

TORINGDON DEVELOPMENT

INDEX OF SHEETS

TORINGDON MIXED - USE DEVELOPMENT

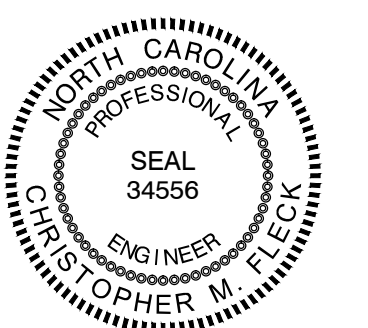
OWNER: TRINITY CAPITAL
440 S. CHURCH STREET
SUITE 800
CHARLOTTE, NORTH CAROLINA 28202
PHONE: (704) 295-0455

CHARLOTTE, NORTH CAROLINA
REZONING PETITION PLANS

SEAL

REZONING
DOCUMENT
NOT FOR
CONSTRUCTION

SEAL



SCALE : NOTED

[illegible]

REVISIONS

DRAWN BY EPM

APPROVED BY _____ CMF

CHECKED BY CMF

DATE 12/20/2013

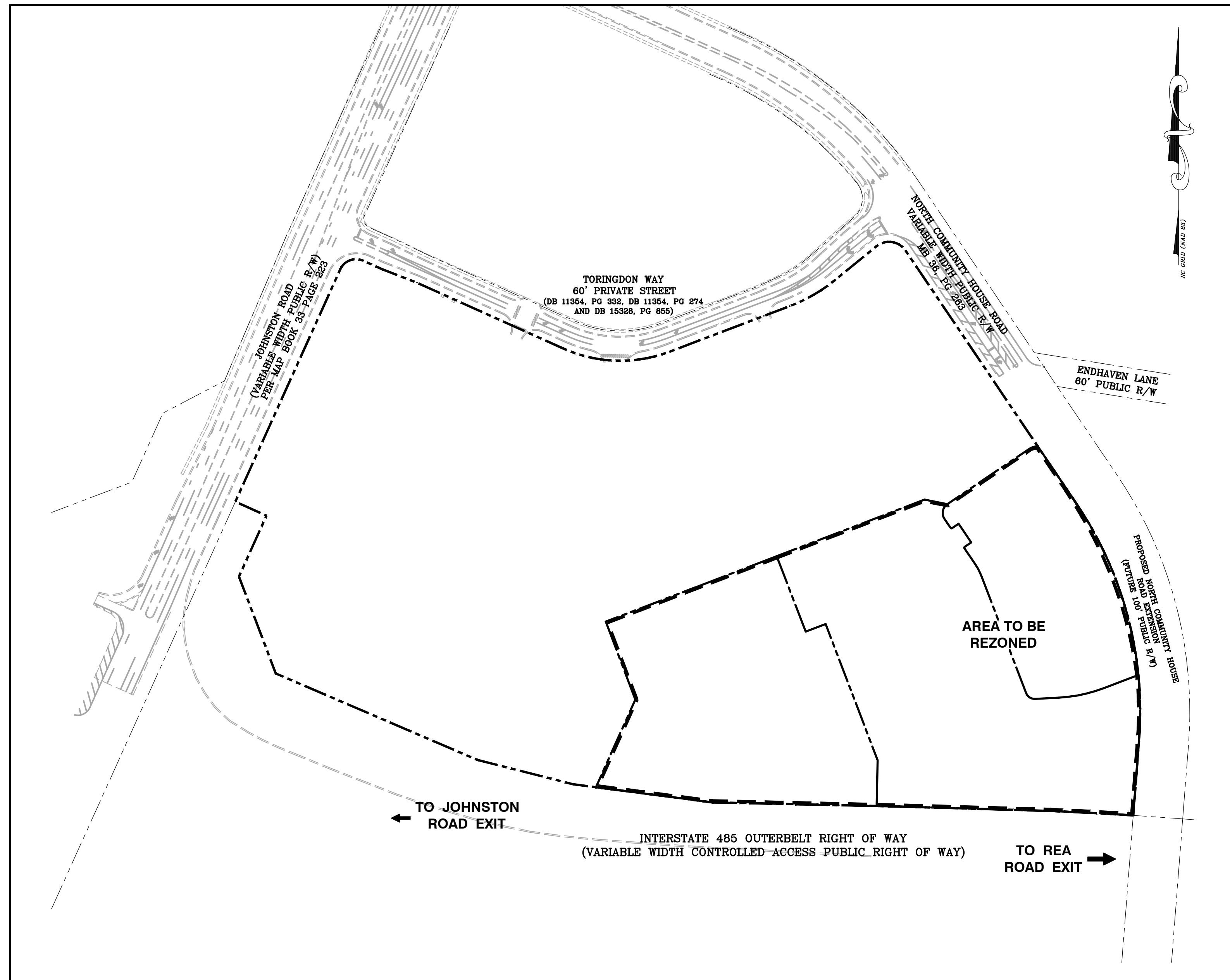
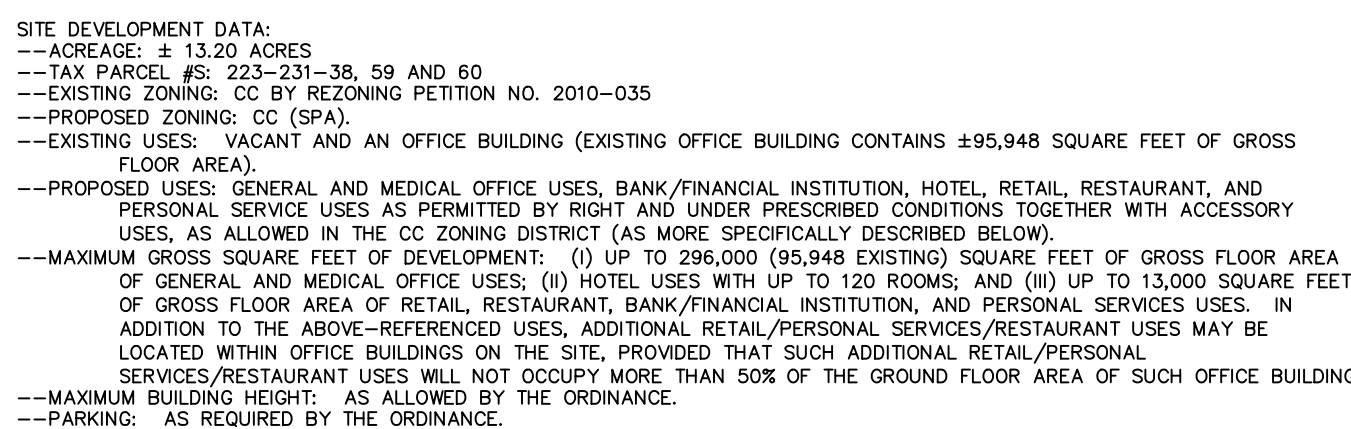
TITLE

COVER
SHEET

PROJECT NO.	50062529
-------------	----------

C1

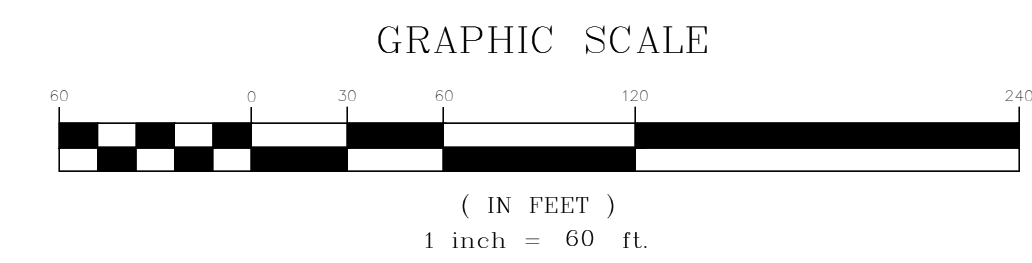
SHEET NO.



LOCATION MAP
SCALE : 1" = 150'

FOR PUBLIC HEARING
PETITION # 2014 - XXX

TECHNICAL DATA SHEET



Dewberry Engineers Inc.
6135 LAKEVIEW RD - SUITE 150
CHARLOTTE, NC 28269-2609
PHONE: (704) 509-9918
FAX: (704) 509-9937
WWW.DEWBERRY.COM
NCBELS # F - 0929

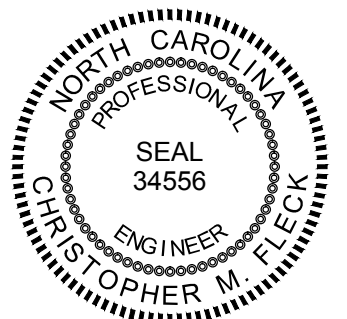
TORINGDON MIXED - USE DEVELOPMENT

OWNER : TRINITY CAPITAL
440 S. CHURCH STREET
SUITE 800
CHARLOTTE, NORTH CAROLINA 28202
PHONE : (704) 295 - 0455

CHARLOTTE, NORTH CAROLINA
REZONING PETITION PLANS

SEAL

REZONING
DOCUMENT
NOT FOR
CONSTRUCTION



SCALE : 1 inch = 60 feet

[illegible]

REVISIONS

DRAWN BY	_____
	EPM
APPROVED BY	_____
	CMF
CHECKED BY	_____
	CMF
DATE	_____
	12/20/2013

TITLE	

TECHNICAL DATA SHEET

PROJECT NO. 50062529

C2

SHEET NO.

BOUNDARY SURVEY PROVIDED BY:
THE SURVEY COMPANY
PROJECT # LIC 26
MAP BOOK 46, PAGE 903

INTERSTATE 485 OUTERBELT RIGHT OF WAY
(VARIABLE WIDTH CONTROLLED ACCESS PUBLIC RIGHT OF WAY)

DEVELOPMENT STANDARDS

TORINGDON
DEVELOPMENT STANDARDS
12/23/13
REZONING PETITION NO. 2014-000

SITE DEVELOPMENT DATA
--ACREAGE: ± 13.20 ACRES
--TAX PARCEL #S: 223-231-38, 59 AND 60
--EXISTING ZONING: CC BY REZONING PETITION NO. 2010-035
--PROPOSED ZONING: CC (SPA)
--EXISTING USES: VACANT AND AN OFFICE BUILDING (EXISTING OFFICE BUILDING CONTAINS ±95,948 SQUARE FEET OF GROSS FLOOR AREA)
--PROPOSED USES: GENERAL AND MEDICAL OFFICE USES, BANK/FINANCIAL INSTITUTION, HOTEL, RETAIL, RESTAURANT, AND PERSONAL SERVICE USES
AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE CC ZONING DISTRICT
(AS MORE SPECIFICALLY DESCRIBED BELOW IN SECTION 41.1 ABOVE 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 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.)
--MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: (i) UP TO 296,000 (95,948 EXISTING) SQUARE FEET OF GROSS FLOOR AREA OF GENERAL AND MEDICAL OFFICE USES; (ii) HOTEL USES WITH UP TO 120 ROOMS; AND (iii) UP TO 13,000 SQUARE FEET OF GROSS FLOOR AREA OF RETAIL, RESTAURANT, BANK/FINANCIAL INSTITUTION, AND PERSONAL SERVICE USES. IN ADDITION TO THE ABOVE-REFERENCED USES, ADDITIONAL RETAIL/PERSONAL SERVICES/RESTAURANT USES MAY BE LOCATED WITHIN OFFICE BUILDINGS ON THE SITE, PROVIDED THAT SUCH ADDITIONAL RETAIL/PERSONAL SERVICES/RESTAURANT USES WILL NOT OCCUPY MORE THAN 50% OF THE GROUND FLOOR AREA OF SUCH OFFICE BUILDINGS.
--MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE.
--PARKING: AS REQUIRED BY THE ORDINANCE.

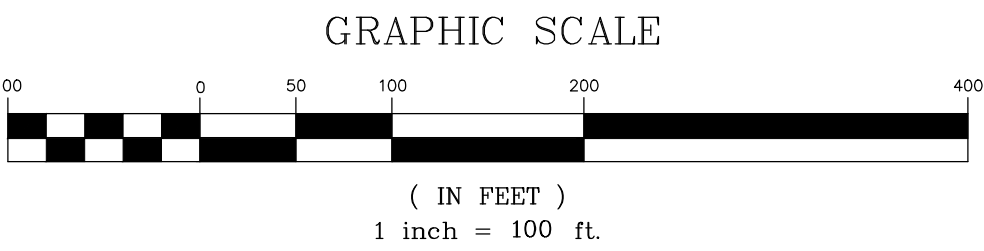
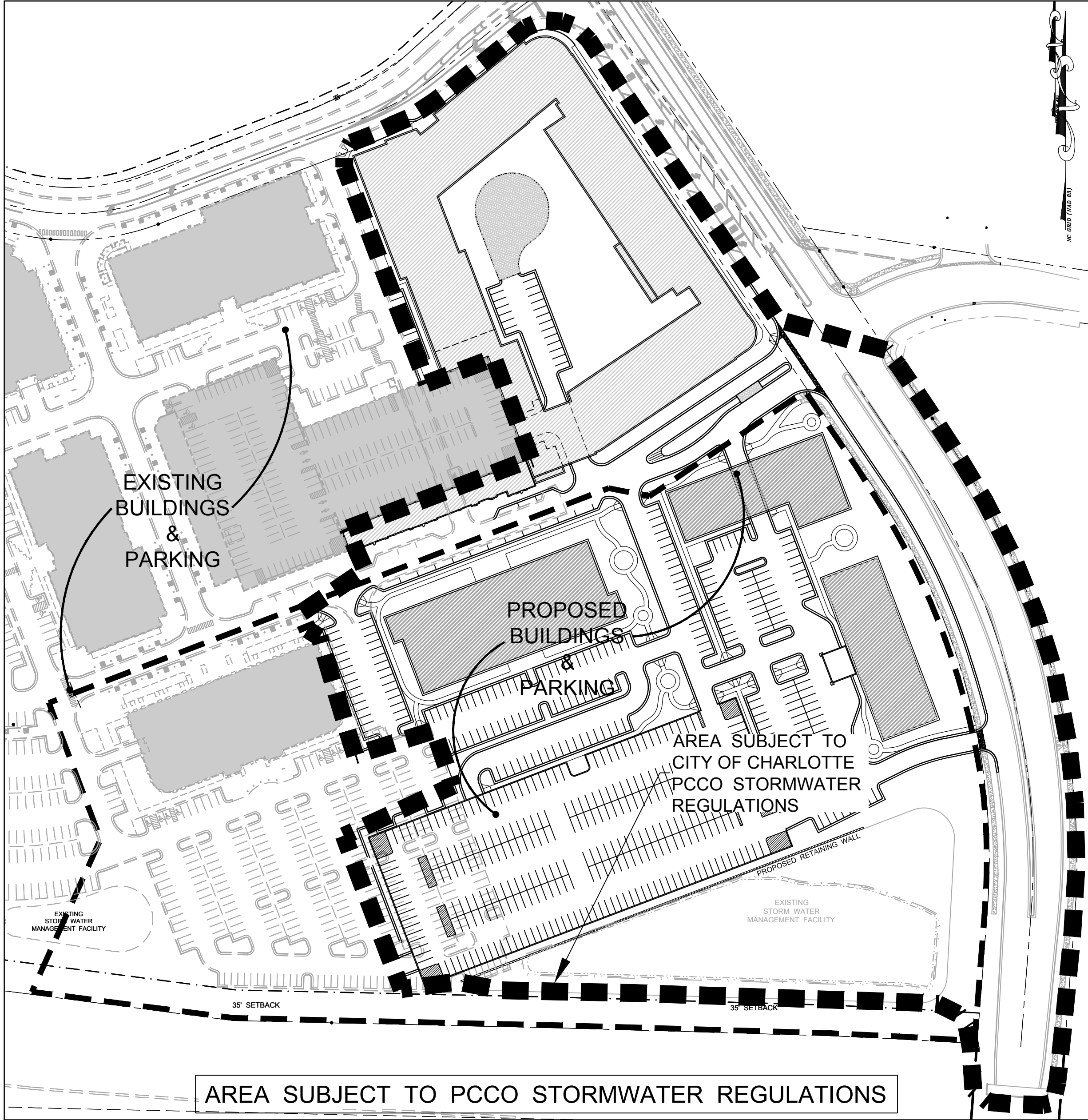
1. **GENERAL PROVISIONS:**
a. SITE LOCATION: THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY TRINITY CAPITAL ADVISORS, LLC ("PETITIONER") TO ACCOMMODATE THE FURTHER DEVELOPMENT OF A MIXED USE CORPORATE OFFICE PARK WITH OFFICE, RETAIL, PERSONAL SERVICE, HOTEL, BANK/FINANCIAL INSTITUTION AND RESTAURANT USES IN A PEDESTRIAN-FRIENDLY DEVELOPMENT PATTERN ON AN APPROXIMATELY 13.2 ACRE SITE LOCATED ON THE NORTHWEST QUADRANT OF THE INTERSECTION OF COMMUNITY HOUSE ROAD AND 1-485 (THE "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 CC ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
c. GRAPHICS AND ALTERATIONS: THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, AND OTHER SITE ELEMENTS SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT AND SITE ELEMENTS PROPOSED, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK AND YARD REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS. PROVIDED, HOWEVER, ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN. CHANGES TO THE REZONING PLAN NOT PERMITTED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.
d. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY: NOTWITHSTANDING THE NUMBER OF BUILDINGS SHOWN ON THE REZONING PLAN, THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE PORTIONS OF THE SITE SHALL NOT EXCEED EIGHT (8). ACCESSORY BUILDINGS 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(S) LOCATED WITHIN THE SAME DEVELOPMENT AREA AS THE ACCESSORY STRUCTURE/BUILDING.
e. PLANNED/UNIFIED DEVELOPMENT: THE SITE SHALL BE VIEWED AS A PLANNED/UNIFIED DEVELOPMENT PLAN AS TO THE ELEMENTS AND PORTIONS OF THE REZONING PLAN, AND AS TO IMPROVEMENTS LOCATED WITHIN ADJACENT PARCELS SHOWN AS EXISTING TORINGDON BUILDINGS I, II, III, V, AND VII AND FUTURE 4-STORY MULTI-FAMILY (MF1) ON THE TECHNICAL DATA SHEET, AS SUCH, SIDE AND REAR YARDS, SETBACKS, BUFFERS, BUILDING HEIGHT SEPARATION STANDARDS, FAR REQUIREMENTS, AND OTHER SIMILAR ZONING STANDARDS WILL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS AND OTHER SITE ELEMENTS LOCATED ON THE SITE, THE EXISTING TORINGDON BUILDINGS I, II, III, V, VII AND MF1. FURTHERMORE, THE PETITIONER AND/OR OWNER OF THE SITE RESERVE THE RIGHT TO SUBDIVIDE THE PORTIONS OF THE SITE AND CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITH REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS, PUBLIC/PRIVATE STREET REQUIREMENTS AND FAR REQUIREMENTS, PROVIDED, HOWEVER, ALL SUCH SEPARATION STANDARDS ALONG THE EXTERIOR BOUNDARY OF THE SITE SHALL BE ADHERED TO AND ALL FAR REQUIREMENTS WILL BE REGULATED BY ANY DEVELOPMENT LIMITATIONS SET FORTH IN SECTION 2 BELOW AS TO THE SITE AS A WHOLE AND NOT INDIVIDUAL PORTIONS OR LOTS LOCATED THEREIN (THE EXTERIOR BOUNDARY OF THE SITE FOR THE PURPOSES OF THIS PROVISION WILL BE CONSIDERED TO BE COMMUNITY HOUSE ROAD, 1-485, JOHNSTON ROAD AND TORINGDON WAY).
NOTE: THESE DEVELOPMENT STANDARDS REPLACE AND SUPERSEDE THE PREVIOUS DEVELOPMENT STANDARDS APPROVED AS PART OF PRIOR REZONING PETITIONS FOR THIS SITE.

2. **PERMITTED USES, DEVELOPMENT AREA LIMITATIONS, AND CERTAIN BUILDING EDGE TREATMENTS:**
a. FOR EASE OF REFERENCE, THE REZONING PLAN SETS FORTH THREE (3) DEVELOPMENT AREAS AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET AS DEVELOPMENT AREAS A, B, AND C (EACH A "DEVELOPMENT AREA" AND COLLECTIVELY THE "DEVELOPMENT AREAS").
b. SUBJECT TO THE RESTRICTIONS AND LIMITATIONS SET FORTH IN THIS SECTION 2, THE PRINCIPAL BUILDINGS CONSTRUCTED WITHIN DEVELOPMENT AREAS ON THE SITE MAY BE DEVELOPED: (i) WITH UP TO 296,000 SQUARE FEET OF GROSS FLOOR AREA OF GENERAL AND MEDICAL OFFICE USES (95,948 EXISTING SQUARE FOOTAGE); (ii) A HOTEL WITH UP TO 120 ROOMS; AND (iii) UP TO 13,000 SQUARE FEET OF GROSS FLOOR AREA OF RETAIL, RESTAURANT, BANK/FINANCIAL INSTITUTION, GENERAL AND MEDICAL OFFICES AND PERSONAL SERVICES. IN ADDITION TO THE ABOVE-REFERENCED USES, ADDITIONAL RETAIL/PERSONAL SERVICES/RESTAURANT USES MAY BE LOCATED WITHIN OFFICE BUILDINGS ON THE SITE, PROVIDED THAT SUCH ADDITIONAL RETAIL/PERSONAL SERVICES/RESTAURANT SPACE WILL NOT OCCUPY MORE THAN 50% OF THE GROUND FLOOR AREA OF SUCH OFFICE BUILDINGS.
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 "GROSS FLOOR AREA" OR "GFA" SHALL MEAN THE SUM OF THE GROSS HORIZONTAL AREAS LOCATED WITHIN 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 BUILDINGS) OR AT STREET LEVEL (PARKING FOR OUTDOOR DINING AREAS) WITH PROVIDED AS REQUIRED BY THE ORDINANCE OR STANDARDS. OPEN SPACE SHALL BE SUBJECT TO THE RESTRICTIONS AND LIMITATIONS SET FORTH IN THIS SECTION 2. DEVELOPMENT AREA A MAY BE DEVELOPED WITH UP TO 296,000 SQUARE FEET OF GROSS FLOOR AREA OF GENERAL AND MEDICAL OFFICE USES OF WHICH 95,948 SQUARE FEET OF GROSS FLOOR AREA HAS ALREADY BEEN CONSTRUCTED (AS PART OF EXISTING TORINGDON VI), TOGETHER WITH ACCESSORY USES ALLOWED IN THE CC ZONING DISTRICT. IN ADDITION TO THE ABOVE-REFERENCED USES, ADDITIONAL RETAIL/PERSONAL SERVICES/RESTAURANT USES MAY BE LOCATED WITHIN THE OFFICE BUILDINGS, PROVIDED THAT SUCH ADDITIONAL RETAIL/PERSONAL SERVICES/RESTAURANT USES WILL NOT OCCUPY MORE THAN 50% OF THE GROUND FLOOR AREA OF SUCH OFFICE BUILDINGS. THE ALLOWED GROSS FLOOR FOOTAGE DESCRIBED IN THIS SUBSECTION MAY BE CONSTRUCTED IN TWO ADDITIONAL BUILDINGS OR ONE ADDITIONAL BUILDING.
d. SUBJECT TO THE RESTRICTIONS AND LIMITATIONS SET FORTH IN THIS SECTION 2, DEVELOPMENT AREA B MAY BE DEVELOPED WITH A HOTEL WITH UP TO 120 ROOMS, TOGETHER WITH ACCESSORY USES ALLOWED IN CC ZONING DISTRICT.
e. SUBJECT TO THE RESTRICTIONS AND LIMITATIONS SET FORTH IN THIS SECTION 2, DEVELOPMENT AREA C MAY BE DEVELOPED WITH UP TO 13,000 SQUARE FEET OF RETAIL, RESTAURANT, BANK/FINANCIAL INSTITUTION, GENERAL AND MEDICAL OFFICES AND PERSONAL SERVICES USES, TOGETHER WITH ACCESSORY USES ALLOWED IN THE CC ZONING DISTRICT.
f. ONE USE WITH AN ACCESSORY DRIVE-THROUGH WINDOW MAY BE DEVELOPED WITH DEVELOPMENT AREA C AS PART OF A BUILDING DESIGNED FOR MORE THAN ONE TENANT OR MORE THAN ONE USE. THE USES WITH AN ACCESSORY DRIVE-THROUGH (WINDOWS) WILL BE LIMITED TO A BANK/FINANCIAL INSTITUTION OR RESTAURANT. IF A RESTAURANT WITH A DRIVE-THROUGH WINDOW IS CONSTRUCTED IT WILL BE LIMITED TO A MAXIMUM OF 2,100 SQUARE FEET OF GROSS FLOOR AREA. NO OTHER USES WITH ACCESSORY DRIVE-THROUGH WINDOWS WILL BE ALLOWED ON THE SITE.
g. THE PETITIONER RESERVES THE RIGHT TO CONSTRUCT A SURFACE PARKING LOT IN LIEU OF A PARKING DECK IN THE AREA CURRENTLY ILLUSTRATED FOR A PARKING DECK ON THE SCHEMATIC SITE PLAN.

3. **ACCESS:**
a. ACCESS TO THE SITE WILL BE FROM COMMUNITY HOUSE ROAD AND FROM AN INTERNAL PRIVATE DRIVE AS GENERALLY DEPICTED ON THE REZONING PLAN.
b. THE TOTAL NUMBER OF INGRESS/EGRESS POINTS INDICATED ALONG THE INTERNAL PRIVATE DRIVE ON THE TECHNICAL DATA SHEET ARE FOR ILLUSTRATIVE PURPOSES AND DO NOT LIMIT THE NUMBER OF ACCESS POINTS THAT MAY BE PROVIDED ALONG THE INTERNAL PRIVATE DRIVE. CONSEQUENTLY, THE PETITIONER MAY MODIFY THE NUMBER AND PLACEMENT OF ACCESS POINTS ALONG THE FRONTAGE OF THE SITE WITH THE INTERNAL DRIVE AS LONG AS THE FINAL DESIGN AND LOCALATION REQUIREMENTS MEET THE REQUIREMENTS OF CDOT.
c. A SIDEWALK NETWORK WILL BE PROVIDED THROUGHOUT THE SITE. THE SIDEWALK NETWORK WILL LINK EACH OF THE BUILDINGS ON THE SITE TO EACH OTHER AND TO THE SIDEWALK ALONG COMMUNITY HOUSE ROAD.
d. CONSTRUCTION TRAFFIC TO THE SITE WILL ACCESS THE SITE ONLY FROM JOHNSTON ROAD AND/OR COMMUNITY HOUSE ROAD. ENDHAVEN LANE WILL NOT BE USED FOR CONSTRUCTION TRAFFIC ACCESS.
e. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) IN ACCORDANCE WITH PUBLISHED STANDARDS.

4. **TRANSPORTATION IMPROVEMENTS:**
I. **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:
a. THE PETITIONER HAS ENTERED INTO AN AGREEMENT WITH NCDOT AND OTHER AREA PROPERTY OWNERS TO FUND THE CONSTRUCTION OF THE REMAINING PORTION OF COMMUNITY HOUSE ROAD WHICH IS ADJACENT TO THE SITE. THE EXACT ALIGNMENT FOR COMMUNITY HOUSE ROAD WILL BE DETERMINED IN CONCERT WITH THE CITY OF CHARLOTTE AND NCDOT.
b. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY USE, OTHER THAN THE ALLOWED HOTEL USE AND THE EXISTING OFFICE BUILDING SHOWN AS EXISTING TORINGDON VI, A CONTRACT FOR THE CONSTRUCTION OF THE EXTENSION OF COMMUNITY HOUSE ROAD FROM ENDHAVEN LANE TO THE SOUTHERNMOST DRIVEWAY ALONG COMMUNITY HOUSE ROAD MUST BE LET. PROVIDED THAT A CERTIFICATE OF OCCUPANCY FOR THE ALLOWED HOTEL USE SHALL BE ISSUED PRIOR TO SUBSTANTIAL COMPLETION OF COMMUNITY HOUSE ROAD, BUT A FINAL CERTIFICATE OF OCCUPANCY FOR ANY OF THE OTHER ALLOWED USES ON THE SITE (OTHER THAN THE EXISTING TORINGDON VI USES) MAY NOT BE ISSUED UNTIL COMMUNITY HOUSE ROAD IS SUBSTANTIALLY COMPLETED FROM ENDHAVEN LANE TO THE SOUTHERNMOST DRIVEWAY OF THE DEVELOPMENT LOCATED ON COMMUNITY HOUSE ROAD.
c. UNLESS UNDERTAKEN BY OTHERS, THE PETITIONER WILL RE-ALIGN AND CONNECT ENDHAVEN LANE TO THE NEW SECTION OF COMMUNITY HOUSE ROAD IN ACCORDANCE WITH THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS AND PER APPROPRIATE ENGINEERING AND CDOT STANDARDS. PROVIDED THAT A CERTIFICATE OF OCCUPANCY FOR THE ALLOWED HOTEL USE SHALL BE ISSUED PRIOR TO THE SUBSTANTIAL COMPLETION OF THIS RE-ALIGNMENT; BUT A CERTIFICATE OF OCCUPANCY FOR ANY OF THE OTHER ALLOWED USES (OTHER THAN THE EXISTING TORINGDON VI USES) WILL NOT BE ISSUED UNTIL THIS RE-ALIGNMENT IS COMPLETED IN A MANNER REASONABLY ACCEPTABLE TO CDOT.
d. UNLESS UNDERTAKEN BY OTHERS, THE PETITIONER WILL INSTALL CERTAIN TURNING LANE IMPROVEMENTS AT THE ENDHAVEN LANE/ELM LANE WEST INTERSECTION. THESE IMPROVEMENTS WILL RESULT IN THE CREATION OF TWO DISTINCT TURN LANES FOR TRAFFIC LEAVING ENDHAVEN LANE, SHALL BE NOT IN ACCORDANCE WITH APPLICABLE DESIGN AND ENGINEERING STANDARDS AND SHALL BE SUBJECT TO THE AVAILABILITY OF REQUIRED RIGHT-OF-WAY. THESE IMPROVEMENTS MUST EITHER BE SUBSTANTIALLY COMPLETED OR A SUITABLE BOND POSTED FOR THEIR COMPLETION PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY FOR THE NEXT BUILDING TO BE CONSTRUCTED ON THE SITE.
e. UNLESS UNDERTAKEN BY OTHERS, THE PETITIONER WILL CONTRIBUTE UP TO \$75,000, TOWARD THE FUTURE SIGNALIZATION OF THE ENDHAVEN

- LANE/ELM LANE INTERSECTION. THIS AMOUNT MAY BE REDUCED IF THE COST OF THE SIGNAL IS LESS AS INDICATED BY A COST ESTIMATE PROVIDED AND PREPARED BY CDOT. THIS CONTRIBUTION WILL BE MADE PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE NEXT BUILDING TO BE CONSTRUCTED ON THE SITE.
- II. **STANDARDS AND OTHER PROVISIONS:**
a. CDOT/CDOT 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.
b. SUBSTANTIAL COMPLETION. REFERENCE TO "SUBSTANTIAL COMPLETION" OR "SUBSTANTIALLY COMPLETED" OR THE LIKE FOR CERTAIN IMPROVEMENTS AS SET FORTH IN THE PROVISIONS OF SECTION 41.1 ABOVE SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE STANDARDS SET FORTH IN SECTION 41.1 ABOVE 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 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.
c. RIGHT-OF-WAY AVAILABILITY. IT IS UNDERSTOOD THAT SOME OF THE PUBLIC ROADWAY IMPROVEMENTS REFERENCED IN SECTION 41.1 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 COMMERCIALY REASONABLE TERMS AND AT MARKET PRICES, THEN CDOT, THE CITY OF CHARLOTTE ENGINEERING DIVISION OR OTHER APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY AGREED TO PROCEED WITH CONDEMNATION OF ANY SUCH LAND. IN SUCH EVENT, THE PETITIONER SHALL REIMBURSE THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY FOR THE COST OF ANY SUCH CONDEMNATION PROCEEDINGS 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 SECTION 41.1 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.
5. **ARCHITECTURAL STANDARDS:**
a. THE ARCHITECTURAL DESIGN AND PLACEMENT OF THE BUILDINGS WILL EMPHASIZE ARCHITECTURAL MASSING AS A "STREET WALL", ESPECIALLY ALONG PRINCIPAL PUBLIC STREETS AND PRIVATE DRIVES WITHIN THE DEVELOPMENT. THE STREET WALL WILL PROVIDE FOR BUILDING ELEVATIONS TO BE THE DOMINANT COMPONENT OF THE STREET FRONTAGE AND WILL PROVIDE PEDESTRIAN-SCALE ELEMENTS AT THE GROUND FLOOR/STREET LEVEL SUCH AS WINDOWS, ARCADES, AWNINGS, ETC.
b. IN ORDER TO CONTRIBUTE THE QUALITY AND ARCHITECTURAL THEME ESTABLISHED FOR TORINGDON BY THE EXISTING BUILDINGS, THE PETITIONER WILL PROVIDE THAT NEW BUILDINGS CONSTRUCTED ON THE SITE WILL BE ARCHITECTURALLY COMPATIBLE TO THE EXISTING BUILDINGS. THIS MAY BE ACCOMPLISHED BY THE USE OF SIMILAR BUILDING MATERIALS AND COLORS AS WELL AS SIMILAR OR COMPLEMENTARY ARCHITECTURAL STYLES.
c. THE BUILDING(S) CONSTRUCTED WITHIN DEVELOPMENT AREA C, IF CONSTRUCTED AS SINGLE STORY BUILDING(S), WILL BE DESIGNED AS TO HAVE THE APPEARANCE OF A MULTI-STORY BUILDING BY THE UTILIZATION OF DESIGN ELEMENTS THAT GIVE THE BUILDING THE APPEARANCE OF HAVING MORE THAN ONE FLOOR STORY. THE BUILDING MAY ALSO BE CONSTRUCTED WITH MULTIPLE USABLE STORIES.
d. THE EXPOSED PORTIONS OF THE STRUCTURED PARKING DECKS WILL BE FINISHED TO CONFORM ARCHITECTURALLY TO THE ADJOINING BUILDINGS.
e. BUILDINGS WITHIN DEVELOPMENT AREAS B AND C THAT HAVE FRONTAGE ON COMMUNITY HOUSE ROAD OR THE PRIVATE DRIVE INDICATED ON THE TECHNICAL DATA SHEET WILL BE DESIGNED TO ADDRESS THE STREET AND WHERE POSSIBLE WILL ALSO HAVE ENTRANCES THAT FACE THE PUBLIC STREET OR PRIVATE DRIVE. EXCEPT THAT BUILDINGS WITH FRONTAGE ON TWO STREETS (EITHER PUBLIC OR PRIVATE) MAY HAVE AN ENTRANCE TO ONLY ONE STREET.
f. OFF-STREET PARKING AREAS, AND MANUEVERING FOR PARKING OR DRIVE-THROUGH WINDOWS WILL NOT BE LOCATED BETWEEN COMMUNITY HOUSE ROAD, THE INTERNAL PRIVATE DRIVE AND THE PROPOSED BUILDINGS, HOWEVER, VEHICULAR PARKING AND MANUEVERING MAY BE LOCATED TO THE SIDE OR BEHIND THE SUCH BUILDINGS AND BEHIND THE ESTABLISHED SETBACK.
g. BUILDINGS WITHIN DEVELOPMENT AREAS B AND C WILL NOT ORIENT THE SERVICE SIDE OF SUCH BUILDINGS TO COMMUNITY HOUSE ROAD.
h. THE SERVICE AREAS OF THE BUILDINGS CONSTRUCTED ON THE SITE WILL BE SCREENED FROM THE ADJOINING STREETS WITH WALLS DESIGNED TO COMPLEMENT THE BUILDING ARCHITECTURE OF THE ADJACENT BUILDINGS. ARCHITECTURAL FEATURES SUCH AS, BUT NOT LIMITED TO, HANDING, MEDALLIONS, CHANGES IN COLOR OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.
i. ALL DUMPSITE AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL WITH ONE SIDE BEING A DECORATIVE METAL GATE. THE SOLID WALL WILL UTILIZE BUILDING MATERIALS SIMILAR TO OR IDENTICAL TO THE BUILDING MATERIALS USED ON THE ADJOINING PRINCIPLE USE BUILDINGS. IF ONE OR MORE SIDES OF A DUMPSITE AREA ADJOIN A SIDE OR REAR WALL OF A BUILDING, THEN THE SIDE OR REAR WALL MAY BE SUBSTITUTED FOR A SIDE.
j. MECHANICALS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE LEVEL.
k. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE LEVEL.
8. **STREETSCAPE, LANDSCAPING, BUFFERS AND OPEN SPACE:**
a. ALONG COMMUNITY HOUSE ROAD, THE PETITIONER WILL PROVIDE A 20 FOOT SETBACK FROM THE BACK OF THE CURB. THIS SETBACK REPRESENTS A REDUCTION OF THE REQUIRED CC SETBACK AS ALLOWED BY THE ORDINANCE. THE BUILDINGS ALONG THIS SETBACK WILL COMPLY WITH SECTION 11.405.(7)(A) OF THE ORDINANCE.
b. A 35 FOOT MINIMUM SETBACK WILL BE ESTABLISHED ALONG 1-485 AS MEASURED FROM THE EXISTING RIGHT-OF-WAY.
c. THE PETITIONER WILL PROVIDE A MINIMUM SETBACK OF 16 FEET AS MEASURED FROM THE BACK OF CURB ALONG THE NEW INTERNAL PRIVATE DRIVES AS SPECIFICALLY DESIGNATED AND DEPICTED ON THE REZONING SITE PLAN. THE FIRST FLOOR OF BUILDINGS PLACED ALONG THESE NEW INTERNAL PRIVATE DRIVES WILL BE DESIGNED TO ENCOURAGE AND COMPLEMENT PEDESTRIAN-SCALE INTEREST AND ACTIVITY. BLANK WALLS WILL NOT BE ALLOWED. THE BUILDINGS ALONG THE NEW PRIVATE DRIVES WILL COMPLY WITH SECTION 11.405.(7)(A) OF THE ORDINANCE.
d. A UNIFIED STREETSCAPE TREATMENT WILL BE IMPLEMENTED THROUGHOUT THE SITE ALONG EXISTING AND PROPOSED PUBLIC STREETS AND PRIVATE DRIVES AS GENERALLY DEPICTED ON THE REZONING SITE PLAN. THE STREETSCAPE TREATMENTS WILL INCLUDE AT A MINIMUM: (i) AN EIGHT (8) FOOT PLANTING STRIP OR TREE GRATES, (ii) A SIX (6) FOOT SIDEWALK, (iii) PEDESTRIAN SCALE DECORATIVE LIGHTING AND (iv) STREET TREES.
e. TREES IN PLANTING STRIPS AND IN TREE GRATES WILL BE PROVIDED WITH AUTOMATIC IRRIGATION.
f. SIDEWALK AND PLANTING STRIPS ALONG INTERNAL DRIVES MAY BE INSTALLED IN PHASES IN ASSOCIATION WITH NEARBY DEVELOPMENT AND AS THE PROJECT DEVELOPS.
g. THE PETITIONER WILL NOT BE REQUIRED TO PROVIDE A BUFFER BETWEEN THE PROPOSED NON-RESIDENTIAL USES AND THE PREVIOUSLY APPROVED RESIDENTIAL USES TO BE LOCATED ACROSS THE INTERNAL PRIVATE DRIVE. ANY REQUIRED BUFFERS WILL BE WAIVED AS ALLOWED BY SECTION 11.405.(5) OF THE CC ZONING DISTRICT.
h. OPEN SPACE AREAS WILL BE PROVIDED AS INDICATED ON THE SCHEMATIC SITE PLAN. THESE OPEN SPACE AREAS WILL BE IMPROVED WITH APPROPRIATE LANDSCAPING OR WITH LANDSCAPING AND HARDSCAPE TREATMENTS INCLUDING BUT NOT LIMITED TO WALKING PATHS. SEATING MAY BE PROVIDED IN THE OPEN SPACE AREAS LOCATED ADJACENT TO OR IN BETWEEN BUILDINGS.
9. **ENVIRONMENTAL FEATURES:**
a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE (SEE LETTER DATED JULY 16TH 2010 FROM STORM WATER SERVICES FOR DETAILS AND SPECIFICS REGARDING COMPLIANCE).
b. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN IS SUBJECT TO ADJUSTMENT IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AS APPLICABLE.
c. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.
10. **PARKING:**
a. PARKING WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.
b. THE PETITIONER MAY UTILIZE SECTION 12.203 SHARED PARKING AND SECTION 12.209 ALLOWABLE REDUCTIONS AND RESTRICTIONS OF PARKING OF THE ORDINANCE TO REDUCE THE TOTAL NUMBER OF REQUIRED PARKING SPACES ON THE SITE (SEE PROVISIONS ON SHARED PARKING APPROVED FOR THE SITE BY REZONING PETITION NO. 2010-035).
c. PARKING MAY BE PROVIDED BY WAY OF SURFACE OR STRUCTURED PARKING FACILITIES AS GENERALLY INDICATED ON THE SITE PLAN. PARALLEL AND ANGLED PARKING MAY BE PROVIDED ALONG INTERNAL PRIVATE DRIVES.
11. **SIGNAGE:**
a. SIGNAGE AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED.
b. DETACHED SIGNS WILL BE LIMITED TO GROUND MOUNTED SIGNS.
c. THE SITE WILL BE VIEWED AS A PLANNED/UNIFIED DEVELOPMENT AS DEFINED BY THE ORDINANCE, CONSEQUENTLY SIGNS MAY BE LOCATED THROUGHOUT THE SITE, INCLUDING THE OTHER PORTIONS OF THE TORINGDON OFFICE PARK PREVIOUSLY ZONED UNDER PRIOR PETITIONS. THE ALLOWED SIGNS MAY CONTAIN BUSINESS AND IDENTIFICATION SIGNAGE FOR ANY OF THE BUSINESSES OR TENANTS LOCATED ON THE SITE.
d. THE PETITIONER WILL DEVELOP A MASTER SIGNAGE PLAN FOR THE SITE TO COORDINATE IDENTIFICATION AND DIRECTIONAL INFORMATION FOR THE STRUCTURES, STREETS, AND PEDESTRIAN AREAS OF THE SITE. SIGNAGE FOR THIS PORTION OF TORINGDON WILL BE COORDINATED WITH THE OTHER PORTIONS OF TORINGDON PREVIOUSLY APPROVED AND CONSTRUCTED.
12. **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 WILL BE LIMITED TO 30 FEET IN HEIGHT.
c. POLE MOUNTED LIGHTING ON THE TOP LEVEL OF DECKS SHALL BE CAPPED AND DIRECTED TOWARDWARD.
d. AS THE SITE DEVELOPS, PEDESTRIAN SCALE LIGHTING WILL BE INSTALLED ALONG BOTH INTERIOR STREETS AND STREETS THAT BORDER THE SITE.
13. **MISCELLANEOUS:**
a. ALL NEW UTILITY LINES WILL BE PLACED UNDERGROUND AS REQUIRED BY THE ORDINANCE (SECTION 12.509).
14. **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 APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.
15. **BINDING EFFECT OF THE REZONING APPLICATION:**
a. 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 AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.



Dewberry Engineers Inc.
8135 LAKEVIEW RD - SUITE 150
CHARLOTTE, NC 28269-2809
PHONE: (704) 509-9918
FAX: (704) 509-9937
WWW.DEBERRY.COM
NCBELS # F-0029

TORINGDON MIXED - USE DEVELOPMENT
OWNER : TRINITY CAPITAL
440 S. CHURCH STREET
SUITE 800
CHARLOTTE, NORTH CAROLINA 28202
PHONE : (704) 295 - 0455
CHARLOTTE, NORTH CAROLINA
REZONING PETITION PLANS

REZONING
DOCUMENT
NOT FOR
CONSTRUCTION



SCALE : 1 inch = 60 feet

No.	Date	By	Description

REVISIONS			
DRAWN BY	EPM		
APPROVED BY	CMF		
CHECKED BY	CMF		
DATE	12/20/2013		
TITLE			

DEVELOPMENT
STANDARDS

PROJECT NO. 50062529

C4

SHEET NO.