

PLAN LEGEND

- PROPOSED VEHICULAR ACCESS
FINAL MOVEMENT TO BE DETERMINED (UNLESS SHOWN/NOTED)
- EXISTING VEHICULAR ACCESS
(TO REMAIN UNLESS SHOWN/NOTED)
- EXISTING SIGNAL
(OR PROPOSED AS LABELED)

DEVELOPMENT DATA TABLE:

SITE AREA: +/- 78 ACRES

TAX PARCELS: 103-041-99, 103-041-40, AND 103-041-08

EXISTING ZONING: B-1(SCD, CC, MUDD-O, AND B-1(CD))

PROPOSED ZONING: MUDD-O & MX-2(INNOV.), WITH FIVE (5) YEAR VESTED RIGHTS

EXISTING USE: VACANT SHOPPING CENTER, COMMERCIAL

PROPOSED USES: MIXED USE, INCLUDING POTENTIAL RESIDENTIAL, COMMERCIAL OFFICE, HOTEL, AND ATHLETIC FIELDS / BUILDINGS AND OPERATIONS BLDGS., TRANSIT FACILITIES, PUBLIC PARKS

MAXIMUM BUILDING HEIGHT PER MUDD AND MX-2 ORDINANCE STANDARDS

PARKING: SHALL SATISFY OR EXCEED ORDINANCE REQUIREMENTS

KEY MAP

SCALE

REZONING PETITION NO. 2020-XXX

EASTLAND MALL REZONING

PETITIONERS: CROSLAND SOUTH
EAST / CITY OF CHARLOTTE
SITE ADDRESS: 5471 CENTRAL AVE.
CHARLOTTE, NC 28212

LANDDESIGN PROJ.# 1017384

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY: RJP/SAM
DRAWN BY: SAM
CHECKED BY: RJP/SAM

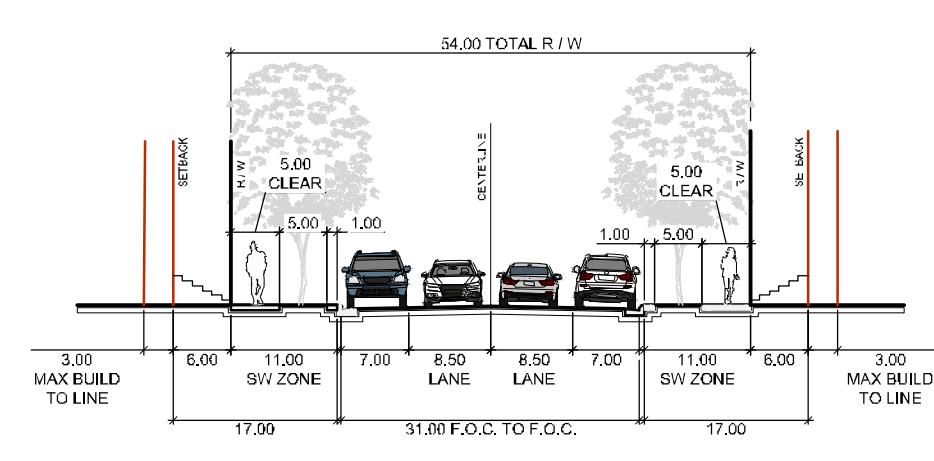
SCALE: NORTH
VERT: N/A
HORZ: 1"=200'

SHEET TITLE

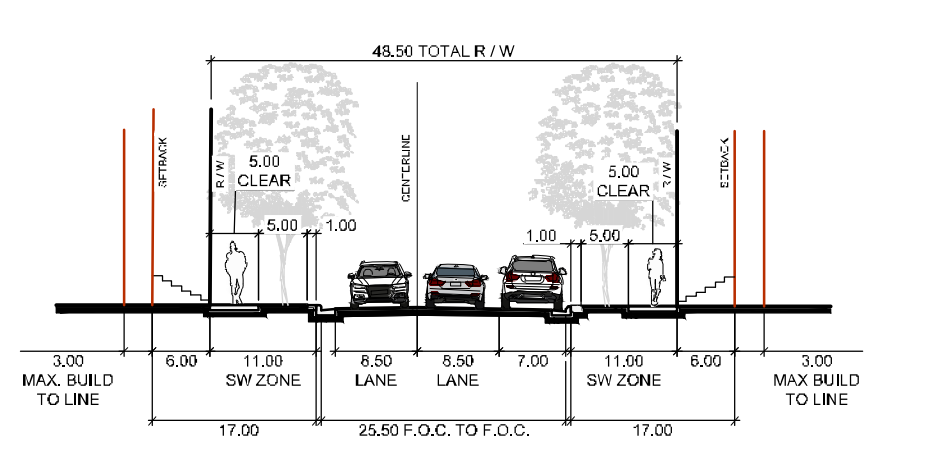
TECHNICAL DATA SHEET - ZONING BOUNDARIES

SHEET NUMBER

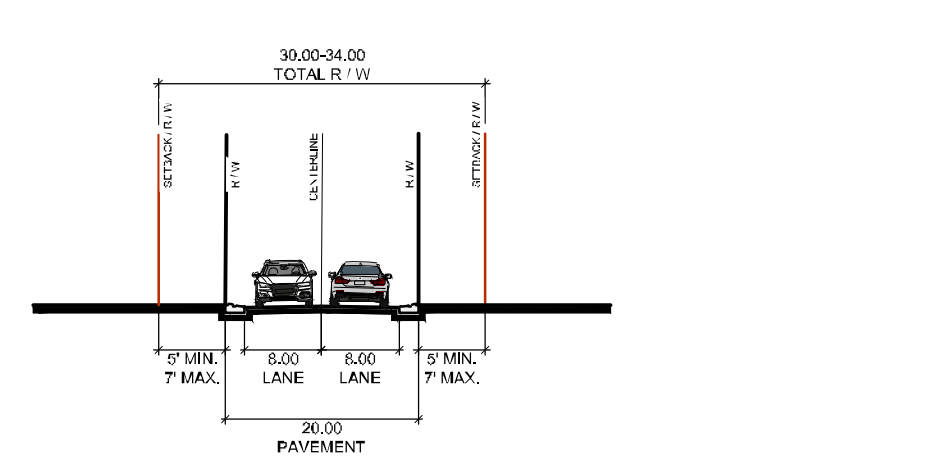
RZ-01



A TYPICAL RESIDENTIAL STREET SECTION (MX ONLY)



B TYPICAL RESIDENTIAL STREET SECTION (MX ONLY)



C TYPICAL RESIDENTIAL ALLEY SECTION (MX ONLY)

CITY OF CHARLOTTE & CROSLAND SOUTHEAST

REZONING PETITION NO. 2020-XXX

DEVELOPMENT STANDARDS

1/26/2020

Development Data Table:

Site Area: +/- 78 acres
Tax Parcels: 103-041-99, 103-041-40, and 103-041-08
Existing Zoning: B-1SCD, CC, MUDD-O, and B-1(CD)
Proposed Zoning: MUDD-O & MX-2(Innov.), with five (5) year vested rights
Existing Use: Vacant Shopping Center; Commercial
Proposed Uses: Mixed Use, including without limitation potential residential, commercial, office, hotel, athletic fields/buildings and operations buildings, transit facilities, and/or public parks

Maximum Building Height: Per MUDD and MX-2 Ordinance Standards
Parking: Shall satisfy or exceed Ordinance requirements

I. General Provisions

- 1. Site Location. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed jointly by the City of Charlotte and Crosland Southeast (the "Petitioners") to accommodate a mixed use development on that approximately 78-acre site located on the north-east side of Central Avenue, west of Wilora Lake Road and east of North Sharon Amity Road, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 103-041-99, 103-041-40, and 103-041-08.
- 2. 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, (i) the regulations established under the Ordinance for the MUDD-O zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Optional Provisions provided below; and (ii) the regulations established under the Ordinance for the MX-2(Innov.) zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Innovative Provisions provided below.

For ease of reference and as an organizing principle associated with the development, a series of three (3) "Development Areas" are generally depicted on the Rezoning Plan. The exact boundaries of the portions of Development Areas 1 and 2 that are not adjacent to the MX-2(Innov.) zoning portion of the Site may be modified as needed to reflect adjustments

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development), the area(s) shall be screened with enhanced landscaping, decorative low walls, or other similar measures. Details on vehicular maneuvering shall be done in coordination with CDOT during the permitting phase of development.

- 2. To allow required structured parking activation standards to be calculated in the aggregate rather than per street frontage.
- 3. To allow deviations from the streetscape design standards contained in Section 9.8506(2) of the Ordinance as related to building frontages along Central Avenue due to the severe grade change between Central Avenue and the Site, which provide a unique site condition. Petitioners will work with City Departments to coordinate how buildings will address Central Avenue during the permitting phase of development.
- 4. To allow surface parking as a primary use.
- 5. To allow surface parking to occur between the buildings and streets, to be screened with enhanced landscaping, decorative low walls, or other similar measures.
- 6. To allow existing surface parking areas as a primary use to remain in their current condition (i.e., without requiring screening or internal tree plantings in existing surface parking areas) as interim condition until such time as the associated parcel is redeveloped with new building(s).
- 7. To allow a maximum of one (1) drive-through service window as an accessory use to a full service eating, drinking and entertainment establishment (EDEE), to only be located near the southwest corner of Development Area 1; to allow one (1) drive-through service window as an accessory use to a limited service restaurant/EDEE on the Site (a limited service restaurant shall mean a restaurant with no more than 7,000 square feet of space serving primarily items that do not require on-premise cooking of food, other than cooking of eggs and heating, micro-waving cooking or similar process and baking of premixed dough); and to allow one (1) drive-through service window as an accessory use to a financial institution, drug store, grocery, or other similar use on the Site.
- 8. For clarity and avoidance of doubt, to allow exterior lighting for athletic fields, outdoor recreation uses and sports/entertainment uses located within Development Area 2 to exceed any possible height restrictions under the Ordinance and vary from any other applicable Ordinance lighting standards as long as such exterior lighting takes steps to limit direct illumination onto abutting lots in a single-family residential district. Furthermore, outdoor illumination from scoreboards, signage, and security lighting associated with outdoor recreation uses, athletic fields and sports/entertainment uses (including without limitation illumination from partially or fully covered facilities) shall be governed by the Optional Provisions set forth below.
- 9. If one or more indoor recreational facilities are provided on the Site, to allow flexibility from the ground floor activation requirements. The street level of any such indoor recreational facility shall be designed with some or all of the following elements to avoid solid expanses of walls over twenty (20) feet in length: openings with decorative screening, landscaping, architecturally articulated facades and/or display areas.

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C. The overall height of these objects shall not exceed the MUDD standards for building height of 90 feet.

- D. Wayfinding signage may include business names and logos for businesses with a physical presence within the Site and may include interpretive displays and be pole or pylon mounted.
- e. To allow all signage in the MUDD-O designated area of the Site to be illuminated by light fixtures, structures or internal illumination (including LED as a light source as well as electronic changeable copy using LED or otherwise), unless otherwise explicitly excluded herein.
- f. The following Optional Provisions shall apply within Development Area 1:
 - A. In addition to other wall sign Optional Provisions contained herein, to allow one (1) wall sign up to 1,000 square feet of sign area and such sign may contain animated and/or electronic wall sign features.
 - B. To allow along the Site's frontage of Central Avenue within Development Area 1 up to four (4) ground signs, each with up to two hundred (200) square feet of sign area (excluding decorative borders or framing material), and all with electronic sign features, and two (2) with animated sign features. Such signs along Central Avenue within Development Area 1 may be a maximum of thirty (30) feet in height, measured at grade from Central Avenue. For the sake of clarity, the maximum height for Central Avenue ground signs as stated herein shall be measured exclusive of decorative bases, pylons, pedestals, etc. as contemplated in Section II.11.d., above.
 - C. To allow one (1) ground sign per building and/or parcel area internal to Development Area 1 to have maximum dimensions of fifty (50) square feet in sign area (excluding decorative borders or framing material) and sign height of fifteen (15) feet, exclusive of decorative bases, pylons, pedestals, etc. as contemplated in Section II.11.d., above. All other internal ground signs in Development Area 1 shall be of dimensions as permitted under Chapter 13 of the Ordinance.
- g. Given the potential sports/entertainment nature of many of the possible uses and other development aspects contemplated for Development Area 2, the following Optional Provisions shall apply within Development Area 2:
 - A. In addition to other wall sign Optional Provisions contained herein, to allow two (2) logos of up to six (6) square feet in size to be placed on each primary awning surface without counting towards the calculation of maximum sign area for wall signs. Wall signs (including without limitation projecting signs) may contain LED illumination, and other electronic sign features such as electronic message boards.

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to streets, locations of buildings and other development and site elements and otherwise to fulfill the design and development intent of the Rezoning.

- 3. Flexibility in Placement of Development/Site Elements; Alterations/Modifications. The development and layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the possible general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements generally depicted on the Rezoning Plan, if provided, are graphic representations of the possible proposed development and site elements; but since the project has not undergone design development, it is intended that this Rezoning Plan provide for flexibility in ultimate layout, locations and sizes of such development and site elements including allowing alterations or modifications to such graphic representations in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards.

Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Minor alterations to the Rezoning Plan not otherwise contemplated by this Rezoning Plan are subject to Section 6.207 of the Ordinance.
- 4. Five Year Vested Rights. Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the level of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period, but such provisions shall not be deemed a limitation on any other vested rights whether at common law or otherwise.
- 5. Planned Unified Development. The Site and each Development Area and parcel created therein shall be viewed as a planned/unified development plan as the development and site elements; such as, side and rear yards, buffers, building height separation standards, any FAR requirements, and other similar zoning standards will not be required internally between improvements and other development and site elements within the Site. Portions or all of the Site may be subdivided and lots created within the interior portion of the Site without regard to any such internal separation standards and FAR requirements; but all such separation standards applied to the Site along the exterior boundary of the Site shall be adhered to.

II. Optional Provisions for the MUDD-O Area

The Petitioners propose utilization of the MUDD-O provisions to allow for the following optional deviations for the portions of the Site designated MUDD-O on the Rezoning Plan:

- 1. To allow vehicular maneuvering, service, and valet drop-off between the proposed buildings and streets. If such vehicular maneuvering, service, and/or valet drop-off occurs adjacent to a "main street" (location to be determined during permitting phase of

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10. Given the athletic field, outdoor recreation and sports/entertainment uses nature of some possible uses contemplated for Development Area 2, to reduce the width of any required buffers between outdoor recreation uses (including all accessory uses) and any abutting residentially zoned or used lot located outside the Site shall be reduced to fifteen (15) feet and to eliminate any buffers or other separation standards between uses within the Site.

11. Signage.

- a. To allow on the Site temporary advertising signage to be located on construction fencing, not to exceed fence dimensions. Such temporary signage shall be removed within thirty (30) days after all final certificates of occupancy have been granted.
- b. To allow wall signs of up to 10% of the wall area to which they are attached on any building façade or as allowed for wall signs under the Ordinance, whichever is greater, and to allow the sign area for projecting signs not to count in the calculation of maximum sign area for wall signs. Wall signs (including without limitation projecting signs) may contain LED illumination, and other electronic sign features such as electronic message boards. In addition to the wall sign provisions herein, one (1) projected wall sign in each of Development Area 1 and Development Area 2 may project electronic video but shall otherwise comply with the applicable provisions of the Ordinance.
- c. To allow up to three (3) static or electric changeable face outdoor advertising signs on the Site, in conformance with the dimensional standards contained in Ordinance Section 13.11.
- d. To allow on the Site beacons, emblems, art, monuments, artistic entryway structures, decorative pylons and pedestals, sign bases, wayfinding signs, or structures with the intent to create a unique or artistic identity for the Site or sports/entertainment uses on the Site to not be required to adhere to the signage standards of the Ordinance and not count towards signage dimensions allowed under the Ordinance or as provided under these Optional Provisions.
 - A. Monuments/beacons and other objects described above may be defined as objects that include the creative (and/or structural) use of metal, stone, brick, wood, masonry, concrete, accent lighting, physical and digital graphics, and other materials combined in a creative or artistic manner to provide identity for the Site or for sports/entertainment uses on the Site.
 - B. Any lettering, images, wayfinding, digital displays, or other signage graphics mounted to said monument/beacon and other objects above described affixed to building walls must adhere to the Optional Provisions for wall signage outlined in this Rezoning Plan and except as otherwise provided the building wall area will be calculated using the overall surface area of the beacon.

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B. In addition to other wall signs and without counting towards the maximum sign area for wall signs, to allow: (i) one (1) wall sign up to 1,000 square feet of sign area for any permitted principal use and (ii) another one (1) wall sign of up to 1,000 square feet of sign area associated with an athletic field or sports/entertainment use venue, each of which may contain animated and/or electronic wall sign features.

- C. To allow animated and/or electronic signs or scoreboards associated with athletic fields, outdoor recreation and/or other sports/entertainment uses and performance areas to support such activities taking place.
- D. To allow along the Site's frontage of Central Avenue within Development Area 2, up to three (3) ground signs, each with up to two hundred (200) square feet of sign area (excluding decorative borders or framing material), all with electronic sign feature capabilities and two (2) of the three (3) ground signs with animated sign features. Such signs along the Site's frontage of Central Avenue within Development Area 2 may be a maximum of thirty (30) feet in height, measured at grade from Central Avenue. For the sake of clarity, the maximum height for Central Avenue ground signs as stated herein shall be measured exclusive of decorative bases, pylons, pedestals, etc. as contemplated in Section II.11.d., above.
- E. To allow one (1) ground sign per building and/or parcel area internal to Development Area 2 to have maximum dimensions of one hundred (100) square feet in sign area (excluding decorative borders or framing material) and height of fifteen (15) feet, exclusive of decorative bases, pylons, pedestals, etc. as contemplated in Section II.11.d., above. In addition, to allow one (1) ground sign up to 1,000 square feet of sign area and sign height of thirty (30) feet, and such sign may contain animated and/or electronic sign features. Except for other provisions set forth herein, all other internal ground signs in Development Area 2 shall be of dimensions as permitted under Chapter 13 of the Ordinance.
- F. To allow unlimited permanent signs/banners/flags/pennants along athletic field and other sports/entertainment uses fencing provided that such signs/banners shall not exceed the height of the fence to which they are attached.
- G. To allow, to the extent applicable, the waiver of the maximum allowable footcandle set forth in Section 13.8.I. of the Ordinance in connection with signs and scoreboards associated with outdoor recreation, athletic fields and sports/entertainment venues.
- H. To allow moving or fixed vertically directed light projectors and other similar features in connection with activities or events taking place thereon, provided such facilities shall be directed upward and not directly toward any abutting residential uses.

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KEY MAP

SCALE

PROJECT

EASTLAND MALL
REZONING

PETITIONERS: CROSLAND SOUTH
EAST / CITY OF CHARLOTTE

SITE ADDRESS: 5471 CENTRAL AVE.

CHARLOTTE, NC 28212

LANDDESIGN PROJ.#
1017384

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY: RJP / SAM
DRAWN BY: SAM
CHECKED BY: SAM/RJP

SCALE: NORTH

VERT: N/A
HORZ: N/A

SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-N1

I. To allow outdoor fields to be covered on a temporary or more permanent basis by buildings or structures, including without limitation air supported "bubble" dome facilities, and such buildings or structures shall be exempt from any applicable MUDD design standards. Furthermore, additional wall signage and lighting related to sponsorship or building identification/designation may be allowed in a manner comparable to those described in Rezoning Plan for Rezoning Petition #2019-044 approved by City Council in connection with the Carolina Panthers practice bubble facility located off of Cedar Street.

h. As an alternative or supplement to the signage related to Optional Provisions set forth herein, Petitioners, or assigns including owners of Development Area 1 or Development Area 2, may seek approval by the Planning, Design and Development Director of a master signage package for the MUDD-Optional portion of the Site, or Development Area 1 and/or Development Area 2, in the manner set forth in Section 13.12.B of the Ordinance and such master signage package may provide additional flexibility that the Planning, Design and Development Director deems appropriate for a mixed use integrated development of the kind contemplated by this Rezoning Plan.

Note: each of the above Optional Provisions are cumulative in nature, and the Optional Provisions regarding signs are additions/modifications to the standards for the signs in the Ordinance and are to be used with the remainder of Ordinance standards for signs not modified by these Optional Provisions.

III. Innovative Provisions for MX-2 (Innov.) Area

The Petitioners propose utilization of the MX-2(Innov.) provisions to allow for the following innovative standards for the portions of the Site designated MX-2(Innov.) on the Rezoning Plan:

- 1. Flexibility in street cross sections, as shown on the Rezoning Plan, or as otherwise coordinated with CDOT during the permitting phase of development.
- 2. In addition, the Petitioners reserve the right to modify the innovative provisions described above or seek other innovative development standards in the future pursuant to the applicable process as set forth in the Ordinance.

IV. Permitted Uses

The MUDD-O designated area of the Site may be devoted to any residential, commercial or recreational uses permitted by right or under prescribed conditions in the MUDD Zoning District, together with any incidental or accessory uses associated therewith, except for the following:

- i. Car washes (except for residential car wash stations);
- ii. Automobile service stations; and

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VI. Design Guidelines

- 1. Statement of Intent. It is intended that the site plan for the Site provide a horizontal and/or vertical mix of uses that includes commercial, office, retail, service, hotel, indoor/outdoor recreation, sports/entertainment venues and varying levels of residential uses in a manner that creates a unified development pattern with generally coordinated streetscape elements, landscaping, open spaces and quality building materials. Development Area 1 shall contain a "main street" with principal building orientation and elevated attention to the public realm. The majority of the main street building facades along the "main street" within Development Area 1 that are visible at ground level to site visitors, residents and adjacent neighbors shall incorporate design details, with building articulation and quality materials. The site plan will seek to emphasize pedestrian connections between uses within Development Area 1, including through the use of a pedestrian promenade, and create a strong link between the commercial core of the development along the main street and adjacent uses. Long expanses of blank walls will be limited, and where they are necessary will be treated with a combination of architectural expressions such as changes in materials, fenestration, windows, building setback and landscaping, artwork, display cases or other similar items. The main entrance to the portion of the Site within Development Area 1 shall be treated with a range of edge treatments that seek to establish a sense of entry from Central Avenue and seek to deter the eye from service areas or parking lots.
- 2. The Site shall include a series of publicly accessible open spaces, plazas, and/or parks as focal points. These focal points may include a combination of landscaping, monumentation, water features, seating areas and/or artwork features.
- 3. Streetscape treatment will be a unifying element through the use of consistent paving, lighting, landscaping, and (when provided) site furnishing throughout the Site. Specialty pavers, stained or patterned concrete/paving or other similar means may be used to call attention to amenity areas, gathering spaces, plazas and parks as a method of way-finding.

VII. Public Park

Subject to funding by Mecklenburg County, the Petitioners or assigns shall provide a minimum of two (2) acres as a Public Park, location of which to be determined during the permitting phase of development. The Public Park shall be designed as a significant pedestrian focal point and an amenity for that portion of the development. The Public Park may include features such as: water features, windows, specialty graphics, landscaping, specialty paving, seating areas, signage (e.g., wayfinding, directional, special event signage), artwork and/or other site elements that help create a vibrant Public Park area within the Site. Portions of the Public Park may be used for outdoor dining associated with EDEE uses and/or occasional organized gatherings such as concerts, festivals, or celebrations.

VIII. Vested Rights

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,

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iii. EDEEs with accessory drive-through service windows, except as permitted in the Optional Provision above.

The MX-2(Innov.) designated area of the Site may be devoted to residential uses permitted by right or under prescribed conditions in the MX-2 Zoning District, together with any incidental or accessory uses associated therewith.

V. Transportation

- 1. Vehicular access will be as currently contemplated on the Rezoning Plan, but the placements and configurations of the vehicular access points and any portions of the street network as generally shown on the Rezoning Plan, if provided, are subject to modifications associated with design development and construction plans and designs, and to any adjustments required by CDOT for approval in accordance with customary guidelines/regulations. Flexibility shall be provided in the design of streets within Development Area 2 to reflect possible location of athletic fields and sports/entertainment uses.
- 2. If subdivision exceptions are required to satisfy the Subdivision Ordinance, waivers shall be applied for during the permitting phase of development.
- 3. The Petitioners plan to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit the overall traffic patterns throughout the area in accordance with the following implementation provisions:
 - a. [Reserved for Transportation Improvements to be evaluated during the permitting phase of development]
- 4. Substantial Completion. Reference to substantial completion for certain improvements as set forth herein shall mean completion of the improvements in accordance with the standards set forth in this Section V provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner(s) seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner(s) may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.
- 5. Alternative Improvements. Changes to the above referenced Transportation Improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petition, CDOT, Planning Director, and as applicable, NCDOT, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

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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.

IX. Amendments & Binding Effect of the Rezoning Documents

- 1. 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 parcels of the Site affected by such amendment in accordance with the provisions of the Development Standards and Chapter 6 of the Ordinance.
- 2. Binding Effect. 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 herein, be binding upon and inure to the benefit of the Petitioner(s) and subsequent owners of portions or parcels of the Site, as applicable, and their respective successors in interest and assigns.

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KEY MAP

SEAL

REZONING
PETITION
NO. 2020-XXX

PROJECT

EASTLAND MALL
REZONING

PETITIONERS: CROSLAND SOUTH
EAST / CITY OF CHARLOTTE
SITE ADDRESS: 5471 CENTRAL AVE.
CHARLOTTE, NC 28212

LANDESIGN PROJ.#

1017384

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY: RJP / SAM
DRAWN BY: SAM
CHECKED BY: SAM/RJP

SCALE: NORTH

VERT: N/A
HORZ: N/A

SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-N2

