

BELGATE REZONING PETITION

CHARLOTTE, NORTH CAROLINA

**OWNER/
DEVELOPER**

Crescent Resources, LLC
400 S. Tryon Street, Suite 1300
Charlotte, NC 28285
980.321.6000

LANDSCAPE ARCHITECT

LandDesign, Inc.
223 North Graham St.
Charlotte, NC 28202
704.333.0325

SHEET INDEX:

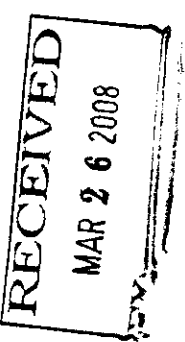
	SUBMITTED
RZ-1 Technical Data Sheet	01/28/08
RZ-2 Conceptual Site Plan	01/28/08
RZ-3 Development Standards	01/28/08
RZ-4 Architectural - Retail Shops	03/25/08
RZ-5 Architectural - Multi-Family	03/25/08
RZ-6 Architectural - Furniture Row	03/25/08

TRANSPORTATION

Kimley-Horn and Associates, Inc.
4651 Charlotte Park Drive, Suite 300
Charlotte, NC 28217
704.333.5131

ZONING CONSULTANT

Kennedy, Covington, Lodbell,
and Hickman, LLP
Hearst Tower, 47th Floor
214 N. Tryon St.
Charlotte, NC 28202
704.331.7400



REVISIONS:
03/26/08 Review per Staff Comments

DATE: 01/28/08
DESIGNED BY: AST
DRAWN BY: KST
CHECKED BY: MRC
O.C. BY: MRC
PROJECT #: 007094
SHEET #:

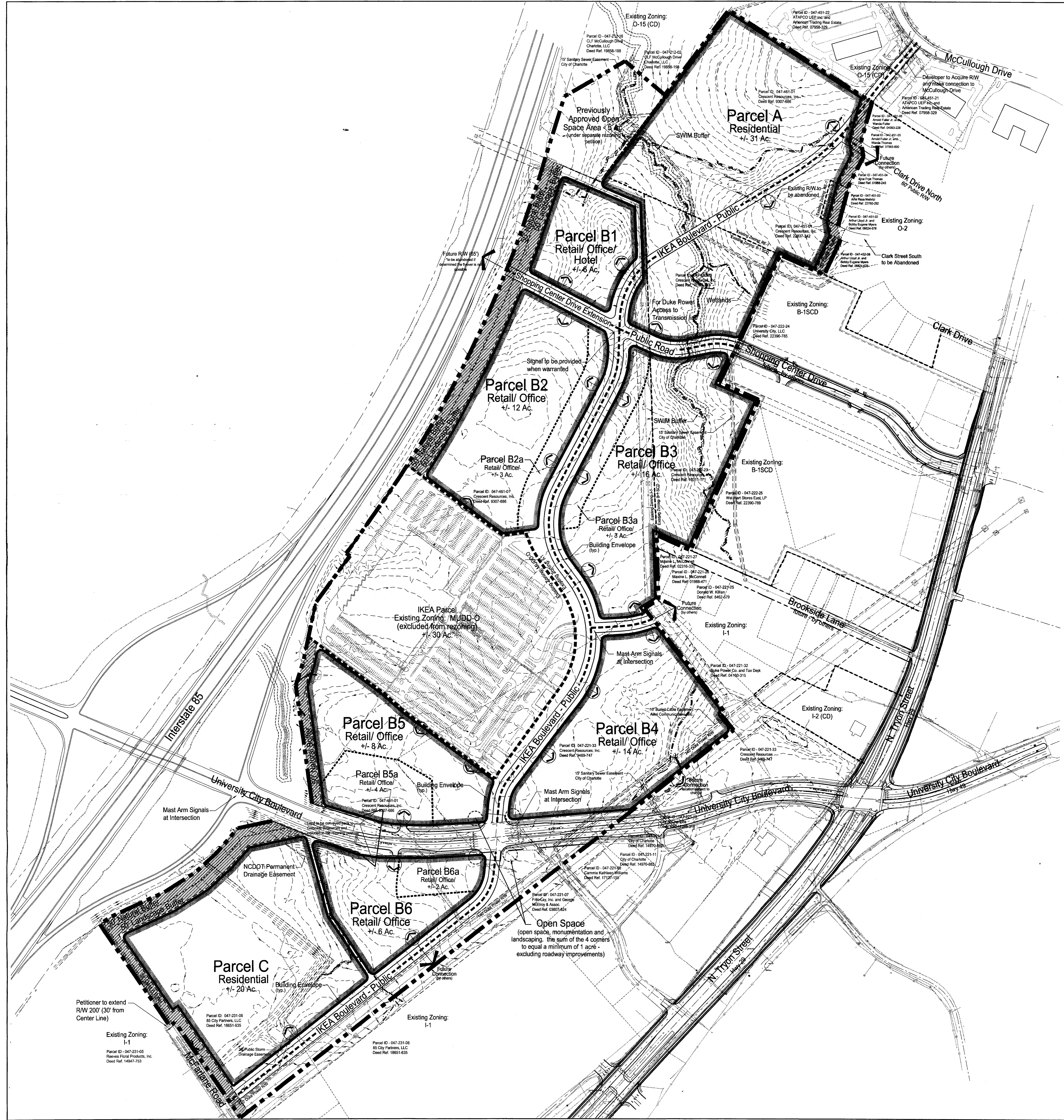
Belgate - Rezoning Petition
Charlotte, North Carolina
Crescent Resources, LLC

COVER

COVER



LandDesign
223 N. Graham Street, Charlotte, NC 28202
704.333.0325
www.LandDesign.com



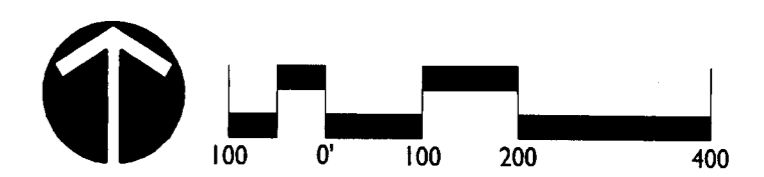
Site Data

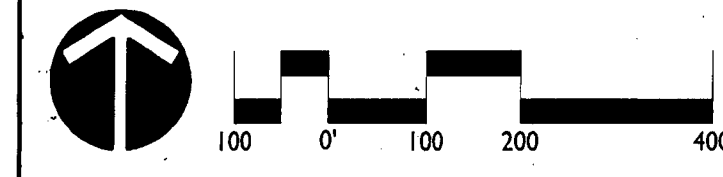
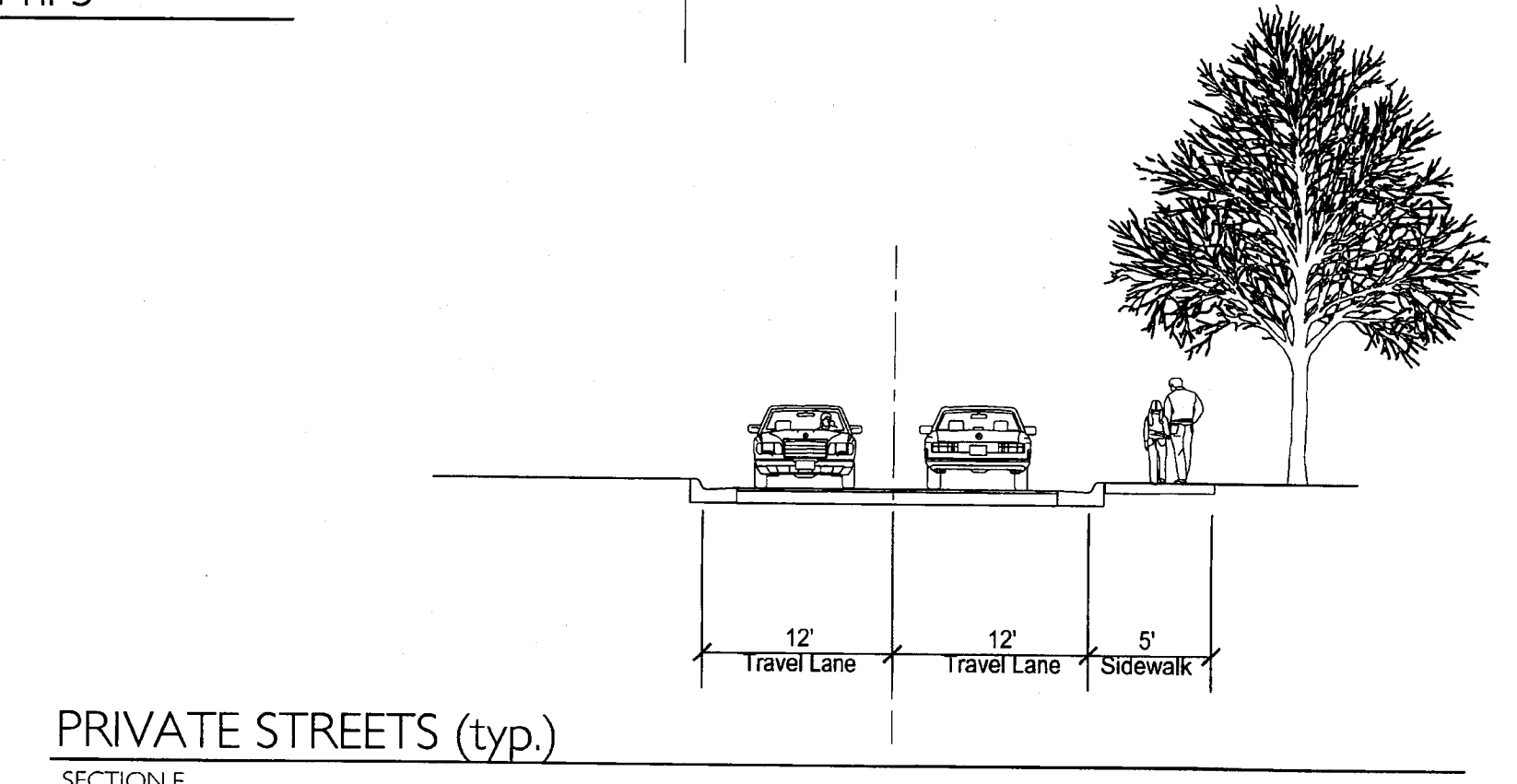
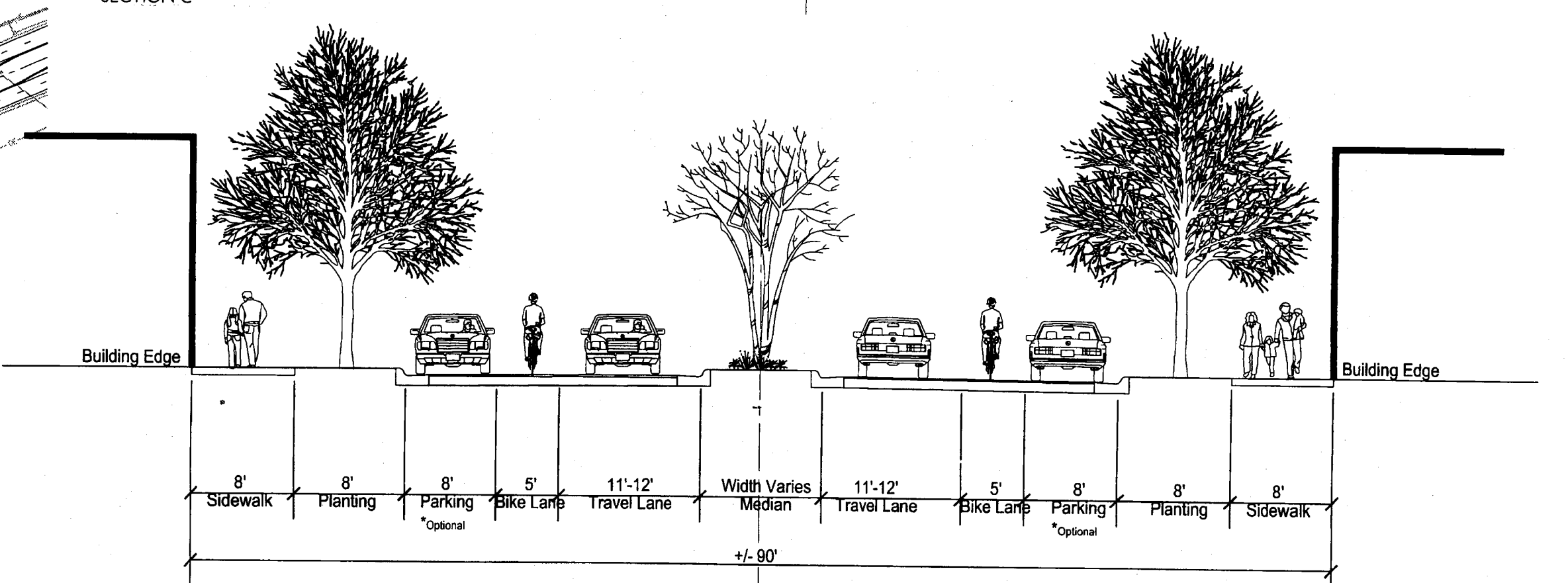
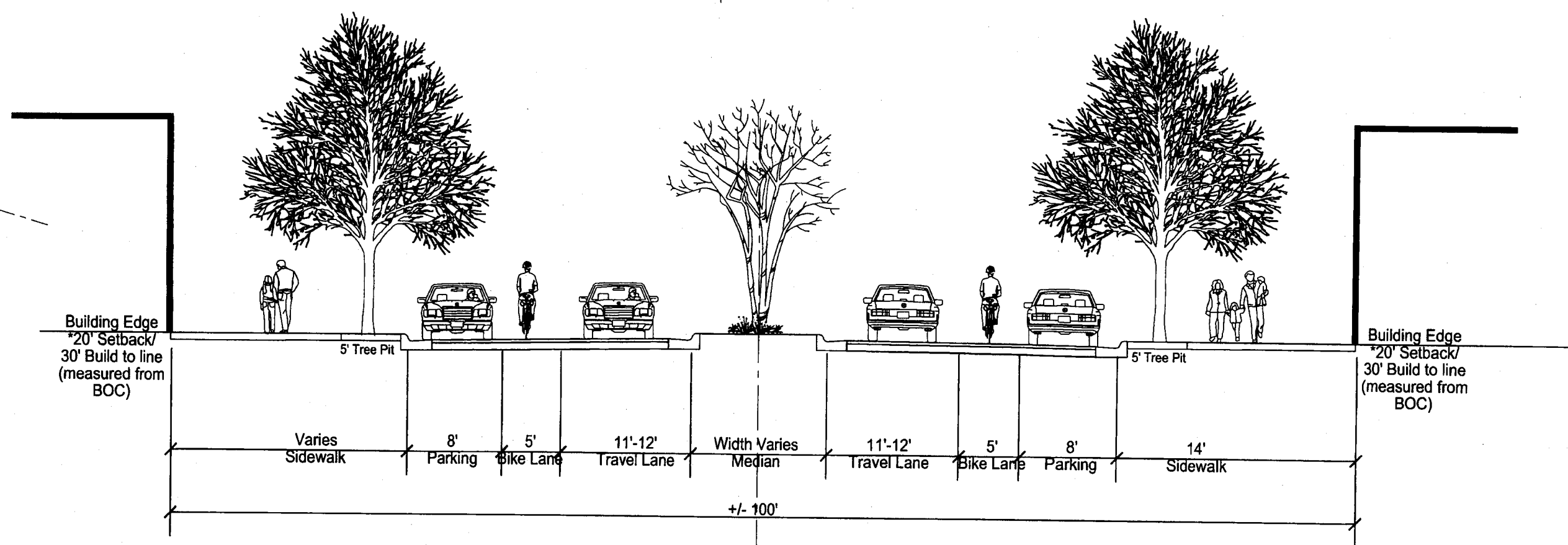
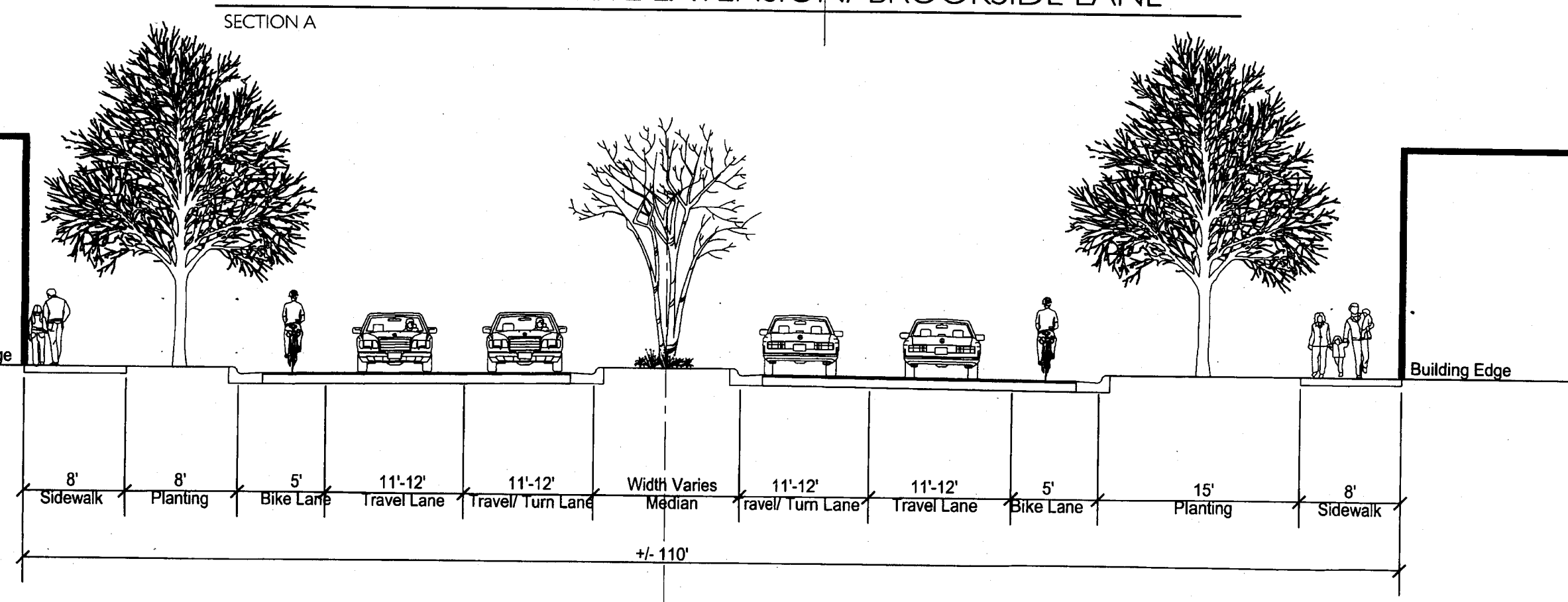
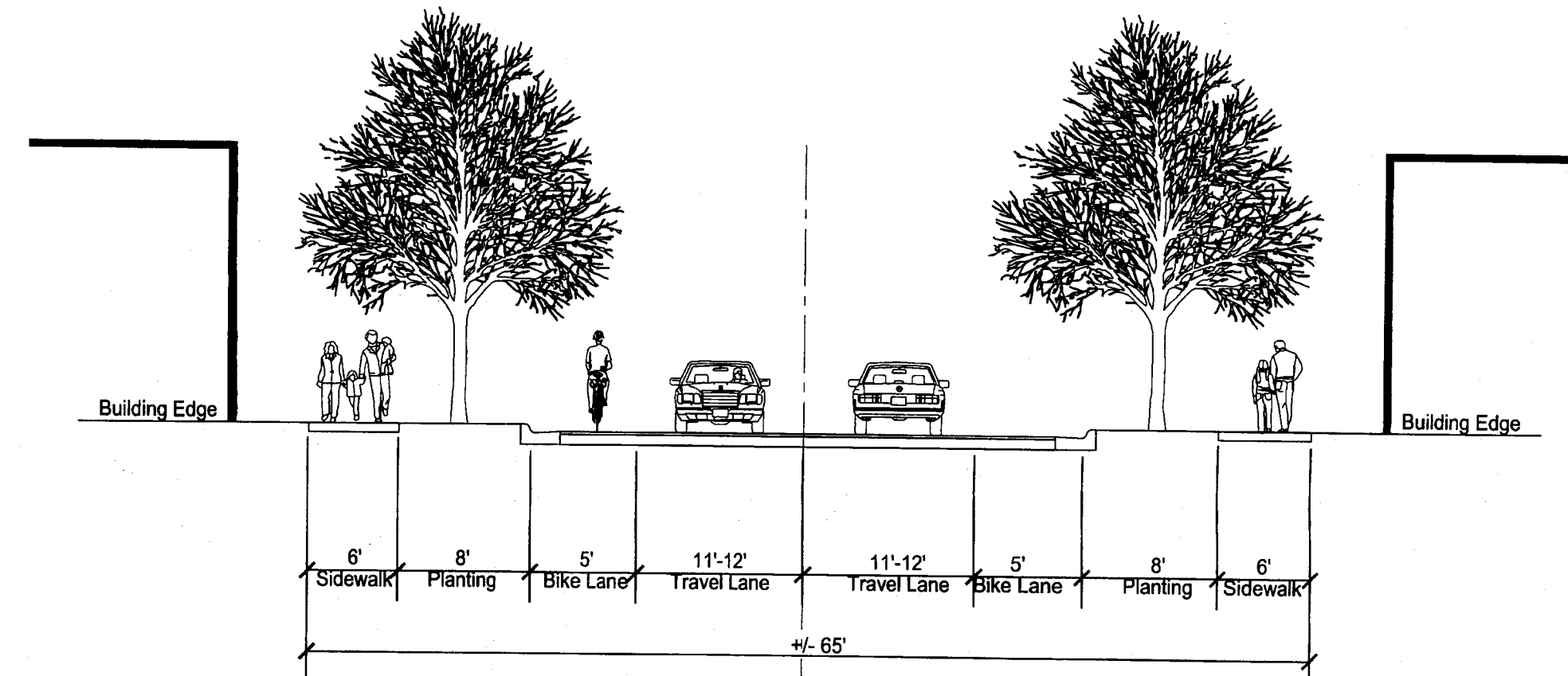
Site Area: +/- 198 Ac.
 IKEA parcel: +/- 30 Ac.
 Total: +/- 168 Ac.

Parcels A, B, C: +/- 125 Ac.
 Undeveloped +/- 43 Ac.

**buffers, previously approved (tree, circulation, undevelopable land...)

Current Zoning: O-2, RE-1, B-1 SCD, I-1, MUDD-O
 Proposed Zoning: CC





General Provisions

These Development Standards form a part of the Technical Data Sheet (Sheet RZ-1) associated with the Rezoning Petition filed by Crescent Resources, LLC to accommodate development of Belgate, a pedestrian-friendly multi-use development, on an 188 acre Site located along University City Boulevard between Interstate 85 and North Tryon Street (the "Site").

Accompanying the Rezoning Petition are the Technical Data Sheet, a Conceptual Site Plan for the development of the Site (Sheet RZ-2), a Conceptual Rendering of the retail shops which will front IKEA Boulevard within Subparcels B2a and B3a (Sheet RZ-4), a Perspective Rendering of a proposed apartment project within Parcel A (Sheet RZ-3) and the elevations for the proposed Furniture Row retail establishment to be built within Subparcel B-3 depicted on Sheet RZ-4. The Petitioner reserves the option to combine or not combine buildings depicted on Sheet RZ-2. However, this option does not include the right to increase the number of buildings shown on this Sheet.

Unless the Technical Data Sheet, these Development Standards (RZ-3) or the accompanying Sheets establish more stringent standards, the regulations established under the Ordinance for the CC Zoning District shall govern all development taking place on the Site.

Inasmuch as planning for the proposed development 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, placements and sizes of the building footprints as well as the locations of streets depicted on the Conceptual Site Plan and the Conceptual Rendering 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 Technical Data Sheet are not violated and the proposed alterations or modifications do not exceed the parameters established under these Development Standards and under the Ordinance for the CC Zoning District. Parking layouts may also be modified to accommodate final building locations to the extent permitted by the Ordinance.

For purposes of the preceding paragraphs, any alterations or modifications which substantially alter the character of the development or significantly alter the Conceptual Site Plan, the Conceptual Rendering or the Perspective Rendering or their respective conditions and 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 Sections 6.207(1) or (2) of the Ordinance, as applicable.

The Petitioner agrees to submit detailed plans with respect to each phase of development proposed on the Site to the Staff of the Charlotte-Mecklenburg Planning Commission for review prior to the issuance of building permits for construction of the proposed phase of development so that Staff may be assured that such development satisfies the conditions imposed under the Technical Data Sheet, these Development Standards and the other Sheets accompanying the Rezoning Petition. However, 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.

1. Permitted Uses

(a) Parcel A and Parcel C of the Site may be devoted to all types of attached residential development which may be all rental, all for sale or some combination thereof together with any incidental or accessory uses associated therewith which are permitted under the Ordinance by right or under prescribed conditions in the CC Zoning District.

(b) Parcel B of the Site may be devoted to:

- The retail, restaurant and office uses which are permitted under the Ordinance by right or under prescribed conditions in the CC Zoning District along with any incidental or accessory uses associated therewith; and
- Two hotels, neither of which may be an extended stay hotel.

2. Maximum Building Area and Development Limitations

(a) Development of Parcel A and Parcel C of the Site shall be subject to the following limitations and restrictions:

1. The total combined number of attached residential units that may be developed on both Parcel A and Parcel C cannot exceed, in the aggregate, 720 units.
2. Subject to the limitation imposed under subparagraph (a) 1 of this Section 2, up to 400 attached residential units may be developed on either Parcel A or Parcel C.
3. At all times, no more than 10% of the total number of attached residential units developed on Parcel A and Parcel C as three (3) bedroom units.

(b) Parcel B of the Site may be developed with up to two (2) hotels with up to 200 rooms each and up to 450,000 square feet of gross floor area devoted to retail, restaurant uses and office.

If one or both of the hotels are not developed or one or both hotels are developed with less than 200 hotel rooms, then additional office floor area may be developed in lieu of the undeveloped hotel rooms. In such an event, 250 square feet of office space may be developed for each hotel room that is not constructed, up to a maximum of 25,000 square feet of additional office space.

Financial institutions and hotels shall be deemed to be office uses within the context of this Subparagraph (b) and not retail uses.

3. Setbacks, Side Yards and Rear Yards

(a) All buildings constructed on Parcels A, B, and C of the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the CC Zoning District.

(b) The Site may be considered a unified development plan and as such internal side and/or rear yards may be eliminated, subject to the normally required staff review and approval process.

4. Design and Performance Standards

(a) Internal Landscaping and Screening

- (i) Internal areas of the Site shall be landscaped in accordance with the requirements of the City of Charlotte Tree Ordinance.
 - (ii) All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties.
 - (iii) All screening and landscaping shall meet or exceed the standards of the Ordinance.
 - (iv) Dumpster areas will be enclosed on all three sides by an opaque wall with the fourth 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.
- (b) **Streetscape Treatment**
- (i) The streetscape treatment running along both sides of Ikea Boulevard as it passes through subparcels B-2a and B-3a shall include a building and parking setback which is at least 20 feet and at most 30 feet in depth as measured from back of curb and will consist of a sidewalk and/or decorative pavers with large maturing trees planted in tree pits, all as more particularly specified on the Conceptual Site Plan.
 - (ii) Pedestrian scaled decorative lighting fixtures will be installed along both sides of Ikea Boulevard.
 - (iii) In order to enhance pedestrian connectivity and the aesthetic appeal of the streetscape, decorative pavers and/or stamped asphalt may be used at IKEA Blvd located within the zone bounded by Subparcels B-2a and B-3a.

(c) Architectural and Design Controls

- (i) The Conceptual Rendering (shown on RZ-4) of the front elevation of the retail shops proposed for subparcel B-2a and subparcel B-3a depicts the general intent of the Petitioner with respect to height, scale, articulation, rhythm, proportions and design elements for these shops.
- (ii) Buildings fronting Ikea Boulevard shall contain doors and non-opaque windows along the elevations which face these streets. The elevations which front Ikea Boulevard will be articulated such that expanses of solid walls exceeding 20 linear feet will be avoided through the introduction of articulated facades and other specially designed architectural elements.
- (iii) Meter boxes, back flow preventers and similar items will be screened from public streets.
- (iv) All retail buildings located within Parcel B except the Furniture Row (on subparcel B-3) building must be architecturally integrated to complement one another by using similar exterior materials.
- (v) External vertical wall surfaces (exclusive of windows and doors) of all buildings constructed within Parcel B except the Furniture Row building (on subparcel B-3) shall be constructed with a minimum of 60 percent masonry materials (brick, stone, pre-cast or poured concrete or other masonry materials). No aluminum or vinyl siding or spandex glass shall be used.
- (vi) The exterior vertical wall surfaces (exclusive of windows and doors) of all residential buildings located within Parcel A and Parcel C shall be constructed with brick, stone, precast or poured concrete, cementitious siding, rock, shale, or stucco. Main facades shall incorporate at least two different materials. No vinyl or aluminum siding will be used.
- (vii) All buildings must be sited with a reasonable emphasis on maintaining pedestrian interconnectivity between buildings and through parking areas.
- (viii) All commercial building entrances located within Parcel B, except those for fire exits and loading, will be connected directly to a sidewalk along a public street or to a private street/driveway or to an open space by a 5 foot wide sidewalk.
- (ix) Except for the Furniture Row building proposed to be built on Subparcel B-3, parking and loading areas shall be located to the side and/or rear of all buildings located along Ikea Boulevard north of University City Boulevard and no parking outside the public right-of-way shall be located between buildings and Ikea Boulevard.
 - (a) No more than four retail uses may include drive-through window facilities, as defined in the Ordinance. Three of the four retail uses with drive through facilities must be located on lots with frontage on University City Boulevard.
 - (b) No more than two banking institutions that include drive through facilities shall be permitted on the Site. Only one of these banking institutions will be permitted on the portion of the Site located north of City Boulevard and only one of these banking institutions will be permitted on the portion of the Site located south of University City Boulevard.
 - (c) No more than one gasoline sales establishment will be permitted on the Site and if one is located on the Site, it must be located on a lot with frontage on University City Boulevard.
 - (d) Except for the two buildings areas to be located within subparcel B-5a and the one building area to be located within subparcel B-6a (as indicated on the Technical Data Sheet) drive through facilities shall be internally oriented and shall not be located between the building and the public street it faces.

(d) Buffer Area Requirements

- (1) **Natural Buffer Area Requirements**
 - The Buffer Areas along I-85 which are labeled as "Natural Buffer Areas" shall satisfy the following requirements:
 - (a) Within the Natural Buffer Areas, trees four inches in caliper and greater will be preserved. The Petitioner reserves the right to remove weeds and vines and trees that measure less than 4 inches in caliper.
 - (b) Best efforts will be employed to not disturb any healthy native, understory trees which are less than 4 inches in caliper that are known to produce seasonal color. If any of these trees are removed, replanting of these tree species north and/or south of the removal area will occur along the site's I-85 property line. These trees shall be preserved in accordance with the City of Charlotte's Tree Ordinance Guidelines. This is limited to Dogwoods, Eastern Redbuds, Beeches, Serviceberries and Tulp Trees.
 - (c) Tree measurements will be taken as follows: If the tree is less than 4 inches caliper, it will be measured 6 inches above ground level. If the tree is 4 inches in diameter, it will be measured one foot above ground level.
 - (d) Dead trees and materials may be removed. The grounds located within the maintained tree save area will be maintained in a natural state.
- (2) **Landscaped Buffer Areas Requirements**

All Landscaped Buffer Areas (areas which have already been graded) will be replanted so as to conform to the Class A buffer standards established under the Ordinance.
- (3) **Other Required Buffer Areas**

Where Buffer Areas are required by the Ordinance to be established around other parts of the perimeter of the Site, the following standards shall apply:

 - All such Buffer Areas shall conform to the standards of Section 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304 and to the provisions of Paragraphs (b) and (c) and (d) of this Subparagraph (iv).
 - The width of the buffer may be reduced to the extent allowed by the Ordinance. The buffers may be disturbed to accommodate access points, berms, walls, fences, drainage pipes or channels, utility lines and facilities, pedestrian pathways and bicycle pathways.
 - Utility installations may only cross buffer areas at interior angles measured at property lines which are not less than 75 degrees.
- (4) **Standards Applicable to All Buffer Areas**

No buildings, parking spaces or maneuvering areas may be located within the Buffer Areas, and utility installations may only cross the Buffer Areas at interior angles measured at property lines which are not less than 75 degrees.

5. Storm Water Management

- (a) Storm water runoff from the Site will be managed through proven techniques which satisfy the standards, if any, imposed by the City of Charlotte Engineering Department.
- (b) Petitioner shall abide by the S.W.I.M. Stream Buffer regulations, where applicable.
- (c) Petitioner shall control the peak to match the predevelopment runoff rates for the 10-yr, 6-hr storm and perform a downstream flood analysis to determine whether additional peak control is needed and if so, for what level of storm frequency. If a downstream analysis is not performed, Petitioner shall control the peak for the 10-yr and 25-yr, 6-hour storms.
- (d) Water quality best management practices (BMPs) will be incorporated into the Site to achieve 85% Total Suspended Solids removal for the entire post-development runoff volume for the runoff generated from the first 1-inch of rainfall. BMPs must be designed and constructed in accordance with the N.C. Department of Environment and Natural Resources (NCEM) Best Management Practices Manual, April 1999, Section 4.0 (Design Standards shall be met according to the City of Charlotte Best Management Practices Manual, when available). Use of Low Impact Development (LID) techniques is optional.

6. Street Network and Street Design

- (a) Bike lanes of at least 5 feet in width shall be included as part of the cross sections of Ikea Boulevard and Shopping Center Drive. Bike lanes of at least 4 feet in width shall be provided along these roads if they are located next to parallel parking.
- (b) Parallel parking may be permitted subject to approval by CDOT.

7. Vehicular Access, Rights-of-Way and Signalization

- (a) Vehicular access to the Site shall be as generally depicted on the Technical Data Sheet.
- (b) The placements and configurations of these vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation (CDOT) and/or the North Carolina Department of Transportation (NCDOT) including alterations to accommodate right of way needs and construction easements.
 - (c) The Petitioner shall dedicate and convey (by quickclaim deed and subject to reservations for any necessary utility easements) right-of-way measuring up to sixty-five (65) feet in width extending the future Shopping Center Drive from Petitioner's eastern property line to eastern right-of-way line of Interstate 85, approximately 560 feet, for the planned flyover connector road across I-85. Alignment location to be as shown on the Technical Data Sheet. Dedication of this right-of-way shall occur when one of the abutting parcels is developed. The City has agreed at such time as it might choose not to make a crossing over I-85 to the west, to convey the land back to the land owner at no cost.
 - (d) The proposed traffic signals located at the intersection of Ikea Boulevard and City Boulevard and at the intersection of Ikea Boulevard and Brookside Lane shall include steel poles and mast arms.
 - (e) Dedicate and convey (by quickclaim deed and subject to reservations for necessary utility easements) all right-of-way necessary for the Ikea Boulevard Phase 2.
 - (f) Dedicate and convey (by quickclaim deed and subject to reservations for necessary utility easements) all right-of-way necessary for the Ikea Blvd South connection to McFarlane Boulevard, with the actual width not to exceed eighty (80) feet and the alignment to be as shown on the Technical Data Sheet. Dedication of this right-of-way shall occur when one of the abutting parcels is developed.
 - (g) Dedicate and convey (by quickclaim deed and subject to reservations for necessary utility easements) one half of the right-of-way necessary to extend McFarlane Boulevard to a point 200 feet west of its existing terminus. Actual width not to exceed thirty (30) feet from the centerline and the location to be as shown on the Technical Data Sheet. Dedication of this right-of-way shall occur when one of the abutting parcels is developed.
 - (h) The Petitioner will cause to be erected at its expense traffic signals at the intersection of IKEA Boulevard and Shopping Center Drive when warranted and approved by CDOT.

8. Roadway Improvements

- (a) The Petitioner commits to make the following Roadway Improvements within two (2) years of Ikea's CO:
 - Design the Ikea Boulevard Phase 2 improvement (extension from Ikea's northern entrance to McCullough);
 - Obtain all necessary regulatory approvals for construction of Ikea Boulevard Phase 2 including, but not limited to, subdivision approval, grading and erosion control permits, and wetlands permits;
 - Acquire all rights-of-way and temporary construction easements necessary for the construction of the Ikea Boulevard Phase 2;
 - Construct the Ikea Boulevard Phase 2 in accordance with all regulatory standards and approvals, including all modifications or improvements required through normal governmental inspection processes;
 - If Petitioner is unable to acquire any additional right-of-way needed to make the roadway improvements required by this Section voluntarily, after a good faith effort, the Petitioner may request the City to condemn the property, provided the Petitioner agrees to pay for all costs and expenses associated therewith.

9. Lighting

- (a) The maximum height of any freestanding light fixtures, including its base, erected in the parking areas within Parcel A and Parcel C shall not exceed twenty-five (25) feet.
- (b) The maximum height of any freestanding light fixtures, including its base, erected in the parking areas within Parcel B shall not exceed twenty-five (25) feet.
- (c) All freestanding parking lot fixtures within the site will be uniform in design.
- (d) All lighting fixtures installed within the site shall be capped and downward directed.
- (e) Wall pack lighting shall be only used in service areas.

10. Connectivity

Pedestrian and vehicular connections throughout the Site will be provided in the manner generally depicted on the Technical Data Sheet. Where internal sidewalks are located between buildings and parking bays, a sidewalk at least 5 feet in width shall be provided.

11. Bicycle Parking

Bicycle parking spaces (bike racks) shall be provided in accordance with the Ordinance.

12. Signs

- (a) All signs placed on the Site will be erected in accordance with the requirements of the Ordinance for the CC District.
- (b) A uniform signage and graphics systems will be employed throughout the site.

13. Tree Ordinance

All development will comply with the City of Charlotte Tree Ordinance.

14. Open Space

- (a) An open space area totaling at least one acre in area will be created at the intersection of University City Boulevard and IKEA Boulevard. This area will contain a combination of open space, monumentation, and landscaping which will serve to unify the four corners of this intersection.
- (b) Other open space areas will be provided at various points throughout the site. Areas generally depicted on the Conceptual Site Plan.

15. Utility Placement

Newly installed utility lines (not including existing or relocated lines) shall be placed underground subject to the review and approval of the respective agency or authority.

16. Fire Protection

Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshals specifications. Plans for each building will be submitted to the Fire Marshals office for approval before the construction of that building commences.

17. Amendments to Rezoning Plan

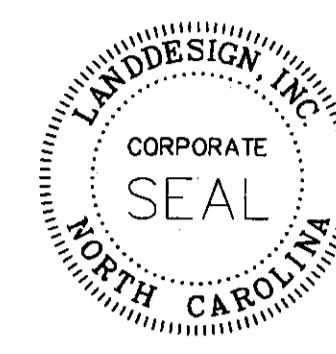
Future amendments to the Technical Data Sheet, the Schematic Site Plan, other sheets accompanying the Petition and these Development Standards may be applied for by the then Owner or Owners of the Parcel or Parcels within the Site involved in accordance with the provisions of Chapter 8 of the Ordinance.

18. Request for 5-Year Vesting

Pursuant to Sections 1.110 of the Ordinance, the Petitioner hereby requests a 5-year vesting of these Development Standards and other related rezoning documents commencing upon approval of this Rezoning Petition by the Charlotte City Council. Petitioner requests a 5-year vesting right due to the size and phasing of the proposed development and the level of Petitioner's investment.

19. 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 these Development Standards and the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioners and the current and subsequent owners of the Site and their respective successors in interest and assigns.
 - (b) Throughout these Development Standards, the terms, "Petitioners" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioners 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.

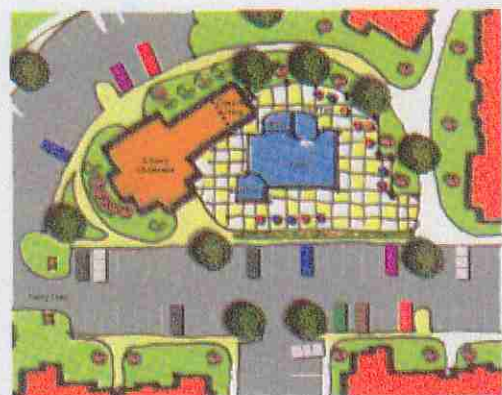




WILKFIELD
BEAULY &
ASSOCIATES

Retail Shops
Preliminary Elevation

Belgate
Charlotte, North Carolina
Sheet RZ-4
Architectural - Retail Shops
03.26.08
LandDesign.

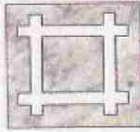


CIRCLE AT BELGATE

CHARLOTTE, NORTH CAROLINA
FOR CRESCENT
MARCH 11, 2008 JOB 07 039



Belgate
Charlotte, North Carolina
Sheet RZ-5
Architectural - Multi Family
03.26.08
LandDesign.



**Thomas Savory
Architect AIA**
1545 Hooker Street
Denver Colorado 80204
303-733-9933
303-733-9933 Fax

March 24, 2008

**Furniture Row Retail Facility
Charlotte, North Carolina
Exterior Material Breakdown**

The following is an synopsis of the areas and percentages of the exterior materials proposed for the future Furniture Row retail facility located in Charlotte, North Carolina.

West (Storefront) Elevation - 9085 square feet	Square Feet
Storefront Glazing	2620
"Brownstone" EIFS wall surface	2298
Dufferin Stone	955
"Aztec Gold" EIFS wall surface	910
Hanson Brick	803
"Paper Lantern" EIFS wall surface	733
"Chiffon" EIFS wall surface	536
"Antique Bronze" EIFS wall surface	135
"Teak" EIFS wall surface	95

Totals 9085
Additional materials not indicated above include all exposed metal roofing to be terra cotta color (manufacturer's designation, "Brick Red") standing seam metal, decorative log structure at Denver Mattress storefront, decorative rough timber structure at Oak Express storefront, decorative entry canopy at Sofa Mart and clerestory glazing between

South (Side) Elevation - 4944 square feet	Square Feet
"Brownstone" EIFS wall surface	2029
"Aztec Gold" EIFS wall surface	924
Storefront Glazing	800
Dufferin Stone	609
"Chiffon" EIFS wall surface	503
"Teak" EIFS wall surface	79

Totals 4944
Additional materials not indicated above include all exposed metal roofing to be terra cotta color (manufacturer's designation, "Brick Red") standing seam metal, decorative entry canopy at Sofa Mart and clerestory glazing between upper and lower roofs.

**Furniture Row Retail Facility
Charlotte, North Carolina
Page Two**

East (Rear) Elevation - 7515 square feet	Square Feet
"Brownstone" EIFS wall surface	4664
Dufferin Stone	1869
"Chiffon" EIFS wall surface	982

Totals 7515
Additional materials not indicated above include all exposed metal roofing to be terra cotta color (manufacturer's designation, "Brick Red") standing seam metal and clerestory glazing between upper and lower roofs.

North (Side) Elevation - 4874 square feet	Square Feet
"Brownstone" EIFS wall surface	2299
Hanson Brick	810
Storefront Glazing	659
Dufferin Stone	603
"Chiffon" EIFS wall surface	503

Totals 4874
Additional materials not indicated above include all exposed metal roofing to be terra cotta color (manufacturer's designation, "Brick Red") standing seam metal, decorative rough timber structure at Oak Express storefront, overhead and personnel doors and clerestory glazing between upper and lower roofs.



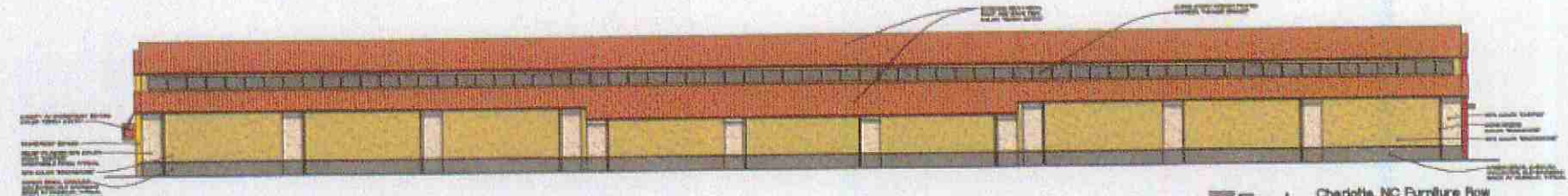
West Charlotte, NC Furniture Row ELEVATION
1/8" = 1'-0"



North Charlotte, NC Furniture Row ELEVATION
1/8" = 1'-0"



South Charlotte, NC Furniture Row ELEVATION
1/8" = 1'-0"



East Charlotte, NC Furniture Row ELEVATION
1/8" = 1'-0"

**Furniture Row
Schematic Elevations**

Belgate
Charlotte, North Carolina
Sheet RZ-6
Architectural - Furniture Row
03.26.08
LandDesign.