

1. General Provision

1.1 This petition relates to approx 13.072 acres of land at the corner of South Tryon Street and Tyvola Road in Charlotte, NC. The site is currently zoned B-1(CD) pursuant to petition #89-52.

1.2 The purpose of this petition is to rezone approx. 9.73 acres of the site to CC(CD) and a approx. 3.27 acres of the site to BD (CD) as a part of a newly planned Retail-Oriented Mixed Use Center.

1.3 Unless more stringent standards are established by The Technical Data Sheet or these Development Standards, all applicable development standards established by the Charlotte Mecklenburg Planning Commission for a Retail-Oriented Mixed / Multi Use Center under Commercial Center Zoning and Distributive Business shall be followed with respect to the site.

2. Guiding Principles

2.1 The location of the development was chosen due to the existing retail and associated zoning classifications of the immediate surrounding areas, planning expectations of the site and multiple accesses to existing thoroughfares.

2.2 The development plan will contain a mixture of retail oriented uses along with pedestrian pathways and public open spaces.

2.3 The development aims to be both externally and internally convenient to different modes of transportation and will accentuate pedestrian pathways to connect to the various uses including any freestanding single tenant building.

3. Permitted Size and Uses

3.1 This proposal is intended to accommodate a development of a maximum of 140,000 sf for the CC(CD) portion of the site. A maximum of 110,000 sf may be devoted to Retail uses. The maximum ground floor square footage of a single retail tenant use may be 50,000 sf. with an expansion area of up to 10,000 sf. A maximum of 30,000 sf may be devoted to Office uses.

3.2 A portion of the site as indicated on the Technical Data Sheet is proposed for BD(CD) zoning. The petitioner is proposing maximum area for an internally secured storage use on the BD(CD) portion of the site of 25,000 sf per floor x 4 floors with a total of 100,000 sf. FAR max of 0.7 on 3.27 acres.

3.3 A maximum of one independent freestanding single tenant building shall be allowed. Petitioner will design freestanding outparcel to minimize drive-thru impacts, maintain pedestrian safety and provide access to shared amenities. See illustrative Site Plan A for the 14.8k sf. retail building as an example of the single independent freestanding single tenant building.

3.4 There shall be no limit to the number of interconnected (pedestrian) freestanding uses. Petitioner will design freestanding outparcel to minimize drive-thru impacts, clearly define interconnectivity with pedestrian access paths and provide access to shared amenities. See illustrative Site Plan A & B for the 5k sf. retail building and illustrative Site Plan B for the 1.5k sf. retail building as examples of the interconnected freestanding buildings.

4. Multiple Access Points

4.1 The total number of vehicular ingress / egress points to South Tryon Street and Tyvola Road shall be as indicated on the Technical Data Sheet. The (3) locations indicated on the site plan maintain the (3) existing approved curb cut locations. The exact locations may vary somewhat from those depicted based on the final design and review as regulated by CDOT and where applicable, NCDOT.

4.2 Access Point #1: Access Point #1 on Tyvola Road will be a full access driveway. DOT will determine the location of the driveway adjacent to the eastern property line. There will be some reworking of the existing curb line to separate the existing westbound right turn lane from the driveway. There will be pavement marking changes that will be required of the developer to incorporate an eastbound left-turn lane to serve the driveway. A westbound right-turn lane will be provided to serve the driveway.

4.3 Access Point #2: Access point #2 on South Tryon will be a right-in/right out. A median will be constructed on South Tryon to physically restrict the left-turn movements into and out of the driveway. The construction of the median will require the relocation/reconstruction of the curb line along the site's frontage. DOT will determine the location of the curb line during the building/driveway permit process, and will be set back to correct an alignment problem. Petitioner will be responsible for construction of the median and new curb line.

4.4 Access Point #3: Access point #3 on South Tryon will be a full access driveway. There will be 350 feet of storage for the southbound left-turn lane to Tyvola Road. A southbound left turn lane with a minimum of 150 feet of storage will be provided for the site driveway.

4.5 Pedestrian access to the site from surrounding neighborhoods shall connect to the site through the network of pedestrian sidewalks which extend to the existing sidewalk along South Tryon Street and Tyvola Road as illustrated on the illustrative Site Plan(s). Pedestrian movements will be well defined and buffered from vehicular traffic by the use of planting strips, defined pathways, curbs and bollards.

4.6 Bicycle facilities which are safe and secure shall be provided on site in accordance with the guidelines provided in the Charlotte-Mecklenburg Bicycle Transportation Plan.

4.7 A transit shelter may be provided for transit users if a scheduled stop occurs along the street adjacent to the Site.

5. Setbacks, Sideyards and Rearyards

5.1 All buildings and parking areas shall satisfy or exceed the (2) setback options, sideyard and rear yard dimensions established under the Charlotte Zoning Ordinance for Commercial Center Zoning.

5.2 The development will adhere to the 35' setback as indicated by The Charlotte Zoning Ordinance section 11.405(2) for Commercial Center Zoning and/or the 14' from back of curb reduced setback option as indicated by subsection 11.405(7) along with the reduction criteria 11.405(7) a,b,c,d&e.

5.3 The minimum sideyard and rearyard shall be 25' as indicated by section 11.405(2) for Commercial Center Zoning.

5.4 A 10' building setback will be provided on the BD(CD) zoning where that parcel abuts the CC(CD) zoned parcel.

6. Screening, Landscaping and Existing Natural Environment

6.1 The Site development will address guidelines set forth in the General Development Policies for the Natural Environment. Items of consideration will include the preservation of existing slopes adjacent to streams, maintaining a meaningful amount of public open space and to retain as much existing landscaping as feasible.

6.2 Screening will conform to the applicable standards of Section 12.303 of the Charlotte Zoning Ordinance along with section 11.405(5) of the Commercial Center District design standards.

6.3 Landscaping along the Site's frontage on both South Tryon Street and Tyvola Road shall meet or exceed the requirements of the City of Charlotte Tree Ordinance.

6.4 A class B landscaped buffer shall be provided adjacent to single family zoning according to table 12.302(a) and section 11.405(5).

6.5 The development will retain a 10% tree save. The areas under consideration for tree save areas are located near the property lines that abut single family zoning.

7. Building Height and Area

7.1 The maximum retail square footage for the CC(CD) portion of the site is calculated based on 110,000 total area with an expansion area up to 10,000 sf for single large tenant. Maximum area is based on the chart provided in the Development Standards for a Neighborhood Retail Oriented Mixed Use Center.

7.2 The maximum office square footage for the CC(CD) portion of the site is calculated based on 30,000 total area. Maximum area is based on the chart provided in the Development Standards for a Neighborhood Retail Oriented Mixed Use Center.

7.3 The maximum mini storage use for the BD(CD) portion of the site will be 25,000 sf per floor x 4 floors and a total of 100,000 sf maximum w/ a maximum FAR of 0.7.

7.4 Petitioner requests a maximum building height of 60' from grade.

8. Vehicular Parking

8.1 Off street parking shall meet or exceed the minimum standards as set forth in the Charlotte Zoning Ordinance.

8.2 Minimum parking standards for the CC(CD) portion of the site shall be 1 space per 250 sf. per Table 12.202 for shopping centers greater than 50,000 sf.

8.3 Minimum parking standards for the BD(CD) portion of the site shall be 25 spaces per 1,000 sf of storage area and 1,400 sf of office and other areas. Up to 50% of parking may be shared with adjacent CC(CD) portion of the site. Any sharing of required parking between the two zoning areas will be guaranteed by a legally binding written agreement between owners of both areas.

8.4 Bicycle racks shall be provided per Table 12.202 for shopping centers greater than 50,000 sf.

8.5 Bicycle racks shall be provided at 1 per 12,000 sf for Long Term Bicycles and 5% of auto parking for Short Term Bicycles.

9. Lighting

9.1 All freestanding streetscape lighting fixtures installed within the Development will be uniform in design. The maximum height of any freestanding lighting fixture, including its base, shall be 30' in height.

9.2 Pedestrian lighting will be provided at focal areas throughout the site.

10. Signage

10.1 A coordinated and well designed signage system will be designed for the site. Detached project and tenant identification signage may be installed on those architectural monuments located throughout the site generally as depicted on The Technical Data sheet. The size and number of attached and detached signs for the building walls facing South Trade Street and Tyvola Road, shall be as allowed by a shopping center in a CC District as per section 13.108 and 13.109(4)(b). Detached signage allowed for outparcels only.

10.2 The master signage system will accommodate one detached sign per street frontage. The Petitioner reserves the right to pursue a variance from the City of Charlotte Zoning Board of Adjustment to allow for an Architectural Monument sign #3 as generally depicted on the Technical Data sheet. Detached signs will not exceed 30' in height. The design of the architectural monument signs shall be substantially similar to the Conceptual Imagery set forth in this petition.

10.3 The master signage system will accommodate one detached outparcel sign for the independent Freestanding Single Tenant use. One detached outparcel sign may be provided for each interconnected Single Tenant Use. The size and number of detached outparcel signs shall be as allowed by Section 13.109(c).

10.4 The master signage system will accommodate a system of clear way-finding signage per Development Standards.

10.5 All other signage not specifically mentioned in this petition, shall conform to the design standards as set forth in Chapter 13 of the Charlotte Zoning Ordinance.

11. Architectural Controls

11.1 Buildings will be designed to minimize and/or eliminate blank walls and provide for appropriate building massing and interconnected pedestrian spaces for all facades facing public streets. Dumpsters shall be screened and located as far away from pedestrian paths as possible.

11.2 Buildings will be constructed of brick, stone, synthetic stone, stucco, synthetic stucco, architectural metal panel, concrete block or other architectural materials.

11.3 Pedestrian pathways will be clearly differentiated from vehicular traffic with the use of colored and/or patterned concrete/asphalt treatment, site lighting locations and / or curb lines.

11.4 Exterior lights will be fully shielded. Wall pack lighting is not allowed in the development.

12. Statements with respect to the graphics depicted on the exhibits accompanying the Technical Data Sheet

12.1 The ultimate layout of the development proposed for each component of the site and the parcels or lots forming parts thereof, the exact alignment of streets, the configuration and placements of parking areas and the precise locations, heights and masses of the buildings (and parking decks if required) to be constructed have not been determined. As a consequence, the graphics which accompany the Technical Data Sheet are schematic in nature and are not to be considered as specific site development plans but rather as preliminary graphic representations of the types and quality of development proposed for each component.

13. Plan Review

13.1 The development shall satisfy the requirements for plan review imposed by Section 11.405 of the Charlotte Zoning Ordinance and attempt to design within the guidelines as set forth in The Development Standards for a Retail Oriented Mixed Use Center.

14.1 Future amendments to the Technical Data Sheet and the Development Standards may be applied for by the then owner or owners of the parcel or parcels involved in accordance with The Charlotte Zoning Ordinance.

15. Binding Effect

15.1 If this rezoning petition is approved, the development program established under these Development Standards and The Technical Data Sheet shall, unless amended in the manner provided under the Ordinance, be binding and inure to the benefit of the Petitioner and the owners (from time to time) and their respective heirs, devisees, personal representatives, successors in interest and assigns.

15.2 Throughout this Rezoning Petition, the terms "Petitioner", "Owner" or "Owners," shall, with respect to each parcel within the site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.

16. Land Use and Environmental

16.1 The proposed development may be subject to certain air quality permit requirements in accordance with Mecklenburg County Air Pollution Control Ordinance (MCAPCO) Regulation 2.0805 - Parking Facilities.

16.2 There is a closed landfill located within 100 feet of the site.

16.3 A solid waste management plan will be submitted prior to initiating demolition and/or construction activities to include procedures to recycle all clean wood, metal, and concrete generated during demolition and construction activities. A monthly report of all tonnage disposed and recycled will be made to the Mecklenburg County Solid Waste Program. The report will include the identification and location of facilities receiving disposed or recycled materials.

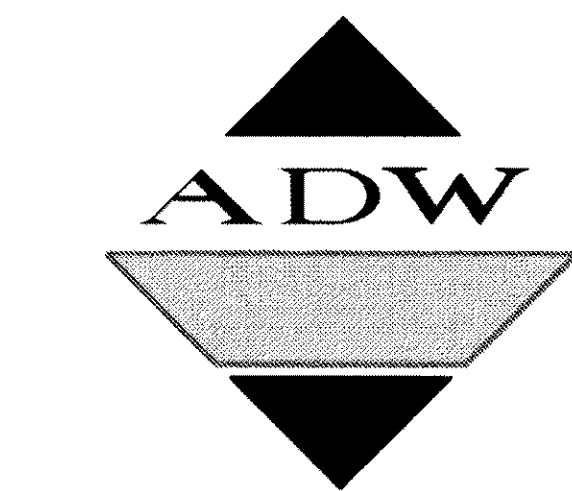
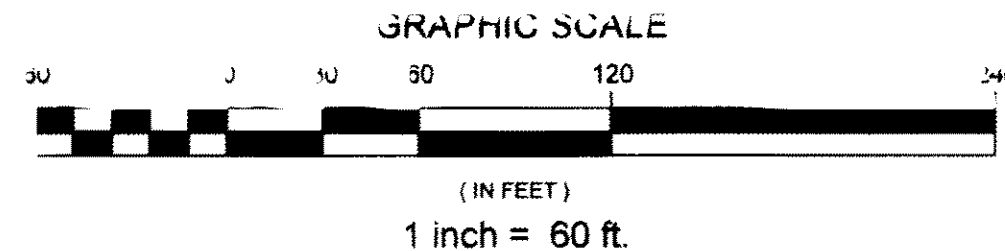
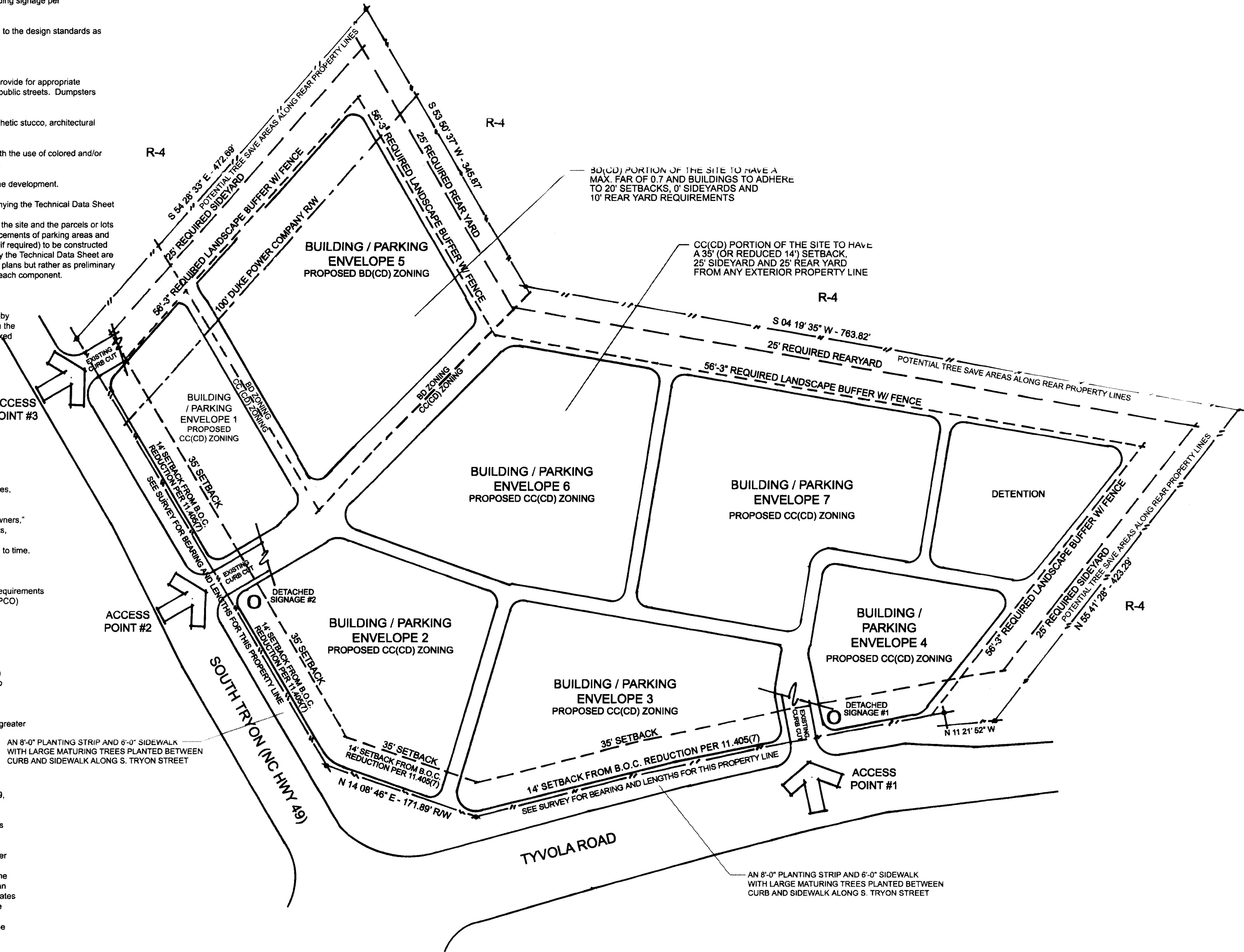
16.4 10.3 Any separate, defined drainage area within a project that will have greater than 24% built-upon area is to have water quality best management practices (BMP's) to treat storm water runoff from the entire built upon area within the separate, defined drainage area. The BMPs are to be constructed to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the first 1" inch of rainfall. The BMPs must be designed and constructed in accordance with the NC Department of Environmental and Natural Resources (NCDENR) Best Management Practices Manual, April 1999, Section 4.0. Low Impact Design systems may be employed in whole or part, to meet the 85% TSS treatment standard for storm water runoff. LID systems to be designed and constructed per the NCDENR Best Management Practices Manual, April 1999, Section 4.0.

16.5 Any separate, defined drainage area within a project that will have greater than 24% built-upon area is to have best management practices (BMP's) to control the entire runoff volume for the 1 year, 24 hour storm. The runoff volume drawdown time for the BMPs shall be a minimum of 24 hours, but not more than 120 hours. Control the peak runoff rates to match the predevelopment runoff rates for the 10-yr, 6-hr storm and perform a downstream flood analysis to determine whether additional peak control is needed and if so, for what level of storm frequency, or if a downstream analysis is not performed, control the peak for the 10-yr and 25-yr, 6-hour storms.

16.6 The petitioner acknowledges that other standard development requirements imposed by other city ordinances, standards, policies, and appropriate design manuals will exist. Those criteria (for example, those that require buffers, regulate streets, sidewalks, trees, stormwater, and site development, etc.) will apply to the development site. This includes chapters 6, 8, 12, 17, 18, 19, 20 and 21 of the city code. Conditions set forth in this petition are supplemental requirements imposed on the development in addition to other standards. Where conditions on this plan differ from ordinances, standards, policies, and approaches in existence at the time or formal engineering plan review submission, the stricter condition or existing requirements shall apply.

16.7 Location, size, and type of any stormwater Management systems depicted on the rezoning site plan is subject to review and approval with full development plan submittal and is not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual stormwater treatment requirements and natural site discharge points.

16.8 Any jurisdictional wetlands or streams, if present, need to be protected or proper environmental permits obtained prior to their disturbance.



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Mixed Use  
Development

CITY  
CROSSING



South Tryon Street  
& Tyvola Road  
Charlotte, NC

2007-052

TECHNICAL DATA  
SHEET

DATE: 05/16/07 JOB NO: 06135-00

REVISIONS:

NO.	DATE	DESCRIPTION
1	05/16/07	REVISED PER DOT COMMENTS & ZONING DESIGNATION

06/25/07  
07/02/07

SHEET NUMBER

RZ-1