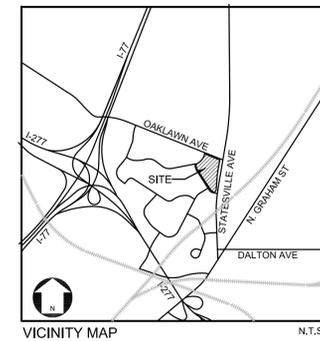
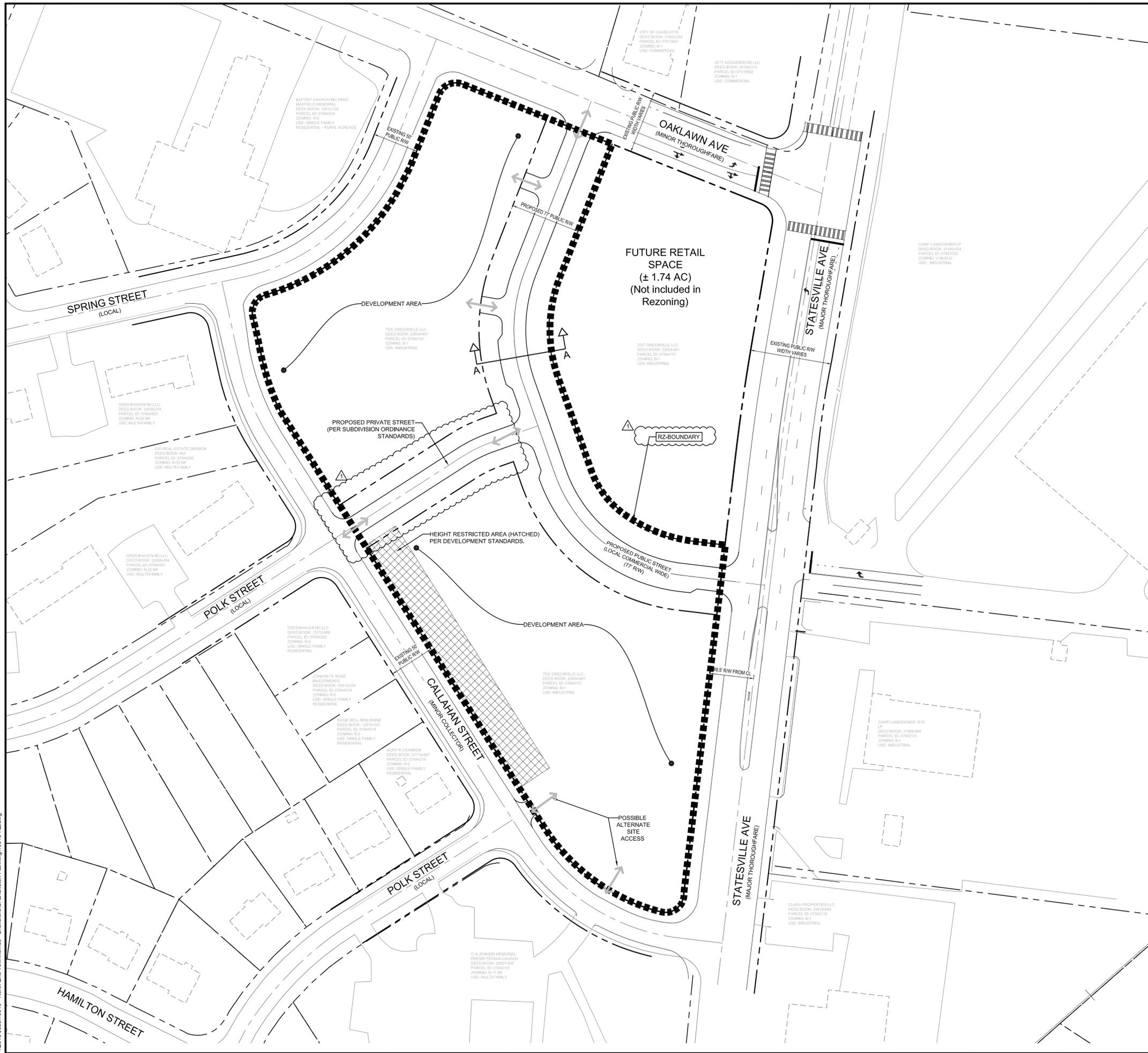


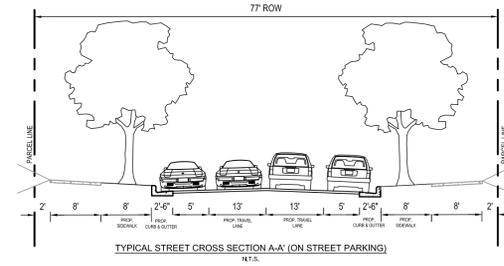
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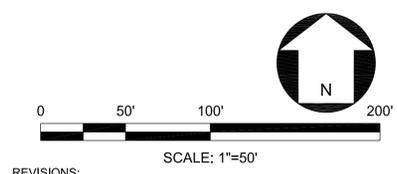
REZONING PETITION NO. 2018-150

**SITE DEVELOPMENT DATA:**

- ACREAGE: **± 2.70 ACRES**
- TAX PARCEL: 07844101
- EXISTING ZONING: B-1
- PROPOSED ZONING: MUDD WITH FIVE (5) YEAR VESTED RIGHTS.
- EXISTING USES: VACANT
- PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT.
- MAXIMUM DEVELOPMENT:
  - UP TO 250 MULTIFAMILY UNITS
  - MAXIMUM BUILDING HEIGHT: UP TO 35 FEET FOR THE MUDD DEVELOPMENT AREA WITH THE EXCEPTION OF THE AREA BETWEEN THE ADJACENT POLK STREET AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET WHICH SHALL NOT EXCEED 45 FEET IN HEIGHT (FOR THE PURPOSES OF THIS HEIGHT LIMIT, ARCHITECTURAL FEATURES, SUCH AS PARAPETS, SPIRES, MANSARDS, DOMES AND DORMERS), ROOF TOP MECHANICAL EQUIPMENT, AND SCREENS OR DEVICES USED TO SCREEN ROOFTOP STRUCTURES OR EQUIPMENT WILL NOT BE CONSIDERED FOR THE CALCULATION OF ALLOWED BUILDING HEIGHT WHEN LOCATED ON A MULTI-STORY BUILDING).
- SETBACKS: WILL BE FOURTEEN FEET (14') FROM THE BACK OF CURB OR AT THE EXISTING OR PROPOSED RIGHT OF WAY
- PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD ZONING DISTRICT.



Note: Original submittal by Bohler Engineering, dated 11/21/18



REVISIONS:

No.	Date	By	Description
1	9/16/19	MDH	STAFF COMMENTS

**STATESVILLE AVE MIXED USE**  
CHARLOTTE, NC  
TDC GREENVILLE, LLC  
CHARLOTTE, NC 28277

**TECHNICAL DATA SHEET**

REZONE PETITION NO. 2018-150

CORPORATE CERTIFICATIONS  
NC PE: C-2930 NC LA: C-253  
SC ENG: NO. 3599 SC LA: NO. 211

Project Manager: MDL  
Drawn By: ENL  
Checked By: MDL  
Date: 9/16/19  
Project Number: 18046

Sheet Number:

**RZ-1**

**DEVELOPMENT STANDARDS**

**I. GENERAL PROVISIONS:**

a. **SITE DESCRIPTION.** THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET FORM THE REZONING PLAN (HEREAFTER COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY TDC GREENVILLE LLC ("PETITIONER") TO ACCOMMODATE DEVELOPMENT OF A MIXED-USE RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 5.279 ACRE SITE LOCATED AT THE SOUTHWEST INTERSECTION OF STATESVILLE AVENUE AND OAKLAWN AVENUE (THE "SITE").

b. **INTENT.** THIS REZONING IS INTENDED ACCOMMODATE DEVELOPMENT ON THE SITE OF A HORIZONTALLY INTEGRATED MIXTURE OF RESIDENTIAL USES. ADDITIONALLY, THE PETITIONER SEEKS TO CREATE AN INTERNAL STREET THROUGH THE SITE TO CREATE A MORE COMPLETE STREET NETWORK THAT WILL ALLOW PEDESTRIAN, BICYCLE AND AUTOMOBILE TRAFFIC TO TRAVEL THROUGH THE SITE.

c. **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 MUDD ZONING CLASSIFICATION FOR THE SITE SO DESIGNATED ON THE REZONING PLAN SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON SUCH PORTION OF THE SITE.

d. **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, AS SUCH, SETBACKS, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION STANDARDS, AND OTHER SIMILAR ZONING STANDARDS WILL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS AND OTHER SITE ELEMENTS LOCATED ON THE SITE. FURTHERMORE, THE PETITIONER AND/OR OWNER OF THE SITE RESERVE THE RIGHT TO SUBDIVIDE PORTIONS OR ALL OF THE SITE AND CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS, AND PUBLIC/PRIVATE STREET FRONTAGE REQUIREMENTS, PROVIDED, HOWEVER, THAT ALL SUCH SEPARATION STANDARDS ALONG THE EXTERIOR BOUNDARY OF THE SITE SHALL BE ADHERED TO AND TREATED AS THE SITE AS A WHOLE AND NOT INDIVIDUAL PORTIONS OR LOTS LOCATED THEREIN.

**II. PERMITTED USES:**

SUBJECT TO THE MAXIMUM DEVELOPMENT PROVISIONS SET FORTH UNDER SECTION III BELOW, THE SITE MAY BE DEVOTED TO ANY RESIDENTIAL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICTS, IN AREAS AS INDICATED ON THE REZONING PLAN, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES, ASSOCIATED THEREWITH.

**III. DEVELOPMENT AREA LIMITATIONS, TRANSFER AND CONVERSION RIGHTS:**

a. THE REZONING PLAN SETS FORTH ONE (1) DEVELOPMENT AREA AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET.

b. SUBJECT TO THE RESTRICTIONS, LIMITATIONS, AND TRANSFER/CONVERSION RIGHTS LISTED BELOW, THE PRINCIPAL BUILDINGS CONSTRUCTED WITHIN THE DEVELOPMENT AREA UP TO 250 MULTIFAMILY RESIDENTIAL DWELLING UNITS AND USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS, ALONG WITH ANY ACCESSORY USES, THE DEVELOPMENT AREA IS TO BE DEVELOPED AS ALLOWED IN THE MUDD DISTRICT UNDER THE ORDINANCE.

c. FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH IN THESE DEVELOPMENT STANDARDS (THE TERM "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 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).

**IV. TRANSPORTATION**

a. ALL 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 IMMEDIATE AREA OF THE SITE, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR ANOTHER PUBLIC-SECTOR PROJECT SUPPORT.

b. PETITIONER SHALL COORDINATE WITH CATS REGARDING THE CONSTRUCTION OF A POTENTIAL BUS STOP LOCATION ALONG THE SITE'S FRONTAGE ON STATESVILLE AVENUE DURING THE PERMITTING PHASE OF REDEVELOPMENT.

c. PETITIONER SHALL DEDICATE ALL RIGHTS-OF-WAY TO THE CITY OF CHARLOTTE IN FEE SIMPLE CONVEYANCE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

d. PETITIONER SHALL SUBSTANTIALLY COMPLETE ALL TRANSPORTATION IMPROVEMENTS BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED OR PHASED PER THE SITE'S DEVELOPMENT PLAN OR POST A COMPLETION BOND AS NEGOTIATED WITH CDOT.

**e. ACCESS AND INTERNAL STREETS:**

1. ACCESS TO THE SITE WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN, SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW.

2. PROPOSED PUBLIC STREET A SHALL EXTEND ACROSS THE SITE, AS GENERALLY DEPICTED ON THE REZONING PLAN, MAY CONNECT STATESVILLE AVENUE AND OAKLAWN AVENUE, OR ALTERNATIVELY CONNECT STATESVILLE AVENUE AND CALLAHAN STREET.

3. THE TOTAL NUMBER OF NEW DRIVEWAY ACCESS POINTS TO THE SITE WILL BE LIMITED TO THOSE AREAS AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET SUBJECT TO THE FINAL SITE DESIGN OF THE PROPERTY.

4. THE PETITIONER RESERVES THE RIGHT TO REQUEST THE INSTALLATION OF PAVERS AND/OR STAMPED OR COLORED ASPHALT WITHIN THE SITE'S PUBLIC STREETS IN ORDER TO DESIGNATE AND DEFINE PEDESTRIAN CROSS-WALKS. THE PETITIONER WILL COORDINATE THE DESIGN OF ANY DECORATIVE PAVEMENT ELEMENTS PROPOSED WITHIN THE PUBLIC RIGHT-OF-WAY WITH CDOT DURING THE DRIVEWAY PERMIT PROCESS. FURTHERMORE, THE PETITIONER UNDERSTANDS THAT AN ENCROACHMENT AND MAINTENANCE AGREEMENT MUST BE OBTAINED FROM CDOT BEFORE ANY DECORATIVE PAVERS AND/OR STAMPED PAVEMENT PROPOSED IN THE PUBLIC RIGHT-OF-WAY MAY BE INSTALLED.

5. THE ALIGNMENT OF THE INTERNAL PUBLIC AND PRIVATE 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.

f. **SUBSTANTIAL COMPLETION.** REFERENCE TO "SUBSTANTIALLY COMPLETE" FOR CERTAIN IMPROVEMENTS AS SET FORTH HEREIN SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE STANDARDS SET FORTH HEREIN PROVIDED, HOWEVER, IN THE EVENT CERTAIN NON-ESSENTIAL ROADWAY IMPROVEMENTS (AS REASONABLY DETERMINED BY CDOT) 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, AND IN SUCH EVENT THE PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR ABOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH A CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.

**V. DESIGN GUIDELINES:**

**a. GENERAL DESIGN GUIDELINES.**

1. THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS WILL BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, METAL, STONE, SIMULATED STONE, PRE-CAST STONE, ARCHITECTURAL PRECAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING (SUCH AS HARD-PLANK), OR WOOD. VINYL, AS A BUILDING MATERIAL, WILL ONLY BE ALLOWED ON WINDOWS, SOFFITS AND TRIM FEATURES.

2. "DEVELOPMENT AREAS" AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET MAY INCLUDE BOTH PRINCIPAL USE BUILDINGS AND ASSOCIATED PARKING.

3. ANY PARKING FACING CALLAHAN STREET SHALL BE SCREENED FROM THE RIGHT-OF-WAY AND ADJACENT PROPERTIES BY MEANS OF A LOW MASONRY WALL OR SHRUBBERY.

4. STREETSCAPE TREATMENT WILL BE A UNIFYING ELEMENT THROUGH THE USE OF CONSISTENT PAVING, LIGHTING, LANDSCAPING, AND, WHEN PROVIDED, SITE FURNISHINGS, THROUGHOUT DEVELOPMENT AREAS.

5. METER BANKS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE FROM PUBLIC OR PRIVATE STREETS AND SHALL BE LOCATED OUTSIDE OF THE SETBACK.

6. ROOFTOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM PUBLIC OR PRIVATE STREETS.

7. BACKFLOW PREVENTERS AND TRANSFORMERS SHALL BE SCREENED AND LOCATED OUTSIDE THE SETBACK.

8. TREES MAY BE PROVIDED IN GRATES OR RAISED PLANTERS RATHER THAN IN PLANTING STRIPS.

9. SIDEWALK EXTENSIONS SHALL BE PROVIDED BETWEEN ALL STREET TREES ON ALL PUBLIC AND PRIVATE NETWORK REQUIRED STREETS WHERE PARKING IS ADJACENT.

10. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:

A. BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FACADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF 6 FEET EXTENDING THROUGH THE BUILDING.

11. ARCHITECTURAL ELEVATION DESIGN - ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:

A. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS

B. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FACADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. SUCH BASE MAY BE EXECUTED THROUGH USE OF PREFERRED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES AND COLOR CHANGES

C. BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS BUT TO LIMITED TO BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS

12. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:

A. BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FAÇADE TO ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE)

B. PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY BUILDING AND ANY NETWORK REQUIRED PUBLIC OR PRIVATE STREET

C. DRIVEWAYS INTENDED TO SERVE SINGLE UNITS SHALL BE PROHIBITED ON ALL NETWORK REQUIRED STREETS

13. ROOF FORM AND ARTICULATION - ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:

A. LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT NOT BE LIMITED TO GABLES, HIPS, DORMERS OR PARAPETS

B. FOR PITCHED ROOFS THE MINIMUM ALLOWED IS 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS

C. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET

14. SERVICE AREA SCREENING - SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM VIEW WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPAL STRUCTURES. SUCH DESIGN SHALL INCLUDE A MINIMUM 20 PERCENT PREFERRED EXTERIOR BUILDING MATERIALS OR A CLASS B BUFFER NOT LESS THAN 10' IN DEPTH AT ALL ABOVE GRADE PERIMETER NOT PAVED FOR ACCESS.

15. ALL RESIDENTIAL GROUND FLOOR UNITS WILL HAVE ENTRANCES FACING THE STREET, AND WHEN WITHIN 15FT OF A STREET SHALL BE RAISED OR LOWERED A MINIMUM OF 12-24". STOOPS SHOULD BE PROVIDED ON ALL PUBLIC AND PRIVATE STREETS.

**VI. PEDESTRIAN ACCESS AND CIRCULATION DESIGN GUIDELINES:**

a. ALONG THE SITE'S INTERNAL STREETS, THE PETITIONER WILL PROVIDE A SIDEWALK AND A CROSS-WALK NETWORK THAT DIRECTLY CONNECTS THE MAIN ENTRANCES OF BUILDINGS TO PARKING AREAS AND AREAS OF INTEREST ON THE SITE WITH ONE ANOTHER BY WAY OF LINKS TO SIDEWALKS ALONG THE ABUTTING PUBLIC AND PRIVATE STREETS AND/OR OTHER PEDESTRIAN FEATURES.

1. PETITIONER WILL EITHER INCLUDE TWO (2) FEET OF ADDITIONAL SIDEWALK WIDTH WHEN SIDEWALK IS ADJACENT TO PARKING SPACES IN ORDER TO ACCOUNT FOR CAR OVERHANG OR WILL PROVIDE CAR STOPS.

b. DEVIATIONS FROM TYPICAL SIDEWALK AND PLANTING STRIP REQUIREMENTS ARE ALLOWABLE UPON APPROVAL BY CDOT AND THE PLANNING DIRECTOR. ANY CHANGES TO DIMENSIONAL REQUIREMENTS ARE ALLOWABLE ONLY IN CASES OF HARDSHIP.

**VII. LIGHTING:**

a. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.

b. DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC AND PRIVATE STREETS WILL BE LIMITED TO 31 FEET IN HEIGHT.

c. ATTACHED AND DETACHED LIGHTING SHALL BE DOWNWARDLY DIRECTED. HOWEVER, UPWARD-FACING ACCENT LIGHTING SHALL BE PERMITTED.

**VIII. PHASING**

PETITIONER MAY DEVELOP THE SITE IN PHASES AND MAY DEVELOP INDIVIDUAL DEVELOPMENT AREAS BASED ON MARKET DEMAND. ALL REQUIRED SIDEWALKS, STREET TREES AND OPEN SPACE AMENITIES WITHIN A PARTICULAR DEVELOPMENT AREA SHALL BE INSTALLED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN THE SAME DEVELOPMENT AREA. THIS REQUIREMENT SHALL NOT APPLY TO CERTIFICATES OF OCCUPANCY.

**IX. AMENDMENTS TO THE REZONING PLAN:**

FUTURE AMENDMENTS TO THE REZONING PLAN MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF SECTION 6.207 OF THE ORDINANCE.

**X. 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 HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF 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.

**XI. VESTED RIGHTS PROVISION:**

IF THIS REZONING PETITION IS APPROVED BY THE CHARLOTTE CITY COUNCIL THEN, PURSUANT TO SECTION 1.110 OF THE ORDINANCES, THE PETITIONER HEREBY REQUESTS A FIVE-YEAR VESTED RIGHT TO UNDERTAKE AND COMPLETE THE DEVELOPMENT OF THIS SITE UNDER THE TERMS AND CONDITIONS AS SO APPROVED, COMMENCING UPON APPROVAL OF THIS REZONING PETITION BY THE CHARLOTTE CITY COUNCIL. THE PETITIONER MAKES THIS REQUEST FOR A FIVE-YEAR VESTED RIGHT DUE TO THE SIZE AND PHASING OF THE PROPOSED DEVELOPMENT, MARKET CONDITIONS AND THE LEVEL OF INVESTMENT INVOLVED.

Note: Original submittal by Bohler Engineering, dated 11/21/18

REVISIONS:			
No.	Date	By	Description
1	9/16/19	MDH	FORMATTING AND OMIT REDUNDANCIES



**STATESVILLE AVE MIXED USE**  
**CHARLOTTE, NC**  
 TDC GREENVILLE, LLC  
 CHARLOTTE, NC 28277

**TECHNICAL DATA SHEET**

REZONE PETITION NO. 2018-150

CORPORATE CERTIFICATIONS  
 NC PE - C-2930 NC LA - C-253  
 SC ENG - NO. 3599 SC LA - NO. 211

Project Manager: MDL

Drawn By: ENL

Checked By: MDL

Date: 9/16/19

Project Number: 18046

Sheet Number:

**RZ-2**

SHEET # 2 OF 2