

STEELE TROJAN DEVELOPMENT, LLC DEVELOPMENT STANDARDS 01/23/2017 **REZONING PETITION NO. 2017-019**

1. General Provisions: Buildings fronting on the existing and proposed public streets will be articulated such that expanses of solid walls exceeding 20 linear feet will be avoided with either horizontal and vertical variations in wall planes, material and/or building color. A blank wall is a façade that does not add to the character of the streetscape and does not contain transparent windows or door or sufficient ornamentation, decoration or articulation. When this approach is no a. Site Location. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Steele Trojan Development LLC ("Petitioner") to accommodate the development of the Site with up feasible architectural elements must be used on the building façade at street level. Elements may include, but are not limited to: molding; string courses; belt courses; changes in material or color; architectural lighting; works of art to 35,000 square feet of gross floor area of retail, EDEE, a gas station with or without a convenience store and general and medical office uses as allowed in the NS zoning district, and a hotel with 180 rooms or 50,000 square feet of display areas, porches, or stoops gross floor area of general or medical office uses as allowed in the O-2 zoning district on approximately 15.481 acre site located on Steele Creek Road between I-485 and Outlets Boulevard (the "Site").

b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan ii. Facades fronting on public streets shall include a minimum of 20% transparent glass between zero feet (0') and ten feet (10') on the first floor. Shadow boxes or window graphics may be utilized behind transparent glass to establishes more stringent standards the regulations established under the Ordinance for the NS and O-2 zoning classification shall govern. screen bathrooms, back of house, kitchens, or other building elements; shadow boxes or window graphics may not be utilized for more than 10% of the required transparency requirement.

Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan iii. All buildings must be sited maintaining pedestrian interconnectivity between buildings and through parking areas. This will be done by providing a minimum of a six (6) feet sidewalk between buildings and through parking are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance. areas (pedestrian walkways in parking areas will be striped), and connecting each building to the sidewalk network that will be provided throughout the Site.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

• minor and don't materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

d. Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site shall not exceed nine (9). Accessory buildings and structures located on the Site shall not be considered in Meter banks will be screened from view from each of the abutting public streets. HVAC and related mechanical equipment will be screened from public view and from view of each of the abutting public streets at grade. any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site. d. The service side of the buildings may not be oriented towards Steele Creek Road. The service side of the proposed buildings will be screened.

2. Permitted Uses & Development Area Limitation:

a. The Site may be developed with up to 35,000 square feet of gross floor area of retail, EDEE, a limited service restaurant (EDEE) as defined below, and general or medical office uses on the portion of the Site zoned NS,

allowed in the NS zoning district, together with accessory uses as allowed in the NS zoning district. a. Along the Site's frontage on Steele Creek Road, Outlets Boulevard, and the new internal public street the Petitioner will provide an eight (8) foot planting strip and an eight (8) foot sidewalk as generally depicted on the Rezoning Plan. b. On the portion of the Site zoned O-2(CD) a hotel with up to 180 hotel rooms or up to 50,000 square feet of gross floor area of general or medical office uses as allowed in O-2 zoning district, together with accessory uses as

allowed in the O-2 zoning district. b. A 16 foot setback as measured from the future back of curb (Steele Creek Road and the new public street) or existing back of curb (Outlets Boulevard) will be provided. Along I-485 a 50 foot setback will be established measured from the existing right-of-way line. The 50 foot setback along I-485 will be landscaped with a variety of shrubs to create an attractively landscape area, if the Petitioner is granted permission by Piedmont Natural Gas. c. One Limited Service Restaurant (EDEE) with an accessory drive-through window will be allowed on the Site. A Limited Service Restaurant (EDEE) shall be defined as a restaurant with no more than 4,800 square feet of gross floor area serving primarily items such as coffee, ice cream, yogurt, juices, bagels, muffins, pastries, sandwiches and similar foods that do not require on-premise cooking of food (other than heating and the baking of premixed c. The Petitioner will provide a sidewalk network that links each building on the Site to the sidewalks along the street or streets that each site abuts in the manner generally depicted on the Rezoning Plan. The minimum width for dough). this internal sidewalk will be five (5) feet. d. Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

d. The following uses will not be allowed on the Site, automobile service stations with or without a convenience store, and uses with an accessory drive-through window other than a limited service EDEE as defined above. For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).

3. Access and Transportation:

a. Access to the Site will be from NC 160 Steele Creek Road and from Outlets Boulevard in the manner generally depicted on the Rezoning Plan. Access and connections to the Site from the internal public street will also be b. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this allowed as generally depicted on the Rezoning Plan, more or fewer connections to the internal public street will be allowed subject to CDOT approval. rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

b. The Petitioner will construct a new public street on the Site from Steele Creek Road to Outlets Boulevard as generally depicted on the Rezoning Plan.

c. Above ground water quality and detention areas will be enhanced through the use of grass and landscaping. c. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by d. The Site will comply with the Tree Ordinance. A tree survey as required by the Tree Ordinance will be provided as part of the land development approval process for the Site. Tree save areas will be identified during the land CDOT and NCDOT in accordance with applicable published standards. development approval process and treated appropriately.

d. Any right-of-way to be dedicated for the required roadway improvements will be dedicated via fee simple conveyance before the Site's first certificate of occupancy is issued.

e. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

4. Transportation Improvements and Access:

Proposed Improvements:

The Petitioner plans 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 overall traffic patterns throughout the area in accordance with the following implementation provisions:

The following Transportation Improvements are also illustrated on figure 11 located on Sheet RZ-3 of the Rezoning Plan. Figure 11 on Sheet RZ-3 is to be used in conjunction with the following notes to determine the extent of the 11. Binding Effect of the Rezoning Application proposed improvements (reference to a number when describing an improvement corresponds to the number found on Figure 11 on Sheet RZ-3 for the proposed improvement). a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to The following roadway improvements will be made by the Petitioner as part of the development of the Site as proposed by the Rezoning Plan. The Petitioner will be allowed to obtain a certificate of occupancy for any one or all of the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns. the buildings located on the Site upon the substantial completion of the following improvements:

- Intersection of Steele Creek Road and I-485 Inner On-Ramp:
- Construct a southbound right-turn lane from Steele Creek Road to the I-485 Inner On-Ramp with 150 feet of storage and appropriate taper.
- Modify the existing through-right lane on Steele Creek Road at the I-485 Inner On-Ramp to a through lane. Intersection of Steele Creek Road and the Right-In Only Access into the Site:
- Construct a southbound right-turn lane from Steele Creek Road into the Site with 150 feet of storage and appropriate taper.
- Intersection of Steele Creek Road and Shopton Road West:
- Construct a new through turn lane on Steele Creek Road, 200 feet in advance of intersection (this improvement may be also be implemented by others, and as a result may not be required).

II. Standards, Phasing and Other Provisions

a. CDOT/NCDOT Standards. All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad northwest Mecklenburg area, by way of a private/public partnership effort or other public sector project support.]

b. Phasing and Substantial Compliance.

<u>Reserved.</u>

Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.I. above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.II.a above provided, however, in the event all roadway improvements are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner 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.

d. Right-of-way Availability. It is understood that some of the public roadway improvements referenced in subsection a above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner 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.

e. Alternative Improvements. Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, and the Planning Director as applicable, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

Architectural Standards:

a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, EIFS, decorative block, architectural metal panels and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings. b. Architectural and Design Controls

iv. All buildings located within the Site will be architecturally integrated to complement one another by using similar or compatible architectural styles, building materials, landscape elements, plants and signage treatments to create a unified and cohesive development. In addition, buildings located on the Site must be designed using a similar; (i) architectural style, (ii) building materials, (iii) colors and (iv) signage so that development on these Parcels creates a cohesive whole and not a series of buildings with unrelated and wholly dissimilar architectural styles, building materials, colors and signage.

v. The buildings constructed on the Site will utilize four side architecture.

6. <u>Streetscape</u>, Buffers, Yards and Landscaping:

e. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.

7. Environmental Features:

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance.

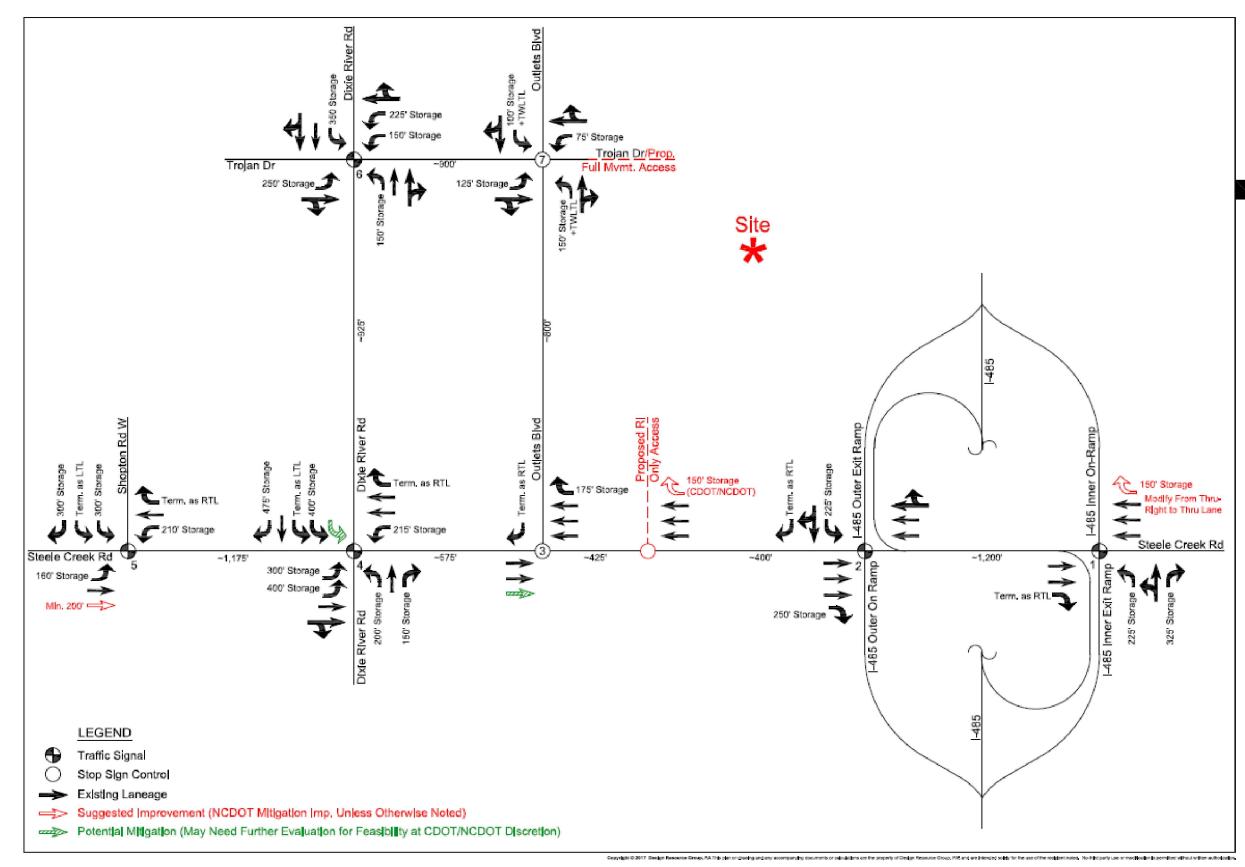
- 8. <u>Signage</u>:
- a. Reserved.
- 9. Lighting:

a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

- b. Detached lighting on the Site will be limited to 26 feet in height.
- **10.** Amendments to the Rezoning Plan:

a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance

FIGURE 11



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	REZONING PETITION 2017-019					
PROJECT STEELE - TROJAN CITY OF CHARLOTTE, NC	DEVELOPMENT STANDARDS					
Project	Sheet Title					
CTB Engineer ChB/KT Drawn By 1/20/17 Date Revisions 1 - 01/23/17 2nd S	Submittal					
Project Number 574-007 Sheet RZ	3.0					

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Petition #:2017-019	AMENDED
	REZONING APPLICATION
Date Originally Filed: 11/28/16	CITY OF CHARLOTTE
	Complete All Eiglde
Date <u>Amended:</u> 01/20/17	<i>Complete All Fields</i> (Use additional pages if needed)
Received By:	(000 0000000000000000000000000000000000
Disess indicate reason for amended applicatic	on (i.e. change in acreage, ownership, proposed district, etc.):
Change to the total acreage from 16.37 acres to 19	5 /81 acres
	5.481 acres
For Conditional Rezonings Only:	
Requesting a vesting period exceeding the 2N/A	year minimum? Yes/No. Number of years (maximum of 5):
Property Owner SEE SCHEDULE 1 ATTACHED H	IERETO
Owner's Address: SEE SCHEDULE 1 ATTA	ACHED HERETO City, State, Zip: SEE SCHEDULE 1 ATTACHED HERETO
Date Property Acquired: SEE SCHEDULI	E 1 ATTACHED HERETO
Location of Property (Address or Description):	SEE SCHEDULE 1 ATTACHED HERETO
Tax Parcel Number(s): SEE SCHEDULE 1 ATTAC	CHED HERETO
Current Land Use: SEE SCHEDULE 1 ATTA	ACHED HERETO Size (Acres): 15.481
Existing Zoning: <u>R-3 and CC</u>	Proposed Zoning: <u>O-2(CD) and NS</u>
Overlay: <u>N/A</u> (Specify	y PED, Watershed, Historic District, etc.)
Keith MacVean and Jeff Brown	Steele-Trojan Properties, LLC (Attn: Muhsin Muhammad)
Name of Rezoning Agent	Name of Petitioner(s)
Moore & Van Allen, 100 N Tryon St., Ste 4700	6100 Fairview Road, Ste 1156
Agent's Address	Address of Petitioner(s)
Charlotte, NC 28202	Charlatta NC 20210
Charlotte, NC 28202 City, State, Zip	Charlotte, NC 28210 City, State, Zip
704.331.3531 (KM)704.378-1954704.331.1144 (JB)704.378.1925	
Telephone NumberFax Numb	
keithmacvean@mvalaw.com; jeffbrown@mva E-Mail Address	alaw.com mmuhammad@axum-partners.com E-Mail Address
Signature of Property Owner(s)	Signature of Petitioner
(Name Typed/Clearly Printed)	(Name Typed/Clearly Printed)

SCHEDULE 1

	Property Address	Parcel No.	Date Acquired	Current Zoning
Steele-Trojan Properties LLC 831 East Morehead St, Ste. 445 Charlotte, NC 28202	N/A	199-59-109	10/30/2015	R-3
	8900 Gold Medal Circle	199-24-126	10/30/2015	R-3
	8908 Gold Medal Circle	199-24-125	10/30/2015	R-3
	4900 Trojan Drive	199-24-124	1/30/2014	R-3
Muhammad Development Group Inc. 6100 Fairview Road, Ste. 1156 Charlotte, NC 28210	4910 Trojan Drive	199-24-123	6/19/2008	R-3
	4920 Trojan Drive	199-24-122	6/19/2008	R-3
	9100 Steele Creek Road	199-24-302	3/4/2004	R-3
	4917 Trojan Drive	199-24-308	2/10/2004	R-3
Steele Creek Limited Partnership 6100 Fairview Road Charlotte, NC 28210	N/A	199-24-155	7/26/2013	CC
Department of Transportation 716 W Main Street Albemarle, NC 28001	N/A	199-24-306	12/8/1995	R-3
	4901 Trojan Drive	199-24-307	12/8/1995	R-3
Samuel M Patterson Jr 198 Willwood Circle Rock Hill, SC 29730	9200 Steele Creek Road	199-24-301	3/25/1985	R-3