

SITE DEVELOPMENT DATA:

--ACREAGE: ± 5.20 ACRES --TAX PARCEL #S: 201-231-04, 201-231-05 AND 201-231-09 --EXISTING ZONING: R-3

--PROPOSED ZONING: O-1(CD) --EXISTING USES: OFFICE

- --PROPOSED USES: USES AS ALLOWED BY RIGHT UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE O-1 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN SECTION 2 BELOW WHICH CONTROLS).
 - MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 28,500 SQUARE FEET OF GROSS FLOOR AREA OF MEDICAL AND GENERAL OFFICE USES, AND CLINICS (DENTAL, MEDICAL, AND OPTICAL) AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE O-1 ZONING DISTRICT

--MAXIMUM BUILDING HEIGHT: THE MAXIMUM ALLOWED BUILDING HEIGHT WILL BE 50 FEET; BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE. --PARKING: AS REQUIRED BY THE ORDINANCE.

1. GENERAL PROVISIONS:

a. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER GRAPHICS SET FORTH ON ATTACHED SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY FLAGSHIP HEALTHCARE PROPERTIES, INC. ("PETITIONER") IN CONNECTION WITH DEVELOPMENT ON AN APPROXIMATELY 5.20-ACRE SITE LOCATED ON THE EAST SIDE OF HWY. 160 JUST SOUTH OF HUNTINGTON MEADOWS LN. (THE "SITE").

ZONING DISTRICTS/ORDINANCE. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN THE ASSOCIATED OPTIONAL PROVISIONS AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE O-1 ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

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:

MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

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

d. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. NOTWITHSTANDING THE NUMBER OF BUILDINGS SHOWN ON THE REZONING PLAN, THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TO 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).

2. **PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:**

a. THE SITE MAY BE DEVELOPED WITH UP TO 28,500 SQUARE FEET OF GROSS FLOOR AREA DEVOTED TO MEDICAL OR GENERAL OFFICE USES, AND CLINICS (DENTAL, MEDICAL, OPTICAL) AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES ALLOWED IN THE O-1 ZONING DISTRICT.

3. TRANSPORTATION & ACCESS:

a. ACCESS TO THE SITE WILL BE FROM STEELE CREEK ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY CDOT.

b. THE PETITIONER WILL DEDICATE VIA FEE SIMPLE CONVEYANCE 55 FEET OF RIGHT-OF-WAY AS MEASURED FROM THE CENTER LINE OF HWY. 160 AS GENERALLY PREDICTED ON THE REZONING PLAN, THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY. IF THE PROPOSED SIDEWALK IS LOCATED OUTSIDE OF THE PROPOSED RIGHT-OF-WAY A PERMEANT SIDEWALK EASEMENT LOCATED TWO (2) FEET BEHIND THE SIDEWALK WILL BE PROVIDED.

c. ALL ROADWAY IMPROVEMENTS SHALL BE SUBSTANTIALLY COMPLETED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE BUILDING SUBJECT TO THE PETITIONER'S ABILITY TO POST A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.

4. SETBACKS, BUFFERS AND SCREENING

a. A FORTY (40) FOOT SETBACK AS MEASURED FROM THE FUTURE RIGHT-OF-WAY LINE WILL BE PROVIDED ALONG STEELE CREEK ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. A SIX (6) FOOT SIDEWALK AND AN EIGHT (8) FOOT PLANTING STRIP WILL BE PROVIDED ALONG THE SITE'S FRONTAGE OF STEELE CREEK ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.

- c. CURB AND GUTTER WILL BE PROVIDED ALONG HWY. 160 AS REQUIRED BY CHAPTER 19 OF THE CITY CODE.
- ARCHITECTURAL STANDARDS DESIGN GUIDELINES. 5.

a. THE PROPOSED BUILDING SHALL BE PLACED SO AS TO PRESENT A FRONT FAÇADE TO STEELE CREEK ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. THE FACADE FRONTING ON STEELE CREEK ROAD SHALL INCLUDE WINDOWS FOR A MINIMUM OF 40% OF THE STEELE CREEK ROAD ELEVATION, TRANSPARENT GLASS BETWEEN 2' FEET AND 10' FEET ON THE FIRST FLOOR. UP TO 20% OF THIS REQUIREMENT MAY BE COMPRISED OF DISPLAY WINDOWS. THESE DISPLAY WINDOWS MUST MAINTAIN A MINIMUM OF 3'-0" FOOT CLEAR DEPTH BETWEEN WINDOW AND REAR WALL. WINDOWS WITHIN THIS ZONE SHALL NOT BE SCREENED WITH FILM, DECALS, AND OTHER OPAQUE MATERIAL, OR GLAZING FINISHES. THE MAXIMUM SILL HEIGHT FOR REQUIRED TRANSPARENCY SHALL NOT EXCEED 4'-0" FEET ABOVE ADJACENT STREET SIDEWALK.

c. THE FACADE OF FIRST/GROUND FLOOR OF THE BUILDING ALONG STEELE CREEK ROAD SHALL INCORPORATE A MINIMUM OF 30% MASONRY MATERIAL SUCH AS BRICK OR STONE.

d. DIRECT PEDESTRIAN CONNECTION SHALL BE PROVIDED BETWEEN THE BUILDING AND STEELE CREEK ROAD, TO THE SIDEWALK ON STEELE CREEK ROAD.

e. THE BUILDING DESIGN WILL INCLUDE A DOOR FACING/ORIENTED TOWARD STEELE CREEK ROAD.

f. BUILDING ELEVATIONS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS BUT NOT LIMITED TO BANDING, MEDALLIONS, OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.

BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FEATURES WHICH SHALL INCLUDE A COMBINATION OF AT LEAST THREE OF THE FOLLOWING: A COMBINATION OF EXTERIOR WALL OFF-SETS (PROJECTIONS AND RECESSES), COLUMNS, PILASTERS, CHANGE IN MATERIALS OR COLORS, AWNINGS, ARCADES, OR OTHER ARCHITECTURAL ELEMENTS.

h. MULTI-STORY BUILDINGS SHOULD HAVE A MINIMUM OF 20% TRANSPARENCY ON UPPER STORIES

6. ENVIRONMENTAL FEATURES:

CONSTRUCTION CONTROLS ORDINANCE.

7. SIGNAGE:

8. LIGHTING:

a. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING STREET LIGHTS, LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS AND PARKING AREAS AND LANDSCAPING LIGHTING AND BUILDING ACCENT 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.

THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE SHALL h BE 26 FEET.

ANY LIGHTING FIXTURES ATTACHED TO A BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

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 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.

a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST

b. THE SITE SHALL COMPLY WITH TREE ORDINANCE.

a. SIGNAGE AS ALLOWED BY THE ORDINANCE SHALL BE ALLOWED.

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