

REZONING PETITION

FOR PUBLIC HEARING

2022-140

SITE PLAN

THOMAS RD AND ZOAR RD
 CHARLOTTE, NC

FA BARTLETT TREE EXPERT COMPANY
 13766 HAMILTON RD
 CHARLOTTE, NC 28278

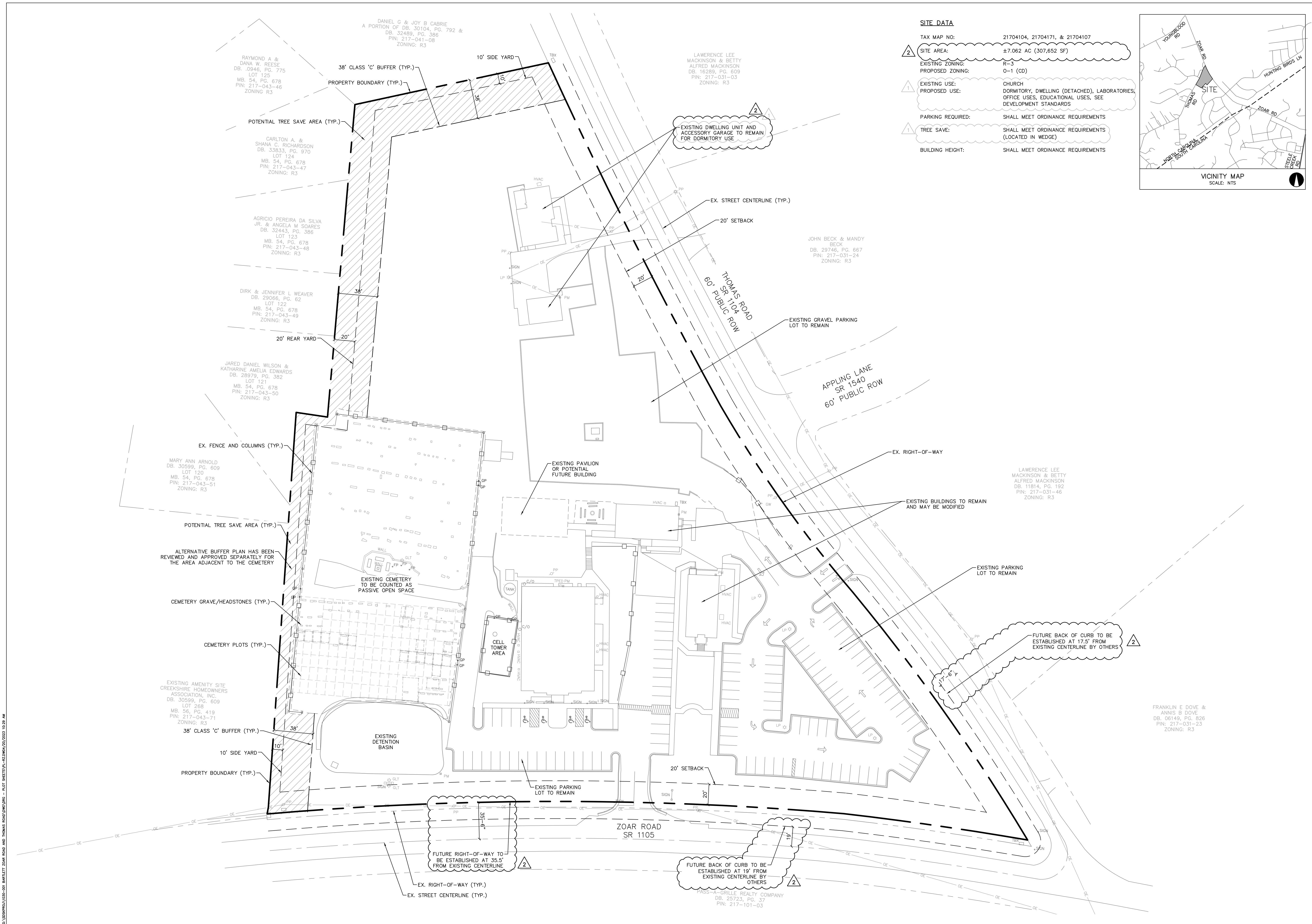
SCHEMATIC
SITE PLAN

SCALE: 1" = 40'

PROJECT #: 1030-001
 DRAWN BY: JG
 CHECKED BY: NB

JULY 20, 2022

REVISIONS:
 1. 2/13/23 - PER REVIEW COMMENTS
 2. 4/20/23 - PER REVIEW COMMENTS



SITE DATA

TAX MAP NO: 21704104, 21704171, & 21704107

SITE AREA: ±7.062 AC (307,652 SF) 2

EXISTING ZONING: R-3
PROPOSED ZONING: O-1 (CD)

EXISTING USE: CHURCH
PROPOSED USE: DORMITORY, DWELLING (DETACHED), LABORATORIES, OFFICE USES, EDUCATIONAL USES, SEE DEVELOPMENT STANDARDS 1

PARKING REQUIRED: SHALL MEET ORDINANCE REQUIREMENTS

TREE SAVE: SHALL MEET ORDINANCE REQUIREMENTS (LOCATED IN WEDGE) 1

BUILDING HEIGHT: SHALL MEET ORDINANCE REQUIREMENTS

GENERAL PROVISIONS

A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY THE F.A. BARTLETT TREE EXPERT COMPANY (THE "PETITIONER") FOR AN APPROXIMATELY 7.062 ACRE SITE LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF THOMAS ROAD AND ZOAR ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 217-041-04, 217-041-71 AND 217-041-07. 2

B. THE DEVELOPMENT AND USE OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").
C. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE O-1 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.

D. THE PURPOSE OF THIS REZONING REQUEST IS TO ACCOMMODATE THE RE-PURPOSING OF THE EXISTING BUILDINGS AND FACILITIES ON THE SITE BY PETITIONER FOR OFFICE USES, LABORATORIES, EDUCATIONAL USES AND A RESIDENTIAL UNIT IN THE EXISTING SINGLE FAMILY DETACHED DWELLING UNIT LOCATED ON THE SITE FOR USE BY VISITING PROFESSORS AND INTERNS AND OTHER GUESTS. 1

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, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD AND BUFFER REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN. ALTERATIONS AND MODIFICATIONS SHALL BE IN ACCORDANCE WITH SECTION 6.207 OF THE ORDINANCE.

F. THE SITE SHALL BE CONSIDERED TO BE A PLANNED/UNIFIED DEVELOPMENT. THEREFORE, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION REQUIREMENTS AND OTHER SIMILAR ZONING STANDARDS SHALL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS, USES AND OTHER SITE ELEMENTS LOCATED ON THE SITE. FURTHERMORE, PETITIONER RESERVES THE RIGHT TO SUBDIVIDE PORTIONS OR ALL OF THE SITE AND TO CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS AND PUBLIC/PRIVATE STREET FRONTAGE REQUIREMENTS, PROVIDED, HOWEVER, THAT THE DEVELOPMENT OF THE SITE SHALL BE REQUIRED TO MEET ANY APPLICABLE SETBACK, SIDE YARD AND REAR YARD AND LANDSCAPE AREA REQUIREMENTS WITH RESPECT TO THE EXTERIOR BOUNDARIES OF THE SITE.

G. THAT PORTION OF THE SITE DEVOTED TO A CEMETERY USE (THE "CEMETERY"), SUCH PORTION OF THE SITE BEING DEPICTED ON THE REZONING PLAN, MAY BE SUBDIVIDED FROM THE SITE SUCH THAT THE CEMETERY IS LOCATED ON A SEPARATE AND DISTINCT PARCEL OF LAND. IN SUCH EVENT, AN ACCESS EASEMENT SHALL BE PROVIDED ON THE REMAINDER OF THE SITE TO PROVIDE ACCESS TO THE CEMETERY FROM ZOAR ROAD AND THOMAS ROAD.

H. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

A. SUBJECT TO THE LIMITATIONS SET OUT HEREIN, THE SITE MAY ONLY BE DEVOTED TO THE USES SET OUT BELOW, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE O-1 ZONING DISTRICT, INCLUDING, WITHOUT LIMITATION, ACCESSORY STORAGE RELATING TO THE OFFICE USES AND THE LABORATORY USES.

(1) SUBJECT TO PARAGRAPH 2.B BELOW, CEMETERIES, SUBJECT TO SECTION 12.508 OF THE ORDINANCE.

(2) DORMITORY. A DORMITORY WILL BE ACCESSORY TO THE PRINCIPAL USE. 2

(3) DWELLING, DETACHED. A DWELLING UNIT WILL BE ACCESSORY TO THE PRINCIPAL USE AND LABELLED AS A DORMITORY. 2

(4) LABORATORIES, WITHIN AN ENCLOSED BUILDING FOR BASIC AND APPLIED RESEARCH.

(5) OFFICE USES.

(6) UNIVERSITIES, COLLEGES AND JUNIOR COLLEGES (I.E., EDUCATIONAL USES). 1

(7) SUBJECT TO PARAGRAPH 2.C BELOW, THE EXISTING CELLULAR TELEPHONE AND WIRELESS COMMUNICATIONS TOWER AND ANY FACILITY PLANT, SUPPORT STRUCTURES AND SUPPORT BUILDINGS RELATING THERETO SHALL BE PERMITTED AS AN ACCESSORY USE.

B. THE CEMETERY LOCATED ON THE SITE MAY REMAIN IN PLACE AND CONTINUE TO OPERATE, AND TO THE EXTENT THAT ANY PORTION OF THE CEMETERY DOES NOT MEET THE REQUIREMENTS OF SECTION 12.508 OF THE ORDINANCE OR ANY OTHER PROVISIONS OF THE ORDINANCE, SUCH PORTIONS OF THE CEMETERY MAY CONTINUE AS A LEGAL, NON-CONFORMING USE.

C. THE EXISTING CELLULAR TELEPHONE AND WIRELESS COMMUNICATIONS TOWER AND ANY FACILITY PLANT, SUPPORT STRUCTURES AND SUPPORT BUILDINGS RELATING THERETO MAY BE LOCATED ON THAT PORTION OF THE SITE DESIGNATED AS THE "CELL TOWER AREA" ON THE REZONING PLAN AS AN ACCESSORY USE. TO THE EXTENT THAT THE EXISTING CELLULAR TELEPHONE AND WIRELESS COMMUNICATIONS TOWER AND ANY FACILITY PLANT, SUPPORT STRUCTURES AND SUPPORT BUILDINGS RELATING THERETO DO NOT MEET THE REQUIREMENTS OF THE ORDINANCE, THE EXISTING CELLULAR TELEPHONE AND WIRELESS COMMUNICATIONS TOWER AND ANY FACILITY PLANT, SUPPORT STRUCTURES AND SUPPORT BUILDINGS RELATING THERETO MAY CONTINUE AS A LEGAL, NON-CONFORMING USE AND/OR STRUCTURE.

D. THE EXISTING BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL REMAIN IN PLACE AND MAY BE CONVERTED TO THE USES SET OUT IN PARAGRAPH 2.A ABOVE. NOTWITHSTANDING THE FOREGOING, ANY DORMITORY OR RESIDENTIAL USE SHALL BE LOCATED IN THE EXISTING RESIDENTIAL BUILDING LOCATED ON THE SITE THAT IS DESIGNATED ON THE REZONING PLAN. 1

E. THE EXISTING BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE EXPANDED IN SIZE, HOWEVER, EXTERIOR AND INTERIOR IMPROVEMENTS, RENOVATIONS, UP-FITS, REMODELING AND OTHER MODIFICATIONS MAY BE MADE TO SUCH BUILDINGS AND STRUCTURES.

F. NO NEW OR ADDITIONAL BUILDINGS MAY BE CONSTRUCTED ON THE SITE. 1

G. NOTWITHSTANDING THE TERMS OF PARAGRAPHS 2.E AND 2.F ABOVE, THE EXISTING PAVILION STRUCTURE LOCATED ON THE SITE AND DESIGNATED ON THE REZONING PLAN MAY BE ENCLOSED AND CONVERTED TO FINISHED AND HEATED GROSS FLOOR AREA AND DEVOTED TO THE USES SET OUT IN PARAGRAPH 2.A ABOVE OTHER THAN A RESIDENTIAL USE.

3. TRANSPORTATION

A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").

B. THE ALIGNMENTS OF THE INTERNAL DRIVEWAYS AND THE VEHICULAR CIRCULATION AREAS MAY BE MODIFIED BY PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

C. PRIOR TO THE EARLIER OF THE DATE OF WHICH THE FIRST CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE SITE, OR THAT DATE WHICH IS 9 MONTHS AFTER THE DATE OF THE APPROVAL OF THIS REZONING PETITION, PETITIONER SHALL DEDICATE AND CONVEY TO THE CITY OF CHARLOTTE OR TO NCDOT AS APPLICABLE (SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS) THOSE PORTIONS OF THE SITE LOCATED IMMEDIATELY ADJACENT TO ZOAR ROAD AS REQUIRED TO PROVIDE RIGHT OF WAY MEASURING 35.5 FEET FROM THE EXISTING CENTERLINE OF ZOAR ROAD, TO THE EXTENT THAT SUCH RIGHT OF WAY DOES NOT ALREADY EXIST. 2

D. PRIOR TO THE EARLIER OF THE DATE ON WHICH THE FIRST CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE SITE, OR THAT DATE OF WHICH IS 9 MONTHS AFTER THE DATE OF THE APPROVAL OF THIS REZONING PETITION, PETITIONER WILL DEDICATE TO THE CITY OF CHARLOTTE OR TO NCDOT AS APPLICABLE VIA FEE SIMPLE CONVEYANCE ANY ADDITIONAL RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED.

E. ALL TRANSPORTATION IMPROVEMENTS SET OUT IN THIS SECTION 3 OF THE DEVELOPMENT STANDARDS WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE SITE.

F. THE FUTURE BACK OF CURB FROM THE CENTERLINE OF ZOAR ROAD AND THOMAS ROAD ARE DIMENSIONED AND DEPICTED ON THE REZONING PLAN, HOWEVER, PETITIONER SHALL NOT BE REQUIRED TO CONSTRUCT THE FUTURE BACK OF CURB.

G. A RIGHT-OF-WAY ENCROACHMENT AGREEMENT IS REQUIRED FOR THE INSTALLATION OF ANY NON-STANDARD ITEM(S) (IRRIGATION SYSTEMS, DECORATIVE CONCRETE PAVEMENT, BRICK PAVERS, ETC.) WITHIN A PROPOSED/EXISTING CITY-MAINTAINED STREET RIGHT-OF-WAY BY A PRIVATE INDIVIDUAL, GROUP, BUSINESS, OR HOMEOWNER'S/BUSINESS ASSOCIATION. AN ENCROACHMENT AGREEMENT MUST BE APPROVED BY CDOT PRIOR TO CONSTRUCTION/INSTALLATION. CONTACT CDOT FOR ADDITIONAL INFORMATION CONCERNING COST, SUBMITTAL, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS.

H. ALL 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 SOUTH WESTERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT."

4. ARCHITECTURAL STANDARDS

A. THE MAXIMUM HEIGHT OF ANY BUILDING ON THE SITE SHALL BE GOVERNED BY THE TERMS OF THE ORDINANCE.

5. STREETScape/BUFFERS

A. SUBJECT TO PARAGRAPH 5.B BELOW, BUFFERS SHALL BE ESTABLISHED ON THE SITE AS REQUIRED BY THE ORDINANCE AND AS DEPICTED ON THE REZONING PLAN, AND SUCH BUFFERS SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE. PURSUANT TO THE ORDINANCE, PETITIONER MAY REDUCE THE REQUIRED WIDTH OF ANY BUFFER BY 25% BY INSTALLING A FENCE THAT MEETS THE STANDARDS OF SECTION 12.302(8) OF THE ORDINANCE.

B. NOTWITHSTANDING THE TERMS OF PARAGRAPH 5.A ABOVE, AN ALTERNATIVE BUFFER HAS BEEN APPROVED BY THE ZONING ADMINISTRATOR FOR THAT PORTION OF THE SITE'S SOUTHERN BOUNDARY LINE THAT IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN DUE TO THE PRESENCE OF A REQUIRED BUFFER OR SCREENING ON ADJACENT DEVELOPED PROPERTY PURSUANT TO SECTION 12.304 OF THE ORDINANCE.

C. 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.

6. ENVIRONMENTAL FEATURES

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

7. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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

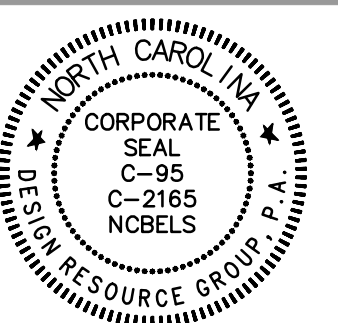
B. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

C. ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.



LANDSCAPE ARCHITECTURE
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FOR PUBLIC HEARING

2022-140

SITE PLAN

THOMAS RD AND ZOAR RD

CHARLOTTE, NC

FA BARTLETT TREE EXPERT COMPANY

13766 HAMILTON RD
CHARLOTTE, NC 28278

TECHNICAL DATA SHEET

PROJECT #: 1030-001
DRAWN BY: JG
CHECKED BY: NB

JULY 20, 2022

REVISIONS:
1. 2.13.23 - PER REVIEW COMMENTS
2. 4/20/23 - PER REVIEW COMMENTS

RZ2.0

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