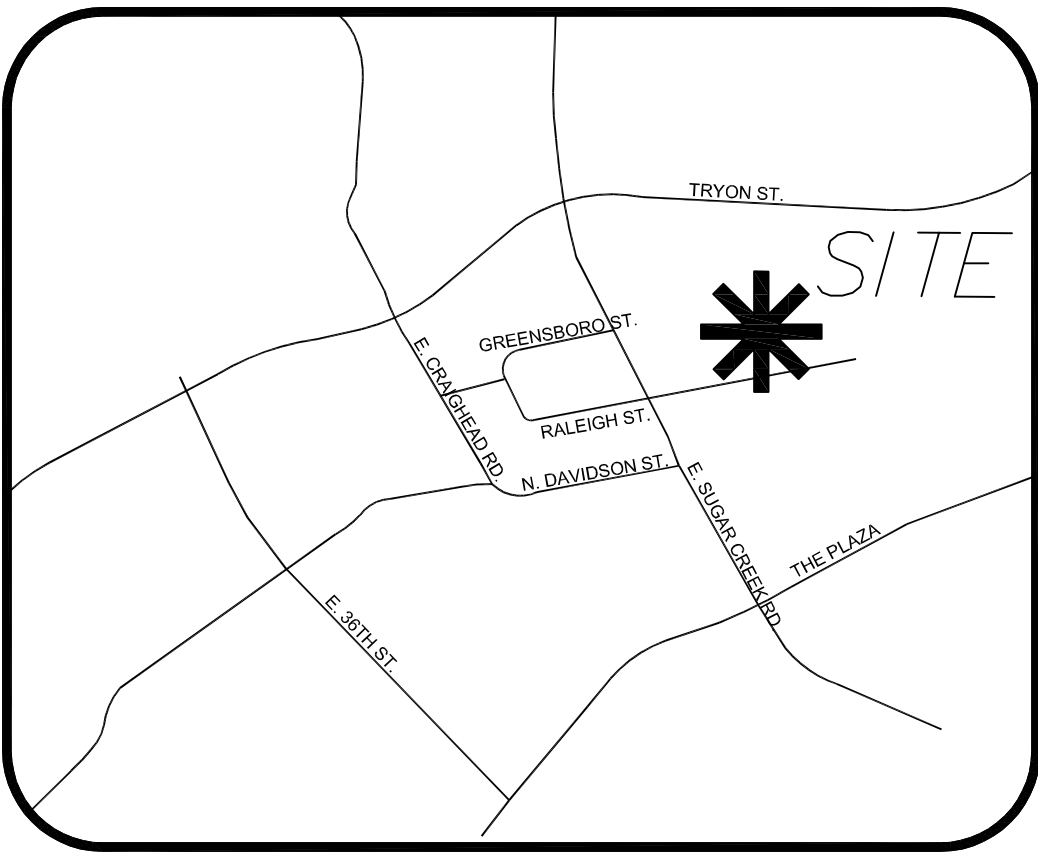
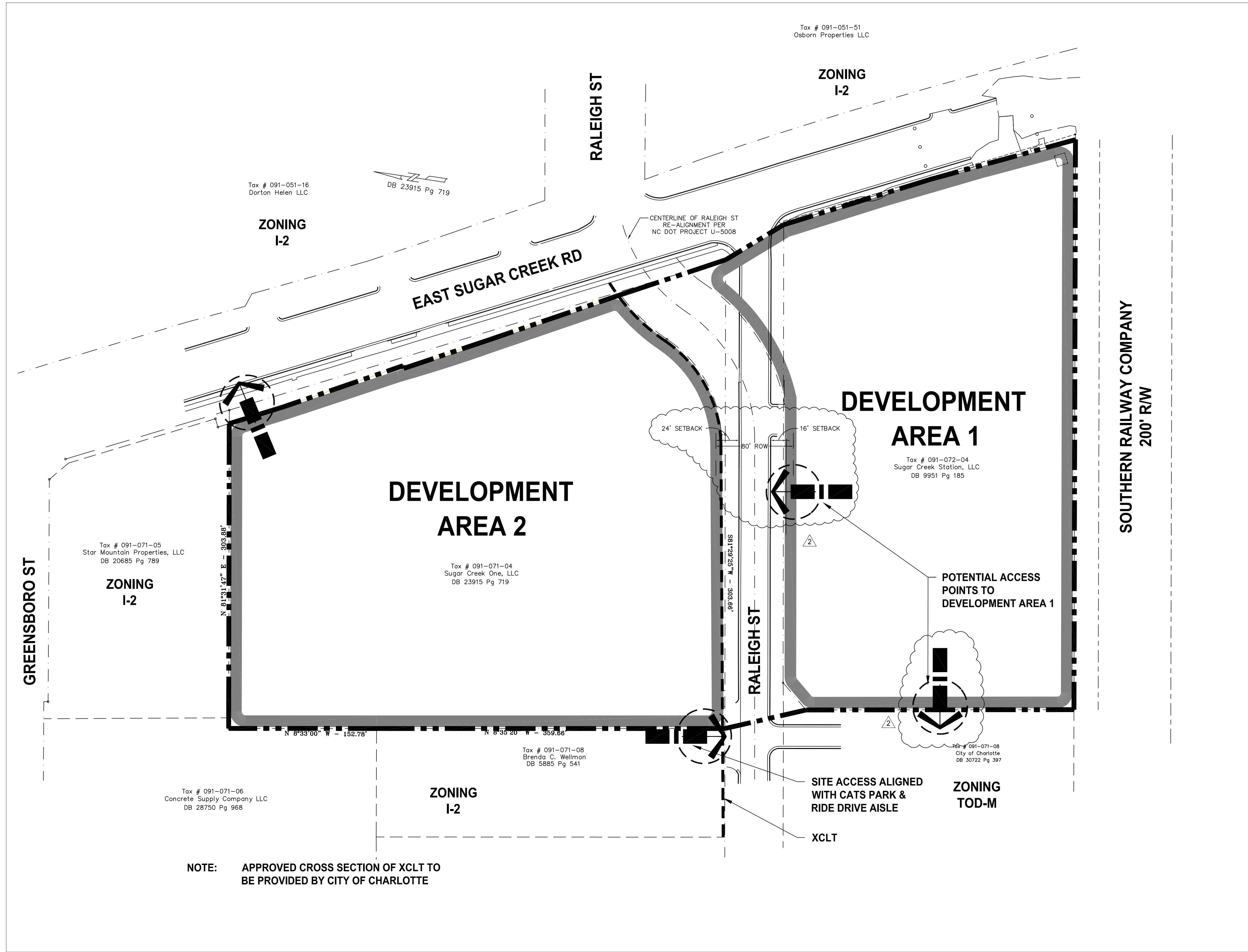




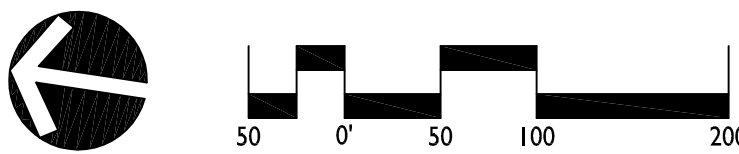
VICINITY MAP
NTS

SITE DEVELOPMENT DATA

- Site Acreage:** +/-8.3 AC.
- Tax Parcels:** 091-072-04 and 091-071-04
- Proposed Zoning:**TOD-M (O)
- Existing Zoning:** I-2
- Existing Uses:** Industrial
- Proposed Uses:**
Uses permitted by right, under prescribed conditions and by the Optional provisions below together with accessory uses, as allowed in the TOD-M zoning district (as more specifically described and restricted below in Section 3).
- Maximum Gross Square feet of Development:**
As allowed and required by the TOD-M zoning district.
- Maximum Building Height**
As allowed by the Ordinance and the Optional provisions below. Building height to be measured as required by the Ordinance.
- Parking**
Parking as required by the Ordinance and the Optional Provisions below.

SITE LEGEND

- SITE ACCESS
- GREENWAY ACCESS
- ZONING LINE
- STREET NETWORK
- PEDESTRIAN NETWORK
- DEVELOPMENT AREA



DEVELOPMENT STANDARDS

1. General Provisions:

a. **Site Location.** These Development Standards and the Technical Data Sheet form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Flywheel Group ("Petitioner") to accommodate the development of transit supportive uses on an approximately 8.3 acre site located between Greensboro Street and the rail corridor west of East Sugar Creek Road (the "Site").

b. **TOD-M(O) & Cross-Charlotte Trail.** The Rezoning Plan and Petition involved a conditional rezoning request for the primary purpose of documenting the Petitioner's commitment to make certain public infrastructure improvements, on a phased basis, including most notably allowances for and installation of portions of the City's Cross-Charlotte Trail (XCLT) as more particularly described herein.

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 TOD-M (O) zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.

d. **Graphics and Alterations.** The schematic depictions of the development areas, 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.

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.

2. Optional Provisions.

a. To allow parking for EDEE at the rate of one space per 300 square feet. This Optional Provision changes the required parking for EDEE from one space for 150 square feet to one space per 300 square feet.

b. Deleted.

3. Permitted Uses, Development Area Limitations:

a. The Site may be developed with residential and non-residential uses as permitted by right and under prescribed conditions in the TOD-M Zoning District together with accessory uses as allowed in the TOD-M Zoning District.

4. Transportation Improvements; Access and Right-of-Way Dedications:

I. General Transportation Aspects:

a. Vehicular access to the Site will be from East Sugar Creek Road and Raleigh Street as generally depicted on the Technical Data Sheet.

b. The location of the access 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 street network set forth on the Rezoning Plan is not materially altered.

c. The Petitioner shall dedicate right-of-way on Raleigh Street to provide a total right-of-way of eighty (80') feet as generally depicted on Sheet RZ-01.

d. The Petitioner shall provide for the streetscape improvements set forth in Section 5 below.

e. The Petitioner shall preserve a local commercial street connection along the west property line and construct a sidewalk for this street as generally depicted on the Technical Data Sheet at such time that the adjacent Site is redeveloped.

f. All transportation improvements will be approved and constructed prior to the issuance of the first certificate of occupancy. The Petitioner reserves the right to post a bond or letter of credit for any improvements not completed at the time of the issuance of the first certificate of occupancy, and as further described in 5.a.

II. Dedication, Phasing and Other Provisions:

a. **Right-of-way Dedication.** The Petitioner shall dedicate and convey to the City all required rights-of-way referenced above and in Section 5 below as development occurs within each respective Development Area prior to the issuance of the first certificate of occupancy for the first new building constructed in the respective Development Area, and where practicable, such right-of-way shall be set at two (2) feet behind the back of sidewalk.

b. **CDOT/NCDOT Standards.** The foregoing public roadway improvements will be subject to the standards and criteria of CDOT as applicable. 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 area, by way of a private/public partnership effort or other public sector project support.

c. **Substantial Completion.** Reference to "substantial completion" or "substantially completed" for certain improvements and/or right-of-way dedications as set forth in the provisions of Section 4.I above shall mean completion of the roadway improvements or right-of-way dedications in accordance with the standards set forth in Section 4.II. above provided, however, in the event such roadway improvements and/or right-of-way dedications 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 the Petitioner will work with City Staff to determine a process 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 or right-of-way dedications not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements or right-of-way dedication.

d. **Alternative Improvements.** Changes to the streetscape improvements in Section 4.I. above or in Section 5 below can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, and the Planning Director as applicable, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements or right-of-way dedications identified in this Petition.

5. Streetscape, Landscaping, Open Space and Screening:

a. A sixteen (16') foot setback as measured from the existing/future back of curb will be provided along the south side of Raleigh Street as generally depicted on Sheet RZ-01.

b. A twenty-four (24') foot setback as measured from the existing/future back of curb will be provided along the north side of Raleigh Street as generally depicted on Sheet RZ-01.

c. An eight (8') foot planting strip and a sixteen (16') foot shared use path, known as the Cross Charlotte Trail (XCLT), will be substantially completed on the north side of Raleigh Street prior to the first certificate of occupancy for the first new building constructed in Development Area 2. All intersection and driveway crossings will be appropriately designed to mitigate the increased risk of a two-way cycle track on a two-way street.

d. An eight (8') foot planting strip and an eight (8') foot sidewalk will be substantially completed on the south side of Raleigh Street prior to the first certificate of occupancy for the first new building constructed in Development Area 1.

e. Residential development along and fronting Raleigh Street shall provide an additional 4 feet of setback to serve as a transition zone between the face of the building and the sidewalk.

f. The Petitioner will improve the area between the proposed building and the rail corridor/station area as an amenitized open space area with landscaping, seating areas and/or features that promote gathering. This area may be used to meet the public and private open space requirements of the Ordinance (and is noted as an "Optional Provision" as needed).

g. The open space areas on the Site will be improved with landscaping, lighting, seating and/or hardscape elements.

h. Utilities, including transformers, mechanical and electrical equipment, utility meters, dumpsters and back flow preventers shall be screened from the XCLT. Meter banks will be also screened where visible from public street view at grade level.

6. Architectural Standards.

a. The building materials used on the principal buildings constructed on Site will be a combination of some of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hard-plank), stucco, EIFS, decorative metal panels, decorative block and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings

b. The ground floor portion of any building fronting and facing directly on the future Cross Charlotte Trail (XCLT) will be designed to orient to the Cross Charlotte Trail (XCLT). Entrances that face the Cross Charlotte Trail (XCLT) shall have direct access to the Cross Charlotte Trail (XCLT).

c. If individual uses and/or tenant entrances are not provided along Raleigh Street, primary building entrances shall be provided at a minimum of every 100' along Raleigh Street.

d. If individual unit entrances are not provided, a primary building entrance shall be provided at a minimum of every 100'.

e. All primary entrances shall include at least 3 of the following:

i. decorative pedestrian lighting

ii. architectural details carried to upper stories

iii. covered porches, canopies, awnings or sunshades

iv. archways

v. transom windows

vi. terraced or raised planters that can be utilized as seat walls

vii. common outdoor seating enhanced with specialty details, paving, landscaping or water features

viii. double doors

f. The ground floor shall be taller than and architecturally different than upper floors with more transparency than upper floors, this standard will only apply to building walls located along public streets.

g. In addition to the Blank Wall provisions of the TOD-M zoning district, Blank Walls shall be treated with both horizontal and vertical variations in wall planes.

h. The ground floor of new buildings shall have active uses on a minimum of 40 percent of the ground floor frontage on Raleigh Street. Structured parking shall not front public streets.

7. Environmental Features:

a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

b. The Site will comply with the Tree Ordinance.

8. Lighting:

a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding; low landscape, decorative, specialty, and accent lighting that may be installed along the driveways, sidewalks, open space/amenity areas, and parking areas.

b. Pedestrian lighting shall be provided on Raleigh Street and Sugar Creek Road in coordination with CDOT.

9. 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.

10. 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 or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

REVISIONS:

1. STAFF COMMENTS 9/11/17
2. STAFF COMMENTS 10/23/17

DATE: 10/23/17
DESIGNED BY:
DRAWN BY: mm
CHECKED BY:
SCALE:
PROJECT # 4095-001

SHEET #:

RZ-2

EAST SUGAR CREEK - NODA STATION
REZONING PETITION No. 2017-120

FLYWHEEL GROUP

DEVELOPMENT STANDARDS

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