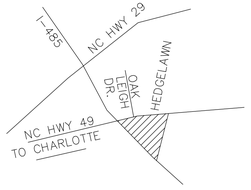
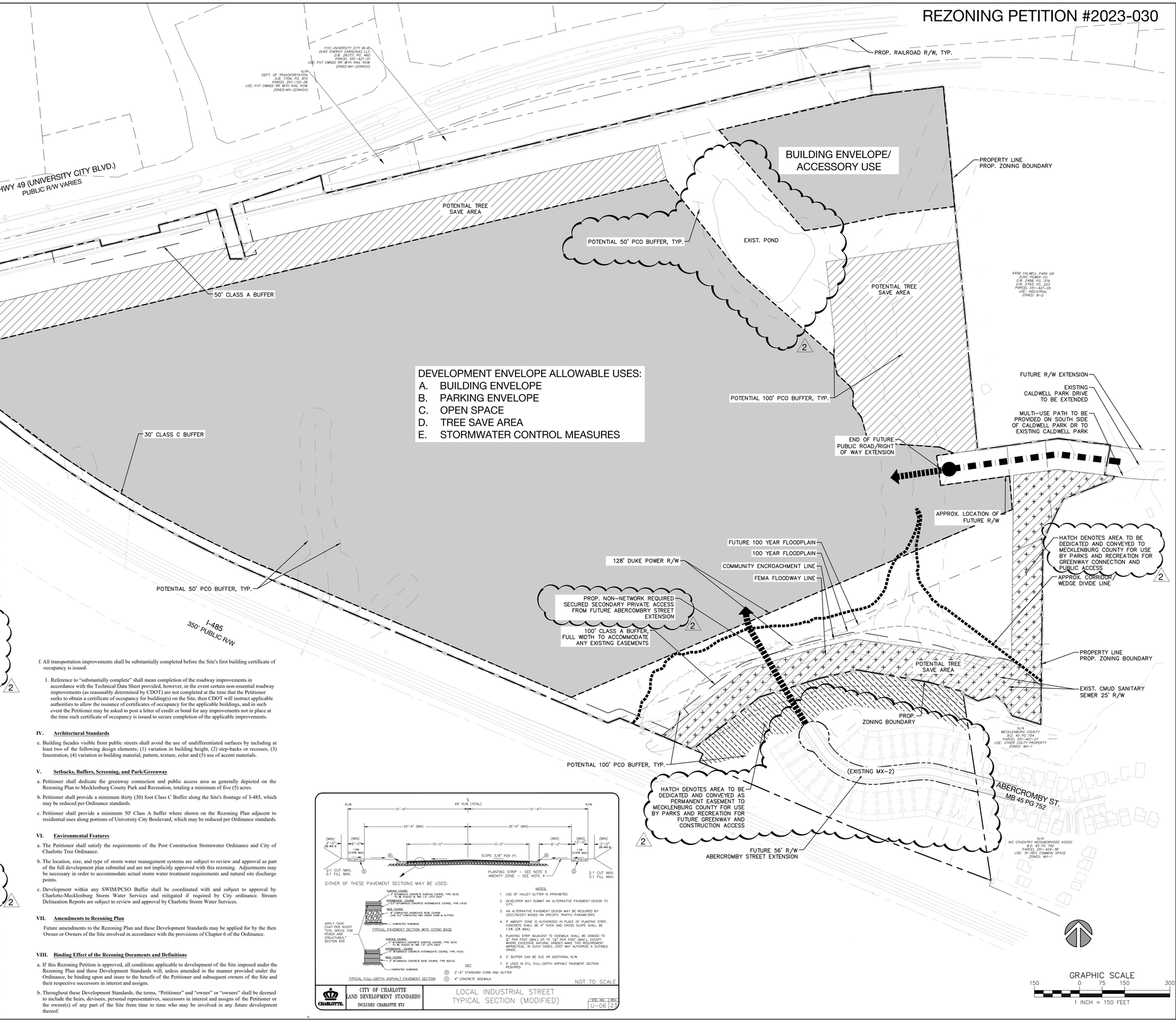
REZONING PETITION #2023-030



VICINITY MAP



Site Development Data:

Tax Parcel Number:	**051-132-02, 051-132-01, 051-132-04, 051-421-02, & 051-421-11**
Acreage:	**125.91 +/- acres**
Existing Zoning:	**MX-2**
Proposed Zoning:	**I-2(CD)**
Existing Use:	**Vacant**
Proposed Use:	**Data Center, electric sub-station**
Proposed Development:	**Up to 2,500,000 square feet of gross floor area**
Maximum Building Height:	**As required by the Ordinance**
Parking:	**As required by the Ordinance**

I. General Provisions

a. These Development Standards form part of the Rezoning Plan associated with the Rezoning Petition filed by Rhyne Land Holdings, LLC (the "Petitioner") to accommodate a high-quality data center development on that approximately 125.91-acre site located at 10800 University City Boulevard, more particularly described as Tax Parcel Numbers 051-132-02, 051-132-01, 051-132-04, 051-421-02, and 051-421-11 (the "Site").

b. Development of the Site shall be governed by the accompanying Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The Rezoning Plan is intended reflect maximum development rights and the arrangements and locations of access points.

c. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the I-2 Zoning District shall govern all development taking place on the Site.

d. Alterations or modifications which, in the opinion of the Planning Director, substantially alter the character of the development proposed or significantly alter the Rezoning Plan or these Development Standards, constitute 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 Subsections 6.207(1) or (2) of the Ordinance, as applicable.

II. Permitted Uses and Maximum Development

The Site may be developed with up to 2,500,000 square feet of gross floor area of data center uses as the primary use, including accessory/ancillary uses such as warehousing, warehouse distribution, office, and all other accessory uses as permitted by right and under prescribed conditions, as permitted in the I-2 zoning district not otherwise prohibited below, as well as an electric substation (not to exceed 10 acres, in coordination with Duke Energy). Accessory/ancillary uses shall not exceed 10% of the total square footage. The following items will not be counted as part of the allowed gross floor area for the Site, structured parking facilities and all loading dock areas (open or enclosed).

In no event shall the following uses be permitted as accessory/ancillary uses:

- Abattoirs
- Adult establishment
- Animal crematoriums
- Automobiles, truck and utility trailer rental
- Automobile service stations
- Automotive repair garages
- Car washes
- Crematory facilities
- Dry cleaning and laundry establishments
- Jails and prisons
- Petroleum storage facilities
- Junk yards
- Cemeteries
- Landfills
- Quarries
- Raceway and dragstrips
- Truck Stops
- Truck Terminals

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III. Transportation

a. Vehicular access will be from Caldwell Park Drive as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT and NCDOT for approval. Caldwell Park Drive shall be extended as generally depicted on the Rezoning Plan, constructed to local industrial street standards. Emergency and temporary private secondary access may be provided via Abercromby Street, as generally depicted on the Rezoning Plan, and shall be secured with a Knox box or otherwise gated to limited access.

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b. Petitioner shall provide a minimum twelve (12) foot wide multi-use path and minimum eight (8) foot wide planting strip along the Site's frontage of Caldwell Park Drive/Caldwell Park Drive extension, as generally depicted on the Rezoning Plan.

c. 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.

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

e. The Petitioner shall dedicate and convey in fee simple all public rights-of-way to the City of Charlotte before the Site's first building certificate of occupancy is issued.

f. All transportation improvements shall be substantially completed before the Site's first building certificate of occupancy is issued.

1. Reference to "substantially complete" shall mean completion of the roadway improvements in accordance with the Technical Data Sheet provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or bond for any improvements not in place at the time such certificate of occupancy is issued to secure completion of the applicable improvements.

IV. Architectural Standards

e. Building facades visible from public streets shall avoid the use of undifferentiated surfaces by including at least two of the following design elements; (1) variation in building height, (2) step-backs or recesses, (3) fenestration, (4) variation in building material, pattern, texture, color and (5) use of accent materials.

V. Setbacks, Buffers, Screening, and Park/Greenway

a. Petitioner shall dedicate the greenway connection and public access area as generally depicted on the Rezoning Plan to Mecklenburg County Park and Recreation, totaling a minimum of five (5) acres.

b. Petitioner shall provide a minimum thirty (30) foot Class C Buffer along the Site's frontage of I-485, which may be reduced per Ordinance standards.

c. Petitioner shall provide a minimum 50' Class A buffer where shown on the Rezoning Plan adjacent to residential uses along portions of University City Boulevard, which may be reduced per Ordinance standards.

VI. Environmental Features

a. The Petitioner shall satisfy the requirements of the Post Construction Stormwater Ordinance and City of Charlotte Tree Ordinance.

b. The location, size, and type of storm water management systems are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

c. 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. Stream Delineation Reports are subject to review and approval by Charlotte Storm Water Services.

VII. Amendments to Rezoning Plan

Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

VIII. Binding Effect of the Rezoning Documents and Definitions

a. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan 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.

b. 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(s) of any part of the Site from time to time who may be involved in any future development thereof.

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Rhyne Land Holdings, LLC

Caldwell Business Park

Rezoning Site Plan

City of Charlotte, NC

NO.	DATE:	BY:	REVISIONS:
01	06/12/2023	UDP	PER PLANNING COMMENTS
02	07/17/2023	UDP	PER PLANNING COMMENTS

Project No: 23-CLT-004
Date: January 16, 2023
Designed By: UDP
Checked By: UDP
Sheet No:

RZ-1.0

GRAPHIC SCALE
150 0 75 150 300
1 INCH = 150 FEET