

Rezoning Petition Packet

Petitions:
2018-153 through 2018-169

Petitions that were submitted in December 2018

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

RECEIVED

NOV 26 2018

BY:

Petition #: 2018-153

Date Filed: 11/26/2018

Received By: Bf

Complete All Fields (Use additional pages if needed)

Property Owner: Browder Investments, LLC
Owner's Address: 1440 S. Tryon St. Suite 104 City, State, Zip: Charlotte, NC 2820
Date Property Acquired: 3/1/1983
Property Address: 1440 South Tryon Street & 1441 Winifred Street
Tax Parcel Number(s): 07309301 & 05
Current Land Use: Commercial Size (Acres): 0.827
Existing Zoning: TOD-M Proposed Zoning: TOD-M(0)
Overlay: _____ Tree Survey Provided: Yes: _____ N/A: X
Required Rezoning Pre-Application Meeting* with: Solomon Fortune & Central team
Date of meeting: 6/20/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To eliminate the parking requirements for the site so an existing tenant can expand.

Matt Browder
Name of Rezoning Agent

Agent's Address

City, State, Zip

Telephone Number

Fax Number

E-Mail Address

Matthew D. Browder
Signature of Property Owner

Matthew D. Browder
(Name Typed / Printed)

Browder Investments, LLC
Name of Petitioner(s)

1440 S. Tryon St. Suite 104
Address of Petitioner(s)

Charlotte, NC 28203
City, State, Zip

704.361.3139
Telephone Number

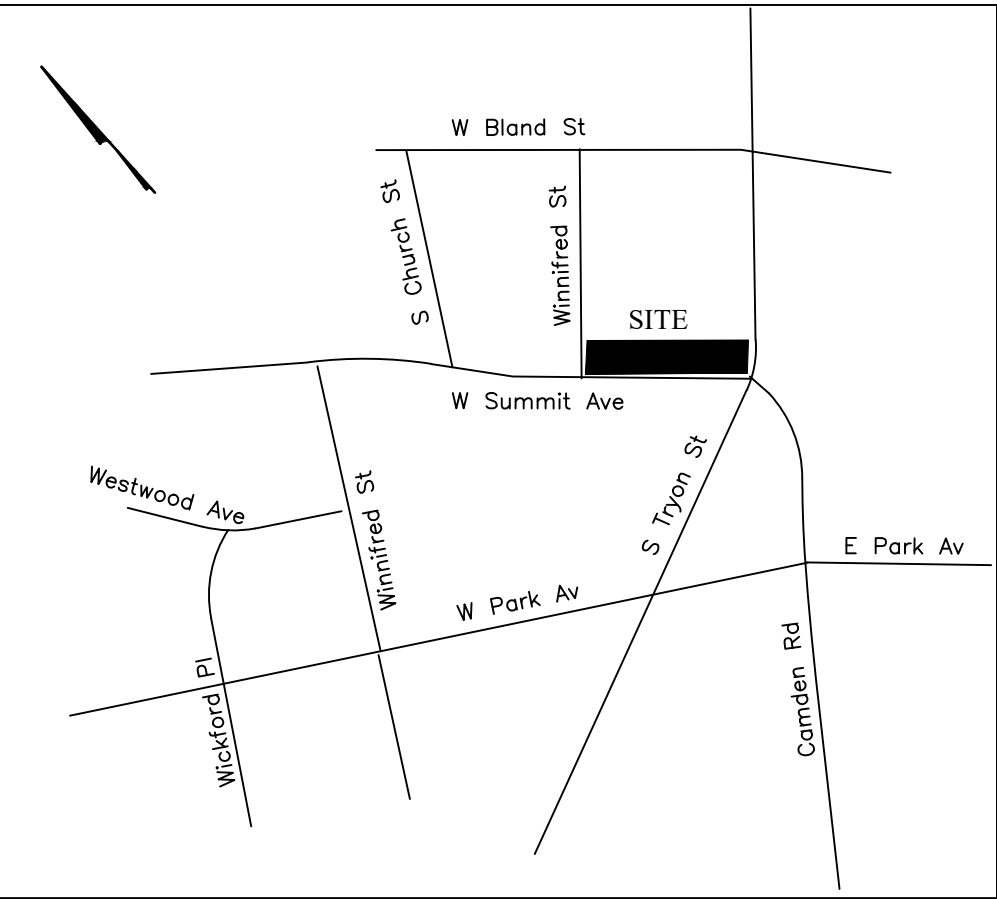
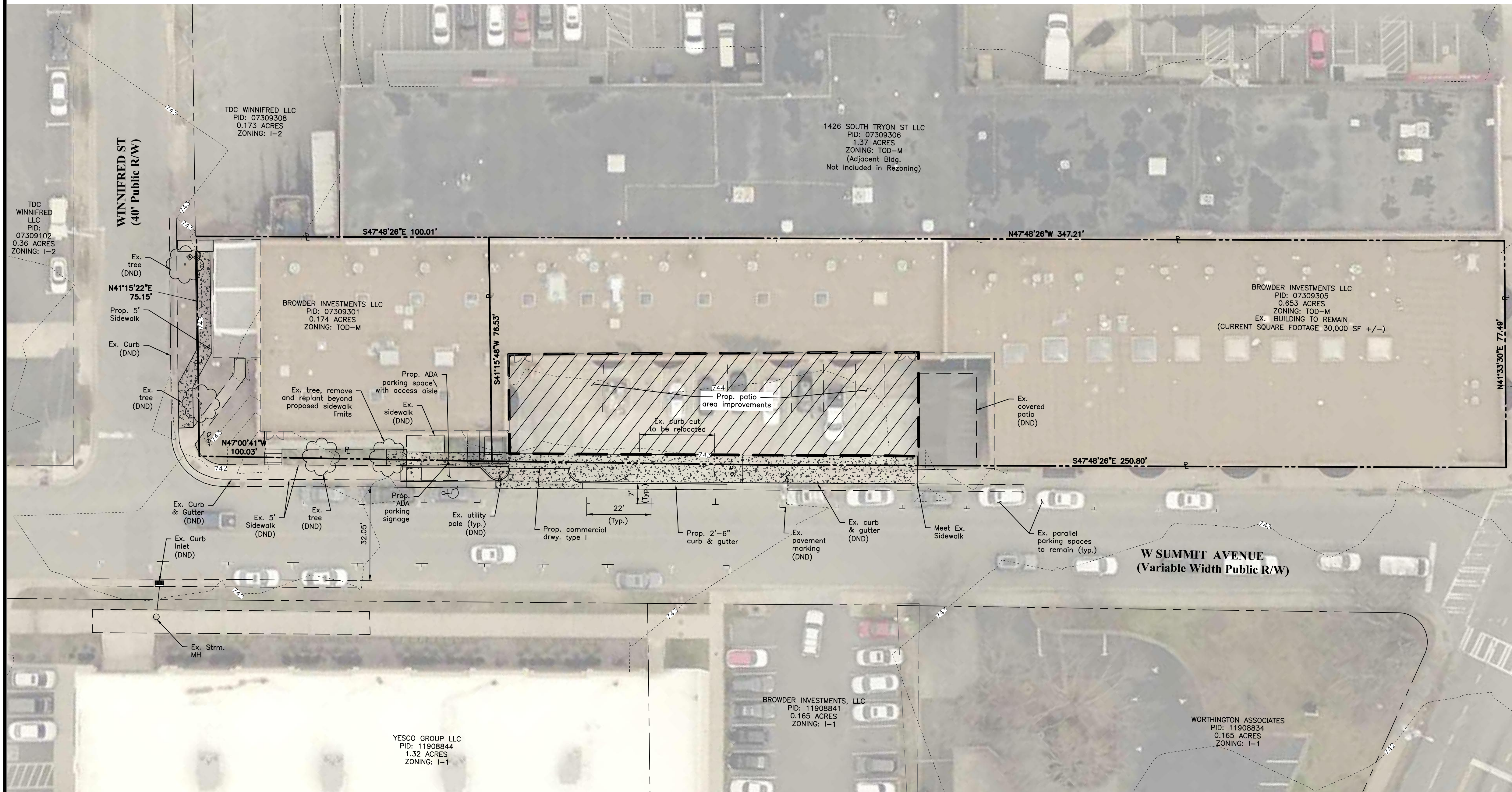
Fax Number

matt@browdergroup.com
E-Mail Address

Matthew D. Browder
Signature of Petitioner

Matthew D. Browder
(Name Typed / Printed)

JA 20181200_Dwg 04 Sheet's Rezoning Rezoning Plan.dwg



VICINITY MAP
Scale: N.T.S.

DEVELOPMENT DATA TABLE

- a.) Site Acreage: 0.827 Ac.
b.) Tax Parcels included in Rezoning: PID: 07309301
PID: 07309305
c.) Existing Zoning: PID: 07309301 = TOD-M
PID: 07309305 = TOD-M
d.) Proposed Zoning: TOD-M(0)
e.) Existing Building Square Footage: (30,000 SF +/-)

1.) GENERAL PROVISIONS

a.) These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Browder Investments LLC (the "Petitioner") to rezone property tax parcels 07309301 and 07309305 (the "Site") from the TOD-M zoning districts to the TOD-M(0) zoning district.

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 any part of the Site from time to time who may be involved in any future development thereof.

2.) PERMITTED USES

a.) Any permitted uses as prescribed under TOD-M as outlined in the Ordinance.

3.) OPTIONAL PROVISIONS

a.) The optional provision shall eliminate the minimum parking requirement for the site due to the residential zoning districts located within 800 feet of the site.

4.) REDEVELOPMENT

a.) If the existing building is demolished, then any future development of the site shall be governed by the then TOD-M zoning district, or the equivalent zoning district.

Legend

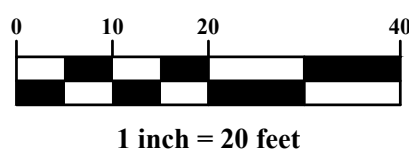
Concrete Sidewalk



To Be Removed
Do Not Disturb
To Be Relocated
Existing
Proposed

TBR
DND
TBR/L
Ex.
Prop.

GRAPHIC SCALE



PRELIMINARY
NOT TO BE USED FOR
CONSTRUCTION

REVISIONS

MARK	DATE	DESCRIPTION

BROWDER GROUP
REAL ESTATE, LLC
1440 SOUTH TRYON ST, SUITE 104
CHARLOTTE, NC 28203
PH: 704-361-3139
Matt D. Browder

CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA
FOR
SITE IMPROVEMENTS
WOODEN ROBOT BREWERY
1440 S TRYON ST
REZONING PLAN

EMH&T
Engineers • Surveyors • Planners • Scientists
10000 E. 11th Street, Suite 200, Charlotte, NC 28213
Phone: 704.546.0333 Fax: 704.546.0335
emht.com

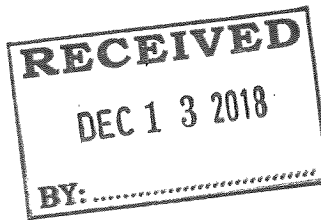
DATE
November 26, 2018

SCALE
1" = 20'

JOB NO.
2018-1200

SHEET
RZ1.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-654

Petition #:	
Date Filed:	12/13/2018
Received By:	BH

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties
Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: Residential (Acres): ± 4.481

Existing Zoning: R-4 Proposed Zoning: UR-2(CD) and MUDD(O)

Overlay: N/A Tree Survey Provided: Yes: N/A: X

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Grant Meacci, Michael Russell, Charlotte Lamb, Jennifer Frixen, and Mandy Rosen

Date of meeting: 11/08/2018

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow redevelopment of the Site with a residential community, accessory church parking, and civic/recreational uses.

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

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

Telephone Number

Fax Number

keithmacvean@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENTS A-B

Signature of Property Owner

**Charlotte-Mecklenburg Housing Partnership, Inc.
(Attn: Liz Ward)**

Name of Petitioner

4601 Charlotte Park Drive, Ste 350

Address of Petitioner

Charlotte, NC 28217

City, State, Zip

704.342.0933

Telephone Number

704.342.2745

Fax Number

lward@cmhp.org

E-mail Address

SEE ATTACHMENT C

Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Date Acquired
089-042-02	724 W Sugar Creek Rd, Charlotte, NC 28213	Mayfield Memorial Baptist Church Trustees	700 W Sugar Creek Rd, Charlotte, NC 28213	06/21/1983
089-042-08	4326 Munsee Ct, Charlotte, NC 28213			12/09/1977
089-042-01	735 Yuma St, Charlotte, NC 28213			3/14/2005
086-042-05	711 Yuma St, Charlotte, NC 28213			3/11/1998
089-042-06	719 Yuma St, Charlotte, NC 28213			10/14/2005
089-042-07	727 Yuma St, Charlotte, NC 28213	Harry Thomas & Sherrill/Wife-Selma Sue	727 Yuma St, Charlotte, NC 28213	01/01/1975

ATTACHMENT ~~B~~ A

REZONING PETITION NO. 2018-_____
Charlotte-Mecklenburg Housing Partnership, Inc.

OWNER JOINDER AGREEMENT
Mayfield Memorial Baptist Church Trustees

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

1. 724 W Sugar Creek Rd, Charlotte, NC that is designated as Tax Parcel No. 089-042-02
2. 4326 Munsee Ct, Charlotte, NC that is designated as Tax Parcel No. 089-042-08
3. 735 Yuma St, Charlotte, NC that is designated as Tax Parcel No. 089-042-01
4. 711 Yuma St, Charlotte, NC that is designated as Tax Parcel No. 089-042-05
5. 719 Yuma St, Charlotte, NC that is designated as Tax Parcel No. 089-042-06

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-4 zoning district to the UR-2(CD) and MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 26th day of November, 2018.

Mayfield Memorial Baptist Church Trustees

By: Peter M. Wherry

Name: Rev. Dr. Peter M. Wherry

Its: Senior Pastor

ATTACHMENT C

ATTACHMENT B

REZONING PETITION NO. 2018-_____
Charlotte-Mecklenburg Housing Partnership, Inc.

OWNER JOINDER AGREEMENT
Harry Thomas & Sherrill/Wife-Selma Sue

The undersigned, as the owner of the parcel of land located at 727 Yuma St, Charlotte, NC that is designated as Tax Parcel No. 089-042-07 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-4 zoning district to the UR-2(CD) and MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 14th day of December, 2018.

Harry Thomas & Sherrill/Wife-Selma Sue

By: Harry Thomas (deceased)
NTA

By: Selma S. Sherrill

ATTACHMENT C

REZONING PETITION NO. 2018-

~~The Housing Partnership~~

Charlotte-Mecklenburg Housing Partnership, Inc.

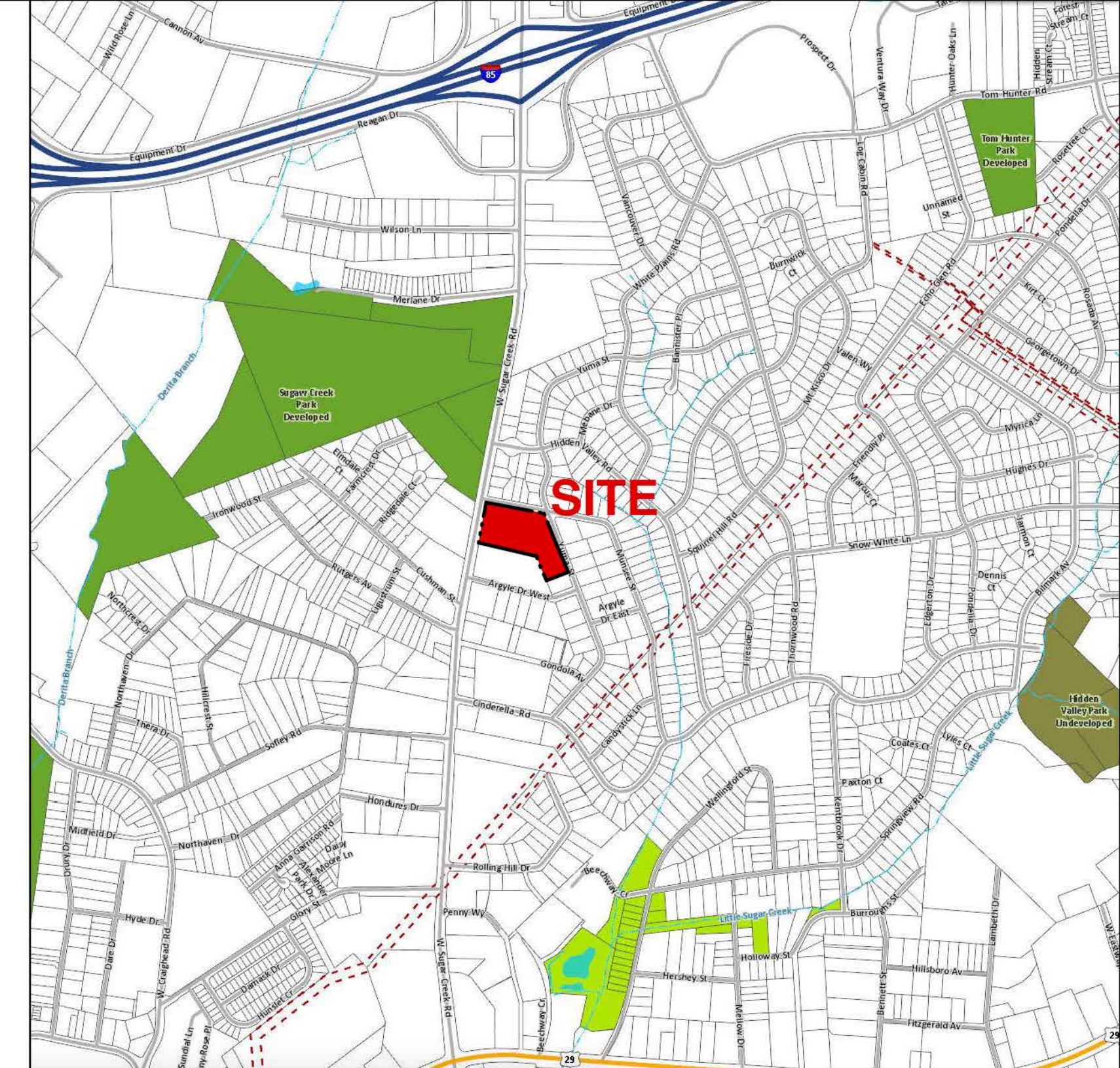
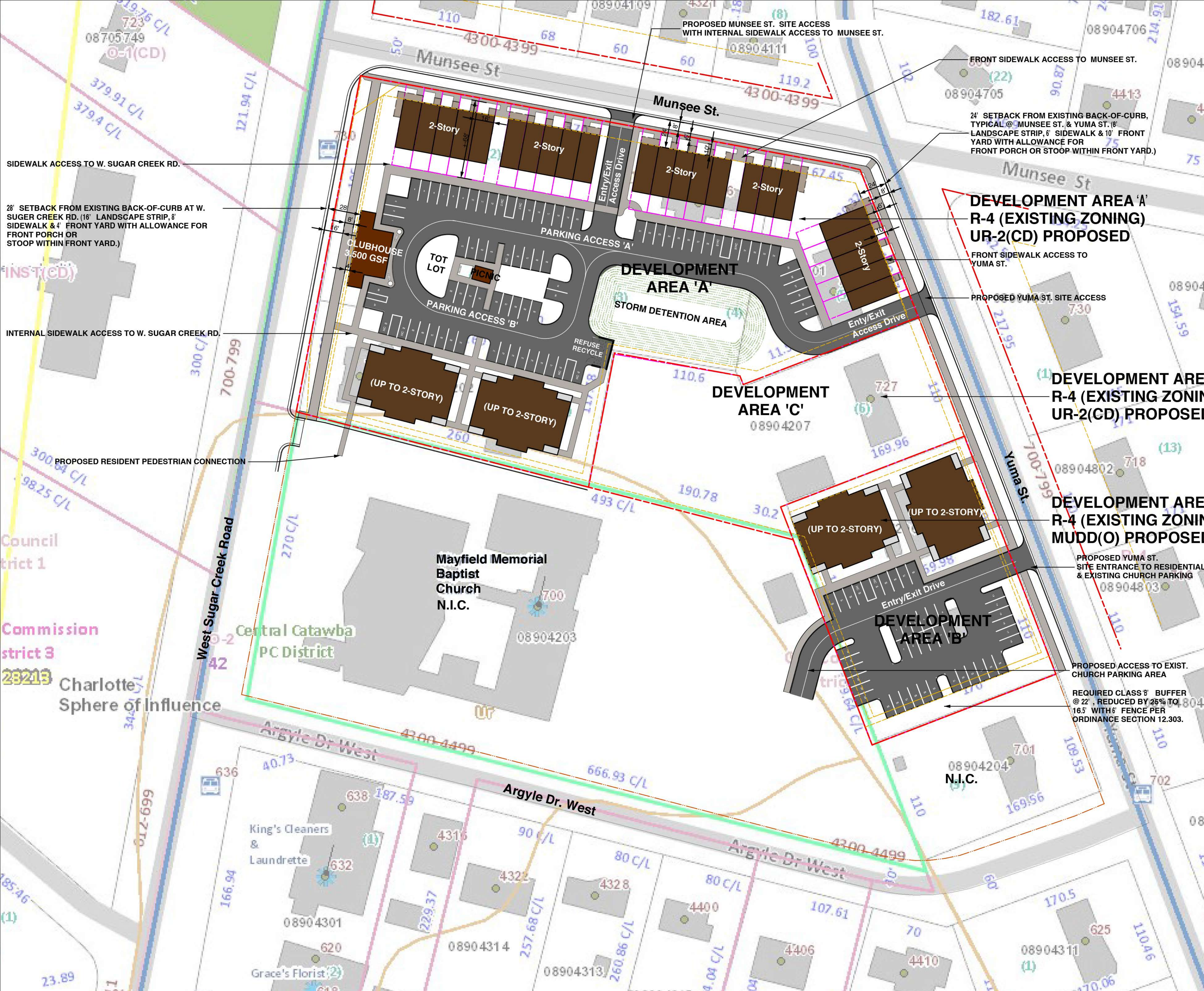
Petitioner:

Charlotte-Mecklenburg Housing Partnership, Inc.

By: 

Name: Julie A. Porter

Title: President



Vicinity Map
Not to Scale

Mayfield Memorial Baptist Church - Charlotte-Mecklenburg Housing Partnership, Inc.
Development Standards
12/17/18

Rezoning Petition No. 2018

Site Development Data:
--**Acres:** ± 4.481 acres
--**Tax Parcel #(s):** 08904202, 08904208, 08904201, 08904205, 08904206, and 08904207

--**Existing Zoning:** R-4

--**Proposed Zoning:** UR-2(CD) and MUDD(O).

--**Existing Uses:** Residential (Single Family)

--**Proposed Uses:** Multi-Family residential dwelling units as allowed in the UR-2 and MUDD Zoning District for Development Areas A, and B as well as parking for a religious institution on Development Area B, and within Development Area C a detached dwelling, a neighborhood park, and civic facility as more specifically described below in Section 3 and allowed by the Optional Provisions.

--**Maximum Development Levels:** In accordance with the other provisions of Section 3 below and the Optional Provisions: (i) up to 50 multi-family residential dwelling units; (ii) parking for religious institution; and (iii) a detached dwelling, a neighborhood park, and civic facility (as more particularly described below in Section 3); all together with accessory uses as permitted in the UR-2 and MUDD zoning districts, as applicable.

--**Maximum Building Height:**
- A maximum building height (as measured per Ordinance) of up to two (2) stories and 40-feet for the buildings constructed on Development Area A, B and C.

--**Parking:** As required by the Ordinance for the UR-2 and MUDD zoning classifications.



SIDEWALK ACCESS TO W. SUGAR CREEK RD.

28' SETBACK FROM EXISTING BACK-OF-CURB AT W. SUGAR CREEK RD. (16' LANDSCAPE STRIP, 8' SIDEWALK & 4' FRONT YARD WITH ALLOWANCE FOR FRONT PORCH OR STOOP WITHIN FRONT YARD.)

INTERIOR SITE TREES PER CHARLOTTE ORDINANCE

INTERNAL SIDEWALK ACCESS TO W. SUGAR CREEK RD.

PROPOSED RESIDENT PEDESTRIAN CONNECTION

PROPOSED MUNSEE ST. SITE ACCESS WITH INTERNAL SIDEWALK ACCESS TO MUNSEE ST.

FRONT SIDEWALK ACCESS TO MUNSEE ST.

24' SETBACK FROM EXISTING BACK-OF-CURB, TYPICAL @ MUNSEE ST. & YUMA ST. (8' LANDSCAPE STRIP, 6' SIDEWALK & 10' FRONT YARD WITH ALLOWANCE FOR FRONT PORCH OR STOOP WITHIN FRONT YARD.)

EXISTING LARGE CANOPY TREES TO REMAIN (AS PRACTICAL)

NEW STREET TREES (PER CHARLOTTE TREE ORDINANCE)

FRONT SIDEWALK ACCESS TO YUMA ST.

PROPOSED YUMA ST. SITE ACCESS

DEVELOPMENT AREA 'A'
R-4 (EXISTING ZONING)
UR-2(CD) PROPOSED

DEVELOPMENT AREA 'C'
R-4 (EXISTING ZONING)
UR-2(CD) PROPOSED

DEVELOPMENT AREA 'B'
R-4 (EXISTING ZONING)
MUDD(O) PROPOSED

PROPOSED YUMA ST. SITE ENTRANCE TO RESIDENTIAL & EXISTING CHURCH PARKING

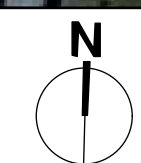
PROPOSED ACCESS TO EXIST. CHURCH PARKING AREA

REQUIRED CLASS B BUFFER @ 22' , REDUCED BY 25% TO 16.5' WITH 6' FENCE PER ORDINANCE SECTION 12.303.

N.I.C.

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

NOT FOR CONSTRUCTION



2018-

Prepared for:
The Housing Partnership
4601 Charlotte Park Dr., Suite 350
Charlotte, NC 28217
p(704) 342-0933
f (704) 342-2745
email: fdodson@cmhp.org

Mark	Date	Description
:No	:Note	

shook kelley

2151 Hawkins Street
Suite 400
Charlotte, NC 28203

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704 / 377 0661
www.shookkelley.com

Mayfield Memorial Baptist Church
The Housing Partnership
724 & 726 W. Sugar Creek Road, 4326 Munsee St.
711, 719, 727 & 735 Yuma St., Charlotte, NC 28213

Rezoning
Concept Site Plan
Mayfield BC Site Plan.vwx

:Date :12/17/2018 :REZONING SUBMITTAL
Project ID: 18050.001
R22

Mayfield Memorial Baptist Church - Charlotte-Mecklenburg Housing Partnership, Inc. Development Standards

12/17/18

Rezoning Petition No. 2018

Site Development Data:

–Acreage: ± 4.481 acres
–Tax Parcel #(s): 08904202, 08904208, 08904201, 08904205, 08904206, and 08904207

–Existing Zoning: R-4

–Proposed Zoning: UR-2(CD) and MUDD(O).

–Existing Uses: Residential (Single Family)

–Proposed Uses: Multi-Family residential dwelling units as allowed in the UR-2 and MUDD Zoning District for Development Areas A, and B as well as parking for a religious institution on Development Area B, and within Development Area C a detached dwelling, a neighborhood park, and civic facility as more specifically described below in Section 3 and allowed by the Optional Provisions.

–Maximum Development Levels: In accordance with the other provisions of Section 3 below and the Optional Provisions: (i) up to 50 multi-family residential dwelling units; (ii) parking for religious institution; and (iii) a detached dwelling, a neighborhood park, and civic facility (as more particularly described below in Section 3); all together with accessory uses as permitted in the UR-2 and MUDD zoning districts, as applicable.

–Maximum Building Height:
- A maximum building height (as measured per Ordinance) of up to two (2) stories and 40-feet for the buildings constructed on Development Area A, B and C.

–Parking: As required by the Ordinance for the UR-2 and MUDD zoning classifications.

1. General Provisions:

a. Site Location: Development Areas. These Development Standards, the Technical Data Sheet and other graphics set forth on attached RZ Sheets, form this rezoning plan (collectively referred to as the “Rezoning Plan”) associated with the Mayfield Memorial Baptist Church Rezoning Petition filed by Charlotte-Mecklenburg Housing Partnership, Inc. (“Petitioner”) to accommodate development of an affordable residential community and an accessory parking area on an approximately 4.481 acre site located along W. Sugar Creek Road, Munsee St. and Yuma St., as generally depicted on the Rezoning Plan (the “Site”) . For ease of reference, the Rezoning Plan sets forth three (3) development areas as generally depicted on **Sheets RZ1** as Development Areas A, B & C (each a “Development Area” and collectively the “Development Areas”) .

b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the “Ordinance”) . Unless the Rezoning Plan establishes more stringent standards, (i) the regulations established under the Ordinance for: (i) the UR-2 and MUDD zoning districts shall govern development taking place within Development Areas A, B & C.

c. Graphics and Alterations/Modifications. The conceptual depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, Development Areas (as defined below) and other development matters and site elements (collectively the “Development/Site Elements”) set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan, not anticipated by the Rezoning Plan nor deemed by Planning Staff as so minor as not to require an administrative amendment, will be reviewed and approved as allowed by Section 6.207 of the Ordinance. Since the project has not undergone the design development and construction documentation phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, as indicated above, there may be instances where minor modifications that don’t materially change the overall design intent depicted on the Rezoning Plan such as minor modifications to the Development Areas (as defined below) or the Development/Site Elements, may be allowed by the Planning Staff/Planning Director, in their discretion, without requiring the administrative amendment process per Section 6.207 of the Ordinance; in other instances modifications shall be reviewed and approved as allowed by Section 6.207.

d. Number of Buildings Principal and Accessory. Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site shall not exceed 14. 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.

e. Planned/Unified Development. The Site, as generally depicted on **Sheet RZ1**, shall be viewed in the aggregate as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning. As such, setbacks, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located on the Site. The Petitioner and/or owner(s) 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 and in the applicable rezoning plan, taken as a whole and not individual portions or lots located therein.

f. Gross Floor Area Clarification. When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface parking facilities, service areas, balconies and exterior ground/street level outdoor gathering areas intended for recreational or special events.

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

2. Optional Provisions.

The following Optional Provisions shall apply to Development Area B:

a. An Optional provision to allow parking to be located between a proposed building and Yuma Street as generally depicted on the Rezoning Plan.

3. Permitted Uses and Development Area Limitations:

a. In addition to other development permitted on the Site as described in this Section 3 and in accordance with and subject to the restrictions, limitations listed below and other provisions of the Rezoning Plan, the principal buildings constructed on the Site may be developed with:

- (i) Up to a total of 50 multi-family residential dwelling units in Development Areas A & B;
- (ii) To accommodation a parking area for a religious institutional use within Development Area B; and
- (iii) A detached dwelling unit, a neighborhood park, and a civic facility within Development Area C.

4. Access:

a. Access to the Site will be from Munsee Street, Yuma Street and from the adjoining Mayfield Memorial Baptist Church via an internal driveway as generally depicted on the Rezoning Plan.

b. Driveways/Pedestrian Connections. The driveways generally depicted on the Rezoning Plan will be designed as indicated on the Rezoning Plan and treated as private driveways. Driveway and pedestrian connections generally depicted on the Rezoning Plan from adjoining properties may be allowed in the location(s) shown on the Rezoning Plan subject to development issues and other constraints reasonably determined by Petitioner.

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

5. Setbacks and Streetscape Improvements.

a. W. Sugar Creek Rd. A minimum 28 foot setback will be provided along W. Sugar Creek Rd. as measured from the existing back of curb (a 20 foot setback as measured from the future back of will be maintained). Within the setback area of W. Sugar Creek Rd., a 16 foot planting strip (as measured from the existing back of curb) and an eight (8) foot sidewalk will be provided along W. Sugar Creek Rd. prior to issuance of the first certificate of occupancy for the building(s) within Development Area A. Porches and stoops may encroach up to four (4) feet into the setback.

b. Munsee St. A minimum 24 foot setback will be provided along Munsee St. as measured from the existing back of curb. An eight (8) foot planting strip and a six (6) foot sidewalk will be provided along Munsee St. as measured from the existing back of curb. The planting strip and sidewalk within the setback area of Munsee St. will be provided prior to issuance of the first certificate of occupancy for the building(s) within Development Area A. Porches and stoops may encroach up to seven (7) feet into the setback.

c. Yuma St. – Development Areas A, B & C. A minimum 24 foot setback will be provided along Yuma St. as measured from the existing back of curb in Development Areas A, B & C. An eight (8) foot planting strip and a six (6) foot sidewalk will be provided along Yuma St. within Development Areas A, B & C, measured from the existing back of curb of Yuma Street. The planting strip and sidewalk within the setback area of Yuma St. will be provided prior to issuance of the first certificate of occupancy for the building(s) within Development Ares A & B, or a change of use for the structure located within Development Area C. Porches and stoops may encroach up to seven (7) feet into the setback.

6. Pedestrian Access and Circulation Design Guidelines.

a. Within Development Areas A, B & C, the Petitioner will provide a sidewalk and a cross-walk network that links the buildings, and parking areas located within the respective Development Areas. The proposed building will within each Development Area will be connected to the sidewalks along the abutting public streets as generally depicted on the Rezoning Plan. The minimum width for these internal sidewalks will be five (5) feet.

7. Open Space.

a. The Petitioner will provide open space areas in the manner generally depicted on the Rezoning Plan for Development Area A, subject to minor adjustments needed to accommodate construction phasing, building, parking and service improvements. The open space areas will contain landscaping, seating areas and/or hardscape elements.

8. General Design Guidelines.

a. General Considerations.

- (i) Buildings will be oriented towards Munsee St. and Yuma St. to reinforce the streetscape.
- (ii) Architectural treatment for multi-family buildings shall continue on all sides of a building to create ‘4-sided’ architecture’ .
- (iii) Accessory structures shall be consistent with the principal building in material, texture, and color.
- (iv) New dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a new dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side.
- (v) All roof mounted mechanical equipment on the new buildings to be constructed on the Site will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- (vi) HVAC condensers shall be screened from view from adjoining public rights-of-way and abutting properties and shall not be located along the W. Sugar Creek Rd, Munsee St. or Yuma St. right-of-way edge.

9. Environmental Features:

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Tree Ordinance and Post Construction Controls Ordinance. It is understood that the rezoning area is within the Distressed Business District and some portions of the storm water quality facilities on the Site may be mitigated or modified as may be required by applicable Ordinances. Placement of storm detention may be modified as required by the final site engineering.

10. Signage On Site:

a. Signage as allowed by the Ordinance may be provided. The exact location of the site signage will be determined as part of the detailed engineering, construction and landscape plans for the Site and final locations may vary.

b. Because the Site will be viewed as a Planned/Unified Development as defined by the Ordinance, signs may be located throughout the portion of the Site as allowed by the Ordinance In addition, uses located on the interior of the Site may be identified on the allowed signs (by way of example, the Clubhouse/Leasing Office use and the other recreational uses may be identified on the signs allowed along W. Sugar Creek Rd. Munsee St. and Yuma St.). The allowed signs may contain identification signage for any of the permitted uses located on the Site.

c. Master signage and graphic systems may be adopted.

11. Lighting:

a. All new lighting shall be full cut-off type lighting fixtures and downwardly directed, excluding lower decorative lighting that may be installed along the driveways, sidewalks, and parking areas. Flashing lighting shall not be permitted.

b. Detached lighting on the Site, except street lights located along public streets, will be limited to 20 feet in height except as may be required for public safety purposes.

c. Any lighting associated with fire lane/emergency access shall be limited to at grade low level lighting except as may be required for public safety purposes.

12. Amendments to the Rezoning Plan:

a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance. Any reference to the Ordinance or Ordinances shall be deemed to refer to the requirements of the Ordinance or Ordinances in effect as of the date this Rezoning is approved.

13. Binding Effect of the Rezoning Application:

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

Prepared for:

The Housing Partnership
4601 Charlotte Park Dr., Suite 350
Charlotte, NC 28217
p(704) 342-0933
f (704) 342-2745
email: fdodson@cmhp.org

Mark **Date**
:No **:None**

Description

shook kelley

2151 Hawkins Street
Suite 400
Charlotte, NC 28203

704 / 377 0661
www.shookkelley.com

**Mayfield Memorial Baptist Church
The Housing Partnership**

724 & 726 W. Sugar Creek Road, 4326 Munsee St.
711,719, 727 & 735 Yuma St., Charlotte, NC 28213

:Date :12/17/2018 **:REZONING SUBMITTAL**

Project ID: 18050.001

**Rezoning
Development
Standards**

Mayfield BC Site Plan.vwx

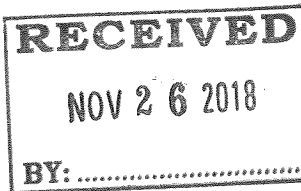
RZ3

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

**NOT FOR
CONSTRUCTION**

2018-

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-155

Petition #:	
Date Filed:	11/26/2018
Received By:	BH

Property Owners: Lillian Mazziotta

Owner's Addresses: 7214 Bedfordshire Dr, Charlotte, NC 28226

Date Properties
Acquired: N/A

Property Addresses: N/A

Tax Parcel Numbers: 201-091-15

Current Land Use: vacant (Acres): ± 8.39

Existing Zoning: R-3 Proposed Zoning: I-1(CD) and MUDD(CD)

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

Required Rezoning Pre-Application Meeting* with: Alberto Gonzalez, Carlos Alzate, Joshua Weaver, Grant Meacci

Date of meeting: 8/14/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow the development of the Site with offices and hotels uses.

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

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

Telephone Number

Fax Number

keithmacvean@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENT A

Signature of Property Owner

North State Capital Partners, LLC

Name of Petitioner

16930 W. Catawba Avenue, Suite 205

Address of Petitioner

Cornelius, NC 28031

City, State, Zip

704-582-1460

Telephone Number

Fax Number

sseagle@citisculpt.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

ATTACHMENT A

REZONING PETITION NO. 2018-000
North State Capital Partners, LLC

OWNER JOINDER AGREEMENT
Lillian Mazzionta

The undersigned, as the owner of the parcel of land located at *the stub end of Dixie River Road* that is designated as Tax Parcel No. 201-091-02 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(CD) and MUDD(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 13 day of September, 2018.

Lillian Mazzionta ESTATE

By:

Name:

Its:

Joseph M. Mazzionta executor
Joseph M. Mazzionta executor

ATTACHMENT B

REZONING PETITION NO. 2018-000
North State Capital Partners, LLC

Petitioner:

North State Capital Partners, LLC

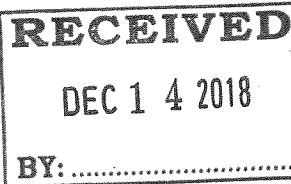
By: _____

A handwritten signature in black ink, appearing to read 'Shane Seagle', is written over a horizontal line.

Name: Shane Seagle

Title: Member Manager

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-156

Petition #:	_____
Date Filed:	12/14/2018
Received By:	<i>[Signature]</i>

Complete All Fields (Use additional pages if needed)

Property Owner: Montrose Dogwood, LLC

Owner's Address: 319 Heathwood Road City, State, Zip: Charlotte, NC 28211

Date Property Acquired: 12/14/2018

Property Address: 2501 Montrose Court

Tax Parcel Number(s): 15508216

Current Land Use: Residential Size (Acres): +/- 0.66 acres

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

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune

Date of meeting: 12/5/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate one single-family and one duplex residence

Collin Brown and Bailey Patrick, Jr.
Name of Rezoning Agent

214 N. Tryon Street, 47th Floor
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-331-7531 704-353-3231
Telephone Number Fax Number

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

[Signature] Yates Dunaway, Manager
Signature of Property Owner

Yates Dunaway, Montrose Dogwood, LLC
(Name Typed / Printed)

Doug Dunaway
Name of Petitioner(s)

3443 Foxcroft Road
Address of Petitioner(s)

Charlotte, NC 28211
City, State, Zip

704-365-4927
Telephone Number Fax Number

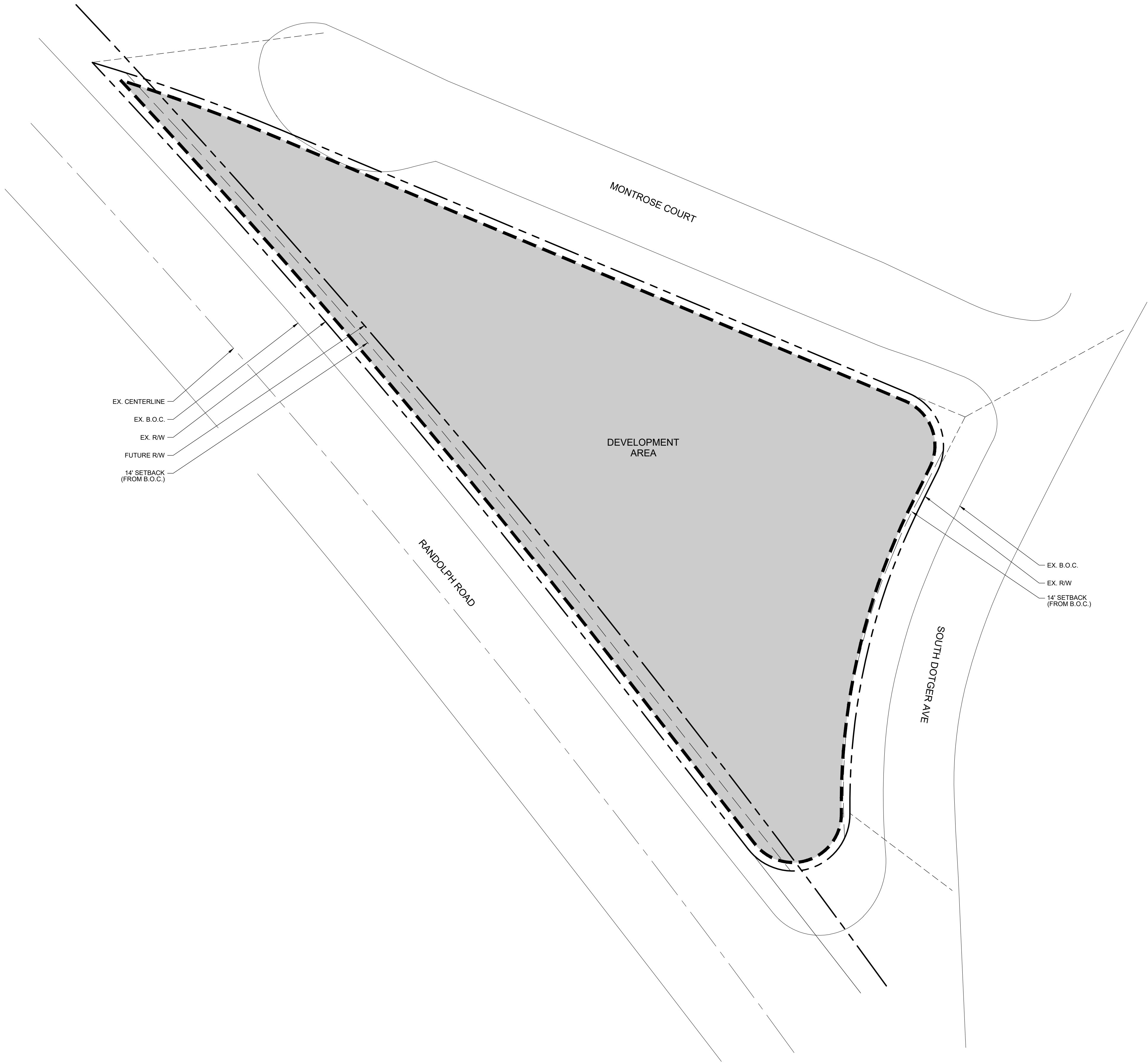
yates@dogwoodllc.com
E-Mail Address

[Signature] Doug Dunaway
Signature of Petitioner

Doug Dunaway
(Name Typed / Printed)

SITE DEVELOPMENT DATA

SITE AREA: +/- 0.66 ACRES
TAX PARCEL: 155-082-16
EXISTING ZONING: R-3
PROPOSED ZONING: UR-2(CD)
EXISTING USE: RESIDENTIAL
PROPOSED USES: UP TO ONE (1) SINGLE-FAMILY
DETACHED AND ONE (1) DUPLEX
RESIDENTIAL UNIT (FOR A TOTAL OF
THREE (3) RESIDENTIAL UNITS)
MAXIMUM BUILDING HEIGHT: FORTY EIGHT (48) FEET
PARKING: SHALL SATISFY OR EXCEED ORDINANCE
REQUIREMENTS



KEY MAP

SEAL

NOT FOR
CONSTRUCTION

PROJECT

MONTROSE

REZONING
#2018-XXX
CHARLOTTE, NC

LANDDESIGN PROJ.# 1018517

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
	SUBMITTAL	12.17.18

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

SCALE NORTH
VERT: N/A
HORZ: 1"=20'
0 10' 20' 40'

SHEET TITLE

TECHNICAL DATA

SHEET NUMBER

RZ-1

12/14/2018

Development Data Table:

Site Area:	+/- 0.66 acres
Tax Parcel:	155-082-16
Existing Zoning:	R-3
Proposed Zoning:	UR-2(CD)
Existing Use:	Residential
Proposed Uses:	Up to one (1) single-family detached and one (1) duplex residential unit (for a total of three (3) residential units)
Maximum Building Height:	Forty eight (48) feet
Parking:	Shall satisfy or exceed Ordinance requirements

I. General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Doug Dunaway (the "Petitioner") to accommodate the development of residential homes on that approximately 0.66-acre site located on the north side of Montrose Court, east of Dotger Avenue, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Number 155-082-16.
2. Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 zoning district shall govern the development and use of the Site.
4. The development and layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.
5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Minor alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

II. Permitted Uses

The Site may be devoted only to residential uses containing a maximum of one (1) single family detached unit and one (1) duplex unit, for a total maximum of three (3) dwelling units, and any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district.

III. Transportation

1. Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
2. Petitioner shall dedicate all rights-of-way in fee simple conveyance to the City of Charlotte before the Site's first building certificate of occupancy is issued or phased per the Site's development plan.
3. Petitioner shall substantially complete all transportation improvements before the Site's first building certificate of occupancy is issued or phased per the Site's development plan.
 - a. Substantial completion shall mean completion of the roadway improvements in accordance with the standards set forth herein provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

IV. Architectural Standards

1. Preferred Exterior Building Materials: All principal and accessory buildings shall comprise of a combination of portions of brick, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement ("HardiPlank") and/or other material approved by the Planning Director.
2. Prohibited Exterior Building Materials:
 - a. Vinyl siding (but not vinyl hand rails, windows or door trim); and
 - b. Concrete Masonry Units not architecturally finished.
3. Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
4. The Petitioner will minimize the visual impact of garage doors visible from streets by providing a 12 to 24 inch setback from the front wall plane and adding additional architectural treatments such as translucent windows or projecting elements over the garage door opening.

V.Environmental Features

1. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.
2. The Petitioner shall comply with tree save requirements.

VI. Lighting

1. All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks as landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
2. The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed twenty-one (21) feet.
3. Any lighting fixtures attached to the buildings to be constructed on the site shall be decorative, capped and downwardly directed.

VII. Binding Effect of the Rezoning Documents and Definitions

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

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

KEY MAP

SEAI

**NOT FOR
CONSTRUCTION**

PROJECT

MONTROSE

REZONING

#2018-XXX

CHARLOTTE, NC

LANDDESIGN PROJ.# 1018517

REVISION / ISSUANCE

[illegible]

DESIGNED BY

DRAWN BY:

CHECKED BY:

SCAL

TABLE

VERT: N/A

HÖRZ: NT:

(NOT TO SCALE)

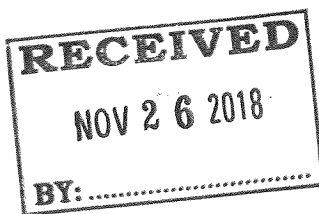
SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-2

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-157

Petition #:	
Date Filed:	11/26/2018
Received By:	P.H.

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: commercial (Acres): ± 9.05

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

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Rick Grochoske Joshua Weaver

Date of meeting: 4/13/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: N/A

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

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

Telephone Number

Fax Number

keithmacvean@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

Signature of Property Owner

O'Leary Group Business Park LLC(Attn: Brian O'Leary)

Name of Petitioner

1928 South Blvd, Ste 310

Address of Petitioner

Charlotte, NC 28203

City, State, Zip

704.338.6898

Telephone Number

Fax Number

boleary@olearywaste.com

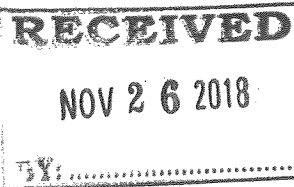
E-mail Address

Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Date Acquired
065-123-13	150 Centre St, Charlotte, NC 28216	O'Leary Group Business Park LLC	1928 South Blvd, Ste 310, Charlotte, NC 28203	02/13/2018
065-123-01	134 Centre St, Charlotte, NC 2816			02/13/2018
Portion of 065-123-04	100 Center St, Charlotte, NC 28216			06/30/2015
065-123-11	N/A			04/19/2017

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-158

Petition #: _____
Date Filed: 11/26/2018
Received By: B+

Complete All Fields (Use additional pages if needed)

Property Owner: Marnically at UNCC LLC

Owner's Address: 5841 Mountain Point Lane
4620 Town & Country Dr City, State, Zip: Charlotte, NC 28216

Date Property Acquired: 12/17/2015

Property Address: 9915 Old Concord Road Charlotte, NC 28213

Tax Parcel Number(s): 04-929-101

Current Land Use: Single Family Size (Acres): 2.59 AC

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

Overlay: _____ Tree Survey Provided: Yes: X N/A: _____

Required Rezoning Pre-Application Meeting* with: Sonia Sanders

Date of meeting: October 11, 2018

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: SEEKING DEVELOPMENT OF THE SITE IN PROXIMITY OF UNCC CAMPUS FOR MULTIFAMILY URBAN RESIDENTIAL UNITS WITH A PROPOSED PUBLIC STREET

DANIEL S. PUTMAN
Name of Rezoning Agent

200 S. TRYON ST., #1400
Agent's Address

CHARLOTTE, NC 28202
City, State, Zip

704-971-4516
Telephone Number Fax Number

DPUTMAN@COLEJENESTONE.COM
E-Mail Address

[Signature]
Signature of Property Owner

MARNICALLY AT UNCC, LLC
(Name Typed / Printed)

Full Circle Capital Partners
Name of Petitioner(s)

3736 Bee Caves Road #1225
Address of Petitioner(s)

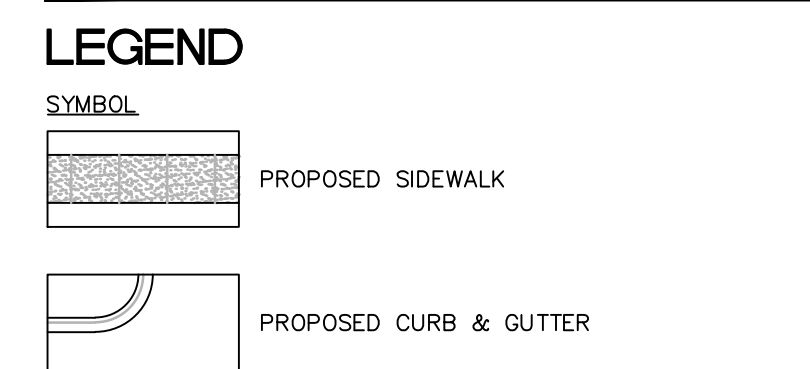
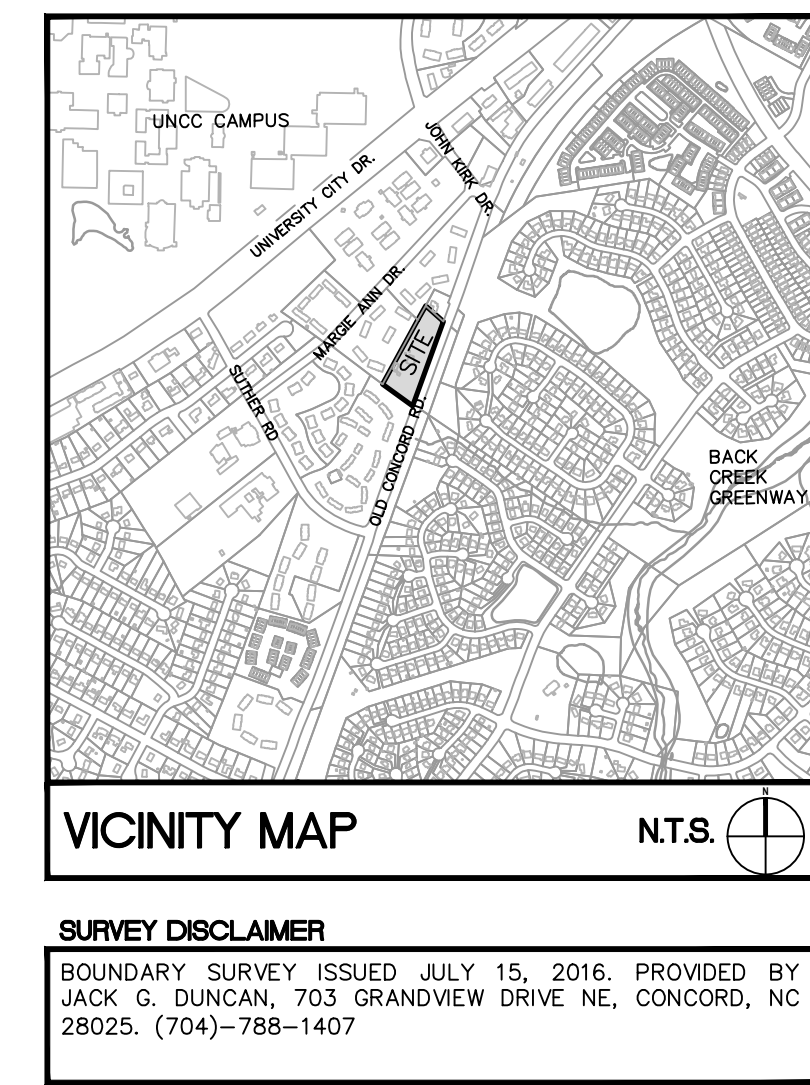
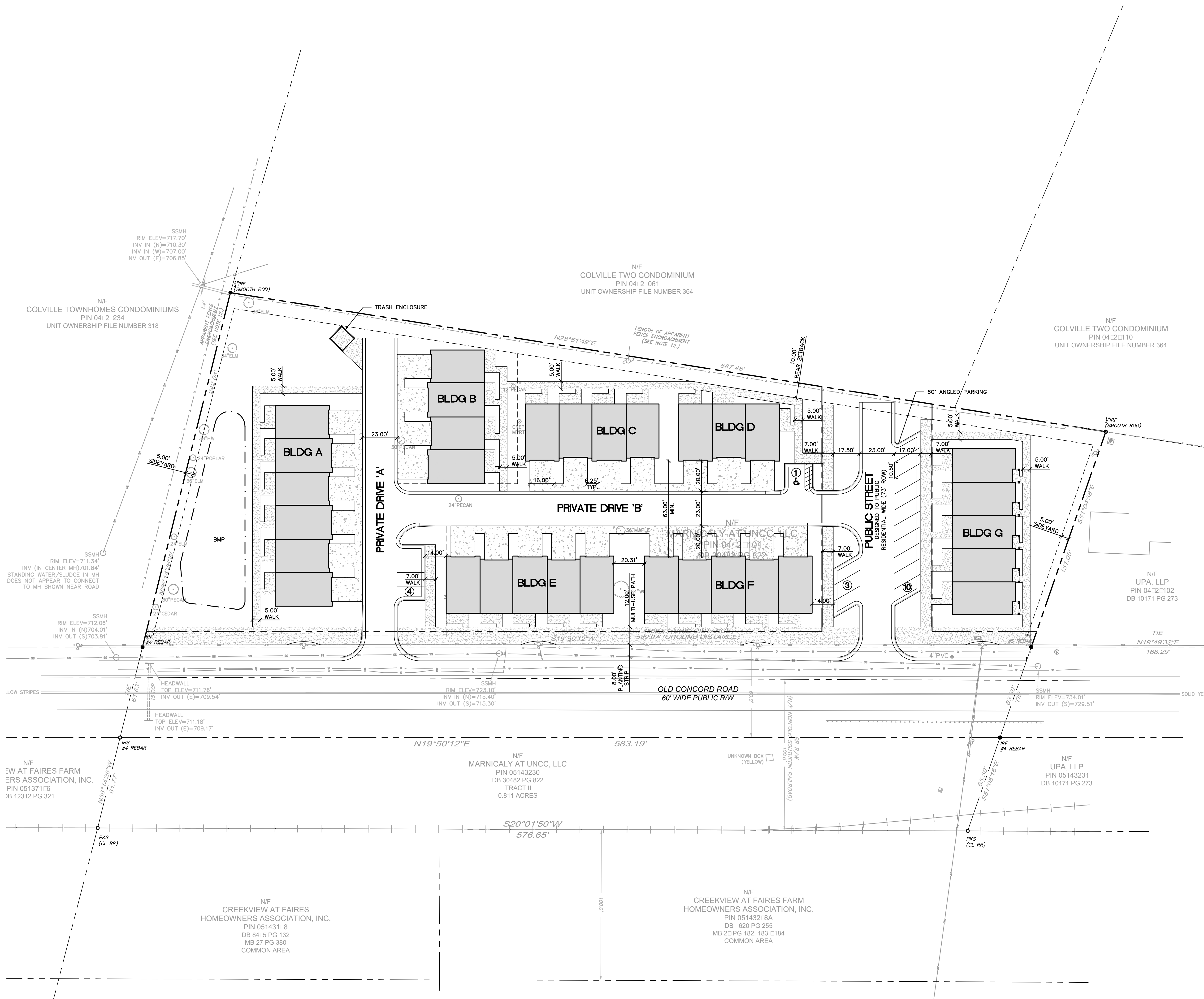
Austin, TX 78746
City, State, Zip

214-437-7106, 214-632-5709
Telephone Number Fax Number

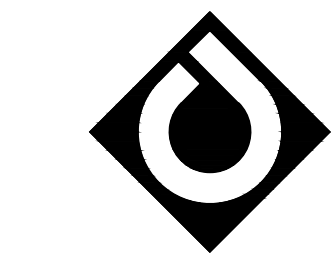
collin@fullcirclecappartners.com,
E-Mail Address

[Signature]
Signature of Petitioner

Joel Heikenfeld
(Name Typed / Printed)



REZONING SUMMARY:	
PETITIONER:	FULL CIRCLE CAPITAL PARTNERS 3736 BEE CAVES ROAD #1225 AUSTIN, TX 78746
PROPERTY OWNER:	MARNICALLY AT UNCC LLC 5841 MOUNTAIN POINT LANE CHARLOTTE, NC 28216
REZONING SITE AREA:	2.59± ACRES
TAX PARCEL #:	04-929-101
EXISTING ZONING:	UR-2 (CD)
PREVIOUS ZONING PETITION #:	2016-050
PROPOSED ZONING:	UR-2 (CD)
EXISTING USE:	SINGLE FAMILY
PROPOSED USE:	MULTI-FAMILY
ROW TO BE DEDICATED:	0.14 AC
PROPOSED SITE AREA:	2.45 AC TOTAL
MINIMUM SETBACK:	14' (FROM FUTURE BOC)
MIN. SIDE YARD:	5'
MIN. REAR YARD:	10'
MINIMUM TREE SAVE:	15% = .36 ACRES TREE SAVE REQUIREMENT TO BE SATISFIED ON SITE, THROUGH PAYMENT IN-LIEU, OR A COMBINATION.
MAX. NO. DWELLING UNITS:	33
PROPOSED DENSITY:	±13.47 DUA
TOTAL PARKING:	ON SITE: 61 SPACES TOTAL PARKING IN ROW: 13 SPACES (10 SAME-SIDE SPACES TO SATISFY PARKING REQUIREMENT FOR BUILDING G)
NOTES:	PROPOSED DENSITY = PROPOSED NO. DWELLING UNITS / EXISTING SITE AREA



ColeJenest & Stone

Shaping the Environment
Realizing the Possibilities

Land Planning
+
Landscape Architecture
+
Civil Engineering
+
Urban Design

200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202

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

FULL CIRCLE CAPITAL PARTNERS

3736 BEE CAVES RD #1225
AUSTIN, TX 78746

OLD CONCORD ROAD

9915 OLD CONCORD ROAD
CHARLOTTE, NC 28213

REZONING PLAN

Project No.
4629

Issued
11/26/18

Revised



SCALE: 1"=30'

0 15' 30' 60'

RZ-100

The drawings, the project manual and the design shown thereon are instruments of ColeJenest & Stone, P.A.. The reproduction or unauthorized use of the documents without consent of ColeJenest & Stone, P.A. is prohibited.

ColeJenest & Stone, P.A. 2018

PETITION #: 2018-###

DEVELOPMENT STANDARDS

A. GENERAL PROVISIONS

- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY FULL CIRCLE CAPITAL PARTNERS ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 2.59 ACRE SITE LOCATED ON THE WEST SIDE OF OLD CONCORD ROAD, SOUTH OF THE INTERSECTION OF OLD CONCORD ROAD AND JOHN KIRK DRIVE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NO. 049-291-01.
- 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 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- FUTURE AMENDMENTS OR MODIFICATIONS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS OR MODIFICATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

B. PERMITTED USES

- THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 33 MULTIFAMILY DWELLING UNITS LOCATED IN 7 BUILDINGS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE UR-2 ZONING DISTRICT.

C. TRANSPORTATION

- VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS 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.
- A MINIMUM OF 33 PARKING SPACES SHALL BE PROVIDED ON THE SITE.
- THE MAXIMUM NUMBER OF PARKING SPACES ALLOWED ON THE SITE IN THE UR-2 ZONING DISTRICT IS 66 PARKING SPACES. THE ON-STREET PARKING SPACES LOCATED ON THE NEW LOCAL PUBLIC STREET TO BE CONSTRUCTED AND INSTALLED ON THE SITE SHALL NOT BE CONSIDERED OR COUNTED WHEN DETERMINING THE MAXIMUM NUMBER OF PARKING SPACES LOCATED ON THE SITE.
- 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.
- PETITIONER SHALL CONSTRUCT A BUS STOP WAITING PAD FOR THE FUTURE BUS STOP ON OLD CONCORD ROAD ADJACENT TO THE SITE. THE BUS STOP WAITING PAD SHALL BE LOCATED ENTIRELY WITHIN THE RIGHT OF WAY, AND THE PRECISE LOCATION OF THE BUS STOP WAITING PAD SHALL BE DETERMINED DURING THE PERMITTING PROCESS. THE BUS STOP WAITING PAD SHALL BE CONSTRUCTED TO CATS DEVELOPMENT STANDARD 60.01B. PETITIONER'S OBLIGATION TO CONSTRUCT THE BUS STOP WAITING PAD SHALL BE SUBJECT TO PETITIONER'S ABILITY TO OBTAIN ALL APPROVALS AND PERMITS REQUIRED TO CONSTRUCT IT. CATS SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ANY BENCH AND/OR SHELTER.
- PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST NEW BUILDING TO BE CONSTRUCTED ON THE SITE, PETITIONER SHALL DEDICATE AND CONVEY TO THE CITY OF CHARLOTTE (SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS) THOSE PORTIONS OF THE SITE LOCATED IMMEDIATELY ADJACENT TO OLD CONCORD ROAD THAT ARE NECESSARY TO EXTEND THE EXISTING RIGHT OF WAY FOR OLD CONCORD ROAD ALONG THE SITE'S FRONTAGE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- PETITIONER SHALL CONSTRUCT AND INSTALL A LOCAL PUBLIC STREET BETWEEN OLD CONCORD ROAD AND THE WESTERN BOUNDARY LINE OF THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THIS LOCAL PUBLIC STREET SHALL BE BUILT TO THE LOCAL RESIDENTIAL WIDE TYPICAL STREET SECTION AS SPECIFIED IN THE CHARLOTTE LAND DEVELOPMENT STANDARDS.
- THE VEHICULAR ACCESS POINTS INTO THE SITE FROM THE NEW LOCAL PUBLIC STREET TO BE CONSTRUCTED AND INSTALLED ON THE SITE AND OLD CONCORD ROAD MAY BE GATED AT THE OPTION OF PETITIONER.

D. ARCHITECTURAL STANDARDS

- ATTACHED TO THE REZONING PLAN ARE CONCEPTUAL ARCHITECTURAL IMAGES OF THE ELEVATIONS OF THE BUILDINGS TO BE LOCATED ON THE SITE THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THE ELEVATIONS OF THE BUILDINGS TO BE LOCATED ON THE SITE. ACCORDINGLY, THE ELEVATIONS OF THE BUILDINGS TO BE LOCATED ON THE SITE SHALL BE DESIGNED AND CONSTRUCTED SO THAT SUCH ELEVATIONS ARE SIMILAR IN APPEARANCE TO THE ATTACHED CONCEPTUAL ARCHITECTURAL IMAGES WITH RESPECT TO ARCHITECTURAL STYLE AND CHARACTER. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS WHICH DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER SHALL BE PERMITTED.
- A MINIMUM 4 FOOT SEPARATION SHALL BE PROVIDED BETWEEN THE BACK OF A SIDEWALK OR A MULTI-USE PATH AND A BUILDING ENTRANCE.
- ALL ENTRANCES INTO DWELLING UNITS SHALL BE LOCATED ABOVE THE GRADE OF THE ADJACENT SIDEWALK, AND THE ENTRANCES SHALL BE LOCATED A MINIMUM OF 12 INCHES ABOVE THE AVERAGE GRADE OF THE ADJACENT SIDEWALK.

E. STREETScape/LANDSCAPING

- AN 8 FOOT WIDE PLANTING STRIP AND A 12 FOOT WIDE MULTI-USE PATH SHALL BE INSTALLED ALONG THE SITE'S FRONTAGE ON OLD CONCORD ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.
- A 7 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SOUTHERN SIDE OF THE NEW LOCAL PUBLIC STREET TO BE CONSTRUCTED AND INSTALLED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- A 7 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE NORTHERN SIDE OF THE NEW LOCAL PUBLIC STREET TO BE CONSTRUCTED AND INSTALLED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- AN EXISTING FENCE IS LOCATED ON THAT ABUTTING PARCEL OF LAND LOCATED IMMEDIATELY TO THE SOUTH OF THE SITE (THE "ABUTTING PARCEL") NEAR THE ABUTTING PARCEL'S COMMON BOUNDARY LINE WITH THE SITE. THE ABUTTING PARCEL IS DESIGNATED AS TAX PARCEL NO. 049-290-96. IN THE EVENT THAT PETITIONER OBTAINS THE WRITTEN PERMISSION FROM THE OWNER OF THE ABUTTING PARCEL, PETITIONER SHALL INSTALL LARGE MATURING EVERGREEN TREES ON THE ABUTTING PARCEL ON THE SITE SIDE OF THIS EXISTING FENCE AS GENERALLY DEPICTED ON REZONING PLAN TO PROVIDE SCREENING.

F. ENVIRONMENTAL

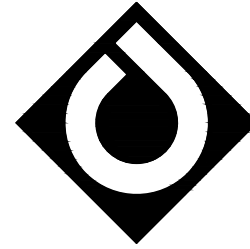
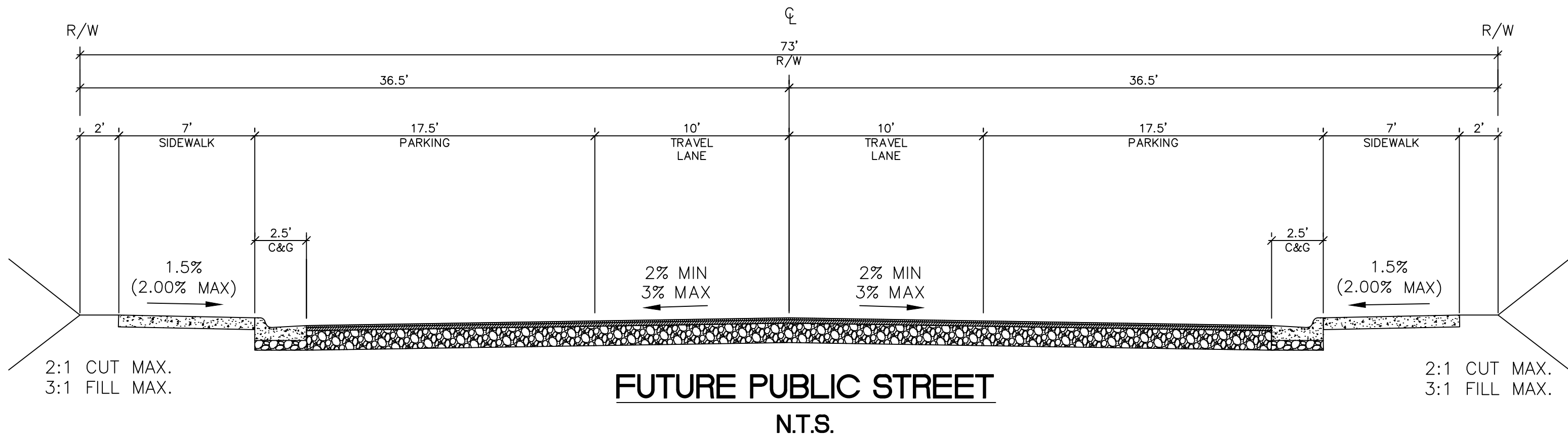
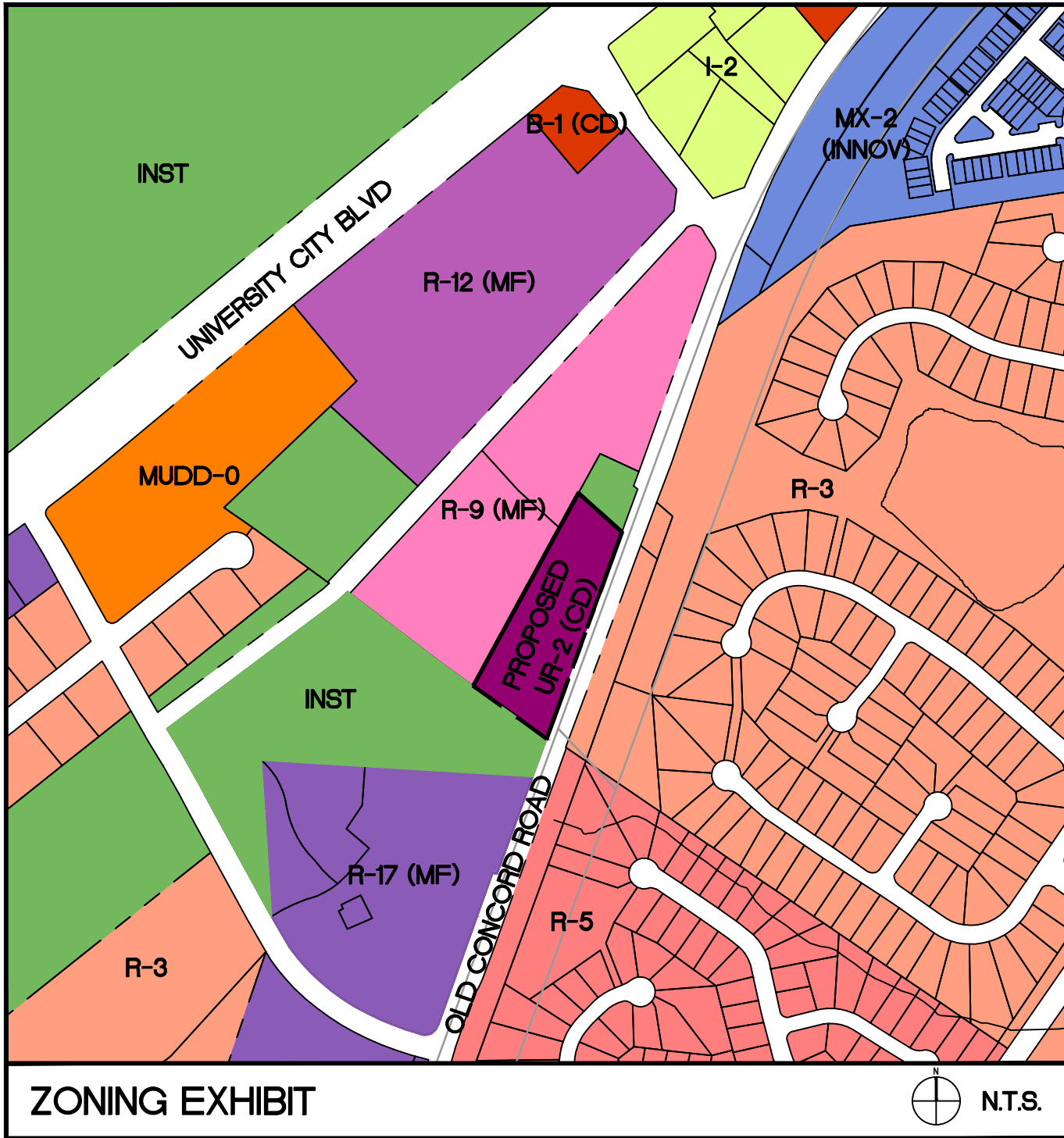
- DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE.

G. LIGHTING

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

H. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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



ColeJenest & Stone

Shaping the Environment
Realizing the Possibilities

Land Planning
+
Landscape Architecture
+
Civil Engineering
+
Urban Design

200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202

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

FULL CIRCLE CAPITAL PARTNERS

3736 BEE CAVES RD #1225
AUSTIN, TX 78746

OLD CONCORD ROAD

9915 OLD CONCORD ROAD
CHARLOTTE, NC 28213

DEVELOPMENT STANDARDS

Project No.

4629

Issued

11/26/18

Revised



RZ-200

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ColeJenest & Stone, P.A. 2018

PETITION #: 2018-###



REAR



FRONT



LEFT



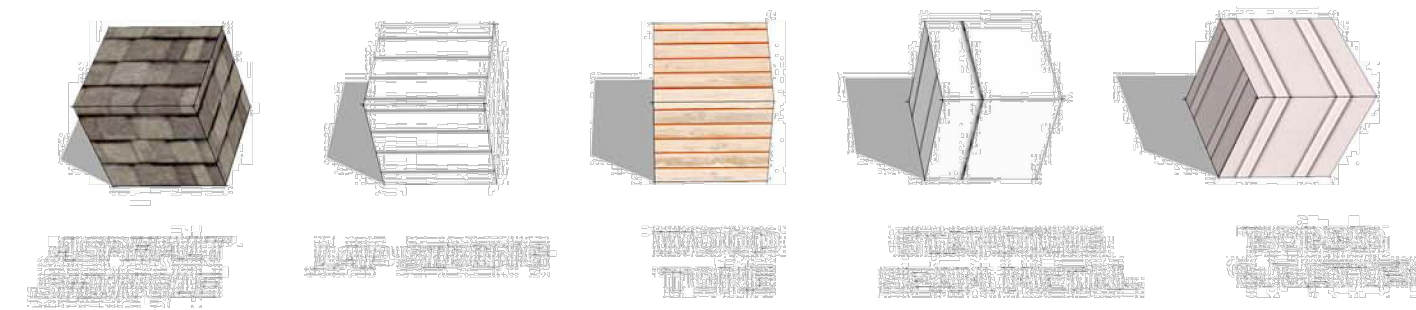
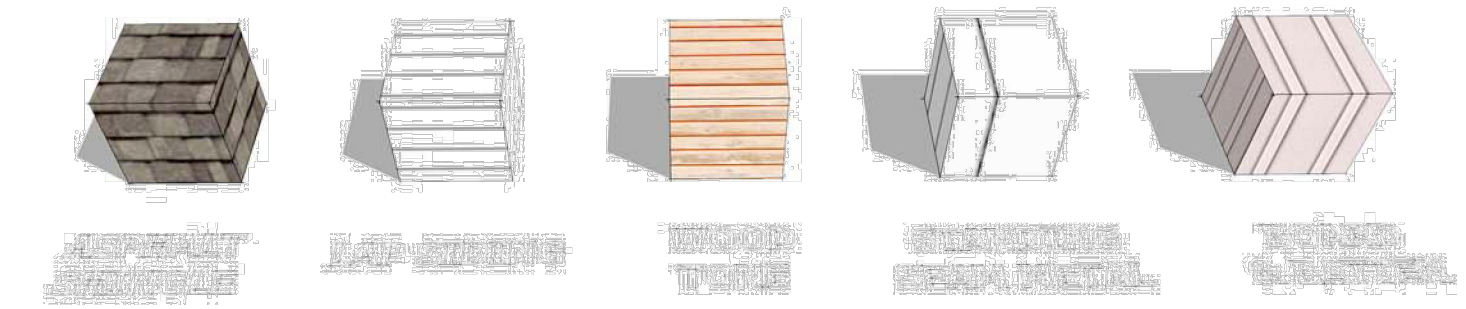
RIGHT



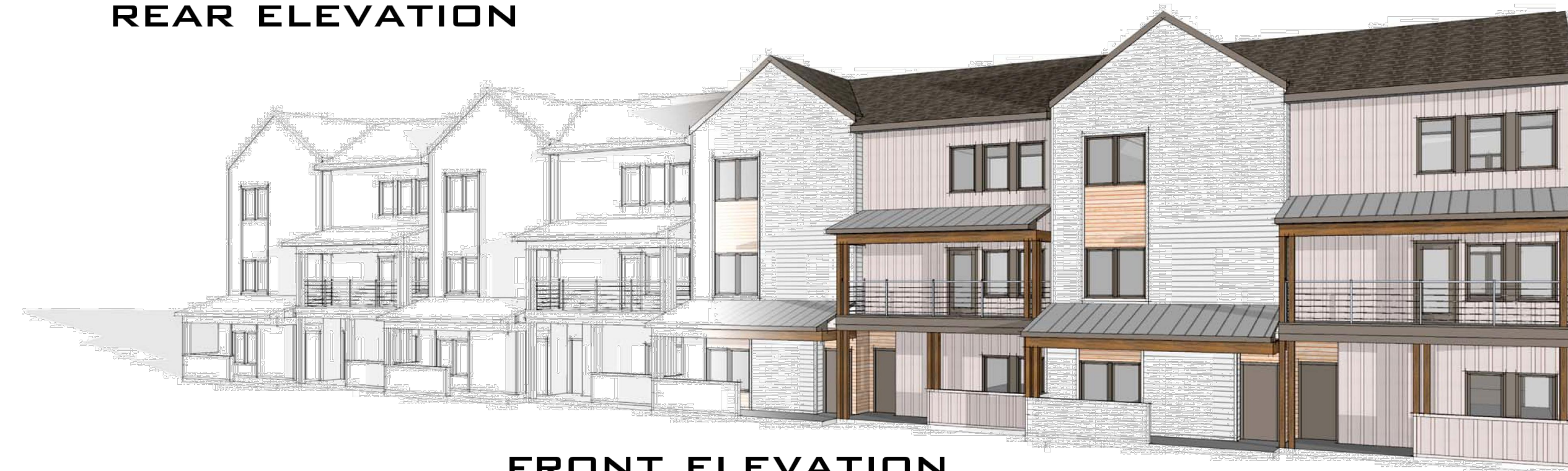
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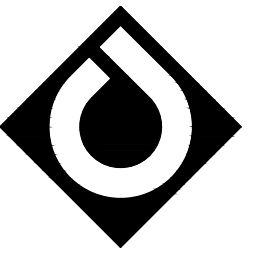
FRONT ELEVATION



REAR ELEVATION



FRONT ELEVATION



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3736 BEE CAVES RD #1225
AUSTIN, TX 78746

OLD CONCORD ROAD

9915 OLD CONCORD ROAD
CHARLOTTE, NC 28213

ARCHITECTURAL ELEVATIONS BUILDING TYPE I

Project No.

4629

Issued

11/26/18

Revised

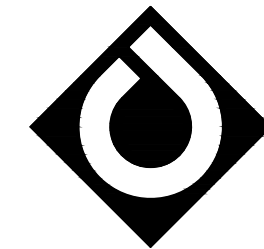


RZ-300

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ColeJenest & Stone, P.A. 2018

PETITION #: 2018-###



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& Stone**

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url+ www.colejeneststone.com

**FULL CIRCLE
CAPITAL
PARTNERS**

3736 BEE CAVES RD #1225
AUSTIN, TX 78746

**OLD CONCORD
ROAD**

9915 OLD CONCORD ROAD
CHARLOTTE, NC 28213

**ARCHITECTURAL
ELEVATIONS
BUILDING TYPE II**

Project No.

4629

Issued

11/26/18

Revised

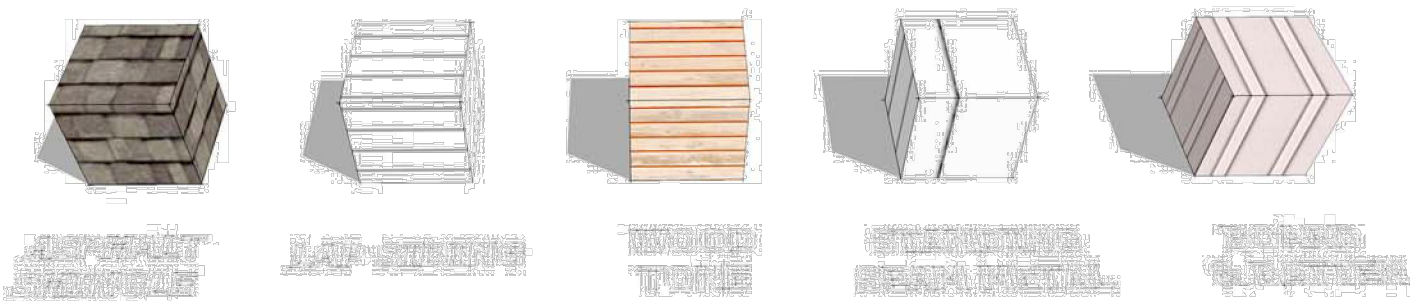


RZ-301

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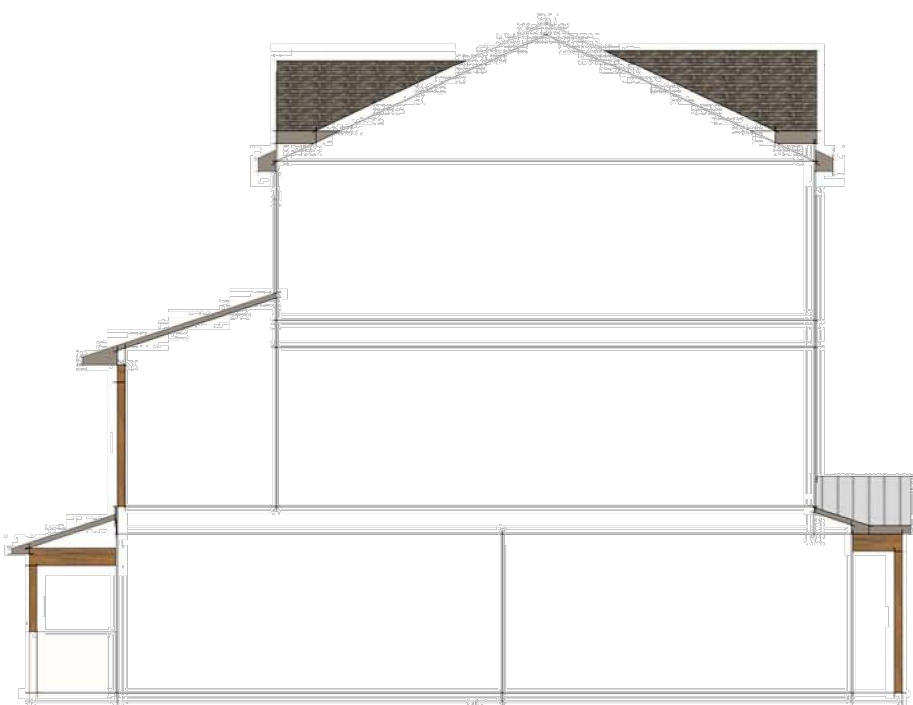
PETITION #: 2018-###



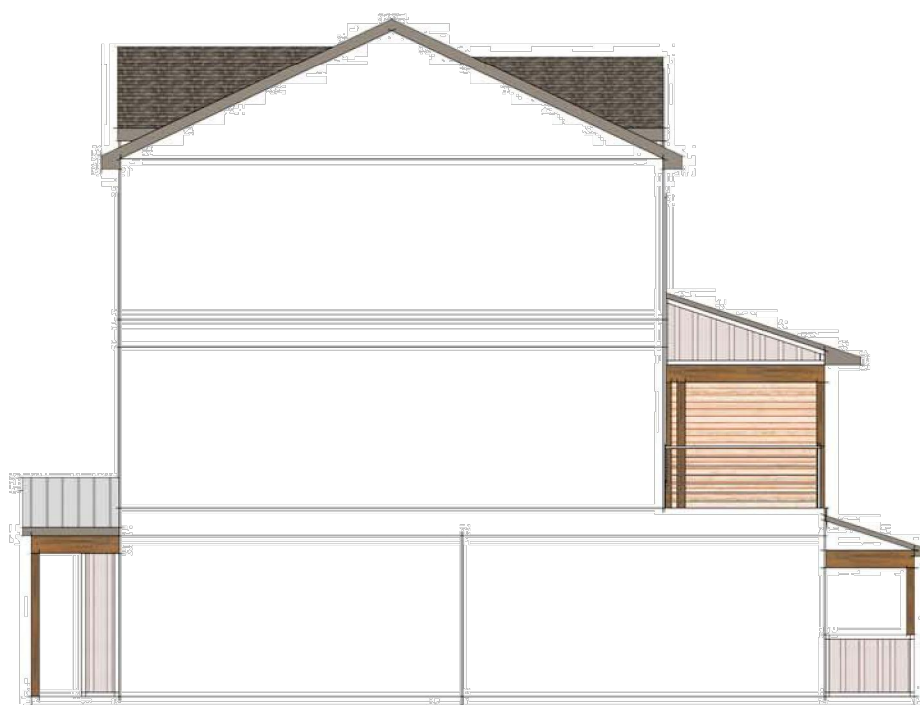
REAR



FRONT



LEFT



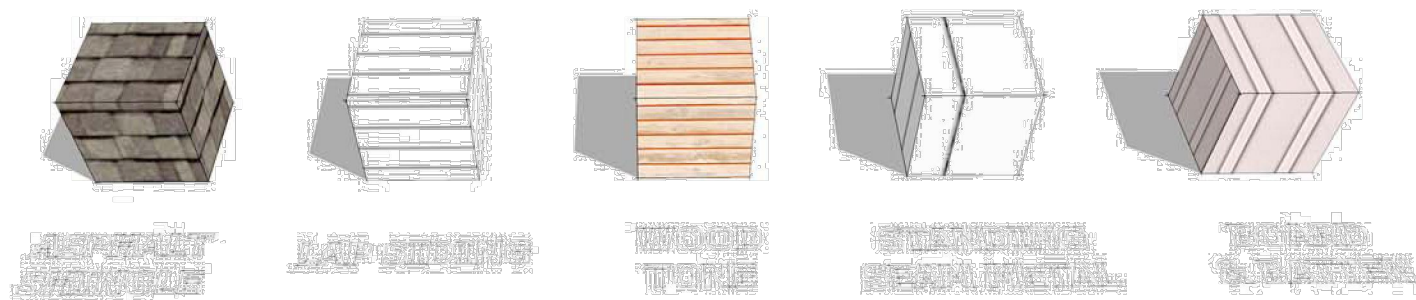
RIGHT



REAR ELEVATION



FRONT ELEVATION

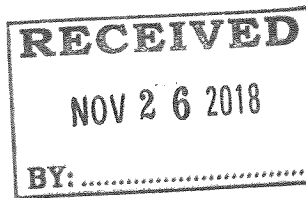


FRONT ELEVATION



REAR ELEVATION

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-159

Petition #:	_____
Date Filed:	11/26/2018
Received By:	BK

Complete All Fields (Use additional pages if needed)

Property Owner: Mary Ann and Charles Mauldwin

Owner's Address: 22001 Shearers Road City, State, Zip: Davidson, NC 28036

Date Property Acquired: January 25, 2013

Property Address: 2411 Derita Avenue, Charlotte, NC 28269

Tax Parcel Number(s): 04513108

Current Land Use: Single-family residential Size (Acres): 1.85 AC

Existing Zoning: R-3 Proposed Zoning: INST (CD)

Overlay: N/A Tree Survey Provided: Yes: X N/A: _____

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

Date of meeting: June 19, 2018

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: Petitioners wish to use the existing structures on the property for institutional uses such as receptions, meetings, conferences and weddings as stated on the site plan.

David W. Murray
Name of Rezoning Agent

The Odom Firm, PLLC, 1109 Greenwood Cliff
Agent's Address

Charlotte, NC 28204
City, State, Zip

704-377-7333 704-377-5747
Telephone Number Fax Number

davidmurray@mecklaw.com
E-Mail Address

See Attached.
Signature of Property Owner

(Name Typed / Printed)

Mary Ann and Charles Mauldwin
Name of Petitioner(s)

22001 Shearers Road
Address of Petitioner(s)

Davidson, NC 28036
City, State, Zip

704-377-7333 704-377-5747
Telephone Number Fax Number

mmauldwin@roushyates.com
E-Mail Address

See Attached.
Signature of Petitioner

(Name Typed / Printed)

REZONING APPLICATION SIGNATURE PAGE

Mary Ann Mauldin
Signature of Property Owner

Mary Ann Mauldin
Name Typed/Printed

Mary Ann Mauldin
Signature of Petitioner

Mary Ann Mauldin
Name Typed/Printed

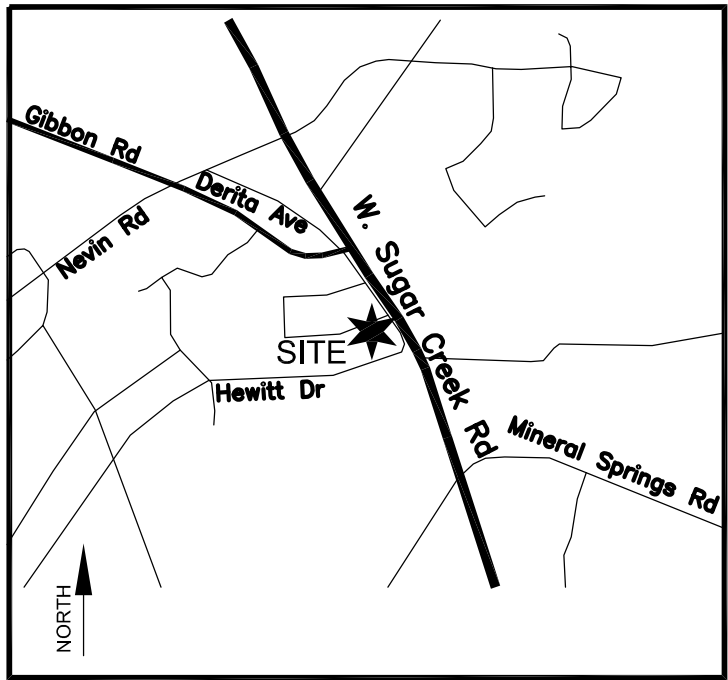
REZONING APPLICATION SIGNATURE PAGE

Charles Mark Mauldin
Signature of Property Owner

Charles Mark Mauldin
Name Typed/Printed

Charles Mark Mauldin
Signature of Petitioner

Charles Mark Mauldin
Name Typed/Printed



VICINITY MAP - NTS

SITE DEVELOPEMENT DATA:	
TAX PARCEL NO.:	045-131-08
TOTAL SITE AREA:	1.8540 AC.
EXISTING ZONING:	R-3
PROPOSED ZONING:	INSTI (CD)
EXISTING USE	SINGLE FAMILY RESIDENTIAL
PROPOSED USES:	INSTITUTIONAL AS ALLOWED BY ORDINANCE, INCLUDING CONFERENCES, RECEPTIONS, WEDDINGS, MEETING SPACE
EXISTING USEABLE BUILDING:	±3,780 SF
REQUIRED PARKING:	1 SPACE/300 SF USEABLE AREA ; AS ALLOWED BY THE ORDINANCE

CONDITIONAL NOTES:

- General Provisions.
- Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance.
 - The Petitioner acknowledges that other standard development requirements imposed by other City ordinances, such as those that regulate streets, sidewalks, trees and site development may apply to new development for this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to new development of this site as defined by those other City ordinances.
 - Throughout this Rezoning Petition, the terms "Owner," "Owners," "Petitioner" or "Petitioners," shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.
 - The location of the existing house and building designated "D" will encroach into the setback and yard requirements under Inst. zoning districts. Petitioner is seeking a variance with the Zoning Board of Adjustment to be conditioned upon approval of this rezoning to allow the existing structures to remain within the required setback and yard.
 - A Class C buffer will be provided per section 12.302 as noted on the site plan. Petitioner is seeking a variance with the Zoning Board of Adjustment to be conditioned upon approval of this rezoning to reduce the buffer along the existing building designated "D"

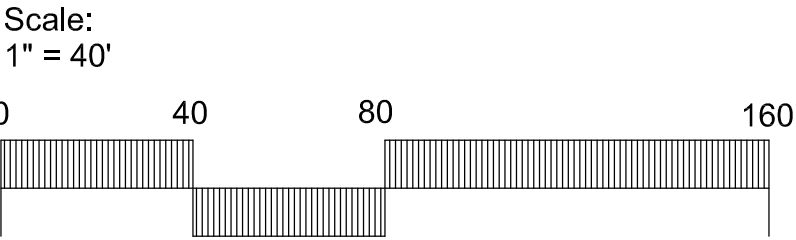
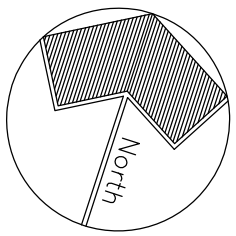
Purpose.
The purpose of this Rezoning application is to provide for institutional use of the property utilizing the existing house and accessory structures for conferences, luncheons, receptions, weddings, wedding receptions, meeting space and similar uses.

Permitted Uses.
Uses allowed on the Site included in this Petition will be all principal and related accessory uses and parking as are permitted in the Institutional district except as Prohibited herein. All such uses shall use the existing house and accessory structures which will remain on the Site. The uses of the accessory structures are designated on the site plan.

- Transportation.**
- The site has and will have access via Maple Street.
 - Required Parking areas are generally indicated on the existing condition site plan.
 - Parking and loading areas will be screened per section 12.303.

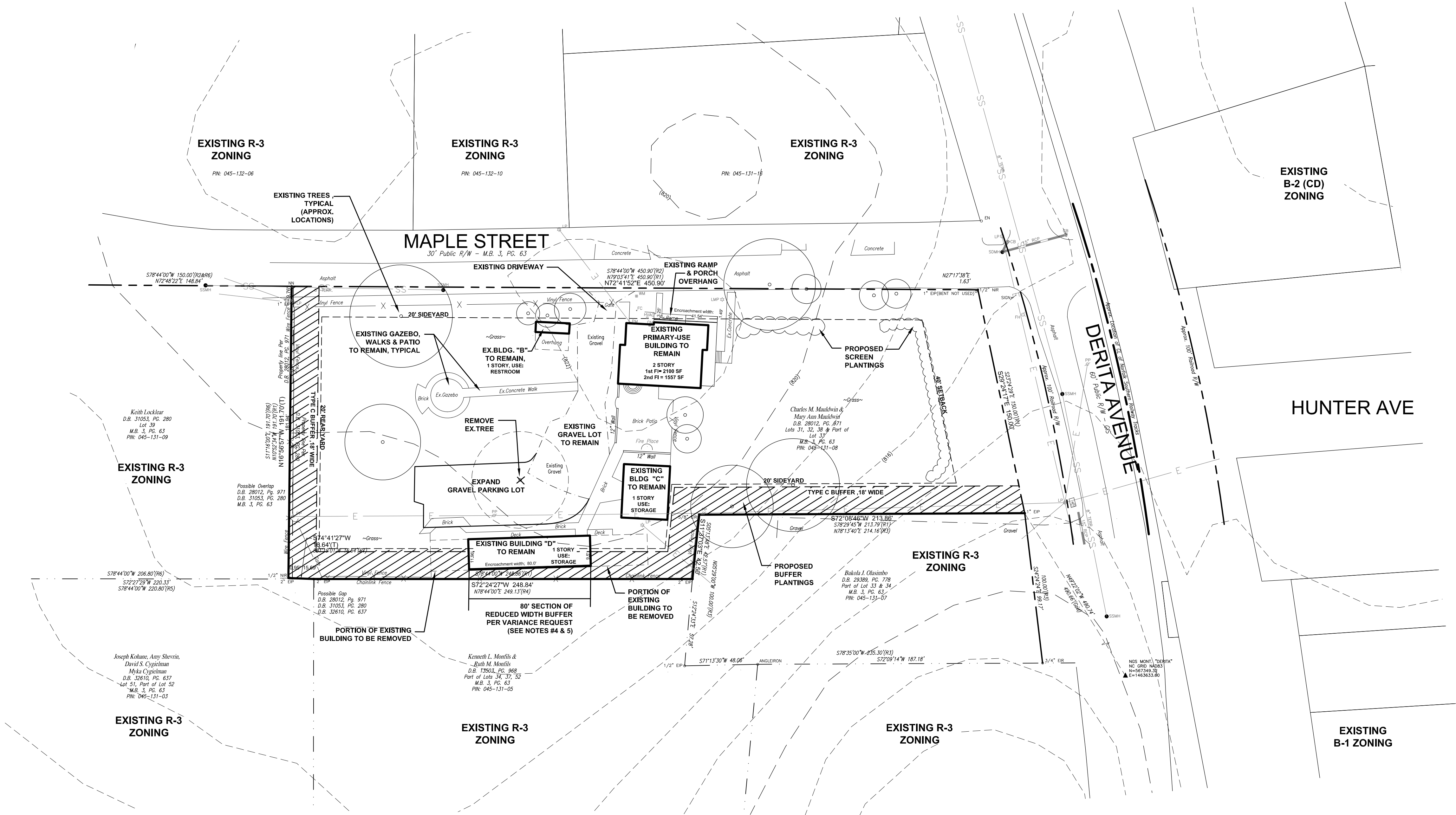
- Architectural Standards.**
- The existing house, accessory structures and improvements will remain on the Site as indicated on the site plan
 - The Petitioner reserves the right to make such changes to the existing building and improvements as are required for standard upkeep and maintenance and to make minor architectural changes to the existing house, accessory structures and improvements to comply with Code requirements

Modifications.
Petitioner may make modifications to the site plan in accordance with Section 6.207



Sheet Number
RZ-1
Sheet X of X

t:\projects\2018 projects\18053 derita ave - odem - sketch
rezoning\cad\18053-rezone base.dwg



ESTIMATED IMPERVIOUS AREA :

EXISTING HOUSE (INCLUDING PORCH) =	2,649 SF
EXISTING BLDG.B (6' x 20') =	120 SF
EXISTING STORAGE BUILDING C =	1,050 SF
EXISTING STORAGE BUILDING D =	1,622 SF
EXISTING GRAVEL DRIVE/PARKING =	3,736 SF
EXISTING WALKS, PATIO, GAZEBO =	4,932 SF
TOTAL EXISTING IMPERVIOUS AREAS =	14,109 SF
PROPOSED GRAVEL LOT EXTENSION =	3,810 SF
TOTAL IMPERVIOUS AREA=	±17,920 SF
TOTAL SITE =	1.854 AC. = 80,760.24 SF
TOTAL % BUA =	±22.19% (LESS THAN 25%)

PETITION #
MAULDWIN
2411 DERITA AVE
CHARLOTTE, NORTH CAROLINA

INITIAL SUBMISSION: 11-26-18

Project Manager
AHS
Drawn By
AHS
Checked By
AS
Date
11/26/18
Project Number
18053



DPR Associates, Inc. ■ 420 Hawthorne Lane ■ Charlotte, NC 28204
phone 704.332.1204 ■ fax 704.332.1210 ■ www.dprassociates.net

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-160

Petition #:	
Date Filed:	12/5/2018
Received By:	RH

Complete All Fields (Use additional pages if needed)

Property Owner: See Attached Sheet

Owner's Address: See Attached Sheet

City, State, Zip: See Attached Sheet

Date Property Acquired: See Attached Sheet

Property Address: See Attached Sheet

Tax Parcel Number(s): See Attached Sheet

Current Land Use: Agricultural

Size (Acres): +/- 93.86 ac AC Total

Existing Zoning: R3

Proposed Zoning: MX-1

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

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

Date of meeting: July 12, 2018

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To Develop single family level homes, townhomes and multi-family.

Jim Cirello Paramounte Engineering, Inc.
Name of Rezoning Agent

122 Cinema Drive
Agent's Address

Wilmington, NC 28403
City, State, Zip

910-791-6707 910-791-6760
Telephone Number Fax Number

jcirello@paramounte-eng.com
E-Mail Address

See Attached Sheet

Signature of Property Owner

See Attached Sheet

(Name Typed / Printed)

K Sade Ventures

(Keith Saieed - Developer Representative)

Name of Petitioner(s)

4242 Six Forks Road, Suite 1500

Address of Petitioner(s)

Raleigh, NC 27609

City, State, Zip

919-868-2007

Telephone Number

Fax Number

keith@ksade.com

E-Mail Address

Signature of Petitioner

Keith Saieed

(Name Typed / Printed)

K Sade Ventures –University City Boulevard Rezoning Application
Owner Information

Tax Parcel Number: 05111103 (0.4ac)
Property Address: 11701 University City Blvd., Charlotte NC 28213
Date Property Acquired: 4/14/16
Existing Zoning: R3
Property Owner: Johnson Farming Limited Partnership
Owner's Address: 2549 Grady Harris Sr Rd., Harrisburg NC 28075

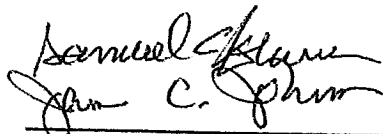
Tax Parcel Number: 05111104 (63.5ac)
Date Property Acquired: 4/14/16
Existing Zoning: R3
Property Owner: Johnson Farming Limited Partnership
Owner's Address: 2549 Grady Harris Sr Rd., Harrisburg NC 28075

Tax Parcel Number: 05122178 (26.9ac)
Date Property Acquired: 4/14/16
Existing Zoning: R3
Property Owner: Johnson Farming Limited Partnership
Owner's Address: 2549 Grady Harris Sr Rd., Harrisburg NC 28075

Tax Parcel Number: 05111109 (1.05ac)
Date Property Acquired: 4/14/16
Existing Zoning: R3
Property Owner: Johnson Farming Limited Partnership
Owner's Address: 2549 Grady Harris Sr Rd., Harrisburg NC 28075

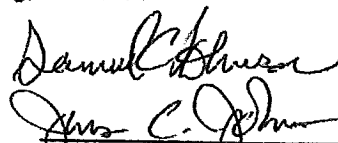
Tax Parcel Number: 05111114 (1.93ac)
Date Property Acquired: 2/18/2014
Property Address: 11815 University City Blvd., Charlotte NC 28262
Existing Zoning: R3
Property Owner: Shirley L Johnson
Owner's Address: 7774 Pharr Mill Rd., Harrisburg, NC 28075

Tax Parcel Number: 05111199 (0.08ac)
Date Property Acquired: 1/28/87
Existing Zoning: R3
Property Owner: Shirley L Johnson
Owner's Address: 7774 Pharr Mill Rd., Harrisburg, NC 28075



Signature of Property Owner
Samuel C. Johnson, Member/Manager
James C. Johnson, Member/Manager

Johnson Farming Limited Partnership
(Name Typed / Printed)



Signature of Property Owner
Samuel C. Johnson, Member/Manager
James C. Johnson, Member/Manager

Shirley L Johnson
(Name Typed / Printed)



UNIVERSITY CITY BOULEVARD DEVELOPMENT STANDARDS

GENERAL PROVISIONS:

- a. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS TECHNICAL DATA SHEET (SITE PLAN) AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS SITE PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.2 OF THE ZONING ORDINANCE.
- b. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, BICYCLE PARKING, AND SITE DEVELOPMENT, MAY APPLY TO THE DEVELOPMENT OF THIS SITE. UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THIS SITE PLAN, THESE OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THIS SITE AS DEFINED BY THOSE OTHER CITY ORDINANCES.
- c. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", "PETITIONER" OR "PETITIONERS"; SHALL, WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.

PURPOSE:

THE PURPOSE OF THIS PETITION IS TO PROVIDE FOR THE DEVELOPMENT OF A MIXED RESIDENTIAL COMMUNITY. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS TO REZONE THE SITE TO THE MX-1 CLASSIFICATION..

PERMITTED USES:

USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION WILL BE SINGLE FAMILY HOMES, TOWNHOMES AND MULTIFAMILY DWELLING UNITS AND RELATED ACCESSORY USES AS ARE PERMITTED IN THE MX-1 DISTRICT.

TRANSPORTATION:

- a. THE SITE WILL HAVE ACCESS VIA A DRIVEWAY TO UNIVERSITY CITY BOULEVARD AND POSSIBLE FUTURE CONNECTIONS TO ADJOINING PROPERTIES AS GENERALLY IDENTIFIED ON THE SITE PLAN.
- b. PARKING AREAS ARE GENERALLY INDICATED ON THE SITE PLAN FOR THE SITE.
- c. THE PUBLIC RIGHTS OF WAY WILL BE DEDICATED AND FEE SIMPLE CONVEYANCE TO THE CITY PRIOR TO THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

SOLID WASTE:

- a. ALL SOLID WASTE AND RECYCLING SERVICES WILL BE PROVIDED IN ACCORDANCE WITH SECTION 12.403 OF THE ORDINANCE

ARCHITECTURAL STANDARDS:

ARCHITECTURAL AND SITE DESIGN STANDARDS

1. PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS ABUTTING A NETWORK REQUIRED PUBLIC OR PRIVATE STREET SHALL COMPRISE A MINIMUM OF 30% OF THAT BUILDING'S ENTIRE FAÇADE FACING SUCH NETWORK STREET USING BRICK, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO OR OTHER MATERIAL APPROVED BY THE PLANNING DIRECTOR.
2. PROHIBITED EXTERIOR BUILDING MATERIALS:
 - a. VINYL SIDING (BUT NOT VINYL HAND RAILS, WINDOWS OR DOOR TRIM)
 - b. CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED
3. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:
 - a. BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FAÇADE TO ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE)
 - b. BUILDINGS SHALL REQUIRE A MINIMUM OF 50% OF THE TOTAL NETWORK REQUIRED STREET FRONTAGE ON THE SITE (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS, POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS AND STORM WATER FACILITIES)
 - c. PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY BUILDING AND ANY NETWORK REQUIRED PUBLIC OR PRIVATE STREET
 - d. DRIVEWAYS INTENDED TO SERVE SINGLE UNITS SHALL BE PROHIBITED ON ALL NETWORK REQUIRED STREETS
4. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:
 - a. BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FAÇADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF 6 FEET EXTENDING THROUGH THE BUILDING.
5. ARCHITECTURAL ELEVATION DESIGN - ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:
 - a. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS

<u>DEVELOPMENT DATA TABLE</u>	
a. Site Acreage	± 93.86 AC
Tax Parcels included in Rezoning	05111103
	05111104
	05122178
	05111109
	05111114
	05111199
a. Existing Zoning:	R-3
b. Proposed Zoning:	MX-1
c. Number of Residential Units	603
d. Residential Density	6.55 Units/Acre
e. Maximum Building Height	40', 3 stories max.
f. Number and/or Ratio of Parking Spaces	To Meet Ordinance Requirements
g. Amount of Open Space	To Meet Ordinance Requirements

3. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FACADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. SUCH BASE MAY BE EXECUTED THROUGH USE OF PREFERRED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES AND COLOR CHANGES
4. BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS BUT TO LIMITED TO BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS
5. ROOF FORM AND ARTICULATION - ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:
 - a. LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT NOT BE LIMITED TO GABLES, HIPS, DORMERS OR PARAPETS
 - b. FOR PITCHED ROOFS THE MINIMUM ALLOWED IS 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS
 - c. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET
6. SERVICE AREA SCREENING - SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM VIEW WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPAL STRUCTURES. SUCH DESIGN SHALL INCLUDE A MINIMUM 20 PERCENT PREFERRED EXTERIOR BUILDING MATERIALS OR A CLASS B BUFFER NOT LESS THAN 10' IN DEPTH AT ALL ABOVE GRADE PERIMETER NOT PAVED FOR ACCESS.

OPTIONAL

8. EXPOSED MULTI-LEVEL PARKING DECKS SHALL PROVIDE SCREENING SO THAT INTERIOR LIGHTING AND CARS ARE NOT VISIBLE FROM PUBLIC STREETS. THIS IS PRIMARILY ACCOMPLISHED BY THE USE OF ARCHITECTURAL LOUVERS OR DECORATIVE SCREENS ON ALL LEVELS.
9. ALL RESIDENTIAL GROUND FLOOR UNITS WILL HAVE ENTRANCES FACING THE STREET, AND WHEN WITHIN 15FT OF A STREET SHALL BE RAISED A MINIMUM OF 12-24". STOOPS SHOULD BE PROVIDED ON ALL PUBLIC AND PRIVATE STREETS.
10. SIDEWALK EXTENSIONS SHOULD BE PROVIDED BETWEEN ALL STREET TREES ON ALL PUBLIC AND PRIVATE NETWORK REQUIRED STREETS WHEN PARKING IS ADJACENT.

STREETSCAPE AND LANDSCAPING

RESERVED

ENVIRONMENTAL FEATURES:

- a. THE LOCATION, SIZE, AND TYPE OF STORMWATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
- b. FOR ADJOINING PARCELS RECEIVING STORMWATER DISCHARGE FROM PROPOSED B, THE PETITIONER SHALL ANALYZE ADEQUACY OF THE EXISTING STORMWATER CONVEYANCE ON THE ADJOINING PARCELS. IF THE EXISTING STORMWATER CONVEYANCE ON THE ADJOINING PARCELS IS FOUND TO BE INADEQUATE, THE PETITIONER SHALL MAKE A GOOD FAITH EFFORT WITH THE PROPERTY OWNER(S) TO IMPROVE THE STORMWATER CONVEYANCE OR OTHERWISE MITIGATE THE STORMWATER DISCHARGE ONTO THE ADJOINING PARCELS.

CHARLOTTE AREA TRANSIT SYSTEM

RESERVED

PARKS, GREENWAYS, AND OPEN SPACE:

RESERVED

FIRE PROTECTION:

RESERVED

SIGNAGE:

RESERVED

LIGHTING:

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

PHASING:

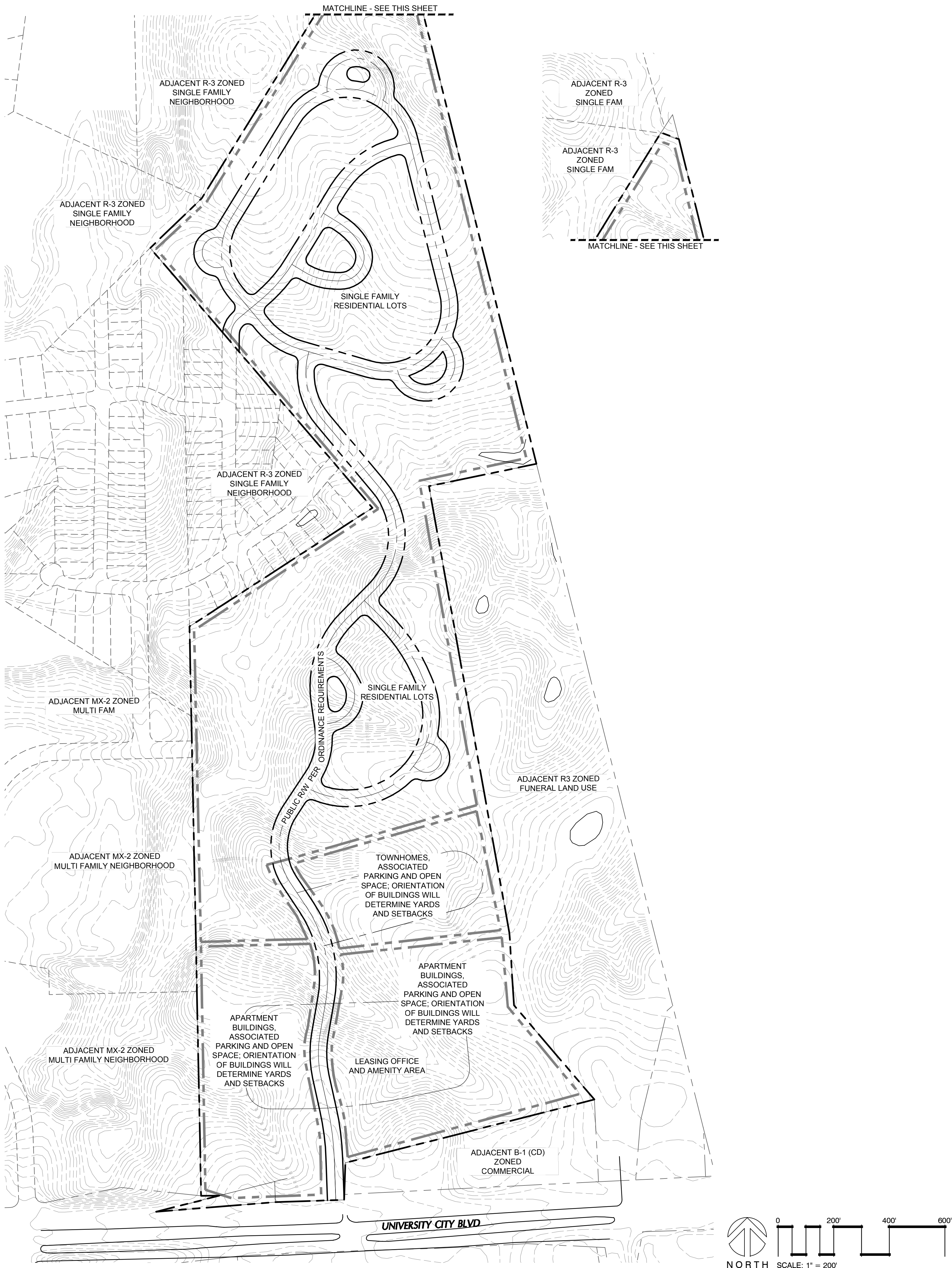
RESERVED

BUFFERS:

REQUIRED BUFFERS ABUTTING R-3 (SINGLE FAMILY RESIDENTIAL) ZONING WILL NOT BE REDUCED

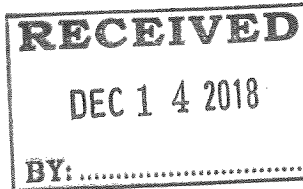
SITE DEVELOPMENT SHALL COMPLY WITH THE TREE ORDINANCE

INITIAL SUBMISSION - 10-22-18



<div>CRZ-1</div>	<div>SEAL</div>	<div>PROJECT STATUS</div> <div>CONCEPTUAL LAYOUT: FINAL DESIGN: FINAL LAYOUT:</div>	<div>CONDITIONAL REZONING PLAN</div> <div>UNIVERSITY CITY BOULEVARD CHARLOTTE NORTH CAROLINA</div>	<div><div>PARAMOUNT ENGINEERING</div><div>122 Cinema Drive Wilmington, North Carolina 28403 (910) 791-6707 (O) (910) 791-6760 (F) NC License # C-2846</div></div>	<div>CLIENT INFORMATION:</div> <div>KSADE VENTURES 200 PARK AT NORTH HILLS ST., SUITE 1400 RALEIGH, NC 27609</div>	<div>REVISIONS:</div>
		<div>DRAWING INFORMATION</div> <div>DATE: 10-22-18 DESIGNED: JRC CHECKED: JRC RELEASED FOR CONSET:</div>				
PEI JOB#:	18389-PE					

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-161

Petition #:	_____
Date Filed:	12/14/2018
Received By:	R H

Complete All Fields (Use additional pages if needed)

Property Owner: Borgin Properties

Owner's Address: PO Box 669487 City, State, Zip: Charlotte, NC 28266

Date Property Acquired: See Attached

Property Address: See Attached

Tax Parcel Number(s): See Attached

Current Land Use: Residential Size (Acres): +/- 12 acres

Existing Zoning: R-4 & R-8(CD) Proposed Zoning: R-8(CD) & R-8(CD) SPA

Overlay: n/a Tree Survey Provided: Yes: N/A: X

Required Rezoning Pre-Application Meeting* with: John Kinley, Kent Main, Jason
Date of meeting: Oct. 16, 2018

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To Rezone these parcels to develop a single family development

Vince Keene (Yarbrough Williams & Houle, Inc.)
Name of Rezoning Agent

PO Box 1198
Agent's Address

Pineville, NC 28134
City, State, Zip

704-556-1990 704-556-0505
Telephone Number Fax Number

vincek@y-wh.com
E-Mail Address

James M Howell
Signature of Property Owner

James M. Howell – Borgin Properties, Manager
(Name Typed / Printed)

James M. Howell (Manager)
Name of Petitioner(s)

PO Box 669487
Address of Petitioner(s)

Pineville, NC 28134
City, State, Zip

704-995-7689
Telephone Number Fax Number

jamesmhowell1@gmail.com
E-Mail Address

James M Howell
Signature of Petitioner

James M. Howell
(Name Typed / Printed)

Borgin Property Rezoning-

Owner:

Borgin Properties, LLC

PO Box 669487

Charlotte, NC., 28266

Deed :10686-298

**Tax Parcels: 205-115-09 / 205-115-07 / 205-115-06 / 205-115-05 / 205-115-04 / 205-115-17
205-115-16 / 205-115-15 / 205-115-14 / 205-115-13 / 205-115-11 / 205-115-10
205-113-34 / 205-113-32 / 205-113-28 / 205-101-09 / 205-101-14 / 205-101-12
205-101-11 / 205-101-06 / 205-202-11 / 205-202-10 / 205-202-08 / 205-202-07
205-201-57 / 205-201-56 / 205-201-55 / 205-201-54**

Deed:5744-899

Tax Parcel: 205-115-08

Deed:32155-785

Tax Parcels: 205-115-12 / 205-113-35 / 205-101-15 / 205-101-16

Deed:10808-203

**Tax Parcels: 205-113-33 / 205-113-29 / 205-101-13 / 205-202-06 / 205-202-05 / 205-202-04
205-202-03 / 205-201-53**

Deed: 24316-891

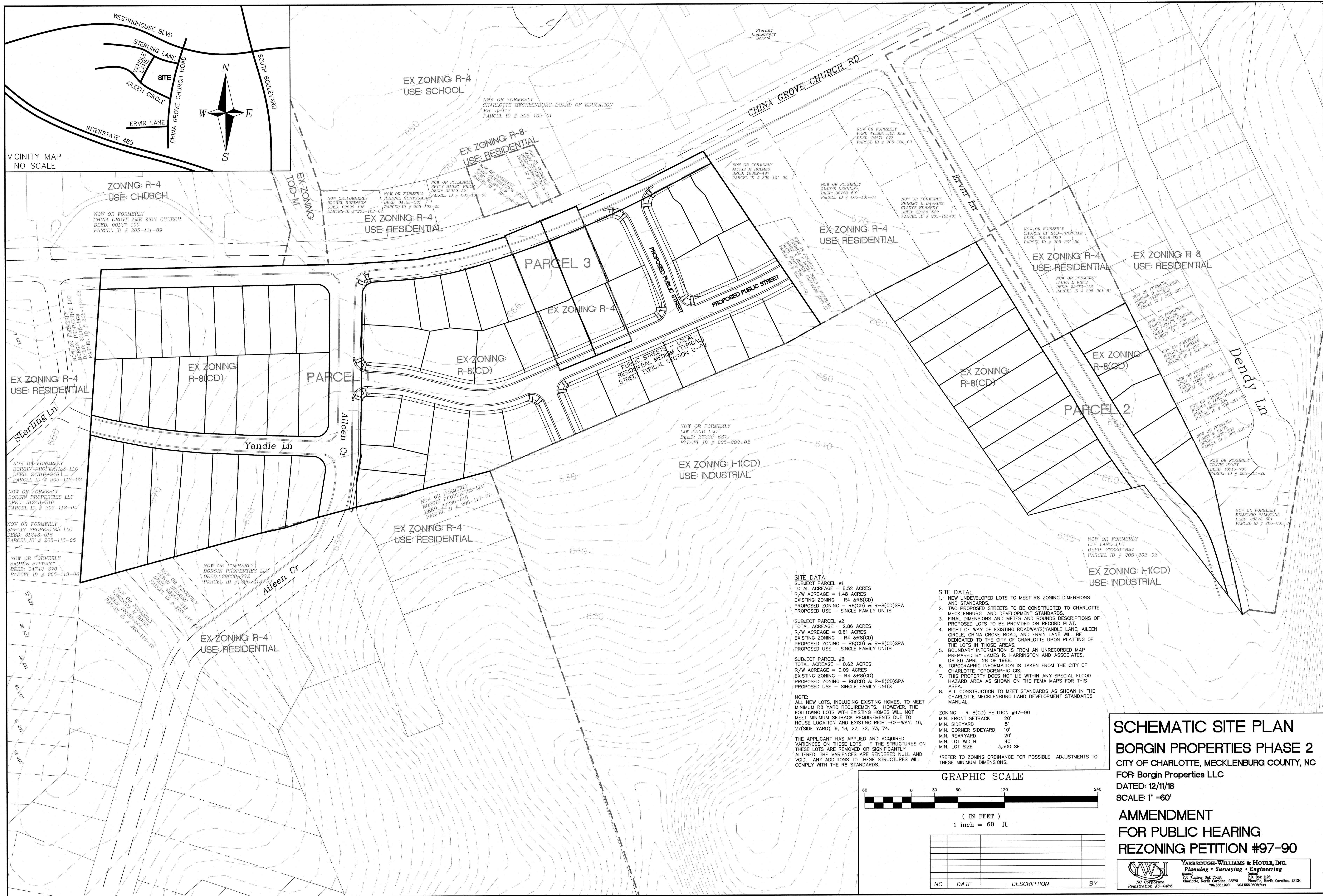
Tax Parcels: 205-113-31 / 205-113-30

Deed:20607-690

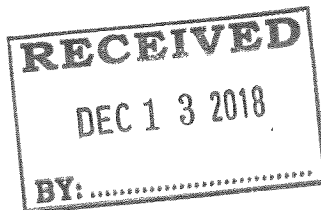
Tax Parcel: 205-101-08

Deed:10812-303

Tax Parcel: 205-101-07



**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-162

Petition #:	
Date Filed:	12/13/2018
Received By:	81

Complete All Fields (Use additional pages if needed)

Property Owner: The Estate of Nancy Abernethy (c/o John B. Abernethy)

Owner's Address: 4100 Grand Manor Court, Apartment 101 City, State, Zip: Raleigh, NC 27612

Date Property Acquired: September 15, 1928

Property Address: 5301 North Tryon Street

Tax Parcel Number(s): Portion of 089-111-11

Current Land Use: Vacant commercial Size (Acres): +/- 6.63 acres

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

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

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

Date of meeting: November 8, 2018

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate the development of a multi-family residential community on the site that could contain up to 200 dwelling units for families earning on average 60% of the area median income.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com
E-Mail Address

See Attached Joinder Agreement
Signature of Property Owner

(Name Typed / Printed)

NRP Properties, LLC (c/o Jason Mochizuki)
Name of Petitioner(s)

1000 NC Music Factory Boulevard
Address of Petitioner(s)

Charlotte, NC 28206
City, State, Zip

510-295-3252
Telephone Number Fax Number

JMochizuki@nrpgroup.com
E-Mail Address

NRP PROPERTIES, LLC
By: [Signature]
Signature of Petitioner

Noam Magence
(Name Typed / Printed)

**REZONING APPLICATION
NRP PROPERTIES, LLC, PETITIONER
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by NRP Properties, LLC that is designated as Tax Parcel No. 089-111-11 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the relevant portion of the Site to the UR-2 (CD) zoning district.

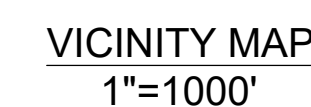
This 10th day of December, 2018.

THE ESTATE OF NANCY ABERNETHY

By: 

Name: John B. Abernethy

Title: Executor of The Estate of Nancy Abernethy *Starrette*



DEVELOPMENT DATA TABLE	
SITE AREA:	6.63 ACRES
TAX PARCEL:	A PORTION OF TAX PARCEL 089-111-11
EXISTING ZONING:	B-2 (CD)
PROPOSED ZONING:	UR-2 (CD)
EXISTING USE:	VACANT
PROPOSED USE:	MULTI-FAMILY
MAX MULTI-FAMILY DENSITY:	200 UNITS
MAX BUILDING HEIGHT:	4 STORIES
MIN. SETBACK FROM EX BOC:	14.0' (PER ZONING ORDINANCE (UR-2))
MIN. SIDE YARD:	5.0' (PER ZONING ORDINANCE (UR-2))
MIN. REAR YARD:	10.0' (PER ZONING ORDINANCE (UR-2))
NUMBER OF PARKING SPACES	A MINIMUM OF 1 SPACE PER UNIT

KEY MAP

SEA

PROJECT

**REZONING
PETITION
#2018-XXX**

LANDDESIGN PROJ.# 1018479

REVISION / ISSUANCE

[illegible]

DESIGNED BY: MDG
DRAWN BY: MDG
CHECKED BY: NLD

Age Group	Total	Male	Female	Male	Female
18-24	100%	100%	100%	100%	100%
25-34	100%	100%	100%	100%	100%
35-44	100%	100%	100%	100%	100%
45-54	100%	100%	100%	100%	100%
55-64	100%	100%	100%	100%	100%
65+	100%	100%	100%	100%	100%

VERT: _____
HORIZ: 1"-40'

SHEET TITLE

SITE PLAN

SHEET NUMBER

RZ-1

DEVELOPMENT STANDARDS

December 17, 2018

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Application filed by NRP Properties, LLC to accommodate the development of a multi-family residential community on that approximately 6.63 acre site located on the west side of West Eastway Drive, north of the intersection of West Eastway Drive and North Tryon Street, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of a portion of Tax Parcel No. 089-111-11.
- B. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The regulations established under the Ordinance for the UR-2 zoning district shall govern the development and use of the Site.
- C. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard and landscaping 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. Alterations and modifications shall be in accordance with Section 6.207 of the Ordinance.
- D. The Site is divided into three separate building and parking envelopes on the Rezoning Plan. All principal buildings, accessory structures and parking areas developed on the Site must be located within a building and parking envelope.
- E. This Rezoning Plan does not limit the number of principal buildings, accessory structures and parking areas that may be located within a building and parking envelope or on the Site. The number of principal buildings, accessory structures and parking areas that may be located within a building and parking envelope or on the Site shall be governed by the applicable provisions of the Ordinance.
- F. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. The Site may only be devoted to a multi-family residential community containing a maximum of 200 dwelling units and to any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district. Customary incidental and accessory uses may include, without limitation, a leasing and management office and amenities for the residents.
- B. The dwelling units constructed on the Site shall maintain monthly rents that are income restricted to households earning 80% or less of the area median income for a period of not less than 15 years from the date of the issuance of a certificate of occupancy for the first building to be constructed on the Site.

3. TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access point are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT").
- B. The alignments of the internal driveways and vehicular circulation areas may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with applicable published standards.
- C. Petitioner may install parallel parking on West Eastway Drive along the Site's frontage on West Eastway Drive.

4. ARCHITECTURAL AND DESIGN STANDARDS

- A. The maximum height of any building constructed on the Site in stories shall be 4 stories.

5. STREETSCAPE/LANDSCAPING AND SCREENING

- A. Petitioner shall install a minimum 6 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's frontage on West Eastway Drive as generally depicted on the Rezoning Plan. 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 any existing sidewalk located on West Eastway Drive.
- B. A minimum 27 foot wide landscape area that is planted to Class C buffer standards with a 6 foot tall wooden screen fence shall be established along that portion of the Site's northern boundary line that is more particularly depicted on the Rezoning Plan.

6. ENVIRONMENTAL FEATURES

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

7. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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

SEAL

PROJECT _____

REZONING PETITION #2018-XXX

LANDDESIGN PROJ# 1018479

REVISION / ISSUANCE

[illegible]

DESIGNED BY:
DRAWN BY:
CHECKED BY:

SCALE NORTH

VERT:
HORZ:

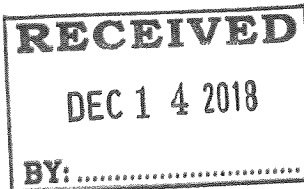
SHEET TITLE

REZONING NOTES

SHEET NUMBER

RZ-2

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-163

Petition #: _____
Date Filed: 12/14/2018
Received By: Bj

Complete All Fields (Use additional pages if needed)

Property Owner: 1300 Kenilworth LLC; 1417-23 Waverly LLC

Owner's Address: 1355 Greenwood Cliff Ste 300 City, State, Zip: Charlotte, NC 28204

Date Property Acquired: 7/19/2017, 8/5/2016, 11/25/2015, 2/2/2017, 7/24/2017

Property Address: 1404, 1400, 1328, 1324, 1320 Kenilworth Ave; 1417, 1423 Waverly Ave

Tax Parcel Number(s): 12312521, 12312522, 12312523, 12312524, 12312525, 12312512, 12312513

Current Land Use: Residential Size (Acres): +/- 1.752

Existing Zoning: R-22MF and R-8 Proposed Zoning: UR-2(CD)

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, Catherine Mahoney, Kathy Cornett, Isaiah Washington

Date of meeting: 9/12/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate the development of a high-quality residential community with commitments to streetscape improvements and a greenway connection.

Collin Brown and Bailey Patrick, Jr.
Name of Rezoning Agent

214 N. Tryon Street, 47th Floor
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-331-7531 704-353-3231
Telephone Number Fax Number

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

[Signature]
Signature of Property Owner

Paul E. Harris
(Name Typed / Printed)

Suncap Property Group, LLC
Name of Petitioner(s)

6101 Carnegie Blvd, Suite 180
Address of Petitioner(s)

Charlotte, NC 28209
City, State, Zip

704-945-8001
Telephone Number Fax Number

dlee@suncapppg.com
E-Mail Address

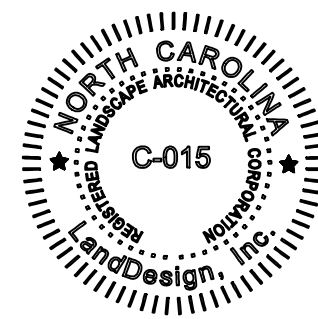
[Signature]
Signature of Petitioner

DAVID G. LEE
(Name Typed / Printed)



SITE AREA:	+/- 1.752 ACRES
TAX PARCEL:	12312512, 12312513, 12312525, 12312524, 12312523, 12312522, 12312521
EXISTING ZONING:	R-22MF AND R-8
PROPOSED ZONING:	MUDD (CD)
EXISTING USE:	RESIDENTIAL
PROPOSED USES:	UP TO 12 SINGLE-FAMILY ATTACHED (TOWNHOME) UNITS AND 70 MULTI-FAMILY RESIDENTIAL UNITS
MAX. BUILDING HEIGHT:	70 FEET (5 STORIES) IN DEVELOPMENT AREA A AND 45 FEET (3 STORIES) IN DEVELOPMENT AREA B
PARKING:	SHALL SATISFY OR EXCEED ORDINANCE REQUIREMENTS

SEAL



PROJECT

REZONING PETITION NUMBER
2018-XXX

LANDDESIGN PROJ.#

[illegible]

DESIGNED BY: LD
DRAWN BY: LMC
CHECKED BY: EMP

SCALE

VERT: N/A
HORIZ: 1"=30'

SHEET TITLE

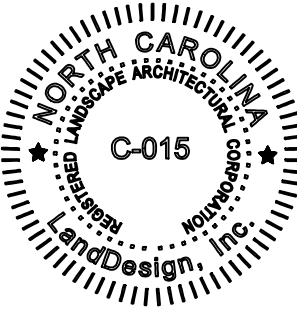
TECHNICAL DATA

SHEET NUMBER

RZ-1

REZONING
PETITION NUMBER:
2018-XXX

SEAL



PROJECT

KENILWORTH
MULTI-FAMILY

SUNCAP PROPERTY GROUP

CHARLOTTE, NC

REZONING PETITION NUMBER:
2018-XXX

LANDDESIGN PROJ.#
1018359

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	INITIAL REZONING SUBMITTAL	12.14.2018

DESIGNED BY: LD
DRAWN BY: LMC
CHECKED BY: EMP

SCALE NORTH

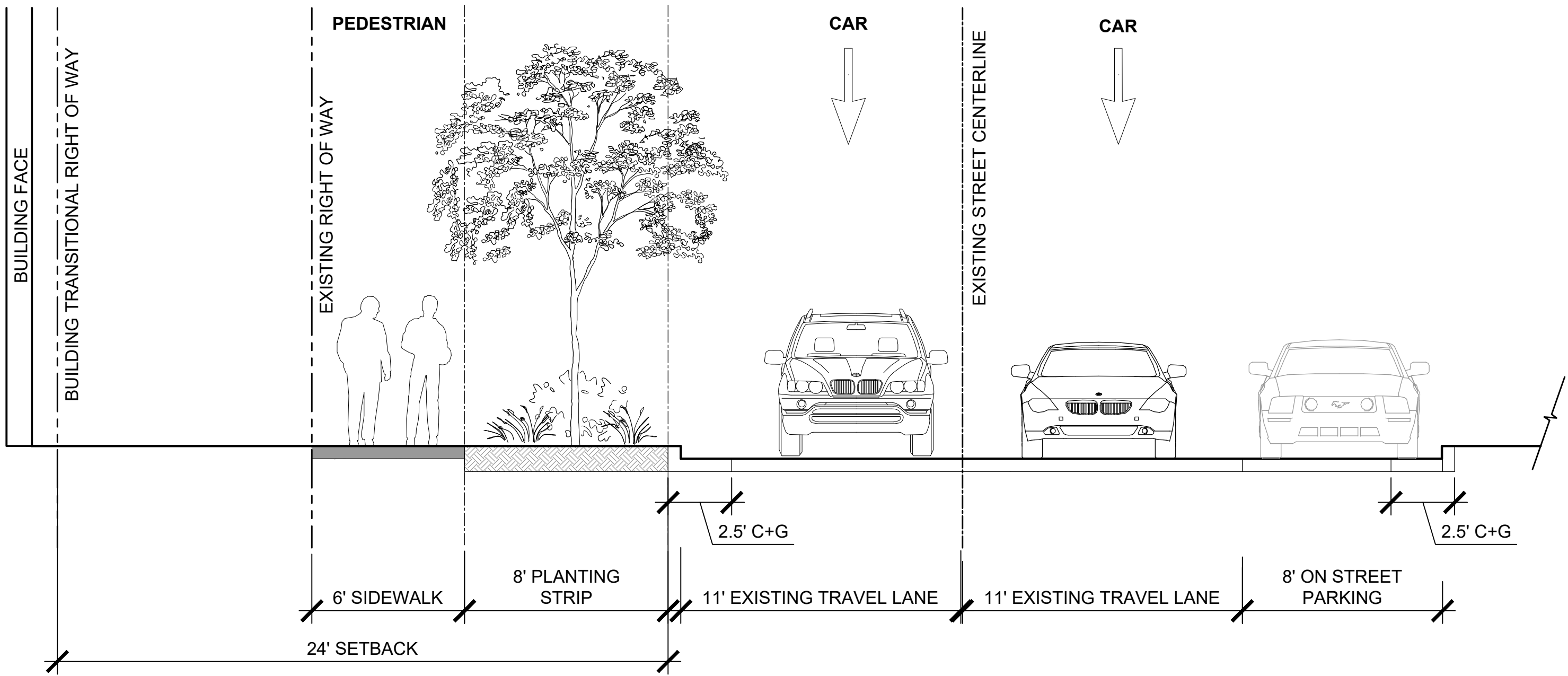
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HORZ: N/A

SHEET TITLE

STREET SECTIONS

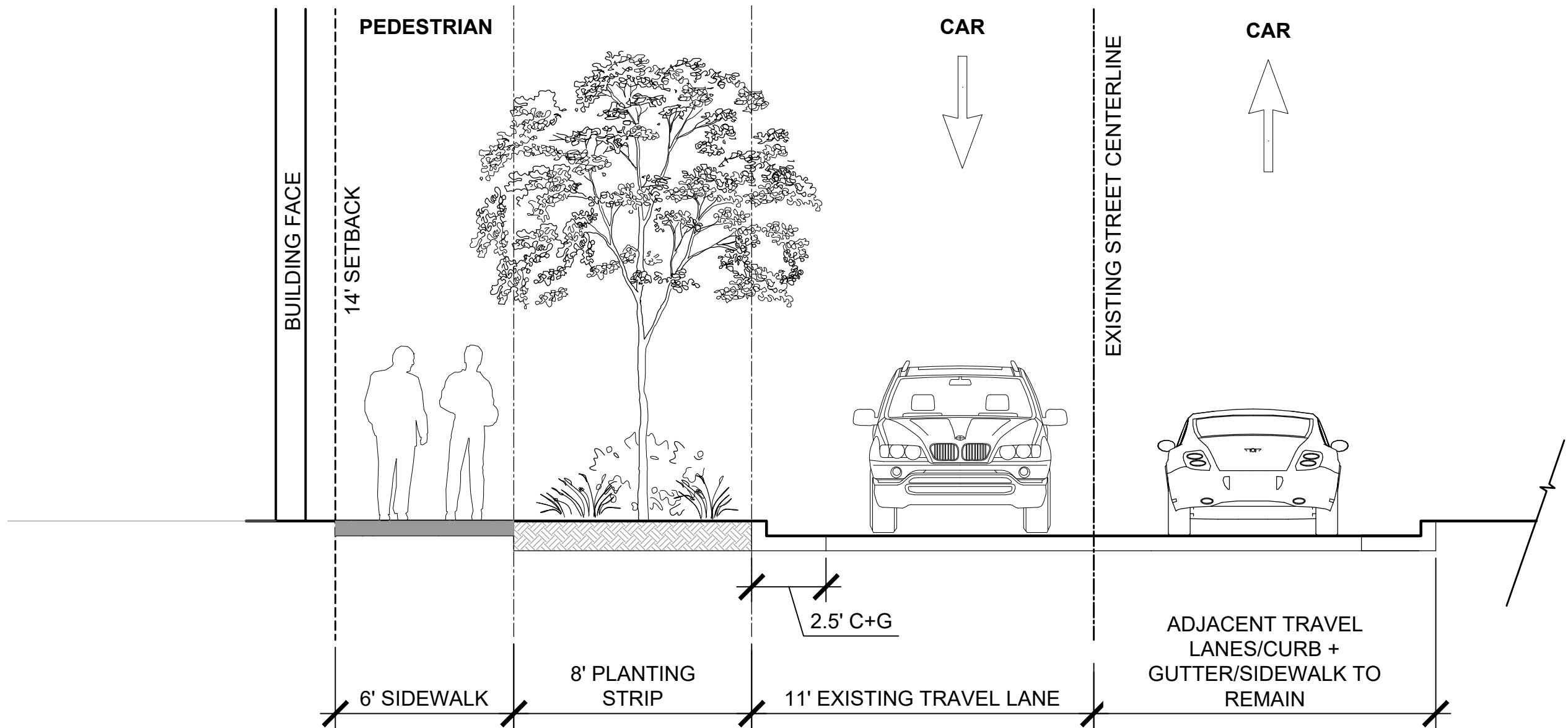
SHEET NUMBER

RZ-2



SECTION A - KENILWORTH AVE

SCALE: 1/4" = 1'-0"



SECTION B - WAVERLY AVE

SCALE: 1/4" = 1'-0"



SEAL



SUNCAP PROPERTY GROUP

CHARLOTTE, NC

REZONING PETITION NUMBER:
2018-XXX

LANDDESIGN PROJ.# 1018359

REVISION / ISSUANCE

[illegible]

DESIGNED BY: LD
DRAWN BY: LMC
CHECKED BY: EMP

VERT: N/A
HORZ: 1"=30'

SHEET TITLE

EXISTING SURVEY

SHEET NUMBER

RZ-3

Suncap PROPERTY GROUP, LLC
REZONING PETITION NO. 2018-xxx
DEVELOPMENT STANDARDS
12/14/2018

Development Data Table:

Site Area: +/- 1,752 acres
Tax Parcel(s): 12312521, 12312522, 12312523, 12312524, 12312525, 12312512, 12312513
Existing Zoning: R-22MF and R-8
Proposed Zoning: MUDD(CD)
Existing Use: Residential
Proposed Uses: Up to 12 single-family attached (townhome) units and 70 multi-family residential units
Maximum Building Height: 70 feet (5 stories) in Development Area A and 45 feet (3 stories) in Development Area B
Parking: Shall satisfy or exceed Ordinance requirements

I. General Provisions

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Suncap Property Group, LLC (the "Petitioner") to accommodate the development of a residential community on that approximately 1,752-acre site located on the north-west side of Kenilworth Avenue, north of the intersection with Pierce Street, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 12312521, 12312522, 12312523, 12312524, 12312525, 12312512, and 12312513.
- 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 MUDD zoning district shall govern the development and use of the Site.
- The development and layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.
- Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Minor alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

II. Permitted Uses

The Site may be devoted only to a residential community containing a maximum of seventy (70) multi-family residential units in Development Area A, twelve (12) single-family attached (townhome) units in Development Area B, and any incidental and accessory uses relating thereto that are allowed in the MUDD zoning district.

III. Transportation

- Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
- Petitioner shall dedicate all rights-of-way in fee simple conveyance to the City of Charlotte before the Site's first building certificate of occupancy is issued or phased per the Site's development plan.
- Petitioner shall substantially complete all transportation improvements before the Site's first building certificate of occupancy is issued or phased per the Site's development plan.

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

IV. Architectural Standards

- Preferred Exterior Building Materials: All principal and accessory buildings fronting a public street shall be comprised of a minimum of 50% of the following materials on that building's entire façade facing such public street (excluding window and door areas): brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.
- Prohibited Exterior Building Materials:
 - Vinyl Siding (but not vinyl hand rails, windows, soffits, garages, or door trim); and
 - Concrete masonry units not architecturally finished.
- Driveways intended to serve single units shall be prohibited on Kenilworth Avenue.
- Roof overhangs, eaves, cornices, chimneys, gutters, vents, bay windows, pilasters, pillars, open porches (if provided), and other architectural elements may project up to twenty-four (24) inches into the required setbacks.
- Service Area Screening- service areas such as dumpsters, refuse areas, recycling and storage shall be screened from view with materials and design to be compatible with principal structures. Such design shall include a minimum 20% Preferred Exterior Building Materials or a Class B buffer not less than 10' in depth at all above grade perimeter not paved for access.
- Within Development Area A** (multi-family residential), the following additional standards shall apply:
 - Multi-family buildings shall contain a minimum transparency of 25% for all floors.
 - Building Massing and Height shall be designed to break up long monolithic building forms as follows:
 - Buildings exceeding 120 feet in length shall include modulations of the building massing/façade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of one (1) foot extending through at least a full floor.
 - Architectural Elevation Design - elevations shall be designed to create visual interest as follows:
 - Building elevations shall be designed with articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors; and
 - Building elevations facing network required public or private streets shall not have expanses of blank walls greater than 20' in all directions and architectural features such as but not limited to banding, modulations or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
 - Roof Form and Articulation - roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:
 - Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers or parapets.
 - Within Development Area B** (single-family attached residential/townhomes), the following additional standards shall apply:
 - Pitched roofs, if provided, may be of a contemporary style with asymmetrical low roof slopes of no less than 4:12, with the exception of flat roof accents or parapets, which may be provided in strategic locations.
 - Usable porches or stoops shall form a predominant feature of the building design and be located on the front and/or side of the building, where feasible based on Site grading. Stoops and entry-level porches may be covered but shall not be enclosed.
 - For all corner/end units that face a public or private street, stoops shall face the public realm and corner units will have enhanced side elevations with a front stoop where feasible. Roof overhangs, eaves, cornices, chimneys, gutters, vents, bay windows, pilasters, pillars, open porches (if provided), and other architectural elements may project up to twenty-four (24) inches into the required setbacks.
 - Side elevations shall not contain blank wall expanses greater than ten (10) feet on all building levels.
 - Enhancements to side elevations may include, but shall not be limited to, usable doors, decorative lighting/sconces, architectural details or protrusions, transom windows, awnings, and/or stairs.
 - Attached dwelling units shall be limited to a maximum of eight (8) townhome units per building.

V. Environmental Features & Landscaping

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

VI. Lighting

- All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks as landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
- The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed twenty-one (21) feet.
- Any lighting fixtures attached to the buildings to be constructed on the site shall be decorative, capped and downwardly directed.

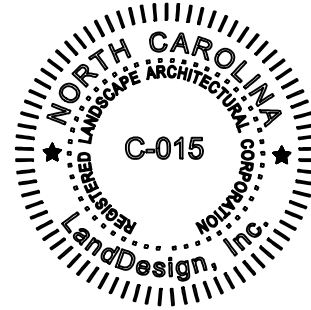
VII. Binding Effect of the Rezoning Documents and Definitions

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

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

REZONING
PETITION NUMBER:
2018-XXX

SEAL



PROJECT

KENILWORTH
MULTI-FAMILY

SUNCAP PROPERTY GROUP
CHARLOTTE, NC

REZONING PETITION NUMBER:
2018-XXX

LANDDESIGN PROJ.# 1018359

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	INITIAL REZONING SUBMITTAL	12.14.2018

DESIGNED BY: LD
DRAWN BY: LMC
CHECKED BY: EMP

SCALE NORTH

VERT: N/A
HORZ: N/A

SHEET TITLE

DEVELOPMENT NOTES AND
STANDARDS

SHEET NUMBER

RZ-4

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-164

Petition #:	
Date Filed:	12/14/2018
Received By:	[Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: ADULIS LLC by owner: TZEGGAI YOHANNES

Owner's Address: 2022 TANFIELD DR City, State, Zip: MATTHEWS NC 28105

Date Property Acquired: 01/27/2005

Property Address: 3717 N SHARON AMITY RD CHARLOTTE NC 28205

Tax Parcel Number(s): 10121211

Current Land Use: Under Construction Size (Acres): 0.92 AC

Existing Zoning: O2 Proposed Zoning: B1(CD)

Overlay: NONE Tree Survey Provided: Yes: ☒ N/A:

Required Rezoning Pre-Application Meeting* with: Sonda S. Kennedy Sonja & Mandy
Date of meeting: November 8, 2018

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan:

Please find Attached Exhibit A

RAN SHAPIRA
Summit Properties International LLC
Name of Rezoning Agent
2400 Crownpoint Executive DR STE 300
Agent's Address
Charlotte NC 28227
City, State, Zip
office: 704.844.0244 Mobile: 704.497.0828
Telephone Number Fax Number
Ran@spiclt.com
E-Mail Address

TZEGGAI YOHANNES
Signature of Property Owner
dotloop verified
12/13/18 4:44 PM EST
IITR-FGII-LI8D-LKNR

TZEGGAI YOHANNES

(Name Typed / Printed)

TZEGGAI YOHANNES
Name of Petitioner(s)
2022 TANFIELD DR
City, State, Zip
MATTHEWS NC 28105
City, State, Zip
704.517.8030
Telephone Number Fax Number
yohannesinc@hotmail.com
E-Mail Address

TZEGGAI YOHANNES
Signature of Petitioner
dotloop verified
12/13/18 4:44 PM EST
JTCE-MHAO-KCLX-NQGZ

TZEGGAI YOHANNES

(Name Typed / Printed)

Conditional Rezoning Application City of Charlotte - Exhibit A

Petition # _____

Date Filed _____

Received By _____

Purpose and Description of Conditional Rezoning:

Over the past year, we have been conducting extensive field marketing activities and wide research, and we have been facing the following needs for the economic development of the neighborhood:

1. There is a vast demand for small retail spaces in the area, which has led our client to not only fill the available spaces with leases, but also generate a waitlist of over 20 small businesses. These businesses would create between 25 to 40 new jobs, including starting positions, which would create upward mobility for the neighborhood as well as the city of Charlotte.
2. The changing demographics have created a need for community related retail businesses, such as a neighborhood coffee shops, a neighborhood gift-shop, a bakery, a clothing boutique, that will provide inclusive and in culture family friendly gathering places within walking distance from the residential surroundings. This in turn will increase the feeling of belonging and sense of community that will also optimize activity and the appeal of the neighborhood.
3. The adjacent lot is zoned O2, therefore changing the zoning on for 3717 N Sharon Amity will not interfere with the current City Plan of keeping a buffer and a gradual transition from residential zoning to retail related zoning.

Many thanks in advance.

Petitioner: Tzeggai Yohannes

 dotloop verified
12/13/18 4:43 PM EST
WCOW-NPTD-NTSG-DS1H

Rezoning Agent: Ran Shapira, Summit Properties International LLC

 dotloop verified
12/13/18 12:09 PM EST
TXKD-6DWA-UDWH-TJJ0

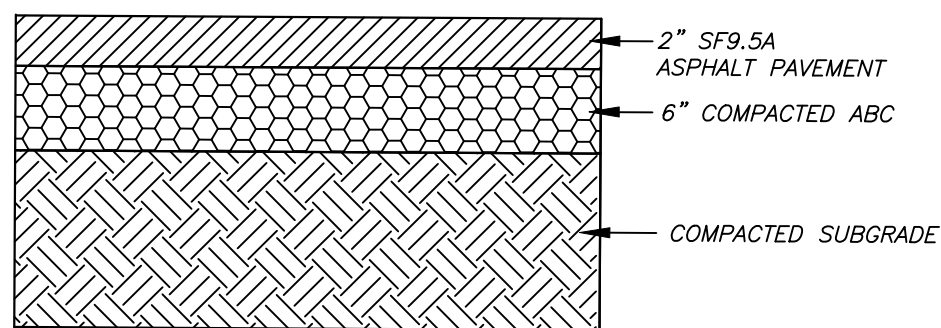


Know what's below.
Call before you dig.

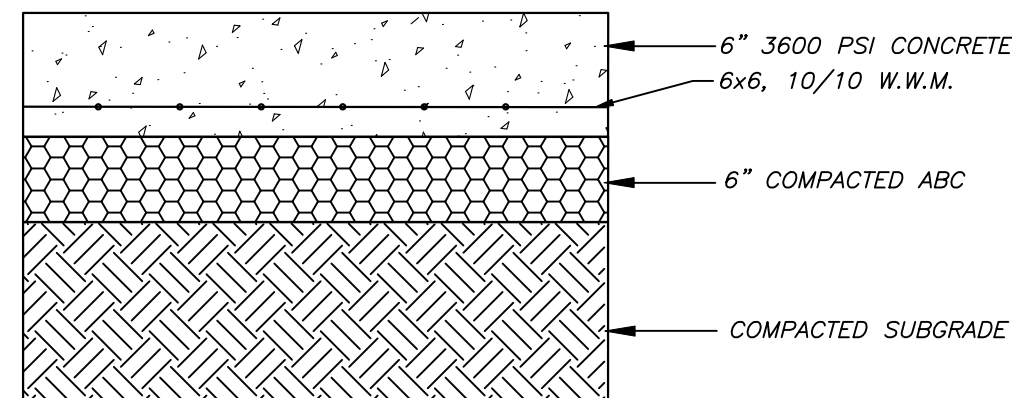
1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
4. SHORING WILL BE ACCORDING TO OSHA TRENCING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.

NOTES:

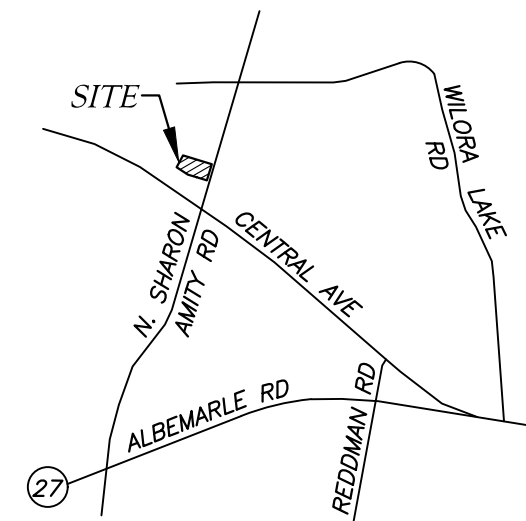
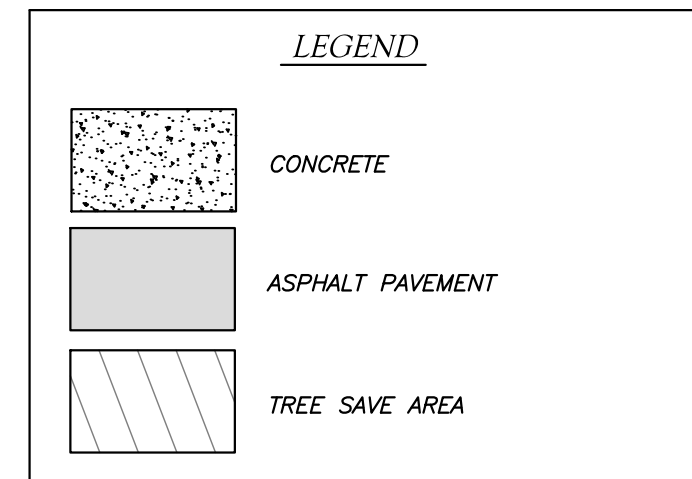
1. CONTACT THE UTILITY COMPANY TO RELOCATE ANY EXISTING UTILITY POLES. ALL EXISTING FACILITIES WHICH CONFLICT WITH THE IMPROVEMENTS UNDER THE SCOPE OF THIS PROJECT MUST BE RELOCATED AT THE EXPENSE OF THE APPLICANT
2. TREES WITHIN THE STREET RIGHT OF WAY ARE PROTECTED BY LAW. A PERMIT IS REQUIRED FROM THE CITY ARBORIST AT (704) 336-5753 PRIOR TO THE REMOVAL OF ANY RIGHT OF WAY TREES. ALL TREES OVER 6" IN DIAMETER AS MEASURED 4.5' ABOVE GROUND AND LOCATED WITHIN THE SETBACK ARE PROTECTED BY LAW. CONTACT LAND DEVELOPMENT AT (704) 336-6692 FOR REQUIRED PERMITS.
3. BEFORE YOU DIG STOP. CALL THE NC ONE-CALL CENTER AT 1-800-632-4949. IT'S THE LAW.



STANDARD
ASPHALT PAVING DETAIL
N.T.S.



CONCRETE PAD FOR DUMPSTER
N.T.S.



VICINITY MAP
N.T.S.

LWE
LATHAM-WALTERS
ENGINEERING, INC.

N.C. CORP. LIC. C-1815
16507-A NORTH CROSS DRIVE
HUNTERSVILLE, N.C. 28078
PHONE: (704) 895-8484
FAX: (704) 237-4362



JUNE 11, 2018
DATE

TZEGGAI YOHANNES
ADULIS, LLC

2022 TANFIELD DRIVE
MATTHEWS, NC 28105
(704) 517-8030
yohannesinc@hotmail.com

3717 SHARON AMITY
3717 N. SHARON AMITY RD CHARLOTTE, NC 28205

SITE PLAN

SITE NOTES:

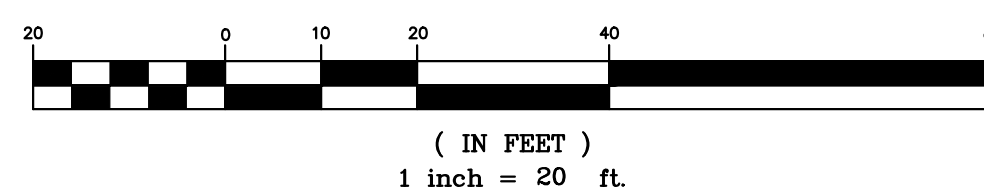
1. PARCEL ID: 101-212-11
DB: 18288-PG. 611, MB. 6-823
SITE AREA: ±0.921 AC. IN TOTAL PARCEL
2. SITE ADDRESS: 3717 N. SHARON AMITY ROAD
CHARLOTTE, NC 28205
3. PROPERTY ZONING: 0-2
EXISTING USE: VACANT
PROPOSED USE: OFFICE
4. SETBACKS:
FRONT SETBACK: 20'
SIDE YARD: 5'
REAR YARD: 20'
MAX BLDG. HEIGHT: 40'
5. TOTAL AREA OF BUILDING = 5000± S.F. GFA
6. PARKING DATA:
PARKING REQUIRED: 20 SF = 20 SPACES
TOTAL PARKING PROVIDED: 23 SPACES
H.C. PARKING REQ'D: 2 SPACES
H.C. PARKING PROVIDED: 2 SPACES (VAN ACCESSIBLE)
BICYCLE PARKING SPACES REQUIRED:
LONG TERM = 2 OR 1 PER 1000 S.F.
SHORT TERM = 58 OF AUTO PARKING
BICYCLE PARKING SPACES PROVIDED:
LONG TERM = 2 PROVIDED
SHORT TERM = 2 PROVIDED (23 SPACES X .05)
7. TREE SAVE DATA:
TREE SAVE AREA REQUIRED: ±0.92 AC. x 15% = 0.138 AC.
TREE SAVE AREA PROVIDED: 0.14 AC.
TREE SAVE PERCENTAGE: (0.14/0.92) x 100% = 15.22%
8. IMPERVIOUS CALCULATIONS:
PROP. IMPERVIOUS: 19,993 SF
IMPERVIOUS PERCENTAGE:
19,993 SF / 40,075 SF x 100 = 49.89% IMPERVIOUS
9. STREAM WATERSHED: BRIAR
POST CONSTRUCTION DISTRICT: CENTRAL CATAWBA
10. FEMA FLOOD PANEL: SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DESIGNATED BY THE FEMA FLOOD INSURANCE RATE MAP #3710457300K, DATED 02/19/2014
11. BOUNDARY & TOPOGRAPHIC SURVEY PROVIDED BY:
WILLIAMS LAND SURVEYING, INC.
274 BAYMOUNT DRIVE
STATESVILLE, NC 28625
704-876-3996
12. SEE SITE DETAILS ON SHEET C9.0 AND C9.1

PCCO SUMMARY

Original Parcel ID Number(s):	10121211
Development Type:	Commercial
Subject to PCCO? Y/N	N
If NO, why?	Below BUA/Disturbance Thresholds
Watershed:	Central Catawba
Disturbed Area (ac):	0.72 Ac
Site Area (ac):	0.921 Ac
	DA#1 DA#2
Total on-site Drainage Area (ac):	0.921
Existing Built-upon-area (SF):	2217 SF
Existing BUA to be removed (SF):	2217 SF
Existing BUA to remain (SF):	0
Proposed New BUA (SF):	19993 SF
Proposed % BUA:	49.89%
Density (High / Low)	H
Total Post-Project BUA for site:	19993 SF
Development or Redevelopment?	Development
Natural Area Required (ac):	0.00 Ac
Natural Area provided, total (ac):	0.00 Ac
Undisturbed Treed Natural Area Preserved (ac):	0.14 Ac
Total stream buffer protected on-site (ac):	0.00 Ac
Transit Station Area? Y/N	N
Distressed Business District? Y/N	Y
Mitigation Type (if applicable)	N/A
Natural Area mitigation? Y/N	N
Buffer Mitigation? Y/N	N
Total Phosphorous Mitigation? Y/N	N

SEE SHEET C4.0 FOR CITY OF CHARLOTTE LAND DEVELOPMENT CHECKLIST NOTES.

GRAPHIC SCALE



REVISIONS

- Δ 5/1/17 REVISED PER CITY OF CHARLOTTE COMMENTS
- Δ 6/21/17 REVISED PER MECK. COUNTY COMMENTS
- Δ 7/19/17 REVISED PER MECK. COUNTY COMMENTS
- Δ 8/11/18 MAINTENANCE ACCESS ADDED TO REAR OF BLDG.

PROJECT NO.: 2016.45

SCALE: 1" = 20'

DRAWN BY: PAB

CHECKED BY: MSL

SHEET NO:

C1.0

APPROVED
By V Condon at 7:29 am, Jul 17, 2018

As Noted

LANDSCAPE NOTES/CALCULATIONS:

- PIN: 101-212-11
DB: 18288, PG: 611, MB 6-823
SITE AREA: ±0.921 ACRES IN TOTAL PARCEL
- SITE ADDRESS: 3717 N. SHARON AMITY ROAD
CHARLOTTE, NC 28205
- PROPERTY ZONING: O-2
EXISTING USE: VACANT
PROPOSED USE: OFFICE
- PLANTING REQUIREMENTS:
INTERNAL (PARKING AREA) TREE REQUIREMENTS:
(ONE LARGE MATURING SHADE TREE PER 10,000 S.F.)
SITE IMPERVIOUS = 18,662 S.F.):
2 TREES REQUIRED
5 TREES PROVIDED (4 LARGE, 1 SMALL MATURING)
TREES MUST BE PLANTED SO THAT EACH PARKING SPACE IS NO MORE THAN 40' FROM A TREE TRUNK.
PARKING SCREENING REQUIREMENTS:
MIN. 5' WIDE PLANTED AREA TO SCREEN ADJACENT PUBLIC STREET FROM PARKING LOT, SCREEN ADJACENT PROPERTY FROM PARKING LOT AND SCREEN RP = TOTAL OF 88 EVERGREEN SHRUBS PROVIDED

SHRUBS USED IN ANY SCREENING OR LANDSCAPING MUST BE EVERGREEN, AT LEAST TWO (2) TO TWO AND ONE-HALF (2½) FEET TALL WITH A MINIMUM SPREAD OF TWO (2) FEET WHEN PLANTED AND NO FURTHER APART THAN FIVE (5) FEET.

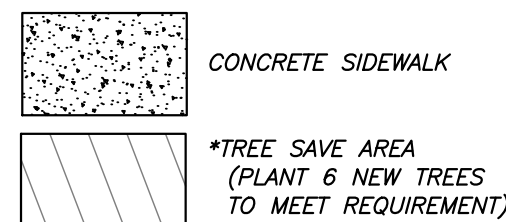
PERIMETER TREE PLANTING REQUIREMENTS:
±150 L.F. ALONG N. SHARON AMITY ROAD
TREES SPACED @ 40' O.C. =
4 LARGE MATURING TREES REQUIRED
4 LARGE MATURING TREES PROVIDED

TREESAVE/NATURAL AREA CALCULATIONS:
TREE SAVE AREA REQUIRED:
±0.021 AC. X 15% = ±0.14 AC.
TREE SAVE AREA PROVIDED: ±0.14 AC.
TREE SAVE PERCENTAGE: (±0.14/0.92)
X 100% = 15.22% PROVIDED

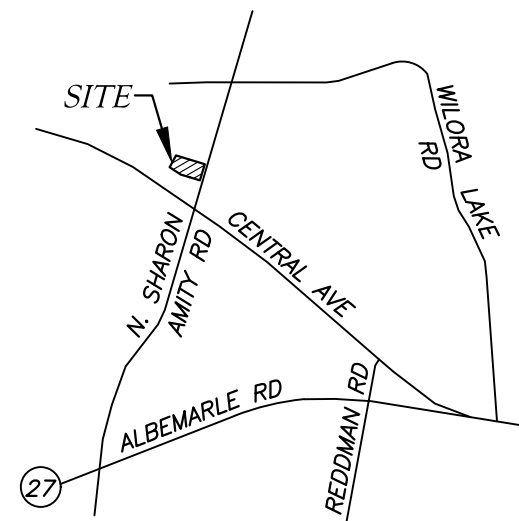
*(IF LESS THAN 15% OF THE SITE HAS EXISTING TREES, ADDITIONAL TREES ARE REQUIRED AT A RATE OF 36 TREES PER ACRE)

NATURAL AREA REQUIRED: N/A
NATURAL AREA PROVIDED: N/A

LEGEND

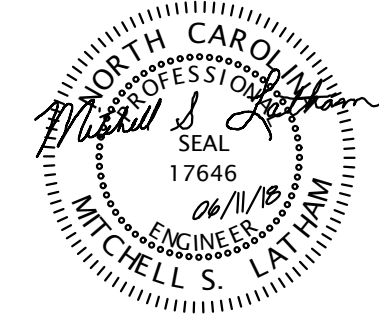


NOTE:
URBAN FORESTER MAY REQUIRE
"IN FIELD" ADDITIONAL VEGETATION
IF EXISTING VEGETATION DOES
NOT MEET BUFFER REQUIREMENTS



VICINITY MAP
N.T.S.

LWE
LATHAM-WALTERS
ENGINEERING, INC.
N.C. CORP. LIC. C-1815
16507-A NORTH CROSS DRIVE
HUNTERSVILLE, N.C. 28078
PHONE: (704) 895-8484
FAX: (704) 237-4362



JUNE 11, 2018
DATE

TZEGGAI YOHANNES
ADULIS, LLC

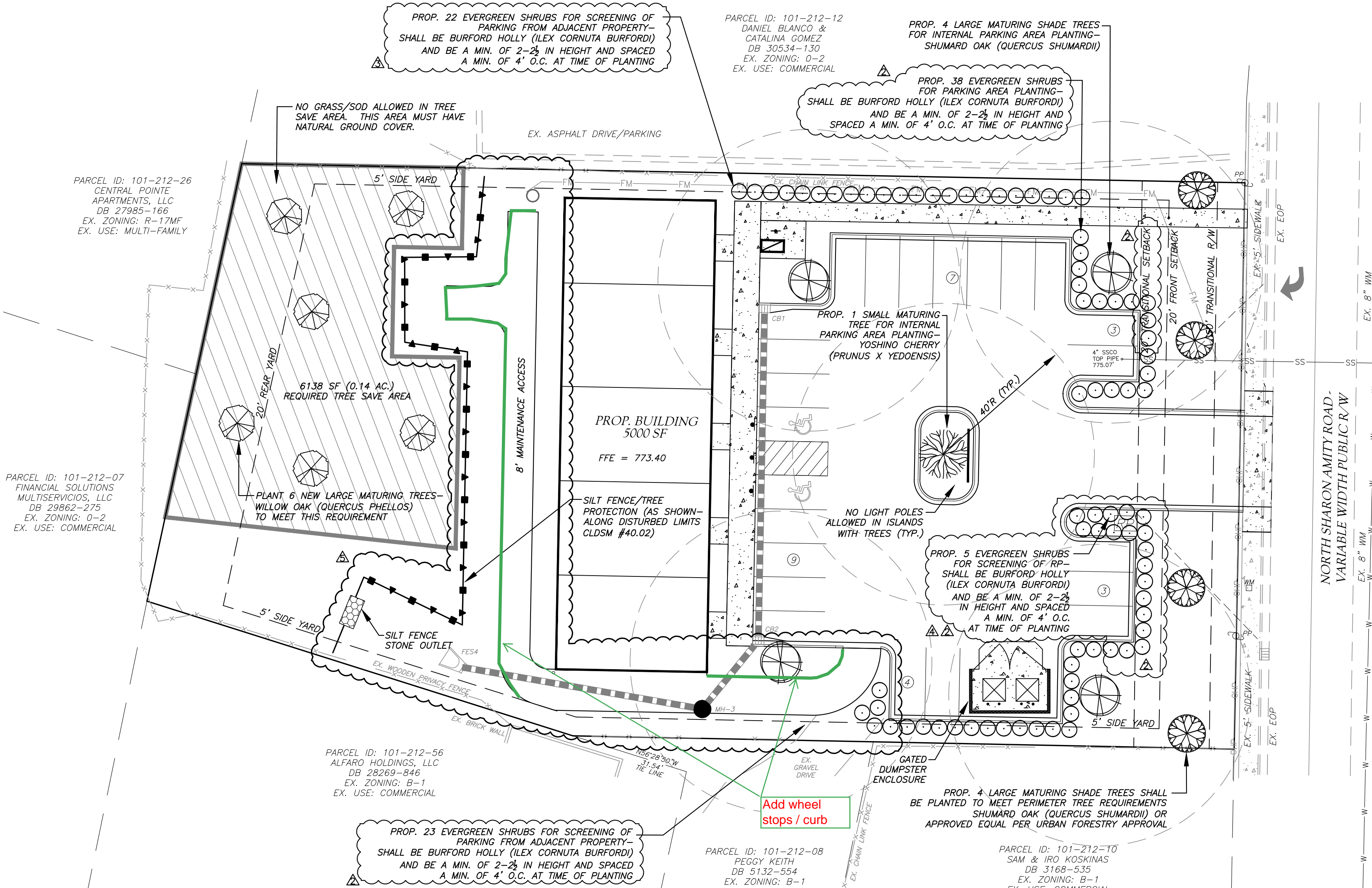
2022 TANFIELD DRIVE
MATTHEWS, NC 28105
(704) 517-8030
yohannesinc@hotmail.com

3717 SHARON AMITY
3717 N. SHARON AMITY RD CHARLOTTE, NC 28205

LANDSCAPE PLAN

CHARLOTTE URBAN FORESTRY - TREE PLANTING AND PRESERVATION REQUIREMENTS: (UPDATED 10/10/16):

- PLANT MATERIAL**
- MINIMUM TREE SIZE AT PLANTING IS 2" CALIPER AND 8' TALL FOR SINGLE-STEM TREES. ALL MULTI-STEM PLANTS MUST BE TREE FORM, MAXIMUM 3 TO 5 TRUNKS, AND MINIMUM 10' TALL. WHERE 3 SINGLE-STEM CALIPER TREES ARE SPECIFIED/REQUIRED THE MINIMUM HEIGHT SHALL BE 10' TALL. IF MULTI-STEM TREES ARE SPECIFIED THEN THEY SHALL BE A MINIMUM OF 12' TALL.
 - ALL NEW TREES MUST HAVE STRAIGHT TRUNKS WITH STRONG CENTRAL LEADERS INTACT TO THE TOP OF THE CROWN UNLESS MULTI-STEM TREES ARE SPECIFIED. ALL REQUIRED TREES SHALL BE TYPICAL OF THEIR SPECIES AND VARIETY, HAVE NORMAL GROWTH HABITS, HAVE WELL-DEVELOPED BRANCHES, BE VIGOROUS AND HAVE FIBROUS ROOT SYSTEMS. TREES WITH MAJOR GIRDLING ROOTS WILL NOT BE ACCEPTED. TREES WITH CO-DOMINANT BRANCHING WILL NOT BE ACCEPTED. TREES THAT HAVE BEEN SHEARED, TOPPED OR CUT BACK TO MULTIPLY THE BRANCHING STRUCTURE WILL NOT BE ACCEPTED. TREES SHALL BE FREE OF ABRASIONS, DAMAGE, DISEASE, PESTS AND CRACKS. ALL PRUNING CUTS GREATER THAN 1/4" INCH DIAMETER SHALL HAVE CALLUS TISSUE FORMED PRIOR TO PLANTING. NO PRUNING CUT ON THE TRUNK SHALL BE MORE THAN ONE-HALF THE DIAMETER OF THE CENTRAL LEADER AT THE HEIGHT WHERE THE CUT WAS MADE. ROOT FLARES SHALL BE LOCATED AT GRADE. TREES WITH MORE THAN 2" OF SOIL COVERING THE ROOT BALL/FLARE FROM WILL NOT BE ACCEPTED (CLDS.40.09).
 - SIZE OF REQUIRED PLANTS, SPREAD OF ROOTS AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH ANSI Z60.1 (LATEST EDITION) AS PUBLISHED BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION, EXCEPT WHERE SPECIFIED/AUTHORIZED BY URBAN FORESTRY.
 - ALL REQUIRED TREES OF A PARTICULAR SPECIES AND VARIETY SHALL BE UNIFORM IN SIZE AND CONFIGURATION.
 - PERIMETER TREES IN URBAN ZONES SHALL BE 3" IN CALIPER AND BE FREE OF BRANCHES UP TO 6' FROM THE TOP OF ROOT CROWN (BALL).
 - A MINIMUM OF 50% OF NEW TREES MUST BE NATIVE SPECIES, AND SITES WITH MORE THAN 20 TREES REQUIRED WILL HAVE TO INSTALL MULTIPLE (3 OR MORE) SPECIES PURSUANT TO THE TREE ORDINANCE GUIDELINES.
 - 75% OF REQUIRED TREES MUST BE LARGE MATURE SPECIES EXCEPT IN SITUATIONS WITH OVERHEAD POWER LINE CONFLICTS.
 - PERIMETER TREES IN URBAN ZONES SHALL BE 3" IN CALIPER AND BE FREE OF BRANCHES UP TO 6' FROM THE TOP OF ROOT CROWN (BALL).
 - A MINIMUM OF 50% OF NEW TREES MUST BE NATIVE SPECIES, AND SITES WITH MORE THAN 20 TREES REQUIRED WILL HAVE TO INSTALL MULTIPLE (3 OR MORE) SPECIES PURSUANT TO THE TREE ORDINANCE GUIDELINES.
 - 75% OF REQUIRED TREES MUST BE LARGE MATURE SPECIES EXCEPT IN SITUATIONS WITH OVERHEAD POWER LINE CONFLICTS.
 - SEE CLDS 40.01 & 40.09 (ON C8.0) FOR DETAILED TREE PLANTING REQUIREMENTS.
 - PLASTIC HOSE PARTS WILL NOT BE ACCEPTED FOR TREE STAKING. SEE CLDS 40.01 FOR APPROVED STAKING METHOD/MATERIALS.
 - ALL STRAPPING, AND TOP 1/3 OF WIRE BASKET AND BURLAP MUST BE CUT AWAY AND REMOVED FROM ROOT BALL WHEN PLANTING.
 - FOR NEW PLANTING AREAS, REMOVE ALL PAVEMENT, GRAVEL SUB-BASE AND CONSTRUCTION DEBRIS; REMOVE COMPACTED SOIL AND ADD 18" NEW TOPSOIL, OR TILL AND AMEND THE TOP 18" OF EXISTING SOIL TO MEET TOPSOIL/PLANTING MIX STANDARDS FOR TREES (WITHIN ENTIRE MINIMUM AREA OF 274 SQUARE FEET).
 - TREES PLANTED ON PUBLIC PROPERTY WILL NEED APPROVAL FROM THE CITY ARBORIST AND/OR NCDOT.
 - REVIEW SOIL REQUIREMENTS IN THE TREE ORDINANCE GUIDELINES AT: [HTTP://CHARLOTTENC.GOV/LD](http://charlottenc.gov/LD) THEN CLICK TREES.
 - UTILITY ISSUES
 - IF ANY UTILITY IS BEING INSTALLED IN OR NEAR ANY REQUIRED TREE(S) OR TREE SAVE AREA(S), CALL URBAN FORESTRY SPECIALIST TO RESOLVE PRIOR TO UTILITY INSTALLATION.
 - LARGE MATURING TREES MAY NOT BE PLANTED WITHIN 25' OF OVERHEAD POWER DISTRIBUTION OR TRANSMISSION LINES.
 - IF TREES CONFLICT WITH ANY UTILITIES OR SIGNS; CALL URBAN FORESTER TO RESOLVE BEFORE PLANTING.
 - ADJUST TREE PLANTING LOCATIONS TO AVOID EXISTING UNDERGROUND UTILITIES. PLANT 15' FROM ALL UNDERGROUND UTILITIES.
 - NO LIGHT POLES, UTILITIES OR TRANSFORMERS CAN BE INSTALLED IN TREE ISLANDS.
 - COMMERCIAL SCALE LIGHTING (> 15' IN HEIGHT) MUST BE A MINIMUM DISTANCE OF 30' FROM A TREE. PEDESTRIAN SCALE LIGHTING (< 15' IN HEIGHT) MUST BE A MINIMUM DISTANCE OF 15' FROM A TREE.
 - SHOW SITE LIGHTING ON LANDSCAPE PLAN.
 - TREE SAVE AND PRESERVATION
 - TREE PROTECTION MUST BE INSTALLED AND VERIFIED BY URBAN FORESTRY PRIOR TO STARTING ANY CONSTRUCTION ACTIVITY.
 - SHOW TREE PROTECTION AND TREES SAVE AREAS ON EROSION CONTROL, GRADING AND LANDSCAPE PLAN SHEETS.
 - COMMERCIAL TREE SAVE AREAS MUST BE RECORDED ON A FINAL PLAT WITH THE MECKLENBURG COUNTY REGISTER OF DEEDS BEFORE URBAN FORESTRY HOLDS CAN BE RELEASED. A 10' NO BUILD ZONE AROUND TREE SAVE AREAS MUST BE REFERENCED ON THE PLAT.
 - TREE SAVE AREAS SHALL BE FREE OF INVASIVE PLANT SPECIES. IF AN AREA PROPOSED FOR TREE SAVE CONTAINS INVASIVE PLANT SPECIES AT TIME OF PROPOSAL, SUCH INVASIVE PLANT SPECIES SHALL BE REMOVED PRIOR TO FINAL CO.
 - THE AREA OF ANY EASEMENTS (WATER, SEWER, UTILITY, ETC.) CAN NOT BE COUNTED TOWARD THE TREE SAVE REQUIREMENT.
 - ANY ALTERATIONS TO TREE SAVE AREAS MUST BE ACCOMPLISHED WITHOUT MECHANIZED EQUIPMENT.
 - NO STRUCTURE WILL BE ALLOWED WITHIN 10' OF TREE SAVE AREAS UNLESS APPROVED BY URBAN FORESTRY.
 - ALL TREES ON PUBLIC PROPERTY ARE PROTECTED AND REMOVAL MUST BE PERMITTED BY THE CITY ARBORIST (704)336-4262.
 - CONTACT URBAN FORESTRY SPECIALIST PRIOR TO ANY CRANE SET-UP, MACHINERY OPERATION OR TEMPORARY BUILDING ERECTION THAT MAY IMPACT CHARLOTTE TREE ORDINANCE PROTECTED TREES OR TREE SAVE AREAS, INCLUDING TREES LOCATED IN STREET RIGHT OF WAY. IMPACTS MAY INCLUDE BUT ARE NOT LIMITED TO: ENCRoACHING WITHIN TREE DRIP-LINES, EXCAVATION, SOIL COMPACTION, TREE TRIMMING, ERECTING AND DISMANTLING OF CONSTRUCTION CRANES.
 - GENERAL
 - SUBMIT REQUIRED CO/HOLD RELEASE FORM AT [HTTP://CHARLOTTENC.GOV/LD](http://charlottenc.gov/LD) FOR AN INSPECTION OF TREE PROTECTION/PLANTING AREAS, A MINIMUM OF 5 DAYS BEFORE THE CO/HOLD RELEASE IS NEEDED.
 - VISIT CITY OF CHARLOTTE'S LAND DEVELOPMENT WEBSITE FOR ADDITIONAL INFORMATION AND URBAN FORESTRY REQUIREMENTS: [HTTP://CHARLOTTENC.GOV/LD](http://charlottenc.gov/LD) THEN CLICK TREES.



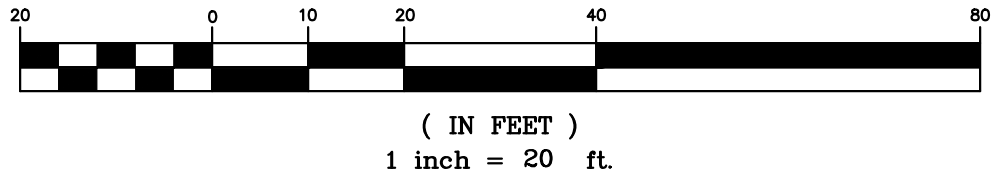
- NOTES:**
- CONTACT THE UTILITY COMPANY TO RELOCATE ANY EXISTING UTILITY POLES. ALL EXISTING FACILITIES WHICH CONFLICT WITH THE IMPROVEMENTS UNDER THE SCOPE OF THIS PROJECT MUST BE RELOCATED AT THE EXPENSE OF THE APPLICANT
 - TREES WITHIN THE STREET RIGHT OF WAY ARE PROTECTED BY LAW. A PERMIT IS REQUIRED FROM THE CITY ARBORIST AT (704) 336-5753 PRIOR TO THE REMOVAL OF ANY RIGHT OF WAY TREES. ALL TREES OVER 8" IN DIAMETER AS MEASURED 4.5' ABOVE GROUND AND LOCATED WITHIN THE SETBACK ARE PROTECTED BY LAW. CONTACT LAND DEVELOPMENT AT (704) 336-6692 FOR REQUIRED PERMITS.
 - BEFORE YOU DIG STOP. CALL THE NC ONE-CALL CENTER AT 1-800-632-4949. IT'S THE LAW.



Know what's below.
Call before you dig.

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- SHORING WILL BE ACCORDING TO OSHA TRENCING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.

GRAPHIC SCALE



REVISIONS

- | NO. | DATE | REVISION |
|-----|---------|---|
| 1 | 5/11/17 | REVISED PER CITY OF CHARLOTTE COMMENTS |
| 2 | 6/21/17 | REVISED PER MECK. COUNTY COMMENTS |
| 3 | 7/13/17 | REVISED PER MECK. COUNTY COMMENTS |
| 4 | 7/19/17 | REVISED PER MECK. COUNTY COMMENTS |
| 5 | 6/11/18 | MAINTENANCE ACCESS ADDED TO REAR OF BLDG. |

PROJECT NO.: 2016.45

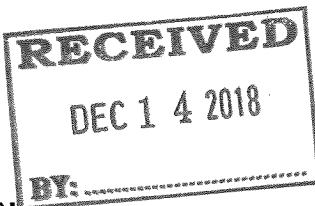
SCALE: 1" = 20'

DRAWN BY: PAB

CHECKED BY: MSL

SHEET NO:

C8.0



**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2018-165

Petition #:	
Date Filed:	12/14/2018
Received By:	By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Falson Nesbitt Arrowood Venture

Owner's Address: P.O. Box 56607 City, State, Zip: Atlanta, GA 30343

Date Property Acquired: August 21, 1986

Property Address: 7150 Forest Point Boulevard

Tax Parcel Number(s): 167-193-05 and 167-193-13

Current Land Use: Vacant Commercial Size (Acres): +/- 16.6 acres

Existing Zoning: B-2 (CD) Proposed Zoning: R-17 MF (CD)

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

Required Rezoning Pre-Application Meeting* with: John Kinley, Kent Main, Carlos Alzate et al.

Date of meeting: December 4, 2018

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate the development of a multi-family residential community on the site that would contain up to 200 dwelling units for families earning on average 60% of the area median income.

John Carmichael (Robinson Bradshaw)
Name of Rezoning Agent

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

Charlotte, NC 28246
City, State, Zip

704-377-8341
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com
E-Mail Address

See Attached Joinder Agreement
Signature of Property Owner

(Name Typed / Printed)

NRP Properties, LLC (c/o Jason Mochizuki)
Name of Petitioner(s)

1000 NC Music Factory Boulevard
Address of Petitioner(s)

Charlotte, NC 28206
City, State, Zip

510-295-3252
Telephone Number Fax Number

JMochizuki@nrpgroup.com
E-Mail Address

NRP PROPERTIES, LLC
By: [Signature]
Signature of Petitioner

Noam Magence
(Name Typed / Printed)

**REZONING APPLICATION
NRP PROPERTIES, LLC, PETITIONER
JOINDER AGREEMENT**

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by NRP Properties, LLC that are designated as Tax Parcel Nos. 167-193-05 and 167-193-13 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 R-17 MF (CD) zoning district.

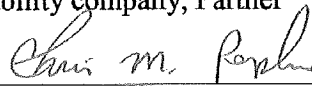
This _____ day of December, 2018.

FAISON NESBITT ARROWOOD VENTURE

By: Faison-Arrowood Properties Limited Partnership, a
North Carolina limited partnership, General Partner

By: Faison-Charlotte Properties Limited Partnership, a
North Carolina limited partnership, General Partner

By: Faison Associates, LLC, a North Carolina limited
liability company, Partner

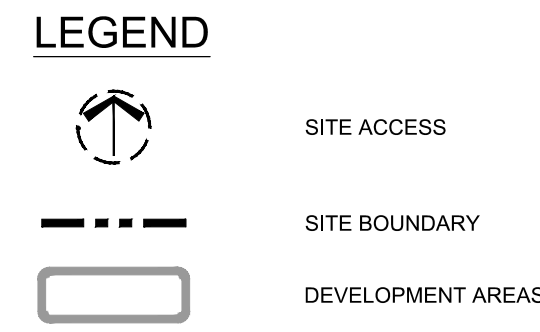
By: 

Name: Chris M. Poplin

Title: Vice President



DEVELOPMENT DATA TABLE	
SITE AREA	±16.5 ACRES
TAX PARCELS	167-193-05, 167-193-13
EXISTING ZONING	B-2(CD)
PROPOSED ZONING	R-17MF
EXISTING USE	VACANT
PROPOSED USE	MULTI-FAMILY
MAX. RESIDENTIAL DENSITY	PER ZONING ORDINANCE (R-17MF)
MAX. FLOOR AREA RATIO FOR NON-RESIDENTIAL BUILDINGS	PER ZONING ORDINANCE (R-17MF)
MAX. BUILDING HEIGHT	PER ZONING ORDINANCE (R-17MF)
MIN. SETBACK FROM PROP. R/W	PER ZONING ORDINANCE (R-17MF)
MIN. SIDE YARD	PER ZONING ORDINANCE (R-17MF)
MIN. REAR YARD	PER ZONING ORDINANCE (R-17MF)
MIN. OPEN SPACE	PER ZONING ORDINANCE (R-17MF)
NUMBER OF PARKING SPACES	PER ZONING ORDINANCE
REQUIRED STREETScape	SEE TYPICAL SECTION STREET TREES PER TREE ORDINANCE



SEAL

**REZONING
PETITION
#2018-XXX**

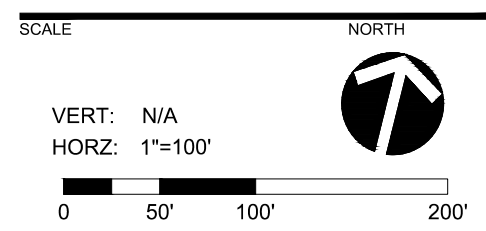
PROJEC

FOREST POINT

THE NRP GROUP LLC
1228 EUCLID AVENUE
CLEVELAND, OH 44115

[illegible]

DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD



REZONING PLAN

SHEET NUMBER

RZ-1

DEVELOPMENT STANDARDS

December 17, 2018

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Application filed by NRP Properties, LLC to accommodate the development of a multi-family residential community on that approximately 16.6 acre site located on the west side of Forest Point Boulevard, north of the intersection of Forest Point Boulevard and West Arrowwood Road, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Nos. 167-193-05 and 167-193-13.
- B. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The regulations established under the Ordinance for the R-17 MF zoning district shall govern the development and use of the Site.
- C. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard and landscaping 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. Alterations and modifications shall be in accordance with Section 6.207 of the Ordinance.
- D. All principal buildings and accessory structures developed on the Site must be located within the building/parking envelope depicted on the Rezoning Plan. Parking areas may be located within the building/parking envelope and the parking envelope depicted on the Rezoning Plan.
- E. This Rezoning Plan does not limit the number of principal buildings, accessory structures and parking areas that may be located on the Site. The number of principal buildings, accessory structures and parking areas that may be located on the Site shall be governed by the applicable provisions of the Ordinance.
- F. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. The Site may only be devoted to a multi-family residential community containing a maximum of 200 dwelling units and to any incidental and accessory uses relating thereto that are allowed in the R-17 MF zoning district. Customary incidental and accessory uses may include, without limitation, a leasing and management office and amenities for the residents.
- B. The dwelling units constructed on the Site shall maintain monthly rents that are income restricted to households earning 80% or less of the area median income for a period of not less than 15 years from the date of the issuance of a certificate of occupancy for the first building to be constructed on the Site.

3. TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access point are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT").
- B. The alignments of the internal driveways and vehicular circulation areas may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with applicable published standards.

4. ARCHITECTURAL AND DESIGN STANDARDS

- A. The maximum height of any building constructed on the Site in stories shall be 4 stories.

5. STREETScape/LANDSCAPING AND SCREENING

- A. Petitioner shall install a minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's frontage on Forest Point Boulevard as generally depicted on the Rezoning Plan. 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 any existing sidewalk located on Forest Point Boulevard.

6. ENVIRONMENTAL FEATURES

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

7. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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

KEY MAP

SEAL

REZONING
PETITION
#2018-XXX

PROJECT

FOREST POINT

THE NRP GROUP LLC
1228 EUCLID AVENUE
CLEVELAND, OH 44115

LANDDESIGN PROJ.#
1018483

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	REZONING SUBMITTAL	12.17.18

DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

SCALE

VERT: N/A
HORZ: 1"=100'

0 50' 100' 200'

SHEET TITLE

REZONING NOTES

SHEET NUMBER

RZ-2

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

RECEIVED

DEC 14 2018

BY: _____

2018-166

Petition #:

Date Filed:

12/14/2018

BK

Complete All Fields (Use additional pages if needed)

Property Owner: Theron M. Ross and Christina Welsh

Owner's Address: 508 Charles Avenue

City, State, Zip: Charlotte, NC 28205

Date Property Acquired: 08/15/2007

Property Address: 508 Charles Avenue

Tax Parcel Number(s): 08306705

Current Land Use: Warehouse/Office

Size (Acres): +/- 0.43 acres

Existing Zoning: I2

Proposed Zoning: TOD-M

Overlay: None
(etc)

(Specify PED, Watershed, Historic District,

Required Rezoning Pre-Application Meeting* with: Sonia Sanders

Date of meeting: 12/13/18

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: N/A

Collin Brown and Bailey Patrick, Jr.
Name of Rezoning Agent

214 N. Tryon Street, 47th Floor
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-331-7531 704-353-3231
Telephone Number Fax Number

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

Christina Welsh
Signature of Property Owner

Theron Ross Theron Ross
(Name Typed / Printed)

Camden Development, Inc.
Name of Petitioner(s)

1420 Spring Hill Road, Suite 200
Address of Petitioner(s)

McLean, VA 22102
City, State, Zip

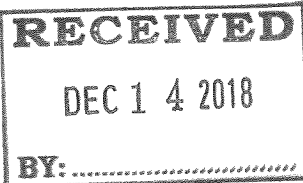
703-556-5755
Telephone Number Fax Number

DWSmith@camdenliving.com
E-Mail Address

Wu
Signature of Petitioner

(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #:	<u>2018-167</u>
Date Filed:	<u>12/14/2018</u>
Received By:	<u>[Signature]</u>

Complete All Fields (Use additional pages if needed)

Property Owner: Mina Vazeen

Owner's Address: 8515 Sardis Road City, State, Zip: Charlotte, NC 28270

Date Property Acquired: 8/20/2018

Property Address: 8515 Sardis Road, Charlotte, NC 28270

Tax Parcel Number(s): 213-114-12

Current Land Use: Single Family Residential Size (Acres): 1.74 AC

Existing Zoning: R-3 Proposed Zoning: R-8MF(CD)

Overlay: N/A Tree Survey Provided: Yes: N/A: X

Required Rezoning Pre-Application Meeting* with: Sonja Sanders

Date of meeting: 11/1/18

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To limit the maximum allowable DUA on site as allowable under a R-8MF zoning district.

Paul Pennell, Urban Design Partners, PLLC

Name of Rezoning Agent

1318 Central Ave E-6

Agent's Address

Charlotte, NC 28205

City, State, Zip

704-334-3303

704-334-3305

Telephone Number

Fax Number

Paul@urbandesignpartners.com

E-Mail Address

Mina Vazeen

dotloop verified
11/21/18 12:48 PM
EST
FZRF-V4MX-YL16-LJF

Signature of Property Owner

Mina Vazeen

(Name Typed / Printed)

Verde Homes LLC, Ronald Staley, Jr.

Name of Petitioner(s)

7427 Matthews Mint Hill, Suite 105-215

Address of Petitioner(s)

Mint Hill, NC 28227

City, State, Zip

980-272-2015

704-234-7347

Telephone Number

Fax Number

StaleyR@verdemfs.com

E-Mail Address

Ronald Staley, Jr.

dotloop verified
11/23/18 9:01 AM EST
MW40-WZ35-TVUV-NAIV

Signature of Petitioner

Ronald Staley, Jr.

(Name Typed / Printed)



SITE DEVELOPMENT DATA:

ACREAGE: +/- 1.74 AC
TAX PARCEL: 213-114-12
EXISTING ZONING: R-3
PROPOSED ZONING: R-8MF(CD)
EXISTING USES: SINGLE FAMILY DETACHED
PROPOSED USES: SINGLE FAMILY ATTACHED
MAX DENSITY: UP TO (12) DWELLING UNITS (APPROXIMATELY 6.9 DUA)
GENERAL PROVISIONS:

THESE DEVELOPMENT STANDARDS FORM PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY VERDE HOMES, LLC (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL TOWNHOME COMMUNITY ON AN APPROXIMATE 1.74 ACRE SITE LOCATED ON SARDIS ROAD, WHICH IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBERS 213-114-12.

DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE R-8MF ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE. THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDINGS AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND THEREFORE ARE SUBJECT TO REFINEMENTS AS PART OF THE TOTAL DESIGN PROCESS.

PERMITTED USES AND MAXIMUM DEVELOPMENT:

THE SITE MAY BE DEVELOPED WITH UP TO 12 SINGLE-FAMILY ATTACHED DWELLING UNITS (TOWNHOMES), TOGETHER WITH ANY INCIDENTAL AND ACCESSORY USES RELATED THERETO THAT ARE ALLOWED IN THE R-8MF ZONING DISTRICT.

TRANSPORTATION:

- VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT SHOWN ON THE REZONING PLAN IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL.
- AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY RESIDENTIAL TWO-WAY AND ONE-WAY ALLEYS.
- INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ALONG PRIVATE ALLEYS AS ILLUSTRATED ON THE SITE PLAN. SIDEWALK IMPROVEMENTS SHALL INCLUDE 8' LANDSCAPE STRIP AND 6' SIDEWALK AND BE PROVIDED ALONG EXISTING PUBLIC RIGHTS OF WAY AT SARDIS ROAD AND OAK CREEK DRIVE.
- WHERE NECESSARY, PETITIONER SHALL DEDICATE AND CONVEY IN FEE SIMPLE ALL RIGHTS-OF-WAY TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED OR PHASED PER THE SITE'S DEVELOPMENT PLAN.
- THE PETITIONER SHALL DEDICATE IN FEE SIMPLE CONVEYANCE ALL RIGHTS OF WAY TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.
- ALL TRANSPORTATION IMPROVEMENTS WITHIN THE PUBLIC RIGHT OF WAY SHALL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

ARCHITECTURAL STANDARDS:

- THE PRINCIPAL BUILDINGS USED FOR RESIDENTIAL USES CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS WILL BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRE-CAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING (SUCH AS HARDI-PLANK), EIFS OR WOOD.
- PITCHED ROOFS, IF PROVIDED, SHALL BE SYMMETRICALLY SLOPED NO LESS THAN 5:12, EXCEPT THAT ROOFS FOR PORCHES AND ATTACHED SHEDS MAY BE NO LESS THAN 2:12.
- PETITIONER SHALL PROVIDE BLANK WALL PROVISIONS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 20 FEET ON ALL BUILDING LEVELS, INCLUDING BUT NOT LIMITED TO DOORS, WINDOWS, AWNINGS, AND/OR ARCHITECTURAL DESIGN ELEMENTS.
- WALKWAYS WILL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC AND PRIVATE STREETS, AS GENERALLY DEPICTED ON THE REZONING PLAN.
- TOWNHOUSE BUILDINGS WILL BE LIMITED TO FOUR (4) INDIVIDUAL UNITS OR FEWER.
- FAÇADE ARTICULATION OR VARIATION WILL BE UTILIZED TO DIFFERENTIATE TOWNHOME UNITS WITHIN EACH BUILDING. ALL FRONT FAÇADES WILL VARY WITH ACCENT SIDING BOTH HORIZONTALLY AND VERTICALLY.
- UNITS FRONTING SARDIS ROAD SHALL BE ORIENTED TOWARD THE STREET.
- PETITIONER WILL COMPLY WITH THE PRIVATE OPEN SPACE REQUIREMENT IN SECTION 9.406 OF THE ORDINANCE IF REQUIRED IN THE R-8MF ZONING DISTRICT AT THE TIME OF PERMITTING THROUGH CITY OF CHARLOTTE LAND DEVELOPMENT.

STREETSCAPE AND LANDSCAPING:

- THE PETITIONER MAY SUBDIVIDE THE SITE AND CREATE SUBLOTS WITHIN THE SITE WITH NO SIDE OR REAR YARDS AS PART OF A UNIFIED DEVELOPMENT PLAN.
- THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE TREE ORDINANCE.
- REQUIRED TREE SAVE ON SITE CAN BE SATISFIED WITH A COMBINATION OF TREE PRESERVATION AREAS AND NEW TREE PLANTINGS.

ENVIRONMENTAL FEATURES:

- THE PETITIONER SHALL COMPLY WITH THE CITY OF CHARLOTTE POST CONSTRUCTION ORDINANCE.
- THE LOCATION, SIZE, AND TYPE OF STORMWATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORMWATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

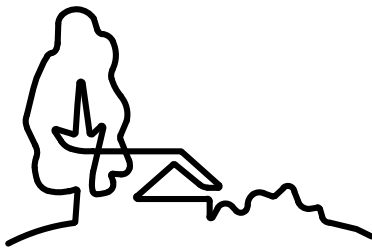
AMENDMENTS TO REZONING PLAN:

FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCEL OR PARCELS WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

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

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS:

- IF THIS SITE PLAN AMENDMENT IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE TECHNICAL DATA SHEET WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
- THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" AND "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.



**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

12/14/18

Verde Homes LLC
Ronald Stanley, Jr.

7427 Matthews Mint Hill
Suite 105-215
Mint Hill, NC 28227

Sardis Road Townhomes

REZONING PLAN

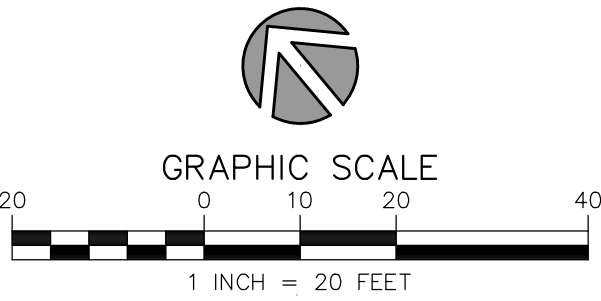
Charlotte, NC

NO. DATE: BY: REVISIONS:

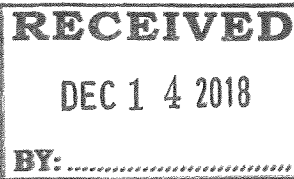
Project No: 18-143
Date: 12.14.2018
Designed by: UDP
Drawn By: UDP
Sheet No:

RZ-1.0

REZONING PETITION #2018-???



**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-168

Petition #:	_____
Date Filed:	12/14/2018
Received By:	[Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: The Lomax Condominiums, LLC

Owner's Address: 1914 Brunswick Ave., Suite 1A City, State, Zip: Charlotte, NC. 28207

Date Property Acquired: 10/04/2018

Property Address: 2145 McClintock Rd

Tax Parcel Number(s): 129-017-07

Current Land Use: Vacant Size (Acres): 0.683

Existing Zoning: MUDD - CD Proposed Zoning: MUDD - CD (SPA)

Overlay: N/A Tree Survey Provided: Yes: N/A: X

Required Rezoning Pre-Application Meeting* with: Mandy Varl & Sonja Sanders

Date of meeting: 10/18/2016

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow for the construction of the community approved under Petition #2017-012 without the "Live/Work" component

The Drakeford Company
Name of Rezoning Agent

1914 Brunswick Ave. Suite 1A
Agent's Address

Charlotte, NC, 28207
City, State, Zip

704.344.0332 704.344.9992
Telephone Number Fax Number

bobby@tdcrealestate.com
E-Mail Address

[Signature]
Signature of Property Owner

Robert T. Drakeford
(Name Typed / Printed)

The Drakeford Company
Name of Petitioner(s)

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

Charlotte, NC, 28207
City, State, Zip

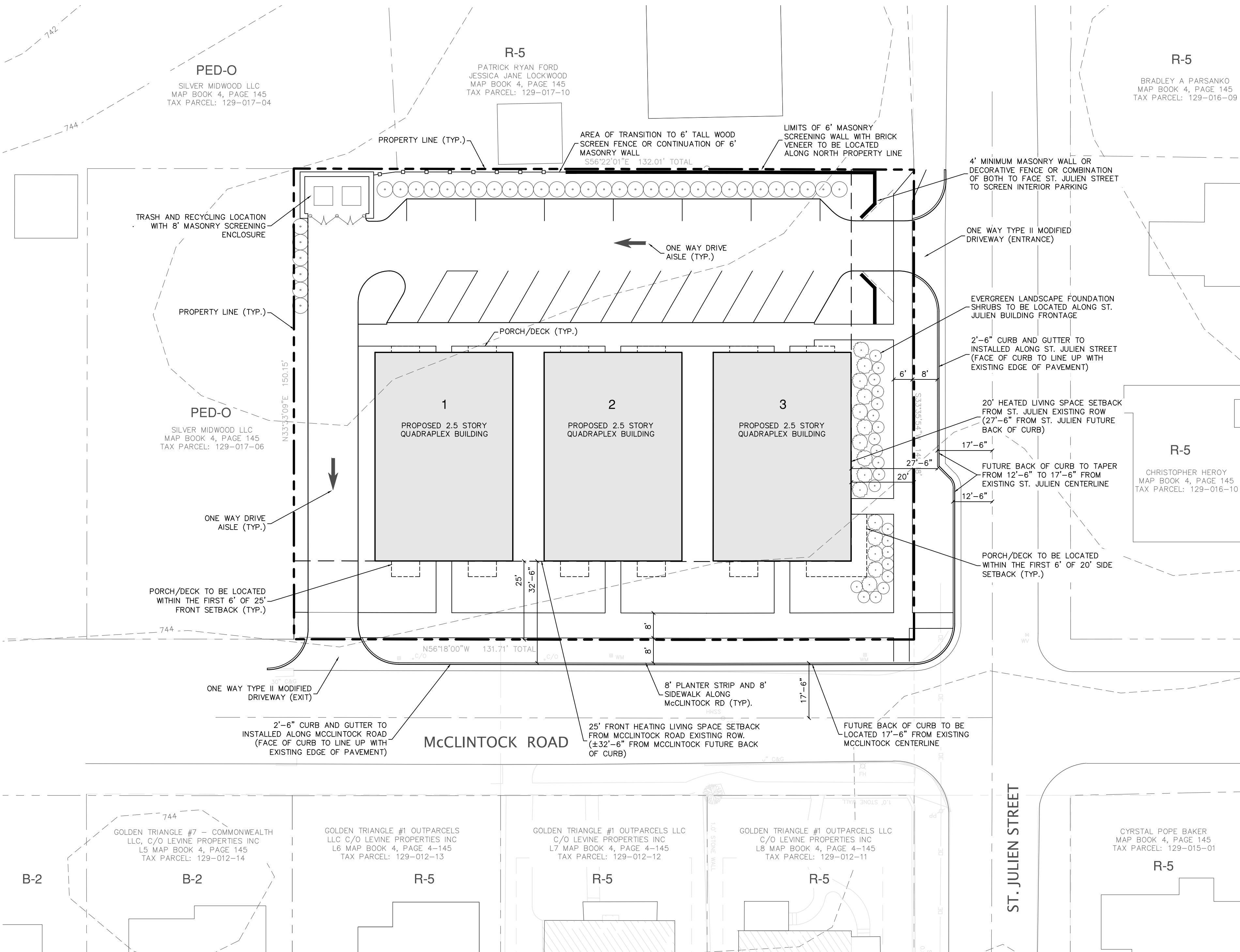
704.344.0332 704.344.9992
Telephone Number Fax Number

bobby@tdcrealestate.com
E-Mail Address

[Signature]
Signature of Petitioner

Robert T. Drakeford
(Name Typed / Printed)

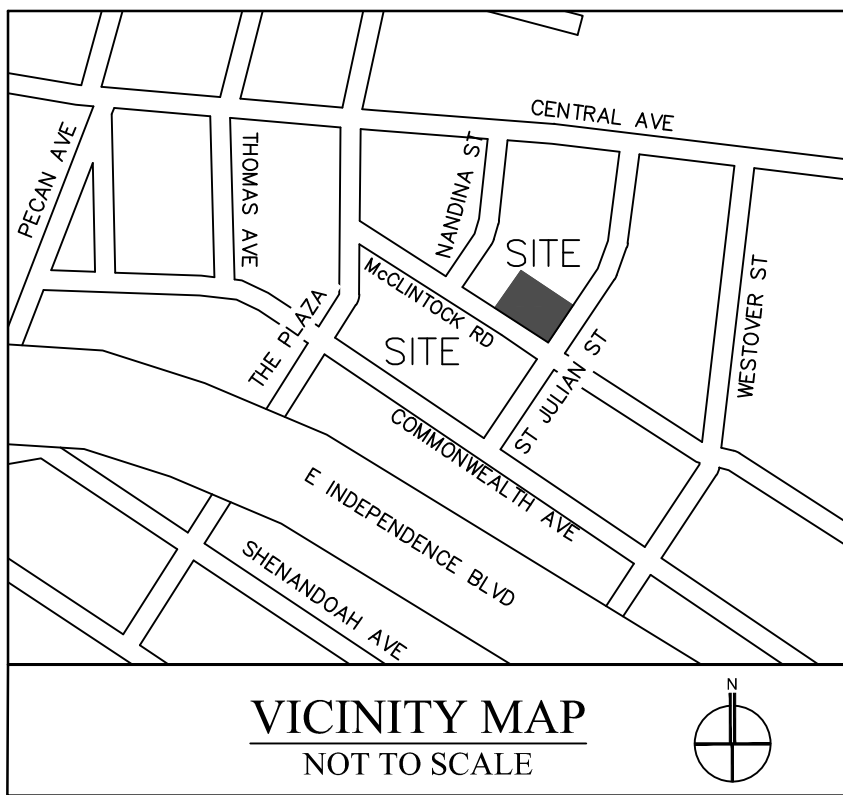
C:\Users\p000-023\St Julien and McClintock Rezoning\Drawings - BASE Drawings\B-SP.DWG



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

SITE DEVELOPMENT DATA

SITE ACREAGE: +/- 29,739 SQ FT (0.683 AC)
TAX PARCEL #: 12901707, 12901708, 12901709
EXISTING ZONING: R-5
PROPOSED ZONING: MUDD (CD) S.P.A
EXISTING USE: SINGLE FAMILY RESIDENTIAL HOMES
PROPOSED USE: SINGLE FAMILY ATTACHED - QUADRAPLEX
NUMBER OF UNITS: 12 UNITS TOTAL (4 UNITS PER BUILDING)
DENSITY PROPOSED: 18 UNITS PER ACRE
BUILDING HEIGHT: 2.5 STORIES (36' MAXIMUM)
PARKING PROVIDED: SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE: SHALL MEET ORDINANCE REQUIREMENTS



VICINITY MAP
NOT TO SCALE

1. GENERAL PROVISIONS.

A. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE MUDD ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.

B. 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 FOOTPRINT AS WELL AS THE INTERNAL DRIVES AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.

C. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

2. PURPOSE

A. THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF THREE SINGLE FAMILY ATTACHED QUADRAPLEX HOMES. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE FROM R-5 TO THE MUDD (CD) ZONING DISTRICT.

3. PERMITTED USES

A. USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION SHALL BE SINGLE FAMILY ATTACHED QUADRAPLEX BUILDINGS AND RELATED ACCESSORY USES AS ARE PERMITTED IN THE MUDD DISTRICT.

B. BUILDING 1 SHALL INCLUDE RESIDENTIAL USES WITH POTENTIAL HOME OFFICE. BUILDINGS 2 AND 3 SHALL INCLUDE RESIDENTIAL USES ONLY.

C. USES PRIOR TO THIS DEVELOPMENT WILL INCLUDE ONE SUBDIVISION SALES OFFICE TO BE LOCATED ON EXISTING PARCEL NUMBER 12901707. THE SALES OFFICE WILL SERVE THE SUBDIVISION IN WHICH IT IS LOCATED AND THE USE SHALL BE TERMINATED UPON COMPLETION OF THE SALE OF 95% OF THE TOTAL NUMBER OF HOMES AND/LOTS; PROVIDED HOWEVER, THAT A MODEL OR DEMONSTRATION HOME MAY BE USED FOR SALES PURPOSES UNTIL THE LAST HOME OR LOT IS SOLD.

4. TRANSPORTATION

A. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

B. THE SITE SHALL HAVE ONE INGRESS DRIVEWAY SERVING THE HOUSING DEVELOPMENT FROM ST. JULIEN STREET AND ONE EGRESS DRIVEWAY FROM MCCLINTOCK ROAD AS DEPICTED ON THE REZONING PLAN.

C. THE ALIGNMENT OF THE INTERNAL DRIVEWAYS AND VEHICULAR CIRCULATION AREAS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

D. PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE SITE'S FIRST BUILDING TO BE CONSTRUCTED ON THE SITE, THE PETITIONER WILL DEDICATE AND CONVEY ALL RIGHTS OF WAY TO THE CITY OF CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) AT A LOCATION OF 2' BEHIND THE PROPOSED BACK OF SIDEWALK.

E. ALL TRANSPORTATION IMPROVEMENTS SHALL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE SITE FIRST BUILDING TO BE CONSTRUCTED ON THE SITE.

5. ARCHITECTURAL STANDARDS

A. BUILDINGS CONSTRUCTED ON SITE SHALL BE COMPRISED OF THREE 2.5 STORY QUADRAPLEX BUILDINGS AS DEPICTED ON THE REZONING PLAN. FACADES AND MATERIALS WILL CONSIST OF FRONT PORCHES, LARGE WINDOWS, HARDI PANEL SIDING, CEMENTITIOUS SHAKE/PANEL SIDING AND BRICK VENEER. ROOFING SHALL COMPRISE OF ARCHITECTURAL ASPHALT SHINGLES. VINYL MATERIAL IS PROHIBITED. VINYL AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS AND SOFFITS.

B. THE SIDE OF BUILDING 3 FACING ST. JULIEN STREET SHALL HAVE ENHANCED ARCHITECTURAL FEATURES FOR STREET EDGE APPEAL, SIMILAR TO THE ATTACHED ARCHITECTURAL RENDERING. THE WEST SIDE OF BUILDING 1 SHALL HAVE ENHANCED ARCHITECTURAL FEATURES.

C. ATTACHED TO THE REZONING PLAN ARE CONCEPTUAL ARCHITECTURAL RENDERINGS OF THE SINGLE FAMILY ATTACHED QUADRAPLEX HOMES THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE, DESIGN TREATMENT AND CHARACTER TO BE CONSTRUCTED ON SITE. ACCORDINGLY, EACH ELEVATION SHALL BE DESIGNED AND CONSTRUCTED SO THEY ARE SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE RELEVANT CONCEPTUAL ARCHITECTURAL RENDERINGS OF THIS SUBMITTAL WITH RESPECT TO ARCHITECTURAL STYLE, DESIGN TREATMENT AND CHARACTER. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS WHICH DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER WILL BE PERMITTED.

6. STREETSCAPE AND LANDSCAPING

A. AN 8-FOOT WIDE PLANTING STRIP AND 8-FOOT WIDE SIDEWALK SHALL BE APPLIED ALONG MCCLINTOCK ROAD AS DEPICTED ON THE REZONING PLAN.

B. AN 8-FOOT WIDE PLANTING STRIP AND 6-FOOT WIDE SIDEWALK SHALL BE APPLIED ALONG ST. JULIEN STREET AS DEPICTED ON THE REZONING PLAN.

C. SIDEWALKS AND PLANTING STRIPS ALONG THE SITES FRONTAGES MAY MEANDER TO SAVE EXISTING TREES.

D. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS WILL BE INSTALLED WITHIN THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.

E. A MINIMUM 6 FOOT TALL MASONRY WALL WITH BRICK VENEER SHALL BE INSTALLED ALONG THE NORTHERN PROPERTY LINE OF THE SITE AS DEPICTED ON THE REZONING PLAN. THE PETITIONER HAVE THE OPTION TO SWITCH TO A 6' WOOD SCREEN FENCE AT THE FRONT POINT OF THE ADJACENT SINGLE FAMILY GARAGE ON PARCEL 129-017-10 AS DEPICTED ON THE REZONING PLAN.

F. A 4' MINIMUM MASONRY WALL OR DECORATIVE FENCE OR COMBINATION OF BOTH SHALL BE INSTALLED TO SCREEN SITE INTERIOR PARKING ALONG ST. JULIEN AS DEPICTED ON THE REZONING PLAN.

G. A TRASH AND RECYCLING ENCLOSURE WITH 8' MASONRY SCREENING ENCLOSURE SHALL BE LOCATED ON SITE AS DEPICTED ON THE REZONING PLAN.

H. ALL HVAC UNITS WILL BE LOCATED BETWEEN BUILDINGS 1 AND 2 AND 2 AND 3 OR ON THE ROOFS OF THE QUADRAPLEX BUILDINGS. HVAC UNITS WILL BE SCREENED FROM STREET VIEW.

7. ENVIRONMENTAL FEATURES

A. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION ORDINANCE.

B. THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

8. LIGHTING

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

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

9. AMENDMENTS TO THE REZONING PLAN

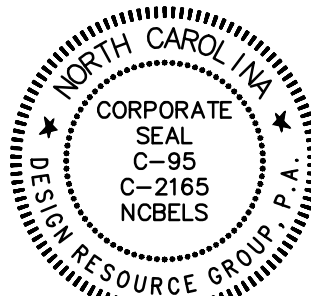
A. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

10. BINDING EFFECT OF THE REZONING APPLICATION

A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN SHALL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.

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

C. ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.



REZONING PETITION
FOR PUBLIC HEARING
2019-XXX

REZONING PETITION

McCLINTOCK SITE
COMMONWEALTH MORNINGSIDE COMMUNITY, CHARLOTTE

THE DRAKEFORD COMPANY
1914 BRUNSWICK AVE, SUITE 1A
CHARLOTTE, NORTH CAROLINA 29207

PRELIMINARY
SITE PLAN

10 0 10 20
SCALE: 1" = 20'

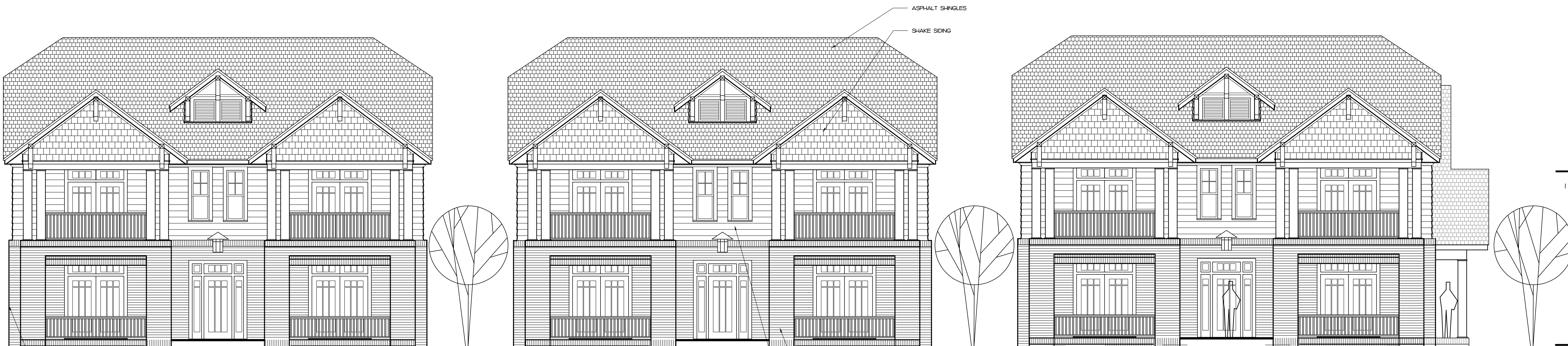
PROJECT #: 090-023
DRAWN BY: NB
CHECKED BY: NB

DECEMBER 14, 2018

REVISIONS:



2
A1
ST. JULIEN ELEVATION
NTS



1
A1
FRONT ELEVATIONS
NTS

McCLINTOCK QUADRAPLEX
McCLINTOCK ROAD

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

ISSUE DATE

17 MAY 2017

SHEET TITLE

PRELIMINARY
ELEVATIONS

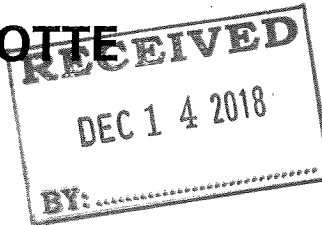
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SHEET NUMBER

A1

ZONING ORDINANCE **TEXT AMENDMENT APPLICATION**

CITY OF CHARLOTTE



FY2019
Petition #: <u>2018-169</u>
Date Filed: <u>12/14/2018</u>
Received By: <u>RH</u>
Office Use Only

Section#:

Table of Contents	
6.201	Purpose
Table 9.101	Use Table
9.103	Classification of Zoning Districts
Chapter 9, Part 12	Transit Oriented Development Districts
Chapter 10, Part 9	Transit Supportive Overlay District
12.106	Uses and structures prohibited and allowed in required setbacks and yards
12.202	Required number of off-street parking and bicycle spaces
12.202A	Bicycle parking standards
12.206	Location of required parking
12.212	Parking deck standards
12.213	Underground parking structures
12.214	Number, size, and location of loading spaces
12.301	Purpose (Buffers and Screening)
12.413	Drive-in and drive-through service lanes/windows
12.502	Adult care homes, adult care centers, childcare centers, childcare centers in a residence, family childcare homes, and large childcare centers
12.510	Mobile food vending
12.522	Short-term care facility
12.527	Single room occupancy (SRO) residences
12.537	Emergency shelters
12.539	Outdoor fresh produce stands or mobile produce market
12.541	Pet services indoor/outdoor
12.544	Breweries and wineries
12.546	Eating, drinking and entertainment establishments (type 2 only)
13.108	Specifications for permanent signs requiring a permit
13.108a	Specifications for permanent signs requiring a permit
13.108b	Information and advertising pillar signs
Chapter 15	New
Chapter 15	Appendices and Subject Index
Chapter 16	New

Purpose of Change:

- 1) Update the transit oriented development districts and regulations with a new Chapter 15 in the format of the upcoming Unified Development Ordinance.
- 2) Relocate existing Chapter 15 into a new Chapter 16.
- 3) Update the Zoning Ordinance to align with the new Chapter 15 Transit Oriented Development Districts and regulations

Name of Agent

Agent's Address

City, State, Zip

Telephone Number

Fax Number

E-Mail Address

Signature of Agent

Charlotte Planning, Design and Development Department
Name of Petitioner(s)

600 E. Fourth Street, 8th floor

Address of Petitioner(s)

Charlotte, NC 28202

City, State, Zip

704-336-8316

Telephone Number

Fax Number

Monica.Holmes@charlottenc.gov

E-Mail Address

Monica Holmes
Signature

Petition #:
Petitioner: Planning, Design and
Development Department

**AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE**

ORDINANCE NO. _____

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. TABLE OF CONTENTS

1. Amend the Table of Contents by deleting all of Part 12, "Transit Oriented Development Districts" and all of Part 9, "Transit Supportive Overlay District" and replacing the entries with "RESERVED" as follows:

[CHAPTER 9: GENERAL DISTRICTS](#)

~~Part 12: Transit Oriented Development Districts~~—RESERVED

9.1201	Purpose	9-224
9.1202	Establishment of Transit Oriented Development Districts	9-224
9.1203	Rezoning to a TOD Zoning District	9-227
9.1204	Applicability and Exceptions	9-227
9.1205	Uses Permitted by Right	9-230
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9.1211	Board of Adjustment	9-258
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CHAPTER 10: OVERLAY DISTRICTS

Part 9: ~~Transit Supportive Overlay District~~ RESERVED

10.901.	Purpose	10-99
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10.903.	Conflicts	10-99
10.904.	Rezoning to a Transit Supportive Overlay District (TS)	10-100
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10.912.	Transit Supportive Overlay District (Optional)	10-131
10.913.	Preliminary review	10-131

2. Amend the Table of Contents by adding new entries for the new Transit Oriented Development Districts from Camiros for each Section and subsection.

CHAPTER 15: ~~SUBJECT INDEX-TRANSIT ORIENTED DEVELOPMENT~~ DISTRICTS15-1

3. Amend the Table of Contents by adding a new entry for a Chapter 16 titled, “Subject Index”, which shall read as follows.

CHAPTER 16: SUBJECT INDEX.....~~15-1~~16-1

B. CHAPTER 6: AMENDMENTS

1. PART 2: CONDITIONAL ZONING DISTRICTS

- a. Amend Section 6.201, “Purpose”, subsection (3) by replacing “Transit Oriented Development (Optional)” with the updated names of the new Transit Oriented Development zoning districts. In addition, amend the reference to the Chapter from 12 to 15. Amend subsection (4) by deleting “Transit Supportive (Optional)” from the sentence and the reference to Part 9. The revised subsection (3) and (4) shall read as follows:

Section 6.201. Purpose.

Conditional zoning districts are zoning districts in which the development and use of the property is subject to predetermined ordinance standards and the rules, regulations, and conditions imposed as part of the legislative decision creating the district and

applying it to the particular property. The following zoning district categories are conditional zoning districts:

- (1) Parallel conditional zoning districts (A parallel conditional zoning district is a conditional zoning district in which the potential permitted use or uses are, except as limited by the conditions imposed on the district, of the same character or type as the use or uses permitted in a general district having a parallel designation or name.)
- (2) Conditional zoning districts identified in Chapter 11: Mixed Use Districts, Manufactured Housing Development, Commercial Center District, Neighborhood Services District, Hazardous Waste District, and Research 3 District.
- (3) Mixed Use Development District (Optional), Uptown Mixed Use District (Optional), and ~~Transit Oriented Development (Optional)~~ Transit Oriented Development -Urban Center (Exception), Transit Oriented Development -Community Center (Exception), Transit Oriented Development -Neighborhood Center (Exception) Transit Oriented Development -Transition (Exception) described in Chapter 9, Parts 8.5, 9, and 15 42 respectively, and RE-3 (Optional) described in Chapter 11, Part 7.
- (4) Pedestrian Overlay District (Optional), ~~and Transit Supportive (Optional)~~ described in Chapter 10 Parts 8 and 9 respectively.

A conditional zoning district allows particular uses to be established only in accordance with specific standards and conditions pertaining to each individual development project. Some land uses are of such a nature or scale that they have significant impacts on both the immediately surrounding area and on the entire community, which cannot be predetermined and controlled by general district standards. There are also circumstances in which a general district designation allowing such a use by right would not be appropriate for a particular property even though the use itself could, if properly planned, be appropriate for the property consistent with the objectives of these regulations, the adopted “Generalized Land Plan”, and adopted district and area plans. The review process established in this Part provides for the accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions, which ensure compatibility of the use with the use and enjoyment of neighboring properties. A conditional zoning district is generally not intended for securing early zoning for a proposal, except when that proposal is consistent with an approved district or area plan or the proposal can demonstrate that public infrastructure needed to serve the development will be made available in a reasonable time period.

C. CHAPTER 9: GENERAL DISTRICTS

1. PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS

- a. Amend Table 9.101, “Table of Uses”, pages titled, MUDD & UMUD, COMMERCIAL CENTER, NEIGHBORHOOD SERVICES, TRANSIT ORIENTED DEVELOPMENT” pages one through seven by adding a new column to the right of the table labeled “TOD-TR”; updating the abbreviations “TOD-R”, “TOD-E”, and “TOD-M” with the new abbreviations for the new TOD districts; and merge all the rows under each of the following columns, “Residential Uses”, “Institutional Uses”, “Office and Business Uses”, “Industrial Uses”, “Other Uses”, and “Accessory Uses and Structures” and adding “See Section 15.8 for Uses allowed in the TOD districts”, and centering that in the merged space. The revised table should look as follows:

**MUDD & UMUD
COMMERCIAL CENTER
NEIGHBORHOOD SERVICES
TRANSIT ORIENTED DEVELOPMENT**

MUDD & UMUD Districts		CC & NS Districts*		Transit Oriented Development Districts			
MUDD	UMUD	CC*	NS*	TOD-R <u>TOD-UC</u>	TOD-E <u>TOD-CC</u>	TOD-M <u>TOD-NC</u>	<u>TOD-TR</u>
RESIDENTIAL USES							
		<u>See Section 15.8 for Uses allowed in the TOD districts</u>					
INSTITUTIONAL USES							
		<u>See Section 15.8 for Uses allowed in the TOD districts</u>					
OFFICE AND BUSINESS USES							
		<u>See Section 15.8 for Uses allowed in the TOD districts</u>					
INDUSTRIAL USE							
		<u>See Section 15.8 for Uses allowed in the TOD districts</u>					

OTHER USES		
		<u>See Section 15.8 for Uses allowed in the TOD districts</u>
ACCESSORY USES AND STRUCTURES		
		<u>See Section 15.8 for Uses allowed in the TOD districts</u>

- b. Amend Section 9.102, “Hierarchy of districts” by updating the names of the Transit Oriented Development districts. The revised hierarchy, in new formatting, shall read as follows:

The districts established in this Chapter and in Chapter 11 are classified from "highest" to "lowest" in the following order:

(“highest”) R-3	R-17MF	RE-3	CC	BP
R-4	R-22MF	INST	MX-3	BD
R-5	R-22MF	O-1	B-2	U-I
R-6	UR-1	O-2	TOD-R <u>UC</u>	I-1
R-8	R-43MF	O-3	TOD-E <u>CC</u>	I-2 (“lowest”)
MX-1	UR-2	UR-C	TOD-M <u>NC</u>	
R-MH	UR-3	NS	<u>TOD-TR</u>	
R-8MF	RE-1	B-1	MUDD	
R-12MF	RE-2	MX-2	UMUD	

For any district where a conditional zoning district is permitted the conditional zoning district shall have the same order as the general district for the purposes of determining its hierarchy under the table.

- c. Amend Section 9.103, “Classification of Zoning Districts” by removing “TOD-R” from subsection (1) and updating the names of the Transit Oriented Development districts in subsection (2). Amend the last sentence of subsection (2) to include other types of zoning designations. The revised subsections shall read as follows:

Section 9.103. Classification of Zoning Districts.

The following zoning districts established in this Chapter and in Chapter 11 are classified according to whether they are residential or non-residential.

- (1) Residential Zoning Districts include R-3, R-4, R-5, R-6, R-8, R-8MF, R-12MF, R-17 MF, R-22MF, R-43MF, UR-1, UR-2, UR-3, ~~TOD-R~~, R-MH, MX-1, MX-2, MX-3, and any zoning district listed above, with (CD) after the designation.
- (2) Non-Residential Zoning Districts include B-1, B-2, CC, B-D, BP, O-1, O-2, O-3, I-1, I-2, RE-1, RE-2, RE-3, Institutional, UMUD, MUDD, UR-C, U-I, CC, NS, ~~TOD-E~~, and ~~TOD-M~~, TOD-UC, TOD-CC, TOD-NC and TOD-TR and any zoning district listed above, with (CD), (O) or (EX) after the designation.

2. PART 12: TRANSIT ORIENTED DEVELOPMENT DISTRICTS

- a. Delete all sections of Part 12: Sections 9.1201, 9.1202, 9.1203, 9.1204, 9.1205, 9.1206, 9.1207, 9.1208, 9.1209, 9.1210, 9.1211, 9.1212 and 9.1213, and rename Part 12 as “RESERVED”. The revised Part shall read as follows:

PART 12: RESERVED

D. CHAPTER 10: OVERLAY DISTRICTS

1. PART 9: TRANSIT SUPPORTIVE OVERLAY DISTRICT

- a. Delete all sections of Part 9: Sections 10.901, 10.902, 10.903, 10.904, 10.905, 10.906, 10.907, 10.908, 10.909, 10.910, 10.911, 10.912, and 10.913, and rename Part 9 as “RESERVED”. The revised Part shall read as follows:

PART 9: RESERVED

E. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 1: SUPPLEMENTAL DEVELOPMENT STANDARDS

- (a) Amend Section 12.106, “Uses and structures prohibited and allowed in required setbacks and yards”, subsection (2)(b) by updating the names of the transit oriented districts in the last sentence. The subsection shall read as follows:
 - (b) Notwithstanding the provisions of subsection (a), above ground structures (other than a back-flow preventer) connected to and associated with underground electric, natural gas, telecommunications or cable television distribution lines, pipes, or conduits may be located in the setback subject to the following:
 - i. A structure of a dimension that does not exceed four (4) feet in width, four (4) feet in length, or three (3) feet in height may be

located no closer than two (2) feet to the existing or proposed right-of-way based on the street classification and no closer than ten (10) feet to the back of the curb line or edge of pavement.

- ii. A structure of a dimension that does not exceed four (4) feet in width, eight (8) feet in length, or six (6) feet in height may be located no closer than ten (10) feet to the existing or proposed road right-of-way based on the street classification.

The dimension restrictions contained in subsections (b)(i) and (ii) shall not apply to structures located in the setback prior to April 1, 2003.

This subsection shall not apply in the UR-1, UR-2, UR-3, UR-C, MUDD, UMUD, PED, RE-3, ~~TOD, or TS~~ TOD-UC, TOD-CC, TOD-NC, and TOD-TR zoning districts and shall not constitute a regulation of utilities in the right-of-way.

2. PART 2: OFF-STREET PARKING

- a. Amend Section 12.202, “Required number of off-street parking and bicycle spaces” subsection (4) by amending the names of the transit oriented districts. Also add a new subsection (5) that shall read as follows. The remaining subsections remain unchanged.

(4) The off-street motor vehicular parking requirements of this section shall not apply to the RE-3, MUDD, NS, PED, ~~TOD-R, TOD-E, TOD-M, TOD-RO, TOD-EO, TOD-MQ~~, UI, UMUD, and UR districts established in these regulations, however, bicycle parking shall apply in these districts with requirements based not on the zoning district, but on the table of uses.

(5) The vehicular and bicycle parking requirements of this section shall not apply to the TOD-UC, TOD-CC, TOD-NC, and TOD-TR zoning districts.

- b. Amend Section 12.202A, “Bicycle parking standards”, subsection (1)(b) by updating the names of the transit oriented districts. The revised text shall read as follows:

- (b) Location. Short-term bicycle parking should be located along a major building approach line and clearly visible from the approach. The rack area shall be no more than 120 feet from the entrance it serves, or as close as the nearest non-handicap, off-street auto parking space, whichever is farther. Rack area(s) should be clearly visible from the entrance they serve and should be provided near each actively used entrance. In general, multiple buildings should not be served with a combined, distant rack area. It is preferred to place smaller rack areas in locations that are more convenient.

Short-term bicycle parking may be located within the public right-of-way and/or within the required setback in the UR-1, UR-2, UR-3, UR-C, RE-3, MUDD, UMUD, NS, PED, ~~TOD-R, TOD-E, TOD-M~~ TOD-UC, TOD-CC, TOD-NC, TOD-TR and UI zoning districts, subject to the following additional requirements:

1. The short-term bicycle parking shall not obstruct the required sidewalks, movement from on-street parking to the required sidewalks, or impact the minimum planting area or spacing requirements for street trees or required screening.
2. Bicycle parking may be located in the public right-of-way subject to approval by the Charlotte Department of Transportation (CDOT) or the North Carolina Department of Transportation (NCDOT). If bicycle parking is not approved, then the required parking must be located entirely on the site.
3. There shall be no more than 5 required short-term bicycle parking spaces per 100 linear feet of street frontage. Additional bicycle parking beyond the required amount can exceed the 5 short-term bicycle parking spaces per 100 linear feet of street frontage requirement.

- c. Amend Section 12.206, "Location of required parking" subsection (5) by modifying the names of the transit oriented districts. All other subsections remain unchanged.

(5) This Section shall not apply to the MUDD, PED, ~~TOD-R, TOD-E, TOD-M, TOD-RO, TOD-EO, TOD-MO, TS~~ TOD-UC, TOD-CC, TOD-NC, TOD-TR, UI, UMUD, and UR districts established in these regulations.

- d. Amend Section 12.212, "Parking deck standards" first paragraph by modifying the names of the transit oriented districts. The revised paragraph shall read as follows. All other subsections remain unchanged.

Section 12.212. Parking deck standards

This section sets forth development standards to address parking decks as a principal or accessory use within any permitted zoning district, except the RE-1, RE-2, RE-3, MUDD, PED, ~~TOD-R, TOD-E, TOD-M, TS~~ TOD-UC, TOD-CC, TOD-NC, TOD-TR, UI, UMUD, and UR districts.

- e. Amend Section 12.213, "Underground parking structures" by modifying the names of the transit oriented district in the last sentence, to read as follows:

Section 12.213. Underground parking structures.

Underground parking structures are permitted within any required setback, side yard, and rear yard on any lot in any institutional, office, business or industrial district, provided no portion of the underground structure extends above grade more than 5 feet at any point nor more than 4 feet for 75 percent of its length along any lot line. A balustrade, parapet or railing may extend above the permitted structure height, provided it is not greater than 32 inches in height, is set back from the property line at least 3 feet and has openings equal to at least 30 percent of its surface along each side.

Along any lot line abutting a street, "grade" means the elevation at the center line of the street. Along any lot line not abutting a street, "grade" means ground elevation at the property line. Such structures must conform to any corner site distance requirements which may be in effect at the time the underground structure is built. An underground parking structure may encroach upon any area set aside for the buffer, screening or other planting requirements so long as there is at least 4 feet of soil between the above ground surface and the top of the underground parking structure. The requirements of this section do not apply to the RE-1, RE-2, RE-3, MUDD, PED, ~~TOD-R, TOD-E, TOD-M, TOD-RO, TOD-EO, TOD-MO, TS~~ TOD-UC, TOD-CC, TOD-NC, TOD-TR, UI, UMUD, and UR, districts.

- f. Amend Section 12.214, "Number, size, and location of loading spaces", subsection (1) and (3) by modifying the names of the transit oriented districts. The revised paragraph shall read as follows. All other subsections remain unchanged.

Section 12.214. Number, size, and location of loading spaces.

- (1) Loading spaces of the size and number indicated shall be provided in accordance with Table 12.214. These requirements shall not apply in the MUDD, PED, ~~TOD-R, TOD-E, TOD-M, TOD-RO, TOD-EO, TOD-MO, TS~~ TOD-UC, TOD-CC, TOD-NC, TOD-TR, UI, UMUD, and UR districts established in these regulations.
- (2) Any loading space and any area required for maneuvering a vehicle into and out of the loading space shall be located entirely on the same lot as the use it serves, and not on any public right-of-way or other lot.
- (3) Loading and unloading spaces and areas shall be located a minimum of 60' from residentially used or zoned property. Distances shall be measured from the closest edge of the loading and unloading area to the property line of the residentially used or zoned property. These requirements

shall not apply in the MUDD, PED, ~~TOD-R, TOD-E, TOD-M, TOD-RO, TOD-EO, TOD-MO, TS TOD-UC, TOD-CC, TOD-NC, TOD-TR,~~ UI, UMUD, and UR districts.

3. PART 3: BUFFERS AND SCREENING

- a. Amend Section 12.301, “Purpose” by modifying the names of the transit oriented districts. The revised paragraph shall read as follows:

Section 12.301. Purpose.

It is recognized that certain land uses, because of their character and intensity, may create an adverse impact when developed adjacent to other less intensive land uses. The general purposes of this Section are to establish regulations protecting and preserving the appearance, character and value of property within the City and to recognize that the transition between certain uses requires attention to protect less intensive land uses. The objectives are to identify those land use relationships that may be incompatible and to specify an appropriate buffer or screen, the function of which is to minimize any adverse impacts. These provisions will not apply to developments in the NS, PED, ~~TOD-R, TOD-E, TOD-M, TOD-RO, TOD-EO, TOD-MO, TS TOD-UC, TOD-CC, TOD-NC, TOD-TR,~~ UI, UMUD, and UR districts or to certain development on school sites as provided for in Section 9.203(7)(e) and 9.303(10)(e). The buffer requirements of this section will not apply to the MUDD district

4. PART 4: ACCESSORY USES AND STRUCTURES

- a. Delete subsection (4) of Section 12.413, “Drive-in and drive-through service lanes/windows” in its entirety. Other subsections remain unchanged.

~~(4) — In the TOD-R, TOD-E, and TOD-M, and TS zoning districts, drive-through service lanes are only permitted as an accessory use to professional business and general office uses located between ¼ mile to ½ mile walking distance from a transit station.~~

5. PART 5: SPECIAL REQUIREMENTS FOR CERTAIN USES

- a. Amend Section 12.502, “Adult care homes, adult care centers, childcare centers, childcare centers in a residence, family childcare homes, and large childcare centers by deleting references to the TOD-R, ROD-E, and TOD-M districts in subsection (3). The revised subsection shall read as follows, with subsections (a) through (k) under this subsection remaining unchanged.

(3) Childcare centers
Childcare centers for between thirteen (13) and seventy-nine (79)

children, licensed by the North Carolina Department of Health and Human Services, may be established in all multi-family districts, UR-2, UR-3, UR-C, INST, all research, all office, NS, B-1 and B-2, BD, MUDD, UMUD, MX-2, MX-3, ~~TOD-R, TOD-E and TOD-M~~, U-1 and I-1 districts, according to the requirements listed below. Childcare centers are also permitted as an accessory to uses permitted in the I-2 district, religious institutions, elementary, junior and senior high schools, and government buildings, and are exempt from the requirements listed below.

- b. Amend Section 12.510, “Mobile food vending”, subsection (2) by deleting TOD-E and TOD-M from the sentence. The revised subsection shall read as follows. All subsections (a) through (k) remain unchanged.

(2) Mobile Food Vending located in B-1, B-2, B-D, BP, RE-1, RE-2, RE-3, INST, O-1, O-2, O-3, CC, NS, MUDD, UMUD, ~~TOD-E, TOD-M~~, U-I, I-1 and I-2 shall meet the following requirements:

- c. Amend Section 12.522, “Short-term care facility” by deleting TOD-E and TOD-M from the first paragraph. Subsections (1) through (8) under the paragraph remain unchanged. The revised paragraph shall read as follows:

Section 12.522. Short-Term Care Facility.

Short-term care facilities are permitted in the Institutional, O-1, O-2, O-3, B-2, MUDD, UMUD, ~~TOD-E, TOD-M~~, U-I, and I-1 zoning districts, subject to the standards of the individual district in addition to the following requirements. If any conflict should occur between the standards of the individual district and the following requirements, the following shall apply.

- d. Amend Section 12.547, “Single room occupancy (SRO) residences” by deleting references to the TOD zoning districts. Subsections (1) through (10) remain unchanged.

Section 12.527. Single Room Occupancy (SRO) residences.

Single room occupancy (SRO) residences are permitted in the UR-2, UR-3, UR-C, O-1, O-2, O-3, B-1, B-2, UMUD, ~~TOD-R, TOD-E, TOD-M, TOD-RO, TOD-EO and TOD-MO~~ districts subject to the standards of the individual district in addition to the following requirements. If any conflict should occur between the standards of the individual district and the following requirements, the following shall apply.

- e. Amend Section 12.534, "Periodic Retail Sales Events, Off-Premise" by deleting TOD from subsection (1)(a). The other subsections remain unchanged. The revised subsection shall read as follows:

- (a) Periodic retail sales events may only be located in the UR-C, RE-3, B-1, B-2, ~~TOD~~, MUDD, UMUD, and Industrial zoning districts. Periodic retail sales events shall also be permitted in the B1-SCD, B-1 (CD), B-2-CD, MX-2, MX-3, NS, and CC zoning districts, as part of a retail center, unless noted on the site plan or conditional plan that this use is restricted.
- f. Amend Section 12.537, "Emergency Shelters" by deleting references to the TOD districts. Subsections (a) through (c) remain unchanged. The revised first paragraph shall read as follows:

Section 12.537. Emergency Shelters.

Emergency shelters are permitted in all Business districts (B-1, B-2, B-3, BP, and B-D), all Institutional zoning districts (INST), all Research districts (RE-1, RE-2, RE-3), all Office districts (O-1, O-2, and O-3), MUDD, UMUD, and all Industrial districts (U-I, I-1, I-2), ~~and all TOD districts (TOD-R, TOD-E and TOD-M)~~ subject to the following requirements:

- g. Amend Section 12.539, "Outdoor Fresh Produce Stands or Mobile Produce Market", subsection 2(a) by deleting references to TOD-E and TOD-M in the sentence. Other subsections remain unchanged. The revised subsection shall read as follows:
 - 2. **Principal** outdoor fresh produce stand(s) or principal mobile produce markets are subject to the following additional prescribed conditions:
 - (a) Allowed in the UR-C, RE-1, RE-2, RE-3, B-1, B-2, B-D, BP, CC, NS, MUDD, UMUD, ~~TOD-E, TOD-M~~, U-I, I-1 and I-2 zoning districts and
 - (b) Temporary fabric-covered canopies or tents are permitted if removed daily. Canopies or tents exceeding 12' in any dimension require a permit from Neighborhood & Business Services.
- h. Amend Section 12.541, "Pet services indoor/outdoor" by deleting references to TOD In the first sentence, and adding "zoning districts" to clarify the sentence. Other subsections remain unchanged. The revised section shall read as follows:

Section 12.541. Pet services indoor/outdoor

Pet services indoor/outdoor are permitted in the UR-2, UR-3, UR-C, B-1, B-2, I-1, I-2, MUDD, UMUD, ~~TOD~~, CC, MX-2, MX-3 and NS zoning districts, subject to the following conditions:

- (1) All outdoor uses are located at least 300 feet from any lot in a residential zoning district or in residential use.
 - (2) All outdoor uses are completely fenced.
- i. Amend Section 12.544, "Breweries and Wineries", subsection (1) and subsection (2) by deleting references to the TOD-M, TOD-E, and TS zoning districts. All subsections regarding prescribed conditions under subsections (1) and (2) remain unchanged. The revised subsections shall read as follows:

Section 12.544 Breweries and Wineries

- (1) In ~~TOD-M, TOD-E,~~ MUDD and UMUD, breweries and wineries are subject to the following prescribed conditions:
 - (2) In PED ~~and TS,~~ breweries and wineries shall only be permitted when the underlying zoning district is B-1, B-2, I-1 or I-2, and the following prescribed conditions are met:
- j. Amend Section 12.546, Eating, Drinking, and Entertainment Establishments (Type 2 only)" subsection (2)(a) by deleting references to TOD and TS zoning districts. All other subsections of this Section remain unchanged. The revised subsection shall read as follows:
 - (2) If outdoor entertainment occurs at any time between the hours of 11:00 p.m. and 8:00 a.m., then the following minimum separation distances shall be met, based on the zoning district in which the use is located:
 - (a) Minimum 100-foot separation distance in the MUDD, and UMUD, ~~TOD and TS~~ zoning districts. The minimum required separation distance cannot be reduced as an optional provision unless the following conditions are met:

F. CHAPTER 13: SIGNS

1. Amend the first paragraph of Section 13.108, "Specifications for permanent signs requiring a permit" by updating the references to the TOD districts, and clarifying where additional applicable specifications are located per zoning district. Subsections under this initial paragraph remain unchanged. The revised first paragraph shall read as follows:

Section 13.108. Specifications for permanent signs requiring a permit

The following are general specifications applicable to the various permanent signs permitted, except for those located in UMUD, and PED, ~~TOD-R, TOD-E, TOD-M,~~ and TS TOD-UC, TOD-CC, TOD-NS, TOD-TR zoning districts which have applicable

specifications as per Section 13.108a (UMUD and PED) and Section 15.7 (TOD-UC, TOD-CC, TOD-NC, and TOD-TR). Additional specifications in UMUD and PED regarding size, number, location, and permitted types of signs are set forth in [Section 13.109](#), District Regulations.

2. Amend the first paragraph of Section 13.108a, “Specifications for permanent signs requiring a permit” by deleting the references to the TOD districts. Subsections under this initial paragraph remain unchanged. The revised first paragraph shall read as follows:

Section 13.108a. Specifications for permanent signs requiring a permit.

The following are specifications applicable to the various permanent signs permitted in the UMUD, and PED, ~~TOD-R, TOD-E, TOD-M, TOD-RO, TOD-EO, TOD-MO, and TS~~ zoning districts.

3. Amend Section 13.108(b), “Information and advertising pillar signs”, subsection (1) by deleting references to TOD. All other subsections remain unchanged. The revised subsection shall read as follows:

Section 13.108(b) Information and advertising pillar signs.

- (1) Zoning District. Information and advertising pillar signs are permitted only in the RE-3, MUDD, UMUD, ~~TOD~~, and CC zoning districts, subject to all the standards and regulations of [Section 13.108\(b\)](#), and all other applicable regulations and standards in the Zoning Ordinance.

G. CHAPTER 15: APPENDICES

1. Move the subject index pages in Chapter 15, “SUBJECT INDEX” into a new Chapter 16, to read as follows.

Chapter ~~15~~ 16 SUBJECT INDEX

2. Move the new Transit Oriented Development District Regulations prepared by Camiros into Chapter 15.

Chapter 15: TRANSIT ORIENTED DEVELOPMENT DISTRICTS

3. Move Appendices 1, 2, 3, 4, 5, A, B to the end of the Zoning Ordinance.

H. CHAPTER 16: SUBJECT INDEX

1. Amend the Subject Index under “Districts” by referencing the correct location of the new transit oriented development districts. The “District” entry shall read as follows:

Districts

business	9.801
hierarchy of districts	9.102
industrial	9.1101
institutional	9.501
mixed use development (MUDD)	9.8501
multi-family	9.301
office	9.701
permitted uses	9.101
research	9.601
single family	9.201
transit oriented development districts	9.1201 <u>Chapter 15</u>
UMUD	9.901
urban industrial	9.1001
urban residential	9.401

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

I, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 20____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 20__.
