



REZONING SITE PLAN

RZP-2023-012

CORPORATE CERTIFICATIONS
NC PE : C-2930 NC LA : C-253
SC ENG : NO. 3599 SC LA : NO. 211

Drawn By:

Checked By:

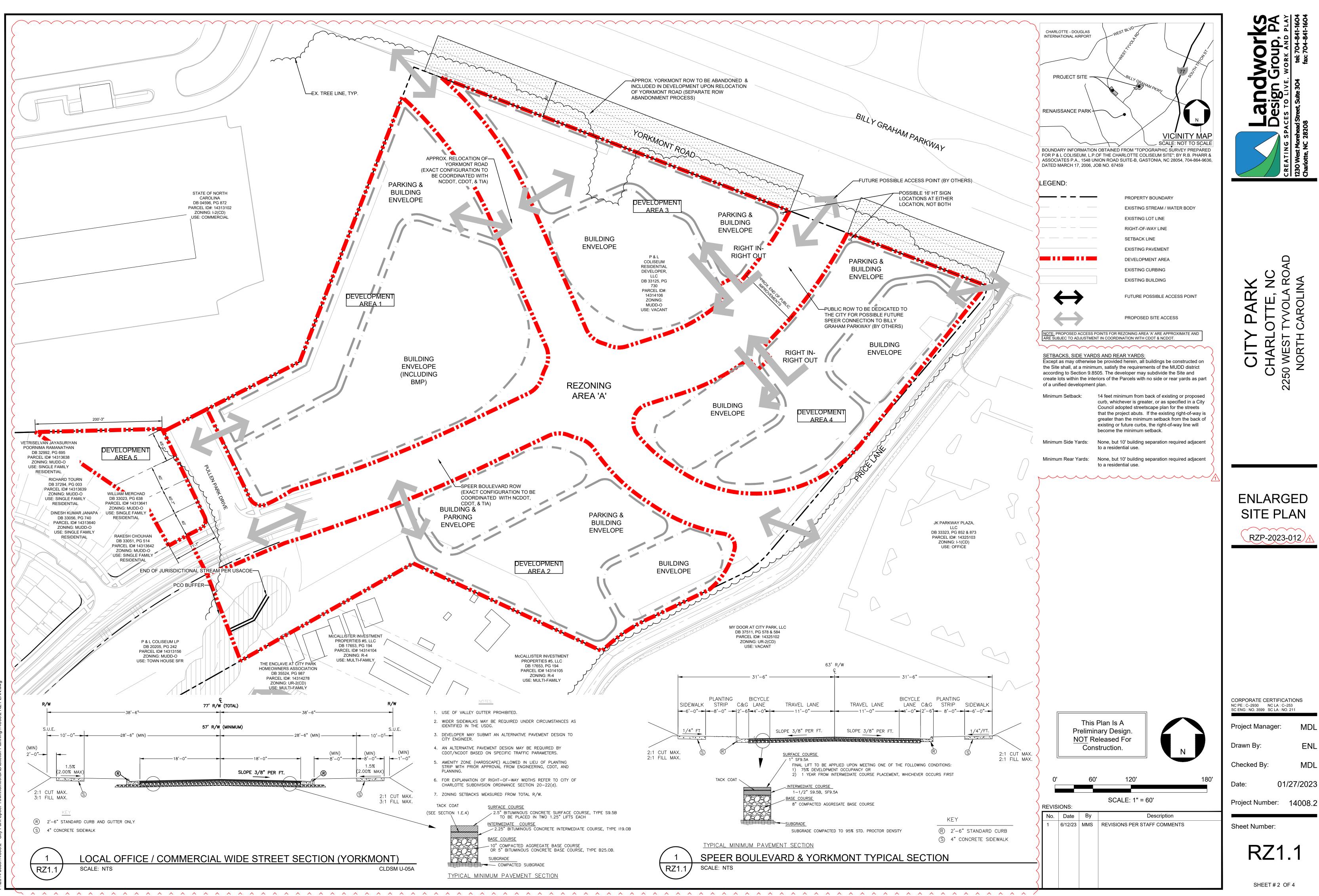
01/27/2023

ENL

Sheet Number:

RZ1.0

SHEET # 1 OF 4



ENLARGED SITE PLAN

CORPORATE CERTIFICATIONS NC PE : C-2930 NC LA : C-253 SC ENG : NO. 3599 SC LA : NO. 211

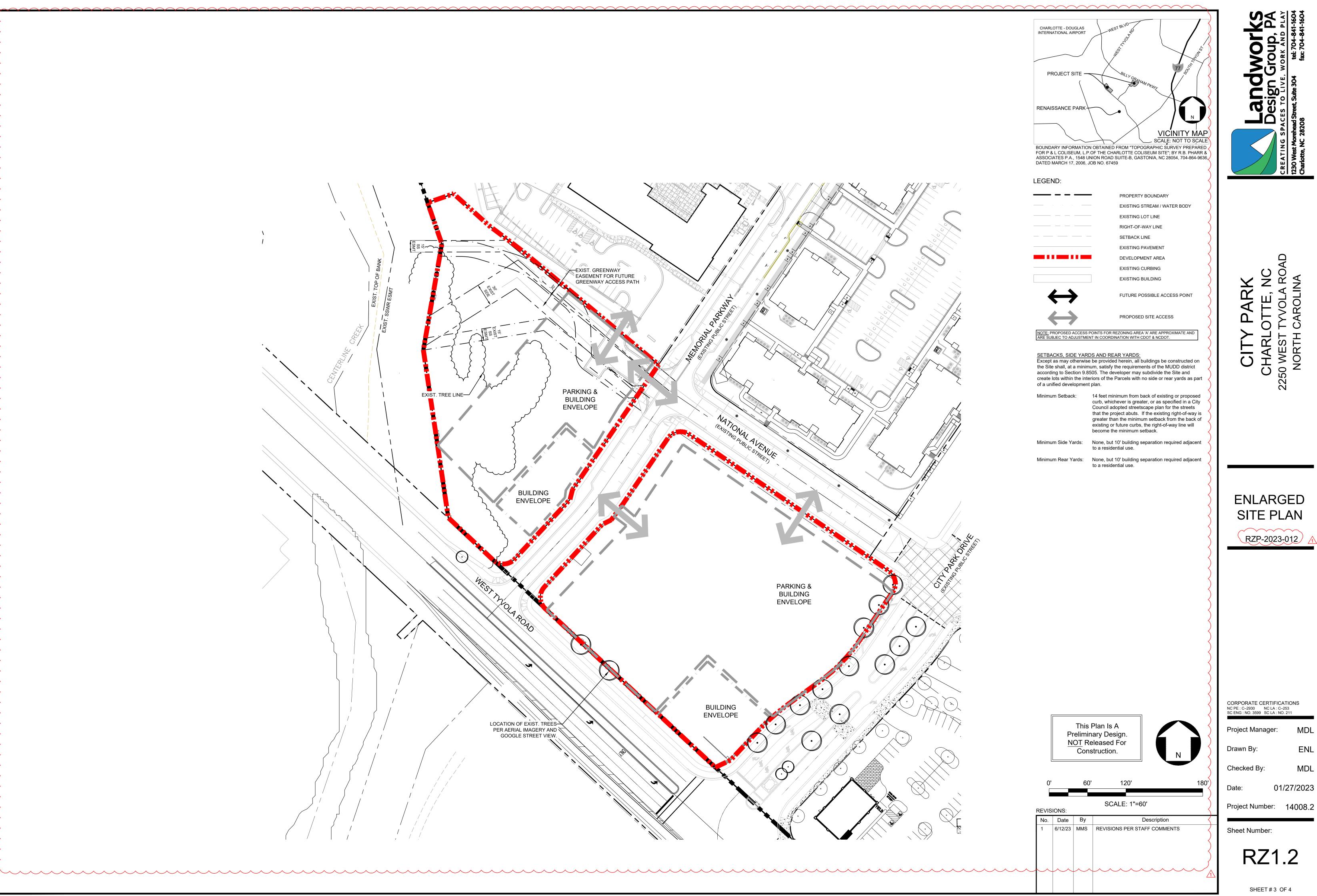
Project Manager: ENL

Checked By:

01/27/2023

RZ1.1

SHEET#2 OF 4



ENLARGED SITE PLAN

RZP-2023-012

CORPORATE CERTIFICATIONS
NC PE : C-2930 NC LA : C-253
SC ENG : NO. 3599 SC LA : NO. 211

Project Manager:

ENL Drawn By:

Checked By:

01/27/2023

Sheet Number:

RZ1.2

SHEET#3 OF4

These development standards form a part of the Rezoning Site Plan (Sheet RZ 1.0) associated with the Rezoning Petition filed by the Petitioner to accommodate redevelopment of the 30 ± acre tracts (collectively called the "Site"), all as more particularly depicted on the Rezoning Site Plan. Development of the Site will be governed by the Rezoning Site Plan, the accompanying exhibits, these development standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The regulations established under the Ordinance for the MUDD zoning district shall govern all development taking place on the Site. Inasmuch as planning for the proposed redevelopment of the Site has not yet advanced beyond the formative stage, the ultimate layouts of the development proposed, the exact alignments of streets and points of access, the configurations and placements of parking areas and the heights and masses of buildings have not yet been determined. As a consequence, the configurations, are schematic in nature and therefore are subject to refinements as part of the total design process. They may, therefore, be altered or modified during design development and construction document phases so long as the maximum parking and building envelope lines established on the Rezoning Site Plan (Sheet RZ 1.0) are not violated and the

During the various phases of the redevelopment process, it is the intention of the Petitioner to retain and preserve any and all proposed alterations or modifications do not exceed the parameters established under these development standards and under the Ordinance for the MUDD district. For purposes of the preceding paragraph, any alterations or modifications which substantially alter the character of the development or significantly alter the conceptual Site Plan, the conceptual Site Plan alternate, or their respective conditions as well as any changes which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Section 6.207(1) or (2) of the Ordinance, as applicable. Compliance with the provisions of this paragraph shall not be deemed to be an administrative Site Plan application or require administrative Site Plan approval as envisioned by Section 6.207 of the Ordinance.

2. Permitted Uses

Except as otherwise provided in the next succeeding paragraph, the Site may be devoted to any uses (including any incidental or accessory uses associated therewith) which are permitted by right or under prescribed conditions in a MUDD

zoning district under the Ordinance. Parcels B and C may have one drive-through on either Parcel B or Parcel C. Drive-through windows shall only be located on the same Parcel as the principal use; and, to minimize visibility along public rights-of-way, shall be located to the rear or side of the principal use. Maneuvering/stacking for the drive-through windows are allowed between buildings and public or private streets if screening is provided. No more than 1 drive-through service lanes shall be permitted per individual

use and freestanding drive-through lanes shall be prohibited. Each such drive-through service lane/window shall be approved and designed in accordance with the requirements of Section 12.413 of the Ordinance.

3. Not Used

4. Maximum Development

The Rezoning Areas identified in this petition may be developed with any combination of the following, within the entitlement calculation formula shown on Sheet RZ 2.0. See note #12 for clarification on entitlement exchanges based on vehicle trips: Rezoning Area A:

- Up to 220 townhome, condominium, or single-family units
- Up to 300 hotel rooms
- Up to 60,000 SF retail
- Note: Development Area 5 within Rezoning Area A may be developed with up to 4 single family lots only.
- Rezoning Area B:
- Up to 30,000 SF retail
- Up to 150 hotel rooms
- Up to 30,000 SF retail (including convenience store)/restaurant (EDEE)
- Rezoning Area C:
- Up to 15,000 SF retail (including convenience store)/restaurant (EDEE) and/or office
- Up to 100,000 SF storage, with activated ground floor architecture along Memorial Parkway.

5. Setbacks, Side Yards and Rear Yards

Except as may otherwise be provided herein, all buildings be constructed on the Site shall, at a minimum, satisfy the requirements of the MUDD district. The developer may subdivide the Site and create lots within the interiors of the Parcels with no side or rear yards as part of a unified development plan.

6. MUDD-Optional Provisions/Waiver of Sight Triangle Requirements

(a) This Petition proposes utilization of the MUDD-O provisions to allow for the following optional deviations: a, deviations that would allow those buildings within the City Park town square retail district which are shown on the

- conceptual Site Plan or the conceptual Site Plan alternate to have off-street parking spaces or maneuvering within areas between these buildings and the public or private street on which they front to have such areas.
- b. deviations that would allow surface level off street parking spaces and maneuvering within areas located between any building constructed within that part of the Site which is bounded by Billy Graham Parkway, re-aligned Yorkmont Road and price lane and the street on which it fronts.
- c. deviations that would allow temporary surface level parking and maneuvering within areas between public or private streets and buildings fronting these streets in instances where the areas are earmarked for future buildings.
- d. a porte-cochere for a hotel

ENTITLEMENT CALCULATIONS

LAND USE

ASTON PROPERTIES RETAIL

RESIDENTIAL FOR-SALE

5 DWELLING UNITS

1.000 SF RETAIL

700 ROOM HOTEI

RETAIL (SF)

OFFICE (SF)

HOTEL (RMS)

RESIDENTIAL HI

RESIDENTIAL MED

EXCHANGE RATE FORMULAS TAKEN FROM KIMLEY HORN MEMO - 8/20/2007

1.000 SF RETAIL

1.560 SF OFFICE

80.000 SF RETAIL

- e. enclosed, sheltered and unenclosed urban spaces and plazas;
- f. drop off areas in front of office buildings;
- g. service areas for uses such as mail delivery, trash disposal, above-ground utilities, loading and delivery;
- h. a deviation that would allow the sidewalks currently located on the Site which run along Tyvola Road to remain in

i. deviations from the signage provisions to allow the following:

j(one detached, ground-mounted project /tenant identification signs each on Yorkmont Road and Billy Graham Parkway. These signs may each extend to a height of up to 25 feet and may include up to 100 square feet in signage area;

- k. other detached project/tenant identification signs shall be limited in size to 10 feet in height and 80 square feet in signage area and must be located internal to the project.
- I. allowable signage types including all types of signage permitted under Chapter 13 and/or, in addition, computer programmable LED Systems with full color, full matrix displays and message boards, including ticker tape type moving messages. However, in no event shall a LED sign or a message board sign be permitted along any portion of the Site's frontage along Tyvola Road, Yorkmont Road or Billy Graham Parkway;

DESCRIPTION

GIVEN VIA ADMIN AMEND.

SF, TH, CONDO, ETC.

APARTMENTS

HI-RISE

- m. one monument style building identification sign of up to 6 feet in height and up to 36 square feet in signage size area for each building located within the Site;
- n. wall mounted signage which conforms to the UMUD district standards of the Ordinance.
- a. In addition to the foregoing MUDD optional deviations, the Petitioner reserves the right to request the director of CDOT to waive all or part of the sight triangle requirements of the Ordinance in accordance with the provisions of Section

7. Grandfather Provisions

grandfathering rights under the Ordinance with respect to all structures, streets, sidewalks, parking areas, and other improvements currently in place on the Site (including the sidewalks in place along Tyvola Road) which are not removed or renovated to accommodate the particular associated Redevelopment Phase.

8. Roadway Improvements

a) <u>IDENTIFIED MITIGATION PER TIS:</u>

(a) Waiver of Sight Triangle Requirements

12.109(7) thereof.

Recommendations for improvements to intersection lane geometry for intersections in the study area for this tis are summarized in the following listing. based on the capacity analyses contained herein, identified improvements to intersection lane geometry for intersections in the study area are summarized below.

TYVOLA ROAD AND SPEER BOULEVARD (PHASE 2B)

- Installation of a traffic signal to be paid for by City of Charlotte
- YORKMONT ROAD/NATIONS FORD ROAD AND SOUTH TRYON STREET (PHASE 2B)
- Implementation of pt+ov phasing for the westbound right-turn movement to be paid for by developer
- Coordination with the South TryonStreet and Billy Graham Parkway signal system to be paid for by developer SOUTH TRYON STREET AND BILLY GRAHAM PARKWAY (PHASE 2B)
- Coordination with the Yorkmont Road/Nations Ford Road and South Tryon Street signal system to be paid for by developer

Realignment of Yorkmont Road and extension of Speer Boulevard from existing termination to realigned Yorkmont to be

YORKMONT ROAD AND SPEER BOULEVARD EXTENSION (PHASE 2B)

- paid for by developer
- Construction of a single-lane roundabout or installation of two-way stop-control to be paid for by developer

The mitigation identified within the study area is shown in **figure 9.1**. the improvements shown on this figure are subject to approval by NCDOT and CDOT. All additions and attachments to the state and city roadway system shall be properly permitted, designed, and constructed in conformance to standards maintained by the agencies.

- b) 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.
- c) The Petitioner shall dedicate and convey in fee simple all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible.
- d) All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes
- e) 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 southwestern Mecklenburg area, by way of a private/public partnership effort or other public sector project support
- The petitioner needs to complete and submit the Right of way Abandonment Petition form to NCDOT for review. The Right of Way Abandonment process is controlled by North Carolina General Statutes and is independent of this

9. Not Used

- 10. Not Used
- 11. Not Used

12. Phasing Adjustments

To provide flexibility for addressing emerging markets, the square footage allotments for retail and office development, the number of hotel rooms and the number of dwelling units specified for each use in a particular phase can be changed from one use to another use provided that the total net new external trips generated by the Site within that phase do not exceed the total net new external trips that would have been generated by the land uses specified for the phase involved and provided further that in no event may any use category or component of the mixed/multi use development contemplated for the Site exceed, in the aggregate, the maximum square footage or number of units established for that particular use category or component under Section 4 above. By way of an example, the maximum amount of office space that could be built on the Site would be 400,000 square feet. In the event that one or more of the transportation improvements tied to a particular phase are completed during a preceding phase, the phasing provisions contained in Section 11 above may be altered to accommodate additional development warranted by such improvement or improvements by way of an administrative Site Plan amendment the application of which must be joined in by CDOT.

13. Not Used

ORIGINAL ENTITLEMENT

PHASE 1 | PHASE 2 | PHASE 3 | TOTAL

750

110.000

250,000

175

1,000

20.000

70.000

150,000

175

750

14. Design and Performance Standards

20,000

180.000

400,000

350

1,090

1,210

200

The intent of the City Park Redevelopment concept is to create a variety of architectural experiences. The redevelopment will utilize primarily stone, brick, stucco and/or architectural face block construction materials. Accordingly, the architectural concept may be altered or simplified during design development and construction phases. Except as otherwise provided under Section 6 above, all buildings constructed on this Site shall conform to the MUDD urban design and development

- standards outlined in Section 9.8506 of the Ordinance. (a) Except as otherwise provided under Section 6 above, surface level off-street parking shall not be located between buildings fronting on public or private streets and the public or private streets on which the buildings front. However, parking may be located to the side and/or rear of buildings located along the public or private streets.
- (b) Any lighting attached to a rear exterior building wall facing a residential component shall be capped and downwardly

COMMENTS

REZ #2016-071

LAND USE

ASTON PROPERTIES

RETAIL (SF)

OFFICE (SF)

HOTEL (RMS)

RESIDENTIAL

RESIDENTIAL HI

RESIDENTIAL HI

RESIDENTIAL MED

FOR-SALE

- (c) All street and parking lot lighting fixtures will be fully shielded.
- (d) Pedestrian scale lighting will be provided within the Site along public and private streets.
- (e) Dumpster areas will be enclosed on all four sides by an opaque wall with one side being a hinged opaque gate. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a
- (f) Internal areas of the Site shall be landscaped in accordance with the requirements of the Ordinance.
- (g) All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- (h) All other screening and landscaping shall conform to the standards of the Ordinance.
- (i) Expanses of blank walls exceeding 20 feet in length that would not add to the character of the streetscape will be eliminated through use of any one or more of the following design elements: awnings, display windows, ornamentation, molding, string courses, belt courses, fountains, street furniture, landscaping and garden areas, and display areas. Provided, however, that the use of opaque or reflective glass may not be utilized as a means for addressing blank walls.
- (j) Except as otherwise provided under Section 5 and Section 6 above, the streetscape treatment along any public street frontage will meet or exceed the standards of the Ordinance and include large maturing trees, supplemental shrubbery, sidewalks of at least six feet in width and planting strips of at least 8 feet in width. Sidewalks may meander to preserve existing trees
- (k) Off-street parking may be provided either through surface lots or through parking structures.

Ordinance. A uniform signage and graphic system will be employed throughout the Site.

15. Signs

Ordinance

All signs and graphics placed on the Site will be erected in accordance with the requirements of the MUDD district except as otherwise permitted under the MUDD-Optional provisions set forth under Paragraph (A) of Section 6 above and except for Petitioner's reservation of an option to seek such variances from the City's sign regulations as may be permitted by the

16. Parking Except as otherwise provided under Section 6, off street parking and loading will meet the standards established under the

17. Stormwater Detention and Quality Protection Measures

- (a) S.W.I.M. Buffers shall be provided as required by the Ordinance.
- (b) Storm water runoff will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte Ordinances and the Charlotte Mecklenburg Storm Water Design Manual in place at the time this Rezoning Petition was filed, except as modified below. Where required, surface level storm water detention may be located in common open space areas but not within setback or S.W.I.M. Buffer areas. Specifically, the Petitioner shall provide for the following based on the drainage basins identified on the Supplemental Data Sheet (RZ 5.0 of RZ Petition 2007-082):
- (c) Parcel A (area draining to unnamed tributary adjacent to Renaissance Park) for watersheds exceeding 24% built-upon area, the Petitioner will provide stormwater volume control for the 1-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 24-hours, but not more than 120 hours. For watersheds exceeding 24% built-upon area, the Petitioner will construct water quality best management practices (BMPs) to achieve 85% total suspended solids removal for the runoff generated from the first 1-inch of rainfall. BMP's shall be designed and constructed in accordance with the Mecklenburg county BMP design manual, July 2007.
- (d) 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 plan for permitting and are not approved with rezoning decision.
- (e) Basin 1 (Former Coliseum and parking lot draining to Sugar Creek)-For watersheds exceeding 24% built-upon area within subareas 1A, 1B, and 1C, the petitioner will utilize bioretention area(s), sand filters, or other alternate BMPs to provide treatment of storm water runoff from surface parking areas. The BMP(s) shall be designed and constructed in accordance with the Mecklenburg County BMP Design Manual, July 2007, to achieve 85% total suspended solids removal for the runoff generated from the first 1-inch of rainfall. The petitioner shall be permitted to relocate, eliminate, or combine required tree planting islands to create sufficient areas within the parking areas with the parking lot to accommodate the BMP(s). As an option to installing bioretention areas, sand filters, or alternate BMPs due to slope or other considerations, the petitioner shall be permitted to install pervious concrete according to specifications from storm water services in lieu of the BMPs to treat surface parking areas. As an additional option to installing bioretention areas, sand filters, or alternate BMPs due to slope and other considerations in sub-areas 1B and 1C only, the petitioner shall be permitted to install proprietary filter-type BMPs of the standard conventional BMPs to treat surface parking areas as follows: for sub-area 1B, the petitioner may utilize proprietary catch basin filter-type BMPs for the upstream half of sub-area 1B (a.k.a. retail block A), and , proprietary in-line filter-type BMPs for the downstream half of sub-area 1B (a.k.a retail block A-1). For sub-area 1C, if the petitioner chooses to utilize proprietary catch basin filter-type BMPs in the upstream half of sub-area 1B, then no BMPs or water quality treatment of the stormwater runoff from the downstream half of sub-area 1C (aka retail block B) are required; however, the petitioner will provide a storm system design and sampling manholes as required by Charlotte Storm Water Services to allow for monitoring of the runoff from the portion of the sub-area. In addition, water quality treatment of the stormwater runoff from the upstream half of sub-area 1C (a.k.a. retail block C) is required and the petitioner may utilize proprietary in-line filter-type BMPs for treatment of stormwater runoff from this portion of sub-area 1C. All proprietary filter-type BMPs in sub-areas 1B and 1C shall be designed, sized, and constructed to treat the runoff generated from the first 1-inch of rainfall from surface parking areas within these sub-areas.

Within subarea 1D the conceptual site plan anticipates that no surface parking lots will be constructed. Accordingly, in lieu of providing BMP(s) for this area, the petitioner shall install 1-1/2 inch caliper trees not to exceed 500 stems, in areas cleared by the City of Charlotte in connection with the proposed channel restoration project at the tributary adjoining the east property boundary. The trees will consist of mixed native hardwoods and planted according to the landscape plan developed by Charlotte Storm Water Services. Additionally, the petitioner agrees to donate a 50-foot wide conservation easement ,measured from the property line along the east property boundary from the confluence with Tyvola Road to the upper limit of iurisdictional stream channel. All stormwater discharges from the project site to the conservation easement, except those discharges previously approved and permitted by the city prior to the date of this administrative rezoning note amendment, shall be discharged at the landward outside edge of the easement and shall be discharged through diffuse flow methods into the easement (ie: level spreaders, etc.) in a manner that will prevent erosion of soils within the

ENTITLEMENT

SWAP

15

6

166

211

144

Ω

RETAIL DEBIT

(SF)

ENTITLEMEN'

EXCHANGE

3,000

1,200

18,971

42,200

28,800

ALLOWED

20,000 SF

70,000 SF

150,000

175 RMS

750 UNITS

18. Buffers

LAND USE

(PERMITTED

TO DATE)

11,064

0

341

426

1,006

144

0

DESCRIPTION

SF, TH, CONDO, ETC.

APARTMENTS

SINGLE STORY RENTAL

HI-RISE

Buffer areas will be provided in accordance with the requirements of the Ordinance.

OFFICE DEBIT

(SF)

ENTITLEMENT

EXCHANGE

0

0

68,667

81,333

19. Amendments to Rezoning Plan

ENTITLEMENT

SWAP

0

0

206

244

PROPOSED

LAND USE

Future amendments to the Rezoning Site Plan and these development standards may be applied for by the then owner or owners of the particular Parcel or (sub-parcel) within the Site involved in accordance with the provisions of Chapter 6 of the

Timing: Extension of Speer to Billy Graham Parkway be completed by Others

Site will comply with the Tree Ordinance including Tree Save Requirements

20. Binding Effect of the Rezoning Documents and Definition

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Site Plan, the accompanying exhibits and these development standards will, unless amended in the manner provided under the

Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns.

Throughout these development standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the Owner or Owners of any part the Site from time to time who may be involved in any future development thereof.

21. Vested Rights Provision

If this Rezoning Petition is approved by the Charlotte City Council then, pursuant to Section 1.110 of the Ordinance, the Petitioner hereby requests a five-year vested right to undertake and complete the development of this Site under the terms and conditions as so approved, commencing upon approval of this Rezoning Petition by the Charlotte City Council. The Petitioner makes this request for a five-year vested right due to the size and phasing of the proposed development, market conditions and the level of investment involved.

22. Design and Performance Standards

• the intent of the city park redevelopment concept is to create a variety of architectural experiences. the redevelopment will utilize primarily stone, brick, stucco and/or architectural face block construction materials. the attached perspective rendering is intended to describe the conceptual architectural theme proposed for city park, however, it should be noted that the perspective shown is schematic in nature. accordingly, the architectural concept may be altered or simplified during design development and construction phases.

- except as otherwise provided under section 6 above, all buildings constructed on this site shall conform to the mudd urban design and development standards outlined in section 9.8506 of the ordinance.
- except as otherwise provided under section 6 above, surface level off-street parking shall not be located between buildings fronting on public or private streets and the public or private streets on which the buildings front. however, parking may be located to the side and/or rear of buildings located along the public or private streets.

any lighting attached to a rear exterior building wall facing a residential component shall be capped and downwardly directed.

pedestrian scale lighting will be provided within the site along public and private streets.

all street and parking lot lighting fixtures will be fully shielded;

- dumpster areas will be enclosed on all four sides by an opaque wall with one side being a hinged opaque gate. if one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side.
- internal areas of the site shall be landscaped in accordance with the requirements of the ordinance.
- all roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties
- all other screening and landscaping shall conform to the standards of the ordinance.
- the street elevations of the first floors of all buildings in which ground floor retail uses are to be located on city park drive and city parkway will be designed to encourage and complement pedestrian - scale interest and activity by the use of doors which shall remain open during business hours and transparent store front glass so that the uses are visible from and accessible to
- expanses of blank walls exceeding 20 feet in length that would not add to the character of the streetscape will be eliminated through use of any one or more of the following design elements:

display windows, ornamentation molding, string courses, belt courses, fountains, street furniture,

PHASE 1 | PHASE 1 | OVERALL

5,936

(21,171)

(166)

REMAINING | REMAINING |

TOTAL

5,936

180,000

400,000

664

200

20,000

180,000

400,000

350

1,090

1,210

200

landscaping and garden areas, and display areas.

provided, however, that the use of opaque or reflective glass may not be utilized as a means for addressing blank walls. meter boxes, back flow preventors, and similar items will be screened from public view. except as otherwise provided under section 5 and section 6 above, the streetscape treatment along any public street frontage

will meet or exceed the standards of the ordinance and include large maturing trees, supplemental shrubbery, sidewalks of at

least six feet in width and planting strips of at least 8 feet in width. sidewalks may meander to preserve existing trees.

off-street parking may be provided either through surface lots or through parking structures.

private streets, as identified on the technical data sheet, will be designed in accordance with the cdot urban street design guidelines (adopted by city council on october 22, 2007). all private streets may be converted to public streets at the petitioner's option, provided they are designed to city standards.

REVISIONS: No. Date By 6/12/23 MMS REVISIONS PER STAFF COMMENTS CORPORATE CERTIFICATIONS NC PE: C-2930 NC LA: C-253 SC ENG: NO. 3599 SC LA: NO. 211 **Project Manager**

|DEVELOPMENT

STANDARDS

RZP-2023-012

Drawn By:

Checked By 01/27/2023

Project Number: 14008.2

Sheet Number:

SHEET#4 OF 4