

Rezoning Petition Packet

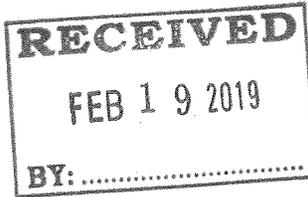
Petitions:

2019-033 through 2019-048

Petitions that were submitted in March 2019

2019-033

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



Petition #: _____
Date Filed: 2/19/2019
Received By: BH

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: 1994

Property Address: Cedarvale Road

Tax Parcel Number(s): 05319305

Current Land Use: undeveloped Size (Acres): approx. 9.89 ac

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

Overlay: Lake Wylie Watershed - Protected Area (Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, et al.

Date of meeting: 12/4/18

(*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): _____

Purpose/description of Conditional Zoning Plan: contractor's storage and operations yard

Walter Fields
Name of Rezoning Agent

1919 South Blvd., suite 101
Agent's Address

Charlotte, NC 28203
City, State, Zip

704-372-7855 704-372-7856
Telephone Number Fax Number

waltr@walterfieldsgroup.com
E-Mail Address

See attached sheet
Signature of Property Owner

see attached sheet
(Name Typed / Printed)

HK Cedarvale, LLC
Name of Petitioner(s)

P.O. Box 486
Address of Petitioner(s)

Belmont, NC 28012
City, State, Zip

704-812-8139 _____
Telephone Number Fax Number

mhicks@pfsoutheast.com
E-Mail Address


Signature of Petitioner

David M. Hicks
(Name Typed / Printed)

February 13, 2019

Michael Hicks
HK Cedarvale, LLC
600 B Park Street
Belmont, NC 28012

Dear Sir:

This letter serves to notify all interested parties that I/we consent to HK Cedarvale, LLC petitioning for the rezoning of property known as Tax Parcel 05319305 located on Cedarvale Road in Charlotte, North Carolina, for the purpose of development of industrial uses including outdoor storage. This letter serves to represent my/our signature on the zoning application.

As attested below:

Owner: Charles W. Gallant III



Date 2/13/2019

Owner: Susan Harriss Gallant Brown



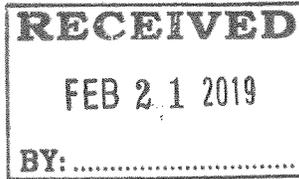
Date 2/13/2019

Address:

7440 Pine Lake Lane; Mint Hill, NC 28227
Phone Number 704-681-0685

Ellen Gallant, Et Al
7440 Pine Lake Lane
Mint Hill, NC 28227

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-03A
Petition #: _____
Date Filed: 2/21/2019
Received By: BH

Complete All Fields (Use additional pages if needed)

Property Owner: Roman Catholic Diocese of Charlotte, North Carolina

Owner's Address: 1123 South Church Street City, State, Zip: Charlotte, NC 28203

Date Property Acquired: June 4, 1973

Property Address: 1406 Suther Road, Charlotte, NC 28213

Tax Parcel Number(s): 049-343-04

Current Land Use: Church and school Size (Acres): 10 acres

Existing Zoning: Institutional (CD) Proposed Zoning: Institutional (CD) S.P.A.

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

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

Date of meeting: January 10, 2019

(*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 amend the existing approved site plan to add school as a permitted use on the site, and to add existing and proposed buildings to the site plan.

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

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

Charlotte, NC 28246
City, State, Zip

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

jcarmichael@robinsonbradshaw.com
tshaffer@robinsonbradshaw.com
E-Mail Address

See attached
Signature of Property Owner

(Name Typed / Printed)

United Community School
Name of Petitioner(s)

1406 Suther Road
Address of Petitioner(s)

Charlotte, NC 28213
City, State, Zip

980-819-0555
Telephone Number Fax Number

tim@ucsnc.org
E-Mail Address

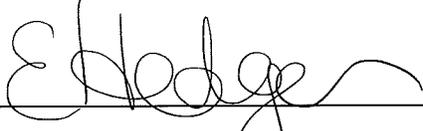
See attached
Signature of Petitioner

(Name Typed / Printed)

[Signature Page of Petitioner, United Community School, to Rezoning Application]

Petitioner:

UNITED COMMUNITY SCHOOL



By: Erika Hedgepeth, Executive Director

**REZONING APPLICATION
UNITED COMMUNITY SCHOOL, PETITIONER
JOINDER AGREEMENT**

The undersigned, as the owner of the parcel of land subject to the attached Rezoning Application filed by United Community School that is designated as Tax Parcel No. 049-343-04 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to an amendment to the approved Institutional (CD) site plan for the Site, as more particularly described and depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

This 18 day of February, 2019.

**THE ROMAN CATHOLIC DIOCESE OF
CHARLOTTE, NORTH CAROLINA**


A handwritten signature in cursive script, reading "Bishop Peter J. Jugis", is written over a horizontal line.

By: Peter Joseph Jugis, Bishop

DEVELOPMENT SUMMARY

SITE DATA	
Site Acreage	10.0
Tax Parcel	04934304
Zoning	INST-CD (SPA)
Uses	Religious, Educational
Minimum setback	40
Minimum side yard	20'
Minimum rear yard	20'
BUILDING SQUARE FOOTAGES	
Existing	56,837 sq. ft.
Proposed	3,553 sq. ft.
Future	25,000 sq. ft. (approximate)

DEVELOPMENT STANDARDS

- GENERAL PROVISIONS**
 - These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by United Community School (the "Petitioner") seeking a site plan amendment for an approximately 10 acre site located on the west side of Suther Road across from Margie Ann Drive, which site is more particularly depicted on the Rezoning Plan and designated as "Tax Parcel No. 049-343-04 (hereinafter referred to as the "Site").
 - The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
 - 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.
 - Existing administrative approvals for Petition No. 1995-29 and Petition No. 2014-061, carry over to this site plan amendment.
- PERMITTED USES**
 - The Site may be devoted to the following uses permitted in the Institutional zoning district, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the Institutional zoning district: Religions Institutions; Elementary and Secondary Schools.
 - New buildings and additions to existing buildings on the Site shall be located in the areas more particularly depicted on the Rezoning Plan.
- TRANSPORTATION**
 - No additional right-of-way is required beyond the 30' from center line of Suther Road previously dedicated.
 - No vehicular access from Milay Avenue to the Site is allowed.
- STREETSCAPE AND LANDSCAPING**
 - Any dumpster used on the Site shall be screened on all four sides.
- LIGHTING**
 - Detached lighting will be limited to 20' in height. Attached and detached lighting will be downwardly directed, fully shielded, and full cutoff fixtures.
- 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.

CHARLOTTE - MECKLENBURG PLANNING COMMISSION
INTER - OFFICE COMMUNICATION

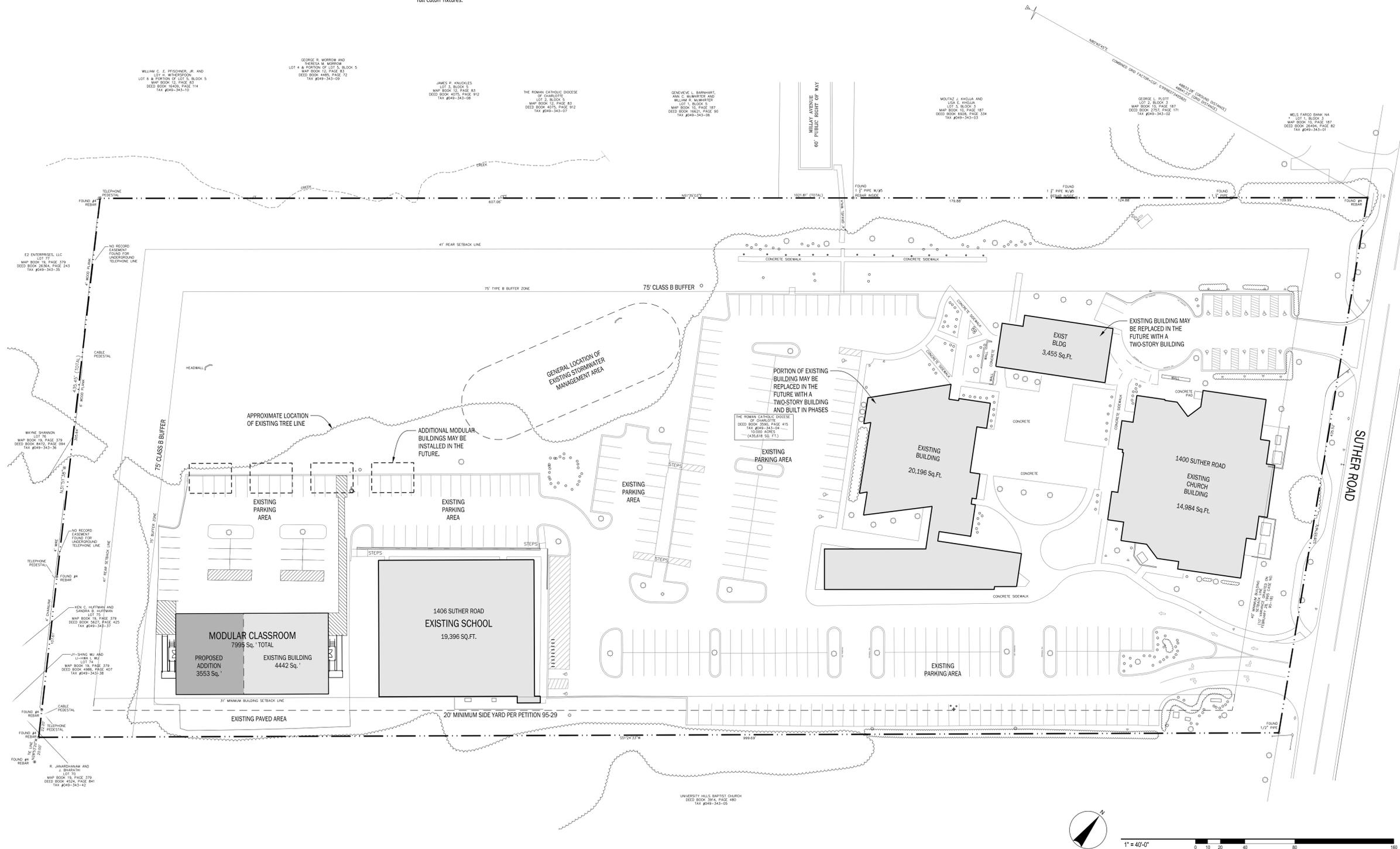
DATE: June 30, 1998

TO: Robert Brandon
Zoning Administrator

FROM: Martin R. Cramton, Jr.
Planning Director *MRC*

SUBJECT: Administrative Approval for Petition No. 95-29 William Curtin/The Roman Catholic Diocese Tax Parcel 049-343-04.

Attached is a specific site plan showing the location of mechanical equipment, a stairway and a sidewalk connecting to the 11,253 square foot building located on the eastern portion of the site. The purpose of this approval is to clarify the note on the plan regarding the setback line to be located per section 9.505. The proposed stairway and mechanical equipment will be located 21 feet from the property line and meet the requirements of section 9.505. The sidewalk will be located within this setback which is allowed under the ordinance. The building will be required to meet the 31 foot setback as indicated on the plan. Since this change is minor and is in compliance with the overall development concept I am administratively approving this plan. Please use this revised plan when evaluating requests for building permits and certificates of occupancy.



UNITED COMMUNITY SCHOOL

Modular Classroom Expansion

1406 Suther Road
Charlotte, NC 28213

Date 3-21-19
Architect's Project # 1909

REVISIONS NUMBER	DATE

This Drawing is the property of Insight Architects 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.

SITE PLAN

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2019-035

Petition #:	_____
Date Filed:	<u>2/22/19</u> <u>3/18/19</u>
Received By:	<u>[Signature]</u>

Complete All Fields (Use additional pages if needed)

Property Owners: Novant Health, Inc.

Owner's Address: 2085 Frontis Plaza Blvd City, State, Zip Winston-Salem NC 27103

Date Property Acquired: March 8, 2019

Property Address: +/- 38 acres located at the southeast corner of Johnston Road & Providence Road West, Charlotte, NC

Tax Parcel Number(s): 22314152, 22314154, 22314155, 22314153, 22314156, 22314157, and 22314158

Current Land Use: Agriculture/Single Family/Vacant Size (Acres): Approx. 38 acres

Existing Zoning: R-3 Proposed Zoning: 02-CD

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

Required Rezoning Pre-Application Meeting* with: John Kinley

Date of meeting: January 15, 2019

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

<p>For Conditional Rezoning Only:</p> <p>Requesting a vesting period exceeding the 2 year minimum? Yes. Number of years (maximum of 5): <u>5</u></p> <p>Purpose/description of Conditional Zoning Plan: <u>Rezone for use as medical office with Health institution.</u></p>

Johnston, Allison & Hord
By: R. Susanne Todd/ William Isenhour
Name of Rezoning Agent

1065 East Morehead Street
Agent's Address

Charlotte, NC 28204
City, State, Zip

704-998-2306/ 704.998.2329 704-323-4506
Telephone Number Fax Number

stodd@jahlaw.com/ wisenhour@jahlaw.com
E-Mail Address

Novant Health, Inc.
Name of Petitioner(s)

2085 Frontis Plaza Blvd
Address of Petitioner(s)

Winston-Salem, NC 27103
City, State, Zip

336-277-1056 336-277-9712
Telephone Number Fax Number

dgpark@novanthealth.org
E-Mail Address

[SIGNATURES ON NEXT PAGE]

NOVANT HEALTH, INC.



Signature of Property Owner(s)

David G. Park, Senior Vice President

(Name Typed/Clearly Printed)

NOVANT HEALTH, INC.



Signature of Petitioner

David G. Park, Senior Vice President

(Name Typed/Clearly Printed)

Novant Health, Inc.

Development Standards

2.22.2019

Rezoning Petition

Site Development Data:

--Acreage: ± 40.425 acres

--Tax Parcel #: 223-141-52, 223-141-53, 223-141-54, 223-141-55, 223-141-56,
223-141-57 & 223-141-58

--Existing Zoning: R-3

--Proposed Zoning: O-2(CD)

--Existing Uses: Agriculture/ Residential/Vacant

--Proposed Uses: Clinics and offices, medical, dental, and optical, and a health institution as permitted by right and under prescribed conditions together with accessory uses, including a helicopter landing pad as allowed in the O-2 zoning district (as more specifically described and restricted below in Section 2).

--Maximum Gross Square Feet of Development: Up to 223,000 square feet of gross floor area for clinics and offices, medical, dental, and optical, and a health institution with up to 48 licensed patient bedrooms

--Maximum Building Height: To be of five (5) stories but not to exceed 75 feet as allowed by the Ordinance. Height to be measured as required by the Ordinance.

--Parking: Parking will be provided as required by the Ordinance.

1. General Provisions:

a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Novant Health, Inc. ("Petitioner") to accommodate the development of a medical office and health institution building with a variety of medical uses as allowed in the O-2 zoning district on approximately 40.425 acre site located at the southeast intersection of Providence Road West and Johnston Road (HWY 521) (the "Site").

b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the O-2 zoning classification shall govern.

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

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

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

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

2. Permitted Uses & Development Area Limitation:

a. The Site may be developed as a single, multi-story medical office and health institution building to include up to 60,000 square feet of gross floor area of clinics and offices, medical, dental and optical, and up to 163,000 square feet of health institution with up to 48 licensed patient bedrooms, together with accessory uses, including a helicopter landing pad, as allowed in the O-2 zoning district.

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

b. The setback around the Site will be 20 feet as measured from the existing right-of-way lines.

c. The helipad shall be set back a minimum of one hundred and twenty (120) feet from adjacent rights of way.

3. **Transportation Improvements:** Petitioner is in the process of obtaining a Traffic Impact Analysis to determine what, if any, improvements may be required to mitigate additional traffic caused by the proposed development of the Site.

4. Access and Transportation:

a. Access to the Site will be from Johnston Road and Providence Road West in the manner generally depicted on the Rezoning Plan.

b. 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 CDOT and/or NCDOT in accordance with applicable published standards.

c. The alignment of the driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with published standards.

5. Streetscape, Buffers, Yards and Landscaping:

a. Along the Site's frontage on Johnston Road and Providence Road West, the Petitioner will construct an eight (8) foot planting strip and a six (6) foot sidewalk as generally depicted on the Rezoning Plan.

b. The Petitioner will provide a 75 foot wide Class B Buffer against adjacent residential development as generally depicted on the Rezoning Plan. Petitioner reserves the right to use existing vegetation to meet the intent of the Ordinance buffer yard requirements.

c. Petitioner shall have the option to reduce any required buffer width by 25% through the provision of a wall, fence or berm that meets Ordinance standards.

d. Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

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

6. Architectural Standards:

1.

a. Facades fronting streets shall include a combination of windows and operable doors for a minimum of 60% of each frontage elevation transparent glass between 2' feet and 10' feet on the first floor. Up to 20% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 3'-0" foot clear depth between window and rear wall. Windows within this zone shall not be screened with film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" feet above adjacent street sidewalk.

c. The facades of first/ground floor of the buildings along streets shall incorporate a minimum of 30% masonry material such as brick or stone.

d. Building elevations shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions, or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

e. Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall off-sets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.

f. Buildings should be a minimum height of 22 feet.

g. Multi-story buildings should have a minimum of 20% transparency on upper stories.

7. Environmental Features:

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

b. Stormwater collection and drainage facilities provided on the Site will meet Ordinance requirements.

c. The Site will comply with the Tree Ordinance.

8. Lighting:

a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

b. Detached lighting on the Site will be limited to 31 feet in height.

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 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 development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

Seals:

Corp. NC license: F-1320

Novant Health South Campus Medical Center

Providence Rd. West
Charlotte, North Carolina

Petition No : 2019-XXX

Project no: 17000124.07

Date: 02.22.19

Revisions:

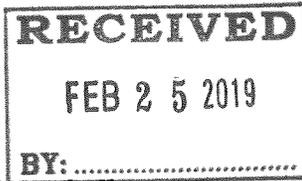
Sheet Title:

Rezoning Notes

Sheet No:

RZ-2

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



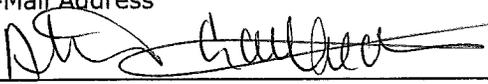
Petition #: 2019-036
Date Filed: 2/25/2019
Received By: RH

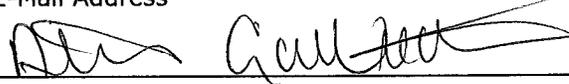
Complete All Fields (Use additional pages if needed)

Property Owner: Artis Galbreath
Owner's Address: 9300 Sir Huon Lane City, State, Zip: Waxhaw NC 28173
Date Property Acquired: 25 April 2018
Property Address: 614 Rhyne Road
Tax Parcel Number(s): 05301131
Current Land Use: Vacant Lot Size (Acres): 8.7 Acres
Existing Zoning: R-3 Proposed Zoning: I-2 (CD)
Overlay: Lake Wylie Protected Area Tree Survey Provided: Yes: N/A: X
Required Rezoning Pre-Application Meeting* with: Alberto Gonzalez
Date of meeting: September 4th 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: To develop a small business/industrial park.

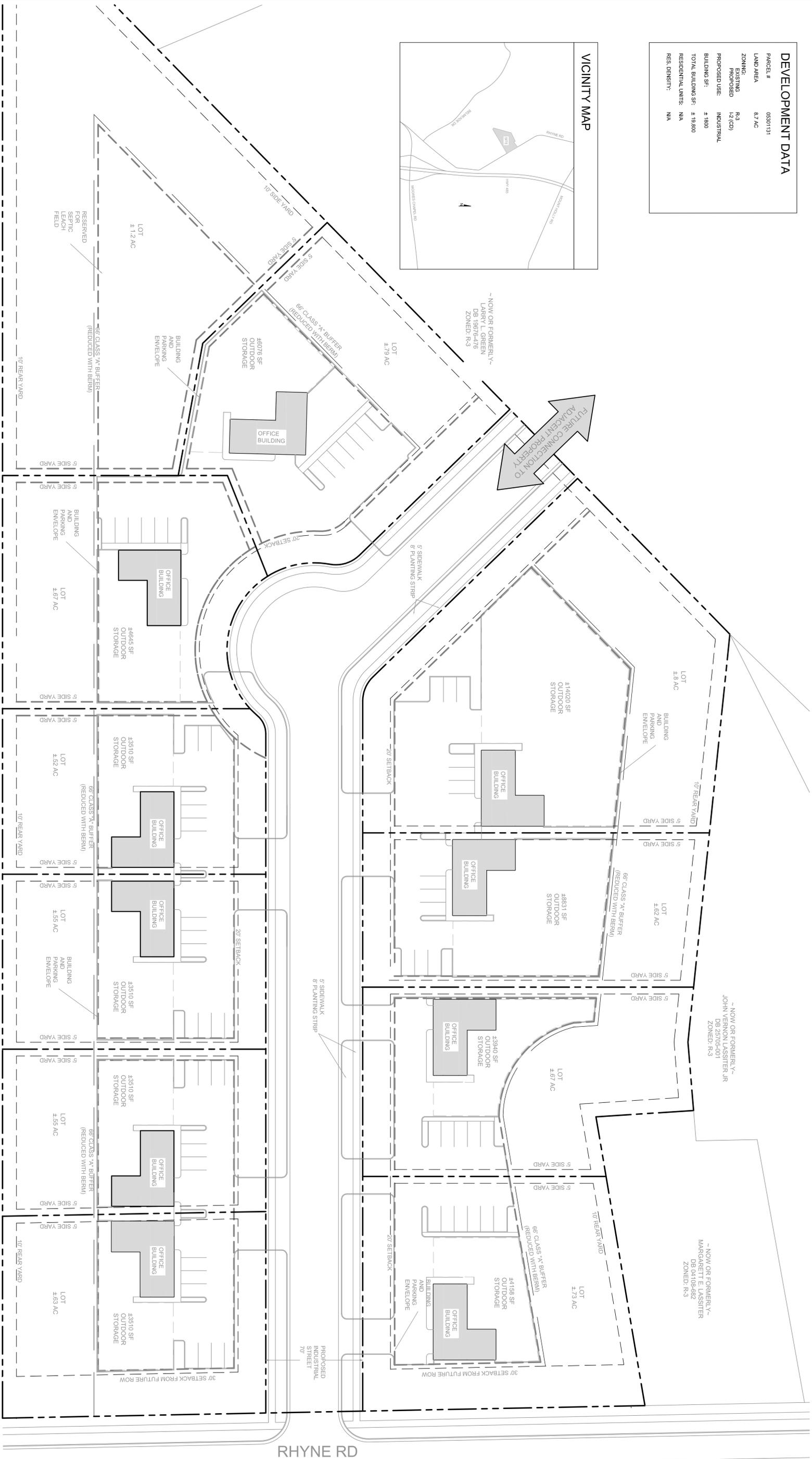
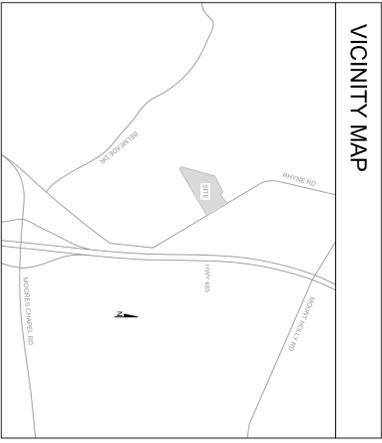
Atty Anthony Fox
Name of Rezoning Agent
Three Wells Fargo Center
401 South Tryon St. Suite 3000
Agent's Address
Charlotte N.C. 28202
City, State, Zip
704-372-9000
Telephone Number Fax Number
anthonyfox@parkerpoe.com
E-Mail Address

Signature of Property Owner
Artis Galbreath
(Name Typed / Printed)

BSL Galbreath Inc.
Name of Petitioner(s)
801 East Morehead Street
Address of Petitioner(s)
Charlotte NC 28202
City, State, Zip
980-722-0878
Telephone Number Fax Number
artis@bslgalbreath.com
E-Mail Address

Signature of Petitioner
Artis Galbreath
(Name Typed / Printed)

DEVELOPMENT DATA

PARCEL # 06301131
 LAND AREA 8.7 AC
 ZONING R-3
 EXISTING PROPOSED I-2 (CD)
 PROPOSED USE INDUSTRIAL
 BUILDING SF ± 1800
 TOTAL BUILDING SF ± 19,800
 RESIDENTIAL UNITS N/A
 RES DENSITY N/A

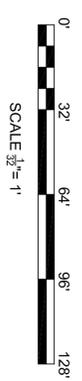
VICINITY MAP



~ NOW OR FORMERLY ~
 708 RHYNE RD LLC
 DB 2005-589
 ZONED: R-3

~ NOW OR FORMERLY ~
 JOHN VERNON LASSITER JR
 DB 25705-001
 ZONED: R-3

~ NOW OR FORMERLY ~
 MARGARETT E LASSITER
 DB 04108-692
 ZONED: R-3



JOB #
0006

BSL GALBREATH INC
 INDUSTRIAL PARK
 CHARLOTTE NC

OWNER: ARTIS GALBREATH
 801 E. MOREHEAD ST STE. 125
 CHARLOTTE, NC 28202

DESIGNER: JAMAAL RASHEED
 1118 SCALEYBARK RD #310
 CHARLOTTE, NC 28209
 PH: (336) 655-5489

SITE PLAN

SHEET
1 OF 2

CONDITIONAL DEVELOPMENT STANDARDS

- GENERAL PROVISIONS.
- A. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT COORDINATE, POSITION, 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 15.2 OF THE ZONING ORDINANCE.
 - B. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREET LIGHTING, TREES AND SIGNAGE, ARE NOT THE DETERMINING FACTORS IN THE DETERMINATION OF THIS SITE'S ZONING REGULATIONS, AND THAT 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 ZONING 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 PURPOSE OF THIS ZONING APPLICATION IS TO PROVIDE FOR THE USE OF A TRACT OF LAND FRONTING ON RHYNE ROAD FOR A SMALL INDUSTRIAL PARK. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEeks THE ZONING OF THE SITE TO THE I2 DISTRICT AS A CONDITIONAL DISTRICT (I2(CD)).
- USES ALLOWED ON THE PROPERTY INCLUDE, IN THIS PETITION ARE THOSE USES THAT ARE PERMITTED IN THE I2 DISTRICT EXCEPT AS LIMITED BELOW. THE FOLLOWING USES WILL NOT BE PERMITTED TO BE DEVELOPED ON THE SITE.
- ABATTOIRS
 - ADULT CARE CENTERS
 - ADULT ESTABLISHMENTS
 - AGRICULTURAL INDUSTRIES
 - AMUSEMENT COMMERCIAL OUTDOORS
 - ANY ESTABLISHMENT CONTAINING MORE THAN 70,000 SQUARE FEET OF ENCLOSED SPACE ENGAGED IN THE OPERATION OF A FLEA MARKET
 - ARMORIES FOR MEETINGS AND TRAINING OF MILITARY ORGANIZATIONS
 - AUCTION SALES
 - AUTOMOTIVE SALES AND REPAIR
 - BARBER AND BEAUTY SHOPS
 - BENEFICIAL FILL SITES
 - CAR WASHES
 - CEMETERIES
 - CIVIC, SOCIAL SERVICE AND PATRIOTIC FACILITIES
 - CONFERENCE CENTERS
 - CONFERENCE CENTERS, CONVENTION CENTERS AND HALLS, EXHIBIT HALLS, MERCHANDISE MARTS AND SIMILAR USES
 - CREMATORY FACILITIES
 - DEMOLITION LANDFILLS
 - DRY CLEANING AND LAUNDRY ESTABLISHMENTS
 - EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1)
 - EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 2)
 - EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 3)
 - EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 4)
 - EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 5)
 - FARMS, INCLUDING RETAIL SALES OF PRODUCTS GROWN ON PREMISES
 - HELIPORTS AND HELISTOPS, LIMITED
 - JUNKYARDS
 - JUNKYARDS AND HOTELS
 - JAILS AND PRISONS
 - LAND CLEARING AND INERT DEBRIS LANDFILLS (L.C.D.): OFF-SITE
 - LANDFILLS
 - MANUFACTURED HOUSING SALES
 - MEDICAL WASTE DISPOSAL FACILITIES
 - OFFICES, OVER 400,000 SQUARE FEET
 - OPEN SPACE RECREATIONAL USES, OVER 400,000 SQUARE FEET
 - OUTDOOR RECREATION
 - PARKS, GREENWAYS AND ARBORETUMS
 - POST OFFICES
 - RACEWAYS AND DRAG STRIPS
 - RECYCLING CENTERS, INCLUDING DROP-OFF CENTERS
 - RETAIL STORES, INCLUDING OVERAGE FACILITIES
 - SHOPPING CENTERS
 - SHELTERS
 - SHORT-TERM CARE FACILITIES
 - THEATERS, DRIVE-IN MOTION PICTURE
 - THE RECAPING AND RETREADING
 - TRUCK STOPS
 - TRUCK STOPS AND TRUCK TRAILERS
 - UNIVERSITIES, COLLEGES, AND JUNIOR COLLEGES
- TRANSPORTATION
- A. THE SITE WILL HAVE A FULL ACCESS CONNECTION TO RHYNE ROAD. THIS CONNECTION WILL BE CONSTRUCTED AS A PUBLIC STREET.
 - B. INDIVIDUAL DEVELOPMENT SITES WILL HAVE ACCESS FROM THIS NEW PUBLIC STREET AT LOCATIONS APPROVED BY NCDOT.
 - C. PARKING AREAS ARE ALLOWED ANYWHERE WITHIN THE BUILDING AND PARKING ENVELOPE AS GENERALLY DEPICTED ON THE CONCEPT PLAN FOR THE SITE.
 - D. TRANSPORTATION IMPROVEMENTS WILL BE INSTALLED AND RIGHTS-OF-WAY WILL BE DEDICATED TO, AND AS REQUIRED BY, NCDOT PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE SITE.
- ARCHITECTURAL STANDARDS
- THE BUILDINGS ON THE SITE WILL BE COMPOSED OF SOME OR ANY COMBINATION OF THE FOLLOWING BUILDING MATERIALS:
- STOREFRONT WINDOW SYSTEMS - ALUMINUM FRAMES WITH GLASS
 - ARCHITECTURAL METAL ROOFING SYSTEM
 - BRICK AND/OR RECTANGULAR BLOCK
 - ARCHITECTURAL EXTENSION VERTICAL PANELS
- STREETSCAPE AND LANDSCAPING
- BUFFERS SHOWN ON THE SITE PLAN MAY BE REDUCED OR REMOVED IF THE ADJOINING LAND IS ZONED TO A CLASSIFICATION FOR WHICH BUFFERS WOULD NOT BE REQUIRED. THIS ACTION WILL NOT REQUIRE ANY FURTHER ADMINISTRATIVE ACTION ON THE PART OF THE PETITIONER OR THE CITY STAFF. BUILDING ENTRANCES WILL RELATE TO THE PUBLIC STREET WITH AN EMPHASIS ON CREATING AN IDENTIFIABLE ENTRANCE ALONG THE STREET.
- ENVIRONMENTAL FEATURES
- RESERVED
- PARKS, GREENWAYS, AND OPEN SPACES
- RESERVED
- FIRE PROTECTION
- RESERVED
- SIGNAGE
- RESERVED
- LIGHTING
- NEW FREESTANDING LIGHTING ON THE SITE WILL UTILIZE FULL CUT-OFF LUMINAIRES AND NO WALL PACK TYPE LIGHTING WILL BE UTILIZED. EXCEPT THAT ARCHITECTURAL LIGHTING ON THE EXTERIOR OF BUILDINGS WILL BE PERMITTED. NEW FREESTANDING LIGHTING WILL BE LIMITED TO 31' IN HEIGHT BUT NONE WILL BE PERMITTED TO BE INSTALLED WITHIN 75' OF ANY PROPERTY USED FOR RESIDENTIAL USES.
- PHASING
- RESERVED



CONCEPTUAL PERSPECTIVE 1



CONCEPTUAL ELEVATION



CONCEPTUAL PERSPECTIVE

JOB #
0006

RHYNE ROAD
INDUSTRIAL PARK
CHARLOTTE NC

OWNER: ARTIS GALBREATH
801 E. MOREHEAD ST STE. 125
CHARLOTTE, NC 28202

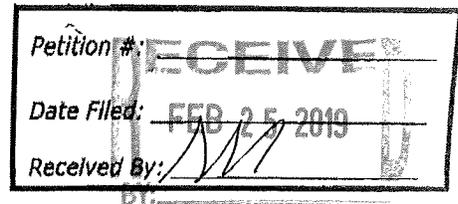
DESIGNER: JAMAAL RASHEED
1118 SCALEYBARK RD #310
CHARLOTTE, NC 28209
PH: (336) 655-5489

SITE INFO
CONCEPT RENDERINGS

SHEET
2 OF 2

2019-037

I. REZONING APPLICATION CITY OF CHARLOTTE



Complete All Fields (Use additional pages if needed)

Property Owner: Timothy L. and Rebecca Hipp

Owner's Address: 2528 Sam Wilson Road City, State, Zip: Charlotte, NC 28214

Date Property Acquired: _____

Property Address: 2528 Sam Wilson Road

Tax Parcel Number(s): 05314202 and 05314221

Current Land Use: Single Family House Size (Acres): 1.68 and 1.4 Acres

Existing Zoning: R-17 MF Proposed Zoning: B-2

Overlay: Lake Wylie Watershed - Protected Area Tree Survey Provided: Yes: _____ N/A: _____

Required Rezoning Pre-Application Meeting* with: Sonja Sanders/Alberto Gonzalez

Date of meeting: 1/15/19

(*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: _____

Anthony Fox
Name of Rezoning Agent
401 South Tryon Street, Suite 3000
Agent's Address
Charlotte, NC 28202
City, State, Zip
704-335-9841 704-335-9565
Telephone Number Fax Number
anthonyfox@parkerpoe.com
E-Mail Address
Timothy Hipp Rebecca Hipp
Signature of Property Owner
Timothy L. and Rebecca Hipp
(Name Typed / Printed)

Jay Kamdar
Name of Petitioner(s)
10225 Feldfarm Lane
Address of Petitioner(s)
Charlotte, NC 28210
City, State, Zip
704-526-7760
Telephone Number Fax Number
kamdar.jay@gmail.com
E-Mail Address
Jay Kamdar
Signature of Petitioner
Jay Kamdar
(Name Typed / Printed)

**ZONING ORDINANCE
TEXT AMENDMENT APPLICATION**

CITY OF CHARLOTTE

RECEIVED
FEB 25 2019
BY:

2019-038

Petition #: _____
Date Filed: 2/25/2019
Received By: RH
Office Use Only

Section #: Section 2.201 (Definitions); Section 11.402 (CC District Uses Permitted by Right); 11.404 (Permitted Accessory Uses In CC District)

Purpose of Change:

(1) The purpose of the text amendment to Section 2.201 is to add a definition of "Commissary Kitchen" as follows:

"A commercial shared use kitchen used on a contract basis by food service providers to prepare, fabricate, package and store food, food products and equipment, and that is inspected and permitted by applicable health agencies."

(2) The purpose of the text amendment to Section 2.201 is to add a definition of "Commissary Kitchen Parking" as follows:

"Parking of vehicles, such as food trucks, utilized by food service providers contracting to use a Commissary Kitchen. Such vehicles must be owned by the food service provider contracting to use the Commissary Kitchen, be registered and licensed by the State of North Carolina, and be in operating condition. The parking area used for Commissary Kitchen Parking can be no more than one (1) food service vehicle for every 500 square feet of the square footage of the Commissary Kitchen."

(3) The purpose of the text amendment to Section 11.402 is to add Commissary Kitchens as a use permitted by right in the Commercial Center Development zoning district.

Section 11.402(4)(a) is added to include "Commissary Kitchen" as a use permitted as of right in the CC zoning district.

(4) The purpose of the text amendment to Section 11.404 is to allow the parking of vehicles associated with the food service providers contracting to use the Commissary Kitchen as an allowed accessory use.

Section 11.404(1.5) is added as follows:

"Commissary Kitchen Parking"

(5) In addition to these proposed text amendments, it is suggested that Commissary Kitchens be added as a use permitted as a matter of right in the MX-3, B-2, MUDD, UMUDD, BD, U-1, I-1 and I-2 zoning districts, and that Commissary Kitchen Parking be added as an allowed accessory use.

Keith J. Merritt
Name of Agent

525 N. Tryon St. Suite 1400
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-227-1056 704-344-1483
Telephone Number Fax Number

kmerritt@lawhssm.com
E-Mail Address


Signature of Agent

Dave Hegnauer
Name of Petitioner(s)

9545 Pinnacle Drive
Address of Petitioner(s)

Charlotte, NC 28262
City, State, Zip

704-499-3046
Telephone Number Fax Number

Dave@TheCityKitch.com
E-Mail Address


Signature

Petition #:

Petitioner:

ORDINANCE NO. _____

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

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. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

1. PART 2: DEFINITIONS

- a. Amend Section 2.201 to add the following definitions in alphabetical order:

Commissary Kitchen:

A commercial shared use kitchen used on a contract basis by food service providers to prepare, fabricate, package and store food, food products and equipment, and that is inspected and permitted by applicable health agencies.

Commissary Kitchen Parking:

Parking of vehicles, such as food trucks, utilized by food service providers contracting to use a Commissary Kitchen. Such vehicles must be owned by the food service provider contracting to use the Commissary Kitchen, be registered and licensed by the State of North Carolina, and be in operating condition. The parking area used for Commissary Kitchen Parking can be no more than one (1) food service vehicle for every 500 square feet of the square footage of the Commissary Kitchen.

B. Chapter 11: CONDITIONAL USE DISTRICTS

1. PART 4: COMMERCIAL CENTER DISTRICT

- a. Amend Section 11.402 to add the following as a use permitted by right:

Section 11.402(4)(a) -- Commissary Kitchen

C. Chapter 11: CONDITIONAL USE DISTRICTS

1. PART 4: COMMERCIAL CENTER DISTRICT

a. Amend Section 11.404 to add Commissary Kitchen Parking as an allowed accessory use:

Section 11.404(1.5) -- Commissary Kitchen Parking

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__.

www.charlotteplanning.org

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

RECEIVED
FEB 28 2019
BY:

2018-039
Petition #: _____
Date Filed: 2/28/2019
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

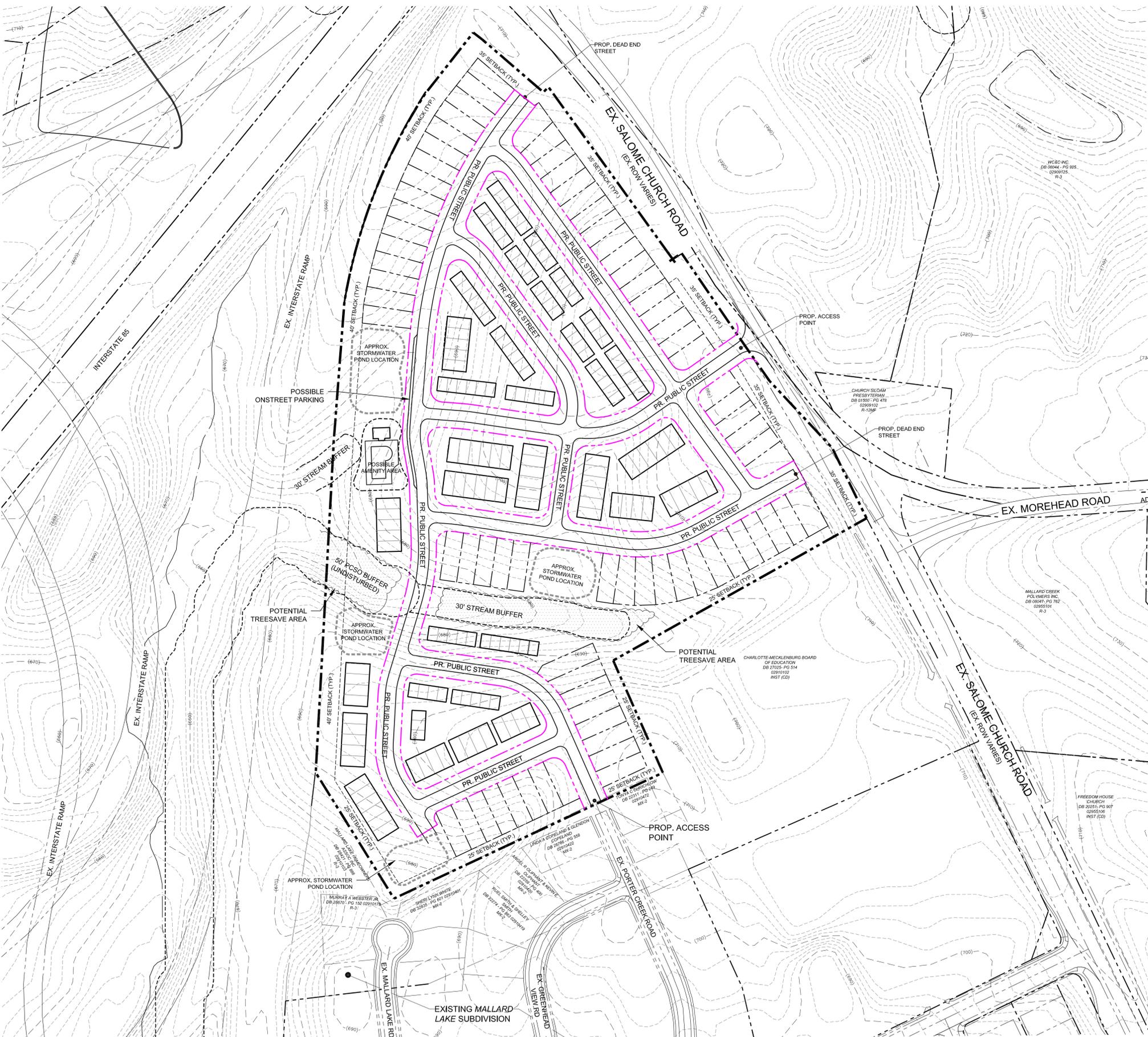
Property Owner: G. David Cuthbertson
2649 Brekonridge Center Drive
Owner's Address: _____ City, State, Zip: Monroe, NC 28110
Date Property Acquired: 12/2006
Property Address: 139000 Mallard Creek Road
Tax Parcel Number(s): 02910104, 02910180, 02910105
Current Land Use: Vacant Size (Acres): 26.5
Existing Zoning: CC-SPA Proposed Zoning: UR-2(CD)
Overlay: N/A Tree Survey Provided: Yes: _____ N/A: X
Required Rezoning Pre-Application Meeting* with: Michael Russell, Solomon Fortune, Kent Main
Date of meeting: 2019-02-27

(*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: For mix of residential homesites, including detached single family and attached townhomes. The petitioners wish to provide an affordable ownership housing option to help address the affordable housing crisis that Charlotte is facing.

DPR Associates , Lee McLaren
Name of Rezoning Agent
420 Hawthorne Lane
Agent's Address
Charlotte, NC 28204
City, State, Zip
704.332.1204
Telephone Number Fax Number
hnguyen@dprassociates.net
E-Mail Address
[Signature]
Signature of Property Owner
G. David Cuthbertson
(Name Typed / Printed)

Dependable Development Inc.
Name of Petitioner(s)
2627 Brekonridge Centre Drive
Address of Petitioner(s)
Monroe, NC 28110
City, State, Zip
704.774.1964
Telephone Number Fax Number
sgasparini@truchomesusa.com
E-Mail Address
[Signature]
Signature of Petitioner
Shaun Gasparini
(Name Typed / Printed)



GENERAL NOTES (for Petition #2019-039):

1. DEVELOPMENT DATA TABLE
 - A. SITE ACREAGE: 4.26.5 AC
 - B. TAX PARCEL INCLUDED IN REZONING: 02910105, 02910104, 02910180
 - C. EXISTING ZONING: COMMERCIAL (CC); PETITION # 2014-019
 - D. PROPOSED ZONING: UR-2 (CD)
 - E. EXISTING USE: VACANT
 - F. PROPOSED USE: 250 SINGLE FAMILY DETACHED & ATTACHED RESIDENTIAL UNITS AND RELATED ACCESSORY USES (MAXIMUM 175 ATTACHED UNITS)
 - G. MAXIMUM DENSITY: 9.43 DU PER AC
 - H. FLOOR AREA RATIO: PER ORDINANCE REQUIREMENT
 - I. MAXIMUM BUILDING HEIGHT: PER ORDINANCE REQUIREMENT; MAXIMUM WILL BE 55'
 - J. 5 YEAR VESTING
 - K. PARKING SPACES: PER ORDINANCE REQUIREMENT
2. GENERAL PROVISIONS
 - A. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.2 OF THE ZONING ORDINANCE. ONLY SINGLE FAMILY DETACHED UNITS WILL BE ALLOWED ADJACENT TO THE EXISTING MALLARD LAKE SUBDIVISION.
 - B. 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 THE DEVELOPMENT OF THIS SITE. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR, AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THIS SITE PLAN. UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THIS SITE PLAN, THESE OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THIS SITE AS DEFINED BY THOSE OTHER CITY ORDINANCES.
 - 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.
3. PURPOSE

THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF A RESIDENTIAL DEVELOPMENT CONSISTING OF BOTH SINGLE FAMILY AND TOWNHOME UNITS. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE TO THE UR-2 (CD) DISTRICT. THE PETITIONER REQUESTS THE APPROVAL OF A FULL 5 YEAR VESTING PERIOD.
4. PERMITTED USES

USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION WILL BE SINGLE FAMILY DETACHED AND ATTACHED DWELLING UNITS, AMENITY AREA, AND RELATED ACCESSORY USES AS ARE PERMITTED IN THE UR-2 DISTRICT.
5. TRANSPORTATION
 - A. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST UNIT TO BE CONSTRUCTED ON THIS SITE, THE PETITIONER AGREES TO DEDICATE IN FEE SIMPLE TITLE TO NCDOT A MINIMUM OF FIFTY FEET RIGHT-OF-WAY, MEASURED FROM THE EXISTING OF SALOME CHURCH ROAD ALONG THE SITE'S FRONTAGE.
 - B. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ONE HUNDRETH BUILDING ON THIS SITE, PETITIONER AGREES TO INSTALL CURB AND GUTTER ALONG THE PROJECT'S FRONTAGE ON SALOME CHURCH ROAD IN ITS FUTURE LOCATION, TO BE MORE SPECIFICALLY IDENTIFIED DURING THE FINAL DESIGN AND PERMITTING OF THE PROJECT, AND PETITIONER SHALL CONSTRUCT A NORTH BOUND LEFT TURN LANE INTO THE SITE WITH 100' OF STORAGE AND A 100' TAPER OR PER IA RECOMMENDATIONS.
 - C. SITE WILL HAVE ACCESS VIA TWO PUBLIC STREETS: SALOME CHURCH ROAD & PORTER CREEK ROAD, GENERALLY AS SHOWN ON SITE PLAN.
 - D. WORKING IN CONJUNCTION WITH CDOT, PETITIONER WILL EXPLORE TRAFFIC CALMING MEASURES WITHIN THE DEVELOPMENT.
 - E. PLACEMENT AND CONFIGURATION OF VEHICULAR ACCESS POINTS ARE SUBJECT TO MINOR MODIFICATIONS TO ACCOMMODATE FINAL SITE DEVELOPMENT PLANS AND ADJUSTMENTS REQUIRED FOR APPROVAL BY NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
 - F. ALL PROPOSED PUBLIC STREETS SHALL BE SUBJECT TO USDG STANDARD U-02.
6. ARCHITECTURAL STANDARDS

THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE DISTRICT REGULATIONS OF THE ZONING ORDINANCE FOR THE UR-2 DISTRICT AND WITH THE FOLLOWING ADDITIONAL STANDARDS:

 - A. BUILDING MATERIALS FOR THE BUILDINGS CONSTRUCTED ON THE SITE MAY INCLUDE THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRE-CAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING, VINYL, WIFS, OR WOOD.
 - B. PITCHED ROOFS, IF PROVIDED, WILL BE 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.
 - C. DUMPSTER AND RECYCLING AREAS, IF PROVIDED, WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A GATE. WALL OR FENCE SHALL BE COMPATIBLE WITH COLORS OF PRINCIPLE BUILDINGS.
 - D. ROOF VENTS WILL BE PAINTED TO MATCH ROOF COLOR.
 - E. THE PETITIONER RESERVES THE RIGHT TO COMBINE OR RELOCATE BUILDING LOCATIONS, SO LONG AS THE TOTAL 250 UNITS IS NOT INCREASED. NUMBER OF BUILDINGS SHOWN ON THIS PLAN MAY BE INCREASED OR DECREASED AT THE DISCRETION OF THE PETITIONER.
7. STREETScape AND LANDSCAPING
 - A. SCREENING SHALL BE PROVIDED PER ORDINANCE REQUIREMENTS.
 - B. THE PETITIONER MAY REDUCE THE WIDTH OF ANY REQUIRED SETBACKS/BUFFERS BY 20% PER SECTION 12.302 (B), EXCEPT THAT 25' BUFFER ADJACENT TO MALLARD LAKE SUBDIVISION SHALL NOT BE REDUCED.
8. ENVIRONMENTAL FEATURES:
 - A. 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.
 - B. TREE SAVE AREAS ON THE SITE WILL BE PROVIDED IN CONFORMANCE WITH THE CHARLOTTE TREE ORDINANCE OF 15% OF THE SITE AREA. ALL OTHER PROVISIONS OF THE TREE ORDINANCE WILL BE MET.
 - C. OPEN SPACE AND NATURAL AREA REQUIRED BY PCSO WILL BE PROVIDED. DEVELOPMENT SHALL RESPECT APPLICABLE PCSO BUFFER AND STREAM BUFFER.
9. PARKS, GREENWAYS, AND OPEN SPACE

RESERVED
10. FIRE PROTECTION

RESERVED
11. SIGNAGE

RESERVED
12. LIGHTING

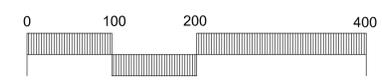
A. RESERVED
13. PHASING
 - A. SITE WILL BE DEVELOPED IN PHASES.

Project Manager
HVN
 Drawn By
CE
 Checked By
LRM
 Date
3/19/2019
 Project Number
19007



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

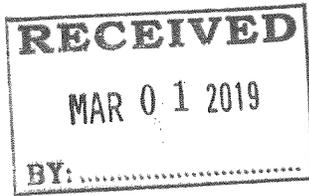
PETITION #2019-039
 MALLARD CREEK NEIGHBORHOOD
 CHARLOTTE, NORTH CAROLINA
 DEPENDABLE DEVELOPMENT, INC.



Scale:
1" = 100'

RZ-1

**REZONING APPLICATION
CITY OF CHARLOTTE**



2019-040

Petition #: _____
Date Filed: 3/1/2019
Received By: BK

Complete All Fields (Use additional pages if needed)

Property Owner: The Foundation of Shalom Park, Inc. and Temple Israel (inc.)

Owner's Address: 5007 Providence Rd., 4901 Providence Rd. City, State, Zip: Charlotte, NC 28226

Date Property Acquired: 9/14/17, 9/2/99, 3/26/99, 7/10/96, 4/4/02, 4/20/95, 12/30/96, 4/20/99, 12/30/81, 7/13/84

Property Address: 1015 Jefferson Dr., 1039 Jefferson Dr., 1101 Jefferson Dr., 1115 Jefferson Dr., 4801 Providence Rd., 4809 Providence Rd., 4815 Providence Rd., 1027 Jefferson Dr., 4965 Providence Rd., 4901 Providence Rd.

Tax Parcel Number(s): 18707202, 18707203, 18707204, 18707205, 18707206, 18707207, 18707208, 18707214, 18707215 (partial), 18707217 (partial)

Current Land Use: Single Family- Detached and Civic/Institutional Size (Acres): ± 11.02 Acres

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

Overlay: None Tree Survey Provided: Yes: X N/A: _____

Required Rezoning Pre-Application Meeting* with: John Kinley, Scott Correll, Jason Prescott, Isiah Washington, Kent Main
Date of meeting: 2/25/19

(*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 _____ Number of years (maximum of 5): 5
Purpose/description of Conditional Zoning Plan: To accommodate the development of a life plan community containing independent and dependent living facilities that are designed to serve the aged, elderly, and disabled.

Nick Tosco
Name of Rezoning Agent

301 South College St.
Agent's Address

Charlotte, NC, 28205
City, State, Zip

704-342-5275 704-342-5264
Telephone Number Fax Number

ntosco@poynerspruill.com
E-Mail Address

See Attached Joinder Agreement
Signature of Property Owner

See Attached Joinder Agreement
(Name Typed / Printed)

Aldersgate at Shalom Park, Inc.
Name of Petitioner(s)

3800 Shamrock Drive, Charlotte, NC 28215
Address of Petitioner(s)

Charlotte, NC, 28205
City, State, Zip

704-532-7000 704-532-7097
Telephone Number Fax Number

suzanp@aldersgateccrc.com
E-Mail Address

Signature of Petitioner

Suzanne Pugh
(Name Typed / Printed)

ATTACHMENT A

REZONING PETITION NO. 2019-_____
Aldersgate at Shalom Park, Inc.

OWNER JOINDER AGREEMENT
The Foundation of Shalom Park, Inc.
and
Temple Israel (inc.)

The undersigned, as the owner of the parcels of land located at the corner of Jefferson Drive and Providence Road that are designated as Tax Parcel Numbers 18707202, 18707203, 18707204, 18707205, 18707206, 18707207, 18707208, 18707214, 18707215, and 18707217 on the Mecklenburg County Tax Map, hereby joins in the attached Rezoning Application and consents to the change in zoning for Tax Parcel Numbers 18707202, 18707203, 18707204, 18707205, 18707206, 18707207, 18707208, 18707214, and a portion of Tax Parcel Numbers 18707215 and 18707217, from R-3 and R-I zoning districts to the INST (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the conditional rezoning plan as part of this Rezoning Application, except for any change in the requested zoning designation. The undersigned does not agree or join in any change to a zoning designation other than to the INST (CD) zoning district.

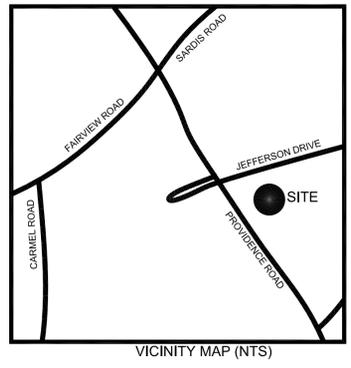
This 26 day of February, 2019.

The Foundation of Shalom Park, Inc

By: *J. Beatty*
Name: *J. Beatty*
Its: *Executive Director*

Temple Israel (inc.)

By: *D. Rosenthal*
Name: *DAVID H. ROSENTHAL*
Its: *PRESIDENT, BOARD OF TRUSTEES*



PARCEL ID KEY

1. TINNAHINCH LAND CO. INC. DEED BOOK: 31474-990 PARCEL ID: 18707218 ZONING: R3 USE: SINGLE FAMILY	10. TEMPLE ISRAEL INC DEED BOOK: 10410-299 PARCEL ID: 18707214 ZONING: R3 USE: SINGLE FAMILY
2. TINNAHINCH LAND CO. INC. DEED BOOK: 31474-990 PARCEL ID: 18707219 ZONING: R3 USE: SINGLE FAMILY	11. TEMPLE ISRAEL INC DEED BOOK: 10740-722 PARCEL ID: 18707203 ZONING: R3 USE: SINGLE FAMILY
3. TINNAHINCH LAND CO. INC. DEED BOOK: 31474-990 PARCEL ID: 18707220 ZONING: R3 USE: SINGLE FAMILY	12. GAYLE L SMITH DEED BOOK: 05388-785 PARCEL ID: 18707110 ZONING: R3 USE: SINGLE FAMILY
4. KNOTTS DEVEL. RESOURCES INC. DEED BOOK: 31993-681 PARCEL ID: 18707221 ZONING: R3 USE: SINGLE FAMILY	13. TEMPLE ISRAEL INC DEED BOOK: 10349-903 PARCEL ID: 18707204 ZONING: R3 USE: SINGLE FAMILY
5. RICE, FREDERICK J DEED BOOK: 26186-856 PARCEL ID: 18707112 ZONING: R3 USE: SINGLE FAMILY	14. ESHET, NACHUM DEED BOOK: 19922-537 PARCEL ID: 18707109 ZONING: R3 USE: SINGLE FAMILY
6. KNOTTS DEVEL. RESOURCES INC. DEED BOOK: 31745-527 PARCEL ID: 18707222 ZONING: R3 USE: SINGLE FAMILY	15. TEMPLE ISRAEL INC DEED BOOK: 08653-726 PARCEL ID: 18707205 ZONING: R3 USE: SINGLE FAMILY
7. RICE, FREDERICK J DEED BOOK: 21300-114 PARCEL ID: 18707111 ZONING: R3 USE: SINGLE FAMILY	16. MARKS, BRYANT P DEED BOOK: 2158-152 PARCEL ID: 18707108 ZONING: R3 USE: SINGLE FAMILY
8. TEMPLE ISRAEL INC DEED BOOK: 22735-766 PARCEL ID: 18707202 ZONING: R3 USE: SINGLE FAMILY	17. TEMPLE ISRAEL INC DEED BOOK: 13453-663 PARCEL ID: 18707206 ZONING: R3 USE: SINGLE FAMILY
9. CASTELLANO, ERNEST DEED BOOK: 09736-476 PARCEL ID: 18707114 ZONING: R3 USE: SINGLE FAMILY	18. TEMPLE ISRAEL INC. DEED BOOK: 08119-821 PARCEL ID: 18707207 ZONING: R-3 USE: SINGLE FAMILY
	19. ANNE ENGLISH WALKER DEED BOOK: 06245-375 PARCEL ID: 18706218 ZONING: R-3 USE: SINGLE FAMILY

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

0' 100' 200' 400'

SCALE: 1"=100'

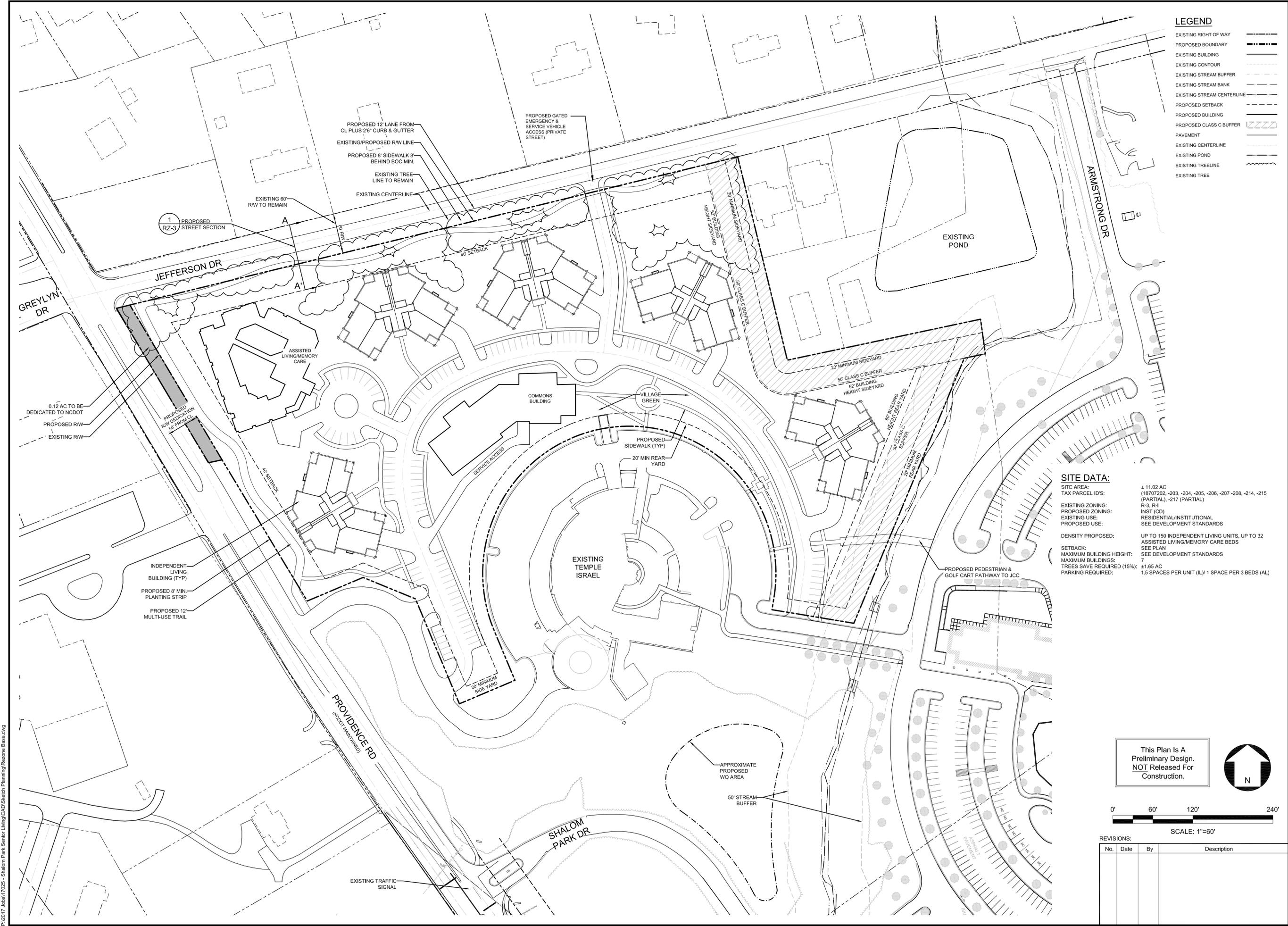
REVISIONS:

No.	Date	By	Description

ALDERSGATE AT SHALOM PARK
4965 PROVIDENCE RD
CHARLOTTE, NC 28270

EXISTING CONDITIONS & REZONING PLAN

P:\2017 Jobs\17025 - Shalom Park_Senior Living\CAD\Sketch Planning\Rezone Base.dwg



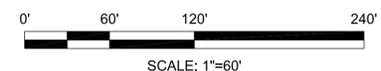
LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED BOUNDARY
- EXISTING BUILDING
- EXISTING CONTOUR
- EXISTING STREAM BUFFER
- EXISTING STREAM BANK
- EXISTING STREAM CENTERLINE
- PROPOSED SETBACK
- PROPOSED BUILDING
- PROPOSED CLASS C BUFFER
- PAVEMENT
- EXISTING CENTERLINE
- EXISTING POND
- EXISTING TREELINE
- EXISTING TREE

SITE DATA:

SITE AREA:	± 11.02 AC
TAX PARCEL ID'S:	(18707202, -203, -204, -205, -206, -207, -208, -214, -215 (PARTIAL), -217 (PARTIAL))
EXISTING ZONING:	R-3, R-4
PROPOSED ZONING:	INST (CD)
EXISTING USE:	RESIDENTIAL/INSTITUTIONAL
PROPOSED USE:	SEE DEVELOPMENT STANDARDS
DENSITY PROPOSED:	UP TO 150 INDEPENDENT LIVING UNITS, UP TO 32 ASSISTED LIVING/MEMORY CARE BEDS
SETBACK:	SEE PLAN
MAXIMUM BUILDING HEIGHT:	SEE DEVELOPMENT STANDARDS
MAXIMUM BUILDINGS:	7
TREES SAVE REQUIRED (15%):	±1.65 AC
PARKING REQUIRED:	1.5 SPACES PER UNIT (IL) 1 SPACE PER 3 BEDS (AL)

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



REVISIONS:

No.	Date	By	Description

P:\2017 Jobs\17025 - Shalom Park Senior Living\CAD\Sketch Planning\Rezoning Base.dwg

DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS

- a. THESE DEVELOPMENT STANDARDS AND THE REZONING SITE PLAN FORM A PART OF THE REZONING PETITION FILED BY ALDERSGATE AT SHALOM PARK, INC. (THE "PETITIONER") FOR AN APPROXIMATELY 11.02 ACRES OF LAND LOCATED ON THE EAST SIDE OF PROVIDENCE ROAD ADJACENT TO AND DIRECTLY SOUTH OF JEFFERSON DRIVE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING SITE PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 18707202, 18707203, 18707204, 18707205, 18707206, 18707207, 18707208, 18707214 AND A PORTION OF TAX PARCEL NOS. 18707215 AND 18707217.
- b. THE USE AND DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING SITE PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING SITE PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE INSTITUTIONAL ZONING DISTRICT SHALL GOVERN THE USE AND DEVELOPMENT OF THE SITE.
- c. THE PROPOSED INDEPENDENT LIVING (IL) BUILDINGS, ASSISTED LIVING/ MEMORY CARE (AL/MC) BUILDING, VEHICULAR CIRCULATION AND PARKING, AS WELL AS OTHER SITE IMPROVEMENTS THAT ARE LOCATED ON THE SITE ARE DEPICTED AND DESIGNATED ON THE REZONING SITE PLAN.
- d. THE DEPICTION AND LAYOUT OF THE PROPOSED BUILDINGS, SITE IMPROVEMENTS, AND THE ASSOCIATED PARKING AND DRIVE AISLES ARE CONCEPTUAL IN NATURE AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES SUBJECT TO THE REQUIREMENTS OF THE ORDINANCE AND THE REZONING SITE PLAN.
- e. FUTURE AMENDMENTS TO THE REZONING SITE 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 SITE PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.
- f. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY OF CHARLOTTE ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, BICYCLE PARKING, AND SITE DEVELOPMENT MAY APPLY TO THE DEVELOPMENT OF THE SITE. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THE REZONING SITE PLAN. UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THE REZONING SITE PLAN AND/OR THESE DEVELOPMENT STANDARDS, SUCH OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THE SITE AS DEFINED BY THOSE OTHER CITY OF CHARLOTTE ORDINANCES.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

- a. THE SITE MAY BE DEVOTED TO ALL USES IN THE INSTITUTIONAL ZONING DISTRICT PERMITTED UNDER THE ORDINANCE, INCLUDING BUT NOT LIMITED TO, A LIFE PLAN COMMUNITY CONTAINING INDEPENDENT AND DEPENDENT LIVING FACILITIES THAT ARE DESIGNED TO SERVE THE AGED, ELDERLY, AND DISABLED.

3. TRANSPORTATION

- a. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING SITE PLAN. THE PLACEMENT AND CONFIGURATION OF EACH VEHICULAR ACCESS POINT IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
- b. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AREAS AND THE DRIVEWAYS MAY BE MODIFIED BY PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS, AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- c. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST NEW BUILDING OR BUILDING ADDITION 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 PROVIDENCE ROAD AS REQUIRED TO PROVIDE RIGHT OF WAY MEASURING FIFTY FEET (50') FROM THE EXISTING CENTERLINE OF PROVIDENCE ROAD, TO THE EXTENT THAT SUCH RIGHT OF WAY DOES NOT ALREADY EXIST.

4. ARCHITECTURAL STANDARDS

- a. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED SEVEN (7). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDINGS LOCATED ON THE SITE. ACCESSORY STRUCTURES AND BUILDINGS INCLUDE STRUCTURES AND BUILDINGS SUCH AS BUT NOT LIMITED TO: A MAIL KIOSK, DUMPSTER ENCLOSURES, GAZEBOS, TRELLISES, STORAGE BUILDINGS, AND OTHER STRUCTURES ASSOCIATED WITH THE ON-SITE OPEN SPACE.
- b. THE PRIMARY EXTERIOR BUILDING MATERIALS WILL BE A COMBINATION OF THE FOLLOWING: BRICK AND/OR MANUFACTURED STONE, STUCCO, AND CEMENTITIOUS SIDING, VINYL SIDING, EIFS, AND MASONRY WILL NOT BE USED AS AN EXTERIOR BUILDING MATERIAL ON ANY BUILDINGS. VINYL WINDOWS, DOORS, GARAGE DOORS, SOFFITS, FASCIA, TRIM, AND RAILINGS WILL BE UTILIZED. THE APARTMENTS WILL ALL HAVE BALCONIES WITH COMPOSITE WOOD DECKING.
- c. THE MAXIMUM BUILDING HEIGHT WILL BE SEVENTY-FIVE FEET (75') FOR INDEPENDENT LIVING BUILDINGS. THE MAXIMUM BUILDING HEIGHT OF THE ASSISTED LIVING/MEMORY CARE BUILDING WILL BE THIRTY-FIVE FEET (35'). THE MAXIMUM BUILDING HEIGHT OF THE COMMUNITY BUILDING WILL BE FORTY FEET (40'). THE IL BUILDINGS SHALL BE A MAXIMUM OF FIVE (5) STORIES OVER COVERED PARKING (SIX (6) STORIES MAX) AND SHALL HAVE NO MORE THAN FIVE (5) STORIES ADJACENT TO THE PROJECT'S JEFFERSON DRIVE FRONTAGE. THE AL/MC AND THE COMMUNITY BUILDINGS SHALL BE A MAXIMUM OF TWO (2) STORIES EACH.
- d. THE IL BUILDINGS WILL BE DESIGNED TO LIMIT THE LENGTH OF ANY COPLANAR BUILDING SURFACE TO A MAXIMUM OF EIGHTY-FIVE FEET (85').
- e. PETITIONER SHALL PROVIDE BLANK WALL PROVISIONS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO TWENTY FEET (20') ON ALL BUILDING LEVELS, INCLUDING BUT NOT LIMITED TO DOORS, WINDOWS, AWNINGS, ARTICULATION, CHANGE OF MATERIALS, CHANGE OF PLANE, AND/OR ARCHITECTURAL DESIGN ELEMENTS.

5. STREETScape/LANDSCAPING

- a. A FIFTY FOOT (50') CLASS C BUFFER SHALL BE MAINTAINED ALONG THOSE PORTIONS OF THE SITE'S NORTHEASTERN AND EASTERN BOUNDARY LINES THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING SITE PLAN, WHICH BUFFER SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE.

- b. A FORTY FOOT (40') SETBACK AS MEASURED FROM THE EXISTING RIGHT-OF-WAY ALONG THE SITE'S JEFFERSON DRIVE FRONTAGE, AS WELL AS FROM THE PROPOSED RIGHT-OF-WAY ALONG THE SITE'S PROVIDENCE ROAD FRONTAGE, WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING SITE PLAN.

- c. THE PETITIONER AGREES TO PROVIDE AN EIGHT FOOT (8') PLANTING STRIP AND TWELVE FOOT (12') WIDE CONCRETE MULTI-USE PATH ALONG THE SITE'S PROVIDENCE ROAD FRONTAGE, FROM THE EXISTING TEMPLE ISRAEL ENTRANCE DRIVE TO THE JEFFERSON DRIVE INTERSECTION.

- d. THE PETITIONER AGREES TO PROVIDE A MINIMUM EIGHT FOOT (8') PLANTING STRIP AND EIGHT FOOT (8') WIDE CONCRETE SIDEWALK ALONG THE SITE'S JEFFERSON DRIVE FRONTAGE. THE PETITIONER INTENDS TO MEANDER THE JEFFERSON DRIVE SIDEWALK WITHIN THE FORTY FOOT (40') FRONT SETBACK IN ORDER TO PRESERVE EXISTING TREES ALONG THE FRONTAGE. THE PETITIONER WILL PROVIDE A SIDEWALK UTILITY EASEMENT OVER THE PROPOSED JEFFERSON DRIVE PUBLIC SIDEWALK WHEN ITS ROUTE LEAVES THE EXISTING JEFFERSON DRIVE RIGHT-OF-WAY, AS GENERALLY DEPICTED ON THE REZONING SITE PLAN.

- e. IN THE EVENT THAT AN ADJACENT PARCEL OF LAND IS EITHER REZONED TO A ZONING DISTRICT OR DEVOTED TO A USE THAT ELIMINATES OR REDUCES THE BUFFER REQUIREMENTS ON THE SITE, PETITIONER MAY REDUCE OR ELIMINATE, AS THE CASE MAY BE, THE RELEVANT BUFFER AREAS SET OUT ON THE REZONING SITE PLAN ACCORDINGLY.

- f. INTERNAL SIDEWALKS AND CROSSWALKS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING SITE PLAN.

- g. ALL REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE SHALL BE MET WITH THIS DEVELOPMENT.

- h. NO TREES WILL BE PLANTED IN THE PUBLIC RIGHT-OF-WAY WITHOUT AUTHORIZATION FROM THE CITY ARBORISTS OFFICE.

6. ENVIRONMENTAL FEATURES

- a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE.

- b. STORM WATER DETENTION AND/OR WATER QUALITY FACILITIES REQUIRED TO BE INSTALLED ON THE SITE MAY BE LOCATED UNDERGROUND. SUCH FACILITIES MAY ALSO BE LOCATED ON ADJACENT PROPERTIES, PROVIDED THE OFF-SITE FACILITIES HAVE APPROPRIATE EASEMENTS FOR MAINTENANCE AND ACCESS, IN ACCORDANCE WITH THE CITY OF CHARLOTTE'S POST CONSTRUCTION STORMWATER ORDINANCE.

7. LIGHTING

- a. ALL NEWLY INSTALLED FREESTANDING LIGHTING FIXTURES ON THE SITE (EXCLUDING STREET LIGHTS AND LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, PARKING AREAS, PATIOS AND LANDSCAPED AREAS) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- b. THE MAXIMUM HEIGHT OF ANY NEWLY INSTALLED FREESTANDING LIGHTING FIXTURE ON THE SITE SHALL BE TWENTY-ONE FEET (21').
- c. ANY LIGHTING FIXTURES ATTACHED TO THE NEW BUILDINGS AND BUILDING ADDITIONS TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

8. PARKS, GREENWAYS, AND OPEN SPACE

- a. RESERVED

9. FIRE PROTECTION

- a. RESERVED

10. PHASING

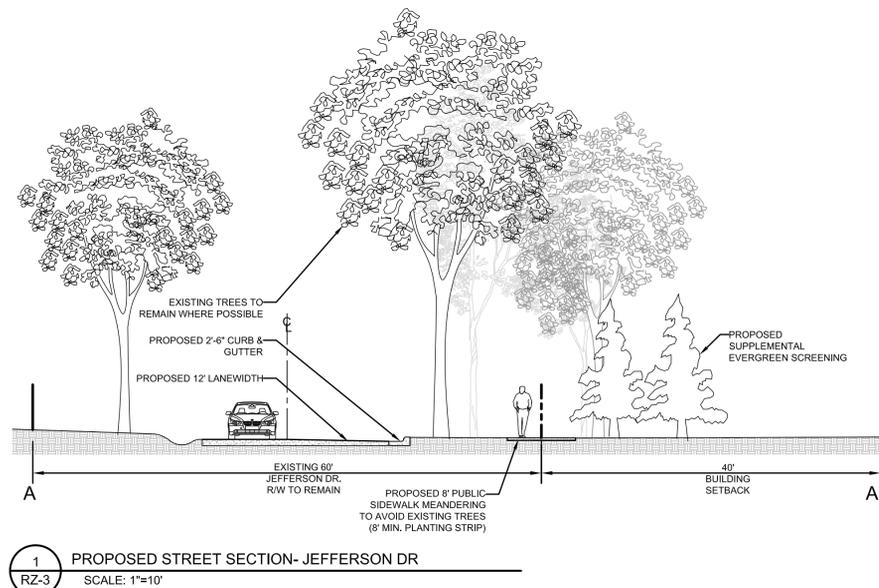
- a. RESERVED

11. SIGNAGE

- b. RESERVED

12. BINDING EFFECT OF THE REZONING DOCUMENTS

- 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 SITE 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.



P:\2017 Jobs\17025 - Shalom Park Senior Living\CAD\Skinch Planning\Rezoning Base.dwg

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

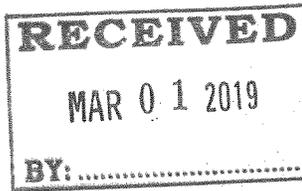
0' 60' 120' 240'

SCALE: 1"=60'

REVISIONS:

No.	Date	By	Description

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-041

Petition #: _____
 Date Filed: 3/1/2019
 Received By: [Signature]

Property Owners: See Schedule 1 Attached Hereto
 Owner's Addresses: See Schedule 1 Attached Hereto
 Date Properties Acquired: See Schedule 1 Attached Hereto
 Property Addresses: See Schedule 1 Attached Hereto
 Tax Parcel Numbers: See Schedule 1 Attached Hereto

Current Land Use: retail/commercial/office Size (Acres): * 13.18
 Existing Zoning: MUDD-O and NS Proposed Zoning: MUDD-O SPA and NS SPA
 Overlay: N/A Tree Survey Provided: Yes: _____ N/A: _____

Required Rezoning Pre-Application Meeting* with: John Kinley, Isalah Washington, Molly Haines, and David Pettine
 Date of meeting: February 26, 2019

(*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: Site plan amendment to allow a reasonable increase in size/square footage available for the project.

Bridget Grant, Jeff Brown & Dujuana Keys
 Name of Rezoning Agent

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

Charlotte, NC 28202
 City, State, Zip

704-331-2379 (BG) 704-378-1973 (BG)
704-331-1144 (JB) 704-378-1925 (JB)
704-331-2371 (DK) 704-339-5888 (DK)
 Telephone Number Fax Number

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

[Signature]
 Signature of Property Owner

Eastside Connections JV, LLC
(Attn: Jensi Teague)
 Name of Petitioner

4310 Park Road, Suite 101
 Address of Petitioner

Charlotte, NC, 28209
 City, State, Zip

704-343-9979
 Telephone Number Fax Number

jensie@selwynpropertygroup.com
 E-mail Address

[Signature]
 Signature of Petitioner

by [Signature]
 Jensi Teague
 Eastside Connections JV, LLC
 Its. Manager
 CHAR2\2113766v1

Schedule 1

Parcel	Property Address	Owner	Owner Address	Date Acquired
163-032-47	N/A	Eastside Connections JV, LLC	6101 Carnegie Blvd, Ste 180, Charlotte, NC 28209	2/22/2018
163-032-48	6105 Idlewild Road, Charlotte, NC 28212			
163-032-57	6031 Monroe Rd, Charlotte, NC 28212			
163-032-56	6103 Idlewild Road, Charlotte, NC 28212			
163-032-55	6101 Idlewild Road, Charlotte, NC 28212			
163-032-54	N/A			
163-032-53	5348 E Independence Blvd, Charlotte, NC 28212			
163-032-52	4044 Connections Point Blvd, Charlotte, NC 28212			

EASTSIDE CONNECTIONS JV, LLC DEVELOPMENT STANDARDS 2/26/19 REZONING PETITION NO. 2019-

EXISTING PROPERTY/PROJECT BOUNDARY COORDINATES															
Line #/Curve #	Length	Direction	Radius	Line #/Curve #	Length	Direction	Radius	Line #/Curve #	Length	Direction	Radius	Line #/Curve #	Length	Direction	Radius
L1	243.588	S79° 11' 47.60"E		C4	92.954	N76° 55' 54.55"W	1527.500	L17	65.201	S40° 30' 45.86"W		C7	44.316	S56° 17' 40.58"E	170.000
L2	8.000	N09° 27' 23.40"E		L8	4.534	N11° 19' 29.44"E		L18	85.145	S40° 23' 39.91"W		C6	57.362	S72° 02' 27.45"E	194.000
L3	116.491	S80° 32' 36.60"E		L9	250.396	N35° 24' 10.16"W		L19	148.548	S50° 47' 49.38"E		L26	278.857	S80° 08' 26.53"E	
C1	0.065	N09° 40' 17.03"E	13.500	L10	150.218	N35° 18' 45.19"W		L20	41.199	S50° 46' 56.11"E		C8	31.511	S89° 02' 19.80"E	1075.000
L4	20.102	N04° 02' 18.40"E		L11	149.950	N35° 21' 33.95"W		L21	618.231	S40° 19' 01.44"W		L27	20.499	N00° 54' 07.40"E	
C2	272.227	N17° 05' 59.05"W		L12	73.265	N35° 22' 58.38"W		C5	22.882	S07° 50' 17.99"E	15.000	L28	166.020	S68° 15' 51.60"E	
C3	95.408	N59° 15' 04.34"W	171.500	L13	0.602	N07° 52' 25.73"W		L22	36.300	S50° 12' 23.35"E		L29	181.882	S79° 11' 47.60"E	
L5	52.315	N75° 11' 18.58"W		L14	221.364	N07° 36' 23.17"W		L23	3.887	N35° 51' 03.22"E					
L6	37.113	N76° 43' 57.02"W		L15	71.804	S40° 42' 32.02"W		L24	35.524	S44° 32' 01.12"E					
L7	99.098	N75° 11' 18.58"W		L16	59.909	S40° 28' 04.73"W		L25	130.088	S50° 12' 23.35"E					

SITE DEVELOPMENT DATA:

- ACREAGE: ± 13.18 ACRES
- TAX PARCEL #: 163-032-47, 163-032-48, 163-032-49, 163-032-50, 163-032-51, 163-032-52, 163-032-53, 163-032-54, 163-032-55, 163-032-56, 163-032-57, 163-032-58, 163-032-59, 163-032-60, 163-032-61, 163-032-62
- EXISTING ZONING: MUDD-O AND NS
- PROPOSED ZONING: MUDD-O SPA AND NS SPA
- EXISTING USES: RETAIL, COMMERCIAL, AND OFFICE
- PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD-O ZONING DISTRICT FOR DEVELOPMENT AREAS A, B & C AND AS DEPICTED ON THE TECHNICAL DATA SHEET RZ-1 (COLLECTIVELY THE "MUDD-O AREA"), AND THE NS ZONING DISTRICT FOR DEVELOPMENT AREA D AS DEPICTED ON THE TECHNICAL DATA SHEET RZ-1 (THE "NS AREA") (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 2).
- MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE IN DEVELOPMENT AREAS B AND D AND LIMITED TO 65' IN DEVELOPMENT AREAS A AND C.
- PARKING: PARKING WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

1. GENERAL PROVISIONS:

- SITE LOCATION:** THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY EASTSIDE CONNECTIONS JV, LLC ("PETITIONER"), AS AMENDED, TO ACCOMMODATE THE DEVELOPMENT OF CERTAIN LAND AND IMPROVEMENTS THEREON CONTAINING APPROXIMATELY 13.18 ACRES LOCATED AT THE INTERSECTION OF IDELVILD ROAD AND MONROE ROAD TO PERMIT A NEW MIXED USE DEVELOPMENT (THE "SITE"). IT IS UNDERSTOOD THAT THE SITE INCLUDES BOTH THE MUDD-O AREA AND THE NS AREA, EACH AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET RZ-1. AS DESCRIBED IN THE SITE DEVELOPMENT DATA ABOVE, THE MUDD-O AREA SHALL CONSIST COLLECTIVELY OF DEVELOPMENT AREAS A, B, C AND D AS DEPICTED AND THE NS AREA SHALL CONSIST COLLECTIVELY OF DEVELOPMENT AREA D AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET RZ-1. EACH OF THE REFERENCED DEVELOPMENT AREAS MAY BE REFERRED TO AS A DEVELOPMENT AREA OR COLLECTIVELY AS THE DEVELOPMENT AREAS.
- ZONING DISTRICTS/ORDINANCE:** DEVELOPMENT OF THE SITE WILL BE COVERED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE") FOR THE APPLICABLE DISTRICTS. UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD-O ZONING CLASSIFICATION SHALL GOVERN THE MUDD-O AREA AND THOSE WITHIN THE NS ZONING CLASSIFICATION SHALL GOVERN THE NS AREA, EACH AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET RZ-1.
- GRAPHICS AND ALTERATIONS:** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS, 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 FORMS/LAYOUTS OF THE DEVELOPMENT SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.07 OF THE ORDINANCE.

SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIREMENT FOR AN ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.07 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS THAT ARE:

- EXPRESSLY PERMITTED BY THE REZONING PLAN (IT IS UNDERSTOOD THAT A MODIFICATION EXPRESSLY PERMITTED BY THE REZONING PLAN IS DEEMED A MINOR MODIFICATION FOR THE PURPOSES OF THESE DEVELOPMENT STANDARDS); OR
- IMPACT THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN; OR
- MODIFICATIONS TO MOVE STRUCTURES GRAPHICALLY DEPICTED ON THE REZONING PLAN CLOSER TO ADJACENT PROPERTIES BUT NO CLOSER THAN THE "EXTERNAL BUILDING LINE" (IN THIS CASE, THE "YARDS" INDICATED ON THE REZONING PLAN); OR
- MODIFICATIONS TO ALLOW MINOR INCREASES IN THE MASS OF THE BUILDINGS THAT DO NOT MATERIALLY CHANGE THE DESIGN INTENT DEPICTED ON OR DESCRIBED IN THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROJECT, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.07 OF THE ORDINANCE. IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS, SET FORTH IN THE ORDINANCE.

- NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY:** THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED SEVEN (7). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED AN 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 LOCATED ON DEVELOPMENT AREA TO WHICH SUCH IMPROVEMENTS RELATE.
- PLANNED UNFINISHED DEVELOPMENT:** THE SITE SHALL BE VIEWED AS A PLANNED UNFINISHED DEVELOPMENT PLAN AS TO THE ELEMENTS AND PORTIONS OF THE SITE GENERALLY DEPICTED ON THE REZONING PLAN AS SUCH, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT REQUIREMENTS, AND REAR ZONING STANDARDS. REAR ZONING STANDARDS SHALL NOT BE REQUIRED INTERNALLY REGARDING IMPROVEMENTS AND OTHER DEVELOPMENT SITE ELEMENTS LOCATED WITHIN THE SITE. FURTHERMORE, THE PETITIONER AND ANY OWNER OF THE PORTION OF THE SITE REQUESTING THE RIGHT TO SUBMIT THE PORTIONS OR ALL OF THE SITE WITHIN THE DEVELOPMENT AREAS AND CREATE LOTS WITHIN THE INTERIOR OF THE PORTION OF THE SITE WITHIN SUCH DEVELOPMENT AREAS WILL NOT BE REQUIRED TO MEET ANY SUCH INTERNAL SEPARATION STANDARDS THAN THOSE EXPRESSLY SET FORTH IN THE REZONING PLAN. HOWEVER, ALL SUCH SEPARATION STANDARDS INCLUDING THE EXTERIOR BOUNDARY OF THE SITE AND THOSE EXPRESSLY DESCRIBED IN THE REZONING PLAN SHALL BE ADHERED TO. IN ADDITION, ALL FAR REQUIREMENTS WILL BE REGULATED BY ANY DEVELOPMENT LIMITATIONS SET FORTH IN THIS REZONING PLAN AS TO THE SITE AS A WHOLE AND NOT INDIVIDUAL PORTIONS OR LOTS LOCATED THEREIN, WITHOUT LIMITING THE FOREGOING AND NOTWITHSTANDING THE GRAPHICS CONTAINED ON THE REZONING PLAN. IT IS EXPRESSLY ACKNOWLEDGED THAT THE NS AREA (I.E. DEVELOPMENT AREA D) MAY BE DIVIDED INTO TWO (2) PARCELS OR OTHERWISE DEVELOPED TO PERMIT MULTIPLE USES/BUILDINGS, INCLUDING WITHOUT LIMITATION CO-BRANDING USES, IN LIEU OF THE SINGLE USE GENERALLY DEPICTED ON THE GRAPHICS ON SHEET RZ-2. SIMILARLY, OTHER DEVELOPMENT AREAS MAY BE DIVIDED INTO TWO (2) PARCELS OR OTHERWISE DEVELOPED TO FACILITATE THE PERMITTED USES FOR THE SITE, FURTHERMORE, WITHOUT LIMITING THE FOREGOING AND NOTWITHSTANDING THE GRAPHICS CONTAINED ON THE REZONING PLAN, IT IS EXPRESSLY ACKNOWLEDGED THAT DEVELOPMENT AREA C MAY BE SUBDIVIDED AND OTHERWISE DEVELOPED TO PERMIT MULTIPLE USES/BUILDINGS, INCLUDING WITHOUT LIMITATION CO-BRANDING USES, IN LIEU OF THE SINGLE USE GENERALLY DEPICTED ON THE GRAPHICS ON SHEET RZ-2.
- PERSONAL SERVICES:** THE TERMS "PERSONAL SERVICES" AND/OR "PERSONAL SERVICES" (WHETHER CAPITALIZED OR NOT) WILL MEAN AND REFER TO USES THAT PRIMARILY PROVIDE OR SELL A SERVICE TO CUSTOMERS VERSUS THE SELLING OF GOODS. A PERSONAL SERVICE USE MAY ALSO SELL PRODUCTS OR MERCHANDISE BUT THE SALE OF PRODUCTS AND MERCHANDISE IS TYPICALLY ANCILLARY. EXAMPLES OF PERSONAL SERVICE USES INCLUDE BUT ARE NOT LIMITED TO: BEAUTY SALONS AND BARBER SHOPS, SPAS, YOGA AND EXERCISE STUDIOS, FITNESS AND WELLNESS FACILITIES, NAIL SALONS, MARTIAL ART TRAINING STUDIOS, LAUNDRIES AND DRY CLEANING ESTABLISHMENTS, LOOKSUNGS, FUNERAL HOMES AND THE LIKE.
- EDEE USES:** REFERENCES TO THE TERM "EDEE" SHALL MEAN "EATING DRINKING ENTERTAINMENT ESTABLISHMENTS" AS DEFINED IN THE ORDINANCE AND SHALL INCLUDE WITHOUT LIMITATION RESTAURANTS.
- LIMITED SERVICE RESTAURANT:** "LIMITED SERVICE RESTAURANT" OR "LIMITED SERVICE RESTAURANT" (WHETHER CAPITALIZED OR NOT) SHALL MEAN A RESTAURANT WITH NO MORE THAN 3,000 SQUARE FEET OF GROSS FLOOR AREA SERVING PRIMARILY ITEMS SUCH AS COFFEE, ICE CREAM, YOGURT, JUICES, BAGELS, MUFFINS, PASTRIES, SANDWICHES AND SIMILAR FOODS THAT DO NOT REQUIRE ON-PREMISE COOKING OF FOOD (OTHER THAN HEATING AND THE BAKING OF PREMIXED DOUGH).

2. OPTIONAL PROVISIONS:

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE MUDD-O AREA PORTION OF THE SITE ONLY:

- TO ALLOW WALL SIGNS TO HAVE UP TO 220 SQUARE FEET OF SIGN SURFACE AREA PER WALL OR 10% OF THE WALL AREA TO WHICH THEY ARE ATTACHED, WHICHEVER IS LESS.
- TO ALLOW ONE DETACHED GROUND MOUNTED SIGN PER STREET FRONT WITH A MAXIMUM HEIGHT OF 20 FEET AND CONTAINING UP TO 150 SQUARE FEET OF SIGN AREA.
- TO ALLOW FREE-STANDING SINGLE USE BUILDINGS, TO HAVE A DETACHED SIGN UP TO FOUR (4) FEET HIGH WITH UP TO 20 SQUARE FEET OF SIGN AREA.
- TO ALLOW UP TO TWO USES WITH ACCESSORY DRIVE-THROUGH WINDOWS IN THE CONFIGURATION AND WITH APPROPRIATE VEHICULAR STORAGE IN THE MUDD-O AREA AS GENERALLY DEPICTED ON THE REZONING PLAN, PROVIDED, HOWEVER, NO MORE THAN ONE (1) EDEE WITH AN ACCESSORY DRIVE-THROUGH WINDOW WILL BE ALLOWED IN THE MUDD-O AREA, EXCEPT THAT SUCH LIMITATION SHALL NOT APPLY TO A LIMITED SERVICE RESTAURANT (AS DEFINED ABOVE) (NOTE: THESE PROVISIONS DO NOT APPLY TO THE NS AREA).
- TO NOT REQUIRE DOORWAYS TO BE RECESSED INTO THE FACE OF THE BUILDINGS) WHEN THE WIDTH OF THE SIDEWALK IS AT LEAST 10 FEET OR TO NOT REQUIRE DOORWAYS TO BE RECESSED WHEN EMERGENCY EXITS TO NOT REQUIRE OPERATIONAL CUSTOMER DOORWAYS IN DEVELOPMENT AREA A TO BE RECESSED.
- TO NOT REQUIRE SURFACE AND STRUCTURE PARKING AREAS, OUTDOOR DINING AREAS (AT GRADE OR OTHERWISE), AND LOADING DOCK AREAS (OPEN OR ENCLOSED) TO BE COUNTED AS PART OF THE ALLOW GROSS FLOOR AREA (FLOOR AREA AS DEFINED BY THE ORDINANCE) FOR THE SITE.
- TO ALLOW PARKING AND MANEUVERING BETWEEN THE BUILDINGS LOCATED IN DEVELOPMENT AREA B AND IDELVILD ROAD AND MONROE ROAD, AS GENERALLY DEPICTED ON THE REZONING PLAN, PARKING MAY BE TO THE SIDE OF BUILDINGS WITHIN DEVELOPMENT AREAS A AND B AS GENERALLY DEPICTED ON THE REZONING PLAN.
- TO ALLOW WINDOWS AND WINDOW BOXES LOCATED ON THE BUILDING WITHIN DEVELOPMENT AREA A THAT FACES MONROE AND IDELVILD ROAD TO HAVE GRAPHIC IMAGES (NOT SIGNS) APPLIED TO 10% OF THE GLAZING OF THE WINDOW OR WINDOW BOX. THESE WINDOWS AND GRAPHIC IMAGES MAY BE USED TO MEET THE STREET WALL REQUIREMENTS OF THE ORDINANCE AND WILL BE GENERALLY LOCATED AT THE GROUND FLOOR LEVEL OF THE BUILDING TO ENHANCE THE PEDESTRIAN ENVIRONMENT AT THE BASE OF THE BUILDING. THIS OPTIONAL PROVISION DOES NOT PROHIBIT THE INSTALLATION OF WINDOW SIGNS AS ALLOWED BY ORDINANCE AS PART OF THE IMAGES APPLIED TO THE WINDOWS OR WINDOW BOXES.

NOTE: THE OPTIONAL PROVISIONS REGARDING SIGNS ARE ADDITIONS/MODIFICATIONS TO THE STANDARDS FOR SIGNS IN THE MUDD-O AREA AND ARE TO BE USED WITH THE REMAINDER OF MUDD-O STANDARDS FOR SIGNS NOT MODIFIED BY THESE OPTIONAL PROVISIONS.

3. PERMITTED USES & DEVELOPMENT AREA LIMITATION:

- THE MUDD-O AREA IDENTIFIED AS DEVELOPMENT AREAS A, B, AND C MAY BE DEVELOPED WITH UP TO 83,000 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED IN THE MUDD-O ZONING DISTRICT, TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD-O ZONING DISTRICT. IN ADDITION, DEVELOPMENT AREA E WITHIN THE MUDD-O AREA MAY BE DEVELOPED FOR TREE SAVE AREAS, STORM WATER/COOL FACILITIES AND LANDSCAPED AREAS.
- ONLY TWO (2) USES WITH ACCESSORY DRIVE-THROUGH WINDOWS WHICH MAY INCLUDE EDEE USES, BANK FACILITIES AND THE LIKE) WILL BE ALLOWED IN THE MUDD-O AREA, AND ONLY ONE OF SUCH ACCESSORY USES MAY BE ALLOWED WITH AN EDEE USE, EXCEPT THAT SUCH LIMITATION SHALL NOT APPLY TO LIMITED SERVICE RESTAURANT (AS DEFINED ABOVE).
- THE NS AREA (I.E. DEVELOPMENT AREA D) MAY BE DEVELOPED WITH UP TO 12,000 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED IN THE NS ZONING DISTRICT, TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE NS ZONING DISTRICT.
- ONLY ONE GASCONVENIENCE STORE USE MAY BE PERMITTED ON THE SITE AND IT SHALL BE LOCATED ONLY IN THE NS AREA, AS INDICATED. THE NS AREA (I.E. DEVELOPMENT AREA D) MAY BE DIVIDED INTO TWO (2) PARCELS TO PERMIT MULTIPLE USES, INCLUDING WITHOUT LIMITATION "CO-BRANDING" USES, IN LIEU OF THE SINGLE USE GENERALLY DEPICTED ON THE GRAPHICS ON SHEET RZ-2. ONLY TWO USES WITH ACCESSORY DRIVE-THROUGH WINDOWS (WHICH MAY INCLUDE EDEE USES, BANK FACILITIES AND THE LIKE) WILL BE ALLOWED IN THE NS AREA (I.E. DEVELOPMENT AREA D).

4. ACCESS & TRANSPORTATION IMPROVEMENTS:

THE TRANSPORTATION IMPROVEMENTS SET FORTH BELOW AND REQUIRED AS PART OF PETITION 2017-016 HAVE BEEN SATISFIED.

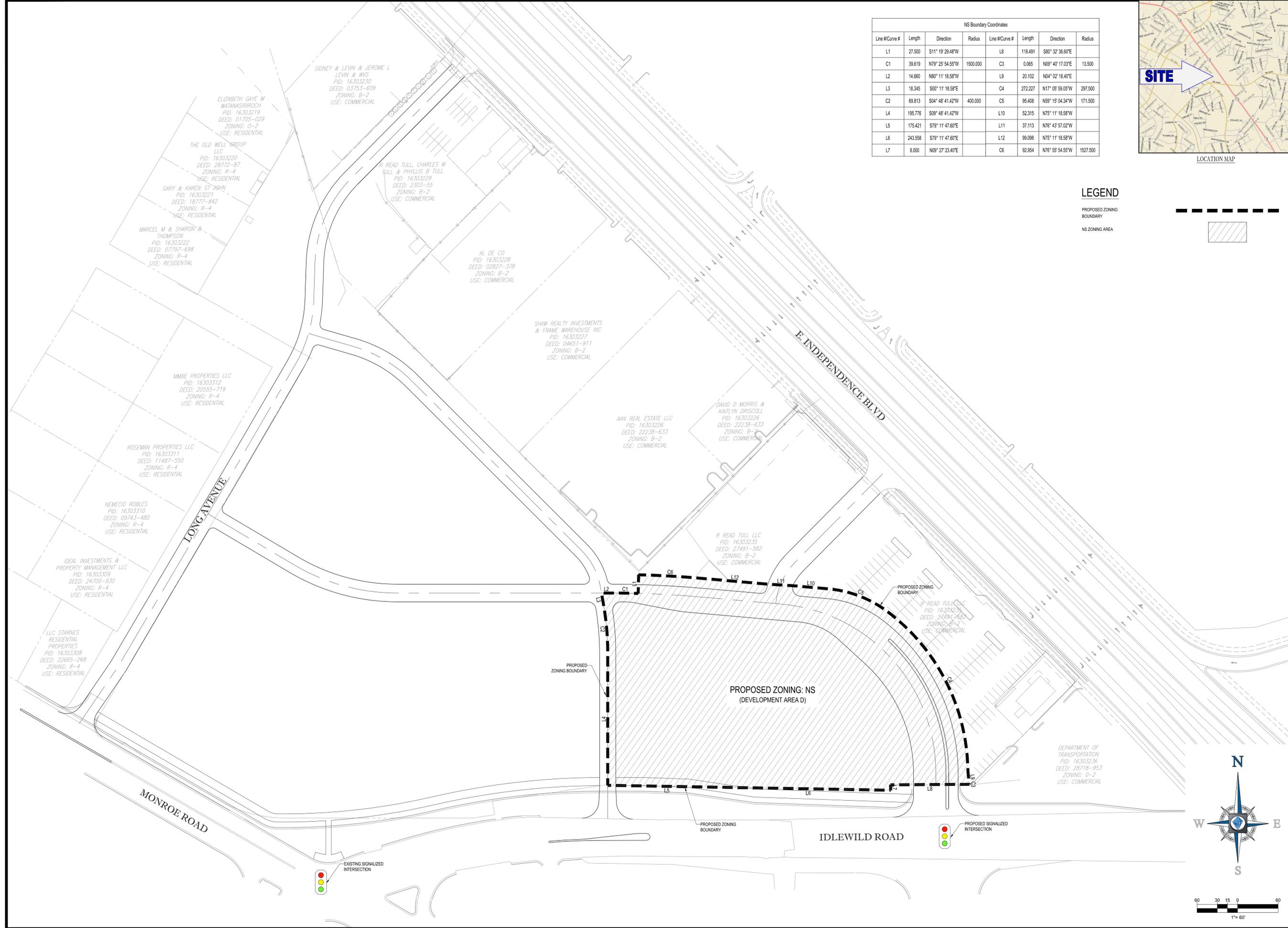
- ACCESS TO THE SITE WILL BE FROM LONG AVENUE AND IDELVILD ROAD IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN.
- PETITIONER SHALL PROVIDE FOR THE IMPROVEMENTS TO LONG AVENUE IN PHASES EXTENDING FROM ITS INTERSECTION WITH MONROE ROAD TO THE INTERSECTION OF SUCH EXTENDED LONG AVENUE WITH THE NORTHERNMOST DRIVEWAY WITHIN DEVELOPMENT AREA C, AS GENERALLY DEPICTED ON THE REZONING PLAN. SUCH IMPROVEMENTS AS EXTENSION OF LONG AVENUE SHALL CONTAIN A "COMMERCIAL NARROW STREET SECTION" BUT WITH SIX (6) FOOT WIDE SIDEWALKS. SUCH EXTENSION OF LONG AVENUE (I) FROM ITS INTERSECTION WITH MONROE ROAD TO ITS INTERSECTION WITH NEW PUBLIC STREET A SHALL BE COMPLETED PRIOR TO ISSUANCE OF THE FIRST CO FOR A BUILDING WITHIN DEVELOPMENT AREAS A OR B AND (II) FROM ITS INTERSECTION WITH PUBLIC STREET A TO THE NORTHERNMOST DRIVEWAY WITHIN DEVELOPMENT AREA C (I.E. PRIVATE STREET A) PRIOR TO THE FIRST CO FOR A BUILDING WITHIN DEVELOPMENT AREA C. PETITIONER SHALL PROVIDE FOR RIGHT OF WAY DEDICATIONS FOR THAT PORTION OF THE SITE GENERALLY DEPICTED ON SHEET RZ-1 TO SUPPORT SUCH IMPROVEMENTS AND EXTENSION OF LONG AVENUE PRIOR TO COMPLETION OF SUCH IMPROVEMENTS AND EXTENSIONS.
- PETITIONER, AT ITS ELECTION IN ITS SOLE DISCRETION, MAY PROVIDE FOR ADDITIONAL IMPROVEMENTS TO LONG AVENUE EXTENDING LONG AVENUE BEYOND ITS TERMINUS AT THE NORTHERNMOST DRIVEWAY WITHIN DEVELOPMENT AREA C. SUCH IMPROVEMENTS TO LONG AVENUE SHALL BE PROVIDED TO THE WESTERLY PORTION OF ANY MARSH OR SWAMP IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN. IF PETITIONER SO ELECTS IN ITS SOLE DISCRETION TO EXTEND LONG AVENUE BEYOND SUCH TERMINUS OR THE EXTENSION IS COMPLETED BY OTHERS, THE PETITIONER SHALL PROVIDE FOR RIGHT OF WAY DEDICATION REQUIRED FOR SUCH EXTENSION OF LONG AVENUE PRIOR TO COMPLETION OF SUCH IMPROVEMENTS AND EXTENSION.
- PETITIONER, AT ITS ELECTION IN ITS SOLE DISCRETION, MAY PROVIDE FOR CONSTRUCTION OF A DRIVEWAY WITHIN DEVELOPMENT AREA D AS WELL AS AN OFF-SITE STREET/DRAWAY TO ALLOW FOR AN ADDITIONAL ACCESS TO THE SITE FROM THE ADJACENT PARCEL(S) ALONG INDEPENDENCE BOULEVARD IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN. IF PETITIONER SO ELECTS IN ITS SOLE DISCRETION TO PROVIDE FOR SUCH STREET/DRAWAY, PETITIONER SHALL PROVIDE FOR ANY RIGHT OF WAY DEDICATION THAT MAY BE REQUIRED FOR SUCH ACCESS PRIOR TO COMPLETION OF SUCH IMPROVEMENTS AND ACCESS.
- PETITIONER SHALL INSTALL "PUBLIC STREET A" IN THE LOCATION GENERALLY DEPICTED ON THE SITE TO A "COMMERCIAL/NARROW STREET SECTION" BUT WITH SIX (6) FOOT SIDEWALKS AND WITH AN EXPANDED SECTION AS IDELVILD ROAD, AS GENERALLY DEPICTED ON THE REZONING PLAN. PETITIONER SHALL PROVIDE FOR RIGHT OF WAY DEDICATIONS FOR THAT PORTION OF THE SITE GENERALLY DEPICTED ON SHEET RZ-1 TO SUPPORT SUCH IMPROVEMENTS AND INSTALLATION OF "PUBLIC STREET A".
- THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ALONG IDELVILD ROAD ARE FIXED WITH SPECIFIC BREAKS IN THE CONTROLLED ACCESS ALONG IDELVILD ROAD. THE LONG AVENUE CONNECTION TO IDELVILD ROAD IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL, BY CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- PETITIONER SHALL INSTALL THE STREETScape IMPROVEMENTS GENERALLY DEPICTED ON THE REZONING PLAN WITHIN THE CURRENTLY EXISTING CURB LINE OF IDELVILD ROAD (COMPATIBLE WITH THE CURRENT CITY COMMUNITY INVESTMENT PLAN FOR MONROE/IDELVILD FOR THE FUTURE WORK) INCLUDING 12 FOOT WIDE MULTIPURPOSE SIDEWALK ON IDELVILD ROAD (IT IS UNDERSTOOD THAT CDOT WILL CONSIDER "PINCH POINT" CONSTRAINTS THAT MAY NECESSITATE MINOR AND LIMITED DEVIATIONS FROM THE 12 FOOT WIDTH). THE ABOVE-REFERENCED STREETScape IMPROVEMENTS SHALL BE INSTALLED PRIOR ISSUANCE OF THE FIRST CO FOR THE FIRST BUILDING WITHIN DEVELOPMENT AREAS A, B OR D.
- PETITIONER SHALL INSTALL THE STREETScape IMPROVEMENTS, AS PERMITTED BY CDOT, GENERALLY DEPICTED ON THE REZONING PLAN WITHIN THE CURRENTLY EXISTING CURB LINE OF MONROE ROAD (COMPATIBLE WITH THE CURRENT CITY COMMUNITY INVESTMENT PLAN FOR MONROE/IDELVILD FOR THE FUTURE WORK) INCLUDING 12 FOOT WIDE MULTIPURPOSE SIDEWALK EXTENDING TO THE INTERSECTION WITH LONG AVENUE AND THE PEDESTRIAN GATHERING PLACE AND OTHER SIDEWALK FEATURES. THE ABOVE-REFERENCED STREETScape IMPROVEMENTS SHALL BE INSTALLED PRIOR ISSUANCE OF THE FIRST CO FOR THE FIRST BUILDING WITHIN DEVELOPMENT AREAS A, B OR D.
- PETITIONER SHALL INSTALL, TO THE EXTENT REQUIRED BY NCDOT OR CDOT, A TEMPORARY MEDIAN ON MONROE ROAD AT THE INTERSECTION WITH LONG AVENUE AND ON IDELVILD AT THE INTERSECTION WITH THE THIRD PRIVATE DRIVEWAY ACCESS TO INSURE ON AN APPROPRIATE INTERIM BASIS THE RRMO MOVEMENTS.
- THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.
- PETITIONER AGREES TO ALLOW FUTURE VEHICULAR CONNECTIONS ONTO PUBLIC STREET A OR PRIVATE STREET A TO AND FROM THOSE ADJACENT PARCELS FRONTING INDEPENDENCE BOULEVARD PROVIDED, HOWEVER, (I) SUCH CONNECTIONS RESULT FROM A LIMITED DEVELOPMENT OF ALL OF SUCH INDEPENDENCE BOULEVARD PARCELS AFTER SUCH PARCELS HAVE LOST THEIR ACCESS TO INDEPENDENCE BOULEVARD, (II) SUCH CONNECTIONS) DO NOT RESULT IN CHANGES TO THE DEVELOPMENT PLAN COMPLETED OR IMPLEMENTED BY THE REZONING PLAN (AS MAY BE AMENDED) NOR ACCESS CONFIGURATIONS ONTO PUBLIC OR PRIVATE STREETS, AND (III) THE COSTS OF ANY SUCH VEHICULAR CONNECTIONS ARE BORNE BY OTHERS.
- THE PETITIONER WILL DEDICATE OR CONVEY SUCH PORTION OF THE SITE AS MAY BE NEEDED FOR THE ULTIMATE CROSS-SECTION RESULTING FROM THE WORK DONE IN CONNECTION WITH THE CURRENT CITY COMMUNITY INVESTMENT PLAN FOR MONROE/IDELVILD PER EXISTING PLANS OR REASONABLE CHANGES THERETO THAT DO NOT ADVERSELY IMPACT THE DEVELOPMENT CONTEMPLATED HEREIN.
- THE PETITIONER IS RESPONSIBLE FOR ANY INCIDENTAL SIGNAL MODIFICATIONS THAT MAY BE INCURRED BY CREATING THE FOURTH LEG OF THE INTERSECTION AT IDELVILD ROAD AND PROPOSED STREET A PER THE PETITIONER'S COORDINATION WITH NCDOT IN CONNECTION WITH APPLICABLE AGREEMENT WITH NCDOT ON RELATED IMPROVEMENTS.
- EXCEPT AS EXPRESSLY SET FORTH ABOVE IN THIS SECTION 4, PETITIONER SHALL HAVE NO FURTHER OBLIGATIONS TO UNDERTAKE OR BEAR THE COST OF ANY ROADWAY/STREETScape OR OTHER IMPROVEMENTS OR RIGHT OF WAY DEDICATIONS RELATED TO MONROE ROAD, IDELVILD ROAD, LONG AVENUE OR OTHER EXTENSIONS OF ROADS UNLESS PETITIONER ELECTS TO DO SO IN ITS SOLE DISCRETION AS DESCRIBED ABOVE). IT IS UNDERSTOOD THAT ANY OTHER SUCH IMPROVEMENTS ASSOCIATED WITH MONROE ROAD OR IDELVILD ROAD, FOR EXAMPLE, MAY BE UNDERTAKEN BY THE CITY OR OTHER PARTIES.
- PETITIONER AGREES TO GRANT TO THE CITY LIMITED TEMPORARY CONSTRUCTION EASEMENTS) ALONG THE FRONTAGE OF THE SITE WITH MONROE ROAD AND IDELVILD ROAD SOLELY IN CONNECTION WITH THE CITY'S MONROE IDELVILD CAPITAL IMPROVEMENT PROGRAM PROJECT, PROVIDED THAT (I) THE LIMITED EASEMENT AREAS FOR SUCH TEMPORARY CONSTRUCTION EASEMENTS SHALL

NOT EXCEED AN ENCROACHMENT ONTO THE SITE FROM THE RIGHT OF WAY OF GREATER THAN TEN (10) FEET. (II) IN NO EVENT SHALL THE LIMITED EASEMENT AREAS OR THE GRANT OF SUCH TEMPORARY CONSTRUCTION EASEMENTS ADVERSELY AFFECT VEHICULAR OR PEDESTRIAN ACCESS TO THE SITE. BUILDING PARKING AREAS OR GATHERING PLACES ON THE SITE, OR OTHERWISE AFFECT THE TENANT OPERATIONS AND RELATED ACTIVITIES TAKING PLACE ON THE SITE; AND (III) THE CITY WILL SEEK TO CONSOLIDATE ITS REQUESTS FOR SUCH TEMPORARY CONSTRUCTION EASEMENTS AS MUCH AS IS PRACTICABLE.

5. ARCHITECTURAL AND SITE DESIGN STANDARDS:

- BUILDING MATERIALS GENERALLY:** THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS FIBER BOARD, STUCCO, EIFS, DECORATIVE BLOCK AND/OR WOOD, VINYL OR ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SODPITS, ANNEXING, AND ON HANDRAILS/RAILINGS, HOWEVER STANDING SEAM METAL IS PERMITTED AS A DECORATIVE ARCHITECTURAL ELEMENT. FURTHERMORE, THE BUILDING ELEVATIONS ON PUBLIC STREETS SHALL BE CONSTRUCTED SO THAT AT LEAST 40% OF THE ELEVATION FRONTING PUBLIC STREETS, EXCLUSIVE OF WINDOWS, DOORS, AND ROOFS, WILL BE CONSTRUCTED UTILIZING THE FOLLOWING MATERIALS: BRICK, SYNTHETIC STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, AND DECORATIVE BLOCK. THE USE OF DECORATIVE BLOCK WILL BE LIMITED TO A MAXIMUM OF 20% OF ANY BUILDING ELEVATION.
- RENDERING:** THE ATTACHED PERSPECTIVE RENDERING IS INCLUDED TO REFLECT THE LOCATION OF BUILDINGS, WITH THE EXCEPTION OF THE BUILDING IN DEVELOPMENT AREA A, WHICH SHALL NOT HAVE PARKING BETWEEN THE BUILDINGS AND THE STREET, AND OPEN SPACE THAT MAY BE CONSTRUCTED ON THE SITE (THE ACTUAL BUILDINGS CONSTRUCTED ON THE SITE MAY VARY FROM THESE ILLUSTRATIONS PROVIDED THAT THE DESIGN INTENT IS PRESERVED). THE USE OF COLORS (PREFERRED) THAT ARE TYPICALLY ASSOCIATED WITH BRICK MATERIALS ON THE ATTACHED ELEVATIONS DOES NOT IMPLY THAT THE MATERIAL ILLUSTRATED IS A BRICK MATERIAL.
- BLANK WALLS IN DEVELOPMENT AREAS A, B & C:** IN DEVELOPMENT AREAS A, B, AND C, EXPANSES OF BLANK WALLS MAY NOT EXCEED 20 FEET IN LENGTH ALONG PUBLIC STREET FRONTAGES. A BLANK WALL IS A FACADE THAT DOES NOT ADD TO THE CHARACTER OF THE STREETScape AND DOES NOT CONTAIN TRANSPARENT WINDOWS OR DOOR OR SUFFICIENT ORIENTATION, DECORATION OR VENTILATION WHEN THE APPROACH IS NOT FEASIBLE. THREE OF THE FOLLOWING ARCHITECTURAL ELEMENTS MUST BE USED ON THE BUILDING FACADES AT STREET LEVEL. ELEMENTS MAY INCLUDE, BUT ARE NOT LIMITED TO: MOLDING, STRING COURSES, BELT COURSES, CHANGES IN MATERIAL OR COLOR, ARCHITECTURAL LIGHTING, WORKS OF ART, DISPLAY AREAS, BUILDING OFF-SETS OR WINDOWS WITH SPANDREL/GLASS PANELING, PARKING, MANEUVERING, AND LOADING BETWEEN THE STREET AND THE POTENTIAL MULTITENANT BUILDING IS NOT PERMITTED.
- IDELVILD ROAD FOR DEVELOPMENT AREA B:** BUILDINGS IN DEVELOPMENT AREA B SHALL BE DESIGNED SO THAT THE STREET FACADE ALONG IDELVILD ROAD INCLUDES THE USE OF CLEAR GLASS WINDOWS AND DOORS ARRANGED SO THAT USES ARE VISIBLE FROM AND/OR ACCESSIBLE TO THE STREET ON AT LEAST 40% OF THE LENGTH OF THE BUILDING. WHEN THIS APPROACH IS NOT FEASIBLE, THREE OF THE FOLLOWING ARCHITECTURAL ELEMENTS MUST BE USED ON THE BUILDING FACADES AT STREET LEVEL. ELEMENTS MAY INCLUDE, BUT ARE NOT LIMITED TO: 1) MOLDING, STRING COURSES, BELT COURSES, CHANGES IN MATERIAL, OR COLOR; 2) ARCHITECTURAL LIGHTING; 3) WORKS OF ART; 4) DISPLAY AREAS; 5) BUILDING OFF-SETS OR 6) WINDOWS WITH SPANDREL GLASS.
- MULTITENANT BUILDING IN DEVELOPMENT AREA B:** WITH RESPECT TO S.D. ABOVE, THE POTENTIAL MULTITENANT BUILDING IN DEVELOPMENT AREA B SHALL BE DESIGNED WITH A MINIMUM OF ONE (1) OPERABLE PEDESTRIAN ENTRANCES (DEFINED AS AN ENTRANCE DESIGNED TO PROVIDE CUSTOMERS ACCESS TO THE PROPOSED USES) DESIGNED TO BE IDENTIFIABLE AND PROMINENT ELEMENTS FRONTING IDELVILD ROAD. PARKING, MANEUVERING, AND LOADING BETWEEN THE STREET AND THE POTENTIAL MULTITENANT BUILDING IS NOT PERMITTED.
- CORNER BUILDING IN DEVELOPMENT AREA A:** THE BUILDING IN DEVELOPMENT AREA A WILL BE DESIGNED AND CONSTRUCTED WITH A CORNER FEATURE ON THE FRONT FACADE CORNER OF THE BUILDING CLOSEST TO MONROE ROAD THAT EXTENDS SPANDELOPAQUE OR CLEAR GLAZING 20% OF THE LENGTH OF THE MONROE ROAD FRONTAGE.
- DEVELOPMENT AREA A & C PARKING & MANEUVERING:** PARKING, MANEUVERING AND LOADING BETWEEN THE BUILDINGS) AND THE STREET IS NOT PERMITTED IN DEVELOPMENT AREA A ON EITHER LONG AVENUE OR MONROE ROAD. PARKING, MANEUVERING AND LOADING ARE PERMITTED TO THE SIDE OF BUILDINGS IN DEVELOPMENT AREAS A AND C. PARKING AND MANEUVERING WILL NOT BE PERMITTED BETWEEN THE PRIMARY BUILDING FACADE AND THE STREET, EITHER LONG AVENUE OR PROPOSED PUBLIC STREET A IN DEVELOPMENT AREA C EXCEPT THAT PARKING, MANEUVERING AND LOADING ARE PERMITTED TO THE SIDE, FURTHERMORE, THE BUILDING GENERALLY DEPICTED IN DEVELOPMENT AREA C ON SHEET RZ-2 MAY BE ORIENTED TO EITHER LONG AVENUE OR PROPOSED PUBLIC STREET A AND NOT WITHSTANDING THE GRAPHICS SHOWN ON SHEET RZ-2, MORE THAN ONE BUILDING WITHIN DEVELOPMENT AREA C MAY BE DEVELOPED PROVIDED THAT THE DESIGN REQUIREMENTS OF THIS SECTION ARE MET.
- SERVICE LOCATIONS DEVELOPMENT AREAS A & B:** THE SERVICE SIDE OF THE BUILDINGS WITHIN DEVELOPMENT AREAS A AND B MAY NOT BE DIRECTLY ORIENTED TO OR FRONT MONROE ROAD OR IDELVILD ROAD. SERVICE AREAS ARE PERMITTED AS GENERALLY DEPICTED ON SHEET RZ-4S FOR DEVELOPMENT AREA A.
- OPEN SPACE AREA CORNER OF MONROE/IDELVILD:** THE PROPOSED OPEN SPACE AREA LOCATED AT THE CORNER OF MONROE ROAD AND IDELVILD ROAD SHALL BE A MINIMUM OF 2500 SQUARE FEET OF HARDSCAPE AND LANDSCAPE AREA AND MAY INCLUDE DECORATIVE PLANTING, SEATINGS, SEATING AREAS, ART, SPECIALTY PAVERS, LAWN OR SIMILAR FEATURES. THE SIZE OF THE OPENSPACE AMENITY AREA SET OUT ABOVE MAY BE DECREASED AS IMPACTED BY THE CITY'S STREETScape AND/OR ROAD IMPROVEMENT PROJECTS.
- ACCESSORY DRIVE-THROUGH USES - CSTORE:** IF AN ACCESSORY DRIVE-THROUGH WINDOW ASSOCIATED WITH AN ALLOWED USE (OTHER THAN A BANK) IS CONSTRUCTED ON THE SITE, THE ACCESSORY DRIVE-THROUGH WINDOW MAY NOT BE LOCATED BETWEEN THE PROPOSED BUILDING AND MONROE ROAD BUT MAY BE LOCATED TO THE REAR OR SIDE OF SUCH BUILDING EXCEPT THAT THE MANEUVERING LANE ALONE FOR ANY SUCH FACILITIES MAY BE LOCATED BETWEEN THE BUILDING AND THE APPLICABLE STREET AND PARKING MAY BE LOCATED TO THE SIDE AND BETWEEN THE BUILDING FACE LINE AND THE STREET, AS GENERALLY DEPICTED FOR THE FACILITY SHOWN WITHIN DEVELOPMENT B ON THE REZONING PLAN (IT BEING UNDERSTOOD THAT A DRIVE-THROUGH FACILITY FOR A FAST FOOD RESTAURANT WITH DEVELOPMENT AREA D WOULD FOLLOW THE SAME DESIGN FEATURES). IN ADDITION, LANDSCAPING AND A LOW WALL TREATMENT ALONG IDELVILD ROAD AND MONROE ROAD WILL BE INSTALLED IN CONNECTION WITH AND IN FRONT OF ANY ACCESSORY DRIVE-THROUGH WINDOW USES (OTHER THAN A BANK) IN WHICH MANEUVERING IS BETWEEN THE BUILDING AND SUCH ROAD, PROVIDED THAT SUCH LOW WALL TREATMENT SHALL NOT BE REQUIRED ALONG THE ENTIRE FRONTAGE OF SUCH ROADS BUT RATHER ONLY TO PROVIDE A DECORATIVE SCREENING FEATURE FOR SUCH ACCESSORY DRIVE-THROUGH WINDOW USES. LANDSCAPING AND/OR A LOW WALL TREATMENT ALONG IDELVILD ROAD WILL BE INSTALLED IN CONNECTION WITH A CONVENIENCE STORE/GAS FACILITY.
- UTILITIES:** METER BANKS WILL BE SCREENED FROM VIEW FROM MONROE ROAD AND IDELVILD ROAD AT GRADE. HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE. HVAC AND RELATED MECHANICAL EQUIPMENT MAY NOT BE LOCATED BETWEEN THE PROPOSED BUILDINGS.
- STREETScape, BUFFERS, YARDS AND LANDSCAPING:**
 - ALONG THE SITES FRONTAGE ON MONROE ROAD AND IDELVILD ROAD, THE PETITIONER WILL PROVIDE THE STREETScape IMPROVEMENTS SET FORTH IN SECTION 4 ABOVE.
 - REFERENCE IS MADE TO SHEET RZ-5 FOR A CONCEPTUAL RENDERING OF THE STREETScape TREATMENT INTENDED FOR THE PORTION OF DEVELOPMENT AREA B APPROACHING THE IDELVILD ROAD AND MONROE ROAD INTERSECTION AND THE PORTION OF DEVELOPMENT AREA C LOCATED ALONG MONROE ROAD. FINAL DESIGN FEATURES MAY VARY FROM THOSE SET FORTH ON SHEET RZ-5 PROVIDED THAT (I) THE BUILDING FRONTING IDELVILD ROAD WITHIN DEVELOPMENT AREA B SHALL ORIENT TO IDELVILD ROAD SUBSTANTIALLY IN THE MANNER SHOWN, (II) DRINK AND/OR OUTDOOR SEATING AREAS SHALL BE INCLUDED IN THE AREA IN FRONT OF SUCH BUILDING FRONTING IDELVILD ROAD WITHIN DEVELOPMENT AREA B, (III) SIDEWALKS SHALL BE PROVIDED IN THIS AREA AS GENERALLY DEPICTED ON THE REZONING PLAN, (IV) THE PUBLIC GATHERING AREA DEPICTED AT THE CORNER OF IDELVILD ROAD AND MONROE ROAD SHALL BE INSTALLED SUBSTANTIALLY IN THE MANNER SHOWN ALONG WITH SEATING AREAS AND A PUBLIC ART FEATURE, AND (V) A ROW OF TREES EXTENDING ALONG MONROE ROAD FROM ITS INTERSECTION WITH IDELVILD ROAD TO ITS INTERSECTION WITH LONG AVENUE SHALL BE INSTALLED IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN.
 - THE PETITIONER WILL PROVIDE A SIDEWALK NETWORK THAT LINKS EACH BUILDING ON THE SITE TO THE SIDEWALKS ALONG MONROE ROAD, IDELVILD ROAD AND LONG AVENUE IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN. THE MINIMUM WIDTH FOR THESE INTERNAL SIDEWALKS WILL BE FIVE (5) FEET.
 - ABOVE-GROUND BACKUP PREVENTERS WILL BE SCREENED FROM PUBLIC VIEW AND WILL BE LOCATED OUTSIDE OF THE REQUIRED SETBACKS.
 - DUMPSTER AREAS AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A DECORATIVE GATE. THE WALL OR FENCE USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDING.
- ENVIRONMENTAL FEATURES:**
 - THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLANS OR REFERENCED IN THE DEVELOPMENT STANDARDS ON SHEET RZ-2 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 THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION ORDINANCE.
 - THE SITE WILL COMPLY WITH THE TREE ORDINANCE.
- SIGNAGE:**
 - SIGNAGE AS ALLOWED BY THE MUDD-O ZONING DISTRICT IN THE MUDD-O AREA MAY BE PROVIDED AND AS ALLOWED IN THE MUDD-O OPTIONAL PROVISIONS.
- LIGHTING:**
 - ALL NEW DETACHED AND ATTACHED LIGHTING SHALL BE FULL CUTOFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.
 - DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 25 FEET IN HEIGHT.
- AMENDMENTS TO THE REZONING PLAN:**
 - FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PORTION OF THE DEVELOPMENT AREA (OR SUBDIVISION THEREOF) AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.
- BINDING EFFECT OF THE REZONING APPLICATION:**
 - 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 UNDER THE ORDINANCE, BE BINDING UPON AND BIND TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

BOHLER ENGINEERING NC, PLLC
 ARCHITECTURAL AND SITE DESIGN SERVICES
 LAND SURVEYING PROGRAM MANAGEMENT PROFESSIONAL ENGINEERING ARCHITECTURE
 SUSTAINABLE DESIGN PERMITTING SERVICES TRANSPORTATION SERVICES
 PROJECTS: RALEIGH, NC; LEHIGH VALLEY, PA; RICHMOND, VA; CHARLOTTE, NC; ATLANTA, GA; TAMPA, FL; BALTIMORE, MD; NEW YORK, NY; PHILADELPHIA, PA; NORTHERN



NS Boundary Coordinates							
Line#Curve #	Length	Direction	Radius	Line#Curve #	Length	Direction	Radius
L1	27.500	S11° 19' 29.48"W		L8	116.491	S80° 32' 36.60"E	
C1	39.619	N79° 25' 54.55"W	1500.000	C3	0.065	N09° 40' 17.03"E	13.500
L2	14.860	N80° 11' 18.58"W		L9	20.102	N04° 02' 18.40"E	
L3	18.345	S00° 11' 18.58"E		C4	272.227	N17° 05' 58.05"W	297.500
C2	69.813	S04° 48' 41.42"W	400.000	C5	95.408	N59° 15' 04.34"W	171.500
L4	195.776	S09° 48' 41.42"W		L10	52.315	N75° 11' 18.58"W	
L5	175.421	S79° 11' 47.60"E		L11	37.113	N76° 43' 57.02"W	
L6	243.558	S79° 11' 47.60"E		L12	99.098	N75° 11' 18.58"W	
L7	8.000	N09° 27' 23.40"E		C6	92.954	N76° 55' 54.55"W	1527.500



LEGEND



BOHLER ENGINEERING NC, PLLC
 SITE ANALYSIS, SURVEYING, LANDSCAPE ARCHITECTURE, PROGRAM MANAGEMENT, TRANSPORTATION SERVICES, SUSTAINABLE DESIGN, PERMITTING SERVICES
 OFFICES: RALEIGH, NC; WASHINGTON, DC; ATLANTA, GA; TAMPA, FL; SOUTH FLORIDA; BALTIMORE, MD; NEW JERSEY; PHILADELPHIA, PA
 PROJECTS: UPGRADE NEW YORK STATE TURNPIKE; NEW YORK METRO AREA; BALTIMORE, MD; PHILADELPHIA, PA

REVISIONS

REV	DATE	COMMENT	BY



PROJECT No: NCC152096
 DRAWN BY: PMK
 CHECKED BY: GPP
 DATE: 2/26/19
 SCALE: 1" = 60'
 CAD I.D.: RZ

COMMERCIAL REZONING PLAN
 FOR
SELWYN PROPERTY GROUP

BOHLER ENGINEERING NC, PLLC
 NCBELS P-1132
 1927 S. TRYON STREET, SUITE 310
 CHARLOTTE, NC 28203
 Phone: (980) 272-3400
 Fax: (980) 272-3401
 NC@BohlerEng.com

SunCap PROPERTY GROUP

SHEET TITLE:
NS ZONING AREA
 SHEET NUMBER:
RZ-4



NOTE: THIS IS SCHEMATIC IN NATURE AND SUBJECT TO FUTURE DESIGN MODIFICATION AND REFINEMENTS AS DESCRIBED WITHIN SECTION 1 OF THE DEVELOPMENT STANDARDS.

LEGEND

- FUTURE R/W, SETBACK, PROPERTY BOUNDARY AS NOTED ON RZ-1
- PUBLIC STREET A R/W & SETBACK

BOHLER ENGINEERING NC, PLLC

SITE PLANNING, LANDSCAPE ARCHITECTURE, ARCHITECTURE, TRANSPORTATION SERVICES, PERMITTING SERVICES, PROGRAM MANAGEMENT, SUSTAINABLE DESIGN

OFFICES:

- LEHIGH VALLEY, PA
- UPSTATE NEW YORK
- BOSTON, MA
- NEW YORK, NY
- PHILADELPHIA, PA
- CHARLOTTE, NC
- ATLANTA, GA
- TAMPA, FL
- MIAMI, FL
- MEMPHIS, TN
- INDIANAPOLIS, IN
- HOUSTON, TX
- PHOENIX, AZ
- PORTLAND, OR
- SEATTLE, WA
- DENVER, CO
- MINNEAPOLIS, MN
- CHICAGO, IL
- ST. LOUIS, MO
- KANSAS CITY, MO
- COLUMBIANA, OH
- DAYTON, OH
- CINCINNATI, OH
- CLEVELAND, OH
- COLUMBUS, OH
- COLUMBUS, IN
- EVANSVILLE, IN
- EVANSVILLE, KY
- EVANSVILLE, TN
- EVANSVILLE, VA
- EVANSVILLE, WV
- EVANSVILLE, MS
- EVANSVILLE, AL
- EVANSVILLE, GA
- EVANSVILLE, SC
- EVANSVILLE, NC
- EVANSVILLE, VA
- EVANSVILLE, WV
- EVANSVILLE, MS
- EVANSVILLE, AL
- EVANSVILLE, GA
- EVANSVILLE, SC
- EVANSVILLE, NC

REVISIONS

REV	DATE	COMMENT	BY

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: NCC152096
 DRAWN BY: PMK
 CHECKED BY: GPP
 DATE: 2/26/19
 SCALE: 1" = 60'
 CAD I.D.: RZ

COMMERCIAL REZONING PLAN

FOR **SELWYN PROPERTY GROUP**

BOHLER ENGINEERING NC, PLLC

1927 S. TRYON STREET, SUITE 310
 CHARLOTTE, NC 28203
 Phone: (980) 272-3400
 Fax: (980) 272-3401
 NC@BohlerEng.com

SunCap PROPERTY GROUP

SHEET TITLE:
SCHEMATIC SITE PLAN

SHEET NUMBER:
RZ-5





BOHLER
ENGINEERING NC, PLLC

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING PROGRAM MANAGEMENT LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN PERMITTING SERVICES TRANSPORTATION SERVICES

OFFICES:
 • CHARLOTTE, NC
 • RICHMOND, VA
 • FARMINGTON, CT
 • BOSTON, MA
 • NEW YORK, NY
 • NEW JERSEY, NJ
 • WASHINGTON, DC
 • NORTHERN VIRGINIA
 • CENTRAL VIRGINIA
 • SOUTH FLORIDA

THE INFORMATION CONTAINED ON THIS DRAWING IS THE PROPERTY OF BOHLER ENGINEERING NC, PLLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON.

REVISIONS

REV	DATE	COMMENT	BY

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: NCC152096
 DRAWN BY: GPP
 DATE: 2/26/19
 SCALE: NTS
 CAD I.D.: RZ

PROJECT:
**COMMERCIAL
 REZONING PLAN**
 FOR
**SELWYN
 PROPERTY
 GROUP**
 LOCATION OF SITE

BOHLER
ENGINEERING NC, PLLC
 1927 S. TRYON STREET, SUITE 310
 CHARLOTTE, NC 28203
 Phone: (980) 272-3400
 Fax: (980) 272-3401
 NC@BohlerEng.com

SunCap
PROPERTY GROUP

SHEET TITLE:
**CONCEPTUAL
 RENDERING**

SHEET NUMBER:
RZ-6

This perspective rendering is included to reflect the location of buildings, with the exception of the building and the street, and open space that may be constructed on the Site (the actual buildings constructed on the Site may vary from these illustrations provided that the design intent is preserved. The use of colors (red hues) that are typically associated with brick materials on the attached elevations does not imply that the material is a brick material.

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

RECEIVED
MAR 04 2019
BY:

2019-042
Petition #: _____
Date Filed: 3/4/2019
Received By: PH

Complete All Fields (Use additional pages if needed)

Property Owner: Sanctuary Holdings Charlotte, LLC. Sanctuary 4 Point Charlotte, LLC

Owner's Address: 3008 Cherokee St. NW City, State, Zip: Kennesaw, GA 30144

Date Property Acquired: November 2016

Property Address: 7600 , 7708 University City Blvd. - 210 , 240 W Rocky River Road, Charlotte, NC 28213

Tax Parcel Number(s): (04923105) (04923101) (04918107) (04918109) (04924212)

Current Land Use: vacant Size (Acres): 12.516

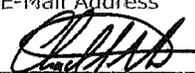
Existing Zoning: B2-CD Proposed Zoning: TOD

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Jason Prescott
Date of meeting: 2-14-2019

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

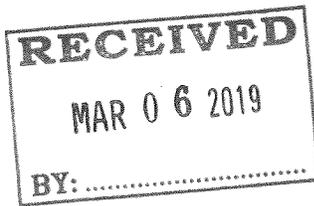
For Conditional Rezonings Only:
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): _____
Purpose/description of Conditional Zoning Plan: _____

Chad Howie
Name of Rezoning Agent
3008 Cherokee Street NW
Agent's Address
Kennesaw, GA 30144
City, State, Zip
770-702-1223
Telephone Number
Fax Number
chowie@sanctuarycompanies.com
E-Mail Address

Signature of Property Owner
Chad L. Howie Oliver Holmes
(Name Typed / Printed) Sanctuary 4Point Charlotte, LLC.

Sanctuary Development, LLC
Name of Petitioner(s)
3008 Cherokee Street NW
Address of Petitioner(s)
Kennesaw, GA 30144
City, State, Zip
770-789-3350
Telephone Number
Fax Number
chowie@sanctuarycompanies.com
E-Mail Address

Signature of Petitioner
Chad L. Howie Oliver Holmes
(Name Typed / Printed) Sanctuary 4Point Charlotte, LLC

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-043

Petition #: _____
Date Filed: 3/6/2019
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/vacant (Acres): ± 43.583
Existing Zoning: R-3(LWPA) Proposed Zoning: MX-2(LWPA)
Overlay: Lake Wylie, PA Tree Survey Provided: Yes: N/A:
Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Alberto Gonzalez, Jason Prescott, Rick Grochoske, Molly Haines
Date of meeting: 2/11/2019

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

For Conditional Rezoning Only:
Requesting a vesting period exceeding the 2 year minimum? Yes No. Number of years (maximum of 5): N/A
Purpose/description of Conditional Zoning Plan: To allow the development of the parcels with a residential community with a mix of townhome and single-family units.

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

Diamondback Acquisitions Company, LLC (Attn: Paul Holst)
Name of Petitioner
3514-B Drawbridge Parkway
Address of Petitioner
Greensboro, NC 27410
City, State, Zip
336-944-7919
Telephone Number Fax Number
pholst@diamondbackinvestmentgroup.com
E-mail Address
SEE ATTACHMENT B
Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
053-271-08	2408 Belmeade Dr, Charlotte, NC 28214	STM Family LLC	6748 Baltusrol Ln, Charlotte, NC 28210	22.317	07/19/2005
053-271-26	N/A			21.344	12/13/2005

ATTACHMENT A

REZONING PETITION NO. 2019-____
Diamondback Acquisitions

OWNER JOINDER AGREEMENT
STM Family LLC

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

1. 2408 Belmeade Dr, Charlotte, NC that is designated as Tax Parcel No. 053-271-08
2. N/A that is designated as Tax Parcel No. 053-271-26

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 MX-2 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 18th day of 2019, 2019.

STM Family LLC

By:

Name:

Its:

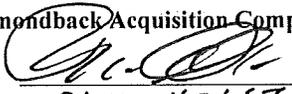
Michael J. Hanberry
Michael J. Hanberry
MANAGING PARTNER

ATTACHMENT B

**REZONING PETITION NO. 2019-
Diamondback Acquisitions**

Petitioner:

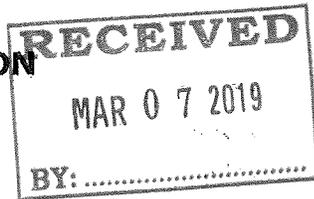
Diamondback Acquisition Company, LLC

By: 

Name: PAUL HOLST

Title: DP. PARTNER

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-044

Petition #: _____
Date Filed: 3/7/2019
Received By: H

Property Owners: (A) Panthers Stadium LLC, as leasehold owner
(B) City of Charlotte, as fee simple owner

Owner's Addresses: (A) 800 S Mint Street, Charlotte, NC 28202
(B) 600 E 4th St, Charlotte, NC 28202

Date Properties Acquired: 03/31/2004
N/A

Property Addresses: 325 S Cedar Street, Charlotte, NC 28202

Tax Parcel Numbers: portion of 073-281-01

Current Land Use: football practice fields (Acres): * 8.6

Existing Zoning: UR-3 and MUDD Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting* with: David Pettine, Solomon Fortune, Grant Meacci, Shad Spencer, Catherine Mahoney, Brent Wilkinson, and Jennifer Frixen

Date of meeting: 1/23/19

(*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 permit additional signage on the allowed/proposed indoor practice/training facility building and overall site.

Jeff Brown, Keith MacVean & Dujuana Keys
Name of Rezoning Agent

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

Charlotte, NC 28202

704-331-1144 (JB) 704-378-1925 (JB)
704.331.3531 (KM) 704-378-1954 (KM)
704.331-2371 (DK) 7004-339-5888 (DK)
Telephone Number Fax Number

jeffbrown@mvalaw.com; keithmacvean@mvalaw.com;
dujuanakeys@mvalaw.com
E-mail Address

See Attached
Signature of Property Owner

Panthers Stadium, LLC (Attn: Mark Hart)
Name of Petitioner

800 S Mint Street
Address of Petitioner

Charlotte, NC 28202
City, State, Zip

O: 704-358-7849
Telephone Number Fax Number

mark.hart@panthers.nfl.com
E-mail Address

See Attached
Signature of Petitioner

ATTACHMENT A

REZONING PETITION NO. 2019-____
Panthers Stadium, LLC

LEASEHOLD OWNER JOINDER AGREEMENT
Panthers Stadium, LLC*

The undersigned, as the leasehold owner of the parcel of land/improvements located at 325 S. Cedar Street, Charlotte, NC that is designated as a portion of Tax Parcel No. 073-281-01 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Application and consents to the change in zoning for the portion of the parcel from UR-3 and MUDD zoning districts to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

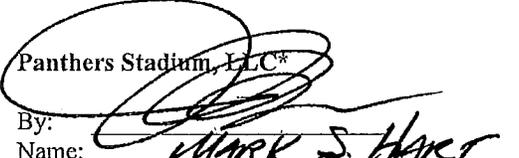
This 6 day of MARCH, 2019.

Panthers Stadium, LLC*

By:

Name:

Its:


MARK S. HART
Vice President

*Note: Panthers Stadium LLC is leasehold owner and has signed this joinder in such capacity.

ATTACHMENT B

REZONING PETITION NO. 2019-_____
Panthers Stadium, LLC

FEE SIMPLE OWNER JOINDER AGREEMENT
City of Charlotte*

The undersigned, as the fee simple owner of the parcel of land located at 325 S. Cedar Street, Charlotte, NC that is designated as a portion of Tax Parcel No. 073-281-01 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Application and consents to allow the rezoning to proceed ahead to consideration by Charlotte City Council to consider allowing the change in zoning for the portion of the parcel from UR-3 and MUDD zoning districts to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 7 day of March, 2019.

City of Charlotte*

By: 
Name: Tracy Dodson
Its: _____

*Note: City of Charlotte is the fee simple owner of the land and has signed this joinder in such capacity.

Note also: the City of Charlotte signs this joinder to allow the rezoning to proceed to consideration by Charlotte City Council but subject to the determination of the appropriateness by City Council as part of the conditional rezoning process.

ATTACHMENT C

REZONING PETITION NO. 2019-
Panthers Stadium LLC

Petitioner:


Panthers Stadium LLC

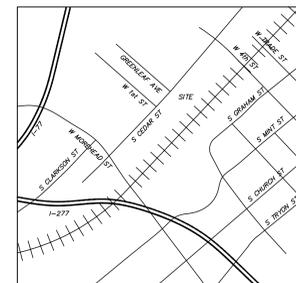
By:

Name:

MARK SHART

Title:

Vice President

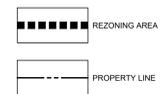


VICINITY MAP N.T.S.

BACKGROUND DISCLAIMER
 BACKGROUND INFORMATION TAKEN FROM MECKLENBURG COUNTY GIS ON 2/27/2019

- SITE DEVELOPMENT DATA:**
- Acreage: ± 6.6 acre (To Be Re zoned)
 - Tax Parcel No: Portion of : 073-281-01
 - Existing Zoning: UR3 and MUDD
 - Proposed Zoning: MUDD-O
 - Existing Uses: Practice fields and accessory structures
 - Proposed Uses: Practice/training facility uses, other uses associated with professional sports operations/activities, sports uses and community/corporate based activities as permitted by right and under prescribed conditions in the MUDD zoning district, together with accessory uses allowed in the MUDD zoning district, all as amended by and subject to the Optional Provisions and conditions set forth below.
 - Maximum Gross Square feet of Development: As allowed by the MUDD zoning district.
 - Height: Not to exceed 75 feet as measured in accordance with Ordinance.

SEE SHEET RZ-4 FOR ADDITIONAL ZONING INFORMATION

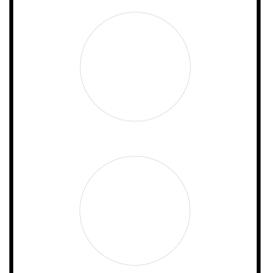


Bloc Design
 2923 S. Tryon Street, Suite 320
 Charlotte, NC 28203
 phone: 704-940-2883
 www.bloc-nc.com

landscape architecture | planning | civil engineering

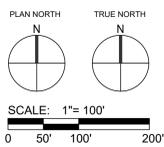
REVISIONS		
NO.	DATE	DESCRIPTION

Disclaimer ©2018:
 Information contained in this document is the property of Bloc Design, PLLC, and the project client listed on this document.
 The reproduction, copying, and other use without written consent is prohibited and may be subject to legal action to the fullest extent possible.



Carolina Panthers
 Practice / Training Facility Signage
 Charlotte, NC 28202

REZONING PETITION
 2019-XXX



DATE: 03/06/19	MPIC: WILL
DRAWN BY: ASP	CHECKED BY: WILL
PROJECT NUMBER: 00631.02	
SCALE: 1" = 100'	
TITLE: OVERALL SITE PLAN	

SHEET NO:
RZ-1.0



Illustrative/ Conceptual Rendering of Practice/ Training Facility Building

NOTE:
 * Descriptions of building signage, detached signage, and other signage are set forth in development standards.
 * Conceptual rendering of practice/training facility building may be altered as long as the primary design does not substantially change.

VIEW ONE

INDOOR PRACTICE FACILITY | MARCH 6, 2019

1 of 3



Illustrative/ Conceptual Rendering of Practice/ Training Facility Building

NOTE:
 * Descriptions of building signage, detached signage, and other signage are set forth in development standards.
 * Conceptual rendering of practice/training facility building may be altered as long as the primary design does not substantially change.

VIEW THREE

INDOOR PRACTICE FACILITY | MARCH 6, 2019

3 of 3

RENDERINGS PROVIDED BY WAGNER MURRAY ARCHITECTS, 601 S CEDAR ST, CHARLOTTE, NC 28202



Illustrative/ Conceptual Rendering of Practice/ Training Facility Building

NOTE:
 * Descriptions of building signage, detached signage, and other signage are set forth in development standards.
 * Conceptual rendering of practice/training facility building may be altered as long as the primary design does not substantially change.

VIEW TWO

INDOOR PRACTICE FACILITY | MARCH 6, 2019

2 of 3

RENDERING NOTES:

1. ATTACHED IMAGES ARE CONCEPTUAL RENDERINGS OF PRACTICE / TRAINING FACILITY BUILDING
2. CONCEPTUAL RENDERINGS OF PRACTICE / TRAINING FACILITY BUILDING MAY UNDERGO CHANGES AS LONG AS THE PRIMARY DESIGN DOES NOT SUBSTANTIALLY CHANGE
3. NOTE THAT THE DESCRIPTION OF THE BUILDING SIGNAGE, DETACHED SIGNAGE, MONUMENT SIGNAGE, AND PRACTICE FIELD FENCE SIGNAGE ARE SET FORTH IN THE DEVELOPMENT STANDARDS PORTION OF THE REZONING PLAN ON SHEET RZ-4



Bloc Design
 2923 S. Tryon Street, Suite 320
 Charlotte, NC 28203
 phone: 704-940-2883
 www.bloc-nc.com

landscape architecture | planning | civil engineering

REVISIONS

NO.	DATE	DESCRIPTION

Disclaimer ©2018:
 Information contained in this document is the property of Bloc Design, PLLC, and the project client listed on this document.
 The reproduction, copying, and other use without written consent is prohibited and may be subject to legal action to the fullest extent possible.

stamp / seal:



Carolina Panthers
 Practice / Training Facility Signage
 Charlotte, NC 28202

REZONING PETITION
 2019-XXX

DATE: 03/06/19	MPIC: WLL
DRAWN BY: ASP	CHECKED BY: WLL
PROJECT NUMBER: 00631.02	
SCALE:	
TITLE: CONCEPTUAL RENDERINGS	

SHEET NO:
RZ-3.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

RECEIVED
MAR 08 2019
BY: _____

2019-045

Petition #: _____
Date Filed: 3/8/2019
Received By: BT

Complete All Fields (Use additional pages if needed)

Property Owner: Moore's Chapel Holdings, LLC, and Mt Holly Developers, LLC

Owner's Address: 4501 Prairie PKWY City, State, Zip: Cedar Falls, IA 50613

Date Property Acquired: 2018

Property Address: no address assigned

Tax Parcel Number(s): 05548101, 05548106

Current Land Use: undeveloped Size (Acres): approx.. 29.08

Existing Zoning: MX-2 Proposed Zoning: MX-2 SPA

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

Required Rezoning Pre-Application Meeting* with: C. Graham, G. Meacci, et. Al.

Date of meeting: 1/15/19

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: site plan amendment to allow single family attached housing in an area previously proposed for multifamily housing

Walter Fields
Name of Rezoning Agent

1919 South Blvd., suite 101
Agent's Address

Charlotte, NC 28203
City, State, Zip

704-372-7855 704-372-7856
Telephone Number Fax Number

waltr@walterfieldsgroup.com
E-Mail Address


Signature of Property Owner

Joe Childress
(Name Typed / Printed)

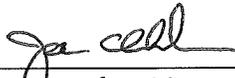
Moore's Chapel Holdings, LLC, MT. Holly Developers, LLC
Name of Petitioner(s)

4501 Prairie PKWY
Address of Petitioner(s)

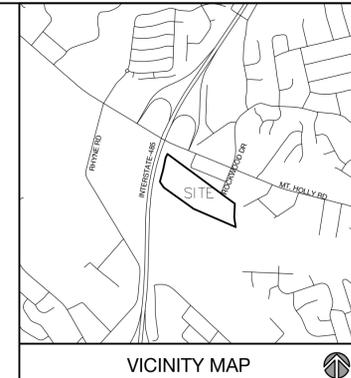
Cedar Falls, IA, 50613
City, State, Zip

704-467-0147
Telephone Number Fax Number

joe@mjcclt.com
E-Mail Address


Signature of Petitioner

Joe Childress
(Name Typed / Printed)



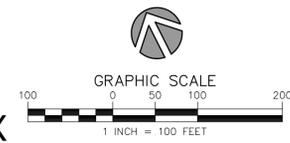
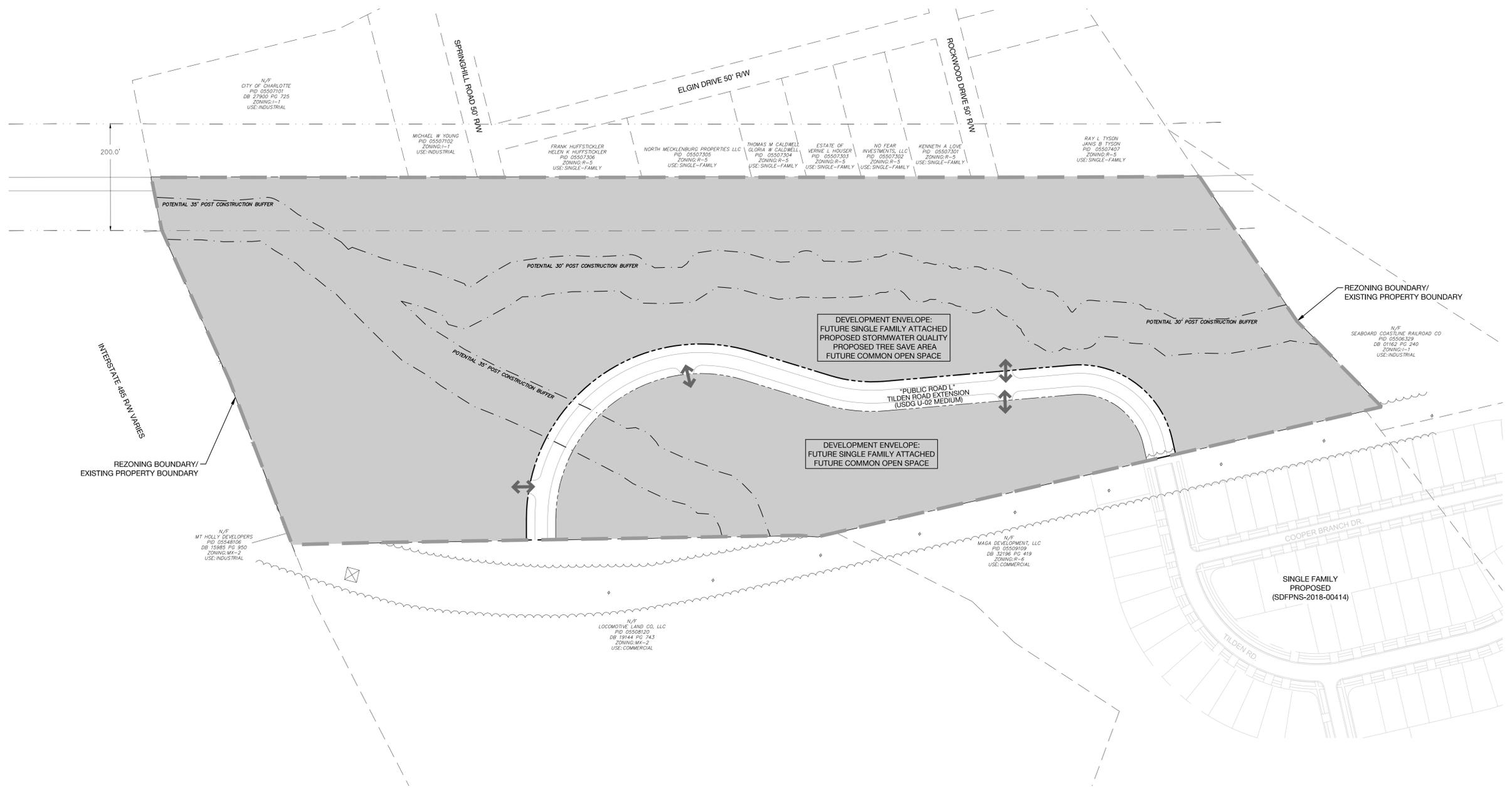
Moore's Chapel Holdings LLC

Moore's Chapel Townhomes
 Technical Data Sheet
 Charlotte, NC

NO.	DATE	BY	REVISIONS:

Project No: 19-012
 Date: 03.08.19
 Designed by: UDP
 Drawn By: UDP
 Sheet No:

RZ-1.0



REZONING PETITION #2019-XXX

DEVELOPMENT STANDARDS

Acreage: +/- 29.08 AC
Tax Parcel: 05548101 & 05548106
Existing Zoning: MX-2
Proposed Zoning: MX-2 SPA
Existing Uses: Vacant
Proposed Uses: Single Family Attached

Development Guidelines
Mt. Holly Developers LLC property at Mt. Holly Road and Rhyme Road

The following Standards and Conditions have been previously adopted for the entire site covered by Rezoning Petition 2005-150. These conditions shall remain in force, except as amended below, for all properties covered by the previous rezoning cases.

Legal Description

For the purposes of this Site Plan Amendment the only portion of the original Master Plan site plan included in this Amendment is Mecklenburg County Tax Parcel 05548101 and 05548106.

General Provisions

These development standards form a part of the Technical Data Sheet for the 'Rhyme Station mixed-use development' submitted by Mt. Holly Developers, LLC (this 'Technical Data Sheet'). Development of the property identified on this Technical Data Sheet (the 'property' or the 'site') and the individual components to be located thereon will be governed by the conditions of this Technical Data Sheet and those plans and drawings expressly incorporated herein by reference and the applicable provisions of the Mecklenburg County Zoning Ordinance (the 'Ordinance').

The development depicted on the illustrative site plan is schematic in nature and is intended only to describe the possible arrangement of uses on the site and illustrate design principals. Accordingly, the configuration, placement and size of the building footprints outlined on the illustrative site plan are schematic and, subject only to the provisions set forth below under architectural controls and restrictive covenants, may be altered or modified during design, development and construction phases within the maximum building/envelope lines established on the schematic site plan sheet.

Permitted Uses

The site may be developed for any uses (including accessory uses) which are permitted by right or under prescribed conditions under the Ordinance for the 1) Commercial Center (CC) district - with the exclusion of fast food restaurants, restaurants with drive through services, gas stations and convenience stores, 2) Business (B-2) district - limited to car dealerships and general retail and 3) Mixed-use (MX-2) district - non-residential uses shall not be permitted within the Mixed-use (MX-2) district.

The maximum square footage occupied by one single tenant is limited to and shall not exceed 140,000 square feet.

Building Limitations

- 1. No more than 306,400 square feet of retail/restaurant space may be constructed within the aggregate of the depicted building envelopes.
2. No more than 30,000 square feet of office space may be constructed within the aggregate of the depicted building envelopes.
3. No more than 150,000 square feet of automobile sales "car dealership" space may be constructed within the aggregate of the depicted building envelopes.
4. If a hotel/motel is constructed on the site, then it may contain no more than 100 rooms, together with any incidental or accessory uses permitted under the Ordinance which the petitioner may elect to provide for such facility.
5. For the Commercial Center (CC) zoning the maximum density per acre for residential uses shall be limited to 8.00 DUA and the maximum number of residential units shall be limited to 81 units.
6. Should fewer than 100 rooms be developed on the site, then additional office space may be developed on the site at the rate of 200 square feet of office space for each hotel room eliminated, up to a maximum of 20,000 additional square feet of office space.
7. No individual tenant shall occupy a single building or space for retail use of greater than 16,000 square feet along Private Road 'F'.
8. Petitioner agrees to accommodate and provide leaseable space at developers cost for the addition of a Charlotte-Mecklenburg police substation within the Commercial Center (CC) zoning area for a two year period following the commencement of construction.
9. As permitted under Chapter 11 of the Ordinance, single family residential dwelling units may be developed in conjunction with the Mixed-use (MX-2) district and shall adhere to the requirements established in Section 9.205.

Buffers

- 1. Buffer areas established on this Technical Data Sheet shall conform to the standards of Section 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304 thereof.
2. Buffer areas shall remain as open space, except to the extent necessary to accommodate access points, walls, fences, drainage pipes or channels, utility lines and facilities, pedestrian pathways and bicycle pathways.
3. No buildings, parking spaces, maneuvering areas or storm water detention facilities may be located within buffer areas, however, water quality/low impact development (LID) facilities, such as raingardens, may be within the buffers.
4. In all buffer areas where existing trees and natural vegetation have been cleared to accommodate walls, fences, pedestrian sidewalks or pathways or the installation of utility lines or facilities, the cleared, unimproved areas will be landscaped with trees and shrubs as required by Section 12.302 (8) of the Ordinance.
5. A 75 foot Class "B" buffer shall be maintained along the southern property line for the Commercial Center (CC) zoning. This buffer may be reduced by 25% per Section 12.302 (8) of the Ordinance.

Setbacks, Side Yards and Rear Yards

- 1. All buildings constructed within the site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the CC, B-2, and MX-2 zoning districts.
2. Internal private roads shall be designed with a minimum building and parking setback of fourteen (14) feet as measured from the back-of-curb with the exception of Private Road 'F' which shall have a minimum building and parking setback of ten (10) feet as measured from the back-of-curb.

Screening and Landscaping Areas

- 1. The owner shall install or cause to be installed within the setback areas established along Interstate 485 and Rhyme Road plants, trees and other materials in accordance with the Ordinance and shall thereafter maintain or cause to be maintained all such materials (including replacement of all dead or dying plants).
2. Defined areas of landscape clearing as depicted in TDS.2 shall be allowed along the western 50' landscape buffer of Interstate 485 to allow better vehicular visibility into the site. The owner shall install or cause to be installed within the cleared setback area established along Interstate 485 plants, trees and other materials in accordance with the Ordinance and shall thereafter maintain or cause to be maintained all such materials (including replacement of all dead or dying plants).

- 3. Landscape areas will be planted on the site to meet or exceed the requirements of the Ordinance.
4. Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.
5. Limited amount of clearing shall be allowed within the buffer/setback areas to promote the growth of existing vegetation and/or enhance the aesthetic appeal of the site.
6. Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a certificate issued by the Charlotte Department of Transportation.
7. All roof mounted mechanical equipment will be screened from view.
8. Petitioner shall exercise good faith efforts to preserve all trees 8 inches in caliper or greater within the setbacks along the roadways except to the extent that such preservation conflicts with the installation or replacement of utilities, driveway access and other similar site elements.
9. All buffers and setbacks shall be maintained by the owner as tree preservation areas that may be supplemented to enhance the appearance of the project.
10. All buffers and setbacks shall be maintained by the property owner as tree preservation areas that may be supplemented to enhance the appearance of the project.

Parking/Drive-through Facilities

- 1. Off street parking will meet the minimum standards established under the Ordinance.
2. All permitted drive-through facilities located on the site shall be subject to stacking requirements of the Ordinance.
3. Bike racks will be provided per Section 12.202a of the Ordinance.
4. Throughout the development, parking shall not be permitted between the buildings and internal private and public streets, with the exception of on-street parking.
5. Parking for proposed uses along Rhyme Road shall be located to the rear or side of the building and shall be screened from view when possible.

Lighting

- 1. Petitioner agrees to install pedestrian scale lighting along internal streets.
2. All direct lighting within the site (except streetlights which may be erected along Rhyme Road) shall be fully shielded and designed such that direct illumination does not extend past any exterior property line.
3. No wall pack light fixtures will be allowed on any structures placed on the site.

Signs

- 1. All signs placed on the site shall be ground mounted and will be erected in accordance with the requirements of Chapter 13 of the Ordinance.
2. Pole mounted signs will not be allowed, nor will flashing signs of any nature.
3. Temporary constructions signage can not be located within the required setback, and must be removed no later than 60 days following the receipt of the certificate of occupancy for the structure addressed by the signage.
4. Building identification signs within interior parking lots will be allowed at the walkway leading to the building at the point the walkway exits the parking lot.
5. Signage located within the Mixed-use (MX-2) district shall conform to Section 13.109 (1) of the Ordinance.
6. Signage located within the proposed Commercial Center (CC) and Business (B-2) district shall conform to Section 13.109 (4) of the Ordinance.

Access Points (Driveways)

- 1. The number of access points to Rhyme Road shall be limited to two (2) right-in/right-out access and three (3) full access.
2. The placement and configuration of these access points are subject to minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and the North Carolina Department of Transportation.
3. All proposed commercial driveway connections to a future public street shall require a driveway permit to be submitted to the Charlotte Department of Transportation for final review and approval.
4. All proposed trees, berms, walls, fences, and/or identification signs must not interfere with sight distance at the entrance(s).

Open Space

- 1. The common open space located along Rhyme Road 'Area 2' (as generally depicted on TDS.2) shall contain a minimum of 0.40 acres.
2. The petitioner reserves the right to utilize the open space to accommodate pedestrian walkways, bicycle pathways, sidewalks, grading, slopes, walls, fences, signs and graphics, lighting, drainage and utilities.
3. Common open space occupied or used for grading, slopes, walls, fences, signs, drainage and utilities shall not be counted toward the 10% useable common open space.
4. In common open space areas located outside of the "Catawba River/Lake Wylie Watershed District" the petitioner reserves the right for improvements to include sidewalks, playground (tot lot), pedestrian lighting, benches, tables and chairs, fountains, additional hardscape materials, trash receptacles and any other site amenity allowed by the Ordinance.
5. The petitioner commits to maintain a 15% tree save area with in the 200 foot "Catawba River/Lake Wylie Watershed District" buffer located within the multi-family (condominiums / apartments) property.

Architectural Controls and Restrictive Covenants

- 1. All buildings constructed on the site shall be architecturally compatible in appearance through the use of similar, as well as complementary building materials, colors and design (giving due considerations to the use of each building).
2. The first floor of all buildings shall be designed to encourage and complement pedestrian scale interest and activity.
3. If drive-through windows and services are included within the development, they must not compromise pedestrian circulation.
4. Buildings located within the development shall be designed to relate to the overall pedestrian environment. Buildings shall be designed to include transparent openings, ornamentation and architectural character and shall raise the standard level of the design to create a place of interest.

- 5. Buildings located with the development shall be oriented toward the street and shall create entrances with pedestrian interest.
6. Prior to issuance of building permits, the Charlotte-Mecklenburg Planning department shall have the opportunity to review the proposed plans against the approved conditional plans to assure compliance with design principals illustrated on the plans.
7. The scale and orientation of the townhomes, multi-family (condominiums / apartments) and office should complement the scale of the surrounding residential buildings if present.
8. Car dealerships shall be designed to respond to the pedestrian character of the development and shall be oriented toward Public Road 'H'.
9. Buildings constructed within building envelopes 4, 5, 7, 8, 12, 13 and 14 shall have windows that face Private Roads 'A', 'B', 'C', and 'F' and Public Road 'D' and shall avoid long expanses of solid walls, greater than 20 feet in length, through the introduction of articulated facades and other specifically designed architectural elements.
10. Trash and/or dumpster/compactor and recycling areas shall comply with Section 12.403 of the Charlotte-Mecklenburg Zoning Ordinance.

Storm Water Management

Storm water runoff from the site will be managed through proven techniques which satisfy the standards imposed by Mecklenburg County. No storm water detention shall be allowed within the setback along Rhyme Road and Interstate 485.

The petitioner shall abide by the S.W.I.M. stream buffer regulations where applicable.

The use of structural storm water treatment systems (wet ponds, extended detention wetlands, bio-retention, etc.) may be incorporated into the site and designed according to the specifications in the N.C. Department of Environment and Natural Resources best management practices manual, April 1999.

Fire Protection

Fire hydrants will be provided within the landscape setback areas as required by the Fire Marshall. For buildings accessed through screened parking lots, hydrants must be installed adjacent to the parking lot and easily accessible by fire fighting equipment.

Transportation Commitments

- 1. Petitioner shall improve Rhyme Road to include left-turn lanes into the proposed development.
2. The petitioner, its successors and assigns, agrees to undertake or caused to be undertaken the following roadway improvements in connection with development of the site in accordance with this petition:
a. Rhyme Road
Construct left-turn lane(s) on Rhyme Road with a minimum 150 feet of storage, a 15:1 bay taper and 45:1 through lane taper
b. Other.
Provide for a minimum of 150 feet of internal channelization (measured from the right-of-way) at the entrances to the site from Rhyme Road.
3. Petitioner to coordinate access point for Public Road 'D' onto Rhyme Road with the future alignment of the collector road west of Rhyme Road that was developed by the Charlotte-Mecklenburg Planning Commission.
4. Proposed Public and Private Roads and existing Public Road "K" as identified on the Technical Data Sheets shall be designed and constructed to conform to the Charlotte-Mecklenburg Land Development Standards (CMLDS) and to be subject to review by the Charlotte Department of Transportation prior to the issuance of building permits.
5. Petitioner shall preserve and dedicate right-of-way along Rhyme Road to accommodate a future 700 foot centerline radius, pending the recommendation and approval of the North Carolina Department of Transportation.
6. Petitioner reserves the right to declare Public Road 'I' as a Private Road in the event that parcel #053-01-131, directly to the west of Rhyme Road, redevelops and does not provide a public road connection at this intersection.

Sidewalks and Internal Streets

- 1. Petitioner shall install an 8 foot wide sidewalk with a minimum 8 foot wide planting strip parallel to the site's frontage on Rhyme Road and public and private roads located within the Commercial Center (CC) and Business (B-2)(CD) district.
2. As conceptually depicted on the schematic site plan, the petitioner shall install internal sidewalks on the site that will provide pedestrian connections between the various buildings located thereon and to the sidewalks installed along Rhyme Road.
3. Petitioner shall contact CSX Transportation and obtain right-of-entry access to the CSX property located along the northern property line.
4. Except where necessary to accommodate significant design and architectural elements located on the site, internal private roads shall be designed to have street trees and sidewalks a minimum of 8 feet in width provided that any deviation from the minimum 8 feet sidewalk width shall relate to pedestrian walk areas of an appropriate width included as part of the above described significant design features.
5. Sidewalks in the MX-2 portion of the site will be installed in accordance with the standards of the Subdivision Ordinance.

Development Phasing Provisions

In order to assure that the infrastructure that serves the area is adequate to serve the proposed development, the development of the site will be tied to the provision of specific infrastructure improvements. The provision of these improvements is not tied to specific calendar dates but rather serves as a limiting factor to the amount of development that can occur on the site. As specified below, certain levels of development will be permitted in conjunction with the provision of certain road improvements that have been designed to improve existing conditions and to accommodate the anticipated traffic impact that can be expected from the new development.

Phase One (A)

In conjunction with the provision of the improvements listed below, the Petitioner may develop up to 159,600 square feet of retail space, 16,530 square feet of restaurant space, a hotel, a car dealership, and 51 townhomes in the west sector of the development.

In connection with any such Phase One (A) development, the following improvements must be installed or contracted for prior to any development and the improvements will be installed in various portions of the site as those portions of the site develop prior to the issuance of any certificate of occupancy for development on that portion of the site.

- Petitioner commits to acquire and dedicate right-of-way for the design of the 2010 intersection configuration as defined in the Petitioner's traffic impact study at Mount Holly Road and Rhyme Road, to include the Cline property improvements, and consisting of the following:
o Rhyme Road (southern leg): dual southbound through lanes to extend from Mt. Holly Road to Driveway #3 with one dropping as a left-turn lane, dual northbound left-turn lanes, a northbound through lane, dual northbound right-turn lanes, and a median extending from Mount Holly Road to Driveway #3.
o Mount Holly Road: Dual westbound left-turn lanes.
o Relocation of railroad gates and traffic signal modifications.
• Petitioner commits to work in good faith with the Cline property (Charlotte rezoning petition 2003-088) to jointly design and fund the improvements at Mount Holly Road and Rhyme Road.

- Building permits will be issued when the construction contract is let for the above referenced intersection improvements for the southern leg of Rhyme Road at the Mount Holly Road and Rhyme Road intersection.
• Other site related construction except buildings may proceed prior to issuance of the intersection construction contract with applicable permits.

Mount Holly Road and Rhyme Road

- Install a northbound right-turn lane on Rhyme Road with 350 feet of effective storage.

Driveway #1 and Rhyme Road (Right-in/Right-out)

- Install a northbound right-turn lane on Rhyme Road with 150 feet of storage.

Driveway #2 and Rhyme Road (Right-in/Right-out)

- Install a northbound right-turn lane on Rhyme Road with 150 feet of storage.

Driveway #3 and Rhyme Road*

- Install a traffic signal when traffic signal warrant requirements are met.
- Install dual southbound left-turn lanes on Rhyme Road each with 300 feet of storage.
- Install an exclusive westbound right-turn lane on Driveway #3.

*Improvements at this intersection will be constructed following an approved centerline improvement on Rhyme Road (currently expected to be a 700-foot radius).

Driveway #4 and Rhyme Road

- Install a southbound left-turn lane on Rhyme Road with 150 feet of storage.

Driveway #5 and Rhyme Road

- Install a southbound left-turn lane on Rhyme Road with 150 feet of storage.
- Install a northbound left-turn lane on Rhyme Road with 150 feet of storage.

(The improvements related to specific driveways as listed above will be designed and installed as part of the permitting process for the specific driveway, unless some of the improvements have already been made as part of other infrastructure improvements called for in these provisions.)

Phase One (B)

In conjunction with the provision of the improvements listed below, the Petitioner may develop any combination of townhomes multi-family units (condominiums/ apartments) with the total units constructed not to exceed 373 units. The Petitioner may apply for building permits upon the letting of contracts for the improvements listed and may not receive certificates of occupancy for more than 50% of the proposed units until the specific improvements have been completed in connection with any such Phase One (B) development.

Moore's Chapel Road and Old Moore's Chapel Road

The following improvement will be constructed by the Petitioner unless any or all of the improvements have already been completed by others or the requirement for any or all of the listed improvements are waived by either CDOT or NCDOT as impractical or otherwise unnecessary.

- Install an eastbound left-turn lane on Moore's Chapel Road with 150 feet of storage.
- Install a westbound left-turn lane on Moore's Chapel Road with 150 feet of storage.
- Install a southbound right-turn lane on Old Moore's Chapel Road with 150 feet of storage.

Phase Two

Once the conditions imposed under Phase One have been satisfied, the Petitioner may develop the remaining 58,082 square feet of retail space, 8-screen movie theater, a car dealership, 6,775 square feet of restaurant space, and 28,800 square feet of office space. In connection with any such Phase Two development, the following improvements must be installed or contracted for prior to any development and the improvements will be installed in various portions of the site as those portions of the site develop, reserving the Petitioner's right to install any or all improvements if it to do so would result in greater efficiency.

Mount Holly Road and Mount Holly-Huntersville Road

- Modify traffic signal phasing to have protected phasing on the westbound and southbound left-turn movements.**
- Extend the westbound left-turn lane on Mount Holly Road by 135 feet.
- Extend the southbound left-turn lane on Mount Holly-Huntersville Road by 90 feet.

**Contingent upon CDOT's approval.

Mount Holly Road and Rhyme Road

- Addition of a westbound left-turn lane on Mount Holly Road with 225 feet of storage.

The Petitioner may seek the issuance of building permits if contracts have been let for the road improvements per the phasing of the development, as outlined above. Notwithstanding the specific transportation commitments outlined above, the Petitioner will be allowed to commence other overall site development design, permitting, and construction such as grading, storm drainage, utility installation, internal private driveway construction, public street improvements, and/or other similar activities at any time that relate to the development of the entire site and do not relate to the specific development of any specific individual site within the overall development, all in accordance with the conditions of the approved zoning and other applicable ordinances.

Amendments to Rezoning Plan

- 1. Future amendments to this Technical Data Sheet may be applied for by the then owner or owners of the site in accordance with the provisions of Chapter 6 of the Ordinance.

Binding Effect

- 1. If this rezoning petition is approved, all conditions applicable to development of the site imposed under this 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 subsequent owners of the site and their respective successors in interest or assigns.

Initial submission: 2-15-19-1.1



URBAN DESIGN PARTNERS

1318-e6 central ave. p 704.334.3303
charlotte, nc 28205 f 704.334.3305
urban设计中partners.com
nc firm no: P-0418
sc cca no: C-03044

Moore's Chapel Holdings LLC

Moore's Chapel Townhomes

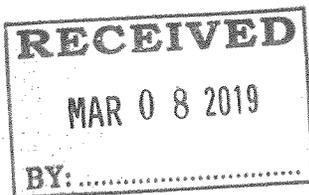
Development Notes & Standards
Charlotte, NC

NO. DATE: BY: REVISIONS:

Project No: 19-012
Date: 03.08.19
Designed by: UDP
Drawn By: UDP
Sheet No:

REZONING PETITION #2019-XXX RZ-3.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-046

Petition #: _____
Date Filed: 3/8/2019
Received By: [Signature]

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO
Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO
Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO
Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO
Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO
Current Land Use: commercial/vacant (Acres): ± 2.158
Existing Zoning: I-2 Proposed Zoning: TOD-M
Overlay: N/A Tree Survey Provided: Yes: N/A:

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, Katherine Mahoney, Isaiah Washington, and Eric Lemieux
Date of meeting: 3/6/2019

(*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:

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-C
Signature of Property Owner

Spectrum Companies (Attn: Jason Fish)
Name of Petitioner
300 S. Tryon Street, Suite 210
Address of Petitioner
Charlotte, NC 28202
City, State, Zip
704.338.3212
Telephone Number
jfish@spectrumcos.com
E-mail Address
SEE ATTACHMENT D
Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
073-064-29	1127 S Mint St, Charlotte, NC 28203	Speedee Prints LLC	5425 Closeburn Rd, Apt 301, Charlotte, NC 28210	.360	12/08/2016
073-064-26	1115 S Mint St, Charlotte, NC 28203	HA-CT Properties, LLC	4403 Columbine Ct, Charlotte, NC 28211	.820	01/02/2019
073-064-23	308 W Carson Blvd, Charlotte, NC 28203			.494	
073-064-28	307 W Palmer St, Charlotte, NC 28203	CCJ Properties LLC	PO Box 1144, Waxhaw, NC 28173	.484	04/26/2012

ATTACHMENT A

**REZONING PETITION NO. 2019-
Spectrum Companies**

**OWNER JOINDER AGREEMENT
Speedee Prints, LLC**

The undersigned, as the owner of the parcel of land located at 1127 S Mint St, Charlotte, NC that is designated as Tax Parcel No. 073-064-29 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from I-2 zoning district to the TOD-M 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 6 day of March, 2019.

Speedee Prints

By:

Name:

Its:

Patricia Economides
PATRICIA ECONOMIDES
owner

ATTACHMENT B

REZONING PETITION NO. 2019-
Spectrum Companies

OWNER JOINDER AGREEMENT
HA-CT Properties, LLC

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

1. 1115 S Mint St, Charlotte, NC that is designated as Tax Parcel No. 073-064-26
2. 308 W Carson Blvd, Charlotte, NC that is designated as Tax Parcel No. 073-064-23

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from I-2 zoning district to the TOD-M 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 5th day of March 2019.

HA-CT Properties, LLC

By:

Name: Debra M. Jones

Its: Trustee

ATTACHMENT C

REZONING PETITION NO. 2019
Spectrum Companies

OWNER JOINDER AGREEMENT
CCJ Properties

The undersigned, as the owner of the parcel of land located at 307 W Palmer St, Charlotte, NC that is designated as Tax Parcel No. 073-064-28 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from I-2 zoning district to the TOD-M 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 6 day of March, 2019.

CCJ Properties

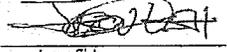
By: Alan James
Name: Alan James
Its: Manager

ATTACHMENT D

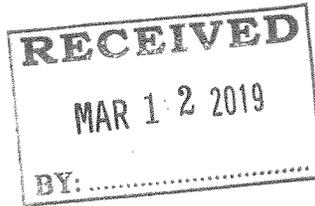
REZONING PETITION NO. 2019
Spectrum Companies

Petitioner:

Spectrum Companies

By: 
Name: Jason Fish
Title: VP of Development

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-047

Petition #: _____
Date Filed: 3/12/2019
Received By: BH

Property Owners: NR Pinehurst Property Owner LLC
Owner's Addresses: 1057 East Morehead St, Ste 300, Charlotte, NC 28204
Date Properties Acquired: 12/19/2014
Property Addresses: 3924 Providence Road, Charlotte, NC 28211
Tax Parcel Numbers: 183-121-11
Current Land Use: multi-family residential community (Acres): ± 36.058
Existing Zoning: MUDD-O Proposed Zoning: MUDD-O SPA
Overlay: N/A Tree Survey Provided: Yes: N/A
Required Rezoning Pre-Application Meeting* with: John Kinley, Kent Main, Molly Haynes, Dave Pettine, Scott Correll, and Isiah Washington
Date of meeting: 2/19/2019

(*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): 5 years.

Purpose/description of Conditional Zoning Plan: To amend the currently approved conditional plan to change the proposed building configuration and to modify/increase the number of allowed residential units.

Keith MacVean, Dujuana Keys & 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)
704.331-2371 (DK) 7004-339-5888 (DK)
704-331-1144 (JB) 704-378-1925 (JB)
Telephone Number Fax Number

keithmacvean@mvalaw.com;
dujuanakeys@mvalaw.com; jeffbrown@mvalaw.com
E-mail Address

Signature of Property Owner

NR Pinehurst Property Owner LLC (Attn: Michael Gribble)
Name of Petitioner

558 E. Stonewall St, Ste 120
Address of Petitioner

Charlotte, NC 28202
City, State, Zip

704.714.9681
Telephone Number Fax Number

mgribble@nwravin.com
E-mail Address

Signature of Petitioner



NORTHWOOD RAVIN

NORTHWOOD RAVIN, LLC

558 EAST STONEWALL STREET
SUITE 120
CHARLOTTE, NC 28202

PINEHURST MULTIFAMILY REZONING

4100 PROVIDENCE ROAD
CHARLOTTE, NC 28204



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

CONDITIONAL REZONING PLAN

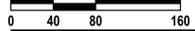
Project No.
4403

Issued
03/11/19

Revised



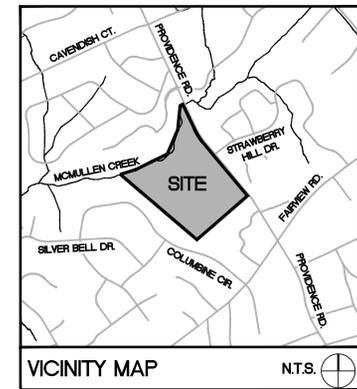
SCALE: 1"=80'



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 ©



VICINITY MAP

N.T.S.

SURVEY DISCLAIMER

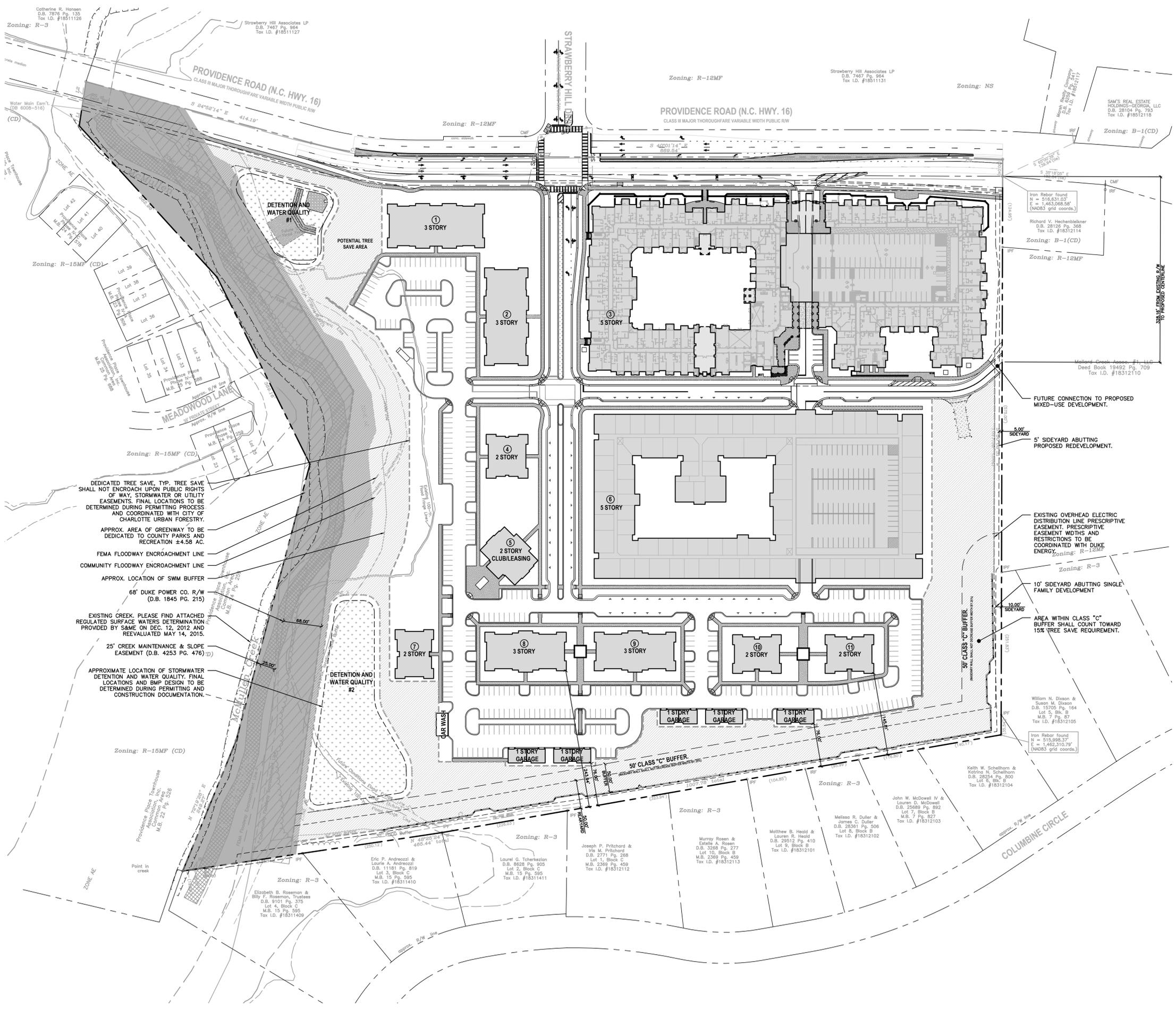
ALTA/ASCM LAND TITLE SURVEY ISSUED OCTOBER 31, 2014.
PROVIDED BY A.G. ZOUTEWELLE SURVEYORS, 1418 EAST
FIFTH STREET, CHARLOTTE, NC 28204, (704) 372-9444.

LEGEND

- GREENWAY DEDICATION AREA
- CREEK EASEMENT
- DUKE RIGHT-OF-WAY
- DEDICATED TREE SAVE
- PROPOSED SIDEWALK CONNECTION
- PROPOSED CURB & GUTTER

REZONING SUMMARY	
PETITIONER:	NR PINEHURST PROPERTY OWNER, LLC 558 E. STONEWALL STREET SUITE 120 CHARLOTTE, NC 28202
PROPERTY OWNER:	NR PINEHURST PROPERTY OWNER, LLC 558 E. STONEWALL STREET SUITE 120 CHARLOTTE, NC 28202
REZONING SITE AREA: (GROSS)	±36.06 AC
AREA TO BE DEDICATED: (PROVIDENCE ROAD TRANSITIONAL R/W)	±1.89 AC
REZONING SITE AREA: (NET)	±34.21 AC
TAX PARCEL #:	183-121-11
EXISTING ZONING:	MUDD-O
PROPOSED ZONING:	MUDD-O - SPA
EXISTING USE:	MULTI-FAMILY RESIDENTIAL
PROPOSED USE:	MULTI-FAMILY RESIDENTIAL
MINIMUM SETBACK:	14' FROM THE FUTURE BACK OF CURB
MINIMUM SIDE YARD:	10' FOR SITE BOUNDARY ABUTTING SINGLE FAMILY RESIDENTIAL
	5' FOR SITE BOUNDARY ABUTTING PROPOSED MIXED-USE DEVELOPMENT
MINIMUM REAR YARD:	50'
MAXIMUM BUILDING HEIGHT:	5 STORIES
PARKING RATIO:	1.50/UNIT MINIMUM
DEDICATED TREE SAVE:	REQUIRED: 5.13 AC (15%) PROVIDED: 5.19 AC
APPROVED DENSITY:	581 UNITS PER APPROVED REZONING PETITION #2013-023 & #2015-052 & #2016-032
PROPOSED DENSITY:	854 UNITS

- SEE SHEET RZ-200 FOR DEVELOPMENT STANDARDS
- SEE SHEET RZ-200 FOR ZONING EXHIBIT



DEDICATED TREE SAVE, TYP. TREE SAVE SHALL NOT ENCRoACH UPON PUBLIC RIGHTS OF WAY, STORMWATER OR UTILITY EASEMENTS. FINAL LOCATIONS TO BE DETERMINED DURING PERMITTING PROCESS AND COORDINATED WITH CITY OF CHARLOTTE URBAN FORESTRY.

APPROX. AREA OF GREENWAY TO BE DEDICATED TO COUNTY PARKS AND RECREATION ±4.58 AC.

FEMA FLOODWAY ENCROACHMENT LINE

COMMUNITY FLOODWAY ENCROACHMENT LINE

APPROX. LOCATION OF SWM BUFFER

68' DUKE POWER CO. R/W (D.B. 1845 PG. 215)

EXISTING CREEK. PLEASE FIND ATTACHED REGULATED SURFACE WATERS DETERMINATION PROVIDED BY S&ME ON DEC. 12, 2012 AND REEVALUATED MAY 14, 2015.

25' CREEK MAINTENANCE & SLOPE EASEMENT (D.B. 4253 PG. 476)

APPROXIMATE LOCATION OF STORMWATER DETENTION AND WATER QUALITY. FINAL LOCATIONS AND BMP DESIGN TO BE DETERMINED DURING PERMITTING AND CONSTRUCTION DOCUMENTATION.

Strawberry Hill Associates LP
D.B. 7467 Pg. 964
Tax ID. #18511131

Strawberry Hill Associates LP
D.B. 7467 Pg. 964
Tax ID. #18511131

SAK'S REAL ESTATE HOLDINGS-GEORGIA, LLC
D.B. 28104 Pg. 793
Tax ID. #18512118

Richard V. Hechenbleikner
D.B. 28129 Pg. 388
Tax ID. #18312114

Richard V. Hechenbleikner
D.B. 28129 Pg. 388
Tax ID. #18312114

Deed Book 19492 Pg. 709
Tax ID. #18312110

William N. Dixon & Susan M. Dixon
D.B. 17070 Pg. 164
Lot 5, Block B
M.B. 7 Pg. 87
Tax ID. #18312105

Iron Rebar found
N = 515,998.37'
E = 1,462,310.75'
(NAD83 grid coords.)

Keith W. Schellhorn & Katrina N. Schellhorn
D.B. 29254 Pg. 800
Lot 6, Block B
Tax ID. #18312104

John W. McDowell IV & Lauren B. McDowell
D.B. 25689 Pg. 892
Lot 7, Block B
M.B. 7 Pg. 827
Tax ID. #18312103

Melissa R. Duller & James C. Duller
D.B. 28361 Pg. 506
Lot 5, Block B
Tax ID. #18312102

Matthew B. Heald & Lauren R. Heald
D.B. 29512 Pg. 410
Lot 9, Block B
Tax ID. #18312101

Murray Rosen & Estelle A. Rosen
D.B. 3268 Pg. 277
Lot 10, Block C
M.B. 2369 Pg. 459
Tax ID. #18312113

Joseph P. Pritchard & Rita M. Pritchard
D.B. 2771 Pg. 268
Lot 1, Block C
M.B. 2369 Pg. 459
Tax ID. #18312112

Laurel G. Toherkazian
D.B. 8628 Pg. 905
Lot 2, Block C
M.B. 15 Pg. 595
Tax ID. #18311411

Eric P. Andreozzi & Laurie A. Andreozzi
D.B. 1181 Pg. 819
Lot 3, Block C
M.B. 15 Pg. 595
Tax ID. #18311410

Elizabeth B. Roseman & Billy F. Roseman, Trustees
D.B. 6101 Pg. 375
Lot 4, Block C
M.B. 15 Pg. 595
Tax ID. #18311409

Providence Place Townhouse Association, Inc.
M.B. 22 Pg. 528

Providence Place Townhouse Association, Inc.
M.B. 15 Pg. 595

Site Development Data:

- Acreage: ± 36.058 acres
- Tax Parcel #: 183-121-11
- Existing Zoning: MUDD-O
- Proposed Zoning: MUDD-O SPA
- Existing Uses: residential.
- Proposed Uses: Up to 854 multi-family dwelling units together with accessory uses, as allowed in the MUDD-O zoning district.
- Maximum Building Height: Up to five (5) stories and as indicated on the Rezoning Plan. Height to be measured as required by the Ordinance.
- Parking: As required by the Ordinance
- Open Space: A minimum of 15% of the Site will be established as tree save/open space areas as defined by the Ordinance

1. General Provisions:

a. These Development Standards form a part of the Rezoning Site Plan associated with the Rezoning Petition filed by Northwood Ravin Development to accommodate development of multi-family dwellings on an approximately 36.058 acre site located at 3924 Providence Road (the "Site").

b. Development of the Site will be governed by the attached Rezoning Site Plan and these Development Standards (collectively referred to as the "Rezoning Plan") as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD-O zoning district classification shall govern development taking place on the Site.

c. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, and other site elements set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the development and site elements proposed, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the Development Standards, provided, however, any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Changes to the Rezoning Plan not permitted by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

d. Parking layouts and driveways for surface and structured parking may be modified to accommodate final building locations, and parking spaces may be located within the maximum building/parking envelopes and development area boundaries to the extent permitted by the Ordinance. Sidewalks generally depicted on the Rezoning Plan are intended to reflect the general pedestrian circulation for development on the Site but the specific locations of such sidewalks may be subject to variations that do not materially change the design intent generally depicted on the Rezoning Plan.

e. 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.

f. The redevelopment of the Site is planned to occur in phases. The improvements depicted on the site plan will be constructed as that portion of the Site is redeveloped as generally depicted on the Rezoning Plan.

2. Optional Provisions:

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

(i) As generally depicted on the Rezoning Plan, parking and maneuvering space shall be allowed between the rear of Building # 3 and the internal private street along the private drive that extends through the center of Building # 3, as generally depicted on the Rezoning Plan.

(ii) The existing buildings, parking and maneuvering areas, amenities and other improvements located on the Site may remain in place and be utilized until such time that the relevant portions of the Site on which these improvements are located are redeveloped.

(iii) Sidewalk and planting strip width, near culvert at northern property line, will be determined during construction plan review and approved by CDOT and Engineering and Property Management.

3. Permitted Uses & Development Area Limitation:

a. The Site may be developed with up to 854 multi-family dwelling units together with accessory uses allowed in the MUDD-O zoning district.

b. Surface parking areas will not be allowed between Providence Road and the new buildings that abut Providence Road, provided, however, surface parking areas may be located to the side of the new buildings abutting Providence Road as generally depicted on the Rezoning Plan.

c. Structured parking facilities may be located on the Site.

d. Those buildings designated as Building Nos. 1, 2, 4 and 5 on the Rezoning Plan are each located in a building envelope that is formed by the relevant adjacent internal streets and/or parking areas, and each of these buildings may rotate and/or change locations within their respective building envelopes at the option of Petitioner.

4. Transportation/Access Notes:

a. Except as described below in this subsection access to the Site will be from Providence Road as generally depicted on the Rezoning Plan. The Rezoning Plan, however, references a possible vehicular/pedestrian connection from the Site to that certain parcel located adjacent and to the south of the Site and known as Tax Parcel # 183-121-10 (the "Southern Adjacent Parcel"). In order to promote such a possible future vehicular/pedestrian connection between the Site and the Southern Adjacent Parcel, Petitioner agrees to the following provisions:

- (i) the Petitioner shall design the Site in such a manner to allow for one vehicular and pedestrian connection by way of a private street to permit pedestrians and automobiles between the Site and the Southern Adjacent Parcel (but not commercial truck traffic);
- (ii) as part of the development contemplated by this Rezoning Plan, such connection

will be installed by Petitioner to the common property line in substantially the location and containing substantially the same design generally depicted on the Rezoning Plan, including sidewalk improvements consisting of a 6 foot wide sidewalk and 8 foot wide planting strip on both sides of such private street;

(iii) minor adjustments in the location of the possible connection can be made in consultation with Planning Department during the Planned Multi-family review and approval process;

(iv) to the extent that development of the portion of the Site over which the possible connection is to be made occurs prior to redevelopment of the Southern Adjacent Parcel, the portion of the connection on the Site will be designed and constructed at the property line within ±2 feet above or below the existing grade of the Southern Adjacent Parcel to facilitate the connection;

(v) the connection shall be opened only upon the redevelopment of the Southern Adjacent Parcel in such a manner as to require, either by conditional rezoning conditions, subdivision requirements or other regulatory requirements, a vehicular and pedestrian connection from the Southern Adjacent Parcel to the Site;

(vi) once such connection is made it may not be gated and shall remain open to the public for pedestrians and automobiles (but not commercial truck traffic) by way of a private street connection; and

(vii) it is understood that no financial payment shall be due to either the Petitioner nor the owner of the Southern Adjacent Parcel for the connection except that such parties shall agree to bear the cost of the maintenance and repair of their respective portions of the connection pursuant to a reciprocal cross-easement agreement to be recorded in Mecklenburg County Public Registry.

b. Petitioner will dedicate in fee-simple to the City of Charlotte that portion of the Site's frontage on Providence Road that is more particularly depicted on the Rezoning Plan as right-of-way. This right-of-way dedication will occur prior to the issuance of the 327th certificate of occupancy for the first new building completed on the Site (bldg. # 3).

c. The Petitioner will design the primary driveway on Providence Road as a full movement signalized driveway as generally depicted on the Rezoning Plan.

d. Subject to the provisions and design described in Section 3.d. above the placements and configurations of vehicular access points are subject to any minor modifications, as approved by CDOT/NCDOT, required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT/NCDOT in accordance with applicable published standards.

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

f. The southernmost vehicular access point into the Site from Providence Road shall be a private drive that extends from Providence Road, through the structured parking facility to the internal private street. A schematic design of this private drive is set out on the Rezoning Plan. This private drive will be open to the public for vehicular ingress and egress to and from the Site.

5. Architectural Standards:

a. The exterior building materials used on the new buildings to be constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, and/or wood. At least 35% of the exterior of each building, exclusive of windows, doors and roofs, will be constructed of brick, stone, synthetic stone, precast stone or precast concrete. Vinyl as a building material on the new buildings to be constructed on the Site may only be used on windows, soffits, trim and railings.

b. The maximum height in stories of each multi-family apartment building to be constructed on the Site is designated on the Rezoning Plan.

c. The buildings to be constructed on the Site may have a variety of architectural styles, however, such buildings shall be compatible to and complementary with the building previously constructed in terms of architectural style and character and exterior building materials.

d. The Rezoning Plan illustrates a number of accessory structures (garages) along the western property boundary. The number of these accessory structures (garages) that may be constructed along this western property boundary may vary from what is depicted. The garages shall have a maximum height of one story, and the garages shall be consistent with the principal buildings in terms of building materials, texture and color, but may have simplified architectural detailing and features.

e. A prominent pedestrian entry into building three (3) shall be provided at a grade differing from the grade of the public sidewalk along Providence Road, and shall be highly visible and architecturally treated as a prominent pedestrian entrance through a combination of at least five (5) of the following features: (i) decorative pedestrian lighting/sconces; (ii) architectural details carried through to the upper stories; (iii) covered porches, canopies, awnings or sunshades; (iv) archways; (v) transom windows; (vi) terraced or raised planters that can be utilized as seat walls; (vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (viii) double doors; (ix) stoops or stairs; and/or (x) contrasting pavement from the primary sidewalk; (xi) other elements to be determined during the urban plan review.

f. Meter banks will be screened.

g. HVAC and related mechanical equipment will be screened from public view at grade.

h. Exterior dumpster areas and recycling areas will be enclosed by a solid wall with one side being a decorative gate. The wall used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the buildings. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side. Additionally, dumpster and recycling areas may be located within structured parking facilities or within the interior of a building located on the Site, and any such dumpster and recycling areas may have roll up doors and containers can be moved outside to be emptied and then returned to the interior of the structured parking facility or a building.

6. Streetscape, Buffers and Landscaping:

a. Setbacks and yards as required by the Ordinance will be provided.

b. The Petitioner will provide eight (8) foot planting strips and six (6) foot sidewalks along the Site's frontage on Providence Road as generally depicted on

c. As generally depicted on the Rezoning Plan, Petitioner will provide a sidewalk and cross-walk network that links the buildings on the Site with one another and links the buildings to the sidewalks along the abutting public street. The minimum width for

this internal sidewalk will be five (5) feet.

d. Upon the demolition of the existing buildings located on the western boundary of the Site and a portion of the southern boundary of the Site adjacent to the existing single family homes on Columbine Circle (which is expected to occur last), Petitioner shall provide and establish a 50 foot rear yard and a 50 foot Class C buffer along the western boundary of the Site and a 50 foot Class C buffer along a portion of the southern boundary of the Site as generally depicted on the Rezoning Plan. This 50 foot Class C buffer will be landscaped with a combination of trees and shrubs that will exceed the buffer requirements of the Ordinance. The width of the 50 foot Class C buffer may not be reduced. Accessory structures will not be allowed in the 50 foot Class C buffer.

e. Screening requirements of the Ordinance will be met.

f. Notwithstanding anything contained herein to the contrary and notwithstanding that the redevelopment of the Site is expected to occur in phases. The Petitioner has install a minimum six (6) foot tall masonry wall along a portion of the western boundary of the Site and along a portion of the southern boundary of the Site as generally depicted on the Rezoning Plan. The installation of this six (6) foot tall masonry wall shall not permit the width of the 50 foot Class C buffer to be reduced when such buffer is established as provided above.

g. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

7. Environmental Features:

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

The Site will comply with the Tree Ordinance. Tree save areas are generally depicted on the Rezoning Plan but may be relocated to other portions of the Site during the design development and construction phases.

8. Open Space/Tree Save Areas/Greenway Conveyance:

a. Open space/tree save areas equaling 15% of the Site area will be provided. The open space/tree save areas depicted on the Rezoning Plan may be relocated to other locations on the Site. The area of the Site dedicated to County Parks and Recreation for a greenway may be used to meet this requirement.

b. Prior to the issuance of the last certificate of occupancy for the buildings constructed along McMullen Creek as generally depicted on the Rezoning Plan, Petitioner will dedicate and convey to Mecklenburg County Parks and Recreation for greenway purposes the area and access easement as generally depicted on the Rezoning Plan along McMullen Creek.

c. The amenity areas for the proposed multi-family residential community to be developed on the Site shall be located generally in those areas depicted on the Rezoning Plan. The existing amenity areas (developed as part of the original multi-family buildings constructed on the Site) located on Site may remain in place until such time as that portion of the Site is redeveloped.

9. Signage:

a. Signage as allowed by the Ordinance will be provided.

b. Signage may be installed on the screen walls located at or in proximity to the Site's frontage on Providence Road.

10. Lighting:

a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

b. Detached lighting on the Site will be limited to 20 feet in height.

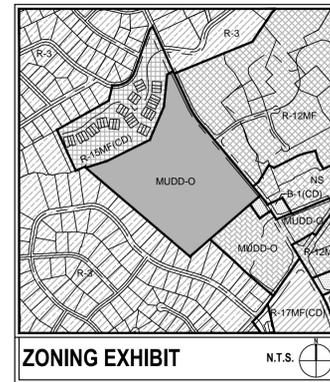
11. Amendments to the Rezoning Plan:

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

12. Binding Effect of the Rezoning Application:

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

b. Pursuant to Section 1.110 of the Ordinance and Section 160A-385.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions.



NORTHWOOD RAVIN, LLC

558 EAST STONEWALL STREET
SUITE 120
CHARLOTTE, NC 28202

PINEHURST MULTIFAMILY REZONING

4100 PROVIDENCE ROAD
CHARLOTTE, NC 28204



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

DEVELOPMENT STANDARDS

Project No.
4403

Issued
03/11/19

Revised

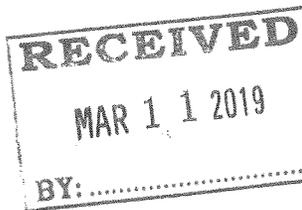


RZ-200

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 ©

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-048
Petition #: _____
Date Filed: 3/12/2018
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: See Exhibit A

Owner's Address: See Exhibit A City, State, Zip: See Exhibit A

Date Property Acquired: See Exhibit A

Property Address: See Exhibit A

Tax Parcel Number(s): See Exhibit A

Current Land Use: Industrial Size (Acres): +/- 3.6 acres

Existing Zoning: I-2 Proposed Zoning: TOD-M (CD)

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

Required Rezoning Pre-Application Meeting* with: John Kinley, Scott Cornell, Isaiah Washington, Kent Main, et al.
Date of meeting: January 29, 2019

(*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 uses permitted in the TOD-M zoning district.

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

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

Charlotte, NC 28246
City, State, Zip

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

jcarmichael@robinsonbradshaw.com
tshaffer@robinsonbradshaw.com
E-Mail Address

See attached joinder agreement
Signature of Property Owner

(Name Typed / Printed)

B&B RE Ventures, LLC (c/o Michael Bender)
Name of Petitioner(s)

121 West Trade Street, Suite 2800
Address of Petitioner(s)

Charlotte, NC 28202
City, State, Zip

678-773-4411
Telephone Number Fax Number

michael.bender@blvdrea.com
E-Mail Address

See attached signature page
Signature of Petitioner

(Name Typed / Printed)

**Exhibit A to Rezoning Application Filed by B&B RE Ventures, LLC
Tax Parcel Numbers, Property Owners Information and Site Addresses**

Tax Parcel No. 169-076-08

John J. Huson Revocable Trust U/A Dated September 16, 2011, as amended
John J. Huson, Trustee
4013 Columbine Circle
Charlotte, NC 28211

Site Address: 4928 Old Pineville Road, Charlotte, NC 28217

Tax Parcel No. 169-076-07

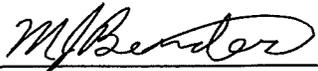
John J. Huson Revocable Trust U/A Dated September 16, 2011, as amended
John J. Huson, Trustee
4013 Columbine Circle
Charlotte, NC 28211

Site Address: 649 Scholtz Road, Charlotte, NC 28217

[Signature Page of Petitioner, B&B RE Ventures, LLC, to Rezoning Application]

Petitioner:

B&B RE VENTURES, LLC



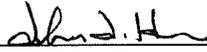
mgr.

By: Michael Bender, Manager

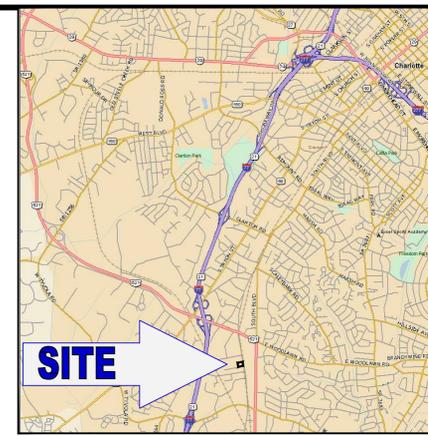
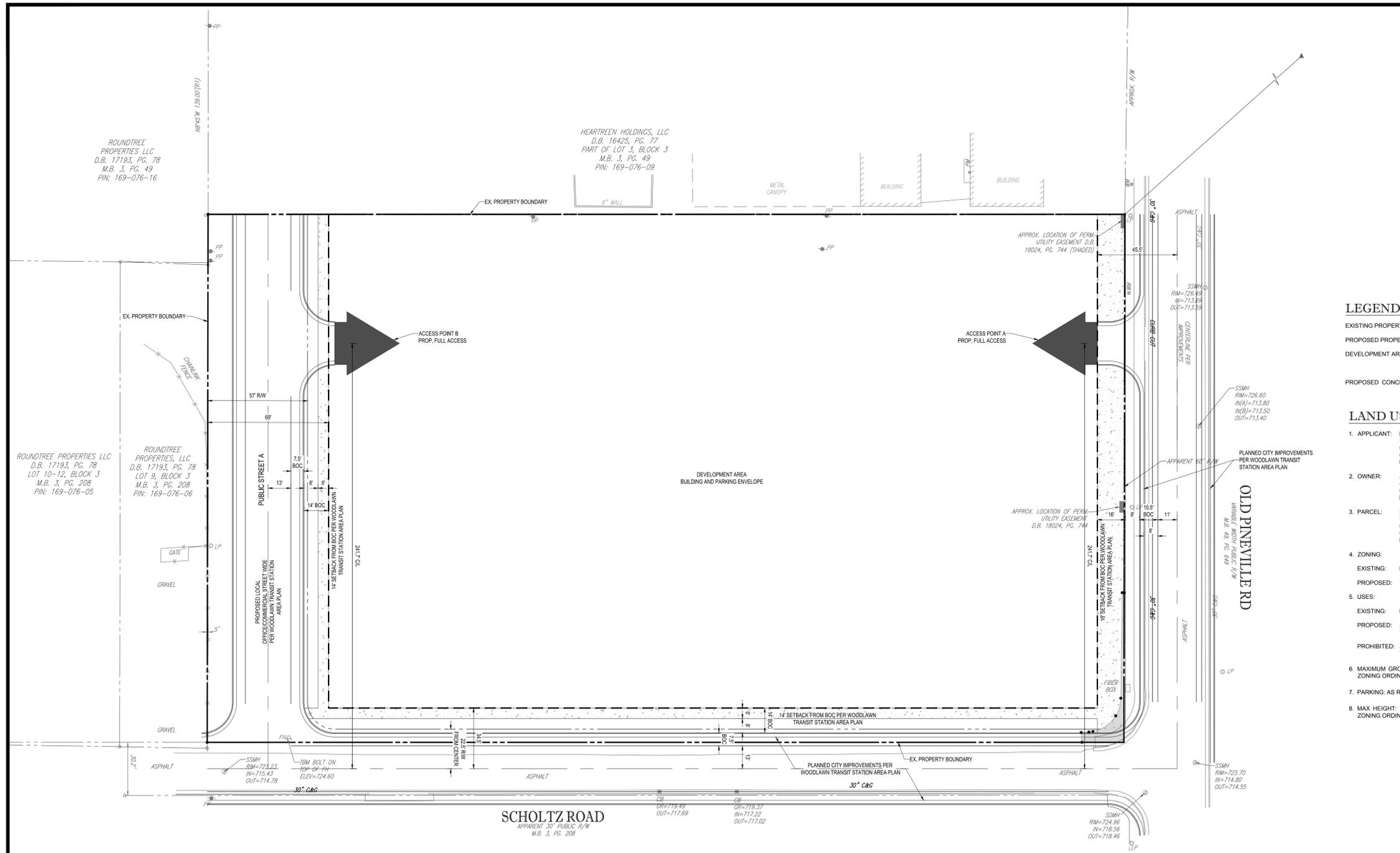
JOINDER AGREEMENT TO REZONING APPLICATION FILED BY B&B RE VENTURES, LLC

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by B&B RE Ventures, LLC that are designated as Tax Parcel Nos. 169-076-08 and 169-076-07 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site from the I-2 zoning district to the TOD-M (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the related conditional rezoning plan.

**JOHN J. HUSON REVOCABLE TRUST U/A
DATED SEPTEMBER 16, 2011, AS AMENDED**

By: 
John J. Huson, Trustee

Date: 2/26/18



LOCATION MAP

LEGEND

EXISTING PROPERTY BOUNDARY:

PROPOSED PROPERTY LINE:

DEVELOPMENT AREA:

PROPOSED CONCRETE SIDEWALK:

LAND USE AND ZONING INFORMATION

- APPLICANT: B&B RE VENTURES, LLC
121 WEST TRADE STREET, SUITE 2800
CHARLOTTE, NC 28202
CONTACT: MICHAEL BENDER
PHONE: (678) 773-4411
- OWNER: JOHN J HUSON, TRUSTEE
4013 COLUMBINE CIRCLE
CITY OF CHARLOTTE
MECKLENBURG COUNTY, NC 28211
- PARCEL: 3.60 AC
16907608, 16907607
649 SCHOLTZ ROAD
CITY OF CHARLOTTE
MECKLENBURG COUNTY, NC 28217
- ZONING:
EXISTING: I-2 (GENERAL INDUSTRIAL)
PROPOSED: TOD-M (CD)
- USES:
EXISTING: INDUSTRIAL
PROPOSED: ANY USE ALLOWED BY THE CITY OF CHARLOTTE ZONING ORDINANCE WITHIN THE TOD-M ZONING DISTRICT.
PROHIBITED: ANY USE PROHIBITED BY CITY OF CHARLOTTE ZONING ORDINANCE WITHIN THE TOD-M ZONING DISTRICT.
- MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: AS ALLOWED BY THE CITY OF CHARLOTTE ZONING ORDINANCE
- PARKING: AS REQUIRED BY THE CITY OF CHARLOTTE ZONING ORDINANCE.
- MAX HEIGHT: THE BUILDING MAX HEIGHT WILL BE AS REQUIRED BY THE CITY OF CHARLOTTE ZONING ORDINANCE.



DEVELOPMENT STANDARDS
MARCH 25, 2019

1. GENERAL PROVISIONS

A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY B&B RE VENTURES, LLC (THE "PETITIONER") FOR AN APPROXIMATELY 3.60 ACRE SITE LOCATED ON THE NORTHWEST CORNER OF OLD PINEVILLE ROAD AND SCHOLTZ ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF THOSE PARCELS OF LAND DESIGNATED AS TAX PARCEL NOS. 169-076-08 AND 169-076-07.

B. THE DEVELOPMENT AND USE OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").

C. THE DEVELOPMENT OF THE SITE PROPOSED UNDER THIS REZONING PLAN SHALL BE CONSIDERED TO BE A PLANNED/UNIFIED DEVELOPMENT. THEREFORE, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION REQUIREMENTS AND OTHER SIMILAR ZONING STANDARDS SHALL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS, USES AND OTHER SITE ELEMENTS LOCATED ON THE SITE. FURTHERMORE, THE PETITIONER AND/OR OWNER OF THE SITE RESERVE THE RIGHT TO SUBDIVIDE PORTIONS OR ALL OF THE SITE AND TO CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS AND PUBLIC/Private STREET FRONTAGE REQUIREMENTS, PROVIDED, HOWEVER, THAT THE DEVELOPMENT OF THE SITE SHALL BE REQUIRED TO MEET ANY APPLICABLE SETBACK, SIDE YARD AND REAR YARD REQUIREMENTS WITH RESPECT TO THE EXTERIOR BOUNDARY OF THE SITE.

D. ALL PRINCIPAL BUILDINGS, ACCESSORY STRUCTURES, SURFACE PARKING FACILITIES AND STRUCTURED PARKING FACILITIES (IF ANY) SHALL BE LOCATED WITHIN THE BUILDING/FACILITY ENVELOPE DEPICTED ON THE REZONING PLAN. THIS REZONING PLAN DOES NOT LIMIT THE NUMBER OF PRINCIPAL BUILDINGS, ACCESSORY STRUCTURES, SURFACE PARKING FACILITIES OR STRUCTURED PARKING FACILITIES THAT MAY BE LOCATED ON THE SITE. THE NUMBER OF PRINCIPAL BUILDINGS, ACCESSORY STRUCTURES, SURFACE PARKING FACILITIES AND STRUCTURED PARKING FACILITIES THAT MAY BE LOCATED ON THE SITE SHALL BE GOVERNED BY THE APPLICABLE PROVISIONS OF THE ORDINANCE.

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

2. PERMITTED USES

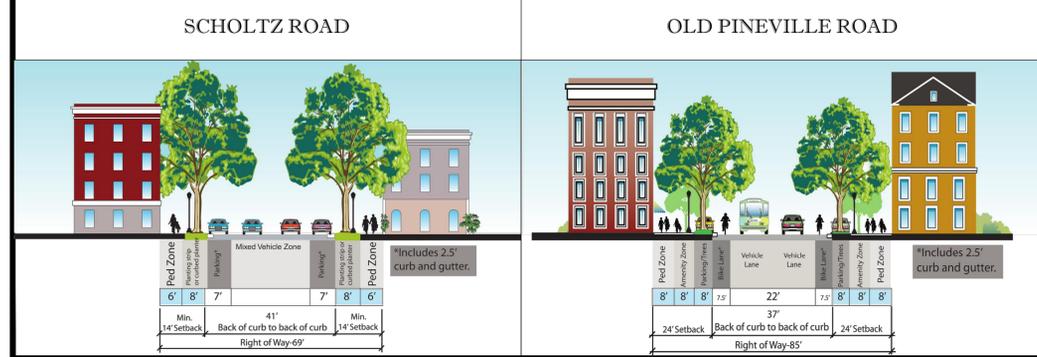
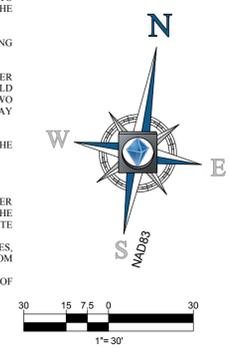
A. THE SITE MAY BE DEVOTED TO ANY USE OR USES ALLOWED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE TOD-M ZONING DISTRICT (INCLUDING ANY COMBINATION OF SUCH USES), TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE TOD-M ZONING DISTRICT.

3. ARCHITECTURAL STANDARDS

A. FOR BUILDINGS 150 FEET IN LENGTH OR LONGER, FACADES SHALL BE DIVIDED INTO SHORTER SEGMENTS BY MEANS OF FACADE MODULATION OR MASS SEPARATION. SUCH MODULATION OR MASS SEPARATION MUST OCCUR AT INTERVALS OF NO MORE THAN 60 FEET AND SHALL PROVIDE A SETBACK OR PROJECTION OF THE FRONT FAÇADE OF AT LEAST 20 FEET IN DEPTH.

B. THE SITE MAY BE DEVELOPED WITH EITHER A SINGLE BUILDING OR WITH MULTIPLE BUILDINGS. HOWEVER, IF THE SITE IS DEVELOPED WITH A SINGLE BUILDING, RATHER THAN MULTIPLE BUILDINGS, PETITIONER SHALL PROVIDE AT THE APPROXIMATE MIDDPOINT OF SAID BUILDING A 20 FOOT WIDE OPEN AREA THAT HAS A MINIMUM DEPTH OF 20 FEET AS MEASURED FROM THE FACE OF THE BUILDING.

- C. PETITIONER COMMITS TO GROUND FLOOR ACTIVATION THROUGH, WITHOUT LIMITATION, TRANSPARENT GLASS WINDOWS, OPERABLE DOORS, PORCHES, STOOPS, AND/OR OPEN SPACE (INCLUDING THE OPEN AREA DESCRIBED IN NOTE 3B) AS FOLLOWS: (I) ALONG THE SITES FRONTAGE ON OLD PINEVILLE ROAD, GROUND FLOOR ACTIVATION MEASURING AT LEAST 66% OF THE GROUND FLOOR FAÇADE OF THE BUILDING(S) FRONTING OLD PINEVILLE ROAD; AND (II) ALONG THE SITES FRONTAGE ON SCHOLTZ ROAD, GROUND FLOOR ACTIVATION MEASURING AT LEAST 50% OF THE GROUND FLOOR FAÇADE OF THE BUILDING(S) FRONTING SCHOLTZ ROAD.
- D. PETITIONER COMMITS TO A GROUND FLOOR HEIGHT OF: (I) A MINIMUM OF 8 FEET FLOOR-TO-FLOOR FOR ANY SINGLE-FAMILY ATTACHED DWELLING UNITS; (II) A MINIMUM OF 12 FEET FLOOR-TO-FLOOR FOR ANY BUILDINGS DEDICATED TO MULTI-FAMILY RESIDENTIAL USE, INCLUDING LEASING/AMENITY SPACE; AND (III) A MINIMUM OF 14 FEET FLOOR-TO-FLOOR FOR ANY BUILDING DEDICATED TO ANY OTHER USES ALLOWED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE TOD-M ZONING DISTRICT.
- E. THE UPPER FLOORS OF ANY PROPOSED PARKING STRUCTURE TO BE CONSTRUCTED ON THE SITE WILL BE SCREENED.
- 4. TRANSPORTATION**
- A. VEHICULAR ACCESS TO THE SITE SHALL BE APPROXIMATELY AT THE LOCATIONS DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO MODIFICATIONS THAT MAY BE REQUIRED TO ACCOMMODATE FINAL SITE DESIGN AND CONSTRUCTION PLANS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.
- B. PETITIONER SHALL SUBSTANTIALLY COMPLETE THE CONSTRUCTION OF PUBLIC ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE.
- C. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE, PETITIONER SHALL DEDICATE AND CONVEY TO THE CITY OF CHARLOTTE THOSE PORTIONS OF THE SITE LOCATED IMMEDIATELY ADJACENT TO OLD PINEVILLE ROAD, SCHOLTZ ROAD AND PUBLIC ROAD AS REQUIRED TO PROVIDE RIGHT OF WAY MEASURING WHERE FEASIBLE, TWO FEET FROM THE BACK OF CURB AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, TO THE EXTENT THAT SUCH RIGHT OF WAY DOES NOT ALREADY EXIST.
- D. SIDEWALKS OR PORTIONS THEREOF MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN.
- 5. 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.



BOHLER ENGINEERING NC, PLLC
SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
TRANSPORTATION SERVICES

REVISIONS

REV	DATE	COMMENT	BY

811
KNOW WHAT'S BELOW
ALWAYS CALL 811
BEFORE YOU DIG
It's fast. It's free. It's the law.

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: NCC192010
DRAWN BY: ODR
CHECKED BY: RDH
DATE: 3/25/19
SCALE: 1" = 30'
CAD I.D.: RZ1

PROP. REZONING DOCUMENTS
FOR
B&B REAL ESTATE VENTURES, LLC

LOCATION OF SITE
649 SCHOLTZ ROAD
CITY OF CHARLOTTE
MECKLENBURG COUNTY, NC 28217

BOHLER ENGINEERING NC, PLLC
1927 S. TRYON STREET, SUITE 310
CHARLOTTE, NC 28203
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com

SHEET TITLE:
TECHNICAL DATA SHEET

SHEET NUMBER:
RZ-1