

# Rezoning Petition Packet

**Petitions:**  
**2019-105 through 2019-121**

Petitions that were submitted in August 2019

2019-105

# I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #: \_\_\_\_\_

Date Filed: 6/19/2019Received By: BT

Complete All Fields (Use additional pages if needed)

Property Owner: Wagener Properties Charlotte, LLCOwner's Address: 119 Batton Board WayCity, State, Zip: Woodstock, GA 30189Date Property Acquired: 1/5/2009Property Address: Unnumbered parcel on Summer Creek LaneTax Parcel Number(s): 027-561-18Current Land Use: VacantSize (Acres): +/- 5.14Existing Zoning: R-4Proposed Zoning: M4DD (CD)Overlay: None

(Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting\* with: Michael Russell, Charlotte Lamb, Kent Main, Grant MeacciDate of meeting: 4/24/19 and 6/12/19

(\*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): No.Purpose/description of Conditional Zoning Plan: to accommodate a mixed use development that may include for-sale residential, commercial retail/office, and hotel uses.

Collin Brown and Bailey Patrick, Jr.

Name of Rezoning Agent

214 N. Tryon Street, 47th Floor

Agent's Address

Charlotte, NC 28202

City, State, Zip

704-331-7531

Telephone Number

704-353-3231

Fax Number

Collin.Brown@kigates.com / Brittany.Lins@kigates.com

E-Mail Address

Signature of Property Owner

John H. Wagener Member/Manager

(Name Typed / Printed)

The Greenstone Group, LLC

Name of Petitioner(s)

119 Batton Board Way

Address of Petitioner(s)

Woodstock, GA 30189

City, State, Zip

770-557-4686

Telephone Number

Fax Number

jw@thegreenstonegroup.com

E-Mail Address

Signature of Petitioner

John H. Wagener Member/Manager

(Name Typed / Printed)







Plotted By:Barbouris Cole Sheet Set:Prosperity Village Mixed Use\02 - DWG\Rezoning\Rezoning\_Site\_Plan-000.dwg June 17, 2019 06:02:37pm K:\CHL\_PRA\014080 Greenstone Group\000 Prosperity Village Mixed Use\02 - DWG\Rezoning\Rezoning\_Site\_Plan-000.dwg

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DEVELOPMENT STANDARDS:

I. GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY THE GREENSTONE GROUP, LLC (THE "PETITIONER") TO ACCOMMODATE DEVELOPMENT OF A MIXED USE DEVELOPMENT, INCLUDING FOR-SALE MULTIFAMILY RESIDENTIAL UNITS (CONDOMINIUMS) AND COMMERCIAL USES, INCLUDING RETAIL AND HOTEL USES ON AN APPROXIMATELY 5.4-ACRE SITE LOCATED AT THE INTERSECTION OF SUMMER CREEK LANE AND BENFIELD ROAD, MORE PARTICULARLY DESCRIBED AS TAX PARCEL NUMBER 027-561-18 (THE "SITE").
- B. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE ACCOMPANYING 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.
- C. 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, SUBJECT TO THE OPTIONAL PROVISIONS BELOW.
- D. 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 STANDARDS, 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.

II. PERMITTED USES

SUBJECT TO THE MAXIMUM DEVELOPMENT PROVISIONS SET FORTH UNDER SECTION III BELOW, THE SITE MAY BE DEVOTED TO ANY RESIDENTIAL OR 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:

1. CAR WASHES (EXCEPT FOR RESIDENTIAL CAR WASH STATIONS);
2. AUTOMOBILE SERVICE STATIONS; AND
3. EDEES WITH ACCESSORY DRIVE-THROUGH SERVICE WINDOW.

III. MAXIMUM DEVELOPMENT

THE SITE MAY BE DEVOTED TO (I) A MAXIMUM OF EIGHTY FOUR (84) RESIDENTIAL UNITS, (II) A MAXIMUM OF 12,607 SQUARE FEET OF COMMERCIAL USES, INCLUDING RETAIL AND EATING DRINKING AND ENTERTAINMENT (EDEE) USES, AND (III) 112 HOTEL ROOMS, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH AS PERMITTED IN THE MUDD ZONING DISTRICT. THE COMMERCIAL USES SHALL BE LOCATED ALONG THE SITE'S FRONTAGE OF BENFIELD ROAD AND SUMMER CREEK LANE.

IV. TRANSPORTATION

- A. VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS SHOWN ON THE TECHNICAL DATA SHEET ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL.
- 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.
- C. ALL TRANSPORTATION IMPROVEMENTS SHALL BE SUBSTANTIALLY COMPLETED BEFORE THE SITE'S FINAL BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

1. REFERENCE TO "SUBSTANTIALLY COMPLETE" SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE TECHNICAL DATA SHEET PROVIDED, HOWEVER, IN THE EVENT CERTAIN NON-ESSENTIAL ROADWAY IMPROVEMENTS (AS REASONABLY DETERMINED BY CDOT) ARE NOT COMPLETED AT THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS, AND IN SUCH EVENT THE PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.

V. ARCHITECTURAL AND STREETSCAPE STANDARDS

- A. PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS ABUTTING A NETWORK REQUIRED PUBLIC OR PRIVATE STREET SHALL COMPRISE A MINIMUM OF 20% OF THAT BUILDING'S ENTIRE FAÇADE FACING SUCH NETWORK STREET USING BRICK, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO, CEMENTOUS PRODUCTS (SUCH AS HARDBOARD, PANEL, SHINGLES, OR SIMILAR PRODUCTS), OR OTHER MATERIAL APPROVED BY THE PLANNING DIRECTOR.
- B. PROHIBITED EXTERIOR BUILDING MATERIALS:
1. VINYL SIDING (BUT NOT VINYL HAND RAILS, WINDOWS OR DOOR TRIM); AND
  2. CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.
- C. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:
1. BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FAÇADE TO BENFIELD ROAD.
  2. BUILDINGS SHALL FRONT A MINIMUM OF 50% OF THE STREET FRONTAGE ON BENFIELD ROAD (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS AND STORM WATER FACILITIES).
  3. PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY BUILDING AND BENFIELD ROAD. PARKING LOTS ON ANY OTHER NETWORK REQUIRED PUBLIC OR PRIVATE STREET WILL BE ADEQUATELY SCREENED WITH A MIXTURE OF WALLS AND/OR LANDSCAPING.
- D. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:
1. BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FAÇADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF 2 FEET EXTENDING THROUGH AT LEAST A FULL FLOOR.
  2. BUILDING HEIGHT: THE MIXED USE BUILDING, AS LABELED ON THE REZONING PLAN, SHALL BE RESTRICTED TO A MAXIMUM HEIGHT OF FIVE (5) STORIES ON THE BUILDING SIDE FRONTING BENFIELD ROAD AND MAY BE A MAXIMUM OF THREE (3) STORIES ON THE BUILDING SIDE FRONTING SUMMER CREEK LANE, EXCLUSIVE OF BASEMENT FEATURES, WHICH SHALL BE BELOW GRADE FROM BENFIELD ROAD. THE HOTEL BUILDING MAY BE A MAXIMUM HEIGHT OF FIVE (5) STORIES, EXCLUSIVE OF BASEMENT FEATURES.

- E. ARCHITECTURAL ELEVATION DESIGN - ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:

1. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS.
2. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FACADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. SUCH BASE MAY BE EXECUTED THROUGH USE OF PREFERRED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES AND COLOR CHANGES.
3. BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 30 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS (BUT NOT LIMITED TO) BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.

- F. ROOF FORM AND ARTICULATION - ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:

1. LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT NOT BE LIMITED TO GABLES, HIPS, DORMERS OR PARAPETS.
2. FOR PITCHED ROOFS, THE MINIMUM PITCH SHALL BE 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF, FEATURES THAT BREAK UP A PITCHED ROOF, AND PARAPET WALLS.
3. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET.

- G. SERVICE AREA SCREENING - SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM VIEW WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPAL STRUCTURES. SUCH DESIGN SHALL INCLUDE A MINIMUM 20% PREFERRED EXTERIOR BUILDING MATERIALS OR A CLASS B BUFFER NOT LESS THAN 10' IN DEPTH AT ALL ABOVE GRADE PERIMETER NOT PAVED FOR ACCESS.

- H. THE MIXED USE BUILDING SHALL CONTAIN EXTERIOR COMMERCIAL ENTRANCES AND SIDEWALK CONNECTIONS FRONTING BENFIELD ROAD.

VI. INTERNAL SIDE YARDS AND REAR YARDS

THE PETITIONER MAY SUBDIVIDE THE SITE AND CREATE LOTS WITHIN THE SITE WITH NO SIDE OR REAR YARDS AS PART OF A UNIFIED DEVELOPMENT PLAN.

VII. ENVIRONMENTAL FEATURES

PETITIONER SHALL SATISFY THE REQUIREMENTS OF THE POST CONSTRUCTION STORMWATER ORDINANCE AND CITY OF CHARLOTTE TREE ORDINANCE.

VIII. LIGHTING

- A. ALL PARKING AREA LIGHTING FIXTURES WILL BE SHIELDED WITH FULL CUT-OFF FIXTURES.
- B. PEDESTRIAN SCALE LIGHTING WILL BE PROVIDED WITHIN THE SITE. GROUND-MOUNTED LIGHTING FIXTURES WILL NOT EXCEED TWENTY-ONE (21) FEET IN HEIGHT. FREESTANDING LIGHTING WILL NOT EXCEED TWENTY-SIX (26) FEET.

IX. 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 THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

X. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- A. 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.
- B. 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.

No.

REVISIONS

DATE

BY

Kimley»Horn

© 2019 KIMLEY-HORN AND ASSOCIATES, INC.  
200 SOUTH TRYON ST, SUITE 200, CHARLOTTE, NC 28202  
PHONE: 704-333-5131  
WWW.KIMLEY-HORN.COM  
NC LICENSE #7-0102

REZONING PETITION

KHA PROJECT

014080000

DATE

06/17/2019

SCALE

AS SHOWN

DESIGNED BY

CLB

DRAWN BY

CLB

CHECKED BY

ARE

PROSPERITY VILLAGE  
(MIXED USE)  
PREPARED FOR  
THE GREENSTONE GROUP, LLC

SHEET NUMBER  
RZ-2

DEVELOPMENT STANDARDS

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-106  
Petition #: \_\_\_\_\_  
Date Filed: 6/25/2019  
Received By: R

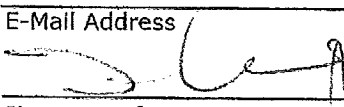
**Complete All Fields (Use additional pages if needed)**

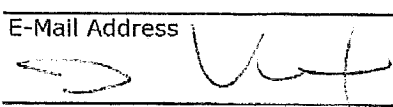
Property Owner: RED OF NC LLC  
Owner's Address: 4316 FALLS LAKE DR SW City, State, Zip: CONCORD, NC 28025  
Date Property Acquired: 01-04-2019  
Property Address: 3038 DRIWOOD CT, CHARLOTTE, NC 28269  
Tax Parcel Number(s): 02936208  
Current Land Use: VACANT Size (Acres): 0.890  
Existing Zoning: NS Proposed Zoning: NS SPA  
Overlay: BUSINESS Tree Survey Provided: Yes: \_\_\_\_\_ N/A: X  
Required Rezoning Pre-Application Meeting\* with: MICHEAL RUSSELL  
Date of meeting: 6-12-2019

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

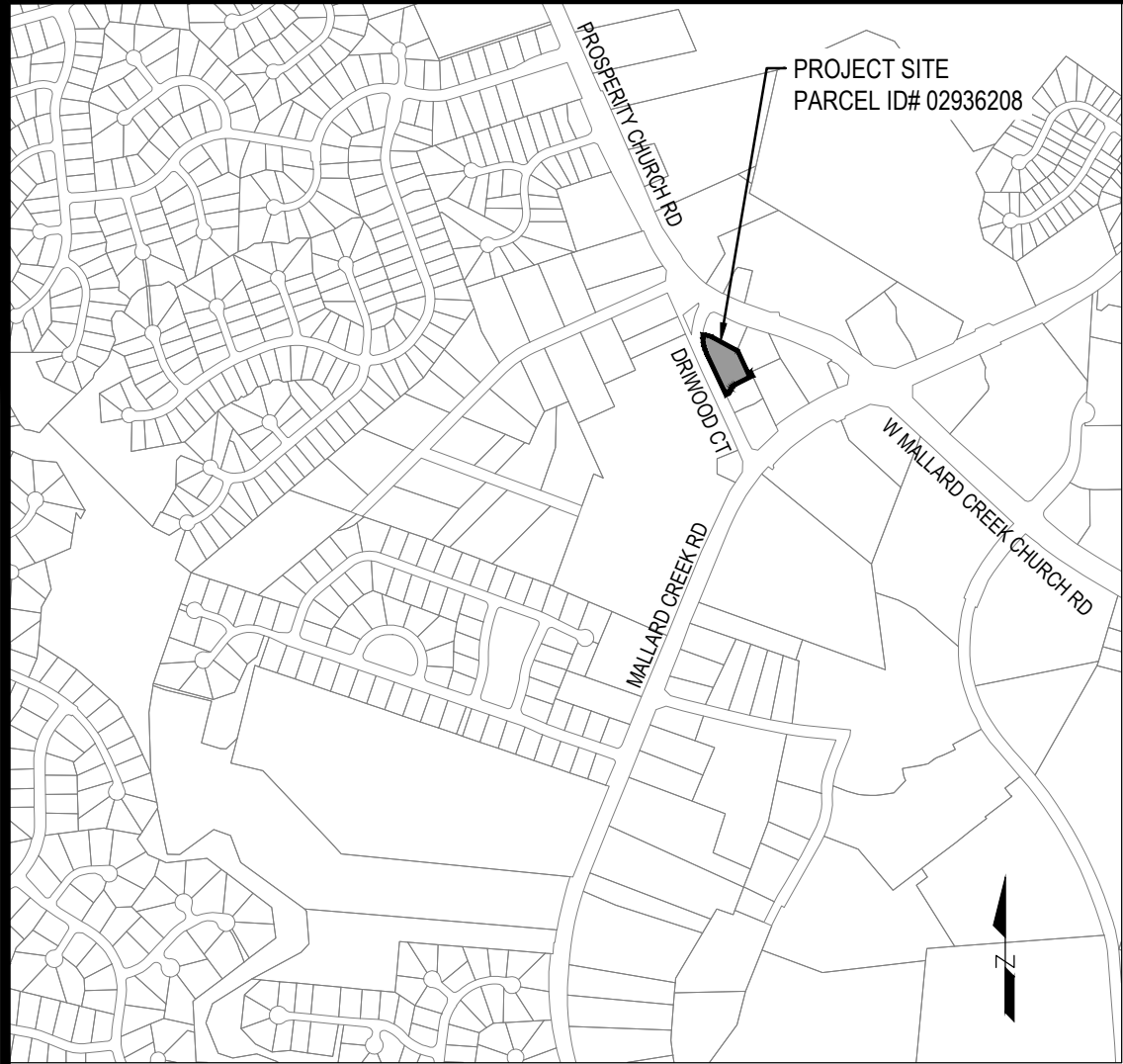
**For Conditional Rezoning Only:**

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): NO  
Purpose/description of Conditional Zoning Plan: TO ALLOW EDEE USE PERMITTED WITHIN NS ZONING DISTRICT. NOTE 8 ON ZONING PETITION 2006-139 RESTRICTS RESTAURANT USE.

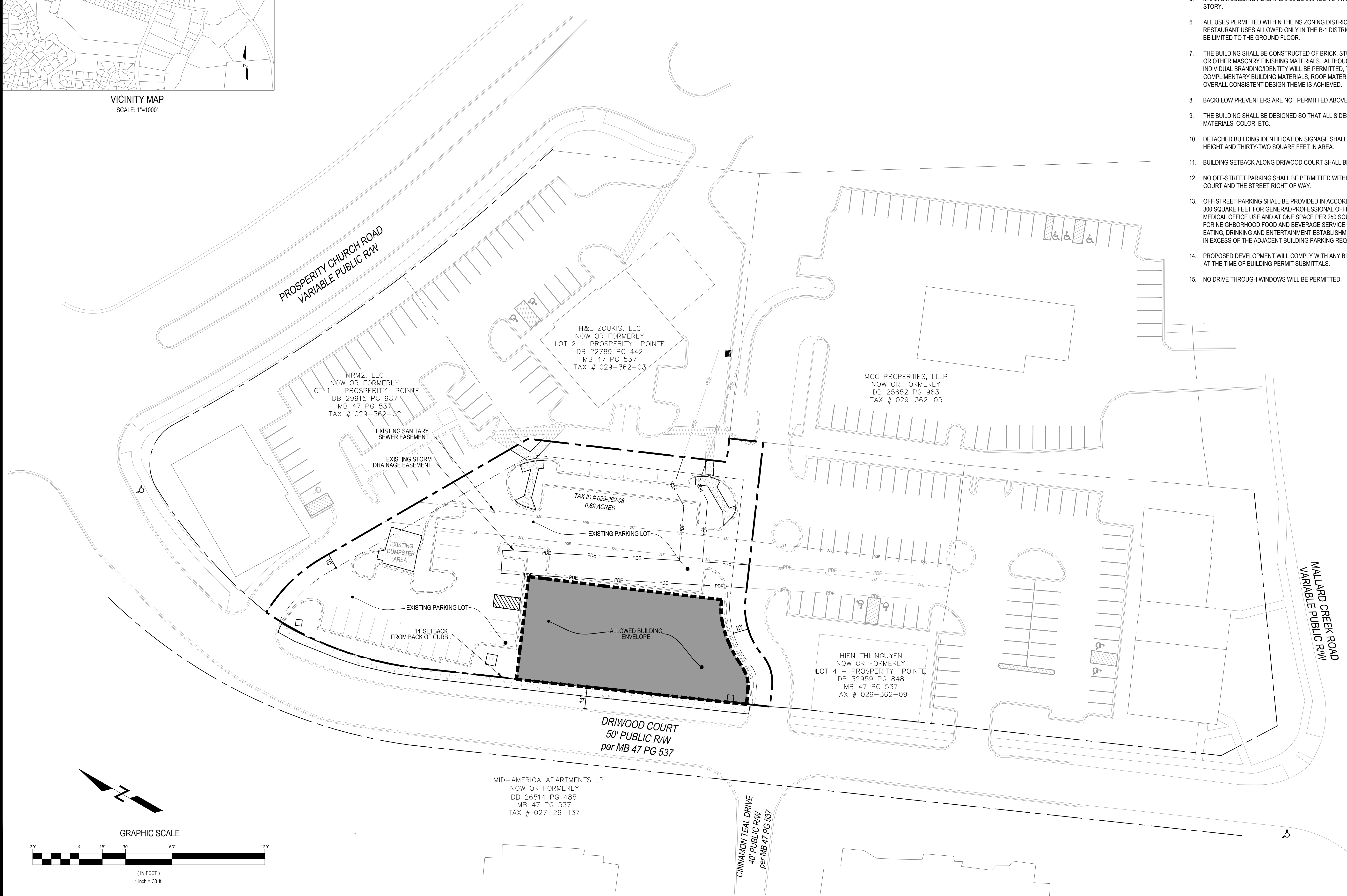
MARQUES MOORE  
Name of Rezoning Agent  
7725 RATHLIN CT  
Agent's Address  
CHARLOTTE, NC, 28270  
City, State, Zip  
434.665.7780  
Telephone Number Fax Number  
MARQUES@MOOREARCH.NET  
E-Mail Address  
  
Signature of Property Owner  
RED OF NC LLC  
(Name Typed / Printed)

DARREN VINCENT  
Name of Petitioner(s)  
4316 FALLS LAKE DR SW  
Address of Petitioner(s)  
CONCORD, NC 28025  
City, State, Zip  
704.965.0434  
Telephone Number Fax Number  
JAZ@REDAT28TH.COM  
E-Mail Address  
  
Signature of Petitioner  
DARREN VINCENT  
(Name Typed / Printed)





VICINITY MAP  
SCALE: 1"=1000'



DEVELOPMENT DATA

SITE AREA:	0.89 ACRES
OWNER/DEVELOPER:	RED @ 28TH
TAX PARCEL NUMBER:	02936208
EXISTING ZONING:	NS
PROPOSED ZONING:	NS SPA
EXISTING USE:	VACANT

CONDITIONAL NOTES:

- ALL PROPOSED DEVELOPMENT ON THIS SITE SHALL COMPLY WITH ORDINANCE REQUIREMENTS REGARDING THE NUMBER AND ARRANGEMENT OF OFF-STREET PARKING SPACES, SIGNAGE, YARD DIMENSIONS, BUFFERS, SCREENING, LANDSCAPING, ETC.
- STORM WATER DETENTION FACILITIES SHALL NOT BE LOCATED WITHIN THE FRONT SETBACK OR BUFFER AREAS.
- DUMPSTER/RECYCLING AREAS SHOULD BE ENCLOSED ON ALL FOUR SIDES BY A SOLID FENCE OR WALL WITH ONE SIDE BEING A HINGED GATE.
- WALL PACK LIGHTING SHALL BE PROHIBITED. DETACHED LIGHTING WILL BE LIMITED TO TWENTY FEET IN HEIGHT AND WILL BE DESIGNED AND ERECTED SUCH THAT THE LIGHTING IS FULLY SHIELDED/CAPPED. DOWN LIGHTING WILL BE PERMITTED.
- MAXIMUM BUILDING HEIGHT SHALL BE LIMITED TO TWO STORIES. BUILDING MAY BE ONE OR TWO STORY.
- ALL USES PERMITTED WITHIN THE NS ZONING DISTRICT SHALL BE PERMITTED. RETAIL AND RESTAURANT USES ALLOWED ONLY IN THE B-1 DISTRICT AS PERMITTED WITHIN THE NS DISTRICT SHALL BE LIMITED TO THE GROUND FLOOR.
- THE BUILDING SHALL BE CONSTRUCTED OF BRICK, STUCCO, STONE AND/OR A COMBINATION OF THOSE OR OTHER MASONRY FINISHING MATERIALS. ALTHOUGH SOME ARCHITECTURAL DIVERSITY AND INDIVIDUAL BRANDING/IDENTITY WILL BE PERMITTED, THERE WILL BE A REQUIREMENT FOR COMPLIMENTARY BUILDING MATERIALS, ROOF MATERIAL/DESIGN, COLORS, ETC. SUCH THAT AN OVERALL CONSISTENT DESIGN THEME IS ACHIEVED.
- BACKFLOW PREVENTERS ARE NOT PERMITTED ABOVE GROUND IN THE SETBACK AREAS.
- THE BUILDING SHALL BE DESIGNED SO THAT ALL SIDES ARE FINISHED WITH THE SAME BUILDING MATERIALS, COLOR, ETC.
- DETACHED BUILDING IDENTIFICATION SIGNAGE SHALL BE LIMITED TO A MAXIMUM OF FOUR FEET IN HEIGHT AND THIRTY-TWO SQUARE FEET IN AREA.
- BUILDING SETBACK ALONG DRIWOOD COURT SHALL BE 14' FROM THE EXISTING BACK OF CURB AT R/W.
- NO OFF-STREET PARKING SHALL BE PERMITTED WITHING THE AREA OF THE BUILDING ALONG DRIWOOD COURT AND THE STREET RIGHT OF WAY.
- OFF-STREET PARKING SHALL BE PROVIDED IN ACCORDANCE WITH A PARKING RATIO OF ONE SPACE PER 300 SQUARE FEET FOR GENERAL/PROFESSIONAL OFFICES AND ONE SPACE PER 200 SQUARE FEET FOR MEDICAL OFFICE USE AND AT ONE SPACE PER 250 SQUARE FEET FOR NS USES, ONE SPACE PER 175 FOR NEIGHBORHOOD FOOD AND BEVERAGE SERVICE USES, AND ONE SPACE PER 75 SQUARE FEET FOR EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS. PATIO AREAS WILL NOT REQUIRE PARKING IN EXCESS OF THE ADJACENT BUILDING PARKING REQUIREMENT.
- PROPOSED DEVELOPMENT WILL COMPLY WITH ANY BICYCLE STORAGE/PARKING ORDINANCE IN AFFECT AT THE TIME OF BUILDING PERMIT SUBMITTALS.
- NO DRIVE THROUGH WINDOWS WILL BE PERMITTED.

SCHEMATIC SITE PLAN

for  
**RED @ 28TH**

3038 DRIWOOD COURT, CHARLOTTE, NC 28262

Date: 06-21-2019	
Rezoning	<b>X</b>
Design Development	
Construction Documents	
Revisions	
Sheet Name	
Sheet Number	<b>RZ-1.0</b>



120 Academy Street  
Forsyth County, NC 28603  
www.seedwateregroup.com  
NC Firm License No. C-4622

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-107

Petition #:	_____
Date Filed:	<u>6/27/2019</u>
Received By:	<u>BT</u>

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

Property Owner: Albemarle Road Partners, LLC

Owner's Address: 568 Jetton Street, Suite 200

City, State, Zip: Davidson, NC 28036

Date Property Acquired: January 3, 2019

Property Address: 8837 Albemarle Road

Tax Parcel Number(s): 109-102-04

Current Land Use: Commercial

Size (Acres): +/- 1.217 acres

Existing Zoning: B-1 (CD)

Proposed Zoning: Neighborhood Services

Overlay: N/A

(Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting\* with: Michael Russell, Dave Pettine, Catherine Mahoney et al.

Date of meeting: June 13, 2019

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

**For Conditional Rezonings Only:**

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

Purpose/description of Conditional Zoning Plan: To accommodate two eating, drinking and entertainment establishments (Type 1 and/or Type 2) in a single building with drive-in or drive through service lanes/windows and other specified uses allowed in the B-2 zoning district.

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

ALBEMARLE ROAD PARTNERS, LLC

By:

Signature of Property Owner

Jeff Watson

(Name Typed / Printed)

Albemarle Road Partners, LLC (c/o Jeff Watson)

Name of Petitioner(s)

568 Jetton Street, Suite 200

Address of Petitioner(s)

Davidson, NC 28036

City, State, Zip

704-895-2084

Telephone Number

Fax Number

watson@piedmontlanddevelopment.com

E-Mail Address

ALBEMARLE ROAD PARTNERS, LLC

By:

Signature of Petitioner

Jeff Watson

(Name Typed / Printed)



DEVELOPMENT STANDARDS

June 27, 2019

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Albemarle Road Partners, LLC (the "Petitioner") for an approximately 1.217 acre site located on the north side of Albemarle Road between Hollisrose Drive and Circumferential Road, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel No. 109-102-04.
- B. 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").
- C. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Neighborhood Services ("NS") zoning district shall govern the development and use of the Site.
- D. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard and landscape area 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.
- E. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. PERMITTED USES/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 NS zoning district, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the NS zoning district, including, without limitation, drive-through service lanes/windows and outdoor dining.
- B. The maximum gross floor area of the principal building to be constructed on the Site shall be 4,700 square feet.

- C. An eating, drinking and entertainment establishment with accessory drive-through service lanes/windows shall have indoor seating that can accommodate a minimum of 50 patrons.
- D. An eating, drinking and entertainment establishment that does not have accessory drive-through service lanes/windows shall not be required to have indoor seating that can accommodate a minimum of 50 patrons.
- E. The building to be constructed on the Site may contain two separate eating, drinking and entertainment establishments, one with accessory drive-through service lanes/windows and one without accessory drive-through service lanes/windows. As noted above, an eating, drinking and entertainment establishment without accessory drive-through service lanes/windows shall not be required to have indoor seating that can accommodate a minimum of 50 patrons.
- F. The maximum size of an outdoor dining patio located on the Site shall be 1,000 square feet.

3. TRANSPORTATION

- A. Vehicular access 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 by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.
- B. The alignments of the internal drives and circulation areas to be located on the Site are subject to any minor modifications or alterations required during the construction permitting process.
- C. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan.
- D. Off-street vehicular parking shall be provided at the rate of 1 parking space per 115 square feet of gross floor area for the principal building to be located on the Site.
- E. Off-street vehicular parking shall be provided at the rate of 1 parking space per 150 square feet of gross floor area for the outdoor dining patio to be located on the Site.

4. ARCHITECTURAL STANDARDS

- A. The maximum height in feet of any building constructed on the Site shall be 40 feet as measured under the Ordinance.

5. STREETSCAPE AND LANDSCAPING

- A. An 8 foot wide planting strip and a 6 foot wide sidewalk shall be installed along the Site's frontage on Albemarle Road as generally depicted on the Rezoning Plan. The southern edge of the 8 foot wide planting strip shall be located 52 feet from the existing

centerline of Albemarle Road, and the southern edge of the 6 foot wide sidewalk shall be located 60 feet from the existing centerline of Albemarle Road.

- B. A minimum 20 foot wide landscape area that is planted to the standards of a Class B buffer shall be established along the western and northern boundary lines of the Site as depicted on the Rezoning Plan.

6. ENVIRONMENTAL FEATURES

- A. Development of the Site shall comply with the requirements of the City of Charlotte Tree Ordinance.
- B. Petitioner shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance.

7. LIGHTING

- A. All freestanding lighting fixtures installed on the Site (excluding street lights, lower, decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
- B. The maximum height of any freestanding lighting fixture installed on the Site shall be 21 feet.

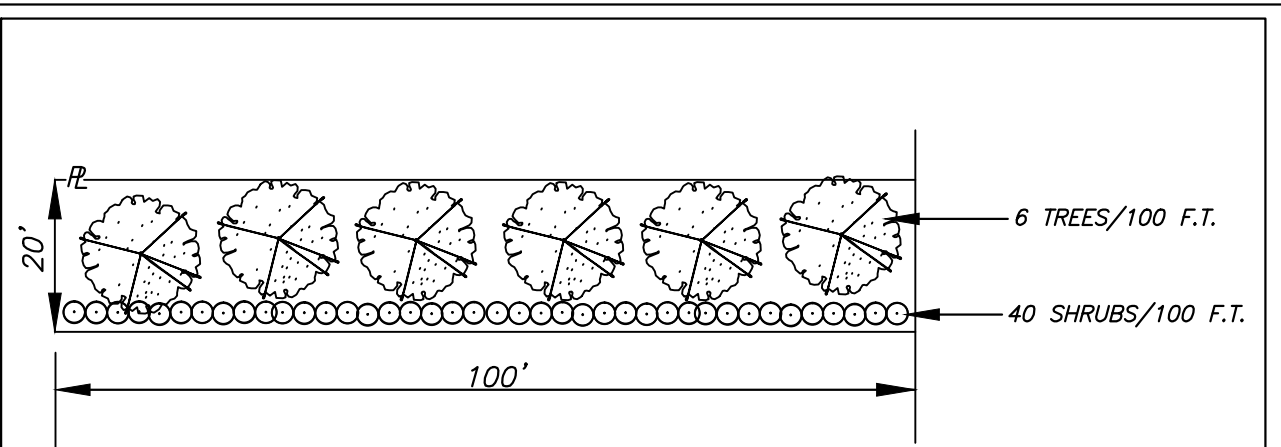
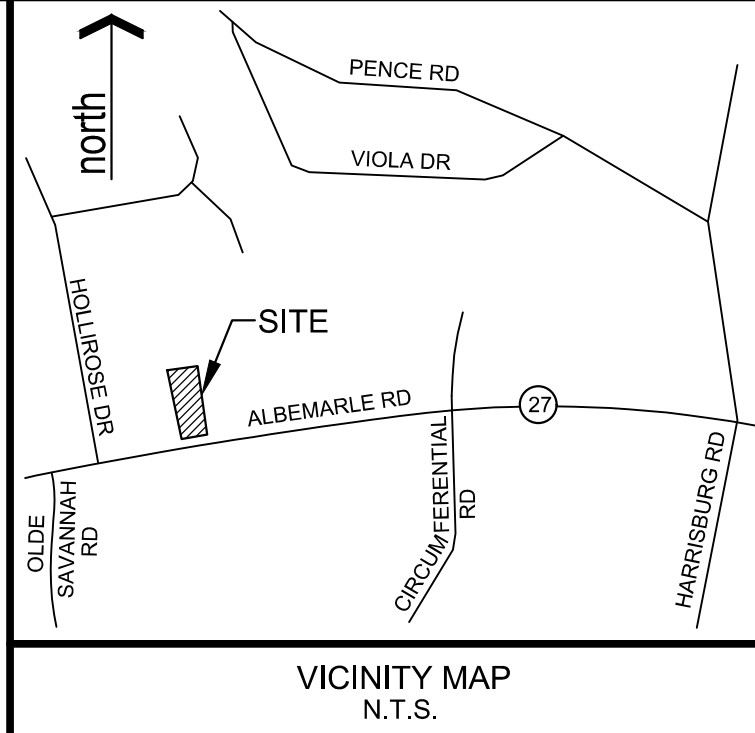
- C. Any lighting fixtures attached to the buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

8. 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.

DEVELOPMENT DATA:

1. PARCEL ID: 109-102-04  
DB: 33210, PG. 306  
LEGAL DESC.: M4-643  
SITE AREA: ±1.217 AC.
2. SITE ADDRESS: 8837 ALBEMARLE ROAD  
CHARLOTTE, NC 28227
3. EXISTING ZONING: B-1 (CD)  
PROPOSED ZONING: NS  
EXISTING USE: RESIDENTIAL  
PROPOSED USE: SEE DEVELOPMENT STANDARDS
4. PROPOSED BUILDING AREA: MAXIMUM 4,700 S.F.
5. MAXIMUM BUILDING HEIGHT: 40'
6. ADDITIONS: ±1000 S.F. OUTDOOR PATIO
7. SETBACKS AND YARDS: PER NS ZONING
8. PARKING:  
PARKING RATIO FOR BLDG: 1 PER 115 S.F. = 41 SPACES  
PARKING RATIO FOR PATIO: 1 PER 150 S.F. = 7 SPACES  
TOTAL PARKING REQUIRED = 48 SPACES  
PARKING PROVIDED = 48 SPACES  
HANDICAP PARKING REQ'D = 2 SPACES, PROVIDED = 2 SPACES ALL VAN ACCESSIBLE.
9. THIS PROPERTY IS NOT LOCATED WITHIN A FEMA FLOOD ZONE AS PER FEMA FLOOD PANEL #: 3710459300K, DATED: 02/19/2014



20' WIDE LANDSCAPE AREA ADJACENT TO RESIDENTIAL, PLANTED AS CLASS "B" BUFFER

PARCEL ID: 109-102-03  
BENNY F. & CAROL S. NORWOOD  
EX. LAND USE: SINGLE FAMILY RESIDENTIAL  
EX. ZONING: R-3

20' REAR YARD & LANDSCAPED AREA PLANTED AS A CLASS "B" BUFFER TO SCREEN BETWEEN USES

PROP. GATED & SCREENED DUMPSTER ENCLOSURE

MINIMUM 5' PLANTING STRIP

PARCEL ID: 109-102-08  
CHARLOTTE ALBEMARLE, LLC  
EX. LAND USE: COMMERCIAL  
EX. ZONING: B-1 (CD)

MINIMUM 5' PLANTING STRIP

10' SIDEYARD

PROPOSED ASPHALT PARKING LOT

PROPOSED ACCESSIBLE PARKING & SIGNAGE

30' DRIVEWAY CONNECTION TO ADJACENT PROPERTY

PROPOSED 1'-6" CURB AND GUTTER (TYP.)

MINIMUM 5' PLANTING STRIP

PROPOSED COMMERCIAL DRIVEWAY

6' SIDEWALK  
8' PLANTING STRIP

52' TO FRONT EDGE OF 8' PLANTING STRIP

NEW STREET TREES @ 40' O.C.

20' LANDSCAPED AREA PLANTED AS A CLASS "B" BUFFER TO SCREEN BETWEEN USES

PARCEL ID: 109-102-03  
BENNY F. & CAROL S. NORWOOD  
EX. LAND USE: SINGLE FAMILY RESIDENTIAL  
EX. ZONING: R-3

PROPOSED OUTDOOR PATIO DINING AREA

SHRUBS 5' O.C. FOR PARKING LOT SCREENING (TYP)

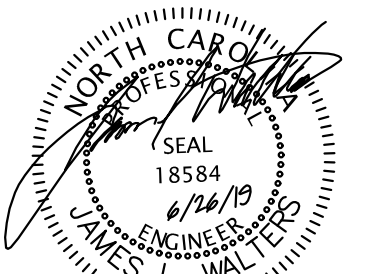


- 1). CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- 2). CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- 3). ALL PAVEMENT CUTS,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

GRAPHIC SCALE



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



**NOT  
ISSUED FOR  
CONSTRUCTION**  
JUNE 26, 2019  
DATE

ALBEMARLE ROAD  
PARTNERS, LLC

568 JETTON STREET  
SUITE 200  
DAVIDSON, NC 28036  
PH: 704-895-2084  
watson@piedmontlanddevelopment.com

PETITION NO. 2019-XXX  
8837 ALBEMARLE ROAD CHARLOTTE, NC 28227  
REZONING PLAN

REVISIONS

PROJECT NO.: 2019.13

SCALE: 1" = 20'

DRAWN BY: PAB

CHECKED BY: JLW

SHEET NO:

**RZ-1**

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-108

Petition #:	_____
Date Filed:	6/28/2019
Received By:	He

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

Property Owner: J.S. & Associates, Inc.

Owner's Address: 5226 Addison Dr. City, State, Zip: Charlotte, NC 28211

Date Property Acquired: March 28, 2019

Property Address: 8001 Neal Road Road

Tax Parcel Number(s): 047-112-02

Current Land Use: Residential Size (Acres): +/- 13.21 acres

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

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

Required Rezoning Pre-Application Meeting\* with: C. Lamb, J. Weaver, M. Russell, K. Main, G. Meacci et al.

Date of meeting: January 30, 2019 and April 24, 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 residential community on the site that could contain up to 92 duplex, triplex and single family attached dwelling units.

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

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

Charlotte, NC 28246  
City, State, Zip

704-377-8341/704-377-8142  
Telephone Number Fax Number  
jcarmichael@robinsonbradshaw.com  
tshaffer@robinsonbradshaw.com  
E-Mail Address

**J.S. & ASSOCIATES, INC.**

By: See attached signature page

Signature of Property Owner

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

J.S. & Associates, Inc. (Attn: James Scruggs)  
Name of Petitioner(s)

5226 Addison Dr.  
Address of Petitioner(s)

Charlotte, NC 28211  
City, State, Zip

704-249-7718  
Telephone Number Fax Number  
james@upfamilyhomecare.com  
E-Mail Address

**J.S. & ASSOCIATES, INC.**

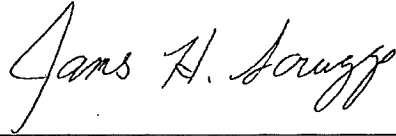
By: See attached signature page

Signature of Petitioner

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

*[Signature Page of Petitioner and Property Owner, J.S. & Associates, Inc.,  
to Rezoning Application]*

**J.S. & ASSOCIATES, INC.**

A handwritten signature in cursive script, reading "James H. Scruggs". The signature is written in dark ink and is positioned above a horizontal line.

By: James Scruggs, Member





**VICINITY MAP**

N.T.S.

TOPOGRAPHIC SURVEY DATED MAY 10, 2019 PROVIDED BY CAROLINA  
SURVEYORS, INC., P.O. BOX 267, PINEVILLE, NC 28134 704-889-7601

OWNER: J.S. & ASSOC., INC.  
OWNER ADDRESS: 5226 ADDISON DR., CHARLOTTE, NC 28211  
CIVIL ENGINEER/LANDSCAPE ARCHITECT: BLOC DESIGN, PLLC

ZONING DESIGNATION (EXISTING): R-3  
ZONING DESIGNATION (PROPOSED): R-8MF(CD) PARCEL SIZE: 13.215 ACRES  
JURISDICTION: CITY OF CHARLOTTE

PARCEL NUMBER: 04711202

**SETBACK AND YARD REQUIREMENTS**  
FRONT: FACE OF GARAGES MUST BE SET BACK AT LEAST 20' FROM PROPOSED R.O.W  
SIDE YARD: 20'  
REAR YARD: 50'

**BUFFERS REQUIRED**  
50' TYPE C BUFFER REQUIRED ON ALL SIDES DUE TO SINGLE FAMILY ADJACENT ZONING  
MAY BE REDUCED 25% TO 37.5' WITH INSTALLATION OF FENCE

**BUILDING SEPARATION**  
MINIMUM 16' BUILDING SEPARATION REQUIRED

### PARKING SUMMARY

REQUIRED: 2 SPACES PER UNIT  
PROVIDED: 2 SPACES PER UNIT

TRIPLEX AND TOWNHOMES  
REQUIRED: 1.5 SPACES PER UNIT

DEVELOPMENT SUMMARY:

DUPLEX UNITS:	20 UNITS
TRIPLEX UNITS:	9 UNITS

PROPOSED DENSITY: 6.98 DUA

**TREE SAVE AREA:**  
 REQUIRED: 15% (.15 X 13.215AC) = 1.98 ACRES  
 PROVIDED: 1.98 ACRES MINIMUM

## JUNE 28, 2019

## A. GENERAL PROVISIONS

- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY J.S. & ASSOCIATES, INC. TO REZONE THE STRIP OF LAND DESCRIBED IN THE PETITION FROM THE CITY OF CHARLOTTE TO THAT APPROXIMATELY 13.21 ACRES SITUATED ON NEAL AVENUE (OF 19' WIDE RIGHT-OF-WAY) BETWEEN 10TH STREET AND 11TH STREET, 0471-1202, WHICH SITE IS MORE SPECIFICALLY LOCATED ON THE REZONING PLAN (THE "SITE").
2. DEVELOPMENT OF THE SITE SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").
- UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS REQUIRE OTHERWISE, THE DEVELOPMENT OF THE SITE SHALL BE SUBJECT TO THE PROVISIONS OF THE ORDINANCE. UNLESS THE REZONING PLAN OR THE REZONING PLAN ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT OF THE SITE, THE DEVELOPMENT OF THE SITE SHALL BE SUBJECT TO THE PROVISIONS OF THE ORDINANCE.
- 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, DIMENSIONS, LOCATIONS, AND SPACING OF THE PROPOSED IMPROVEMENTS, INTERNAL PRIVATE STREETS/PRIVATE ALLEYS DEPICTED ON THE REZONING PLAN, AND THE DEVELOPMENT OF THE SITE SHALL BE SUBJECT TO THE REZONING DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION OF THE PROJECT.
- 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 22A, ARTICLE 10, ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 22A-10-010 OF THE ORDINANCE.

#### B. PERMITTED USES/DEVELOPMENT LIMITATIONS

1. THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 92 DUPLEX, TRIPLEX AND/OR SINGLE FAMILY ATTACHED DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE R-8MF ZONING DISTRICT.

### C. TRANSPORTATION

- VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR DRIVEWAY SHALL BE DETERMINED BY THE ENGINEER IN ORDER TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS TO MEET ALL APPLICABLE CITY, STATE AND FEDERAL REQUIREMENTS. THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND/OR THE NORTH CAROLINA DIVISION OF HIGHWAYS MAY BE REQUIRED TO REVIEW AND APPROVE ANY DRIVEWAY OR INTERSECTION DESIGN.
- THE SITE WILL BE SERVED BY IMPERIAL PRIVATE STREETS IN THOSE AREAS WHERE THE INDIVIDUAL LOTS ARE NOT ADJACENT TO A STREET LABELED AS "PROPOSED PRIVATE DRIVE". MINOR ADJUSTMENTS TO THE LOCATION OF THE INDIVIDUAL DRIVEWAYS SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
- PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE, PETITIONER SHALL DEDICATE AND RECORD WITH THE CITY OF CHARLOTTE THE ENTIRETY OF THE SURFACE PORTIONS OF THE SITE LOCATED IMMEDIATELY ADJACENT TO THE PROPOSED DRIVEWAYS AND PORTIONS OF THE SITE LOCATED IMMEDIATELY ADJACENT TO THE PROPOSED DRIVEWAYS AS "PROPOSED SE 90' RESIDENTIAL MEDIAN" AS REQUIRED TO PROVIDE RIGHT-OF-WAY MEASUREMENTS, WHERE FEASIBLE, TO TWO FEET BENEATH THE GRADE OF SIDEWALK AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN.
- PETITIONER SHALL SUBSTANTIALLY COMPLETE THE CONSTRUCTION OF THE DRIVEWAYS AND RECORD THE SAME PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE.

#### D. ARCHITECTURAL STANDARDS

1. THE MAXIMUM HEIGHT IN FEET OF THE DWELLING UNITS TO BE LOCATED ON THE SITE SHALL BE AS MEASURED UNDER THE ORDINANCE.
2. THE ACTUAL WIDTHS OF THE DWELLING UNITS MAY VARY FROM THE WIDTHS DEPICTED ON THE REZONING PLAN.

#### E. LIGHTING

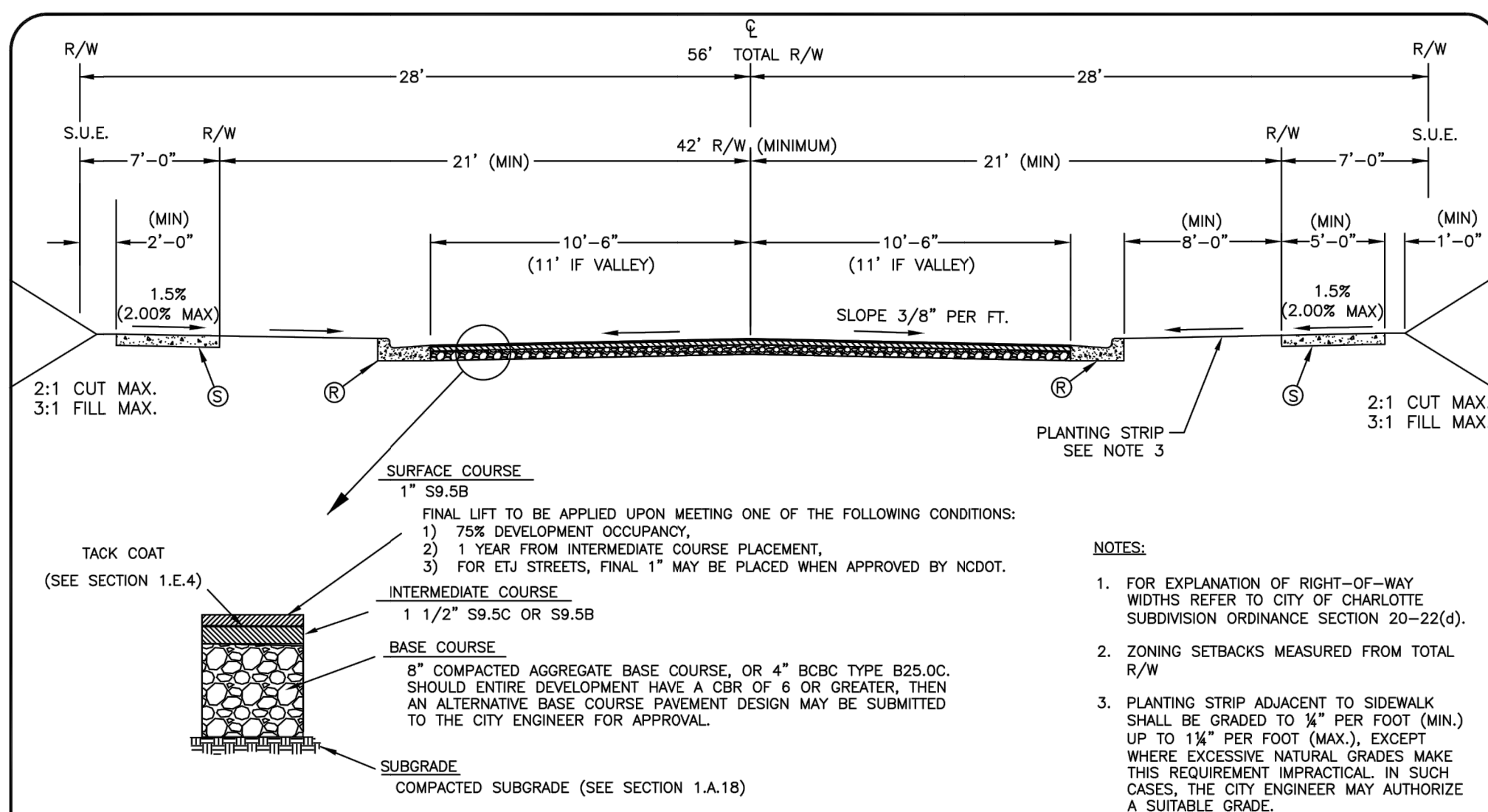
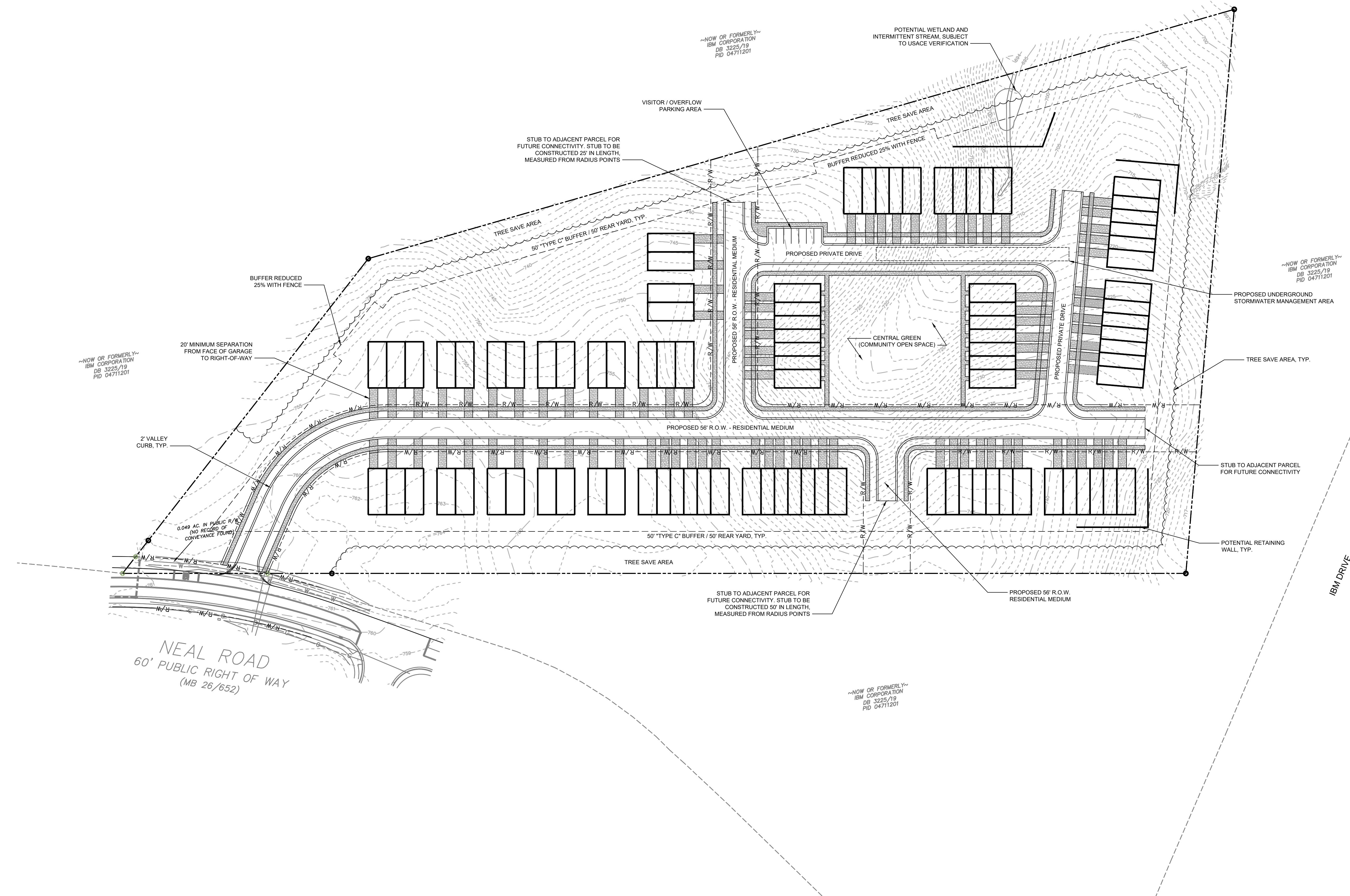
1. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, PRIVATE STREETS/PRIVATE ALLEYS AND SIDEWALKS, WALKWAYS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
2. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 21 FEET.

#### F. ENVIRONMENTAL FEATURES

1. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.
2. PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE.

#### G. 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/CHANGED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BINDINGLY APPLY TO THE SITE FOR THE BENEFIT OF PETITIONER AND THE CURRENT AND SUCCESSOR 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 PETITIONER, HIS/HERS, 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 OF THE SITE.



NOT TO SCALE

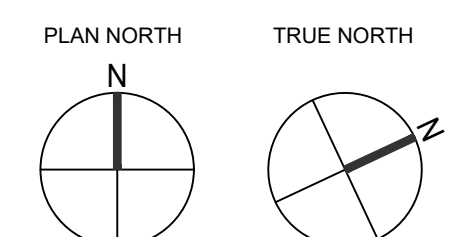


CITY OF CHARLOTTE  
LAND DEVELOPMENT STANDARDS  
INCLUDES CHARLOTTE ETJ


LOCAL RESIDENTIAL MEDIUM STREET  
TYPICAL SECTION

STD. NO.	REV.
U-02	17

8001 Neal Road  
Charlotte, NC 28262



SCALE: 1" = 60'



A horizontal scale bar with alternating black and white segments. It is marked with '0', '30'', '60'', and '120'' at the ends.

DATE: 06/28/19	MPIC: WLL
----------------	-----------

DRAWN BY: ASP	CHECKED BY: WLL/CCB
---------------	---------------------

PROJECT NUMBER: 00827.00

TITLE:  
REZONING PLAN

SHEET NO.:  
**RZ-1**



2019-109

# I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #: \_\_\_\_\_  
Date Filed: 7/12/2019  
Received By: BH

1 of 5

Complete All Fields (Use additional pages if needed)

Property Owner: See attachment.

Owner's Address: See Attachment. City, State, Zip: \_\_\_\_\_

Date Property Acquired: See Attachment

Property Address: See Attachment.

Tax Parcel Number(s): \_\_\_\_\_

Current Land Use: AN. Size (Acres): 7.975. (Total)

Existing Zoning: R-22 MF. Proposed Zoning: I-2

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

Required Rezoning Pre-Application Meeting\* with: Salomon. fortune.

Date of meeting: 2/20/2019

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

Miriam E Franco  
Name of Rezoning Agent

5144 Prestwick Ln.  
Agent's Address

Charlotte 28212  
City, State, Zip

704-615-4204.  
Telephone Number Fax Number

miriam.e1974@icloud.com  
E-Mail Address

See attachment  
Signature of Property Owner

See attachment.  
(Name Typed / Printed)

Miriam E. Franco.  
Name of Petitioner(s)

5144 Prestwick Ln.  
Address of Petitioner(s)

Charlotte 28212  
City, State, Zip

704-615-4204  
Telephone Number Fax Number

miriam.e1974@icloud.com  
E-Mail Address

Miriam E. Franco.  
Signature of Petitioner

Miriam E. Franco.  
(Name Typed / Printed)

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Received By: \_\_\_\_\_

2 of 5

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

Property Owner: Miriam Franco, Dany Ortiz.

Owner's Address: 5144 proswick Ln City, State, Zip: 28 Charlotte 28212

Date Property Acquired: 6/18/2018

Property Address: 1705 Parker Dr, Charlotte 28208

Tax Parcel Number(s): 11702222

Current Land Use: MF Size (Acres): 5.000 AC

Existing Zoning: MF Proposed Zoning: I 2

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

Required Rezoning Pre-Application Meeting\* with: Salomon fortune  
Date of meeting: 9/20/2019

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

\_\_\_\_\_  
Name of Rezoning Agent

\_\_\_\_\_  
Agent's Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
E-Mail Address

Miriam Franco / Dany Ortiz  
Signature of Property Owner

Miriam Franco / Dany Ortiz  
(Name Typed / Printed)

\_\_\_\_\_  
Name of Petitioner(s)

\_\_\_\_\_  
Address of Petitioner(s)

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
E-Mail Address

\_\_\_\_\_  
Signature of Petitioner

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

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Received By: \_\_\_\_\_

3 of 5

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

Property Owner: Victor Manuel Guevara

Owner's Address: 515 GREENWOOD DR City, State, Zip: CHARLOTTE NC 28217

Date Property Acquired: \_\_\_\_\_

Property Address: \_\_\_\_\_

Tax Parcel Number(s): 11702220, ~~11701288~~ 11702288

Current Land Use: \_\_\_\_\_ Size (Acres): 2.23

Existing Zoning: R-22 MF Proposed Zoning: I 2

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

Required Rezoning Pre-Application Meeting\* with: 2/20/2019 Salomon fortune.  
Date of meeting: \_\_\_\_\_

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

\_\_\_\_\_  
Name of Rezoning Agent

\_\_\_\_\_  
Agent's Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
E-Mail Address

  
Signature of Property Owner

VICTOR MANUEL GUEVARA  
(Name Typed / Printed)

\_\_\_\_\_  
Name of Petitioner(s)

\_\_\_\_\_  
Address of Petitioner(s)

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
E-Mail Address

\_\_\_\_\_  
Signature of Petitioner

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

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Received By: \_\_\_\_\_

Complete All Fields (Use additional pages if needed)

4 of 5

Property Owner: Rosseline Ortiz

Owner's Address: 1701 Parker Dr. City, State, Zip: Charlotte 28212

Date Property Acquired: 12/12/2016

Property Address: 1701 Parker Dr. Charlotte 28212

Tax Parcel Number(s): 11702235, 11702239

Current Land Use: multifamily Size (Acres): 0.485

Existing Zoning: \_\_\_\_\_ Proposed Zoning: I2

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

Required Rezoning Pre-Application Meeting\* with: Salomon Future

Date of meeting: 2/20/2019

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

\_\_\_\_\_  
Name of Rezoning Agent

\_\_\_\_\_  
Name of Petitioner(s)

\_\_\_\_\_  
Agent's Address

\_\_\_\_\_  
Address of Petitioner(s)

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
E-Mail Address

\_\_\_\_\_  
E-Mail Address

Rosseline Elizabeth Ortiz  
Signature of Property Owner

\_\_\_\_\_  
Signature of Petitioner

Rosseline Elizabeth Ortiz  
(Name Typed / Printed)

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

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Received By: \_\_\_\_\_

5 of 5

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

Property Owner: Danny Ortiz

Owner's Address: 5144 Prestwick Ln City, State, Zip: Charlotte 28212

Date Property Acquired: 3/22/2019

Property Address: \_\_\_\_\_

Tax Parcel Number(s): 11702217

Current Land Use: multi family Size (Acres): 0.260 G's Calc.

Existing Zoning: R. 22. Proposed Zoning: F2

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

Required Rezoning Pre-Application Meeting\* with: Salomon fortune

Date of meeting: 2/20/2019

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

\_\_\_\_\_  
Name of Rezoning Agent

\_\_\_\_\_  
Name of Petitioner(s)

\_\_\_\_\_  
Agent's Address

\_\_\_\_\_  
Address of Petitioner(s)

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
E-Mail Address

\_\_\_\_\_  
E-Mail Address

Danny Ortiz  
Signature of Property Owner

\_\_\_\_\_  
Signature of Petitioner

Danny Ortiz  
(Name Typed / Printed)

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

2019-110

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

Petition #:	_____
Date Filed:	<u>7/16/2019</u>
Received By:	<u>RP</u>

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

Property Owner: 1101 Central Group, LLC

Owner's Address: P.O. Box 958 City, State, Zip: Davidson, NC 28036

Date Property Acquired: April 6<sup>th</sup>, 2015

Property Address: 1101 Central Avenue & Unaddressed lot on Heath Court, Charlotte, NC  
28204

Tax Parcel Number(s): 081-111-06 & 081-111-13

Current Land Use: Surface Parking + restaurant Size (Acres): 1.2417

Existing Zoning: MUDD-O Proposed Zoning: TOD-CC

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

Required Rezoning Pre-Application Meeting\* with: Sonja Sanders, Planning  
Date of meeting: March 14<sup>th</sup>, 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Name of Rezoning Agent

\_\_\_\_\_  
Agent's Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
E-Mail Address

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

Michael Adams  
(Name Typed / Printed)

Jay Patel  
Name of Petitioner(s)

157 E. Franklin St, Suite 8  
Address of Petitioner(s)

Chapel Hill, NC 27514  
City, State, Zip

919-824-4194 919-869-2184  
Telephone Number Fax Number

jay@wintergreenhospitality.com  
E-Mail Address

\_\_\_\_\_  
Signature of Petitioner

Jay Patel  
(Name Typed / Printed)

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-111

Petition #:	_____
Date Filed:	<u>7/17/2019</u>
Received By:	<u>Be</u>

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

Property Owner: DC Property LLC, Elizabeth Funck

Owner's Address: 1234 Wyndcroft Place City, State, Zip: Charlotte, NC 28209

Date Property Acquired: 12/22/2016

Property Address: 129 Southside Dr. Charlotte, NC 28217

Tax Parcel Number(s): 149-03-104

Current Land Use: Industrial Size (Acres): 0.69 Acres

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

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

Required Rezoning Pre-Application Meeting\* with: Sonya Sander

Date of meeting: 2/27/2019

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

**For Conditional Rezonings Only:**

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

Purpose/description of Conditional Zoning Plan: limit the required parking to what can be provided on site


Urban Design Partners - Brian Smith  
Name of Rezoning Agent

1318 Central Avenue, Suite E6  
Agent's Address

Charlotte, NC 28205  
City, State, Zip

704-334-3303 N/A  
Telephone Number Fax Number

brian@urbandesignpartners.com  
E-Mail Address

  
Signature of Property Owner

Elizabeth Funck, Manager, DC Property, LLC  
(Name Typed / Printed)

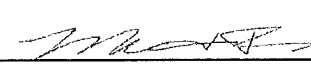
Hive Fitness, LLC  
Name of Petitioner(s)

1514 S Church Street, Ste 101  
Address of Petitioner(s)

Charlotte, NC 28203  
City, State, Zip

704-956-3092  
Telephone Number Fax Number

connect@hivefitnessclt.com  
E-Mail Address

  
Signature of Petitioner

Josiah Boling  
(Name Typed / Printed)



Site Development Data:

Acreage: +/- 0.69 AC  
Tax Parcel: 149-031-04  
Existing Zoning: I-2  
Proposed Zoning: MUDD(O)  
Existing Uses: Commercial  
Proposed Uses: By Ordinance  
Max Density:

General Provisions:

These Development Standards form part of the Rezoning Plan associated with the Rezoning Petition filed by Hive Fitness, LLC (the "Petitioner") to accommodate the development of a mixed-use development on an approximate 0.69 acre site located at 129 Southside Drive, which is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 149-031-04.

Development of the Site shall be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the "MUDD" Zoning District shall govern all development taking place on the Site. The configurations, placements and sizes of the buildings, parking areas, open space and public road improvements depicted on the Rezoning Plan are schematic in nature and therefore are subject to refinements as part of the total design process.

Optional Provisions:

1. Parking on site will remain as currently shown with 16 spaces.

Permitted Uses:

1. Uses allowed within the rezoning area included in this Petition are those uses that are permitted within the MUDD zoning district.

Transportation:

1. All transportation improvements (sidewalk and accessible ramps) within the public right of way shall be approved and constructed before the site's first building certificate of occupancy is issued.

Architectural and Design Standards:

1. The site shall comply with the district regulations of the Zoning Ordinance for the MUDD district, the development of the site will be governed by the following provisions and standards produced by the Petitioner and which will be binding on the development of the site.
2. Solid waste facilities shall be provided on site per Section 12.403 of the Zoning Ordinance.

Environmental Features:

1. The Petitioner shall comply with the City of Charlotte Post Construction Ordinance.

Signage:

1. The design and implementation of site signage shall comply with the design provisions of the MUDD district as described within Section 9.8506(2)(c) of the Zoning Ordinance.
2. Marquee signs may project into the reduced 10' setback up to 5' as described in Section 9.8506(2)(c)

Lighting:

1. All attached and detached lighting will be full cutoff fixtures and downwardly directed. However, upward facing architectural and landscape accent lighting shall be permitted.
2. Detached lighting on the site, except street lights located along public streets, will be limited to 20' in height.

Amendments to Rezoning Plan:

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

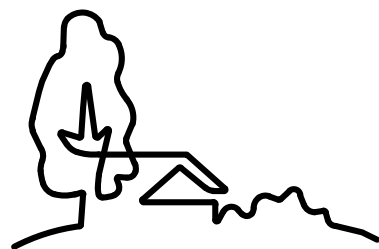
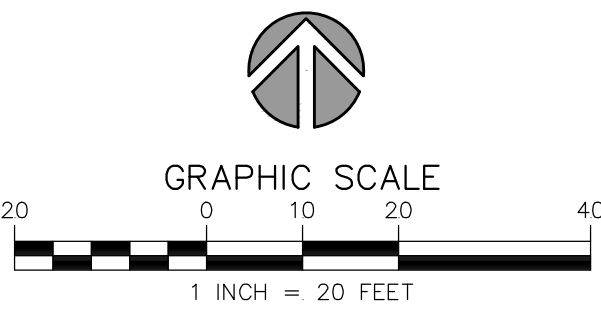
Further alterations or modifications to the Rezoning Plan which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the approved Technical Data Sheet or any of its conditions or which increase the intensity of development shall not be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

Binding Effect of the Rezoning Documents and Definitions:

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



REZONING PETITION #2019-XXX



URBAN  
DESIGN  
PARTNERS

1318-s6 central ave. P 704.334.3303  
charlotte, nc 28205 F 704.334.3305  
urbandesignpartners.com  
nc firm no: P-0418  
sc cda no: C-03044

129 Southside Drive

Rezoning Plan  
129 Southside Drive Charlotte, NC 28217

NO. DATE: BY: REVISIONS:

Project No: 19-064

Date: 07.01.2019

Designed by: UDP

Drawn By: UDP

Sheet No:

RZ-1.0

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-112

Petition #:	_____
Date Filed:	7/17/2019
Received By:	BH

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

Property Owner: Eclipse Investment Group LLC

Owner's Address: 9935 D. Rea Road De 293 City, State, Zip: Charlotte, NC 28211

Date Property Acquired: March 20, 2019

Property Address: 1216 Pincrest Ave Charlotte, NC 28205

Tax Parcel Number(s): 12908309

Current Land Use: Residential Size (Acres): .33

Existing Zoning: O-2 Proposed Zoning: R-4

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

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

Date of meeting: 7/10/2019

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

\_\_\_\_\_

\_\_\_\_\_

Mark Heisig  
Name of Rezoning Agent

1204 Firethorne Club Dr  
Agent's Address

Wayham, NC 28173  
City, State, Zip

(704) 965-9035 \_\_\_\_\_  
Telephone Number Fax Number

mark@eclipseinvestgroup.com  
E-Mail Address

Mark A. Heisig  
Signature of Property Owner

Mark A. Heisig  
(Name Typed / Printed)

Mark Heisig  
Name of Petitioner(s)

1204 Firethorne Club Drive  
Address of Petitioner(s)

Wayham NC 28173  
City, State, Zip

(704) 965-9035 \_\_\_\_\_  
Telephone Number Fax Number

mark@eclipseinvestgroup.com  
E-Mail Address

Mark A. Heisig  
Signature of Petitioner

Mark A. Heisig  
(Name Typed / Printed)

**ZONING ORDINANCE**  
**TEXT AMENDMENT APPLICATION**

**CITY OF CHARLOTTE**

Petition #: <u>2019-113</u>
Date Filed: <u>7/17/2019</u>
Received By: <u>[Signature]</u>
<i>Office Use Only</i>

<b>Section #: 9.101</b>	<b><u>Table of Uses and Hierarchy of Districts</u></b>
<b>Section #: 9.8504</b>	<b><u>Mixed Use Development District; Accessory Uses</u></b>
<b>Section #: 12.415</b>	<b><u>Helistops, Limited</u></b>

**Purpose of Changes:**

**The purpose of these text amendments is to permit helistops, limited as an accessory use in the MUDD zoning district.**

John Carmichael, Robinson Bradshaw  
**Name of Agent**

101 North Tryon Street, Suite 1900  
**Agent's Address**

Charlotte, NC 28246  
**City, State, Zip**

704-377-8341                      704-373-3941  
**Telephone Number**                      **Fax Number**

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

[Signature]  
**Signature of Agent**

The Charlotte-Mecklenburg Hospital Authority  
**Name of Petitioner(s)**

c/o Bennett Thompson  
P.O. Box 32861  
**Address of Petitioner(s)**

Charlotte, NC 28232  
**City, State, Zip**

704-491-3436  
**Telephone Number**                      **Fax Number**

Bennett.Thompson@atriumhealth.org  
**E-Mail Address**

See Attached Signature Page  
**Signature of Petitioner**

Petition #: 2019-\_\_\_\_\_

Petitioner: The Charlotte-Mecklenburg Hospital Authority

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

ORDINANCE NO. \_\_\_\_\_

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

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

A. CHAPTER 9: GENERAL DISTRICTS

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

- a. Amend Table 9.101 by adding “Helistops, limited” in alphabetical order as an allowed accessory use in the MUDD zoning district under the “Accessory Uses & Structures” header.

ACCESSORY USES & STRUCTURES			
	MUDD		
<u>Helistops, limited</u>	<u>X</u>		

2. PART 8.5: MIXED USE DEVELOPMENT DISTRICT

- a. Amend 9.8504, “Mixed Use Development District; accessory uses” by adding a new permitted accessory use, “Helistops, limited” to this Section. The revised Section 9.8504 shall read as follows:

The following are permitted as accessory uses in the Mixed Use Development District:

Accessory uses and structures, clearly incidental and related to the permitted principal use or structure.

Drive-in windows as an accessory to the principal use subject to the regulations of  
Section 12.413 (MUDD-Optional only)  
(Petition No. 2005-98 §9.8504, 05/16/05)

Dumpsters, trash handling areas and service entrances, subject to the regulations of 12.403.

Helistops, limited, subject to the regulations of Section 12.415.

Outdoor dining associated with an Eating, Drinking and Entertainment Establishment (Type 1 or Type 2). Outdoor dining associated with a Type 2 Eating, Drinking and Entertainment Establishment is subject to the regulations of Section 12.546.  
(Petition No. 2014-073, § 9.8504, 11/17/2014)

Outdoor lighting, subject to regulations of Section 12.402.

Outdoor sales accessory, subject to the regulations of Section 12.417.  
(Petition No. 2006-20, § 9.8504, 03/20/06)

Petroleum storage, accessory to a permitted principal use or building subject to the Fire Prevention Code of the National Board of Fire Underwriters.

Petroleum storage, underground, accessory to permitted automobile service stations, subject to the Fire Prevention Code of the National Board of Fire Underwriters.

Satellite dish farm, used in conjunction with a telecommunications and data storage facility, subject to the regulations of Section 12.416.  
(Petition No. 2011-047, §9.8504, 07/18/11)

Signs, bulletin boards, kiosks and similar structures that provide historical information, information for noncommercial activities or space for free use by the general public.

Vending machines.

## B. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

### 1. PART 4: ACCESSORY USES AND STRUCTURES

- a. Amend 12.415, “Helistops, limited” by adding MUDD as a zoning district in which helistops, limited are permitted as an accessory use. The revised Section 12.415 shall read as follows:

A helistop, limited shall be permitted as an accessory use only in the O-1, O-2, O-3, INST, RE-1, RE-2, RE-3, B-2, B-D, BP, MUDD, UMUD, CC, U-I, I-1, and I-2 districts provided it complies with all applicable Federal Aviation Administration regulations.

(Petition No. 2011-018, § 12.415, 5/23/11)

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

Approved as to form:

\_\_\_\_\_  
City Attorney

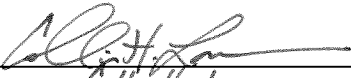
I, \_\_\_\_\_ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, the reference having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

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

\_\_\_\_\_

**Signature of Petitioner**

**THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY**

By:   
Name: Colleen H. Lane  
Title: SVP

Date: June 28, 2019

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-114

Petition #:	_____
Date Filed:	2/17/2019
Received By:	BH

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

Property Owner: See Exhibit A attached hereto

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

Date Property Acquired: See Exhibit A attached hereto

Property Address: See Exhibit A attached hereto

Tax Parcel Number(s): See Exhibit A attached hereto

Current Land Use: See Exhibit A attached hereto Size (Acres): 70.53 acres +/-

Existing Zoning: O-2, O-6 (CD), B-1, B-2, R-5 & R-22 MF Proposed Zoning: MUDD-0

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

Required Rezoning Pre-Application Meeting\* with: Laura Harmon, Claire Lyte-Graham, Brent Wilkinson et al.

Date of meeting: February 11, 2019

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

**For Conditional Rezonings Only:**

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

Purpose/description of Conditional Zoning Plan: To accommodate a health institution, professional and medical offices, nursing homes, rest homes and homes for the aged, a medical college and/or a nursing school, hotel uses, multi-family and planned multi-family dwelling units and other uses set out on the associated conditional rezoning 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

See Attached Signature Page and Joinder Agreements  
Signature of Property Owner

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

The Charlotte-Mecklenburg Hospital Authority  
Name of Petitioner(s)  
c/o Bennett Thompson  
P.O. Box 32861  
Address of Petitioner(s)

Charlotte, NC 28232  
City, State, Zip

704-491-3436  
Telephone Number Fax Number

Bennett.Thompson@atriumhealth.org  
E-Mail Address

**THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY**

See Attached Signature Page  
Signature of Petitioner

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



**Exhibit A to Rezoning Application Filed by**  
**The Charlotte-Mecklenburg Hospital Authority**

**I.     Tax Parcel Numbers**

15301104  
15301112  
15301114  
15301124  
15301128  
15301130  
15301131  
15301229 (A&B)  
15301230  
15301231  
15301232  
15301233  
15301234  
15302301  
15302303  
15302304  
15302305  
15302306  
15302307  
15302308  
15302309  
15302327  
15302328  
15302401  
15302402  
15302426  
15302427  
15302428  
15302429  
15302430  
15302431  
15302432  
15302433  
15302434  
15302435  
15302436  
15302437  
15302501  
15302526

15302527  
15302528  
15302529  
15302530  
15302302

**II. Property Owner Information, Acquisition Dates, Site Addresses and Current Land Use**

**Tax Parcel No. 15301104**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: November 23, 1979

Site Address: 1601 Garden Terrace

Property Use: Commercial

**Tax Parcel No. 15301112**

Mercy Equipment Corporation  
2001 Vail Ave  
Charlotte, NC 28207

Acquisition Date: December 23, 1996

Site Address: 1515 Harding Place

Property Use: Commercial

**Tax Parcel No. 15301114**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: June 28, 1985

Site Address: 1328 Romany Road and 1001 Blythe BV

Property Use: Office

**Tax Parcel No. 15301124**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: None

Site Address: 1000 Blythe BV; 1437 Scott Ave; 1112 Blythe BV; 1100 Blythe BV and  
1540 Garden Terrace

Property Use: Hospitals-Public

**Tax Parcel No. 15301128**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: July 3, 1990

Site Address: 1416 E Morehead Street

Property Use: Commercial

**Tax Parcel No. 15301130**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: April 1, 2003

Site Address: 1400 E Morehead Street

Property Use: Commercial

**Tax Parcel No. 15301131**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: July 3, 1990

Site Address: Harding Place

Property Use: Commercial

**Tax Parcel No. 15301229A**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: November 20, 1992

Site Address: 1025 Morehead Medical Drive

Property Use: Office

**Tax Parcel No. 15301229B**

HTA-Morehead MOB, LLC  
16435 North Scottsdale Road, Suite 320  
Scottsdale, AZ 85254

Acquisition Date: July 13, 2017

Site Address: 1025 Morehead Medical Drive

Property Use: Office

**Tax Parcel No. 15301230**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: November 20, 1992

Site Address: 1021 Morehead Medical Drive

Property Use: Office

**Tax Parcel No. 15301231**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: November 20, 1992

Site Address: East Morehead Street

Property Use: Office

**Tax Parcel No. 15301232**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: November 20, 1992

Site Address: Kenilworth Ave

Property Use: Office

**Tax Parcel No. 15301233**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: November 20, 1992

Site Address: 1020 Morehead Medical Drive

Property Use: Office

**Tax Parcel No. 15301234**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: November 20, 1992

Site Address: Kenilworth Ave

Property Use: Office

**Tax Parcel No. 15302301**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 2554  
Charlotte, NC 28234

Acquisition Date: April 18, 1975

Site Address: 1617 Garden Terrace

Property Use: Commercial

**Tax Parcel No. 15302303**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: October 30, 1997

Site Address: 1625 Garden Terrace

Property Use: Single Family Residential

**Tax Parcel No. 15302304**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: December 27, 2002

Site Address: 1629 Garden Terrace

Property Use: Single Family Residential

**Tax Parcel No. 15302305**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: December 28, 1995

Site Address: 1639 Garden Terrace

Property Use: Single Family Residential

**Tax Parcel No. 15302306**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: April 30, 2003

Site Address: 1641 Garden Terrace

Property Use: Single Family Residential

**Tax Parcel No. 15302307**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: December 19, 1991

Site Address: 1701 Garden Terrace

Property Use: Multi Family

**Tax Parcel No. 15302308**

1717 Garden Terrace, LLC  
c/o Robinson, Bradshaw & Hinson, P.A. (RWA)  
101 North Tryon Street, Suite 1900  
Charlotte, NC 28246

Acquisition Date: June 28, 2007

Site Address: 1717 Garden Terrace

Property Use: Single Family Residential



**Tax Parcel No. 15302309**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: January 5, 1988

Site Address: 1721 Garden Terrace

Property Use: Single Family Residential

**Tax Parcel No. 15302327**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: June 11, 1981

Site Address: 1200 Blythe BV and 1300 Blythe BV

Property Use: Office

**Tax Parcel No. 15302328**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: August 19, 1969

Site Address: 1130 Blythe BV

Property Use: Office

**Tax Parcel No. 15302401**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: December 30, 1992

Site Address: 1607 Fountain View

Property Use: Single Family Residential

**Tax Parcel No. 15302402**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: July 9, 2008

Site Address: 1611 Fountain View

Property Use: Single Family Residential

**Tax Parcel No. 15302426**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: December 28, 1995

Site Address: 1704 Garden Terrace

Property Use: Single Family Residential

**Tax Parcel No. 15302427**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 37972  
Charlotte, NC 28237

Acquisition Date: November 29, 1988

Site Address: 1700 Garden Terrace

Property Use: Single Family Residential

**Tax Parcel No. 15302428**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: December 15, 2009

Site Address: 1642 Garden Terrace

Property Use: Single Family Residential

**Tax Parcel No. 15302429**

The Charlotte-Mecklenburg Hospital Authority  
c/o Legal Department  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: October 12, 2006

Site Address: 1638 Garden Terrace

Property Use: Single Family Residential

**Tax Parcel No. 15302430**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: August 16, 2012

Site Address: 1634 Garden Terrace

Property Use: Single Family Residential

**Tax Parcel No. 15302431**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: May 13, 1988

Site Address: 1630 Garden Terrace

Property Use: Single Family Residential

**Tax Parcel No. 15302432**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: April 18, 1975

Site Address: 1624 Garden Terrace

Property Use: Office

**Tax Parcel No. 15302433**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: April 15, 1975

Site Address: 1620 Garden Terrace

Property Use: Office

**Tax Parcel No. 15302434**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36795  
Charlotte, NC 28202

Acquisition Date: December 14, 1964

Site Address: 1610 Garden Terrace

Property Use: Office

**Tax Parcel No. 15302435**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: February 6, 1964

Site Address: Garden Terrace

Property Use: Office

**Tax Parcel No. 15302436**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: April 17, 1980

Site Address: 1604 Garden Terrace

Property Use: Office

**Tax Parcel No. 15302437**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 36022  
Charlotte, NC 28236

Acquisition Date: November 16, 1979

Site Address: 1600 Garden Terrace

Property Use: Office

**Tax Parcel No. 15302501**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: December 28, 1995

Site Address: 1517 Scott Ave

Property Use: Office

**Tax Parcel No. 15302526**

The Charlotte-Mecklenburg Hospital Authority  
c/o Real Estate Services  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: November 14, 2017

Site Address: 1618 Fountain View

Property Use: Single Family Residential

**Tax Parcel No. 15302527**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: December 14, 2006

Site Address: 1614 Fountain View

Property Use: Single Family Residential

**Tax Parcel No. 15302528**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: December 28, 1995

Site Address: 1610 Fountain View

Property Use: Single Family Residential

**Tax Parcel No. 15302529**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: December 19, 2006

Site Address: 1606 Fountain View

Property Use: Single Family Residential

**Tax Parcel No. 15302530**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: September 30, 2005

Site Address: 1600 Fountain View

Property Use: Single Family Residential

**Tax Parcel No. 15302302**

The Charlotte-Mecklenburg Hospital Authority  
PO Box 32861  
Charlotte, NC 28232

Acquisition Date: December 28, 1995


Site Address: 1621 Garden Terrace

Property Use: Single Family Residential



**Signature of Property Owner/Applicant**

**THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY**

By:   
Name: Collin H. Lane  
Title: SVP

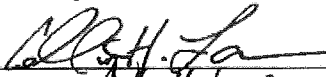
Date: June 28, 2019

**REZONING APPLICATION FILED BY  
THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY  
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by The Charlotte-Mecklenburg Hospital Authority that is designated as Tax Parcel No. 153-011-12 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the MUDD-O zoning district.

This 28 day of June, 2019.

**MERCY EQUIPMENT CORPORATION**

By:   
Name: Cathie H. Lane  
Title: SVP

**REZONING APPLICATION FILED BY  
THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY  
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by The Charlotte-Mecklenburg Hospital Authority that is designated as Tax Parcel No. 153-012-29B on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the MUDD-O zoning district.

This 3rd day of July, 2019.

**HTA-MOREHEAD MOB, LLC**

By: Leanna Komaromi

Name: Leanna Komaromi

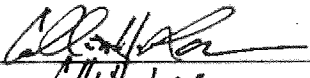
Title: VP of Ops - East

**REZONING APPLICATION FILED BY  
THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY  
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by The Charlotte-Mecklenburg Hospital Authority that is designated as Tax Parcel No. 153-023-08 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Rezoning Application and consents to the change in zoning for the Site to the MUDD-O zoning district.

This 28 day of June, 2019.

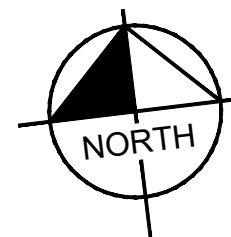
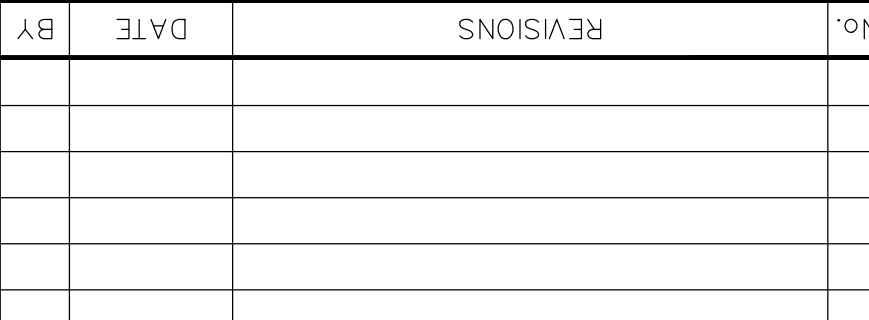
**1717 GARDEN TERRACE, LLC**

By:   
Name: C. H. Lee  
Title: SVP



DATE	07/15/2019	SCALE AS SHOWN	DESIGNED BY	CLH	DRAWN BY	CLH	CHECKED BY	RTL
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**kimley»Horn**  
2019 KIMLEY-HORN AND ASSOCIATES, INC.  
200 SOUTH TRYON ST., SUITE 200, CHARLOTTE, NC 28202  
PHONE: 704-333-5131  
WWW.KIMLEY-HORN.COM  
NC LICENSE #F-0102



LEGEND	
	PROPOSED REZONING BOUNDARY
	POTENTIAL PRIVATE ROAD ALIGNMENT
	EXISTING CITY MAINTAINED ROAD
	PROPOSED CITY MAINTAINED ROAD
	EXISTING PRIVATE ROAD
	LITTLE SUGAR CREEK
	EXISTING SIGNALIZED INTERSECTION

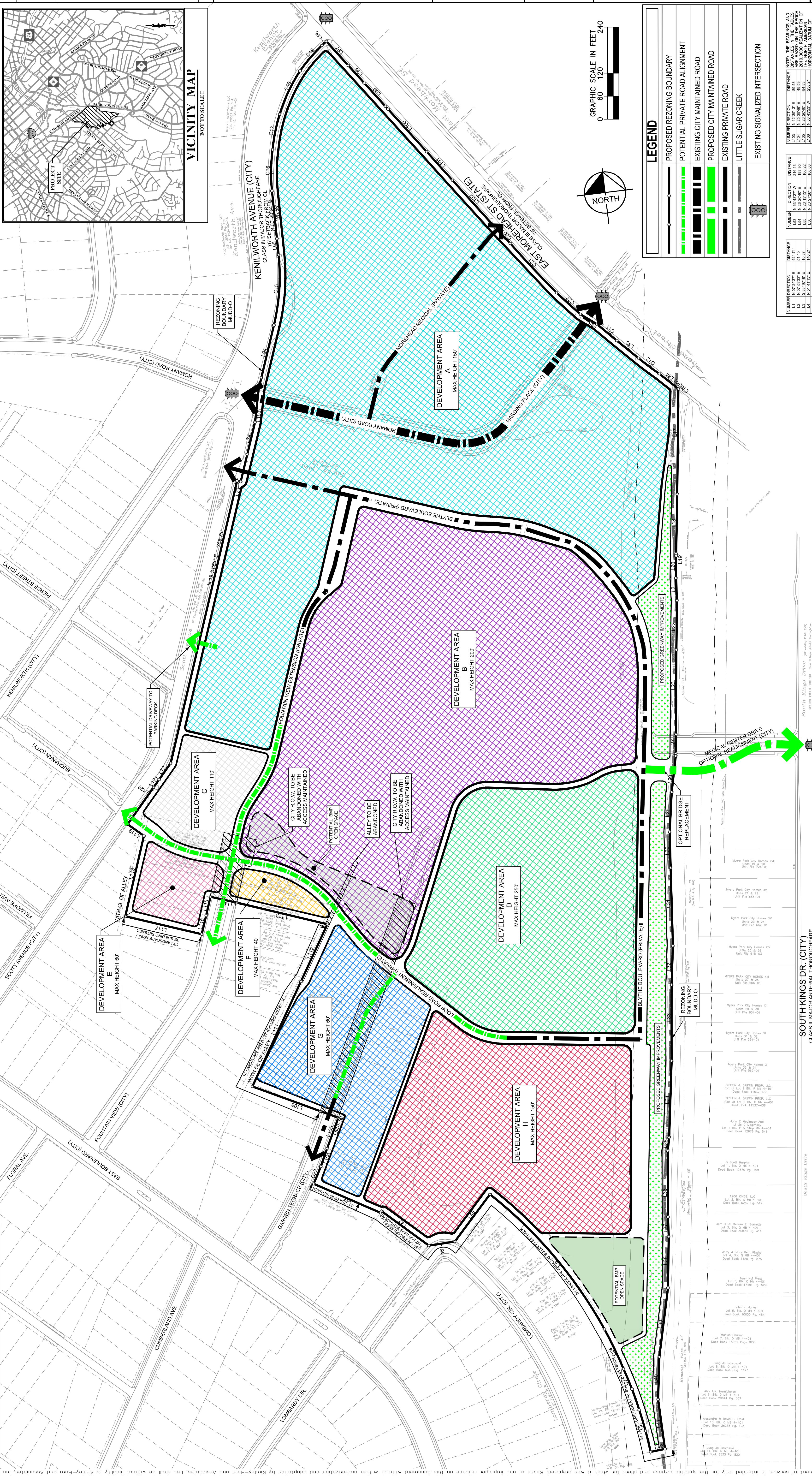
[illegible]

ARC TABLE (TRACT 1)			
NUMBER	RADIUS	ARC DIRECTION	CORD LENGTH
C13	125.00	S 52°12'59" W	25.20
C14	125.00	S 60°12'59" W	112.03
C15	125.00	N 10°10'34" E	184.23
C16	450.72	070°37'	107.12
C17	450.72	N 10°10'34" E	107.12
C18	454.85	234.40	123.00
C19	459.72	N 31°24'42" E	123.00
C20	1763.16	86.34	87.23
C21	2003.68	S 37°10'40" E	56.34
C22	2911.29	S 3°56'37" E	170.06
C23	2911.29	S 41°34'55" E	84.03

NUMBER	DESCRIPTION	DATE
1	N 27° 33' E	424.71
2	N 27° 33' E	424.71
3	S 83° 01' E	100.22
4	S 83° 01' E	100.22
5	N 28° 13' E	100.22
6	N 28° 13' E	100.22
7	N 27° 33' E	424.71
8	N 27° 33' E	424.71
9	N 26° 09' 15" E	95.78
10	N 26° 09' 15" E	95.78
11	N 26° 09' 15" E	95.78
12	N 26° 09' 15" E	95.78
13	N 26° 09' 15" E	95.78
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96	N 26° 09' 15" E	95.78
97	N 26° 09' 15" E	95.78
98	N 26° 09' 15" E	95.78
99	N 26° 09' 15" E	95.78
100	N 26° 09' 15" E	95.78

	W	E	S	D	Direction	Speed
135	S 12° 17' W	35.13			SE	18.52
136	S 12° 17' W	35.13			SE	18.52
137	S 12° 17' W	35.13			SE	18.52
138	S 12° 17' W	35.13			SE	18.52
139	S 12° 17' W	35.13			SE	18.52
140	S 12° 17' W	35.13			SE	18.52
141	S 12° 17' W	35.13			SE	18.52
142	S 12° 17' W	35.13			SE	18.52
143	S 12° 17' W	35.13			SE	18.52
144	S 12° 17' W	35.13			SE	18.52
145	S 12° 17' W	35.13			SE	18.52
146	S 12° 17' W	35.13			SE	18.52
147	S 12° 17' W	35.13			SE	18.52
148	S 12° 17' W	35.13			SE	18.52
149	S 12° 17' W	35.13			SE	18.52
150	S 12° 17' W	35.13			SE	18.52

**PROPOSED ZONING: MUDD-O**  
**EXISTING ZONING: O-2, O-4(CD), B-1, B-2, R-5, R-2MF**  
**PROPOSED ZONING: MUDD-O**  
**EXISTING ZONING: SINGLE FAMILY, MULTIFAMILY OFFICE, COMMERCIAL HEALTH INSTITUTION, MEDICAL OFFICE BUILDING**  
**PROPOSED USES: MEDICAL OFFICE BUILDING, HEALTH INSTITUTION, HOSPITALITY, MULTIFAMILY RESIDENTIAL, PARKING DECK**  
**PROPOSED MAXIMUM GROSS FLOOR AREA: 4,795,000 S.F.**  
**MAXIMUM BUILDING HEIGHT: AS SHOWN IN THIS PLAN BY DEVELOPMENT AREA.**  
**PARKING: AS REQUIRED BY THE ORDINANCE FOR THE PROPOSED USES**  
**LANDSCAPE SCREENS: TO THE DIMENSION SHOWN ON THE PLAN AND PLANTED TO THE STANDARDS OF CLASS C BUFFER**









CMC MAIN CAMPUS  
REHABILITATION  
PREPARED FOR  
ATRIUM HEALTH  
CITY OF CHARLOTTE  
NORTH CAROLINA

WALKABILITY  
IMPROVEMENT  
PLAN  
REZONING PETITION NO. 2019-00000000

KHA PROJECT  
014003004  
DATE  
07/15/2019  
SCALE AS SHOWN  
DESIGNED BY CLH  
DRAWN BY CLH  
CHECKED BY RTL

PRELIMINARY  
DOCUMENT

Kimley»Horn  
2019 KIMLEY-HORN AND ASSOCIATES, INC.  
200 SOUTH TRYON ST., SUITE 200, CHARLOTTE, NC 28202  
PHONE: 704-333-5131  
WWW.KIMLEY-HORN.COM  
NC LICENSE #0102

NO.	REVISIONS	DATE	BY

LEGEND

	EXISTING PRIMARY PEDESTRIAN CIRCULATION
	PROPOSED PRIMARY PEDESTRIAN CIRCULATION
	EXISTING PRIMARY PEDESTRIAN CIRCULATION TO BE REMOVED
	EXISTING GREENWAY CIRCULATION
	PROPOSED WIDENED GREENWAY CIRCULATION
	PROPOSED REZONING BOUNDARY
	EXISTING PEDESTRIAN CROSSING SIGNAL

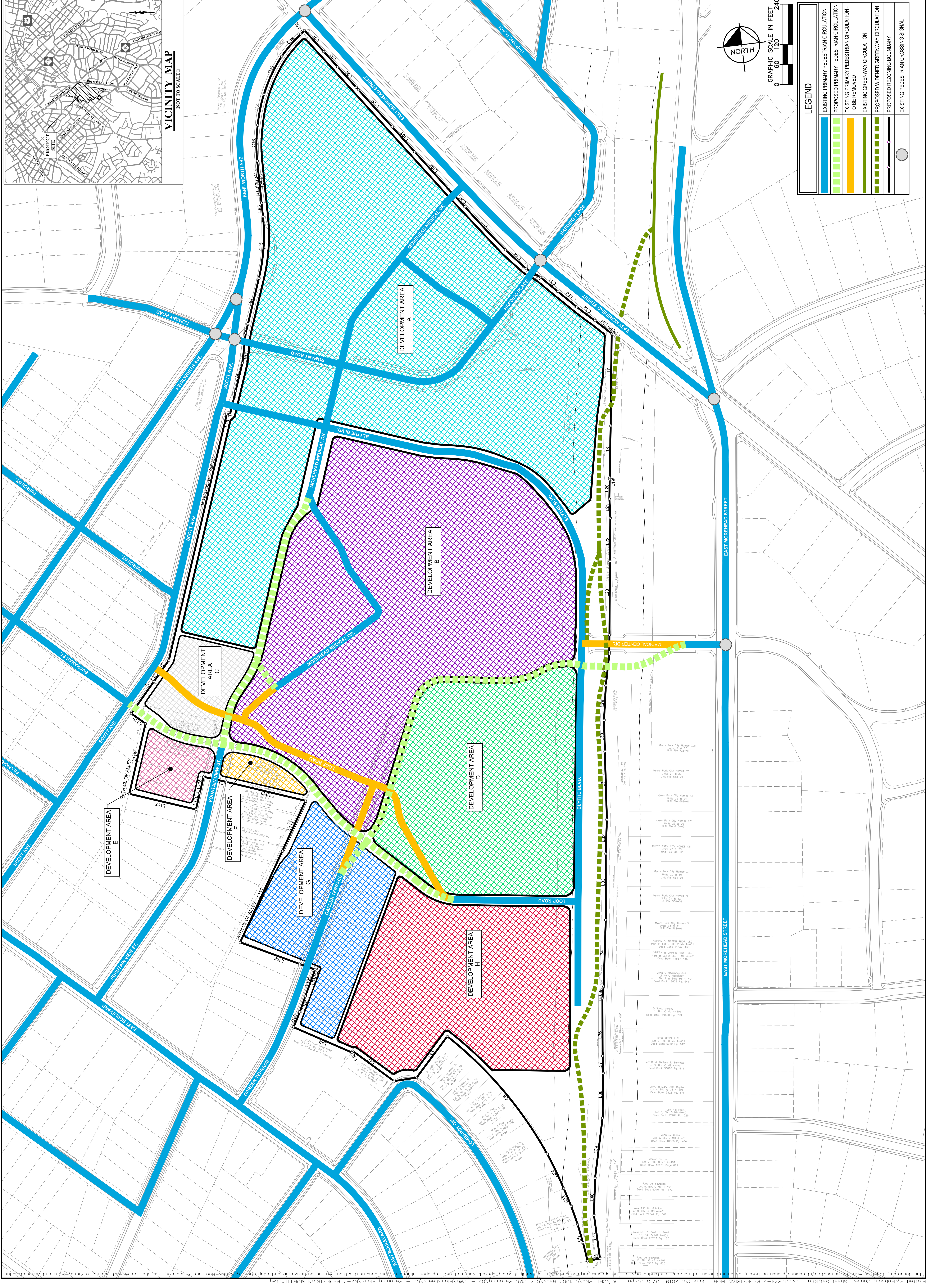
GRAPHIC SCALE IN FEET

0 60 120 240

NORTH

VICINITY MAP

NOT TO SCALE









CMC MAIN CAMPUS  
REHABILITATION  
PREPARED FOR  
ATRIUM HEALTH  
CITY OF CHARLOTTE  
NORTH CAROLINA

TRAFFIC  
CIRCULATION  
PLAN  
REZONING PETITION NO. 2019-00000000

KHA PROJECT  
DATE  
07/15/2019  
SCALE AS SHOWN  
DESIGNED BY CLH  
DRAWN BY CLH  
CHECKED BY RTL

PRELIMINARY  
DOCUMENT

Kimley»Horn  
2019 KIMLEY-HORN AND ASSOCIATES, INC.  
200 SOUTH TRYON ST., SUITE 200, CHARLOTTE, NC 28202  
PHONE: 704-333-5131  
WWW.KIMLEY-HORN.COM  
NC LICENSE #0102

NO.	REVISIONS	DATE	BY

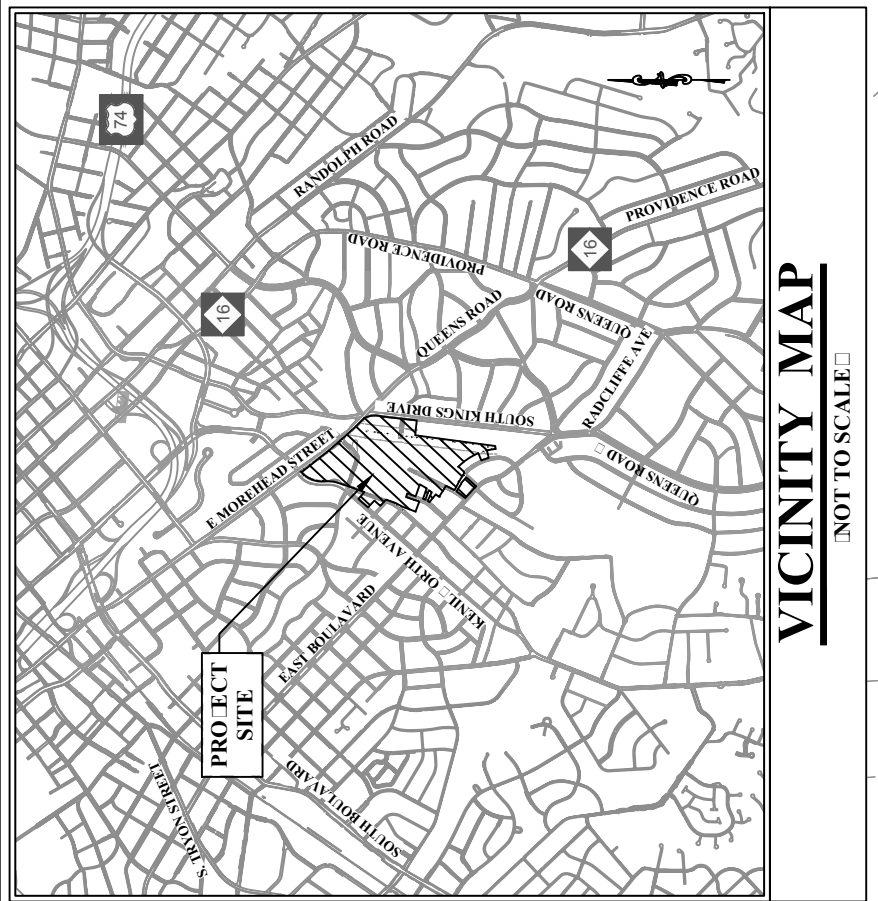
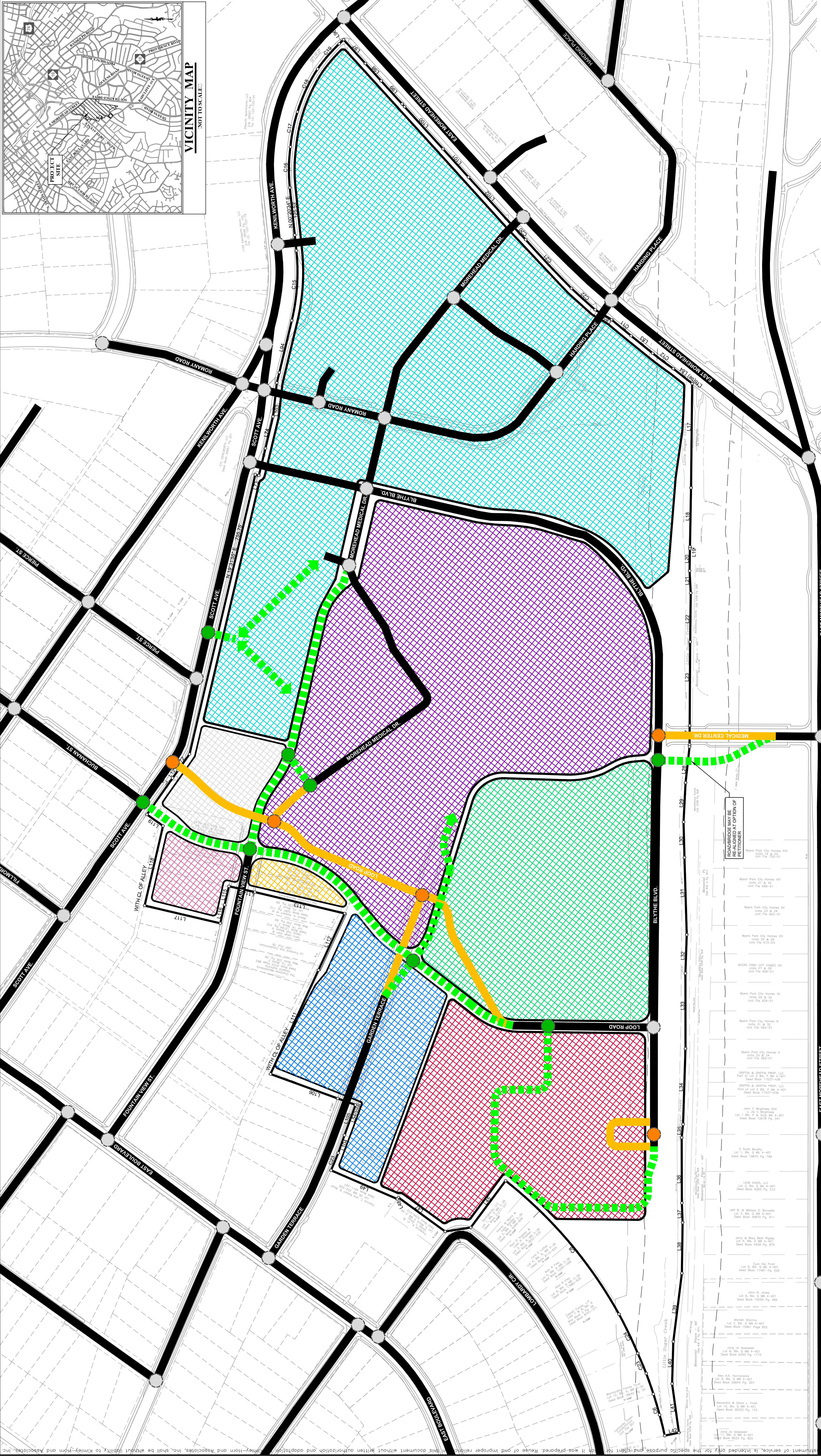
**LEGEND**

	PROPOSED REZONING BOUNDARY
	EXISTING ROAD
	PROPOSED ROAD
	EXISTING ROAD TO BE REMOVED
	PROPOSED INTERSECTION
	EXISTING INTERSECTION TO BE REMOVED
	EXISTING INTERSECTION TO REMAIN

**GRAPHIC SCALE IN FEET**

0 60 120 240

**NORTH**





**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-115

Petition #: \_\_\_\_\_  
Date Filed: 7/19/2019  
Received By: [Signature]

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties  
Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

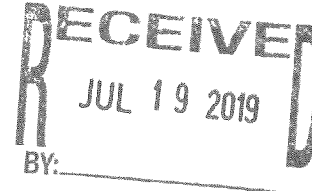
Current Land Use: commercial/office and recreation (Acres): ± 454.24

Existing Zoning: BP(CD) & O-3(CD) Proposed Zoning: MUDD-O

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

Required Rezoning Pre-Application Meeting\* with: Laura Harmon, Grant Meacci, John Kinley, Dave Pettine

Date of meeting: 5/14/2019



(\*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 allow redevelopment of the site with a mixed-use community providing an increase in cultural/retail/lifestyle and residential uses.

Jeff Brown & Bridget Grant

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)  
704.331.2379 (BG)      704-378-1973(BG)

Telephone Number      Fax Number

jeffbrown@mvalaw.com ; bridgetgrant@mvalaw.com

E-mail Address

SEE ATTACHMENTS A-I

Signature of Property Owner

Northwood Development, LLC (Attn: Clifton Coble)

Name of Petitioner

11605 N. Community House Rd, Ste 600

Address of Petitioner

Charlotte, NC 28277

City, State, Zip

704.363.9885

Telephone Number

Fax Number

ccoble@northwoodoffice.com

E-mail Address

SEE ATTACHMENT J

Signature of Petitioner

**SCHEDULE 1**

INDEX/MAP NO. *	PARCEL	ADDRESS	OWNER	OWNER'S ADDRESS
1	PORTION OF 22350150	N/A(OPEN SPACE)	NW BCP LAND LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
2	22350153	11610 NORTH COMMUNITY HOUSE RD, CHARLOTTE, NC 28227	NW OFFICES ON SIX LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
3	22350160	11430 NORTH COMMUNITY HOUSE RD, CHARLOTTE, NC 28277	NW GIBSON BUILDING LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
4	PORTION OF 22316102	13145 N I-485 OUTER HWY CHARLOTTE, NC 28277	NW BCP LAND LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
5	22316107	13034 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW BOYLE BUILDING LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
6	22316108	13024 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW JJH BUILDING LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
7	22316505	13015 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NWBH 1 LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
8	22316504	13139 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NWBH 2 LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
9	22316502	9940 BALLANTYNE COMMONS PARKWAY, CHARLOTTE, NC 28277	NW BCP LAND LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
10	22316501	10000 BALLANTYNE COMMONS PARKWAY, CHARLOTTE, NC 28277	NWBH 1 LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
11	22316503	N/A(OPEN SPACE)	BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION	PO BOX 687 PINEVILLE, NC 28134
12	22315604	13735 CONLAN CIRCLE, CHARLOTTE, NC 28277	NW CCR BUILDING LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202

INDEX/MAP NO. *	PARCEL	ADDRESS	OWNER	OWNER'S ADDRESS
13	22315608	15719 BRIXHAM HILL AVENUE, CHARLOTTE, NC 28277	NW CCR BUILDING 2 LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
14	22315607	15735 BRIXHAM HILL AVENUE, CHARLOTTE, NC 28277	NWBH 4 LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
15	22315507	15640 DON LOCHMAN LANE, CHARLOTTE, NC 28277	NW TATE BUILDING LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
16	22315505	15696 BRIXHAM HILL AVENUE, CHARLOTTE, NC 28277	NWBH 3 LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
17	22315511	13515 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW BALLANTYNE THREE LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
18	22315501	13813 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW BCP LAND LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
19	22315504	15619 DON LOCHMAN LANE, CHARLOTTE, NC 28277	NW BALLANTYNE ONE LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
20	22315503	13777 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC	NW BALLANTYNE TWO LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
21	22315513	15942 BRIXHAM HILL AVENUE, CHARLOTTE, NC 28277	YMCA OF GREATER CHARLOTTE ATTN DAVE DOVE CFO	400 EAST MOREHEAD ST STE 500, CHARLOTTE, NC 28202
22	22315401	13925 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW BRIXHAM GREEN THREE LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
23	22315403	15801 BRIXHAM HILL AVENUE, CHARLOTTE, NC 28277	NW BRIXHAM GREEN ONE LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202

INDEX/MAP NO. *	PARCEL	ADDRESS	OWNER	OWNER'S ADDRESS
24	22315410	N/A(OPEN SPACE)	NW BCP LAND LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
25	22315404	14045 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW BRIXHAM GREEN TWO LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
26	22315406	15830 BALLANTYNE MEDICAL PLACE, CHARLOTTE, NC 28277	NW MEDICAL TWO LP c/o NORTHWOOD INVESTORS	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
27	22315408	14215 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW WINSLOW BUILDING LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
28	22315407	N/A(OPEN SPACE)	BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION	PO BOX 687 PINEVILLE, NC 28134
29	22315409	N/A(OPEN SPACE)	NW WINSLOW BUILDING LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
30	22315111	10840 BALLANTYNE COMMONS PARKWAY, CHARLOTTE, NC 28277	NW RUSHMORE ONE LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
31	22315102	N/A(OPEN SPACE)	BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION	11510 N COMMUNITY HOUSE RD, STE 150, CHARLOTTE, NC 28277
32	22315113	11006 RUSHMORE DRIVE, CHARLOTTE, NC 28277	NW HALL BUILDING LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
33	22315112	11016 RUSHMORE DRIVE, CHARLOTTE, NC 28277	NW FRENETTE BUILDING LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
34	22315101	11001 RUSHMORE DRIVE, CHARLOTTE, NC 28227	NW RUSHMORE TWO LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202

INDEX/MAP NO. *	PARCEL	ADDRESS	OWNER	OWNER'S ADDRESS
35	22315114	14120 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW CULLMAN PARK LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
36	22315132	11115 RUSHMORE DRIVE, CHARLOTTE, NC 28277	NW RUSHMORE THREE LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
37	22315125	N/A(OPEN SPACE)	BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION	PO BOX 687 PINEVILLE, NC 28134
38	22315120	N/A(OPEN SPACE)	BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION	PO BOX 687 PINEVILLE, NC 28134
39	22315124	13950 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW RICHARDSON BUILDING LP c/o NORTHWOOD INVESTORS	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
40	22315139	N/A(OPEN SPACE)	BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION	11510 N COMMUNITY HOUSE RD, STE 150, CHARLOTTE, NC 28277
41	22315133	11215 RUSHMORE DRIVE, CHARLOTTE, NC 28277	NW RUSHMORE FOUR LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
42	22315131	N/A(OPEN SPACE)	BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION	PO BOX 687 PINEVILLE, NC 28134
43	22315128	13860 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW CHANDLER BUILDING LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
44	22315115	13856 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW RUSHMORE FIVE LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
45	22315135	N/A(OPEN SPACE)	BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION	PO BOX 687 PINEVILLE, NC 28134

INDEX/MAP NO. *	PARCEL	ADDRESS	OWNER	OWNER'S ADDRESS
46	22315129	13850 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW HISON BUILDING LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
47	22315130	13840 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW SIMMONS BUILDING LP c/o NORTHWOOD INVESTORS	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
48	22315126	13830 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW CRAWFORD BUILDING LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
49	22315137	13820 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW 13820 BCP LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
50	22315138	13836 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION	PO BOX 687 PINEVILLE, NC 28134
51	22315136	N/A(OPEN SPACE)	BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
52	22315109	N/A(OPEN SPACE)	BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
53	22315134	13520 BALLANTYNE CORPORATE PLACE, CHARLOTTE, NC 28277	NW BETSILL BUILDING LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
54	22315108	N/A(OPEN SPACE)	NW BCP LAND LP c/o NORTHWOOD INVESTORS LLC	1819 WAZEE ST 2ND FLOOR, DENVER CO 80202
55	22316118	11605 N COMMUNITY HOUSE ROAD, CHARLOTTE, NC 28277	NW CALHOUN BUILDING LP c/o NORTHWOOD INVESTORS LLC	1820 WAZEE ST 2ND FLOOR, DENVER CO 80202
56	22316109	11515 N COMMUNITY HOUSE ROAD, CHARLOTTE, NC 28277	NW EVERETT BUILDING LP, c/o NORTHWOOD INVESTORS LLC	1821 WAZEE ST 2ND FLOOR, DENVER CO 80202

INDEX/MAP NO. *	PARCEL	ADDRESS	OWNER	OWNER'S ADDRESS
57	22316117	11405 N COMMUNITY HOUSE ROAD, CHARLOTTE, NC 28277	NW HAYES BUILDING LP c/o NORTHWOOD INVESTORS LLC	1822 WAZEE ST 2ND FLOOR, DENVER CO 80202
58	22316116	11315 N COMMUNITY HOUSE ROAD, CHARLOTTE, NC 28277	NW IRBY BUILDING LP c/o NORTHWOOD INVESTORS LLC	1823 WAZEE ST 2ND FLOOR, DENVER CO 80202
59	22316121	11225 N COMMUNITY HOUSE ROAD, CHARLOTTE, NC 28277	NW GRAGG BUILDING LP c/o NORTHWOOD INVESTORS LLC	1824 WAZEE ST 2ND FLOOR, DENVER CO 80202
60	22316120	11215 N COMMUNITY HOUSE ROAD, CHARLOTTE, NC 28277	NW GRAGG BUILDING LP c/o NORTHWOOD INVESTORS LLC	1825 WAZEE ST 2ND FLOOR, DENVER CO 80202

\* Index/Map No. are subject to change



**ATTACHMENT A**

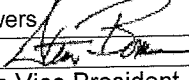
**REZONING PETITION NO. 2019-\_\_\_\_\_  
Northwood Development, LLC**

**OWNER JOINDER AGREEMENT A  
YMCA of Greater Charlotte**

The undersigned, as the owner of the parcel of land located at 15942 Brixham Hill Avenue, Charlotte, NC that is designated as Tax Parcel No. 22315513 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 tax parcel # 22315513 from BP(CD) zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19 day of July, 2019.

**YMCA of Greater Charlotte**

By: Steve Bowers  
Name:   
Its: Executive Vice President

**ATTACHMENT B**

**REZONING PETITION NO. 2019-\_\_\_\_**  
**Northwood Development, LLC**

**OWNER JOINDER AGREEMENT B**  
**Ballantyne Corporate Park Owners Association**

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

- N/A Charlotte, NC that is designated as Tax Parcel No. 22316503
- N/A Charlotte, NC that is designated as Tax Parcel No. 22315407
- N/A Charlotte, NC that is designated as Tax Parcel No. 22315102
- N/A Charlotte, NC that is designated as Tax Parcel No. 22315125
- N/A Charlotte, NC that is designated as Tax Parcel No. 22315120
- N/A Charlotte, NC that is designated as Tax Parcel No. 22315139
- N/A Charlotte, NC that is designated as Tax Parcel No. 22315131
- N/A Charlotte, NC that is designated as Tax Parcel No. 22315135
- 13836 Ballantyne Corporate Place, Charlotte, NC that is designated as Tax Parcel No. 22315138
- N/A Charlotte, NC that is designated as Tax Parcel No. 22315136
- N/A Charlotte, NC that is designated as Tax Parcel No. 22315109

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(CD) & O-3(CD) zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19 day of July, 2019.

**Ballantyne Corporate Park Owners Association**

By: 

Name: EDWARD L. CURRAN

Its: BOARD MEMBER

**ATTACHMENT C**

**REZONING PETITION NO. 2019-\_\_\_\_  
Northwood Development, LLC**

**OWNER JOINDER AGREEMENT C**

NW BALLANTYNE ONE LP  
NW BALLANTYNE THREE LP  
NW BALLANTYNE TWO LP  
NW BRIXHAM GREEN ONE LP  
NW BRIXHAM GREEN THREE LP  
NW BRIXHAM GREEN TWO LP  
NW CHANDLER BUILDING LP  
NW CULLMAN PARK LP  
NW FRENETTE BUILDING LP  
NW HALL BUILDING LP  
NW HIXON BUILDING LP  
NW RICHARDSON BUILDING LP  
NW RUSHMORE FOUR LP  
NW RUSHMORE ONE LP  
NW RUSHMORE THREE LP  
NW RUSHMORE TWO LP  
NW SIMMONS BUILDING LP  
NW TATE BUILDING LP

**\*the entities above are c/o NORTHWOOD INVESTORS LLC under designated signatory of NW BCP WEST GP LLC**

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

- 15619 Don Lochman Lane, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315504
- 13515 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315511
- 13777 Ballantyne Corporate Place, Charlotte, NC that is designated as Tax Parcel No. 22315503
- 15801 Brixham Hill Avenue, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315403
- 13925 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315401
- 14045 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315404
- 13860 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315128
- 14120 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315114
- 11016 Rushmore Drive, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315112
- 11006 Rushmore Drive, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315113
- 13850 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315129
- 13950 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315124
- 11215 Rushmore Drive, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315133
- 10840 Ballantyne Commons Parkway, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315111
- 11115 Rushmore Drive, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315132
- 11001 Rushmore Drive, Charlotte, NC 28227 that is designated as Tax Parcel No. 22315101
- 13840 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315130
- 15640 Don Lochman Lane, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315507

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 above parcels from BP(CD) & O-3(CD) zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19 day of July, 2019.

NW BCP WEST GP LLC

By: Marshall Lewis  
Name: Marshall Lewis  
Its: Managing Director

**ATTACHMENT D**

**REZONING PETITION NO. 2019-\_\_\_\_\_**  
**Northwood Development, LLC**

**OWNER JOINDER AGREEMENT D**  
NW CALHOUN BUILDING LP  
NW EVERETT BUILDING LP  
NW HAYES BUILDING LP  
NW IRBY BUILDING LP  
NW JJH BUILDING LP

**\*the entities above are c/o NORTHWOOD INVESTORS LLC under designated signatory of NW BCP EAST GP LLC**

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

- 11605 N Community House Road, Charlotte, NC 28277 that is designated as Tax Parcel No. 22316118
- 11515 N Community House Road, Charlotte, NC 28277 that is designated as Tax Parcel No. 22316109
- 11405 N Community House Road, Charlotte, NC 28227 that is designated as Tax Parcel No. 22316117
- 11315 N Community House Road, Charlotte, NC 28277 that is designated as Tax Parcel No. 22316116
- 13024 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22316108

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 above parcels from BP(CD) & O-3(CD) zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19 day of July, 2019.

**NW BCP EAST GP LLC**

By: [Signature]  
Name: Marshall News  
Title: Managing Director

**ATTACHMENT E**

**REZONING PETITION NO. 2019-\_\_\_\_\_  
Northwood Development, LLC**

**OWNER JOINDER AGREEMENT E**

NW 13820 BCP LP  
NW BETSILL BUILDING LP  
NW BOYLE BUILDING LP  
NW CCR BUILDING 2 LP  
NW CCR BUILDING LP  
NW CRAWFORD BUILDING LP  
NW GIBSON BUILDING LP  
NW GRAGG BUILDING LP  
NW WOODWARD BUILDING LP  
NW MEDICAL TWO LP  
NW RUSHMORE FIVE LP  
NW WINSLOW BUILDING LP

**\*the entities above are c/o NORTHWOOD INVESTORS LLC under designated signatory of NW BCP OFFICE GP LLC**

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

- 13820 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315137
- 13520 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315134
- 13034 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22316107
- 15719 Brixham Hill Avenue, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315608
- 13735 Conlan Circle, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315604
- 13830 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315126
- 11430 North Community House Rd, Charlotte, NC 28277 that is designated as Tax Parcel No. 22350160
- 11225 N Community House Road, Charlotte, NC 28277 that is designated as Tax Parcel No. 22316121
- 11215 N Community House Road, Charlotte, NC 28277 that is designated as Tax Parcel No. 22316120
- 15830 Ballantyne Medical Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315406
- 13856 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315115
- 14215 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315408
- N/A that is designated as Tax Parcel No. 22315409

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 above parcels from BP(CD) & O-3(CD) zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19 day of July, 2019.

**NW BCP OFFICE GP LLC**

By: Marshall Nevin  
Name: Marshall Nevin  
Its: Managing Director

**ATTACHMENT F**

**REZONING PETITION NO. 2019-\_\_\_\_\_**  
**Northwood Development, LLC**

**OWNER JOINDER AGREEMENT F**  
**NW BCP LAND LP**  
**NW OFFICES ON SIX LP**

**\*the entities above are c/o NORTHWOOD INVESTORS LLC under designated signatory of NW BCP GP LLC**

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

- N/A that is designated as a portion of Tax Parcel No. 22350150
- 13145 N I-485 Outer Hwy Charlotte, NC 28277 that is designated as a portion of Tax Parcel No. 22316102
- 9940 Ballantyne Commons Parkway, Charlotte, NC 28277 that is designated as Tax Parcel No. 22316502
- 13813 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315501
- N/A that is designated as Tax Parcel No. 22315410
- N/A that is designated as Tax Parcel No. 22315108
- 11610 North Community House Rd, Charlotte, NC 28227 that is designated as Tax Parcel No. 22350153

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 above parcels from BP(CD) & O-3(CD) zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19 day of July, 2019.

**NW BCP GP LLC**

By: Marshall Mc  
Name: Marshall Mc  
Its: Managing Director

**ATTACHMENT G**

**REZONING PETITION NO. 2019-\_\_\_\_\_  
Northwood Development, LLC**

**OWNER JOINDER AGREEMENT G  
NWBH I LP**

**\*the entities above are c/o NORTHWOOD INVESTORS LLC under designated signatory of NW BCP HOTEL GP1 LLC**

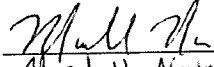
The undersigned, as the owner of the parcel of land located at the following

- 13015 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22316505
- 10000 Ballantyne Commons Parkway, Charlotte, NC 28277 that is designated as Tax Parcel No. 22316501

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 above parcels from BP(CD) & O-3(CD) zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19 day of July, 2019.

**NW BCP HOTEL GP1 LLC**

By:   
Name: Marshall Nevins  
Its: Managing Director



ATTACHMENT H

REZONING PETITION NO. 2019-\_\_\_\_\_  
Northwood Development, LLC

OWNER JOINDER AGREEMENT I  
NWBH 2 LP

\*the entities above are c/o NORTHWOOD INVESTORS LLC under designated signatory of NW BCP HOTEL GP2 LLC

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

- 13139 Ballantyne Corporate Place, Charlotte, NC 28277 that is designated as Tax Parcel No. 22316504

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 above parcels from BP(CD) & O-3(CD) zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19 day of July, 2019.

NW BCP HOTEL GP2 LLC

By: Marshall Nevin  
Name: Marshall Nevin  
Its: Managing Director

**ATTACHMENT I**

**REZONING PETITION NO. 2019-\_\_\_\_\_  
Northwood Development, LLC**

**OWNER JOINDER AGREEMENT J  
NWBH 3 LP  
NWBH 4 LP**

**\*the entities above are c/o NORTHWOOD INVESTORS LLC under designated signatory of NW BCP HOTEL GP LLC**

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

- 15696 Brixham Hill Avenue, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315505
- 15735 Brixham Hill Avenue, Charlotte, NC 28277 that is designated as Tax Parcel No. 22315607

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 above parcels from BP(CD) & O-3(CD) zoning district to the MUDD-O zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 19 day of July, 2019.

**NW BCP HOTEL GP LLC**

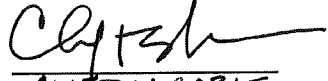
By: Marshall Hains  
Name: Marshall Hains  
Its: Managing Director

ATTACHMENT J

REZONING PETITION NO. 2019-  
Northwood Development, LLC

Petitioner:

Northwood Development, LLC

By:   
Name: CLIFTON COBLE  
Title: SENIOR VICE PRESIDENT

# BALLANTYNE REIMAGINED REZONING PACKAGE

Charlotte, North Carolina

## VISION STATEMENT

### A Visionary Community, Reimagined for the Future

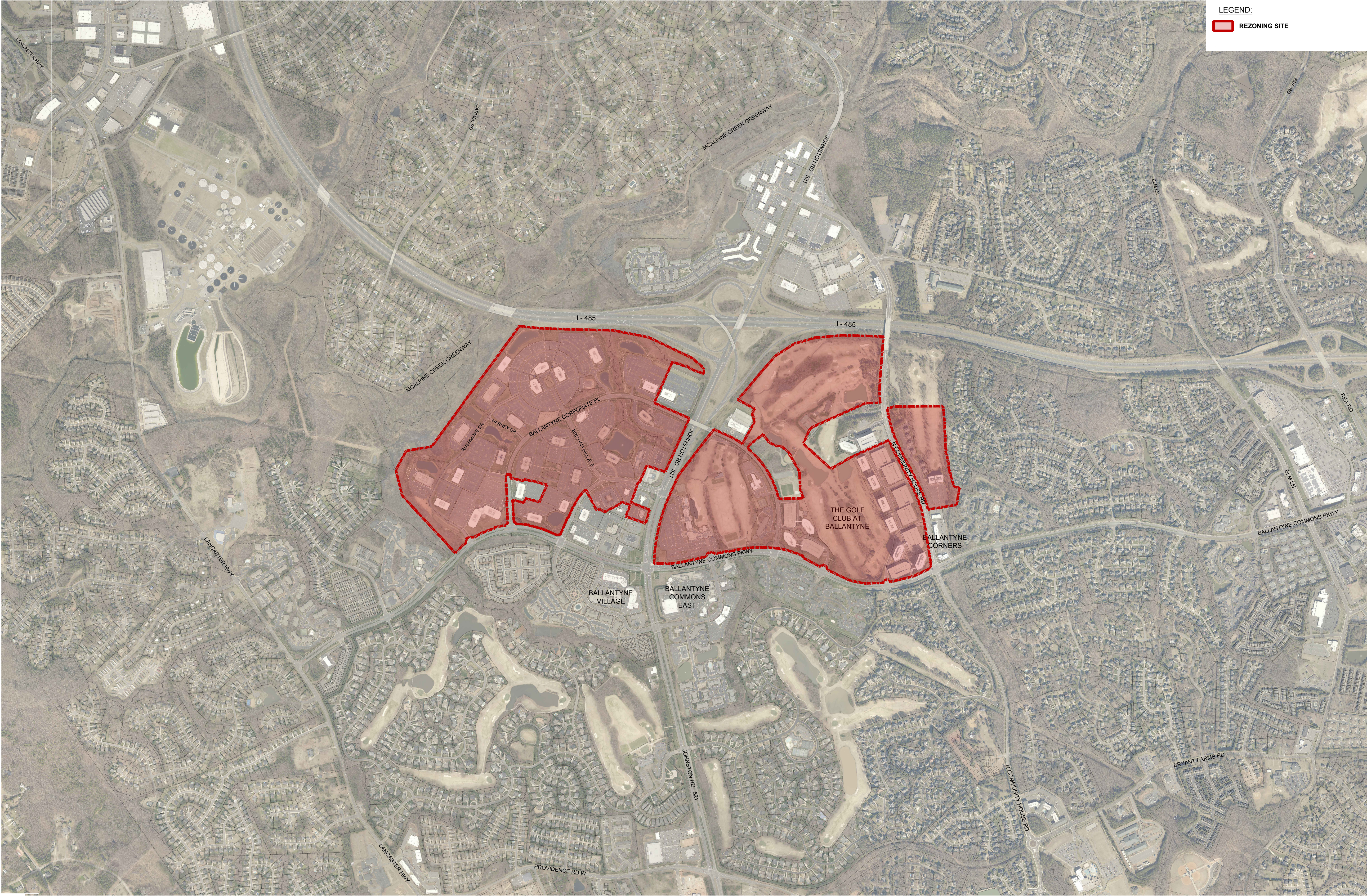
Ballantyne offers a vibrant community connecting employment, housing and lifestyle conveniences. For more than two decades, this unique regional asset has provided economic opportunity through responsive mixed-use, neighborhood-oriented development. To ensure Ballantyne remains an economic engine for the Charlotte region, the reimagined Ballantyne galvanizes a thriving core of residential, retail and business. The reimagined Ballantyne will redefine what it means to connect people and gathering places seamlessly through a multimodal, innovative transportation network, signature green space and community amenities. Ballantyne Reimagined, a diverse cultural and entertainment center, will continue to inspire and enhance the quality of life for area residents, businesses and our entire region.

## SHEET INDEX:

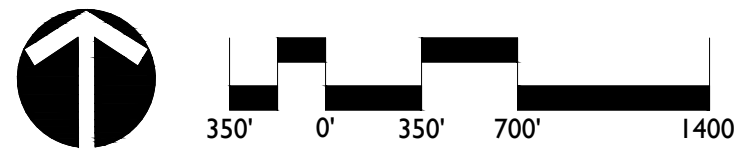
- 1. Sheet RZ-1 - Cover Sheet, Vision Statement & Sheet Index
- 2. Sheet RZ-2 - Context Map
- 3. Sheet RZ-3 - Site Area / Rezoning History
- 4. Sheet RZ-4A - Existing Development & Included Parcel Data
- 5. Sheet RZ-4B - Rezoning Boundary Metes and Bounds Map
- 6. Sheet RZ-5A - Technical Data Sheet
- 7. Sheet RZ-5B - Technical Data Sheet Charts
- 8. Sheet RZ-6 - Conceptual Development Phases & Character Images
- 9. Sheet RZ-7A-D - Development Standards and Transportation Notes
- 10.Sheet RZ-8A - Conceptual Proposed Street & Bicycle / Pedestrian Network
- 11. Sheet RZ-8B - Conceptual Proposed Cross Sections
- 12. Sheet RZ-8C - Conceptual Proposed Frontages
- 13. Sheet RZ-9A - Conceptual Proposed Environmental Commitments
- 14. Sheet RZ-9B - Proposed Environmental Commitments Notes
- 15. Sheet RZ-10 - Transportation Improvements
- 16. Sheet RZ-11 - Adjacent Parcel Data

PETITIONER	Northwood Development 11605 N. Community House Rd. Suite 600 Charlotte, NC 28277 Contact: Clifton Coble (704) 248-2000
LAND PLANNER	LandDesign, Inc. 223 North Graham St. Charlotte, NC 28202 Contact: Nate Doolittle (704) 333-0325
MASTER PLANNER	Sasaki 64 Pleasant St. Watertown, MA 02472 (617) 926-3300
ATTORNEY	Moore & Van Allen Law Firm Suite 4700 100 North Tryon St. Charlotte, NC 28202 Contact: Jeff Brown (704) 331-1000
TRANSPORTATION	Design Resource Group 2459 Wilkinson Blvd #200 Charlotte, NC28208 Contact: Randy Goddard (704) 343-0608





LEGEND:  
REZONING SITE



DATE: 07/19/19  
DESIGNED BY: LRM  
DRAWN BY: LRM  
CHECKED BY: LRM  
SCALE: 1" = 700'  
PROJECT #: 1018459  
SHEET #:

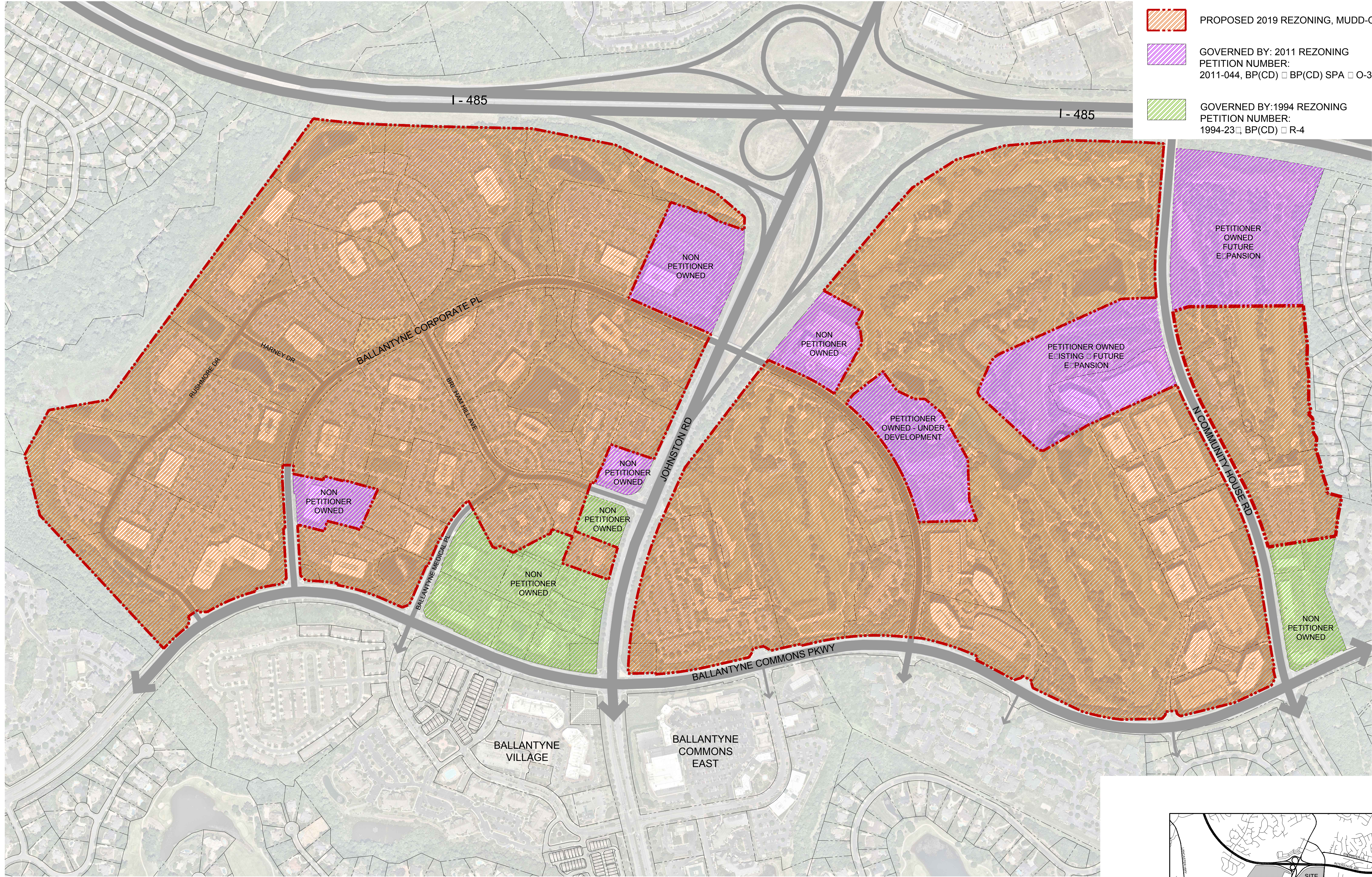
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**MIXED-USE REZONING**  
NORTHWOOD, CHARLOTTE, NC  
CONTEXT MAP

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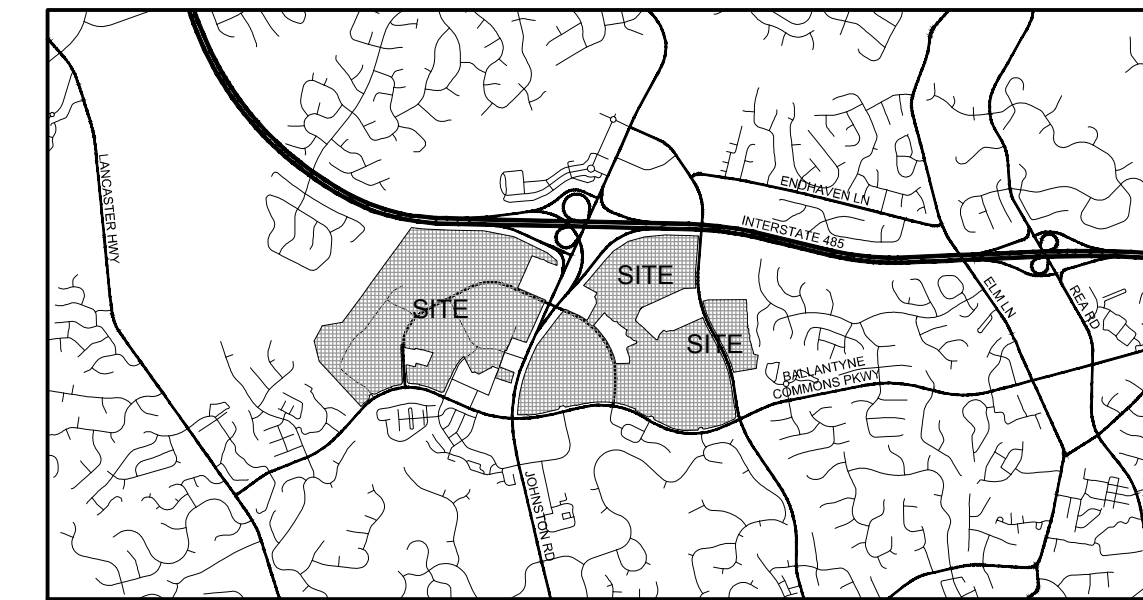
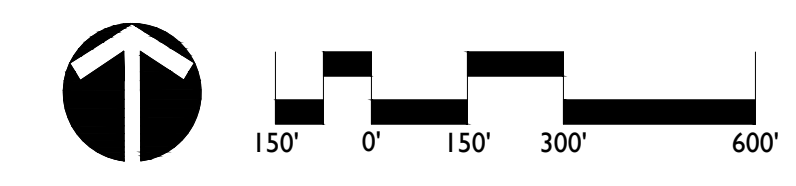
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- PROPOSED 2019 REZONING, MUDD-O
- GOVERNED BY: 2011 REZONING  
PETITION NUMBER:  
2011-044, BP(CD) BP(CD) SPA O-3(CD)
- GOVERNED BY: 1994 REZONING  
PETITION NUMBER:  
1994-23 BP(CD) R-4

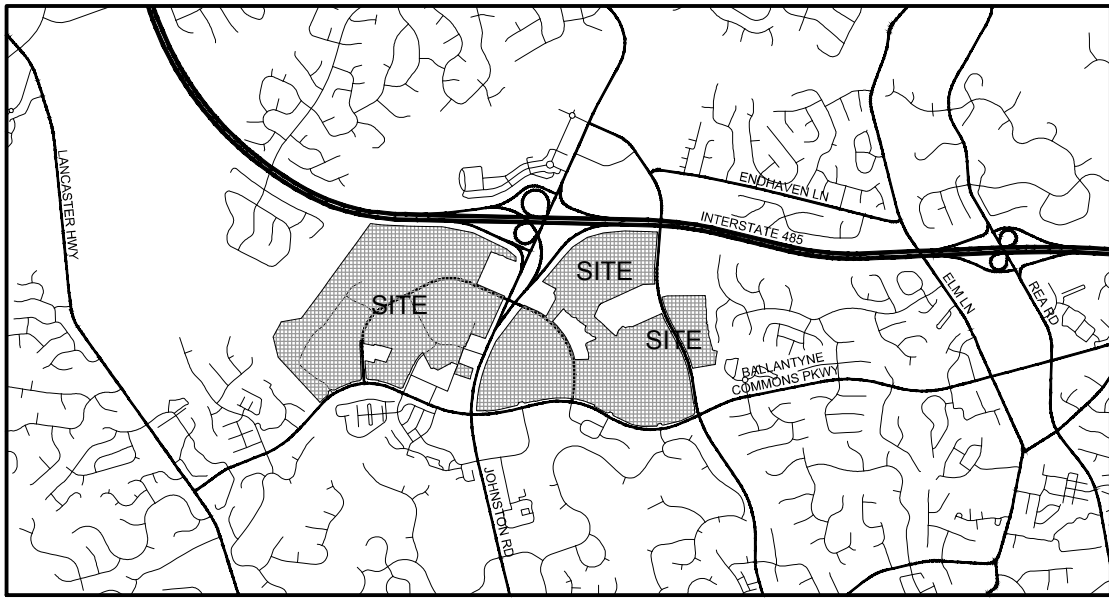
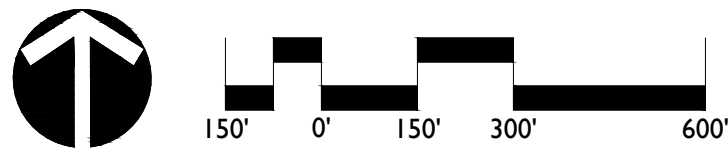






PARCEL DATA:

1. NW BCP LAND LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-501-50 32.74 AC (SEE NOTE)	8. NWBH 2 LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-165-04 5.32 AC	15. NW TATE BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-155-07 2.71 AC	22. NW BRI'HAM GREEN THREE LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-154-01 7.21 AC	29. NW WINSLOW BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-154-09 0.24 AC	36. NW RUSHMORE THREE LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-32 8.49 AC	43. NW CHANDLER BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-28 8.09 AC	50. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC TA: PARCEL ID: 223-151-38 2.55 AC	56. NW EVERETT BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-161-09 4.41 AC
2. NW OFFICES ON SITE LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-501-53 4.85 AC	9. NW BCP LAND LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-165-02 32.54 AC	16. NWBH 3 LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-155-05 3.64 AC	23. NW BRI'HAM GREEN ONE LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-154-03 5.17 AC	30. NW RUSHMORE ONE LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-11 13.78 AC	37. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC TA: PARCEL ID: 223-151-25 4.37 AC	44. NW RUSHMORE FIVE LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-15 2.54 AC	51. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC TA: PARCEL ID: 223-151-36 2.54 AC	57. NW HAYES BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-161-17 4.52 AC
3. NW GIBSON BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-501-60 6.67 AC	10. NWBH 1 LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-165-01 15.41 AC	17. NW BALLANTYNE THREE LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-155-11 7.03 AC	24. NW BCP LAND LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-154-10 2.10 AC	31. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION INC TA: PARCEL ID: 223-151-02 5.44 AC	38. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC TA: PARCEL ID: 223-151-20 2.30 AC	45. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC TA: PARCEL ID: 223-151-35 4.38 AC	52. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC TA: PARCEL ID: 223-151-09 6.80 AC	58. NW IRBY BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-161-16 4.54 AC
4. NW BCP LAND LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-161-02 125.76 AC (SEE NOTE)	11. OWNERS ASSOCIATION BALLANTYNE CORPORATE PARK TA: PARCEL ID: 223-165-03 0.82 AC	18. NW BCP LAND LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-155-01 7.35 AC	25. NW BRI'HAM GREEN TWO LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-154-04 6.81 AC	32. NW HALL BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-13 4.55 AC	39. NW RICHARDSON BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-24 7.02 AC	46. NW HILTON BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-29 6.22 AC	53. NW BETSILL BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-34 9.59 AC	59. NW GRAGG BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-161-21 5.37 AC
5. NW BOYLE BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-161-07 5.65 AC	12. NW CCR BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-156-04 1.61 AC	19. NW BALLANTYNE ONE LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-155-04 5.62 AC	26. NW MEDICAL TWO LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-154-06 3.05 AC	33. NW FRENETTE BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-12 5.46 AC	40. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC TA: PARCEL ID: 223-151-39 0.71 AC	47. NW SIMMONS BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-30 6.50 AC	54. NW BCP LAND LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-08 2.85 AC	60. NW GRAGG BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-161-20 4.76 AC
6. NW JIH BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-161-08 6.33 AC	13. NW CCR BUILDING 2 LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-156-08 1.58 AC	20. NW BALLANTYNE TWO LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-155-03 7.87 AC	27. NW WINSLOW BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-154-08 4.70 AC	34. NW RUSHMORE TWO LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-01 9.64 AC	41. NW RUSHMORE FOUR LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-33 5.15 AC	48. NW CRAWFORD BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-26 11.16 AC	55. NW CALHOUN BUILDING LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-161-18 4.81 AC	
7. NWBH 1 LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-165-05 5.00 AC	14. NWBH 4 LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-156-07 3.66 AC	21. YMCA OF GREAT CHARLOTTE TA: PARCEL ID: 223-155-13 1.00 AC	28. OWNERS ASSOCIATION BALLANTYNE CORPORATE PARK TA: PARCEL ID: 223-154-07 2.13 AC	35. NW CULLMAN PARK LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-14 6.51 AC	42. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC TA: PARCEL ID: 223-151-31 1.37 AC	49. NW 13620 BCP LP C/O NORTHWOOD INVESTORS LLC TA: PARCEL ID: 223-151-37 1.20 AC		



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NORTHWOOD, CHARLOTTE, NC  
EXISTING DEVELOPMENT & PARCEL DATA

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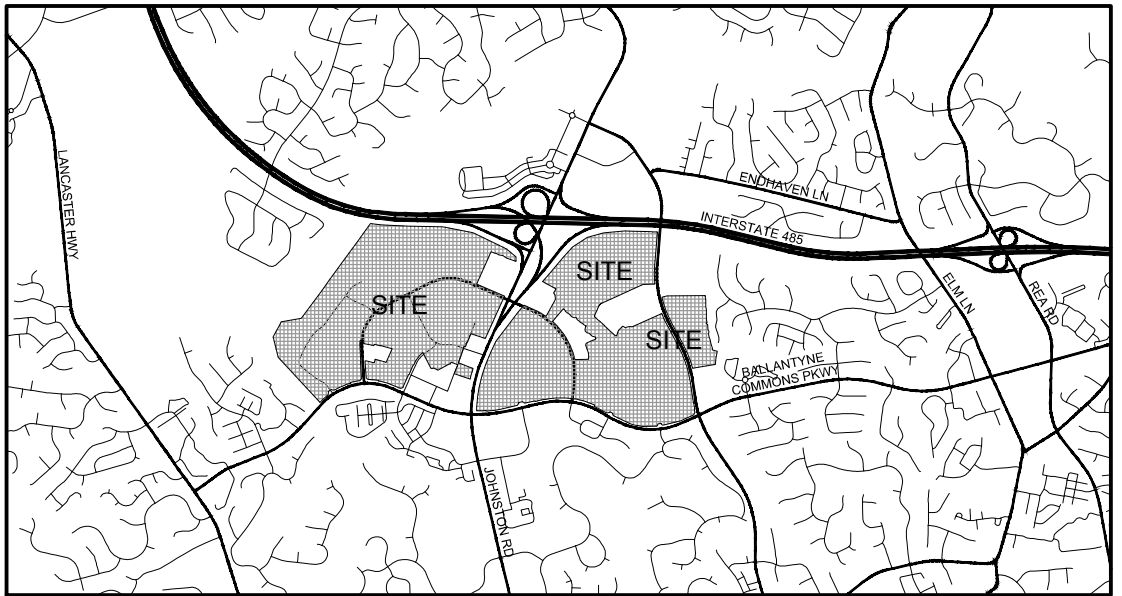
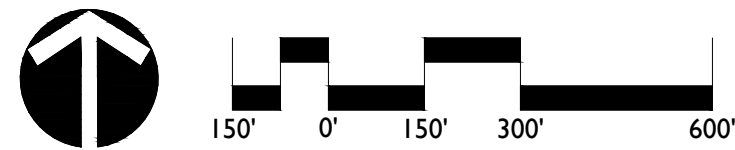
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**RZ-4.0A**





THE ABOVE MAP DESCRIBES REZONING BOUNDARY THAT BISECTS EXISTING PARCELS.



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**MIXED-USE REZONING**  
NORTHWOOD, CHARLOTTE, NC  
REZONING BOUNDARY METES & BOUNDS

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**RZ-4.0B**







Table III b. cont						
B. Proposed New Development and Existing Built Development Expansion Levels (Combined)*; NOTE [ ] items reflects levels for only Phase I or II as applicable						
	Total Thru Phase I			Total Thru Phase II		
Non-Residential Uses *	West	East	Total	West	East	Total
New Office Uses					400,000 s.f	400,000 s.f
s.f. = square feet of gross floor area			0		[400,000 s.f]	[400,000 s.f]
Non-Office Commercial Uses (Retail, EDEE & Personal Services)		300,000 [300,000 s.f.]	300,000 [300,000 s.f.]		300,000 s.f	300,000 s.f.
Hospitality/Hotel Uses			0			
Other Misc. Uses**						
Total			300,000 s.f.			700,000 s.f.

	Total Thru Phase I			Total Thru Phase II		
Residential Uses *	West	East	Total	West	East	Total
Multi-Family Units		1,200 units [1,200 units]	1,200 units [1,200 units]		2,200 units [1,000 units]	2,200 units [1,000 units]
Single-Family Attached/Detached Units					300 units [300 units]	300 units [300 units]
Total Units						2,500 units

\* Subject to transfer/conversion rights per Section III of Development Standards

\*\* See provisions of Section I.I.13 regarding development of certain other permitted MUDD uses not falling within the categories of civic, recreational, religious institution, congregate care & other similar uses. See also Section II.a.10. regarding certain vertical integrated non-office commercial uses.

CONVERSION TABLE

	Beginning MUDD Total (Phase 1 and Phase 2 Development Levels - does not include Built Development Levels)			Date of Conversion	Description	Amended MUDD Total		
	West	East	Total			West	East	Total
Non-Residential Uses								
Office Uses	0	400,000	400,000					
Non-Office Commercial Uses (Retail, EDEE & Personal Services)	0	300,000	300,000					
Hospitality/Hotel Uses	0	0	0					
Other Misc. Uses	0	0	0					
Residential Uses								
Multi-Family Units	0	2,200	2,200					
Single-Family Attached/Detached Units	0	300	300					

**Conversion Summary:**  
Conversion of non-office commercial uses (retail, EDEE, and Personal Services) to office use: 1 sq ft for 1 sq ft, not to exceed listed developmnt levels by 75,000 square feet of gross floor area  
Conversion of office uses to non-office commercial uses (retail, EDEE, and Personal Services): 1 sq ft for 1 sq ft, not to exceed listed developmnt levels by 75,000 square feet of gross floor area  
Conversion of residential units to hotel rooms: 1 unit for 1 room, up to maximum of 200 hotel rooms  
Conversion of hotel rooms to residential units: 1 room for 1 unit, up to maximum of 200 hotel rooms  
Conversion of hotel room or residential unit to commercial use (office, retail, EDEE and Person Services uses): 1 hotel room/ residential unit to 500 square feet of gross floor area of such commercial uses, up to max 200 hotel rooms or residential units  
Conversion of commercial use (office, retail, EDEE and Person Services uses) to a hotel room or residential unit to: 500 square feet of gross floor area of such commercial uses to 1 hotel room/ residential unit, up to max 100,000 sqare feet commercial use (200 hotel rooms or residential units)

TRANSFER of DEVELOPMENT LEVELS

	Entitlements by Area							
	Not to Exceed	East (Includes Phase 1 and Phase 2 Development Levels - does not include Existing Built Devleopment Levels)	Date of Transfer	Description	Resulting East Levels	West (Includes Phase 1 and Phase 2 Development Levels - does not include Existing Built Devleopment Levels)	Date of Transfer	Resulting West Levels
Office Uses	400,000	400,000				0		
Non-Office Commercial Uses (Retail/EDEE & Personal Services)	300,000	300,000				0		
Hospitality/Hotel Uses	0	0				0		
Other Misc. Uses	0	0				0		
Multi-Family Units	2,200	2,200				0		
Single-Family Attached/Detached Units	300	300				0		

**Transfer of Development Levels between East Area and West Area:**  
Commercial and Residential Uses: Receiving area shall not be increased by more than 25% from the original development levels in rezoning.

To the extent of any discrepancy between the provisions of the tables above and the provisions of the development standards, the development standards will control.





NOTE: INTENDED TO SHOW CURRENT CONCEPTUAL CHARACTER OF PROPOSED DEVELOPMENT.



LEGEND:

- PHASE 1
- PHASE 2
- PHASE 3 (LOCATION TBD)

NOTE: INTENDED TO SHOW CURRENT PRIMARY CONCEPTUAL PHASING LOCATIONS FOR PHASES 1 AND 2 CONTEMPLATED BY DEVELOPER.



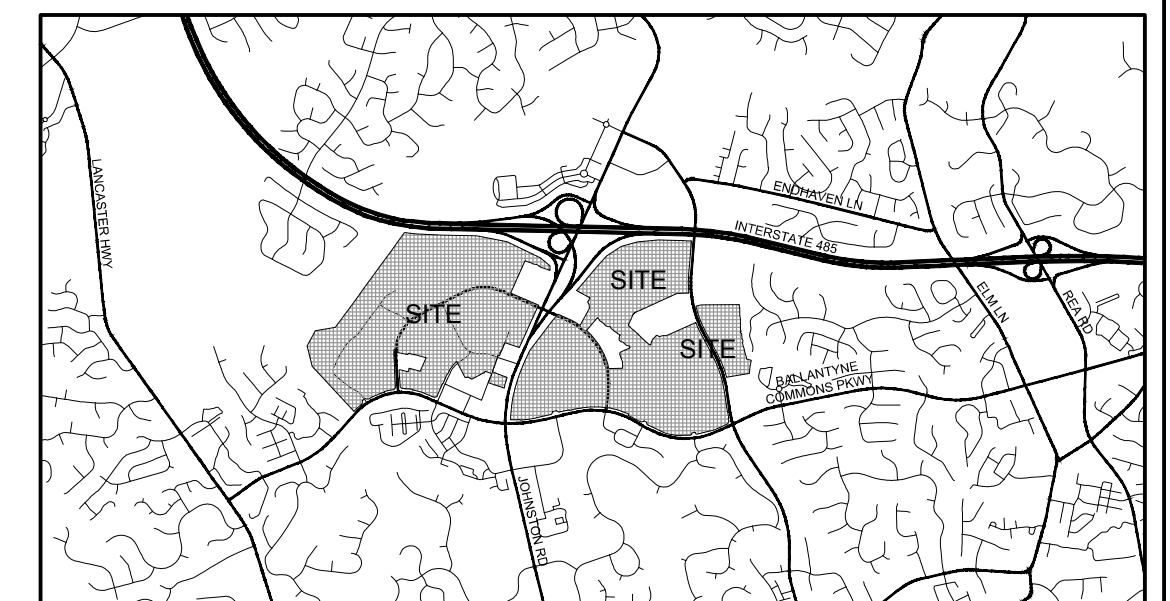
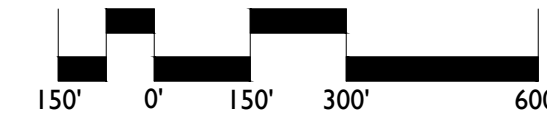
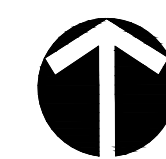
NOTE: INTENDED TO SHOW CURRENT CONCEPTUAL CHARACTER OF PROPOSED DEVELOPMENT.



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NOTE: INTENDED TO SHOW CURRENT CONCEPTUAL CHARACTER OF PROPOSED DEVELOPMENT.



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**RZ-6.0**

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 NORTHWOOD, CHARLOTTE, NC  
 CONCEPTUAL DEVELOPMENT PHASES & CHARACTER IMAGES

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<div><p><b>GENERAL DEVELOPMENT STANDARDS FOR BALLANTYNE REIMAGINED 2019</b> <b>REZONING PETITION #2019-000</b> <b>[July 17, 2019]</b></p><p><b>Site Development Data – Master Plan Site:</b></p><p>--Acreage: ± 455 acres --Tax Parcel #s: See Sheet RZ-4.0 --Existing Zoning: BP(CD) and O-3(CD) --Proposed Zoning: MUDD-O, with five (5) year vested rights in these Development Standards. --Existing Uses: Portions of Master Plan Site are currently developed for office/commercial uses, parking, open space, golf course and other similar uses. --Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD-O zoning district (as more specifically described below).</p><p>--Maximum Gross Square feet of Development (e.g. development levels): Set forth in Section III below. --Maximum Building Height: Set forth in Sheet RZ-5.0 with respect to each Development Area and in the Optional Provisions set forth below. Height will be measured as defined by the Ordinance as modified by the Optional Provisions below and otherwise in the Rezoning Plan. --Parking: As specified in the MUDD parking and loading standards of the Ordinance as may be modified by the Optional Provisions below.</p><p><b>I. Community Context, Vision &amp; General Provisions:</b></p><p><b>a. Community Context: Original Ballantyne Rezoning.</b> As generally depicted on <u>Sheet RZ-3.0</u>, reference is made to that certain initial Ballantyne Rezoning Petition #93-23(c) approved by the Mecklenburg County Commission as of October 18,1993 and related amendments/petitions approved by the Mecklenburg County Commission referenced as Petitions #s 94-23(c) and 96(c), as well as administrative amendments/approvals dated as of July 28, 1993, March 21, 1994, September 26, 1995, August 14, 1996 and December 31, 1996 (collectively the “<u>Original Ballantyne Rezoning</u>”). The Original Ballantyne Rezoning related to ± 2,010 acres of land successfully developed over many years as a major master planned community consisting office, retail and residential uses together with institutional uses and public improvements such as parks and recreation facilities.</p><p><b>b. Community Context: 2011 Ballantyne Corporate Park Rezoning.</b> In 2011, the Bissell Companies, the original developer of Ballantyne, obtained approval of Rezoning Petition #2011-044 (the “<u>2011 Ballantyne Rezoning</u>”) for the ±520 acre part of the Original Ballantyne Rezoning commonly known as the Ballantyne Corporate Park (generally the “<u>Corporate Park</u>”). The 2011 Ballantyne Rezoning was for the purpose of increasing opportunities for employment with some limited housing to further the vision of Ballantyne as an important employment center. As generally depicted on <u>Sheet RZ-3.0</u>, certain identified portions of the Corporate Park that were part of the 2011 Ballantyne Rezoning and certain other adjacent parcels that were part of the Original Ballantyne Rezoning but not the 2011 Ballantyne Rezoning have been developed for office, retail, EDEE (restaurants), hospitality, and residential uses and as described in more detail below are excluded from this Rezoning and remain governed by the 2011 Ballantyne Rezoning or the Original Ballantyne Rezoning. Other portions of the Corporate Park as generally depicted on <u>Sheet RZ-3.0</u></p></div> <div>CHAR2\2147200v11</div> <div>5</div>	<div><p>are included in this Rezoning as more particularly described herein and shall be governed by this Rezoning without regard to the Original Ballantyne Rezoning nor the 2011 Ballantyne Rezoning.</p><p><b>c. Community Context: Vision of Ballantyne Reimagined.</b> Ballantyne has offered a vibrant community of employment, housing and wellness centric lifestyle conveniences and for over two decades has been a unique regional asset providing economic opportunity through responsive mixed-use, neighborhood oriented development. However, to ensure that Ballantyne remains an economic engine for the region, this Rezoning for a portion of Ballantyne will create a reimagined Ballantyne that will galvanize a thriving core of residential, retail and business, will redefine what it means to connect people and gathering places seamlessly through a multimodal, innovative transportation network, signature open and/or public space and community amenities, and as a diverse cultural and entertainment center, will continue to inspire and enhance quality of life for area residents, businesses and the entire region.</p><p><b>d. Excluded Parcels; Rezoning Super-cedes Earlier Rezonings as to Rezoning Site.</b> As generally depicted on <u>Sheet RZ-3.0</u> some portions of the 2011 Ballantyne Rezoning are excluded from this Rezoning (the “<u>2011 Rezoning Excluded Parcels</u>”). Furthermore, other portions of the Original Ballantyne Rezoning that were not included in the 2011 Ballantyne Rezoning are likewise excluded in this Rezoning (the “<u>Original Ballantyne Rezoning Excluded Parcels</u>”) and together with the 2011 Rezoning Excluded Parcels being referred to as the “<u>Excluded Parcels</u>”). It is understood that only those parcels expressly set forth on <u>Sheet RZ-4.0</u> as being included within the Rezoning (such parcels being herein referred to as the “<u>Site</u>” or “<u>Rezoning Site</u>”) shall be governed by this Rezoning and all other parcels including without limitation the Excluded Parcels shall remain bound by either the Original Ballantyne Rezoning or the 2011 Ballantyne Rezoning, as the case may be, or as the same may have been further amended or rezoned. It is further understood that this Rezoning Plan (as defined below) associated with the Rezoning super-cedes in all respects as to the parcels constituting the Rezoning Site all prior rezoning petitions and amendments including without limitation as applicable the Original Ballantyne Rezoning and the 2011 Ballantyne Rezoning.</p><p><b>e. Rezoning Plan Description.</b> The following items form the rezoning plan (the “<u>Rezoning Plan</u>”) for Rezoning Petition #2019-____ (the “<u>Petition</u>” or “<u>Rezoning Petition</u>”) filed by Northwood Development LLC, as Petitioner (hereinafter the “<u>Petitioner</u>”) along with successors and assigns, and any other parties described below) for the Rezoning Site:</p><p>- Sheet RZ-1.0 – Cover Sheet, Vision Statement and Sheet Index - Sheet RZ-2.0 – Context Map - Sheet RZ-3.0 - Site Area/Rezoning History - Sheet RZ-4.0A – Existing Development &amp; Included Parcel Data - Sheet RZ-4.0B – Existing Development &amp; Building Data - Sheet RZ-5.0A - Technical Data Sheet identifying Development Areas within Rezoning Site - Sheet RZ-5.0B – Technical Data Sheet Charts - Sheet RZ-6.0 - Conceptual Development Phases &amp; Character Images - Sheet RZ 7.0 – Development Standards &amp; Transportation Notes - Sheet RZ-8.0A – Existing Street &amp; Bike/Ped Network - Sheet RZ-8.0B – Conceptual Proposed Street, Bike/Ped Network - Sheet RZ-8.0C – Conceptual Proposed Cross-Sections - Sheet RZ-9.0A – Environmental Commitments on open space &amp; related matters - Sheet RZ-9.0B – Proposed Environmental Commitments Notes - Sheet RZ-10.0 – Transportation Improvements Map/Drawings - Sheet RZ 11.0 – Adjacent Parcels Data</p></div> <div>CHAR2\2147200v11</div> <div>2</div>	<div><p>Each of the above Sheet RZ items are referred to herein as a “<u>Sheet</u>” or collectively the “<u>Sheets</u>”, and sub-sheets such as Sheets 5.0.A and 5.0.B may be referred to together as Sheet 5.0.</p><p><b>f. Zoning Classifications/Ordinance.</b> Development of the Rezoning Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the “Ordinance”). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD-O zoning classification for the Rezoning Site shall govern all development taking place on the Rezoning Site, subject to the Optional Provisions provided below.</p><p><b>g. Development Areas; East Areas and West Areas.</b> For ease of reference and as an organizing principle associated with the master planned nature of the development associated with the Rezoning Plan, a series of four (4) development areas (along with sub-areas) are generally depicted on <u>Sheet RZ-5.0</u> (each a “<u>Development Area</u>” and collectively the “<u>Development Areas</u>”). Furthermore, those Development Areas located to the west of Johnston Road/Hwy 521 shall be referred to as the “<u>West Areas</u>,” and those Development Areas located to the east of Johnston Road/Hwy 521 shall be referred to as the “<u>East Areas</u>”. The exact boundaries of the Development Areas may be subject to modifications to account for Development/Site Elements (as defined below) and other modifications needed to fulfill the design and development intent of the Rezoning Plan. Any such minor changes may be requested and processed through an administrative amendment per Section 6.207 of the Ordinance.</p><p><b>h. Graphics and Alterations/Modifications/Planning Director Authority.</b></p><p>1. Any schematic depictions, as applicable, of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets/roads, greenway and trail network, creeks, open space and other development matters and site elements (collectively the “<u>Development/Site Elements</u>”) that may be set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards (collectively the “<u>Development Standards</u>”). The layout, locations, sizes and formulations of the Development/Site Elements that may be depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Except as otherwise expressly set forth in the Development Standards, including, without limitation this subsection I.h., changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.</p><p>2. Since the project has not undergone the design development and construction phases and given the long term master planned nature of this Rezoning Petition, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements shown on the Rezoning Plan upon initial approval or as the same may be amended from time to time as provided in this Rezoning Plan. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:</p><p>(i) expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a <i>minor</i> modification for the purposes of these Development Standards); or</p></div> <div>CHAR2\2147200v11</div> <div>3</div>	<div><p>(ii) <i>minor</i> and do not materially change the overall design intent that may be depicted on the Rezoning Plan; or</p><p>(iii) <i>minor</i> modifications to move structures that may be graphically depicted on the Rezoning Plan (either on the Rezoning Plan initially approved or as the same may be amended from time to time) closer to adjacent properties in a residential zoning district or abutting a residential use located along the external boundary of the Rezoning Site but no closer than the “external building line” indicated on the Sheets (in this case the external setbacks or buffer areas or other stated distance constraints set forth on the Rezoning Plan, it being understood that any such structures graphically shown may be moved within the internal portions of the Rezoning Site; or</p><p>(iv) modifications to allow <i>minor</i> increases or decreases in the mass of the buildings, to the extent such mass of buildings are in fact shown on the Rezoning Plan initially approved or on future amendments of the same as may be approved from time to time, that do not materially change the design intent depicted on or described in the Rezoning Plan but only to the extent such massing is set forth on the Rezoning Plan as described above, it being understood that increases or decreases in mass of buildings located on the internal portions of the Rezoning Site may be permitted.</p><p>3. The Planning Director, or designee, will determine if such <i>minor</i> modifications described in subsection 2 above are allowed per this amended process and shall deliver written notice of such determination to Petitioner, or owner of the applicable parcel in question. If the Planning Director, or designee, determines that the alteration does not meet the criteria described above, Petitioner, or owner of the applicable parcel in question, shall then follow the administrative amendment process per Section 6.207 of the Ordinance or seek a site plan amendment or rezoning; in each instance, however, subject to the Petitioner’s appeal rights set forth in the Ordinance.</p><p>4. In addition to the foregoing, it is acknowledged that the Rezoning Plan contains design guidelines/standards that in their application to the development taking place could result in interpretation questions or requests for alterations to the application of such design guidelines/standards that are appropriate without resulting in a material deviation from the applicable design intent. These design guidelines/standards include those set forth in (i) Section VI of these Development Standards and (ii) such other provisions of the Rezoning Plan dealing with design treatment and related standards. Accordingly, as an <i>Optional Provision</i>, the Planning Director, or designee, in conjunction with the Zoning Administrator, shall have discretion to address the application of such design guidelines/standards to development taking place on the Rezoning Site that result in interpretation questions or requests for alterations to such application that the Planning Director, or designee, in conjunction with the Zoning Administrator, believes; (i) are reasonable and in the public interest in light of the overall objectives and design intent set forth in the Rezoning Plan; (ii) follow appropriate design considerations as may be articulated in applicable design journals and standards issued by well-regarded planning organizations such as Urban Land Institute or the American Association of Planners; and (iii) are in keeping with updated design principles and guidelines associated with any future City of Charlotte Comprehensive Plan, Unified Development Ordinances or major design policy documents intended to guide design for the City of Charlotte.</p></div> <div>CHAR2\2147200v11</div> <div>4</div>	<div><p><b>LandDesign</b></p><p>223 N Graham Street Charlotte, NC 28202 V: 704.333.0325 F: 704.333.3746 www.LandDesign.com</p></div> <div><p><b>NORTHWOOD OFFICE</b></p><p><b>SASAKI</b></p><p><b>Moore &amp; VanAllen</b></p></div> <div><p><b>Ballantyne Reimagined</b> <b>MIXED-USE REZONING</b> NORTHWOOD, CHARLOTTE, NC</p><p>DEVELOPMENT STANDARDS &amp; TRANSPORTATION NOTES</p></div> <div><p>REVISIONS:</p><p>DATE: 07/19/19 DESIGNED BY: LRM DRAWN BY: LRM CHECKED BY: LRM SCALE: AS SHOWN PROJECT #: 1018459 SHEET #: <b>RZ-7.0A</b></p></div>
<div><p>5. Furthermore and in addition to the foregoing, at any time the Petitioner, or assigns, may seek approval of the development sought by filing of a site plan amendment rezoning pursuant to the requirements of Section 6.207 of the Ordinance.</p><p><b>i. Number of Buildings Principal and Accessory.</b> Given the master planned nature of the Rezoning, the Petitioner is not required to set forth the number of buildings and structures on the Rezoning Plan and an unlimited number of buildings and structures may be allowed.</p><p><b>j. Planned/Unified Development.</b> The Rezoning Site and each Development Area therein shall be viewed as a planned/unified development plan as to the Development/Site Elements as may be generally depicted on the Rezoning Plan for the Rezoning Site and Development Areas, and shall be viewed with Excluded Parcels as described on <u>Sheet RZ-3.0</u>, as a planned/unified development; as such, except where design guidelines or standards are set forth within portions of such Development Areas in the Rezoning Plan, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located within the Rezoning Site, within an applicable Development Area and as to the applicable adjacent Excluded Parcels. Furthermore, the Petitioner and/or owner of the applicable portion of Development Areas reserve the right to subdivide the portions or all of the Rezoning Site within such applicable Development Area and create lots within the interior of the portion of the Rezoning Site within such applicable Development Area without regard to any such internal separation standards and FAR requirements; provided, however, all such separation standards along the exterior boundary of the Rezoning Site and/or Excluded Parcels, and such separation standards expressly set forth on the Rezoning Plan for the Rezoning Site shall be adhered to. In addition, any FAR requirements, if applicable, will be regulated by any development limitations set forth in this Rezoning Plan for each Development Area taken as a whole and not individual portions or lots located therein.</p><p><b>k. Five Year Vested Rights.</b> Per Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development &amp; its timing, and the level of investment, among other factors, this Petition includes vesting of the Rezoning Plan and the Rezoning Site for a five (5) year period, but such provisions shall not limit any other vested rights at common law or otherwise.</p><p><b>l. Special Definitions &amp; Clarifications.</b> In addition to certain defined terms set forth in the Development Standards, the following apply to certain definitions:</p><p>1. [<b>Active Open Space.</b> References to the term “Active Open Space” or “active open space” (whether capitalized or not) shall contain features that characterize active or usable open space areas such as: landscaping, lawns, gardens, benches and other seating areas, pedestrian and bicycle paths, trails, art features, water features/fountains, parks, dog parks, fishing ponds, accessible creeks, streams and storm water ponds, putting greens, golf courses, amphitheaters, and/or other types of formal or informal recreational facilities and/or other similar facilities and improvements.]</p><p>2. <b>Blank Wall, Ground Floor.</b> The horizontal linear dimension of contiguous building wall that does not contain fenestration, doors, or decorative elements such as banding, medallions, artwork such as murals and mosaics, change in wall plane of at least three inches, or other architectural or material embellishment. Any wall less than five feet in height is not considered to be a blank wall.</p></div> <div>CHAR2\2147200v11</div> <div>5</div>	<div><p>3. <b>Blank Wall, Upper Floor.</b> The horizontal or vertical linear dimension of contiguous building wall that does not contain fenestration, doors, or decorative elements such as banding, medallions, artwork such as murals and mosaics, change in wall plane of at least three inches, or other architectural or material embellishment. Any wall with a minimum dimension of less than five feet (5’) (height or width) is not considered to be a blank wall.</p><p>4. <b>Commercial Uses.</b> References to the term “commercial uses” or “Commercial Uses” (whether capitalized or not) shall mean office uses, retail uses, EDEE uses and Personal Services uses, and the term “non-office commercial uses” or “Non-office Commercial Uses”) (whether capitalized or not) shall mean retail uses, EDEE uses and Personal Services uses.</p><p>5. <b>Development.</b> References to “Development” and/or “development” (whether capitalized or not) shall mean and refer to Existing Built Development, Existing Built Development Expansion and/or New Development, as defined below, as the context dictates.].</p><p>6. <b>Development Levels.</b> Reference is made to Section III below and to <u>Sheet RZ-5.0</u>, for the permitted uses and development levels permitted within the Development Areas which shall govern the total maximum development level of gross floor area for all such listed uses, subject to the conversion and transfer rights set forth in Section III, the provisions of Section I.1.8 and the provisions of Section II.a.11 of these Development Standards.</p><p>7. <b>EDEE Uses.</b> References to the term “EDEE” shall mean “Eating Drinking Entertainment Establishments” as defined in the Ordinance and shall include without limitation restaurants.</p><p>8. <b>Existing Built Development.</b> Existing Built Development means buildings, structures, parking, pavement, and related built improvements in existence as of the date of the rezoning approval as generally depicted on Sheet RZ-04 (and shall include interior alterations or improvements and exterior expansions that do not constitute Existing Built Development Expansion nor New Development, each as defined below).</p><p>9. <b>Existing Built Development Expansion.</b> Existing Built Development Expansion shall mean an exterior addition and/or expansion to Existing Built Development that materially increases the building footprint, pavement and/or parking areas, but shall not include interior renovations, exterior façade improvements, repairs, and/or upgrade expansions of less than 5% of the associated building footprint or less than 20% of the parking area.</p><p>10. <b>Gross Floor Area Clarification.</b> When determining the maximum development levels set forth in this Rezoning Plan, the term gross floor area shall be defined as set forth in the Ordinance except that it shall also exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), enclosed loading dock/service areas, and outdoor dining and gathering areas whether on the roof of the building or at street level.</p><p>11. <b>I-485 Frontage.</b> Except as may be expressly set forth in the Rezoning Plan, the frontage of the Rezoning Site with I-485 shall not be deemed public street frontage for design or other types of zoning regulations (<i>Optional Provision</i> as needed)].</p><p>12. <b>Limited Service Restaurant.</b> A “Limited Service Restaurant” or “limited service restaurant” (whether capitalized or not) shall mean a restaurant with no more than 3,000</p></div> <div>CHAR2\2147200v11</div> <div>6</div>	<div><p>square feet of gross floor area serving primarily items such as coffee, ice cream, yogurt, juices, bagels, muffins, pastries, sandwiches and similar foods that do not require on-premise cooking of food (other than heating, micro-wave cooking or similar process and the baking of premixed dough).</p><p>13. <b>New Development.</b> “New Development” means development, redevelopment and/or replacement of buildings, structures, parking, pavement and related improvements that does not constitute either Existing Built Development nor Existing Built Development Expansion.</p><p>14. [<b>Open Space.</b> References to the term “open space” or “Open Space” (whether capitalized or not) shall have the meaning ascribed to such term in the Ordinance but for further clarification shall include passive and active open space such as parks, golf courses, athletic fields, nature trails, bike/scooter paths, walkways, helipads, food court areas, outdoor dining areas, greenways, buffers, gathering places, amphitheaters, outdoor performance spaces, preserves, floodplains, streams, storm water ponds and facilities, plazas, tree save areas, wildlife hubs and habitats, and other similar open and unobstructed areas of land or water.].</p><p>15. <b>Other Permitted MUDD Uses.</b> Reference in the Development Standards and <u>Sheet RZ-5.0</u> to other MUDD permitted uses that are not set forth within the categories of commercial uses, hotel/hospitality uses and residential uses set forth in <i>Table III.c.</i> shall mean and refer to all uses permitted by right or under prescribed conditions in the MUDD zoning district other than the enumerated categories above and those MUDD uses expressly prohibited in Section III.b. below, together with all permitted accessory uses; for clarity, these other permitted MUDD uses shall include, without limitation: schools, religious institutions, congregate care facilities, and similar uses; recreation (indoor and outdoor) uses including but not limited to gyms, YMCAs, fitness facilities, athletic facilities indoor and outdoor, play areas, dog parks, parks, golf courses and similar uses; civic, social service, or fraternal uses, galleries, museums, theater, amphitheater/outdoor performance facilities; community gardens, urban farms, farmers markets, food truck and mobile food vending, kiosks and uses housed in shipping container structures or other similar “tactical urbanism type permitted uses as well as parking for such uses, and/or similar uses as described herein. Given the nature of these uses, it is understood that there shall be no development level limits on these uses EXCEPT that (i) each indoor recreation use/facility of greater than 120,000 sq ft of gross floor area shall count against the development levels for commercial uses set forth for the Rezoning Site; provided, further, however, it is understood that indoor recreation uses associated with schools, religious institutions or the like shall be excluded from the above-referenced exception.</p><p>16. <b>Personal Services.</b> The terms “personal service uses” and/or “personal services” (whether capitalized or not) will mean and refer to uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spas, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes, small scale medical clinics/offices such as dentist offices and the like.</p><p>17. <b>Prominent Entrance.</b> A building entrance that is visually distinctive from the remaining portions of the facade where it is located.</p></div> <div>CHAR2\2147200v11</div> <div>7</div>	<div><p>i. For nonresidential, mixed-use, and multi-family stacked units, entrances that contain at least three of the following are considered a prominent entrance: decorative pedestrian lighting/scones; architectural details carried through to upper stories; covered porches, canopies, awnings or sunshades; archways; transom or sidelight windows; terraced or raised planters; common outdoor seating enhanced with specialty details, paving, landscaping, or water features; double doors; stoops or stairs.</p><p>ii. For multi-family attached units, entrances that contain one or more of the following features are considered a prominent entrance: porches, raised steps and stoops with or without roof overhangs, decorative railings.</p><p><b>II. MUDD Optional Provisions:</b></p><p><b>a. Optional Provisions for All MUDD-O Zoned Development Areas.</b> These Development Standards, including without limitation this Section II.a and portions of Section VI., set forth certain <i>Optional Provisions</i> which apply to the Rezoning Site and which allow variations from the minimum standards for development under MUDD. These Optional Provisions are identified in various portions of the Development Standards with reference to “<i>Optional Provision(s)</i>”. Each such Optional Provision shall be viewed expansively and therefore shall not be limited by the provisions related to other Optional Provisions:</p><p>1. To allow during the staging and phasing of development on the Site, surface parking in lieu of parking decks on portions of the Site on an interim basis may be allowed provided that such surface parking areas will meet all required minimum setbacks, streetscape and screening requirements [<i>deviates from provisions of MUDD prohibiting parking between the building and street such as MUDD Section 9.8507(2) Parking and Loading Standards, among others.</i>]</p><p>2. To encourage engaging places with a variety of experiential uses often that operate on a more temporary basis such as mobile food vending and tactical urbanism type uses within portions of the Active Open Space areas on the Site, surface parking on an interim basis for temporary uses including gravel and composition surfaces but not adhering to the standards for permanent parking contained in the Ordinance may be allowed provided that such interim surface parking areas will meet all required minimum setbacks [<i>deviates from provisions of MUDD prohibiting parking between the building and the street such as MUDD Section 9.8507(2) Parking and Loading Standards among others contained in Chapter 12 of the Ordinance</i>]</p><p>3. To allow vehicular parking, maneuvering, valet and ride-share services (including without limitation, drop off areas, servicing areas and related parking areas) and service between and to the side of the proposed buildings associated with New Development (See Section II.a.3. for Existing Built Development) and Existing Built Development Expansion, and adjacent streets, subject to compliance with applicable design guidelines associated with the applicable use set forth in Section VI of these Development Standards. (<i>See MUDD Section 9.8507.(2) Parking and Loading Standards of the Ordinance among other provisions.</i>)</p><p>4. To allow deviations from MUDD standards with respect to Existing Built Development as generally depicted on <u>Sheet RZ-4.0</u>, including without limitation, existing, modified, enhanced and/or expanded vehicular parking, maneuvering, valet and ride-share services (including drop-off areas, servicing areas and related parking areas) and service between and</p></div> <div>CHAR2\2147200v11</div> <div>8</div>	





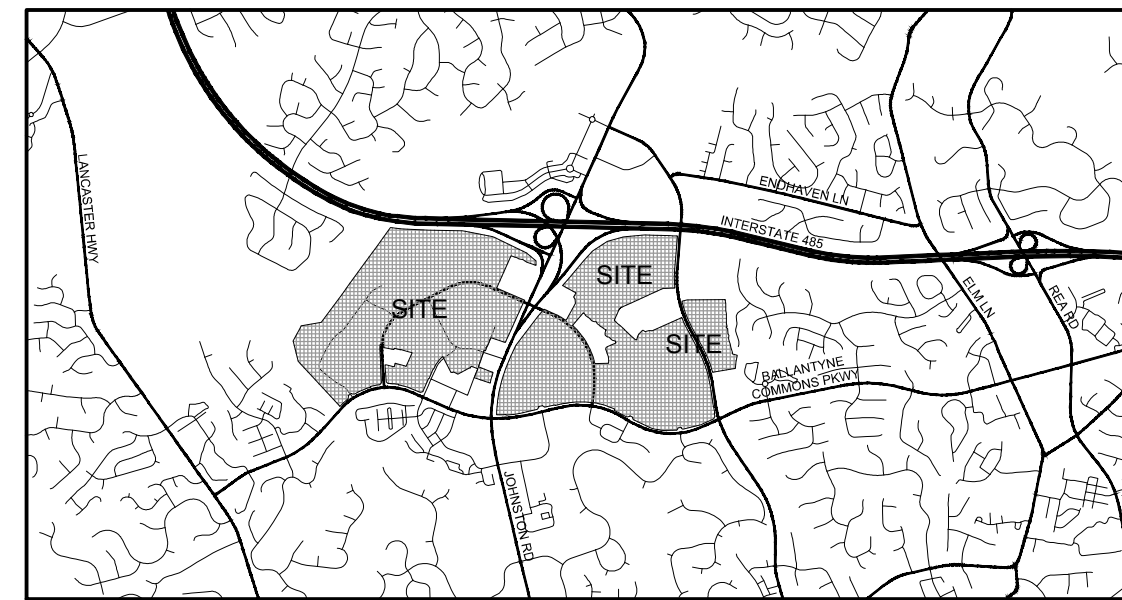
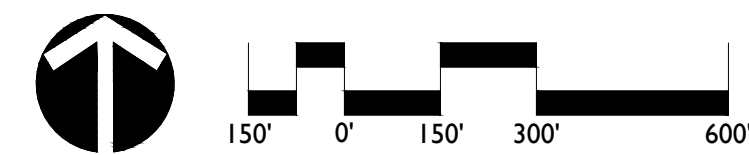
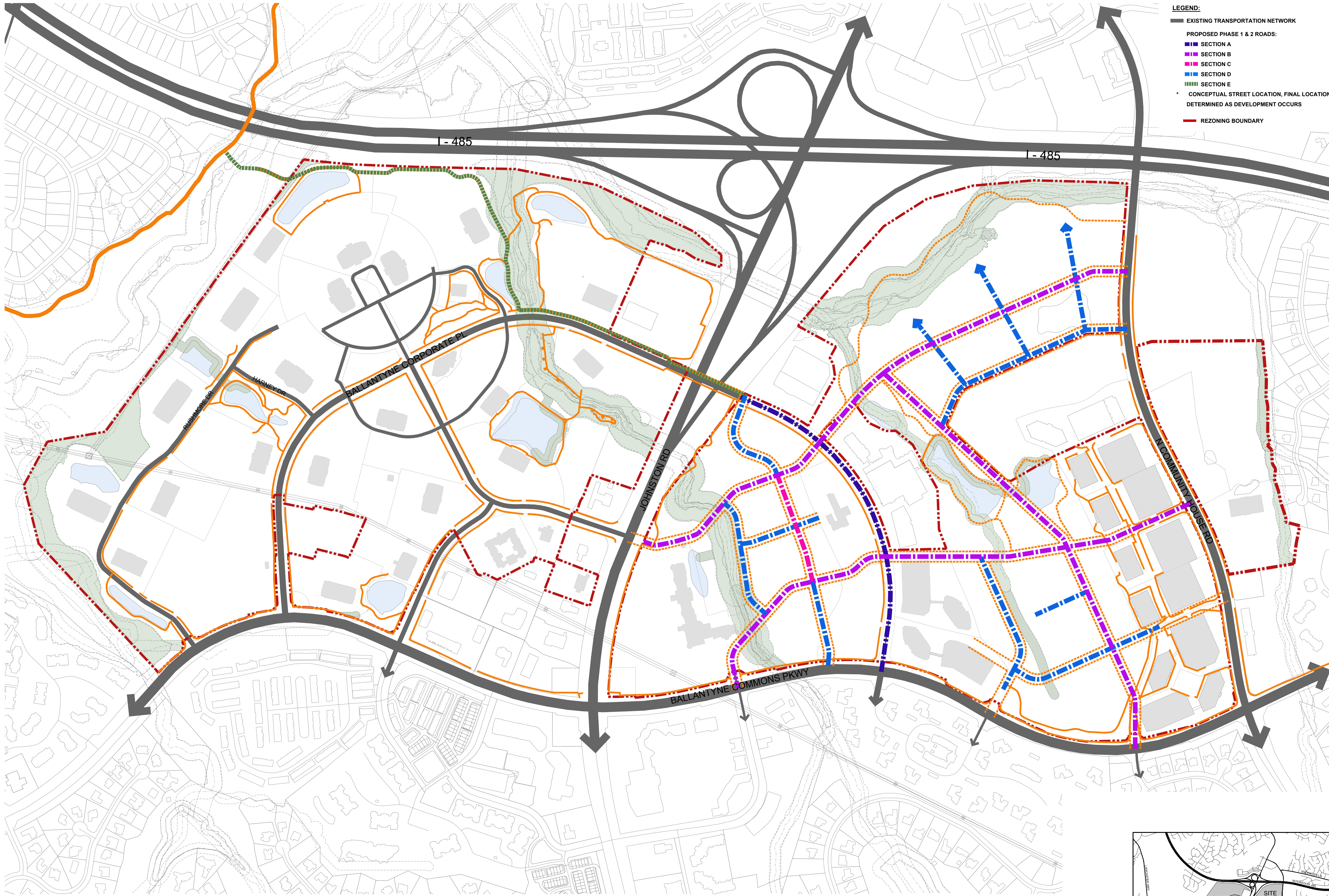


<p>Petitioner, or assigns, shall bear the cost of maintaining the above-described areas. It is understood that many of the above described areas exist today (but may be improved) and others will be installed or upgraded as development occurs within the Rezoning Site, subject to adjustments as described above and subject to the greenway connection timing referenced in item 2 below.</p> <p><b>2. Connection to Greenway.</b> Sheet RZ-9.0 sets forth the proposed location of the area on the Rezoning Site that will be connected to the Mecklenburg County greenway system. This connection to the greenway system, including the installation of the associated bridge connection, will be installed by the Petitioner within three (3) years of approval of the Rezoning, subject to circumstances beyond the reasonable control of the Petitioner. Petitioner, or assigns, may retain naming rights to the bridge/greenway connection as part of its installation. Petitioner, or assigns, will provide for trails and pedestrian connections in locations generally depicted on the Rezoning Plan in a manner reasonably consistent with development plans for the Rezoning Site and as development occurs on the Rezoning Site, and shall provide for the greenway connection described above in a timely manner. The cost of installation of greenway trails and improvements off-site (other than as described above) shall be borne by Park &amp; Rec or others. Once installed, Petitioner, or assigns, shall maintain the trails and pedestrian connections on the Rezoning Site, and the greenway connection off of the Rezoning Site shall be maintained by Park &amp; Rec or others.}]</p> <p><b>b. Public Gathering &amp; Amphitheater Improvements.</b> As part of the vision for Ballantyne Reimagined as a community and cultural gathering hub for south Charlotte, the Petitioner, or assigns, commits to make the improvements to the amphitheater as generally depicted on <u>Sheet RZ-6.0</u> within six (6) years of approval of the Rezoning, subject to circumstances beyond the reasonable control of the Petitioner.</p> <p><b>c. Affordable &amp; Workforce Housing.</b> The Petitioner, or assigns, recognizes that transformative communities with exceptional livability are benefitted by a variety of housing opportunities at “diverse price points” to promote a vibrant community accessible to residents who will make up the broad-based workforce associated with the community vision. Accordingly, Petitioner, or assigns, agrees to the following commitments:</p> <p>1. <b>Phase I Affordable/Workforce Housing Commitment.</b></p> <p>(a) 96 workforce housing residential rental units (the “<u>Phase I Housing Commitment</u>”) will be provided prior to the issuance of certificates of occupancy for greater than 1,200 new residential dwelling units as part of the new residential development allowed in the Phase I Development (equating to 8% of such residential development in Phase I), subject to and in accordance with the provisions contained in this sub-section c. The Phase I Housing Commitment will be subject to and based on approval by applicable governmental entities of appropriate tax credit housing grants pursuant to North Carolina Housing Finance Agency, other possible public funding support in the form of tax increment grants and/or other such workforce housing funding vehicles (“<u>Tax Credit/Housing Support Vehicles</u>”) associated with such commitment.</p> <p>(b) The Phase I Housing Commitment will provide that the 96 designated workforce/affordable housing rental units maintain monthly rents that are income restricted for households earning 80% or less of the area median income, for a period of not less than</p>	<p>30 years after initial occupancy, or some other metric mutually acceptable to the Petitioner, or assigns, and the City of Charlotte Neighborhood Development Department.</p> <p>(c) Petitioner, or assigns, including without limitation experienced providers of workforce/affordable housing, will use diligent good faith efforts to comply with the Phase I Housing Commitment (including approval of an appropriate Tax Credit/ Housing Support Vehicle(s) prior to the earlier of: (i) issuance of certificates of occupancy for greater than 1,200 new residential dwelling units as part of the Phase I Development and (ii) five (5) years of approval of the Rezoning; if after exercise of such good faith efforts, Petitioner, or assigns, is unable to so comply, Petitioner shall set aside for a period of five (5) years up to 2 acres of land within the Rezoning Site as may be needed to support future development of the Phase I Housing Commitment; and if after such 5-year period and after further good faith efforts to so provide for the Phase I Housing Commitment, the Petitioner, or assigns, is unable to do so, the set aside land shall be free for development without regard to the Phase I Commitment.</p> <p>2. <b>Phase II Affordable/Workforce Housing.</b></p> <p>(a) Petitioner, or assigns, including without limitation experienced providers of workforce housing, commit that 8% of the total number of residential dwelling units built in connection with Phase II and future phases (the “Additional Phases Housing Commitment”) will consist of residential rental dwelling units that maintain monthly rents that are income restricted for households earning 80% or less of the area median income, for a period of not less than 30 years after initial occupancy, or some other metric mutually acceptable to the Petitioner, or assigns, and the City of Charlotte Neighborhood Development Department.</p> <p>(b) It is understood that the Additional Phases Housing Commitment will be subject to and based upon approval of applicable Tax Credit/Housing Support Vehicle(s). Furthermore, it is understood that the implementation of the Phase II Housing Commitment shall be based on overall housing delivery of 80 rental residential dwelling units, such that 80 such workforce/affordable rental housing units shall be under development prior to the issuance of certificates of occupancy for greater than 2,200 residential dwelling units as part of the new residential development allowed in the Phase II Development and Phase I Development combined. If Petitioner, or assigns, is unable, after good faith diligent efforts, to comply with the Phase II Housing Commitment prior to the earlier of: (i) issuance of certificates of occupancy for greater than 2,200 residential dwelling units as described herein or (ii) eleven (11) years after the Rezoning approval, Petitioner shall provide for the same type of set aside of land under the same conditions as set forth for the Phase I Housing Commitment.}]</p> <p>3. <b>[Phase III Development Affordable/Workforce Housing.</b> Reference is made to Section V regarding the conditional allowance of Phase III Development upon the occurrence of a Major Transportation Event (including, for instance, as defined in Section V the delivery of light rail transit service to the Rezoning Site and additional transportation analysis reasonably acceptable to CDOT and/or NCDOT providing written verification of the transportation mitigation benefits of such Major Transportation Event). While the additional Phase III Development may not be built without the occurrence of such a Major Transportation Event and acceptable analysis of the transportation benefits, Petitioner, or assigns, will work in good faith with City of Charlotte Neighborhood Development Department to provide additional commitments to workforce housing at levels up to 10% of</p>	<p>the total number of Phase III Development residential units and otherwise on the same basis as described above for Phase I Development and Phase II Development.}]</p> <p><b>d. CATS Infrastructure &amp; Transit Services.</b> As part of the multi-model transportation mobility plans for the Rezoning Site, Petitioner, or assigns, shall coordinate with CATS on the following items such as bus stops and where appropriate pads for bus stop structures. Furthermore Petitioner shall cooperate in good faith with CATS in connection with consideration of extension of light rail service to Ballantyne.</p> <p><b>e. Job Training Support.</b> Petitioner, or assigns, commits to work in good faith with representatives of the City Neighborhood and Business Services and the leadership for the P.I.E.C.E. program or similar job training program to consider appropriate goals associated with good faith commitments for participation in the P.I.E.C.E. job training related program or other similar job training program in connection with certain identified public infrastructure construction related work.}]</p> <p><b>f. Administrative Amendments regarding Commitments for Civic/Community Uses &amp; Services.</b> It is acknowledged that given the master planned nature and long timeline of development for the Rezoning Site, changes in the various civic services/community uses described in subsections IV.a., b, c., d. and e. above, may take place over time or commitments regarding the same may be met on property beyond the Rezoning Site or by parties other than Petitioner, or assigns, with the approvals of the applicable governmental authorities authorized for such services/community uses. In such event, the Petitioner, or assigns, with the written approval by the applicable governmental authorities, may request an administrative amendment to the Rezoning Petition to address the changes associated with the civic services/community uses in question.</p> <p><b>V. Transportation/Roadway Improvements &amp; Implementation.</b></p> <p><b>a. Transportation Framework &amp; General Provisions.</b> The following provisions of this Section V.a. set forth the overall methodology/framework for the roadway improvements to be installed in connection with development of the Rezoning Site as well as other general provisions governing the transportation components of the Rezoning Plan.</p> <p>1. <b>[Transportation Network.</b> Due to the master planned nature of the development of the Rezoning Site which will occur over many years, the applicable transportation network generally depicted on <u>Sheet RZ-10.0</u> will be implemented over time and may adapt to the timing of development, availability of public and private funding and other factors. Sections V.b. and c. below set forth a description of the roadway improvements to be installed in connection with certain phases of development of the Rezoning Site, but the exact locations and alignments of the roadway improvements set forth on <u>Sheet RZ-10.0</u> and described below could change, per the provisions of this Section V. The provisions of this Section V shall govern to the extent of a conflict between the graphic depictions of <u>Sheet RZ-10.0</u> and the provisions of this Section V.}]</p> <p>2. <b>[Multiple Phases &amp; Transportation Analysis: Adjustments/Sub-phases; Completion of Improvements Prior to Certificates of Occupancy.</b> The transportation improvements required for the Rezoning Site will be accomplished in multiple phases, including “Phase I Improvements”, “Phase II Improvements” and “Phase III Improvements,” as defined below (each being a “major phase”), or “sub-phases” of such major phases. The development levels for the major phases of the development are described on <u>Sheet RZ-11.0</u>. It is</p>	<p>understood that upon installation of the Phase I Improvements (as defined below) and the Phase II Improvements (as defined below) the entire Phase I Development (as defined below) level as to the Phase I Improvements and the Phase II Developments (as defined below) level as to the Phase II Improvements may be developed in accordance with the provisions herein. Adjustments, however, to the mix and amount of such development levels and the accompanying roadway improvements associated with development for such major phases or sub-phases may be permitted in accordance with the provisions of this Section V. Such adjustments and/or sub-phases shall be allowed administratively subject to the reasonable review and approval by CDOT (and/or as applicable NCDOT) of appropriate transportation analysis in the form of existing or future transportation impact studies or technical transportation memoranda (hereinafter “transportation analysis”), such approvals not to be unreasonably withheld or delayed to the extent that such transportation analysis is conducted in accordance with applicable standards/guidelines of CDOT and/or NCDOT, as the case may be. Such adjustments and/or sub-phases resulting from the reasonable approval of appropriate transportation analysis may result in more or fewer transportation improvements, in alternative improvements being deemed suitable to address transportation adequacy and/or in increases or decreases in the applicable levels of development. Approval by NCDOT as referenced herein shall only be applicable to the extent necessary per customary approval practice of NCDOT. All roadway improvements for each major phase, or sub-phase, are required to be completed prior to the issuance of the first certificate of occupancy for development within each major phase, or each sub-phase, as applicable, that is approved by CDOT (or as applicable NCDOT) per appropriate transportation analysis.}]</p> <p>3. <b>[Phase I Development/Sub-phases &amp; Phase I Improvements – See Description in Section V.b.</b> Reference is made to <u>Sheet RZ-10.0</u> and <i>Table III.b.</i> for the development levels allowed for Phase I (the “<u>Phase I Development</u>”) and the roadway improvements required in connection with such development (the “<u>Phase I Improvements</u>”) per that certain Traffic Impact Study prepared by Design Resource Group, last updated as of _____, 2019 (the “<u>Phase I &amp; II Traffic Impact Study</u>”). The Phase I Improvements are more particularly described in Section V.b. below and may be subject to alteration and to sub-phasing through administrative approvals as described above.}]</p> <p>4. <b>[Phase II Development/Sub-phases &amp; Phase II Improvements – See Description in Section V.c.</b> Reference is made to <u>Sheet RZ-10.0</u> and <i>Table III.b.</i> for development levels associated with Phase II development (the “<u>Phase II Development</u>”) and the roadway improvements required in connection with such development (the “<u>Phase II Improvements</u>”). The required Phase II Improvements are more particularly described in the Phase I &amp; II Traffic Impact Study and in Section V.c. below. The Phase II Development and Phase II Improvements may be subject to alteration and to sub-phasing through administrative approvals as described above.}]</p> <p>5. <b>[Phase III Development/Sub-phases &amp; Phase III Improvements – See Description in Section V.d.</b> Reference is made to subsection V.d. for possible Phase III Development beyond the Phase I Development and Phase II Development (referenced as the “<u>Phase III Development</u>”) subject in all respects to Major Transportation Events and further transportation analysis as described below.}]</p> <p>6. <b>[Impact of Permitted Uses/Development Levels &amp; Transportation Adequacy Assessments.</b> The levels of development associated with the Phase I Development, the</p>	<div><div>LandDesign</div><div>223 N Graham Street Charlotte, NC 28202 V: 704.333.0325 F: 704.332.3246 www.LandDesign.com</div></div> <div><div>NORTHWOOD OFFICE</div><div>SASAKI</div><div>Moore &amp; VanAllen</div></div>																				
CHAR2/2147200v11	17	CHAR2/2147200v11	18	CHAR2/2147200v11	19	CHAR2/2147200v11	20																	
<p>Phase II Development and the Phase III Development, as well as sub-phases of such major phases, are intended to reflect limitations on allowed development levels tied to certain required roadway improvements; provided, however, such development levels and associated roadway improvements may be adjusted, at the request of Petitioner, or assigns, with reference to the varying traffic impact of such permitted uses based on appropriate transportation analysis approved by CDOT (and, as applicable, NCDOT). By way of illustration only, the amount of residential dwelling units allowed as part of the Phase I Development associated with the required implementation of the Phase I Improvements may be increased above the limits listed for Phase I Development residential uses provided that there is a reduction in other permitted development levels associated with Phase I Development so as to account for such increase.}]</p> <p>7. <b>[Completion of Improvements by Others.</b> The listing of required roadway improvements associated with Phase I Development in Section V.b. below, and Phase II Development in Section V.c. below are not intended to suggest that they must be completed by Petitioner; rather such roadway improvements, whether associated with a major phase or a sub-phase, may be completed by Petitioner, or assigns, or by others, such as governmental bodies by way of a public private partnerships, Community Investment Plan funding (e.g. CIP), direct investment by City or State or otherwise. Accordingly, references to “Petitioner,” or “Petitioner or assigns” in this Section V may include such other third parties, and a listing of required improvements needed to allow certain development to take place does not mean that the Petitioner is exclusively responsible for such improvements. The applicable requirements, however, must be satisfied prior to issuance of the applicable certificates of occupancy associated with such development regardless of which party is involved in such development or commits to make such improvements, unless adjusted in accordance with the provisions of this Section V.}]</p> <p>8. <b>[Communication; Record-Keeping/Tracking.</b> Petitioner, or assigns, and/or such other individual developers/owners, shall provide such communication and approvals related to the improvements to be done and completed as CDOT shall reasonably request so as to properly track the roadway improvements and associated development levels for record keeping purposes. CDOT, Planning Director, or designee, and Petitioner, its successors and assigns, may mutually agree on appropriate notice and record-keeping procedures in the future as part of an administrative amendment.}]</p> <p>9. <b>[CDOT/NCDOT Standards; Local Streets Per Subdivision Ordinance.</b> All of the roadway improvements contemplated by the Rezoning Plan, as may be adjusted from time to time as provided herein, will be subject to the standards and criteria of CDOT and/or NCDOT, as applicable, related to such roadway improvements within their respective road system authority.}]</p> <p>10. <b>[Thoroughfare Improvements.</b> Development along existing roadways having a “Thoroughfare” designation must be improved to applicable “Thoroughfare” standards along the frontage being developed; provided, however, if such roadways associated with the development are within an identified and budgeted community improvement project of the City or NCDOT (as applicable), Petitioner, or assigns, may elect to contribute the estimated cost of the applicable improvements toward funding of the approved community improvement project.}]</p>	<p>11. <b>[Substantial Completion.</b> Reference to term “substantial completion” for certain improvements as set forth in the provisions of this Section V shall mean a determination by CDOT that the applicable roadway improvements are deemed “substantially complete” for the purpose of the issuance of certificates of occupancy for building(s) on the Rezoning Site in connection with development/improvements phasing. The Petitioner, or assigns, may be asked to post a letter of credit or a bond for any improvements not in place at the time of any such substantial completion to secure completion of the applicable improvements in instances where CDOT has deemed certain improvements as substantially complete.}]</p> <p>12. <b>[Alternative Improvements; Design Changes.</b> The Phase I Improvements, Phase II Improvements, and Phase III Improvements and other roadway improvements deemed necessary as described herein, are anticipated to take place over the long term development horizon contemplated by this Rezoning Plan. As a result, changes in circumstances or conditions (e.g. increased transit service and the like) may affect the ability or advisability of the construction of the roadway improvements. In addition, certain design changes or alternative roadway improvements may make sense under future circumstances. Accordingly, it understood that the roadway improvements may be altered with alternate improvements, design changes or other adjustments upon approval by CDOT (and, as applicable, NCDOT). The above-referenced adjustments or design changes may be approved administratively upon CDOT’s approval and shall be documented in accordance with the process set forth in Section III.c. of these Development Standards.}]</p> <p>13. <b>[Right-of-Way Dedications for Areas within Rezoning Site.</b> Except as otherwise set forth in this paragraph, Petitioner, or assigns, agree to dedicate, without compensation, the applicable right-of-way for certain expressly identified public arterial streets located land situated within the Rezoning Site as generally depicted on <u>Sheet RZ-10</u>, upon the earlier of (i) the commencement of construction of the applicable required roadway improvements being undertaken by Petitioner, or assigns, or (ii) the commencement of construction of required roadway improvements being undertaken by other parties such as the City.}]</p> <p>14. <b>[Right-of-way Availability.</b> It is understood that some of the public roadway improvements referenced in this Section V may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, as specified and administered by the City of Charlotte right-of-way acquisition process as administered by the City of Charlotte Engineering &amp; Property Management Department, the Petitioner, or assigns (or third parties), are unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body may agree to proceed with acquisition of any such land. In such event, Petitioners, or assigns (or third parties), shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings.</p> <p>Furthermore, in the event roadway improvements referenced in this Section V are delayed because of delays in the acquisition of additional right-of-way as contemplated herein, then the applicable responsible party may contact CDOT and the Planning Director, or designee, regarding an appropriate infrastructure mitigation phasing plan that appropriately matches the scale of the development proposed. Upon approval of such mitigation phasing plan, CDOT, in its discretion, may inform applicable authorities that it is comfortable with</p>	<p>allowing the issuance of certificates of occupancy for the applicable buildings in light of approved infrastructure mitigation phasing plan. If so, the Petitioner, or assigns (or third parties) shall seek to complete the applicable roadway improvements and may have to post a letter of credit/bond for any such improvements to secure completion of the applicable improvements.</p> <p>It is understood that the above provisions are not to be construed as a limitation on the general rights of the City or State of North Carolina, in its discretion, to acquire or condemn right of way needed for installation of public streets, which, unless agreed otherwise, shall not require reimbursement by the Petitioner, or assigns.}]</p> <p><b>b. Description of Phase I Roadway Improvements.</b> As part of the Phase I Development, the following Phase I Improvements will be constructed in accordance with the implementation provisions set forth in Section V.a. above, including those dealing with sub-phasing of such improvements and adjustments in permitted development levels/roadway improvements based on differing transportation impact for such permitted uses; it being understood that upon completion of the Phase I Improvements described below all of the Phase I Development may be developed without any further transportation analysis:.</p> <p><b>[LISTED IMPROVEMENTS TO COME FROM TIA UPON COMPLETION AND APPROVAL.]</b></p> <p><b>c. [Phase II Development &amp; Phase II Improvements.</b> As part of the Phase II Development, the following Phase II Improvements will be constructed in accordance with the implementation provisions set forth in Section V.a. above, including those dealing with sub-phasing of such improvements and adjustments in permitted development levels/roadway improvements based on differing transportation impact for such permitted uses; it being understood that upon completion of the Phase II Improvements described below all of the Phase II Development may be developed without any further transportation analysis:}]</p> <p><b>[LISTED IMPROVEMENTS TO COME FROM TIA UPON COMPLETION AND APPROVAL.]</b></p> <p><b>d. [Phase III Development &amp; Major Transportation Event.</b> Reference is made to <i>Table V.d.</i> below for development levels beyond the Phase I Development and Phase II Development (referenced as the “<u>Phase III Development</u>”). No improvements have been set forth for the Phase III Development, and it is understood that no portion of the Phase III Development may be constructed without (i) the occurrence of a major transportation improvement and/or technological transformation event (a “<u>Major Transportation Event</u>”) such as but not limited to delivery to the Rezoning Site of light rail transit service, express bus service, a major transportation roadway improvement such as the widening of Johnston Road/Hwy. 521 from I-485 beyond the Rezoning Site so as to substantially increase capacity for motorist travel, or sustain transformational technological shifts in modes of vehicular travel that result in significantly less traffic on nearby roadways; and (ii) additional transportation analysis reasonably acceptable to CDOT and/or NCDOT, as applicable, providing for written verification for the benefits of such Major Transportation Event(s).}]</p> <div>V.d.</div>	<div><div>C. New Development Levels - Phase III</div><div>(NOTE: subject to full transportation study &amp; triggering events such as transit, major regional road improvements and/or major transportation innovations) [sf references square feet of gross floor area]</div><table><tr><th>Non-Residential Uses</th><th>Phase III</th></tr><tr><td>Office Uses</td><td>800,000 s.f.</td></tr><tr><td>Non-Office Commercial Uses (Retail, EDEE &amp; Personal Services)</td><td>50,000 s.f.</td></tr><tr><td>Hospitality/Hotel Uses</td><td>220 rooms</td></tr><tr><td>Other Misc. Uses **</td><td></td></tr><tr><td>Total</td><td></td></tr></table><div><table><tr><th>Residential Uses [units references dwelling units]</th><th>Phase III</th></tr><tr><td>Multi-Family Units</td><td>1,500 units</td></tr><tr><td>Single-Family Attached/Detached Units</td><td></td></tr><tr><td>Total Units</td><td></td></tr></table><div>* Subject to transfer/conversion rights per Section III of Development Standards</div></div><div>** See provisions of Section I.I.13 regarding development of certain other permitted MUDD uses not falling within the categories above but including uses such as civic, recreational, religious institution, congregare care &amp; other similar uses. See also Section II.a.11. regarding certain vertical integrated non-office commercial uses.</div></div> <p><b>VI. Design Standards/Guidelines Applicable to Rezoning Site.</b> The following sets forth certain design standards for specific types of conditions and building types/uses and they are in addition to and will control in the event of a conflict or discrepancy with those standards/guidelines set forth in other provisions of the Rezoning Plan or in the MUDD district provisions of the Ordinance (<i>as an Optional Provision</i>). The following provisions are subject to the application of any applicable MUDD <i>Optional Provisions</i> set forth in the Rezoning Plan, and where any such design standards or provisions conflict with the provisions of MUDD, such provisions in the Rezoning Plan shall control and shall be deemed <i>Optional Provisions</i>.</p> <p><b>a. Limited Application of Standards to Existing Built Development.</b> Only the provisions of Section VI.d. regarding setbacks and Section VI.e. regarding height shall apply to Existing Built Development, all other provisions of this Section VI shall not so apply.</p> <p><b>b. Application of Standards to Existing Built Development Expansion and New Development.</b> The following standards of this Section VI shall apply to Existing Built Development Expansions and New Development, provided that:</p> <p>1. As to Existing Built Development Expansion, the applicable design standards set forth in this Section VI shall only apply to the portion of the Existing Built Development undergoing the expansion as described in the definition of Existing Built Development Expansion above in Section I.</p> <p>2. In connection with Existing Built Development, Existing Built Development Expansion, and New Development, parking and maneuvering may remain between the building(s) and the street in the manner set forth in the Optional Provisions of Sections II.a, b and c above.</p>	Non-Residential Uses	Phase III	Office Uses	800,000 s.f.	Non-Office Commercial Uses (Retail, EDEE & Personal Services)	50,000 s.f.	Hospitality/Hotel Uses	220 rooms	Other Misc. Uses **		Total		Residential Uses [units references dwelling units]	Phase III	Multi-Family Units	1,500 units	Single-Family Attached/Detached Units		Total Units		<div>REVISIONS:</div> <div>DATE: 07/19/19 DESIGNED BY: LRM DRAWN BY: LRM CHECKED BY: LRM SCALE: N/A PROJECT #: 1018459 SHEET #:</div> <div>Ballantyne Reimagined MIXED-USE REZONING NORTHWOOD, CHARLOTTE, NC</div> <div>DEVELOPMENT STANDARDS &amp; TRANSPORTATION NOTES</div> <div>RZ-7.0C</div>
Non-Residential Uses	Phase III																							
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Total Units																								
CHAR2/2147200v11	21	CHAR2/2147200v11	22	CHAR2/2147200v11	23	CHAR2/2147200v11	24																	



<p>c. <b>Frontage Types for Certain Design Standards.</b> The dimensional and design standards of Sections VI.d. as to Existing Built Development, and Sections VI.f, g, h, and i. below for Existing Built Development Expansion and New Development (subject to Section VI. b. above) are determined with reference to the following public street frontage types:</p> <p>1. <b>Main Street - Street Classification and Frontage Type.</b> This is the primary street at the core of redevelopment in Development Area A to foster a high level of commercial and residential activity with emphasis on the pedestrian environment.</p> <p>2. <b>Four Lane (or greater) Boulevard - Street Classification and Frontage Type.</b> A right-of-way with a minimum of two (2) lanes of travel for each direction and center space.</p> <p>3. <b>Limited Access Road - Street Classification and Frontage Type.</b> I-485 and/or similar roadways designated for high speed traffic which have limited or no access to adjacent parcels.</p> <p>4. <b>Primary Street – Street Classification and Frontage Type.</b> A frontage along an Avenue (as defined in the City of Charlotte Urban Street Design Guidelines or similar provisions) or Collector Street (as defined in the City of Charlotte Urban Street Design Guidelines or similar provisions) or a publicly accessible open space, park, plaza or path.</p> <p>5. <b>Secondary Street – Street Classification and Frontage Type.</b> A frontage that does not meet the criteria of a Main Street, Four Lane Boulevard, Limited Access Road or Primary Frontage.</p> <p><b>NOTE:</b> Sheet RZ-8C sets forth frontage designations for certain streets located or to be located within the Rezoning Site.</p> <p><b>Application to Lots with Multiple Frontages.</b> The following establishes criteria for with multiple frontages.</p> <p>1. When a lot has two (2) frontages, at least one (1) frontage shall be a Primary Street frontage type or Main Street frontage type. If neither frontage meets the criteria listed for Primary Street frontage, one (1) frontage shall be designated as a Primary Street frontage type.</p> <p>2. When a lot has three (3) frontages, at least one (1) frontage shall be designated as a Primary Street frontage type or Main Street frontage. If no frontage meets the criteria listed for a Primary Street frontage, one (1) frontage shall be designated as a Primary Street frontage.</p> <p>3. When a lot has four (4) frontages, at least one (1) frontage shall be designated as Primary Street frontage type or Main Street frontage. If less than two (2) frontages meet the criteria for Primary Street frontage, additional Primary Street frontages shall be designated to meet this minimum.</p> <p>d. <b>Setbacks.</b> The following establishes setbacks for Existing Built Development, Existing Built Development Expansion, and New Development) based on the applicable street frontages; provided, however, variations and adjustments to the following setback standards and those contained in the MUDD provisions of the Ordinance may be allowed upon the reasonable approval of the Planning Director in connection with light rail transit service and/or express bus service to the Rezoning Site.</p> <p>CHAR2\2147200v1125</p>	<p>1. Main Street – the minimum setback shall be 16’ as measured from the back of existing or future curb.</p> <p>2. Four Lane Boulevard – the minimum setback shall be 20’ as measured from the back of existing or future curb.</p> <p>3. Limited Access Road – the minimum setback shall be 20’ as measured from the right of way.</p> <p>4. Primary Street – the minimum setback shall be 20’ as measured from the back of existing or future curb.</p> <p>5. Secondary Street – the minimum setback shall be 16’ as measured from the back of existing or future curb.</p> <p>e. <b>Maximum Building Height.</b> The maximum building height for buildings associated with Existing Built Development, Existing Built Development Expansion, and New Development within the Site shall be as set forth on Sheet RZ-5.0. It is understood, however, that the building heights set forth on Sheet RZ-5.0 may be increased by 25% in the event light rail transit service is extended to the Site.</p> <p>f. <b>Required Height Stepback.</b> The following establishes architectural stepback above the ground floor for Existing Built Development Expansion and New Development (subject to Section VI.b above) based on street frontages as follows:</p> <p>1. Main Street – buildings over 100’ tall shall have a stepback of a minimum of 10’ above the ground floor and no higher than the fourth (4<sup>th</sup>) story of the building.</p> <p>2. Four Lane Boulevard – Not applicable</p> <p>3. Limited Access Road – Not applicable</p> <p>4. Primary Street – buildings over 120’ tall shall have a stepback of a minimum of 10’ above the ground floor and no higher than the sixth (6<sup>th</sup>) story of the building.</p> <p>5. Secondary Street – Not applicable</p> <p>g. <b>Building Articulation.</b> As to Existing Built Development Expansion and New Development (subject to Section VI.b above), the following building articulation standards shall govern the dimensions of building façade elements, transparency, and entry features, and are intended to facilitate the enhancement of a pedestrian-oriented environment for new development excluding structured parking.</p> <p>1. <b>Ground Floor Height.</b> The following establishes the minimum ground floor height based on street frontage:</p> <p>i. Main Street: 16’ minimum applies to non-residential uses only</p> <p>ii. Four Lane Boulevard: 16’ minimum applies to non-residential uses only</p> <p>iii. Primary Street: 14’ minimum applies to non-residential uses only</p> <p>iv. Secondary Street: Not applicable</p> <p>CHAR2\2147200v1126</p>	<p>v. Limited Access Road: Not applicable</p> <p>2. <b>Blank Wall Area.</b> Subject to the provisions of Section VI.i below regarding large format uses, the following establishes the maximum horizontal and vertical blank wall area permitted based on street frontage:</p> <p>i. Main Street: 20’ maximum</p> <p>ii. Four Lane Boulevard: 20’ maximum</p> <p>iii. Primary Street: 20’ maximum</p> <p>iv. Secondary Street: 35’ maximum (as a MUDD Optional Provision)</p> <p>v. Limited Access Road: Not applicable</p> <p><i>Landscaping may be used to address blank walls and/or screen services areas on Four Lane Boulevards and Secondary Streets, and blank walls created by topography; such landscaping shall be installed with a minimum height of 1/2 the height of the first story and/or in a manner that screens service areas.</i></p> <p><i>If the final architectural design cannot meet the design standards for blank wall articulation, <b>alternative innovative design solutions</b> may be considered for the reasonable approval of the Planning Director, or designee, under Section I.d. of these Development Standards.</i></p> <p>3. <b>Prominent Entrance Spacing.</b> Subject to the provisions of Section VII.i. below regarding large format uses, the following establishes the maximum distance between Prominent Entrances for buildings longer than 250’ based on street frontage:</p> <p>i. Main Street: 100’ maximum</p> <p>ii. Four Lane Boulevard: 150’ maximum</p> <p>iii. Primary Street: 100’ maximum</p> <p>iv. Secondary Street: 150’ maximum</p> <p>v. Limited Access Road: Not applicable</p> <p>4. <b>Ground Floor Transparency.</b> Subject to the provisions of Section VII.i. below regarding large format uses, the following establishes the minimum transparency requirements as measured between 3’ and 10’ from grade based on street frontage:</p> <p>i. Main Street: 60% minimum for non-residential uses/25% minimum for residential uses</p> <p>ii. Four Lane Boulevard: 40% minimum for non-residential uses/20% minimum for residential uses</p> <p>iii. Primary Street: 40% minimum for non-residential uses/20% minimum for residential uses</p> <p>iv. Secondary Street: 40% minimum for non-residential uses/20% minimum for residential uses</p> <p>v. Limited Access Road: Not applicable</p> <p>h. <b>Non-residential, Mixed-Use, and Multi-Family Stacked Design Standards.</b> Except as set forth in Section VII.i. below, the following standards shall apply based on frontage type to Existing Built Development Expansion and New Development (subject to Section VI.b. above):</p> <p>1. For buildings of 150’ in length on a Main Street, Four Lane Boulevard, and/or Primary Street the following standards shall apply:</p> <p>CHAR2\2147200v1127</p>	<p>i. facades shall be divided into shorter segments by means of modulation. Such modulation shall occur at interval of no more than 60’ and shall be no less than 2’ in depth;</p> <p>ii. varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions;</p> <p>iii. utilize building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses;</p> <p>iv. utilize horizontal and vertical variations in wall planes;</p> <p>v. provide architectural protrusion to accentuate enclosed balconies; and/or</p> <p>vi. a significant change in color and/or material accompanied with a minimum building articulation.</p> <p>2. Arcades, galleries, colonnades, outdoor plazas, outdoor dining areas, or similar pedestrian-oriented ground floor designs may be incorporated into facades.</p> <p>3. The ground floor shall be architecturally differentiated from upper stories for buildings five (5) stories and taller through treatments such as, but not limited to, taller ground floor windows, variations in building materials, increased pedestrian level detail etc.</p> <p>4. All frontages, with the exception of Limited Access Road frontages, shall have a minimum of one Prominent Entrance.</p> <p>5. All ground floor entrances shall include a direct pedestrian connection between the street facing doors and adjacent sidewalks.</p> <p>6. Common usable open spaces, site amenity areas or courtyards can be utilized to break up the wall plane.</p> <p>7. Loading docks, truck doors and service areas for new infill development shall not be oriented to and/or located between the building public streets for new development. Loading docks, truck doors and service areas shall be screened, with landscaping, screen walls or other architectural features, from public view except when topographic and/or environmental site conditions exist making such limitation impractical or if there is a demonstrated public benefit reasonably acceptable to the Planning Director to deviate from this standard.</p> <p>8. Balconies will be designed so that their size and location maximize their intended use for open space. The balconies and awnings may encroach into the 4-foot setback transition zone above the first story of the building with a clearance from grade of a minimum of twelve (12) feet when the building is located along and the balcony is facing a public street.</p> <p>i. <b>Multi-Family (townhomes) and Single Family Attached and Single Family Detached Design Standards.</b> The following design provisions shall apply to multi-family and single</p> <p>CHAR2\2147200v1128</p>	<div>LandDesign</div> <div>223 N Graham Street Charlotte, NC 28202 V: 704.333.0325 F: 704.333.3246 www.LandDesign.com</div> <div>NORTHWOOD OFFICE</div> <div>SASAKI</div> <div>Moore &amp; VanAllen</div> <div>Ballantyne Reimagined MIXED-USE REZONING NORTHWOOD, CHARLOTTE, NC</div> <div>REVISIONS:</div> <div>DATE: 07/19/19 DESIGNED BY: LRM DRAWN BY: LRM CHECKED BY: LRM SCALE: AS SHOWN PROJECT #: 1018459 SHEET #:</div> <div>RZ-7.0D</div> <div>DEVELOPMENT STANDARDS &amp; TRANSPORTATION NOTES</div>
<p>family attached townhomes and/or single family detached units as part of Existing Built Development Expansion and New Development (subject to Section VI.b above):</p> <p>1. Vehicular entrances to garages shall be located to the rear of the building and shall not face a Main Street frontage, Primary Street frontage, or common open space. A residential alley shall not be considered a frontage.</p> <p>2. Surface parking lots shall be located to the rear or side of the building.</p> <p>3. The primary pedestrian entry to each dwelling unit shall face a frontage or a common open space if the open space is a minimum of 20’ in depth.</p> <p>4. To provide privacy, all residential entrances within 15 feet of the sidewalk must be raised from the average sidewalk grade a minimum of 12 inches, subject to applicable deviations to address site constraints.</p> <p>5. Pitched roofs, if provided, shall be symmetrically sloped no less than 6:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.</p> <p>6. Usable porches and stoops shall form a predominate feature of the building design and be located on the front and/or side of the building. Usable front porches are covered and are at least 4 feet deep. Stoops and entry-level porches may be covered but not be enclosed.</p> <p>7. All corner/end units that face a public or private street should have a porch or stoop that wraps a portion of the front and side of the unit or blank wall provisions shall be implemented that limit the maximum blank wall expanse to 10 feet on all building levels and/or allows acceptable landscaping treatments along such areas.</p> <p>8. Sidewalks should be provided to connect one residential entrances to sidewalks along public and private streets.</p> <p>9. Buildings may orient to open space in lieu of a public street.</p> <p>j. <b>Structured Parking Design Standards.</b> The following standards shall apply to Existing Built Development Expansion and New Development (subject to Section VI.b above) structured parking facilities:</p> <p>1. Building materials associated with facades on parking structures not screened by landscaping or other buildings shall be generally compatible in character and quality with materials used on nearby buildings, plazas and streetscapes, taking into consideration differences associated with parking structures;</p> <p>2. Parking structures shall be designed to materially screen the view of parked cars from adjacent public or private streets or publicly accessible open spaces or plazas. Screening of cars on the ground level and second level will be accomplished primarily through the use of decorative louvers and similar features, and/or landscaping. Cars shall not be visible from the street and/or adjacent sidewalk. Deviations are permitted along I-485 and where landscaping or walls a minimum of 42 inches tall are permitted screening.</p> <p>CHAR2\2147200v1129</p>	<p>3. Screening of cars parked on the upper level will be accomplished by a wall, at least 36 inches in height, designed as part of the parking deck structure except in Development Area A where the first two levels facing a public street shall be screened with decorative louvers or glazing.</p> <p>4. Architectural detailing should minimize large expanses of horizontal openings in excess of 20 feet and should provide vertical breaks from ground level to top level every 50 feet.</p> <p>5. Existing parking structures may be converted to occupiable space. The area improved shall comply with the minimum design standards set forth in the Ordinance and the <i>Optional Provisions</i></p> <p>k. <b>Optional Provision. Subject to the limitations of Section III.b. above, accessory drive-thru windows</b> facilities are permitted as part of Existing Built Development Expansion and New Development (subject to Section V.I. b above) in accordance with the following standards:</p> <p>1. Drive-thru windows shall only be permitted as accessory to a grocery store, dry cleaner, financial institution, limited service restaurant and/or similar and shall not be located between the building and the primary public street. Drive-thru lanes and one bail out lane are permitted between the building and other streets with screening achieved through a combination of low landscape solid walls ranging from 36 to 42 inches in height articulated no less than every 20 feet and landscaping.</p> <p>2. Multilane drive-thrus shall not face the primary street unless canopied and with an articulated building edge.</p> <p>3. No more than two (2) uses with accessory drive-thru windows per block face are permitted and the uses with accessory drive-thru windows may not be located adjacent to each other on the same block unless they share central parking facilities.</p> <p>4. When multiple drive-thru lanes are provided, any canopies over them shall be designed so that they are integrated with the overall architectural design of the primary buildings and appear to be an extension of the primary building mass, cornice and or roof type with similar architect design. Material deviations are permitted, however shall be complimentary.</p> <p>l. <b>Optional Provision – Larger Format Users.</b> The standards of this Section VI shall not apply and the following <i>Optional Provision</i> shall apply, within Development Area C2 for non-office commercial uses, indoor recreation uses unrelated to schools or civic uses, each of greater than 40,000 sf of gross floor area:</p> <p>1. Non Primary Street/Non-Four Lane Boulevard facing side and rear facades can utilize landscaping with an installed height of ½ the height of the first story of and plant grouping gaps no larger than 20 feet to address blank walls.</p> <p>2. Parking fields will be minimized to no more than 2 full bays of parking between the building and the Primary Street/Non-Four Lane Boulevard, and larger parking areas may be provided to the side or rear of the building. Deviations from this standard may be allowed with enhanced pedestrian connections through parking areas.</p> <p>CHAR2\2147200v1130</p>	<p>3. A Primary Pedestrian Entrance will be located facing the Primary Street/Non-Four Lane Boulevard, or located on a street facing corner. Only one primary pedestrian entrance is required for the building (not one for each street).</p> <p>VII. <b>Lighting Standards Applicable to Rezoning Site.</b></p> <p>a. All lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along driveways, sidewalks and park areas.</p> <p>b. Detached lighting, except street lights located along public and private streets, will be limited to 26 feet in height in portions of the MUDD-O Areas used for non-residential uses and 21 feet in height for portions used for residential uses.</p> <p>c. No “wall pak” lighting will be allowed, however architectural lighting on building facades, such as sconces, will be permitted and in loading dock areas or at the rear of the buildings where “wall pak” lighting that is designed as down lighting will be allowed.</p> <p>VIII. <b>Signage Standards Applicable to All MUDD-O Districts.</b></p> <p>a. See the <i>Optional Provisions related to signs in Section II of these General Development Standards.</i></p> <p>IX. <b>Environmental Vision Plan &amp; Environmental Features: PCSO.</b> Reference is made to Sheet RZ-9.0 which sets forth the Environmental vision and implementation plan for development taking place on the Rezoning Site and certain other guidelines related to environmental and sustainability aspects associated with the Rezoning Plan. The Environmental Plan provides overarching context, intent and requirements for the addressing certain environmental aspects contemplated for the Rezoning Site including open space, stormwater/PCSO, tree ordinance, and similar features.</p> <p>X. <b>CATS.</b></p> <p>a. Petitioner, or assigns, will provide for locations within dedicated rights of way for on-street bus stops in a manner consistent with CATS guidelines upon review and approval of CATS. Petitioner, or assigns, will provide for the concrete pads associated with such bus stops and will seek to provide for site designs that promote pedestrian connectivity to such bus stops from nearby uses. These efforts will occur during the land development process for development taking place along the applicable rights of way.</p> <p>b. Petitioner, or assigns, will work with CATS in connection with 2030 Transit Plan efforts to study a rapid transit alignment to Ballantyne area and potentially the Rezoning Site.</p> <p>XI. <b>Amendments to the Rezoning Plan: Binding Effect:</b></p> <p>a. <b>Amendments.</b> Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable portions or parcels of the Rezoning Site affected by such amendment in accordance with the provisions the Development Standards, including without limitation Section II of these General Development Standards, and of Chapter 6 of the Ordinance, as applicable.</p> <p>CHAR2\2147200v1131</p>	<p>b. <b>Binding Effect.</b> If this Rezoning Petition is approved, all conditions applicable to the development of the Rezoning Site imposed under the Rezoning Plan will, unless amended in the manner provided herein, be binding upon and inure to the benefit of the Petitioner, or assigns, and subsequent owners of portions or parcels of the Rezoning Site, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns. These provisions are in addition to the other provisions of these Development Standards that reference completion of commitments by Petitioner, or assigns, or Petitioner including assigns of same.</p> <p>CHAR2\2147200v1132</p>	





DATE: 07/29/19  
 DESIGNED BY: LRM  
 DRAWN BY: LRM  
 CHECKED BY: LRM  
 SCALE: 1" = 300'  
 PROJECT #: 1018459  
 SHEET #:

**Ballantyne Reimagined**  
**MIXED-USE REZONING**  
 NORTHWOOD, CHARLOTTE, NC

CONCEPTUAL PROPOSED STREET + BICYCLE + PED NETWORK

**NORTHWOOD**  
 OFFICE

**SASAKI**

**Moore & VanAllen**

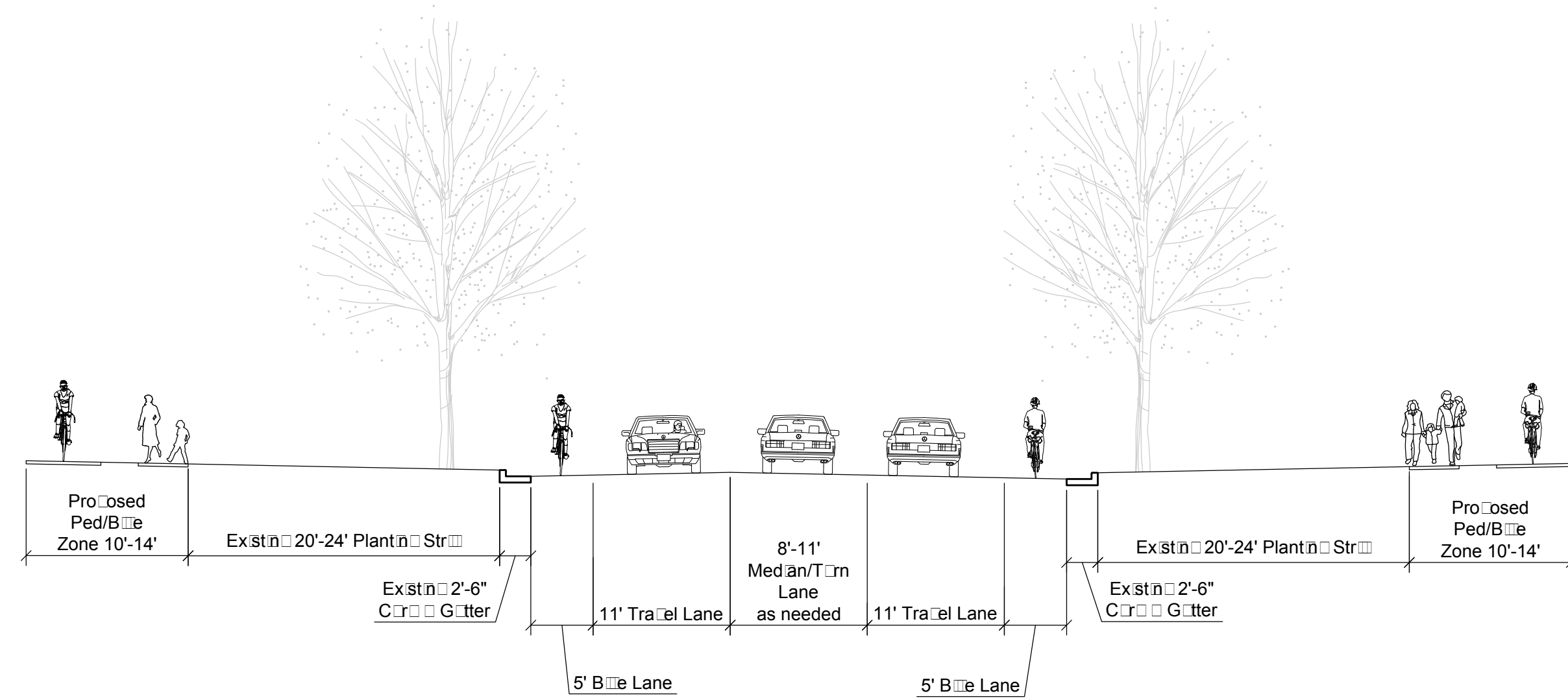
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223 N Graham Street Charlotte, NC 28202  
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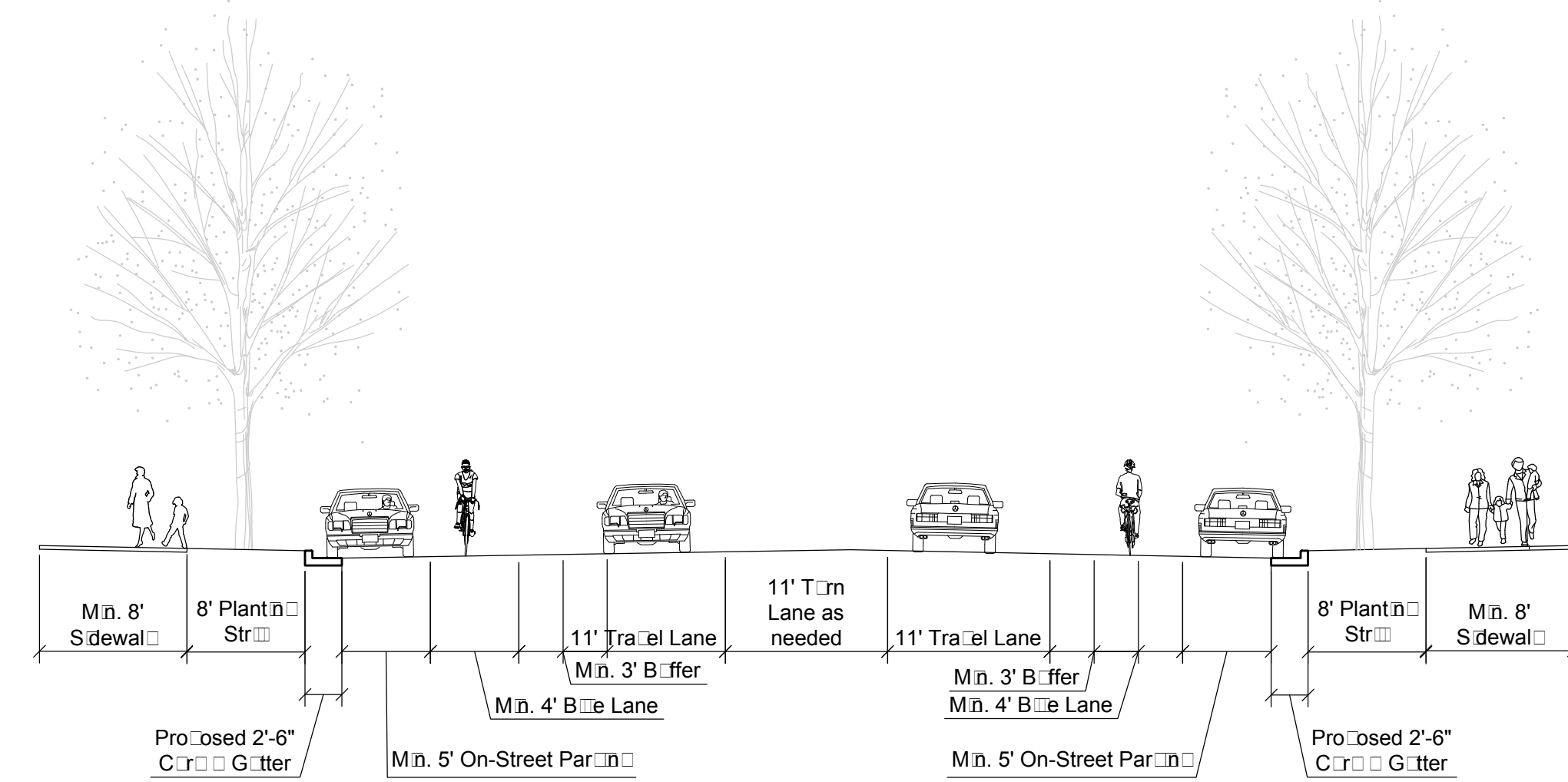
REVISIONS:

**RZ-8.0A**

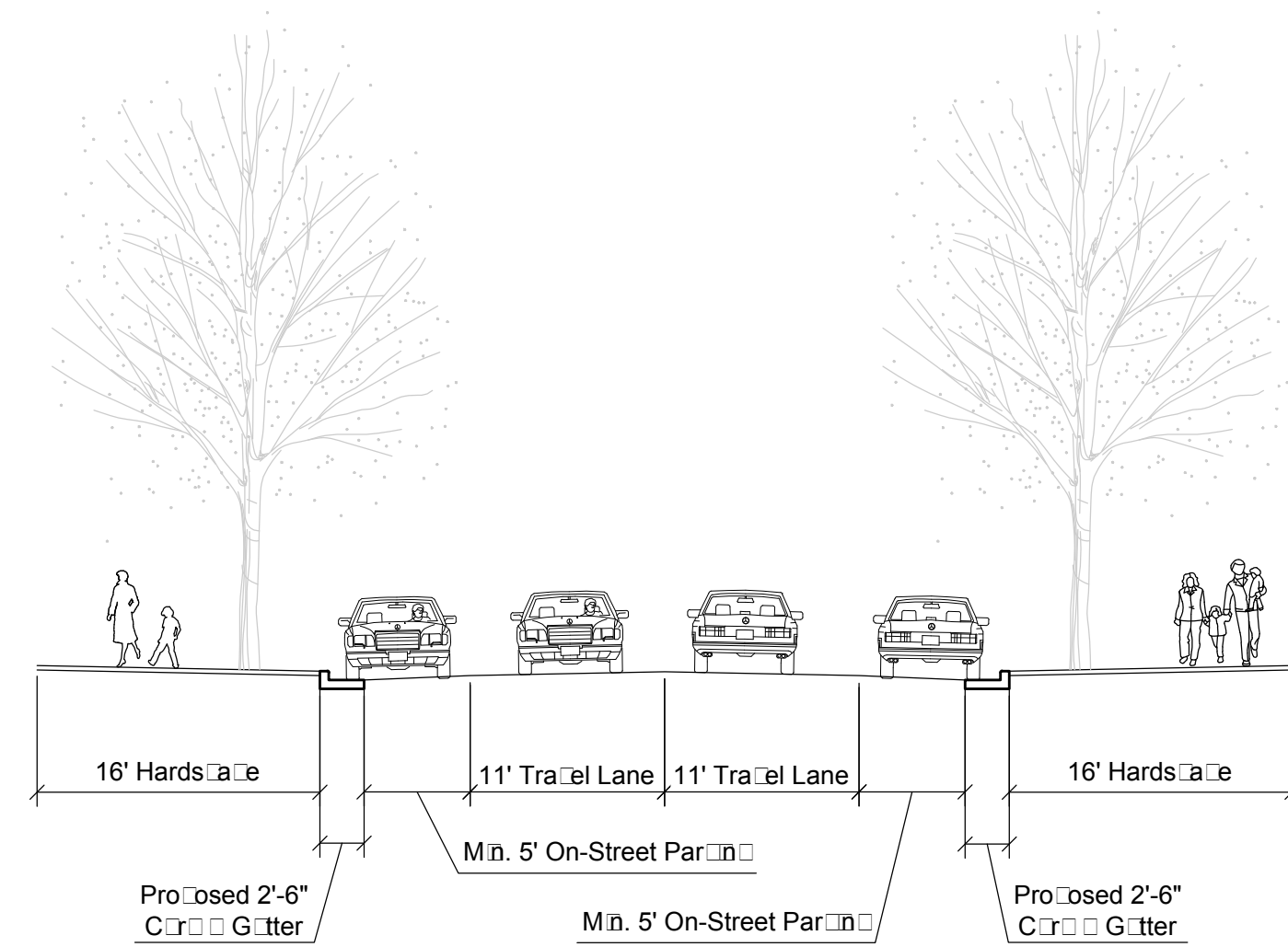




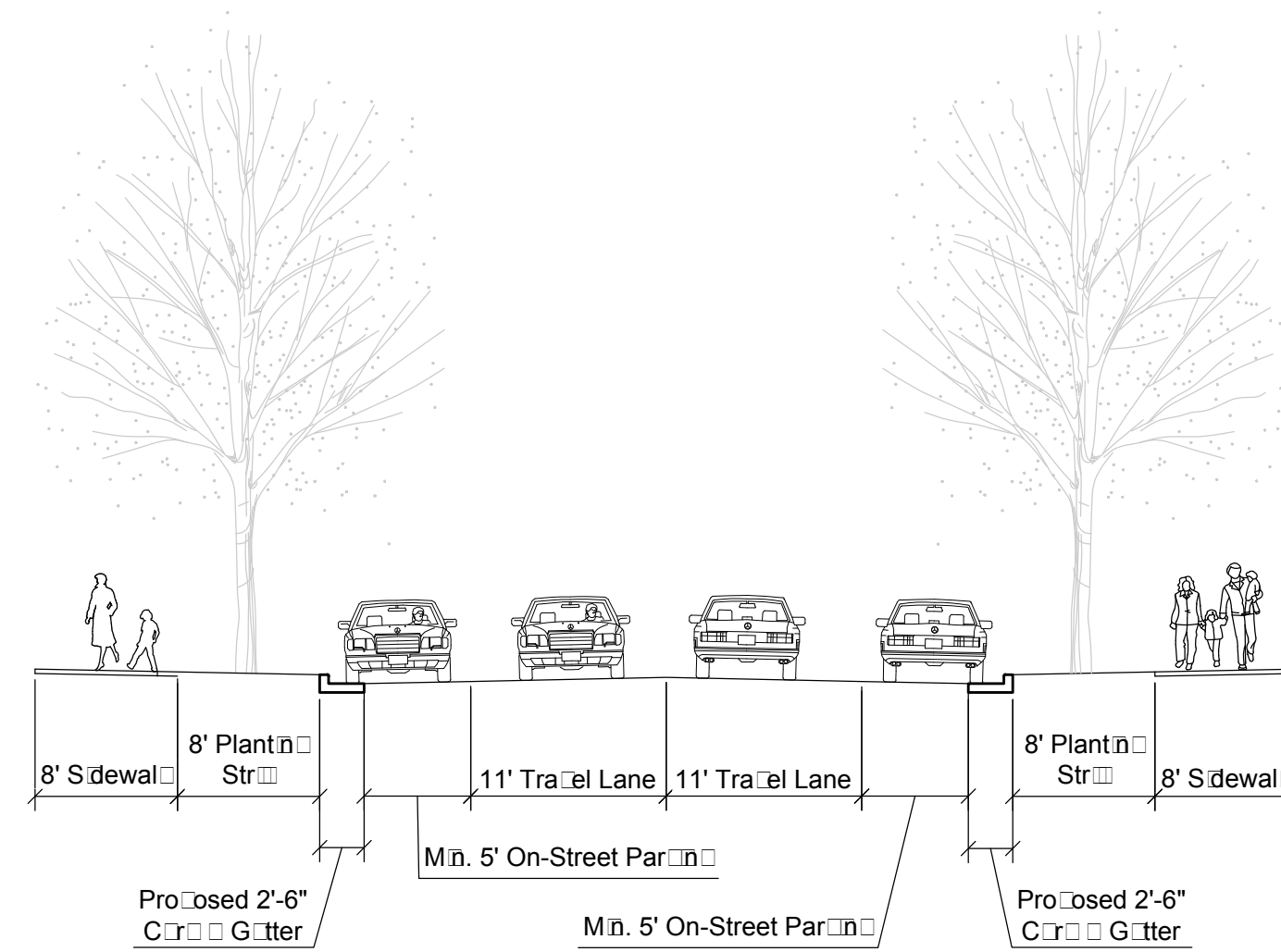
SECTION A



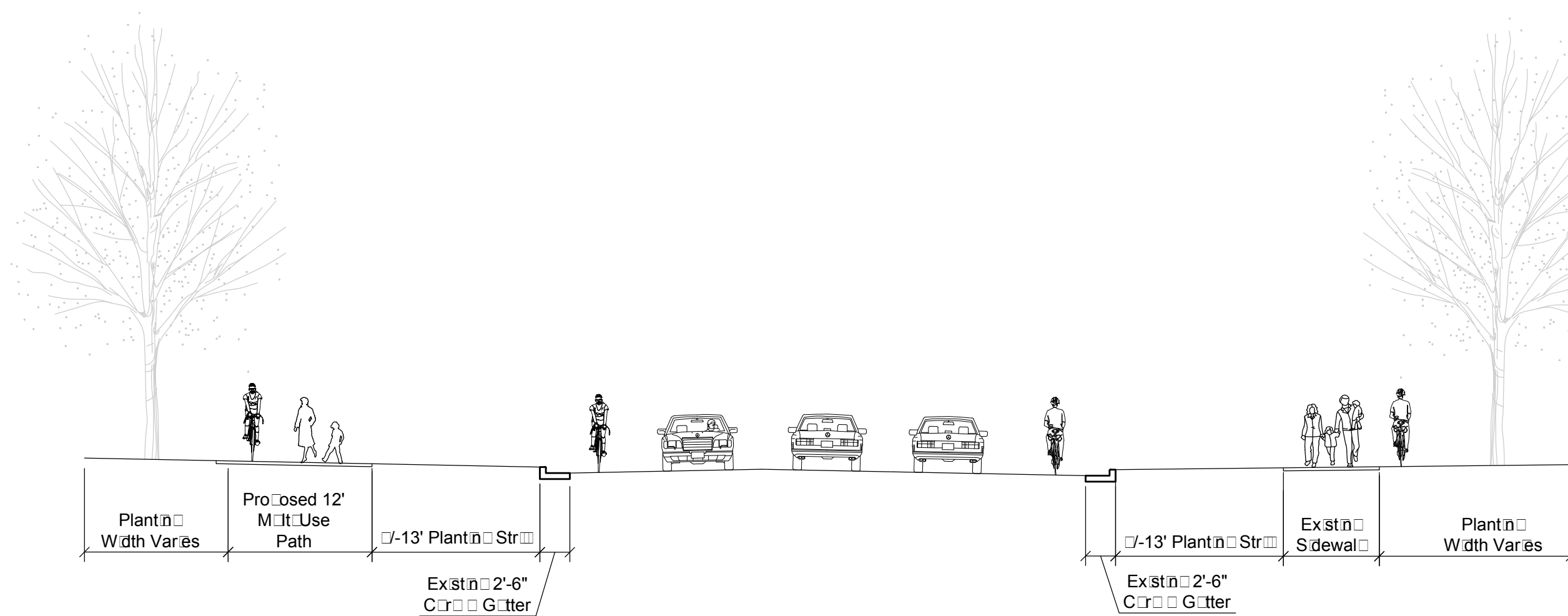
SECTION B  
(ON-STREET PARKING OPTIONAL)



SECTION C  
(ON-STREET PARKING OPTIONAL)

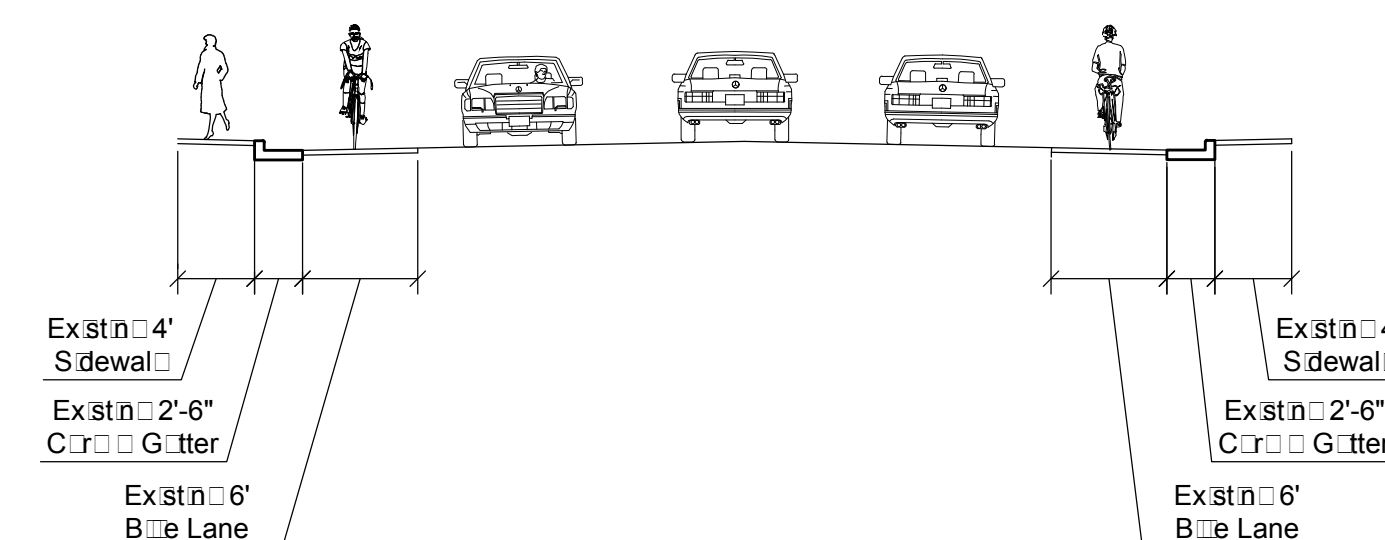


SECTION D  
(ON-STREET PARKING OPTIONAL)

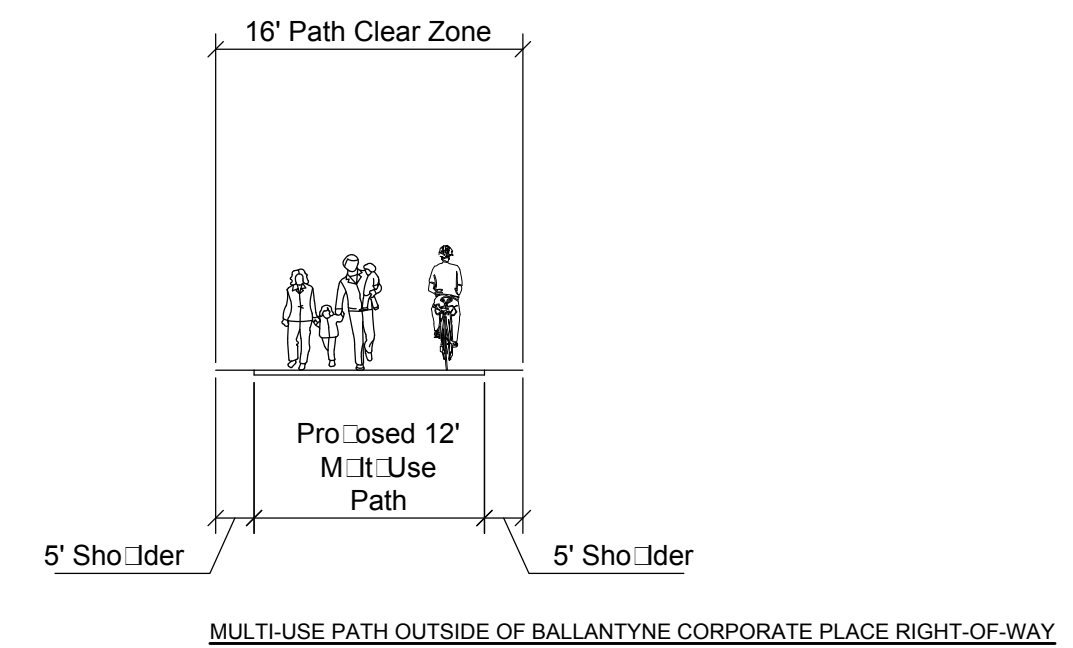


ON-STREET CONNECTION WEST OF BALLANTYNE CORPORATE PLACE BRIDGE

SECTION D  
MULTI USE PATH ON-STREET GREENWAY CONNECTION

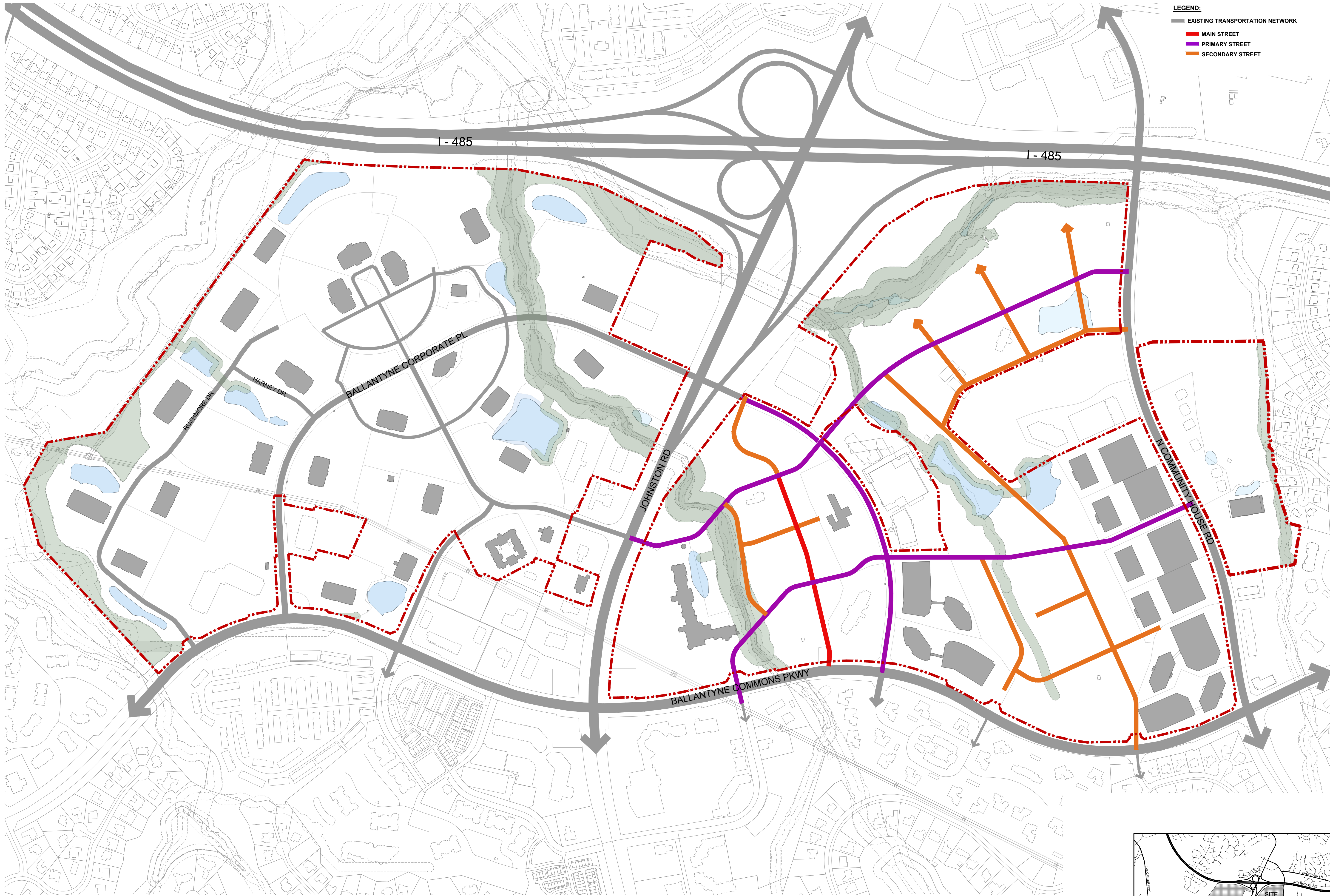


BALLANTYNE CORPORATE PLACE BRIDGE

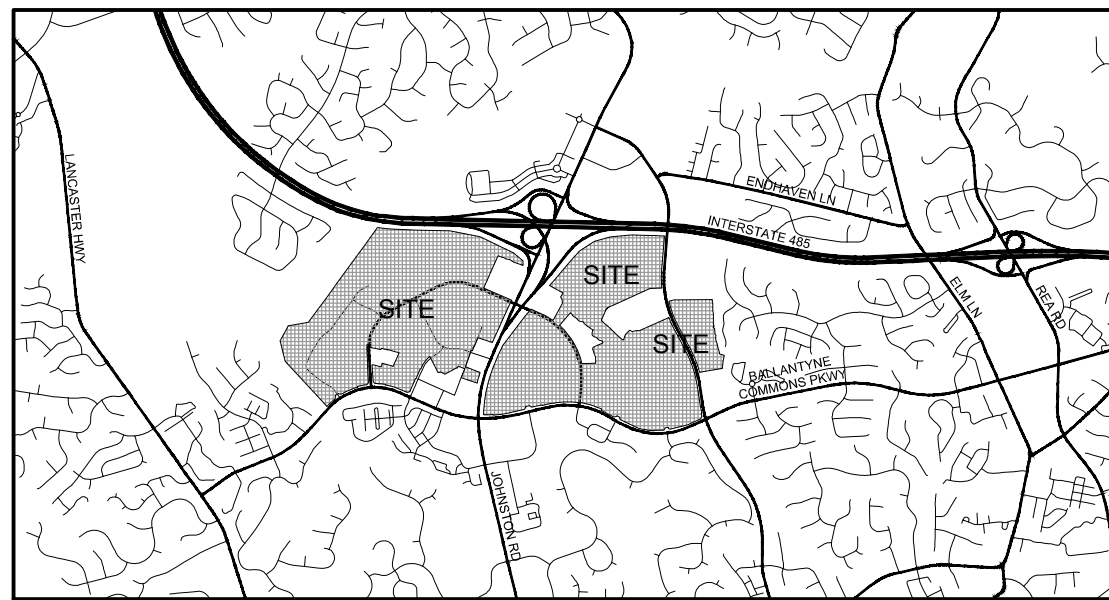
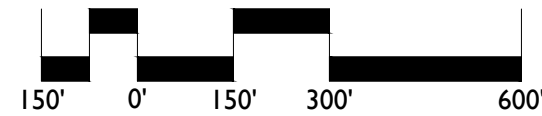
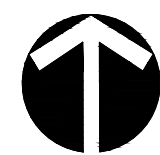


MULTI-USE PATH OUTSIDE OF BALLANTYNE CORPORATE PLACE RIGHT-OF-WAY





- LEGEND:
- EXISTING TRANSPORTATION NETWORK
  - MAIN STREET
  - PRIMARY STREET
  - SECONDARY STREET



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**MIXED-USE REZONING**  
NORTHWOOD, CHARLOTTE, NC  
CONCEPTUAL PROPOSED FRONTAGES

REVISIONS:

DATE: 07/19/19  
DESIGNED BY: LRM  
DRAWN BY: LRM  
CHECKED BY: LRM  
SCALE: 1"=150'  
PROJECT #: 1018459  
SHEET #:

**RZ-8.0C**

**NORTHWOOD**  
OFFICE

**SASAKI**

**Moore & VanAllen**

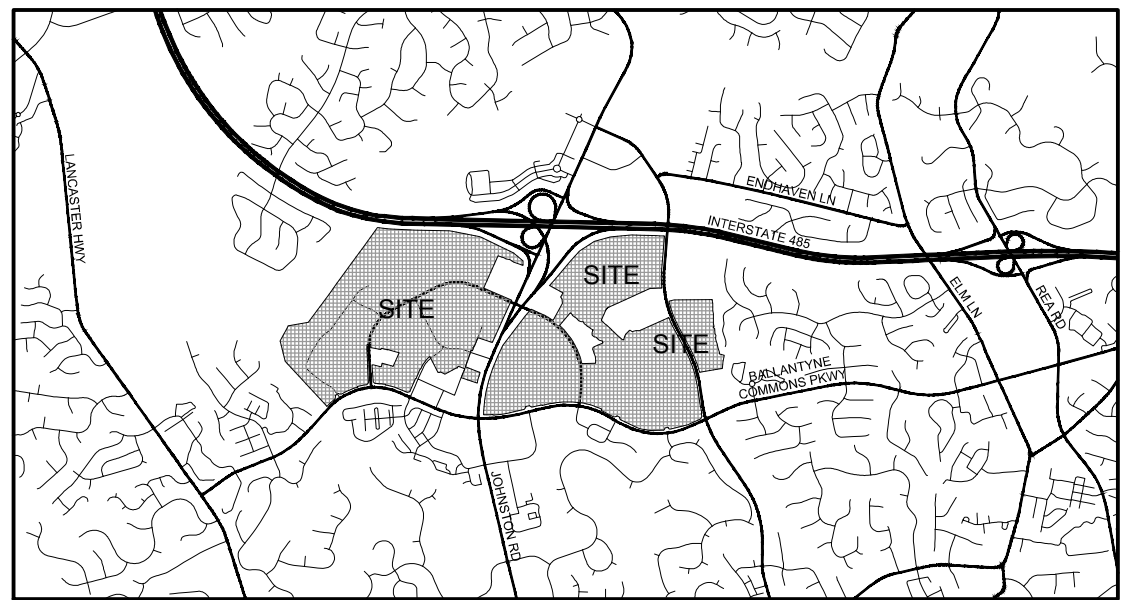
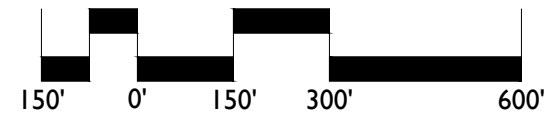
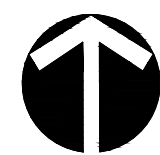
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- LEGEND:**
- REQUIRED OPEN SPACE
  - CONCEPTUAL LOCATION FOR OPEN SPACE
  - EXISTING STORMWATER POND
  - EXISTING STREETS
  - PROPOSED STREETS
  - EXISTING CONNECTIVITY
  - PROPOSED CONNECTIVITY
  - PROPOSED GREENWAY CONNECTION TO MCALPINE GREENWAY (REFER TO SHEET SECTION IV. 2.)
  - PROPOSED REZONING BOUNDARY



DATE: 07/19/19  
DESIGNED BY: LRM  
DRAWN BY: LRM  
CHECKED BY: LRM  
SCALE: 1" = 300'  
PROJECT #: 1018459

REVISIONS:

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NORTHWOOD, CHARLOTTE, NC

CONCEPTUAL PROPOSED ENVIRONMENTAL COMMITMENTS

NORTHWOOD  
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SHEET #:  
**RZ-9.0A**



ENVIRONMENTAL COMMITMENT STANDARDS:

TREE SAVE:

The Rezoning Site (as defined by this Rezoning Plan) is a master planned unified development, tree save requirements set forth in the Tree Ordinance applicable to development and redevelopment in the Rezoning Site (as defined in this Rezoning Plan) may be met using any area within the Rezoning Site (as defined in this Rezoning Plan) such that individual parcels within the Rezoning Site will not be required to provide tree save areas within such parcel boundaries provided that the overall tree save areas and requirements for overall Rezoning Site are in compliance.

STORM WATER MANAGEMENT:

For development of pervious areas within the boundaries of the Rezoning Site (as defined in this Rezoning Plan), the Post Construction Storm Ordinance (the "PCSO") shall not apply if storm water runoff from the proposed built-upon area drains to an existing bmp which has been demonstrated to have been previously master planned, designed and constructed to treat storm water runoff from the proposed built-upon-area per the 1999 NCDENR BMP design criteria for Water Quality. For development of pervious area exceeding these criteria and for redevelopment, PCSO compliance will be required. Reference is made to that certain Technical Memorandum dated as of August 30, 2011 prepared by Kimley-Horn and Associates and approved by City of Charlotte Land Development Officials and other officials responsible for the implementation of the PCSO and related storm water matters (the "Technical Memorandum"). The Technical Memorandum is intended to provide guidance in the implementation of storm water aspects and the PCSO in connection with development of the Rezoning Site and may be relied upon in connection therein by the Petitioner (its affiliates and successors and assigns).

For development within the boundaries of the Rezoning Site (as defined in this Rezoning Plan) outside of the drainage areas for existing bmp's mentioned above, PCSO compliance will be required.

DATE: 07/19/19  
DESIGNED BY: LRM  
DRAWN BY: LRM  
CHECKED BY: LRM  
PROJECT #:  
SCALING: 1"=100'  
PROJECT #:

SHEET #:

RZ-9.0B

REVISIONS:

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MIXED-USE REZONING  
NORTHWOOD, CHARLOTTE, NC

PROPOSED ENVIRONMENTAL COMMITMENTS NOTES

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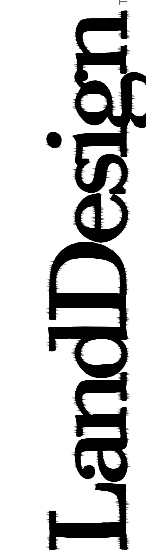




DATE: 07/19/19  
DESIGNED BY: LRM  
DRAWN BY: LRM  
CHECKED BY: LRM  
CADD BY: LRM  
SCALE: 1"=40'  
PROJECT #: 1018459

REVISIONS:

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NORTHWOOD, CHARLOTTE, NC  
**TRANSPORTATION IMPROVEMENTS**



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SHEET #:

**RZ-10.0**





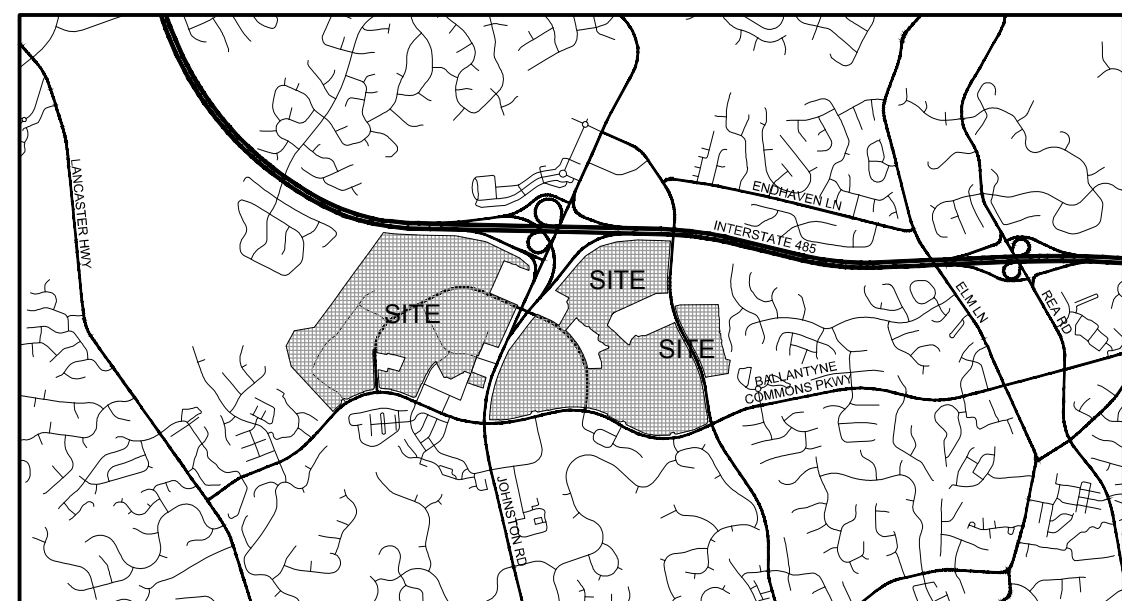
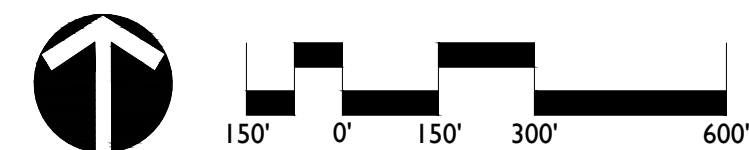
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2. THORNHILL COMMUNITY ASSOCIATION INC  
PARTNERS LLC  
TA: PARCEL ID: 223-501-99  
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3. THORNHILL COMMUNITY ASSOCIATION INC  
TA: PARCEL ID: 223-501-49  
0.58 AC
4. STACEY R ROBERTS  
TA: PARCEL ID: 223-501-16  
0.43 AC
5. LOIS L KENNETH P OSTENDARP  
TA: PARCEL ID: 223-501-15  
0.30 AC
6. ROBIN B SMITH  
TA: PARCEL ID: 223-501-14  
0.38 AC
7. CHRISTINA C LARS F WILSON  
TA: PARCEL ID: 223-501-13  
0.47 AC
8. CRESTMONT AT BALLANTYNE  
APARTMENTS LLC  
C/O GOLDBERG CO INC  
TA: PARCEL ID: 223-462-97  
28.07 AC
9. NORTH COMMUNITY HOUSE ROAD  
PARTNERS LLC

- C/O YORK DEVELOPMENT LLC  
TA: PARCEL ID: 223-462-87  
5.75 AC
10. NORTH COMMUNITY HOUSE ROAD  
PARTNERS LLC  
C/O YORK DEVELOPMENT LLC  
TA: PARCEL ID: 223-462-88  
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11. NW BCP LANDS LP  
C/O NORTHWOOD INVESTORS LLC  
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12. NW BRIGHAM BUILDING LP  
C/O NORTHWOOD INVESTORS LLC  
TA: PARCEL ID: 223-161-19  
5.00 AC
13. PROP OWNERS ASSOCIATION  
BALLANTYNE RESIDENTIAL  
A W FIELDS  
TA: PARCEL ID: 223-183-05  
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14. CSP COMMUNITY OWNER LLC  
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15. BBGL LLC  
TA: PARCEL ID: 223-172-11  
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16. AMCAP BALLANTYNE LLC  
TA: PARCEL ID: 223-172-07

17. NW BCP LANDS LP  
C/O NORTHWOOD INVESTORS LLC  
TA: PARCEL ID: 223-161-10  
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18. SP FLOW INC  
ATTN: GENERAL COUNSEL  
TA: PARCEL ID: 223-161-10  
5.44 AC
19. BANK OF AMERICA NATIONAL ASSOCIATION  
ATTN: NC2-109  
TA: PARCEL ID: 223-151-27  
5.44 AC
20. BBGL LLC  
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21. WACHOVIA BANK  
TA: PARCEL ID: 223-156-02  
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22. ASSOCIATION INC BALLANTYNE  
COMMONS TOWNHOMES  
TA: PARCEL ID: 223-543-84  
15.64 AC
23. BALLANTYNE COMMONS TOWNHOME  
ASSOCIATION LLC  
TA: PARCEL ID: 223-543-93  
15.64 AC
24. BALLANTYNE MEADOWS HOME  
ASSOCIATION INCN  
TA: PARCEL ID: 223-643-49  
11.45 AC
25. MECKLENBURG COUNTY  
TA: PARCEL ID: 223-111-13  
71.48 AC

26. BLS PARTNERS LLC  
THE BISSELL COMPANIES INC  
TA: PARCEL ID: 223-156-03  
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27. BISSELL MILLER LLC  
TA: PARCEL ID: 223-156-06  
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28. HABITANT LLC  
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3.67 AC
29. CPIAHP HARPER MOB OWNER LLC  
TA: PARCEL ID: 223-154-05  
3.46 AC
30. ASSOCIATION INC BALLANTYNE  
COMMONS TOWNHOMES  
TA: PARCEL ID: 223-543-84  
1.87 AC
31. BALLANTYNE COMMONS TOWNHOME  
ASSOCIATION LLC  
TA: PARCEL ID: 223-543-93  
15.64 AC
32. BALLANTYNE MEADOWS HOME  
ASSOCIATION INCN  
TA: PARCEL ID: 223-643-49  
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33. MECKLENBURG COUNTY  
TA: PARCEL ID: 223-111-13  
71.48 AC
34. MECKLENBURG COUNTY

35. MECKLENBURG COUNTY  
TA: PARCEL ID: 223-231-06  
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37. HOWARD C BISSELL  
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8.89 AC
38. ATKINS CIRCLE II LLC  
C/O MORGAN COMMUNITIES LLC  
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30.12 AC
39. ATKINS CIRCLE LLC  
C/O MORGAN COMMUNITIES LLC  
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18.34 AC
40. TORRINGTON OFFICE OWNER LLC  
TA: PARCEL ID: 223-231-08  
5.34 AC
41. TORRINGTON OFFICE OWNER LLC  
TA: PARCEL ID: 223-231-38  
4.52 AC
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C/O TRINITY CAPITAL ADVISORS LLC  
TA: PARCEL ID: 223-231-59  
5.97 AC
43. CRP/PO ENDAHVEN OWNER LLC  
TA: PARCEL ID: 223-222-98  
7.45 AC



REVISIONS:

DATE: 07/19/19  
DESIGNED BY: LRM  
DRAWN BY: LRM  
CHECKED BY: LRM  
SCALE: 1" = 300'  
PROJECT #: 1018459  
SHEET #:

**Ballantyne Reimagined**  
**MIXED-USE REZONING**  
NORTHWOOD, CHARLOTTE, NC  
ADJACENT PARCEL DATA

**NORTHWOOD**  
OFFICE

**SASAKI**

**Moore & VanAllen**

**LandDesign**

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**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-116  
Petition #: \_\_\_\_\_  
Date Filed: 7/23/2019  
Received By: BH

Property Owners: Billy Graham Evangelistic Association

Owner's Addresses: 1 Billy Graham Parkway, Charlotte, NC 28201

Date Properties  
Acquired: 04/15/2005

Property Addresses: N/A

Tax Parcel Numbers: 143-021-07

Current Land Use: vacant (Acres): \* 1.466

Existing Zoning: R-17MF Proposed Zoning: I-1(CD)

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

Required Rezoning Pre-Application Meeting\* with: Claire Lyte-Graham, David Pettine, Carlos Alzate, Catherine Mahoney, Grant Meacci

Date of meeting: June 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 allow development of the Site with certain uses permitted in the I-1 zoning district.

Bridget Grant & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC  
100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

704.331.2379 (BG) 704-378-1973(BG)

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

Telephone Number

Fax Number

bridgetgrant@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

[Signature]  
Signature of Property Owner

Billy Graham Evangelistic Association (Attn: Justin Arnot)

Name of Petitioner

1 Billy Graham Parkway

Address of Petitioner

Charlotte, NC 28201

City, State, Zip

704.401.2585

Telephone Number

704.401.3008

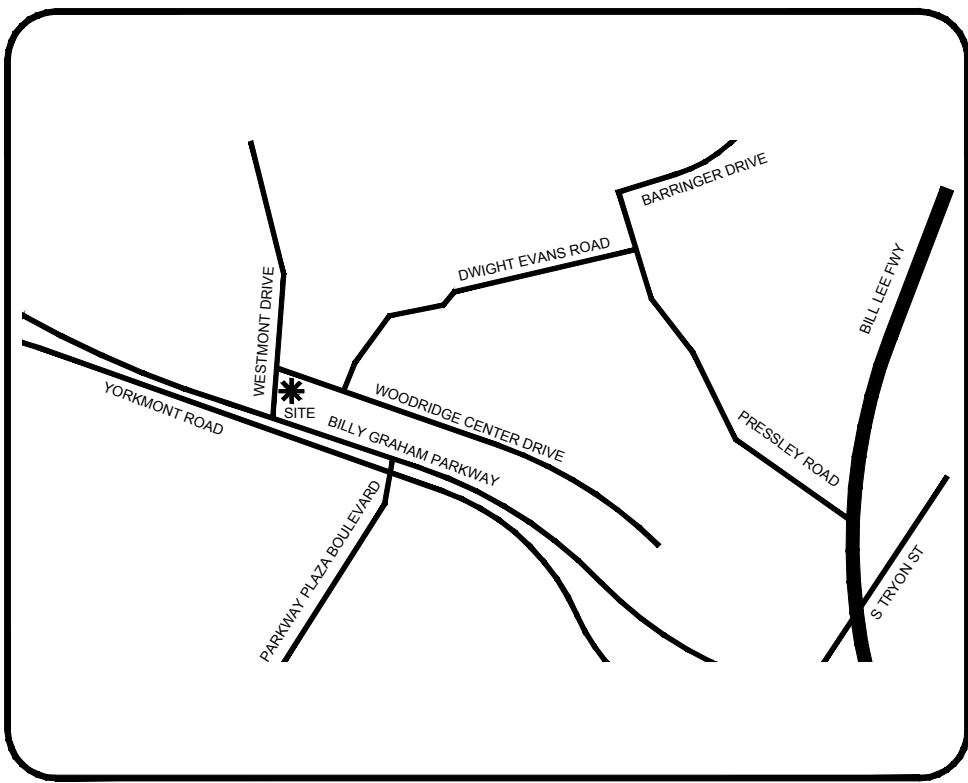
Fax Number

jarnot@bgea.org

E-mail Address

[Signature]  
Signature of Petitioner





VICINITY MAP  
NTS

SITE DEVELOPMENT DATA

1.46 ACRES

143-021-07

ON I-17MF

ON I-1(CD)

VACANT/RESIDENTIAL

CULTURAL FACILITIES, RELIGIOUS INSTITUTIONS, RESEARCH USES, WAREHOUSING, OFFICE, INSTITUTIONAL AND OTHER USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, ALL AS ALLOWED IN THE I-1 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED IN THE DEVELOPMENT STANDARDS BELOW), BUT EXCLUDING THE USES SET FORTH IN SECTION 2.B BELOW.

TO BE PERMITTED BY ORDINANCE.

HEIGHT AS PERMITTED BY ORDINANCE AND WILL BE MEASURED AS DEFINED BY THE ORDINANCE.

AS REQUIRED BY THE ORDINANCE FOR PROPOSED USES.

NOT A  
RECOMMENDATION

REZONING PETITION 2019-000

CHARLOTTE, NC  
REZONING PETITION 2019-000

1019257

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
	REZONING SUBMITTAL	07.19.19

DESIGNED BY:  
DRAWN BY:  
CHECKED BY:

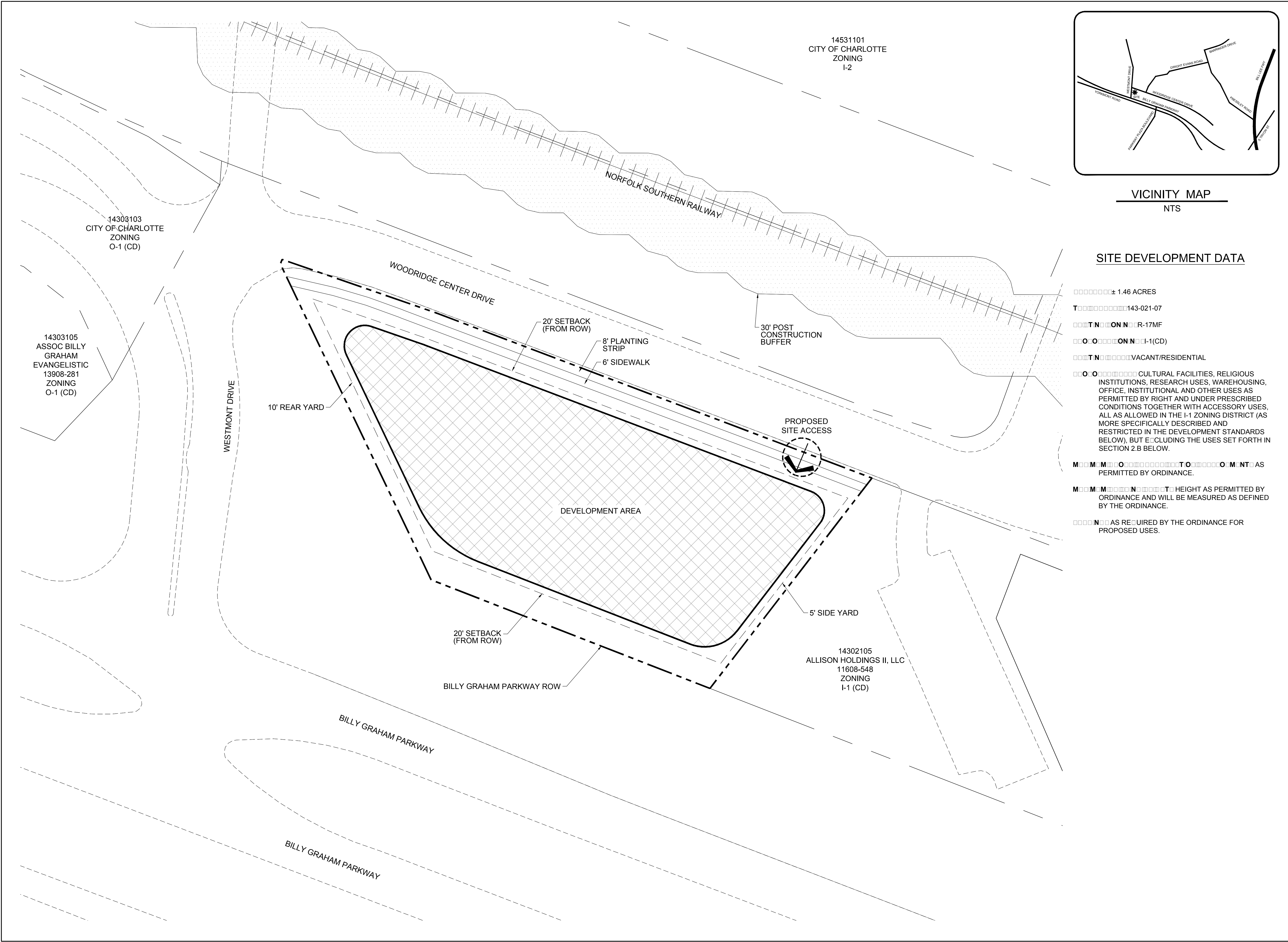
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SHEET TITLE

TECHNICAL DATA

SHEET NUMBER

RZ-1



c. T r i c i b i d i i r i d a r c i a b r a c , r a r c i c r a r a , c a r a , a d / r i i a r

a. TSiac iCarCiCciar d ad d P CrciC r Ordia c

7. LONG

### • Literature

8. A d d R e f e r e n c e s

a. Förrädd Rättvis Paal Sa dard) Ca bba iid rrb OÖr r  
OÖr r aacab arc r d ara ai i Si i acc rd c i rri i rri ar d C a r 6  
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- [illegible]



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-117  
Petition #: \_\_\_\_\_  
Date Filed: 7/24/2019  
Received By: BT

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO  
Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO  
Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO  
Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO  
Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO  
Current Land Use: vacant (Acres): ± 11.74  
Existing Zoning: R-5 & I-1 Proposed Zoning: I-1(CD)  
Overlay: N/A Tree Survey Provided: Yes:     N/A:      
Required Rezoning Pre-Application Meeting\* with: Michael Russell, Charlotte Lamb, Kent Main, and Grant Meacci  
Date of meeting: 5/22/19

(\*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 allow the development of the site with a business park for a combination of light manufacturing, warehousing, distribution, and other related uses.

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC  
100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

704.331.3531 (KM) 704-378-1954(KM)  
704-331-1144 (JB) 704-378-1925 (JB)

Telephone Number Fax Number

keithmacvean@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENTS A, B & C

Signature of Property Owner

Montana Drive OZ Fund, LLC (Attn: Peter Cai)

Name of Petitioner

2303 W Morehead Street, Ste. 200

Address of Petitioner

Charlotte, NC 28208

City, State, Zip

704.877.3608

Telephone Number Fax Number

pcai@canvasscap.com

E-mail Address

SEE ATTACHMENT D

Signature of Petitioner



**SCHEDULE 1**

<b>Parcel</b>	<b>Property Address</b>	<b>Owner</b>	<b>Owner's Address</b>	<b>Date Acquired</b>
069-144-04	N/A	Nathaniel Jones Robert Osborne (Deceased)	524 Honeywood Ave Charlotte, NC 28216	10/23/2015
069-144-05	N/A			
069-144-06	N/A	Nathaniel Jones	524 Honeywood Ave Charlotte, NC 28216	
069-144-07	N/A			
069-144-08	N/A			
069-144-09	N/A			
069-144-10	N/A			
069-144-11	N/A			
069-144-12	N/A			
069-144-14	N/A			
069-144-13	N/A			07/26/2019
P.O. 069-144-17	700 Montana Dr, Charlotte, NC 28216	TDP 700 Montana Dr LLC	TDP 700 Montana Dr LLC	04/14/2016



**ATTACHMENT A**

**REZONING PETITION NO. 2019-\_\_\_\_\_**

**Montana Drive OZ Fund, LLC**

**OWNER JOINDER AGREEMENT**

**Nathaniel Jones**

**Robert Osborne (Deceased)**

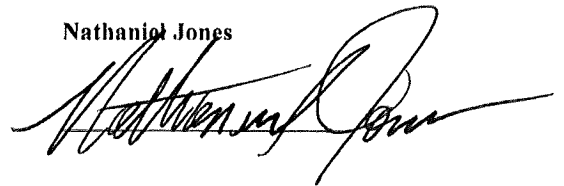
The undersigned, as the owner of the parcel of land located at

1. N/A that is designated as Tax Parcel No. 069-144-04
2. N/A that is designated as Tax Parcel No. 069-144-05

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-5 zoning district to the I-1(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 22 day of July, 2019.

**Nathaniel Jones**

A handwritten signature in black ink, appearing to read 'Nathaniel Jones', written over a horizontal line.



**ATTACHMENT B**

**REZONING PETITION NO. 2019-\_\_\_\_\_**

**Montana Drive OZ Fund, LLC**

**OWNER JOINDER AGREEMENT**

**Nathaniel Jones**

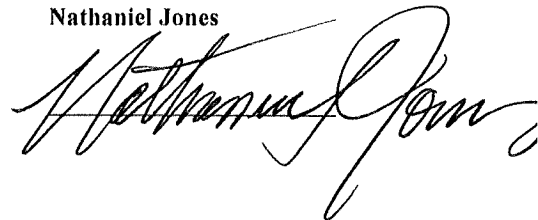
The undersigned, as the owner of the parcel of land located at

1. N/A that is designated as Tax Parcel No. 069-144-09
2. N/A that is designated as Tax Parcel No. 069-144-10
3. N/A that is designated as Tax Parcel No. 069-144-11
4. N/A that is designated as Tax Parcel No. 069-144-12
5. N/A that is designated as Tax Parcel No. 069-144-14
6. N/A that is designated as Tax Parcel No. 069-144-13
7. N/A that is designated as Tax Parcel No. 069-144-06
8. N/A that is designated as Tax Parcel No. 069-144-07
9. N/A that is designated as Tax Parcel No. 069-144-08

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-5 zoning district to the I-1(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 22 day of July, 2019.

**Nathaniel Jones**





ATTACHMENT C

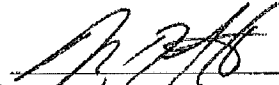
REZONING PETITION NO. 2019-\_\_\_\_\_  
Montana Drive OZ Fund, LLC

**OWNER JOINDER AGREEMENT**  
**TDP 700 Montana Dr LLC**

The undersigned, as the owner of the parcel of land located at 700 Montana Dr, Charlotte, NC that is designated as Tax Parcel No. 069-144-17 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 a portion of the parcel from I-1 zoning district to the I-1(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 7<sup>th</sup> day of July, 2019.

**TDP 700 Montana Dr LLC**

By:   
Name: Jason DUFFEY  
Its: MANAGER



**ATTACHMENT D**

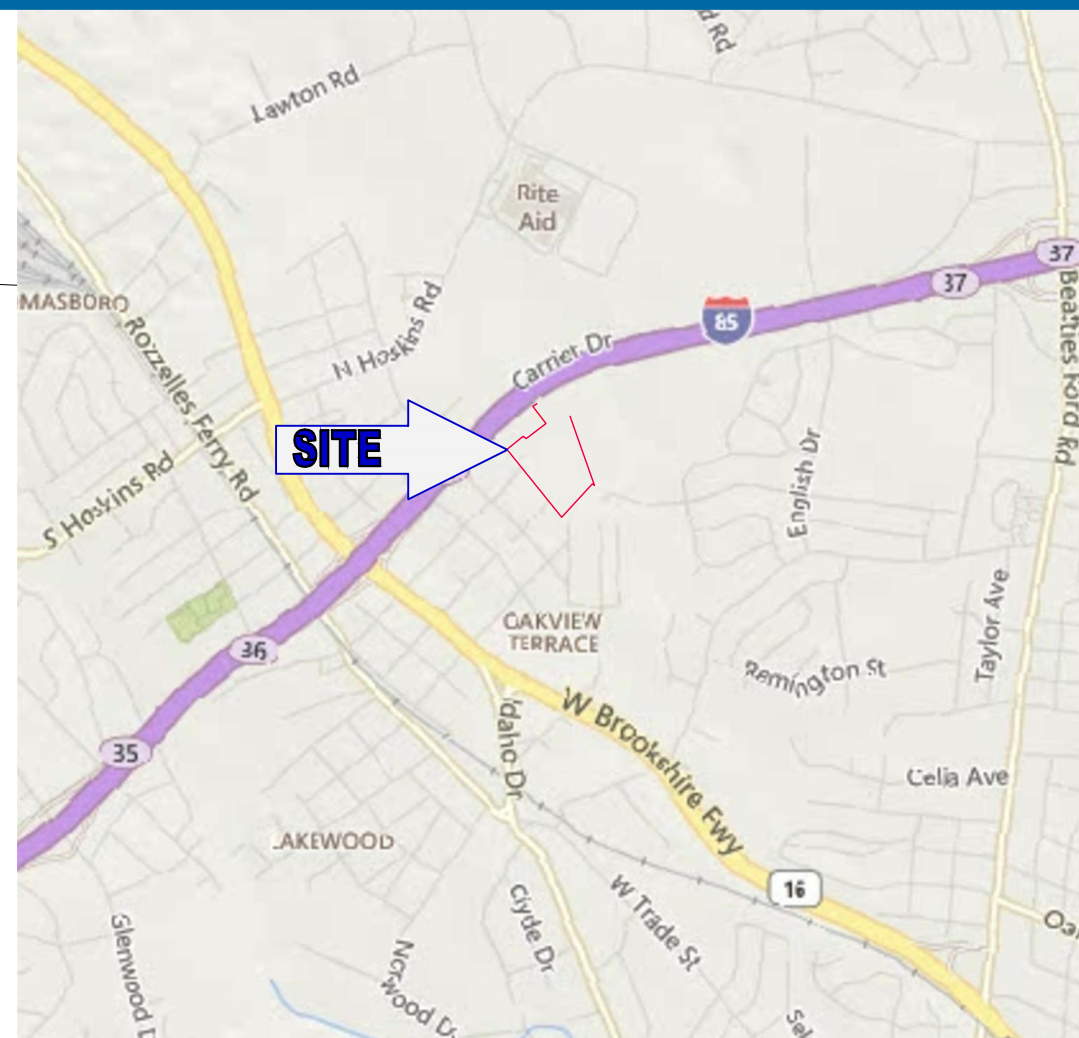
**REZONING PETITION NO. 2019-  
Montana Drive OZ Fund, LLC**

**Petitioner:**

**Montana Drive OZ Fund, LLC**

By: Peter Cai  
Name: Peter Cai  
Title: Authorized Signatory





## APPLICANT INFORMATION

APPLICANT: MONTANA DRIVE OZ FUND, LLC  
CONTACT: PETER CAI  
PHONE: 704-877-3608

OWNER: TDP 700 MONTANA DR LLC  
450 N MCCLINTOCK DR STE 102  
CHANDLER, AZ 85226

SITE DEVELOPMENT DATA:

**ACREAGE: ± 11.74 ACRES**

**TAX PARCEL #S:** PORTION OF 069-144-17, AND 069-144-04 THRU 14.

**EXISTING ZONING:** R-5 AND I-1

**PROPOSED ZONING: I-1(CD)**

**EXISTING USES: VACANT**

**PROPOSED USES:** WAREHOUSING, WAREHOUSE DISTRIBUTION, MANUFACTURING, OFFICE, AND INDUSTRIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, ALL AS ALLOWED IN THE I-1 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED IN THE DEVELOPMENT STANDARDS BELOW).

**MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT:** UP TO 200,000 SQUARE FEET OF GROSS FLOOR AREA OF ALLOWED USES AS DESCRIBED AND RESTRICTED BY THE REZONING PLAN AND ALLOWED IN THE I-1 ZONING DISTRICT.

**MAXIMUM BUILDING HEIGHT:** THE HEIGHT OF THE PROPOSED BUILDINGS WILL BE LIMITED TO 40 FEET, AND WILL BE MEASURED AS DEFINED BY THE ORDINANCE.

**PARKING:** AS REQUIRED BY THE ORDINANCE FOR THE PROPOSED USES.

## REVISIONS

[illegible]

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY  
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A  
CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.



Know what's below.  
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NOT APPROVED FOR  
CONSTRUCTION

PROJECT No.:	NCC182214
DRAWN BY:	SV
CHECKED BY:	DR
DATE:	07/30/2019
CAD I.D.:	NCC182214RZ0

PROJECT:

PROP.  
REZONING  
DOCUMENTS

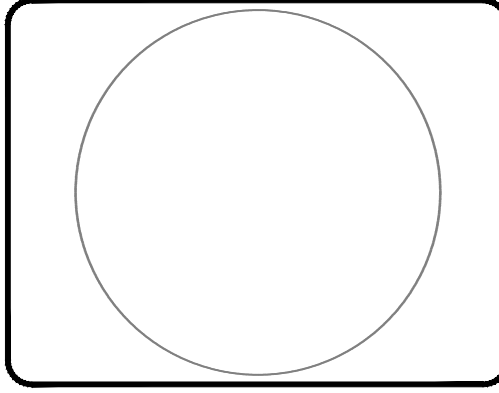
FOR

MONTANA DRIVE  
OZ FUND, LLC.

700 MONTANA DR.  
CHARLOTTE, NC 28216



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



SHEET TITLE:

REZONING  
PLAN

SHEET NUMBER:

RZ-1







**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-118

Petition #: \_\_\_\_\_  
Date Filed: 7/24/2019  
Received By: RL

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

Property Owner: Waters Construction Co Inc.

Owner's Address: 3850 Sharonview Road

City, State, Zip: Charlotte, NC 28210

Date Property Acquired: October 27, 1989

Property Address: \_\_\_\_\_

Tax Parcel Number(s): 141-30-104, 141-30-103, 141-06-125, and 141-06-121

Current Land Use: Raw Land

Size (Acres): 90.47

Existing Zoning: BD(CD)

Proposed Zoning: I-1

Overlay: \_\_\_\_\_

Tree Survey Provided: Yes: \_\_\_\_\_

NA: Airport Noise

Required Rezoning Pre-Application Meeting\* with: David Pettine, Lisa Arnold, Alberto Gonazalez, Grant Meacci

Date of meeting: July 23, 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: \_\_\_\_\_

Beacon Development Company (Tim Robertson)  
Name of Rezoning Agent


500 East Morehead Street, Suite 200  
Agent's Address

Charlotte, CN 28202  
City, State, Zip

704 597 7757  
Telephone Number Fax Number

Tim.robertson@beacondevelopment.com

E-Mail Address

  
Signature of Property Owner

Wes Waters  
(Name Typed / Printed)

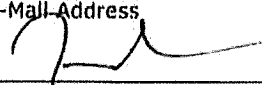
Beacon Development Company (Tim Robertson)  
Name of Petitioner(s)

500 East Morehead Street, Suite 200  
Address of Petitioner(s)

Charlotte, NC 28202  
City, State, Zip

704 597 7757  
Telephone Number Fax Number

Tim.robertson@beacondevelopment.com  
E-Mail Address

  
Signature of Petitioner

Tim Robertson  
(Name Typed / Printed)



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-119

Petition #:	_____
Date Filed:	<u>7/25/2019</u>
Received By:	<u>81</u>

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

Property Owner: RKW Builders LLC (3101) & Catherine M Turgeon (3105)  
8392 Rocky River Rd (3101) Harrisburg, NC 28075 (3101)  
Owner's Address: 3105 N. Alexander Street (3105) City, State, Zip: Charlotte, NC 28205 (3105)  
Date Property Acquired: 05/03/2019 (3101) & 03/29/2019 (3105)  
Property Address: 3101 & 3105 N Alexander Street Charlotte, NC 28205  
Tax Parcel Number(s): 083-082-03 & 083-082-10  
Current Land Use: Single Family Residential Size (Acres): 0.29-Acres  
Existing Zoning: R-8(CD) Proposed Zoning: R-5  
Overlay: \_\_\_\_\_ Tree Survey Provided: Yes: \_\_\_\_\_ N/A: X  
Required Rezoning Pre-Application Meeting\* with: John Kinley, Will Linville, Charlotte Lamb, Grant Meacci  
Date of meeting: 07.23.2019

(\*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: To remove condition that existing house must remain

Urban Design Partners  
Name of Rezoning Agent  
1318 Central Avenue Suite E-6  
Agent's Address  
Charlotte, NC 28205  
City, State, Zip  
704-334-3303  
Telephone Number Fax Number  
brian@urbandesignpartners.com  
E-Mail Address  
Robert K Williams Jr  
Signature of Property Owner  
Robert K Williams Jr  
(Name Typed / Printed)

RKW Builders, LLC  
Name of Petitioner(s)  
8392 Rocky River Rd  
Address of Petitioner(s)  
Harrisburg, NC 28075  
City, State, Zip  
704-222-3814  
Telephone Number Fax Number  
rkwrhomes@gmail.com  
E-Mail Address  
Robert K Williams Jr  
Signature of Petitioner  
Robert K Williams Jr  
(Name Typed / Printed)



# **Attachment A**

## **Rezoning Petition Joinder Agreement**

***RKW Builders, LLC***

The undersigned, as the owner of the parcel of land that is designated as Tax Parcel #: **083-082-10** in Mecklenburg County, North Carolina and which is subject of the attached Rezoning Application, hereby joins in this Rezoning Application as more particularly depicted on the related Rezoning Site Plan and to subsequent changes to the rezoning plan as part of this Rezoning Application.

**Catherine M. Turgeon**

Signature: Catherine M. Turgeon

Name (Printed): Catherine M. Turgeon

Title: \_\_\_\_\_

Date: 7/26/19



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-120  
Petition #: \_\_\_\_\_  
Date Filed: 7/25/2019  
Received By: RH

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties  
Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: commercial/industrial Size (Acres): ± 8.5

Existing Zoning: I-2 Proposed Zoning: TOD-CC

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

Required Rezoning Pre-Application Meeting\* with: Lisa Arnold, Alberto Gonzales, Grant Meacci, Todd DeLong, Carlos Alzate

Date of meeting: July 23, 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 redevelopment of the site with transit supportive uses.

**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**

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

Telephone Number Fax Number

**jeffbrown@mvalaw.com; keithmacvean@mvalaw.com;  
dujuanakeys@mvalaw.com**

E-mail Address

**SEE ATTACHMENTS A - D**

Signature of Property Owner

**M5 Properties (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

**SEE ATTACHMENT E**

Signature of Petitioner



**SCHEDULE 1**

<b>Parcel</b>	<b>Property Address</b>	<b>Owner</b>	<b>Owner's Address</b>	<b>Date Acquired</b>
067-02-102	2401 W Morehead St, Charlotte, NC 28208	TTR Investments LLC	PO BOX 221416, Charlotte, NC 28222	12/31/2012
067-02-106	2201 Arty Ave, Charlotte, NC 28208	Titan Partners LLC	6805 Morrison Blvd, Ste 370, Charlotte, NC 28211	09/13/2018
067-02-115	2198 Wilkinson Blvd, Charlotte, NC 28208			08/01/2018
067-02-155	2130 Wilkinson Blvd, Charlotte, NC 28208	2130 Wilkinson Blvd LLC	2198 Wilkinson Blvd, Charlotte, NC 28208	02/12/2015
067-02-118	2211 W Morehead St, Charlotte, NC 28208	William R Standish and Betty Erwin Standish	260B Winding Ridge Dr, West Jefferson, NC 28694	12/29/1998
067-02-114	2131 W Morehead St, Charlotte, NC 28208			



**ATTACHMENT A**


**REZONING PETITION NO. 2019-\_\_\_\_  
M5 Properties**

**OWNER JOINDER AGREEMENT  
TTR Investments LLC**

The undersigned, as the owner of the parcel of land located at 2401 W Morehead St, Charlotte, NC that is designated as Tax Parcel No. 067-02-102 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from I-2 zoning district to the TOD-CC 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 \_\_\_\_ day of \_\_\_\_\_, 2019.  
7/24/2019

**TTR Investments, LLC**

By:   
Name: B70FC05459D445 Trent Haston  
Its: \_\_\_\_\_

Partner/ owner



**ATTACHMENT B**

**REZONING PETITION NO. 2019-\_\_\_\_  
M5 Properties**

**OWNER JOINDER AGREEMENT  
Titan Partners LLC**

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

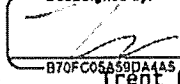
1. 2201 Arty Ave Charlotte, NC that is designated as Tax Parcel No. 067-02-106
2. 2198 Wilkinson Blvd, Charlotte, NC that is designated as Tax Parcel No. 067-02-115

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

7/24/2019

**Titan Partners LLC**

By:   
Name: Trent Haston  
Its: \_\_\_\_\_

Partner/ owner



ATTACHMENT C

REZONING PETITION NO. 2019-\_\_\_\_  
M5 Properties

OWNER JOINDER AGREEMENT

*Titan Partners LLC*

The undersigned, as the owner of the parcel of land located at 2130 Wilkinson Blvd, Charlotte, NC that is designated as Tax Parcel No. 067-02-155 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from I-2 zoning district to the TOD-CC 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.

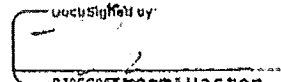
This \_\_\_\_ day of \_\_\_\_\_, 2019.

7/24/2019

By:

Name:

Its:

  
Brent Hoston  
Partner/ owner



**ATTACHMENT D**

**REZONING PETITION NO. 2019-\_\_\_\_**  
**MS Properties**

**OWNER JOINDER AGREEMENT**  
**William R Standish and Betty Erwin Standish**

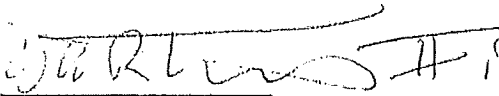
The undersigned, as the owner of the parcels of land located at

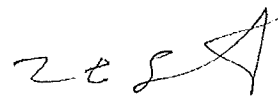
3. 2211 W Morehead St Charlotte, NC that is designated as Tax Parcel No. 067-02-118

4. 2131 W Morehead St, Charlotte, NC that is designated as Tax Parcel No. 067-02-114

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from I-2 zoning district to the TOD-CC 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 24<sup>th</sup> day of July, 2019.

  
\_\_\_\_\_  
William R Standish

  
\_\_\_\_\_  
Myles ~~Betty~~ Erwin Standish, Partner




**ATTACHMENT E**

**REZONING PETITION NO. 2019-  
M5 Properties**

**Petitioner:**

**M5 Properties**

**By:**

  
Name: Jesse McInerney

**Title:**

Managing Member



**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

2019-121

Petition #:	_____
Date Filed:	1/30/2019
Received By:	RH

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

Property Owner: Rickenbacker Enterprises

Owner's Address: 6720 Bevington Brook Ln. City, State, Zip: Charlotte N.C. 28277

Date Property Acquired: 5-24-19

Property Address: 3110 West Blvd. Charlotte N.C. 28208

Tax Parcel Number(s): 11504507

Current Land Use: \_\_\_\_\_ Size (Acres): 1.15

Existing Zoning: B-1(CD) Proposed Zoning: B-1

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

Required Rezoning Pre-Application Meeting\* with: Alberto Gonzalez + Dave Pettine

Date of meeting: 7-23-19

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

**For Conditional Rezoning Only:**

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

Purpose/description of Conditional Zoning Plan: \_\_\_\_\_

Jamario Rickenbacker  
Name of Rezoning Agent

6720 Bevington Brook Ln.  
Agent's Address

Charlotte, N.C. 28277  
City, State, Zip

980-257-7050  
Telephone Number

Rickenbacker85@gmail.com  
E-Mail Address

[Signature]  
Signature of Property Owner

Jamario Rickenbacker  
(Name Typed / Printed)

Jamario Rickenbacker  
Name of Petitioner(s)

6720 Bevington Brook Ln.  
Address of Petitioner(s)

Charlotte N.C. 28277  
City, State, Zip

980-257-7050  
Telephone Number

Rickenbacker85@gmail.com  
E-Mail Address

[Signature]  
Signature of Petitioner

Jamario Rickenbacker  
(Name Typed / Printed)