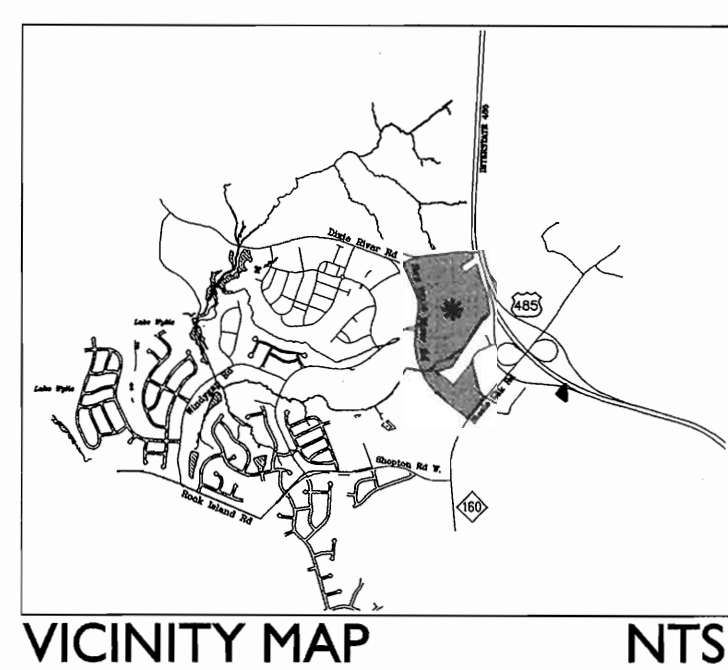


PARCEL 'A'
TOTAL AREA (GROSS): 4.36 AC
EXISTING ZONING: R-3 LLW-PA & O-2(CD) LLW-PA
PROPOSED ZONING: CC(SPA) LLW-PA

PARCEL 'B'
TOTAL AREA (GROSS): 10.51 AC
EXISTING ZONING: R-3 LLW-PA & O-2 LLW-PA
PROPOSED ZONING: CC(SPA) LLW-PA

PARCEL 'C'
TOTAL AREA (GROSS): 58.35 AC
EXISTING ZONING: BP LLW-PA, CC LLW-PA & R-3 LLW-PA
PROPOSED ZONING: CC LLW-PA & CC(SPA) LLW-PA

PARCEL 'D'
TOTAL AREA (GROSS): 9.38 AC
EXISTING ZONING: BP LLW-PA
PROPOSED ZONING: I-1(CD) LLW-PA



FOR PUBLIC HEARING

PETITION #: 2010-011
CITY OF CHARLOTTE

PETITIONER: STEELE CREEK (1997) LIMITED PARTNERSHIP

REVISIONS:
January 19, 2010 - RESUBMITTAL PER PLANNING STAFF COMMENTS

SITE DATA

- ACREAGE 82.60 (GROSS)
- EXISTING ZONING: R-3 LLW-PA, BP LLW-PA, CC LLW-PA AND O-2(CD) LLWPA BY REZONING PETITION NO. 2006-078
- PROPOSED ZONING: CC LLW-PA, CC LLWPA (SPA) AND I-1(CD) LLWPA AND 5 YEAR VESTED RIGHT PER SECTION 1.110 OF THE ORDINANCE
- PROPOSED USES: A COMBINATION OF GENERAL AND MEDICAL OFFICE USES AS WELL AS RETAIL, RESTAURANT AND PERSONAL SERVICE USES, HOTEL USES AND INDUSTRIAL FLEX SPACE AS MORE SPECIFICALLY DESCRIBED BELOW.

A. GENERAL PROVISIONS.

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE REZONING PETITION FILED BY STEELE CREEK 1997, LP (THE "PETITIONER" OR "DEVELOPER") TO ACCOMMODATE DEVELOPMENT OF A CORPORATE OFFICE PARK OF LIGHT MANUFACTURING, SUPPORT RETAIL, PERSONAL SERVICE, HOTEL AND RESTAURANT USES IN A PEDESTRIAN-FRIENDLY DEVELOPMENT PATTERN TO BE KNOWN AS STEELE CREEK CORPORATE PARK ON AN APPROXIMATELY 82.60 ACRE SITE GENERALLY LOCATED BETWEEN STEELE CREEK ROAD, DIXIE RIVER ROAD, NEW DIXIE RIVER ROAD AND I-485 (THE "SITE"). DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE TECHNICAL DATA SHEET. THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE IN EXISTENCE AT THE TIME OF APPROVAL OF THIS PETITION (THE "ORDINANCE"), UNLESS THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE COMMERCIAL CENTER (CC) AND THE LIGHT INDUSTRIAL DISTRICT (I-1) ZONING CLASSIFICATIONS, AS APPLICABLE, SHALL GOVERN DEVELOPMENT TAKING PLACE ON THE SITE.

CONSEQUENTLY, EXCEPT AS OTHERWISE EXPRESSLY SPECIFIED ON THE TECHNICAL DATA SHEET AND IN THESE DEVELOPMENT STANDARDS, THE ULTIMATE LAYOUT OF THE DEVELOPMENT PROPOSED; THE EXACT ALIGNMENTS OF STREETS AND POINTS OF ACCESS; THE NUMBERS, THE SIZE, CONFIGURATION AND PLACEMENTS OF BUILDINGS AND PARKING AREAS; AND THE DETAILCTIONS OF SUCH ELEMENTS ON THE REZONING PLAN ARE PRELIMINARY GRAPHIC REPRESENTATIONS OF THE TYPES AND QUALITY OF DEVELOPMENT PROPOSED. THEY MAY THEREFORE BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES SUBJECT TO THE ACCOMPANYING DEVELOPMENT STANDARDS AND SECTION 6.206 (2) OF THE ORDINANCE. PARKING LAYOUTS FOR SURFACE AND STRUCTURED PARKING MAY 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. SIDEWALKS GENERALLY DEPICTED ON THE REZONING PLAN ARE INTENDED TO REFLECT THE GENERAL PEDESTRIAN CIRCULATION FOR DEVELOPMENT ON THE SITE BUT THE SPECIFIC LOCATIONS OF SUCH SIDEWALKS MAY BE SUBJECT TO MINOR VARIATIONS THAT DO NOT MATERIALLY CHANGE THE DESIGN INTENT GENERALLY DEPICTED ON THE REZONING PLAN.

B. PERMITTED USES AND BUILDING AREA RESTRICTIONS.

- THIS REZONING IS INTENDED TO ACCOMMODATE A MIX OF USES, INCLUDING OFFICE, RETAIL/RESTAURANT, PERSONAL SERVICES, HOTEL AND INDUSTRIAL FLEX SPACE USES AS WELL AS ASSOCIATED SURFACE AND STRUCTURED PARKING FACILITIES AND ACCESSORY USES AND STRUCTURES ALLOWED IN THE CC AND I-1 ZONING DISTRICT, AS APPLICABLE. THESE USES WILL BE PLACED ON THE SITE IN SUCH A WAY AS TO BE CONNECTED BY PUBLIC AND/OR PRIVATE STREETS, OPEN SPACE, AND/OR PEDESTRIAN FEATURES.
- FOR EASE OF REFERENCE, THE REZONING PLAN SETS FORTH FOUR (4) PARCELS AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET AS PARCELS A, B, C AND D (EACH A "PARCEL" OR A "COMPONENT", AND COLLECTIVELY THE "PARCELS" OR "COMPONENTS").
- IT IS UNDERSTOOD THAT THE COMMON BOUNDARIES BETWEEN EACH OF THE PARCELS (AND THE RIGHTS AND RESTRICTIONS PERTAINING TO ALL SUCH PARCELS), MAY BE ADJUSTED UPON THE MUTUAL AGREEMENT OF THE OWNERS OF SUCH PARCELS, SUBJECT TO THE APPROVAL OF THE PLANNING DIRECTOR. THE ZONING BOUNDARIES INDICATED MAY NOT BE MAINTAINED, UNLESS AMENDED AS PERMITTED BY CHAPTER SIX (6) OF THE ORDINANCE.
- THE FOLLOWING USES WILL BE PERMITTED ON PARCEL A SUBJECT TO THE FOLLOWING LIMITATIONS:
 - PARCEL A WILL BE ZONED CC.
 - RETAIL AND/OR RESTAURANTS (WITH AND WITHOUT A DRIVE THROUGH WINDOW) AND A GAS STATION CONVENIENCE STORE WILL BE ALLOWED ON PARCEL A.
 - UP TO 20,000 SQUARE FEET OF GROSS FLOOR AREA AS DEFINED BELOW WILL BE ALLOWED ON PARCEL A.
 - ONE (1) OR TWO (2) PRINCIPAL BUILDINGS MAY BE CONSTRUCTED ON PARCEL A.
 - TWO (2) USES WITH DRIVE-THROUGH WINDOWS WILL BE ALLOWED ON PARCEL A, BUT ONLY ONE RESTAURANT WITH A DRIVE-THROUGH WINDOW WILL BE ALLOWED ON PARCEL A.
 - A GAS STATION CONVENIENCE STORE MAY BE SUBSTITUTED FOR ONE OF THE USES WITH A DRIVE THROUGH WINDOW.
 - ACCESSORY USES AND STRUCTURES ASSOCIATED WITH THE ALLOWED PRINCIPLE USES IN THE CC ZONING DISTRICT WILL BE ALLOWED ON PARCEL A.

FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH, THE TERM "GROSS FLOOR AREA" OR "GFA" SHALL MEAN AND REFER TO THE SUM OF THE GROSS HORIZONTAL AREA OF EACH FLOOR OF A PRINCIPAL BUILDING AND ANY ACCESSORY BUILDINGS OR STRUCTURES LOCATED ON THE SITE MEASURED FROM THE OUTSIDE OF THE EXTERIOR WALLS OR FROM THE CENTER LINE OF PARTY WALLS PROVIDED, HOWEVER, SUCH TERM SHALL EXCLUDE ANY SURFACE OR STRUCTURED PARKING FACILITIES, OR RELATED ACCESS AREAS, AREAS USED FOR BUILDING AND EQUIPMENT ACCESS (SUCH AS STAIRS, ELEVATOR SHAFTS AND MAINTENANCE CRAWL SPACES) PROVIDED AREAS DEVOTED TO OUTDOOR DINING ARE NOT INTENDED TO BE INCLUDED IN THE CALCULATION OF GROSS FLOOR AREA (BUT ANY SUCH OUTDOOR DINING AREAS SHALL BE CONSIDERED FOR PARKING PURPOSES). NOTWITHSTANDING THE FOREGOING, THE DEFINITION OF GFA IN THE ORDINANCE WILL BE USED TO CALCULATE THE PARKING/FLOOR AREA RATIOS ESTABLISHED BY THE ORDINANCE.

- THE FOLLOWING USES WILL BE PERMITTED ON AND ALLOCATED TO PARCEL B, SUBJECT TO THE FOLLOWING LIMITATIONS:
 - PARCEL B WILL BE ZONED CC.
 - GENERAL AND MEDICAL OFFICE, HOTEL, CIVIC, BANK USES AND PERSONAL SERVICE USES WILL BE ALLOWED ON PARCEL B.
 - UP TO 55,000 SQUARE FEET OF GROSS FLOOR AREA AS DEFINED ABOVE WILL BE ALLOWED ON PARCEL B.
 - NOTWITHSTANDING THE NUMBERS OF BUILDINGS SHOWN ON SCHEMATIC SITE PLAN, UP TO FIVE (5) PRINCIPAL BUILDINGS MAY BE CONSTRUCTED ON PARCEL B.
 - ONE BANK WITH ACCESSORY DRIVE THROUGH WINDOWS WILL BE ALLOWED ON PARCEL B.
 - A HOTEL WITH UP TO 120 ROOMS WILL BE ALLOWED ON PARCEL B. IF A HOTEL IS CONSTRUCTED ON PARCEL B THE AMOUNT OF ALLOWED SQUARE FOOTAGE WILL BE REDUCED BY 25,000 SQUARE FEET OF GROSS FLOOR AREA.
 - ACCESSORY USES AND STRUCTURES ASSOCIATED WITH THE ALLOWED PRINCIPLE USES IN THE CC ZONING DISTRICT. DRIVE THROUGH WINDOWS ASSOCIATED WITH A BANK WILL BE ALLOWED ON PARCEL B. OTHER USES WITH ACCESSORY DRIVE THROUGH WINDOWS WILL NOT BE ALLOWED ON PARCEL B.
- THE FOLLOWING USES WILL BE PERMITTED ON AND ALLOCATED TO PARCEL C, SUBJECT TO THE FOLLOWING LIMITATIONS:
 - PARCEL C WILL BE ZONED CC.
 - GENERAL AND MEDICAL OFFICE, RETAIL, RESTAURANT, PERSONAL SERVICES, CIVIC AND INDOOR RECREATIONAL USES WILL BE ALLOWED ON PARCEL C.
 - UP TO 620,000 SQUARE FEET OF GROSS FLOOR AREA AS DEFINED ABOVE WILL BE ALLOWED ON PARCEL C.
 - NOTWITHSTANDING THE NUMBERS OF BUILDINGS SHOWN ON SCHEMATIC SITE PLAN, UP TO 15 PRINCIPAL BUILDINGS MAY BE CONSTRUCTED ON PARCEL C.
 - OF THE TOTAL ALLOWED SQUARE FOOTAGE, 10,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE UTILIZED FOR A FREE STANDING BUILDING THAT MAY CONTAIN ONE OR MORE OF THE FOLLOWING USES: RESTAURANTS, PERSONAL SERVICES AND RETAIL USES ON PARCEL C.
 - ALL OTHER NON-OFFICE USES INCLUDING WITHOUT LIMITATION ANY ADDITIONAL RETAIL, PERSONAL SERVICE AND RESTAURANT USES MUST BE INTEGRATED INTO MULTI-STORY OFFICE BUILDINGS THAT CONTAIN AT LEAST 50,000 SQUARE FEET OF GENERAL OR MEDICAL OFFICE USES AND MAY ONLY BE LOCATED ON THE GROUND FLOOR, THE INTENT BEING TO ALLOW ACCESSORY RETAIL, RESTAURANT AND PERSONAL SERVICE USES PRIMARILY FOR THE TENANTS OF THE OFFICE BUILDINGS.
 - ACCESSORY USES AND STRUCTURES ASSOCIATED WITH THE ALLOWED PRINCIPLE USES IN THE CC ZONING DISTRICT WILL BE ALLOWED ON PARCEL C. USES WITH DRIVE THROUGH WINDOWS WILL NOT BE ALLOWED.

- THE FOLLOWING USES WILL BE PERMITTED ON AND ALLOCATED TO PARCEL D, SUBJECT TO THE FOLLOWING LIMITATIONS:
 - PARCEL D WILL BE ZONED I-1(CD).
 - LIGHT MANUFACTURING WITH ASSOCIATED WAREHOUSE AND DISTRIBUTION SPACE, RETAIL, RESTAURANTS, PERSONAL SERVICES AND GENERAL AND MEDICAL OFFICE USES WILL BE ALLOWED ON PARCEL D.
 - UP TO 40,000 SQUARE FEET OF GROSS FLOOR AREA AS DEFINED ABOVE WILL BE ALLOWED ON PARCEL D.
 - NOTWITHSTANDING THE NUMBERS OF BUILDINGS SHOWN ON SCHEMATIC SITE PLAN UP TO SIX (6) PRINCIPAL BUILDINGS MAY BE CONSTRUCTED ON PARCEL D.
 - ACCESSORY USES AND STRUCTURES ASSOCIATED WITH THE ALLOWED PRINCIPLE USES IN THE I-1 ZONING DISTRICT WILL BE ALLOWED ON PARCEL D. USES WITH DRIVE THROUGH USES WILL NOT BE ALLOWED ON PARCEL D.

C. ACCESS POINTS.

- THE TOTAL NUMBER OF INGRESS/EGRESS POINTS TO THE SITE FROM THE EXISTING AND PROPOSED THROUGHFARES THAT ABOUT THE SITE SHALL BE LIMITED TO THE NUMBER SHOWN ON THE TECHNICAL DATA SHEET. THE EXACT LOCATIONS MAY VARY SOMEWHAT FROM THOSE DEPICTED BASED UPON FINAL DESIGN AND LOCALTIONAL REQUIREMENTS AS REGULATED BY CDOT AND NCDOT.
- THE TOTAL NUMBER OF INGRESS/EGRESS POINTS INDICATED ALONG THE INTERNAL PUBLIC AND PRIVATE STREETS ON THE TECHNICAL DATA SHEET ARE FOR ILLUSTRATIVE PURPOSES AND DO NOT LIMIT THE NUMBER OF ACCESS POINTS THAT MAY BE PROVIDED ALONG THE I-1 INTERNAL PUBLIC AND PRIVATE STREETS. CONSEQUENTLY THE NUMBER AND PLACEMENT OF ACCESS POINTS ALONG THE SITES INTERNAL STREETS MAY BE MODIFIED BY THE PETITIONER AS LONG AS THE FINAL DESIGN AND LOCALTIONAL REQUIREMENTS MEET THE REQUIREMENTS OF CDOT AND NCDOT.
- STREETS WITHIN THE SITE WILL BE EITHER PUBLIC OR PRIVATE AS INDICATED ON THE TECHNICAL DATA SHEET. REGARDLESS OF WHETHER THE INTERNAL STREETS ARE PUBLIC OR PRIVATE, THEY SHALL REMAIN OPEN AND ACCESSIBLE TO THE PUBLIC. THIS DOES NOT PRECLUDE THE PETITIONER FROM TEMPORARILY CLOSING A PRIVATE STREET FOR, BUT NOT LIMITED TO, SPECIAL EVENTS, FARMERS MARKETS, FESTIVALS, CONCERTS, BLOCK PARTIES OR OTHER SIMILAR EVENTS.

D. ROADWAY IMPROVEMENTS AND PHASING.

THE PETITIONER WILL MAKE THE FOLLOWING ROADWAY IMPROVEMENTS:

- PHASE ONE IMPROVEMENTS. THE FOLLOWING ROADWAY IMPROVEMENTS (THE "PHASE ONE IMPROVEMENTS") MUST BE COMPLETED PRIOR TO ISSUANCE OF FINAL CERTIFICATES OF OCCUPANCY FOR ANY OF THE USES ALLOWED ON PARCEL A OR PARCEL B (THE "PHASE ONE DEVELOPMENT"):
 - NORTHBOUND STEELE CREEK ROAD. RESTRIPE THE NORTHBOUND APPROACH TO THE INTERSECTION OF NEW DIXIE RIVER ROAD AND STEELE CREEK ROAD TO PROVIDE AN ADDITIONAL DUAL LEFT TURN LANE WITH 450 FEET OF STORAGE AND APPROPRIATE TAPERS.
 - WESTBOUND THROUGH NEW DIXIE RIVER ROAD. CONSTRUCT AN ADDITIONAL WESTBOUND THROUGH LANE ON NEW DIXIE RIVER ROAD AT STEELE CREEK ROAD TO RECEIVE THE DUAL LEFTS AND TERMINATE THIS LANE AS A RIGHT TURN LANE AT ACCESS "C".
 - EASTBOUND LEFT NEW DIXIE RIVER ROAD. CONSTRUCT AN ADDITIONAL EASTBOUND LEFT TURN LANE ON NEW DIXIE RIVER ROAD AT STEELE CREEK ROAD WITH 400 FEET OF STORAGE AND APPROPRIATE TAPERS.
 - RESTRIPE EASTBOUND LEFT NEW DIXIE RIVER ROAD. RESTRIPE THE EXISTING EASTBOUND LEFT TURN LANE ON NEW DIXIE RIVER ROAD AT STEELE CREEK ROAD TO SERVE AS A COMBINATION LEFT AND RIGHT TURN LANE.
 - MEDIAN STEELE CREEK ROAD & TROJAN DRIVE. CONTINUE THE MEDIAN TO THE NORTH ALONG STEELE CREEK ROAD AND EXTEND PAST TROJAN DRIVE 100 FEET TO RESTRICT LEFT TURN MOVEMENTS.
 - ACCESS A. CONSTRUCT NORTHBOUND APPROACH AT ACCESS A WITH ONE INGRESS AND ONE EGRESS LANE; AND CONSTRUCT A WESTBOUND LEFT TURN LANE ON TROJAN DRIVE WITH 150 FEET OF STORAGE WITH APPROPRIATE TAPERS.
 - ACCESS B. CONSTRUCT SOUTHBOUND APPROACH AT ACCESS B WITH ONE INGRESS AND ONE EGRESS LANE.
 - ACCESS C. CONSTRUCT (i) THE SOUTHBOUND APPROACH AT ACCESS C WITH ONE INGRESS LANE AND TWO EGRESS LANES (SUCH EGRESS LANES BEING AN EXCLUSIVE LEFT TURN LANE WITH 150 FEET OF STORAGE WITH APPROPRIATE TAPERS AND A COMBINATION THROUGH-RIGHT TURN LANE); (ii) A EASTBOUND LEFT TURN LANE ON NEW DIXIE RIVER ROAD WITH 150 FEET OF STORAGE WITH APPROPRIATE TAPERS; AND (iii) INSTALL A TRAFFIC SIGNAL AT ACCESS C WHEN TRAFFIC SIGNAL WARRANTS ARE MET (IT BEING UNDERSTOOD THAT THE COSTS OF SUCH INSTALLATION WILL BE SHARED BETWEEN PETITIONER AND OTHERS), THE PETITIONER MAY AT ITS DISCRETION ELECT TO CONSTRUCT THE SIGNAL WITH PEDEST POSTS AND MAST ARMS.
- PHASE TWO IMPROVEMENTS. AS DEVELOPMENT ON PARCELS C AND D (THE "PHASE TWO DEVELOPMENT") OCCURS, THE PETITIONER WILL COMPLETE THE FOLLOWING IMPROVEMENTS IN ACCORDANCE WITH THE FOLLOWING PROVISIONS:
 - NEW DIXIE RIVER ROAD EXTENSION. NEW DIXIE RIVER ROAD WILL BE EXTENDED FROM THE TERMINUS OF THE CITY OF CHARLOTTE PROJECT LOCATED ON THE WESTERLY SIDE OF THE TRIBUTARY THAT GOES UNDER NEW DIXIE RIVER ROAD, AS GENERALLY DEPICTED ON THE REZONING PLAN, TO THE INTERSECTION OF DIXIE RIVER ROAD AND BERWICK COMMONS PARKWAY (ACCESS E) PRIOR TO ISSUANCE OF FINAL CERTIFICATES OF OCCUPANCY FOR MORE THAN 120,000 SQUARE FEET OF ALLOWED USES ON PARCEL C. (ii) ITS INTERSECTION WITH BERWICK COMMONS PARKWAY TO ACCESS F PRIOR TO THE ISSUANCE OF FINAL CERTIFICATES OF OCCUPANCY FOR MORE THAN 100,000 SQUARE FEET OF ALLOWED USES ON PARCEL C AND (iii) ITS INTERSECTION WITH ACCESS F TO SANDHAVEN WAY PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY FOR MORE THAN 20,000 SQUARE FEET OF ALLOWED USES ON PARCEL D OR MORE THAN 520,000 SQUARE FEET OF ALLOWED USE ON PARCEL C.

IT IS UNDERSTOOD THAT THE COST OF THE IMPROVEMENTS SET FORTH IN (i)-(iii) ABOVE SHALL BE BORNE JOINTLY BETWEEN THE PETITIONER AND OTHERS.

- STEELE CREEK ROAD AND BROWN RIVER ROAD. A NORTHBOUND RIGHT TURN LANE ON STEELE CREEK ROAD WITH 450 FEET OF STORAGE AND APPROPRIATE TAPERS WILL BE CONSTRUCTED PRIOR TO THE ISSUANCE OF FINAL CERTIFICATES OF OCCUPANCY FOR MORE THAN 350,000 SQUARE FEET OF DEVELOPMENT ON PARCEL C AND/OR PARCEL D.
 - STEELE CREEK ROAD AND SHOPTON ROAD WEST. A NORTHBOUND THROUGH LANE ON STEELE CREEK ROAD WITH 400 FEET OF STORAGE AND APPROPRIATE TAPERS WILL BE CONSTRUCTED PRIOR TO THE ISSUANCE OF FINAL CERTIFICATES OF OCCUPANCY FOR MORE THAN 475,000 SQUARE FEET OF OFFICE USES OR A COMBINATION OF OFFICE AND RETAIL USES THAT EXCEEDS 400,000 SQUARE FEET OF OFFICE USES AND 50,000 SQUARE FEET OF RETAIL USES.
- THE FOLLOWING TWO IMPROVEMENTS MUST BE CONSTRUCTED PRIOR TO THE ISSUANCE OF FINAL CERTIFICATES OF OCCUPANCY FOR MORE THAN 525,000 SQUARE FEET OF OFFICE USES OR A COMBINATION OF OFFICE USES AND RETAIL USES THAT EXCEEDS 450,000 SQUARE FEET OF OFFICE USES AND 50,000 SQUARE FEET OF RETAIL USES.
- STEELE CREEK ROAD AND I-485 SOUTHBOUND RAMP. A NORTHBOUND RIGHT TURN LANE WILL BE CONSTRUCTED ON STEELE CREEK ROAD WITH 200 FEET OF STORAGE AND APPROPRIATE TAPERS; AND
 - STEELE CREEK ROAD AND NEW DIXIE RIVER ROAD. A NORTHBOUND RIGHT TURN LANE ON STEELE CREEK ROAD SHALL BE EXTENDED TO NEW DIXIE RIVER ROAD BY 125 FEET TO PROVIDE 275 FEET OF STORAGE WITH APPROPRIATE TAPERS.
 - ACCESS D. CONSTRUCT WESTBOUND APPROACH AT ACCESS E WITH AN EXCLUSIVE LEFT TURN LANE WITH 150 FEET OF STORAGE AND APPROPRIATE TAPERS AND A COMBINATION THROUGH-RIGHT TURN LANE.
 - ACCESS E. CONSTRUCT/INSTALL (i) WESTBOUND APPROACH AT ACCESS E WITH AN EXCLUSIVE LEFT TURN LANE WITH 150 FEET OF STORAGE AND APPROPRIATE TAPERS AND A COMBINATION THROUGH-RIGHT TURN LANE; (ii) A SOUTHBOUND LEFT TURN LANE ON NEW DIXIE RIVER ROAD WITH 150 FEET OF STORAGE WITH APPROPRIATE TAPERS; AND (iii) A TRAFFIC SIGNAL AT ACCESS E WHEN TRAFFIC SIGNAL CONTROL WARRANTS ARE MET (THE COST OF ITEM (iii) TO BE SHARED BETWEEN PETITIONER AND OTHERS); SUCH IMPROVEMENTS TO BE INSTALLED CONCURRENTLY WITH THE CONSTRUCTION OF ACCESS E.
 - ACCESS F. CONSTRUCT (i) THE WESTBOUND APPROACH AT ACCESS F WITH ONE INGRESS LANE AS AN EXCLUSIVE LEFT TURN LANE AND TWO EGRESS LANES AS RIGHT TURN LANES; AND (ii) A SOUTHBOUND LEFT TURN LANE ON NEW DIXIE RIVER ROAD WITH 150 FEET OF STORAGE WITH APPROPRIATE TAPERS; SUCH IMPROVEMENTS TO BE INSTALLED CONCURRENTLY WITH THE CONSTRUCTION OF ACCESS F.
 - ACCESS G. CONSTRUCT WESTBOUND APPROACH AT ACCESS G WITH ONE INGRESS AND ONE EGRESS LANE.
 - ACCESS H. CONSTRUCT (i) NORTHBOUND APPROACH AT ACCESS H WITH ONE INGRESS LANE AND ONE EGRESS LANE; AND (ii) A RAISED CONCRETE MEDIAN ON DIXIE RIVER ROAD AT ACCESS H TO RESTRICT LEFT TURN MOVEMENTS FROM THE INTERSECTION WITH NEW DIXIE RIVER ROAD A DISTANCE OF 100 FEET PAST ACCESS H; SUCH IMPROVEMENTS TO BE INSTALLED CONCURRENTLY WITH THE CONSTRUCTION OF ACCESS H.
 - ACCESS I. CONSTRUCT (i) THE NORTHBOUND APPROACH AT ACCESS I WITH ONE INGRESS LANE AS AN EXCLUSIVE LEFT TURN LANE AND TWO EGRESS LANES AS RIGHT TURN LANES; AND (ii) A WESTBOUND LEFT TURN LANE ON DIXIE RIVER ROAD WITH THE MAXIMUM AMOUNT OF STORAGE AND TAPER THAT CAN BE ACCOMMODATED BEFORE IMPACTING THE EXISTING BRIDGE OVER I-485 (SUCH IMPROVEMENTS BEING ESTIMATED TO INCLUDE 140 FEET OF STORAGE WITH A 100 FOOT TAPER); SUCH IMPROVEMENTS TO BE INSTALLED CONCURRENTLY WITH THE CONSTRUCTION OF ACCESS I.

- RIGHT-OF-WAY ACQUISITION. IT IS POSSIBLE THAT THE PETITIONER WILL HAVE TO ACQUIRE OFF-SITE RIGHT-OF-WAY TO COMPLETE SOME OF THESE IMPROVEMENTS. IF AFTER REASONABLE EFFORTS BY THE PETITIONER TO ACQUIRE SUCH RIGHT-OF-WAY ON MARKET RATE TERMS, SUCH EFFORTS TO BE EXPENDED FOR A PERIOD OF 60 DAYS, THE PETITIONER HAS NOT BEEN SUCCESSFUL, THE CITY OF CHARLOTTE WILL ASSIST IN THE ACQUISITION OF RIGHT-OF-WAY IN ACCORDANCE WITH ITS STANDARD POLICIES. IN SUCH EVENT, THE PETITIONER WILL REIMBURSE THE CITY FOR THE ALL THE COSTS ASSOCIATED WITH THIS RIGHT-OF-WAY ACQUISITION.

E. ARCHITECTURAL STANDARDS.

- AT LEAST 80% OF EACH SUCH BUILDING FACADE EXCLUSIVE OF WINDOWS, DOORS AND ROOFS WILL BE CONSTRUCTED OF BRICK, STONE, SIMULATED STONE, PRE-CAST STONE OR PRE-CAST CONCRETE. STUCCO OR EPS ACCENTS WILL BE ALSO ALLOWED. NO VINYL SIDING SHALL BE USED ON THE SITE EXCEPT THAT VINYL MAY BE USED ON SOFFITS, WINDOWS, AND RAILS OF PATIOS AND STAIRS.
- IF LIGHT MANUFACTURING USES (INCLUDING WITHOUT LIMITATION FLEX SPACE) IS CONSTRUCTED WITHIN PARCEL D, LOADING DOCKS AND LOADING DOCK DOORS MUST BE ORIENTED TO THE INTERIOR OF THE SITE AWAY FROM NEW DIXIE RIVER ROAD OR EXISTING DIXIE RIVER ROAD.
- ALL DUMPSTER AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL WITH ONE SIDE BEING A DECORATIVE WOODEN GATE. THE SOLID WALL WILL UTILIZE BUILDING MATERIALS SIMILAR TO OR IDENTICAL TO THE BUILDING MATERIALS USED ON THE ADJOINING PRINCIPLE USE BUILDING. 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.

F. LANDSCAPING, BUFFERING, SCREENING REQUIREMENTS.

- BUFFERS AS REQUIRED BY THE ORDINANCE WILL BE PROVIDED AS INDICATED ON THE TECHNICAL DATA SHEET. THE PETITIONER RESERVES THE RIGHT TO REDUCE ANY OF THESE REQUIRED BUFFERS AS ALLOWED BY THE ORDINANCE. IN ADDITION IF THE ADJOINING LAND USE OR ZONING SHOULD CHANGE SO THAT A BUFFER IS NO LONGER REQUIRED BY THE ORDINANCE, THE PETITIONER WILL NO LONGER BE REQUIRED TO PROVIDE SUCH BUFFER.
- THE PETITIONER WILL PROVIDE ONE-HALF (1/2) OF A CLASS A BUFFER ALONG DIXIE RIVER ROAD WHEN A INDUSTRIAL USE IS CONSTRUCTED OR ESTABLISHED WITHIN PARCEL D ACROSS DIXIE RIVER ROAD FROM RESIDENTIALLY ZONED OR USED PROPERTY. IF NO INDUSTRIAL USES ARE ESTABLISHED WITHIN PARCEL D OR THE ZONING AND LAND USE ACROSS DIXIE RIVER ROAD CHANGES, SUCH A BUFFER WILL NOT BE REQUIRED.
- IN LOCATIONS WITHIN THE 35 FOOT SETBACK OF PARCEL D WHERE A CLASS A BUFFER IS NOT REQUIRED, THE PETITIONER WILL PROVIDE ENHANCED LANDSCAPE MATERIALS THAT WILL CREATE AN ATTRACTIVE SETBACK THAT SCREENS THE PARKING AREA LOCATED BETWEEN THE BUILDINGS AND NEW AND EXISTING DIXIE RIVER ROADS. THIS ENHANCED LANDSCAPING WILL MEET THE FOLLOWING STANDARDS:
 - ALL ROOF-MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHTS-OF-WAY AND ADJUTING PROPERTIES AS VIEWED FROM GRADE.
- THE PETITIONER WILL ESTABLISH A PROPERTY OWNERS ASSOCIATION FOR DEVELOPMENT ON THE SITE. THE INTENT OF THIS PROPERTY OWNERS ASSOCIATION WILL BE TO COORDINATE THE LANDSCAPE AND HARDSCAPE TREATMENTS ALONG STEELE CREEK ROAD AND NEW DIXIE RIVER ROAD WITH THE OTHER PROPERTY OWNERS AT THIS INTERSECTION. AS THE PROPERTIES ON THE OTHER QUADRANTS OF THE INTERSECTION DEVELOP THE PETITIONER WILL INVITE THOSE PROPERTY OWNERS TO BECOME PART OF THE ASSOCIATION TO ASSURE THE TREATMENT ON THE FOUR QUADRANTS IS COORDINATED.

G. SETBACKS/REQUIRED YARDS, AND STREETSAPES.

- A 35 FOOT MINIMUM SETBACK WILL BE ESTABLISHED ALONG STEELE CREEK ROAD, NEW DIXIE RIVER ROAD, TROJAN DRIVE AND EXISTING DIXIE RIVER ROAD. ALONG I-485 A 50 FOOT SETBACK WILL BE PROVIDED. THESE SETBACKS WILL BE MEASURED FROM FUTURE OR EXISTING RIGHT-OF-WAY FOR EACH OF THESE ROADS WHICH EVER IS GREATEST. FUTURE RIGHT-OF-WAY WILL BE BASED ON THE CLASSIFICATION AND RIGHT-OF-WAY ESTABLISHED FOR EACH ROAD BY THE THOROUGHFARE PLAN.
- IF ONE-HALF (1/2) OF A CLASS A BUFFER IS REQUIRED ALONG DIXIE RIVER ROAD FOR PARCEL D, THE SETBACK WILL BE INCREASED TO 48.5 FEET. THE CLASS A BUFFER IS REQUIRED WHEN RESIDENTIAL USE OR RESIDENTIAL ZONING IS PRESENT ACROSS DIXIE RIVER ROAD IF INDUSTRIAL USES ARE CONSTRUCTED ON PARCEL D.
- THE PETITIONER WILL PROVIDE A MINIMUM SETBACK OF 16 FEET AS MEASURED FROM THE BACK OF CURB ALONG THE INTERNAL PUBLIC STREETS AS GENERALLY DEPICTED ON THE REZONING PLAN. ALONG PUBLIC STREETS THIS SETBACK REPRESENTS A REDUCTION OF THE REQUIRED CC SETBACK AS ALLOWED BY THE ORDINANCE. THE FIRST FLOOR OF BUILDINGS PLACED ALONG THIS SETBACK, OR EITHER PUBLIC OR PRIVATE STREETS WILL BE DESIGNED TO ENCOURAGE AND COMPLEMENT PEDESTRIAN-SCALE INTEREST AND ACTIVITY. BLANK WALLS WILL NOT BE ALLOWED. THE BUILDINGS WILL COMPLY WITH SECTION 11.405.9.(7)(A) OF THE ORDINANCE.
- A "BUILDING EDGE" HAS BEEN PROVIDED WITHIN PORTIONS OF THE PROPOSED BUILDING/PARKING ENVELOPES GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. WHEN A BUILDING IS CONSTRUCTED WITHIN A BUILDING ENVELOPE THAT CONTAINS AN OPEN SPACE, THE "BUILDING EDGE" OF THE BUILDING MUST BE CONSTRUCTED ALONG THE "BUILDING EDGE" DEPICTED. IF A BUILDING/PARKING ENVELOPE CONTAINS MORE THAN ONE "BUILDING EDGE" LOCATION, THE BUILDING CONSTRUCTED WITHIN SUCH ENVELOPE MUST BE PLACED ALONG ONE OF THE BUILDING EDGE LOCATIONS DEPICTED BUT NOT ALL OF SUCH LOCATIONS. PARKING AND VEHICULAR MANUEVERING MAY NOT BE LOCATED BETWEEN THE PROPOSED BUILDING AND THE "BUILDING EDGE" THAT APPLIES TO SUCH BUILDING/PARKING ENVELOPE. THE PROVISIONS OF THIS SECTION MAY BE ALTERED TO PERMIT SUCH FLEXIBILITY IN DEVELOPMENT WITH THE PRIOR WRITTEN CONSENT OF THE PLANNING DIRECTOR.
- A UNIFIED STREETScape TREATMENT WILL BE IMPLEMENTED THROUGHOUT THE SITE ALONG WITH THE PROPOSED PUBLIC STREETS AS GENERALLY DEPICTED ON THE REZONING PLAN. THE STREETScape TREATMENTS WILL INCLUDE AT A MINIMUM: (i) AN EIGHT (8) FOOT PLANTING STRIP; (ii) A SIX (6) FOOT SIDEWALK; (iii) PEDESTRIAN SCALE DECORATIVE LIGHTING AND (iv) STREET TREES. THESE PROPOSED STREETScape TREATMENTS ARE MORE SPECIFICALLY SHOWN ON SHEET RZ-2.0. SUBJECT, HOWEVER, TO ANY CONFLICTS WITH EXISTING UTILITY EASEMENTS.
- ALONG THE PRIVATE STREETS, THE PETITIONER WILL PROVIDE A 14 FOOT BUILDING SETBACK AS MEASURED FROM THE BACK OF THE CURB IN LOCATIONS WHERE A SIX (6) FOOT SIDEWALK IS PROVIDED. IF A SIDEWALK IS NOT PROVIDED, A 14 FOOT BUILDING SETBACK WILL BE PROVIDED.
- ALONG THE PRIVATE STREETS WHERE A PARKING FACILITY ABUTS THE STREET, THE PETITIONER WILL PROVIDE A SIX (6) FOOT SIDEWALK, AN EIGHT (8) FOOT PLANTING STRIP AND A SIX (6) FOOT SCREEN PLANTING STRIP (BUT SUCH PLANTING STRIP WILL ONLY BE FIVE (5) FEET IF A WHEEL STOP IS PROVIDED). ALONG PRIVATE STREETS WHERE A SIDEWALK IS NOT PROVIDED, THE PETITIONER WILL PROVIDE A 10 FOOT PLANTING STRIP IN LOCATIONS WHERE A PARKING FACILITY ABUTS THE STREET. THIS PLANTING STRIP WILL ACCOMMODATE A STREET TREE AND SCREEN PLANTINGS (BUT SUCH PLANTING STRIP WILL ONLY BE EIGHT (8) FEET IF A WHEEL STOP IS PROVIDED).
- ALONG I-485, THE STREETScape WILL CONSIST OF A WELL LANDSCAPED SETBACK WITH ADDITIONAL STREET TREES AND PRESERVED NATURAL AREAS. AT A MINIMUM WITHIN THE 50 LANDSCAPED SETBACK ALONG I-485 THE PETITIONER WILL PROVIDE TREES AND SHRUBS EQUAL TO THE NUMBER REQUIRED FOR A CLASS A BUFFER. EXISTING TREES PRESERVED WITHIN THE LANDSCAPE SETBACK MAY BE USED TO MEET THIS STANDARD. THE ARRANGEMENT AND PLACEMENT OF THE TREES AND SHRUBS WITHIN THE LANDSCAPE SETBACK WILL BE AT THE PETITIONER'S DISCRETION.

- THE PETITIONER RESERVES THE RIGHT TO SUBSTITUTE A BIO-SWALE/RAIN GARDEN FOR THE TYPICAL EIGHT (8) FOOT PLANTING STRIP ALONG BOTH SIDES OF ANY OF THE PROPOSED PRIVATE STREETS. THE PETITIONER WILL CONSULT WITH CITY ENGINEERING STORM WATER SERVICES ON THE DESIGN OF THE PROPOSED BIO-SWALE/RAIN GARDEN DURING THE LAND DEVELOPMENT REVIEW PROCESS.
- SIDEWALK AND PLANTING STRIPS ALONG INTERNAL STREETS MAY BE INSTALLED IN PHASES IN ASSOCIATION WITH NEARBY DEVELOPMENT AND AS THE PROJECT DEVELOPS.

H. OPEN SPACE AND NATURAL AREA (PCCO).

- AN IMPROVED OPEN SPACE CONTAINING AT LEAST 40 ACRES WILL BE PROVIDED ON THE PORTION OF PARCEL C GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. THIS OPEN SPACE AREA WILL BE IMPROVED WITH PLANTING AREAS, LANDSCAPE AREAS AND/OR WALKING PATHS. A WATER QUALITY STORM WATER TREATMENT FEATURE MAY BE PART OF THE OPEN SPACE IMPROVEMENTS. IF LOCATED IN THE OPEN SPACE, THE WATER QUALITY STORM WATER FEATURE WILL BE DESIGNED AS A WET POND.
- THE PETITIONER SHALL MAKE GOOD FAITH DILIGENT EFFORTS TO SAVE THE EXISTING TREES LOCATED WITHIN THE NATURAL AREAS IDENTIFIED ON THE TECHNICAL DATA SHEET. TO THE EXTENT REQUIRED BY THE ORDINANCE, THE NATURAL AREAS WILL BE IDENTIFIED DURING THE DESIGN DEVELOPMENT PHASES OF THE PROJECT.

I. PARKING.

- PARKING MAY BE PROVIDED BY WAY OF SURFACE OR STRUCTURED PARKING FACILITIES WITHIN THE BUILDING/PARKING ENVELOPES GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. PARALLEL AND ANGLE PARKING MAY BE PROVIDED ALONG INTERNAL PUBLIC AND PRIVATE STREETS AS INDICATED ON ACCOMPANYING CROSS-SECTIONS.
- PARKING FOR USES LOCATED IN PARCEL C MAY BE LOCATED WITHIN PARCEL D. CONVERSELY PARKING FOR USES LOCATED WITHIN PARCEL D MAY BE LOCATED WITHIN PARCEL C.

J. LIGHTING.

- AS THE PROJECT DEVELOPS, PEDESTRIAN SCALE LIGHTING WILL BE INSTALLED ALONG BOTH INTERIOR STREETS AND STREETS THAT BORDER THE SITE.
- ALL FREESTANDING LIGHTING AND ALL EXTERIOR LIGHTING ON BUILDINGS WILL BE FULLY SHIELDED AND FULL CUT-OFF TYPE FIXTURES DOWNWARDLY DIRECTED. NO WALL-"PAK" TYPE LIGHTING SHALL BE USED, BUT ATTACHED DECORATIVE LIGHTING FIXTURES SUCH AS SCONCES MAY BE USED. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURES, INCLUDING ITS BASE, SHALL NOT EXCEED 25 FEET.

K. SIGNS.

- FOR THE PURPOSE OF SIGNAGE REQUIREMENTS UNDER THE ORDINANCE, PARCELS A AND B WILL BE TREATED TOGETHER AS A MULTI-TENANT PROPERTY (IE MIXED USE SHOPPING CENTER). THIS WILL ALLOW THE PETITIONER TO CONSTRUCT ONE (1) SHOPPING CENTER IDENTIFICATION OR BUSINESS SIGN UP TO 50 SQUARE FEET IN SIZE AND EIGHT (8) FEET HIGH ALONG EITHER NEW DIXIE RIVER ROAD OR STEELE CREEK ROAD TO IDENTIFY TENANTS ON THE INTERIOR OF THE SITE AND ONE (1) NON-TENANT COMMUNITY IDENTIFICATION SIGN WITH NO MORE THAN 20 SQUARE FEET OF SIGN AREA AND A MAXIMUM HEIGHT OF 20 FEET AT THE INTERSECTION OF NEW DIXIE RIVER ROAD AND STEELE CREEK ROAD. THE DESIGN OF THIS COMMUNITY SIGN WILL BE COORDINATED WITH THE SIGN FOR BERWICK TOWN CENTER SO AS TO CREATE A UNIFIED APPEARANCE. IN ADDITION, SUCH FREE STANDING USES WILL BE ALLOWED ONE GROUND MOUNTED IDENTIFICATION SIGNS UP TO 50 SQUARE FEET IN SIZE AND FOUR (4) FEET HIGH.
- FOR SIGNAGE PURPOSES, PARCELS C AND D WILL BE TREATED TOGETHER AS AN "OFFICE PARK." SIGNAGE WILL BE ALLOWED AS PRESCRIBED FOR OFFICE PARK DEVELOPMENT IN SECTION 13.109.(2)(D) AND 13.109.(2)(B) OF THE ORDINANCE. THIS WILL ALLOW THE PETITIONER TO CONSTRUCT IDENTIFICATION AND DIRECTORY SIGNS A MINIMUM OF ONE (1) DETACHED IDENTIFICATION SIGN AND ONE DETACHED DIRECTORY SIGN WHICH ALSO ALLOW PER STREET FRONT. IDENTIFICATION SIGNS WILL BE A MAXIMUM OF 50 SQUARE FEET IN SIZE AND DIRECTORY SIGNS WILL BE A MAXIMUM OF 24 SQUARE FEET IN SIZE WITH A MAXIMUM HEIGHT OF SEVEN (7) FEET. THE PETITIONER RESERVES THE RIGHT TO REQUEST AND UTILIZE THE PLANNED DEVELOPMENT FLEXIBILITY OPTION OF THE SIGN REGULATIONS. IF A PLANNED DEVELOPMENT FLEXIBILITY OPTION IS APPROVED, THE NUMBER, SIZE AND HEIGHT OF THE SIGNS MAY BE INCREASED BEYOND WHAT IS INDICATED ABOVE. "ON PREMISES" SIGNS WILL BE ALLOWED WITHIN EACH OF THE PARCELS. THESE IDENTIFICATION SIGNS MAY BE UP TO ONE SQUARE FOOT FOR EVERY TWO (2) LINEAR FEET OF FRONTAGE UP TO 50 SQUARE FEET IN SIZE AND UP TO SEVEN (7) FEET IN HEIGHT.

- WALL SIGNS WILL BE ALLOWED AS PRESCRIBED BY THE ORDINANCE FOR THE CC AND I-1(CD) ZONING DISTRICTS, AS APPLICABLE.

L. STORM WATER MANAGEMENT AND WATER QUALITY.

- DEVELOPMENT ON THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE POST CONSTRUCTION CONTROLS ORDINANCE (PCCO).
- THE SITE WILL COMPLY WITH THE REQUIREMENTS OF THE HIGH-DENSITY OPTION OF THE LOWER LAKE WYULE WATERSHED OVERLAY DISTRICT.
- WATER QUALITY AND STORM WATER DETENTION PONDS WILL BE LOCATED THROUGHOUT THE SITE. THE LOCATION AND SIZE OF THESE STRUCTURES WILL BE DETERMINED DURING THE DESIGN DEVELOPMENT PHASE AS DETAILED ENGINEERING DRAWINGS ARE DEVELOPED. PETITIONER RESERVES THE RIGHT TO ALLOW WATER QUALITY AND STORM WATER DETENTION PONDS LOCATED ON A PARCEL TO SERVE BUILDINGS AND USES LOCATED ON OTHER PARCELS THROUGHOUT THE SITE.
- BIO-RETENTION FACILITIES MAY BE LOCATED WITH THE SETBACKS AND BUFFERS ESTABLISHED ON THE TECHNICAL DATA SHEET FOR THE PURPOSE OF SATISFYING WATER QUALITY PERFORMANCE STANDARDS. BIO-RETENTION LANDSCAPING SHALL BE APPLIED TO SATISFY BUFFER PLANTING REQUIREMENTS ALONG THE PORTION OF THE BUFFER OCCUPIED BY THE BIO-RETENTION FACILITIES. CUSTOMARY STORM WATER DETENTION AREAS THAT ARE NOT RELATED TO WATER QUALITY PERFORMANCE STANDARDS WILL NOT BE ALLOWED WITHIN THE SETBACKS OR BUFFERS ESTABLISHED ON THE TECHNICAL DATA SHEET.
- A WATER QUALITY STORM WATER DETENTION WET POND MAY BE LOCATED WITHIN THE OPEN SPACE AREA LOCATED ON PARCEL C. IF THIS WATER QUALITY STORM WATER DETENTION AREA IS LOCATED WITHIN THE OPEN SPACE AREA IT WILL BE DESIGNED AS AN AMENITY AND FEATURE OF THE OPEN SPACE.

M. SOLID WASTE MANAGEMENT PLAN.

- THE PETITIONER SHALL SUBMIT TO THE MECKLENBURG COUNTY SOLID WASTE DEPARTMENT A SOLID WASTE MANAGEMENT PLAN PRIOR TO INITIATING DEMOLITION AND/OR CONSTRUCTION ACTIVITIES. THE SOLID WASTE MANAGEMENT PLAN WILL INCLUDE AT A MINIMUM, THE PROCEDURES THAT WILL BE USED TO RECYCLE ALL CLEAN WOOD, METAL AND CONCRETE GENERATED DURING DEMOLITION AND CONSTRUCTION ACTIVITIES. ADDITIONALLY, THE SOLID WASTE MANAGEMENT PLAN WILL SPECIFY THAT ALL LAND CLEARING AND INERT DEBRIS SHALL BE TAKEN TO A PROPERTY PERMITTED FACILITY. THE PLAN SHALL ALSO INCLUDE A REQUIREMENT THAT A MONTHLY REPORTING OF ALL TONNAGE DISPOSED AND RECYCLED WILL BE MADE TO THE CITY OF CHARLOTTE'S SOLID WASTE PROGRAM. THE REPORT SHALL INCLUDE THE IDENTIFICATION AND LOCATION OF ALL FACILITIES RECEIVING DISPOSED OR RECYCLED MATERIALS.

N. MISCELLANEOUS.

- ALL NEW UTILITY LINES WILL BE PLACED UNDERGROUND AS REQUIRED BY THE ORDINANCE (SECTION 12.59).
- EXISTING WATER SUPPLY WELLS SHALL BE CORDEDON OFF TO PROTECT FROM DAMAGE OR ABANDONED PER THE MECKLENBURG COUNTY GROUND WEL REGULATION PRIOR TO ANY DEMOLITION OR GRADING ACTIVITY.
- EXISTING SEPTIC TANKS SHALL BE LOCATED, PUMPED BY A LICENSED WASTE HAULER TO REMOVE RESIDUAL CONTENTS, CRUSHED AND BACKFILLED PRIOR TO ANY DEMOLITION OR GRADING ACTIVITY.

O. AMENDMENTS TO REZONING PLAN.

- FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCEL OR PARCELS INVOLVED, IN ACCORDANCE WITH CHAPTER SIX OF THE ORDINANCE.

P. BINDING EFFECT.

- IF THIS REZONING PETITION IS APPROVED, THE DEVELOPMENT PROGRAM ESTABLISHED UNDER THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET SHALL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND OWNERS OF PORTIONS OF THE SITE (FROM TIME TO TIME) AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS.

- THROUGHOUT THIS REZONING PETITION, THE TERMS "PETITIONERS," "OWNER" OR "OWNERS," SHALL, WITH RESPECT TO EACH PARCEL WITHIN THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE OR PORTIONS THEREOF, WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.

Q. VESTING -- G.S. §160A-385.1; SECTIONS 6.208.

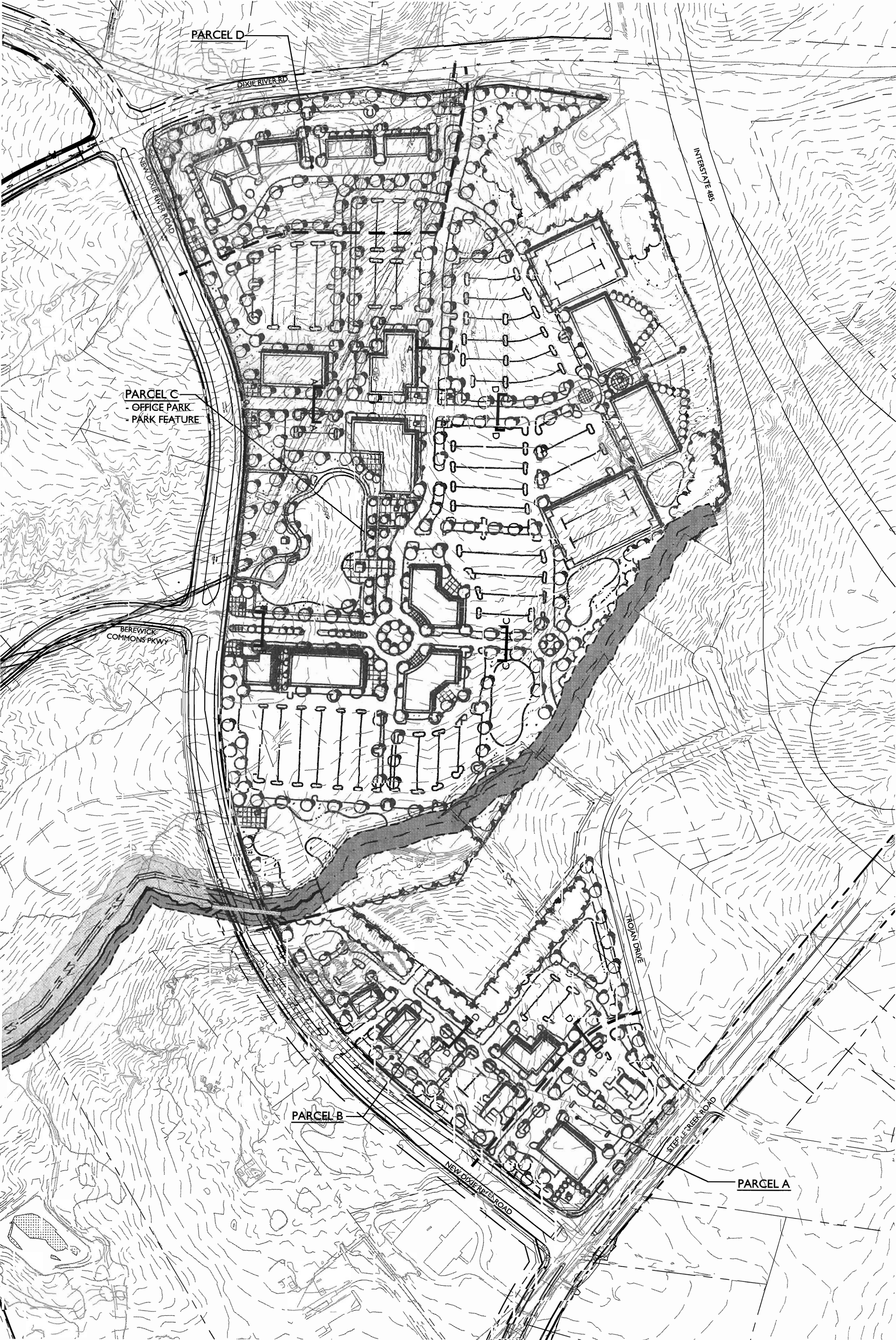
- PURSUANT TO THE PROVISIONS OF SECTION 1.110 OF THE ORDINANCE AND N.C.G.S. §160A-385.1, DUE TO THE SIZE OF THE DEVELOPMENT, THE LEVEL OF INVESTMENT, THE SCOPE AND TIMING OF GOVERNMENTAL INFRASTRUCTURE IMPROVEMENTS ASSOCIATED WITH THE DEVELOPMENT, ECONOMIC CYCLES AND MARKET CONDITIONS, THIS PETITION INCLUDES VESTING OF THE APPROVED REZONING PLAN AND CONDITIONAL ZONING DISTRICT ASSOCIATED WITH THIS PETITION FOR A FIVE (5) YEAR PERIOD.
- IT IS UNDERSTOOD THAT THE PROVISIONS OF SECTION 6.208 OF THE ORDINANCE REGARDING CONDITIONAL ZONING DISTRICT ARE INTENDED TO APPLY ONLY TO THOSE PARCELS OF THE SITE UPON WHICH NO PROGRESS HAS BEEN MADE TOWARD DEVELOPING THE APPLICABLE PARCEL(S) IN ACCORDANCE WITH THE APPROVED PETITION.

FOR PUBLIC HEARING

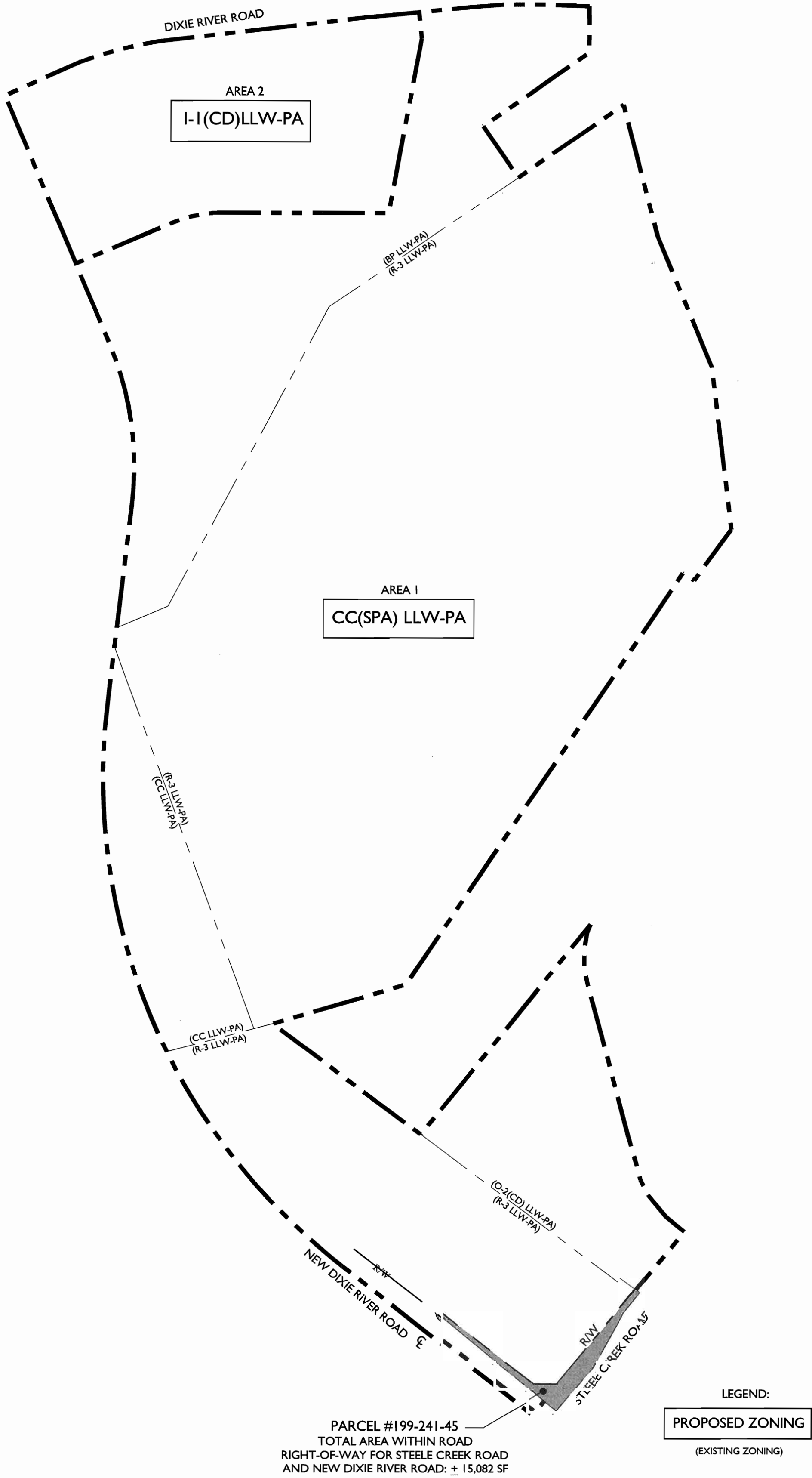
PETITION #: 2010-011
CITY OF CHARLOTTE

PETITIONER: STEELE CREEK (1997)
LIMITED PARTNERSHIP

REVISIONS:
January 19, 2010 - RESUBMITTAL PER PLANNING STAFF COMMENTS



SCHEMATIC SITE PLAN



ZONING BOUNDARY MAP

AREA 1: CC(SPA) LLW-PA

Beginning at a POINT in the centerline of New Dixie River Road; THENCE through the property of Steele Creek Limited Partnership as recorded in Deed Book 9064, page 72 and Deed Book 23039, page 631 of the Mecklenburg County Register of Deeds the following five (5) courses and distances: 1) North 67 degrees 01 minutes 48 seconds East for a distance of 258.65 feet to a point; 2) With a curve to the right having an arc length of 120.27 feet, a radius of 300.00 feet, and being subtended by a chord bearing of North 78 degrees 30 minutes 54 seconds East for a distance of 119.47 feet; 3) THENCE North 90 degrees 00 minutes 00 seconds East for a distance of 404.12 feet to a point; 4) THENCE North 10 degrees 47 minutes 03 seconds East for a distance of 427.55 feet to a point; 5) THENCE North 05 degrees 55 minutes 11 seconds West for a distance of 64.14 feet to a point marking the centerline of Dixie River Road; THENCE with the centerline of Dixie River Road the following six (6) courses and distances: 1) North 84 degrees 04 minutes 49 seconds East for a distance of 12.50 feet to a point; 2) THENCE North 84 degrees 27 minutes 38 seconds East for a distance of 116.54 feet to a point; 3) THENCE North 85 degrees 35 minutes 32 seconds East for a distance of 81.31 feet to a point; 4) THENCE North 90 degrees 00 minutes 00 seconds East for a distance of 83.56 feet to a point; 5) THENCE South 88 degrees 08 minutes 54 seconds East for a distance of 77.36 feet to a point; 6) THENCE South 87 degrees 21 minutes 41 seconds East for a distance of 42.94 feet to a point; THENCE with the property of Steele Creek Limited Partnership the following eleven (11) courses and distances: 1) South 00 degrees 12 minutes 45 seconds West for a distance of 112.11 feet to a point; 2) THENCE South 55 degrees 33 minutes 02 seconds West for a distance of 311.27 feet to a point; 3) THENCE South 34 degrees 29 minutes 41 seconds East for a distance of 149.98 feet to a point; 4) THENCE North 55 degrees 37 minutes 02 seconds East for a distance of 309.66 feet to a point; 5) THENCE South 14 degrees 31 minutes 32 seconds East for a distance of 329.57 feet to a point; 6) THENCE South 22 degrees 30 minutes 35 seconds East for a distance of 343.20 feet to a point; 7) THENCE South 06 degrees 52 minutes 46 seconds East for a distance of 394.92 feet to a point; 8) THENCE South 35 degrees 34 minutes 08 seconds West for a distance of 153.79 feet to a point; 9) THENCE North 58 degrees 04 minutes 04 seconds West for a distance of 32.97 feet to a point; 10) THENCE South 33 degrees 50 minutes 24 seconds West for a distance of 1201.07 feet to a point; 11) THENCE South 73 degrees 39 minutes 38 seconds West for a distance of 337.45 feet to a point marking the property of David F. Moody & Donna C. Moody as recorded in Deed Book 7461, page 609 and Steele Creek Limited Partnership as recorded in Deed Book 9064, page 72; THENCE with the property of David F. Moody & Donna C. Moody the following three (3) courses and distances: 1) THENCE South 53 degrees 06 minutes 08 seconds East for a distance of 448.85 feet to a point; 2) THENCE North 38 degrees 52 minutes 28 seconds East for a distance of 392.83 feet to a point; 3) THENCE North 38 degrees 52 minutes 28 seconds East for a distance of 263.07 feet to a point marking the centerline of Trojan Drive; THENCE with the centerline of Trojan Drive the following fifteen (15) courses and distances: 1) South 21 degrees 45 minutes 08 seconds West for a distance of 21.45 feet to a point; 2) THENCE South 09 degrees 51 minutes 57 seconds West for a distance of 31.13 feet to a point; 3) THENCE South 02 degrees 28 minutes 58 seconds West for a distance of 30.78 feet to a point; 4) THENCE South 00 degrees 00 minutes 00 seconds East for a distance of 30.75 feet to a point; 5) THENCE South 13 degrees 36 minutes 08 seconds East for a distance of 45.36 feet to a point; 6) THENCE South 15 degrees 27 minutes 14 seconds East for a distance of 105.39 feet to a point; 7) THENCE South 14 degrees 47 minutes 42 seconds East for a distance of 146.52 feet to a point; 8) THENCE South 14 degrees 39 minutes 20 seconds East for a distance of 121.54 feet to a point; 9) THENCE South 16 degrees 11 minutes 07 seconds East for a distance of 76.53 feet to a point; 10) THENCE South 14 degrees 37 minutes 15 seconds East for a distance of 31.69 feet to a point; 11) THENCE South 28 degrees 36 minutes 58 seconds East for a distance of 41.85 feet to a point; 12) THENCE South 39 degrees 22 minutes 10 seconds East for a distance of 29.43 feet to a point; 13) THENCE South 39 degrees 18 minutes 25 seconds East for a distance of 38.02 feet to a point; 14) THENCE South 49 degrees 57 minutes 23 seconds East for a distance of 43.65 feet to a point; 15) THENCE South 52 degrees 22 minutes 52 seconds East for a distance of 14.69 feet to a point marking the right of way of Steele Creek Road; THENCE with the right of way of Steele Creek Road South 39 degrees 44 minutes 16 seconds West for a distance of 574.61 feet to a point making the centerline of New Dixie River Road; THENCE with the right of way of New Dixie River Road the following five (5) courses and distances: 1) North 52 degrees 07 minutes 42 seconds West for a distance of 545.43 feet to a point; 2) THENCE with a curve to the right having an arc length of 1586.40 feet, a radius of 1500.00 feet, and being subtended by a chord bearing of North 23 degrees 27 minutes 45 seconds West for a distance of 1513.50 feet; 3) THENCE North 08 degrees 50 minutes 08 seconds East for a distance of 489.33 feet to a point; 4) THENCE with a curve to the left having an arc length of 396.40 feet, a radius of 762.00 feet, and being subtended by a chord bearing of North 08 degrees 04 minutes 02 seconds West for a distance of 391.94 feet; 5) THENCE North 22 degrees 58 minutes 12 seconds West for a distance of 210.55 feet to the POINT OF BEGINNING. Said area containing 73.22 Acres, more or less.

AREA 2: I-1(CD)LLW-PA

Beginning at a point marking the centerline of New Dixie River Road; THENCE with the centerline of New Dixie River Road North 22 degrees 52 minutes 07 seconds West for a distance of 441.53 feet to a point marking the centerline of Dixie River Road; THENCE with the centerline of Dixie River the following six (6) courses and distances: 1) THENCE North 66 degrees 06 minutes 46 seconds East for a distance of 199.42 feet to a point; 2) THENCE with a curve to the right having an arc length of 198.86 feet, a radius of 1019.61 feet, and being subtended by a chord bearing of North 75 degrees 13 minutes 51 seconds East for a distance of 198.54 feet; 3) THENCE North 83 degrees 24 minutes 18 seconds East for a distance of 344.84 feet to a point; 4) THENCE North 83 degrees 22 minutes 52 seconds East for a distance of 163.47 feet to a point; 5) THENCE North 84 degrees 56 minutes 34 seconds East for a distance of 66.17 feet to a point; 6) THENCE North 84 degrees 09 minutes 46 seconds East for a distance of 59.44 feet to a point; THENCE through the right of way of Dixie River Road South 05 degrees 55 minutes 11 seconds East for a distance of 64.14 feet to a point; THENCE through the property of Steele Creek Limited Partnership, as recorded in Deed Book 9064, page 72 of the Mecklenburg County Register of Deeds the following four (4) courses and distances: 1) South 10 degrees 47 minutes 03 seconds West for a distance of 427.55 feet to a point; 2) THENCE North 90 degrees 00 minutes 00 seconds West for a distance of 404.12 feet to a point; 3) THENCE with a curve to the left an arc length of 120.27 feet, a radius of 300.00 feet, and being subtended by a chord bearing of South 78 degrees 30 minutes 54 seconds West for a distance of 119.47 feet; 4) THENCE South 67 degrees 01 minutes 48 seconds West for a distance of 258.65 feet to the POINT OF BEGINNING. Said area containing an area of 9.38 Acres, more or less.



VICINITY MAP NTS

FOR PUBLIC HEARING

PETITION #: 2010-011
CITY OF CHARLOTTE

PETITIONER: STEELE CREEK (1997)
LIMITED PARTNERSHIP

REVISIONS:
January 19, 2010 - RESUBMITTAL PER PLANNING STAFF COMMENTS