

Rezoning Petition Packet

Petitions:
2019-122 through 2019-137

Petitions that were submitted in September 2019

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: _____

Date Filed: 7/31/2019

Received By: Bx

Complete All Fields (Use additional pages if needed)

Property Owner: KSS Charlotte, LLC

Owner's Address: P.O. Box 79026

City, State, Zip: Charlotte, NC 28271

Date Property Acquired: 3/16/2010

Property Address: 4916 Airway Avenue

Tax Parcel Number(s): 037-203-01

Current Land Use: Industrial

Size (Acres): +/- 39.7 acres

Existing Zoning: I-1(CD)

Proposed Zoning: I-1

Overlay: None

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

Required Rezoning Pre-Application Meeting* with: Michael Russell, Dave Pettine, Josh Weaver, Felix Obregon,
Date of meeting: 7/31/19 Kent Main, Grant Meacci, Isiah Washington

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: N/A

Collin Brown and Bailey Patrick, Jr.

Name of Rezoning Agent

214 N. Tryon Street, 47th Floor

Agent's Address

Charlotte, NC 28202

City, State, Zip

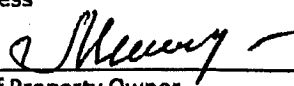
704-331-7531

Telephone Number

704-353-3231

Fax Number

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


Signature of Property Owner

Nuriya Mendygaziyeva
(Name Typed / Printed)

Beacon Partners

Name of Petitioner(s)

500 E Morehead Street, Suite 200

Address of Petitioner(s)

Charlotte, NC 28202

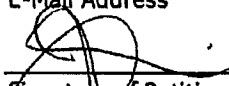
City, State, Zip

704-597-7757

Telephone Number

Fax Number

jon@beacondevelopment.com
E-Mail Address


Signature of Petitioner

Jon L. Morris
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2019-123

Petition #:	_____
Date Filed:	<u>8/9/2019</u>
Received By:	<u>BK</u>

Property Owners: 935 Summit Magnus LLC
Owner's Addresses: 305 East 47th Street 10th Floor, New York, NY 10017
Date Properties Acquired: 8/1/2019
Property Addresses: 935 Summit Avenue
Tax Parcel Numbers: 073-25-301
Current Land Use: Institutional (Acres): ± 1.99
Existing Zoning: I-1 Proposed Zoning: I-1 PED-O
Overlay: PED Tree Survey Provided: Yes N/A:
Required Rezoning Pre-Application Meeting* with: Alberto Gonzales, Carlos Alzate, David Pettine, Grant Meacci
Date of meeting: June 18, 2019

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow development of the parcel with an office building that exceeds the permitted height and supports the proposed Silver Line

Bridget Grant, Dujuana Keys, & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

City, State, Zip

704-331-2379 (BG) 704-378-1973(BG)

704-331-2371 (DK) 704-339-5888 (DK)

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

Telephone Number

Fax Number

bridgetgrant@mvalaw.com/

dujuanakeys@mvalaw.com/ jeffbrown@mvalaw.com

E-mail Address


Signature of Property Owner

Magnus Capital Partners (Attn: Vishal Aurora)

Name of Petitioner

305 East 47th Street 10th Floor

Address of Petitioner

New York, NY 10017

City, State, Zip

646-790-5838

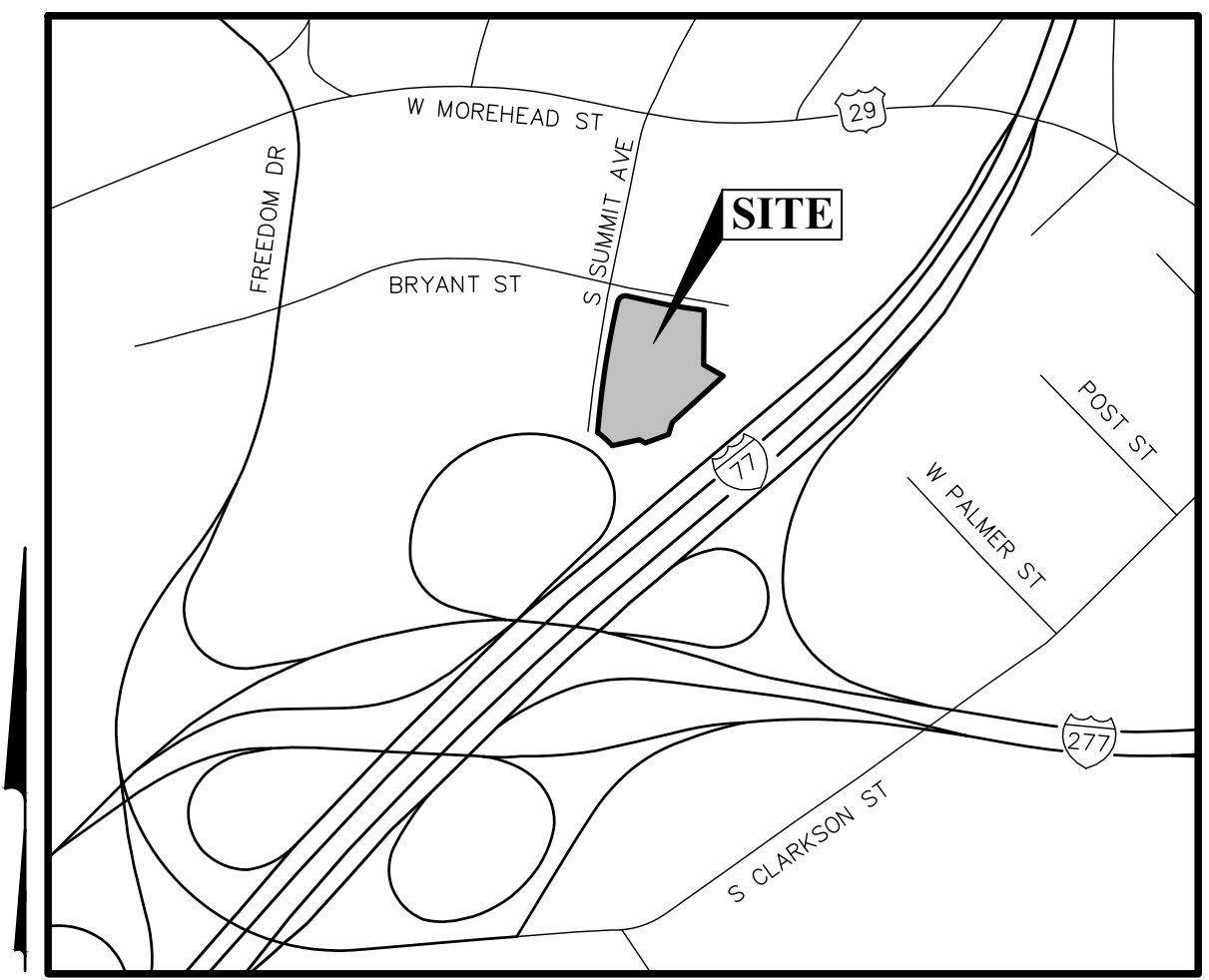
Telephone Number

Fax Number








va@magnuscapitalpartners.com

E-mail Address


Signature of Petitioner

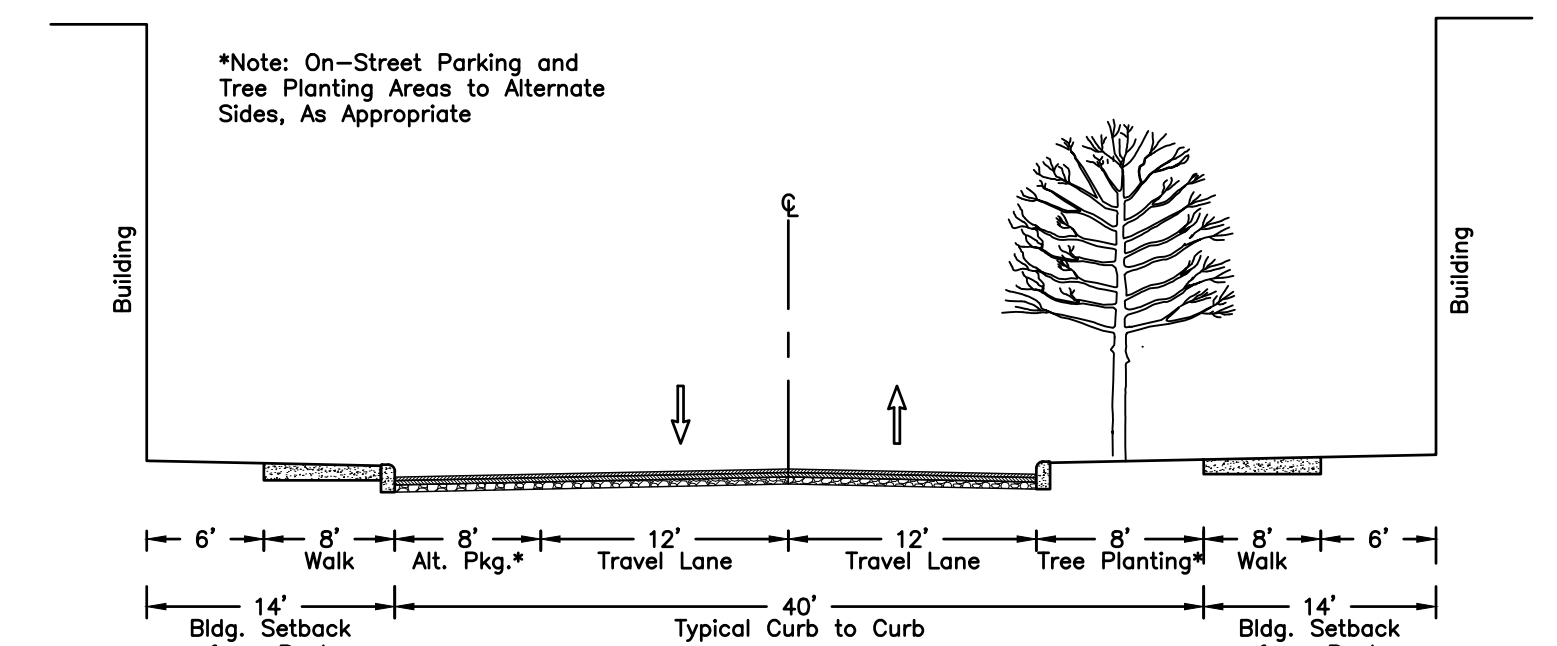


LEGEND

	Ex. Site Boundary
	Ex. Railroad Right-of-Way
	Ex. SWIM Buffer
	Ex. Easement Area
	Prop. Maximum Building Limits
	Prop. Maximum Parking Lot Limits
	Fut. LYNX Silver Line Extension

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CH. BEARING	CH. DIST.
C1	6°43'28"	1196.28'	140.40'	S81°31'07"E	140.32'
C2	14°06'10"	209.15'	51.48'	N49°10'48"W	51.35'
C3	8°18'41"	2385.00'	345.97'	S07°41'30"W	345.67'
C4	90°01'12"	20.00'	31.42'	S56°41'05"W	28.29'

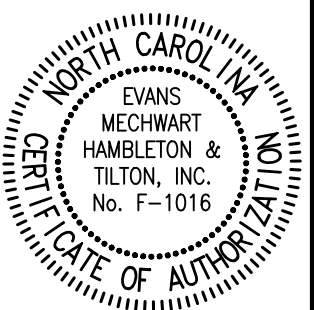
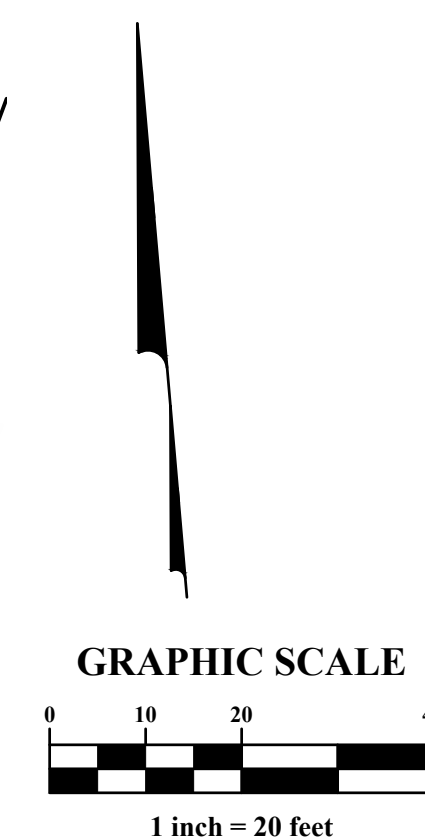
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N11°41'42"E	20.01'
L2	S78°17'14"E	20.00'



Note: Typical street section is based on the street section provided in the West Morehead Land Use & Pedscape Plan dated November 8, 2004.

TYPICAL SECTION - TYPE 2 VILLAGE STEETS

Not to Scale

[illegible]

CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA
REZONING PLAN
FOR
935 SOUTH SUMMIT AVENUE



DATE
August 9, 2019
SCALE
1" = 20'
JOB NO.
20190411
SHEET
RZ-01

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Site Development Data:

- Acreage: ±1.99 acres
- Tax Parcel #: 073-253-01
- Existing Zoning: I-1
- Proposed Zoning: I-1 PED-O
- Existing Uses: Institutional
- Proposed Uses: Uses as allowed by right and under prescribed conditions together with accessory uses, all as allowed in the I-1 and PED zoning districts.
- Maximum Building Height: The maximum allowed building height will be 200' as set forth in Section 2 below; building height will be measured as defined by the Ordinance.
- Parking: As required by the Ordinance.

1. General Provisions:

a. Site Location. These Development Standards and the Technical Data Sheet and other graphics set forth on attached Sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Magnus Capital Partners ("Petitioner") in connection with development on an approximately 1.99 acre site located at 935 S. Summit Avenue (the "Site").

b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan, which includes these Development Standards and the associated Optional Provisions set forth below, 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 I-1 and PED zoning classifications together with the Optional Provisions shall govern all development taking place on the Site.

c. Graphics and Alterations. The schematic depictions, as applicable, of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets/roads, open space and other development matters and site elements (collectively the "Development/Site Elements") that may be 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 that may be 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 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. expressly permitted by the Rezoning Plan (if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification); or
- ii. minor and don't materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director, or designee, 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.

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). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s).

2. Optional Provisions:

The following Options Provisions shall apply to the Site:

- a. To allow structured parking that is not designed and/or used for active uses on the ground floor.
- b. To allow a maximum building height of 200'.

3. Permitted Uses, Development Area Limitations:

a. The Site may be developed with uses as allowed by right and under prescribed conditions, together with accessory uses, all as allowed in the I-1 and PED zoning districts and by the Optional Provisions contained herein.

4. Access, Parking and Transportation:

- a. Access shall be provided as generally depicted on Sheet RZ-01 subject to CDOT approval in accordance with customary standards and not to be unreasonably withheld or delayed.
- b. The Petitioner will improve Summit Avenue and Bryant Street to add on-street parking as generally depicted on the Rezoning Plan and subject to CDOT approval in accordance with customary standards and not to be unreasonably withheld or delayed. The improvements described in this Section 4.b. shall be substantially completed prior to the issuance of the first certificate of occupancy for the building subject to the Petitioner's ability to post a bond for any improvements not in place at the time of the issuance of the first certificate of occupancy.
- c. The Petitioner will dedicate via fee simple conveyance or by easement grant any additional right-of-way located on Site as generally indicated on the Rezoning Plan as right-of-way to be dedicated, the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy. If an easement approach is taken, the easement will be located a minimum of two (2) feet behind the sidewalk where feasible.
- d. The Petitioner shall reserve, for the sole benefit of the City of Charlotte and solely for the purpose of the installation of the LYNX Silver Line, a seventy foot (70') wide corridor (the "Transit Reserved Corridor") along the southern property boundary adjacent to Irwin Creek as generally depicted on the Rezoning Plan to provide a possible future LYNX Silver Line which shall be constructed by and at the cost of others; such reservation shall be subject to the provisions set forth below:
 - i. The Petitioner may conduct site work, including but not limited to grading and utility work, and install and maintain pavement, driveways, sidewalks, parking areas, landscaping and similar improvements within the Transit Reserved Corridor until such time that the possible future LYNX Silver Line connection within the Transit Reserved Corridor is developed by others (but subject to the provisions and time limits set forth below); but in no event shall building footprints be located within the Transit Reserved Corridor.
 - ii. The Transit Reserved Corridor is to be reserved for the sole benefit of the City of Charlotte and solely for installation of the LYNX Silver Line therein for a period of ten (10) years from the approval of the Rezoning, and (x) upon the passage of such 10 year period, (y) the earlier issuance by the City of Charlotte of written notice that the LYNX Silver Line will not be installed, or (z) the FTA full funding agreement associated with LYNX Silver Line is not issued prior to December 31, 2025, such Transit Reserved Corridor shall automatically be withdrawn and Petitioner may use the Transit Reserve Corridor for any purpose and use allowed by applicable regulations.
 - iii. The Petitioner shall not bear any costs or expenses associated with the construction of the proposed LYNX Silver Line within the Transit Reserved Corridor or any other implications derived therefrom, and the related construction shall not interfere in any material respect with the operations and activities taking place on the Site, including without limitation parking, access, facilities operations, and the like. Further, all development, processes, permits, and land preparation, including but not limited to the removal of any Development/Site Elements located within the Transit Reserved Corridor, shall be the responsibility of the City of Charlotte.
 - iv. Development associated with the LYNX Silver Line within the Transit Reserved Corridor will not result or cause the Site, its uses, any Development/Site Elements located or future buildings on the Site to become non-compliant or non-conforming with the Ordinance, the Rezoning Plan or any other applicable regulations or laws, and to ensure such compliant status the City of Charlotte alone would be required, to the extent needed, to secure variances and/or other alternative compliance measures without cost or expense to Petitioner, its successors and assigns, and otherwise in accordance with the provisions of this Section.
 - v. The Petitioner shall dedicate the Transit Reserved Corridor in fee simple to the City of Charlotte and at no land value cost to the City of Charlotte if and when the City of Charlotte has secured all necessary permits, easements, and/or construction easements to construct the [LYNX Silver Line], as evidenced in writing to Petitioner.

5. Setbacks, Buffers and Screening.

- a. Along Summit Avenue and Bryan Street a fourteen (14) foot setback as measured from the future back of curb as generally depicted on the Rezoning Plan will be provided.
- b. The Petitioner will provide a minimum six (6) foot transition zone and an eight (8) foot sidewalk along Summit Avenue and Bryant Street as generally depicted on Sheet RZ-01. Trees shall be provided in curb extension planting areas a minimum of eight (8) feet wide and twenty (20) feet long in conjunction with the on-street parking described in Section 4.b. above.

6. Architectural Standards Design Guidelines.

- a. The principal building constructed on the Site shall adhere to the design standards set forth in the Pedestrian Overlay District Section 10.813 of the Ordinance, including upper story transparency at a minimum of 40% per story.
- b. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
- c. If provided on Site, dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building. The location of the proposed dumpster and recycling areas is generally depicted on the Rezoning Plan.

7. Environmental Features:

- a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- b. The Site will comply with Tree Ordinance.

8. 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 in accordance with the provisions herein and of Chapter 6 of the Ordinance.

9. Binding Effect of the Rezoning Application:

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

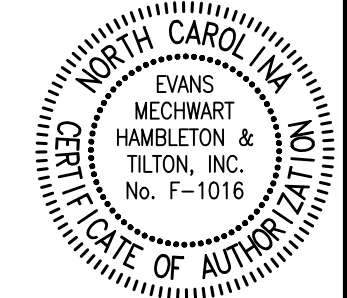
REVISIONS

MARK	DATE	DESCRIPTION

CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA
FOR
REZONING PLAN
935 SOUTH SUMMIT AVENUE



DATE	August 9, 2019
SCALE	1" = 20'
JOB NO.	20190411
SHEET	RZ-02



**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2019-124

Petition #:	_____
Date Filed:	8/15/2019
Received By:	Rt

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: office Size (Acres): *5.86

Existing Zoning: O-6(CD) & R-17MF Proposed Zoning: UR-2 (CD)

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

Required Rezoning Pre-Application Meeting* with: Lisa Arnold, Molly Haynes, Dave Pettine

Date of meeting: June 11, 2019

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: To allow development of the site with townhomes

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

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

Charlotte, NC 28202

704.331.2379 (BG) 704-378-1973(BG)
704.331-2371 (DK) 704-339-5888 (DK)
704-331-1144 (JB) 704-378-1925 (JB)
Telephone Number Fax Number

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

SEE ATTACHMENTS A-B

Signature of Property Owner

**Gvest Capital LLC (Attn: Jonathan Visconti,
Raymond M. Gee, Susan Rosenblatt)**
Name of Petitioner

136 Main Street
Address of Petitioner

Pineville, NC 28134
City, State, Zip

678.654.1783
Telephone Number Fax Number

iv@gvestcapital.com; ray@gvestcapital.com;
susan@gvestcapital.com
E-mail Address

SEE ATTACHMENT C

Signature of Petitioner

SCHEDULE 1

Parcel	Parcel Address	Owner	Owner's Address	Date Acquired
portion of 161-051-14	5007 Monroe Road, Charlotte, NC 28205	Lake Hills Corp c/o Lerner & Company Real Estate	5009 Monroe Road #200, Charlotte, NC 28205	12/04/1970
161-051-13	4935 Monroe Road, Charlotte, NC 28205			06/22/1984
161-051-04	N/A			01/01/1975
Portion of 161-051-03	2304 Shade Valley Road, Charlotte, NC 28205	Lake Hill Apartments LP		12/14/1993

ATTACHMENT A

**REZONING PETITION NO. 2019-_____
Gvest Capital LLC**

**OWNER JOINDER AGREEMENT
Lake Hills Corp c/o Lerner & Company Real Estate**

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

1. 5007 Monroe Road, Charlotte, NC that is designated as a portion of Tax Parcel No. 161-051-14
2. 4935 Monroe Road, Charlotte, NC that is designated as a portion of Tax Parcel No. 161-051-13
3. N/A, Charlotte, NC that is designated as a portion of Tax Parcel No. 161-051-04

on the Mecklenburg County Tax Map and which are 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 O-6(CD) & R-17MF zoning districts to the UR-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 14th day of August, 2019.

Lake Hills Corp c/o Lerner & Company Real Estate

By: *Harry Lerner*
Name: HARRY LERNER
Its: President

ATTACHMENT B

REZONING PETITION NO. 2019-____
Gvest Capital LLC

OWNER JOINDER AGREEMENT
Lake Hill Apartments LP

The undersigned, as the owner of the parcels of land located at 2304 Shade Valley Rd, Charlotte, NC that is designated as a portion of Tax Parcel No. 161-051-03 on the Mecklenburg County Tax Map and which are 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-17MF zoning district to the UR-2(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 14th day of AUGUST, 2019.

Lake Hill Apartments LP

By: [Signature]
Name: HARRY LERNEIR
Its: PRES OF LERNEIR COMPANY REAL ESTATE
GENERAL PARTNER

ATTACHMENT C

**REZONING PETITION NO. 2019-
Gvest Capital LLC**

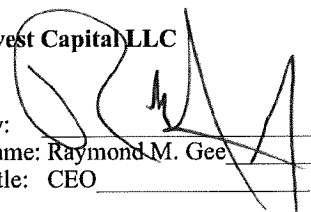
Petitioner:

Gvest Capital LLC

By:

Name: Raymond M. Gee

Title: CEO

A handwritten signature in black ink, appearing to be 'RMG', is written over a horizontal line. The signature is stylized and somewhat cursive.

P:\2018 Jobs\18017 - Oakhurst The Phase 2\CAD\Sketch Planning\18017 Rezoning Base.dwg

Site Development Data:
--Acreage: ± 5.86 acres
--Tax Parcel #: 161-05-113, 161-05-114, 161-05-104, a portion of 161-05-103
--Existing Zoning: O-6(CD), R-17MF
--Proposed Zoning: UR-2(CD)
--Existing Uses: vacant
--Proposed Use: Residential as permitted by right, and under prescribed conditions, together with accessory uses, all as allowed in the UR-2 zoning district (and as more specifically described below in Section 3).
--Maximum Number of Residential Dwelling Units: Up to 75 attached and/or detached residential dwelling units as allowed by right and under prescribed conditions in the UR-2 zoning district.
--Maximum Building Height: Up to three (3) stories and not to exceed 50 feet. Height to be measured per the Ordinance.
--Parking: As required by the Ordinance.

I. General Provisions:

- a. **Site Location.** These Development Standards, the Technical Data Sheet, Schematic Site Plan and other site plan sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Guest Capital, LLC, ("Petitioner") to accommodate the development of a high quality residential community on an approximately 5.86 acre site located on Monroe Road (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 UR-2(CD) zoning classification shall govern all development taking place on the Site, 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, building and parking envelopes, open space areas, 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.
- d. **Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site will be limited to twenty (20).

Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

e. **Solid Waste.** Waste collection from the Site will be via roll out service and will be collected by the City of Charlotte as part of its residential waste collection program.

2. Permitted Uses, Development Area Limitations:

- a. The principal buildings constructed on the Site may be developed with up to 75 attached and/or detached residential dwellings units as permitted by right, and under prescribed conditions, together with accessory uses, all as allowed in the UR-2 zoning district.

3. Access.

- a. Access to the Site will be from Monroe Road via the extension of a new public street as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.
- b. The portion of the new public street to be constructed as part of the development of the Site will have a varied cross-section as generally depicted on the Rezoning Plan. The public street will be constructed to Residential Wide standards as defined in the City Land Development Standards.
- c. 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 CDOT in accordance with applicable published standards.
- d. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, streets, parking layouts, and development site constraints, and any adjustments required for approval by CDOT in accordance with published standards.
- e. Required roadway improvements, if any, will be approved and constructed prior to the issuance of the certificate of occupancy for the first building on the Site, subject to the Petitioner's ability to post a bond for any improvements not in place at the time of the issuance of the first certificate of occupancy.
- f. The Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, and the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks that are located along the public streets and outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

4. Streetscape and Buffers:

- a. A sixteen (16) foot setback as measured from the proposed back of curb along in the internal public street will be provided.
- b. An eight (8) foot planting strip and an eight (8) foot sidewalk will be provided along both sides of the new public street extending from Monroe Road as

generally depicted on the Rezoning Plan, provided, however, the streetscape may be reduced in size to accommodate on-street parking.

- c. A five (5) foot side yard and ten (10) foot rear yard shall be provided as generally depicted on the Rezoning Plan.

5. General Design Guidelines:

- a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Aluminum as a building material may only be used on windows, soffits and on handrails/railings. The proposed roofing materials will be architectural asphalt shingles, and metal type roofing materials may also be used.
- b. The ends of the buildings facing the internal private drives and/or internal private streets will not have blank walls that exceed 20 feet in length on all building levels. The end units will have multiple windows on the end facades to avoid blank walls.
- c. Usable porches or stoops shall form an element each building design and be located on the front and/or side of the building. Stoops and entry level porches may be covered but shall not be enclosed. The minimum depth of front stoops will be between four (4) and five (5) feet. The building/architectural treatment over the porches will vary to help emphasize the entries into each unit.
- d. Buildings shall be limited to six (6) units or less.
- e. Meter banks will be screened from adjoining properties and from the proposed public street.
- f. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.

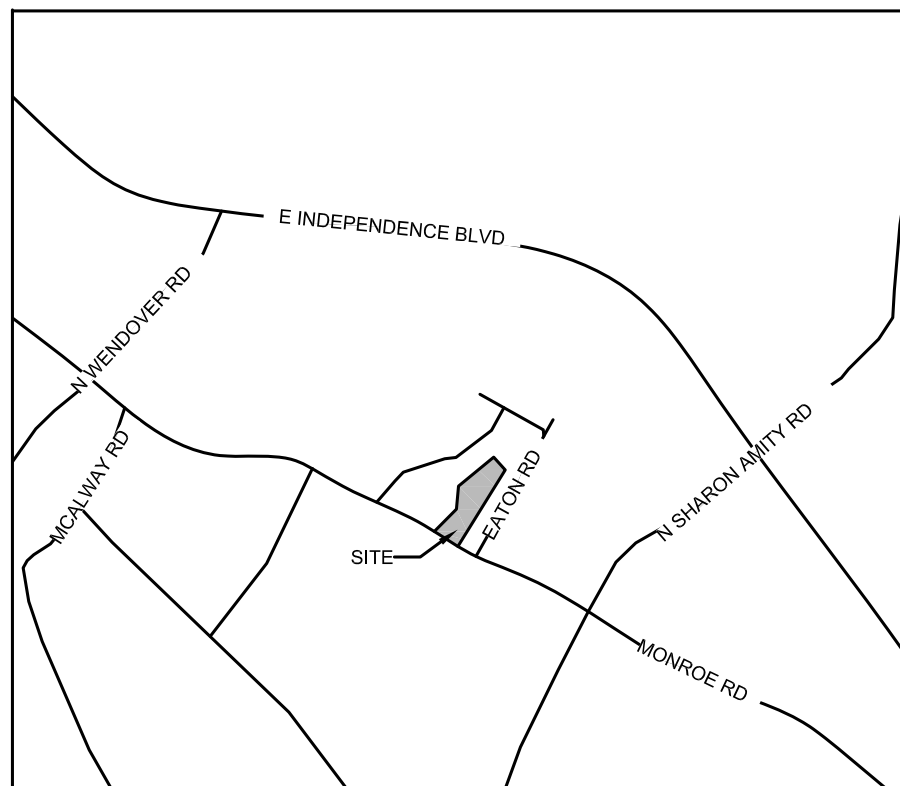
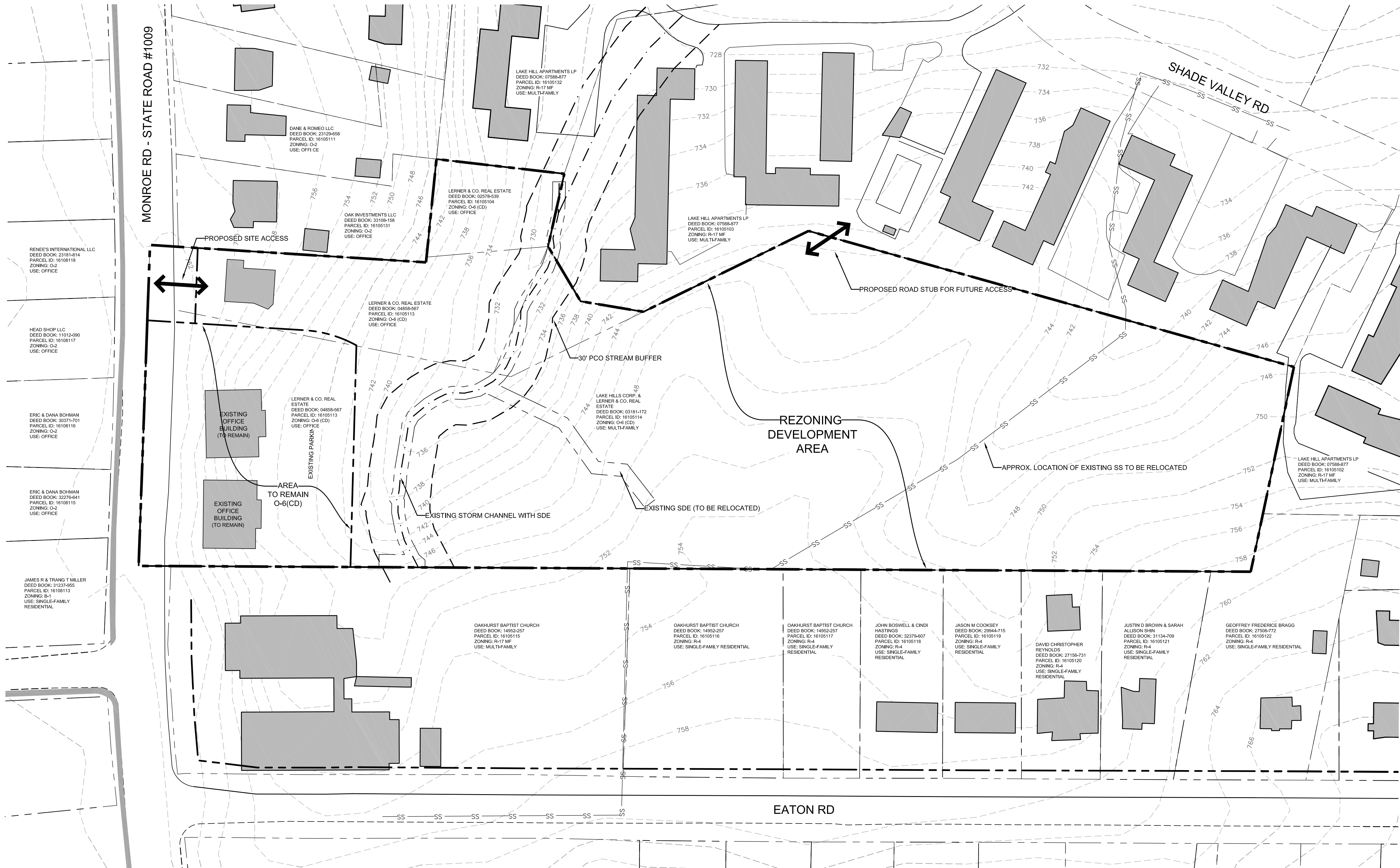
6. Environmental Features:

- a. The Site shall comply with the Charlotte City Council approved and adopted comply with the Post Construction Stormwater Ordinance.
- b. The location, size, and type of storm water management system(s) 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 petition. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

- c. The Site will comply with the Tree Ordinance.

7. Lighting:

- a. All new attached and detached lighting shall be fully shielded downwardly directed and full cut off fixture type lighting excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- b. Detached lighting on the Site, except street lights located along public streets, will be limited to 22 feet in height.



VICINITY MAP

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

0 50 100 200

SCALE: 1"=50'

REVISIONS:			
No.	Date	By	Description

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2019-125
Petition #: _____
Date Filed: 8/16/2019
Received By: BT

Property Owners: SCOC-Mallard Crossing, LLC
Owner's Addresses: 2121 W Main Street, Albemarle, NC 28001
Date Properties Acquired: 06/09/2017
Property Addresses: 3020 Prosperity Church Rd, Charlotte, NC 28269
Tax Parcel Numbers: 029-361-05
Current Land Use: commercial (Acres): ± 8.434
Existing Zoning: B-1(CD) Proposed Zoning: B-1(CD) SPA
Overlay: N/A Tree Survey Provided: Yes N/A
Required Rezoning Pre-Application Meeting* with: Kent Main, Michael Russell and Dave Pettine.
Date of meeting: August 7th

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

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? ☐ Yes ☒ No. Number of years (maximum of 5): N/A
Purpose/description of Conditional Zoning Plan: To allow a minor expansion to the existing shopping center.

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

SCOC-Mallard Crossing, LLC (Attn: Will Lisk)
Name of Petitioner
845 Church Street N, Ste 305-B
Address of Petitioner
Concord, NC 28025
City, State, Zip
704.782.7777 ext. 213
Telephone Number Fax Number
will@southcentraloil.com
E-mail Address
SEE ATTACHMENT B
Signature of Petitioner

ATTACHMENT A


**REZONING PETITION NO. 2019-_____
SCOC-Mallard Crossing, LLC**

**OWNER JOINDER AGREEMENT
SCOC-Mallard Crossing, LLC**

The undersigned, as the owner of the parcel of land located at 3024 Prosperity Church Road, Charlotte, NC that is designated as Tax Parcel No. 029-361-05 on the Mecklenburg County Tax Map and which are 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 B-1 zoning district to the B-1(CD) SPA zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 7 day of AUGUST, 2019.

SCOC-Mallard Crossing, LLC


By: 
Name: WILLIAM G. LIST
Its: MANAGER

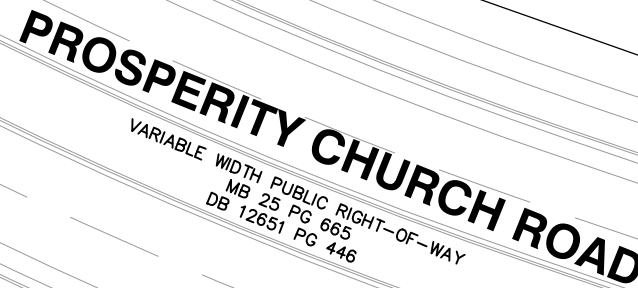
ATTACHMENT B

**REZONING PETITION NO. 2019-
SCOC-Mallard Crossing, LLC**

Petitioner

SCOC-Mallard Crossing, LLC

By: 
Name: WILLIAM G. LISK
Title: MANAGER



LEGEND

AREA OUTLINE / PROPERTY LINE

PROPOSED RIGHT-OF-WAY

EXISTING RIGHT-OF-WAY

POTENTIAL PARKING ENVELOPE

POTENTIAL BUILDING ENVELOPE

POTENTIAL FULL MOVEMENT ACCESS POINTS

SITE DEVELOPMENT DATA

ACREAGE: ±8.343 ACRES
TAX PARCEL #S: 029-361-05
EXISTING ZONING: B-1(CD)
PROPOSED ZONING: B-1(CD) SPA

EXISTING USES: NON-RESIDENTIAL USES AS PERMITTED BY RIGHT, AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE B-1 ZONING DISTRICT.

MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 62,514 SQUARE FEET OF GROSS FLOOR AREA (EQUAL TO THE EXISTING BUILDING SQUARE FOOTAGE FOR THE BUILDING ON TAX PARCEL #029-361-05 (56,014 SQUARE FEET) NOT INCLUDING THE SQUARE FOOTAGE ASSIGNED TO THE OUTPARCEL BUILDING LOCATED ON TAX PARCEL #029-361-22), PLUS UP TO 6,500 ADDITIONAL SQUARE FEET) OF NON-RESIDENTIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE B-1 ZONING DISTRICT SUBJECT TO THE LIMITATIONS DESCRIBED IN SECTION 3 BELOW.

MAXIMUM BUILDING HEIGHT: MAXIMUM BUILDING HEIGHT WILL NOT EXCEED [45] FEET, AS ALLOWED BY THE ORDINANCE.

PARKING: PARKING AS REQUIRED BY THE ORDINANCE.

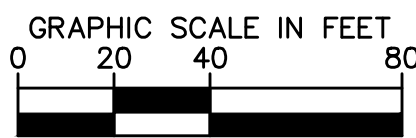
OVERVIEW/BACKGROUND/PURPOSE
OF REZONING:

a. THIS REZONING PETITION RELATES TO TAX PARCEL #029-361-05 LOCATED AT 3020 PROSPERITY CHURCH ROAD (THE "SITE"), ON WHICH IS LOCATED AN EXISTING BUILDING WITH MULTIPLE NON-RESIDENTIAL/COMMERCIAL TENANTS COLLECTIVELY KNOWN AS MALLARD CROSSING, A SHOPPING CENTER, WHICH WAS PREVIOUSLY APPROVED BY REZONING PETITION NO. 1991-03(C) AND ZONING B-1(D) (THE "EXISTING SITE ZONING"). THE EXISTING SITE ZONING B-1(D) PROVIDES FOR 63,000 SQUARE FEET OF USES ALLOWED IN THE B-1 ZONING DISTRICT. THE ALLOWED SQUARE FOOTAGE WAS DIVIDED BETWEEN THE MAIN SHOPPING CENTER BUILDING AND AN ALLOWED OUTPARCEL BUILDING.

b. THE EXISTING OUTPARCEL BUILDING, AND ITS ASSOCIATED SQUARE FOOTAGE, LOCATED ON TAX PARCEL # 029-361-22, IS NOT PART OF THIS REZONING PETITION. THE EXISTING OUTPARCEL WILL CONTINUE TO BE SUBJECT TO THE PREVIOUSLY APPROVED REZONING PETITION 1991-03(C), WHICH ASSIGNED UP TO 5,000 SQUARE FEET OF GROSS FLOOR AREA TO THE BUILDING ALLOWED ON THE OUTPARCEL.

c. THE OWNER OF MALLARD CROSSING IS IN THE PROCESS OF RENOVATING AND ESTABLISHING NEW TENANTS IN THE EXISTING SHOPPING BUILDING AS ALLOWED BY THE EXISTING SITE ZONING. HOWEVER, AS PART OF THE RENOVATION OF THE EXISTING SHOPPING CENTER BUILDING WITH A NEW TENANT A MINOR BUILDING EXPANSION TO ACCOMMODATE THE NEW TENANT IS NEEDED. THIS MINOR BUILDING EXPANSION CANNOT BE ACCOMPLISHED UNDER THE EXISTING SITE ZONING AS THE PROPOSED BUILDING ADDITION EXCEEDS THE ALLOWED SQUARE FOOTAGE FOR THE SHOPPING CENTER AND THE ASSOCIATED OUTPARCEL.

d. ACCORDINGLY, THE PETITIONER HAS FILED THIS REZONING PETITION TO INCREASE THE ALLOW BUILDING SQUARE FOOTAGE FOR THE SHOPPING CENTER BUILDING ONLY BY 6,500 SQUARE FEET. THIS WILL INCREASE THE ALLOWED SQUARE FOOTAGE FOR THE SHOPPING CENTER TO 62,514 SQUARE FEET. THE EXISTING OUTPARCEL AND ITS ASSOCIATED SQUARE FOOTAGE WILL NOT BE EFFECTED BY THIS REZONING PETITION AND WILL CONTINUE TO BE SUBJECT TO THE PREVIOUSLY APPROVED CONDITIONAL PLAN.



MALLARD CROSSING
PREPARED FOR
SOUTH CENTRAL PROPERTIES,
LLC

SHEET NUMBER
RZ-1

TECHNICAL DATA SHEET

KHA PROJECT	DATE	SCALE	AS SHOWN
017337002	8/14/19	DESIGNED BY	KMS
		DRAWN BY	KMS
		CHECKED BY	JMH

PRELIMINARY
DOCUMENT

Kimley»»Horn

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

REZONING PETITION NO. 2019-

C

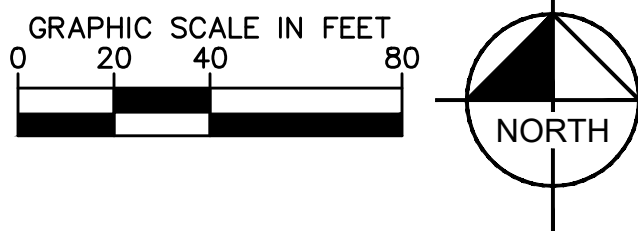
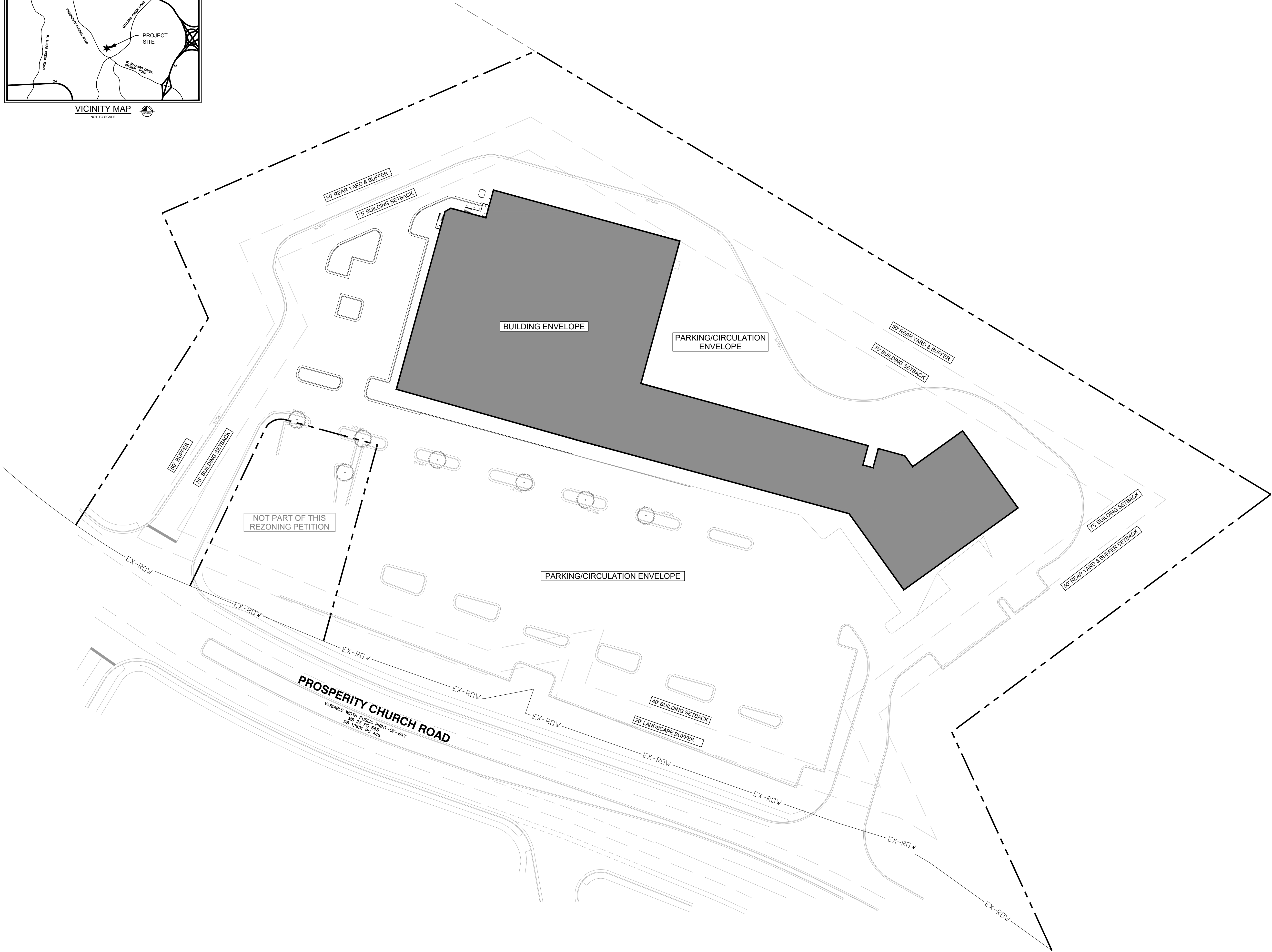
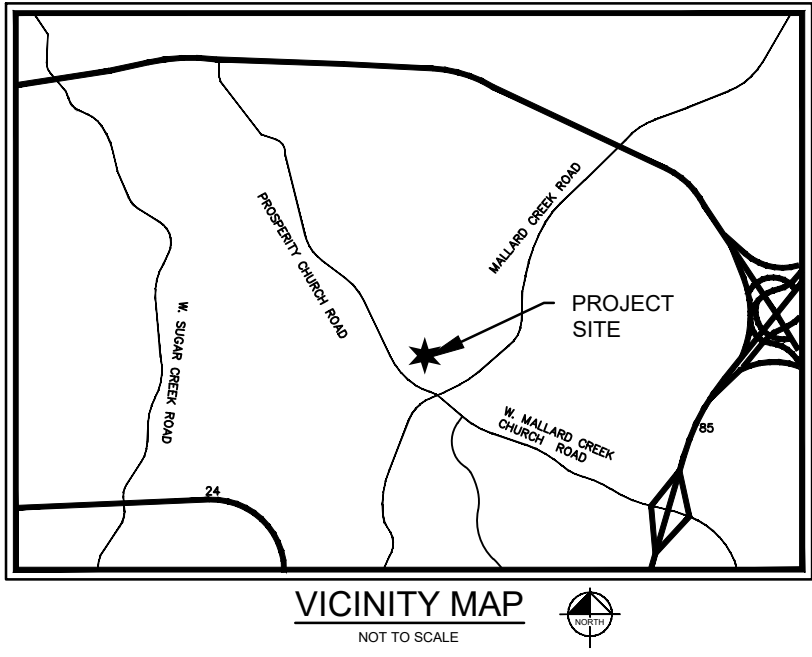
CITY OF CHARLOTTE

REVISIONS

2

DATE	BY
------	----

Plotted By: Strobridge, Kelsey - Sheet Set: LA Fitness Prosperity - Layout: C3-D SITE PLAN - August 15, 2019 - 12:40:47pm - K:\CHL_PRA\017337 Studio 222 002 - LA Fitness Prosperity\X12 - Rezoning Mallard Crossing 01445000\CAD\Plan\sheet\XZ-2 ILLUSTRATIVE SITE PLAN.dwg
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



MALLARD CROSSING PREPARED FOR SOUTH CENTRAL PROPERTIES, LLC CITY OF CHARLOTTE	ILLUSTRATIVE SITE PLAN REZONING PETITION NO. 2019-____	KHA PROJECT 017337002 DATE 8/14/19 SCALE AS SHOWN DESIGNED BY KMS DRAWN BY KMS CHECKED BY JMH	PRELIMINARY DOCUMENT	 © 2019 KIMLEY-HORN AND ASSOCIATES, INC. 200 SOUTH TRYON STREET SUITE 200, CHARLOTTE, NC 28202 PHONE: 704-333-5131 WWW.KIMLEY-HORN.COM	No.	REVISIONS	DATE	BY

Plotted By: Strobridge, Kelsey Sheet Set: LA Fitness Prosperity Layout: C3-0 SITE PLAN August 14, 2019 02:53:05pm K:\CHL_PRA\017337 Studio 222 002 - LA Fitness Prosperity\12 - Rezoning Mallard Crossing 01345000\CAD\Plans\sheet\LA-FZ-3 ILLUSTRATIVE SITE PLAN NOTES.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

SCOC - Mallard Crossing, LLC
Development Standards
08/14/19
Rezoning Petition No. 2019.

Site Development Data:

- Acreage: ± 8.434 acres
- Tax Parcel #: 029-361-05
- Existing Zoning: B-1(CD)
- Proposed Zoning: B-1(CD) SPA
- Existing Uses: Shopping Center, with retail, EDDEE, office, and personal service uses.
- Proposed Uses: Non-residential uses as permitted by right, and under prescribed conditions together with accessory uses, as allowed in the B-1 zoning district (as more specifically described and restricted below in Section 3).
- Maximum Gross Square feet of Development: Up to 62,514 square feet of gross floor area (equal to the existing building square footage for the building on tax parcel #029-361-05 (56,014 square feet) **not** including the square footage assigned to the outparcel building located on tax parcel #029-361-22), plus up to 6,500 additional square feet) of non-residential uses as permitted by right and under prescribed conditions in the B-1 zoning district subject to the limitations described in Section 3 below.
- Maximum Building Height: Maximum building height will not exceed [45] feet, as allowed by the Ordinance.
- Parking: Parking as required by the Ordinance.

1. Overview/Background/Purpose of Rezoning:

- a. This Rezoning Petition relates to Tax Parcel #029-361-05 located at 3020 Prosperity Church Road (the "Site"), on which is located an existing building with multiple non-residential/commercial tenants collectively known as Mallard Crossing, a shopping center, which was previously approved by Rezoning Petition No. 1991-03(C) and zoned B-1(CD) (the "Existing Site Zoning"). The Existing Site Zoning allowed up to 63,000 square feet of uses allowed in the B-1 zoning district. The allowed square footage was divided between the main shopping center building and an allowed outparcel building.
- b. The existing outparcel building, and its associated square footage, located on tax parcel # 029-361-22, is not part of this Rezoning Petition. The existing outparcel will continue to be subject to the previously approved rezoning petition 1991-03(C), which assigned up to 5,000 square feet of gross floor area to the building allowed on the outparcel.
- c. The owner of Mallard Crossing is in the process of renovating and establishing new tenants in the exiting shopping building as allowed by the Existing Site Zoning. However, as part of the renovation of the existing shopping center building with a new tenant a minor building expansion to accommodate the new tenant is needed. This minor building expansion cannot be accomplished under the Existing Site Zoning as the proposed building addition exceeds the allowed square footage for the shopping center and the associated outparcel.
- c. Accordingly, the Petitioner has filed this Rezoning Petition to increase the allow building square footage for the shopping center building only by 6,500 square feet. This will increase the allowed square footage for the shopping center to 62,514 square feet. The existing outparcel and its associated square footage will not be effected by this rezoning petition and will continue to be subject to the previously approved conditional plan.
2. General Provisions:
- a. **Site Location.** These Development Standards, the Technical Data Sheet, Schematic Site Plan and other site plan sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by SCOC-Mallard Crossing, LLC ("Petitioner") to accommodate the expansion of the existing shopping center located at 3020 Prosperity Church Rd. with non-residential uses allowed by the B-1 zoning district on an approximately 8.434 acre site (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 B-1 zoning classification shall govern all development taking place on the Site.
- c. **Graphics and Alterations.** The depictions of the building and parking envelopes, sidewalks, 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 and stay within the setbacks and yards 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.

- d. **Number of Buildings Principal and Accessory.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings that are currently developed and may be developed on the Site will be limited to two (2). The Site is currently developed with one building. The allowance of two (2) principal buildings accounts for bisection of the existing building. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site.

3. Permitted Uses, Development Area Limitations:

- a. The Site may be developed with up to with up to 62,514 square feet of gross floor area (equal to the existing building square footage for the building on tax parcel #029-361-05 (56,014 square feet) **not** including the square footage assigned to the outparcel building located on tax parcel #029-361-22) plus an additional 6,500 square feet) of non-residential uses permitted by right and under prescribed conditions in the B-1 zoning district together with accessory uses as allowed in the B-1 zoning district.
- b. The allowed uses and the allowed square footage will be utilized within the existing building and proposed building addition located on the Site as generally depicted on the Rezoning Plan (not all portions of the existing building currently located on the Site need be preserved). Minor building additions that do not exceed 6,500 square feet will be allowed as long as the total allowed square footage does not exceed 62,514 square feet and the building additions occur within the building envelopes indicated on the Rezoning Plan.

4. Access:

- a. Access to the Site will be from Prosperity Church Road as generally depicted on the Rezoning Plan.
- b. The alignment of the 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 the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

5. Architectural Standards:

- a. The building(s) constructed on the Site will use a variety of building materials. The building materials used on the Site will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, metal, cementations siding (such as hard-plank), stucco, EIFS or wood. Vinyl as a building material may only be used on windows and soffits, and handrails/railings.
- b. A pedestrian connection shall be provided between the existing building and Prosperity Church Road as generally depicted on the Rezoning Plan. The sidewalk connection between existing building and Prosperity Church Rd. will be a minimum of five (5) feet wide.
- c. Buffers and building setbacks as generally depicted on the Rezoning Plan will be provided.

6. Environmental Features:

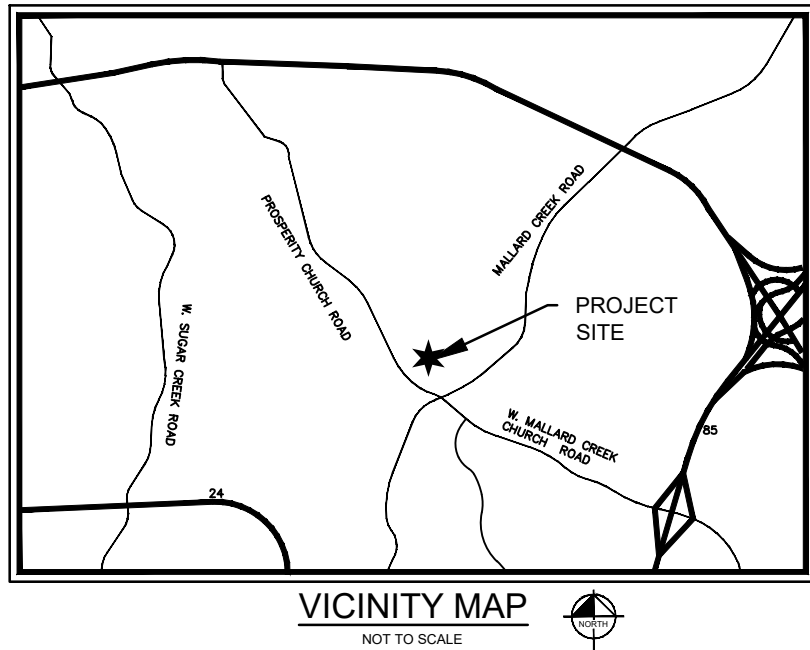
- a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- b. The Site will meet the applicable Tree Ordinance requirements.
7. **Lighting:**
- a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding; low landscape, decorative, specialty, and accent lighting that may be installed along the driveways, sidewalks, open space/amenity areas, and parking areas.
- b. New detached lighting on the Site, except street lights located along public streets, will be limited to [26] feet in height.
- c. The existing lighting on the Site will be grandfathered in regards to the standards above.

8. Amendments to the Rezoning Plan:

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

9. Binding Effect of the Rezoning Application:

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



MALLARD CROSSING
PREPARED FOR
SOUTH CENTRAL PROPERTIES,
LLC
CITY OF CHARLOTTE NC

SHEET NUMBER
RZ-3

ILLUSTRATIVE SITE
PLAN NOTES
REZONING PETITION NO. 2019-_____

KHA PROJECT
017337002
DATE
8/14/19
SCALE AS SHOWN
DESIGNED BY KMS
DRAWN BY KMS
CHECKED BY JMH

PRELIMINARY
DOCUMENT

Kimley»Horn
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200 SOUTH TRYON STREET SUITE 200, CHARLOTTE, NC 28202
PHONE: 704-333-5131
WWW.KIMLEY-HORN.COM

No. REVISIONS DATE BY

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #:	<u>2019-126</u>
Date Filed:	<u>8/21/2019</u>
Received By:	<u>BH</u>

Complete All Fields (Use additional pages if needed)

Property Owner: 517 East 17th LLC

Owner's Address: 1918 Beverly Dr City, State, Zip: Charlotte, NC 28207

Date Property Acquired: 08/24/2018 and 6/1/2017

Property Address: 517 E 17th St, Charlotte, NC 28206, 1409 N. Davidson St., Charlotte NC 2820

Tax Parcel Number(s): 08107206; 08107207; 08107202

Current Land Use: Residential Size (Acres): 0.447

Existing Zoning: R8 Proposed Zoning: UR-2(CD)

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

Required Rezoning Pre-Application Meeting* with:
Dave Pettine, Isaiah Washington, Charlotte Lamb, John Kinley, William Linville Date of meeting: 8/1/2019

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

For Conditional Rezonings Only:

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

Purpose/description of Conditional Zoning Plan: Development of a multi-family residential project.


Russell W. Fergusson
Name of Rezoning Agent

PO Box 5645
Agent's Address

Charlotte, NC 28299
City, State, Zip

704-234-7488 (704) 612-0271
Telephone Number Fax Number

rwf@russellwfergusson.com
E-Mail Address


Signature of Property Owner

Harrison Tucker for 517 E 17th LLC & New Wallace Davidson LLC
(Name Typed / Printed)

Harrison Tucker
Name of Petitioner(s)

1918 Beverly Dr
Address of Petitioner(s)

Charlotte, NC 28207
City, State, Zip

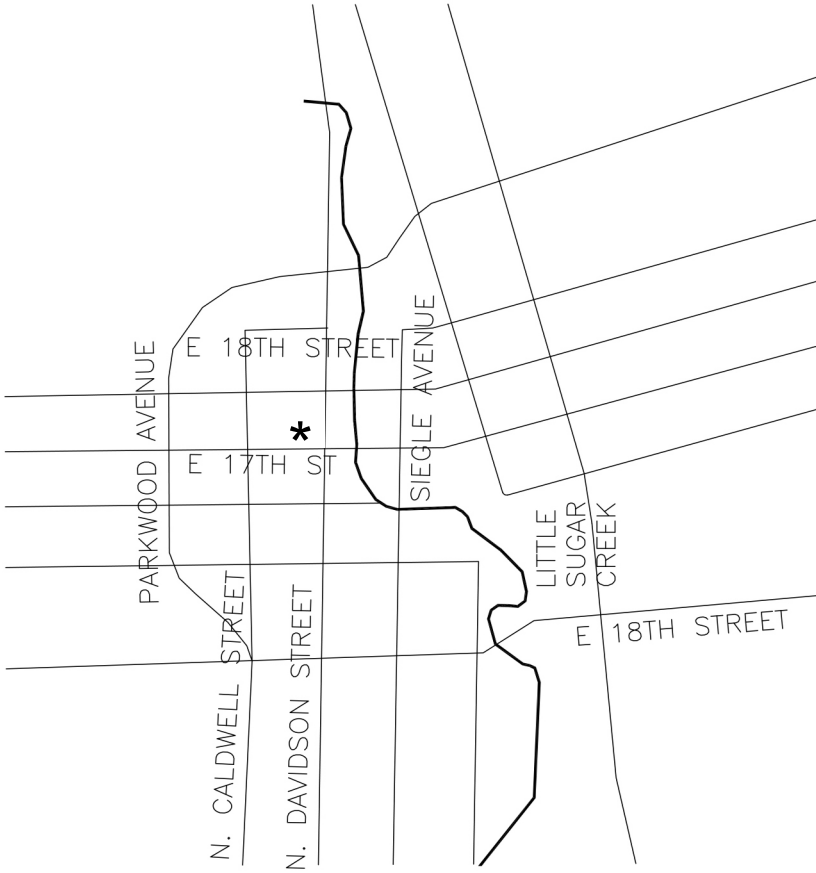
704-995-2254
Telephone Number Fax Number

htucker@cohabdev.com
E-Mail Address


Signature of Petitioner

Harrison Tucker
(Name Typed / Printed)

VICINITY MAP



SITE DEVELOPMENT DATA

Street Address	Tax Parcel Number	Parcel Acreage	Parcel SF	Existing Zoning	Current Use	Proposed Zoning	Proposed Use	Dwelling Units	Maximum Building Height	Maximum FAR	Parking Required	Parking Provided
1403 North Davidson Street	08107207	0.182 acres	07,928 SF	R8	Single Family (Vacant)	UR-2	Multi-Family	06 DU	40'-0"	1.0	1/ DU Maximum	06 spaces
517 East 17th Street	08107206	0.099 acres	04,312 SF	R8	Single Family (Vacant)	UR-2	Multi-Family	05 DU	40'-0"	1.0	1/ DU Maximum	05 spaces
509 East 17th Street	08107202	<u>0.116 acres</u>	<u>05,053 SF</u>	R8	Single Family (Vacant)	UR-2	Multi-Family	<u>05 DU</u>	40'-0"	1.0	1/ DU Maximum	<u>05 spaces</u>
		0.397 acres	17,293 SF					16 DU				16 spaces

DEVELOPMENT STANDARDS

GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION, FILED BY HARRISON TUCKER (THE PETITIONER), TO ACCOMMODATE THE DEVELOPMENT OF UP TO 16 RESIDENTIAL DWELLING UNITS ON AN APPROXIMATELY 0.397 ACRE SITE LOCATED ON THE NORTHWEST CORNER OF NORTH DAVIDSON STREET & EAST 17TH STREET, MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBERS: 08107202, 08107206 AND 08107207.
- B. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").
- C. UNLESS THE ZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- D. THE DEVELOPMENT AND USES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD, LANDSCAPING AND TREE SAVE REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN. THE SETBACKS ARE AS SHOWN ON THE SITE PLAN.
- E. FUTURE AMENDMENTS TO REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER(S) OF THE SITE IN ACCORDANCE WITH THE PROVISION OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.
- F. EACH MULTI FAMILY ATTACHED DWELLING UNIT CONSTRUCTED ON THE SITE SHALL HAVE STEPS WITH A MINIMUM COMBINED HEIGHT OF 18 INCHES FROM THE IMMEDIATELY ADJACENT SIDEWALK TO THE FRONT STOOP OR PORCH LOCATED AT THE FRONT ENTRY DOOR INTO EACH MULTI FAMILY ATTACHED DWELLING UNIT.

PERMITTED USES

- A. THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 16 RESIDENTIAL DWELLING UNITS, AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE UR-2 ZONING DISTRICT.

TRANSPORTATION

- A. VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT SHOWN ON THE REZONING PLAN ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS, AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL.
- B. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY A PRIVATE DRIVEWAY, AND MINOR ADJUSTMENT TO THE LOCATION OF THE DRIVEWAY SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.

ARCHITECTURAL STANDARDS

- A. PREFERRED EXTERIOR BUILDING MATERIALS SHALL BE COMPRISED OF BRICK, CEDAR SHAKE, WOOD SIDING, FIBER CEMENT SIDING, STUCCO, MASONRY AND/OR OTHER MATERIAL APPROVED BY THE CITY PLANNING DIRECTOR.
- B. PITCHED ROOFS, IF PROVIDED, SHALL BE SYMMETRICALLY SLOPED NO LESS THAN 5:12, EXCEPT THAT ROOFS FOR PORCHES AND ATTACHED SHEDS MAY BE NO LESS THAN 2:12, UNLESS A FLAT ROOF ARCHITECTURAL STYLE IS EMPLOYED.
- C. PERMITTED SLOPED ROOF MATERIALS ARE ASPHALT SHINGLES, COMPOSITION SHINGLES, WOOD SHINGLES, TIN, STANDING SEAM METAL, AND WOOD SHAKES.
- D. THE SCHEMATIC DEPICTION OF 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 PROVISION OF THESE DEVELOPMENT STANDARDS.

THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED BY THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/ SITE ELEMENT 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.

- E. BUILDING HEIGHT SHALL NOT EXCEED 40'-0" OR AS DESCRIBED IN TABLE 9.406(2)(A) IN THE ZONING ORDINANCE.

OPEN SPACE

- A. PETITIONER TO COMPLY WITH THE PRIVATE OPEN SPACE REQUIREMENTS IN SECTION 9.406 OF THE ZONING ORDINANCE IF REQUIRED IN THE UR-2 ZONING DISTRICT AT THE TIME OF PERMITTING.

ENVIRONMENTAL FEATURES

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

LIGHTING

- A. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AS LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECTED ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- B. THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED FIFTEEN (15) FEET.
- C. ANY LIGHTING FIXTURES ATTACHED TO THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

STREETSCAPE AND LANDSCAPING

- A. PETITIONER SHALL PROVIDE A MINIMUM 8 FOOT WIDE SIDEWALK ALONG THE CURBSIDE IN ALIGNMENT WITH THE EXISTING SIDEWALK ALONG EAST 17TH STREET AND A MINIMUM 8 FOOT WIDE PLANTING STRIP IN THE REMAINING AREA BETWEEN THE SIDEWALK AND THE BUILDINGS AS GENERALLY SHOWN ON THE SITE PLAN.
- B. PETITIONER SHALL PROVIDE A MINIMUM 8 FOOT WIDE PLANTING STRIP SET ALONG THE BACK OF CURB ALONG NORTH DAVIDSON STREET AND A MINIMUM 8 FOOT WIDE SIDEWALK IMMEDIATELY ADJACENT TO THE PLANTING STRIP AS GENERALLY SHOWN ON THE SITE PLAN.
- C. IN ORDER TO ACCOMMODATE THE EXISTING GRADE, PETITIONER MAY INSTALL A RETAINING WALL BETWEEN THE SIDEWALK AND PLANTING STRIP, PROVIDED THAT PETITIONER OBTAIN A CDOT ENCROACHMENT AGREEMENT IF THE RETAINING WALL IS WITHIN THE PUBLIC RIGHT OF WAY.
- D. PETITIONER SHALL PROVIDE A SIDEWALK EASEMENT FOR ANY SIDEWALK LOCATED OUTSIDE OF THE PUBLIC RIGHT OF WAY, SET AT TWO FEET BEHIND BACK OF SIDEWALK WHERE FEASIBLE, PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.

AFFORDABLE RESIDENTIAL DWELLING UNIT

- A. PETITIONER SHALL INCLUDE AT LEAST ONE (1) AFFORDABLE RENTAL RESIDENTIAL DWELLING UNIT.

BINDING EFFECT OF THE REZONING APPLICATION

- A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

PROJECT NAME:

517
EAST
17TH

URBAN INFILL
DEVELOPMENT
CHARLOTTE,
NORTH CAROLINA

PREPARED FOR:

COHAB DEVELOPMENT
1885 MISSION STREET
SAN FRANCISCO,
CALIFORNIA

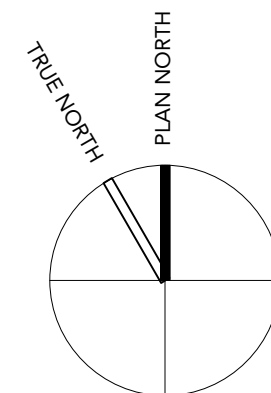
REZONING
SITE PLAN

PROJECT NUMBER: 19_0812

NOT FOR CONSTRUCTION

REVISIONS:

- △ ISSUED FOR CLIENT REVIEW
07-16-19
- △ ISSUED FOR REZONING SUBMITTAL
08-20-19



DRAWING SCALE:
1" = 10'-0"

SHEET NUMBER:

S001

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

Petition #: 2019-127
Date Filed: 8/22/2019
Received By: gk

Complete All Fields (Use additional pages if needed)

Property Owner: Regal Estates LLC
Owner's Address: 8116 S. Tryon St. B3-122 City, State, Zip: Charlotte, NC 28273
Date Property Acquired: 4-24-2019
Property Address: 5015 Morris Field Dr. Charlotte, NC 28208
Tax Parcel Number(s): 11507109
Current Land Use: Residential Size (Acres): 0.851 AC
Existing Zoning: R4 Proposed Zoning: R8MF
Overlay: _____ Tree Survey Provided: Yes: _____ N/A: _____
Required Rezoning Pre-Application Meeting* with: Alberto Gonzalez, Lisa Arnold
Date of meeting: June 11, 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: _____

Tiffany Cherry
Name of Rezoning Agent
8116 S. Tryon St. B3-122
Agent's Address
Charlotte, NC 28273
City, State, Zip
443-794-2924
Telephone Number Fax Number

regalestatesllc@gmail.com
E-Mail Address

Regal Estates LLC Tiffany Cherry
Signature of Property Owner

Regal Estates LLC
(Name Typed / Printed)

Regal Estates LLC
Name of Petitioner(s)
8116 S. Tryon St. B3-122
Address of Petitioner(s)
Charlotte, NC 28273
City, State, Zip
443-794-2924
Telephone Number Fax Number

regalestatesllc@gmail.com
E-Mail Address

Regal Estates LLC Tiffany Cherry
Signature of Petitioner

Regal Estates LLC
(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2019-128

Petition #:	
Date Filed:	8/23/2019
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/industrial Size (Acres): ± 271.6

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

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

Required Rezoning Pre-Application Meeting* with: Lisa Arnold, Alberto Gonzales, Grant Meacci, Jason Prescott, Carlos Alzate

Date of meeting: July 2, 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 develop the site with residential and institutional uses with standards to allow significant open space and connectivity.

Bridget Grant, Dujuana Keys & Jeff Brown

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

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

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

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

Telephone Number

Fax Number

bridgetgrant@mvalaw.com;

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

E-mail Address

SEE ATTACHMENT A

Signature of Property Owner

Pulte Group (Attn: Fred Matrulli)

Name of Petitioner

11121 Carmel Commons Blvd, Ste. 405A

Address of Petitioner

Charlotte, NC 28226

City, State, Zip

704.212.6338

Telephone Number

Fax Number

Fred.Matrulli@PulteGroup.com

E-mail Address

SEE ATTACHMENT B

Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Date Acquired
199-07-102	N/A	Steele Creek (1997), LLC	5625 Fairview Road, Charlotte, NC 28209	12/30/2004
199-07-105	14815 Shopton Road, Charlotte, NC 28278			11/22/2004
199-05-101	N/A			05/19/1997
199-06-107	13320 Steele Creek Road, Charlotte, NC 28278			05/19/1997
199-07-101	13909 Sledge Road, Charlotte, NC 28278			12/29/1998
199-51-106	13516 Steele Creek Road, Charlotte, NC 28273			04/05/2016

ATTACHMENT A

REZONING PETITION NO. 2019-____
Pulte Homes

OWNER JOINDER AGREEMENT
Steele Creek (1997) LLC

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

1. N/A, Charlotte, NC that is designated as Tax Parcel No. 199-07-102
2. 14815 Shopton Road, Charlotte, NC that is designated as Tax Parcel No. 199-07-105
3. N/A, Charlotte, NC that is designated as Tax Parcel No. 199-05-101
4. 13320 Steele Creek Road, Charlotte, NC that is designated as Tax Parcel No. 199-06-107
5. 13909 Sledge Road, Charlotte, NC that is designated as Tax Parcel No. 199-07-101
6. 13516 Steele Creek Road, Charlotte, NC that is designated as Tax Parcel No. 199-51-106

on the Mecklenburg County Tax Map and which are 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 the R-3 zoning district to the MX-3 and UR-2(CD) zoning districts 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 16th day of August, 2019.

Steele Creek (1997) LLC

By: 

Name: Hannah Rankin

Its: Vice President

ATTACHMENT B

REZONING PETITION NO. 2019-
Pulte Group

Petitioner:

Pulte Group

By: 

Name:

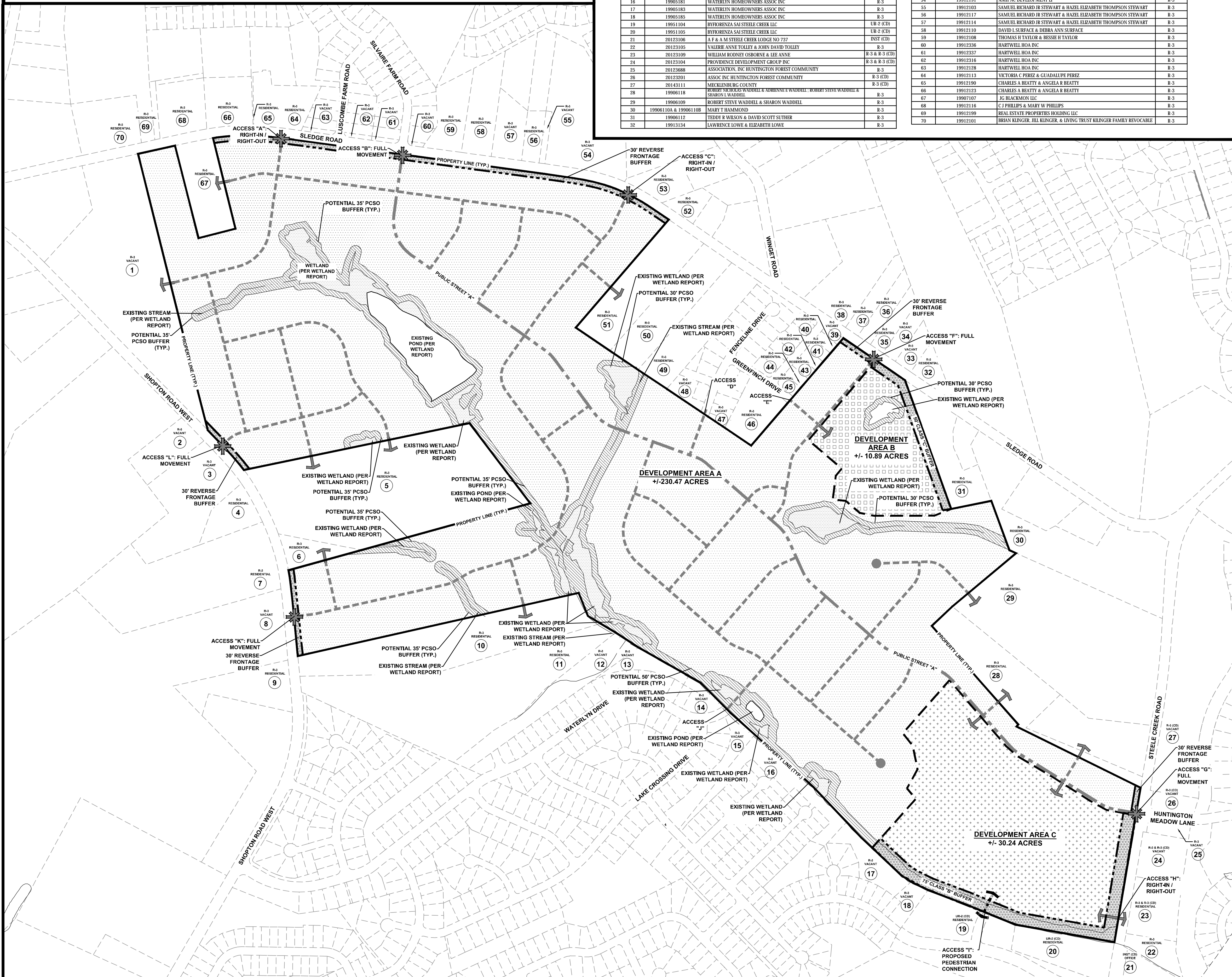
FRED MATRULLI

Title:

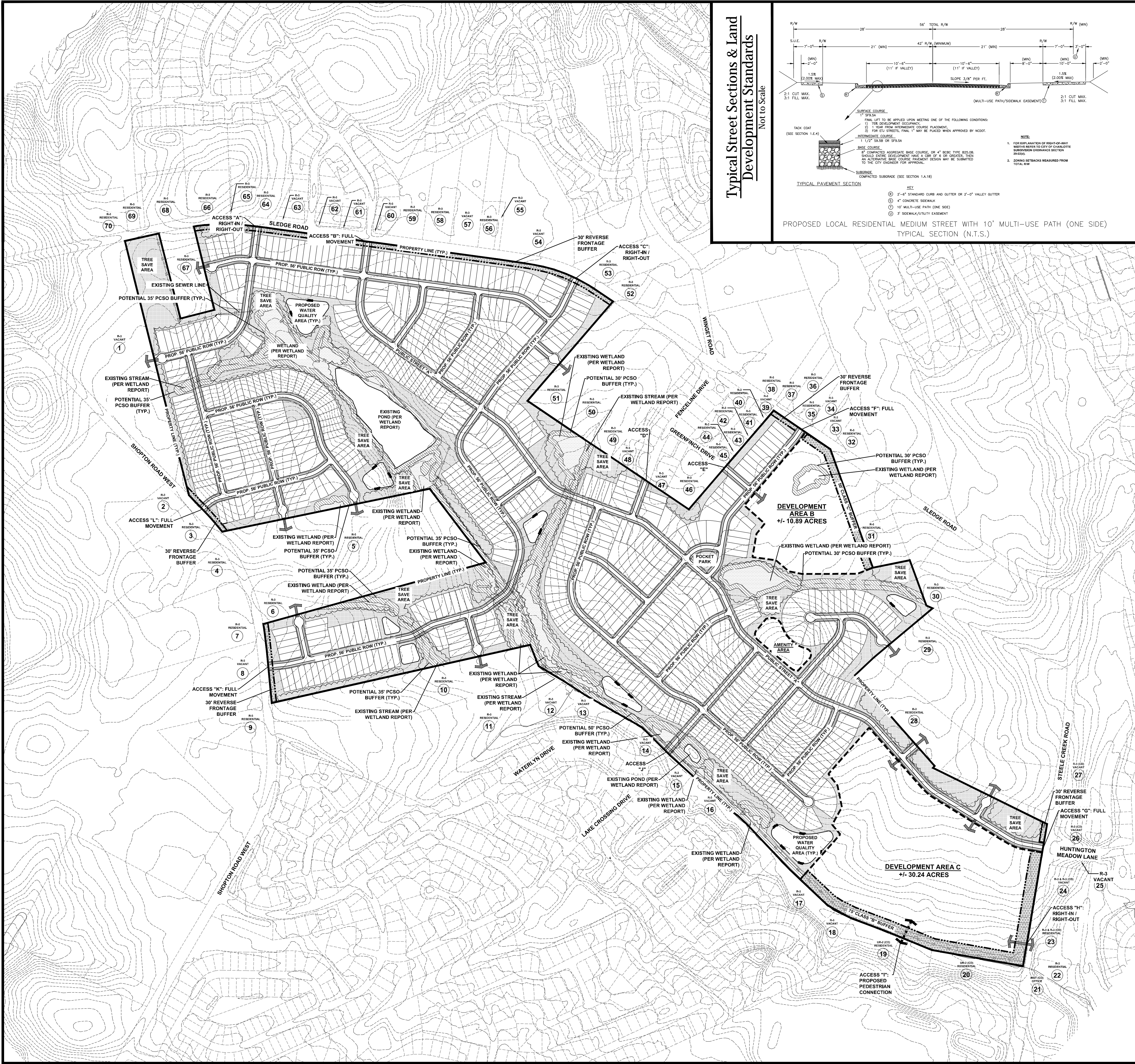
VP OF LAND ACQUISITION

Mecklenburg County, North Carolina City of Charlotte, North Carolina

33	19913133	JOHN MORRISON & NANCY MORRISON	R-3
34	19913132	JOHN MORRISON & NANCY MORRISON	R-3
35	19913131	KENNETH ALLEN PARLATO & RENEE YVONNE PARLATO	R-3
36	19913130	OCTAVIA RIABEZ	R-3
37	19913129	ALLEN PRESTON JR ORRISON & RACHEL SURFACE ORRISON	R-3
38	19913128	JOHN P PRESTON & LINDA P PRESTON	R-3
39	19900665	ASSOCIATION INC NEEZY GLEN HOMEOWNERS	R-3
40	19906128	DARRIS WINBORN	R-3
41	19906129	ROBERT K KOLLAR & COLLEEN A KOLLAR	R-3
42	19906130	JAMES COLEMAN	R-3
43	19906131	WILLIAM FORD & VIRGINIA FORD	R-3
44	19906132	JORGE AMALIO & MARIBEL AMALIO	R-3
45	19906133	JEFFREY CUNNINGHAM & MARLYN CUNNINGHAM	R-3
46	19906122	JAMES K NEEZY & BARBARA W NEEZY	R-3
47	19906166	ASSOCIATION INC NEEZY GLEN HOMEOWNERS	R-3
48	19906167	ASSOCIATION INC NEEZY GLEN HOMEOWNERS	R-3
49	19906117	JAMES K NEEZY & BARBARA W NEEZY	R-3
50	19906116	JOSE ORTIZ	R-3
51	19906114	FIRST CAROLINA SOUTH LLC	R-3
52	19912335	KONSTANTIN VANDOV	R-3
53	19912122	MARK P JAMES & DEBORAH JAMES	R-3
54	19912191	AMH INC DEVELOPMENT LP	R-3
55	19912103	SAMUEL ELIZABARD JR STEWART & HAZEL ELIZABETH THOMPSON STEWART	R-3
56	19912117	SAMUEL ELIZABARD JR STEWART & HAZEL ELIZABETH THOMPSON STEWART	R-3
57	19912114	SAMUEL ELIZABARD JR STEWART & HAZEL ELIZABETH THOMPSON STEWART	R-3
58	19912110	DAVID L SURFACE & DEBRA ANN SURFACE	R-3
59	19912108	THOMAS H BAYLOR & BESSIE H TAYLOR	R-3
60	19912336	HARTWELL HOA INC	R-3
61	19912327	HARTWELL HOA INC	R-3
62	19912316	HARTWELL HOA INC	R-3
63	19912128	HARTWELL HOA INC	R-3
64	19912113	VICTORIA C PEREZ & GUADALUPE PEREZ	R-3
65	19912190	CHARLES A BEATTY & ANGELA R BEATTY	R-3
66	19912123	CHARLES A BEATTY & ANGELA R BEATTY	R-3
67	19907107	CH B BLACKMON III	R-3
68	19912116	C J PHILLIPS & MARY W PHILLIPS	R-3
69	19912199	REAL ESTATE PROPERTIES HOLDING LLC	R-3
70	19912101	BRIAN KLINGER, JILL KLINGER, & LIVING TRUST KLINGER FAMILY REVOCABLE	R-3

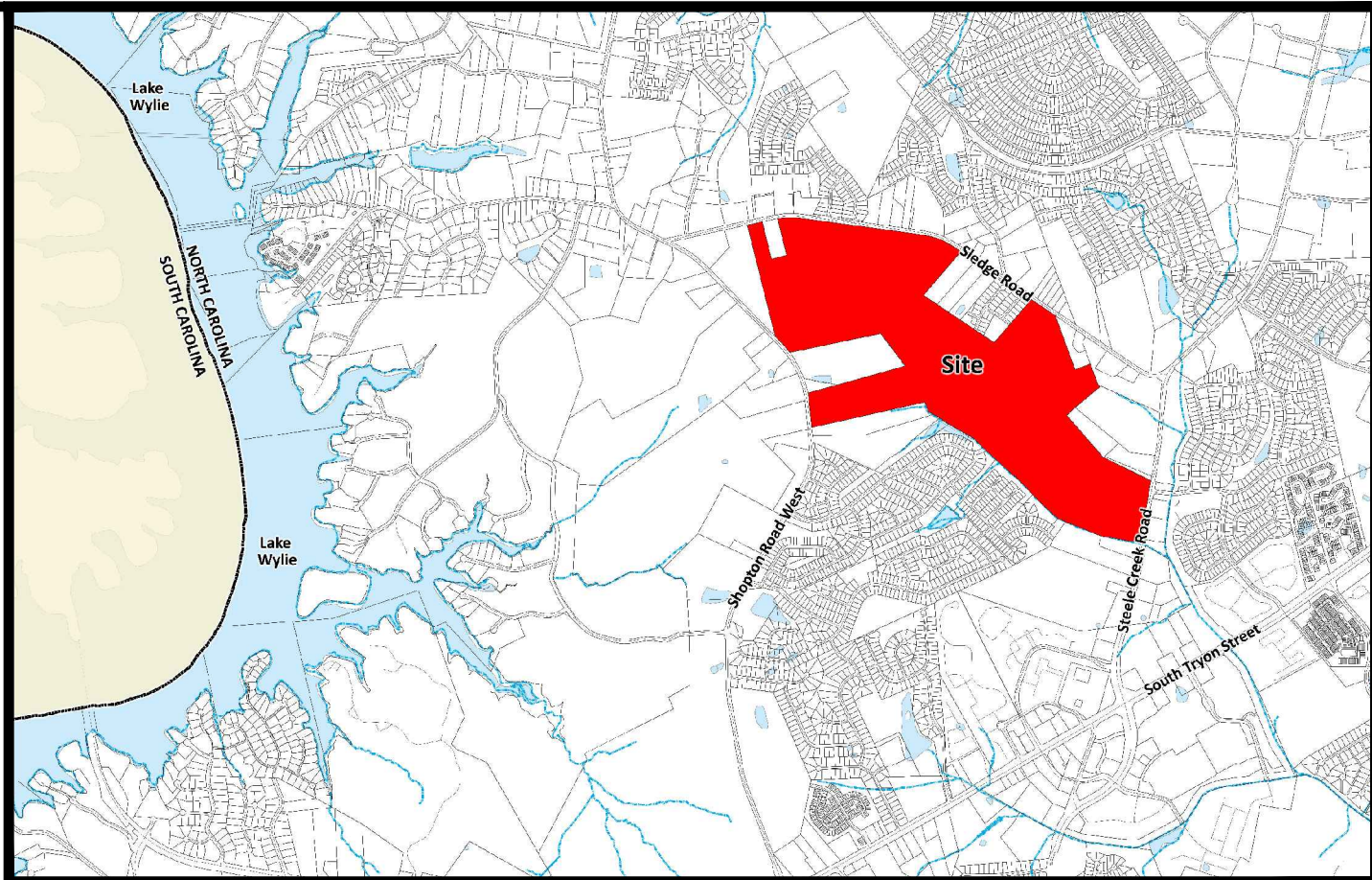
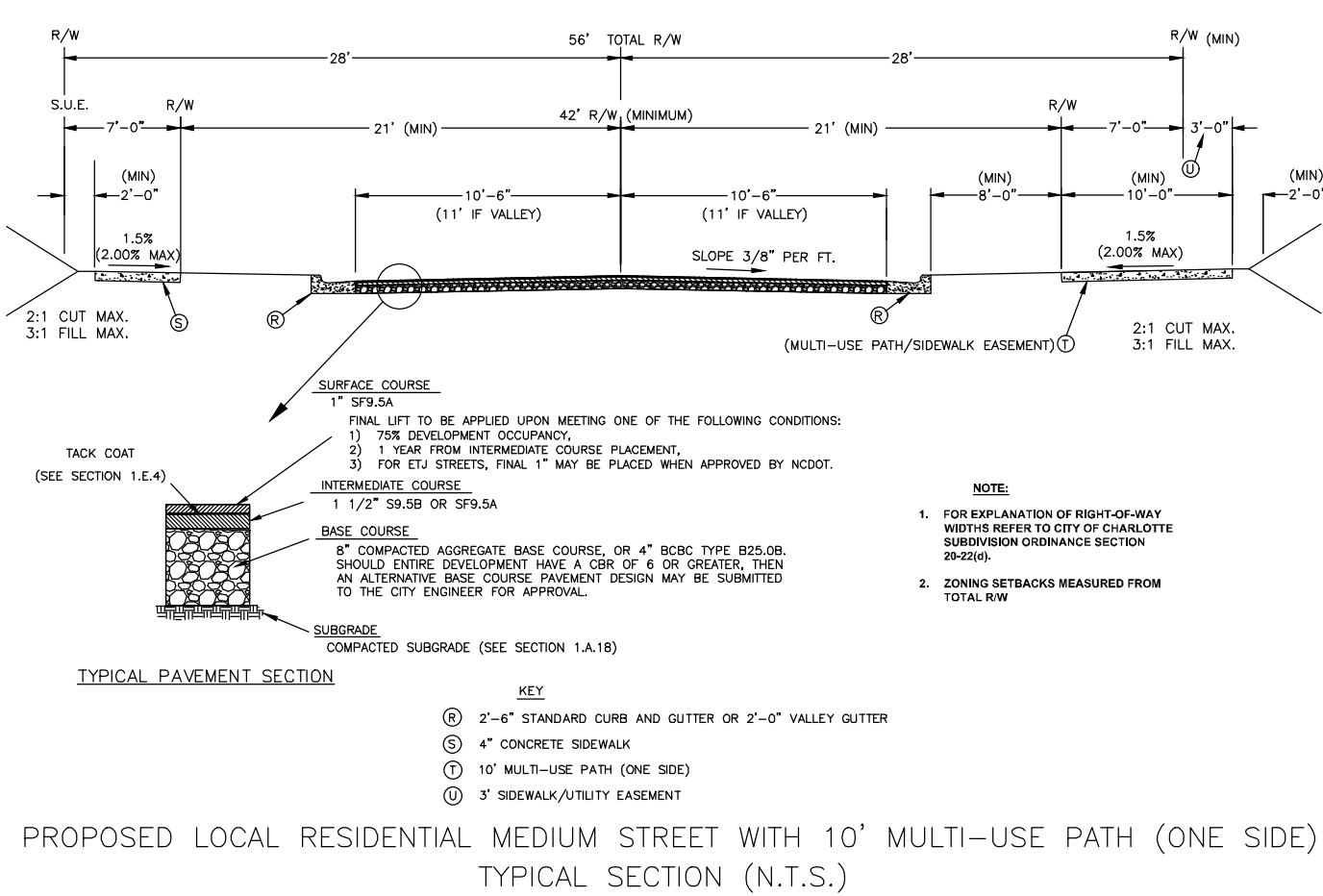
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SHEET: **R** **2**



Typical Street Sections & Land Development Standards

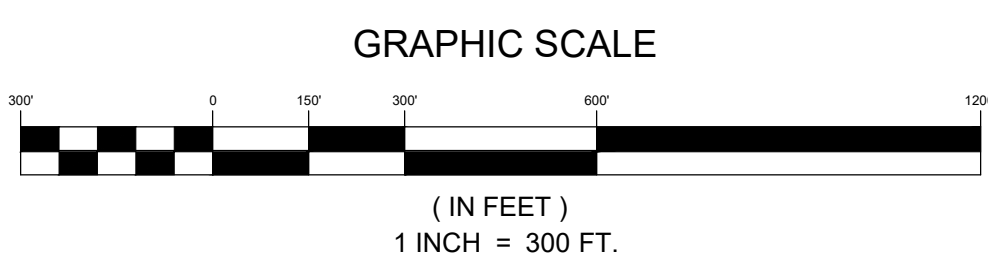
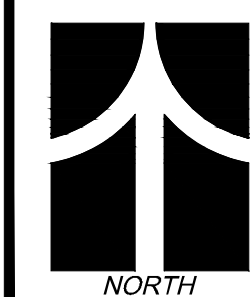
Not to Scale



Vicinity Map
Not to Scale



Development Data:	
Tax Parcels:	19907102, 19907105, 19905101, 19906107, 19907101, & 19951106
Total Acreage:	+/- 271.6 Acres (per GIS)
Development Area A - Residential:	+/- 230.47 Acres
Development Area B - CCRC:	+/- 10.89 Acres
Development Area C - YMCA:	+/- 30.24 Acres
Existing Location:	Mecklenburg County, North Carolina & City of Charlotte, North Carolina
Proposed Location:	City of Charlotte, North Carolina
Existing Zoning:	R-3 (Mecklenburg County)
Proposed Zoning:	MX-3 (Innovative) & UR-2 (CD)
Existing Use:	Vacant
Permitted # of Units:	Up to 697 Single-Family Lots
Open Space:	
Required:	+/- 23.05 Acres (10%)**
Provided:	+/- 23.05 Acres (10%) Minimum**
**Open space based on residential acreage (239.47 Acres).	
Tree Save:	
Required:	+/- 22.38 Acres (10%)***
Provided:	+/- 22.38 Acres (10%) Minimum***
***Tree Save based on residential acreage after subtracting ex. pond area (3.27 acres) and sewer easement (3.41 Acres).	
General Notes	
1. Base information provided by Mecklenburg County GIS Data and should be verified for accuracy.	
Stream/Wetland Information	
Stream/Wetland information is based on preliminary information provided to ESP by "Figure 2: Approximate Depiction of Aquatic Resources" provided by Wetlands and Waters, Inc. dated 07/23/19 and Mecklenburg County GIS data. For purposes of preparation of this Rezoning Plan, any potential wetland areas and stream features depicted on the plan are considered to be preliminary in nature and approximate in location.	



ESP Associates Inc.
P.O. Box 7030
Charlotte, NC 28241
3475 Lakemont Blvd.
Fort Mill, SC 29708
704-583-8446 (NC)
803-502-2440 (SC)
www.espassociates.com

Master Plan (Sheet 3 of 3) Petition # 2019-XXX	City of Charlotte C Me lenburg County C
PROJECT MANAGER: MM	DESIGNED BY: AB
DRAWN BY: SW	PROJECT NUMBER: DM20.100
ORIGINAL DATE: 08/22/2019	SHEET: R

I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #:

Date Filed:

Received By:

2019-129

8/29/2019

R

Complete All Fields (Use additional pages if needed)

Property Owner: Chad M Beaver & Cheryl B Beaver

Owner's Address: 7494 Beaver Ln City, State, Zip: Kannapolis, NC 28081

Date Property Acquired: 12/03/2009

Property Address: 821 E 35Th St., Charlotte, Nc 28205

Tax Parcel Number(s): 08312306

Current Land Use: Single family R-5 Size (Acres): 0.34

Existing Zoning: R-5 Proposed Zoning: R-6

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

Required Rezoning Pre-Application Meeting* with: William Linville

Date of meeting: 08/20/2019

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan:

Matthew Villmer

Name of Rezoning Agent

196 N Trade St.

Agent's Address

Matthews, NC 28105

City, State, Zip

704-844-1400

Telephone Number

Fax Number

jphillips@remaxintelligence.com

E-Mail Address

Chad M Beaver

Signature of Property Owner

Chad M Beaver & Cheryl B Beaver

(Name Typed / Printed)

Lee Mynhardt for Mynhardt Investments LLC

Name of Petitioner(s)

1009 Habersham Dr.

Address of Petitioner(s)

Charlotte NC, 28209

City, State, Zip

336-675-7934

Telephone Number

Fax Number

lee@buildmellc.com

E-Mail Address

Lee Mynhardt

Signature of Petitioner

Lee Mynhardt

(Name Typed / Printed)

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2019-130

Petition #:	_____
Date Filed:	8/29/2019
Received By:	RL

Complete All Fields (Use additional pages if needed)

Property Owner: Greenway Holdings, LLC

Owner's Address: 568 Jetton Rd. City, State, Zip: Davidson, NC 28036

Date Property Acquired: 5/23/19

Property Address: 4304 Park Road

Tax Parcel Number(s): 14920352

Current Land Use: office and residential Size (Acres): Approx. .43 ac.

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

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

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

Date of meeting: 7/10/19

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: _____

Walter Fields

Name of Rezoning Agent

1919 South Blvd., suite 101

Agent's Address

Charlotte, NC 28203

City, State, Zip

704-372-7855 704-372-7856

Telephone Number Fax Number

walter@walterfieldsgroup.com

E-Mail Address

[Signature]

Signature of Property Owner

Jeff Watson

(Name Typed / Printed)

Greenway Holdings, LLC

Name of Petitioner(s)

568 Jetton Road

Address of Petitioner(s)

Davidson, NC 28036

City, State, Zip

704-895-2084

Telephone Number Fax Number

watson@piedmontlanddevelopment.com

E-Mail Address

[Signature]

Signature of Petitioner

Jeff Watson

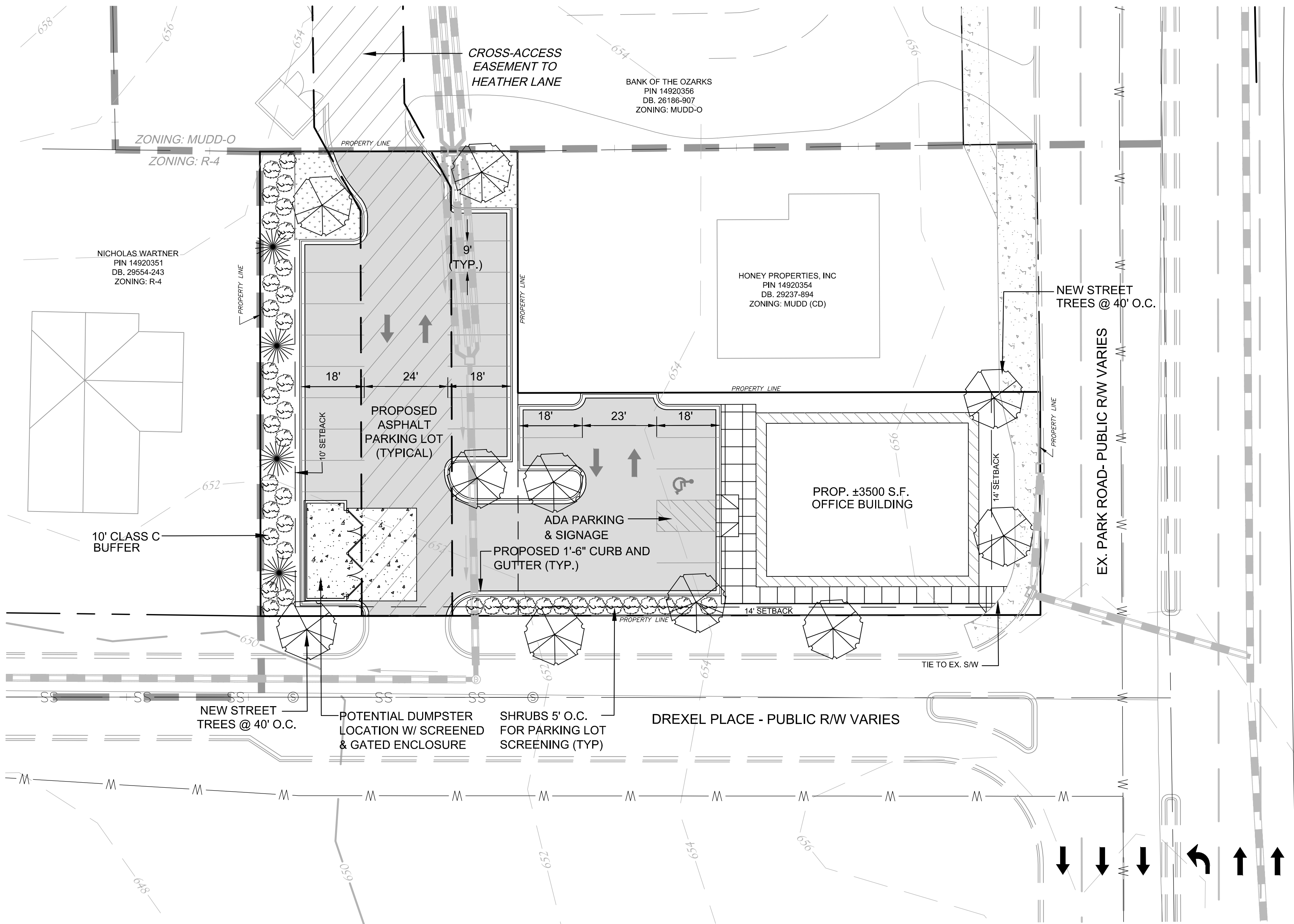
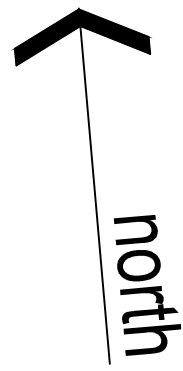
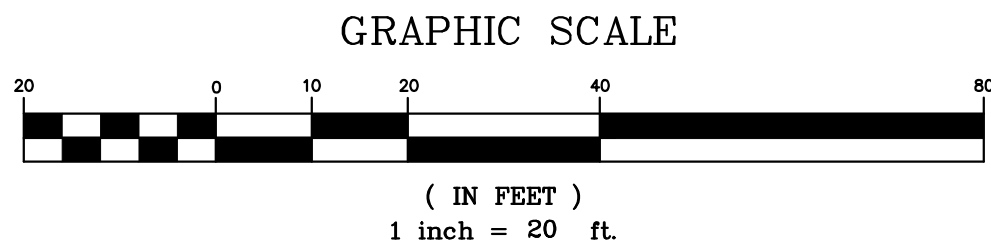
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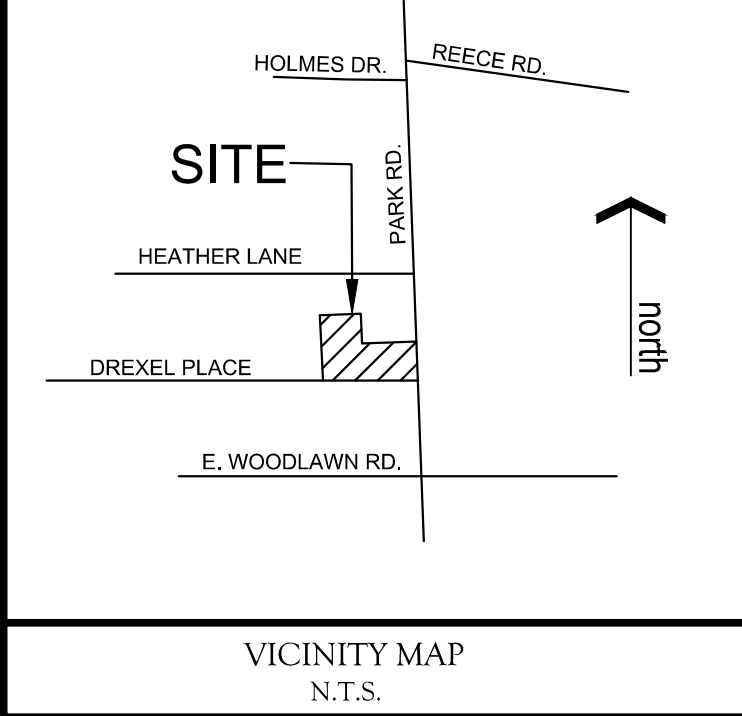


Know what's below.
Call before you dig.

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



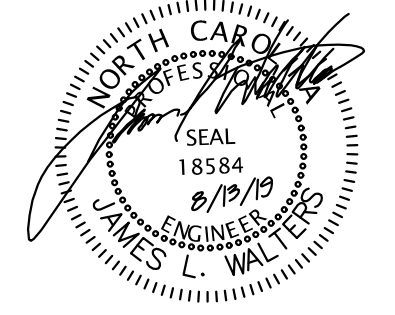
SITE DEVELOPMENT DATA:
A. SITE AREA: ±0.43 AC.
B. PARCEL ID: 14920352
DB: 33530, PG: 292, DB: 33530, PG: 296
LEGAL DESC.: LC & LE M6-463
SITE ADDRESSES: 4304 PARK ROAD &
1433 DREXEL PLACE
CHARLOTTE, NC: 28209
C. EXISTING ZONING: MUDD (CD)
D. PROPOSED ZONING: MUDD (CD)
E. EXISTING USE: MEDICAL OFFICE
PROPOSED USE: SEE DEVELOPMENT STANDARDS
F. NO. RESIDENTIAL UNITS BY HOUSING TYPE: N/A
G. SQUARE FOOTAGE: 3500 S.F. OFFICES
H. FLOOR AREA RATIO:
I. MAXIMUM BUILDING HEIGHT: 12'
J. MAXIMUM NO. BLDGS: 1
K. PARKING: SEE DEVELOPMENT NOTES THIS SHEET
M. OPEN SPACE: N/A
L. SETBACKS AND YARDS:
PARK ROAD: 14' FROM BACK OF CURB
DREXEL PLACE: 14' FROM BACK OF CURB
REAR: 10'



4304 PARK ROAD CONDITIONAL DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS.
A. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.2 OF THE ZONING ORDINANCE.
B. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, 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.
 2. PURPOSE
THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE USE OF AN OFFICE SITE FRONTING BOTH PARK ROAD AND DREXEL PLACE. THE SITE IS COVERED BY AN EXISTING CONDITIONAL PLAN (2008-033) THAT WAS APPROVED IN 2008 TO ACHIEVE THIS PURPOSE. THE APPLICATION SEEKS A SITE PLAN AMENDMENT OF THE PREVIOUSLY APPROVED SITE PLAN WITH AN MUDD (CD) SPECIAL USE.
 3. PERMITTED USES
THE PROPERTY INCLUDED IN THIS PETITION MAY BE USED FOR ANY OFFICE OR RETAIL USE PERMITTED IN THE MUDD.
 4. TRANSPORTATION
A. THE SITE WILL HAVE ONE DRIVEWAY CONNECTION TO DREXEL PLACE AND AN INTERNAL CONNECTION TO THE PROPERTY TO THE NORTH.
B. PARKING AREAS ARE GENERALLY DEPICTED ON THE CONCEPT PLAN FOR THE SITE.
 5. ARCHITECTURAL STANDARDS
RESERVED.
 6. STREETScape AND LANDSCAPING
 7. 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 IF ANY ARE PRESENT. IN ADDITION, THE SURVEY SHALL INCLUDE ALL TREES EIGHT-INCHES OR LARGER IN THE SETBACK IF ANY ARE PRESENT.
 8. PARKS, GREENWAYS, AND OPEN SPACE
RESERVED.
 9. FIRE PROTECTION
RESERVED.
 10. SIGNAGE
RESERVED.
 11. LIGHTING
NEW FREESTANDING LIGHTING WILL BE LIMITED TO 12' IN HEIGHT. ARCHITECTURAL LIGHTING ON THE EXTERIOR OF BUILDINGS IS PERMITTED PROVIDED IT IS CAPPED AND DOWNWARDLY DIRECTED.
 12. PHASING
RESERVED.
- REVISED FOR STAFF - INITIAL SUBMISSION 7-29-19, 1.0

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



AUGUST 13, 2019
DATE

GREENWAY HOLDINGS,
LLC

568 JETTON ST., SUITE 200
DAVIDSON, N.C. 28036
PHONE: (704) 895-2084
watson@piedmontlanddevelopment.com

PETITION NO. 2019-XXX
4304 PARK RD., CHARLOTTE, N.C. 28209

REZONING SITE PLAN

REVISIONS

PROJECT NO.: 2019.14
SCALE: 1" = 20'
DRAWN BY: MRH
CHECKED BY: JLW

SHEET NO:

RZ-1

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2019-131
Petition #: _____
Date Filed: 8/29/2019
Received By: B+

Complete All Fields (Use additional pages if needed)

Property Owner: LH Fund 3, LLC

Owner's Address: 2224 Sandy Dr City, State, Zip: Eugene, OR 97401

Date Property Acquired: December 13, 2018; March 15, 2019

Property Address: 151 Baucom St, 155 Baucom St, 8313 Old Plank Road

Tax Parcel Number(s): 035-17-438, 035-17-444

Current Land Use: Single-Family Residential Size (Acres): 8.57 ac.

Existing Zoning: R-3 Proposed Zoning: R-4

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

Required Rezoning Pre-Application Meeting* with: Lisa Arnold, Jason Prescott, Rick Grochoske
Date of meeting: 7/16/19

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

For Conditional Rezoning Only:

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

Purpose/description of Conditional Zoning Plan: _____

BGE, Inc.

Name of Rezoning Agent

121 W. Trade Street, Suite 1030

Agent's Address

Charlotte, NC 28202

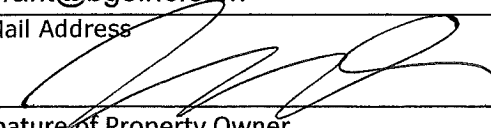
City, State, Zip

(980) 220-2322

Telephone Number Fax Number

agrant@bgeinc.com

E-Mail Address


Signature of Property Owner

Jon Grabowski - Red Cedar Capital
(Name Typed / Printed) Partners, LLC

Red Cedar Capital Partners

Name of Petitioner(s)

809 West Hill Street, Suite C

Address of Petitioner(s)

Charlotte, NC 28208

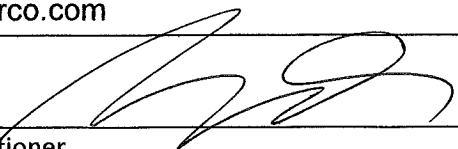
City, State, Zip

(313) 600-7248

Telephone Number Fax Number

jon@redcedarco.com

E-Mail Address


Signature of Petitioner

Jon Grabowski - Red Cedar
(Name Typed / Printed) Capital Partners, LLC

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2019-132

Petition #:	_____
Date Filed:	8/30/2019
Received By:	BK

Complete All Fields (Use additional pages if needed)

Property Owner: Charlotte Van & Storage Co. Inc; Larry Eugene Welch,
Johnnie Mae Dawkins Washington, Annie Lee Dawkins Phifer, Anita Louise
Dawkins White, Jerry Lewis Dawkins, Carolyn P. Osborne, Jannie Mae Reddick; Hearne Family LLC

Owner's Address: 213 Verbena St; 1000 Woodhall Dr; 6012 Jeanne Dr
City, State, Zip: Charlotte, NC 28217; Huntersville, NC 28708; Waxhaw, NC 28173

Date Property Acquired: 1/1/1975; 1/1/1975; 6/22/2011

Property Address: 213 Verbena St; 4607 Gilead St; 4615 Gilead St

Tax Parcel Number(s): 14903412; 14903415; 14903416

Current Land Use: Industrial/Warehouse Size (Acres): +/- 5.9 acres

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

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

Required Rezoning Pre-Application Meeting* with: Claire Lyte-Graham, Catherine Mahoney, Carlos Alzate
Date of meeting: May 15, 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: N/A

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

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

Charlotte, NC 28202
City, State, Zip

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

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

See attached Joinder Agreement
Signature of Property Owner

See attached Joinder Agreement

Lennar Multifamily Communities, LLC
Name of Petitioner(s)

500 East Morehead Street, Suite 300
Address of Petitioner(s)

Charlotte, NC 28202
City, State, Zip

704-956-3995 704-837-0477
Telephone Number Fax Number

brian.nicholson@livelm.com
E-Mail Address

B.T.R.
Signature of Petitioner

REZONING PETITION NO. 2019-____

LENNAR CORPORATION, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land located at 213 Verbena Street in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 149-034-12 on the Mecklenburg County Tax Map and which is the subject of the attached Rezoning Application (the "Property"), hereby joins in this Rezoning Application and consents to the requested Zoning Map Amendment.

This 15th day of August, 2019



Charlotte Van & Storage Co. Inc.

REZONING PETITION NO. 2019-_____

LENNAR CORPORATION, PETITIONER

JOINDER AGREEMENT

The undersigned, as the owners of that parcel of land located at 4615 Gilead Street in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 149-034-16 on the Mecklenburg County Tax Map and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment.

This 19 day of August, 2019

Frazer Douglas Hearne
Hearne Family, LLC


REZONING PETITION NO. 2019-_____

LENNAR CORPORATION, PETITIONER

JOINDER AGREEMENT

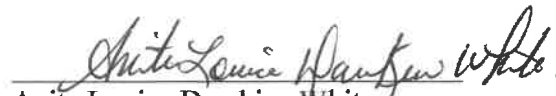
The undersigned, as the owners of that parcel of land located at 4607 Gilead Street in the City of Charlotte, Mecklenburg County, North Carolina that is designated as Tax Parcel No. 149-034-15 on the Mecklenburg County Tax Map and which is the subject of the attached Rezoning Application (the "Property"), hereby join in this Rezoning Application and consent to the requested Zoning Map Amendment.

This _____ day of _____, 2019

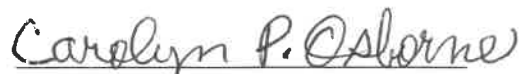

Larry Eugene Welch


Johnnie Mae Dawkins Washington


Annie Lee Dawkins Phifer


Anita Louise Dawkins White


Jerry Lewis Dawkins


Carolyn P. Osborne
Individually and as Executor of the
Estate of Lillie May Mobley, Deceased


Janie Mae Reddick

2019-133

I. REZONING APPLICATION CITY OF CHARLOTTE

Petition #:	_____
Date Filed:	8/30/2019
Received By:	BH

Property Owners: SEE SCHEDULE 1 ATTACHED HERETOOwner's Addresses: SEE SCHEDULE 1 ATTACHED HERETODate Properties
Acquired: SEE SCHEDULE 1 ATTACHED HERETOProperty Addresses: SEE SCHEDULE 1 ATTACHED HERETOTax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETOCurrent Land Use: vacant/retail (Acres): ± .20Existing Zoning: R-5 Proposed Zoning: MUDD-OOverlay: N/A Tree Survey Provided: Yes: N/A: xRequired Rezoning Pre-Application Meeting* with: Kent Main, Claire Lytle Graham, Dave Pettine, Grant Meacci, Christy Sanchez, and Katherine Mahoney.Date of meeting: 6/19/19

(*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/APurpose/description of Conditional Zoning Plan: To allow the adaptive re-use of the existing building located on the Site as a restaurant with an associated parking area.**Keith MacVean & Jeff Brown**

Name of Rezoning Agent

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

Agent's Address

Charlotte, NC 28202**704.331.3531 (KM) 704-378-1954(KM)****704-331-1144 (JB) 704-378-1925 (JB)**

Telephone Number

Fax Number

keithmacvean@mvalaw.com; jeffbrown@mvalaw.com

E-mail Address

SEE ATTACHMENTS A-B

Signature of Property Owner

TBGC LLC (Attn: Greg Zanitsch)

Name of Petitioner

1732 Cavendish Court

Address of Petitioner

Charlotte, NC 28211

City, State, Zip

704-577-5422

Telephone Number

Fax Number

greg@charlottefigtree.com

E-mail Address

SEE ATTACHMENT C

Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Acreage	Date Acquired
081-166-15	1201 Kennon Street, Charlotte, NC 28205	Milburn Davant Jr	338 S Sharon Amity Road #179 Charlotte, NC 28211	.091	12/01/2003
081-166-16	1205 Kennon Street, Charlotte, NC 28205	Milburn Davant		.104	06/27/2008

ATTACHMENT A

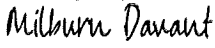
**REZONING PETITION NO. 2019-____
TBGC LLC**

**OWNER JOINDER AGREEMENT
Milburn Davant Jr**

The undersigned, as the owner of the parcel of land located at 1201 Kennon Street, Charlotte, NC that is designated as Tax Parcel No. 081-166-15 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-5 zoning district to the 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 3rd day of July, 2019.

Milburn Davant Jr

DocuSigned by:

B2B496DFC83149E...

ATTACHMENT B

**REZONING PETITION NO. 2019-____
TBGC LLC**

**OWNER JOINDER AGREEMENT
Milburn Davant**

The undersigned, as the owner of the parcel of land located at 1205 Kennon Street, Charlotte, NC that is designated as Tax Parcel No. 081-166-16 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Applications and consents to the change in zoning for the parcels from R-5 zoning district to the 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 3rd day of July, 2019.

Milburn Davant

DocuSigned by:
Milburn Davant
B20495DF603140E...

ATTACHMENT C

REZONING PETITION NO. 2019-
TBCG LLC

Petitioner:

TBCG LLC

By:

Name:

Title:

G.T.
Gregory T. Zantseh
Owner

DEVELOPMENT STANDARDS

1. General Provisions:

a. **Site Location:** These Development standards and the technical data sheet from the rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by BC LLC ("petitioner") to accommodate the reuse of the existing building located on the northeast corner of the intersection of Kennon Street and Pegram Street non residential uses as described above and allowed by the MUDD zoning district and the Optional Provisions below on an approximately .20 acre site located at 1201 and 1205 Kennon street (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 ZoningOrdinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the ordinance for the MUDD zoning classification shall govern all development taking place on site, subject to the Optional Provisions provided below.

c. **Graphics and Alterations:** The depictions of the building and parking envelopes, sidewalks, driveways, and other development matter 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 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 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 the graphics if they are:

- Minor and don't materially change the overall design intent and stay within the setbacks and yards 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.

d. **Number of Buildings Principal and Accessory.** Notwithstanding the number of the buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site will be limited to one (1). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the site.

2. Optional Provisions:

The following optional provisions shall apply to the Site:

a. To allow a minimum of eight (8) on-site parking spaces the meet the minimum parking requirements of the MUDD zoning district for the allowed uses, including the allowed building expansion and outdoor dining areas.

b. To allow building expansions/additions to not meet minimum building setback along Pegram Street. The building additions along Pegram Street will meet the setback established by the existing building (8.3 feet) as measured from the existing back of curb. Building additions along Kennon Street will maintain a 14 foot setback from the existing back of curb.

c. To allow existing and new parking spaces located on the Site to be screened from the adjoining public streets with a green screen. The Petitioner serves the right to provide screening as required by the Ordinance in lieu of the Green Screen.

d. To not require the installation of the required streetscape improvements along Pegram Street and Kennon Street for change of uses, building additions, and for the additional parking as indicated on the Rezoning Plan. The existing sidewalks will be preserved as generally depicted on the Rezoning Plan

3. Permitted Uses, Development Area Limitations :

a. The Site may be developed with up to 3,400 (equal to the existing square footage of 2,398 plus an additional 1,002 square feet) square feet of gross floor area for EDDE Type I and II, retail, office, and personal service uses permitted by right and under prescribed conditions in the MUDD zoning district together with accessory uses as allowed in the MUDD zoning district.

b. The allowed uses and the allowed square footage will be utilized within the existing building, that will be preserved and reused, located on the Site as generally depicted on the Rezoning Plan (not all portions of the existing building currently located on the Site need be preserved). Building additions that do not exceed 1,002 square feet will be allowed as long as the total allowed square footage does not exceed 3,400 square feet and the building additions occur within the building envelope indicated on the Rezoning Plan.

c. The construction of a new building, not including building additions as allowed above on the Site will require the filling of new rezoning petition

d. Portions of the Site will be utilized as an improved for outdoor seating area for the proposed tenants.

4. Access:

a. Access to the Site will be from Kennon Street as generally depicted on the Rezoning Plan.

b. The alignment of the 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 the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

5. Architectural Standards:

a. The building facades fronting on Pegram Street shall include windows for a minimum of 40% of the existing facade facing Pegram Street, with transparent glass between 2' feet and 10' feet on the first floor. Up to 20% of this requirements 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 screen with film decals and other opaque material, or glazing finishes.

6. Screening & Landscaping:

a. The petitioner will install a row of Burford Hollies or equivalent, 10 to 12 feet on center along the perimeter of the proposed parking area as generally indicated on the Rezoning Plan. Hollies to be a minimum of four (4) to six (6) feet tall at installation.

b. The proposed parking area will be screened from Kennon Street with a green screen as allowed by the optional provisions. The Petitioner serves the right tot provide screening as required by the Ordinance in lieu of the green screen.

7. Parking & Maneuvering Restrictions:

a. Reserved

8. Environmental Features:

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

b. The Site will meet the applicable Tree Ordinance requirements (see #2c).

9. Lighting:

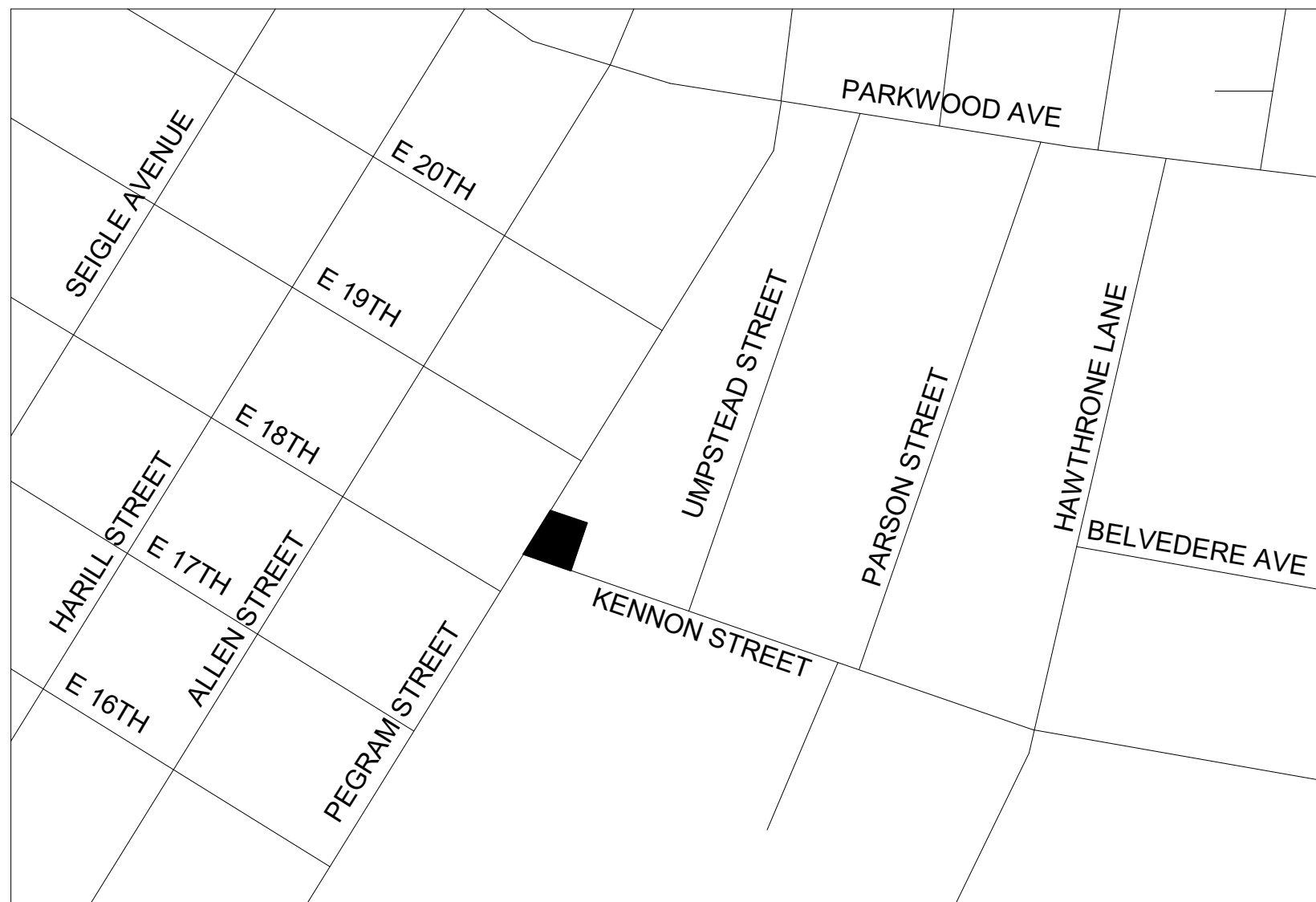
a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding; low landscape, decorative, specialty, and accent lighting that may be installed along the driveways, sidewalks, open space/amenity area and parking areas.

10. Amendments to the Rezoning Plan:

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

11. Binding Effect of the Rezoning Application:

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



SITE DEVELOPMENT DATA:

Acreage: ± .200 acres

Tax Parcel #s: 081-166-15 and 16

Existing zoning : R5

Proposed Zoning: MUDD - (0)

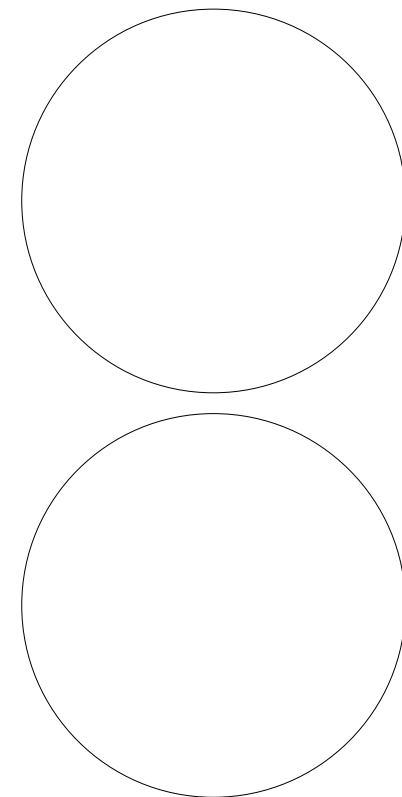
Existing Uses: Retail establishment and Vacant

Proposed Uses: EDEE Type I and II, retail office, ad proposal service uses as permitted by right, under prescribed conditions and by the Optional Provisions below together with accessory uses as allowed in the MUDD zoning district (as more specifically described and restricted below in Section 3

Maximum Gross Square Feet of Development: Up to 3,400 (equal to the existing building square footage (2,398) plus up to 1,002 feet of additional square feet) square feet of gross floor area for EDEE Type I and Type II , retail office and personal service uses as permitted by right and under prescribed conditions in the MUDD zoning district subject to the limitations described in Section 3 below.

Maximum Building Height: Maximum building height will not exceed the height of the existing building.

Parking: Parking required by the Ordinance and the Optional Provision below



101 W. Worthington Avenue
Suite 240
Charlotte, NC 28203
phone: (704) 333-3360
fax: (704) 333-3362

construction@dasarchitecture.com

PROPOSED BY THE
OWNERS OF



the Fig Tree restaurant
at the Lucas House

1201-1205 KENNON STREET
CHARLOTTE, NC

CONCEPTUAL
REZONING SITE
PLAN

DAS Project Number

Date 08/28/2019

Z1.01

Scale As indicated

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2019-134

Petition #:	
Date Filed:	8/30/2019
Received By:	Br

Property Owners: DJ Family Farms LLC

Owner's Addresses: 2201 Sam Wilson Road, Charlotte, NC 28214

Date Properties
Acquired: 06/28/2019

Property Addresses: 2159 Sam Wilson Road, Charlotte, NC 28214

Tax Parcel Numbers: 055-211-46

Current Land Use: vacant (Acres): ± 1.27

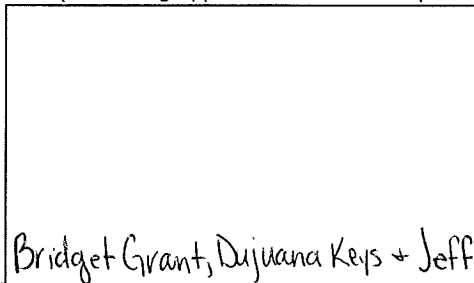
Existing Zoning: R-3 Proposed Zoning: I-1

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

Required Rezoning Pre-Application Meeting* with: Lisa Arnold, Alberto Gonzales, David Pettine, Rick Grochoske

Date of meeting: 8/20/2019

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



Bridget Grant, Dijuana Keys + Jeff Brown

Name of Rezoning Agent

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

Agent's Address

Charlotte, NC 28202

City, State, Zip

**704.331.2379 (BG) 704-378-1973 (BG)
704-331-2371 (DK) 704-339-5888 (DK)
704-331-1144 (JB) 704-378-1925 (JB)**

Telephone Number Fax Number

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

E-mail Address

John Fletcher

Signature of Property Owner

DJ Family Farms LLC (Attn: John Fletcher)

Name of Petitioner

2201 Sam Wilson Road

Address of Petitioner

Charlotte, NC 28214

City, State, Zip

704.525.8585

Telephone Number Fax Number

john@carolinabomanite.com

E-mail Address

John Fletcher

Signature of Petitioner

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2019-135

Petition #:	_____
Date Filed:	8/30/2019
Received By:	BK

Complete All Fields (Use additional pages if needed)

Property Owner: Mintworth Commons LLC

Owner's Address: 4725 Piedmont Row Dr #800 City, State, Zip: Charlotte, NC 28210

Date Property Acquired: 2/8/2004

Property Address: 9700 Mintworth Avenue, 4407 and 4429 Margaret Wallace Road

Tax Parcel Number(s): 193-043-69, 193-043-66, 193-043-67, and 193-043-70

Current Land Use: Vacant Size (Acres): +/- 8.4 acres

Existing Zoning: NS and R-17MF Proposed Zoning: NS and NS(SPA)

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

Required Rezoning Pre-Application Meeting* with: John Kinley Scott Correll, and Kent Main

Date of meeting: 8/20/19

(*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 accommodate an affordable housing residential development that includes a mixture of single-family attached dwellings and multi-family dwellings.

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

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

Charlotte, NC 28202
City, State, Zip

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

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

[Signature]
Signature of Property Owner

JOHN W. HARRIS
(Name Typed / Printed)

Charlotte-Mecklenburg Housing Partnership, Inc.
Name of Petitioner(s)

4601 Charlotte Park Drive
Address of Petitioner(s)

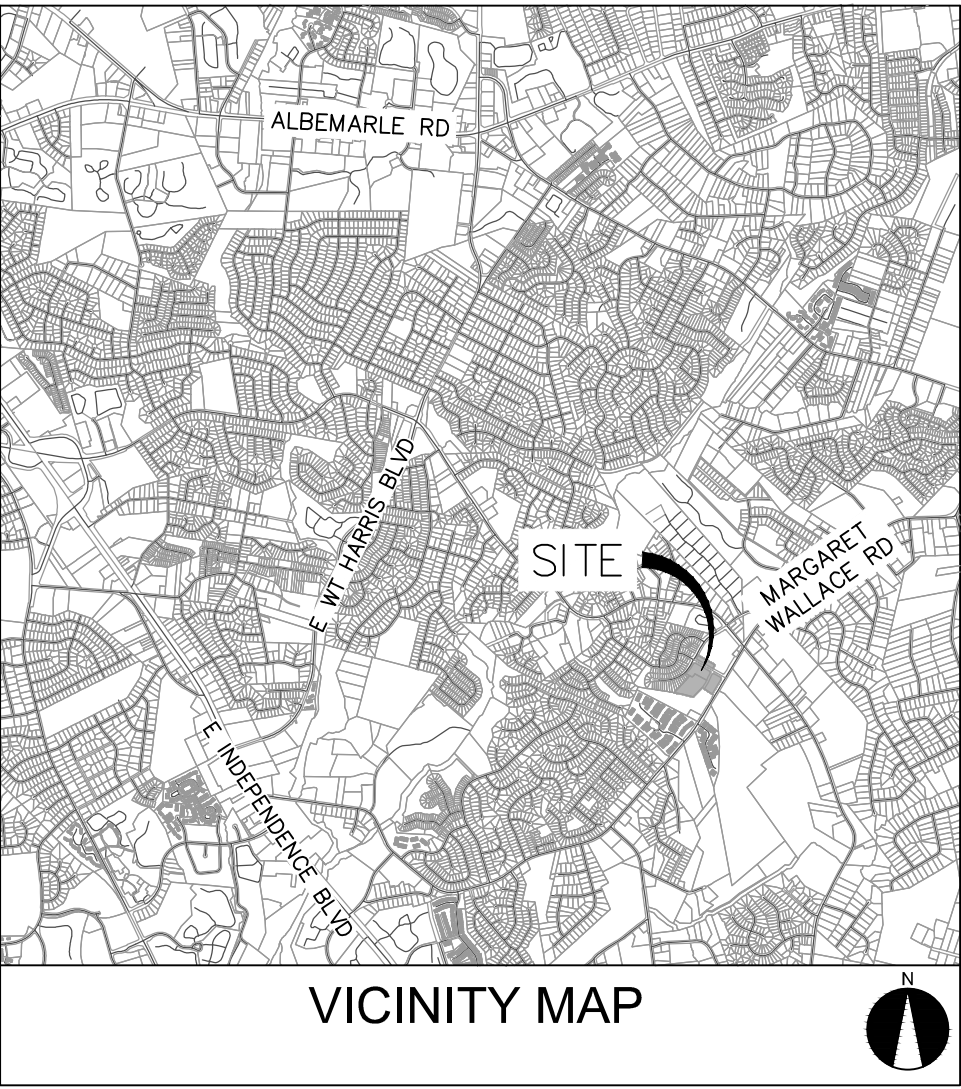
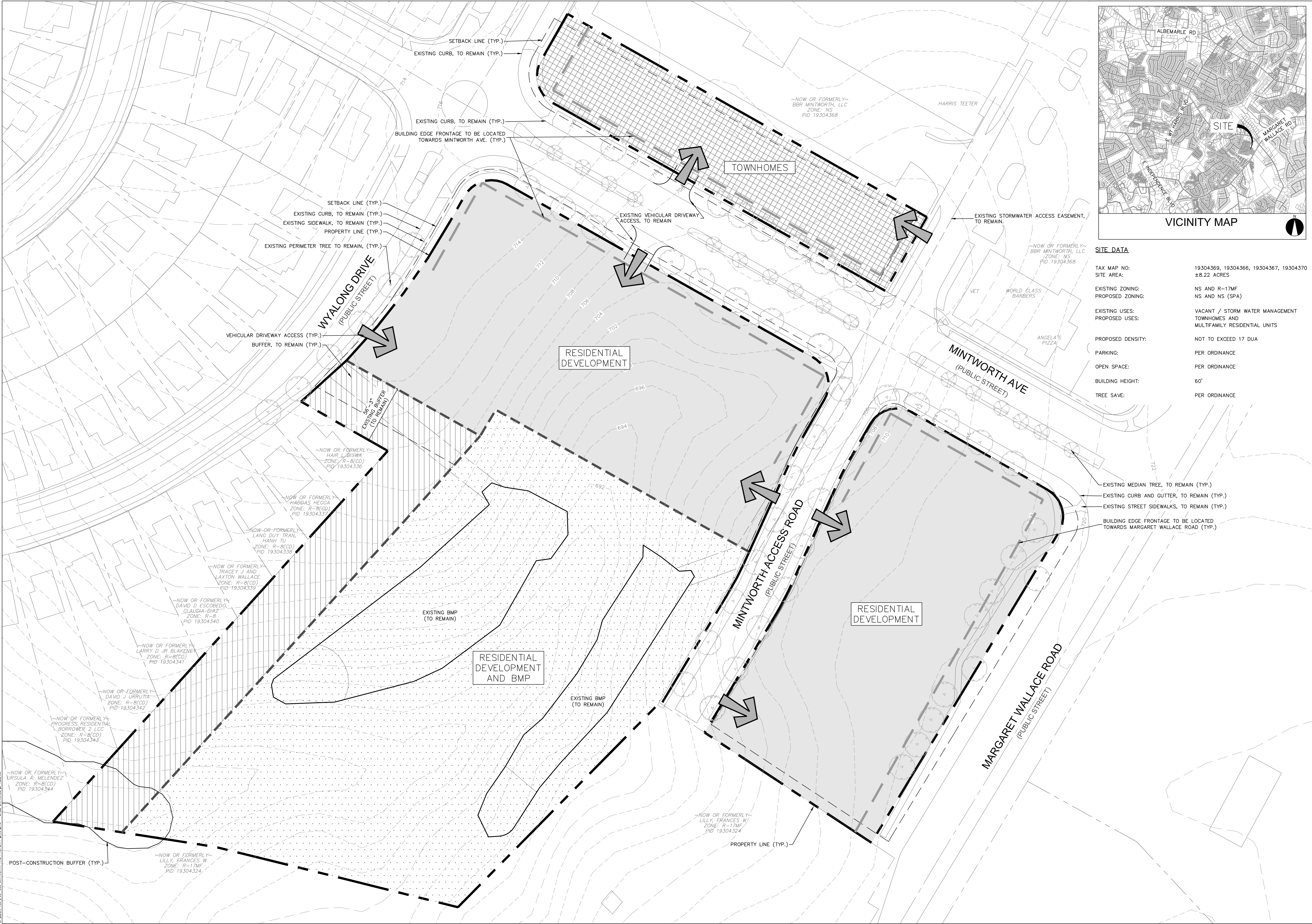
Charlotte, NC 28217
City, State, Zip

704-342-0933 704-342-2745
Telephone Number Fax Number

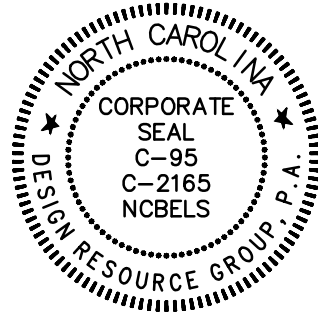
bcuevas@cmhp.org
E-Mail Address

[Signature]
Signature of Petitioner

Fred Dodson, Jr.
(Name Typed / Printed)



SITE DATA	
TAX MAP NO:	19304369, 19304366, 19304367, 19304370
SITE AREA:	±8.22 ACRES
EXISTING ZONING:	NS AND R-17MF
PROPOSED ZONING:	NS AND NS (SPA)
EXISTING USES:	VACANT / STORM WATER MANAGEMENT
PROPOSED USES:	TOWNHOMES AND MULTIFAMILY RESIDENTIAL UNITS
PROPOSED DENSITY:	NOT TO EXCEED 17 DUA
PARKING:	PER ORDINANCE
OPEN SPACE:	PER ORDINANCE
BUILDING HEIGHT:	60'
TREE SAVE:	PER ORDINANCE



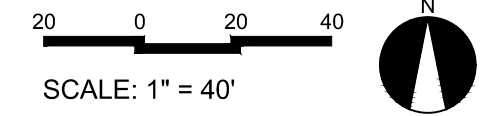
REZONING PETITION
FOR PUBLIC HEARING

REZONING PETITION

MINTWORTH
CHARLOTTE, NORTH CAROLINA

THE HOUSING PARTNERSHIP
4601 CHARLOTTE PARK DRIVE, SUITE 350
CHARLOTTE, NC 28217
704.342.0933

SCHEMATIC
SITE PLAN



PROJECT #: 700-003
DRAWN BY: WSM
CHECKED BY: NB

SEPTEMBER 3, 2019

REVISIONS:

0:\GRAPHICS\100-003 MINTWORTH AVE PROPERTY VIEWS.DWG - BASE DRAWINGS-B-HZING

SITE DEVELOPMENT DATA:

ACREAGE: ±8.22 ACRES
TAX PARCELS: 193-043-69, 193-043-66, 193-043-67, AND 193-043-70
EXISTING ZONING: NS AND R-17MF
PROPOSED ZONING: NS AND NS(SPA)
EXISTING USES: VACANT
PROPOSED USES: SINGLE-FAMILY ATTACHED DWELLING UNITS ("TOWNHOMES") AND MULTI-FAMILY RESIDENTIAL UNITS, IN TOTAL NOT TO EXCEED 17 DUA
MAX. HEIGHT: 60'
PARKING: SHALL MEET OR EXCEED ORDINANCE STANDARDS

1. GENERAL PROVISIONS

THESE DEVELOPMENT STANDARDS FORM PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY CHARLOTTE-MECKLENBURG HOUSING PARTNERSHIP, INC. (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF AN AFFORDABLE HOUSING RESIDENTIAL DEVELOPMENT THAT INCLUDES A MIXTURE OF SINGLE-FAMILY ATTACHED DWELLINGS AND MULTI-FAMILY DWELLINGS ON THAT APPROXIMATELY 8.22-ACRE SITE LOCATED ON MINTWORTH AVENUE, WHICH IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBERS 193-043-69, 193-043-66, 193-043-67, AND 193-043-70.

DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE NS ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

INASMUCH AS PLANNING FOR THE PROPOSED REDEVELOPMENT OF THE SITE HAS NOT YET ADVANCED BEYOND THE FORMATIVE STAGE, THE ULTIMATE LAYOUTS OF THE DEVELOPMENT PROPOSED, THE EXACT ALIGNMENTS OF STREETS AND POINTS OF ACCESS, THE CONFIGURATIONS AND PLACEMENTS OF PARKING AREAS AND THE HEIGHTS AND MASSES OF BUILDINGS HAVE NOT YET BEEN DETERMINED. AS A CONSEQUENCE, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDINGS AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND THEREFORE ARE SUBJECT TO REFINEMENTS AS PART OF THE TOTAL DESIGN PROCESS. THEY MAY, THEREFORE, BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES SO LONG AS THE MAXIMUM PARKING AND BUILDING ENVELOPE LINES ESTABLISHED ON THE REZONING PLAN ARE NOT VIOLATED AND THE PROPOSED ALTERATIONS OR MODIFICATIONS DO NOT EXCEED THE PARAMETERS ESTABLISHED UNDER THESE DEVELOPMENT STANDARDS AND UNDER THE ORDINANCE FOR THE NS DISTRICT.

2. PERMITTED USES AND MAXIMUM DEVELOPMENT

THE SITE MAY BE DEVELOPED WITH SINGLE-FAMILY ATTACHED DWELLING UNITS (TOWNHOMES) AND MULTI-FAMILY RESIDENTIAL UNITS, IN TOTAL NOT TO EXCEED SEVENTEEN (17) DWELLING UNITS PER ACRE (DUA), TOGETHER WITH ANY INCIDENTAL AND ACCESSORY USES RELATED THERETO THAT ARE ALLOWED IN THE NS ZONING DISTRICT.

3. TRANSPORTATION

- o) VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT SHOWN ON THE REZONING PLAN IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL.
- b) INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE INTERNAL SIDEWALKS MAY MEANDER TO SAVE EXISTING TREES.
- c) PETITIONER SHALL DEDICATE AND CONVEY IN FEE SIMPLE ALL RIGHTS-OF-WAY TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.
- d) ALL TRANSPORTATION IMPROVEMENTS SHALL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

4. ARCHITECTURAL STANDARDS

- o) THE PRINCIPAL BUILDINGS ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS WILL CONTAIN A MINIMUM 10% OF A COMBINATION OF THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRE-CAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTATIOUS SIDING, VINYL, EPS OR WOOD.
- b) ADDITIONAL ARCHITECTURAL STANDARDS FOR MULTI-FAMILY RESIDENTIAL BUILDINGS:

- 1. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:
 - o) BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FAÇADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF TEN (10) FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF ONE (1) FOOT EXTENDING THROUGH AT LEAST A FULL FLOOR.
- 2. ARCHITECTURAL ELEVATION DESIGN – ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:
 - o) BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS;
 - b) BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FACADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. SUCH BASE MAY BE EXECUTED THROUGH THE USE OF PREFERRED BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES OR COLOR CHANGES; AND
 - c) BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN TWENTY (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.
- 3. ROOF FORM AND ARTICULATION – ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:
 - o) LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT NOT BE LIMITED TO GABLES, HIPS DORMERS OR PARAPETS.
 - b) ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST NETWORK REQUIRED PUBLIC OR PRIVATE STREET.

- c) ADDITIONAL ARCHITECTURAL STANDARDS FOR SINGLE-FAMILY ATTACHED DWELLING UNITS (TOWNHOMES):

- 1. PITCHED ROOFS, IF PROVIDED, SHALL BE SYMMETRICALLY SLOPED NO LESS THAN 5:12, EXCEPT THAT ROOFS FOR PORCHES AND ATTACHED SHEDS MAY BE NO LESS THAN 2:12, UNLESS A FLAT ROOF ARCHITECTURAL STYLE IS EMPLOYED.
- 2. ALL GROUND FLOOR ENTRANCES SHALL INCLUDE A DIRECT PEDESTRIAN CONNECTION BETWEEN STREET FACING DOORS TO ADJACENT SIDEWALKS.
- 3. ROOF OVERHANGS, EAVES, CORNICES, CHIMNEYS, GUTTERS, VENTS, BAY WINDOWS, PILASTERS, PILARS, OPEN PORCHES (IF PROVIDED), AND OTHER ARCHITECTURAL ELEMENTS MAY PROJECT UP TO TWENTY-FOUR (24) INCHES INTO THE REQUIRED SETBACKS.
- 4. USABLE PORCHES OR STOOPS SHALL FORM A PREDOMINANT FEATURE OF THE BUILDING DESIGN AND BE LOCATED ON THE FRONT AND/OR SIDE OF THE BUILDING. STOOPS AND ENTRY-LEVEL PORCHES MAY BE COVERED BUT SHALL NOT BE ENCLOSED.
- 5. FOR ALL CORNER/END UNITS THAT FACE A PUBLIC OR PRIVATE STREET, STOOPS SHALL FACE THE PUBLIC REALM AND CORNER UNITS WILL HAVE ENHANCED SIDE ELEVATIONS WITH A FRONT STOOP. SIDE ELEVATIONS SHALL NOT CONTAIN BLANK WALL EXPANSES GREATER THAN TEN (10) FEET ON ALL BUILDING LEVELS.
- 6. PETITIONER SHALL PROVIDE BLANK WALL PROVISIONS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO TWENTY (20) FEET ON ALL BUILDING LEVELS, INCLUDING BUT NOT LIMITED TO DOORS, WINDOWS, AWNINGS, AND/OR ARCHITECTURAL DESIGN ELEMENTS..
- 7. ATTACHED DWELLING UNITS SHALL BE LIMITED TO A MAXIMUM OF SIX (6) UNITS PER BUILDING ALONG ALL PUBLIC AND PRIVATE STREETS.

5. AMENDMENTS TO REZONING PLAN

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

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

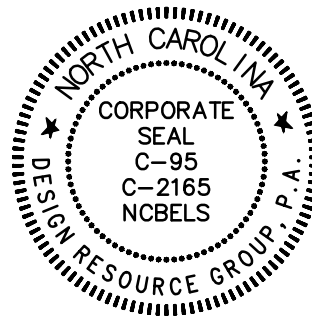
6. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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



LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
704.343.0608
www.drgrp.com



REZONING PETITION
FOR PUBLIC HEARING

REZONING PETITION

MINTWORTH
CHARLOTTE, NORTH CAROLINA
THE HOUSING PARTNERSHIP
4601 CHARLOTTE PARK DRIVE, SUITE 350
CHARLOTTE, NC 28217
704.342.0933

CONDITIONAL
NOTES

PROJECT #: 700-003
DRAWN BY: WSM
CHECKED BY: NB

SEPTEMBER 3, 2019

REVISIONS:

RZ2.0

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2019-136
Petition #: _____
Date Filed: 9/3/2019
Received By: BK

Complete All Fields (Use additional pages if needed)

Property Owner: AMMIREDDY LLC
Owner's Address: 457 Wilcox Street City, State, Zip: Charlotte, NC 28203
Date Property Acquired: 04/18/19
Property Address: Sloan Drive, Charlotte, NC
Tax Parcel Number(s): 06122233
Current Land Use: Vacant Size (Acres): 1.895
Existing Zoning: O-1 (CD) Proposed Zoning: O-1 (CD) SPA
Overlay: Airport Noise Overlay Tree Survey Provided: Yes: X N/A: _____
Required Rezoning Pre-Application Meeting* with: Sonja Sanders
Date of meeting: May 28, 2019

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

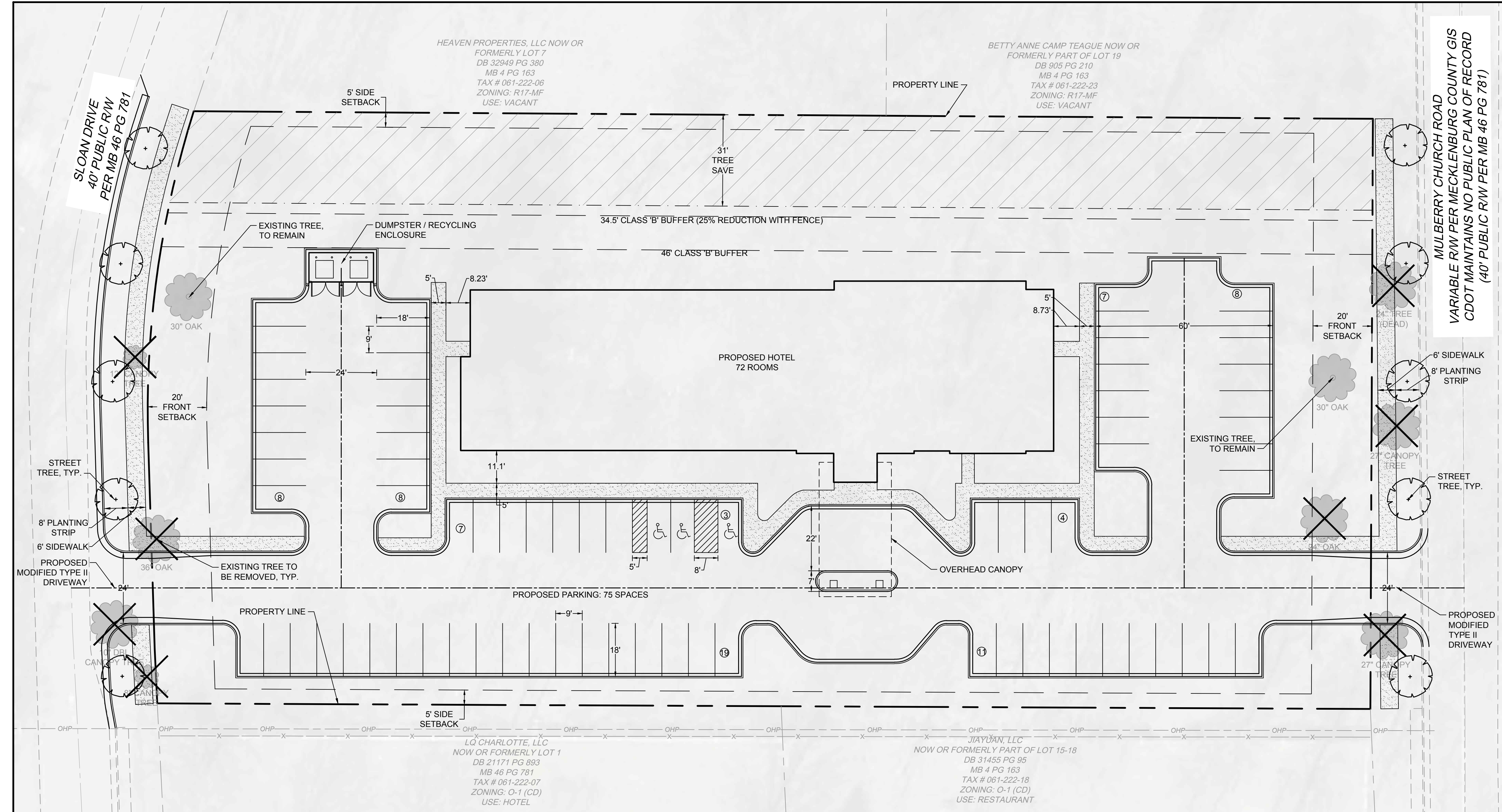
For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): 5 years
Purpose/description of Conditional Zoning Plan: Development of a hotel, property was previously conditionally rezoned for hotel development with a different site plan.

Brian Crutchfield
Name of Rezoning Agent
610 East Morehead Street, Suite 250
Agent's Address
Charlotte, NC 28202
City, State, Zip
704-376-1073
Telephone Number Fax Number
brian.crutchfield@timmons.com
E-Mail Address
A.V. Kishore
Signature of Property Owner
Venkata Kishore Reddy AmmiReddy
(Name Typed / Printed)

AMMIREDDY LLC
Name of Petitioner(s)
457 Wilcox Street
Address of Petitioner(s)
Charlotte, NC 28203
City, State, Zip
(240) 640-0063
Telephone Number Fax Number
ammi11199@gmail.com
E-Mail Address
A.V. Kishore
Signature of Petitioner
Venkata Kishore Reddy AmmiReddy
(Name Typed / Printed) Manager - AmmiReddy LLC

R:\10443700-Steam Drive_Hotel\DWG\Sheet\Enbldk43700-Resoning.dwg | Plotted on 9/4/2019 9:02 AM | by Jason Dotan



GENERAL PROVISIONS:

- a. **SITE LOCATION:** THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY AMMIREDDY, LLC ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A HOTEL AS ALLOWED IN THE O-1 ZONING DISTRICT ON APPROXIMATELY 1.89 ACRE SITE LOCATED BETWEEN SLOAN DRIVE AND MULBERRY CHURCH ROAD (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 NS 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.
- d. **NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY.** THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED ONE (1). 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, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDINGS LOCATED ON THE SITE.

2. PERMITTED USES & DEVELOPMENT AREA LIMITATION:

- a. WITHIN DEVELOPMENT AREA UP TO 80 ROOMS FOR HOTEL USE AS ALLOWED IN THE O-1 ZONING DISTRICT MAY BE DEVELOPED.

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 PARKING FACILITIES, AND ALL LOADING DOCK AREAS (OPEN OR ENCLOSED).

3. ACCESS AND TRANSPORTATION:

- a. ACCESS TO THE SITE WILL BE FROM SLOAN DRIVE AND MULBERRY CHURCH ROAD 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 PETITIONER WILL PROVIDE A TWO (2) FOOT UTILITY EASEMENT BEHIND THE SIDEWALK IF RIGHT-OF-WAY IS CLOSER THAN TWO (2) FEET BEHIND THE SIDEWALK.
- d. 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 AND/OR NCDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.

4. STREETScape, BUFFERS, YARDS AND LANDSCAPING:

- a. ALONG THE SITE'S NORTHERN PROPERTY BOUNDARY A 46 FOOT WIDE LANDSCAPE AREA PLANTED TO CLASS B BUFFER STANDARDS WILL BE PROVIDED. THE BUFFER WIDTH MAY BE REDUCED BY 25% WITH THE CONSTRUCTION OF A FENCE OR WALL ACCORDING TO SECTION 12.302 (8).
- b. THE PETITIONER WILL PROVIDE A SIDEWALK NETWORK THAT LINKS THE PROPOSED BUILDING ENTRANCES TO THE SIDEWALK ALONG SLOAN DRIVE AND MULBERRY CHURCH ROAD. THE MINIMUM WIDTH FOR THIS INTERNAL SIDEWALK WILL BE FIVE (5) FEET.
- c. ABOVE-GROUND BACKFLOW PREVENTION DEVICES WILL BE SCREENED FROM PUBLIC VIEW AND WILL BE LOCATED OUTSIDE OF THE REQUIRED SETBACKS.
- d. DUMPSTER AREAS AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL AND GATE. THE WALL USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDING.
- e. ALL NEW TREES AT TIME OF PLANTING SHALL HAVE A CALIPER OF 2"-3" AND A HEIGHT OF 10'-12'.
- f. FOUNDATION PLANTING/PERIMETER PLANTING TO BE MIXED SHRUBS AND GROUNDCOVER (JUNIPER, HOLLY, COTONEASTER, LIRIOPE).
- g. PARKING AREAS SHALL BE SCREENED IN ACCORDANCE WITH CURRENT ZONING ORDINANCE.

5. ARCHITECTURAL STANDARDS:

- a. BUILDINGS SHOULD BE A MINIMUM HEIGHT OF 50 FEET.

6. ENVIRONMENTAL FEATURES:

- a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION 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.
- c. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.
- d. ALL EXISTING TREES/VEGETATION OUTSIDE DESIGNATED DEVELOPMENT AREA TO REMAIN.

7. LIGHTING:

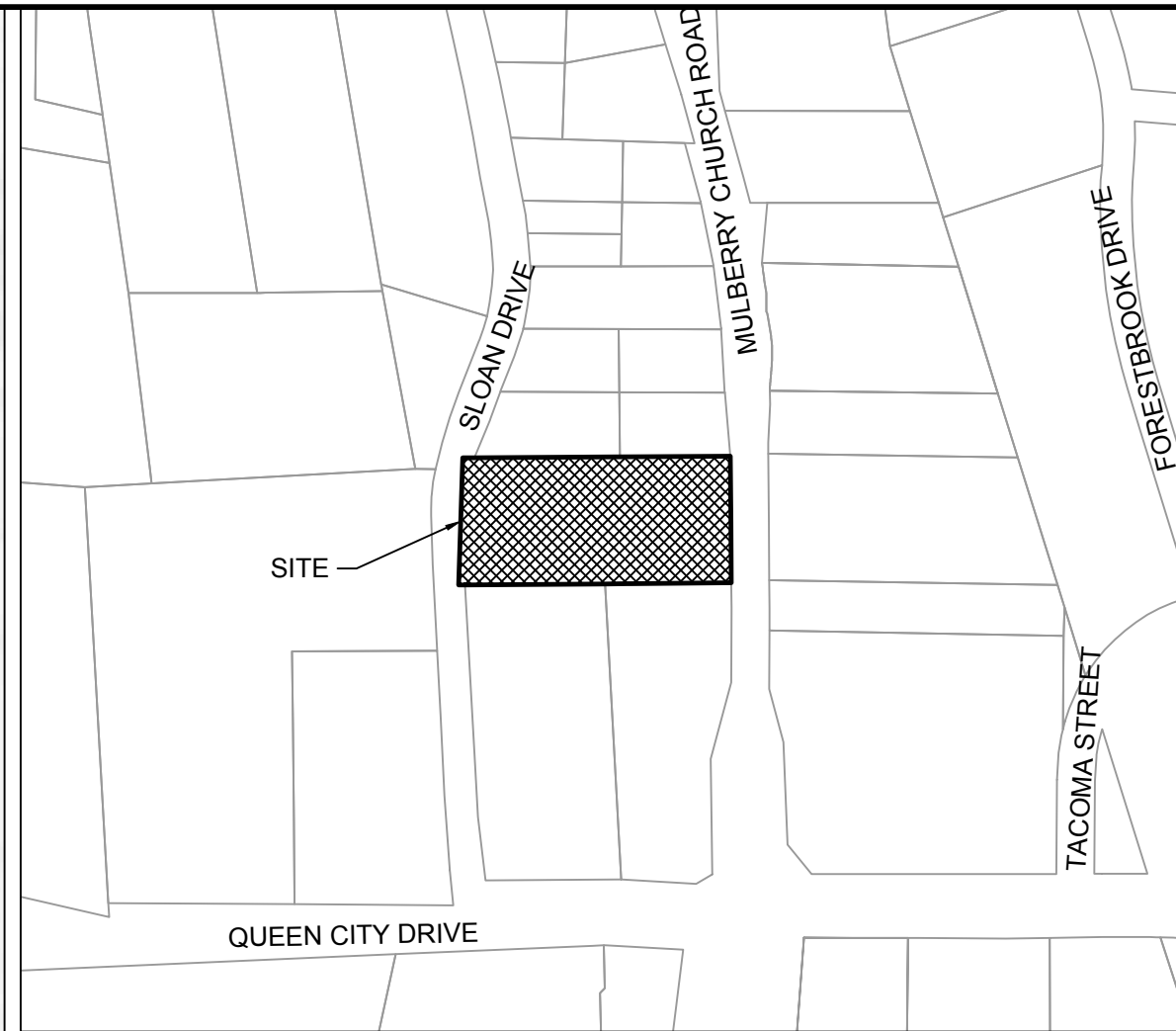
- a. ALL NEW DETACHED AND ATTACHED LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.
- b. DETACHED LIGHTING WILL BE LIMITED TO 20 FEET IN HEIGHT.

8. AMENDMENTS TO THE REZONING PLAN:

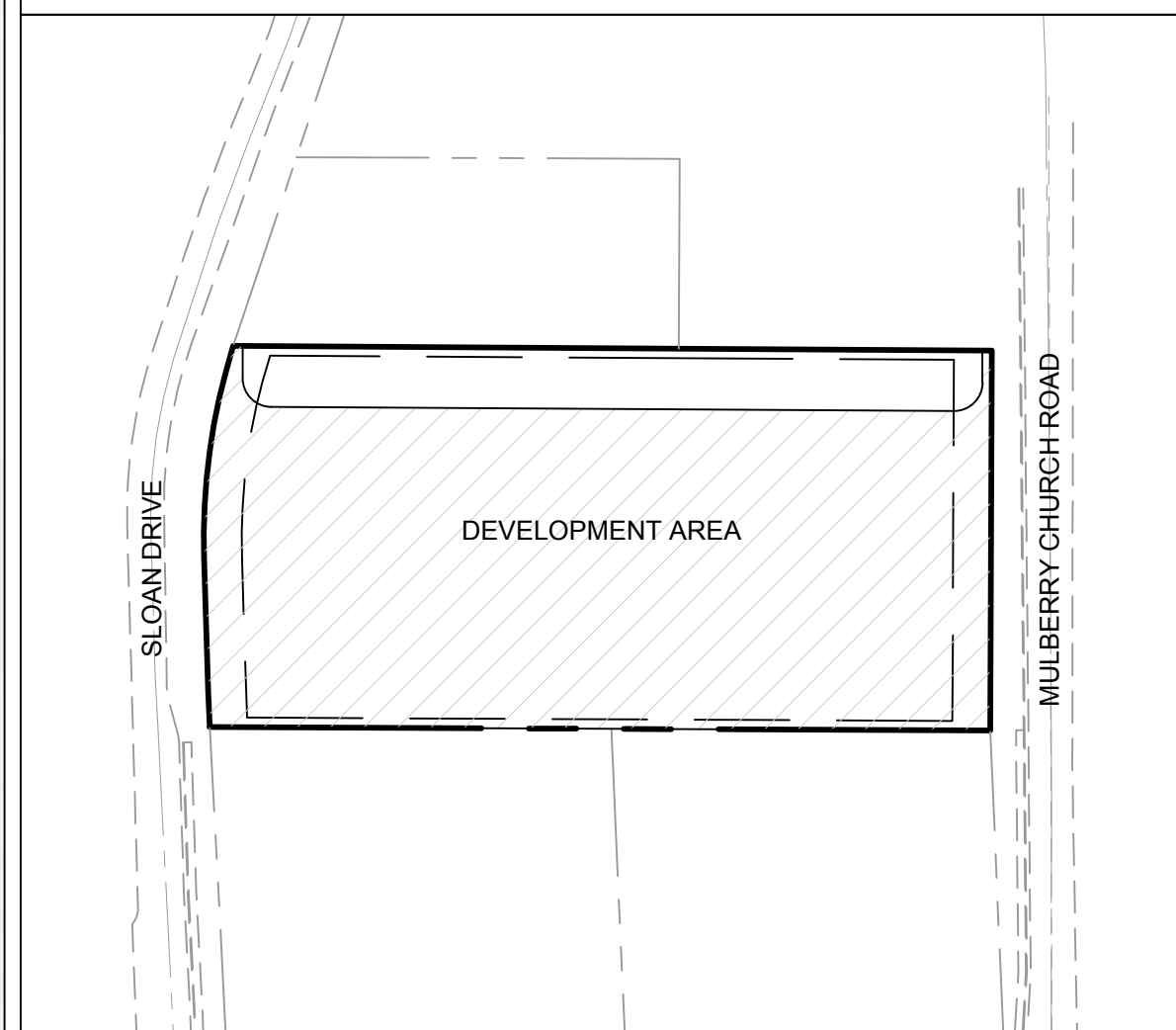
- a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

9. 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.

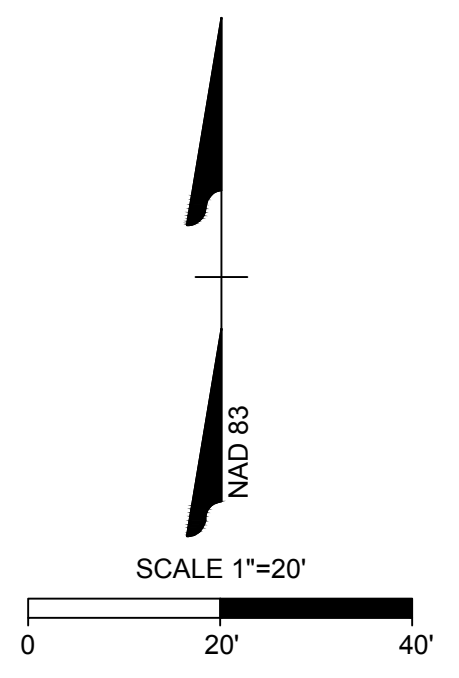


VICINITY MAP 1" = 300'



DEVELOPMENT AREA MAP 1" = 100'

REZONING SUMMARY	
PETITIONER :	AMMIREDDY LLC 457 WILCOX STREET CHARLOTTE, NC 28203
REZONING SITE AREA:	1.89 ACRES
TAX PARCEL #:	06122233
EXISTING ZONING:	O-1 (CD) #1995-87
PROPOSED ZONING:	O-1 (CD) SPA
EXISTING USES:	VACANT
PROPOSED USES:	HOTEL
MAX. BUILDING HEIGHT:	50' (3 STORIES)
MAX. GROSS SQUARE FOOTAGE:	35,000 SF
PARKING:	
REQ. PARKING:	1 SPACE PER ROOM X 72 ROOMS = 72 SPACES
PROVIDED PARKING:	
STANDARD:	72 SPACES
ACCESSIBLE:	3 SPACES
TOTAL:	75 SPACES
TREE SAVE:	
REQUIRED:	0.28 AC (15%)
PROVIDED:	0.28 AC MINIMUM



THIS DRAWING PREPARED AT THE
CHARLOTTE OFFICE
610 E. Washad, Charlotte, NC 28202
TEL: 704.602.8600 FAX: 704.376.1076
www.timmons.com
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YOUR VISION ACHIEVED THROUGH OURS.

REVISION DESCRIPTION	
DATE	
09/03/19	
DRAWN BY	ALR
DESIGNED BY	BVC
CHECKED BY	BVC
SCALE	AS SHOWN

TIMMONS GROUP

SLOAN DRIVE HOTEL
MECKLENBURG COUNTY, NORTH CAROLINA
REZONING PLAN

JOB NO.	43700
SHEET NO.	RZ-100

I. REZONING APPLICATION CITY OF CHARLOTTE

2019-137

Petition #:	
Date Filed:	9/4/2019
Received By:	RK

Complete All Fields (Use additional pages if needed)

Property Owner: AMKO Holdings, LLC

Owner's Address: 8819 University East Drive Suite 105 City, State, Zip: Charlotte, NC 28213

Date Property Acquired: 07/13/2017

Property Address: 7001 West Sugar Creek Road Charlotte, NC 28269

Tax Parcel Number(s): 027-353-46

Current Land Use: Single Family Residential Size (Acres): 9.62 AC

Existing Zoning: R-3 Proposed Zoning: R-6 (CD)

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

Required Rezoning Pre-Application Meeting* with: Josh Weaver, Kent Main, Isaiah Washington, and
Date of meeting: 07/31/2019 Charlotte Lamb

(*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: _____
For the purposes of establishing a single family residential neighborhood.

Urban Design Partners, PLLC

Name of Rezoning Agent

1318 Central Avenue E6

Agent's Address

Charlotte, NC 28205

City, State, Zip

704-334-3303

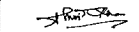
Telephone Number

Fax Number

brian@urbandesignpartners.com

E-Mail Address

DocuSigned by:



Signature of Property Owner

Moidkhan Mohammed

(Name Typed / Printed)

Kinger Homes

Name of Petitioner(s)

215 N Pine Street

Address of Petitioner(s)

Charlotte, NC 28202

City, State, Zip

631-662-9068

Telephone Number

Fax Number

dhanesh@kingerhomes.com

E-Mail Address



Signature of Petitioner

Dhanesh Kumar

(Name Typed / Printed)

Acreage: 9.62 AC
 Tax Parcel: 027-353-46
 Existing Zoning: R-3
 Proposed Zoning: R-6(CD)
 Existing Uses: Single Family Detached
 Proposed Uses: Single Family Detached
 Max Density: Up to (37) Dwelling Units
 (Approximately 3.9 DUA)

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Kinger Homes, LLC ("Petitioner") to accommodate the development of up to thirty-seven (37) single family detached residential units on an approximate 9.62-acre site located along West Sugar Creek Road in the City of Charlotte, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Number: 027-353-46.

Uses allowed within the rezoning area included in this Petition are those uses that are permitted within the R-8 zoning district as related to the establishment of up to four (4) single family detached residential lots. However, those uses shall be limited as described within the following development conditions and as generally indicated within this petition.

1. Vehicular access to public rights of way will be as generally depicted on the Rezoning Plan.
2. The Petitioner shall provide an 8' landscape strip and 6' sidewalk along existing public street rights of way as generally depicted on the Site plan.
3. Public improvements including public 6' sidewalk, located outside of existing rights of way, shall be located within a sidewalk utility easement "SUE" located 2' back of proposed sidewalk as depicted on the Site plan.

1. Residential structures on Site may use a variety of building materials. The building materials available for use will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, metal, synthetic stone, stucco, wood, painted wood and cementitious siding (such as Hardi-plank)

The petitioner shall comply with Chapter 21 of the City of Charlotte Code of Ordinances.

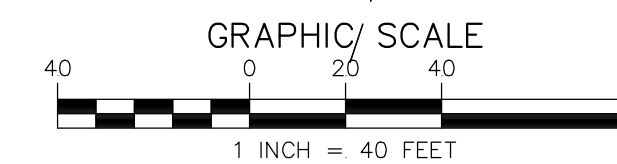
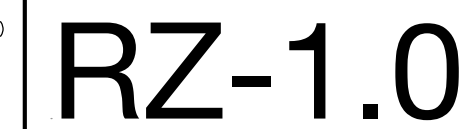
All attached and detached lighting will be full cutoff fixtures and downwardly directed. However, upward directed architectural and landscape accent lighting shall be permitted.

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

1. If this Site Plan Amendment is approved, all conditions applicable to development of the Site imposed under the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

The site plan illustrates a proposed residential development with 37 lots, each with a specific area in square feet (SF). The lots are arranged around a central 'PUBLIC STREET RESIDENTIAL MEDIUM 56' PUBLIC R/W'. To the north of the street is a row of lots 7 through 16, and to the south is a row of lots 30 through 37. To the east of the street is a row of lots 17 through 29. To the west of the street is a row of lots 1 through 6. The plan also includes 'COMMON OPEN SPACE' areas, 'PUBLIC STREET RESIDENTIAL MEDIUM 56' PUBLIC R/W', and 'MILHOF COURT PUBLIC R/W'. Surrounding the site are 'YORKFORD DRIVE PUBLIC R/W', 'FORDYCE COURT PUBLIC R/W', 'HAYDEN DRIVE PUBLIC R/W', and 'WEST SUGAR CREEK (S.R. 2480) PUBLIC R/W'. A 'PROP. STORMWATER BMP' is located to the northeast. The plan also shows 'TIE TO EXIST. SIDEWALK' and 'TIE TO EXIST. CURB & GUTTER' locations. A 'GRAPHIC SCALE' is provided at the bottom right, indicating 1 inch equals 40 feet.

Lot Number	Area (SF)
1	5,525
2	5,525
3	6,484
4	4,884
5	5,128
6	6,548
7	4,855
8	5,389
9	5,400
10	5,400
11	5,400
12	5,400
13	5,400
14	5,400
15	5,400
16	5,400
17	7,271
18	5,625
19	5,227
20	6,827
21	6,548
22	5,230
23	5,555
24	5,830
25	5,803
26	5,759
27	5,532
28	4,981
29	6,557
30	7,025
31	5,602
32	5,602
33	5,602
34	5,602
35	5,603
36	5,602
37	6,664



REZONING PETITION # 2019-XXX