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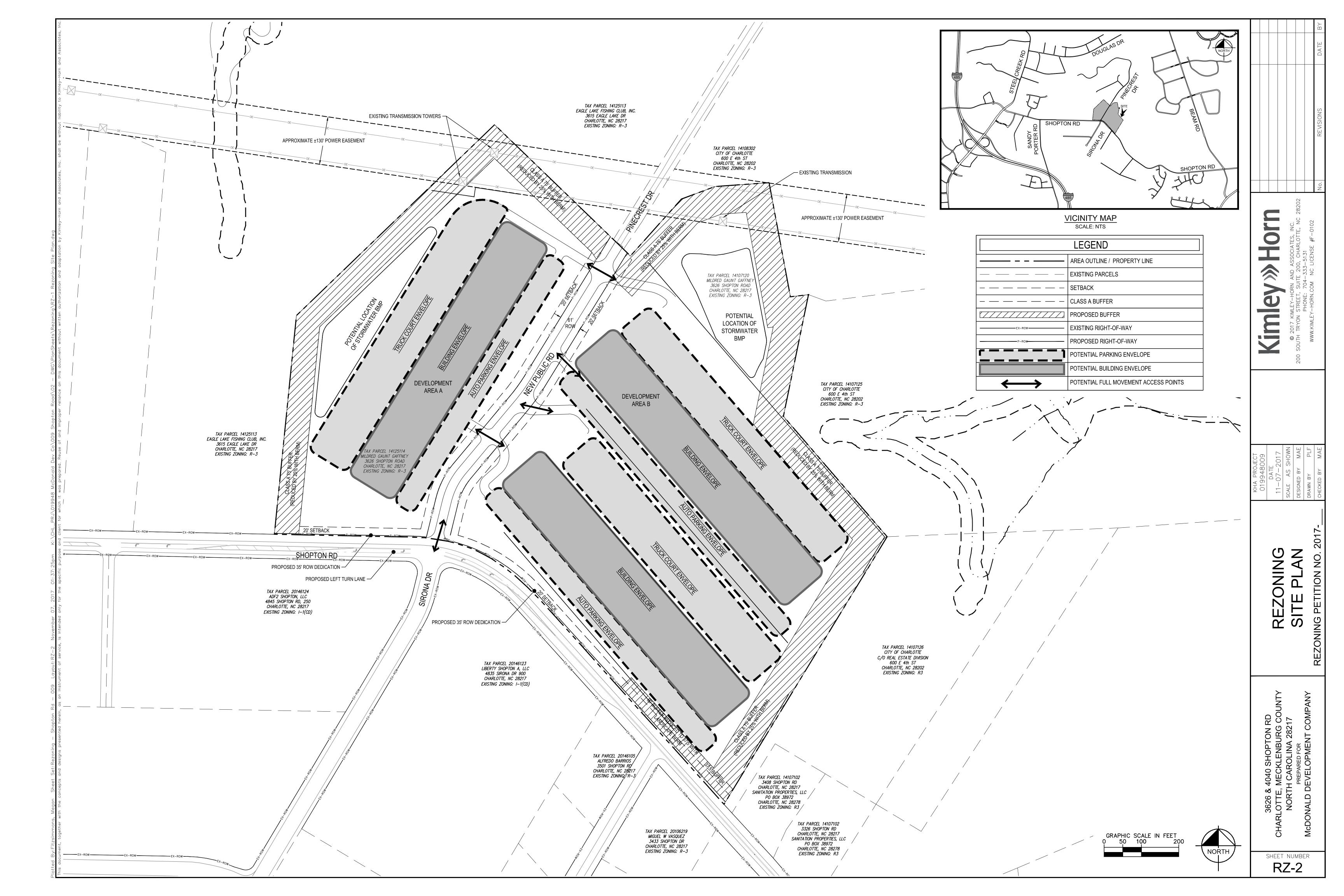
CALE AS SHOWN
ESIGNED BY MAE
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REZONING SITE PLAN

OTTE, MECKLENBURG COUNTY
NORTH CAROLINA 28217
PREPARED FOR
JALD DEVELOPMENT COMPANY

SHEET NUMBER

RZ-1



SITE DEVELOPMENT DATA:

--ACREAGE: ± 39.26ACRES --TAX PARCEL #S: 141-251-14, 141-071-20 --EXISTING ZONING: R-3 --PROPOSED ZONING: I-1(CD) AND I-2(CD) --EXISTING USES: VACANT/RESIDENTIAL

- --PROPOSED USES: WITHIN DEVELOPMENT AREA A, USES ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-1 ZONING DISTRICT; WITHIN DEVELOPMENT AREA B, USES ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-1 ZONING DISTRICT PLUS THE FOLLOWING USES ALLOWED IN THE I-2 ZONING DISTRICT AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS: (I) MANUFACTURING OF AIRCRAFT AND PARTS, AND (II) SATELLITE DISH FARMS; TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE I-1 AND I-2 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED IN THE DEVELOPMENT STANDARDS BELOW).
- --MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: WITHIN DEVELOPMENT AREA A UP TO 114,000 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-1 ZONING DISTRICT; AND WITHIN DEVELOPMENT AREA B UP TO 337,000 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-1 ZONING DISTRICT PLUS THE FOLLOWING USES ALLOWED IN THE I-2 ZONING DISTRICT AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS: (I) MANUFACTURING OF AIRCRAFT AND PARTS, AND (II) SATELLITE DISH FARMS; (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED IN THE DEVELOPMENT STANDARDS BELOW). --MAXIMUM BUILDING HEIGHT: AS ALLOWED AND REQUIRED BY THE ORDINANCE.

--PARKING: AS REQUIRED BY THE ORDINANCE FOR THE PROPOSED USE.

1. GENERAL PROVISIONS:

a. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER GRAPHICS SET FORTH ON ATTACHED SHEETS RZ-1 AND RZ-2 FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY MCDONALD DEVELOPMENT COMPANY ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF THE SITE WITH A HIGH QUALITY LIGHT INDUSTRIAL WAREHOUSE DISTRIBUTION PARK AS WELL AS A LIMITED VARIETY OF USES ALLOWED IN THE I-2 ZONING DISTRICT ON AN APPROXIMATELY 39.26 ACRE SITE LOCATED ALONG SHOPTON ROAD (THE "SITE").

b. 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 I-1 AND THE I-2 ZONING CLASSIFICATIONS SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

c. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, 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.

d. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. NOTWITHSTANDING THE NUMBER OF BUILDINGS SHOWN ON THE REZONING PLAN, THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TO FIVE (5). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING(S).

2. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

THE REZONING PLAN SETS FORTH TWO (2) DEVELOPMENT AREAS AS GENERALLY DEPICTED ON THE REZONING PLAN AS DEVELOPMENT AREAS A AND B (EACH A "DEVELOPMENT AREA" AND COLLECTIVELY THE "DEVELOPMENT AREAS").

a. DEVELOPMENT AREA A MAY BE DEVELOPED WITH UP TO 114,000 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-1 ZONING DISTRICT, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE I-1 ZONING DISTRICT, SUBJECT TO THE RESTRICTIONS LISTED BELOW.

b. DEVELOPMENT AREA B MAY BE DEVELOPED WITH UP TO 337,000 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-1 ZONING DISTRICT PLUS THE FOLLOWING USES ALLOWED BY RIGHT AND PRESCRIBED CONDITIONS IN THE I-2 ZONING DISTRICT; (I) MANUFACTURING OF AIRCRAFT AND PARTS, AND (II) SATELLITE DISH FARMS; TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE I-1 AND I-2 ZONING DISTRICT, SUBJECT TO THE

c. THE FOLLOWING USES WILL NOT BE ON DEVELOPMENT AREA A OR B; BARBER AND BEAUTY SHOPS, FINANCIAL INSTITUTIONS, RETAIL ESTABLISHMENTS, SHOPPING CENTERS AND BUSINESS AND RECREATIONS USES, EDEE (TYPE I AND II), GAS STATIONS WITH OR WITHOUT A CONVENIENCE STORE, PERSONAL SERVICES USES, AND USES WITH ACCESSORY DRIVE-THROUGH WINDOWS.

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 OR STRUCTURED PARKING FACILITIES, AND ALL LOADING DOCK AREAS (OPEN OR ENCLOSED).

a. THE PETITIONER WILL IMPROVE THE PORTION OF PINECREST DRIVE LOCATED BETWEEN DEVELOPMENT AREA A AND B TO MEET THE STANDARDS FOR A PUBLIC STREET. THIS PORTION OF PINECREST DRIVE WILL BE IMPROVED TO MEET THE STANDARDS FOR A LOCAL INDUSTRIAL STREET.

b. ACCESS TO THE SITE WILL BE FROM THE IMPROVED PORTION OF EXISTING PINECREST DRIVE THAT WILL BE CONSTRUCTED BETWEEN DEVELOPMENT AREA A AND B AS GENERALLY DEPICTED ON THE REZONING PLAN. ACCESS TO THE SITE FROM SHOPTON ROAD WILL NOT BE ALLOWED.

- c. THE PETITIONER WILL PROVIDE AN EASTBOUND LEFT TURN LANE ON SHOPTON ROAD TO PINECREST DRIVE. THE PROPOSED LEFT-TURN LANE WILL BE CREATED BY REPAINTING THE EXISTING PAVEMENT MARKINGS ON SHOPTON ROAD.
- c. PETITIONER WILL CONSTRUCT A NEW SIX (6) FOOT WIDE SIDEWALK AND AN EIGHT (8) FOOT WIDE PLANTING STRIP ALONG SHOPTON ROAD. SIDEWALKS AND PLANTING STRIPS WILL BE PROVIDED ALONG THE PORTION OF PINECREST DRIVE IMPROVED TO A PUBLIC STREET STANDARD AS REQUIRED FOR A LOCAL INDUSTRIAL STREET.

d. THE PETITIONER WILL PROVIDE A SIDEWALK AND A CROSS-WALK NETWORK THAT LINKS THE BUILDINGS AND PARKING AREAS ON THE SITE TO SIDEWALK ALONG SHOPTON ROAD AND THE SIDEWALKS LOCATED ALONG THE IMPROVED PORTION OF PINECREST DRIVE. THE MINIMUM WIDTH FOR THESE INTERNAL SIDEWALKS WILL BE FIVE (5) FEET.

e. THE PETITIONER WILL DEDICATE VIA A FEE SIMPLE CONVEYANCE 35 FEET OF RIGHT-OF-WAY ALONG THE SITE'S FRONTAGE ON SHOPTON ROAD. THE 35 FEET WILL BE MEASURED FROM THE CENTER LINE OF SHOPTON ROAD. THIS ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE SITE'S FIRST CERTIFICATE OF OCCUPANCY.

f. THE EXACT ALIGNMENT, DIMENSIONS AND LOCATION OF THE ACCESS POINT TO THE SITE, THE DRIVEWAY ON THE SITE MAY BE MODIFIED FROM THE ELEMENTS SHOWN ON THE REZONING PLAN PROVIDED THAT THE OVERALL DESIGN INTENT IS NOT MATERIALLY ALTERED AND REQUIREMENTS DESCRIBED IN THIS SECTION 3 ARE MET.

4. PARKING AREAS, AND CIRCULATION DESIGN GUIDELINES.

a. THE LOADING AREAS AND ASSOCIATED TRUCK COURT AREAS MAY NOT BE LOCATED BETWEEN THE PROPOSED BUILDINGS AND SHOPTON ROAD AND THE IMPROVED PORTION OF PINECREST DRIVE AS GENERALLY DEPICTED ON THE REZONING PLAN. LOADING DOCKS AND THE ASSOCIATED TRUCK COURTS MAY BE LOCATED TO THE SIDES OF THE PROPOSED BUILDINGS WITH FRONTAGE ON SHOPTON ROAD AND PINECREST DRIVE.

5. SETBACKS, BUFFERS AND SCREENING.

a. A 20 FOOT BUILDING AND PARKING SETBACK WILL BE PROVIDED ALONG SHOPTON AND THE IMPROVED PORTION OF PINECREST DRIVE AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. ALONG A PORTION OF SHOPTON ROAD ACROSS FROM EXISTING RESIDENTIAL ZONING A 37.5 FOOT CLASS A BUFFER WITH BERM WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE AS GENERALLY DEPICTED ON THE REZONING PLAN. SHOULD THE PROPERTY ACROSS SHOPTON ROAD NO LONGER BE ZONED OR USED FOR RESIDENTIAL PURPOSES THEN THE PROPOSED BUFFER MAY BE ELIMINATED AND REPLACED WITH A 20 FOOT SETBACK.

c. A 75 FOOT CLASS A BUFFER WILL BE PROVIDED WHERE THE SITE ABUTS RESIDENTIALLY ZONED AND USED PROPERTY. THIS PROPOSED CLASS A BUFFER MAY BE ELIMINATED IF THE ADJOINING PROPERTY IS REZONED OR THE USE IS CHANGED SO A BUFFER IS NO LONGER REQUIRED BY THE ORDINANCE. UTILITY LINES MAY CROSS THE BUFFER AT ANGLES GREATER THAN 75 DEGREES.

6. DESIGN GUIDELINES.

a. HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND FROM VIEW OF ADJACENT PROPERTIES AT GRADE.

d. DUMPSTER AREAS AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A DECORATIVE GATE. THE WALL OR FENCE USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDING.

7. ENVIRONMENTAL FEATURES:

a. THE SITE 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.

b. THE SITE WILL COMPLY WITH TREE ORDINANCE.

a. SIGNS AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED.

a. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, 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 STREETS, WILL BE LIMITED TO 31 FEET IN HEIGHT.

c. LIGHTING FIXTURES THAT ARE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED WILL BE ALLOWED ON THE PROPOSED BUILDING WALLS.

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

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SHEET NUMBER RZ-3