

Drawing name: C:\Users\michael.toothaker\appdata\local\temp\AcPublish_103920111053 - 12 - ZONING.dwg SD-2 Oct 22, 2015 9:07am by: michael.toothaker

TATE PAPPAS SC INVESTORS, LLC.
DEVELOPMENT STANDARDS
9/18/15
REZONING PETITION NO. 2015-112

1. GENERAL PROVISIONS:

a. **SITE LOCATION.** THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER GRAPHICS SET FORTH ON ATTACHED SHEETS SD-1, SD-2, SD-3 AND SD-4 FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY TATE PAPPAS SC INVESTORS, LLC, ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A PORTION OF A HIGH QUALITY RETAIL/OFFICE AND RESIDENTIAL MIXED USE CENTER ON AN APPROXIMATELY .55 ACRE SITE LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF SHARON ROAD AND ASHLEY PARK LANE (THE "SITE").

b. **ZONING DISTRICTS/ORDINANCE.** DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN OR THE PREVIOUS REZONING PETITION ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD-O ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.

c. **GRAPHICS AND ALTERATIONS.** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE. SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

- i. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN; OR
- ii. MODIFICATIONS TO MOVE STRUCTURES GRAPHICALLY DEPICTED ON THE REZONING PLAN CLOSER TO ADJACENT PROPERTIES BUT NO CLOSER THAN THE BUILDING AND PARKING ENVELOPE LINE INDICATED ON SHEET SD-1; OR
- iii. MODIFICATIONS TO ALLOW MINOR INCREASES OR DECREASES IN THE MASS OF THE BUILDINGS THAT DO NOT MATERIALLY CHANGE THE DESIGN INTENT DEPICTED ON OR DESCRIBED IN THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

d. **NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY.** THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TO ONE (1). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE 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) TO WHICH SUCH THE ACCESSORY STRUCTURE/BUILDING SHALL RELATE.

e. **PLANNED/UNIFIED DEVELOPMENT.** THE SITE, INCLUDING THE AREAS INDICATED AND REFERENCED IN THE PREVIOUS REZONING PETITION, SHALL BE VIEWED IN THE AGGREGATE AS A PLANNED/UNIFIED DEVELOPMENT PLAN AS TO THE DEVELOPMENT/SITE ELEMENTS GENERALLY DEPICTED ON THE REZONING PLAN, AS SUCH, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT, SEPARATIONS, FAR REQUIREMENTS, AND SIMILAR ZONING STANDARDS WILL NOT BE APPLIED INTERNALLY BETWEEN IMPROVEMENTS AND OTHER DEVELOPMENT/SITE ELEMENTS LOCATED ON SITE AND THE ADJOINING PROPERTY THAT WAS PART OF PREVIOUS REZONING PETITION. THE PETITIONER AND/OR OWNERS OF PORTIONS OF THE SITE, INCLUDING FOR INSTANCE THE ADJOINING DEVELOPMENT SHOWN ON THE PREVIOUS REZONING PETITION, MAY SUBDIVIDE PORTIONS OF THE SITE AS WELL AS CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY INTERNAL SEPARATION STANDARDS, PUBLIC/PRIVATE STREET FRONTAGE REQUIREMENTS AND FAR REQUIREMENTS, PROVIDED, HOWEVER ALL SUCH SEPARATION STANDARDS THAT ARE APPLICABLE 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 3 BELOW AS TO THE SITE TAKEN AS A WHOLE AND NOT INDIVIDUAL PORTIONS, DEVELOPMENT AREAS OR LOTS LOCATED THEREIN.

2. OPTIONAL PROVISIONS.

EACH OF THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE SITE:

a. ALONG THE INTERIOR PRIVATE STREET, THE PETITIONER SEEKS THE FOLLOWING OPTIONAL PROVISIONS:

- A REDUCTION IN THE WIDTH OF THE REQUIRED SETBACK ALONG INTERIOR PRIVATE STREET TO TEN (10) FEET FROM THE NEAREST FACE OF BUILDING TO EITHER THE BACK OF CURB OR TREE TRUNKS ALONG THE PRIVATE STREET ARE NOT REQUIRED; HOWEVER, IF THEY ARE PROVIDED THEY MAY BE PLACED EITHER IN PLANTING ISLANDS ALONG THE PROPOSED ANGLED PARKING, OR WITHIN TREE GRATES WITHIN THE SIDEWALK AREAS WITHIN THE CONDITIONS AS DESCRIBED ABOVE.

b. TO ALLOW WALL SIGNS TO HAVE UP TO 200 SQUARE FEET OF SIGN SURFACE AREA PER WALL OR 10% OF THE WALL AREA, TO WHICH THEY ARE ATTACHED, WHICHEVER IS LESS. THE SIGN AREA OF THESE ALLOWED WALL SIGNS MAY BE INCREASED BY 10% IF INDIVIDUAL LETTERS ARE USED.

c. TO ALLOW THE DETACHED SIGN(S) AT THE CORNER OF SHARON ROAD AND ASHLEY PARK LANE AS APPROVED BY THE ADMINISTRATIVE AMENDMENT DATED 9/19/13 (PLANS STAMPED APPROVED ON 9/20/13) FOR REZONING PETITION NO. 2006-042, AND AS GENERALLY DEPICTED ON THE REZONING PLAN

d. THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW EITHER A BANK OR AN EDEE TYPE 1 WITH AN ACCESSORY DRIVE-THROUGH WINDOW TO BE LOCATED ON THE SITE. ANY SUCH DRIVE THROUGH FACILITIES ASSOCIATED WITH EITHER USE SHALL BE LIMITED TO A SINGLE LANE.

e. THE DEFINITION OF "GROSS FLOOR AREA" OR "GFA" SET FORTH IN THE ORDINANCE AND LISTED BELOW SHALL BE PERMITTED AND APPLIED IN THE MANNER DESCRIBED BELOW.

FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH IN THESE DEVELOPMENT STANDARDS (BUT NOT TO BE CONSTRUED AS A LIMITATION ON FAR REQUIREMENTS), THE FOLLOWING ITEMS WILL NOT BE COUNTED AS PART OF THE ALLOWED GROSS FLOOR AREA (FLOOR AREA AS DEFINED BY THE ORDINANCE) FOR THE SITE: SURFACE OF STRUCTURED PARKING FACILITIES, ALL LOADING DOCK AREAS (OPEN OR ENCLOSED), 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).

NOTE: THE OPTIONAL PROVISION REGARDING SIGNS IS AN ADDITION/MODIFICATION TO THE STANDARDS FOR SIGNS IN THE MUDD DISTRICT AND IS TO BE USED WITH THE REMAINDER OF MUDD STANDARDS FOR SIGNS NOT MODIFIED BY THESE OPTIONAL PROVISIONS.

PARKING BETWEEN THE EXISTING BUILDINGS IN SHARON SQUARE AND SHARON ROAD WILL NOT BE CONSTRUCTED AS PARKING BETWEEN A BUILDING AND A STREET, AS THESE BUILDINGS ARE NOT PART OF THIS REZONING PETITION OR SITE.

3. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

a. SUBJECT TO THE RESTRICTIONS AND LIMITATIONS LISTED BELOW, THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 4,000 SQUARE FEET OF GROSS FLOOR AREA.

b. THE FOLLOWING USES ARE ALLOWED ON THIS SITE: OFFICE, RETAIL, EDEE, EDEE TYPE 1 WITH AN ACCESSORY DRIVE-THROUGH WINDOW (AS FURTHER DEFINED BELOW), PERSONAL SERVICES AND OTHER COMMERCIAL USES AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS AND BY THE OPTIONAL PROVISIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD ZONING DISTRICT.

c. ONLY ONE USE WITH AN ACCESSORY DRIVE-THROUGH WINDOW WILL BE ALLOWED ON THE SITE. THE FOLLOWING USES WILL BE ALLOWED ON THE SITE WITH AN ACCESSORY DRIVE-THROUGH WINDOW: (i) A BANK; OR (ii) EDEE TYPE 1, PROVIDE THE EDEE SHALL BE LIMITED TO PRIMARILY SERVING ITEMS SUCH AS COFFEE, ICE CREAM, YOGURT, JUICES, BAGELS, MUFFINS, PASTRIES, SANDWICHES AND SIMILAR FOODS THAT DO NOT REQUIRE ON PREMISE COOKING OF FOOD (OTHER THAN HEATING AND THE BAKING OF PREMIXED DOUGH). ANY SUCH DRIVE THROUGH FACILITIES ASSOCIATED WITH EITHER USE SHALL BE LIMITED TO A SINGLE LANE AS GENERALLY DEPICTED ON THE REZONING PLAN.

d. NO GASOLINE SALES FACILITIES SHALL BE PERMITTED ON THE SITE.

e. BUILDINGS WITHIN THE SITE SHALL BE DESIGNED SO AS TO ENSURE CONSTRUCTION OF A MINIMUM OF TWO STORIES OF IMPROVEMENTS WITH HEATED FLOOR AREA. IT IS UNDERSTOOD THAT USES WITHIN A BUILDING MAY BE PHASED SUCH THAT PORTIONS OF THE BUILDING WILL CONSIST OF "SHELLED" SPACE FOR FUTURE OCCUPANCY (I.E. SUBJECT TO INDIVIDUAL UNIT OR SPACE UPFITTING) PRIOR TO COMPLETION BASED UPON MARKET DEMAND AND PROJECT NEEDS.

"PERSONAL SERVICES" USES WILL BE DEFINED AS USES THAT PRIMARILY PROVIDE OR SELL A SERVICE TO CUSTOMERS VERSUS THE SELLING OF GOODS. A PERSONAL SERVICE USE MAY ALSO SELL PRODUCTS OR MERCHANDISED BUT THE SALE OF PRODUCTS AND MERCHANDISE IS TYPICALLY ANCILLARY. EXAMPLES OF PERSONAL SERVICE USES INCLUDE BUT ARE NOT LIMITED TO: BEAUTY SALONS AND BARBER SHOPS, SPAS, YOGA AND EXERCISE STUDIOS, NAIL SALONS, MASSAGE SHOPS, MARTIAL ART TRAINING STUDIOS, DRY CLEANING ESTABLISHMENTS, LOCKSMITHS, AND ALIKE.

4. ACCESS.

a. ACCESS TO THE SITE WILL BE FROM ASHLEY PARK LANE AS GENERALLY DEPICTED ON THE REZONING PLAN, SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW. THERE IS NO PROPOSED ACCESS TO THE SITE FROM SHARON ROAD.

b. THE ALIGNMENT OF THE 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 SO LONG AS THE NETWORK SET FORTH ON THE REZONING PLAN IS NOT MATERIALLY ALTERED.

5. STREETSCAPE, LANDSCAPING OPEN SPACE AND SCREENING:

a. BUILDINGS AND PARKING SHALL NOT BE LOCATED WITHIN A LANDSCAPE/STREETSCAPE AREA EXTENDING 22 FEET IN WIDTH AS MEASURED FROM THE BACK OF THE EXISTING/FUTURE BACK OF CURB ALONG SHARON ROAD AND SUCH LANDSCAPE/STREETSCAPE AREA SHALL INCLUDE A 6 FOOT SIDEWALK AND TWO (2) EIGHT FOOT PLANTING AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. A BUILDING EDGE LINE HAS BEEN ESTABLISHED ALONG SHARON ROAD AND ASHLEY PARK LANE AS GENERALLY DEPICTED ON THE REZONING PLAN. PARKING AND MANEUVERING FOR PARKING WILL NOT BE ALLOWED BETWEEN THE PROPOSED BUILDING AND THE BUILDING EDGE LINE DEPICTED ON THE REZONING PLAN. HOWEVER, PARKING AND MANEUVERING FOR PARKING WILL BE ALLOWED NEXT TO THE BUILDING AS GENERALLY DEPICTED ON THE REZONING PLAN.

c. A LOW MASONRY WALL (NO LESS THAN 3.0 FEET HIGH) WILL BE PROVIDED BETWEEN THE PROPOSED DRIVE-THROUGH SERVICE LANE AND SHARON ROAD AS GENERALLY DEPICTED ON THE SITE PLAN. THE PETITIONER WILL ALSO PROVIDE LOW ACCENT PLANTING BETWEEN THE WALL AND SIDEWALK ALONG SHARON ROAD.

d. ALL SIDEWALKS INSTALLED WITHIN THE INTERIOR OF THE SITE LOCATED BETWEEN THE FACE OF BUILDINGS AND THE EXISTING PRIVATE STREET (ASHLEY PARK LANE) AS DEPICTED ON THE SHEET SD-1 SHALL BE AT LEAST TEN (10) FEET IN WIDTH AS MEASURED FROM THE BACK OF ADJOINING CURB ON THE SITE. ALL OTHER SIDEWALKS WITHIN THE SITE WILL BE A MINIMUM OF SIX FEET IN WIDTH.

e. STREETS WITHIN THE SITE MAY BE EITHER PUBLIC OR PRIVATE. REGARDLESS OF WHETHER THE INTERNAL STREETS ARE PUBLIC OR PRIVATE, THEY SHALL REMAIN OPEN AND ACCESSIBLE TO THE PUBLIC.

f. A STUB STREET AND PEDESTRIAN CONNECTION SHALL BE PROVIDED TO THE LONG'S CLEANERS SITE GENERALLY AS DEPICTED ON THE SCHEMATIC SITE PLAN. THE STUB STREET AND PEDESTRIAN CONNECTION SHALL BE EXTENDED ONTO THE LONG'S CLEANERS SITE (TAX PARCEL 183-133-08) SUBJECT TO THE PETITIONER AND THE OWNER OF THE LONG'S CLEANERS SITE EXECUTING AN ACCESS EASEMENT AGREEMENT ON REASONABLE AND CUSTOMARY TERMS.

g. URBAN OPEN SPACE WILL BE PROVIDED ON THE SITE AS REQUIRED BY THE ORDINANCE. THE LOCATION OF THE PROPOSED URBAN OPEN SPACE IS GENERALLY DEPICTED ON THE REZONING PLAN.

h. METER BANKS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE LEVEL.

i. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE LEVEL.

6. GENERAL DESIGN GUIDELINES:

f. GROUND FLOOR ELEVATIONS OF THE PRINCIPAL USE BUILDINGS LOCATED ALONG SHARON ROAD AND ASHLEY PARK LANE SHALL BE TREATED WITH A COMBINATION OF FENESTRATION, CLEAR GLASS, PROMINENT ENTRANCES, CHANGES IN MATERIALS, AND LANDSCAPING.

g. THE ATTACHED ILLUSTRATIVE BUILDING ELEVATIONS SET FORTH ON SHEET SD-4 ARE INCLUDED TO REFLECT AN ARCHITECTURAL STYLE AND A QUALITY OF THE BUILDING(S) THAT MAY BE CONSTRUCTED ON THE SITE (THE ACTUAL BUILDING(S) CONSTRUCTED ON THE SITE MAY VARY FROM THESE ILLUSTRATIONS PROVIDED THAT THE OVERALL DESIGN INTENT IS PRESERVED).

7. PARKING AND MANEUVERING RESTRICTIONS.

a. PARKING MAY BE PROVIDED BY WAY OF SURFACE OR STRUCTURED PARKING FACILITIES.

8. ENVIRONMENTAL FEATURES:

a. STORM WATER RUNOFF AND TREATMENT SYSTEMS FOR THE SITE MAY BE DESIGNED, CONSTRUCTED, AND FUNCTION AS A UNIFIED STORM WATER MANAGEMENT SYSTEM IN CONJUNCTION WITH THE PROPOSED INFRASTRUCTURE DEVELOPMENT AS DESCRIBED IN ADJOINING PETITION NO. 2006-22. RUNOFF SHALL NOT BE REDIRECTED FROM ITS EXISTING AND/OR NATURAL FLOW.

b. THE PETITIONER SHALL CONTROL AND TREAT THE ENTIRE RUNOFF VOLUME FOR THE POST DEVELOPMENT 1 YEAR 24 HOUR STORM. RUN OFF DRAIN DOWN TIME SHALL BE A MINIMUM OF 24 HOURS, BUT NOT MORE THAN 120 HOURS. PEAK STORM WATER RELEASE RATES SHOULD MATCH PRE-DEVELOPMENT RATES FOR THE 2 YEAR AND 10 YEAR AND 10 YEAR 6 HOUR STORM EVENTS. THE PETITIONER WILL PERFORM A DOWNSTREAM FLOOD ANALYSIS OF THE IMMEDIATELY ADJACENT PROPERTIES 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 AS A MAXIMUM, THE 10 YEAR AND 25 YEAR SIX HOUR STORMS. THE USE OF MULTIPLE TYPES OF STRUCTURAL STORM WATER TREATMENT SYSTEMS AND DEVICES (FOR EXAMPLE: WET PONDS, EXTENDED DETENTION WETLANDS, BIO-RETENTION, SAND FILTER DEVICES, GRASS SWALES, RAIN GARDENS AND PROPRIETARY METHODS INCLUDING CHAMBERED STRUCTURES) UTILIZING BOTH APPROVED (PER NCDENR BMP MANUAL) AND UNAPPROVED METHODS (PROPRIETARY PRE-MANUFACTURED DEVICES) MAY BE INCORPORATED INTO THE SITE. APPROVED METHODS WILL BE DESIGNED AND CONSTRUCTED TO ACHIEVE AN AVERAGE 85% TOTAL SUSPENDED SOLID (TSS) REMOVAL TO TREAT THE ENTIRE POST-DEVELOPMENT RUNOFF VOLUME FOR THE RUNOFF GENERATED FROM THE FIRST 1-INCH OF RAINFALL. UNAPPROVED METHODS SHALL FOLLOW THE REQUIREMENTS INDICATED IN "C" BELOW.

c. AS AVAILABLE, THE USE OF PROPRIETARY PRE-MANUFACTURED DEVICES TO BE USED SHALL BE APPROVED AND SELECTED BY THE CITY OF CHARLOTTE STORM WATER SERVICES (CSWS) PRIOR TO BEING INCORPORATED IN TO THE PROJECT DESIGN AND MUST BE INCORPORATED INTO THE CSWS TEST PILOT BMP STUDY PROGRAM. CSWS WILL PROVIDE THE PETITIONER OR ITS REPRESENTATIVE, A MINIMUM OF FOUR CHOICES OF PROPRIETARY DEVICE BRANDS FOR CONSIDERATION OF USE ON THE PROJECT. THE PETITIONER OR ITS REPRESENTATIVES RESERVE THE RIGHT TO REQUEST CONSIDERATION OF PROPRIETARY DEVICE BRANDS NOT CURRENTLY PROVIDED BY CSWS FOR CONSIDERATION OF USE

ON THE PROJECT. THE PETITIONER AGREES TO PURCHASE, OPERATE AND MAINTAIN THE DEVICES SELECTED BY CSWS, AND ENTER A MONITORING AGREEMENT WITH CSWS. SOME OF THE STUDY PROGRAM CRITERIA ARE, BUT NOT LIMITED TO, THE FOLLOWING:

1. WHERE MULTIPLE STORM WATER TREATMENT DEVICES (BMPs) WILL BE UTILIZED TO MEET THE STORM WATER QUALITY REQUIREMENTS WITHIN THE PROJECT, THE DESIGN OF THE PROJECT SHALL UTILIZE NO MORE THAN TWO (2) PROPRIETARY DEVICES OF A PARTICULAR BRAND NAME WITHIN THE PROJECT UNLESS AGREED TO IN ADVANCE BY CSWS.
2. ALL PROPRIETARY PRE-MANUFACTURED STORM WATER TREATMENT DEVICES (BMPs) MUST BE APPROPRIATELY DESIGNED AND SIZED TO TREAT THE WATER QUALITY RUNOFF FLOW RATE FROM THE 1-YEAR, 6-HOUR STORM FOR CHARLOTTE, NC. THE RUNOFF FLOW RATE FOR THIS DESIGN STORM SHALL BE DERIVED UTILIZING A TR-55 BASED MODELING PROGRAM TO CREATE A TYPE II - CENTER WEIGHTED STORM WITH THE APPROPRIATE LOCAL RAINFALL INTENSITIES.
3. ALL PROPRIETARY PRE-MANUFACTURED STORM WATER TREATMENT DEVICES (BMPs) SHALL BE LOCATED WITHIN THE STORM WATER SYSTEM DESIGN UPSTREAM OF ANY STORM WATER DETENTION STRUCTURES TO ENSURE THAT THE OPPORTUNITY FOR STORM WATER QUALITY TREATMENT MONITORING OCCURS FIRST PRIOR TO DETENTION.
4. ALL PROPRIETARY PRE-MANUFACTURED STORM WATER TREATMENT DEVICES (BMPs) SHALL BE DESIGNED TO INCLUDE MONITORING ACCESS MANHOLES AND SAMPLING CONDUITS WITHIN THE STORM DRAINAGE SYSTEM AND PROJECT DESIGN THAT ARE LOCATED INDEPENDENTLY AND IMMEDIATELY UPSTREAM AND DOWNSTREAM OF EACH STORM WATER TREATMENT DEVICE (BMP). ACCESS MANHOLE AND SAMPLING CONDUIT LOCATIONS SHALL BE REVIEWED AND APPROVED BY CSWS.
5. THE PETITIONER SHALL GRANT A TEMPORARY MONITORING AND MAINTENANCE EASEMENT TO THE CITY OF CHARLOTTE TO ALLOW FOR ACCESS TO THE TREATMENT DEVICES (BMPs) BY THE CITY. THE LENGTH OF THE MONITORING PERIOD WILL BE ESTABLISHED UPON THE APPROVAL OF THE EASEMENT AGREEMENT. THE CITY OF CHARLOTTE WILL PROVIDE MONITORING DATA RESULTS TO THE PETITIONER OR ITS REPRESENTATIVES.
6. THE PETITIONER SHALL PROVIDE PROPER OPERATION AND MAINTENANCE (O&M) OF ALL STORM WATER TREATMENT DEVICES WITHIN THE PROJECT DURING THE LIFE OF THE PROJECT, AND THE O&M AGREEMENT FOR THE DEVICES SHALL BE TIED TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE SITE. UPON REQUEST, THE PETITIONER WILL PROVIDE ANNUAL COPIES OF THE MAINTENANCE REPORT TO THE CITY OF CHARLOTTE, UPON COMPLETION OF THE MONITORING PERIOD AS CONDUCTED BY THE CITY OF CHARLOTTE.

9. SIGNAGE:

a. SIGNAGE AS ALLOWED BY THE ORDINANCE AND BY THE OPTIONAL PROVISIONS LISTED ABOVE MAY BE PROVIDED.

10. 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.

11. 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 DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.



STARBUCKS COFFEE
COMPANY
2401 UTAH AVENUE SOUTH
SEATTLE, WASHINGTON 98134
(206) 318-1575

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STARBUCKS TEMPLATE VERSION 12015.01.19

PETITION NUMBER

2015-112

LECRAW
ENGINEERING

3475 CORPORATE WAY, SUITE A
DULUTH, GA 30096
PHONE - 678.546.8100 FAX - 770.441.0298
WWW.LECRAWENGINEERING.COM C-3545

PROJECT NAME:
SHARON ROAD & FAIRVIEW ROAD

PROJECT ADDRESS:
4805 SHARON ROAD
CHARLOTTE, NC 28210

STORE #: 25058
PROJECT #: 64210-001
CASEWORK CONCEPT: CONCEPT
ISSUE DATE: JULY 27, 2015
DESIGN MANAGER: E. ZAKAMAREK
LEED® AP: LEED AP
PRODUCTION DESIGNER: MAT
CHECKED BY: MSL

Revision Schedule

Rev	Date	By	Description
1	9/18/15	MSL	CLIENT COMMENTS
2	10/21/15	MSL	CITY COMMENTS

SHEET TITLE:

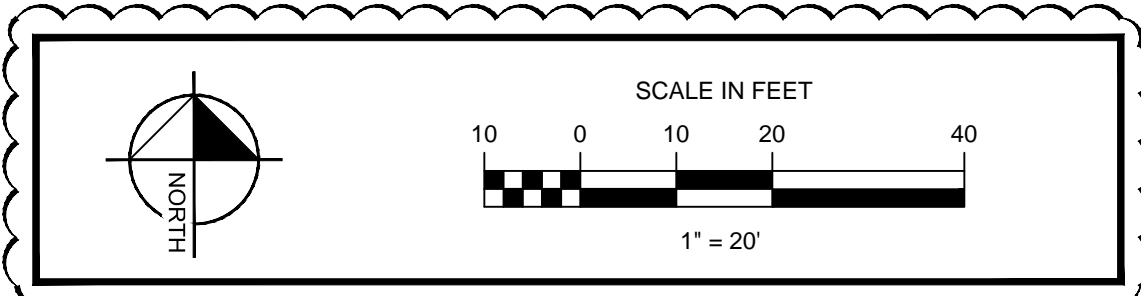
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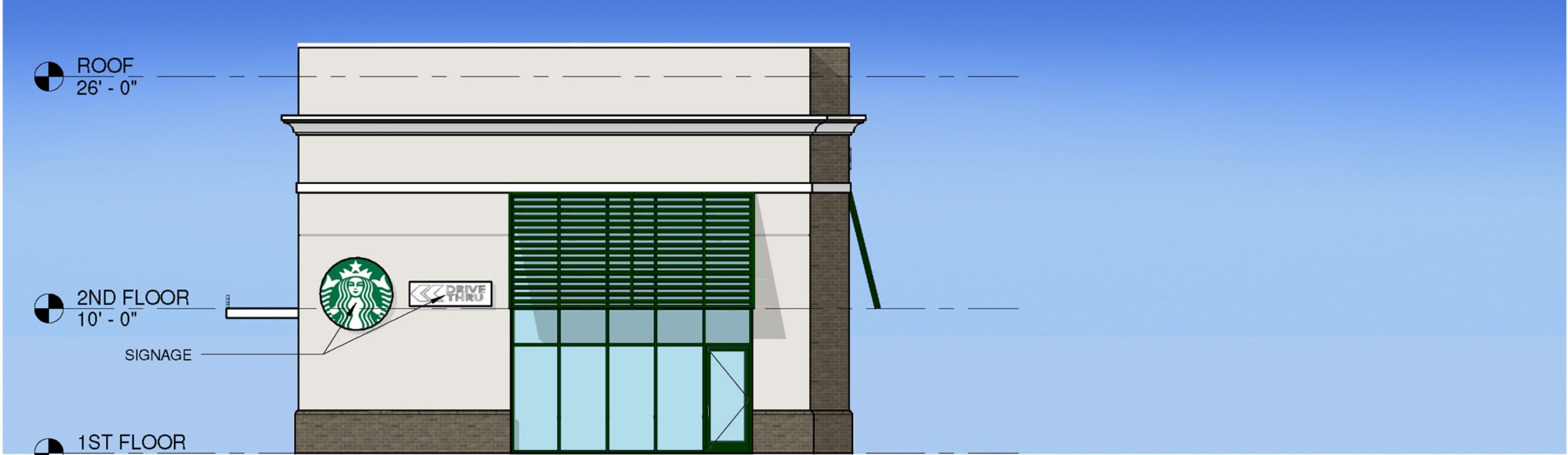
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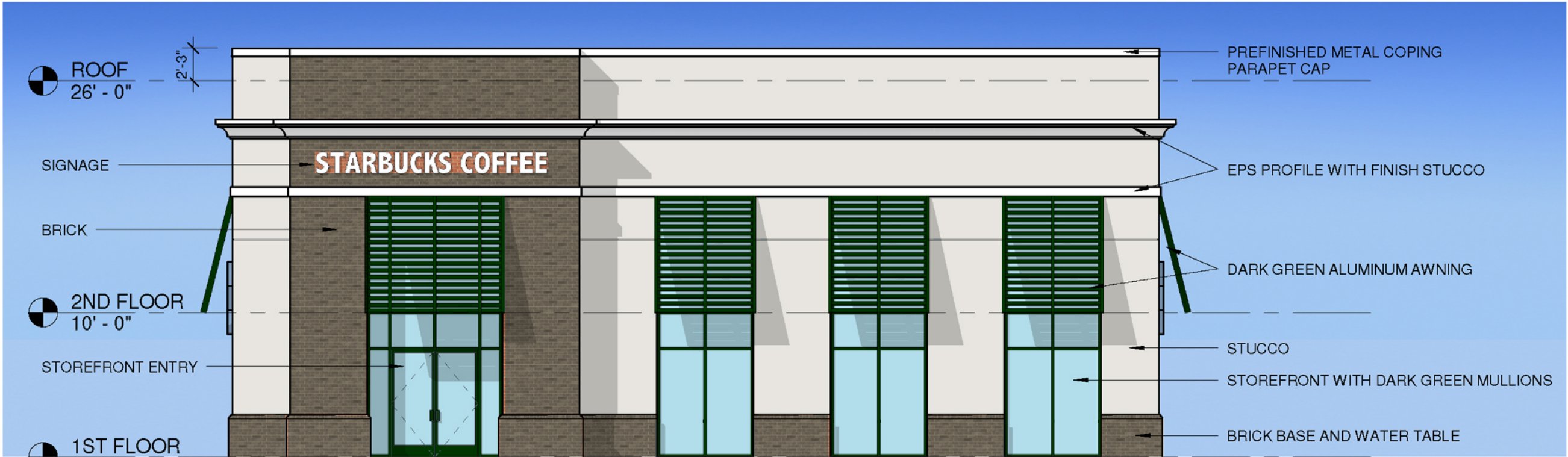
SD-2

SCHEMATIC DESIGN ONLY - NOT INTENDED FOR CONSTRUCTION USE





② EAST ELEVATION
1/8" = 1'-0"



① NORTH ELEVATION
1/8" = 1'-0"