

PETITION 2017-057



PROJECT NUMBER	SP 731
I S S U E D A T E	
REZONING SUBMITTAL	02.27.17
REZONING SUBMITTAL	05.15.17
REZONING SUBMITTAL	06.12.17
REZONING SUBMITTAL	07.17.17
REZONING SUBMITTAL	08.14.17
REZONING SUBMITTAL	11.27.17

DRAWN BY: GW
CHECKED BY: RJ
FILE NUMBER:

CONCEPTUAL SITE PLAN

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SHEET NUMBER

RZ-01

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 **CONCEPTUAL SITE PLAN**
SCALE: 1" = 50'



GE  SCIENCE
GROUP
Incorporated
500-K Clanton Road
Charlotte, NC 28217
(704) 525-2003

PETITION 2017-057

PROJECT NUMBER	SP 73	ISSUE DATE
REZONING SUBMITTAL	02.27.17	
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S H E E T N U M B E R

RZ-02



SCALE: 1" = 60'

Site Development Data

- Acres:** 5.4 acres
- Tax Parcel #s:** 227-25-185, 227-25-183 and a portion of 227-25-186
- Existing Zoning:** O-15(CD)
- Proposed Zoning:** MUDD-O
- Existing Uses:** Office and Financial Institutions
- Proposed Uses:** Retail; Eating, Drinking, Entertainment, Establishments
- Maximum Gross Square Feet of Development:** Up to 35,400 square feet
- Maximum Building Height:** Buildings will be limited to a maximum of 35 feet
- 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 Sheet RZ-01, RZ-02, RZ-03, RZ-04, and RZ-05 form the rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Children's Clinic Properties ("Petitioner") to accommodate the development of a high quality retail center located at the intersection of the Charlotte-Farmville Road corridor and the intersection of the Charlotte-Farmville Road and the "Site". The "Site" is a portion of the development, known as Ashcroft Office Park, located at the corner of such intersection.
- B. Zoning Ordinance/OldOrdinance.** 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 establishes more stringent standards, the regulations established under the Ordinance for the MUDO-20 zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.
- C. Graphics and Alterations.** The schematic descriptions 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 Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The Town Board may approve or disapprove the Development Site Elements proposed. Changes to the Development Site Elements approved by the Rezoning 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 recognized that this Rezoning Plan provides 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 Rezoning Plan; It is understood that if a modification is currently permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards;
 - ii. minor and does not materially change the overall design depicted on the Rezoning Plan; or
 - iii. modifications to more structures graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the external setbacks, side or rear yards) shown on Sheet RZ-01.
- 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 which 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 four (4). Accessory buildings and structures located on the Site shall not be considered as any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural details and designs as the principal buildings).
- E. Gross Floor Area.** For the 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 towards the total floor area (hereinafter defined by the City as "Floor Area"): surface or structured parking facilities, including deck aprons (open or enclosed), and loading docks and trailers used for commercial purposes.
- F. Permitted Services.** Personal Service will be defined as uses the primarily provide self service to customers versus the selling of goods. A personal service may also sell products or merchandise but the sale of products and merchandise is primarily ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spas, Yoga and Pilates studios, hair salons, nail salons, tanning salons, martial art training studios, day cleaning establishments, bookstores, and other services for these Development Standards.
- G. Limited Development for entire Outparcel.** The Site abutting along the eastern edge of the Site and bounded by the intersection of the Ashcroft Office Park as generally depicted on the Rezoning Plan (the "Adjacent Site") shall be viewed in the aggregate as a planned unit development and so the elements and portions of the Site generally depicted on the Rezoning Plan and those shown on the Graphic Representations of the Development Site Elements shall apply to the Adjacent Site. The Adjacent Site shall be subject to the same Development Standards, FAR requirements, and other similar zoning regulations that will be required internally between inter-outparcels and other site elements. Set all such standards shall apply along the exterior boundary of the Site and the Adjacent Site. The Petitioner and owner(s) of the Site reserve the right to subdivise portions or all of the Site to create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such standards (including the "Setback Standards") shall apply to the entire Site.
- H. Optional Provisions.** The drug optional provisions shall apply to the Site:
- a. To allow wall signs to have up to 100 square feet of sign surface area per wall at 10% of the total wall to which they are attached, wherever it 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, free-standing single-bay signs, having 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 signage (associated with a financial institution) in the configuration and with vehicular storage as generally depicted on Sheet RZ-01 of the Rezoning Plan. The accessory standard (window(s)) will be designed so that it does not circulate between the Interocean-Matthews Road (an alleyway depicted on the Rezoning Plan).
 - e. To not require doorways to be recessed into the face of the buildings when the width of the openings is at least 10 feet or higher when it is emergency exit.
 - f. To allow optional "blank wall" standards, including but not limited to the use of equidistant spaced glass per Section II f.e. of these Development Standards.

Note: The optional provision regarding signs is an addition/modification to the standards for signs in the MUDD district and is to be used with the remainder of MUDD standards for signs not modified by these optional provisions.

3. Permitted Uses, Development Area Limitations

1. Subject to the restrictions and limitations listed above, the proposed building constructed on the Site may be developed with a total square feet of gross floor area devoted to retail, EDEE, general and medical office uses, financial institutions, and Personal Service uses as permitted by right, under prescribed conditions and per the Optional provisions above together with accessory uses allowed in the MU(20-0) zoning district, provided, however, no more than 70,000 square feet of gross floor area may be developed for retail, EDEE and/or Personal Service uses.

4. Transportation Improvements and Access:

1. Proposed Improvements:

6. 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 at Providence Road/DC (A) and Aberdeen Shopping Center Drive / Abernethy St. Access to the site:
1. Construct a southbound right turn lane on Providence Road (NC 16) with 200' of storage and 75' bay taper
2. Modify the southbound laneway on Abernethy Shopping Center Drive Access to provide:
- a. Dual left turn lanes with approximately 225' on the inside lane and 275' on the outside left turn lane and appropriate bay taper
- b. A right turn lane with 125' of storage and appropriate bay taper
3. Cover the existing through-right combination lane to a through only lane
4. Provide a median to separate the eastbound dual left turn lanes from the eastbound through lane with a width to be determined to maximize separation while minimizing any offset through the intersection
5. Construct an eight (8) foot sidewalk at the back of each curb of Abernethy Shopping Center Drive to Windsor Oaks Drive
- The above referenced improvements shall be substantially completed prior to the issuance of the first certificate of occupancy for the new fire 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.

II. Standards, Phasing and Other Provisions:

- A. CDDOT/CDOT project.** All of the foregoing public roadway improvements will be to the standards and criteria of CDDOT as applicable. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other developments and roadway projects taking place within the area by way of a private-public partnership effort or other public sector project.
- B. Substantial Completion.** Reference to "substantial completion" (or "substantially completed") for certain improvements as described above in the provisions of Section 4.1 above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.1A above provided, however, in the event of roadway improvements or a combination of the same that the Petitioner needs to acquire a certificate of occupancy for buildings on or adjacent to the roadway improvements, then the Petitioner will work with City Staff to determine a process to allow for 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 other bond for improvements not in place at the time such a certificate of occupancy is issued to assure 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 on 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 which the improvements are to be constructed, then the Petitioner shall be deemed to have exercised diligent good faith efforts to acquire the right of way and shall not be liable for the improvements to be provided by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event the public roadway improvements referenced in subsection a above are delayed because of delay in the acquisition of additional right-of-way, then the Petitioner shall be deemed to have exercised diligent good faith efforts to complete the applicable roadway improvements, in such event the Petitioner may be asked to post a letter of credit or other bond for roadway improvements not in place at the time such a certificate of occupancy is issued to assure completion of the applicable improvements.
- D. Alternative Improvements.** Changes to the proposed roadway improvements may be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDDOT, and the Planning Director as applicable, provided, however, the proposed alternative transportation improvements provided to (in the aggregate) comparable transportation network

III. Access and Internal Private Street:

- b. The Petitioner as part of the Providence Road and Ardenhurst Drive as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.
- c. Access to the Site will be from Providence Road and Ardenhurst Drive as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.
- d. The Petitioner as part of the Providence Road will reconstruct Ardenhurst 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 Rezoning Plan.
- e. 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 Rezoning Plan is not materially altered.

5. Streetscape, Buffer, Landscaping Open Space and Screening

1. A) Dashed setback for buildings in Building Envelope A and a 45 foot setback for buildings in Building Envelope B shall be measured from the future back curb along Providence Road will be provided as generally depicted on the Rezoning Plan. Detached signs will be allowed within the setback established along Providence Road.
- B) Setback for signs as measured from the future back curb along Providence/Matthews Road will be provided as generally depicted on the Rezoning Plan. Detached signs and a low masonry wall or fence may be used to screen the parking areas will be allowed within the first setback established along Pineville/Matthews Road.
- C) Concerted efforts will be made with Urban Forestry and transportation officials to preserve the existing trees fronting Providence Road and at the intersection with Pineville/Matthews Road in the areas generally depicted on RZ-61.
- D) A combination of landscaping and low masonry wall (3 foot high) will be used to screen the parking, circulation and/or maneuvering located along Pineville/Matthews Road as generally depicted on the Rezoning Plan. This low wall will be constructed of masonry materials that match the masonry materials used on the primary buildings.
- E) An eight (8) foot planting strip and a two (2) foot high wall will be used to screen the parking, circulation and/or maneuvering located along Providence Road (within the required setbacks) as generally depicted on the Rezoning Plan. Provided that the width of the trail may be reduced to a minimum of eight (8) feet in segments to preserve existing trees.
- F) An eight (8) foot planting strip and a two (2) foot high wall will be used to screen the parking, circulation and/or maneuvering located along Providence Road (within the required setbacks) as generally depicted on the Rezoning Plan. Provided that the width of the trail may be reduced to a minimum of eight (8) feet in segments to preserve existing trees.
- G) An eight (8) foot planting strip and a twelve (12) foot high wall will be provided along Providence Road between Arborham Shopping Center Drive and Pineville/Matthews Road within the required setbacks as generally depicted on the Rezoning Plan provided that the width of the trail may be reduced to a minimum of eight (8) feet in segments to preserve existing trees. New street trees shall be planted in the rip up area approval from NCDOT. Otherwise, new street trees will be provided outside of the right of way.
- H) An internet network of sidewalks (minimum of 4 feet) or foot wide circle of drive swales, shopping cart storage and/or similar will be provided on the interior of the Site linking each of the buildings and open spaces 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 other provisions of the Masterplan Approval to help create a pedestrian path to the buildings within the site.
- I) A minimum of 7,000 square feet of urban open space will be provided on the Site in the areas generally depicted on RZ-61. This urban open space areas will be improved with landscaping, seating and hardscape areas. The urban open space areas will not include, private outdoor dining areas. The urban open space at the corner of Providence Road and Pineville/Matthews Road shall be a minimum of 2,000 square feet. The urban open space located between the proposed project site and the millinery building shall be a minimum of 4,000 square feet.
- J) Motor trucks will be screened where visible from public view at grade level.
- K) 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 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 hatches) that are typically associated with brick materials on the attached elevations does not imply that the material illustrated is a brick material.
- b. 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 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 buildings constructed on the Site will be constructed so at least 40% of the exterior building facade of each building constructed on the Site, exclusive of windows, doors, and roofs, will be constructed utilizing the following materials: brick, stone, precast stone, precast concrete, synthetic stone, and decorative block.
- d. The facade of first ground floor of the buildings along public streets shall incorporate a minimum of 30% masonry materials such as brick or stone.

- a.** Building Street Wall must be or exceed the MDDP requirements for blank walls. The attached building elevations are representative of the Street Wall treatments proposed along Providence Road and Pine/Lee/Mathews Roads as well as along the Site's internal private street. Such building elevations reflect combinations of materials, material changes, building eaves, gutters and/or window boxes that may be used to enhance architectural interest. Blank wall treatment includes, but is not limited to, horizontal siding, vertical siding, brickwork, stone veneer, textured stucco, etc. Blank wall treatment shall include decorative glass and landscape elements, (i) decorative lighting elements; (ii) window boxes; (iii) shutters; (iv) awnings; (v) pergolas; (vi) trellises; (vii) climbing plants; (viii) hanging baskets; (ix) flower boxes; (x) other decorative elements. Decorative elements shall be integrated into the overall design of the building facade and shall not detract from the architectural integrity of the building.
- b.** Facades facing from each side of the lot shall be designed to provide a minimum of 60% of such facades with transparent opaque or spandrel glass between 2' and 10' on the first floor. Up to 20% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 3'-0" clear height between window sills and shall be located at least 8'-0" above adjacent street sidewalk.
- c.** Building elevations shall be designed with vertical bars 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.
- d.** Buildings should be a minimum height of twenty (20) feet.
- e.** The proposed loading/service area of the proposed project is located adjacent to the internal private street wall will be screened from the internal private street with either, a wall a minimum of eight (8') feet tall, or a combination of a wall and landscaping located on the Existing Plan.
- f.** Pedestrian access shall be provided at the corner of Attention Shopping Center and Providence Road to provide direct pedestrian access to the project site generally depicted on the site plan and schematic elevation.
- g.** A minimum of 1,200 square feet of ground floor leasable space shall be provided in the multi-story building over the urban open space as generally depicted on Sheets RZ-61 and RZ-63.
- h.** The two proposed stairways from the upper level of the proposed parking deck to the urban open space and proposed garage shall be open air stairways as generally depicted on RZ-61.
- i.** A pedestrian connection shall be provided between the Site and the adjacent parcel to the east of the proposed drive-through-use as generally depicted on Sheet RZ-61.

m. A pedestrian connection shall be provided between the proposed development and the adjacent street.

- 7. Operational and Miscellaneous Provisions:**
- 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:
- The hours of operations for all principal uses on the Site shall be from 6:00AM to 11:00PM.
 - 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.
 - Trash removal shall be limited to the period from 7:00AM to 9:00PM.
- 8. Environmental Features:**

2. The Site should

- h. The Site will comply with the Tree Ordinance. The Petitioner shall submit a tree survey for all trees 2" or larger located in the rights of way during the Land Development process. In addition, the survey shall include all trees 8" or larger in the setback.

9. Signag

- b. Noninternally illuminated signs shall be permitted on the portions of the building fronting Arboretum Shopping Center Drive in Building Envelope A, as generally depicted on the Rezoning 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 ~~60~~ 20 feet in height.

11. Amendments to the Rezoning Plan

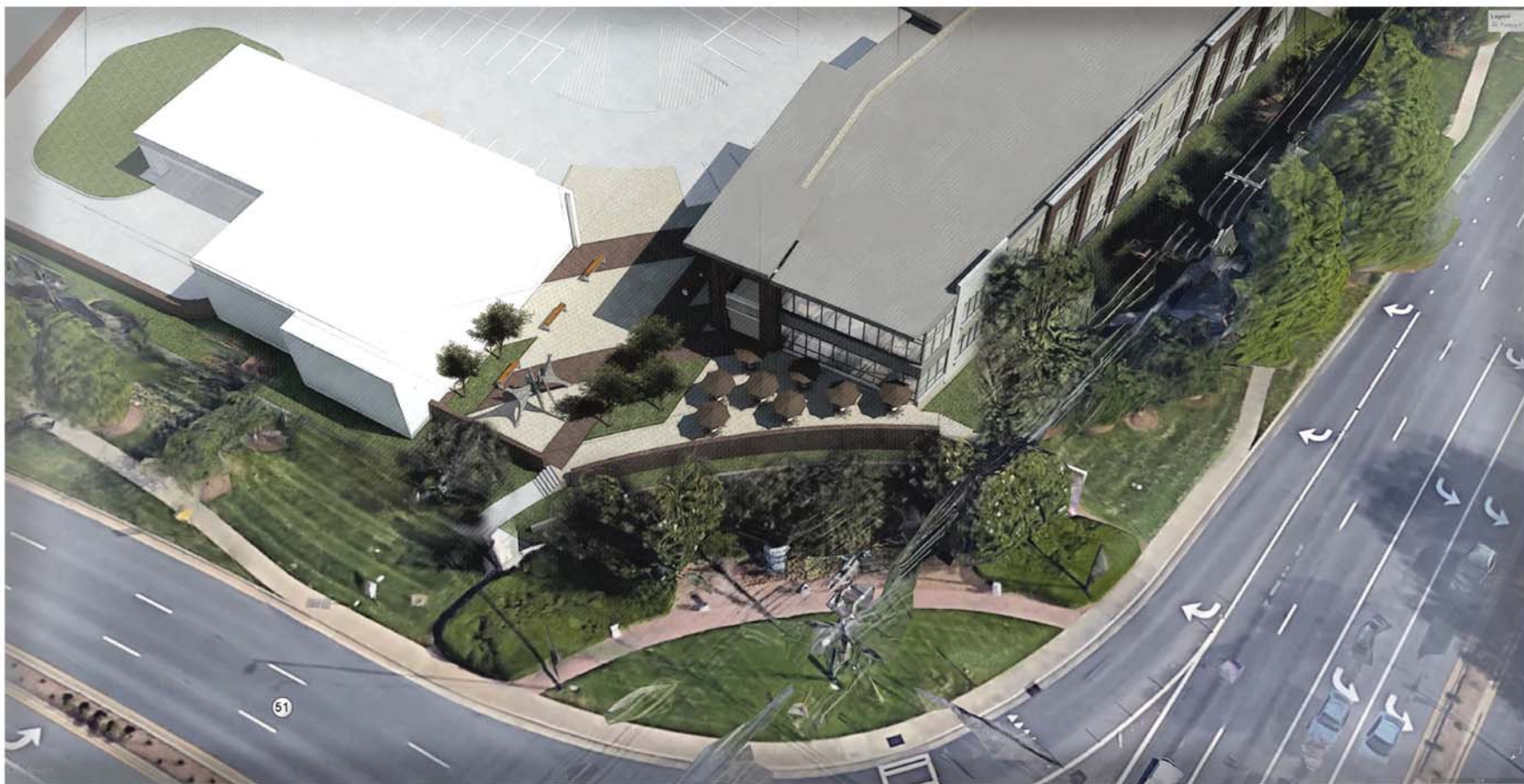
- a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

12. Binding Effect of the Rezoning Application

- 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 herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Area, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



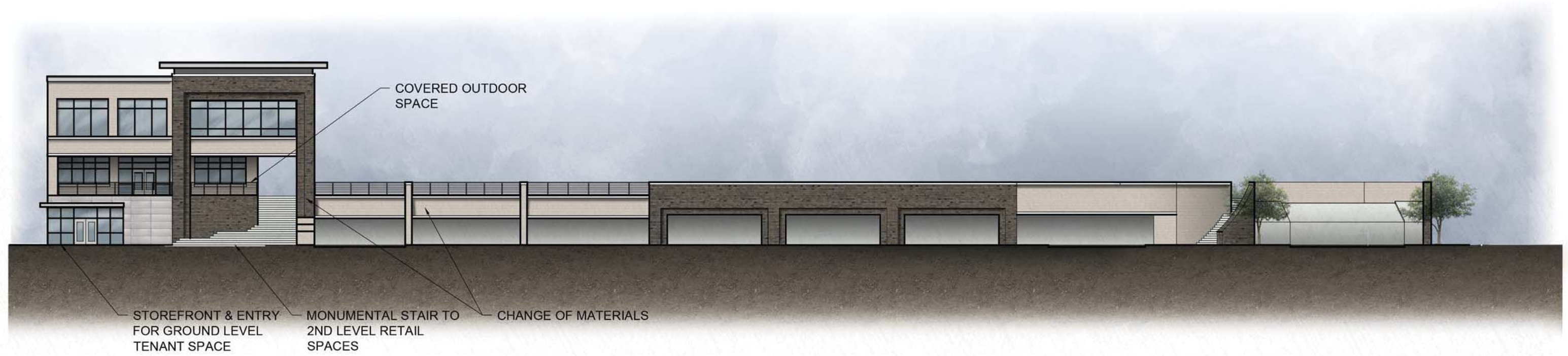
1 SCHEMATIC INTERSECTION VIEW
RZ-03 SCALE: NTS



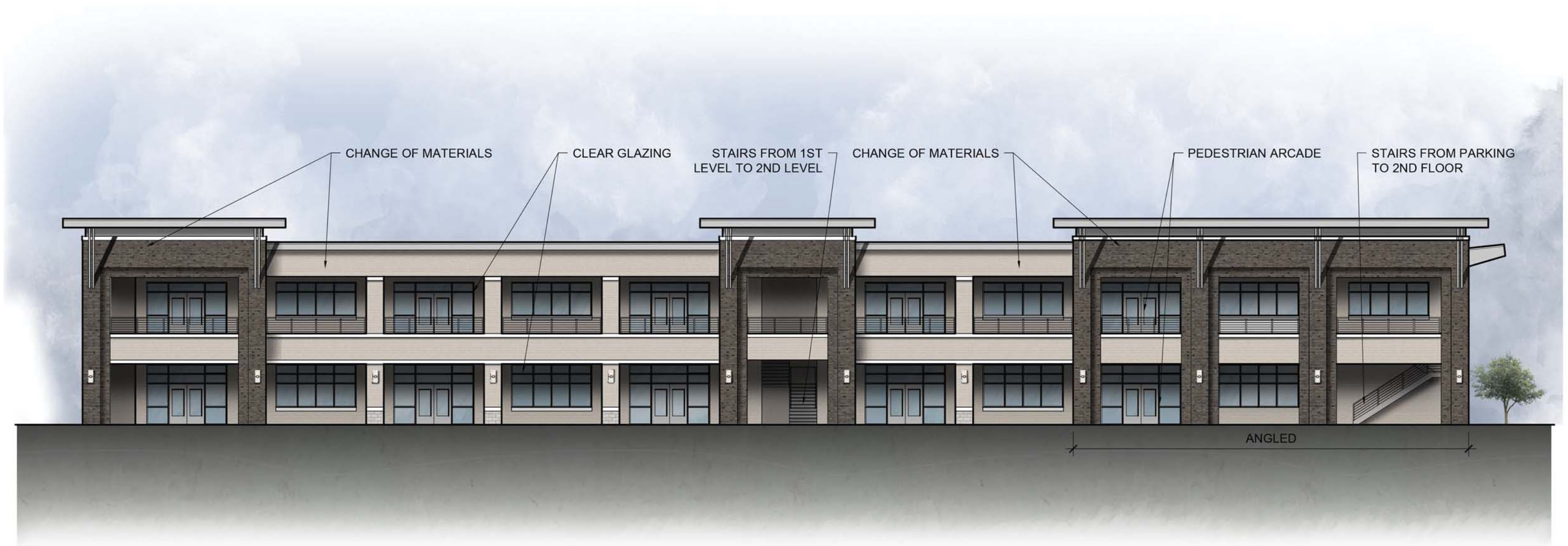
2 SCHEMATIC INTERSECTION VIEW
RZ-03 SCALE: NTS



3 SCHEMATIC GROCERY PLAZA VIEW
RZ-03 SCALE: NTS



4 SCHEMATIC INTERNAL PARKING DECK ELEVATION
RZ-03 SCALE: 3/32" = 1'-0"



5 SCHEMATIC MIXED USE BUILDING ELEVATION
RZ-03 SCALE: 1/16" = 1'-0"



6 SCHEMATIC MIXED USE BUILDING PROVIDENCE ELEVATION
RZ-03 SCALE: 1/16" = 1'-0"

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NOTE
THESE SCHEMATIC ELEVATIONS ARE ILLUSTRATIVE FOR THE PROPOSED BUILDINGS AND ARE INCLUDED TO REFLECT AN ARCHITECTURAL STYLE AND QUALITY OF THE BUILDINGS THAT WILL BE CONSTRUCTED ON THE SITE. THESE SCHEMATIC ELEVATIONS ARE ILLUSTRATING THE USE OF VARIED MATERIALS AND ROOFLINES, GLASS (EITHER OPAQUE OR CLEAR), WALL PLANE VARIATION, AND MASSING. THE ACTUAL BUILDINGS CONSTRUCTED ON THE SITE MAY VARY FROM THESE ILLUSTRATIONS PROVIDED THAT THE DESIGN INTENT IS PRESERVED.



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PETITION 2017-057



**ARBORETUM
MIXED USE
DEVELOPMENT**
CHARLOTTE, NC

PROJECT NUMBER	SP 731
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SHEET TITLE
**SCHEMATIC MIXED
USE BUILDING &
PARKING
ELEVATIONS**

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SHEET NUMBER

RZ-03



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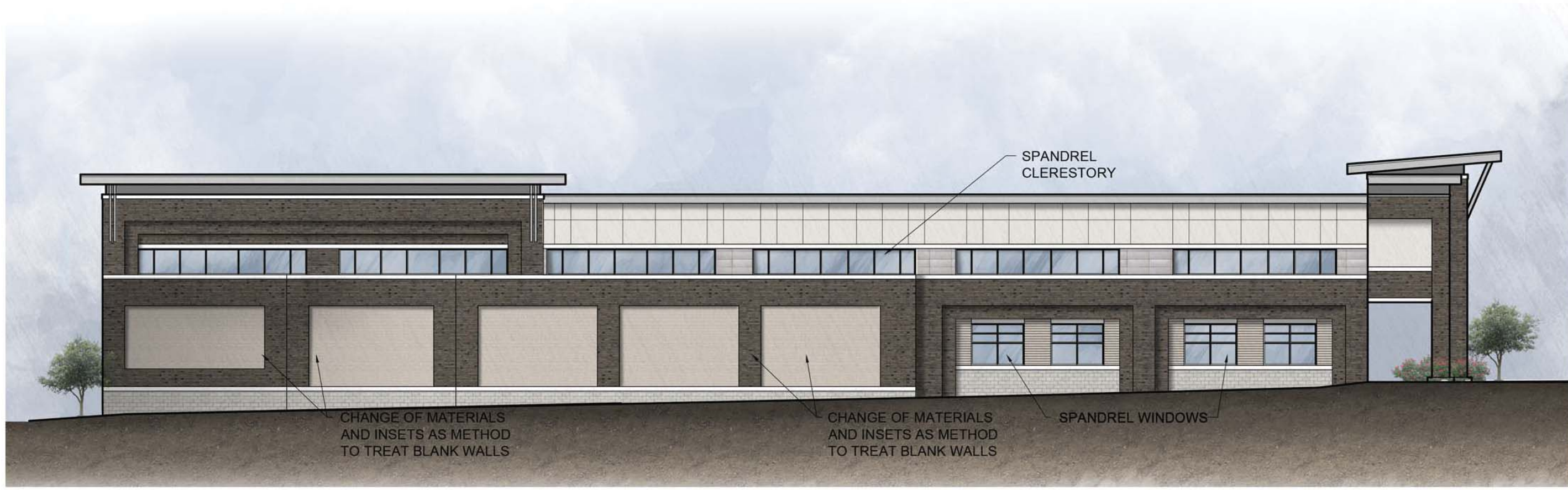
1 SCHEMATIC MAIN ENTRY ELEVATION
RZ-04 SCALE: 1/16" = 1'-0"



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"



5 SCHEMATIC PEDESTRIAN ENTRY VIEW
RZ-04 SCALE: NTS



6 SCHEMATIC LOADING VIEW
RZ-04 SCALE: NTS

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NOTE: DOES NOT REFLECT ROADWAY IMPROVEMENTS OR FUTURE STREETSCAPE CONDITIONS

PETITION 2017-057

CK Childress Klein

ARBORETUM
MIXED USE
DEVELOPMENT
CHARLOTTE, NC

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SHEET TITLE
SCHEMATIC
GROCERY
ELEVATIONS
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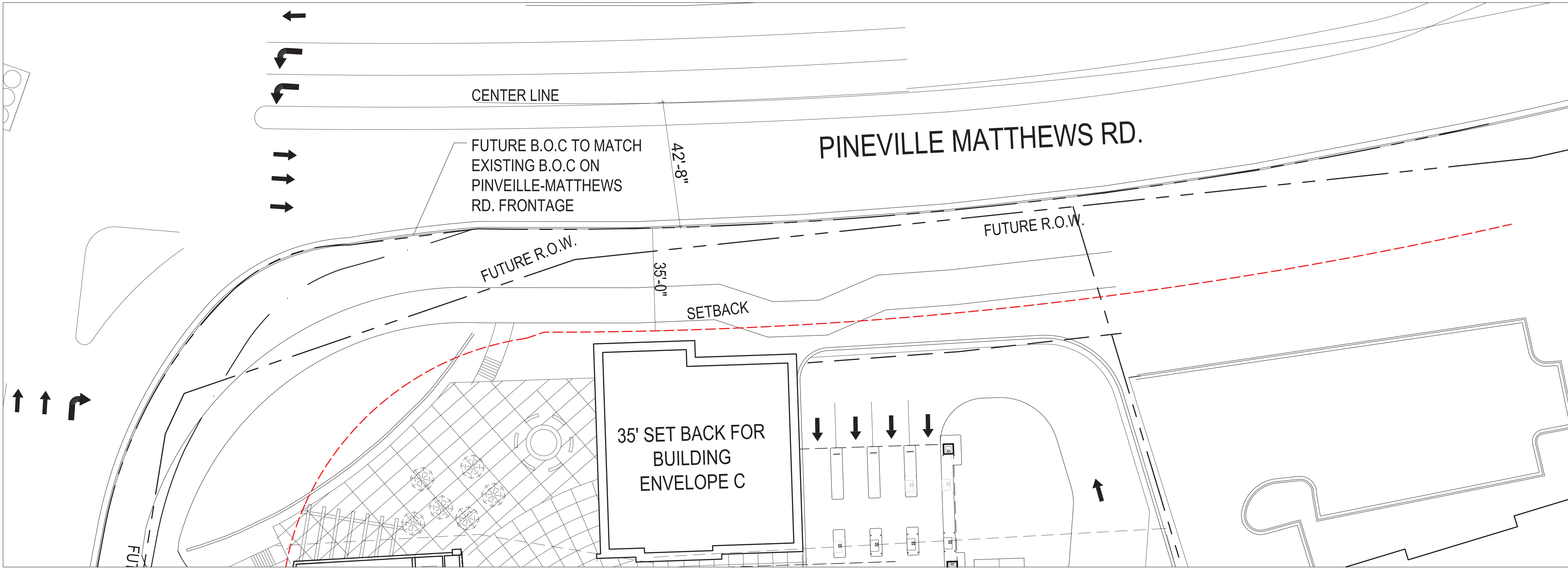
RZ-04

NOTICE

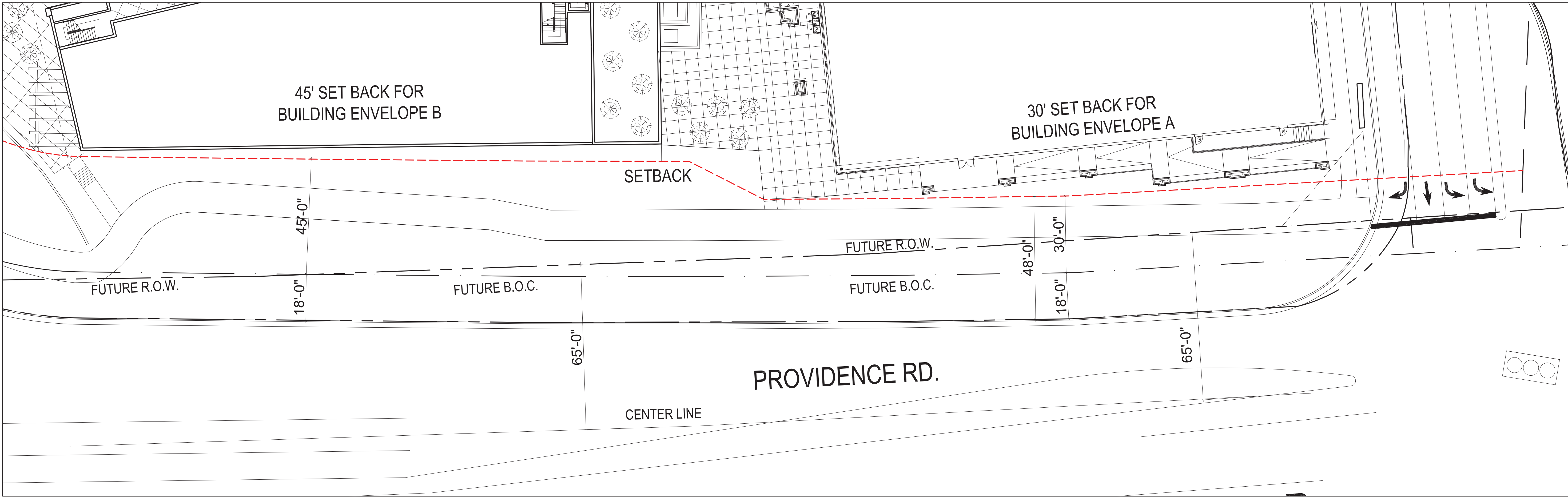
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PINEVILLE MATTHEWS RD. ENLARGED FRONTAGE PLAN
SCALE: 1" = 20'-0" EXISTING B.O.C AND FUTURE BACK OF CURB ARE THE SAME



PROVIDENCE RD. ENLARGED FRONTAGE PLAN
SCALE: 1" = 20'



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PETITION 2017-057

**ARBORETUM
MIXED USE
DEVELOPMENT**
CHARLOTTE, NC

PROJECT NUMBER SP 731

ISSUE DATE

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**ENLARGED
FRONTAGE
PLAN**

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