City of Charlotte

Charlotte-Mecklenburg Government Center
600 East 4th Street
Charlotte, NC 28202

Zoning Agenda

Monday, May 16, 2016

Council Chambers

City Council Zoning Meeting

- Mayor Jennifer W. Roberts -
- Mayor Pro-Tem Vi Lyles -
Al Austin - John Autry
Ed Driggs - Julie Eiselt
Claire Fallon - Patsy Kinsey
LaWana Mayfield - James Mitchell
Greg Phipps - Kenny Smith

ACRONYMS

Zoning District Acronyms

- **B-1** – neighborhood business
- **B-2** – general business
- **B-1SCD** – business shopping center (old district)
- **BD** – distributive business
- **BP** – business park
- **CC** – commercial center
- **HW** – hazardous waste
- **I-1** – light industrial
- **I-2** – general industrial
- **INST** – institutional
- **MUDD** – mixed use development
- **MX-1** – mixed use
- **MX-2** – mixed use
- **MX-3** – mixed use
- **NS** – neighborhood services
- **O-1** – office district
- **O-2** – office district
- **O-3** – office district
- **R-3** – single-family residential – up to 3 dwelling units per acre (dua)
- **R-4** – single-family residential –up to 4 dua
- **R-5** – single-family residential –up to 5 dua
- **R-6** – single-family residential –up to 6 dua
- **R-8** – single-family residential – up to 8 dua
- **R-8MF** – multi-family residential – up to 8 dua
- **R-12MF** – multi-family residential– up to 12 dua
- **R-17MF** – multi-family residential– up to 17 dua
- **R-22MF** – multi-family residential– up to 22 dua
- **R-43MF** – multi-family residential– up to 43 dua
- **R-MH** – residential manufactured housing
- **RE-1** – research
- **RE-2** – research
- **RE**-3 – research
- **TOD** – transit oriented development
- **TOD-E** – transit oriented development – employment
- **TOD-M** – transit oriented development–mixed use
- **TOD-R** – transit oriented development – residential
- **U-I** – urban industrial
- **UMUD** – uptown mixed use
- **UR-1** – urban residential
- **UR-2** – urban residential
- **UR-3** – urban residential
- **UR-C** – urban residential – commercial

Zoning Overlay District Acronyms

- **CR/LWW** – Catawba River / Lake Wylie watershed
- **CR/LWWCA** – Catawba River / Lake Wylie watershed – critical area
- **CR/LWWPA** – Catawba River / Lake Wylie watershed – protected area
- **HD-O** – historic district overlay
- **LNW** – Lake Norman watershed overlay
- **LNWCA** –Lake Norman watershed –overlay, critical area
- **LNWPA** –Lake Norman watershed – overlay, protected area
- **LLWW** – Lower Lake Wylie watershed overlay
- **LLWWCA** – Lower Lake Wylie watershed – overlay, critical area
- **LLWWPA** – Lower Lake Wylie watershed– overlay, protected area
- **LWPA** – Lake Wylie protected area
- **MILW** – Mountain Island Lake watershed overlay
- **MILWCA** – Mountain Island Lake watershed – overlay, critical area
- **MILWPA** – Mountain Island Lake watershed – overlay, protected area
- **MH** - manufactured home overlay
- **PED** – pedestrian overlay
- **TS** – transit supportive overlay

Miscellaneous Zoning Acronyms

- **CD** – conditional
- **INNOV** – innovative standards
- **SPA** – site plan amendment
- **O** – optional provisions

Miscellaneous Other Acronyms

- **CAG** – citizen advisory group
- **CDOT** – Charlotte Department of Transportation
- **FEMA** – Federal Emergency Management Agency
- **LED** – light emitting diode
- **NCDOT –** North Carolina Department of Transportation
- **PCCO** – Post Construction Control Ordinance

5:00 P.M. DINNER MEETING, CH-14

1. Dinner Meeting Agenda

1. **Agenda Review - Tammie Keplinger**

2. Follow Up Report

5:30 P.M. ZONING MEETING, COUNCIL CHAMBERS

ZONING DECISIONS

3. Rezoning Petition: 2016-004 by Selwyn Property Group Investments, LLC

Update: Petitioner is Requesting to withdraw this petition.

Location: Approximately 2.23 acres located on the west side of Park Road between Wyndcrofte Place and Hillside Avenue. (Council District 1 - Kinsey)

Current Zoning: R-4 (single family residential)
Proposed Zoning: UR-2 (CD) urban residential, conditional)

4. Rezoning Petition: 2015-037 by Dominick Ristaino

Update: Requesting Deferral (to June 20, 2016)

Location: Approximately 0.46 acres located on the north side of West Boulevard between South Tryon Street and Wickford Place. (Council District 3 - Mayfield)

Current Zoning: R-5 (HD) (single family residential, historic district overlay)
Proposed Zoning: O-1(CD) (HD) (office, conditional, historic district overlay)

Zoning Committee Recommendation
The Zoning Committee voted 6-0 to **DEFER** this petition to the May 25, 2016 Zoning Committee Work Session.

5. Rezoning Petition: 2016-015 by FCD-Development, LLC

Update: Requesting Deferral (to June 20, 2016)

Location: Approximately 1.68 acres located on the northwest corner at the intersection of East 7th Street and North Caswell Road. (Council District 1 - Kinsey)

Current Zoning: NS (neighborhood services)
Proposed Zoning: MUDD (O) (mixed use development, optional) with 5-year vested rights

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to **DEFER** this petition until their May 25th, 2016 meeting.

6. Rezoning Petition: 2016-024 by Greystar GP II, LLC

Update: Requesting Deferral (to June 20, 2016)

Location: Approximately 6.01 acres located on the west side of Randolph Road between Sloane Square Way and Rutledge Avenue. (Council District 6 - Smith)

Current Zoning: R-3 (single-family residential) and R-8MF (CD)
(multi-family residential, conditional)
Proposed Zoning: UR-2(CD) 5-Year Vested Rights (urban residential, conditional)

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to **DEFER** this petition to their May 25, 2016 Zoning Committee Work Session.

7. Rezoning Petition: 2016-049 by Loves Travel Stop & Country Store

Update: Requesting Deferral (to June 20, 2016)

Location: Approximately 10.22 acres located on the southeast corner at the intersection of Sam Wilson Road and West Pointe Drive. (Outside City Limits)

Current Zoning: B-2 (LLWPA) & CC (LLWPA) (general business, Lower Lake Wylie Protected Area) & (commercial center, Lower Lake Wylie Protected Area)
Proposed Zoning: I-2(CD) (LLWPA) (general industrial, conditional Lower Lake Wylie Protected Area)

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to **DEFER** this petition to their May 25, 2016 Zoning Committee Work Session.

8. Rezoning Petition: 2015-093 by 1351 Woodlawn (Melrose), LLC

Update: Protest Petition Sufficient

Location: Approximately 2.9 acres located on the south side of Drexel Place and north side of Woodlawn Road near the intersection of Park Road and Drexel Place and Park Road and Woodlawn Road. (Council District 1 - Kinsey)

Current Zoning: R-4 (single family residential) and UR-3(CD) (urban residential, conditional)
Proposed Zoning: MUDD-O (mixed use development, conditional)

Zoning Committee Recommendation:
The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition as modified.

Staff recommendation:
Staff disagrees with the recommendation of the Zoning Committee as the scale, mass and encroachment into the single-family area is inconsistent with the adopted area plan.

Statement of Consistency:
Due to an incomplete consistency statement provided to and passed by the Zoning Committee, staff recommends that Council adopt an updated version of the consistency statement if voting to approve this petition. The updated version corrects the portion of the statement by the Zoning Committee that addresses consistency with the *Park Woodlawn Area Plan* but does not change their rationale for recommending approval.
Below is the updated consistency statement for approving the petition (in green), as recommended by the Zoning Committee. Also provided is a consistency statement for denying the petition (in red), as recommended by staff.

(Consistency Statements on following page)

9. Rezoning Petition: 2015-111 by North Wendover Partners, LLC

Update: Protest Petition Sufficient

Location: Approximately 2.48 acres located on the southwest corner at the intersection of North Wendover Road and Melchor Avenue. (Council District 1 - Kinsey)

Current Zoning: R-3 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:
Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *South District Plan*, based on information from the staff analysis and the public hearing, and because:
  - The petition is consistent with the residential use recommended by the *South District Plan*. In addition, the site meets the criteria set forth in the *General Development Policies* for consideration of an increase in density up to 17 dwelling units per acre.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The property is located on a segment of Wendover with multi-family, office, and government uses. Immediately east of the site is an existing multi-family development that also has access from Wendover Road; and
  - The site is separated from existing single family residential units by a stream and a fairly significant grade change; and
  - The proposed driveway location aligns with a potential future extension of Cascade Circle from Billingsley Road to Wendover Road; and
  - Access to the site is limited to the single driveway reducing the number of potential driveways along this heavily traveled portion of Wendover Road.

10. Rezoning Petition: 2016-025 by BNA Homes, LLC

Location: Approximately 9.52 acres located on the east side of Wright's Ferry Road near the intersection of South Tryon Street and Wright's Ferry Road. (Council District 3 - Mayfield)

Current Zoning: R-3 (single family residential)
Proposed Zoning: R-12MF (CD) (multi-family residential, conditional) & BD (CD) (distributive business, conditional)

Zoning Committee Recommendation:
The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:
Staff disagrees with the recommendation of the Zoning Committee because the request is inconsistent with the adopted plan and the proposed climate controlled storage use is out of character with the immediately surrounding residential development.

Statement of Consistency:

- The Zoning Committee found this petition to be inconsistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:
    - The plan recommends residential up to four dwelling units per acre for this site, as well as the properties to the north and south of this site.
- However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
    - The proposed development serves as a transition between the higher density residential development and lower density single family residential neighborhoods;
    - The BD (CD) portion of the property is a small portion of the site and will be used for circulation, buffers and storm water.

11. Rezoning Petition: 2016-028 by Stor-All Properties, Inc.

Location: Approximately 4.09 acres located on the north side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive. (Council District 3 - Mayfield)

Current Zoning: R-3 (single family residential)
Proposed Zoning: BD (CD) (distributive business, conditional) 5-year Vested Rights

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:
Staff disagrees with the recommendation of the Zoning Committee for the following reasons:

- The proposed climate controlled storage facility is inconsistent with the recommended residential land use for the site.
- The proposed use will be located on a site at an entrance to a future residential neighborhood, and also surrounded by residential development.
- The climate controlled storage is out of character with the surrounding residential development which primarily consists of single family detached homes, apartments, and an assisted living facility.
- The proposal does not meet a number of Area Plan design policies that address building transparency, pedestrian access and connections, building massing and residential design character.

Statement of Consistency:

- The Zoning Committee found this petition to be inconsistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:

  - The Plan recommends residential up to four dwelling units per acre.

- However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

  - The proposed climate controlled storage facility is designed to support residential uses in the general area.
  - The climate controlled storage facility is accessible indoors.
  - The site is located on a major road with commercial activities.
  - The petitioner has committed to architectural treatments that further enhance the structure.

12. Rezoning Petition: 2016-029 by White Point Paces Properties, LLC

Update: The recommendation on 2016-029 will be distributed through the Council Manager Memo on Friday, May 13, 2016.

Location: Approximately 11.85 acres located on the east and west side of North Brevard Street and generally surrounded by Parkwood Avenue, Belmont Avenue, East 16th Street, and North Brevard Street. (Council District 1 - Kinsey)

Current Zoning: R-8 (single-family residential), R-22MF (multi-family residential), and I-2 (general industrial)
Proposed Zoning: TOD-M (O) (transit oriented development-mixed use, optional) 5-Year Vested Rights

13. Rezoning Petition: 2016-039 by MPV Properties, LLC

Location: Approximately 3.48 acres located on the east side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive. (Council District 3 - Mayfield)

Current Zoning: R-3 (single-family residential)
Proposed Zoning: O-1(CD) (office, conditional) 5-Year Vested Rights

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:
Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be inconsistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends residential at up to four dwelling units per acre.
- However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The subject property is located on South Tryon Street, between a religious institution and Carolinas Medical Center.; and
  - While the proposed office and child care facility is not consistent with the residential land use recommended by the plan, smaller office and institutional uses are compatible with the abutting hospital and religious institution; and
  - In addition, the subject parcel is cut off from larger tracts of land proposed for single family residential development by land owned by the church, thus limiting the potential for single family residential development on this site.

14. Rezoning Petition: 2016-040 by Providence Road Farms, LLC

Location: Approximately 47.55 acres located on the east side of Providence Road between Providence Country Club Drive and Allison Woods Drive and across from Ardrey Kell Road. (Council District 7 - Driggs)

Current Zoning: MUDD-O (mixed use development, optional)
Proposed Zoning: MUDD-O SPA (mixed use development, optional site plan amendment)

Zoning Committee Recommendation:
The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:
Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *Providence Road/I-485 Area Plan* as amended by previous rezoning, based on information from the staff analysis and the public hearing, and because:
  - The site is recommended for residential, office, and retail uses.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The site is located in the Providence Road/I-485 Mixed Use Activity Center, which is a priority area to accommodate future growth; and
  - The proposed site plan amendment provides for additional flexibility for the location of drive-through uses on the site, as well as a minor change to the signs allowed on Providence Road as proposed in the original approved plan; and
  - The rezoning for the Waverly development was initially approved in 2014 to allow a mixed use development permitting up to 560,000 square feet of office and commercial land uses, 150-room hotel and 561 dwelling units; and
  - The requested changes will not impact the overall goals and design for the development.

15. Rezoning Petition: 2016-044 by W. Holt Parham

Location: Approximately 0.9 acres located on the northeast corner at the intersection of South Tyron Street and West Kingston Avenue. (Council District 3 - Mayfield)

Current Zoning: B-1 (neighborhood business)
Proposed Zoning: TOD-MO (transit oriented development-mixed use, optional)

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:
Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *South End Transit Station Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends mixed-use transit supportive development for the area in which the site is located.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The subject site is within a 1/4 mile walk of the East/West Boulevard Transit Station on the LYNX Blue Line; and
  - The proposed development will provide a mix of transit supportive non-residential uses, including hotel and commercial uses, which are appropriate for a transit station area; and
  - The petition provides a corner open space that encourages pedestrian activity and complements the pedestrian environment; and
  - The proposed site plan includes active ground floor uses along South Tryon Street and Kingston Street. These uses will support a walkable environment; and
  - The 75-foot building height optional request is only 15 feet greater in height than what is allowed by the ordinance standards. The additional height will not have a negative impact on the Wilmore neighborhood, which is separated from this site by commercial development.

16. Rezoning Petition: 2016-045 by Pamlico Investments, Inc.

Update: The recommendation on 2016-045 will be distributed through the Council Manager Memo on Friday, May 13, 2016.

Location: Approximately 1.37 acres located on the southwest corner at the intersection of East 10th Street and Seigle Avenue. (Council District 1 - Kinsey)

Current Zoning: B-1 & R-22MF (neighborhood business) & (multi-family, residential)
Proposed Zoning: MUDD-O (mixed use development, optional)

17. Rezoning Petition: 2016-055 by Real Estate Investment Fund

Location: Approximately 2.52 acres located on the west side of Prosperity Church Road between Johnston Oehler Road and Interstate 485. (Council District 4 - Phipps)

Current Zoning: R-3 (single-family residential)
Proposed Zoning: MUDD-O (mixed used development, optional)

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:
Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *Prosperity Hucks Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends a mix of uses at this site.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The subject site is located along Robert Helms Road and Docia Crossing Road, fronting on I-485; and
  - The site is located within the growing Prosperity Church Road Activity Center, and the proposal supports the adopted Plan's policies regarding development that should be compact, pedestrian oriented and well-connected internally, and to surrounding development; and
  - This site's location within a Mixed Use Activity Center, will provide a mixture of uses that yield shorter vehicle trip lengths that are less impactful than accommodating the same uses spread over greater distances; and
  - The proposed rezoning of the site to MUDD-O (mixed use development, optional) to allow for a climate controlled storage facility and ground floor accessory retail uses is in a format that is consistent with the design policies detailed in the *Prosperity Hucks Area Plan*.

18. Rezoning Petition: 2016-058 by Collin Brown

Location: Approximately 0.81 acres located on the west side of South Church Street between Interstate 277 and West Stonewall Street. (Council District 2 - Austin)

Current Zoning: UMUD-O (uptown mixed use, optional)
Proposed Zoning: UMUD (uptown mixed use)

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:
Staff agrees with the recommendation of this Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *Charlotte Center City 2020 Vision Plan*, based on information from the staff analysis and the public hearing, and because:
  - While this plan does not make a specific land use recommendation for the site, it encourages future development that will contribute to the overall viability and livability of Center City.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - This conventional rezoning request allows a site currently used for a distribution warehouse, associated parking and maneuvering, to be developed with any use allowed in UMUD (uptown mixed use) zoning.
  - Use of conventional UMUD (uptown mixed use) zoning applies standards and regulations to create the desired form and intensity of development in Uptown and a conditional rezoning is not necessary.
  - UMUD (uptown mixed use) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.
  - The UMUD standards and allowed uses will promote development that supports the *Charlotte Center City 2020 Vision Plan's* goal of creating a viable and livable Center City.

19. Rezoning Petition: 2016-060 by Triple C Brewing Company, LLC

Location: Approximately 1.5 acres located on the west side of Griffith Street between Poindexter Drive and Youngblood Street. (Council District 3 - Mayfield)

Current Zoning: I-2 (general industrial)
Proposed Zoning: TOD-M (transit oriented development - mixed use)

Zoning Committee Recommendation:
The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:
Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *New Bern Transit Station Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends mixed-use transit supportive development for this site.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The subject site is within a 1/2 mile walk of the New Bern Transit Station on the LYNX Blue Line; and
  - The proposal allows a site previously used for industrial/office to convert to transit supportive land uses; and
  - Use of conventional TOD-M (transit oriented development - mixed-use) zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary; and
  - TOD (transit oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

ZONING HEARINGS

20. Rezoning Petition: 2016-016 by Clarke Allen

Update: Community Meeting Report was not submitted. Defer (to June 20, 2016)

Location: Approximately 4.3 acres located on the northwest corner at the intersection of North Davidson and East 26th Street. (Council District 1 - Kinsey)

Current Zoning: I-2 (general industrial)
Proposed Zoning: TOD-M (O) (transit oriented development, residential, optional) & TOD-M (transit oriented development, residential)

21. Rezoning Petition: 2016-037 by Dr. Michael Berglass, DDS

Location: Approximately 0.44 acres located on the south side of Central Avenue between Crystal Road and Cyrus Drive. (Council District 1 - Kinsey)

Current Zoning: UR-C (CD) (urban residential-commercial, conditional)
Proposed Zoning: UR-C (CD) SPA (urban residential-commercial, conditional, site plan amendment)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of requested technical revision.

22. Rezoning Petition: 2016-041 by Horizons at Steele Creek, LLC

Location: Approximately 3.2 acres located at the end of Calawood Way near the intersection of Steele Creek Road and Calawood Way. (Council District 3 - Mayfield)

Current Zoning: R-3 (LLWPA) (single family residential, Lower Lake Wylie Protected Area)
Proposed Zoning: R-17MF (CD) (LLWPA) (Multi0Family residential, conditional, Lower Lake Wylie Protected Area)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to technical and site issues.

23. Rezoning Petition: 2016-046 by 1101 Central Group LLC

Location: Approximately 1.24 acres located on the north side of Central Avenue between Heath Court and Hawthorne Lane. (Council District 1 - Kinsey)

Current Zoning: B-2 (PED)
Proposed Zoning: MUDD-O (PED)

Staff Recommendation:
Staff recommends approval upon resolution of a minor site design issue and requested technical revisions.

24. Rezoning Petition: 2016-050 by Marnicaly at UNCC, LLC

Location: Approximately 2.59 acres located on the west side of Old Concord Road between Suther Road and John Kirk Drive. (Council District 4 - Phipps)

Current Zoning: INST (institutional)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to the curb line location on Old Concord Road and the site's vehicular circulation.

25. Rezoning Petition: 2016-057 by FedEx Ground Package System, Inc

Location: Approximately 16.5 acres located on the west side of Toddville Road between Freedom Drive and CSX Way. (Council District 3 - Mayfield)

Current Zoning: R-17MF (LLWPA) (multi-family residential, Lower Lake Wylie protected area)
Proposed Zoning: I-2(CD) (LLWPA) (general industrial, conditional, Lower Lake Wylie Protected Area, 5-Year Vested Rights.

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to land use, transportation, environment and requested technical revisions.

26. Rezoning Petition: 2016-059 by Renaissance West Community Initiative

Location: Approximately 1.25 acres located on the north side of West Boulevard between Billy Graham Parkway and Leake Street. (Council District 3 - Mayfield)

Current Zoning: MUDD-O
Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to vehicular stacking for the proposed use, streetscape and bus waiting pad.

27. Rezoning Petition: 2016-062 by Benson Ejindu

Location: Approximately 1.23 acres located on the north side of The Plaza near the intersection of East W.T. Harris Boulevard and The Plaza. (Council District 4 - Phipps)

Current Zoning: R-3 (single-family residential)
Proposed Zoning: O-1 (CD) (office district, conditional)

Staff Recommendation:
Staff recommends approval of this petition.

28. Rezoning Petition: 2016-063 by Imprint Properties, LLC

Location: Approximately 1.18 acres located on the north side of North Davidson Street between Donatello Avenue and Anderson Street. (Council District 1 - Kinsey)

Current Zoning: I-2 (general industrial)
Proposed Zoning: MUDD-O (mixed used development, optional)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues pertaining to the sidewalk design, placement of windows and doors, and requested technical revisions.

29. Rezoning Petition: 2016-066 by JWM Family Enterprises, Inc.

Location: Approximately 5.32 acres located on the southwest corner at the intersection of Roxborough Road and Rexford Road. (Council District 6 - Smith)

Current Zoning: O-1 (office district) & O-15 (CD) (office district, conditional)
Proposed Zoning: MUDD-O (mixed use development, optional)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to landscaping along the streets, sidewalks, and transportation improvements.

30. Rezoning Petition: 2016-068 by YMCA of Greater Charlotte, Inc.

Location: Approximately 1.03 acres located on the east side of South Caldwell Street between Templeton Avenue and Lexington Avenue. (Council District 1 - Kinsey)

Current Zoning: O-2 (office district)
Proposed Zoning: TOD-MO (transit oriented development, mixed use, optional)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to site design.

31. Rezoning Petition: 2016-069 by White Point Paces Properties, LLC

Location: Approximately 0.83 acres located on the southeast corner at the intersection of Belmont Avenue and North Caldwell Street. (Council District 1 - Kinsey)

Current Zoning: I-2 (general industrial)
Proposed Zoning: TOD-M (transit oriented development, mixed use)

Staff Recommendation:
Staff recommends approval of this petition.

32. Rezoning Petition: 2016-070 by Woodfield Acquisitions, LLC

Location: Approximately 21.68 acres located north of Madison Square Place and near the intersection of Madison Square Place and Northlake Centre Parkway. (Council District 2 - Austin)

Current Zoning: R-3 (single family residential) & CC (commercial center)
Proposed Zoning: UR-3(CD) (urban residential, conditional)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of an outstanding issue related to building height.

33. Rezoning Petition: 2016-071 by Aston Properties, Inc.

Location: Approximately 3.28 acres located on the north side of West Tyvola Road between City Park Drive and Speer Boulevard from MUDD-O to MUDD-O SPA 5-Year Vested Rights. (Council District 3 - Mayfield)

Current Zoning: MUDD-O (mixed use development, optional)
Proposed Zoning: MUDD-O SPA 5-Year Vested Rights (mixed use development, optional, site plan amendment, 5-Year Vested Rights)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to vehicular access, screening and requested technical revisions.

34. Rezoning Petition: 2016-072 by DV XV, LLC

Location: Approximately 0.43 acres located on the north side of South Colonial Avenue between Queens Road and Providence Road. (Council District 1 - Kinsey)

Current Zoning: O-1 (office)
Proposed Zoning: O-2 (office)

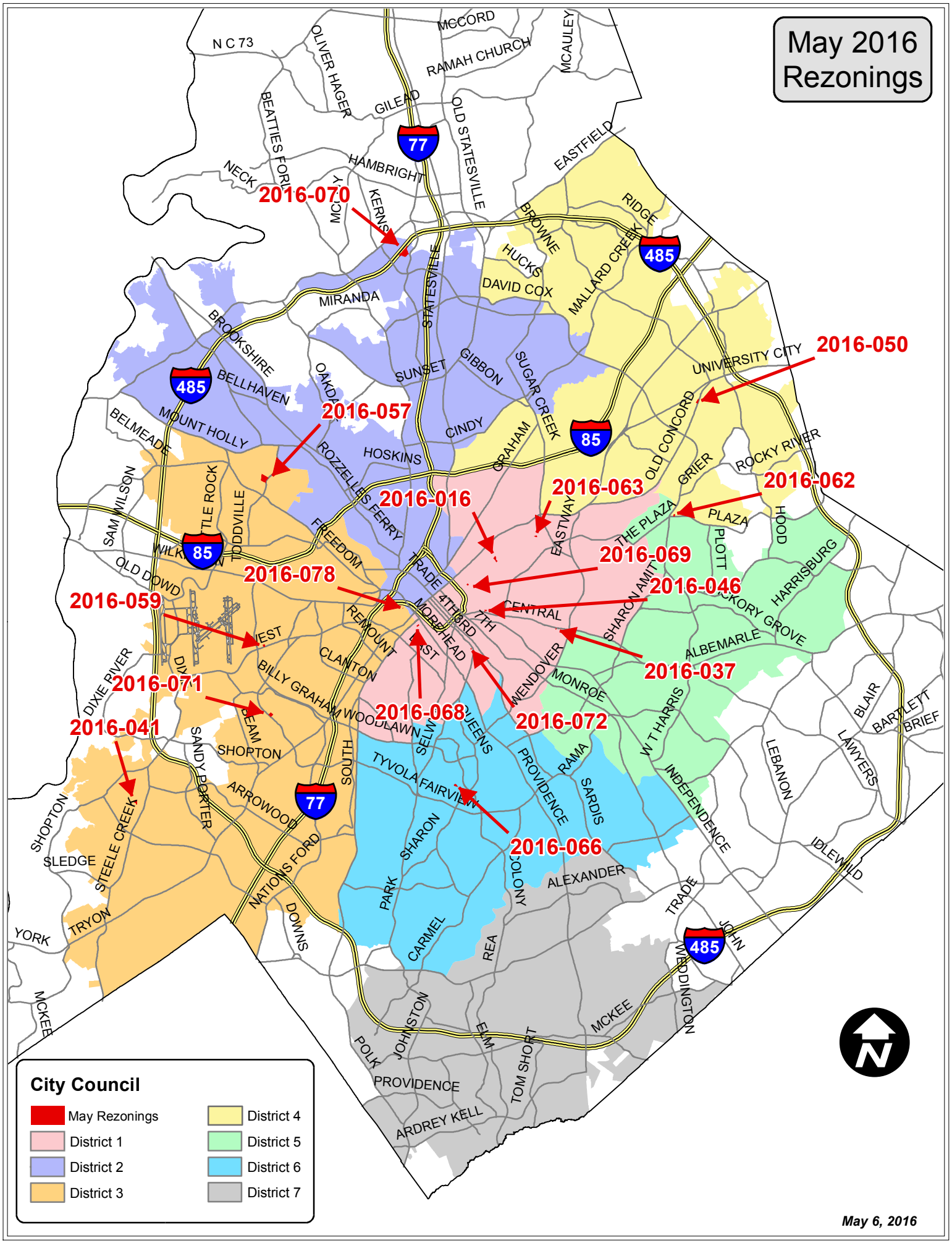
Staff Recommendation:
Staff recommends approval of this petition.

35. Rezoning Petition: 2016-078 by South End Gold, LLC

Location: Approximately 0.14 acres located on the north side of West Palmer Street between South Graham Street and South Mint Street. (Council District 1 - Kinsey)

Current Zoning: I-2 (general industrial)
Proposed Zoning: TOD-M (transit oriented development, mixed use)

Staff Recommendation:
Staff recommends approval of this petition.


May 2016
Rezonings
2016-070
2016-050
2016-057
2016-016
2016-063
2016-062
2016-069
2016-046
2016-078
2016-059
2016-037
2016-071
2016-068
2016-072
2016-041
2016-066
N C 73
MCCORD
RAMAH CHURCH
MCAULEY
OLIVER HAGER
GILEAD
BEATTIES FORD
OLD STATESVILLE
EASTFIELD
HAMBRIGHT
NECK
MCKY
KERNS
BROWNE
RIDGE
HUCKS
MALLARD CREEK
DAVID COX
MIRANDA
STATESVILLE
BROOKSHIRE
BELLHAVEN
OAKDALE
SUNSET
GIBBON
SUGAR CREEK
UNIVERSITY CITY
OLD CONCORD
BELMEADE
MOUNT HOLLY
CINDY
GRAHAM
GRIER
ROCKY RIVER
HOSKINS
ROZZELLES FERRY
SAM WILSON
LITTLE ROCK
TODDVILLE
FREEDOM
EASTWAY
THE PLAZA
PLAZA
HOOD
PLOTT
WILKINSON
OLD DOWD
TRADE
SHARON AMIN
HICKORY GROVE
HARRISBURG
4TH
3RD
7TH
CENTRAL
MOREHEAD
REMOUNT
WEST
ALBEMARLE
DIXIE RIVER
CLANTON
BILLY GRAHAM
WENDOVER
MONROE
W T HARRIS
BLAIR
BARTLETT
BRIEF
WOODLAWN
SELWYN
QUEENS
PEAM
SHORTON
SANDY PORTER
SOUTH
PROVIDENCE
RAMA
LEBANON
LAWYERS
TYVOLA
FAIRVIEW
SARDIS
INDEPENDENCE
ARROWOOD
STEELE CREEK
SHARON
NATIONS FORD
COLONY
ALEXANDER
IDLEWILD
SLEDGE
PARK
TRADE
YORK
TRYON
DOWNS
CARMEL
REA
JOHN
WEDDINGTON
MCKEE
JOHNSTON
ELM
POLK
TOM SHORT
PROVIDENCE
ARDREY KELL
77
485
85
City Council
May Rezonings
District 1
District 2
District 3
District 4
District 5
District 6
District 7
May 6, 2016

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 1.**File #:** 15-3172 **Type:** Dinner Briefing

Dinner Meeting Agenda

1. **Agenda Review - Tammie Keplinger**

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DINNER MEETING
AGENDA Monday,
May 16, 2016

1. **Agenda Review – Tammie Keplinger**

DEFERRAL / WITHDRAWAL REQUESTS

Item #	Petition #	Petitioner / Description	Update
3	2016-004	**Selwyn Property Group Investments, LLC** – West side of Park Road between Wyndcrofte Place and Hillside Avenue.	**Decision –** • Petitioner has requested a withdrawal of this petition.
4	2015-037	**Dominick Ristaino –** West Boulevard between South Tryon Street and Wickford Place.	**Decision –** • Defer to June 20, 2016 as requested by the petitioner.
5	2016-015	**FCD-Development, LLC –** Northwest corner at the intersection of East 7th Street and North Caswell Road.	**Decision –** • Defer to June 20, 2016 as requested by the petitioner.
6	2016-024	**Greystar GP II, LLC –** West side of Randolph Road between Sloane Square Way and Rutledge Avenue.	**Decision –** • Defer to June 20, 2016 as requested by the petitioner.
7	2016-049	**Loves Travel Stop & Country Store –** Southeast corner at the intersection of Sam Wilson Road and West Pointe Drive.	**Decision –** • Defer to June 20, 2016 as requested by the petitioner.
20	2016-016	**FCD – Development, LLC –** Northwest corner at the intersection of North Davidson and East 26th Street.	**Hearing –** • Defer to June 20, 2016 as the Community Meeting Report was not submitted.

MISCELLANEOUS REQUESTS AND INFORMATION

Item #	Petition #	Petitioner / Description	Update
8	2015-093	**1351 Woodlawn (Melrose) –** South side of Drexel Place and north side of Woodlawn Road near the intersection of Park Road and Drexel Place.	**Decision –** • Protest Petition - Sufficient
9	2015-111	**North Wendover Partners, LLC -** North Wendover Road and Melchor Avenue.	**Decision –** • Protest Petition - Sufficient
11	2016-028	**Stor-All Properties, Inc. –** North side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive.	**Decision –** • Council will have to vote whether or not to send back to Zoning Committee due to the changes indicated in Note 11 below.

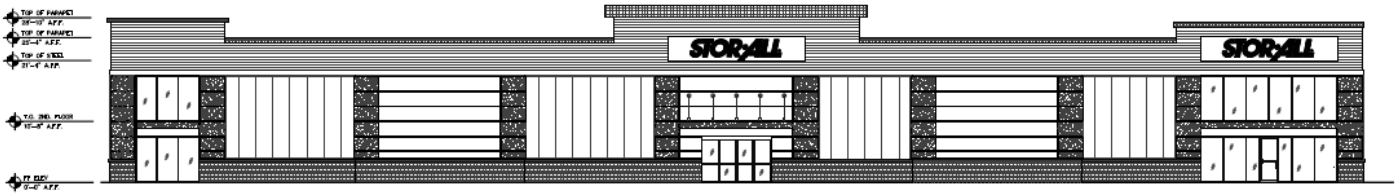
11. Petition No. 2016-028 (Council District 3 – Mayfield) by Stor-All Properties, Inc. for a change in zoning for approximately 3.65 acres located on the north side of South Tryon Street between Wrights Ferry Road and Grandiflora Drive from R-3 (single family, residential) to BD(CD) (distributive business, conditional with five-year vested rights.

The petitioner made the following changes to the petition after the Zoning Committee vote. Therefore, the City Council must determine if the changes are substantial and if the petition should be referred back to the Zoning Committee for review.

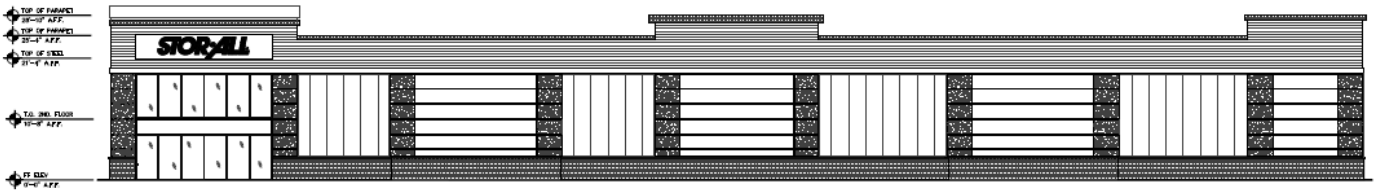
The petitioner provided new building elevations and perspectives with the following changes:

- Included the awnings over the entrances that were not clearly visible in the earlier drawings.
- Accentuated the offset in the building façade as was discussed at the Zoning Committee meeting to break up the mass of the walls.
- Eliminated the 'mansard' type roof element in favor of a more formal cornice line that is used in other buildings in the commercial areas nearby.

Staff Recommendation: The noted changes are improvements to the architecture and are not significant enough to require additional review by the Zoning Committee.

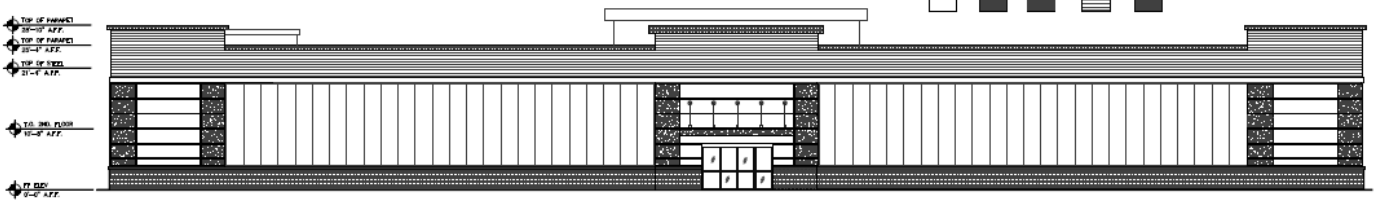


SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

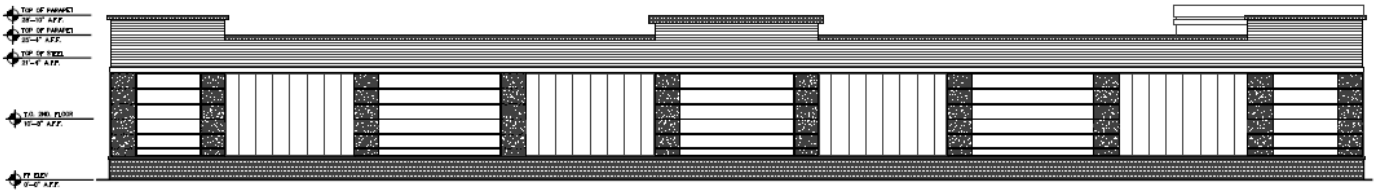


EAST ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL LEGEND



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 2.**File #:** 15-3173 **Type:** Dinner Briefing

Follow Up Report

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CHARLOTTE.

City Council Follow-Up Report
From the April 18, 2016
Zoning Meeting

2016-024 Greystar GP II, LLC – located on the west side of Randolph Road between Sloane Square Way and Rutledge Avenue.

<u>What is the highest density of the closest residential project nearby?</u>

Staff Response: The density of nearby residential developments is as follows:

- Sloan Square townhomes abutting north of the site is developed at approximately 7.25 DUA and entitled for 7.25 DUA.

- Randolph Park Apartment north and west of Sloan Square is developed at approximately 13.5 DUA and entitled for 17 DUA.

- Rosewood Condos northwest of the site at the intersection of Providence Road and S Sharon Amity is developed at approximately 13 DUA and entitled for 17 DUA.

<u>Provide a comparison of the traffic coming in and out of town on Providence between Sharon and Fairview Road and on Randolph between Sharon and Fairview, and describe how they differ or are the same.</u>

Staff Response: Mike Davis, Charlotte Department of Transportation provided the following response: Providence Road and Randolph Road are both classified as Major Thoroughfares on the CRTPO Thoroughfare Plan. Traffic volumes are significantly higher on this segment of Providence Road (34,000 vehicles per day) compared to Randolph Road (24,000 vehicles per day). The land use patterns are similar; however the access is more restrictive on Providence Road with the use of medians to control left-turns. Operating speeds are very similar during uncongested times of day. Both Randolph Road and Providence Road serve a large role for commuters commuting to and from Center City on weekdays. Since Randolph Road terminates at Sardis Road, it will likely always carry lower volumes than Providence Road.

<u>Clarify what acreage is being rezoned.</u>

Staff Response: The correct acreage is 6.01 acres as listed on the rezoning application and site plan.

Provide detailed elevations of the buildings.

Staff Response: The petitioner's PowerPoint presentation from the City Council Public Hearing included conceptual renderings of the proposed buildings. However, the elevations have not been submitted as part of the rezoning.

Provide several scenarios of the projected traffic impacts for the residential development at a density of 22 and 23 dwelling units per acre.

Staff Response: Below is a table with six different scenarios of projected traffic impacts for differing densities, and development for seniors and non-seniors.

Zoning	Units	Daily	AM Peak	PM Peak
Senior Attached	180	620	36	45
Senior Attached	158	544	32	40
R-17 Multi-Family	102	720	60	70
R-22 Multi-Family	132	930	70	90
R-23 Multi-Family	138	970	80	90
R-29 Multi-Family	174	1220	90	110

2016-049 Loves Travel Stop & Country Store – located on the southeast corner at the intersection of Sam Wilson Road and West Pointe Drive.

Ms. Rae Corless, 3216 Sam Wilson Road, spoke at the public hearing and stated she did not receive a letter about the rezoning until the morning of the hearing. She asked how this happened.

Staff Response: Ms. Corless lives outside of the 300-foot notification buffer and is not registered on the Neighborhood Organization List. Therefore, she did not receive City notification of the rezoning and public hearing, and staff believes the notification she received was from another party. The rezoning signs are posted on the property and the legal ad was placed in the newspaper.

Provide an accident report for the intersection of Sam Wilson Road and Performance Road over the past five years.

Staff Response: This intersection has experienced five reported crashes within a five-year period and zero within the past 18 months. There is no discernible pattern and all of the crashes were low in severity.

Does the City have any ordinances regarding parking of trucks?

Staff Response: The Zoning Ordinance includes restrictions related to parking of commercial vehicles in residential districts. However, the Ordinance does not regulate parking of individual commercial vehicles on commercial property for short periods of time, such as overnight.

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 3.**File #:** 15-2980 **Type:** Zoning Decision

Rezoning Petition: 2016-004 by Selwyn Property Group Investments, LLC

Update: Petitioner is Requesting to withdraw this petition.

Location: Approximately 2.23 acres located on the west side of Park Road between Wyndcrofte Place and Hillside Avenue. (Council District 1 - Kinsey)

Current Zoning: R-4 (single family residential)
Proposed Zoning: UR-2 (CD) urban residential, conditional)

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Petition Number

2016-004

For Selwyn Property Group Investments, LLC located on the west side of Park Road between Wyndcrofte Place and Hillside Avenue.

The petitioner has requested a withdrawal of this petition.

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 4.**File #:** 15-3175 **Type:** Zoning Decision

Rezoning Petition: 2015-037 by Dominick Ristaino

Update: Requesting Deferral (to June 20, 2016)

Location: Approximately 0.46 acres located on the north side of West Boulevard between South Tryon Street and Wickford Place. (Council District 3 - Mayfield)

Current Zoning: R-5 (HD) (single family residential, historic district overlay)
Proposed Zoning: O-1(CD) (HD) (office, conditional, historic district overlay)

Zoning Committee Recommendation
The Zoning Committee voted 6-0 to **DEFER** this petition to the May 25, 2016 Zoning Committee Work Session.

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map

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CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2015-037
Zoning Committee Recommendation

April 27, 2016

REQUEST	Current Zoning: R-5 (HD) (single family residential, historic district overlay) Proposed Zoning: O-1(CD) (HD) (office, conditional, historic district overlay)
LOCATION	Approximately 0.46 acres located on the north side of West Boulevard between South Tryon Street and Wickford Place. (Council District 3 – Mayfield)
SUMMARY OF PETITION	The petition proposes to reuse an existing structure built in 1929 on one lot and to construct a new building on the second lot to accommodate office uses, with the exception of retail uses. The site is located in the Wilmore Historic District Overlay.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Dominick Ristaino Dominick Ristaino Craig W. Isaac
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1

ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to **DEFER** this petition to the May 25, 2016 Zoning Committee Work Session.

VOTE	Motion/Second:	Sullivan / Majeed
	Yeas:	Eschert, Labovitz , Lathrop, Majeed, Sullivan, and Wiggins
	Nays:	None
	Absent:	Dodson
	Recused:	None

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**
  - At its meeting on March 16, 2015, the City Council held a public hearing on a conventional request to rezone the subject site from R-5 (HD) (single family residential, historic district overlay) to B-1 (HD) (neighborhood business, historic district overlay). At that meeting some Council members expressed concerns about the absence of a site plan and permitting all uses in the B-1 (neighborhood business) district.
  - At the March 25, 2015 Zoning Committee Work Session, the Committee discussed this request, with some members expressing concerns about its conventional status and echoed the City Council's concerns regarding the absence of a site plan. The Zoning Committee unanimously voted 5-0 to defer this petition so that staff could ask the petitioner if there was a willingness to convert the request to a conditional rezoning petition with a site plan.
  - At the April 29, 2015 Zoning Committee Work Session, staff informed the Committee that the petitioner had submitted an amended application and site plan converting the request from a conventional to a conditional rezoning petition. The Zoning Committee unanimously voted 6-0 to send the petition back to City Council for a new public hearing. At its May 18, 2015 meeting, the City Council voted to set a new public hearing date for July 20, 2015. A new public hearing was held on July 20, 2015 and the petitioner requested a deferral at the Zoning Committee on July 29 and September 30.
  - The Zoning Board of Adjustment (ZBA), at its meeting on May 26, 2015, granted a variance from the ten-foot "Class C" buffer and ten-foot required side yard to allow the existing principal structure and accessory structure on the subject site to remain as shown on the site plan subject to the following conditions: 1) the variance is subject to the installation of the fence and planting requirements indicated on the proposed site plan presented to the Board; and, 2) the

variance is contingent on Historic District Commission's approved application. The variance was granted for both parcels (316 and 320 West Boulevard).

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Convert existing residential structure to accommodate non-residential use with new parking area in the rear. Existing garage to remain.
  - New structure on second lot with parking in the rear.
  - Allow all uses in the O-1 (office) district, and prohibit retail uses.
  - Parking areas behind buildings will connect and have a shared access onto West Boulevard via an existing concrete driveway.
  - New six-foot high privacy fence along a portion of the west property line.
  - Existing seven-foot planting strip and five-foot sidewalk along West Boulevard to remain to match existing conditions along West Boulevard.
  - Proposes tree mitigation in lieu of 15% tree save area via additional plantings on site or within setback areas.
  - Detached lighting limited to 20 feet in height.

- **Public Plans and Policies**
  - The *Central District Plan* (1993) recommends retail uses on this site.
  - The petition is inconsistent with the *Central District Plan*, which recommends retail uses. However, the proposed office use is less intense than the retail use recommended by the plan and is therefore appropriate.

TRANSPORTATION CONSIDERATIONS

- **Vehicle Trip Generation:**
  Current Zoning: 20 trips per day.
  Proposed Zoning: 230 trips per day.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. Remove "Setback, Side Yards and Rear Yards" and associated note, and under heading Development Data, note that setback and yards will be provided per ordinance. Reference variance (case number 2015-026) granted by Zoning Board of Adjustment.
2. Ensure the "Class C" buffer and fence treatment along the west property line shows conditions approved by the Zoning Board of Adjustment. New parking area must provide minimum five-foot side yard.
3. Building setback should be 20 feet, not 37 feet.
4. Show and label required ten-foot wide "Class C" buffer along the north property line.
5. Remove Parking Space Table and Parking heading and associated notes from the site plan. Add a note under Development Data Table stating that parking will be provided per ordinance.
6. Provide detail of proposed privacy fence.
7. Add a note under Permitted Uses heading to state that this is a unified development and the lots will be combined prior to building permit.

REQUESTED TECHNICAL REVISIONS

Other Minor Issues

1. Label site plan "rezoning petition 2015-037."
2. Remove floorplan and existing conditions exhibit from the site plan.
3. Rename heading Zoning/Development Data to Development Data Table.
4. Under Development Data, remove the word "primarily" from proposed use information.
5. Under Development Data Table, note property addresses.
6. Remove General Notes and remove heading statements with respect to the Graphics and associated language, and under heading General Provisions reference Section 6.207 of the ordinance.
7. Remove Perimeter Buffer Requirements and Interior Landscaping headings and language from site plan.
8. Remove "No wall pak lighting shall be used" from the Lighting development note.
9. Remove variance box on site plan pertaining to sidewalk, planting strip, and garage.
10. Remove reference to variance under Streetscape heading.
11. Remove "Statements with respect to the graphics which are set forth on exhibits accompanying the rezoning plan" as this is covered by changes along in Section 6.207.
12. Amend Note 11.1 to reference Section 6.207.

Attachments Online at www.rezoning.org

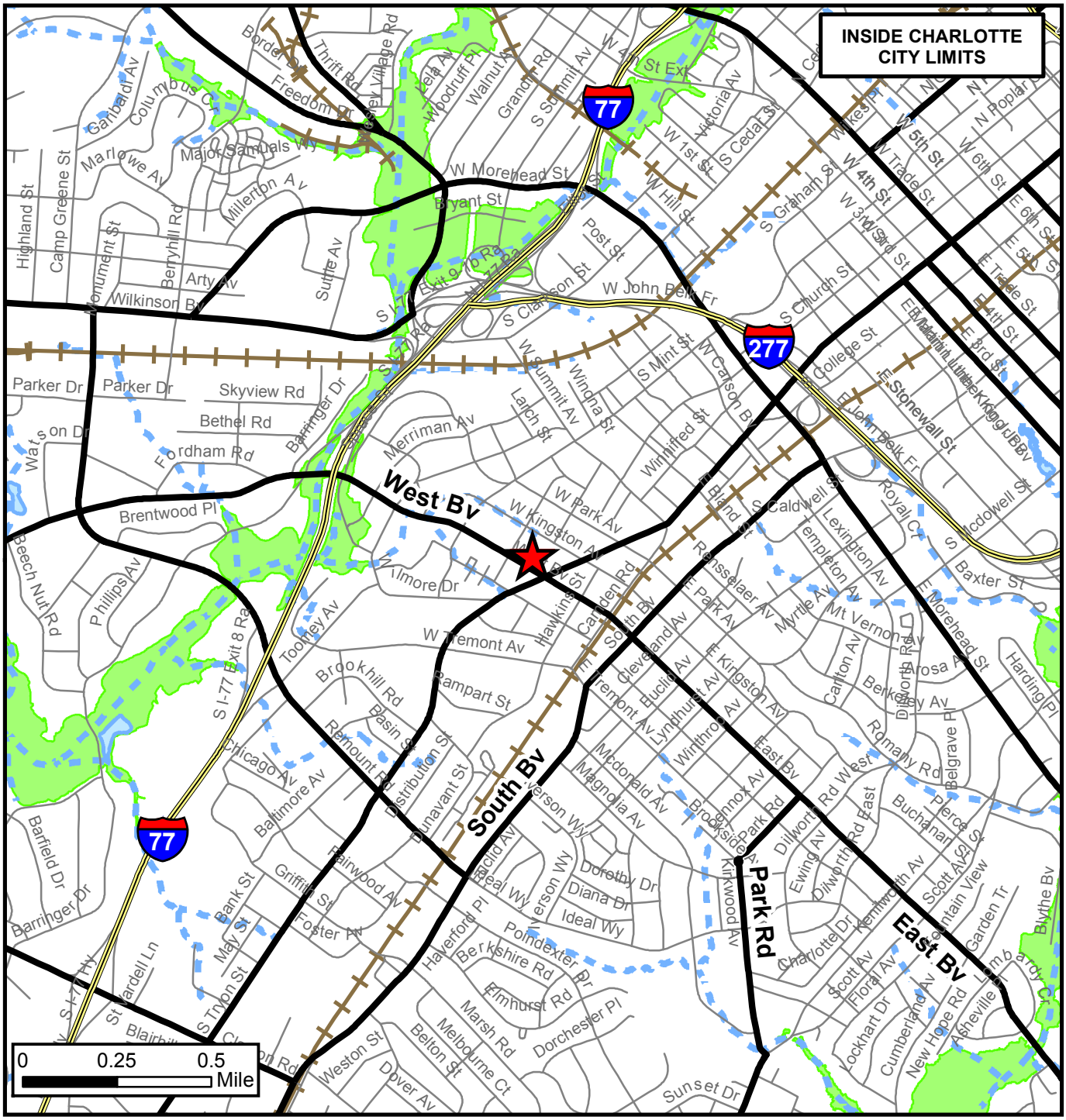
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

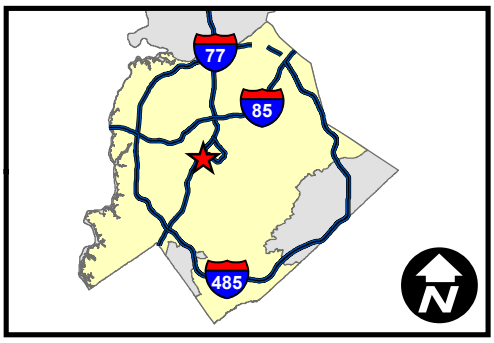
Planner: Solomon Fortune (704) 336-8326

Petition #: 2015-037

Vicinity Map

Acreage & Location : Approximately 0.46 acres located on the north side of West Boulevard between South Tryon Street and Wickford Place.





Rezoning Petition: 2015-037

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

February 28, 2015

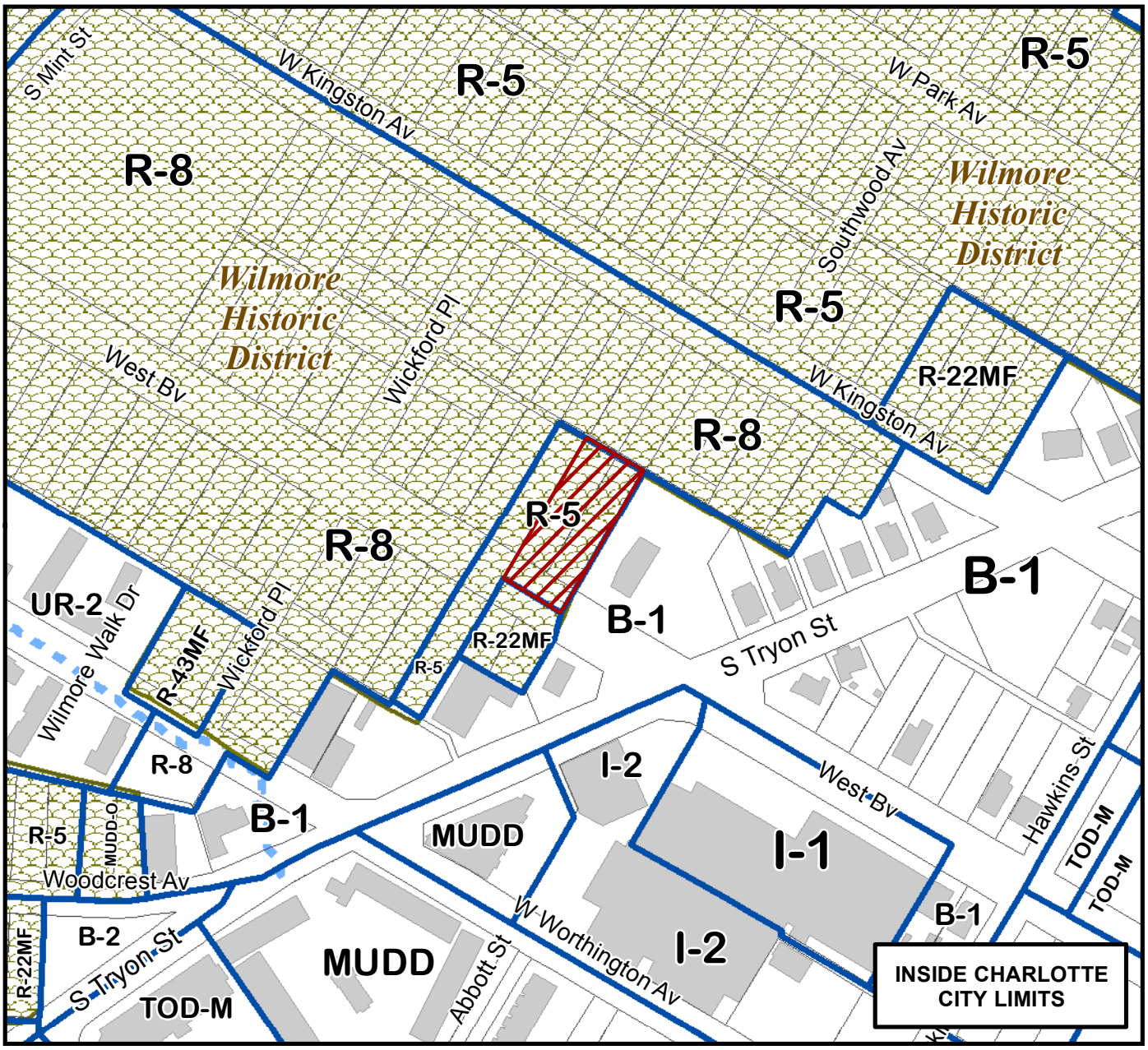
Petition #: 2015-037

Petitioner: Dominick Ristaino

Zoning Classification (Existing): R-5 (HD)
(Residential, Single Family, Historic District Overlay)

Zoning Classification (Requested): O-1(CD) (HD)
(Office, Conditional, Historic District Overlay)

Acreage & Location: Approximately 0.46 acres located on the north side of West Boulevard between South Tryon Street and Wickford Place.



Map Produced by theCharlotte-Mecklenburg Planning Department, 6-29-2015.

0 75 150 300 450 600 Feet

N

Zoning Map #(s)
103

Requested O-1(CD) (HD) from R-5 (HD)

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 5.**File #:** 15-3179 **Type:** Zoning Decision

Rezoning Petition: 2016-015 by FCD-Development, LLC

Update: Requesting Deferral (to June 20, 2016)

Location: Approximately 1.68 acres located on the northwest corner at the intersection of East 7th Street and North Caswell Road. (Council District 1 - Kinsey)

Current Zoning: NS (neighborhood services)
Proposed Zoning: MUDD (O) (mixed use development, optional) with 5-year vested rights

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to **DEFER** this petition until their May 25th, 2016 meeting.

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map

CHARLOTTE
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-015
Zoning Committee Recommendation

April 27, 2016

REQUEST	Current Zoning: NS (neighborhood services) Proposed Zoning: MUDD-O (mixed use development, optional) with five-year vested rights
LOCATION	Approximately 1.68 acres located on the northwest corner at the intersection of East Seventh Street and North Caswell Road. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow the redevelopment of a site in the Elizabeth neighborhood with a mixed use development to include residential, retail, eating/drinking/ entertainment establishments (EDEEs), and office uses.
PROPERTY OWNER	Redan Boulevard East Seventh Street LLC c/o College Street Partners, LLC
PETITIONER	FCD-Development, LLC
AGENT/REPRESENTATIVE	John Carmichael/ Robinson Bradshaw & Henson
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 59

ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to **DEFER** this petition until their May 25th, 2016 meeting.

VOTE	Motion/Second:	Sullivan / Majeed
	Yeas:	Eschert, Labovitz, Lathrop, Majeed, Sullivan, and Wiggins
	Nays:	None
	Absent:	Dodson
	Recused:	None

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allowance for up to 125 multi-family residential units, 30,000 square feet of non-residential uses of which up to 15,000 square feet may be devoted to retail and eating/drinking/entertainment establishments (EDEE).
  - 21-foot setback along Seventh Street, which includes a 13-foot sidewalk and eight-foot planting strip.
  - 14-foot setback along Caswell Road, which includes eight-foot planting strip and eight-foot sidewalk.
  - Five-foot pedestrian connection along the northern edge of the building.
  - Maximum building height of 60 feet along Seventh Street façade and 65 feet along the proposed alley façade.
  - Building elevations labeled with proposed building materials.
  - Prohibition on the use of thin brick, vinyl except for soffits and window trim and non-architectural concrete masonry units.
  - Two proposed vehicular access points along Seventh Street and Caswell Road.
  - Proposed open space area with public art at the intersection of Caswell Road and Seventh Street.
  - One parking space per 250 square feet of non-residential uses and 1.25 spaces per each dwelling unit.
  - Requested optional provisions:
    - Upper level balconies may encroach up to five feet into the setbacks along all public streets.

- The proposed open space/plaza area may encroach into the setbacks along Seventh Street and Caswell Road.

- **Public Plans and Policies**
  - The *Elizabeth Area Plan (2011)* recommends a mix of residential, office and retail uses for the area in which the site is located. Single use residential development may have densities greater than 22 dwelling units per acre. In general, buildings in this area should not exceed 40 feet in height. However, the intersection at East Seventh Street and North Caswell Road is identified as a location appropriate for increased height, up to 60 feet, at the corner.
  - The petition supports the *General Development Policies-Environment* by redeveloping an existing site in a developed area, thereby minimizing further environmental impacts while accommodating growth.

- **TRANSPORTATION CONSIDERATIONS**
  - This site is at the intersection of Seventh Street and North Caswell Road. The area plan calls for the Seventh Street cross-section to remain the same. The petitioner completed a traffic analysis at CDOT's request to ensure the site access worked with the reversible lane conditions on Seventh Street. The access proposed for the site allows for internal circulation inside the parking deck between the residential and retail uses and enables access from both Seventh Street and Caswell Road. The rezoning will improve the pedestrian environment by implementing streetscape improvements on the frontage. Although the existing intersection of Seventh Street and Caswell Road will need improvements over time, the physical constraints on this intersection are not located on this corner, and therefore there are no opportunities to make intersection improvements with this project and CDOT has no outstanding concerns.
  - **Vehicle Trip Generation:**
    Current Zoning: 630 trips per day (based on 7,000 square feet of restaurant use).
    Proposed Zoning: 2,650 trips per day (based on 125 apartment units, 15,000 square feet of office uses and 15,000 square feet of retail uses).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** See Advisory Comments, Note 6.
- **Engineering and Property Management:** See Advisory Comments, Note 7.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

REQUESTED TECHNICAL REVISIONS

Site and Building Design

1. Add a sentence to optional request A stating "that the requested encroachment along Seventh Street will be allowed per NCDOT's approval."
2. Modify Note 5-C to state that the building will be constructed using materials, colors, window and door configurations, architectural features, etc. shown in the attached elevations.
3. Provide lobby entrance from Seventh Street for all apartment floors to provide pedestrian access to Seventh Street retail.
4. Increase pedestrian connection to eight feet along the northern edge of the development.
5. Modify required setback along North Caswell Road to 16 feet.

ADVISORY COMMENTS

6. The site has water and sewer system availability for the rezoning boundary via an existing six and eight-inch water main along Seventh Street and North Caswell Road and eight-inch sewer main located along Seventh Street.
7. Site shall comply with the City of Charlotte Tree Ordinance.

Attachments Online at www.rezoning.org

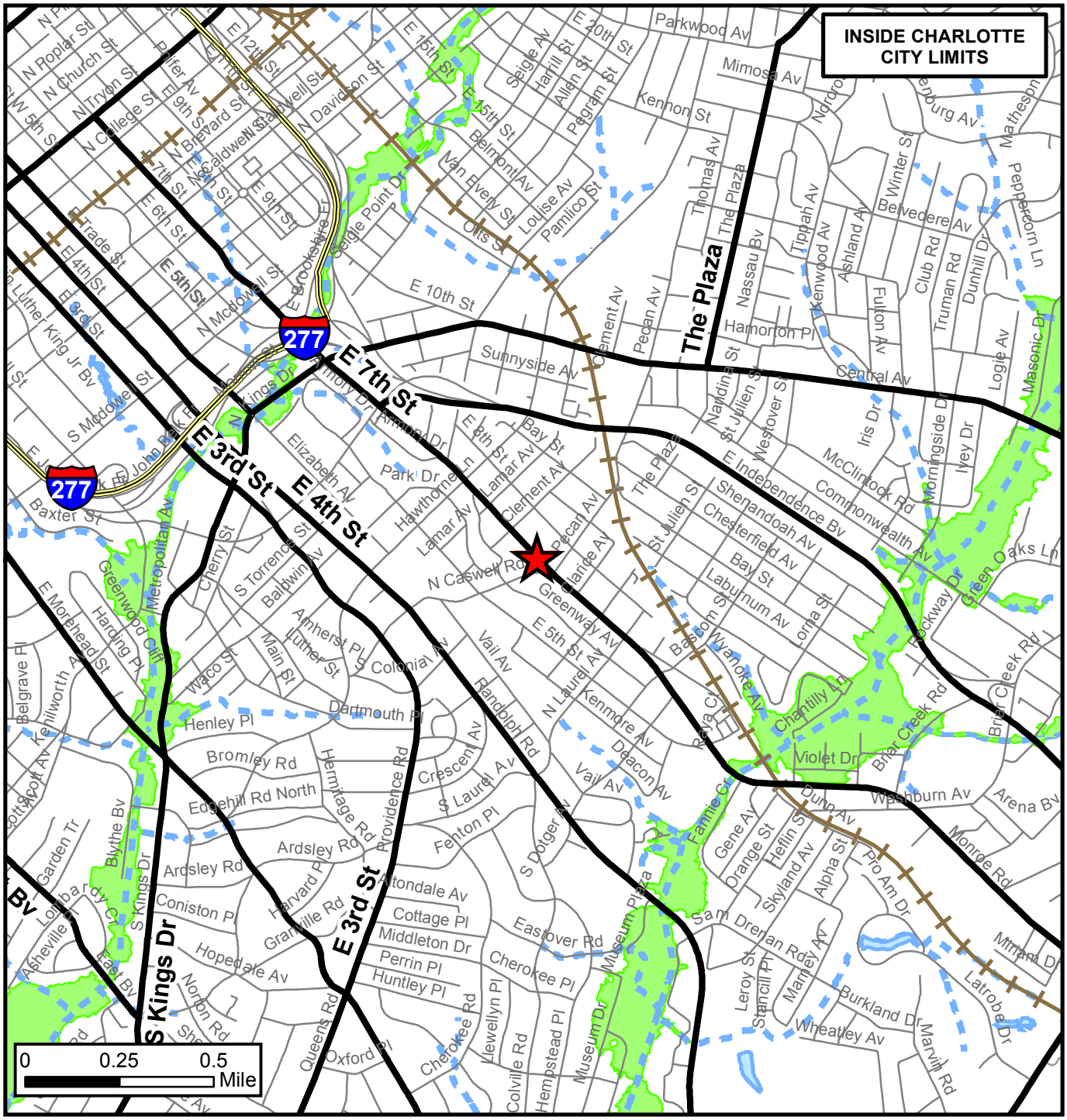
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

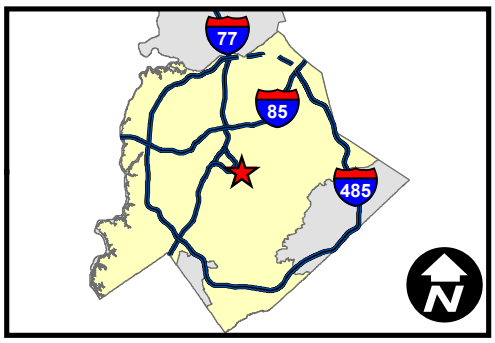
Planner: Solomon Fortune (704) 336-8326

Petition #: 2016-015

Vicinity Map

Acreage & Location : Approximately 1.68 acres located on the northwest corner at the intersection of East 7th Street and North Caswell Road.





Rezoning Petition: 2016-015

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Nov 30, 2015

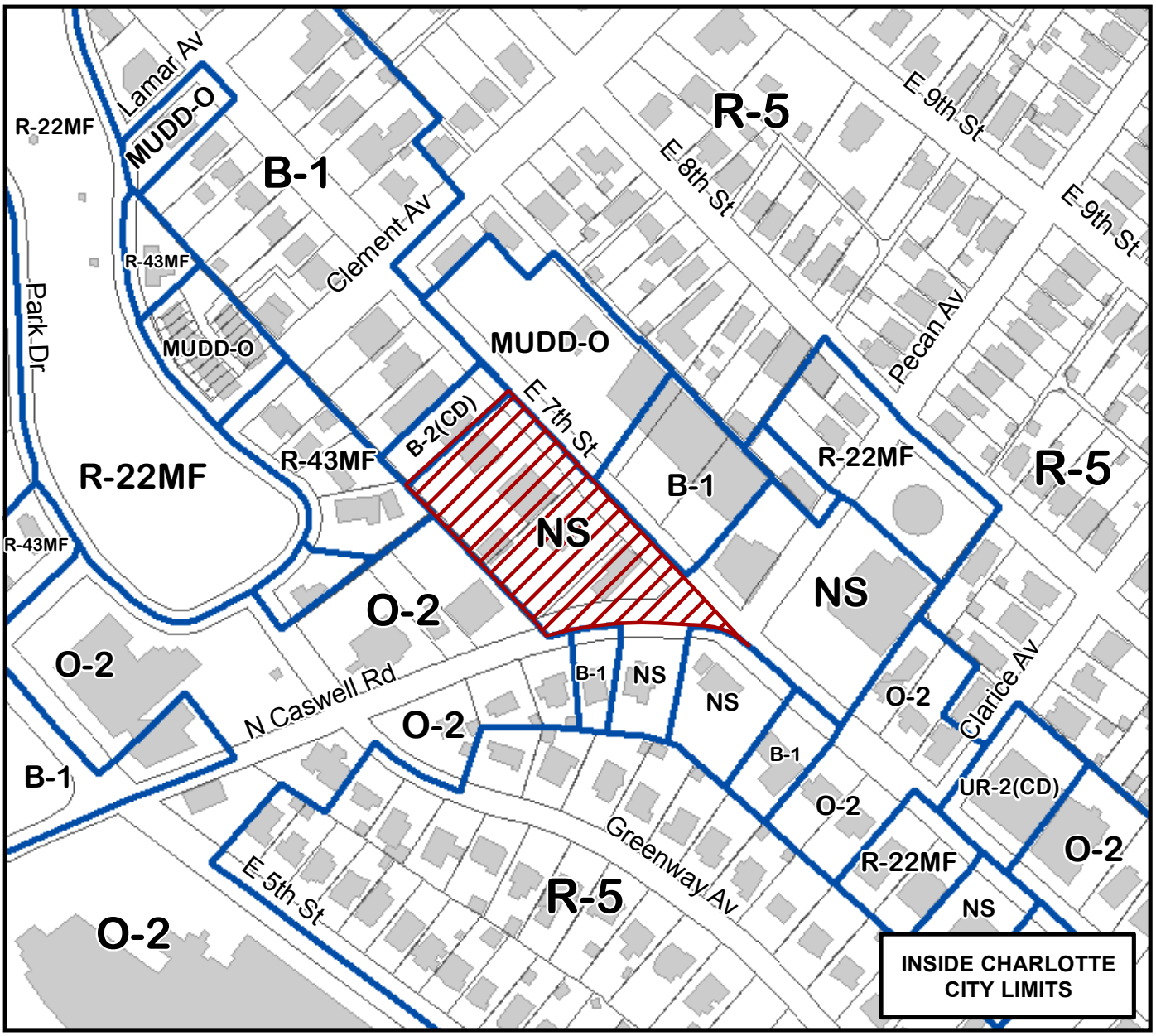
Petition #: 2016-015

Petitioner: FCD - Development, LLC

Zoning Classification (Existing): NS
(Neighborhood Services)

Zoning Classification (Requested): MUDD-O 5-Year Vested Rights
(Mixed Use Development District, Optional, Five Year Vested Rights)

Acreage & Location: Approximately 1.68 acres located on the northwest corner at the intersection of East 7th Street and North Caswell Road.



Map Produced by the Charlotte-Mecklenburg Planning Department, 1-30-2016.

0 100 200 400 600 800 Feet

N

Zoning Map #(s)
101

Requested MUDD-O 5-Year Vested Rights from NS

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 6.**File #:** 15-3178 **Type:** Zoning Decision

Rezoning Petition: 2016-024 by Greystar GP II, LLC

Update: Requesting Deferral (to June 20, 2016)

Location: Approximately 6.01 acres located on the west side of Randolph Road between Sloane Square Way and Rutledge Avenue. (Council District 6 - Smith)

Current Zoning: R-3 (single-family residential) and R-8MF (CD)
(multi-family residential, conditional)
Proposed Zoning: UR-2(CD) 5-Year Vested Rights (urban residential, conditional)

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to **DEFER** this petition to their May 25, 2016 Zoning Committee Work Session.

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-024
Zoning Committee Recommendation

April 27, 2016

REQUEST	Current Zoning: R-3 (single family residential) and R-8MF(CD) (multi-family residential, conditional) Proposed Zoning: UR-2(CD) (urban residential, conditional) with five-year vested rights
LOCATION	Approximately 6.01 acres located on the west side of Randolph Road between Sloane Square Way and Rutledge Avenue. (Council District 6 - Smith)
SUMMARY OF PETITION	This petition proposes the redevelopment of two parcels, one developed with an existing institutional use and the other a single family home, located in the Cotswold area for 180 age-restricted, multi-family units in three buildings at a density of 29.9 dwelling units per acre.
PROPERTY OWNER	Trustees for the Scottish Rite Bodies of Charlotte and A. Ray Mathis Revocable Living Trust U/W/A dated April 18, 2012
PETITIONER	Greystar GP II, LLC.
AGENT/REPRESENTATIVE	Jeff Brown and Keith MacVean
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 74.

ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to **DEFER** this petition to the May 25 Zoning Committee Work Session.

VOTE	Motion/Second:	Sullivan / Majeed
	Yeas:	Eschert, Labovitz, Lathrop, Majeed, Sullivan, and Wiggins
	Nays:	None
	Absent:	Dodson
	Recused:	None

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allows the construction of up to 180 age-restricted multi-family dwelling units at a density of 29.9 units per acre.
  - Limits the maximum height of the buildings to 50 feet for the four-story portions and 40 feet for the three-story portions. Limits the total number of buildings on the site to three.
  - Specifies that 100% of the units shall have at least one occupant who is 55 years of age or older. Commits to the community publishing and adhering to policies and procedures that demonstrate intent to operate as “55 or older” housing and compliance with HUD’s requirements for age verification.
  - Specifies building materials and provides a number of building design and architectural standards.
  - Provides access through two driveways to Randolph Road. The access points may be gated at locations to be determined during the permitting process. Parking is located behind the proposed buildings.
  - Provides a 38-foot setback from the existing back of curb along Randolph Road where minimum required for the proposed district is 14 feet. The inner 20 feet of the setback may be utilized for private open space courtyards for ground floor units. A low decorative fence located at least two feet from the back of the sidewalk and not to exceed four feet may be used to enclose the courtyards.

- Specifies that balconies located on second and third floors may extend up to two feet into the 38-foot setback.
- Provides an eight-foot planting strip and 10-foot multi-use trail along the site's frontage on Randolph Road.
- Provides the following buffer and yards along the northern property line (abutting townhomes):
  - Buffer – 15-foot "Class C" buffer with an eight-foot tall decorative opaque fence, utilizing existing trees and new trees. Buffers are not required by the Ordinance between multi-family developments.
  - Yard – 50-foot side yard, with parking and maneuvering between the building and the buffer. Minimum Ordinance standard for UR-2 (urban residential) is five-foot side yard, equivalent multi-family zoning would require a ten-foot side yard.
- Provides the following buffer and yards along the southern property line (abutting Randolph Oaks Ct, single family):
  - Buffer – 26-foot "Class C" buffer with an eight-foot tall decorative opaque fence extending along a portion of the buffer and utilizes existing trees and new trees. Buffers are not required in the UR (urban residential) districts, equivalent multi-family zoning would require a 25.5-foot wide "Class C" buffer with a fence.
  - Yard – 26 foot side yard. Minimum Ordinance standard for UR-2 (urban residential) is five-foot side yard, equivalent multi-family zoning would require a ten-foot side yard.
- Provides the following buffer and yards along the eastern property line (abutting single family homes):
  - Buffer – 26-foot "Class C" buffer with an eight-foot tall decorative opaque fence, utilizing existing trees and new trees. Buffers are not required in the UR (urban residential) districts, equivalent multi-family zoning would require a 25.5-foot wide "Class C" buffer with a fence.
  - Yard – 125-foot rear yard, with parking and maneuvering between the building and the buffer. Minimum Ordinance standard for UR-2 (urban residential) is ten-foot rear yard, equivalent multi-family zoning would require a 40-foot rear yard.
- Specifies that retaining walls may be located within the proposed landscaped buffers.
- Specifies that accessory structures and uses such as parking areas, detached garages, dumpsters, and water quality facilities may be located within the established rear and side yards but outside of the buffers.
- Commits to an internal sidewalk network connecting the parking and buildings on the site to the multi-use trail along Randolph Road.
- Commits to a ground level amenity courtyard as usable open space for the residents with an area of at least 5,000 square feet.
- Restricts location of staging and timing of construction.

- **Public Plans and Policies**
  - The *South District Plan* (1993) shows the majority of the subject property as institutional. The plan shows the northern portion of the site as multi-family residential at eight units per acre, as amended by rezoning petition 1995-024.
  - The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for consideration of over 17 dwellings per acre as illustrated in the table below.
  - The *General Development Policies* also provide for consideration of additional factors when evaluating a higher density residential proposal. In this case, the provision of age-restricted senior living is considered to be an additional benefit.

Assessment Criteria	**Density Category - over 17 dua**
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	3 (High)
Connectivity Analysis	3 (Medium)
Road Network Evaluation	1 (Yes)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	Yes – age restricted housing
Minimum Points Needed: 14	**Total Points: 14**

  - The petition supports the *General Development Policies-Environment* by redeveloping an existing site in a developed area identified as a Mixed Use Activity Center, thereby minimizing further environmental impacts while accommodating growth.

- **TRANSPORTATION CONSIDERATIONS**
  - The primary transportation goal for this site is to improve walkability and bicycle accommodations, which is achieved by providing a 10-foot multi-use path along the property

frontage. There will not be significant traffic impacts based on the expected vehicle trip generation. The trips associated with the proposed use typically do not occur during peak hours. The trip generation estimate for the existing fraternal lodge is based on very limited data.

- **Vehicle Trip Generation:**
  Existing Uses: 200 trips per day (based on a single family home and fraternal lodge).
  Current Zoning Entitlements: 210 trips per day (based on nine townhomes and 13 single family homes).
  Proposed Zoning: 620 trips per day (based on 180 age-restricted dwellings).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The proposed multi-family units are age-restricted and not projected to generate any students.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** See Advisory Comments, Note 13.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. Amend the proposed fence location to be along the inside edge of the buffers to reduce impacts to existing trees within the buffers.
2. Amend Note 5.d to specify that the fence will be located along the inner edge of the buffer along the western property line and amend the language to specify a 13-foot undisturbed tree save area within the buffer as indicated on the site plan and site cross-sections.

REQUESTED TECHNICAL REVISIONS

Site and Building Design

3. Amend note 5.a to specify that the inner 20 feet of the setback is a transition zone and specify elements such as patios, private open space, low walls and above ground backflow preventers, are allowed within that transition zone.
4. Amend Note 5.a to change “sidewalk” to “multi-use trail.”
5. Amend Note 5.b to say “may extend up to two feet into the transition zone described in Note 5.a.”
6. Amend Note 5.c to specify that the multi-use trail will be paved.
7. Amend Note 5.d to remove the following, “the fence will not extend along the portion of the southern property boundary where the building abuts the landscape buffer.”
8. Amend Note 5.f to prohibit retaining walls within the buffers.
9. Amend Note 5.o to state “Above ground backflow preventers will be screened from public view and will be located outside of the proposed buffers and outside of required setbacks except that they may be located within the transition zone described in Note 5.a.”
10. Revise Note 6.i to include “and provide pedestrian connection to the multi-use trail along Randolph Road.”
11. Amend the site plan to remove the southernmost sidewalk connection so that it is located outside of the buffer.
12. Amend the site plan to show the fence extending the entire length of the buffer along the southern property line.

ADVISORY COMMENTS

13. Charlotte Water has water system availability via the existing eight-inch water main located along Randolph Road and the two-inch water main located on Randolph Oaks Court and sewer system availability via the existing eight-inch gravity sewer mains located along Randolph Road and Randolph Oaks Court.

Attachments Online at www.rezoning.org

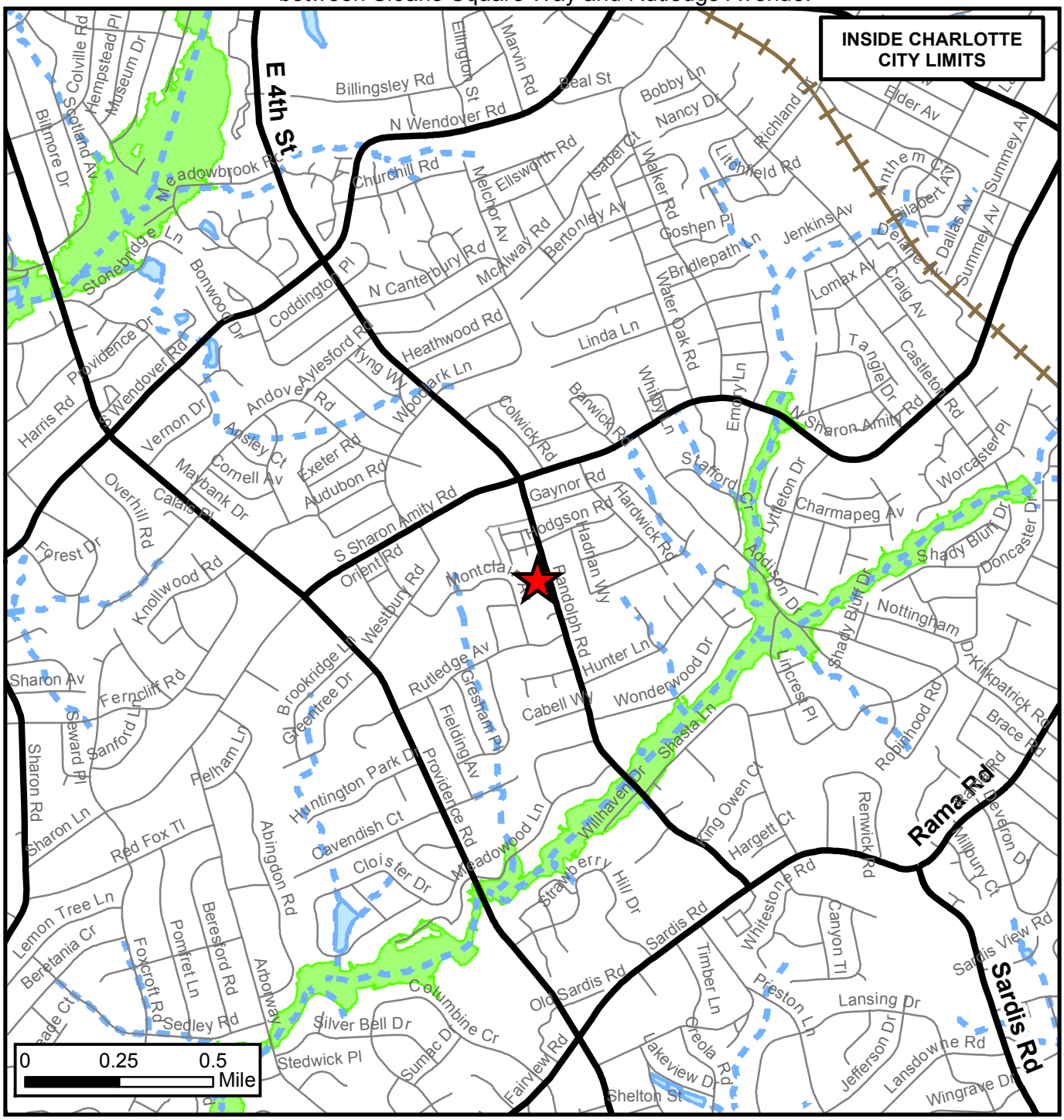
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

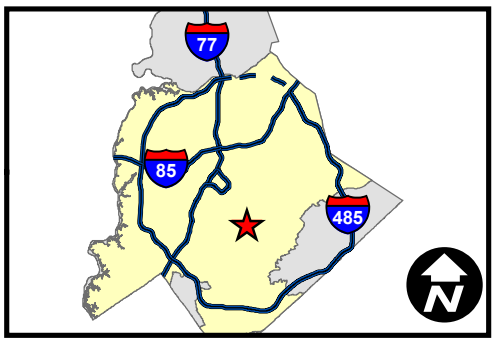
Planner: John Kinley (704) 336-8311

Petition #: 2016-024

Vicinity Map

Acreage & Location : Approximately 6.01 acres located on the west side of Randolph Road between Sloane Square Way and Rutledge Avenue.





Rezoning Petition: 2016-024

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Dec 28, 2015

Petition #: 2016-024

Petitioner: Greystar GP II, LLC

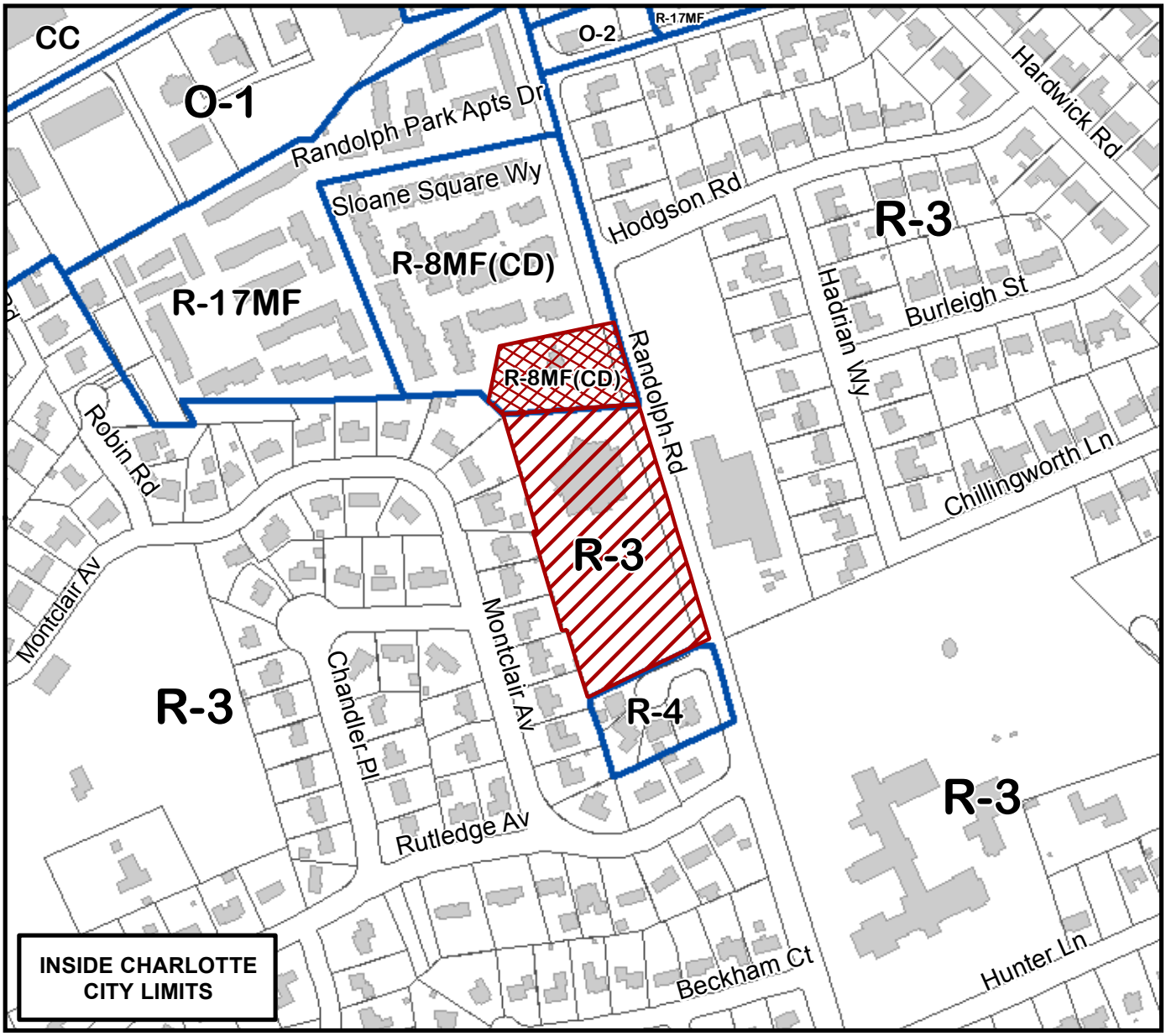
Zoning Classification (Existing): R-3 & R-8MF(CD)

(Single Family, Residential and Multi-Family, Residential, Conditional)

Zoning Classification (Requested): UR-2(CD) 5-Year Vested Rights

(Urban Residential, Conditional, Five Year Vested Rights)

Acreage & Location: Approximately 6.01 acres located on the west side of Randolph Road between Sloane Square Way and Rutledge Avenue.



Map Produced by theCharlotte-Mecklenburg Planning Department, 12-3-2015.

0 125 250 500 750 1,000 Feet

N

Zoning Map #(s)

124

Requested UR-2(CD) 5-Year Vested Rights from R-3

Requested UR-2(CD) 5-Year Vested Rights from R-8MF(CD)

Existing Building Footprints

Existing Zoning Boundaries

Charlotte City Limits

Pedestrian Overlay

FEMA flood plain

Watershed

Lakes and Ponds

Creeks and Streams

Historic District

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 7.**File #:** 15-3182 **Type:** Zoning Decision

Rezoning Petition: 2016-049 by Loves Travel Stop & Country Store

Update: Requesting Deferral (to June 20, 2016)

Location: Approximately 10.22 acres located on the southeast corner at the intersection of Sam Wilson Road and West Pointe Drive. (Outside City Limits)

Current Zoning: B-2 (LLWPA) & CC (LLWPA) (general business, Lower Lake Wylie Protected Area) & (commercial center, Lower Lake Wylie Protected Area)
Proposed Zoning: I-2(CD) (LLWPA) (general industrial, conditional Lower Lake Wylie Protected Area)

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to **DEFER** this petition to their May 25, 2016 Zoning Committee Work Session.

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map

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CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-049
Zoning Committee Recommendation

April 27, 2016

REQUEST	Current Zoning: B-2 LLWPA (general business, Lower Lake Wylie Protected Area) and CC LLWPA (commercial center, Lower Lake Wylie Protected Area) Proposed Zoning: I-2(CD) LLWPA (general industrial, conditional, Lower Lake Wylie Protected Area)
LOCATION	Approximately 10.22 acres located on the southeast corner at the intersection of Sam Wilson Road and West Pointe Drive. (Outside City Limits)
SUMMARY OF PETITION	The petition proposes to allow the construction of a truck stop facility which includes a convenience store, attached restaurant drive through service window, and a tire shop. The rezoning site is primarily vacant, with a small portion developed with an eating/drinking/entertainment establishment built in 1970 that will be demolished as part of this project.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Jordan Sam Wilson Properties LLC Loves Travel Stop and Country Store N/A
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 8

ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to **DEFER** this petition to the May 25 Zoning Committee Work Session.

VOTE	Motion/Second:	Sullivan / Majeed
	Yeas:	Eschert, Labovitz, Lathrop, Majeed, Sullivan, and Wiggins
	Nays:	None
	Absent:	Dodson
	Recused:	None

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Truck stop facility consisting of a 7,589-square foot retail convenience store, attached 3,253-square foot eating establishment with drive-through service, and a 4,760-square foot tire service shop.
  - Prohibits the following uses: airports, amusements, heliports, tattoo establishments, abattoirs, adult establishments, jails and prisons, and junkyards.
  - Removes existing structure, pavement, and driveway entrances onto Sam Wilson Road on southwest corner of the site. No development will occur within this portion of the site to allow project to meet Lower Lake Wylie Protected Area impervious surface criteria.
  - Limits access to two points on West Pointe Drive.
  - Provides new curb 31.5 feet from center line along the entire north bound frontage of Sam Wilson Road to accommodate two 11-foot wide travel lanes, a 6-foot bike lane, and 2.5-foot curb and gutter section. Improvements will extend from west bound Interstate 85 exit ramp to West Pointe Drive. Curb line will terminate at West Pointe Drive as a right-turn lane only lane.
  - Improves pedestrian crossing at the existing southbound Interstate 85 exit ramp, which may include pedestrian refuge islands to make the crossing/area ADA compliant.
  - Extends northbound Interstate 85 exit ramp to provide 200 feet of storage. The single lane will end as the right-turn lane.
  - Extends the southbound Interstate 85 exit ramp to provide 200 feet of storage. The single lane ramp will end as the left-turn lane.

- Proposes parking lot fixtures to be a maximum height of 42 feet.

- **Public Plans and Policies**
  - The Catawba Area Plan (adopted 2010) recommends retail land uses for this site, specifying that retail land uses such as restaurants and gas stations are appropriate at this interstate interchange area.
  - The site lies within the West Growth Corridor, per the Centers, Corridors and Wedges Growth Framework, and is surrounded by properties recommended in the Catawba Area Plan for industrial and office/industrial land uses.
  - *General Development Policies-Environment* - The site lies within the Lower Lake Wylie Protected Area watershed zoning overlay district, and will be required to adhere to the impervious surface development regulations under that zoning overlay district.

- **TRANSPORTATION CONSIDERATIONS**
  - This petition is in the ETJ (extraterritorial jurisdiction) and access is provided from two NCDOT maintained roadways. A Traffic Impact Study (TIS) was conducted and reviewed/approved by both NCDOT and CDOT. The petitioner is making substantial off-site transportation improvements including: providing turn lanes on both I-85 exit ramps, widening Sam Wilson Rd. providing a thru/right turn lane, and a 6-foot bike lane improvement. The petitioner agreed to fund a wooden pole traffic signal if justified during the first five years after rezoning approval. The petitioner has verbally agreed to address all outstanding transportation issues as noted below before the Zoning Committee Meeting.
  - See Outstanding Issues, Notes 1-5, and Requested Technical Revisions, Note 9.
  - **Vehicle Trip Generation:**
    Current Zoning: 1,800 trips per day (based on 5,600 square feet of restaurant use and 7,830 square feet of retail uses).
    Proposed Zoning: 7,900 trips per day (based on 7,400 square feet of gas station/convenience store use and 3,300 square feet of restaurant use.)

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** See Requested Technical Revisions, Note 11.
- **Charlotte Water:** See Advisory Comments, Note 12.
- **Engineering and Property Management:** See Advisory Comments, Note 13.
- **Mecklenburg County Land Use and Environmental Services Agency:** See Advisory Comments, Notes 14 and 15.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Transportation

1. The petitioner has provided a dimension of 30.5 feet from the existing Sam Wilson Road centerline (see resolved comments #1 above) to accommodate a "typical mid-block pavement cross-section." However the petitioner needs to further revise the site plan to locate the future back of curb for the northbound approach of Sam Wilson Road at West Pointe Drive needs to be located 41.5' from the existing double yellow marking to accommodate three 11-foot travel lanes (a left-turn storage lane, thru lane, and a right-turn only lane) and a 6-foot wide bike lane. If one included the existing 12-foot wide departure lane, the full Sam Wilson Road pavement widening 150 feet south of West Pointe Drive needs to be 53.5 feet from edge of pavement on the west side to the future back of curb on the east (site) side.
2. Revise the site plan to dedicate additional right-of-way in fee simple or place the future six-foot sidewalk in a permanent Sidewalk Utility Easement (SUE) along the site's Sam Wilson Road frontage. The site plan also needs to be revised to depict a 70-foot by 70-foot SUE on the southeast quadrant of Sam Wilson Road and West Pointe Drive to provide for possible future traffic signal hardware or a future roundabout.
3. Add a conditional note to the revised site plan stating: "All transportation improvements must

be completed and approved before the site's first building certificate of occupancy is issued."

4. Revise the site to "reverse" the truck fueling stations so that the internal (inbound) storage for trucks waiting to fuel can be substantially increased. This increased storage should prevent trucks queuing into the public street which is a zoning violation. CDOT received a letter from Mr. Chad Bruner with Love's, dated March 16, 2016 and understand the site has been designed to accommodate approximately 18 large trucks waiting to fuel should the fueling configuration stay as shown on the current site plan. Please provide written documentation that trucks will not back into the public right-of-way.
5. The Traffic Impact Study indicated a future traffic signal is needed at the intersection of Sam Wilson Road/Performance Road/West Pointe Drive. The petitioner needs to add a conditional note to the site plan the states the following: The petitioner agrees to contribute $85,000.00 (i.e. estimated costs of a wooden pole traffic signal) for the design and implementation of a future transportation improvements at the subject intersection when warranted by NCDOT and CDOT. If Sam Wilson Road/West Pointe Drive intersection transportation improvements are not determined necessary five (5) years after City Council approval, funding will be returned to the petitioner at his request.

Land Use

6. Clarify the uses allowed on the site. The "Development Data Table" and the "Permitted Uses" are not consistent. Specify if fuel sales are proposed.

REQUESTED TECHNICAL REVISIONS

7. Indicate the percentage of impervious surface as the property is located in the Lower Lake Wylie Protected Area. Clarify this compliance with respect to Tract B.
8. Under Development Data Table, specify existing zoning of Tract B is B-2 LLWPA.
9. Delete the following language from General Provisions Note 2: "…~~regulate streets, sidewalks, tees, bicycle parking, and site development~~, may apply to the development of this site. ~~These are not zoning regulations, are not administered by the zoning administrator~~,"
10. Correct typo to indicate rezoning petition 2016-049.
11. Include the following note on the plan sheet under "Environmental Features": 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.

ADVISORY COMMENTS

12. Charlotte Water currently has water system availability for the rezoning boundary via an existing 12-inch water main located along West Pointe Drive and sewer system availability for the rezoning boundary via an existing 8-inch sewer main located along West Pointe Drive.
13. 13 Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance.
14. The proposed project may be subject to certain air quality permit requirements in accordance with Mecklenburg County Air Pollution Control Ordinance Section 1.5200 - "Air Quality Permits." A letter of notification and copy of the regulations will be mailed directly to the petitioner by Mecklenburg County Air Quality.
15. Development of this site may require submission of an asbestos Notification of Demolition and Renovation to MCAQ due to possible demolition or relocation of an existing structure. A letter of notification and the required forms have been mailed directly to the petitioner by MCAQ.

Attachments Online at www.rezoning.org

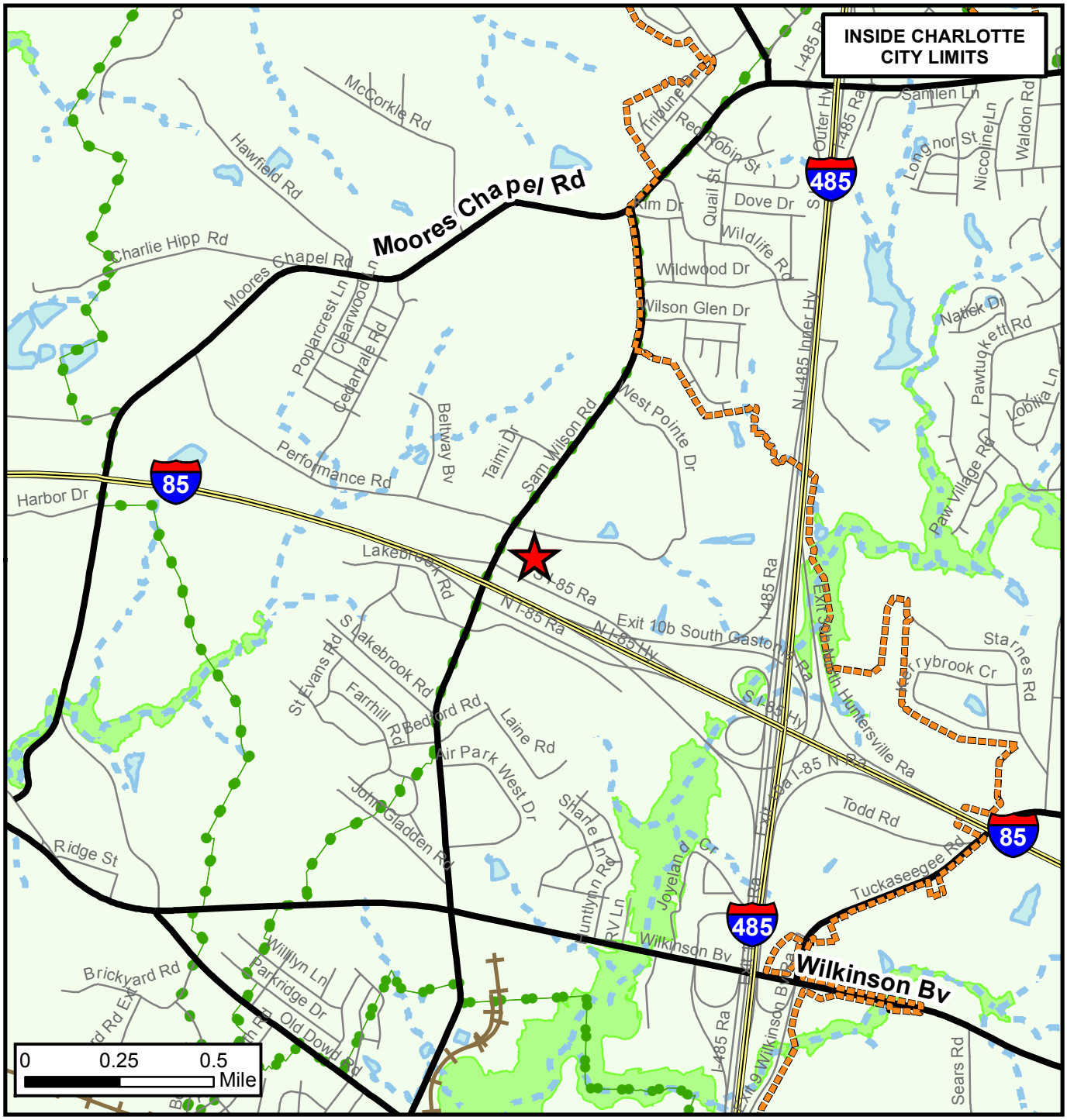
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

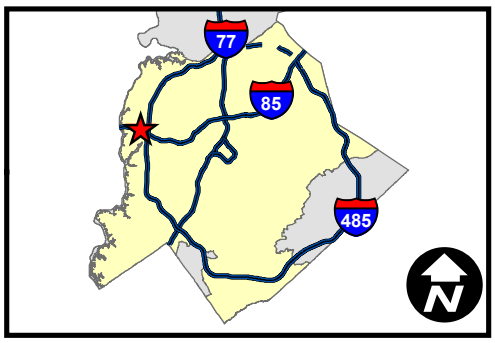
Planner: Claire Lyte-Graham (704) 336-3782

Petition #: 2016-049

Vicinity Map

Acreage & Location : Approximately 10.22 acres located on the southeast corner at the intersection of Sam Wilson Road and West Pointe Drive.





Rezoning Petition: 2016-049

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Feb 8, 2016

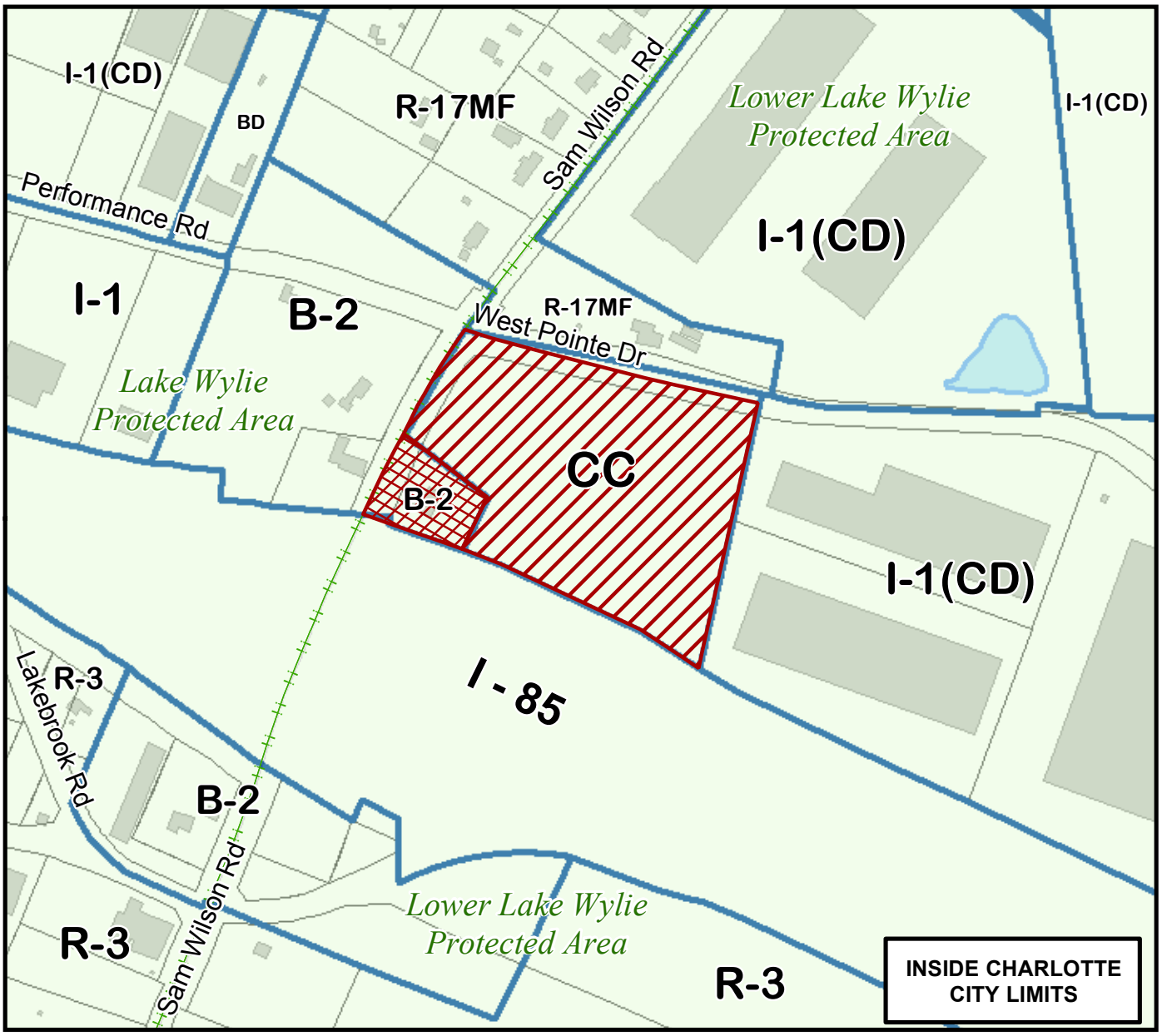
Petition #: 2016-049

Petitioner: Loves Travel Stop and Country Store

Zoning Classification (Existing): B-2 (LLWPA) & CC (LLWPA)
(General Business, Lower Lake Wylie Protected Area and Commercial Center, Lower Lake Wylie Protected Area)

Zoning Classification (Requested): I-2(CD) (LLWPA)
(General Industrial, Conditional, Lower Lake Wylie Protected Area)

Acreage & Location: Approximately 10.22 acres located on the southeast corner at the intersection of Sam Wilson Road and West Pointe Drive.



Map Produced by the Charlotte-Mecklenburg Planning Department, 1-30-2016.

0 150 300 600 900 1,200 Feet

N

Zoning Map #(s)
82

Requested I-2(CD)(LLWPA) from CC(LLWPA)
Requested I-2(CD)(LLWPA) from B-2(LLWPA)

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

Agenda #: 8.**File #:** 15-3176 **Type:** Zoning Decision

Rezoning Petition: 2015-093 by 1351 Woodlawn (Melrose), LLC

Update: Protest Petition Sufficient

Location: Approximately 2.9 acres located on the south side of Drexel Place and north side of Woodlawn Road near the intersection of Park Road and Drexel Place and Park Road and Woodlawn Road. (Council District 1 - Kinsey)

Current Zoning: R-4 (single family residential) and UR-3(CD) (urban residential, conditional)
Proposed Zoning: MUDD-O (mixed use development, conditional)

Zoning Committee Recommendation:
The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition as modified.

Staff recommendation:
Staff disagrees with the recommendation of the Zoning Committee as the scale, mass and encroachment into the single-family area is inconsistent with the adopted area plan.

Statement of Consistency:
Due to an incomplete consistency statement provided to and passed by the Zoning Committee, staff recommends that Council adopt an updated version of the consistency statement if voting to approve this petition. The updated version corrects the portion of the statement by the Zoning Committee that addresses consistency with the *Park Woodlawn Area Plan* but does not change their rationale for recommending approval.
Below is the updated consistency statement for approving the petition (in green), as recommended by the Zoning Committee. Also provided is a consistency statement for denying the petition (in red), as recommended by staff.

(Consistency Statements on following page)

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map
Site Plan

Consistency Statements: Petition 2015-093

To Approve (As recommended by Zoning Committee):

- I move that the City Council finds a portion of this petition to be inconsistent with the *Park Woodlawn Area Plan* and a portion of this petition to be consistent with the *Park Woodlawn Area Plan* based on information from the staff analysis and the public hearing, and because:
  - The plan recommends single family residential at R-4 for the lots along Drexel Place.
  - The plan recommends multi-family residential for the portion of the site along Woodlawn Road.
- Therefore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:
  - The development will provide a transition to the single family homes across Drexel Place; and
  - At grade entrances along Drexel Place will enhance the pedestrian environment along the site frontage; and
  - New rental product will replace the old existing stock.

To Deny (As recommended by staff):

- I move that the City Council finds a portion of this petition to be inconsistent with the *Park Woodlawn Area Plan* and a portion of this petition to be consistent with the *Park Woodlawn Area Plan* based on information from the staff analysis and the public hearing, and because:
  - The plan recommends single family residential at R-4 for the lots along Drexel Place.
  - The plan recommends multi-family residential for the portion of the site along Woodlawn Road.
- However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:
  - Drexel Place is part of Madison Park, an established single family neighborhood, and is the entrance into this part of the neighborhood; and
  - The plan supports higher density residential for the area within the Park Woodlawn Activity Center but recommends maintaining the single family character on Drexel Place; and
  - Approval of this development will result in two remaining single family homes, on the south side of Drexel Place.

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2015-093
Zoning Committee Recommendation

April 27, 2016

REQUEST	Current Zoning: R-4 (single family residential) and UR-3(CD) (urban residential, conditional) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 2.9 acres located on the south side of Drexel Place and north side of Woodlawn Road near the intersection of Park Road and Drexel Place and Woodlawn Road. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow the redevelopment of four single family homes and an existing multi-family development to allow up to 265 multi-family dwelling units at 91.37 units per acre in the Madison Park neighborhood.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	1351 Woodlawn (Melrose), LLC 1351 Woodlawn (Melrose), LLC Jeff Brown & Keith MacVean/ Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 29

STATEMENT OF CONSISTENCY	• The Zoning Committee found this petition to be inconsistent with the *Park Woodlawn Area Plan*, based on information from the staff analysis and the public hearing, and because:
	  • The plan recommends residential for the portion of the site along Woodlawn Road and single-family residential at R-4 for the lots along Drexel Place.
	• However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
	  • The development will provide a transition to the single family homes across Drexel Place; and
	  • At grade entrances along Drexel Place will enhance the pedestrian environment along the site frontage; and
	  • New rental product will replace the old existing stock;
	By a 5-0 vote of the Zoning Committee (motion by Wiggins seconded by Labovitz).

ZONING COMMITTEE ACTION	The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition with the following modifications: 1. The building height along Drexel Place has been lowered to 40 feet. 2. A note has been added that the petitioner agrees to install a pedestrian refuge island. 3. Note 5G under Streetscape, Landscaping and Open space has been removed. 4. Increased the building façade setback along Drexel Place to 46 feet. 5. Limited to only eight townhomes units allowed along Drexel Place. 6. Indicated a five-story building will be allowed along the Woodlawn Road frontage.
VOTE	Motion/Second: Eschert / Majeed Yeas: Eschert, Labovitz, Majeed, Sullivan, and Wiggins Nays: None Absent: Dodson Recused: Lathrop
ZONING COMMITTEE	Staff noted that this petition is inconsistent with the *Park Woodlawn*

DISCUSSION	*Area Plan* and that the proposal had several outstanding issues that had not been addressed. Staff noted the mass and scale was still inconsistent with the single family homes across Drexel Place and elevations had not been provided for the portion of the building along Woodlawn Road. Several Commissioners noted that the development was a nice transition to the single family homes and felt it was reasonable to recommend approval. Another Commissioner asked about the multi-family residential adjacent to the site. Staff responded that the development at one time was managed by the Charlotte Housing Partnership or Charlotte Housing Authority. There was no further discussion of this petition.
STAFF OPINION	Staff disagrees with the recommendation of the Zoning Committee as the scale, mass and encroachment into the single-family area is inconsistent with the adopted area plan.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Up to 265 multi-family dwelling units at a maximum density of 91.37 dwelling units per acre.
  - 25-foot setback from the back of curb along Drexel Place.
  - 46 building façade setback along Drexel Place.
  - No more than eight units facing Drexel Place.
  - Maximum height of 40 feet and three stories along Drexel Place.
  - Design standards for the building frontage along Drexel Place. The frontage will include a plaza area, a pitched roof, and townhouse style design along the ground level.
  - Eight-foot planting strip along Woodlawn Road and Drexel Place.
  - 24-foot setback from the back of curb along Woodlawn Road.
  - Building elevations along Drexel Place with proposed materials to be stucco, hardi-plank, brick veneer, and metal accents. Vinyl as a building material is prohibited, and EIFS as a material along Drexel Place is also prohibited.
  - Pedestrian refuge island along Woodlawn Road within the left turn lane but exact location will be determined during permitting with NCDOT and CDOT.
  - Requests the following optional provision:
    - A five-foot tall, 30-square foot identification sign along Woodlawn Road.

- **Public Plans and Policies**
  - The *Park Woodlawn Area Plan* (2013) recommends residential land uses up to four dwelling units per acre for the parcels zoned R-4 (single family residential), with the intent of preserving the character of the existing single family neighborhood.
  - The *Park Woodlawn Area Plan* (2013) recommends residential land uses up to or greater than 22 dwelling units per acre for the parcel fronting along Woodlawn Road.
  - The petition supports the *General Development Policies-Environment* by redeveloping an infill site, thereby minimizing further environmental impacts while accommodating growth.

- **TRANSPORTATION CONSIDERATIONS**
  - A portion of this site is located within a Mixed Use Activity Center as identified in the *Centers, Corridors and Wedges Growth Framework*. Generally, CDOT supports greater density in Mixed Use Activity Centers since the mixture of uses yields shorter vehicle trip lengths that are less impactful than accommodating the same uses spread over greater distances. Further, if the design of the development sites can be done with safe, comfortable, and convenient facilities for pedestrians and cyclists, the rate of automobile usage per square foot of development can be reduced.
  - This petition will implement improvements along Woodlawn Road that will include a left-turn lane for the development access, extending the left-turn lane storage for the left-turn lanes from Woodlawn onto northbound Park Road. These improvements are being done in coordination with other planned improvements associated with other rezoning petitions in the area.

- **Vehicle Trip Generation:**
  Current Zoning: 400 trips per day (existing single family and multi-family units).
  Proposed Zoning: 1,850 trips per day.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Solid Waste Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 29 students, while the development allowed under the proposed zoning will produce 25 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero students. The proposed development is not projected to increase the school utilization (without mobile classroom units) for Selwyn Elementary (189%), Alexander Graham Middle (115%), Myers Park (115%).
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Land Use

1. Remove the lots along Drexel Place from the petition. The mass and scale is inconsistent with the existing single-family neighborhood along and across Drexel Place. Staff could support this petition if the lots along Drexel Place are removed.

Site and Building Design

2. Provide building elevations along Woodlawn Avenue.

Attachments Online at www.rezoning.org

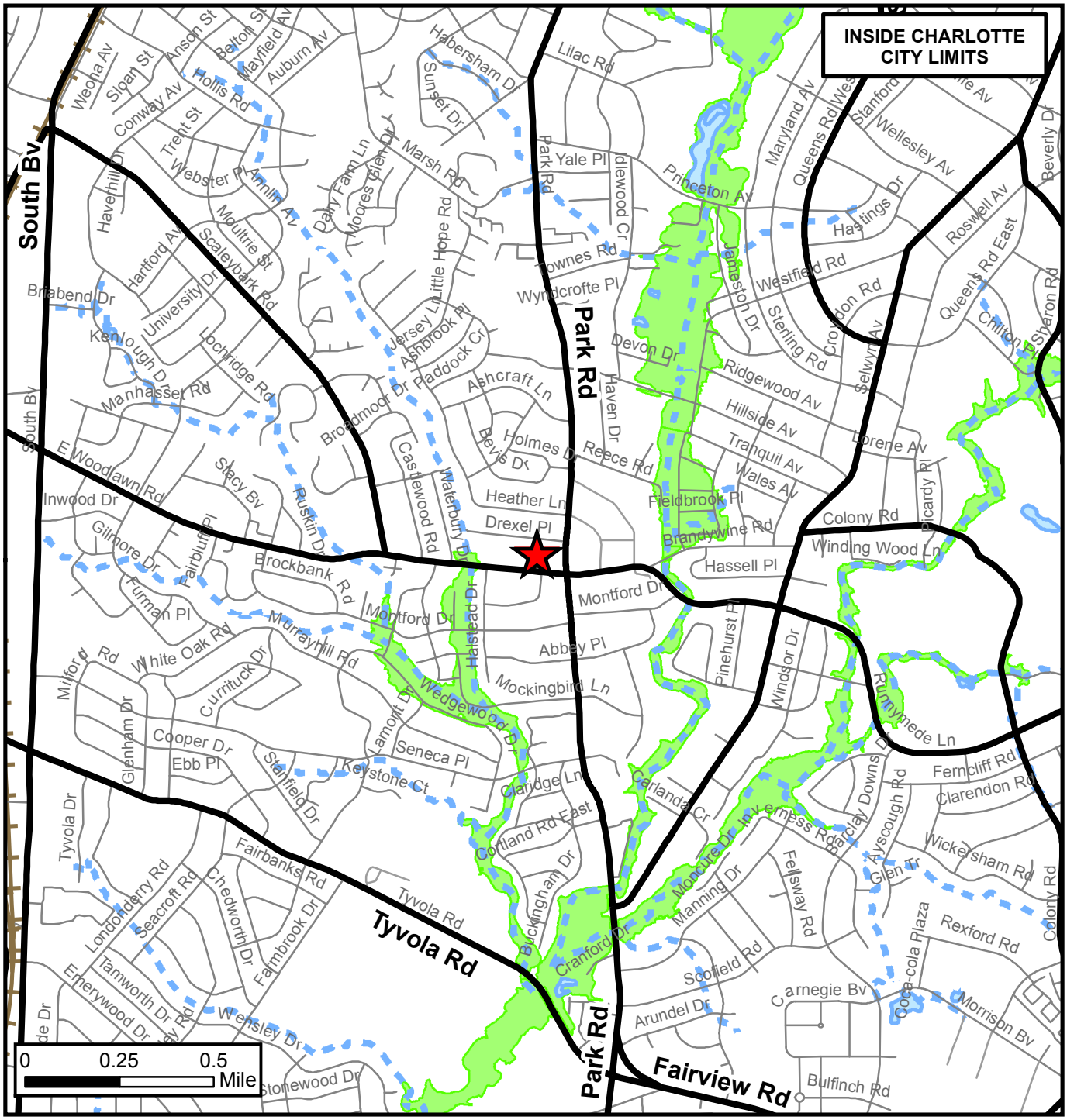
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Department of Solid Waste Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

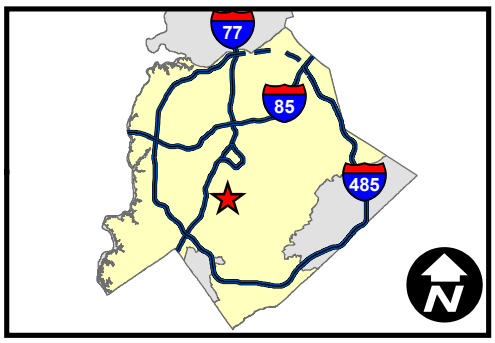
Planner: Solomon Fortune (704) 336-8326

Petition #: 2015-093

Vicinity Map

Acreage & Location : Approximately 2.9 acres located on the south side of Drexel Place and north side of Woodlawn Road near the intersection of Park Road and Drexel Place and Park Road and Woodlawn Road.





Rezoning Petition: 2015-093

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Oct 14, 2015

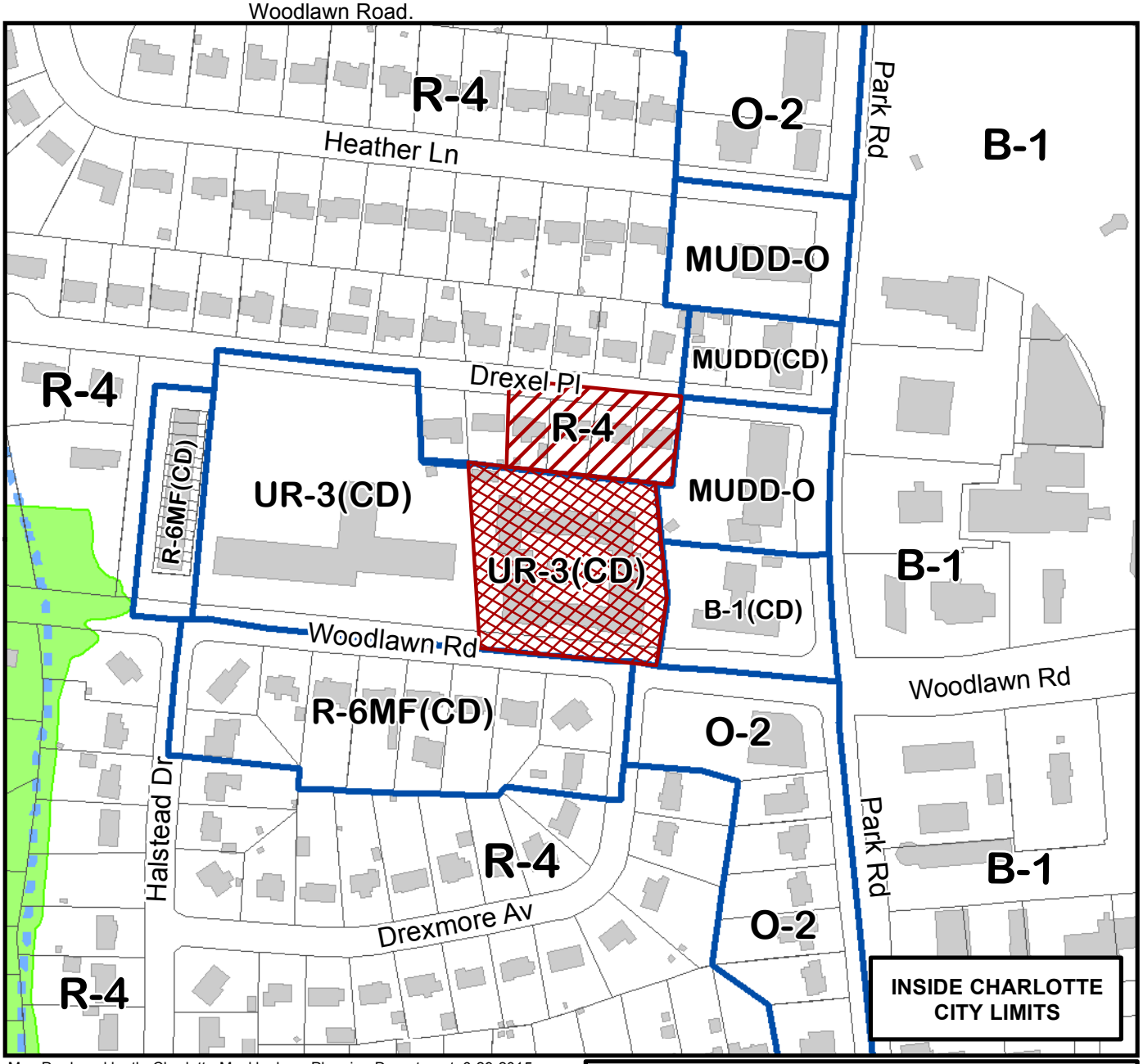
Petition #: 2015-093

Petitioner: 1351 Woodlawn (Melrose), LLC

Zoning Classification (Existing): R-4 & UR-3(CD)
(Single Family, Residential and Urban Residential, Conditional)

Zoning Classification (Requested): MUDD-O
(Mixed Use Development District, Optional)

Acreage & Location: Approximately 2.9 acres located on the south side of Drexel Place and north side of Woodlawn Road near the intersection of Park Road and Drexel Place and Park Road and Woodlawn Road.



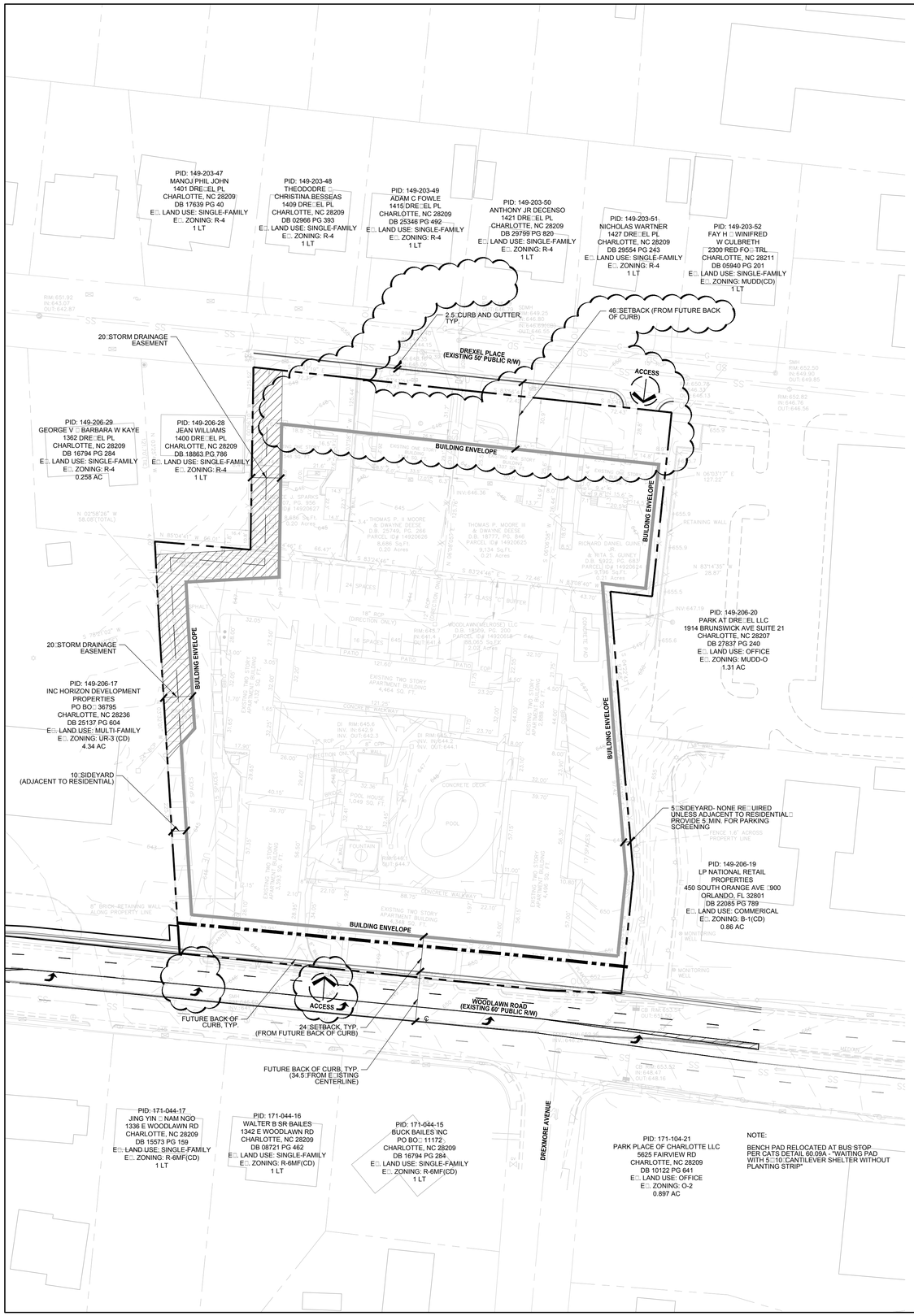
Map Produced by theCharlotte-Mecklenburg Planning Department, 6-29-2015.

0 100 200 400 600 800 Feet

N

Zoning Map #(s)
76

Requested MUDD-O from R-4
Requested MUDD-O from UR-3(CD)
Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District



1351 Woodlawn (Melrose), LLC.
Development Standards
04/20/16
Rezoning Petition No. 2015-093

Site Development Data:

--**Acreage:** ± 2.90 acres.
--**Tax Parcel #s:** 149-206-24 thru 27 and 149-206-18
--**Existing Zoning:** UR-3(CD) and R-4
--**Proposed Zoning:** MUDD-O
--**Existing Uses:** Apartments and detached dwellings.
--**Proposed Uses:** Up to 265 multi-family residential dwelling units as permitted by right and by the Optional provisions below together with accessory uses, as allowed in the MUDD zoning district.
--**Maximum Building Height:** Building height will be limited to a maximum of three (3) stories and [40] feet along Drexel Place (the portion of the building fronting on Drexel Place will be made up of no more than eight (8) townhome style units). The building height for the remainder of Site will be limited to five (5) stories. Building height will be measured as defined by the Ordinance.
--**Parking:** A minimum of 1.0 parking space per dwelling unit will be provided.

1. General Provisions:

a. **Site Location**. These Development Standards, the Technical Data Sheet, Schematic Site Plan and other graphics set forth on attached Sheets RZ-1, RZ-2 and RZ-3 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by 1351 Woodlawn (Melrose), LLC ("Petitioner") to accommodate the development of a high quality residential community on an approximately 2.90 acre site located on the north side of Woodlawn Road between Drexmore Avenue and Halstead Drive (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 MUDD-O 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 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**. The total number of principal buildings to be developed on the Site will be limited 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) located within the same Development Area as the accessory structure/building.

2. Optional Provisions.

The following optional provisions shall apply to the Site:

a. To allow a detached sign along Woodlawn Road to have up to 30 square feet of sign area and to be five (5) feet high.

Note: *The optional provision regarding signs is an addition/modification to the standards for signs in the MUDD district and is to be used with the remainder of MUDD standards for signs not modified by these optional provisions.*

3. Permitted Uses, Development Area Limitations:

a. The Site may be developed with up to 265 multi-family residential dwelling units as permitted by right, together with accessory uses allowed in the MUDD-O zoning district.

b. No more than eight (8) townhome style units will be located in the portion of the building that faces Drexel Place.

4. Transportation Improvements and Access:

I. Proposed Improvement:

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvement, the improvement set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

The following Transportation Improvement is illustrated on Sheet RZ-2 of the Rezoning Plan. The illustration on Sheet RZ-2 is to be used in conjunction with the following notes to determine the extent of the proposed improvement.

The following roadway improvement will be made by the Petitioner as part of the redevelopment of the Site as proposed by the Rezoning Plan:

a. Extend the existing eastbound left turn lane storage on Woodlawn Road at Park Road from 135 feet to 640 feet, with a 75-foot bay taper. This left turn lane extension will provide the Melrose Place Site with 125 feet of eastbound left turn storage. This improvement will require widening on the north (Site) side of Woodlawn Road.

b. If permitted by NCDOT and CDOT the Petitioner will install a pedestrian refuge island with Woodlawn Road as part of the extension of the left turn lane. The exact location of the pedestrian refuge island will be coordinated with CDOT and NCDOT during the urban review process for the Site.

II. Standards, Phasing and Other Provisions.

a. CDOT/NCDOT Standards. All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT as applicable. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the area, by way of a private/public partnership effort or other public sector project support.

b. **Substantial Completion.** Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.1a. above shall mean completion of the roadway improvement in accordance with the standards set forth in Section 4.1b above provided, however, in the event the roadway improvement is not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building on the Site in connection with related development described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable building, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvement not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

c. Right-of-way Availability. It is understood that some of the public roadway improvement referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvement referenced in subsection a. above is delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable building; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvement; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvement not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvement.

III. Access.

a. Access to the Site will be from Woodlawn Road and Drexel Place as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

b. The vehicular access to the Site from Drexel Place will be located along the eastern property boundary 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 and shall comply with Section 6 of the Zoning Ordinance.

5. Streetscape, Landscaping Open Space and Screening:

a. A 24 foot setback as measured from the future back of curb along Woodlawn Road will be provided as generally depicted on the Rezoning Plan.

b. A 46 foot setback as measured from the proposed back of curb along Drexel Place will be provided as generally depicted on the Rezoning Plan.

c. Along Drexel Place stoops and stairs providing access to the ground floor units will be allowed to encroach up to four (4) feet into the 46 foot setback as generally depicted on the Rezoning Plan. Balconies on the second and third floors of the building will also be allowed to encroach up to two (2) feet into the setback along Drexel Place.

d. An eight (8) foot planting strip and an eight (8) foot sidewalk will be provided along Woodland Road and along Drexel Place within the required setbacks as generally depicted on the Rezoning Plan.

e. A 20 foot landscape area and drainage easement will be provide along the Site's western property line adjacent to the existing single-family home fronting on Drexel Place.

f. The Petitioner will construct a solid wooden fence along the rear property line to tax parcel # 149-206-28 (Ms. Jean Williams property). Along the Site's common side property line with tax parcel # 149-206-28 the Petitioner will plant a row of large maturing evergreen trees, but outside of the proposed 20 foot storm drainage easement.

g. Urban Open Space will be provided on the Site as required by the Ordinance.

h. Meter banks will be screened where visible from public view at grade level.

i. Roof top HVAC and related mechanical equipment will be screened from public view at grade level.

6. General Design Guidelines:

a. Ground floor units along Drexel Place will have individual entrances accessing Drexel Place.

b. The building materials used on the principal building constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone (not allowed on the building elevation facing Drexel Place), cementitious fiber board, stucco, EIFS (not allowed on the building elevation facing Drexel Place), decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.

c. The attached illustrative building elevations are included to reflect an architectural style and a quality of the building that may be constructed on the Site (the actual building constructed on the Site may vary from these illustrations provided that the design intent is preserved)

d. Façades shall provide visual divisions between the first and second stories through architectural means such as courses, awnings, or a change in primary façade materials or colors.

e. The portion of the building facing Drexel Place will be designed to have no more than eight (8) townhome style units fronting on Drexel Place.

f. In order to maintain an appropriate transition to the existing single-family along the Site's western property boundary the proposed building will maintain a four (4) story building height for a depth of at least two units, with the first unit facing Drexel Place and the second unit facing the western property boundary as generally depicted on the Rezoning Plan.

g. story building height for a depth of at least two units, with the first unit facing Drexel Place and the second unit facing the western property boundary as generally depicted on the Rezoning Plan.

7. Parking and Maneuvering Restrictions.

a. A minimum of 1.0 parking space per dwelling unit will be provided.

b. Each of the proposed access locations into the Site will be gated so that only residents of the community will have access to the proposed parking structure. The location of the access gates will be determined during the building permit process. The general public will not be able to use the Site's driveways to go from Woodlawn Road to Drexel Place and vice versa.

8. Signage:

a. Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided.

9. 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 16 feet in height.

10. CATS Passenger Waiting Pad.

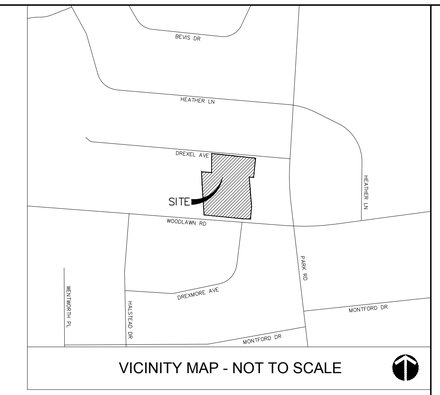
a. The Petitioner will construct along the Site's frontage on Woodlawn Road a CATS passenger waiting pad per Charlotte Land Development Standard 60.09A. The location of the waiting pad will be determined in conjunction with CATS during the MUDD approval process. The Petitioner may elect to construct a bicycle rack as part of the construction of the waiting pad.

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 representatives, successors in interest or assigns.



VICINITY MAP - NOT TO SCALE

PETITION NO. 2015-093

20' 0' 20' 40' 80'

LandDesign
223 N Graham Street Charlotte, NC 28202
V: 704.333.0325 F: 704.332.3246
www.LandDesign.com

1351 WOODLAWN (MELROSE), LLC

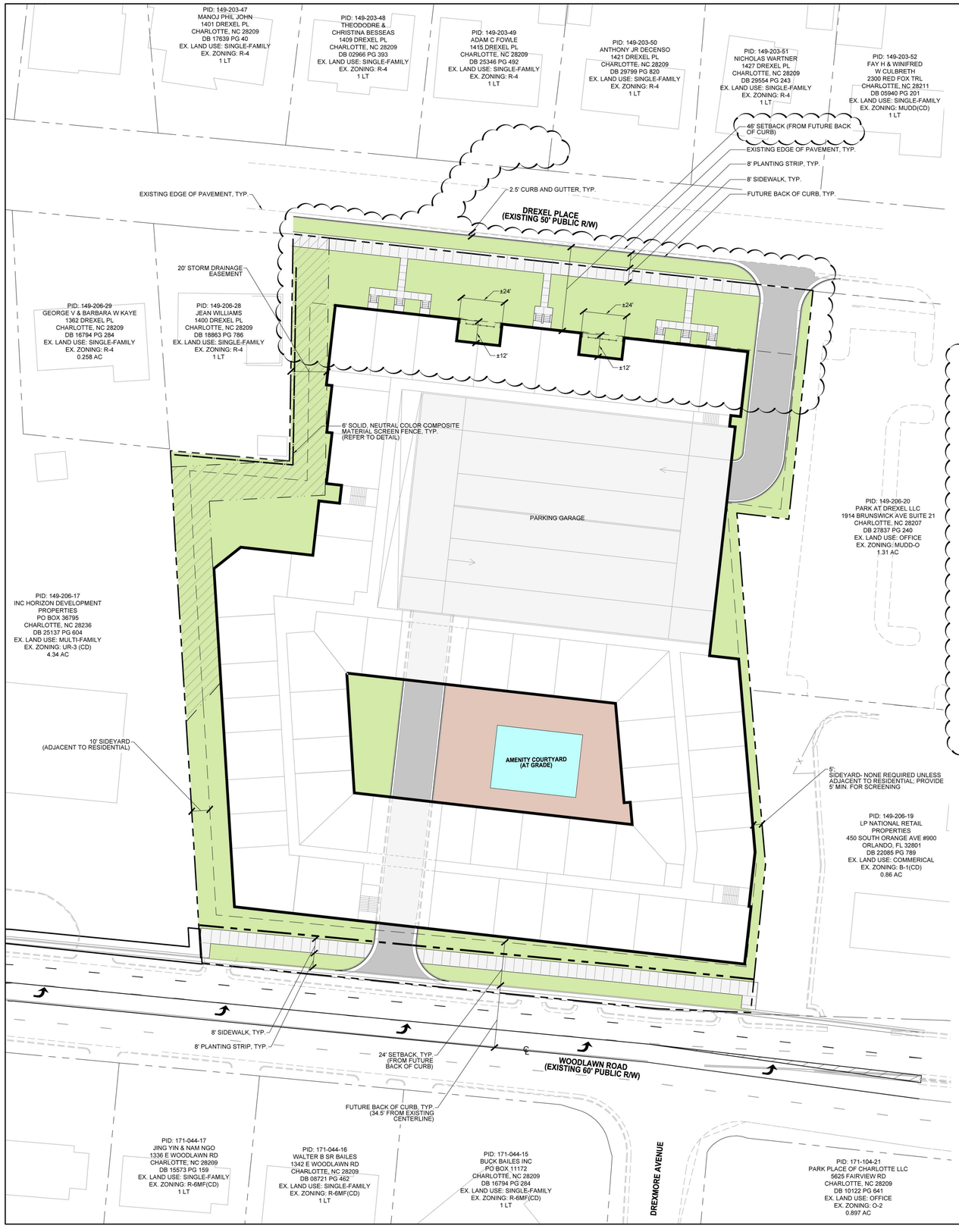
1351 WOODLAWN APARTMENTS
REZONING PETITION NO. 2015-093

TECHNICAL DATA SHEET

REVISIONS:
09.18.2015 - REVISIONS PER STAFF COMMENTS
11.20.2015 - REVISIONS PER NEIGHBORHOOD AND STAFF COMMENTS
01.15.2016 - REVISIONS PER NEIGHBORHOOD AND STAFF COMMENTS
04.21.2016 - REVISIONS PER NEIGHBORHOOD AND STAFF COMMENTS - SUBMITTAL TO PLANNING
05.02.2016 - STAFF COMMENTS

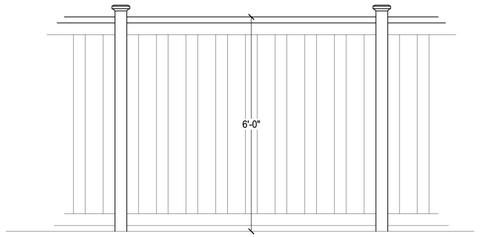
DATE: JUNE 17TH, 2015
DESIGNED BY: AWM
DRAWN BY: PMK
CHECKED BY: AWM
Q.C. BY: AWM
SCALE: 1"=40'
PROJECT #: 1015109

SHEET #:
RZ-1



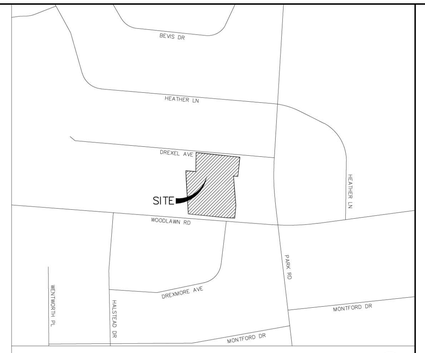
NOTE:

1. THE MATERIAL OF THE SCREEN FENCE SHALL BE SOLID NEUTRAL COLOR COMPOSITE.

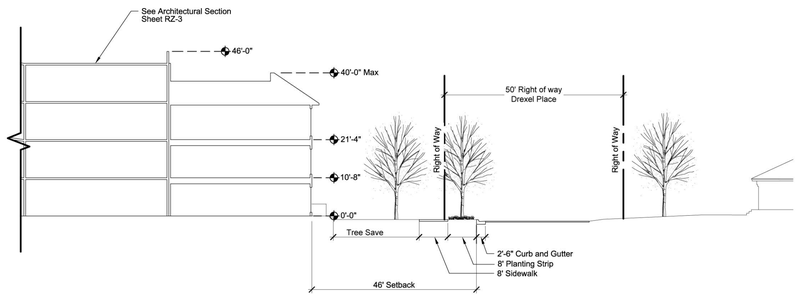


SCREEN FENCE

1/2"=1'



VICINITY MAP - NOT TO SCALE



SECTION AT DREXEL PLACE

1"=20'-0"

PETITION NO. 2015-093

15' 0' 15' 30' 60'

LandDesign
223 N Graham Street Charlotte, NC 28202
V: 704.333.0325 F: 704.332.3246
www.LandDesign.com

1351 WOODLAWN (MELROSE), LLC

1351 WOODLAWN APARTMENTS
REZONING PETITION NO. 2015-093

SCHEMATIC SITE PLAN

REVISIONS:
09.14.15 - NEIGHBORHOOD MEETING
09.18.2015 - REVISIONS PER STAFF COMMENTS
11.13.2015 - REVISIONS PER NEIGHBORHOOD AND STAFF COMMENTS
01.15.2016 - REVISIONS PER NEIGHBORHOOD AND STAFF COMMENTS
03.31.16 - REVISIONS PER NEIGHBORHOOD REVIEW
04.21.16 - REVISIONS PER NEIGHBORHOOD AND STAFF COMMENTS; RESUBMITTAL TO PLANNING
05.02.2016 - STAFF COMMENTS

DATE: JUNE 17TH, 2015
DESIGNED BY: AWM
DRAWN BY: PMK
CHECKED BY: AWM
Q.C. BY: AWM
SCALE: 1" = 30'
PROJECT #: 1015109

SHEET #:
RZ-2

FINISHES LEGEND

1. BRICK/ MASONRY VENEER
2. FIBER CEMENT SIDING/ PANELS
3. ASPHALT SHINGLES
4. GLAZING
5. PREFINISHED MTL RAILING

CLINE DESIGN

1351 WOODLAWN
DREXEL PLACE ELEVATION

CHARLOTTE, NC

03.30.2016

214025

CONCEPT DESIGN
REZONING PETITION 2015-093

SHEET

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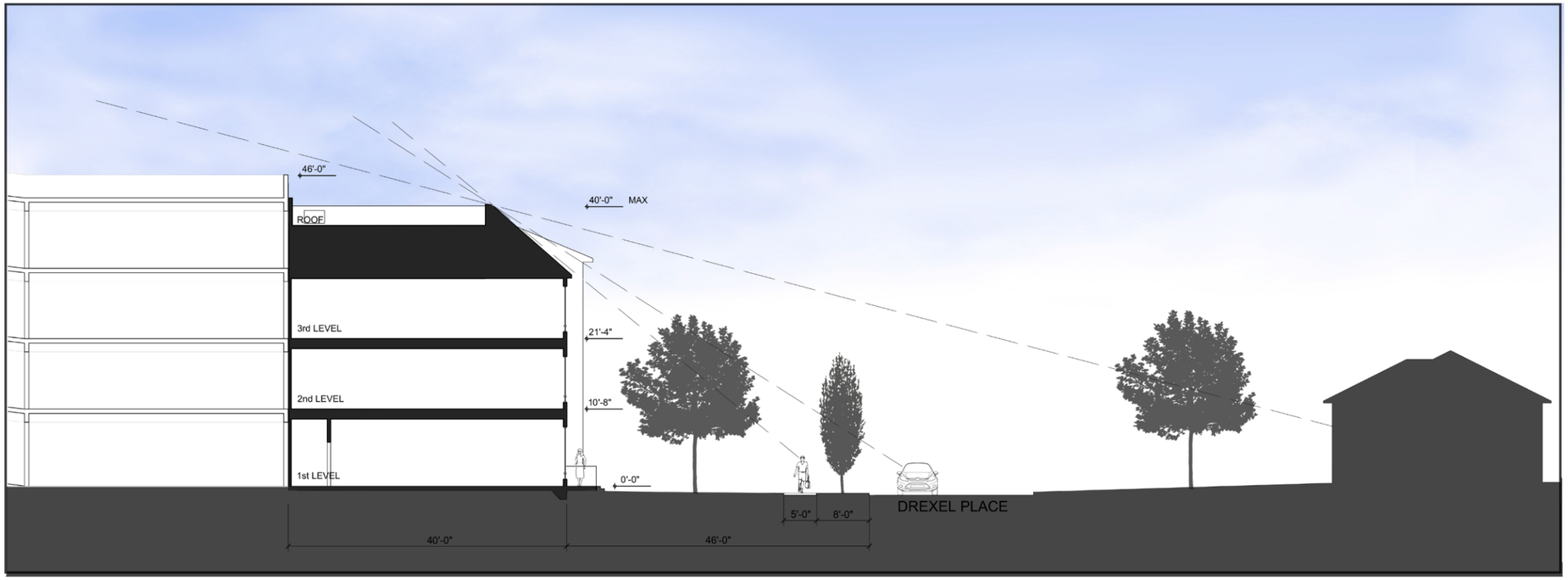
RZ-3



ENLARGED SITE SECTION AT DREXEL 02

Scale: 1/8" = 1'-0"

CONCEPTUAL SITE SECTION 01

Scale: 1/16" = 1'-0"

CLINE DESIGN

1351 WOODLAWN
DREXEL PLACE SECTIONS
CHARLOTTE, NC

03.30.2016

214025

CONCEPT DESIGN
REZONING PETITION 2015-093

SHEET

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RZ-4

Agenda #: 9.**File #:** 15-3177 **Type:** Zoning Decision

Rezoning Petition: 2015-111 by North Wendover Partners, LLC

Update: Protest Petition Sufficient

Location: Approximately 2.48 acres located on the southwest corner at the intersection of North Wendover Road and Melchor Avenue. (Council District 1 - Kinsey)

Current Zoning: R-3 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:
Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *South District Plan*, based on information from the staff analysis and the public hearing, and because:
  - The petition is consistent with the residential use recommended by the *South District Plan*. In addition, the site meets the criteria set forth in the *General Development Policies* for consideration of an increase in density up to 17 dwelling units per acre.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The property is located on a segment of Wendover with multi-family, office, and government uses. Immediately east of the site is an existing multi-family development that also has access from Wendover Road; and
  - The site is separated from existing single family residential units by a stream and a fairly significant grade change; and
  - The proposed driveway location aligns with a potential future extension of Cascade Circle from Billingsley Road to Wendover Road; and
  - Access to the site is limited to the single driveway reducing the number of potential driveways along this heavily traveled portion of Wendover Road.

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map
Site Plan

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2015-111
Zoning Committee Recommendation

March 30, 2016

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 2.48 acres located on the southwest corner at the intersection of North Wendover Road and Melchor Avenue. (Council District 1 – Kinsey)
SUMMARY OF PETITION	The petition proposes to allow up to 38 single family attached dwelling units, at a density of 15.3 units per acre, and related accessory uses, on a vacant parcel in the Wendover/Sedgewood neighborhood.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	South State Bank, et al North Wendover Partners, LLC John Carmichael, Robinson Bradshaw & Hinson
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6
STATEMENT OF CONSISTENCY	The Zoning Committee found this petition to be consistent with the *South District Plan*, based on information from the staff analysis and the public hearing, and because: • The petition is consistent with the residential use recommended by the *South District Plan*. In addition, the site meets the criteria set forth in the *General Development Policies* for consideration of an increase in density up to 17 dwelling units per acre. Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because: • The property is located on a segment of Wendover with multi-family, office, and government uses. Immediately east of the site is an existing multi-family development that also has access from Wendover Road; and • The site is separated from existing single family residential units by a stream and a fairly significant grade change; and • The proposed driveway location aligns with a potential future extension of Cascade Circle from Billingsley Road to Wendover Road; and • Access to the site is limited to the single driveway reducing the number of potential driveways along this heavily traveled portion of Wendover Road; By a 6-0 vote of the Zoning Committee (motion by Wiggins seconded by Majeed).
ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications: <u>Site and Building Design</u> 1. The fencing along Wendover Road has been removed from the site plan and the fencing along the property boundary will be 50 % transparent. 2. The fencing along Wendover Road has been removed; therefore, the request to add a note that the fence will not be a solid wall but will have openings such as gates/entries is no longer needed. 3. Staff has rescinded the request to add a note that there will be no blank walls over 20 feet vertically or horizontally as the petitioner has submitted building elevations. 4. Staff has rescinded the request for the facades fronting Wendover Road to not have a private elevated deck as building elevations

have been provided.

Other Minor Issues

5. Specified the maximum building height as 40 feet and not to exceed three stories.

Infrastructure

6. Added a tree protection fence to protect existing right-of-way trees, and labeled potential tee protection area at rear of site.
7. Added a note stating that petitioner acknowledges that there is no water system availability to the site and that development cannot occur until there is availability.

Requested Technical Revisions

8. Labeled the private open space on the Private Street Section provided on Sheet RZ-2.
9. Deleted Note 4 under General Provisions, Note 3 under Transportation, Note 1 under Streetscape and Landscaping, Note 3 under Environmental Features, Note 1 under Signage and Note 3 under Binding Effect of the Rezoning Documents and Definitions.

The following items have been added or modified since the public hearing:

1. Amended Note B1 under Permitted Uses to specify 38 for sale single family attached dwelling units.
2. Amended Note C1 under Transportation to replaced "access points" with "access point."
3. Added the following note under Transportation: "each single family attached dwelling unit shall have a minimum two car garage."
4. Added the following note under Transportation: "A minimum of six surface parking spaces shall be installed on the site."
5. Added conceptual architectural renderings (Note 3) under Architectural Standards that are intended to depict the general conceptual architectural style and character of these elevations. Accordingly, the conceptual architectural renderings set out on Sheet RZ5.0 of the rezoning plan shall be designed and constructed so that such elevations are substantially similar in appearance to the relevant conceptual architectural renderings set out on Sheet RZ5.0 of the rezoning plan with respect to architectural style, character and primary building materials. Notwithstanding the foregoing changes and alterations which do not materially change the overall conceptual architectural style and character shall be permitted. The conceptual architectural renderings depict the following:
   I. "The front or north Wendover Road facing elevations of the single family attached dwelling units that will be located adjacent to North Wendover Road,"
   II. The rear elevations of the single family attached dwelling units that will be located adjacent to North Wendover Road,
   III. The front or private drive facing elevations of the single family attached dwelling units that will be located adjacent to the rear boundary line of the site,
   IV. The rear elevations of the single family attached dwelling units that will be located adjacent to the rear boundary line of the site, and
   V. The end or side elevations of the single family attached dwelling units that are intended to depict the general conceptual architectural style and character of these elevations.
6. Added Note 4 under Architectural Standards as follows: "Although not depicted on the conceptual architectural renderings, exterior decks may be constructed on the second floor of the rear elevations of the townhome units."
7. Added Note 5 under Architectural Standards as follows: "The permitted exterior building materials for the single family attached dwelling units shall be brick veneer and cementitious siding. Vinyl and aluminum shall not be permitted exterior building materials provided, however, that vinyl and/or aluminum may be utilized on

the soffits and trim, and vinyl windows, shutters, doors and garage doors and railings may be installed on the single family attached units. Additionally, in the event that a deck is constructed at the rear of a single family dwelling unit, the deck shall be constructed of pressure treated wood or a composite material."

8. Added Note 6 under Architectural Standards as follows: "Brick veneer shall be utilized on those portions of the building elevations that are depicted and described on the attached conceptual architectural renderings."
9. Added Note 7 under Architectural Standards as follows: "As generally depicted on the conceptual architectural renderings, a combination of vertical and horizontal cementitious siding shall be installed on the exterior of the single family attached dwelling units, and a variety of colors shall be utilized as well. The same color cementitious siding may not be utilized on single family attached dwelling units that share a common building wall. The colors actually utilized on the single family attached dwelling units may vary from the colors set out on the conceptual architectural renderings."
10. Added Note E4 under Streetscape and Landscaping as follows: "A fence shall be installed along the western, southern and northern boundary lines of the Site as depicted on the Fencing Exhibit set out on Sheet RZ - 4 of the Rezoning Plan. Those portions of the fence designated with a green line shall have a minimum height of 4 feet and shall be an aluminum black fence that is substantially similar in appearance to the black aluminum fence depicted on the Fencing Exhibit. Those portions of the fence designated with a purple line shall have a minimum height of 6 feet and shall be a wood shadowbox fence that is substantially similar in appearance to the wood shadow box fence depicted on the Fencing Exhibit."
11. Added Note E5 under Streetscape and Landscaping as follows: "As depicted on the rezoning plan, a retaining wall shall be constructed along the southern boundary of the site. The exterior building materials for the retaining wall shall be modular block."
12. Added Note E6 under Streetscape and Landscaping as follows: "To soften the appearance of the retaining wall as viewed from the adjacent parcels of land located to the south of the site, petitioner shall plant junipers or other cascading plant materials on top of the wall that will grow over and onto the southern side of the retaining wall. A picture of the plant materials at maturity is set out on the Fencing Exhibit."
13. Added Note F3 under Environmental Features as follows: "All solid waste and recycling collection services are to be provided by private collection service. Roll-out bins will be provided for each unit and located internally within the unit's footprint except when rolled out of the unit for pick-up."
14. Amended Note G2 under Lighting as follows: "The maximum height of any freestanding lighting fixture installed on the site, including base, shall not exceed 15 feet."
15. Labeled 50 feet from the center line along Wendover Road.
16. Identified the tree save area on the site plan.
17. Amended the density to 15.3 units per acre.
18. Identified the location of the required solid waste containers.

VOTE

Motion/Second:	Eschert / Dodson
Yeas:	Dodson, Eschert, Lathrop, Majeed, Sullivan, and Wiggins
Nays:	None
Absent:	Labovitz
Recused:	None

ZONING COMMITTEE DISCUSSION

Staff provided an overview of the petition and explained that there are no outstanding issues. A committee member asked if the proposed retaining wall complies with the zoning ordinance requirements. Staff responded that there are no requirements for retaining walls in the

zoning ordinance pertaining to the distance from property lines. The site plan reflects that the proposed retaining wall is quite a distance from the exterior property line. It was added that there is a large area of SWIM buffer along the rear and the site, which does comply the zoning ordinance requirements for buffers.

Staff noted that this petition is consistent with the *South District Plan's* recommendation for residential use, and that the site meets the criteria set forth in the *General Development Policies* for consideration of an increase in density up to 17 dwelling units per acre.

STAFF OPINION Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Maximum of 38 single family attached dwelling units not to exceed three stories and 40 feet in height.
  - Private open space for each unit.
  - Each unit will have a minimum two-car garage, and a minimum of six spaces parking spaces will be installed on the site.
  - Units fronting Wendover Road will have doors along the street side of the building to access the private open space associated with each unit.
  - A 15-foot wide "Class C" buffer abutting residential zoning and uses located west of the site and abutting a portion of the rear of the site. A 20-foot wide "Class C" buffer will be provided along the remainder of the rear of the site.
  - A fence shall be installed along the western, southern and northern site boundary lines. Fencing will consist of an aluminum black fence limited to four feet in height and a minimum six-foot tall wood shadowbox fence. The location and type of fencing is depicted on the site plan.
  - Access to the site via one driveway off Wendover Road.
  - Units will be accessed by an internal private drive.
  - Front, side and rear building elevations provided.
  - Exterior decks may be constructed on the second floor of the rear elevations of town home units.
  - Exterior building materials shall be brick veneer and cementitious siding. Vinyl and aluminum are not permitted as an exterior building material, and any rear deck will be constructed of pressure treated wood or composite material.
  - A modular brick retaining wall will be constructed along the southern boundary of the site. Junipers and other cascading plant materials that will grow over and onto the southern side of the retaining wall will be planted to soften the appearance of the retaining wall as viewed from adjacent properties located south of the site.
  - Detached lighting will be limited to 15 feet in height.

- **Public Plans and Policies**
  - The *South District Plan* (1992) recommends single family land uses.
  - *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for consideration of up to 17 dwellings per acre as illustrated in the table below.

Assessment Criteria	**Density Category - up to 17 dua**
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	3 (High)
Connectivity Analysis	3 (Medium)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Minimum Points Needed: 13	**Total Points: 13**

  - The petition supports the *General Development Policies-Environment* by developing an existing

site in a developed area, thereby minimizing further environmental impacts while accommodating growth.

- **TRANSPORTATION CONSIDERATIONS**
  - The vehicular access for the development has been sited to create a potential four-legged intersection if Cascade Circle is extended to Wendover Road through future development. The future cross-section of Wendover Road will include bike lanes and a left-turn lane to serve the site. The site plan correctly locates the building setback to allow for the future cross-section to be implemented. NCDOT may require construction of a left-turn lane as part of the access permit to Wendover Road. The rezoning also improves the streetscape, which will include a wide planting strip and sidewalk
  - **Vehicle Trip Generation:**
    Current Zoning: 80 trips per day (based on single family dwellings).
    Proposed Zoning: 280 trips per day (based on townhomes).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** See Advisory Comment, Note 1
- **Charlotte Department of Solid Waste Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate seven students, while the development allowed under the proposed zoning will produce four students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero. The proposed development is not projected to increase the school utilization (without mobile classroom units) for Cotswold Elementary (144%), Alexander Graham Middle (114%) or Myers Park High (115%).
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

ADVISORY COMMENTS

1. Developer must comply with the City's Housing Policies if seeking public funding.

Attachments Online at www.rezoning.org

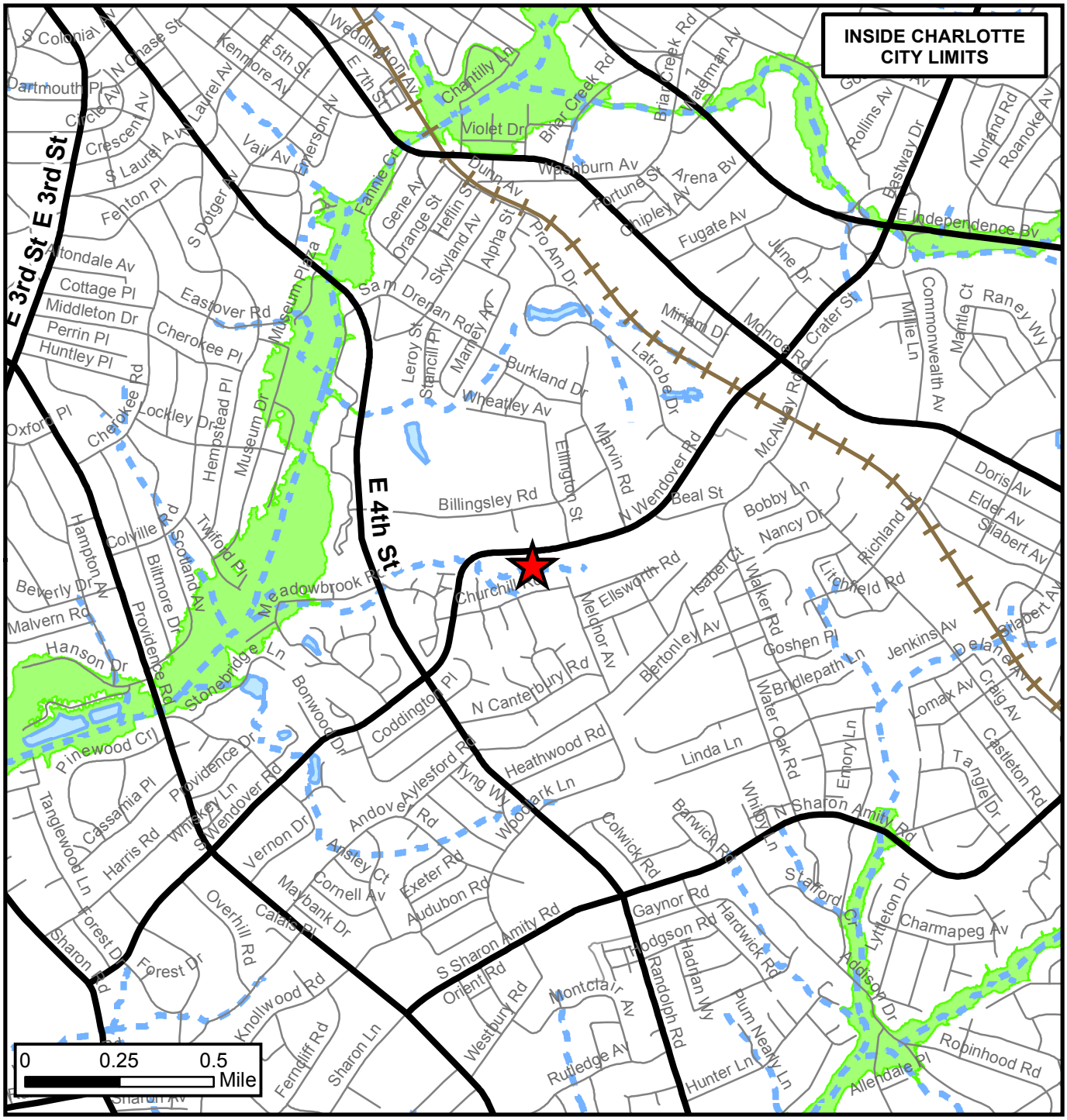
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Department of Solid Waste Services Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

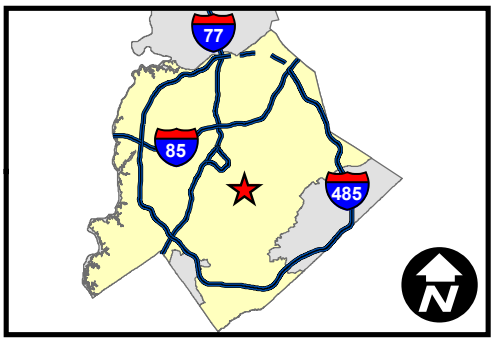
Planner: Sonja Strayhorn Sanders (704) 336-8327

Petition #: 2015-111

Vicinity Map

Acreage & Location : Approximately 2.48 acres located on the southwest corner at the intersection of North Wendover Road and Melchor Avenue.





Rezoning Petition: 2015-111

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Oct 14, 2015

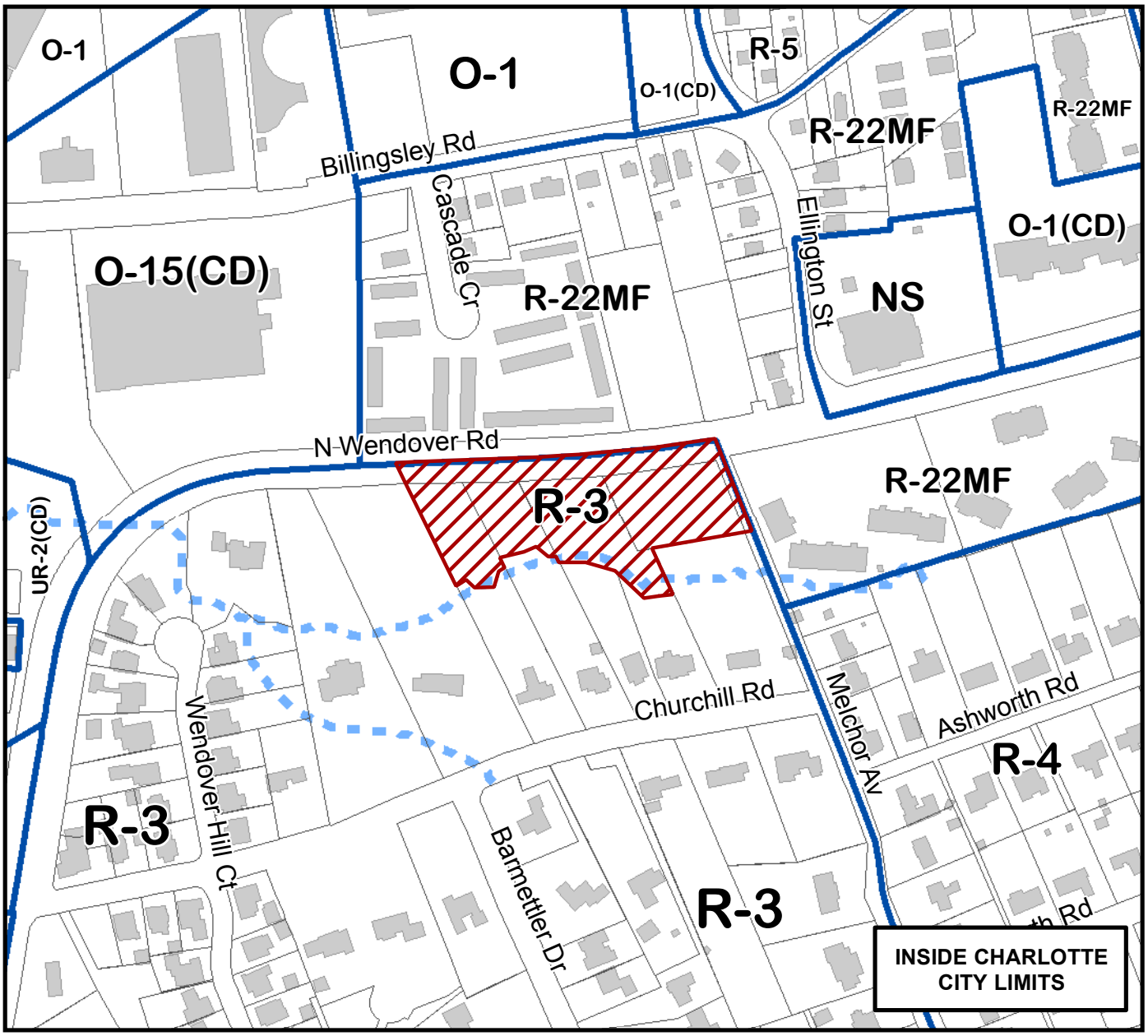
Petition #: 2015-111

Petitioner: North Wendover Partners, LLC

Zoning Classification (Existing): R-3
(Single Family, Residential)

Zoning Classification (Requested): UR-2(CD)
(Urban Residential, Conditional)

Acreage & Location: Approximately 2.48 acres located on the southwest corner at the intersection of North Wendover Road and Melchor Avenue.



Map Produced by the Charlotte-Mecklenburg Planning Department, 7-31-2015.

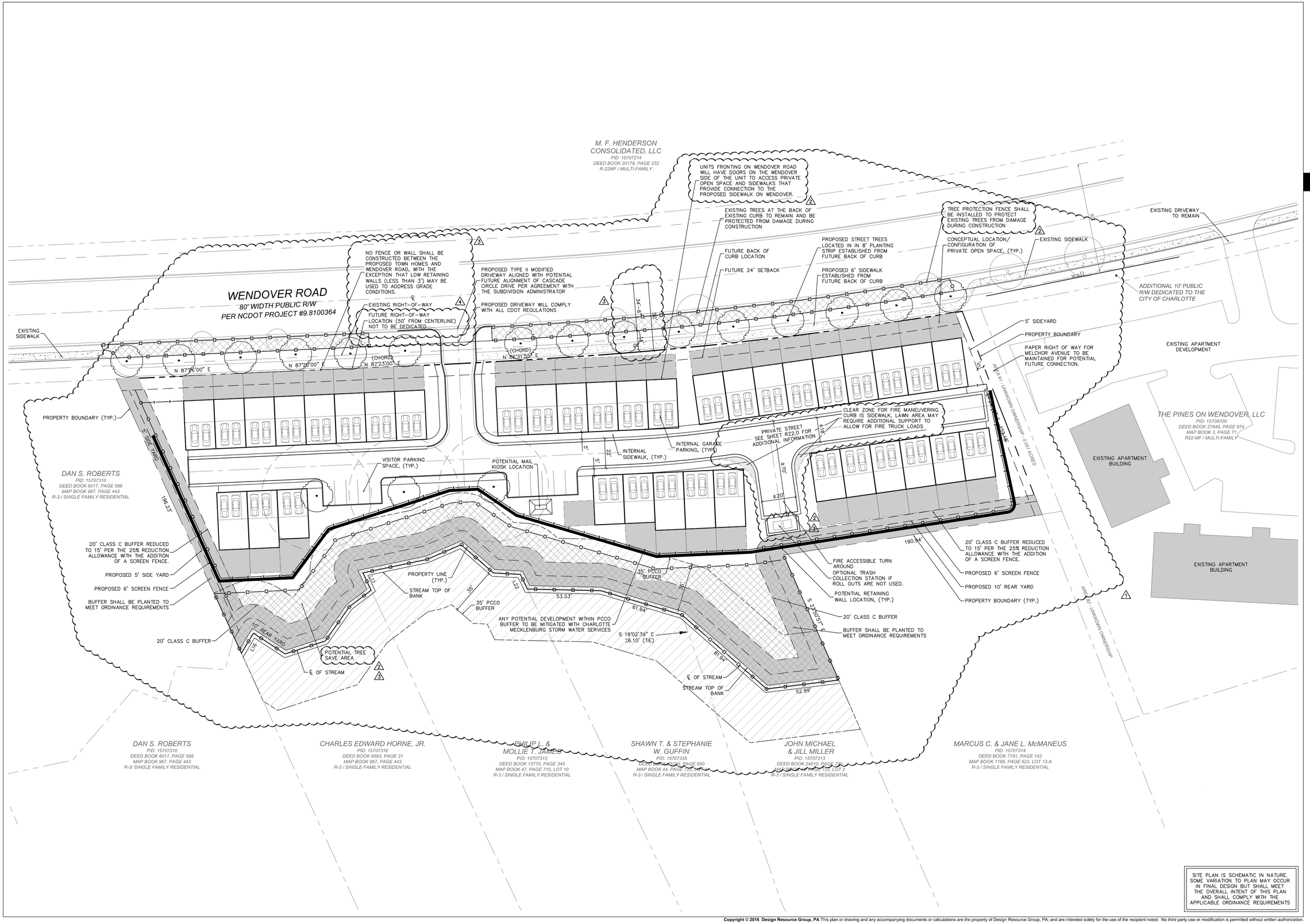
0 100 200 400 600 800 Feet

N

Zoning Map #(s)
124

Requested UR-2(CD) from R-3

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District



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

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DESIGN RESOURCE GROUP

LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

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

NORTH CAROLINA CORPORATE SEAL C-95 C-2165 NCBELS DESIGN RESOURCE GROUP, P.A.

FOR PUBLIC HEARING 2015-111

REZONING PETITION

WENDOVER TOWNS

CHARLOTTE, NORTH CAROLINA

N. WENDOVER DEVELOPMENT, LLC
601 S. CEDAR STREET, STE. 500
CHARLOTTE, NC 28202

SCHEMATIC SITE PLAN

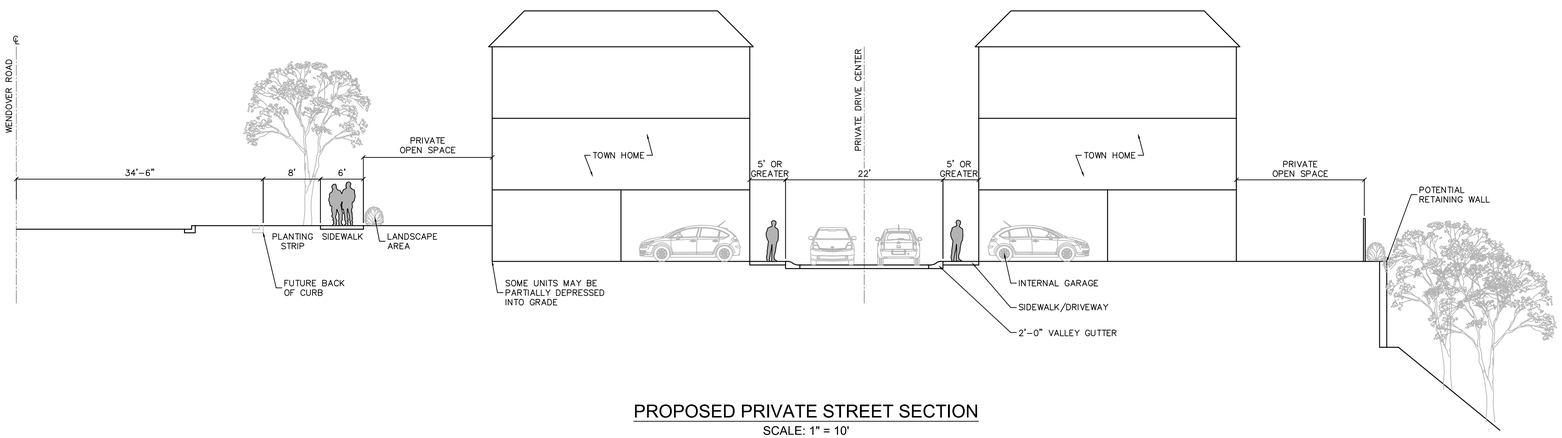
15 0 15 30
SCALE: 1" = 30'

PROJECT #:	523-001
DRAWN BY:	DK
CHECKED BY:	TH

JUNE 22, 2015

REVISIONS:
1. 12.18.15 PER CITY REVIEW
2. 03.24.16 PER CITY REVIEW
3. 03.30.16 PER CITY REVIEW
4. 04.06.16 PER CITY REVIEW

RZ1.0



PROPOSED PRIVATE STREET SECTION

SCALE: 1" = 10'

1

SITE DEVELOPMENT DATA:

ACREAGE:	±2.479 ACRES
TAX PARCELS #:	157-073-11, 157-073-37, 157-073-36, 157-037-15
EXISTING ZONING:	R-3
PROPOSED ZONING:	UR-2(CD)
EXISTING USES:	VACANT
PROPOSED USES:	UP TO 38 TOWN HOME UNITS
MAXIMUM DENSITY ALLOWED:	17 UNITS PER ACRE.
DENSITY PROPOSED:	±15.3 UNITS PER ACRE
MAXIMUM BUILDING HEIGHT:	AS ALLOWED BY THE ORDINANCE, BUT NOT TO EXCEED THREE (3) STORIES.
PARKING:	THE SITE WILL COMPLY WITH THE MINIMUM PARKING REQUIREMENTS OF THE ORDINANCE

3

A. GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY NORTH WENDOVER PARTNERS, LLC (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 2.479 ACRE SITE LOCATED ON THE SOUTH SIDE OF NORTH WENDOVER ROAD BETWEEN ELLINGTON STREET AND CHURCHILL ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 157-073-15, 157-073-37 AND 157-073-11.
2. 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").
3. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR- 2 ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
4. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

B. PERMITTED USES

1. THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 38 FOR SALE SINGLE FAMILY ATTACHED DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE UR-2 ZONING DISTRICT.

C. TRANSPORTATION

1. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
2. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY AN INTERNAL PRIVATE DRIVE, AND MINOR ADJUSTMENTS TO THE LOCATION OF THE PRIVATE DRIVE SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
3. EACH SINGLE FAMILY ATTACHED DWELLING UNIT SHALL HAVE A MINIMUM 2 CAR GARAGE.
4. A MINIMUM OF 6 SURFACE PARKING SPACES SHALL BE INSTALLED ON THE SITE.

D. ARCHITECTURAL STANDARDS

1. THE MAXIMUM HEIGHT IN STORIES OF THE SINGLE FAMILY ATTACHED DWELLING UNITS SHALL BE 3 STORIES.
2. THE MAXIMUM HEIGHT IN FEET OF THE SINGLE FAMILY ATTACHED DWELLING UNITS SHALL BE 40 FEET AS MEASURED FROM THE AVERAGE GRADE AT THE BASE OF THE STRUCTURE.
3. SET OUT ON SHEET RZ 5.0 OF THE REZONING PLAN ARE CONCEPTUAL ARCHITECTURAL RENDERINGS OF (I) THE FRONT OR NORTH WENDOVER ROAD FACING ELEVATIONS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS THAT WILL BE LOCATED ADJACENT TO NORTH WENDOVER ROAD, (II) THE REAR ELEVATIONS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS THAT WILL BE LOCATED ADJACENT TO NORTH WENDOVER ROAD, (III) THE FRONT OR PRIVATE DRIVE FACING ELEVATIONS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS THAT WILL BE LOCATED ADJACENT TO THE REAR BOUNDARY LINE OF THE SITE, (IV) THE REAR ELEVATIONS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS THAT WILL BE LOCATED ADJACENT TO THE REAR BOUNDARY LINE OF THE SITE, AND (V) THE END OR SIDE ELEVATIONS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THESE ELEVATIONS. ACCORDINGLY, (I) THE FRONT OR NORTH WENDOVER ROAD FACING ELEVATIONS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS THAT WILL BE LOCATED ADJACENT TO NORTH WENDOVER ROAD, (II) THE REAR ELEVATIONS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS THAT WILL BE LOCATED ADJACENT TO NORTH WENDOVER ROAD, (III) THE FRONT OR PRIVATE DRIVE FACING ELEVATIONS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS THAT WILL BE LOCATED ADJACENT TO THE REAR BOUNDARY LINE OF THE SITE, (IV) THE REAR ELEVATIONS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS THAT WILL BE LOCATED ADJACENT TO THE REAR BOUNDARY LINE OF THE SITE, AND (V) THE END OR SIDE ELEVATIONS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS SHALL BE DESIGNED AND CONSTRUCTED SO THAT SUCH ELEVATIONS ARE SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE RELEVANT CONCEPTUAL ARCHITECTURAL RENDERINGS SET OUT ON SHEET RZ 5.0 OF THE REZONING PLAN WITH RESPECT TO ARCHITECTURAL STYLE, CHARACTER AND PRIMARY BUILDING MATERIALS. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS WHICH DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER SHALL BE PERMITTED.
4. ALTHOUGH NOT DEPICTED ON THE CONCEPTUAL ARCHITECTURAL RENDERINGS, EXTERIOR DECKS MAY BE CONSTRUCTED ON THE SECOND FLOOR OF THE REAR ELEVATIONS OF THE TOWNHOME UNITS.
5. THE PERMITTED EXTERIOR BUILDING MATERIALS FOR THE SINGLE FAMILY ATTACHED DWELLING UNITS SHALL BE BRICK VENEER AND CEMENTITIOUS SIDING. VINYL AND ALUMINUM SHALL NOT BE A PERMITTED EXTERIOR BUILDING MATERIAL PROVIDED, HOWEVER, THAT VINYL AND/OR ALUMINUM MAY BE UTILIZED ON THE SOFFITS AND TRIM, AND VINYL WINDOWS, SHUTTERS, DOORS AND GARAGE DOORS AND RAILINGS MAY BE INSTALLED ON THE SINGLE FAMILY ATTACHED DWELLING UNITS. ADDITIONALLY, IN THE EVENT THAT A DECK IS CONSTRUCTED AT THE REAR OF A SINGLE FAMILY ATTACHED DWELLING UNIT, THE DECK SHALL BE CONSTRUCTED OF PRESSURE TREATED WOOD OR A COMPOSITE MATERIAL.
6. BRICK VENEER SHALL BE UTILIZED ON THOSE PORTIONS OF THE BUILDING ELEVATIONS THAT ARE DEPICTED AND DESCRIBED ON THE ATTACHED CONCEPTUAL ARCHITECTURAL RENDERINGS.
7. AS GENERALLY DEPICTED ON THE CONCEPTUAL ARCHITECTURAL RENDERINGS, A COMBINATION OF VERTICAL AND HORIZONTAL CEMENTITIOUS SIDING SHALL BE INSTALLED ON THE EXTERIOR OF THE SINGLE FAMILY ATTACHED DWELLING UNITS, AND A VARIETY OF COLORS SHALL BE UTILIZED AS WELL. THE SAME COLOR CEMENTITIOUS SIDING MAY NOT BE UTILIZED ON SINGLE FAMILY ATTACHED DWELLING UNITS THAT SHARE A COMMON BUILDING WALL. THE COLORS ACTUALLY UTILIZED ON THE SINGLE FAMILY ATTACHED DWELLING UNITS MAY VARY FROM THE COLORS SET OUT ON THE CONCEPTUAL ARCHITECTURAL RENDERINGS.
8. GARAGES SHALL BE SETBACK LESS THAN 7 FEET OR MORE THAN 20 FEET FROM THE BACK OF CURB OR THE BACK OF SIDEWALK.

E. STREETSCAPE AND LANDSCAPING

1. A 20 FOOT CLASS C BUFFER SHALL BE ESTABLISHED ALONG THOSE PORTIONS OF THE SITE'S BOUNDARY LINES THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, WHICH BUFFER SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE, SUBJECT, HOWEVER, TO THE PROVISIONS OF SECTION 12.304 THEREOF. THE WIDTH OF THE CLASS C BUFFER MAY BE REDUCED BY 25% BY INSTALLING A WALL, FENCE OR BERM THAT MEETS THE STANDARDS OF SECTION 12.302(8) OF THE ORDINANCE.
2. IN THE EVENT THAT AN ADJACENT PARCEL OF LAND IS EITHER REZONED TO A ZONING DISTRICT OR DEVOTED TO A USE THAT ELIMINATES OR REDUCES THE BUFFER REQUIREMENTS ON THE SITE, PETITIONER MAY REDUCE OR ELIMINATE, AS THE CASE MAY BE, THE RELEVANT BUFFER AREAS ACCORDINGLY.
3. AN 8 FOOT PLANTING STRIP AND A 6 FOOT SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTAGE ON NORTH WENDOVER ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.
4. A FENCE SHALL BE INSTALLED ALONG THE WESTERN, SOUTHERN AND NORTHERN BOUNDARY LINES OF THE SITE AS DEPICTED ON THE FENCING EXHIBIT SET OUT ON SHEET RZ 4.0 OF THE REZONING PLAN. THOSE PORTIONS OF THE FENCE DESIGNATED WITH A GREEN LINE SHALL HAVE A MINIMUM HEIGHT OF 4 FEET AND SHALL BE AN ALUMINUM BLACK FENCE THAT IS SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE BLACK ALUMINUM FENCE DEPICTED ON THE FENCING EXHIBIT. THOSE PORTIONS OF THE FENCE DESIGNATED WITH A PURPLE LINE SHALL HAVE A MINIMUM HEIGHT OF 6 FEET AND SHALL BE A WOOD SHADOWBOX FENCE THAT IS SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE WOOD SHADOW BOX FENCE DEPICTED ON THE FENCING EXHIBIT.
5. AS DEPICTED ON THE REZONING PLAN, A RETAINING WALL SHALL BE CONSTRUCTED ALONG THE SOUTHERN BOUNDARY OF THE SITE. THE EXTERIOR BUILDING MATERIALS FOR THE RETAINING WALL SHALL BE MODULAR BLOCK.
6. TO SOFTEN THE APPEARANCE OF THE RETAINING WALL AS VIEWED FROM THE ADJACENT PARCELS OF LAND LOCATED TO THE SOUTH OF THE SITE, PETITIONER SHALL PLANT JUNIPERS OR OTHER CASCADING PLANT MATERIALS ON TOP OF THE WALL THAT WILL GROW OVER AND ONTO THE SOUTHERN SIDE OF THE RETAINING WALL. A PICTURE DEPICTING THE PLANT MATERIALS AT MATURITY IS SET OUT ON THE FENCING EXHIBIT.

F. ENVIRONMENTAL FEATURES

1. PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
2. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
3. SOLID WASTE AND RECYCLING COLLECTION SERVICES ARE TO BE PROVIDED BY A PRIVATE COLLECTION SERVICE. ROLL-OUT BINS WILL BE PROVIDED FOR EACH UNIT AND LOCATED INTERNALLY WITHIN THE UNIT'S FOOTPRINT EXCEPT WHEN ROLLED OUT OF THE UNIT FOR PICK-UP. NOTWITHSTANDING THE FOREGOING, IN THE EVENT THAT ROLL-OUT BINS ARE NOT UTILIZED, AN OPTIONAL TRASH COLLECTION STATION AREA IS DEPICTED ON THE REZONING PLAN
4. PETITIONER ACKNOWLEDGES THAT WATER SERVICE IS NOT CURRENTLY AVAILABLE TO THE SITE AND THAT DEVELOPMENT ON THE SITE CANNOT OCCUR UNTIL WATER SERVICE IS AVAILABLE TO THE SITE.

4

G. LIGHTING

1. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING STREET LIGHTS, LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
2. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 15 FEET.
3. ANY LIGHTING FIXTURES ATTACHED TO THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

H. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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

3
2
1

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NORTH CAROLINA CORPORATE SEAL C-95 C-2165 NCBELS DESIGN RESOURCE GROUP, P.A.

FOR PUBLIC HEARING
2015-111

REZONING PETITION

WENDOVER TOWNS

CHARLOTTE, NORTH CAROLINA

N. WENDOVER DEVELOPMENT, LLC
601 S. CEDAR STREET, STE. 500
CHARLOTTE, NC 28202

DEVELOPMENT STANDARDS & SECTION

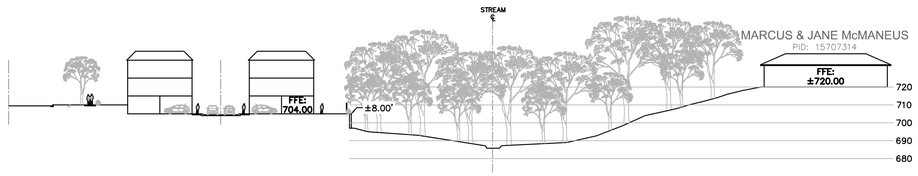
5 0 5 10
SCALE: 1" = 10'

PROJECT #: 523-001
DRAWN BY: DK
CHECKED BY: TH

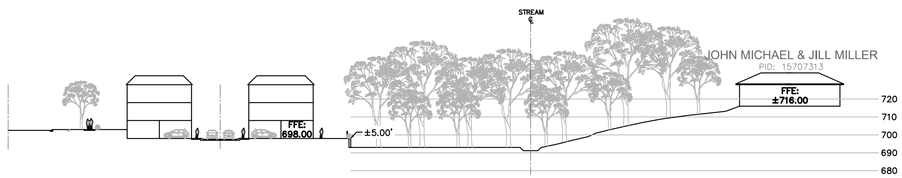
JUNE 22, 2015

REVISIONS:
1 12.18.15 PER CITY REVIEW
2 03.24.16 PER CITY REVIEW
3 03.30.16 PER CITY REVIEW
4 04.06.16 PER CITY REVIEW

RZ2.0



SECTION 5



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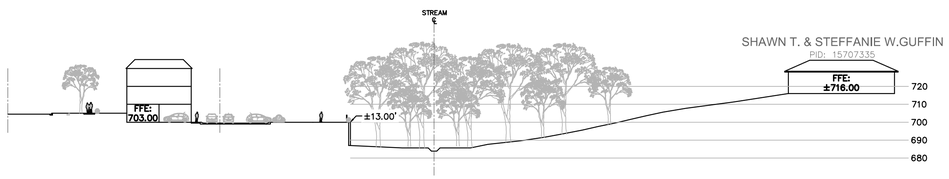

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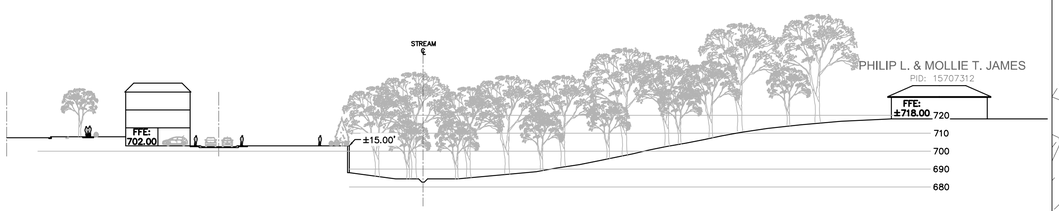
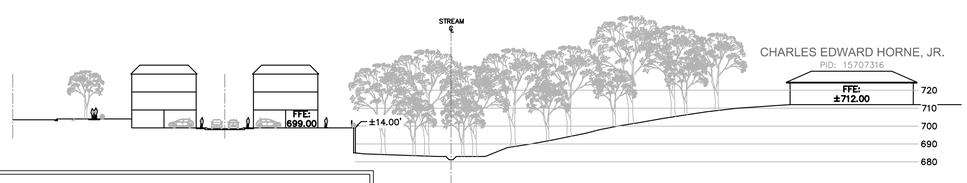
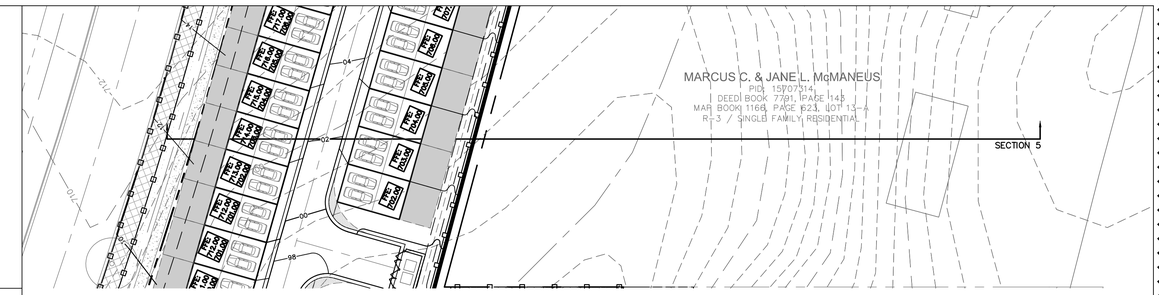


SECTION 2

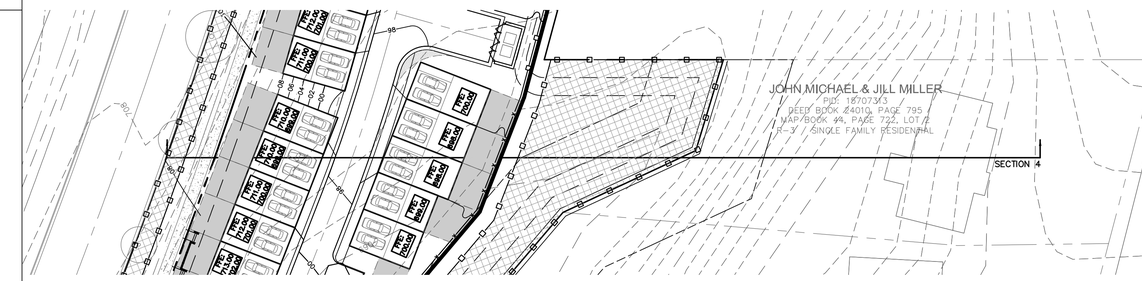


NOTE:
FINISH FLOOR ELEVATIONS, WALL HEIGHTS, AND OTHER COMPONENTS OF THESE SECTIONS ARE SCHEMATIC IN NATURE, AND ARE PROVIDED TO GIVE A GENERAL UNDERSTANDING OF THE RELATIONSHIPS OF THE EXISTING SINGLE FAMILY HOMES TO THE PROPOSED DEVELOPMENT. SOME VARIATION IN THE ELEMENTS SHOWN IN THESE EXHIBITS WILL OCCUR DURING DEVELOPMENT OF THE CONSTRUCTION DOCUMENTS AND PERMIT PLANS.

SECTION 1

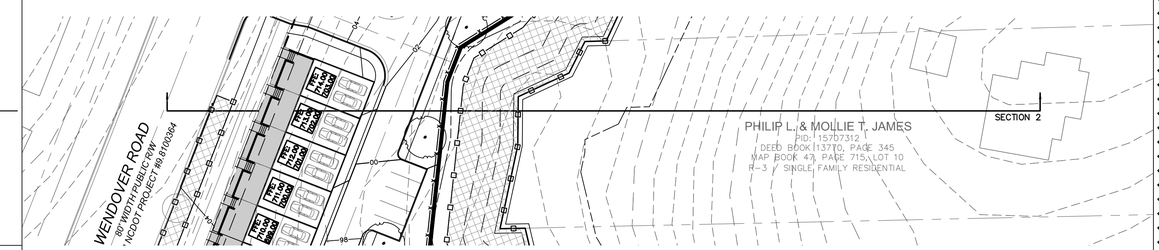


SCALE: 1" = 40'



SCALE: 1" = 40'

SCALE: 1" = 40'



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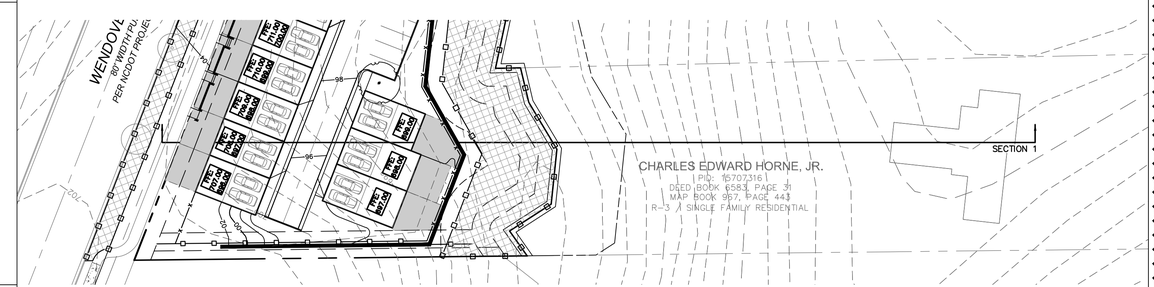

SCALE: 1" = 40'

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FOR PUBLIC HEARING
2015-111

REZONING PETITION

WENDOVER TOWNS
CHARLOTTE, NORTH CAROLINA

N. WENDOVER DEVELOPMENT, LLC
601 S. CEDAR STREET, STE. 500
CHARLOTTE, NC 28202

NEIGHBOR SECTIONS

20 0 20 40
SCALE: 1" = 40'

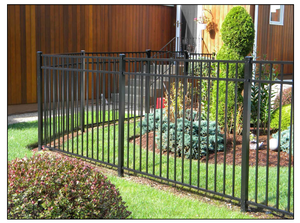
PROJECT #:	523-001
DRAWN BY:	DK
CHECKED BY:	TH

JUNE 22, 2015

REVISIONS:
1 12.18.15 PER CITY REVIEW
2 03.24.16 PER CITY REVIEW
3 03.30.16 PER CITY REVIEW
4 04.06.16 PER CITY REVIEW

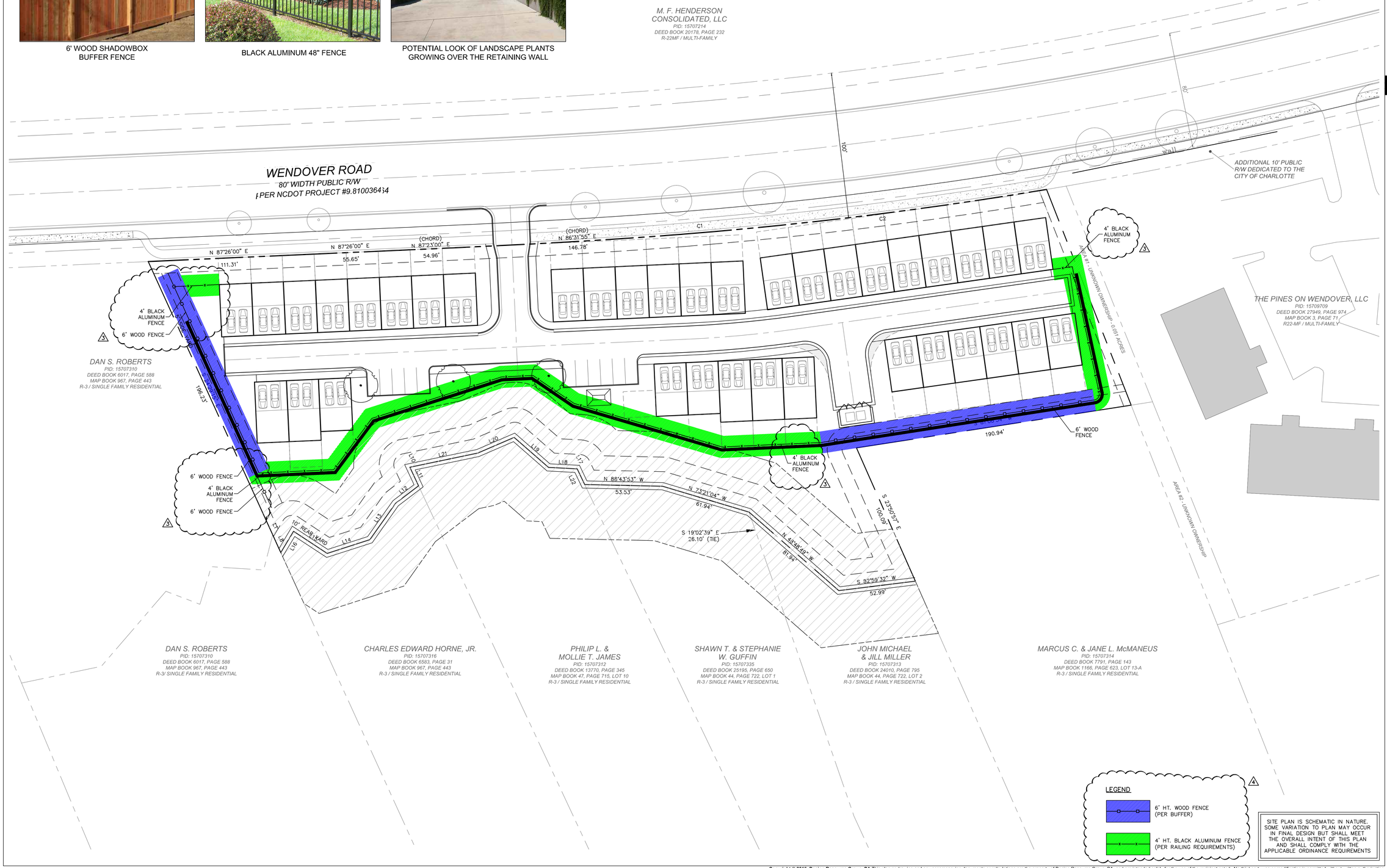
RZ3.0

6' WOOD SHADOWBOX
BUFFER FENCE



BLACK ALUMINUM 48" FENCE

POTENTIAL LOOK OF LANDSCAPE PLANTS
GROWING OVER THE RETAINING WALL



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

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2015-111

REZONING PETITION

WENDOVER TOWNS

CHARLOTTE, NORTH CAROLINA

N. WENDOVER DEVELOPMENT, LLC
601 S. CEDAR STREET, STE. 500
CHARLOTTE, NC 28202

FENCE EXHIBIT

15 0 15 30
SCALE: 1" = 30'

PROJECT #: 523-001
DRAWN BY: DK
CHECKED BY: TH

JUNE 22, 2015

REVISIONS:
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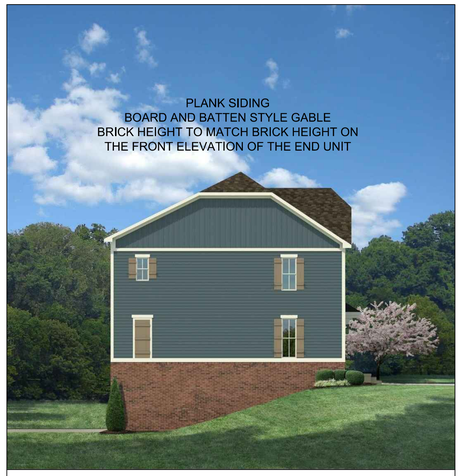
3 03.30.16 PER CITY REVIEW
4 04.06.16 PER CITY REVIEW

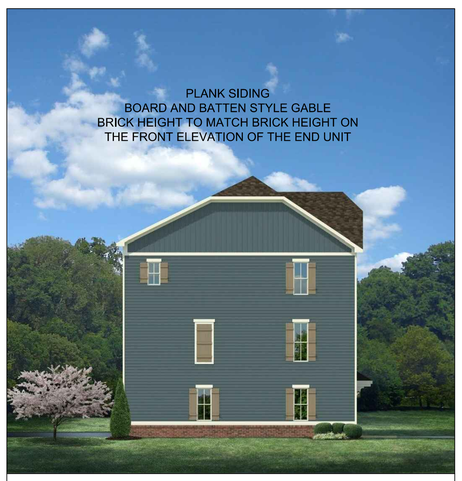
RZ4.0



GABLE END ELEVATION - TWO STORY FRONT

FRONT ELEVATIONS - UNITS ADJACENT TO WENDOVER ROAD

REAR ELEVATIONS - UNITS ADJACENT TO NORTH WENDOVER ROAD



GABLE END ELEVATION - THREE STORY FRONT

FRONT ELEVATIONS - UNITS ADJACENT TO REAR BOUNDARY

REAR ELEVATIONS - UNITS ADJACENT TO REAR BOUNDARY

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FOR PUBLIC HEARING
2015-111

REZONING PETITION

WENDOVER TOWNS

CHARLOTTE, NORTH CAROLINA

N. WENDOVER DEVELOPMENT, LLC
601 S. CEDAR STREET, STE. 500
CHARLOTTE, NC 28202

CONCEPTUAL ELEVATIONS

SCALE: N.T.S.

PROJECT #: 523-001
DRAWN BY: DK
CHECKED BY: TH

JUNE 22, 2015

REVISIONS:
1 12.18.15 PER CITY REVIEW
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RZ5.0

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Agenda #: 10.**File #:** 15-3211 **Type:** Zoning Decision

Rezoning Petition: 2016-025 by BNA Homes, LLC

Location: Approximately 9.52 acres located on the east side of Wright's Ferry Road near the intersection of South Tryon Street and Wright's Ferry Road. (Council District 3 - Mayfield)

Current Zoning: R-3 (single family residential)
Proposed Zoning: R-12MF (CD) (multi-family residential, conditional) & BD (CD) (distributive business, conditional)

Zoning Committee Recommendation:
The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:
Staff disagrees with the recommendation of the Zoning Committee because the request is inconsistent with the adopted plan and the proposed climate controlled storage use is out of character with the immediately surrounding residential development.

Statement of Consistency:

- The Zoning Committee found this petition to be inconsistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends residential up to four dwelling units per acre for this site, as well as the properties to the north and south of this site.
- However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The proposed development serves as a transition between the higher density residential development and lower density single family residential neighborhoods;
  - The BD (CD) portion of the property is a small portion of the site and will be used for circulation, buffers and storm water.

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map
Site Plan

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-025
Zoning Committee Recommendation

March 30, 2016

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: R-12MF(CD) (multi-family residential, conditional) and BD(CD) (distributive business, conditional)
LOCATION	Approximately 9.52 acres located on the north side of South Tryon Street, east of Wrights Ferry Road and west of Steelecroft Parkway. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to allow up to 74 attached dwelling units (townhomes for sale) with a maximum height of 38 feet on a vacant parcel near RiverGate Shopping Center. The BD (CD) (distributive business, conditional) portion will allow a new public street to serve the townhouse community, or accessory uses associated with a climate controlled storage facility. The potential accessory uses could include but are not limited to buffers, screening, storm water and water quality structures, emergency vehicle turn around areas, and parking area and or maneuvering areas for parking.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Compton Contracting Co. BNA Homes, LLC Jeff Brown and Keith MacVean
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 15

STATEMENT OF CONSISTENCY	• The Zoning Committee found this petition to be inconsistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:
	  • The plan recommends residential up to four dwelling units per acre for this site, as well as the properties to the north and south of this site.
	• However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
	  • The proposed development serves as a transition between the higher density residential development and lower density single family residential neighborhoods;
	  • The BD (CD) portion of the property is a small portion of the site and will be used for circulation, buffers and storm water.
	
	By a 5-0 vote of the Zoning Committee (motion by Wiggins seconded by Majeed).

ZONING COMMITTEE ACTION	The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition with the following modifications: 1. Deleted Note 4(a) that states the building materials used on the principal buildings constructed on site will be one or more of the following materials: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, vinyl, aluminum, stucco, EIF, decorative block and/or wood. 2. Revised Note 4(f) to include wording “behind the front most building face, excluding porches…” 3. Removed reference to building height for portion of site zoned BD (CD). 4. Corrected acreage for Development Areas A and B to add up to 9.52 acres. 5. Modified the fence detail on Sheet RZ-1 to specify vinyl as proposed material. 6. Amended note on Sheet RZ-1 by removing under Site Data stating

parking will comply with the minimum requirements of the zoning ordinance.

7. The petitioner will include a sidewalk connection along the proposed private street from the intersection of the public streets to the first intersection of the private streets.
8. The petitioner will amend General Provisions Note 1c (Graphics and Alterations) to reflect only the first paragraph.
9. The petitioner modified the site plan to ensure that language on the site plan reflects that no buildings will be constructed on the BD (CD) (distributive business, conditional) portion of the site.

VOTE

Motion/Second:	Majeed / Wiggins
Yeas:	Dodson, Eschert, Majeed, Sullivan, and Wiggins
Nays:	None
Absent:	Labovitz
Recused:	Lathrop

ZONING COMMITTEE DISCUSSION

Staff reviewed this petition the Committee, noting that this site is linked to an abutting property also under consideration for rezoning (petition 2016-028). Staff noted both sites are inconsistent with the adopted Plan, which calls for residential up to four dwelling units. It was stated that staff typically does not support alternate plans but that these petitions were unique because the alternate plans address infrastructure needs. Staff expressed concerns about how the note pertaining to the BD(CD) (distributive business, conditional) portion was written, requesting that the language ensure that no buildings will be constructed on that portion of the site and that it be only used for fire turnaround, storm water purposes and buffers. A Commissioner inquired if this petition serves as a transition for residential, and staff confirmed yes. The Committee suspended the rules to allow the agent, Keith MacVean, to speak. Mr. MacVean committed to addressing all outstanding issues. The Committee asked if staff would support the request since the petitioner had agreed to all of the changes. Staff responded there would still be a recommendation of non-support due to density.

At the end of the Zoning Committee Work Session, Tammie Keplinger addressed the Committee and explained that she failed to mention something during the presentation on Petition 2016-025. Earlier in the day she had a conversation with Marissa Harris representing the Walker's Ferry Neighborhood. Although they had been informed of the Zoning Committee meeting, they were not in attendance and Ms. Keplinger promised that if Ms. Harris would send a letter regarding the petition, it would be put in front of the Committee.

The letter was distributed to the Committee and Ms. Keplinger explained this neighborhood did speak in opposition to the rezoning at the public hearing.

The Committee members reviewed the letter and Ms. Keplinger noted that if they wished to reconsider their motion on the petition based on this information they would need to do so at this meeting. One Commissioner stated that the letter did not change their view on the rezoning and others agreed.

There was no further discussion of this petition.

STAFF OPINION

Staff disagrees with the recommendation of the Zoning Committee because the request is inconsistent with the adopted plan and the proposed climate controlled storage use is out of character with the immediately surrounding residential development.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Proposes the development of an 8.47-acre portion of the site (Development Area A) with up to 74 for sale townhouse units under R-12MF (CD) (multi-family residential, conditional) zoning.
  - Proposes rezoning a 1.05-acre portion of the site (Development Area B) to BD (CD) (distributive business, conditional). This area will be developed with a public street to serve the proposed townhouse community in Development Area A, or, as an Alternative Plan, will be used for accessory uses associated with a climate controlled storage facility such as, but not limited to, buffers, screening, storm water and water quality structures, emergency vehicle turn around areas and parking and/or maneuvering areas.
  - Limits number of principal townhouse buildings to be built on portion of site to be rezoned to R-12MF (CD) (multi-family residential, conditional) to 18, and per ordinance on the portion to be rezoned to BD (CD) (distributive business, conditional).
  - Allows a maximum building height of 38 feet or two stories for townhouse buildings.
  - Dedicates to NCDOT (North Carolina Department of Transportation) a minimum of 67 feet of right-of-way from the existing center line of South Tryon Street.
  - Provides an internal network of private streets to access townhouse units, with five-foot wide sidewalks on one side.
  - Provides a 48-foot wide Class "C" buffer (reduced to 36 feet with a fence) along the property line abutting parcels zoned R-3 (single family residential), with buffer fence (vinyl) detail shown on the plan.
  - Provides a Class "B" Buffer within Development Area B, as required per ordinance, if Development Area B is developed as part of the climate controlled storage facility as proposed by rezoning petition 2016-028 for the adjoining parcel.
  - Proposes building materials used on principal buildings will be one or more of the following materials: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, vinyl, aluminum, stucco, EIFS, decorative block and/or wood.
  - Proposes front door entrances for townhomes located within 15 feet of a sidewalk will be raised 24 inches above the average grade of the sidewalk.
  - Proposes porches will form a predominate building element of the building design. Each unit will be constructed with a front porch with a minimum depth of six feet as generally indicated on the site plan.
  - Proposes that units located on the interior of the site with end elevations directly across the proposed private street from units that front the same private street will be constructed with corner porches. Corner porches will extend a minimum of six feet from the front elevation and will have a minimum depth of six feet.
  - Proposes that on the interior of the site end units that abut the internal private streets will have windows located on the end facades to avoid a blank street wall.
  - Proposes that garage doors visible from the public or private streets will be recessed at least one foot behind the front building line to minimize the visual impact of the garage doors on the public and private streets.
  - Identifies possible tree save/reforestation area.

- **Public Plans and Policies**
  - The *Steele Creek Area Plan* (2012) recommends residential up to four dwelling units per acre for this site, as well as the properties to the north and south of this site.

- **TRANSPORTATION CONSIDERATIONS**
  - The site will be accessed by a proposed road connecting to South Tryon Street. The primary transportation goal for this site is to preserve the future expansion of South Tryon Street from four to six lanes with protected bike lanes, which is achieved through right-of-way dedication. This petition will not significantly increase the amount of traffic compared to what can be built under the existing entitlements.
  - **Vehicle Trip Generation:**
    Current Zoning: 330 trips per day (based on 28 single family dwelling units).
    Proposed Zoning: 500 trips per day (based on 74 townhomes).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 19 students, while the development allowed under the proposed zoning will produce 21 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is two students. The proposed development is projected to increase the school utilization (without mobile classroom units) as follows:
  - Palisades Park Elementary from 97% to 99%
  - Southwest Middle to remain at 127%
  - Olympic High from 152% to 153%
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** See Advisory Comment, Note 2.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Land Use

1. The accessory uses associated with the climate controlled storage are inconsistent with the residential use recommended in the area plan and should be removed from the site plan.

ADVISORY COMMENT

2. Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance. The property is located in the Wedge, therefore tree save shall be provided on site.

Attachments Online at www.rezoning.org

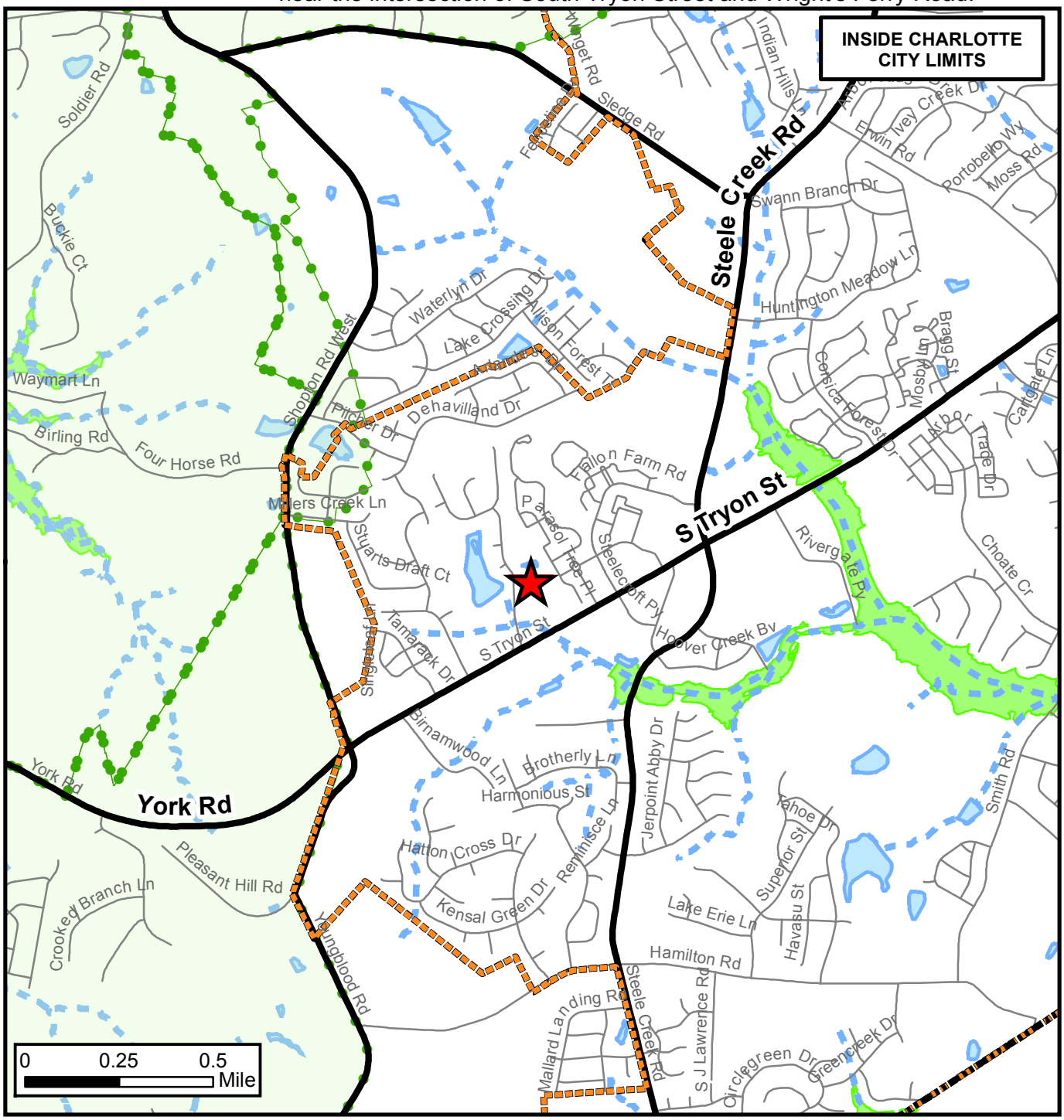
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

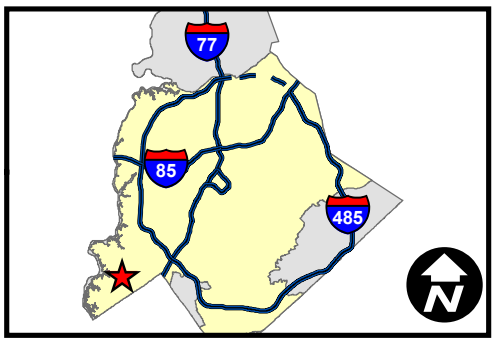
Planner: Claire Lyte-Graham (704) 336-3782

Petition #: 2016-025

Vicinity Map

Acreage & Location : Approximately 9.52 acres located on the east side of Wright's Ferry Road near the intersection of South Tryon Street and Wright's Ferry Road.





Rezoning Petition: 2016-025

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Dec 28, 2015

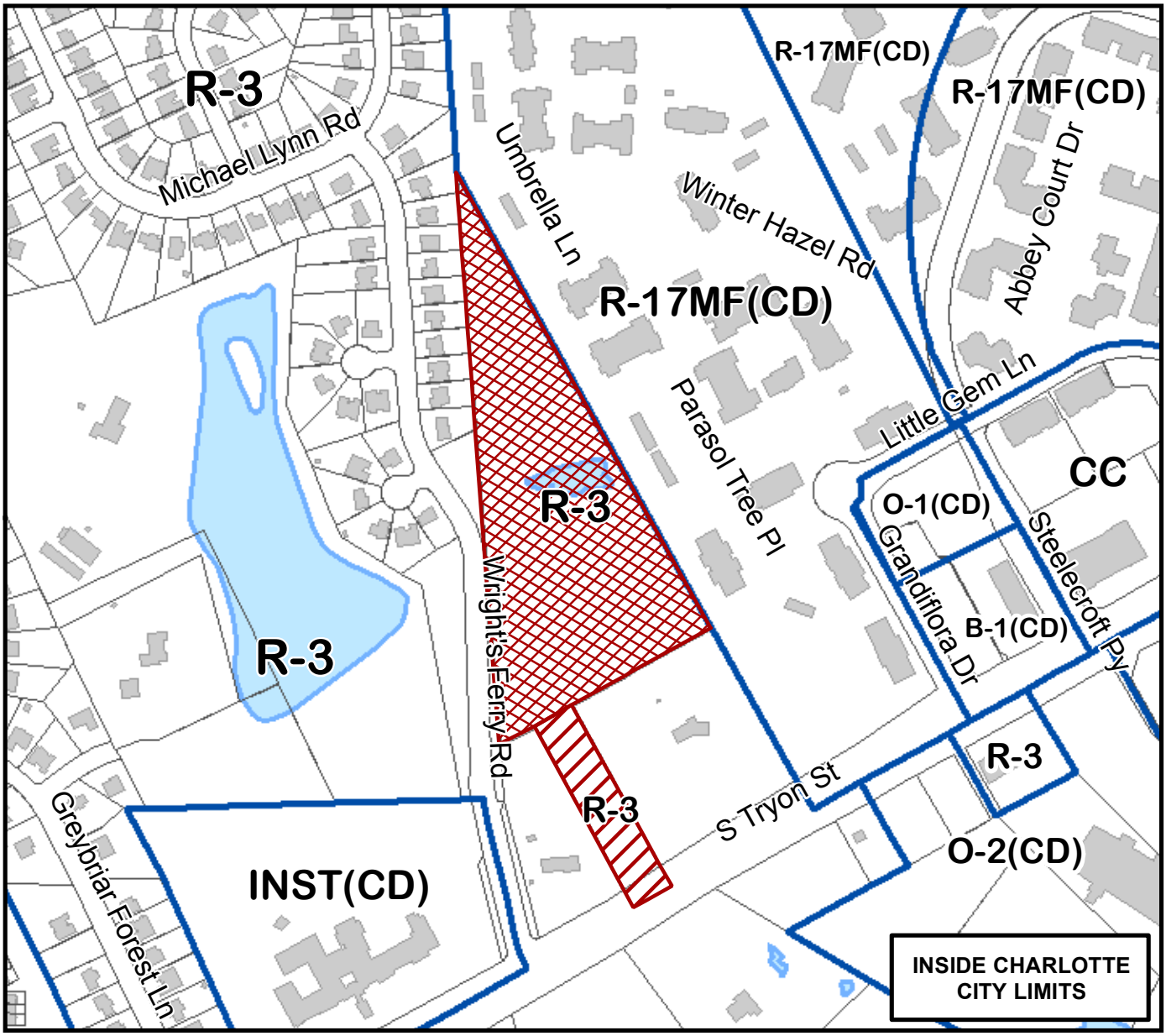
Petition #: 2016-025

Petitioner: BNA Homes, LLC

Zoning Classification (Existing): R-3
(Single Family, Residential)

Zoning Classification (Requested): R-12MF(CD) & BD(CD)
(Multi-Family, Residential, Conditional and Distributive Business, Conditional)

Acreage & Location: Approximately 9.52 acres located on the east side of Wright's Ferry Road near the intersection of South Tryon Street and Wright's Ferry Road.



Map Produced by theCharlotte-Mecklenburg Planning Department, 12-3-2015.

0 125 250 500 750 1,000 Feet

N

Zoning Map #(s)
124

Requested BD(CD) from R-3

Requested R-12MF(CD) from R-3

Existing Building Footprints

Existing Zoning Boundaries

Charlotte City Limits

Pedestrian Overlay

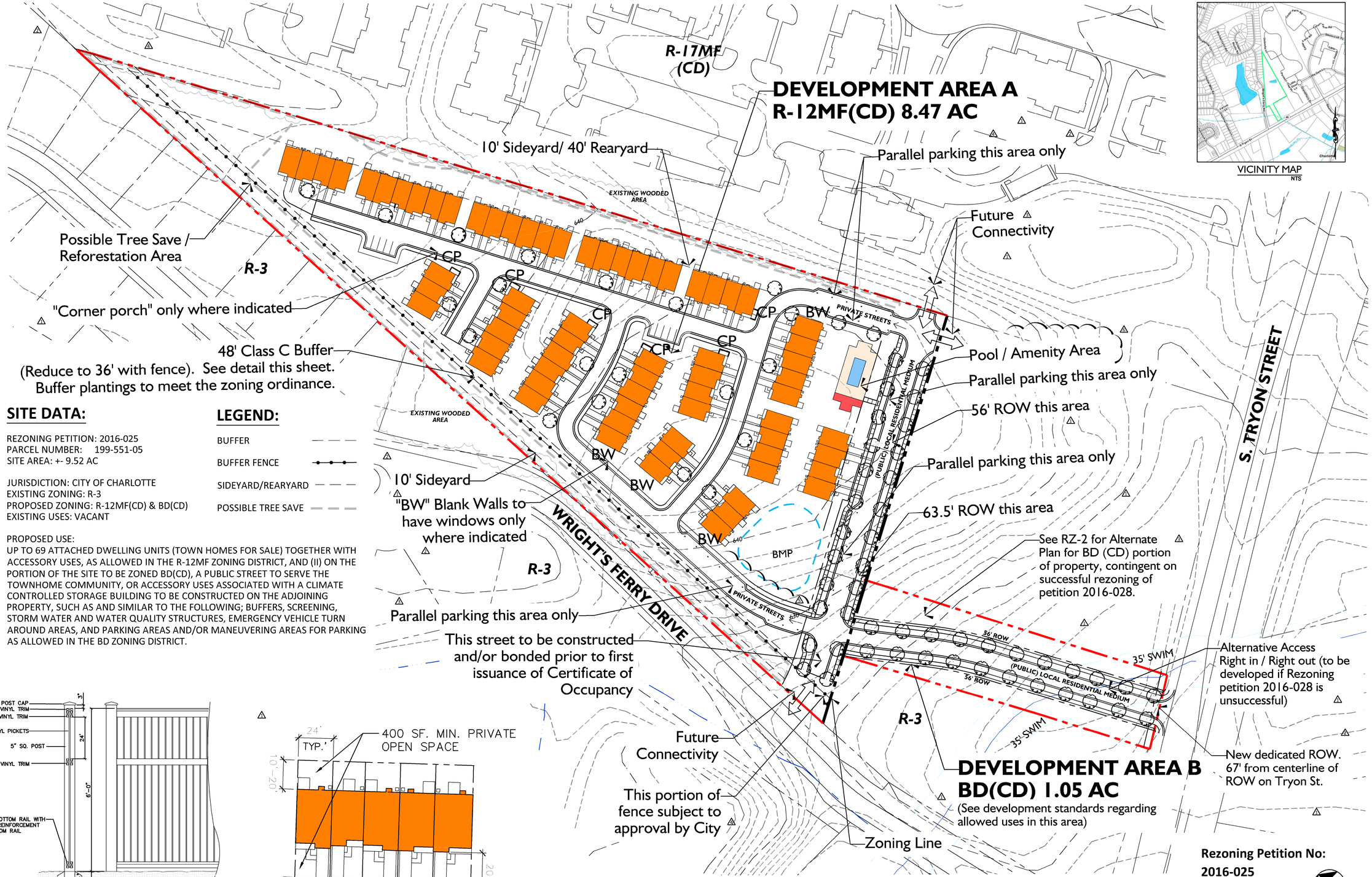
FEMA flood plain

Watershed

Lakes and Ponds

Creeks and Streams

Historic District



VICINITY MAP
NTS

SITE DATA:

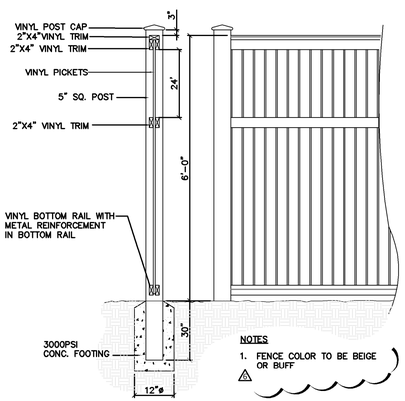
REZONING PETITION: 2016-025
PARCEL NUMBER: 199-551-05
SITE AREA: +- 9.52 AC

JURISDICTION: CITY OF CHARLOTTE
EXISTING ZONING: R-3
PROPOSED ZONING: R-12MF(CD) & BD(CD)
EXISTING USES: VACANT

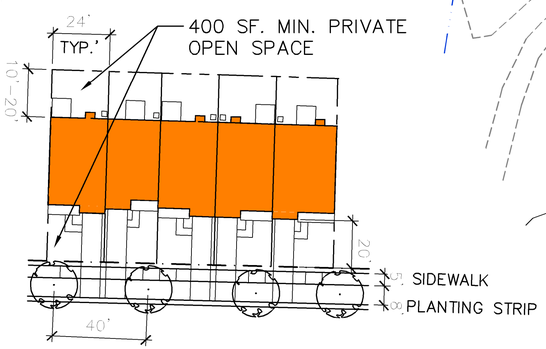
PROPOSED USE:
UP TO 69 ATTACHED DWELLING UNITS (TOWN HOMES FOR SALE) TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE R-12MF ZONING DISTRICT, AND (II) ON THE PORTION OF THE SITE TO BE ZONED BD(CD), A PUBLIC STREET TO SERVE THE TOWNHOME COMMUNITY, OR ACCESSORY USES ASSOCIATED WITH A CLIMATE CONTROLLED STORAGE BUILDING TO BE CONSTRUCTED ON THE ADJOINING PROPERTY, SUCH AS AND SIMILAR TO THE FOLLOWING; BUFFERS, SCREENING, STORM WATER AND WATER QUALITY STRUCTURES, EMERGENCY VEHICLE TURN AROUND AREAS, AND PARKING AREAS AND/OR MANEUVERING AREAS FOR PARKING AS ALLOWED IN THE BD ZONING DISTRICT.

LEGEND:

BUFFER
BUFFER FENCE
SIDEYARD/REARYARD
POSSIBLE TREE SAVE



8 6' Vinyl Buffer Fence Detail
N.T.S.



2 Typical Townhouse Layout - Public Street Frontage

benesch
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www.benesch.com/area/nc.com
P 704.521.9880

Seals:

Corp. NC license: F-1320

Compton Development

Charlotte, North Carolina

Project no:	17.000044
Date:	11.20.15

Revisions:

1	Per Comments	01.11.16
2	Per public mtg.	02.04.16
3	Per Comments	02.17.16
4	Per Comments	03.17.16
5	Per Comments	04.07.16
6	Per Comments	05.03.16

Sheet Title:

Rezoning Plan

2016-025

Sheet No:

RZ-1

DEVELOPMENT STANDARDS

BNA Homes, LLC
Development Standards
05/02/16
Rezoning Petition No. 2016-025

Site Development Data:

--**Acreage**: ±9.52
--**Tax Parcel** #: 199-551-05
--**Existing Zoning:** R-3
--**Proposed Zoning:** R-12MF(CD) & BD(CD)
--**Existing Uses:** Vacant.
--**Proposed Uses:** Up to 69 attached dwelling units (town homes for sale) together with accessory uses, as allowed in the R-12MF zoning district, and (ii) on the portion of the Site to be zoned BD(CD), a public street to serve the townhome community, or accessory uses associated with a climate controlled storage building to be constructed on the adjoining property, such as and similar to the following; buffers, screening, storm water and water quality structures, emergency vehicle turn around areas, and parking areas and/or maneuvering areas for parking as allowed in the BD zoning district.
--**Maximum Building Height:** Not to exceed two (2) stories or 38 feet on the portion of the Site zoned R-12MF(CD); height will be measured as defined by the Ordinance.

1. General Provisions:

a. **Site Location**. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by BNA Homes, LLC. ("Petitioner") to accommodate the development of a 69 townhome for sale community (attached dwellings), and a public street to serve the townhome community; or accessory uses, as described above associated with a climate controlled storage facility that may be developed on the adjoining parcel (tax parcel #199-551-06) on approximately 9.24 acre site located on the north side of S. Tryon Street between Wright's Ferry Drive and Grandiflora Drive (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: (i) the regulations established under the Ordinance for the R-12MF zoning classification shall govern for the portion of the Site zoned R-12MF; and (ii) the regulations established under the Ordinance for the BD zoning classification shall govern for the portion of the Site zoned BD.

c. **Graphics and Alterations**. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. 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 residential buildings to be developed on the Site shall not exceed 18 on the portion of the Site zoned R-12MF(CD), and none (0) on the portion of the Site zoned BD(CD). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal buildings located on the Site.

2. Permitted Uses & Development Area Limitation:

a. For ease of reference, the Rezoning Plan sets forth two (2) development areas as generally depicted on the Technical Data Sheet as Development Areas A and B (each a "Development Area" and collectively the "Development Areas").

b. Development Area A may be developed with up to 69 attached dwelling units (town homes for sale) together with accessory uses allowed in the R-12MF zoning district as generally depicted on the Rezoning Plan. The proposed residential community will include a pool amenity area.

c. Development Area B may be developed with: (i) a public street to serve the town home Community located in Development Area A (the "Alternate Access"); or (ii) accessory uses associated with a climate controlled storage facility such as, and similar to the following; buffers, screening, storm water and water quality structures, emergency vehicle turn around areas, and parking areas and/or maneuvering areas for parking associate with a climate controlled storage facility as allowed in the BD zoning district as generally depicted on the Rezoning Plan. Development Area B is proposed to be developed in conjunction with the adjoining parcel (tax parcel # 199-551-06) (the "Storage Parcel") as part of separate rezoning petition filed for the Storage Parcel to allow the development of climate controlled storage facility.

d. In the event that the Storage Parcel is not rezoned to allow the development of a climate controlled storage facility then Development Area B may be developed with a public street that will provide access to Development Area A the "Alternate Access", or left as open space if not used for access.

3. Access and Transportation:

a. Access to the Site will be from S. Tryon Street via a public street to be constructed on the Storage Parcel in the manner generally depicted on the Rezoning Plan. Or via a public street constructed within Development Area B (the "Alternate Access").

b. A future connection to Wright's Ferry Road will also be allowed as an extension of the proposed internal public street.

c. The Petitioner will as part of the development of the Site construct an internal public street that connects the Site to the adjoining parcels located on the east and west sides of the Site as generally depicted on Rezoning Plan (these streets will be constructed to meet the standards for a "Local Residential Medium Street"). The final alignment and configuration of the internal Public Streets may change to accommodate changes to the building placement and to accommodate other modifications required due to final site grading, and utility installations. If this street is extended in the future access to the Site from the extension of the street will be allowed.

d. The 27 foot building and parking setbacks along the internal public streets may be measured from the minimum 42 foot right-of-way line established on the Rezoning Plan.

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

f. The Petitioner will dedicate to the NCDOT a minimum of 67 feet of right-of-way from the existing center line of S. Tryon Street as part of the development of Parcel B.

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

4. Architectural Standards, Court Yards/Amenity Areas:

a. The entrances (front door entrances) for the proposed townhomes located within 15 feet of a sidewalk will be raised 24 inches above the average grade of the sidewalk.

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.

c. Porches shall form a predominate motif of the building design. Each unit will be constructed with a front porch with a minimum depth of six (6) feet as generally indicated on the Rezoning Plan.

d. The proposed units located on the interior of the Site that have end elevations directly across the proposed private street from units that front the same private street will be constructed with corner porches. Corner porches will extend a minimum of six (6) feet from the front elevation and will have a minimum depth of six (6) feet. These units are indicated on the Rezoning Plan with the letters CP (Corner Porch).

e. On the interior of the Site end units that abut the internal private streets will have multiple windows on the end facades to avoid a blank street wall. These units are indicated on the Rezoning Plan with the symbol BW.

f. Garage doors visible from the public or private streets will be recessed at least one (1) foot behind the front most building face, to minimize the visual impact of the garage doors on the public and private streets.

5. Streetscape, Buffers, Yards, Open Space and Landscaping:

a. A 30 foot setback as measured from the right-of-way of S. Tryon Street will be provided within Development Area B as generally depicted on the Rezoning Plan.

b. Along the Site's internal parking areas the Petitioner will provide a sidewalk and cross-walk network that links to the building on the Site and to the sidewalks along S. Tryon Street and the internal public streets in the manner depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.

c. Within Development Area A, a Class C Buffer reduced with a fence will be provided where the Site abuts existing single-family zoning as generally depicted on the Rezoning Plan. The proposed fence used to reduce the buffer will be a minimum of six (6) feet high and will be constructed of vinyl, the vinyl fence will be beige or a buff color, a white fence will not be allowed. The proposed fence will extend the entire length of the western property boundary, including in front of the proposed public street stub if allowed by the subdivision ordinance, as generally depicted on the Rezoning Plan. If the use or zoning on the adjoining parcel changes so a buffer is no longer required by the Ordinance then buffer may be eliminated. Utilities may cross the proposed buffer at angles no greater than 75 degrees. Storm water drainage swales with and without rip rap may also cross the buffer at angles no greater than 75 degrees.

d. Within Development Area B a Class B Buffer as required by the Ordinance will be provided if Development Area B is developed as part of the Storage Parcel. The Petitioner serves the right to reduce the width of the buffer as allowed by the Ordinance. If the use or zoning on the adjoining parcel changes so a buffer is no longer required by the Ordinance then buffer may be eliminated. Utilities may cross the proposed buffer at angles no greater than 75 degrees. Storm water drainage swales with and without rip rap may also cross the buffer at angles no greater than 75 degrees.

e. If Development Area B is not developed as part of the Storage Parcel but is instead developed with a Public Street a buffer is not required to be provided.

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

6. Environmental Features:

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

7. Lighting:

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

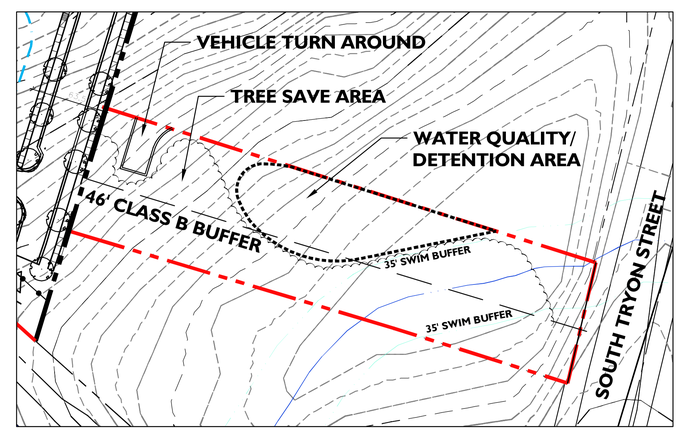
b. Detached lighting on the Site will be limited to 21 feet in height.

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 applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

9. Binding Effect of the Rezoning Application:

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.



Development Area B - BD(CD) Alternative Plan

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P 704.521.9880

Seals:

Corp. NC license: F-1320

Compton Development

Charlotte, North Carolina

Project no: 17.000044
Date: 11.20.15
Revisions:
Per Comments 01.11.16
Per Comments 02.17.16
Per Comments 03.17.16
Per Comments 04.07.16
Per Comments 05.03.16

Sheet Title:

Rezoning Plan

2016-025

Sheet No:

RZ-2

Laurel
PARKSIDE SERIES

Rendering is an artist's interpretation for display purposes only. Actual product may vary and may change without notice.

- Models Open Daily & By Appointment
- www.bnahomes.com

Norway
PARKSIDE SERIES

Rendering is an artist's interpretation for display purposes only. Actual product may vary and may change without notice.

- Models Open Daily & By Appointment
- www.bnahomes.com

Magnolia
PARKSIDE SERIES

Rendering is an artist's interpretation for display purposes only. Actual product may vary and may change without notice.

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- www.bnahomes.com

Riverbirch
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Seals:

Corp. NC license: F-1320

Compton Development
Charlotte, North Carolina

Project no:	17.000044
Date:	11.20.15
Revisions:	
1 Per Comments	05.03.16

Sheet Title:

Rezoning Plan

2016-025

Sheet No:

RZ-3

Agenda #: 11.**File #:** 15-3212 **Type:** Zoning Decision

Rezoning Petition: 2016-028 by Stor-All Properties, Inc.

Location: Approximately 4.09 acres located on the north side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive. (Council District 3 - Mayfield)

Current Zoning: R-3 (single family residential)
Proposed Zoning: BD (CD) (distributive business, conditional) 5-year Vested Rights

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:
Staff disagrees with the recommendation of the Zoning Committee for the following reasons:

- The proposed climate controlled storage facility is inconsistent with the recommended residential land use for the site.
- The proposed use will be located on a site at an entrance to a future residential neighborhood, and also surrounded by residential development.
- The climate controlled storage is out of character with the surrounding residential development which primarily consists of single family detached homes, apartments, and an assisted living facility.
- The proposal does not meet a number of Area Plan design policies that address building transparency, pedestrian access and connections, building massing and residential design character.

Statement of Consistency:
- The Zoning Committee found this petition to be inconsistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The Plan recommends residential up to four dwelling units per acre.
- However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The proposed climate controlled storage facility is designed to support residential uses in the general area.
  - The climate controlled storage facility is accessible indoors.
  - The site is located on a major road with commercial activities.
  - The petitioner has committed to architectural treatments that further enhance the structure.

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map
Site Plan

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-028
Zoning Committee Recommendation

March 30, 2016

REQUEST	Current Zoning: R-3 (single family, residential) Proposed Zoning: BD(CD) (distributive business, conditional), with five-year vested rights
LOCATION	Approximately 3.65 acres located on the north side of South Tryon Street between Wrightsville Ferry Road and Grandiflora Drive. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes the construction of up to 100,000 square feet of climate controlled storage space on a vacant parcel south of the RiverGate area.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Bill Parks Compton Stor-All Properties, Inc. Walter Fields
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 3
STATEMENT OF CONSISTENCY	The Zoning Committee found this petition to be inconsistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because: • The Plan recommends residential up to four dwelling units per acre. However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because: • The proposed climate controlled storage facility is designed to support residential uses in the general area. • The climate controlled storage facility is accessible indoors. • The site is located on a major road with commercial activities. • The petitioner has committed to architectural treatments that further enhance the structure. By a 6-0 vote of the Zoning Committee (motion by Majeed and Lathrop supplemented, seconded by Wiggins).
ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications: 1. Relocated possible water quality/detention areas to avoid encroachment into existing water quality buffers on the site. 2. Provided building elevations and architectural standards per the policies contained in the adopted area plan, and an architectural standards note identifying building materials (brick, precast architectural panels, metal panels and banding, clear glass); use of awnings as part of building exterior design; change in materials and panel orientation to break up building walls; pedestrian accessibility; and use of ornamental tree plantings to further screen building. Revised site plan further addresses adopted plan policies by enhancing safe pedestrian connectivity. 3. Provided note stating area for water quality and detention BMPs will be aesthetically appealing through the use of grass, landscaping, water features, rain gardens or other like forms. 4. Identifies sidewalk and planting strip along South Tryon Street, and new right-of-way to be dedicated 67 feet from existing center line of Hwy 49. 5. Petitioner has agreed to the request that corner elements and central architectural elements will extend beyond the wall plane of the east and south elevations.

6. Petitioner has agreed to design building so architectural panels will be recessed from the wall plane and vertical elements on the east and south elevations to vary the horizontal and vertical plane of the building.
7. Per the request of the petitioner, and as agreed by the Committee, the columns will be extended out

VOTE

Motion/Second:	Wiggins / Sullivan
Yeas:	Dodson, Eschert, Lathrop, Majeed, Sullivan, and Wiggins
Nays:	None
Absent:	Labovitz
Recused:	None

ZONING COMMITTEE DISCUSSION

Staff presented this item to the Committee, stating that new outstanding issues were due to submittal of the revised site plan. Staff indicated that the petitioner agreed to address the outstanding issues.

A Committee member asked if the petitioner had agreed to the item pertaining to recessing of the architectural panels, and staff responded yes. A Committee member inquired about the uses in the general area, and staff described the broad range of residential and non-residential uses in the area. Some Committee members discussed the configuration and location of the lot, and the convenience of an (indoor) self-storage facility in an area where there exists a great deal of residential developments.

A Committee member also mentioned the number of self-storage facility requests being received by the City, and pondered reuse of such big boxes for uses such as an office. Staff noted that request is inconsistent with the adopted Plan and that staff does not support this proposed project.

STAFF OPINION

Staff disagrees with the recommendation of the Zoning Committee for the following reasons:

- The proposed climate controlled storage facility is inconsistent with the recommended residential land use for the site.
- The proposed use will be located on a site at an entrance to a future residential neighborhood, and also surrounded by residential development.
- The climate controlled storage is out of character with the surrounding residential development which primarily consists of single family detached homes, apartments, and an assisted living facility.
- The proposal does not meet a number of Area Plan design policies that address building transparency, pedestrian access and connections, building massing and residential design character.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allows up to 100,000 square feet of climate controlled, enclosed storage facility.
  - Limits building height to two stories.
  - Proposes a new public street providing access for the proposed climate control, enclosed storage facility. This street will also provide a connection from South Tryon Street to the proposed townhouse community north of the site (rezoning petition 2016-025).
  - Proposes an alternate plan showing that in the event the townhouse community is not approved, access to the climate controlled storage facility will be provided via a private drive connecting to South Tryon Street.

- Provides internal pedestrian and vehicular circulation via private drive and limited sidewalks that connect parking areas with proposed internal public streets, South Tryon Street, and associated sidewalks.
- Identifies possible water quality detention areas and tree save areas, with variations in location between alternate plans.
- Provides building elevations and architectural standards per the policies contained in the adopted area plan, and an architectural standards note identifying building materials (brick, precast architectural panels, metal panels and banding, clear glass); use of awnings as part of building exterior design; change in materials and panel orientation to break up building walls; pedestrian accessibility; and, use of ornamental tree plantings to further screen building.
- Site plan further addresses adopted plan policies by enhancing safe pedestrian connectivity via sidewalks connecting the building to parking areas, and new sidewalks along proposed streets and along South Tryon Street..
- Provides note stating area for water quality and detention BMPs will be aesthetically appealing through the use of grass, landscaping, water features, rain gardens or other like forms.
- Identifies a 35-foot SWIM, post construction buffer, and 30-foot stream buffer.
- Limits detached lighting installed on site to a maximum height of 20 feet.

- **Public Plans and Policies**
  - The *Steele Creek Area Plan* (2012) recommends residential up to four dwelling units per acre for this site, as well as the properties to the north and south of this site.
  - The following Steele Creek Area Plan (2012) Non-Residential Design Policies are particularly applicable to this proposal:
    - 17A- Design buildings with transparent openings;
    - 17B- Establish entrances with pedestrian interest;
    - 17H- Locate dumpsters and service areas away from residential areas;
    - 17J- Vary horizontal and vertical plan of elevations;
    - 17J- Break down the mass of the building;
    - 17K- Blend the scale and height of development with respect to single family homes;
    - 19A- Create an interconnected sidewalk system;
    - 19G- Provide safe pedestrian circulation; and
    - 19J- Design access from surrounding neighborhood so that the appearance is residential in character.

- **TRANSPORTATION CONSIDERATIONS**
  - The site will be accessed by a proposed road connecting the site to South Tryon Street. The primary transportation goal for this site is to ensure the future expansion of South Tryon Street from four to six lanes with protected bike lanes. This petition will not significantly increase the traffic on the site compared to what can be built under the existing zoning.
  - **Vehicle Trip Generation:**
    Current Zoning: 150 trips per day (based on 12 single family dwelling units).
    Proposed Zoning: 250 trips per day (based on 100,000 square feet of self-storage uses).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte-Mecklenburg Storm Water Services:** None.
- **Charlotte Water:** See Advisory Comments, Note 2.
- **Engineering and Property Management:** See Advisory Comments, Note 3.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Land Use

1. The proposed use is inconsistent with the Steele Creek Area Plan recommendation for residential

up to four dwelling units per acre.

ADVISORY COMMENTS

2. The closest existing water main is located approximately 250 feet southwest of the southern corner of the property.
3. Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance. Property is located in the Wedge; therefore, tree save shall be provided on site.

Attachments Online at www.rezoning.org

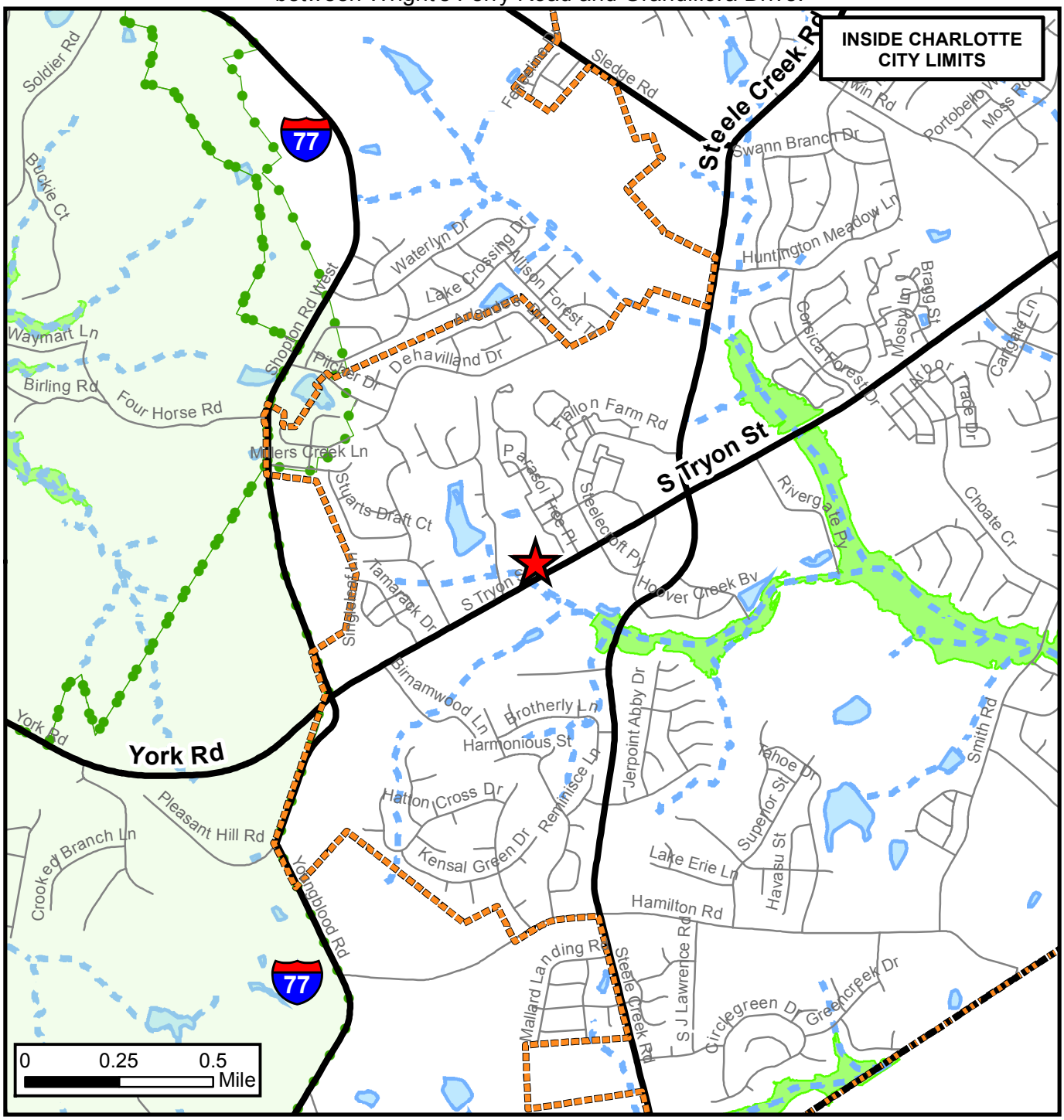
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

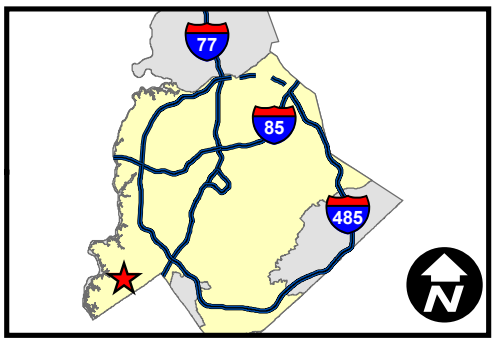
Planner: Claire Lyte-Graham (704) 336-3782

Petition #: 2016-028

Vicinity Map

Acreage & Location : Approximately 4.09 acres located on the north side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive.





Rezoning Petition: 2016-028

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Dec 28, 2015

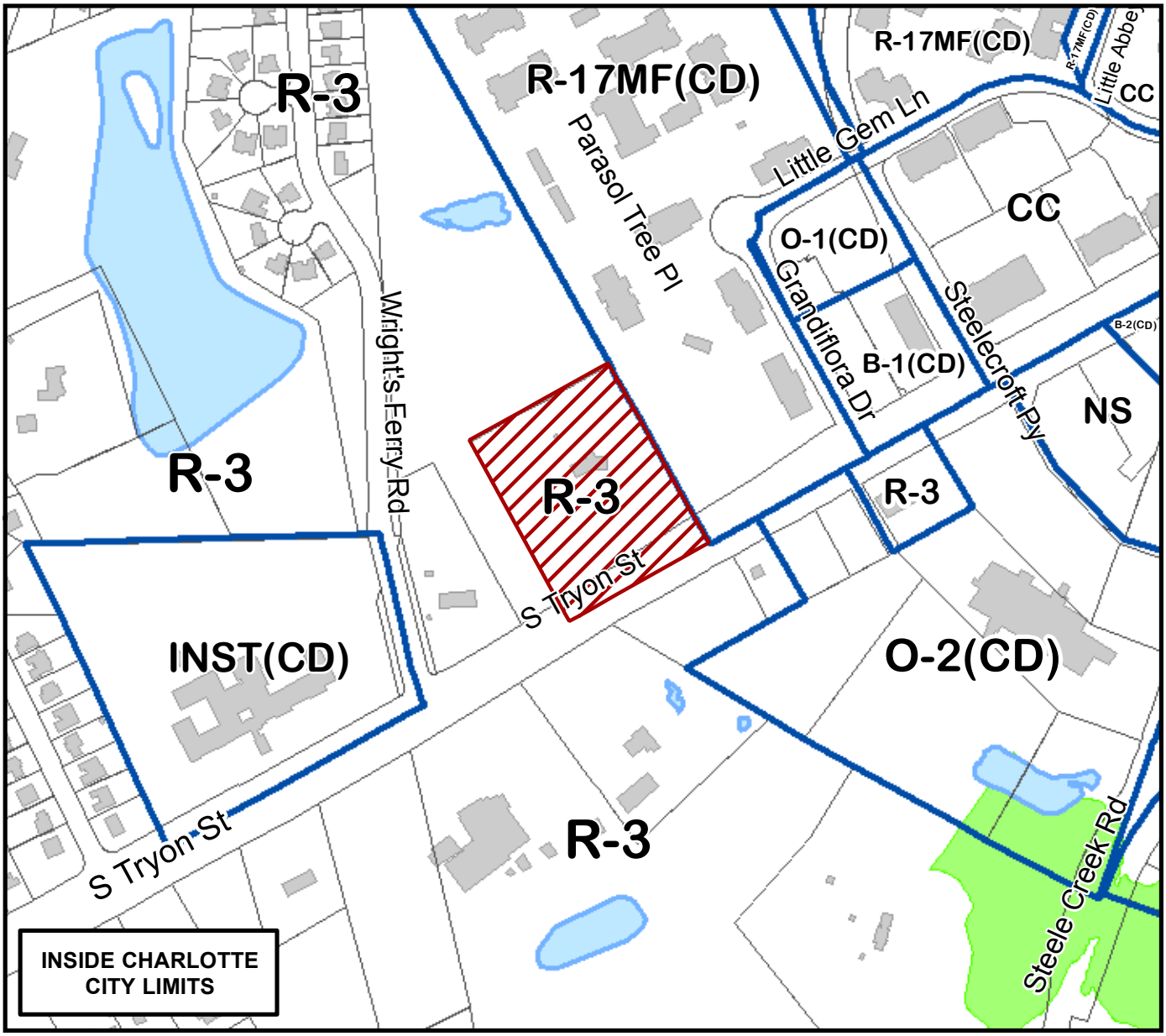
Petition #: 2016-028

Petitioner: Stor-All Properties, Inc.

Zoning Classification (Existing): R-3
(Single Family, Residential)

Zoning Classification (Requested): BD(CD) 5-year Vested Rights
(Distributive Business, Conditional, Five Year Vested Rights)

Acreage & Location: Approximately 4.09 acres located on the north side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive.



Map Produced by theCharlotte-Mecklenburg Planning Department, 2-1-2016.

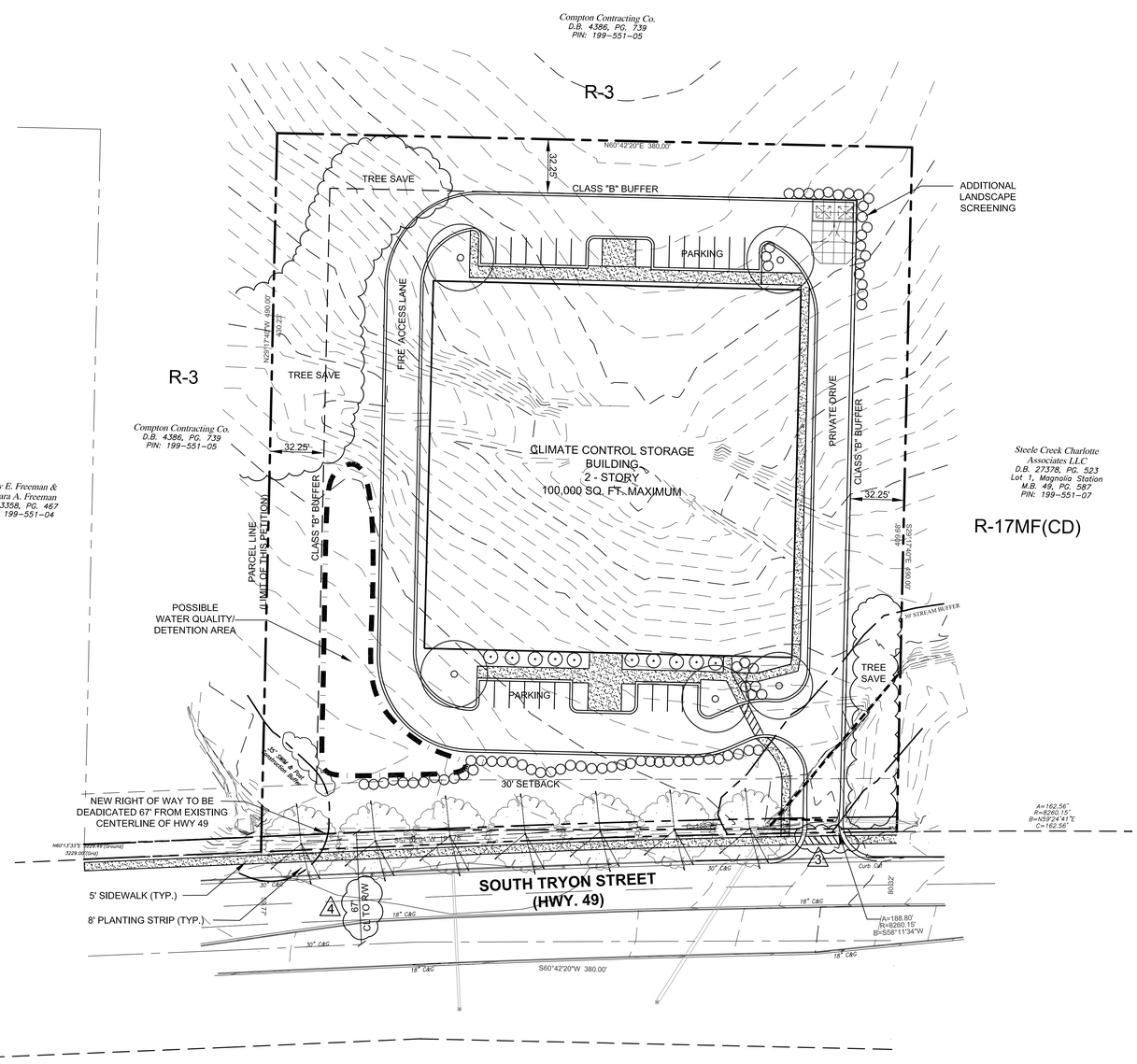
0 125 250 500 750 1,000 Feet

N

Zoning Map #(s)
154

Requested BD(CD) 5-Year Vested Rights from R-3

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District



DEVELOPMENT DATA

EXISTING SITE

TAX PARCEL NO.:	19955106
TOTAL SITE AREA:	± 3.65 Ac.
EXIST. ZONING:	R-3

PROPOSED:

PROPOSED ZONING:	BD (CD)
PROPOSED USE:	CLIMATE CONTROLLED, ENCLOSED STORAGE FACILITY AND ACCESS TO ADJACENT PROPERTY
MAXIMUM BUILDING AREA:	100,000 Sq. Ft.
BUILDING HEIGHT:	PER ORDINANCE REQUIREMENT
MINIMUM PARKING REQUIRED:	PER ORDINANCE REQUIREMENT
MINIMUM TREE SAVE:	PER ORDINANCE REQUIREMENT

SETBACKS, SIDEYARDS, REAR YARD, AND BUFFERS: PER ORDINANCE REQUIREMENT

VICINITY MAP - NTS

CONDITIONAL DEVELOPMENT STANDARDS

GENERAL PROVISIONS

a. Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases as allowed under the provisions of Section 6.2 of the Zoning Ordinance.

b. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, bicycle parking, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.

c. Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners," shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.

PURPOSE

The purpose of this Rezoning application is to provide for the development of this site to accommodate a conditioned self storage. To achieve this purpose, the application seeks the rezoning of the site from the current R-3 classification to the BD (CD). The site plan for that development is provided on Sheet RZ-1 which accompanies the application. However, this site has been planned in conjunction with another site located to the north that is proposed to be developed for a new town home community by rezoning Petition 2016-025. The two development plans have coordinated their designs to share a single access point to York Road (South Tryon Street). This is the Petitioners preferred plan for the site and is represented by the site plan provided on Sheet RZ-1A. If for any reason the new public street is not constructed to provide access to the adjacent parcel or if Petition 2016-025 is not approved, the Petitioner reserves the right to construct a private driveway to provide access to the Petitioner's site in the same general location as the proposed public street as reflected by the plan shown on Sheet RZ-1.

PERMITTED USES

The site may be used for conditioned self storage space, with no outside storage of any type, and as may be further limited by this site plan.

TRANSPORTATION

a. The site will have a driveway access to a new street that will connect York Rd. (South Tryon Street) to a new residential community north of the site as depicted on Sheet RZ-1A. Alternatively, the Petitioner may install a private driveway from the site to York Road as generally depicted on site plan RZ-1.

b. Parking areas are generally depicted on the concept plan for the site.

4 c. The Petitioner will dedicate right-of way along NC 49 to meet the requirements of NCDOT if such right-of way is not already in place.

ARCHITECTURAL STANDARDS

The petitioner has provided representative elevations of the 4 sides of the building. Building construction and materials shall be consistent with the attached representative building elevations. Building materials will consist of brick, precast architectural panels, metal panels and banding, clear glass entry lobbies and office/sales area directly accessible from sidewalks serving the site. The entrances will be identified by awnings that will be part of the building exterior design. The building design will include changes in materials and panel orientation to break up the building walls and the building will be further screened by ornamental tree plantings along the building wall as illustrated on the site plan. The petitioner reserves the right to install required egress accommodations as may be required by code.

4 The petitioner will include central and corner architectural elements that will extend beyond the façade of the building on the east and south elevations. These extensions will typically be from 4" to 6" from the facade. In addition, The Petitioner will use either receded panels or projecting vertical element (column) extensions or a combination of both to articulate the walls and vary the plane of the east and south elevations. These recessions or extensions will typically result in an offset of between 4" to 6" from the wall plane.

STREETSCAPE AND LANDSCAPING

Reserved

ENVIRONMENTAL FEATURES

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. Area for water quality and detention BMPs will be aesthetically appealing through the use of grass, landscaping, water features, rain gardens or other like forms.

PARKS, GREENWAYS, AND OPEN SPACE

Reserved

FIRE PROTECTION

Reserved

SIGNAGE

Reserved

LIGHTING

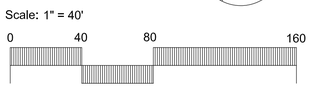
Freestanding light will be fully shielded and downwardly directed. All new detached lighting installed on the site will be limited to 20' in height.

PHASING

Reserved

NOTE:
THE PETITIONER PREFERS TO COORDINATE THE DEVELOPMENT OF THIS SITE WITH THE DEVELOPMENT OF THE ADJACENT PROPERTY AS CONTEMPLATED BY PETITION 2016-025. TO THAT END, IF PETTION 2016-025 AND THIS PETITION ARE BOTH APPROVED , THIS PETITION WILL BE DEVELOPED AS SHOWN ON ALTERNATE PLAN (RZ-1A), AND PART OF ADJACENT PROPERTY (PROPOSED AS BD(CD) AND TO THE SOUTHWEST OF THIS PETITION) WILL BE DEVELOPOED AS SHOWN ON ALTERNATE PLAN (RZ-1A).

Scale: 1" = 40'



DPR COMM. #: 15044

DATE: 11-20-2015
REVISION 1: 01-15-2016 (PER CITY COMMENTS)
REVISION 2: 02-19-2016 (PER CITY COMMENTS)
REVISION 3: 03-24-2016 (PER CITY COMMENTS)
REVISION 4: 04-07-2016 (PER ZONING COMMITTEE APPROVAL)

PETITION NUMBER: 2016-028

STOR-ALL STORAGE ON TRYON

13400 SOUTH TRYON STREET
CHARLOTTE, NORTH CAROLINA

Initial Submission- 11-23-15. 1.0
Revised per staff comments- 01-15-16, 1.1
Revised per additional staff comments- 2-19-16, 1.2
Revised per staff analysis - 3-24-16
Revised per zoning committee approval- 4-7-16, 1.5

DPR
landscape architecture
civil engineering
planning
DPR Associates, Inc. ▪ 420 Hawthorne Lane ▪ Charlotte, NC 28204
phone 704. 332. 1204 ▪ fax 704. 332. 1210 ▪ www.dprassociates.net

Sheet Number
RZ-1
Sheet 1 of 1

STOR-ALL STORAGE ON TRYON / #####

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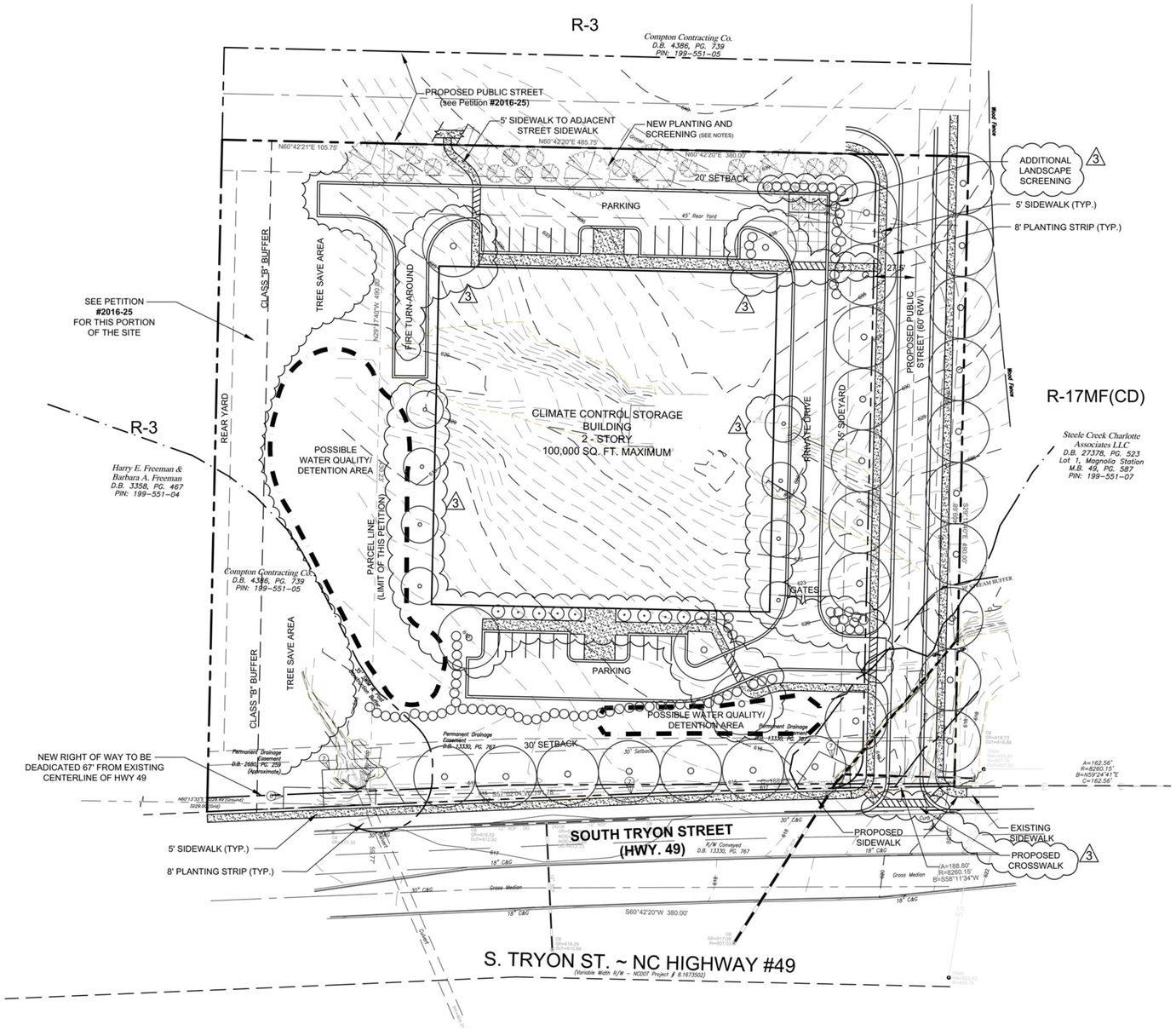


VICINITY MAP - NTS

STOR-ALL STORAGE ON TRYON / #####

NOTE:
PETITIONERS FOR CASES 2016-025 AND 2016-028 WISH TO COORDINATE THE DEVELOPMENT OF THEIR PROPERTIES AS SHOWN ON THIS ALTERNATE PLAN. THE USES SHOWN ON THIS PLAN WILL GOVERN DEVELOPMENT OF THE PROPERTY IF BOTH PETITIONS 2016-025 AND 2016-028 ARE APPROVED.

Scale: 1" = 40'

0 40 80 160

DPR COMM. #: 15044

DATE: 11-20-2015
REVISION 1: 01-15-2016 (PER CITY COMMENTS)
REVISION 2: 02-19-2016 (PER CITY COMMENTS)
REVISION 3: 03-24-2016 (PER CITY COMMENTS)

PETITION NUMBER: 2016-028
ALTERNATE PLAN

STOR-ALL STORAGE ON TRYON

13400 SOUTH TRYON STREET
CHARLOTTE, NORTH CAROLINA

landscape architecture
civil engineering
planning

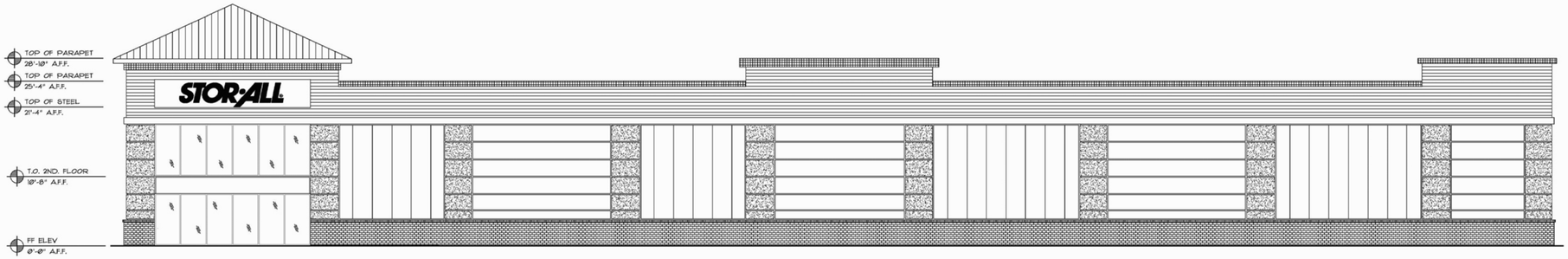
DPR Associates, Inc. ▪ 420 Hawthorne Lane ▪ Charlotte, NC 28204
phone 704. 332. 1204 ▪ fax 704. 332. 1210 ▪ www.dprassociates.net

Sheet Number
RZ-1A
Sheet 2 of 3

t:\projects\2015 projects\15044 stor-all storage\cad\15044-rezone base alt_rz-1a.dwg

SOUTH ELEVATION

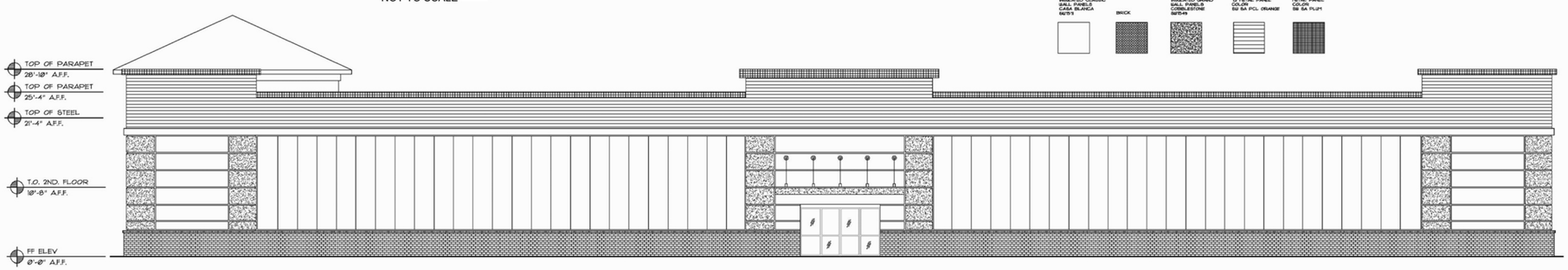
NOT TO SCALE



EAST ELEVATION

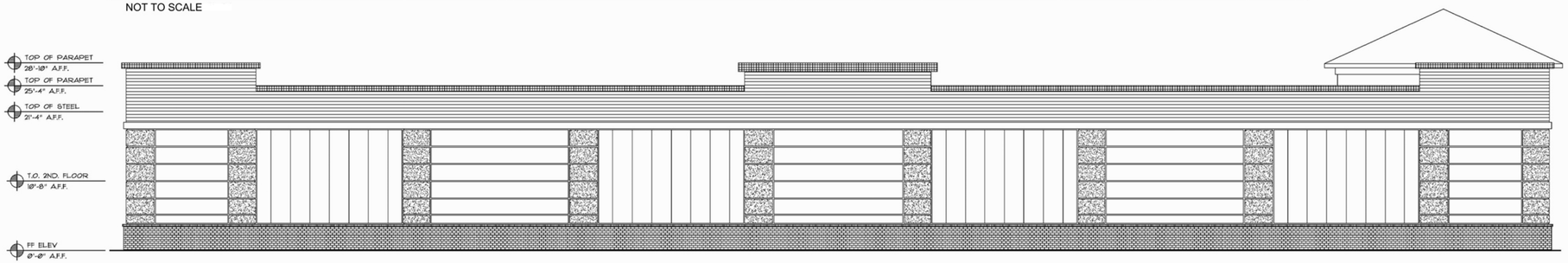
NOT TO SCALE

MATERIAL LEGEND



NORTH ELEVATION

NOT TO SCALE



WEST ELEVATION

NOT TO SCALE

PETITION NUMBER: 2016-028

ALTERNATE PLAN

STOR-ALL STORAGE ON TRYON

13400 SOUTH TRYON STREET

CHARLOTTE, NORTH CAROLINA

SHEET ADDED 3: 03-24-2016 (PER CITY COMMENTS)

Sheet Number

RZ-3

Sheet 3 of 3

STOR-ALL STORAGE ON TRYON / #####

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PETITION NUMBER: 2016-028

STOR-ALL STORAGE ON TRYON

Agenda #: 12.**File #:** 15-3180 **Type:** Zoning Decision

Rezoning Petition: 2016-029 by White Point Paces Properties, LLC

Update: The recommendation on 2016-029 will be distributed through the Council Manager Memo on Friday, May 13, 2016.

Location: Approximately 11.85 acres located on the east and west side of North Brevard Street and generally surrounded by Parkwood Avenue, Belmont Avenue, East 16th Street, and North Brevard Street. (Council District 1 - Kinsey)

Current Zoning: R-8 (single-family residential), R-22MF (multi-family residential), and I-2 (general industrial)
Proposed Zoning: TOD-M (O) (transit oriented development-mixed use, optional) 5-Year Vested Rights

Agenda #: 13.**File #:** 15-3184 **Type:** Zoning Decision

Rezoning Petition: 2016-039 by MPV Properties, LLC

Location: Approximately 3.48 acres located on the east side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive. (Council District 3 - Mayfield)

Current Zoning: R-3 (single-family residential)
Proposed Zoning: O-1(CD) (office, conditional) 5-Year Vested Rights

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:
Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be inconsistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends residential at up to four dwelling units per acre.
- However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The subject property is located on South Tryon Street, between a religious institution and Carolinas Medical Center.; and
  - While the proposed office and child care facility is not consistent with the residential land use recommended by the plan, smaller office and institutional uses are compatible with the abutting hospital and religious institution; and
  - In addition, the subject parcel is cut off from larger tracts of land proposed for single family residential development by land owned by the church, thus limiting the potential for single family residential development on this site.

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map
Site Plan

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-039
Zoning Committee Recommendation

April 27, 2016

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: O-1(CD) (office, conditional) with five-year vested rights
LOCATION	Approximately 3.48 acres located on the east side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to allow up to 45,000 square feet of office and/or other uses allowed in the O-1 (office) district, including a child care facility. The vacant property is located south of the RiverGate Shopping Center, Carolinas Medical Center, and Steele Creek Volunteer Fire Department on South Tryon Street.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Rees G. (Jr) and Retha (wife) Russell MVP Properties, LLC James "Chip" Cannon
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4

STATEMENT OF CONSISTENCY	• The Zoning Committee found this petition to be inconsistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:
	  • The plan recommends residential at up to four dwelling units per acre.
	• However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
	  • The subject property is located on South Tryon Street, between a religious institution and Carolinas Medical Center.; and
	  • While the proposed office and child care facility is not consistent with the residential land use recommended by the plan, smaller office and institutional uses are compatible with the abutting hospital and religious institution; and
	  • In addition, the subject parcel is cut off from larger tracts of land proposed for single family residential development by land owned by the church, thus limiting the potential for single family residential development on this site;
	By a 6-0 vote of the Zoning Committee (motion by Sullivan seconded by Eschert).

ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications: 1. Amended note in the Development Summary that the proposed zoning is O-1(CD) <u>with five-year vested rights.</u> 2. Removed reference to "no wall pak" from the Lighting Note on Rezoning Sheet 1.0. 3. Modified Architectural Standards Note 4.e. to specify architectural treatments to ensure blank wall provisions do not exceed 20 feet horizontally or 10 feet vertically, transparent windows are used on elevations visible from the public right-of-way for a minimum 50% of the façade and the pedestrian entrances feature prominent architectural elements, including, but not limited to canopies. 4. Modified Environmental Features Note 6.a to state that the site will comply with the City of Charlotte Tree Ordinance. Tree save area

shall be provided on the site, primarily on the northern boundary where trees and vegetation exist. The exact location will be determined during the construction document review and permitting phase.

5. Modified Environmental Features Note 6.b to state that the site will comply with the Post Construction Controls Ordinance for storm water. Above ground Water Quality and Detention BMP's will be aesthetically appealing through the use of grass, landscaping, water features, rain gardens, or other like forms. The BMP's may be provided above ground or underground. If above ground, the BMP will be located in the northeast portion of the site.

VOTE	Motion/Second:	Wiggins / Sullivan
	Yeas:	Eschert, Labovitz, Lathrop, Majeed, Sullivan, and Wiggins
	Nays:	None
	Absent:	Dodson
	Recused:	None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and the changes since the public hearing. Staff noted that this petition is inconsistent with the *Steele Creek Area Plan*, which recommends residential at up to four dwelling units per acre. However, staff is recommending approval based on the reasons stated in the staff analysis and public hearing presentation.

There was no additional discussion.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Proposes construction of two buildings.
  - Allows Building 1 to have a maximum of 33,500 square feet of office and/or other uses allowed in the O-1 (office) district.
  - Allows Building 2 to be a child care facility consisting of up to 11,500 square feet and limited to 180 children, or other uses allowed in the O-1 (office) district.
  - Proposes buildings constructed on site may be one, two, or three floors, with a maximum building height of 50 feet.
  - Illustrates building and parking envelopes, building footprints, and possible play area for proposed child care facility.
  - Provides a 30-foot setback from future right-of-way to be consistent with setback requirement for abutting properties zoned R-3 (single family residential) as per Section 12.102(1) of the zoning ordinance. The office zoning districts require a 20-foot setback.
  - Provides pedestrian and vehicular access via proposed driveway connection to South Tryon Street, and internal sidewalks connecting proposed buildings to new sidewalk along the abutting right-of-way.
  - Proposes a ten-foot wide sidewalk and eight-foot planting strip along South Tryon Street. Sidewalk will fulfill requirement as well as provide an overland connector for the Walker Branch Tributary Greenway as requested by Mecklenburg County Park and Recreation Department.
  - Provides, at a minimum, a permanent 20-foot wide access easement through a portion of the 35-foot SWIM buffer along the entire length of the site's northern boundary for future greenway use.
  - Dedicates and conveys additional right-of-way along the site's frontage measuring 67 feet from the centerline for the future expansion of South Tryon Street from four to six lanes with protected bike lanes. Requires dedication and conveyance to be recorded prior to the issuance of the first certificate of occupancy.
  - Proposes four-sided architecture consistent with design guidelines outlined in the *Steele Creek*

Area Plan.

- **Public Plans and Policies**
  - The *Steele Creek Area Plan* (2012) recommends residential up to four dwelling units per acre for this site.

- **TRANSPORTATION CONSIDERATIONS**
  - The site will be accessed by a proposed road connecting the site to South Tryon Street. The primary transportation goal for this site is to ensure the future expansion of South Tryon Street from four to six lanes with protected bike lanes.
  - **Vehicle Trip Generation:**
    Current Zoning: 10 trips per day (based on the existing single family home).
    130 trips per day (based on the entitlement for 10 single family homes).
    Proposed Zoning: 1,450 trips per day (based on 33,000 square feet of office uses and 12,000 square feet of day care uses).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** See Advisory Comments, Note 1.
- **Engineering and Property Management:** See Advisory Comments, Note 2.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

ADVISORY COMMENTS

1. Charlotte Water currently does not have water system availability for the parcel under review. The closest available water main is approximately 200 feet west of the property at the intersection of South Tryon Street and Wright's Ferry Road. The applicant should contact Charlotte Water's New Services at (704) 432-5801 for more information regarding accessibility to the water system.
2. Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance. The tree save shall be provided on site as the project is located in the Wedge.

Attachments Online at www.rezoning.org

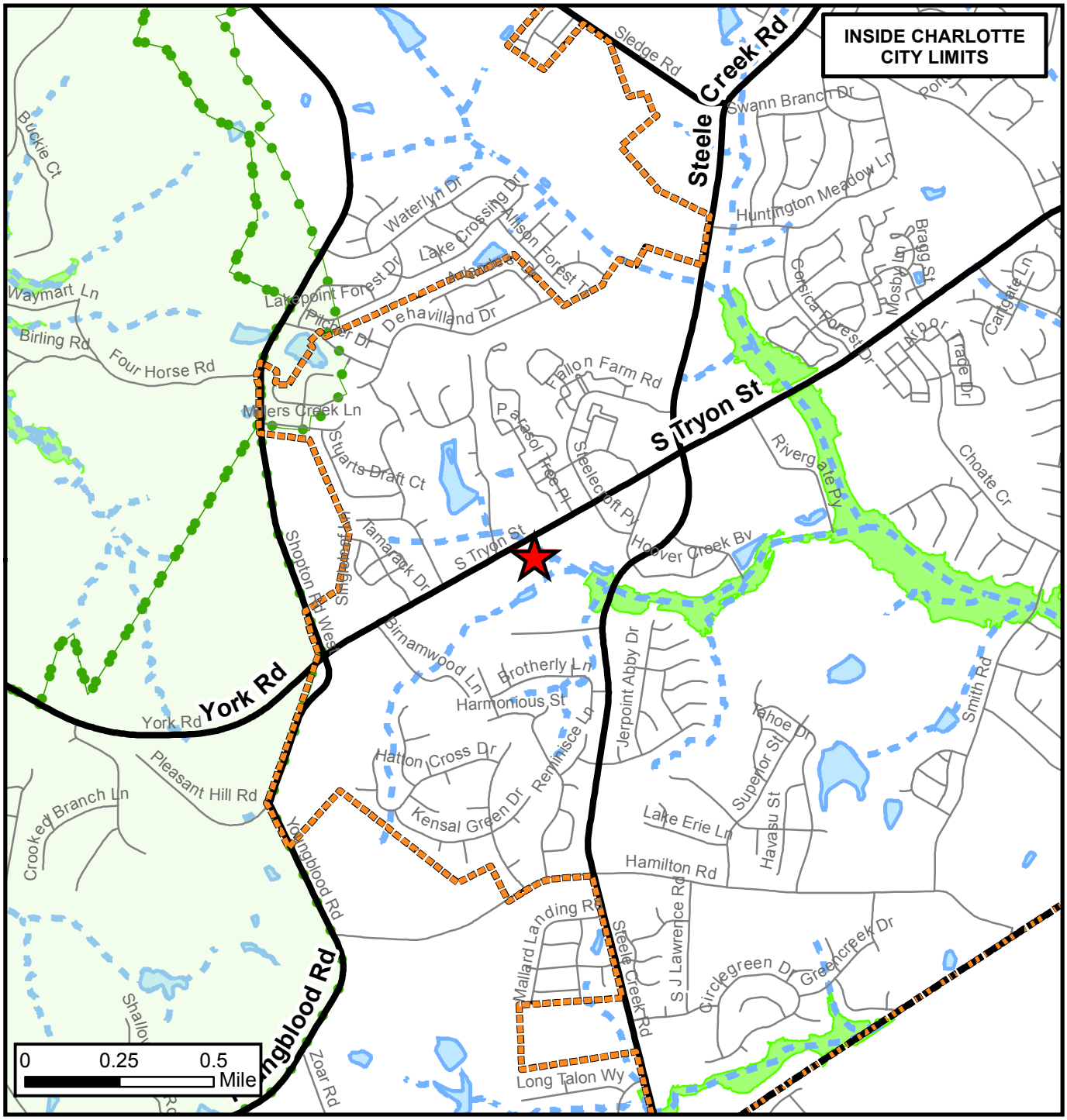
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

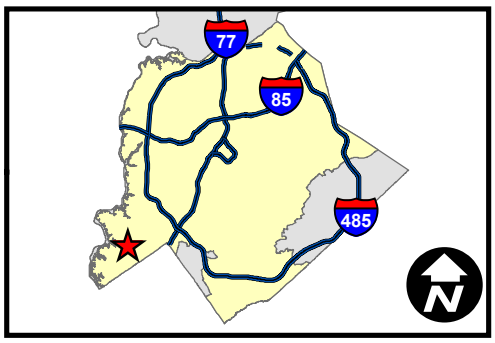
Planner: Claire Lyte-Graham (704) 336-3782

Petition #: 2016-039

Vicinity Map

Acreage & Location : Approximately 3.48 acres located on the east side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive.





Rezoning Petition: 2016-039

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Feb 8, 2016

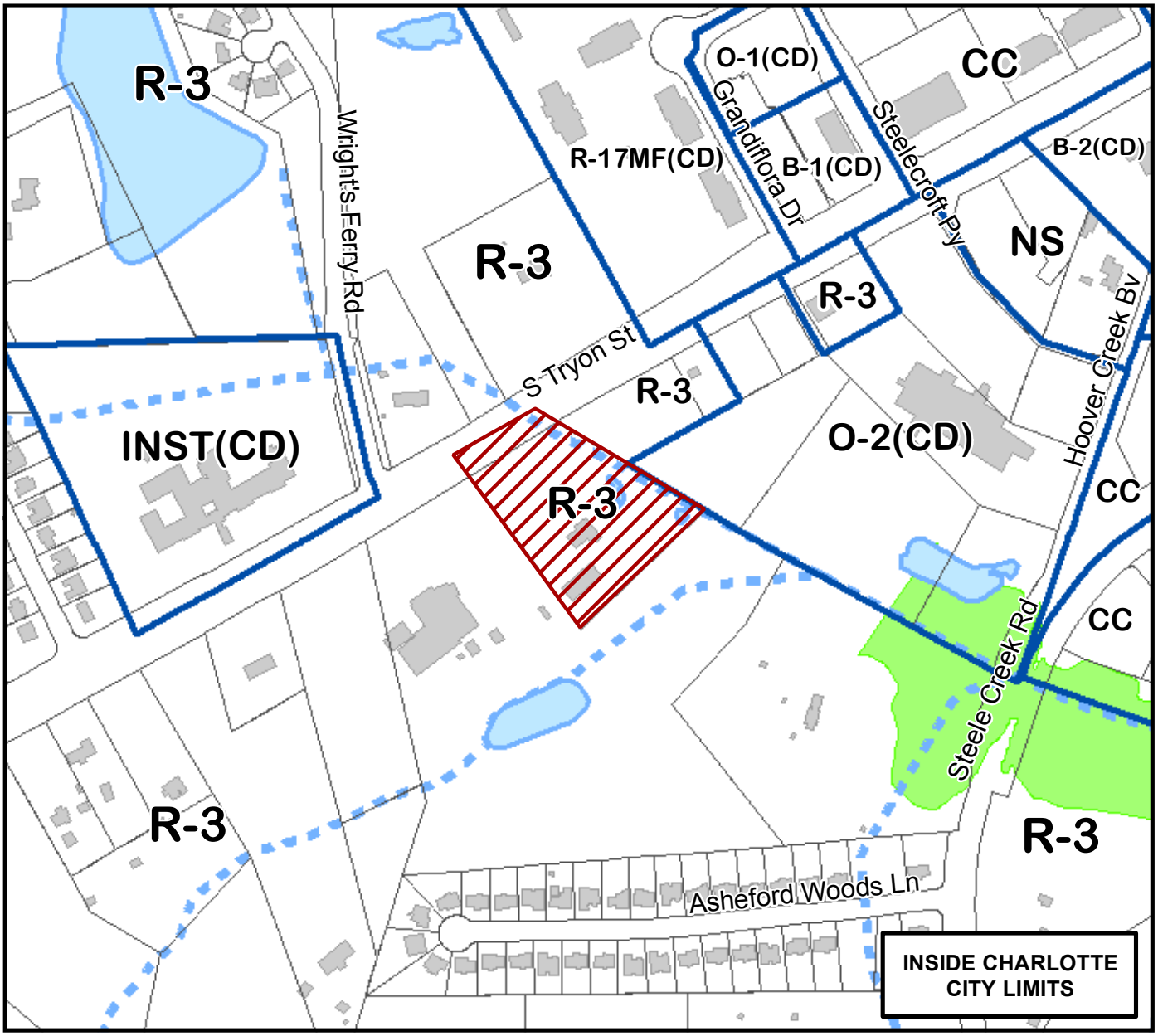
Petition #: 2016-039

Petitioner: MPV Properties, LLC

Zoning Classification (Existing): R-3
(Single Family, Residential)

Zoning Classification (Requested): O-1(CD) 5-Year Vested Rights
(Office, Conditional, Five Year Vested Rights)

Acreage & Location: Approximately 3.48 acres located on the south side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive.



Map Produced by the Charlotte-Mecklenburg Planning Department, 3-8-2016.

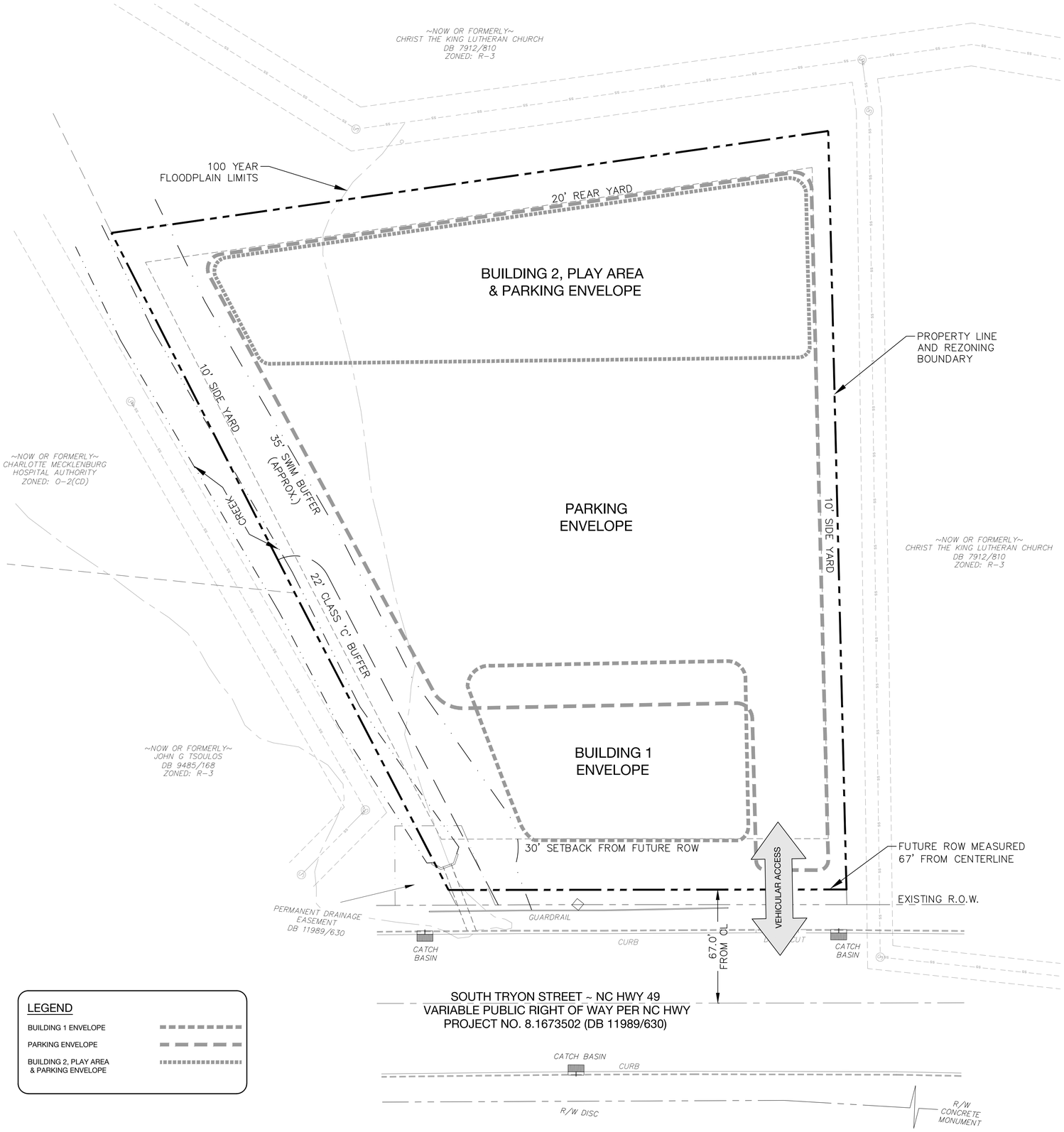
0 125 250 500 750 1,000 Feet

N

Zoning Map #(s)
171

Requested O-1(CD) 5-Year Vested Rights from R-3

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District



LEGEND

- BUILDING 1 ENVELOPE
- PARKING ENVELOPE
- BUILDING 2, PLAY AREA & PARKING ENVELOPE

DEVELOPMENT SUMMARY

TAX PARCEL ID #:	21912112
TOTAL SITE AREA:	± 3.48 ACRES
EXISTING ZONING:	R-3
PROPOSED ZONING:	2 O-1(CD), WITH 5-YR. VESTED RIGHTS
PROPOSED USE:	SEE DEV. NOTES
VEHICULAR PARKING:	PER ORDINANCE

DEVELOPMENT STANDARDS

1. General Provisions

a. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by MPV Properties (the "Petitioner") to accommodate an office development that could contain, among other uses, office and childcare uses on that approximately 3.48-acre site located on the south/east side of South Tryon Street more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of a single parcel of land designated as Tax Parcel Number 21912112.

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

c. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. 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 its site elements and they may be altered or modified within the limits prescribed by the Ordinance during the Design Development and Construction Phases. Such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.

d. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

e. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, bicycle parking, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the zoning administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.

2. Permitted Uses

a. The Site may be devoted to the uses and any associated incidental or accessory uses which are permitted under the Ordinance by right or under prescribed conditions in the O-1 zoning district.

b. The buildings developed on the Site may contain a total maximum of 45,000 square feet of gross floor area.

c. Building 1 may be dedicated to a maximum of 33,500 square feet of office and/or other uses allowable in the O-1 district. Building 2 may be dedicated to a maximum of 11,500 square feet of childcare facility or other uses allowable in the O-1 district.

d. The proposed childcare facility is limited to a maximum of 180 children.

e. The Petitioner reserves the right to develop and construct Building 1 and Building 2 on the site as generally depicted on the Rezoning Plan OR limit the project to the development and construction of Building 1 only. In the event the Petitioner develops and constructs Building 1 only, parking and other required site features such as a stormwater treatment facility, tree save area, etc., may be located within the Building 2, Parking, & Play Area Envelope.

3. Transportation

a. Vehicular access to the site will be provided by a driveway connection to South Tryon Street as generally depicted on the Rezoning Plan. The exact placement and configuration of the vehicular access point is subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the North Carolina Department of Transportation and/or the Charlotte Department of Transportation.

b. Parking areas shall be located as generally depicted on the Rezoning Plan and within the limits of the Parking Envelope and the Building 2, Parking, & Play Area Envelope depicted on the Technical Data Sheet. Exact configuration of parking spaces and internal drives are subject to modifications or alterations required during the construction permitting process.

c. Vehicular parking provided on site shall comply with the minimum requirements of the Ordinance.

d. The Petitioner shall dedicate and convey additional Right of Way along the site's frontage measuring sixty seven (67) feet from the centerline of the roadway as more generally depicted on the Technical Data Sheet and Rezoning Plan. This dedication and conveyance will be recorded prior to the issuance of the first Certificate of Occupancy.

4. Architectural Standards

a. Buildings will utilize 4-sided architecture.

b. The buildings constructed on the Site may be one, two, or three floors.

c. The maximum height of buildings to be constructed on the site shall be 50'. Height increase allowances above the base height of 40' shall comply with provisions set forth in the Ordinance.

d. Buildings shall be located on the Site as generally depicted on the Rezoning Plan and within the limits of the Building Envelopes and Building/Parking Envelopes depicted on the Technical Data Sheet.

2 e. Building architecture will comply with architectural guidelines as established and outlined in the Steele Creek Area Plan. Blank walls will not exceed 20 feet horizontally or 10 feet vertically. Transparent windows will be used on elevations visible from the public right-of-way for a minimum of 50% of the facade. Pedestrian entrances will feature prominent architectural elements, including, but not limited to canopies.

5. Streetscape and Landscaping

a. The Petitioner shall install an minimum 8 foot wide planting strip and 10 foot wide sidewalk along the Site's frontage on South Tryon Street. The sidewalk will fulfill the requried sidewalk requirement as well as provide an overland connector for the Walker Branch Tributary Greenway as requested by Mecklenburg County Park and Recreation Department.

b. Any portion of the 10 foot wide sidewalk that is located on the Site and not within the public Right of Way will be within a sidewalk easement.

c. A 22 foot wide Class C buffer shall be established along those portions of the Site's northern boundary line as more particularly depicted on the Rezoning Plan and Technical Data Sheet. Pursuant to Section 12.302(8) of the Ordinance, the Petitioner may reduce the required width of this buffer by up to 25% to a total width of 16.5 feet by installing a wall, fence, or berm that meets the standards of Section 12.302(8) of the Ordinance.

d. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, the Petitioner may reduce or eliminate, as the case may be, the buffer areas accordingly.

e. Any dumpsters located on the Site shall be screened from view by a solid enclosure with gate.

6. Environmental Features

2 a. The Site will comply with the City of Charlotte Tree Ordinance. Tree save area shall be provided on site, primarily along the northern boundary where trees and vegetation exist. The exact location of the tree save area(s) will be determined during the construction document review and permitting phase.

2 b. The Site will comply with the City of Charlotte Post Construction Ordinance for stormwater. Above ground Water Quality and Detention BMPs will be aesthetically appealing through the use of grass, landscaping, water features, rain gardens, or other like forms. The Petitioner reserves the right to provide BMPs as above ground or underground facilities. If above ground, the BMP will be located in the northeast portion of the site.

c. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approvals 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.

d. The Petitioner agrees to provide at a minimum a permanent 20 foot wide access easement through a portion of the 35' SWIM buffer along the entire length of the Site's northern boundary for future greenway use. The final location of the easement will be determined during the Design Development and Construction and Permitting phases of the project.

7. Lighting

2 Freestanding lighting fixture, including the base, shall not exceed 25 feet in height. Fixtures shall utilize full cut-off luminaries. Architectural lighting such as sconces and other decorative fixtures on the exterior of buildings will be permitted.

8. Binding Effect of the Rezoning Documents and Definitions

a. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interests and assigns.

b. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest, and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

c. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved

GRAPHIC SCALE

30 0 15 30 60

1 INCH = 30 FEET

REZONING PETITION #2016-039

URBAN DESIGN PARTNERS

1318-e6 central ave. P 704.334.3303
charlotte, nc 28205 F 704.334.3305
urbandesignpartners.com

George Macon
MPV Properties

521 E. Morehead St.
Suite 400
Charlotte, NC 28202

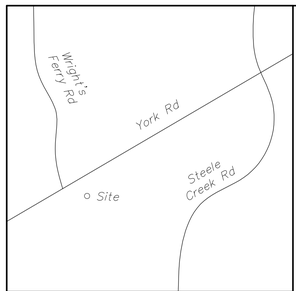
13425 SOUTH TRYON

Technical Data Sheet
Charlotte, North Carolina

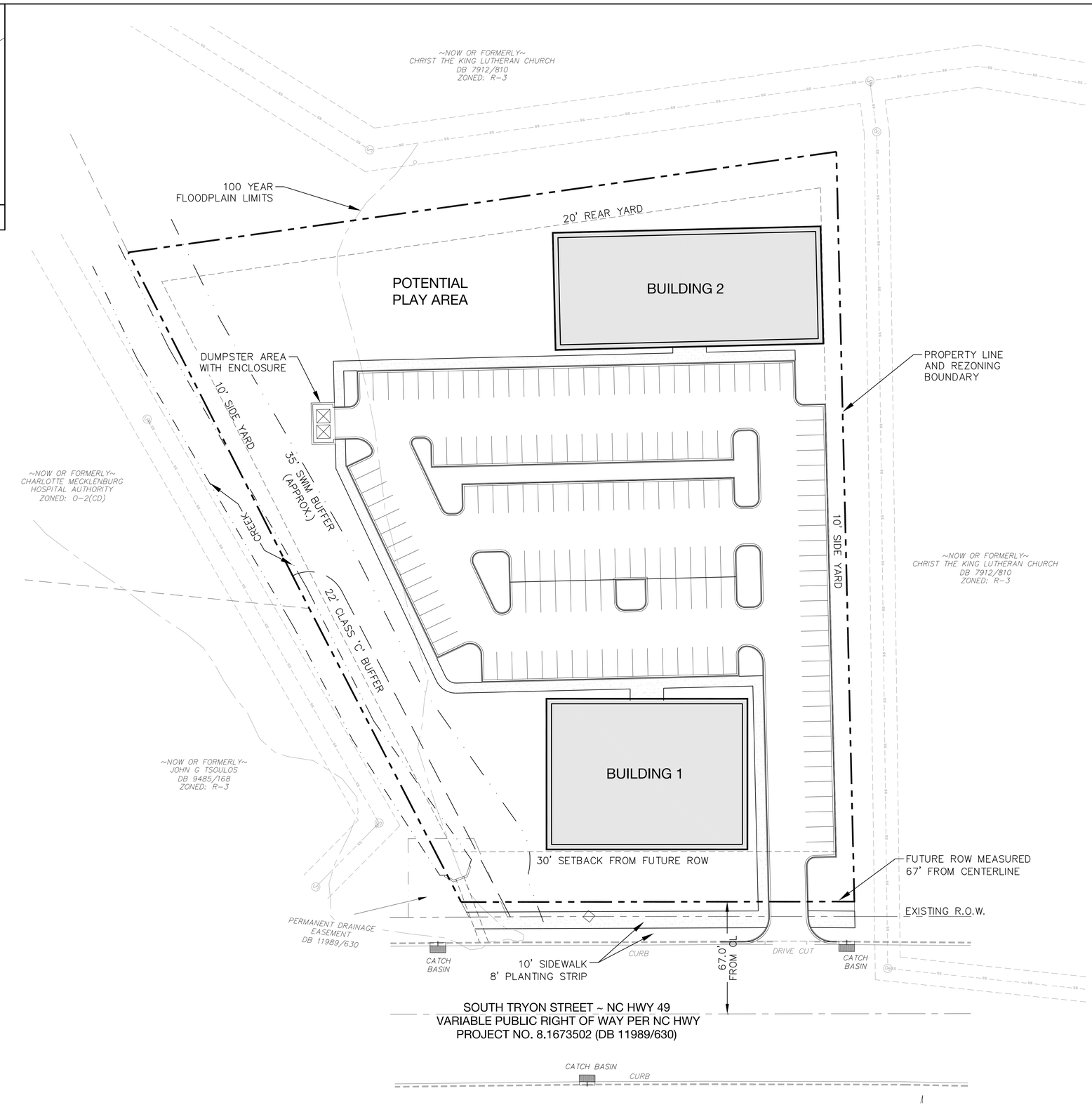
NO.	DATE:	BY:	REVISIONS:
1	2.19.16	UDP	PER CITY COMMENTS
2	4.21.16	UDP	PER CITY COMMENTS

Project No: 15-100
Date: 12.28.2015
Designed By: udp
Drawn By: udp
Scale: 1"=30'
Sheet No:

RZ-1.0



VICINITY MAP



REZONING PETITION #2016-039

URBAN DESIGN PARTNERS
1318-e6 central ave. P 704.334.3303
charlotte, nc 28205 F 704.334.3305
urbandesignpartners.com

George Macon
MPV Properties

521 E. Morehead St.
Suite 400
Charlotte, NC 28202

13425 SOUTH TRYON

Rezoning Site Plan
Charlotte, North Carolina

NO.	DATE:	BY:	REVISIONS:
1	2.19.16	UDP	PER CITY COMMENTS
2	4.21.16	UDP	PER CITY COMMENTS

Project No: 15-100
Date: 12.28.2015
Designed by: udp
Drawn By: udp
Scale: 1"=30'
Sheet No:

RZ-2.0

Agenda #: 14.**File #:** 15-3185 **Type:** Zoning Decision

Rezoning Petition: 2016-040 by Providence Road Farms, LLC

Location: Approximately 47.55 acres located on the east side of Providence Road between Providence Country Club Drive and Allison Woods Drive and across from Ardrey Kell Road. (Council District 7 - Driggs)

Current Zoning: MUDD-O (mixed use development, optional)
Proposed Zoning: MUDD-O SPA (mixed use development, optional site plan amendment)

Zoning Committee Recommendation:
The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:
Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *Providence Road/I-485 Area Plan* as amended by previous rezoning, based on information from the staff analysis and the public hearing, and because:
  - The site is recommended for residential, office, and retail uses.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The site is located in the Providence Road/I-485 Mixed Use Activity Center, which is a priority area to accommodate future growth; and
  - The proposed site plan amendment provides for additional flexibility for the location of drive-through uses on the site, as well as a minor change to the signs allowed on Providence Road as proposed in the original approved plan; and
  - The rezoning for the Waverly development was initially approved in 2014 to allow a mixed use development permitting up to 560,000 square feet of office and commercial land uses, 150-room hotel and 561 dwelling units; and
  - The requested changes will not impact the overall goals and design for the development.

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map
Site Plan

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-040
Zoning Committee Recommendation

April 27, 2016

REQUEST	Current Zoning: MUDD-O (mixed use development, optional) with five-year vested rights Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment) with five-year vested rights
LOCATION	Approximately 47.55 acres located on the east side of Providence Road between Providence Country Club Drive and Allison Woods Drive and across from Ardrey Kell Road. (Council District 7 - Driggs)
SUMMARY OF PETITION	The petition proposes to modify the development standards for a portion of the Waverly Development to: 1) allow one additional location for an accessory drive-through window while maintaining the total number of uses with drive-through windows, and 2) increase the height for ground mounted detached signs located along Providence Road and building L located within Development Area F to be six feet high instead of five feet.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Providence Road Farms, LLC; Waverly MOB, LLC; Waverly Retail LLC Providence Road Farms, LLC Jeff Brown and Keith MacVean
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: None.

STATEMENT OF CONSISTENCY	• The Zoning Committee found this petition to be consistent with the *Providence Road/I-485 Area Plan* as amended by previous rezoning, based on information from the staff analysis and the public hearing, and because:
	  • The site is recommended for residential, office, and retail uses.
	• Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
	  • The site is located in the Providence Road/I-485 Mixed Use Activity Center, which is a priority area to accommodate future growth; and
	  • The proposed site plan amendment provides for additional flexibility for the location of drive-through uses on the site, as well as a minor change to the signs allowed on Providence Road as proposed in the original approved plan; and
	  • The rezoning for the Waverly development was initially approved in 2014 to allow a mixed use development permitting up to 560,000 square feet of office and commercial land uses, 150-room hotel and 561 dwelling units; and
	  • The requested changes will not impact the overall goals and design for the development;
	
	By a 5-0 vote of the Zoning Committee (motion by Labovitz seconded by Majeed).

ZONING COMMITTEE ACTION	The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition.
VOTE	Motion/Second: Labovitz / Eschert Yeas: Eschert, Labovitz, Majeed, Sullivan, and Wiggins Nays: None Absent: Dodson Recused: Lathrop
ZONING COMMITTEE	Staff provided a brief summary of the petition and indicated there were

DISCUSSION	no outstanding issues and no changes had been made since the public hearing. The petition is consistent with the adopted area plan as amended by the previous rezonings. There was no further discussion.
STAFF OPINION	Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan amendment contains the following changes:
  - Allows an additional location for an accessory drive-through window associated with a financial institution for Building L located within Development Area F (located along the extension of Ardrey Kell Road at the corner of the proposed street "Village Walk Drive") without increasing the overall total number of drive-through windows allowed.
  - Provides site and design standards if Building L contains a financial institution or a limited service restaurant with a drive-through window.
  - Provides two site layout options for Building L located within Development Area F.
  - Increases the maximum height of ground mounted, detached signs for Building L within Development Area F and ground mounted, detached signs for buildings within Development Area B, C, D and E located along Providence Road from five feet to six feet.
  - Removes two notes under "General Provisions" that allowed administrative changes related to graphics, alterations, and modifications.
- **Public Plans and Policies**
  - The *Providence Road/I-485 Area Plan Update* (2000), as amended by petition 2013-085, recommends residential, office, and retail for the subject site.
- **TRANSPORTATION CONSIDERATIONS**
  - This rezoning will not affect the amount of traffic generated by the site and the approved road infrastructure and access points will not change. CDOT has no concerns with this petition.
  - **Vehicle Trip Generation:**
    Current Zoning: 19,400 trips per day based on previously approved uses.
    Proposed Zoning: The proposal does not change the uses permitted, therefore there is no change in the vehicle trip generation.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** This site plan amendment will not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** See Advisory Comments, Notes 1 and 2.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

ADVISORY COMMENTS

1. In relation to the parcels under review, Charlotte Water has water system availability via existing eight-inch water mains located along Providence Country Club Drive and Golf Links Drive. An existing 12-inch water main is located along Providence Road that extends approximately 300 feet north of the intersection at Providence Road and Providence Country Club Drive.
2. In relation to the parcels under review, Charlotte Water has sewer system availability via existing eight-inch gravity sewer mains located along Providence Country Club Drive and Providence Road. It should be noted there are no existing sewer mains between Development Areas 'C' and 'E' (as shown on Technical Data Sheet – RZ-1) along Providence Road.

Attachments Online at www.rezoning.org

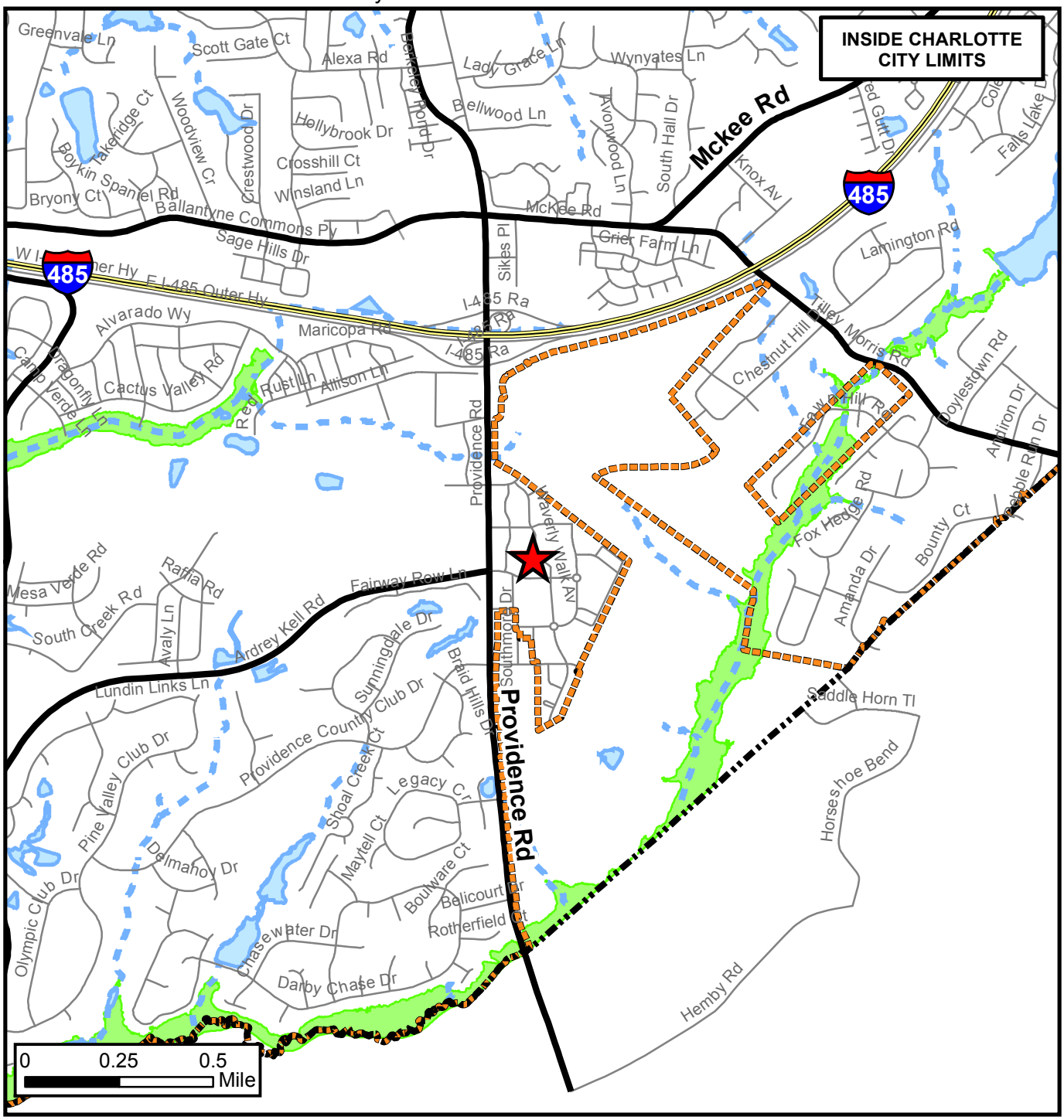
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

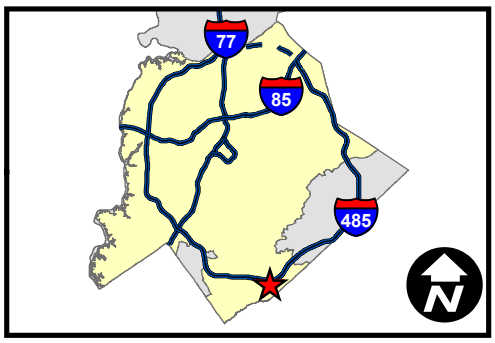
Planner: John Kinley (704) 336-8311

Petition #: 2016-040

Vicinity Map

Acreage & Location : Approximately 47.55 acres located on the east side of Providence Road between Providence Country Club Drive and Allison Woods Drive and across from Ardrey Kell Road.





Rezoning Petition: 2016-040

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Feb 8, 2016

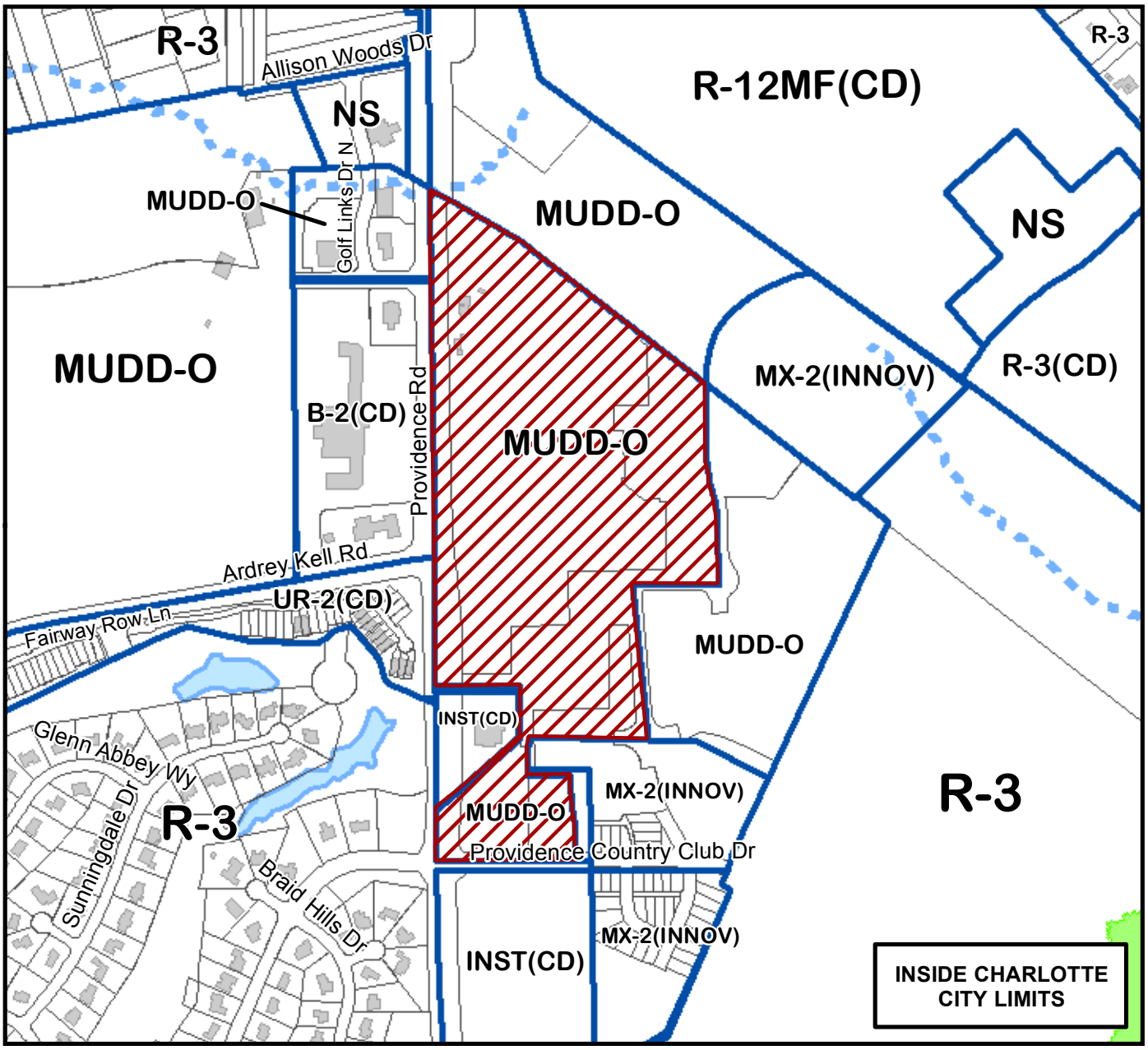
Petition #: 2016-040

Petitioner: Providence Road Farms, LLC

Zoning Classification (Existing): MUDD-O
(Mixed Use Development District, Optional)

Zoning Classification (Requested): MUDD-O SPA
(Mixed Use Development District, Optional, Site Plan Amendment)

Acreage & Location: Approximately 47.55 acres located on the east side of Providence Road between Providence Country Club Drive and Allison Woods Drive and across from Ardrey Kell Road.



Map Produced by theCharlotte-Mecklenburg Planning Department, 1-4-2016.

0 250 500 1,000 1,500 2,000 Feet

N

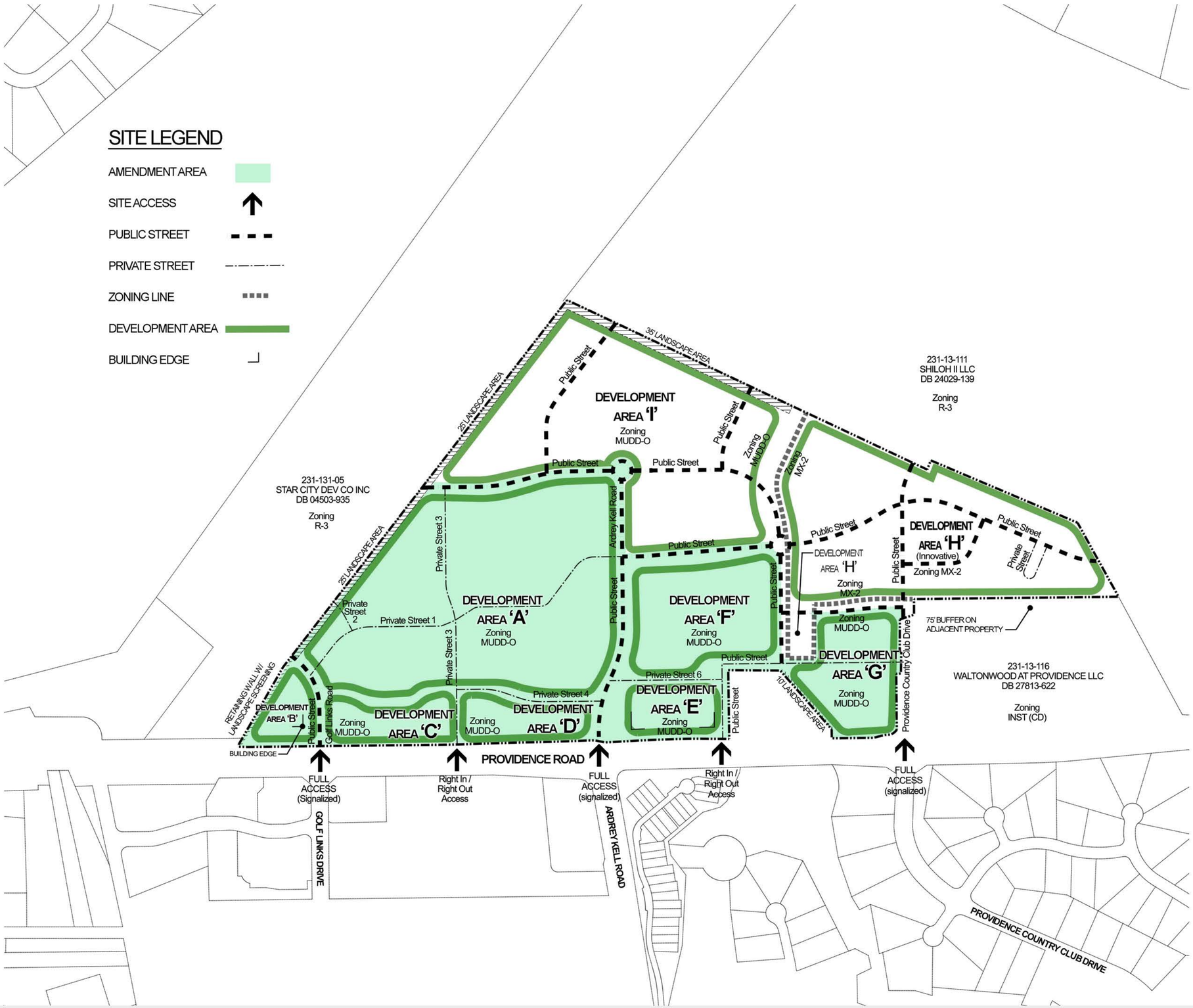
Zoning Map #(s)
180

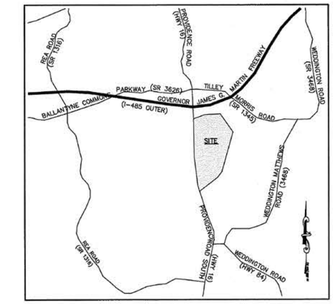
Requested MUDD-O SPA from MUDD-O

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

SITE LEGEND

- AMENDMENT AREA
- SITE ACCESS
- PUBLIC STREET
- PRIVATE STREET
- ZONING LINE
- DEVELOPMENT AREA
- BUILDING EDGE





Vacinity Map
N.T.S.

SITE DEVELOPMENT DATA

Site Acreage:	+/-47.55 Ac.
Tax Parcels:	231-131-10 and a portion of; 231-131-07, and 18
Existing Zoning:	MUDD-O by Rezoning Petition No. 2013-085
Proposed Zoning:	MUDD-O SPA
Proposed Uses:	Uses permitted by right and under prescribed conditions togther with accessory conditions together with accessory uses, as allowed in the MUDD-O zoning district (as more specifically described in Section 3 of the Development Standards).
Maximum Gross Square feet of Development	Up to 560,000 square feet of gross floor area of office, retail, EDEE (i.e. restaurants), personal services and other commercial uses (as more specifically described below in Section 3); hotel uses for up to 150 rooms; and up to 96 residential dwelling units of all types.
Maximum Building Height:	Building height will be limited to 95 feet (for the purposes of this height limit, roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment will not be considered for the calculation of allowed building height when located on a multi-story office building, otherwise building height will be measured as defined by the Ordinance).
Parking:	As specified in Table 12.202 "Minimum Required Off-Street Parking Spaces by Use" of the Off-Street Parking and Loading Section of the Ordinance.
Urban Character Guidebook	The Petitioner has created an Urban Character Guidebook for Waverly. This Urban Character Guidebook creates a set of common guidelines for various site elements (i.e. benches, tables & chairs, planters & receptacles, bike racks, bollards, tree grates, paving materials, lighting and signage) for different areas within Waverly. This Urban Character Guidebook is to be used so that the various site elements used throughout the Site have a uniform and/or coordinated appearance. The Petitioner may update and modify the Urban Character Guidebook to add, delete and change the site elements proposed within each of the areas. Any proposed changes will be submitted to the Planning Department when updated or modified.

Petition No. 2016 - 040

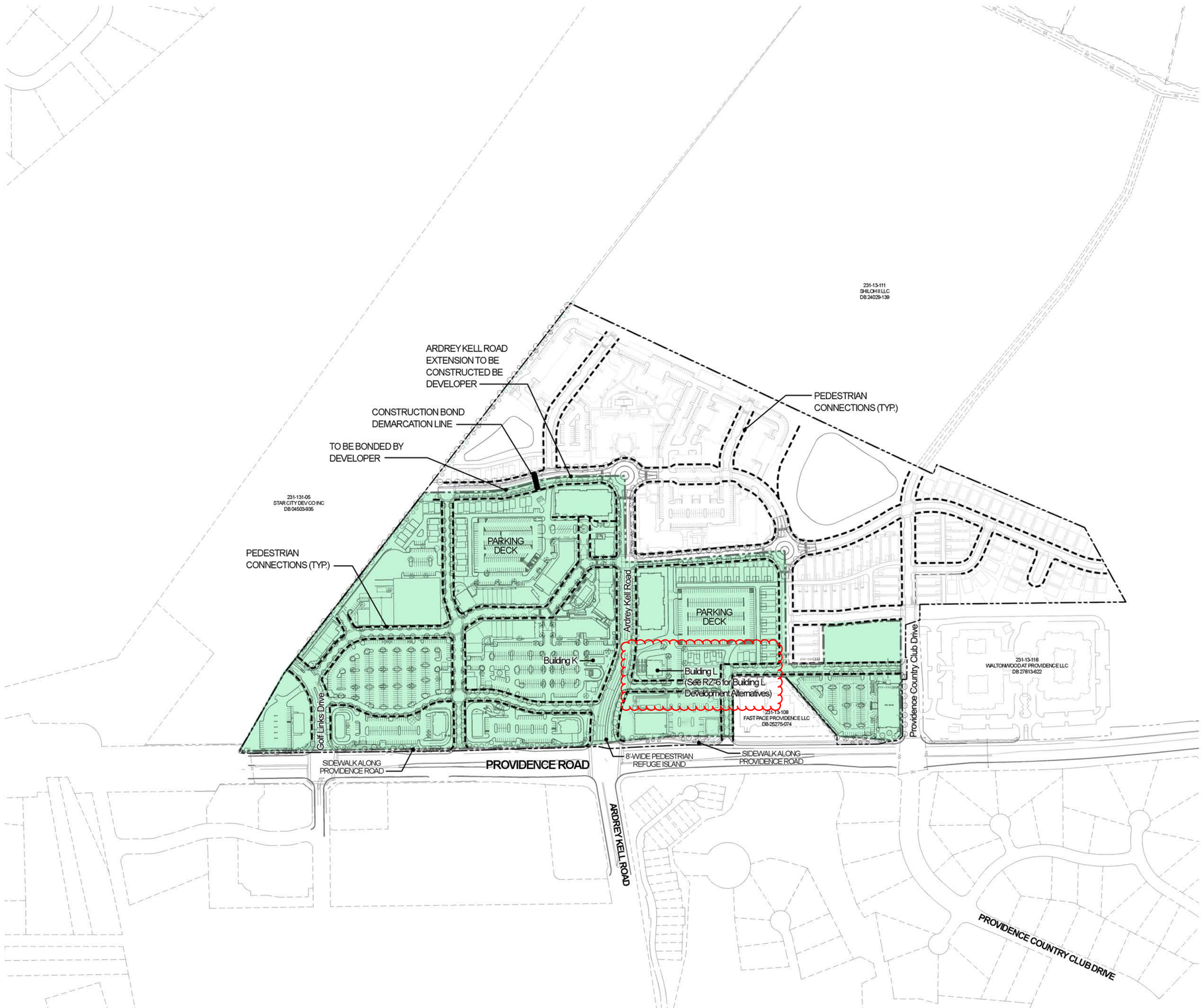
Providence Road Farms, LLC

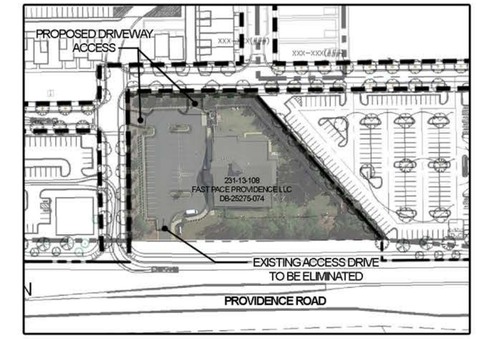
Waverly

Site Plan Amendment to Rezoning Petition No. 2013-085 (Amended: 2015-055)
Technical Data Sheet - RZ-1

McADAMS

N.T.S.
March 2016





SITE LEGEND

PEDESTRIAN CONNECTIONS - - - - -

AMENDMENT AREA

Petition No. 2016 - 040

Providence Road Farms, LLC

Waverly

Site Plan Amendment to Rezoning Petition No. 2013-085 (Amended: 2015-055)
Schematic Site Plan - RZ-2

McADAMS

N.T.S.

March 2016

Providence Road Farms, LLC
Development Standards
3/18/16
Rezoning Petition No. 2016-040 (Waverly Mixed Use Community - SPA)

Site Development Data:

--**Acreage:** ± 47.55 acres
--**Tax Parcel #s:** 231-131-19, 20 and a portion of 231-131-07
--**Existing Zoning:** MUDD-O SPA by Rezoning Petition No. 2015-055
--Proposed Zoning: MUDD-O SPA.
--**Existing Uses:** Being developed as a shopping center.
--**Proposed Uses:** Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD-O zoning district (as more specifically described below in Section 3).
--**Maximum Gross Square feet of Development:** Up to 560,000 square feet of gross floor area of office, retail, EDEE (i.e. restaurants), personal services and other commercial uses (as more specifically described below in Section 3); hotel uses for up to 150 rooms; and up to 96 residential dwelling units of all types.
--**Maximum Building Height:** Building height will be limited to 95 feet (for the purposes of this height limit, roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment will not be considered for the calculation of allowed building height when located on a multi-story office building, otherwise building height will be measured as defined by the Ordinance).
--**Parking:** As specified in Table 12.202 "Minimum Required Off-Street Parking Spaces by Use" of the Off-Street Parking and Loading Section of the Ordinance.

1. General Provisions:

a. **Site Location.** These Development Standards, the Technical Data Sheet, Schematic Site Plan and other graphics set forth on attached Sheets RZ-4, RZ-5, RZ-6 and RZ-7 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Providence Road Farms, LLC ("Petitioner") to accommodate development of mixed use commercial and residential community on an approximately 47.50 acre site located south of I-485 and east of Providence 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 MUDD-O zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.

c. **Graphics and Alterations/Modifications**. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. 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:

- minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
- modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "external building line" (in this case the external setbacks or buffer areas) indicated on Sheet RZ-1.

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 to be developed on the Site and developed for commercial uses shall not exceed 32 and the number of buildings within such portion of the Site developed for the residential uses shall not exceed 43. 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. Other than parking structures, the size of accessory structures/buildings located on the Site will be limited to 20% of the building area of the principal buildings constructed within such Development Areas to which the accessory structure/building (other than parking structures) relate.

e. **Planned/Unified Development**. The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site nor between the areas zoned MUDD-O and MX-Innovative, as part of Rezoning Petition 2013-085. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide the portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in Section 2 below as to the Site as a whole and not individual portions or lots located therein.

2. Optional Provisions.

The following optional provisions shall to the Site:

a. To allow vehicular parking, maneuvering and service between the proposed buildings and: (i) Providence Road; (ii) Golf Links Drive; and (iii) the interior public and private streets, in the manner generally depicted on the Rezoning Plan. Additional detail on where and how parking and maneuvering is allowed to occur between the buildings and streets is contained in Sections 5 and 6 below.

b. To allow drive thru lanes between the building located at the corner of Providence Road and Ardrey Kell Road in Development Area D and Ardrey Kell Road as generally depicted on the Rezoning Plan. Screening of the drive-through lanes will be provided as indicated in Section 6.b.

c. To allow within Development Areas A and F, a surface parking lot in lieu of a parking deck in the areas generally depicted for a parking deck on Sheet RZ-2 Schematic Site Plan; such surface parking areas will meet all required minimum setbacks, streetscape and screening requirements.

d. To allow up to six (6) uses in total with an accessory drive-through windows to be located within Development Areas A, B, C, D, E and F.

e. To allow an EDEE (i.e. restaurant) with an accessory drive-through window to have a minimum of 25 seats on the interior the building and to have additional seating on the exterior building, in an outdoor urban open space, that when added to the seats provided on the interior of the building (no less than 25) equal or exceed a minimum of 50 total seats *(This optional provision may only be applied to one of the allowed Limited Service Restaurant's as defined below in Section 3).*

f. To allow along Providence Road ground mounted shopping center/development identification signs up to 20 feet in height and containing up to 150 square feet of sign area. The number and locations of these shopping center/development identification signs will be limited as follows: (i) one on each side of Ardrey Kell Road extension at its intersection with Providence Road; (ii) one on each side of Golf Links Drive at its intersection with Providence Road; and (iii) one at the intersection of Providence Country Club Drive and Providence Road. These signs may be used to identify any of the uses located on the Site except for any uses located within Development Area B, C, D and Area E.

g. To allow one (1) detached ground mounted identification sign for each building located within Development Areas B, C, D, E, and building L located within Development Area F. These detached identification signs may be up to six (6) feet high and contain up to 36 square feet of sign area.

h. To allow wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less, within Development Areas A, B, C, D, E, F, and G. The sign area of the wall signs may be increased by 10% if individual letters are used.

i. To allow the multi-tenant office buildings constructed within Development Areas A, F, and G to have one ground mounted detached sign each with up to 36 square feet of sign area and up to five (5) feet in height.

j. To allow special event signs and banners along Private Streets #1, 3, and 4 and at the intersection of Providence Road and Ardrey Kell Road. The banners located at the intersection of Providence Road and Ardrey Kell Road will be attractive, well-designed professionally fabricated banners made of fabric or plastic of any type; paper banners will not be allowed; and no more than four (4) banners will be allowed at a time at this intersection.

k. To allow a digital wall sign within Development Area A and along Private Street # 1 with up to 250 square feet of sign area; this sign is in addition to the allowed tenant and shopping center signs. The digital wall sign may be used to: (i) advertise and identify tenants and merchandise located and sold at the Site; (ii) events occurring on or at the Site; (iii) as a screen for motion pictures (e.g. movies, T.V. shows and the like); and (iv) to promote Major Events, Major Events may include, but are not limited to, religious, educational, charitable, civic, fraternal, sporting, or similar events including but not limited to, golf tournaments, festivals, and major or seasonal sporting events.

l. To allow Temporary Planned Development signs and/or banners along Providence Road with up to 150 square feet of sign face area and with a maximum height of seven (7) feet. A total of 19 Temporary Planned Development signs and/or banners may be erected on the Site and generally located along the Site's frontage on Providence Road.

m. To allow digital/electronic way finding signs on the Site with a maximum sign area of nine (9) square feet.

n. To allow any of the detached signs allowed by the Ordinance or these Optional Provisions to be placed within the landscape setback provided along Providence Road or landscape areas indicated on the Rezoning Plan.

Note: *The optional provisions regarding signs are additions/modifications to the standards for signs in the MUDD district and are to be used with the remainder of MUDD standards for signs not modified by these optional provisions.*

o. To not require doorways to be recessed into the face of buildings when the abutting sidewalk width is greater than six (6) feet.

p. To allow required long term bike parking spaces for the uses located within Development Areas A, F and G to be located within the parking decks constructed on the Site.

q. To allow the required six (6) foot sidewalk along Providence Road to meander within the 29 foot landscape setback provided along Providence Road and to allow the eight (8) foot wide planting strip to be reduced to no less than four (4) feet in width as long as an eight (8) foot wide planting strip is provided along no less than 65% of the Site's frontage along Providence Road. Provided, however, if during design/development phases existing utilities, roadway improvements and site grade related issues prevent an eight (8) foot planting strip from being provided along 65% of the Providence Road frontage, the percentage may be reduced but in no event below 55%.

3. Permitted Uses, Development Area Limitations, Transfer & Conversion Rights and Outparcel Restrictions:

a. For ease of reference, the Rezoning Plan sets forth seven (7) development areas as generally depicted on the Technical Data Sheet as Development Areas A, B, C, D, E, F, and G (each a "Development Area" and collectively the "Development Areas").

b. Subject to the restrictions, limitations, and transfer/conversion rights listed below, the principal buildings constructed within Development Areas A, B, C, D, E, F and G on the Site may be developed: (i) with up to 560,000 square feet of gross floor area of uses permitted by right and under prescribed conditions, (ii) a hotel with up to 150 rooms, and (iii) up to 96 residential dwelling units, together with accessory uses and uses under prescribed conditions in the MUDD-O zoning district.

For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the term "gross floor area" or "GFA" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building on the Site measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude any surface or structured parking facilities, areas used for building and equipment access (such as stairs, elevator shafts, vestibules, roof top equipment rooms and maintenance crawl spaces), all loading dock areas (open or enclosed), outdoor coolers and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).

c. The total square feet of gross floor area devoted to office uses and other commercial uses such as retail, restaurant and personal services uses shall be interchangeable provided that:

(i) the total square feet of gross floor area of all such office and other commercial uses does not exceed 560,000 square feet of gross floor area;

(ii) the total square feet of gross floor area of all office uses does not exceed 330,000 square feet of gross floor area; and

(iii) the total square feet of gross floor area for non-office commercial uses such as retail, EDEE (i.e. restaurants) and personal services uses shall not exceed 230,000 square feet of gross floor area (Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa's, Yoga and exercise studios, nail salons, massage shops, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and alike); furthermore

(iv) office uses may exceed the limitations described in item (ii) above and non-office commercial uses may exceed the limitations described in item (iii) above up to an amount not to exceed 10% of the stated amounts by converting office uses into non-office commercial uses such as retail, restaurant and personal services at a ratio of 1.5 square feet of gross floor area of office uses for every 1 square foot of gross floor area of such non-office uses so converted and vice-versa, subject to the limitation described in item (i) above.

d. Additional hotel rooms may be developed within the area of the Site zoned MUDD-O by converting residential dwelling units into hotel rooms at the rate of one (1) residential unit so converted into two (2) hotel rooms, up to a maximum of 50 hotel rooms created by such conversion, and additional residential dwelling units may be developed by converting hotel rooms into residential dwelling units at the rate of two (2) hotel rooms so converted into one (1) residential dwelling unit up to a maximum of 25 residential dwelling units created by such conversion. *(This conversation provision may be used in conjunction with the residential units that were approved for Development Area I under the original rezoning petition for the Site (2013-085)).*

e. If less than 150 hotel rooms are constructed within the portion of the Site zoned MUDD-O, then subject to taking into account the number of hotel rooms converted to residential dwelling units as described above in Subsection 3.f., the permissible gross floor area described in Subsection 3.b. above may be increased at the rate of 1,000 square feet of gross floor area for each hotel room not constructed up to a maximum increased gross floor area of 50,000 square feet, such floor area being allocated among office uses and other non-office commercial uses such as retail, restaurant and personal services uses at a ratio of 1 square foot of office uses to 1.5 square feet of non-office commercial uses. *By way of example only, if 15 hotel rooms were converted, the 15,000 square feet of gross floor area the permitted for commercial uses could be used for an increase of up to 15,000 square feet of gross floor area of office uses or 10,000 square feet of gross floor area of non-office commercial uses, or some combination following the same ratio.*

f. Entitlement for up to 30 residential dwelling units may be transferred from Development Area I to Development Areas A, F and G. *. (This conversation provision may be used in conjunction with the residential units that were approved for Development Area I under the original rezoning petition for the Site (2013-085)).*

g. Up to six (6) uses, in total, with an accessory drive-through window may be developed within Development Areas A, B, C, D, E and F, subject to the following restrictions and the design guidelines set forth in Section 5 below:

(i) No more than two restaurants (EDEE) in total with accessory drive-through windows may be located within Development Areas B, C, D and E;

(ii) Only one such use with an accessory drive-through window may be located within Development Area A or Development Area F, and may be located either: (i) in the building located in the southeast quadrant of the intersection of Private Street #3 and Private Street #4; (ii) in the building located along Ardrey Kell Road between Private Street 4 and the next driveway into Development Area A from Ardrey Kell Road, labeled as Building K on the Rezoning Plan; or (iii) the building located in the southeast quadrant of the intersection of Private Street # 6 and Ardrey Kell Road and labeled building number L. The allowed use with an accessory drive-through window will be restricted to either a financial institution or "Limited Service Restaurant." A Limited Service Restaurant shall be defined as a restaurant with no more than 4,300 square feet of gross floor area serving primarily items such as coffee, ice cream, yogurt, juices, bagels, muffins, pastries, sandwiches and similar foods that do not require on-premise cooking of food (other than heating and the baking of premixed dough). The drive-through lane(s) for the financial institution or the Limited Service Restaurant located at the intersection of Private Street #3 and #4 will not be allowed to circulate between the building and the abutting Private Streets, if the financial institution or the Limited Service Restaurant is located in Building K the following design criteria will apply: (i) the drive-through lane(s) will not be allowed to circulate between the building and Ardrey Kell Road as generally depicted on the Rezoning Plan; (ii) the building with the Financial Institution or the Limited Service Restaurant will have at least one principle building entrance on to Ardrey Kell Road; (iii) no temporary or permanent waste or service areas will be located between the building and Ardrey Kell Road; and (iv) the drive-through lane(s) will be screened from Ardrey Kell Road by a low masonry wall (2.0 to 2.5 feet) and low accent planting;

(iii) If a financial institution with an accessory drive-thru window is located in Building L it may be designed with the drive-thru window between the building and Ardrey Kell Road or with the drive-thru window located on the side of the building (not between Ardrey Kell Road and the building). If the drive-thru window is located between the building and Ardrey Kell Road it must be designed and constructed with an internal drive-through window. An internal drive-through window will be defined as having drive-through lanes designed in such a manner that: (i) the area where a car(s) stops to utilize the pickup window(s) is a building edge/wall that covers at least 80% of the length of the area where a car(s) stops to utilize the pickup window(s) associated with the drive-through lanes. If the financial institution with an accessory drive-through window is designed with the windows located to the side of the building it must meet the following criteria: (i) no temporary or permanent waste or service areas will be located between the building and Ardrey Kell Road; and (ii) the drive-through lane(s) will be screened from Ardrey Kell Road by a low masonry wall (2.0 to 2.5 feet) with low accent planting, or will be screened from Ardrey Kell Road by an enhanced landscape area.

(iv) If a Limited Service Restaurant is located in Building L the following design criteria will apply: (i) the drive-through lane(s) will not be allowed to circulate between the building and Ardrey Kell Road; (ii) the building with the Limited Service Restaurant will have at least one principle building entrance on to Ardrey Kell Road; (iii) no temporary or permanent waste or service areas will be located between the building and Ardrey Kell Road; and (iv) the drive-through lane(s) will be screened from Ardrey Kell Road by a low masonry wall (2.0 to 2.5 feet) and low accent planting.

(v) No more than two banks/financial institutions with accessory drive-through windows may be located within Development Areas A, B, C, D, E and F; provided, however, the Petitioner reserves the right to construct a Limited Service Restaurant (as defined above) in lieu of the allowed banks/financial institutions with an accessory drive-through window.

h. Only one gas station with or without a convenience store will be allowed on the Site. The gas station with or without a convenience store may only be developed within Development Areas B.

4. Transportation Improvements and Access:

I. Proposed Improvements:
The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:
The following Transportation Improvements are also illustrated on figure 10.1 located on Sheet RZ-3B of the Rezoning Plan. Figure 10.1 on Sheet RZ-3B is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number when describing an improvement corresponds to the number found on Figure 10.1 on Sheet RZ-3B for the proposed improvement).

a. At the intersection of Providence Road at I-485 Eastbound Ramps (Intersection #2):
- Restripe the existing shared eastbound left/through lane to become a shared left/through/right lane on I-485 Eastbound Ramp; and
- Extend the existing eastbound right-turn lane on I-485 Eastbound Ramp by 260 feet to include a total of 750 feet of storage.

b. At the intersection of Providence Road at Ardrey Kell Road (Intersection #3):
- Convert the existing inside right-turn lane on the eastbound approach of Ardrey Kell Road to an eastbound through lane;
- Construct the westbound approach on Ardrey Kell Road Extension to provide dual left-turn lanes with a minimum of 150 feet of storage, one through lane, one exclusive right-turn lane that extends to Intersection # 9;
- Construct a northbound right-turn lane on Providence Road with a minimum of 150 feet of storage; and
- Construct an additional northbound through lane on Providence Road that begins south of Providence Country Club Drive to extend through Ardrey Kell Road to the three existing northbound lanes north of Ardrey Kell Road.

c. At the intersection of Providence Road at Providence Country Club Drive (Intersection #4):
- Restripe the existing northbound right-turn lane to become a shared through/right lane on Providence Road.

d. At the intersection of Providence Road at Golf Links Drive (Intersection # 5):
- Install a full-movement traffic signal upon demonstration of meeting applicable MUTCD signal warrants;
- The proposed signal will be installed with the construction of the full movement intersection;
- Construct a southbound left-turn lane on Providence Road with a minimum of 150 feet of storage; and
- Construct the westbound approach on Access 1 to provide a through/right-turn lane with an exclusive left-turn lane with a minimum of 275 feet of storage.

e. At the proposed un-signalized intersection at north end of the Site (Intersection #8):
- Construct a single lane on all four approaches with two-way stop-controlled operations with stop control on the eastbound and westbound approaches..

f. At Ardrey Kell Road Extension at the proposed traffic signal (Intersection #10):
- Install a traffic signal with full pedestrian accommodations upon meeting the applicable MUTCD signal warrants;
- The Petitioner will provide a signal warrant analysis (including pedestrian warrants/considerations) to CDOT for review and approval upon completion of the construction of the dense multi-use area of the Site;
- Construct a single lane on the northbound, southbound and westbound approaches; and
- Construct a through/right-turn lane with an exclusive left-turn lane with a minimum 150 feet of storage on the eastbound approach.

g. At Ardrey Kell Road Extension at the proposed roundabout (Intersection # 11):
- Construction of a single-lane roundabout.

h. Ardrey Kell Road Construction/Bond Demarcation Line:

- As shown on Sheer RZ-2, the Petitioner will construct Ardrey Kell Road Extension from Providence Road east to the proposed roundabout, and then to the north to extend just past the private driveway that connects to the improvements to be constructed within Development Area I to the east (resulting in construction of approximately 350 feet of Ardrey Kell Road Extension north of the roundabout) as illustrated on Sheet RZ-2 up to the demarcation line of the limits of construction. The remainder of Ardrey Kell Road Extension north to the edge of the property line will be bonded by the Petitioner for future construction which shall take place when development occurs on the parcel to the north of the Site (Parcel # 231-131-05). However, if the residential dwellings units located within Development Area A or I, located along Ardrey Kell Road beyond the demarcation line illustrated on Sheet RZ-2, are constructed then Ardrey Kell Road will be extended to the northernmost property line.

II. Standards, Phasing and Other Provisions.

a. CDOT/NCDOT Standards. All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

b. Phasing.

Notwithstanding the commitments of the Petitioner to provide for the roadway improvements described in Section 4.I above, the following provisions shall permit development to take place prior to completion of all of the above-referenced improvements.

(i)The Petitioner has the right to construct up to the maximum amount of land use densities shown below by constructing the appropriate driveway connection to Providence Road without being required to construct the remainder of the required transportation improvements listed above in Section 4.I. a - h until the development density levels shown below are exceeded:

A. Up to 35,000 square feet of gross floor area of medical office and/or general office uses may be developed and occupied within Development Area G and up to 20 residential units may be developed and occupied within Development Area H upon substantial construction of the driveway connection to Providence Road via Providence Country Club Drive as generally depicted as Intersection # 4 on figure 10.1 on Sheet RZ-3B.

B. Up to 25,000 square feet of gross floor area of retail, restaurant and/or personal services uses may be developed and occupied within Development Areas A, D, E and F upon substantial completion of the construction of the driveway connection to Providence Road by way of Ardrey Kell Road Extension as generally depicted as Intersection #3 on figure 10.1 on Sheet RZ 3B.

C. Up to 25,000 square feet of gross floor area of retail, restaurant and/or personal services uses may be developed and occupied within Development Areas A, B and C upon the substantial completion of construction of the driveway connection to Providence Road by way of the fourth leg of its intersection at Golf Links Drive as generally depicted as Intersection # 5 on figure 10.1 on Sheet RZ 3B.

(ii) The Petitioner will be allowed to obtain a certificate of occupancy for any or all of the remaining allowed square footage, units, and hotel rooms allowed on the Site upon the substantial completion of the improvements listed above in Section 4.I.a. - h. of these Development Standards.

c. Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.I and in Section 4II. b. above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.II.a above provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

d. **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, as specified by the City of Charlotte right-of-way acquisition process as administered by the City of Charlotte's Engineering & Property Management Department, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein above, then the Petitioner will contact the Planning Department and CDOT regarding an appropriate infrastructure phasing plan that appropriately matches the scale of the development proposed to the public infrastructure mitigations. If after contacting the Planning Department and CDOT to determine the appropriate infrastructure phasing plan, delays in the acquisition of additional right-of-way extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

e. Alternative Improvements. Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, Planning

Director, and as applicable, NCDOT, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

III. Access.

a. Access to the Site will be from Providence Road, the proposed extension of Ardrey Kell Road and future streets as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

b. The total number of access points to Ardrey Kell extension will be limited to 15. The number and location of access points to the internal public streets, other than Ardrey Kell Road, will be determined during the building permit process and thereafter additional or fewer driveways and/or private streets may be installed or removed with approval from appropriate governmental authorities subject to applicable statutes, ordinances and regulations such as subdivision and driveway regulations.

c. Ardrey Kell Road extension through the Site will be designed so that the back of curb will be located 29.5 feet from the centerline of the street, subject to alterations that may be approved by CDOT. However, the back of curb may be reduced to 23.5 feet from the center of the street for the portion of Ardrey Kell Road north of the proposed one-lane round-about, where parallel parking stalls are not provided due to Site constraints.

d. The private streets generally depicted on the Technical Data Sheet will be designed to meet any of the public street cross-sections as defined in City of Charlotte Subdivision Ordinance. The determination of which street cross-section will be used will be determined during the subdivision review process.

e. Those streets expressly designated as Private Streets on the Rezoning Plan shall be kept open to the public for vehicular and pedestrian use except on a temporary basis due to repairs, emergency, community events and the like.

f. Vehicular access to the residential dwellings located within Development Areas A and F shall be from a private alley or a private street.

g. To better integrate the existing day care center located on Tax Parcel # 231-131-08 adjacent to the Site (the "Daycare Facility"), the Petitioner will construct and design the adjacent streets (Street #5 and a portion of Street #6) as Public Streets to allow access to and from Providence Road to and from the Daycare Facility as generally depicted on Sheet RZ-2, subject to the Petitioner and the owner of the Daycare Facility executing an access easement agreement on reasonable and customary terms.

h. The Petitioner reserves the right to request the installation of pavers and/or stamped or colored asphalt within the Site's public streets in order to designate and define pedestrian cross-walks. The Petitioner will coordinate the design of any decorative pavement elements proposed within the public right-of-way with CDOT during the driveway permit process. Furthermore, the Petitioner understands that they would be need to obtain an encroachment agreement for any decorative pavers and/or stamped pavement proposed in the public right-of-way.

i. The location of pedestrian cross-walks generally depicted on Sheet RZ-4 are subject to approval by CDOT to ensure public safety considerations.

j. The alignment of the internal public and private streets, vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT's final approval, to accommodate minor changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards and industry best practices so long as the street network set forth on the Rezoning Plan is not materially altered.

5. Design Guidelines:

I. Statement of Overall Design Intent.

It is intended that site plan for the Site provide a horizontal mix of uses that includes office, retail, service uses and varying levels of residential uses in a manner that creates a unified development pattern with generally coordinated streetscape elements, landscaping, open spaces and quality building materials. Where opportunities exist, a vertical mix of uses will be encouraged but not required. The majority of the main street building facades along Ardrey Kell Road and Private Street 1 that are visible at ground level to site visitors, residents and adjacent neighbors shall incorporate high levels of design detail, articulation and quality materials. The site plan for the Site will seek to emphasize pedestrian connections between uses and create a strong link between the commercial core of the development and adjacent uses. Long expanses of blank walls will be limited, and where they are necessary will be treated with a combination of architectural expressions such as changes in materials, fenestration, windows, building setback and landscaping, artwork, display cases or other similar items. The Providence Road corridor will be treated with a range of edge treatments that seek to establish a sense of entry on Providence Road and seek to deter the eye from service areas or parking lots. Ardrey Kell Road and Private Street 1 shall be established as the "main streets" with principle building orientation and elevated attention to the public realm. Focal points will be developed at both Golf Links Drive and Ardrey Kell Road to identify the community and serve as a gateway into it.

II. General Design Guidelines.

a. The principal buildings constructed on the Site may use a variety of building materials. The building materials used for buildings (other than structured parking facilities) will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementatious siding (such as hardi-blank), EIFS or wood. Vinyl as a building material will not be allowed except on windows and soffits.

b. The Site will include a series of publicly accessible open spaces and plazas as focal points. These focal points will include some combination of landscaping, monumentation, water feature, seating areas and/or art work features.

c. Streetscape treatment will be a unifying element through the use of consistent paving, lighting, landscaping, and when provided site furnishings throughout the Site.

d. Specialty pavers, stained and patterned concrete/paving or other similar means will be used to call attention to amenity areas, gathering spaces, plazas and as method of way finding.

e. The Petitioner has established a set of building orientation and fenestration diagram for Development Areas A, E, F, G and I as set forth on Sheet RZ-4 of the Rezoning Plan (the "Orientation/Fenestration Diagram"). The Orientation/Fenestration Diagram create certain design standards for how various buildings within each of these Development Areas will seek to address the following site elements: (i) public streets; (ii) private streets; (iii) open space areas; and (iv) parking areas. Without limiting the authority granted to the Planning Director/Planning Department by the Zoning Ordinance, at the request of the Petitioner the Planning Director/Planning Department may allow minor modifications various aspects of the Orientation/Fenestration Diagram as long as the overall intent is preserved.

f. Circulation paths will be provided along the Site's Public and Private Streets from parking areas and decks to building entries and areas of interest.

g. Along Ardrey Kell Road and Private Street 1 provide visual interest at pedestrian levels by using architectural features that reflect the character of the overall Site. Where appropriate integrate the use of arcades, display windows, awnings, insets, balconies, window projections and other architectural elements to provide a sense of scale.

h. Petitioner shall seek to provide special architectural attention at the ground level to the corner of buildings located at street intersections along Ardrey Kell Road, including for example iconic elements, permanent artistic elements, architectural detailing, differing materials or design of materials or corner entrances, where feasible.

i. Buildings greater than 100' in length and that abut Private Street 1 and Ardrey Kell Road shall incorporate at the ground level architectural elements such as columns, pilasters, fenestration, or other types of architectural treatments in such a manner that there are no uninterrupted lengths greater than 40 feet.

j. Buildings with a building horizontal footprint greater than 30,000 square feet shall include a mix of massing and building heights.

k. Buildings, accent walls, landscaping, hardscape elements and/or similar site furnishings will be developed within Development Areas B, C, D and E in a manner that is harmonious, complementary and creates a cohesive appearance along Providence Road, while allowing each building to have its own unique characteristics.

l. Buildings constructed along Providence Road may under limited circumstances (as defined below) create/utilize window like openings with non-clear glazing to help break up building facades and meet the fenestration standards contained on Sheet RZ-4. The intent of this provision is to allow wall treatments other than windows with clear glass to be used to meet the fenestration standards in cases when the use or uses located within the building (e.g. storage rooms, bathrooms, mechanical equipment areas and alike ("the Limited Circumstances")) are areas that are not active retail customer floor areas (i.e. retail sales floor area).

III. Providence Road Design Guidelines.

a. The Petitioner shall create an appropriately landscaped corridor along Providence Road utilizing plantings to draw attention to areas of visual interest and deter from highlighting back of house and service areas. This shall include use of a combination of varied wall heights, plant materials, monumentation, artwork or other vertical elements as generally depicted on Sheet RZ-5.

b. A 29 foot landscape setback area along Providence Road, as measured from the back of the existing curb or the back of the future curb of Providence Road, as applicable, will be provided, and no buildings, parking or maneuvering for parking will be allowed within this setback. This 29 foot landscape setback area will be landscaped with a variety of landscape materials (trees, shrubs, ornamental grasses, grass, and/or areas of seasonal color), a minimum of 25 shrubs and five (5) trees per hundred linear feet will be provided as well as a low wall as described below. Subject to the constraints presented by the provisions of the Tree Ordinance and by overhead or underground utility conflicts, a minimum of three (3) of the required five (5) trees per 100 linear feet will be large maturing trees, unless the location of overhead power lines will not allow the installation of large maturing trees; in which case small maturing trees within area affected by power lines shall be planted. Where feasible (such as a tree island or dedicated open space), medium or large maturing trees will be planted within ± 30 feet of the 29 foot landscape setback, as allowed by Duke Power, in combination with the small maturing trees. A combination of a low wall (2.0' to 2.5' high) and additional landscaping and/or columns will be provided within portions of the landscape setback that abut parking areas that are over 150 linear feet in length, and in these instances such low wall and additional landscaping and/or columns will be added to the landscape setback for at least 50% of the length of the parking area. The amount of each of these elements will be determined during the urban approval process for each area of the Site, however, in each instance when this treatment is required some amount of low wall will be provided. This landscape setback area and associated treatments are generally depicted on Sheet RZ-5 of the Rezoning Plan

c. A six (6) foot wide sidewalk will be provided within this 29 foot landscape setback; this sidewalk will be allowed to meander within the landscape setback to avoid existing and relocated utility poles. An eight (8) foot wide planting strip will be provided along at least 65% of the Site's Providence Road frontage provided that the width of such planting strip may be reduced to no less than a width of four (4) feet to avoid existing and relocated utility poles. Provided, however, if during design/development phases existing utilities, roadway improvements and site grade related issues prevent an eight (8) foot planting strip from being provided along 65% of the Providence Road frontage, the percentage may be reduced but in no event below 55%. This landscape setback area and associated treatments are generally depicted on Sheet RZ-5 of the Rezoning Plan.

d. The Petitioner will provide an additional landscape area of approximately 25 feet x 17 feet in size within the area located approximately at the mid-point of the surface parking area adjacent to the Providence Road landscape area within Development Areas C and D as generally depicted on Sheet RZ-5.

IV. Parking Areas, Access and Circulation Design Guidelines.

a. Building materials associated with facades on parking structures that are generally compatible in character and quality with adjoining buildings, plazas and streetscapes will be created, taking into consideration differences associated with parking structures.

b. Parking structures shall be designed to materially screen the view of parked cars from adjacent public or private streets or publicly accessible open spaces or plazas. Screening of cars on the ground level will be accomplished primarily through the use of landscaping; and screening of cars parked on the upper level will be accomplished by a wall, at least 36 inches in height, designed as part of the parking deck structure.

c. Along the Site's Private Streets the number of curb cuts will be limited as generally depicted to maintain a street like condition, subject to modifications reasonably needed to accommodate unusual site design conditions or elements, or development constraints.

d. On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances.

e. Buildings within Development Areas B, C, D and E will not primarily orient the service side of such buildings to Providence Road and solid waste/recycling areas will not be allowed to abut Providence Road unless such areas area enclosed by a wall treatment similar to the low screen wall along Providence Road.

f. The service areas of the buildings constructed within Development Areas A and F will be screened from the adjoining streets with walls designed to complement the building architecture of the adjacent buildings. Architectural features such as, but not limited to, banding, medallions, changes in color or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

g. Surface parking areas, except the surface parking area located between Private Street 1 within Development Area A and Development Area C, shall be designed in a manner that utilizes landscape islands and public/private streets to create pockets of parking areas as generally depicted on Sheet RZ-4.

V. Pedestrian Access and Circulation Design Guidelines.

a. Along the Site's internal private streets, the Petitioner will provide a sidewalk and a cross-walk network that links the buildings, parking areas and areas of interest on the Site with one another by way of links to sidewalks along the abutting public and private streets and/or other pedestrian features. The minimum width for these internal sidewalks will be six (6) feet, except in Development Area H where a five (5) foot sidewalk may be provided. Street trees will also be provided along the Site's internal public and private streets.

b. Sidewalks along Ardrey Kell Road and the portion of Private Street 1 between Ardrey Kell Road and Private Street 3 shall be a minimum width of 8 feet.

c. Walkways through plazas or publicly accessible open space areas will be appropriately designed for the intended use and type of open space area in which they are located.

d. Where walkways occur along building walls, a walkway width of at least six (6) feet must be maintained clear of door swings, shopping cart storage, and temporary trash or similar impediments.

e. Within Development Area A, two (2) twenty-five foot wide pedestrian accessways from Ardrey Kell Road to the Public Plaza located along Private Street 1 shall be provided as generally depicted in the Orientation/Fenestration Diagram (Sheet RZ-4). These two (2) pedestrian accessways may be combined into one pedestrian accessway with a minimum width of 40 feet. An additional pedestrian accessway, with a minimum width of 20 feet, shall be provided to such Public Plaza or Private Street # 1 from the parking area opposite the Public Plaza or Private Street # 1 as generally depicted on the Orientation/Fenestration Diagram (Sheet RZ-4). These pedestrian accessways may be combined into one and relocated to the northern end of the building adjacent to the Public Plaza and the group of buildings combined for a total of two buildings. At least one pedestrian accessway shall also be provided to Private Street # 1 from the parking deck opposite Private Street 1 as generally depicted on Sheet RZ-4.

VI. Open Space, Public Plaza and Amenity Areas.

a. The Petitioner will provide for a "Public Plaza" to be located within Development Area A in the location generally depicted on Sheet RZ-4 of the Rezoning Plan. The Public Plaza will be designed as a significant pedestrian focal point and an amenity for that portion of the development. The Public Plaza will include features such as: water features, windows, specialty graphics, landscaping, specialty paving, seating areas, signage (e.g. wayfind, directional, special event) art work and/or other site elements that help create a vibrant Public Plaza area. Portions of the Public Plaza may be used for outdoor dining associated with restaurants. Additional open space areas will also be provided as generally illustrated on Sheet RZ-4 of the Rezoning Plan and such areas shall include at a minimum landscaping, pedestrian walks and seating.

b. On the ground floor of the buildings abutting the Public Plaza, the portion of the ground floor facing the Public Plaza shall have active uses (e.g. retail, office or restaurant) along the majority of its perimeter.

VII. Multi-Family Design Guidelines (i.e. Development Area I Design Guidelines).

a. **General Site Considerations**

i. Orient buildings towards primary and secondary streets to reinforce the street scape, as shown on the provided Plans.
ii. Orient buildings in a way to enclose and define public space, open space and green space.
iii. The Petitioner reserves the right to combine or relocate building locations so long as the street frontage requirement is met.
iv. Building features such as porches, patios, stoops, front walkways and centralized doorways or breezeways shall front the public or private streets, except where ends of buildings front these streets. When ends of buildings front streets, walkways will be provided to clearly connect the building entrances with the street network.
v. Architectural treatment shall continue on all sides of a building except as specifically noted otherwise.
vi. All building entrances will be connected to the street network subject to grade and ADA standards.

b. **Facade Composition**

i. The Principal Entrance of a building shall be articulated and expressed in greater architectural detail than other building entrances.
ii. Windows shall be vertically shaped with a height greater than their width.

Facades shall incorporate windows and doors as follows:

i. Windows and doors shall be provided for at least 25% of the total Facade area along the primary and secondary streets, with each floor calculated independently. The maximum contiguous area without windows or doors on any floor shall not exceed 10 feet in height or 20 feet in length.
ii. The above requirement may be reduced where a Facade is not visible from a public or private street.
iii. Facades along primary and secondary streets shall incorporate a minimum of 25% masonry materials such as brick, stucco or stone.

Façade articulation:

i. Facades over 75 feet in length shall incorporate wall projections or recesses a minimum of 12 inches in depth. The combined length of said recesses and projections shall constitute at least 20% of the total Facade length.

Additional Enfronting Facade requirements on primary and secondary streets:

i. Enfronting Facades shall be articulated and designed to create additional visual interest by varying architectural details, building materials, the roof line, and building offsets.
ii. On corner lots, the architectural treatment of a building's intersecting Enfronting Facades shall be substantially similar, except that said building shall emphasize the corner location by incorporating additional height at the corner, varying the roof form at the corner, or providing other architectural embellishments at the corner.
iii. First Story Facades of all buildings along primary and secondary streets shall incorporate columns, awnings, arcades, porches, stoops, windows, doors, or other architectural elements.
iv. Facades shall provide visual divisions between the first and second stories through architectural means such as courses, awnings, or a change in primary façade materials or colors.
v. Facades above the first Story shall incorporate windows, arches, balconies, or other architectural details.
vi. No more than four different materials, textures, colors, or combinations thereof may be used on a single building. This requirement shall not include materials used on windows, doors, porches, balconies, foundations, awnings or architectural details.
viii. Materials may be combined horizontally or vertically, with the heavier below the lighter when horizontal.
ix. Vinyl or aluminum siding, exposed standard concrete masonry unit (CMU) block, corrugated steel, prefabricated metal, exposed plywood, and exposed pressboard are prohibited.
x. Exterior materials of buildings along the primary and secondary streets shall be limited to brick, stone, pre-cast concrete, wood, stucco, cementitious siding, glass, or granite.
xi Accessory Structures shall be consistent with the Principal Building in material, texture, and color.

(a) Foundations, where provided, shall be constructed as a distinct building element that contrasts with Facade materials. Exposed above-ground foundations shall be coated or faced in cement, stucco, brick, manufactured stone, or natural stone to contrast with facade materials.

c. **Roofs**

i. Pitched roofs shall have a minimum slope of 4:12. Flat roofs shall be screened from the view of primary and secondary streets by a parapet.
ii. Accessory features on a roof shall be screened from the view of the primary and secondary streets by a parapet or other architectural feature.
iii. Permitted sloped roof materials are asphalt shingles, composition shingles, wood shingles, tin, standing seam metal, and wood shakes.
iv. Vents, stacks, and roof fans are to be painted to blend with the roof color and hidden from public street view to the greatest extent possible.

6. Parking and Maneuvering Restrictions.

a. Buildings constructed within Development Areas B and E that directly abut Providence Road, Golf Links Drive, Ardrey Kell Road extension and Private Street 5 will be designed so that no parking, maneuvering for parking areas or drive-thru lanes will be allowed between the proposed building and these abutting public or private streets.

b. Buildings constructed within Development Areas C and D that directly abut Providence Road, Adrey Kell Road, Golf Links Drive, and Private Street 3 will not have parking areas or maneuvering for parking areas located between the buildings and these streets, provided, however, drive thru lanes will be allowed between such buildings and these streets. If drive-thru lanes are installed between the buildings and the adjacent streets, a low wall (2.0' to 2.5' feet high) and low accent plantings will be provided between the drive thru lanes and these adjacent streets, and such wall will be constructed of building materials generally compatible with the buildings to which they relate.

c. A low wall (2.0 to 2.5 feet high) and low accent plantings will be provided between Providence Road and any gas pumps/maneuvering area associated with a gas station with or without a convenience store constructed in Development Area B abutting Providence Road

d. Off-street parking areas may not be located between Ardrey Kell Road and the proposed buildings on Ardrey Kell Road, except that, drive thru lanes will be allowed between the building constructed in Development Area D abutting Ardrey Kell Road as generally depicted on the Rezoning Plan. Vehicular parking and maneuvering may be located; to the side or behind the buildings and behind the established setback of the buildings constructed along Ardrey Kell Road.

e. Along the extension of Ardrey Kell Road off-street parking areas, other than parking areas created in locations where parking structures can be constructed, will not occupy more than 45% of the linear street frontage of each block face along Ardrey Kell Road.

f. Meter banks will be screened where visible from public view at grade level.

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

7. Buffers:

a. A Class C Buffer of varying widths will be provided within the portion of the Site zoned MUDD-O that abuts Tax Parcels 231-131-05 and 11 as generally depicted on the Rezoning Plan. This Buffer may be reduced in width by 25 % by the installation of a fence or wall. This Buffer may also be eliminated when the use or zoning on the adjoining property changes to a use or zoning category that would not be required to have a buffer under the Ordinance.

b. Where Development Area B abuts the adjoining property (Tax Parcel # 231-131-05) a retaining wall and a five (5) foot landscape area with screening material will be provided. The landscape screening will be located at the top of the proposed retaining wall.

8. Environmental Features:

a. The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points..

9. Signage:

a. Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided. Because the Site will be viewed as a Planned/Unified Development as defined by the Ordinance, shopping center signs may be located throughout the portion of the Site designated MUDD-O as allowed by the Ordinance and the Optional Provisions. In addition, uses located on the interior of the Site may be identified on the allowed shopping center/development signs (by way of example, the multi-family developments and single-family developments may be identified on the signs allowed along Providence Road and Ardrey Kelly extension). The allowed signs may contain identification signage for any of the uses located on the Site.

b. Master signage and graphic systems shall be adopted.

c. Information and Advertising Pillar Signs as defined by the Ordinance may be provided on the portion of the Site zoned MUDD-O.

d. On premises directional and instructional signs may be located throughout the Site per the standards of the Ordinance.

e. Temporary Banners as allowed by the Ordinance may be provided.

10. Lighting:

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

b. Detached lighting on the Site, except street lights located along public and private streets, will be limited to 30 feet in height in the portions of the Site used for non-residential uses and 25 feet in height in the portions of the Site used for residential uses.

11. Miscellaneous:

a. The Petitioner will make available on the Site to Charlotte Area Transit System (CATS) 40 non-exclusive parking spaces for use by transit customers. The 40 parking spaces will be located within Development Area A or F. The Petitioner will construct a bus stop shelter waiting pad in an area near the park and ride spaces and with pedestrian access. The location of the waiting pad will be determined during the land development permitting process in consultation with CATS. The Petitioner will work with CATS to provide a bus access easement between Providence Road and the parking spaces. The Petitioner reserves the right to terminate this commitment to provide 40 park and ride spaces should CATS discontinue Express Bus service to the Site. These 40 spaces may be used to meet minimum parking requirements for the Site.

12. 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.

13. 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.

Non-Residential Key

Fenestration Area
The fenestration area is calculated as a percentage of the wall area zone from 3 foot above finish floor to 8 foot above finish floor for the length of the building / aggregate edge.

Primary Frontage
- 60% Minimum fenestration (Area) required, measured as an aggregate edge (not per tenant or building)
- Door Entry for Each Tenant

Secondary Frontage
- 30% Minimum fenestration (Area) required (1/2 of which to be unobstructed views), measured as an aggregate edge (not per tenant or building)
- Alternate Entry Permitted

Critical Corridor
- 45% Minimum fenestration (Area) required, measured as an aggregate edge (not per tenant or building)
- Alternate Entry Permitted

Ardrey Kell (Limited Access + Out Parcel)
- 60% Minimum fenestration (Area) required, measured as an aggregate edge (not per tenant or building)
- Alternate Entry Permitted

MUDD Min. Requirement

Note:
A fenestration is an opening in the exterior building wall with windows allowing light and views between the interior and exterior and not screened from view. Glazing of windows shall be transparent under all lighting conditions; however, spandrel or colored glass may be used in the area above the height of the door head. The fenestration areas shall extend from a height of no more than three feet from the exterior average grade at the base of the building to at least the height of the door head. This requirement for fenestration will be applied to the noted Percentage of fenestration areas as noted above.

Hardscape

Greenspace

Note:
Loading areas along critical corridor will be screened from view by a wall with a similar materiality as the architecture. This frontage will not contribute to the required fenestration.

Please see Development Standards for provisions allowing alterations or modifications of these graphic depictions.

Multi-Family Street Frontage Key

Primary Frontage
- 55% Building Frontage*

Secondary Frontage
- 35% Building Frontage*

- The buildings must have at least 40% fenestration in the aggregate, but in no case will any individual building have less than 25% fenestration

*Plazas, Greenspace, and Buiding Edges may count towards this requirement.

Pedestrian Connections

Petition No. 2016 - 040

Providence Road Farms, LLC

Waverly

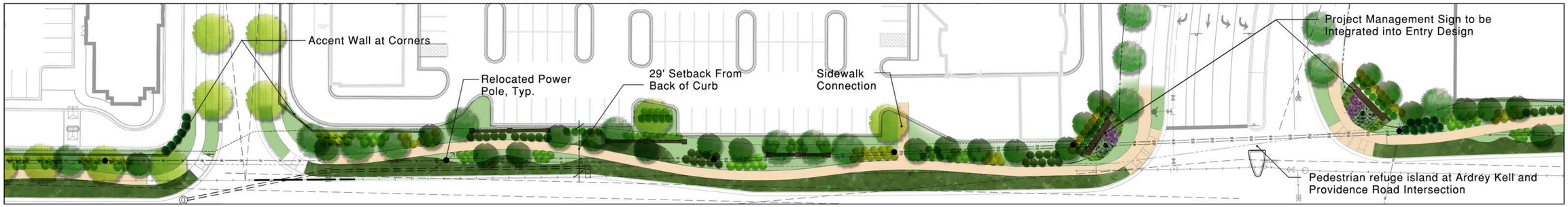
Site Plan Amendment to Rezoning Petition No. 2013-085 (Amended: 2015-055)
Orientation Fenestration Diagram - RZ-4

McADAMS

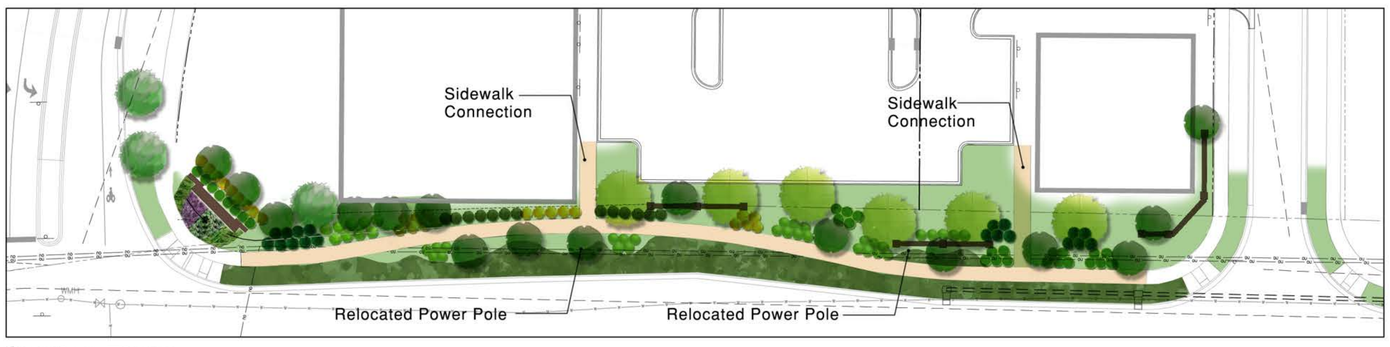
N.T.S.

March 2016

Section One

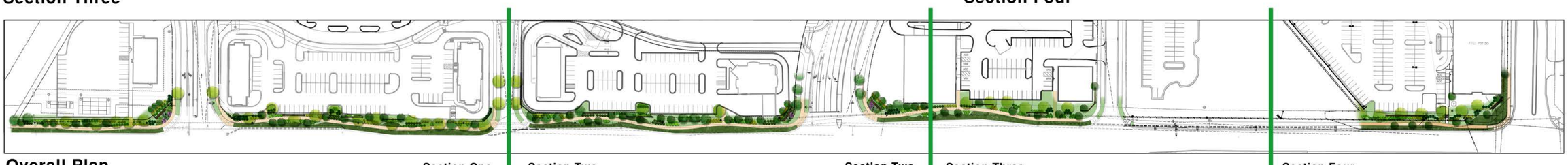


Section Two



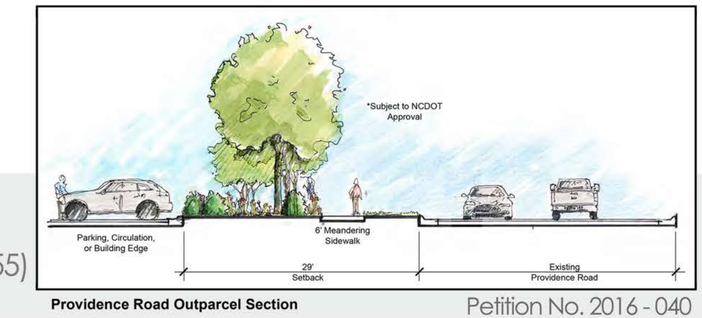
Section Three

Section Four



Overall Plan

Section One **Section Two** **Section Two** **Section Three** **Section Four**



Providence Road Outparcel Section

Providence Road Farms, LLC

McADAMS

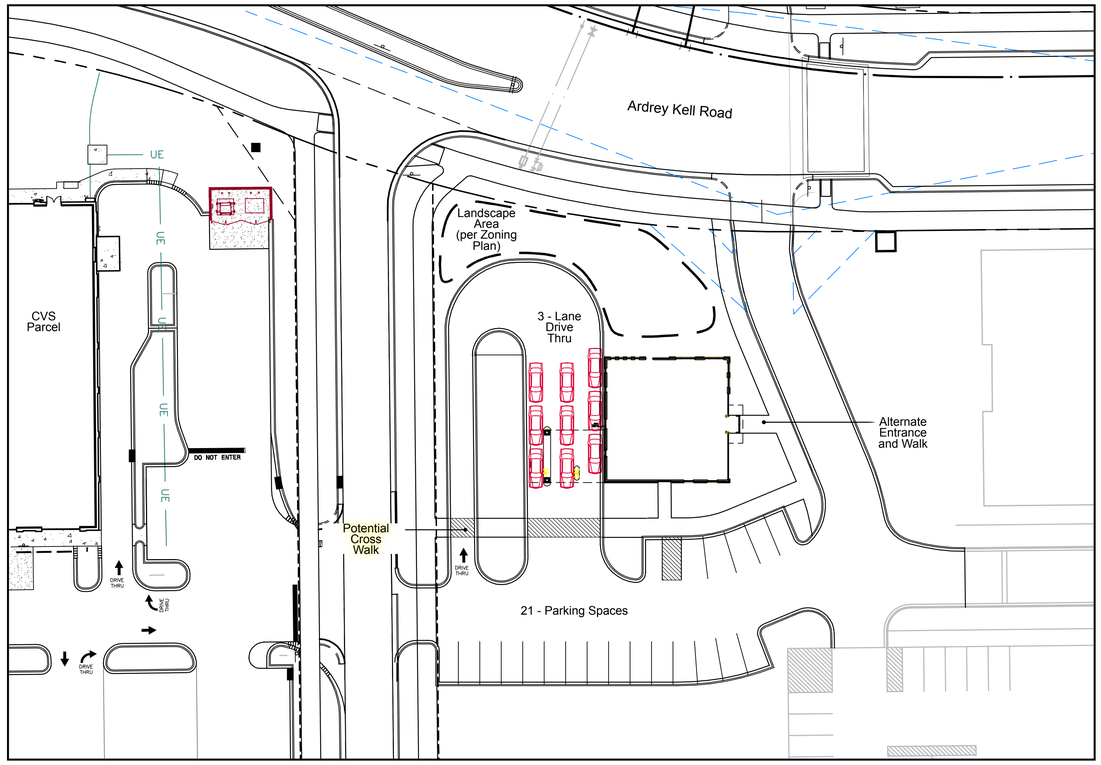
N.T.S.

March 2016

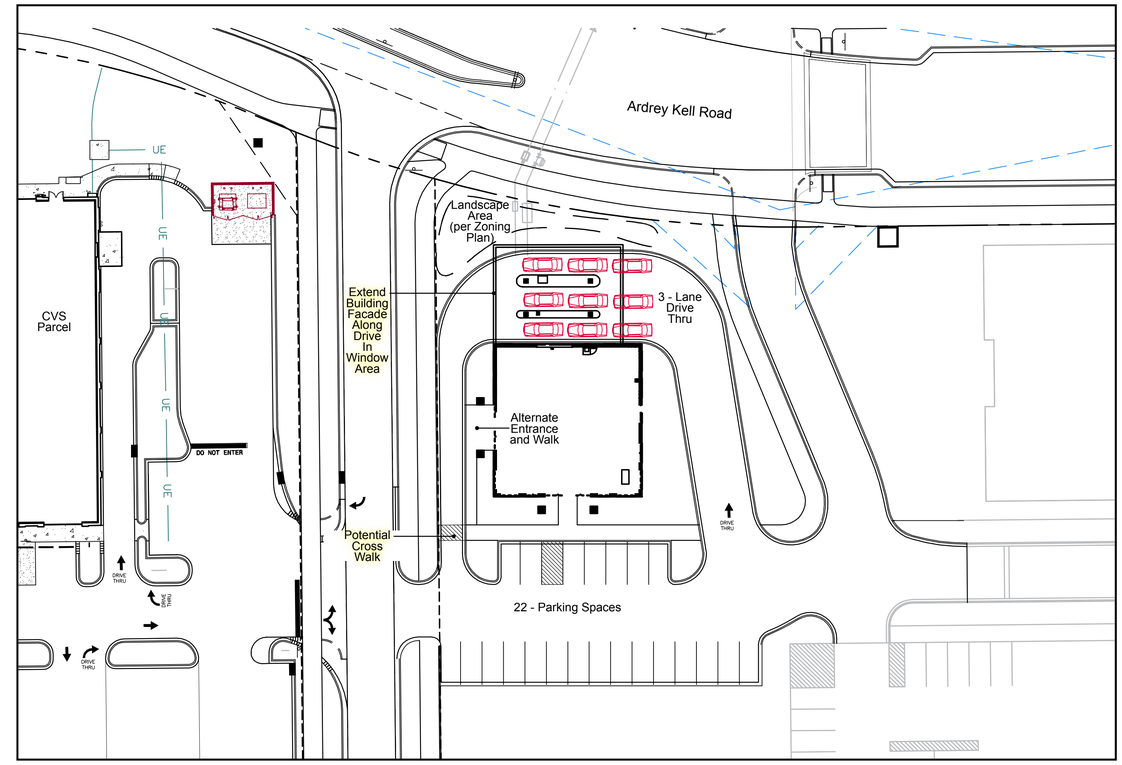
Waverly

Site Plan Amendment to Rezoning Petition No. 2013-085 (Amended: 2015-055)
Providence Road Frontage RZ-5

Petition No. 2016 - 040



Building L Option 1: Looped Drive Through on West Side of Building



Building L Option 2: Drive Through Around Building with Enclosure
(See Development Standards for building edge requirement along Ardry Kell Road)

0 15 30 60

Petition No. 2016 - 040

Providence Road Farms, LLC

Waverly

Administrative Amendment to Rezoning Petition No. 2013-085 (Amended: 2015-055)
Lot L - Development Alternatives - RZ-6

McADAMS

March 2016

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 15.**File #:** 15-3186 **Type:** Zoning Decision

Rezoning Petition: 2016-044 by W. Holt Parham

Location: Approximately 0.9 acres located on the northeast corner at the intersection of South Tyron Street and West Kingston Avenue. (Council District 3 - Mayfield)

Current Zoning: B-1 (neighborhood business)
Proposed Zoning: TOD-MO (transit oriented development-mixed use, optional)

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:
Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *South End Transit Station Area Plan* , based on information from the staff analysis and the public hearing, and because:
  - The plan recommends mixed-use transit supportive development for the area in which the site is located.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The subject site is within a 1/4 mile walk of the East/West Boulevard Transit Station on the LYNX Blue Line; and
  - The proposed development will provide a mix of transit supportive non-residential uses, including hotel and commercial uses, which are appropriate for a transit station area; and
  - The petition provides a corner open space that encourages pedestrian activity and complements the pedestrian environment; and
  - The proposed site plan includes active ground floor uses along South Tryon Street and Kingston Street. These uses will support a walkable environment; and
  - The 75-foot building height optional request is only 15 feet greater in height than what is allowed by the ordinance standards. The additional height will not have a negative impact on the Wilmore neighborhood, which is separated from this site by commercial development.

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map
Site Plan

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-044
Zoning Committee Recommendation

April 27, 2016

REQUEST	Current Zoning: B-1 (neighborhood business) Proposed Zoning: TOD-MO (transit oriented development – mixed-use, optional)
LOCATION	Approximately 0.9 acres located on the northeast corner at the intersection of South Tryon Street and West Kingston Avenue. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes the redevelopment of two single story residential structures and vacant property for a hotel with up to 130 rooms with office and ground floor commercial/retail designed to be transit supportive in the South End area.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Various W. Holt Parham Collin Brown and Bailey Patrick/ K&L Gates, LLP
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 10

STATEMENT OF CONSISTENCY	• The Zoning Committee found this petition to be consistent with the *South End Transit Station Area Plan*, based on information from the staff analysis and the public hearing, and because:
	  • The plan recommends mixed-use transit supportive development for the area in which the site is located.
	• Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
	  • The subject site is within a 1/4 mile walk of the East/West Boulevard Transit Station on the LYNX Blue Line; and
	  • The proposed development will provide a mix of transit supportive non-residential uses, including hotel and commercial uses, which are appropriate for a transit station area; and
	  • The petition provides a corner open space that encourages pedestrian activity and complements the pedestrian environment; and
	  • The proposed site plan includes active ground floor uses along South Tryon Street and Kingston Street. These uses will support a walkable environment; and
	  • The 75-foot building height optional request is only 15 feet greater in height than what is allowed by the ordinance standards. The additional height will not have a negative impact on the Wilmore neighborhood, which is separated from this site by commercial development;
	
	By a 6-0 vote of the Zoning Committee (motion by Majeed seconded by Sullivan).

ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications: 1. The optional request for deviation from the active street requirement has been removed. 2. The required streetscape on South Tryon Street has been labeled and shown on the plan. 3. An eight-foot planting strip and eight-foot amenity zoned has been shown on the plan. 4. 30 feet from the centerline of South Tryon Street has been shown on the plan as requested by Charlotte Department of Transportation.

	5. New curb and gutter along South Tryon Street has been shown on the plan. 6. The petitioner has committed to dedicate 30 feet of right-of-way to the back of the proposed sidewalk.

VOTE	Motion/Second:	Wiggins / Sullivan
	Yeas:	Eschert, Labovitz, Lathrop, Majeed, Sullivan, and Wiggins
	Nays:	None
	Absent:	Dodson
	Recused:	None

ZONING COMMITTEE DISCUSSION	Staff reviewed the petition and noted that all the outstanding issues had been addressed. One Commissioner wanted to know why right-of-way is needed to the back of the sidewalk. Staff responded that the right-of-way dedication to the back of the sidewalk is needed for maintenance of the sidewalk. Another Commissioner asked if there were any traffic concerns with this petition. Staff responded and stated that there were no traffic concerns with this request. There was no further discussion of this petition. Staff noted that this petition is consistent with the *South End Transit Station Area Plan*.
STAFF OPINION	Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Hotel use with up to 130 rooms and associated ground floor commercial uses along South Tryon Street and West Kingston Avenue.
  - 16-foot setback from the future back of curb along South Tryon Street and West Kingston Avenue with sidewalk and trees in grates.
  - New streetscape improvements on all adjacent streets, including on-street parking on South Tryon Street and West Kingston Avenue.
  - Minimum 1,500 square feet for outdoor seating and plazas areas.
  - Building elevations with proposed building materials, such as brick, stucco, black aluminum, and faux wood accents.
  - Optional Provisions for the following allowances:
    - Additional building height in excess of the TOD (transit oriented development) height plane. The primary building will be approximately 75 feet tall and the allowable TOD height for this property is 60 feet due to the proximity of single family zoning across South Tryon Street in the nearby Wilmore neighborhood. This represents a height optional request of 15 feet.

- **Public Plans and Policies**
  - The *South End Transit Station Area Plan* (2005) recommends transit supportive mixed uses for the subject site and surrounding properties.
  - The petition supports the *General Development Policies-Environment* by redeveloping an infill site near a rapid transit station, thereby minimizing further environmental impacts while accommodating growth.

- **TRANSPORTATION CONSIDERATIONS**
  - The proposed project is located in South End along a major thoroughfare. On this type of facility, CDOT's primary goal is to protect the future right-of-way and setback needs to help achieve the goals of the area plan and multi-modal transportation needs, including activating parallel on-street parking now, reserving space for future bike lane, and implementing walkable streetscapes.
  - **Vehicle Trip Generation:**
    Current Zoning: 1420 trips per day (based on 9,000 square feet of retail uses).
    Proposed Zoning: 800 trips per day.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

Attachments Online at www.rezoning.org

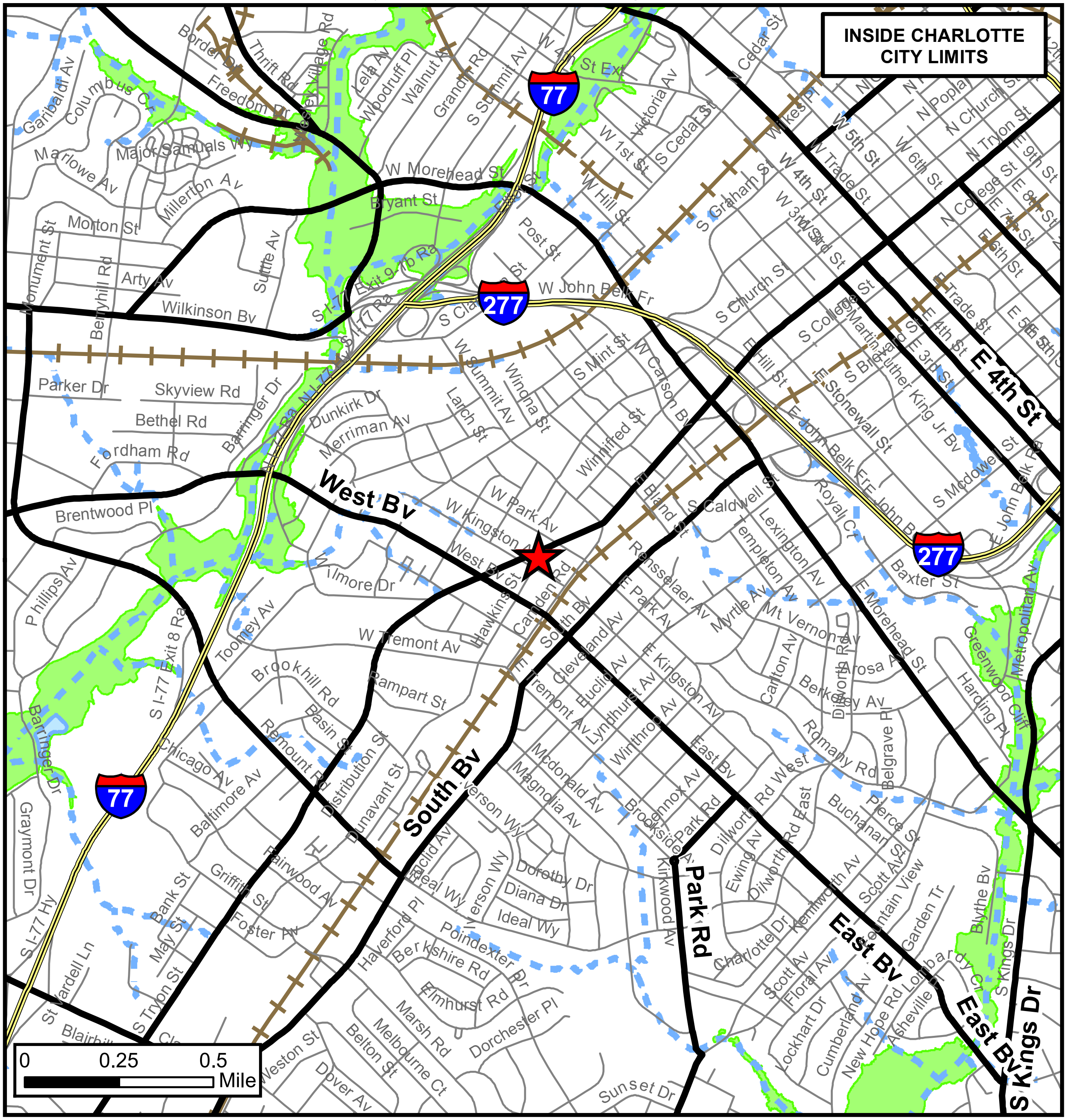
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

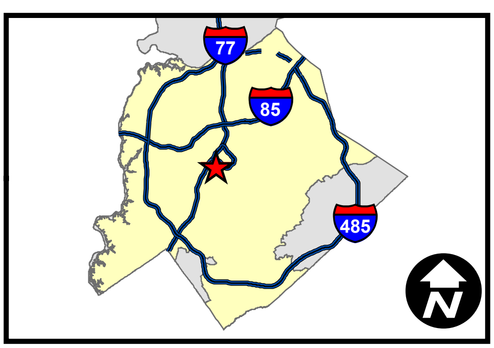
Planner: Solomon Fortune (704) 336-8326

Petition #: **2016-044**

Vicinity Map

Acreage & Location : Approximately 0.9 acres located on the northeast corner at the intersection of South Tyron Street and West Kingston Avenue.





Rezoning Petition: 2016-044

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Feb 8, 2016

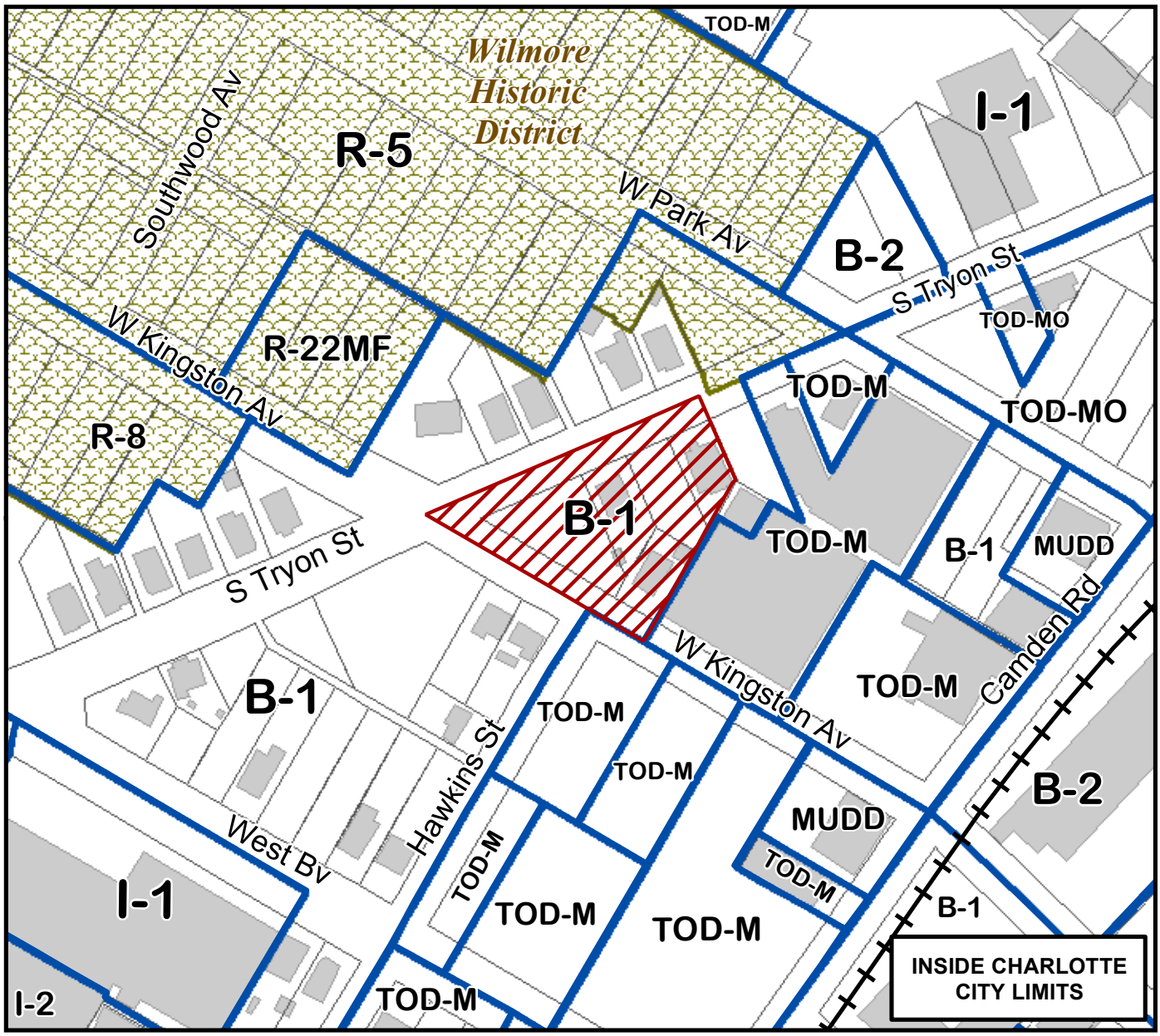
Petition #: 2016-044

Petitioner: W. Holt Parham

Zoning Classification (Existing): B-1
(Neighborhood Business)

Zoning Classification (Requested): TOD-MO
(Transit Oriented Development, Mixed Use, Optional)

Acreage & Location: Approximately 0.9 acres located on the northeast corner at the intersection of South Tyron Street and West Kingston Avenue.



Map Produced by the Charlotte-Mecklenburg Planning Department, 2-24-2016.

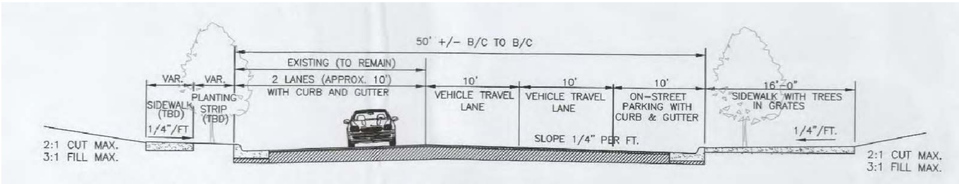
0 75 150 300 450 600 Feet

N

Zoning Map #(s)
102

Requested TOD-MO from B-1

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District



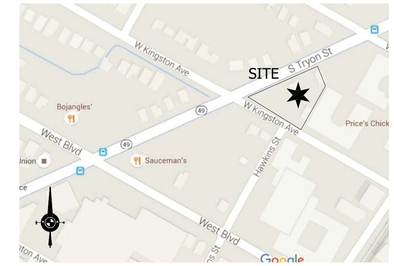
03 PROPOSED S. TRYON STREET SECTION

scale: NTS

Development Data Table:

Site Area:	.9 acres +/- TOD-MO
Tax Parcels:	123-061-01, 123-061-21, 123-061-20, 123-061-19,123-061-02
Existing Zoning:	B-1
Proposed Zoning:	TOD-MO
Existing Use:	Vacant/Residential
Proposed Uses:	Hotel, Retail, EEDE, personal service, and accessory uses thereto
Maximum Development:	Development intensity shall not exceed limits of TOD-M
Maximum Building Height:	Up to 75 feet
Parking:	Shall satisfy or exceed Ordinance requirements, unless otherwise stated in optional provisions below
Urban Open Space:	1500 square feet minimum

04 SITE DATA



05 VICINITY MAP

scale: NTS

1. **General Provisions**

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by W. Holt Parham ("Parham") to rezone property tax parcels 123-061-19, 123-061-20, 123-061-01,123-061-02, 123-061-21 (the "Site") from the B-1 Zoning District to the TOD-MO Zoning District in order to accommodate a transit oriented development, as depicted on the Rezoning Plan (the "Site").

Development of the Site will be governed by the accompanying Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The Rezoning Plan is intended to reflect maximum development rights, building envelopes, the arrangements and locations of access points.

Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the TOD-M Zoning District shall govern all development taking place on the Site.

Alterations or modifications which, in the opinion of the Planning Director, substantially alter the character of the development proposed or significantly alter the Rezoning Plan or these Development Standard, constitute changes which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

2. **Optional Provisions**

a. Petitioner seeks approval of an optional provision to allow up to 75 feet of building height.

3. **Permitted Uses**

The Site may be devoted to hotel uses together with any incidental or accessory uses associated therewith.

4. **Maximum Development**

The number of hotel rooms allowed on the site shall not exceed 130 units, non-hotel related commercial uses shall not exceed 6,000 square feet

5. **Transportation**

Vehicular access points shall be limited to one driveway on Kingston Street and one driveway on S. Tryon Street, as generally depicted on the rezoning plan.

6. **Architectural Standards**

a. The petitioner is proposing an eclectic style of architecture, reflecting the historical roots of South End and respecting the more recent South End renaissance of commercial and residential architecture. The proposed hotel will be designed with a rich variety of materials, including red brick, white stucco, colored stucco, black aluminum, glass and wood (or faux wood) accents. In order to stimulate pedestrian activity, the site shall be designed to incorporate an urban open space area at the corner of S. Tryon Street and Kingston Avenue.

b. The proposed architectural standards will be substantially similar to the conceptual renderings provided.

c. Petitioner shall either dedicate a sixteen (16) foot sidewalk and hardscape area along South Tryon Street to the City of Charlotte or provide the City of Charlotte with an easement to maintain those sidewalk and hardscape areas, as generally depicted in the Site Plan.

7. **Environmental Features**

Petitioner shall satisfy the requirements of the Post Construction Controls Ordinance.

8. **Lighting**

All free-standing lighting fixtures will be shielded with full cut-off fixtures.

9. **Amendments to Rezoning Plan**

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

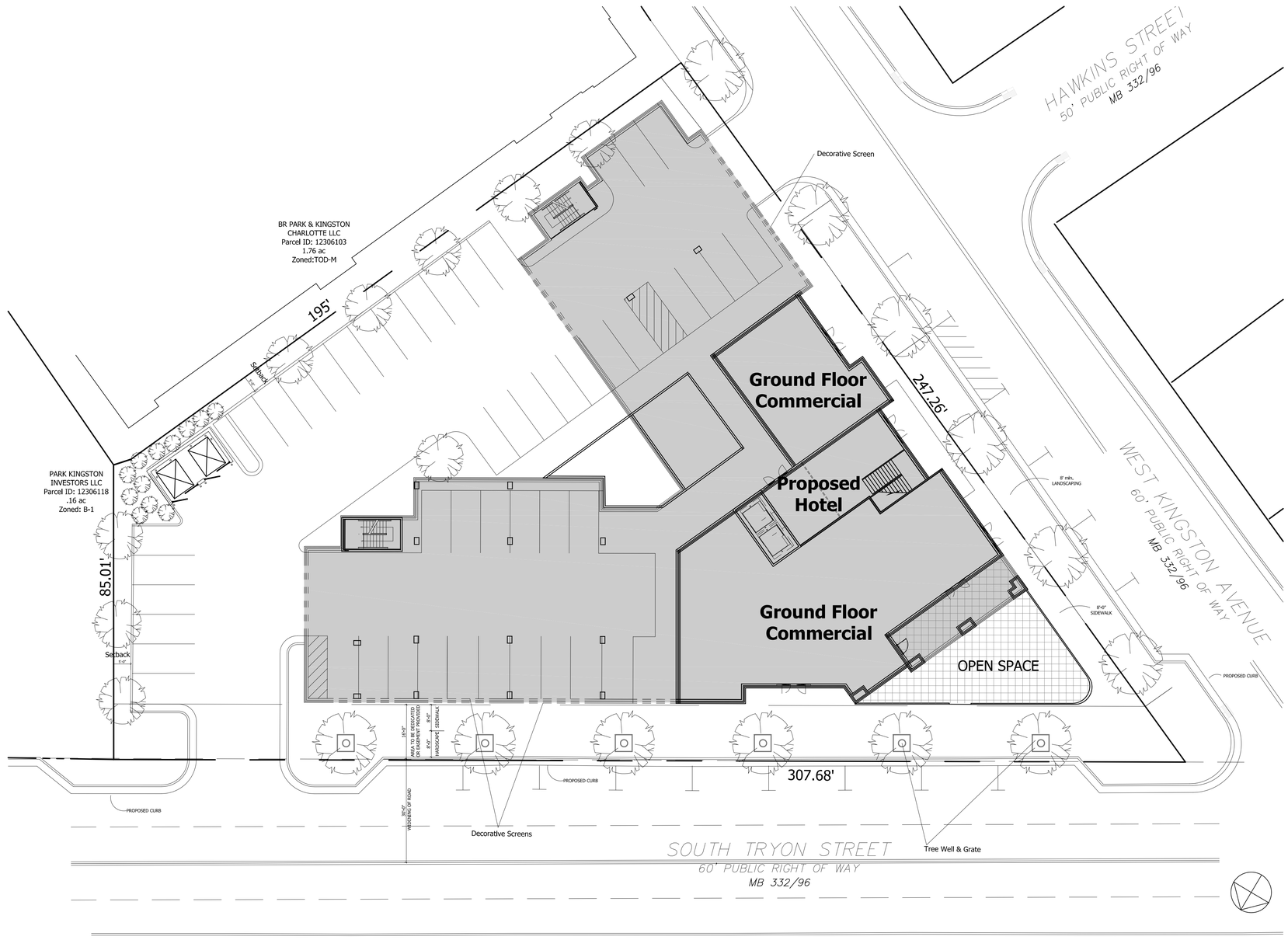
10. **Binding Effect of the Rezoning Documents and Definitions**

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

Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof.

02 NOTES

scale: NTS



01 SITE PLAN

scale: 1/16" = 1'-0"

ODa
overcash demmitt
2010 south tryon st. suite 1a
charlotte north carolina 28203
office.704.332.1615
web.www.odarch.com

Petition No.
2016-044
For Public Hearing

Submittal	:	01.15.2016
Resubmittal	:	03.21.2016
Resubmittal	:	04.21.2016
Resubmittal	:	05.04.2016
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ILLUSTRATIVE
PLAN & NOTES

RZ-1

Copyright 2015 Overcash Demmitt Architects

ODA No. 15299
2999-RZ-1.dwg

Agenda #: 16.**File #:** 15-3181 **Type:** Zoning Decision

Rezoning Petition: 2016-045 by Pamlico Investments, Inc.

Update: The recommendation on 2016-045 will be distributed through the Council Manager Memo on Friday, May 13, 2016.

Location: Approximately 1.37 acres located on the southwest corner at the intersection of East 10th Street and Seigle Avenue. (Council District 1 - Kinsey)

Current Zoning: B-1 & R-22MF (neighborhood business) & (multi-family, residential)
Proposed Zoning: MUDD-O (mixed use development, optional)

Agenda #: 17.**File #:** 15-3187 **Type:** Zoning Decision

Rezoning Petition: 2016-055 by Real Estate Investment Fund

Location: Approximately 2.52 acres located on the west side of Prosperity Church Road between Johnston Oehler Road and Interstate 485. (Council District 4 - Phipps)

Current Zoning: R-3 (single-family residential)
Proposed Zoning: MUDD-O (mixed used development, optional)

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:
Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *Prosperity Hucks Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends a mix of uses at this site.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The subject site is located along Robert Helms Road and Docia Crossing Road, fronting on I-485; and
  - The site is located within the growing Prosperity Church Road Activity Center, and the proposal supports the adopted Plan's policies regarding development that should be compact, pedestrian oriented and well-connected internally, and to surrounding development; and
  - This site's location within a Mixed Use Activity Center, will provide a mixture of uses that yield shorter vehicle trip lengths that are less impactful than accommodating the same uses spread over greater distances; and
  - The proposed rezoning of the site to MUDD-O (mixed use development, optional) to allow for a climate controlled storage facility and ground floor accessory retail uses is in a format that is consistent with the design policies detailed in the *Prosperity Hucks Area Plan*.

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map
Site Plan

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-055
Zoning Committee Recommendation

April 27, 2016

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 2.52 acres located on the west side of Prosperity Church Road between Johnston Oehler Road and Interstate 485. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes to allow a mixture of street front retail and office uses, with self-storage uses located on the interior of the site. The subject site is located in the Prosperity Church Road Activity Center and is currently vacant.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Bonnie J. Dobbs et al. Real Estate Investment Fund, LLC Collin Brown/Bailey Patrick, Jr.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 8

STATEMENT OF CONSISTENCY	• The Zoning Committee found this petition to be consistent with the *Prosperity Hucks Area Plan*, based on information from the staff analysis and the public hearing, and because:
	  • The plan recommends a mix of uses at this site.
	• Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
	  • The subject site is located along Robert Helms Road and Docia Crossing Road, fronting on I-485; and
	  • The site is located within the growing Prosperity Church Road Activity Center, and the proposal supports the adopted Plan's policies regarding development that should be compact, pedestrian oriented and well-connected internally, and to surrounding development; and
	  • This site's location within a Mixed Use Activity Center, will provide a mixture of uses that yield shorter vehicle trip lengths that are less impactful than accommodating the same uses spread over greater distances; and
	  • The proposed rezoning of the site to MUDD-O (mixed use development, optional) to allow for a climate controlled storage facility and ground floor accessory retail uses is in a format that is consistent with the design policies detailed in the *Prosperity Hucks Area Plan*;
	By a 6-0 vote of the Zoning Committee (motion by Sullivan seconded by Labovitz).

ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications: Transportation 1. The petitioner has amended the site plan to widen Prosperity Crossing Road to a local collector street typical section requiring a minimum 51 feet of right-of-way; this street section allows recessed on-street parallel parking on both sides of the street. The future back of curb along the site's Prosperity Crossing Drive's frontage will be located 37 feet from the existing back of curb on the south side Prosperity Crossing Drive. 2. The petitioner shows 51 feet of total right-of-way as measured from Prosperity Crossing Road's exiting "southern" right-of-way line. The public sidewalk along the site's Prosperity Crossing Road frontage can be placed in a permanent Sidewalk Utility Easement

or additional right-of-way. The petitioner has revised the site plan to depict and label future right-of-way and/or permanent Sidewalk Utility Easements along the site's Prosperity Crossing Road frontage.

3. The petitioner has revised the site plan to depict and label a permanent Sidewalk Utility Easement or additional right-of-way to include the entire six-foot public sidewalk along the site's Docia Crossing Road frontage.
4. The petitioner has agreed to work with CDOT on how the existing curbline of Prosperity Crossing Road, west of Docia Crossing Road, will properly align with the new curbline proposed east of Docia Crossing Road.

Site and Building Design

5. The petitioner has deleted the third optional request because it does not match the site plan drawing. The petitioner has provided a minimum 16-foot setback from back of curb in order to accommodate required street trees.

Requested Technical Revisions

6. The petitioner has removed the third paragraph under General Provisions heading that read "The technical data sheet…"
7. The petitioner has moved Architectural Standards/Streetscape and Landscaping Note 7j under Permitted Uses heading where language lists prohibited uses.
8. The petitioner has revised site plan to show paved surface next to on-street parking with trees in grates or planters.
9. Architectural Standards/Streetscape and Landscaping Note 7.c. regarding dumpster areas has been modified by adding language that states: "…gates or doors shall be opaque and shall lock in order to limit access during non-business hours."
10. Lighting Note 11.c. has been modified to read: "All decorative exterior, building-mounted lighting shall incorporate globe lanterns or other similar style that adequately illuminate pedestrian areas and reduce shadows along building frontages."
11. Parking Note 13.b. has been added that states: "Petitioner will provide a minimum of one (1) conveniently-located parking space reserved for 'clean commuters' (which shall include carpool, vanpool, hybrid vehicles and electric vehicles), otherwise, parking will meet all ordinance standards.

VOTE

Motion/Second:	Wiggins / Majeed
Yeas:	Eschert, Labovitz, Lathrop, Majeed, Sullivan, and Wiggins
Nays:	None
Absent:	Dodson
Recused:	None

ZONING COMMITTEE DISCUSSION

Staff reviewed the request noting that the property is located in the Prosperity Church Road Mixed Use Activity Center. The changes since the public hearing were reviewed. Staff noted the one outstanding issues related to the existing curbline of Prosperity Crossing Road, properly aligning with the new curbline proposed east of Docia Crossing Road.

One Commissioner noted that the map in the notebook showed the old alignment for Prosperity Church Road. Another Commissioner stated that staff did not recommend approval of another climate controlled storage facility. In this case, the neighbors to the right of the property were very opposed to the storage facility. The Commissions asked if staff knew why. Staff responded that the lady that spoke at the public hearing said they have been involved area plan development, the storage would be detrimental to their property values and this is not what was envisioned for the area. The Commissioner noted that the storage facility was going to be camouflaged.

Another Commissioner noted that it is a good use of the land because of the amount of noise from Interstate 485. Another asked about the

	comments made at the hearing regarding the police officers concerns about security. Staff noted that the petitioner reached out to the officer and was working through the concerns. These types of concerns are too detailed for the rezoning process and are not land use issues so they are worked out individually with the developer.
STAFF OPINION	Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Proposes a development project which incorporates street front retail and office uses designed to be pedestrian friendly, with climate controlled self-storage on the interior of the site.
  - Allows up to 17,400 square feet of commercial uses including office, retail, eating/drinking/ entertainment establishments, brewery, or personal services uses.
  - Allows 101,000 square feet of self-storage uses.
  - Prohibits car washes, automobile services stations, drive-through service windows, and eating/ drinking/entertainment establishments with drive-through service windows.
  - Proposes a maximum building height of two stories (45 feet).
  - The following optional provisions are being requested:
    - Allow up to 150 square feet of wall-mounted signage on each building façade facing Robert Helms Road and Docia Crossing Road. Ordinance allows signs located on any building wall of a structure to have a maximum sign surface of all signs on one wall not to exceed 5% of building wall to which the sign is attached up to a maximum of 100 square feet.
    - Allow a five-foot rear yard due to the fact that the adopted land use plan does not recommend residential uses on the adjacent property. Ordinance requires a 10-foot building separation adjacent to a residential use.
  - Provides access via proposed driveway connections onto Robert Helms Road, Docia Crossing Road, and Prosperity Crossing Road.
  - Includes a note that a minimum of one (1) conveniently-located parking space reserved for "clean commuters" (which shall include carpool, vanpool, hybrid vehicles and electric vehicles), will be provided.
  - Provides a conceptual rendering of the development proposal and architectural standards as follow:
    - Exterior building materials to consist of primarily glass, brick, stucco, metal and composite panels, and/or cementitious siding.
    - Design elements to be incorporated for certain street front building facades within the site include those that seek to create a traditional "Town Center" concept to the site and buildings.
    - There will be a mix of transparent and solid materials to provide visual interest for the community and durability to serve building occupants. Primary among these elements include expanses of street front glass and access doors.
    - The building façade will consist of brick veneer in a variety of colors with accent masonry banding at mid-height, and include canvas awnings, tenant signage, and decorative accent lighting.
    - Second floor windows will have spandrel glass, and be designed in a traditional configuration.
    - The building top will be defined by cornice molding and stepped parapet heights to enhance the differentiation among the retail bays.
    - The ground floors of building facades facing Docia Crossing Road and Prosperity Crossing Road will be designed to encourage and complement pedestrian interest and activity. Any exterior doors in those locations shall remain open during business hours.
    - Transparent glass shall be used on ground floor windows so that the uses are visible from the street.
    - At the building occupying the Docia Crossing/Prosperity Crossing Corner, the extent of storefront glass and doors to access tenants shall constitute a minimum of 60% of first floor frontage along Docia Crossing Road.
    - Each business will have a minimum one three (3) foot by seven (7) foot entry door. In addition, each storefront window/door shall have a transparent glass transom above of at least one foot in height.

    - The Docia Crossing Street elevation will also be enhanced with colored canvas awnings for at least 25% of the storefront bays.
    - Tenant signage will be incorporated into a band above the glazing, suspended above the awning, or be applied directly to the glazing or awnings.
    - The Prosperity Crossing elevation will include more traditional windows for viewing access from the office activities within. It will have two sets of doors to access offices and back-of-house retail functions.
  - Provides approximately 1,200 square feet of amenitized urban open space adjacent to the intersection of Docia Crossing Road and Prosperity Crossing Road. Open space area will include planter areas with landscaping and trees, as well as public seating. The walking surface of the designated open space along Docia Crossing in front of the building will incorporate a different color and/or texture to differentiate it from the public sidewalk.
  - Pedestrian scale lighting will be decoratively configured, with a widened base, fluted shaft, and ornamental top with a matching light housing. On Docia Crossing Road, the shaft will include brackets to mount elements such as flower pots or banners. Light poles will be a maximum 18 feet in height, and will be spaced at a maximum area.

- **Public Plans and Policies**
  - The Prosperty Hucks Area Plan (2015) recommends a mix of uses (retail/service, office, hotel and institutional) for the area in which this site is located.
  - The plan calls for development that is compact, pedestrian oriented and well-connected internally and to surrounding development.
  - The plan also calls for the ground floor of buildings to be designed to activate streets and open space through a combination of design techniques that include: non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; building corners that features prominent entrances; and distinctive architectural design.

- **TRANSPORTATION CONSIDERATIONS**
  - This site is located within a Mixed Use Activity Center. Generally CDOT supports greater density in Mixed Use Activity Centers since the mixture of uses yields shorter vehicle trip lengths that are less impactful than accommodating the same uses spread over greater distances. Further, if the design of the development sites can be done with safe, comfortable, and convenient facilities for pedestrians and cyclists, the rate of automobile usage per square foot of development can be reduced.
  - This petition improves the walkability of this site by implementing on-street parking and planting strips and sidewalks along the property frontages, consistent with the adopted area plan.
  - **Vehicle Trip Generation:**
    Current Zoning: 90 trips per day (based on seven single family homes).
    Proposed Zoning: 1,920 trips per day.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** See Advisory Comments, Note 9.
- **Engineering and Property Management:** See Advisory Comments, Note 10.
- **Mecklenburg County Land Use and Environmental Services Agency:** See Advisory Comments, Note 11.
- **Mecklenburg County Parks and Recreation Department:** No issues.

ADVISORY COMMENTS

1. Charlotte Water does not currently have sewer system availability for the parcel under review. The closest sewer main is approximately 150 feet west of the southwest corner of the property

on Prosperity Crossing Drive. The applicant should contact Charlotte Water's New Services at (704) 432-5801 for more information regarding accessibility to sewer system connections.

2. Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance.
3. Because the proposed development will likely attract commuter trips, Mecklenburg County Air Quality recommends that the petitioner be required to provide "preferred" (attractive, conveniently located, or reduced cost) parking for "Clean Commuters" (carpool, vanpool, hybrid vehicles and/or electric vehicles).

Attachments Online at www.rezoning.org

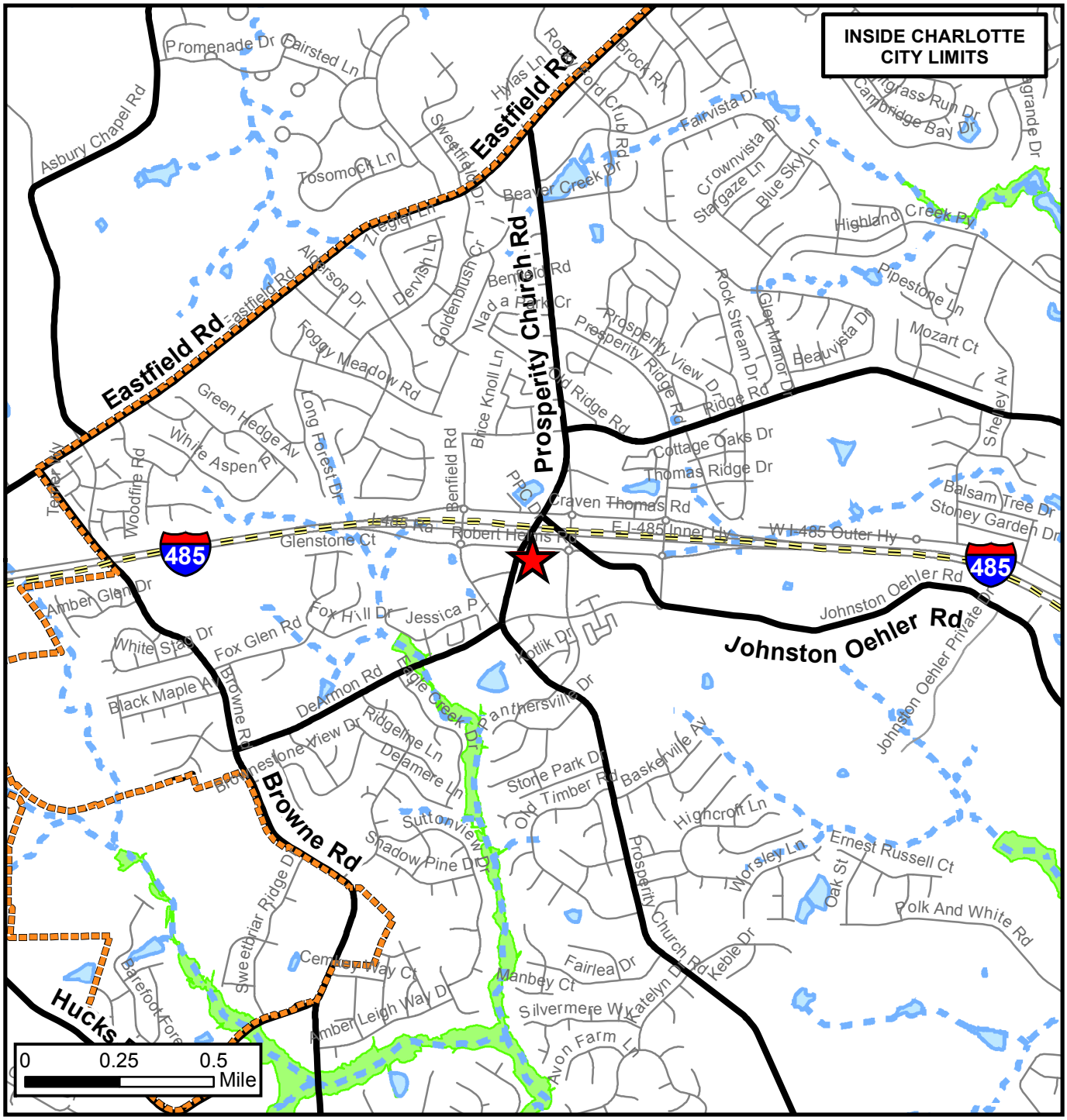
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

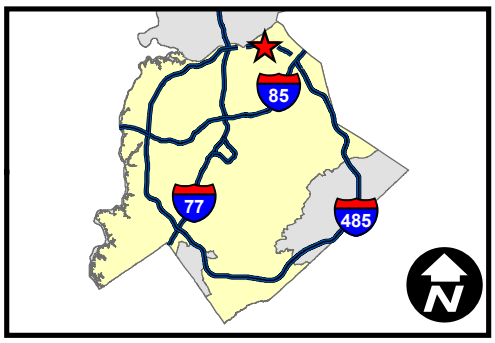
Planner: Claire Lyte-Graham (704) 336-3782

Petition #: 2016-055

Vicinity Map

Acreage & Location : Approximately 2.52 acres located on the west side of Prosperity Church Road between Johnston Oehler Road and Interstate 485.





Rezoning Petition: 2016-055

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Feb 8, 2016

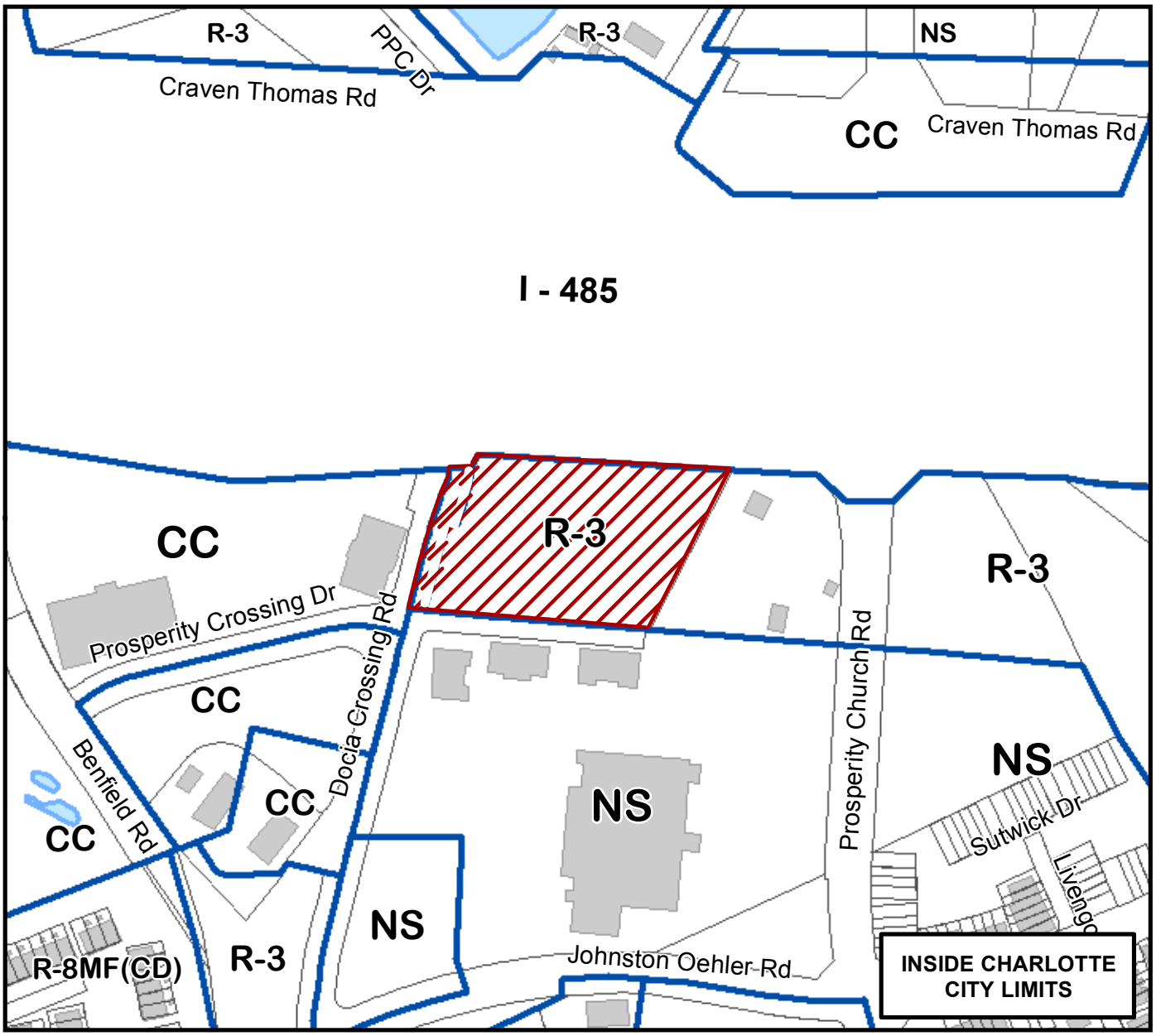
Petition #: 2016-055

Petitioner: Real Estate Investment Fund, LLC

Zoning Classification (Existing): R-3
(Single Family, Residential)

Zoning Classification (Requested): MUDD-O
(Mixed Use Development District, Optional)

Acreage & Location: Approximately 2.52 acres located on the west side of Prosperity Church Road between Johnston Oehler Road and Interstate 485.



Map Produced by the Charlotte-Mecklenburg Planning Department, 4-12-2016.

0 100 200 400 600 800 Feet

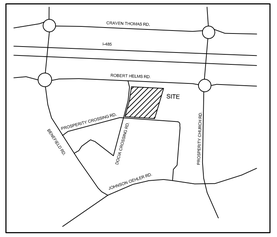
N

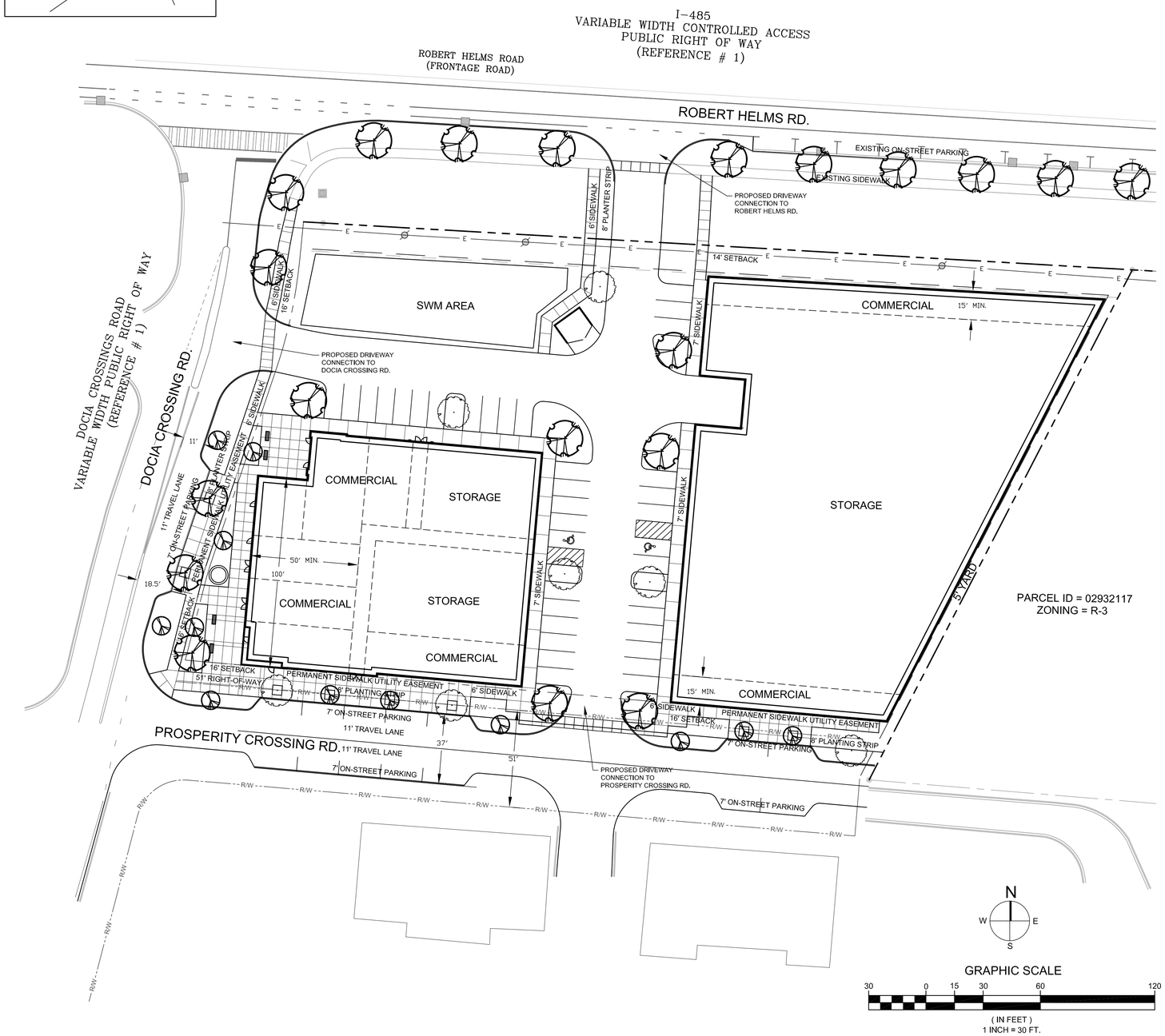
Zoning Map #(s)
38

Requested MUDD-O from R-3

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

VICINITY MAP





PROSPERITY CROSSING ROAD
REAL ESTATE INVESTMENT FUND, LLC

REZONING PETITION NO. 2016-055

DEVELOPMENT STANDARDS

5/3/2016 4

1. DEVELOPMENT DATA TABLE

SITE AREA:	2.52 ACRES +/-
TAX PARCEL:	029-321-08
EXISTING ZONING:	R-3
PROPOSED ZONING:	MUDD-O
EXISTING USE:	VACANT
PROPOSED USES:	RETAIL, OFFICE, SELF-STORAGE
MAXIMUM DEVELOPMENT:	17,500 SQUARE FEET OF COMMERCIAL USES (INCLUDING OFFICE, RETAIL, EDEE, BREWERY, OR PERSONAL SERVICES USES) 101,000 S.F. OF SELF-STORAGE USES

MAXIMUM BUILDING HEIGHT (EXCLUSIVE OF ARCHITECTURAL FEATURES):
2 STORIES (45 FEET)

PARKING: SHALL SATISFY OR EXCEED MUDD MINIMUM REQUIREMENTS

2. GENERAL PROVISIONS

THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE REZONING PETITION FILED BY REAL ESTATE INVESTMENT FUND, LLC TO REZONE THE PROPERTY FROM THE R-3 ZONING DISTRICT TO THE MUDD-O ZONING DISTRICT IN ORDER TO ACCOMMODATE REDEVELOPMENT OF AN APPROXIMATELY 2.52 ± ACRE TRACT AT THE CORNER OF ROBERT HELMS ROAD AND DOCIA CROSSING ROAD, AS DEPICTED ON THE TECHNICAL DATA SHEET (THE "SITE").

THIS REZONING WILL ACCOMMODATE DEVELOPMENT ON THE SITE OF A MIXTURE OF OFFICE, RETAIL, PERSONAL SERVICE, EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT AND SELF-STORAGE USES. THE PROJECT WILL BE ARCHITECTURALLY MODELED BASED UPON A WALKABLE TOWN CENTER MODEL WHICH INCORPORATES STREET FRONT RETAIL AND OFFICE USES IN A PEDESTRIAN FRIENDLY LAYOUT.

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

3. MUDD-OPTIONAL PROVISIONS

THIS PETITION PROPOSES UTILIZATION OF THE MUDD-O PROVISIONS TO ALLOW FOR THE FOLLOWING OPTIONAL DEVIATIONS:

a) UP TO 150 SQUARE FEET OF WALL-MOUNTED SIGNAGE SHALL BE PERMITTED ON EACH BUILDING FAÇADE FACING ROBERT HELMS ROAD AND DOCIA CROSSING ROAD.

b) A FIVE FOOT REAR YARD DUE TO THE FACT THAT ADOPTED LAND USE PLANS TO NOT RECOMMEND RESIDENTIAL USES ON THE ADJACENT PROPERTY.

4. PERMITTED USES

SUBJECT TO THE MAXIMUM DEVELOPMENT PROVISIONS SET FORTH UNDER SECTION 5 BELOW, THE SITE MAY BE DEVOTED TO ANY COMMERCIAL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH EXCEPT FOR THE FOLLOWING:

CAR WASHES
AUTOMOBILE SERVICE STATIONS
DRIVE-THROUGH SERVICE WINDOWS

5. MAXIMUM DEVELOPMENT

a) THE SITE MAY BE DEVELOPED WITH UP TO 17,500 SQUARE FEET OF COMMERCIAL USES (INCLUDING OFFICE, RETAIL, EDEE, BREWERY, OR PERSONAL SERVICES USES), AND UP TO 101,000 SQUARE FEET OF SELF-STORAGE USES.

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

6. TRANSPORTATION

4 a) VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS SHOWN ON THE TECHNICAL DATA SHEET ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL.

4 b) IF NECESSARY, THE PETITIONER AGREES TO MAKE MODIFICATIONS ALONG PROSPERITY CROSSING ROAD, TO THE EAST OF DOCIA CROSSING ROAD, TO ENSURE THAT PROSPERITY CROSSING ROAD IS PROPERLY ALIGNED WITH DOCIA CROSSING ROAD. ALTERNATIVELY, THE PETITIONER AGREES TO REMOVE THE PROPOSED ON-STREET PARKING ALONG THE SOUTHERN SIDE OF PROSPERITY CROSSING ROAD TO ENSURE PROPER ALIGNMENT.

7. ARCHITECTURAL STANDARDS/STREETSCAPE AND LANDSCAPING

a) THE EXTERIOR BUILDING MATERIALS WILL CONSIST OF PRIMARILY GLASS, BRICK, STUCCO, METAL AND COMPOSITE PANELS, AND/OR CEMENTITIOUS SIDING.

b) DESIGN ELEMENTS TO BE INCORPORATED FOR CERTAIN STREET FRONT BUILDING FACADES WITHIN THE SITE INCLUDE THOSE THAT SEEK TO IMBUE A TRADITIONAL "TOWN CENTER" CONCEPT TO THE SITE AND BUILDINGS. THERE WILL BE A MIX OF TRANSPARENT AND SOLID MATERIALS TO PROVIDE VISUAL INTEREST FOR THE COMMUNITY AND DURABILITY TO SERVE BUILDING OCCUPANTS. PRIMARY AMONG THESE ELEMENTS INCLUDE EXPANSES OF STREET-FRONT GLASS AND ACCESS DOORS. THE BUILDING FAÇADE WILL CONSIST OF BRICK VENEER IN A VARIETY OF COLORS WITH ACCENT MASONRY BANDING AT MID-HEIGHT, AND INCLUDE CANVAS AWNINGS, TENANT SIGNAGE, AND DECORATIVE ACCENT LIGHTING. SECOND FLOOR WINDOWS WILL HAVE SPANDREL GLASS, AND BE DESIGNED IN A TRADITIONAL CONFIGURATION WITH ELEMENTS SUCH AS MUNTINS, TRANSOMS, AND SILL BRICK AND HEADERS. THE BUILDING TOP WILL BE DEFINED BY CORNICE MOLDING AND STEPPED PARAPET HEIGHTS TO ENHANCE THE DIFFERENTIATION AMONG THE RETAIL BAYS.

c) DUMPSTER AREAS WILL BE ENCLOSED ON ALL FOUR SIDES. IF ONE OR MORE SIDES OF A DUMPSTER AREA ADJOIN A SIDE OR REAR WALL OF A BUILDING, THEN THE SIDE OR REAR WALL SHALL BE CONSIDERED AN ENCLOSURE. GATES OR DOORS SHALL BE OPAQUE AND SHALL BE EQUIPPED WITH LOCKING MECHANISMS IN ORDER TO LIMIT ACCESS DURING NON-BUSINESS HOURS.

d) ALL ROOF MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHTS-OF-WAY AND ABUTTING PROPERTIES AS VIEWED FROM GRADE.

e) ALL OTHER SCREENING AND LANDSCAPING SHALL CONFORM TO THE STANDARDS OF THE ORDINANCE.

f) THE GROUND FLOORS OF BUILDING FACADES FACING DOCIA CROSSING ROAD AND PROSPERITY CROSSING ROAD WILL BE DESIGNED TO ENCOURAGE AND COMPLEMENT PEDESTRIAN INTEREST AND ACTIVITY. ANY EXTERIOR DOORS IN THOSE LOCATIONS SHALL REMAIN OPEN DURING BUSINESS HOURS. TRANSPARENT GLASS SHALL BE USED ON GROUND FLOOR WINDOWS SO THAT THE USES ARE VISIBLE FROM THE STREET. AT THE BUILDING OCCUPYING THE DOCIA CROSSING/PROSPERITY CROSSING CORNER, THE EXTENT OF STOREFRONT GLASS AND DOORS TO ACCESS TENANTS SHALL CONSTITUTE A MINIMUM OF 60% OF FIRST FLOOR FRONTAGE ALONG DOCIA CROSSING ROAD. EACH BUSINESS WILL HAVE AT MINIMUM ONE 3'-0"X7'-0" FULL GLASS ENTRY DOOR. IN ADDITION, EACH STOREFRONT WINDOW/DOOR SHALL HAVE A TRANSPARENT GLASS TRANSOM ABOVE OF AT LEAST ONE FOOT IN HEIGHT. THE DOCIA CROSSING STREET ELEVATION WILL ALSO BE ENHANCED WITH COLORED CANVAS AWNINGS FOR AT LEAST 25% OF THE STOREFRONT BAYS. TENANT SIGNAGE WILL BE INCORPORATED INTO A BAND ABOVE THE GLAZING, SUSPENDED ABOVE THE AWNING, OR BE APPLIED DIRECTLY TO THE GLAZING OR AWNINGS. THE PROSPERITY CROSSING ELEVATION WILL INCLUDE MORE TRADITIONAL WINDOWS FOR VIEWING ACCESS FROM THE OFFICE ACTIVITIES WITHIN. IT WILL HAVE 2 SETS OF DOORS TO ACCESS OFFICES AND BACK-OF-HOUSE RETAIL FUNCTIONS.

g) METER BOXES, BACK FLOW PREVENTERS, AND SIMILAR ITEMS WILL BE SCREENED FROM PUBLIC VIEW.

h) A MINIMUM SETBACK OF AT LEAST FOURTEEN (14) FEET FROM THE FUTURE BACK OF CURB SHALL BE PROVIDED ALONG THE SITE'S ROBERT HELMS ROAD AND DOCIA CROSSING ROAD FRONTAGES.

l) COMMERCIAL SERVICE AND LOADING AREAS SHALL NOT BE PERMITTED ALONG ROBERT HELMS ROAD OR DOCIA CROSSING ROAD. HOWEVER, DROP-OFF, VALET, AND TRASH ROLL OUT AREAS SHALL BE PERMITTED.

4 j) THE EASTERN-MOST BUILDING SHALL INCLUDE AN EXTERIOR DOOR THAT FACES ROBERT HELMS ROAD, THE EXACT LOCATION OF THE DOOR SHALL BE DETERMINED DURING THE DESIGN AND PERMITTING PROCESS.

8. OPEN SPACE

PETITIONER SHALL PROVIDE AT LEAST 1,200 SQUARE FEET OF AMENITIZED URBAN OPEN SPACE ADJACENT TO THE INTERSECTION OF DOCIA CROSSING ROAD AND PROSPERITY CROSSING ROAD. OPEN SPACE AREA WILL INCLUDE PLANTER AREAS WITH LANDSCAPING AND TREES, AS WELL AS PUBLIC SEATING. THE WALKING SURFACE OF THE DESIGNATED OPEN SPACE ALONG DOCIA CROSSING IN FRONT OF THE BUILDING WILL INCORPORATE A DIFFERENT COLOR AND/OR TEXTURE TO DIFFERENTIATE IT FROM THE PUBLIC SIDEWALK.

9. ENVIRONMENTAL FEATURES

a) THE PETITIONER SHALL SATISFY THE REQUIREMENTS OF THE POST CONSTRUCTION CONTROLS ORDINANCE

b) THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

c) AREA FOR WATER QUALITY AND DETENTION BMPS, AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET, SHALL BE AESTHETICALLY APPEALING THROUGH THE USE OF GRASS, LANDSCAPING, WATER FEATURES, RAIN GARDENS OR LIKE OTHER FORMS.

d) THE PETITIONER SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE. THE SITE IS LOCATED IN A DESIGNATED MIXED USE ACTIVITY CENTER AND TREE SAVE REQUIREMENTS MAY BE SATISFIED THROUGH OFF-SITE MITIGATION OR PAYMENT IN LIEU.

10. SIGNAGE

ALL SIGNAGE SHALL MEET THE REQUIREMENTS OF THE MUDD ZONING DISTRICT, UNLESS OTHERWISE STATED IN THE OPTIONAL PROVISIONS ABOVE IN SECTION 3.

11. LIGHTING

a) ALL STREET AND PARKING AREA LIGHTING FIXTURES WILL BE SHIELDED WITH FULL CUT-OFF FIXTURES.

b) PEDESTRIAN SCALE LIGHTING WILL BE PROVIDED WITHIN THE SITE. LIGHT POLES WILL BE DECORATIVELY CONFIGURED, WITH A WIDENED BASE, FLUTED SHAFT, AND ORNAMENTAL TOP WITH A MATCHING LIGHT HOUSING. ON DOCIA CROSSING ROAD, THE SHAFT WILL INCLUDE BRACKETS TO MOUNT ELEMENTS SUCH AS FLOWER POTS OR BANNERS. LIGHT POLES WILL BE MAXIMUM 18' IN HEIGHT, AND WILL BE SPACED AT MAXIMUM 60' ON CENTER.

c) ALL DECORATIVE EXTERIOR, BUILDING-MOUNTED LIGHTING SHALL INCORPORATE GLOBE LANTERNS OR OTHER SIMILAR STYLE THAT ADEQUATELY ILLUMINATE PEDESTRIAN AREAS AND REDUCE SHADOWS ALONG BUILDING FRONTAGES.

12. INTERNAL SIDE YARDS AND REAR YARDS

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

13. PARKING

a) PARALLEL OR PERPENDICULAR PARKING MAY BE PROVIDED ALONG INTERNAL DRIVES WITHIN THE SITE AS WELL AS ALONG DOCIA CROSSING ROAD, ROBERT HELMS ROAD AND PROSPERITY CROSSING ROAD.

b) PETITIONER WILL PROVIDE A MINIMUM OF ONE (1) CONVENIENTLY-LOCATED PARKING SPACE RESERVED FOR "CLEAN COMMUTERS" (WHICH SHALL INCLUDE CARPOOL, VANPOOL, HYBRID VEHICLES AND ELECTRIC VEHICLES). OTHERWISE, PARKING WILL MEET ALL ORDINANCE STANDARDS.

14. AMENDMENTS TO REZONING PLAN

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

15. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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

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

NO.	DATE	DESCRIPTION
#4	5-3-16	REZONING COMMENTS
#3	4-27-16	REZONING COMMENTS
#2	4-21-16	REZONING COMMENTS
#1	3-21-16	REZONING COMMENTS

AYER DESIGN GROUP
PROFESSIONAL ENGINEERING SERVICES
215 Johnston Street
Rock Hill, SC 29730
Phone: 803-328-5858

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 24060 5-3-16 BIRKIE AYER, JR.

REZONING DRAWINGS FOR PROSPERITY CROSSING
CITY OF CHARLOTTE
CHARLOTTE, NORTH CAROLINA

REZONING SITE PLAN

DATE: 1-22-16

SCALE: 1" = 30'

JOB NO. 2016-1

SHEET: 1 OF 1

dmi

REZONING DRAWINGS FOR PROSPERITY CROSSING
CHARLOTTE, NORTH CAROLINA

CONCEPTUAL RENDERING

adwarchitects
environmentsforlife

Agenda #: 18.**File #:** 15-3188 **Type:** Zoning Decision

Rezoning Petition: 2016-058 by Collin Brown

Location: Approximately 0.81 acres located on the west side of South Church Street between Interstate 277 and West Stonewall Street. (Council District 2 - Austin)

Current Zoning: UMUD-O (uptown mixed use, optional)
Proposed Zoning: UMUD (uptown mixed use)

Zoning Committee Recommendation:
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:
Staff agrees with the recommendation of this Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *Charlotte Center City 2020 Vision Plan*, based on information from the staff analysis and the public hearing, and because:
  - While this plan does not make a specific land use recommendation for the site, it encourages future development that will contribute to the overall viability and livability of Center City.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - This conventional rezoning request allows a site currently used for a distribution warehouse, associated parking and maneuvering, to be developed with any use allowed in UMUD (uptown mixed use) zoning.
  - Use of conventional UMUD (uptown mixed use) zoning applies standards and regulations to create the desired form and intensity of development in Uptown and a conditional rezoning is not necessary.
  - UMUD (uptown mixed use) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.
  - The UMUD standards and allowed uses will promote development that supports the *Charlotte Center City 2020 Vision Plan's* goal of creating a viable and livable Center City.

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-058
Zoning Committee Recommendation

April 27, 2016

REQUEST	Current Zoning: UMUD-O (uptown mixed use, optional) Proposed Zoning: UMUD (uptown mixed use)
LOCATION	Approximately 0.81 acres located on the west side of South Church Street between Interstate 277 and West Stonewall Street. (Council District 2 - Austin)
SUMMARY OF PETITION	The petition proposes to allow the redevelopment of an existing site in Uptown with any use allowed in the UMUD (uptown mixed use) district. Uses allowed in the UMUD (uptown mixed use) district include residential, office, retail, institutional and civic uses.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	600 Charlotte, MRP, LLC Collin Brown None
COMMUNITY MEETING	Meeting is not required.

STATEMENT OF CONSISTENCY	• The Zoning Committee found this petition to be consistent with the *Charlotte Center City 2020 Vision Plan*, based on information from the staff analysis and the public hearing, and because:
	  • While this plan does not make a specific land use recommendation for the site, it encourages future development that will contribute to the overall viability and livability of Center City.
	• Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
	  • This conventional rezoning request allows a site currently used for a distribution warehouse, associated parking and maneuvering, to be developed with any use allowed in UMUD (uptown mixed use) zoning.
	  • Use of conventional UMUD (uptown mixed use) zoning applies standards and regulations to create the desired form and intensity of development in Uptown and a conditional rezoning is not necessary.
	  • UMUD (uptown mixed use) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.
	  • The UMUD standards and allowed uses will promote development that supports the *Charlotte Center City 2020 Vision Plan's* goal of creating a viable and livable Center City;
	
	By a 6-0 vote of the Zoning Committee (motion by Majeed seconded by Wiggins).

ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.
VOTE	Motion/Second: Sullivan / Eschert Yeas: Eschert, Labovitz, Lathrop, Majeed, Sullivan, and Wiggins Nays: None Absent: Dodson Recused: None
ZONING COMMITTEE DISCUSSION	Staff noted that this is a conventional request with no associated site plan that allows all uses in the ordinance for this district. Staff also stated that this petition is consistent with the *Charlotte Center City 2020 Vision Plan.* There was no further discussion of this request.

STAFF OPINION Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
  - This conventional rezoning petition applies all the standards, regulations, and uses in the UMUD (uptown mixed use) zoning district. Uses allowed in the UMUD (uptown mixed use) district include residential, office, retail, institutional and civic uses.
  - The proposed rezoning will eliminate the optional provisions and other conditions associated with the current UMUD-O (uptown mixed use, optional) zoning.

- **Public Plans and Policies**
  - The *Charlotte Center City 2020 Vision Plan* (2011) does not make a specific land use recommendation for this site. However, the plan encourages future development that will contribute to the overall viability and livability of Center City.
  - The petition supports the *General Development Policies-Environment* by allowing redevelopment of an infill site, thereby minimizing further environmental impacts while accommodating growth.

- **TRANSPORTATION CONSIDERATIONS**
  - Due to the small size of this site, CDOT is not concerned about any traffic impacts. The access design and streetscape goals will be addressed during the permitting stage. CDOT does not have any concerns or outstanding issues with this petition.
  - **Vehicle Trip Generation:**
    Current Zoning: 0 trips per day.
    Proposed Zoning: Allows for a wide variety of uses.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

Attachments Online at www.rezoning.org

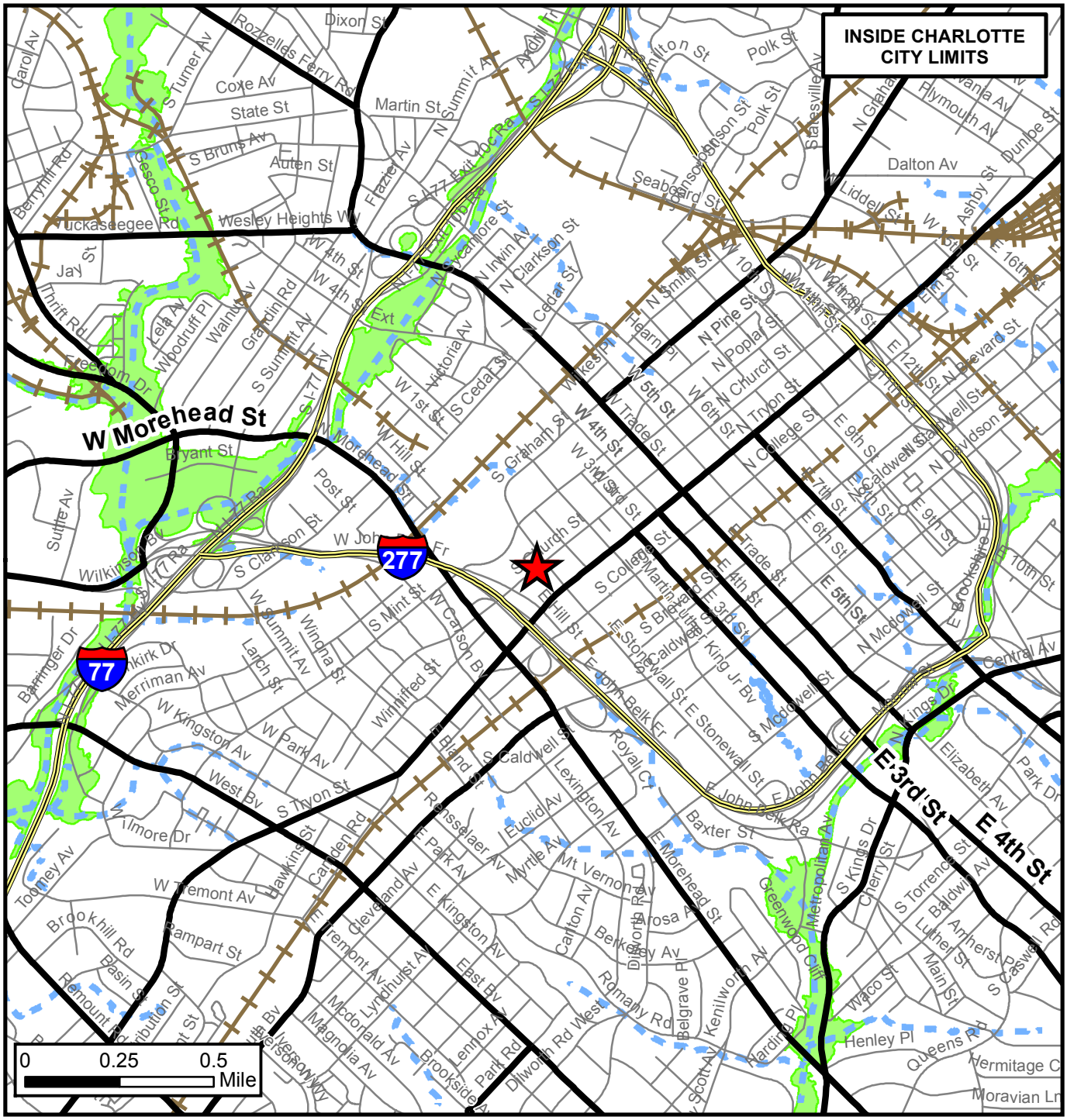
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Historic Landmarks Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

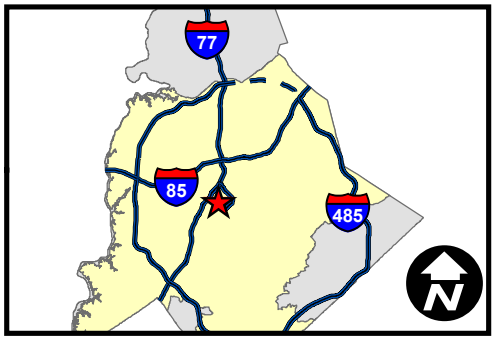
Planner: Solomon Fortune (704) 336-8326

Petition #: 2016-058

Vicinity Map

Acreage & Location : Approximately 0.81 acres located on the west side of South Church Street between Interstate 277 and West Stonewall Street.





Rezoning Petition: 2016-058

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

March 28, 2016

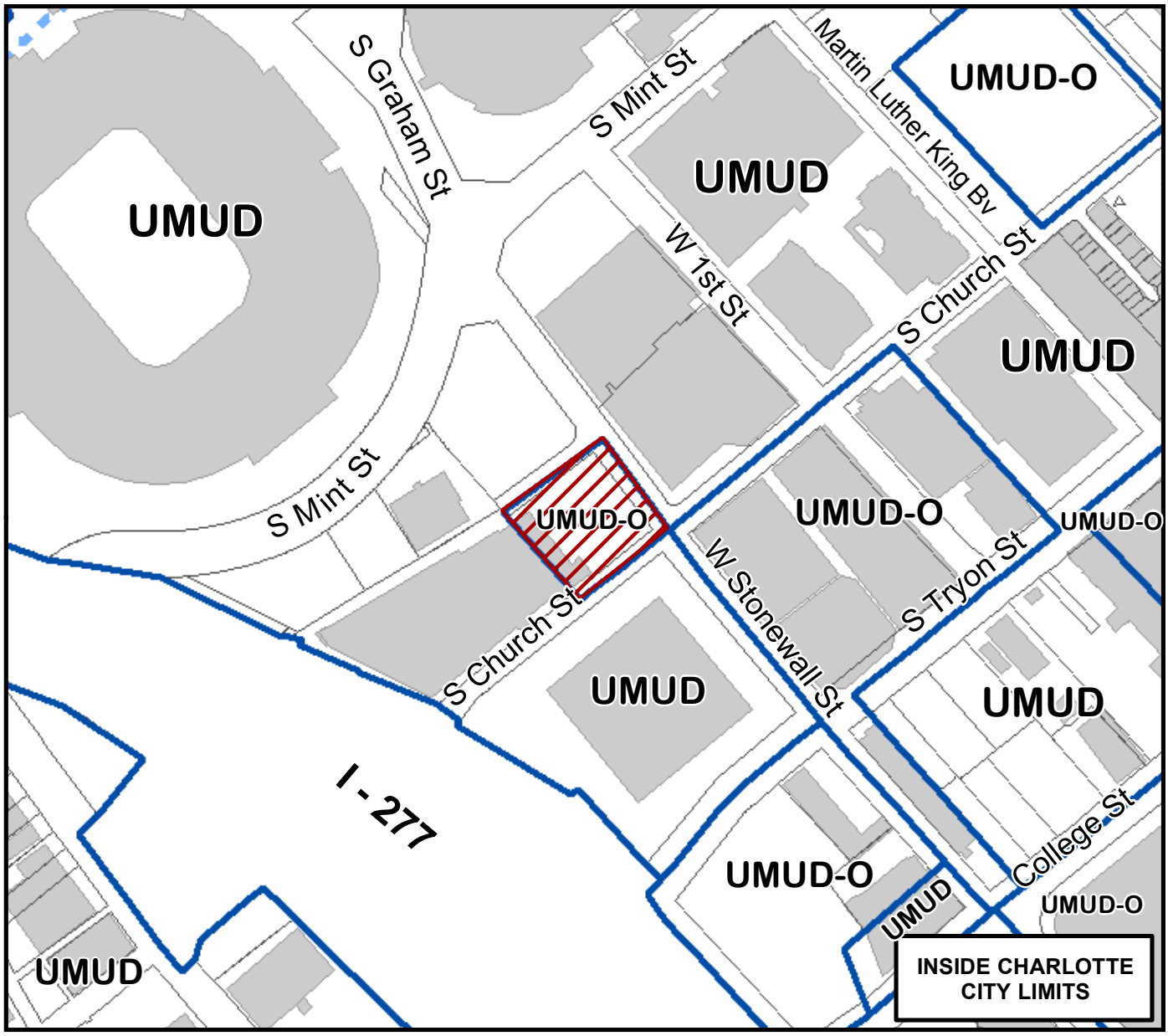
Petition #: 2016-058

Petitioner: Collin Brown

Zoning Classification (Existing): UMUD-O
(Uptown Mixed Use Development, Optional)

Zoning Classification (Requested): UMUD
(Uptown Mixed Use Development)

Acreage & Location: Approximately 0.81 acres located on the west side of South Church Street between Interstate 277 and West Stonewall Street.



Map Produced by the Charlotte-Mecklenburg Planning Department, 2-25-2016.

0 100 200 400 600 800 Feet

N

Zoning Map #(s)
102

Requested UMUD from UMUD-O

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 19.**File #:** 15-3189 **Type:** Zoning Decision

Rezoning Petition: 2016-060 by Triple C Brewing Company, LLC

Location: Approximately 1.5 acres located on the west side of Griffith Street between Poindexter Drive and Youngblood Street. (Council District 3 - Mayfield)

Current Zoning: I-2 (general industrial)
Proposed Zoning: TOD-M (transit oriented development - mixed use)

Zoning Committee Recommendation:
The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:
Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *New Bern Transit Station Area Plan* , based on information from the staff analysis and the public hearing, and because:
  - The plan recommends mixed-use transit supportive development for this site.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The subject site is within a 1/2 mile walk of the New Bern Transit Station on the LYNX Blue Line; and
  - The proposal allows a site previously used for industrial/office to convert to transit supportive land uses; and
  - Use of conventional TOD-M (transit oriented development - mixed-use) zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary; and
  - TOD (transit oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

Attachments:
Zoning Committee Recommendation
Vicinity Map
Rezoning Map

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-060
Zoning Committee Recommendation

April 27, 2016

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: TOD-M (transit oriented development – mixed-use)
LOCATION	Approximately 1.5 acres located on the west side of Griffith Street between Poindexter Drive and Youngblood Street. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to allow all transit supportive uses per conventional TOD-M (transit oriented development – mixed-use) zoning for a 1.5 acre site that is within a 1/2 mile walk of the New Bern Transit Station on the LYNX Blue Line. Uses allowed in the TOD-M (transit oriented development – mixed-use) district include office, residential, retail, and civic uses.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	James A. and Norva Fagan & Sterling Development Company Triple C Brewing Company, LLC Jeff Brown & Keith MacVean/ Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is not required.

STATEMENT OF CONSISTENCY	• The Zoning Committee found this petition to be consistent with the *New Bern Transit Station Area Plan*, based on information from the staff analysis and the public hearing, and because:
	  • The plan recommends mixed-use transit supportive development for this site.
	• Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
	  • The subject site is within a 1/2 mile walk of the New Bern Transit Station on the LYNX Blue Line; and
	  • The proposal allows a site previously used for industrial/office to convert to transit supportive land uses; and
	  • Use of conventional TOD-M (transit oriented development – mixed-use) zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary; and
	  • TOD (transit oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening;
	By a 5-0 vote of the Zoning Committee (motion by Eschert seconded by Majeed).

ZONING COMMITTEE ACTION	The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition.
VOTE	Motion/Second: Eschert / Wiggins Yeas: Eschert, Labovitz, Majeed, Sullivan, and Wiggins Nays: None Absent: Dodson Recused: Lathrop
ZONING COMMITTEE DISCUSSION	Staff noted that this was a conventional request with no associated site plan that allows all uses in the ordinance for this district. Staff also stated that this petition is consistent with the *New Bern Transit Station Area Plan.* There was no further discussion of this petition.
STAFF OPINION	Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
  - This is a conventional rezoning petition, which applies all the standards, regulations and uses in the TOD-M (transit oriented development – mixed-use) zoning district. Uses allowed in the TOD-M district include office, residential, retail, and civic uses.

- **Public Plans and Policies**
  - The *New Bern Transit Station Area Plan* (2008) recommends transit supportive uses for the subject site and surrounding properties.
  - The petition supports the *General Development Policies-Environment* by redeveloping an infill site, thereby minimizing further environmental impacts while accommodating growth.

- **TRANSPORTATION CONSIDERATIONS**
  - CDOT supports intensification around light rail transit stations. This site is in close proximity to the New Bern light rail transit station. This site will be required to install sidewalks along its property frontage; however, there will be gaps in the sidewalk system between this site and the light rail platform until additional redevelopment occurs. CDOT does not have any concerns or outstanding issues with this petition.
  - **Vehicle Trip Generation:**
    Current Zoning: 230 trips per day (based on 29,500 square feet of industrial uses).
    Proposed Zoning: Allows for a wide variety of uses.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

REQUESTED TECHNICAL REVISIONS

Attachments Online at www.rezoning.org

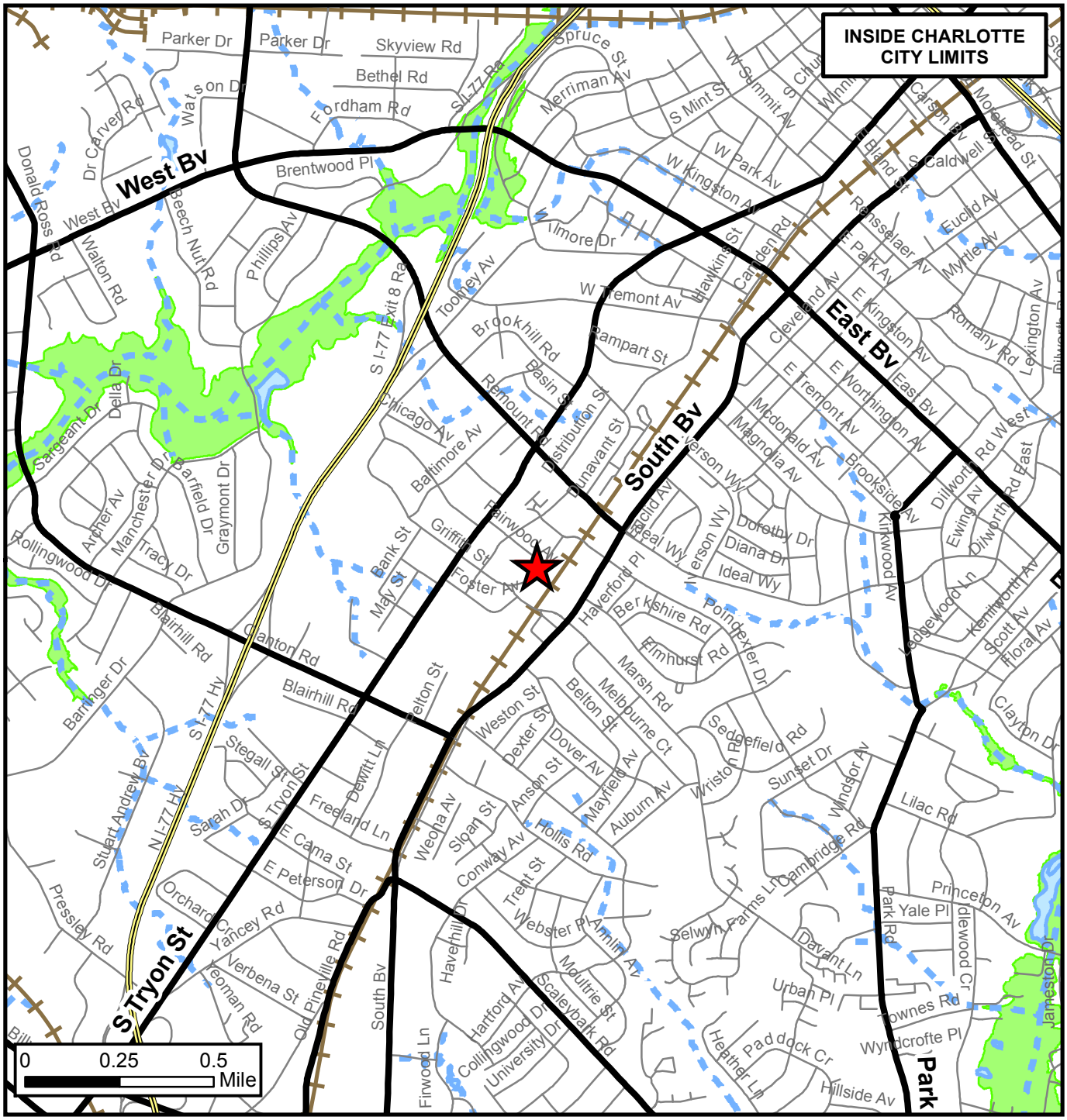
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

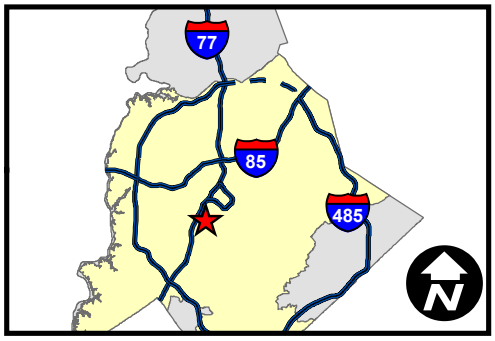
Planner: Solomon Fortune (704) 336-8326

Petition #: 2016-060

Vicinity Map

Acreage & Location : Approximately 1.5 acres located on the west side of Griffith Street between Poindexter Drive and Youngblood Street.





Rezoning Petition: 2016-060

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

March 28, 2016

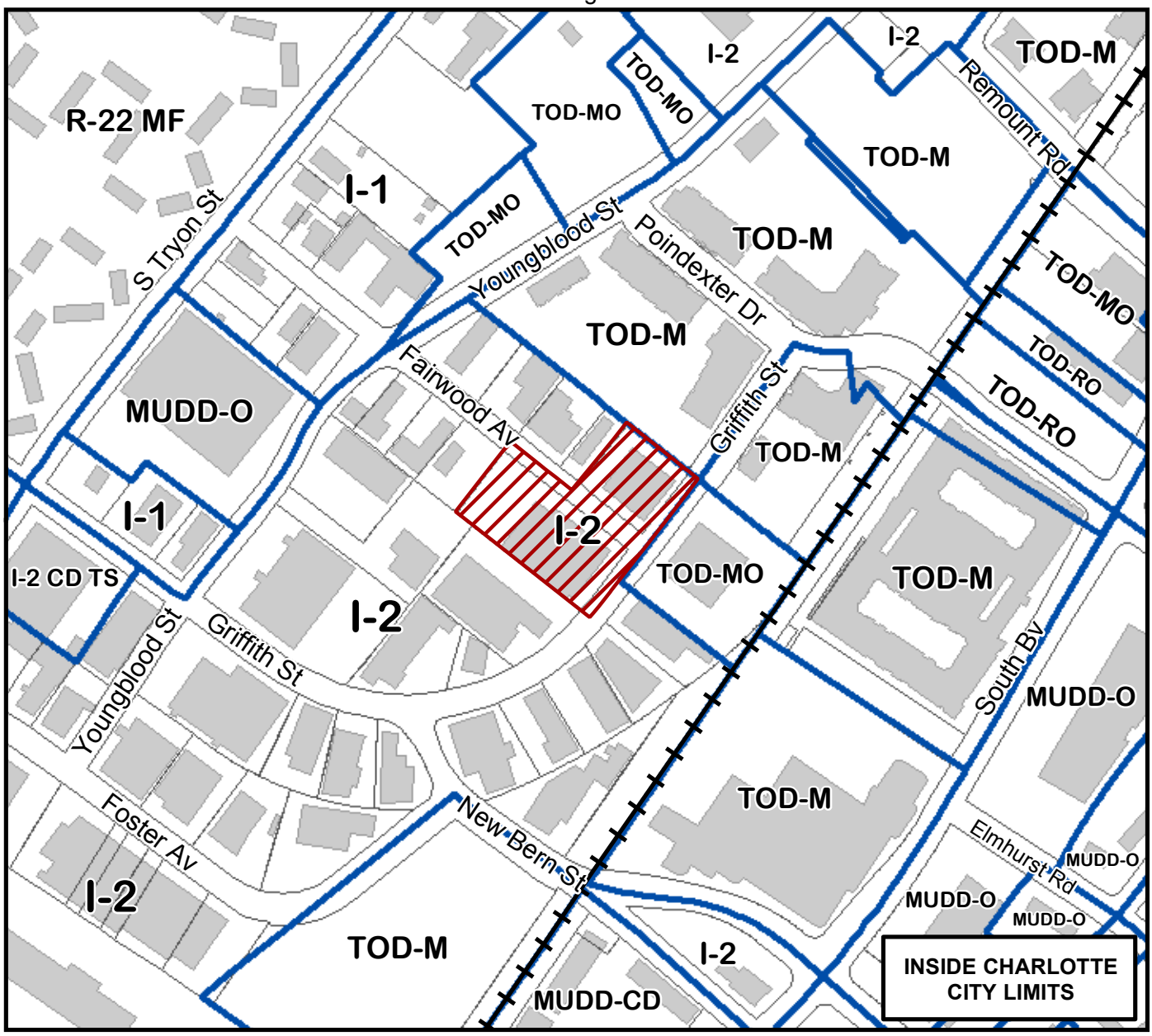
Petition #: 2016-060

Petitioner: Triple C Brewing Company, LLC

Zoning Classification (Existing): I-2
(General Industrial)

Zoning Classification (Requested): TOD-M
(Transit Oriented Development, Mixed Use)

Acreage & Location: Approximately 1.5 acres located on the west side of Griffith Street between Poindexter Drive and Youngblood Street.



Map Produced by the Charlotte-Mecklenburg Planning Department, 4-12-2016.

0 100 200 400 600 800 Feet

N

Zoning Map #(s)
110

Requested TOD-M from I-2

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

Agenda #: 20.**File #:** 15-3174 **Type:** Zoning Hearing

Rezoning Petition: 2016-016 by Clarke Allen

Update: Community Meeting Report was not submitted. Defer (to June 20, 2016)

Location: Approximately 4.3 acres located on the northwest corner at the intersection of North Davidson and East 26th Street. (Council District 1 - Kinsey)

Current Zoning: I-2 (general industrial)
Proposed Zoning: TOD-M (O) (transit oriented development, residential, optional) & TOD-M (transit oriented development, residential)

Petition Number

2016-016

A Community Meeting Report has not been submitted for this petition. Therefore, a public hearing may not be held and the petition is automatically deferred to the June 20, 2016 public hearing.

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 21.**File #:** 15-3216 **Type:** Zoning Hearing

Rezoning Petition: 2016-037 by Dr. Michael Berglass, DDS

Location: Approximately 0.44 acres located on the south side of Central Avenue between Crystal Road and Cyrus Drive. (Council District 1 - Kinsey)

Current Zoning: UR-C (CD) (urban residential-commercial, conditional)
Proposed Zoning: UR-C (CD) SPA (urban residential-commercial, conditional, site plan amendment)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of requested technical revision.

Attachments:
Staff Recommendation
Vicinity Map
Rezoning Map
Site Plan
Previously Approved Site Plan

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CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-037
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: UR-C(CD) (urban residential - commercial, conditional) Proposed Zoning: NS (neighborhood services)
LOCATION	Approximately 0.44 acres located on the south side of Central Avenue between Crystal Road and Cyrus Drive. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow a 1,100-square foot addition and possible 340 square-foot renovation of the existing basement and attic space of an existing 1,390-square foot dental office located in a former single family residential structure in the Briar Creek/Woodland neighborhood.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	3410 Central Avenue LLC Dr. Michael Berglass, DDS Darrel Williams, Neighboring Concepts
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 12

STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of requested technical revision. <u>Plan Consistency</u> The petition is consistent with the *Briar Creek/Woodland/Merry Oaks Small Area Plan*, as amended by rezoning petition 2008-157, which approved the use of the site for dental office uses in the existing residential structure. <u>Rationale for Recommendation</u> • The site directly fronts Central Avenue and is currently used as a dental office. • Proposed building expansion and additional parking will be located behind the existing structure and will not change the character of the development as seen from Central Avenue. • Building expansion is designed to blend with the architectural style and residential character of the existing structure. • The dental office will continue to serve the surrounding neighborhood. • Brick monument style sign will be compatible in scale and material with the surrounding residential structures.

PLANNING STAFF REVIEW

- A second public hearing is being held for Petition 2016-37 due to a change in the proposed zoning from UR-C(CD) (urban residential - commercial, conditional) to NS (neighborhood services) for the purpose of allowing a larger detached sign. The initial public hearing was held March 21, 2016.
- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Permitted uses limited to dental office or a reuse of the site as a single family residence only in the case of discontinuing the dental office use.
  - Reflects existing building square footage as 1,390 square feet, and proposes an 1,100-square foot addition located at the rear of the existing dental office, in addition to potential renovation of up to 340 square feet of the existing basement and attic spaces, for a maximum building area of 2,830 square feet.
  - Removal of an existing 560-square foot accessory storage building to allow for additional required parking spaces.
  - Parking layout may be modified to save existing trees.
  - Vinyl or aluminum as a building material may only be used on windows, soffits and handrails/railings.
  - Provision of illustrative building elevations, which reflect a style that is residential in character,

with a pitched roof.
- Building addition not to exceed one story and will have a pitched roof.
- No expanse of blank wall will exceed 20 feet in length.
- Detached signage not to exceed seven feet in height and 21 square feet in area.
- Rendering of proposed detached sign.
- Existing six-foot sidewalk and eight-foot planting strip to remain.
- Property owner required to notify the Merry Oaks and Commonwealth Park neighborhood associations prior to submittal of any request for an administrative amendment.
- Property owner may not utilize lighting fixtures on an adjacent parcel or on a public right-of-way to illuminate the site. No flood lights are permitted either within the site or elsewhere to illuminate the property.
- All attached and detached lighting fixtures within the site will be full cut-off fixtures as defined by Illuminating Engineering Society of North America (IESNA), shielded, capped and downwardly directed. Any current nonconforming fixtures will be removed when construction on the addition is complete.
- An existing planted area with trees is reflected on Sheet RZ-2.

- **Existing Zoning and Land Use**
  - Petition 2008-157 rezoned the subject property to UR-C(CD) (urban residential - commercial, conditional) to allow a professional dental office in the existing 1,390-square foot structure, with no expansions.
  - The subject property is currently developed with a dental office.
  - Surrounding properties fronting on both sides of Central Avenue are zoned R-22MF (multi-family, residential), NS (neighborhood services) and O-2 (office), and developed with single family, and multi-family residential dwellings, child care centers, a nursing home, a religious institution, office uses, and a government office building/ police facility.
  - Properties south of the subject property are zoned R-4 (single family residential) and contain single family residential uses located in the Briar Creek/Woodland neighborhood. North of Central Avenue exists R-4 zoning developed primarily with single family residential uses in the Merry Oaks neighborhood.
  - See “Rezoning Map” for existing zoning in the area.

- **Rezoning History in Area**
  - Petition 2012-65 rezoned property located on the north side of Central Avenue between Merry Oaks Road and Saint Andrews Home Place to NS (neighborhood services) to allow the development of a 16,500-square foot government building to be used for a police facility and other government office space.

- **Public Plans and Policies**
  - The *Briar Creek/Woodland/Merry Oaks Small Area Plan (1998)* was updated by rezoning petition 2008-157, which approved the use of the site for dental office uses in the existing single family residential structure.

- **TRANSPORTATION CONSIDERATIONS**
  - This petition will not significantly increase the amount of traffic generated by the site. CDOT does not have any concerns or outstanding issues with this petition. This site has direct access to an existing major thoroughfare. CDOT has not identified any negative impacts to the transportation facilities in the area.
  - **Vehicle Trip Generation:**
    Current Zoning: 65 trips per day (based on 1,730 square feet of dental office use).
    Proposed Zoning: 90 trips per day (based on 2,830 square feet of dental office use).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability via the existing six-inch water main located along Central Avenue and sewer system availability via the existing eight-inch gravity sewer main located along Central Avenue.

- **Engineering and Property Management:** Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance. Trees greater than two (2) inches diameter as measured 4.5' above ground and in the street right of way are protected by law; authorization for their removal is to be coordinated through the City Arborist office. Show all right of way trees protected.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

REQUESTED TECHNICAL REVISIONS

Land Use

1. Amend Note A under Permitted Uses to reflect NS (neighborhood services) instead of UR-C (urban residential - commercial) district.

Attachments Online at www.rezoning.org

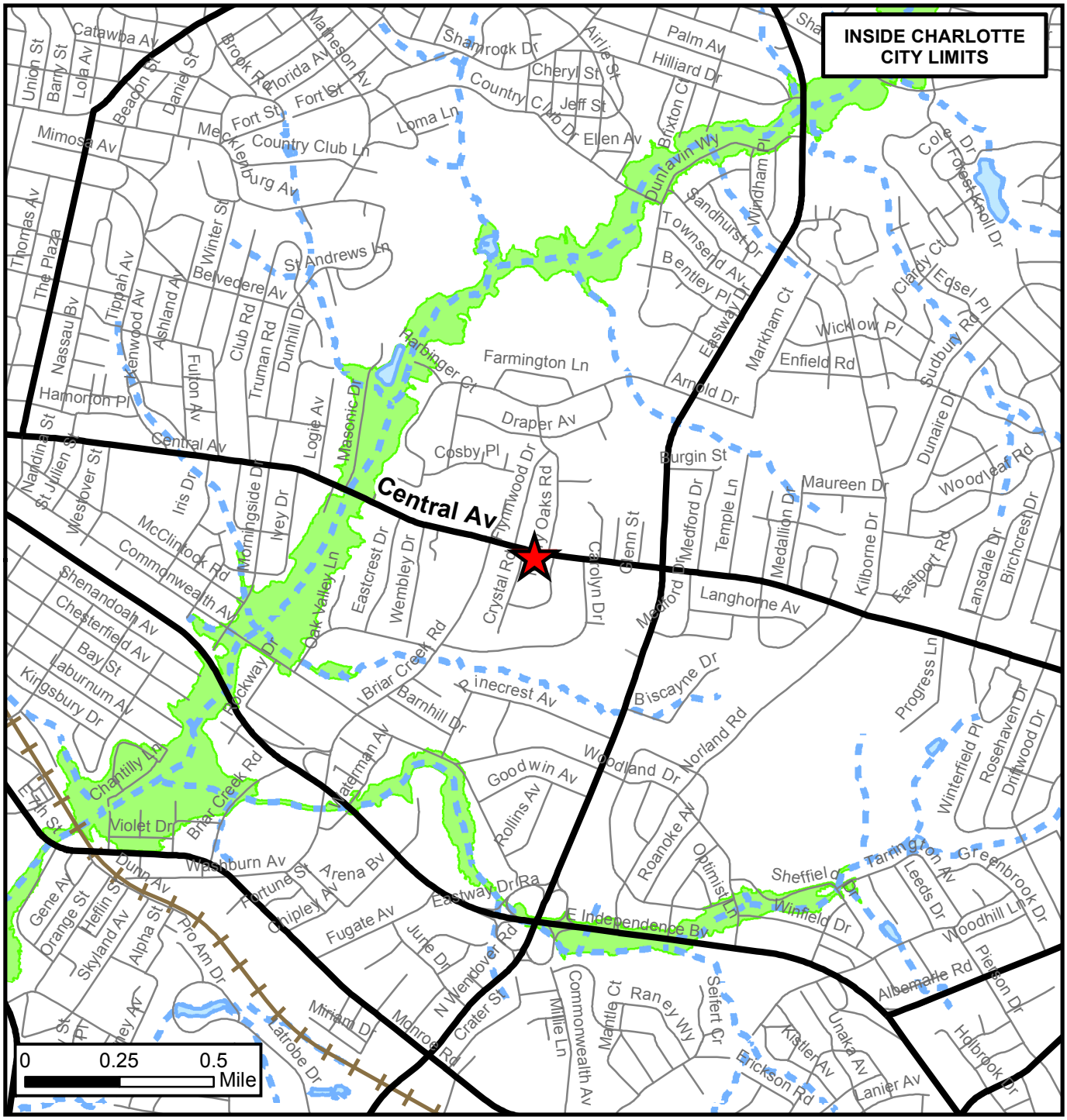
- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

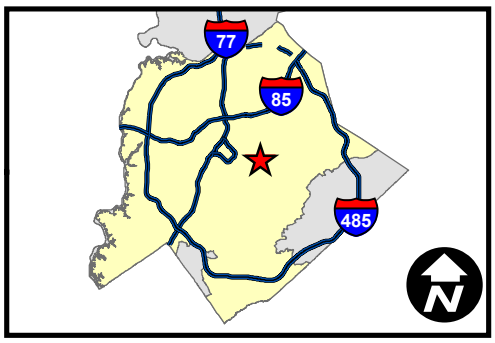
Planner: Sonja Strayhorn Sanders (704) 336-8327

Petition #: 2016-037

Vicinity Map

Acreage & Location : Approximately 0.44 acres located on the south side of Central Avenue between Crystal Road and Cyrus Drive.





Rezoning Petition: 2016-037

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Feb 8, 2016

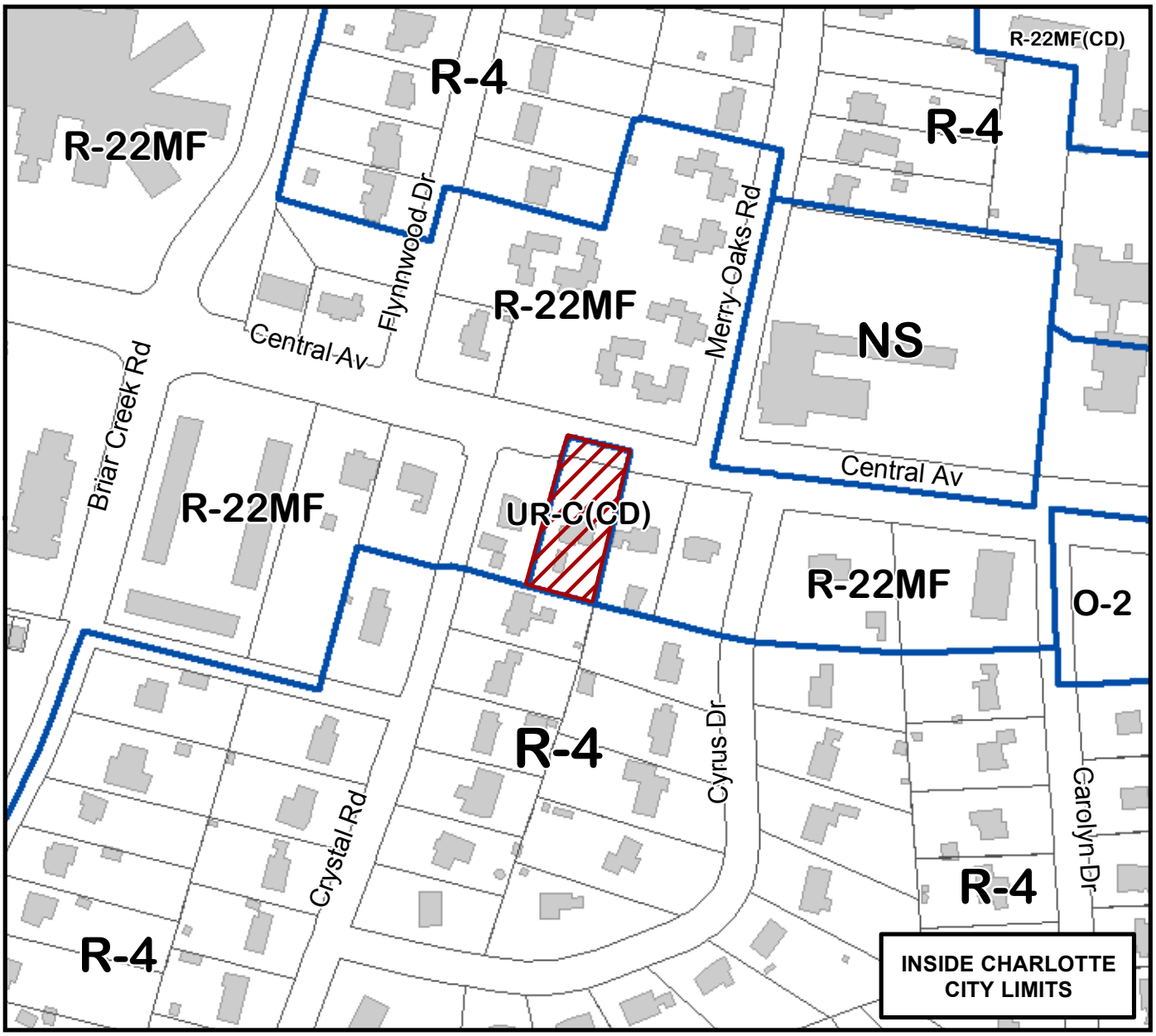
Petition #: 2016-037

Petitioner: Dr. Michael Berglass, DDS

Zoning Classification (Existing): UR-C(CD)
(Urban Residential, Commercial, Conditional)

Zoning Classification (Requested): UR-C(CD) SPA
(Urban Residential, Commercial, Conditional, Site Plan Amendment)

Acreage & Location: Approximately 0.44 acres located on the south side of Central Avenue between Crystal Road and Cyrus Drive.



Map Produced by the Charlotte-Mecklenburg Planning Department, 1-20-2016.

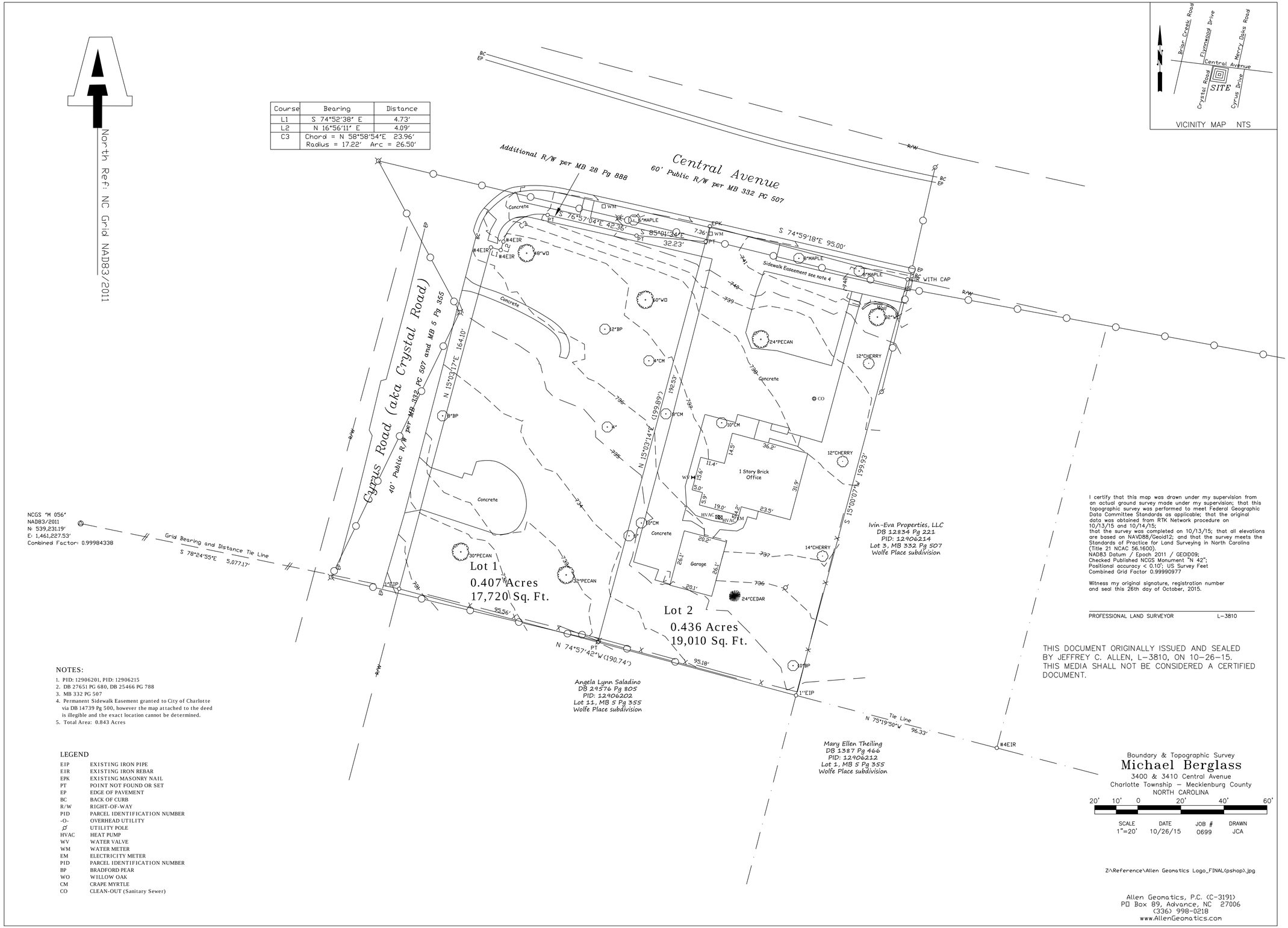
0 75 150 300 450 600 Feet

N

Zoning Map #(s)
101

Requested UR-C(CD) SPA from UR-C(CD)

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District



Course	Bearing	Distance
L1	S 74°52'38" E	4.73'
L2	N 16°56'11" E	4.09'
C3	Chord = N 58°58'54"E 23.96' Radius = 17.22' Arc = 26.50'	

NOTES:

1. PID: 12906201, PID: 12906215
2. DB 27651 PG 680, DB 25466 PG 788
3. MB 332 PG 507
4. Permanent Sidewalk Easement granted to City of Charlotte via DB 14739 Pg 500, however the map attached to the deed is illegible and the exact location cannot be determined.
5. Total Area: 0.843 Acres

LEGEND

EIP	EXISTING IRON PIPE
EIR	EXISTING IRON REBAR
EPK	EXISTING MASONRY NAIL
PT	POINT NOT FOUND OR SET
EP	EDGE OF PAVEMENT
BC	BACK OF CURB
R/W	RIGHT-OF-WAY
PID	PARCEL IDENTIFICATION NUMBER
-O-	OVERHEAD UTILITY
ø	UTILITY POLE
HVAC	HEAT PUMP
WV	WATER VALVE
WM	WATER METER
EM	ELECTRICITY METER
PID	PARCEL IDENTIFICATION NUMBER
BP	BRADFORD PEAR
WO	WILLOW OAK
CM	CRAPE MYRTLE
CO	CLEAN-OUT (Sanitary Sewer)

I certify that this map was drawn under my supervision from an actual ground survey made under my supervision; that this topographic survey was performed to meet Federal Geographic Data Committee Standards as applicable; that the original data was obtained from RTK Network procedure on 10/13/15 and 10/14/15; that the survey was completed on 10/13/15; that all elevations are based on NAVD88/Geoid12; and that the survey meets the Standards of Practice for Land Surveying in North Carolina (Title 21 NCAC 56.1600).
NAD83 Datum / Epoch 2011 / GEOID09;
Checked Published NCGS Monument "N 42";
Positional accuracy < 0.10'; US Survey Feet
Combined Grid Factor 0.99990977

Witness my original signature, registration number and seal this 26th day of October, 2015.

PROFESSIONAL LAND SURVEYOR L-3810

THIS DOCUMENT ORIGINALLY ISSUED AND SEALED BY JEFFREY C. ALLEN, L-3810, ON 10-26-15. THIS MEDIA SHALL NOT BE CONSIDERED A CERTIFIED DOCUMENT.

Boundary & Topographic Survey

Michael Berglass

3400 & 3410 Central Avenue
Charlotte Township – Mecklenburg County
NORTH CAROLINA

20' 10' 0 20' 40' 60'

SCALE	DATE	JOB #	DRAWN
1"=20'	10/26/15	0699	JCA

Z:\Reference\Allen Geomatics Logo_FINAL(pshop).jpg

Allen Geomatics, P.C. (C-3191)
PO Box 89, Advance, NC 27006
(336) 998-0218
www.AllenGeomatics.com

neighboring concepts
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Charlotte, North Carolina 28208
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www.neighborhoodconcepts.com

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Neighborhood Concepts PLLC

Central Avenue
Dental Expansion

REV. 1 DATE	02/18/2016
REV. 2 DATE	03/24/2016
REV. 3 DATE	03/28/2016
REV. 4 DATE	04/11/2016
REV. 5 DATE	
REV. 6 DATE	
REV. 7 DATE	
REV. 8 DATE	

Rezoning Documents

Petition #2016-037

SURVEY

ISSUE DATE	April 11, 2016
CHECKED	DJW
SHEET BY	EO
PROJECT NUMBER	NC 15-014

RZ-1

TECHNICAL NOTES

DEVELOPMENT DATA TABLE

a. SITE ACREAGE	0.436 ACRES
□. TA□ ID	12906215
□. E□ISTING ZONING	UR-C (CD)
d. PROPOSED ZONING	NS
e. E□ISTING USES	1,390 S□. FT. DENTAL OFFICE
□. PROPOSED USES:	UP TO 2,830 S□. FT. DENTAL OFFICE OR A REUSE OF THE SITE AS A SINGLE FAMILY RESIDENCE ONLY IN THE CASE OF DISCONTINUING DENTAL OFFICE USE. (THE E□PANSION TO 2,830 S□. FT. OF AREA INCLUDES AN 1,100 S□. FT. ADDITION. ADDITIONALLY, RENOVATION OF E□ISTING BASEMENT AND ATTIC SPACES MAY ADD 340 S□. FT. OF CONDITIONED OFFICE SPACE TO THE E□ISTING BUILDING.)
□. MA□IMUM BUILDING HEIGHT:	PER ZONING ORDINANCE
h. NO. OF PARKING SPACES RE□UIRED:	PER ZONING ORDINANCE

GENERAL PROVISIONS

a. UNLESS OTHER STANDARDS ARE ESTABLISHED BY THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS, ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE") FOR THE UR-C ZONING DISTRICT SHALL BE FOLLOWED IN CONNECTION WITH THE DEVELOPMENT TAKING PLACE ON THE SITE DEPICTED ON THIS REZONING PLAN.

b. CHANGES TO THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE. PRIOR TO THE SUBMITTAL OF ANY REQUEST FOR AN ADMINISTRATIVE SITE PLAN AMENDMENT, THE OWNER SHALL NOTIFY THE MERRY OAKS NEIGHBORHOOD ASSOCIATION AND THE COMMONWEALTH PARK NEIGHBORHOOD ASSOCIATION OF SUCH REQUEST.

OPTIONAL PROVISIONS

a. NOT APPLICABLE.

PERMITTED USES

a. DEVELOPMENT WILL CONFORM TO UR-C (CD) DISTRICT UNLESS MORE STRINGENT CONDITIONS ARE SHOWN ON THE SITE PLAN.

b. THE PROPOSED BUILDINGS ON THE SITE WILL SATISFY OR EXCEED THE SETBACK, SIDE YARD, REAR YARD, SCREENING AND BUFFER REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE.

TRANSPORTATION

a. PARKING LAYOUT IS GENERAL AND MAY BE MODIFIED TO SAVE EXISTING TREES PER SECTION 6.207 OF THE ORDINANCE.

b. VEHICULAR AND BICYCLE PARKING WILL BE PROVIDED WHICH WILL MEET OR EXCEED THE STANDARDS OF THE ZONING ORDINANCE.

c. PETITIONER TO COORDINATE FINAL ACCESS AND DRIVEWAY DESIGNS WITH THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT") DURING PERMITTING.

ARCHITECTURAL STANDARDS

a. VINYL OR ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS AND ON HANDRAILS/RAILINGS.

b. THE ILLUSTRATIVE BUILDING ELEVATIONS ARE INCLUDED TO REFLECT AN ARCHITECTURAL STYLE AND A QUALITY OF THE BUILDING THAT MAY BE CONSTRUCTED ON THE SITE. NO EXPANSE OF BLANK WALL WILL EXCEED 20 FEET IN LENGTH. THE BUILDING ADDITION WILL NOT EXCEED ONE STORY AND WILL HAVE A PITCHED ROOF.

c. HVAC & RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND VIEW OF ADJACENT PROPERTIES AT GRADE.

d. ROLLOUT COLLECTION WILL BE USED WHERE ALLOWED BY ORDINANCE. ROLLOUT CONTAINERS SHALL BE SCREENED WITH GATED ENCLOSURES.

STREETSCAPE AND LANDSCAPING

a. SIDEWALKS AND PLANTING STRIPS WILL BE AS PRESCRIBED BY THE ORDINANCE IN COORDINATION WITH THE CITY ARBORIST OFFICE.

b. SCREENING WILL CONFORM TO THE APPLICABLE STANDARDS OF SECT. 12.303 OF THE ZONING ORDINANCE.

c. ON-SITE PARKING AND LOADING AREAS WILL BE SCREENED PER SECTION 12.303.

d. PLANTINGS IN SIGHT TRIANGLE WILL BE LOW LYING AND WILL NOT OBSTRUCT VISIBILITY.

e. DEVELOPMENT ON THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE. TREES GREATER THAN TWO (2) INCHES DIAMETER, AS MEASURED 4'-6" ABOVE GROUND, AND IN THE STREET RIGHT-OF-WAY ARE PROTECTED BY LAW; AUTHORIZATION FOR THEIR REMOVAL IS TO BE COORDINATED THROUGH THE CITY ARBORIST OFFICE.

ENVIRONMENTAL FEATURES

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

b. THE PETITIONER SHALL COMPLY WITH THE TREE ORDINANCE.

PARKS, GREENWAYS & OPEN SPACE

a. CONNECTIONS TO PARK OR GREENWAYS ARE NOT APPLICABLE.

b. OPEN SPACE SHALL COMPLY WITH ORDINANCE.

SIGNAGE

a. ANY DETACHED SIGNS PLACED ON THE SITE WILL NOT EXCEED SEVEN FEET (7'-0") IN HEIGHT NOR 21 SQUARE FEET IN SIGN FACE AREA AND SHALL COMPLY WITH THE REQUIREMENTS OF THE ORDINANCE.

b. COLUMNS AND BASE OF THE SIGN STRUCTURE TO MATCH THE RED BRICK OF THE EXISTING BUILDING AS ILLUSTRATED IN THE "PROPOSED DETACHED SIGN" GRAPHIC ON THIS SITE PLAN.

c. THE EXACT LOCATION OF THE SITE SIGNAGE WILL BE DETERMINED AS PART OF THE DETAILED CONSTRUCTION AND LANDSCAPING PLANS FOR THE SITE.

PROPOSED DETACHED SIGN

LIGHTING

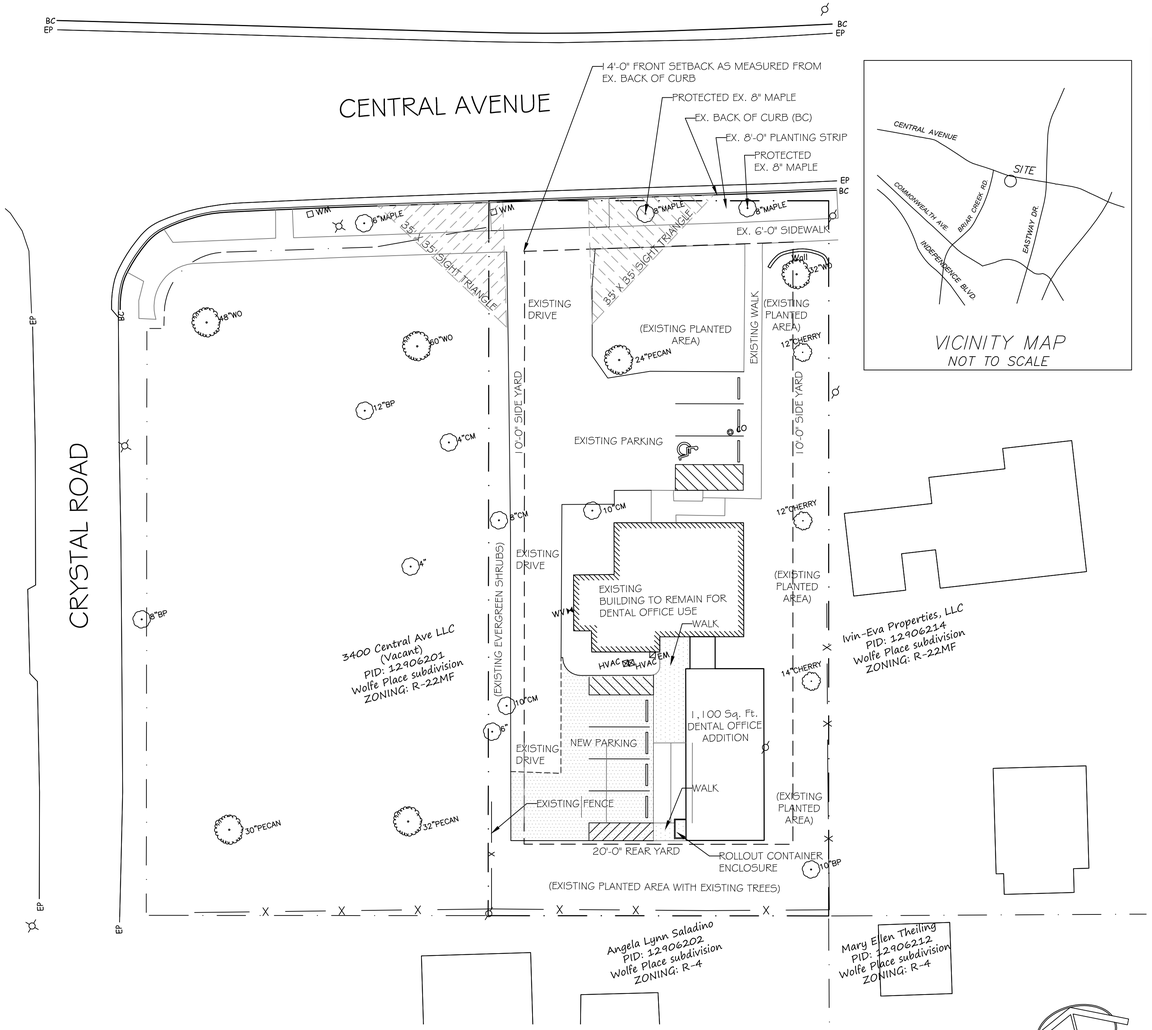
a. THE MAXIMUM HEIGHT OF ANY NEW FREE-STANDING LIGHT FIXTURES ON THE SITE SHALL NOT EXCEED FIFTEEN (15) FEET.

b. ALL ATTACHED AND DETACHED FIXTURES WITHIN THE SITE WILL BE FULL CUT-OFF FIXTURES AS DEFINED BY IESNA (ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA), SHIELDED, CAPPED AND DOWNWARDLY DIRECTED. ANY CURRENT NONCONFORMING FIXTURES WILL BE REMOVED WHEN CONSTRUCTION ON THE ADDITION IS COMPLETE.

c. THE PROPERTY OWNER MAY NOT UTILIZE FIXTURES ON AN ADJACENT PARCEL OR ON A PUBLIC RIGHT-OF-WAY TO ILLUMINATE THE SITE. NO FLOOD LIGHTS ARE PERMITTED EITHER WITHIN THE SITE OR ELSEWHERE TO ILLUMINATE THE PROPERTY.

OTHER

a. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", OR "PETITIONER" 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.



SITE PLAN-GROUND LEVEL

SCALE: 1"=20'-0"
0 10 20 40
NORTH

VICINITY MAP
NOT TO SCALE

ILLUSTRATIVE VIEW OF THE DENTAL OFFICE ADDITION'S WEST ELEVATION FROM CRYSTAL RD.

OFFICE ADDITION - WEST ELEVATION

SCALE: 1/4"=1'-0"
0 2 4 8

neighboring concepts
ARCHITECTURE ■ PLANNING ■ INTERIORS
1230 We□□Morehead S□ree□ S□□e 204
Charlo□e, Nor□h Carol□na 28208
T:704.374.0916 F:704.342.3808
□□□.ne□h□or□h□on□e□□.co□

Th□dra□□□and□be de□□□h□□n are□be□ro□er□o□ Ne□h□or□h□ Con□e□□ PLLC
The re□rod□□□on, □□□□, or □her □□e o□h□□dra□□□ □□ho□□ed □□□en □on□en□□□ron□□□ed and en□□ n□n□e□en□□□ □ e □□□□o□e□al a□□on.
© 2016
Ne□h□or□h□Con□e□□ PLLC

Central Avenue
Dental Expansion

REV. 1 DATE	02/18/2016
REV. 2 DATE	03/24/2016
REV. 3 DATE	03/28/2016
REV. 4 DATE	04/11/2016
REV. 5 DATE	
REV. 6 DATE	
REV. 7 DATE	
REV. 8 DATE	

Rezoning Documents

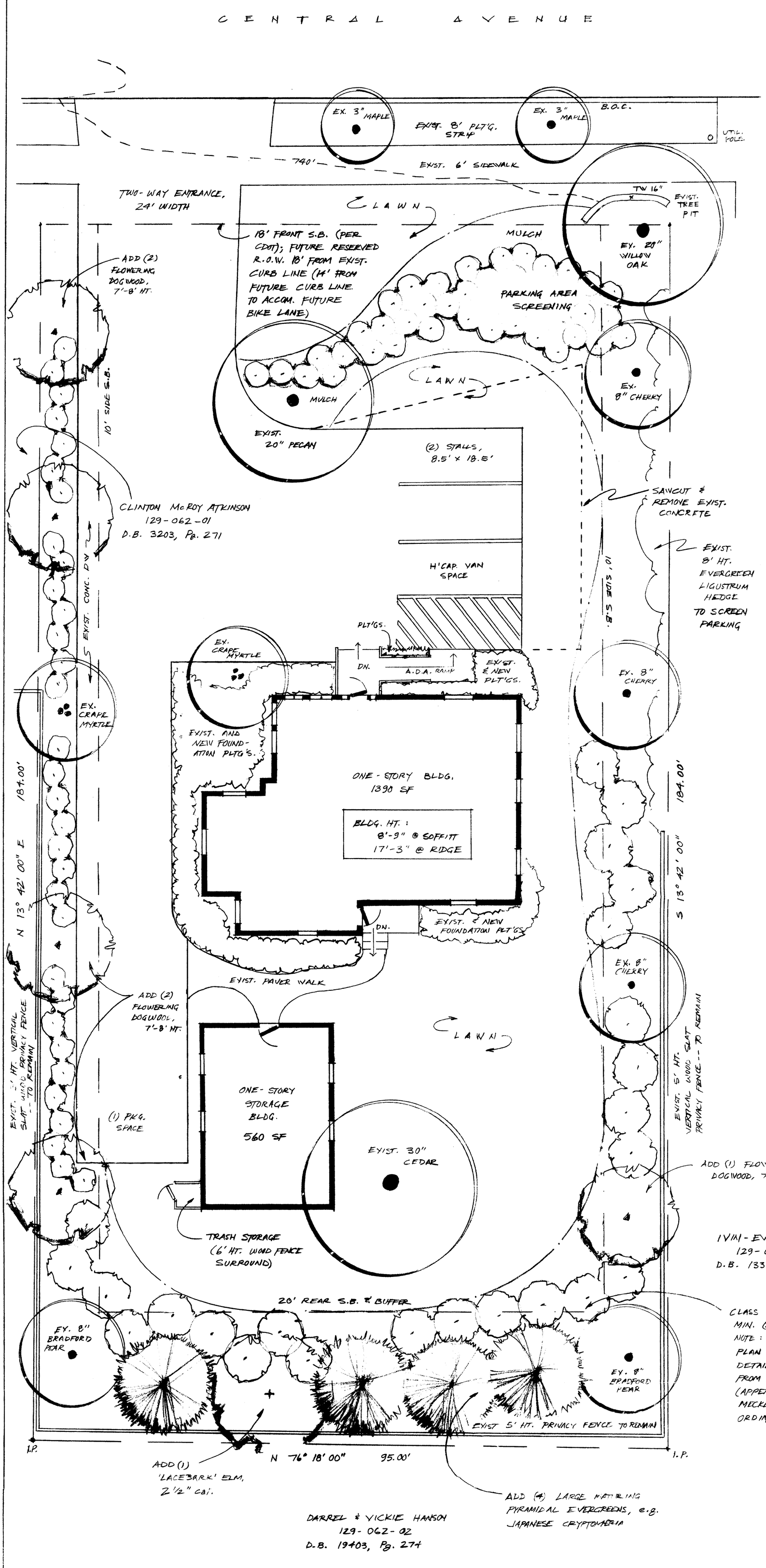
Petition #2016-037

SITE PLAN

ISSUE DATE	A□r□11, 2016
CHECKED	DJW
SHEET BY	EO
PROJECT NUMBER	NC 15-014

RZ-2

Previously Approved Site Plan



JAN 22 2009

DEVELOPMENT STANDARDS

General Provisions

These Development Standards form a part of the Rezoning Site Plan associated with the Rezoning Petition filed by Michael Berglass, DDS to accommodate reuse of the existing structure located on an approximately 0.436 acre site located at 3410 Central Avenue (the "Site"). The Site is currently zoned R-22MF and the purpose of this Petition is to request rezoning to the UR-C district.

Unless the Rezoning Site Plan or these Development Standards sheets accompanying this Rezoning Petition establish more stringent standards, the regulations established under the Charlotte Zoning Ordinance ("the Ordinance") for the UR-C Zoning District shall govern all development taking place on the Site.

Development on the Site will be restricted to reuse of the existing structure for professional dental office purposes only and no additions or expansions to the existing structure are permitted.

A Solid Waste Management Plan will be submitted to Mecklenburg County Solid Waste prior to initiating demolition and/or construction activity.

1. Permitted Uses

The Site may be devoted to dental office use along with accessory uses which are permitted under the Ordinance. No other uses are permitted on the site. No additions or expansions to the existing structure are permitted. Existing 560 SF storage building shall be used for accessory storage only. No dental office uses shall be permitted within the structure.

2. Setbacks, Side Yards and Rear Yards

The building shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the UR-C zoning district.

3. Vehicular Access

(a) Vehicular access to the Site shall be as generally depicted on the Rezoning Site Plan. The placement and configuration of the vehicular access point is subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation ("C-DOT") and/or the North Carolina Department of Transportation ("NC-DOT") including alterations to accommodate any right of way needs and/or construction easements.

(b) Prior to the issuance of a change of use permit, the Petitioner shall dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) that portion of the Site immediately adjacent to Central Avenue as required to provide right of way measuring 40 feet from the existing centerline of Central Avenue if such right of way does not currently exist.

4. Lighting

(a) The maximum height of any new freestanding light fixtures erected on the Site shall not exceed fifteen (15) feet.

(b) All new lighting fixtures installed within the Site shall be shielded with full cut-off fixtures, capped and downwardly directed.

5. Signs

Any detached signs placed on the Site will not exceed seven feet in height, 21 square feet in copy area and shall comply with requirements of the Ordinance.

6. Parking

Vehicular and bicycle parking shall conform to the Ordinance.

7. Amendments to Rezoning Plan

Future amendments to the Rezoning Site Plan, other sheets accompanying the Petition and 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. Prior to the submittal of any request for an administrative site plan amendment, the Owner shall notify the Merry Oaks Neighborhood Association and the Commonwealth Park Neighborhood Association of such request. Under no circumstances shall any change of use be permitted through the administrative site plan amendment process.

8. Binding Effect of the Rezoning Documents and Definitions

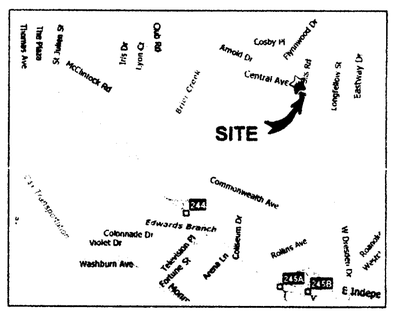
(a) If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Rezoning Site Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioners and the current and subsequent owners of the Site and their respective successors in interest and assigns.

(b) Throughout these Development Standards, the terms, "Petitioners" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioners or the Owner or Owners of the Site from time to time who may be involved in any future development thereof.

(c) Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

SITE DATA TABLE

Tax Parcel: 129-062-15
Site Area: 0.436 acres
Existing Zoning: R-22MF
Proposed Zoning: UR-C
Proposed Use: Reuse of the existing structure for professional dental office purposes only



VICINITY MAP

APPROVED BY CITY COUNCIL
JAN 26 2009

FOR PUBLIC HEARING
PETITION NUMBER: 2008-157

Tax Parcel: **129-062-15**
3410 Central Avenue
Charlotte, NC 28205
scale: 1/8" = 1'-0"
north

Site Plan for the
Dental Office of Dr. Michael Berglass, DDS

ISSUE DATE	REVISION
28 Sept 08	(original issue)
13 Oct 08 TJC	per Meck. Co. Planning Comm. comments
18 Dec 08 TJC	per City Council hearing & Planning Comm. comments
22 Jan 09 TJC	resolution of outstanding Site Plan issues

NORTH CAROLINA LANDSCAPE ARCHITECT No. 1277 TED J. CLEARY 9.28.08

STUDIO CLEARY
landscape architecture
704.502.3033

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 22.**File #:** 15-3217 **Type:** Zoning Hearing

Rezoning Petition: 2016-041 by Horizons at Steele Creek, LLC

Location: Approximately 3.2 acres located at the end of Calawood Way near the intersection of Steele Creek Road and Calawood Way. (Council District 3 - Mayfield)

Current Zoning: R-3 (LLWPA) (single family residential, Lower Lake Wylie Protected Area)
Proposed Zoning: R-17MF (CD) (LLWPA) (Multi0Family residential, conditional, Lower Lake Wylie Protected Area)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to technical and site issues.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map
Site Plan

powered by Legistar™

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-041
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: R-3 LLWPA (single family residential, Lower Lake Wylie Protected Area) Proposed Zoning: R-17MF(CD) LLWPA (multi-family residential, conditional, Lower Lake Wylie Protected Area)
LOCATION	Approximately 3.22 acres located at the end of Calawood Way near the intersection of Steele Creek Road and Calawood Way. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to develop an additional phase of an approved multi-family residential community Horizons at Steele Creek that is located in the Steele Creek area and is currently under construction. The proposed addition will contain a maximum of 48 multi-family dwelling units.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Various Horizons at Steele Creek, LLC John Carmichael
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 3

STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues related to technical and site issues. <u>Plan Consistency</u> The petition is inconsistent with the *Steele Creek Area Plan*, which recommends residential development up to four dwelling units per acre. <u>Rationale for Recommendation</u> • The subject property is located directly west of the Horizons at Steele Creek multi-family project, which includes 288 units and is under construction. • This proposal is for a minor addition of 48 units to the existing multi-family development, resulting in a total of 336 units. • Because the subject property abuts the Horizons at Steele Creek multi-family complex on one side, is bounded by streets on two other sides, and is only 3.22 acres, single family residential development on this site would be challenging and the proposed expansion of the Horizons at Steele Creek multi-family project is a reasonable use of this property. • The proposed R-17MF (CD) (multi-family residential, conditional) zoning will be consistent with the zoning of the existing Horizons at Steele Creek development. • The proposed expansion of the Horizons at Steele Creek complex will provide for an additional vehicular access point to the site via the extension of Calawood Way. • Over 40% of the site will be preserved for tree save, and the tree save area will buffer the three existing single family parcels from the site.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Proposes an additional phase to the Horizons at Steele Creek multi-family community and allows an additional 48 units in two buildings. This will allow for an overall development of 22 acres with a total of 336 dwelling units in Phase I and Phase II.
  - Proposes a maximum height of 45 feet and three stories.
  - Provides extension of Calawood Way to access new phase that will have a gated entrance.
  - Accommodates a minimum 27-foot building setback along southwestern property line in the

event Stone Meadow Road located in the adjacent Stowe Creek neighborhood is ever extended north.
- Provides a "Class C" buffer along all property lines abutting lots in residential use and/or zoned R-3 (single family residential). Specifies that the buffer may not be reduced or eliminated.
- Provides building elevations (front, right side, and rear) with information regarding materials (brick, glass windows and doors, fiber cement siding and trim, standing seam metal roof), along with details illustrating architectural treatments.
- Identifies possible tree save area.

- **Existing Zoning and Land Use**
  - The rezoning site is largely undeveloped; a portion of the site was previously developed with a single family house.
  - North of the site is undeveloped acreage, vacant land, and single family neighborhoods zoned R-3 (single family residential) and MX-1 (mixed use district).
  - East of the rezoning site is the first phase of Horizons at Steele Creek Apartment community (288 apartment units) under construction.
  - To the south and west are a senior living facility, apartments, and a single family residential community zoned R-17MF (multi-family residential) and R-4 (single family residential).
  - See "Rezoning Map" for existing zoning in the area.

- **Rezoning History in Area**
  - There have been no rezonings in the immediate area in recent years.

- **Public Plans and Policies**
  - The *Steele Creek Area Plan* (2012) recommends single family residential development up to four dwelling units per acre.

TRANSPORTATION CONSIDERATIONS
- This site plan extends Calawood Way (a local street approved as part of Horizons at Steele Creek Phase 1) which connects to an existing major thoroughfare at an unsignalized intersection. The turn lane improvements implemented in Phase 1 of this development are sufficient for the additional trips generated by this Phase 2. This plan complies with the general transportation policy goals and applicable area plans. CDOT has not identified any negative impacts to the transportation facilities in the area.
- **Vehicle Trip Generation:**
  Current Zoning:
  Existing Use: 0 (based on the property being vacant)
  Entitlement: 115 trips per day (based on nine single family dwelling units).
  Proposed Zoning: 420 trips per day (based on 48 apartments).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** Developer must comply with the City's Housing Policies if seeking public funding for multi-family housing developments.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate six students, while the development allowed under the proposed zoning will produce 5 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero. The proposed development is not projected to increase the school utilization (without mobile classroom units) for Berewick Elementary (82%), Kennedy Middle (99%) or Olympic High (152%).
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

REQUESTED TECHNICAL REVISIONS
1. Revise site plan to show proposed buildings out of the required buffer.
2. Show and label dimensions of the required buffer.
3. Remove open space calculation from site plan.

4. Label streetscape along extended Calawood Way, including widths of sidewalk(s) and planting strip(s).
5. Show how buildings will provide pedestrian access to the parking areas and proposed sidewalk along Calawood Way.
6. Amend Site Development Data to note existing zoning is R-3 LLWPA (single family residential, Lower Lake Wylie Protected Area) and proposed zoning is R-17MF (CD) LLWPA (multi-family residential, conditional, Lower Lake Wylie Protected Area).
7. Amend Site Development Data by removing information provided regarding setbacks and yards and replacing with statement that setback and side and rear yards will be provided per ordinance.
8. Remove note VI.1 from site plan.
9. Remove note V.1 for site plan.

Attachments Online at www.rezoning.org

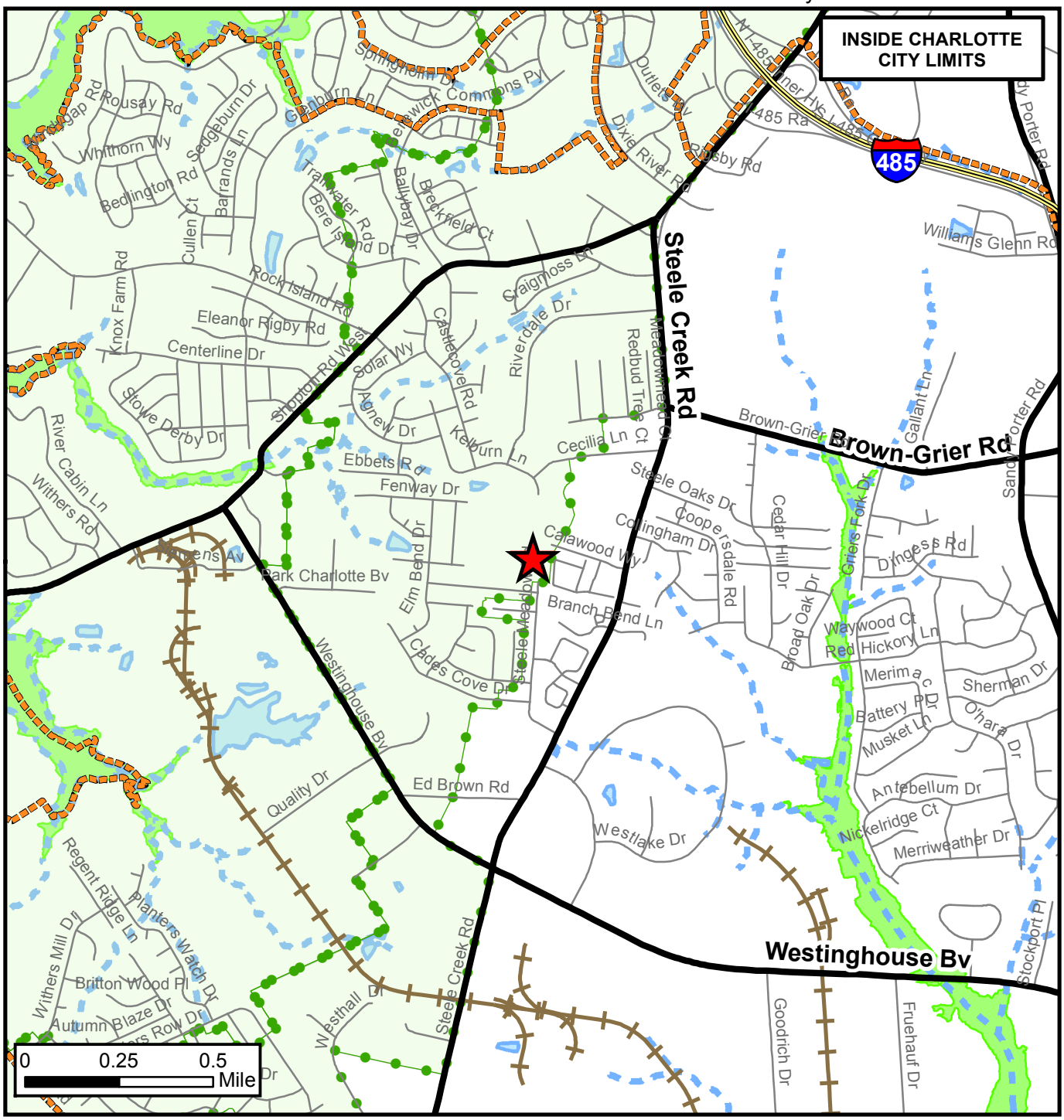
- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department
  - Charlotte-Mecklenburg Schools Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

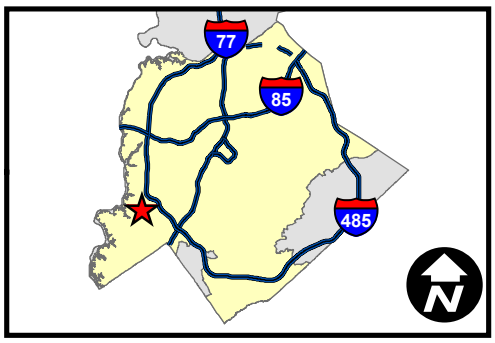
Planner: Solomon Fortune (704) 336-8326

Petition #: 2016-041

Vicinity Map

Acreage & Location : Approximately 3.2 acres located at the end of Calawood Way near the intersection of Steele Creek Road and Calawood Way.





Rezoning Petition: 2016-041

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Feb 8, 2016

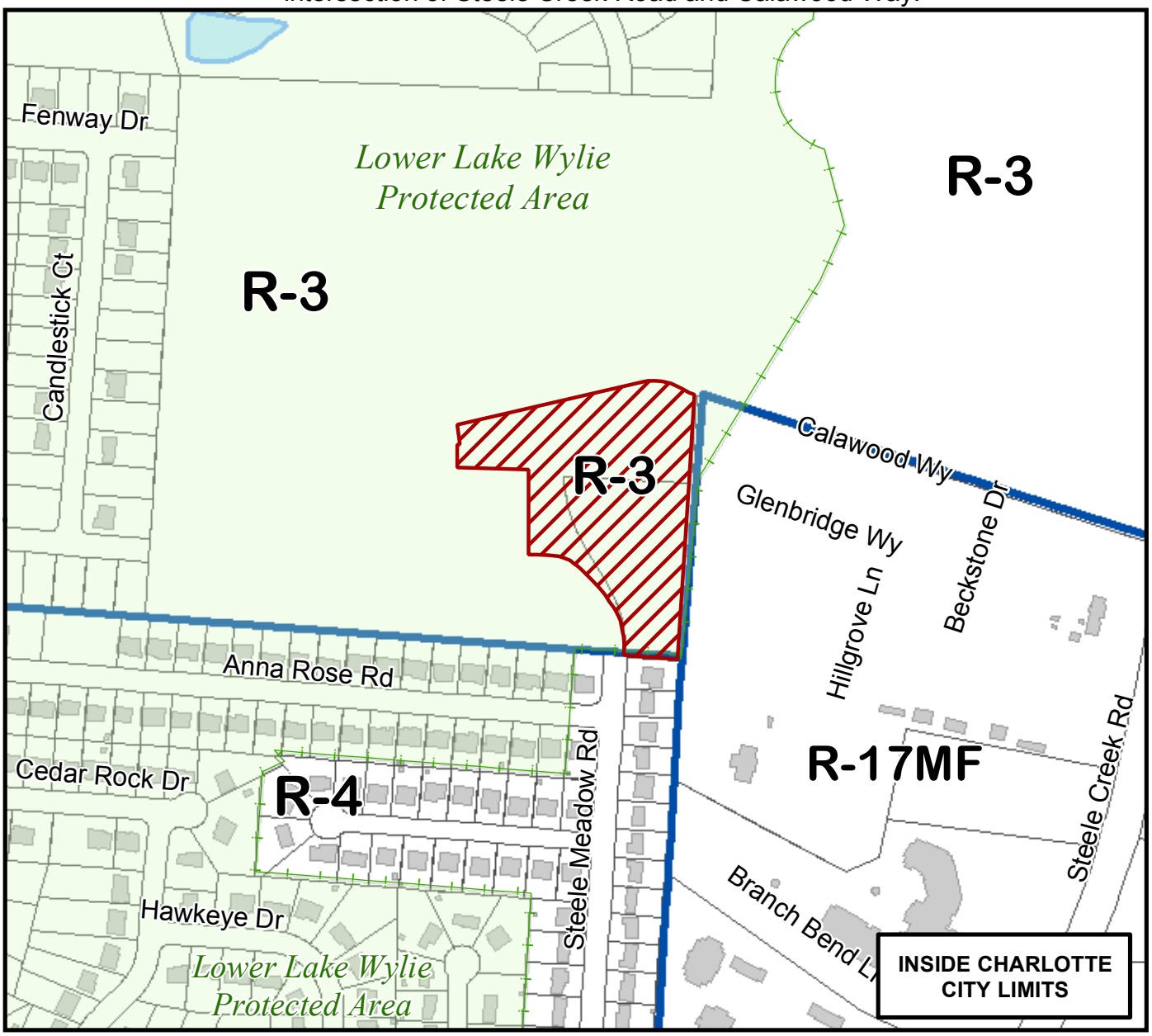
Petition #: 2016-041

Petitioner: Horizons at Steele Creek, LLC

Zoning Classification (Existing): R-3 (LLWPA)
(Single Family, Residential, Lower Lake Wylie Protected Area)

Zoning Classification (Requested): R-17MF(LLWPA)
(Multi-Family, Residential, Conditional, Lower Lake Wylie Protected Area)

Acreage & Location: Approximately 3.2 acres located at the end of Calawood Way near the intersection of Steele Creek Road and Calawood Way.



Map Produced by the Charlotte-Mecklenburg Planning Department, 1-4-2016.

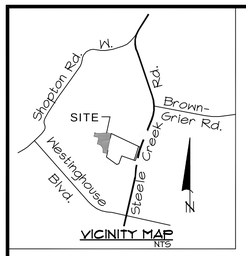
0 125 250 500 750 1,000 Feet

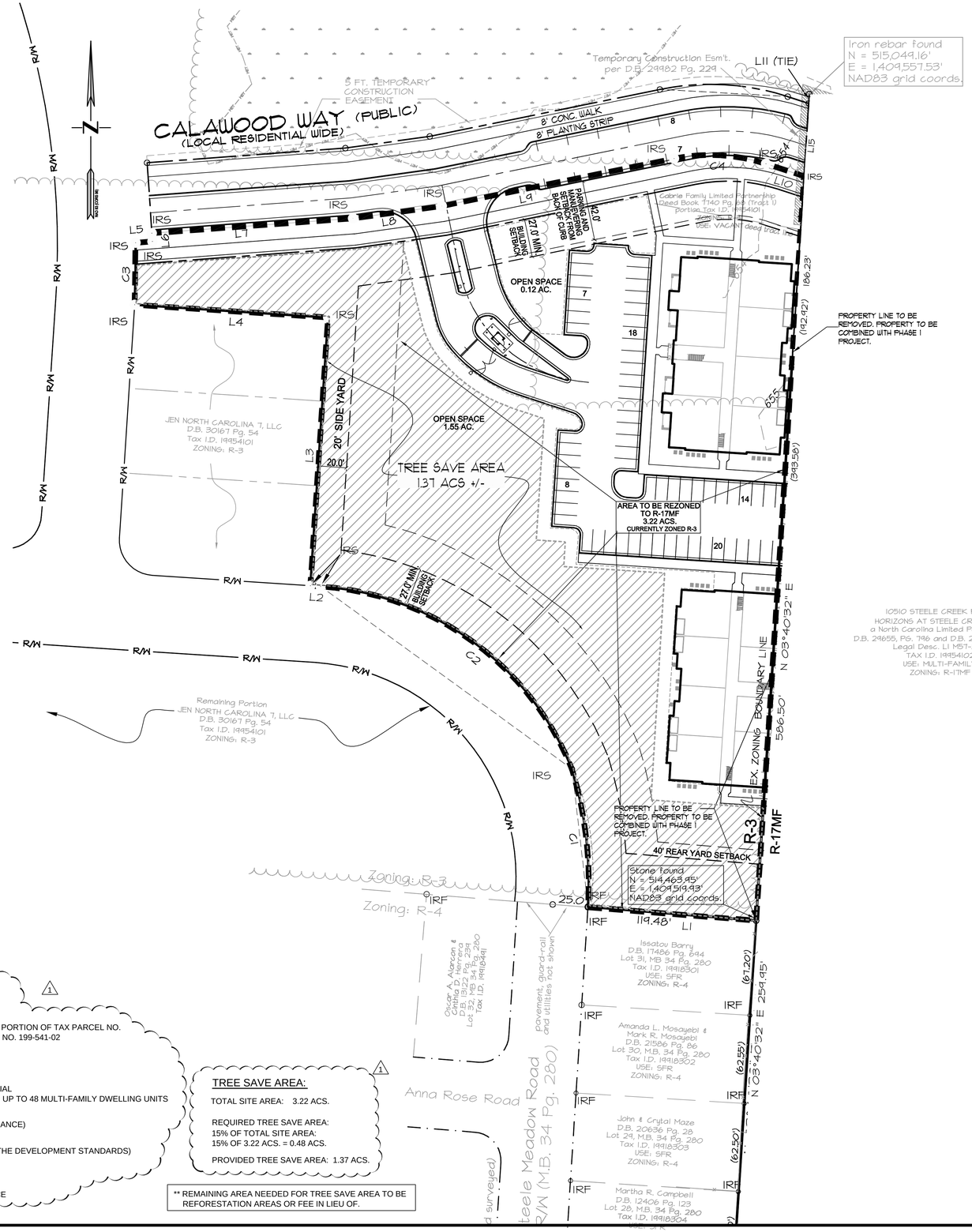
N

Zoning Map #(s)
132

Requested R-17MF(CD)(LLWPA) from R-3 (LLWPA)

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District





LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L1	N 85°21'12" W	119.48'
L2	N 86°15'20" W	7.24'
L3	N 03°44'40" E	190.38'
L4	N 86°15'20" W	137.10'
L5	N 85°46'03" E	11.97'
L6	N 03°49'51" W	5.87'
L7	N 85°46'03" E	142.71'
L8	N 82°06'27" E	63.45'
L9	N 78°26'52" E	167.74'
L10	S 72°02'24" E	28.33'
L11	N 03°40'32" E	6.64'
L15	N 03°40'32" E	58.24'

CURVE TABLE				
NUMBER	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	275.00	48.81	N 06°36'46" W	48.28
C2	206.00	231.46	N 53°59'52" W	219.90
C3	623.63	43.46	N 00°47'25" E	43.45
C4	128.00	65.93	S 86°47'44" E	65.20

SITE DEVELOPMENT DATA

1. SITE ACREAGE: APPROXIMATELY 3.22 ACS.
2. TAX PARCELS INCLUDED IN THE REZONING: PORTION OF TAX PARCEL NO. 199-541-01 AND A PORTION OF TAX PARCEL NO. 199-541-02
3. EXISTING ZONING: R-3 (LLWPA)
4. PROPOSED ZONING: R-17MF (CD) (LLWPA)
5. EXISTING USES: VACANT
6. PROPOSED USES: MULTI-FAMILY RESIDENTIAL MAXIMUM NUMBER OF RESIDENTIAL UNITS: UP TO 48 MULTI-FAMILY DWELLING UNITS
7. MAXIMUM BUILDING HEIGHT: 3 STORIES 45 FEET (AS MEASURED UNDER THE ORDINANCE)
8. MAXIMUM NUMBER OF BUILDINGS: 2
9. NUMBER OF PARKING SPACES: 82 (SEE THE DEVELOPMENT STANDARDS)
10. OPEN SPACE: 1.67 ACS REQUIRED: 45% x 3.22 ACS. = 1.45 ACS.
11. SETBACKS AND YARD: PER THE ORDINANCE

TREE SAVE AREA:

TOTAL SITE AREA: 3.22 ACS.

REQUIRED TREE SAVE AREA:
15% OF TOTAL SITE AREA:
15% OF 3.22 ACS. = 0.48 ACS.

PROVIDED TREE SAVE AREA: 1.37 ACS.

** REMAINING AREA NEEDED FOR TREE SAVE AREA TO BE REFORESTATION AREAS OR FEE IN LIEU OF.

DEVELOPMENT STANDARDS

April 18, 2016

I. General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Horizons at Steele Creek, LLC to accommodate the development of two multi-family residential buildings on the rezoning site located on the west side of Steele Creek Road at the current terminus of Calawood Way, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of a portion of Tax Parcel No. 199-541-01 and a portion of Tax Parcel No. 199-541-02.

These proposed multi-family residential buildings would be a second phase of the Horizons at Steele Creek multi-family residential community. Phase 1 of the Horizons at Steele Creek multi-family residential community is currently being developed on that portion of Tax Parcel No. 199-541-02 that is located immediately to the east of the Site (the "Phase 1 Property"). The Site and the Phase 1 Property may be combined into one parcel.

2. 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"). Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the R-17 MF zoning district shall govern the development and use of the Site.

3. The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configurations, placements and sizes of the building footprints as well as the internal drives and parking areas depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, may be altered or modified during design development and construction document phases.

4. The maximum number of principal buildings to be developed on the Site shall be two.

5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

II. Permitted Uses

1. The Site may only be devoted to a residential community containing a maximum of 48 multi-family dwelling units and to any incidental and accessory uses relating thereto that are allowed in the R-17 MF zoning district.

III. Transportation

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation in accordance with applicable published standards.

2. Off-street vehicular parking and bicycle parking shall be provided in accordance with the requirements of the Ordinance.

3. To meet the off-street vehicular parking requirements of the Ordinance for the two multi-family residential buildings to be constructed on the Site, Petitioner shall secure a parking agreement or easement with the owner of the Phase 1 Property or any successor in interest to the owner of the Phase 1 Property to utilize excess parking spaces on the Phase 1 Property. This parking agreement or easement shall be executed and recorded prior to the issuance of a building permit for the first multi-family residential building to be constructed on the Site. The terms of the parking agreement or easement may provide that in the event that the Site and the Phase 1 Property are combined into one parcel and under common ownership, the parking agreement or easement may be terminated provided that the combined parcel meets the off-street parking requirements of the Ordinance.

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

IV. Architectural Standards

1. The maximum height in stories of the multi-family residential buildings to be constructed on the Site shall be 3 stories.

2. The maximum height in feet of the multi-family residential buildings to be constructed on the Site shall be 45 feet as measured from the average grade at the base of the structure.

3. Attached to the Rezoning Plan are schematic architectural renderings of the multi-family residential buildings to be constructed on the Site that are intended to depict the general conceptual architectural style and character of such buildings. Accordingly, the multi-family residential buildings to be constructed on the Site shall be designed and constructed so that they are substantially similar in appearance to the attached schematic architectural renderings. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style and character of the multi-family residential buildings are permitted.

4. The exterior building materials for the multi-family residential building to be constructed on the Site are designated on the attached schematic architectural renderings.

V. Streetscape and Landscaping/Buffer

1. Landscaping and screening will meet the requirements of the Ordinance.

2. A Class C buffer shall be established along portions of the Site's boundary lines as depicted on the Rezoning Plan, and such buffer shall conform to the standards of Section 12.302 of the Ordinance. The width of the Class C buffer as depicted on the Rezoning Plan may not be reduced, and this Class C buffer may not be eliminated.

VI. Amenities

1. This proposed residential community will be an additional phase of the Horizons at Steele Creek multi-family residential community. Accordingly, the residents of the proposed multi-family residential buildings will utilize the amenities in the Horizons at Steele Creek multi-family residential community.

VII. Environmental Features

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

2. Development of the Site shall comply with the City of Charlotte Tree Ordinance. The tree save areas are depicted on the Rezoning Plan and shall remain in place.

VIII. Binding Effect of the Rezoning Documents and Definitions

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

2. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

3. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

CURRENT OWNER:
JEN NORTH CAROLINA, LLC (OWNER TAX I.D. 19954101)
a North Carolina Limited Partnership
10510 STEELE CREEK ROAD
CHARLOTTE, NC 28210

HORIZONS AT STEELE CREEK LLC (OWNER TAX I.D. 19954102)
a North Carolina Limited Partnership
10510 STEELE CREEK ROAD
CHARLOTTE, NC 28210

APPLICANT / DEVELOPER:
CIP CONSTRUCTION COMPANY
201 NORTH ELM STREET
GREENSBORO, NC 27401
PHONE: O: (336) 275-6198 x 305
CONTACT: DENNIS BURTON
EMAIL: dburton@cipconst.com

ENGINEER:
CPT ENGINEERING & SURVEYING, INC.
4400 TYNING STREET
HIGH POINT, NC 27265
PHONE: (336) 812-8800 EXT. 304
FAX: (336) 812-8780
CONTACT: CHUCK TRUBY, P.E.
EMAIL: chuckt@cptengineering.com

REVISIONS

1 CITY OF CHARLOTTE PLANNING STAFF COMMENTS 4/12/16 TM

CPT
ENGINEERING AND SURVEYING, INC.
LAND DEVELOPMENT CONSULTING
CORPORATE LICENSE NUMBER C-1375
4400 TYNING STREET
HIGH POINT, NORTH CAROLINA 27265
PHONE: (336) 812-8800 ~ FAX: (336) 812-8780

HORIZONS at STEELE CREEK

10510 & 10700 STEELE CREEK ROAD

CITY OF CHARLOTTE
MECKLENBURG COUNTY

SITE PLAN
2016-041

SCALE:	1" = 40'
DATE:	4/13/16
PROJECT:	1306-14
DRAWN BY:	TM
SHEET	RZ-1

F:\Projects\1306-14\DWG\1306-14_Civil Design_FUTURE.dwg, RZ-1, 4/13/2016 11:46:41 AM, 1:1, TM

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 23.**File #:** 15-3218 **Type:** Zoning Hearing

Rezoning Petition: 2016-046 by 1101 Central Group LLC

Location: Approximately 1.24 acres located on the north side of Central Avenue between Heath Court and Hawthorne Lane. (Council District 1 - Kinsey)

Current Zoning: B-2 (PED)
Proposed Zoning: MUDD-O (PED)

Staff Recommendation:
Staff recommends approval upon resolution of a minor site design issue and requested technical revisions.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map
Site Plan

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CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-046
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: B-2 PED (general business, pedestrian overlay) Proposed Zoning: MUDD-O PED (mixed use development, optional, pedestrian overlay), with five-year vested rights
LOCATION	Approximately 1.24 acres located on the north side of Central Avenue between Hawthorne Lane and Heath Court. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes up to 166,000 square feet to include retail, office and warehousing within an enclosed building. This development will reuse an existing building along Central Avenue and the adjacent gravel parking lot to the rear and along the frontage of Hawthorne Lane. A structured parking deck to serve the subject site will be developed on the remainder of the property.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	1101 Central Group, LLC Michael Adams, Property Owner Babak Emadi, Urbana Architecture
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 12

STAFF RECOMMENDATION

Staff recommends approval upon resolution of a minor site design issue and requested technical revisions.

Plan Consistency

The proposed retail uses along Central Avenue and Hawthorne Lane are consistent with the *Plaza-Central Pedscape Plan* recommendation for retail on this site. However, the proposed storage use is inconsistent with the plan.

Rationale for Recommendation

- The subject site is located in the Plaza Central commercial district.
- The proposed site plan commits to ground floor pedestrian-oriented uses along Central Avenue and Hawthorne Lane, meeting the intent of the adopted plan to establish pedestrian friendly retail streets in the Plaza Central area.
- The commitment to commercial uses along Hawthorne Lane will also complement the future streetcar alignment proposed along that street.
- The proposed parking structure will be developed on an underutilized space internal to the site and will not affect the pedestrian environment.
- The proposed indoor climate controlled storage units will be located above the structured parking deck. The storage will be designed to appear similar to an office building, and will have limited traffic and parking impacts.
- The petition also supports the expansion of the area's street network by extending Heath Court to the north, setting this area up for future connectivity opportunities.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Up to 166,000 square feet of nonresidential uses consisting of office, commercial, retail and warehousing within an enclosed building.
  - Development area consisting of Area A and Area B.
  - Area A:
    - Area A proposes one building containing up to 130,000 square feet of office, retail and warehousing uses within an enclosed building.

    - Maximum building height of eight stories. Floors 5-8 to be stepped back a minimum of 20 feet from Hawthorne Lane to reduce perceived building height along this frontage.
    - Location of parking within a parking deck for the existing and future buildings on the entire site (Areas A and B).
  - Area B:
    - Area B has an option for either 30,000 square feet of existing and expanded commercial and office uses or 36,000 square feet of commercial and office uses in one building.
    - Maximum building height of three stories and 55 feet.
    - In Option 1, if the existing building remains as it currently exists, streetscape requirements would not be established in the area where the existing building is located. An additional two stories of office space may be developed over the existing building. Additionally, the area shown on the site plan as potential building envelope may be developed as a three story building and the maximum height for all structures in this area is limited to 55 feet.
    - In Option 2, if the petitioner elects to remove the existing building, the new building envelope will comply with streetscape requirements as specified on the site plan. New buildings will be a maximum of three stories and 55 feet in height and shall comply with the PED overlay design standards.
  - Building materials consisting of a combination or all brick, concrete, decorative concrete, masonry units, EIFS, EIFS brick, architectural metal, metal panels, storefront clear glass, spandrel glass, architectural metal and vinyl railings. Windows will be combination of clear vision glass, spandrel glass, and screened framed opening. Building entrances will have architectural metal or fabric canopies and awnings.
  - Extension of Heath Court within the existing right-of-way up to the end of the project limits.
  - Site access from Hawthorne Lane, Heath Court, and the existing public alley and a proposed alley widening. The proposed alley may be developed as a one-way or two-way alley.
  - Optional Provisions:
    - Petitioner seeks to provide retail along 47% of the project frontage along Heath Court, which is less than the 50% required.
    - Streetscape requirements, including right-of-way dedication, planting strips, sidewalks, etc. along Heath Court would not be established in the area where the existing building is located.

- **Existing Zoning and Land Use**
  - The subject property was rezoned as part of 18 acres located on the north and south sides of Central Avenue, between Louise and Clement Avenues, west of Pecan Avenue from I-2 (general industrial) to B-2 (general business) and I-1 (light industrial) via Petition 2003-110. This rezoning reduced the potential for uses that are not pedestrian friendly and neighborhood oriented.
  - The portion of the subject property fronting Central Avenue is developed with an eating/drinking/entertainment establishment, and the rear of the site is used for parking.
  - Surrounding properties north of Central Avenue are zoned B-2 PED (general business, pedestrian overlay), MUDD-O PED (mixed use development, optional, pedestrian overlay), I-1 PED (light industrial, pedestrian overlay) and I-2 (general industrial) and contain office, retail and industrial warehouse uses.
  - Lots on the south side of Central Avenue are developed with business/warehouse uses and retail uses, as well as multi-family units under construction, in O-2 PED (office, pedestrian overlay) and B-2 PED (general business, pedestrian overlay) zoning, with single family detached and multi-family dwellings to the rear of these properties in R-8 PED (single family residential, pedestrian overlay) and R-22MF PED (multi-family residential, pedestrian overlay) zoning.
  - See “Rezoning Map” for existing zoning in the area.

- **Rezoning History in Area**
  - There have been no rezonings in the immediate area in recent years.

- **Public Plans and Policies**
  - The *Plaza-Central Pedscape* Plan (2003) was amended by rezoning petition 2003-110 to allow retail uses with a Pedestrian Overlay District.
  - The plan recommends that office and residential uses dominate this area, with retail and restaurant uses on the ground floors.
  - The LYNX Gold Line Streetcar Phase II will terminate at the intersection of Hawthorne Lane and Sunnyside Avenue, just south of the subject site. A future phase of the Gold Line Streetcar project extends the alignment down Hawthorne Lane with an additional proposed stop at the nearby Barnhardt site, on the other side of the railroad tracks from the subject site. Phase II of the Gold Line Streetcar project will include the installation of a substation on adjacent Parcel Number 08111101 with vehicular access provided from Heath Court.

- **TRANSPORTATION CONSIDERATIONS**
  - This site is bordered by an existing minor thoroughfare and an existing major thoroughfare near a signalized intersection. CDOT has not identified any negative impacts to the transportation facilities in the area. The site plan as presented complies with CDOT transportation goals to preserve right of way along Hawthorne Lane for the future streetcar alignment, protect the extension of Heath Court for future connectivity, and improve the east-west connectivity by widening the existing alley way.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 760 trips per day (based on an 8,400-square foot eating/drinking/entertainment establishment).
    Entitlement: 1,750 trips per day (based on 12,400 square feet of retail uses).
    Proposed Zoning: 2,840 trips per day (based on 16,000 square feet of retail and 25,200 square feet of office, and 124,800 square feet of warehousing within an enclosed building).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. Provide an eight-foot planting strip and eight-foot sidewalk along the site's frontage on Hawthorne Lane.

REQUESTED TECHNICAL REVISIONS

Other Minor Issues

2. Amend Note 12B under Lighting to increase maximum height of detached lighting to 21 feet.
3. Amend Note 3A under Optional Provisions as follows: The petitioner will locate the sales office for the self-storage on either Hawthorne Lane or Heath Court within the retail space area, as generally indicated on the rezoning plan.
4. Delete Note 6B under Architectural Standards.
5. Delete note 11A under Signage, as the note is not needed.
6. Hawthorne Lane and Heath Court are identified as Cross Streets in the plan. Add a note that elements and dimensions should be coordinated with CAT'S plans for development of the Gold Line Streetcar and substation.
7. Delete the following from Note 3A under Optional Provisions: "Petitioner seeks to exceed the minimum requirements along the frontage on Hawthorne Street. "
8. Delete Note 3B under Optional Provisions and place under Architectural Standards.
9. Amend Note 3A under Optional Provisions to allow the minimum retail frontage requirement along Heath Court to be developed with professional business offices and/or retail sales uses, as permitted per Section 9.8503(b)(i) and (iii) of the zoning ordinance.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review

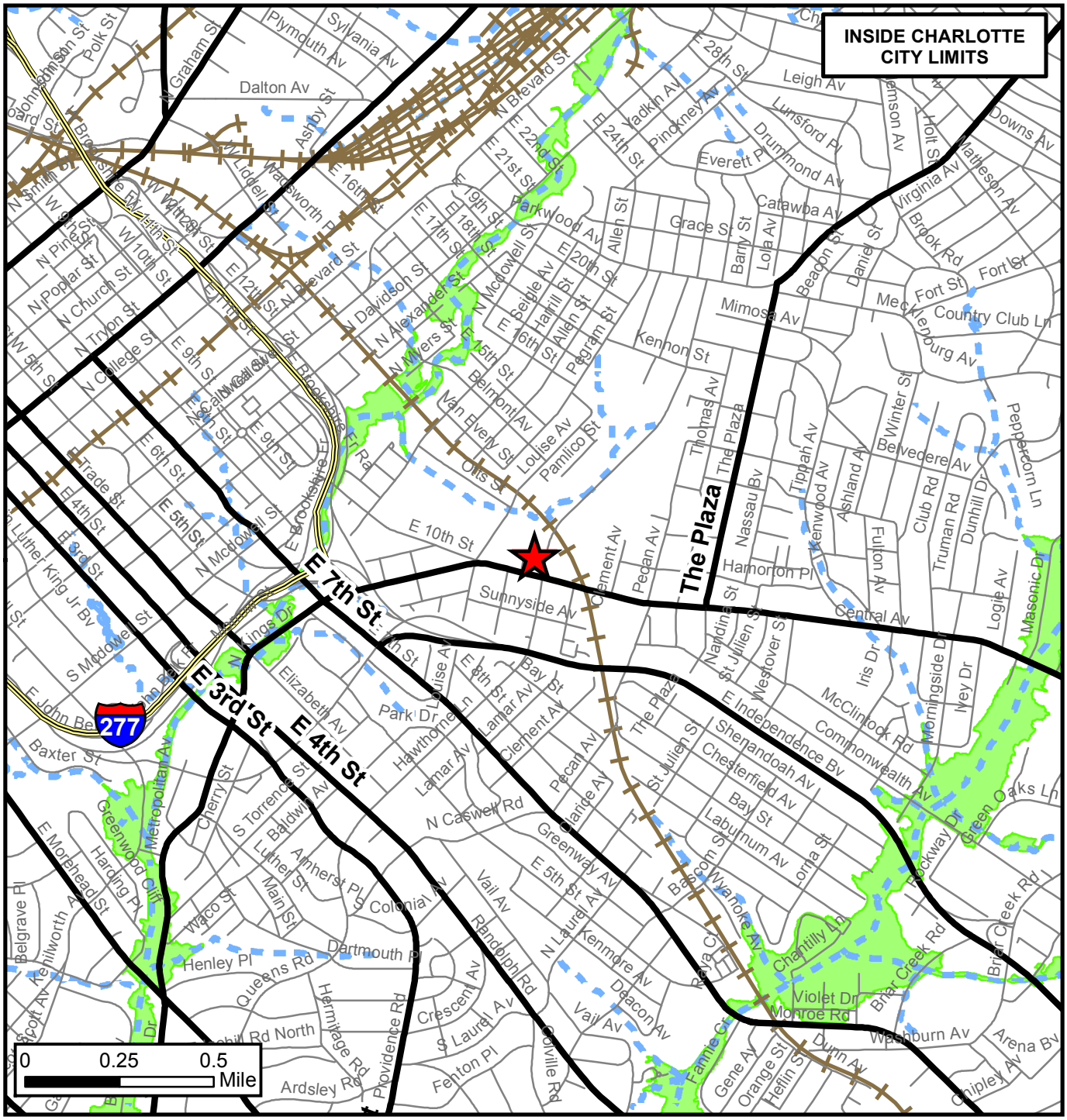
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

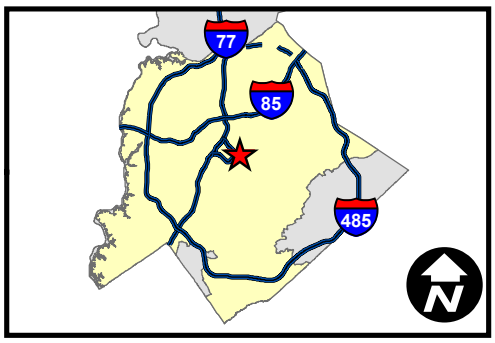
Planner: Sonja Strayhorn Sanders (704) 336-8327

Petition #: 2016-046

Vicinity Map

Acreage & Location : Approximately 1.24 acres located on the north side of Central Avenue between Heath Court and Hawthorne Lane.





Rezoning Petition: 2016-046

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Feb 8, 2016

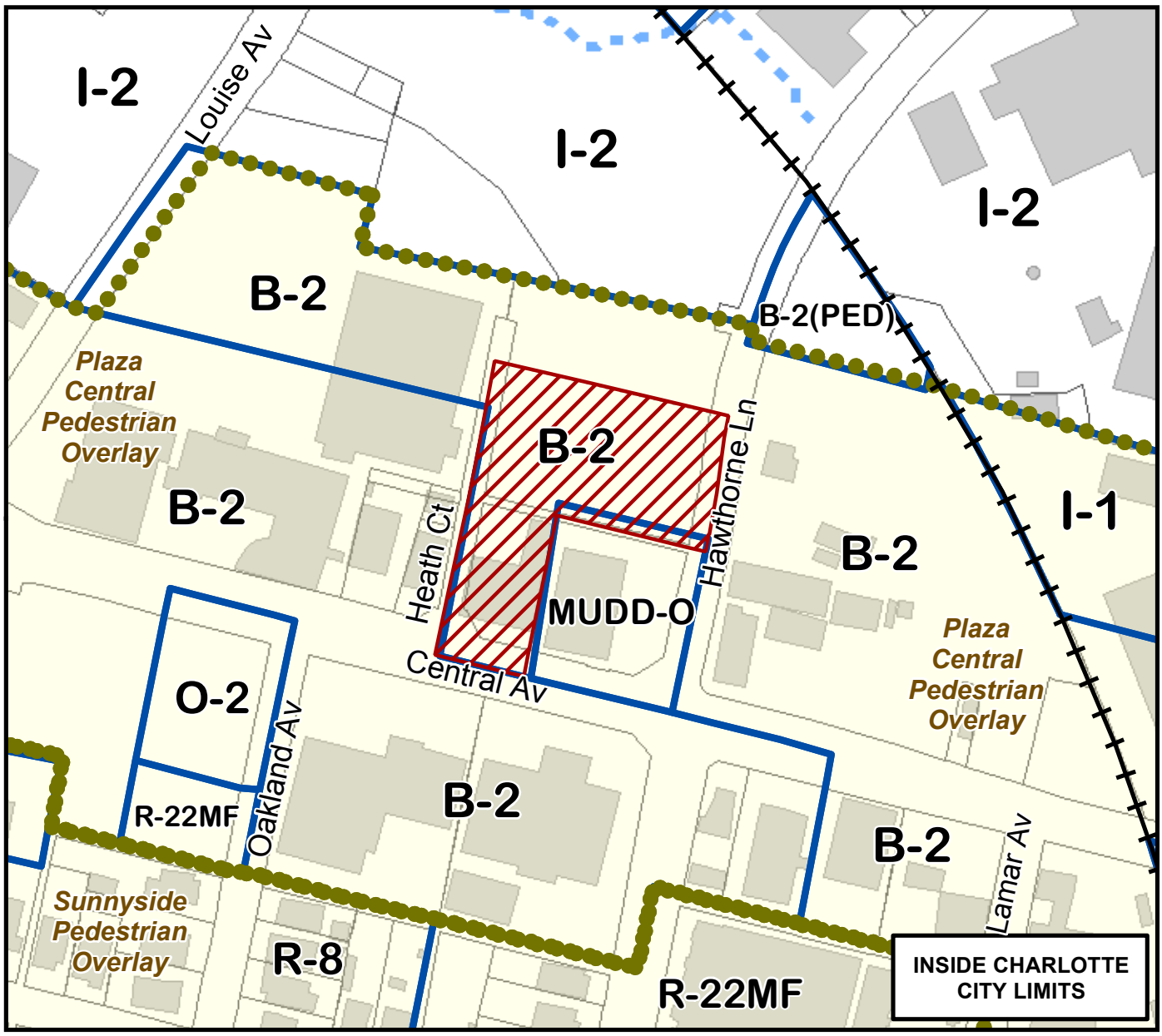
Petition #: 2016-046

Petitioner: 1101 Central Group, LLC

Zoning Classification (Existing): B-2 (PED)
(General Business, Pedestrian Overlay District)

Zoning Classification (Requested): MUDD-O (PED) 5-Year Vested Rights
(Mixed Use Development District, Optional, Pedestrian Overlay District, Five Year Vested Rights)

Acreage & Location: Approximately 1.24 acres located on the north side of Central Avenue between Heath Court and Hawthorne Lane.



Map Produced by the Charlotte-Mecklenburg Planning Department, 5-2-2016.

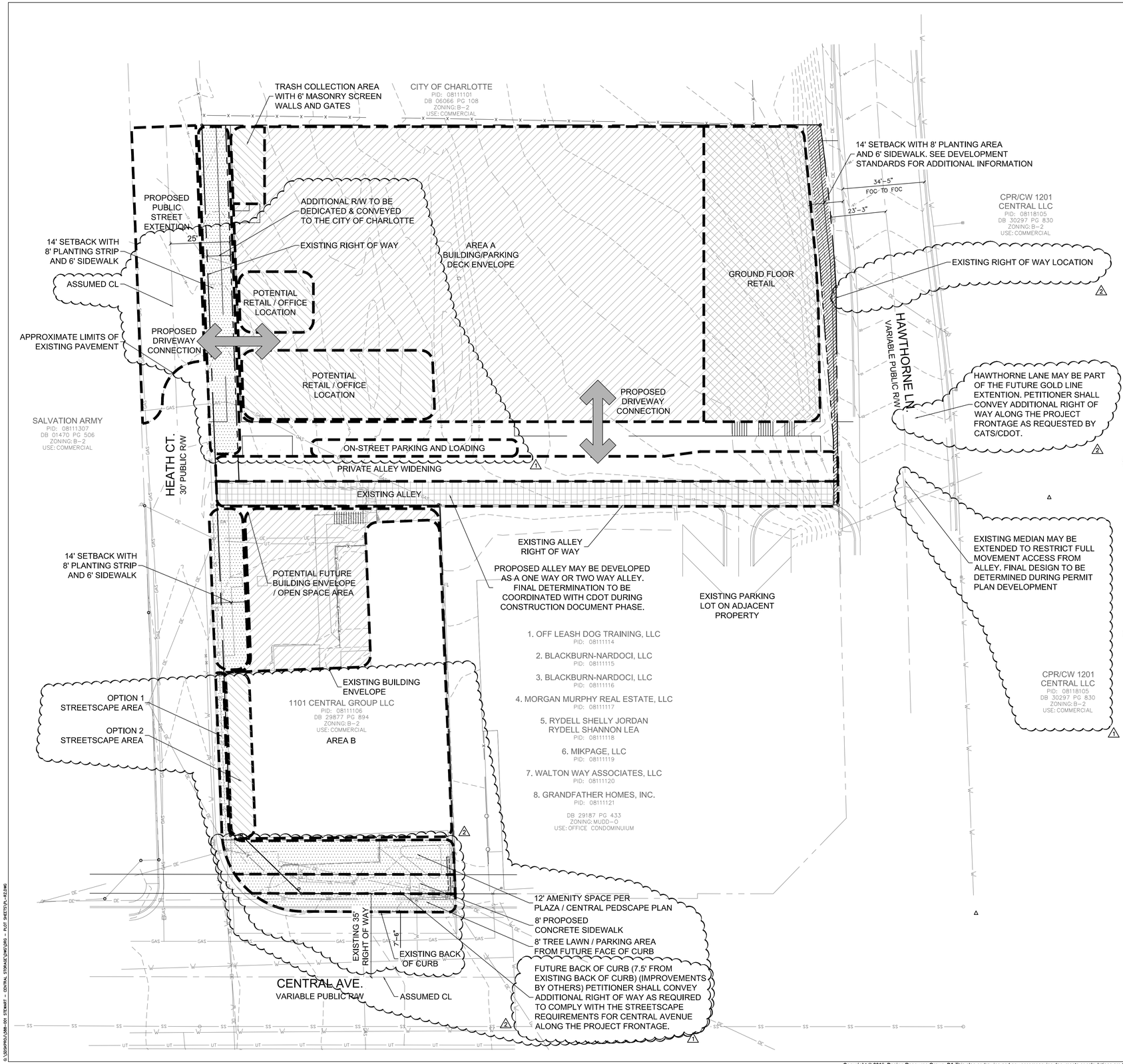
0 75 150 300 450 600 Feet

N

Zoning Map #(s)
101

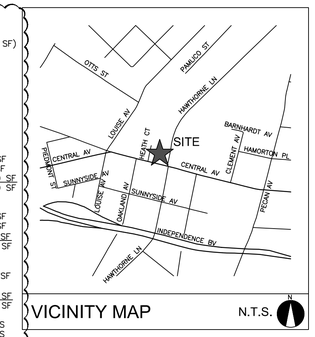
Requested MUDD-O(PED) 5-Year Vested Rights from B-2(PED)

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District



DEVELOPMENT DATA TABLE

SITE ACREAGE:		1.2418 AC (54,092 SF)
TAX PARCEL:		081-111-13 & 081-111-06
EXISTING ZONING:		B-2
PROPOSED ZONING:		MUDD-O
SQUARE FOOTAGE OF NON-RESIDENTIAL USES BY TYPE (RETAIL, OFFICE INDUSTRIAL, ETC.)		
AREA A	RETAIL:	±4,000 SF
	OFFICE	±1,200 SF
	STORAGE:	±124,800 SF
	TOTAL	±130,000 SF
AREA B	OPTION 1	
	EXISTING COMMERCIAL:	±8,400 SF
	COMMERCIAL EXPANSION:	±4,700 SF
	OFFICE (ABOVE)	±16,900 SF
	TOTAL	±30,000 SF
	OPTION 2	
	COMMERCIAL (GROUND FLOOR):	±12,000 SF
	OFFICE (2ND AND 3RD FLOORS ABOVE):	±24,000 SF
	TOTAL	±36,000 SF
MAX. BUILDING HEIGHT:	AREA A:	8 STORIES
	AREA B:	3 STORIES
MAX. # OF BUILDINGS:	AREA A:	1 BLDG.
	AREA B:	1 BLDG.
# OF PARKING SPACES:		APPROXIMATELY 140 SPACES



VICINITY MAP N.T.S.

2. GENERAL PROVISIONS

A. THE FOLLOWING DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLANS FILED BY THE PETITIONER, TO ACCOMMODATE THE DEVELOPMENT OF SELF-STORAGE, OFFICE, RETAIL, RESTAURANTS AND ASSOCIATED PARKING ON 2 PARCELS, APPROXIMATELY 1.24 ACRES AT THE INTERSECTION OF CENTRAL AVENUE, HEATH COURT AND HALF A BLOCK DOWN HAWTHORNE LANE.

B. SITE DEVELOPMENT WILL BE GOVERNED BY THE REZONING PLAN AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE. UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATION UNDER THE ORDINANCE FOR MUDD & PED OVERLAY ZONING CLASSIFICATION SHALL GOVERN.

THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS TO THE SITE. ACCORDINGLY, THE PLAN MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES AS PERMITTED BY THESE DEVELOPMENT STANDARDS AND THE ORDINANCE.

3. OPTIONAL PROVISIONS

A. BUILDING AREA A: ORDINANCE REQUIRES 50% OF ALL PROJECT FRONTAGES ON PUBLIC STREETS TO BE RETAIL. THE PETITIONER SEEKS TO EXCEED THE MINIMUM REQUIREMENTS ALONG THE FRONTAGE ON HAWTHORNE LANE. PETITIONER SHALL PROVIDE APPROXIMATELY 47 LINEAR FEET OF RETAIL FRONTAGE ON HEATH COURT. THE PETITIONER MAY ELECT TO PROVIDE THE SALES OFFICE FOR THE SELF STORAGE ON EITHER HAWTHORNE LANE OR HEATH COURT WITHIN THE RETAIL SPACE AREA, AS GENERALLY INDICATED ON THE REZONING PLAN.

B. BUILDING AREA B: THE EXISTING BUILDING IN AREA B MAY OR MAY NOT REMAIN.

OPTION 1. IF THE EXISTING BUILDING REMAINS, IT COULD REMAIN AS CURRENTLY EXISTS. STREETSCAPE REQUIREMENTS, INCLUDING RIGHT OF WAY DEDICATION, PLANTING STRIPS, SIDEWALKS, ETC ALONG HEATH COURT WOULD NOT BE ESTABLISHED IN THE AREA WHERE THE EXISTING BUILDING IS LOCATED. AN ADDITIONAL 2 STORIES OF OFFICE SPACE OVER THE EXISTING BUILDING CAN BE DEVELOPED. ADDITIONALLY, THE AREA SHOWN ON THE PLANS AS POTENTIAL BUILDING ENVELOPE MAY BE DEVELOPED AS A THREE STORY BUILDING. THE MAXIMUM HEIGHT FOR ALL STRUCTURES IN THIS AREA SHALL BE 55'.

OPTION 2. IF THE PETITIONER ELECTS TO REMOVE THE EXISTING BUILDING, THE NEW BUILDING ENVELOPE WOULD COMPLY WITH STREETSCAPE REQUIREMENTS AS GENERALLY INDICATED ON THE REZONING PLAN. NEW BUILDINGS WOULD BE A MAXIMUM OF 3 STORIES AND 55' IN HEIGHT AND SHALL COMPLY WITH THE DESIGN STANDARDS OF THE PED OVERLAY DISTRICT, SECTION 10.813.

C. PARKING FOR THE PROPOSED DEVELOPMENT OF AREA B, IN EITHER OPTION, SHALL BE PROVIDED WITHIN THE LIMITS OF THE PARKING DECK PROPOSED AS PART OF AREA A. PARKING FOR BOTH AREA A & B SHALL COMPLY WITH MUDD STANDARDS. 2

4. PERMITTED USES

A. AS PERMITTED BY THE ORDINANCE.

5. TRANSPORTATION

A. THE SITE WILL BE ACCESSED FROM HAWTHORNE LANE, HEATH COURT, AND THE EXISTING PUBLIC ALLEY/PRIVATE ALLEY WIDENING, AS GENERALLY SHOWN ON THE REZONING PLAN. SUBJECT TO MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT).

B. THE DEAD END PORTION OF HEATH COURT WILL BE EXTENDED AND IMPROVED AS DEPICTED ON THE REZONING PLAN WITHIN THE EXISTING RIGHT OF WAY.

6. ARCHITECTURAL STANDARDS

A. THE PROPOSED BUILDING IN AREA A SHALL NOT EXCEED 8 STORIES. THE UPPER STORIES, FLOOR 5-8, SHALL BE STEPPED BACK A MINIMUM OF 20' FROM HAWTHORN LANE TO REDUCE PERCEIVED BUILDING HEIGHT ALONG THIS FRONTAGE.

B. THE EXISTING BUILDING IN AREA B IS INTENDED TO REMAIN WITH POTENTIAL EXPANSION TO THE LIMITS SHOWN ON THE REZONING PLAN. ADDITIONAL EXPANSION MAY ALSO OCCUR WITHIN THIS ENVELOPE WITH UP TO TWO ADDITIONAL STORIES. ANY EXPANSION TO THIS BUILDING SHALL COMPLY WITH ORDINANCE PARKING STANDARDS. PARKING FOR THIS EXISTING BUILDING AND ANY FUTURE EXPANSION SHALL BE ACCOMMODATED WITHIN THE LIMITS OF THE BUILDING A BUILDING AREA.

C. THE BUILDING MATERIALS WILL BE A COMBINATION OF PORTIONS OF SOME OR ALL OF THE FOLLOWING: BRICK, CONCRETE, DECORATIVE CONCRETE MASONRY UNITS, EIFS, EIFS BRICK, ARCHITECTURAL METAL, METAL PANELS, STOREFRONT CLEAR GLASS, SPANDREL GLASS, ARCHITECTURAL METAL AND VINYL RAILINGS AND ACCESSORIES. WINDOWS WILL BE A COMBINATION OF CLEAR VISION GLASS, SPANDREL GLASS, SCREENED FRAMED OPENING. BUILDING ENTRANCES WILL HAVE ARCHITECTURAL METAL OR FABRIC CANOPIES AND AWNINGS. 2

7. STREETSCAPE AND URBAN DESIGN

A. HEATH COURT WILL BE EXTENDED WITHIN THE EXISTING RIGHT OF WAY UP TO THE END OF THE PROJECT LIMITS AS INDICATED ON THE REZONING PLAN. STREETSCAPE IMPROVEMENTS ALONG THE PROJECT SIDE OF THIS STREET WILL INCLUDE A 6 FOOT SIDEWALK AND 8 FOOT PLANTING STRIP AS REQUIRED BY THE ORDINANCE. SEE THE OPTIONAL PROVISIONS ABOVE FOR A SPECIAL EXEMPTION THAT MAY BE UTILIZED.

B. THE PROJECT EDGE OF HAWTHORNE LANE SHALL BE IMPROVED WITH A MINIMUM 6 FOOT SIDEWALK AND AN 8 FOOT PLANTING AREA. THE PLANTING AREA MAY BE A PLANTING STRIP, RAISED CURB, TREE VAULTS, OR OTHER TREE PLANTING AREAS AS APPROVED BY CITY STAFF DURING PERMIT DRAWING DEVELOPMENT.

C. A NEW 10' WIDE PRIVATE ALLEY SHALL BE CONSTRUCTED DIRECTLY ADJOINING THE EXISTING 10' PUBLIC ALLEY TO PROVIDE A 20' PAVEMENT SECTION, AS GENERALLY INDICATED IN THE REZONING PLAN, TO PROVIDE ADDITIONAL ROOM FOR CIRCULATION, FIRE TRUCK ACCESS, AND THE ADDITION OF ON STREET PARKING AND LOADING SPACES. THIS ALLEY MAY BE A ONE WAY OR TWO WAY ALLEY, TO BE DETERMINED DURING PERMIT DRAWING DEVELOPMENT.

D. TRASH COLLECTION AREA WILL BE WELL SCREENED WITH SPECIAL LANDSCAPING AND DECORATIVE PAVING/WALL/FENCE DESIGN AND SHALL NOT BE LOCATED IN ANY RIGHT OF WAY OR SETBACK.

8. ENVIRONMENTAL FEATURES

A. THE PETITIONER WILL COMPLY THE CHARLOTTE CITY COUNCIL APPROVED POST CONSTRUCTION CONTROLS ORDINANCE.

B. THE PETITIONER WILL COMPLY THE CHARLOTTE CITY COUNCIL APPROVED TREE ORDINANCE.

9. PARKS, GREENWAYS AND OPEN SPACE

A. THE SITE WILL MEET THE PRIVATE AND PUBLIC OPEN SPACE REQUIREMENTS FOR PED DISTRICTS. OPEN SPACE FOR TOTAL PROJECT SHALL BE PROVIDED IN AREA B ENVELOPE. FINAL SIZE AND LOCATION TO BE DETERMINED DURING CONSTRUCTION PHASE.

10. FIRE PROTECTION

A. FIRE TRUCK ACCESSIBILITY TO THE SITE SHALL BE PROVIDED BY AN ADDITIONAL PRIVATE ALLEY ADJACENT TO THE EXISTING ALLEY TO PROVIDE THE MINIMUM 20' PAVEMENT WIDTH REQUIRED FOR FIRE TRUCK ACCESS.

11. SIGNAGE

A. THE PETITIONER WILL COMPLY WITH THE SIGNAGE ORDINANCE.

12. LIGHTING

A. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING STREET LIGHTS, LOWER DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS, AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.

B. THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 20 FEET.

13. AMENDMENTS TO THE REZONING PLAN

A. CURRENT APPLICANT OR SUCCESSORS WITH THE CONSENT OF THE OWNER OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT MAY APPLY FOR FUTURE AMENDMENTS IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

14. BINDING EFFECT OF THE REZONING APPLICATION

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

B. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF. 1

DESIGN RESOURCE GROUP

LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

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

NORTH CAROLINA CORPORATE SEAL C-95 C-2165 NCBELS DESIGN RESOURCE GROUP, P.A.

REZONING PETITION
FOR PUBLIC HEARING
2016-046

REZONING PLANS

CENTRAL STORAGE

CHARLOTTE, NORTH CAROLINA

1101 CENTRAL GROUP, LLC
P.O. BOX 958
DAVIDSON, NC 28036

SCHEMATIC SITE PLAN

10 0 10 20
SCALE: 1" = 20'

PROJECT #: 588-001
DRAWN BY: DK
CHECKED BY: TH

JANUARY 21, 2016

REVISIONS:
1 03.21.16 PER CITY REVIEW
2 04.18.16 PER CITY REVIEW

RZ1.00

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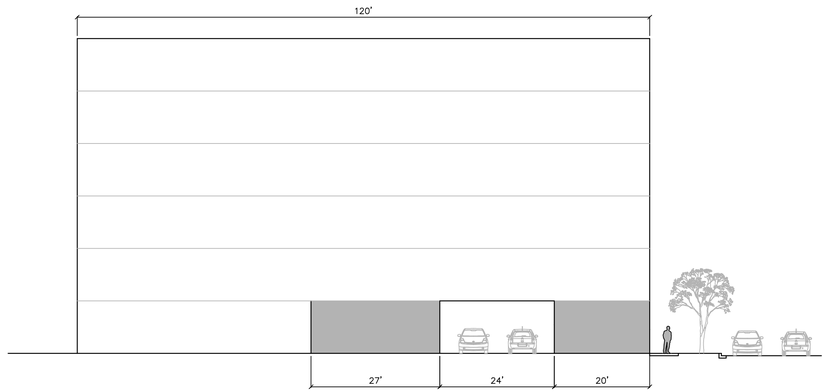
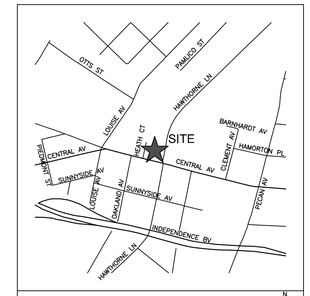
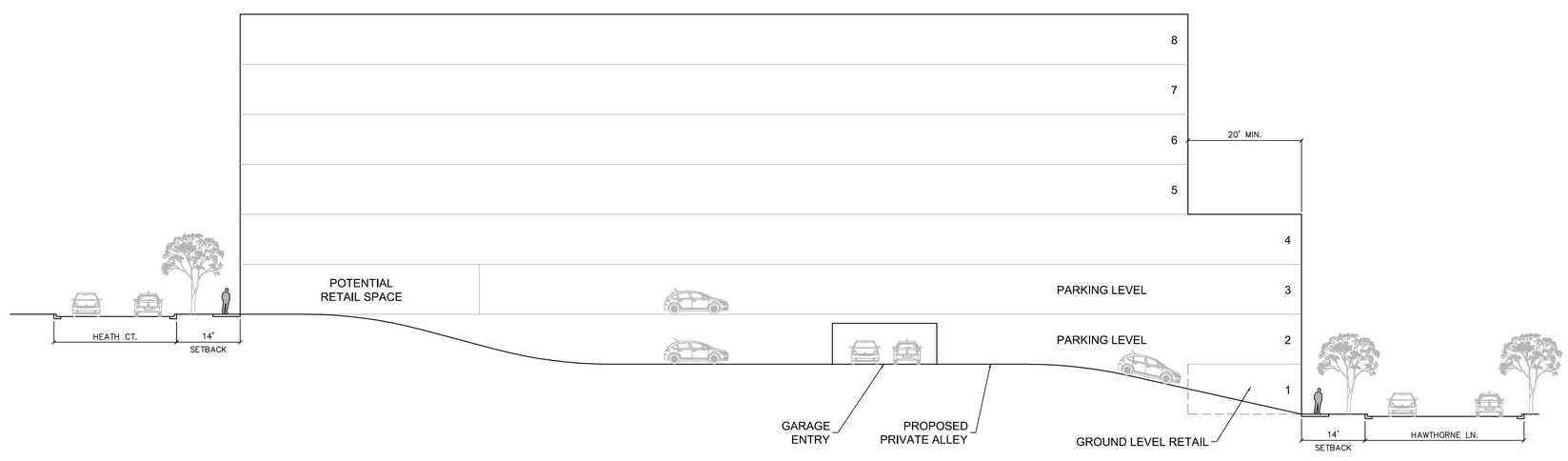


BUILDING ELEVATION - HEATH COURT
N.T.S.



VICINITY MAP N.T.S.



BUILDING SECTION
N.T.S.

1

DESIGN RESOURCE GROUP
LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING
O P W
2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
704.343.0608
www.drgrp.com

NORTH CAROLINA CORPORATE SEAL C-95 C-2165 NCBELS DESIGN RESOURCE GROUP, P.A.

REZONING PETITION
FOR PUBLIC HEARING
2016-XXX

REZONING PLANS

CENTRAL STORAGE

CHARLOTTE, NORTH CAROLINA

1101 CENTRAL GROUP, LLC
P.O. BOX 958
DAVIDSON, NC 28036

BUILDING SECTIONS

SCALE: N.T.S.

PROJECT #: 588-001
DRAWN BY: DK
CHECKED BY: TH

JANUARY 21, 2016

REVISIONS:
1 03.21.16 PER CITY REVIEW

RZ2.00

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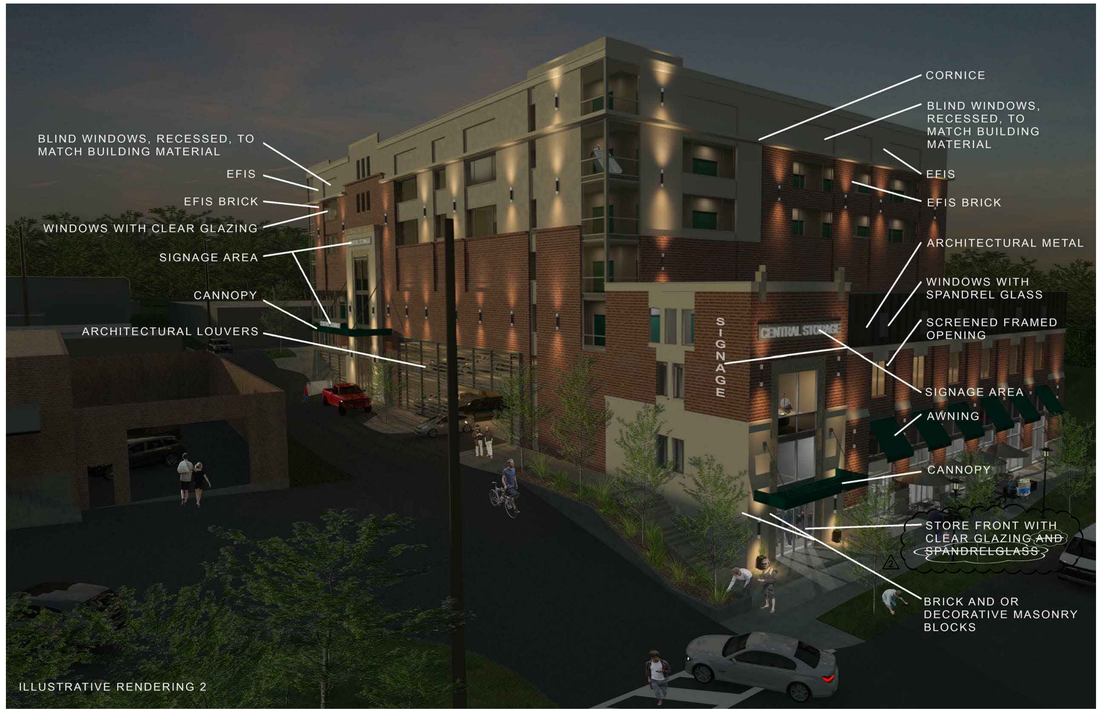

ILLUSTRATIVE RENDERING 2

ILLUSTRATIVE RENDERING 1

ILLUSTRATIVE RENDERING 3

ILLUSTRATIVE RENDERING 4

GENERAL NOTE:

THESE RENDERINGS ARE CONCEPTUAL IN NATURE, AND ARE INTENDED TO ILLUSTRATE THE GENERAL APPEARANCE OF THE BUILDING. CHANGES AND ALTERATIONS WHICH DO NOT SUBSTANTIALLY AFFECT THE OVERALL APPEARANCE SHALL BE PERMITTED BASED ON THE FINAL DESIGN AND CONSTRUCTION DRAWINGS.

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DESIGN RESOURCE GROUP

LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

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704.343.0608
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NORTH CAROLINA CORPORATE SEAL C-95 C-2165 NCBELS DESIGN RESOURCE GROUP, P.A.

REZONING PETITION
FOR PUBLIC HEARING
2016-046

REZONING PLANS

CENTRAL STORAGE

CHARLOTTE, NORTH CAROLINA

1101 CENTRAL GROUP, LLC
P.O. BOX 958
DAVIDSON, NC 28036

ILLUSTRATIVE RENDERINGS

SCALE: N.T.S.

PROJECT #: 588-001
DRAWN BY: DK
CHECKED BY: TH

JANUARY 21, 2016

REVISIONS:
1 03.21.16 PER CITY REVIEW
2 04.18.16 PER CITY REVIEW

RZ3.00

G:\DESIGN\PROJ\588-001 STEWART - CENTRAL STORAGE\DWG\DRG - PLOT SHEETS\R-REZONE

Agenda #: 24.**File #:** 15-3219 **Type:** Zoning Hearing

Rezoning Petition: 2016-050 by Marnicaly at UNCC, LLC

Location: Approximately 2.59 acres located on the west side of Old Concord Road between Suther Road and John Kirk Drive. (Council District 4 - Phipps)

Current Zoning: INST (institutional)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to the curb line location on Old Concord Road and the site's vehicular circulation.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map
Site Plan
Previously Approved Site Plan

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-050
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: INST (Institutional) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 2.59 acres located on the west side of Old Concord Road between Suther Road and John Kirk Drive in the University City area. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes the redevelopment of two developed single family lots in the University City area for up to 26 duplex dwelling units in 13 buildings, at a density of 10 units per acre.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Marnicaly at UNCC, LLC Marnicaly at UNCC, LLC John Carmichael, Robinson Bradshaw
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1

STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues related to the curb line location on Old Concord Road and the site's vehicular circulation. <u>Plan Consistency</u> The petition is consistent with the *Northeast District Plan*, which recommends multi-family land uses for this site, and meets the *General Development Policies* locational criteria for consideration of up to 11 dwellings per acre. <u>Rationale for Recommendation</u> • The subject property is surrounded by multi-family housing on the west side of Old Concord Road. • The site is within close proximity to UNC Charlotte's main campus and the Carolina's Medical Center University Hospital and could offer a conveniently located housing choice for students and employees. • The design of the site respects the character of Old Concord Road, by providing generous setbacks. • The proposal also includes a 12-foot wide multi-use path along the Old Concord Road frontage intended for use by bicyclists and pedestrians. • The site plan proposes a new street off of Old Concord Road, setting up a future street network for an area, between Old Concord Road and University City Boulevard, that is generally lacking in connectivity.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Proposes up to 26 duplex units in 13 buildings, at a density of 10 dwelling units per acre, with accessory uses such as a clubhouse and fitness center. Clubhouse building will not exceed 1,800 square feet.
  - Limits maximum building height to two stories and 40 feet.
  - Allows open space located adjacent to the clubhouse to be passive open space or be improved with active recreational uses such as a swimming pool, volleyball court and/or other active recreational uses that serve the residents.
  - Provides an internal system of sidewalks.
  - Proposes a 10-foot multi-use trail and six-foot planting strip along the frontage on Old Concord Road.
  - Proposes a public street (local residential street classification), with an eight-foot sidewalk and eight-foot planting strip along both sides to be installed and stubbed to abutting property to the

west. Vehicular access points into the site from this new public street may be gated at the option of the petitioner.
- Provides reverse angled on-street parking along the proposed public street.
- Provides building elevations reflecting views from the front, side and rear.
- Limits primary exterior building materials to brick and stone. Vinyl is not permitted as an exterior building material except it may be utilized on the soffits, trim and railings and vinyl windows may be installed.
- Proposes two vehicular access points on Old Concord Road.
- Provides an enclosure for dumpster and recycling.
- Requires a bus stop waiting pad for a future bus stop on Old Concord Road be constructed prior to the issuance of a certificate of occupancy for the first new building to be constructed.
- Provides that additional property needed to extend the existing right-of-way for Old Concord Road be dedicated and conveyed to the City of Charlotte prior to the issuance of a certificate of occupancy for the first new building to be constructed.
- Provides a minimum four-foot separation between the back of a sidewalk or a multi-use path and a building entrance.
- Provides that all entrances into duplex dwelling units be located a minimum of 12 inches above the grade of the adjacent sidewalk.
- Provides that the Petitioner will install large maturing evergreen trees on the site side of an existing fence on an abutting parcel immediately to the south of the site if the petitioner obtains written permission from the owner.

- **Existing Zoning and Land Use**
  - The subject property is developed with two single family detached dwellings.
  - Surrounding properties between the west side of Old Concord Road and University City Boulevard are zoned INST (institutional), INST(CD) (institutional, conditional), R-9MF(CD) (multi-family residential, conditional), R-4 (single family residential), R-17MF (multi-family residential), R-12 MF (multi-family residential) and O-1(CD) (office, conditional).
  - Land uses include single family dwellings, multi-family apartments and condominiums, a child care center and two religious institutions.
  - A rail line runs parallel with Old Concord Road, and to the east of Old Concord Road exist single family residential dwellings in R-3 and R-5 (single family residential) zoning.
  - See “Rezoning Map” for existing zoning in the area.

- **Rezoning History in Area**
  - Petition 2014-61 approved a site plan amendment for 10 acres located on the south side of Suther Road between Old Concord Road and Sandburg Avenue to allow 70,888 square feet of building area through redevelopment of existing buildings, building additions and/or new buildings associated with a religious institution.

- **Public Plans and Policies**
  - The *Northeast District Plan* (1996) recommends multi-family residential uses for this site.
  - The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for consideration of up to 11 dwellings per acre as illustrated in the table below.

Assessment Criteria	**Density Category – up to 11 DUA**
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	3 (High)
Connectivity Analysis	4 (Medium-High)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Minimum Points Needed: 12	**Total Points: 14**

- **TRANSPORTATION CONSIDERATIONS**
  - This site has direct access to an existing minor thoroughfare that parallels the Norfolk-Southern Railroad. This plan complies with the general transportation policy goals, including creating a local street network and implementing bicycle and pedestrian facilities. CDOT has not identified any negative impacts to the transportation facilities in the area. However, CDOT and the petitioner have not yet come to an agreement on the proposed one-way circulation.

- **Vehicle Trip Generation:**
  Current Zoning:
  Existing Use: 29 trips per day (based on 2 single family dwellings).
  Entitlements: Too many uses to determine trips per day in the INST (institutional) district.
  Proposed Zoning: 200 trips per day (based on 26 duplex dwelling units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate one student, while the development allowed under the proposed zoning will produce three students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is two students. The proposed development is not projected to increase the school utilization (without mobile classroom units) for Newell Elementary (131%), Martin Middle (87%) and Vance High (116%)
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water currently does not have water system availability via a water distribution main. The closest water distribution main is approximately 900 feet south of the property at the intersection of Old Concord Road and Suther Road. The applicant should contact Charlotte Water's New Services at (704) 432-5801 for more information regarding accessibility to water system connections. Charlotte Water currently has sewer system availability for the rezoning boundary via an existing eight-inch sewer main located along Old Concord Road.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** Development of this site may require submission of an asbestos Notification of Demolition and Renovation to Mecklenburg County Air Quality (MCAQ) due to possible demolition or relocation of an existing structure. A letter of notification and the required forms have been mailed directly to the petitioner by MCAQ.

  Ground Water Services records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. An established Area of Regulated Groundwater Usage (ARGU) as defined by the Mecklenburg County Groundwater Well Regulations extends 1,500 feet around the contamination sites. In ARGU where municipally supplied water is available, water supply wells for water supply, irrigation or open loop geothermal systems may not be permitted or constructed on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Transportation

1. The proposed zoning district has a setback measured from an existing or proposed future curbline. The location of the future back of curb along the site's Old Concord Road frontage needs to be 35.5 feet as measured from the existing edge of pavement on the east side of Old Concord Road. This curbline should be constructed with the petition and right-of-way dedicated to include two feet behind the permanent sidewalk location.
2. CDOT does not support the proposed one-way circulation plan that requires drivers to use Old Concord Road to access the site's parking from a certain driveway. The site plan needs to be revised so that the proposed surface parking aisles and angle parking spaces conform to a two-way traffic flow throughout the site.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review

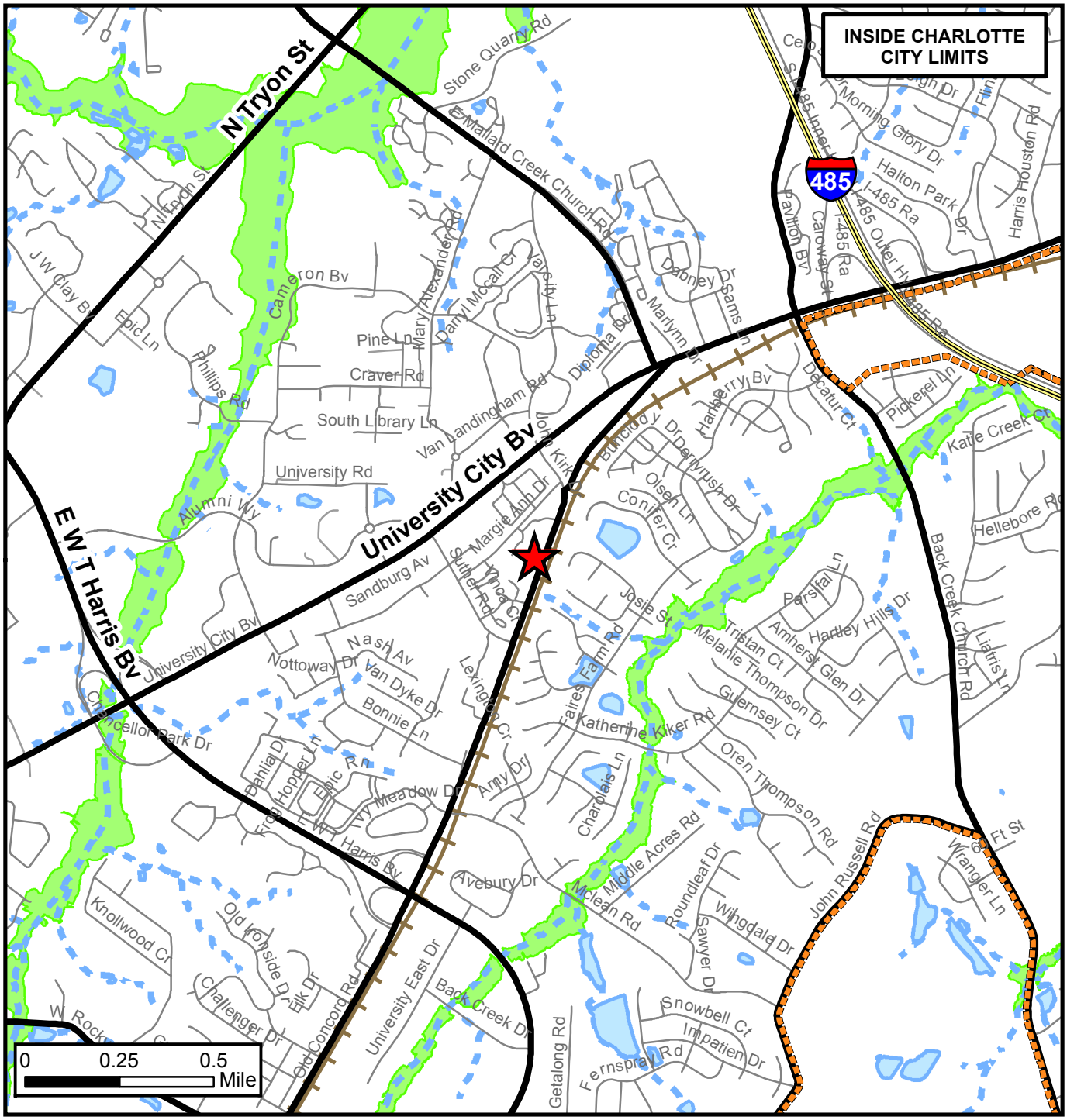
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

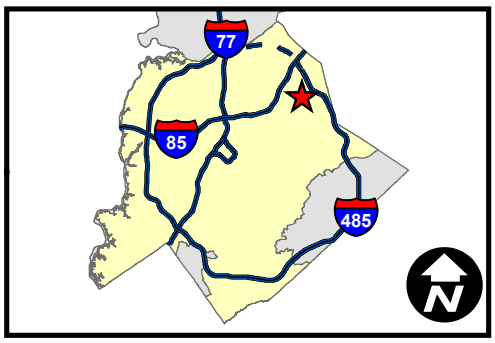
Planner: Sonja Strayhorn Sanders (704) 336-8327

Petition #: 2016-050

Vicinity Map

Acreage & Location : Approximately 2.59 acres located on the west side of Old Concord Road between Suther Road and John Kirk Drive.





Rezoning Petition: 2016-050

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Feb 8, 2016

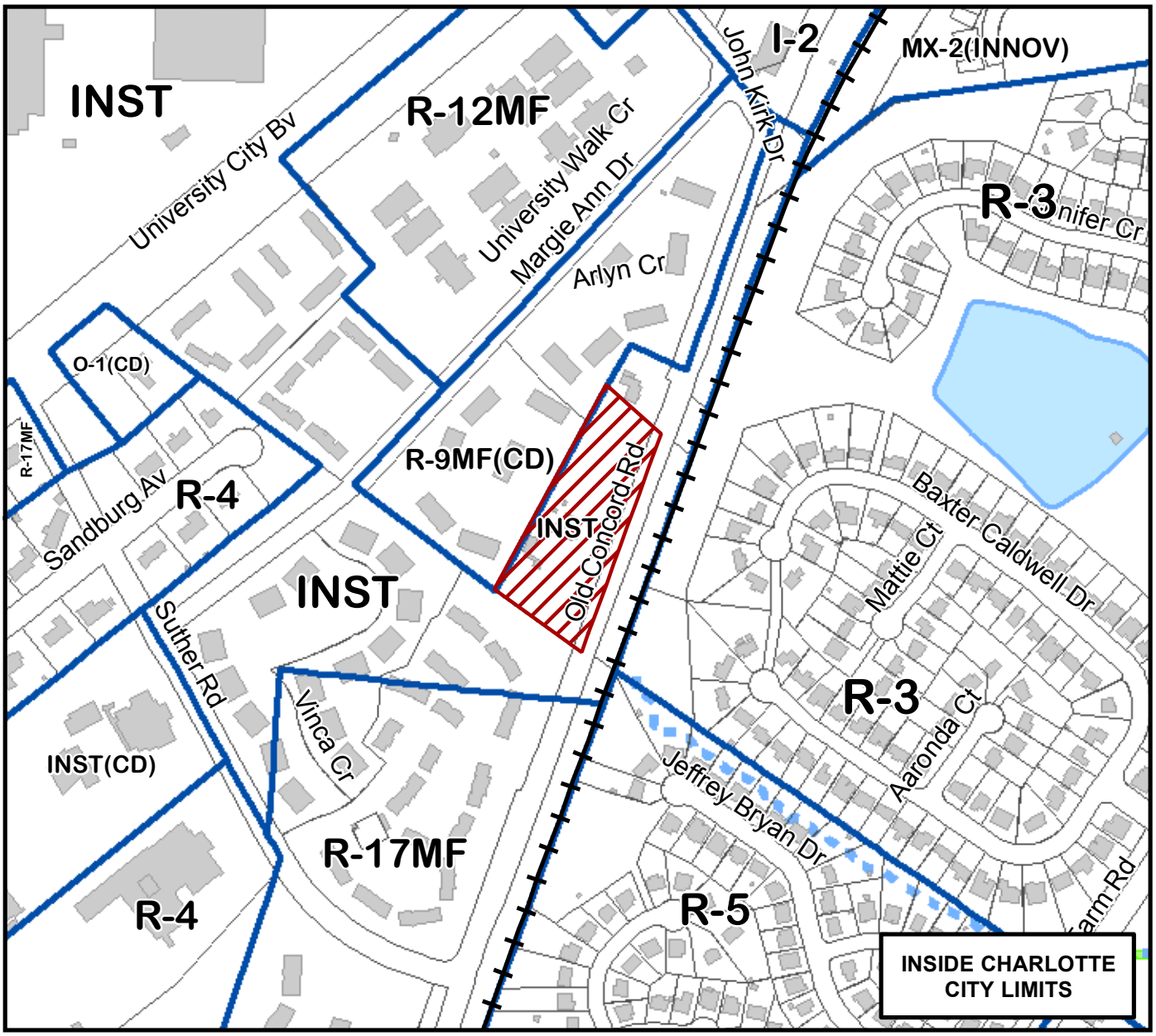
Petition #: 2016-050

Petitioner: Marnicaly at UNCC, LLC

Zoning Classification (Existing): INST
(Institutional)

Zoning Classification (Requested): UR-2(CD)
(Urban Residential, Conditional)

Acreage & Location: Approximately 2.59 acres located on the west side of Old Concord Road between Suther Road and John Kirk Drive.



Map Produced by the Charlotte-Mecklenburg Planning Department, 2-1-2016.

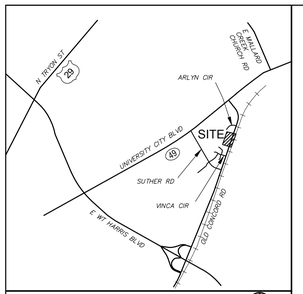
0 125 250 500 750 1,000 Feet

N

Zoning Map #(s)
57, 72

Requested UR-2(CD) from INST

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

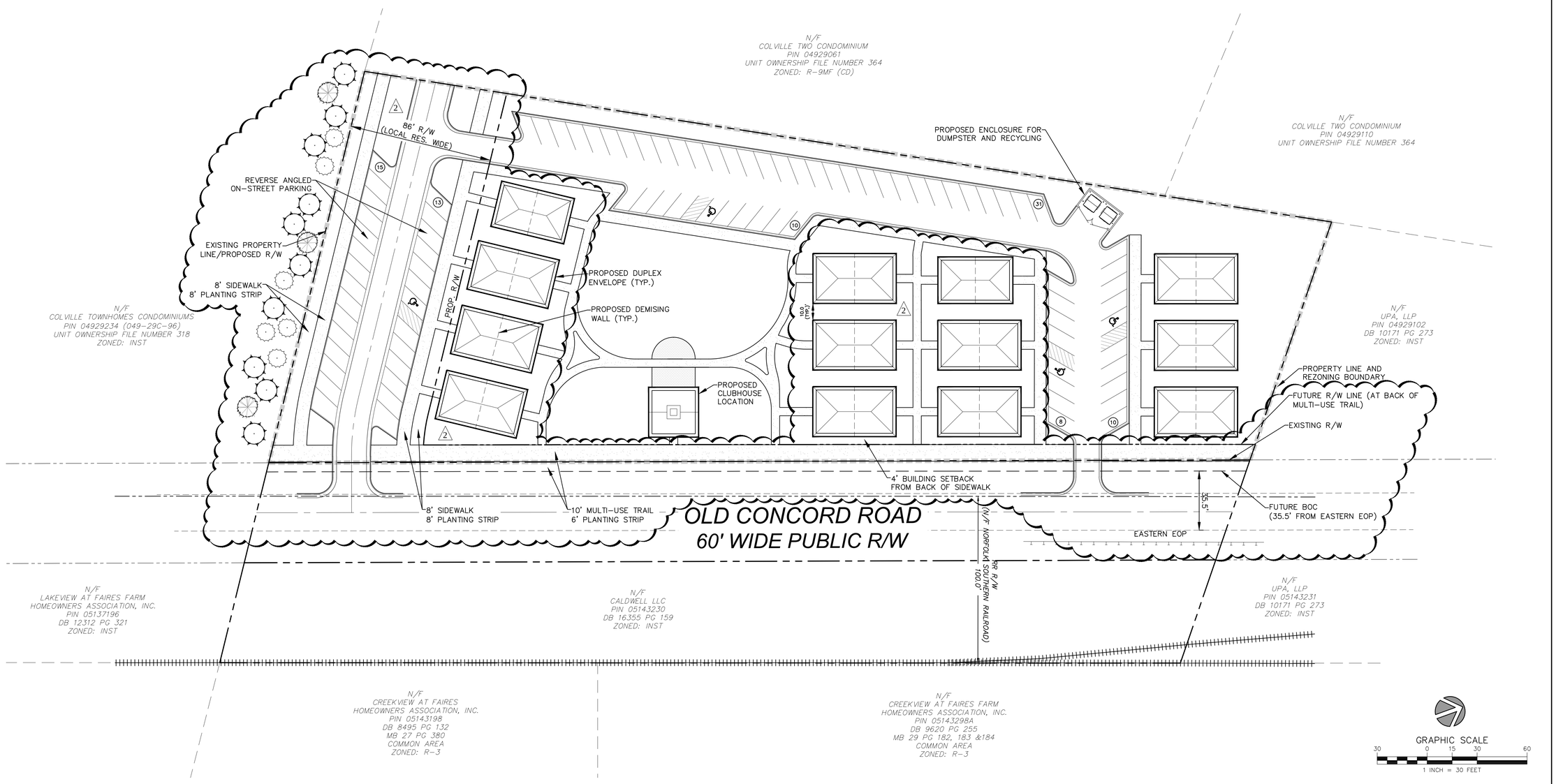


VICINITY MAP

NTS

DEVELOPMENT SUMMARY

TAX PARCEL ID #:	049-291-01
TOTAL SITE AREA:	± 2.59 AC
EXISTING ZONING:	INST
PROPOSED ZONING:	UR-2(CD)
PROPOSED USE:	MF RESIDENTIAL (26 DUPLEX UNITS W/N 13 BUILDINGS)
DENSITY:	10.03 UNITS/ACRE
FLOOR AREA RATIO:	0.42
PARKING REQUIRED:	1 PER UNIT
PARKING PROVIDED:	
ON-SITE:	59
ON-STREET:	28
TOTAL:	87 SPACES



REZONING PETITION #2016-050

URBAN DESIGN PARTNERS
1318-e6 central ave. p 704.334.3303
charlotte, nc 28205 f 704.334.3305
urbandesignpartners.com

Marnicaly at UNCC, LLC
Mr. Kevin Shea

4620 Town and Country Drive
Charlotte, NC 28226

MARNICALY UNCC

Rezoning Site Plan

Charlotte, NC

NO.	DATE:	BY:	REVISIONS:
1	2.26.16	UDP	PER STAFF COMMENTS
2	4.18.16	UDP	PER STAFF COMMENTS

Project No: 15-130
Date: 01.25.16
Designed by: udp
Drawn By: udp
Scale: 1"=30'
Sheet No:

RZ-1.0

FRONT ELEVATION - FACING OLD CONCORD ROAD

REAR ELEVATION

SIDE ELEVATION - FACING GREEN SPACE AND NEW STREET

DEVELOPMENT STANDARDS

A. General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Marnicaly at UNCC, LLC ("Petitioner") to accommodate the development of a residential community on that approximately 2.59 acre site located on the west side of Old Concord Road, south of the intersection of Old Concord Road and John Kirk Drive, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel No. 049-291-01.

2. 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").

3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 zoning district shall govern the development and use of the Site.

4. Future amendments or modifications to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations or modifications to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

B. Permitted Uses

1. The Site may be devoted only to a residential community containing a maximum of 26 duplex dwelling units located in 13 buildings and to any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district. Incidental and accessory uses may include, without limitation, amenities for the residents, such as a clubhouse and fitness center.

2. A clubhouse building may be constructed on the Site in the general location depicted on the Rezoning Plan. The maximum size of this clubhouse building shall be 1,800 square feet of gross floor area. The clubhouse building may contain, among other things, a leasing and management office and amenities such as a fitness center, a recreation room and meeting space.

3. The open space area located on the Site adjacent to the clubhouse may remain passive open space, or, at the option of Petitioner, it may be improved with active recreational uses such as a swimming pool, a volleyball court and/or other active recreational uses that serve the residents.

C. Transportation

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.

2. A minimum of 59 parking spaces shall be provided on the Site.

3. The maximum number of parking spaces allowed on the Site in the UR-2 zoning district is 78 parking spaces. The on-street parking spaces located on the new local public street to be constructed and installed on the Site shall not be considered or counted when determining the maximum number of parking spaces located on the Site.

4. 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.

5. Prior to the issuance of a certificate of occupancy for the first new building to be constructed on the Site, Petitioner shall construct a bus stop waiting pad for the future bus stop on Old Concord Road adjacent to the Site. The bus stop waiting pad shall be located entirely within the right of way, and the precise location of the bus stop waiting pad shall be determined during the permitting process. The bus stop waiting pad shall be constructed to CATS Development Standard 60.01B. Petitioner's obligation to construct the bus stop waiting pad shall be subject to Petitioner's ability to obtain all approvals and permits required to construct it. CATS shall be responsible for the installation and maintenance of any bench and/or shelter.

6. Prior to the issuance of a certificate of occupancy for the first new building to be constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Old Concord Road that are necessary to extend the existing right of way for Old Concord Road to the back of the 10 foot wide multi-use path to be installed along the Site's frontage on Old Concord Road as generally depicted on the Rezoning Plan.

7. Petitioner shall construct and install a local public street between Old Concord Road and the western boundary line of the Site as generally depicted on the Rezoning Plan. This local public street shall be built to the local residential wide typical street section as specified in the Charlotte Land Development Standards.

8. The vehicular access points into the Site from the new local public street to be constructed and installed on the Site and Old Concord Road may be gated at the option of Petitioner.

D. Architectural Standards

1. The maximum height in stories of each duplex building shall be 2 stories.

2. The maximum height in feet of each duplex building shall be 40 feet as measured from the average grade at the base of each duplex building.

3. Attached to the Rezoning Plan are conceptual architectural images of the front (Old Concord Road facing) elevations of the duplex buildings to be located on the Site that are intended to depict the general conceptual architectural style and character of the front elevations of the duplex buildings to be located on the Site. Accordingly, the front (Old Concord Road facing) elevations of the duplex buildings to be located on the Site shall be designed and constructed so that such elevations are substantially similar in appearance to the attached conceptual architectural images with respect to architectural style and character. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style and character shall be permitted.

4. Attached to the Rezoning Plan are conceptual architectural images of the rear or western facing elevations of the duplex buildings to be located on the Site that are intended to depict the general conceptual architectural style and character of the rear elevations of the duplex buildings to be located on the Site. Accordingly, the rear elevations of the duplex buildings to be located on the Site shall be designed and constructed so that such elevations are substantially similar in appearance to the attached conceptual architectural images with respect to architectural style and character. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style and character shall be permitted.

5. Attached to the Rezoning Plan are conceptual architectural images of the side (southern and northern facing) elevations of the duplex buildings to be located on the Site that are intended to depict the general conceptual architectural style and character of the side elevations of the duplex buildings to be located on the Site. Accordingly, the side (southern and northern facing) elevations of the duplex buildings to be located on the Site shall be designed and constructed so that such elevations are substantially similar in appearance to the attached conceptual architectural images with respect to architectural style and character. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style and character shall be permitted.

6. As depicted on the attached conceptual architectural images, the primary exterior building materials for the duplex buildings shall be brick and stone. Vinyl shall not be a permitted exterior building material provided, however, that vinyl may be utilized on the soffits, trim and railings and vinyl windows may be installed on the duplex buildings.

7. A minimum 4 foot separation shall be provided between the back of a sidewalk or a multi-use path and a building entrance.

8. All entrances into duplex dwelling units shall be located above the grade of the adjacent sidewalk, and the entrances shall be located a minimum of 12 inches above the average grade of the adjacent sidewalk.

E. Streetscape/Landscaping

1. A 6 foot wide planting strip and a 10 foot wide multi-use path shall be installed along the Site's frontage on Old Concord Road as generally depicted on the Rezoning Plan.

2. An 8 foot wide sidewalk and an 8 foot wide planting strip shall be installed along the southern side of the new local public street to be constructed and installed on the Site as generally depicted on the Rezoning Plan.

3. An 8 foot wide sidewalk and an 8 foot wide planting strip shall be installed along the northern side of the new local public street to be constructed and installed on the Site as generally depicted on the Rezoning Plan.

4. An existing fence is located on that abutting parcel of land located immediately to the south of the Site (the "Abutting Parcel") near the Abutting Parcel's common boundary line with the Site. The Abutting Parcel is designated as Tax Parcel No. 049-29C-96. In the event that Petitioner obtains the written permission from the owner of the Abutting Parcel, Petitioner shall install large maturing evergreen trees on the Abutting Parcel on the Site side of this existing fence as generally depicted on Rezoning Plan to provide screening.

F. Environmental

1. Development of the Site shall comply with the requirements of the City of Charlotte Tree Ordinance.

G. Lighting

1. All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.

2. The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed 21 feet.

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

H. Binding Effect of the Rezoning Documents and Definitions

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

2. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

3. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

REZONING PETITION #2016-050

URBAN DESIGN PARTNERS

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charlotte, nc 28205 F 704.334.3305
urbandesignpartners.com

Marnicaly at UNCC, LLC
Mr. Kevin Shea

4620 Town and Country Drive
Charlotte, NC 28226

MARNICALY UNCC

Architetecural Elevations & Notes
Charlotte, NC

NO.	DATE:	BY:	REVISIONS:
1	2.26.16	UDP	PER STAFF COMMENTS
2	4.18.16	UDP	PER STAFF COMMENTS

Project No: 15-130
Date: 01.25.16
Designed by: udp
Drawn By: udp
Scale: NTS
Sheet No:

RZ-2.0

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 25.**File #:** 15-3223 **Type:** Zoning Hearing

Rezoning Petition: 2016-057 by FedEx Ground Package System, Inc

Location: Approximately 16.5 acres located on the west side of Toddville Road between Freedom Drive and CSX Way. (Council District 3 - Mayfield)

Current Zoning: R-17MF (LLWPA) (multi-family residential, Lower Lake Wylie protected area)
Proposed Zoning: I-2(CD) (LLWPA) (general industrial, conditional, Lower Lake Wylie Protected Area, 5-Year Vested Rights.

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to land use, transportation, environment and requested technical revisions.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map
Site Plan

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-057
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: R-17MF LLWPA (multi-family residential, Lower Lake Wylie Protected Area) Proposed Zoning: I-2(CD) LLWPA (general industrial, conditional, Lower Lake Wylie Protected Area), with five-year vested rights
LOCATION	Approximately 16.5 acres located on the west side of Toddville Road, north of Freedom Drive (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to allow an offsite parking lot expansion south of the existing FedEx ground facility located in an industrial area south of Rozzelles Ferry Road and north of Freedom Drive on primarily undeveloped acreage.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Janet N. Hicks and Frances N. Jones FedEx Ground Package System, Inc. M. Jay DeVaney
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 5

STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues related to land use, transportation, environment and requested technical revisions. <u>Plan Consistency</u> The petition is inconsistent with the *Northwest District Plan* recommendation for single family residential uses up to four units per acre. <u>Rationale for Recommendation</u> • The proposed rezoning will allow a primarily vacant site to be used for employee and tractor trailer truck parking for the nearby FedEx facility. • The subject property is located adjacent to industrial uses and the Mount Holly Road /Highway 16 Industrial Activity Center on the north and east, and residential development on the south and east. • The site layout has been designed to minimize impacts on abutting residential development by locating the parking on the portion of the site furthest away from the nearby residential properties, and by providing significant natural buffers and screening between the parking and residential uses. • The proposal will support the expansion of the existing FedEx facility, which is growing in part due to the improved access to I-85 via the recently widened Freedom Drive. • In addition, the character of the area has changed since the plan was adopted in 1990, and the use is consistent and compatible with the existing development pattern which has a greater emphasis on industrial/warehouse uses in the area.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Provides an offsite parking lot expansion of existing FedEx Ground facility with 247 tractor spaces, 80 employee auto spaces, and 60 future trailer parking spaces. There will be no customer parking.
  - Prohibits several uses permitted by right and under prescribed conditions in the I-2 (general industrial) district.
  - Provides 100-foot “Class A” buffers along all property lines abutting residential zoning and/or use, and a 50-foot (one-half) “Class A” buffer along the portion of the property line along

Toddville Road.
- Grants five feet of additional right-of-way along property line for Toddville Road.
- Proposes precast segmental block retaining walls (27 feet in height) where required to minimize site disturbance within the development.
- Proposes maximum height of freestanding light fixtures and poles installed on the site not to exceed 42 feet.

- **Existing Zoning and Land Use**
  - A single family home with associated accessory buildings is located on a portion of the subject property with the majority of the property being undeveloped.
  - To the north are undeveloped acreage, the FedEx Ground facility, and Duke Power Operation Center and Asset Recovery on properties zoned I-2 LLWPA (general industrial, Lower Lake Wylie Protected Area).
  - East are two single family homes, undeveloped acreage and office/industrial/warehouses uses zoned I-2 LLWPA (general industrial, Lower Lake Wylie Protected Area) and I-2(CD) LLWPA (general industrial, conditional, Lower Lake Wylie Protected Area).
  - South are single family attached (townhomes) and detached residential homes, vacant land, and religious institutions zoned R-4 LLWPA (single family residential, Lower Lake Wylie Protected Area), R-5 LLWPA (single family residential, Lower Lake Wylie Protected Area), and R-17MF LLWPA (multi-family residential, Lower Lake Wylie Protected Area).
  - To the west is a single family detached residential subdivision zoned R-4 LLWPA (single family residential, Lower Lake Wylie Protected Area).
  - See "Rezoning Map" for existing zoning in the area.

- **Rezoning History in Area**
  - There have been no rezonings in the immediate area in recent years.

- **Public Plans and Policies**
  - The adopted land use for this site is single family up to four dwelling units per acre, per the *Northwest District Plan* (1990).
  - The site is bordered on the north and east by the Mount Holly Road/Highway 16 Industrial Activity Center, per the *Centers Corridors & Wedges Growth Framework*.

- **TRANSPORTATION CONSIDERATIONS**
  - This site has direct access to an existing minor thoroughfare with security gates at each driveway entrance. The primary concern for this site is the potential for large tractor-trailer vehicles to block southbound Toddville Road due to insufficient driveway stem length while waiting for gate access. If the outstanding issue is not resolved, this would likely negatively impact the operation of Toddville Road which provides north-south access to the adjacent Mount Holly/Highway 16 Industrial Activity Center. Additionally, this site is within the Northwest Wedge where CDOT's transportation goals are to provide a multimodal transportation system to provide access to the adjacent activity center. The site plan does not indicate that these concerns and goals have been addressed.
  - See Outstanding Issues, Notes 3-6.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 0 trips per day (based on a vacant single family structure).
    Entitlement: 1,800 trips per day (based on 280 multi-family dwelling units allowed in the R-17MF (multi-family) zoning).
    Proposed Zoning: 1,300 trips per day (based on 245 tractor trailer truck parking and 85 employee parking spaces).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See Outstanding Issues, Note 7.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Solid Waste Services:** No comments received.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** See Outstanding Issues, Note 8.
- **Charlotte Water:** Charlotte Water does not currently have sewer system availability for the parcels under review. The closest sewer main is approximately 140 feet south of the southeast

corner of the property at the intersection of Toddville Road and Brooktree Drive. If the applicant requires sewer service for the proposed parking, the applicant should contact Charlotte Water's New Services at (704) 432-5801 for more information regarding accessibility to sewer system connections.

- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** Because the proposed development will likely attract commuter trips, MCAQ recommends that the petitioner provide "preferred" (attractive, conveniently located, or reduced cost) parking for "Clean Commuters" (carpool, vanpool, hybrid vehicles and/or electric vehicles).
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Land Use

1. Amend Note 3 Permitted Uses to allow only parking for employees, tractor trailer trucks and trailers.
2. Remove the list of prohibited uses from the site plan, as the only permitted use is the proposed uses allowed in Note 3.

Transportation

3. Revise the site plan to indicate a future cross-connection between the tractor parking and future trailer parking.
4. Revise the site plan to provide approximately 70 feet of truck storage length between the proposed driveway security gates stop line and the building setback line, so vehicles waiting for the gate to open do not maneuver within the site's building setback, per the zoning ordinance (i.e. both proposed site driveways).
5. Toddville Road is planned to be built as an USDG Avenue Typical Section with three 11-foot travel lanes, five-foot bike lanes, two and one-half-foot curb and gutter, eight-foot planting strip, and six-foot sidewalk plus two feet. Therefore, CDOT requires the petitioner to dimension and label the proposed future back of curb to be located 24 feet as measured from Toddville Road's existing centerline and provide sidewalk easement for any portion of the described cross section that falls outside of the public right of way (35 feet from existing centerline). Conditional Transportation Note 4d is not acceptable and should be deleted. (This note states that the petitioner declines to add a bike lane along Toddville Road for various reasons.) Bike lanes are designated on all major and minor thoroughfares, including Toddville Road as approved by City Council's 2008 Bike Plan.
6. The petitioner needs to revise the site plan to add a conditional Transportation note stating: "All proposed transportation improvements shall be implemented before the Phase 1 Parking Lot is operational."
7. Provide and construct a bus stop waiting pad for the existing bus stop on Toddville Road, per image of standard detail (60.01E) for the requested bus stop pad. This site is located on an existing bus route.

Environment

8. Show most restrictive buffer requirements per Lower Lake Wylie Watershed Overlay (Charlotte Zoning Ordinance) and Post-Construction Stormwater Ordinance, and adjust construction/disturbance limits accordingly. Perennial and intermittent streams delineated on the rezoning plan are subject to stream buffer requirements.

REQUESTED TECHNICAL REVISIONS

Other

9. Amend the proposed zoning to reflect five-year vested rights as identified on the rezoning application.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Storm Water Services Review

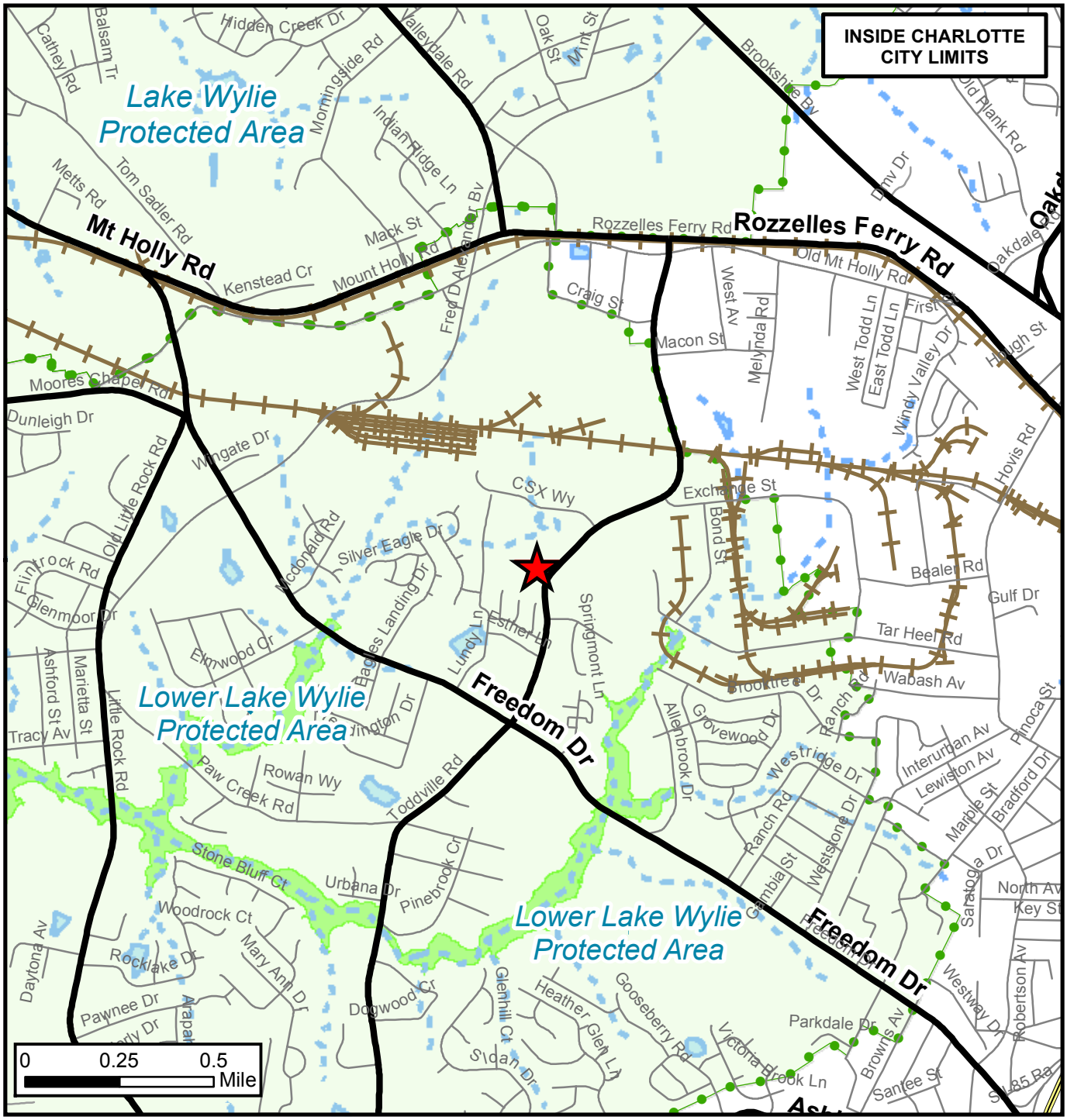
- Charlotte Water Review
- Charlotte Fire Department
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

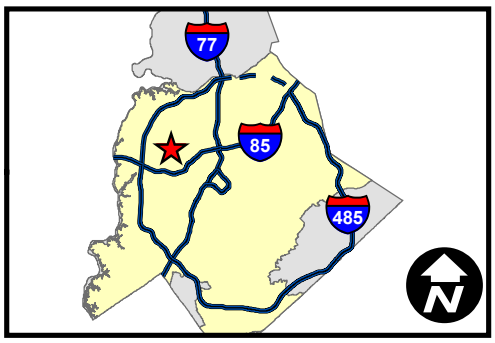
Planner: John Kinley (704) 336-8311

Petition #: 2016-057

Vicinity Map

Acreage & Location : Approximately 16.5 acres located on the west side of Toddville Road between Freedom Drive and CSX Way.





Rezoning Petition: 2016-057

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

March 28, 2016

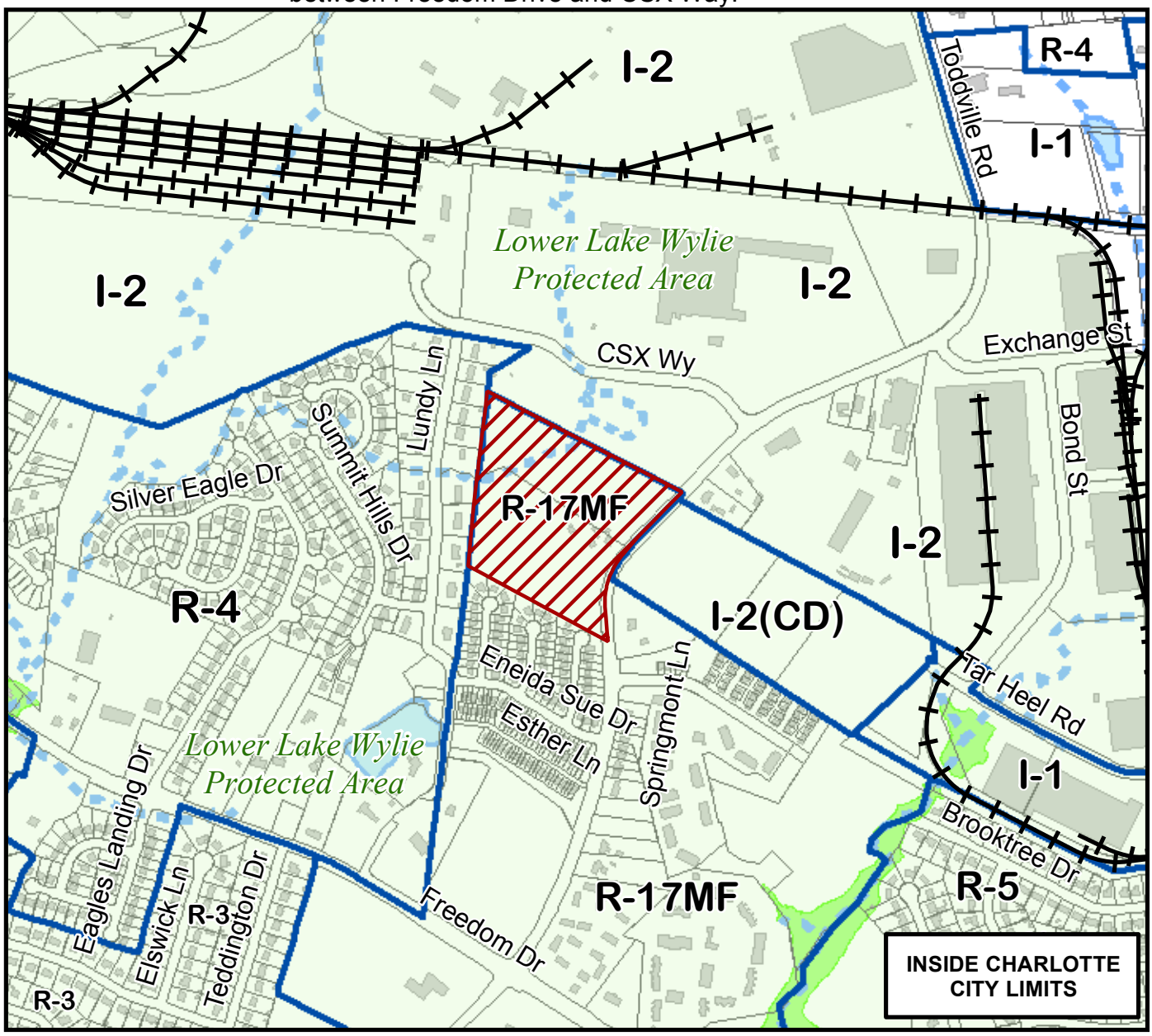
Petition #: 2016-057

Petitioner: FedEx Ground Package Systems, Inc.

Zoning Classification (Existing): R-17MF (LLWPA)
(Multi-Family, Residential, Lower Lake Wylie Protected Area)

Zoning Classification (Requested): I-2(CD) (LLWPA) 5-Year Vested Rights
(General Industrial, Conditional, Lower Lake Wylie Protected Area, Five Year Vested Rights)

Acreage & Location: Approximately 16.5 acres located on the west side of Toddville Road between Freedom Drive and CSX Way.



Map Produced by the Charlotte-Mecklenburg Planning Department, 3-22-2016.

0 250 500 1,000 1,500 2,000 Feet

N

Zoning Map #(s)
102

Requested 1-2(CD)(LLWPA) 5-Year Vested Rights from R-17MF(LLWPA)

- Existing Building Footprints
- Existing Zoning Boundaries
- Charlotte City Limits
- Pedestrian Overlay
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams
- Historic District

DEVELOPMENT DATA TABLE

1. **Development Data Table**
   a. Site Acreage: 16.5ac
   b. Tax Parcel No.(s) 05713121 and 05713137
   c. Existing Zoning: R-17 MF LLWPA
   d. Proposed Zoning: I-2(CD) LLWPA
   e. Existing Use: Vacant
   Proposed Use: Offsite parking lot expansion of existing FedEx Ground facility at 6604 CSX Way, with 247 tractor spaces and 80 employee auto spaces and 60 future trailer parking spaces. There will be no customer parking. The offsite lot will be enclosed with a chain link fence with 3 strands of barbed wire on top and will have key card gated access on Toddville Road
   f. Maximum Building Height: NA
   g. Maximum Number of Buildings: NA
   h. Number of Parking Spaces: *see* (e) above
   i. Amount of Open Space: 162,500+/- S.F. (3.7+/- Ac.)

VICINITY MAP

N.T.S.

SITE PLAN 2016-057

PETITIONER:

FEDEX GROUND PACKAGE SYSTEM, INC.
1000 FEDEX DRIVE
MOON TOWNSHIP, PA 15108

LEGEND

EXISTING ZONING BOUNDARIES

PROPOSED ZONING BOUNDARIES

PROPOSED BUFFER/ OPEN SPACE

GRAPHIC SCALE
60 30 0 60
SCALE IN FEET

BL Companies
ARCHITECTURE
ENGINEERING
PLANNING
LANDSCAPE ARCHITECTURE
LAND SURVEYING
ENVIRONMENTAL SCIENCES

355 Research Parkway
Meriden, CT 06450
(203) 630-1406
(203) 630-2615 Fax

NORTH CAROLINA PROFESSIONAL SEAL 042942 ENGINEER MICHELLE M. CARLSON

PROPOSED FEDEX PARKING EXPANSION REZONING PLAN
1208 TODDVILLE ROAD
CHARLOTTE, NC

REVISIONS

No.	Date	Desc.
1.	04/15/16	REVISED SITE LAYOUT

Designed	K.M.L.
Drawn	K.M.L.
Checked	M.C.C
Approved	M.C.C.
Scale	1"=60'
Project No.	15C5578
Date	02/05/16
CAD File	RZ15C5578 02C

Title
SITE PLAN
2016-057

Sheet No.
SHEET 1

Xref (s): ; XZ15C5578 01 ; XY15C5578 01

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Layout: RZ-01 24X36 60SC

THESE DRAWINGS SHALL NOT BE UTILIZED BY ANY PERSON, FIRM OR CORPORATION WITHOUT THE SPECIFIC WRITTEN PERMISSION OF BL COMPANIES

1. Development Data Table

a. Site Acreage: 16.5ac
b. Tax Parcel No.(s) 05713121 and 05713137
c. Existing Zoning: R-17 MF LLWPA
d. Proposed Zoning: I-2(CD) LLWPA
e. Existing Use: Vacant
Proposed Use: Offsite parking lot expansion of existing FedEx Ground facility at 6604 CSX Way, with 247 tractor spaces and 80 employee auto spaces and 60 future trailer parking spaces. There will be no customer parking. The offsite lot will be enclosed with a chain link fence with 3 strands of barbed wire on top and will have key card gated access on Toddville Road
f. Maximum Building Height: NA
g. Maximum Number of Buildings: NA
h. Number of Parking Spaces: *see* (e) above
i. Amount of Open Space: 162,500+/- S.F. (3.7+/- Ac.)

2. General Provisions

a. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by FedEx Ground Package System, Inc. (the "Petitioner") for an approximately 16.5 +/- acres site located on the west side of Toddville Road, south of CSX Way and north of Eneida Sue Drive.
b. The Site is comprised of Tax Parcel Nos. 057-131-21 and 057-131-37
c. Development of the Site will be governed by the Rezoning Plan, the Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
d. Unless the Rezoning plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the I-2(CD) LLWPA zoning district shall govern all development taking place on the site.
e. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout of the development and site improvements may be modified in accordance with applicable setback, yard and buffer requirements as depicted on the Rezoning Plan and the development standards. Any alterations and/or modifications shall not materially change the overall intent of the design depicted on the Rezoning Plan, and shall be in accordance with Section 6.207 of the Ordinance.
f. The Development of this site is proposed within two adjacent parcels that are to be consolidated. Therefore, any yard, buffer, building height separation requirements, and other similar standards required by zoning, shall not be required internally.
g. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by owners of the Site in accordance with provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to requirements set forth in Section 6.207 of the Ordinance.
h. This site does not require sanitary sewer at this time.

3. Permitted uses

Those uses permitted in the I-2 District excluding the following:

Section 9.1102. <u>Exclusions to Uses Permitted by Right</u>

(3) Animal Crematoriums
(5) Assembly or fabrication of previously manufactured parts, including but not limited to the following:
Apparel and other textile products
Electronic and other electric equipment, except electrical generator and distribution equipment
Fabric samples
Furniture and fixtures

Industrial machinery and equipment
Instruments and related products
Leather and leather products, excluding tanning or curing of hides
Lumber and wood products
Paper and allied products
Plastic and rubber products
Metal products
(6) Auction Sales
(15) Bus and train terminals
(23) Dry cleaning and laundry establishments
(24) Engraving
(33) Heliports and helistops, limited
(34)Heliports and helistops, unlimited (I-2 only)
(35)Highway and railroad rights-of-way
(39) Laboratories, for applied and basic research and testing of products, manufacture, processes or fabrication
(50) Pest control and disinfecting services
(52) Power generation plants (I-2 only)
(56) Railroad freight yards, repair shops and marshalling yards (I-2 only)
(57) Recycling centers, including drop-off centers
(60) Research uses
(66) Sign painting, exclusive of manufacture
(68.3)Tattoo establishment
(72) Truck stops (I-2 only)

Section 9.1103 <u>Exclusions To Uses Permitted under Prescribed Conditions</u>

(1) Abattoirs
(3) Adult Establishments
(12) Construction and demolition (C & D) landfills (I-2 only)
(16) Demolition landfills
(19) Foundries (I-2 only)
(20) Hotels and motels, expansion of existing nonconforming use (I-2 only)
(20.5) Indoor training and shooting facilities
(21) Jails and Prisons
(22) Junkyards (I-2 only)
(24) Land clearing and inert debris landfills (LCID): off-site
(26) Lumber mills and storage yards (I-2 only)
(27) Manufacturing (light) uses
(28) Manufacturing (heavy) uses (I-2 only)
(29) Medical waste disposal facilities
(38.1) Pet services indoor/outdoor
(41) Quarries, (I-2 only)
(42) Raceways and dragstrips
(43) Radio, telephone, cellular telephone and television masts, towers, antennae and similar structures
(44) Sanitary landfills (I-2 only)
(45) Shelters
(48) Solid waste transfer stations (I-2 only)
(49) Stadiums and arenas of no more than 5,000 seats
(51) Tire recapping and retreading
(53) Waste incinerators, excluding medical waste incinerators (I-2 only)

4. Transportation

a. The petitioner is granting 5 feet of additional right-of-way along the western margin of Toddville Road.
b. Proposed transportation improvements are to be constructed in conjunction with the Rezoning Plan. The location and configuration of each access point is subject to minor modifications as may be required by the Charlotte Department of Transportation during the site plan approval process.
c. As requested by CDOT, the petitioner agrees to widen the roadway cross section to include curb and gutter, an 8 foot planting strip, and a 6 foot wide sidewalk within the CDOT Right-of-Way.
d. The Petitioner respectfully declines to add a bike lane for the following reasons: Toddville Rd is used by a substantial amount of tractor trailer industrial traffic. An isolated 900 foot section of bike lane not connected with any other bike lanes creates a safety concern. The Charlotte Cycling Guide maps show no bike lanes contemplated for Toddville Rd. Other sections of Toddville Rd are developed to the right of way limits and there is no room for expansion of bike lanes in this area

5. Architectural Standards

a. Precast segmental block retaining walls are proposed where required to minimize disturbance within the Development.
b. Precast segmental block retaining walls to be designed by a Licensed Professional Structural Engineer.

6. Streetscape and Landscaping

a. Buffers shall be established on the Site as depicted on the Rezoning Plan and required by the Ordinance. Buffers shall conform to the standards of Section 12.302 and 9.1105 of the Ordinance. In addition, plans specify the establishment of 100 foot buffers located adjacent to residential zoned property, where existing trees are to remain undisturbed. The landscape buffer along Toddville Road will be planted with trees and shrubs similar to those in the existing buffer on Toddville Road on the adjacent parcel located northeast of this site.
b. Should an adjacent parcel of land be rezoned to a zoning district or be devoted to a use that eliminates or reduces the buffer requirement on the Site, the Petitioner may eliminate, or reduce, as the case may be, the relevant buffer areas accordingly.
c. Streetscape landscaping shall be included in accordance with Ordinance and will be similar to the landscaping of the applicant's parking to the north of the site along Toddville Road.
d. Tree save areas will be a minimum of 30 feet.

7. Environmental Features

a. Stan Armstrong, Charlotte Urban Forester, confirmed that a tree survey would not be required for this application, and that a minimum of 15% of the existing trees shall remain on site. The petitioner intends to maintain a 100' buffer adjacent to residential property where all existing trees are to remain. The area within the proposed buffer is approximately 22% of the total parcel area and this area to be left undisturbed is heavily wooded.
b. The location, size, and type of the storm water management system depicted on the Rezoning Plan is subject to review and approval as part of the Development Plan submittal and is not implicitly approved with this rezoning. Modifications may be necessary in order to accommodate storm water treatment requirements and protect natural site discharge points.
c. Pilot Environmental Inc. delineated an intermittent stream, and a perennial stream on site as depicted on the Rezoning Plan. Mr. William Elliott, Regulatory Specialist with the USACE, declined a field visit but indicated that he will issue a jurisdictional approval for the site based upon the information supplied by Pilot Environmental Inc. (Pilot Report is attached)
d. Area for Water Quality and Detention BMP's will be aesthetically appealing through the use of grass, landscaping, water features, rain gardens or other like forms

8. Parks, Greenways, and Open Space

a. Approximately 3.7 acres of open space will be preserved within 100' buffer areas as depicted on the Rezoning Plan.

9. Fire Protection

a. Fire Lanes will be provided as required by the Ordinance.

10. Signage

a. Signage will be per Ordinance.

11. Lighting

a. Freestanding lighting fixtures and poles installed on the Site shall be full cut off and shielded with illumination directed downwards in accordance with the Ordinance.
b. Development shall meet the requirements of the Ordinance. The maximum height of freestanding light fixtures and poles installed on the site shall not exceed 42 feet.

12. Phasing

a. The Rezoning Site Plan depicts initial construction of a parking lot with 80 employee auto spaces vehicles, and 247 tractor parking spaces. The second phase of development is for future construction of an adjacent parking lot for 60 trailers parking spaces.

SITE PLAN 2016-057

PETITIONER:

FEDE□ GROUND PACKAGE SYSTEM, INC.
1000 FEDE□ DRIVE
MOON TOWNSHIP, PA 15108

BL Companies
ARCHITECTURE
ENGINEERING
PLANNING
LANDSCAPE ARCHITECTURE
LAND SURVEYING
ENVIRONMENTAL SCIENCES

355 Re□ear□h Par□□a□
Mer□den, CT 06450
(203) 630-1406
(203) 630-2615 Fax

NORTH CAROLINA PROFESSIONAL SEAL 042942 ENGINEER MICHELLE M. CARLSON

PROPOSED FEDE□ PARKING E□PANSION
REZONING PLAN
1208 TODDVILLE ROAD
CHARLOTTE, NC

REVISIONS

No.	Date	Desc.
1.	4/15/16	REVISED PER TOWN COMMENTS

Designed	K.M.I.
Drawn	K.M.I.
Checked	M.C.C
Approved	M.C.C.
Scale	AS NOTED
Project No.	15C5578
Date	02/05/16
CAD File	RZ15C557802C

Title
SITE PLAN
2016-057

Sheet No.
SHEET 2

Xref (s): : XZ15C557801 : XY15C557801

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City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 26.**File #:** 15-3224 **Type:** Zoning Hearing

Rezoning Petition: 2016-059 by Renaissance West Community Initiative

Location: Approximately 1.25 acres located on the north side of West Boulevard between Billy Graham Parkway and Leake Street. (Council District 3 - Mayfield)

Current Zoning: MUDD-O (mixed use development, optional)
Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to vehicular stacking for the proposed use, streetscape and bus waiting pad.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map
Site Plan
Previously Approved Site Plan

powered by Legistar™

CHARLOTTE
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-059
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: MUDD-O (mixed use development, optional) Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment)
LOCATION	Approximately 1.25 acres located on the north side of West Boulevard between Billy Graham Parkway and Leake Street. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to modify the development standards for a portion of the previously approved rezoning for the Renaissance West Development to allow an increase in square footage for a proposed child development center from 17,500 to 25,000 square feet.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Charlotte Housing Authority Renaissance West Community Initiative Neighboring Concepts
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2

STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues related to vehicular stacking for the proposed use, streetscape and bus waiting pad. The petition is consistent with the *Central District Plan* recommendation for a mix of multi-family residential, institutional, and office uses for the Renaissance West development as amended by the previous rezoning for this development. <u>Rationale for Recommendation</u> • The proposal is a minor site plan amendment to allow the proposed child development center in the Renaissance West development to increase from 17,500 square feet to 25,000 square feet. • The proposed square footage is compatible with surrounding institutional and residential land uses. • The larger child development center is consistent with the initial multi-use concept for the Renaissance West development and does not change the character of the project.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan amendment contains the following changes:
  - Allows for an increase in square footage from 17,500 to 25,000 square feet to allow the development of a child development center.
  - Modification of the proposed building location from the center of the site to the corner along West Boulevard.
  - Modification of the proposed open space along New Renaissance Way, Achievement Lane, and internal to the site.
  - Optional Provision:
    - To allow one space per 600 square feet for the child development center. This varies from the standard requirement for one space for every 10 children and one for every two employees.

- **Existing Zoning and Land Use**
  - The Boulevard Homes site was originally approved for MUDD-O (mixed use development, optional) zoning under petition 2009-043. The rezoning for the 40.66-acre site allows a multi-use development, with up to 460 residential units, 20,000 square feet for a community center, 180,000 square feet for a school and 17,500 for a child development center.
  - The subject property, which is part of the Renaissance West development, remains vacant.
  - The remainder of the Renaissance West development is located to the north and west of the

subject site. Within the larger project, development of multi-family residential units and a Charlotte-Mecklenburg School District elementary school are underway.
  - East of the subject site, and also to the south across West Boulevard, are vacant parcels and single family homes, multi-family units and a school zoned R-22MF (multi-family residential).
  - See "Rezoning Map" for existing zoning in the area.

- **Rezoning History in Area**
  - There have been no rezonings in the immediate area in recent years.

- **Public Plans and Policies**
  - The *Central District Plan* (1993), as amended by Petition 2009-043, recommends a mix of residential, institutional, and office uses for the subject site and surrounding properties in the Renaissance West development.

- **TRANSPORTATION CONSIDERATIONS**
  - This site is on the corner of the un-signalized intersection of an existing major thoroughfare and a local street. The petitioner has provided a pick-up and drop-off concept that intends to mitigate CDOT's concern about on-site stacking extending onto West Boulevard during peak times. CDOT does not have any further concern with this petition.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 0 (based on the property being vacant).
    Entitlement: 1,480 trips per day (based on a 17,500-square foot child care center).
    Proposed Zoning: 1,850 trips per day (based on a 25,000-square foot child care center).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See Outstanding Issues, Note 2.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** The subject site has water availability via an existing 12-inch water main located along West Boulevard and existing six-inch main along the northwestern corner of the property. Sewer system availability is via an existing eight-inch main located along West Boulevard.
- **Engineering and Property Management:** Site shall comply with the City of Charlotte Tree Ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. Show and label existing planting strips and sidewalks. An eight-foot planting strip and six-foot sidewalk will be required for public street frontages.
2. Provide a note to install a bus waiting pad along New Renaissance Place.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review

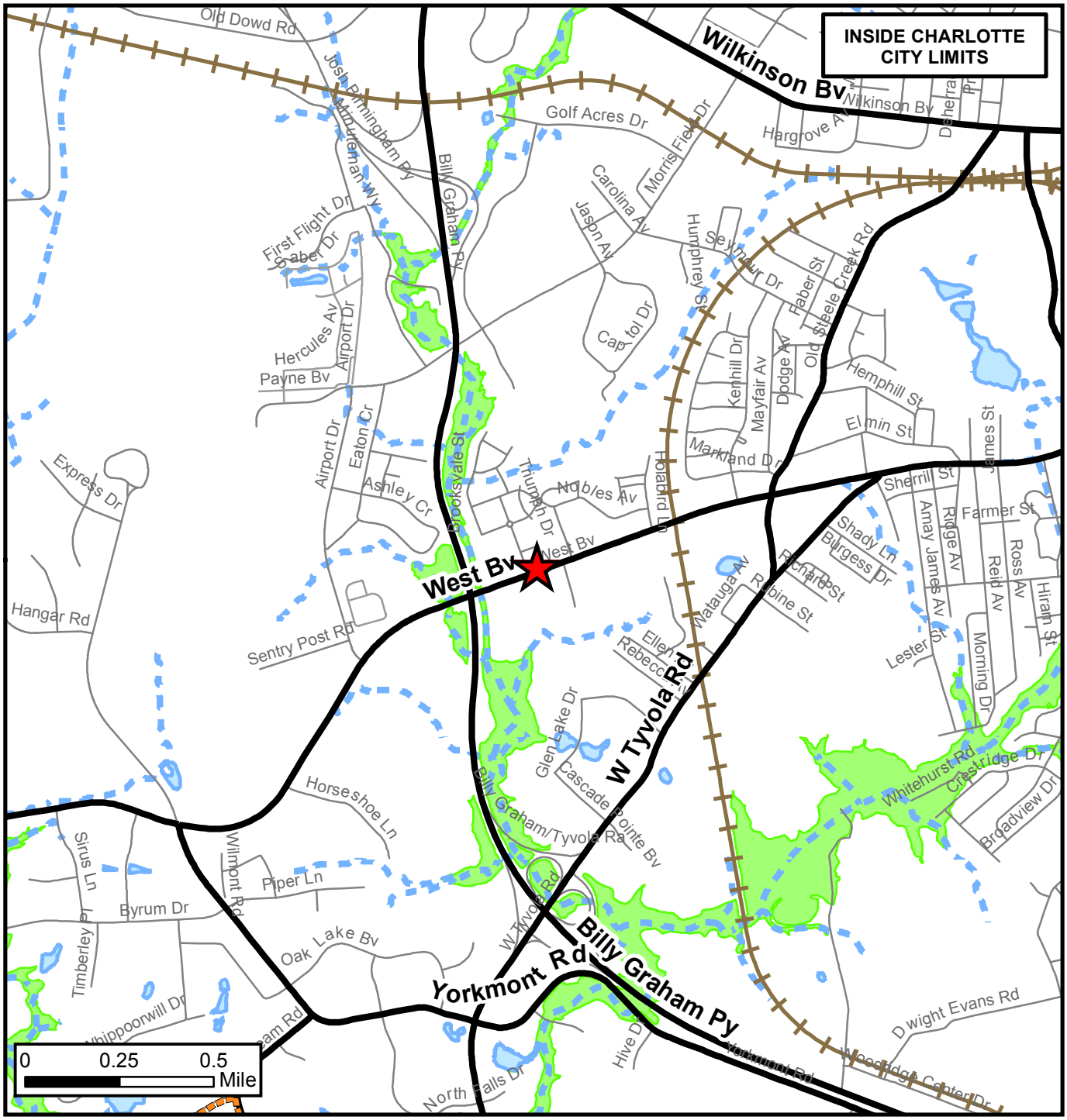
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

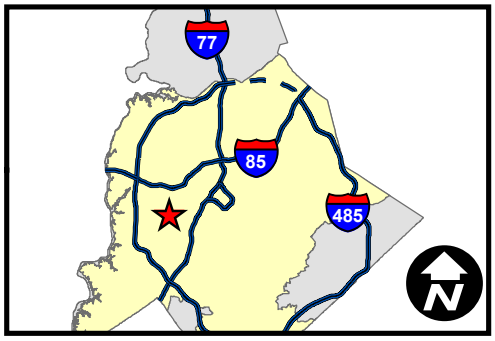
Planner: Solomon Fortune (704) 336-8326

Petition #: 2016-059

Vicinity Map

Acreage & Location : Approximately 1.25 acres located on the north side of West Boulevard between Billy Graham Parkway and Leake Street.





Rezoning Petition: 2016-059

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

March 28, 2016

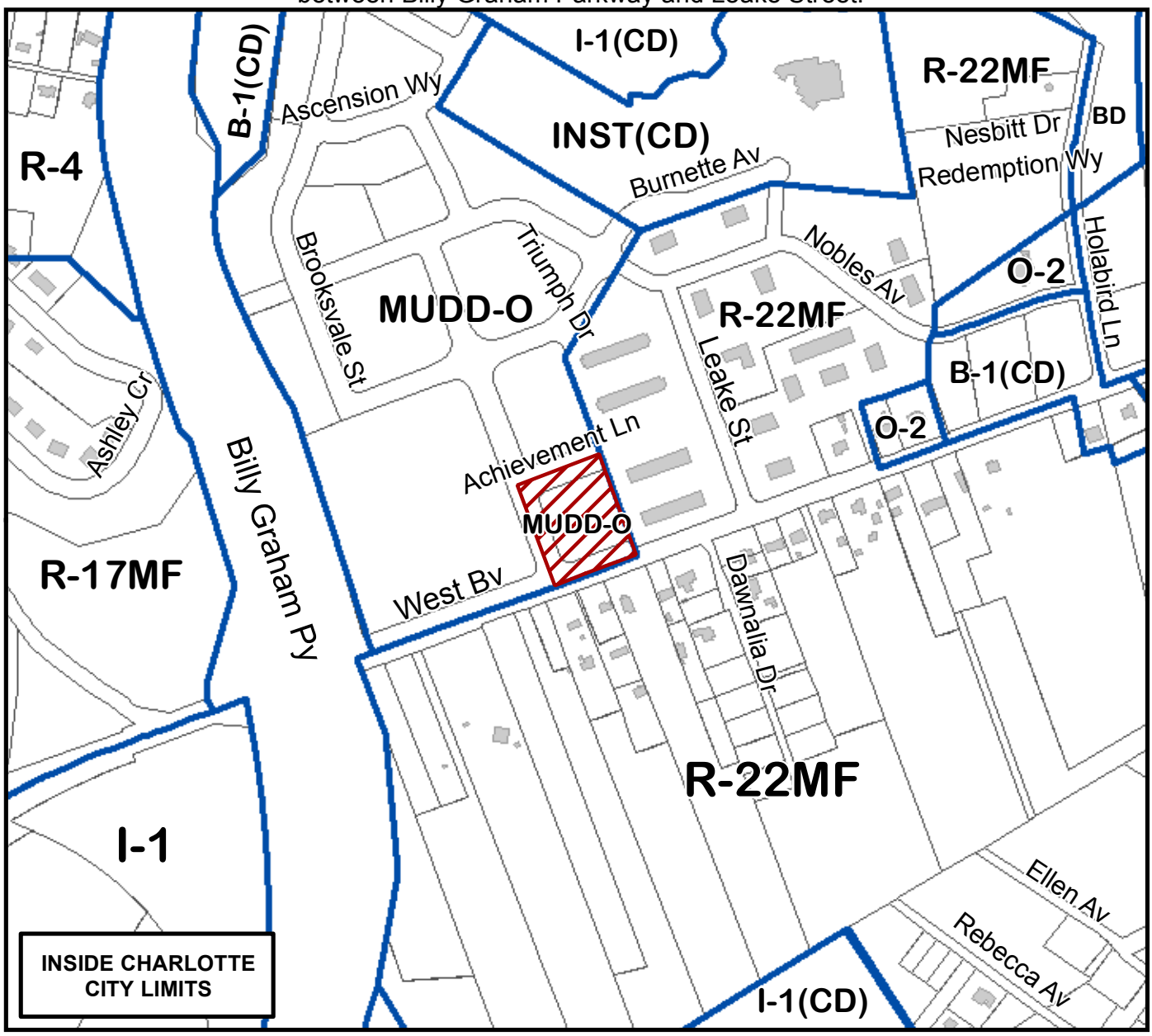
Petition #: 2016-059

Petitioner: Renaissance West Community Initiative

Zoning Classification (Existing): MUDD-O
(Mixed Use Development District, Optional)

Zoning Classification (Requested): MUDD-O SPA
(Mixed Use Development District, Optional, Site Plan Amendment)

Acreage & Location: Approximately 1.25 acres located on the north side of West Boulevard between Billy Graham Parkway and Leake Street.



Map Produced by the Charlotte-Mecklenburg Planning Department, 2-25-2016.

0 150 300 600 900 1,200 Feet

N

Zoning Map #(s)
109

Requested MUDD-O SPA from MUDD-O

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

Petition #: 2016-059

Development Data

Tax Parcel ID #:	115-042-08 (1.25 ac);
Total Parcel Area:	1.25 Acres
Total ROW Area:	0.000 Acres
Total Site Area:	1.25 Acres Total
Existing Zoning:	Mixed Use Development District - Optional (MUDD-O)
Proposed Zoning:	Mixed Use Development District - Optional Site Plan Amendment (MUDD-O SPA)

Proposed Use:
Up to 25,000 S.F. Child Development Center (255 maximum total children)

MUDD Optional Provisions for Parking (see Section J "Optional Provisions"):
Child Development Center: min. one (1.0) space per 600 S.F. ("OPTION A")

Development Notes:

A. Binding Effect of the Rezoning Documents & Definitions

A1. Throughout these Development Notes, the term "Petitioner" and "Owner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the site who may be involved in any future development thereof.

A2. The proposed use of the site will be for the development of a child development center.

B. General Provisions

B1. Please refer to section "J" below for all optional provisions included.

B2. Unless more stringent standards are established by this Technical Data Sheet or these Development Notes, all requirements established under the Charlotte Zoning Ordinance (the "Ordinance") for the Mixed Use Development District (MUDD) zoning district classification shall be followed, with the exception of the aforementioned optional provisions.

B3. For the development depicted on this plan, the configuration, placement and size of the building footprints, off-street parking areas, open space areas, and driveways will be conceptually developed at a later stage to be reviewed and approved by the Charlotte Mecklenburg Planning Department at the MUDD review stage. In addition to meeting all MUDD requirements (including those for parking and off-street loading spaces), with the exception of the Options listed in item J1 below, the Petitioner shall observe the following provisions for all development:

B3-a. The maximum building height established for each respective block, as depicted on this plan, shall not be exceeded.

B3-b. For this development, designated open space areas shall be provided to meet or exceed the minimum requirements of the MUDD Zoning District. Final locations of open spaces and amenities within the open spaces will depend on final building layout and design. Open space with recreational amenities will be provided in the areas labeled 'Open Space' next to the Child Development Center. Exact location and size of these open spaces, along with description of their amenities, is to be provided by the Petitioner at the MUDD review stage.

B3-d. Subject to the MUDD review process, internal parking areas shall be contained within the off-street parking envelope as indicated on this plan. Building footprints may be contained within the parking envelope, but no off-street parking areas will be allowed between the right-of-way and the building envelope facing the right-of-way except as allowed under Option J1-a.

C. Setbacks, Side Yards and Rear Yards

C1. The buildings and/or structures to be constructed on this site shall satisfy the setback, rear yard and side yard requirements established under the Ordinance for the MUDD Zoning District.

D. Design and Performance Standards

D1. All dumpster areas shall be screened with opaque enclosures on all four sides with one side being a hinged opaque gate.

D2. All mechanical equipment including roof top equipment, above-ground backflow preventers and other utility structures shall be screened from view from abutting streets and adjoining properties by landscaping and/or opaque materials.

D3. Lighting will be shielded with full cut-off luminaires throughout the site. No wall pack lighting will be allowed.

D4. All off-street parking locations will be screened from sight from the public rights-of-way as specified by Section 12.303 of the Ordinance except as allowed under Option J1-a.

D5. All long- and short-term bicycle parking requirements will be met per Section 12.202A of the Ordinance.

D6. Off-street service/delivery spaces will be provided per MUDD standards.

E. Building Design Standards for All Development

E2. For street walls, all MUDD standards will be observed; no expanse of solid wall will exceed 20'-0" in length.

E3. Buildings and units will be identified with signage and numbers, as subject to MUDD standards.

E5. All buildings shall be oriented to face the public streets.

F. Additional Use and Building Design Standards for Child Development Center

F1. Only non-vinyl and non-metal siding, brick veneer, stucco or fiber cement siding, such as Hardie Plank, will be used.

F2. Wide window and door trim will be used to better accent siding. Horizontal and vertical siding application will add detail to any dormers, gables, and extended front facade areas. Vinyl trim and shutters are allowed.

F3. All building foundations will have a minimum of 12 inches exposed brick veneer above finished grade level (after landscaping).

F4. No outdoor play is permitted after sundown.

G. Vehicular Access, Driveways and Streets

G1. Access to the site will be provided by the following:

G1-a. A new driveway entrance from existing Achievement Lane.

G1-b. A Right-In, Right-Out driveway connection to West Boulevard

G2. The petitioner shall be responsible to design and implement specific transportation improvements before the building's certificate of occupancy is issued as identified below:

G2-I. Construction of Child Development Center

G2-I(a). Construct private right-in, right-out driveway entrance on West Boulevard at the Child Development Center Block.

G2-I(b). Fund 12% of a traffic signal with pedestrian signalization at the intersection of Renaissance Way and West Boulevard if CDOT and NCDOT determine a traffic signal is needed to control traffic. The signal shall be interconnected with the signal at Billy Graham Parkway and West Boulevard. This requirement will expire 12 months from the date of issuance of the final certificate of occupancy for this phase.

G3-I(c). Improvements will be designed and constructed or bonded prior to occupancy of the building within this project phase.

G4-I(d). No other offsite improvements are required before occupancy of this phase of the development.

I. Tree Ordinance Compliance

I1. Site development procedures will comply with the City of Charlotte Tree Ordinance.

I2. Internal street trees along public rights-of-way and internal drives shall be planted at 40'-0" o.c.

J. Optional Provisions

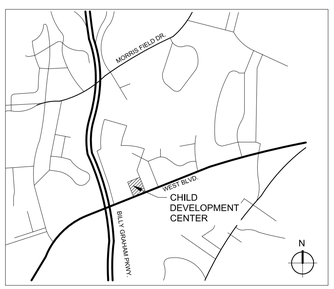
J1. The following Options are included:

J1-a. **OPTION A - Child Development Center Parking Amount:** Off-street minimum parking provision of one (1.0) space 600 S.F. for the Child Development Center building shall be allowed.

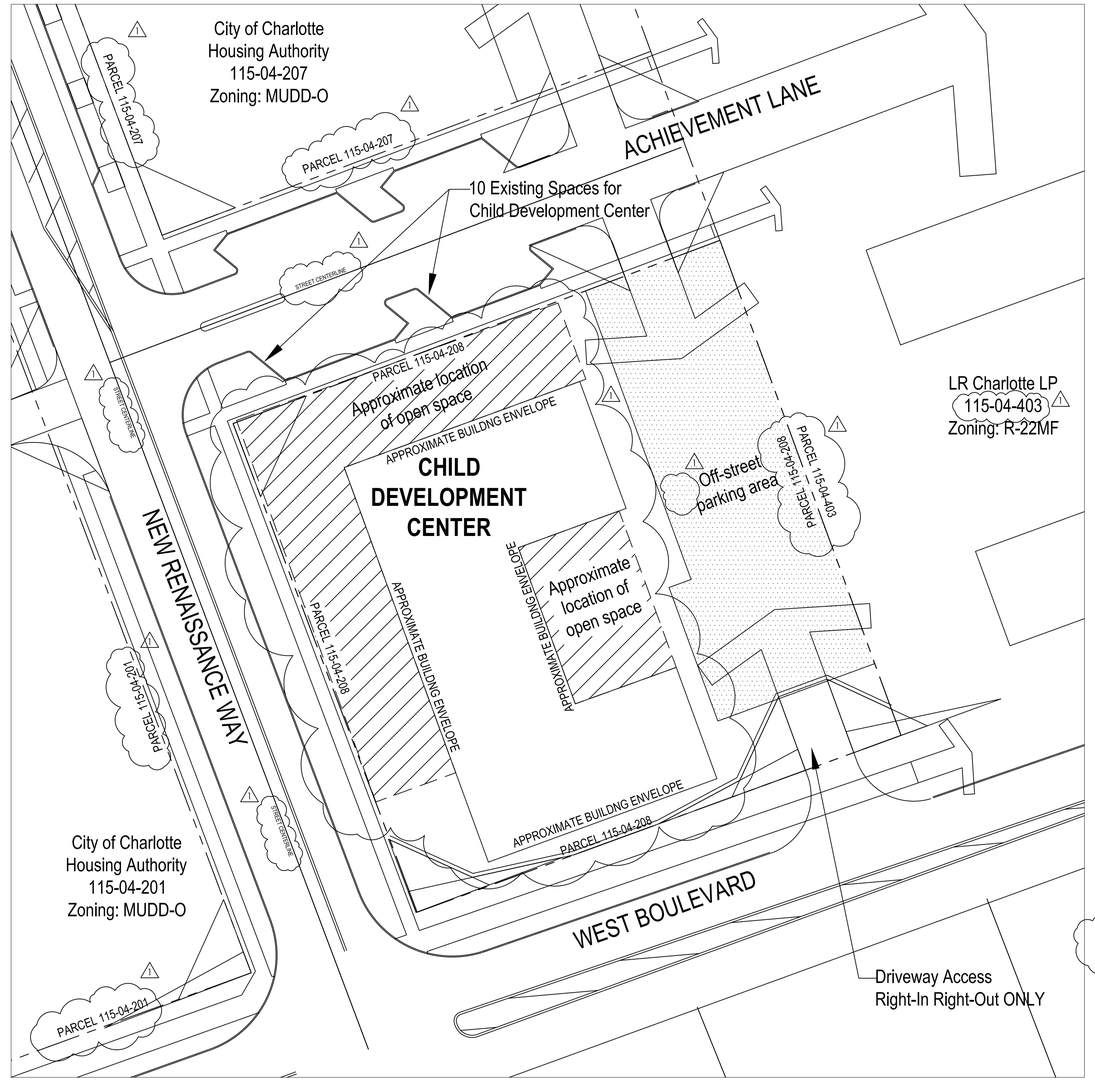
Child Development Center

- 1.25 acres
- Open space play area will be a min. 60 S.F./child and/or a min. 25% of total parcel area
- Maximum number of children not to exceed 255
- Parking for the Child Development Center will meet the Ordinance and/or the optional provision allowed by item J1-a of the development notes

Maximum Building Area: 25,000 S.F.
Maximum Building Height: 40' - 0"



VICINITY MAP



1 RZ-1

SITE PLAN

1" = 32' - 0

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1230 West Morehead Street, Suite 204
Charlotte, North Carolina 28208
T:704.374.0916 F:704.342.3808

www.neighboringconcepts.com

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Neighboring Concepts, PLLC

No land use comments.

No Urban Design comments.

RENAISSANCE WEST COMMUNITY INITIATIVE

the YMCA

RWCI Child Development Center

REV. 1 DATE	4.14.2016	REZONING COMMENT RESPONSES
REV. 2 DATE		
REV. 3 DATE		
REV. 4 DATE		
REV. 5 DATE		
REV. 6 DATE		
REV. 7 DATE		
REV. 8 DATE		

Rezoning Documents

Petition #2016-059

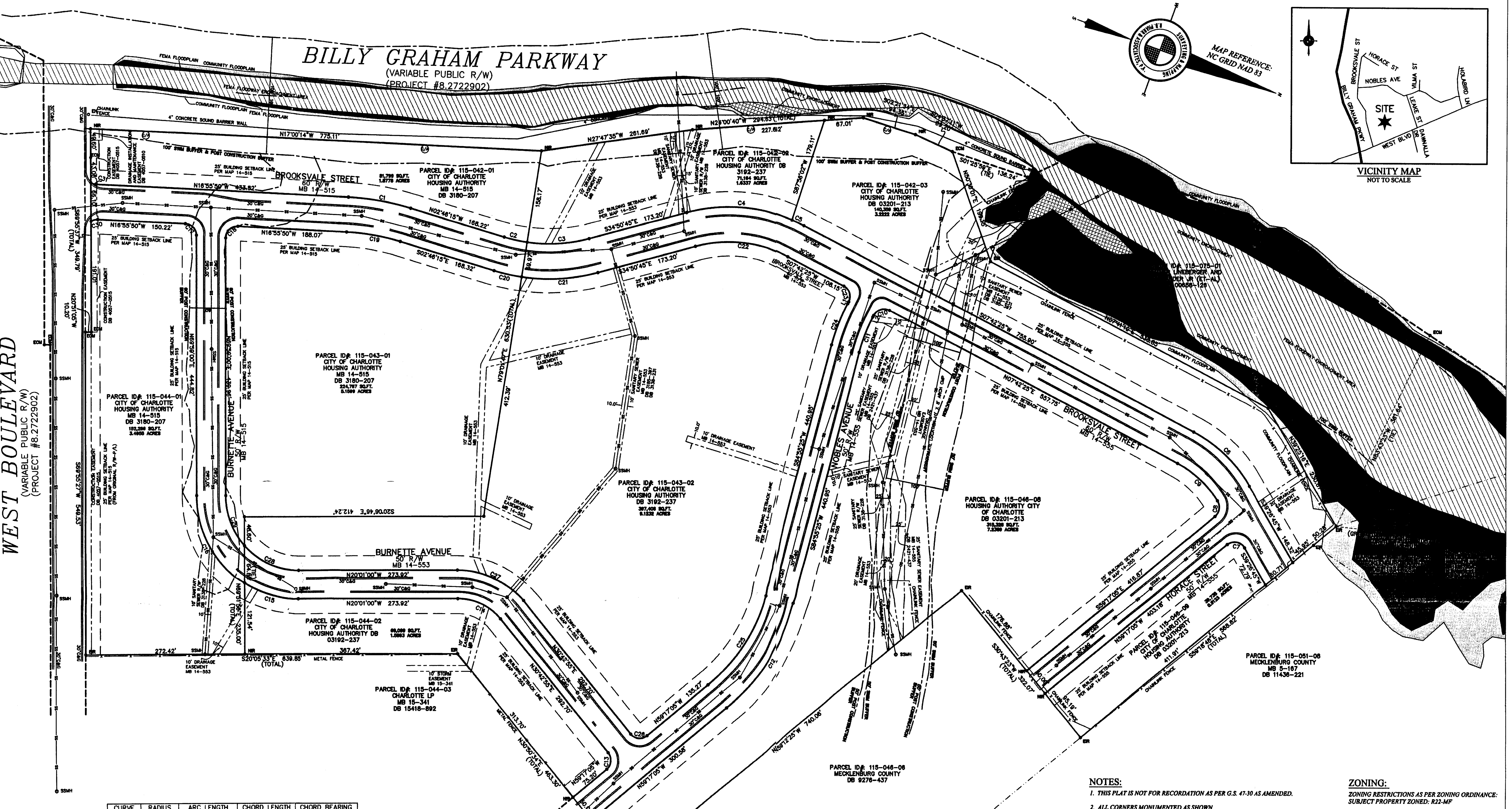
TECHNICAL DATA SHEET/SITE PLAN

ISSUE DATE February 15, 2016
CHECKED JDM
SHEET BY GTB
PROJECT NUMBER NC 14-021

RZ-1

F:\Tree Structure\Projects\14-021 Child Development Center at Blvd Homes\reviews\rezoning\ACAD\Renaissance 2011 RZ-1.dwg, Plotted By: Garrett, Plotted: Apr 15, 2016 - 10:03am

Previously Approved Site Plan



LEGEND:

BFP - BACK FLOW PREVENTOR
C&G - CURB & GUTTER
CB - CATCH BASIN
CI - CURB INLET
CMP - CORRUGATED METAL PIPE
CP - CALCULATED POINT
CPP - CORRUGATED PLASTIC PIPE
C/O - CLEAN OUT
(D) - DEED
D.B. - DEED BOOK
DI - DROP INLET
DIP - DUCTILE IRON PIPE
ECM - EXISTING CONCRETE MONUMENT
EIP - EXISTING IRON PIPE
EIR - EXISTING IRON ROD
EMM - EXISTING METAL MONUMENT
EN - EXISTING NAIL
EOG - EDGE OF GRAVEL
EOP - EDGE OF PAVEMENT
EU - END UNKNOWN
FC - FIRE CONNECTION
FH - FIRE HYDRANT
FV - FIRE VALVE
GDP - GUARD POST
GM - GAS METER
GP - GATE POST
GV - GAS VALVE
GW - GUY WIRE
HVAC - HEATING, VENTILATION, AIR COND.
HW - HEADWALL
ICV - IRRIGATION CONTROL VALVE
JBX - JUNCTION BOX
LMP - LAMP POST
LP - LIGHT POLE
(M) - MEASURED
MBX - MAILBOX
M.B. - MAP BOOK
MW - MONITORING WELL
N.G.S. - NATIONAL GEODETIC SURVEY
NIR - NEW IRON ROD
NN - NEW NAIL
O/HANG - OVERHANG
(P) - PLATTED
PB - POWER BOX
PIN - PARCEL IDENTIFICATION NUMBER
PM - POWER METER
PMH - POWER MANHOLE
PP - POWER POLE
PG. - PAGE
PVC - PLASTIC PIPE
(R) - RECORDED
R/W - RIGHT-OF-WAY
RCP - REINFORCED CONCRETE PIPE
RW - RETAINING WALL
SBB - BILLBOARD
SDMH - STORM DRAIN MANHOLE
SMP - MULTI-POST SIGN
SSMH - SANITARY SEWER MANHOLE
(T) - TOTAL
TB - TELEPHONE BOX
TERR. - TERRACOTTA PIPE
TMH - TELEPHONE MANHOLE
TSB - TRAFFIC SIGNAL BOX
TVB - CABLE TV BOX
WB - WATER BOX
WM - WATER METER
WSP - WATER SPIGOT
WV - WATER VALVE

LINE LEGEND:

PROPERTY LINE
PROPERTY LINE (NOT SURVEYED)
RIGHT-OF-WAY
RIGHT-OF-WAY (NOT SURVEYED)
EASEMENT
SETBACK
CABLE TV LINE — C —
FIBER OPTIC LINE — FO —
GAS LINE — G —
POWER LINE — E —
POWER LINE (UNDERGROUND) — UE —
SANITARY SEWER PIPE — SS —
STORM DRAIN PIPE — SD —
TELEPHONE LINE — T —
TELEPHONE LINE (UNDERGROUND) — UT —
WATER LINE — W —

UTILITIES:

POWER
DUKE POWER ENERGY
1-800-777-9898

TELEPHONE
BELL SOUTH TELECOMMUNICATIONS
1-888-757-6500

WATER & SEWER
CHAR.-MECK. UTILITY DEPT. (CMUD)
(704) 336-2564 WATER
(704) 357-6064 SEWER

GAS
PIEDMONT NATURAL GAS CO.
1-800-752-7504

CABLE TELEVISION
TIME WARNER CABLE
1-800-892-2253

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

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	439.26'	108.56'	108.28'	N09°51'03"W
C2	263.82'	40.24'	40.20'	S07°08'24"E
C3	263.82'	107.45'	106.71'	S23°10'39"E
C4	280.93'	185.88'	182.51'	N15°53'27"W
C5	280.93'	22.76'	22.75'	N05°23'07"E
C6	242.21'	134.17'	132.46'	N23°34'34"E
C7	20.00'	34.46'	30.35'	N09°55'28"W
C8	20.00'	29.14'	26.63'	N78°58'26"E
C9	182.21'	93.90'	92.86'	N22°28'13"E
C10	20.00'	31.42'	28.29'	N37°17'14"W
C11	293.31'	65.44'	65.30'	N88°41'05"W
C12	343.52'	214.39'	210.92'	S77°11'31"E
C13	20.00'	31.42'	28.29'	N75°42'34"E
C14	95.62'	84.67'	81.93'	N05°20'53"E
C15	175.72'	98.60'	97.31'	S03°57'50"E
C16	175.72'	177.52'	170.07'	S41°03'12"W
C17	20.00'	30.34'	27.51'	N26°31'42"E
C18	20.07'	32.49'	29.06'	N63°32'47"W
C19	379.26'	93.73'	93.49'	N09°51'03"W
C20	323.82'	48.75'	48.71'	S07°05'02"E
C21	323.82'	132.45'	131.52'	S23°06'52"E
C22	220.93'	164.08'	160.34'	N13°34'11"W
C23	20.00'	31.42'	28.29'	N52°42'46"E
C24	343.31'	76.60'	76.44'	N88°41'06"W
C25	293.31'	183.23'	180.27'	S77°10'48"E
C26	20.00'	31.42'	28.29'	S14°16'44"E
C27	145.62'	128.94'	124.77'	N05°20'56"E
C28	125.78'	105.56'	102.49'	S04°03'33"W
C29	125.78'	91.98'	89.94'	S49°03'02"W
C30	20.00'	12.09'	11.91'	N34°15'17"W
C31	20.00'	10.01'	9.91'	S02°35'20"E

LINE	BEARING	DISTANCE
L1	N82°17'35"W	3.42'
L2	S82°17'35"E	3.42'

ALTA CERTIFICATION:

TO: CHARLOTTE HOUSING AUTHORITY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE (i) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND (ii) INCLUDES ITEMS 1, 2, 3, 4, 10, AND 13, OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, (iii) UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NORTH CAROLINA, THE RELATIVE POSITIONAL ACCURACY OF THE SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

DARYL D. KASEMAN, NCPLS (L-4559)

FLOOD CERTIFICATION

THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS PARTIALLY *LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED* FEBRUARY 4, 2004
COMMUNITY PANEL NO: 3701580184E

THIS IS TO CERTIFY THAT ON THE 22 *DAY OF* JANUARY *20* 09 *AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE .1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.*

*SIGNED*__________

NOTES:

1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.

2. ALL CORNERS MONUMENTED AS SHOWN.

3. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.

4. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.

5. PROJECT LOCALIZED AROUND NGS MONUMENT "DRUMS" NC SPC NAD 83, WITH A COMBINED GRID FACTOR OF 0.99984609. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.

6. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.

7. BILLY GRAHAM PARKWAY IS SHOWN AS A "FREEWAY/EXPRESSWAY" ON THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION THOROUGHFARE PLAN OF 2004 AND MAY BE SUBJECT TO A FUTURE RIGHT-OF-WAY OF 175' FROM CENTERLINE.
WEST BOULEVARD IS SHOWN AS A "MAJOR THOROUGHFARE" ON THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION THOROUGHFARE PLAN OF 2004 AND MAY BE SUBJECT TO A FUTURE RIGHT-OF-WAY OF 40' FROM CENTERLINE. (INSIDE ROUTE 4)

8. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.

ZONING:

ZONING RESTRICTIONS AS PER ZONING ORDINANCE:
SUBJECT PROPERTY ZONED: R22-MF

Minimum setback (feet)
- Detached, duplex, triplex and quadraplex dwellings 20'
- All other buildings, including planned multi-family developments (except as provided 30' for in Section 9.303(f)) (Petition No. 2001-129, § 9.305(1)(e), 11-19-01)

Minimum side yard (feet)
- Detached, duplex, triplex and quadraplex dwellings 5'
- All other buildings, including planned multi-family developments (except as required below)
- Planned multi-family developments adjoining single family developed or zoned land 10'

Minimum rear yard (feet)
- Detached, duplex, triplex and quadraplex dwellings 20'
- All other buildings, including planned multi-family developments (except as required below) 40'
- Planned multi-family developments adjoining single family developed or zoned land 50'
(Petition No. 2006-18 §9.305(1)(g), 03/20/06)

Maximum Height 40'

FOR FURTHER INFORMATION CONTACT THE CHARLOTTE-MECKLENBURG ZONING DEPARTMENT AT 704-336-3569.

REVISIONS	ALTA/ACSM LAND TITLE SURVEY PREPARED FOR: CHARLOTTE HOUSING AUTHORITY WEST BOULEVARD MECKLENBURG COUNTY, NCDEED REFERENCE: TAX PARCEL #:115-042-01,02,03;115-043-01,02; 115-046-08,09;115-044-01,02 DB: 3201-213, 3192-237, 3180-207 MB 14-515, 14-553, 14-555 R.B. PHARR & ASSOCIATES, P.A. SURVEYING & MAPPING 420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL. (704) 376-2186

CREW:	DRAWN:	REVISED:	SCALE:	DATE:	FILE NO. W-3745
SJ	JH		1" = 80'	JAN 22, 2009	JOB NO. 74741

PLOTTED: 1/23/2009
G:\74\7\74741\74741.DWG

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Charlotte, North Carolina 28208
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Prepared by Neighboring Concepts, PLLC and:

Wallace + Perdomo, Inc.
340 Minorca Ave, Suite 3
Coral Gables, FL 33134
305.446.2302

Boulevard Group, Inc.
484 Boulevard SE
Atlanta, GA 30312
404.622.7879

Prepared For:
Charlotte Housing Authority
1301 South Blvd.
Charlotte, NC 28203
704.336.8332

CHA

Charlotte Housing Authority Boulevard Homes HOPE VI Redevelopment Plan

Petition #2009-043

Charlotte, NC

Tax Parcel ID #s: 115-042-01
115-042-02
115-042-03
115-043-01
115-043-02
115-044-01
115-044-02
115-046-08
115-046-09

APPROVED BY CITY COUNCIL

REV. 1 DATE	4/20/2009
REV. 2 DATE	5/14/2009
REV. 3 DATE	
REV. 4 DATE	
REV. 5 DATE	
REV. 6 DATE	
REV. 7 DATE	
REV. 8 DATE	

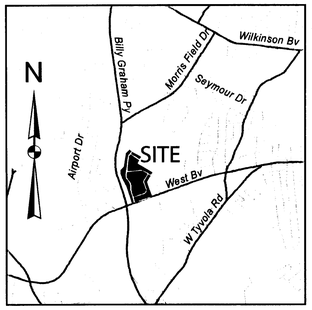
Rezoning Petition

FOR PUBLIC HEARING
Petition # 2009-043

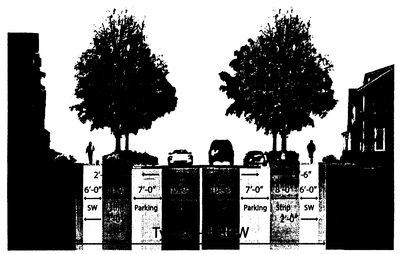
Survey Sheet

ISSUE DATE	MAY 14, 2009
CHECKED	CO
SHEET BY	EO
PROJECT NUMBER	NC 09-003

RZ-0

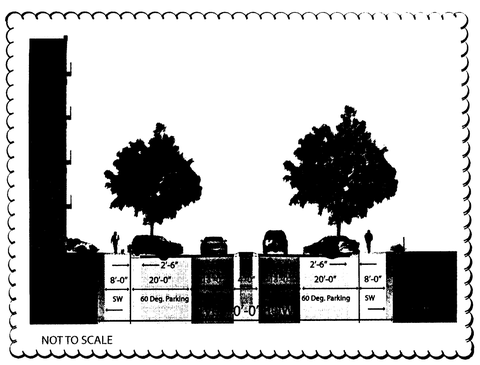


VICINITY MAP
NOT TO SCALE



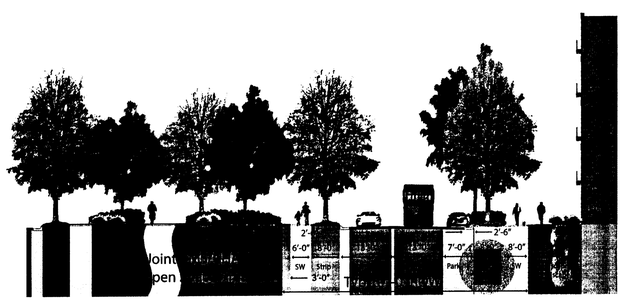
NOT TO SCALE

Section A-A Typical
(all public streets unless otherwise noted)



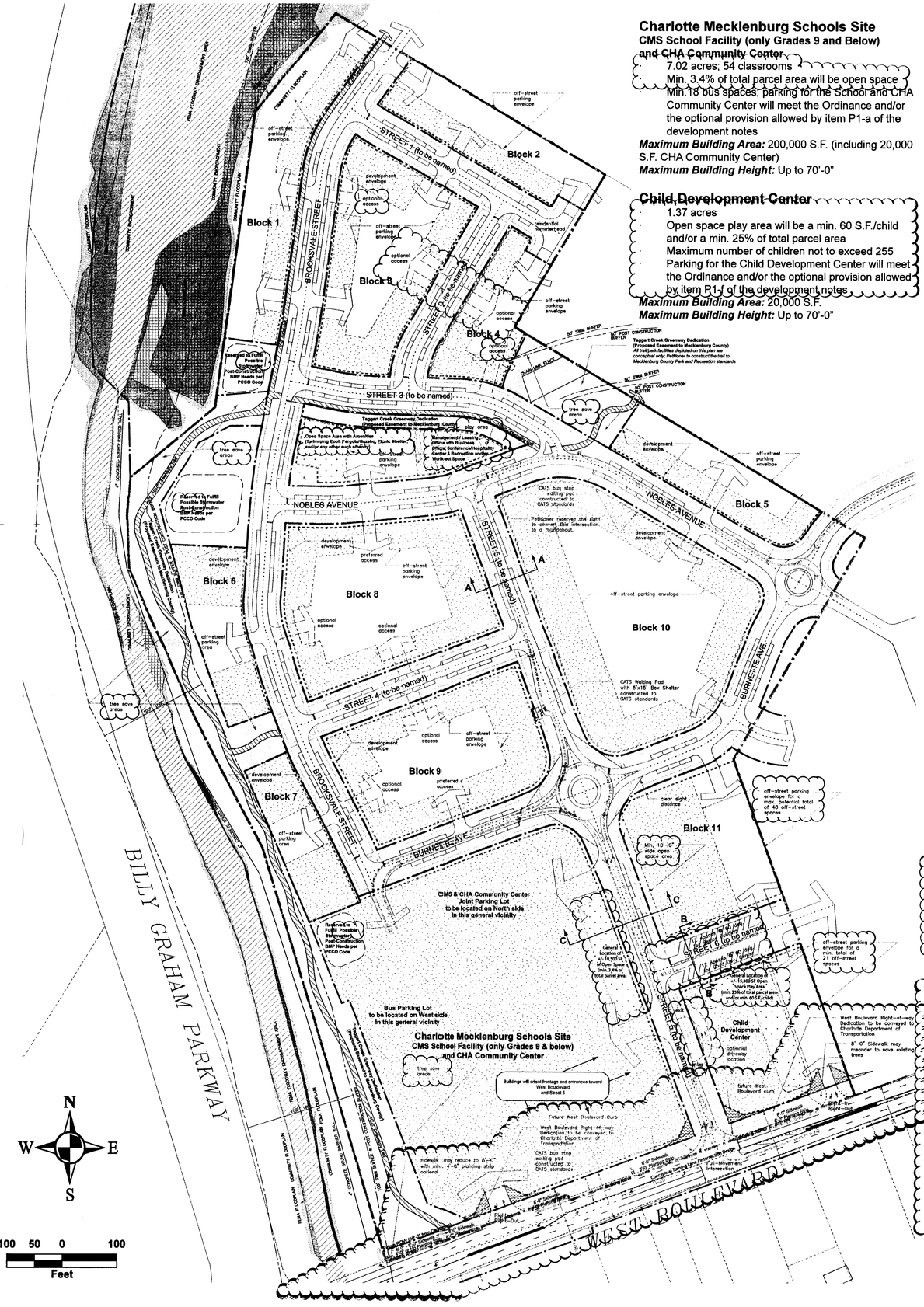
NOT TO SCALE

Section B-B Typical



NOT TO SCALE

Section C-C Typical



Charlotte Mecklenburg Schools Site

CMS School Facility (only Grades 9 and Below) and CHA Community Center

- 7.02 acres; 54 classrooms
- Min. 3.4% of total parcel area will be open space
- Min. 18 bus spaces; parking for the School and CHA Community Center will meet the Ordinance and/or the optional provision allowed by item P1-a of the development notes

Maximum Building Area: 200,000 S.F. (including 20,000 S.F. CHA Community Center)
Maximum Building Height: Up to 70'-0"

Child Development Center

- 1.37 acres
- Open space play area will be a min. 60 S.F./child and/or a min. 25% of total parcel area
- Maximum number of children not to exceed 255
- Parking for the Child Development Center will meet the Ordinance and/or the optional provision allowed by item P1-f of the development notes

Maximum Building Area: 20,000 S.F.
Maximum Building Height: Up to 70'-0"

Block 1
Multi-Family
- 1.40 acres

Maximum No. of Dwelling Units: 27 (19 DUA)
Maximum Building Height: Up to 70'-0"

Block 2
Multi-Family
- 0.94 acres

Maximum No. of Dwelling Units: 23 (24 DUA)
Maximum Building Height: Up to 70'-0"

Block 3
Multi-Family
- 1.73 acres

Maximum No. of Dwelling Units: 42 (24 DUA)
Maximum Building Height: Up to 70'-0"

Block 4
Multi-Family
- 0.72 acres

Maximum No. of Dwelling Units: 17 (24 DUA)
Maximum Building Height: Up to 70'-0"

Block 5
Multi-Family
- 0.85 acres

Maximum No. of Dwelling Units: 20 (24 DUA)
Maximum Building Height: Up to 70'-0"

Block 6
Multi-Family
- 0.74 acres

Maximum No. of Dwelling Units: 16 (22 DUA)
Maximum Building Height: Up to 70'-0"

Block 7
Multi-Family
- 0.64 acres

Maximum No. of Dwelling Units: 16 (25 DUA)
Maximum Building Height: Up to 70'-0"

Block 8
Multi-Family
- 2.25 acres

Maximum No. of Dwelling Units: 53 (24 DUA)
Maximum Building Height: Up to 70'-0"

Block 9
Multi-Family
- 1.87 acres

Maximum No. of Dwelling Units: 45 (24 DUA)
Maximum Building Height: Up to 70'-0"

Block 10
Multi-Family
- 3.41 acres

Maximum No. of Dwelling Units: 81 (24 DUA)
Maximum Building Height: Up to 70'-0"

Block 11
Senior Housing Building
- 1.45 acres
- Parking for the Senior Housing Building will meet the Ordinance and/or the optional provision allowed by item P1-b of the development notes
- Elderly Housing will be reserved for those persons aged 55 and over, and will be enforced by management and financing restrictions

Maximum No. of Dwelling Units: 120 (83 DUA)
Maximum Building Height: Up to 80'-0"

Apartment Management/Leasing Office and Open Space Area with Amenities
- 0.78 acres
- Outdoor play area to be provided adjacent to Management/Leasing Office building as shown
- Conference/Hospitality Center, Business Office, & Indoor Recreation and/or Work-Out Space to be provided within the Management/Leasing Office
- Variety of open space amenities to be provided (such as a swimming pool, a pergola and/or gazebo, a picnic shelter, a tennis court, or other such amenities)
- Parking for the Management/Leasing Office will meet the Ordinance (min. one space per 600 S.F.)

Maximum Building Area: 2,600 S.F.
Maximum Building Height: Up to 70'-0"

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Prepared For:
Charlotte Housing Authority
1301 South Blvd.
Charlotte, NC 28203
704.336.8332

CHA
Charlotte Housing Authority Boulevard Homes HOPE VI Redevelopment Plan

Petition #2009-043

Charlotte, NC

Tax Parcel ID #s: 115-042-01, 115-042-02, 115-042-03, 115-043-01, 115-043-02, 115-044-01, 115-044-02, 115-046-08, 115-046-09

APPROVED BY CITY COUNCIL

REV. 1 DATE	
REV. 2 DATE	4/20/2009
REV. 3 DATE	5/14/2009
REV. 4 DATE	
REV. 5 DATE	
REV. 6 DATE	
REV. 7 DATE	
REV. 8 DATE	

Rezoning Petition

FOR PUBLIC HEARING
Petition # 2009-043

Technical Data Sheet

ISSUE DATE	MAY 14, 2009
CHECKED	CO
SHEET BY	EO
PROJECT NUMBER	NC 09-003

RZ-1

Petition #: 2009-043

DEVELOPMENT DATA

Tax Parcel ID #'s:	115-042-01 (1.8778 ac); 115-042-02 (1.6337 ac); 115-042-03 (3.2222 ac); 115-043-01 (5.1599 ac); 115-043-02 (9.1232 ac); 115-044-01 (3.4955 ac); 115-044-02 (1.5863 ac); 115-046-08 (7.2389 ac); 115-046-09 (0.9123 ac)
Total Parcel Area:	34.250 Acres
Total ROW Area:	6.410 Acres
Total Site Area:	40.660 Acres Total
Existing Zoning:	R22-MF
Proposed Zoning:	Mixed Use Development District - Optional (MUDD-O)

Proposed Use:

- Up to 180,000 S.F. CMS School (54 classrooms; facility will serve only grades 9 and lower)
- Up to 20,000 S.F. CHA Community Center
- Up to 2,600 S.F. Apartment Management/Leasing Office
- Up to 20,000 S.F. Child Development Center (255 maximum total children)
- Maximum of 460 Total Multi-Family Dwelling Units (includes up to 120 of elderly and/or disabled units)

Conventional MUDD Required Off-Street Parking:

- CMS School (54 classrooms; only grades 9 and lower): min. one (1.0) space per 600 S.F. of building area; ***NOTE:*** *Petitioner allowed for min. one (1.0) space per classroom*
- CHA Community Center: min. one (1.0) space per 600 S.F. of building area
- Apartment Management/Leasing Office: min. one (1.0) space per 600 S.F. of building area
- Child Development Center: min. one (1.0) space per employee, plus one (1.0) space per ten children; ***NOTE:*** *Petitioner allowed for min. one (1.0) space per 600 S.F.*
- Multi-Family Elderly and/or Disabled Housing: min. one (1.0) space per dwelling unit; ***NOTE:*** *Petitioner allowed for min. 0.25 spaces per dwelling unit*
- Other Multi-family: min. one (1.0) space per dwelling unit

MUDD Optional Provisions for Parking (see Section P "Optional Provisions"):

- CMS School (54 classrooms; only grades 9 and lower): min. one (1.0) space per classroom ("OPTION A")
- Multi-Family Elderly and/or Disabled Housing: min. 0.25 spaces per dwelling unit ("OPTION B")
- Child Development Center: min. one (1.0) space per 600 S.F. ("OPTION F")

DEVELOPMENT NOTES:

A. Binding Effect of the Rezoning Documents & Definitions

A1. Throughout these Development Notes, the term "Petitioner" and "Owner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the site who may be involved in any future development thereof.

A2. The proposed use of the site will be for the development of a CMS school facility, a child development center, an apartment management office, Multi-Family Elderly and/or Disabled apartments and multi-family housing with a variety of tenant amenities and a community center.

B. General Provisions

B1. Please refer to section "P" below for all optional provisions included.

B2. Unless more stringent standards are established by this Technical Data Sheet or these Development Notes, all requirements established under the Charlotte Zoning Ordinance (the "Ordinance") for the Mixed Use Development District (MUDD) zoning district classification shall be followed, with the exception of the aforementioned optional provisions.

B3. For the development blocks depicted on this plan, the configuration, placement and size of the building footprints, parcel lines, off-street parking areas, open space areas, accessory buildings and/or tenant amenities, alleys, and driveways will be conceptually developed at a later stage to be reviewed and approved by the Charlotte Mecklenburg Planning Department at the MUDD review stage. The exact number of dwelling units will also be established ~~for each of the eleven residential blocks (Blocks 1-11) at the review stage.~~ In addition to meeting all MUDD requirements (including those for parking and off-street loading spaces), with the exception of the Options listed in item P1 below, the Petitioner shall observe the following provisions for all development.

~~B3-a. The maximum building height established for each respective block, as depicted on this plan, shall not be exceeded.~~

B3-b. For each block, designated open space areas shall be provided to meet or exceed the minimum requirements of the MUDD Zoning District. Final locations of open spaces and amenities ~~within the open spaces will depend on final building layouts and design.~~ Open space with recreational amenities, such as a swimming pool, tennis courts, playgrounds and/or picnic shelters will be provided in the areas labeled 'Open Space Area with Amenities' and 'Play Area' next to the Management / Leasing Office. Block numbers 3, 8, 9 & 10 will each contain at least one designated open space area. Exact location and size of these open spaces, along with description of their amenities, is to be provided by the Petitioner at the MUDD review stage. Amenities may include tot lots, grill and picnic shelters, community gardens, outdoor seating areas, pergola and/or gazebos, basketball courts, shuffleboard courts, tennis courts, and other such recreational amenities.

B3-c. The total maximum number of dwelling units for the entire site shall not exceed **460 dwelling units**. ~~(This number includes elderly and/or disabled units).~~ The Petitioner reserves the right to alter the block dwelling unit maximums (as listed for each Block on sheet RZ-1), provided the total number of dwelling units for the entire development does not exceed 460 total units and the Petitioner secures the written approval of the Planning Director of Charlotte Mecklenburg Planning.

~~B3-d. Subject to the MUDD review process, internal parking areas shall be~~ contained within the off-street parking envelope as indicated for each residential block in this plan. Building footprints may be contained within the parking envelope, but no off-street parking areas will be allowed between the right-of-way and the building envelope facing the right-of-way except as allowed under Option P1-c.

C. Setbacks, Side Yards and Rear Yards

C1. The buildings and/or structures to be constructed on this site shall satisfy the setback, rear yard and side yard requirements established under the Ordinance for the MUDD Zoning District.

D. Design and Performance Standards

D1. All dumpster areas shall be screened with opaque enclosures on all four sides with one side being a hinged opaque gate.

D2. All mechanical equipment including roof top equipment, above-ground backflow preventers and other utility structures shall be screened from view from abutting streets and adjoining properties by landscaping and/or opaque materials.

D3. Lighting will be shielded with full cut-off luminaires throughout the site. No wall pak lighting will be allowed.

D4. All off-street parking locations will be screened from sight from the public rights-of-way as specified ~~by Section 12.303 of the Ordinance except as allowed under Option P1-c.~~ All screening of off-street parking areas abutting the greenway easement will be a minimum of 2'-0" high but shall remain of such height so that visibility to greenway trail areas from adjacent areas will remain unimpeded.

D5. All long- and short-term bicycle parking requirements will be met per Section 12.202A of the Ordinance.

D6. Off-street service/delivery spaces will be provided per MUDD standards.

E. Building Design Standards for All Development

E1. Buildings shall have minimum 10'-0" separation from each other.

E2. For street walls, all MUDD standards will be observed; no expanse of solid wall will exceed 20'-0" in length.

E3. Buildings and units will be identified with signage and numbers, as subject to MUDD standards.

E4. For buildings exceeding five stories in height, base of building will be clearly defined.

E5. All buildings shall be oriented to face the public streets.

F. Additional Building Design Standards for Multi-Family Development and Apartment Management Office

F1. All lobbies or dwelling unit primary entries on the ground floor will face the public right-of-way, with the exception of garden apartments. For garden apartments, at least half of the unit primary entries on the ground floor must either face the public right-of-way or be within a breezeway that leads directly to the public right-of-way. Breezeways will have a minimum roof covering of 3'-0" deep by 5'-0" wide and include a corresponding porch or concrete pad. All ground floor entryways facing the right-of-way will have a separate walk (minimum 5'-0" wide) leading directly to sidewalks in the public right-of-way.

F2. Only non-vinyl and non-metal siding, brick veneer, stucco or fiber cement siding, such as Hardie Plank, will be used.

F3. Wide window and door trim may be used to better accent siding. If horizontal banding is used between floor levels, separate color tones will be used for upper and lower levels. Horizontal and vertical siding application will add detail to any dormers, gables, and extended front facade areas. Vinyl trim and shutters are allowed.

F4. All building foundations will have a minimum of 12 inches exposed brick veneer above finished grade level (after landscaping).

F5. Breezeway and stairwell ceilings will be constructed of materials rated for exterior exposure. All exterior stairs will have a minimum clear width of 40 inches and be substantially under roof cover.

F6. Design elements will include a variety of building materials, breaks in the roof lines, and building offsets.

G. Additional Building Design Standards for CMS Facilities

G1. Building design will use building walls consisting of masonry veneer on the exterior.

G2. Elevations facing and adjacent to West Boulevard will be architecturally articulated with openings, changes in surface depth and/or materials.

H. Additional Building Design Standards for CHA Community Center

H1. Building design will be integrated with the CMS facility and use building walls consisting of masonry veneer, stone, wood, stucco (or any combination of these materials) on the exterior.

H2. The primary entry will face West Boulevard and/or Street 5. Building frontage will be provided along West Boulevard and/or Street 5 as required by MUDD zoning for first floor street frontage.

H3. Wide window and door trim may be used to better accent siding. If horizontal banding is used between floor levels, separate color tones will be used for upper and lower levels. Horizontal and vertical siding application will add detail to any dormers, gables, and extended front facade areas. Vinyl trim and shutters are allowed.

I. Additional Use and Building Design Standards for Child Development Center

I1. Only non-vinyl and non-metal siding, brick veneer, stucco or fiber cement siding, such as Hardie Plank, will be used.

I2. Wide window and door trim will be used to better accent siding. Horizontal and vertical siding application will add detail to any dormers, gables, and extended front facade areas. Vinyl trim and shutters are allowed.

I3. All building foundations will have a minimum of 12 inches exposed brick veneer above finished grade level (after landscaping).

I4. No outdoor play is permitted after sundown.

J. Vehicular Access, Driveways and Streets

J1. Access to the site from West Boulevard will be provided by the following:

J1-a. A new public roadway will serve as the primary entryway to the site; the roadway will create a full-movement intersection on West Boulevard.

J1-b. A Right-In, Right-Out driveway connection to the CMS school bus parking lot.

J1-c. A Right-In, Right-Out driveway connection to the Child Development Center.

J2. Access to adjacent properties shall be provided by the following:

J2-a. Two two-lane street connections to the site will connect to Noble Avenue on the easternmost portion of the site; one connection shall provide a new two-way access to the Mecklenburg County Southwest Recreation Center, and one shall preserve the two-way Noble Avenue access to the Little Rock Apartments complex.

J2-b. A future local residential, two-way street access to the Little Rock Apartments site will be stubbed out; the access will connect to Burnette Avenue near the bend below Block 10, approximately midway between the two roundabouts on Burnette Avenue, as indicated on this plan.

J2-c. A two-way street with diagonal parking between the Senior Housing site and the Child Development Center will be stubbed out to provide future two-way access to the Little Rock Apartments site.

J2-d. Near the northernmost end on the site a local residential, two-way street will be stubbed to provide future access to Southwest Park (and CPCC Harris Campus).

J3. All new streets shall be public streets, to be designed to the street standards as described in the City of Charlotte Urban Street Design Guidelines (USDG) and the Charlotte-Mecklenburg Land Development Standards Manual.

J4. The Petitioner will design and construct all proposed roads to Charlotte Department of Transportation requirements. The exact alignment and design of all streets and driveway connections is subject to the approval of the Charlotte Department of Transportation.

K. Signs

K1. Signage will be permitted in accordance with applicable zoning standards. The exact location of site signs will be determined in the design development construction and landscaping plans presented for review and approval by the Charlotte Mlecklenburg Planning Department during the MUDD review process except as allowed by Optional Provision P1-d.

L. Tree Ordinance Compliance

L1. It is the intent of the Petitioner to preserve a minimum of 10% of all existing trees during site development. Existing trees to be preserved will have tree protection fencing placed around their drip lines to prevent disturbances to root zones during all phases of construction. A certified arborist shall be hired to create a tree preservation plan for the site prior to any site work.

L2. Site development procedures will comply with the City of Charlotte Tree Ordinance.

L3. Internal street trees along public rights-of-way and internal drives shall be planted at 40'-0" o.c.

M. Mecklenburg County Park and Recreation (MCPR)

M1. The Petitioner will construct a greenway trail facility, as indicated on the site plan, to MCPR standards. The Petitioner will dedicate the proposed trail easement areas as shown on the site plan to the County in order for MCPR to maintain a greenway trail facility and other such amenities. The greenway trail will meandler along the east side of Taggart Creek, cut across the site on the Apartment Leasing Office block, and connect to Southwest Park near the culvert / pipe entrance of the Taggart Creek Branch. The Petitioner will work with MCPR to establish the exact limits of the MCPR dedication, including the conceptual trail alignment and its access points.

M2. An 8'-0" sidewalk will be constructed by the Petitioner on the West side of Brooksvale Street north of the Greenway crossing of Brooksvale Street, as ~~indicated on this plan.~~

M3. The Petitioner understands that MCPR will maintain the greenway trail and at least 5'-0" on either side of the trail.

N. Charlotte Area Transit System (CATS)

N1. The Petitioner will develop the concrete pads for the three bus stop locations conceptually indicated on this plan. The pads are to be constructed as required by the development standards of CATS. If the Petitioner and CATS are both in agreement, bus stop configurations and locations may change.

N2. The Petitioner will ensure that pavement, alignments, and turning radii on bus route streets (on all lanes of the street) are built to CATS specifications for bus travel (note: both CATS and CMS bus routes are indicated as the light gray dashed lines on the plan). The Petitioner will also construct the full length of Brooksvale Street, Nobles Avenue, and Burnette Avenue to CATS bus travel road construction standards; the Petitioner understands that CATS (and CMS) may need to utilize these streets for bus routing in the future.

O. Solid Waste Management Plan

O1. The Petitioner will submit a Solid Waste Management plan prior to initiating demolition and/or construction activities to include, at a minimum, the procedures that will be used to recycle all clean wood, metal and concrete generated during demolition and construction activities. Additionally, the plan shall specify that all land clearing and inert debris shall be taken to a properly permitted facility. The report shall include the identification and location of all facilities receiving disposed or recycled materials.

P. Optional Provisions

P1. The following Options are included:

P1-a. **OPTION A - School Parking Amount:** Off-street minimum parking provision of one (1.0) space per classroom for the CMS school shall be allowed. ***NOTE:*** *The facility shall serve only grades 9 and lower. Parking standard is min. one space per classroom for elementary, middle and junior high facilities (as specified in Table 12.202 of the Ordinance); MUDD zoning requires min. one space per 600 square feet, or a min. total of up to **300** spaces on-site based on a 180,000 SF building.*

P1-b. **OPTION B - Senior Housing Parking Amount:** Off-street minimum parking provision of 0.25 spaces per dwelling unit for the Elderly and/or Disabled Multi-Family building shall be allowed. ***NOTE:*** *Parking standard is min. 0.25 spaces per dwelling unit of Elderly and/or Disabled MF housing (as specified in Table 12.202 of the Ordinance). For the max. 120 total Elderly and/or Disabled dwelling units established for Block 11, conventional MUDD zoning would require a min. one space per dwelling unit, or a min. total of **120** spaces on-site based on 120 dwelling units.*

P1-c. **OPTION C - School Off-Street Parking Between Use and Street:** Off-street parking areas between the use and building setback shall be allowed for the CMS school as depicted on this plan.

P1-d. **OPTION D - Child Development Center Identity Signage:** The Petitioner will be allowed to construct two identity signs integrated into the architecture of the building. Each identity sign consists of a wall and false gable structure in which one of the large letters "R" and "H" are architecturally integrated respectively. The larger identity sign will have a maximum 1200 S.F. in surface area (with an "R" approx. 20'-0" high from the base) and will structurally support the canopy covering the driveway drop-off area before the main entrance to the building. A smaller identity sign, at a maximum of 700 S.F. in surface area (with an "H" approx. 15'-0" high from the base), will have the same elevation profile and will protrude 8 feet from the building. ~~supporting a smaller canopy over a secondary entrance to the building.~~ Option D is only applicable if Ruckus House Learning Centers becomes the operator of the child development center.

~~P1-e. **OPTION E - Screening Abutting Greenway:** All screening of off-street parking areas abutting the greenway easement will be of such height so that visibility to greenway trail areas from adjacent areas will remain unimpeded. *This option is removed, see Note D4.*~~

P1-f. **OPTION F - Child Development Center Parking Amount:** Off-street minimum parking provision of one (1.0) space 600 S.F. for the Child Development Center building shall be allowed. ***NOTE:*** *Parking standard is min. one space per employee plus one space per 10 children (as specified in Section 12.502 of the Ordinance for large childcare centers).*

P1-g. **OPTION G - West Boulevard Sidewalk and Planting Strip Allowance:** In the right-of-way area just west (closest to Billy Graham Parkway) of the West Boulevard sidewalk connection to the Taggart Creek Greenway trail, the petitioner shall be allowed to (1) reduce the sidewalk width to 6'-0" and (2) to reduce the planting strip to a minimum 4'-0" width or discontinue the planting strip and construct the sidewalk to the back of curb.

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Charlotte Housing Authority Boulevard Homes HOPE VI Redevelopment Plan

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Charlotte, NC

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Rezoning Petition

FOR PUBLIC HEARING
Petition # 2009-043

Technical Data Sheet - Development Notes

ISSUE DATE	MAY 14, 2009
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SHEET BY	EO
PROJECT NUMBER	NC 09-003

RZ-2

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 27.**File #:** 15-3225 **Type:** Zoning Hearing

Rezoning Petition: 2016-062 by Benson Ejindu

Location: Approximately 1.23 acres located on the north side of The Plaza near the intersection of East W.T. Harris Boulevard and The Plaza. (Council District 4 - Phipps)

Current Zoning: R-3 (single-family residential)
Proposed Zoning: O-1 (CD) (office district, conditional)

Staff Recommendation:
Staff recommends approval of this petition.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map
Site Plan

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CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-062
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: O-1(CD) (office, conditional)
LOCATION	Approximately 1.23 acres located on the north side of The Plaza near the intersection of East WT Harris Boulevard and The Plaza. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes to develop a vacant site in the northeast area with a 10,000-square foot building to allow general and medical office uses.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Uwadiogbu Ejindu Benson Ejindu Jay Henson
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 8

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is inconsistent with the *Northeast District Plan*, which recommends multi-family residential uses. <u>Rationale for Recommendation</u> • The plan identifies the intersection of The Plaza and East WT Harris Boulevard as a neighborhood center, which is a location for neighborhood-serving commercial uses. • The size of the neighborhood center was effectively expanded from the original area plan recommendation through rezoning 2001-029 which approved the self-storage facility abutting this property along its west and north property lines. • In addition, the site is directly across The Plaza from a shopping center zoned B-1(CD) (neighborhood business, conditional). • The proposed use would allow additional nonresidential uses complementary to the expanded neighborhood center. • The proposed office use will provide a buffer between the self-storage facility, which is located at the intersection of WT Harris and the Plaza, and potential future multi-family development located east of the site. • The site design for the proposed office respects the ”Avenue” street classification and brings the building toward the street and places parking to the side and rear to facilitate pedestrian connectivity along the corridor.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Up to 10,000 square feet of general and medical office uses in a single building.
  - Maximum building height limited to 40 feet.
  - Site access via one commercial driveway off The Plaza.
  - No parking between the building and the street.
  - A 30-foot front setback that is consistent with the required setback on the abutting R-3 (single family residential) zoned parcel.
  - A 16-foot wide “Class C” buffer abutting R-3 (single family residential) zoned parcel to the east.
  - Building elevations reflecting views from the front and rear of the building, and specifying building materials, with a porch and prominent pedestrian entrances.
  - Replacement of the existing four-foot planting strip and five-foot sidewalk along The Plaza with an eight-foot planting strip and six-foot sidewalk.

- **Existing Zoning and Land Use**
  - The subject property is vacant.
  - Surrounding parcels on the north and south sides of The Plaza are zoned R-3 (single family residential) and MX-2 (mixed use) and are developed with single family residential uses, a post office, a middle school and vacant lots.
  - R-4 (single family residential) and R-12MF(CD) and R-15MF(CD) (multi-family residential, conditional) zoning exist across East WT Harris Boulevard and contain single family and multi-family dwellings, and a religious institution.
  - B-D(CD) (distributive business, conditional), B-1(neighborhood business) and B-1(CD) (neighborhood business, conditional) zoning is located near the four quadrants of the intersection of The Plaza and East WT Harris Boulevard, and these properties are developed with two automotive service stations, warehousing within an enclosed building, an eating/drinking/entertainment establishment, multi-family units and a shopping center.
  - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
  - Petition 2015-92 rezoned 5.11 acres located on the northwest corner at the intersection of East WT Harris Boulevard and The Plaza to allow up to 8,000 square feet of building area for a convenience store with fuel sales and associated incidental or accessory uses allowed in the B-1 (neighborhood business) district, which may include an eating/drinking/entertainment establishment. Accessory drive-through service windows are prohibited.
- **Public Plans and Policies**
  - The *Northeast District Plan* (1996) recommends multi-family residential uses.
- **TRANSPORTATION CONSIDERATIONS**
  - This site has direct access to an existing minor thoroughfare and is approximately 600 feet from a signalized intersection. CDOT has not identified any negative impacts to the transportation facilities in the area
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 0 trips per day (based on the property being vacant).
    Current Use: 30 trips per day (based on three single family detached dwellings).
    Proposed Zoning: 230 trips per day (based on 10,000 square feet of office uses).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 16-inch water main located along The Plaza. Charlotte Water does not currently have sewer system availability for the parcel under review. The closest sewer main is approximately 260 feet east of the southeast corner of the property on The Plaza. The applicant should contact Charlotte Water's New Services at (704) 432-5801 for more information regarding accessibility to the water and sewer systems connections.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report

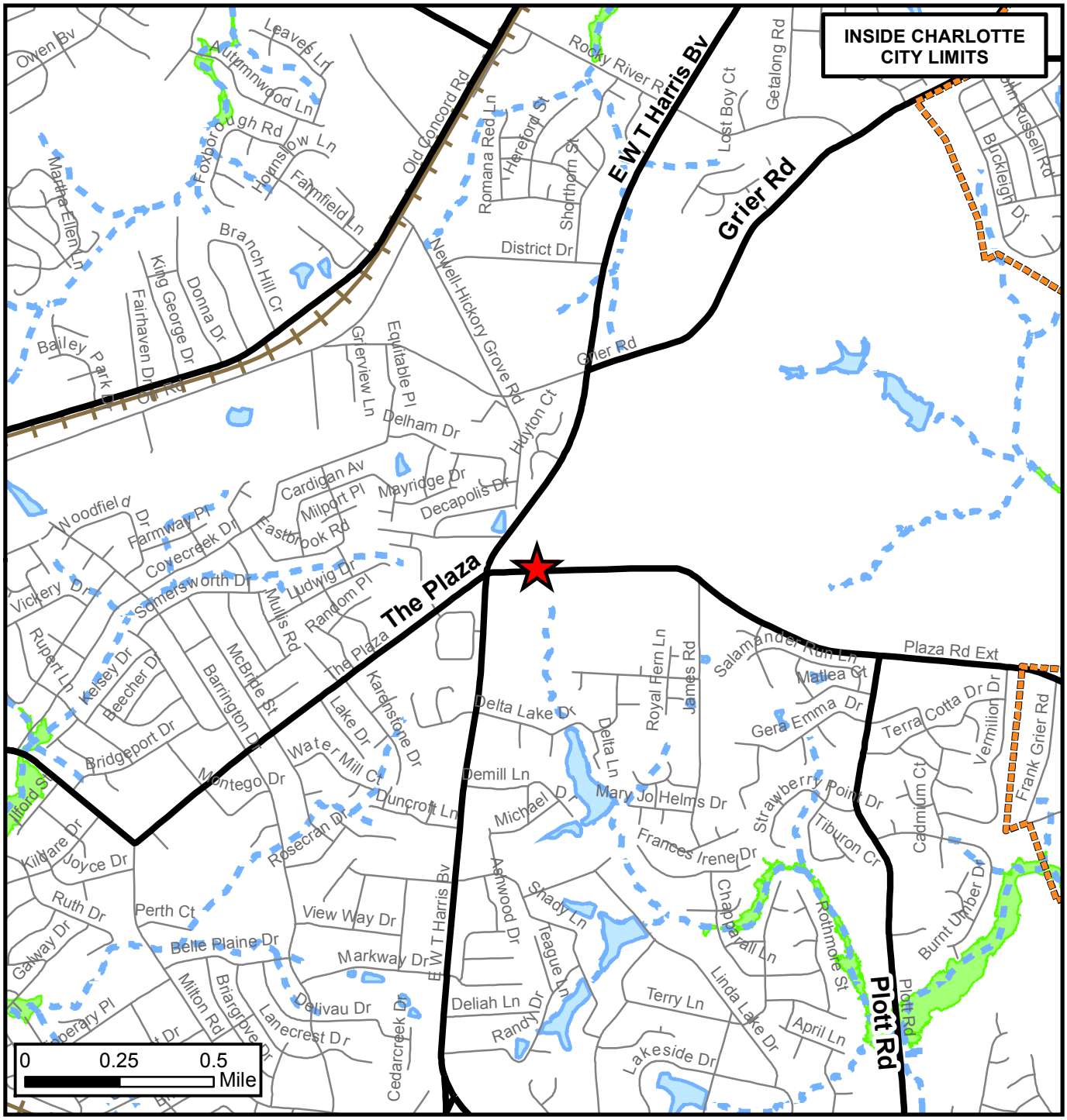
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

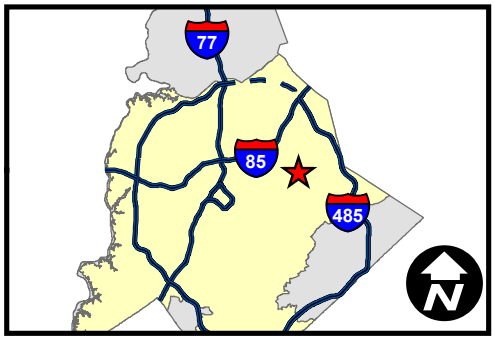
Planner: Sonja Strayhorn Sanders (704) 336-8327

Petition #: 2016-062

Vicinity Map

Acreage & Location : Approximately 1.23 acres located on the north side of The Plaza near the intersection of East W.T. Harris Boulevard and The Plaza.





Rezoning Petition: 2016-062

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

March 28, 2016

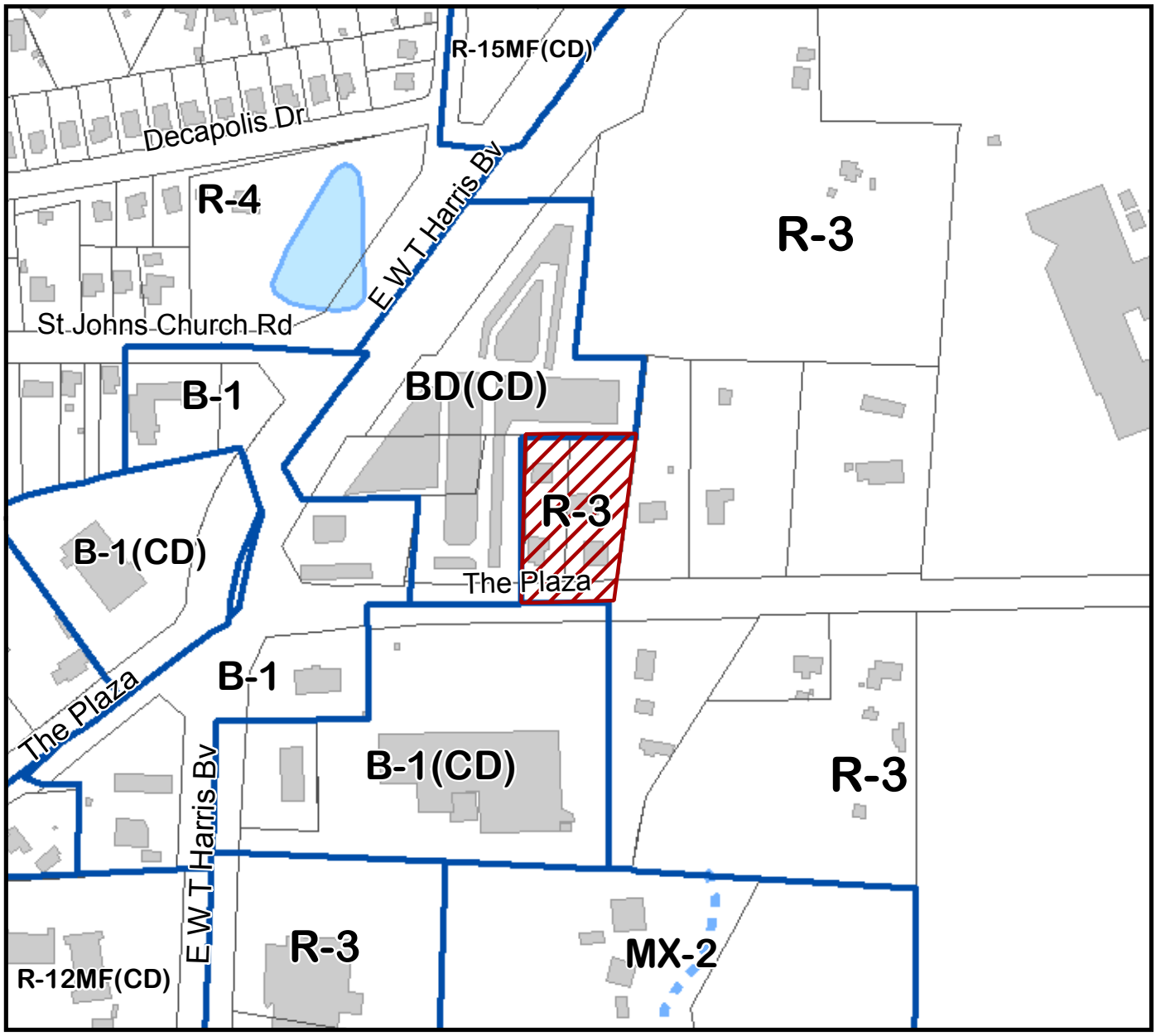
Petition #: 2016-062

Petitioner: Benson Ejindu

Zoning Classification (Existing): R-3
(Single Family, Residential)

Zoning Classification (Requested): O-1(CD)
(Office, Conditional)

Acreage & Location: Approximately 1.23 acres located on the north side of The Plaza near the intersection of East W.T. Harris Boulevard and The Plaza.



Map Produced by the Charlotte-Mecklenburg Planning Department, 2-25-2016.

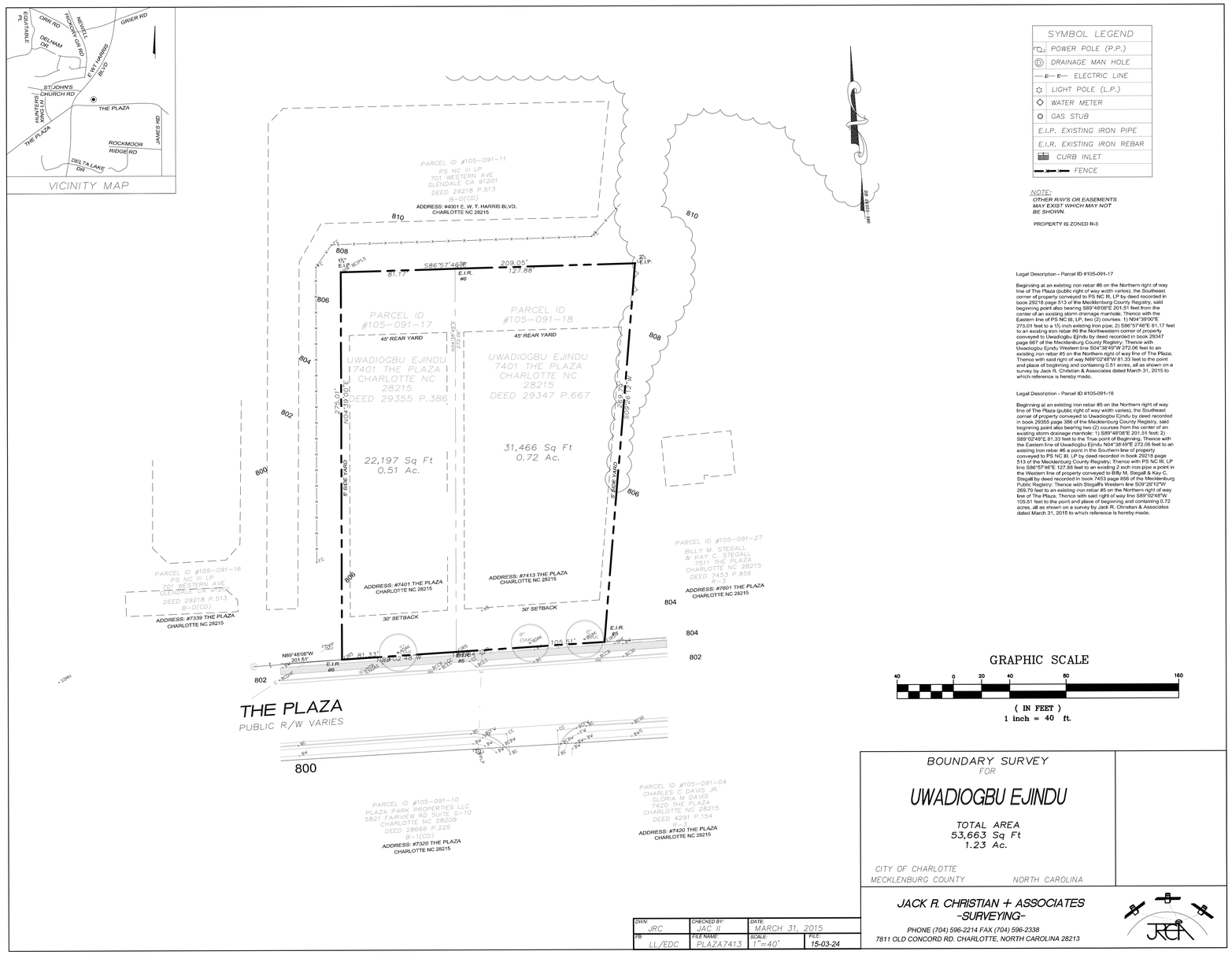
0 100 200 400 600 800 Feet

N

Zoning Map #(s)
76

Requested O-1(CD) from R-3

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District



SYMBOL LEGEND
POWER POLE (P.P.)
DRAINAGE MAN HOLE
ELECTRIC LINE
LIGHT POLE (L.P.)
WATER METER
GAS STUB
E.I.P. EXISTING IRON PIPE
E.I.R. EXISTING IRON REBAR
CURB INLET
FENCE

NOTE:
OTHER R/W'S OR EASEMENTS MAY EXIST WHICH MAY NOT BE SHOWN.

PROPERTY IS ZONED R-3

Legal Description - Parcel ID #105-091-17

Beginning at an existing iron rebar #6 on the Northern right of way line of The Plaza (public right of way width varies), the Southeast corner of property conveyed to PS NC III, LP by deed recorded in book 29218 page 513 of the Mecklenburg County Registry, said beginning point also bearing S89°48'08"E 201.51 feet from the center of an existing storm drainage manhole; Thence with the Eastern line of PS NC III, LP, two (2) courses: 1) N04°39'00"E 275.01 feet to a 1½ inch existing iron pipe; 2) S86°57'46"E 81.17 feet to an existing iron rebar #6 the Northwestern corner of property conveyed to Uwadiogbu Ejindu by deed recorded in book 29347 page 667 of the Mecklenburg County Registry; Thence with Uwadiogbu Ejindu Western line S04°38'49"W 272.06 feet to an existing iron rebar #5 on the Northern right of way line of The Plaza; Thence with said right of way N89°02'48"W 81.33 feet to the point and place of beginning and containing 0.51 acres, all as shown on a survey by Jack R. Christian & Associates dated March 31, 2015 to which reference is hereby made.

Legal Description - Parcel ID #105-091-18

Beginning at an existing iron rebar #5 on the Northern right of way line of The Plaza (public right of way width varies), the Southeast corner of property conveyed to Uwadiogbu Ejindu by deed recorded in book 29355 page 386 of the Mecklenburg County Registry, said beginning point also bearing two (2) courses from the center of an existing storm drainage manhole: 1) S89°48'08"E 201.51 feet; 2) S89°02'48"E 81.33 feet to the True point of Beginning; Thence with the Eastern line of Uwadiogbu Ejindu N04°38'49"E 272.06 feet to an existing iron rebar #6 a point in the Southern line of property conveyed to PS NC III, LP by deed recorded in book 29218 page 513 of the Mecklenburg County Registry; Thence with PS NC III, LP line S86°57'46"E 127.88 feet to an existing 2 inch iron pipe a point in the Western line of property conveyed to Billy M. Stegall & Kay C. Stegall by deed recorded in book 7453 page 856 of the Mecklenburg Public Registry; Thence with Stegall's Western line S03°20'12"W 269.79 feet to an existing iron rebar #5 on the Northern right of way line of The Plaza; Thence with said right of way line S89°02'48"W 105.51 feet to the point and place of beginning and containing 0.72 acres, all as shown on a survey by Jack R. Christian & Associates dated March 31, 2015 to which reference is hereby made.

BOUNDARY SURVEY
FOR

UWADIOGBU EJINDU

TOTAL AREA
53,663 Sq Ft
1.23 Ac.

CITY OF CHARLOTTE
MECKLENBURG COUNTY NORTH CAROLINA

DWN: JRC	CHECKED BY: JAC II	DATE: MARCH 31, 2015	
FB: LL/EDC	FILE NAME: PLAZA7413	SCALE: 1"=40'	FILE: 15-03-24

JACK R. CHRISTIAN + ASSOCIATES
-SURVEYING-
PHONE (704) 596-2214 FAX (704) 596-2338
7811 OLD CONCORD RD. CHARLOTTE, NORTH CAROLINA 28213

HensonFoley
Landscape Architecture | Civil Engineering
16740 Birkdale Commons Parkway Suite 200, Huntersville NC 28078
p: 704.875.1615f: | 704.875.0959 | www.hensonfoley.com
NC ENGINEERING BOARD LISCENSE #: C-3781
NC LANDSCAPE ARCHITECTURE BOARD LISCENSE #: C-399

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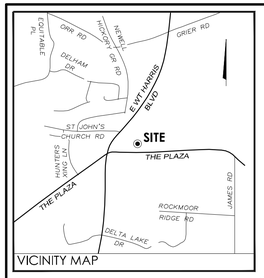
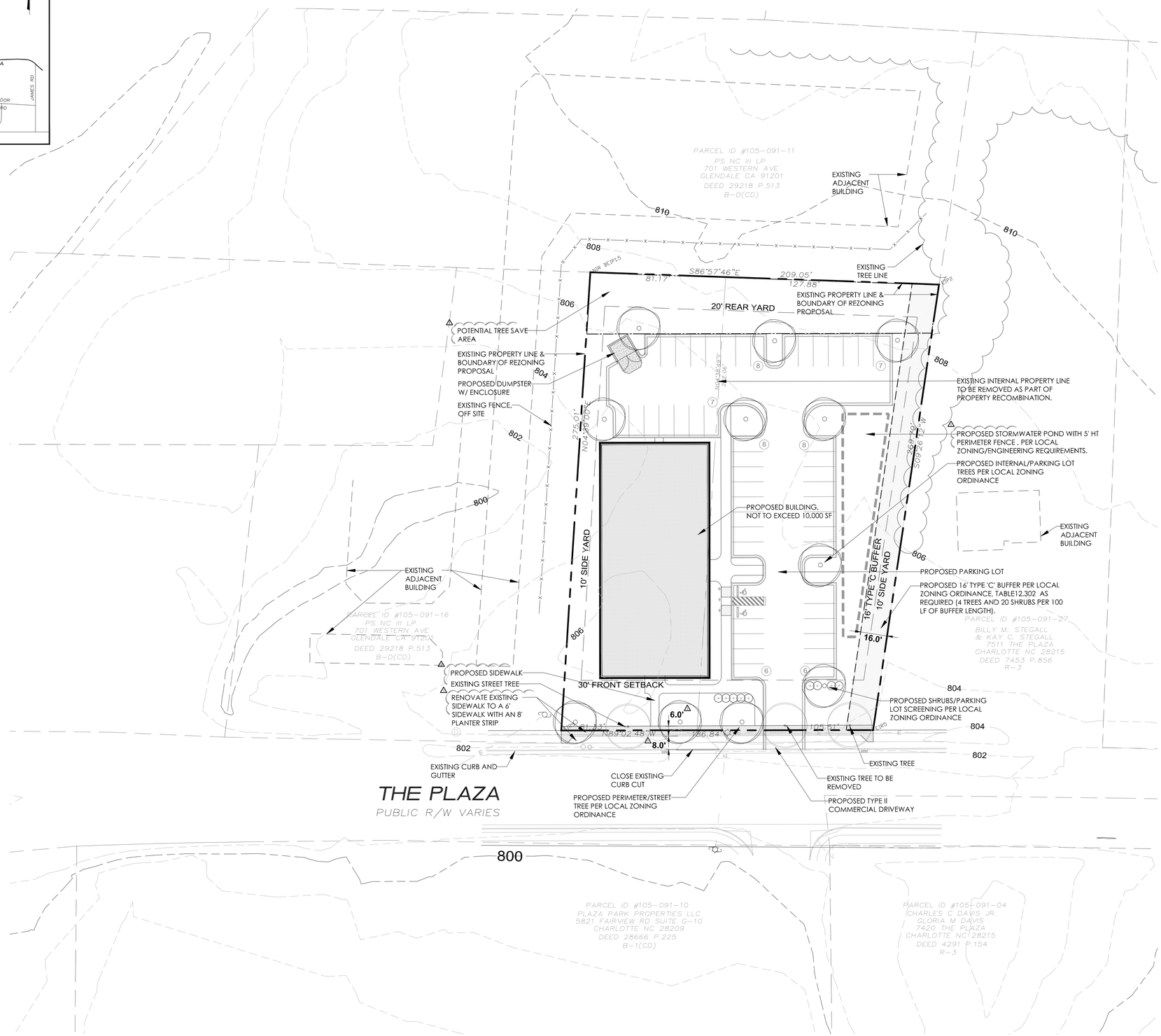
THE PLAZA
OFFICE BUILDING PARCEL
7401 THE PLAZA , CHARLOTTE, NC
PARCEL NUMBER 105091117 & 18

REVISIONS:

FILE NAME: X-216007 EXTG CONDT.DWG
PROJECT NUMBER: 217007
DATE: 02/15/16 DRAWN BY: HF
SHEET **SU - 01**



VICINITY MAP



SITE DEVELOPMENT DATA

SITE ACREAGE:	1.23 AC (APPROXIMATE)
SITE TAX PARCEL :	105-091-17 & 105-091-18 7401 & 7413 THE PLAZA, CHARLOTTE, NC
EXISTING ZONING:	R-3
PROPOSED ZONING:	O-1 (CD)
EXISTING USE:	VACANT
△ PROPOSED USE:	GENERAL OFFICE & MEDICAL OFFICE USE
EXISTING BUILDING SIZE	N/A
PROPOSED BUILDING SIZE	10,000 SF (MAX)
BUILDING HEIGHT (MAX)	40'
FLOOR AREA RATIO (MAX)	.60
OPEN SPACES	PER ORDINANCE
PARKING REQUIRED	PER ORDINANCE
MEDICAL OFFICE	1 SPC PER 200 SF
OFFICE	1 SPC PER 300 SF
PARKING PROPOSED	50 SPC- (1 PER 200 SF)
BICYCLE PARKING REQUIRED	2 SPC LONG/SHORT
BICYCLE PARKING PROPOSED	PER ORDINANCE
MIN. FRONT SETBACK	30' FRONT MIN. SETBACK
MIN. SIDEYARD	10' SIDEYARD
MIN. REARYARD	20' REARYARD
CONTACT:	HENSONFOLEY (JAY HENSON) 704-875-1615

GENERAL/CONDITIONAL REZONING NOTES

GENERAL PROVISIONS:

△ 1. THE PURPOSE OF THE REZONING IS TO ALLOW FOR THE USE OF GENERAL OFFICE & MEDICAL OFFICE USE IN THIS O-1 (CD) ZONING DISTRICT.

△ 2. THE REZONING PLAN IS CONCEPTUAL IN NATURE AND MAY REQUIRE MINOR CHANGES AS ALLOWED PER SECTION 6.207 OF THE ZONING ORDINANCE.

△ 3. HOURS OF OPERATION FOR THE GENERAL PUBLIC SHALL BE LIMITED FROM 6:00 AM TO 10:00 PM.

PERMITTED USE:

△ 1. THE INTENDED USE FOR THE PROPOSED LOT(S) IS FOR GENERAL OFFICE USE /MEDICAL OFFICE USE SERVICES.

△ 2. THE PROPOSED LOT(S) ALLOWS FOR GENERAL OFFICE USE /MEDICAL OFFICE USE SERVICES FOR THIS O-1 (CD) ZONING DISTRICT WITH A MAXIMUM OF 10,000 SF BUILDING AREA WILL BE ALLOWED.

TRANSPORTATION:

1. SITE ACCESS FROM THE PLAZA RD SHALL NOT UTILIZE THE EXISTING DRIVEWAY LOCATION, BUT RATHER PROVIDE A NEW DRIVEWAY LOCATION AS OUTLINED BY THE REZONING PLAN.

ARCHITECTURAL STANDARDS:

△ 1. SEE ATTACHED ARCHITECTURAL BUILDING ELEVATIONS.

△ 2. PROMINENT PEDESTRIAN ENTRANCE.

△ 3. ARCHITECTURAL BUILDING ELEVATIONS ARE CONCEPTUAL/ SCHEMATIC OF THE PROPOSED OFFICE BUILDING DEVELOPMENT. THE CONCEPTUAL PLANS ARE INCLUDED TO REFLECT THE ARCHITECTURAL STYLE AND QUIALITY OF THE OFFICE BUILDING. HOWEVER, THE ACTUAL BUILDING CONSTRUCTION MAY VARY FROM THE CONCEPTUAL ELEVATIONS PROVIDED THE DESIGN INTENT IS PRESERVED.

STREETSCAPES AND LANDSCAPES:

△ 1. THE EXISTING 4' PLANTER STRIP AND 5' SIDEWALK ALONG PLAZA RD SHALL BE RENOVATED TO PROVIDE A 6' WIDE SIDEWALK WITH AN 8' WIDE PLANTING STRIP. PERIMETER STREET TREES SHALL BE INSTALLED ALONG PLAZA RD , AS SHOWN ON THE REZONING PLAN.

LIGHTING:

1. ALL OUTDOOR LIGHTING SHALL UTILIZE DOWNWARD SHIELDED LIGHTING FIXTURES AND PARKING LOT LIGHTING WILL BE LIMITED TO 35 FEET IN HEIGHT.

TRASH SERVICE:

1. TRASH SERVICE WILL BE PROVIDED IN A DUMPSTER AS SHOWN ON THE REZONING PLAN.

ENVIRONMENTAL FEATURES:

1. 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 SUBMITAL 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.

△ 2. STORM WATER, WATER QUALITY AND DETENTION BMPs WILL BE DEVELOPED PER THE CITY OF CHARLOTTE APPROVED 'POST CONSTRUCTION CONTROL ORDINANCE'.

△ 3. THE STORMWATER POND/WATER QUALITY AND DETENTION BMPs WILL BE CONSTRUCTED WITH A 5' HT FENCE AROUND THE PERIMETER OF THE POND TO DISCOURAGE UN-WARRANTED ACCESS TO THE STORMWATER POND.

HensonFoley
Landscape Architecture | Civil Engineering
16740 Birkdale Commons Parkway Suite 200, Huntersville NC 28078
p: 704.875.1615f: | 704.875.0959 | www.hensonfoley.com
NC ENGINEERING BOARD LISCENSE #: C-3781
NC LANDSCAPE ARCHITECTURE BOARD LISCENSE #: C-399

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N
W E
S
NORTH ARROW

0 15 30 60
GRAPHIC SCALE 1"=30 FT.

THE PLAZA
OFFICE BUILDING PARCEL
7401 THE PLAZA , CHARLOTTE, NC
PARCEL NUMBER 105091117 & 18

REZONING PLAN

REVISIONS:

△ 2016/04/15 - 1ST REZONING COMMENTS

FILE NAME: X-216007 REZONING.DWG
PROJECT NUMBER: 217007
DATE: 02/15/16 DRAWN BY: HF
SHEET **RZ - 01**

STREET ELEVATION
1/8" = 1' - 0"

Adams group
A R C H I T E C T S
11111 Car□el Co□□on□Bl□d. STE 160, Charlo□te, N.C. 28226
704/341-0303 Fax 704/341-0652

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PLAZA MEDICAL OFFICE BUILDING
7401 THE PLAZA
CHARLOTTE, NC

PROJECT NUMBER:

ISSUE DATE:
2-17-16

REVISIONS

No.	DATE
No.	DATE
No.	DATE
No.	DATE
No.	DATE
No.	DATE

A-302

FRONT ELEVATION
1/8" = 1' - 0"

REAR ELEVATION
1/8" = 1' - 0"

Adams group
ARCHITECTS
11111 Carmel Commons Blvd. STE 160, Charlotte, N.C. 28226
704/341-0303 Fax 704/341-0652

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PLAZA MEDICAL OFFICE BUILDING
7401 THE PLAZA
CHARLOTTE, NC

PROJECT NUMBER:

ISSUE DATE:
2-17-16

REVISIONS

No.	1	DATE 4-18-2016
No.		DATE
No.		DATE
No.		DATE
No.		DATE
No.		DATE

A-301

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 28.**File #:** 15-3226 **Type:** Zoning Hearing

Rezoning Petition: 2016-063 by Imprint Properties, LLC

Location: Approximately 1.18 acres located on the north side of North Davidson Street between Donatello Avenue and Anderson Street. (Council District 1 - Kinsey)

Current Zoning: I-2 (general industrial)
Proposed Zoning: MUDD-O (mixed used development, optional)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues pertaining to the sidewalk design, placement of windows and doors, and requested technical revisions.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map
Site Plan

powered by Legistar™

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-063
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 1.18 acres located on the north side of North Davidson Street between Donatella Avenue and Anderson Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow for the adaptive reuse of existing buildings located in the historic North Charlotte neighborhood and located within a ½ walk distance of the Sugar Creek Transit Station on the LYNX Blue Line Extension. The proposal would allow any use permitted in the MUDD (mixed use development) district. Uses allowed in the MUDD (mixed use development) district include office, residential, retail and civic uses.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Imprint Properties, LLC Imprint Properties, LLC Russell W. Fergusson
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: None.

STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues pertaining to the sidewalk design, placement of windows and doors, and requested technical revisions. <u>Plan Consistency</u> The petition is consistent with the *Blue Line Transit Station Area Plan,* which recommends transit supportive uses. <u>Rationale for Recommendation</u> • The subject property is located within the historic North Charlotte neighborhood and is also within a ½ mile walk distance of the Sugar Creek Transit Station on the LYNX Blue Line Extension. • The petition proposes to allow for the adaptive reuse of existing buildings located on the subject property. • Preservation of the existing buildings will maintain the character of this part of the North Charlotte neighborhood. • The proposed streetscape enhancements are consistent with the corridor construction plans for the Blue Line Extension project and the NCDOT Sugar Creek Grade Separation project which includes the streetscape project along North Davidson Street. • These enhancements, which include a wider sidewalk and planting strip, will improve the pedestrian environment along the frontage of this site.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Retains the existing 23,344-square foot buildings and allows a 5,200-square foot patio expansion to allow all uses permitted in the MUDD (mixed use development) district.
  - Site will require a rezoning if the existing building is demolished.
  - Existing buildings to retain the same height, with the exception of a rooftop patio. Overall building height not to exceed 50 feet.
  - Artwork and design components to be incorporated in outdoor spaces as part of patio and outdoor common areas.
  - An eight-foot planting strip and eight-foot sidewalk to be provided from the adjacent parcel to the northeast to the point of the street closure of Craighead Road.
  - Parking lot abutting Craighead Road to be screened with a wall that may incorporate art and sculptural elements.

- Optional Provisions:
  - Allow the one-way drive exiting onto Craighead Road to deviate from requirements of being perpendicular to the road and to exceed limitations of width, provided it does not exceed 38 feet in width.
  - To facilitate preservation of the existing buildings, parking requirements shall be reduced from 56 spaces to 36 spaces; allow the 36 spaces be the maximum required number of parking spaces, with no additional spaces required for the use of the 33,440 square feet.
  - Areas marked as "future patio expansion" and any future rooftop patio improvements may be used for expansion of the outdoor service, seating, consumption and/or entertainment space not to exceed the aggregate amount of patio square footage and future patio square footage set forth in the development summary. No additional parking spaces in excess of 36 spaces will be required if the patio expansion and/or rooftop patio is developed and used as outdoor service, seating, consumption and/or entertainment. In addition, any applicable parking requirements shall be waived.
  - Parking shall be permitted to extend past the building façade up to the setback and may be located between the existing building /permitted uses and the required setback as shown on the rezoning plan.
  - Existing buildings, entryways and doors, including roll-up doors, may be preserved and additional doorways may be constructed in the same or similar style to existing without requirement to meet MUDD design standards.
  - Unless additional off-site parking is provided sufficient to meet ordinance requirements, the total square footage of all the eating/drinking/entertainment Type 2 use shall not exceed the aggregate amount of 23,000 square feet. The amount of eating/drinking/entertainment Type 2 use square footage shall not include the common areas of the buildings or the production, storage, office and warehouse portions of any brewery use.
  - Petitioner shall meet the requirements of Section 12.544 of the ordinance for the arrangement of windows and doors on the building elevations for the building located at 3701 North Davidson Street.

- **Existing Zoning and Land Use**
  - The subject property is zoned I-2 (general industrial) and currently developed with two warehouse buildings which are connected by a fork lift tunnel.
  - Parcels located south of the Southern Railroad line on either side of Anderson Street and North Davidson Street are primarily zoned I-2 (general industrial) and developed with warehouse uses.
  - Properties south of the Southern Railroad line, east of Herrin Avenue, are zoned R-5 (single family residential), UR-3(CD) (urban residential, conditional), and UR-1(CD) (urban residential, conditional) and developed with single family detached dwellings, apartments and residential condominiums.
  - Lots located on the north side of North Davidson Street, on either side of East Craighead Road, are zoned UR-2(CD) (urban residential, conditional), I-1 (light industrial), I-2 (general industrial) and TOD-M (transit oriented development – mixed use) and developed with three single family dwellings, warehouse uses, and an asphalt manufacturing plant.
  - See "Rezoning Map" for existing zoning in the area.

- **Rezoning History in Area**
  - Petition 2014-04 rezoned 2.4 acres located on the south side of Raleigh Street between East Sugar Creek Road and Greensboro Street to TOD-M (transit oriented development – mixed-use) to allow all uses permitted in the district.

- **Public Plans and Policies**
  - The *Blue Line Extension Transit Station Area Plans* (2013) recommend transit supportive uses for the subject site.
  - The *BLE Transit Station Area Plans* recommends a 50-foot height limit for future buildings in this area.

- **TRANSPORTATION CONSIDERATIONS**
  - This site has direct access to an existing minor thoroughfare near an unsignalized intersection with a local street. The site is adjacent to the LYNX Blue Line Extension and within the project limits of an approved NCDOT project (U-5008, Sugar Creek Road Grade Separation). Additionally, the potential Cross Charlotte Trail alignment is within 1000 feet of this site. This plan complies with the general transportation policy goals and applicable area plans. CDOT has not identified any negative impacts to the transportation facilities in the area.
  - See Outstanding Transportation Issues, Notes 1 and 2.

- **Vehicle Trip Generation:**
  Current Zoning:
  Existing Use: 80 trips per day (based on 23,300 square feet of warehouse uses).
  Entitlement: 80 trips per day (based on 23,300 square feet of warehouse uses).
  Proposed Zoning: Trips per day cannot be determined due to the number of uses permitted.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Transportation

1. CDOT recommends the petitioner revise the site plan to provide additional hardscape pavement material between the back of the proposed eight-foot sidewalk and the building versus small intermittent grass strips and the internal sidewalks. Planning needs to be consulted to define the additional hardscape areas, behind the proposed public sidewalk.
2. The petitioner needs to revise the site plan to include a permanent Sidewalk Utility Easement between the proposed right-of-way line and back of the proposed eight-foot wide sidewalk along the site's North Davidson Street frontage.

Site and Building Design

3. Clarify how the note related to the petitioner meeting the requirements of Section 12.544 of the ordinance for the arrangement of windows and doors on the building elevations for the building located at 3701 North Davidson Street is an optional request. As written, it is not an optional request.

REQUESTED TECHNICAL REVISIONS

Other

4. Correct "Craighead Street" to "Craighead Road" throughout the site plan.
5. Replace existing Note 1(d) under General Provisions with the following: "Existing buildings to remain."
6. Delete the following verbiage under Note 2(f) under Optional Provisions and replace as a new note under Permitted Uses: "Unless additional off-site parking is provided sufficient to meet ordinance requirements, the total square footage of all the Eating Drinking and Entertainment Type 2 uses shall not exceed the aggregate amount of 23,000 square feet.
7. Delete all notes that state "per ordinance requirements."
8. Replace existing Note 2(g) under Optional Provisions and replace as a new note under Architectural Standards.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review

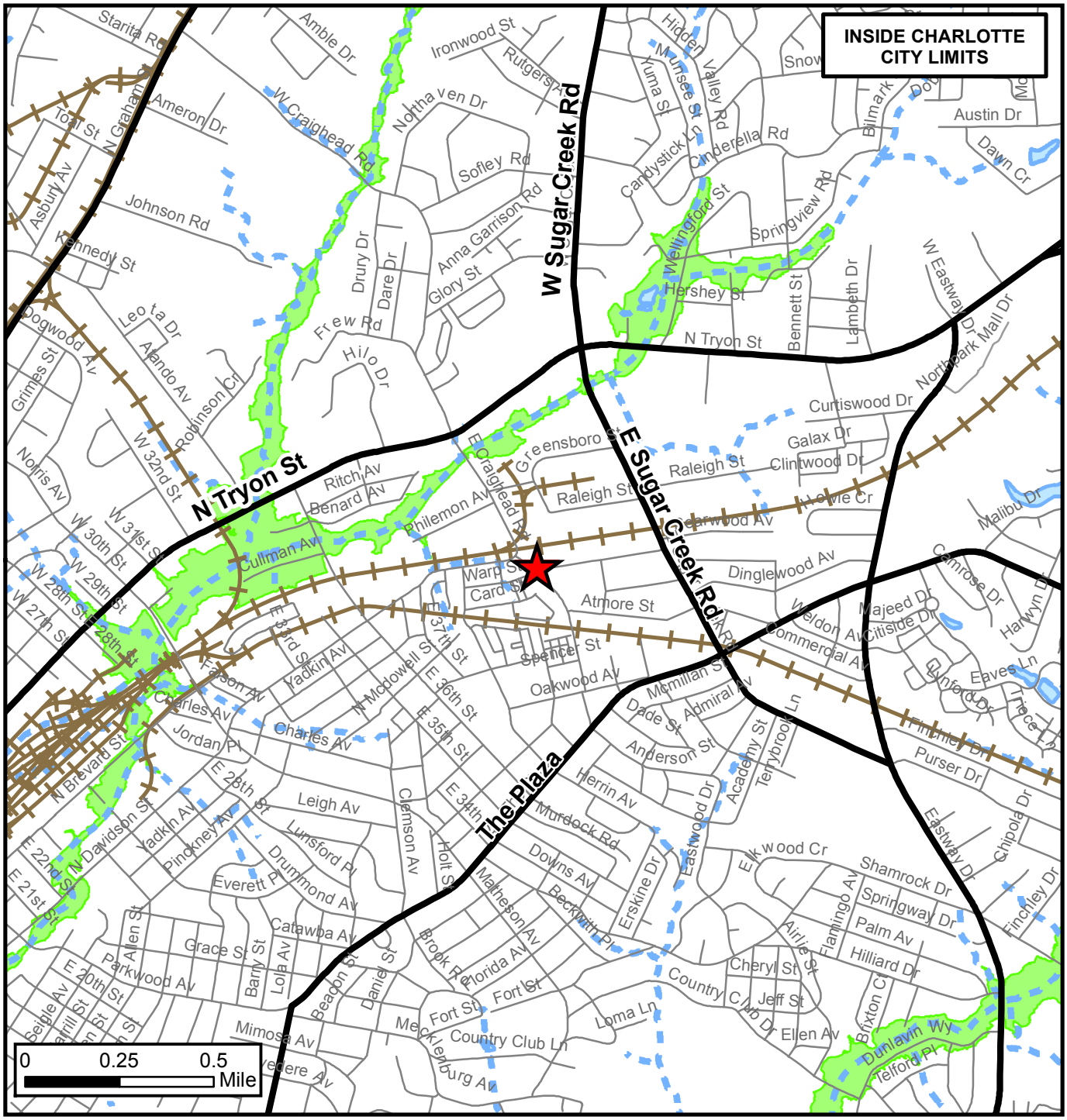
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

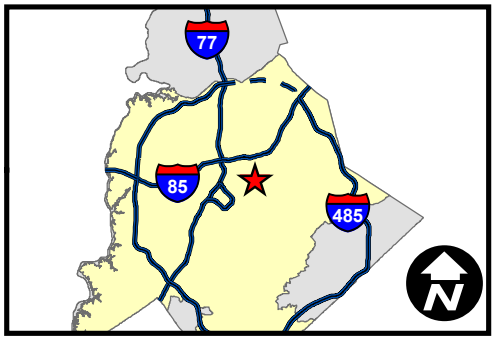
Planner: Sonja Strayhorn Sanders (704) 336-8327

Petition #: 2016-063

Vicinity Map

Acreage & Location : Approximately 1.18 acres located on the north side of North Davidson Street between Donatello Avenue and Anderson Street.





Rezoning Petition: 2016-063

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

March 28, 2016

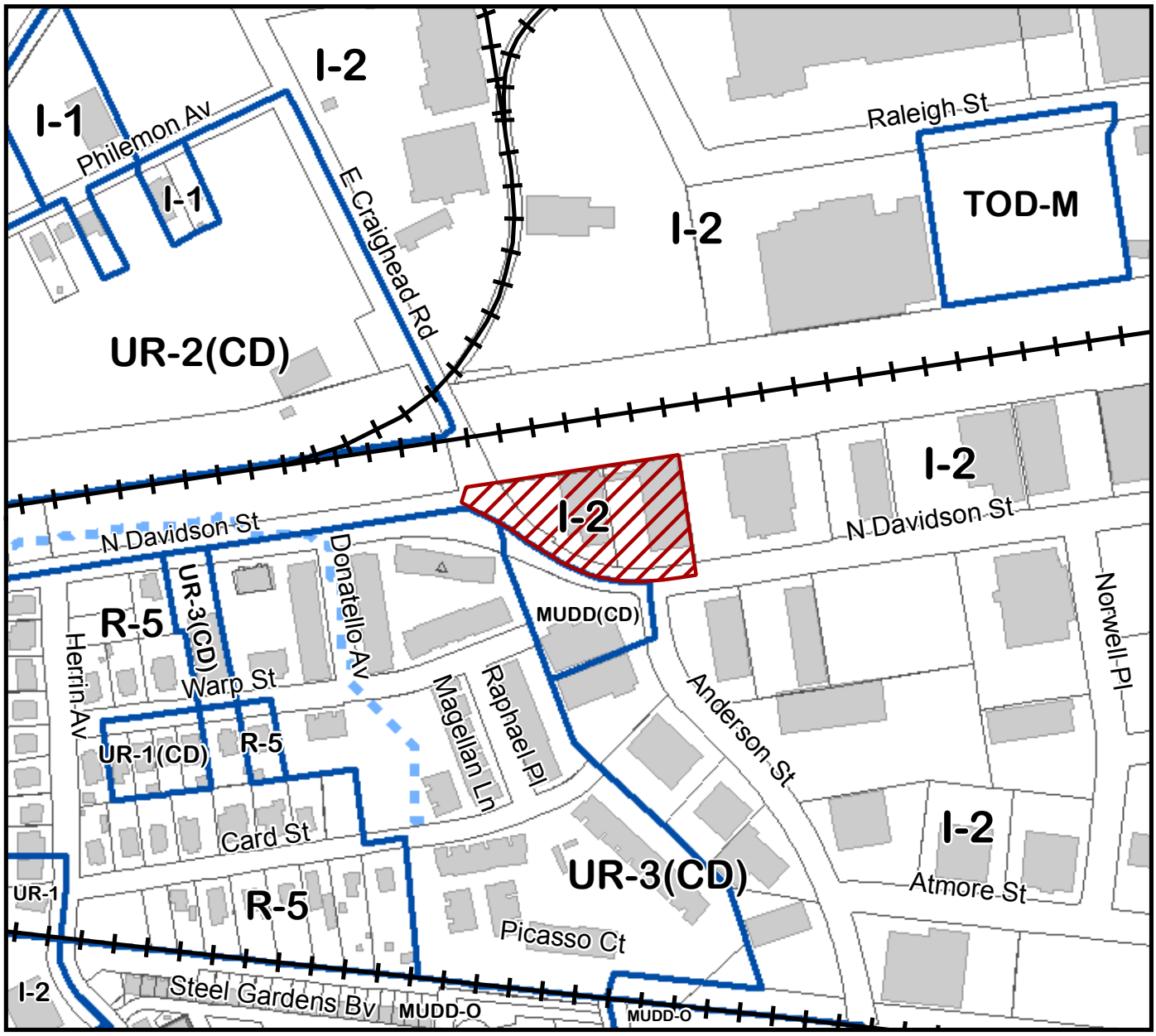
Petition #: 2016-063

Petitioner: Imprint Properties, LLC

Zoning Classification (Existing): I-2
(General Industrial)

Zoning Classification (Requested): MUDD-O
(Mixed Use Development District, Optional)

Acreage & Location: Approximately 1.18 acres located on the north side of North Davidson Street between Donatello Avenue and Anderson Street.



Map Produced by the Charlotte-Mecklenburg Planning Department, 3-23-2016.

0 100 200 400 600 800 Feet

N

Zoning Map #(s)
89

Requested MUDD-O from I-2

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

1. General Provisions

a. The development of the site will be governed by the Rezoning Plan, these standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The regulations established for the zoning of the MUDD zoning district, shall govern the development of this site, subject to the optional provisions herein.

b. The development depicted on the Rezoning Plan is schematic and represents the general proposal for the project. Accordingly, the configuration, placement, size and number of stairs, sidewalks, trees, ramps, patio, parking areas and/or site elements may be altered or modified within the limits prescribed by the zoning ordinance, subject to the Optional Provisions provided below.

c. Alterations to the conditional plan are subject to section 6.207, Alterations to Approval.

d. In the event that the existing buildings are demolished the site will require a rezoning.

2. Optional Provisions

a. The one-way drive exiting onto Craighead St. may deviate from requirements of being perpendicular to the road and may exceed limitations of width, provided that it does not exceed 38 feet in width.

b. To facilitate preservation of the existing buildings, parking requirements shall be reduced to 36 spaces total as shown on the Rezoning plan. Subject to the restrictions on EDEE Type 2 use set forth herein, the 36 spaces shown on the Rezoning Plan shall be the maximum required number of parking spaces and no additional spaces shall be required for the use of the 33,440 sq. ft. set forth in the Rezoning Plan.

c. The areas marked as "Future Patio Expansion" and any future rooftop patio improvements may be used for expansion of the outdoor service, seating, consumption and/or entertainment space not to exceed the aggregate amount of Patio Square Footage and Future Patio Square Footage set forth in the Development Summary. In the event that the "Future Patio Expansion" or a rooftop patio is developed and used as outdoor service, seating, consumption and/or entertainment, additional parking spaces in excess of the 36 set forth in this Rezoning Plan shall not be required and any applicable parking requirements shall be waived.

d. Parking shall be permitted to extend past the building façade up to the setback and may be located between the existing building/permitted uses and the required setback in the manner shown on the Rezoning Plan.

e. Existing Buildings, entryways and doors, including roll-up doors may be preserved and additional doorways may be constructed in the same or similar style to existing without requirement to meet MUDD Design standards.

f. Unless additional off-site parking is provided sufficient to meet ordinance requirements, the total square footage of all of the Eating Drinking and Entertainment Type 2 use shall not exceed the aggregate amount of 23,000 sq. ft. The amount of Eating Drinking and Entertainment Type 2 use square footage shall not include the common areas of the buildings or the production, storage, office and warehouse portions of any Brewery use.

g. Petitioner shall meet the fenestration requirements of Section 12.544 of the Ordinance for the building located at 3701 N. Davidson.

3. Permitted uses

a. Allowed uses: Any use or combination of uses and accessory uses as permitted in MUDD.

4. Transportation

a. Per Ordinance requirements.

5. Architectural Standards

a. Existing Buildings to remain the same height with the exception of potential roof patio. Overall height shall not exceed 50' including the rooftop patio.

b. Urban Design elements to include new pedestrian oriented entrances, covered and uncovered patios and increased fenestration of street facades and existing brick walls.

c. Incorporation of artwork and design components in outdoor spaces as a part of patio and outdoor common areas.

6. Streetscape and Landscaping

a. Petitioner to provide an 8' sidewalk and 8' planting strip from adjacent parcel to the northeast to the point of the street closure as set forth in the Optional Provisions.

b. Addition of street trees and interior trees as shown on the site plan, subject to Optional Provisions.

c. Petitioner shall screen the parking lot that abuts Craighead St. with a wall per ordinance requirements and may incorporate art and sculptural elements into the wall.

7. Environmental Features

a. Tree save areas - N/A

8. Parks, Greenways and Open Space

a. Reservation/Dedication of park and/or greenway: N/A

b. Park and/or greenway improvements: N/A

c. Privately constructed open space as shown on patio areas and courtyards

9. Fire Protection

a. Per Ordinance requirements.

10. Signage

a. Per Ordinance requirements.

11. Lighting

a. Per Ordinance requirements.

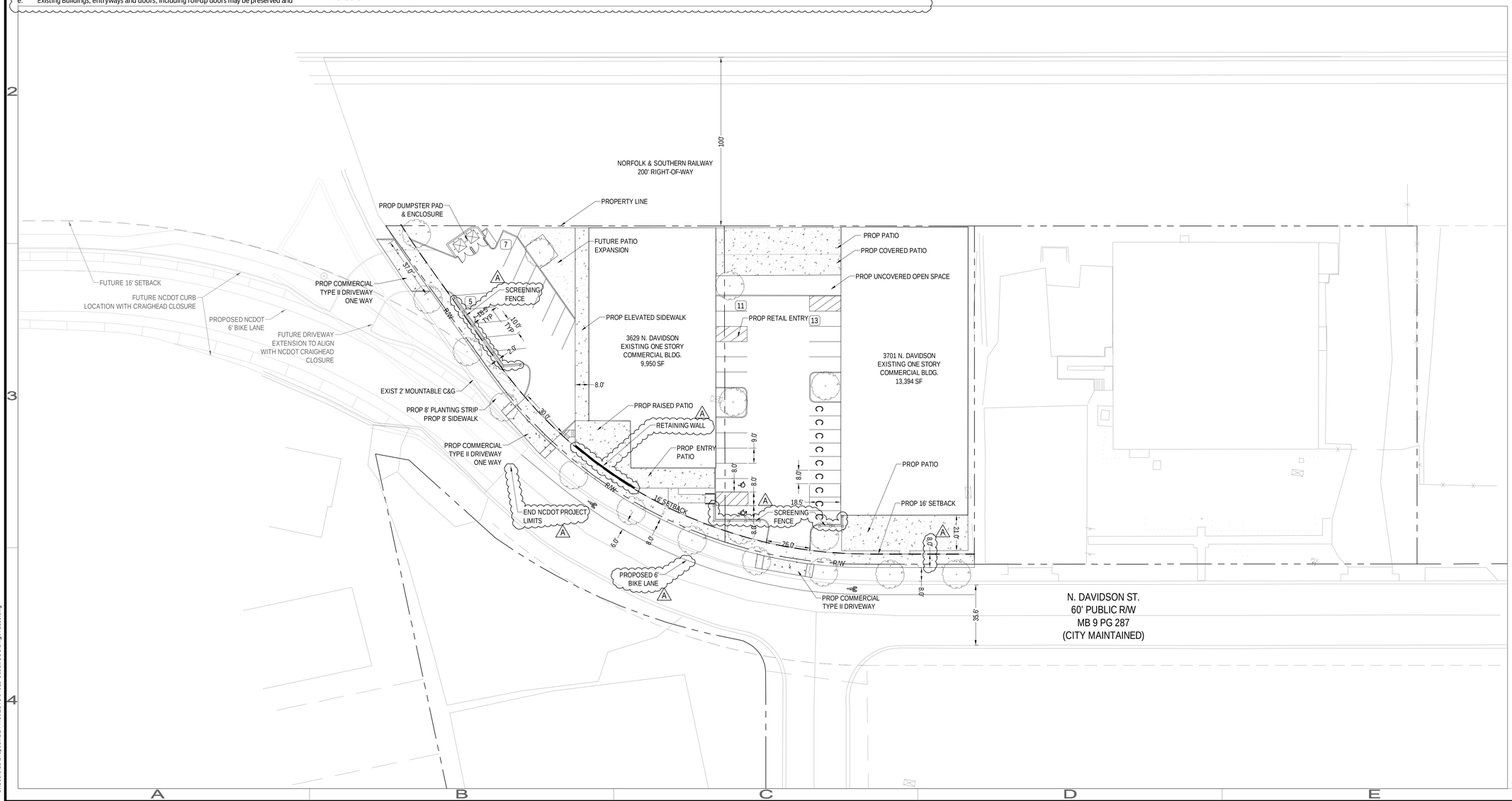
12. Phasing

a. Per Ordinance requirements.

Rwf Rev 04.15.2016

DEVELOPMENT SUMMARY

REZONING SITE AREA:	0.51+0.67 = 1.18 ACRES
TAX PARCEL ID:	091-06-702 & 091-06-710
EXISTING ZONING:	I-2
PROPOSED ZONING:	MUDD-O
EXISTING USES:	MANUFACTURING / WAREHOUSE
PROPOSED USES:	PER ORDINANCE REQUIREMENTS AS OUTLINED IN SECTIONS 9.8502 AND 9.8503
EXISITING BUILDING SF:	9950 SF + 13,394 SF = 23,344 SF
PROPOSED SF:	PER ORDINANCE REQUIREMENTS PATIO SF: 5,142 SF FUTURE PATIO EXPANSION SF: 5,200 SF
PARKING:	PER ORDINANCE REQUIREMENTS & OPTIONAL PROVISIONS NOTED.
BUILDING HEIGHT:	PER ORDINANCE REQUIREMENTS
OPEN SPACE:	N/A - BUILDING AREA < 50,000 SF



BANKS ENGINEERING
1919 SOUTH BOULEVARD
SUITE 200
CHARLOTTE, NC 28203
T: 704.780.4972
NC License #P-1370

© 2016

CLIENT: IMPRINT PROPERTIES
401 HAWTHORNE LANE
STE 110-240
CHARLOTTE, NC 28204

PROJECT: 3629 & 3701 N. DAVIDSON
3629& 3701 N. DAVIDSON
CHARLOTTE, NC 28205

SHEET: TECHNICAL DATA SHEET
PETITION 2016-063

REV.	DATE	DESCRIPTION
A	04.15.16	REVISED PER COMMENTS FROM PLANNING

DESIGNED:	JDB
DRAWN:	
CHECKED:	
PROJECT:	01029001
DATE:	02.19.16

RZ1-0

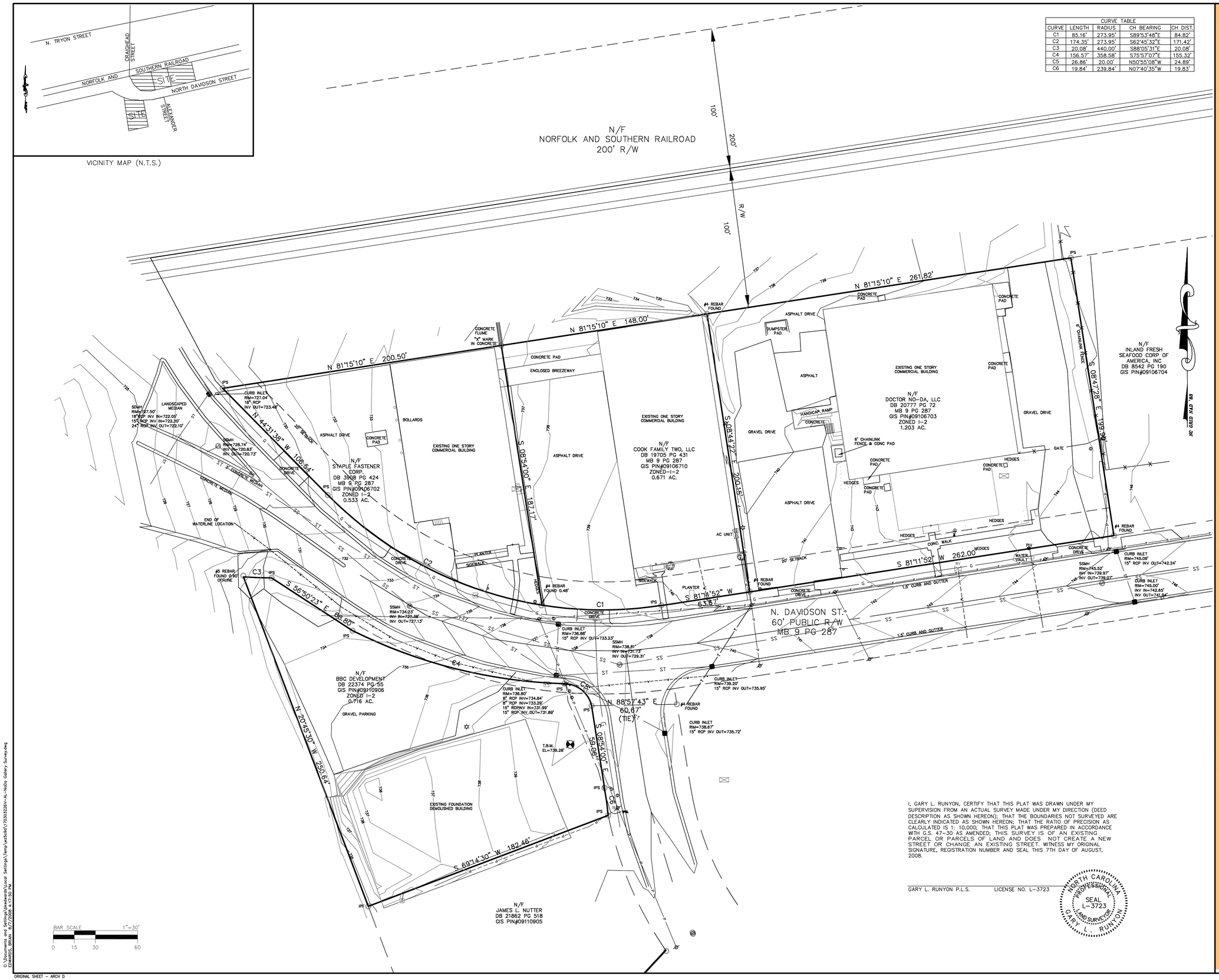
April 15, 2016 - 12:43pm By: Ba

C:\Users\Bar\Dropbox\BE PROJECTS\01029 Cobalt DBS\Dwg\X-Base.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 BANKS ENGINEERING, PLLC. SHALL BE WITHOUT LIABILITY TO BANKS ENGINEERING, PLLC.

VICINITY MAP (N.T.S.)

CURVE TABLE				
CURVE	LENGTH	RADIUS	CH BEARING	CH DIST.
C1	85.16'	273.95'	S89°53'48"E	84.82'
C2	174.35'	273.95'	S62°45'32"E	171.42'
C3	20.08'	440.00'	S88°05'31"E	20.08'
C4	156.57'	358.58'	S75°57'07"E	155.32'
C5	26.86'	20.00'	N50°55'08"W	24.89'
C6	19.84'	239.84'	N07°40'35"W	19.83'



I, GARY L. RUNYON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY DIRECTION (DEED DESCRIPTION AS SHOWN HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 7TH DAY OF AUGUST, 2008.

GARY L. RUNYON P.L.S. LICENSE NO. L-3723

NORTH CAROLINA PROFESSIONAL SEAL L-3723 LAND SURVEYOR GARY L. RUNYON

Stantec Consulting Services Inc.
2127 Ayrsley Town Blvd. Suite 300
Charlotte, NC 28273
Tel. (704) 329-0900
Fax. (704) 329-0905
www.stantec.com

Stantec

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Legend

- T.B.M. – BENCHMARK
- N/F – NOW OR FORMERLY
- R/W – RIGHT-OF-WAY
- – FENCE LINE
- – OVERHEAD ELECTRIC LINE
- – UNDERGROUND ELECTRIC LINE
- C.M.S. – CONCRETE MONUMENT SET
- C.M.F. – CONCRETE MONUMENT FOUND
- N.M.S. – NO MONUMENTATION SET
- N.M.F. – NO MONUMENTATION FOUND
- I.P.S. – IRON PIN SET (#5 REBAR)
- I.P.F. – IRON PIN FOUND (AS NOTED)
- D.I. – DRAIN INLET
- – STORM SEWER LINE
- S.S.M.H. – SANITARY SEWER MANHOLE
- – SANITARY SEWER LINE
- S.S.E. – SANITARY SEWER EASEMENT
- F.S. – FRONT SETBACK
- S.Y. – SIDE YARD SETBACK
- R.Y. – REAR YARD SETBACK
- – SURVEYED LINE
- – LINE NOT SURVEYED
- DB / PG – DEED BOOK AND PAGE
- MB / PG – MAP BOOK AND PAGE
- F.I.R.M. – FLOOD INSURANCE RATE MAP
- N.T.S. – NOT TO SCALE
- P.O.B. – POINT OF BEGINNING
- G.I.S. P.I.N. – GEOGRAPHICAL INFORMATION SYSTEM PARCEL IDENTIFICATION NUMBER
- N.A.D. – NORTH AMERICAN DATUM
- N.A.V.D. – NORTH AMERICAN VERTICAL DATUM
- C.G.F. – COMBINED GRID FACTOR
- – CATCH BASIN/DROP INLET
- – GAS VALVE
- – SIGN (TYP)
- – WATER METER
- – ELECTRIC CABINET
- – TREE (TYP)
- – GAS VALVE
- – LAMP POST
- PIV –POST INDICATOR VALVE

Notes

1) SURVEY WAS COMPLETED 6/11/2008.
2) CALCULATED RATIO OF PRECISION BEFORE ADJUSTMENTS IS +1:10,000. TRAVERSE ADJUSTED BY COMPASS RULE METHOD.
3) OWNER(S) OF RECORD AS SHOWN HEREON
4) THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA PER F.E.M.A. FLOOD INSURANCE RATE MAP 3711920168E DATED FEBRUARY 4, 2004.
5) AREAS (COMPUTED BY COORDINATE METHOD) ARE AS SHOWN HEREON.
6) THIS PROPERTY MAY BE SUBJECT TO ANY AND ALL EASEMENT(S) OR RIGHT(S) OF WAY, WHETHER WRITTEN OR UNWRITTEN, RECORDED OR UNRECORDED. VISIBLE EVIDENCE INDICATING ANY SUCH USE OF THE LAND IS SHOWN.
7) PROPERTY ZONED AS SHOWN HEREON PER MECKLENBURG COUNTY GIS.
8) NO U.S.. OR N.C. HORIZONTAL. CONTROL MONUMENT FOUND WITHIN 2,000 FEET OF SITE.
9) NO OBSERVABLE EVIDENCE OF BURIAL GROUNDS WITHIN THIS SITE NOR WERE ANY REPORTED TO THIS FIRM.
10) THIS PLAT WAS PREPARED WITH THE USE OF A TITLE REPORT PREPARED BY _____, DATED MONTH DAY, 2008 (COMMITMENT NO._____).
11) THIS PROPERTY MAY OR NOT MAY CONTAIN WETLANDS. NO WETLANDS WERE INVESTIGATED, IDENTIFIED, DELINEATED, LOCATED OR CONFIRMED FOR PURPOSES OF THIS SURVEY.
12) PLANIMETRICS AND CONTOURS AS SHOWN ARE BASED ON CONVENTIONAL GROUND SURVEY METHODS BY STANTEC.
13) DEED AND PLAT REFERENCES USED IN THE DETERMINATION OF BOUNDARY LOCATION ARE AS SHOWN.
14) SITE BENCHMARK AS SHOWN.
15) IRRIGATION WAS FOUND THROUGHOUT THE SITE IN LANDSCAPE/GRASS AREAS BUT ACTUAL COURSES COULD NOT BE DETERMINED OR CLEARLY SHOWN ON THIS PLAT.
16) UNDERGROUND UTILITIES SHOWN HEREON REPRESENT OBSERVED ABOVE-GROUND EVIDENCE (PAINT MARKS AND/OR PIN FLAGS) INSTALLED BY ON TARGET UTILITY LOCATORS AND ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, BOTH IN SERVICE AND ABANDONED NOR THAT THE UNDERGROUND UTILITIES AS SHOWN ARE IN THE EXACT LOCATION BUT, RATHER, SHOWN AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION PROVIDED.
17) THIS SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND UTILITY PLANS DETERMINE THE LOCATION OF ANY EXISTING UNDERGROUND UTILITIES IN THE AREA. LOCATIONS TO BE VERIFIED BEFORE DIGGING. CALL N.C. ONE CALL AT 1-800-632-4949.
18) VERTICAL DATUM IS NAVD '88.
19) CONTOUR INTERVAL IS ONE (1) FOOT.
20) MINIMUM BUILDING SETBACKS AS FOLLOWS: SIDE YARD 0' , BUT IF PROVIDED MUST BE A MINUMUM OF 5', REAR YARD 0'; FRONT SETBACK 20'
21) MAXIMUM BUILDING HEIGHT 40'
22) DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES BASED ON THE U.S. SURVEY FOOT.

Revision

	Dwn.	Chkd.	Dsgn.	MM.DD.YY
170303226V-AL	RDB	GLR	N/A	08.07.08
	Dwn.	Chkd.	Dsgn.	MM.DD.YY

Client:
JR DEVELOPERS c/o
ASCENT PROPERTIES OF THE CAROLINAS
2424 N. DAVIDSON ST. STE 11
CHARLOTTE, N.C. 28205
704-995-5887

BOUNDARY AND TOPOGRAPHIC SURVEY OF
MECKLENBURG COUNTY TAX PARCELS:
09110906,09106702, 09106710 & 09106703
CITY OF CHARLOTTE
COUNTY OF MECKLENBURG
STATE OF NORTH CAROLINA

Project No.	Scale	Date
170303226	1"=30'	0/07/2008
Drawing No.	Sheet	Revision
	1 of 1	0 RZ1-1

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ORIGINAL SHEET - ARCH D

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 29.**File #:** 15-3227 **Type:** Zoning Hearing

Rezoning Petition: 2016-066 by JWM Family Enterprises, Inc.

Location: Approximately 5.32 acres located on the southwest corner at the intersection of Roxborough Road and Rexford Road. (Council District 6 - Smith)

Current Zoning: O-1 (office district) & O-15 (CD) (office district, conditional)
Proposed Zoning: MUDD-O (mixed use development, optional)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to landscaping along the streets, sidewalks, and transportation improvements.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map
Site Plan

powered by Legistar™

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-066
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: O-1 (office) and O-15(CD) (office, conditional) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 5.32 acres located on the southwest corner at the intersection of Roxborough Road and Rexford Road. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes to allow the existing 200-room hotel to remain and the addition of a second hotel with 170 rooms and a parking structure on the underutilized portion of the larger site located in the SouthPark area.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	South Park Real Estate, LLC JWM Family Enterprises, Inc. Jeff Brown and Keith MacVean
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 22.

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to landscaping along the streets, sidewalks, and transportation improvements.

Plan Consistency

- The petition is consistent with the *SouthPark Small Area Plan*, which recommends office or a mixed of office and residential. A hotel, which is the use proposed for this site, is classified as an office/business use and allowed in office and business zoning districts.

Rationale for Recommendation

- The *Centers, Corridors and Wedges Growth Framework* identifies SouthPark as a Mixed Use Activity Center, a priority area for intensification and urban, pedestrian-oriented development.
- The more specific vision articulated in the *SouthPark Small Area Plan* calls for the SouthPark area to transition from a suburban shopping and business environment to a town center composed of a balanced mixture of land uses.
- The proposed site plan intensifies the subject site by redeveloping a surface parking lot located between an existing hotel and Rexford Road, with a second hotel and accessory structured parking.
- The new hotel will enhance the pedestrian environment by providing active, ground floor uses oriented to the public sidewalk on Roxborough Road.
- Where the proposed parking structure fronts Rexford Road, the site plan commits to architectural treatment to the structure and also provides a wide setback to allow tree preservation and additional landscaping to partially screen the parking deck from the public sidewalk.
- The site plan also provides wide setbacks along Roxborough Road to preserve existing mature trees and provide added green space consistent with other recently approved rezonings and to support the concept of a “green ribbon” along streets in the SouthPark area as discussed in the recent Urban Land Institute study of the SouthPark area.
- The maximum building height of 85 feet is consistent with the height of recently approved development on the “Colony Apartments” site to the east, and mid-rise building heights are appropriate in a Mixed-Use Activity Center.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allows the existing 200-room hotel to remain and the redevelopment of a portion of the surface parking lot located at the northeast corner of the site for a new 170-room hotel and a two-level parking structure.
  - Maximum building height of eight stories, not to exceed 85 feet except for the rooftop dining area which will be located on the southern portion of the building.
  - Allows a maximum of two principal buildings on the site and an accessory two-story parking structure.
  - Provides a 40-foot setback as measured from the back of existing curb along Roxborough Road and Rexford Road. First floor pedestrian-oriented architectural features may encroach 20 feet into the setback and balconies on upper floors may encroach 10 feet where there are no conflicts with trees identified for preservation. Outdoor seating and amenity areas are permitted within the 40-foot setback.
  - Provides an eight-foot planting strip and eight-foot sidewalk along Roxborough Road and Rexford Road. Sidewalks may meander to preserve existing trees.
  - Specifies the petitioner will work with the City Arborist to identify trees to be saved within the 40-foot setback, as well as additional trees outside of the 40-foot setback.
  - Proposes a pedestrian-oriented public gathering area at the corner of Roxborough and Rexford Roads.
  - Specifies building materials and provides conceptual building elevations.
  - Commits to at least one architecturally prominent and publically accessible pedestrian entrance from Roxborough Road that will be open during regular business hours and provide access to the hotel's ground floor lobby and other amenities. The entrance will be designed to be clearly identifiable with prominent elements within the building façade.
  - Provides a number of architectural and building design standards to ensure creating highly visible, active uses on the ground floor; mitigating building mass and scale; breaking up expanses of blank walls and end walls; and screening the parking deck elevation along Rexford Road.
  - Specifies that outdoor dining is permitted adjacent to the rooftop lounge/penthouse.
  - Requests the following optional provisions:
    - Allow a three-sided sign located at the top of building as depicted on the elevations. The area of each of these walls signs will not exceed 200 square feet.
    - Allow wall signs, in addition to those permitted on the architectural feature at the top of the building, to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less.
    - Allow one detached ground mounted sign per street front with a maximum height of six feet and containing up to 36 square feet of sign area.
    - Allow the existing ground mounted sign at the corner of Rexford and Roxborough to remain.
    - Allow a parking deck and access ramp to be located between the existing building and Rexford Road.
    - Allow the existing parking and maneuvering areas located between the existing building and the streets to remain.
    - Allow the existing building to not have to meet the street wall requirements of the MUDD (mixed use development) zoning district.

- **Existing Zoning and Land Use**
  - The subject property is zoned O-1 (office) and O-15(CD) (office, conditional), and is developed with a hotel built in approximately 1984. The building is set back from the street frontages with a parking lot at the front.
  - Abutting to the south is the Specialty Shops on the Park shopping center, in B-1(CD) (neighborhood business conditional) zoning.
  - Across Roxborough Road to the southeast are a series of individual retail and office properties fronting Morrison Boulevard, in B-1SCD (business shopping center), O-3(CD) (office, conditional), and MUDD-O (mixed use development, optional) zoning.
  - To the east across Roxborough Road is the Colony Apartments site, recently rezoned for a major mixed use redevelopment, to include hotel, retail, office, and residential uses extending up to 160 feet in height. The site plan includes an extension of Rexford Road all the way through the site from Roxborough Road to Sharon Road.
  - To the northeast across Rexford Road is the Trianon Condominium property with two-story residential buildings built about 1969 and zoned R-17MF (multi-family residential).
  - To the west and northwest along both sides of Rexford Road are a number of office buildings

fronting Rexford Road (in various office zoning districts).
- See "Rezoning Map" for existing zoning in the area.

- **Rezoning History in Area**
  - There have been a number of rezonings to MUDD-O (mixed use development, optional) west, south and east of the site, within the SouthPark Mixed Use Activity Center, to allow residential and mixed use developments.

- **Public Plans and Policies**
  - The *SouthPark Small Area* Plan (2000) shows the property as office or a mix of office and residential.
  - The vision articulated in the *SouthPark Small Area Plan* calls for the SouthPark area to transition from a suburban shopping and business environment to a town center composed of a balanced mixture of land uses. This vision was recently reinforced through the work of a panel of experts from the Urban Land Institute studying the SouthPark area.

- **TRANSPORTATION CONSIDERATIONS**
  - Located in the SouthPark Mixed Use Activity Center, this site on the corner of the unsignalized intersection of an existing major collector street and a local street. Generally, CDOT supports greater density in Mixed Use Activity Centers since the mixture of uses yields shorter vehicle trip lengths that are less impactful than accommodating the same uses spread over greater distances. The additional trips generated by this petition along with new trips from nearby approved rezonings may require installation of a signal at the Roxborough Road and Rexford Road intersection. CDOT has requested a contribution for the partial cost of a signal at this intersection and dedication of needed signal utility easements. This signal will manage vehicular traffic and provide a safe pedestrian crossing.
  - See Outstanding Transportation Issues, Notes 10 through 12.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 1630 trips per day (based on 200 hotel rooms).
    Entitlement: 1630 trips per day (based on 200 hotel rooms)
    Proposed Zoning: 3020 trips per day (based on 370 hotel rooms).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water currently has water system availability via existing eight-inch water mains located along Rexford Road and Roxborough Road and system availability via existing eight and 10-inch sewer mains located along Roxborough Road.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. Provide a note under Streetscape, Buffer, Landscaping Open Space and Screening that specifies that the petitioner will provide additional landscape plantings along Roxborough and Rexford Roads as generally depicted on RZ-3.
2. Provide a note that a network of internal sidewalks with a minimum width of five feet will be provided as generally depicted on RZ-3.
3. Clarify what "first floor pedestrian-oriented architectural features" are as referred to in Note 5a.
4. Limit the total amount of encroachment allowed for outdoor seating and amenity area in the 40-foot setback specified in Note 5a along Roxborough Road.
5. Revise Note 5c to clarify commitment to preserving additional trees and remove the wording related to "intent."
6. Indicate that in the area where additional trees will be preserved outside of the 40-foot setback,

the building setback will be greater than 40 feet as generally depicted on the site plan.

7. Define "prominent elements within the building façade" as referred to in Note 6c.
8. Reduce the size of the three-sided sign located on the top of the building to reflect what is shown on the building elevation.
9. Add a note stating that the existing monument sign located at the corner of Rexford Road and Roxborough Road shall not be increased in size and/or height.

Transportation

10. Add a note to the site plan stating that the petitioner agrees to dedicate any signal utility easements needed for the intersection of Roxborough Road and Rexford Road if signal equipment is needed on this corner of the intersection.
11. Commit to a contribution of $50,000 to the City of Charlotte prior to the issuance of a certificate of occupancy for the hotel. These funds will be used to help fund a future signal at Roxborough Road and Rexford Road.
12. Work with CDOT to determine appropriate pedestrian crossing provisions. CDOT does not agree with the proposed mid-block crossing included in the revised site plan. The proposed location is not appropriate (i.e. too close to a future signal) and will duplicate midblock crossing commitments already made by rezoning petition 2015-131 for Synco Properties (Colony apartments).

REQUESTED TECHNICAL REVISIONS

Site and Building Design

13. Amend the maximum building height in the site development data on RZ-1-3 to match the elevation on RZ-4; height shown on elevation is approximately 96 feet.
14. Amend the parcel number for the subject rezoning site to reflect the correct parcel.
15. Amend the elevations to remove "AC" from the architectural feature/sign at the top of the building.

Attachments Online at www.rezoning.org

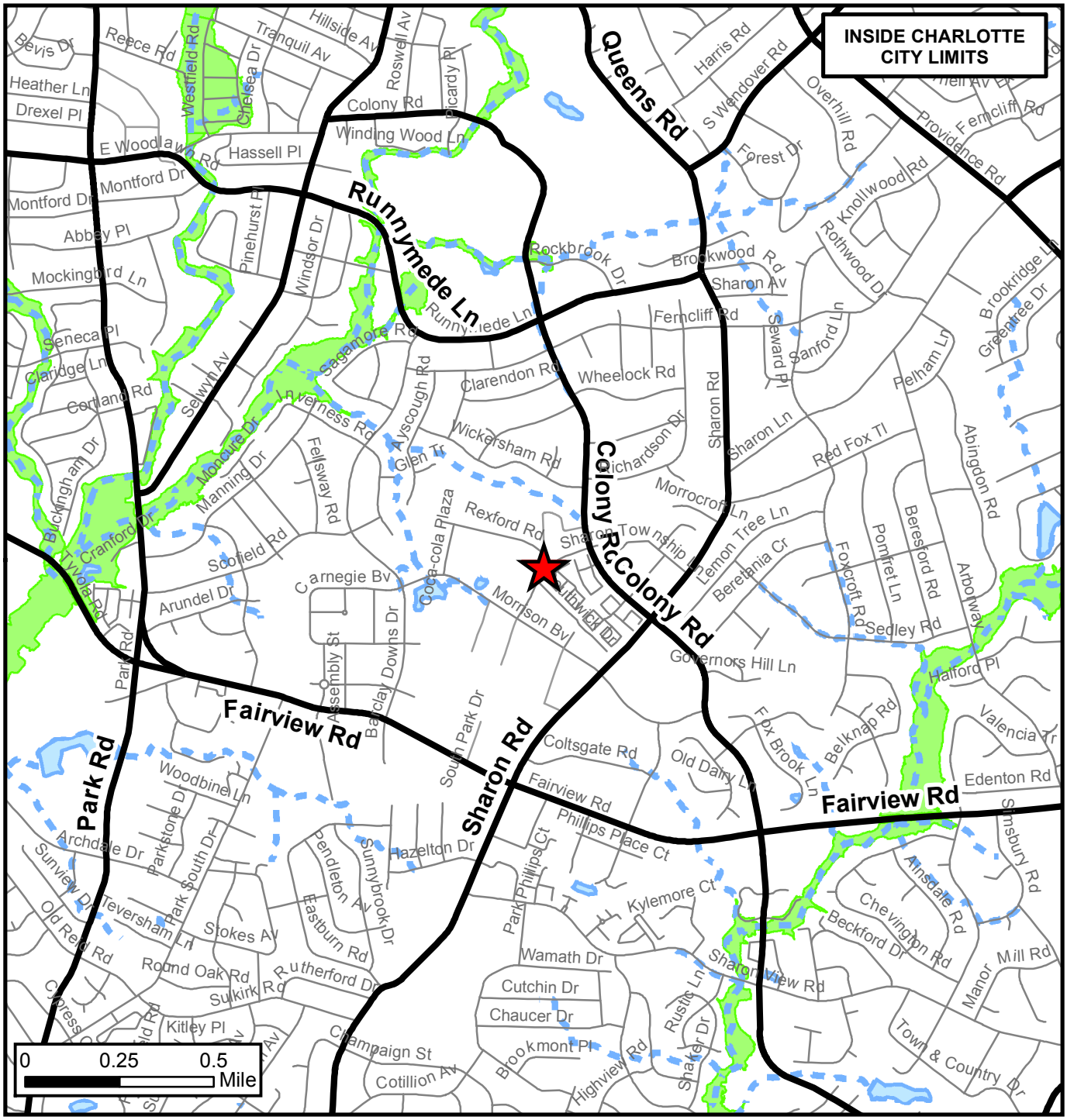
- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

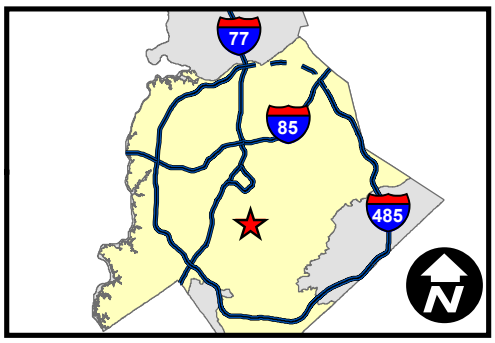
Planner: John Kinley (704) 336-8311

Petition #: 2016-066

Vicinity Map

Acreage & Location : Approximately 5.32 acres located on the southwest corner at the intersection of Roxborough Road and Rexford Road.





Rezoning Petition: 2016-066

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

March 28, 2016

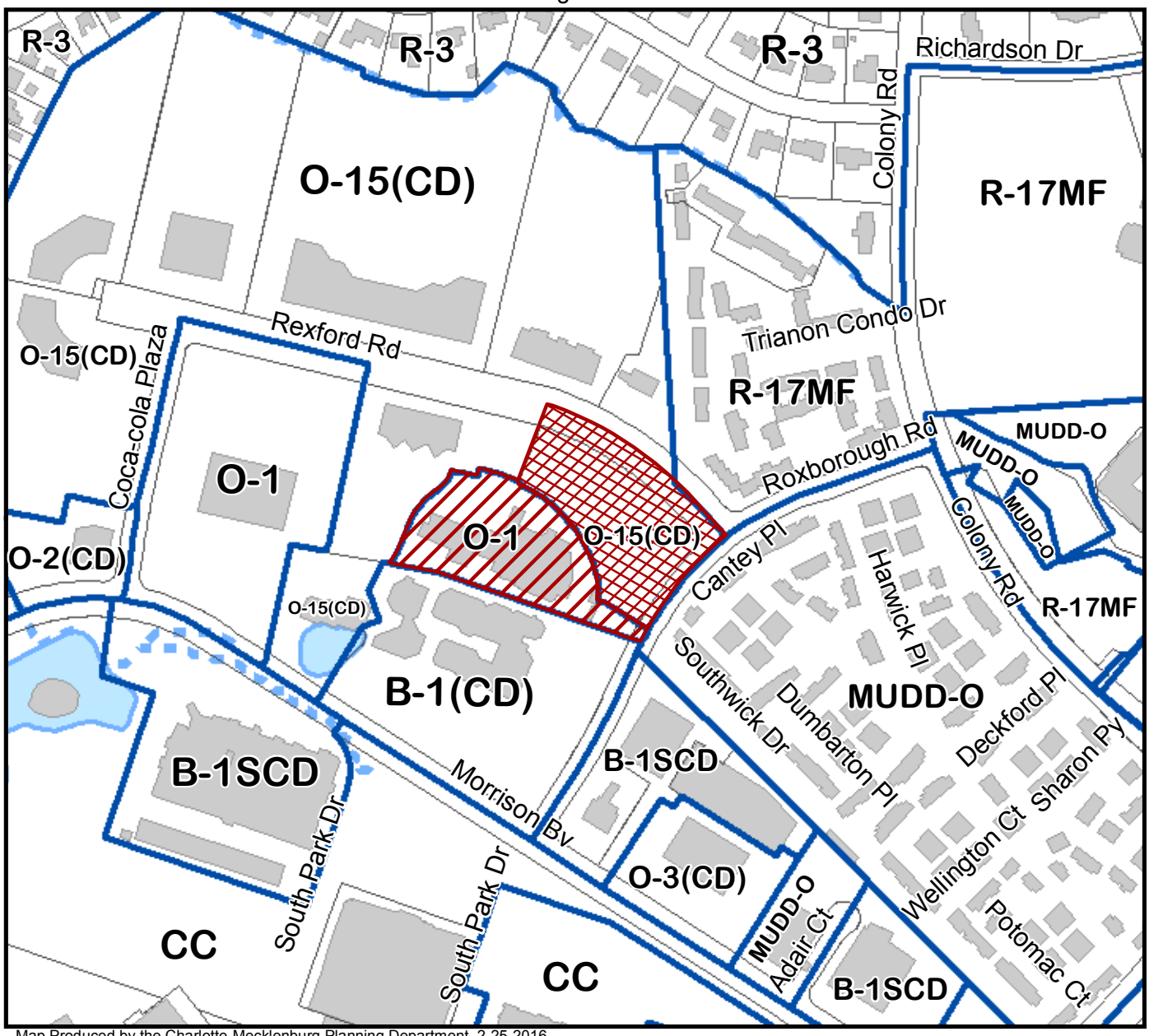
Petition #: 2016-066

Petitioner: JWM Family Enterprises, Inc.

Zoning Classification (Existing): O-1 & O-15(CD)
(Office & Office, Conditional)

Zoning Classification (Requested): MUDD-O
(Mixed Use Development District, Optional)

Acreage & Location: Approximately 5.32 acres located on the southwest corner at the intersection of Roxborough Road and Rexford Road.



Map Produced by the Charlotte-Mecklenburg Planning Department, 2-25-2016.

0 150 300 600 900 1,200 Feet

N

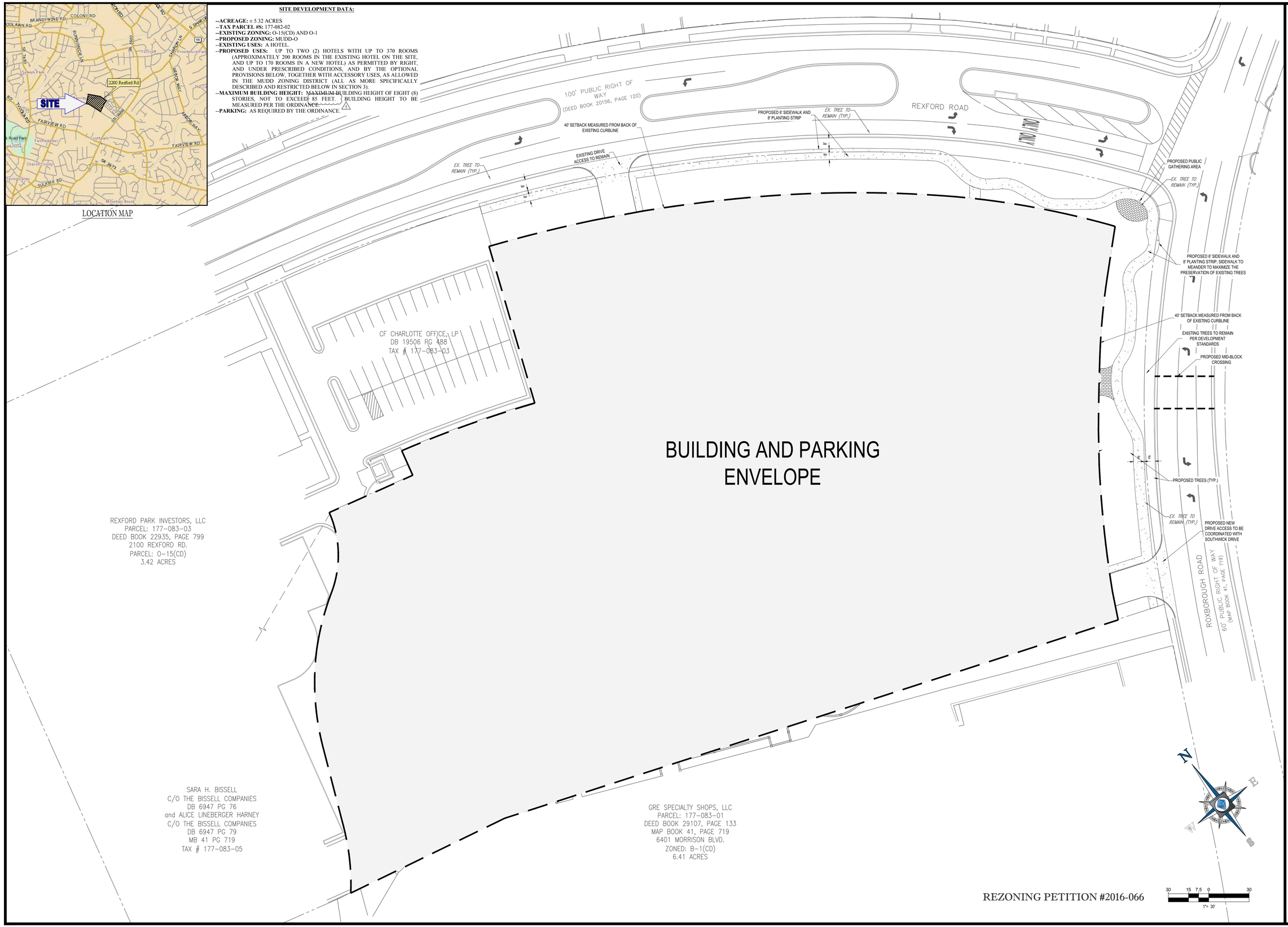
Zoning Map #(s)
135

Requested MUDD-O from O-1
Requested MUDD-O from O-15(CD)
Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

SITE DEVELOPMENT DATA:

--**ACREAGE:** ± 5.32 ACRES
--**TAX PARCEL #S:** 177-082-02
--**EXISTING ZONING:** O-15(CD) AND O-1
--**PROPOSED ZONING:** MUDD-O
--**EXISTING USES:** A HOTEL.
--**PROPOSED USES:** UP TO TWO (2) HOTELS WITH UP TO 370 ROOMS (APPROXIMATELY 200 ROOMS IN THE EXISTING HOTEL ON THE SITE, AND UP TO 170 ROOMS IN A NEW HOTEL) AS PERMITTED BY RIGHT, AND UNDER PRESCRIBED CONDITIONS, AND BY THE OPTIONAL PROVISIONS BELOW, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT (ALL AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).
--**MAXIMUM BUILDING HEIGHT:** ~~MAXIMUM~~ BUILDING HEIGHT OF EIGHT (8) STORIES, NOT TO EXCEED 85 FEET, BUILDING HEIGHT TO BE MEASURED PER THE ORDINANCE. 1
--**PARKING:** AS REQUIRED BY THE ORDINANCE.

LOCATION MAP



REZONING PETITION #2016-066

BOHLER ENGINEERING NC, PLLC

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

UPSTATE NEW YORK
NEW ENGLAND
NEW YORK METRO
NEW JERSEY
LEHIGH VALLEY, PA
SOUTHEASTERN, PA
DELAWARE, DE
BALTIMORE, MD
PHILADELPHIA, PA
SOUTHERN MARYLAND
NORTHERN VIRGINIA
CENTRAL VIRGINIA
CHARLOTTE, NC
RALEIGH, NC
TAMPA, FL

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REVISIONS

REV	DATE	COMMENT	BY
1	4/18/16	PER STAFF COMMENTS	SRF

LS3P

PROJECT No.:	NCC152128
DRAWN BY:	SRF
CHECKED BY:	JG
DATE:	02/22/16
SCALE:	1"=30'
CAD ID:	E-0

PROJECT:
SOUTHPARK MARRIOTT
FOR
JWM FAMILY ENTERPRISES LP
LOCATION OF SITE
2200 REXFORD RD.
CITY OF CHARLOTTE,
MECKLENBURG COUNTY,
NORTH CAROLINA 28211

BOHLER ENGINEERING NC, PLLC NCBELS P-1132
800 WEST HILL STREET, SUITE 101
CHARLOTTE, NC 28208
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com

REZONING PETITION #2016-066

SHEET TITLE:
TECHNICAL DATA SHEET

SHEET NUMBER:
RZ-1

JWM FAMILY ENTERPRISES, INC.
DEVELOPMENT STANDARDS
02/22/16
REZONING PETITION NO. 2016-066 1

SITE DEVELOPMENT DATA:

--**ACREAGE:** ± 5.32 ACRES
--**TAX PARCEL #:** 177-082-02
--**EXISTING ZONING:** O-15(CD) AND O-1
--**PROPOSED ZONING:** MUDD-O
--**EXISTING USES:** A HOTEL
--**PROPOSED USES:** UP TO TWO (2) HOTELS WITH UP TO 370 ROOMS (APPROXIMATELY 200 ROOMS IN THE EXISTING HOTEL ON THE SITE, AND UP TO 170 ROOMS IN A NEW HOTEL) AS PERMITTED BY RIGHT, AND UNDER PRESCRIBED CONDITIONS, AND BY THE OPTIONAL PROVISIONS BELOW, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT (ALL AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).
--**MAXIMUM BUILDING HEIGHT:** MAXIMUM BUILDING HEIGHT OF EIGHT (8) STORIES, NOT TO EXCEED 85 FEET. BUILDING HEIGHT TO BE MEASURED PER THE ORDINANCE. 1
--**PARKING:** AS REQUIRED BY THE ORDINANCE.

1. 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 JWM FAMILY ENTERPRISES, INC. ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF AN ADDITIONAL HOTEL (FOR A TOTAL OF TWO HOTELS) ON AN APPROXIMATELY 5.32 ACRE SITE LOCATED ON THE SOUTHWEST QUADRANT OF THE INTERSECTION OF REXFORD ROAD AND ROXBOROUGH PARK 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 MUDD-O 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, PERMISSIBLE BUILDING AREAS (AS DEFINED BELOW) 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:

1 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**. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TWO (2). 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.

2. OPTIONAL PROVISIONS

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE SITE:

a. TO ALLOW A WALL SIGNS ON THREE (3) SIDES OF THE ARCHITECTURAL FEATURE LOCATED AT THE TOP OF BUILDING. THE AREA OF EACH OF THESE WALLS SIGNS WILL NOT EXCEED 200 SQUARE FEET.

1 b. TO ALLOW WALL SIGNS, IN ADDITION TO THOSE PERMITTED ON THE ARCHITECTURAL FEATURE AT THE TOP OF THE BUILDING, TO HAVE UP TO 200 SQUARE FEET OF SIGN SURFACE AREA PER WALL OR 10% OF THE WALL AREA TO WHICH THEY ARE ATTACHED, WHICHEVER IS LESS.

1 c. TO ALLOW ONE DETACHED GROUND MOUNTED SIGN PER STREET FRONT WITH A MAXIMUM HEIGHT OF SIX [(6)] FEET AND CONTAINING UP TO [36] SQUARE FEET OF SIGN AREA.

1 d. TO ALLOW THE EXISTING GROUND MOUNTED SIGN AT THE CORNER OF REXFORD AND ROXBOROUGH TO REMAIN.

e. TO ALLOW A PARKING DECK AND ACCESS RAMP TO BE LOCATED BETWEEN THE EXISTING BUILDING AND REXFORD ROAD.

f. TO ALLOW THE EXISTING PARKING AND MANEUVERING AREAS LOCATED BETWEEN THE EXISTING BUILDING AND THE STREETS TO REMAIN.

g. TO ALLOW THE EXISTING BUILDING TO NOT HAVE TO MEET THE STREET WALL REQUIREMENTS OF THE MUDD ZONING DISTRICT.

NOTE: *THE OPTIONAL PROVISION REGARDING SIGNS IS AN ADDITION/MODIFICATION TO THE STANDARDS FOR SIGNS IN THE MUDD DISTRICT AND IS TO BE USED WITH THE REMAINDER OF MUDD STANDARDS FOR SIGNS NOT MODIFIED BY THESE OPTIONAL PROVISIONS.*

3. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

a. THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 370 HOTEL ROOMS IN TWO (2) HOTELS (ONE EXISTING AND ONE NEW HOTEL). UP TO 200 ROOMS MAY BE LOCATED IN THE EXISTING HOTEL ON THE SITE, AND UP TO 170 ROOMS MAY BE LOCATED IN THE NEW HOTEL, AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS AND PER THE OPTIONAL PROVISIONS ABOVE TOGETHER WITH ACCESSORY USES ALLOWED IN THE MUDD-O ZONING DISTRICT.

4. ACCESS.

a. ACCESS TO THE SITE WILL BE FROM REXFORD ROAD AND ROXBOROUGH ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN, SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW.

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. STREETSCAPE, BUFFER, LANDSCAPING OPEN SPACE AND SCREENING:

1 a. A 40 FOOT SETBACK AS MEASURED FROM THE BACK OF EXISTING CURB ALONG ROXBOROUGH AND REXFORD ROAD WILL BE PROVIDED, AS GENERALLY DEPICTED ON THE REZONING PLAN. FIRST FLOOR PEDESTRIAN-ORIENTED ARCHITECTURAL FEATURES MAY ENCROACH 20 FEET INTO THE 40 FOOT SETBACK IN A MANNER THAT DOES NOT MATERIALLY RESULT IN REDUCTION OF TREE PRESERVATION AREA. OUTDOOR SEATING AND AMENITY AREAS ARE PERMITTED WITHIN THE 40' SETBACK. UPPER STORY BALCONIES MAY ENCROACH UP TO 10' INTO THE 40' SETBACK WHERE THERE ARE NOT CONFLICTS WITH TREES IDENTIFIED FOR PRESERVATION. THE PETITIONER WILL WORK WITH THE CITY ARBORIST TO IDENTIFY WHICH TREES CAN BE SAVED WITHIN THE 40' SETBACK.

b. AN EIGHT (8) FOOT PLANTING STRIP AND AN EIGHT (8) FOOT SIDEWALK WILL BE PROVIDED ALONG ROXBOROUGH ROAD, AND REXFORD ROAD, WITHIN THE REQUIRED SETBACKS, AS GENERALLY DEPICTED ON THE REZONING PLAN. THE SIDEWALKS MAY MEANDER TO PRESERVE EXISTING TREES. SIDEWALKS OUTSIDE OF THE RIGHT OF WAY MAY BE PLACED IN EASEMENTS SUBJECT TO PLANNING/CDOT APPROVAL DURING THE PERMITTING PROCESS.

c. IT IS THE INTENT OF THE PETITIONER TO PRESERVE ADDITIONAL TREES OUTSIDE OF THE 40' SETBACK. THE PETITIONER WILL WORK WITH THE CITY ARBORIST TO DETERMINE WHICH TREES WILL BE IDENTIFIED FOR PRESERVATION DURING THE PERMITTING PROCESS.

d. THE PETITIONER WILL MAKE LANDSCAPE AND PEDESTRIAN-ORIENTED IMPROVEMENTS AT THE CORNER OF ROXBOROUGH ROAD AND REXFORD DRIVE AS GENERALLY DEPICTED ON THE REZONING PLAN SUBJECT TO PLANNING/CDOT APPROVAL DURING THE PERMITTING PROCESS.

6. 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, METAL PANELS, STUCCO, EIFS, DECORATIVE BLOCK AND/OR WOOD. VINYL OR ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS AND ON HANDRAILS/RAILINGS.

1 b. THE PROPOSED ~~NEW HOTEL LOCATED ALONG ROXBOROUGH ROAD WILL HAVE AT~~ LEAST ONE ARCHITECTURALLY PROMINENT AND PUBLICALLY ACCESSIBLE PEDESTRIAN ~~ENTRANCE TO THE HOTEL FROM ROXBOROUGH ROAD. THIS ENTRANCE~~ WILL BE OPEN DURING REGULAR BUSINESS HOURS AND WILL PROVIDE ACCESS TO THE HOTELS GROUND FLOOR LOBBY AREA AND OTHER AMENITIES.

c. THE PEDESTRIAN ENTRANCE (DEFINED AS AN ENTRANCE DESIGN TO PROVIDE CUSTOMERS ACCESS TO THE PROPOSED HOTEL) WILL BE DESIGNED TO BE CLEARLY IDENTIFIABLE WITH PROMINENT ELEMENTS WITHIN THE BUILDING FACADE IN WHICH IT IS LOCATED.

d. THE SCALE AND MASSING OF THE NEW HOTEL BUILDING LONGER THAN 150 FEET ALONG A STREET SHALL BE MINIMIZED BY UTILIZING A COMBINATION OF THE FOLLOWING OPTIONS: (I) VARIED ROOF LINES THROUGH THE USE OF SLOPES, MODULATED BUILDINGS HEIGHTS, GABLES, DORMERS OR INNOVATIVE ARCHITECTURAL SOLUTIONS; (II) BUILDING CORNERS TO PROVIDE VISUAL INTEREST AT THE PEDESTRIAN LEVEL AS WELL AS TO DIFFERENTIATE ROOF LINES OR HIGHLIGHT GROUND FLOOR USES; (III) HORIZONTAL AND VERTICAL VARIATIONS IN WALL PLANES; AND/OR (IV) ARCHITECTURAL PROTRUSION TO ACCENTUATE ENCLOSED BALCONIES.

e. THE MAXIMUM CONTIGUOUS AREA OF THE HOTEL WITHOUT WINDOWS OR DOORS ON ANY FLOOR SHALL NOT EXCEED 20 FEET IN LENGTH. WHERE BLANK OR UNARTICULATED WALLS 20' OR GREATER CANNOT BE ADDRESSED PRINCIPALLY WITH DOORS OR WINDOWS, THEY SHALL BE TREATED WITH A COMBINATION THE FOLLOWING OPTIONS: (I) A HIGHER LEVEL OF TRANSPARENCY ON THE GROUND FLOOR (EXAGGERATED OR LARGER WINDOWS INDICATIVE OF COMMON AREAS); (II) HORIZONTAL AND VERTICAL VARIATIONS IN WALL PLANES; AND/OR (III) ARCHITECTURAL PROTRUSION. IF THE FINAL ARCHITECTURAL DESIGN CANNOT MEET THE DESIGN STANDARDS FOR BLANK WALL ARTICULATION (INCLUDING ALL OF THE ABOVE), ALTERNATIVE INNOVATIVE DESIGN SOLUTIONS MAY BE CONSIDERED FOR APPROVAL BY THE PLANNING DIRECTOR.

f. THE ENDS OF THE NEW HOTEL WILL BE CONTAIN WINDOWS SO THAT ENDS OF THE BUILDING IS NOT A SOLID WINDOWLESS WALL.

1 g. THE ACCESSORY USES LOCATED ON GROUND FLOOR OF THE BUILDING LOCATED ALONG ROXBOROUGH ROAD SHALL MAINTAIN A HIGH LEVEL OF VISIBILITY THROUGH THE USE OF CLEAR GLASS, LARGER WINDOWS WITH AN UNOBSTRUCTED VIEW FROM ROXBOROUGH ROAD AND REXFORD INTO THE SPACE, AND PEDESTRIAN LEVEL ARCHITECTURAL DETAILS THAT COMPLEMENT THE PUBLIC REALM.

1 h. THE PARKING DECK ELEVATION ALONG REXFORD ROAD WILL TREATED SO THAT PARKING IS SCREENED WITH A COMBINATION OF LANDSCAPING, DECORATIVE LOUVERS, AND/OR WITH LOW WALLS AND OTHER ARCHITECTURAL FEATURES AS GENERALLY DEPICTED ON THE ATTACHED BUILDING ELEVATION AND CONCEPTUAL IMAGES.

1 i. OUTDOOR SEATING IS PERMITTED ADJACENT TO THE ROOFTOP LOUNGE/PENTHOUSE.

7. ENVIRONMENTAL FEATURES:

a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

b. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEM 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.

1 **8. SIGNAGE:**

a. SIGNAGE AS ALLOWED BY THE ORDINANCE AND BY THE OPTIONAL PROVISIONS LISTED ABOVE MAY BE PROVIDED.

9. 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.

1 b. DETACHED LIGHTING ON ~~THE SITE, EXCEPT STREET~~ LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 21 FEET IN HEIGHT.

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 OR 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 REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

BOHLER ENGINEERING PLLC
SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING · PROGRAM MANAGEMENT · LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN · TRANSPORTATION · ENVIRONMENTAL SERVICES
UPSTATE NEW YORK · NEW ENGLAND · NEW JERSEY · LEHIGH VALLEY, PA · SOUTHEASTERN, PA · PHILADELPHIA METRO · PHILADELPHIA, PA · BALTIMORE, MD · SOUTHERN MARYLAND · NORTHERN VIRGINIA · CENTRAL VIRGINIA · CHARLOTTE, NC · RALEIGH, NC · TAMPA, FL

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REVISIONS

REV	DATE	COMMENT	BY
1	4/18/16	PER STAFF COMMENTS	SRF

LS3P

PROJECT No.: NCC152128
DRAWN BY: SRF
CHECKED BY: JG
DATE: 02/22/16
SCALE: 1"=30'
CAD ID: E:\

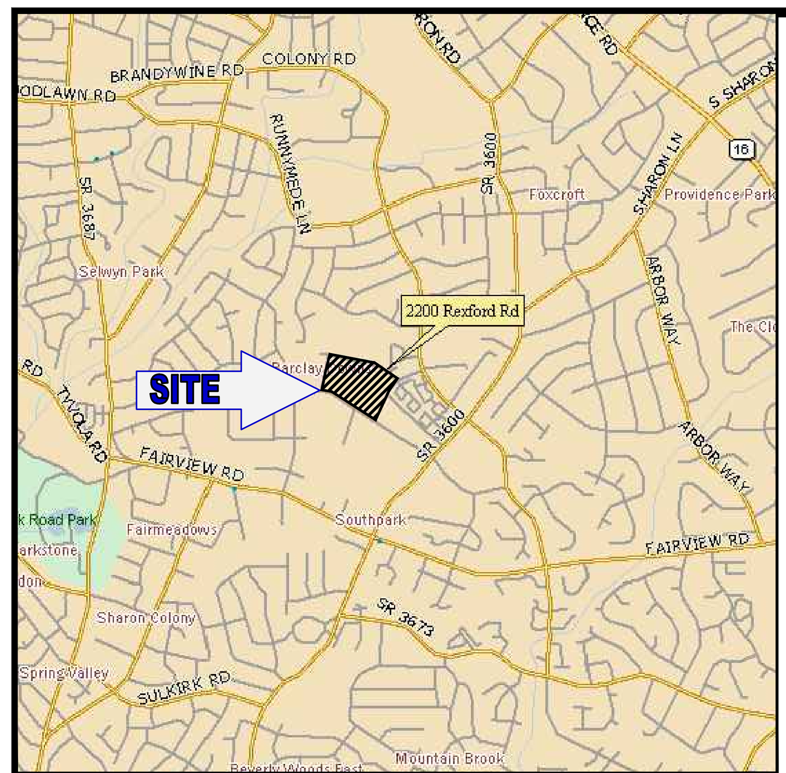
PROJECT:
SOUTHPARK MARRIOTT
FOR
JWM FAMILY ENTERPRISES LP
LOCATION OF SITE
2200 REXFORD RD.
CITY OF CHARLOTTE,
MECKLENBURG COUNTY,
NORTH CAROLINA 28211

BOHLER ENGINEERING
NC, PLLC NCBELS P-1132
800 WEST HILL STREET, SUITE 101
CHARLOTTE, NC 28208
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com

REZONING PETITION #2016-066

SHEET TITLE:
DEVELOPMENT STANDARD NOTES

SHEET NUMBER:
RZ-2



LOCATION MAP

SITE DEVELOPMENT DATA:

--**ACREAGE:** ± 5.32 ACRES
--**TAX PARCEL #S:** 177-082-02
--**EXISTING ZONING:** O-15(CD) AND O-1
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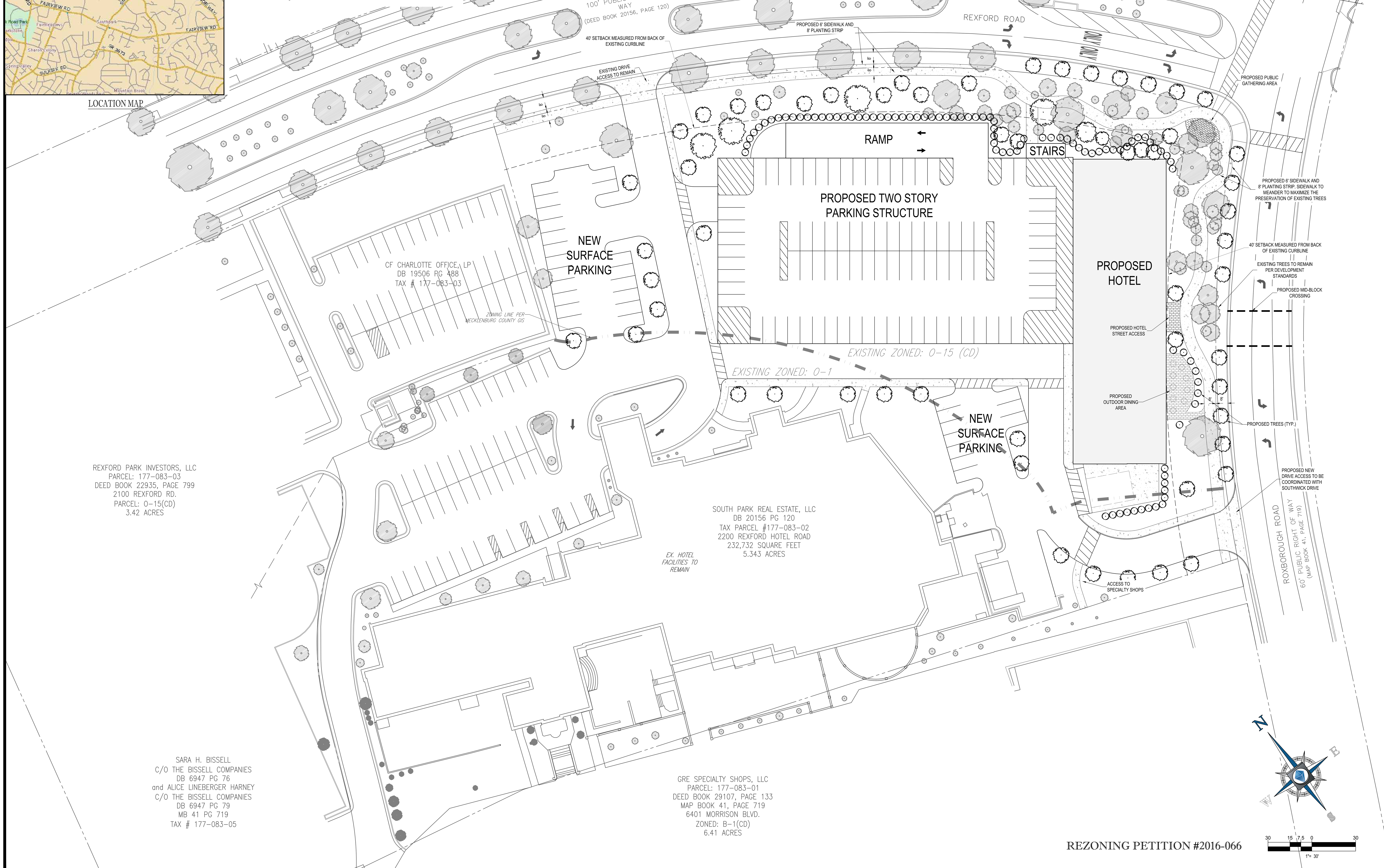
--**MAXIMUM BUILDING HEIGHT:** MAXIMUM BUILDING HEIGHT OF EIGHT (8) STORIES, NOT TO EXCEED 85 FEET. BUILDING HEIGHT TO BE MEASURED PER THE ORDINANCE. 1
--**PARKING:** AS REQUIRED BY THE ORDINANCE.



REZONING PETITION #2016-066

BOHLER ENGINEERING NC, PLLC
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SUSTAINABLE DESIGN · PERMITTING SERVICES · TRANSPORTATION SERVICES
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REVISIONS

REV	DATE	COMMENT	BY
1	4/18/16	PER STAFF COMMENTS	SRF

LS3P

PROJECT No.:	NCC152128
DRAWN BY:	SRF
CHECKED BY:	JG
DATE:	02/22/16
SCALE:	1"=30'
CAD ID:	E 0

PROJECT:
SOUTHPARK MARRIOTT

FOR

JWM FAMILY ENTERPRISES LP

LOCATION OF SITE
2200 REXFORD RD.
CITY OF CHARLOTTE,
MECKLENBURG COUNTY,
NORTH CAROLINA 28211

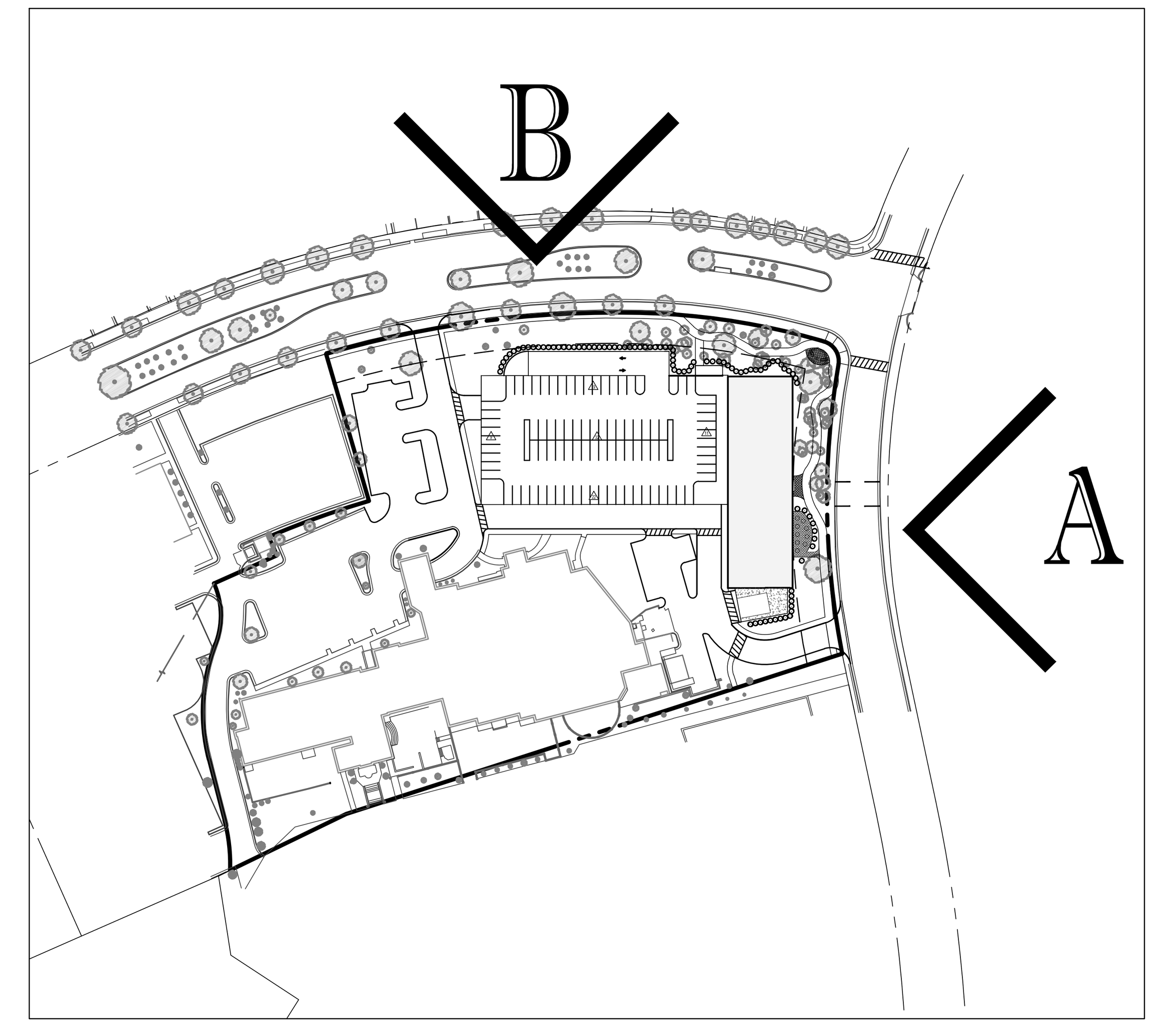
BOHLER ENGINEERING
NC, PLLC NCBELS P-1132
800 WEST HILL STREET, SUITE 101
CHARLOTTE, NC 28208
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com

REZONING PETITION #2016-066

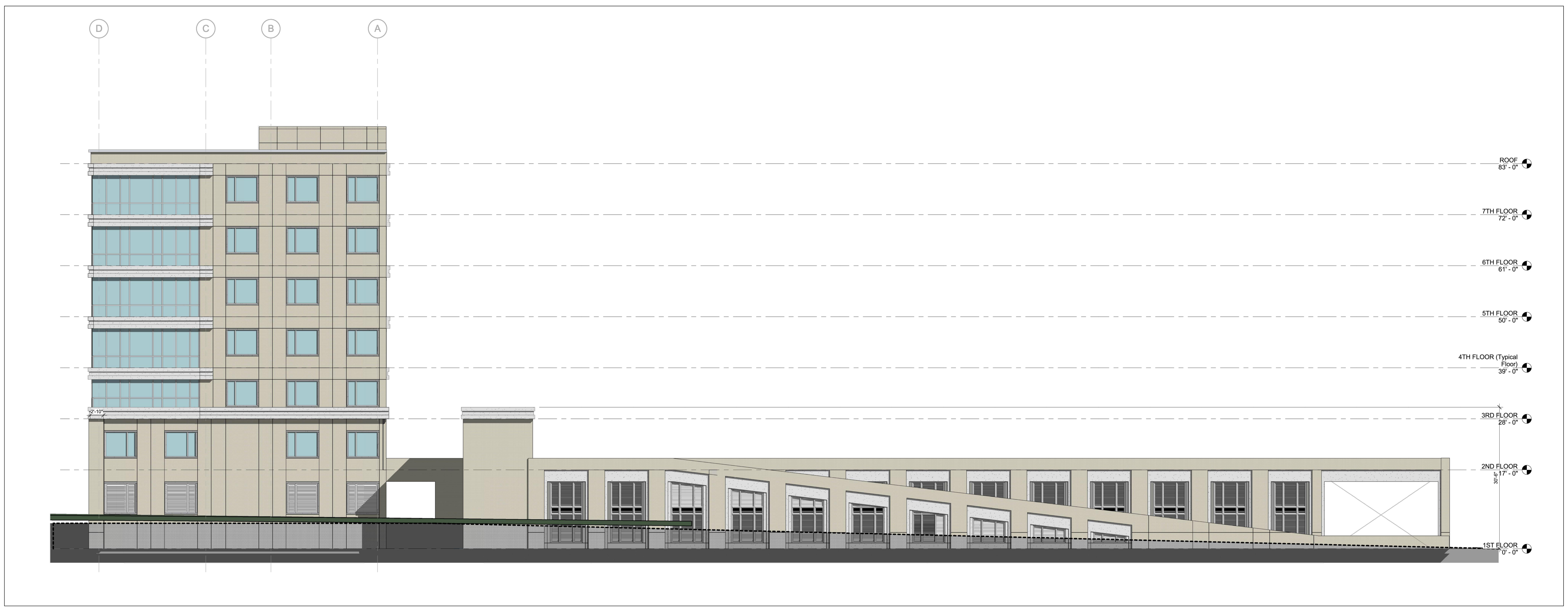
SHEET TITLE:
SCHEMATIC SITE PLAN

SHEET NUMBER:
RZ-3

AC SOUTHPARK HOTEL - ROXBOROUGH RD (A)



LEGEND MAP



AC SOUTHPARK HOTEL - REXFORD RD (B)

REZONING PETITION #2016-066

NOTE: THIS ELEVATION IS PROVIDED TO REFLECT THE ARCHITECTURAL STYLE AND QUALITY OF THE BUILDING THAT MAY BE CONSTRUCTED ON THE SITE (THE ACTUAL BUILDING CONSTRUCTED ON THE SITE MAY VARY FROM THIS ILLUSTRATION AS LONG AS THE GENERAL ARCHITECTURAL CONCEPTS AND ITENT ILLLUSTRATED IS MAINTAINED).

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LEHIGH VALLEY, PA, SOUTHEASTERN, PA, REHOBOTH BEACH, DE, BALTIMORE, MD, SOUTHERN MARYLAND
NORTHERN VIRGINIA, CENTRAL VIRGINIA, CHARLOTTE, NC, RALEIGH, NC, TAMPA, FL

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REVISIONS

REV	DATE	COMMENT	BY
1	4/18/16	PER STAFF COMMENTS	SRF

PROJECT No.:	NCC152128
DRAWN BY:	SRF
CHECKED BY:	JG
DATE:	02/22/16
SCALE:	1"□30□
CAD ID:	E□0

PROJECT:
SOUTHPARK MARRIOTT

FOR

JWM FAMILY ENTERPRISES LP

LOCATION OF SITE
2200 RE□FORD RD.
CITY OF CHARLOTTE,
MECKLENBURG COUNTY,
NORTH CAROLINA 28211

BOHLER ENGINEERING
NC, PLLC NCBELS P-1132
800 WEST HILL STREET, SUITE 101
CHARLOTTE, NC 28208
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com

REZONING PETITION #2016-066

SHEET TITLE:
ARCHITECTURAL ELEVATIONS

SHEET NUMBER:
RZ-4

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 30.**File #:** 15-3228 **Type:** Zoning Hearing

Rezoning Petition: 2016-068 by YMCA of Greater Charlotte, Inc.

Location: Approximately 1.03 acres located on the east side of South Caldwell Street between Templeton Avenue and Lexington Avenue. (Council District 1 - Kinsey)

Current Zoning: O-2 (office district)
Proposed Zoning: TOD-MO (transit oriented development, mixed use, optional)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to site design.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map
Site Plan

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CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-068
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: O-2 (office) Proposed Zoning: TOD-MO (transit oriented development – mixed-use, optional)
LOCATION	Approximately 1.03 acres located on the east side of South Caldwell Street between Templeton Avenue and Lexington Avenue. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow the redevelopment of a surface parking lot for an existing institutional use (Pritchard Memorial Baptist Church) located in the Dilworth neighborhood to develop structured parking and 17,000 square feet of ground floor non-residential uses.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	The Pritchard Memorial Baptist Church of Charlotte YMCA of Greater Charlotte, Inc. Jeff Brown & Keith MacVean/ Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 0

STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues related to site design. <u>Plan Consistency</u> The petition is consistent with the *South End Transit Station Area Plan* recommendation for mixed-use transit supportive development for the area in which the site is located. <u>Rationale for Recommendation</u> • The subject site is located across South Caldwell Street from Pritchard Memorial Baptist Church and the Dowd YMCA. • The proposed deck will serve both of these institutional uses. • The subject site is also located within a 1/4 mile walk of the Carson Boulevard Transit Station on the LYNX Blue Line. • The proposal allows a site being used for surface parking to convert to structured parking. Structured parking is a more appropriate form of parking in a transit station area. • The proposed parking structure will also include ground floor active uses along South Caldwell Street and Lexington Avenue. These uses will support the transition of the area into a more walkable urban environment.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Proposes a structured parking deck wrapped with 17,000 square feet of ground floor commercial uses along South Caldwell Street and Lexington Avenue.
  - Minimum 1,400 square foot open space with walking trail along the site's southern edge.
  - Eight-foot planting strip and eight-foot sidewalk along South Caldwell.
  - Eight-foot planting strip and six-foot sidewalk along Lexington and Templeton Avenue.
  - Maximum building height of 60 feet and four stories.
  - Building elevations of the proposed parking structure and ground floor active space.
  - Optional provision:
    - To eliminate the non-residential uses along Templeton Avenue. Current standards require a minimum of 50% active uses along the ground floor.

- **Existing Zoning and Land Use**
  - The subject property is currently zoned O-2 (office) and is developed with a surface parking lot.
  - The surrounding properties to the north and east are zoned R-22MF (multi-family residential), O-2 (office) and MUDD-O (mixed use development, optional) and developed with institutional uses (Dowd YMCA and Pritchard Memorial Baptist Church) and general office uses.

- The properties to the south and west are zoned TOD-MO (transit oriented development – mixed-use, optional) and TOD-RO (transit oriented development - residential, optional) and are developed with residential dwelling units or are currently under construction for residential uses.
- See "Rezoning Map" for existing zoning in the area.

- **Rezoning History in Area**
  - Petition 2015-076 rezoned the parcel northeast of the subject site (Dowd YMCA) to MUDD-O (mixed use development, optional) to allow the expansion of the existing use and structured parking deck with optional provisions related to signage, surface parking and phased development.
  - Rezoning Petition 2014-048 rezoned 2.99 acres south of the site to TOD-MO (transit oriented development - mixed-use, optional) to allow all uses in the district and optional provisions for encroachment into the setback along Lexington Avenue.

- **Public Plans and Policies**
  - The *South End Transit Station Area Plan* (2005) recommends mixed-use transit supportive development for the subject site and surrounding properties.

- **TRANSPORTATION CONSIDERATIONS**
  - This site is bordered by local streets and is between un-signalized intersections. CDOT has not identified any negative impacts to the transportation facilities in the area. Located within the South End Transit Station Area, CDOT's transportation goals are to promote walkability and ensure proper access. The sidewalks and crosswalks proposed by this plan help to accomplish these goals. In addition, the proposed parking deck will likely relieve some of the on-street parking demand in this area associated with the YMCA adjacent to this site.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 0 trips per day (based on a parking lot use)
    Entitlements: 235 trips per day (based on 10,300 square feet of office).
    Proposed Zoning: 2150 trips per day (based on 17,000 square feet of retail and structured parking).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Water system has availability via existing six-inch main along Templeton Avenue, South Caldwell Street and Lexington Avenue. Sewer system availability via eight-inch mains along Templeton Avenue, South Caldwell Street and Lexington Avenue.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. For ground floor active use space, provide a note committing to minimum 20-foot floor to ceiling height and 30-foot depth (distance from front street-facing facade to back of conditioned active use space for non-residential uses).
2. Add a note that active use spaces will be conditioned space and will have all appropriate utilities stubbed in (electric, water, sewer, HVAC, etc.).
3. Add a note that second floor of structured parking will be screened will decorative features and grill work.
4. Provide a note for a minimum square footage of active use space that corresponds to the amount represented in the renderings and elevations.
5. Provide a floor plan showing proposed layout of active use space.
6. Add a note that the proposed walkway through the open space will be a minimum of six feet wide.

7. Along Templeton Avenue elevation add a note to enhance blank wall area to provide visual interest.
8. Add a note to provide one storefront entrance door on Lexington Avenue.
9. Add a note that the active space will provide a minimum of five exterior doors on South Caldwell Street elevation. No fewer than two of these doors must be store-front type doors. The remainder may be either storefront or roll-up doors.

Attachments Online at www.rezoning.org

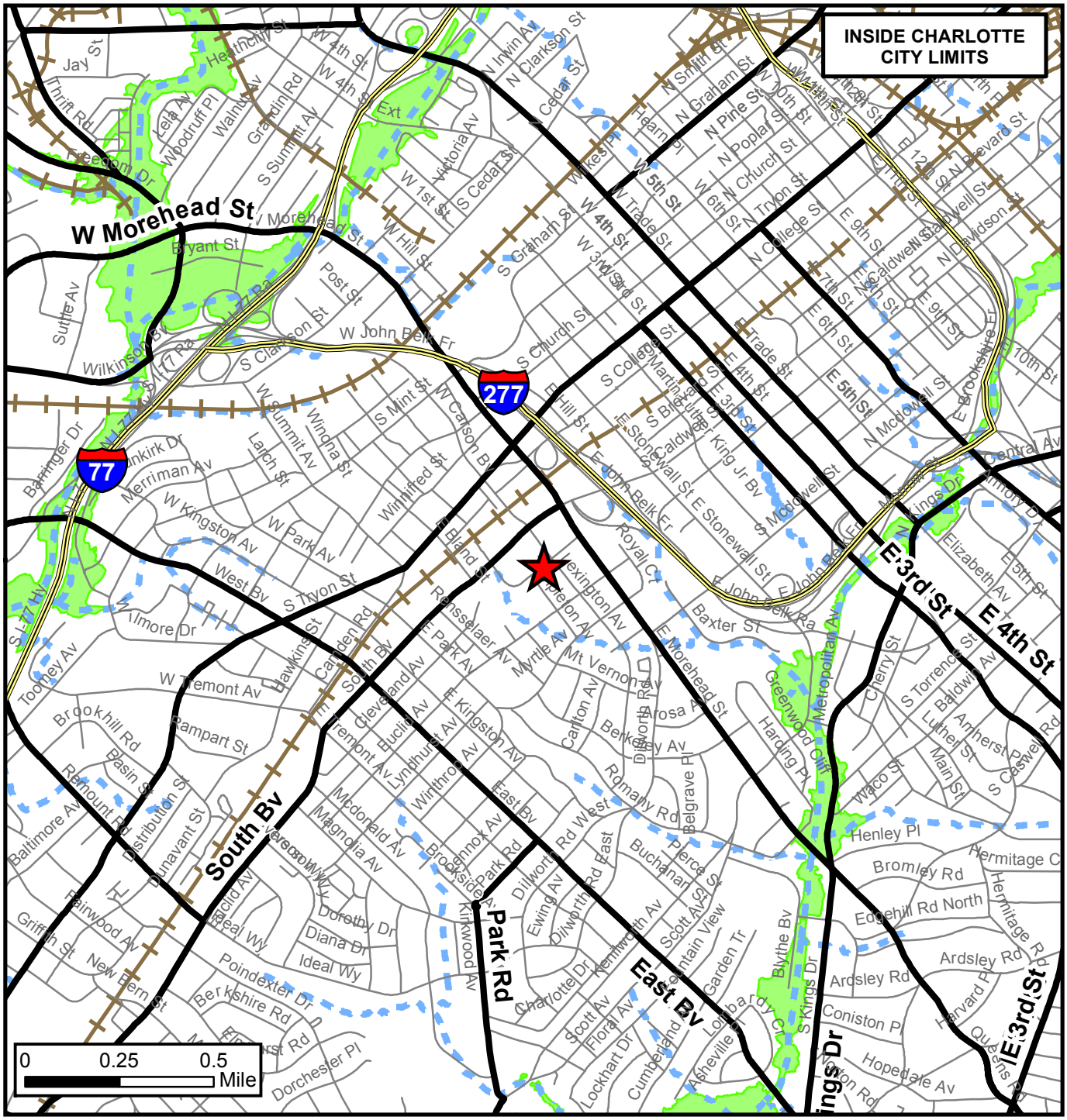
- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

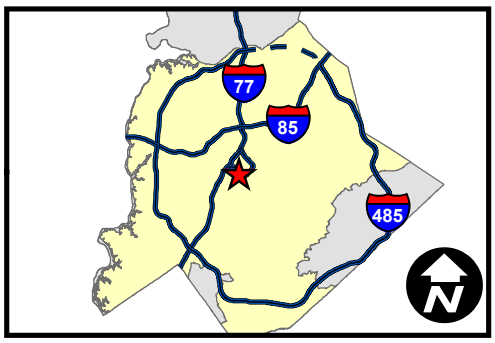
Planner: Solomon Fortune (704) 336-8326

Petition #: 2016-068

Vicinity Map

Acreage & Location : Approximately 1.03 acres located on the east side of South Caldwell Street between Templeton Avenue and Lexington Avenue.





Rezoning Petition: 2016-068

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

March 28, 2016

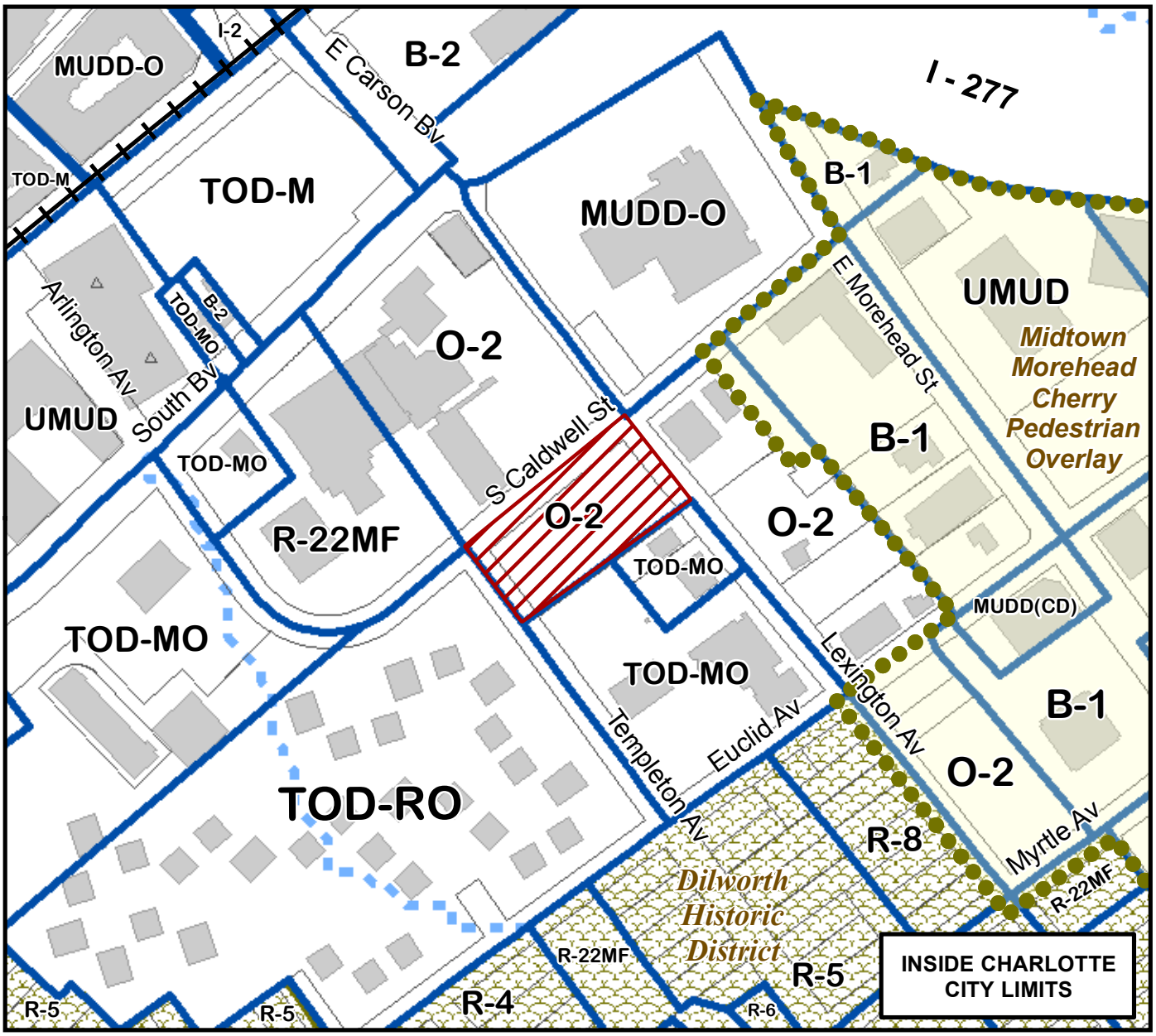
Petition #: 2016-068

Petitioner: YMCA of Greater Charlotte

Zoning Classification (Existing): O-2
(Office)

Zoning Classification (Requested): TOD-MO
(Transit Oriented Development, Mixed Use, Optional)

Acreage & Location: Approximately 1.03 acres located on the east side of South Caldwell Street between Templeton Avenue and Lexington Avenue.



Map Produced by the Charlotte-Mecklenburg Planning Department, 2-25-2016.

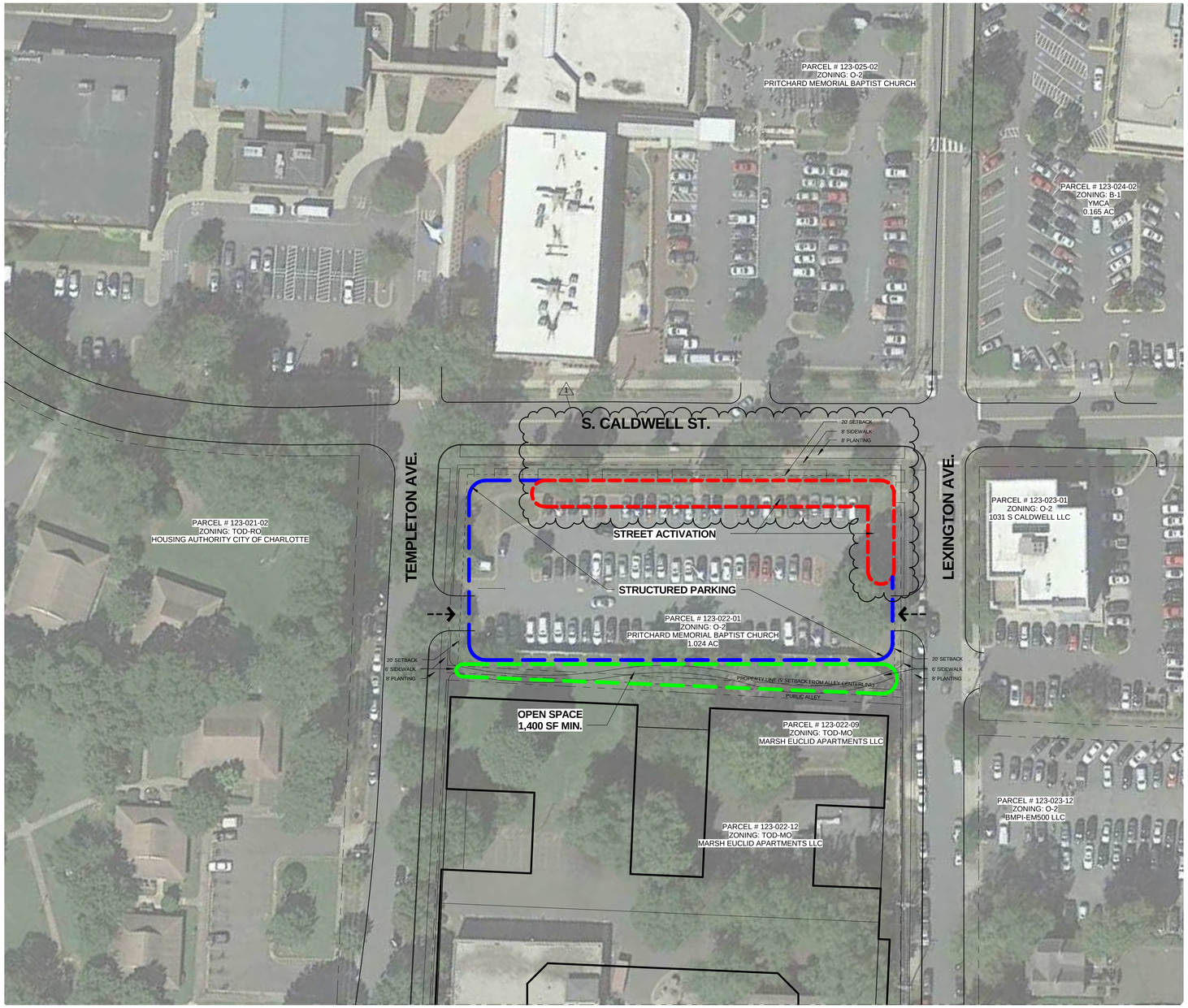
0 100 200 400 600 800 Feet

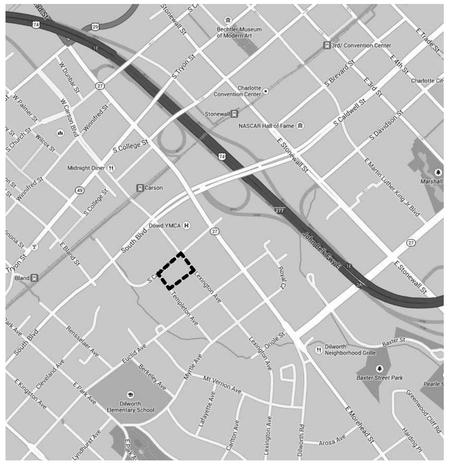
N

Zoning Map #(s)
102

Requested TOD-MO from O-2

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District





VICINITY MAP
NTS

SITE DEVELOPMENT DATA

Acreage: ± 1.03 acres

Tax Parcel #s: 123-022-01

Existing Zoning: O-2

Proposed Zoning: TOD-MO

Existing Use: Surface Parking

Proposed Uses: A parking structure and non-residential uses all as permitted by right, under prescribed conditions, and by the Optional provisions below, together with accessory uses, as allowed in the TOD-M zoning district (all as more specifically described and restricted below in Section 3).

Maximum Gross Square Feet of Development: A parking structure and up to 17,000 square feet of gross floor area devoted to non-residential uses as allowed by right and under prescribed conditions in the TOD-M zoning district. The allowed non-residential uses to be located on the ground floor of the parking deck.

Maximum Building Height: Maximum building height of four (4) stories, not to exceed 60 feet. Building height to be measured per the Ordinance.

PROJECT NORTH N

TRUE NORTH

GRAPHIC SCALE

0 30 60 90

YMCA OF GREATER CHARLOTTE

PRITCHARD LOT PARKING DECK

LS3P

227 WEST TRADE STREET SUITE 700
CHARLOTTE, NORTH CAROLINA 28202
TEL. 704.333.6686 FAX 704.333.2926
WWW.LS3P.COM

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REVISIONS:

No.	Description	Date
1	City Comments	04/18/2016

PROJECT: 9600-124760
DATE: 22 FEBRUARY 2016
DRAWN BY: dmb
CHECKED BY: JMW

TECHNICAL DATA SHEET

RZ-1

PETITION # 2016-068

REZONING SUBMITTAL

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4/18/2016 7:55:53 AM

Dowd YMCA - Pritchard Memorial Church
Development Standards
04/18/16
Rezoning Petition No. 2016-068

Site Development Data:

--**Acreage:** ± 1.03 acres
--**Tax Parcel #s:** 123-022-01
--**Existing Zoning:** O-2
--**Proposed Zoning:** TOD-MO
--**Existing Uses:** Surface parking lot.
--**Proposed Uses:** A parking structure and non-residential uses all as permitted by right, under prescribed conditions, and by the Optional provisions below, together with accessory uses, as allowed in the TOD-M zoning district (all as more specifically described and restricted below in Section 3).
--**Maximum Gross Square feet of Development:** A parking structure and up to 17,000 square feet of gross floor area devoted to non-residential uses as allowed by right and under prescribed conditions in the TOD-M zoning district. The allowed non-residential uses to be located on the ground floor of the parking deck.
--**Maximum Building Height:** Maximum building height of four (4) stories, not to exceed 60 feet. Building height to be measured per the Ordinance.

1. 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 YMCA of Greater Charlotte, Inc. ("Petitioner") to accommodate the development of a parking structure with ground floor non-residential uses (non-residential uses to be built in the future) on an approximately 1.03 acre site located on Caldwell Street between Lexington Avenue and Templeton Avenue (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 TOD-MO 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, Permissible Building Areas (as defined below) 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; or
ii. modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the external setbacks, side or rear yards) indicated on Sheet RZ-1; or
iii. modifications to allow minor increases or decreases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended 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 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) located within the same Development Area as the accessory structure/building.

2. Optional Provisions.
The following optional provisions shall apply to the Site:

a. To not require non-residential uses on the ground floor of the parking structure along Templeton Avenue as generally depicted on the Rezoning Plan.

3. Permitted Uses, Development Area Limitations:

a. The principal building constructed on the Site may be developed with a parking structure with up to 17,000 square feet of gross floor area devoted to non-residential uses as permitted by right, under prescribed conditions and per the Optional provisions above together with accessory uses allowed in the TOD-MO zoning district.

b. The allowed non-residential uses will be located on the ground floor of the proposed parking structure along Caldwell Street and Lexington Avenue as generally depicted on the Rezoning Plan.

4. Access:

a. Access to the Site will be from Lexington and Templeton Avenues as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

b. The alignment of the driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by 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.

c. The Petitioner will improve the intersection of Caldwell Street and Lexington Avenue with high visibility crosswalks on all four approaches.

5. Streetscape, Landscaping Open Space and Screening:

a. Twenty 20 foot setbacks will be established along Lexington and Templeton Avenues and Caldwell Street as measured from the future/existing back of curb of each street, as generally depicted on the Rezoning Plan.

b. An eight (8) foot planting strip and an eight (8) foot sidewalk will be provided along Caldwell Street as generally depicted on the Rezoning Plan.

d. An eight (8) foot planting strip and a six (6) foot sidewalk will be provided along Lexington and Templeton Avenues as generally depicted on the Rezoning Plan.

e. The area between the rear of the parking structure and the eastern property boundary will be improved with a six (6) foot sidewalk, and landscaping, to create an attractive open space area that can be used as a continuation of the outdoor exercise studio.

g. Meter banks will be screened where visible from public view at grade level.

6. Building Elevations:

a. The attached illustrative building elevations are included to reflect an architectural style and a quality of the buildings that may be constructed on the Site (the actual buildings constructed on the Site may vary from these illustrations provided that the design intent is preserved).

b. The proposed parking structure will be designed to have a brick masonry exterior, and the openings into the deck adjacent to existing apartments will be infilled with a decorative grills as 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 the Tree Ordinance.

8. 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 13 feet in height.

9. Amendments to the Rezoning Plan:

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

10. Binding Effect of the Rezoning Application:

a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided 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.

Activated Space along S. Caldwell St.

YMCA OF GREATER CHARLOTTE

PRITCHARD LOT PARKING DECK

LS3P

227 WEST TRADE STREET SUITE 700
CHARLOTTE, NORTH CAROLINA 28202
TEL. 704.333.6686 FAX 704.333.2926
WWW.LS3P.COM

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REVISIONS:

No.	Description	Date
1	City Comments	04/18/2016

PROJECT: 9600-124760
DATE: 22 FEBRUARY 2016
DRAWN BY: dmb
CHECKED BY: JMW

DEVELOPMENT STANDARDS

RZ-2

PETITION # 2016-068

REZONING SUBMITTAL

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4/18/2016 7:56:06 AM

DISCLAIMER

SCHEMATIC PLAN ONLY. THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY TO ILLUSTRATE THE GENERAL ARRANGEMENT OF BUILDINGS, SETBACK, ACCESS, AND PARKING FOR THE SITE. THE EXACT LOCATION AND DETAILS OF THE SITE DESIGN WILL BE ESTABLISHED DURING THE DEVELOPMENT REVIEW PROCESS BUT WILL BE GUIDED BY THIS SCHEMATIC PLAN. PROPOSED PLANTING PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE BASED ON ACTUAL SITE CONDITIONS.

PROJECT NORTH N

TRUE NORTH

GRAPHIC SCALE

0 30 60 90

YMCA OF GREATER CHARLOTTE

PRITCHARD LOT PARKING DECK

LS3P

227 WEST TRADE STREET SUITE 700
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REVISIONS:

No.	Description	Date
1	City Comments	04/18/2016

PROJECT: 9600-124760
DATE: 22 FEBRUARY 2016
DRAWN BY: dmb
CHECKED BY: JMW

1

CONCEPTUAL SITE PLAN

RZ-3

PETITION # 2016-068

REZONING SUBMITTAL

C:\Users\dawidburn\Documents\ARCH_9600-124760_PRITCHARD_PARKING DECK_2015_dawidburn.rvt
4/18/2016 7:56:24 AM

PUBLIC ALLEY OPEN SPACE

CORNER OF S. CALDWELL & LEXINGTON

DISCLAIMER

THESE ELEVATIONS ARE PROVIDED TO REFLECT THE ARCHITECTURAL STYLE AND QUALITY OF THE BUILDINGS THAT MAY BE CONSTRUCTED ON THE SITE (THE ACTUAL BUILDINGS CONSTRUCTED ON THE SITE MAY VARY FROM THESE ILLUSTRATIONS AS LONG AS THE GENERAL ARCHITECTURAL CONCEPTS AND INTENT ILLUSTRATED IS MAINTAINED).

YMCA OF GREATER CHARLOTTE

PRITCHARD LOT PARKING DECK

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227 WEST TRADE STREET SUITE 700
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REVISIONS:

No.	Description	Date
1	City Comments	04/18/2016

PROJECT: 9600-124760
DATE: 22 FEBRUARY 2016
DRAWN BY: dmb
CHECKED BY: JMW

1

CONCEPTUAL ELEVATIONS

RZ-4

PETITION # 2016-068

REZONING SUBMITTAL

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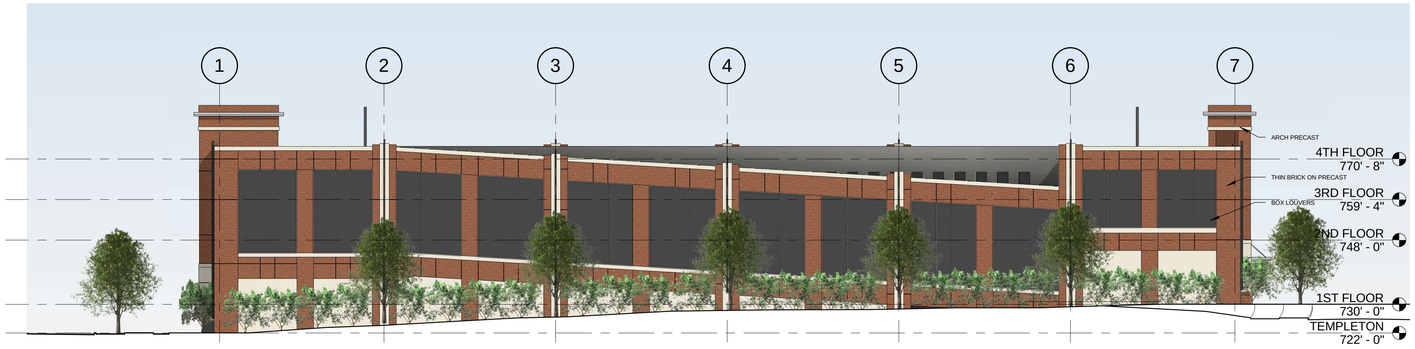
4/18/2016 7:56:40 AM



MARSH ELEVATION

TEMPLETON ELEVATION

LEXINGTON ELEVATION

S. CALDWELL ELEVATION

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GRAPHIC SCALE

0 20 40 60

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4/18/2016 7:55:12 AM

YMCA OF GREATER CHARLOTTE

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REVISIONS:

No.	Description	Date
1	City Comments	04/18/2016

PROJECT: 9600-124760
DATE: 22 FEBRUARY 2016
DRAWN BY: dmb
CHECKED BY: JMW

1

CONCEPTUAL ELEVATIONS

RZ-5

PETITION # 2016-068

REZONING SUBMITTAL

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 31.**File #:** 15-3230 **Type:** Zoning Hearing

Rezoning Petition: 2016-069 by White Point Paces Properties, LLC

Location: Approximately 0.83 acres located on the southeast corner at the intersection of Belmont Avenue and North Caldwell Street. (Council District 1 - Kinsey)

Current Zoning: I-2 (general industrial)
Proposed Zoning: TOD-M (transit oriented development, mixed use)

Staff Recommendation:
Staff recommends approval of this petition.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map

powered by Legistar™

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-069
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: I-2 (General Industrial) Proposed Zoning: TOD-M (transit oriented development – mixed-use)
LOCATION	Approximately 0.83 acres located on the southeast corner at the intersection of Belmont Avenue and North Caldwell Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow all transit supportive uses per conventional TOD-M (transit oriented development - mixed-use) zoning for a 0.83 acre site that is located within a ½ mile walk of the Parkwood Transit Station on the LYNX Blue Line Extension. Uses allowed in the TOD-M (transit oriented development – mixed-use) district include office, residential, retail and civic uses.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Thomas and Linda Hunter; Carroll and Barbara Hunter White Point Paces Properties, LLC (c/o Jay Levell) John Carmichael
COMMUNITY MEETING	Meeting is not required.

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is consistent with the *Blue Line Extension Transit Station Area Plan*, which recommends transit supportive uses for this site. <u>Rationale for Recommendation</u> • The subject site is within a ½ mile walk of the Parkwood Transit Station on the Blue Line Extension. • The proposed rezoning allows a vacant site zoned for industrial use to be developed with transit supportive uses. • Use of conventional TOD-M (transit oriented development – mixed-use) zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary. • TOD standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances and screening. • The plan for the area does not have a specific height limit and the TOD-M standards will provide a height transition between nearby single family homes and taller buildings.

- **Proposed Request Details**
  This is a conventional rezoning petition with no associated site plan.
- **Existing Zoning and Land Use**
  - The subject property is zoned I-2 (general industrial) and is vacant.
  - Surrounding properties west of Belmont Avenue are sparsely developed with warehouse uses, multi-family residential uses, a residential structure used as a beauty salon, and the CATS bus garage in I-2 (general industrial), MUDD-O (mixed use development, optional), B-2 (general business) and TOD-M (transit oriented development - mixed-use) districts.
  - Properties located east of Belmont Avenue are zoned R-8 (single family residential), R-22MF (multi-family residential), B-2 (general business), I-2 (general industrial), UR-2(CD) (urban residential, conditional), MUDD (mixed use development) and MUDD(CD) (mixed use development, conditional) and developed with single family and multi-family residential dwellings, office and warehouse uses, and an automotive garage.
  - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
  - Petition 2015-125 rezoned 4.78 acres located east of 13th Street and west of Belmont Avenue, between North Brevard Street and North Davidson Street, to TOD-M (transit oriented development – mixed-use) to allow all transit supportive uses per conventional TOD-M (transit

oriented development – mixed-use) zoning.
- Petition 2014-23 approved a MUDD(CD) SPA (mixed use development, conditional, site plan amendment) for 2.15 acres on the south corner of the intersection of North Caldwell Street and East 16th Street. The request allowed the reduction of the overall number of multi-family dwelling units from 150 to 120 and allowed a "for rent" option.

- **Public Plans and Policies**
  - The *Blue Line Extension Transit Station Area Plan* (2013) recommends a mix of transit supportive uses (residential, retail, civic and office) for this site and other properties in the Parkwood transit station area.
  - The Structure Map included in the Plan indicates that height should be governed by the zoning ordinance.

- **TRANSPORTATION CONSIDERATIONS**
  - This site is located at the un-signalized intersection of a minor thoroughfare and a major thoroughfare. North Caldwell Street, the site's northern boundary, is within the Northeast Transit Corridor Infrastructure (NECI) Program boundary. CDOT supports intensification of development that accommodates multimodal transportation facilities within this transit station area and has not identified any negative impacts to the transportation facilities in the area.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 0 trips per day (based on industrial storage uses)
    Entitlements: 45 trips per day (based on 12,500 square feet of warehouse uses)
    Proposed Zoning: Too many uses to determine trips per day.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

Attachments Online at www.rezoning.org

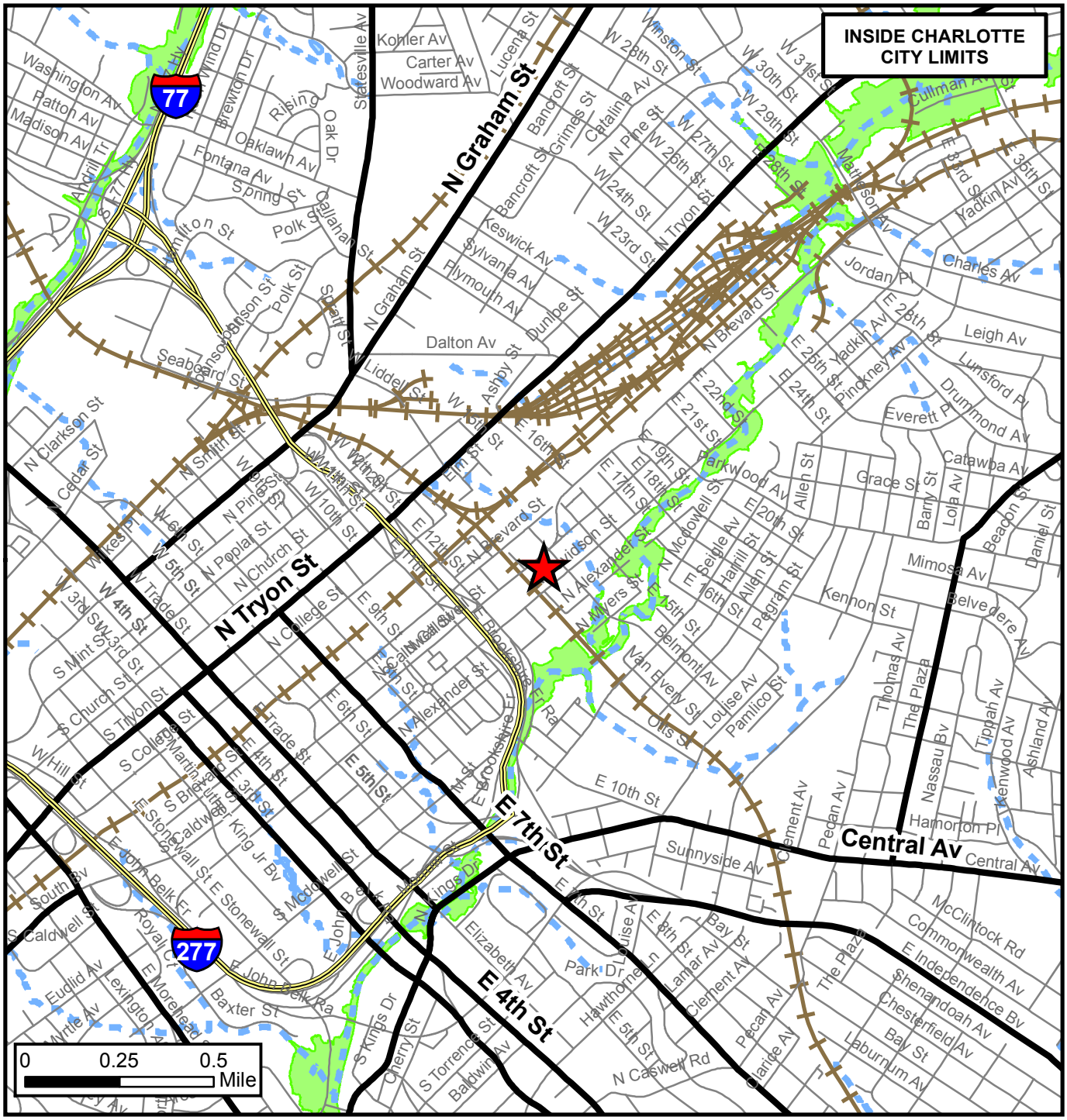
- Application
- Site Plan
- Locator Map
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

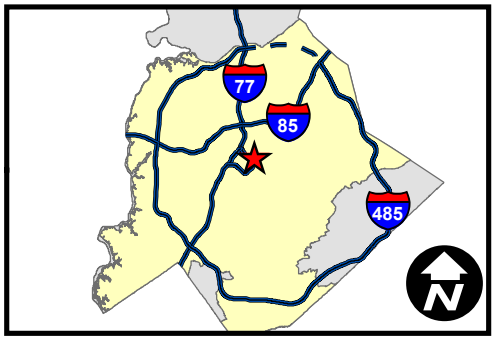
Planner: Sonja Strayhorn Sanders (704) 336-8327

Petition #: 2016-069

Vicinity Map

Acreage & Location : Approximately 0.83 acres located on the southeast corner at the intersection of Belmont Avenue and North Caldwell Street.





Rezoning Petition: 2016-069

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

March 28, 2016

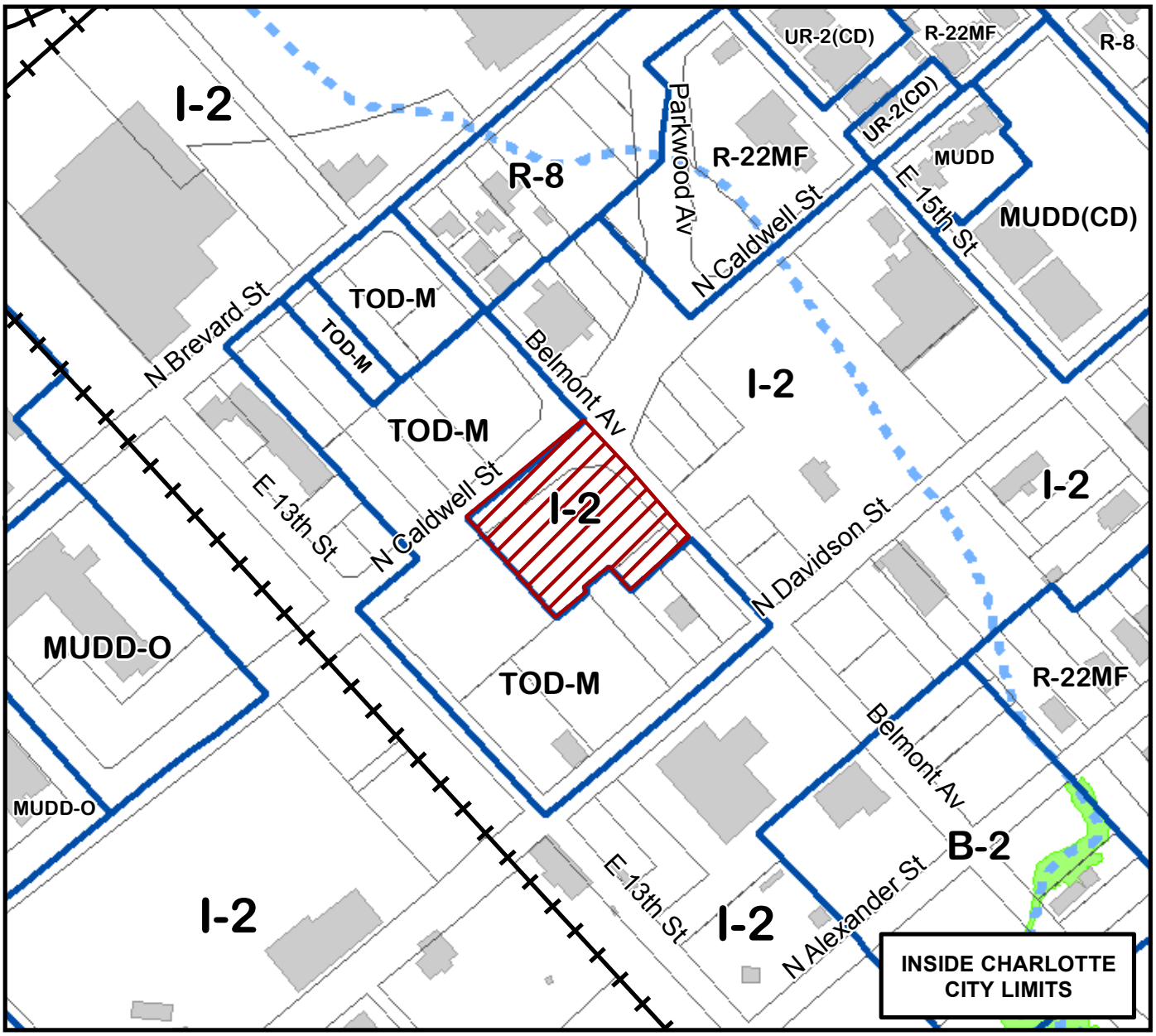
Petition #: 2016-069

Petitioner: White Point Paces Properties, LLC

Zoning Classification (Existing): I-2
(General Industrial)

Zoning Classification (Requested): TOD-M
(Transit Oriented Development, Mixed Use)

Acreage & Location: Approximately 0.83 acres located on the southeast corner at the intersection of Belmont Avenue and North Caldwell Street.



Map Produced by the Charlotte-Mecklenburg Planning Department, 2-25-2016.

0 75 150 300 450 600 Feet

N

Zoning Map #(s)
102

Requested TOD-M from I-2

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 32.**File #:** 15-3231 **Type:** Zoning Hearing

Rezoning Petition: 2016-070 by Woodfield Acquisitions, LLC

Location: Approximately 21.68 acres located north of Madison Square Place and near the intersection of Madison Square Place and Northlake Centre Parkway. (Council District 2 - Austin)

Current Zoning: R-3 (single family residential) & CC (commercial center)
Proposed Zoning: UR-3(CD) (urban residential, conditional)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of an outstanding issue related to building height.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map
Site Plan

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CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-070
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: R-3 (single family residential) and CC (commercial center) Proposed Zoning: UR-3(CD) (urban residential, conditional)
LOCATION	Approximately 21.68 acres located north of Madison Square Place and near the intersection of Madison Square Place and Northlake Centre Parkway. (Council District 2 - Austin)
SUMMARY OF PETITION	The petition proposes to allow up to 300 multi-family dwelling units at a density of 13.83 units per acre, and will be Phase 2 of an approved rezoning (2013-067) that allowed up to 416 multi-family units. The rezoning site is a single family subdivision in the Northlake area where all the homes have since been demolished with the exception of one home built in 2001.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Ronald J. Withrow, and William R. Culp, Jr., Trustees Woodfield Acquisitions, LLC Jeff Brown and Keith MacVean/Moore & Van Allen
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 0

STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of an outstanding issue related to building height. <u>Plan Consistency</u> The petition is consistent with the *Northlake Area Plan* recommendation for residential, office and/or retail. The proposed density of 13.8 units per acre is consistent with the plan's recommendation of a maximum density of 22 dwelling units per acre if the site is developed with residential as a single use. <u>Rationale for Recommendation</u> • The subject property is located within the Northlake Mixed Use Activity Center, which is a priority area to accommodate future growth and appropriate for new multi-family development. • The proposed project will be Phase 2 of Woodfield Northlake apartments. Phase 1 of this project is underway. • The development will maintain the site design characteristics of the first phase, by locating buildings along the street with parking to the side and rear, thus supporting walkability. • In addition, the site design calls for the dedication of land along Dixon Branch for a future greenway and connection to the greenway.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allows up to 300 multi-family residential units at a density of 13.28 dwelling units per acre.
  - This proposal will be a second phase of a multi-family residential development known as Woodfield Apartments at Northlake that was approved via rezoning petition 2013-067 to allow up to 416 multi-family units on abutting property located along Northlake Centre Parkway.
  - Proposes the total number of principal buildings to be developed on the site will not exceed 10.
  - Provides amenity area consisting of a pool, landscaping, seating areas, and hardscape elements and other open space areas.
  - Provides access to Northlake Center Parkway via extension of a public street (Tisbury Road) approved as part of Phase 1 development.
  - Proposes abandonment of rights-of-way to accommodate new construction.
  - Proposes a number of architectural and design standards related to building materials, roof design, blank walls and pedestrian connectivity.

- Dedicates and conveys to Mecklenburg County the majority of the 100-foot FEMA floodplain and a portion of the SWIM buffer as generally depicted on the rezoning plan, including the existing bridge on parcel 052-291-15 prior to the issuance of the first certificate of occupancy.
- Identifies location of pedestrian access to future greenway.

- **Existing Zoning and Land Use**
  - The rezoning site is part of a larger single family subdivision divided by the construction of Interstate I-485. The rezoning site is comprised of several single family detached lots and streets. All of the lots are vacant with the exception of one single family home.
  - East is Phase I of Woodfield Apartments at Northlake (a 416-unit multi-family development approved via rezoning petition 2013-067 and currently under construction), and undeveloped acreage zoned UR-3(CD) (urban residential, conditional), BP (business park) and R-3 (single family residential).
  - South are the Madison Square Apartment community, Northlake Mall, Northcrest Shopping Center, scattered residential housing, vacant land, and undeveloped acreage zoned CC (commercial center), R-3 (single family residential), and R-17MF (multi-family residential).
  - Portions of the rezoning site are adjacent to the Dixon Creek Greenway corridor as indicated on the 2014 Greenway Master Plan.
  - See "Rezoning Map" for existing zoning in the area.

- **Rezoning History in Area**
  - Rezoning petition 2013-067 (Woodfield at Northlake Apartments, Phase 1) rezoned approximately 18.95 acres abutting the rezoning site to the north to allow up to 416 multi-family units at a density of 22 dwelling units per acre, with clubhouse/pool amenity.

- **Public Plans and Policies**
  - The *Northlake Area Plan* (2008) recommends residential, office and/or retail for this site. The plan also allows for residential up to 22 dwelling units per acre as a single use.
  - The portion of the site under the FEMA Floodplain is recommended for park/open space to allow for a future greenway.
  - The plan stipulates that building heights should be limited to four stories along Dixon Branch Creek, and six stories elsewhere.

- **TRANSPORTATION CONSIDERATIONS**
  - This site plan extends Tisbury Road (a local street approved as part of Woodfield Northlake Phase 1) and extends the transportation network with a pedestrian/bike path connection to a future Mecklenburg County greenway along I-485. This plan complies with the general transportation policy goals and applicable area plans.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 0 trips per day (based on vacant land)
    Entitlements: 710 trips per day (based on 65 single family dwellings).
    Proposed Zoning: 1,940 trips per day (based on 300 multi-family dwelling).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 32 students, while the development allowed under the proposed zoning will produce 41 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is nine students. The proposed development is not projected to increase the school utilization (without mobile classroom units) for Bradley Middle Middle (106%) or Hopewell High (89%). The proposed development is projected to increase the school utilization (without mobile classroom units) at Long Creek Elementary from 72% to 75%.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water does not currently have water system availability for the parcels under review. The closest water distribution main is located approximately 350 feet southeast of the eastern corner of the property on Northlake Centre Parkway. Charlotte Water currently has sewer system availability via an existing 8-inch sewer main located along East I-485 Inner Highway and within the boundaries of parcel 025-105-09.

- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. Specify a maximum height of four stories for buildings located along Dixon Branch and six stories elsewhere on the site.

Attachments Online at www.rezoning.org

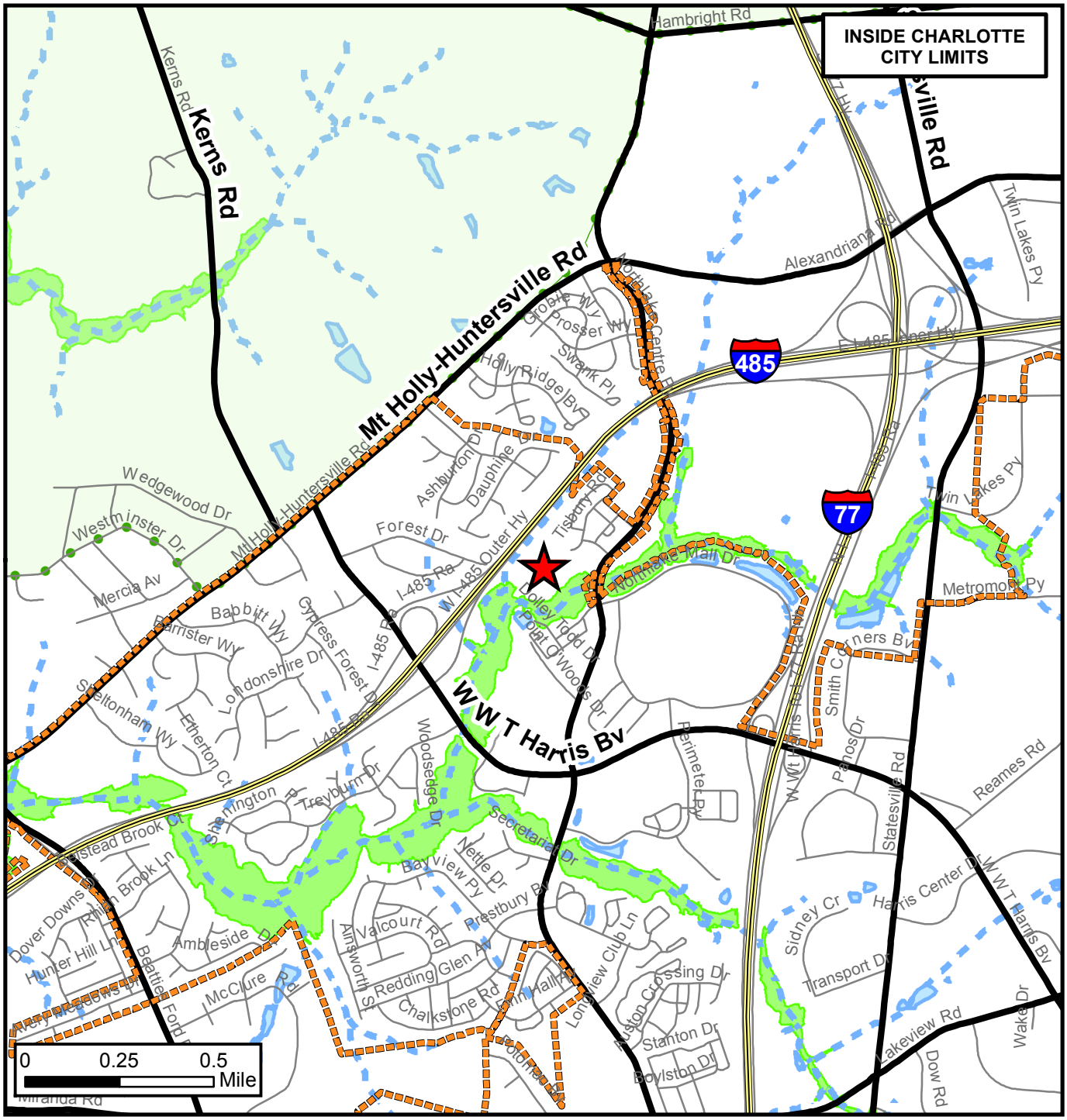
- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

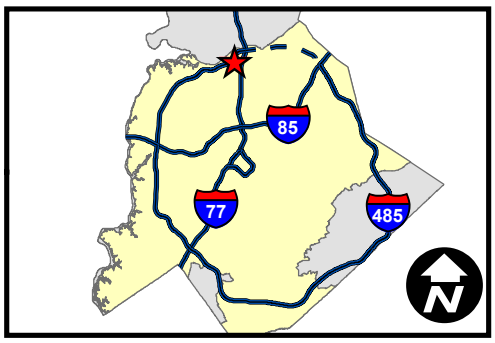
Planner: John Kinley (704) 336-8311

Petition #: 2016-070

Vicinity Map

Acreage & Location : Approximately 21.68 acres located north of Madison Square Place and near the intersection of Madison Square Place and Northlake Centre Parkway.





Rezoning Petition: 2016-070

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

March 28, 2016

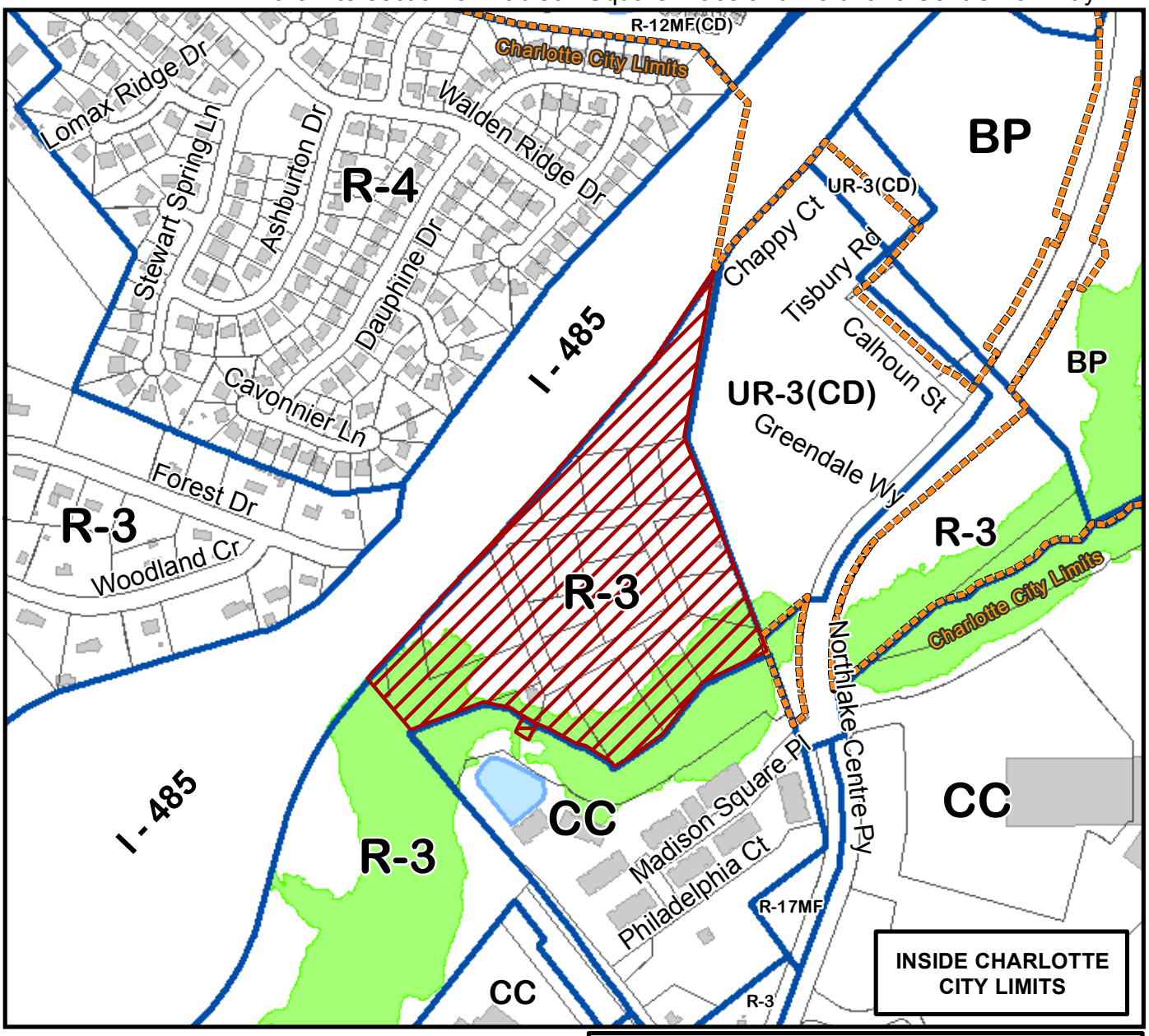
Petition #: 2016-070

Petitioner: Woodfield Acquisitions, LLC

Zoning Classification (Existing): R-3 & CC
(Single Family, Residential and Commercial Center)

Zoning Classification (Requested): UR-3(CD)
(Urban Residential, Conditional)

Acreage & Location: Approximately 21.68 acres located north of Madison Square Place and near the intersection of Madison Square Place and Northlake Centre Parkway.



Map Produced by the Charlotte-Mecklenburg Planning Department, 2-26-2016.

0 175 350 700 1,050 1,400 Feet

N

Zoning Map #(s)
44

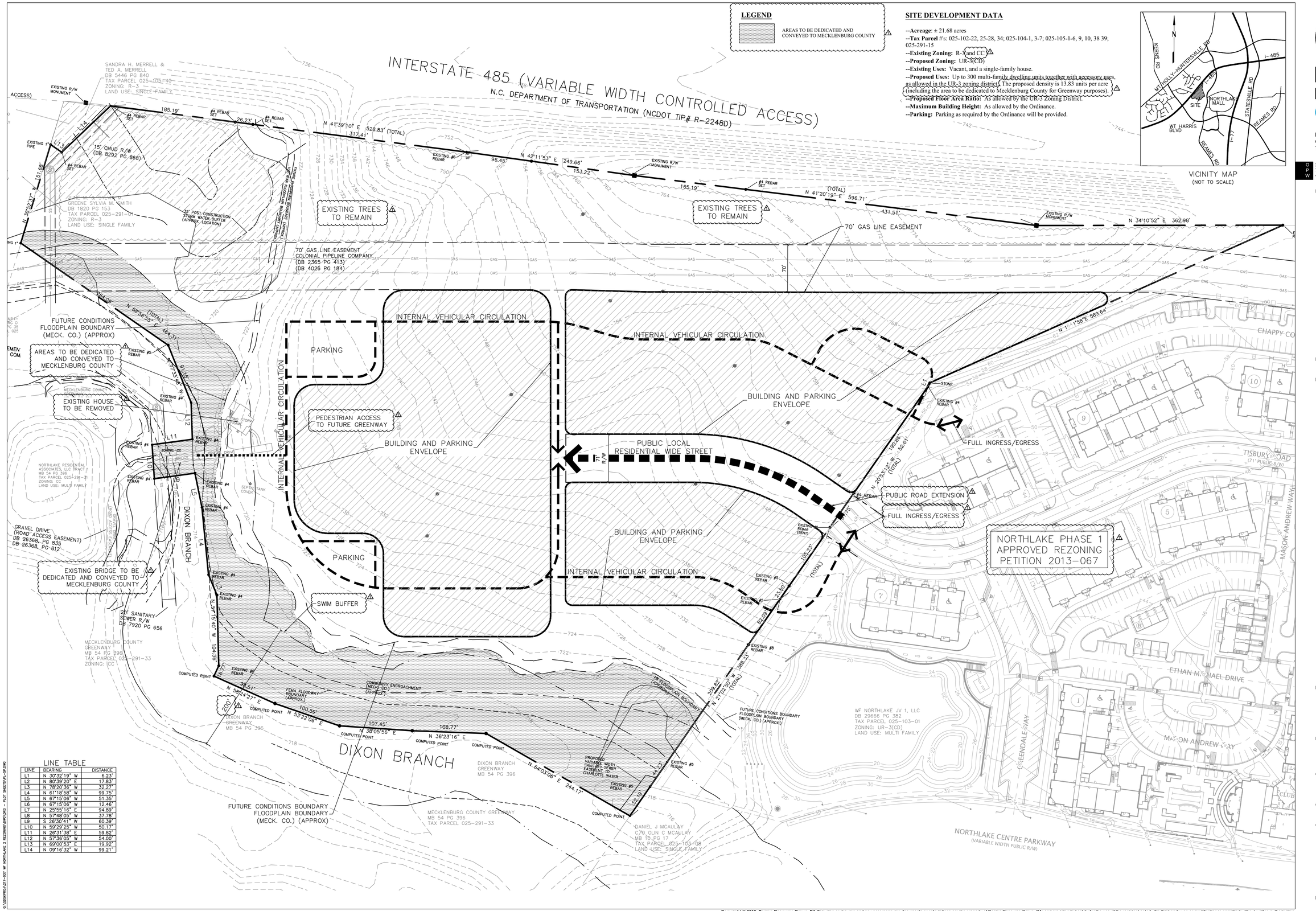
Requested UR-3(CD) from R-3
Requested UR-3(CD) from CC
Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

LEGEND

AREAS TO BE DEDICATED AND CONVEYED TO MECKLENBURG COUNTY

SITE DEVELOPMENT DATA

--Acreage: ± 21.68 acres
--Tax Parcel #'s: 025-102-22, 25-28, 34; 025-104-1, 3-7; 025-105-1-6, 9, 10, 38 39; 025-291-15
--Existing Zoning: R-3 and CC
--Proposed Zoning: UR-3(CD)
--Existing Uses: Vacant, and a single-family house.
--Proposed Uses: Up to 300 multi-family dwelling units together with accessory uses, as allowed in the UR-3 zoning district. The proposed density is 13.83 units per acre (including the area to be dedicated to Mecklenburg County for Greenway purposes).
--Proposed Floor Area Ratio: As allowed by the UR-3 Zoning District.
--Maximum Building Height: As allowed by the Ordinance.
--Parking: Parking as required by the Ordinance will be provided.



VICINITY MAP
(NOT TO SCALE)

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 30°32'19" W	6.23'
L2	N 80°39'20" E	17.83'
L3	N 78°20'36" W	32.27'
L4	N 61°18'58" W	99.75'
L5	N 67°15'06" W	51.35'
L6	N 67°15'06" W	12.46'
L7	N 25°55'16" E	94.89'
L8	N 57°48'05" W	37.78'
L9	S 26°30'41" W	60.39'
L10	N 59°29'25" W	50.17'
L11	N 26°31'38" E	59.82'
L12	N 57°36'05" W	54.00'
L13	N 69°00'53" E	19.92'
L14	N 09°16'32" W	99.21'

DESIGN RESOURCE GROUP

LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

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

REZONING PETITION # 2016-070

FOR PUBLIC HEARING

WOODFIELD NORTHLAKE PHASE 2

CHARLOTTE, NORTH CAROLINA

WOODFIELD INVESTMENTS, LLC
3328 LANDERWOOD DRIVE
CHARLOTTE, NC 28210
704.560.2793

TECHNICAL DATA PLAN

SCALE: 1" = 60'

PROJECT #: 217-037
DRAWN BY: JL
CHECKED BY: BS

FEBRUARY 22, 2016

REVISIONS:
1 04.18.16 1ST CITY REVIEW COMMENTS
COMMUNITY MEETING

RZ1.00

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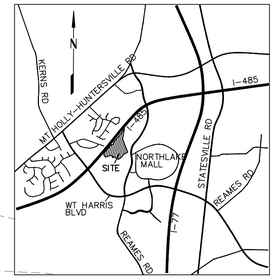
LEGEND

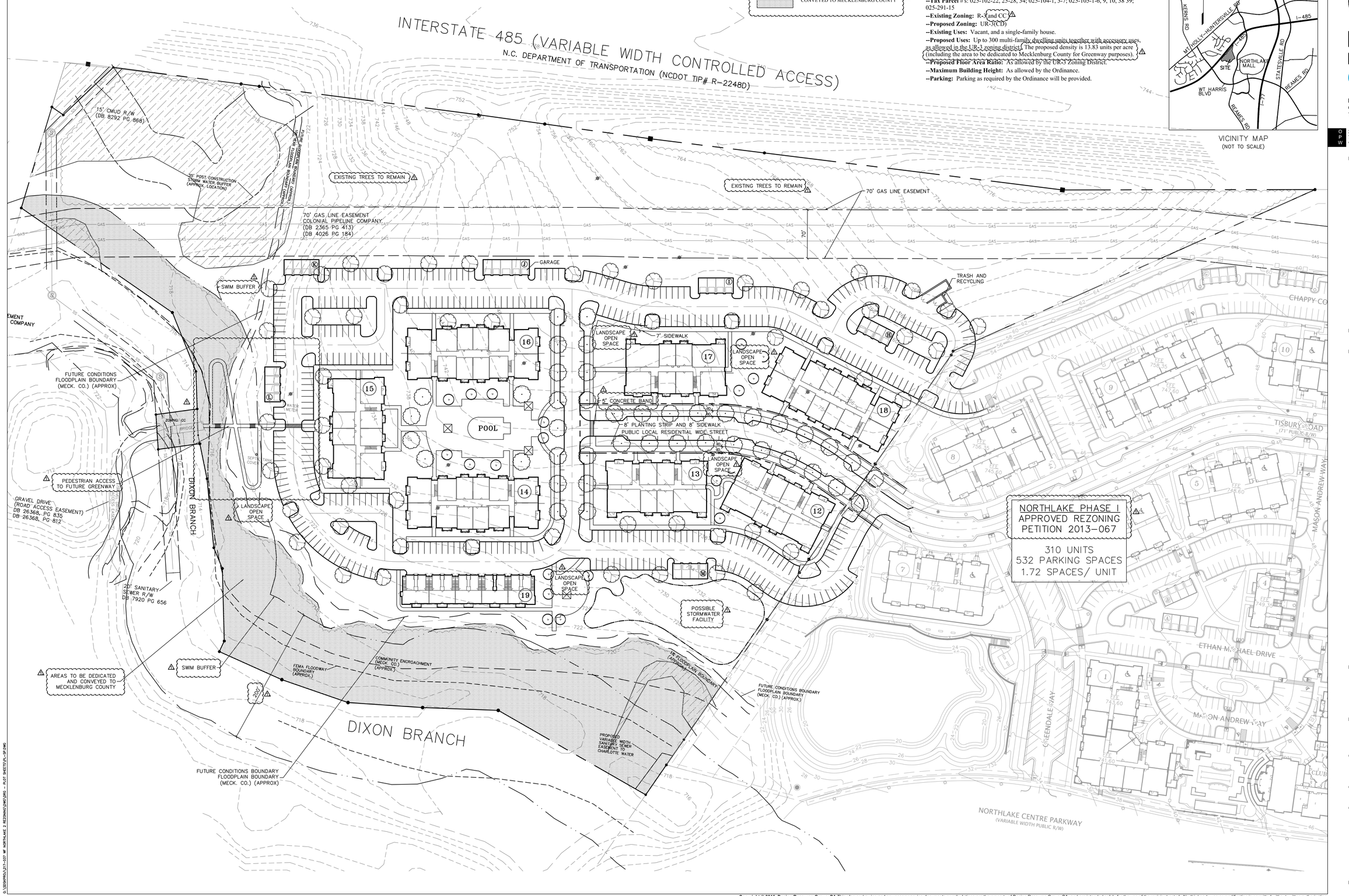
AREAS TO BE DEDICATED AND CONVEYED TO MECKLENBURG COUNTY

SITE DEVELOPMENT DATA

--Acreage: ± 21.68 acres
--Tax Parcel #'s: 025-102-22, 25-28, 34; 025-104-1, 3-7; 025-105-1-6, 9, 10, 38 39; 025-291-15
--Existing Zoning: R-3 and CC
--Proposed Zoning: UR-3(CD)
--Existing Uses: Vacant, and a single-family house.
--Proposed Uses: Up to 300 multi-family dwelling units together with accessory uses, as allowed in the UR-3 zoning district. (The proposed density is 13.83 units per acre (including the area to be dedicated to Mecklenburg County for Greenway purposes).
--Proposed Floor Area Ratio: As allowed by the UR-3 Zoning District.
--Maximum Building Height: As allowed by the Ordinance.
--Parking: Parking as required by the Ordinance will be provided.



VICINITY MAP
(NOT TO SCALE)



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REZONING
PETITION #
2016-070

FOR PUBLIC HEARING

WOODFIELD NORTHLAKE PHASE 2

CHARLOTTE, NORTH CAROLINA

WOODFIELD INVESTMENTS, LLC
3328 LANDERWOOD DRIVE
CHARLOTTE, NC 28210
704.560.2793

SCHEMATIC SITE PLAN

30 0 30 60
SCALE: 1" = 60'

PROJECT #:	217-037
DRAWN BY:	JL
CHECKED BY:	BS

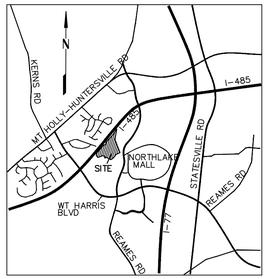
FEBRUARY 22, 2016

REVISIONS:
1 04.18.16 1ST CITY REVIEW COMMENTS COMMUNITY MEETING

RZ2.00

SITE DEVELOPMENT DATA

--**Acreage:** ± 21.68 acres
--**Tax Parcel** #'s: 025-102-22, 25-28, 34; 025-104-1, 3-7; 025-105-1-6, 9, 10, 38 39; 025-291-15
--**Existing Zoning:** R-3 and CC
--**Proposed Zoning:** UR-3(CD)
--**Existing Uses:** Vacant, and a single-family house.
--**Proposed Uses:** Up to 300 multi-family dwelling units together with accessory uses, as allowed in the UR-3 zoning district. The proposed density is 13.83 units per acre (including the area to be dedicated to Mecklenburg County for Greenway purposes).
--**Proposed Floor Area Ratio:** As allowed by the UR-3 Zoning District.
--**Maximum Building Height:** As allowed by the Ordinance.
--**Parking:** Parking as required by the Ordinance will be provided.



VICINITY MAP
(NOT TO SCALE)

DEVELOPMENT STANDARDS

1. General Provisions:

a. **Site Location**. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Woodfield Acquisitions, LLC ("Petitioner") to accommodate the development of a multi-family residential community on approximately 21.68 acre site located between Northlake Centre Parkway and I-485, north of Madison Square Place (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-3 zoning classification shall govern.

c. **Graphics and Alterations**. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. 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; or
ii. modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "external building line" (in this case the external setbacks, rear yards or buffer areas) indicated on Sheet RZ-1.

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 shall not exceed 10. 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 located on the Site.

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

f. **Planned/Unified Development**. The Site together with that certain site located adjacent to the Site and designated as Tax Parcel No. 025-103-01 (the "Northlake Phase I") shall be viewed in the aggregate as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan and those depicted on the applicable conditional rezoning plan for the Adjacent Northlake Phase I Site. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site and the Adjacent Northlake Phase I Site. The Petitioner and/or owner(s) of the Site and the Adjacent Northlake Phase I Site reserve the right to subdivide the portions or all of the Site and the Adjacent Northlake Phase I Site and create lots within the interior of the Site and the Adjacent Northlake Phase I Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site and of the Adjacent Northlake Phase I Site shall be adhered to and all FAR or unit maximum requirements will be regulated by any development limitations set forth in Section 2 below as to the Site and in the applicable conditional rezoning plan as to the Adjacent Northlake Phase I Site, taken as a whole and not individual portions or lots located therein.

2. Permitted Uses & Development Area Limitation:

a. The Site may be developed with up to 300 multi-family residential dwelling units, together with accessory uses allowed in the UR-3 zoning district.

3. Access and Transportation:

a. Access to the Site will be from Tisbury Road, a public street constructed as part of Northlake Phase I in the manner generally depicted on the Rezoning Plan.
b. The Petitioner extend and terminate Tisbury Road into the Site as a public street built to Residential Wide Street standards as generally depicted on the Rezoning Plan.
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, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

4. Architectural Standards, Court Yards/Amenity Areas:

To further define the character of the buildings to be constructed on the site, the Petitioner will include the following elements or features:

a. At least 30% of the portions of the building exteriors located below the roof line (excluding areas devoted to windows, doors, balconies, architectural accents and signage) shall be composed of a combination of brick, stone, artificial stone, and/or stone or similar masonry products.
b. No vinyl, EIFS, or Masonite will be used for siding materials but vinyl may be used for soffit, and trim including window and door trim.
c. Except for buildings with a flat roof and parapet walls, principal roof pitch will be no less than 5:12. Roof ridge lines will be articulated to avoid the appearance of a large monolithic roof structure.
d. Balcony railings, if appropriate to the design, will be of durable prefinished material and will not be painted pressure treated lumber.
e. Roofing materials will be architectural fiberglass composite shingles and roof vents and features will be painted to match the roof color.
f. Buildings will be designed so that no more that 20 feet of blank wall will be constructed along the frontage of a public or private street.
g. The Petitioner reserves the right to combine or relocate building locations so long as the total number of buildings is not increased.
h. Buildings will be designed with façade articulation to break up wall mass and to create variety in the character of the façade.
i. Main windows will be arranged to avoid larges masses of glass and will be designed so as to be taller than they are wide. This will not apply to minor windows such as for bathrooms, stairways and architectural accent.
j. All building entrances will be connected to the on-site and/or public street sidewalk network.
k. On site directional signage will be designed to reflect the architectural character and materials of the principal buildings.
l. Building facades may incorporate vertical elements and material changes to break up the mass of the building walls.
m. Meter banks will be screened from adjoining properties and from Carmel Road.
n. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
o. 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.

5. Yards, Open Space and Landscaping:

a. The Petitioner will arrange and construct buildings such that an average of 70% of the total public street frontage on the site, exclusive of driveways and pedestrian access points, is fronted by buildings.
b. The Petitioner will improve the Site's amenity area with a pool, landscaping, seating areas, and hardscape elements.
c. Above ground backflow preventers will be screened from public view and will be located behind the right-of-way of the public streets.

6. Environmental Features:

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
b. The location, size and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points. The proposed storm water/water quality facility will be screened or landscaped with grass and/or trees.
c. The Site will comply with the Tree Ordinance.
d. All utilities within the Site will be placed underground.

7. Lighting:

a. Freestanding lighting on the site will utilize full cut-off luminaries and will be limited to 26' in height within parking areas and to 21' in height along public and private streets.

8. Greenway Dedication:

a. The Petitioner will dedicate and convey to Mecklenburg County the majority of 100 year FEMA floodplain and a portion of the SWIM Buffer as generally depicted on the Rezoning Plan, including the existing bridge on parcel 052-291-15 prior to the issuance of a the first certificate of occupancy.

9. Amendments to the Rezoning Plan:

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

10. Binding Effect of the Rezoning Application:

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

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DESIGN RESOURCE GROUP
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CIVIL ENGINEERING
TRANSPORTATION PLANNING
2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
704.343.0608
www.drgrp.com

REZONING PETITION # 2016-070

FOR PUBLIC HEARING

WOODFIELD NORTHLAKE PHASE 2
CHARLOTTE, NORTH CAROLINA

WOODFIELD INVESTMENTS, LLC
3328 LANDERWOOD DRIVE
CHARLOTTE, NC 28210
704.560.2793

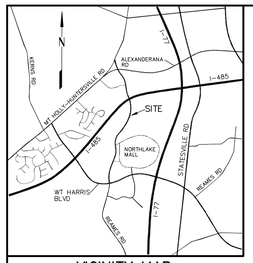
DEVELOPMENT STANDARDS

PROJECT #: 217-037
DRAWN BY: JL
CHECKED BY: BS

FEBRUARY 22, 2016

REVISIONS:
1 04.18.16 1ST CITY REVIEW COMMENTS
COMMUNITY MEETING

RZ3.00



VICINITY MAP

(NCGS GRID NAD-83)

INTERSTATE 485 (VARIABLE WIDTH CONTROLLED ACCESS)

N.C. DEPARTMENT OF TRANSPORTATION (NCDOT TIP# R-2248D)

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 30°32'19" W	6.23'
L2	N 80°39'20" E	17.83'
L3	N 78°20'36" W	32.27'
L4	N 61°18'58" W	99.75'
L5	N 67°15'06" W	51.35'
L6	N 67°15'06" W	12.46'
L7	N 25°55'16" E	94.89'
L8	N 57°48'05" W	37.78'
L9	S 26°30'41" W	60.39'
L10	N 59°29'25" W	50.17'
L11	N 26°31'38" E	59.82'
L12	N 57°36'05" W	54.00'
L13	N 69°00'53" E	19.92'
L14	N 09°16'32" W	99.21'

GENERAL NOTES:

1. BOUNDARY SURVEY IS BASED ON EXISTING PHYSICAL EVIDENCE OBSERVED IN FIELD ON DATE(s) OF SURVEY.
2. NORTH ORIENTATION IS BASED ON NORTH CAROLINA STATE PLANE GRID COORDINATE SYSTEM (NAD-83).
3. ALL DISTANCE SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED. ALL AREAS WERE CALCULATED USING THE COORDINATE METHOD.
4. THE LOCATIONS OF UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON ABOVE GROUND VISIBLE APPURTENANCES.
5. A PORTION OF SUBJECT PROPERTY SHOWN HEREON IS GRAPHICALLY LOCATED IN A DESIGNATED ZONE A SPECIAL FLOOD HAZARD AREA AS SHOWN ON COMMUNITY PANEL NUMBER 3710454800 J, EFFECTIVE DATE MARCH 2, 2009.

60 0 30 60 120 240

TO WITHROW CAPITAL INC.:

THIS IS TO CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOKS AS SHOWN, PAGES AS SHOWN); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN MAP BOOK 10, PAGE 269; THAT THE RATIO OF PRECISION IS 1:15,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

EDWIN S. GOOSEY 02-22-16
DATE

NORTH CAROLINA PROFESSIONAL SEAL L-3470 LAND SURVEYOR EDWIN S. GOOSEY

AREA SUMMARY:
TOTAL AREA EXCLUDING ROAD R/W 18.871 ACRES.
TOTAL AREA INCLUDING ROAD R/W 21.684 ACRES.

CITY OF CHARLOTTE
MECKLENBURG COUNTY, NORTH CAROLINA

COMPOSITE BOUNDARY SURVEY FOR:

WITHROW CAPITAL, INC.

SURVEYED BY:	SURVEY DATE(S):	PROJECT NUMBER:
MBLEG	11-15	15012
DRAWN BY:	PLAT DATE:	DRAWING NAME:
EG	02-16	15012COMBO
CHECKED BY:	DRAWING SCALE:	FIELD BOOK:
EG	1"=60'	01-15

LANDTEC SURVEYING • MAPPING
137 CROSS CENTER RD #253
DENVER, NC 28037
OFFICE 704-483-3701
FAX 704-483-5202

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 33.**File #:** 15-3232 **Type:** Zoning Hearing

Rezoning Petition: 2016-071 by Aston Properties, Inc.

Location: Approximately 3.28 acres located on the north side of West Tyvola Road between City Park Drive and Speer Boulevard from MUDD-O to MUDD-O SPA 5-Year Vested Rights. (Council District 3 - Mayfield)

Current Zoning: MUDD-O (mixed use development, optional)
Proposed Zoning: MUDD-O SPA 5-Year Vested Rights (mixed use development, optional, site plan amendment, 5-Year Vested Rights)

Staff Recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to vehicular access, screening and requested technical revisions.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map
Site Plan

CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-071
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: MUDD-O (mixed use development, optional) Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment), with five-year vested rights
LOCATION	Approximately 3.28 acres located on the north side of West Tyvola Road and east of City Park Drive. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to revise the previously approved site plan to allow up to 20,000 square feet of commercial uses on a vacant site located within the City Park development.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	P&L Coliseum LP Aston Properties, Inc. Collin Brown and Bailey Patrick, Jr.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to vehicular access, screening and requested technical revisions.

Plan Consistency

The petition is consistent with the *Southwest District Plan* recommendation for a mix of residential/office/retail uses for the overall City Park Development as amended by rezoning petition 2007-082. The petition is inconsistent with the specific limitation on uses with associated drive-through service windows, and design standards for drive-through service window and vehicular maneuvering locations established under the previous rezoning.

Rationale for Recommendation

- The subject property is located on West Tyvola Road, a major thoroughfare, and City Park Drive, at the entrance to the City Park development.
- The current zoning for the site allows commercial uses with drive-through accessory windows, but limits the specific types of uses with drive-through windows, and does not allow vehicular maneuvering between the uses and the streets.
- The proposed site plan amendment does not increase the number of uses with drive-through windows but simply expands the type of uses allowed to have drive-through windows to include two eating/drinking/entertainment establishments, one of which will have limited food preparation.
- The proposed site plan amendment also allows maneuvering for the drive-through service lane on the parcel located on West Tyvola Road and Potomac River Parkway, consistent with the highway oriented environment on West Tyvola Road.
- However, the pedestrian oriented design, with buildings along the street and parking to the side or rear, is maintained on City Park Drive and National Avenue, the priority pedestrian-oriented streets.
- The site plan also includes a rain garden, outdoor seating and multi-purpose path located on City Park Drive and National Avenue within Parcel 4, that further support the pedestrian environment.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan amendment contains the following changes:
  - Divides the site into four (4) parcels with Parcels 1-3 depicting building and parking envelopes and Parcel 4 as a rain garden/amenity area with outdoor seating and a multi-purpose path around the perimeter and connecting to the existing public sidewalks.
  - Allows development of a maximum 20,000 square feet of commercial uses in up to three (3) buildings with two drive-through service windows; one each on Parcel 1 and 2.
  - Prohibits convenience stores with gasoline sales, car washes, and automotive service stations.
  - Proposes the following optional provisions:
    - Allows a drive-through service window as an accessory to an eating/ drinking/entertainment establishment use within Parcel 1. This drive-through window shall only be located on the same parcel as the principal use.
    - Allows a drive-through window and a related vehicular circulation lane to be located between a building constructed within Parcel 2 and Tyvola Road and Potomac River Parkway. This drive-through allowance shall be limited to uses similar to a neighborhood food and beverage service, which may serve ice cream, yogurt, coffee, juices, and similar items along with items such as bagels, muffins, sandwiches and pastries provided the following restriction applies: the use will be limited to 2,060 square feet and will provide for on premise cooking of food limited to those food preparation methods that do not require a hood ventilation system.
    - Allows a detached, monument sign up to 10 feet in height and up to 75 feet in sign area, in the location generally depicted on the site's technical data sheet. This sign will serve tenants within the areas identified as Parcel 2 and Parcel 3. This sign shall be permitted in addition to a sign for Parcel 1 which provides for one monument sign for each building located within the City Park site, but limits their size to six feet in height and 36 square feet in sign area. The combined detached sign for Parcels 2 and 3 will be in lieu of a Parcel 3 detached sign.
  - Provides access to the site from City Park Drive, National Avenue, and Potomac River Parkway.
  - Provides and constructs a new waiting pad for a relocated bus stop on West Tyvola Road.
  - Provides architectural renderings with a perspective from the intersections of West Tyvola Road and City Park Drive, and West Tyvola Road and Potomac River Parkway and proposes the following architectural standards/treatments:
    - Specifies proposed building materials.
    - Screens the drive-through window area on Parcel 2 from street view utilizing a trellis structure integrated within a screen wall with a combined minimum height of seven feet.
    - Specifies that a drive-through service window located within Parcel 1 must be internally oriented to the rezoning site and circulation lanes must not be located between the Parcel 1 building and adjacent streets.
    - Provides additional commitments for building and site design to encourage pedestrian activity and reduce blank walls.

- **Existing Zoning and Land Use**
  - The site is currently vacant and part of the larger City Park mixed/multi-use development approved via rezoning petition 2007-082 for MUDD-O (mixed use development, optional), which allowed the redevelopment of approximately 160 acres occupied by the old Charlotte Coliseum. The approved plan provides for the following:
    - Allows up to 200,000 square feet of retail development; up to two hotels containing in aggregate no more than 350 rooms; up to 400,000 square feet of office development; up to 1,090 for sale residential units consisting of any combination of townhomes, condominiums, flats, and detached duplex or single family residences; and, up to 1,400 for rent multi-family homes.
    - Prohibits the following uses: fast food restaurants with drive through facilities; convenience stores with gasoline sales; car washes; and, automotive service stations.
    - Allows a total of four drive-through service windows and service lanes, one of each for the following uses: a coffee shop; a bank; a drug store; and, a dry cleaner.
    - Approves optional provisions pertaining to parking and maneuvering, open space, drop off areas in front of office buildings, service areas, height requirements, paving systems used on private plazas and walkways, and signage.
  - With respect to the subject site, the existing zoning allows for the development of retail with the ability to construct two uses with an associated drive-through service window. The existing zoning limited the uses with drive through service windows to a coffee shop, bank, drug store and dry cleaner. The existing zoning also specifies that drive-through windows shall be on the same parcel as the principal use, located to the rear or side of the use, and limited maneuvering

and stacking between the building and public and private streets.
- The site is immediately surrounded by acreage that is part of the City Park development that is primarily vacant with the exception of some multi-family buildings and street improvements on properties zoned MUDD-O (mixed use development district, optional).
- Further north is the Charlotte Regional Farmers Market zoned I-2(CD) (general industrial, conditional).
- East is undeveloped acreage and Renaissance Park zoned R-4 (single family residential).
- South and west, across West Tyvola Road, is undeveloped acreage associated with City Park, Renaissance Golf Course and Coffey Creek Business Park, as well as retail, hotel and office uses, zoned, R-3 (single family residential), R-4 (single family residential), O-15(CD) (office, conditional), and I-1(CD) (light industrial, conditional).
- See "Rezoning Map" for existing zoning in the area.

- **Rezoning History in Area**
  - There have been no rezonings in the immediate area in recent years.

- **Public Plans and Policies**
  - Rezoning petition 2007-082 updated the *Southwest District Plan* (1991) recommendation for the overall area in which the site is located to residential/office/retail land uses.
  - The adopted rezoning petition had specific design guidelines for this site which stipulated that drive-through windows would only be allowed for specific uses, and would be located to the rear or side of the principal use. Stacking and maneuvering for drive-through windows was also limited between the principal use and public or private streets.

- **TRANSPORTATION CONSIDERATIONS**
  - This site is bordered by local streets and an existing major thoroughfare. This site plan substantially complies with transportation facilities and approved driveways from the original rezoning. CDOT has not identified any negative impacts to the transportation facilities in the area.
  - See Outstanding Issues, Note 1.
  - **Vehicle Trip Generation:**

    Current Zoning:

    Existing Use: 0 trips per day (based on vacant site).

    Entitlement: 2400 trips per day (based on 20,000 square feet of commercial use with one drive through service window).

    Proposed Zoning: 2900 trips per day (based on 20,000 square feet of commercial use with two drive through service windows).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water currently has water system availability via existing 12-inch water mains located along West Tyvola Road and National Avenue and sewer system availability via an existing eight-inch sewer main located along National Avenue.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Transportation

1. Remove "Full Access" label from Drive #1 and add "Right In/Right Out Only."

Site and Building Design

2. Provide commitment for screen wall and landscaping along all streets where drive-through services lanes and/or parking abut the street. Also, commit that all walls will be constructed of materials generally compatible with the buildings to which they relate

REQUESTED TECHNICAL REVISIONS

3. Prior to approval of this petition, file an Administrative Amendment for the previously approved rezoning petition 2007-082 to reduce the commercial square footage by 20,000 square feet, to reduce the total number of drive-through windows by two, and to remove the possibility of additional drive-through service windows on "Area B."
4. Amend the street names on Sheet RZ-2 legend map to reflect the correct names.
5. Delete the note restricting on premise cooking of food limited to those food preparation methods that do not require a hood ventilation system due to difficulty enforcing this provision.

Attachments Online at www.rezoning.org

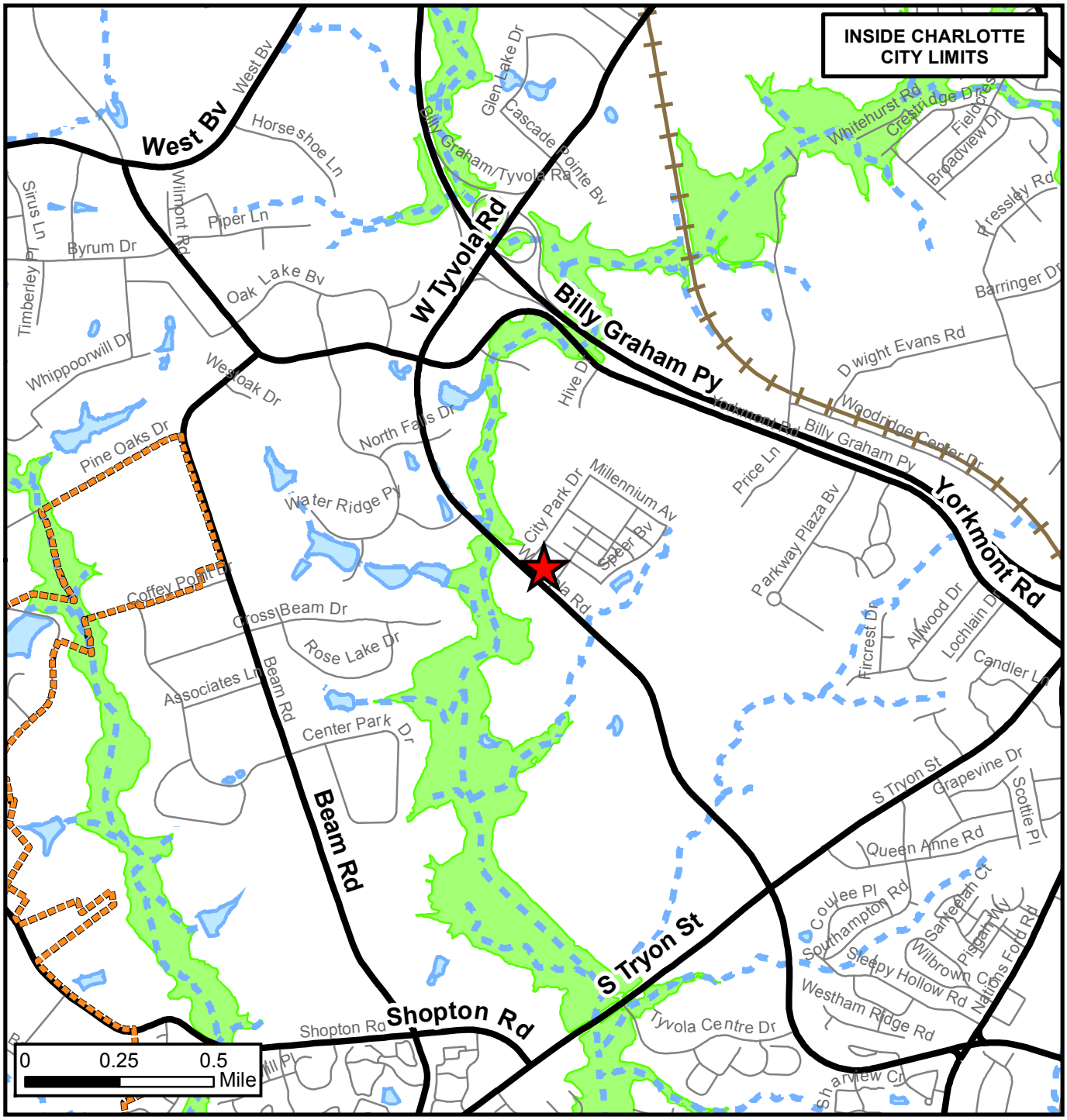
- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

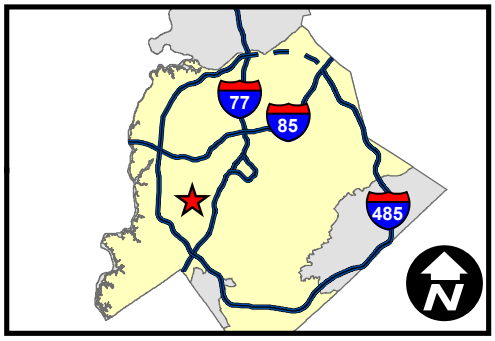
Planner: John Kinley (704) 336-8311

Petition #: 2016-071

Vicinity Map

Acreage & Location : Approximately 3.28 acres located on the north side of West Tyvola Road between City Park Drive and Speer Boulevard.





Rezoning Petition: 2016-071

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

March 28, 2016

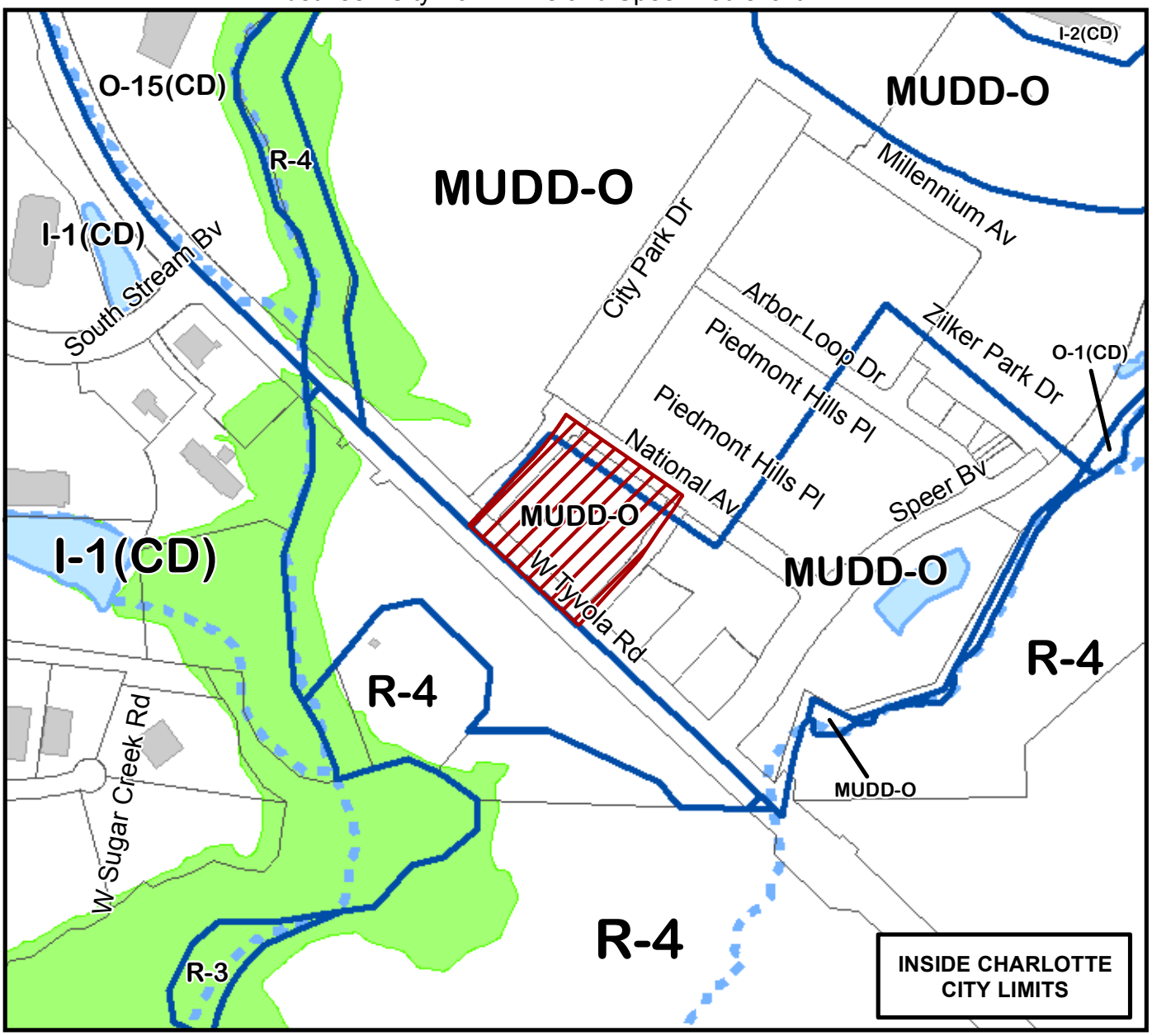
Petition #: 2016-071

Petitioner: Aston Properties, Inc.

Zoning Classification (Existing): MUDD-O
(Mixed Use Development District, Optional)

Zoning Classification (Requested): MUDD-O SPA 5-Year Vested Rights
(Mixed Use Development District, Optional, Site Plan Amendment, Five Year Vested Rights)

Acreage & Location: Approximately 3.28 acres located on the north side of West Tyvola Road between City Park Drive and Speer Boulevard.



Map Produced by the Charlotte-Mecklenburg Planning Department, 2-25-2016.

0 150 300 600 900 1,200 Feet

N

Zoning Map #(s)
127

Requested MUDD-O SPA 5-Year Vested Rights from MUDD-O

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District

SITE PLAN AMENDMENT
PETITION NO. 2016 - 071
DEVELOPMENT STANDARDS
ASTON PROPERTIES, INC.

SITE DEVELOPMENT DATA:

ACREAGE:	**±3.28 ACRES**
TAX PARCELS:	**143-131-09**
EXISTING ZONING:	**MUDD-O**
PROPOSED ZONING:	**MUDD-O S.P.A. (5 YEAR VESTED RIGHTS)**
EXISTING USES:	**VACANT**
PROPOSED USES:	**UP TO 20,000 S.F. OF COMMERCIAL USES**

1. GENERAL PROVISIONS

THESE DEVELOPMENT STANDARDS FORM PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE MUDD-O SITE PLAN AMENDMENT FILED BY ASTON PROPERTIES, INC. TO MODIFY SEVERAL PROVISIONS OF A MUDD-O REZONING PLAN WHICH WAS APPROVED BY THE CITY COUNCIL ON JANUARY 22, 2008 IN REZONING PETITION NO. 2007-082 FOR THE 159 ACRE CITY PARK DEVELOPMENT, AS THEREAFTER AMENDED ADMINISTRATIVELY FROM TIME TO TIME. THIS SITE PLAN AMENDMENT APPLIES ONLY TO THAT APPROXIMATELY 3.28 ACRE PART OF THE CITY PARK DEVELOPMENT WHICH IS BOUNDED BY WEST TYVOLA ROAD, CITY PARK DRIVE, NATIONAL AVENUE AND POTOMAC RIVER PARKWAY AND WHICH HAS BEEN DESIGNATED BY MECKLENBURG COUNTY AS TAX PARCEL 143-131-09 (THE "SITE").

UNLESS THE TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS OR THE ACCOMPANYING CONCEPTUAL ARCHITECTURAL RENDERINGS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

CONCEPTUAL ARCHITECTURAL RENDERINGS ARE INTENDED TO CONVEY THE ARCHITECTURAL VISION AND DESIGN CONCEPTS PROPOSED FOR CERTAIN BUILDINGS WITHIN SITE. ULTIMATELY, BUILDINGS AND IMPROVED AREAS CONSTRUCTED WITHIN THE SITE MAY DEVIATE FROM CONCEPTUAL ARCHITECTURAL RENDERINGS, AS LONG AS ANY BUILDINGS ARE CONSISTENT WITH THE SPIRIT AND INTENT OF THE CONCEPTUAL EXHIBITS.

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 TECHNICAL DATA SHEET 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 DOCUMENT PHASES SO LONG AS THE MAXIMUM PARKING AND BUILDING ENVELOPE LINES ESTABLISHED ON THE TECHNICAL DATA SHEET 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 MUDD DISTRICT.

2. MUDD-O OPTIONAL PROVISIONS

THE PETITIONER PROPOSES TO UTILIZE THE MUDD-O PROVISIONS OF THE ORDINANCE IN ORDER TO ACCOMMODATE THE FOLLOWING:

(a) A DEVIATION TO ALLOW A DRIVE THROUGH SERVICE WINDOW AS AN ACCESSORY TO AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT (RESTAURANT) USE WITHIN PARCEL 1. THIS DRIVE-THROUGH WINDOW SHALL ONLY BE LOCATED ON THE SAME PARCEL AS THE PRINCIPAL USE.

(b) A DEVIATION TO ALLOW A DRIVE-THROUGH WINDOW AND A RELATED VEHICULAR CIRCULATION LANE TO BE LOCATED BETWEEN A BUILDING CONSTRUCTED WITHIN PARCEL 2 AND TYVOLA ROAD AND POTOMAC RIVER PARKWAY.

(i) THIS DRIVE-THROUGH USE SHALL BE LIMITED TO USES SIMILAR TO A NEIGHBORHOOD FOOD A BEVERAGE SERVICE, WHICH MAY SERVE ICE CREAM, YOGURT, COFFEE, JUICES, AND SIMILAR ITEMS ALONG WITH ITEMS SUCH AS BAGELS, MUFFINS, SANDWICHES AND PASTRIES PROVIDED THE FOLLOWING RESTRICTION APPLY: THE USE WILL BE LIMITED TO 2,060 SQUARE FEET AND WILL PROVIDE FOR ON-PREMISE COOKING OF FOOD LIMITED TO THOSE FOOD PREPARATION METHODS THAT DO NOT REQUIRE AN HOOD VENTILATION SYSTEM.

(c) A DEVIATION FROM THE SIGNAGE PROVISIONS TO ALLOW A DETACHED, MONUMENT SIGN UP TO 10 FEET IN HEIGHT AND UP TO 75 SQUARE FEET IN SIGN AREA IN THE LOCATION GENERALLY DEPICTED ON THE SITE'S TECHNICAL DATA SHEET. THIS SIGN WILL SERVE TENANTS WITHIN THE AREAS IDENTIFIED AS PARCEL 2 AND PARCEL 3 (THIS SIGN SHALL BE PERMITTED IN ADDITION TO A SIGN FOR PARCEL 1 AS ALLOWED UNDER THE APPROVED PLAN WHICH PROVIDES FOR ONE MONUMENT SIGN FOR EACH BUILDING LOCATED WITHIN THE CITY PARK SITE, BUT LIMITS THEIR SIZE TO 6 FEET IN HEIGHT AND 36 SQUARE FEET IN SIGN AREA). THE COMBINED DETACHED SIGN FOR PARCELS 2 AND 3 WILL BE IN LIEU OF A PARCEL 3 DETACHED SIGN.

3. PERMITTED USES AND MAXIMUM DEVELOPMENT

THE SITE MAY BE DEVELOPED WITH UP TO 20,000 SQUARE FEET OF COMMERCIAL FLOOR AREA (EXCLUSIVE OF AREAS USED FOR BUILDING AND EQUIPMENT ACCESS, SUCH AS STAIRS, ELEVATOR SHAFTS AND MAINTENANCE CRAWL SPACE) WITHIN UP TO THREE BUILDINGS. EXCEPT AS OTHERWISE PROVIDED IN THE NEXT SUCCEEDING PARAGRAPH, THE SITE MAY BE DEVOTED TO ANY USES (INCLUDING ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH) WHICH ARE PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT UNDER THE ORDINANCE, AS WELL AS THE ADDITIONAL DRIVE-THROUGH SERVICE WINDOW USES PERMITTED UNDER TO THE OPTIONAL PROVISIONS IN SECTION 2 ABOVE.

NOTWITHSTANDING THE FOREGOING PARAGRAPH OF THIS SECTION 3, THE FOLLOWING USES SHALL NOT BE ALLOWED ON THE SITE:

- CONVENIENCE STORES WITH GASOLINE SALES;
- CAR WASHES; AND
- AUTOMOTIVE SERVICE STATIONS

4. TRANSPORTATION

(a) THE SITE WILL CONTAIN A TOTAL OF THREE (3) VEHICULAR ACCESS POINTS. ONE ACCESS POINT SHALL BE LOCATED ON EACH OF THE FOLLOWING STREETS: NATIONAL AVENUE, POTOMAC RIVER PARKWAY, AND CITY PARK DRIVE, AS GENERALLY DEPICTED IN THE SITE PLAN.

i. ALL ACCESS POINTS ON POTOMAC RIVER PARKWAY AND NATIONAL AVENUE WILL BE FULL ACCESS.

ii. THE ACCESS POINT ON CITY PARK DRIVE SHALL ALLOW FOR FULL ENTRY INTO THE SITE AND BE LIMITED TO "RIGHT-OUT" MOVEMENTS ONTO CITY PARK DRIVE.

(a) PETITIONER SHALL PROVIDE AND CONSTRUCT A NEW WAITING PAD FOR A RELOCATED BUS STOP ON WEST TYVOLA ROAD, LOCATED BEFORE THE START OF THE RIGHT-TURN LANE ALONG WEST TYVOLA ROAD.

5. ARCHITECTURAL STANDARDS

THE PETITIONER'S INTENT IS TO CREATE A VILLAGE OF SHOPS TO SERVE AS A COMMERCIAL CENTER AND COMPLEMENT THE RESIDENTIAL, OFFICES AND HOTELS AT CITY PARK. EACH SHOP WILL INTEGRATE A RICH VARIETY OF MATERIALS, VARYING ROOFLINES AND OFFSETS TO GIVE CHARACTER TO THE VARIOUS SHOPS. MATERIALS THAT ARE ALLOWED TO BE INTEGRATED INTO THE BUILDINGS WILL INCLUDE BRICK, STONE OR SYNTHETIC STONE, STUCCO AND SYNTHETIC STUCCO, AND GLASS. ACCENTS OF METAL, CANVAS, PRECAST CONCRETE AND CEMENTITIOUS PRODUCTS MAY BE USED FOR TRIM, CORNICES, CAPS, AWNINGS, TRELLISES THE DEVELOPMENT MUST HAVE A MINIMUM OF 25% MASONRY FOR ALL NON-GLASSED AREAS. THIS WILL BE AN AVERAGE FOR EACH INDIVIDUAL BUILDING'S ENTIRE EXTERIOR AREA, AND NOT AS A MINIMUM PER ELEVATION.

EXCEPT AS OTHERWISE PROVIDED UNDER SECTION 2 ABOVE, ALL BUILDINGS CONSTRUCTED ON THIS SITE SHALL CONFORM TO THE MUDD URBAN DESIGN AND DEVELOPMENT STANDARDS OUTLINED IN SECTION 9.8506 OF THE ORDINANCE.

(a) THE DRIVE THROUGH WINDOW AREA AS GENERALLY DEPICTED ON SHEET RZ-2 (CONCEPTUAL ARCHITECTURAL PERSPECTIVE) WILL BE SCREENED FROM VIEW FROM THE PARALLEL STREET UTILIZING A TRELLIS STRUCTURE INTEGRATED WITHIN A SCREEN WALL WITH A COMBINED MINIMUM HEIGHT OF SEVEN (7) FEET WHICH INCLUDES THE HEIGHT OF THE BASE WALL (IF ANY), AND A MINIMUM WIDTH OF THIRTY (30) FEET GENERALLY CENTERED ON THE LOCATION OF THE PROPOSED DRIVE THROUGH WINDOW WITHIN PARCEL 2. THE TRELLIS WILL BE PLANTED WITH CLIMBING EVERGREEN PLANT MATERIAL COMMON TO THE AREA.

(b) THE DESIGN FOR DRIVE-THROUGH LANES CONSTRUCTED ON THE SITE MUST INCORPORATE AREAS FOR SAFE PEDESTRIAN CROSSING.

(c) ANY DRIVE-THROUGH SERVICE WINDOW LOCATED WITHIN PARCEL 1 MUST BE ORIENTED INTERNALLY TO THE SITE, AND THE DRIVE-THROUGH CIRCULATION LANES SERVICING THIS WINDOW MUST NOT BE LOCATED BETWEEN THAT BUILDING AND ADJACENT STREETS.

(d) ALL STREET FACING ENTRANCES WILL HAVE A DIRECT PEDESTRIAN CONNECTION TO ADJACENT PUBLIC SIDEWALK.

(e) DUMPSTER AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE WALL WITH ONE SIDE BEING A HINGED OPAQUE GATE. IF ONE OR MORE SIDES OF A DUMPSTER AREA ADJOIN A SIDE OR REAR WALL OF A BUILDING, THEN THE SIDE OR REAR WALL MAY BE SUBSTITUTED FOR A SIDE.

(f) INTERNAL AREAS OF THE SITE SHALL BE LANDSCAPED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.

(g) ALL ROOF MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHTS-OF-WAY AND ABUTTING PROPERTIES AS VIEWED FROM GRADE.

(h) METER BOXES, BACK FLOW PREVENTORS, AND SIMILAR ITEMS WILL BE SCREENED FROM PUBLIC VIEW.

(i) EXPANSES OF BLANK WALLS EXCEEDING 20 FEET IN LENGTH THAT WOULD NOT ADD TO THE CHARACTER OF THE STREETSCAPE WILL BE ELIMINATED THROUGH USE OF ANY ONE OR MORE OF THE FOLLOWING DESIGN ELEMENTS:

- AWNINGS,
- DISPLAY WINDOWS,
- ORNAMENTATION,
- MOLDING,
- STRING COURSES,
- BELT COURSES,
- FOUNTAINS,
- STREET FURNITURE,
- LANDSCAPING AND GARDEN AREAS, AND
- DISPLAY AREAS.

PROVIDED, HOWEVER, THAT THE USE OF OPAQUE OR REFLECTIVE GLASS MAY NOT BE UTILIZED AS A MEANS FOR ADDRESSING BLANK WALLS.

6. STREETSCAPE AND LANDSCAPING

EXISTING STREET TREES, PLANTING STRIPS AND SIDEWALKS AROUND THE PERIMETER OF THE SITE SHALL REMAIN EXCEPT WHERE REMOVAL IS NECESSARY TO ACCOMMODATE NEW DRIVEWAY CONNECTIONS.

7. ENVIRONMENTAL FEATURES

THE PETITIONER WILL UTILIZE BIORETENTION AREA(S), SAND FILTERS, OR OTHER ALTERNATE BMPS TO PROVIDE TREATMENT OF STORM WATER RUNOFF FROM SURFACE PARKING AREAS. THE BMP(S) SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE MECKLENBURG COUNTY BMP DESIGN MANUAL, JULY 2007, TO ACHIEVE 85% TOTAL SUSPENDED SOLIDS REMOVAL FOR THE RUNOFF GENERATED FROM THE FIRST 1-INCH OF RAINFALL. THE PETITIONER SHALL BE PERMITTED TO RELOCATE, ELIMINATE, OR COMBINE REQUIRED TREE PLANTING ISLANDS TO CREATE SUFFICIENT OR ALTERNATE BMP(S) DUE TO SLOPE OR OTHER CONSIDERATIONS. THE PETITIONER SHALL BE PERMITTED TO INSTALL PERVIOUS CONCRETE ACCORDING TO SPECIFICATIONS FROM STORM WATER SERVICES IN LIEU OF THE BMP(S) TO TREAT SURFACE PARKING AREAS.

8. OPEN SPACE

PARCEL NUMBER 4 WILL CONTAIN A COMBINATION OF A RAIN GARDEN BMP AS A PART OF THE OVERALL PROPOSED STORM WATER MANAGEMENT PRACTICES DESCRIBED IN PARAGRAPH 7 ABOVE, AND PUBLIC AMENITY SPACE CONSISTING OF A MINIMUM SIX (6) FOOT WIDE MULTI-PURPOSE PATH WHICH WILL OCCUR AROUND THE INTERIOR PERIMETER OF THE PARCEL AND CONNECT TO THE EXISTING PUBLIC SIDEWALKS ALONG THE EXTERIOR PERIMETER, AND ALSO AN AMENITY FEATURE AT THE INTERSECTION OF CITY PARK DRIVE AND NATIONAL AVENUE WHICH WILL CONTAIN A MINIMUM OF 650 SQUARE FEET OF PUBLIC GATHERING SPACE WHERE GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. A MINIMUM OF 30 LINEAR FEET OF OUTDOOR SEATING SPACE WILL OCCUR WITHIN THE PUBLIC GATHERING SPACE AND AROUND THE MULTI-PURPOSE PATH, AND OTHER FEATURES CONSISTENT WITH OTHER STREETSCAPE ELEMENTS IN THE OVERALL DEVELOPMENT WILL BE ALLOWED. THE 30 LINEAR FEET OF SEATING MAY BE SATISFIED THROUGH THE USE OF SEAT WALLS AND/OR BENCHES PLACED AROUND THE PARCEL ALONG THE MULTI-PURPOSE PATH.

9. FIRE PROTECTION

ADEQUATE FIRE PROTECTION IN THE FORM OF FIRE HYDRANTS WILL BE PROVIDED TO THE CHARLOTTE FIRE MARSHAL'S SPECIFICATIONS. PLANS FOR EACH BUILDING WILL BE SUBMITTED TO THE FIRE MARSHAL'S OFFICE FOR APPROVAL BEFORE THE CONSTRUCTION OF THAT BUILDING COMMENCES.

10. SIGNAGE

SIGNAGE SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE, SUBJECT TO THE OPTIONAL PROVISIONS SET OUT ABOVE IN PARAGRAPH 2. A UNIFORM SIGNAGE AND GRAPHIC SYSTEM WILL BE EMPLOYED THROUGHOUT THE SITE.

11. LIGHTING

(a) ALL LIGHTING ATTACHED TO THE REAR EXTERIOR OF ANY BUILDING WALL CONSTRUCTED ON PARCEL 3 WHICH FACES A RESIDENTIAL COMPONENT SHALL BE CAPPED AND DOWNWARDLY DIRECTED.

(b) ALL STREET AND PARKING LOT LIGHTING FIXTURES WILL BE FULLY SHIELDED

(c) PEDESTRIAN SCALE LIGHTING WILL BE PROVIDED WITHIN THE SITE ALONG PUBLIC AND PRIVATE STREETS

12. 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 CITY PARK 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 CITY PARK 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.

13. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

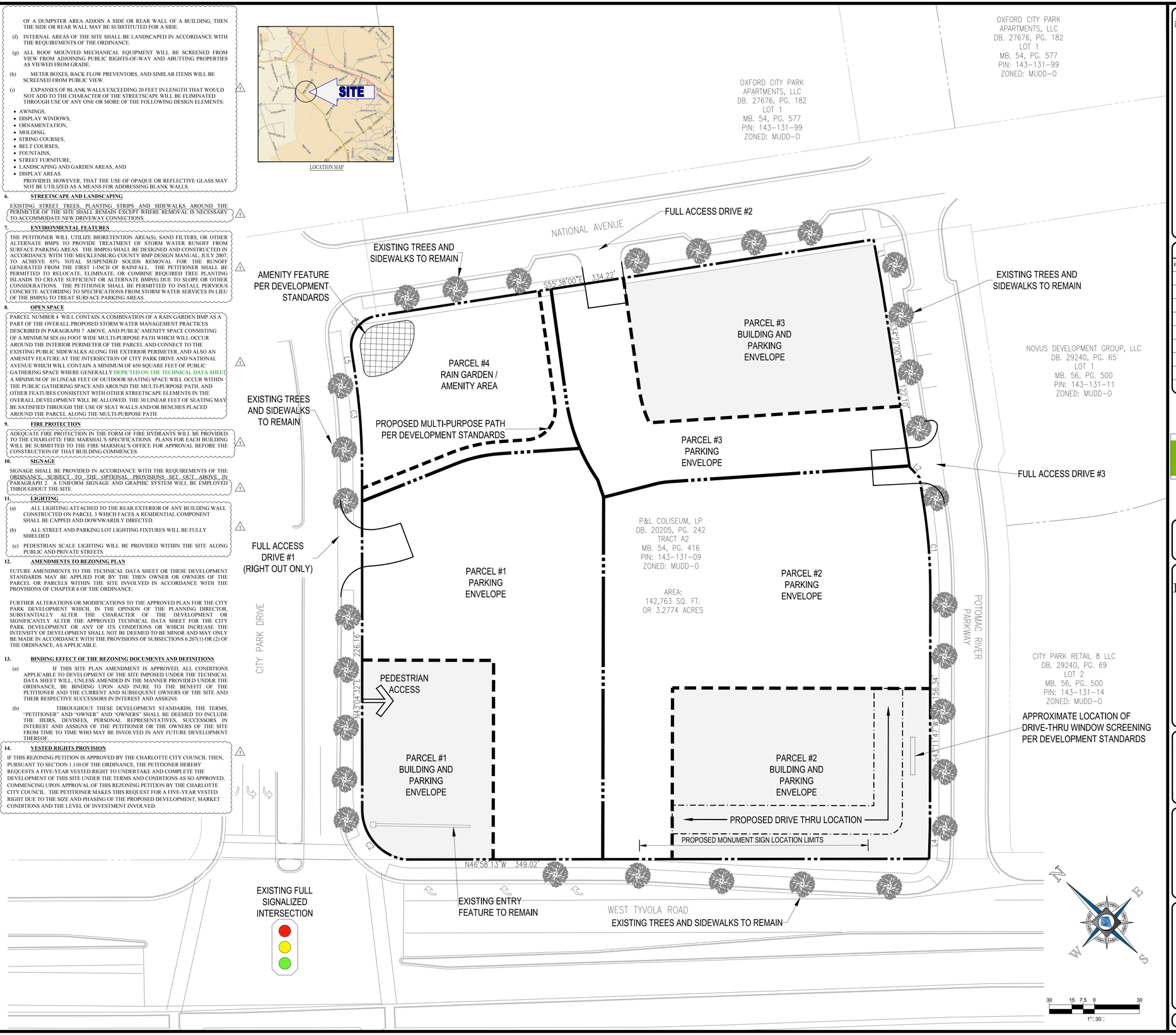
(a) IF THIS SITE PLAN AMENDMENT IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE TECHNICAL DATA SHEET WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF 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.

14. VESTED RIGHTS PROVISION

IF THIS REZONING PETITION IS APPROVED BY THE CHARLOTTE CITY COUNCIL THEN, PURSUANT TO SECTION 1.110 OF THE ORDINANCE, THE PETITIONER HEREBY REQUESTS A FIVE-YEAR VESTED RIGHT TO UNDERTAKE AND COMPLETE THE DEVELOPMENT OF THIS SITE UNDER THE TERMS AND CONDITIONS AS SO APPROVED, COMMENCING UPON APPROVAL OF THIS REZONING PETITION BY THE CHARLOTTE CITY COUNCIL. THE PETITIONER MAKES THIS REQUEST FOR A FIVE-YEAR VESTED RIGHT DUE TO THE SIZE AND PHASING OF THE PROPOSED DEVELOPMENT, MARKET CONDITIONS AND THE LEVEL OF INVESTMENT INVOLVED.

LOCATION MAP



BOHLER ENGINEERING
SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
SUSTAINABLE DESIGN
PROGRAM MANAGEMENT
PERMIT EXPEDITING SERVICES
LANDSCAPE ARCHITECTURE
TRANSPORTATION SERVICES
BALTIMORE, MD
SOUTHERN MARYLAND
MID-ATLANTIC VIRGINIA
CENTRAL VIRGINIA
CHARLOTTE, NC
RICHMOND, VA
WARREN, NJ
NEW YORK METRO
UPSTATE NEW YORK
PHILADELPHIA/SOUTHERN NJ
HARRISBURG, PA
SOUTHEASTERN, PA
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REVISIONS

REV	DATE	COMMENT	BY
1	4/15/16	CITY STAFF COMMENTS	ODR

overcash demmitt architects

PROJECT No.:	NCC142086
DRAWN BY:	JP
CHECKED BY:	JG
DATE:	04/15/16
SCALE:	AS NOTED
CAD I.D.:	RZ Plan

PROJECT:

REZONING PLAN

FOR

ASTON properties

LOCATION OF SITE
WEST TYVOLA ROAD
CHARLOTTE, NC

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

REZONING PETITION #2016-071

SHEET TITLE:

TECHNICAL DATA SHEET

SHEET NUMBER:

RZ-1

ARCHITECTURAL
PERSPECTIVE A

ARCHITECTURAL RENDERINGS ARE
CONCEPTUAL IN NATURE AND SUBJECT
TO CHANGE PENDING FINAL DESIGN

VIEW LEGEND

ARCHITECTURAL
PERSPECTIVE B

BOHLER ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
SUSTAINABLE DESIGN
PROGRAM MANAGEMENT
PERMIT FEES/SERVICES
LANDSCAPE ARCHITECTURE
TRANSPORTATION SERVICES
BALTIMORE, MD
SOUTHERN MARYLAND
NORTHERN VIRGINIA
CENTRAL VIRGINIA
CHARLOTTE, NC
RALEIGH, NC
WARREN, NJ
UPSTATE NEW YORK
BOSTON, MA
NEW YORK METRO
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REVISIONS

REV	DATE	COMMENT	BY
1	4/15/16	CITY STAFF COMMENTS	ODR

ODa overcash demmitt architects

PROJECT No.:	NCC142086
DRAWN BY:	JP
CHECKED BY:	JG
DATE:	4/15/16
SCALE:	AS NOTED
CAD I.D.:	RZ Plan

PROJECT:

REZONING PLAN

FOR

ASTON properties

LOCATION OF SITE
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CHARLOTTE, NC 28203
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com

REZONING
PETITION
#2016-071

SHEET TITLE:
CONCEPTUAL
ARCHITECTURAL
PERSPECTIVES

SHEET NUMBER:
RZ-2

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 34.**File #:** 15-3233 **Type:** Zoning Hearing

Rezoning Petition: 2016-072 by DV XV, LLC

Location: Approximately 0.43 acres located on the north side of South Colonial Avenue between Queens Road and Providence Road. (Council District 1 - Kinsey)

Current Zoning: O-1 (office)
Proposed Zoning: O-2 (office)

Staff Recommendation:
Staff recommends approval of this petition.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map

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CHARLOTTE.
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-072
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: O-1 (office) Proposed Zoning: O-2 (office)
LOCATION	Approximately 0.43 acres located on the north side of South Colonial Avenue between Queens Road and Providence Road. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow all office uses per conventional O-2 (office) zoning for a 0.43 acre site that is within the office and medical corridor along Providence Road near Presbyterian Hospital and Mercy Hospital. Uses allowed in the O-2 (office) district include office, residential, institutional and civic uses.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	DV XV, LLC DV XV, LLC John Carmichael/ Robinson Bradshaw & Henson
COMMUNITY MEETING	Meeting is not required.
STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is consistent with the *Central District Plan* recommendation for a mix of residential and office uses in the area. <u>Rationale for Recommendation</u> • The subject property is located within 1/4 mile of Presbyterian Hospital and Mercy Hospital. • Conventional zoning is appropriate as the eastern portion of the parcel is zoned O-2 (office). Rezoning the subject property will create consistent zoning across the entire parcel. • The proposed request is consistent with the office zoning of the surrounding properties. • The proposed increase in development intensity is appropriate for this urban site located within 1/4 mile of two large hospitals.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  - This is a conventional rezoning petition, which applies all the standards, regulations and uses in the O-2 (office) zoning district. Uses allowed in the O-2 district include office, residential, institutional and civic uses. The O-2 district allows an increased intensity from 0.6 FAR (floor area ratio) to 1.0 FAR.
- **Existing Zoning and Land Use**
  - The subject property is currently developed with an office building and is zoned O-1 (office).
  - The surrounding properties are zoned O-1 (office), O-2 (office), O-1(CD) (office, conditional), and O-6(CD) (office, conditional) and are developed with general and medical office uses.
  - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
  - There have been no rezonings in the immediate area in recent years.
- **Public Plans and Policies**
  - The *Central District Plan* (1993) recommends a high density mix of residential and office uses for the area between Queens and Providence Road, south of East Third Street/Providence Road, and north of Colonial Circle.
- **TRANSPORTATION CONSIDERATIONS**
  - This site is on the corner of the un-signalized intersection of a local street and an existing major thoroughfare. CDOT has not identified any negative impacts to the transportation facilities in the area. If the existing building was proposed to be demolished, CDOT would request an additional 13 feet on Providence Road to provide setback for a future bike lane.

- **Vehicle Trip Generation:**
  Current Zoning:
  Existing Use: 0 (based on vacant property).
  Entitlement: 120 trips per day (based on 4,200 square feet of office uses).
  Proposed Zoning: 160 trips per day (based on 6,300 square feet of office uses).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No comments received.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate two students, while the development allowed under the proposed zoning will produce four students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is two students. The proposed development is not projected to increase the school utilization (without mobile classroom units) for Eastover Elementary (92%), Alexander Graham Middle (112%), and Myers Park High (115%).
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 6-inch water distribution main located along Providence Road and an existing 2 ½ -inch water distribution main located along South Colonial Avenue. Sewer system availability for the rezoning boundary via existing 8-inch gravity sewer mains located along Providence Road and South Colonial Avenue.
- **Engineering and Property Management:** Site shall comply with the City of Charlotte Tree Ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

Attachments Online at www.rezoning.org

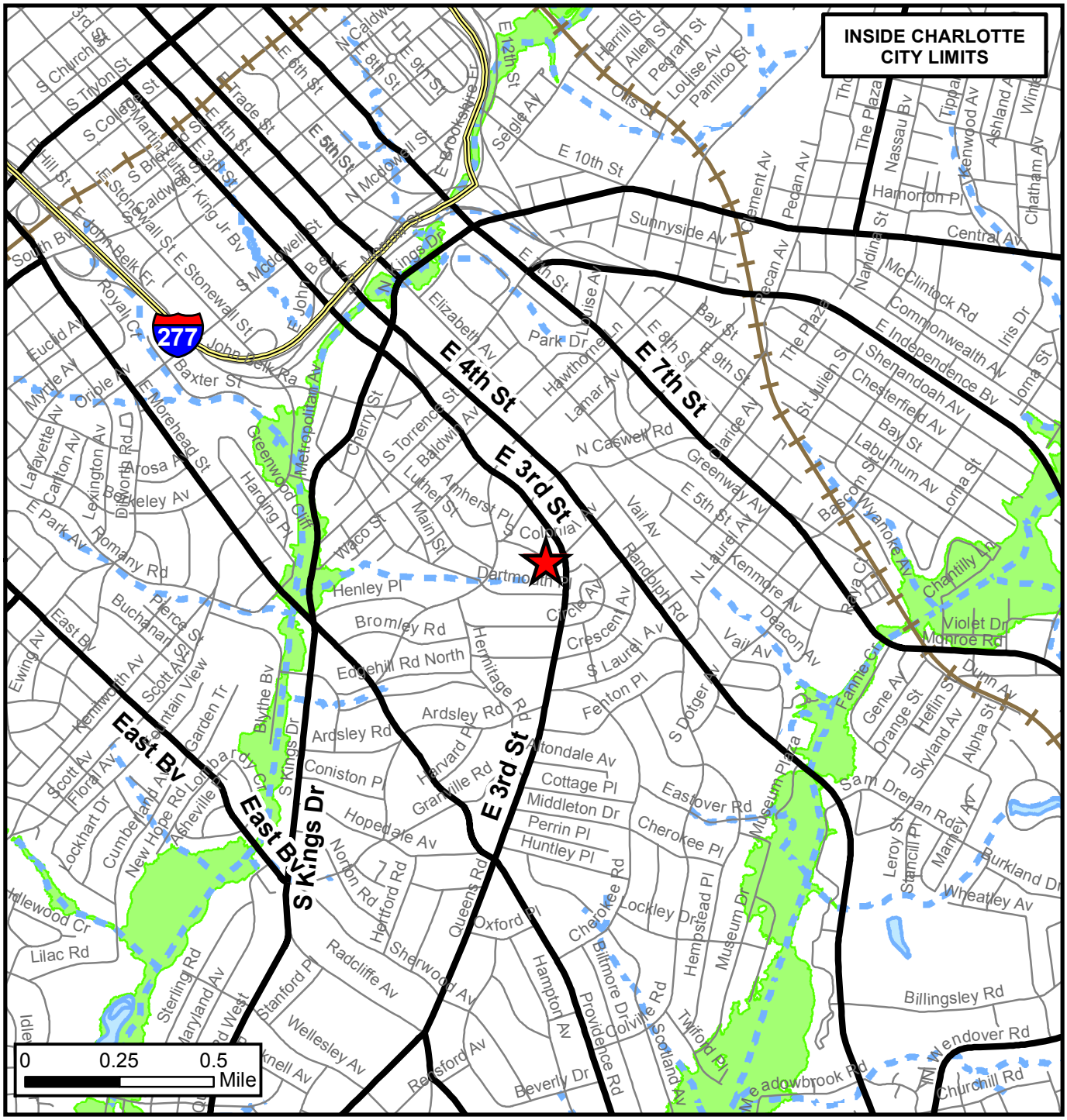
- Application
- Locator Map
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Schools Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

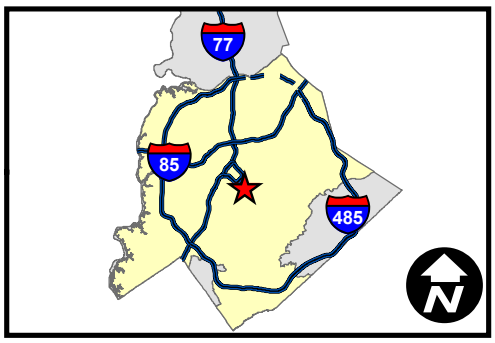
Planner: Solomon Fortune (704) 336-8326

Petition #: 2016-072

Vicinity Map

Acreage & Location : Approximately 0.43 acres located on the north side of South Colonial Avenue between Queens Road and Providence Road.





Rezoning Petition: 2016-072

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

April 27, 2016

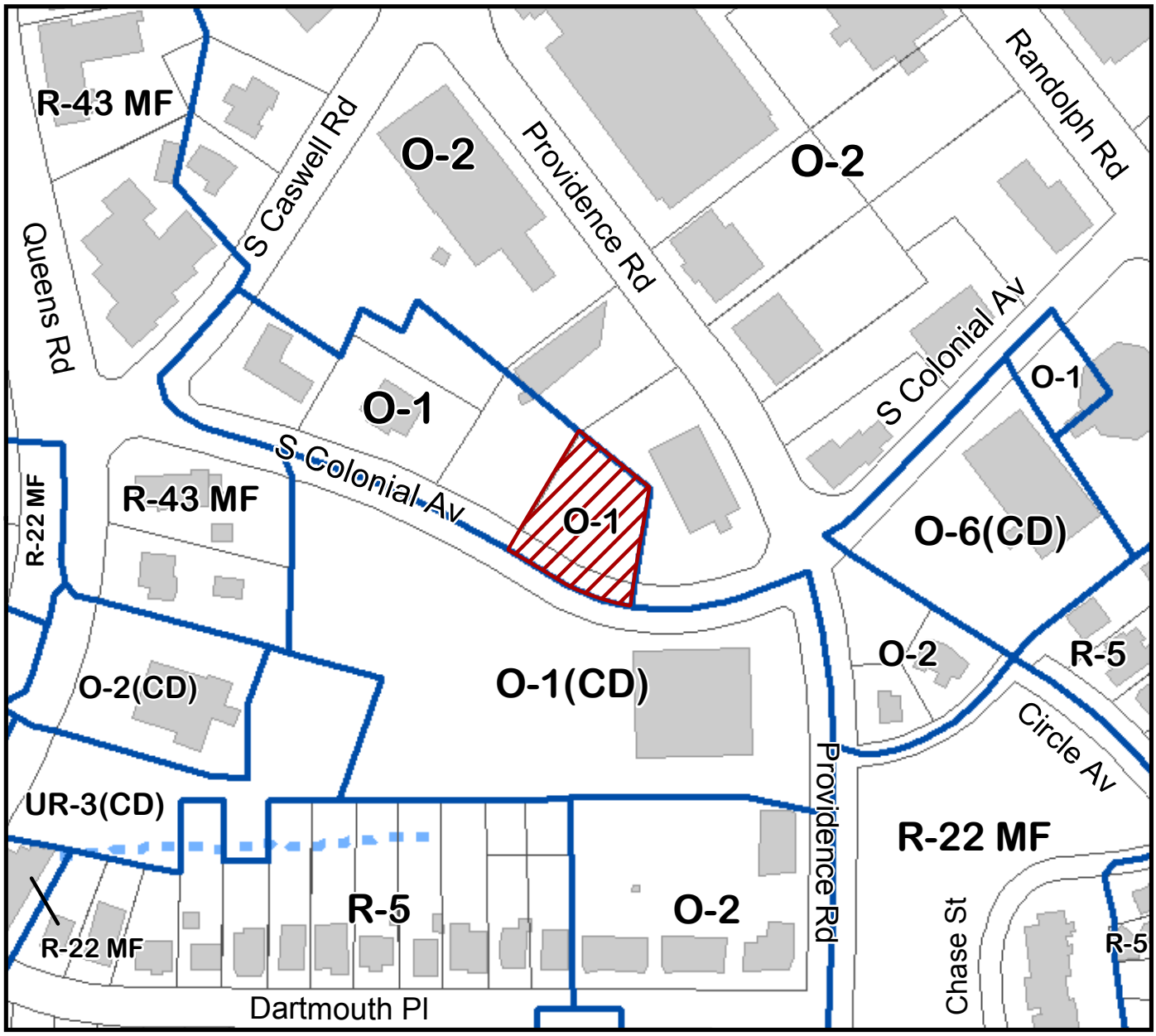
Petition #: 2016-072

Petitioner: DV XV, LLC

Zoning Classification (Existing): O-1 (Office)

Zoning Classification (Requested): O-2 (Office)

Acreage & Location: Approximately 0.43 acres located on the north side of South Colonial Avenue between Queens Road and Providence Road.



Map Produced by the Charlotte-Mecklenburg Planning Department, 3-31-2016.

0 50 100 200 300 400 Feet

N

Zoning Map #(s)

111

Requested O-2 from O-1

Existing Building Footprints

Existing Zoning Boundaries

Charlotte City Limits

Pedestrian Overlay

FEMA flood plain

Watershed

Lakes and Ponds

Creeks and Streams

Historic District

City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 5/16/2016

Agenda #: 35.**File #:** 15-3235 **Type:** Zoning Hearing

Rezoning Petition: 2016-078 by South End Gold, LLC

Location: Approximately 0.14 acres located on the north side of West Palmer Street between South Graham Street and South Mint Street. (Council District 1 - Kinsey)

Current Zoning: I-2 (general industrial)
Proposed Zoning: TOD-M (transit oriented development, mixed use)

Staff Recommendation:
Staff recommends approval of this petition.

Attachments:
Staff Analysis
Vicinity Map
Rezoning Map

powered by Legistar™

CHARLOTTE
CHARLOTTE-MECKLENBURG PLANNING

Rezoning Petition 2016-078
Pre-Hearing Staff Analysis

May 16, 2016

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: TOD-M (transit oriented development – mixed-use)
LOCATION	Approximately 0.14 acres located on the north side of West Palmer Street between South Graham Street and South Mint Street. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to allow all transit supportive uses per conventional TOD-M (transit oriented development – mixed-use) zoning for a 0.14 acre site that is located in South End and is within a 1/2 mile walk of the Carson Boulevard Transit Station on the LYNX Blue Line. Uses allowed in the TOD-M (transit oriented development – mixed-use) district include office, residential, retail, and civic uses.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	South End Gold, LLC South End Gold, LLC Brooks Whiteside
COMMUNITY MEETING	Meeting is not required.

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is consistent with the *South End Transit Station Area Plan* recommendation for mixed-use transit supportive development. <u>Rationale for Recommendation</u> • The subject site is within a 1/2 mile walk of the Carson Boulevard Transit Station on the LYNX Blue Line. • The proposal allows a site being used for industrial/office use to convert to transit supportive land uses. • Use of conventional TOD-M (transit oriented development – mixed-use) zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary. • TOD (transit oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  - This is a conventional rezoning petition, which applies all the standards, regulations and uses in the TOD-M (transit oriented development – mixed-use) zoning district. Uses allowed in the TOD-M district include office, residential, retail, and civic uses.
- **Existing Zoning and Land Use**
  - The subject property is currently developed with an industrial /office building and is zoned I-2 (general industrial).
  - The surrounding properties are zoned I-2 (general industrial) and are developed with office, retail and warehouse uses.
  - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
  - Since the construction of the LYNX Blue Line and the light rail station at the Carson Boulevard Station, there have been a number of rezonings to conventional TOD-M (transit oriented development – mixed-use), TOD-MO (transit oriented development – mixed-use, optional), MUDD-O (mixed use development, optional), and I-1(TS) (light industrial, transit supportive overlay) in the area between this site and the Carson Boulevard Station Area. These rezonings have supported the transition of the area from an industrial district to a walkable transit supportive district.

- **Public Plans and Policies**
  - The *South End Transit Station Area Plan* (2005) recommends mixed-use transit supportive development for the subject site located at the edge of the *South End Transit Station Area Plan* and for surrounding properties to the north, east and south.
  - Properties to the west are within the *Central District Plan* (1993) and recommended for industrial use.

- **TRANSPORTATION CONSIDERATIONS**
  - This site is on a local street near an existing signalized intersection with a minor thoroughfare. CDOT has not identified any negative impacts to the transportation facilities in the area. During the permitting process, general transportation policy goals, applicable area plans, and curbline location will be considered and the existing sidewalk along the property frontage will be discussed.
  - **Vehicle Trip Generation:**
    Current Zoning: 20 trips per day (based on 5,500 square feet of warehouse uses).
    Proposed Zoning: Allows for a wide variety of uses.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No comments received.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte-Mecklenburg Storm Water Services:** Flooding and surface water quality impacts associated with impervious surfaces on this site are being addressed through compliance with the Post-Construction Stormwater Ordinance. Compliance may include installing devices that hold and slowly release runoff over time to reduce flooding potential, devices that filter pollutants from runoff before release to streams, preservation of vegetated stream buffer zones, preservation of upland trees and forested areas, or paying a mitigation fee in-lieu-of onsite stormwater control devices. Compliance with the Post-Construction Stormwater Ordinance addresses concerns related to flooding and surface water impacts and therefore staff has no further comments.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing six-inch water distribution main located along West Palmer Street. Charlotte Water has sewer system availability for the rezoning boundary via an existing eight-inch gravity sewer main located along West Palmer Street.
- **Engineering and Property Management:** Site shall comply with the City of Charlotte Tree Ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

Attachments Online at www.rezoning.org

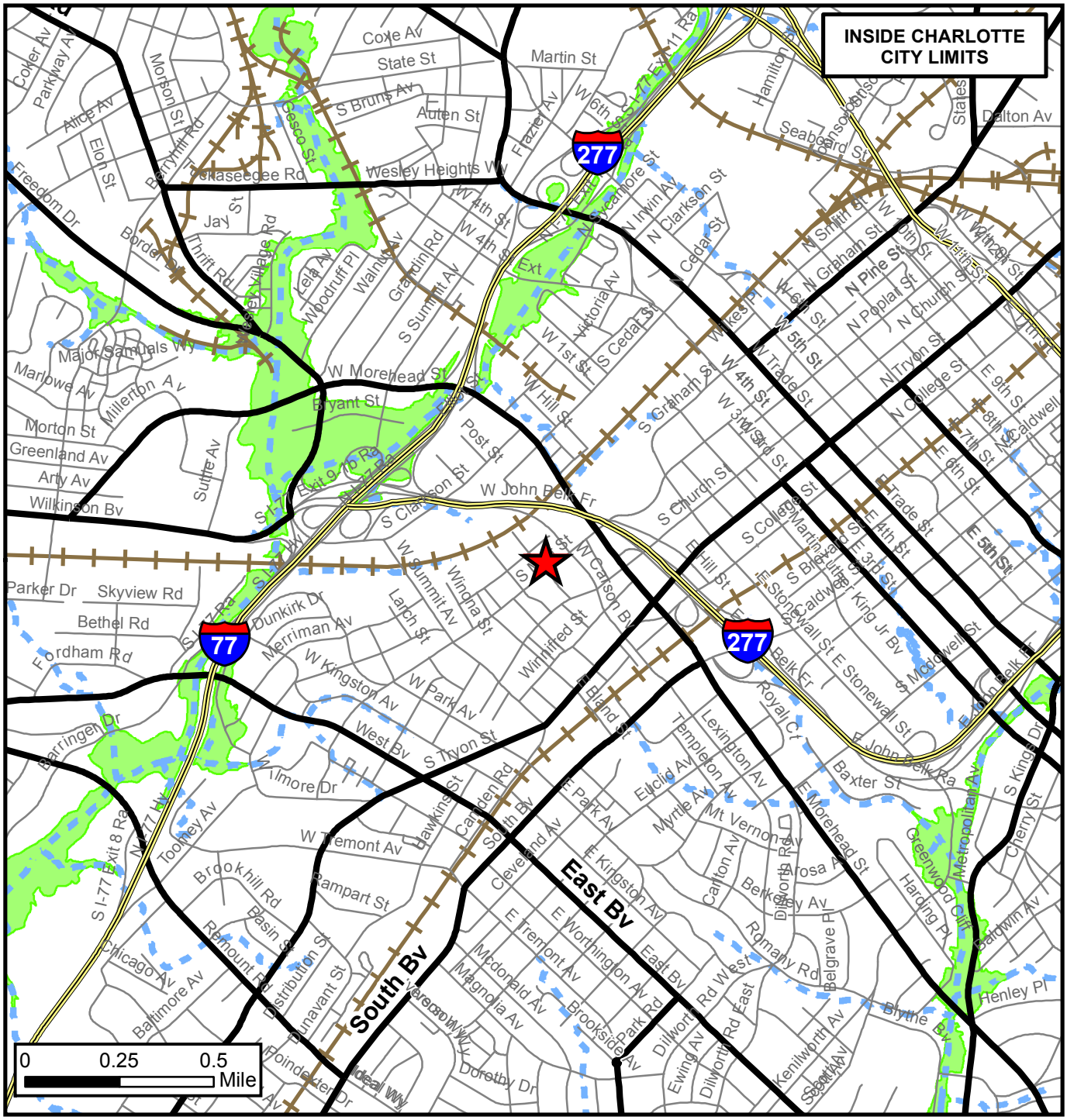
- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

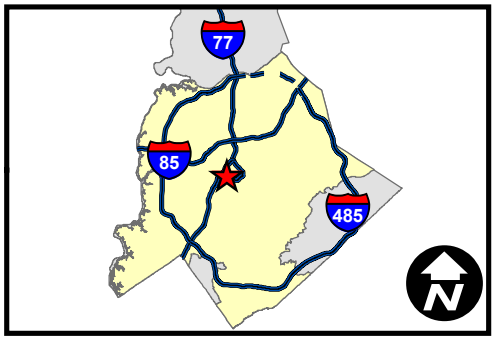
Planner: Solomon Fortune (704) 336-8326

Petition #: 2016-078

Vicinity Map

Acreage & Location : Approximately 0.14 acres located on the north side of West Palmer Street between South Graham Street and South Mint Street.





Rezoning Petition: 2016-078

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

April 27, 2016

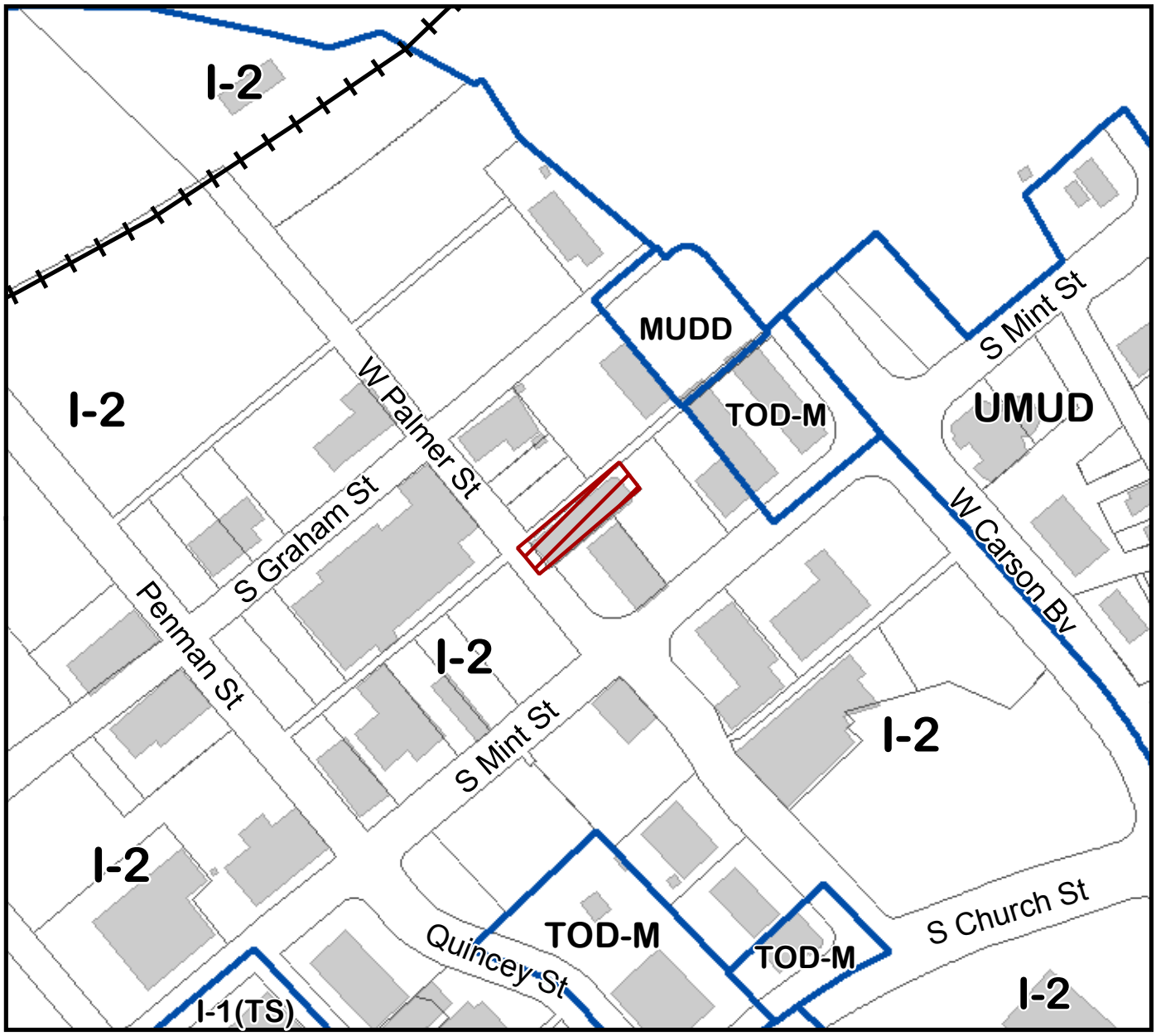
Petition #: 2016-078

Petitioner: South End Gold, LLC

Zoning Classification (Existing): I-2
(General Industrial)

Zoning Classification (Requested): TOD-M
(Transit Oriented Development, Mixed Use)

Acreage & Location: Approximately 0.14 acres located on the north side of West Palmer Street between South Graham Street and South Mint Street.



Map Produced by the Charlotte-Mecklenburg Planning Department, 3-31-2016.

0 50 100 200 300 400 Feet

N

Zoning Map #(s)
102

Requested TOD-M from I-2

Existing Building Footprints
Existing Zoning Boundaries
Charlotte City Limits
Pedestrian Overlay
FEMA flood plain
Watershed
Lakes and Ponds
Creeks and Streams
Historic District