SPA RE-ZONING

## THE SHOPS AT NORTHLAKE MALL

## SITE PLAN AMENDMENT VILLAGE SHOPS COMPONENT ET. AL.

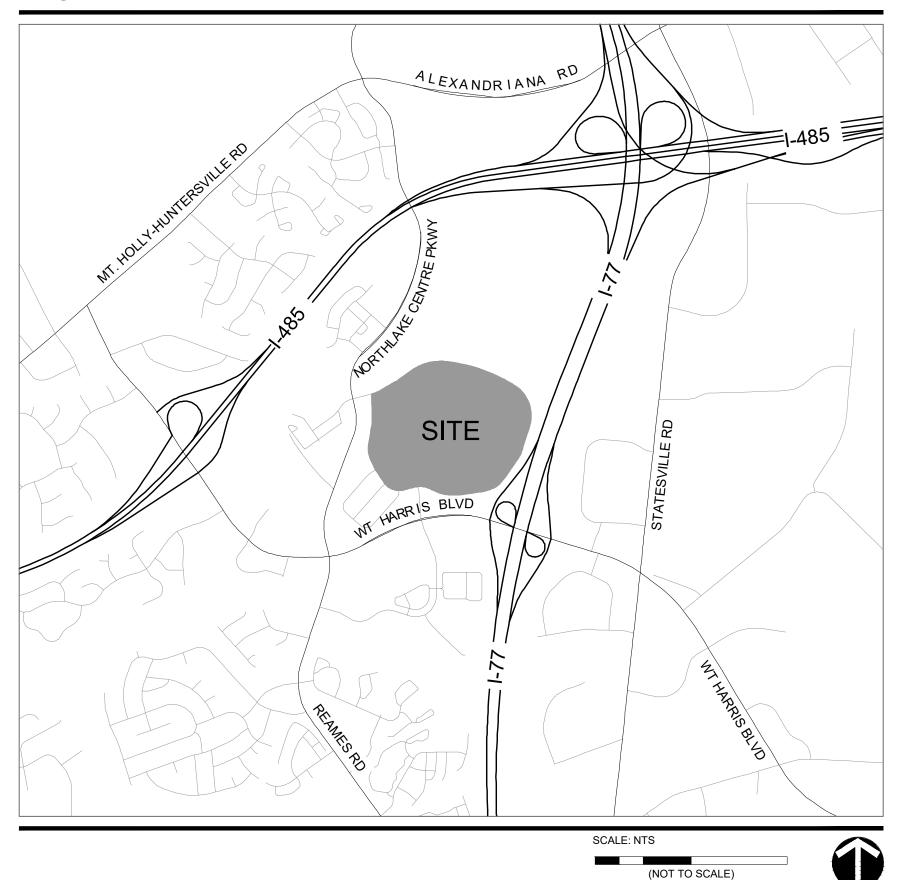
CHARLOTTE, NC

DATE: 10 / 20 / 2017

#### SHEET INDEX

		10-20-2017 1st Re-Zoning Submittal
Chantar	0	4
Chapter RZ-0.0	COVER SHEET	х
Chapter	1	
RZ-1.0	ORIGINAL CONCEPTUAL SITE PLAN	х
Chapter	2	
RZ-2.0	TECHNICAL DATA SHEET	х
Chapter	3	
RZ-3.0	SCHEMATIC SITE PLAN	х
RZ-3.1	PEDESTRIAN AND VEHICULAR CIRCULATION PLAN	х
RZ-3.2	RENDERED SCHEMATIC PLAN	х
Chapter	4	
RZ-4.0	SECTIONS	х
Chapter	5	1
RZ-5.0	BUILDING ELEVATIONS	х
RZ-5.1	BUILDING ELEVATIONS	х
RZ-5.2	BUILDING ELEVATIONS	х
RZ-5.3	SIGNAGE ELEVATIONS	х
Chapter	6	
RZ-6.0	ZONING NOTES	х

#### **VICINITY MAP**



#### OWNER/DEVELOPER STARWOOD RETAIL PARTNERS

1 EAST WACKER DRIVE SUITE 3600 312.242.3200

#### LANDSCAPE ARCHITECT

LANDDESIGN 223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325

#### **CIVIL ENGINEER**

LANDDESIGN 223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325

#### **ARCHITECT**

505 DESIGN 508 WEST 5TH STREET #250 CHARLOTTE, NC 28202 704.348.7000

#### **PROJECT TEAM**

#### TRAFFIC ENGINEER DESIGN RESOURCE GROUP

2459 WILKINSON BOULEVARD CHARLOTTE, NC 28208 704.343.0608

#### **ATTORNEY**

MOORE AND VAN ALLEN 100 N. TRYON STREET **SUITE 4700** CHARLOTTE, NC 28202 704.331.1000

#### CONTEXT:

THIS SITE PLAN AMENDMENT RE-ZONING RELATES TO THE UNDEVELOPED VILLAGE SHOPS COMPONENT (AND ADJACENT PARKING AREAS FOR THE MALL COMPONENT) FOR THE NORTHLAKE VILLAGE RE-ZONING PETITION # 2002-110, AS AMENDED TO ALLOW DEVIATION IN THE LOCATION OF BUILDINGS FROM THE ORIGINAL PLAN



6-4-02 6-17-02 9-25-02 10-17-02 11-18-02 12-13-02 1-14-03

NORTHLAKE VILLAGE

CHARLOTTE, NORTH CAROLINA

Job No. 1399 Sheet No.

K:\1399\current city submittef\Z2 SITE PLAN\SP108-Z2C.DWG

RZ-1.0

ORIGINAL CONCEPTUAL SITE

PLAN

DESIGNED BY: LD DRAWN BY: LD

CHECKED BY: LD

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM ENG. FIRM LICENSE # C-0658

**RE-ZONING** 

PETITION #

2017-XX-XX

THE SHOPS AT

**NORTHLAKE MALL** 

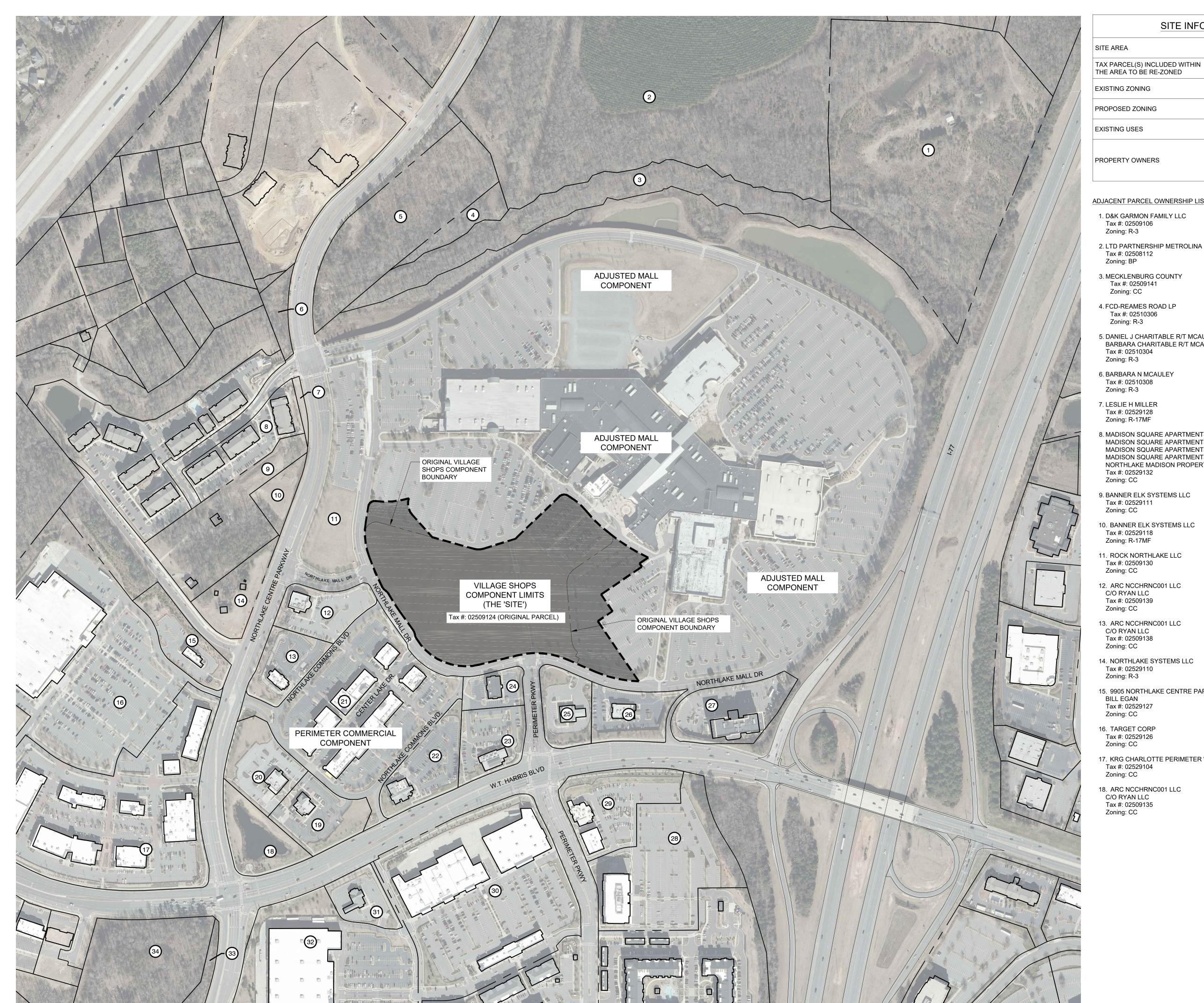
**SPA RE-ZONING** 

STARWOOD RETAIL PARTNERS

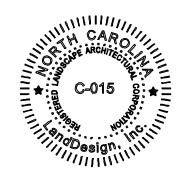
CHARLOTTE, NC

REVISION / ISSUANCE

DESCRIPTION 1ST REZONING SUBMITTAL



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ADJACENT PARCEL OWNERSHIP LISTINGS:

- 1. D&K GARMON FAMILY LLC Tax #: 02509106 Zoning: R-3
- 2. LTD PARTNERSHIP METROLINA PROPERTIES 20. ARC NCCHRNC001 LLC Tax #: 02508112

SITE INFORMATION

14.4 AC

02509124, 02509125

CC DISTRICT

CC SPA

PARKING, VACANT

TM NORTHLAKE MALL OUTPARCELS LP,

STARWOOD CAPITAL GROUP LP, TM NORTHLAKE MALL LP

- 3. MECKLENBURG COUNTY Tax #: 02509141 Zoning: CC
- 4. FCD-REAMES ROAD LP Tax #: 02510306 Zoning: R-3
- 5. DANIEL J CHARITABLE R/T MCAULAY BARBARA CHARITABLE R/T MCAULEY Tax #: 02510304 Zoning: R-3
- 6. BARBARA N MCAULEY Tax #: 02510308 Zoning: R-3
- 7. LESLIE H MILLER Tax #: 02529128 Zoning: R-17MF
- 8. MADISON SQUARE APARTMENTS-TEN10 LLC MADISON SQUARE APARTMENTS-EP 320 LLC MADISON SQUARE APARTMENTS-HALLE LLC MADISON SQUARE APARTMENTS-BC LLC NORTHLAKE MADISON PROPERTIES LLC Tax #: 02529132 Zoning: CC
- 9. BANNER ELK SYSTEMS LLC Tax #: 02529111 Zoning: CC
- 10. BANNER ELK SYSTEMS LLC Tax #: 02529118 Zoning: R-17MF
- 11. ROCK NORTHLAKE LLC Tax #: 02509130 Zoning: CC
- 12. ARC NCCHRNC001 LLC C/O RYAN LLC Tax #: 02509139
- 13. ARC NCCHRNC001 LLC C/O RYAN LLC Tax #: 02509138
- 14. NORTHLAKE SYSTEMS LLC Tax #: 02529110 Zoning: R-3
- 15. 9905 NORTHLAKE CENTRE PARKWAY LLC **BILL EGAN** Tax #: 02529127 Zoning: CC
- 16. TARGET CORP Tax #: 02529126 Zoning: CC
- 17. KRG CHARLOTTE PERIMETER WOODS LLC Tax #: 02529104 Zoning: CC
- 18. ARC NCCHRNC001 LLC C/O RYAN LLC Tax #: 02509135 Zoning: CC

- 19. ARC NCCHRNC001 LLC C/O RYAN LLC Tax #: 02509136 Zoning: CC
- C/O RYAN LLC Tax #: 02509137 Zoning: CC
- 21. ARC NCCHRNC001 LLC C/O RYAN LLC Tax #: 02509122 Zoning: CC
- 22. ARC NCCHRNC001 LLC C/O RYAN LLC Tax #: 02509134 Zoning: CC
- 23. TM NORTHLAKE MALL OUTPARCELS LP C/O STARWOOD CAPITAL GROUP LP Tax #: 02509123 Zoning: CC
- 24. AEI NET LEASE PORTFOLIO II DST Tax #: 02509142 Zoning: CC
- 25. FIRST CITIZENS BANK & TRUST CO PAUL RIZZARDI Tax #: 02509129 Zoning: CC
- 26. TM NORTHLAKE MALL OUTPARCELS LP C/O STARWOOD CAPITAL GROUP LP Tax #: 02509140 Zoning: CC
- 27. DDC HOTELS INC JACKIE POLLVOGT Tax #: 02509128 Zoning: CC
- 28. AGELLAN COMMERCIAL REIT US LP Tax #: 02511318 Zoning: CC
- 29. KRG CHARLOTTE PERIMETER WOODS LLC C/O LOWES HOME CENTERS INC TAX Tax #: 02511324 Zoning: CC
- 30. KRG CHARLOTTE PERIMETER WOODS LLC C/O PROPERTY TAX DEPT Tax #: 02511405 Zoning: CC
- 31. KRG CHARLOTTE PERIMETER WOODS LLC C/O BB&T BANK Tax #: 02511406 Zoning: CC
- 32. KRG CHARLOTTE PERIMETER WOODS LLC C/O LOWES HOME CENTERS INC TAX Tax #: 02511402 Zoning: CC
- 33. MUSKRAT POINT PROPERTIES LLC C/O JOHN B YOUNG Tax #: 02522105 Zoning: R-3
- 34. ROY I DENMAN Tax #: 02522104 Zoning: R-3

**RE-ZONING** PETITION # 2017-XX-XX

THE SHOPS AT **NORTHLAKE MALL** 

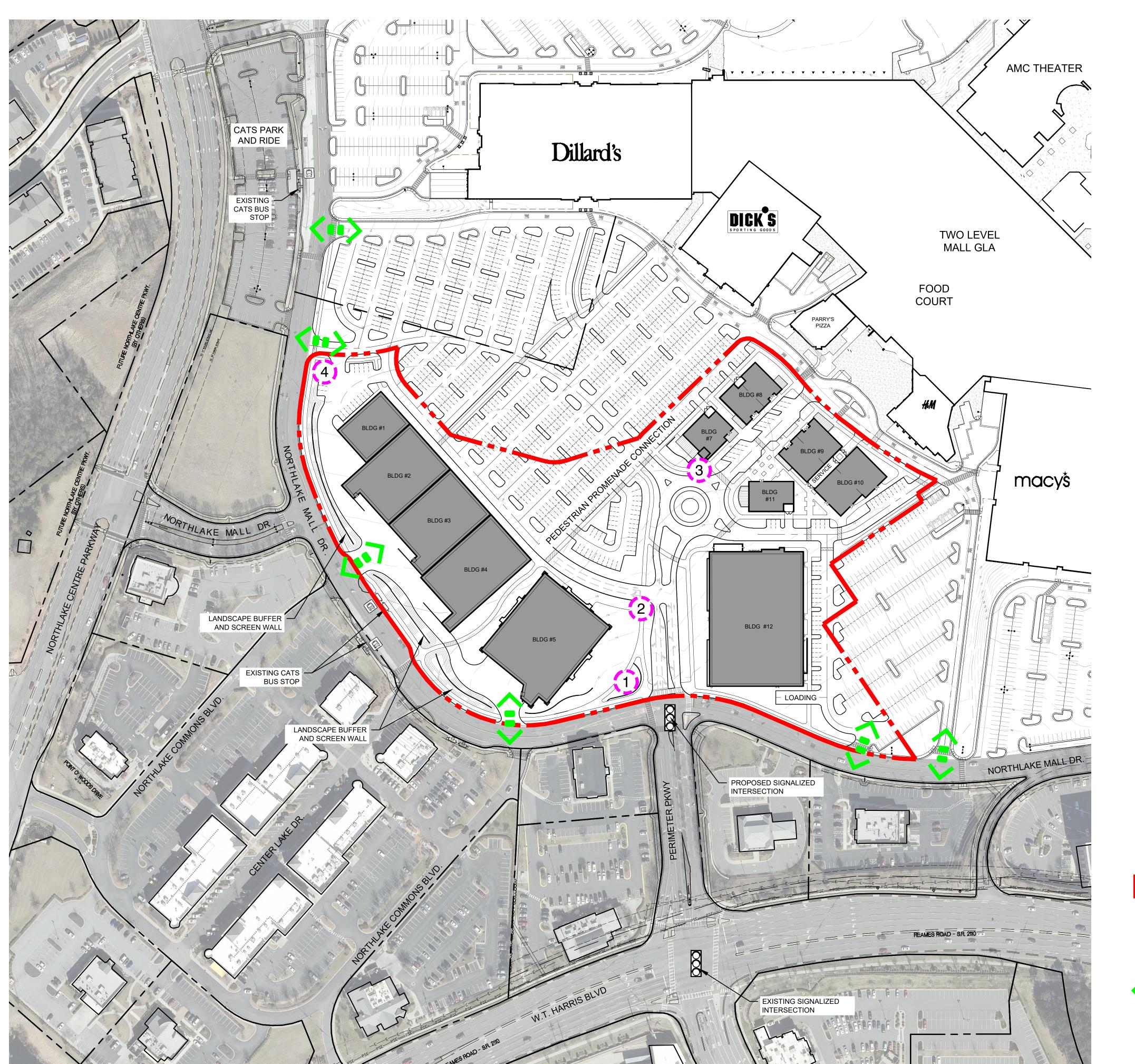
**SPA RE-ZONING** STARWOOD RETAIL PARTNERS CHARLOTTE, NC

1015252 REVISION / ISSUANCE DESCRIPTION 1ST REZONING

SUBMITTAL

DESIGNED BY: LD DRAWN BY: LD CHECKED BY: LD

TECHNICAL DATA SHEET



SITE DEVELOPMENT DATA		
14.4 AC		
02509124, 02509125		
CC DISTRICT		
CC SPA		
VACANT, PARKING		
USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE CC ZONING DISTRICT, AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED IN SECTION 3 OF THE DEVELOPMENT NOTES		
160,000 SF		
35,000 SF		

LEGEND

NEW VILLAGE SHOPS COMPONENT PARCEL BOUNDARY

PROPOSED SIGN MONUMENT LOCATIONS

FULL MOVEMENT ENTRANCE INTERSECTIONS

SIGNALIZED INTERSECTION

LandDesign.
223 NORTH GRAHAM STREET

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RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT NORTHLAKE MALL SPA RE-ZONING

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

REVISION / ISSUANCE

NDDESIGN PROJ.#
1015252

NO. DESCRIPTION DATE

1ST REZONING
SUBMITTAL

10/20/201

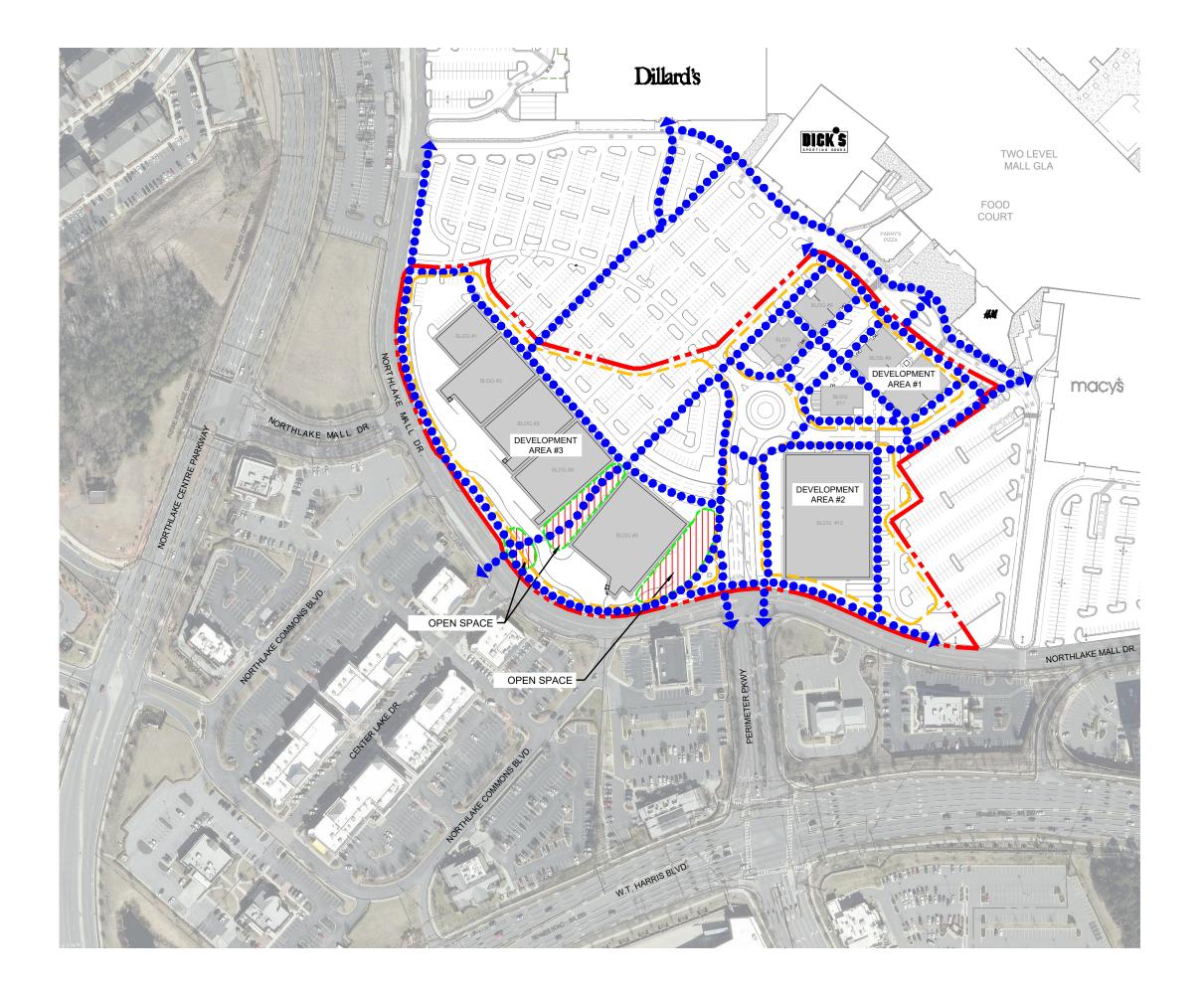
DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

VERT: N/A HORZ: 1"=100' 0 50' 100

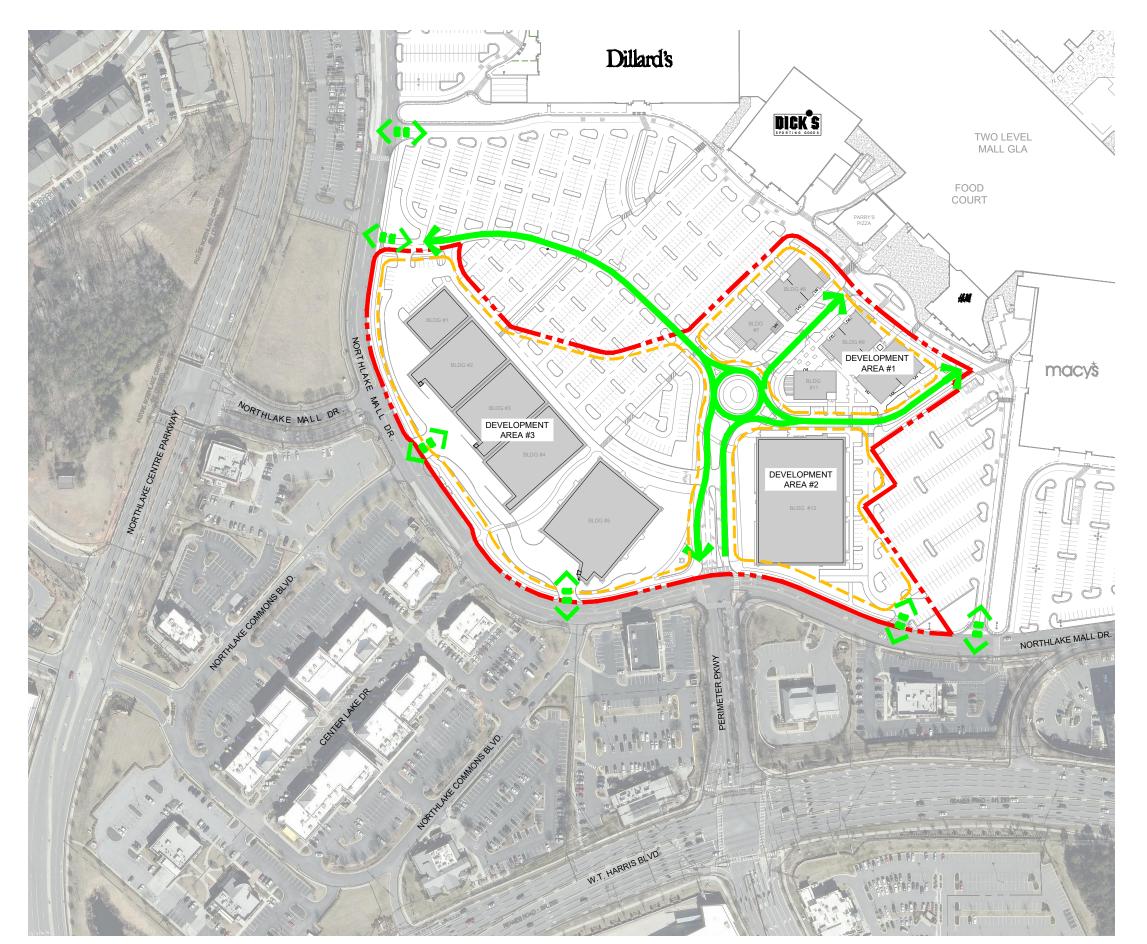
ORIGINAL SHEET SIZE: 24" X 36"

SCHEMATIC SITE PLAN

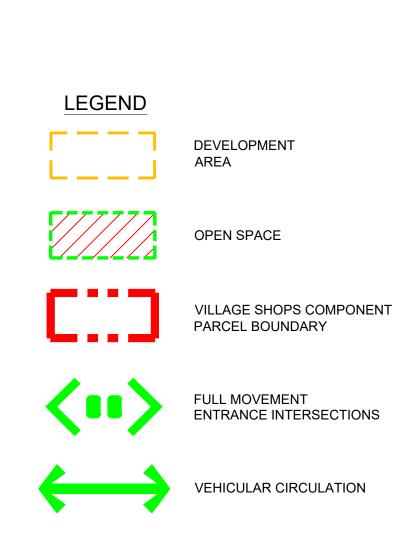








VEHICULAR CIRCULATION



PEDESTRIAN CIRCULATION

RE-ZONING PETITION # 2017-XX-XX

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THE SHOPS AT
NORTHLAKE MALL
SPA RE-ZONING

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

REVISION / ISSUANCE

NO. DESCRIPTION DAT

1ST REZONING
SUBMITTAL

10/20

SUBMITTAL 10/20/201

DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

VERT: N/A HORZ: 1"=200'

0 100' 200' 400'

PEDESTRIAN AND

VEHICULAR CIRCULATION

RZ-3.1



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RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT NORTHLAKE MALL SPA RE-ZONING

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

REVISION / ISSUANCE

NO. DESCRIPTION DAT

1ST REZONING
SUBMITTAL

10/20

DESIGNED BY: LD
DRAWN BY: LD

CHECKED BY: LD

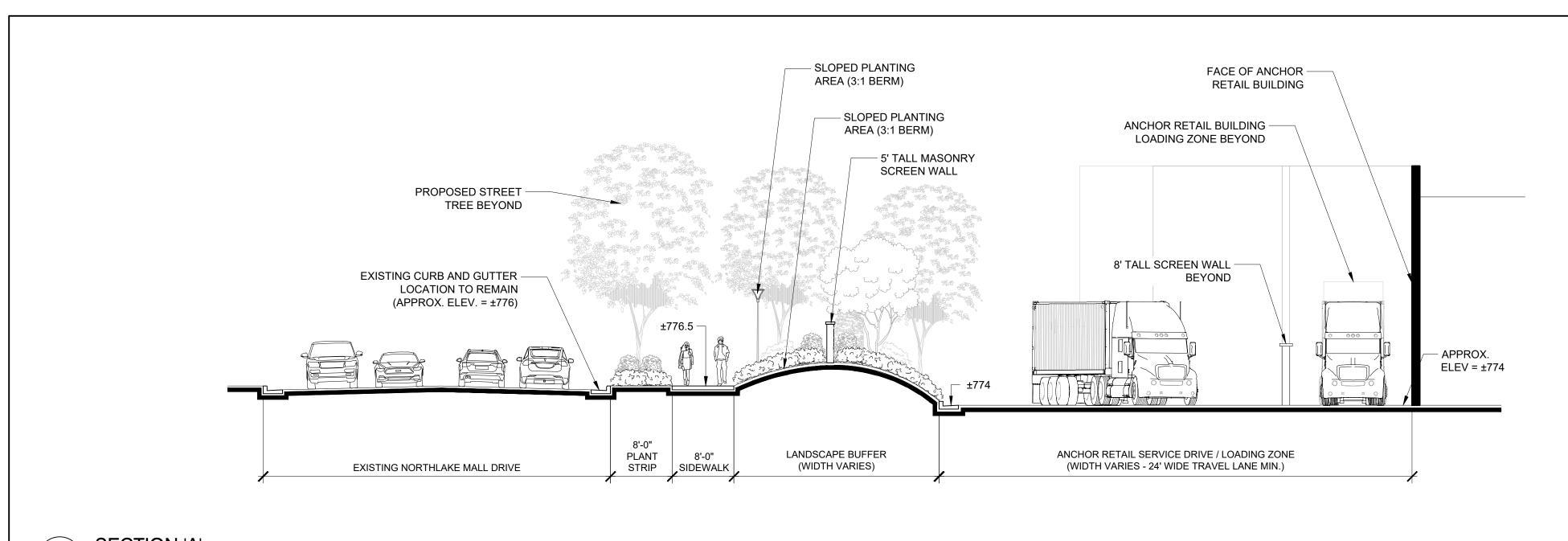
SCALE

VERT: N/A

VERT: N/A
HORZ: 1"=100'
0 50' 100'

RENDERED SCHEMATIC SITE PLAN

RZ-3.2

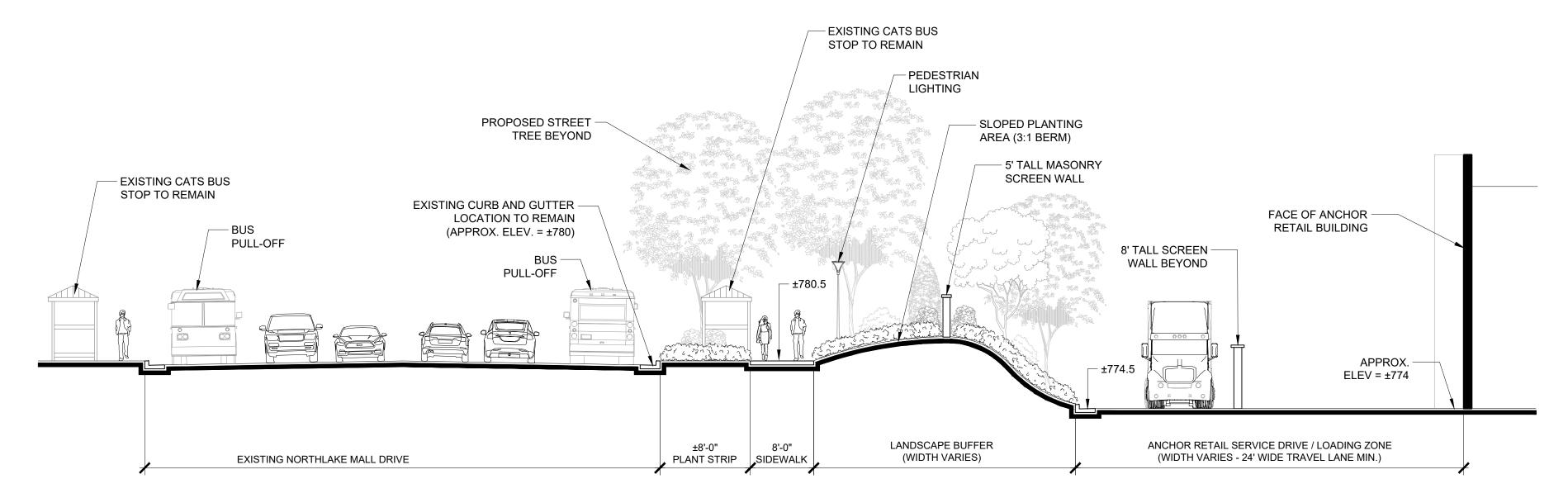




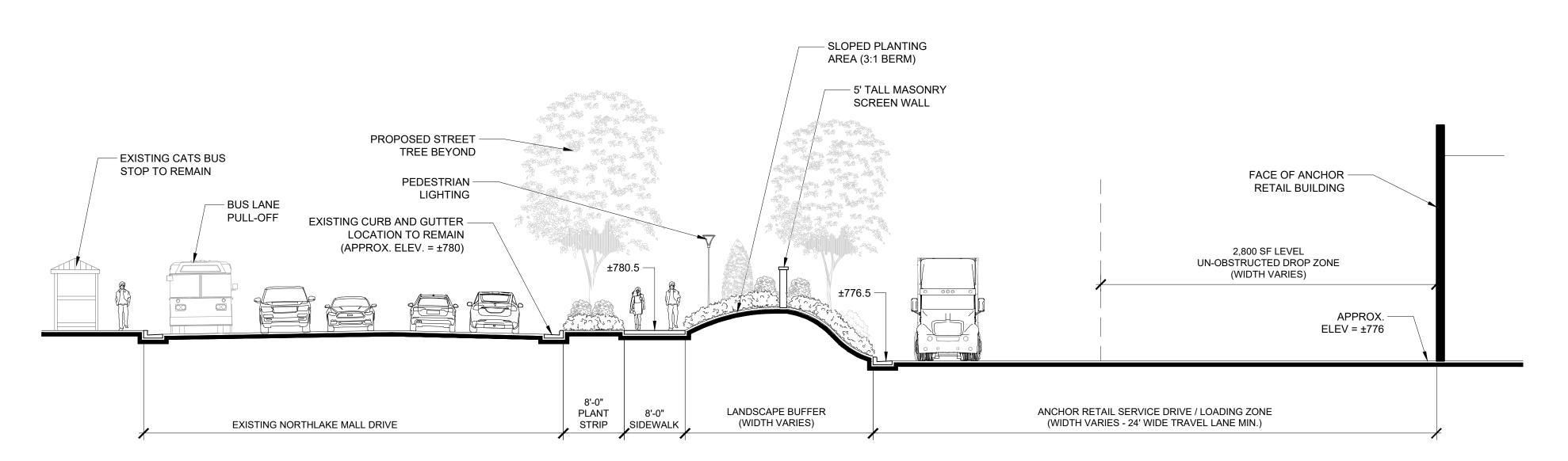
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1 SECTION 'A'



SECTION 'B'



BLDG #2

BLDG #3

BLDG #3

BLDG #4

BLDG #5

SECTION LOCATION MAP

1" = 100-0"

RE-ZONING PETITION # 2017-XX-XX

## THE SHOPS AT NORTHLAKE MALL

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

LANDDESIGN PROJ.#

	1015252			
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NO.	DESCRIPTION	DATE		
	1ST REZONING SUBMITTAL	10/20/20		

DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

VERT: N/A HORZ: AS NOTED

SHEET TITLE

BER

SECTIONS

RZ-4.0

3 SECTION 'C



ANCHOR RETAIL - FRONT ELEVATION

1" = 30'-0"



B ANCHOR RETAIL - REAR ELEVATION
1" = 30'-0"



BLC

C ANCHOR RETAIL - RIGHT ELEVATION (TENANT #1)  $\frac{\text{ANCHOR RETAIL - RIGHT ELEVATION (TENANT #1)}}{1" = 30'-0"}$ 



ANCHOR RETAIL - RIGHT ELEVATION (TENANT #5)



E) ANCHOR RETAIL - LEFT ELEVATION (TENANT # 4)



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RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT NORTHLAKE MALL SPA RE-ZONING

STARWOOD RETAIL PARTNERS
CHARLOTTE, NC

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REVISION / ISSUANCE			
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	1ST REZONING SUBMITTAL	10/20/2017	
DR	AWN BY: LD LECKED BY: LD		

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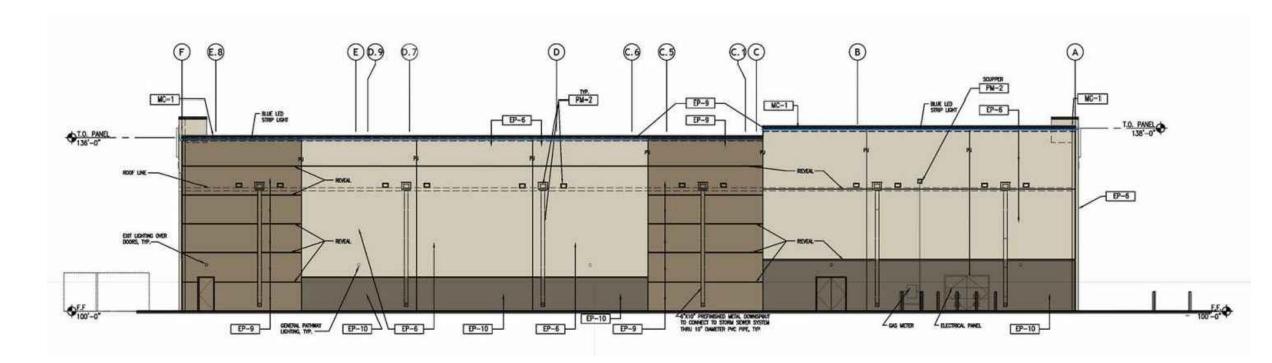
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BUILDING ELEVATIONS

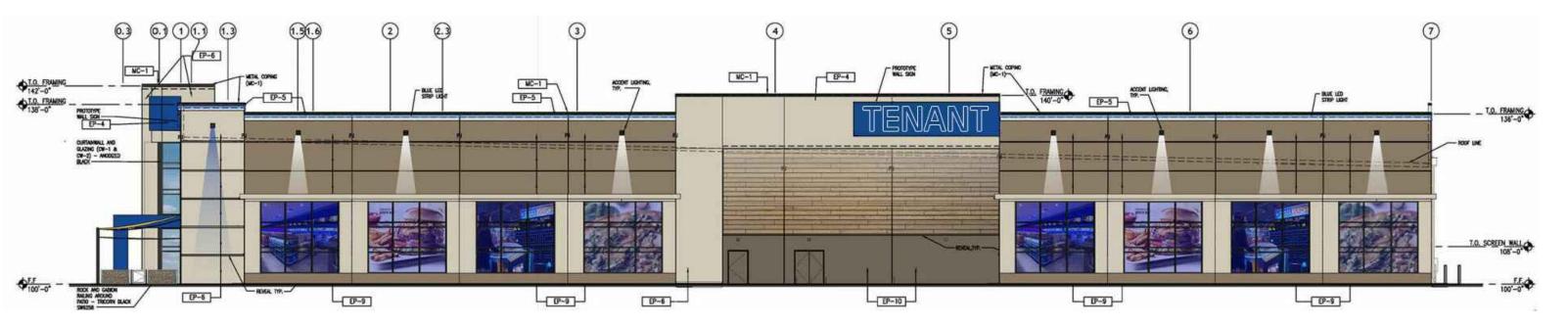
RZ-5.0

# B.9 C.C.1 C.4 C.5 C.6 PROTOTYPE WALL SERI

) BLDG 12 ENTERTAINMENT VENUE - FRONT ELEVATION  $\frac{1}{1} = 20^{\circ}-0^{\circ}$ 

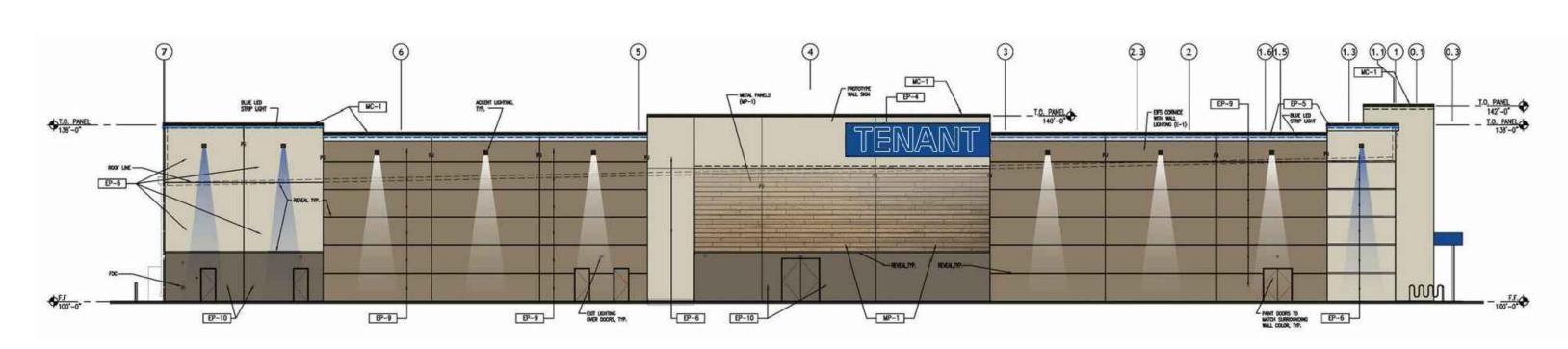


BLDG 12 ENTERTAINMENT VENUE - REAR ELEVATION  $\frac{\text{BLDG 12 ENTERTAINMENT VENUE - REAR ELEVATION}}{1" = 20'-0"}$ 

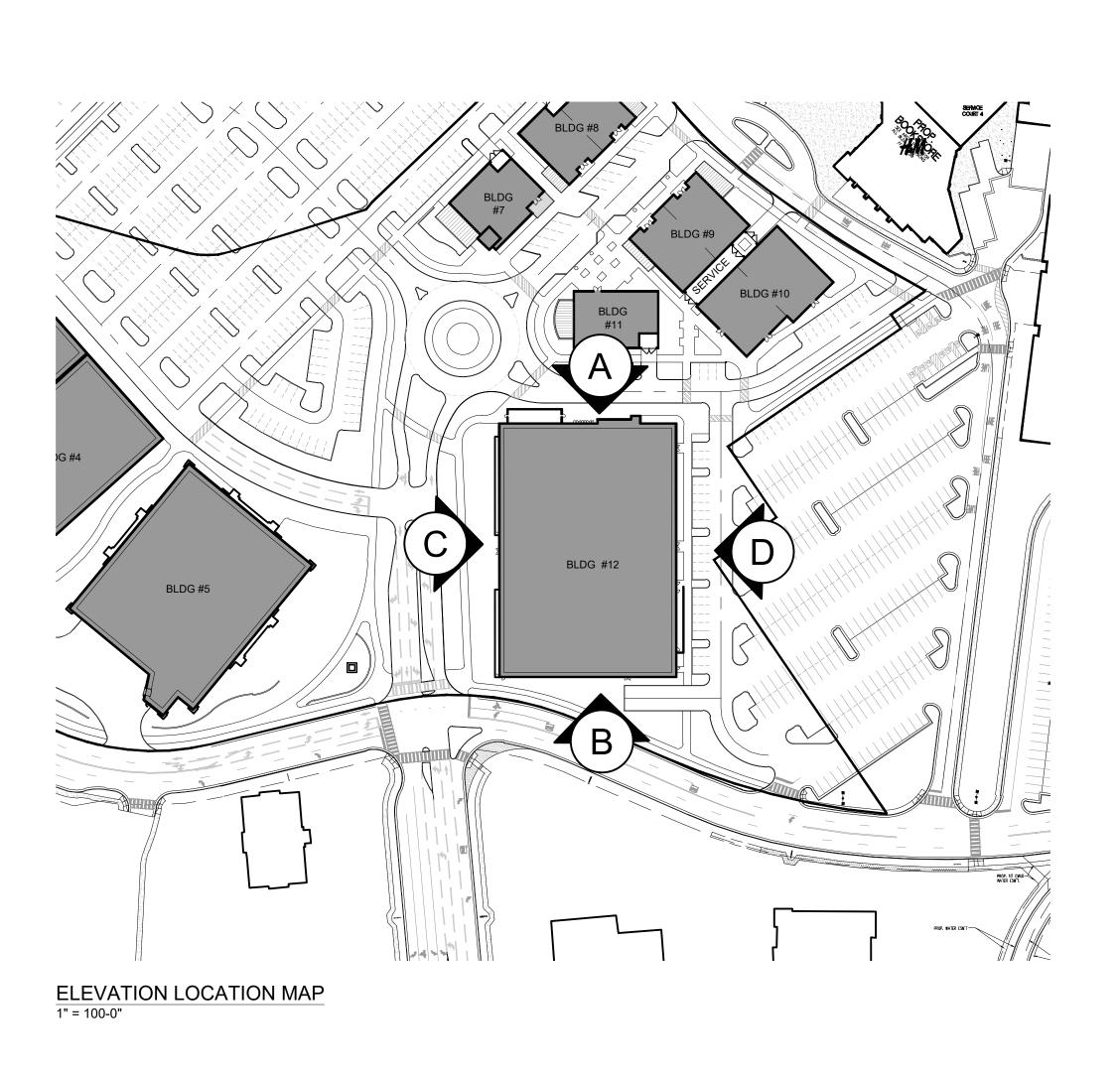


BLDG 12 ENTERTAINMENT VENUE - SIDE ELEVATION (RIGHT)

1" = 20'-0"



) BLDG 12 ENTERTAINMENT VENUE - SIDE ELEVATION (LEFT)  $\frac{1}{1} = 20$ '-0"



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**RE-ZONING** PETITION # 2017-XX-XX

THE SHOPS AT **NORTHLAKE MALL SPA RE-ZONING** 

STARWOOD RETAIL PARTNERS CHARLOTTE, NC

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NO.	DESCF	RIPTION	DATE
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DRA	IGNED BY: WN BY:	LD	

HORZ: AS NOTED

**BUILDING ELEVATIONS** 

RZ-5.1





B RETAIL / RESTAURANT ELEVATION
1" = 20'-0"





D RETAIL / RESTAURANT ELEVATION
1" = 20'-0"





RETAIL / RESTAURANT ELEVATION

1" = 20'-0"

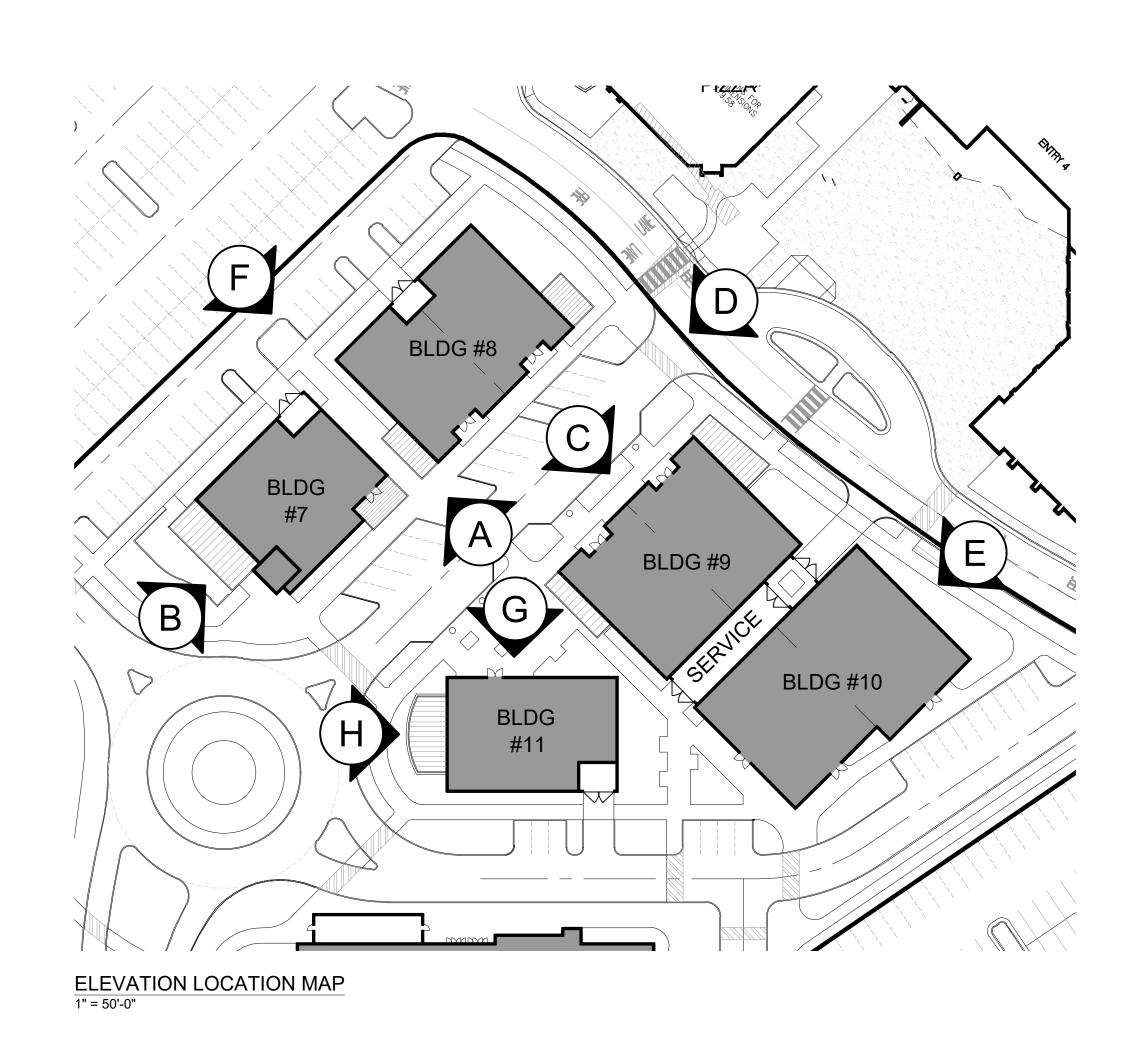


RETAIL / RESTAURANT ELEVATION
1" = 20'-0"

BLDG #11



RETAIL / RESTAURANT ELEVATION
1" = 20'-0"



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**RE-ZONING** PETITION # 2017-XX-XX

THE SHOPS AT **NORTHLAKE MALL SPA RE-ZONING** 

> STARWOOD RETAIL PARTNERS CHARLOTTE, NC

	REVISION / ISSU	ANCE
NO.	DESCRIPTION	DATE
	1ST REZONING SUBMITTAL	10/20/20
DR	SIGNED BY: LD AWN BY: LD	

CHECKED BY: LD

VERT: N/A HORZ: AS NOTED

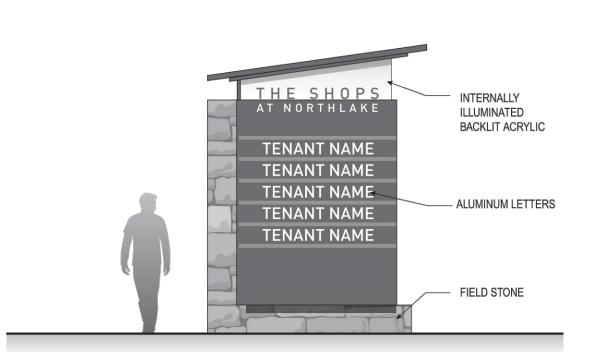
**BUILDING ELEVATIONS** 

RZ-5.2

10/19/2017 7:38 PM N:\\_2015\1015252\CAD\EXHIBITS\ZONING PLANS\5252\_RZ-ELEVATIONS AND SIGNAGE.DWG

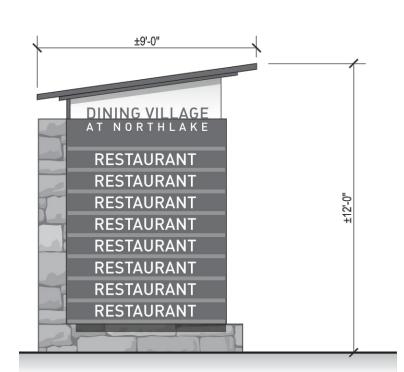


1 PROPOSED ENTRY PYLON AND RETAINING WALL - FRONT ELEVATION
3/16" = 1'-0"



PROPOSED "SHOPS AT NORTHLAKE"

IDENTITY PYLON
(2 PROPOSED LOCATIONS) (29.1 SF SIGNAGE TOTAL)
1/4" = 1'-0"

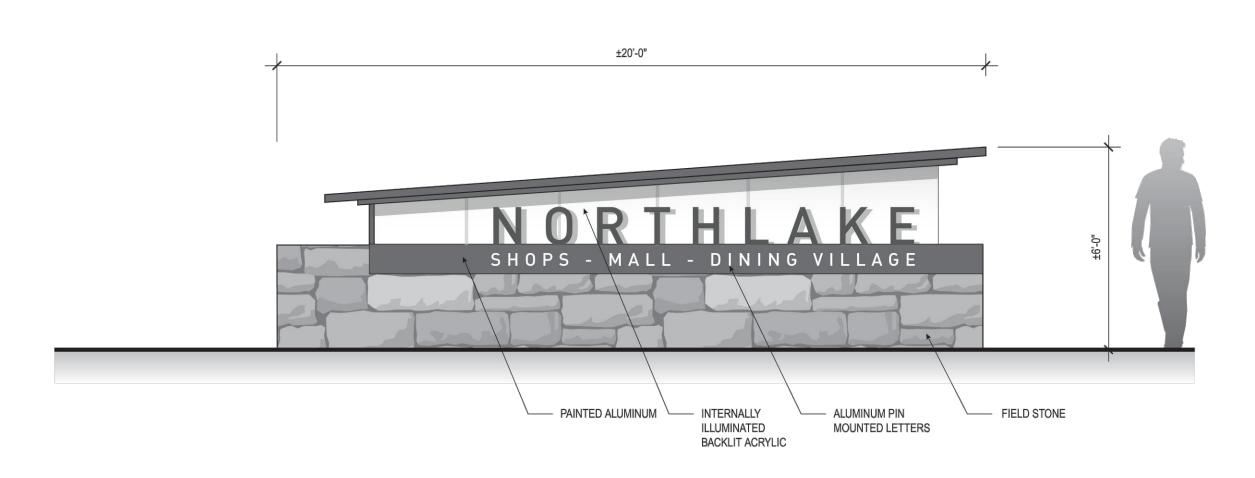


PROPOSED "DINING VILLAGE"

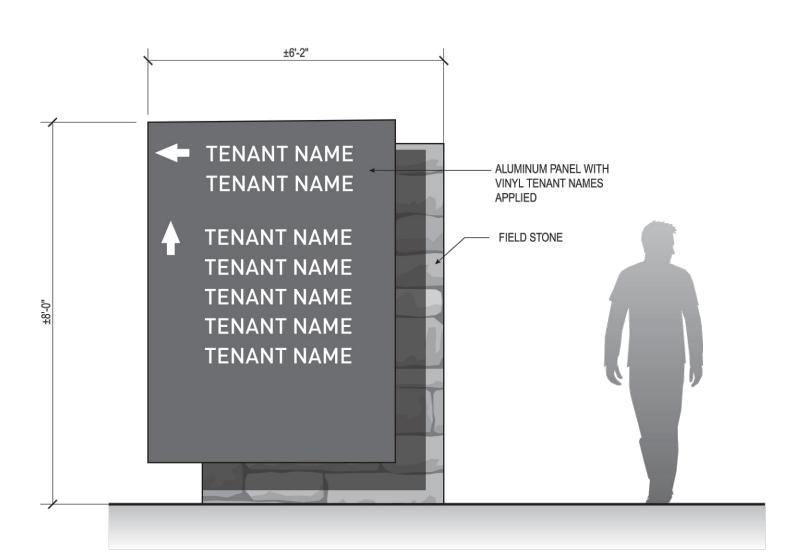
IDENTITY PYLON

(1 PROPOSED LOCATION) (44.1 SF SIGNAGE TOTAL)

1/4" = 1'-0"



PROPOSED NEW PERIMETER IDENTITY MONUMENT (LOCATED IN MEDIAN)  $\frac{2}{3/8" = 1'-0"}$ 



MEW DIRECTIONAL SIGN

(MULTIPLE LOCATIONS) (36.6 SF SIGNAGE TOTAL)

1/2" = 1'-0"

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RE-ZONING PETITION # 2017-XX-XX

THE SHOPS AT NORTHLAKE MALL

SPA RE-ZONING
STARWOOD RETAIL PARTNERS

CHARLOTTE, NC

LANDDESIGN PROJ.# 1015252

REVISION / ISSUANCE

NO. DESCRIPTION DATE

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SUBMITTAL

10/20/2017

DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

VERT: N/A

HORZ: AS NOTED

SIGNAGE ELEVATIONS

RZ-5.3

#### **Starwood Retail Partners** Development Standards - Village Component of Northlake Mall

<u> 10/19/17</u> Rezoning Petition No. 2017-\_\_\_

#### Site Development Data:

- --Acreage:  $\pm$  14.4 acres -- Tax Parcel #: 025-091-24 and part of 025-091-025
- -- Existing Zoning: CC
- -- Proposed Zoning: CC SPA -- Existing Uses: Vacant and Parking
- -- Proposed Uses: Uses permitted by right and under prescribed conditions together with
- accessory uses, as allowed in the CC zoning district, as more specifically described and restricted below in Section 3.
- -- Maximum Building Height: As allowed by the Ordinance.
- **--Parking:** Parking will be provided as required by the Ordinance.

#### 1. <u>Site Plan Amendment Rezoning for Portion of Northlake (#2002-110, as amended):</u>

- Reference to Northlake Rezoning Plan. Reference is made to Rezoning Petition #2002-110, as amended by Administrative Site Plan Amendment approved as of May 8, 2006 among others (collectively the "Northlake Rezoning"). For context purposes, reference is also made to Sheet RZ-1.0 to this Rezoning Plan which sets forth the original conceptual site plan for the Northlake Rezoning. The Northlake Rezoning contemplated three (3) primary components, namely the Mall Component, the Village Shops Component and the Perimeter Commercial Component, each as generally depicted on the Northlake conceptual site plan attached as Sheet <u>RZ-1.0.</u> The Mall Component has been largely developed with only a portion of the approved entitlement undeveloped. The Perimeter Commercial Component has been developed in accordance with the approved entitlement. The Village Shops Component has not been developed.
- b. Adjustments to Village Shops Component & Adjacent Parking Portion of Mall Component. This Rezoning Plan is intended to govern development of the Village Shops Component in a manner that provides for certain deviations from the locations of buildings generally depicted on the conceptual site plan for the Village Shops Component on the Northlake Rezoning and uses a portion of the parking area within the Mall Component, among other modifications set forth herein. As referenced below and as generally depicted on Sheet RZ-2.0. the "Site" is intended to cover the area referenced by the Village Shops Component of the Northlake Rezoning and adjacent portions of the parking areas within the Mall Component of the Northlake Rezoning.
- Rezoning Plan Replaces Northlake Rezoning as to the Site including the Village Shops Component & portion of the Mall Component; Administrative Site Plan Amendment to Northlake Rezoning. Accordingly, upon approval by Charlotte City Council of the Rezoning Petition and this associated Rezoning Plan, the Northlake Rezoning shall be replaced in full by this Rezoning Plan as to the Site which includes the Village Shops Component of the Northlake Rezoning and the adjacent portion of the Mall Component of the Northlake Rezoning, and the Northlake Rezoning shall no longer be binding on the Site. Furthermore, prior to the public hearing on this Rezoning, Petitioner shall submit or cause to be

CHAR2\1955940v4

**CDOT/NCDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road 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 south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

#### Phasing.

[IF APPLICABLE, TO BE FORTHCOMING]

#### III. Access; Pedestrian Features.

- a. Access to the Site will be by way of the private street known as Northlake Mall Drive among other private streets such as Perimeter Parkway and Northlake Commons Boulevard that connect with W.T. Harris Boulevard and Northlake Centre Parkway, as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.
- **b.** The Petitioner may install pavers and/or stamped or colored asphalt within the Site's private streets or driveways in order to designate and define pedestrian cross-walks.
- c. The alignment of the internal streets, vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT's final approval, to accommodate minor changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards and industry best practices so long as the street network set forth on the Rezoning Plan is not materially altered.

#### 5. Architectural and Site Design Standards:

- a. [Building Materials Generally. 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, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits, awnings and on handrails/railings, however standing seam metal is permitted as a decorative architectural element. Furthermore, the building elevations on Northlake Mall Drive shall be constructed so that at least 25% of the elevation fronting such street, exclusive of windows, doors, and roofs, will be constructed utilizing the following materials: brick, synthetic brick, stone, precast stone, precast concrete, synthetic stone, and decorative block.]
- **b.** Elevations/Renderings. The building elevations and perspective renderings attached on Sheets RZ-5.0-5.3 are included to reflect the general architectural design for portions of the buildings (the actual buildings constructed on the Site may vary from these illustrations provided that the overall design intent is preserved).
- c. Blank Walls. For portions of buildings located along Northlake Mall Drive, expanses of blank walls may not exceed 60 feet in length along such frontage. A blank wall is a façade that does not add to the character of the streetscape and does not contain transparent windows or door or sufficient ornamentation, decoration or articulation. When this approach is not feasible, three of the following architectural elements must be used on the building façade at street level. Elements may include, but are not limited to: molding; string courses; belt courses; changes in

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submitted to the Planning Director, or designee, an administrative site plan amendment to the Northlake Rezoning to reflect the adjustments resulting from this Rezoning, including the inclusion of the portion of the parking area of the Mall Component within this Rezoning as generally depicted on Sheet RZ-2.0, and such administrative site plan amendment shall become effective upon approval of this Rezoning by Charlotte City Council.

#### 2. General Provisions:

a. Site Location. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Starwood Retail Partners ("Petitioner") to accommodate the development for mixed use purposes containing approximately 14.4 acres generally depicted as the "Site" on Sheet RZ-2.0 of this Rezoning Plan (the "Site"). Each of the Development Areas set forth on Sheet RZ-2.0 of the Rezoning Plan may be referred to as a "Development Area" or collectively as the "Development Areas."

**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 CC zoning classification shall govern the Site. As indicated in Section 1.above, the Rezoning Plan hereby supersedes and takes the place of the Northlake Rezoning as relates to the Site.

**c. Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, 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 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 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:

• 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

minor and don't materially change the overall design intent depicted on the Rezoning

- 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 yards) indicated on the Rezoning Plan; or
- modifications to allow minor increases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

material or color; architectural lighting; works of art; display areas; building off-sets or windows with spandrel/opaque glass.

d. Open Space Area Between Buildings #4 & 5. The proposed open space/amenity area located between Buildings #4 and #5 shall be a minimum of [15,000] square feet of hardscape and landscape area and may include decorative planting, benches, seating areas, art, specialty

- e. Special Design Provisions for Building #12 Area. In the event that the up to 50,000 sf ground floor footprint Building #12 generally depicted on Sheet RZ-3.0 is not used for indoor entertainment, indoor recreation, movie theatre or substantially similar types of permitted uses, the following design guidelines shall be applied to the building(s) that are used for other permitted commercial uses: [TO BE FORTHCOMING]
- f. Special Design Provisions for Hotel Uses. Hotel uses may be located either within Buildings 7, 8 and/or 12 or as part of a redesign of the Site in the manner set forth by inset map on Sheet RZ-3.0. In such event the following design provisions shall govern such hotel development: [TO BE FORTHCOMING]
- **Utilities.** Meter banks will be screened from view from internal private streets or driveways at grade. HVAC and related mechanical equipment will be screened from public view at grade. HVAC and related mechanical equipment may not be located between the proposed buildings.

#### 6. Streetscape & Screening:

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- a. Along the Site's frontage on Northlake Mall Drive, the Petitioner will provide the streetscape improvements set forth on the Rezoning Plan.
- **b.** The Petitioner will provide a sidewalk network that links each building on the Site to the sidewalks along private streets or driveways in the manner generally depicted on the Rezoning Plan. The minimum width for these internal sidewalks will be five (5) feet.
- c. Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.
- **d.** Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.

#### 7. <u>Environmental Features</u>:

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

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**a.** Signage as allowed by the CC zoning district may be provided and as allowed by the sign flex option of the Ordinance. Illustrative signage is shown on Sheets RZ-3.0, 5.0-6.0.

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The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the

- d. Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site shall not exceed fourteen (14). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on Development Area to which such improvements relate.
- e. Planned/Unified Development. The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan and as to the elements and the portions of the "Adjusted Mall Component" located adjacent to the Site as generally depicted on Sheet RZ-2.0. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located within the Site nor between the Site and the portions of the Adjusted Mall Component located adjacent to the Site. Furthermore, the Petitioner and/or owner of a portion of the Site reserve the right to subdivide the portions or all of the Site within the Development Areas and create lots within the interior of the portion of the Site within such Development Areas without regard to any such internal separation standards than those expressly set forth and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site except for along the common boundary with the Adjusted Mall Component, and those expressly described in the Rezoning Plan shall be adhered to. In addition, all FAR requirements will be regulated by any development limitations set forth in this Rezoning Plan as to the Site as a whole and not individual portions or lots located therein.
- f. Personal Services. The terms "personal service uses" and/or "personal services" (whether capitalized or not) will mean and refer to uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spas, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and the like.
- g. EDEE Uses. References to the term "EDEE" shall mean "Eating Drinking Entertainment Establishments" as defined in the Ordinance and shall include without limitation Limited Service restaurants.
- h. Limited Service Restaurant. A "Limited Service Restaurant" or "limited service restaurant" (whether capitalized or not) shall mean a restaurant with no more than 3,000 square feet of gross floor area serving primarily items such as coffee, ice cream, yogurt, juices, bagels, muffins, pastries, sandwiches and similar foods that do not require on-premise cooking of food (other than heating and the baking of premixed dough).
- 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 term

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#### 9. <u>Lighting:</u>

- a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and
- **b.** Detached lighting on the Site will be limited to 25 feet in height.

#### 10. 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 portion of the Development Area (or subdivision thereof) affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

#### 11. Binding Effect of the Rezoning Application:

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 under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or "gross floor area" or "GFA" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building on the Site measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude any surface or structured parking facilities, areas used for building and equipment access (such as stairs, elevator shafts, vestibules, roof top equipment rooms and maintenance crawl spaces), all loading dock areas (open or enclosed), outdoor coolers and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).

#### Permitted Uses & Development Area Limitation:

- Except as limited in subsections 3.b. and c. below, the Site may be developed with up to 195,000 square feet of gross floor area of uses allowed in the CC zoning district, together with accessory uses as allowed in the CC zoning district. In addition to the foregoing, the Site may be developed for up to 200 hotel rooms and for up to 150 residential dwelling units.
- **b.** Notwithstanding the foregoing, gasoline sales and EDEE uses (as defined above) with drive-through facilities will not be permitted on the Site, except that such limitation shall not apply to a Limited Service Restaurant (as defined above).
- c. No building constructed within the Site may have a footprint which is in excess of 50,000 square feet of gross floor area. It is not the intent of this restriction to prohibit a multistory retail establishment occupying more than 50,000 square feet of gross floor area so long as the footprint of the building within which it is located does not exceed 50,000 square feet of gross floor area and so long as the maximum square footage limitations set out herein are
- **d.** All or a portion of the 200 hotel rooms allowed on the Site may be converted to either additional retail space on the Site, at the option of the owner(s) of the Site, using the following conversion factor: 340 square feet of gross floor area per hotel room converted. No additional hotel rooms may be created by the conversion of the retail space.

#### Transportation/Ped Improvements and Access:

#### **Proposed Improvements:**

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:

The following Transportation Improvements are also illustrated on <u>Sheet RZ-3.0</u> of the Rezoning Plan. This illustration is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number when describing an improvement corresponds to the number found on the Illustration for the proposed improvement):

[TO BE FORTHCOMING FROM DRG]

Standards and Other Provisions

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#### **RE-ZONING PETITION #** 2017-XX-XX

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704 333 0325

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ENG. FIRM LICENSE # C-0658

### THE SHOPS AT **NORTHLAKE MALL**

STARWOOD RETAIL PARTNERS

CHARLOTTE, NC

**SPA RE-ZONING** 

ANDDESIGN	N PROJ# 1015252	
RE	VISION / ISSU	ANCE
NO.	DESCRIPTION	DATE
	1ST REZONING SUBMITTAL	10/20/2

DESIGNED BY: LD

DRAWN BY: LD CHECKED BY: LD

HORZ: NTS

ZONING NOTES

(NOT TO SCALF)

10/19/2017 7:38 PM N:\\_2015\1015252\CAD\EXHIBITS\ZONING PLANS\5252\_RZ-NOTES.DWG

ORIGINAL SHEET SIZE: 24" X 36"

RZ-6.0