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ARBORETUM
MIXED USE
DEVELOPMENT
CHARLOTTE, NC

PROJECT NUMBER	SP 731
ISSUE DATE	
REZONING SUBMITTAL	02.27.17
REZONING SUBMITTAL	05.15.17

DRAWING DATA

DRAWN BY: GW
CHECKED BY: RJ
FILE NUMBER:

SHEET TITLE

CONCEPTUAL
SITE PLAN

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SHEET NUMBER

RZ-01

NOTICE

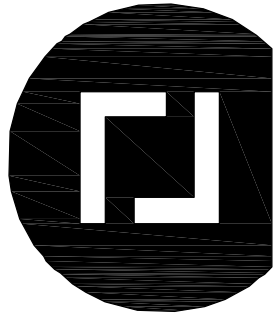
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- NEW TREE
- EXISTING TREE
- RELOCATED POWER LINE
- EXISTING POWER LINE
- 18' FUTURE CURB SET BACK
- EXISTING R.O.W. 21' MAX.
- 26' SET BACK FROM POWER LINES
- SET BACK FROM B.O.C.
 - 20' FROM FUTURE B.O.C. ALONG PINEVILLE MATTHEWS RD.
 - 30' FROM FUTURE B.O.C. ALONG PROVIDENCE RD.

1
RZ-03
CONCEPTUAL SITE PLAN
SCALE: 1" = 60'



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NC FIRM LICENSE: F-0585(ENG)
NC FIRM LICENSE: C-279(LA)



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SHEET TITLE TECHNICAL DATA SHEET

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SHEET NUMBER

RZ-02

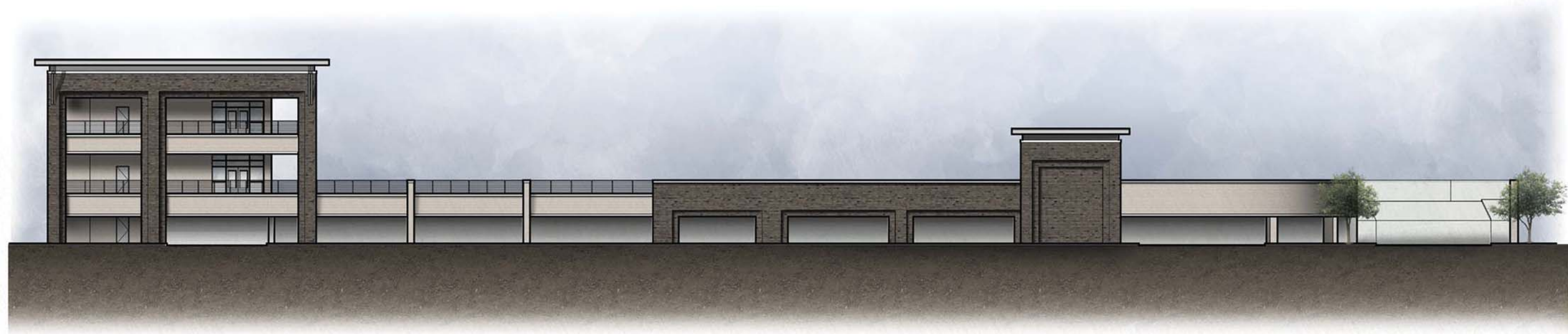
Childress Klein | Arboretum Mixed Use
Development Standards
5/8/2017
Reopening Petition No. 2017-487

Site Development Data:
-Lot Area: 5.4 acres
-Tax Parcel ID: 227-251-85, 227-251-83 and portion of 227-251-86
-Existing Zoning: (U-16C) (U-16C)
-Proposed Zoning: MUDDO-4
-Existing Uses: Office and financial institutions
-Proposed Uses: Retail, Eating, Drinking, Entertainment, Establishments (EDEE), general and medical office uses; and Personal Service Uses as permitted by right, under prescribed conditions, and by the Optional provisions below, together with accessory uses, as allowed in the MUDDO zoning district (as more specifically described and restricted below in section 1).
-Maximum Gross Square Feet of Development: Up to 90,000 square feet of gross floor area of permitted use, of which no more than 80,000 square feet of gross floor area may be developed in total EDEE and/or Personal Service Uses.
-Maximum Building Height: Buildings will be limited to a maximum building height of 40 feet in Building Envelope A, 45 feet in Building Envelope B, and 50 feet in Building Envelope C, as generally depicted on Sheet RZ-01.
-Parking: Parking will be provided per Ordinance.

1. General Provisions:
a. Site Location: These Development Standards, the Technical Data Sheet, Schematic Site Plan and other graphics set forth on attached Sheets RZ-01, RZ-02, RZ-03, and RZ-04 form this reopening plan (collectively referred to as the "Reopening Plan") associated with the Reopening Petition filed by Childress Klein Properties ("Petitioner") to accommodate the development of a high quality mixed use development on an approximately 5.4 acre site located on the southeast quadrant of the intersection of Providence Road and Pineville-Matthews Road (the "Site"). The Site is a portion of the development, known as Arboretum Office Park, located at the corner of such intersection.
b. Zoning District/Ordinance: Development of the Site will be governed by the Reopening Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Reopening Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDDO-4 zoning classification shall govern all development taking place on the Site, subject to the Ordinance provisions provided below.
c. Graphics and Alterations: The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Reopening Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formations of the Development/Site Elements depicted on the Reopening Plan are graphic representations of the Development/Site Elements proposed. Changes to the Reopening Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance. Since the project has not undergone the design development and construction phases, it is intended that this Reopening 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:
i. expressly permitted by the Reopening Plan (it is understood that if a modification is expressly permitted by the Reopening Plan it is deemed a minor modification for the purposes of these Development Standards); or
ii. minor and don't materially change the overall design intent depicted on the Reopening Plan; or
iii. modifications to move structures graphically depicted on the Reopening Plan closer to adjacent properties but no closer than the "external building line" (in this case the external setbacks, side or rear yards) indicated on Sheet RZ-01; or
iv. modifications to allow minor increases or decreases in the mass of the buildings that do not materially change the design intent depicted on or described in the Reopening 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 will be limited to three (3). Accessory buildings and structures located on the Site shall not be considered in 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 buildings).
e. Gross Floor Area: 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 buildings) or as street-level parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).
f. Permitted Services: Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and hair care shops, Spas, Yoga and exercise studios, nail salons, massage shops, martial art training studios, dry cleaning establishments, locksmiths, and cafes.
g. Limited Development for entire Quadrate: The Site together with that certain site located adjacent to the Site and being the subject of the Adjacent Zoning Petition, as generally depicted on the Reopening Plan (the "Adjacent Site") shall be viewed in the aggregate as a planned/unified development as to the elements and portions of the Site generally depicted on the Reopening Plan and those existing adjacent to the Adjacent Site. As such, the Adjacent Site and the Adjacent Site and the Site shall be viewed in the aggregate as a planned/unified development as to the elements and portions of the Site generally depicted on the Reopening Plan and those existing adjacent to the Adjacent Site. The Petitioner and/or owner(s) of the Site reserve the right to subdivide portions or all of the Site to create lots within the interior of the Site without regard to any internal separation standards, public/private street frontage requirements and FAR requirements; provided, however, all such subdivisions along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth herein as to the Site.

2. Optional Provisions:
The following optional provisions shall apply to the Site:
a. To allow wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less.
b. To allow one detached ground mounted sign per street front with a maximum height of 15 feet and containing up to 150 square feet of sign area.
c. To allow, freestanding single-story buildings, to have a detached sign up to four (4) feet high with up to 32 square feet of sign area.
d. To allow up to 100 square feet of accessory drive-through window(s) associated with a commercial building(s) in the configuration and with vehicular storage as generally depicted on Sheet RZ-01 of the Reopening Plan. The allowed accessory window(s) use will be designed so that it does not circulate between the proposed building and Pineville-Matthews Road as generally depicted on the Reopening Plan.
e. To not require driveways to be recessed into the face of the building(s) when the width of the sidewalk is at least 10 feet and/or when it is an emergency exit.
f. To allow alternative "blank wall" standards, including but not limited to the use of opaque and spandrel glass per Section II 6.c. of these Development Standards.
Note: The optional provision regarding signs is an addition/modification to the standards for signs in the MUDDO district and is to be used with the remainder of MUDDO standards for signs not modified by these optional provisions.

3. Permitted Uses, Development Area Limitations:
a. Subject to the restrictions and limitations listed below, the proposed development on the Site may be developed with up to 90,000 square feet of gross floor area developed in total EDEE, general and medical office uses, and Personal Service uses as permitted by right, under prescribed conditions and per the Optional provisions above together with accessory uses allowed in the MUDDO-4 zoning district (as more specifically described and restricted below in section 1).
b. Up to 100 square feet of accessory drive-through window(s) associated with a commercial building(s) will be permitted on the Site as generally depicted on the Reopening Plan.
c. The following uses will not be allowed: gasoline service stations with or without a convenience store and an accessory drive-through facility associated with an EDEE or Limited Service Restaurant.
4. Transportation Improvements and Access:
a. Proposed Improvements:
i. The Petitioner plans to provide or cause to be provided on or along its property or in cooperation with other parties who have jurisdiction over the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions at Providence Road (NC 16) at Arboretum Shopping Center Drive:
i. Construct a southbound right turn lane on Providence Road (NC 16) with 200' of storage and 75' bay taper
ii. Modify the westbound lane on Arboretum Shopping Center Drive Access to provide:
1. Dual left turn lanes with approximately 225' on the inside lane and 275' on the outside left turn lane and appropriate bay taper.
2. Right turn lane with 125' of storage and appropriate bay taper.
3. Convert the existing through-right combination lane to a through-only lane.
4. Provide a median to separate the westbound dual left turn lanes from the eastbound through lane with a width to be determined to maximize separation while minimizing any effects through the intersection.
The above-referenced improvements shall be substantially completed prior to the issuance of the first certificate of occupancy for the first new building constructed on the Site except with respect to redevelopment of the financial institution use located within building envelope C, which can be developed prior to the completion of such improvements.
b. The Petitioner will provide and install a traffic signal at the intersection of Pineville-Matthews Road (NC-51) and Beckstone Place, contingent upon the written approval of CDOT and NCDOT.
[If after the exercise of good faith reasonable efforts for a reasonable duration of time (which shall be no less than a period of 18 months from the approval of this reopening), the Petitioner is unable to obtain such approval for the above-referenced traffic signal improvement or such approval is conditioned upon different improvements or other conditions, the Petitioner shall be relieved of any commitment to provide the above-referenced improvement.]
c. Subject to the provisions of Section 4.11. below, the Petitioner shall dedicate and convey to the City all right-of-way required for the above-referenced improvement prior to the issuance of the first certificate of occupancy for the first new building constructed on the Site, and where practicable, such right-of-way shall be set at two (2) feet behind the back of sidewalk.
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 as applicable. 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 area, by way of a private/public partnership effort or other public sector project support.
b. Substantial Completion: Reference to "substantial completion" shall mean the completion of certain improvements as set forth in the provisions of Section 4.1 above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.11 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 the 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.
c. 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 the 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, the Petitioner continues to exercise good faith efforts to complete the applicable roadway 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.
d. 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.
III. Access and Internal Private Street:
a. Access to the Site will be from Providence Road and Arboretum Drive as generally depicted on the Reopening Plan, subject to adjustments as set forth below.
b. The Petitioner as part of the development of the Site will reconstruct Arboretum Drive as a Private Street through the Site from the access point on Providence Road to the limits of the Site as generally depicted on the Reopening Plan.
c. The alignment of the 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 the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Reopening Plan is not materially altered.
d. The Site's internal private street will be designed to include sidewalks and planting strips on one side as generally depicted on the Reopening Plan except as provided for in section 5.b below.
5. Streetcage, Buffer, Landscaping Open Space and Screening:
a. A 30 foot setback (for buildings in Building Envelope A and 45 foot setback for buildings in Building Envelope B), as measured from the future back of curb along Providence Road will be provided as generally depicted on the Reopening Plan. Detached signs will be allowed within the setback established along Providence Road.
b. A 20 foot setback as measured from the future back of curb along Pineville-Matthews Road will be provided as generally depicted on the Reopening Plan. Detached signs, and a low masonry wall used to screen the parking areas will be allowed within the foot setback established along Pineville-Matthews Road.
c. A combination of landscaping and a low masonry wall (3.0 feet high) will be used to screen the parking, circulation and/or maneuvering located along Pineville-Matthews Road as generally depicted on the Reopening Plan. This low wall will be constructed of masonry materials that match the masonry materials used on the primary buildings.
d. An eight (8) foot planting strip and a minimum six (6) foot sidewalk will be provided along Providence Road within the required setbacks as generally depicted on the Reopening Plan.
e. An eight (8) foot planting strip and a minimum six (6) foot sidewalk will be provided along Arboretum Drive on one side limited to the length of the Site as generally depicted on the Reopening Plan. Since modifications of the planting strip and/or sidewalk widths are permitted for limited distances so long as the sidewalk is a minimum of 3' when buffered by a planting strip of 8' wide back of curb).
f. An internal network of sidewalks (minimum of six (6) feet wide) will be provided on the interior of the Site linking each of the buildings and open space area on the Site. Where crosswalks are required to link the proposed sidewalk network to the proposed uses on the Site the crosswalks will be designed with either pavers or stamped asphalt to help create a clear pedestrian path to the buildings within the Site.
g. A minimum of 2,500 square feet of urban open space will be provided on the Site in the areas generally depicted on RZ-02. This urban open space area will be improved with landscaping, seating and hardscape areas. The urban open space areas will not include: private outdoor dining areas, areas located in buffers or the building setbacks) and as generally depicted on the Reopening Plan.
h. Motor banks will be screened where visible from public view at grade level.
i. Roof-top HVAC and related mechanical equipment will be screened from public view at grade level.
6. General Design Guidelines:
a. The attached illustrative building elevations are included to reflect an architectural style and a quality of the buildings that may be constructed on the Site (the actual buildings constructed on the Site may vary from these illustrations provided that the design intent is preserved). The use of colors (red hues that are typically associated with brick materials) on the attached elevations does not constitute a brick material.
b. The building materials constructed on the Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stone, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings. The use of decorative block will be limited to a maximum of 25% of any building elevation.
c. The facades of the first ground floor of the buildings along public streets shall incorporate a minimum of 30% masonry materials such as brick or stone.
d. Building Street Walls will meet or exceed the MUDDO requirements for blank walls. The attached building elevations are representative of the Street Wall treatments suggested along Providence Road and Pineville-Matthews Road as well as along the Site's internal private street. These building elevations reflect combinations of materials, material changes, building effects and window boxes that will be used to meet or exceed the MUDDO requirements for street walls. Blank walls will be treated with a combination of effects of the following features: (i) windows with or without applied graphics/images; (ii) slightly illuminated windows/boxes; (iii) vertical signage applied at grade; and/or decorative graphics and landscape elements; (iv) decorative lighting elements; (v) heavy landscaped areas composed of a combination of large and small maturing evergreen and deciduous shrubs, evergreen and deciduous shrubs and seasonal color; and (vi) windows with transparent opaque or spandrel glass; (vii) building or modulation; and/or (viii) other architectural features.
e. Facades fronting public streets shall include a combination of windows and operable doors for a minimum of 60% of each facade elevation with transparent, opaque or spandrel glass between 2' and 10' on the first floor. Up to 30% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 3'-0" clear depth between window and rear wall. Windows within this zone shall not be screened by film, drapes, or window treatments. The maximum sill height for required glass shall not exceed 4'-0" above adjacent street sidewalk.
f. Building elevations shall be designed with vertical lines or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades or other architectural elements.
g. Buildings should be a minimum height of twenty (20) feet.
h. The proposed loading/service area of the proposed grocery store located adjacent to the internal private street will be screened from the internal private street with either: a wall a minimum of eight (8) feet tall, or tall evergreen landscaping, or a combination of a wall and landscaping as generally depicted on the Reopening Plan.
7. Operational and Maintenance Provisions:
a. In order to minimize possible impact on the adjacent neighborhood, the Petitioner makes the following commitments regarding uses on its own or in cooperation with other parties in accordance with and subject to the following provisions.
b. The hours of operations for all principal uses on the Site shall be from 6:00AM to 11:00PM.
c. Outdoor live music performances are prohibited. However, outdoor speakers that provide music as part of the experience or background music that is audible on-site, but not from the adjacent neighborhood, is permitted.
d. Trash removal shall be limited to the period from 7:00AM to 9:00PM.
8. Environmental Features:
a. The Site shall comply with the Charlotte City Council approved and adopted Post Connection Control Ordinance.
b. The Site will comply with the Tree Ordinance.
9. Signage:
a. Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided.
b. No illuminated signs shall be permitted on the portions of the building fronting Arboretum Drive in Building Envelope A as generally depicted on the Reopening Plan.
10. Lighting:
a. All new attached and detached lighting shall be fully shielded downwardly directed and full cut-off fixture type lighting excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
b. Detached lighting on the Site, except street lights located along public streets, will be limited to 20 feet in height.
11. Amendments to the Reopening Plan:
a. Future amendments to the Reopening Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.
12. Binding Effect of the Reopening Application:
a. If this Reopening Petition is approved, all conditions applicable to the development of the Site imposed under the Reopening Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



1 SCHEMATIC INTERNAL PARKING DECK ELEVATION
RZ-05 SCALE: 3/32" = 1'-0"



2 SCHEMATIC INTERSECTION VIEW
RZ-05 SCALE: NTS



3 SCHEMATIC MIXED USE BUILDING ELEVATION
RZ-05 SCALE: 1/16" = 1'-0"



4 SCHEMATIC MIXED USE BUILDING PROVIDENCE ELEVATION
RZ-05 SCALE: 1/16" = 1'-0"

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NOTE
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SCHEMATIC MIXED
USE BUILDING &
PARKING
ELEVATIONS

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1 SCHEMATIC MAIN ENTRY ELEVATION
RZ-04 SCALE: 1/16" = 1'-0"



2 SCHEMATIC PROVIDENCE RD. ELEVATION
RZ-04 SCALE: 1/16" = 1'-0"



3 SCHEMATIC INTERNAL STREET ELEVATION
RZ-04 SCALE: 3/64" = 1'-0"



4 SCHEMATIC LOADING ELEVATION
RZ-04 SCALE: 1/16" = 1'-0"

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5 SCHEMATIC PEDESTRIAN ENTRY VIEW
RZ-04 SCALE: NTS



6 SCHEMATIC LOADING VIEW
RZ-04 SCALE: NTS

CK Childress
Klein

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