DEVELOPMENT CONDITIONS

1. Development Date Table

   a. Site Acreage: +/-1.76 Acres
   b. Tax Parcels included in the Rezoning: 080-194-01; 080-194-03; 080-194-04; 080-194-05; 080-194-07; 080-194-14; 080-194-15; 080-194-16*
   c. Existing Zoning: B-2; NS; O-2
   d. Proposed Zoning: MUDD (O)
   e. Existing Use: OFFICES, COMMERCIAL AND VACANT; LAY DOWN AREA
   f. Proposed Use: COMMUNITY COLLEGE CAMPUS USE TO INCLUDE OFFICES, LABS AND CLASSROOMS, PARKING AND OTHER USES/ACCESSORY USES ALLOWED IN MUDD ZONING DISTRICT EXCEPT RESIDENTIAL USES
   g. Number of Residential Units by Housing Type: N/A
   h. Square footage of non-residential uses by Type: N/A
   i. Maximum Building Area: 306,000 - 250,000 SF
   j. Maximum Building Height: 120 - 100 FEET PER BUILDING
   k. Maximum Number of Buildings: TWO
   l. Amount of Open Space: 1 SF/100 SF

*GIS mapping does not recognize Tax Parcel 080-194-16 and we believe that the parcel is considered part of Tax Parcel # 080-194-07. However, the property is still identified as a separate parcel per Mecklenburg County Real Estate Look-Up so we have included it to ensure that the entire site is included in the rezoning petition. The property contained in Tax Parcel #080-194-07 is included within Tax Parcel # 080-194-07 on the Site Plan.

2. General Provisions

   a. These Development Conditions form a part of the rezoning petition filed by Central Piedmont Community College (“Petitioner” or “Owner”) to accommodate the future development of an approximately 1.76 acre site consisting of eight (8) parcels located in the block bounded by Charlottetown Avenue, Elizabeth Avenue, N. Torrence Street and E. 5th Street in Charlotte, North Carolina, and which is more particularly depicted on the enclosed Site Plan (the “Site”).

   b. Petitioner desires to rezone the Site to a zoning classification compatible with its existing Central Piedmont Community College Central Campus (“Central Campus”) to allow for seamless expansion of the Existing Central Campus and harmonious development of the Site.

   c. Proposed plans currently call for the development of a +/- 90,000 SF classroom building (“Building One”) at the corner of Charlottetown Avenue and E. Fifth Street on all or portions of parcels 080-194-01 and 080-194-03, along with
accessory uses such as a service court on all or portions of 080-194-14 and 080-194-15 as generally depicted on the Site Plan. Urban green space as required by Ordinance for Building One will be situated on all or portion of parcel 080-194-04 with future outdoor accessory structure such as a gazebo or bike pavilion proposed in connection with the construction of Building Two. Proposed development of parcels 080-194-05 and 080-194-07 to include a maximum 216,000 SF building for classroom or other institutional use (“Building Two”) and an expansion of the service court to be shared by both buildings. In the interim, parcel 080-194-05 will be used as construction lay down area. Following use as a lay down construction area, property will be used as open space until such time as funding is secured for the construction of Building Two. The buildings and parking located on Parcel 080-194-07 along Elizabeth Avenue will continue as current use until demolition and construction of Building Two. Petitioner reserves the right to alter the size and use of the proposed buildings so long as the proposed uses meet the conditions of MUDD subject to the conditions set forth in this Rezoning Petition.

c. These Development Conditions, the Site Plan, Petitioner’s Application for Rezoning (“Application”) and any revisions thereof are collectively referred to as the “Rezoning Petition” or “Conditional Plan”.  
d. The development of this Site will be governed by the Rezoning Petition, the Site Conditional Plan, and the applicable provisions of the City of Charlotte’s Zoning Ordinance (the “Ordinance”).  

e. Drawings, renderings, photographs or other illustrations submitted with the Site Plan or included with the Rezoning Petition are illustrative for the purpose of providing examples of the types of exterior building materials and architectural styles of the proposed buildings and may not represent the actual layout or appearance of the proposed buildings to be constructed on the Site.

f. Alterations to the Conditional Plan are subject to Section 6.207 Alterations to Approval of the Ordinance.

3. Optional Provisions:  
a. The MUDD (O) is provided herein to permit existing uses on the Site to remain until new development commences at a particular, individual portion on the Site, at which time said new development shall comply with the foregoing use provision allow continued temporary buildings and storage use in conjunction with the construction of six (6) different buildings located on the Central Campus.

b. The MUDD (O) is provided herein to permit existing parking and/or loading conditions on the Site to remain until new development commences at a particular, individual portion on the Site, at which time said new development shall comply with the provisions of the MUDD district, subject to the conditions set forth in this Rezoning Petition.
The MUDD (O) is provided herein to permit existing bicycle parking conditions on the Site to remain until new development commences at a particular, individual portion on the Site, at which time said new development shall comply with the bicycle parking provisions of the MUDD district, subject to the conditions set forth in this Rezoning Petition.

New building construction on the Site shall comply with all applicable requirements and regulations of the MUDD zoning district, subject to the conditions set forth in this Rezoning Petition. The MUDD (O) is provided herein to permit existing development conditions on the Site to remain until new building construction commences at a particular, individual building on the Site, at which time said new building construction shall comply with the provisions of the MUDD district, subject to the conditions set forth in this Rezoning Petition.

Alterations and renovations to existing structures which do not require the removal of the structure and which do not otherwise comply with all applicable provisions of the MUDD district shall be permitted to undergo said alterations and renovations without compliance to those provisions of the MUDD district which said structure does not currently comply with. In any event, existing buildings which are renovated shall not increase in non-conformance through such renovations (for example: eliminating existing windows at street level).

The MUDD (O) is provided here to permit flexibility from the MUDD district streetscape design requirements (for example: the location of existing sidewalks, street trees, landscaping areas, etc.) as there may be instances when the established streetscape design shall remain “as is” or may be modified (for example, allow sidewalks to meander to protect existing trees) without strict adherence to the required streetscape design. Such optional design shall be jointly and respectively determined by the petitioner and the staff of the Charlotte-Mecklenburg Planning Commission on the basis of assessing the overall practicality of implementing the required streetscape design versus such factors as the locations and maturity of present trees and landscaping, the location and width of present sidewalks, the existence of other trees and landscaping which pose as an interference, the location of present and future buildings, whether or not pedestrian benefits are significantly enhanced, and other similar considerations which would have a practical bearing on the implementation of required streetscape designs or not.

The MUDD (O) is provided herein to permit existing signage on the Site to remain until new development commences at a particular, individual portion on the Site, at which time said new development shall comply with the signage provisions of the MUDD district subject to the conditions set forth in this Rezoning Petition.

The MUDD (O) is provided herein to permit existing lighting conditions on the Site to remain until new development commences at a particular, individual portion on the Site, at which time said new development shall comply with the
lighting provisions of the MUDD district, subject to the conditions set forth in this Rezoning Petition.

c. The MUDD (O) is provided herein to require no additional dedication of right of way for nine foot (9’) planting strip along Elizabeth Avenue, provided however as driveways along Elizabeth Avenue are removed, Petitioner shall provide required trees in planters within the sidewalk.

4. Permitted uses

a. Any new development on the Site will be devoted to use as a Community College Campus, including, but not limited to, classrooms, labs, conference rooms or centers and offices, together with incidental other uses and/or accessory uses associated therewith, that are permitted under the Ordinance by right or under prescribed conditions in the MUDD Zoning District, except that residential uses are not allowed.

5. Transportation

a. Along Elizabeth Avenue, Petitioner shall offer for dedication any additional right of way, if any, to provide as necessary to accommodate a fifteen foot (15’) sidewalk and a nine foot (9’) planting strip. This offer of dedication shall be made prior to issuance of a Certificate of Occupancy for Building Two.

b. Petitioner shall offer for dedication additional right of way along Charlottetown Avenue to allow for an eight foot (8’) sidewalk and eight foot (8’) planting strip (sixteen feet (16’) from future back of curb). This offer of dedication shall be made prior to issuance of a Certificate of Occupancy for Building One.

c. Along East Fifth Street, Petitioner shall provide an eight foot (8’) sidewalk and eight foot (8’) planting strip (sixteen feet (16’) from back of existing curb), as generally depicted on the Site Plan.

d. Parking:

(1) Quantities and design of surface. New parking or loading areas developed on the Site shall comply with all applicable requirements and regulations of the MUDD zoning district. New bicycle parking spaces, long term and short term, developed on the Site shall be provided in accordance with the Ordinance.

d. e. Driveways:

(1) Access to the Site will be determined after orientation of the proposed buildings in relation to the adjacent rights of way is established; provided, however, each parcel the Site shall have access along at least one right of way it abuts both Fifth Street and Elizabeth Avenue.

(2) Adequate sight triangles for any new development of the Site shall be reserved at the street entrance(s). All proposed trees, berms, walls, fences,
and/or identification signs must not interfere with sight distances at the entrance(s).

(3) If required by CDOT, the Charlotte Department of Transportation (“CDOT”) during the permitting process, Petitioner will conduct a traffic impact study to determine traffic impacts and associated mitigations, if any, caused by the development of the site before a building permit is issued for any parcel covered under the current Rezoning Petition.

(4) Any proposed driveway connections to Fifth Street and Elizabeth Avenue will require driveway permits to be submitted to CDOT for review and approval. The exact driveway locations and type/width of the driveways will be determined by CDOT during the driveway permit process, provided however, Petitioner shall be permitted to have access along both Fifth Street and Elizabeth Avenue.

(5) All proposed commercial driveway connections to a future public street will require a driveway permit to be submitted to CDOT for review and approval.

(6) Any fence or wall constructed along or adjacent to any sidewalk or street right of way requires a certificate issued by CDOT.

(7) A Right of Way Encroachment Agreement is required for installation of any nonstandard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City maintained street right of way by a private individual, group, business, or homeowner’s/business association. An encroachment agreement must be approved by CDOT prior to the construction/installation of the non-standard item(s). Contact CDOT for additional information concerning cost, submittal and liability insurance coverage requirements.

6. **Architectural Standards**

a. Building materials such as brick and for the buildings will consist of steel frame with an exterior of brick veneer with pre-cast stone elements and architectural styles. Architectural style for new building construction and/or any renovations to existing buildings on the Site will harmonize with, and be comparable to, the materials and architectural styles of those buildings located on Petitioner’s existing Central Campus (the “Existing Campus”), will be in keeping with the other buildings that have been built on campus over the past ten years as generally depicted in the attached renderings. Exterior building materials for new building facade construction and/or renovations to existing buildings will not include vinyl or sheet metal siding. Metal siding may be used to house mechanical equipment on the roof of the building.

b. The ground floor of any building along public streets will be designed to encourage pedestrian scale activity.

7. **Streetscape and Landscaping:**
a. Subject to the conditions set forth herein, it is intended that each building site shall comply with required streetscapes as each new building is constructed.
b. Petitioner shall provide required streetscapes per the City of Charlotte Tree Ordinance.

8. Environmental Features: N/A

9. Parks, Greenways and Open Space
   a. As described herein, prior to construction of Building Two, Petitioner shall construct an urban park as an interim use on a portion of the Site.
   b. In connection with construction of Building One, Petitioner shall provide an urban open space area as generally depicted on the Site Plan.

10. Fire Lane Treatment: N/A

11. Signage:
   a. Any new signage on the Site shall be regulated by all applicable standards and requirements of the Ordinance, subject to the conditions set forth herein.

12. Lighting:
   a. Subject to the conditions set forth herein, freestanding lighting will be limited to twenty five feet in height. All lighting to have full cut-off lighting fixtures.
   b. Any new lighting on the Site shall be regulated by all applicable standards and requirements of the Ordinance and shall harmonize with and be comparable to the lighting located on the Existing Campus.

13. Phasing
   a. This development shall be phased in the manner as set forth herein. Site will be developed in phases.

Amendments to Rezoning Plan:

Future amendments to this Conditional Plan, including these development conditions may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.

Vesting

Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. §160A-385.1, due to the nature of the redevelopment, the level of investment, the timing of the redevelopment and certain infrastructure, economic cycles and market conditions this Rezoning Petition includes vesting of the approved Conditional Plan and conditional zoning district associated with this Rezoning Petition for a five (5) year period

Binding Effect of the Rezoning Petition:
If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these development conditions and the Conditional Plan, will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns, throughout these development conditions, the terms Petitioner and Owner(s) shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
Document comparison by Workshare Compare on Monday, December 11, 2017 3:27:08 PM

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PER THE ELIZABETH
P: 2017-161
2017-2017.34 CPC Rezoning
AT EDGE OF SETBACK

Site Plan

Schematic

EXISTING

FUTURE BUILDING

TREES AT 30' O.C.

DISTANCE TO CL 50'-6"

BUILDING (100' H, MAX)

ZONED: O-2

NOW OR FORMERLY

STREET NO. 1 LLC

1427 ELIZABETH AVE

BULLA SMITH DESIGN ENGINEERING, P.A.

STANLEY ELECTRONIC DRAWINGS AND DOCUMENTATION MAY NOT BE DISTRIBUTED WITHOUT WRITTEN PERMISSION FROM BULLA SMITH DESIGN ENGINEERING, P.A.

306,000 SF MAXIMUM

0.61 AC

0.111 AC

0.301 AC

0.149 AC

PARCEL ADDRESS

080-194-15

080-194-07*/080-194-16*

080-194-03

N44° 40' 08"W

N44° 22' 18"W

N44° 23' 35"E

N5 5° 55

S44° 37' 46"E

S44° 38' 22"E

S5 9'

S8'SIDEWALK) MEASURED EX.

PROPOSED R loggerway

PREVIOUSLY PLANNED R loggerway

PROPOSED Cульverway

PREVIOUSLY PLANNED Cульverway

PROPOSED R loggerway

PREVIOUSLY PLANNED R loggerway

FEET

290'

770'

50'

250'

80'

100'

200'

400'

1427 ELIZABETH AVE

1430 ELIZABETH AVE

FROM BULLA SMITH DESIGN ENGINEERING, P.A.

DRAWN

H.G. ANDERSON PLLC

PLOTTED

A STANLEY D. LINDSEY AND ASSOCIATES, LTD. OFFICE

PRELIMINARY

NOT FOR CONSTRUCTION

2017-161 For Public Hearing

RZ-1

CPC Central Campus

Rezoning Petition

December 11, 2017
1. SITE DEVELOPMENT DATA

SITE ADDRESS: +/-1.76 Acres
PARCEL ID NUMBERS: 080-194-23; 080-194-18; 080-194-10; 080-194-03; 080-194-02; 080-194-01
EXISTING ZONING: B-2, O-2, O
PROPOSED ZONING: B-2, O-2
PROPOSED USE: COMMUNITY COLLEGE CAMPUS TO INCLUDE OFFICES, LABS AND CLASSROOMS, PARKING AND OTHER ACCESSORY USES ALLOWED IN B-2 ZONING DISTRICT EXCEPT RECREATIONAL USE.
MAXIMUM BUILDING AREA: 250,000 SF
BUILDING HEIGHT: 100 FEET
MAXIMUM NUMBER OF BUILDINGS: 6

2. GENERAL PROVISIONS

These Development Conditions form a part of the rezoning petition filed by Central Piedmont Community College unto Charlotte for the purpose of rezoning the Site to a Planned Facility District. The provisions of these Development Conditions are in addition to, and amend, the provisions of the City of Charlotte, North Carolina Zoning Ordinance and are intended to ensure that the development of the Site is carried out in a manner that is harmonious with the existing Central Campus and the surrounding urban area.

1. DEVELOPMENT CONDITIONS:

a. The development of the Site shall be consistent with the approved site plan and shall be designed to ensure that the development is aesthetically pleasing and compatible with the existing Central Campus and the surrounding urban area.
b. The development of the Site shall comply with the City of Charlotte Tree Ordinance.
c. The development of the Site shall be subject to the provisions of Section 6.207 of the Ordinance.
d. Driveways:

   a. Any existing/proposed driveway connections to any public street will require a driveway permit to be submitted to CDOT for review and approval.
   b. Any fences or walls constructed along or adjacent to any sidewalk or street right of way requires a certificate issued by CDOT for review and approval.

2. OPTIONAL PROVISIONS

The MUDD (0) is provided herein to allow the temporary buildings and storage use in conjunction with the construction of six (6) different buildings located on the Central Campus.

3. PERMITTED USES

Any new development on the Site will not be devoted to use as a Community College Campus, including but not limited to, conferences, training centers and community facilities, unless the City of Charlotte, North Carolina, by resolution, determines that such use is for the benefit of the Petitioner and the community at large.

4. FEASIBILITY OF DEVELOPMENT:

The proposed development of the Site shall be consistent with the City of Charlotte Tree Ordinance and shall be designed to ensure that the development is aesthetically pleasing and compatible with the existing Central Campus and the surrounding urban area.

5. TRANSPORTATION:

a. Any existing/proposed off-street parking shall be designed to ensure that the development is consistent with the City of Charlotte Tree Ordinance.
b. The proposed development shall include the provision of additional parking for the Site.

c. The proposed development shall include the provision of additional parking for the Site.

6. ARCHITECTURAL STANDARDS:

The proposed development shall be designed to ensure that the development is aesthetically pleasing and compatible with the existing Central Campus and the surrounding urban area.

7. STREETSCAPE AND LANDSCAPING:

a. The development of the Site shall include the provision of landscaped areas and plantings in conjunction with the construction of the Site.

8. ENVIRONMENTAL FEATURES

The proposed development shall include the provision of landscaped areas and plantings in conjunction with the construction of the Site.

9. PARKS, GREENWAYS AND OPEN SPACE

The proposed development shall include the provision of landscaped areas and plantings in conjunction with the construction of the Site.

10. FIRE LANE TREATMENT

The proposed development shall include the provision of landscaped areas and plantings in conjunction with the construction of the Site.

11. SIGNAGE

The proposed development shall include the provision of landscaped areas and plantings in conjunction with the construction of the Site.

12. LIGHTING

The proposed development shall include the provision of landscaped areas and plantings in conjunction with the construction of the Site.

13. PHASING

The proposed development shall include the provision of landscaped areas and plantings in conjunction with the construction of the Site.

AMENDMENTS TO REZONING PLAN:

The proposed development shall include the provision of landscaped areas and plantings in conjunction with the construction of the Site.

BINDING EFFECT OF THE REZONING PETITION:

If this Rezoning Petition is approved, all conditions applicable to the development of the Site provided herein and all conditions applicable to the development of the Site provided in the approved site plan shall be met.

PRELIMINARY NOT FOR CONSTRUCTION

CPCC Central Campus
Charlotte, NC
Rezoning Petition 2017-161 For Public Hearing
Site Development Standards
RZ-2