

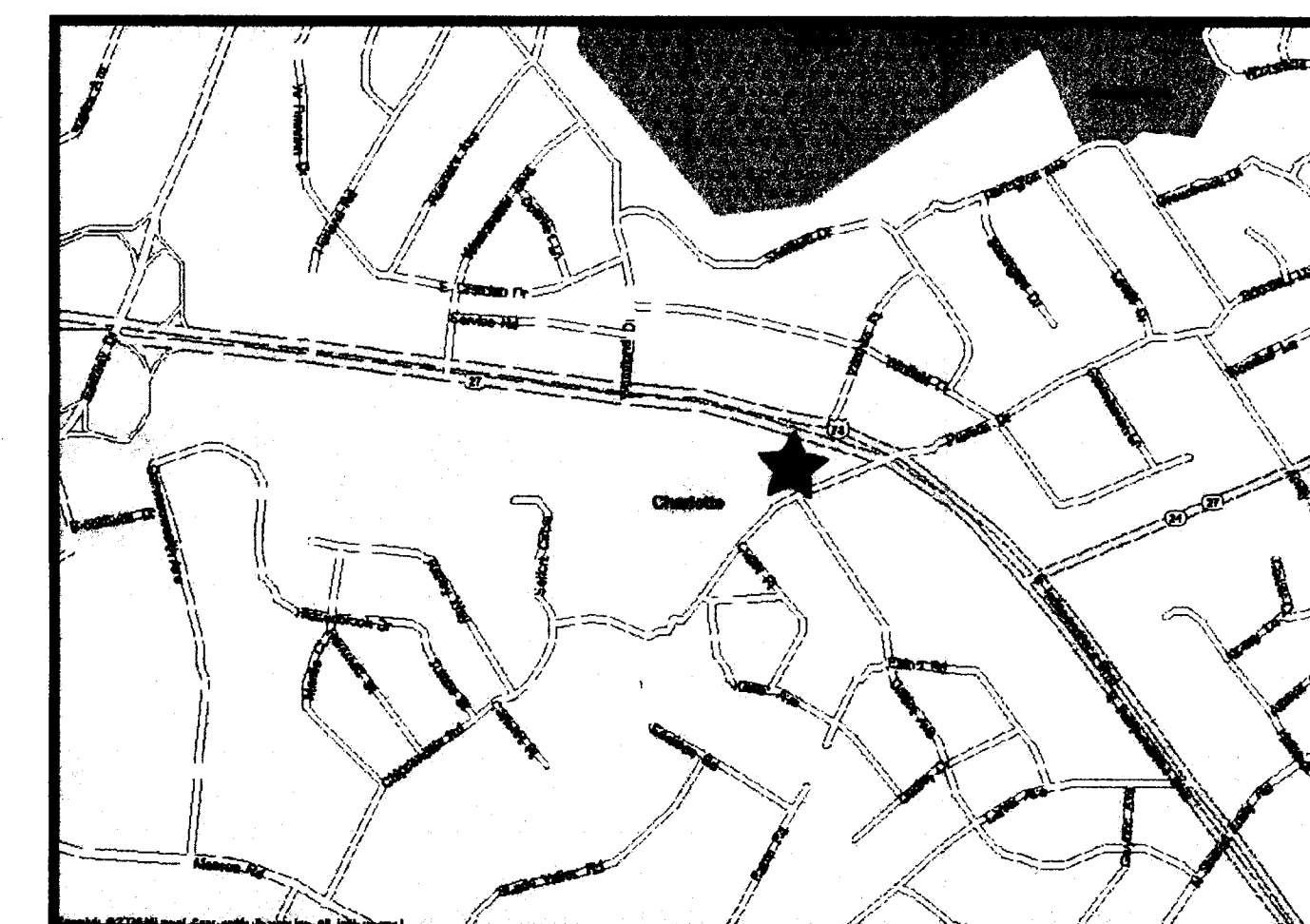
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# AMITY GARDENS REDEVELOPMENT

PETITION NO. 2006-50

## DEVELOPMENT SUMMARY

TOTAL SITE AREA : 18.79± ACRES  
EXISTING ZONING : B-2  
PROPOSED ZONING : CC  
PROPOSED USE: RETAIL

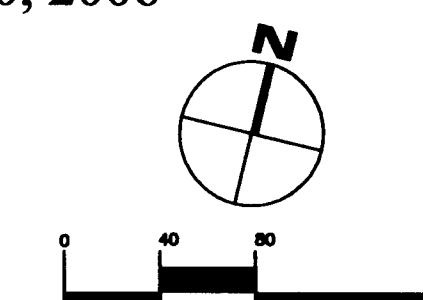


VICINITY MAP  
NOT TO SCALE

FOR PUBLIC  
HEARING

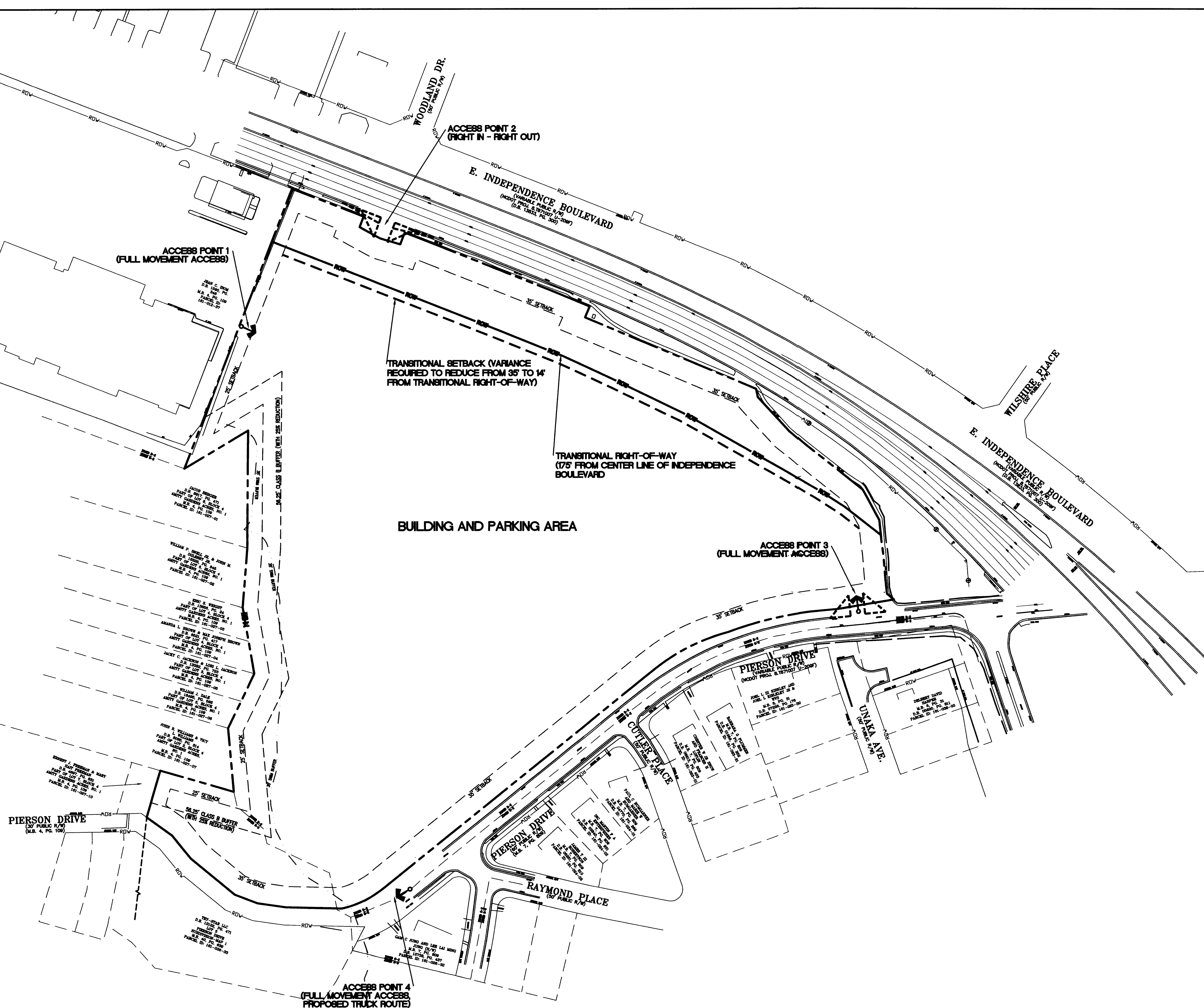
TECHNICAL DATA SHEET  
RZ-1

JANUARY 20, 2006



Kimley-Horn  
and Associates, Inc.

REVISIONS:  
REVISION DATE: MARCH 20, 2006





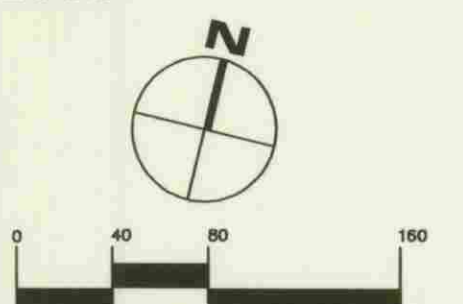
# AMITY GARDENS REDEVELOPMENT

PETITION NO. 2006-50



**FOR PUBLIC  
HEARING**

**SCHEMATIC SITE PLAN  
RZ-2  
JANUARY 20, 2006**



 **Kimley-Horn  
and Associates, Inc.**

REVISIONS:  
REVISION DATE: MARCH 20, 2006



DEVELOPMENT STANDARDS

1. GENERAL

DEVELOPMENT TAKING PLACE ON THE SITE IS SUBJECT TO THESE DEVELOPMENT STANDARDS, THE NOTES AND DETAILS SHOWN ON THE TECHNICAL DATA SHEET (SHEET RZ-1), THE SCHEMATIC SITE PLAN (SHEET RZ-2), AND ALL DEVELOPMENT REGULATIONS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE") FOR THE COMMERCIAL CENTER (CC) ZONING DISTRICT CLASSIFICATION.

DETAILED SITE PLANNING AND BUILDING DESIGN FOR THE SITE HAS NOT BEEN FINALIZED. THE DEVELOPMENT DEPICTED ON THE SCHEMATIC SITE PLAN IS SCHEMATIC IN NATURE AND, EXCEPT AS OTHERWISE SPECIFIED IN THESE DEVELOPMENT STANDARDS, IS INTENDED ONLY TO DESCRIBE THE POSSIBLE ARRANGEMENTS OF USES AND BUILDING ELEMENTS ON THE SITE AND THE SCHEMATIC DEPICTIONS OF THE USES, STRUCTURES AND BUILDING ELEMENTS SET FORTH ON THE SCHEMATIC SITE PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. CONSEQUENTLY, EXCEPT AS OTHERWISE EXPRESSLY SPECIFIED ON THE TECHNICAL DATA SHEET AND IN THESE DEVELOPMENT STANDARDS, THE ULTIMATE LAYOUT OF THE DEVELOPMENT PROPOSED, THE EXACT ALIGNMENTS OF STREETS, POINTS OF ACCESS, THE NUMBERS, THE SIZE, CONFIGURATION AND PLACEMENTS OF BUILDINGS, THE SIZE, CONFIGURATION AND PLACEMENTS OF PARKING AREAS, AND THE HEIGHTS AND MASSES OF BUILDINGS HAVE NOT BEEN FINALLY DETERMINED, AND DEPICTIONS OF SUCH ELEMENTS ON THE SCHEMATIC SITE PLAN ARE NOT INTENDED TO BE SPECIFIC SITE DEVELOPMENT PLANS BUT RATHER PRELIMINARY GRAPHIC REPRESENTATIONS OF THE TYPES AND QUALITY OF DEVELOPMENT PROPOSED. THEY MAY, THEREFORE, BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES WITHIN THE MAXIMUM BUILDING/PARKING ENVELOPE LINES ESTABLISHED ON THE TECHNICAL DATA SHEET AND SUBJECT TO THE ACCOMPANYING DEVELOPMENT STANDARDS AND SECTION 6.206 (2) OF THE ORDINANCE. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, BUILDINGS GENERALLY DEPICTED ON THE SCHEMATIC SITE PLAN MAY BE COMBINED OR SEPARATED WITHIN THE BUILDING/PARKING ENVELOPES PROVIDED THAT THE MAXIMUM NUMBER OF BUILDINGS MAY NOT BE INCREASED ABOVE THE NUMBER OF BUILDINGS DEPICTED ON THE SCHEMATIC SITE PLAN EXCEPT AS PROVIDED IN SECTION 11 HEREOF (IT BEING UNDERSTOOD THAT STRUCTURES SUCH AS ATMS, KIOSKS, AND THE LIKE SHALL NOT BE CONSIDERED IN CONNECTION WITH THE NUMBER OF BUILDINGS).

PARKING LAYOUTS MAY BE MODIFIED TO ACCOMMODATE FINAL BUILDING LOCATIONS AND ANCILLARY FACILITIES AND PARKING SPACES MAY BE LOCATED INSIDE OR OUTSIDE DEVELOPMENT AREA BOUNDARIES TO THE EXTENT PERMITTED BY THE ORDINANCE. SIDEWALKS GENERALLY DEPICTED ON THE SCHEMATIC SITE PLAN ARE INTENDED TO REFLECT THE GENERAL PEDESTRIAN CIRCULATION FOR DEVELOPMENT ON THE SITE BUT THE SPECIFIC LOCATIONS OF SUCH SIDEWALKS MAY BE SUBJECT TO MINOR VARIATIONS THAT DO NOT MATERIALLY CHANGE THE DESIGN INTENT GENERALLY DEPICTED ON THE SCHEMATIC SITE PLAN. THE DIMENSIONS AND SPECIFIC LOCATIONS OF BUILDING/PARKING ENVELOPES AND PARKING ENVELOPES GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET MAY BE SUBJECT TO MINOR VARIATIONS THAT DO NOT MATERIALLY CHANGE THE DESIGN INTENT GENERALLY DEPICTED ON THE SCHEMATIC SITE PLAN.

2. PERMITTED USES

(A) THE SITE MAY BE DEVELOPED WITH UP TO 155,000 SQUARE FEET OF GROSS FLOOR AREA FOR RETAIL ESTABLISHMENTS, SHOPS, OFFICES, RESTAURANTS AND SERVICES TOGETHER WITH ALL ACCESSORY USES PERMITTED WITHIN THE CC DISTRICT. HOWEVER, NO RESTAURANTS WITH DRIVE-THROUGH FACILITIES AND NO GASOLINE SALES SHALL BE PERMITTED ON THE SITE.

FOR THE 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 THE PRINCIPAL BUILDING, AND ANY ACCESSORY BUILDINGS OR STRUCTURES ON THE SITE MEASURED FROM THE OUTSIDE OF THE EXTERIOR WALLS OR FROM THE CENTER LINE OF PARTY WALLS; PROVIDED, HOWEVER, SUCH TERM SHALL INCLUDE AREAS THAT ARE ENCLOSED OR FENCED IN AND ARE USED FOR THE SALE OF GOODS OR MERCHANDISE BUT SHALL NOT INCLUDE ANY SURFACE OR STRUCTURED PARKING FACILITIES, OR RELATED ACCESS AREAS, AREAS USED FOR BUILDING AND EQUIPMENT ACCESS (SUCH AS STAIRS, ELEVATOR SHAFTS AND MAINTENANCE CRAWL SPACES), OR AREAS DEVOTED TO USES AND STRUCTURES ACCESSORY TO RESIDENTIAL USES ON THE SITE; PROVIDED, FURTHER, AREAS DEVOTED TO OUTDOOR DINING ARE NOT INTENDED TO BE INCLUDED IN THE CALCULATION OF GROSS FLOOR AREA.

(B) IF FOLLOWING CONSTRUCTION OF THE PROPOSED BUILDING 1 AND ITS OCCUPATION, THE BUILDING SHOULD BECOME VACANT, THE OWNER OR OWNERS AGREE TO DEVOTE THEIR EFFORTS TO ESTABLISH A NEW USE OR USES WITHIN THE BUILDING IN THE MANNER DETAILED UNDER SECTION 11 BELOW. IN ANY SUCH CASE, REUSE OF THE BUILDING FOR EITHER RETAIL OR NON-RETAIL USES OR ANY COMBINATION THEREOF, INCLUDING OFFICE USES, WHICH ARE PERMITTED UNDER THE ORDINANCE IN A CC DISTRICT WILL BE ALLOWED.

(C) OUTDOOR STORAGE AND/OR SEASONAL SALES ON SIDEWALKS OR PARKING AREAS SHALL NOT BE PERMITTED USES AT ANY LOCATION EXCEPT THE ENCLOSED PALLET AND BALE STORAGE AREA AS INDICATED ON THE SCHEMATIC SITE PLAN.

3. SETBACK, SIDE AND REAR YARDS

ALL BUILDINGS CONSTRUCTED ON THE SITE SHALL SATISFY OR EXCEED THE SETBACK, SIDE AND REAR YARD DIMENSIONS ESTABLISHED UNDER THE ORDINANCE FOR THE CC DISTRICT. THE PETITIONER RESERVES THE RIGHT TO REDUCE THE SETBACK FROM 35 FEET TO 14 FEET IN ACCORDANCE WITH SECTION 11.405(7) OF THE ORDINANCE. THE SITE WILL BE VIEWED AS A UNIFIED DEVELOPMENT PLAN. THE PETITIONER RESERVES THE RIGHT TO SUBDIVIDE THE SITE AND CREATE LOTS WITHIN THE INTERIOR OF THE DEVELOPMENT WITH NO PUBLIC STREET FRONTAGE OR SIDE AND/OR REAR YARDS AS PART OF THE UNIFIED DEVELOPMENT PLAN.

4. TRAFFIC AND CIRCULATION PLANS

(A) VEHICULAR AND BICYCLE PARKING SHALL BE PROVIDED IN ACCORDANCE WITH THE ORDINANCE.

(B) VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET.

(C) THE PLACEMENTS AND CONFIGURATIONS OF THESE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND ARCHITECTURAL CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

5. PEDESTRIAN AND BICYCLE AMENITIES AND ARCHITECTURAL DESCRIPTION AND COMMITMENTS

(A) WALKWAYS AND PEDESTRIAN CROSSINGS WILL BE INSTALLED THROUGHOUT THE SITE. THESE IMPROVEMENTS WILL BE INSTALLED IN PHASES KEYED TO DEVELOPMENT TAKING PLACE ON THE SITE.

(B) PEDESTRIAN AMENITIES WILL BE INSTALLED THROUGHOUT THE SITE. THESE IMPROVEMENTS WILL BE INSTALLED IN PHASES KEYED TO DEVELOPMENT TAKING PLACE ON THE SITE.

6. SERVICE ZONES AND MECHANICAL AREAS

(A) BUILDING SERVICE AREAS, INCLUDING TRASH AND LOADING ZONES, WILL BE LOCATED WITH DUE REGARD FOR VISIBILITY AND ADJACENT USES. SUCH AREAS WILL BE APPROPRIATELY SCREENED FROM PUBLIC VIEW THROUGH THE USE OF WALLS, FENCES, PLANT MATERIALS, GRADE CHANGES, RETAINING WALLS OR OTHER ELEMENTS. A PALLET AND BALE STORAGE AREA WILL BE CONSTRUCTED IN THE GENERAL LOCATION NOTED ON THE SCHEMATIC SITE PLAN.

(B) MECHANICAL EQUIPMENT OR OTHER UTILITY HARDWARE ON THE ROOFS OF BUILDINGS WILL BE SCREENED FROM ABUTTING PROPERTY AND FROM PUBLIC VIEW FROM A PUBLIC STREET. WHEN LOCATED ON THE GROUND, SUCH EQUIPMENT WILL BE SCREENED THROUGH THE USE OF WALLS, FENCES, PLANT MATERIALS, GRADE CHANGES, RETAINING WALLS OR OTHER ELEMENTS.

(C) SCREENING SHALL MEET OR EXCEED THE STANDARDS OF THE ORDINANCE.

7. TREE ORDINANCE:

THE SITE SHALL COMPLY WITH THE PROVISIONS OF THE CHARLOTTE TREE ORDINANCE.

8. SIGNS AND LIGHTING

(A) ALL SIGNS PLACED ON THE SITE SHALL BE ERECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE. THE PETITIONER MAY REQUEST A MASTER SIGNAGE SYSTEM THROUGH THE PLANNING DEVELOPMENT FLEXIBILITY OPTION OUTLINED IN SECTION 13.110(2).

(B) THE MAXIMUM HEIGHT OF LIGHT POLES, (INCLUDING THEIR BASES) WITHIN PARKING AREAS MAY NOT EXCEED 42 FEET. ALL OUTDOOR LIGHT FIXTURES WILL BE CAPPED AND DOWNWARDLY DIRECTED.

(C) ANY LIGHTING FIXTURE ATTACHED TO A BUILDING SHALL BE DOWNWARDLY DIRECTED.

9. STORM WATER MANAGEMENT

THE PETITIONER WILL CAUSE TO BE DESIGNED AND IMPLEMENTED A DRAINAGE AND STORM WATER MANAGEMENT PLAN FOR THE SITE. STORM WATER MANAGEMENT WILL BE IN ACCORDANCE WITH CITY OF CHARLOTTE ENGINEERING STANDARDS. SURFACE LEVEL STORM WATER DETENTION SHALL NOT BE LOCATED IN THE REQUIRED BUILDING SETBACKS.

10. FIRE PROTECTION

ADEQUATE FIRE PROTECTION IN THE FORM OF FIRE HYDRANTS WILL BE PROVIDED TO THE FIRE MARSHALL'S SPECIFICATIONS. PLANS FOR THE BUILDING WILL BE SUBMITTED TO THE FIRE MARSHALL'S OFFICE FOR APPROVAL BEFORE THE CONSTRUCTION OF THAT BUILDING COMMENCES.

11. VACANCY MITIGATION PROCEDURES

IN THE EVENT THE BUILDING TO BE CONSTRUCTED SHOULD AT ANY TIME OR TIMES AFTER ITS INITIAL OCCUPATION, BE VACATED BY ANY OCCUPANT, THE OWNER THEREOF SHALL IMPLEMENT THE FOLLOWING BUILDING VACANCY MITIGATION PROCEDURES:

(A) THE EXTERIOR OF THE BUILDING, ASSOCIATED PARKING LOT, OUTSIDE LIGHTING, LANDSCAPING AND IRRIGATION SYSTEM SHALL CONTINUE TO BE OPERATED, MAINTAINED, SECURED, REPAIRED OR REPLACED IN THE SAME MANNER AS WHEN THE BUILDING WAS OCCUPIED.

(B) ALL EXTERIOR BUSINESS SIGNS SHALL BE REMOVED AND EXTERIOR BUILDING SURFACES SHALL BE REPAIRED AND REPAINTED TO PROVIDE A NEAT APPEARANCE WITHIN 30 DAYS AFTER THE PROPERTY BECOMES VACANT.

(C) TRASH AND LITTER SHALL BE REMOVED ON A REGULAR BASIS AT LEAST ONCE A WEEK.

(D) SHOULD THE BUILDING BE PERMANENTLY VACATED BY ANY OCCUPANT FOR A PERIOD LONGER THAN 6 MONTHS FOR ANY REASON OTHER THAN FIRE OR SOME OTHER CASUALTY OR A FORCE MAJEURE EVENT, ALTERATIONS, REMODELING, ADDITIONS AND/OR SIMILAR CONSTRUCTION ACTIVITIES, THEN THE OWNER OR OWNERS OR OCCUPANT OF THE BUILDING (AS APPROPRIATE) SHALL THEREAFTER IMPLEMENT WITH REASONABLE DISPATCH COMMERCIALY REASONABLE EFFORTS WHICH ARE DESIGNED TO CAUSE THE BUILDING TO BE REOCCUPIED AND DEVOTED TO USE OR ANY USES PERMITTED IN THE CC DISTRICT, INCLUDING RETAIL OR NON-RETAIL USES OR ANY COMBINATION THEREOF. THE OWNER/OCCUPANT OF THE BUILDING MAY NOT IMPOSE ANTI-COMPETITIVE COVENANTS OR RESTRICTIONS WITH RESPECT TO THE FUTURE COMMERCIAL USE OF THE BUILDING BY DEED OR CONTRACT, THE INTENT BEING TO INSURE THAT THE BUILDING COULD BE OCCUPIED AND USED BY A BUSINESS WHICH WAS SIMILAR TO THE BUSINESS BEING CONDUCTED BY THE FORMER OCCUPANT THAT VACATED THE BUILDING.

(E) IF AT SOME FUTURE TIME THE OWNER OF THE BUILDING ELECTS TO DEMOLISH THE BUILDING WITHIN THAT AREA, THE PLANNING COMMISSION'S STAFF MAY APPROVE AN AMENDMENT TO THE TECHNICAL DATA SHEET WHICH WOULD ACCOMMODATE MORE BUILDINGS THAN THE PRESENT TECHNICAL DATA SHEET ALLOWS WITHIN THAT BUILDING AREA THROUGH AN ADMINISTRATIVE SITE PLAN AMENDMENT, SUBJECT, HOWEVER, TO THE SQUARE FOOTAGE LIMITATIONS AND USE LIMITATIONS SET FORTH UNDER SECTION 2 ABOVE.

12. AMENDMENTS TO REZONING PLAN

FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARTICULAR BUILDING AREA OR AREAS WITHIN THE SITE INVOLVED IN ACCORDANCE WITH CHAPTER 6 OF THE ORDINANCE.

13. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

(A) IF THE PETITIONER'S REZONING PETITION IS APPROVED, THE DEVELOPMENT PROGRAM ESTABLISHED UNDER THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND OTHER SUPPORTIVE DOCUMENTS SHALL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS.

(B) THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER," SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE CURRENT OWNER OR OWNERS OF THE PARTICULAR BUILDING AREA WITHIN THE SITE WHICH MAY BE INVOLVED IN ANY FUTURE USE OR DEVELOPMENT.

AMITY GARDENS  
REDEVELOPMENT

PETITION NO. 2006-50

FOR PUBLIC  
HEARING

NOTES SHEET  
RZ-3

JANUARY 20, 2006



# AMITY GARDENS REDEVELOPMENT

PETITION NO. 2006-50

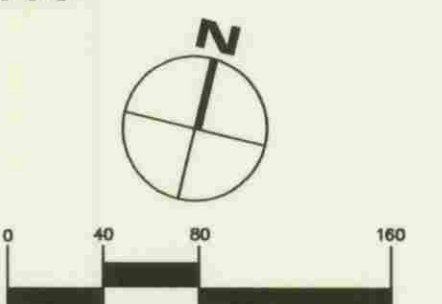
DEVELOPMENT SUMMARY  
TOTAL SITE AREA : 18.79± ACRES  
EXISTING ZONING : B-2  
PROPOSED ZONING : CC  
PROPOSED USE: RETAIL

## LEGEND

EXISTING SIDEWALKS:   
PROPOSED 6' SIDEWALKS:   
PROPOSED PEDESTRIAN PATH:   
EXISTING PEDESTRIAN PATH: 

**FOR PUBLIC  
HEARING**

PEDESTRIAN CIRCULATION PLAN  
RZ-4  
MARCH 20, 2006



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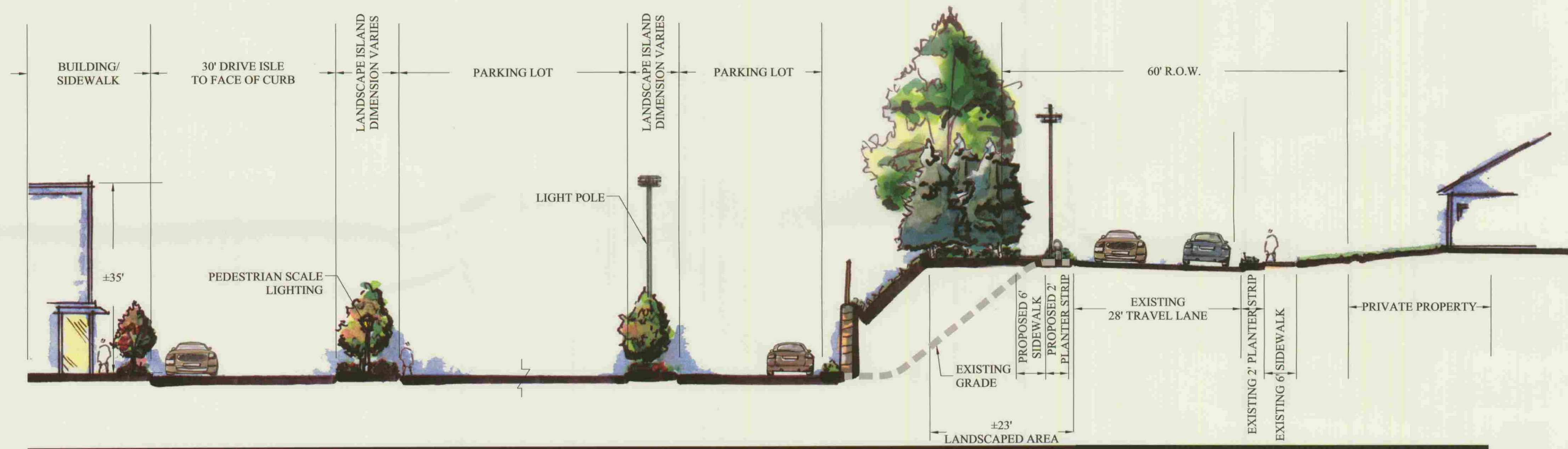
REVISIONS:






# AMITY GARDENS REDEVELOPMENT

PETITION NO. 2006-50



SECTION A-A'

N.T.S.



**FOR PUBLIC  
HEARING**

**CROSS SECTIONS  
RZ-5  
MARCH 20, 2006**

## CHARLOTTE PERIMETER TREE REQUIREMENTS:

### LARGE-MATURING TREES:

PIERSON DRIVE FRONTAGE ±1,070LF  
1,070 LF / 40FT SPACING = 26.75  
OR 27 TREES REQUIRED

OR

### SMALL-MATURING TREES:

PIERSON DRIVE FRONTAGE ±1,070LF  
1,070 / 30FT SPACING = 35.66  
OR 36 TREES REQUIRED

 **Kimley-Horn  
and Associates, Inc.**

REVISIONS:






FRONT ELEVATION (EAST)



RIGHT ELEVATION (NORTH)



LEFT ELEVATION (SOUTH)



Scott & Goble Architects

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Charlotte (E), North Carolina

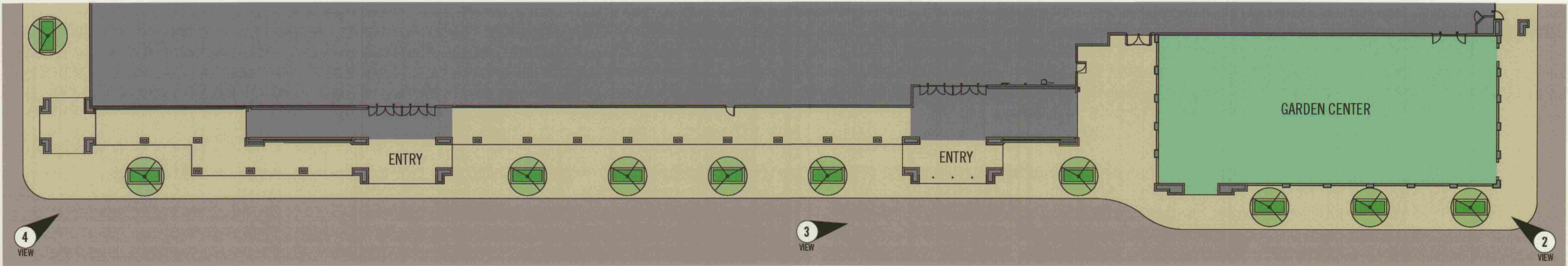
March 14, 2006

Exhibit  
RZ6

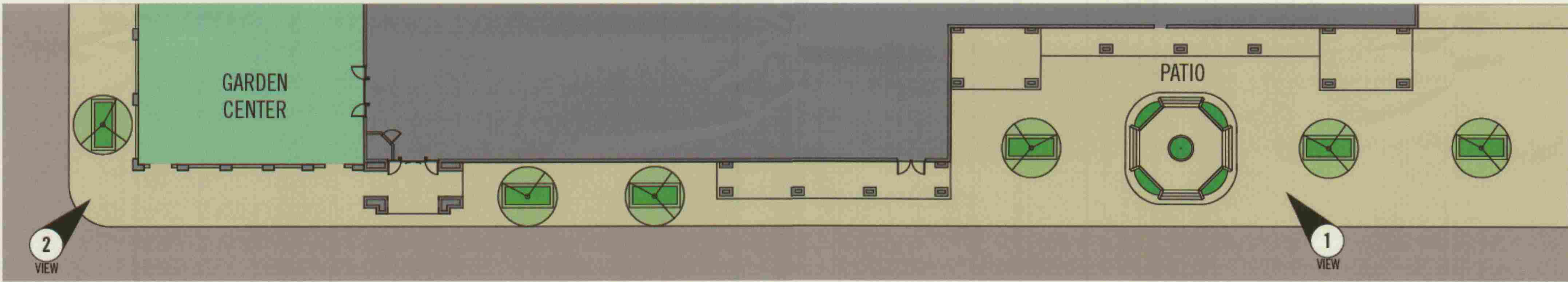
**WAL\*MART**

approved by \_\_\_\_\_ date \_\_\_\_\_





PARTIAL SIDEWALK PLAN (EAST)



PARTIAL SIDEWALK PLAN (NORTH)



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Charlotte (E), North Carolina  
March 14, 2006

Exhibit  
RZ7



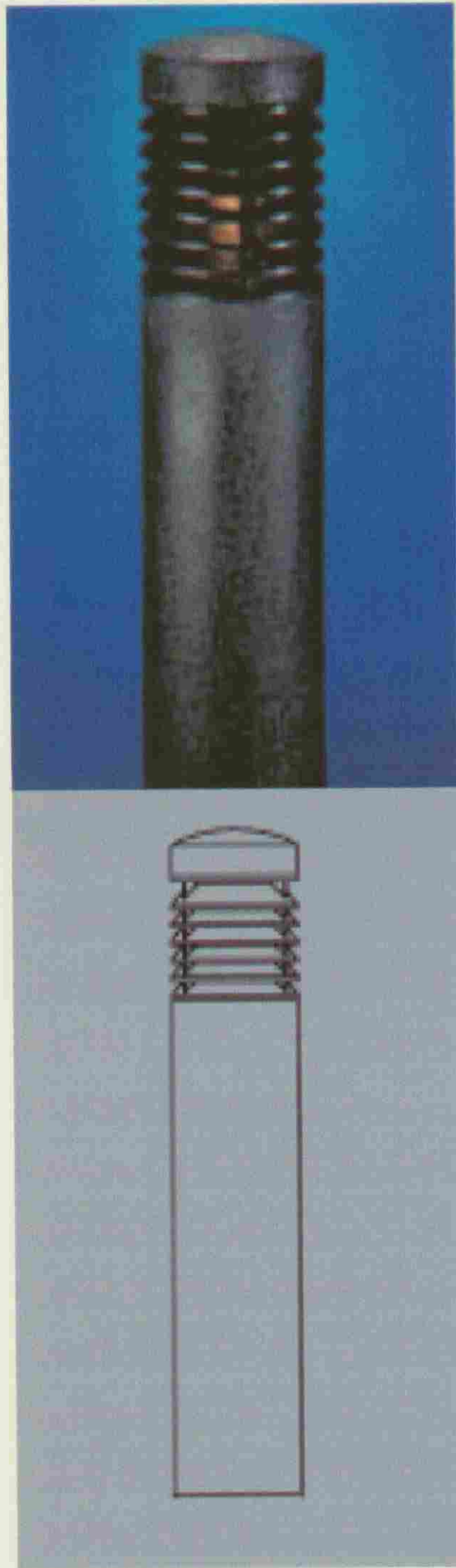
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KLCS Silhouette Bollard



LIGHTED BOLLARD

SITE FURNISHINGS

B-1 BOLLARDS Model B-1, w/rivets

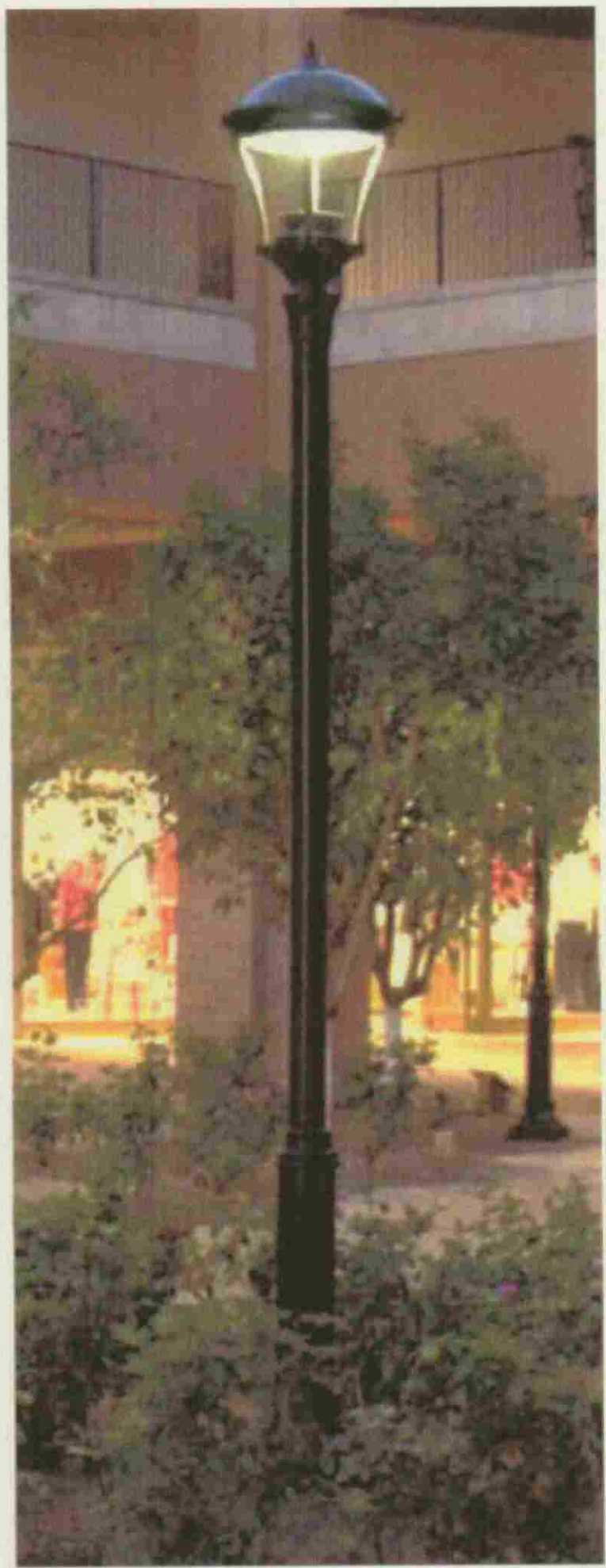


STANDARD BOLLARD

PLAZA SERIES Model PL-2



PUBLIC SEATING BENCH



SITE LIGHTING @ DRIVES/WALKS



GARDEN CENTER FENCING