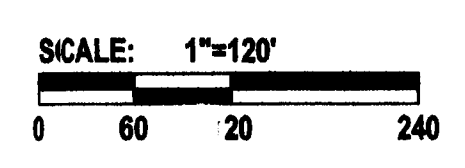


APPROVED BY
CITY COUNCIL
JUL 21 2008

SITE DATA (PARCEL L)	
EXISTING ZONING:	O-1(CD)
PROPOSED ZONING:	O-1(CD) SPA
EXISTING GROSS SITE ACREAGE:	1.5 ACRE
PROPOSED GROSS SITE ACREAGE:	2.0 ACRE
EXISTING ALLOWED USES:	DAYCARE (TOTAL 10,000 SF MAX.)
PROPOSED ALLOWED USES:	DAYCARE, ELEMENTARY/SECONDARY SCHOOL (EXCLUDING HIGH SCHOOL) & OFFICE (TOTAL 22,500 SF MAX.)



MULKEY
ENGINEERS & CONSULTANTS
7516 E. INDEPENDENCE,
SUITE 100
DENVER, CO 80231
TEL: 303.757.7200 (724)
303.757.2811 (FAX)
WWW.MULKEYINC.COM

DATE: APRIL 28, 2008
DRAWN BY: T. SANCHEZ
DWG. CHECKED BY: T. SANCHEZ
DESIGNED BY: T. SANCHEZ
DGN. CHECKED BY: T. SANCHEZ
SCALE: AS NOTED
PROJECT NO. 2007224.01

NO.	DATE	REVISIONS
1	6.23.08	CITY REVIEW COMMENTS: REMOVE PARCEL K FROM REZONING SPA

LEVINE PROPERTIES
P.O. BOX 2439
MATTHEWS, NORTH CAROLINA 28106
PROJECT
THE MCALPINES

SITE PLAN
AMENDMENT
REZONING PETITION # 2008-114

DRAWING NO.
RZ-1 of 2

DEVELOPMENT STANDARDS

General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Levine Properties to accommodate development of a mixed use center on an approximately ± 2.0 gross acre site located on McAlpine Park Road (the "Site"). Development of the Site will be governed by the Technical Data Sheet, these Development Standards and the applicable provisions of the Zoning Ordinance of the City of Charlotte (the "Ordinance"). Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance in effect at the time of this rezoning for the O-1 zoning classifications shall govern all development taking place on the Site with respect to those portions of the Site designated for such zoning classifications.

The Technical Data Sheet sets forth the areas (Building/Parking Envelopes) within which buildings and parking areas may be located within each of the parcels located on the Site and specifies the general locations of proposed access for such parcels. All such buildings and parking on such parcels shall be located within the Building/Parking Envelopes for the applicable parcel generally depicted on the Technical Data Sheet.

Parking layouts may be modified to accommodate final building locations and ancillary facilities and parking spaces may be located inside or outside development area boundaries to the extent permitted by the Ordinance.

Office development and parking and maneuvering associated with office development within the Site may overlap on, over and between the various Parcel boundary lines.

New development located upon Parcel L shall conform to the provisions outlined in the Ordinance for the O-1 zoning classification and these development standards. Any number of new buildings may be located within these Parcels subject to conformance with the relevant provisions in the Ordinance and these development standards.

1. Maximum Building Areas and Development Limitations

(a) O-1(CD) SPA, Parcel L

- (i) Parcel L is developed with an existing charter middle school which includes approximately 10,000 square feet of existing floor area, all of which may remain. Up to an additional 12,500 square feet of floor area may be added to the school for a total not to exceed 22,500 square feet. Redevelopment of Parcel L, at the same, greater or smaller floor area amounts than currently exist, may occur, subject to the maximum floor area limitations for the Site as stated on the previously approved conditional rezoning plan, Petition #2004-55. Building, parking and/or maneuvering areas may be shifted and/or relocated as part of any redevelopment in accordance with the development standards outlined under the Ordinance for the O-1 zoning classification. Daycare, general and/or medical office, elementary and secondary school (excluding high school) will be allowed on Parcel L. Accessory uses as permitted under the Ordinance for the O-1 district are allowed.

(b) Maximum Tenant Sizes

- (i) The maximum tenant size for any elementary/secondary school use is 22,500 square feet and maximum 250 students. The maximum tenant size for daycare use is 10,000 square feet.

2. Setbacks, Yards and Landscaping

- (a) All buildings constructed on the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance.
- (b) It is understood that the Site may be developed with "Zero Lot Line" standards whereby buildings and structures may be located on the lot line provided that the required building separation standards are satisfied and buffers are not required. Buildings and parking areas may be located within the development area boundaries.
- (c) All screening, landscaping and tree save areas shall conform to the standards of the Zoning Ordinance and Tree Ordinance.

3. Design and Performance Standards

- (a) All parking lot lighting shall be limited to 30 feet in height. All lighting will be shielded and full cutoff to prevent night sky light pollution and will be designed such that direct illumination does not extend past any exterior property line.
- (b) No wall pack light fixtures will be allowed on any structures.
- (c) Use of outside loudspeakers is prohibited.
- (d) Dumpster areas will be enclosed on all four sides by an opaque wall with one side being a hinged opaque gate. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall of that building may be substituted for a side.
- (e) Sidewalks will comply with Section 12.529 of the Zoning Ordinance.
- (f) Charter school modular buildings will be screened from McAlpine Park Road by evergreen trees and shrubs.

4. Parking

- (a) Off-street parking and loading areas will satisfy the standards established under the Ordinance.
- (b) The Petitioner reserves the right to utilize shared parking arrangements throughout the Site as allowed by the Ordinance.

5. Storm Water Management

- (a) The Petitioner will comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance for new construction on Parcel L.
- (b) The petitioner shall abide by the S.W.I.M. Stream Buffer regulations, where applicable.

6. Vehicular Access and Roadways

- (a) Vehicular access shall be as generally depicted on the Technical Data Sheet.
- (b) The placements and configurations of these access points are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation.
- (c) Required drop-off/car stacking will be provided per CDOT standards.

7. Sidewalks within Public Right-of-way

Any required or non-required sidewalk and/or planting strips throughout the Site may be located inside or outside of public right-of-way subject to the reasonable approval of CDOT and the Planning Staff. In the event a required sidewalk is located on private property, an easement in favor of the applicable governmental entity shall be established for such sidewalk.

8. Buffers

- (a) The buffer areas established on this Technical Data Sheet shall conform to the standards of Section 12.302 of the Ordinance. All required buffers can be reduced with the use of a wall or fence per section 12.302 (8) of the Ordinance. In the event the abutting residentially zoned properties should be rezoned, the required buffer for this property may be adjusted accordingly to meet the minimum requirements for buffering and screening per the Ordinance.
- (b) Existing structures and/or parking areas that are being rezoned were constructed prior to the current zoning regulations. These structures and/or parking spaces may encroach into areas that the current zoning regulations require for buffer purposes. In this event, the existing structure and/or parking areas may remain in legal non conformance until such time as the lot upon which the non-conforming structure and/or parking areas are redeveloped with new structure(s) and/or new parking areas, at which time the property must meet the applicable buffer requirement of the Ordinance.
- (c) If the use changes between areas on the Site that require a buffer, the buffer may be eliminated or reduced per the standards of Section 12.302 of the Ordinance.

9. Fire Protection

Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshal's specifications.

10. Signs

All signage shall conform to the Ordinance. Internal directional signage may be utilized as permitted by the Ordinance. Detached signs will be ground mounted and shall not exceed 7 feet in height.

11. Transportation and Offsite Sidewalk Commitments

- (a) Transportation and offsite sidewalk commitments listed in the previously approved Rezoning Petition #2004-55 are applicable to this SPA, the additional floor area on Parcel L shall be included in the development floor area threshold that requires the Petitioner to construct roadway intersection improvements.
- (b) The new school building square footage will be considered as office square footage for inclusion in the development floor area threshold requirements.
- (c) The school may be constructed prior to the required roadway intersection improvements as long as the threshold limits stated in the approved rezoning plan have not been exceeded.

12. Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet, the Conceptual Master Plan, the elevation and these Development Standards may be applied for by the then Owner or Owners of the Parcel or Parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance in existence as of the date of the approval of this Rezoning Petition.

13. Binding Effect of the Rezoning Documents and Definitions

- (a) If this Rezoning Petition SPA is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- (b) Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" 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.



DATE:	APRIL 28, 2008
DRAWN BY:	T. SANCHEZ
DWG. CHECKED BY:	T. SANCHEZ
DESIGNED BY:	T. SANCHEZ
DGN. CHECKED BY:	T. SANCHEZ
SCALE:	AS NOTED
PROJECT NO.	2007224.00

NO.	DATE	REVISIONS	REMARKS
1	6.23.08	CITY REVIEW COMMENTS: REMOVE PARCEL K FROM REZONING SPA	
2	7.21.08	DOT REVIEW COMMENTS: ADD NOTE B/C	

LEVINE PROPERTIES
 P.O. BOX 2439
 MATTHEWS, NORTH CAROLINA 28106
 PROJECT
THE MCALPINES

SITE
PLAN AMENDMENT
 TECHNICAL DATA SHEET
 REZONING PETITION # 2008-114