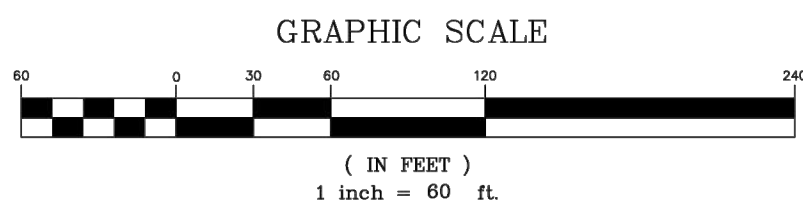




**REZONING
 PETITION NO.
 RZP-2022-210**

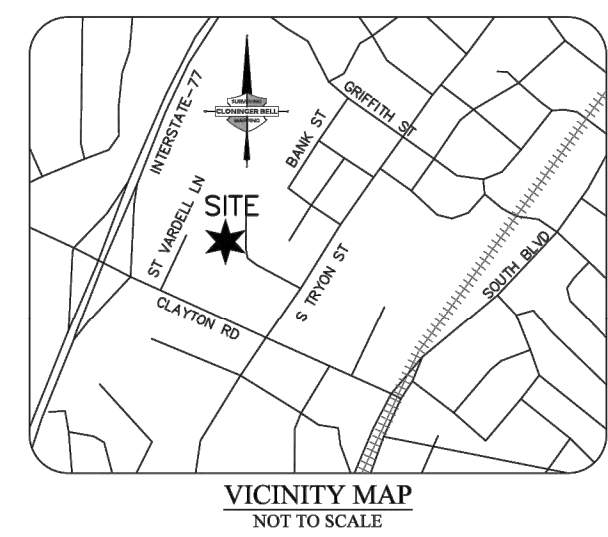
LEGEND:

D.B. - DEED BOOK	
ECM - EXISTING CONCRETE MONUMENT	
EIP - EXISTING IRON PIPE	
EIR - EXISTING IRON ROD	
EMM - EXISTING METAL MONUMENT	
EX - EXISTING NAIL	
M.B. - MAP BOOK	
NIR - NEW IRON ROD	
NY - NEW NAIL	
PG - PAGE	
R/W - RIGHT-OF-WAY	
SDE - STORM DRAINAGE EASEMENT	
SSE - SANITARY SEWER EASEMENT	
PROPERTY LINE	---
PROPERTY LINE (NOT SURVEYED)	- - - -
RIGHT-OF-WAY (NOT SURVEYED)	=====
EASEMENT	=====
STRIKES	=====
GS LINE	=====
OVERHEAD ELECTRIC LINE	=====
SANITARY SEWER LINE	=====
STORM DRAINAGE LINE	=====
UNDERGROUND ELECTRIC LINE	=====
UNDERGROUND FIBER OPTIC LINE	=====
WATER LINE	=====

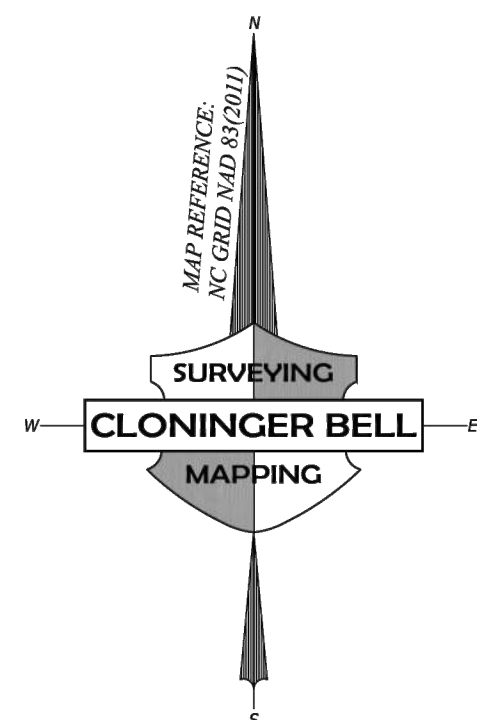


GPI Job No. 2200881.00

- This mapping product was requested by the client to be prepared with an equivalent legacy mapping scale of 1:600 mapping scale which is equivalent to a horizontal accuracy of 1.22 feet at the 95% confidence interval.
- This map was produced by photogrammetric methods from LIDAR data and aerial photography.
- Compiled vector features have been produced to meet a horizontal accuracy of 1.22 feet at the 95% confidence interval in clear unobscured areas. Planimetric features that lie in areas delineated as "VISUALLY OBTAINED" may not adhere to this accuracy.
- The ground surface was produced to meet a 0.30 foot vertical accuracy class, in clear unobscured areas, to support the generation of 1-foot contour intervals.
- The delivered elevation surface is the source for any delivered derivative products (e.g. contours). The project's elevation surface, as delivered to the client, should be utilized as the source for the creation of further derivative elevation products or subsequent computations.
- Lidar data was collected nominally at ~75 Points Per Square Meter (PPM), resulting in an equivalent 4.1 cm nominal point spacing, to support the products delivered.
- Imagery was collected to support the orthorectification of 2.2 inch ground sample distance (GSD) imagery.
- Date of Aerial Imagery capture: January 5, 2023
- Date of Lidar capture: January 5, 2023



FLOOD CERTIFICATION
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED SEPTEMBER 22, 2015.



LINE	BEARING	DISTANCE	CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
L1	N52°55'54"W	40.23	C1	89.46	105.74	39.74	N17°14'W	87.2018
L2	S17°30'11"E	82.48	C2	50.00	41.83	40.62	N26°22'22"E	47.5558
L3	S49°48'45"E	64.63	C3	50.00	209.29	38.16	N52°27'30"W	136.1927
L4	S44°13'47"E	64.79	C4	50.00	11.50	11.47	N52°27'30"W	136.1927
L5	S55°48'48"E	51.69	C5	50.00	18.82	18.71	S08°20'38"E	213.2402
L6	S27°02'00"E	48.04	C6	148.79	174.41	116.59	N16°56'39"E	157.7468
L7	S18°53'48"W	48.79	C7	518.83	48.79	48.74	N04°04'40"E	85.6742
L8	S00°45'59"W	43.10	C8	50.00	31.40	28.27	S11°05'55"E	88.5639
L9	S10°44'14"W	42.97	C9	50.00	25.97	24.44	N45°04'44"E	101.7468
L10	S16°10'40"E	42.74	C10	1482.40	138.22	138.11	N27°27'29"E	92.2158
L11	S33°30'42"W	16.90	C11	50.00	25.37	25.00	N45°04'40"E	88.5639
L12	S14°41'42"W	17.84	C12	50.00	14.24	14.16	N04°04'40"E	85.6742
L13	N57°56'21"E	35.53	C13	50.00	42.44	41.56	S04°04'40"W	40.3135
L14	S58°09'43"W	15.42	C14	5.10	15.77	15.42	N17°14'W	87.2018
L15	S59°39'28"E	58.11	C15	5.10	15.77	10.20	N51°58'55"E	177.0934



NOTES:

- THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
- ALL CORNERS MONUMENTED AS SHOWN.
- NO RECOVERABLE NGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
- 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.
- THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. CLONINGER BELL SURVEYING & MAPPING, PLLC DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
- SITE LOCALIZED TO AND ELEVATIONS BASED ON N.G.S. MONUMENT "PARKWAY", ELEVATION - 683.87 FEET, NAVD 88.
- BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
- 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: B-D, B-1, B-2(CD)
 FOR FURTHER INFORMATION CONTACT THE
 CHARLOTTE-MECKLENBURG ZONING DEPARTMENT
 AT 704-336-3569.

THIS IS TO CERTIFY THAT ON THE 3rd DAY OF FEBRUARY 2023 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: **PRELIMINARY**

TOTAL AREA: 2,158,319 SQ. FT. (49.5482 ACRES)

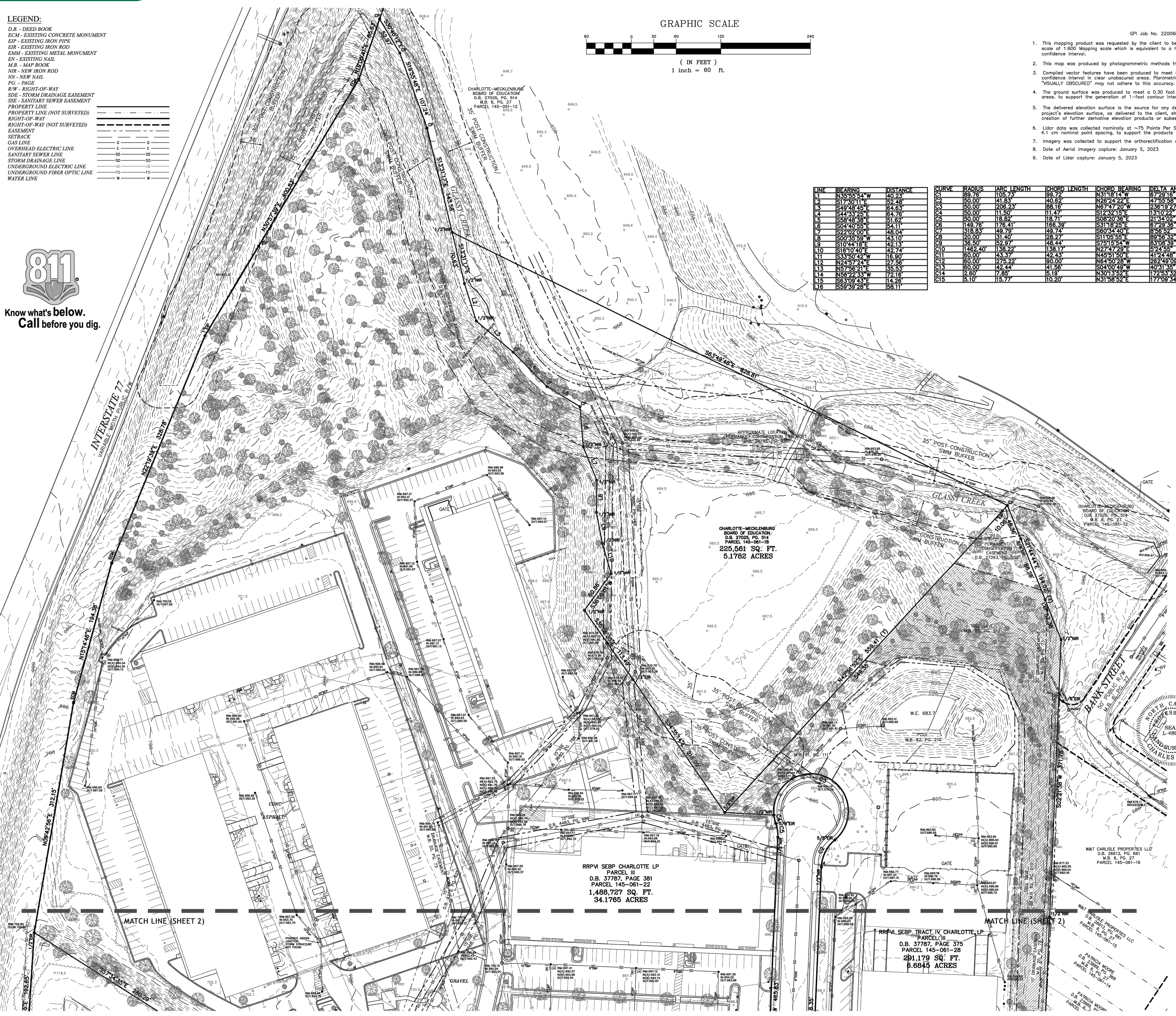
SURVEY
 PREPARED FOR
RRPVI SEBP CHARLOTTE, LP
 5 TRYON ST AND CLANTON RD
 CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC
 DEED REFERENCE: 27025-514; 37787-370; 37787-375; 37787-381
 PARCEL: 145-061-18; -20; -21; -22; -26; -28

SURVEYING
CLONINGER BELL
MAPPING

CLONINGER BELL
 SURVEYING & MAPPING, PLLC
 107 RIVERSIDE DR.
 McADENVILLE, NC 28101
 704.864.9007
 LICENSE P-2326

SHEET 1 OF 2

CREW:	DRAWN:	REVISED:	SCALE:	DATE:	FILE NO.:
CJB	CEB		1"=60'	FEBRUARY 3, 2023	2408



SEAL

**PRELIMINARY
 -FOR REVIEW ONLY-**

THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF:

XXXXX XXXXXXXX ### 10/5/22
 ENGINEER REG.# DATE

**NOT FOR
 CONSTRUCTION**

**SOUTH END
 BUSINESS PARK**

RRPVI SEBP CHARLOTTE, LP
 4801 PGA BLVD
 PALM BEACH GARDENS, FL 33418

LANDDESIGN PROJ# 1022222

REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
5	SUBMITTAL #5	09.11.2023
6	SUBMITTAL #6	10.16.2023
7	SUBMITTAL #7	11.14.2023
8	SUBMITTAL #8	12.15.2023
9	SUBMITTAL #9	1.15.2024
10	SUBMITTAL #10	2.22.2024

DESIGNED BY: LD
 DRAWN BY: MH
 CHECKED BY: ND

SCALE: NORTH

VERT: N/A
 HORZ: NOT TO SCALE

SHEET TITLE
 EXISTING CONDITIONS

SHEET NUMBER
RZ-00A

**REZONING
 PETITION NO.
 RZP-2022-210**

KEY MAP

**PRELIMINARY
-FOR REVIEW ONLY-**

THESE DOCUMENTS ARE FOR DESIGN
 REVIEW ONLY AND NOT INTENDED FOR
 CONSTRUCTION, BIDDING, OR PERMIT
 PURPOSE. THEY ARE PREPARED BY, OR
 UNDER THE SUPERVISION OF:

XXXXX XXXXXXXX ### 10/5/22
 ENGINEER REG.# DATE

**NOT FOR
CONSTRUCTION**

**SOUTH END
BUSINESS PARK**

RRPVI SEBP CHARLOTTE, LP
 4801 PGA BLVD
 PALM BEACH GARDENS, FL 33418

LANDDESIGN PROJ# 1022222

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
5	SUBMITTAL #5	09.11.2023
6	SUBMITTAL #6	10.16.2023
7	SUBMITTAL #7	11.14.2023
8	SUBMITTAL #8	12.15.2023
9	SUBMITTAL #9	1.15.2024
10	SUBMITTAL #10	2.22.2024

DESIGNED BY: LD
 DRAWN BY: MH
 CHECKED BY: ND

SCALE: NORTH

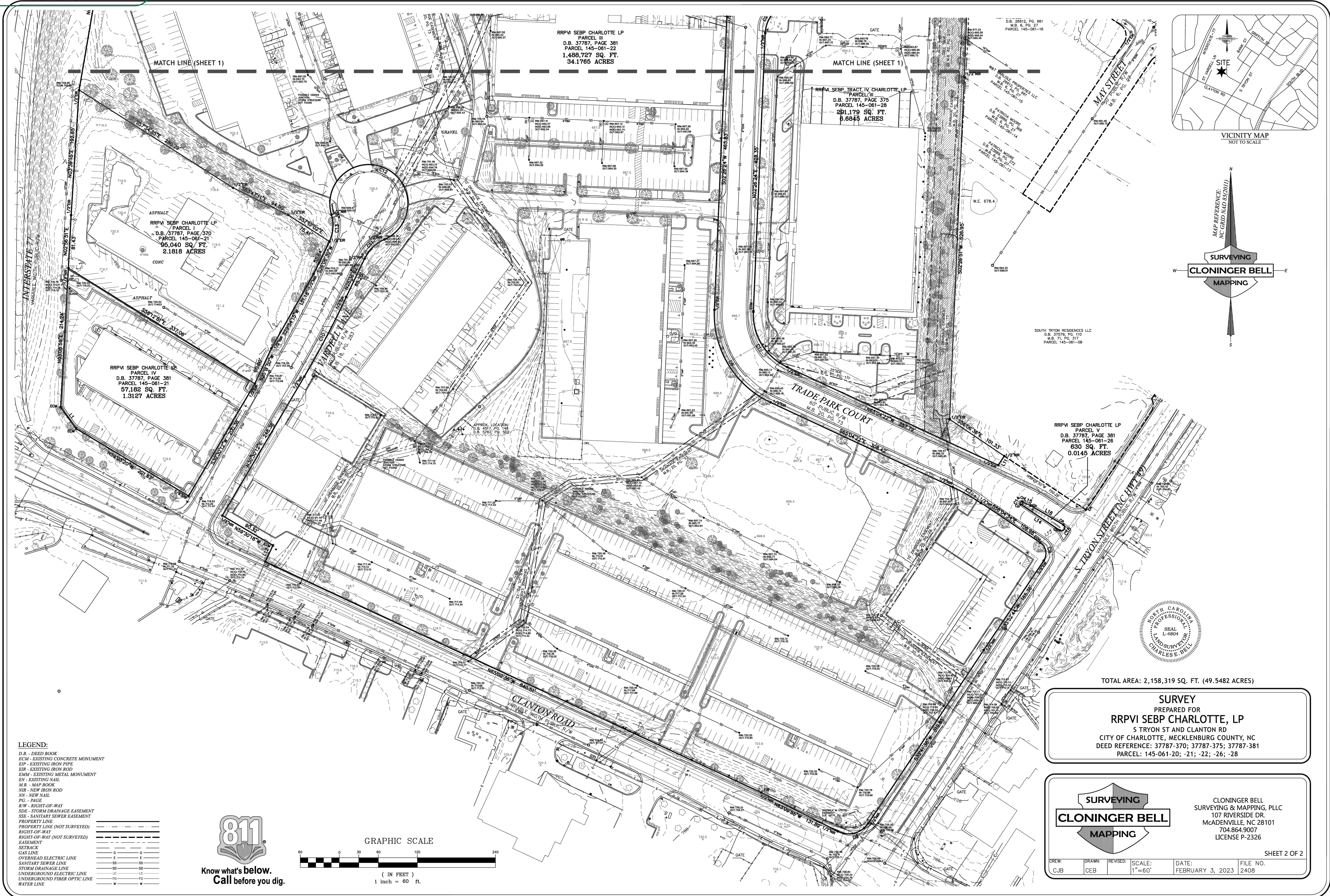
VERT: N/A
 HORIZ: NOT TO SCALE

SHEET TITLE

EXISTING CONDITIONS

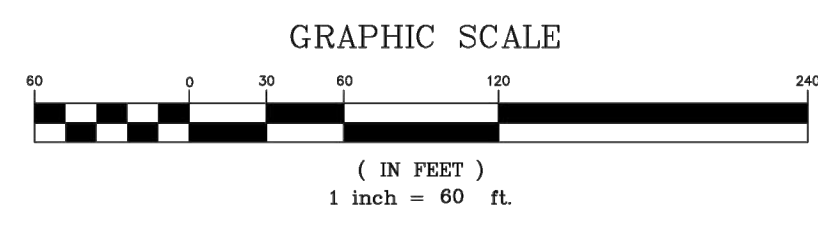
SHEET NUMBER

RZ-00B




LEGEND:

D.B. - DEED BOOK	
CCM - EXISTING CONCRETE MONUMENT	
EIP - EXISTING IRON PIPE	
ER - EXISTING IRON ROD	
EMM - EXISTING METAL MONUMENT	
EN - EXISTING NAIL	
M.B. - MAP BOOK	
NIR - NEW IRON ROD	
NN - NEW NAIL	
PG - PAGE	
R/W - RIGHT-OF-WAY	
SDE - STORM DRAINAGE EASEMENT	
SSE - SANITARY SEWER EASEMENT	
PROPERTY LINE	
PROPERTY LINE (NOT SURVEYED)	
RIGHT-OF-WAY	
RIGHT-OF-WAY (NOT SURVEYED)	
EASEMENT	
SETRACK	
GAS LINE	
OVERHEAD ELECTRIC LINE	
SANITARY SEWER LINE	
STORM DRAINAGE LINE	
UNDERGROUND ELECTRIC LINE	
UNDERGROUND FIBER OPTIC LINE	
WATER LINE	

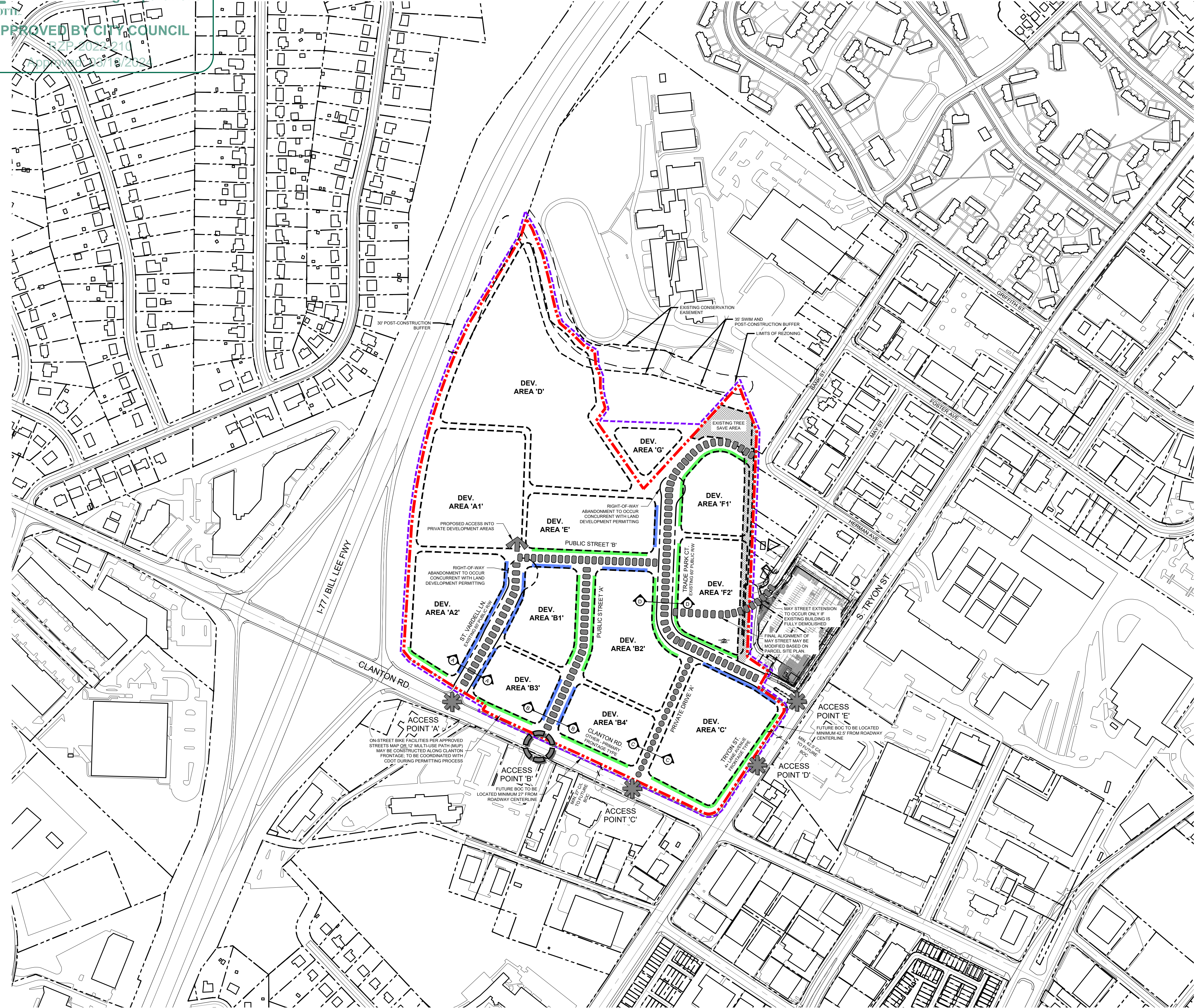


TOTAL AREA: 2,158,319 SQ. FT. (49.5482 ACRES)
SURVEY
 PREPARED FOR
RRPVI SEBP CHARLOTTE, LP
 5 TRYON ST AND CLANTON RD
 CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC
 DEED REFERENCE: 37787-370; 37787-375; 37787-381
 PARCEL: 145-061-20; -21; -22; -26; -28


**CLONINGER BELL
 SURVEYING & MAPPING, PLLC**
 107 RIVERSIDE DR.
 McADENVILLE, NC 28101
 704.864.9007
 LICENSE P-2326

SHEET 2 OF 2
 DRAWN: CEB
 REVISIONS: [None]
 SCALE: 1"=60'
 DATE: FEBRUARY 3, 2023
 FILE NO: 2408

PLOTTED: 3/10/2023 12:00 PM SURVEYING 2021\085\2\4\2408\DWG\2408.DWG


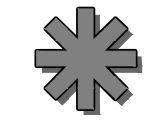



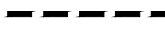

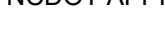




SITE DEVELOPMENT DATA:

ACREAGE:	+45.67 ACRES
TAX PARCEL #S:	145-061-22, 145-061-21, 145-061-28, 145-061-20, 145-061-26, AND A PORTION OF 145-061-18
EXISTING ZONING:	PRE-UDO: B-D, B-1, B-2 (CD), MUDD-O UDO: ML-1, CG, B-2(CD), MUDD-O
PROPOSED ZONING:	MUDD-O AND MUDD-O(SPA) WITH VESTED RIGHTS IN THESE DEVELOPMENT STANDARDS
EXISTING USES:	WAREHOUSE / OFFICE / COMMERCIAL AND PARKING
PROPOSED USES:	ALL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN MUDD ZONING DISTRICT TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD ZONING DISTRICT (AS MAY BE MORE SPECIFICALLY DESCRIBED IN THE DEVELOPMENT STANDARDS).
MAX. GROSS S.F. OF DEVELOPMENT:	AS ALLOWED BY THE MUDD ZONING DISTRICT AND AS SET FORTH IN THE DEVELOPMENT STANDARDS
MAXIMUM HEIGHT:	MAXIMUM BUILDING HEIGHT SHALL BE 180'
PARKING:	AS SPECIFIED IN THE MUDD PARKING AND LOADING STANDARDS OF THE ORDINANCE AS MAY BE MODIFIED BY THE OPTIONAL PROVISIONS IN THE DEVELOPMENT STANDARDS
TREE SAVE AREA:	AS REQUIRED PER ORDINANCE

- NOTE:**
- DEVELOPMENT STANDARDS/ PROVISIONS NOT SPECIFICALLY LISTED OR REFERENCED IN THIS REZONING PLAN (E.G., BUILDING HEIGHT, AMONG OTHER ITEMS) WILL BE GOVERNED BY THE STANDARDS/ PROVISIONS OF THE MUDD ZONING DISTRICT.
 - THE REZONING PLAN IS ILLUSTRATIVE IN NATURE AND IS INTENDED TO DEPICT OVERALL CIRCULATION AND DEVELOPMENT PATTERNS ONLY.
 - ALL TREE SAVE AREAS, CONSERVATION / UTILITY EASEMENTS, AND PCSO BUFFERS ARE SHOWN FOR REFERENCE ONLY. APPLICANT RESERVES THE RIGHT TO MAKE ALTERATIONS TO THESE AREAS AS ALLOWED PER THE ORDINANCE.
 - APPLICANT WILL OBSERVE AND FOLLOW ALL REQUIREMENTS AS LAID OUT BY THE CLDSM STANDARDS, CHARLOTTE STREETS MAP, AND STREETSCAPE REQUIREMENTS ESTABLISHED HEREIN DURING THE LAND DEVELOPMENT PERMITTING PROCESS

SITE LEGEND:

FULL MOVEMENT ACCESS	
POTENTIAL ACCESS POINT **	
REQUIRED NETWORK STREETS **	
PRIVATE DRIVE	
SITE BOUNDARY LINE	
LIMITS OF REZONING	
CONSERVATION EASEMENT LINE	
SWIM BUFFER LINE	
** SUBJECT TO CHANGE BASED ON CDOT AND NCDOT APPROVALS	
FRONTAGE TYPES:	
PRIMARY FRONTAGE	
SECONDARY FRONTAGE	



REZONING PETITION NO. RZP-2022-210

KEY MAP

SEAL

PRELIMINARY - FOR REVIEW ONLY -

THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF:

XXXXX XXXXXXXX ### 11/16/22
ENGINEER REG.# DATE

NOT FOR CONSTRUCTION

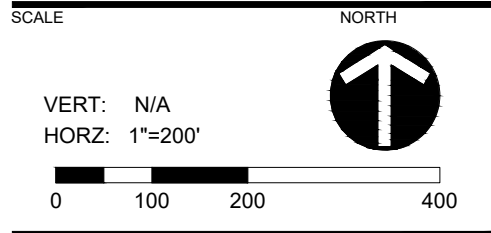
SOUTH END BUSINESS PARK

RRPVI SEBP CHARLOTTE, LP
4801 PGA BLVD
PALM BEACH GARDENS, FL 33418

LANDDESIGN PROJ# 1022222

REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
5	SUBMITTAL #5	09.11.2023
6	SUBMITTAL #6	10.16.2023
7	SUBMITTAL #7	11.14.2023
8	SUBMITTAL #8	12.15.2023
9	SUBMITTAL #9	1.15.2024
10	SUBMITTAL #10	2.22.2024

DESIGNED BY: LD
DRAWN BY: MH
CHECKED BY: ND



SHEET TITLE
TECHNICAL DATA SHEET

SHEET NUMBER
RZ-01

- Acreage: ± 45.67 acres
- Tax Parcel #s: 145-061-22, 145-061-21, 145-061-28, 145-061-20, 145-061-26, and 145-061-18 (portion of)
- Existing Zoning: Pre-UDO; B-D, B-1, B-2(CD), & MUDD-O / UDO; ML-1, CG, B-2(CD), & MUDD-O
- Proposed Zoning: MUDD-O and MUDD-O SPA with vested rights in these Development Standards
- Existing Uses: Warehousing/Office/Commercial and Parking
- Proposed Uses: All uses permitted by right and under prescribed conditions in MUDD zoning district together with accessory uses as allowed in the MUDD zoning district (as may be more specifically described below).
- Maximum Gross Square feet of Development: As allowed by the MUDD zoning district and as set forth in Section IV below.
- Maximum Height: The maximum building height shall be 180'.
- Parking: As specified in the MUDD parking and loading standards of the Ordinance as may be modified by the Optional Provisions below.

NOTE: Development standards/provisions not specifically listed or referenced below in this Rezoning Plan will be governed by the pre-UDO standards/provisions of the MUDD zoning district.

I. General Provisions:

- a. **Site Location.** These Development Standards and the Technical Data Sheet set forth on attached Sheet RZ-1 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by RRPVI SEBP CHARLOTTE, LP ("Petitioner") for an approximately ± 45.67-acre site located at South Tryon Street and Clanton Road (the "Site").
- b. **Zoning District/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 in existence prior to the June 1, 2023 effective date of the UDO (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. **Development Areas & Contemplated Phasing.**

- 1. For ease of reference and as an organizing principle associated with the master planned nature of the development associated with the Rezoning Plan, a series of seven (7) development areas (along with sub-areas) are generally depicted on Sheet RZ-1.0 (each a "Development Area" and collectively the "Development Areas"; sub-areas such as Development Area F1 and Development Area F2 may be referred together as Development Area F). The exact boundaries of the Development Areas and locations of streets may be

13356579v11

- 8. **Multi-Family Stacked Unit.** Stacked unit design refers to multi-family residential structure designed with multiple dwelling units accessed by one or more common entryways. Units may have individual entrances for ground floor units.
- 9. **Prominent Entrance.** A building entrance that is visually distinctive from the remaining portions of the facade where it is located and is parallel and directly connected to adjacent pedestrian facilities. A prominent entrance must be a pedestrian-only entrance. Emergency egress doors and doors to mechanical rooms or stairwells are not considered a prominent entrance.
 - i. For nonresidential, mixed-use, and multi-family stacked units, entrances that contain at least three of the following are considered a prominent entrance: decorative pedestrian lighting/scones; architectural details carried through to upper stories; covered porches, canopies, awnings or sunshades; archways; transom or sidelight windows; terraced or raised planters; common outdoor seating enhanced with specialty details, paving, landscaping, or water features; double doors; stoops or stairs.
 - ii. For multi-family attached units, entrances that contain one or more of the following features are considered a prominent entrance: porches, raised steps and stoops with or without roof overhangs, decorative railings.
- 10. **Transparency.** The required amount of window area as a percentage of the specified facade area. Doors are included in ground floor transparency when such doors are designed with glass or other transparent materials. Garage entrances shall not be included in ground floor transparency.

II. MUDD Optional Provisions:

- a. **Optional Provisions.** The redevelopment of the site intends to leverage the preservation of many existing trees, the creation of a robust network of streets (public and private), a variety of building styles, and new open spaces to form an engaging public realm. The purpose of the Optional Provisions is to provide a mechanism for altering or modifying the minimum MUDD standards in order to address new development concepts, innovative designs, special problems, and other unique proposals or circumstances. Where design deviates, per the ordinance modifications herein, due to site and market constraints, the intent continues to be the creation of an engaging environment.
 - 1. Throughout the phasing of construction for the proposed unified development, accessory surface parking on portions of the Site on an interim basis may be allowed to serve the overall unified development. Such accessory surface parking areas will meet all required minimum setbacks, streetscape, and screening requirements. The required separation along frontages shall be five (5) feet behind the setback line. The interim period for such accessory surface parking areas shall not exceed sixty (60) months per location or development site and such time may be extended by the Planning Director for an additional 12 months based on a showing of delays in the phase of development beyond the reasonable control of Petitioner or assigns.
 - 2. To encourage engaging places with a variety of experiential uses often that operate on a more temporary basis (not to exceed six months per location) such as mobile food

13356579v11

4

subject to modifications to account for development/site elements and other modifications needed to fulfill the design and development intent of the Rezoning Plan. It is understood Development Areas may be eliminated or combined so long as the street network adheres to ordinance requirements.

10

- 2. Streetscape and roadway improvements shall be implemented, per Ordinance, as development occurs along the frontage of the associated building construction. Each building's certificate of occupancy will not be issued until completion of transportation improvements along building's frontage or as approved by CDOT during permitting.
- 3. The overall development will be phased only in connection with transportation improvements described in the approved Traffic Impact Analysis (TIA) dated October X, 2023 and described in Section V which are triggered by a total amount of new vehicular trips resulting from the development.

d. **Number of Buildings Principal and Accessory.** Given the master planned nature of the Rezoning, there is not a limitation on the number of buildings permitted on the site. Development will be governed by the development levels set forth in Section III below.

e. **Planned/Unified Development.** The Rezoning Site and each Development Area and parcel created therein shall be viewed as a planned/unified development plan as to the development/site elements as may be generally depicted on the Rezoning Plan and shall be viewed as a planned/unified development; as such, except where design guidelines or standards are set forth in the Rezoning Plan, 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 development/site elements located within the Rezoning. Furthermore, the Petitioner and/or owner of the applicable portion of the Rezoning Site reserve the right to subdivide portions or all of the Rezoning Site and create lots within the interior of the portion of the Rezoning Site without regard to any such internal separation standards and FAR requirements; provided, however, all such separation standards applied to the Rezoning Site along the exterior boundary of the Rezoning Site shall be adhered to. In addition, any FAR requirements, if applicable, will be regulated by any development limitations set forth in this Rezoning Plan for the Rezoning Site taken as a whole and not individual portions or lots located therein.

f. **Vested Rights.** Per Section 1.110 of the Ordinance and N.C.G.S. Section 160D-108(d)(3), due to the master planned large scale nature of the development & its timing, and the level of investment, among other factors, this Petition includes vesting of the Rezoning Plan and the Rezoning Site for a five (5) year period, but such provisions shall not limit any other vested rights at common law or otherwise.

In addition to the above provisions of this subsection I.f., per N.C.G.S. Section 160D-108(d)(4), a multi-phased development of at least 25 acres shall be vested for the entire development at the time a site plan approval is granted for the initial phase of the multi-phased development. This right shall remain vested for a period of seven (7) years from the time a site plan approval is granted for the initial phase of the multi-phased development.

g. **Special Definitions & Clarifications.** In addition to certain defined terms set forth in the Development Standards, the following apply to certain definitions:

13356579v11

2

vending and tactical urbanism type uses (i.e. pop-up parks, festivals, etc.) within portions of the active open space areas on the Site, surface parking on an interim basis for temporary uses including gravel and composition surfaces but not adhering to the standards for permanent parking contained in the Ordinance may be allowed provided that such interim surface parking areas will meet all required minimum setbacks. Such parking will only occur during the temporary installations of the experiential uses.

3. Allow a limited amount of permanent surface parking and maneuvering within the established setback, including valet parking and ride-share services. No more than ten (10) contiguous spaces and a maximum of fifty (50) spaces throughout the site will be allowed within the established setback. The required separation along frontages shall be five (5) feet behind the setback line in order to accommodate the required parking lot perimeter landscape.

Existing buildings and existing surface parking areas may remain until redevelopment of the parcel occurs. Demolition, adaptive reuse and normal maintenance and repair on an existing nonconforming parking or building may be performed. Resealing, resurfacing, or re-stripping of an existing parking lot is considered normal maintenance and repair.

- 4. To allow up to seven (7) loading and/or drop off spaces on public streets throughout the Site. Such space may be utilized for service, loading, ride share, valet and/or similar.
- 5. To allow compliance with open space and tree save requirements to occur within the entire rezoning Site rather than within individual development area(s) and/or parcel(s).
- 6. To allow reasonable modifications to the required streetscape along public and network required streets to preserve existing trees as generally depicted on Sheet RZ-03 and RZ-04. Sidewalk may meander to preserve trees within the rights-of-way. In the event the site in Development Area F is redeveloped, the sidewalk shall be moved behind the planting strip.
- 7. To allow modifications to the required public and network required street cross sections as generally depicted on Sheet RZ.03 and RZ.04. Modifications shall be permitted between Trade Park Court from Tryon to end of existing cul-de-sac, and St. Vardell from Clanton to Public Street B. On-street parking may be eliminated on one side of the street for up to 50% of the block frontage.

10

8. To allow encroachments in the public right of way for outdoor dining and amenity areas. It is understood that the Petitioner shall apply for right of way encroachment to the City of Charlotte Department of Transportation.

- 9. To not require doorways to be recessed into the face of buildings so long as 6' of clear pedestrian zone is maintained. All required prominent entrances will comply with the design criteria within the definition of prominent entrance.
- 10. To allow required long-term bike, scooter and similar parking spaces for the uses to be located within the parking decks and between buildings and streets constructed within the Site.
- 11. To allow buildings to use limited instances of window like openings with non-clear glazing to help break up building facades and meet blank wall requirements. The intent of

13356579v11

5

1. **Blank Wall, Ground Floor.** The horizontal linear dimension of contiguous building wall that does not contain fenestration, doors, or decorative elements such as banding, medallions, artwork such as murals and mosaics, change in wall plane of at least three inches, or other architectural or material embellishment. Any wall less than five feet in height is not considered to be a blank wall.

2. **Blank Wall, Upper Floor.** The horizontal or vertical linear dimension of contiguous building wall that does not contain fenestration, doors, or decorative elements such as banding, medallions, artwork such as murals and mosaics, change in wall plane of at least three inches, or other architectural or material embellishment. A wall does not count as a blank wall as long as one of the dimensions of the wall area is less than the maximum blank wall area standard of the district.

3. **Build-To Percentage.** The percentage of the building facade that shall be located within the build-to zone (BTZ), calculated by building facade, not lot width. Build-to percentage is further defined as:

- i. Facade articulation elements, such as window or wall recesses and projections, shall be considered to meet any required build-to percentage.
- ii. Public open spaces and outdoor dining areas that are between a building facade and the street and are no more than an average of 24 inches above or below grade of adjacent sidewalk are counted as meeting the build-to percentage.
- iii. Common or private open spaces of residential development bounded on three sides by a building and no more than an average of 24 inches above or below grade of adjacent sidewalk are counted as meeting the build-to percentage.

4. **Build-To Zone.** A build-to zone (BTZ) is the area on a lot, measured parallel from the required frontage setback line, where the minimum build-to percentage of a structure shall be located. A build-to zone sets a minimum and maximum dimension within which the building facade line shall be located per the requirements of the minimum build-to percentage.

5. **Gross Floor Area Clarification.** When determining the maximum development levels set forth in this Rezoning Plan, the term gross floor area shall be defined as set forth in the Ordinance except that it shall also exclude any surface or structured parking facilities (including, without limitation, corridors, stairs, and elevators within such facilities), enclosed loading dock/service areas, and outdoor dining and gathering areas whether on the roof of the building or at street level.

6. **Large Format User.** A large format user is a single tenant nonresidential use with a floor area greater than 20,000 square feet or any retail grocery store greater than 10,000 square feet.

7. **Multi-Family Attached Unit.** Attached unit design refers to multi-family residential structure designed with primarily side-by-side dwelling units, each with an individual entry. Units may or may not be on sublots.

13356579v11

3

this provision is to allow wall treatments other than windows with clear glass to be used to meet the fenestration standards in limited instances when the use or uses located within the building are for areas related to storage rooms, bathrooms, mechanical electrical and plumbing equipment areas and alike and are not related to active retail/EDEE customer floor areas or active office areas.

- 12. To allow the maximum building height to exceed 120'. The maximum building height shall be 180'.
- 13. To allow drive-in windows as an accessory to the principal uses located in blocks A and D. For a restaurant/bar principal use to have an accessory drive-through, a minimum of 24 seats, indoor or outdoor, shall be required.

III. Permitted Uses, Development Level Limitations, Transfer & Conversion Rights:

a. **Permitted Uses Generally.** The Rezoning Site may contain and may be developed with uses permitted by right and under prescribed conditions in the MUDD-O zoning district together with accessory uses as allowed in the MUDD-O zoning district except as subject to the provisions of Sections III.b. and c. below.

b. **Prohibited Uses.** No automotive service/gas stations with accessory car washes, commercial self-storage facilities, nor drive-through windows as an accessory to a principal use (EDEE or otherwise) will be allowed on the Rezoning Site, except for in Development Area A2. There shall be no more than one gas station and no more than two accessory drive-through windows in Development Area A2.

c. **Development Levels for Transportation Purposes.** Development levels shall be limited to the development levels set forth in the approved TIA dated January 26, 2024 as the same may be amended (the TIA)(see table III.a below) and the conversion rights set forth below except that such levels and conversions may be increased further subject to any transportation improvements or multi-modal improvements that might be required as may be a result of a TIA addendum or new TIA as determined by CDOT and/or NCDOT.

Table III.a Development Levels for Transportation Purposes*

	Total Phase 1a	Total Phase 1b	Total Phase 2	Total Phase 3	FULL BUILD
New Office Uses	0	260,000 SF	100,000 SF	400,000 SF	760,000 SF
New Non-Office Commercial Uses (retail, EDEE, & personal service)	32,000 SF	142,151 SF	60,000 SF	92,500 SF	326,651 SF
Hotel Uses	0	150 rooms	0	140 rooms	290 Rooms
Multi-Family Uses	360 dwelling units	250 dwelling units	350 dwelling units	600 dwelling units	1560 Units

* Subject to conversion rights per Section III of Development Standards

d. **Existing Uses.** Expansion of an existing use and/or tenant or a change of tenant is not considered as part of development levels for transportation analysis purposes and is allowed under existing entitlements and thus shall not trigger transportation improvements.

13356579v11

6



REZONING PETITION NO. RZP-2022-210

KEY MAP

SEAL

PRELIMINARY -FOR REVIEW ONLY-

THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF:

XXXXX XXXXXXXX ### 11/15/22
 ENGINEER REG.# DATE

NOT FOR CONSTRUCTION

PROJECT

SOUTH END BUSINESS PARK

RRPVI SEBP CHARLOTTE, LP
 4801 PGA BLVD
 PALM BEACH GARDENS, FL 33418

LANDDESIGN PROJ.# 1022222

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
5	SUBMITTAL #5	09.11.2023
6	SUBMITTAL #6	10.16.2023
7	SUBMITTAL #7	11.14.2023
8	SUBMITTAL #8	12.15.2023
9	SUBMITTAL #9	1.15.2024
10	SUBMITTAL #10	2.22.2024

DESIGNED BY: LD
 DRAWN BY: MH
 CHECKED BY: ND

SCALE NORTH

VERT: N/A
 HORZ: N/A

SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-02

f. Process & Record-keeping for Development Levels. Given the master planned nature of the development contemplated for the Rezoning Site, Petitioner, or assigns, and owners of portions of the Rezoning Site, will follow a process for recording entitlement taking place in accordance with the Rezoning Plan as part of a written summary table and report (the "Entitlement Summary"), a sample copy of the same being set forth as Table Chart on Sheet RZ-02, filed in connection with urban review and similar site plan submittals for specific development taking place within Development Areas and the Rezoning Site as a whole. Such Entitlement Summary shall also reflect adjustments to applicable development levels allowed based on approved Site Plan Amendments and approved Administrative Site Plan Amendments.

g. Conversion of Commercial Uses. Retail, EDEE, and Personal Services uses ("non-office commercial uses") set forth in *Table III.a.* above, may exceed the applicable development level specifications set forth by up to 75,000 square feet of gross floor area and office commercial uses may exceed the applicable development level specifications by up to 75,000 square feet of gross floor area by **converting non-office commercial uses into office commercial uses and vice versa at a ratio of 1.0 square foot of gross floor area of such uses so converted.** In such event the total gross floor area of commercial uses (office and non-office) allowed for the applicable Phase of Development shall not exceed the total specified amount as a result of such conversions, rather only the mix of such uses shall change but not by greater than the limits set forth above (except as may otherwise be approved by CDOT and/or NCDOT as set forth above); the conversions described above are in addition to other conversions set forth herein, and the conversions properly exercised and those remaining shall be set forth as part of the Conversions Levels on the Entitlement Summary and related Chart described on Sheet RZ-02.

h. Conversion of Hotel Rooms & Residential Units. Additional hotel rooms beyond the Development Levels set forth in *Table III.a.* above may be developed within the Rezoning Site by converting residential dwelling units into hotel rooms at the rate of **one (1) residential unit so converted into one (1) hotel room, up to a maximum of 200 new hotel rooms created in the aggregate** by such conversions; and additional residential dwelling units may be developed by converting hotel rooms as set forth in *Table III.a.* above, into residential dwelling units at the rate of **one (1) hotel room so converted into one (1) residential dwelling unit up to a maximum of 200 residential dwelling units created by such conversion in the aggregate.** The conversions described above are in addition to other conversions set forth herein, and the conversions properly exercised and those remaining shall be set forth as part of the Transfers/Conversions Levels on the Entitlement Summary and related Chart described on Sheet RZ-02.

i. Conversion of Hotel Rooms/Residential Units & Commercial Uses. Additional hotel rooms and/or residential dwelling units may be developed within the Rezoning Site by converting commercial uses (e.g. office, retail, EDEE and Personal Services uses) as set forth in *Table III.a.* above, into hotel rooms and/or residential dwelling units at the rate of **500 square feet of gross floor area of such commercial uses so converted for one (1) hotel room added or for one (1) residential dwelling unit added,** created in the aggregate by such conversion. Additional commercial uses may be developed by converting hotel rooms and/or residential dwelling units into commercial uses at the rate of **one (1) hotel room or one residential dwelling unit so converted into 500 square feet of gross floor area of commercial uses** so created up to a maximum of 200 hotel rooms and/or residential dwelling units so converted in the aggregate. The conversions described above are in addition to other conversions set forth herein, and the conversions properly exercised and those remaining shall be set forth as part of the Transfers/Conversions Levels on the Entitlement Summary and related Chart described on Sheet RZ-02.

13356579v11 7

permitted in accordance with the provisions of this Section IV. Such adjustments and/or sub-phases shall be allowed administratively subject to the reasonable review and approval by CDOT (and/or as applicable NCDOT) of appropriate transportation analysis in the form of existing or future transportation impact studies or technical transportation memoranda (hereinafter "transportation analysis") and other factors promoting beneficial roadway network improvements such as cost allocations and timing of improvements, such approvals not to be unreasonably withheld or delayed to the extent that such transportation analysis is conducted in accordance with applicable standards/guidelines of CDOT and/or NCDOT, as the case may be. Approval by NCDOT as referenced herein shall only be applicable to the extent necessary per customary approval practice of NCDOT.

All roadway improvements for each major phase, or sub-phase, are required to be substantially completed prior to the issuance of the first certificate of occupancy for development within each major phase, or each sub-phase, as applicable, that is approved by CDOT (or as applicable NCDOT) per appropriate transportation analysis, subject to the provisions below dealing with appropriate adjustments and subject to any provisions set forth with reference to specific improvements described below and under IV.a.12.

Completion of Improvements by Others. The listing of required roadway improvements associated with each Phase set forth below are not intended to suggest that they must be completed by Petitioner; rather such roadway improvements, whether associated with a major phase or a sub-phase, may be completed by Petitioner, or assigns, or by others, such as governmental bodies by way of a public private partnerships, Community Investment Plan funding (e.g. CIP), direct investment by City or State or otherwise. Accordingly, references to "Petitioner," or "Petitioner or assigns" in this Section IV may include such other third parties, and a listing of required improvements needed to allow certain development to take place does not mean that the Petitioner is exclusively responsible for such improvements. The applicable requirements, however, must be satisfied prior to issuance of the applicable certificates of occupancy associated with such development regardless of which party is involved in such development or commits to make such improvements, unless adjusted in accordance with the provisions of this Section IV.

2. Substantial Completion. Reference to term "substantial completion" for certain improvements as set forth in the provisions of this Section IV shall mean a determination by CDOT that the applicable roadway improvements are deemed "substantially complete" for the purpose of the issuance of certificates of occupancy for building(s) on the Rezoning Site in connection with development/improvements phasing. The Petitioner, or assigns, may be asked to post a letter of credit or a bond for any improvements not in place at the time of any such substantial completion to secure completion of the applicable improvements in instances where CDOT has deemed certain improvements as substantially complete. Furthermore, upon substantial completion of the applicable roadway improvements referenced herein development associated with such improvements shall entitled without regard to installation of improvements associated with a later phase or sub-phase, and later roadway improvements may be made in a timely manner or otherwise so as to permit additional development to be entitled as provided herein.

3. Alternative Improvements; Design Changes. The transportation improvements deemed necessary as described herein, are anticipated to take place over the long-term development horizon contemplated by this Rezoning Plan. As a result, unanticipated

13356579v11 10

j. Conversion Limits. In no event shall the total amount of non-office commercial uses created through the conversions set forth in subsections III. g., h., or i. result in greater than 125,000 square feet of gross floor area of additional non-office commercial uses, greater than 250,000 square feet of gross floor area of additional office uses, greater than 200 hotel rooms, greater than 900 multi-family units, and/or greater than 100 single-family units (except as may be otherwise approved by CDOT and/or NCDOT as described above).

k. Written Notices & Records for Conversions & Transfers; Administrative Amendments. Prior to any conversions of entitlement pursuant to subsections g., h., and i. above, the Petitioner or owner of the portion of the Development Areas involved in the conversion or transfer under notice shall provide to the Planning Department a written notice for such conversion and transfer as well as an updated Entitlement Summary in accordance with above, shall provide to the Planning Department, a written notice for such conversion, including the applicable Conversions Levels. Furthermore, the results of such conversions and transfers shall be evidenced by an update of the applicable tracking summary for the applicable area involved as described above in subsection f.

IV. Transportation/Roadway Improvements & Implementation.

a. General Transportation and Streetscape. The following provisions set forth the general provisions governing the transportation components of the Rezoning Plan.

- South Tryon Street: Location of curb and gutter to be moved a minimum of 42.5 feet from roadway centerline to accommodate the Charlotte Streets Map with a roadway typical section of a 2+ Avenue with Buffered/Separated Bike Lanes and On-Street-Parking.
- Clanton Road: Location of curb and gutter to be moved a minimum of 27 feet from roadway centerline to accommodate the Charlotte Streets Map with a roadway typical section of a 2+ Avenue with Buffered/Separated Bike Lanes.
- The Petitioner shall dedicate a minimum of fifty (50) feet of right-of-way from the road centerline of South Tryon Street and Clanton Road.
- The Petitioner shall construct an 8-foot planting strip, and 8-foot sidewalk on South Tryon Street and Clanton Road per Chapter 19.
- The Petitioner shall construct bike facilities along South Tryon Street and Clanton Road. It is understood, the Petitioner may construct a multi-use path or on street bike lanes on Clanton Road as approved by CDOT and NCDOT.
- The Petitioner shall provide new or upgraded sidewalks and street crossings to improve pedestrian safety and create additional connectivity throughout the larger neighborhood as indicated in the TIA.
- It is understood, that 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-

13356579v11 8

circumstances or conditions (e.g. increased transit service and the like), preferred transportation improvements to the area transportation network and cost considerations that support "best bang for buck" adjustments), including without limitation improvements associated with the NCDOT improvement, may affect the ability or advisability of the construction of the roadway improvements. In addition, certain design changes or alternative roadway improvements may make sense under existing and future circumstances. Accordingly, it understood that the roadway improvements may be altered with alternate improvements, design changes or other adjustments upon reasonable approval by the Petitioner, or assigns, CDOT (and, as applicable, NCDOT). The above-referenced adjustments or design changes may be approved upon CDOT's approval and approval of the Petitioner or assigns.

4. Right-of-way Availability. It is understood that some of the public roadway improvements referenced in this Section IV may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, as specified and administered by the City of Charlotte right-of-way acquisition process as administered by the City of Charlotte Department of General Services, the Petitioner, or assigns (or third parties), are 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 may agree to proceed with acquisition of any such land. In such event, Petitioners, or assigns (or third parties), 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 roadway improvements referenced in this Section IV are delayed because of delays in the acquisition of additional right-of-way as contemplated herein, then the applicable responsible party may contact CDOT and the Planning Director, or designee, regarding an appropriate infrastructure mitigation phasing plan that appropriately matches the scale of the development proposed. Upon approval of such mitigation phasing plan, CDOT, in its discretion, may inform applicable authorities that it is comfortable with allowing the issuance of certificates of occupancy for the applicable buildings in light of approved infrastructure mitigation phasing plan. If so, the Petitioner, or assigns (or third parties) shall seek to complete the applicable roadway improvements and may have to post a letter of credit/bond for any such improvements to secure completion of the applicable improvements.

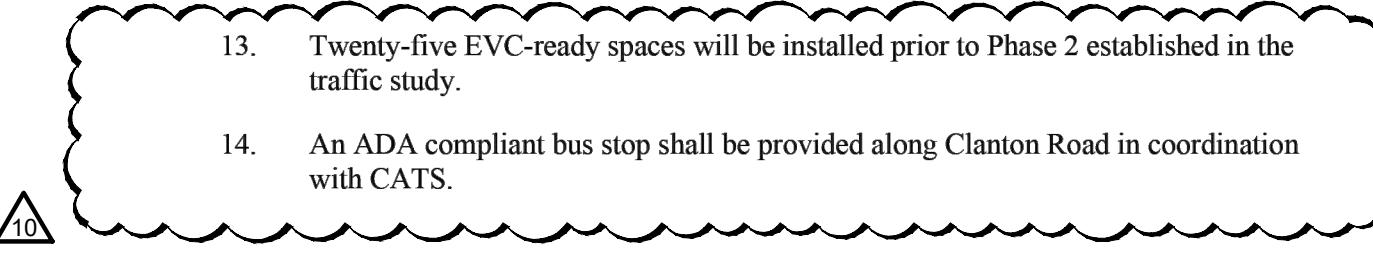
It is understood that the above provisions are not to be construed as a limitation on the general rights of the City or State of North Carolina, in its discretion, to acquire or condemn right of way needed for installation of public streets, which, unless agreed otherwise, shall not require reimbursement by the Petitioner, or assigns. In the event right of way is not available and cannot be acquired, a revised improvement, not requiring the right of way, can be negotiated with CDOT. If a revised improvement is not agreed upon prior to the first certificate of occupancy, then the improvement will not be held as a CO requirement.

c. Transportation Improvements. [NOTE: SUBJECT TO FURTHER REVIEW AND ASSESSMENT] The following references applicable phased improvements that are subject to adjustments as described in Sections III and IV.

13356579v11 11

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. Encroachment agreements are not required for standard items.

- The petitioner shall complete and submit the Right-of-Way Abandonment Petition form to CDOT for review. It is understood, the Right-of-Way-Abandonment process is controlled by North Carolina General Statutes and is independent of this rezoning process.
- The Petitioner shall dedicate and convey in fee simple all rights-of-way adjacent to the building's development parcel to the City before the development parcels first building certificate of occupancy is issued. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible.
- 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 broad Mecklenburg area, by way of a private/public partnership effort or other public sector project support.
- Internal network street modifications may be permitted in coordination with CDOT and Subdivision, so long as subdivision compliance for block lengths are satisfied and access locations are acceptable to NCDOT and CDOT.
- Driveway permits from CDOT and/or NCDOT shall not be a condition of site permit approval, however no certificate of occupancy will be issued without all necessary driveway permits for the development phase.
- Twenty-five EVC-ready spaces will be installed prior to Phase 2 established in the traffic study.
- An ADA compliant bus stop shall be provided along Clanton Road in coordination with CATS.



b. Phasing. The following provision describes phasing.

1. Multiple Phases & Transportation Analysis; Adjustments/Sub-phases; Completion of Improvements Prior to Certificates of Occupancy. The transportation improvements required for the Rezoning Site will be accomplished in multiple phases, including "Phase I Improvements", "Phase II Improvements" and "Phase III Improvements," as defined below (each being a "major phase"), or "sub-phases" of such major phases. The development levels for the major phases of the development are described in *Table III a.* It is understood that upon installation of the applicable Phase Improvements (as set forth below and subject to increases as may be approved by CDOT and/or NCDOT as described above) the entire Phase Development level as to the applicable Improvements may be developed in accordance with the provisions herein. Adjustments, however, to the mix and amount of such development levels and the accompanying roadway improvements associated with development for such major phases or sub-phases may be

13356579v11 9

1. Clanton Road & Revolution Park Drive (Signalized) [CDOT ONLY]

- No suggested improvements

2. Clanton Road & I-77 Southbound Ramps (Signalized)

Phase 2

- Maximize the storage (approximately 450 feet) for the existing southbound right turn lane on the I-77 Southbound Off-Ramp
- If determined necessary during permitting, install a vehicle loop detector on the I-77 Southbound Off-Ramp at an appropriately determined distance from Clanton Road.
- Install APS pushbuttons and upgrade curbs, ramps, and sidewalks to ADA standards and PROWAG guidelines.



3. Clanton Road & I-77 Northbound Ramps (Signalized)

Phase 2

- Remark the existing I-77 Northbound Off-Ramp to allow for a left turn lane with 350 feet of storage and a terminating right turn lane
- Construct an additional northbound right turn lane on the I-77 Northbound Off-Ramp with 450 feet of storage
- Install APS pushbuttons and upgrade curbs, ramps, and sidewalks to ADA standards and PROWAG guidelines.

4. S. Tryon Street & Clanton Road (Signalized)

Phase 1B

- Construct a southbound right turn lane on S. Tryon Street with 200 feet of storage.

Phase 2

- Construct an additional eastbound left turn lane on Clanton Road with maximized storage.
- Construct a westbound right turn lane on Clanton Road with maximized storage.
- Install APS pushbuttons and upgrade curbs, ramps, and sidewalks to ADA standards and PROWAG guidelines.
- Extend the existing southbound left turn lane from 150 feet to 250 feet of storage.

Phase 3

- Convert the existing westbound right turn lane on Clanton Road (Phase 2 improvement) to a combined thru-right turn lane
- Construct an additional westbound receiving lane on Clanton Road that terminates as a right turn lane at I-77 Northbound On-Ramp

13356579v11 12



**REZONING
 PETITION NO.
 RZP-2022-210**

KEY MAP

SEAL

**PRELIMINARY
 -FOR REVIEW ONLY-**

THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF:

XXXXX XXXXXXXX ### 11/15/22
 ENGINEER REG.# DATE

**NOT FOR
 CONSTRUCTION**

PROJECT

**SOUTH END
 BUSINESS PARK**

RRPVI SEBP CHARLOTTE, LP
 4801 PGA BLVD
 PALM BEACH GARDENS, FL 33418

LANDESIGN PROJ.# 1022222

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
5	SUBMITTAL #5	09.11.2023
6	SUBMITTAL #6	10.16.2023
7	SUBMITTAL #7	11.14.2023
8	SUBMITTAL #8	12.15.2023
9	SUBMITTAL #9	1.15.2024
10	SUBMITTAL #10	2.22.2024

DESIGNED BY: LD
 DRAWN BY: MH
 CHECKED BY: ND

SCALE NORTH

VERT: N/A
 HORZ: N/A

SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-02B

5. S. Tryon Street & Herman Avenue/CATS Facility (Unsignalized)

- Phase 3**
- Install a traffic signal (the pedestrian hybrid beacon at the intersection will need to be removed for the signal installation).
 - Construct a separate eastbound left turn lane with 100 feet of storage on Herman Avenue.
 - Remark the westbound leg to allow for a combined thru-right turn lane and a separate terminating left turn lane.

6. S. Tryon Street & Griffith Street (Signalized)

- No suggested improvements

7. S. Tryon Street & Remount Road (Signalized)

- No suggested improvements

8. South Boulevard & Clanton Road (Signalized) [CDOT ONLY]

Phase 2

- Remark the eastbound approach to provide an additional terminating left turn lane, a combined left-thru lane, and a right turn lane with 150 feet of storage on Clanton Road utilizing the existing pavement width to provide 10-foot lanes. No widening is suggested.

9. S. Tryon Street & Tryclan Drive/Blairhill Road (Unsignalized)

- No suggested improvements

10. S. Tryon Street & Freeland Drive (Unsignalized)

Phase 2

- Construct a median to close the existing median-break to convert the intersection to right-in/right-out.

11. S. Tryon Street & Peterson Drive (Unsignalized)

- No suggested improvements

12. Clanton Road & Access "A" (Unsignalized) [CDOT ONLY]

Phase 1B

The petitioner proposes the following right-in/right-out access configuration:

- One ingress lane and one egress lane (a terminating southbound right turn lane) on the existing St. Vardell Lane
- Construct a median to restrict the access to right-in/right-out

13356579v11 13

2. **Primary Street – Street Classification and Frontage Type.** A frontage along an Avenue (as defined in the City of Charlotte Urban Street Design Guidelines or similar provisions) or Collector Street (as defined in the City of Charlotte Urban Street Design Guidelines or similar provisions) or a publicly accessible open space, park, plaza or path.

3. **Secondary Street – Street Classification and Frontage Type.** A frontage that does not meet the criteria of a Four Lane Avenue/Boulevard, Limited Access Road or Primary Frontage.

Application to Lots with Multiple Frontages. The following establishes criteria for multiple frontages.

1. When a lot has two frontages, at least one frontage shall be a primary frontage type. If neither frontage meets the criteria listed for a primary frontage type the longer of the two frontages shall be designated as a primary frontage.

2. When a lot has three frontages, at least one frontage shall be designated as a primary frontage type. If no frontage meets the criteria listed for a primary frontage type, the longest frontage shall be designated as a primary frontage.

3. When a lot has four or more frontages, at least two frontages shall be designated as primary frontage types. If less than two frontages meet the criteria for a primary frontage type, the longest of those not meeting the criteria shall be designated as a primary frontage.

b. **Setbacks.** The following establishes setbacks for the development based on the applicable street frontages.

1. South Tryon Street - Four Lane Avenue/Boulevard – the minimum setback shall be 24' as measured from the back of existing or future curb.

2. Interstate 77 - Limited Access Road – the minimum setback shall be 10' as measured from the existing right of way.

3. Primary Street – the minimum setback shall be 16' as measured from the back of existing or future curb.

4. Secondary Street – the minimum setback shall be 16' as measured from the back of existing or future curb.

c. **Build-To Zone.** The maximum build-to zone from the setback along a frontage is 0 – 20'. If there is a utility easement or overhead utility clearance requirement that conflicts with the build-to zone requirement, the build-to line shall be established at the edge of the easement or edge of the overhead utility clearance requirement closest to the build-to zone. Where a lot has more than two frontages that require a build-to zone, the build-to zone shall be increased by 100% for those frontages that exceed two. This provision does not apply to limited access frontages.

The build-to zone may be increased an additional amount to preserve existing trees along Trade Park Court as generally depicted by Cross Section D on Sheet RZ-04.

13356579v11 16

Phase 2

- Construct an additional eastbound thru lane on Clanton Road that terminates as the existing left turn lane at S. Tryon Street

Phase 3

- Construct an additional westbound thru lane on Clanton Road that terminates as the existing right turn lane at I-77 Northbound On-Ramp.

13. Clanton Road & Access "B" (Proposed Signal) [CDOT ONLY]

Phase 1B

Should the Petitioner choose to construct Access "B" as either an unsignalized right-in/right-out or a full movement traffic signal at any point prior to Phase 2, without additional laneage improvements listed in Phase 2, Petitioner is required to provide additional analysis in the form of a TIS addendum or supplement that demonstrates there are no queueing issues created at the I-77 Interchange Ramps due to the installation of the traffic signal and/or the right-in/right-out access.

Phase 2

The petitioner proposes the following access configuration:

- One ingress lane and two egress lanes (a terminating southbound left turn lane and a separate right turn lane with 150 feet of storage) on Access "B"
- Install a traffic signal
- Construct an additional eastbound thru lane

Phase 3

- Construct an additional westbound thru lane

14. Clanton Road & Access "C" (Unsignalized) [CDOT ONLY]

Phase 2

The petitioner proposes the following right-in/right-out/left-in access configuration:

- One ingress lane and one egress lane (a southbound terminating right turn lane) on existing Access "C"
- Construct an additional eastbound thru lane
- Western fire station access to remain full movement, and any necessary accommodations for the existing emergency signal will be handled during the permitting process.

Phase 3

- Construct an additional westbound thru lane

13356579v11 14

d. **Minimum Build-To Zone Percentage.** The minimum build-to percentage for a structure is 80% along a primary frontage and 60% along a secondary frontage.

e. **Maximum Building Height.** The maximum building height shall be 180' for buildings as indicated within the MUDD district provisions.

f. **Building Articulation.** The following building articulation standards shall govern the dimensions of building façade elements, transparency, and entry features, and are intended to facilitate the enhancement of a pedestrian-oriented environment for new development excluding structured parking. These provisions do not apply along limited access frontages.

1. **Ground Floor Height.** The minimum ground floor height for residential uses is 12' and the minimum ground floor height for non-residential/mixed uses is 16'. At least 50% of the total ground floor for non-residential uses and 30% for residential uses, measured as a percentage of the interior space, shall meet the minimum ground floor height requirement.

2. **Blank Wall Area.** The maximum horizontal and vertical blank wall area permitted is 20'.

3. **Prominent Entrance Spacing.** A frontage shall have a minimum of one prominent entrance. The maximum distance between prominent entrances is 250'. In the case of a building located on a corner lot with two frontages, one prominent entrance located on the corner may satisfy this requirement for both frontages.

Where a large format user abuts two frontages that require a prominent entrance, only one frontage is required to have one prominent entrance. Where a large format user abuts three or more frontages that require a prominent entrance, only two frontages require one prominent entrance.

4. **Ground Floor Transparency.** The minimum transparency requirements as measured between 3' and 10' from grade is 50% on non-residential uses along one frontage and 10% on all other frontages, and 20% for residential uses along all frontages.

When a large format user has two or more frontages that require Ground Floor Transparency, one frontage is required 40% transparency and all other frontages are required 5% transparency. When a large format user has only one frontage that requires Ground Floor Transparency, the frontage is required 20% transparency.

Due to grade changes between development areas abutting South Tryon Street and Clanton Road, the Ground Floor Transparency requirement may be modified along these frontages for large format users so that it is measured from the finished floor elevation of the tenant space. All blank wall provisions will be met along these frontages.

5. **Upper Floor Transparency.** The minimum transparency requirements as measured by wall area per story is 20% on elevations oriented to primary streets and 15% on all other streets.

13356579v11 17

15. S. Tryon Street & Access "D" (Unsignalized)

Phase 2

The petitioner proposes the following right-in only access configuration:

- One ingress lane on existing eastbound Access "D"

16. S. Tryon Street & Trade Park Court/Access "E" (Unsignalized)

Phase 1A

- The petitioner proposes utilizing this existing intersection as the primary access to Phase 1A of the proposed development.

17. Bank Street & Internal Connection "A" (Unsignalized) [CDOT ONLY]

Phase 3

The petitioner proposes the following access configuration:

- One ingress lane and one egress lane (a combined eastbound thru-left turn lane) on proposed Internal Connection "A"

Additional Improvements

Phase 2

- The petitioner will provide a \$50,000 developer contribution to roadway and/or multimodal improvements in the South End area.

V. **Dimensional and Design Standards.** The following sets forth certain dimensional and design standards for specific types of conditions and building types/uses and they are in addition to and will control in the event of a conflict or discrepancy. The following provisions are subject to the application of any applicable MUDD Optional Provisions set forth in the Rezoning Plan.

a. **Frontage Types for Certain Design Standards.** The frontage types identified on Sheet RZ-01 provides the agreed upon primary and secondary frontage type designations for the proposed development. These frontage type designations may change if the development areas are further subdivided. Clanton Road and South Tryon Street will always be designated a primary frontage. Interstate 77 will always be designated a limited access road and not be designated a primary or secondary frontage. The dimensional and design standards of this section are determined with reference to the following network required street frontage types:

- Limited Access Road - Street Classification and Frontage Type.** I-77 and/or similar roadways designated for high-speed traffic which have limited or no access to adjacent parcels.

13356579v11 15

g. **Non-residential, Mixed-Use, and Multi-Family Stacked Design Standards.** The following standards shall apply:

1. For buildings of 150' or more in length along a frontage the following standards shall apply:

- facades shall be divided into shorter segments by means of modulation. Such modulation shall occur at interval of no more than 60' and shall be no less than 2' in depth;
- varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions;
- utilize building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses;
- utilize horizontal and vertical variations in wall planes;
- provide architectural protrusion to accentuate enclosed balconies; and/or
- a significant change in color and/or material accompanied with a minimum building articulation.

2. Arcades, galleries, colonnades, outdoor plazas, outdoor dining areas, or similar pedestrian-oriented ground floor designs may be incorporated into facades.

3. For buildings over 90' in height, the base of the building shall be clearly differentiated from the remainder of the building with an emphasis on providing design elements that will enhance the pedestrian environment. This differentiation shall occur somewhere within the bottom third of the building. Elements such as, but not limited to, cornices, corbeling, molding, stringcourses, ornamentation, changes in material or color, recessing, architectural lighting, and other sculpturing of the base shall be provided to clearly differentiate the base from the remainder of the building.

4. Common usable open spaces, site amenity areas or courtyards can be utilized to break up the wall plane.

h. **Multi-Family Attached and Single-Family Detached Design Standards.** The following design provisions shall apply to multi-family attached and single family detached units:

- Vehicular entrances to garages shall be located to the side or rear of the building. A residential alley shall not be considered a frontage.
- Surface parking lots shall be located to the rear or side of the building.
- The primary pedestrian entry to each dwelling unit shall face a frontage or a common open space.

13356579v11 18



**REZONING
PETITION NO.
RZP-2022-210**

KEY MAP

SEAL

**PRELIMINARY
-FOR REVIEW ONLY-**

THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF:

XXXXX XXXXXXXX ### 11/15/22
ENGINEER REG.# DATE

**NOT FOR
CONSTRUCTION**

PROJECT

**SOUTH END
BUSINESS PARK**

RRPVI SEBP CHARLOTTE, LP
4801 PGA BLVD
PALM BEACH GARDENS, FL 33418

LANDESIGN PROJ.# 1022222

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
5	SUBMITTAL #5	09.11.2023
6	SUBMITTAL #6	10.16.2023
7	SUBMITTAL #7	11.14.2023
8	SUBMITTAL #8	12.15.2023
9	SUBMITTAL #9	1.15.2024
10	SUBMITTAL #10	2.22.2024

DESIGNED BY: LD
DRAWN BY: MH
CHECKED BY: ND

SCALE NORTH

VERT: N/A
HORZ: N/A

SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-02C

4. To provide privacy, all residential entrances within 15 feet of the sidewalk must be raised from the average sidewalk grade a minimum of 12 inches, subject to applicable deviations to address site constraints.
5. Pitched roofs, if provided, shall be symmetrically sloped no less than 6:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
6. Porches and stoops shall form a predominate feature of the building design and be located on the front and/or side of the building. Stoops and entry-level porches may be covered but not be enclosed.
7. All corner/end units that face a public or private street should have a porch or stoop that wraps a portion of the front and side of the unit or blank wall provisions shall be implemented that limit the maximum blank wall expanse to 10 feet on all building levels and/or allows acceptable landscaping treatments along such areas.
8. Sidewalks should be provided to connect one residential entrance to sidewalks along public and private streets.
9. Buildings may orient to open space in lieu of a public street.

i. Structured Parking Design Standards. Structured parking facilities must be designed so that the only openings at the street level are those to accommodate vehicle entrances and pedestrian access to the structure. In the event that any openings for ventilation, service, or emergency access are located at the first-floor level in the building facade then they must be decorative and must be an integral part of the overall building design. These openings as well as pedestrian and vehicular entrances must be designed so that cars parked inside are not visible from the street. The remainder of the street level frontage must be either occupied retail space or an architecturally articulated facade designed to screen the parking areas of the structure, to encourage pedestrian scale activity, and to provide for urban open space.

Cars on all levels of a structured parking facility must be screened from view from the street utilizing decorative elements such as grillwork or louvers. In no instance will cabling alone be sufficient to meet this screening requirement.

j. Gas Station Design Standards. The following design provisions shall apply to gas stations:

1. Gas station canopies may be located in required build-to zones but shall be located a minimum of 15 feet from any required frontage setback line.
2. Gas stations must meet the standards of the district with the exception of minimum building length as a percentage of lot width along a frontage and have a minimum ground floor height of 14'.
3. Gas stations may have a maximum of 8 pumps with the ability to service up to 16 cars.
4. Canopies shall be located to the rear or side of the principal building.

10 13356579v11 19

k. Accessory Drive-In Window and Drive-Through Lane Design Standards. The following design provisions shall apply to accessory drive-in windows and drive-through lanes:

1. All establishments with an accessory drive-through, except restaurants, shall provide a minimum of four stacking spaces per lane or bay. Restaurants shall provide a minimum of six stacking spaces per lane or bay. The space located at the service window shall be counted in this minimum number of stacking spaces.
2. A stacking space shall be a minimum of nine feet in width and 18 feet in length.
3. All components of an accessory drive-through including, but not limited to, signs, stacking lanes, trash receptacles, ordering box, and drive-up windows, shall be located to the rear or side of the building.
4. Drive through lanes and drive aisles may not be located between primary streets and the façade of the building.
5. A drive-through lane shall have bail out capability for all vehicles that enter the drive-through lane. The bail out lane shall be a minimum width of ten feet in width and run parallel to the drive-through lane. If a bail out lane is also an interior access drive providing access to parking spaces, the bail out lane is limited to a one-way traffic pattern following the direction of the drive-through lane.
6. For a restaurant/bar principal use to have an accessory drive-through, a minimum of 24 seats, indoor or outdoor, shall be required.
7. Seatwalls may be used to enhance the pedestrian environment.

10 13356579v11 20

10 13356579v11 21

VII. Environmental:

a. Tree Save. Since the Rezoning Site is a master planned unified development, tree save requirements set forth in the Tree Ordinance applicable to development and redevelopment in the Rezoning Site may be met using any area within the Rezoning Site such that individual parcels within the Rezoning Site will not be required to provide tree save areas within such parcel boundaries provided that the overall tree save areas and requirements for overall Rezoning Site are in compliance.

b. Storm Water Management. Development and redevelopment within the Rezoning Site shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance in existence pre-UDO. Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Petitioner acknowledges intermittent/perennial stream delineation reports are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions.

c. Open Space. In addition to the open space required by the MUDD zoning provisions of the Ordinance, the petitioner commits to providing the following:

13356579v11

20

- 1 The Petitioner shall commit to a minimum of 30% increased open space above MUDD requirements.
- 2 The Petitioner shall do one of the following:
 - i. Increase open space by an additional 20% above MUDD requirements for a total of 50% increase above MUDD open space requirements;
 - ii. Donate \$250,000 toward the improvements of a park near the site.

It is understood that open space can be provided across the site and is not required on individual sites or blocks.

d. High Performance Construction. The Petitioner commits to the use of sustainable design and architecture that meets established standards, such as Leadership in Energy and Environmental Design (LEED), Energy Star, Earthcraft, National Green Building Standards, etc. on at least 50% of the buildings.

VIII. Amendments to the Rezoning Plan: Binding Effect:

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

Since the Project has not undergone the design development and construction documentation 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 that don't materially change the overall design intent depicted on the Rezoning Plan may be allowed by the Planning Staff/Planning Director, in their discretion, without requiring the administrative amendment process per Section 6.207 of the Ordinance; in other instances, modifications shall be reviewed and approved as allowed by Section 6.207.

Modifications to the internal street network, and related development areas, indicated on Sheet RZ-01 may be allowed but any modifications must comply with the pre-UDO Subdivision Ordinance.

b. Binding Effect. If this Rezoning Petition is approved, it 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, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

13356579v11

21



**REZONING
PETITION NO.
RZP-2022-210**

KEY MAP

SEAL

**PRELIMINARY
-FOR REVIEW ONLY-**

THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF:

XXXXX XXXXXXXX ### 11/15/22
ENGINEER REG. # DATE

**NOT FOR
CONSTRUCTION**

PROJECT

**SOUTH END
BUSINESS PARK**

RRPVI SEBP CHARLOTTE, LP
4801 PGA BLVD
PALM BEACH GARDENS, FL 33418

LANDESIGN PROJ.#

1022222

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
5	SUBMITTAL #5	09.11.2023
6	SUBMITTAL #6	10.16.2023
7	SUBMITTAL #7	11.14.2023
8	SUBMITTAL #8	12.15.2023
9	SUBMITTAL #9	1.15.2024
10	SUBMITTAL #10	2.22.2024

DESIGNED BY: LD
DRAWN BY: MH
CHECKED BY: ND

SCALE NORTH

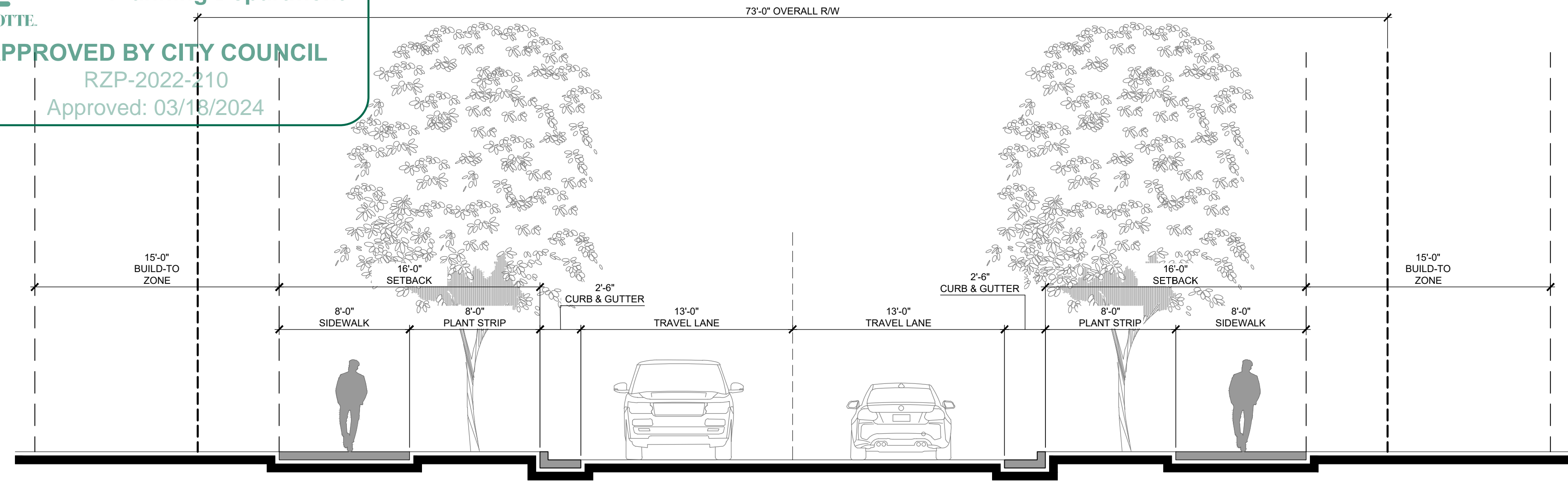
VERT: N/A
HORZ: N/A

SHEET TITLE

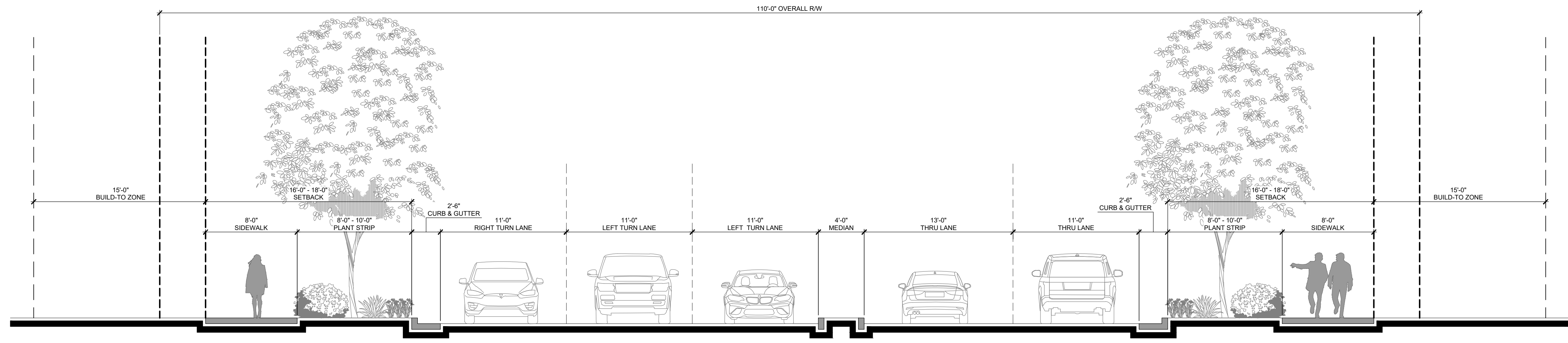
DEVELOPMENT STANDARDS

SHEET NUMBER

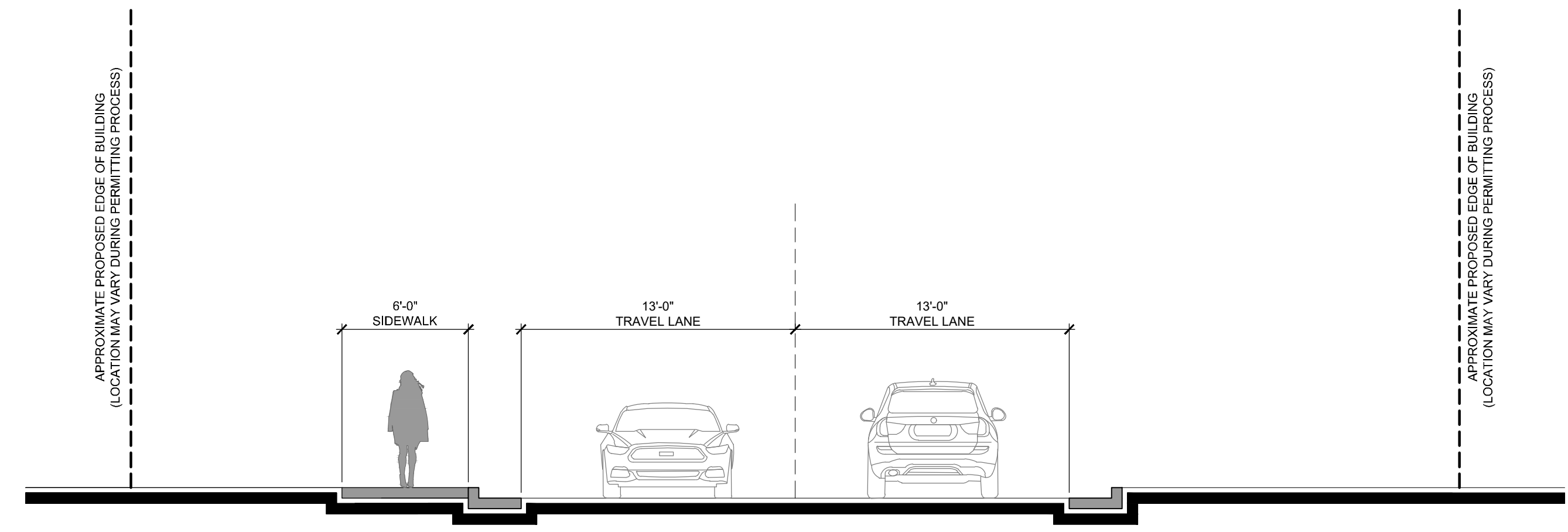
RZ-02D



A ST. VARDELL LN. SECTION WITHOUT ON-STREET PARKING 3/16" = 1'-0"



B PUBLIC STREET 'A' - AT INTERSECTION WITH CLANTON RD. 3/16" = 1'-0"



C PRIVATE DRIVE 'A' SECTION 3/16" = 1'-0"

KEY MAP

**PRELIMINARY
 -FOR REVIEW ONLY-**
 THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF:
 ENGINEER REG.# DATE

NOT FOR CONSTRUCTION

SOUTH END BUSINESS PARK

RRPVI SEBP CHARLOTTE, LP
 4801 PGA BLVD
 PALM BEACH GARDENS, FL 33418

LANDDESIGN PROJ.# 1022222

REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
5	SUBMITTAL #5	09.11.2023
6	SUBMITTAL #6	10.16.2023
7	SUBMITTAL #7	11.14.2023
8	SUBMITTAL #8	12.15.2023
9	SUBMITTAL #9	1.15.2024
10	SUBMITTAL #10	2.22.2024

DESIGNED BY: LD
 DRAWN BY: MH
 CHECKED BY: ND

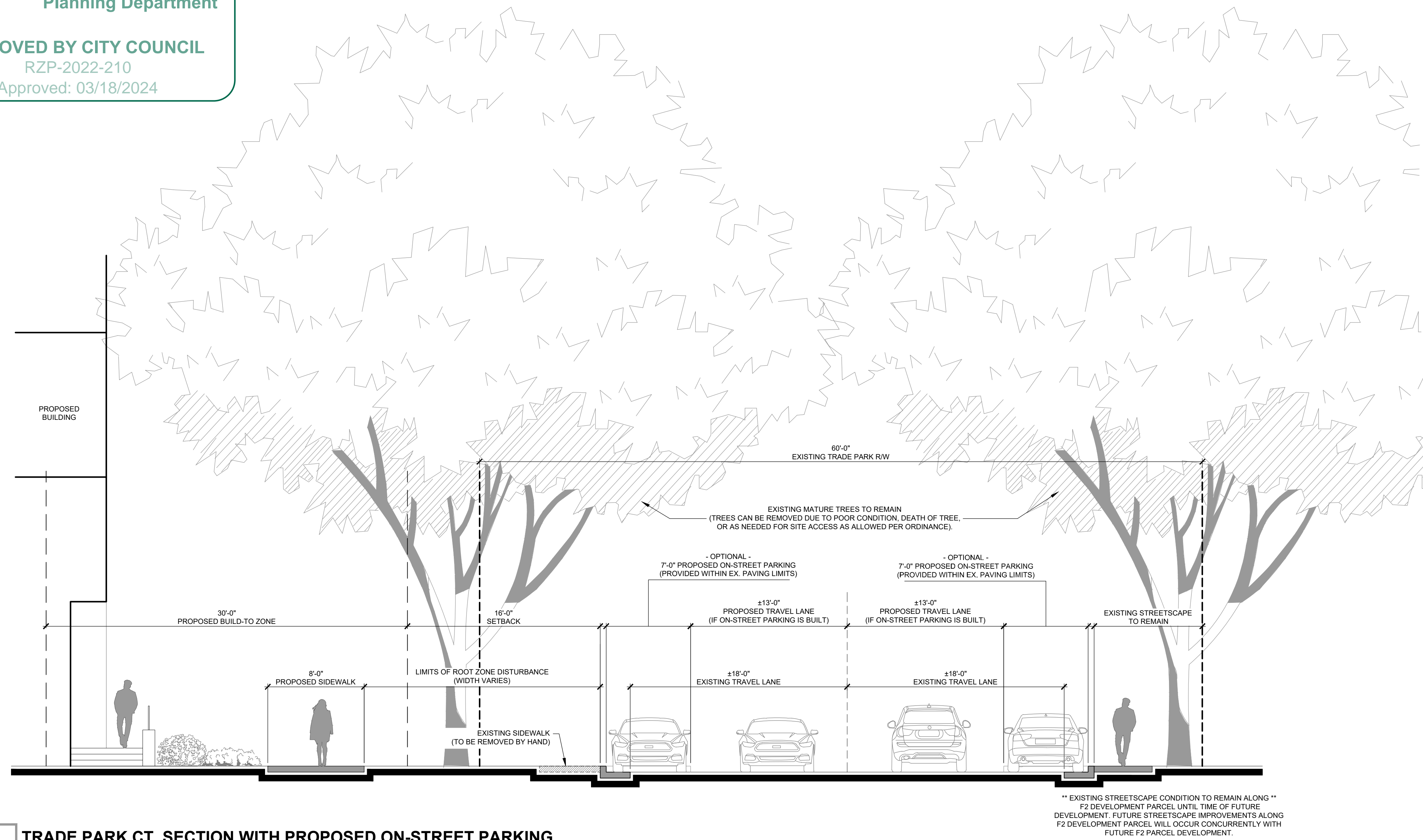
SCALE NORTH

VERT: N/A
 HORZ: AS NOTED

SHEET TITLE
STREET SECTIONS

SHEET NUMBER
RZ-03

GENERAL NOTE:
 MINOR MODIFICATIONS SUCH AS PRESERVATION OF EXISTING BUILDINGS, TREES, PINCH POINTS, ETC. CAN BE PERMITTED WITHOUT A ZONING AMENDMENT. (AS APPROVED BY CDOT DIRECTOR)



D TRADE PARK CT. SECTION WITH PROPOSED ON-STREET PARKING

3/16" = 1'-0"

KEY MAP

SEAL

PRELIMINARY - FOR REVIEW ONLY -

THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF:

XXXXX XXXXXXXX ### 10/5/22
 ENGINEER REG.# DATE

NOT FOR CONSTRUCTION

PROJECT

SOUTH END BUSINESS PARK

RRPVI SEBP CHARLOTTE, LP
 4801 PGA BLVD
 PALM BEACH GARDENS, FL 33418

LANDESIGN PROJ.# 1022222
 REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
5	SUBMITTAL #5	09.11.2023
6	SUBMITTAL #6	10.16.2023
7	SUBMITTAL #7	11.14.2023
8	SUBMITTAL #8	12.15.2023
9	SUBMITTAL #9	1.15.2024
10	SUBMITTAL #10	2.22.2024

DESIGNED BY: LD
 DRAWN BY: MH
 CHECKED BY: ND

SCALE NORTH

VERT: N/A
 HORZ: AS NOTED

SHEET TITLE

STREET SECTIONS

SHEET NUMBER

RZ-04

GENERAL NOTE:
 MINOR MODIFICATIONS SUCH AS PRESERVATION OF EXISTING BUILDINGS, TREES, PINCH POINTS, ETC. CAN BE PERMITTED WITHOUT A ZONING AMENDMENT. (AS APPROVED BY CDOT DIRECTOR)