

# Rezoning Petition Packet

## **Petitions:**

**2019-049 through 2019-064**

Petitions that were submitted in April 2019

**RECEIVED**  
MAR 11 2019  
BY: .....

2019-049

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #: \_\_\_\_\_  
Date Filed: 3/4/2019  
Received By: Bt

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

Property Owner: Bennie B. Brookshire, Sr.

Owner's Address: 218 Rose Street City, State, Zip: Mount Holly, NC 28120

Date Property Acquired: 10/12/2004

Property Address: unnumbered parcel on Queen City Drive

Tax Parcel Number(s): 061-251-08

Current Land Use: Vacant Size (Acres): +/- 9 acres

Existing Zoning: R-17MF Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting\* with: Claire Lyte-Graham, Alberto Gonzalez, Grant Meacci, Rick Grochoske  
Date of meeting: 1/22/2019

(\*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): No  
Purpose/description of Conditional Zoning Plan: To accommodate a commercial development to potentially include hospitality and other uses compatible with nearby Charlotte Douglas International Airport.

Collin W. Brown & Bailey Patrick, Jr.  
Name of Rezoning Agent

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

Charlotte, NC 28202  
City, State, Zip

704-331-7531 704-353-7598  
Telephone Number Fax Number

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

See Attached Counterpart  
Signature of Property Owner

See Attached Counterpart  
(Name Typed / Printed)

Apollo Holding Company, LLC  
Name of Petitioner(s)

5720 Creedmoor Road, Suite 205  
Address of Petitioner(s)

Raleigh, NC 27612  
City, State, Zip

919-848-9969 919-882-1773  
Telephone Number Fax Number

wgeyer@mjmreg.com  
E-Mail Address

[Signature]  
Signature of Petitioner

ANUJ N. MITTAL  
(Name Typed / Printed)

**LEGEND:**

-  TREE SAVE AREA
-  PARKING ENVELOPE
-  BUILDING & PARKING ENVELOPE
-  BUILDING ENVELOPE

**REZONING DEVELOPMENT STANDARDS**

**DEVELOPMENT DATA TABLE**

SITE AREA: +/- 9 ACRES  
 TAX PARCEL: 061-251-08  
 EXISTING ZONING: R-17MF  
 PROPOSED ZONING: MUDD-O  
 EXISTING USE: VACANT  
 PROPOSED USES: USES PERMITTED IN MUDD ZONING DISTRICT, AS FURTHER RESTRICTED BELOW  
 MAX. BUILDING HEIGHT: UP TO 75 FEET  
 PARKING: SHALL SATISFY OR EXCEED ORDINANCE REQUIREMENTS

**1. GENERAL PROVISIONS**

THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY APOLLO HOLDING COMPANY, LLC TO REZONE PROPERTY TAX PARCEL 061-251-08 (THE "SITE") FROM THE R-17MF ZONING DISTRICT TO THE MUDD-O ZONING DISTRICT, AS DEPICTED ON THE REZONING PLAN (THE "SITE").

DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). THE REZONING PLAN IS INTENDED TO REFLECT MAXIMUM DEVELOPMENT RIGHTS, BUILDING ENVELOPES, THE ARRANGEMENTS AND LOCATIONS OF ACCESS POINTS.

UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

ALTERATIONS OR MODIFICATIONS WHICH, IN THE OPINION OF THE PLANNING DIRECTOR, SUBSTANTIALLY ALTER THE CHARACTER OF THE DEVELOPMENT PROPOSED OR SIGNIFICANTLY ALTER THE REZONING PLAN OR THESE DEVELOPMENT STANDARD, CONSTITUTE CHANGES WHICH INCREASE THE INTENSITY OF DEVELOPMENT SHALL NOT BE DEEMED TO BE MINOR AND MAY ONLY BE MADE IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTIONS 6.207(1) OR (2) OF THE ORDINANCE, AS APPLICABLE.

**2. OPTIONAL PROVISIONS**

a. THE PETITIONER REQUESTS THE ABILITY TO ALLOW PARKING AND MANEUVERING BETWEEN THE BUILDING(S) AND QUEEN CITY PARKWAY, AS GENERALLY DEPICTED ON THE REZONING PLAN. IN ORDER TO MITIGATE THIS REQUEST, THE PETITIONER SHALL PROVIDE ADEQUATE SCREENING THROUGH THE USE OF LOW WALL(S) AND/OR LANDSCAPING TO MINIMIZE THE VISIBILITY OF SUCH PARKING AND MANEUVERING AREAS.

**3. PERMITTED USES**

THE SITE MAY BE DEVOTED TO ANY COMMERCIAL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH, EXCEPT FOR THE FOLLOWING:

- CAR WASHES;
- AUTOMOBILE SERVICE STATIONS; AND
- DRIVE-THROUGH SERVICE WINDOWS.

**4. MAXIMUM DEVELOPMENT**

THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH (I) A MAXIMUM OF 250 HOTEL ROOMS AND (II) UP TO 100,000 SQUARE FEET OF GROSS FLOOR AREA OF NON-HOTEL RELATED COMMERCIAL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT, INCLUDING OFFICE USES, ALONG WITH ANY ACCESSORY USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT.

a. CONVERSION RIGHTS. IN THE EVENT THAT 100,000 SQUARE FEET OF COMMERCIAL NON-HOTEL USES ARE NOT CONSTRUCTED ON THE SITE, UNUSED COMMERCIAL SQUARE FOOTAGE MAY BE CONVERTED TO HOTEL ROOMS AT A RATE OF ONE (1) HOTEL ROOM PER 1,000 SQUARE FEET OF COMMERCIAL SQUARE FOOTAGE SO CONVERTED. THUS, THE TOTAL NUMBER OF HOTEL ROOMS ON THE SITE MAY EXCEED 250 ROOMS IF UNUSED COMMERCIAL SQUARE FOOTAGE IS CONVERTED IN ACCORDANCE WITH THE ABOVE RATIO. HOWEVER, THE TOTAL NUMBER OF HOTEL ROOMS ON THE SITE SHALL NOT EXCEED 350 HOTEL ROOMS AT ANY TIME, INCLUDING CONVERSIONS.

b. FLOOR AREA CALCULATIONS FOR COMMERCIAL USES SHALL NOT INCLUDE AREAS USED FOR BUILDING AND EQUIPMENT ACCESS (SUCH AS STAIRS, ELEVATOR SHAFTS AND MAINTENANCE CRAWL SPACE), SERVICE AREAS, ROOFTOP EQUIPMENT ROOMS, LOADING DOCKS, TRASH/RECYCLING STORAGE AREAS, AND MECHANICAL AND ELECTRICAL ROOMS. AREAS DEVOTED TO OUTDOOR DINING, COURTYARDS AND PLAZAS ARE NOT INCLUDED IN THE SQUARE FOOTAGE LIMITATION, BUT OUTDOOR DINING AREAS FOR RETAIL EDEES SHALL BE COUNTED TOWARD THE REQUIRED PARKING CALCULATION.

**5. TRANSPORTATION**

- a. VEHICULAR ACCESS POINTS SHALL BE LIMITED TO A MAXIMUM OF THREE (3) ACCESS POINTS ALONG QUEEN CITY BOULEVARD, AS GENERALLY DEPICTED ON THE REZONING PLAN.
- b. WHERE NECESSARY, THE PETITIONER SHALL DEDICATE AND CONVEY IN FEE SIMPLE ALL RIGHTS OF WAY TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

**6. ARCHITECTURAL STANDARDS/STREETScape AND LANDSCAPING**

- a. PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS ABUTTING A NETWORK REQUIRED PUBLIC OR PRIVATE STREET SHALL COMPRISE OF BRICK, GLASS, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO, FIBER CEMENT, CORRUGATED METAL, STEEL ACCENTS, ARCHITECTURAL SHINGLES OR OTHER MATERIAL APPROVED BY THE PLANNING DIRECTOR.
- b. PROHIBITED EXTERIOR BUILDING MATERIALS: THE PETITIONER WILL NOT UTILIZE (1) VINYL SIDING (BUT NOT VINYL HAND RAILS, WINDOWS OR DOOR TRIM) OR (2) CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.
- c. METER BANKS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE FROM PUBLIC OR PRIVATE STREETS AND SHALL BE LOCATED OUTSIDE OF THE SETBACK.
- d. ROOFTOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM PUBLIC OR PRIVATE STREETS.
- e. DUMPSTERS, LOADING AND SERVICES AREAS SHALL BE SCREENED FROM STREETS, COMMON OPEN SPACES AND ANY ADJACENT RESIDENTIAL USES WITH MATERIALS COMPLIMENTARY TO THE PRINCIPAL STRUCTURE. DUMPSTER ENCLOSURES WILL NOT DIRECTLY ABUT THE BACK OF A SIDEWALK.
- f. BACKFLOW PREVENTERS AND TRANSFORMERS SHALL BE SCREENED AND LOCATED OUTSIDE THE SETBACK, BUT CAN BE LOCATED IN A FOUR (4) FOOT TRANSITION ZONE.

**7. ENVIRONMENTAL FEATURES**

PETITIONER SHALL SATISFY THE REQUIREMENTS OF THE POST CONSTRUCTION CONTROLS ORDINANCE AND TREE ORDINANCE.

**8. LIGHTING**

ALL FREE-STANDING LIGHTING FIXTURES WILL BE SHIELDED WITH FULL CUT-OFF FIXTURES.

**10. AMENDMENTS TO REZONING PLAN**

FUTURE AMENDMENTS TO THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF A PARTICULAR TRACT WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

**11. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**

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

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



PROJECT:

**QUEEN CITY DR. CHARLOTTE**  
 CHARLOTTE, NC

CLIENT:  
 MJM Group  
 5720 Creedmoor Road  
 Suite 205  
 Raleigh, NC 27612  
 (919) 848-9969

DRAWN: KDB  
 DATE: 03/11/19

REVISIONS:  
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JOB. NO: 18-223  
 SHEET TITLE:

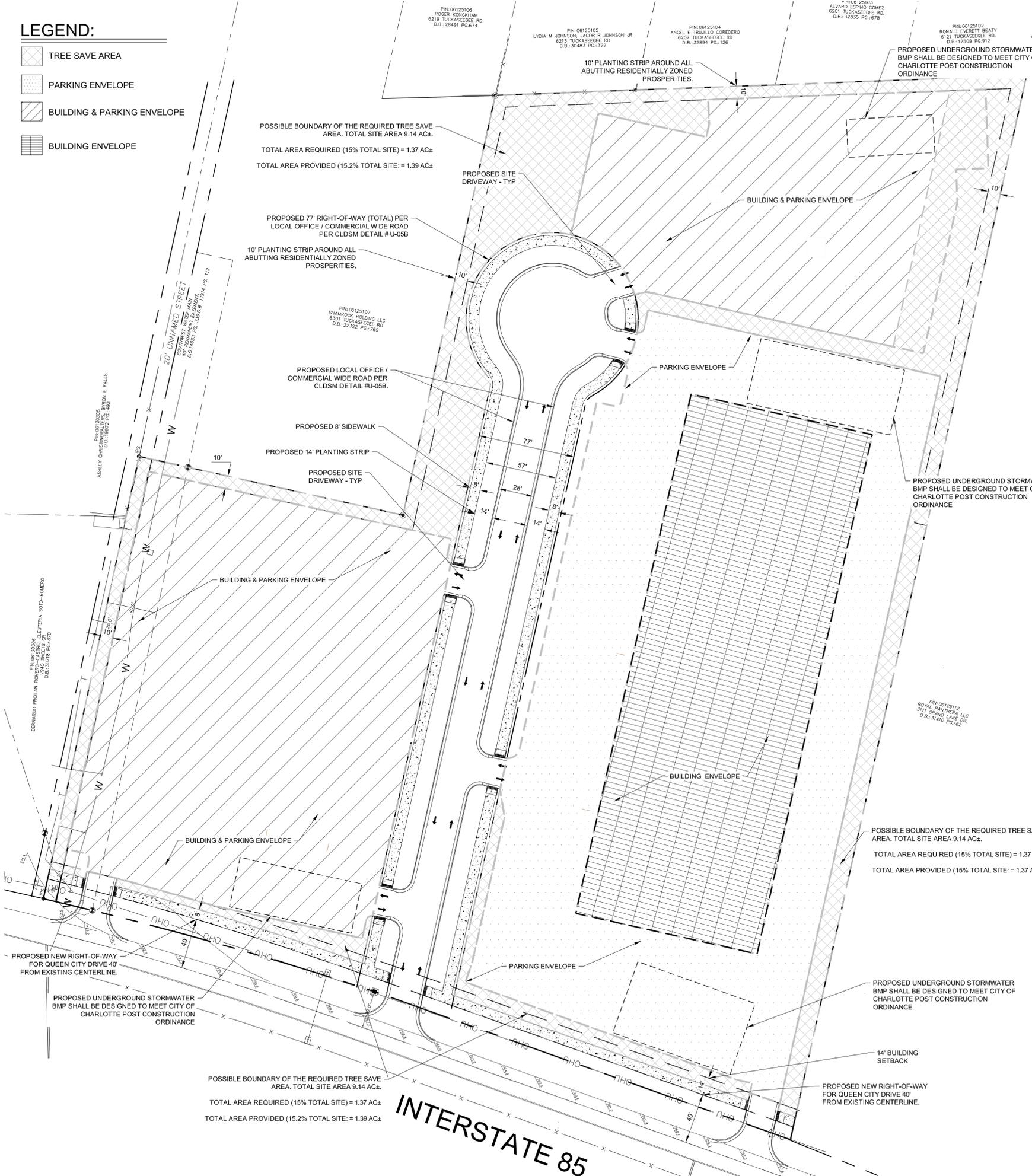
**CONDITIONAL REZONING SITE PLAN**

SCALE: AS NOTED

SHEET NO. **RZ.1**

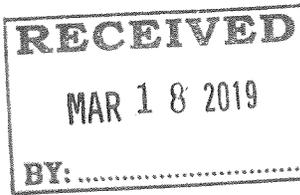
© STIMMEL ASSOCIATES, P.A.

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**INTERSTATE 85**

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



Petition #: 2019-050  
Date Filed: 3/18/2019  
Received By: BH

1 of 2

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

Property Owner: Bank of Hope

Owner's Address: 3200 Wilshire Blvd., Suite 700 City, State, Zip: Los Angeles, CA 90010

Date Property Acquired: 03/17/2017

Property Address: 2501 Crownpoint Executive Dr., Charlotte, NC 28227

Tax Parcel Number(s): 19311107

Current Land Use: None. Land holds a vacant building (formerly a restaurant) and associated parking area. Size (Acres): Approx. 1.45

Existing Zoning: B-D Proposed Zoning: B-2

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

Required Rezoning Pre-Application Meeting\* with: John Kinley, Grant Neacci, Kent Main, Scott Correll, Isaiah Washington, Molly Haynes

Date of meeting: 01/29/2019

(\*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: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

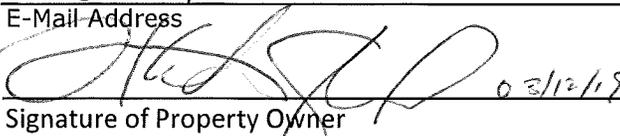
Christopher P. Raab, Esq.  
Name of Rezoning Agent

121 W. Trade St., Ste. 2600  
Agent's Address

Charlotte, NC 28202  
City, State, Zip

704-377-1200                      704-338-5858  
Telephone Number                      Fax Number

craab@caudlespears.com  
E-Mail Address

 03/12/19  
Signature of Property Owner

Keith England, FVP & OREO Team Leader  
(Name Typed / Printed)

Land Growth, LLC  
Name of Petitioner(s)

13651 Statesville Road  
Address of Petitioner(s)

Huntersville NC 28078  
City, State, Zip

704-766-2121                      704-766-2564  
Telephone Number                      Fax Number

keffer.jim@gmail.com  
E-Mail Address

See attached.  
Signature of Petitioner

James L. Keffer, Manager  
(Name Typed / Printed)

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #:	<u>2019-050</u>
Date Filed:	_____
Received By:	_____

2 of 2

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

Property Owner: Bank of Hope

Owner's Address: 3200 Wilshire Blvd., Suite 700 City, State, Zip: Los Angeles, CA 90010

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Existing Zoning: B-D Proposed Zoning: B-2

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

Required Rezoning Pre-Application Meeting\* with: John Kinley, Grant Neacci, Kent Main, Scott Correll, Isaiah Washington, Molly Haynes

Date of meeting: 01/29/2019

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

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

Christopher P. Raab, Esq.  
Name of Rezoning Agent

121 W. Trade St., Ste. 2600  
Agent's Address

Charlotte, NC 28202  
City, State, Zip

704-377-1200                      704-338-5858  
Telephone Number                      Fax Number

craab@caudlespears.com  
E-Mail Address

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
(Name Typed / Printed)

Land Growth, LLC  
Name of Petitioner(s)

13651 Statesville Road  
Address of Petitioner(s)

Huntersville NC 28078  
City, State, Zip

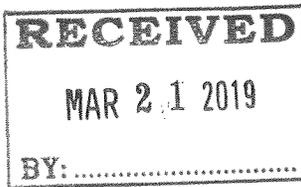
704-766-2121                      704-766-2564  
Telephone Number                      Fax Number

keffer.jim@gmail.com  
E-Mail Address

  
Signature of Petitioner

James L. Keffer, Manager  
(Name Typed / Printed)

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



Petition #: 2019-051  
Date Filed: 3/21/2019  
Received By: [Signature]

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

Property Owner: Joyce M. Green

Owner's Address: 4604 W. Sugar Creek Rd. City, State, Zip: Charlotte, NC 28269

Date Property Acquired: 09/2008

Property Address: 4604 W. Sugar Creek Rd., Charlotte NC 28269

Tax Parcel Number(s): 04310509

Current Land Use: Single Family Size (Acres): .656

Existing Zoning: Residential R-3 Proposed Zoning: Institutional CD

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

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

Date of meeting: November 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: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Joyce M. Green  
Name of Rezoning Agent

4604 W Sugar Creek Rd  
Agent's Address

Charlotte NC 28269  
City, State, Zip

70-957-5783  
Telephone Number Fax Number

Joygreen2002@yahoo.com  
E-Mail Address

[Signature]  
Signature of Property Owner

Joyce M. Green  
(Name Typed / Printed)

Joyce M Green  
Name of Petitioner(s)

4604 W Sugar Creek Rd  
Address of Petitioner(s)

Charlotte NC 28269  
City, State, Zip

704-957-5783  
Telephone Number Fax Number

Joygreen2002@yahoo.com  
E-Mail Address

[Signature]  
Signature of Petitioner

Joyce M. Green  
(Name Typed / Printed)

# GENERAL NOTES

- DO NOT SCALE DRAWINGS. DIMENSIONS TAKE PRECEDENCE OVER SCALE.
- ALL DIMENSIONS ARE FOR BIDDING PURPOSES ONLY. ALL TRADES SHOULD FIELD VERIFY ALL MEASUREMENTS AND CONDITIONS AND BRING ANY DISCREPANCIES TO THE IMMEDIATE ATTENTION OF THE ARCHITECT BEFORE THE COMMENCEMENT OF ANY CONSTRUCTION.
- ALL WORK SHALL COMPLY WITH THE APPLICABLE GOVERNING CODES AS WELL AS POLICIES AND ORDINANCES ADOPTED BY THE CITY AND/OR COUNTY TO WHICH THE JOB BELONGS.
- PLUMBERS, MECHANICAL, AND ELECTRICAL CONTRACTORS ARE TO SUBMIT DRAWINGS OF THEIR WORK TO MECKLENBURG COUNTY FOR APPROVAL PRIOR TO COMMENCEMENT OF
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS INCLUDING THOSE FOR DESIGN-BUILD SYSTEMS (ELECTRICAL, PLUMBING, ETC.), ALL OF WHICH SHALL COMPLY WITH ALL APPLICABLE CODE REQUIREMENTS.
- THE GENERAL CONTRACTOR IS TO COORDINATE WORK BETWEEN ALL TRADES TO FINISH THE JOB SMOOTHLY AND IN A TIMELY MANNER.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL EXISTING UTILITIES.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR PRESERVING ALL EXISTING-TO-REMAIN CONDITIONS AND UTILITIES FROM DAMAGE AT ALL TIMES DURING CONSTRUCTION.
- THE GENERAL CONTRACTOR WILL BE RESPONSIBLE FOR REPAIRING ANY DAMAGE TO EXISTING-TO-REMAIN CONDITIONS THAT MAY OCCUR AT HIS COST.
- THE GENERAL CONTRACTOR IS TO NOTIFY THE ARCHITECT OF ANY CONDITIONS THAT MAY REQUIRE REVISIONS TO THE DRAWINGS. NO DEVIATIONS FROM THE DRAWINGS WILL BE ALLOWED WITHOUT THE PROPER REVISIONS BEING MADE BY R.T.A.P. OR SIMILAR ACTIONS PERFORMED BY THE ARCHITECT AND THE APPROPRIATE REVISED DRAWINGS BEING ISSUED.
- THE GENERAL CONTRACTOR IS TO SUBMIT SAMPLES OF SPECIFIED MATERIALS OR OF REQUIRE REVISIONS TO THE DRAWINGS. NO DEVIATIONS FROM THE DRAWINGS WILL BE
- THE GENERAL CONTRACTOR IS TO INFORM THE OWNER AND ARCHITECT IMMEDIATELY OF THE DISCOVERY OF ANY UNFORESEEN FIELD CONDITIONS.
- NO NEW CONSTRUCTION MAY COME INTO CONTACT WITH OR BEAR ON ANY DAMAGED PRE-EXISTING FRAMING OR FOUNDATION.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ALL PHASES AND CONDITIONS OF THE CONSTRUCTION AND IS TO COMPLY WITH ALL SAFETY MEASURES DURING CONSTRUCTION.
- ALL SURFACES EXPOSED TO THE WEATHER SHALL BE COVERED WITH WEATHER RESISTIVE BARRIERS TO PROTECT THE INTERIOR WALL COVERINGS. EXTERIOR OPENINGS SHALL BE FLASHED TO MAKE THEM WEATHER PROOF.
- THE GENERAL CONTRACTOR SHALL VERIFY ALL EXISTING ROUGH OPENINGS BEFORE ORDERING WINDOWS AND DOORS.
- ALL NEW GLAZING SHALL HAVE ATTACHED LABELS CERTIFYING THE U-VALUES OF THE NEW GLAZING UNITS. FOR LOWER THAN REQUIRED U-VALUES, GLAZING SHOULD HAVE PERMANENT LABELS.
- 2 x 6 FRAMING SHOULD BE USED AT ALL PLUMBING WALLS AND ANY BEARING WALLS CONTAINING PIPES OF 1-1/4" OR GREATER WHETHER SHOWN ON PLANS OR NOT.
- 2 x 6 FRAMING SHOULD BE USED AT ALL PLUMBING WALLS AND ANY BEARING WALLS CONTAINING PIPES OF 1-1/4" OR GREATER WHETHER SHOWN ON PLANS OR NOT.
- THE CONTRACTOR SHALL INSTALL FIRE BLOCKS AND DRAFT STOPS WHEREVER NEEDED.
- CODE COMPLIANT HANDRAILS SHALL BE PLACED 36" ABOVE THE TREADS. GUARDRAILS SHALL BE PLACED 42" ABOVE THE FINISHED FLOOR. INTERMEDIATE PICKETS SHALL NOT PERMIT THE PASSAGE OF A 4" DIAMETER SPHERE.
- ATTIC VENTILATION OPENINGS SHALL BE COVERED WITH CORROSION RESISTANT METAL MESH.
- MAXIMUM FLOW RATE STANDARDS:  
WATER CLOSERS: NOT TO EXCEED 1.28 GAL./FLUSH  
SINGLE SHOWER HEAD: NOT TO EXCEED 2.0 GAL. @ 80 PSI.  
RESIDENTIAL FAUCETS: NOT TO EXCEED 1.5 GAL. @ 60 PSI MN. OR 0.8 GAL. AT 20 PSI.  
KITCHEN FAUCETS NOT TO EXCEED 1.8 GAL. @ 60 PSI.
- MECHANICAL VENTILATION FOR BATHROOMS SHALL PROVIDE AT LEAST 5 AIR CHANGES/HR.
- THE CONTRACTOR SHALL KEEP AN AS-BUILT RECORD REFLECTING ALL CHANGES, ALTERATIONS, AND ANY APPROVED DEVIATIONS FROM THE ORIGINAL CONSTRUCTION DOCUMENTS AT THE JOBSITE FOR DELIVERY TO THE ARCHITECT AFTER COMPLETION OF THE PROJECT.
- THE CONTRACTOR IS FULLY RESPONSIBLE FOR COMPLYING WITH ALL CURRENT AND APPLICABLE CODES INCLUDING...  
NC STATE BUILDING CODE  
NC STATE RESIDENTIAL CODE  
NC STATE MECHANICAL CODE  
NC STATE ELECTRICAL CODE  
NC STATE PLUMBING CODE  
NC STATE FUEL GAS CODE  
NC STATE FIRE CODE  
NC STATE ENERGY CODE  
NC ADMINISTRATIVE CODE AND POLICIES

# SITE PLAN



**SITE PLAN**  
SCALE: 1" = 50'-0" SIDE VIEW = 0/32"

## 1. GENERAL PROVISIONS

- The development of the site will be governed by the attached plans and the City of Charlotte Development standards.
  - Except as otherwise expressly specified on the Rezoning Plan, site elements may be subject to alterations or modifications, during design/development/construction phases, as long as the proposed improvements are in compliance with the accompanying Development Standards and Section 6.207 of the Ordinance.
  - To the extent of any conflict between the matters contained in other areas of the Rezoning Plan and the matters set forth in the Development Standards, the more restrictive shall govern.
- PERMITTED USES:
  - The Petitioner's intent for the site is to rezone the existing property from R3 to Institutional CD to accommodate a child Daycare Center in an existing residential structure. The new daycare will accommodate 40 students in a 2105 sq ft (maximum) building.
- TRANSPORTATION:
  - Covered bicycle parking and bicycle racks will be provided according to City of Charlotte requirements.
- ARCHITECTURAL STANDARDS:
  - The Petitioner's intent for the site is to rezone the existing property from R3 to Institutional CD to accommodate a Day Care Center.
  - The building does not exceed the maximum allowed 40 feet in height.
- FIRE PROTECTION:
  - The Petitioner shall adhere to the requirements of the Charlotte Fire Department for this building type and use.
- SIGNAGE:
  - All project signs, banners, flags and pennants for identification or decoration must conform to the Ordinance.

# PROJECT DATA

**OWNER:**  
JOYCE GREEN

**PROJECT ADDRESS:**  
4604 WEST SUGAR CREEK ROAD  
CHARLOTTE, NC 28264

**LEGAL DESCRIPTION:**  
APN: 04310590

**CONSTRUCTION TYPE:** V2  
CHARLOTTE, NC 28264

**DESIGN TEAM:**  
CLARY ARCHITECTURE PLLC ARCHITECTURE  
C2 ENGINEERING SOLUTIONS MECHANICAL & ELECTRICAL  
HOWARD VERNA ENGINEERS STRUCTURAL

# SITE DEVELOPMENT DATA

ACREAGE: .615 ACRES  
TAX PARCEL ID: 04310590  
LEGAL DESCRIPTION: APN: 04310590  
EXISTING ZONING: RESIDENTIAL (R3)  
PROPOSED ZONING: INSTITUTIONAL (CD)  
PRESENT USE: AFTER-SCHOOL CARE CENTER  
BUILDING AREA: 2,105 SQUARE FEET  
PARKING REQUIREMENTS:  
1 SPACE PER EMPLOYEE.....4  
1 SPACE PER 10 CHILDREN.....4  
TOTAL PARKING SPACES REQUIRED.....8

# SPECIAL NOTES

65% OF THE CONSTRUCTION AND DEMOLITION DEBRIS SHALL BE RECYCLED. UNLESS SELF-HAULED BY THE OWNER OR BY THE CONTRACTOR OF THE PROJECT, THE USE OF ANY WASTE HAULER OTHER THAN THE CITY'S FRANCHISED HAULER, CRIC ENVIRONMENTAL SERVICES, TO HAUL CONSTRUCTION DEBRIS IS PROHIBITED AND SUBJECT TO PERMIT SUSPENSION.

# SQUARE FOOTAGE

AREA	SQ. FT.
FIRST FLOOR	2,080
PORCH	25
<b>TOTAL SQUARE FOOTAGE</b>	<b>2,105</b>

# VICINITY MAP

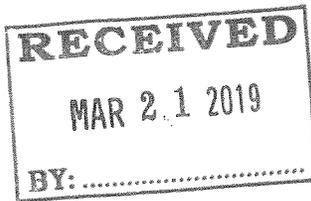


PHASE	
DRAWN BY	
CHECKED BY	
APPROVED BY	

RENOVATION OF BUILDING FOR  
**A STEP AHEAD LEARNING CENTER**  
 CHARLOTTE, NORTH CAROLINA  
 4604 SUGAR CREEK ROAD  
 SITE PLAN AND GENERAL NOTES

REVISIONS	
NO.	DATE

JOB NO. 0928/010 SHEET NO.  
FILE NO.  
DATE: January 3, 2018  
**A101**  
PLATE NO. 01 OF 1  
THIS DRAWING IS THE PROPERTY OF CLARY ARCHITECTURE PLLC AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER. IT IS NOT TO BE USED ON ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF CLARY ARCHITECTURE PLLC. © COPYRIGHT 2018



2019-052

I. REZONING APPLICATION
CITY OF CHARLOTTE

Petition #:
Date Filed: 3/21/2019
Received By: [Signature]

Property Owners: The Ervin Building LLC

Owner's Addresses: 8334 Pineville Matthews Rd, Ste 103-256, Charlotte, NC 28220

Date Properties Acquired: 11/30/2018

Property Addresses: (1) 4001 E Independence Blvd, Charlotte, NC 28205, (2) 4812 Bamboo St, Charlotte, NC 28205, and (3) intersection of Pierson Drive and Bamboo Street, Charlotte, NC 28205

Tax Parcel Numbers: (1) 131-111-12, (2) 131-111-10, and (3) 131-111-01 (currently inadvertently listed as tax parcel # 131-111-10)

Current Land Use: vacant (Acres): 2.11

Existing Zoning: MUDD-O Proposed Zoning: MUDD-O SPA

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

Required Rezoning Pre-Application Meeting\* with: Laura Harmon and Solomon Fortune

Date of meeting: 3/14/19

(\*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 relocate the building improvements on which the specialty signage will be installed to a location that better showcases the historic Ervin/Varnadore building entrance in support of historic tax credit designation and expedites development at the corner of Wilshire Place and Independence Blvd.

Jeff Brown & Keith MacVean
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)
Telephone Number Fax Number

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

SEE ATTACHMENT A
Signature of Property Owner

Beaver Creek CRE LLC(Attn: Kirk Broadbooks)
Name of Petitioner

8334 Pineville Matthews Road, Ste. 103-256
Address of Petitioner

Pineville, NC 28134
City, State, Zip

704-869-2500 x243
Telephone Number Fax Number

kirk@gvestcapital.com
E-mail Address

SEE ATTACHMENT B
Signature of Petitioner

**ATTACHMENT A**

**REZONING PETITION NO. 2019-\_\_\_\_\_  
Beaver Creek CRE LLC**

**OWNER JOINDER AGREEMENT  
The Ervin Building LLC**

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

1. 4001 E Independence Blvd, Charlotte, NC that is designated as Tax Parcel No. 131-111-12
2. 4812 Bamboo Street, Charlotte, NC that is designated as Tax Parcel No. 131-111-10
3. The intersection of Pierson Drive and Bamboo Street, Charlotte, NC that is designated as Tax Parcel No. 131-111-01

(currently inadvertently listed as tax parcel # 131-111-10) 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 MUDD-O zoning district to the MUDD-O SPA zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 18 day of March, 2019.

**The Ervin Building LLC**

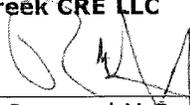
By:   
Name: Raymond M. Gee  
Its: Manager

**ATTACHMENT B**

**REZONING PETITION NO. 2019-  
Beaver Creek CRE LLC**

**Petitioner:**

**Beaver Creek CRE LLC**

By:   
Name: Raymond M Gee  
Title: Manager



KEY MAP  
 REAL

**SITE PLAN  
 AMENDMENT**  
**REZONING  
 PETITION NO.  
 2019-**

**PROJECT**  
**ERVIN BUILDING  
 REZONING**

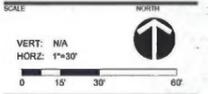
BEAVER CREEK CRE, LLC  
 4037 E. INDEPENDENCE  
 BOULEVARD  
 CHARLOTTE, NC 28205

LAND DESIGN PROJECT # 1017337

**REVISION / ISSUANCE**

NO.	DESCRIPTION	DATE
	REZONING SUBMITTAL	10-23-2017
1	CITY COMMENTS	12-11-2017
	CITY COMMENTS	01-22-2018
	REVISIONS PER NCDOT/CITY	04-20-2018
	REV. PER CITY - BLDG. SHIFT	05-21-2018
A	SPA	02-12-2019

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



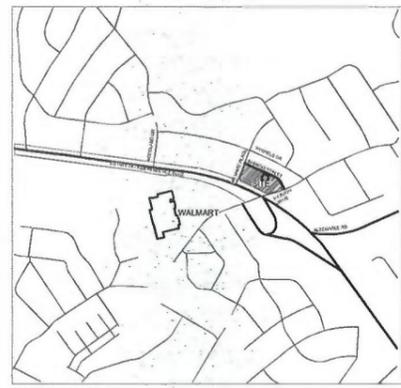
**EXISTING  
 CONDITIONS**

**RZ-0**

- ADJACENT OWNERSHIP LISTINGS\***
- EXECUTIVE BUILDING COMPANY LLC  
 Tax # 1311019  
 Zoning: B-2  
 Existing Use: Vacant Lot
  - RICHARD AND RITA GUINEY  
 Tax # 1311011  
 Zoning: R-2346F  
 Existing Use: Single Family
  - BRIAN AND KATHY COSTANZA  
 Tax # 1311109  
 Zoning: R-4  
 Existing Use: Single Family
  - GEORGE ZELECKI AND MARY JOAN  
 Tax # 1311108  
 Zoning: R-4  
 Existing Use: Single Family
  - ROBERT AND KIM KALOUSEK  
 Tax # 1311108  
 Zoning: R-4  
 Existing Use: Single Family
  - JAMES AND ELIZABETH MATTHEWS  
 Tax # 1311107  
 Zoning: R-4  
 Existing Use: Single Family
  - TRACY PERREAULT  
 Tax # 1311105  
 Zoning: R-4  
 Existing Use: Single Family
  - MERFEN B TESFAGABR  
 Tax # 1311104  
 Zoning: R-4  
 Existing Use: Single Family
  - HELMS RENTAL LLC  
 Tax # 1311103  
 Zoning: R-4  
 Existing Use: Single Family
  - JAMES WINKLE  
 Tax # 1311102  
 Zoning: R-4  
 Existing Use: Single Family
  - CHARLOTTE LP ADAMS OUTDOOR ADVERTISING  
 Tax # 1311330  
 Zoning: B-2  
 Existing Use: Open Storage Lot
  - UHAUL REAL ESTATE CO.  
 Tax # 1311331  
 Zoning: B-2  
 Existing Use: Open Storage Lot

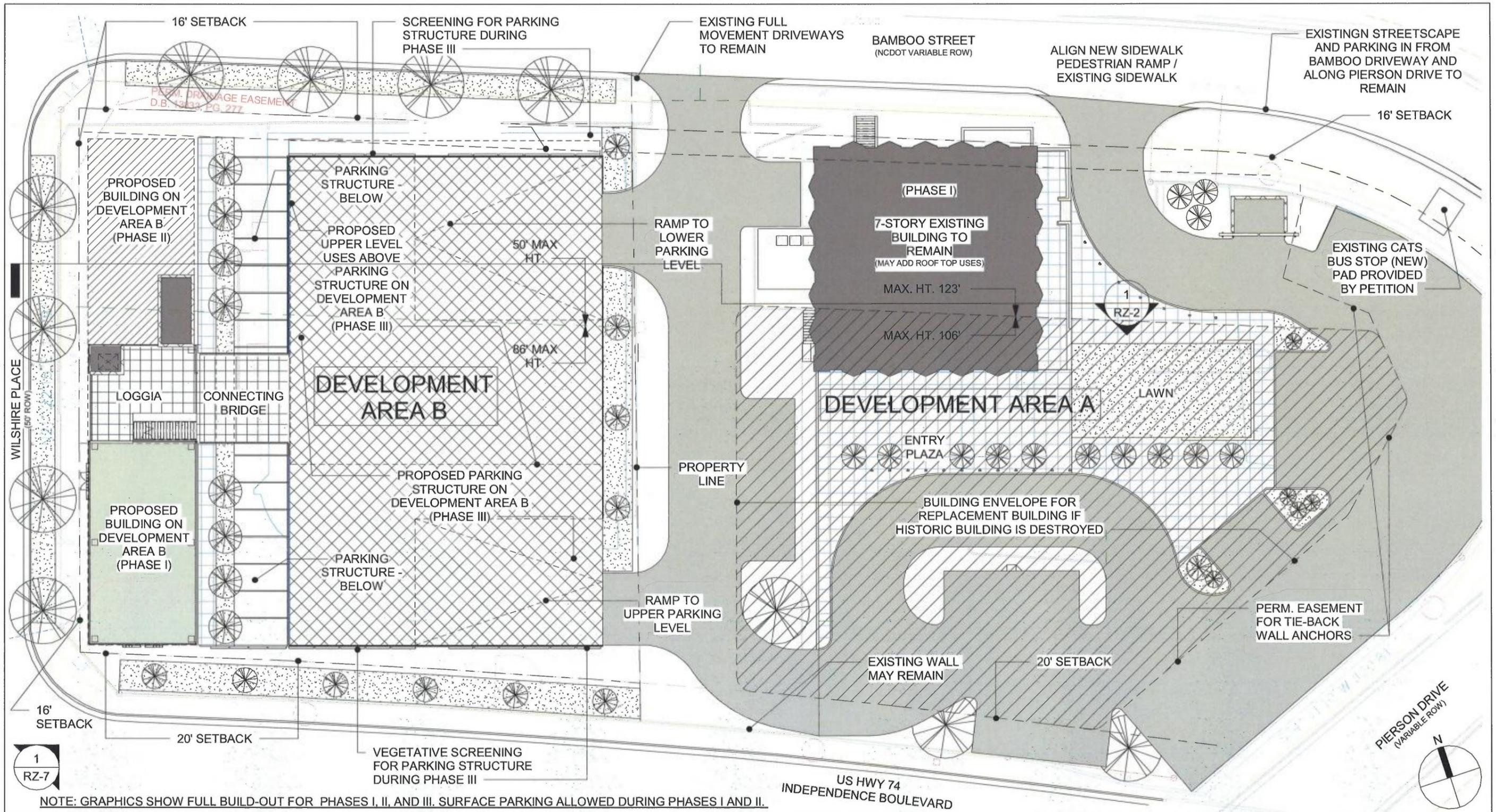
**SITE INFORMATION**

SITE AREA	2.11 ACRES (+/- 91,911.60 SQFT)
TAX PARCEL(S) INCLUDED WITHIN THE AREA TO BE REZONED	13111112, 13111110, 13111101
EXISTING ZONING	MUDD-O
EXISTING USES	VACANT STRUCTURES: RETAIL, OFFICE AND PARKING
PROPERTY OWNERS	BEAVER CREEK, LLC C/O 4037 E. INDEPENDENCE BLVD CHARLOTTE, NC 28205



VICINITY MAP  
 SCALE: 1" = 1000'

**NOTES:**  
 EXISTING CONDITION PLAN DERIVED FROM VARYING SOURCES (I.E. MULTIPLE SURVEYS, GIS, AERIAL RECONNAISSANCE, AND SITE OBSERVATIONS). ACTUAL SITE AND/OR CONTEXT CONDITIONS MAY VARY. TO THE FULL KNOWLEDGE OF THE PETITIONER ALL KNOWN EXISTING EASEMENTS AND ROW RESERVATIONS ARE SHOWN.



NOTE: GRAPHICS SHOW FULL BUILD-OUT FOR PHASES I, II, AND III. SURFACE PARKING ALLOWED DURING PHASES I AND II.



**McCLURE  
NICHOLSON  
MONTGOMERY**  
a r c h i t e c t s

BEAVER CREEK CRE, LLC

# HISTORIC ERVIN BUILDING ADAPTIVE REUSE & PROPOSED NEW CONSTRUCTION

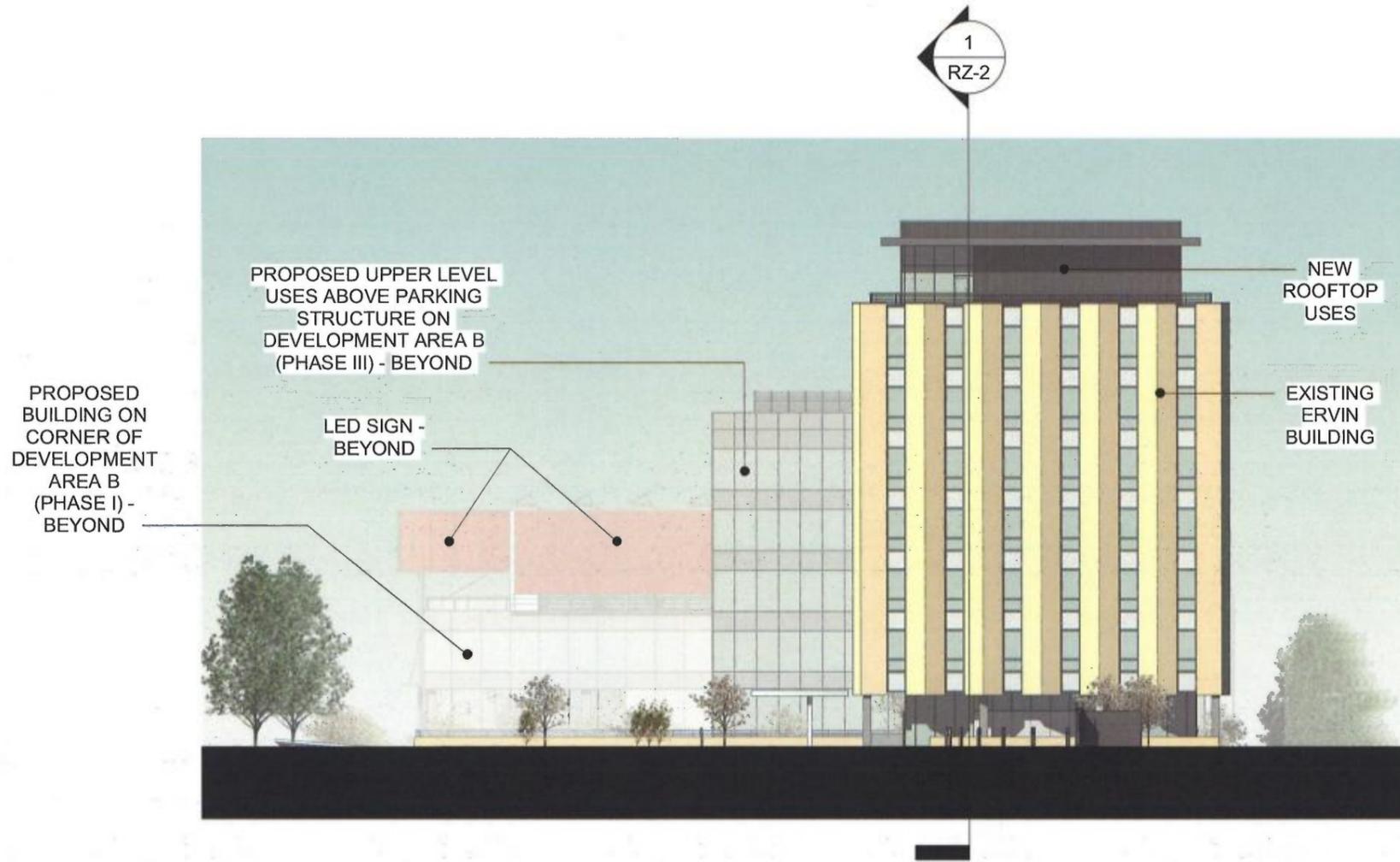
## Conceptual Site Plan

Project number -  
Date 02.18.2019

**RZ-1**

Scale 1" = 30'-0"





VIEW OF SITE FROM PIERSON DRIVE

Administrative  
**Site Plan  
 Amendment**

FEBRUARY 18, 2019

**REZONING  
 PETITION NO.  
 2019-157**

**ERVIN  
 BUILDING  
 REZONING**

BEAVER CREEK CRE, LLC  
 4037 E. INDEPENDENCE BLVD.  
 CHARLOTTE, NC 28205

NOTE: GRAPHICS SHOW FULL BUILD-OUT FOR PHASES I, II, AND III. SURFACE PARKING ALLOWED DURING PHASES I AND II.

NOTE: GRAPHICS DEPICT CONCEPTUAL ELEVATION UPON FULL BUILD-OUT TO INCLUDE PHASES I, II, AND III; ACTUAL ELEVATION MAY VARY FROM ABOVE AS LONG AS OVERALL DESIGN INTENT IS MAINTAINED.



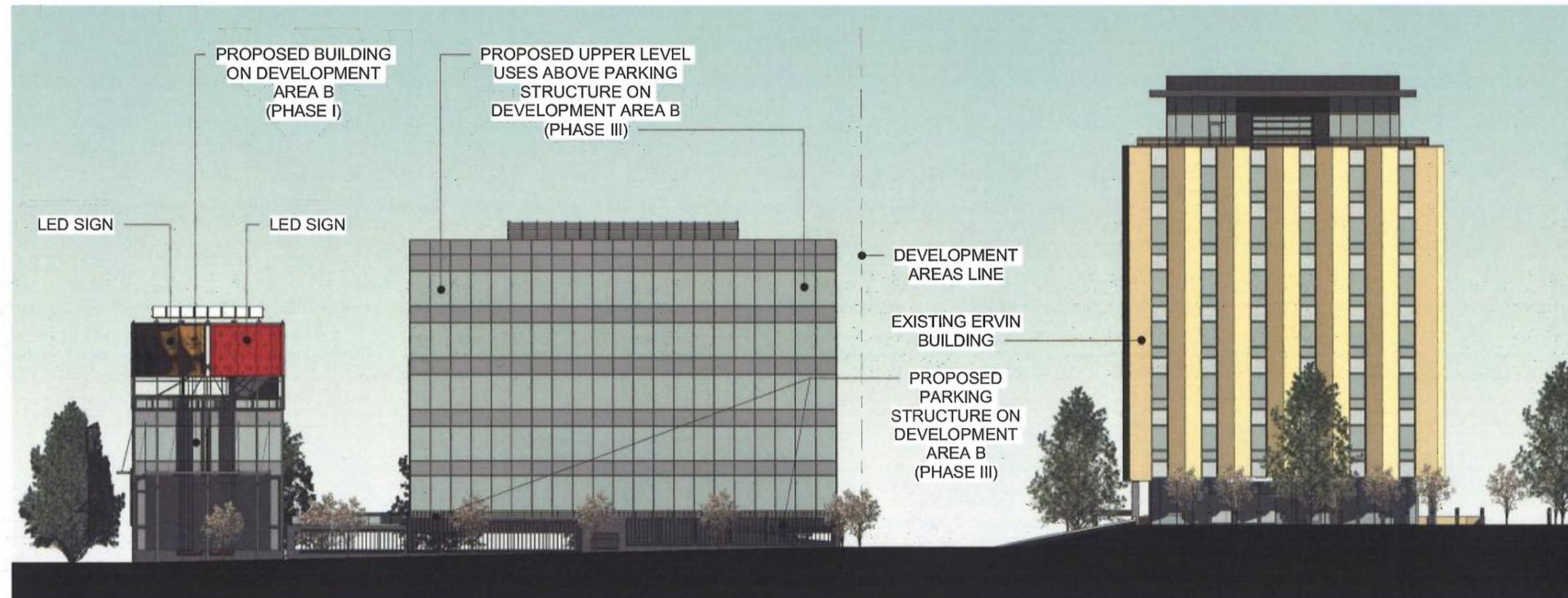
BEAVER CREEK CRE, LLC  
**HISTORIC ERVIN BUILDING ADAPTIVE  
 REUSE & PROPOSED NEW CONSTRUCTION**

**Illustrative East Elevation**

Project number -  
 Date 02.18.2019

**RZ-3**

Scale 1" = 30'-0"



VIEW FROM INDEPENDENCE BLVD.

Administrative

**Site Plan Amendment**

FEBRUARY 18, 2019

**REZONING PETITION NO. 2019-167**

**ERVIN BUILDING REZONING**

BEAVER CREEK CRE, LLC  
4037 E. INDEPENDENCE BLVD.  
CHARLOTTE, NC 28205

NOTE: GRAPHICS SHOW FULL BUILD-OUT FOR PHASES I, II, AND III. SURFACE PARKING ALLOWED DURING PHASES I AND II.

NOTE: GRAPHICS DEPICT CONCEPTUAL ELEVATION UPON FULL BUILD-OUT TO INCLUDE PHASES I, II, AND III; ACTUAL ELEVATION MAY VARY FROM ABOVE AS LONG AS OVERALL DESIGN INTENT IS MAINTAINED.



BEAVER CREEK CRE, LLC

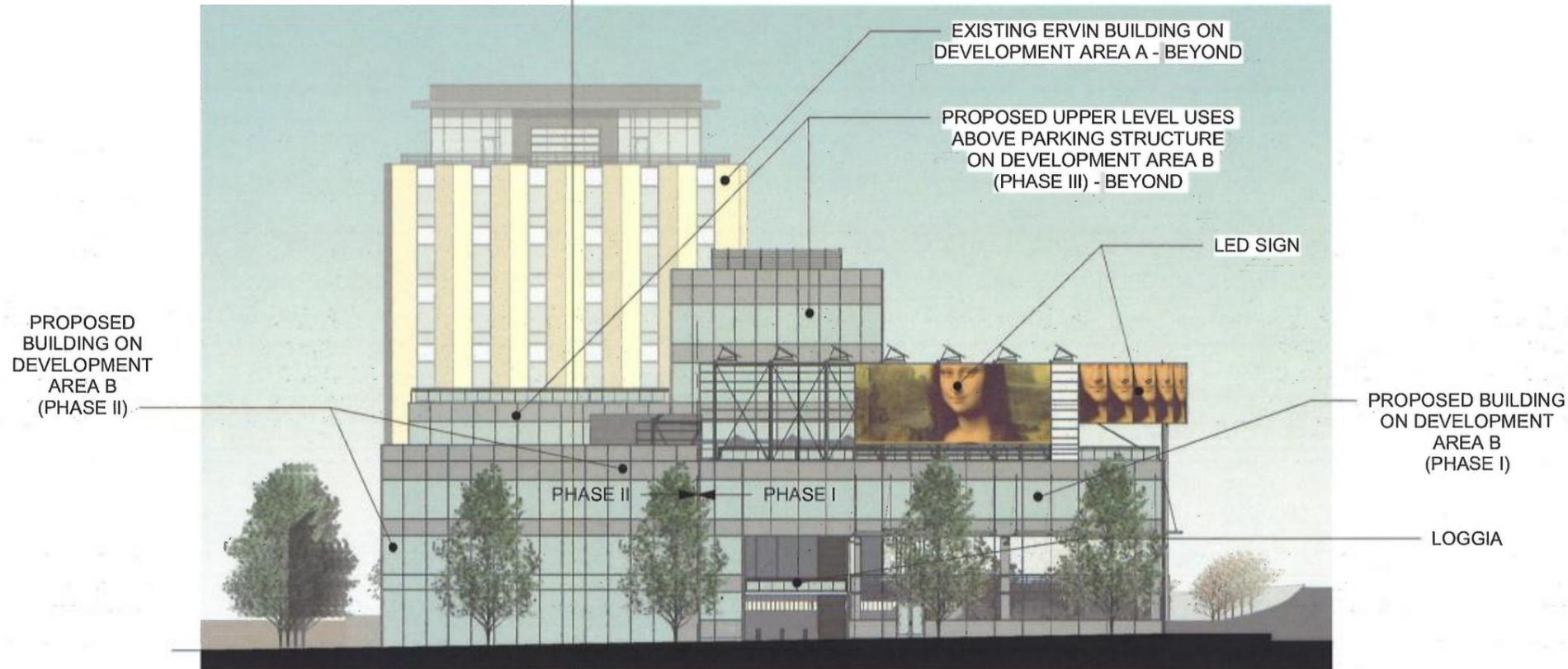
**HISTORIC ERVIN BUILDING ADAPTIVE REUSE & PROPOSED NEW CONSTRUCTION**

**Illustrative South Elevation**

Project number -  
Date 02.18.2019

**RZ-4**

Scale 1" = 30'-0"



VIEW FROM WILSHIRE PLACE

Administrative  
**Site Plan  
 Amendment**

FEBRUARY 18, 2019

**REZONING  
 PETITION NO.  
 2019- 167**

**ERVIN  
 BUILDING  
 REZONING**

BEAVER CREEK CRE, LLC  
 4037 E. INDEPENDENCE BLVD.  
 CHARLOTTE, NC 28205

NOTE: GRAPHICS SHOW FULL BUILD-OUT FOR PHASES I, II, AND III. SURFACE PARKING ALLOWED DURING PHASES I AND II.

NOTE: GRAPHICS DEPICT CONCEPTUAL ELEVATION UPON FULL BUILD-OUT TO INCLUDE PHASES I, II, AND III; ACTUAL ELEVATION MAY VARY FROM ABOVE AS LONG AS OVERALL DESIGN INTENT IS MAINTAINED.



**McCLURE  
 NICHOLSON  
 MONTGOMERY**  
 architects

BEAVER CREEK CRE, LLC

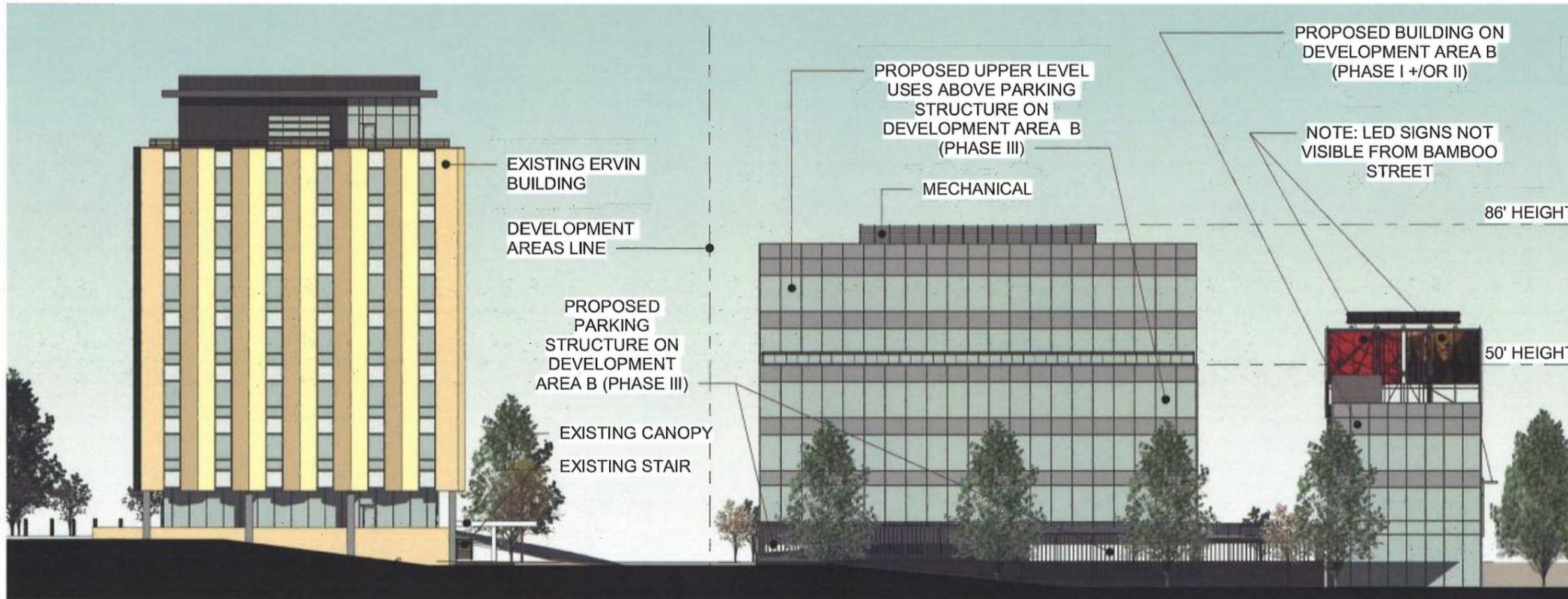
**HISTORIC ERVIN BUILDING ADAPTIVE  
 REUSE & PROPOSED NEW CONSTRUCTION**

**Illustrative West Elevation**

Project number -  
 Date 02.18.2019

**RZ-5**

Scale 1" = 30'-0"



VIEW FROM BAMBOO STREET

Administrative  
**Site Plan  
 Amendment**

FEBRUARY 18, 2019

**REZONING  
 PETITION NO.  
 2019**

**ERVIN  
 BUILDING  
 REZONING**

BEAVER CREEK CRE, LLC  
 4037 E. INDEPENDENCE BLVD.  
 CHARLOTTE, NC 28205

NOTE: GRAPHICS SHOW FULL BUILD-OUT FOR PHASES I, II, AND III. SURFACE PARKING ALLOWED DURING PHASES I AND II.

NOTE: GRAPHICS DEPICT CONCEPTUAL ELEVATION UPON FULL BUILD-OUT TO INCLUDE PHASES I, II, AND III; ACTUAL ELEVATION MAY VARY FROM ABOVE AS LONG AS OVERALL DESIGN INTENT IS MAINTAINED.



**McCLURE  
 NICHOLSON  
 MONTGOMERY**  
 architects

BEAVER CREEK CRE, LLC

**HISTORIC ERVIN BUILDING ADAPTIVE  
 REUSE & PROPOSED NEW CONSTRUCTION**

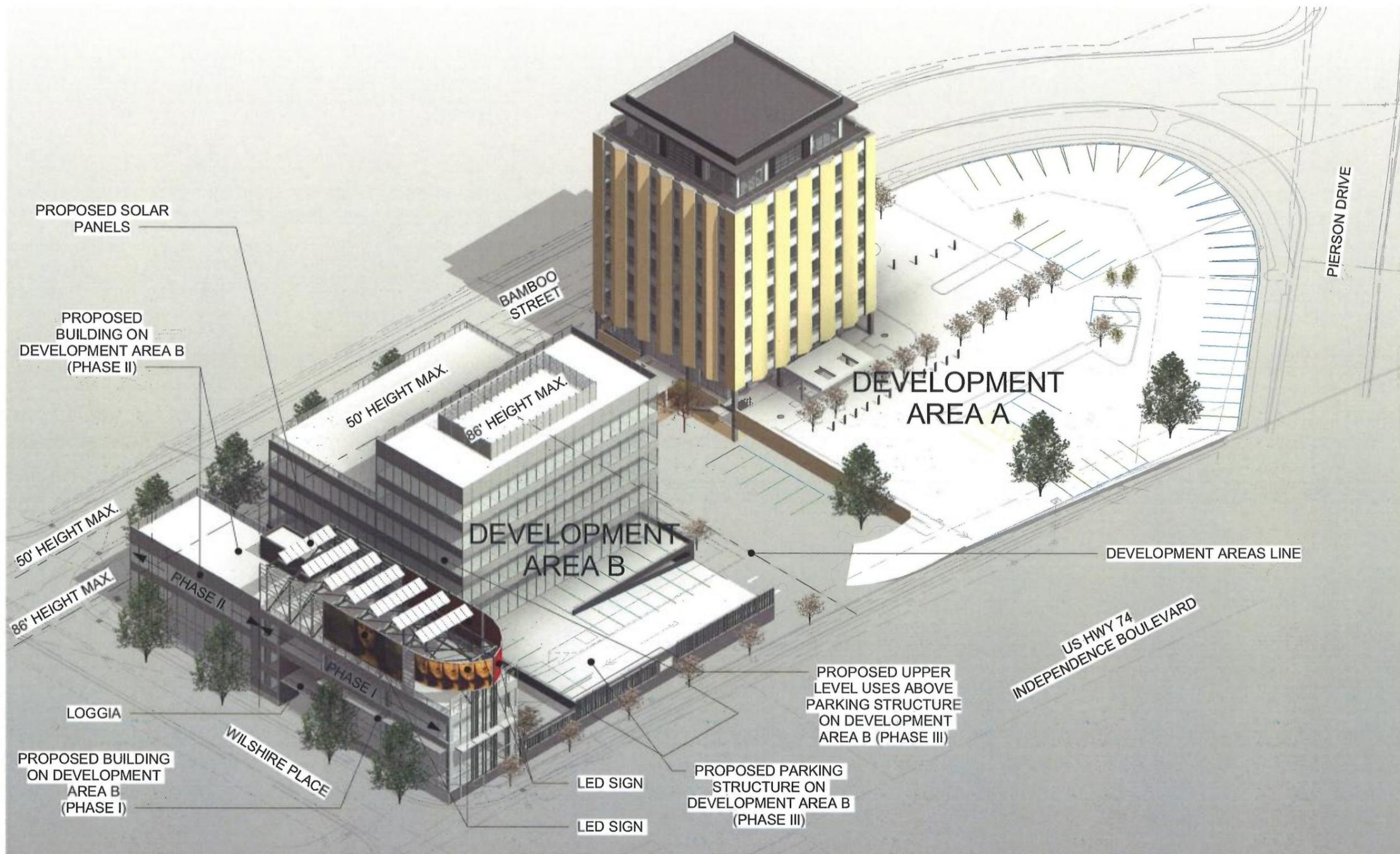
**Illustrative North Elevation**

Project number -  
 Date 02.18.2019

**RZ-6**

Scale 1" = 30'-0"

2/18/2019 4:49:32 PM



Administrative  
**Site Plan  
 Amendment**

FEBRUARY 18, 2019

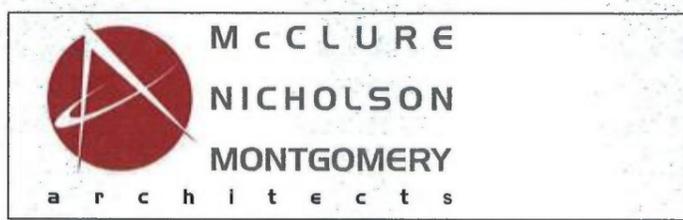
**REZONING  
 PETITION NO.  
 2019-**

**ERVIN  
 BUILDING  
 REZONING**

BEAVER CREEK CRE, LLC  
 4037 E. INDEPENDENCE BLVD.  
 CHARLOTTE, NC 28205

NOTE: GRAPHICS SHOW FULL BUILD-OUT FOR PHASES I, II, AND III. SURFACE PARKING ALLOWED DURING PHASES I AND II.

NOTE: GRAPHICS DEPICT CONCEPTUAL ELEVATION UPON FULL BUILD-OUT TO INCLUDE PHASES I, II, AND III; ACTUAL ELEVATION MAY VARY FROM ABOVE AS LONG AS OVERALL DESIGN INTENT IS MAINTAINED.



BEAVER CREEK CRE, LLC  
**HISTORIC ERVIN BUILDING ADAPTIVE  
 REUSE & PROPOSED NEW CONSTRUCTION**

<b>Orthographic View - West Corner</b>	
Project number -	
Date	02.18.2019
<b>RZ-7</b>	
Scale	

2/18/2019 4:50:07 PM

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

**RECEIVED**  
MAR 22 2019  
BY: .....

2019-053  
Petition #: \_\_\_\_\_  
Date Filed: 3/22/2019  
Received By: PH

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

Property Owner: The Blumenthal Foundation for Charity, Religion, Education and Better Inter-Faith Relations

Owner's Address: P.O. Box 34689 City, State, Zip: Charlotte, NC 28234

Date Property Acquired: September 30, 1971

Property Address: Bryant Park Drive

Tax Parcel Number(s): 067-021-49

Current Land Use: Vacant Office Size (Acres): +/- 2.653 acres

Existing Zoning: O-1 and I-2 Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting\* with: Alberto Gonzalez, Claire Lyte-Graham, Grant Meacci et al.

Date of meeting: March 19, 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 a residential community on the site comprised of single family attached dwelling units.

John Carmichael (Robinson Bradshaw)  
Name of Rezoning Agent

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

Charlotte, NC 28246  
City, State, Zip

704-377-8341  
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com  
E-Mail Address

See Attached Joinder Agreement  
Signature of Property Owner

\_\_\_\_\_  
(Name Typed / Printed)

Hopper Communities (c/o Bart Hopper)  
Name of Petitioner(s)

1814 Euclid Avenue  
Address of Petitioner(s)

Charlotte, NC 28203  
City, State, Zip

704-805-4801  
Telephone Number Fax Number

bhopper@hoppercommunities.com  
E-Mail Address

**HOPPER COMMUNITIES**  
[Signature]  
By: \_\_\_\_\_  
Signature of Petitioner

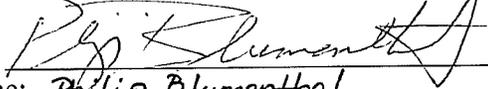
Bart Hopper  
(Name Typed / Printed)

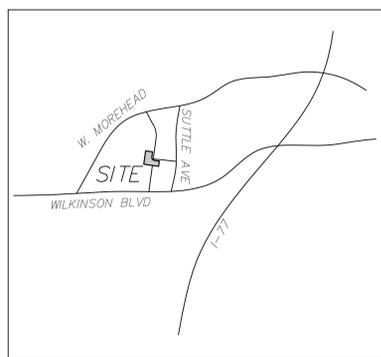
**REZONING APPLICATION FILED BY  
HOPPER COMMUNITIES  
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Hopper Communities that is designated as Tax Parcel No. 067-021-49 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 O-1 and I-2 zoning districts to the MUDD-O zoning district.

This 21<sup>st</sup> day of March, 2019.

THE BLUMENTHAL FOUNDATION FOR CHARITY,  
RELIGION, EDUCATION AND BETTER INTER-FAITH  
RELATIONS a/k/a The Blumenthal Foundation

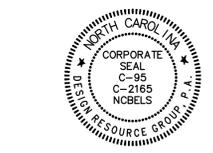
By:   
Name: Philip Blumenthal  
Title: Trustee



**SITE DATA**

TAX MAP NO:	06702149
EXISTING ZONING:	O-1 AND I-2
ZONING:	MUDD-O
SITE AREA:	±2.65 ACRES (±115,609 SF)
EXISTING USE:	VACANT
PROPOSED USE:	SINGLE FAMILY ATTACHED TOWNHOMES
PROPOSED UNITS:	±56 UNITS
DENSITY:	±21.37 DUA
PARKING REQUIRED:	SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE REQUIRED:	SHALL MEET ORDINANCE REQUIREMENTS *SITE LOCATED IN WEST CORRIDOR

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



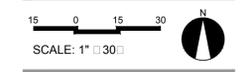
RE ZONING PETITION  
FOR PUBLIC HEARING  
2019-XXX

RE ZONING PETITION

**BRANT PARK TOWNHOMES**  
CHARLOTTE, NORTH CAROLINA

**HOPPER COMMUNITIES**  
1814 EUCLID AVENUE  
CHARLOTTE, NC 28203

**SCHEMATIC  
SITE PLAN**



PROJECT #: 598-015  
DRAWN BY: JO  
CHECKED BY: NB

MARCH 21, 2019

REVISIONS:

**SITE DATA**

TAX MAP NO: 06702149  
EXISTING ZONING: O-1 AND I-2  
ZONING: MUDD-O  
SITE AREA: ±2.65 ACRES (±115,609 SF)  
EXISTING USE: VACANT  
PROPOSED USE: SINGLE FAMILY ATTACHED TOWNHOMES  
PROPOSED UNITS: ±56 UNITS  
DENSITY: ±21.37 DUA  
PARKING REQUIRED: SHALL MEET ORDINANCE REQUIREMENTS  
TREE SAVE REQUIRED: SHALL MEET ORDINANCE REQUIREMENTS  
\*SITE LOCATED IN WEST CORRIDOR

**A. GENERAL PROVISIONS**

- 1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY HOPPER COMMUNITIES TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 2.653 ACRE SITE LOCATED AT THE INTERSECTION OF BRYANT PARK DRIVE AND ISOM STREET, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NO. 067-021-49.
- 2. THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE DEVELOPMENT DISTRICT ("MUDD") ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- 3. THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL PUBLIC STREET, PRIVATE ALLEYS OR DRIVES AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
- 4. 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 SECTION 6.207 OF THE ORDINANCE.

**B. OPTIONAL PROVISIONS**

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

- 1. PARKING, VEHICULAR CIRCULATION AND VEHICULAR MANEUVERING SPACE MAY BE LOCATED BETWEEN THE BUILDINGS CONSTRUCTED ON THE SITE AND THE REQUIRED SETBACKS FROM THE ADJACENT PUBLIC STREETS AS DEPICTED ON THE REZONING PLAN.
- 2. THE BUILDING ENTRANCE REQUIREMENTS OF SECTION 9.8506(2)(H) OF THE ORDINANCE SHALL NOT APPLY TO THE SINGLE FAMILY ATTACHED DWELLING UNITS CONSTRUCTED ON THE SITE.

**C. PERMITTED USES**

- 1. THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 56 SINGLE FAMILY ATTACHED DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE MUDD ZONING DISTRICT.

**D. TRANSPORTATION**

- 1. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.
- 2. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY AN INTERNAL PUBLIC STREET AND INTERNAL PRIVATE ALLEYS OR DRIVES. MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PUBLIC STREET AND THE PRIVATE ALLEYS OR DRIVES SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
- 3. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE INTERNAL SIDEWALKS MAY MEANDER TO SAVE EXISTING TREES.
- 4. THE TRANSPORTATION IMPROVEMENTS SET OUT IN THIS SECTION D OF THE DEVELOPMENT STANDARDS SHALL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE.

**E. ARCHITECTURAL STANDARDS**

- 1. THE PRIMARY EXTERIOR BUILDING MATERIALS FOR THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE CONSTRUCTED ON THE SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK VENEER OR SIMILAR MASONRY PRODUCTS, STONE, MANUFACTURED STONE, STUCCO AND CEMENTITIOUS SIDING.
- 2. VINYL, EIFS OR MASONITE MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL ON ANY BUILDING TO BE CONSTRUCTED ON THE SITE. NOTWITHSTANDING THE FOREGOING, VINYL MAY BE UTILIZED ON WINDOWS, DOORS, GARAGE DOORS, SOFFITS, TRIM AND RAILINGS.
- 3. THE ACTUAL WIDTHS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE CONSTRUCTED ON THE SITE MAY VARY FROM THE WIDTHS DEPICTED ON THE REZONING PLAN.
- 4. THE FRONT ELEVATION OF EACH SINGLE FAMILY ATTACHED DWELLING UNIT SHALL HAVE WINDOWS OR OTHER ARCHITECTURAL DETAILS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 15 FEET ON EACH LEVEL OF THE SINGLE FAMILY ATTACHED DWELLING UNIT.
- 5. ALL CORNER OR END SINGLE FAMILY ATTACHED DWELLING UNITS THAT FACE A PUBLIC STREET SHALL HAVE WINDOWS OR OTHER ARCHITECTURAL DETAILS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 15 FEET ON EACH LEVEL OF THE SINGLE FAMILY ATTACHED DWELLING UNIT.
- 6. EACH SINGLE FAMILY ATTACHED DWELLING UNIT TO BE CONSTRUCTED ON THE SITE SHALL HAVE A GARAGE.
- 7. EACH SINGLE FAMILY ATTACHED DWELLING UNIT TO BE CONSTRUCTED ON THE SITE WILL BE ALLEY LOADED.

**F. STREETScape AND LANDSCAPING**

- 1. A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 8 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S PUBLIC STREET FRONTAGES AS GENERALLY DEPICTED ON THE REZONING PLAN.
- 2. THE SIDEWALKS DESCRIBED ABOVE IN PARAGRAPH 1 MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.

**G. ENVIRONMENTAL**

- 1. IN THE EVENT THAT A SOLID WASTE ENCLOSURE IS PROVIDED ON THE SITE, THE ACTUAL LOCATION OF THE SOLID WASTE ENCLOSURE MAY BE MODIFIED DURING THE CONSTRUCTION PERMITTING PROCESS AND IT MAY VARY FROM WHAT IS DEPICTED ON THE REZONING PLAN.

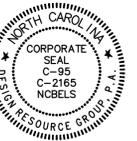
**H. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**

- 1. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
- 2. 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.
- 3. ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.



LANDSCAPE ARCHITECTURE  
CIVIL ENGINEERING  
TRANSPORTATION PLANNING

2459 W... Bld. S... 200 C... NC 28208  
704.343.0608  
www.drg.com



RE ZONING PETITION

FOR PUBLIC HEARING

2019-XXX

RE ZONING PETITION

BRANT PARK TOWNHOMES  
CHARLOTTE, NORTH CAROLINA

HOPPER COMMUNITIES  
1814 EUCLID AVENUE  
CHARLOTTE, NC 28203

TECHNICAL  
DATA SHEET

0  
SCALE:

PROJECT #: 598-015  
DRAWN BY: JO  
CHECKED BY: NB

MARCH 21, 2019

REVISIONS:

C:\projects\2019-03-20\BRANT PARK TOWNHOMES\DWG\06702149-01.dwg

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

**RECEIVED**  
MAR 26 2019  
BY: .....

2019-054

Petition #: \_\_\_\_\_  
Date Filed: 3/26/2019  
Received By: [Signature]

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

Property Owner: CEBRON W HESTER

Owner's Address: 929 BLACKSNAKE ROAD City, State, Zip: Stanley, NC 28164

Date Property Acquired: 08/31/1984

Property Address: 9204 LAKEBROOK RD CHARLOTTE NC 28214

Tax Parcel Number(s): 05322108; 05322107

Current Land Use: Boat & RV Vehicle Display, Sale, and Repair Size (Acres): 1.9266

Existing Zoning: I-1 CD Proposed Zoning: I-1

Overlay: Lake Wylie Watershed Protect Area Tree Survey Provided: Yes:  N/A:

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

Date of meeting: 3/19/2019

(\*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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Daniel Marsha  
Name of Rezoning Agent

1300 South Mint Street  
Agent's Address

Charlotte, NC 28203  
City, State, Zip

704-347-4676 Fax Number  
Telephone Number

daniel@whitesideindustrial.com  
E-Mail Address

[Signature]  
Signature of Property Owner

CEBRON W HESTER  
(Name Typed / Printed)

CEBRON W HESTER  
Name of Petitioner(s)

929 BLACKSNAKE ROAD  
Address of Petitioner(s)

Stanley, NC 28164  
City, State, Zip

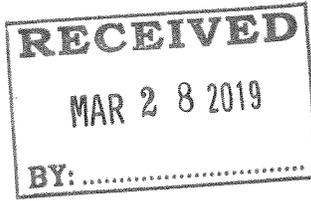
(704)-460-4068 Fax Number  
Telephone Number

wes-hester@hotmail.com  
E-Mail Address

[Signature]  
Signature of Petitioner

CEBRON W HESTER  
(Name Typed / Printed)

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2019-055

Petition #:	_____
Date Filed:	3/28/2019
Received By:	[Signature]

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

Property Owner: See Exhibit A attached hereto

Owner's Address: 11405 Community House Road City, State, Zip: Charlotte, NC 28277

Date Property Acquired: See Exhibit A attached hereto

Property Address: See Exhibit A attached hereto

Tax Parcel Number(s): 103-041-32, 103-041-27 and 103-041-34

Current Land Use: Commercial Size (Acres): +/- 4.185 acres

Existing Zoning: B-1 SCD Proposed Zoning: MUDD-O

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

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

Date of meeting: February 14, 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 an elementary and secondary school comprised of a kindergarten, an elementary school, a middle school and a high school, a religious institution and an eating, drinking and entertainment establishment Type 1.

John Carmichael (Robinson Bradshaw)  
Name of Rezoning Agent

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

Charlotte, NC 28246  
City, State, Zip

704-377-8341  
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com  
E-Mail Address

See Attached Joinder Agreements  
Signature of Property Owner

\_\_\_\_\_  
(Name Typed / Printed)

Movement Resources (c/o Garrett McNeill)  
Name of Petitioner(s)

11405 Community House Road  
Address of Petitioner(s)

Charlotte, NC 28277  
City, State, Zip

704-526-9080  
Telephone Number Fax Number

garrett@movementfoundation.org  
E-Mail Address

**MOVEMENT RESOURCES**

By: [Signature]  
Signature of Petitioner

Garrett McNeill  
(Name Typed / Printed)

**Exhibit A to Rezoning Application Filed by Movement Resources**

**Property Owners Information, Acquisition Dates and Site Addresses**

**Tax Parcel Nos. 103-041-32 & 103-041-27**

Movement Resources  
11405 Community House Road  
Charlotte, NC 28277

Acquisition Date: July 2, 2018

Site Addresses: 5247 Central Avenue and 5249 Central Avenue

**Tax Parcel No. 103-041-34**

The Movement Foundation, Inc.  
11405 Community House Road  
Charlotte, NC 28277

Acquisition Date: February 28, 2019

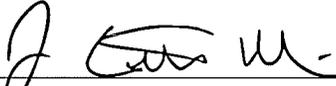
Site Address: 5259 Central Avenue

**REZONING APPLICATION FILED BY  
MOVEMENT RESOURCES  
JOINDER AGREEMENT**

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by Movement Resources that are designated as Tax Parcel Nos. 103-041-32 and 103-041-27 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 B-1 SCD zoning district to the MUDD-O zoning district.

This 23 day of March, 2019.

**MOVEMENT RESOURCES**

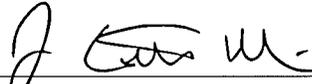
By:   
Name: J. Garrett McNeill  
Title: Director

**REZONING APPLICATION FILED BY  
MOVEMENT RESOURCES  
JOINDER AGREEMENT**

The undersigned, as the owner of those parcels of land subject to the attached Rezoning Application filed by Movement Resources that are designated as Tax Parcel Nos. 103-041-32 and 103-041-27 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 B-1 SCD zoning district to the MUDD-O zoning district.

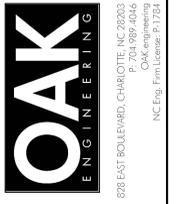
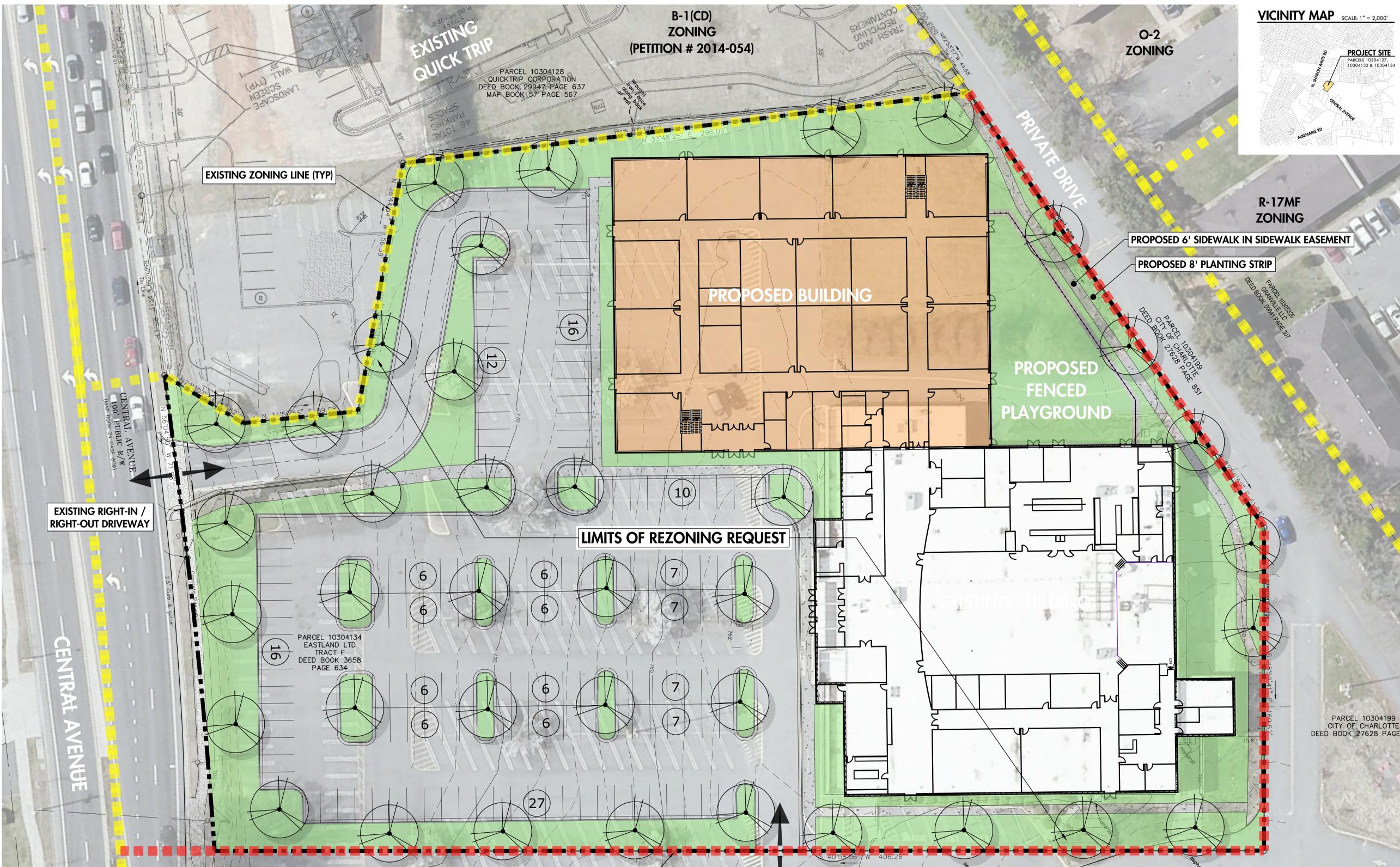
This 19 day of March, 2019.

**THE MOVEMENT FOUNDATION, INC.**

By: 

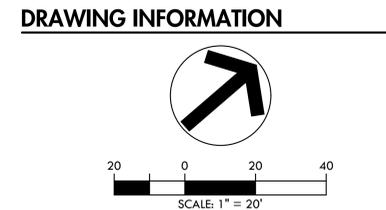
Name: J. Garrett McNeill

Title: Director



**SITE DEVELOPMENT TABLE**

PROJECT NAME:	MOVEMENT SCHOOL EAST
PETITION NO:	# 2019 -
PETITIONER:	MOVEMENT RESOURCES
PLANS PREPARED BY:	OAK ENGINEERING, PLLC
TAX PARCEL NUMBERS:	10304127, 4132 & 4134
COMBINED LOT SIZE:	±4.185 ACRES
CURRENT ZONING:	B-1SCD (#1985-038)
PROPOSED ZONING:	MUDD-O
OVERLAY DISTRICT:	NONE
EXISTING USE:	RETAIL - EAST SUBMARKET
PROPOSED LAND USE:	ELEMENTARY & SECONDARY SCHOOL, RELIGIOUS INSTITUTION, TYPE 1 EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT
MAXIMUM GFA:	100,000 SF (2,000 SF OF WHICH MAY BE DEVOTED TO A TYPE 1 EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT
JURISDICTION:	CITY OF CHARLOTTE
WATERSHED DISTRICT:	MCALPINE CREEK (CENTRAL CATAWBA PC)
FEMA INFORMATION:	MAP NO. 3710457300K MAP DATES: 2/19/2014 FLOOD ZONE: N/A



**MOVEMENT SCHOOL EAST**  
 CENTRAL AVENUE  
 CHARLOTTE, NORTH CAROLINA  
 MOVEMENT FOUNDATION  
 REZONING PLAN ( PETITION # 2019 - )

ENGINEER: GTW  
 DRAWN BY: GTW  
 CHECKED BY: LIB  
 PROJECT #: 019/011  
 SHEET  
**RZ-1**  
 SHEET 1 OF 2

APRIL 22, 2019

**A. GENERAL PROVISIONS**

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY MOVEMENT RESOURCES TO ACCOMMODATE THE DEVELOPMENT AND OPERATION OF AN ELEMENTARY AND SECONDARY SCHOOL, A RELIGIOUS INSTITUTION AND AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT TYPE 1 ON THAT APPROXIMATELY 4.185 ACRE SITE LOCATED ON THE NORTH SIDE OF CENTRAL AVENUE BETWEEN NORTH SHARON AMITY ROAD AND LOS AMIGOS AVENUE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 103-041-32, 103-041-27 AND 103-041-34.
2. THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE DEVELOPMENT DISTRICT ("MUDD") ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
3. THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL DRIVES AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
4. 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 SECTION 6.207 OF THE ORDINANCE.

**B. OPTIONAL PROVISIONS**

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

1. PARKING, VEHICULAR CIRCULATION AND VEHICULAR MANEUVERING SPACE MAY BE LOCATED BETWEEN THE BUILDINGS LOCATED ON THE SITE AND THE REQUIRED SETBACK FROM CENTRAL AVENUE.
2. VALET PARKING SERVICE AREA(S) MAY BE LOCATED BETWEEN THE BUILDINGS LOCATED ON THE SITE AND CENTRAL AVENUE.
3. THE BUILDING ENTRANCE REQUIREMENTS OF SECTION 9.8506(2)(H) OF THE ORDINANCE SHALL NOT APPLY TO THE BUILDINGS LOCATED ON THE SITE.
4. AN EXISTING BUILDING LOCATED ON THE SITE SHALL NOT BE REQUIRED TO MEET THE URBAN DESIGN AND DEVELOPMENT STANDARDS SET OUT IN SECTION 9.8506(2)(A) OF THE ORDINANCE.

**C. PERMITTED USES**

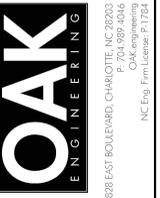
1. SUBJECT TO THE LIMITATIONS SET OUT BELOW IN PARAGRAPHS 2 THROUGH 4, THE SITE MAY BE DEVOTED ONLY TO THE USES SET OUT BELOW (INCLUDING ANY COMBINATION OF SUCH USES), TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE MUDD ZONING DISTRICT.
  - (a) AN ELEMENTARY AND SECONDARY SCHOOL COMPRISED OF A KINDERGARTEN, AN ELEMENTARY SCHOOL, A MIDDLE SCHOOL AND A HIGH SCHOOL.
  - (b) A RELIGIOUS INSTITUTION.
  - (c) AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT (TYPE 1).
2. THE TOTAL MAXIMUM GROSS FLOOR AREA OF THE PRINCIPAL BUILDINGS LOCATED ON THE SITE SHALL BE 100,000 SQUARE FEET.
3. OF THE ALLOWED 100,000 SQUARE FEET OF GROSS FLOOR AREA THAT MAY BE LOCATED ON THE SITE, A MAXIMUM OF 2,000 SQUARE FEET MAY BE DEVOTED TO AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT (TYPE 1).
4. A MAXIMUM OF TWO PRINCIPAL BUILDINGS MAY BE LOCATED ON THE SITE.

**D. TRANSPORTATION**

1. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
2. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.

**E. STREETScape AND LANDSCAPING**

1. PETITIONER SHALL INSTALL A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 6 FOOT WIDE SIDEWALK ALONG THE SITE'S FRONTAGE ON CENTRAL AVENUE IN THE EVENT THAT THESE IMPROVEMENTS ARE NOT CURRENTLY IN PLACE.
2. PETITIONER SHALL INSTALL A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 6 FOOT WIDE SIDEWALK ALONG THE SITE'S FRONTAGE ON THE UNNAMED SHARED ACCESS ROAD LOCATED ALONG THE NORTH PROPERTY LINE AND AS GENERALLY DEPICTED ON THE REZONING PLAN.
6. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
  1. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
  2. 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.
  3. 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.



OAK ENGINEERING  
828 EAST BOULEVARD, CHARLOTTE, NC 28203  
P. 704.989.4046  
O. 704.989.4047  
NC Eng. License # 33996

**MOVEMENT SCHOOL EAST**

CENTRAL AVENUE  
CHARLOTTE, NORTH CAROLINA  
MOVEMENT FOUNDATION

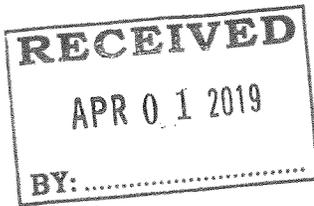
**DEVELOPMENT STANDARDS ( PETITION # 2019 - \_\_\_\_\_ )**

REVISIONS:

ENGINEER: GTW  
DRAWN BY: GTW  
CHECKED BY: LB  
PROJECT #: 019.011

SHEET  
**RZ-2**  
SHEET 2 OF 2

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2019-056

Petition #: \_\_\_\_\_  
Date Filed: 4/1/2019  
Received By: [Signature]

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

Property Owner: WPCP Julian LP

Owner's Address: 4064 Colony Road, Suite 310 City, State, Zip: Charlotte, NC 28211

Date Property Acquired: 11/20/2018

Property Address: 2001 W Morehead St

Tax Parcel Number(s): 067-021-12

Current Land Use: Industrial Size (Acres): +/- 4.95 acres

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

Overlay: None Tree Survey Provided: Yes: \_\_\_\_\_ N/A: \_\_\_\_\_

Required Rezoning Pre-Application Meeting\* with: Claire Lyte-Graham, Grant Meacci, and Carlos Alzate  
Date of meeting: 2/19/19

(\*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): No

Purpose/description of Conditional Zoning Plan: To accommodate a mixed-use development through the renovation of existing buildings.

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

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

Charlotte, NC 28202  
City, State, Zip

704-331-7531  
Telephone Number Fax Number

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

[Signature]  
Signature of Property Owner

Jay Levell  
(Name Typed / Printed)

White Point Partners, LLC  
Name of Petitioner(s)

Two Morrocroft Centre, 4064 Colony Road, Suite 310  
Address of Petitioner(s)

Charlotte, NC 28211  
City, State, Zip

704-761-6448  
Telephone Number Fax Number

jay@whitepointpartners.com  
E-Mail Address

[Signature]  
Signature of Petitioner

Jay Levell  
(Name Typed / Printed)





**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2019-057  
Petition #: \_\_\_\_\_  
Date Filed: 4/1/2019  
Received By: [Signature]

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

Property Owner: DH Griffin Infrastructure LLC

Owner's Address: 4716 Hilltop Rd. City, State, Zip: Greensboro, NC 27407

Date Property Acquired: 2018

Property Address: 3239 Statesville Rd., Charlotte, NC

Tax Parcel Number(s): portion of 07706303

Current Land Use: Undeveloped, former fill site Size (Acres): 9.957-

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

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

Required Rezoning Pre-Application Meeting\* with: Micheal Russell, Kent Main, et al.

Date of meeting: 3/13/19

(\*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: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

walter@walterfieldsgroup.com  
E-Mail Address

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
(Name Typed / Printed)

DH Griffin Infrastructure, LLC  
Name of Petitioner(s)

4716 Hilltop Rd.  
Address of Petitioner(s)

Greensboro, NC 27407  
City, State, Zip

336-389-5439                      336-389-5439  
Telephone Number                      Fax Number

ccarter@DHGRIFFIN.com  
E-Mail Address

[Signature]  
Signature of Petitioner

Christopher M. Carter  
(Name Typed / Printed)

**RECEIVED**  
APR 02 2019  
BY: .....

2019-058

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #: \_\_\_\_\_  
Date Filed: 4/2/2019  
Received By: Bj

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

Property Owner: Housing Authority of the City of Charlotte, N.C.

Owner's Address: 400 East Boulevard City, State, Zip: Charlotte, NC 28203

Date Property Acquired: August 16, 1974

Property Address: 324 West 30<sup>th</sup> Street

Tax Parcel Number(s): 085-014-01

Current Land Use: Multi-family Size (Acres): +/- 4.270 acres

Existing Zoning: R-22 MF Proposed Zoning: UR-3 (CD)

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

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

Date of meeting: March 14, 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 the development of a single building on the site containing multi-family dwelling units, 100% of which will be affordable to households that earn 30% to 80% of the AMI.

John Carmichael (Robinson Bradshaw)  
Name of Rezoning Agent

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

Charlotte, NC 28246  
City, State, Zip

704-377-8341 Fax Number  
Telephone Number

jcarmichael@robinsonbradshaw.com  
E-Mail Address

HOUSING AUTHORITY OF THE CITY OF CHARLOTTE, NC

By: Connie Staudinger  
Signature of Property Owner  
CONNIE STAUDINGER  
(Name Typed/Printed)

Housing Authority of the City of Charlotte, NC  
Name of Petitioner(s)

(c/o Connie Staudinger) 400 East Boulevard  
Address of Petitioner(s)

Charlotte, NC 28203  
City, State, Zip

704-336-8332 Fax Number  
Telephone Number

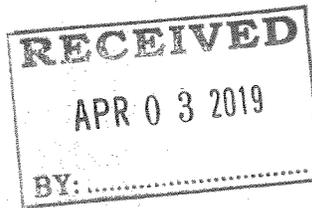
cstaudinger@hdproperties.org  
E-Mail Address

HOUSING AUTHORITY OF THE CITY OF CHARLOTTE, NC

By: Connie Staudinger  
Signature of Petitioner  
CONNIE STAUDINGER  
(Name Typed/Printed)



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2019-059

Petition #:	_____
Date Filed:	<u>4/3/2019</u>
Received By:	<u>JE</u>

Property Owners: Win Graham, LLC  
Owner's Addresses: 2165 Louisa Drive, Belleair Beach, FL 33786

Date Properties Acquired: 04/01/2019

Property Addresses: 1823 Cannon Ave, Charlotte, NC 28269

Tax Parcel Numbers: portion of 045-062-06

Current Land Use: vacant (Acres): ±.336

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

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

Required Rezoning Pre-Application Meeting\* with: Michael Russell, Charlotte Lamb, Kent Main, and Rick Grochoske

Date of meeting: March 27, 2019

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

<b>For Conditional Rezonings Only:</b>
Requesting a vesting period exceeding the 2 year minimum? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No. Number of years (maximum of 5): <u>N/A</u>
Purpose/description of Conditional Zoning Plan: <u>N/A</u>

**Kelth 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

**kelthmacvean@mvalaw.com;**  
**dujuanakeys@mvalaw.com; jeffbrown@mvalaw.com**  
E-mail Address

Signature of Property Owner

**Win Development, LLC (Attn: Jesse McInerney)**  
Name of Petitioner

**2165 Louisa Drive**  
Address of Petitioner

**Belleair Beach, FL 33786**  
City, State, Zip

**917.647.3872**  
Telephone Number Fax Number

**jesse@windevelopment.net**  
E-mail Address

Signature of Petitioner

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-060

<b>RECEIVED</b>  APR 03 2019  BY: .....	Petition #: _____
	Date Filed: <u>4/3/2019</u>
	Received By: <u>[Signature]</u>

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

Property Owner: 4400 Park Rd, LLC

Owner's Address: 1 Greenway Plaza, Suite 800 City, State, Zip: Houston, TX 77046

Date Property Acquired: 2018

Property Address: 1374 Drexmore Avenue

Tax Parcel Number(s): 17104324

Current Land Use: single family Size (Acres): Approx. 0.31 ac

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

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

Required Rezoning Pre-Application Meeting\* with: John Kinley, Grant Meacci, et al

Date of meeting: 3/19/19

(\*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): \_\_\_\_\_

Purpose/description of Conditional Zoning Plan: Permit the use of the site for a small surface parking lot

\_\_\_\_\_

\_\_\_\_\_

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

walter@walterfieldsgroup.com  
E-Mail Address

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
(Name Typed / Printed)

4400 Park Rd, LLC  
Name of Petitioner(s)

1 Greenway Plaza, Suite 800  
Address of Petitioner(s)

Houston, TX 77046  
City, State, Zip

704-971-0874                      \_\_\_\_\_  
Telephone Number                      Fax Number

mletcher@mantravels.com  
E-Mail Address

Mark Fletcher  
Signature of Petitioner

Mark Fletcher  
(Name Typed / Printed)



**URBAN  
DESIGN  
PARTNERS**

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

DEVELOPMENT SUMMARY	
TAX PARCEL ID #:	171-043-24
TOTAL SITE AREA:	0.32 AC
EXISTING ZONING:	R-4
CURRENT:	O-2
PROPOSED:	O-2

**DEVELOPMENT STANDARDS**

GENERAL PROVISIONS.

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

PURPOSE

THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF A SMALL SURFACE PARKING LOT AS PART OF THE 4400 PARK ROAD SITE. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE TO THE O-2 DISTRICT AS A CONDITIONAL DISTRICT (O-2 (CD)).

PERMITTED USES

USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION WILL BE LIMITED TO A SMALL SURFACE PARKING LOT.

TRANSPORTATION

THE SITE WILL HAVE ACCESS ONLY FROM THE 4400 PARK ROAD SITE AND FROM AN ADJOINING OFFICE SITE ON PARK ROAD AS GENERALLY DEPICTED ON THE SITE PLAN

ARCHITECTURAL STANDARDS

RESERVED.

STREETSCAPE AND LANDSCAPING

THE PETITIONER WILL INSTALL LANDSCAPE SCREEN ALONG THE FRONT OF THE SITE TO SCREEN THE PARKING FROM DREXMORE AVENUE. THIS LANDSCAPED AREA MAY INCLUDE EXISTING TREES AND VEGETATION AS WELL AS NEW TREES AND EVERGREEN SHRUBBERY.

ENVIRONMENTAL FEATURES

RESERVED

PARKS, GREENWAYS, AND OPEN SPACE

RESERVED

FIRE PROTECTION

RESERVED

SIGNAGE

RESERVED

LIGHTING

RESERVED

PHASING

RESERVED

INITIAL SUBMISSION- 4-2-19, 1.0

4400 Park Road LLC

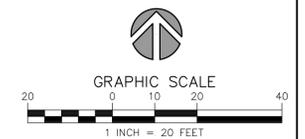
1 Greenway Plaza STE 800  
Houston, TX 77046

**1374 Drexmore Ave.**

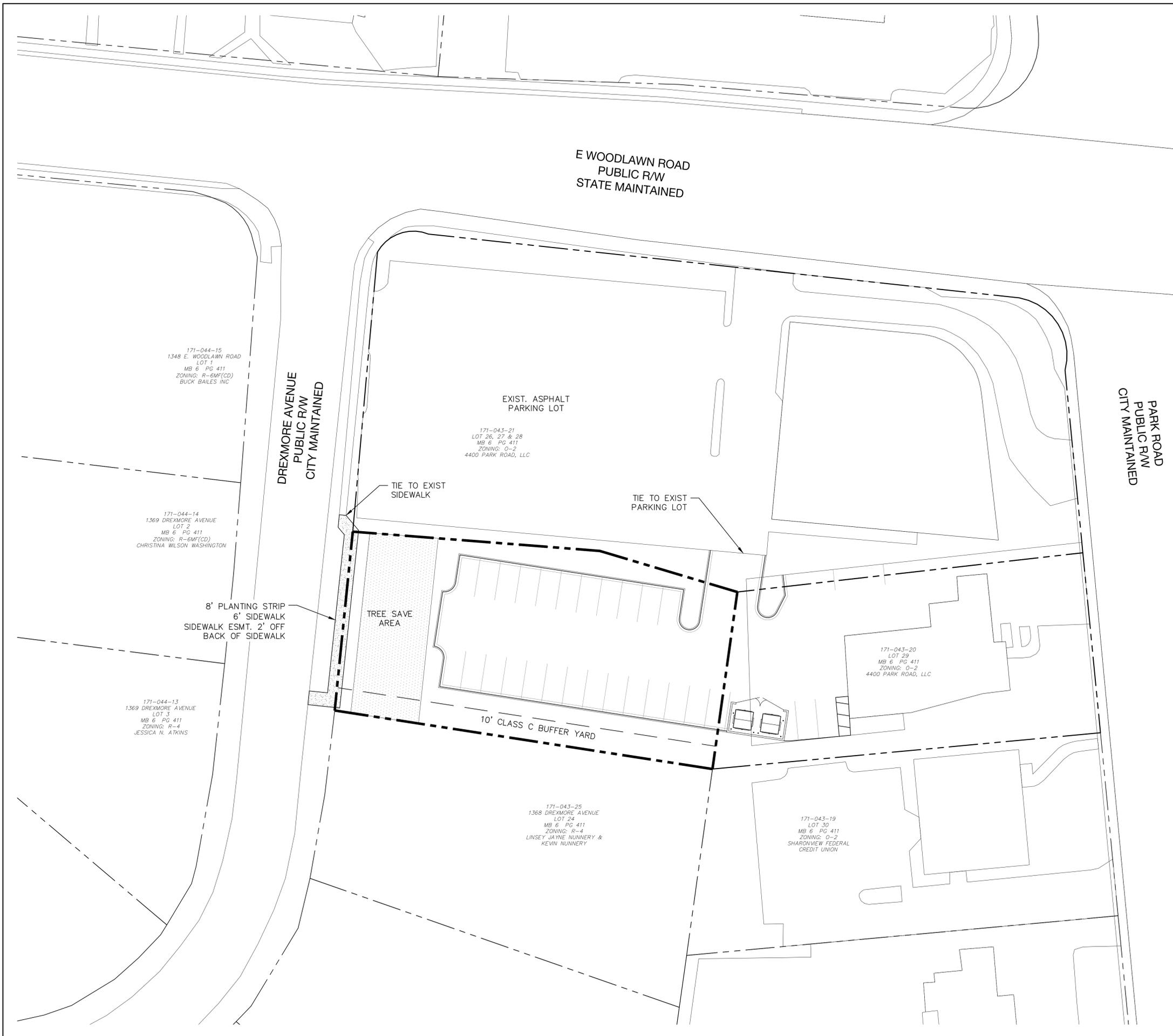
**Rezoning Plan**  
Charlotte, NC

NO. DATE: BY: REVISIONS:

Project No: 19-025  
Date: 03.07.2019  
Designed by: UDP  
Drawn By: UDP  
Sheet No:



**RZ-1.0**



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2019-061  
Petition #: \_\_\_\_\_  
Date Filed: 4/5/2019  
Received By: [Signature]

Property Owners: Metrolina Properties Limited Partnership  
Owner's Addresses: 1341 E. Morehead St, Ste 201, Charlotte, NC 28204  
Date Properties Acquired: 06/21/1988  
Property Addresses: 10046 Northlake Centre Parkway, Charlotte, NC 28269  
Tax Parcel Numbers: a portion of 025-081-12  
Current Land Use: vacant (Acres): ± 14.5  
Existing Zoning: BP Proposed Zoning: UR-2(CD)  
Overlay: N/A Tree Survey Provided: Yes:      N/A:       
Required Rezoning Pre-Application Meeting\* with: Michael Russell, Charlotte Lamb, Kathy Cornett, Kent Main, Rick Grochoske, Josh Weaver  
Date of meeting: 1/16/2019

(\*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 development of the site with a multi-family residential community.

**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

**SEE ATTACHMENT A**  
Signature of Property Owner

**Davis Development (Attn: Lance Chernow)**  
Name of Petitioner

**403 Corporate Center Drive, Ste 201**  
Address of Petitioner

**Stockbridge, GA 30281**  
City, State, Zip

**770.474.4345**  
Telephone Number Fax Number

**Lance.chernow@davisdevga.com**  
E-mail Address

**SEE ATTACHMENT B**  
Signature of Petitioner

**ATTACHMENT A**

**REZONING PETITION NO. 2019-  
Davis Development**

**OWNER JOINDER AGREEMENT  
Metrolina Properties Limited Partnership**

The undersigned, as the owner of the parcel of land located at 10046 Northlake Centre Parkway, Charlotte, NC that is designated as a portion of Tax Parcel No. 025-081-12 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 parcels from BP zoning district to the UR-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 20th day of March, 2019.

**Metrolina Properties Limited Partnership  
By: Withrow Capital Investments, LLC  
Its General Partner  
By: Withrow Capital, Inc., Its Manager**

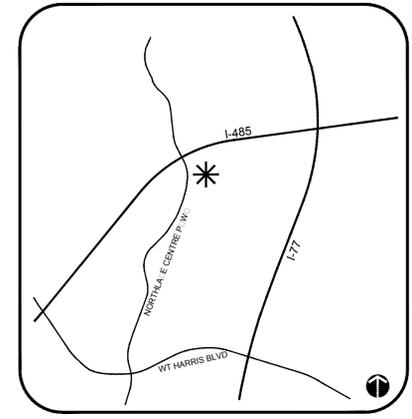
By: Terry L. Williams  
Name: Terry L. Williams  
Its: President

**ATTACHMENT B**

**REZONING PETITION NO. 2019-  
Davis Development**

**Petitioner:  
Davis Development**

**By:**   
**Name:** Lynne Chenoweth  
**Its:** Corporation Officer



VICINITY MAP  
NTS

SITE DEVELOPMENT DATA

ACREAGE: ± 14.5 ACRES

TAX PARCEL #: A PORTION OF 025-081-12

EXISTING ZONING: BP

PROPOSED ZONING: UR-2(CD)

EXISTING USES: VACANT

PROPOSED USES: RESIDENTIAL DWELLINGS UNITS AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS, AND BY THE OPTIONAL PROVISIONS BELOW, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE UR-2 ZONING DISTRICT (ALL AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).

MAXIMUM NUMBER OF RESIDENTIAL DWELLING UNITS: UP TO 300 MULTI-FAMILY RESIDENTIAL DWELLING UNITS AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE UR-2 ZONING DISTRICT.

MAXIMUM BUILDING HEIGHT: UP TO FOUR (4) STORIES. HEIGHT TO BE MEASURED PER THE ORDINANCE.

PARKING: AS REQUIRED BY THE ORDINANCE.

1 PID: 02509141  
MECKLENBURG COUNTY  
DB 20054 PG 289  
EX. ZONING: CC

2 PID: 02510306  
FCD-REAMES ROAD LP  
DB 10990 PG 932  
EX. ZONING: R-3

3 PID: 02508125  
METROLINA PROPERTIES LP  
DB 05809 PG 855  
EX. ZONING: BP

4 PID: 02508124  
DEPARTMENT OF TRANSPORTATION  
DB 12872 PG 335  
EX. ZONING: R-3

5 PID: 02528114  
FAISON-PROJECT NORTH LLC  
DB 16253 PG 468  
EX. ZONING: R-3

E. MAP

SCALE

NO ZONING OR  
NONRESIDENTIAL

PROJECT

NORLA E  
M LAMIL

DAVIS DEVELOPMENT  
CHARLOTTE, NC  
RE ZONING #2019-XXX

LANDDESIGN PROJ# 1019028

REVISION / ISSUANCE

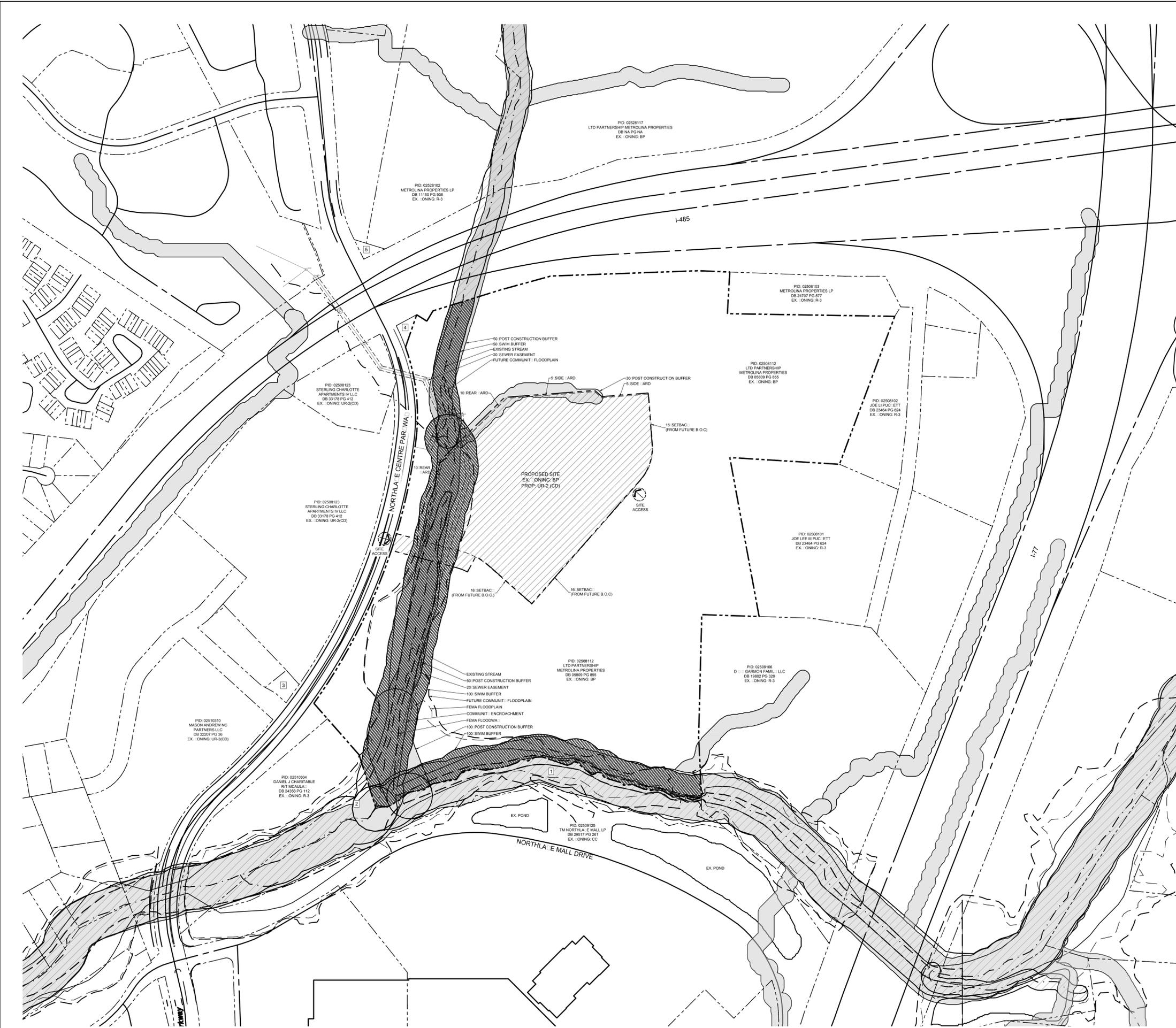
NO.	DESCRIPTION	DATE
1	INITIAL RE ZONING SUBMITTAL	04.05.19

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

SCALE: NORTH  
VERT: N/A  
HOR: 1" = 200'  
0 100 200 400

TECHNICAL DATA SHEET

SHEET NUMBER R-1

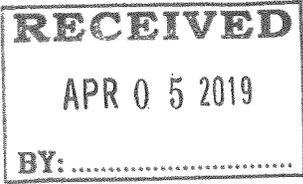












2019-062

I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #: Date Filed: 4/5/2019 Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner: Frank C. Newton, Jr. and Nancy E. Newton

Owner's Address: 1806 Rocky River Road City, State, Zip: Charlotte, NC 28213

Date Property Acquired: March 31, 1997

Property Address: 1806 Rocky River Road, 1702 Rocky River Road, 1704 Rocky River Road and 8225 Newell Farm Road

Tax Parcel Number(s): 105-012-31, 105-012-15, 105-012-14, 105-012-13 and 105-011-08

Current Land Use: Single family residential Size (Acres): +/- 13.012 acres

Existing Zoning: B-1 (CD) and O-1 (CD) Proposed Zoning: UR-2 (CD)

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

Required Rezoning Pre-Application Meeting\* with: Sonja Sanders, Grant Meacci and Mandy Rosen Date of meeting: March 14, 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 a residential community on the site comprised of detached style dwelling units and duplex style dwelling units.

John Carmichael (Robinson Bradshaw) Name of Rezoning Agent

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

Charlotte, NC 28246 City, State, Zip

704-377-8341 Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com E-Mail Address

See Attached Joinder Agreement Signature of Property Owner

(Name Typed / Printed)

Suncrest Real Estate and Land (c/o Sean Cooney) Name of Petitioner(s)

2701 East Camelback Road, Suite 180 Address of Petitioner(s)

Biltmore Park, Phoenix, AZ 85016 City, State, Zip

602-481-4301 Telephone Number Fax Number

Scooney@suncrestreal.com E-Mail Address

SUNCREST REAL ESTATE AND LAND

By: [Signature] Signature of Petitioner

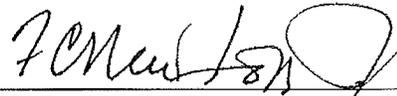
Sean Cooney

(Name Typed / Printed)

**REZONING APPLICATION FILED BY  
SUNCREST REAL ESTATE AND LAND  
JOINDER AGREEMENT**

The undersigned, as the owners of those parcels of land subject to the attached Rezoning Application filed by Suncrest Real Estate and Land that are designated as Tax Parcel Nos. 105-012-31, 105-012-15, 105-012-14, 105-012-13 and 105-011-08 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Rezoning Application and consent to the change in zoning for the Site from the B-1 (CD) and O-1 (CD) zoning districts to the UR-2 (CD) zoning district.

This 4 day of April, 2019.



Frank C. Newton, Jr.



Nancy E. Newton



**REZONING SUMMARY**

PETITIONER: SUNCREST REAL ESTATE AND LAND  
2701 EAST CAMELBACK ROAD #180  
BILTMORE PARK, PHOENIX, AZ 85016

PROPERTY OWNER: FRANK C. NEWTON, JR & NANCY E. NEWTON  
1806 ROCKY RIVER ROAD  
CHARLOTTE, NC 28213

TAX PARCEL: 10501231, 10501215, 10501214  
10501213, 10501108

EX. ZONING: B-1 (CD) AND O-1 (CD)

GIS ACREAGE: 13.012 ACRES  
ADJUSTED ACREAGE: 12.46 ACRES (OUTSIDE OF RAILWAY R/W)

**ColeJenest & Stone**

*Shaping the Environment  
Realizing the Possibilities*

Land Planning  
Landscape Architecture  
Civil Engineering  
Urban Design

200 South Tryon Street, Suite 1400  
Charlotte, North Carolina 28202  
P: 704.376.1555 F: 704.376.7851  
WWW: www.colejeneststone.com

**SUNCREST REAL ESTATE AND LAND**  
2701 EAST CAMELBACK ROAD, #180  
BILTMORE PARK  
PHOENIX, AZ

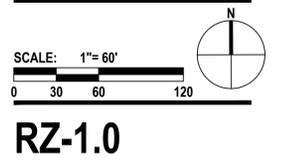
**ROCKY RIVER RESIDENTIAL**  
1806 ROCKY RIVER ROAD  
CHARLOTTE, NC 28213

**EXISTING CONDITIONS PLAN**

Project No.  
4648.00

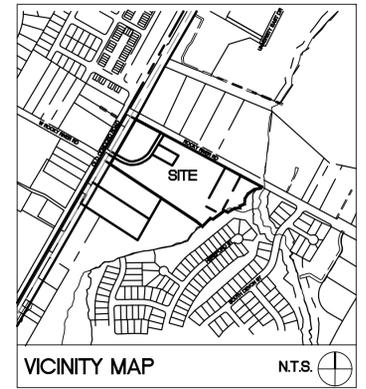
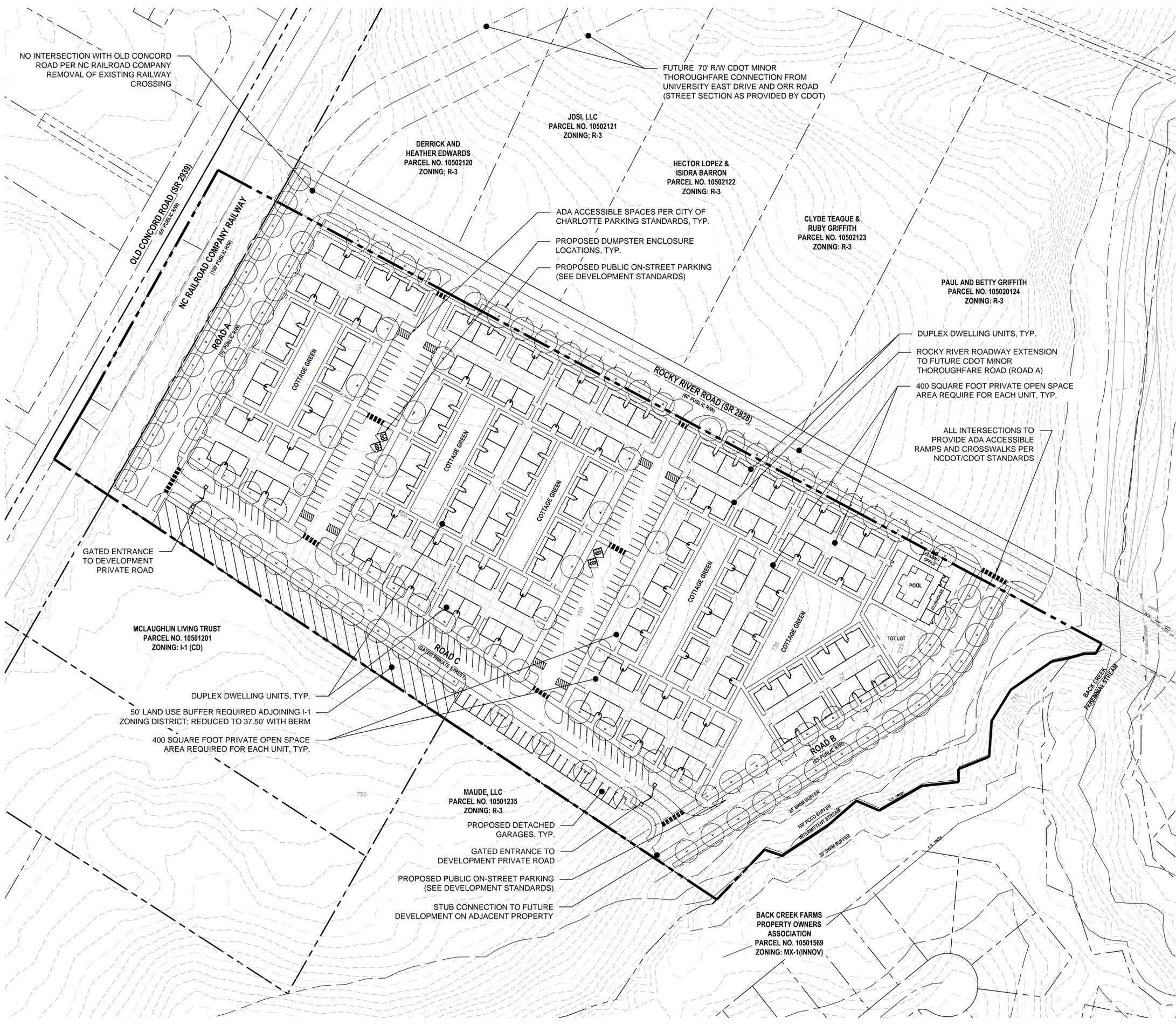
Issued  
04/02/19

Revised



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**REZONING SUMMARY**

PETITIONER: SUNCREST REAL ESTATE AND LAND  
2701 EAST CAMELBACK ROAD #180  
BILTMORE PARK, PHOENIX, AZ 85016

PROPERTY OWNER: FRANK C. NEWTON, JR & NANCY E. NEWTON  
1806 ROCKY RIVER ROAD  
CHARLOTTE, NC 28213

TAX PARCEL: 10501231, 10501215, 10501214  
10501213, 10501108

EX. ZONING: B-1 (CD) AND O-1 (CD)  
PROPOSED ZONING: UR-2(CD)

GIS ACREAGE: 13.012 ACRES  
ADJUSTED ACREAGE: 12.46 ACRES (OUTSIDE OF RAILWAY R/W)

RESIDENTIAL: 126 UNITS (10.11 UNITS/ ACRE)

ZONING SETBACKS:  
PARCEL: 14' MEASURED FROM BACK OF CURB  
SIDE: 5'  
REAR: 10'

MIN. BLDG. SEPARATION: 10'

PARKING REQUIRED: PER CITY OF CHARLOTTE STANDARDS  
PARKING PROVIDED: PER CITY OF CHARLOTTE STANDARDS

AMENITY AREA: 0.35 ACRES

OPEN SPACE PROVIDED: 1.52 ACRES (12.28%)  
\*AMENITY AND GREENS

STREAM BUFFERS: 1.74 ACRES

STORMWATER: PROPOSED UNDERGROUND

\*SEE SHEET RZ-3.0 FOR REZONING DEVELOPMENT STANDARDS

**ColeJenest & Stone**

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Land Planning  
Landscape Architecture  
Civil Engineering  
Urban Design

200 South Tryon Street, Suite 1400  
Charlotte, North Carolina 28202  
P: 704.376.1555 F: 704.376.7851  
WWW: www.colejeneststone.com

**SUNCREST REAL ESTATE AND LAND**  
2701 EAST CAMELBACK ROAD, #180  
BILTMORE PARK  
PHOENIX, AZ

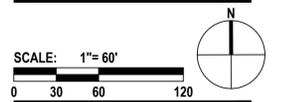
**ROCKY RIVER RESIDENTIAL**  
1806 ROCKY RIVER ROAD  
CHARLOTTE, NC 28213

**CONDITIONAL REZONING PLAN**

Project No.  
4648.00

Issued  
04/02/19

Revised



**RZ-2.0**

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## DEVELOPMENT STANDARDS

April 22, 2019

### A. General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Suncrest Real Estate and Land (the "Petitioner") to accommodate the development of a residential community on that approximately 13.012 acre site located on the south side of Rocky River Road between Old Concord Road and South Devon Street, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Nos. 105-012-31, 105-012-15, 105-012-14, 105-012-13 and 105-011-08.
2. 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").
3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 zoning district shall govern the development and use of the Site.
4. The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configurations, placements and sizes of the building footprints as well as the internal public streets, internal private street, internal drives and parking areas depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during the design development and construction document phases.
5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

### B. Permitted Uses/Development Limitations

1. The Site may be devoted only to a residential community containing a maximum of 126 dwelling units and to any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district. Incidental and accessory uses may include, without limitation, a leasing and management office and amenities such as detached garages, a clubhouse, swimming pool and tot lot.
2. The dwelling units shall be comprised of duplex dwelling units.

### C. Transportation

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
2. As depicted on the Rezoning Plan, the Site will be served by two internal public streets (designated as Road A and Road B on the Rezoning Plan), an internal private street (designated as Road C on the Rezoning Plan) and internal private drives, and minor adjustments to the locations of the internal public streets, internal private street and internal private drives shall be allowed during the construction permitting process.
3. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.
4. Road B shall be substantially completed prior to the issuance of the first certificate of occupancy for a new dwelling unit constructed on the Site.
5. Road A shall be substantially completed prior to the issuance of the 80<sup>th</sup> certificate of occupancy for a new dwelling unit constructed on the Site.
6. Road C may, at the option of Petitioner, be gated as generally depicted on the Rezoning Plan.
7. The on-street parking on Road B and on Rocky River Road depicted on the Rezoning Plan may be constructed at the option of Petitioner provided that such on-street parking is approved by CDOT and/or NCDOT and any other applicable governmental agencies. If Petitioner elects not to construct such on-street parking or if such on-street parking is not approved by CDOT and/or NCDOT or any other applicable governmental agencies, Petitioner shall not be required to construct the on-street parking.

### D. Architectural Standards

1. The maximum height in stories of the duplex dwelling units constructed on the Site shall be one story.
2. The actual widths of the duplex dwelling units constructed on the Site may vary from the widths depicted on the Rezoning Plan.
3. The primary exterior building materials for the duplex dwelling units constructed on the Site shall be a combination of portions of the following: brick veneer or similar masonry products, stone, manufactured stone, stucco and cementitious siding.
4. Vinyl, EIFS or masonite may not be used as an exterior building material on any building constructed on the Site. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, soffits, trim and railings.

### E. Streetscape and Landscaping

1. A minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk shall be installed along the Site's frontages on Rocky River Road, Road A and Road B. Notwithstanding the foregoing, the width of the planting strip and the width of the sidewalk may be reduced as required where the sidewalk ties into an existing sidewalk located on the Site's frontage on Rocky River Road.
2. Portions of the minimum 6 foot wide sidewalk to be installed along the Site's frontage on Rocky River Road may be located in a sidewalk utility easement.
3. A minimum 37.5 foot wide Class A buffer shall be established along that portion of the Site's southern boundary line that is more particularly depicted on the Rezoning Plan. The width of this Class A buffer has been reduced by 25% from 50 feet to 37.5 feet by virtue of Petitioner's commitment to install a berm within this Class A buffer that meets the standards of Section 12.302(8A) of the Ordinance.

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

1. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
2. 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.
3. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



**ColeJenest  
& Stone**

*Shaping the Environment  
Realizing the Possibilities*

Land Planning  
+  
Landscape Architecture  
+  
Civil Engineering  
+  
Urban Design

200 South Tryon Street, Suite 1400  
Charlotte, North Carolina 28202  
P+ 704.376.1555 F+ 704.376.7851  
URL+ www.colejeneststone.com

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**SUNCREST REAL  
ESTATE AND LAND**  
2701 EAST CAMELBACK ROAD, #180  
BILTMORE PARK  
PHOENIX, AZ

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**ROCKY RIVER  
RESIDENTIAL**

1806 ROCKY RIVER ROAD  
CHARLOTTE, NC 28213

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**REZONING  
DEVELOPMENT  
STANDARDS**

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**Project No.**  
4648.00

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**Issued**

04/02/19

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**Revised**

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**RZ-3.0**

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**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

**RECEIVED**  
APR 05 2019  
BY: .....

2019-063

Petition #: \_\_\_\_\_  
Date Filed: 4/5/2019  
Received By: [Signature]

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

Property Owner: VLE Partners, LLC

Owner's Address: 2100 Crescent Ave, Ste 200 City, State, Zip: Charlotte, NC 28207

Date Property Acquired: March 14, 2019

Property Address: 2010 The Plaza

Tax Parcel Number(s): 095-061-30

Current Land Use: Former hotel and events facility Size (Acres): +/- 2.7982 acres

Existing Zoning: MUDD-O (HD-O) Proposed Zoning: MUDD-O S.P.A. (HD-O)

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

Required Rezoning Pre-Application Meeting\* with: Sonja Sanders, Mandy Rosen, Carlos Alzate et al.

Date of meeting: December 20, 2018

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

**For Conditional Rezoning Only:**  
Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): N/A  
Purpose/description of Conditional Zoning Plan: To accommodate a multi-use, non-residential development on the site as more particularly described on the conditional rezoning plan. The existing estate home located on the site would be preserved and two additional buildings would be constructed on the site under this development plan.

John Carmichael (Robinson Bradshaw)  
Name of Rezoning Agent

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

Charlotte, NC 28246  
City, State, Zip

704-377-8341  
Telephone Number Fax Number

jcarmichael@robinsonbradshaw.com  
E-Mail Address

**VLE PARTNERS, LLC**  
By: [Signature]  
Signature of Property Owner

Jonathan Dixon  
(Name Typed / Printed)

VLE Partners, LLC (c/o Jon Dixon)  
Name of Petitioner(s)

2100 Crescent Avenue, Suite 200  
Address of Petitioner(s)

Charlotte, NC 28207  
City, State, Zip

704-900-7307  
Telephone Number Fax Number

Jon@ascent.re  
E-Mail Address

**VLE PARTNERS, LLC**  
By: [Signature]  
Signature of Petitioner

Jonathan Dixon  
(Name Typed / Printed)



## DEVELOPMENT STANDARDS

April 22, 2019

### 1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by VLE Partners, LLC for an approximately 2.7982 acre site located at the southeastern corner of the intersection of The Plaza and Belvedere Avenue, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel No. 095-061-30. The purposes of this rezoning request include to accommodate the development of certain non-residential uses allowed in the MUDD zoning district on the Site and to maintain the existing Estate Building and the existing Orangerie Building on the Site.
- B. The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provisions set out below, the regulations established under the Ordinance for the Mixed Use Development District ("MUDD") zoning district shall govern the development and use of the Site.
- C. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback and yard requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
- D. The existing Estate Building depicted on the Rezoning Plan shall be maintained on the Site and may be devoted to the uses permitted under the Rezoning Plan. The existing Orangerie Building depicted on the Rezoning Plan shall also be maintained on the Site.
- E. Two new buildings may be constructed on the Site, and any new building shall be located in Building Envelope A or in Building Envelope B depicted on the Rezoning Plan.
- F. Internal sidewalks generally depicted on the Rezoning Plan may be altered provided that such alterations do not materially change the design intent generally depicted on the Rezoning Plan.
- G. The Site is located in the Plaza-Midwood Historic District and the Site and the Estate Building have been designated as an historic landmark by the Charlotte City Council.
- H. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

### 2. OPTIONAL PROVISIONS

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

- A. Parking, vehicular circulation and vehicular maneuvering space may be located between the buildings and structures located on the Site and the required setbacks from all adjacent public streets as depicted on the Rezoning Plan.
- B. The existing sidewalks, planting strips and streetscape located along the Site's public street frontages shall remain in place.
- C. Notwithstanding the provisions of Section 12.529 of the Ordinance, only the internal pedestrian sidewalks and sidewalk connections that are more particularly depicted on the Rezoning Plan shall be required on the Site.
- D. Valet parking service area(s) may be located between the buildings and structures located on the Site and the adjacent public streets.

### 3. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. Subject to the limitations set out below, the Site may be devoted to any use or uses allowed by right or under prescribed conditions in the MUDD 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 MUDD zoning district.
- B. Notwithstanding the terms of paragraph A above, the following uses shall be prohibited on the Site:

- (1) Dormitories.
- (2) Civic, social service and fraternal facilities.
- (3) Country and swim clubs.
- (4) Elementary and secondary schools.
- (5) Theaters, motion picture.
- (6) Breweries.
- (7) Outdoor fresh produce stands.
- (8) Veterinary clinics.
- (9) Laboratories, applied and basic research within an enclosed building.
- (10) Orphanages, children's homes and similar non-profits.
- (11) Police and fire stations.
- (12) Post offices.
- (13) Stadiums, coliseums.
- (14) Adult establishments.
- (15) Automotive service stations, including minor adjustments, repairs, lubrication and accessory car washes.
- (16) Dry cleaning and laundry establishments, up to 4,500 square feet.
- (17) Equipment rental and leasing, within an enclosed building.
- (18) Showrooms, up to 70,000 square feet.
- (19) Accessory shelters.
- (20) Bus passenger stations.
- (21) Bust stop shelters.
- (22) Donation drop-off facility.
- (23) Electric and gas substations.
- (24) Homeless shelter.
- (25) Parking decks, structured.
- (26) Crematory.

- C. A maximum of three principal buildings (which includes the Estate Building) may be located on the Site. Accessory structures, such as the Orangerie Building, may also be located on the Site.
- D. The maximum size of any building located in Building Envelope A shall be 18,000 square feet of gross floor area.
- E. The maximum size of any building located in Building Envelope B shall be 5,000 square feet of gross floor area.
- F. The Estate Building currently contains 6,634 square feet of rentable space. The rentable space in the Estate Building may be increased to a maximum of 8,000 square feet of rentable space.
- G. All amplified outdoor music on the Site must end by 10:30 PM on weekdays and 11:00 PM on weekends.
- H. Temporary structures such as stages and event tents will be located at least 40 feet from the right of way along The Plaza and Belvedere Avenue and 20 feet from the southern and eastern boundary lines of the Site. All temporary structures shall be erected no sooner than 24 hours prior to events and dismantled no later than 24 hours following events, and in no case shall they be erected or dismantled before 8:00 AM or after 9:00 PM except in the case of an emergency.

- I. With the exception of one event per calendar year, the maximum number of guests or attendees at a single event held in the Estate Building, the Orangerie or on the grounds of the Site shall be 325. Staff shall not be counted towards the maximum number of guests or attendees.
- J. Drive-in and drive-through windows are prohibited on the Site.

### 4. TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access

points are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT").

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

### 5. ARCHITECTURAL AND DESIGN STANDARDS

- A. The maximum height of any building constructed in Building Envelope A shall be 40 feet as measured under the Ordinance.
- B. The maximum height of any building constructed in Building Envelope B shall be 40 feet as measured under the Ordinance.
- C. The exterior design and building materials of any building constructed in Building Envelope A or in Building Envelope B and any addition to the Estate Building are subject to the review and approval of the Charlotte-Mecklenburg Historic Landmarks Commission and the Charlotte Historic District Commission, and a certificate of appropriateness must be issued by the Charlotte-Mecklenburg Historic Landmarks Commission and the Charlotte Historic District Commission prior to the issuance of building permits or other approvals authorizing the construction of these improvements.

### 6. SETBACK AND YARDS/STREETSCAPE/SCREENING

- A. The existing sidewalks, planting strips and streetscape located along the Site's public street frontages shall remain in place.

### 7. ENVIRONMENTAL FEATURES

- A. Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.
- 8. LIGHTING**
  - A. All new freestanding lighting fixtures installed on the Site (excluding street lights and lower, decorative lighting that may be installed along the driveways, sidewalks and parking areas and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
  - B. The maximum height of any newly installed freestanding lighting fixtures on the Site shall be 20 feet, excluding street lights.
  - C. Any new lighting fixtures attached to the structures on the Site shall be decorative, capped and downwardly directed.
- 9. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**
  - A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
  - B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
  - C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



#### SURVEY DISCLAIMER

BOUNDARY SURVEY, ISSUE DATE AUGUST 14, 2014. PROVIDED BY R.B. PHARR & ASSOCIATES, P.A., 420 HAWTHORNE LANE, CHARLOTTE, NC 28204, (336) 782-3796



**ColeJenest  
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Charlotte, North Carolina 28202  
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URL+ www.colejeneststone.com

**VLE PARTNERS, LLC**  
2100 CRESCENT AVENUE, SUITE 200  
CHARLOTTE, NC 28207

**VANLANDINGHAM  
ESTATE**

2010 THE PLAZA  
CHARLOTTE, NC 28205

**DEVELOPMENT  
STANDARDS**

Project No.

32112.18

Issued

04/02/19

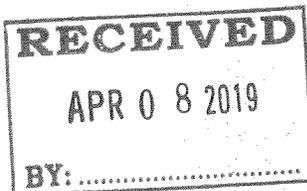
Revised

**RZ-2.0**

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**I. REZONING APPLICATION  
CITY OF CHARLOTTE**



2019-06A

Petition #: \_\_\_\_\_  
Date Filed: 4/8/2019  
Received By: [Signature]

Property Owners: Mt Island Promenade LLC  
Owner's Addresses: 1401 Sunset Dr, Ste B, Greensboro, NC 27408

Date Properties Acquired: 12/31/2014

Property Addresses: 4756 Smith Farm Rd, Charlotte, NC 28216

Tax Parcel Numbers: 033-046-18

Current Land Use: vacant (Acres): ± 33.163

Existing Zoning: NS Proposed Zoning: NS (SPA)

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

Required Rezoning Pre-Application Meeting\* with: Michael Russell, Isaiah Washington, Grant Meacci, Eric Lemieux, Kent Main

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: To allow development of the site with a medical office building and a hospital.

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

SEE ATTACHMENT A  
Signature of Property Owner

Novant Health (Attn: Matthew Stiene)  
Name of Petitioner

1900 Randolph Road, Ste 500  
Address of Petitioner

Charlotte, NC 28207  
City, State, Zip

704.316.4351  
Telephone Number                      Fax Number

mhstiene@novanthealth.org  
E-mail Address

SEE ATTACHMENT B  
Signature of Petitioner

ATTACHMENT A

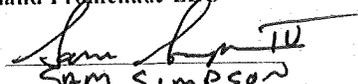
REZONING PETITION NO. 2019-\_\_\_\_  
Novant Health

OWNER JOINDER AGREEMENT  
Mt Island Promenade LLC

The undersigned, as the owner of the parcel of land located at 4756 Smith Farm Rd, Charlotte, NC that is designated as Tax Parcel No. 033-046-18 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 NS zoning district to the NS SPA zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 18<sup>th</sup> day of MARCH, 2019.

MT Island Promenade LLC

By: 

Name: SAM SIMPSON

Its: MANAGER

ATTACHMENT B

**ATTACHMENT B**

**REZONING PETITION NO. 2019-  
Novant Health**

**Petitioner:**

**Novant Health**

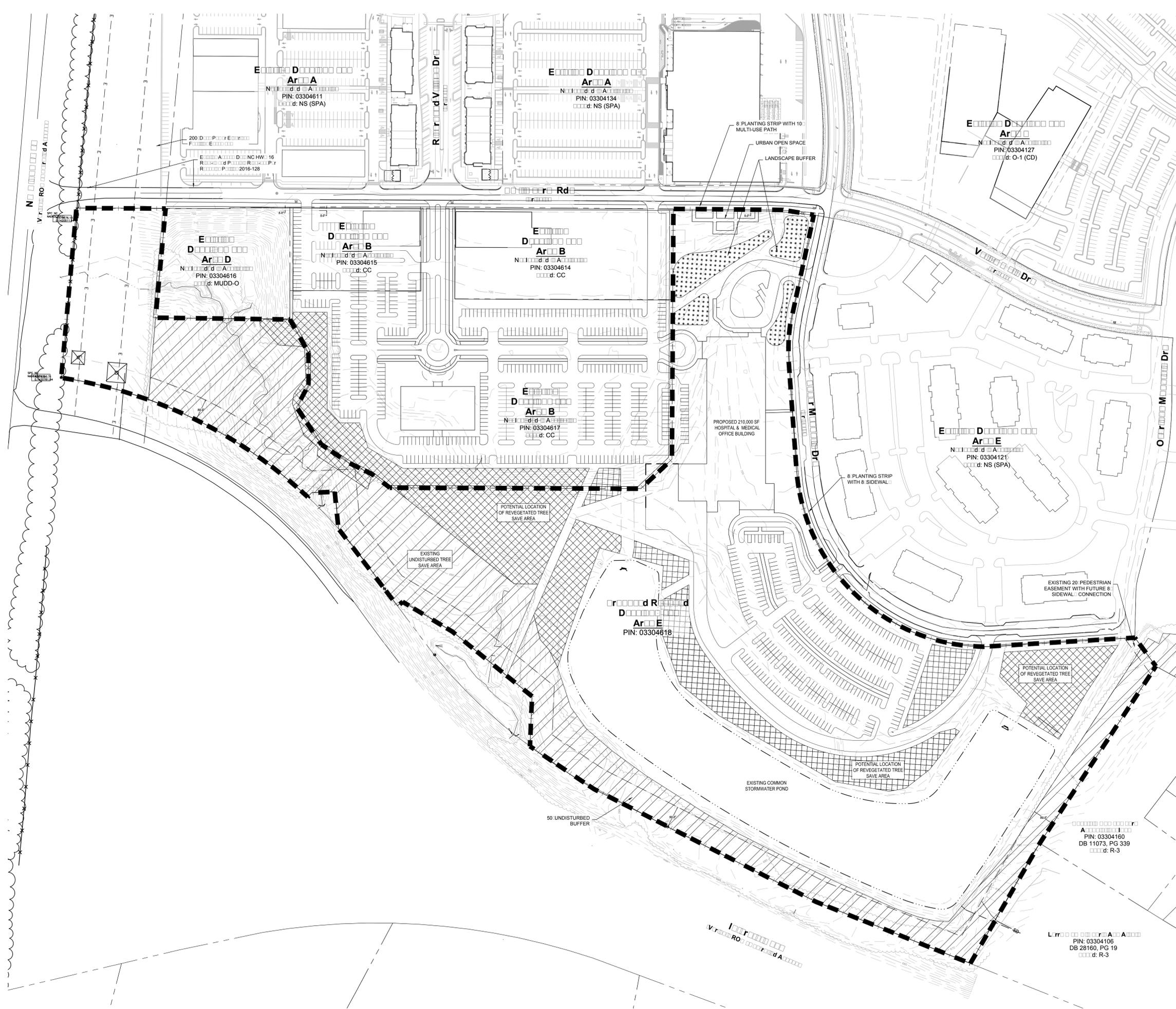
**By:**

**Name:**

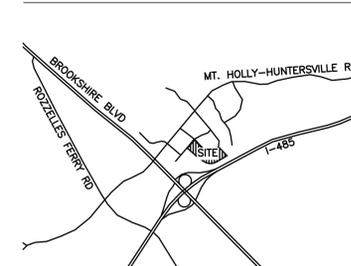
**Title:**

  
Matthew Strone  
Vice President

F:\19-0333\Drawings\Rezoning\19-0333 - Rezoning Plan Sheets.dwg : G-801\_04/05/19 11:55am



VICINITY MAP SCALE: NOT TO SCALE



**SITE DATA**

**Owner:** Novant Health Inc  
1900 Randolph Road, Ste 500  
Charlotte, NC 28207  
3304618

**Parcel Numbers:** 3304618

**Address:** Smith Farm Road  
Charlotte, NC 20147

**Total Acreage:** 33.16 Acres +/-

**Site Acreage:** 33.16 Acres +/-

**Existing Zoning:** NS(SPA)

**Proposed Zoning:** NS(SPA)

See Development Standards on Sheet G-802 for details.

**NOTES**

Boundary Information from...  
Previous submittal plans by Design Resource Group in Charlotte, NC and survey of tax parcels 03304615, 03304616, 03304617, and 03304618 by Sgroi Land Surveying, PLLC dated March 8, 2019.

**stimmel**  
LANDSCAPE ARCHITECTURE  
CIVIL ENGINEERING  
LAND PLANNING  
619 S. CEDAR STREET, SUITE L  
CHARLOTTE, NC 28202  
P: 336.723.1067 F: 336.723.1069  
www.stimmelpa.com

SEALS:  
  
PROJECT:

**RIVERBEND VILLAGE  
AREA E REZONING**  
SMITH FARM ROAD  
CHARLOTTE, NC  
PETITION # 2019-XXX

CLIENT:  
NOVANT HEALTH  
1900 RANDOLPH ROAD  
SUITE 500  
CHARLOTTE, NC 28207  
(704) 316-4351

DRAWN: ESB  
DATE: 04/05/19  
REVISIONS:  
  
JOB. NO.: 19-033  
SHEET TITLE:

**SCHEMATIC  
SITE PLAN**

SCALE: 1" = 100'  
SHEET NO.:

**G-801**  
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