C.D.O.T.

24"

Angled Parking one side - Angled

parking may alternate sides if travel

lanes shift mid-block

AREA PLAN SETBACK

─20' SETBACK

FROM EX.

B.O.C. PER

SECTION.

8' 10'

20' setback*

TAX PARCEL ID #: 175-145-03

TOTAL SITE AREA: 0.82 AC.

EXISTING ZONING: MUDD-O

PROPOSED ZONING: MUDD-O

EXISTING USE: EATING, DRINKING & ENTERTAINMENT EST. (EDEE)

PROPOSED USE:

FURTHER DESCRIBED IN THE DEVELOPMENT STANDARDS

USES PERMITTED IN MUDD &

VEHICULAR PARKING: PER DEVELOPMENT STDS,
BUILDING HEIGHT: PER DEVELOPMENT STDS.

DEVELOPMENT STANDARDS

2018-____

1. General Provisions

a. The development of the Site will be governed by this Rezoning Plan and the standards/ applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The regulations established for the zoning of the MUDD zoning district, shall govern the development of this Site, subject to the optional provisions herein.

b. The development depicted on the Rezoning Plan is schematic and represents the general proposal for the project. Accordingly, the configuration, placement, size and number of the stairs, sidewalks, trees, ramps, patio, parking areas and/or site elements may be altered or modified within the limits prescribed by the zoning ordinance, subject to the Optional Provisions provided below.

c. Alterations to the conditional plan are subject to section 6.207, Alterations to Approval.

2. Optional Provisions:

The following optional provisions shall apply to the Site:

a.The southern and eastern boundary lines of the Site shall not be required to meet the parking lot screening

requirements set forth in Sections 9.8506(2)(b) and 12.303 of the Ordinance.

b.Wall signs having up to 200 square feet of sign surface area per wall or 10% of the Wall area to which they

are attached, whichever is less (exclusive of any wall mounted signage) shall be allowed.
c. Additional 45 square feet of wall mounted signage on the ground floor for each use, in addition to any other signage allowed, shall be allowed.

3. Permitted Usesa. Allowed uses: Any use or combination of uses and accessory uses as permitted in MUDD, including without

limitation, Eating Drinking and Entertainment Establishments (Types 1 and 2) and Brewery uses..

b. No residential uses shall be permitted on the ground floor.

4. Transportation

a. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of each access point are subject to any minor modifications.

b. Off-street vehicular parking shall be provided on the Site in accordance with the requirements of the Ordinance as set forth in the Rezoning Plan and subject to the optional provisions.

c. On-street vehicular parking shall be provided as set forth on the Rezoning Plan.

d. Parking for all uses shall be provided at a minimum rate of one space per 500 square feet of gross floor area.

5. Streetscape and Landscaping

a. A sixteen (16) foot setback as measured from the back of the curb along the unnamed street on the western border of the Site will be provided. The setback shall include an eight (8) foot planting strip, with hardscape sections covering portions of the planting strip and connecting the curb to the sidewalk as depicted on the Rezoning Plan, and a minimum of an eight (8) foot wide sidewalk which may extend to the building façade.

b. A setback of twenty (20) feet measured from the back of curb (the existing curb is the future back of curb) shall be provided and as generally set forth in the Rezoning Plan. The setback shall include an eight (8) foot planting strip, with hardscape sections covering portions of the planting strip and connecting the curb to the sidewalk as depicted on the Rezoning Plan, a two (2) foot utility easement and a minimum of a ten (10) foot wide sidewalk will be which will extend to the building façade.

c. Petitioner may install a suspended sidewalk as the hardscape between trees depicted on the Rezoning Plan.d. Addition of street trees and interior trees as shown on the Rezoning Plan.

e. Petitioner may choose to add benches as depicted on the Site Plan, upon CDOT approval.

6. Architectural Standards

a. Area marked as Building/Patio Envelope may be any combination of multi-story or single story patio and building. Building placement and Site Design shall focus on and enhance the pedestrian environment on public or private network streets, through the following:

- i. Buildings shall be placed so as to present a front or side facade to all streets.
- ii. Facades fronting streets shall include a combination of windows and operable doors for a minimum of 80% of each frontage elevation transparent glass between 2" and 10' on the first floor. Up to 10% of this requirement may be comprised of display windows. These display windows must maintain a minimum 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.
- iii. The facades of first / ground floor of the buildings along streets shall incorporate a minimum of 20% masonry materials such as brick or stone.
- iv. Direct pedestrian connection should be provided between street facing doors, corner entrance features to sidewalks on adjacent streets.
- v. Operable door spacing shall not exceed 75 feet.
- vi. Building elevations shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- vii. Building elevations shall be designed with vertical bays or articulated architectural features which 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.
- viii. Buildings should be a minimum height of 22'.ix. Overall height of building shall not exceed eighty-five (85) feet.

7. Environmental Features

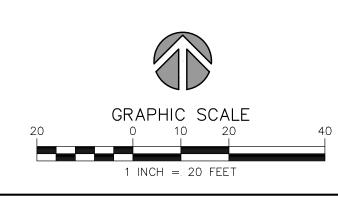
- a. Site will comply with the Tree Ordinance.
- b. Site will comply with the Post Construction Stormwater Ordinance.

8. Parks, Greenways and Open Space

- a. Reservation/Dedication of park and/or greenway: N/A
- b. Park and/or greenway improvements: N/A

9. Binding Effect of the Rezoning Application

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



URBAN DESIGN PARTNERS

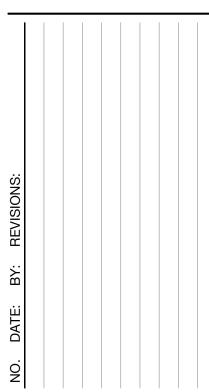
1318-e6 central ave. P 704.334.3303 charlotte, nc 28205 F 704.334.3305 urbandesignpartners.com nc firm no: P-0418

sc coa no: C-03044

Montford, LLC

1600 1600

Rezoning Plan



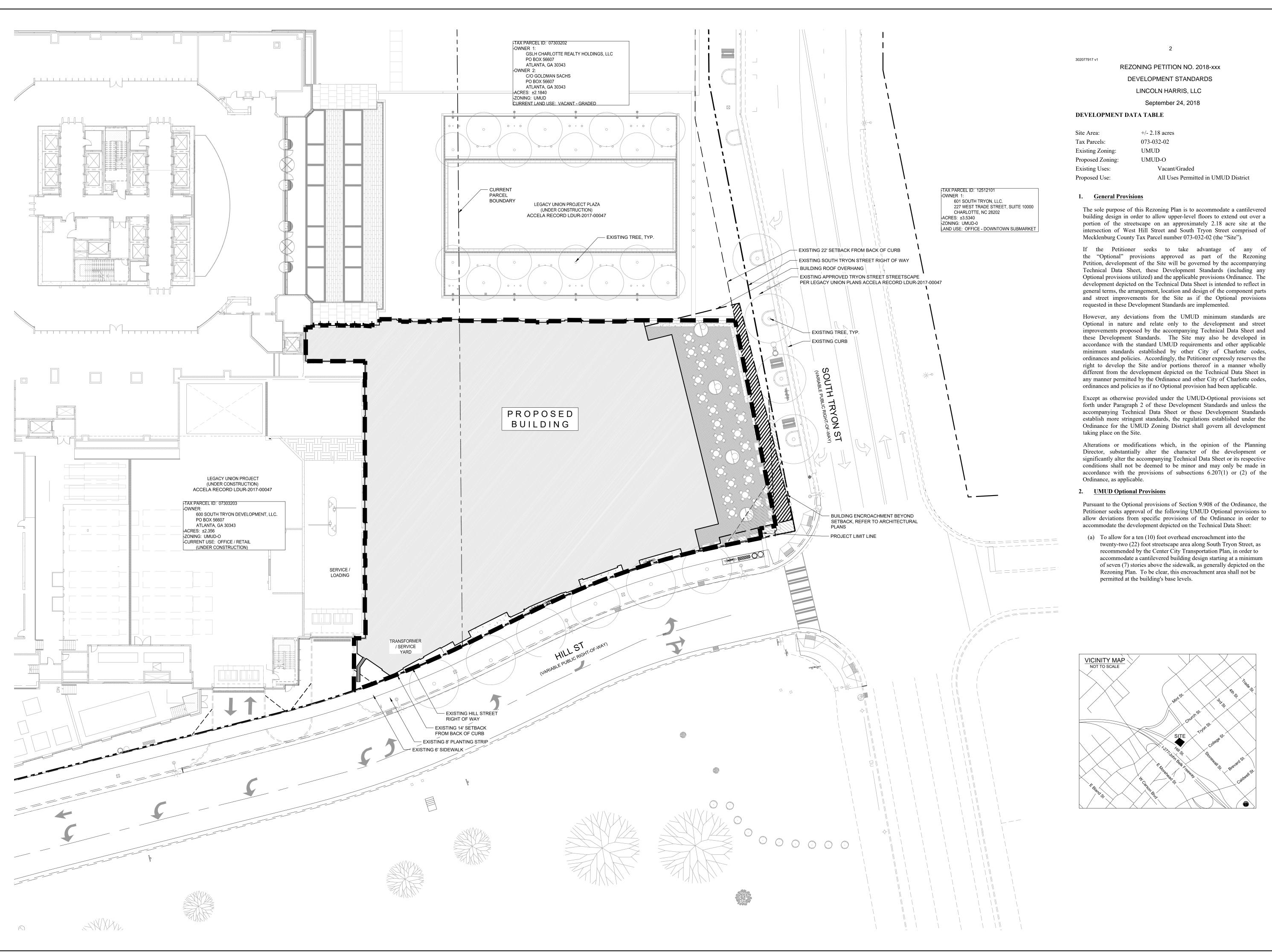
Project No: 18-124
Date: 08.22.18
Designed by: UDP
Drawn By: UDP
Sheet No:

RZ-1.0

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2018 - 1(9		
Petition #:		
Date Filed:	9/14/2018	
Received By:	B.	

Describe Occupant CCI I Charlette Beathy Holdings I C	·
Property Owner: GSLH Charlotte Realty Holdings LLC	
Owner's Address: PO Box 56607	City, State, Zip: Atlanta, GA 30343
Date Property Acquired: <u>5/04/2016</u>	
Property Address: <u>S Church Street</u>	
Tax Parcel Number(s): 07303202	
Current Land Use: <u>Vacant/Graded</u>	Size (Acres): _+/- 2.18 acres
Existing Zoning: U-MUD	Proposed Zoning: UMUD-O
Overlay: None	(Specify PED, Watershed, Historic District, etc.)
Required Rezoning Pre-Application Meeting* with: <u>Solomon</u> Date of meeting: <u>9/11/18</u>	Fortune
(*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): <u>No.</u>
Purpose/description of Conditional Zoning Plan: <u>To accom</u>	modate a cantilevered building design in order to allow
upper-level floors to extend out over a portion of the street	tscape
Collin Brown and Bailey Patrick, Jr. Name of Rezoning Agent	<u>Lincoln Harris, LLC</u> Name of Petitioner(s)
214 N. Tryon Street, 47th Floor Agent's Address	4725 Piedmont Row Drive, Suite 800 Address of Petitioner(s)
Charlotte, NC 28202	Charlotte, NC 28210
City, State, Zip	City, State, Zip
704-331-7531 704-353-3231 Telephone Number Fax Number	704-714-7600 704-716-8600 Telephone Number Fax Number
Collin Brown@klgates.com	brett.phillips@lincolnharris.com
E-Mail Address	E-Mail Address
Signature of Property Owner	Signature of Petitioner
Show. HARRIS II	Supr W. Havris III
(Name Typed / Printed)	(Name Typed / Printed)



LandDesign.

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



REZONING PETITION NO. 2018-XXX



650 SOUTH TRYON

LINCOLN HARRIS
650 SOUTH TRYON

CHARLOTTE, NC

DESIGNED BY: CMG
DRAWN BY: LMC
CHECKED BY: NLD

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

T TITLE ECHNICAL DATA SI

TECHNICAL DATA SHEET - DEVELOPMENT STANDARDS

RRC	T.	T.	7	E	D
	21.111179	45.38	ii/	especial control	D
SEP	-	13		118	
BY:		2444			24052
Language Commission Co	personal firm	restriction (de	ARCHEN	organisation	unamenta an

2018 – 120

Petition #:

Date Filed: 9/18/2018

Received By: 4

Property Owners:	SEE SCHEDULE 1 ATTACHED HE	RETO
Owner's Addresses:	SEE SCHEDULE 1 ATTACHED HE	RETO
Date Properties Acquired:	SEE SCHEDULE 1 ATTACHED HE	RETO
Property Addresses:	SEE SCHEDULE 1 ATTACHED HE	<u>RETO</u>
Tax Parcel Numbers:	SEE SCHEDULE 1 ATTACHED HE	<u>CRETO</u>
Current Land Use:	vacant/residential	(Acres): ± 34.63
Existing Zoning:	<u>R-3</u> Proposed Zoning: <u>I</u> -	-1(CD)
Overlay:	LLWPA, Airport Noise Over (Specify PED, Waters	rlay shed, Historic District, etc.)
Required Rezoning Pre-	Application Meeting* with: Claire Lyton	e-Graham, Alberto Gonzalez, Carlos Alzate
Date of meeting: 7/26/2	018	
(*Rezoning applica	tions will not be processed until a requir	ed pre-application meeting with a rezoning team member is held.)
For Conditional Re	ezonings Only:	
Requesting a vesting	a period exceeding the 2 year minin	num? □Yes ☑No. Number of years (maximum of 5): N/A
		llow development of the Site with industrial
uses	or conditional zonning rain	novi development of the orte man made le.
Bridget Grant, Keith I		Clarius Partners, LLC (Attn: Craig Dannegger)
Name of Rezoning Age		Name of Petitioner
Moore & Van Allen, P 100 N. Tryon Street, S		200 W Madison St, Ste 3410
Agent's Address	1110 1700	Address of Petitioner
Charlotte, NC 28202		Chicago, IL 60606
		City, State, Zip
704.331.2379 (BG)	704-378-1973(BG)	
704-331-3531 (KM)	704-378-1954 (KM)	040 00 C M4 MM
704-331-3607 (EB) Telephone Number	704-339-5813 (EB) Fax Number	312.386.7157 Telephone Number Fax Number
-		Totophono (vamoo)
bridgetgrant@myalaw	v.com; w.com; evanbass@mvalaw.com	cdannegger@clariuspartners.com
E-mail Address	W.Com, Evandassigmvaiaw.Com	E-mail Address
SEE ATTACHMENT	S A-C	SEE ATTACHMENT D
Signature of Property O		Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
055-272-01	N/A	Gloria W T/A Sadler (deceased) Joseph H Sadler, Sr	3047 Wycliff Rd, Raleigh, NC 27607	.568	03/24/2003
055-272-02	N/A	(deceased) George Henry Sadler Ronald Hendrix Sadler (deceased)		.535	
055-272-03	N/A	Robert Parks Sadler, Jr		.483	
055-272-04	N/A			.469	
055-272-05	N/A			.472	
055-272-06	N/A			.515	
055-271-03	N/A			27.66	
055-273-08	N/A			2.86	
055-272-07	N/A	Joseph Henry Sadler, Jr	3047 Wycliff Rd, Raleigh, NC 27607	.521	10/22/1981
055-271-02	7800 Tuckaseegee Rd, Charlotte, NC 28214	Meldonna C Sadler	8247 Peninsula Ln, Sherrills Ford, NC 28673	.551	01/01/1975

REZONING PETITION NO. 2018-____ Clarius Partners, LLC

OWNER JOINDER AGREEMENT Gloria W T/A Sadler (deceased) Joseph H Sadler, Sr (deceased) George Henry Sadler Ronald Hendrix Sadler (deceased) Robert Parks Sadler, Jr

The undersigned, as the owner of the parc	cel of land located at	:
---	------------------------	---

	1.	N/A that is designated as	Tax Parcel No. 055-	-272-01
	2.	N/A that is designated as	Tax Parcel No. 055-	272-02
	3.	N/A that is designated as	Tax Parcel No. 055-	272-03
	4.	N/A that is designated as	Tax Parcel No. 055-	272-04
	5.	N/A that is designated as	Tax Parcel No. 055-2	272-05
	6.	N/A that is designated as	Tax Parcel No. 055-2	272-06
	7.	N/A that is designated as	Tax Parcel No. 055-2	271-03
	8.	N/A that is designated as	Tax Parcel No. 055-2	273-08
and cons	g plan, and	change in zoning for the particle to the subsequent changes to the	rcels from R-3 zoning ne rezoning plan as p	cached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications g district to the I-1 zoning district as more particular depicted on the related conditional part of this rezoning application.
	11119	day of	, 2018.	
				And Sular Erickson, Trustee Glaic w The Salle on behalf of Gloria W T/A Sadler (deceased) And Sular Sular Sular (deceased) Brenda Sadler Erickson, Trustee on behalf of Joseph H Sadler, Sr (deceased)
				Brenda Sadler Erickson, Trustee on behalf of Joseph H Sadler, Sr (deceased)
				George Henry Sadler
				Meldonna C. Sadler, wife on behalf of Ronald Hendrix Sadler (deceased)
				Robert Parks Sadler, Jr

REZONING PETITION NO. 2018-Clarius Partners, LLC

OWNER JOINDER AGREEMENT Gloria W T/A Sadler (deceased) Joseph H Sadler, Sr (deceased) George Henry Sadler Ronald Hendrix Sadler (deceased) Robert Parks Sadler, Jr

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

1. N/A that is designated as Tax Parcel 1	No. 055-272-01
---	----------------

- N/A that is designated as Tax Parcel No. 055-272-02 2.
- 3. N/A that is designated as Tax Parcel No. 055-272-03
- 4. N/A that is designated as Tax Parcel No. 055-272-04
- 5. N/A that is designated as Tax Parcel No. 055-272-05
- N/A that is designated as Tax Parcel No. 055-272-06 6.
- 7. N/A that is designated as Tax Parcel No. 055-271-03
- 8. N/A that is designated as Tax Parcel No. 055-273-08

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-3 zoning district to the I-1 zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 13 Hay of September 32018.

Brenda Sadler Erickson, Trustee on behalf of Gloria W T/A Sadler (deceased)

Brenda Sadler Erickson, Trustee on behalf of Joseph H Sadler, Sr (deceased)

Seorge Henry Saller

Meldonna C. Sadler

Meldonna C. Sadler Meldonna C. Sadler, wife on behalf of Ronald Hendrix Sadler (deceased)

Robert Parks Sadler, Jr

REZONING PETITION NO. 2018-___ Clarius Partners, LLC

OWNER JOINDER AGREEMENT Gloria W T/A Sadler (deceased) Joseph H Sadler, Sr (deceased) George Henry Sadler Ronald Hendrix Sadler (deceased) Robert Parks Sadler, Jr

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

- 1. N/A that is designated as Tax Parcel No. 055-272-01
- N/A that is designated as Tax Parcel No. 055-272-02
- 3. N/A that is designated as Tax Parcel No. 055-272-03
- 4. N/A that is designated as Tax Parcel No. 055-272-04
- 5. N/A that is designated as Tax Parcel No. 055-272-05
- 6. N/A that is designated as Tax Parcel No. 055-272-06
- 7. N/A that is designated as Tax Parcel No. 055-271-03
- 8. N/A that is designated as Tax Parcel No. 055-273-08

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-3 zoning district to the I-1 zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 1 2 day of 560. 2018.

Brenda Sadler Erickson, Trustee on behalf of Gloria W T/A Sadler (deceased)

Brenda Sadler Erickson, Trustee on behalf of Joseph H Sadler, Sr (deceased)

George Henry Sadler

Meldonna C. Sadler, wife on behalf of Ronald Hendrix Sadler (deceased)

Robert Parks Sadlay In

REZONING PETITION NO. 2018-____ Clarius Partners, LLC

OWNER JOINDER AGREEMENT Joseph Henry Sadler, Jr

The undersigned, as the owner of the parcel of land located at N/A that is designated as Tax Parcel No. 055-272-07 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 I-1 zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

Joseph Henry Sadler, Ja

This 14th day of SEPTEMBER, 2018.

REZONING PETITION NO. 2018-____ Clarius Partners, LLC

OWNER JOINDER AGREEMENT Meldonna C. Sadler

The undersigned, as the owner of the parcel of land located at 7800 Tuckaseegee Rd, Charlotte, NC that is designated as Tax Parcel No. 055-271-02 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-3 zoning district to the I-1 zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

Meldonna C. Saller Meldonna C. Sadler

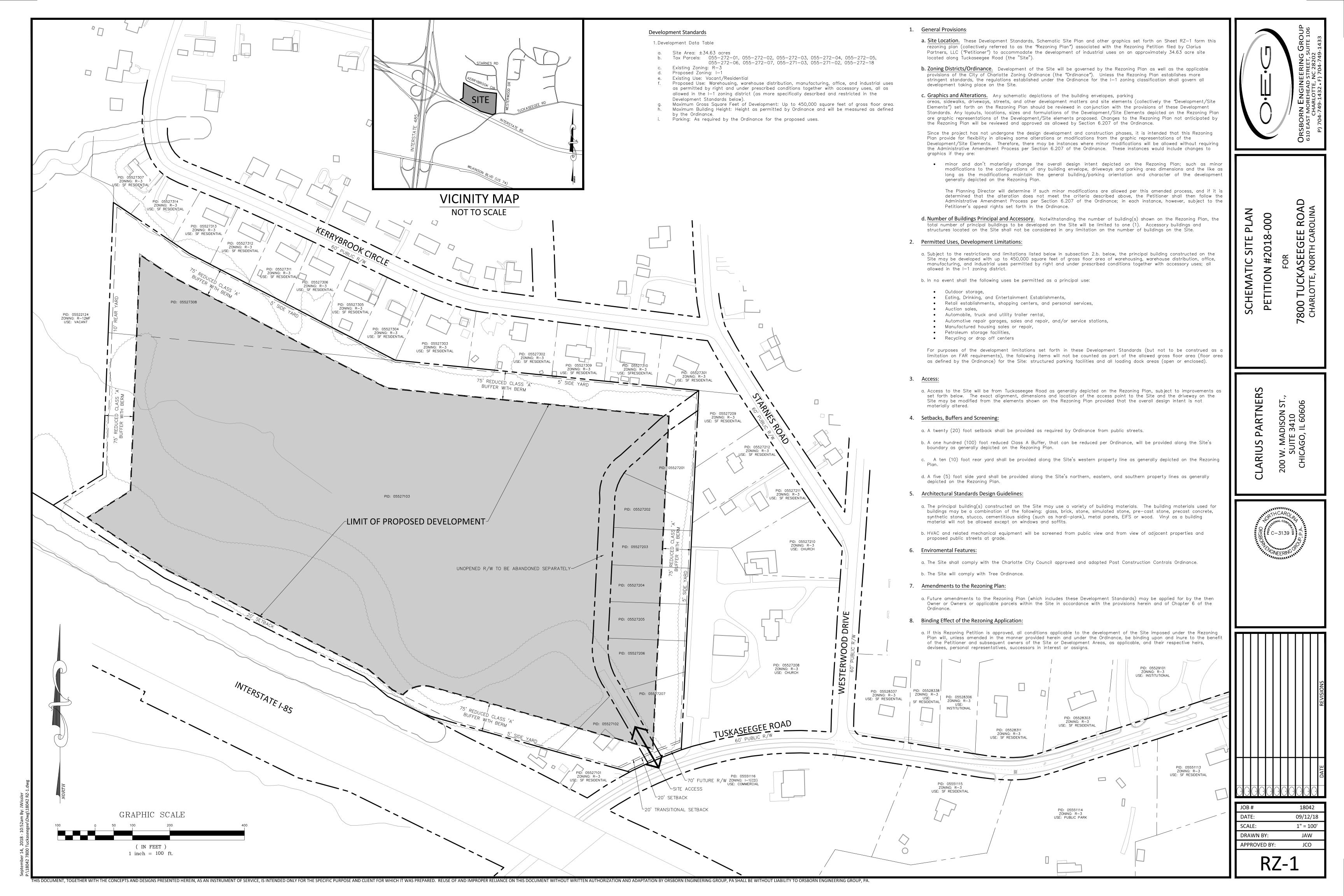
This 13 day of September, 2018.

REZONING PETITION NO. 2018-Clarius Partners, LLC

Petitioner:

Clarius Partners, LLC

By: Oraig Danneager Title: Vice President



RECEIVED	2018-121
SEP 1 8 2018	Petition #:
	Date Filed: 9/18/2018
DX 2 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Received By:

Property Owners:	SEE SCHEDULE I ATTACHED	HERE TO
Owner's Addresses:	SEE SCHEDULE 1 ATTACHED	<u>HERETO</u>
Date Properties Acquired:	SEE SCHEDULE 1 ATTACHED	<u>HERETO</u>
Property Addresses:	SEE SCHEDULE 1 ATTACHED	<u>HERETO</u>
Tax Parcel Numbers:	SEE SCHEDULE 1 ATTACHED	<u>HERETO</u>
Current Land Use:	vacant	(Acres): ± 264.93
Existing Zoning:	I-1(CD), O-1(CD), and R-3	Proposed Zoning: MUDD-O, I-1(CD) and I-1(CD)SPA
Overlay:	Airport Noise Overlay (Specify PED, War	tershed, Historic District, etc.)
Required Rezoning Pre-A	pplication Meeting* with: <u>Claire I</u>	Lyte-Graham, Alberto Gonzalez, Carlos Alzate, and Joshua Weaver
Date of meeting: 7/17/18	and 9/10/18	
(*Rezoning applicati	ons will not be processed until a rea	uired pre-application meeting with a rezoning team member is held.)
For Conditional Rez	onings Only:	
Requesting a vesting	period exceeding the 2 year min	nimum? ☑Yes □No. Number of years (maximum of 5): <u>5</u>
Purpose/description of	of Conditional Zoning Plan:	allow development of the Site with a mix of residential, non-
<u>residential</u> , and distr	ibution related uses.	
Mehricagetiget echtekkeils lichteren zu tre en er tre	and the state of the construction of the const	
Bridget Grant, Jeff Brow	wn and Dujuana Keys	Steele Creek (1997) LLC (c/o: Chris Thomas, Childress Klein Properties)
Name of Rezoning Agent		Name of Petitioner
Moore & Van Allen, PL	LC	
100 N. Tryon Street, Sui		301 S College Street, Ste 2800
Agent's Address		Address of Petitioner
Charlotte, NC 28202		Charlotte, NC 28202
CHARIOTO, IVE BOBOB		City, State, Zip
704.331.2379 (BG)		
704-331-1144 (JB)	704-378-1973(BG)	
	704-378-1973(BG) 704-378-1925 (JB)	
704-331-2371 (DK)	• •	704.342.9000

Chris.thomas@childressklein.com

E-mail Address

SEE ATTACHMENT D

Signature of Petitioner

SEE ATTACHMENTS A-C

Signature of Property Owner

E-mail Address

<u>bridgetgrant@mvalaw.com;</u> <u>jeffbrown@mvalaw.com;</u> <u>dujuanakeys@mvalaw.com</u>

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Date Acquired
201-051-08	N/A	Sarah Belk Gambrell	5625 Fairview Road Charlotte, NC 28209	12/3/1998
201-051-06	N/A	Steele Creek (1997) LLC (formerly Steele Creek (1997) LP)	6100 Fairview Road, Ste 640, Charlotte, NC 28210	5/19/1997
201-451-01	N/A	Whitehall Development LP C/O Merrifield Patrick	2400 South Blvd, Ste 300, Charlotte, NC 28203	11/17/1994

REZONING PETITION NO. 2018-Steele Creek (1997) LLC

OWNER JOINDER AGREEMENT Sarah Beik Gambrell

The undersigned, as the owner of the parcel of land located North of W Arrowood Road adjacent to I-485 that is designated as Tax Parcel No. 201-051-08 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from I-1(CD) and O-1(CD) zoning districts 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 17th day of September, 2018.

By: Sarah Belk Belle Belle Belle Belle Bouldell P.O. A

Name: Sarah "Sally "Bulk Cambrell POA Sorah Bulk Gambrell

Savale Belk Gambrell

REZONING PETITION NO. 2018-____ Steele Creek (1997) LLC

OWNER JOINDER AGREEMENT Steele Creek (1997) LLC (formerly Steele Creek (1997) LP)

The undersigned, as the owner of the parcel of land located at the northeast intersection of Arrowood Road and I-485 that is designated as Tax Parcel No. 201-051-06 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcel from I-1(CD), O-1(CD), and R-3 zoning districts to the I-1(CD) and MUDD-O zoning districts 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 174 day of September, 2018.

Steele Creek (1997) LLC (formerly Steele Creek (1997) LP)

By:

Name: 5

Belk Gambre

Its:

Manager

REZONING PETITION NO. 2018-____ Steele Creek (1997) LLC

OWNER JOINDER AGREEMENT Whitehall Development LP C/O Merrifield Patrick

The undersigned, as the owner of the parcel of land located at the northern intersection of Arrowood Road and Savoy Corporate Drive that is designated as Tax Parcel No. 201-451-01 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcel from R-3 zoning district to the I-I(CD) and MUDD-O zoning districts 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 September, 2018.

Whitchall Development LP C/O Merrifield Patrick

By:

Name:

Its:

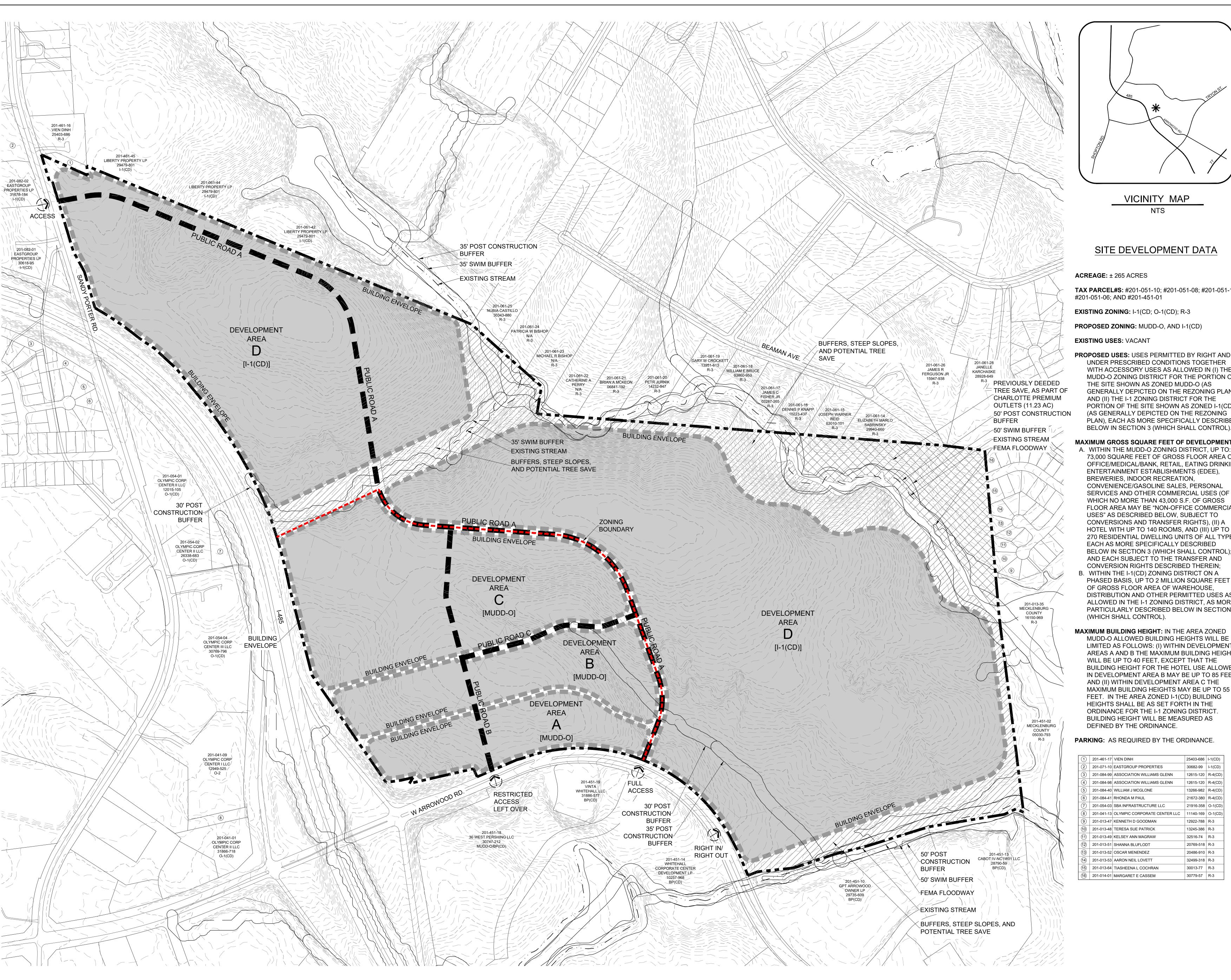
REZONING PETITION NO. 2018-Steele Creek (1997) LLC

Petitioner:

Steele Creek (1997) LLC

By: Jalah Sally Bulk Gambull

Title: Manager



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

ACREAGE: ± 265 ACRES

TAX PARCEL#S: #201-051-10; #201-051-08; #201-051-14;

VICINITY MAP

EXISTING ZONING: I-1(CD; O-1(CD); R-3

PROPOSED ZONING: MUDD-O, AND I-1(CD)

EXISTING USES: VACANT

PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER MUDD-O ZONING DISTRICT FOR THE PORTION OF THE SITE SHOWN AS ZONED MUDD-O (AS GENERALLY DEPICTED ON THE REZONING PLAN), AND (II) THE I-1 ZONING DISTRICT FOR THE PORTION OF THE SITE SHOWN AS ZONED I-1(CD) (AS GENERALLY DEPICTED ON THE REZONING PLAN), EACH AS MORE SPECIFICALLY DESCRIBED BELOW IN SECTION 3 (WHICH SHALL CONTROL).

MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT:

A. WITHIN THE MUDD-O ZONING DISTRICT, UP TO: (I) 73,000 SQUARE FEET OF GROSS FLOOR AREA OF OFFICE/MEDICAL/BANK, RETAIL, EATING DRINKING ENTERTAINMENT ESTABLISHMENTS (EDEE), BREWERIES, INDOOR RECREATION, CONVENIENCE/GASOLINE SALES, PERSONAL SERVICES AND OTHER COMMERCIAL USES (OF WHICH NO MORE THAN 43,000 S.F. OF GROSS FLOOR AREA MAY BE "NON-OFFICE COMMERCIAL USES" AS DESCRIBED BELOW, SUBJECT TO CONVERSIONS AND TRANSFER RIGHTS), (II) A HOTEL WITH UP TO 140 ROOMS, AND (III) UP TO 270 RESIDENTIAL DWELLING UNITS OF ALL TYPES; EACH AS MORE SPECIFICALLY DESCRIBED

CONVERSION RIGHTS DESCRIBED THEREIN; B. WITHIN THE I-1(CD) ZONING DISTRICT ON A PHASED BASIS, UP TO 2 MILLION SQUARE FEET OF GROSS FLOOR AREA OF WAREHOUSE DISTRIBUTION AND OTHER PERMITTED USES AS ALLOWED IN THE I-1 ZONING DISTRICT, AS MORE PARTICULARLY DESCRIBED BELOW IN SECTION 3

MAXIMUM BUILDING HEIGHT: IN THE AREA ZONED MUDD-O ALLOWED BUILDING HEIGHTS WILL BE LIMITED AS FOLLOWS: (I) WITHIN DEVELOPMENT AREAS A AND B THE MAXIMUM BUILDING HEIGHTS WILL BE UP TO 40 FEET, EXCEPT THAT THE BUILDING HEIGHT FOR THE HOTEL USE ALLOWED IN DEVELOPMENT AREA B MAY BE UP TO 85 FEET; AND (II) WITHIN DEVELOPMENT AREA C THE MAXIMUM BUILDING HEIGHTS MAY BE UP TO 55 FEET. IN THE AREA ZONED I-1(CD) BUILDING HEIGHTS SHALL BE AS SET FORTH IN THE ORDINANCE FOR THE I-1 ZONING DISTRICT. BUILDING HEIGHT WILL BE MEASURED AS

PARKING: AS REQUIRED BY THE ORDINANCE.

1	201-461-17	VIEN DINH	25403-686	I-1(CD)
2	201-071-10	EASTGROUP PROPERTIES	30682-99	I-1(CD)
3	201-084-99	ASSOCIATION WILLIAMS GLENN	12615-120	R-4(CD)
4	201-084-98	ASSOCIATION WILLIAMS GLENN	12615-120	R-4(CD)
(5)	201-084-40	WILLIAM J MCGLONE	13266-982	R-4(CD)
6	201-084-41	RHONDA M PAUL	21672-380	R-4(CD)
7	201-054-03	SBA INFRASTRUCTURE LLC	21916-358	O-1(CD)
8	201-041-13	OLYMPIC CORPORATE CENTER LLC	11140-169	O-1(CD)
9	201-013-47	KENNETH D GOODMAN	12922-788	R-3
10	201-013-48	TERESA SUE PATRICK	13245-386	R-3
11)	201-013-49	KELSEY ANN MAGRAW	32516-74	R-3
12	201-013-51	SHANNA BLUFLODT	20769-518	R-3
13)	201-013-52	OSCAR MENENDEZ	20486-910	R-3
14)	201-013-53	AARON NEIL LOVETT	32499-318	R-3
15)	201-013-64	TIASHEENA L COCHRAN	30013-77	R-3
16)	201-014-01	MARGARET E CASSEM	30779-57	R-3

CONSTRUCTION

NOT FOR

ARROWOOD

CHARLOTTE, NC

REZONING #2018-XXX

09.18.2018

1017316 REVISION / ISSUANCE NO. DESCRIPTION DATE

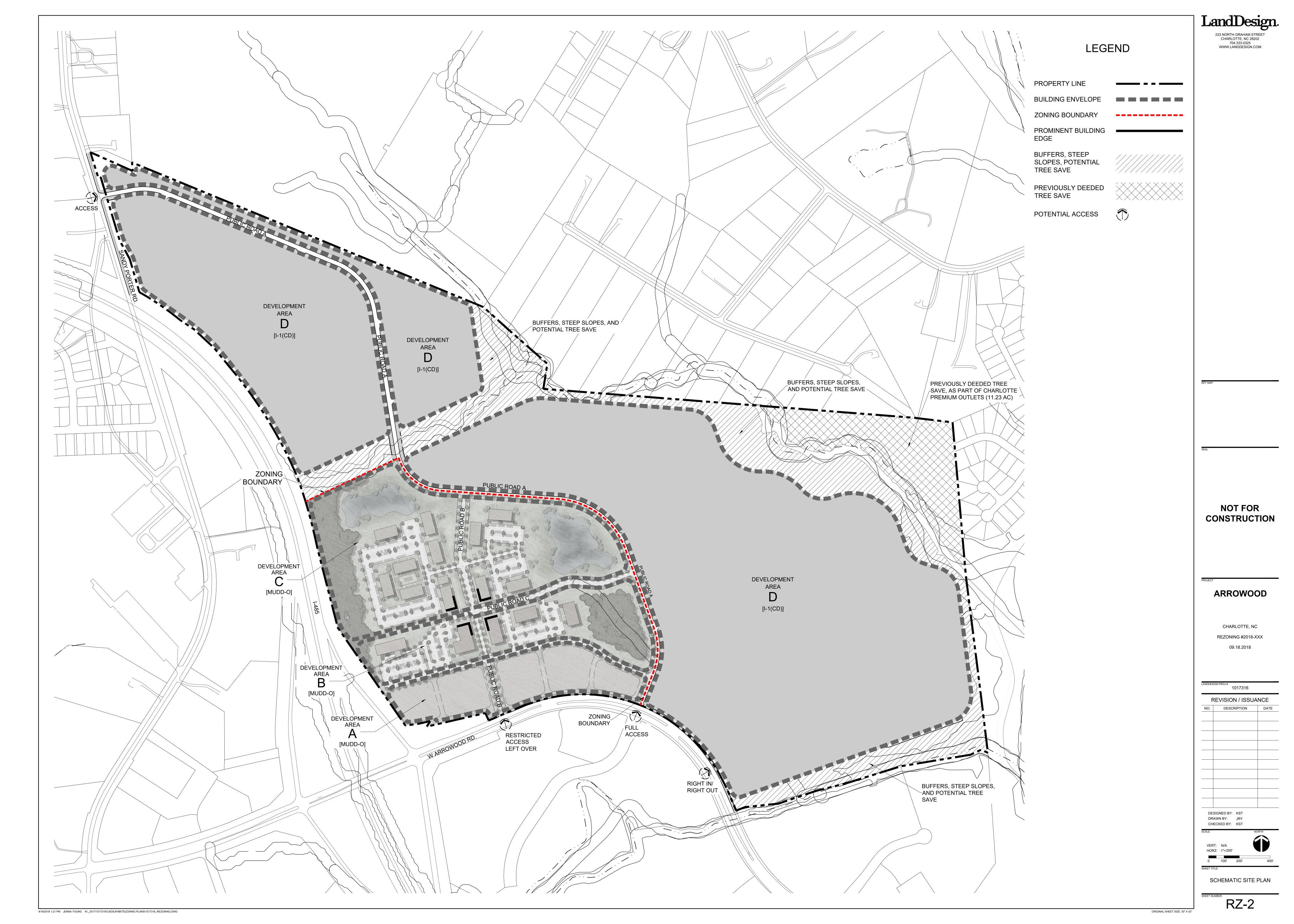
CHECKED BY: KST

DESIGNED BY: KST

DRAWN BY: JRY

TECHNICAL DATA

ORIGINAL SHEET SIZE: 30" X 42"



Steele Creek (1997), LLC **Development Standards**

Rezoning Petition No. 2018- (Arrowood Road & I-485)

Site Development Data: --Acreage: ± 265 acres

- --Tax Parcel #s: #201-051-10; #201-051-08; #201-051-14; #201-051-06; and #201-451-01
- --Existing Zoning: I-1(CD; O-1(CD); R-3
- **--Proposed Zoning:** MUDD-O, and I-1(CD)
- --Existing Uses: Vacant
- --Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses as allowed in (i) the MUDD-O zoning district for the portion of the Site shown as zoned MUDD-O (as generally depicted on the Rezoning Plan), and (ii) the I-1 zoning district for the portion of the Site shown as zoned I-1(CD) (as generally depicted on the Rezoning Plan), each as more specifically described below in Section 3 (which shall control).

-- Maximum Gross Square feet of Development

A. Within the MUDD-O zoning district, up to: (i) 73,000 square feet of gross floor area of office/medical/bank, retail, Eating Drinking Entertainment Establishments (EDEE), breweries, indoor recreation, convenience/gasoline sales, Personal Services and other commercial uses (of which no more than 43,000 s.f. of gross floor area may be "non-office commercial uses" as described below, subject to conversions and transfer rights), (ii) a hotel with up to 140 rooms, and (iii) up to 270 residential dwelling units of all types; each as more specifically described below in Section 3 (which shall control); and each subject to the transfer and conversion rights described therein;

B. Within the I-1(CD) zoning district on a phased basis, up to 2 Million square feet of gross floor area of warehouse, distribution and other permitted uses as allowed in the I-1 zoning district, as more particularly described below in Section 3 (which shall control).

--Maximum Building Height: In the area zoned MUDD-O allowed building heights will be limited as follows: (i) within Development Areas A and B the maximum building heights will be up to 40 feet, except that the building height for the hotel use allowed in Development Area B may be up to 85 feet; and (ii) within Development Area C the maximum building heights may be up to 55 feet. In the area zoned I-1(CD) building heights shall be as set forth in the Ordinance for the I-1 zoning district. Building height will be measured as defined by the Ordinance.

--Parking: As required by the Ordinance.

1. General Provisions

Site Location. These Development Standards, the Technical Data Sheet and Schematic Site Plan, and related graphics form the Rezoning Plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Steele Creek (1997), LLC ("Petitioner") to accommodate development on the approximately 265 acre site located off of Arrowood Road near I-485 (the "Site") of: (i) a mixed/multi-use commercial and residential community on the portion of the Site zoned MUDD-O (as generally depicted on the Rezoning Plan), and (ii) office/distribution/other uses on the portion of the Site zoned I-1(CD) (as generally depicted on the Rezoning Plan).

b. **Development Areas**. For ease of reference, the Rezoning Plan sets forth various development areas as generally depicted on Sheet RZ-1 as Development Area A, Development Area B, Development Area C, and Development Area D (each a "Development Area" and collectively the "Development Areas").

Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, (i) the regulations established under the Ordinance for the MUDD-O zoning classification for the portion of the Site so designated on the Rezoning Plan (i.e. consisting of Development Areas A, B, and C) shall govern all development taking place on such portion of the Site, subject to the Optional Provisions provided below, and (ii) the regulations established under the Ordinance for the I-1(CD) zoning classification for the portion of the Site so designated on the Rezoning Plan (i.e. consisting of Development Area D) shall govern all development taking place on such portion of the Site.

d. **Graphics and Alterations**. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Development Areas and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

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

expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or

minor and don't materially change the overall design intent generally depicted on the Rezoning Plan; or

modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "Building Envelopes" generally depicted on Sheet RZ-1

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.

e. Number of Buildings Principal and Accessory; Accessory Building Design. Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed: (i) in the MUDD-O zoned portion of the Site shall not exceed twenty-five (25) of which no more than six (6) principal buildings may be located within Development Area A along Arrowood Road; and (ii) on the portion of the Site zoned I-1(CD) shall not exceed ten (10); provided, further, the maximum number of principal buildings may be reduced. 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. Other than parking structures, the size of accessory structures/buildings located within the portion of the Site zoned MUDD-O will be limited to 20% of the building area of the principal buildings constructed within such Development Areas to which the accessory structure/building (other than parking structures) relate.

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

g. Personal Services. Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa's, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, limited scale medical services such as optometrists, dental services, and the like.

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

Project Phasing. Development taking place on the Site may occur in phases and in such event, except as expressly required in this Rezoning Plan or by the Ordinance, certain streetscape improvements, roadway improvements and the like may take place in connection with the phase of development to which such improvements relate as described herein.

2. Optional Provisions for MUDD-O Areas.

The following optional provisions shall apply to the portions of the Site designated MUDD-O on the Rezoning Plan:

a. **Development Area A Circulation.** To allow maneuvering and circulation for accessory drive-through windows and for parking and/or valet to occur between buildings within Development Area A and: (i) Arrowood Road; (ii) Public Road A and Public Road B; and (iii) the internal private drives generally depicted within Development Area A; (in all instances maneuvering and circulation may be located to the side and/or rear of buildings and parking may be located along Public Road B).

b. **Development Area B Circulation.** To allow maneuvering and circulation for accessory drive through windows and for parking and/or valet to occur between the buildings within Development Area B and: (i) Public Road A and (ii) the internal private drives generally depicted within Development Area B; it being understood that such maneuvering and circulation shall not be allowed between the buildings located within Development Area B and Public Road B, but on-street parking may be allowed along such Public Roads; (in all instances maneuvering and circulation may be located to the side and/or rear of all buildings).

Development Area C Circulation. To allow maneuvering and circulation for parking and/or valet to occur between buildings within Development Area C and: (i) Public Road A; (ii) the portion of Public Road B that does not intersect with Public Road C; and (iii) the internal private drives generally depicted within Development Area C; it being understood that such maneuvering and circulation shall not be allowed between the building(s) located within Development Area C that are located at the intersection of Public Road B and Public Road C but on-street parking may be allowed along such Public Roads (in all instances maneuvering and circulation may be allowed along such Public Roads).

d. **Drive-Through Facilities.** To allow up to three (3) uses with accessory drive-through windows to be constructed within Development Areas A and B as part of the development contemplated by the Rezoning Plan subject to the provisions set forth in Section 3 below regarding an additional limited service use drive-through window also allowed as an Optional provision.

e. **Development Area A Signage.** To allow one (1) detached ground mounted sign identifying the uses/tenants located within the MUDD-O zoned area per public road front, such signs being within Development Area A with a maximum height of 20 feet and containing up to 150 square feet

Development Area B Signage. To allow (i) one ground mounted detached sign along Public Roads A, B and C within Development Area B with a maximum height of eight (8) feet and containing up to 80 square feet of sign area, and (ii) allow one ground mounted detached sign along a Public Roads A and B within Development Area C with a maximum height of five (5) feet and containing up to 36 square feet of sign area.

Arrowood Signage. To allow each free standing building along Arrowood Road within Development Area A to have one sign up to five feet (5')

high with up to 36 square feet of sign area.

Wall Signs. To allow wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less, within Development Areas A and B. The sign area of the wall signs may be increased by 10% if individual letters are used.

Master Signage/Sign Flex Option/Existing Outdoor Advertising Sign. To allow a master signage plan for the Site consistent with the above signage provisions and/or "planned development flexibility option" of Chapter 13 of the Ordinance. In addition, to allow the existing previously approved outdoor advertising sign to remain.

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

Doorways. To not require doorways to be recessed into the face of the building(s) when the abutting sidewalk width is greater than 12 feet and to not require doorways to be recessed when the door way is not oriented to a public road (e.g. interior parking areas).

Retaining Walls in MUDD-O. To allow retaining walls with a maximum height of 6' along Public Roads. If due to the proposed grades retaining walls over six (6) feet are required along a Public Road the retaining walls will be tiered so no single wall will exceed a height of six (6) feet.

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

Uses within MUDD-O Areas. The following provisions of Section 3.I. shall apply to the MUDD-O areas only.

a. **Development Areas A and B**. Subject to the restrictions, limitations, and transfer/conversion rights listed below, the principal buildings constructed within Development Area A and Development Area B on the Site may be developed: (i) with up to 73,000 square feet of gross floor area of general and medical office uses (including without limitation banks/financial institutions), retail, Eating Drinking Entertainment Establishment (EDEE), breweries, indoor recreation, convenience/gasoline sales uses, Personal Services and other commercial uses (all such uses excluding general and medical office uses being referred to as "non-office commercial uses"); and (ii) a hotel with up to 140 rooms; together with accessory uses as permitted in the MUDD-O zoning district; provided however no more than 43,000 square feet of gross floor area of the uses set out in item (i) above shall be non-office commercial uses (subject to increases pursuant to the transfer and conversion rights described below).

Development Area C. Subject to the restrictions, limitations, and transfer/conversion rights listed below, the principal buildings constructed within Development Area C may be developed with up to 270 residential dwelling units of all types, together with accessory uses as permitted in the MUDD-O zoning district.

c. Conversion of Office/Medical Office to Non-office Commercial Uses & Vice-Versa. In addition to other conversion rights described herein, the limitation on the amount of non-office commercial uses (as defined above) may be increased above the limitation set forth in subsection a. above by up to an additional 15,000 square feet of gross floor area by reducing the amount of office uses by 1 square foot for every 1 square foot of such non-office commercial uses, and the amount of general/medical office uses may be increased by up to an additional 15,000 square feet of gross floor area by reducing the maximum amount of such non-office commercial uses by 1 square foot for every 1 square foot of office uses so increased.

d. Conversion of Hotel Rooms into Residential Dwelling Units & Vice Versa. In addition to the other conversion rights described herein, Petitioner reserves the right to convert a portion of the residential dwelling units described above into hotel rooms up to a maximum of [30] hotel rooms so created at the ratio of 1 hotel room for 1 residential dwelling unit, and similarly Petitioner reserves the right to convert hotel rooms into residential dwelling units up to a maximum of [30] residential dwelling units so created at the same ratio described above. The hotel rooms so created may be located within either or both of Development Areas A and B, and the residential dwelling units so created may be located within Development Area C.

Drive Through Window Uses and Retail Conversion. Up to three (3) uses with an accessory drive-through window may be constructed within Development Area A and/or Development Area B as allowed by the Optional Provisions above, but notwithstanding other provisions to the contrary, a fourth drive-through use may also be permitted as an accessory to a limited service restaurant by reducing the amount of retail uses by two (2) square feet for every one (1) square foot of such limited service restaurant use.

f. Parking Prohibited as a Principal Use. Parking will not be allowed within the MUDD-O zoned area as a principle use. Parking areas constructed within each Development Area will be constructed as part of an allowed non-residential or residential use and shall be allowed on an interim basis as construction takes place.

II. Uses within the I-1(CD) Areas. The provisions of Section 3.II below shall apply only to the I-1(CD) zoned areas a. **Development Area D**. Subject to the restrictions and limitations listed below in subsection 3.II.b below, the principal buildings constructed on I-1(CD) portion of the Site may be developed with up to 2,000,000 square feet gross floor area of warehousing, warehouse distribution, office, manufacturing, and industrial uses permitted by right and under prescribed conditions together with accessory uses, all as allowed in the I-1 zoning

b. **Prohibited Uses**. In no event shall the following uses be permitted in the I-1(CD) portion of the Site as a principle use:

- Eating, Drinking, and Entertainment establishments,
- Retail establishments, shopping centers and business, personal and recreation services
- auction sales.
- automobiles, truck and utility trailer rental,
- automotive repair garages
- automotive sales and repair,

recycling or drop off centers

- automotive service stations,
- manufactured housing sales or repair, petroleum storage facilities,

4. Transportation Improvements and Access/Pedestrian Circulation:

Proposed Improvements:

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

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

The following roadway improvements will be made by the Petitioner as part of the redevelopment of the Site as proposed by the Rezoning Plan in accordance with the phasing described below: [NOTE: TO BE FORTHCOMING]

II. Standards, Phasing and Other Provisions.

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

b. Phasing.

Notwithstanding the commitments of the Petitioner to provide for the roadway improvements described in Section 4.I above, the following provisions shall permit development to take place prior to completion of all of the above-referenced improvements:

Substantial Completion. Reference to "substantial completion" or "substantially completed" for certain improvements as set forth in the provisions of Section 4.II above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.II.a above provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

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

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

III. Access, and Pedestrian Circulation

External Access Points. Access to the Site will be from: (i) the intersection of Public Road A and Arrowood Road; (ii) a continuation of Public Road A through the Site to connect with Sandy Porter Road in the northeast corner of the Site; and (iii) the intersection of Public Road B and Arrowood Road extending to its terminus with Public Road A; all as generally depicted on the Rezoning Plan.

Internal Access Points. The number and location of access points internal to the Site to and from the Public Roads and internal driveways will be determined during the building permit process and thereafter additional or fewer driveways and/or additional roads may be installed or removed with approval from appropriate governmental authorities subject to applicable statutes, ordinances and regulations.

c. Cross-section for Designated Public Network Streets. The Public Roads as generally depicted on Sheet RZ-1 will be designed to meet an acceptable public street cross-section as defined in City of Charlotte Subdivision Ordinance. The determination of which street cross-section will be used for such Public Roads will be determined during the subdivision review process except as noted below.

d. **Angled Parking.** Public Roads B and C as generally depicted on the Rezoning Plan will be allowed to be constructed with angled or parallel parking.

e. Modifications. Minor modifications to the alignment of the internal vehicular circulation and driveways may be made by the Petitioner, with the approval of Planning and CDOT, to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval in accordance with published standards.

f. Public Road Designations. Public Road A, Public Road B and Public Road C will be extended, constructed and dedicated as Public Roads in accordance with the phasing plan described above.

5. Architectural Standards and Parking Location Restrictions

I. MUDD-O Zoned Areas

a. General Intent. It is intended that Rezoning Plan for the portion of the Site zoned MUDD-O provide a horizontal mix of uses that includes office, retail, Personal Services uses, residential uses and other permitted uses in a manner that creates a unified development pattern with generally coordinated streetscape elements, landscaping, open spaces and quality building materials. The Rezoning Plan for the portion of the Site zoned MUDD-O will seek to emphasize pedestrian connections between uses and create a link between the non-residential uses along Arrowood Road and Public Road B and the adjacent uses. Long expanses of blank walls will be limited, and where they are necessary will be treated with a combination of architectural expressions such as changes in materials, fenestration, windows, building setback and landscaping, artwork, display cases or other similar items. The following additional provisions of this Section 5.I. shall apply to development within the MUDD-O zoned areas only.

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

c. Service Areas. The service areas of the new buildings constructed within Development Area A will be screened from the adjoining Public Roads with walls designed to complement the building architecture of the adjacent buildings. Architectural features such as, but not limited to,

d. **Screening of Structures**. Meter banks, transformers and similar utility structures will be screened where visible from public view at grade level.

banding, medallions, changes in color or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

e. Backflow Preventers. Above ground back flow preventers and transformers will not be located within the Open Space Areas or within the required Urban Open Space unless they are required to serve the Open Space Areas in which they are located. Above ground back flow preventers and transformers that are located within the Open Space Areas as allowed by this Section will be screened.

Mechanical Equipment Screening. Roof top HVAC and related mechanical equipment will be screened from public view at grade level at the right-of-way location

Dumpster Screening. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.

II. Multi-Family Design Guidelines for Portion of MUDD-O Area.

The following provisions shall only apply to Development Area C.

- General Site Considerations
- Buildings will be oriented towards Public Roads to reinforce the streetscape
- Buildings will be oriented in a way to define public open space areas
- iii. Architectural treatment shall continue on all sides of a building except as specifically noted otherwise.
- Facade Composition & Articulation

architectural embellishments at the corner

- The principal entrance of a building shall be articulated and expressed in greater architectural detail than other building entrances.
- Ground floor elevations shall be treated with a combination of fenestration, clear glass, prominent entrances, change in materials, building step backs, art work and landscaping. Blank walls cannot be addressed with landscape elements only.

iii. For buildings located in Development Area C windows and doors shall be provided for at least 30% of the total Facade area along the Public Roads with each floor calculated independently. The maximum contiguous area without windows or doors on any floor shall not exceed 10 feet in height and 25 feet in length. The above requirement may be reduced where a Facade is not visible from a public or private designated network road.

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

v. Pubic Road fronting Facades and End fronting Facades shall be articulated and designed to create additional visual interest by varying

architectural details, building materials, the roof line, and building offsets. vi. On corner lots, the architectural treatment of a building's intersecting Public Road Fronting Facades shall be substantially similar, except that said building may emphasize the corner location by incorporating additional height at the corner, varying the roof form at the corner, or providing other

vii. First Story Facades of all buildings along Public Roads shall incorporate columns, awnings, arcades, windows, doors, or other architectural

viii. Facades shall provide visual divisions between the first two stories and the upper level stories, when the building height is more than two stories, through architectural means such as courses, awnings, or a change in primary façade materials or colors.

ix. Facades above the first two stories shall incorporate windows, arches, or other architectural details.

x. Foundations, where provided, shall be constructed as a distinct building element that contrasts with Facade materials. Exposed above-ground foundations shall be coated or faced in cement, stucco, brick, manufactured stone, or natural stone to contrast with facade materials. **III. I-1(CD) Zoned Areas**. The following provisions of this Section 5.III. shall apply to development within the I-1(CD) zoned areas only.

a. Building Materials. The principal building(s) constructed on the portion of the Site zoned I-1(CD) may use a variety of building materials. The building materials used for such buildings will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast or site-cast concrete, synthetic stone, stucco, cementitious siding (such as hardi-plank), metal panels (on north and west elevations only), EIFS or wood. Vinyl as a building material will not be allowed except on windows and soffits.

b. Screening of Structures. Meter banks, transformers and similar utility structures will be screened where visible from public view at grade level, provided, however, that for any such structures located within loading areas, the Ordinance required screening for such loading areas shall also suffice as the required screening for such structures.

c. Backflow Preventers. Above ground back flow preventers and transformers will not be located within the Open Space Areas or within the required Urban Open Space unless they are required to serve the Open Space Areas in which they are located. Above ground back flow preventers and transformers that are located within the Open Space Areas as allowed by this Section will be screened.

Mechanical Equipment Screening. Roof top HVAC and related mechanical equipment will be screened from public view at grade level on the

6. Streetscape, Landscaping and Buffer:

a. **Arrowood Road.** A 30 foot setback as measured from the existing back of curb of Arrowood Road will be provided. A six (6) foot sidewalk and a minimum of an eight (8) foot planting strip will be provided along Arrowood Road. This setback may be reduced to accommodate the widening of Arrowood Road but in no case will the setback be less than 25 feet from the back of the future curb.

Public Road A. Along Site's frontage on Public Road A, a 25 foot setback will be provided along the portion of the Site zoned MUDD-O and a

30 setback will be provided along the portion of the Site zoned I-1(CD). An eight (8) foot planting strip and an eight (8) foot sidewalk will be provided within this setback, the final six (6) feet will be used as a landscape area. **Public Roads B and C.** Along Public Roads B and C within Developments Areas A, B and C a 20 foot setback will be provided. An eight (8) foot planting strip and a six (6) foot sidewalk will be provided along both sides of Public Roads B and C. Stoops and stairs providing access to and

from the buildings to the sidewalk may be located within the interior six (6) feet of the setback. Retaining Walls. Retaining walls located in the MUDD-O portion of the Site along the Site's Public Roads will not exceed six (6) feet in height; if due to the proposed grades retaining walls over six (6) feet are required along a public road the retaining walls will be tiered so no single wall will

exceed a height of six (6) feet. 7. Environmental Features

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

Storm Water Approval. The location, size, and type of storm water management system 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.

c. Tree Ordinance. The Site will comply with the Tree Ordinance.

Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided.

a. All new lighting within the MUDD-O portion of the Site shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas in the MUDD-O portion of the Site.

Detached lighting within the MUDD-O portion of the Site, except street lights located along Public Roads, will be limited to 25 feet in height in the portions of the MUDD-O area used for non-residential uses and 20 feet in height in the portions of the MUDD-O area used for residential uses in the MUDD-O portion of the Site.

c. Lighting for the portion of the Site zoned I-1 (CD) shall comply with Ordinance standards

11. Amendments to the Rezoning Plan:

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

12. Binding Effect of the Rezoning Application:

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

LandDesign.

223 NORTH GRAHAM STREET

CHARLOTTE, NC 28202

704.333.0325

WWW.LANDDESIGN.COM

NOT FOR CONSTRUCTION

ARROWOOD

CHARLOTTE, NC **REZONING #2018-XXX**

09.18.2018

1017316 REVISION / ISSUANCE NO. DESCRIPTION DATE

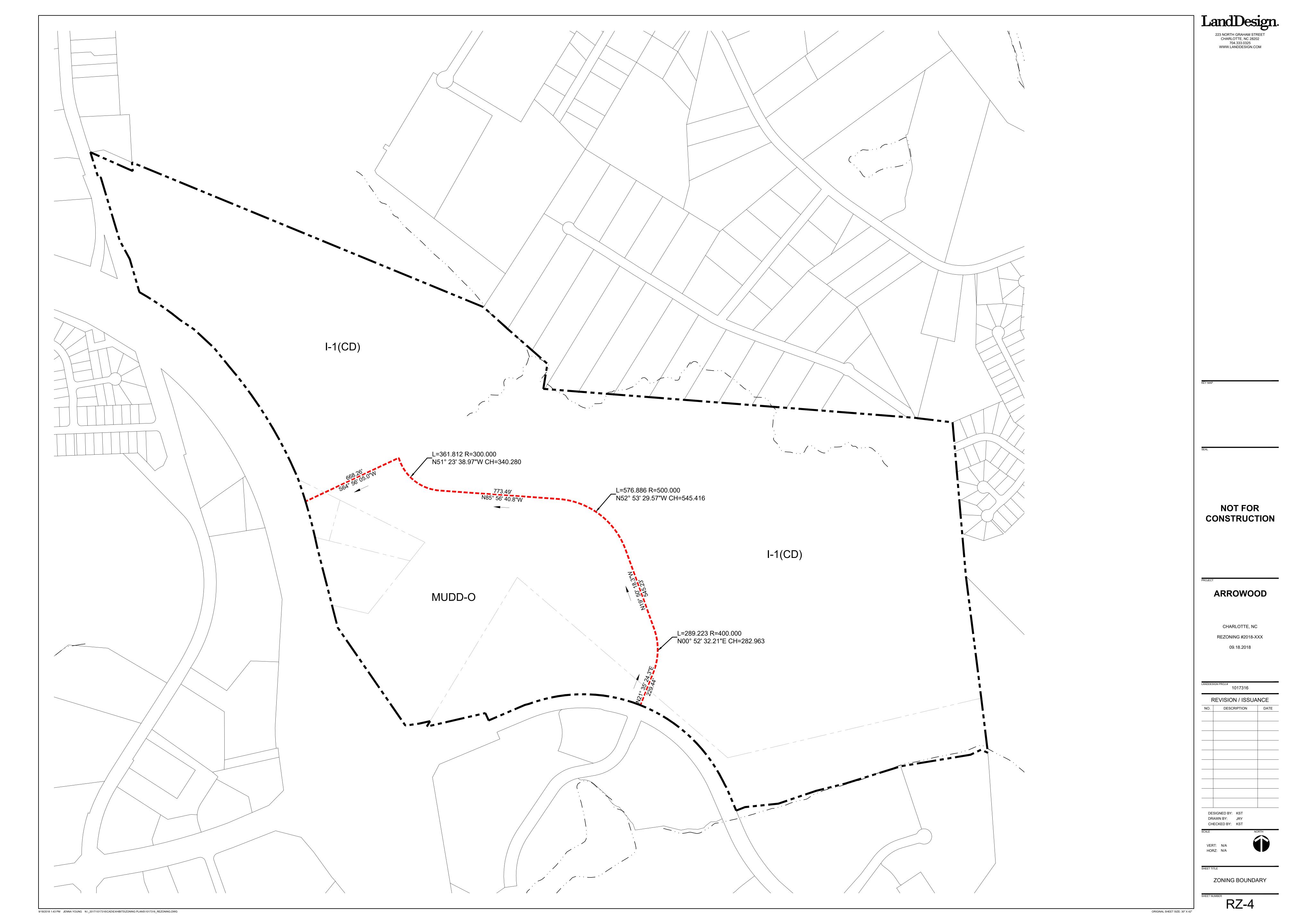
> DESIGNED BY: KST DRAWN BY: JRY CHECKED BY: KST

VERT: N/A

HORZ: N/A

DEVELOPMENT STANDARDS

ORIGINAL SHEET SIZE: 30" X 42"



I. REZONING APPLICATION CITY OF CHARLOTTE

R	E(C	I		V		D
	SEP	2	- Contraction of the Contraction	20	18	
BY	# 642691	2	· e d e d	b e v e ·	1 e e e e	- g y y a 4

Petition #:	
Date Filed:	9/20/2018
Received By:	Br.

Complete All Fields (Use additional pages i

Property Owner: American Billiard Company Inc.	
Owner's Address: 1426 E 4 th Street	City, State, Zip: Charlotte NC 28204
Date Property Acquired: 7/7/2004 & 11/18/1997	
Property Address: <u>1426 E 4th Street & 108 S Torrence Stre</u>	et Charlotte NC 28204
Tax Parcel Number(s): 12510411 & 12510409	
Current Land Use: Retail & Warehouse	Size (Acres): .13 & .114 = 0.244
Existing Zoning: B2 & B2	Proposed Zoning: MUDD-O
Overlay: NA N/A:X	Tree Survey Provided: Yes:
Required Rezoning Pre-Application Meeting* with:Solome	on Fortune
Date of meeting: 9/5/2018	
(*Rezoning applications will not be processed until a require	d pre-application meeting with a rezoning team is held.)
	respond Number of years (maximum of 5):
Grea Gruene ich Name of Rezoning Agent	Greg Grueneich & Brian Wallace Name of Petitioner(s)
721 Baldwin Ave Agent's Address	721 Baldwin Ave Address of Petitioner(s)
Charlotte, NC, 28204 City, State, Zip	Charlotte, NC, 28204 City, State, Zip
704-277-3813 Telephone Number Fax Number	704.277,3813 Telephone Number Fax Number
Greg. Grueneich @ gmail. Com E-Mail Address Kith Phylen Signature of Property Owner	Greg.Grueneich@gmail.com E-Mall Address Signature of Petitioner
Keith Plyler	Greg Grueneich
(Name Typed / Printed)	(Name Typed / Printed)

REZONING PETITION NO. 2018-xxx

Submittal

1. General Provisions

- a. The development of the Site will be governed by this Rezoning Plan and the standards/ applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The regulations established for the zoning of the MUDD zoning district, shall govern the development of this Site, subject to the optional provisions herein.
- b. The development depicted on the Rezoning Plan is the existing condition of the properties and represents the general proposal for the project. Accordingly, the configuration, placement, size and number of the stairs, sidewalks, trees, ramps, patio, loading/service area and/or site elements may be altered or modified within the limits prescribed by the zoning ordinance, subject to the Optional Provisions provided below.
- c. Alterations to the conditional plan are subject to section 6.207, Alterations to Approval.

2. Optional Provisions:

- a. For the Sotuh Torrance Street building, Section 9.8506 (c) 1. a. (i) shall be modified to; Wall signs having up to 200 square feet of sign surface area per wall or 10% of the Wall area to which they are attached, whichever is less (exclusive of any wall mounted signage) shall be allowed.
- b. South Torrance Street shall not be required to meet the streetscape design standards requirements for planting and sidewalks as set forth in Section 9.8506 (d) of the Ordinance.
- c. East 4th Street shall not be required to meet the streetscape design standards requirements for planting and sidewalks as set forth in Section 9.8506 (d) of the Ordinance. Modifications shown on the Site Plan include removing the eight (8) foot planting strip and adding a Street Tree with tree grate.

3. Permitted Uses

a. Allowed uses: Any use or combination of uses and accessory uses as permitted in MUDD, including without limitation, Eating Drinking and Entertainment Establishments (Types 1 and 2) and Brewery uses provided that the maximum square footage, including patio/outdoor dining space, shall not exceed 18,000 square feet.

4. Transportation

and loading access.

- a. Vehicular access shall be as generally depicted on the Rezoning Plan.
 I. Existing curb cut accessing alley on 4th street to be removed.
 II. Existing curb cut on South Torrance Street to remain for service
- b. No off-street vehicular parking is required per section 9.8507 (4) of the Ordinance.
- c. Bicycle Parking will be provided per the Ordinance.
 - I. Two (2) long term spaces
 II. Six (6) short term spaces

5. Streetscape and Landscaping

- a. Per Section 9.8505 (2); the twelve (12) foot setback as measured from the back of the curb along East 4th Street will remain. The setback shall include a street tree with a tree grate and maintain the existing hardscape sections connecting the curb to the sidewalk as depicted on the Rezoning Plan, and a minimum of a six (6) foot wide sidewalk which may extend to the building facade.
- b. A setback of fourteen (14) feet measured from the back of existing curb shall be provided and as generally set forth in the Rezoning Plan. The setback will maintain the existing planting strip and sidewalk as depicted on the Rezoning Plan.

6. Architectural Standards

- a. Exterior architectural standards will generally reflect the style and quality of architecture that is existing. Improvements to the buildings will include new awnings, paint and new openings. Allowable building materials for any minor additions or improvements will include masonry, stucco or synthetic stucco, metal panels, cementitious siding, wood or synthetic wood.
- b. Any replaced glazing will be clear glass.

7. Environmental Features

a. Site will comply with the Post Construction Stormwater Ordinance.

8. Parks, Greenways and Open Space

- a. Reservation/Dedication of park and/or greenway: N/A
- b. Park and/or greenway improvements: N/A

9. Binding Effect of the Rezoning Application

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

DEVELOPMENT SUMMARY

REZONING SITE AREA: 0.244 ACRES
TAX PARCEL ID: 125-104-11 & 125-104-09
EXISTING ZONING: B-2

PROPOSED ZONING: MUDD-O
EXISTING USES: RETAIL & WAREHOUSE
PROPOSED USES: USES PERMITTED IN MU

PROPOSED USES:

USES PERMITTED IN MUDD

AS FURTHER DESCRIBED IN

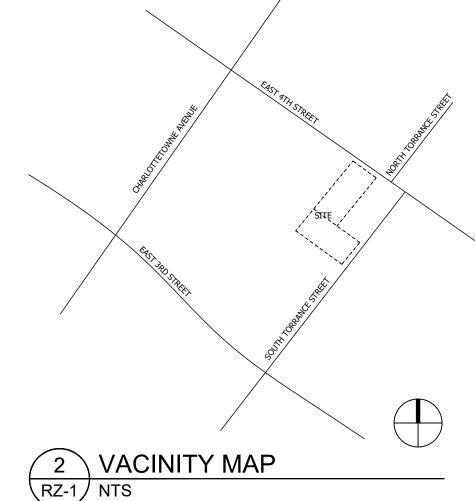
THE DEVELOPMENT STANDARDS

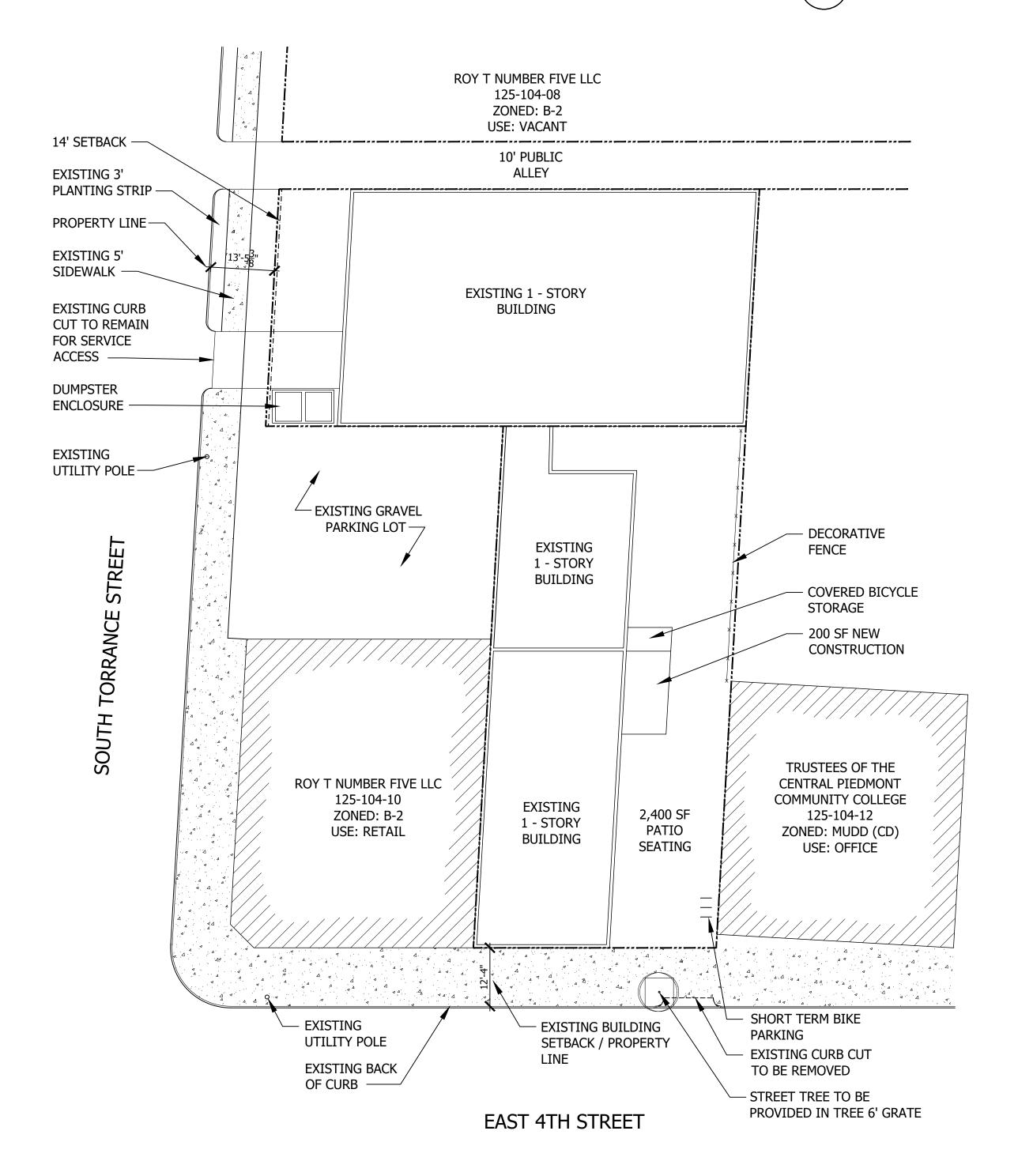
EXISTING BUILDING SF: 8,701 SF (7,261 SF TO REMAIN &

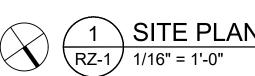
1,440 SF TO BE DEMOLISHED)

PROPOSED SF: 7,500 SF
PARKING: NO PARKING REQUIRED
BUILDING HEIGHT: 60' MAXIMUM

OPEN SPACE: N/A







GREG RECH, AIA

GREG R. GRUENEICH, AIA, LEE

CHARLOTTE NC, 28204

704.277.3813

greg.grueneich@gmail.com

AMERICAN BILLIARDS COMPANY 1426 EAST 4TH STREET & 108 SOUTH TORRANCE STREET CHARLOTTE NC. 28204

	REVISIONS	
NO.	DESCRIPTION	DATE

NOT FOR CONSTRUCTION
SEPTEMBER 20, 2018

ILLUSTRATIVE PLAN

RZ - 1

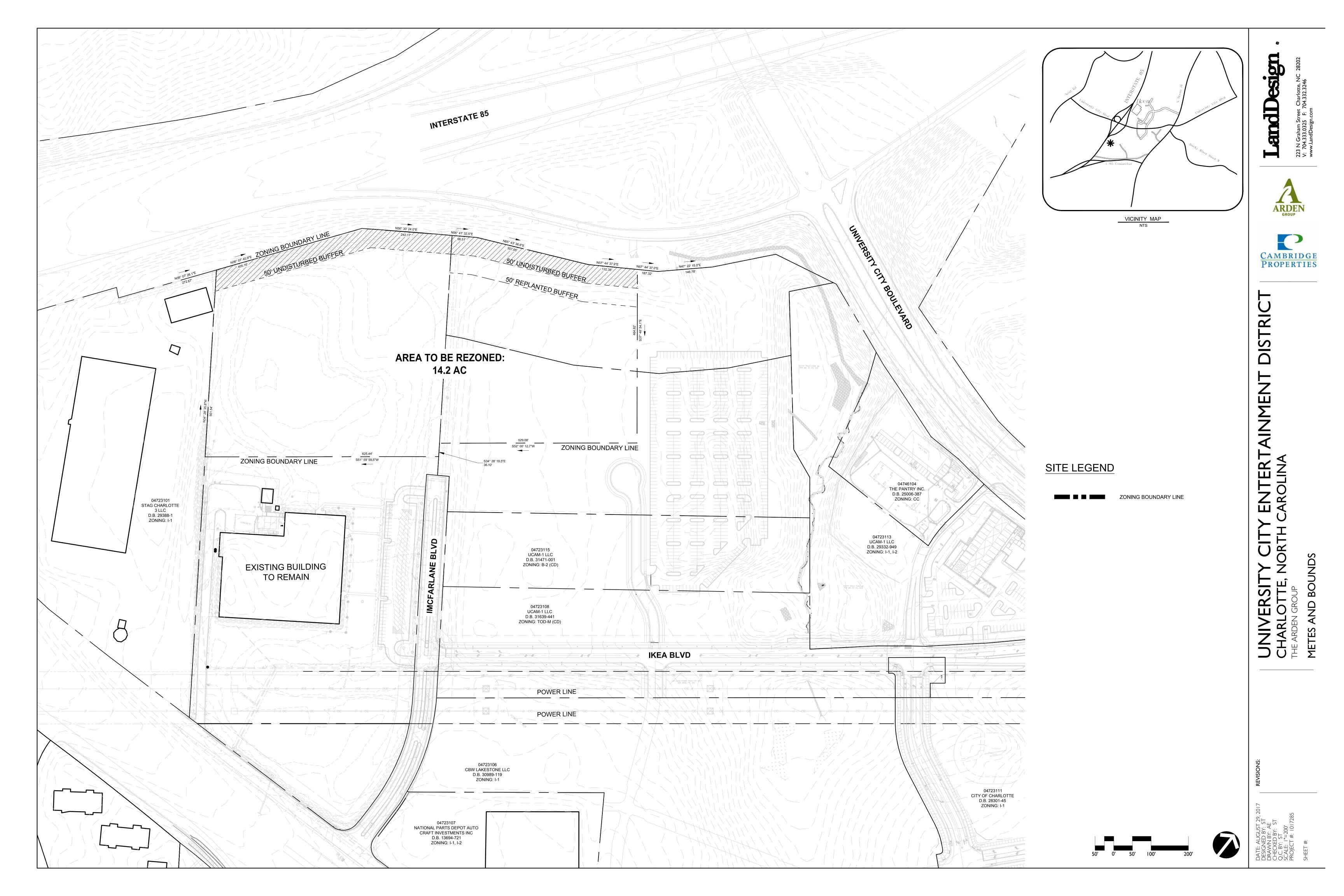
I. REZONING APPLICATION CITY OF CHARLOTTE

R	EC	E		V	E	D	2000
enaceman and a single-	SEP	2	Supplement.	20	18		
BY	6 8 2021534:			5 8 8 8 1	1 9 8 6 8	* 4 0 0 1	

Petition #: _	2018-123
Date Filed:	9/21/2018
Received By:	R

Complete All Fields (Use additional pages if needed)

Property Owner: UCED-1 LLC					
Owner's Address: 11 Brookstown Ave	City, State, Zip: Winston-Salem, NC 27101				
Date Property Acquired: 4/6/2018					
Property Address: _unnumbered parcel on University City Bly	d and 7101 Macfarlane Blvd				
Tax Parcel Number(s): portions of parcels 04723116 and 04	723105 (area zoned MUDD-O) See attached survey				
Current Land Use: Vacant	Size (Acres): 14.2 acres				
Existing Zoning: MUDD-O	Proposed Zoning: MUDD-O SPA				
Overlay: None etc.)	(Specify PED, Watershed, Historic District,				
Required Rezoning Pre-Application Meeting* with: Sonja Sanders					
(*Rezoning applications will not be processed until a required held.)	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):5				
Purpose/description of Conditional Zoning Plan: <u>to accomm</u>	odate digital screens in outdoor area associated with Topgolf				
development					
Collin Brown and Bailey Patrick, Jr.	Topgolf International, Inc.				
Name of Rezoning Agent	Name of Petitioner(s)				
214 N. Tryon Street, 47th Floor Agent's Address	8750 N Central Expy, #1200 Address of Petitioner(s)				
Charlotte, NC 28202	Dallas, TX 75231				
City, State, Zip	City, State, Zip				
704-331-7531 704-353-3231 Telephone Number Fax Number	T				
	530-520-0238 Telephone Number Fax Number				
Collin.Brown@klgates.com	Telephone Number Fax Number tanner.micheli@topgolf.com E Mail Address				
Collin.Brown@klgates.com E-Mail Address	Telephone Number Fax Number				
	Telephone Number Fax Number tanner.micheli@topgolf.com E-Mail Address Docusigned by:				
E-Mail Address	Telephone Number Fax Number tanner.micheli@topgolf.com E-Mail Address Docusigned by:				



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I. REZONING APPLICATION CITY OF CHARLOTTE

	2018-124
Petition #: _	
Date Filed:	9/24/2018
Received By:	- By

Complete All Fields (Use additional pages if needed)	
Property Owner: Tridolph, LLC, J. Nolan Mills III Family, LL	C and The Bailey W. Patrick Family LLC
Owner's Address: 101 South Kings Drive, 2 nd Floor	City, State, Zip: Charlotte, NC 28209
Property Address:11820 University City Boulevard	
Tax Parcel Number(s): Portion of 051-141-03	
Current Land Use: Commercial	Size (Acres): +/- 2.75 acres
Existing Zoning: B-1 SCD	Proposed Zoning: I-1
Overlay: N/A	
Required Rezoning Pre-Application Meeting* with: Sonia Sa	
Date of meeting: September 6, 2018	The second secon
(*Rezoning applications will not be processed until a require held.)	"
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2 year minimum	? Yes/No. Number of years (maximum of 5):
Purpose/description of Conditional Zoning Plan:	
John Carmichael (Robinson Bradshaw)	Cross Development, LLC (c/o Rusty A, Coan)
Name of Rezoning Agent	Name of Petitioner(s)
101 N. Tryon Street, Suite 1900 Agent's Address	4336 Marsh Ridge Address of Petitioner(s)
Charlotte, NC 28246	• •
City, State, Zip	Carrollton, TX 75010 City, State, Zip
704-377-8341 Felephone Number Fax Number	214-614-8252
•	Telephone Number Fax Number
carmichael@robinsonbradshaw.com E-Mail Address	rusty@crossdevelopment.net E-Mail Address
	CROSS DEVELOPMENT, LLC
See Attached Joinder Agreements iignature of Property Owner	Signature of Petitioner Com
ingliand of Fropulty Officer	RUSTY A. COAN
Name Typed / Printed)	(Name Typed / Printed)
	CLOSS DEV. UC.

11184428v1 26332.00011

FOR! CROSS DEV., U.C. BY: RUSTY A. LOAN 175' DEV. MANAGER

Rev July 2015

Signature of Cross Development, LLC

CROSS DEVELOPMENT, LLC

Name: EVSTY A. LOAN
Title: DEV. MANAGEN

Date: September 2014, 2018

FOR: CRUSS DEN., LLC., BY: RUSTY A. COAN 173: DEV. MANAGER

REZONING APPLICATION CROSS DEVELOPMENT, LLC, PETITIONER JOINDER AGREEMENT

The undersigned, as an owner of that parcel of land subject to the attached Rezoning Application filed by Cross Development, LLC that is designated as Tax Parcel No. 051-141-03 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the relevant portion of the Site to the I-1 zoning district.

This 2 (strain day of September, 2018.

TRIDOLPH, LLC

By: <u> </u>∕

Title

11184496v1 26332.00011

REZONING APPLICATION CROSS DEVELOPMENT, LLC, PETITIONER JOINDER AGREEMENT

The undersigned, as an owner of that parcel of land subject to the attached Rezoning Application filed by Cross Development, LLC that is designated as Tax Parcel No. 051-141-03 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the relevant portion of the Site to the I-1 zoning district.

This A day of September, 2018.

J. NOLAN MILLS III FAMILY, LLC

By: J Notin Mills III
Title: Manager

REZONING APPLICATION CROSS DEVELOPMENT, LLC, PETITIONER JOINDER AGREEMENT

The undersigned, as an owner of that parcel of land subject to the attached Rezoning Application filed by Cross Development, LLC that is designated as Tax Parcel No. 051-141-03 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the relevant portion of the Site to the I-1 zoning district.

This <u>Al</u> day of September, 2018.

THE BAILEY W. PATRICK FAMILY LLC

By: __ Name:

Title:

I. REZONING APPLICATION RECEIVED CITY OF CHARLOTTE



Property Owners:	Brookshire Boulevard Investments, LL	<u>.c</u>
Owner's Addresses:	204-C West Woodlawn Road, Charlott	re, NC 28214
Date Properties Acquired:	<u>06/26/2017</u>	
Property Addresses:	4801 Brookshire Blvd, Charlotte, NC 2	<u>28216</u>
Tax Parcel Numbers:	039-071-07	
Current Land Use:	auto sales (A	Acres): $\frac{\pm 1.06}{4}$
Existing Zoning:	<u>I-2</u> Proposed Zoning: <u>I-</u>	<u>1</u>
Overlay:	N/A (Specify PED, Waters	shed, Historic District, etc.)
Required Rezoning Pre-A	Application Meeting* with: Claire Lyte-	Graham, Alberto Gonzalez, and Carlos Alzate
Date of meeting: <u>09/04/</u>	18	
(*Rezoning applicati	ions will not be processed until a require	d pre-application meeting with a rezoning team member is held.)
For Conditional Re		
		ım? □Yes ☑No. Number of years (maximum of 5): <u>N/A</u>
		In the service of years (maximum of 3). NA
Purpose/description	of Conditional Zoning Plan: <u>N/A</u>	
Keith MacVean & Je	off Brown	Brookshire Boulevard Investments, LLC (Attn: Randy Smith)
Name of Rezoning Age		Name of Petitioner
Moore & Van Allen,		
100 N. Tryon Street Agent's Address	, Suite 4700	204 West Woodlawn Road, Ste C Address of Petitioner
Agent's Address		Address of Fedicioner
Charlotte, NC 28202	2	Charlotte, NC 28217
		City, State, Zip
704.331.3531(KM) 704-331-1144 (JB)	704-378-1954(KM) 704-378-1925 (JB)	704.532.0028
Telephone Number	Fax Number	Telephone Number Fax Number
keithmacvean@mvalav	w.com; jeffbrown@mvalaw.com	rs@landmarkdp.com
E-mail Address	1 As	E-mail Address
Manature of Property	Aully Owner	Signature of Petitioner