

TOWN CENTER PARCEL 'A'

TOTAL AREA: ±150.6 AC  
EXISTING ZONING: CC, BP, MX-I, R-3  
PROPOSED ZONING: CC, CC-SPA  
PROPOSED USES:  
-RESIDENTIAL: 910 UNITS  
-RETAIL: 250,000 SF  
-OFFICE: 222,000 SF

RESIDENTIAL PARCEL 'B'

TOTAL AREA: ±105.1 AC  
EXISTING ZONING: CC (TOWNCENTER), BP  
PROPOSED ZONING: MX-I  
PROPOSED USES:  
-RESIDENTIAL UNITS: (±97.2AC): 315 UNITS  
-CHURCH OR TOWNHOMES (±7.9AC): 12 UNITS PER AC.

BUSINESS PARK PARCEL 'C' SOUTH

TOTAL AREA: ±21.4 AC  
EXISTING ZONING: BP  
PROPOSED ZONING: BP-SPA  
PROPOSED USES: TOTAL BUSINESS PARK S.F.: 375,000  
-TO BE ALLOCATED BETWEEN PARCEL C SOUTH AND EXISTING BUSINESS PARK PARCEL TO BE KNOWN AS BUSINESS PARK PARCEL C NORTH  
-BUSINESS PARK USES EXCLUDE BULK WAREHOUSING FOR BUS. PARK SOUTH ONLY.

OFFICE PARK PARCEL 'D'

TOTAL AREA: ± 6.2 AC  
EXISTING ZONING: R-3, O-2 (CD)  
PROPOSED ZONING: O-2 (CD) SPA, O-2 (CD)  
PROPOSED USES: OFFICE = 50,00 S.F.  
OR  
150 ROOM HOTEL AND 20,000 S.F. OFFICE

RESIDENTIAL PARCEL 'E'

TOTAL AREA: ±21.9 AC  
EXISTING ZONING: R-3  
PROPOSED ZONING: MX-I  
PROPOSED USES: ATTACHED HOUSING  
-TOWNHOMES: 120 UNITS

TOWN CENTER PARCEL 'F'

TOTAL AREA: ± 97 AC  
EXISTING ZONING: BP  
PROPOSED ZONING: CC  
PROPOSED USES:  
-REFER TO PARCEL 'A'

Berewick Master Planned Community Development Notes

This petition proposes the development of a master planned community containing a mixture of residential, employment, retail, and open space uses organized around a newly created Town Center. This concept has been developed to further the objectives of the adopted Westside Strategic Plan and the Dixie-Berryhill Plan. It incorporates the extension of needed thoroughfares and a realignment of portions of Dixie River Rd. through a portion of the site. It has been designed taking into account the difficult topography common to this part of the county and has incorporated open space elements to protect environmentally sensitive areas. It will provide for a variety of residential types and densities, with higher densities focused in the Town Center and lower densities transitioning to the existing community fabric. It creates an opportunity for Mecklenburg County to develop a significant district park well situated to serve the new residents of this development as well as entire Dixie-Berryhill community. It is acknowledged that the City of Charlotte is in the process of amending the adopted Thoroughfare Plan to alter the alignment of New Dixie River Rd. which also results in other minor realignments of other roads within the site. The site plan is being modified to recognize the alterations of these roads and the relocation of the Town Center that has been necessitated by these realignments.

- Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the development and construction phases. This proposal is intended to enable the development of a master planned community composed of retail and service uses, employment and office uses, multifamily housing, single family attached, and single family detached housing interconnected with open space, pedestrian, and vehicular linkages.
- The site may be developed for any use allowed in the MX-1, BP, O-2 (CD), and CC districts as allowed by the ordinance in accordance with the standards of those districts and the restrictions of this site plan as noted below. The Petitioner will construct a mixed-use development in general conformity with the schematic plan that will include portions of the New Dixie River Rd. to be constructed within the site. Further, the Petitioner will provide pedestrian connections within the site to other site elements and uses and to public sidewalks, balancing the need for vehicular as well as pedestrian access. The Petitioner may place retail uses with office buildings on the site as well as within the retail center in order to further the mixed-use nature of the site. Retail floor area located within office buildings will not be counted toward the total retail floor area located elsewhere on the site. Any such retail space will be limited to 75% of the first floor area of the building and may only be located in multifamily buildings of at least 30,000 square feet of total floor area.
- Residential densities may vary in different portions of the site in keeping with the various dwelling types. However, within the CC area of the site the residential density shall be controlled by the standards of that district and the density of the areas within the MX-1 portion of the site will be limited by the number specified by this site plan. Residential uses may be located within any portion of the site including retail and office areas as a mixed use on the site and within mixed use structures. Retail uses within the Town Center portion of the site may include uses such as supermarket, general merchandise, hardware, business services, banks, civic, dry cleaners, personal services, restaurant, gas station, or similar uses designed and intended to serve not only the residents in this mixed-use community, but the residents in the surrounding areas as well. The uses that may locate on an out parcel will be designed as part of the overall development in terms of consistent landscaping, signage, and architectural style. More than one use or type of use may locate on an out parcel so long as the uses are located within the same structure. Within the Town Center area, the Petitioner will establish a master owners association that will develop and administer site and building design standards that will guide the design and development of uses within the Town Center area. The Petitioner will use reasonable commercial efforts, through the development of these design standards, to articulate and/or otherwise design the facades of buildings that front along and directly relate to the thoroughfares that pass through the site. This commitment recognizes the need to create an attractive and pedestrian friendly streetscape and applies to all sites with structures, but not parking areas, that directly adjoin the pedestrian areas along the thoroughfares.
- Buffer areas and project edges will be developed in accordance with the requirements of Sect. 12.302 and Sect. 9.805(7)(e) respectively. Required buffers and project edges on the site may be eliminated or reduced if the adjoining parcels are rezoned such that buffers or project edges are no longer required.
- Stormwater facilities have been designed and implemented as further described below.
- Any detached lighting on the site will be limited to 30 feet in height and be fully shielded. No wall packs will be installed on buildings within the site on any walls that are adjacent to residentially zoned land or public street rights-of-way but architectural lighting on the buildings will be permitted. Where wall pack type lighting is used, it must utilize light fixtures that direct the light downward into the site. Pedestrian lighting, as established throughout the Berewick community, will be installed as part of the development of areas included within this Petition except for the Business Park areas.
- Signage will be permitted in accordance with applicable Zoning standards. Signage for the site will be designed as part of a master signage package to ensure a uniform appearance and compatibility throughout the site. No freestanding pole signs will be permitted. Signs for office uses within the Town Center will meet office district sign standards and out parcels will utilize ground mounted (monument) type signs. Ground mounted signs may be utilized to identify the project and tenants within the project.
- Parking will be provided which will meet or exceed the standards of the Zoning ordinance. Parking areas to serve uses on the site will be sited generally toward the center of development sites so that buildings may orient to either internal or external streets.
- The Petitioner will dedicate 100' of right-of-way for the new alignments of New Dixie River Rd. and the 70' of right of way for the extension of New Shopton Rd. West that falls on the site as the site develops or in conjunction with a public/private venture for the construction of any or all of these roads. The Petitioner will dedicate 50' of right-of-way measured from the center line of the new alignments of New Dixie River Rd. and 35' of right of way from the centerline of the extension of New Shopton Rd. West that falls on the edge of the site as the site develops or in conjunction with a public/private venture for the construction of any or all of these roads. If the MUMPO determines that the existing proposed thoroughfare alignment is to be relocated to another alignment, then the Petitioner may reduce the New Shopton Rd. West right-of-way to 60'. The Petitioner will also dedicate additional right-of-way for any portions of any existing public streets that may remain within or adjoin the site as normally prescribed by and administered under the Charlotte Subdivision Ordinance. The Petitioner reserves the right to seek the abandonment of existing public streets that may fall within the site if those streets are not needed for the development of the site. The Petitioner also reserves the right to construct on-street parking along both public and private streets that may include parallel or angled spaces (angled spaces on private streets only).

The Petitioner will, through the subdivision and site development process, develop a series of interconnections between various components of the overall site that will provide for increased connectivity within and through the development. However, the Petitioner reserves the right to develop such connections in a fashion that will not be overly costly (such as stream crossings) or that will not be disruptive to the development. The Petitioner will provide stub street connections to adjoining tracts where the anticipated uses are expected to be complementary to the uses on the Petitioner's site. Any such connections will be reviewed at the time of subdivision or building permit review under the provisions of the Subdivision Ordinance relating to such connections. The Petitioner will provide for a public street connection from the mixed use portion of the Town Center to the large lot subdivision to the west to provide for future access should that property ever be redeveloped. Further, a public street connection will be provided from the MX-1 tract south of Shopton Rd. West to properties to the south. The exact location and timing of that future connection will be determined as part of the development review and/or subdivision process.

- Screening will conform to the applicable standards of Section 12.303 of the Zoning ordinance.
- Within the CC (Town Center Mixed Use) portion of the site, the Petitioner reserves the right to increase the authorized number of residential units by converting authorized retail and/or office area to residential units at the rate of one residential unit for each 200 square feet of retail and/or 300 square feet of office area so converted, provided that the total number of residential units that may be added shall not exceed 200 units. Further, the Petitioner reserves the right to include up to 300 hotel rooms within the Town Center area, and to substitute residential units from the Town Center area for additional hotel rooms at the rate of one dwelling unit for one hotel room, or to substitute office floor area for additional hotel rooms at the rate of 300 square feet of office floor area for each hotel room, for up to 100 additional hotel rooms, resulting in a total of 400 hotel rooms within the CC district.

12. Within the CC (Town Center) portion of the site, the Petitioner reserves the right to increase the authorized number of residential units by converting authorized retail and/or office area to residential units at the rate of one residential unit for each 300 square feet of retail and/or office area so converted. Further, the Petitioner reserves the right to include up to 300 hotel rooms within the Town Center area, and to substitute residential units from the Town Center area for additional hotel rooms at the rate of one dwelling unit for one hotel room, or to substitute office floor area for additional hotel rooms at the rate of 300 square feet of office floor area for each hotel room, for up to 100 additional hotel rooms, resulting in a total of 400 hotel rooms within the CC district. Further, the Petitioner reserves the right to convert retail floor area, hotel rooms, and multi-family dwelling units to office floor area at a rate of 300 sq. ft. of office floor area for each 100 sq. ft. of retail floor area, 300 sq. ft. of office floor area for each hotel room, and 300 sq. ft. of office floor area for each multi-family dwelling unit so converted. However, the total amount of office floor area that may be created through conversion of other permitted uses will be limited to 440,000 sq. ft. Hotel rooms will be provided on an acre basis at the rate of 1.87 hotel rooms per acre. Multifamily development that may be created through the conversion process above will be limited to 17 units per acre within the Town Center area no matter how many units are created through the conversion process. The Town Center area has been reconfigured by Zoning Petition 2006-78 and the standards of that case should be consulted for development entitlements and limitations. Areas of the Town Center that are not affected by petition 2006-78 are still bound by the use and development limitations of this conditional plan.

- The Petitioner reserves the right to transfer up to 250 residential units from the MX-1 portions of the previously approved Berewick Master Plan to the CC portion of the site included in this Petition provided that the total number of units originally approved for the Berewick Master Plan, plus the units included in the portion of this Petition that creates new MX-1 (Parcel E on Technical Data Sheet dated May 18, 2006) zoned properties that were not part of the previously approved Berewick Master Plan, are not exceeded and further provided that the densities of development resulting from any such transfer do not exceed that which is allowed in the CC district standards.
- All dumpsters on the site will be screened with a solid enclosure with gates.
- Within the MX-1 portion of the site, the Petitioner will construct a street network with appropriate collector and other streets, all of which will be reviewed as part of the normal subdivision process. The Petitioner may utilize reverse frontage and if so, will establish a common open space area (as presently contemplated in the text proposed for Section 12.308) of at least 30' to be used for landscaping and/or streetscape improvements and all lot lines for adjoining lots and the appropriate setbacks or yards will be measured from the inside edge of this common area.
- A pedestrian and bicycle network to connect the various elements within the site will be developed as the various site elements are constructed. Linkages will be established to connect buildings and uses on the site to this pedestrian network.
- Within the Town Center area the total amount of retail floor area will not exceed 250,000 sq. ft. and the retail floor area for a single tenant structure will not exceed 85,000 square feet. The site will also be permitted to construct up to 300,000 sq. ft. of office floor area subject to the ability of the Petitioner to transfer an additional 30,000 sq. ft. of floor area from the O-2 (CD) parcel into the Town Center as noted below. In addition, the Petitioner will limit the number of out parcels that may accommodate "auto oriented" uses such as gas stations and restaurants with drive in windows to a total of five. Of these five sites, three may be independent uses. Further, the Petitioner may add an additional 25,000 sq. ft. of retail floor area (over and above the 250,000 sq. ft.) within the Town Center on the second floor of other structures used for retail use. Building heights will be limited to 75' measured to the bottom of the highest habitable floor. Individual site development plans will be reviewed by the Planning Staff for compliance with the conditions of this plan. The various independent freestanding uses on the site will be oriented to streets that are both external and internal to the site. Those uses that orient to external streets may be allowed to have parking and circulation between the buildings and the external street. Those uses oriented to internal streets will not have parking and circulation between the buildings and the internal streets, except that buildings on corner lots may have parking and circulation on one side of the building between the buildings and the street.
- The area indicated on the site plan for a church may alternately be used for attached housing at a gross density not to exceed 12 units per acre.
- The O-2 (CD) can accommodate up to 50,000 sq. ft. of office development or a hotel as previously approved. Up to 30,000 sq. ft. of that office area may be transferred to the Town Center at the Petitioner's discretion.
- Parcel "F" may be used for any use allowed under the CC zoning but no drive through uses will be allowed and further provides that the building areas for any such uses will be deducted from the floor areas for the respective types of uses in the Town Center. The Petitioner will be responsible for allocating that building area within Parcel "F" and for maintaining records of that allocation.

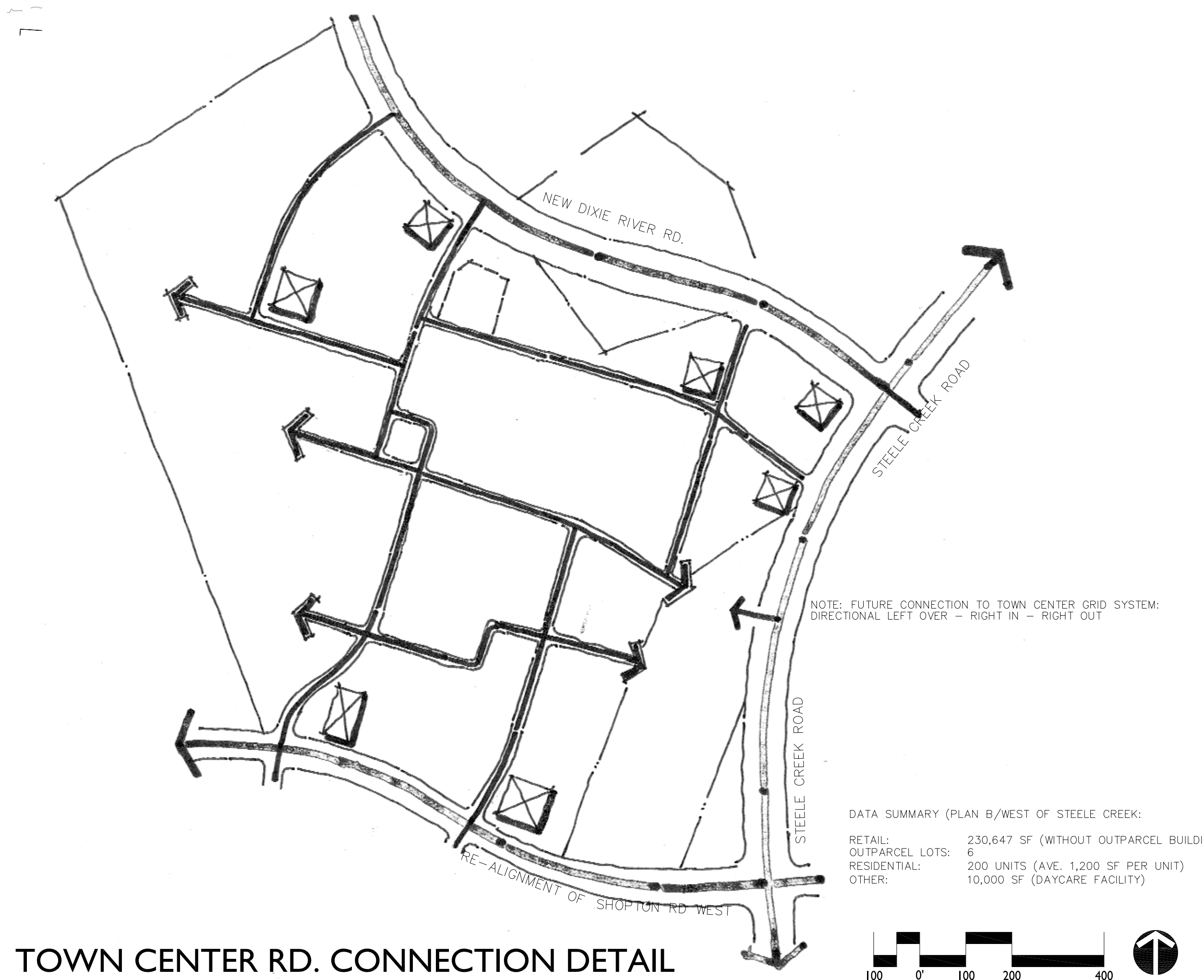
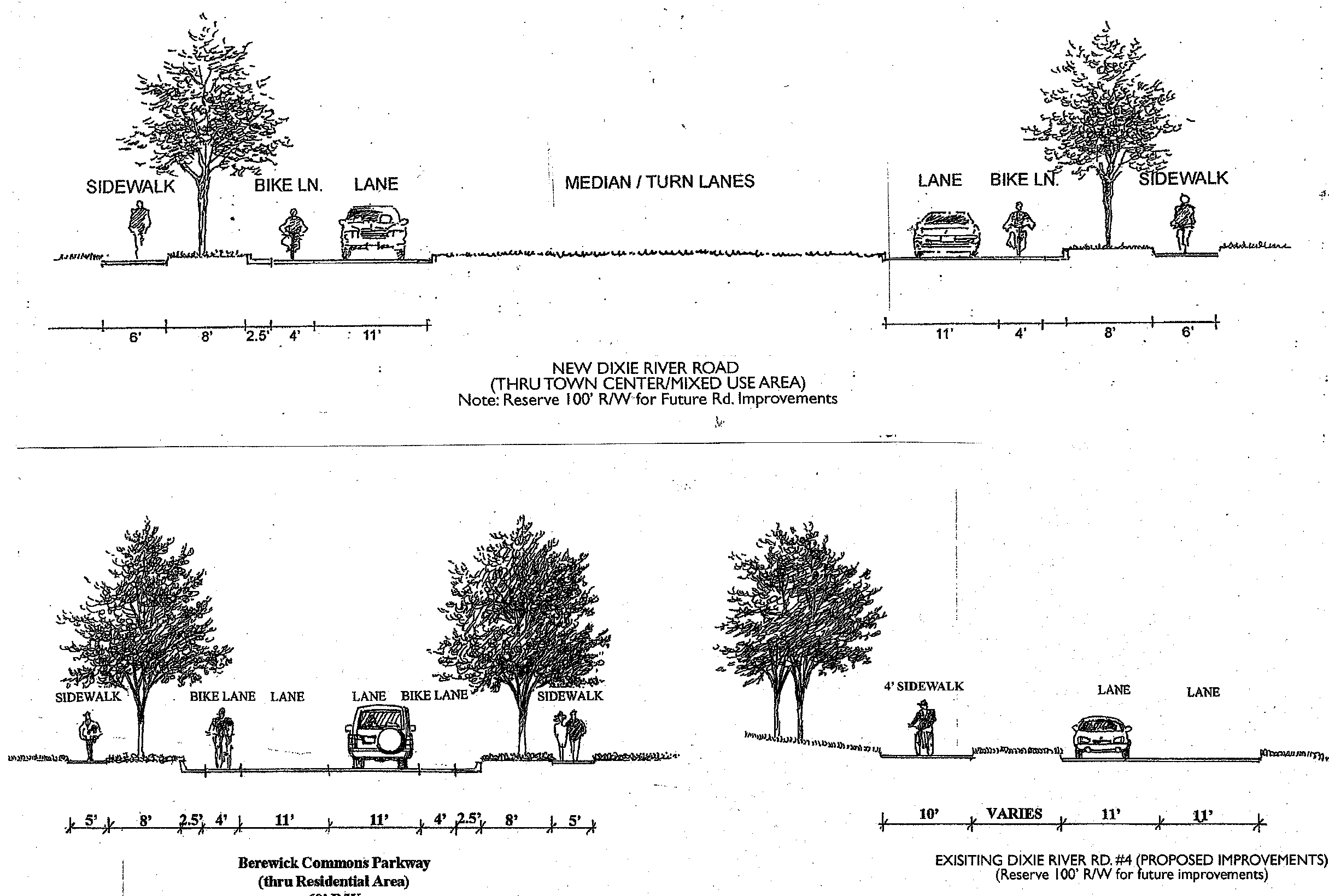
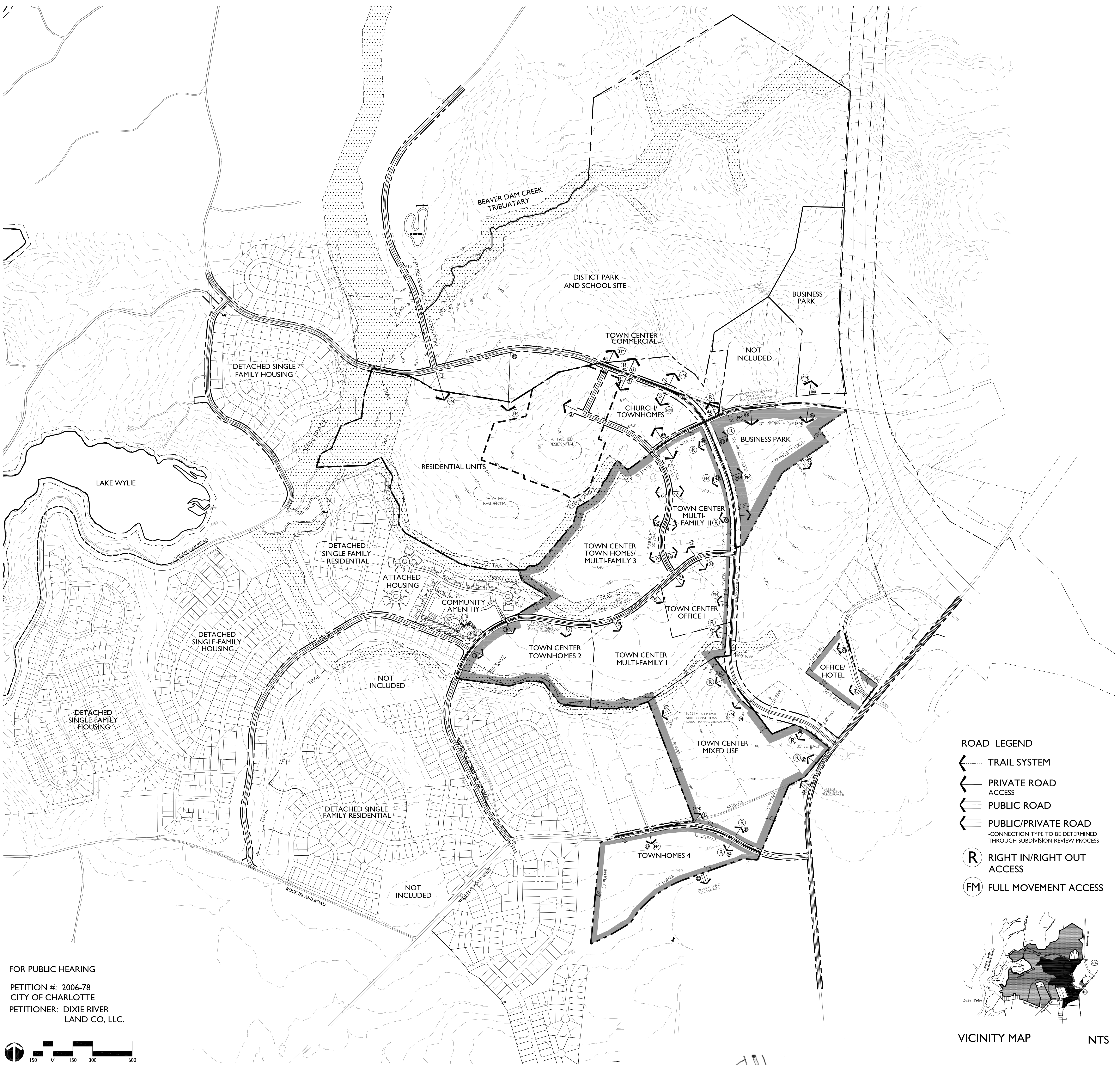
- Within the MX-1 portion of the site, open space areas depicted on the site plan represent the approximate location and extent to the areas set aside to meet the open space requirement of the district. The exact location and extent of the open space areas will be determined through the detailed design and subsequent public review of development plans. The open space areas will be developed with a combination of active and passive recreation areas, trails, pathways, and other amenities consistent with the purpose and provisions of this Petition. Further, the area devoted to open space will not be reduced through the Innovative Review process.
- Within the Business Park portion of the site, front loaded buildings will not be permitted and the arrangement of the uses on these sites will locate office uses or the office portion of mixed-use buildings will be oriented toward the street. The area of the site designated as BP that lies south of Dixie River Rd. will be restricted from use for bulk warehouse uses. The total development that will be permitted within both the BP area included within this Petition (labeled as Business Park South on the site plan) and the BP area north of Dixie River Rd. (labeled as Business Park North on the site plan) will be limited to a total of 375,000 sq. ft. of building area and the Petitioner will be responsible for allocating that building area within these BP areas and for maintaining records of that allocation.
- The Petitioner will comply with the Lower Lake Wylie Watershed regulations. In accordance with watershed regulations, the Petitioner reserves the right to utilize either or both of the low density and/or the high-density watershed development standards. Further, the Petitioner reserves the right to utilize individual site or larger area-wide storm water detention and management facilities, ponds, and related facilities. In addition to compliance with the Lower Lake Wylie Watershed regulations, compliance with the Berewick Master Stormwater Management Concept Plan dated 11/12/2003 is included by reference. Additionally, the Petitioner accepts the responsibility for revising the current Drainage Area Delineation/Impervious Area Tracking Map and Impervious Area Projections to account for the changes in the Berewick Project limits and land use. The Petitioner also acknowledges his responsibility to comply with the current USACE 404 Permits and NCDENR 401 certifications which prohibits any more than 5% of the actual impervious developed within the Berewick Project limits as defined with Petition Nos. 2001-030 (City) and 2001-006(C) (County), along with the revised Berewick Project Limits as amended by this Petition. The various regulatory authorities will have jurisdiction over their respective areas of control.
- Reasonable efforts shall be made to limit the size of development areas, excluding road, utility, and stormwater control construction areas, to be exposed at any one time and also to limit the exposure to the shortest feasible time. Specific grading plans include at cut/fill analysis, the construction sequencing and construction phasing to justify the time and amount of exposure. The plans shall specifically identify techniques to be used to prevent potential sedimentation loss associated with larger disturbed areas.
- The Petitioner has cooperated with Charlotte Mecklenburg Stormwater Services and Mecklenburg County Department of Environmental Protection in regard to erosion control and stormwater management including: development of a watershed management strategy for the entire site utilizing water quality modeling; providing assistance with an inventory of existing conditions of Brown's Cove (sediment level) and Beaver Dam Creek; cooperating with MCDEP by providing a duplicate water quality monitoring station to that provided by MCDEP, both to be maintained and monitored by MCDEP; and cooperated with MCDEP in erosion control watershed protection education efforts of contractors, builders, and homeowners.
- The Petitioner agrees to add walking trails along the Multifamily Town Center Parcel to encourage pedestrian activity between the Multifamily and the mixed use Town Center.
- The Petitioner agrees to work with CDOT to develop a cross section that includes a minimum of 8 ft planting strip from the back of the curb to the sidewalk and a 6' sidewalk on New Dixie River Rd. Further, the Petitioner agrees to work with CATS to explore the possibility of accommodating a transit park and ride facility and a layover for two shuttle buses within the site as it develops.
- The Petitioner will submit individual site layouts to the Planning Department staff for review for compliance with this plan and the general development policies.
- The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan.
- Throughout this Rezoning Petition, the terms "Owner," "Owners," "Petitioner" or "Petitioners," shall, with respect to 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.
- Within the MX-1 portion of the site, the Petitioner, in accordance with the provisions of Section 11.208, "Innovative Development Standards", may propose modifications to the following standards:
  - Street right-of-way widths,
  - Street type and construction standards,
  - Minimum lot size,
  - Setbacks and yards,
  - Off street parking, and
  - Lot width.The Petitioner acknowledges that the Innovative process is a separate process that may be pursued after the rezoning has been approved.

- Outparcels as shown on the Concept Plan that accompanies this petition are shown to give approximate building locations for planning purposes only.
  - Phase 1 Road Improvements. Upon zoning approval, petitioner may construct up to 700 multifamily units in Parcels A, B, E and F, 320 single-family units in Parcels A and B, and 175,000 square feet in Business Park Parcel C North and Business Park Parcel C South. The following improvements will be considered by CDOT for all access points:
    - A. Full Movement Access Points may require a left turn lane design with minimum 150 feet of storage, transition tapers, and bay tapers as determined by CDOT or NCDOT.
    - B. Developer will submit preliminary roadway and intersection design plans of the Dixie River/New Dixie River realigned intersection, including the section of New Dixie River Road between the intersection and the City's project just north of the creek to the City for review/approval prior to the issuance of any building permit or subdivision approval for any residential development.
    - C. Developer will dedicate the necessary right-of-way for future thoroughfare alignments and will design all Access Points with the consideration of future thoroughfare alignments to avoid building a road improvement that would later be demolished.
  - Phase 2 Road Improvements. After the road improvements above and identified as A and B in this Note 34, are completed and accepted by NCDOT and/or the City of Charlotte, the Petitioner may be granted plat approval for additional dwelling units in excess of those listed in Note 33, but not more than 700 single-family units and 1000 multifamily units in Parcels A, B, E, and F, consistent with the provisions of this rezoning and the subdivision ordinance, and may receive Certificates of Occupancy for 85,000 square feet of Retail and Office in Parcel A (Road improvement designs will be reviewed and approved through the subdivision design process).
    - A. Completion of 150-foot eastbound right turn lane on Dixie River Road at Steele Creek Road.
    - B. Completion of realigned intersection of the New Dixie River Road/Dixie River Road/Site Road intersection as shown in Figure 7b of the July 13, 2006 Kublin's Transportation Group Technical Memorandum recommended intersection improvements, and traffic signalization when warranted.
  - Phase 3 Road Improvements. After the road improvements above and as identified in A in this Note 35, are completed and accepted by NCDOT and the City of Charlotte, Certificates of Occupancy may be issued for up to 165,000 square feet of Retail and Office in Parcel A, and an additional 100,000 square feet in Business Park Parcel C:
    - A. Completion of the City's Shopton Road West realignment with signalization when warranted.
  - Phase 4 Road Improvements. After completion of the improvements identified above and below as A through C in this Note 36, all the remaining Retail and 80,000 square feet of Office in Parcel A may receive Certificates of Occupancy:
    - A. Completion of New Dixie River Road, from Steele Creek Road up to the first access point, in the Parcel A Town Center with signalization when warranted.
    - B. Completion of 150-foot right turn lane for southbound traffic on Steele Creek Road at New Dixie River Road.
    - C. New and modified signalization, as warranted, for all full movement public road and private driveway intersections.
  - Phase 5 Road Improvements. The plats for the balance of residential units, and the Certificates of Occupancy for the balance of the Retail and Office within Parcel A will not be released until the road improvements above and identified as A through D below are completed and accepted by NCDOT and/or the City of Charlotte:
    - A. An additional left turn lane with 300 feet of storage for both New Dixie River Road and Shopton Road West, with an additional through lane on Steele Creek Road between the two intersections.
    - B. New Dixie River Road completed from Berewick Commons Parkway to Steele Creek Road.
    - C. Analyze, and contribute if necessary, to new or modifications to signalization for all new and modified full movement public road and private driveway intersections.
    - D. Dedicate right-of-way on property controlled by the Petitioner as necessary to complete road improvements.
  - Phase 6 Road Improvements. The road improvements above and below must be completed before the balance of the remaining entitlements may be developed in all parcels:
    - A. Complete New Dixie River Road from the Dixie River Road / New Dixie River Road intersection south to Berewick Commons Parkway.
- March 27, 2006, initial submission, 1e  
May 18, 2006, revisions per staff comments, 2  
May 22, 2006, revisions per staff comments, 3  
May 22, 2006, revisions per staff comments, 3a  
May 22, 2006, revisions per staff comments, 3b  
May 23, 2006, revisions per staff comments, 3c  
May 23, 2006, revisions per staff comments, 3d  
June 14, 2006, revisions per staff comments, 4  
June 15, 2006, revisions per staff comments, 4a  
July 11, 2006, revisions per staff comments, 5  
July 13, 2006, revisions per staff comments, 5a  
July 14, 2006, revisions transportation notes, 6  
July 20, 2006, revisions transportation notes, 6a  
July 26, 2006, revisions per staff comments, 7  
July 28, 2006, revisions per staff comments, 8  
February 7, 2007, revisions per staff comments, 9  
November 22, 2011, Administrative Amendment, 10  
May 15, 2014, Administrative Amendment, 11  
August 25, 2014 Administrative Amendment 12

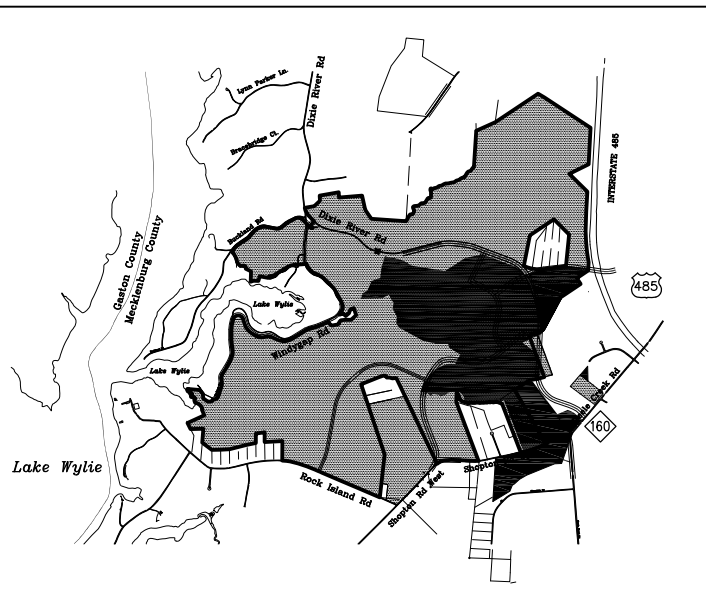
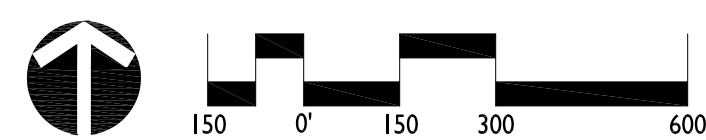
FOR PUBLIC HEARING

PETITION #: 2006-78  
CITY OF CHARLOTTE  
PETITIONER: DIXIE RIVER  
LAND CO, LLC.

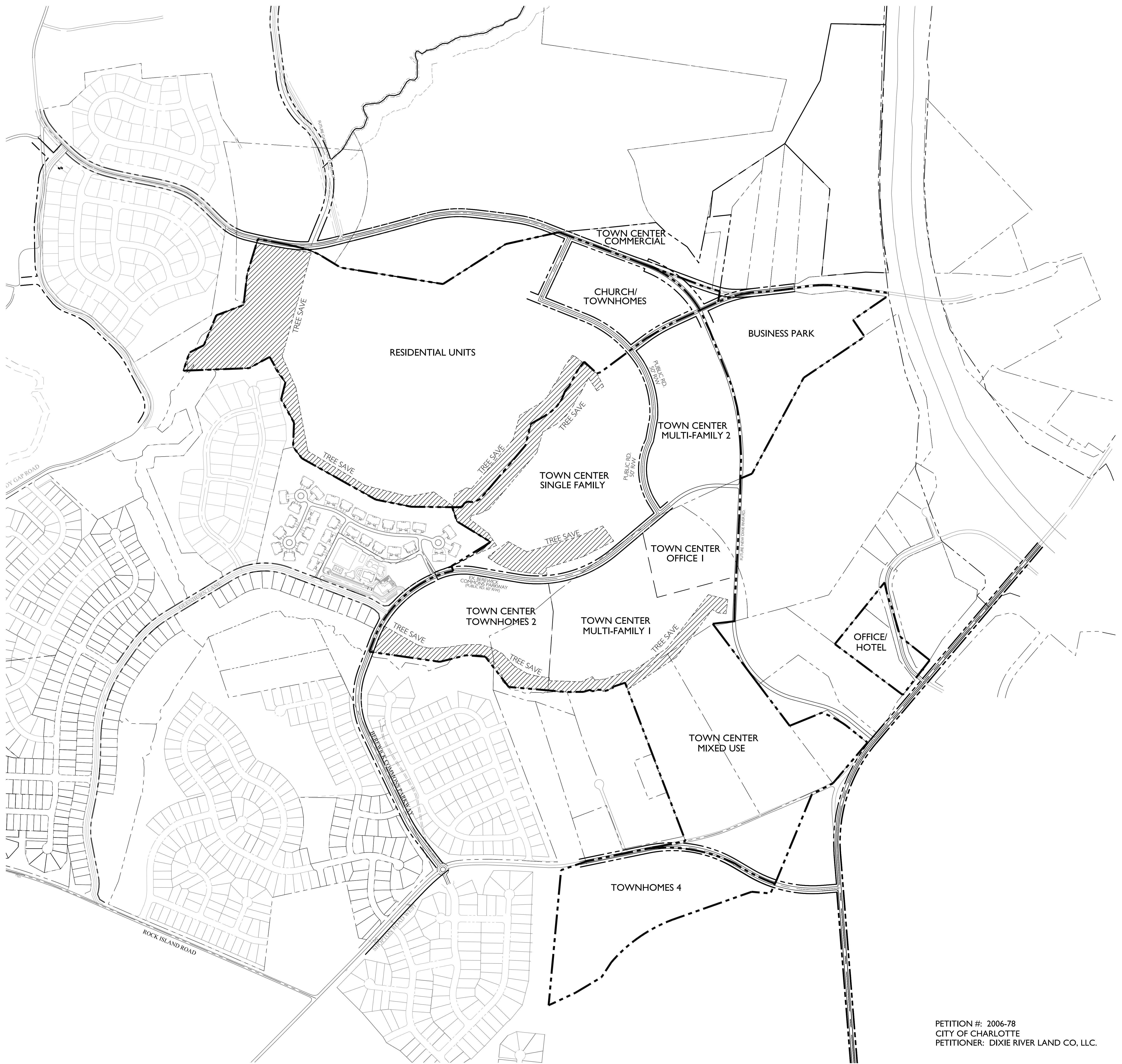






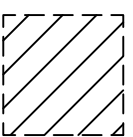


NTS

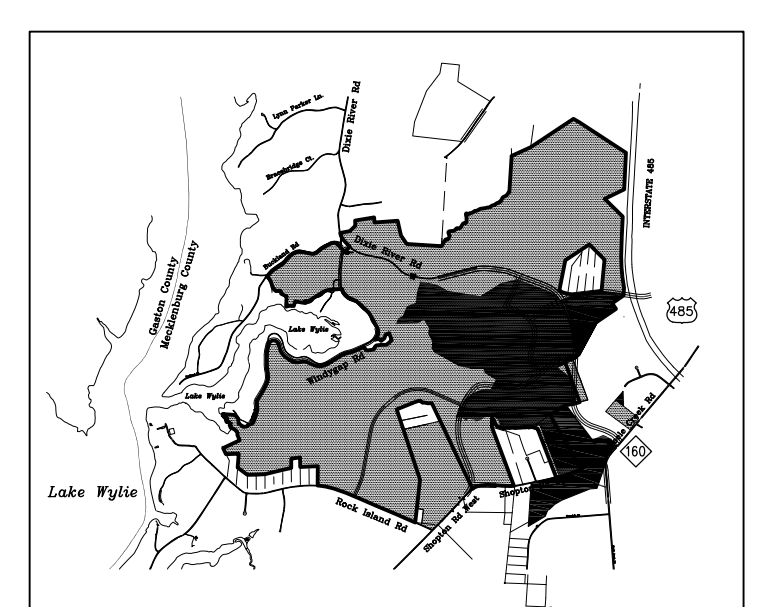
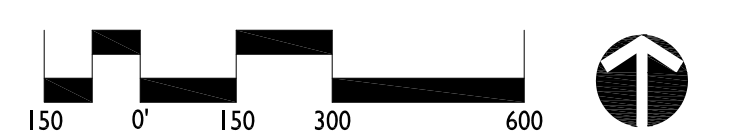


PETITION #: 2006-78  
CITY OF CHARLOTTE  
PETITIONER: DIXIE RIVER LAND CO, LLC.

#### LEGEND

 TREE SAVE AREA  
AREA = ±32.58 ACRES

 PUBLIC ROAD



VICINITY MAP NTS