VICINITY MAP

NOT TO SCALE

MORRIS HOLDINGS II, LLC.
DEVELOPMENT STANDARDS
08/14/23
REZONING PETITION NO. 2023-044

SITE DEVELOPMENT DATA:

--**ACREAGE:** ± 63.22 ACRES
--**TAX PARCEL #S:** 047-053-25
--**EXISTING ZONING:** RE-3
--**PROPOSED ZONING:** I-2(CD)
--**EXISTING USES:** LIGHT MANUFACTURING, ASSEMBLY, AND WAREHOUSING
--**PROPOSED USES:** THE SITE MAY BE DEVELOPED WITH LIGHT MANUFACTURING, ASSEMBLY, WAREHOUSING, CLIMATE-CONTROLLED STORAGE (WAREHOUSING WITHIN AN ENCLOSED BUILDING), MINI-STORAGE, OFFICES, OUTDOOR STORAGE, AND OTHER USES AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-2 ZONING DISTRICT TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE I-2 ZONING DISTRICT (INCLUDING WIRELESS COMMUNICATION TRANSMISSION FACILITIES ALL WITHING THE BUILDING AND PARKING ENVELOPE ILLUSTRATED ON THE REZONING PLAN (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED IN THE DEVELOPMENT STANDARDS BELOW).
--**MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT:** UP TO 325,000 SQUARE FEET OF GROSS FLOOR AREA OF LIGHT MANUFACTURING, ASSEMBLY, WAREHOUSING, CLIMATE-CONTROLLED STORAGE (WAREHOUSING WITHIN AN ENCLOSED BUILDING), MINI-STORAGE, OFFICES USE, AND OTHER USES AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-2 ZONING DISTRICT AS WELL AS OUTDOOR STORAGE AREAS, AND WIRELESS COMMUNICATION TRANSMISSION FACILITIES ALL WITHIN THE BUILDING AND PARKING ENVELOPE ILLUSTRATED ON THE REZONING PLAN (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED IN THE DEVELOPMENT STANDARDS BELOW).
--**MAXIMUM BUILDING HEIGHT:** AS ALLOWED AND REQUIRED BY THE ORDINANCE.
--**PARKING:** AS REQUIRED BY THE ORDINANCE FOR THE PROPOSED USE.

1. GENERAL PROVISIONS:

a. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, AND OTHER GRAPHICS SET FORTH ON ATTACHED SHEETS RZ-1 FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY MORRIS HOLDINGS II, LLC. ("PETITIONER") TO ACCOMMODATE THE USE OF THE EXISTING BUILDING AND SITE WITH A VARIETY OF USES ALLOWED IN THE I-2 ZONING DISTRICT ON AN APPROXIMATELY 63.22-ACRE SITE LOCATED AT 6900 MORRIS ESTATE DR. (THE "SITE").

b. **ZONING DISTRICTS/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 (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE I-2 ZONING CLASSIFICATIONS SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

c. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS, STREETS, AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.
SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

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

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

2. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

a. THE SITE MAY BE DEVELOPED WITH UP TO 325,000 SQUARE FEET OF GROSS FLOOR AREA OF LIGHT MANUFACTURING, ASSEMBLY, WAREHOUSING, CLIMATE-CONTROLLED STORAGE (WAREHOUSING WITHIN AN ENCLOSED BUILDING), MINI-STORAGE, OFFICES, AND OUTDOOR STORAGE AREAS AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-2 ZONING DISTRICT, TOGETHER WITH ACCESSORY USES INCLUDING WIRELESS COMMUNICATION TRANSMISSION FACILITIES ALL WITHIN THE BUILDING AND PARKING ENVELOPE ILLUSTRATED ON THE REZONING PLAN, AS ALLOWED IN THE I-2 ZONING DISTRICT AND SUBJECT TO THE RESTRICTION AND LIMITATIONS LISTED BELOW.

b. THE FOLLOWING USES WILL NOT BE ALLOWED ON THE SITE.

(i) THE FOLLOWING USES PERMITTED BY RIGHT IN THE I-2 ZONING DISTRICT WILL NOT BE ALLOWED.
- AIRPORTS; AMUSEMENT, COMMERCIAL OUTDOORS; ANIMAL CREMATORIUMS; ASSEMBLY OF: INDUSTRIAL MACHINERY & EQUIPMENT, LUMBER AND WOOD PRODUCTS, PAPER & ALLIED PRODUCTS, PLASTIC & RUBBER PRODUCTS, METAL PRODUCTS; AUCTION SALES; AUTOMOTIVE SERVICE STATIONS; HELIPORTS & HELISTOPS, UNLIMITED; MANUFACTURED HOUSING REPAIR; POWER GENERATION FACILITIES & PILOT PLANTS; RAILROAD FREIGHT YARDS, REPAIR SHOPS & MARSHALLING YARDS; RECYCLING CENTERS; EATING DRINKING & ENTERTAINMENT ESTABLISHMENTS (TYPE 1) WITH AN ACCESSORY DRIVE-THROUGH WINDOW; RETAIL ESTABLISHMENTS; THEATERS, DRIVE-IN MOTION PICTURE; TRUCK STOPS; TRUCK TERMINALS; AND UTILITY OPERATIONS CENTERS.

(ii) THE FOLLOWING USE PERMITTED UNDER PRESCRIBED CONDITIONS IN THE I-2 ZONING DISTRICT WILL NOT BE ALLOWED.
- ABATTOIRS; AGRICULTURAL INDUSTRIES; CONSTRUCTION & DEMOLITION (C &D) LANDFILLS; CREMATORY FACILITIES; EATING DRINKING & ENTERTAINMENT FACILITIES (TYPE 2) WITH AN ACCESSORY DRIVE-THROUGH WINDOW; FOUNDRIES; JAILS & PRISONS; JUNKYARDS; LUMBER MILLS; MANUFACTURING (LIGHT USES): BOAT & SHIP BUILDING, GRAIN MILLS, MEAT PRODUCTS; MANUFACTURING (HEAVY) USES: MEDICAL WASTE DISPOSAL FACILITIES; PETROLEUM STORAGE FACILITIES WITH STORAGE OF MORE THAN 200,000 GALLONS; QUARRIES; SANITARY LANDFILLS; SOLID WASTE TRANSFER STATIONS; TIRE RECAPPING & RETREADING; AND WASTE INCINERATORS.

c. THE SITE WILL COMPLY WITH THE CITY OF CHARLOTTE CITY CODE REGARDING HOURS OF OPERATION AND NOISE ORDINANCE REGULATIONS AS APPLICABLE.

d. OUTDOOR STORAGE AREAS ARE LIMITED TO THE AREA GENERALLY ILLUSTRATED ON THE REZONING PLAN.

FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH IN THESE DEVELOPMENT STANDARDS (BUT NOT TO BE CONSTRUED AS A LIMITATION ON FAR REQUIREMENTS), THE FOLLOWING ITEMS WILL NOT BE COUNTED AS PART OF THE ALLOWED GROSS FLOOR AREA (FLOOR AREA AS DEFINED BY THE ORDINANCE) FOR THE SITE: SURFACE, AND ALL LOADING DOCK AREAS (OPEN OR ENCLOSED). THE MAXIMUM FAR FOR THE I-2 ZONING DISTRICT IS 1.00.

3. ACCESS:

a. ACCESS TO THE SITE WILL BE FROM MORRIS ESTATE DR. AS GENERALLY DEPICTED ON THE REZONING PLAN. ACCESS TO IBM DR. VIA SOLECTRON DR./MORRIS ESTATE DR. IS ALSO ALLOWED.

b. 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. THE PETITIONER MAY REQUEST THAT CDOT ALLOW A BOND OR LETTER OF CREDIT TO BE POSTED FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.

c. THE PETITIONER WILL RESERVE AN 80-FOOT R/W FOR THE FUTURE EXTENSION OF NEVIN RD./MORRIS ESTATE DR. AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PETITIONER WILL NOT CONSTRUCT ANY IMPROVEMENTS WITHIN THE R/W RESERVED FOR NEVIN RD./MORRIS ESTATE DR. EXTENSION. IF CRTPO REMOVES OR CHANGES THE ALIGNMENT OF NEVIN/MORRIS ESTATE DR. SO THAT IT NO LONGER EFFECTS THE SITE, THE PETITIONER MAY ADMINISTRATIVELY AMEND THE REZONING PLAN TO REMOVE THE REFERENCE TO RESERVED R/W.

d. THE PETITIONER WILL DEDICATE VIA FEE SIMPLE CONVEYANCE ANY ADDITIONAL RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED, THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.

e. THE EXACT ALIGNMENT, DIMENSIONS, AND LOCATION OF THE ACCESS POINTS TO THE SITE, THE DRIVEWAYS ON THE SITE MAY BE MODIFIED FROM THE ELEMENTS SHOWN ON THE REZONING PLAN.

f. 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.

g. 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

4. SETBACKS, BUFFERS AND SCREENING.

a. A 20-FOOT BUILDING AND PARKING SETBACK WILL BE PROVIDED FROM THE FUTURE R/W LINE OF NEVIN RD. AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. A 100-FOOT CLASS A BUFFER AS REQUIRED BY THE ORDINANCE WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. BUFFER WIDTH MAY BE REDUCED BY 25% AS ALLOWED BY THE ORDINANCE.

c. ANY EXISTING IMPROVEMENTS LOCATED WITHIN THE NEWLY REQUIRED CLASS A BUFFER WILL BE GRANDFATHERED, HOWEVER, IN AREAS OF THE SITE WHERE THERE ARE EXISTING IMPROVEMENTS LOCATED WITHIN THE REQUIRED CLASS A BUFFER THE PETITIONER MAY UTILIZE THE PROVISIONS OF SECTION 12.304 (ALTERNATIVE BUFFER AND SCREENING REQUIREMENTS) TO BUFFER THE EXISTING IMPROVEMENTS FROM THE ADJACENT RESIDENTIAL USED OR ZONED PROPERTIES. ANY NEW EXPANSION OF THE BUILDINGS OR USES WILL BE REQUIRED TO MEET THE CLASS A BUFFER STANDARDS OF THE ORDINANCE.

d. OUTDOOR STORAGE AREAS WILL BE SCREENED PER THE REQUIREMENTS OF SECTION 12.303.

5. DESIGN GUIDELINES.

a. HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND FROM VIEW OF ADJACENT PROPERTIES AT GRADE.

b. DUMPSTER AREAS AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A DECORATIVE GATE. THE WALL OR FENCE USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDING.

c. DUMPSTERS, SOLID WASTER CONTAINERS, AND/OR RECYCLING CONTAINERS IF PROVIDED WILL BE LOCATED A MINIMUM OF 60 FEET FROM RESIDENTIALLY USED OR ZONED PROPERTY AS REQUIRED BY SECTION 9.1105(8) OF THE ORDINANCE.

6. ENVIRONMENTAL FEATURES:

a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN 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.

b. DEVELOPMENT WITHIN THE PCSO/SWIM BUFFERS SHALL BE COORDINATED WITH CHARLOTTE-MECKLENBURG STORM WATER SERVICES AND MITIGATION IF REQUIRED BY CITY ORDINANCE.

c. THE SITE WILL COMPLY WITH TREE ORDINANCE. A TREE SURVEY AS REQUIRED BY THE TREE ORDINANCE WILL BE SUBMITTED WITH THE PROPOSED LAND DEVELOPMENT PLANS FOR THE SITE.

7. SIGNAGE:

a. SIGNS AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED.

8. LIGHTING:

a. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.

b. LIGHTING FIXTURES THAT ARE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED WILL BE ALLOWED ON THE PROPOSED BUILDING WALLS.

9. DOBY CREEK GREENWAY EASEMENT:

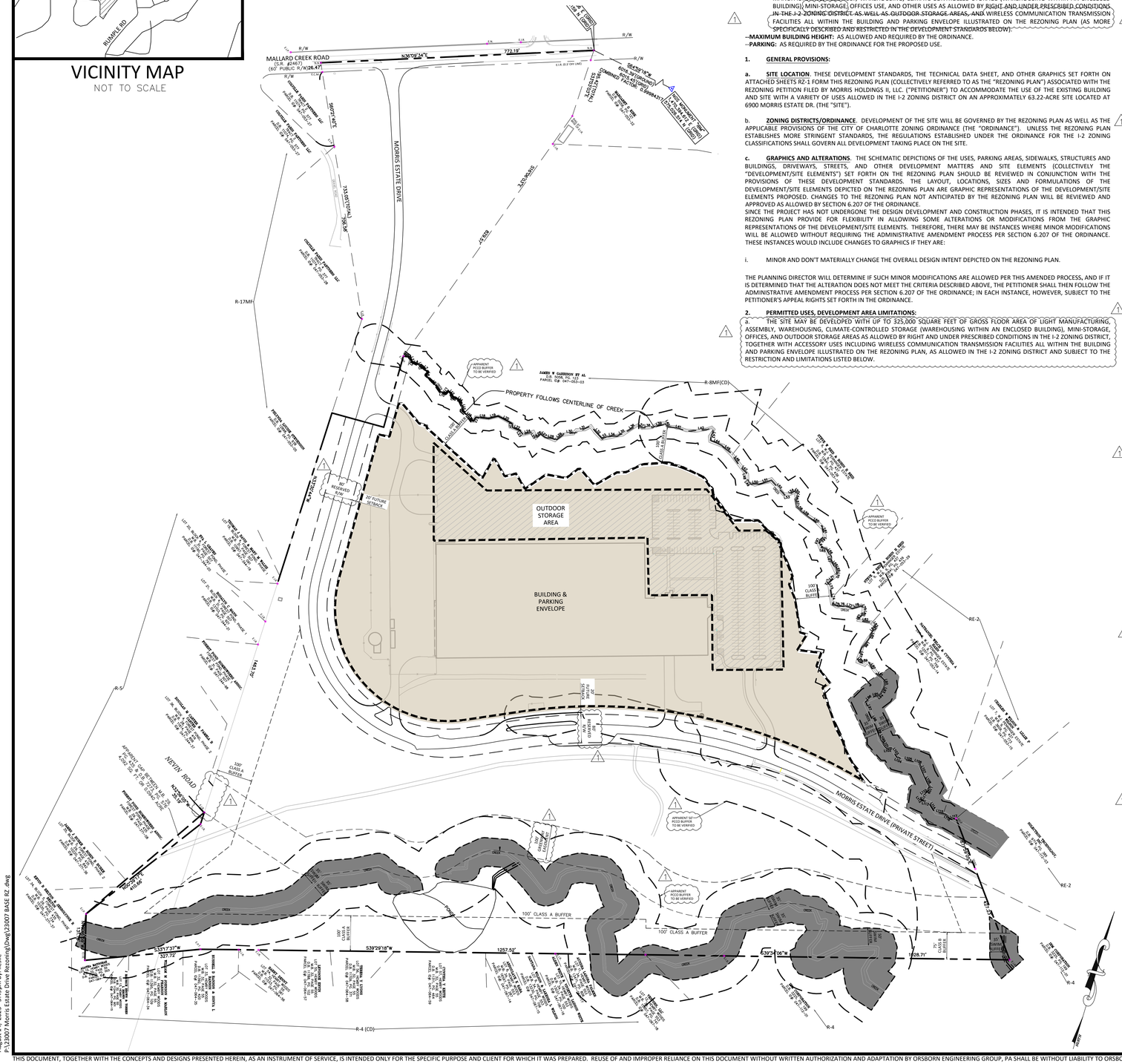
a. THE PETITIONER WILL DEDICATE AND CONVEY TO MECKLENBURG COUNTY A 100-FOOT GREENWAY EASEMENT BETWEEN MORRIS ESTATE DRIVE AND THE SOUTHEASTERN PROPERTY LINE AS GENERALLY DEPICTED ON THE REZONING PLAN (EASEMENT WILL EXTEND TO NEVIN RD.). THE EXACT LOCATION OF THE EASEMENT TO BE DETERMINED DURING THE CHANGE OF USE/BUILDING PERMIT APPROVAL PROCESS FOR THE SITE. THE EASEMENT WILL BE DEDICATED AND CONVEYED TO MECKLENBURG COUNTY PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE NEW USES ALLOWED BY THIS PETITION.

10. AMENDMENTS TO THE REZONING PLAN:

a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

11. BINDING EFFECT OF THE REZONING APPLICATION:

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE OR DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.


MALLARD CREEK ROAD
(SR #2467)
(60' PUBLIC R/W)
N74°09'34"E
772.19'
MORRIS ESTATE DRIVE
(PRIVATE STREET)
R-17MF
R-8MF(CD)
R-5
RE-2
R-4
R-4 (CD)
PROPERTY FOLLOWS CENTERLINE OF CREEK
OUTDOOR STORAGE AREA
BUILDING & PARKING ENVELOPE
NEVIN ROAD
NO RESERVED R/W
20' FUTURE SETBACK
100' CLASS A BUFFER
100' CLASS A BUFFER
100' CLASS A BUFFER
100' CLASS A BUFFER
100' CLASS A BUFFER
100' CLASS A BUFFER
APPARENT 50' FCSO BUFFER TO BE VERIFIED
APPARENT FCSO BUFFER TO BE VERIFIED
APPARENT FCSO BUFFER TO BE VERIFIED
APPARENT