

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	Schematic Site Plan	01/28/08
RZ-3	Development Standards	01/28/08

TRANSPORTATION

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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

06-59

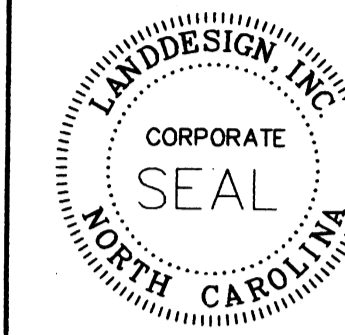
DATE: 01/28/08
DRAWN BY: JST
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SCALE: N/A
PROJECT #: 1007094

REVISIONS:

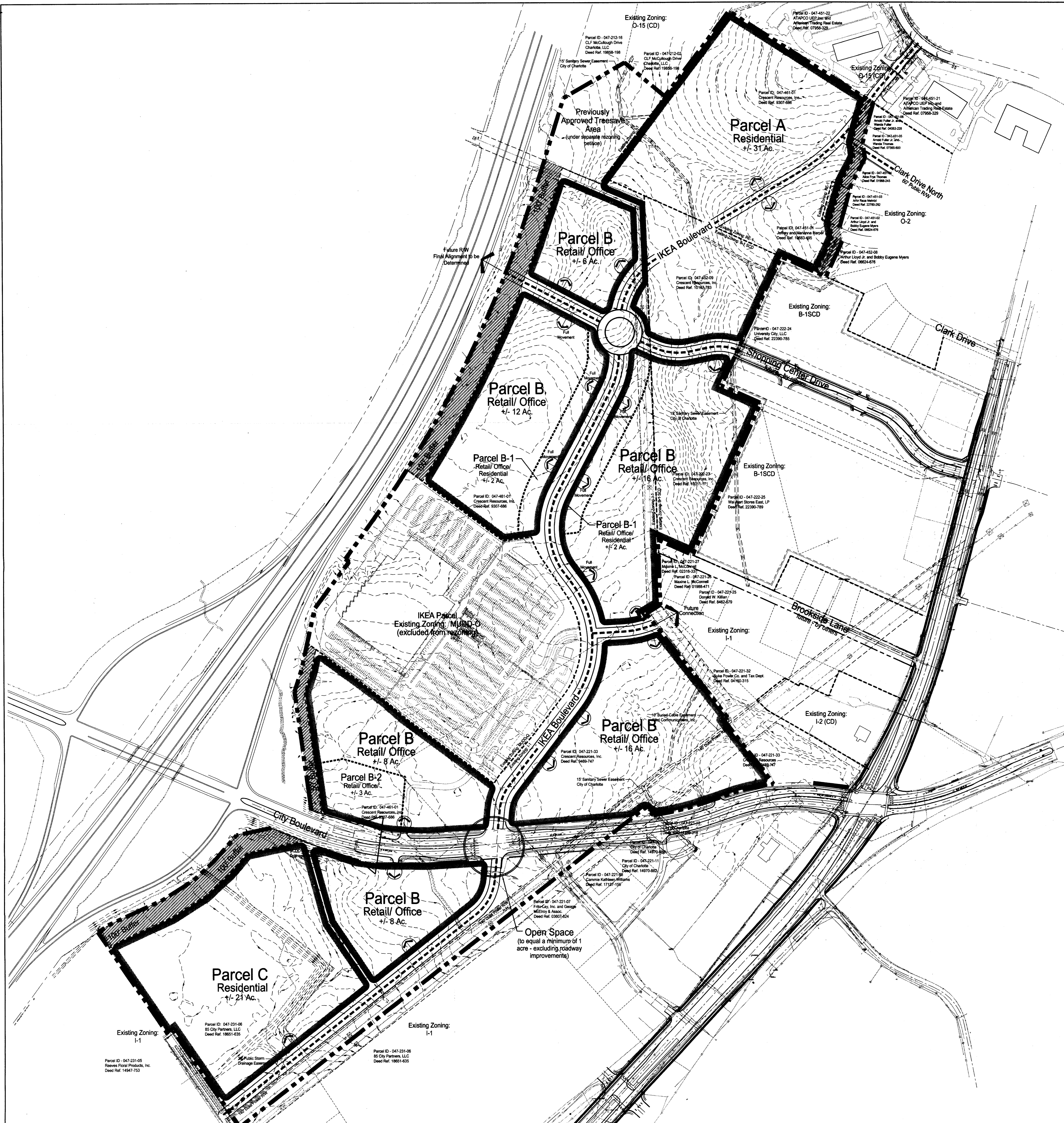
Belgate - Rezoning Petition
Charlotte, North Carolina
Crescent Resources, LLC

COVER

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Cover

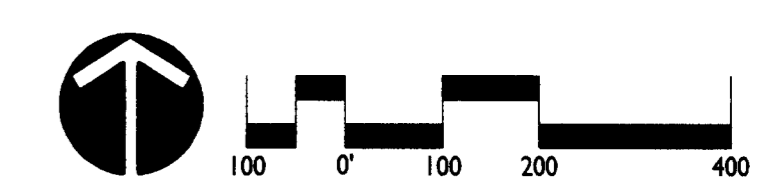


LandDesign
223 N. Graham Street, Charlotte, NC 28202
704.333.0325
www.LandDesign.com



Site Data
 Site Area: +/- 200 Ac.
 IKEA parcel: +/- 30 Ac.
 Total: +/- 170 Ac.

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



Parcel ID: 047-231-05
 Reeves Floral Products, Inc.
 Deed Ref: 14847-03

Parcel ID: 047-231-06
 60 City Partners, LLC
 Deed Ref: 18611-635

Parcel ID: 047-231-07
 60 City Partners, LLC
 Deed Ref: 18611-635

Open Space
 (to equal a minimum of 1
 acre - excluding roadway
 improvements)

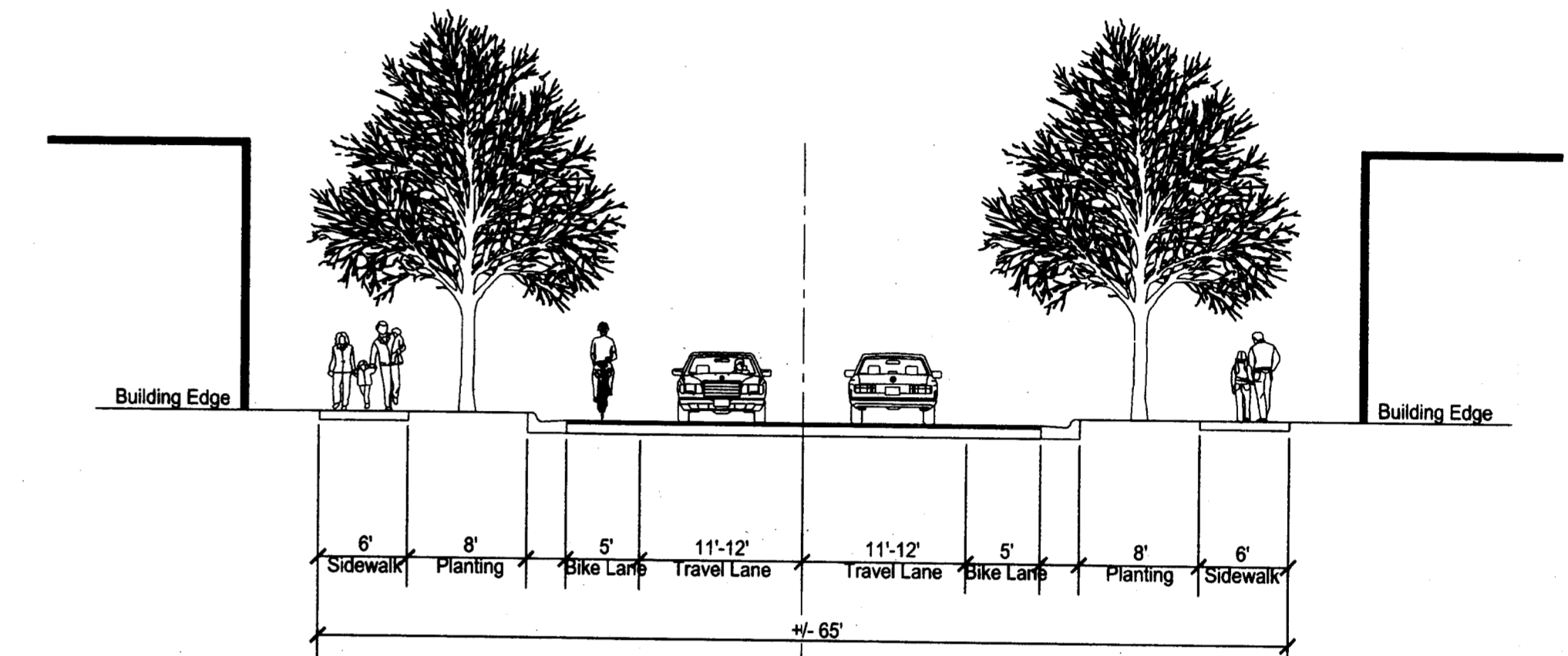
Existing Zoning:
 I-1

Existing Zoning:
 I-1

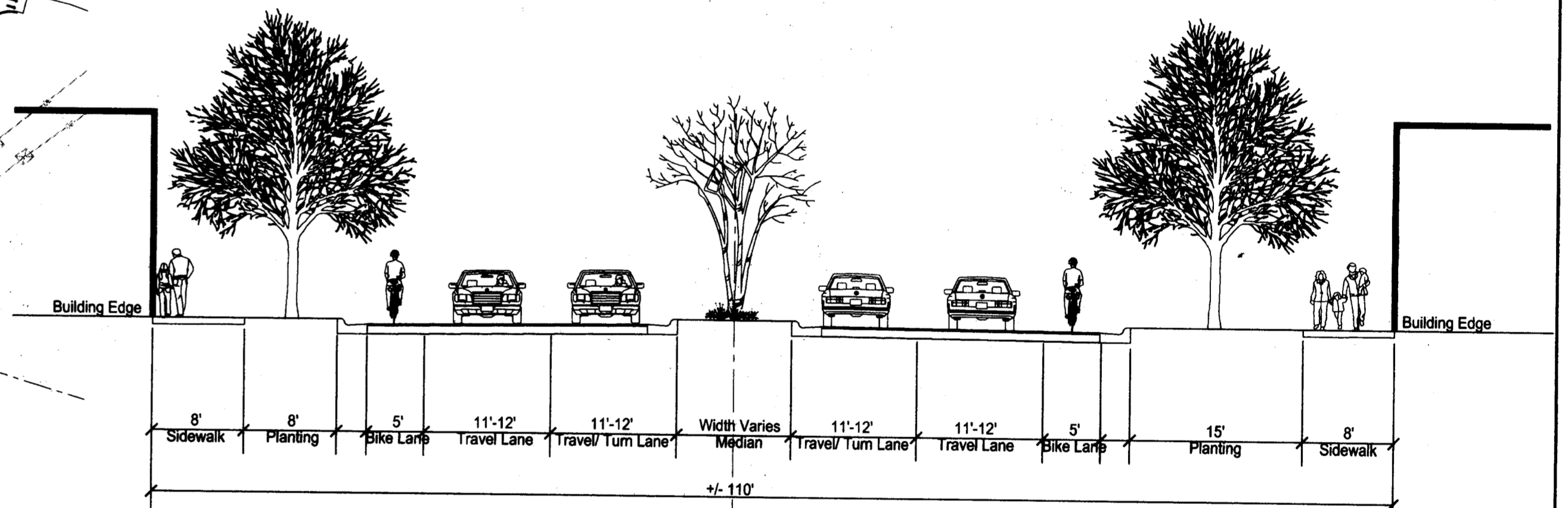


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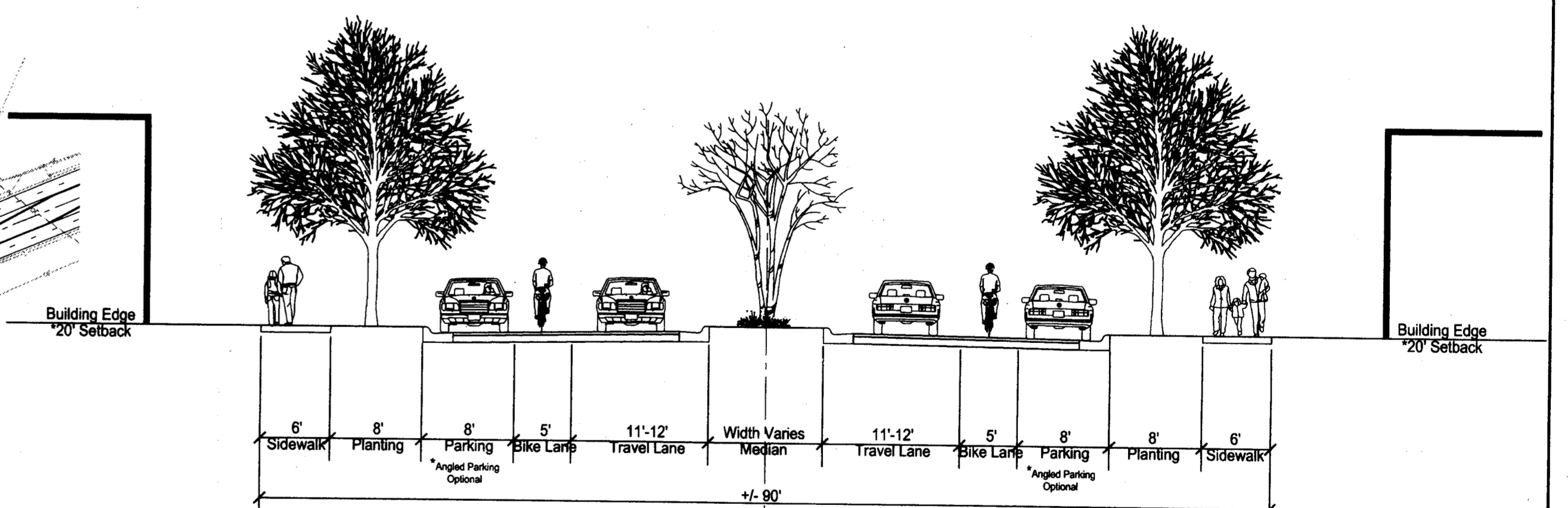
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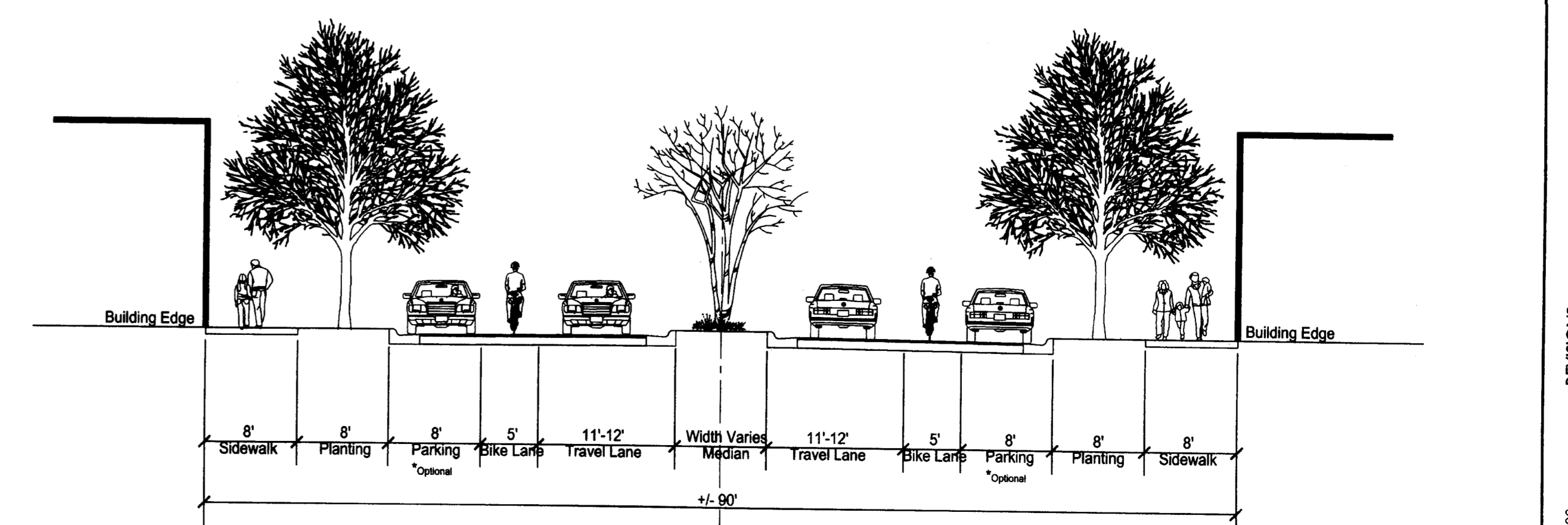
SHOPPING CENTER DRIVE EXTENSION/ BROOKSIDE LANE
SECTION A



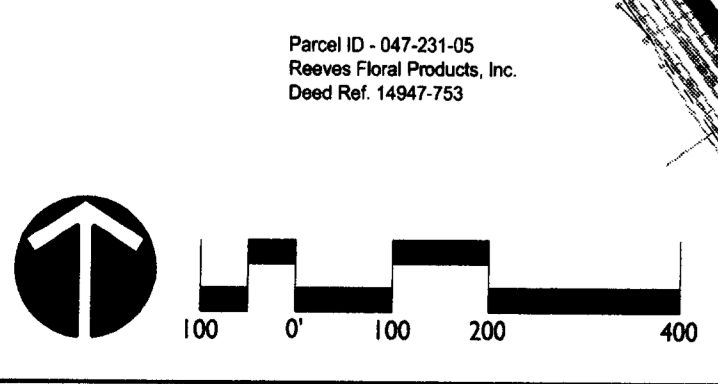
IKEA BLVD - Ph. 1
SECTION B



IKEA BLVD - Ph. 2
SECTION C



IKEA BLVD - Ph. 3
SECTION D



DEVELOPMENT STANDARDS
Changes 1-25-08
CRESCENT RESOURCES
BELGATE

General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Crescent Resources to accommodate development of a pedestrian-friendly multi-use development on an approximately 170-acre Site located along City Boulevard between Interstate 85 and North Tryon Street (the "Site").

Unless the Technical Data Sheet, these Development Standards, the Schematic Site Plan (Sheet RZ-2.0) or the Supplemental Sheets establish more stringent standards, the regulations established under the Charlotte Zoning Ordinance (the "Ordinance") or the CC zoning district classification shall govern all development taking place on Parcel A, Parcel B and Parcel C of the Site.

1. Permitted Uses

- (a) Parcel A and Parcel C of the Site may be devoted to attached residential development along with associated accessory uses.
- (b) Parcel B of the Site may be devoted to commercial uses including retail, restaurant, hotel, and office uses as permitted in the CC zoning classification along with associated accessory uses.

2. Maximum Building Areas and Development Limitations

- (a) Parcel A of the Site may be developed with up to 360 attached residential units along with associated accessory uses.
- (b) Parcel B of the Site may be developed with up to 450,000 square feet of gross floor area, of which no more than 400,000 square feet may be devoted to retail uses, and two (2) hotels with up to 200 rooms each. In the event one or more of the hotels is not developed or a hotel with a lesser number of hotel rooms is developed, additional retail, commercial or office floor area may be developed in lieu of hotel rooms. In such an event, 250 square feet of floor area may be developed for each hotel room that is not constructed up to a maximum of 25,000 square feet of additional floor area.
- (c) Parcel C of the Site may be developed with up to 360 attached residential units along with associated accessory 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

The development depicted on the Schematic Site Plan (Sheet Z-2.0) is schematic in nature and intended to describe the general arrangement of uses on the Site. Accordingly, the configurations, placements, and sizes of the building footprints and lots, as well as the locations of streets shown on the Schematic Site Plan are schematic in nature and, subject to the provisions set forth below under Performance Standards, may be altered or modified during design development and construction phases within the maximum development area boundaries established on the Technical Data Sheet. Parking layouts may also be modified to accommodate final building locations and parking spaces may be located inside or outside development area boundaries to the extent permitted by the Ordinance.

- (a) **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 along both sides of Ilica Boulevard in section B1 shall include a minimum 20-foot building and parking setback which includes large maturing trees adjoining an eight (8) foot wide sidewalk and six (6) foot planting strip with large maturing trees at the back of the curb.
 - (ii) The streetscape treatment along interior private streets shall include an eight (8) foot planting strip and six (6) foot sidewalk.
 - (iii) Decorative lighting fixtures will be installed along both sides of Ilica Boulevard and designed in a manner mutually agreed upon between the Petitioner and the City.
- (c) **Architectural and Design Controls**
 - (i) Buildings fronting Ilica Boulevard shall contain doors and non-opaque windows along the elevations which face those streets. The elevations which front Ilica 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.
 - (ii) All non-residential buildings located on the north side of City Boulevard must be architecturally integrated to complement one another by using similar exterior materials. All non-residential buildings located on the south side of City Boulevard must be architecturally integrated to complement one another by using similar exterior materials.
 - (iii) All buildings must be sited with a reasonable emphasis on maintaining pedestrian interconnectivity between buildings and through parking areas.
 - (iv) Within Parcel B, all commercial building entrances, except those for fire exits and loading, will connect directly to a sidewalk along a public street or to a private street/drive or to an open space.
 - (v) Within Parcel B, all commercial buildings, exterior vertical wall surfaces exclusive of windows and doors, shall be constructed with a minimum of 60 percent masonry materials and/or stucco (EIFS, brick, stone, pre-cast concrete or other masonry materials). No aluminum or vinyl siding or spandrel glass shall be used on any building.
 - (vi) On residential buildings, exterior vertical wall surfaces, exclusive of windows and doors, shall be constructed with cementitious siding, shake, rock, brick or stucco. Main facades shall incorporate at least two different materials. No vinyl or aluminum siding will be used.
 - (vii) Parking and loading areas shall be located to the side and/or rear of buildings located along Ilica Boulevard. No parking shall be located between buildings and Ilica Boulevard.
 - (viii) No buildings, parking spaces, maneuvering areas or stormwater detention may be located within buffer areas along I-85. In the event existing vegetation within the buffer is disturbed, the area must be replanted so as to conform to Class A buffer standards. Utility installations may only cross the I-85 landscape area at interior angles measured at property lines which are not less than 75 degrees.
 - (ix) 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 tracts with frontage on City Boulevard.
 - (x) No more than two banking institutions that include drive through facilities shall be permitted on the Site. No more than one of the two banking institutions permitted on the portion of the Site located north of City Boulevard and no more than one of the two permitted on the portion of the Site located south of City Boulevard.
 - (xi) No more than one gasoline sales establishment shall be permitted on the Site. In the event a gasoline sales establishment is located on the Site, it must be located on a tract with frontage on City Boulevard.
 - (xii) Except for the two buildings depicted on the TDS within sub-parcel B2, drive through facilities shall be internally oriented and shall not be located between the building and Ilica Boulevard.
 - (xiii) No more than two hotel establishments shall be permitted on the Site.
 - (xiv) Uses allowed in an office district zoning classification, including but not limited to financial institutions and hotels, shall be deemed to be office uses within the context of these development standards.

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, or 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 Solid 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 (NCDENR) Best Management Practices Manual, April 1999, Section 4.0 (Design Standards shall not be 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 four feet in width shall be included as part of the cross sections of Ilica Boulevard and Shopping Center Drive. Bike lanes of at least five feet in width shall be provided along these roads if they are located next to parallel parking.
 - (b) Parallel parking and/or reverse angle parking may be permitted subject to approval by CDOT.
- 7. Vehicular Access, Right-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 design and to any adjustments required for approval by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
 - (c) The Petitioner shall dedicate rights-of-way right of way measuring 62 feet in width for the planned flyover connector road across I-85. Dedication of this right-of-way shall occur when one of the abutting parcels is developed and the alignment to be dedicated shall be as mutually agreed upon between the Petitioner and the City.
 - (d) The proposed traffic signals located at the intersection of Ilica Boulevard and City Boulevard and on Ilica Boulevard at the entrance to the Ilica site shall include steel poles and mast arms.

8. 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, either a sidewalk at least seven feet in width or wheelcrops shall be provided.

9. Bicycle Parking

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

10. Signs

All signs placed on the Site will be erected in accordance with the requirements of the Ordinance for the CC district.

11. Tree Ordinance

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

12. Open Space

Open space including at least one acre of land along with pedestrian amenities shall be provided at or near the intersection of City Boulevard and Ilica Boulevard.

13. 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.

14. 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.

15. 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 6 of the Ordinance.

16. 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.

17. 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.

REVISIONS:

DATE: 01/28/08
DRAWN BY: JST
CHECKED BY: HRC
SCALE: N/A
PROJECT #: 1007094
SHEET #:

RZ-3

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

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