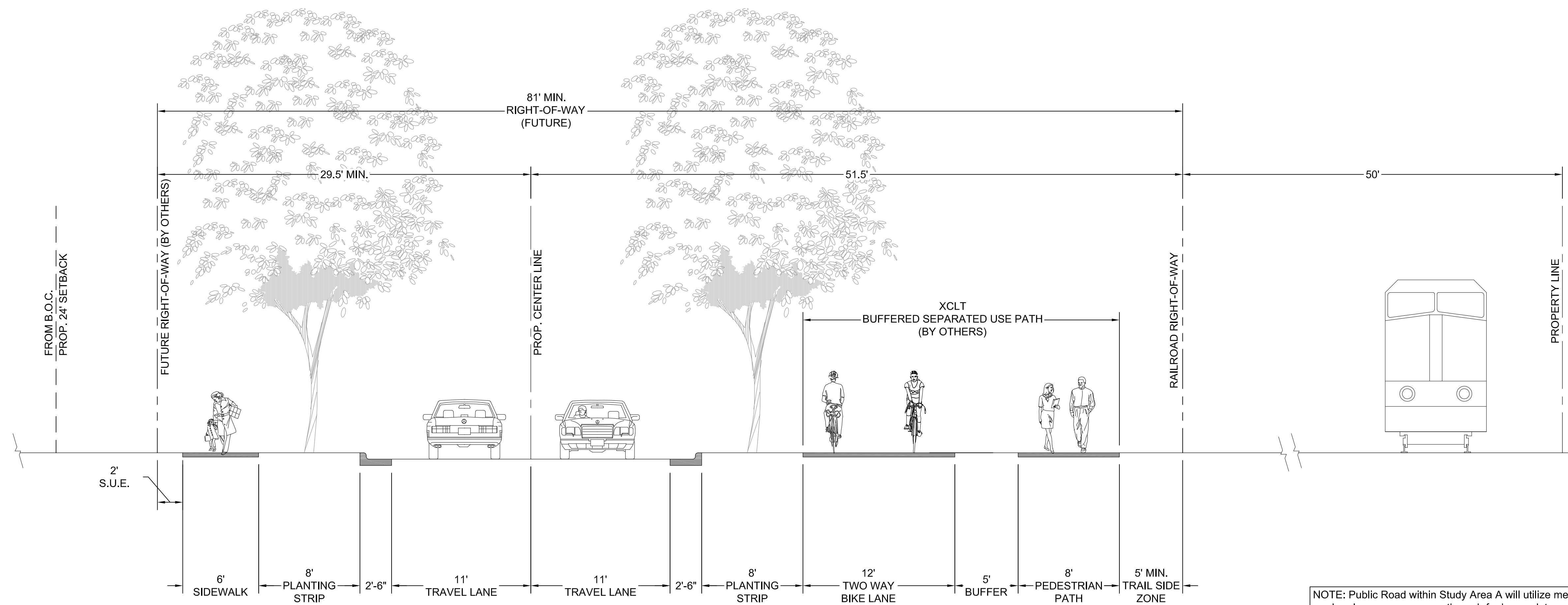


PUBLIC ROAD A - PROPOSED CONDITION

SECTION A - A



FUTURE INDUSTRIAL DRIVE EXTENSION/FUTURE PUBLIC ROAD (BY OTHERS)

SECTION B - B

*THE LOCATION OF CROSS CHARLOTTE TRAIL (BY OTHERS) COULD OCCUR ON EITHER SIDE OF THE STREET; TO BE COORDINATED AND AGREED UPON WITH CITY OF CHARLOTTE STAFF DURING LAND DEVELOPMENT PERMITTING

NOTE: Public Road within Study Area A will utilize methods designed to preclude roadway's use as access or through for heavy duty and double-axle or more vehicles and trucks, per note 4.d.

Mecklenburg County Parks and Recreation
Development Standards
04/13/2017
Rezoning Petition No. 2017-086

1. Development Data

a. **Site Acreage:** ±89.22 90.45 acres

b. **Tax Parcel #:** 097-131-11, #097-131-12

c. **Existing Zoning:** B-1, R-17MF, I-1

d. **Proposed Zoning:** INST (CD)

e. **Existing Uses:** Eastway Community Park (recreation fields and bathroom facility)

f. **Proposed Uses:** Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the institutional zoning district.

g. **Maximum Gross Square feet of Development:** 150,000 SF

h. **Maximum Building Height:** 85 feet and 3 stories ~~Maximum building height for area zoned Institutional to be 40 feet. A building in a district may be erected to a height in excess of forty (40) feet, provided the minimum side yard is increased one foot for every two (2) feet in building height in excess of forty (40) feet. If a building abuts a residential use or a residential zoning, it may not be constructed about the 40-foot limit unless the side and/or rear yard which abuts the residential use or zoning is increased one foot for each foot in building height in excess of forty (40) feet.~~

i. **Parking:** All designated uses will meet parking standards per chapter 12, including indoor and outdoor recreation uses. ~~Parking shall be provided at a minimum ratio of 1 space per 300 square feet for all building gross square footage. Any additional parking needed for future outdoor recreational uses (i.e. athletic fields, tennis courts, potential trailheads) will be allowed and shall be determined based on future outdoor improvements planned.~~

2. General Provisions

a. **Site Location.** These Development Standards, the Technical Data Sheet, and Typical Sections form the Rezoning Plan (collectively referred to as the “Rezoning Plan”) associated with the Rezoning Petition filed by Mecklenburg County (“Petitioner”) to accommodate development of a recreation center on an approximately 90.45 acre site located off Eastway Drive, between N Tryon St and The Plaza, and generally bounded by the Norfolk Southern Railway to the North (“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 establishes more stringent standards, the regulations established under the Ordinance for the Institutional zoning classification shall govern.

c. **Graphics and Alterations.** The schematic depictions of the Development Areas, streets, pedestrian access connections, and other development matters and site elements (collectively the “Development/Site Elements”) set forth in the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, location, sizes, and formulations of the Development/Site Elements depicted in 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.

3. Permitted Uses

Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the institutional zoning district, including but not limited to:

a. Clinics and offices, medical, dental, and optical

b. Civil, social service, and fraternal facilities

c. Cultural facilities

d. Government buildings and recreation centers

e. Indoor recreation

f. Parks, greenways, and arboretums

g. Child care centers

h. Health institutions

i. Open space recreational uses

j. Outdoor recreation

k. Retail establishments, offices, and eating, drinking and entertainment establishments (Type 1)

4. Transportation

Vehicular access to the Site shall be provided from Eastway Drive as generally depicted on the Rezoning Plan.

a. The Petitioner will provide one access at Eastway Drive as the park's main entrance to the proposed facility. Improvements include the following:

i. If justified by NCDOT and CDOT, the Petitioner may elect to enter into a signal agreement with the City to provide a traffic signal, with pedestrian signalization and interconnect cables as needed, at the proposed Eastway Drive/Public Road “A” intersection.

ii. As illustrated on Sheet Z-1.0, the Petitioner will provide a southbound Public Road “A” that will include three (3) travel lanes. One (1) receiving lane, One (1) left turn lane, and one (1) thru/right turn lane with 150' of storage and appropriate bay taper.

iii. The Petitioner will provide a southbound Eastway Drive left turn lane. The Petitioner will maximize the taper length of the storage lane to the extent the existing Eastway Drive bridge will not have to be widened as part of this project.

iv. The Public Road “A” intersection is intended to be full movement; however, this can only be confirmed during final engineering and movement(s) may be restricted if CDOT and/or NCDOT staff determine site constraints (e.g. inadequate sight distance) prevent full movement.

v. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation (“CDOT”) and/or the North Carolina Department of Transportation (“NCDOT”).

b. Pedestrian Connections:

i. Three (3) pedestrian connections with a minimum eight-foot (8') width shall be made to the adjoining residential neighborhood as generally depicted on the Technical Data Sheet (Z-1.0). One (1) of the connections shall be hard surface (location determined with Planning Staff during the land development permitting process), the remaining two (2) shall be soft surface trails.

c. Public Road “A”: The Petitioner will build the road and convey the public-right-way for Public Road 'A' as shown as, on Technical Data Sheet (Z-1.0) and Section A-A on sheet Z-2.0.

i. Public Road 'A' shall extend from Eastway Drive to the main drop-off and entrance into the building.

ii. The Petitioner will convey all right-of-way for Public Road 'A' before the site's first building certificate of occupancy is issued.

iii. Per Section A-A Sheet Z-2.0, a 13' planting strip will be provided on both sides of Public Road 'A' street. This additional planting strip will be reserved for the expansion (by others) for future 5' wide bike lanes (if needed) for Cross Charlotte Trail to properly transition into the at both ends of Public Road 'A'.

Dimensions of roadway improvements can be adjusted per CDOT approval during the permitting phase.

iii. The Petitioner shall coordinate potential bus access with CATS during the land development permitting process.

d. Future Right-of-Way and Connectivity Study Areas

The Petitioner agrees to enter into negotiations with the City for two (2) connectivity study areas (See sheet Z-1.0) leading to conveyance of future right-of-way.

i. Study Area 'A' includes right-of-way for extension of General Industrial Drive, potential pedestrian and/or vehicular bridge to Old Concord Station, and Cross Charlotte Trail (By Others). Upon completion of a mutually agreed upon design for the extension of General Industrial Drive within Study Area 'A', the

Petitioner agrees to convey the rights-of-way needed for Study Area 'A'. Said right-of-way will utilize methods designed to preclude future General Industrial Drive's use (Section B-B) as access or through traffic for heavy duty and double-axle or more vehicles and trucks.

i. The County will cooperate with the City on the design and building of the Cross Charlotte Trail in manner consistent with the *Interlocal Cooperation Agreement* between the City of Charlotte and Mecklenburg County dated December 30, 2015.

ii. Study Area 'B' includes area for future public vehicular connecting the park and The Plaza. Upon the City's request for a future connection that serves as a secondary park entrance and/or a neighborhood connection, the Petitioner will enter into negotiations on the conveyance of said right-of-way.

ij. Eastway Drive and The Plaza intersection improvements:

b. The Petitioner will re-stripe all crosswalks at this intersection to high-visibility

ii. The Petitioner will enter into a signal agreement with the City to provide leading pedestrian interval at the existing traffic signal

iii. The Petitioner will not be responsible for any other intersection modifications that may be needed as a result of the commitments described above

c. Fee simple conveyance of all rights of way and dedication of easements to the City before the site's first building certificate of occupancy is issued. CDOT requests right of way set at 2' behind back of sidewalk where feasible.

CDOT Standards. All of the public roadway improvements as part of this rezoning petition will be subject to the standards and criteria of CDOT unless deviations from the standard are agreed upon during the Land Development permit process between the Petitioner and the City (as it related to the roadway improvements within its roadway 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 East Mecklenburg area, by way of public sector partnership effort and project support.

Phasing. Notwithstanding the commitments of the Petitioner to provide or enter into negotiations for the roadway improvements described above, the following provisions shall permit development to take place prior to completion of all the above-referenced improvements.**Substantial Completion.** All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued except as described under Substantial Completion in these notes below. In the event certain future roadway improvements to be done by others within Study Areas 'A' and 'B' mentioned above 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 CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings.

Right-of-way Availability. It is understood that some of the public roadway improvements referenced 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.- Do you want to remove this or change language. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition 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 CDOT will instruct applicable authorities 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.

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; provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

5. Streetscape and Landscaping

a. Eastway Drive: A 13' planting strip, 6' sidewalk, and 2' maintenance buffer to right of way line shall be installed along the project frontage of Eastway Drive. Dimensions of roadway improvements can be adjusted per CDOT approval during the permitting phase.

b. Public Road 'A': A 13' planting strip both sides of the street, an 8' to 10' wide paved pedestrian path on one side of the street, and 6' sidewalk on the opposite side of the street. See Section A-A for planting strip and pedestrian path dimensions. Dimensions of roadway improvements can be adjusted per CDOT approval during the permitting phase.

6. Environmental Features

The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

The Site will comply with the City of Charlotte Tree Ordinance for all review and submittals required during the land development process.

The owner receive permission and coordinate with both NC Department of Transportation and City of Charlotte Arborists to meet all appropriate planting guidelines. Street Trees will not be removed and/or planted within existing state or city maintained right-of-way prior to approval from above said parties.

All tree planting locations and species of trees planted within future dedicated public streets will be coordinated and approved with the City Arborists office prior to installing.

7. Parks, Greenways, and Open Space

Cross Charlotte Trail ("XCLT")- See notes above in Study Area 'A'

Pedestrian Connector Trail - As generally depicted on the Technical Data Sheet (Z-1.0), the Petitioner shall construct a minimum of 8'-10' wide paved trail to Mecklenburg County Parks and Recreation Greenway Standards from the end of Public Road A (building main entrance) to General Industrial Drive future. If the Petitioner can obtain an easement or right-of-way from the adjoining parcel, the pedestrian trail connection shall be extended to Briarwood Park.