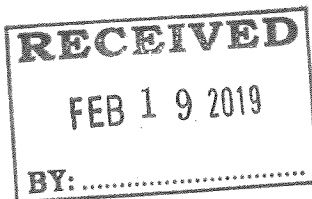


Rezoning Petition Packet

Petitions:
2019-033 through 2019-048

Petitions that were submitted in March 2019

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-033

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

Complete All Fields (Use additional pages if needed)

Property Owner: see attached sheet

Owner's Address: see attached sheet City, State, Zip: see attached sheet

Date Property Acquired: 1994

Property Address: Cedarvale Road

Tax Parcel Number(s): 05319305

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

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

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

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

Date of meeting: 12/4/18

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

For Conditional 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: contractor's storage and operations yard

Walter Fields
Name of Rezoning Agent

1919 South Blvd., suite 101
Agent's Address

Charlotte, NC 28203
City, State, Zip

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

waltr@walterfieldsgroup.com
E-Mail Address

See attached sheet
Signature of Property Owner

see attached sheet
(Name Typed / Printed)

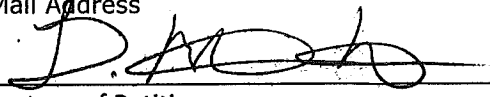
HK Cedarvale, LLC
Name of Petitioner(s)

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

Belmont, NC 28012
City, State, Zip

704-812-8139
Telephone Number Fax Number

mhicks@pfsoutheast.com
E-Mail Address


Signature of Petitioner

David m. Hicks
(Name Typed / Printed)

February 13, 2019

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

Dear Sir:

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

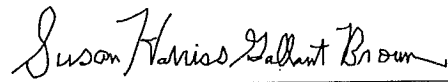
As attested below:

Owner: Charles W. Gallant III



Date 2/13/2019

Owner: Susan Harriss Gallant Brown

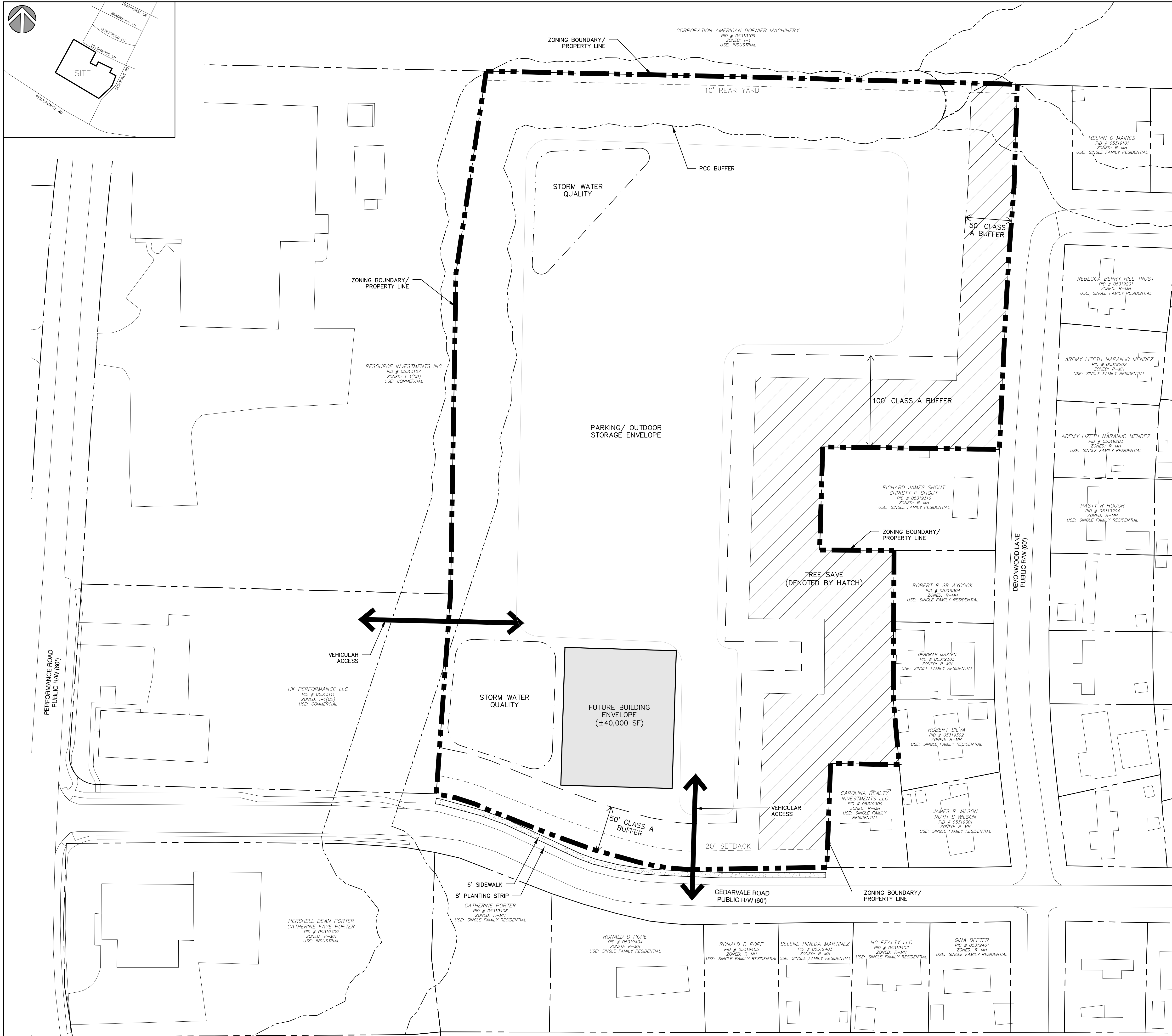


Date 2/13/2019

Address:

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

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



DEVELOPMENT SUMMARY	
TAX PARCEL ID #:	05319305
TOTAL SITE AREA:	9.89 AC
EXISTING ZONING:	R-MH
PROPOSED ZONING:	I-2 (CD)
MAX BUILDING HEIGHT:	40'

- General Provisions.
 - Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases as allowed under the provisions of Section 6.2 of the Zoning Ordinance.
 - The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.
 - Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners," shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.
- Purpose

The purpose of this Rezoning application is to provide for the continued use of an industrial tract of land fronting on Cedarvale Rd. and additional adjoining land. The site would be used for any use that is allowed in the I-1 district and for limited uses in the I-2 district including a contractor's office and storage yard. To achieve this purpose, the application seeks the rezoning of the site to the I-2 district as a conditional district (I-2 (CD)).
- Permitted Uses

Uses allowed on the property included in this Petition are those uses that are permitted in the I-1 district and for a contractor's office and storage yard as permitted in the I-2 district.
- Transportation
 - The site will have two full access connections to Cedarvale Rd. and one full access existing connection to Performance Road.
 - Parking areas are allowed anywhere within the building and parking envelop as generally depicted on the concept plan for the site.
 - The Petitioner will install an 8' planting strip and a 6' sidewalk on the frontage of the site not occupied by driveways.
 - The Petitioner will dedicate and convey the fee simple interest any right-of-way along the property frontage that does not already comply with City standards before the site's first new building certificate of occupancy is issued.
- Architectural Standards

The existing buildings on the site are allowed to remain and will be allowed to expand and new buildings will be permitted in accordance with setback and yard standards.
- Streetscape and Landscaping

The Petitioner will install landscape screen along the front of the site to screen outdoor storage areas from Cedarvale Rd. in accordance with Section 12.303 of the Ordinance. This landscaped area may include existing trees and vegetation as well as new trees and evergreen shrubbery. The Petitioner will preserve a 100' buffer from existing residentially zoned land.
- Environmental Features

The Petitioner will submit a tree survey for all trees two-inches or larger located in the rights of way of all streets that adjoin the site if any are present.
- Parks, Greenways, and Open Space

Reserved
- Fire Protection

Reserved
- Signage

Reserved
- Lighting

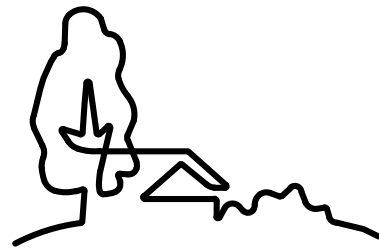
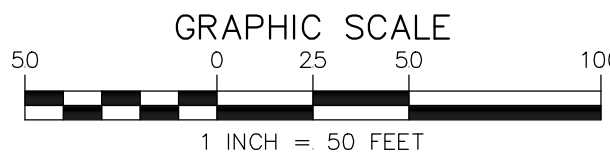
New freestanding lighting will be limited to 30' in height but none will be permitted to be installed within 100' of any property used for residential uses. Architectural lighting on the exterior of buildings is permitted provided it is capped and downwardly directed.
- Phasing

Reserved

Initial Submission- 2-10-19, 1.0



BEFORE YOU DIG!
CALL 811 OR 1-800-632-4949
N.C. ONE-CALL CENTER
IT'S THE LAW!



URBAN
DESIGN
PARTNERS

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

PRELIMINARY DRAWING
FOR REVIEW PURPOSES ONLY

2/12/19

HK PERFORMANCE LLC

Cedarvale

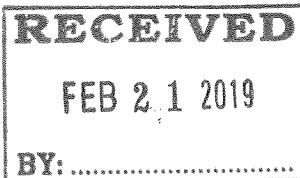
Rezoning Plan
Charlotte, NC

NO. DATE: BY: REVISIONS:

Project No: 19-006
Date: 02.12.2019
Designed by: UDP
Drawn By: UDP
Sheet No:

RZ 1.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-034

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

Complete All Fields (Use additional pages if needed)

Property Owner: Roman Catholic Diocese of Charlotte, North Carolina

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

Date Property Acquired: June 4, 1973

Property Address: 1406 Suther Road, Charlotte, NC 28213

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

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

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

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

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

Date of meeting: January 10, 2019

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To amend the existing approved site plan to add school as a permitted use on the site, and to add existing and proposed buildings to the site plan.

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

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

Charlotte, NC 28246
City, State, Zip

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

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

See attached
Signature of Property Owner

(Name Typed / Printed)

United Community School
Name of Petitioner(s)

1406 Suther Road
Address of Petitioner(s)

Charlotte, NC 28213
City, State, Zip

980-819-0555
Telephone Number Fax Number

tim@ucsnc.org
E-Mail Address


See attached
Signature of Petitioner

(Name Typed / Printed)

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

Petitioner:

UNITED COMMUNITY SCHOOL



By: Erika Hedgepeth, Executive Director

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

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

This 18 day of February, 2019.

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



By: Peter Joseph Jugis, Bishop

DEVELOPMENT SUMMARY

SITE DATA	
Site Acreage	10.0
Tax Parcel	04934304
Zoning	INST-CD (SPA)
Uses	Religious, Educational
Minimum setback	40'
Minimum side yard	20'
Minimum rear yard	20'
BUILDING SQUARE FOOTAGES	
Existing	56,827 sq.ft.
Proposed	3,553 sq.ft.
Future	25,000 sq.ft. (approximate)

DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS

A.

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by United Community School (the "Petitioner") seeking a site plan amendment for an approximately 10 acre site located on the west side of Suther Road across from Margie Ann Drive, which site is more particularly depicted on the Rezoning Plan and designated as Tax Parcel No. 049-343-04 (hereinafter referred to as the "Site").

B.

The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").

C.

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.

D.

Existing administrative approvals for Petition No. 1995-29 and Petition No. 2014-061, carry over to this site plan amendment.
2. PERMITTED USES

A.

The Site may be devoted to the following uses permitted in the Institutional zoning district, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the Institutional zoning district: Religions Institutions; Elementary and Secondary Schools.

B.

New buildings and additions to existing buildings on the Site shall be located in the areas more particularly depicted on the Rezoning Plan.
3. TRANSPORTATION

A.

No additional right-of-way is required beyond the 30' from center line of Suther Road previously dedicated.

B.

No vehicular access from Milay Avenue to the Site is allowed.
4. STREETScape AND LANDSCAPING

A.

Any dumpster used on the Site shall be screened on all four sides.
5. LIGHTING

A.

Detached lighting will be limited to 20' in height. Attached and detached lighting will be downwardly directed, fully shielded, and full cutoff fixtures.
6. 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.

CHARLOTTE - MECKLENBURG
PLANNING COMMISSION
INTER - OFFICE COMMUNICATION

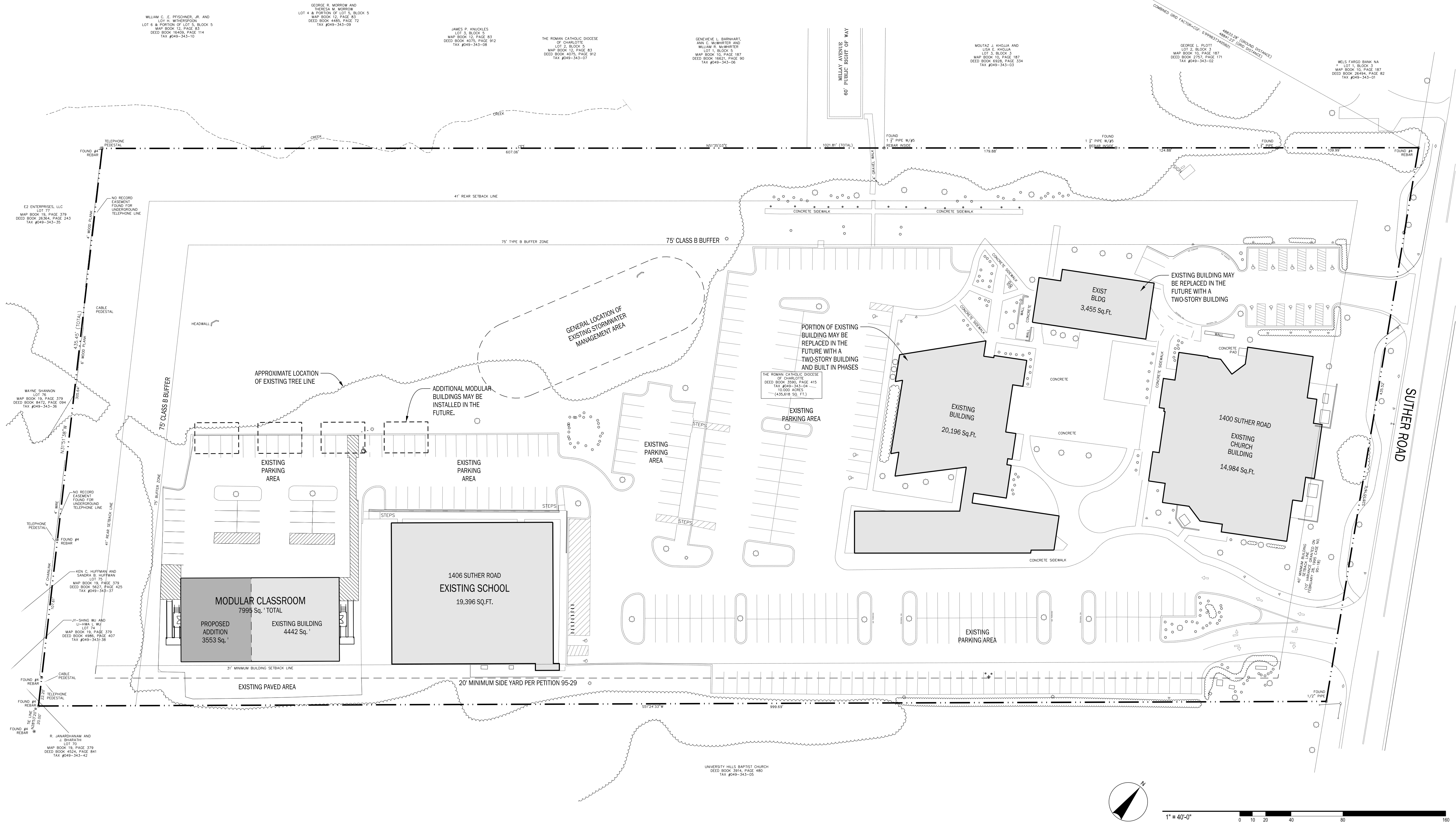
DATE: June 30, 1998

TO: Robert Brandon
Zoning Administrator

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

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

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



1307 West Morehead Street
Suite 108
Charlotte, NC 28208

www.insightarch.com

t 704 344 0445
f 704 344 0446

UNITED
COMMUNITY
SCHOOL

Modular
Classroom
Expansion

1406 Suther Road
Charlotte, NC 28213

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

REVISIONS
NUMBER DATE

This Drawing is the property of Insight Architects and is not to be reproduced in whole or in part. It is to be used for the project and site specifically identified herein and is not to be used on any other project.

SITE PLAN

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2019-035

Petition #:		
Date Filed:	2/22/19	3/18/19
Received By:	B H	

Complete All Fields (Use additional pages if needed)

Property Owners: Novant Health, Inc.

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

Date Property Acquired: March 8, 2019

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

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

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

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

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

Required Rezoning Pre-Application Meeting* with: John Kinley

Date of meeting: January 15, 2019

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

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes. Number of years (maximum of 5): 5

Purpose/description of Conditional Zoning Plan: Rezone for use as medical office with Health institution.

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

1065 East Morehead Street
Agent's Address

Charlotte, NC 28204
City, State, Zip

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

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

Novant Health, Inc.
Name of Petitioner(s)

2085 Frontis Plaza Blvd
Address of Petitioner(s)

Winston-Salem, NC 27103
City, State, Zip

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

dgpark@novanthealth.org
E-Mail Address

[SIGNATURES ON NEXT PAGE]

NOVANT HEALTH, INC.

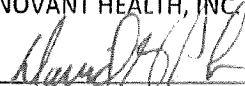


Signature of Property Owner(s)

David G. Park, Senior Vice President

(Name Typed/Clearly Printed)

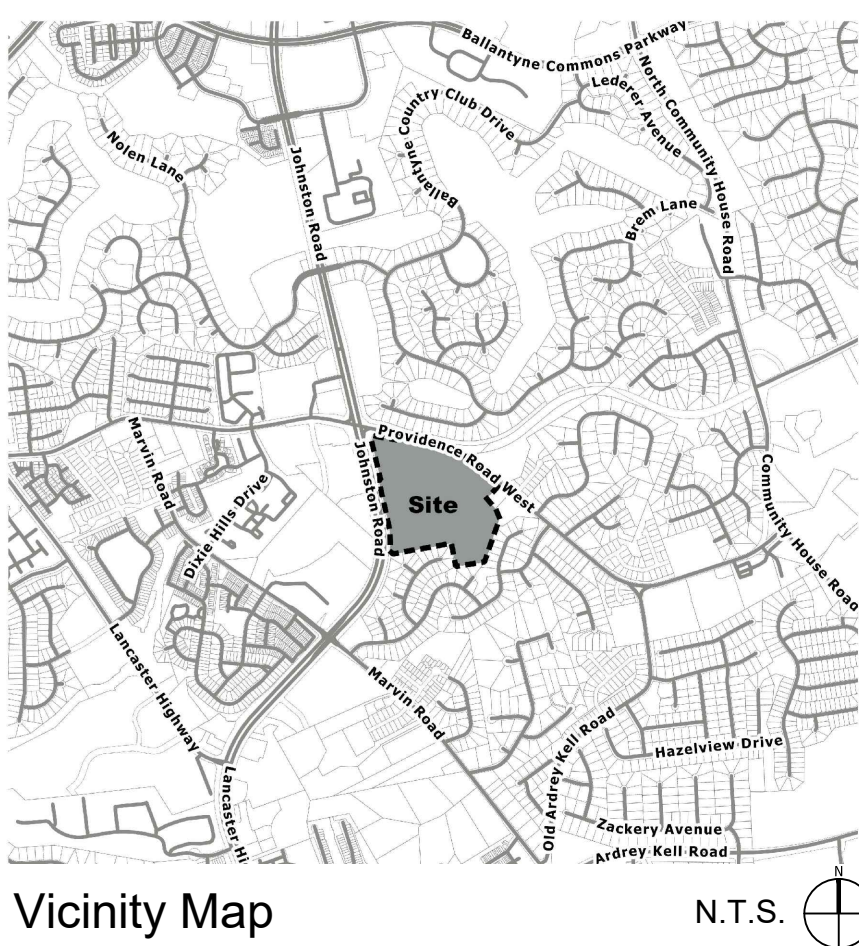
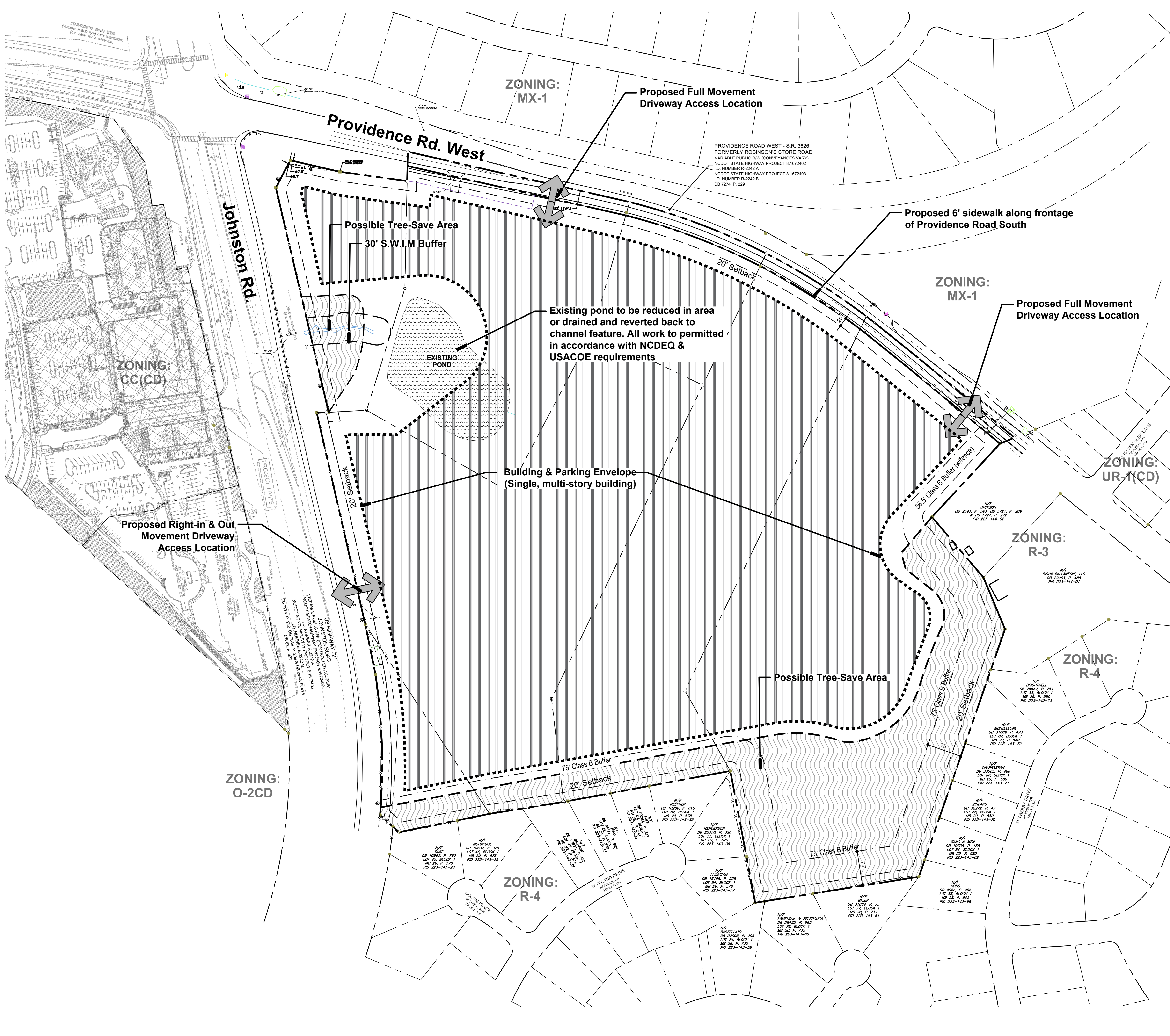
NOVANT HEALTH, INC.



Signature of Petitioner

David G. Park, Senior Vice President

(Name Typed/Clearly Printed)



SITE DATA:	
Rezoning Petition:	2019-XXX
Parcel Numbers:	223-141-52, 223-141-53, 223-141-54, 223-141-55, 223-141-56, 223-141-57 & 223-141-58
Acreage:	40.425 Acres
Jurisdiction:	CITY OF CHARLOTTE
Existing Zoning:	R3
Proposed Zoning:	O-2 (CD)
Tree Save:	15% of 40.425 AC = 6.0375 AC. 6.04 AC. Generally where depicted on plan but may vary. May be comprised of existing tree canopy and or replanted areas.

Alfred Benesch & Company

2359 Perimeter Pointe Parkway

Charlotte, NC 28208

www.benesch.com

P 704.521.9880

Corp. NC license: F-1320

Novant Health

South Campus Medical Center

Providence Rd. West

Charlotte, North Carolina

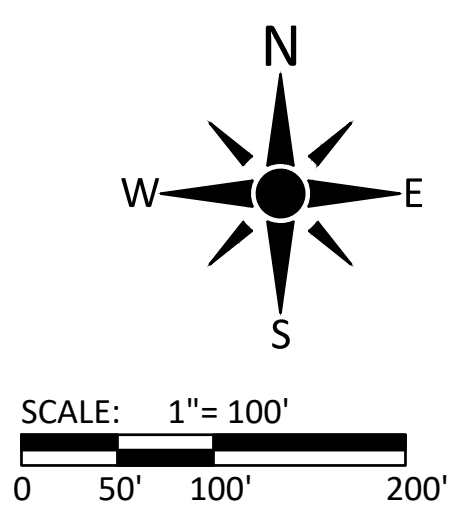
Petition No : 2019-XXX
Project no: 17000124.07
Date: 02.22.19
Revisions:

Sheet Title:

Rezoning Site Plan

Sheet No:

RZ- I



Novant Health, Inc.

Development Standards

2.22.2019

Rezoning Petition #

Site Development Data:

--Acreage: ± 40.425 acres

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

--Existing Zoning: R-3

--Proposed Zoning: O-2(CD)

--Existing Uses: Agriculture/ Residential/Vacant

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

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

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

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

1. General Provisions:

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

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

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

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

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

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

2. Permitted Uses & Development Area Limitation:

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

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

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

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

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

4. Access and Transportation:

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

b. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.

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

5. Streetscape, Buffers, Yards and Landscaping:

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

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

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

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

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

6. Architectural Standards:

1.

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

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

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

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

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

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

7. Environmental Features:

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

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

c. The Site will comply with the Tree Ordinance.

8. Lighting:

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

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

9. Amendments to the Rezoning Plan:

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

10. Binding Effect of the Rezoning Application:

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



Seals:

Corp. NC license: F-1320

Novant Health South Campus Medical Center

Providence Rd. West
Charlotte, North Carolina

Petition No : 2019-XXX

Project no: 17000124.07

Date: 02.22.19

Revisions:

Sheet Title:

Rezoning Notes

Sheet No:

RZ-2

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

RECEIVED

FEB 25 2019

BY:

Petition #: 2019-036

Date Filed: 2/25/2019

Received By: RH

Complete All Fields (Use additional pages if needed)

Property Owner: Artis Galbreath

Owner's Address: 9300 Sir Huon Lane City, State, Zip: Waxhaw NC 28173

Date Property Acquired: 25 April 2018

Property Address: 614 Rhyne Road

Tax Parcel Number(s): 05301131

Current Land Use: Vacant Lot Size (Acres): 8.7 Acres

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

Overlay: Lake Wylie Protected Area Tree Survey Provided: Yes: N/A: X

Required Rezoning Pre-Application Meeting* with: Alberto Gonzalez

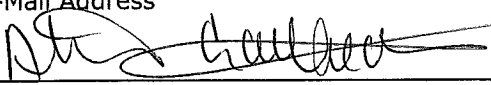
Date of meeting: September 4th 2018

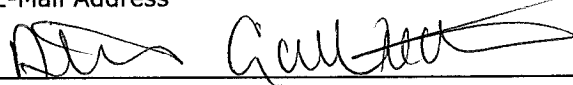
(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team is held.)

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To develop a small business/industrial park.

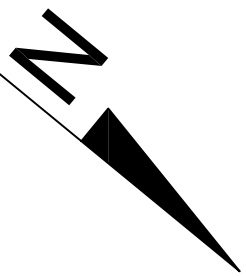
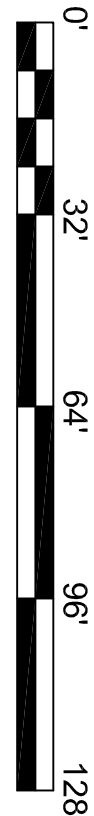
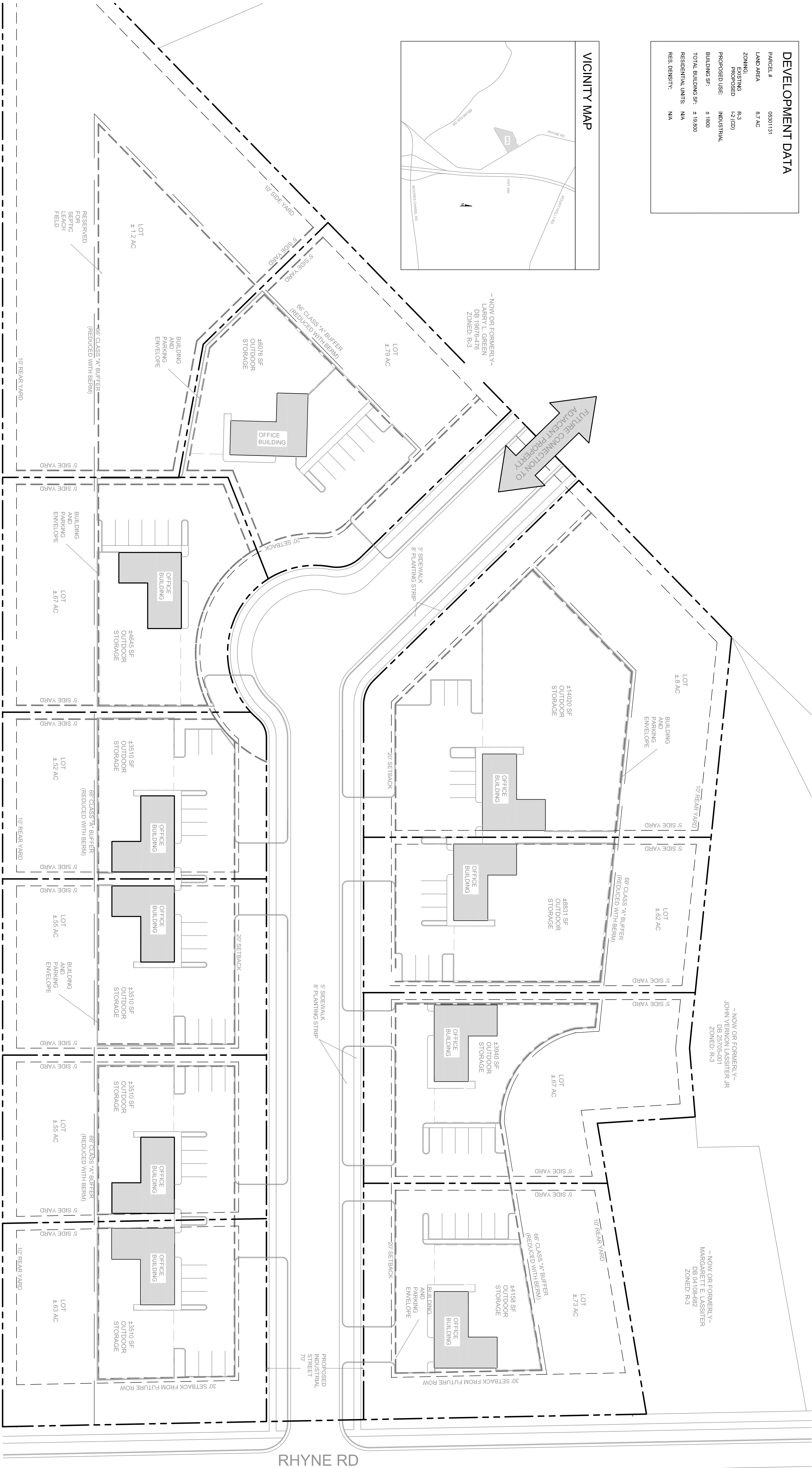
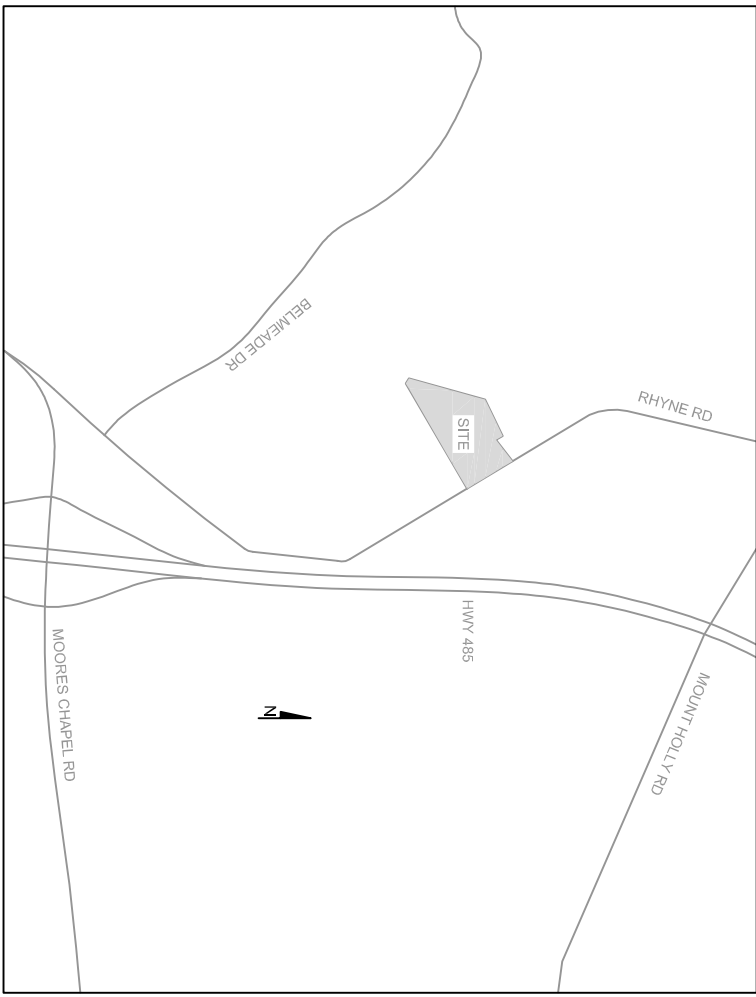
Atty Anthony Fox
Name of Rezoning Agent
Three Wells Fargo Center
401 South Tryon St. Suite 3000
Agent's Address
Charlotte N.C. 28202
City, State, Zip
704-372-9000
Telephone Number
anthonifox@parkerpoe.com
E-Mail Address

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

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

Signature of Petitioner
Artis Galbreath
(Name Typed / Printed)

DEVELOPMENT DATA

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

VICINITY MAP



JOB #
0006

BSL GALBREATH INC
INDUSTRIAL PARK
CHARLOTTE NC

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

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

SITE PLAN

SHEET
1 OF 2

CONDITIONAL DEVELOPMENT STANDARDS

GENERAL PROVISIONS

- A. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS ENPECTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHALAPOT ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT LOCATION, SIZE, SHAPE, AND NUMBER OF BUILDINGS, DRIVEWAYS, AND PARKING SPACES WILL BE DETERMINED BY THE CHALAPOT ZONING ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 32.0 OF THE ZONING ORDINANCE.
- B. THE PETITIONER ASSUMES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, AND SITE DEVELOPMENT, WILL APPLY TO THE DEVELOPMENT OF THIS SITE. THESE ARE NOT ZONING REGULATIONS, AND NO ADMINISTERED BY THE ZONING ADMINISTRATOR, AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THIS SITE PLAN. ANY SPECIFICALLY NOTED IN THE CONDITIONS FOR THIS SITE PLAN, THESE OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THIS SITE AS DEFINED BY THOSE OTHER CITY ORDINANCES.
- C. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER," "OWNERS," "PETITIONER" OR "PETITIONERS," SHALL, WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE MEMBERS, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN THE DEVELOPMENT FROM TIME TO TIME.

PURPOSE

THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE USE OF A TRACT OF LAND FRONTING ON RHYNE ROAD FOR A SMALL INDUSTRIAL PARK. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE TO THE I-2 DISTRICT AS A CONDITIONAL DISTRICT (I-2(CO)).

PERMITTED USES

USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION ARE THOSE USES THAT ARE PERMITTED IN THE I-2 DISTRICT EXCEPT AS LIMITED BELOW. THE FOLLOWING USES WILL NOT BE PERMITTED TO BE DEVELOPED ON THE SITE.

- [illegible]

ARCHITECTURAL STANDARDS

THE BUILDINGS ON THE SITE WILL BE COMPOSED OF SOME OR ANY COMBINATION OF THE FOLLOWING BUILDING MATERIALS.

- STOREFRONT WINDOW SYSTEMS - ALUMINUM
- ARCHITECTURAL METAL ROOFING SYSTEM
- BRICK AND/OR ARCHITECTURAL BLOCK
- ARCHITECTURAL EXTERIOR WOODEN PANELS

STREETSCAPE AND LANDSCAPING

WILL RELATE TO THE PUBLIC STREET WITH AN EMPHASIS ON CREATING AN IDENTIFIABLE ENTRANCE ALONG THE STREET.

ENVIRONMENTAL FEATURES

RESERVED

RESERVED

FIRE PROTECTION

RESERVED

SIGNAGE

LIGHTING

NEW FREESTANDING LIGHTING ON THE SITE WILL UTILIZE FULL CUT-OFF LUMINAIRES AND NO "WALL PACK" TYPE LIGHTING WILL BE UTILIZED, EXCEPT THAT ARCHITECTURAL LIGHTING ON THE EXTERIOR OF BUILDINGS WILL BE PERMITTED. NEW FREESTANDING LIGHTING WILL BE LIMITED TO 3' IN HEIGHT BUT NONE WILL BE PERMITTED TO BE INSTALLED WITHIN 75' OF ANY PROPERTY USED FOR RESIDENTIAL USES.

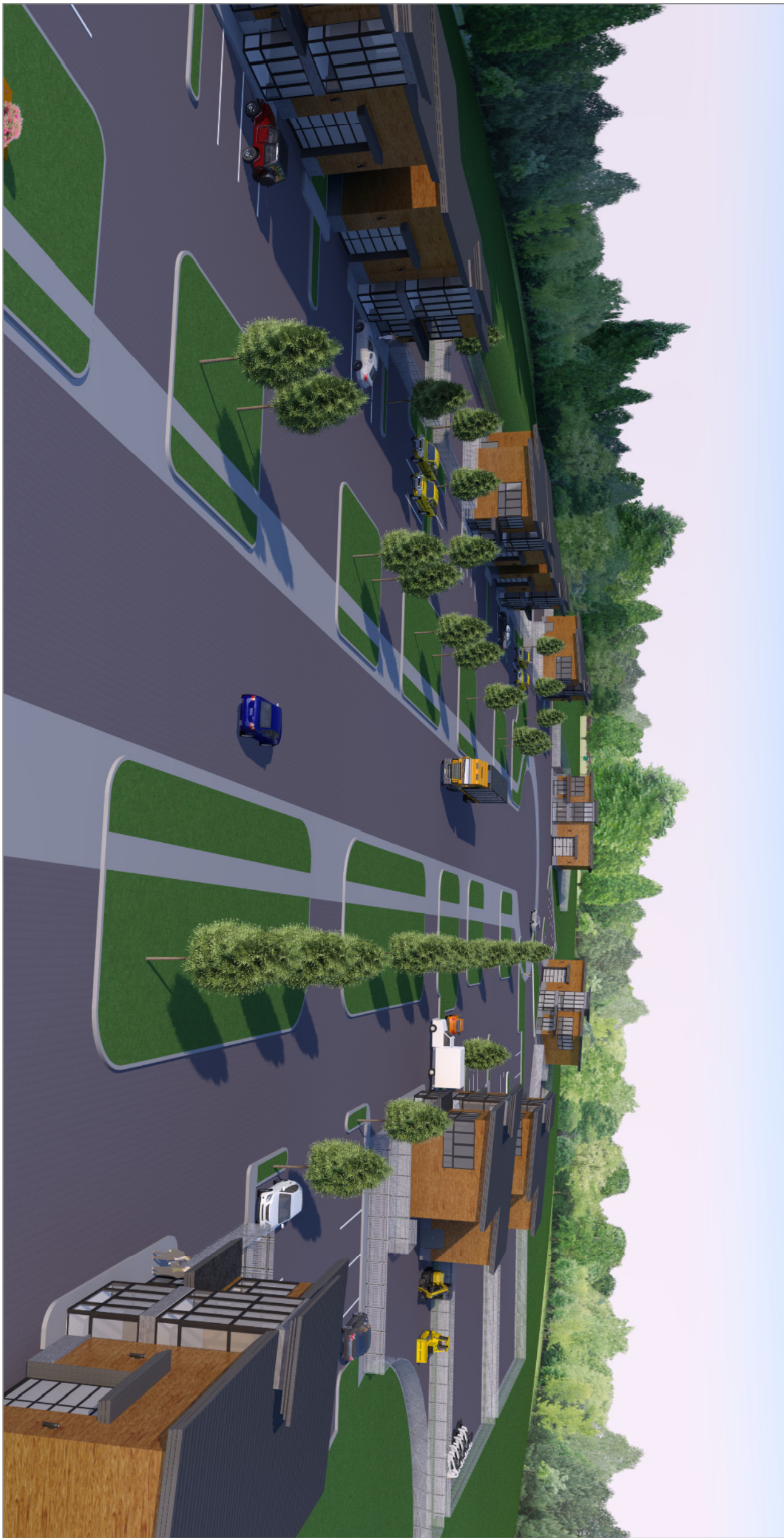
RESERVED



CONCEPTUAL PERSPECTIVE 1



CONCEPTUAL ELEVATION



CONCEPTUAL PERSPECTIVE

2019-037

I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #:	RECEIVED
Date Filed:	FEB 25 2019
Received By:	<i>[Signature]</i>
By:	

Complete All Fields (Use additional pages if needed)

Property Owner: Timothy L. and Rebecca Hipp

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

Date Property Acquired: _____

Property Address: 2528 Sam Wilson Road

Tax Parcel Number(s): 05314202 and 05314221

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

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

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

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

Date of meeting: 1/15/19

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

For Conditional 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: _____

Anthony Fox
Name of Rezoning Agent

401 South Tryon Street, Suite 3000
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-335-9841 704-335-9565
Telephone Number Fax Number

anthonyfox@parkerpoe.com
E-Mail Address

Timothy Hipp Rebecca Hipp
Signature of Property Owner

Timothy L. and Rebecca Hipp
(Name Typed / Printed)

Jay Kamdar
Name of Petitioner(s)

10225 Feldfarm Lane
Address of Petitioner(s)

Charlotte, NC 28210
City, State, Zip

704-526-7760
Telephone Number Fax Number

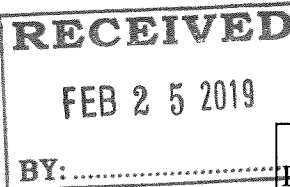
kamdar.jay@gmail.com
E-Mail Address

Jay Kamdar
Signature of Petitioner

Jay Kamdar
(Name Typed / Printed)

**ZONING ORDINANCE
TEXT AMENDMENT APPLICATION**

CITY OF CHARLOTTE



2019-038

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

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

Purpose of Change:

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

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

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

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

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

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

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

Section 11.404(1.5) is added as follows:

"Commissary Kitchen Parking"

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

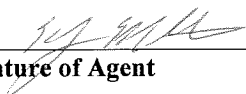
Keith J. Merritt
Name of Agent

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

Charlotte, NC 28202
City, State, Zip

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

kmerritt@lawhssm.com
E-Mail Address


Signature of Agent

Dave Hegnauer
Name of Petitioner(s)

9545 Pinnacle Drive
Address of Petitioner(s)

Charlotte, NC 28262
City, State, Zip

704-499-3046
Telephone Number Fax Number

Dave@TheCityKitch.com
E-Mail Address


Signature

Petition #:

Petitioner:

ORDINANCE NO. _____

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

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

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

A. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

1. PART 2: DEFINITIONS

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

Commissary Kitchen:

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

Commissary Kitchen Parking:

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

B. Chapter 11: CONDITIONAL USE DISTRICTS

1. PART 4: COMMERCIAL CENTER DISTRICT

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

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

C. Chapter 11: CONDITIONAL USE DISTRICTS

1. PART 4: COMMERCIAL CENTER DISTRICT

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

Section 11.404(1.5) -- Commissary Kitchen Parking

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

Approved as to form:

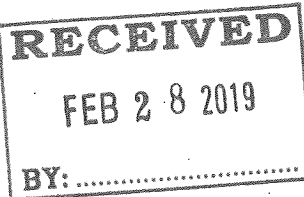
City Attorney

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

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

www.charlotteplanning.org

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2018-039

Petition #:	
Date Filed:	2/28/2019
Received By:	

Complete All Fields (Use additional pages if needed)

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

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

For Conditional Rezoning Only:

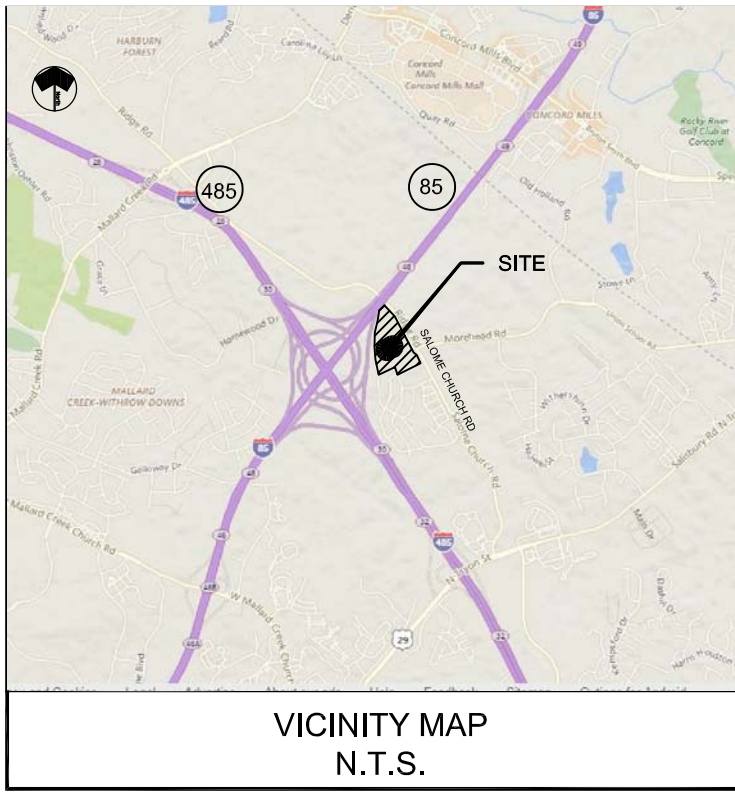
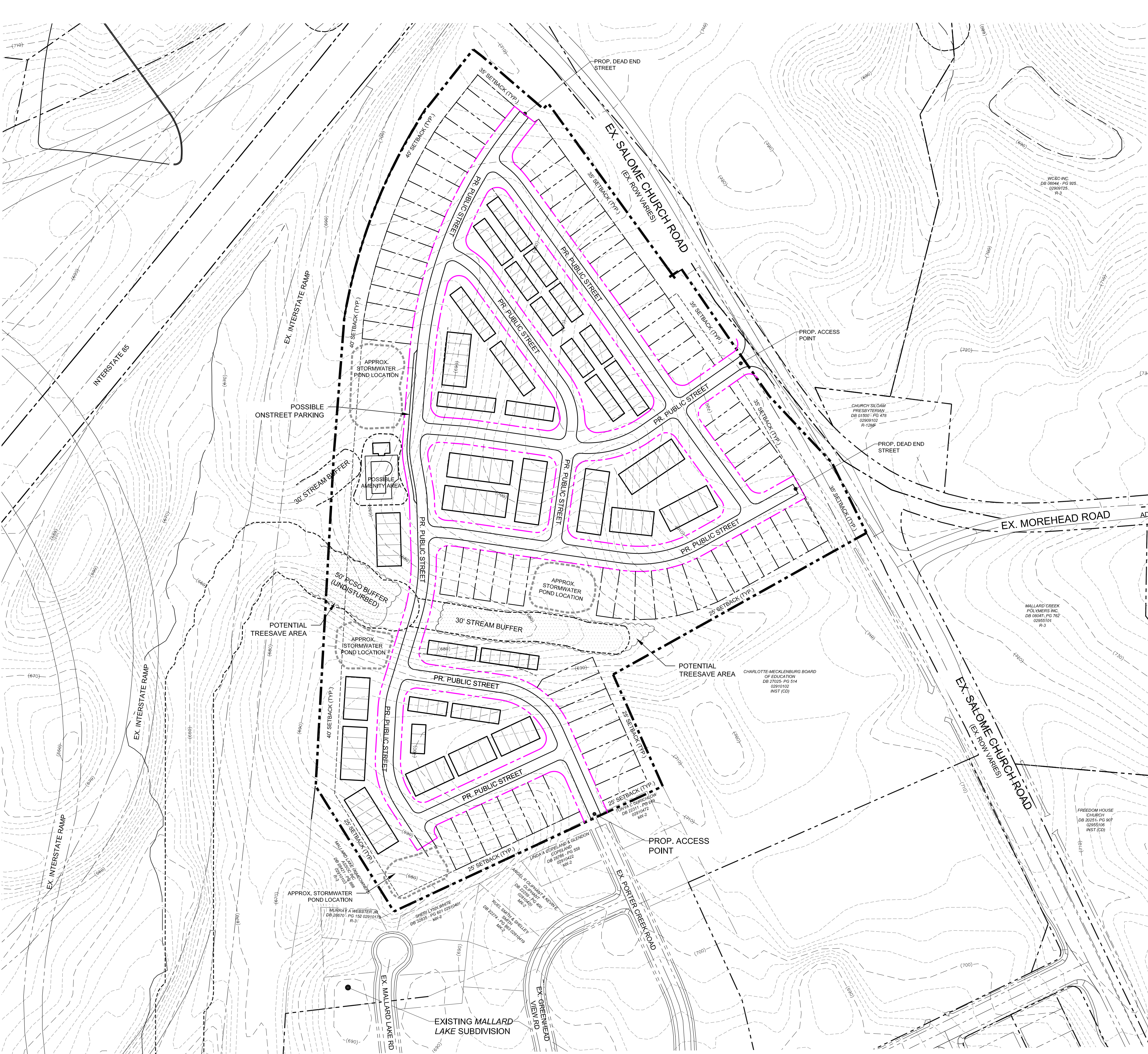
Requesting a vesting period exceeding the 2 year minimum? (Yes) No. Number of years (maximum of 5): 5
Purpose/description of Conditional Zoning Plan: For mix of residential homesites, including detached single family and attached townhomes. The petitioners wish to provide an affordable ownership housing option to help address the affordable housing crisis that Charlotte is facing.

DPR Associates , Lee McLaren
Name of Rezoning Agent
420 Hawthorne Lane
Agent's Address
Charlotte, NC 28204
City, State, Zip
704.332.1204
Telephone Number _____ Fax Number _____
hnguyen@dprassociates.net
E-Mail Address

Signature of Property Owner
G. David Cuthbertson
(Name Typed / Printed)

Dependable Development Inc.
Name of Petitioner(s)
2627 Brekonridge Centre Drive
Address of Petitioner(s)
Monroe, NC 28110
City, State, Zip
704.774.1964
Telephone Number _____ Fax Number _____
sgasparini@truehomesusa.com
E-Mail Address

Signature of Petitioner
Shaun Gasparini
(Name Typed / Printed)



GENERAL NOTES (for Petition #2019-039):

- 1. DEVELOPMENT DATA TABLE**
 - A. SITE ACREAGE: ± 26.5 AC
 - B. TAX PARCEL INCLUDED IN REZONING: 02910105, 02910104, 02910180
 - C. EXISTING ZONING: COMMERCIAL (CC); PETITION # 2014-019
 - D. PROPOSED ZONING: UR-2 (CD)
 - E. EXISTING USE: VACANT
 - F. PROPOSED USE: 250 SINGLE FAMILY DETACHED & ATTACHED RESIDENTIAL UNITS AND RELATED ACCESSORY USES (MAXIMUM 175 ATTACHED UNITS)
 - G. MAXIMUM DENSITY: 9.43 DU PER AC
 - H. FLOOR AREA RATIO: PER ORDINANCE REQUIREMENT
 - I. MAXIMUM BUILDING HEIGHT: PER ORDINANCE REQUIREMENT; MAXIMUM WILL BE 55'
 - J. 5 YEAR VESTING
 - K. PARKING SPACES: PER ORDINANCE REQUIREMENT
- 2. GENERAL PROVISIONS**
 - A. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.2 OF THE ZONING ORDINANCE. ONLY SINGLE FAMILY DETACHED UNITS WILL BE ALLOWED ADJACENT TO THE EXISTING MALLARD LAKE SUBDIVISION.
 - B. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, AND SITE DEVELOPMENT, MAY APPLY TO THE DEVELOPMENT OF THIS SITE. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR, AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THIS SITE PLAN. UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THIS SITE PLAN, THESE OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THIS SITE AS DEFINED BY THOSE OTHER CITY ORDINANCES.
 - C. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", "PETITIONER" OR "PETITIONERS," SHALL, WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.
- 3. PURPOSE**

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

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

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

 - A. BUILDING MATERIALS FOR THE BUILDINGS CONSTRUCTED ON THE SITE MAY INCLUDE THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRE-CAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING, VINYL, WIFS, OR WOOD.
 - B. PITCHED ROOFS, IF PROVIDED, WILL BE NO LESS THAN 5:12, EXCEPT THAT ROOFS FOR PORCHES AND ATTACHED SHEDS MAY BE NO LESS THAN 2:12, UNLESS A FLAT ROOF ARCHITECTURAL STYLE IS EMPLOYED.
 - C. DUMPSTER AND RECYCLING AREAS, IF PROVIDED, WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A GATE. WALL OR FENCE SHALL BE COMPATIBLE WITH COLORS OF PRINCIPLE BUILDINGS.
 - D. ROOF VENTS WILL BE PAINTED TO MATCH ROOF COLOR.
 - E. THE PETITIONER RESERVES THE RIGHT TO COMBINE OR RELOCATE BUILDING LOCATIONS, SO LONG AS THE TOTAL 250 UNITS IS NOT INCREASED. NUMBER OF BUILDINGS SHOWN ON THIS PLAN MAY BE INCREASED OR DECREASED AT THE DISCRETION OF THE PETITIONER.
- 7. STREETScape AND LANDSCAPING**
 - A. SCREENING SHALL BE PROVIDED PER ORDINANCE REQUIREMENTS.
 - B. THE PETITIONER MAY REDUCE THE WIDTH OF ANY REQUIRED SETBACKS/BUFFERS BY 20% PER SECTION 12.302 (B), EXCEPT THAT 25' BUFFER ADJACENT TO MALLARD LAKE SUBDIVISION SHALL NOT BE REDUCED.
- 8. ENVIRONMENTAL FEATURES:**
 - A. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING.
 - B. TREE SAVE AREAS ON THE SITE WILL BE PROVIDED IN CONFORMANCE WITH THE CHARLOTTE TREE ORDINANCE OF 15% OF THE SITE AREA. ALL OTHER PROVISIONS OF THE TREE ORDINANCE WILL BE MET.
 - C. OPEN SPACE AND NATURAL AREA REQUIRED BY PCSO WILL BE PROVIDED. DEVELOPMENT SHALL RESPECT APPLICABLE PCSO BUFFER AND STREAM BUFFER.
- 9. PARKS, GREENWAYS, AND OPEN SPACE**

RESERVED
- 10. FIRE PROTECTION**

RESERVED
- 11. SIGNAGE**

RESERVED
- 12. LIGHTING**

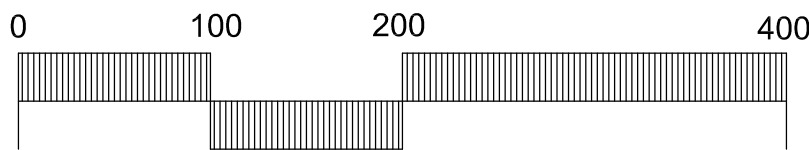
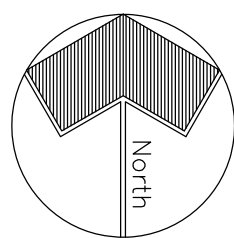
A. RESERVED
- 13. PHASING**
 - A. SITE WILL BE DEVELOPED IN PHASES.

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



DPR Associates, Inc. ■ 420 Hawthorne Lane ■ Charlotte, NC 28204
phone 704. 332. 1204 ■ fax 704. 332. 1210 ■ www.dprassociates.net

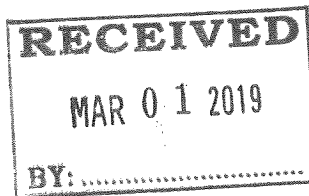
PETITION #2019-039
MALLARD CREEK NEIGHBORHOOD
CHARLOTTE, NORTH CAROLINA
DEPENDABLE DEVELOPMENT, INC.



Scale:
1" = 100'

RZ-1

**REZONING APPLICATION
CITY OF CHARLOTTE**



2019-040
Petition #: _____
Date Filed: 3/1/2019
Received By: JK

Complete All Fields (Use additional pages if needed)

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

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

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

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

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

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

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

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

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

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

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes _____ Number of years (maximum of 5): 5

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

Nick Tosco
Name of Rezoning Agent

301 South College St.
Agent's Address

Charlotte, NC, 28205
City, State, Zip

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

ntosco@poynerspruill.com
E-Mail Address

See Attached Joinder Agreement
Signature of Property Owner

See Attached Joinder Agreement
(Name Typed / Printed)

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

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

Charlotte, NC, 28205
City, State, Zip

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

suzanne@aldersgateccrc.com
E-Mail Address

Suzanne Pugh
Signature of Petitioner

Suzanne Pugh
(Name Typed / Printed)

ATTACHMENT A

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

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

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

This 26 day of February, 2019.

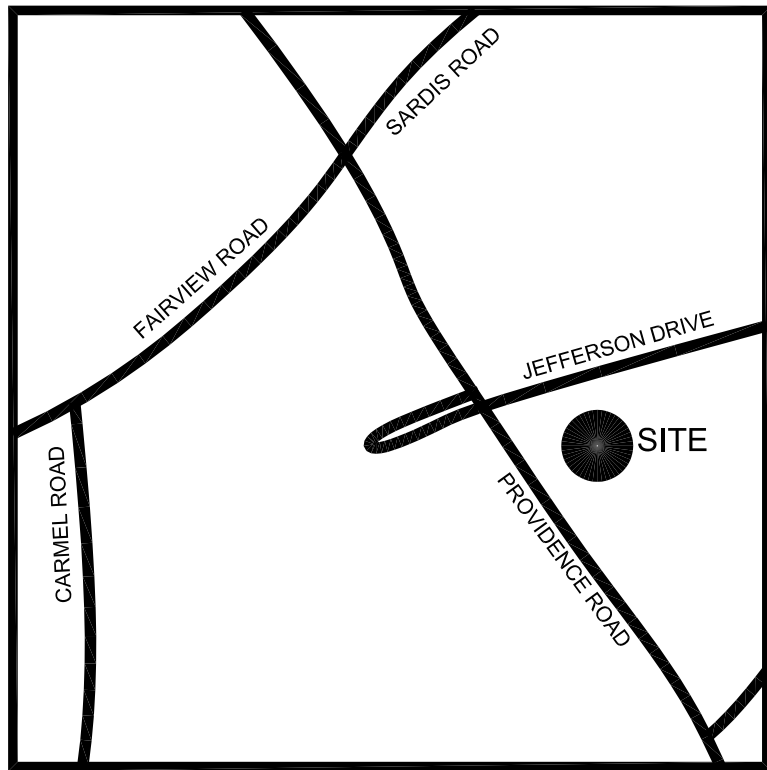
The Foundation of Shalom Park, Inc

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

Temple Israel (inc.)

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

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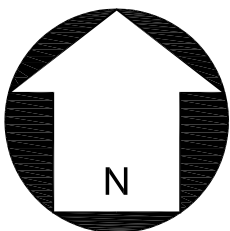


VICINITY MAP (NTS)

PARCEL ID KEY

- | | |
|--|---|
| 1. TINNAHINCH LAND CO. INC.
DEED BOOK: 31474-990
PARCEL ID: 18707218
ZONING: R3
USE: SINGLE FAMILY | 10. TEMPLE ISRAEL INC
DEED BOOK: 10410-299
PARCEL ID: 18707214
ZONING: R3
USE: SINGLE FAMILY |
| 2. TINNAHINCH LAND CO. INC.
DEED BOOK: 31474-990
PARCEL ID: 18707219
ZONING: R3
USE: SINGLE FAMILY | 11. TEMPLE ISRAEL INC
DEED BOOK: 10740-722
PARCEL ID: 18707203
ZONING: R3
USE: SINGLE FAMILY |
| 3. TINNAHINCH LAND CO. INC.
DEED BOOK: 31474-990
PARCEL ID: 18707220
ZONING: R3
USE: SINGLE FAMILY | 12. GAYLE L SMITH
DEED BOOK: 05388-785
PARCEL ID: 18707110
ZONING: R3
USE: SINGLE FAMILY |
| 4. KNOTTS DEVEL. RESOURCES INC.
DEED BOOK: 31993-681
PARCEL ID: 18707221
ZONING: R3
USE: SINGLE FAMILY | 13. TEMPLE ISRAEL INC
DEED BOOK: 10348-903
PARCEL ID: 18707204
ZONING: R3
USE: SINGLE FAMILY |
| 5. RICE, FREDERICK J
DEED BOOK: 26186-856
PARCEL ID: 18707112
ZONING: R3
USE: SINGLE FAMILY | 14. ESHET, NACHUM
DEED BOOK: 19922-537
PARCEL ID: 18707109
ZONING: R3
USE: SINGLE FAMILY |
| 6. KNOTTS DEVEL. RESOURCES INC.
DEED BOOK: 31745-627
PARCEL ID: 18707222
ZONING: R3
USE: SINGLE FAMILY | 15. TEMPLE ISRAEL INC
DEED BOOK: 08653-726
PARCEL ID: 18707205
ZONING: R3
USE: SINGLE FAMILY |
| 7. RICE, FREDERICK J
DEED BOOK: 21300-114
PARCEL ID: 18707111
ZONING: R3
USE: SINGLE FAMILY | 16. MARKS, BRYANT P
DEED BOOK: 2158-152
PARCEL ID: 18707108
ZONING: R3
USE: SINGLE FAMILY |
| 8. TEMPLE ISRAEL INC
DEED BOOK: 22735-766
PARCEL ID: 18707202
ZONING: R3
USE: SINGLE FAMILY | 17. TEMPLE ISRAEL INC
DEED BOOK: 13453-663
PARCEL ID: 18707206
ZONING: R3
USE: SINGLE FAMILY |
| 9. CASTELLANO, ERNEST
DEED BOOK: 09736-476
PARCEL ID: 18707114
ZONING: R3
USE: SINGLE FAMILY | 18. TEMPLE ISRAEL INC.
DEED BOOK: 08119-821
PARCEL ID: 18707207
ZONING: R-3
USE: SINGLE FAMILY |
| | 19. ANNE ENGLISH WALKER
DEED BOOK: 06245-375
PARCEL ID: 18708218
ZONING: R-3
USE: SINGLE FAMILY |

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



0' 100' 200' 400'
SCALE: 1"=100'

REVISIONS:

No.	Date	By	Description

ALDERSGATE AT SHALOM PARK
4965 PROVIDENCE RD
CHARLOTTE, NC 28270

**EXISTING
CONDITIONS
& REZONING
PLAN**

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

Project Manager: MDL

Drawn By: SCJ

Checked By: MDL

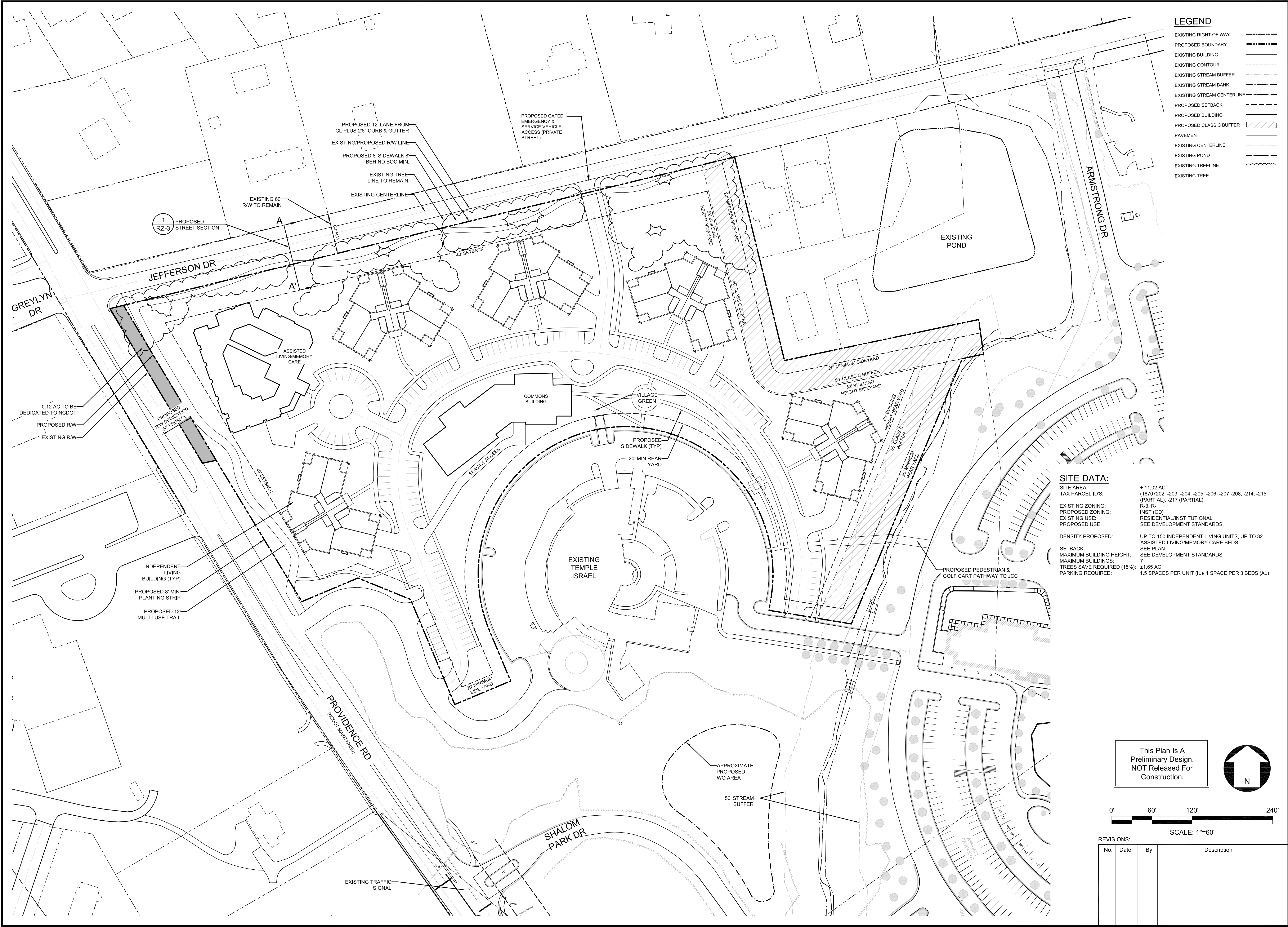
Date: 3/1/19

Project Number: 17025

Sheet Number:

RZ-1

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

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

ALDERSGATE AT SHALOM PARK
4965 PROVIDENCE RD
CHARLOTTE, NC 28270

**REZONING
SITE PLAN**

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

Project Manager: MDL

Drawn By: SCJ

Checked By: MDL

Date: 3/1/19

Project Number: 17025

Sheet Number:

RZ-2

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DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS

- a. THESE DEVELOPMENT STANDARDS AND THE REZONING SITE PLAN FORM A PART OF THE REZONING PETITION. FILED BY ALDERSGATE AT SHALOM PARK, INC. (THE "PETITIONER") FOR AN APPROXIMATELY 11.02 ACRE SITE LOCATED ON THE EAST SIDE OF PROVIDENCE ROAD ADJACENT TO AND DIRECTLY SOUTH OF JEFFERSON DRIVE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING SITE PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 18707202, 18707203, 18707204, 18707205, 18707206, 18707207, 18707208, 18707214 AND A PORTION OF TAX PARCEL NOS. 18707215 AND 18707217.
- b. THE USE AND DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING SITE PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING SITE PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE INSTITUTIONAL ZONING DISTRICT SHALL GOVERN THE USE AND DEVELOPMENT OF THE SITE.
- c. THE PROPOSED INDEPENDENT LIVING (IL) BUILDINGS, ASSISTED LIVING/ MEMORY CARE (AL/MC) BUILDING, VEHICULAR CIRCULATION AND PARKING, AS WELL AS OTHER SITE IMPROVEMENTS THAT ARE LOCATED ON THE SITE ARE DEPICTED AND DESIGNATED ON THE REZONING SITE PLAN.
- d. THE DEPICTION AND LAYOUT OF THE PROPOSED BUILDINGS, SITE IMPROVEMENTS, AND THE ASSOCIATED PARKING AND DRIVE AISLES ARE CONCEPTUAL IN NATURE AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES SUBJECT TO THE REQUIREMENTS OF THE ORDINANCE AND THE REZONING SITE PLAN.
- e. FUTURE AMENDMENTS TO THE REZONING SITE PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING SITE PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.
- f. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY OF CHARLOTTE ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, BICYCLE PARKING, AND SITE DEVELOPMENT MAY APPLY TO THE DEVELOPMENT OF THE SITE. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THE REZONING SITE PLAN. UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THE REZONING SITE PLAN AND/OR THESE DEVELOPMENT STANDARDS, SUCH OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THE SITE AS DEFINED BY THOSE OTHER CITY OF CHARLOTTE ORDINANCES.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

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

3. TRANSPORTATION

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

4. ARCHITECTURAL STANDARDS

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

5. STREETScape/LANDSCAPING

- a. A FIFTY FOOT (50') CLASS C BUFFER SHALL BE MAINTAINED ALONG THOSE PORTIONS OF THE SITE'S NORTHEASTERN AND EASTERN BOUNDARY LINES THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING SITE PLAN, WHICH BUFFER SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE.
- b. A FORTY FOOT (40') SETBACK AS MEASURED FROM THE EXISTING RIGHT-OF-WAY ALONG THE SITE'S JEFFERSON DRIVE FRONTAGE, AS WELL AS FROM THE PROPOSED RIGHT-OF-WAY ALONG THE SITE'S PROVIDENCE ROAD FRONTAGE, WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING SITE PLAN.
- c. THE PETITIONER AGREES TO PROVIDE AN EIGHT FOOT (8') PLANTING STRIP AND TWELVE FOOT (12') WIDE CONCRETE MULTI-USE PATH ALONG THE SITE'S PROVIDENCE ROAD FRONTAGE, FROM THE EXISTING TEMPLE ISRAEL ENTRANCE DRIVE TO THE JEFFERSON DRIVE INTERSECTION.
- d. THE PETITIONER AGREES TO PROVIDE A MINIMUM EIGHT FOOT (8') PLANTING STRIP AND EIGHT FOOT (8') WIDE CONCRETE SIDEWALK ALONG THE SITE'S JEFFERSON DRIVE FRONTAGE. THE PETITIONER INTENDS TO MEANDER THE JEFFERSON DRIVE SIDEWALK WITHIN THE FORTY FOOT (40') FRONT SETBACK IN ORDER TO PRESERVE EXISTING TREES ALONG THE FRONTAGE. THE PETITIONER WILL PROVIDE A SIDEWALK UTILITY EASEMENT OVER THE PROPOSED JEFFERSON DRIVE PUBLIC SIDEWALK WHEN ITS ROUTE LEAVES THE EXISTING JEFFERSON DRIVE RIGHT-OF-WAY, AS GENERALLY DEPICTED ON THE REZONING SITE PLAN.
- e. IN THE EVENT THAT AN ADJACENT PARCEL OF LAND IS EITHER REZONED TO A ZONING DISTRICT OR DEVOTED TO A USE THAT ELIMINATES OR REDUCES THE BUFFER REQUIREMENTS ON THE SITE, PETITIONER MAY REDUCE OR ELIMINATE, AS THE CASE MAY BE, THE RELEVANT BUFFER AREAS SET OUT ON THE REZONING SITE PLAN ACCORDINGLY.
- f. INTERNAL SIDEWALKS AND CROSSWALKS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING SITE PLAN.
- g. ALL REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE SHALL BE MET WITH THIS DEVELOPMENT.
- h. NO TREES WILL BE PLANTED IN THE PUBLIC RIGHT-OF-WAY WITHOUT AUTHORIZATION FROM THE CITY ARBORIST'S OFFICE.

6. ENVIRONMENTAL FEATURES

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

7. LIGHTING

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

h. PARKS, GREENWAYS, AND OPEN SPACE

a. RESERVED

9. FIRE PROTECTION

a. RESERVED

10. PHASING

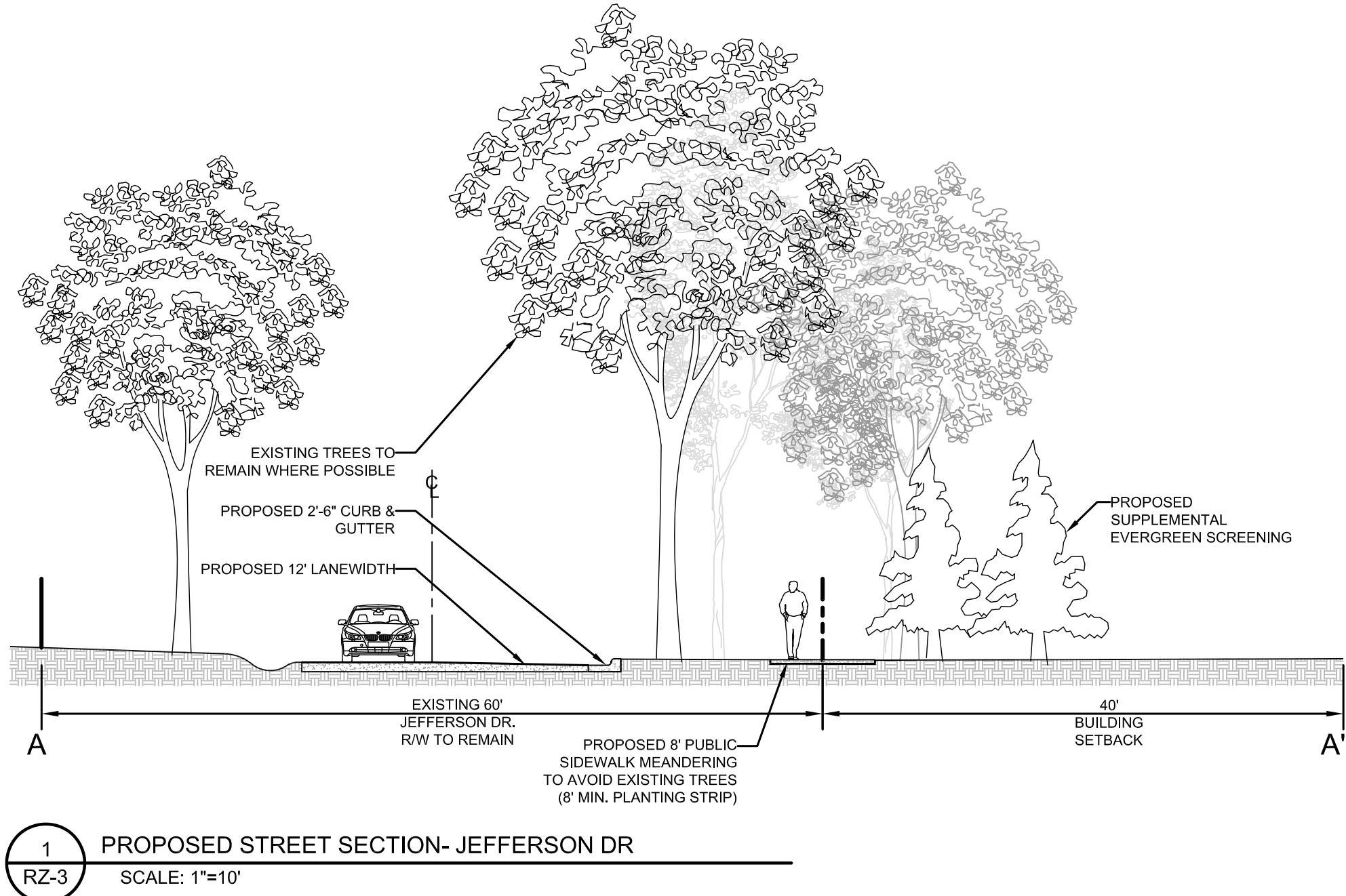
a. RESERVED

11. SIGNAGE

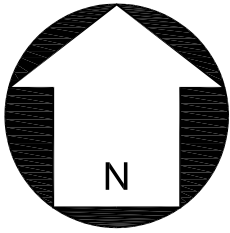
b. RESERVED

12. BINDING EFFECT OF THE REZONING DOCUMENTS

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



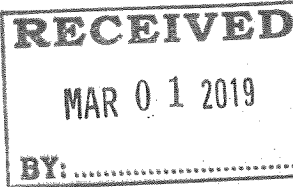
This Plan Is A
Preliminary Design.
NOT Released For
Construction.



REVISIONS:

No.	Date	By	Description

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-041

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

Property Owners: See Schedule 1 Attached Hereto

Owner's Addresses: See Schedule 1 Attached Hereto

Date Properties
Acquired: See Schedule 1 Attached Hereto

Property Addresses: See Schedule 1 Attached Hereto

Tax Parcel Numbers: See Schedule 1 Attached Hereto

Current Land Use: retail/commercial/office Size (Acres): * 13.18

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

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

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

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: Site plan amendment to allow a reasonable increase in size/square footage available for the project.

Bridget Grant, Jeff Brown & Dujuana Keys

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

City, State, Zip

704-331-2379 (BG)

704-331-1144 (JB)

704-331-2371 (DK)

Telephone Number

704-378-1973 (BG)

704-378-1925 (JB)

704-339-5888 (DK)

Fax Number

bridgetgrant@mvalaw.com;

jeffbrown@mvalaw.com;

dujuanakeys@mvalaw.com

E-mail Address

Eastside Connections JV, LLC

(Attn: Jensi Teague)

Name of Petitioner

4310 Park Road, Suite 101

Address of Petitioner

Charlotte, NC, 28209

City, State, Zip

704-343-9979

Telephone Number

Fax Number

jensi@selwynpropertygroup.com

E-mail Address

Signature of Property Owner

Jensi Teague
Eastside Connections JV, LLC
Its. Manager

CHAR2\2113766v1

Signature of Petitioner

Schedule 1

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


[illegible][illegible]

NOT APPROVED FOR
CONSTRUCTION

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

PROJECT:
COMMERCIAL
REZONING PLAN

FOR
SELWYN
PROPERTY
GROUP



BOHLER[®]
ENGINEERING NC, PLLC
 NCBELS P-1132

**1927 S. TRYON STREET, SUITE 310
 CHARLOTTE, NC 28203**

Phone: (980) 272-3400
 Fax: (980) 272-3401

NC@BohlerEng.com



SunCap
PROPERTY GROUP

SHEET TITLE:	
DEVELOPMENT STANDARDS	
SHEET NUMBER:	
RZ-1	

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

EXISTING PROPERTY/PROJECT BOUNDARY COORDINATES																
Line#Curve #	Length	Direction	Radius	Line#Curve #	Length	Direction	Radius	Line#Curve #	Length	Direction	Radius	Line#Curve #	Length	Direction	Radius	
L1	243.558	S79° 11' 47.60"E		C4	92.954	N76° 55' 54.55"W	1527.500	L17	65.201	S40° 30' 45.86"W		C6	44.316	S56° 17' 40.58"E	170.000	
L2	8.000	N08° 27' 23.40"E		L8	4.534	N11° 19' 29.48"E		L18	85.145	S30° 23' 39.91"W		C7	57.362	S72° 02' 27.45"E	194.000	
L3	116.491	S80° 32' 36.60"E		L9	250.396	N35° 24' 10.16"W		L19	148.548	S50° 47' 49.38"E		L26	278.857	S80° 08' 26.53"E		
C1	0.065	N09° 40' 17.03"E	13.500	L10	150.218	N35° 18' 45.18"W		L20	41.199	S50° 48' 56.11"E		C8	31.511	S89° 02' 19.80"E	1075.000	
L4	20.102	N04° 02' 18.40"E		L11	149.950	N35° 21' 33.95"W		L21	618.231	S40° 19' 01.14"W		L27	20.499	N00° 54' 07.40"E		
C2	272.227	N17° 05' 59.05"W	297.500	L12	73.265	N35° 22' 58.38"W		C5	22.882	S07° 50' 17.99"E	15.000	L28	166.020	S88° 15' 51.60"E		
C3	95.408	N59° 15' 04.34"W	171.500	L13	0.602	N07° 52' 25.73"W		L22	36.300	S50° 12' 23.95"E		L29	181.882	S79° 11' 47.60"E		
L5	52.315	N75° 11' 18.58"W		L14	221.364	N07° 36' 23.17"W		L23	3.887	N35° 51' 03.22"E						
L6	37.113	N76° 43' 57.02"W		L15	71.804	S40° 42' 32.02"W		L24	35.524	S44° 32' 01.12"E						
L7	99.086	N75° 11' 18.58"W		L16	59.809	S40° 28' 04.73"W		L25	130.088	S50° 12' 23.95"E						

- A. GENERAL PROVISIONS:**
- 1. SITE LOCATION:** THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY EASTSIDE CONNECTIONS, LLC ("PETITIONER"), AS AMENDED, TO DISCONTINUE THE RECEDESMENT OF CERTAIN LAND AND IMPROVEMENTS THEREON CONTAINING APPROXIMATELY 13.5 ACRES LOCATED AT THE INTERSECTION OF BLENDED ROAD AND STATE ROAD 100 IN NEW RIVER TOWNSHIP, DEPARTMENT OF THE SITE ("SITE"). IT IS UNDERSTOOD THAT THE SITE INCLUDES BOTH THE MUDDO AREA AND THE DEER AREA, EACH AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET RZ-1. AS DESCRIBED IN THE SITE DEVELOPMENT DATA ABOVE, THE MUDDO AREA SHALL CONSIST COLLECTIVELY OF DEVELOPMENT AREAS A, B, C AND E AS DEPICTED AND THE DEER AREA SHALL CONSIST COLLECTIVELY OF DEVELOPMENT AREA A AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET RZ-1. EACH OF THE REFERENCED DEVELOPMENT AREAS MAY BE REFERRED TO COLLECTIVELY AS THE "DEVELOPMENT AREAS".
- 2. ZONING DISTRICTS/ORDINANCE:** DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE ("ORDINANCE") FOR THE APPLICABLE DISTRICTS. UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDDO-ZONING CLASSIFICATION SHALL GOVERN THE MUDDO AREA AND THOSE WITHIN THE NO ZONING CLASSIFICATION SHALL GOVERN THE DEER AREA, EACH AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET RZ-1.
- 3. GRAPHICS AND ALTERATIONS:** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS, AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS COLLECTIVELY ("DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS, THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS AND NOT INTENDED TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION SHOWN THEREON.
- SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.07 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE NOT CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION SHOWN THEREON. IT IS UNDERSTOOD THAT IF A MODIFICATION IS EXPRESSLY PERMITTED BY THE REZONING PLAN IT IS DEEMED A MINOR MODIFICATION FOR THE PURPOSES OF THESE DEVELOPMENT STANDARDS, OR
- MINOR AND DOES NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN, OR
 - MODIFICATIONS TO MOVE STRUCTURES GRAPHICALLY DEPICTED ON THE REZONING PLAN CLOSER TO ADJACENT PROPERTIES BUT NO CLOSER THAN THE "EXTERNAL BUILDING LINE" IN THIS CASE THE "EXTERNAL BUILDING LINE" IS THE LINE OF THE EXISTING BUILDING OR
 - MODIFICATIONS TO ALLOW MINOR INCREASES IN THE MASS OF THE BUILDINGS THAT DO NOT MATERIALLY CHANGE THE DESIGN INTENT DEPICTED OR DESCRIBED IN THE REZONING PLAN.

9 PLANNED/UNIFIED DEVELOPMENT THE SITE SHALL BE VIEWED AS A PLANNED/UNIFIED DEVELOPMENT PLAN AS TO THE ELEMENTS AND PORTIONS OF THE SITE GENERALLY DEPICTED ON THE REZONING

- [illegible]

THE FOLLOWING OPTIONAL E

- a. TO ALLOW WALL SIGNS TO HAVE UP TO 220 SQUARE FEET OF SIGN SURFACE AREA PER WALL OR 10% OF THE WALL AREA TO WHICH THEY ARE ATTACHED, WHICHEVER IS LESS.
- b. TO ALLOW ONE DETACHED GROUND MOUNTED SIGN PER STREET FRONT WITH A MAXIMUM HEIGHT OF 20 FEET AND CONTAINING UP TO 150 SQUARE FEET OF SIGN AREA.
- c. TO ALLOW, FREE-STANDING SINGLE-USE BUILDINGS, TO HAVE A DETACHED SIGN UP TO FOUR (4) FEET HIGH WITH UP TO 32 SQUARE FEET OF SIGN AREA.

9. TO NOT REQUIRE DOORWAYS TO BE RECESSED INTO THE FACE OF THE BUILDINGS WHEN THE WIDTH OF THE SIDEWALK IS AT LEAST 10 FEET OR TO NOT REQUIRE DOORWAYS TO BE RECESSED INTO THE SIDEWALK WHEN THE SIDEWALK IS LESS THAN 10 FEET WIDE OR TO NOT REQUIRE DOORWAYS TO BE RECESSED INTO THE SIDEWALK WHEN THE SIDEWALK IS LESS THAN 10 FEET WIDE AND THE BUILDING IS IN DEVELOPMENT AREA A TO BE RECESSED.
10. TO NOT REQUIRE SURFACE AND STRUCTURE PARKING AREAS, OUTDOOR DINING AREAS (AT GRADE OR OTHERWISE), AND LOADING DOCK AREAS (OPEN OR ENCLOSED) TO BE COUNTED AS PART OF THE ALLOWED GROUND FLOOR AREA/FLOOR AREA AS DETERMINED BY THE CITY ENGINEER.
11. TO ALLOW PARKING AND MANEUVERING BETWEEN THE BUILDINGS LOCATED IN DEVELOPMENT AREA B AND E, BUILDING ROAD AND MONROE ROAD, AS GENERALLY DEPICTED ON THE REPLACING PLAN. PARKING MAY BE TO THE SIDE OF BUILDINGS WITH DEVELOPMENT AREAS A AND B AS GENERALLY DEPICTED ON THE MONROE PLAN.
12. TO ALLOW WINDOWS AND WINDOW SHOPS LOCATED BETWEEN THE BUILDINGS WITH DEVELOPMENT AREA A THAT FACES MONROE AND ELLIARD ROAD TO HAVE GRAPHIC SIGNS (NOT SIGNS APPLIED TO 100% OF THE GLAZING OF THE WINDOW OR WINDOW BOX). THESE WINDOWS AND GRAPHIC SIGNS MAY BE USED TO MEET THE STREET WALL REQUIREMENTS OF THE ORDINANCE AND WILL BE GENERALLY LOCATED AT THE GROUND FLOOR LEVEL OF THE BUILDING TO HELP ENHANCE THE PEDESTRIAN ENVIRONMENT AT THE BASE OF THE BUILDING. THIS OPTIONAL PROVISION DOES NOT PRESENTLY APPLY TO THE BUILDINGS WITH DEVELOPMENT AREAS B AND C.

8 THE MUDD-O AREA IDENTIFIED AS DEVELOPMENT

- DISTRICT, TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD-O-ZONING DISTRICT. IN ADDITION, DEVELOPMENT AREA E WITHIN THE MUDD-O-AREA MAY BE DEVELOPED FOR TREE SHADE AREAS, STORE WATERPROOF FACILITIES AND LANDSCAPED AREAS.
- b. ONLY TWO (2) USES WITH ACCESSORY DRY-THROUGH WINDOWS (WHICH MAY INCLUDE EDEE USES, BANK FACILITIES AND THE LIKE) WILL BE ALLOWED IN THE MUDD-O-AREA AND ONLY ONE OF SUCH ACCESSORY USES MAY BE ALLOWED WITH AN EDEE USE, EXCEPT THAT SUCH LIMITATION SHALL NOT APPLY TO A LIMITED SERVICE RESTAURANT (AS DEFINED ABOVE).
- c. THE NS AREA (I.E. DEVELOPMENT AREA D) MAY BE DEVELOPED WITH UP TO 12,000 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED IN THE NS ZONING DISTRICT, TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD-O-ZONING DISTRICT.
- d. ONLY ONE GAS/COMBUSTION STORE USE MAY BE PERMITTED ON THE SITE AND IT SHALL BE LOCATED ONLY IN THE NS AREA. AS INDICATED, THE NS AREA (I.E. DEVELOPMENT AREA D) MAY BE DIVIDED INTO TWO (2) PARCELS TO PERMIT MULTIPLE USES, INCLUDING (WITHOUT LIMITATION "CO-BRANDED" USES, IN LIKE) OF THE SINGLE USE GENERALLY DEPicted ON THE GRAPHS ON SHEET R626. ONLY TWO (2) USES WITH ACCESSORY DRY-THROUGH WINDOWS (WHICH MAY INCLUDE EDEE USES, BANK FACILITIES AND THE LIKE) WILL BE ALLOWED IN THE NS AREA (I.E. DEVELOPMENT AREA D).

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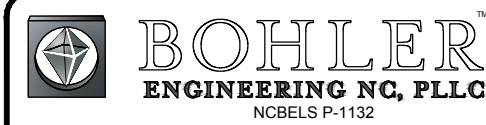
- BUILDING MATERIALS GENERALLY.** THE BUILD MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING. BRICK, STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS FIBER BOARD, STUCCO, EPS, DECORATIVE BRICK AND/OR WOOD. VINYL OR ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON THE BUILDING ELEVATIONS OF THE BUILDING. BUILDING MATERIALS USED ON THE BUILDING ELEVATIONS OF THE BUILDING SHALL BE CONSTRUCTED SO THAT AT LEAST 40% OF THE ELEVATION FRONTING PUBLIC STREETS, EXCLUSIVE OF WINDOWS, DOORS, AND ROOFS, WILL BE CONSTRUCTED UTILIZING THE FOLLOWING MATERIALS: BRICK, SYNTHETIC STONE, PRECAST CONCRETE, SYNTHETIC STONE, AND DECORATIVE BRICK. THE USE OF DECORATIVE BRICK WILL BE LIMITED TO 10% OF THE BUILDING ELEVATION.
- RENDERING.** THE ATTACHED PERSPECTIVE RENDERING IS INTENDED TO REFLECT THE LOCATION OF BUILDINGS, WITH THE EXCEPTION OF THE BUILDING IN DEVELOPMENT A WHICH SHALL HAVE PARKING BETWEEN THE BUILDING AND THE STREET AND OPEN SPACE THAT MAY BE CONSTRUCTED ON THE SITE (THE ACTUAL BUILDINGS CONSTRUCTED ON THE SITE MAY NOT VARY FROM THESE ILLUSTRATIONS PROVIDED THAT THE DESIGN INTENT IS PRESERVED. THE USE OF COLORS (RED HUES) THAT ARE TYPICALLY ASSOCIATED WITH BRICK MATERIALS ON THE ATTACHED ELEVATIONS DOES NOT PRECLUDE THE USE OF OTHER COLORS.
- BLANK WALLS IN DEVELOPMENT AREAS A, B & C.** IN DEVELOPMENT AREAS A, B & C, EXPANSES OF BLANK WALLS MAY NOT EXCEED 20 FEET IN LENGTH ALONG PUBLIC STREET FRONTAGE. A BLANK WALL IS A FACADE THAT DOES NOT ADD TO THE CHARACTER OF THE STREETScape AND DOES NOT CONTAIN TRANSPARENT WINDOWS OR DOOR OR SUFFICIENT ORNAMENTATION, DECORATION OR DETAIL TO CONTRIBUTE TO THE STREETScape. BLANK WALLS SHALL BE LIMITED TO 10% OF THE BUILDING ELEVATION. BLANK WALLS SHALL NOT BE USED TO SCREEN OR OBSCURE VIEWS OR BE USED TO HIDE OR NOT BE LIMITED TO MOULDING, STRING COURSES, BELT COURSES, CHANGES IN MATERIAL OR COLOR, ARCHITECTURAL LIGHTING, WORKS OF ART, DISPLAY CASES, BUILDING OFF-SETS OR WINDOWS WITH SPANDREL/GLOVE GLASS. IF THE BUILDINGS IN DEVELOPMENT AREA C FRONT LONG AVENUE BUT DO NOT PRINCIPALLY ORIENT TO LONG AVENUE, 10% OF LANDSCAPE AREA WITH LARGE WATERSIDE TREES SHALL BE MAINTAINED TO PROVIDE VISUAL SCREENING TO THE BUILDINGS IN DEVELOPMENT AREA C.
- BIWHEEL ROAD FOR DEVELOPMENT AREA B.** BUILDINGS IN DEVELOPMENT AREA B SHALL BE DESIGNED SO THAT THE STREET FACADE ALONG BIWHEEL ROAD INCLUDES THE USE OF CLEAR GLASS WINDOWS AND DOORS ARRANGED SO THAT USES ARE VISIBLE FROM ANOTHER ACCESSIBLE TO THE STREET ON AT LEAST 40% OF THE LENGTH OF THE BUILDING. WHEN THIS APPLICABLE IT IS NOT FEASIBLE THREE OF THE FOLLOWING ARCHITECTURAL ELEMENTS SHALL BE USED ON THE BUILDING FACADE AT STREET LEVEL. ELEMENTS MAY INCLUDE, BUT ARE NOT LIMITED TO: 1) MOLDING, STRING COURSES OR CORNICES; 2) BALCONIES; 3) PORCHES; 4) AWNINGS; 5) CANOPIES; 6) SIGNS; 7) LIGHT FIXTURES; 8) DISPLAY CASES; 9) ART; 10) ARCHITECTURAL LIGHTING; 11) WORKS OF ART; 12) STATUES; 13) FOUNTAINS; 14) TREES; 15) LANDSCAPE ARCHITECTURE; 16) WALLS; 17) FENCES; 18) GATES; 19) RAILINGS; 20) STAIRS; 21) PLANTERS; 22) TREES; 23) FOUNTAINS; 24) STATUES; 25) LANDSCAPE ARCHITECTURE; 26) WALLS; 27) FENCES; 28) GATES; 29) RAILINGS; 30) STAIRS; 31) PLANTERS; 32) TREES; 33) FOUNTAINS; 34) STATUES; 35) LANDSCAPE ARCHITECTURE; 36) WALLS; 37) FENCES; 38) GATES; 39) RAILINGS; 40) STAIRS; 41) PLANTERS; 42) TREES; 43) FOUNTAINS; 44) STATUES; 45) LANDSCAPE ARCHITECTURE; 46) WALLS; 47) FENCES; 48) GATES; 49) RAILINGS; 50) STAIRS; 51) PLANTERS; 52) TREES; 53) FOUNTAINS; 54) STATUES; 55) LANDSCAPE ARCHITECTURE; 56) WALLS; 57) FENCES; 58) GATES; 59) RAILINGS; 60) STAIRS; 61) PLANTERS; 62) TREES; 63) FOUNTAINS; 64) STATUES; 65) LANDSCAPE ARCHITECTURE; 66) WALLS; 67) FENCES; 68) GATES; 69) RAILINGS; 70) STAIRS; 71) PLANTERS; 72) TREES; 73) FOUNTAINS; 74) STATUES; 75) LANDSCAPE ARCHITECTURE; 76) WALLS; 77) FENCES; 78) GATES; 79) RAILINGS; 80) STAIRS; 81) PLANTERS; 82) TREES; 83) FOUNTAINS; 84) STATUES; 85) LANDSCAPE ARCHITECTURE; 86) WALLS; 87) FENCES; 88) GATES; 89) RAILINGS; 90) STAIRS; 91) PLANTERS; 92) TREES; 93) FOUNTAINS; 94) STATUES; 95) LANDSCAPE ARCHITECTURE; 96) WALLS; 97) FENCES; 98) GATES; 99) RAILINGS; 100) STAIRS; 101) PLANTERS; 102) TREES; 103) FOUNTAINS; 104) STATUES; 105) LANDSCAPE ARCHITECTURE; 106) WALLS; 107) FENCES; 108) GATES; 109) RAILINGS; 110) STAIRS; 111) PLANTERS; 112) TREES; 113) FOUNTAINS; 114) STATUES; 115) LANDSCAPE ARCHITECTURE; 116) WALLS; 117) FENCES; 118) GATES; 119) RAILINGS; 120) STAIRS; 121) PLANTERS; 122) TREES; 123) FOUNTAINS; 124) STATUES; 125) LANDSCAPE ARCHITECTURE; 126) WALLS; 127) FENCES; 128) GATES; 129) RAILINGS; 130) STAIRS; 131) PLANTERS; 132) TREES; 133) FOUNTAINS; 134) STATUES; 135) LANDSCAPE ARCHITECTURE; 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PROJECT No.:	NCC152096
DRAWN BY:	SRF
CHECKED BY:	SRF
DATE:	2/26/19
SCALE:	1" = 60'
CAD I.D.:	RZ

FOR
SELWYN
PROPERTY
GROUP



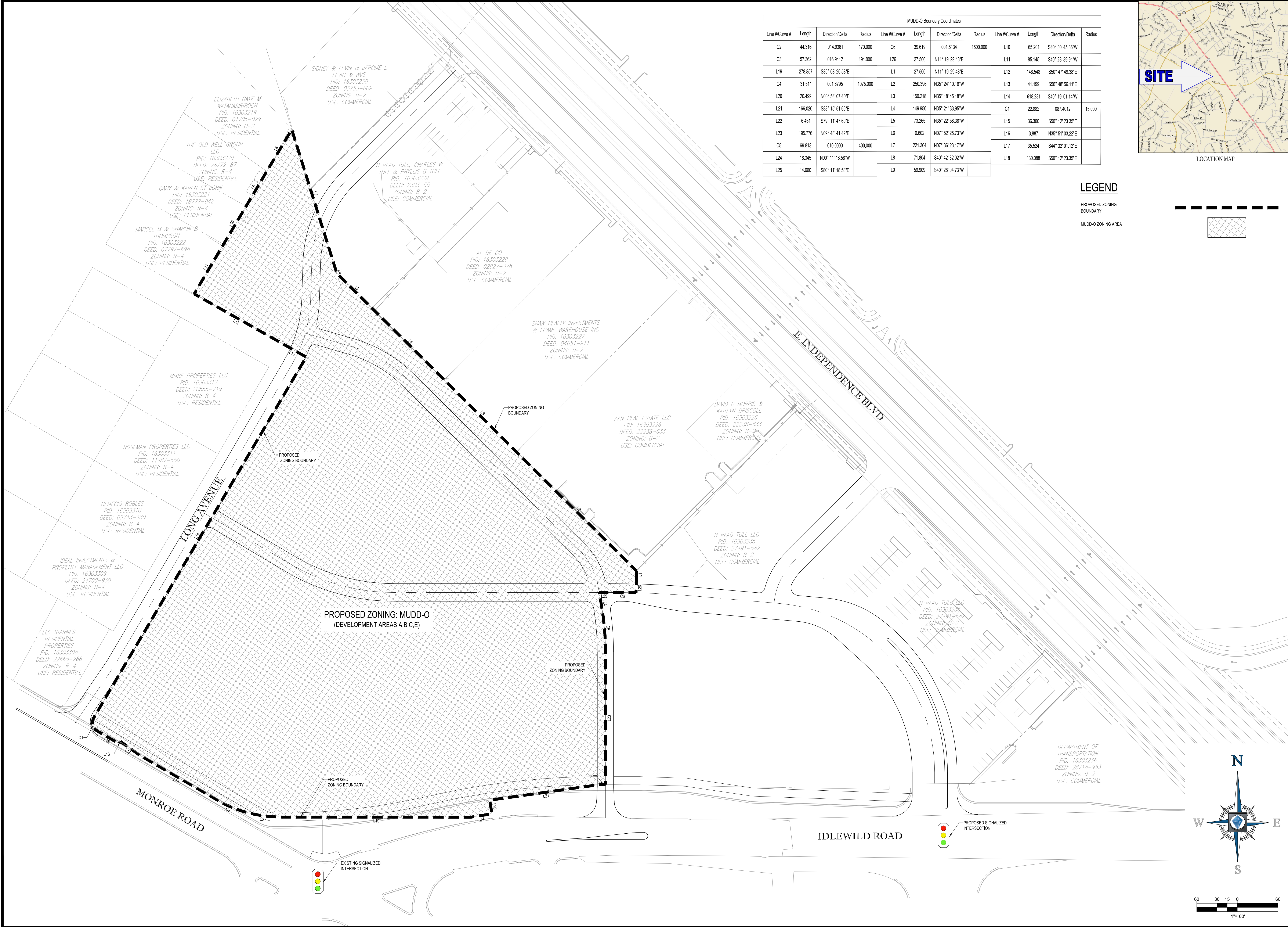
1927 S. TRYON STREET, SUITE 310
CHARLOTTE, NC 28203
 Phone: (980) 272-3400
 Fax: (980) 272-3401
NC@BohlerEng.com



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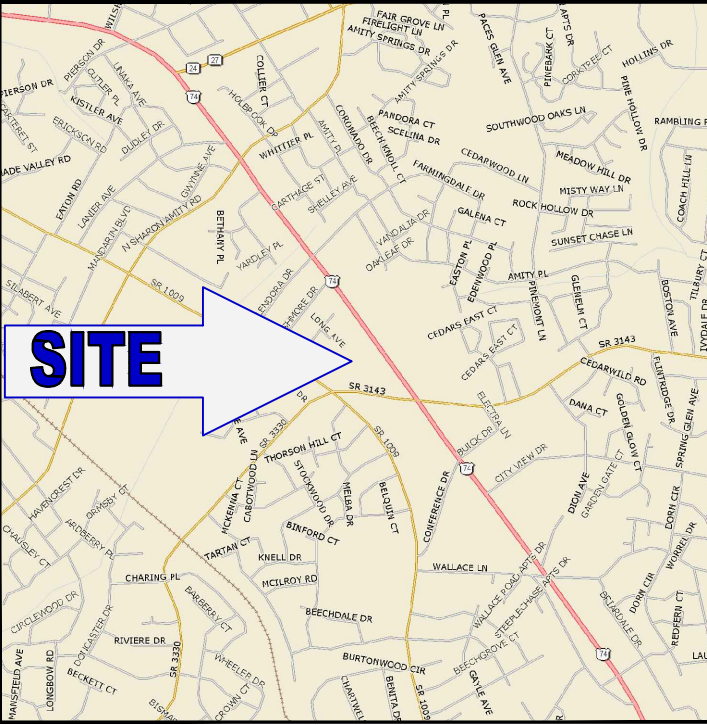
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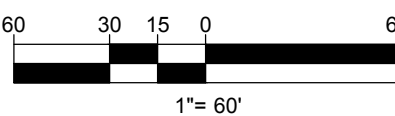
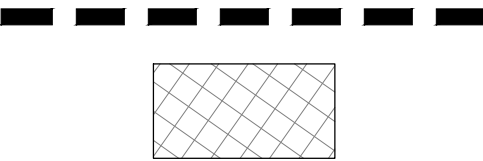
			MUDD-O Boundary Coordinates					
Line #/Curve #	Length	Direction/Delta	Radius	Line #/Curve #	Length	Direction/Delta	Radius	Line #/Curve #
C2	44.316	014.9361	170.000	C6	39.619	001.5134	1500.000	L10
C3	57.362	016.9412	194.000	L26	27.500	N11° 19' 28.48"E		L11
L19	278.857	S80° 08' 26.53"E		L1	27.500	N11° 19' 28.48"E		L12
C4	31.511	001.6795	1075.000	L2	250.396	N35° 24' 10.16"W		L13
L20	20.499	N00° 54' 07.40"E		L3	150.218	N35° 18' 45.18"W		L14
L21	166.020	S88° 15' 51.60"E		L4	149.950	N35° 21' 33.95"W		C1
L22	6.461	S79° 11' 47.60"E		L5	73.285	N35° 22' 58.38"W		L15
L23	195.776	N09° 48' 41.42"E		L6	0.602	N07° 52' 25.73"W		L16
C5	69.813	010.0000	400.000	L7	221.364	N07° 36' 23.17"W		L17
L24	18.345	N00° 11' 18.58"W		L8	71.804	S40° 42' 32.02"W		L18
L25	14.660	S80° 11' 18.58"E		L9	59.909	S40° 28' 04.73"W		

LEGEND

PROPOSED ZONING
BOUNDARY
MUDD-O ZONING AREA



LOCATION MAP



BOHLER
ENGINEERING NC, PLLC

SITE VISUALIZATION, LANDSCAPE ARCHITECTURE, LAND SURVEYING, PROGRAM MANAGER, PERMITTING SERVICES, SUSTAINABLE DESIGN

UPSTATE NEW YORK
ALBANY, NY
ROCHESTER, NY
NEW YORK METRO
NEW YORK, NY
PHILADELPHIA, PA

TRANSITATION SERVICES
LANDSCAPE ARCHITECTURE
PERMITTING SERVICES
PROGRAM MANAGER
SUSTAINABLE DESIGN

RALEIGH, NC
ASHEBORO, NC
REHOBOTH BEACH, FL
BALTIMORE, MD
CENTRAL VIRGINIA
PHILADELPHIA, PA

REVISIONS			
REV	DATE	COMMENT	BY

NOT APPROVED FOR
CONSTRUCTION

PROJECT No.: NOC152096
DRAWN BY: PMK
CHECKED BY: GPP
DATE: 2/26/19
SCALE: 1" = 60'
CAD I.D.: RZ

PROJECT:
**COMMERCIAL
REZONING PLAN**
FOR
**SELWYN
PROPERTY
GROUP**

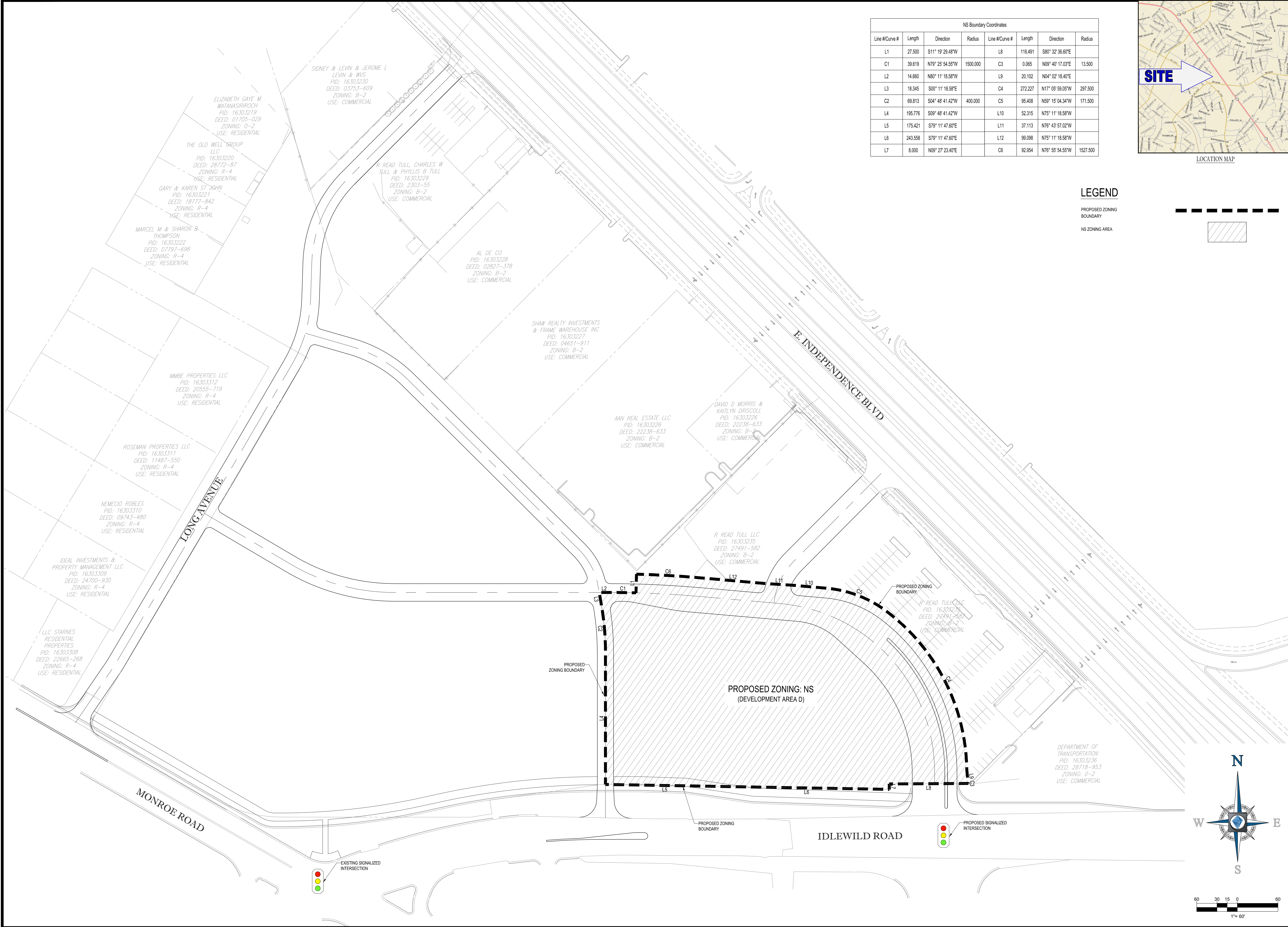
BOHLER
ENGINEERING NC, PLLC
NCBELS P-1132

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

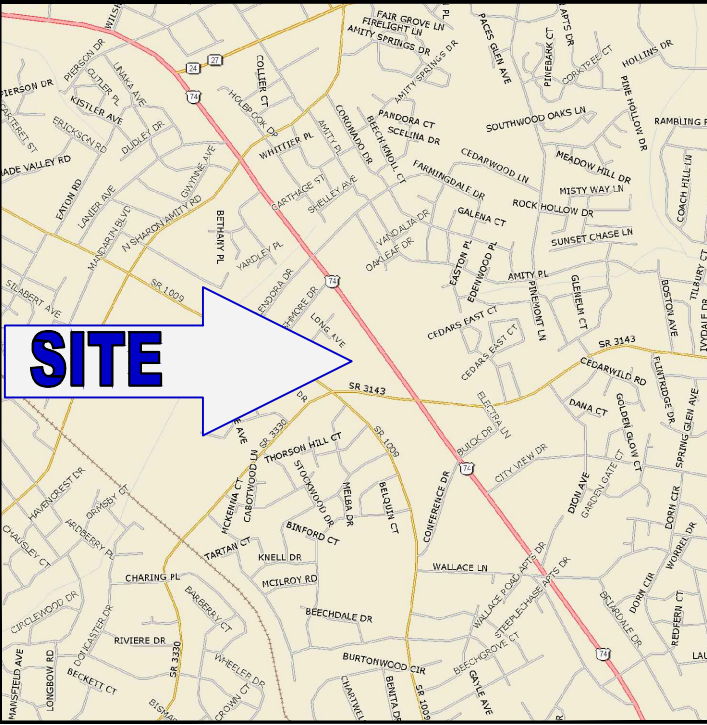
SunCap
PROPERTY GROUP

SHEET TITLE:
**MUDD-O
ZONING AREA**

SHEET NUMBER:
RZ-3




NS Boundary Coordinates						
Line #/Curve #	Length	Direction	Radius	Line #/Curve #	Length	Direction
L1	27.500	S11° 19' 28.48"W		L8	116.491	S80° 32' 36.60"E
C1	39.619	N79° 25' 54.55"W	1500.000	C3	0.065	N09° 40' 17.03"E
L2	14.860	N80° 11' 18.58"W		L9	20.102	N04° 02' 18.40"E
L3	18.345	S00° 11' 18.58"E		C4	272.227	N17° 05' 58.05"W
C2	69.813	S04° 48' 41.42"W	400.000	C5	95.408	N59° 15' 04.34"W
L4	195.776	S09° 48' 41.42"W		L10	52.315	N75° 11' 18.58"W
L5	175.421	S79° 11' 47.60"E		L11	37.113	N76° 43' 57.02"W
L6	243.558	S79° 11' 47.60"E		L12	99.086	N75° 11' 18.58"W
L7	8.000	N09° 27' 23.40"E		C6	92.954	N76° 55' 54.55"W
						Radius



LOCATION MAP

LEGEND

PROPOSED ZONING
BOUNDARY
NS ZONING AREA



BOHLER
ENGINEERING NC, PLLC

SITE VISUALIZATION, LANDSCAPE ARCHITECTURE, TRANSPORTATION SERVICES, PERMITTING SERVICES, PROGRAM MANAGER, LAND SURVEYING, SUSTAINABLE DESIGN


RALEIGH, NC
LEHIGH VALLEY, PA
NEW YORK, NY
WASHINGTON, DC
BALTIMORE, MD
PHILADELPHIA, PA
ATLANTA, GA
TAMPA, FL
MIAMI, FL
FORT MYERS, FL
NORTH VIRGINIA
CENTRAL VIRGINIA

REVISIONS			
REV	DATE	COMMENT	BY

NOT APPROVED FOR
CONSTRUCTION

PROJECT No.:	NOC152096
DRAWN BY:	PMK
CHECKED BY:	GPP
DATE:	2/26/19
SCALE:	1" = 60'
CAD I.D.:	RZ

PROJECT:
**COMMERCIAL
REZONING PLAN**
FOR
**SELWYN
PROPERTY
GROUP**



BOHLER
ENGINEERING NC, PLLC

NCELS P-1132

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



SunCap
PROPERTY GROUP

SHEET TITLE:
**NS ZONING
AREA**

SHEET NUMBER:
RZ-4



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

BOHLER
ENGINEERING NC, PLLC

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

OFFICES IN:
• ALABAMA
• ARIZONA
• CALIFORNIA
• COLORADO
• CONNECTICUT
• FLORIDA
• GEORGIA
• ILLINOIS
• INDIANA
• IOWA
• KANSAS
• MARYLAND
• MASSACHUSETTS
• MICHIGAN
• MINNESOTA
• MISSISSIPPI
• MISSOURI
• MONTANA
• NEBRASKA
• NEVADA
• NEW JERSEY
• NEW YORK
• NORTH CAROLINA
• NORTH DAKOTA
• OHIO
• OKLAHOMA
• PENNSYLVANIA
• RHODE ISLAND
• SOUTH CAROLINA
• SOUTH DAKOTA
• TEXAS
• UTAH
• VIRGINIA
• WASHINGTON
• WEST VIRGINIA
• WISCONSIN
• WYOMING

REVISIONS			
REV	DATE	COMMENT	BY

NOT APPROVED FOR
CONSTRUCTION

PROJECT No.: NCC1520986
DRAWN BY: GPP
DATE: 2/26/19
SCALE: NTS
CAD I.D.: RZ

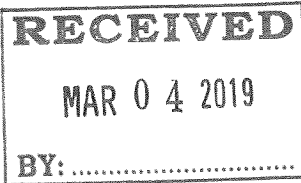
PROJECT:
**COMMERCIAL
REZONING PLAN**
FOR
**SELWYN
PROPERTY
GROUP**
LOCATION OF SITE

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

SunCap
PROPERTY GROUP

SHEET TITLE:
**CONCEPTUAL
RENDERING**
SHEET NUMBER:
RZ-6

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-042

Petition #:	_____
Date Filed:	3/4/2019
Received By:	RH

Complete All Fields (Use additional pages if needed)

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

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

Date Property Acquired: November 2016

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

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

Current Land Use: vacant Size (Acres): 12.516

Existing Zoning: B2-CD Proposed Zoning: TOD

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

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Jason Prescott

Date of meeting: 2-14-2019

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

For Conditional 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: _____

Chad Howie

Name of Rezoning Agent

3008 Cherokee Street NW

Agent's Address

Kennesaw, GA 30144

City, State, Zip


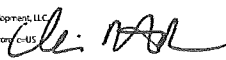
770-702-1223

Telephone Number

Fax Number

chowie@sanctuarycompanies.com

E-Mail Address

 Chad L. Howie
on=Chad L. Howie, o=Sanctuary Development, LLC,
ou=President / CEO,
email=chowie@sanctuarycompanies.com, c=US
2019.02.21 18:09:39 -0500 

Signature of Property Owner

Chad L. Howie

Oliver Holmes

(Name Typed / Printed) Sanctuary 4Point Charlotte, LLC.

Sanctuary Development, LLC

Name of Petitioner(s)

3008 Cherokee Street NW

Address of Petitioner(s)

Kennesaw, GA 30144

City, State, Zip


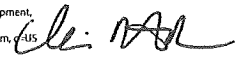
770-789-3350

Telephone Number

Fax Number

chowie@sanctuarycompanies.com

E-Mail Address

 Chad L. Howie
on=Chad L. Howie, o=Sanctuary Development,
LLC, ou=President / CEO,
email=chowie@sanctuarycompanies.com, c=US
2019.02.21 18:09:12 -0500 

Signature of Petitioner

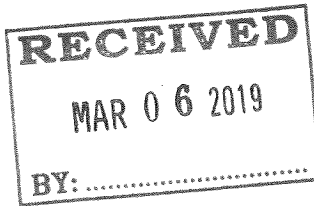
Chad L. Howie

Oliver Holmes

(Name Typed / Printed)

Sanctuary 4Point Charlotte, LLC

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-043

Petition #:	
Date Filed:	3/6/2019
Received By:	BH

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: residential/vacant (Acres): ± 43.583

Existing Zoning: R-3(LWPA) Proposed Zoning: MX-2(LWPA)

Overlay: Lake Wylie, PA Tree Survey Provided: Yes: N/A:

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Alberto Gonzalez, Jason Prescott, Rick Grochoske, Molly Haines

Date of meeting: 2/11/2019

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: To allow the development of the parcels with a residential community with a mix of townhome and single-family units.

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

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

Telephone Number

Fax Number

keithmacvean@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENT A

Signature of Property Owner

Diamondback Acquisitions Company, LLC (Attn: Paul Holst)

Name of Petitioner

3514-B Drawbridge Parkway

Address of Petitioner

Greensboro, NC 27410

City, State, Zip

336-944-7919

Telephone Number

Fax Number

pholst@diamondbackinvestmentgroup.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

SCHEDULE 1

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

ATTACHMENT A

REZONING PETITION NO. 2019-____
Diamondback Acquisitions

OWNER JOINDER AGREEMENT
STM Family LLC

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

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

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-3 zoning district to the MX-2 zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 18TH day of 2019, 2019.

STM Family LLC

By: Michael J. Handberry

Name: Michael J. Handberry

Its: MANAGING PARTNER

ATTACHMENT B

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

Petitioner:

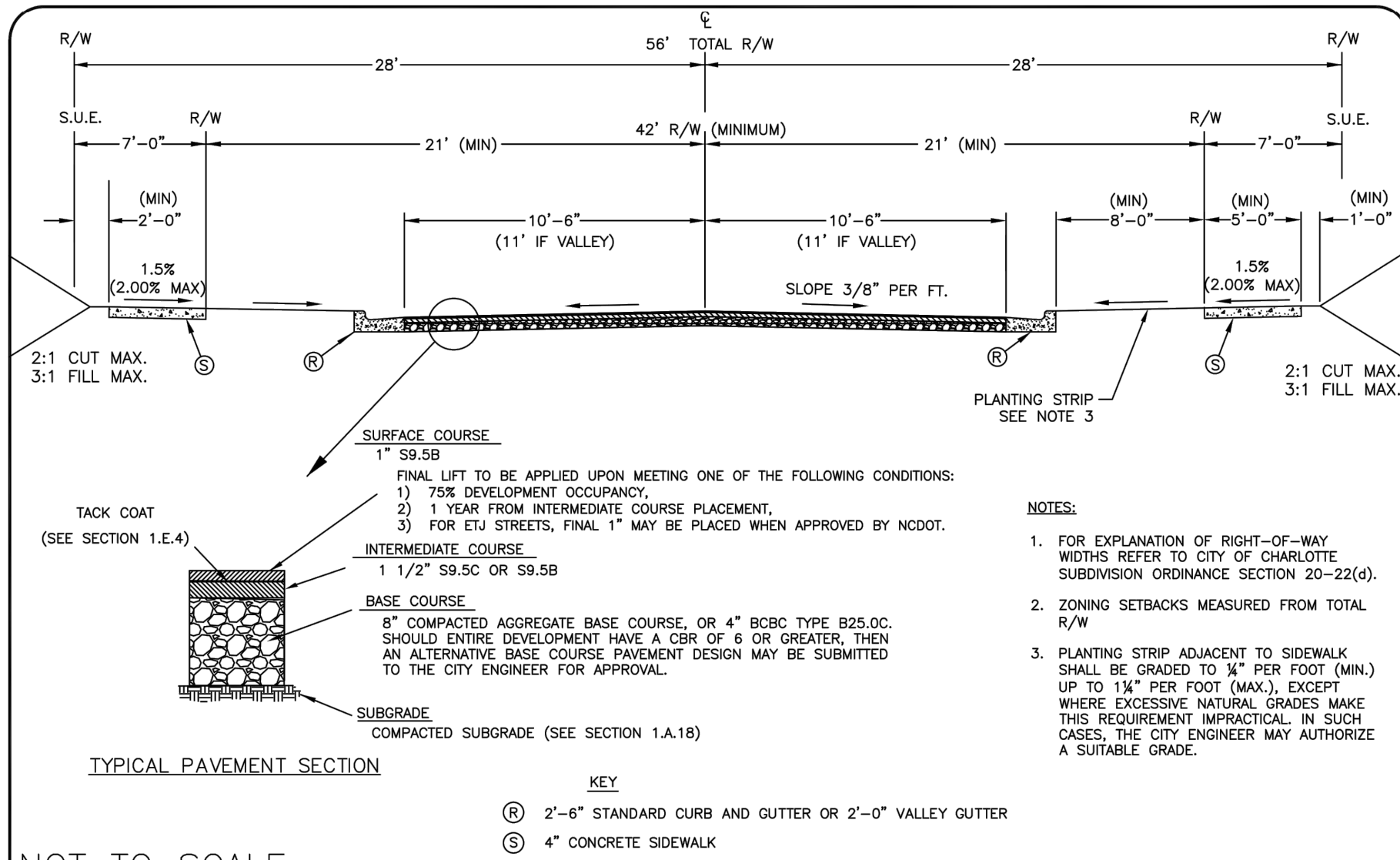
Diamondback Acquisition Company, LLC

By: 

Name: PAUL HOLST

Title: DP. PARTNER

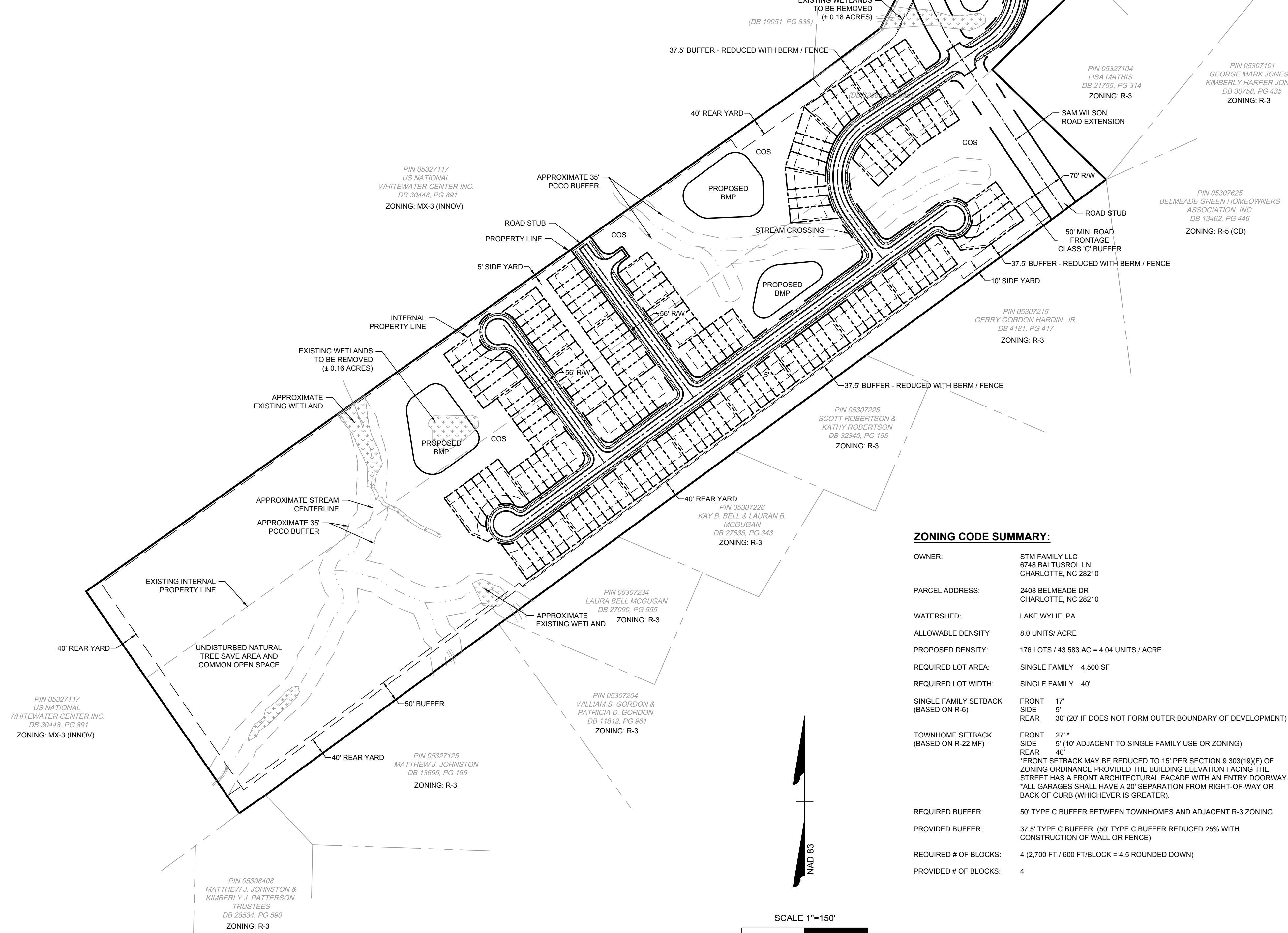
R:\104\2567-Hanbury Residential (Diamondback) DWG\Sheet\Re zoning\42567C - Rezoning Site Plan.dwg | Plotted on 3/6/2019 1:43 PM by Katie Bradley



CITY OF CHARLOTTE
LAND DEVELOPMENT STANDARDS
INCLUDES CHARLOTTE ETJ

LOCAL RESIDENTIAL MEDIUM STREET
TYPICAL SECTION

STD. NO. 1 REV
U-02 17



SITE DEVELOPMENT DATA:

- ACREAGE: ± 43.583 ACRES
- TAX PARCEL #: 053-271-08 AND 053-271-26
- EXISTING ZONING: R-3
- PROPOSED ZONING: MX-2
- EXISTING USES: VACANT
- PROPOSED USES: UP TO 176 DWELLING UNITS A COMBINATION OF SINGLE-FAMILY DETACHED AND ONE-FAMILY ATTACHED DWELLING UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MX-2 ZONING DISTRICT. SEE SECTION 2 BELOW FOR FURTHER RESTRICTIONS.
- MAXIMUM BUILDING HEIGHT: NOT TO EXCEED THREE (3) STORIES AND NOT TO EXCEED 48 FEET; BUILDING HEIGHT TO BE MEASURED AS REQUIRED BY THE ORDINANCE.
- PARKING: PARKING AS REQUIRED BY THE ORDINANCE WILL BE PROVIDED.

1. GENERAL PROVISIONS:

- SITE LOCATION:** THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY DIAMONDBACK ACQUISITIONS ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A SINGLE-FAMILY AND TOWNHOME COMMUNITY ON APPROXIMATELY 43.583 ACRE SITE LOCATED ON THE SOUTH SIDE OF BELMEADE DRIVE AND JUST EAST OF DRIFTWOOD VILLAGE DRIVE (THE "SITE").
 - ZONING DISTRICTS/ORDINANCE:** DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MX-2 ZONING CLASSIFICATION SHALL GOVERN.
 - GRAPHICS AND ALTERATIONS:** THE SCHEMATIC DEPICTIONS OF THE USES, SIDEWALKS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS, THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.
- SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE 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:
- MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

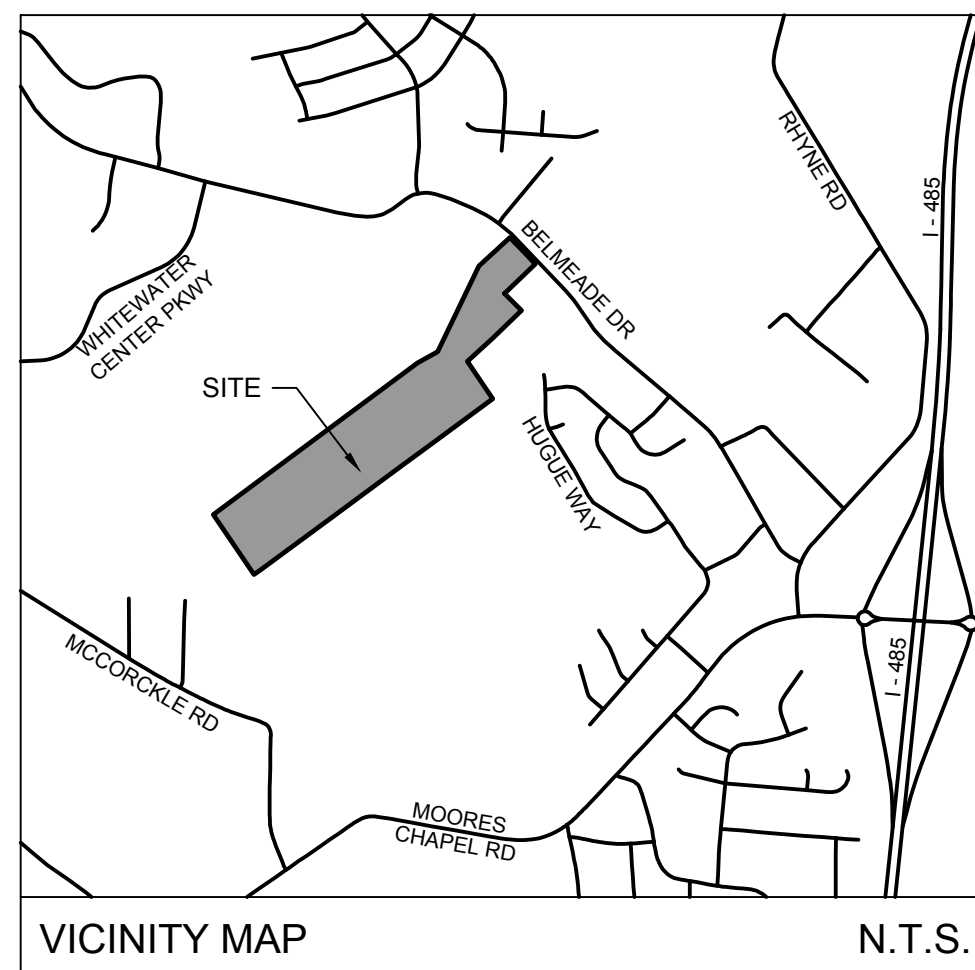
THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED FOR THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

2. PERMITTED USES & DEVELOPMENT AREA LIMITATION:

- THE SITE MAY BE DEVELOPED WITH UP TO 176 DWELLINGS UNITS A COMBINATION OF SINGLE-FAMILY DETACHED & ONE-FAMILY ATTACHED DWELLING UNITS TOGETHER WITH ACCESSORY USES ALLOWED IN THE MX-2 ZONING DISTRICT AND FURTHER RESTRICTED BELOW.
- THE NUMBER OF DETACHED OR ATTACHED DWELLING UNITS MAY VARY AS LONG AS THE TOTAL NUMBER OF DWELLING UNITS DOES NOT EXCEED 176. NON-RESIDENTIAL USES WILL NOT BE ALLOWED ON THE SITE.
- THE AREA OF THE SITE LOCATED BETWEEN BELMEADE DRIVE AND SAM WILSON ROAD EXTENSION MAY ONLY BE DEVELOPED WITH SINGLE-FAMILY DETACHED DWELLING UNITS AS ALLOWED IN THE MX-2 ZONING DISTRICT, AND AS GENERALLY DEPICTED ON THE REZONING PLAN.
- THE AREA OF THE SITE LOCATED TO THE SOUTHWEST OF SAM WILSON ROAD EXTENSION MAY BE DEVELOPED WITH EITHER ONE-FAMILY ATTACHED OR DETACHED DWELLING UNITS AS GENERALLY DEPICTED ON THE REZONING PLAN.
- EACH RESIDENTIAL DWELLING UNIT (ATTACHED AND DETACHED) WILL BE PROVIDED WITH AT LEAST A ONE-CAR GARAGE.

3. ACCESS, TRANSPORTATION AND IMPROVEMENTS:

- ACCESS TO THE SITE WILL BE FROM BELMEADE DRIVE AND SAM WILSON ROAD EXTENSION AS GENERALLY DEPICTED ON THE REZONING PLAN.
- THE PETITIONER WILL PROVIDE SIDEWALKS AND PLANTING STRIPS ALONG THE INTERIOR PUBLIC AND PRIVATE STREETS AS REQUIRED BY THE ORDINANCE AND AS REQUIRED BY CMDS STANDARDS FOR A LOCAL RESIDENTIAL MEDIUM PUBLIC STREET.
- THE PETITIONER WILL, ALONG THE INTERNAL PUBLIC AND PRIVATE STREETS, USE BEST AND REASONABLE EFFORTS TO DESIGN THE BUILDINGS SO THE INDIVIDUAL DRIVEWAYS TO EACH UNIT ARE SEPARATED AS MUCH AS POSSIBLE FROM EACH OTHER.
- STREET TREES WILL ALSO BE PROVIDED ALONG THE PUBLIC AND PRIVATE STREETS AS REQUIRED.
- THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CDDT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- ALONG BELMEADE DRIVE THE PETITIONER SHALL DEDICATE AND CONVEY (BY QUITCLAIM DEED AND SUBJECT TO A RESERVATION OF ANY NECESSARY UTILITY EASEMENTS) THAT PORTION OF THE SITE LOCATED ALONG BELMEADE DRIVE AS MAY BE NECESSARY TO PROVIDE FOR A RIGHT-OF-WAY EXTENDING 30 FEET FROM THE EXISTING CENTERLINE AS GENERALLY DEPICTED ON THE REZONING PLAN, SAID DEDICATION AND CONVEYANCE TO OCCUR PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE FIRST RESIDENTIAL DWELING BUILDING CONSTRUCTED ON THE SITE.
- THE PETITIONER SHALL DEDICATE AND CONVEY (BY QUITCLAIM DEED AND SUBJECT TO A RESERVATION OF ANY NECESSARY UTILITY EASEMENTS) THAT PORTION OF THE SITE LOCATED ALONG THE FUTURE EXTENSION OF SAM WILSON EXTENSION ROAD AS MAY BE NECESSARY TO PROVIDE FOR A 70 FOOT RIGHT-OF-WAY AS GENERALLY DEPICTED ON THE REZONING PLAN, SAID DEDICATION AND CONVEYANCE TO OCCUR PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE FIRST RESIDENTIAL DWELLING BUILDING CONSTRUCTED ON THE SITE.
- THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED TO THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDDT IN ACCORDANCE WITH PUBLISHED STANDARDS.



4. ARCHITECTURAL STANDARDS, GENERAL DESIGN GUIDELINES FOR ONE-FAMILY ATTACHED DWELLING UNITS ("TOWNHOMES"):

- THE PRINCIPAL BUILDINGS USED FOR THE ONE-FAMILY ATTACHED DWELLING UNITS ("TOWNHOMES") CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS WILL BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING (SUCH AS HARDY-PLANK), VINYL, EIFS OR WOOD.
- THE ENTRANCES (FRONT DOOR ENTRANCES) FOR THE PROPOSED TOWNHOMES LOCATED WITHIN 15 FEET OF A SIDEWALK WILL BE RAISED 24 INCHES ABOVE THE AVERAGE GRADE OF THE SIDEWALK.
- PITCHED ROOFS, IF PROVIDED, SHALL BE SYMMETRICALLY SLOPED NO LESS THAN 5:12, EXCEPT THAT ROOFS FOR PORCHES AND ATTACHED SHEDS MAY BE NO LESS THAN 2:12.
- PORCHES SHALL FORM A PREDOMINATE MOTIF OF THE BUILDING DESIGN. EACH UNIT WILL BE CONSTRUCTED WITH A FRONT PORCH WITH A MINIMUM DEPTH OF SIX (6) FEET.
- THE PROPOSED UNITS LOCATED ON THE INTERIOR OF THE SITE THAT HAVE END ELEVATIONS DIRECTLY ACROSS THE PROPOSED PRIVATE OR PUBLIC STREET FROM UNITS THAT FRONT THE SAME PRIVATE OR PUBLIC STREET WILL BE CONSTRUCTED WITH CORNER PORCHES. CORNER PORCHES WILL EXTEND A MINIMUM OF SIX (6) FEET FROM THE FRONT ELEVATION AND WILL HAVE A MINIMUM DEPTH OF SIX (6) FEET.
- ON THE INTERIOR OF THE SITE END UNITS THAT ABUT THE INTERNAL PRIVATE OR PUBLIC STREETS WILL HAVE MULTIPLE WINDOWS ON THE END FACADES TO AVOID A BLANK STREET WALL.
- GARAGE DOORS VISIBLE FROM THE PUBLIC OR PRIVATE STREETS WILL BE RECESSED AT LEAST ONE (1) FOOT BEHIND THE FRONT MOST BUILDING FACE, TO MINIMIZE THE VISUAL IMPACT OF THE GARAGE DOORS ON THE PUBLIC AND PRIVATE STREETS.
- WHEN VINYL SIDING IS USED AS A BUILDING MATERIAL, ON THE PROPOSED BUILDINGS, THE MINIMUM THICKNESS OF THE PROPOSED VINYL WILL BE .042.

5. STREETScape, BUFFERS, YARDS, OPEN SPACE AND LANDSCAPING:

- A 50 FOOT ROAD FRONTAGE BUFFER AS MEASURED FROM THE FUTURE RIGHT-OF-WAY BACK OF BELMEADE DRIVE WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. THIS BUFFER WILL MEET CLASS C BUFFER STANDARDS.
- PER SECTION 11.207 OF THE ORDINANCE AT LEAST 10% OF THE SITE SHALL BE SET ASIDE AS COMMON OPEN SPACE. THE REQUIRED OPEN SPACE WILL BE SET ASIDE AND IMPROVED AS REQUIRED BY THE ORDINANCE. THE POSSIBLE LOCATIONS OF THE COMMON OPEN SPACE AREAS IS GENERALLY DEPICTED ON THE REZONING PLAN.
- REAR YARDS WILL PROVIDED ALONG THE EXTERIOR PROPERTY LINES AS GENERALLY DEPICTED ON THE REZONING PLAN. THE REQUIRED PRIVATE OPEN SPACE FOR THE PROPOSED UNITS MAY BE LOCATED WITHIN THE PROPOSED REAR AND SIDE YARDS, BUT NOT IN THE PROPOSED BUFFERS.
- BUFFERS WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. BUFFER WIDTHS MAY BE INCREASED AS ALLOWED BY THE ORDINANCE.
- UTILITIES MAY CROSS PROPOSED BUFFERS AT ANGLES NO GREATER THAN 75 DEGREES. STORM DRAINAGE DISCHARGE APRONS AND SWALES WITH OR WITHOUT RIP-RAP MAY ALSO CROSS THE BUFFER AT ANGLES NO GREATER THAN 75 DEGREES IN ORDER TO ALLOW FOR THE NATURAL FLOW STORM WATER.

6. ENVIRONMENTAL FEATURES:

- THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
- THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
- THE SITE WILL COMPLY WITH THE TREE ORDINANCE. THE POSSIBLE LOCATION OF THE PROPOSED TREE SAVE AREAS ARE GENERALLY DEPICTED ON THE REZONING PLAN.
- ALL UTILITIES WITHIN THE SITE WILL BE PLACED UNDERGROUND.

7. LIGHTING:

- ALL NEW LIGHTING SHALL BE FULL CUTOFF-TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, PARKING AREAS AND COURTYARDS.
- ARCHITECTURAL LIGHTING ON BUILDING FACADES, SUCH AS BUT NOT LIMITED TO SCONES, WILL BE PERMITTED.

8. AMENDMENTS TO THE REZONING PLAN:

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

9. BINDING EFFECT OF THE REZONING APPLICATION:

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

THIS DRAWING PREPARED AT THE
CHARLOTTE OFFICE
610 E. Morehead Street, Suite 250 | Charlotte, NC 28202
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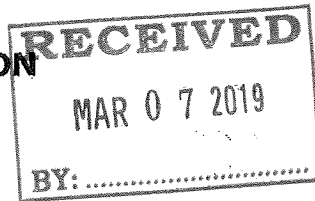
DIAMONDBACK INVESTMENT GROUP, LLC
3514-B Drawbridge Parkway
Greensboro, NC 27410

WHITEWATER POINT
CHARLOTTE - MECKLENBURG COUNTY - NORTH CAROLINA
REZONING SITE PLAN

JOB NO.
42587
SHEET NO.
RZ-1.0

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**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-044

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

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

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

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

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

Tax Parcel Numbers: portion of 073-281-01

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

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

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

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

Date of meeting: 1/23/19

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To permit additional signage on the allowed/proposed indoor practice/training facility building and overall site.

Jeff Brown, Keith MacVean & Dujuana Keys

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

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

704.331-2371 (DK) 7004-339-5888 (DK)

Telephone Number

Fax Number

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

E-mail Address

See Attached

Signature of Property Owner

Panthers Stadium, LLC (Attn: Mark Hart)

Name of Petitioner

800 S Mint Street

Address of Petitioner

Charlotte, NC 28202

City, State, Zip

O: 704-358-7849

Telephone Number

Fax Number

mark.hart@panthers.nfl.com

E-mail Address

See Attached

Signature of Petitioner

ATTACHMENT A

REZONING PETITION NO. 2019-____
Panthers Stadium, LLC

LEASEHOLD OWNER JOINDER AGREEMENT
Panthers Stadium, LLC*

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

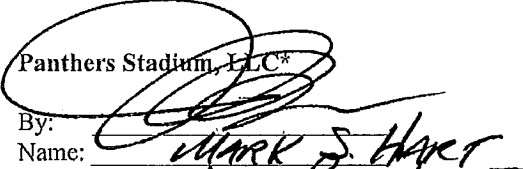
This 6 day of MARCH, 2019.

Panthers Stadium, LLC*

By:

Name:

Its:


MARK S. HART
Vice President

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

ATTACHMENT B

REZONING PETITION NO. 2019-____
Panthers Stadium, LLC

FEE SIMPLE OWNER JOINDER AGREEMENT
City of Charlotte*

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

This 7 day of March, 2019.

City of Charlotte*

By: 

Name: Tracy Dodson

Its: _____

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

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

ATTACHMENT C

REZONING PETITION NO. 2019-
Panthers Stadium LLC

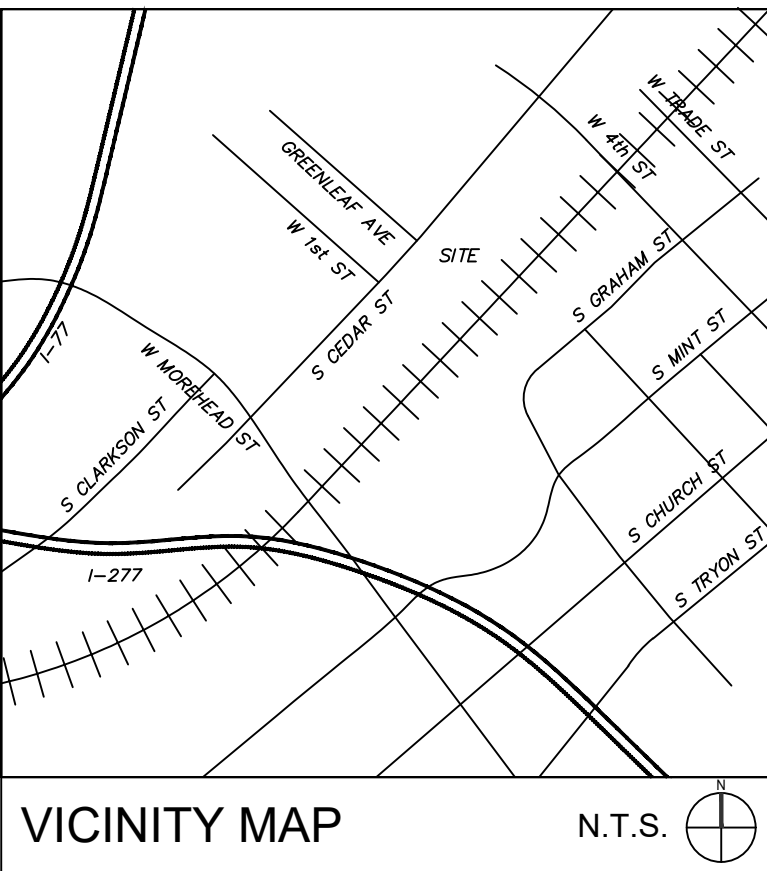
Petitioner:

Panthers Stadium LLC

By: 

Name: MARK S. HART

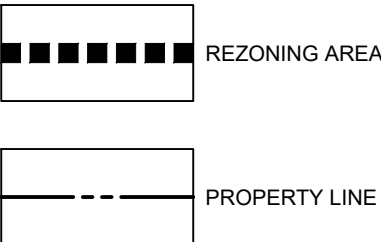
Title: Vice President



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

- SITE DEVELOPMENT DATA:**
- **Acres:** ± 8.6 acre (To Be Re zoned)
 - **Tax Parcel No:** Portion of :073-281-01
 - **Existing Zoning:** URS and MUDD
 - **Proposed Zoning:** MUDD-O
 - **Existing Uses:** Practice fields and accessory structures
 - **Proposed Uses:** Practice/training facility uses, other uses associated with professional sports operations/activities, sports uses and community/corporate based activities as permitted by right and under prescribed conditions in the MUDD zoning district, together with accessory uses allowed in the MUDD zoning district, all as amended by and subject to the Optional Provisions and conditions set forth below.
 - **Maximum Gross Square feet of Development:** As allowed by the MUDD zoning district.
 - **Height:** Not to exceed 75 feet as measured in accordance with Ordinance.

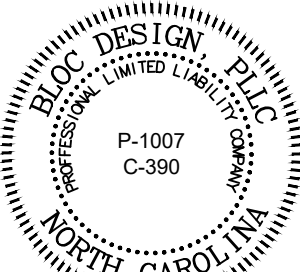
SEE SHEET RZ-4 FOR ADDITIONAL ZONING INFORMATION



REVISIONS		
NO.	DATE	DESCRIPTION

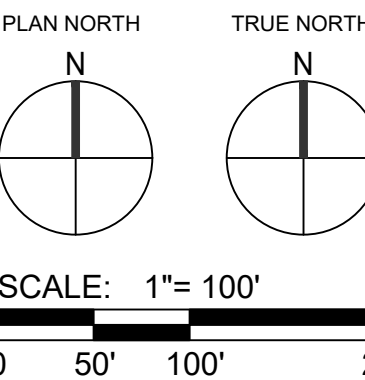
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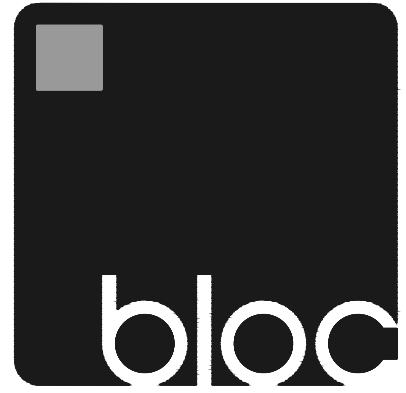
Carolina Panthers
Practice / Training Facility Signage
Charlotte, NC 28202

REZONING PEX
2019-XXX



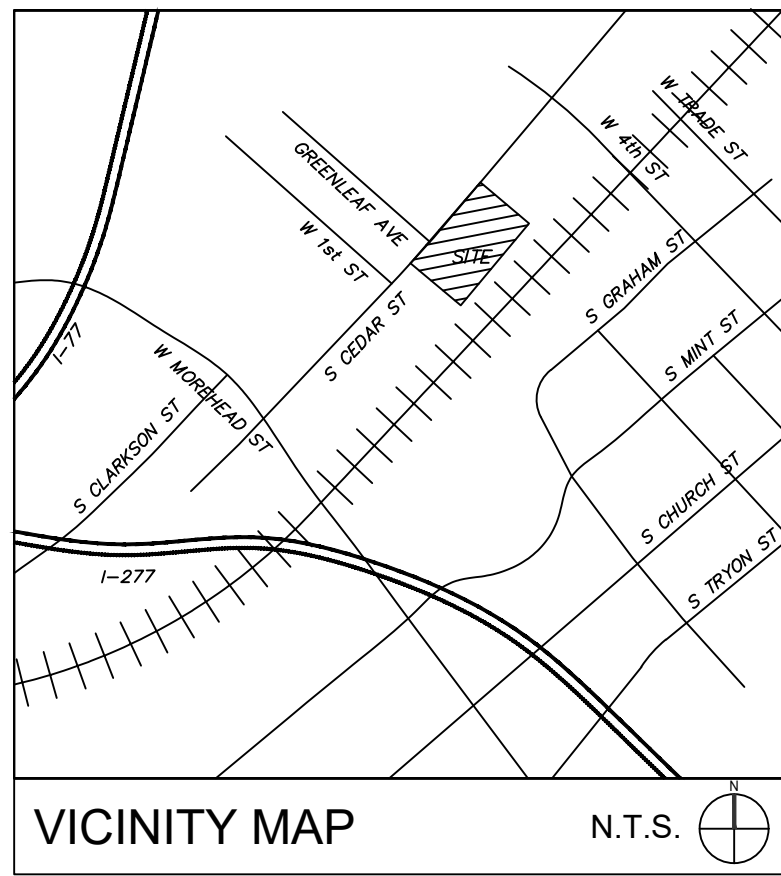
DATE: 03/06/19	MPIC: WILL
DRAWN BY: ASP	CHECKED BY: WILL
PROJECT NUMBER: 00631.02	
SCALE: 1" = 100'	
TITLE: OVERALL SITE PLAN	

SHEET NO:
RZ-1.0



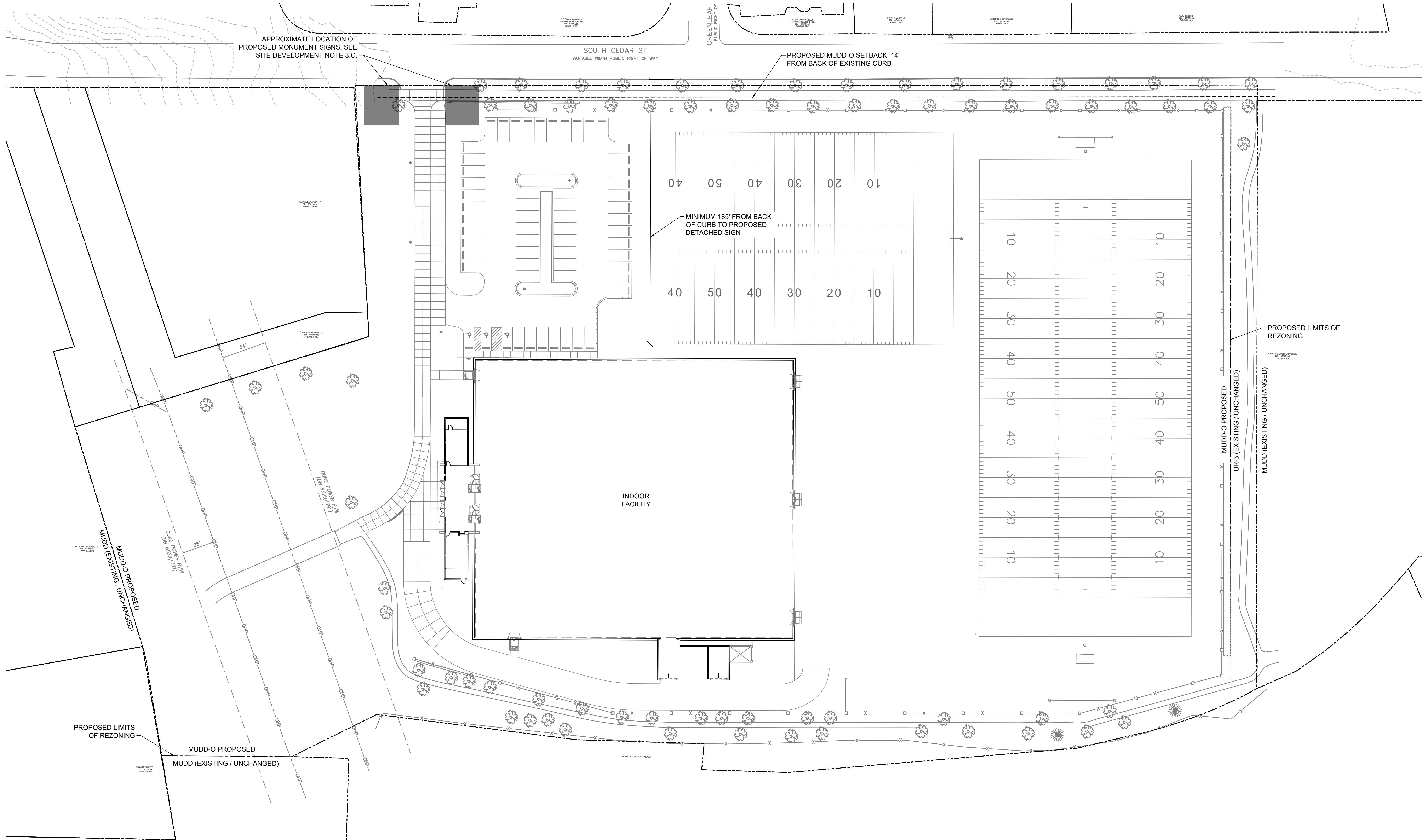
Bloc Design
2923 S. Tryon Street, Suite 320
Charlotte, NC 28203
phone: 704-940-2883
www.bloc-nc.com

landscape architecture | planning | civil engineering



SURVEY DISCLAIMER
TOPOGRAPHIC SURVEY DATED JANUARY 23, 2019 PROVIDED BY
CAROLINA SURVEYORS, PLLC, P.O. BOX 267 PINEVILLE, N.C. 28134-0267
704.889.7601.

NOTE: THE DESCRIPTION OF THE BUILDING
SIGNAGE, DETACHED SIGNAGE, MONUMENT
SIGNAGE, AND PRACTICE FIELD FENCE SIGNAGE
ARE SET FORTH IN THE DEVELOPMENT STANDARDS
PORTION OF THE REZONING PLAN ON SHEET RZ-4

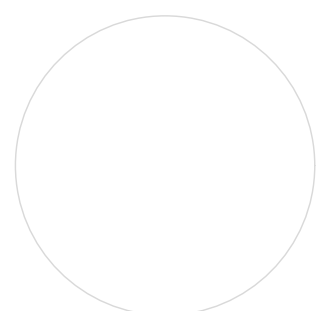
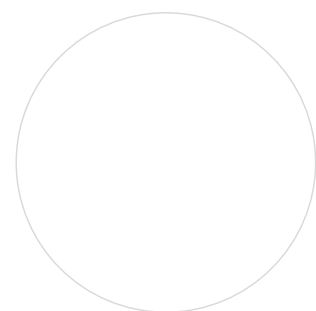
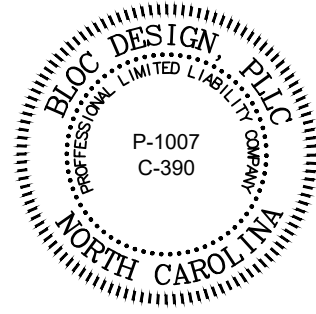


REVISIONS

NO.	DATE	DESCRIPTION

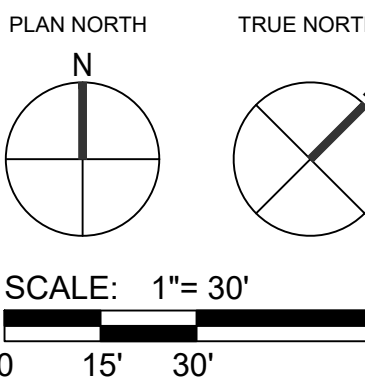
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Carolina Panthers
Practice / Training Facility Signage
Charlotte, NC 28202

REZONING PITION
2019-XXX



DATE: 03/06/19
DRAWN BY: ASP
PROJECT NUMBER: 00631.02
SCALE: 1" = 30'
TITLE:
CONCEPTUAL SITE PLAN

SHEET NO:
RZ-2.0



Illustrative/ Conceptual Rendering of Practice/ Training Facility Building

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

VIEW ONE

INDOOR PRACTICE FACILITY | MARCH 6, 2019

1 of 3



Illustrative/ Conceptual Rendering of Practice/ Training Facility Building

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

VIEW THREE

INDOOR PRACTICE FACILITY | MARCH 6, 2019

3 of 3

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



Illustrative/ Conceptual Rendering of Practice/ Training Facility Building

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

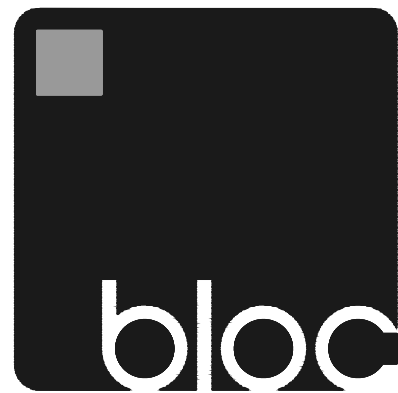
VIEW TWO

INDOOR PRACTICE FACILITY | MARCH 6, 2019

2 of 3

RENDERING NOTES:

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



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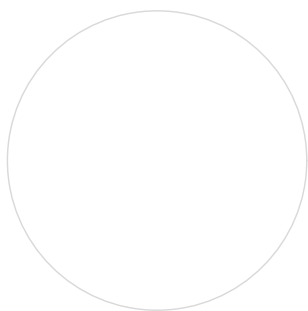
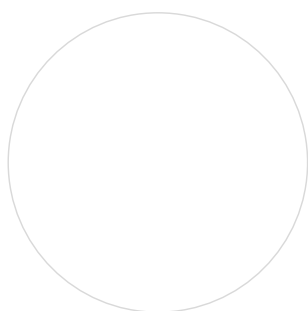
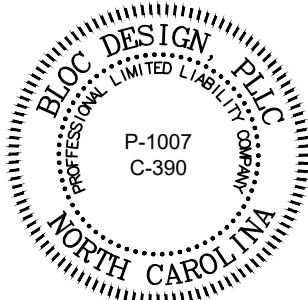
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REVISIONS

NO.	DATE	DESCRIPTION

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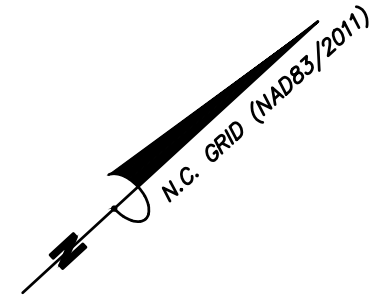


Carolina Panthers
Practice / Training Facility Signage
Charlotte, NC 28202

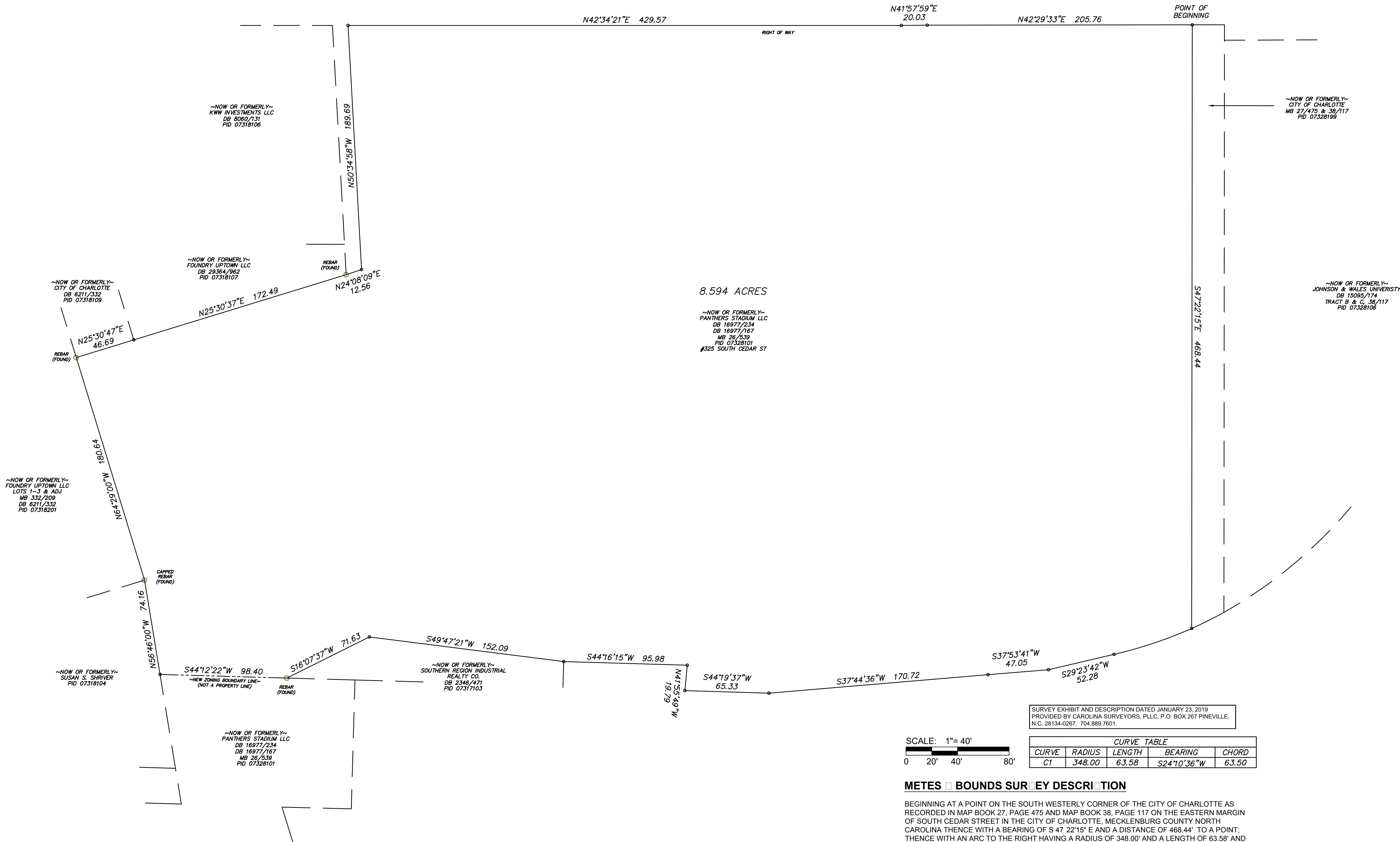
REZONING PETITION
2019-XXX

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

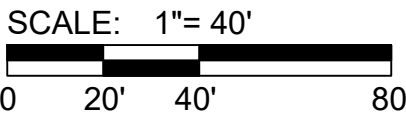
SHEET NO:
RZ-3.0



SOUTH CEDAR ST
VARIABLE WIDTH PUBLIC RIGHT OF WAY



SURVEY EXHIBIT AND DESCRIPTION DATED JANUARY 23, 2019
PROVIDED BY CAROLINA SURVEYORS, PLLC, P.O. BOX 267 PINEVILLE,
N.C. 28134-0267, 704.880.7601.



CURVE	RADIUS	LENGTH	BEARING	CHORD
CT	348.00	63.58	S24°10'36\"W	63.50

METES & BOUNDS SURVEY DESCRIPTION

BEGINNING AT A POINT ON THE SOUTH WESTERLY CORNER OF THE CITY OF CHARLOTTE AS RECORDED IN MAP BOOK 27, PAGE 475 AND MAP BOOK 38, PAGE 117 ON THE EASTERN MARGIN OF SOUTH CEDAR STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY NORTH CAROLINA THENCE WITH A BEARING OF S 47° 22'15\"E AND A DISTANCE OF 488.44' TO A POINT; THENCE WITH AN ARC TO THE RIGHT HAVING A RADIUS OF 348.00' AND A LENGTH OF 63.58' AND BEING CHORDED BY A BEARING OF S 24° 10'36\"W AND A DISTANCE OF 63.50' TO A POINT; THENCE WITH A BEARING OF S 29° 23'42\"W AND A DISTANCE OF 52.28' TO A POINT; THENCE WITH A BEARING OF S 37° 53'41\"W AND A DISTANCE OF 47.05' TO A POINT; THENCE WITH A BEARING OF S 37° 44'36\"W AND A DISTANCE OF 170.72' TO A POINT; THENCE WITH A BEARING OF S 44° 19'37\"W AND A DISTANCE OF 65.33' TO A POINT; THENCE WITH A BEARING OF S 44° 16'15\"W AND A DISTANCE OF 95.98' TO A POINT; THENCE WITH A BEARING OF S 49° 47'21\"W AND A DISTANCE OF 152.09' TO A POINT; THENCE WITH A BEARING OF S 16° 07'37\"W AND A DISTANCE OF 71.63' TO A REBAR FOUND; THENCE A NEW LINE WITH A BEARING OF S 44° 12'22\"W AND A DISTANCE OF 98.40' TO A POINT; THENCE WITH A BEARING OF N 56° 46'00\"W AND A DISTANCE OF 74.16' TO A CAPPED REBAR FOUND; THENCE WITH A BEARING OF N 64° 29'00\"W AND A DISTANCE OF 180.64' TO A REBAR FOUND; THENCE WITH A BEARING OF N 25° 30'47\"E AND A DISTANCE OF 46.69' TO A POINT; THENCE WITH A BEARING OF N 25° 30'37\"E AND A DISTANCE OF 172.49' TO A REBAR FOUND; THENCE WITH A BEARING OF N 24° 09'09\"E AND A DISTANCE OF 12.56' TO A POINT; THENCE WITH A BEARING OF N 50° 34'58\"W AND A DISTANCE OF 189.69' TO A POINT; THENCE WITH A BEARING OF N 41° 57'59\"E AND A DISTANCE OF 20.03' TO A POINT; THENCE WITH A BEARING OF N 42° 29'33\"E AND A DISTANCE OF 205.76' TO THE POINT OF BEGINNING, CONTAINING 8.594 ACRES, MORE OR LESS.

CAROLINA PANTHERS PRACTICE TRAINING FACILITY SIGNAGE
DEVELOPMENT STANDARDS
RE ZONING PETITION NO. 2019-XXXX

SITE DEVELOPMENT DATA:

ACREAGE: ± 8.6 ACRES (TO BE REZONED)
-TA: PARCEL: 8 PORTION OF 1073-281-01
-E: ZONING: MUD-O
-R: USED: ONING MUD-O
-E: LISTING USES: PRACTICE FIELDS AND ACCESSORY STRUCTURES

-R: USED USES: PRACTICE/TRAINING FACILITY USES, OTHER USES ASSOCIATED WITH PROFESSIONAL SPORTS OPERATIONS/ACTIVITIES, SPORTS USES, AND COMMUNITY/CORPORATE BASED ACTIVITIES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE MUD-O ZONING DISTRICT, TOGETHER WITH ACCESSORY USES ALLOWED IN THE MUD-O ZONING DISTRICT, ALL AS AMENDED BY AND SUBJECT TO THE OPTIONAL PROVISIONS AND CONDITIONS SET FORTH BELOW.

-MA: MINIMUM GROSS SQUARE FEET OF DEVELOPMENT: AS ALLOWED BY THE MUD-O ZONING DISTRICT.
-HEIGHT: NOT TO EXCEED 75 FEET AS MEASURED IN ACCORDANCE WITH ORDINANCE.

1. OTHER INFORMATION REGARDING THE SITE:

- a. THIS REZONING PETITION RELATES TO A PORTION OF TAX PARCEL 1073-281-01 LOCATED AT 325 SOUTH CEDAR STREET (THE "SITE"), ON WHICH ARE LOCATED PRACTICE FIELDS AND RELATED FACILITIES FOR THE CAROLINA PANTHERS, WHICH ARE OWNED PURSUANT TO THE EXISTING URS AND MUD-O ZONING OF THE SITE (THE "EXISTING SITE ZONING") AND THAT CERTAIN SPECIAL USE PERMIT - SUP #14 APPROVED BY CHARLOTTE CITY COUNCIL ON NOVEMBER 25, 1991 (AS AMENDED, THE "SUP"). IT IS NOTED THAT THE SUP WAS ADOPTED UNDER THE PRIOR CITY ZONING ORDINANCE IN EFFECT IN 1991, AND SPECIAL USE PERMITS ARE NOT PART OF THE CURRENT CITY ZONING ORDINANCE.
- b. THE EXISTING SITE ZONING AND SUP PERMIT THE EXISTING PRACTICE FIELDS AND ACCESSORY USES, BUT THE SUP DID NOT CONTEMPLATE AN INDOOR PRACTICE FACILITY BUILDING ON A PORTION OF THE SITE AS DESIRED BY PANTHERS STADIUM LLC (THE "PETITIONER"), PRIMARILY TO SUPPORT PROFESSIONAL SPORTS OPERATIONS/ACTIVITIES, SPORTS USES AND SIMILAR COMMUNITY/CORPORATE BASED ACTIVITIES & USES. ACCORDINGLY, THE PETITIONER HAS RECEIVED FROM THE PLANNING DIRECTOR AND ZONING ADMINISTRATOR A PARTIAL CANCELLATION OF THE SUP TO REMOVE THE SITE FROM THE SUP AND MOVE AHEAD WITH CONSTRUCTION OF A NEW INDOOR PRACTICE/TRAINING FACILITY (THE "INDOOR PRACTICE FACILITY"), WHICH IS EXPRESSLY ALLOWED BY RIGHT UNDER THE EXISTING SITE ZONING. IT IS NOTED THAT REMOVAL OF THE SITE FROM THE SUP SHALL HAVE NO IMPLICATIONS, ADVERSE OR OTHERWISE, ON THE USES AND OTHER RIGHTS GRANTED UNDER THE SUP AS TO OTHER PROPERTY COVERED BY THE SUP, INCLUDING, WITHOUT LIMITATION, BANK OF AMERICA STADIUM AND RELATED FACILITIES.
- c. AS PART OF THE CONSTRUCTION AND MAINTENANCE OF THE INDOOR PRACTICE FACILITY, PETITIONER SEEKS TO INSTALL CERTAIN SIGNAGE ON THE EXTERIOR SURFACE OF INDOOR PRACTICE FACILITY AND CERTAIN DETACHED SIGNAGE ON THE SITE; AND WHILE THE PROPOSED INDOOR PRACTICE FACILITY IS ALLOWED UNDER THE EXISTING SITE ZONING, SUCH PROPOSED SIGNAGE IS NOT PERMITTED UNDER THE EXISTING SITE ZONING.
- d. ACCORDINGLY, GIVEN THE UNIQUE NATURE OF THE FACILITY AMONG OTHER FACTORS, PETITIONER SEEKS TO REZONE THE SITE FROM THE EXISTING SITE ZONING TO THE MUD-O DISTRICT WITH THE REQUEST FOR APPROVAL OF CERTAIN OPTIONAL PROVISIONS FOR SIGNAGE DESCRIBED BELOW THAT WILL ALLOW THE PROPOSED SIGNAGE SOUGHT BY PETITIONER, ALONG WITH CERTAIN OTHER OPTIONAL PROVISIONS TO ENSURE THE COMPLIANCE OF THE INDOOR PRACTICE FACILITY WITH THE MUD-O ZONING STANDARDS.
- e. THEREFORE, IN SUMMARY, THIS REZONING PETITION SEEKS TO ALLOW OPTIONAL PROVISIONS FOR THE SITE REGARDING SIGNAGE TO BE LOCATED ON THE EXTERIOR SURFACE OF INDOOR PRACTICE FACILITY AND DETACHED SIGNAGE ON THE SITE, TOGETHER WITH CERTAIN OTHER OPTIONAL PROVISIONS TO ALLOW THE PROPOSED IMPROVEMENTS THAT ARE CURRENTLY ALLOWED UNDER THE URS ZONING TO BE IN COMPLIANCE UNDER THE MUD-O ZONING CLASSIFICATION SOUGHT TO PERMIT THE PROPOSED SIGNAGE.

2. GENERAL PROVISIONS:

- a. SITE LOCATION: THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET AND OTHER GRAPHICS SET FORTH ON ATTACHED SHEETS RZ-1 THROUGH RZ-4 FORM THIS REZONING PLAN (COLLECTIVELY, THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY PETITIONER FOR THE SITE.
- b. ZONING DISTRICTS ORDINANCE: DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"), AS AMENDED BY AND SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW. UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUD-O ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, AS AMENDED BY AND SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.
- c. GRAPHICS AND ALTERATIONS: THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY, THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS, THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED AND MAY BE ALTERED AS LONG AS THE OVERALL DESIGN INTENT IS SUBSTANTIALLY MAINTAINED. 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.
- d. NUMBER OF BUILDINGS (PRINCIPAL AND ACCESSORY): THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TO ONE (1), IT BEING UNDERSTOOD THAT THE PRINCIPAL PORTION OF THE BUILDING IS A "SYNTHETIC DOME" STRUCTURE WITH ATTACHED ACCESSORY STRUCTURES, AND THAT ANY SUCH ACCESSORY BUILDINGS AND STRUCTURES, WHETHER ATTACHED TO THE PRINCIPAL BUILDING OR NOT, LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE.
- e. UNANNOUNCED DEVELOPMENT: THE SITE MAY BE VIEWED IN THE AGGREGATE AS A PLANNED/UNANNOUNCED DEVELOPMENT PLAN AS TO THE ELEMENTS AND PORTIONS OF THE SITE GENERALLY DEPICTED ON THE REZONING PLAN AND THOSE DEPICTED ON THE APPLICABLE ZONING, LAND DEVELOPMENT AND BUILDING PLANS FOR THE ADJACENT BANK OF AMERICA STADIUM FACILITIES. AS SUCH, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION STANDARDS, AND OTHER SIMILAR ZONING STANDARDS, IF APPLICABLE, WILL NOT BE REVIEWED INTERNALLY BETWEEN IMPROVEMENTS AND OTHER SITE ELEMENTS LOCATED ON THE SITE AND THE BANK OF AMERICA STADIUM SITE.

3. OPTIONAL PROVISIONS:

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE SITE:

- a. IN ADDITION TO OTHER SIGNS PROVIDED HEREIN AND OTHERS ALLOWED UNDER THE ORDINANCE, TO ALLOW BUILDING WALL SURFACE SIGNS LOCATED ON THE EXTERIOR OF THE INDOOR PRACTICE FACILITY AND ACROSS THE ENTIRE SURFACE OF SUCH FACILITY, PROVIDED THAT THE SIGN FACE LETTERING AREAS SHALL NOT EXCEED GREATER THAN 50% OF SUCH ENTIRE SURFACE AREA; SUCH BUILDING SURFACE SIGNS MAY BE ILLUMINATED BY LIGHT FIXTURES, STRUCTURES AND/OR FACILITIES, INCLUDING WITHOUT LIMITATION LED TECHNOLOGY PROVIDED, HOWEVER, ANY SUCH ILLUMINATION SHALL BE STATIC IN NATURE.
 - b. IN ADDITION TO OTHER SIGNS PROVIDED HEREIN AND OTHERS ALLOWED UNDER THE ORDINANCE, TO ALLOW ONE (1) DETACHED SIGN ON THE SITE, SUCH DETACHED SIGN BEING NO TALLER THAN 85 FEET (85') IN HEIGHT AND CONTAINING NO MORE THAN 1,250 SQUARE FEET IN SIGN AREA; PROVIDED THAT THE PERMITTED DETACHED SIGN (i) SHALL NOT BE LOCATED WITHIN 185' OF SOUTH CEDAR STREET; (ii) SHALL FACE IN AN EAST OR NORTHEAST DIRECTION; AND (iii) IN NO EVENT SHALL THE SIGN FACE TOWARD THE RESIDENTIAL USES LOCATED ACROSS SOUTH CEDAR STREET FROM THE SITE.
 - c. IN ADDITION TO OTHER SIGNS PROVIDED HEREIN AND OTHERS ALLOWED UNDER THE ORDINANCE, TO ALLOW UP TO TWO (2) GROUND MOUNTED MONUMENT TYPE SIGNS, EACH BEING NO TALLER THAN 5 FEET IN HEIGHT AND CONTAINING NO MORE THAN 50 SQUARE FEET IN SIGN AREA TO BE LOCATED ON THE SITE IN THE AREAS GENERALLY DEPICTED ON THE REZONING PLAN.
- IT IS UNDERSTOOD THAT THE ABOVE-REFERENCED SIGNS IN SUBSECTIONS A., B. AND C. ABOVE MAY CONTAIN LED TECHNOLOGY, BUT SHALL OTHERWISE COMPLY WITH THE REQUIREMENTS SET FORTH THEREIN.
- d. IN ADDITION TO OTHER SIGNS PROVIDED HEREIN AND OTHERS ALLOWED UNDER THE ORDINANCE, TO ALLOW PERMANENT SIGNS TO BE LOCATED ALONG AND ATTACHED TO THE INTERIOR AND EXTERIOR AREAS OF THE PERIMETER FENCES OF THE PRACTICE FIELDS, PROVIDED THAT: (i) NO SUCH SIGNS SHALL BE LOCATED ON THE EXTERIOR OF THE FENCE LOCATED ADJACENT TO SOUTH CEDAR STREET; (ii) SUCH SIGNS SHALL NOT EXCEED THE HEIGHT OF THE FENCE TO WHICH THEY ARE ATTACHED; AND (iii) SUCH SIGNS SHALL BE STATIC IN NATURE AND WITHOUT ILLUMINATION.

NOTE: THE OPTIONAL PROVISIONS REGARDING SIGNS ARE ADDITIONS/MODIFICATIONS TO THE STANDARDS FOR SIGNS IN THE MUD-O DISTRICT AND ARE TO BE USED WITH THE REMAINDER OF MUD-O STANDARDS FOR SIGNS NOT MODIFIED OR ALLOWED BY THESE OPTIONAL PROVISIONS. ACCORDINGLY, ADDITIONAL SIGNS AS ALLOWED BY THE MUD-O ZONING DISTRICT WILL BE ALLOWED ON THE BUILDING. THE GRAPHIC REPRESENTATIONS OF THE PROPOSED SIGNS SET FORTH ON THE REZONING PLAN ARE ILLUSTRATIVE AND ALTERNATIVE GRAPHIC DESIGNS ARE ALLOWED WITHIN THE TERMS AND PROVISIONS SET FORTH ON THE REZONING PLAN.

- e. TO ALLOW PARKING AND MANEUVERING BETWEEN BUILDINGS ON THE SITE AND S. CEDAR STREET SUBSTANTIALLY IN MANNER GENERALLY DEPICTED ON THE REZONING PLAN.
- f. TO ALLOW DEVIATIONS FROM THE MUD-O DESIGN STANDARDS THAT ARE REASONABLY NECESSARY TO ALLOW INSTALLATION AND MAINTENANCE OF THE INDOOR PRACTICE FACILITY, AS GENERALLY DEPICTED ON THE REZONING PLAN.
- g. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:
 - a. THE SITE MAY BE DEVELOPED FOR PRACTICE/TRAINING FACILITY USES, OTHER USES ASSOCIATED WITH PROFESSIONAL SPORTS OPERATIONS/ACTIVITIES, SPORTS USES AND COMMUNITY/CORPORATE BASED ACTIVITIES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE MUD-O ZONING DISTRICT, TOGETHER WITH ACCESSORY USES ALLOWED IN THE MUD-O ZONING DISTRICT, ALL AS AMENDED BY AND SUBJECT TO THE OPTIONAL PROVISIONS AND CONDITIONS SET FORTH ABOVE.
- h. ACCESS:
 - a. VEHICULAR ACCESS TO THE SITE WILL BE FROM S. CEDAR STREET AS GENERALLY DEPICTED ON THE REZONING PLAN.
- i. AMENDMENTS TO THE REZONING PLAN:
 - a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.
- j. BINDING EFFECT OF THE REZONING PLAN:
 - a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN SHALL, UNLESS AMENDED IN THE MANNER PROVIDED HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.



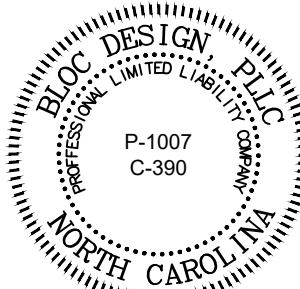
landscape architecture | planning | civil engineering

REVISIONS

NO.	DATE	DESCRIPTION

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stamp / seal:



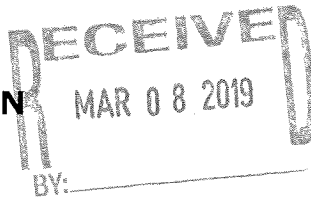
Carolina Panthers
Practice / Training Facility Signage
Charlotte, NC 28202

REZONING PETITION
2019-XXXX

DATE: 03/06/19	MPIC: WLL
DRAWN BY: ASP	CHECKED BY: WLL
PROJECT NUMBER: 00631.02	
SCALE:	
TITLE: DEVELOPMENT STANDARDS AND LEGAL DESCRIPTION	

SHEET NO.:
RZ-4.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-045
Petition #: _____
Date Filed: 3/8/2019
Received By: B+

Complete All Fields (Use additional pages if needed)

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

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

Date Property Acquired: 2018

Property Address: no address assigned

Tax Parcel Number(s): 05548101, 05548106

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

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

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

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

Date of meeting: 1/15/19

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

For Conditional 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: site plan amendment to allow single family attached housing in an area previously proposed for multifamily housing

Walter Fields
Name of Rezoning Agent

1919 South Blvd., suite 101
Agent's Address

Charlotte, NC 28203
City, State, Zip

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

waltr@walterfieldsgroup.com
E-Mail Address

[Signature]
Signature of Property Owner

Joe Childress
(Name Typed / Printed)

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

4501 Prairie PKWY
Address of Petitioner(s)

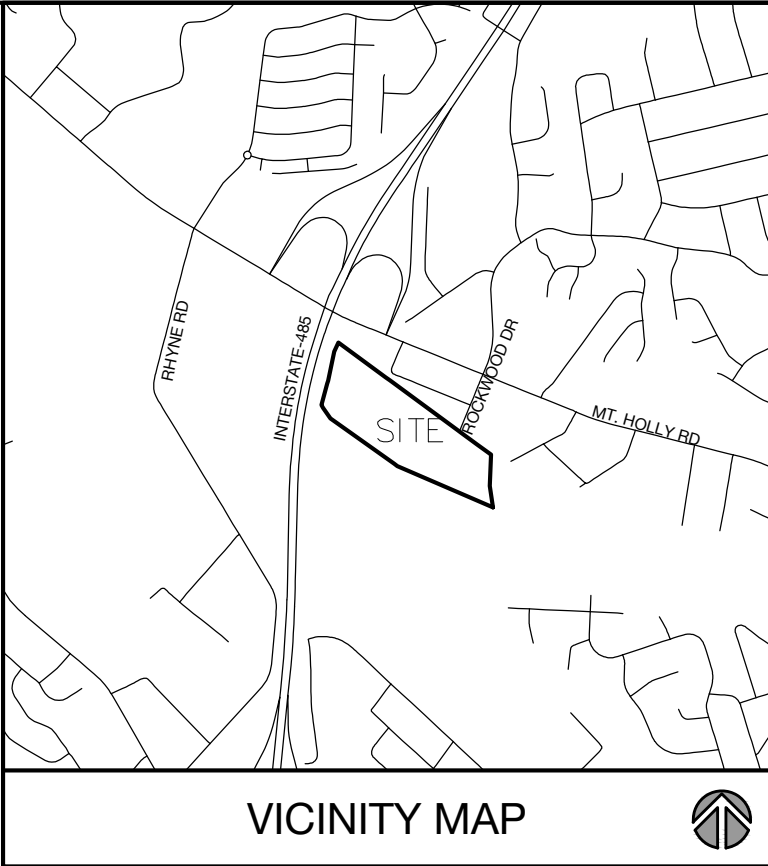
Cedar Falls, IA, 50613
City, State, Zip

704-467-0147
Telephone Number Fax Number

joe@mjcclt.com
E-Mail Address

[Signature]
Signature of Petitioner

Joe Childress
(Name Typed / Printed)



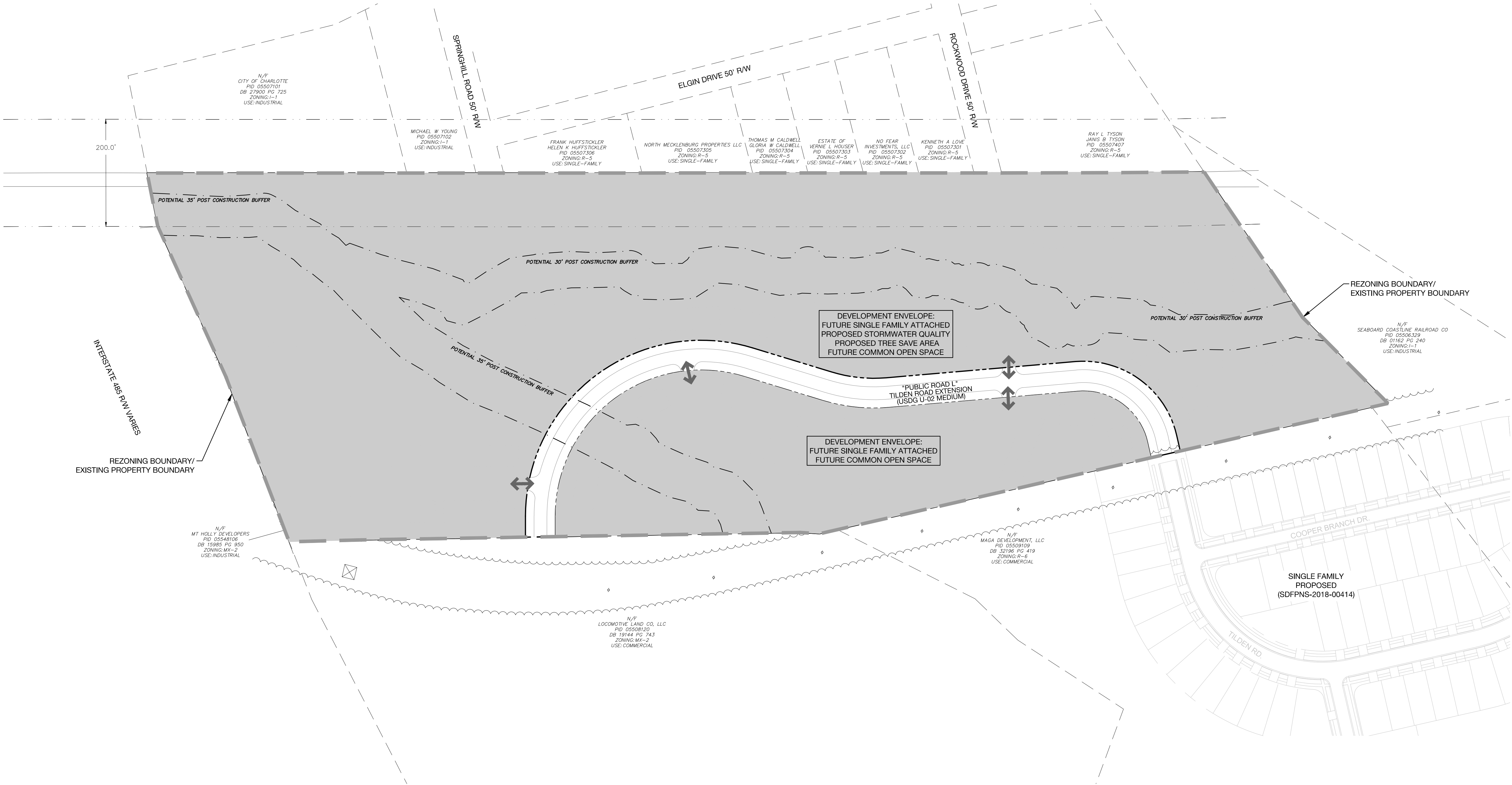
Moores Chapel Holdings LLC

**Moores Chapel
Townhomes**
Technical Data Sheet
Charlotte, NC

NO.	DATE	BY	REVISIONS:

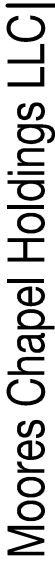
Project No: 19-012
Date: 03.08.19
Designed by: UDP
Drawn By: UDP
Sheet No:

RZ-1.0





DEVELOPMENT SUMMARY	
TAX PARCEL ID #:	05548101 & 05548106
TOTAL SITE AREA:	± 29.08 AC
EXISTING ZONING:	MX-2
PROPOSED ZONING:	MX-2 SPA
MAX. DUA:	7.0
PROPOSED UNITS:	152 UNITS
PROPOSED PARKING:	PER ORDINANCE
SETBACK:	14'
YARDS:	
REAR:	10'
SIDE:	5'



Moores Chapel Townhomes

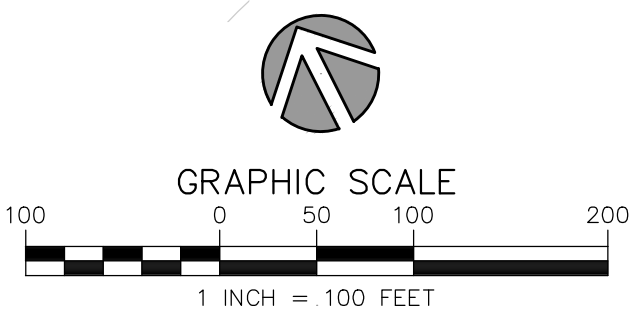
Rezoning Site Plan

Charlotte, NC

NO. DATE: BY: REVISIONS:

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

RZ-2.0



REZONING PETITION #2019-XXX

DEVELOPMENT STANDARDS

Acreage:
Tax Parcel:
Existing Zoning:
Proposed Zoning:
Existing Uses:
Proposed Uses:

+/- 29.08 AC
05548101 & 05548106
MX-2
MX-2 SPA
Vacant
Single Family Attached

Development Guidelines

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

The following Standards and Conditions have been previously adopted for the entire site covered by Rezoning Petition 2005-150. These conditions shall remain in force, except as amended below, for all properties covered by the previous rezoning cases. Nothing in this Site Plan Amendment request proposes to alter or change any of the previously approved conditions on any parcels except for those parcels included within this Site Plan Amendment.

Legal Description

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

General Provisions

These development standards form a part of the Technical Data Sheet for the "Rhyme Station mixed-use development" submitted by Mt. Holly Developers, LLC (this "Technical Data Sheet"). Development of the property identified on this Technical Data Sheet (the "property" or the "site") and the individual components to be located thereon will be governed by the conditions of this Technical Data Sheet and those plans and drawings expressly incorporated herein by reference and the applicable provisions of the Mecklenburg County Zoning Ordinance (the "Ordinance"). Unless more stringent standards are established by this Technical Data Sheet, the development standards established under the Ordinance for the Commercial Center (CC) district, Business (B-2) district, and Mixed-use (MX-2) district classifications shall be followed in connection with development taking place on the site.

The development depicted on the illustrative site plan is schematic in nature and is intended only to describe the possible arrangement of uses on the site and illustrate design principals. Accordingly, the configuration, placement and size of the building footprints outlined on the illustrative site plan are schematic and, subject only to the provisions set forth below under architectural controls and restrictive covenants, may be altered or modified during design, development and construction phases within the maximum building/parking envelope lines established on the schematic site plan sheet. Parking layouts may also be modified to accommodate final building locations and off-street parking spaces may be located inside and outside building envelopes to the extent permitted by the Ordinance. All such changes are subject to approval per Section 6.206(2) of the Ordinance.

Permitted Uses

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

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

Building Limitations

1. No more than 306,400 square feet of retail/restaurant space may be constructed within the aggregate of the depicted building envelopes.

2. No more than 30,000 square feet of office space may be constructed within the aggregate of the depicted building envelopes.

3. No more than 150,000 square feet of automobile sales "car dealership" space may be constructed within the aggregate of the depicted building envelopes.

4. If a hotel/motel is constructed on the site, then it may contain no more than 100 rooms, together with any incidental or accessory uses permitted under the Ordinance which the petitioner may elect to provide for such facility.

5. For the Commercial Center (CC) zoning the maximum density per acre for residential uses shall be limited to 8.00 DUA and the maximum number of residential units shall be limited to 81 units. For the Mixed-use (MX-2) district zoning the maximum density per acre for residential uses shall be limited to 7.00 DUA and the maximum number of residential units shall be limited to 373 units.

6. Should fewer than 100 rooms be developed on the site, then additional office space may be developed on the site at the rate of 200 square feet of office space for each hotel room eliminated, up to a maximum of 20,000 additional square feet of office space. Additionally, hotel rooms may be converted into residential dwelling units at the rate of one hotel room per residential dwelling unit up to a maximum of 100 residential dwelling units.

7. No individual tenant shall occupy a single building or space for retail use of greater than 16,000 square feet along Private Road 'F'.

8. Petitioner agrees to accommodate and provide leaseable space at developers cost for the addition of a Charlotte-Mecklenburg police substation within the Commercial Center (CC) zoning area for a two year period following the commencement of construction.

9. As permitted under Chapter 11 of the Ordinance, single family residential dwelling units may be developed in conjunction with the Mixed-use (MX-2) district and shall adhere to the requirements established in Section 9.205.

Buffers

1. Buffer areas established on this Technical Data Sheet shall conform to the standards of Section 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304 thereof.

2. Buffer areas shall remain as open space, except to the extent necessary to accommodate access points, walls, fences, drainage pipes or channels, utility lines and facilities, pedestrian pathways and bicycle pathways. Utility installations may only cross buffer areas at interior angles measured at property lines which are not less than 75 degrees.

3. No buildings, parking spaces, maneuvering areas or storm water detention facilities may be located within buffer areas, however, water quality/low impact development (LID) facilities, such as raingardens, may be within the buffers.

4. In all buffer areas where existing trees and natural vegetation have been cleared to accommodate walls, fences, pedestrian sidewalks or pathways or the installation of utility lines or facilities, the cleared, unimproved areas will be landscaped with trees and shrubs as required by Section 12.302 of the Ordinance.

5. A 75 foot Class "B" buffer shall be maintained along the southern property line for the Commercial Center (CC) zoning. This buffer may be reduced by 25% per Section 12.302 (8) of the Ordinance.

Setbacks, Side Yards and Rear Yards

1. All buildings constructed within the site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the CC, B-2, and MX-2 zoning districts.

2. Internal private roads shall be designed with a minimum building and parking setback of fourteen (14) feet as measured from the back-of-curb with the exception of Private Road 'F' which shall have a minimum building and parking setback of ten (10) feet as measured from the back-of-curb.

Screening and Landscaping Areas

1. The owner shall install or cause to be installed within the setback areas established along Interstate 485 and Rhyme Road plants, trees and other materials in accordance with the Ordinance and shall thereafter maintain or cause to be maintained all such materials (including replacement of all dead or dying plants). Additionally, the owner shall maintain the setback area as a tree preservation area and shall supplement existing vegetation to enhance the appearance. Internal areas of the site shall be landscaped in accordance with the requirements of the City Code.

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

2. Landscape areas will be planted on the site to meet or exceed the requirements of the Ordinance.

4. Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance. Required landscaping of trees and shrubs located within the buffer area shall conform to Section 12.302 (9) of the Ordinance and Chapter 21 (City of Charlotte Tree Ordinance) of the City Code.

5. Limited amount of clearing shall be allowed within the buffer/setback areas to promote the growth of existing vegetation and/or enhance the aesthetic appeal of the site

6. Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a certificate issued by the Charlotte Department of Transportation.

7. All roof mounted mechanical equipment will be screened from view.

8. Petitioner shall exercise good faith efforts to preserve all trees 8 inches in caliper or greater within the setbacks along the roadways except to the extent that such preservation conflicts with the installation or replacement of utilities, driveway access and other similar site elements.

9. All buffers and setbacks shall be maintained by the owner as tree preservation areas that may be supplemented to enhance the appearance of the project. Likewise, buffers and setbacks to be maintained by the property owner may be modified as allowed in Section 12.305 of the Ordinance and Chapter 21 (City of Charlotte Tree Ordinance) of the City Code.

Parking/Drive-through Facilities

1. Off street parking will meet the minimum standards established under the Ordinance.

2. All permitted drive-through facilities located on the site shall be subject to stacking requirements of the Ordinance.

3. Bike racks will be provided per Section 12.202a of the Ordinance.

4. Throughout the development, parking shall not be permitted between the buildings and internal private and public streets, with the exception of on-street parking.

5. Parking for proposed uses along Rhyme Road shall be located to the rear or side of the building and shall be screened from view when possible.

Lighting

1. Petitioner agrees to install pedestrian scale lighting along internal streets. The maximum height of any freestanding lighting fixture, including its base, shall not exceed 30 feet.

2. All direct lighting within the site (except streetlights which may be erected along Rhyme Road) shall be fully shielded and designed such that direct illumination does not extend past any exterior property line. Consideration will be given to the impact of lighting both within and outside of the perimeter of the site. Items for consideration will include intensity, cutoff angles, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards Rhyme Road, Mt. Holly Road, Old Moores Chapel Road, Interstate 485 and adjacent properties.

3. No wall pack light fixtures will be allowed on any structures placed on the site.

Signs

1. All signs placed on the site shall be ground mounted and will be erected in accordance with the requirements of Chapter 13 of the Ordinance.

2. Pole mounted signs will not be allowed, nor will flashing signs of any nature. The maximum height of ground mounted/monument signs will be 7 feet above the average grade at edge of right-of-way. Maximum size of signage will be 48 square feet, each face. No permanent business identification signs or advertisements will be allowed within the building setback, except at driveway entrances which bisect the landscape setback area. Any said signs must be within 6 feet of the driveway curbing. Temporary project identification signs must be located outside of the required setback stated above.

3. Temporary constructions signage can not be located within the required setback, and must be removed no later than 60 days following the receipt of the certificate of occupancy for the structure addressed by the signage.

4. Building identification signs within interior parking lots will be allowed at the walkway leading to the building at the point the walkway exits the parking lot. Such signage is limited to 6 square feet, each face, and must be internally illuminated.

5. Signage located within the Mixed-use (MX-2) district shall conform to Section 13.109 (1) of the Ordinance.

6. Signage located within the proposed Commercial Center (CC) and Business (B-2) district shall conform to Section 13.109 (4) of the Ordinance.

Access Points (Driveways)

1. The number of access points to Rhyme Road shall be limited to two (2) right-in/right-out access and three (3) full access. The number of access points to Old Moores Chapel Road shall be limited to one (1) full access, as generally depicted on this Technical Data Sheet.

2. The placement and configuration of these access points are subject to minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and the North Carolina Department of Transportation.

3. All proposed commercial driveway connections to a future public street shall require a driveway permit to be submitted to the Charlotte Department of Transportation for final review and approval.

4. All proposed trees, berms, walls, fences, and/or identification signs must not interfere with sight distance at the entrance(s).

Open Space

1. The common open space located along Rhyme Road 'Area 2' (as generally depicted on TDS.2) shall contain a minimum of 0.40 acres. The common open space located within the townhome 'Area 5' portion of the eastern portion of the project (as generally depicted on TDS.2) shall contain a minimum of 6.35 acres and shall meet the standards set forth in Section 10, part 6 of the Charlotte-Mecklenburg Zoning Ordinance for the "Catawba River/Lake Wylie Watershed District". The open space located at the intersection of Public Road 'D' and Private Road 'H' (as generally depicted on TDS.2) shall contain a minimum of 0.40 acres. The petitioner may increase, but not reduce, the size of the open space areas.

2. The petitioner reserves the right to utilize the open space to accommodate pedestrian walkways, bicycle pathways, sidewalks, grading, slopes, walls, fences, signs and graphics, lighting, drainage and utilities. The petitioner also reserves the right to utilize the open space for retail sales, recreational uses, musical and entertainment performances, and restaurant uses ancillary to and supportive of the permitted uses of the open space described in this Section, provided, however, any such retail sales, recreational uses, performances, and restaurant uses shall not occur between the hours of 11:00 p.m. and 8:00 a.m. E.S.T.

3. Common open space occupied or used for grading, slopes, walls, fences, signs, drainage and utilities shall not be counted toward the 10% useable common open space.

4. In common open space areas located outside of the "Catawba River/Lake Wylie Watershed District" the petitioner reserves the right for improvements to include sidewalks, playground (tot lot), pedestrian lighting, benches, tables and chairs, fountains, additional hardscape materials, trash receptacles and any other site amenity allowed by the Ordinance. In common open space areas located within the "Catawba River/Lake Wylie Watershed District" improvements by the petitioner are restricted under Chapter 10, Part 6 of the Ordinance.

5. The petitioner commits to maintain a 15% tree save area with in the 200 foot "Catawba River/Lake Wylie Watershed District" buffer located within the multi-family (condominiums / apartments) property.

Architectural Controls and Restrictive Covenants

1. All buildings constructed on the site shall be architecturally compatible in appearance through the use of similar, as well as complementary building materials, colors and design (giving due considerations to the use of each building).

2. The first floor of all buildings shall be designed to encourage and complement pedestrian scale interest and activity.

3. If drive-through windows and services are included within the development, they must not compromise pedestrian circulation.

4. Buildings located within the development shall be designed to relate to the overall pedestrian environment. Buildings shall be designed to include transparent openings, ornamentation and architectural character and shall raise the standard level

of the design to create a place of interest.

5. Buildings located with the development shall be oriented toward the street and shall create entrances with pedestrian interest. Development located along Rhyme Road shall be oriented to address the street in a pedestrian nature. The facades of the proposed development along Rhyme Road shall be designed in a way that is complementary to the existing residential context of the street.

6. Prior to issuance of building permits, the Charlotte-Mecklenburg Planning department shall have the opportunity to review the proposed plans against the approved conditional plans to assure compliance with design principals illustrated on the plans.

7. The scale and orientation of the townhomes, multi-family (condominiums / apartments) and office should complement the scale of the surrounding residential buildings if present. Residential and office buildings will be required to incorporate balconies, bay windows, porches and other architectural enhancements as a way of addressing the pedestrian nature of the village. Front doors should orient toward the street, facades should be varied with frequent building entries and windows.

8. Car dealerships shall be designed to respond to the pedestrian character of the development and shall be oriented toward Public Road 'H'. Storage for the car dealerships shall be located at the rear of the buildings and oriented toward Interstate 485.

9. Buildings constructed within building envelopes 4, 5, 7, 8, 12, 13 and 14 shall have windows that face Private Roads 'A', 'B', 'C', and 'F' and Public Road 'D' and shall avoid long expanses of solid walls, greater than 20 feet in length, through the introduction of articulated facades and other specifically designed architectural elements.

10. Trash and/or dumpster/compactor and recycling areas shall comply with Section 12.403 of the Charlotte-Mecklenburg Zoning Ordinance. Trash or 'dumpster' pads will be screened from view using materials similar to those used on the respective building. Where joint collection points are developed, pads shall be screened with brick enclosures. All enclosures will have gates that totally conceal the interior of the enclosure. Multi-family (condominiums / apartments) complexes must meet all requirements as stated in Chapters 9 and 12 of the Charlotte City Code regarding solid waste dumpster, compactor and recycling areas.

Storm Water Management

Storm water runoff from the site will be managed through proven techniques which satisfy the standards imposed by Mecklenburg County.

No storm water detention shall be allowed within the setback along Rhyme Road and Interstate 485.

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

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

Fire Protection

Fire hydrants will be provided within the landscape setback areas as required by the Fire Marshall. For buildings accessed through screened parking lots, hydrants must be installed adjacent to the parking lot and easily accessible by fire fighting equipment. Hydrant locations must be approved by the Fire Marshall. An access agreement shall be on file for any building so protected.

Transportation Commitments

1. Petitioner shall improve Rhyme Road to include left-turn lanes into the proposed development. The engineering design and construction of the left-turn lane is the responsibility of the owner and shall be performed by a professional engineer registered in the state of North Carolina who has roadway-design experience.

2. The petitioner, its successors and assigns, agrees to undertake or caused to be undertaken the following roadway improvements in connection with development of the site in accordance with this petition:

a. Rhyme Road

Construct left-turn lane(s) on Rhyme Road with a minimum 150 feet of storage, a 15:1 bay taper and 45:1 through lane taper

b. Other.

Provide for a minimum of 150 feet of internal channelization (measured from the right-of-way) at the entrances to the site from Rhyme Road. If the entrance is considered a Public Road and/or the main entrance into the development, this requirement may be increased to 300 feet or greater depending on the findings of the traffic impact study/related design and operational considerations.

3. Petitioner to coordinate access point for Public Road 'D' onto Rhyme Road with the future alignment of the collector road west of Rhyme Road that was developed by the Charlotte-Mecklenburg Planning Commission.

4. Proposed Public and Private Roads and existing Public Road "K" as identified on the Technical Data Sheets shall be designed and constructed to conform to the Charlotte-Mecklenburg Land Development Standards (CMLDS) and to be subject to review by the Charlotte Department of Transportation prior to the issuance of building permits.

5. Petitioner shall preserve and dedicate right-of-way along Rhyme Road to accommodate a future 700 foot centerline radius, pending the recommendation and approval of the North Carolina Department of Transportation.

6. Petitioner reserves the right to declare Public Road 'I' as a Private Road in the event that parcel #053-01-131, directly to the west of Rhyme Road, redevelops and does not provide a public road connection at this intersection.

7. Petitioner, its successors and assigns, agrees to cooperate with the Charlotte Department of Transportation and the North Carolina Department of Transportation in connection with the timing of construction of roadway improvements to be undertaken by the petitioner, which shall be based upon the traffic impact associated with the proposed development as reflected in the petitioner's traffic impact study.

Sidewalks and Internal Streets

1. Petitioner shall install an 8 foot wide sidewalk with a minimum 8 foot wide planting strip parallel to the site's frontage on Rhyme Road and public and private roads located within the Commercial Center (CC) and Business (B-2)(CDI) district. The sidewalk may meander in order to permit the petitioner to exercise good faith efforts to save existing 8 inch or larger caliper trees within the applicable building setback area.

2. As conceptually depicted on the schematic site plan, the petitioner shall install internal sidewalks on the site that will provide pedestrian connections between the various buildings located thereon and to the sidewalks installed along Rhyme Road.

3. Petitioner shall contact CSX Transportation and obtain right-of-entry access to the CSX property located along the northern property line. Once access has been granted, petitioner shall install a minimum 8 foot wide sidewalk adjacent to the rail line that shall create a pedestrian connection to the eastern and western portions of the site. The material used for the sidewalk shall be concrete with the exception of sidewalk located in the "Catawba River/Lake Wylie Watershed District" of which shall be constructed of a non-impervius material as specified by Section 10.608 of the Ordinance.

4. Except where necessary to accommodate significant design and architectural elements located on the site, internal private roads shall be designed to have street trees and sidewalks a minimum of 8 feet in width provided that any deviation from the minimum 8 feet sidewalk width shall relate to pedestrian walk areas of an appropriate width included as part of the above described significant design features.

5. Sidewalks in the MX-2 portion of the site will be installed in accordance with the standards of the Subdivision Ordinance.

Development Phasing Provisions

In order to assure that the infrastructure that serves the area is adequate to serve the proposed development, the development of the site will be tied to the provision of specific infrastructure improvements. The provision of these improvements is not tied to specific calendar dates but rather serves as a limiting factor to the amount of development that can occur on the site. As specified below, certain levels of development will be permitted in conjunction with the provision of certain road improvements that have been designed to improve existing conditions and to accommodate the anticipated traffic impact that can be expected from the new development. The design and location of the improvements will substantially conform to the provisions of this illustrative site plan, in conjunction with the approval of the appropriate transportation authority. With regard to the installation of traffic signalization that is included in the Phasing Provisions, if the traffic requirements for a particular signal have not been met and/or the appropriate transportation authority has not permitted a signal to be installed, the lack of an installed signal shall not be construed as a failure on the part of the Petitioner to complete that particular portion of the Phasing Provisions and development rights tied to that signal will be available to the Petitioner as if the signal was in place. The Petitioner is committed to providing the particular signal when traffic requirements dictate or at the direction of the appropriate transportation authority should that authority request the signal even if traffic requirements have not been met. The square footage/number of dwelling units specified for each use included in Phase One can be exchanged from one use to another provided that the net new external trips produced by the site does not exceed 1,300 trips during the PM peak hour. Nothing in this section shall prohibit the development of any portion of the site in any order so long as the transportation improvement associated with that development is or has been provided as specified below.

Phase One (A)

In conjunction with the provision of the improvements listed below, the Petitioner may develop up to 159,600 square feet of retail space, 16,530 square feet of restaurant space, a hotel, a car dealership, and 81 townhomes in the west sector of the development. The Petitioner may apply for building permits upon the letting of contracts for the improvements listed and may not receive Certificates of Occupancy until the specific improvements have been completed.

In connection with any such Phase One (A) development, the following improvements must be installed or contracted for prior to any development and the improvements will be installed in various portions of the site as those portions of the site develop prior to the issuance of any certificate of occupancy for development on that portion of the site, reserving the Petitioner's right to install any or all improvements if it to do so would result in greater efficiency. For any right-of-way that may not be available, the North Carolina Department of Transportation will assist in right-of-way acquisition. Also in connection with any Phase One (A) development:

- Petitioner commits to acquire and dedicate right-of-way for the design of the 2010 intersection configuration as defined in the Petitioner's traffic impact study at Mount Holly Road and Rhyme Road, to include the Cline property improvements, and consisting of the following:
 - Rhyme Road (southern leg): dual southbound through lanes to extend from Mt. Holly Road to Driveway #3 with one dropping as a left-turn lane, dual northbound left-turn lanes, a northbound through lane, dual northbound right-turn lanes, and a median extending from Mount Holly Road to Driveway #3.
 - Mount Holly Road: Dual westbound left-turn lanes.
 - Relocation of railroad gates and traffic signal modifications.
- Petitioner commits to work in good faith with the Cline property (Charlotte rezoning petition 2003-088) to jointly design and fund the improvements at Mount Holly Road and Rhyme Road.
- Building permits will be issued when the construction contract is let for the above referenced intersection improvements for the southern leg of Rhyme Road at the Mount Holly Road and Rhyme Road intersection. Grading, onsite infrastructure, and other site related construction except buildings may proceed prior to issuance of the intersection construction contract with applicable permits.

Mount Holly Road and Rhyme Road

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

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

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

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

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

Driveway #3 and Rhyme Road*

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

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

Driveway #4 and Rhyme Road

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

Driveway #5 and Rhyme Road

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

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

Phase One (B)

In conjunction with the provision of the improvements listed below, the Petitioner may develop any combination of townhomes multi-family units (condominiums / apartments) in the west sector of the development with the total units constructed not to exceed 373 units. The Petitioner may apply for building permits upon the letting of contracts for the improvements listed and may not receive certificates of occupancy for more than 50% of the proposed units until the specific improvements have been completed in connection with any such Phase One (B) development, the following improvements must be installed or contracted for prior to any development and the improvements will be installed in various portions of the site as those portions of the site develop prior to the issuance of any certificate of occupancy for more than 50% of the development on that portion of the site, reserving the Petitioner's right to install any or all improvements if it to do so would result in greater efficiency. For any right-of-way that may not be available, the North Carolina Department of Transportation is assumed to assist in right-of-way acquisition.

Moores Chapel Road and Old Moores Chapel Road

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

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

Phase Two

Once the conditions imposed under Phase One have been satisfied, the Petitioner may develop the remaining 58,082 square feet of retail space, 8-screen movie theater, a car dealership, 6,775 square feet of restaurant space, and 28,800 square feet of office space. In connection with any such Phase Two development, the following improvements must be installed or contracted for prior to any development and the improvements will be installed in various portions of the site as those portions of the site develop, reserving the Petitioner's right to install any or all improvements if it to do so would result in greater efficiency. For any right-of-way that may not be available, the North Carolina Department of Transportation is assumed to assist in right-of-way acquisition.

Mount Holly Road and Mount Holly-Huntersville Road

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

**Contingent upon CDOT's approval.

Mount Holly Road and Rhyme Road

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

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

Amendments to Rezoning Plan

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

Binding Effect

1. If this rezoning petition is approved, all conditions applicable to development of the site imposed under this Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the petitioner and subsequent owners of the site and their respective successors in interest or assigns.

Initial submission: 2-15-19- 1.1

Project No: 19-012

Date: 03.08.19

Designed by: UDP

Drawn By: UDP

Sheet No:

RZ-3.0

REZONING PETITION #2019-XXX

Moore's Chapel Holdings LLC

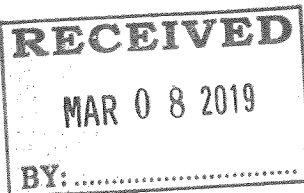
REVISIONS:

NO. DATE: BY:

Urban Design Partners

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

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-046

Petition #:	
Date Filed:	3/8/2019
Received By:	PH

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: commercial/vacant (Acres): ± 2.158

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

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

Required Rezoning Pre-Application Meeting* with: Solomon Fortune, Katherine Mahoney, Isaiah Washington, and Eric Lemieux

Date of meeting: 3/6/2019

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan:

Keith MacVean & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

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

Telephone Number

Fax Number

keithmacvean@mvalaw.com;

jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENTS A-C

Signature of Property Owner

Spectrum Companies (Attn: Jason Fish)

Name of Petitioner

300 S. Tryon Street, Suite 210

Address of Petitioner

Charlotte, NC 28202

City, State, Zip

704.338.3212

Telephone Number

jfish@spectrumcos.com

E-mail Address

SEE ATTACHMENT D

Signature of Petitioner

SCHEDULE 1

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

ATTACHMENT A

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

**OWNER JOINDER AGREEMENT
Speedee Prints, LLC**

The undersigned, as the owner of the parcel of land located at 1127 S Mint St, Charlotte, NC that is designated as Tax Parcel No. 073-064-29 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from I-2 zoning district to the TOD-M zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 6 day of March, 2019.

Speedee Prints

By:

Name:

Its:

Patricia Economides
PATRICIA ECONOMIDES
owner

ATTACHMENT B

REZONING PETITION NO. 2019-
Spectrum Companies

OWNER JOINDER AGREEMENT
HA-CT Properties, LLC

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

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

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

This 5th day of March 2019.

HA-CT Properties, LLC

By: 

Name: Debra M. Jones

Its: Trustee

ATTACHMENT C

REZONING PETITION NO. 2019
Spectrum Companies

OWNER JOINDER AGREEMENT
CCJ Properties

The undersigned, as the owner of the parcel of land located at 307 W Palmer St, Charlotte, NC that is designated as Tax Parcel No. 073-064-28 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from I-2 zoning district to the TOD-M zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 6 day of March, 2019.

CCJ Properties

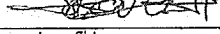
By: Alan James
Name: Alan James
Its: Manager

ATTACHMENT D

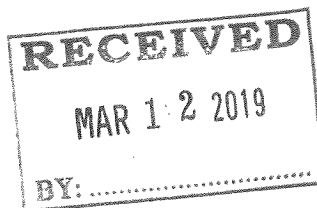
REZONING PETITION NO. 2019
Spectrum Companies

Petitioner:

Spectrum Companies

By: 
Name: Jason Fish
Title: VP of Development

**I. REZONING APPLICATION
CITY OF CHARLOTTE**



2019-047

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

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

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

For Conditional Rezonings Only:

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

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

Keith MacVean, Dujuana Keys & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

704.331-2371 (DK) 704-339-5888 (DK)

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


Telephone Number

Fax Number

keithmacvean@mvalaw.com;

dujuanakeys@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address


Signature of Property Owner

NR Pinehurst Property Owner LLC (Attn: Michael Gribble)

Name of Petitioner

558 E. Stonewall St, Ste 120

Address of Petitioner

Charlotte, NC 28202

City, State, Zip


704.714.9681

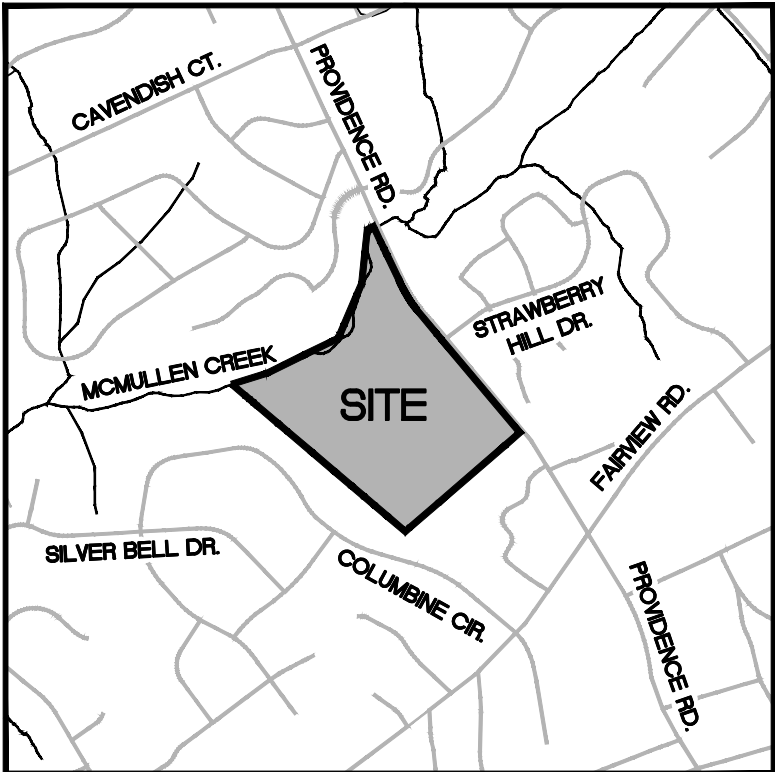
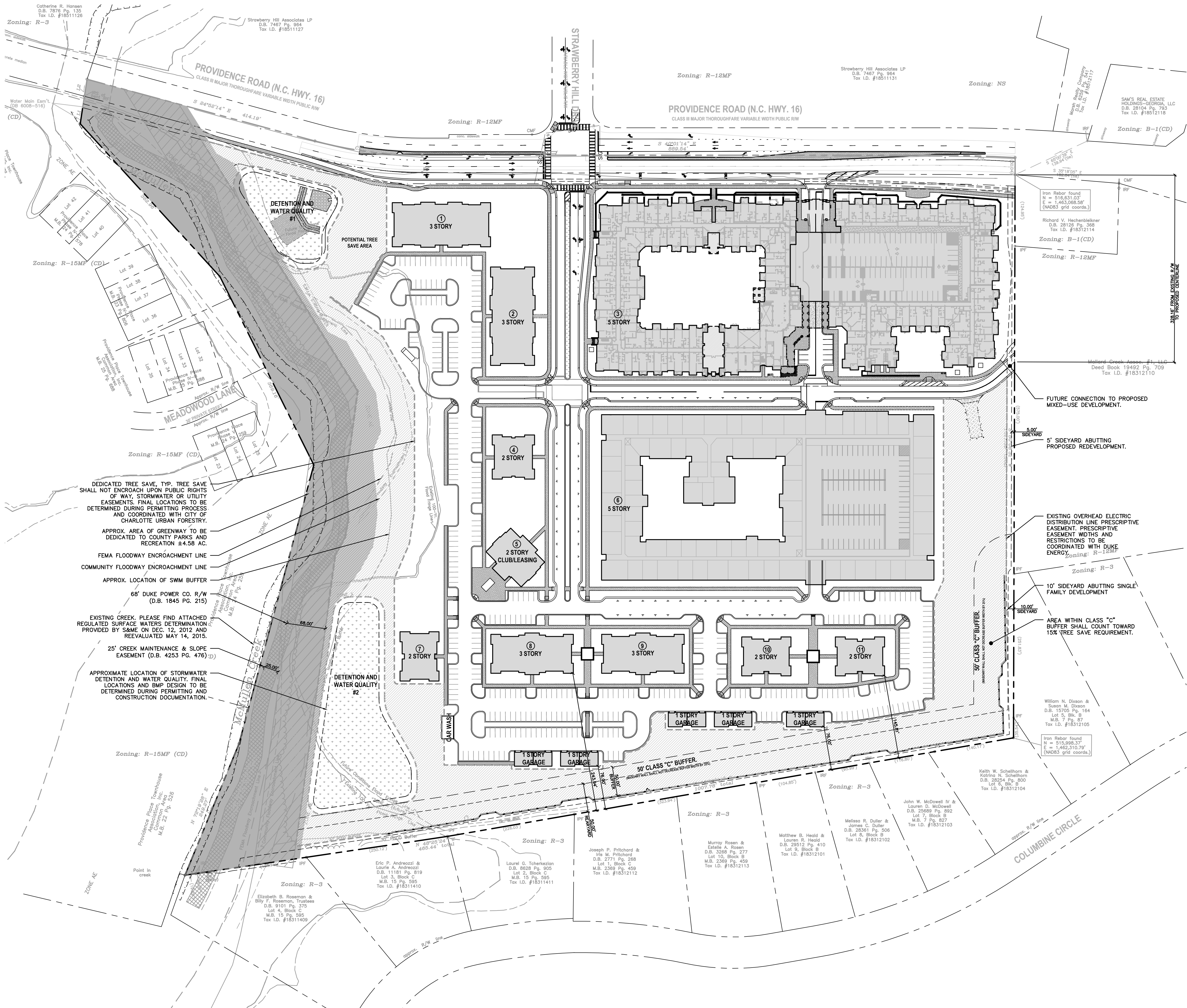
Telephone Number

Fax Number

mgribble@nwravin.com

E-mail Address


Signature of Petitioner



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

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

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

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



NORTHWOOD RAVIN, LLC
558 EAST STONEWALL STREET
SUITE 120
CHARLOTTE, NC 28202

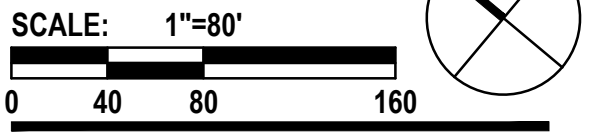
PINEHURST MULTIFAMILY REZONING

4100 PROVIDENCE ROAD
CHARLOTTE, NC 28204

ColeJenest & Stone
Shaping the Environment
Realizing the Possibilities
200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202
p+ 704 376 1555 f+ 704 376 7851
url+ www.colejeneststone.com

CONDITIONAL REZONING PLAN

Project No.
4403
Issued
03/11/19
Revised



RZ-100

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

Site Development Data:

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

1. General Provisions:

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

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

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

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

e. Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site shall not exceed 14. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site.

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

2. Optional Provisions:

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

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

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

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

3. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with up to 854 multi-family dwelling units together with accessory uses allowed in the MUDD-O zoning district.
- b. Surface parking areas will not be allowed between Providence Road and the new buildings that abut Providence Road, provided, however, surface parking areas may be located to the side of the new buildings abutting Providence Road as generally depicted on the Rezoning Plan.
- c. Structured parking facilities may be located on the Site.

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

4. Transportation/Access Notes:

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

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

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

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

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

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

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

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

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

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

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

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

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

5. Architectural Standards:

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

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

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

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

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

f. Meter banks will be screened.

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

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

6. Streetscape, Buffers and Landscaping:

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

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

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

this internal sidewalk will be five (5) feet.

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

e. Screening requirements of the Ordinance will be met.

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

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

7. Environmental Features:

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

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

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

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

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

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

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

9. Signage:

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

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

10. Lighting:

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

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

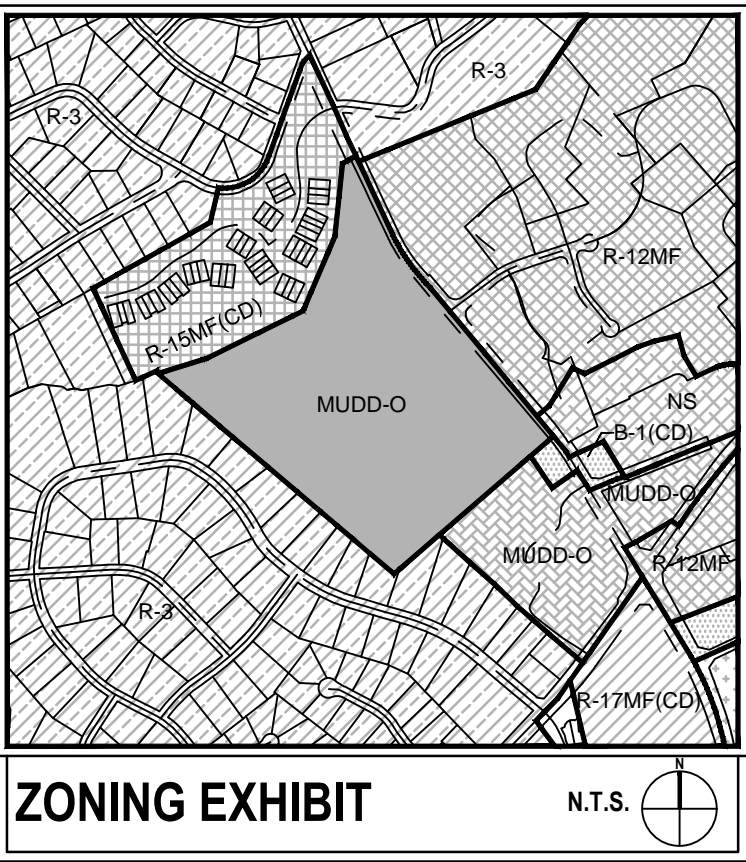
11. Amendments to the Rezoning Plan:

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

12. Binding Effect of the Rezoning Application:

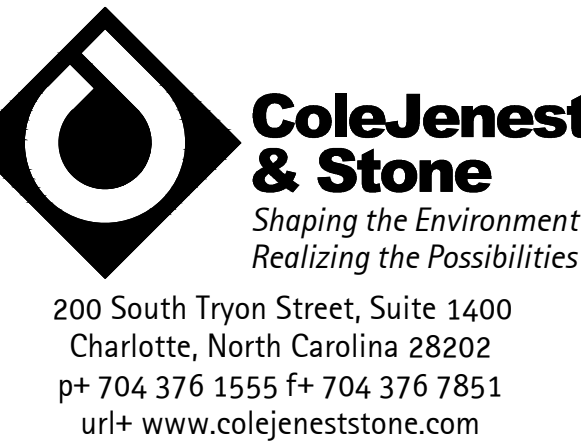
a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective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

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



NORTHWOOD RAVIN, LLC
558 EAST STONEWALL STREET
SUITE 120
CHARLOTTE, NC 28202

PINEHURST MULTIFAMILY REZONING
4100 PROVIDENCE ROAD
CHARLOTTE, NC 28204



DEVELOPMENT STANDARDS

Project No.
4403
Issued
03/11/19
Revised

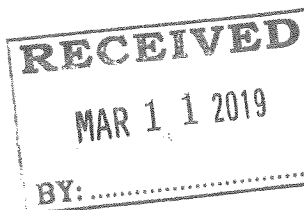


RZ-200

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**I. REZONING APPLICATION
CITY OF CHARLOTTE**



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

Complete All Fields (Use additional pages if needed)

Property Owner: See Exhibit A

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

Date Property Acquired: See Exhibit A

Property Address: See Exhibit A

Tax Parcel Number(s): See Exhibit A

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

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

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

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

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To accommodate uses permitted in the TOD-M zoning district.

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

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

Charlotte, NC 28246
City, State, Zip

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

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

See attached joinder agreement
Signature of Property Owner

(Name Typed / Printed)

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

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

Charlotte, NC 28202
City, State, Zip

678-773-4411
Telephone Number Fax Number

michael.bender@blvdrea.com
E-Mail Address

See attached signature page
Signature of Petitioner

(Name Typed / Printed)

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

Tax Parcel No. 169-076-08

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

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

Tax Parcel No. 169-076-07

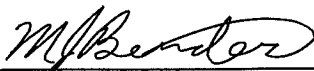
John J. Huson Revocable Trust U/A Dated September 16, 2011, as amended
John J. Huson, Trustee
4013 Columbine Circle
Charlotte, NC 28211

Site Address: 649 Scholtz Road, Charlotte, NC 28217

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

Petitioner:

B&B RE VENTURES, LLC

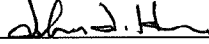
 mgr.

By: Michael Bender, Manager

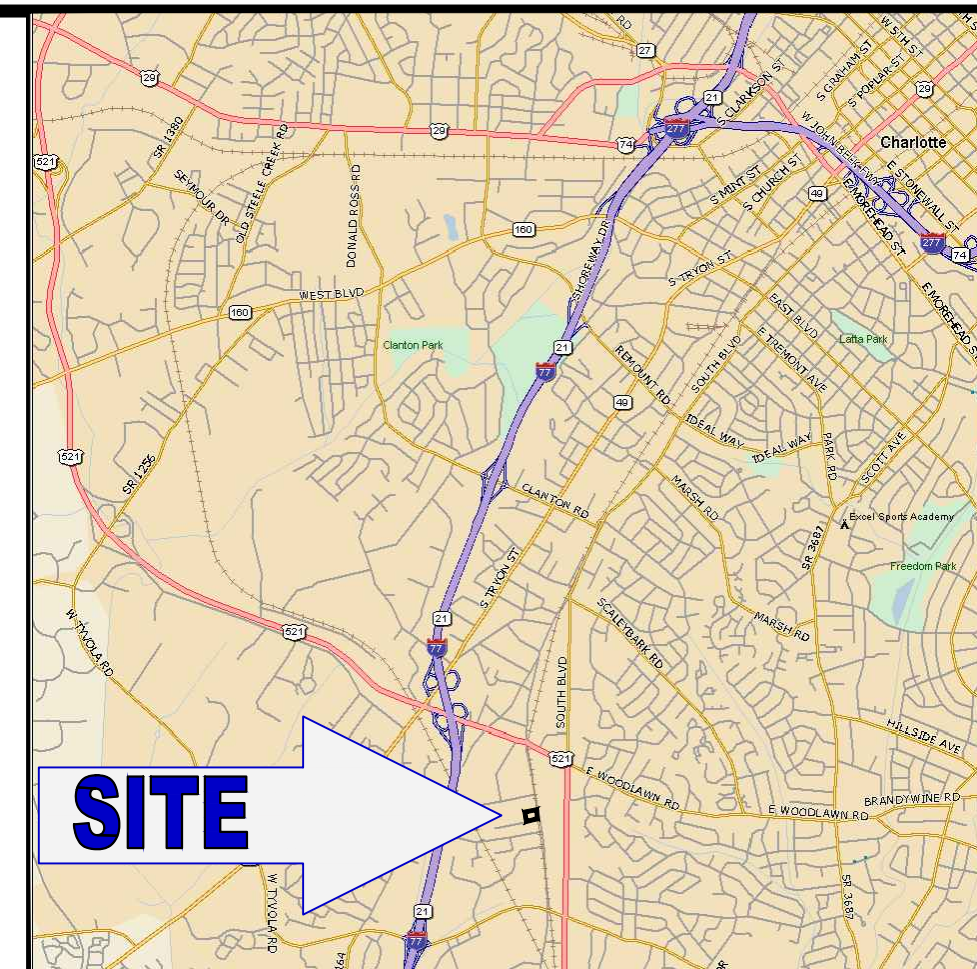
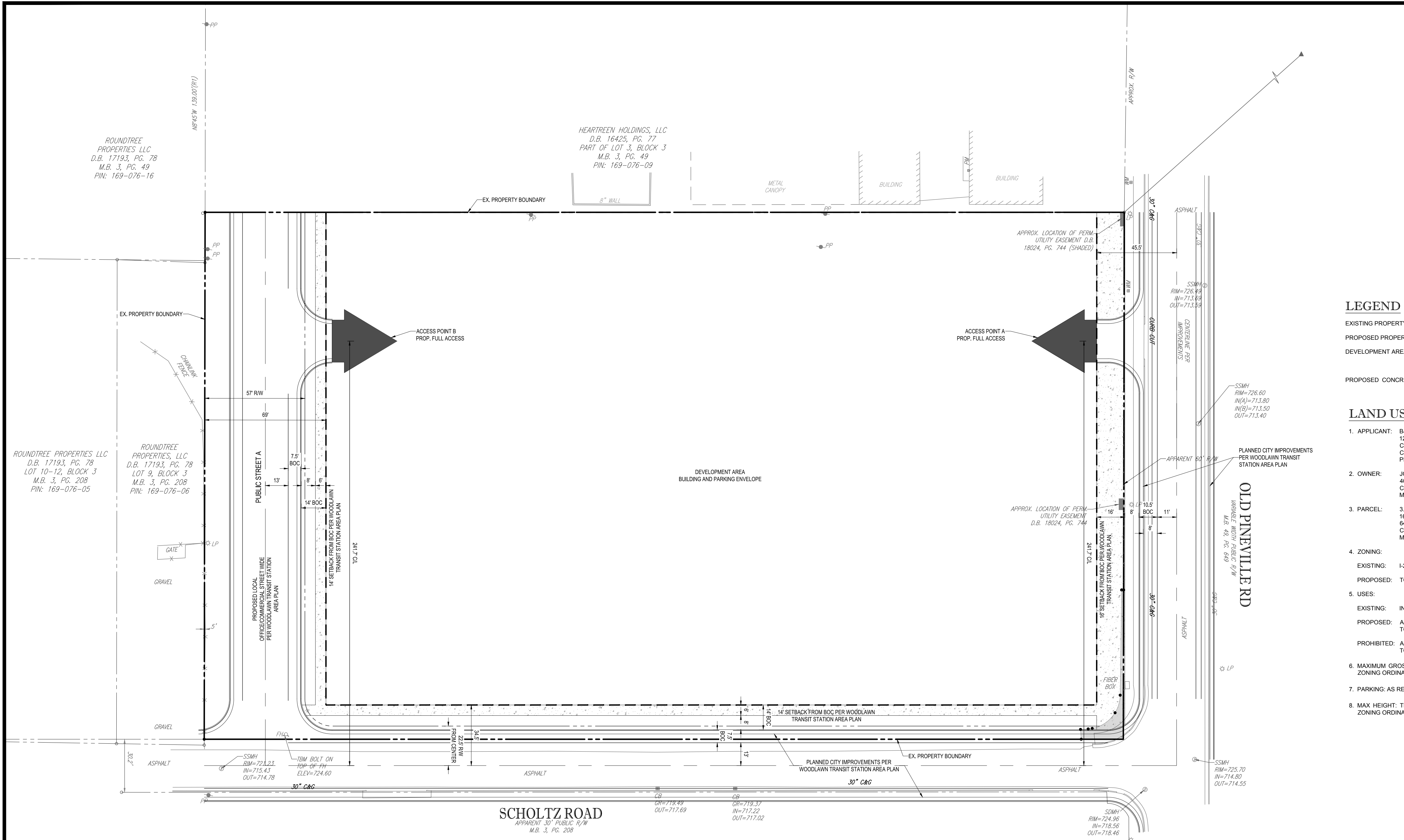
**JOINDER AGREEMENT TO REZONING APPLICATION FILED BY B&B RE
VENTURES, LLC**

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

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

By: 
John J. Huson, Trustee

Date: 2/26/19



LOCATION MAP

LEGEND

EXISTING PROPERTY BOUNDARY	---
PROPOSED PROPERTY LINE	---
DEVELOPMENT AREA	---
PROPOSED CONCRETE SIDEWALK	---

LAND USE AND ZONING INFORMATION

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

DEVELOPMENT STANDARDS

MARCH 25, 2019

1. GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY B&B RE VENTURES, LLC (THE "PETITIONER") FOR AN APPROXIMATELY 3.60 ACRE SITE LOCATED ON THE NORTHWEST CORNER OF OLD PINEVILLE ROAD AND SCHOLTZ ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF THOSE PARCELS OF LAND DESIGNATED AS TAX PARCEL NOS. 169-076-08 AND 169-076-07.
- B. THE DEVELOPMENT AND USE OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").
- C. THE DEVELOPMENT OF THE SITE PROPOSED UNDER THIS REZONING PLAN SHALL BE CONSIDERED TO BE A PLANNED/UNIFIED DEVELOPMENT. THEREFORE, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION REQUIREMENTS AND OTHER SIMILAR ZONING STANDARDS SHALL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS, USES AND OTHER SITE ELEMENTS LOCATED ON THE SITE. FURTHERMORE, THE PETITIONER AND/OR OWNER OF THE SITE RESERVE THE RIGHT TO SUBDIVIDE PORTIONS OR ALL OF THE SITE AND TO CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS AND PUBLIC/PRIVATE STREET FRONTAGE REQUIREMENTS, PROVIDED, HOWEVER, THAT THE DEVELOPMENT OF THE SITE SHALL BE REQUIRED TO MEET ANY APPLICABLE SETBACK, SIDE YARD AND REAR YARD REQUIREMENTS WITH RESPECT TO THE EXTERIOR BOUNDARY OF THE SITE.
- D. ALL PRINCIPAL BUILDINGS, ACCESSORY STRUCTURES, SURFACE PARKING FACILITIES AND STRUCTURED PARKING FACILITIES (IF ANY) SHALL BE LOCATED WITHIN THE BUILDING/PARKING ENVELOPE DEPICTED ON THE REZONING PLAN. THIS REZONING PLAN DOES NOT LIMIT THE NUMBER OF PRINCIPAL BUILDINGS, ACCESSORY STRUCTURES, SURFACE PARKING FACILITIES OR STRUCTURED PARKING FACILITIES THAT MAY BE LOCATED ON THE SITE. THE NUMBER OF PRINCIPAL BUILDINGS, ACCESSORY STRUCTURES, SURFACE PARKING FACILITIES AND STRUCTURED PARKING FACILITIES THAT MAY BE LOCATED ON THE SITE SHALL BE GOVERNED BY THE APPLICABLE PROVISIONS OF THE ORDINANCE.
- E. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

2. PERMITTED USES

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

3. ARCHITECTURAL STANDARDS

- A. FOR BUILDINGS 150 FEET IN LENGTH OR LONGER, FACADES SHALL BE DIVIDED INTO SHORTER SEGMENTS BY MEANS OF FACADE MODULATION OR MASS SEPARATION. SUCH MODULATION OR MASS SEPARATION MUST OCCUR AT INTERVALS OF NO MORE THAN 60 FEET AND SHALL PROVIDE A SETBACK OR PROJECTION OF THE FRONT FACADE OF AT LEAST TWO FEET IN DEPTH.
- B. THE SITE MAY BE DEVELOPED WITH EITHER A SINGLE BUILDING OR WITH MULTIPLE BUILDINGS. HOWEVER, IF THE SITE IS DEVELOPED WITH A SINGLE BUILDING, RATHER THAN MULTIPLE BUILDINGS, PETITIONER SHALL PROVIDE AT THE APPROXIMATE MIDPOINT OF SAID BUILDING A 20 FOOT WIDE OPEN AREA THAT HAS A MINIMUM DEPTH OF 20 FEET AS MEASURED FROM THE FACE OF THE BUILDING.

- C. PETITIONER COMMITS TO GROUND FLOOR ACTIVATION THROUGH, WITHOUT LIMITATION, TRANSPARENT GLASS WINDOWS, OPERABLE DOORS, PORCHES, STOOPS, AND/OR OPEN SPACE (INCLUDING THE OPEN AREA DESCRIBED IN NOTE 3.B) AS FOLLOWS: (I) ALONG THE SITE'S FRONTAGE ON OLD PINEVILLE ROAD, GROUND FLOOR ACTIVATION MEASURING AT LEAST 66% OF THE GROUND FLOOR FACADE OF THE BUILDING(S) FRONTING OLD PINEVILLE ROAD; AND (II) ALONG THE SITE'S FRONTAGE ON SCHOLTZ ROAD, GROUND FLOOR ACTIVATION MEASURING AT LEAST 50% OF THE GROUND FLOOR FACADE OF THE BUILDING(S) FRONTING SCHOLTZ ROAD.

- D. PETITIONER COMMITS TO A GROUND FLOOR HEIGHT OF: (I) A MINIMUM OF 8 FEET FLOOR-TO-FLOOR FOR ANY SINGLE-FAMILY ATTACHED DWELLING UNITS; (II) A MINIMUM OF 12 FEET FLOOR-TO-FLOOR FOR ANY BUILDINGS DEDICATED TO MULTI-FAMILY RESIDENTIAL USE, INCLUDING LEASING/AMENITY SPACE; AND (III) A MINIMUM OF 14 FEET FLOOR-TO-FLOOR FOR ANY BUILDING DEDICATED TO ANY OTHER USES ALLOWED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE TOD-M ZONING DISTRICT.

- E. THE UPPER FLOORS OF ANY PROPOSED PARKING STRUCTURE TO BE CONSTRUCTED ON THE SITE WILL BE SCREENED.

4. TRANSPORTATION

- A. VEHICULAR ACCESS TO THE SITE SHALL BE APPROXIMATELY AT THE LOCATIONS DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO MODIFICATIONS THAT MAY BE REQUIRED TO ACCOMMODATE FINAL SITE DESIGN AND CONSTRUCTION PLANS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.

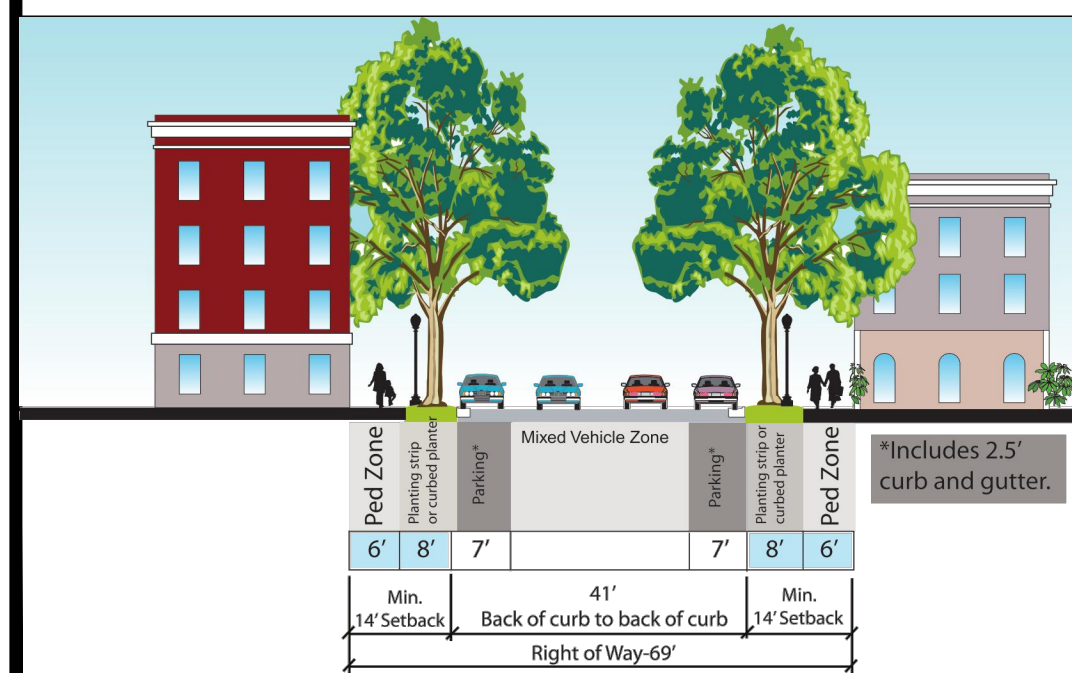
- B. PETITIONER SHALL SUBSTANTIALLY COMPLETE THE CONSTRUCTION OF PUBLIC ROAD A AS GENERALLY DEPICTED ON THE REZONING PLAN PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE.
- C. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE, PETITIONER SHALL DEDICATE AND CONVEY TO THE CITY OF CHARLOTTE THOSE PORTIONS OF THE SITE LOCATED IMMEDIATELY ADJACENT TO OLD PINEVILLE ROAD, SCHOLTZ ROAD AND PUBLIC ROAD A AS REQUIRED TO PROVIDE RIGHT OF WAY MEASURING, WHERE FEASIBLE, TWO FEET FROM THE BACK OF CURB AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, TO THE EXTENT THAT SUCH RIGHT OF WAY DOES NOT ALREADY EXIST.

- D. SIDEWALKS OR PORTIONS THEREOF MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN.

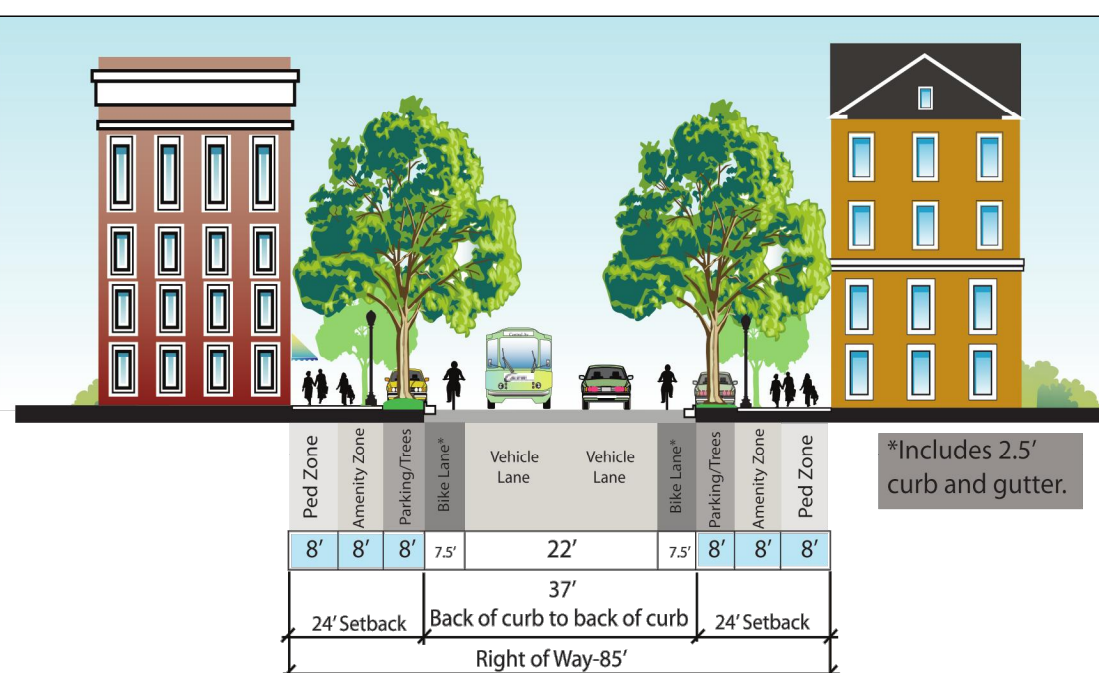
5. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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

SCHOLTZ ROAD



OLD PINEVILLE ROAD



REVISIONS			
REV	DATE	COMMENT	BY

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

NOT APPROVED FOR
CONSTRUCTION

PROJECT No.:	NC0192070
DRAWN BY:	ODR
CHECKED BY:	RDH
DATE:	3/26/19
SCALE:	1" = 30'
CAD I.D.:	RZ1

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

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

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

SHEET TITLE:
TECHNICAL DATA SHEET

SHEET NUMBER:
RZ-1

