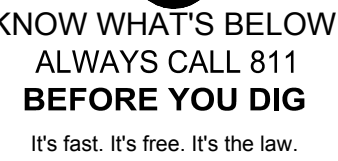
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NOT APPROVED FOR  
CONSTRUCTION

PROJECT:  
**STEELE CREEK  
CROSSING**

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— FOR —

**LG  
ACQUISITIONS,  
LLC**

LOCATION OF SITE  
**STEELE CREEK ROAD  
CITY OF CHARLOTTE, NC**



RZ-1



# STEELE CREEK/DIXIE RIVER RD EXTENSION DEVELOPMENT STANDARDS

## REZONING PETITION NO. 2017-023 LG ACQUISITIONS, LLC - PETITIONER

6/15/17

### SITE DEVELOPMENT DATA:

- ACREAGE: 1.246 ACRES
- TAX PARCEL: 201-091-07, 201-091-05, 201-091-17, 201-091-06, 201-091-05
- EXISTING ZONING: R-3
- PROPOSED ZONING: MUDD-O WITH FIVE (5) YEAR VESTED RIGHTS
- EXISTING USES: SINGLE FAMILY VACANT
- PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT.
- MAXIMUM DEVELOPMENT:

- UP TO 85,000 SQUARE FEET OF RETAIL (INCLUDING GROCERY), RESTAURANT, PERSONAL SERVICE, OFFICE AND OTHER COMMERCIAL USES, SUBJECT TO CONVERSION RIGHTS SET FORTH IN SECTION IV;
- UP TO 105 HOTEL UNITS, SUBJECT TO CONVERSION RIGHTS SET FORTH IN SECTION IV; AND
- UP TO 250 RESIDENTIAL UNITS.

- MAXIMUM BUILDING HEIGHT: UP TO 75 FEET AS ALLOWED BY THE ORDINANCE IN THE MUDD ZONING DISTRICT (FOR THE PURPOSES OF THIS HEIGHT LIMIT, ARCHITECTURAL FEATURES, SUCH AS PARAPETS, SPIRES, MANSARDS, DOMES AND CORMERS), ROOF TOP MECHANICAL EQUIPMENT, AND SCREENS OR DEVICES USED TO SCREEN ROOF TOP STRUCTURES OR EQUIPMENT WILL NOT BE CONSIDERED FOR THE CALCULATION OF ALLOWED BUILDING HEIGHT WHEN LOCATED ON A MULTI-STORY OFFICE BUILDING).
- PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD ZONING DISTRICT.

### I. GENERAL PROVISIONS:

- a. **SITE DESCRIPTION.** THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET FORM THE REZONING PLAN (HEREAFTER COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY LG ACQUISITIONS, LLC ("PETITIONER") TO ACCOMMODATE DEVELOPMENT OF A MIXED USE COMMERCIAL AND RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 1.246 ACRE SITE LOCATED AT THE INTERSECTION OF STEELE CREEK ROAD AND DIXIE RIVER ROAD EXTENSION (THE "SITE").
- b. **INTENT.** THIS REZONING IS INTENDED ACCOMMODATE DEVELOPMENT ON THE SITE OF A HORIZONTALLY-INTEGRATED MIXTURE OF OFFICE, RETAIL, HOTEL AND RESIDENTIAL USES. ADDITIONALLY, THE PETITIONER SEEKS TO CREATE AN INTERNAL STREET NETWORK THROUGH THE SITE TO CREATE A MORE COMPLETE STREET NETWORK THAT WILL ALLOW PEDESTRIAN, BICYCLE AND AUTOMOBILE TRAFFIC TO TRAVEL THROUGH THE SITE, THEREBY HELPING TO ALLEVIATE CONGESTION AT EXISTING INTERSECTIONS.
- c. **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 MUDD ZONING CLASSIFICATION FOR THE PORTION OF THE SITE SO DESIGNATED ON THE REZONING PLAN SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON SUCH PORTION OF THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW IN SECTION II.

- d. **CONCEPTUAL MASTER PLAN.** THE CONCEPTUAL MASTER PLAN, THE TECHNICAL DATA SHEET IS ALSO ACCOMPANIED BY A CONCEPTUAL MASTER PLAN. PETITIONER SHALL DEVELOP THE SITE IN A MANNER GENERALLY CONSISTENT WITH THE CONCEPTUAL MASTER PLAN, WITH THE UNDERSTANDING THAT THE CONFIGURATIONS, PLACEMENTS AND SIZES OF BUILDINGS, PARKING AREAS AND OPEN SPACES MAY BE ALTERED OR MODIFIED AS LONG AS THE ULTIMATE DESIGN IS CONSISTENT WITH THE SPIRIT AND INTENT OF THE CONCEPTUAL MASTER PLAN. THE CONFIGURATIONS, PLACEMENTS, NUMBER AND SIZES OF THE BUILDINGS, ANCILLARY USES AND TREATMENT OF OPEN SPACE AREAS DEPICTED ON THE CONCEPTUAL MASTER PLAN AND ANY BUILDING DESIGNS DEPICTED ARE CONCEPTUAL IN NATURE AND THEREFORE ARE SUBJECT TO REFINEMENTS AS PART OF THE TOTAL DESIGN PROCESS. THEY MAY, THEREFORE, BE ALTERED OR MODIFIED, IN ACCORDANCE WITH SECTION 4.207 OF THE ORDINANCE, DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES SO LONG AS THE MAXIMUM BUILDING ENVELOPE LINES AND INTENSITY LIMITATIONS ESTABLISHED ON THE TECHNICAL DATA SHEET ARE NOT VIOLATED AND THE PROPOSED ALTERATIONS OR MODIFICATIONS DO NOT EXCEED THE PARAMETERS ESTABLISHED UNDER THESE DEVELOPMENT STANDARDS AND UNDER THE ORDINANCE FOR THE MUDD DISTRICT.

- e. **PLANNED/UNIFIED DEVELOPMENT.** THE SITE SHALL BE VIEWED AS A PLANNED/UNIFIED DEVELOPMENT PLAN AS TO THE ELEMENTS AND PORTIONS OF THE SITE GENERALLY DEPICTED ON THE REZONING PLAN. AS SUCH, SETBACKS, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION STANDARDS, AND OTHER SIMILAR ZONING STANDARDS WILL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS AND OTHER SITE ELEMENTS LOCATED ON THE SITE. FURTHERMORE, THE PETITIONER AND/OR OWNER OF THE SITE RESERVE THE RIGHT TO SUBDIVIDE PORTIONS OR ALL OF THE SITE AND CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS AND PUBLIC/PRIVATE STREET FRONTAGE REQUIREMENTS, PROVIDED, HOWEVER, THAT ALL SUCH SEPARATION STANDARDS ALONG THE EXTERIOR BOUNDARY OF THE SITE SHALL BE ADHERED TO AND TREATED AS THE SITE AS A WHOLE AND NOT INDIVIDUAL PORTIONS OR LOTS LOCATED THEREIN.
- f. **FIVE YEAR VESTED RIGHTS.** PURSUANT TO THE PROVISIONS OF SECTION 1.110 OF THE ORDINANCE AND N.C.G.S. SECTION 190A-385.1, DUE TO THE MASTER PLANNED LARGE SCALE NATURE OF THE DEVELOPMENT AND/OR REDEVELOPMENT, THE LEVEL OF INVESTMENT, THE TIMING OF DEVELOPMENT AND/OR REDEVELOPMENT AND CERTAIN INFRASTRUCTURE IMPROVEMENTS, ECONOMIC CYCLES AND MARKET CONDITIONS, THIS PETITION INCLUDES VESTING OF THE APPROVED REZONING PLAN AND CONDITIONAL ZONING DISTRICTS ASSOCIATED WITH THE PETITION FOR A FIVE (5) YEAR PERIOD.

### II. OPTIONAL PROVISIONS FOR THE MUDD-O AREA:

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY:

- a. ALLOW FOR DEVIATIONS FROM THE STREETScape DESIGN STANDARDS OF SECTION 9.850(b)(2) IN ORDER TO ACCOMMODATE ONE EXTERIOR DRIVE-THROUGH CIRCULATION LANE FOR ONE USE WITHIN A MULTI-TENANT BUILDING WITHIN DEVELOPMENT AREA B. THE DRIVE THROUGH WINDOW AREA WILL BE SCREENED FROM VIEW FROM THE PARALLEL STREET THROUGH THE USE OF A LOW WALL AND ENHANCED LANDSCAPING GENERALLY CENTERED ON THE LOCATION OF THE PROPOSED DRIVE THROUGH WINDOW WITHIN PARCEL B.

- i. THIS DRIVE-THROUGH USE SHALL BE LIMITED TO USES SIMILAR TO A NEIGHBORHOOD FOOD AND BEVERAGE SERVICE, WHICH MAY SERVE ICE CREAM, YOGURT, COFFEE, JUICES, AND SIMILAR ITEMS ALONG WITH ITEMS SUCH AS BAGELS, MUFFINS, SANDWICHES AND PASTRIES PROVIDED THE FOLLOWING RESTRICTION APPLY: THE USE WILL BE LIMITED TO 4,000 SQUARE FEET AND WILL PROVIDE FOR ON-PREMISE COOKING OF FOOD LIMITED TO THOSE FOOD PREPARATION METHODS THAT DO NOT REQUIRE A HOOD VENTILATION SYSTEM.

- a. ALLOW VEHICULAR PARKING, MANUEVERING AND SERVICE AREAS BETWEEN THE PROPOSED BUILDING AND DEVELOPMENT AREA A AND PROPOSED STREET AS GENERALLY DEPICTED ON THE CONCEPTUAL MASTER PLAN.

- a. ALLOW WALL SIGNS HAVING 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, WITHIN DEVELOPMENT AREAS A AND B.

### III. PERMITTED USES

SUBJECT TO THE MAXIMUM DEVELOPMENT PROVISIONS SET FORTH UNDER SECTION IV BELOW, THE SITE MAY BE DEVOTED TO ANY COMMERCIAL AND RESIDENTIAL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH EXCEPT FOR THE FOLLOWING:

CAR WASHES;

AUTOMOBILE SERVICE STATIONS;

- CONVENIENCE STORES WITH GAS SALES; OR
- RESTAURANTS WITH DRIVE-THROUGH SERVICE WINDOWS IN ANY AREA OTHER THAN AS ALLOWED PER THE OPTIONAL PROVISION ABOVE.

### IV. DEVELOPMENT AREA LIMITATIONS, TRANSFER AND CONVERSION RIGHTS

- a. THE REZONING PLAN SETS FORTH SEVEN (7) DEVELOPMENT AREAS AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET AS AREA 1 (CONSISTING OF DEVELOPMENT AREAS A, B, AND C) AND AREA 2 (CONSISTING OF DEVELOPMENT AREAS D, E, F, AND G) (EACH A "DEVELOPMENT AREA" AND COLLECTIVELY THE "DEVELOPMENT AREAS").

- b. SUBJECT TO THE RESTRICTIONS, LIMITATIONS, AND TRANSFER/CONVERSION RIGHTS LISTED BELOW, THE PRINCIPAL BUILDINGS CONSTRUCTED WITHIN DEVELOPMENT AREAS MAY BE DEVELOPED: (I) WITH UP TO 85,000 SQUARE FEET OF GROSS FLOOR AREA OF COMMERCIAL (NON-RESIDENTIAL) USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS; AND (II) UP TO 250 RESIDENTIAL DWELLING UNITS, AND UP TO 105 HOTEL UNITS, ALONG WITH ANY ACCESSORY USES ALLOWED IN THE MUDD ZONING DISTRICT.

- c. PERMITTED USES WITHIN DEVELOPMENT AREA A AND B SHALL BE LIMITED TO COMMERCIAL USES AND SHALL NOT EXCEED 36,000(A) SQUARE FEET AND 14,000(B) SQUARE FEET, RESPECTIVELY.

- d. PERMITTED USES WITHIN DEVELOPMENT AREA C AND E SHALL BE LIMITED TO RESIDENTIAL USES AND SHALL NOT EXCEED 250 UNITS TOTAL, SUBJECT TO CONVERSION RIGHTS.

- e. PERMITTED USES WITHIN DEVELOPMENT AREA D SHALL BE LIMITED TO HOTEL USES AND OFFICE USES. NO MORE THAN 105 HOTEL UNITS MAY BE DEVELOPED. UNDEVELOPED HOTEL UNITS MAY BE CONVERTED TO OFFICE ENTITLEMENTS AS PRESCRIBED BELOW.

- f. PERMITTED USES WITHIN DEVELOPMENT AREA F SHALL BE LIMITED TO OFFICE USES AND SHALL NOT EXCEED 25,000 SQUARE FEET.

- g. IN ORDER TO ENCOURAGE THE INTEGRATION OF RETAIL USES INTO THE GROUND FLOOR LEVELS OF OFFICE OR MULTI-FAMILY BUILDINGS), THE SQUARE FOOTAGES OF ANY SUCH RETAIL SPACES SHALL NOT BE COUNTED TOWARDS THE MAXIMUM AMOUNT OF COMMERCIAL OR RETAIL SQUARE FOOTAGE ALLOWED WITHIN THE SITE.

- i. UNUSED COMMERCIAL SQUARE FOOTAGE MAY ALSO BE CONVERTED TO HOTEL UNITS AT A RATE OF ONE (1) HOTEL UNIT PER 1,000 SQUARE FEET OF COMMERCIAL SQUARE FOOTAGE SO CONVERTED. HOWEVER, THE TOTAL NUMBER OF HOTEL UNITS SHALL NOT EXCEED 225 UNITS AT ANY TIME, INCLUDING CONVERSIONS.

- i. UNUSED COMMERCIAL SQUARE FOOTAGE MAY ALSO BE CONVERTED TO HOTEL UNITS AT A RATE OF ONE (1) HOTEL UNIT PER 1,000 SQUARE FEET OF COMMERCIAL SQUARE FOOTAGE SO CONVERTED. HOWEVER, THE TOTAL NUMBER OF HOTEL UNITS SHALL NOT EXCEED 225 UNITS AT ANY TIME, INCLUDING CONVERSIONS.

- i. UNUSED HOTEL UNITS MAY BE CONVERTED TO OFFICE SQUARE FOOTAGE AT A RATE OF 1,000 SQUARE FEET OF OFFICE SQUARE FOOTAGE PER ONE (1) HOTEL ROOM SO CONVERTED.

- i. UNUSED HOTEL UNITS MAY ALSO BE CONVERTED TO MULTI-FAMILY RESIDENTIAL UNITS AT A RATE OF ONE (1) RESIDENTIAL UNIT PER ONE (1) HOTEL ROOM SO CONVERTED.

FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH IN THESE DEVELOPMENT STANDARDS (THE TERM "GROSS FLOOR AREA" OR "GFA" SHALL MEAN AND REFER TO THE SUM OF THE GROSS HORIZONTAL AREAS OF 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 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 BUILDING(S) OR AT STREET LEVEL), PARKING FOR OUTDOOR DINING AREAS WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE OF THESE DEVELOPMENT STANDARDS).

### V. TRANSPORTATION

- a. ALL 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.

- a. PETITIONER SHALL COORDINATE WITH CDTS REGARDING THE CONSTRUCTION OF A POTENTIAL BUS STOP LOCATION ALONG THE SITE'S FRONTAGE ON STEELE CREEK ROAD DURING THE PERMITTING PHASE OF REDEVELOPMENT.

### C. ACCESS AND INTERNAL STREETS

- 1. ACCESS TO THE SITE WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN, SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW.
- 2. THE TOTAL NUMBER OF DRIVEWAY ACCESS POINTS TO STEELE CREEK ROAD WILL BE LIMITED TO ONE (1).
- 3. THE NUMBER AND LOCATION OF INTERNAL STREETS NOT DEPICTED ON THE REZONING PLAN WILL BE DETERMINED DURING THE DESIGN PROCESS AND THEREAFTER WITH APPROVAL FROM APPROPRIATE GOVERNMENTAL AUTHORITIES, SUBJECT TO APPLICABLE STATUTES, ORDINANCES AND REGULATIONS SUCH AS SUBDIVISION AND DRIVEWAY REGULATIONS.
- 4. THE PETITIONER RESERVES THE RIGHT TO REQUEST THE INSTALLATION OF PAVERS AND/OR STAMPED OR COLORED ASPHALT WITHIN THE SITE'S PUBLIC STREETS IN ORDER TO DESIGNATE AND DEFINE PEDESTRIAN CROSS-WALKS. THE PETITIONER WILL COORDINATE THE DESIGN OF ANY DECORATIVE PAVEMENT ELEMENTS PROPOSED WITHIN THE PUBLIC RIGHT-OF-WAY WITH CDOT DURING THE DRIVEWAY PERMIT PROCESS. FURTHERMORE, THE PETITIONER UNDERSTANDS THAT AN ENCROACHMENT AND MAINTENANCE AGREEMENT MUST BE OBTAINED FROM CDOT BEFORE ANY DECORATIVE PAVERS AND/OR STAMPED PAVEMENT PROPOSED IN THE PUBLIC RIGHT-OF-WAY MAY BE INSTALLED.
- 5. THE ALIGNMENT OF THE INTERNAL PUBLIC AND PRIVATE STREETS, VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER, SUBJECT TO CDOT'S FINAL APPROVAL, TO ACCOMMODATE MINOR CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) IN ACCORDANCE WITH PUBLISHED STANDARDS AND INDUSTRY BEST PRACTICES SO LONG AS THE STREET NETWORK SET FORTH ON THE REZONING PLAN IS NOT MATERIALLY ALTERED.

- 4. **SUBSTANTIAL COMPLETION.** REFERENCE TO "SUBSTANTIALLY COMPLETE" FOR CERTAIN IMPROVEMENTS AS SET FORTH HEREIN SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE STANDARDS SET FORTH HEREIN 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.

- a. **OFF-SITE IMPROVEMENTS.** ALL OFF-SITE IMPROVEMENTS WILL BE BASED UPON A TRAFFIC IMPACT ANALYSIS APPROVED BY CDOT AND SIGNED AND SEALED BY A TRAFFIC ENGINEER.

- a. **RIGHT-OF-WAY AVAILABILITY.** IT IS UNDERSTOOD THAT SOME OF THE PUBLIC ROADWAY IMPROVEMENTS REFERENCED HEREIN MAY NOT BE POSSIBLE WITHOUT THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY. IF, AFTER THE EXERCISE OF DILIGENT GOOD FAITH EFFORTS, AS REQUIRED BY THE CITY OF CHARLOTTE RIGHT-OF-WAY ACQUISITION PROCESS AS ADMINISTERED BY THE CITY OF CHARLOTTE'S ENGINEERING AND PROPERTY MANAGEMENT DEPARTMENT, THE PETITIONER IS UNABLE TO ACQUIRE ANY LAND NECESSARY TO PROVIDE FOR ANY SUCH ADDITIONAL RIGHT-OF-WAY UPON COMMERCIALLY REASONABLE TERMS AND AT MARKET PRICES, THEN CDOT, THE CITY OF CHARLOTTE ENGINEERING DIVISION OR OTHER APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY AGREE TO PROCEED WITH ACQUISITION OF ANY SUCH LAND. IN SUCH EVENT, THE PETITIONER SHALL REIMBURSE THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY FOR THE COST OF ANY SUCH ACQUISITION PROCEEDINGS INCLUDING COMPENSATION PAID BY THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY FOR ANY SUCH LAND AND THE EXPENSES OF SUCH PROCEEDINGS.

- g. **ALTERNATIVE IMPROVEMENTS.** CHANGES TO THE ABOVE REFERENCED ROADWAY IMPROVEMENTS CAN BE APPROVED THROUGH THE ADMINISTRATIVE AMENDMENT PROCESS UPON THE DETERMINATION AND MUTUAL AGREEMENT OF PETITIONER, CDOT, PLANNING DIRECTOR, AND AS APPLICABLE, NCDOT. PROVIDED, HOWEVER, THE PROPOSED ALTERNATE TRANSPORTATION IMPROVEMENTS MUST PROVIDE IN THE AGGREGATE COMPARABLE TRANSPORTATION NETWORK BENEFITS TO THE IMPROVEMENTS DEPICTED IN THE PETITION.
- g. **ALTERNATIVE COMPLIANCE.** WHILE IT IS UNDERSTOOD THAT THE IMPROVEMENTS SET FORTH ABOVE, UNLESS OTHERWISE SPECIFIED, ARE THE RESPONSIBILITY OF THE PETITIONER OR OTHER PRIVATE SECTOR ENTITY, IN EVENT THAT IT IS NECESSARY OR ADVANTAGEOUS CDOT MAY, AT ITS DISCRETION, ACCEPT A FEE IN LIEU OF CONSTRUCTION OF CERTAIN IMPROVEMENTS, AS LONG AS SUCH FEE IS EQUAL TO THE FULL COST OF SAID IMPROVEMENTS (INCLUDING DESIGN, ACQUISITION AND CONSTRUCTION).

### VI. DESIGN GUIDELINES:

#### a. GENERAL DESIGN GUIDELINES.

THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS WILL BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, METAL, STONE, SIMULATED STONE, PRE-CAST STONE, ARCHITECTURAL PRECAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTATIIOUS SIDING (SUCH AS HARDPLANK), OR WOOD. VINYL, AS A BUILDING MATERIAL, WILL ONLY BE ALLOWED ON WINDOWS, SOFFITS AND TRIM FEATURES.

- a. AS USED HEREIN, PRIMARY FRONTAGE AREA SHALL MEAN THE AREAS IDENTIFIED ON THE CONCEPTUAL MASTER PLAN.

- a. "BUILDING ENVELOPES" ARE GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. WITHIN THESE AREAS, BUILDING FRONTAGES SHALL INCLUDE PRINCIPAL USES.

- 4. "PARKING ENVELOPES" ARE GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. THIS DENOTES AREAS WHERE PARKING AREAS MAY BE VISIBLE FROM STREETS OR OPEN SPACES.

- 5. STREETScape TREATMENT WILL BE A UNIFYING ELEMENT THROUGH THE USE OF CONSISTENT PAVING, LIGHTING, LANDSCAPING, AND, WHEN PROVIDED, SITE FURNISHINGS, THROUGHOUT DEVELOPMENT AREAS.

- 6. METER BANKS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE FROM PUBLIC OR PRIVATE STREETS AND SHALL BE LOCATED OUTSIDE OF THE SETBACK.

- 7. ROOFTOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM PUBLIC OR PRIVATE STREETS.
- 8. ALL DUMPSTER, LOADING AND SERVICE AREAS SHALL BE SCREENED FROM STREETS, COMMON OPEN SPACES AND ANY ADJACENT RESIDENTIAL USES WITH MATERIALS COMPLEMENTARY TO THE PRINCIPAL STRUCTURE. DUMPSTER ENCLOSURES SHALL NOT DIRECTLY ABUT THE BACK OF A SIDEWALK.
- 9. BACKFLOW PREVENTERS AND TRANSFORMERS SHALL BE SCREENED AND LOCATED OUTSIDE THE SETBACK.
- 10. ALL SERVICE AREAS FOR NON-RESIDENTIAL USES SHALL BE SCREENED FROM RESIDENTIAL STRUCTURES.
- 11. TREES MAY BE PROVIDED IN GRATES OR RAISED PLANTERS RATHER THAN IN PLANTING STRIPS.
- 12. ALL BUILDINGS SHALL COMPLY WITH THE HEIGHT REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD CLASSIFICATION.

#### B. DEVELOPMENT AREA A

- 1. DEVELOPMENT WITHIN AREA A WILL BE SUBSTANTIALLY SIMILAR TO THE ELEVATIONS PROVIDED IN THE CONCEPTUAL MASTER PLAN.
- 2. THE ORIENTATION OF BUILDING(S) LOCATED WITHIN DEVELOPMENT AREA A MAY BE PERPENDICULAR TO THE STREET FRONTAGE OF STEELE CREEK ROAD AND PROPOSED PRIVATE STREET A. PEDESTRIAN ACCESS WILL BE PROVIDED FROM THESE RESPECTIVE STREETS TO THE COMMERCIAL BUILDING(S) CONSTRUCTED IN DEVELOPMENT AREAS A AND B.

#### C. DESIGN STANDARDS RELATED TO RESIDENTIAL USES

- 1. PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS ABUTTING A PRIMARY FRONTAGE AREA, AS SHOWN ON THE CONCEPTUAL MASTER PLAN, SHALL COMPRISE A MINIMUM OF 30% OF THAT BUILDING'S ENTIRE FAÇADE FACING SUCH NETWORK STREET USING BRICK, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO OR OTHER MATERIAL APPROVED BY THE PLANNING DIRECTOR.
- 2. PROHIBITED EXTERIOR BUILDING MATERIALS:

- A. VINYL SIDING (BUT NOT VINYL HAND RAILS, WINDOWS OR DOOR TRIM); AND
- B. CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.
- 3. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:

- A. BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FAÇADE TO ALL PRIMARY FRONTAGE AREAS;
- B. BUILDINGS SHALL FRONT A MINIMUM OF 50% OF THE PRIMARY FRONTAGE AREAS ON THE SITE (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS AND STORM WATER FACILITIES);
- C. PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY BUILDING AND ANY NETWORK REQUIRED PUBLIC OR PRIVATE STREET; AND
- D. DRIVEWAYS INTENDED TO SERVE SINGLE UNITS SHALL BE PROHIBITED ON ALL NETWORK REQUIRED STREETS.
- 4. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:

- A. BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FAÇADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF TWO (2) FEET EXTENDING THROUGH AT LEAST A FULL FLOOR.
- 5. IF NON-RESIDENTIAL USES ARE NOT ORIENTED TO AN EXISTING OR NEW NETWORK REQUIRED STREET AND CANNOT MEET THE DESIGN STANDARDS FOR BLANK WALL ARTICULATION, ALTERNATIVE INNOVATIVE DESIGN SOLUTIONS MAY BE CONSIDERED FOR APPROVAL BY THE PLANNING DIRECTOR.
- 6. ARCHITECTURAL ELEVATION DESIGN - ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:

- A. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PLASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS;

- B. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FAÇADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. SUCH BASE MAY BE EXECUTED THROUGH THE USE OF PREFERRED BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES OR COLOR CHANGES.

- C. BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20' IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS BUT NOT LIMITED TO BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.

- 7. ROOF FORM AND ARTICULATION - ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:

- A. LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT NOT BE LIMITED TO GABLES, HIP'S DORMERS OR PARAPETS.
- B. FOR PITCHED ROOFS, THE MINIMUM ALLOWED IS 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS.

- C. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST NETWORK REQUIRED PUBLIC OR PRIVATE STREET.
- 8. SERVICE AREA SCREENING- SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM VIEW WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH NEIGHBORHOOD CHARACTERISTICS. PREFERRED EXTERIOR BUILDING MATERIALS OR A CLASS B BUFFER NOT LESS THAN 10' IN DEPTH AT ALL ABOVE GRADE PERIMETER NOT PAVED FOR ACCESS.

- 9. IF STRUCTURED PARKING IS DEVELOPED, EXPOSED MULTILEVEL PARKING DECKS SHALL PROVIDE SCREENING SO THAT INTERIOR LIGHTING AND CARS ARE NOT VISIBLE FROM PUBLIC STREETS.

- 10. ALL RESIDENTIAL BUILDINGS SHALL HAVE AT LEAST ONE ENTRANCE FACING THE STREET. STOOPS WILL BE PROVIDED ON ALL PUBLIC AND PRIVATE STREETS.

- 11. SIDEWALK EXTENSIONS SHALL BE PROVIDED BETWEEN ALL STREET TREES ON ALL PUBLIC AND PRIVATE NETWORK REQUIRED STREETS WHEN PARKING IS ADJACENT.

#### D. DESIGN STANDARDS RELATED TO COMMERCIAL, OFFICE AND HOTEL USES

- 1. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT ON PUBLIC OR PRIVATE NETWORK REQUIRED STREETS, THROUGH THE FOLLOWING:

- A. BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FAÇADE TO ALL PRIMARY FRONTAGE AREAS.
- B. BUILDINGS SHALL FRONT A MINIMUM OF 50% OF THE PRIMARY FRONTAGE AREAS ON THE SITE (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE AND NATURAL AREAS, TREE REPLANTING AREAS AND STORM WATER FACILITIES);

- C. FAÇADES FRONTING STREETS SHALL INCLUDE A COMBINATION OF WINDOWS AND OPERABLE DOORS FOR A MINIMUM OF 40% OF EACH FRONTAGE ELEVATION TRANSPARENT GLASS BETWEEN 2' AND 10' ON THE FIRST FLOOR. UP TO 20% OF THIS REQUIREMENT MAY BE COMPRISED OF DISPLAY WINDOWS. THESE DISPLAY WINDOWS MUST MAINTAIN A MINIMUM OF 3'-0" CLEAR DEPTH BETWEEN WINDOW AND REAR WALL. WINDOWS WITHIN THIS ZONE SHALL NOT BE SCREENED BY FILM, DECALS, AND OTHER OPAQUE MATERIAL, GLAZING FINISHES OR WINDOW TREATMENTS. THE MAXIMUM SILL HEIGHT FOR REQUIRED TRANSPARENCY SHALL NOT EXCEED 4'-0" ABOVE ADJACENT STREET SIDEWALK.
- E. DIRECT PEDESTRIAN CONNECTION SHALL BE PROVIDED BETWEEN STREET FACING DOORS AND CORNER ENTRANCE FEATURES TO SIDEWALKS ON ADJACENT STREETS.

- F. BUILDING ELEVATIONS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS BUT NOT LIMITED TO BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.
- G. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FEATURES WHICH SHALL INCLUDE A COMBINATION OF AT LEAST THREE OF THE FOLLOWING: A COMBINATION OF EXTERIOR WALL OFFSETS (PROJECTIONS AND RECESSES), COLUMNS, PLASTERS, CHANGE IN MATERIALS OR COLORS, AWNINGS, ARCADES, OR OTHER ARCHITECTURAL ELEMENTS.

- H. BUILDINGS SHALL BE A MINIMUM HEIGHT OF TWENTY-TWO (22) FEET.

- I. MULTI-STORY BUILDINGS SHALL HAVE A MINIMUM OF 20% TRANSPARENCY ON UPPER FLOORS.

- J. BUILDING ELEVATIONS FACING PRIMARY FRONTAGE AREAS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS BUT NOT LIMITED TO BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS. STUCCO SHORING IS A PROHIBITED SOLE TREATMENT.

### VII. PEDESTRIAN ACCESS AND CIRCULATION DESIGN GUIDELINES.

- a. ALONG THE SITE'S INTERNAL STREETS, THE PETITIONER WILL PROVIDE A SIDEWALK AND A CROSS-WALK NETWORK THAT DIRECTLY CONNECTS THE MAIN ENTRANCES OF BUILDINGS TO PARKING AREAS AND AREAS OF INTEREST ON THE SITE WITH ONE ANOTHER BY WAY OF LINKS TO SIDEWALKS ALONG THE ADJUTING PUBLIC AND PRIVATE STREETS AND/OR OTHER PEDESTRIAN FEATURES.

- b. WHERE WALKWAYS OCCUR ALONG BUILDING WALLS, A WALKWAY WIDTH OF AT LEAST SIX (6) FEET MUST BE MAINTAINED CLEAR OF MAIN DOOR SWINGS, SHOPPING CART STORAGE, AND TEMPORARY TRASH OR SIMILAR IMPEDIMENTS. MAIN DOOR SWINGS ARE TO BE DISTINGUISHED FROM EMERGENCY EXITS, WITH EMERGENCY EXITS ONLY REQUIRING A WALKWAY WIDTH OF AT LEAST SIX (6) FEET.

- c. PETITIONER WILL EITHER INCLUDE TWO (2) FEET OF ADDITIONAL SIDEWALK WIDTH WHEN SIDEWALK IS ADJACENT TO PARKING SPACES IN ORDER TO ACCOUNT FOR CAR OVERHANG, OR WILL PROVIDE CAR STOPS.

- c. SUBJECT TO THE OPTIONAL PROVISIONS ABOVE, DEVIATIONS FROM TYPICAL SIDEWALK AND PLANTING STRIP REQUIREMENTS ARE ALLOWABLE UPON APPROVAL BY CDOT AND THE PLANNING DIRECTOR. ANY CHANGES TO DIMENSIONAL REQUIREMENTS ARE ALLOWABLE ONLY IN CASES OF HARDSHIP.

### VIII. OPEN SPACE AND AMENITY AREAS.

- a. PETITIONER SHALL PROVIDE OPEN SPACES THROUGHOUT THE SITE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

- 1. **URBAN OPEN SPACES:** DEVELOPMENT WITHIN THE SITE SHALL MEET OR EXCEED THE URBAN OPEN SPACE REQUIREMENTS OF THE MUDD DISTRICT.

### IX. ENVIRONMENTAL FEATURES:

- A. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

- a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE TREE ORDINANCE. TREE SAVE AREAS WILL BE PROVIDED AS GENERALLY DEPICTED ON THE CONCEPTUAL MASTER PLAN.

### X. SIGNAGE

- a. SIGNAGE AS ALLOWED BY THE ORDINANCE AND BY THE OPTIONAL PROVISIONS SET FORTH UNDER SECTION II ABOVE MAY BE PROVIDED. BECAUSE THE SITE WILL BE VIEWED AS A PLANNED/UNIFIED DEVELOPMENT AS DEFINED BY THE ORDINANCE, SHOPPING CENTER SIGNS MAY BE LOCATED THROUGHOUT THAT PORTION OF THE SITE ZONED MUDD-O AS ALLOWED BY THE ORDINANCE AND THE OPTIONAL PROVISIONS. IN ADDITION, USES LOCATED ON THE INTERIOR OF THE SITE MAY BE IDENTIFIED ON THE ALLOWED SHOPPING CENTER/DEVELOPMENT SIGNS (BY WAY OF EXAMPLE, THE MULTI-FAMILY DEVELOPMENTS MAY BE IDENTIFIED ON THE SIGNS ALLOWED ALONG STEELE CREEK ROAD). THE ALLOWED SIGNS MAY CONTAIN IDENTIFICATION SIGNAGE FOR ANY OF THE USES LOCATED ON THE SITE.
- b. MASTER SIGNAGE AND GRAPHICS SYSTEMS MAY BE ADOPTED.
- c. INFORMATION AND ADVERTISING PILLAR SIGNS AS DEFINED BY THE ORDINANCE MAY BE PROVIDED.
- d. ON PREMISES DIRECTIONAL AND INSTRUCTIONAL SIGNS MAY BE LOCATED THROUGHOUT THE SITE PER THE STANDARDS OF THE ORDINANCE.
- e. TEMPORARY BANNERS AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED.

### XI. LIGHTING:

- a. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING GLOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.
- b. DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC AND PRIVATE STREETS, WILL BE LIMITED TO 31 FEET IN HEIGHT.
- c. ATTACHED AND DETACHED LIGHTING SHALL BE DOWNWARDLY DIRECTED. HOWEVER, UPWARD FACING ACCENT LIGHTING SHALL BE PERMITTED.
- d. ARCHITECTURAL LIGHTING MAY BE INTEGRATED INTO BUILDING ELEMENTS.

### XII. PHASING

PETITIONER INTENDS TO DEVELOP THE SITE IN PHASES AND MAY DEVELOP INDIVIDUAL DEVELOPMENT AREAS BASED ON MARKET DEMAND. ALL REQUIRED SIDEWALKS, STREET TREES AND OPEN SPACE AMENITIES WITHIN A PARTICULAR DEVELOPMENT AREA SHALL BE INSTALLED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN THE SAME DEVELOPMENT AREA. THIS REQUIREMENT SHALL NOT APPLY TO TEMPORARY CERTIFICATES OF OCCUPANCY.

### XIII. AMENDMENTS TO THE REZONING PLAN:

FUTURE AMENDMENTS TO THE REZONING PLAN 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.

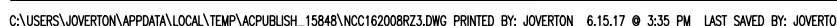
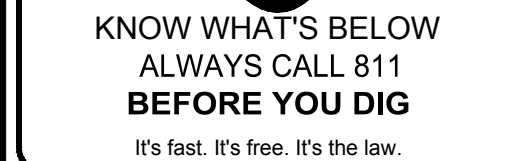
### XIV. BINDING EFFECT OF THE REZONING APPLICATION:

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


### XV. VESTED RIGHTS PROVISION:

IF THIS REZONING PETITION IS APPROVED BY THE CHARLOTTE CITY COUNCIL, THEN, PURSUANT TO SECTION 1.110 OF THE ORDINANCE, THE PETITIONER HEREBY REQUESTS A FIVE-YEAR VESTED RIGHT TO UNDERTAKE AND COMPLETE THE DEVELOPMENT OF THIS SITE UNDER THE TERMS AND CONDITIONS AS SO APPROVED, COMMENCING UPON APPROVAL OF THIS REZONING PETITION BY THE CHARLOTTE CITY COUNCIL. THE PETITIONER MAK



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PROJECT No.:	NCC162008
DRAWN BY:	JMO
CHECKED BY:	GPP
DATE:	6/15/2017
SCALE:	1"=60'-0"
CAD I.D.:	NCC162008RZ3

 **BOHLER**  
ENGINEERING NC, PLLC  
NCBELS P-1132

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1927 S. TRYON STREET, SUITE 310  
CHARLOTTE, NC 28203  
Phone: (980) 272-3400  
Fax: (980) 272-3401  
***NC@BohlerEng.com***

