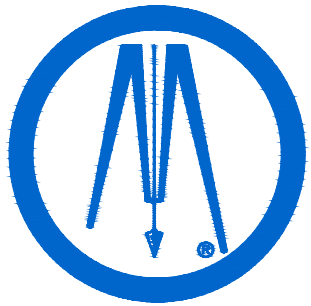
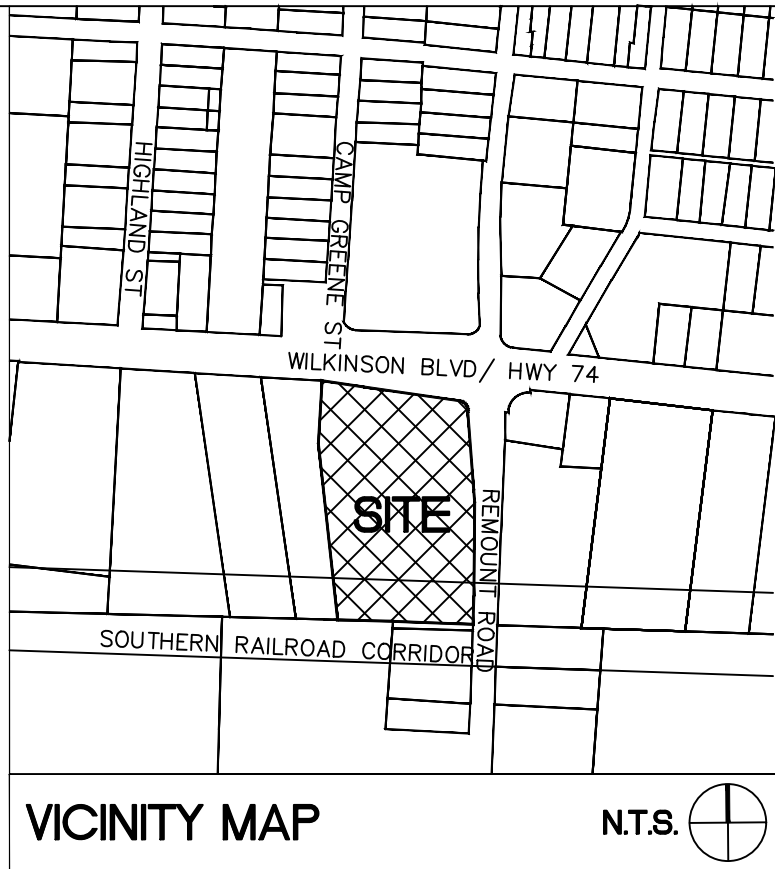


# 2501 WILKINSON TOD-NC REZONING

CITY OF CHARLOTTE,  
MECKLENBURG COUNTY



**ColeJenest&Stone**  
BOLTON & MENK, INC.

1801 N Graham St., Suite 320  
Charlotte, NC 28206  
Phone: (704) 376-1555  
www.bolton-menk.com

## TRIBEK PROPERTIES

101 KINGS DRIVE  
SUITE 200  
CHARLOTTE, NORTH CAROLINA

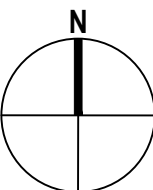
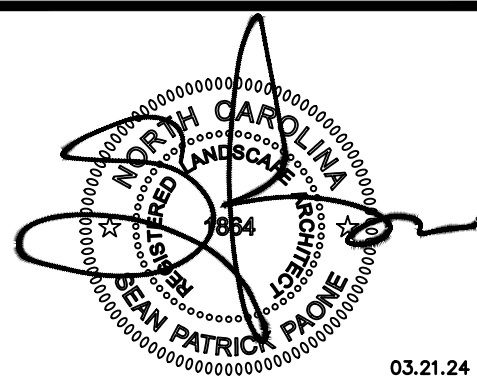
2501 WILKINSON  
REZONING  
RZN-2023-015

2501 WILKINSON BLVD  
CHARLOTTE, NORTH CAROLINA

## COVER SHEET

PROJECT NO:  
4970.00

REVISIONS:	
12/11/23	RESUBMITTAL TO CITY STAFF
01/15/24	RESUBMITTAL TO CITY STAFF
02/22/24	RESUBMITTAL TO CITY STAFF
03/21/24	RESUBMITTAL FOR ZONING COMMISSION



SCALE: 1"=60'  
0 30' 60' 120'

DATE:	09/11/23
DESIGNED BY:	BMI
DRAWN BY:	BMI
CHECKED BY:	

RZ - 000

FILE NO.:

### REZONING PLAN SHEETS

RZ-000	COVER SHEET
RZ-100	EXISTING CONDITIONS
RZ-200	REZONING PLAN
RZ-300	DEVELOPMENT NOTES

### REZONING SUMMARY:

PETITIONER:	TRIBEK PROPERTIES
PROPERTY OWNER:	SBBH WILKINSON LLC GRIFFITH E C CO.
REZONING SITE AREA:	4.545 ± AC
TAX PARCEL#:	11701108, 11701109, 11701110
EXISTING ZONING:	ML-2 (MANUFACTURING AND LIGHT INDUSTRIAL
EXISTING USE:	VACANT
PROPOSED ZONING:	TOD-NC (TRANSIT ORIENTED DEVELOPMENT - NEIGHBORHOOD CENTER)
PROPOSED USE:	TOD-NC PERMITTED USES

### PROJECT TEAM:

APPLICANT:	TRIBEK PROPERTIES, INC. 101 S. KINGS STREET, SUITE 200 CHARLOTTE, NC 28204
APPLICANT CONTACT:	SCOTT BORTZ 704-714-2860 SCOTTBORTZ@TRIBEK.COM
LAND USE ATTORNEY:	ROBINSON BRADSHAW 101 N. TRYON STREET, SUITE 1900 CHARLOTTE, NC 28246
LAND USE ATTORNEY CONTACT:	JOHN CARMICHAEL 704-377-8341 JCARMICHAEL@ROBINSONBRADSHAW.COM
LAND PLANNER:	BOLTON & MENK, INC dba COLEJENEST & STONE 200 S. TRYON STREET, SUITE 1400 CHARLOTTE, NC 28202
LAND PLANNER CONTACT:	SEAN PAONE, PLA 704-376-1555 SEAN.PAONE@BOLTON-MENK.COM

### CITY OF CHARLOTTE (CENTRAL PLANNING AREA)

REZONING PLANNER:	HOLLY CRAMER 704-353-1902 HOLLY.CRAMER@CHARLOTTENC.GOV
COMMUNITY PLANNER:	MARIA FLOREN 704-336-1440 MARIA.FLOREN@CHARLOTTENC.GOV
URBAN PLANNER:	WILL LINVILLE 704-336-8319 WILL.LINVILLE@CHARLOTTENC.GOV
SUBDIVISION PLANNER:	BRENT WILKINSON 704-336-8328 BRENT.WILKINSON@CHARLOTTENC.GOV

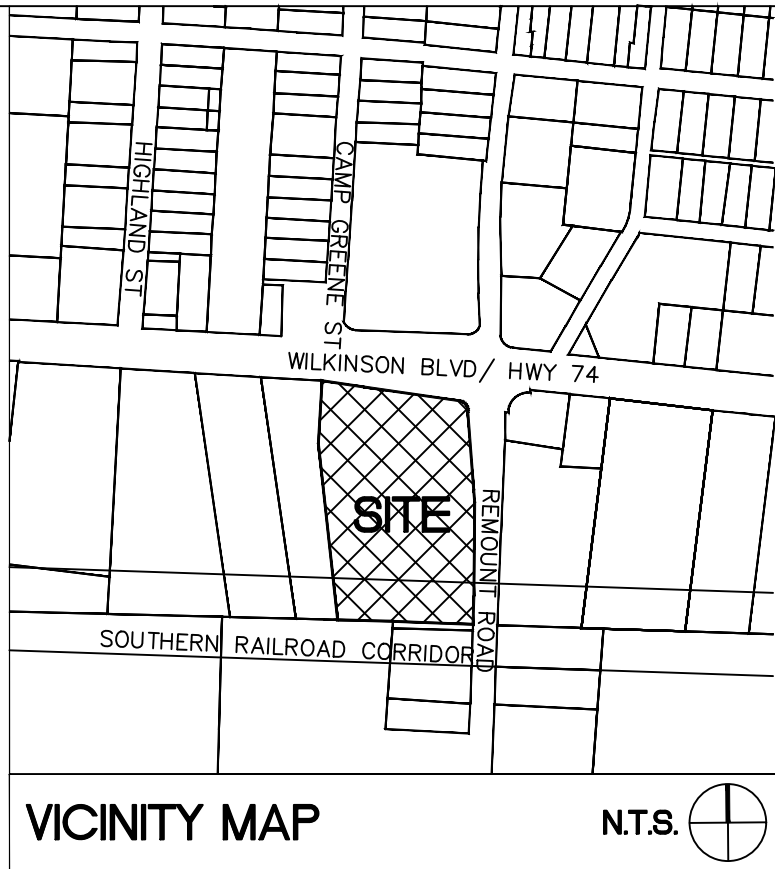
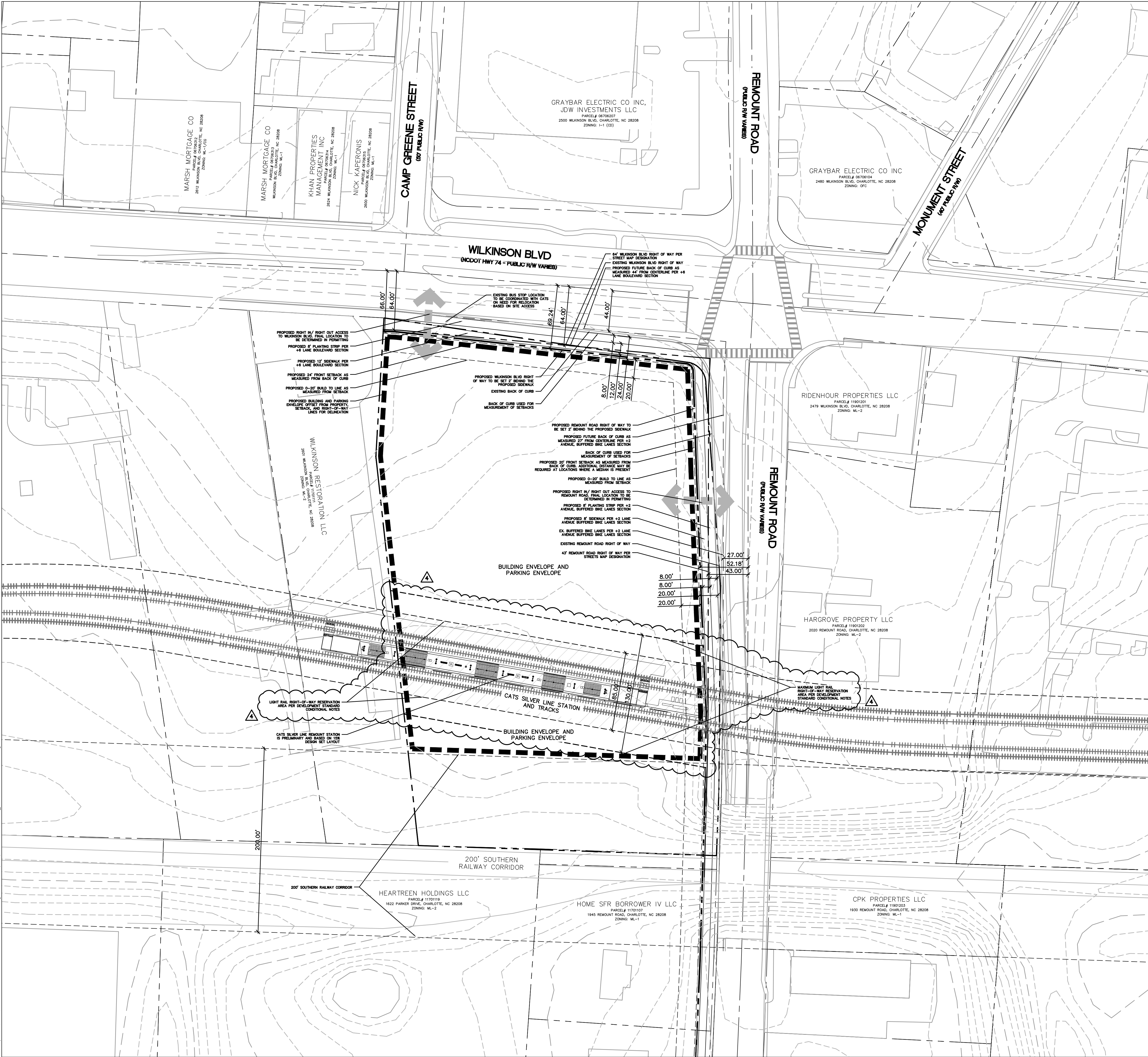


- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
- SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 CFR, PART 1926, SUBPART P, OR AS AMENDED.









LEGEND

SYMBOL	
	PROPERTY LINE/RIGHT-OF-WAY
	BUILDING/PARKING ENVELOPE
	LIGHT RAIL RIGHT-OF-WAY RESERVATION
	200' SOUTHERN RAILROAD CORRIDOR
	EXISTING BUILDING

REZONING SUMMARY:

PETITIONER:	TRIBEK PROPERTIES
PROPERTY OWNER:	SBBH WILKINSON LLC GRIFFITH E C CO.
REZONING SITE AREA:	4.545 ± AC
TAX PARCEL#:	11701108, 11701109, 11701110
EXISTING ZONING:	ML-2 (MANUFACTURING AND LIGHT INDUSTRIAL)
EXISTING USE:	VACANT
PROPOSED ZONING:	TOD-NC (TRANSIT ORIENTED DEVELOPMENT - NEIGHBORHOOD CENTER)
PROPOSED USE:	TOD-NC USES
BUILDING SETBACK:	24' FROM BOC (WILKINSON BLVD) 20' FROM BOC (REMOUNT ROAD)
BUILD TO LINE:	0-20' FROM SETBACK
MIN. SIDE YARD:	NONE
MIN. REAR YARD:	NONE
MAX. HEIGHT:	75' 100' WITH BONUSES
OPEN SPACE REQUIRED:	AS REQUIRED BY CODE
OPEN SPACE PROVIDED:	AS REQUIRED BY CODE
*REQUIRED OPEN SPACE MAY BE LOCATED WITHIN INTERIOR COURTYARDS	
PARKING REQUIRED:	AS REQUIRED BY CODE
PARKING PROVIDED:	AS REQUIRED BY CODE



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SUITE 200  
CHARLOTTE, NORTH CAROLINA

2501 WILKINSON  
REZONING  
RZN-2023-015

2501 WILKINSON BLVD  
CHARLOTTE, NORTH CAROLINA

**REZONING  
SKETCH PLAN**

PROJECT NO:  
4970.00

REVISIONS:

12/11/23	RESUBMITTAL TO CITY STAFF
01/15/24	RESUBMITTAL TO CITY STAFF
02/22/24	RESUBMITTAL TO CITY STAFF
03/21/24	RESUBMITTAL FOR ZONING COMMISSION

03.21.24

SCALE: 1"=50'

DATE:	09/11/23
DESIGNED BY:	BMI
DRAWN BY:	BMI
CHECKED BY:	

**RZ - 200**

FILE NO.:



DEVELOPMENT STANDARDS

March 21, 2024

1. GENERAL PROVISIONS

A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Tribek Properties (the "Petitioner") for an approximately 4.545-acre site located on the southwest corner of the intersection of Wilkinson Boulevard and Remount Road, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel Nos. 117-011-08, 117-011-09 and 117-011-10.

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

C. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the TOD-NC zoning district shall govern the development and use of the Site.

D. A Building and Parking Envelope is depicted on the Rezoning Plan. All principal buildings, accessory structures, structured parking facilities and surface parking areas developed on the Site shall be located within the Building and Parking Envelope. This Rezoning Plan does not limit the number of principal buildings, accessory structures, structured parking facilities and surface parking areas that may be developed on the Site within the Building and Parking Envelope. The number of principal buildings, accessory structures, structured parking facilities and surface parking areas that may be developed on the Site within the Building and Parking Envelope shall be governed by the applicable provisions of the Ordinance.

E. A CATS Silver Line Station (the "Station") and tracks are proposed to be located within the Building and Parking Envelope.

F. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the applicable provisions of Article 37 of the Ordinance.

G. Pursuant to Section 37.6 of the Ordinance and Section 160D-108.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions.

2. PERMITTED USES

A. The Site may be devoted to any use or uses permitted by right, any use or uses permitted by right with prescribed conditions, any use or uses permitted with a conditional zoning and any use or uses permitted with a conditional zoning with prescribed conditions in the TOD-NC zoning district, together with any incidental and accessory uses relating thereto that are allowed in the TOD-NC zoning district.

3. RESERVATION OF CATS RIGHT OF WAY

A. **Right-of-Way Reservation Area Provision.** Petitioner shall reserve (but not dedicate and convey) for future acquisition by the City of Charlotte or the Charlotte Area Transit System for the sole benefit of the City of Charlotte or the Charlotte Area Transit System or a successor entity such as a regional transit authority (hereinafter collectively referred to as "CATS") the area on the Site within the Building and Parking Envelope that is more particularly identified on Sheet RZ-200 of the Rezoning Plan as the "Light Rail Right-of-Way Reservation" (the "Reservation Area").

The Reservation Area is comprised of a horizontal component and a vertical component. The purposes of the vertical component of the Reservation Area are to allow a building developed on the Site to span the Reservation Area and to allow the Station to be incorporated into the building provided that the minimum clearance between the top of the Station platform and the building meets the requirements of paragraph 3.A.(1)(a) below.

The width of the Reservation Area shall be determined by CATS during the land development process, however, the maximum width shall be 85 feet as depicted on the Rezoning Plan provided that the conditions set out in below in paragraph 3.A.(1) are satisfied.

(1) Petitioner and CATS shall enter into subsequent agreements during the land development process to govern the integration of infrastructure, construction, operations and maintenance with the Station and tracks. Conditions considered during the land development process shall include:

(a) The dimensions of the Station's portal/tunnel/opening necessitates a minimum clearance for the safe operation of the light rail system consistent with the existing LYNN Blue Line light rail infrastructure. Details of the design will be coordinated during the land development process.

(b) A design that accommodates public transit infrastructure compliance with all Federal, state and local government requirements.

B. If the conditions set out above in paragraph 3.A.(1) are not satisfied, then the width of the Reservation Area may exceed 85 feet up to a maximum width of 130 feet as determined by CATS during the land development process. The maximum 130 foot wide Reservation Area is depicted with dashed lines on the Rezoning Plan.

C. During the land development process, Petitioner shall illustrate a means for future ADA compliant public access from Remount Road to the Reservation Area and Petitioner will coordinate, prepare and record a Public Access Easement for CATS future construction of that accessibility upon funding and construction of the Station.

D. Petitioner shall satisfactorily resolve any utility conflicts to accommodate public transit infrastructure.

E. **Reservation Area Time Period.** Petitioner shall maintain the reservation of the Reservation Area in perpetuity (except as provided in the reversion language in paragraph 3.H. below).

F. Subject to the terms of paragraph 3.A. above, only the following construction, installation, and development activities are allowed within the Reservation Area, and no others: a passenger service rail line and station; grading and the installation and maintenance of pavement, driveways, sidewalks, surface parking areas for bicycles, scooters or similar vehicles, but excluding automobiles and trucks; landscaping and comparable non-vertical improvements. For clarification only, none of the following may be placed, developed, constructed, installed, or maintained anywhere within the Reservation Area: (1) buildings or other vertical structures, (2) utility lines or facilities other than overhead lines exclusively serving passenger rail vehicles, (3) storm water detention facilities, or (4) Wi-Fi, telecommunication or similar antennas or transmission devices for use by third parties to provide services to customers. Notwithstanding the foregoing, nothing herein shall prohibit a building developed on the Site to span the Reservation Area provided that the requirements of paragraph 3.A. above are satisfied.

G. Nothing (including, by example only, any pavement, driveways, sidewalks, surface parking areas, landscaping, or other non-vertical improvements) may be placed, developed, constructed, installed, or maintained anywhere within the Reservation Area that, if the same is ever removed, would cause the Site or any part of it at the time of its installation to have violated any applicable law, ordinance, or regulation, including by example only, any zoning or land use regulation or any provision of the approved Rezoning Plan.

H. If any portion of the Reservation Area is removed by CATS or the Metropolitan Transit Commission (the Metropolitan Transit Commission and, as applicable, any successor organizations to it are hereinafter referred to as the "MTC") from the MTC's adopted plans and is not, within ninety (90) days, restored to an MTC transit plan, the requirements of this Section 3 shall cease applying to that portion of the Reservation Area, and this shall be documented by an administrative amendment to the Rezoning Plan. If the relevant portion of the Reservation Area has already been acquired by CATS, then the deed and/or plat associated with the conveyance to CATS shall contain reversion language such that Petitioner, or its successor by assignment of this reversion right, shall have the right to take possession of the land for no consideration.

I. Notwithstanding the terms and provisions of paragraphs 3.F. and 3.G. above, Petitioner may construct, install and maintain vertical improvements that do not encroach into the Reservation Area as described above) within the Reservation Area upon the approval of CATS and any other applicable government authorities and agencies.

4. TRANSPORTATION

A. Petitioner will coordinate with CDOT during permitting for determination of need for a Traffic Impact Study based on Ordinance requirements and proposed land uses and density.

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. Petitioner will dedicate to the City of Charlotte via fee simple conveyance any additional street right-of-way indicated on the Rezoning Plan as street right-of-way to be dedicated, and the additional street right-of-way will be dedicated prior to the issuance of the first certificate of occupancy for a new building constructed on the Site. Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the street right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

D. All transportation improvements will be approved and constructed prior to the issuance of the first certificate of occupancy for a new building constructed on the Site.

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 western Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

5. ENVIRONMENTAL

A. Development of the Site shall comply with the applicable provisions of the City of Charlotte Tree Ordinance

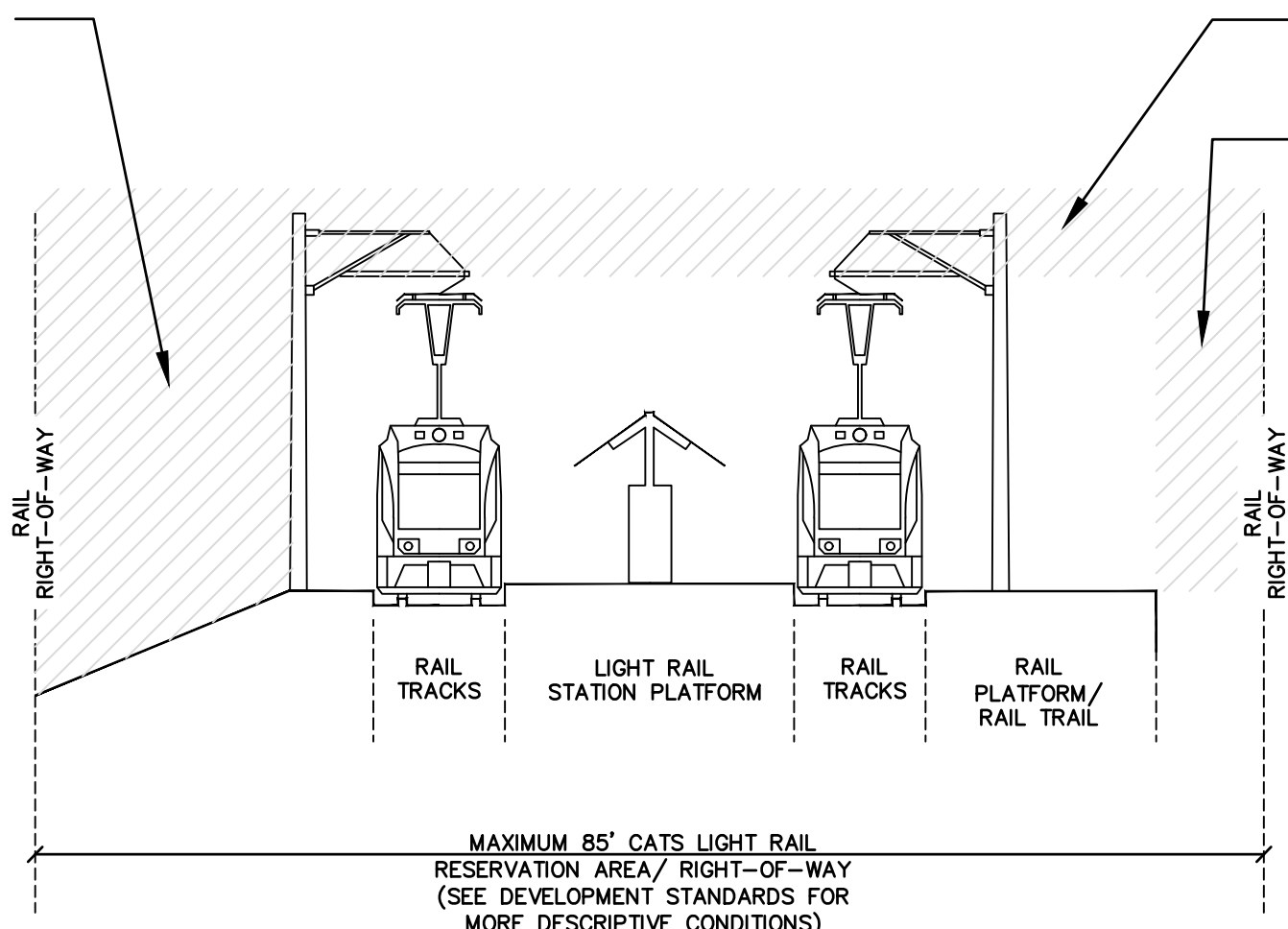
6. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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

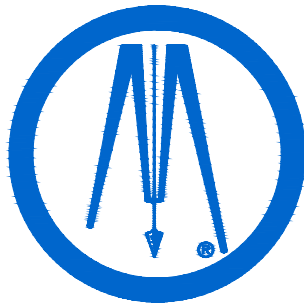
B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

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

BUILDING STRUCTURE MAY ENCROACH INTO RESERVATION AREA/ RIGHT-OF-WAY BASED ON COORDINATION OF INTERACTION WITH REMOUNT STATION PLATFORM AND EXECUTION OF LICENSE ENCROACHMENT AGREEMENT



CATS RAIL RIGHT-OF-WAY PORTAL  
SCALE: NTS



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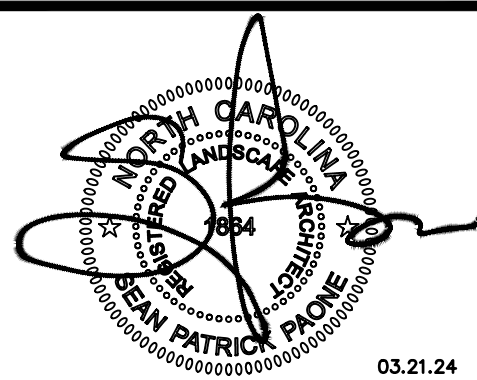
DEVELOPMENT  
NOTES

PROJECT NO:

4970.00

REVISIONS:

12/11/23 RESUBMITTAL TO CITY STAFF  
01/15/24 RESUBMITTAL TO CITY STAFF  
02/22/24 RESUBMITTAL TO CITY STAFF  
03/21/24 RESUBMITTAL FOR ZONING COMMISSION



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RZ - 300

FILE NO.: