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ARBORETUM MIXED USE DEVELOPMENT

CHARLOTTE, NC

PROJECT NUMBER SP 731

I S S U E D A T E

REZONING SUBMITTAL 02.27.17
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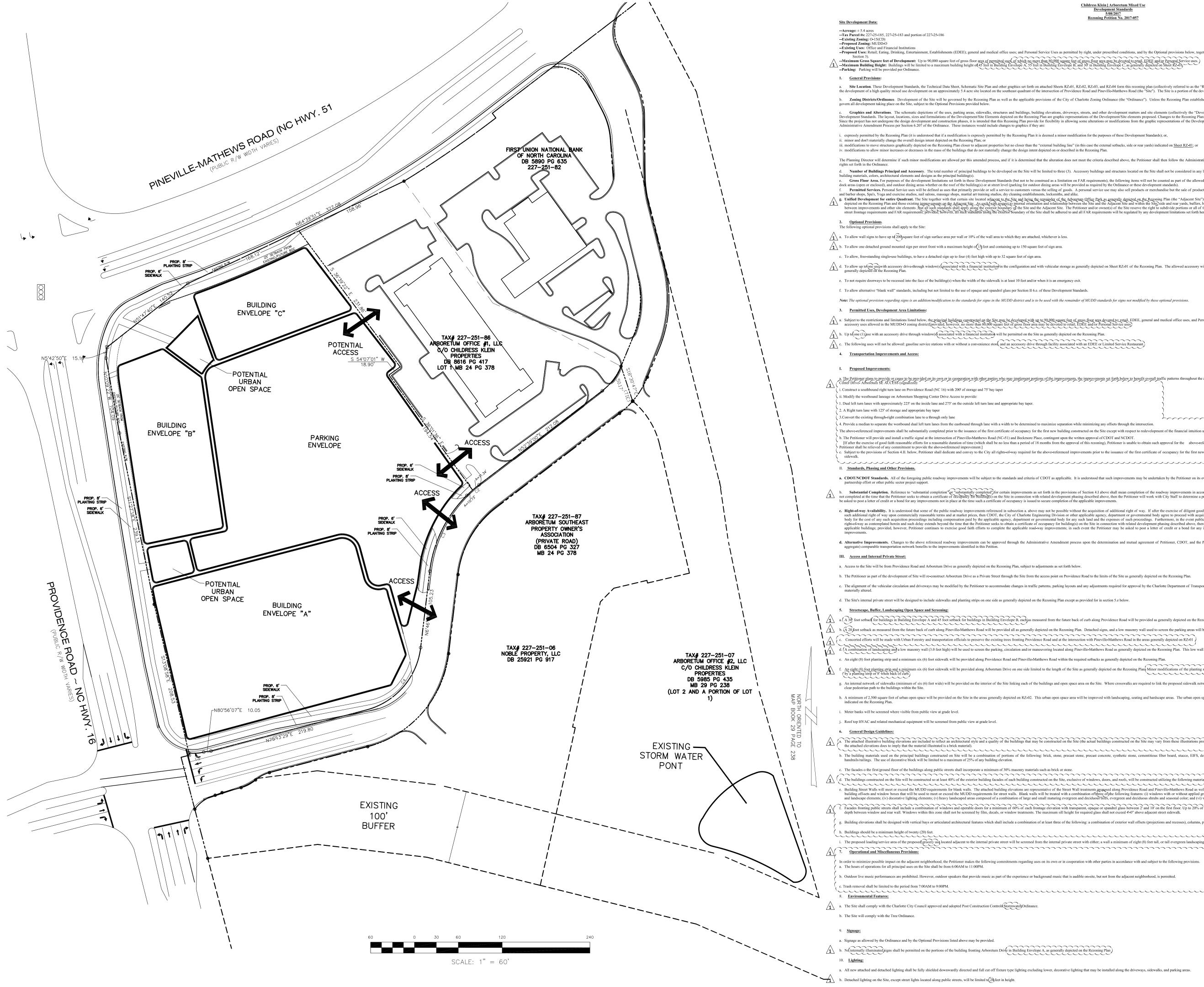
SHEET TITLE

CONCEPTUAL SITE PLAN

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SHEET NUMBER

RZ-01



Rezoning Petition No. 2017-057

-- Tax Parcel #s: 227-25-185, 227-25-183 and portion of 227-25-186

--Existing Zoning: O-15(CD) -- Proposed Zoning: MUDD-O

-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 MUDD zoning district (as more specifically described and restricted below in

Section 3).

--Maximum Gross Square feet of Development: Up to 90,000 square feet of gross floor area of permitted uses, of which no more than 80,000 square feet of gross floor area max be devoted to retail. EDEE and/or Personal Service uses.

--Maximum Building Height: Buildings will be limited to a maximum building height of 45 feet in Building Envelope A, 55 feet in Building Envelope B, and 30 in Building Envelope C, as generally depicted on Sheet RZ-01

--Parking: Parking will be provided per Ordinance.

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 rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Plan of 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.

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 Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD-O zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below 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") 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 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 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 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 expressly permitted by the Rezoning 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 Rezoning Plan; or iii. modifications to move 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) 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 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 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 will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s 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 as defined by the Ordinance) for the Site: surface or structured parking facilities, all loading

Permitted Services. Personal Service uses will be defined as uses that primarily provide or sell a 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 nd barber shops, Spa's, Yoga and exercise studios, nail salons, massage shops, martial art training studios, dry cleaning establishments, locksmiths, and alike g. Unified Development for entire Quadrant. The Site together with that certain site located adjacent to the Site and being the remainder of the Arboretum Office Park as generally depicted on the Rezoning Plan (the "Adjacent Site") shall be viewed in the aggregate as a planned/unified development as to the elements and potions of the Site generally depicted on the Rezoning Plan and those existing improvements on the Adjacent Site. As such (with respect to internal orientation and relationship between she Site and the Adjacent Site and within the Site, side and rear yards, buffers, building height separation standards will not be required internally between improvements and other site elements, but all such standards shall apply along the exterior boundary of the Site and the Adjacent Site. The Petitioner and/or owner(s) 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 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.

The following optional provisions shall apply to the Site:

1 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 13 feet and containing up to 150 square feet of sign area.

 $c. \ \ \, To allow, free-standing single-use buildings, to have a detached sign up to four (4) feet high with up to 32 square feet of sign area.$

d. To allow up to not generally depicted on the Rezoning 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 Rezoning Plan. generally depicted on the Rezoning Plan.

e. To not require doorways 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.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

a. Subject to the restrictions and limitations listed below, the principal buildings constructed on the Site may be developed with up to 90,000 square feet of gross floor area devoted to retail, 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 MUDD-O zoning district, provided, however, no more than 80,000 square feet of gross floor area may be devoted to retail, EDEE and/or Personal Service uses.

1. Up to (one (1)) use with an accessory drive through window(s) associated with a financial institution will be permitted on the Site as generally depicted on the Rezoning Plan.

b. Up td(one (1)) use with an accessory drive through window(s) associated with a linearing interest and an accessory drive through facility associated with an EDEE or Limited Service Restaurant.

4. Transportation Improvements and Access:

I. Proposed Improvements:

a. 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 provision at Providence Road (NC 16) & Arboretum Shopping (Center Drive-Arboretum SE ACCESS (signalized):

Construct a southbound right turn lane on Providence Road (NC 16) with 200' of storage and 75' bay taper ii. Modify the westbound laneage 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.

. A Right turn lane with 125' of storage and appropriate bay taper

3. Convert the existing through-right combination lane to a through only land

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 offsets 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 intuition 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 Beckmore 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 for the above-referenced traffic signal improvement or such approval is conditioned upon different improvements or other conditions, Petitioner shall be relieved of any commitment to provide the above-referenced improvement c. Subject to the provisions of Section 4.II. below, Petitioner shall dedicate and convey to the City all rights-of-way required for the above-referenced improvements prior to the issuance of 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

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 improvement 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" or "substantially completed" for certain improvements as set forth in the provisions of Section 4.I above shall mean completed at the time that the Petitioner seeks to obtain a certificate 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 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 latest 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 latest 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 latest 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 latest 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 latest development phasing described above, then the Petitioner will work with City Staff to deter 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

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 ggregate) 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 Rezoning Plan, subject to adjustments as set forth below.

b. The Petitioner as part of the development of Site will re-construct 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 Rezoning 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 Rezoning Plan is not

d. The Site's internal private street will be designed to include sidewalks and planting strips on one side as generally depicted on the Rezoning Plan except as provided for in section 5.e below.

5. Streetscape, 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, each) as measured from the future back of 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.

20 foot setback as measured from the future back of curb along Pineville-Matthews Road will be provided all as generally depicted on the Rezoning 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. \widetilde{b} 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-01

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 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 minimum six (6) foot sidewalk will be provided along Providence Road and Pineville-Matthews Road within the required setbacks as generally depicted on the Rezoning Plan.

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 Rezoning Plan Minor modifications of the planting strip and/or sidewalk widths are permitted for limited distances so long as the sidewalk is a minimum of 5' when buffered by a planting strip or 8' when back of curb. g. 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 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.

h. 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 areas will not include, private outdoor dining areas, areas located in buffers or the building setbacks/yards as generally indicated on the Rezoning Plan

i. Meter banks will be screened where visible from public view at grade level.

j. Roof top HVAC and related mechanical equipment will be screened from public view at grade level.

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 to 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 ston handrails/railings. The use of decorative block will be limited to a maximum of 25% of any building elevation

c. The facades o the first/ground floor of the buildings along public streets shall incorporate a minimum of 30% masonry materials such as brick or stone. The buildings constructed on the Site will be constructed so at least 40% of the exterior building facades 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.

e. Building Street Walls will meet or exceed the MUDD requirements for blank walls. The attached building elevations are representative of the Street Wall treatments proposed 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 off-sets and window boxes that will be used to meet or exceed the MUDD requirements for street walls. Blank walls will be treated with a combination of three of the following features: (i) windows with or without applied graphics images; (ii) internally illuminated window boxes; (iii) vertical elements such as art work and/or decorative garden and landscape elements; (iv) decorative lighting elements; (v) heavy landscaped areas composed of a combination of large and small maturing evergreen and deciduous strees, evergreen and deciduous shrubs and seasonal color; and (vi) windows with transparent opaque or spandrel glass. (vii) banding or medallions, and/or (viii) other architectural features.)

f. Facades fronting public streets shall include a combination of windows and operable doors for a minimum of 60% of each frontage elevation 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) depth between window and rear wall. Windows within this zone shall not be screened by film, decals, or window treatments. The maximum sill height for required glass shall not exceed 4'-0" above adjacent street sidewalk.

g. Building elevations shall be designed with vertical bays 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.

h. Buildings should be a minimum height of twenty (20) feet. i. The proposed loading/service area of the proposed grocery use 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 Rezoning Plan.

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. a. 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.

a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Stormwater Ordinance. b. The Site will comply with the Tree Ordinance.

a. Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided.

No internally illuminated signs shall be permitted on the portions of the building fronting Arboretum Drive in Building Envelope A, as generally depicted on the Rezoning Plan

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. Detached lighting on the Site, except street lights located along public streets, will be limited to 28 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 Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns



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ARBORETUM MIXED USE **DEVELOPMENT**

CHARLOTTE, NC PROJECT NUMBER ISSUE DATE

REZONING SUBMITTAL REZONING SUBMITTAL

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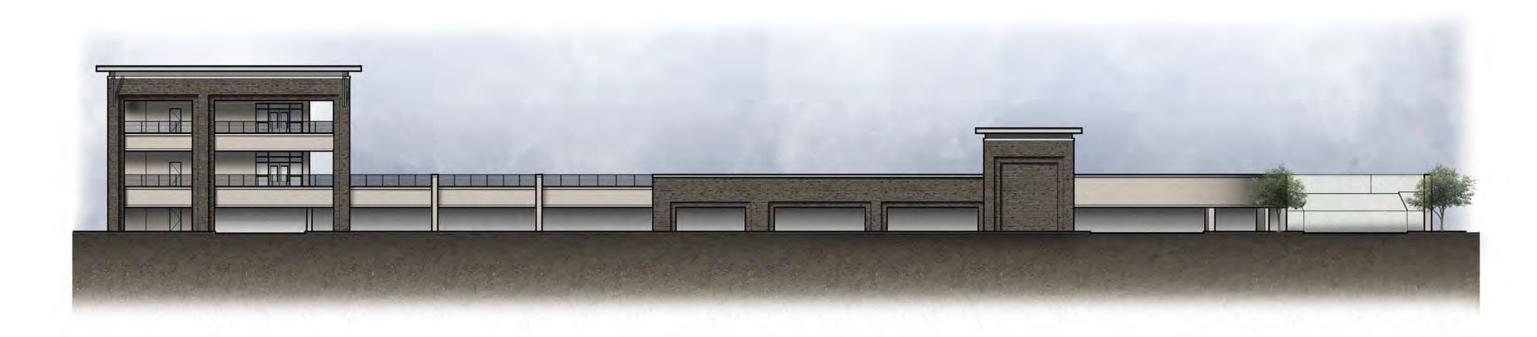
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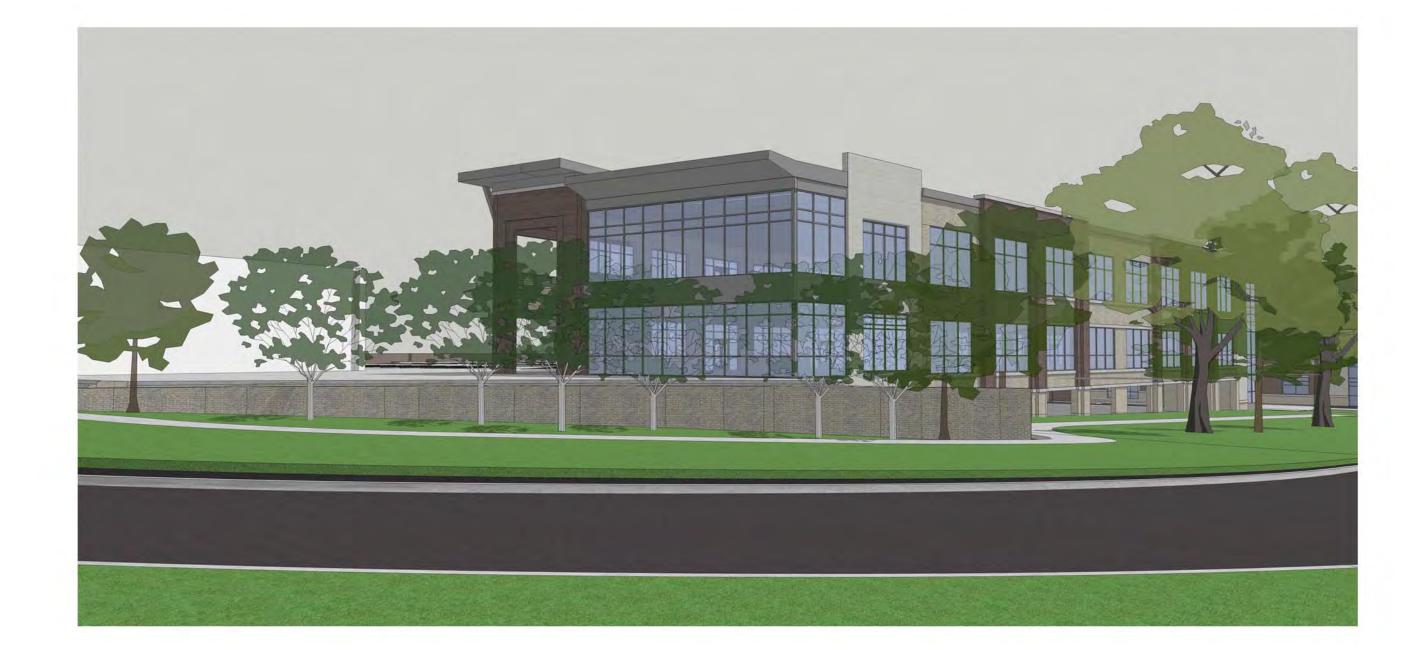
TECHNICAL DATA SHEET

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SHEET NUMBER

RZ-02





SCHEMATIC INTERNAL PARKING DECK ELEVATION

SCALE: 3/32" = 1'-0"







SCHEMATIC MIXED USE BUILDING ELEVATION 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.

SCHEMATIC MIXED USE BUILDING PROVIDENCE ELEVATION

SCALE: 1/16" = 1'-0"



CK Childress Klein

ARBORETUM MIXED USE DEVELOPMENT

CHARLOTTE, NC

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05.15.17

REZONING SUBMITTAL REZONING SUBMITTAL

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SHEET TITLE SCHEMATIC MIXED **USE BUILDING &** PARKING **ELEVATIONS**

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RZ-o3





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SCHEMATIC MAIN ENTRY ELEVATION

SCALE: 1/16" = 1'-0"

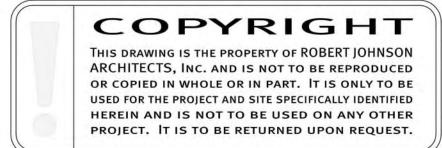












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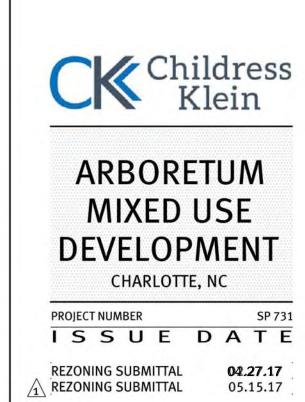
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RZ-04