

#201-043-07

DEVELOPMENT LP MOODY LAKE OFFICE PARK AND GENERAL COUNSEL AMERICAN ASSET CORPORATION 3708 ARCO CORPORATE DR. SUIT 350 CHARLOTTE, NC 28273 EXISTING ZONING: B-1 (CD) EXISTING USE: VACANT

#201-043-06 LP SERVICE RETAIL AT WHITEHALL II 3700 ARCO CORPORATE DR. SUIT 350 CHARLOTTE, NC 28273 **EXISTING ZONING: B-1 (CD)** EXISTING USE: VACANT

#201-043-09 LP SERVICE RETAIL AT WHITEHALL II 3700 ARCO CORPORATE DR. SUIT 350 CHARLOTTE, NC 28273 EXISTING ZONING: B-1 (CD) EXISTING USE: VACANT

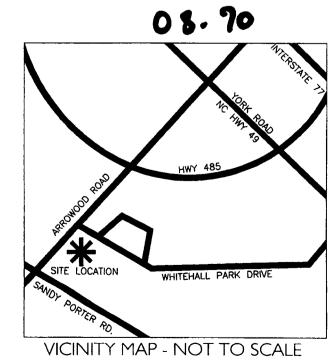
#201-043-05 LLC AAC REAL ESTATE SERVICE RETAIL AT WHITEHALL 3800 ARCO CORPORATE DR. CHARLOTTE, NC 28273 EXISTING ZONING: B-1 (CD) EXISTING USE: COMMERCIAL

#201-043-98 LP SERVICE RETAIL AT WHITEHALL II 3700 ARCO CORPORATE DR. SUIT 350 CHARLOTTE, NC 28273 EXISTING ZONING: B-1 (CD) **EXISTING USE: VACANT**

#201-043-02 LLC WHITEHAL CORPORATE CENTER #5 & AMERICAN ASSET CORPORATION 3700 ARCO CORPORATE DR. SUIT 350 CHARLOTTE, NC 28273 EXISTING ZONING: O-2 (CD) EXISTING USE: VACANT

(13) #201-043-10 LLC WHITEHAL CORPORATE CENTER #5 & AMERICAN ASSET CORPORATION 3700 ARCO CORPORATE DR. SUIT 350 CHARLOTTE, NC 28273 EXISTING ZONING: O-2 (CD) **EXISTING USE: VACANT**

RECEIVED MAR **2 4** 2008



FOR PUBLIC HEARING PETITION NO. 2008-XXX

GREEN ICE SITE SERVICES, INC.

Data

DEVELOPMENT STANDARDS

UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS, ALL STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE") FOR THE B-2 ZONING DISTRICT CLASSIFICATION SHALL BE FOLLOWED IN CONNECTION WITH DEVELOPMENT TAKING PLACE ON THAT PORTION OF THE SITE DESIGNATED AS PARCEL A, AND ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE ORDINANCE FOR THE O-2 ZONING DISTRICT CLASSIFICATION SHALL BE FOLLOWED IN CONNECTION WITH DEVELOPMENT TAKING PLACE ON THAT PORTION OF THE SITE DESIGNATED AS PARCEL B.

THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDINGS OUTLINED ON THE ILLUSTRATIVE SITE PLANS ARE SCHEMATIC IN NATURE AND SUBJECT ONLY TO THE PROVISIONS SET FORTH BELOW UNDER ARCHITECTURAL CONTROLS, MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES WITHIN THE BUILDING ENVELOPE LINES ESTABLISHED ON THE TECHNICAL DATA SHEET. PARKING LAYOUTS MAY ALSO BE MODIFIED TO ACCOMMODATE FINAL BUILDING LOCATIONS.

- 1. SUBJECT TO THE EXCEPTIONS NOTED BELOW IN PARAGRAPH 3, PARCEL A MAY BE DEVOTED TO ANY USE PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE B-1 ZONING DISTRICT AND TO A MAXIMUM 135 ROOM HOTEL/MOTEL, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH WHICH ARE PERMITTED IN THE **B-1 ZONING DISTRICT.**
- 2. SUBJECT TO THE EXCEPTIONS NOTED BELOW IN PARAGRAPH 3, PARCEL B MAY BE DEVOTED TO ANY USE PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE O-2 ZONING DISTRICT TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH WHICH ARE PERMITTED IN THE O-2 ZONING DISTRICT.
- 3. NOTWITHSTANDING ANYTHING CONTAINED HEREIN TO THE CONTRARY, THE FOLLOWING USES SHALL NOT BE PERMITTED ON THE SITE:
- (A) RESTAURANTS WITH DRIVE-THRU WINDOWS;
- (B) CONVENIENCE STORES;
- (C) CAR WASHES;
- (D) AUTOMOBILE SERVICE STATIONS;
- (E) DWELLINGS, DETACHED OR MULTI-FAMILY;
- (F) BOARDING HOUSES; AND (G) FUNERAL HOMES.
- 4. EXCEPT AS PROVIDED ABOVE, DRIVE-THRU WINDOW SERVICES SHALL BE PERMITTED AS AN ACCESSORY USE ON THE SITE, PROVIDED, HOWEVER, THAT A MAXIMUM OF TWO TENANTS OR USERS MAY UTILIZE DRIVE-THRU WINDOW SERVICES.

SETBACKS, SIDE YARDS AND REAR YARDS

- 1. ALL BUILDINGS CONSTRUCTED WITHIN PARCEL A SHALL SATISFY OR EXCEED THE SETBACK, REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED IN THE ORDINANCE FOR THE B-2 ZONING DISTRICT, AND ALL BUILDINGS CONSTRUCTED WITHIN PARCEL B SHALL SATISFY OR EXCEED THE SETBACK, REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED IN THE ORDINANCE FOR THE O-2 ZONING DISTRICT.
- 2. THE BUFFER ALONG SANDY PORTER ROAD WILL BE AN UNDISTURBED WOODLAND BUFFER. THIS UNDISTURBED WOODLAND BUFFER SHALL BE 100 FEET IN WIDTH FROM THE EXISTING RIGHT-OF-WAY. IT WILL PROVIDE PROTECTION FOR EXISTING TREES AND VEGETATION, SIGNIFICANT SCREENING OF THE VIEWS OF THE WHITEHALL BUILDINGS FROM THE RESIDENCES ALONG SANDY PORTER ROAD, AND A NATURAL CONNECTION TO THE WHITEHALL PRESERVATION. THE PETITIONER WILL ADD ADDITIONAL PLANTINGS AS NEEDED TO FULFILL THE CLASS B BUFFER PLANTING REQUIREMENTS. NOTWITHSTANDING THE WOODLAND BUFFER RESTRICTIONS, THIS BUFFER WILL INCORPORATE A 10-FOOT WALKING TRAIL 90 FEET FROM THE SANDY PORTER ROAD RIGHT-OF-WAY, AND A VEHICULAR ACCESS POINT FROM SANDY PORTER ROAD AS DEPICTED ON THE TECHNICAL DATA SHEET. THE SIZE AND WIDTH OF THE BUFFERS ON THE SITE MAY NOT BE REDUCED.
- 3. AN ADDITIONAL CLASS B BUFFER ALONG THE WESTERN PORTION OF PARCEL 15 WILL BE MAINTAINED AT A WIDTH EQUAL TO THE CURRENT BUFFER THAT CONNECTS TO THE WHITEHALL PRESERVATION (NOT LESS THAN 62 FEET) TO PROVIDE A UNIFORM BUFFER FROM THE PROPERTY TO THE PRESERVATION.
- 4. THE DEVELOPMENT WILL INCLUDE PARK AND OPEN SPACE THAT IS INTEGRATED INTO THE DEVELOPMENT THAT CAN BE USED BY THE AREA RESIDENTS AS WELL AS THE TENANTS WITHIN THE DEVELOPMENT AND WHITEHALL CORPORATE CENTER.

- 1. ALL LANDSCAPING WILL MEET OR EXCEED THE REQUIREMENTS OF THE ORDINANCE.
- 2. LANDSCAPING WILL INCORPORATE A VARIETY OF MATERIALS AND INCLUDE SPECIMEN TREES THAT WILL PROVIDE A UNIQUE ENVIRONMENT WITHIN THE DEVELOPMENT.
- 3. IN APPROPRIATE AREAS NEAR THE WOODLAND BUFFERS, NATIVE VEGETATION THAT PROVIDES WILDLIFE FOOD AND HABITAT MAY BE INSTALLED.
- 4. THE INTERNAL DRIVE FROM SANDY PORTER ROAD TO WHITEHALL PARK DRIVE WILL BE HEAVILY LANDSCAPED WITH A FULL MEDIAN.
- 5. THE STREETSCAPE FOR THE MAIN DRIVE CONNECTING SANDY PORTER RD. AND WHITEHALL PARK DR. THROUGH THE SITE WILL HAVE A PEDESTRIAN FOCUS WITH DIAGONAL ON-STREET PARKING TO MODERATE TRAFFIC SPEED, MARKED CROSS WALKS, AND BENCHES.

BUILDING MASSING

- 1. THE MAXIMUM HEIGHT OF ANY BUILDING CONSTRUCTED ON PARCEL A SHALL BE 24 FEET, EXCEPT THAT A HOTEL/MOTEL BUILDING MAY HAVE A MAXIMUM HEIGHT OF 60 FEET.
- 2. THE MAXIMUM HEIGHT OF ANY BUILDING CONSTRUCTED ON PARCEL B SHALL BE ONE STORY (EXCLUDING ROOF ELEMENTS AND MECHANICAL EQUIPMENT).

ARCHITECTURAL CONTROLS

- 1. THE DUMPSTER AREAS WILL BE SCREENED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE. THE DUMPSTER AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY A PRECAST, EIFS OR BRICK (OR COMBINATION) WALL WITH ONE SIDE BEING A HINGED GATE. IF ONE OR MORE SIDES OF THE DUMPSTER AREA ADJOIN A BUILDING WALL, THE WALL MAY BE SUBSTITUTED FOR THE FENCE ALONG SUCH SIDE.
- 2. ALL MECHANICAL EQUIPMENT, INCLUDING ROOFTOP EQUIPMENT SHALL BE SCREENED FROM VIEW AT GRADE.
- 3. THE BUILDING DESIGNS FOR ALL BUILDINGS ON PARCELS A AND B WILL INCLUDE MINIMUM 5 FOOT PERIMETER WALKWAYS, AND WILL FEATURE PRECAST, EIFS OR BRICK EXTERIOR.
- 4. RESTAURANT TENANTS INTERESTED IN HAVING OUTDOOR SEATING WILL BE PROVIDED AN OUTDOOR PATIO AREA.

- 1. ALL PEDESTRIAN-SCALE LIGHTING WILL BE CAPPED AND SHIELDED TO DIRECT LIGHTING DOWNWARD AND/OR AWAY FROM ADJOINING RESIDENTIAL PROPERTIES.
- 2. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHT FIXTURE ERECTED ON THE SITE (OTHER THAN STREET LIGHTS ON PUBLIC RIGHTS-OF-WAY) INCLUDING ITS BASE, SHALL NOT EXCEED 25 FEET. LIGHTING LEVELS IN THE PARKING FIELDS WILL BE DESIGNED TO MINIMUM INDUSTRY OR CITY OF CHARLOTTE STANDARDS. ALL LIGHTING WILL BE DESIGNED TO MINIMIZE THE HORIZONTAL SPILL ON ADJOINING PROPERTIES.
- 3. WALL PAK LIGHTING SHALL BE PROHIBITED.

- 1. ALL SIGNS PLACED ON THE SITE SHALL BE ERECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.
- 2. DETACHED SIGNAGE WILL BE GROUND-MOUNTED OR MONUMENT TYPE SIGNAGE.
- 3. ALL DETACHED SIGNS WILL INCORPORATE THE DESIGN FEATURES ESTABLISHED WITH THE ARCHITECTURE OF THE BUILDINGS SO THAT THESE ELEMENTS ARE INTEGRATED INTO THE
- 4. ALL NEW DETACHED SIGNS WILL BE LIMITED TO 7-FEET IN HEIGHT AND 50 SQUARE FEET AS
- 5. ALL DETACHED SIGNS SHOULD HAVE EXTERNAL LIGHTING.

FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET, THE ILLUSTRATIVE SITE PLANS AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH SECTION 6.206 OF THE ORDINANCE.

- 1. THE NUMBER OF VEHICULAR ACCESS POINTS TO THE SITE SHALL BE LIMITED TO THOSE SHOWN ON THE TECHNICAL DATA SHEET.
- 2. THE PLACEMENT AND CONFIGURATION OF EACH ACCESS POINT 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/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- 3. VEHICULAR ACCESS TO SANDY PORTER ROAD SHALL BE LIMITED TO ONE RIGHT-IN/RIGHT-OUT DRIVEWAY AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET.
- 4. A MINIMUM OF 150 FEET OF INTERNAL CHANNELIZATION (MEASURED FROM THE RIGHT-OF-WAY) WILL BE PROVIDED AT THE ENTRANCES TO THE SITE FROM SANDY PORTER ROAD.
- 5. ALL PROPOSED TREES, BERMS, WALLS, FENCES, AND /OR IDENTIFICATION SIGNS MUST NOT INTERFERE WITH SIGHT DISTANCE AT THE ENTRANCE(S).

- 1. THE PARKING AREA DEPICTED ON TECHNICAL DATA SHEET AND ILLUSTRATIVE SITE PLANS MAY VARY IN SIZE AND LOCATION, BUT IN ALL EVENTS, OFF STREET PARKING WILL MEET THE MINIMUM STANDARDS SET FORTH IN THE ORDINANCE.
- 2. BIKE RACKS WILL BE PROVIDED TO MEET THE STANDARDS SET FORTH IN THE ORDINANCE.

BINDING AFFECT OF THE REZONING APPLICATION

- 1. IF THE PETITIONER'S REZONING PETITION IS APPROVED, THE DEVELOPMENT PROGRAM ESTABLISHED UNDER 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, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTERESTS AND ASSIGNS.
- 2. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" OR "OWNER", SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER AND OWNER.

- 1. SIDEWALKS SHALL BE PROVIDED GENERALLY IN THE MANNER DEPICTED ON THE ILLUSTRATIVE SITE PLANS AND IN CONFORMITY WITH SECTION 12.529 OF THE ORDINANCE.
- 2. PETITIONER SHALL INSTALL A 6 FOOT WIDE SIDEWALK WITH AN 8 FOOT WIDE PLANTING STRIP PARALLEL TO THE SITE'S FRONTAGE ON ARROWOOD AND SANDY PORTER ROADS.
- 3. ALL INTERNAL SIDEWALKS AT THE FRONT OF PARKING SPACES SHOULD BE AT LEAST 7 FEET WIDE TO ACCOMMODATE VEHICLE BUMPER OVERHANG. WHERE THE WALK IS NOT 7 FEET WIDE THE WALK WILL BE AT LEAST 5 FEET WIDE WITH A 2-FOOT PLANTING STRIP TO PROVIDE UNOBSTRUCTED PEDESTRIAN ACCESS.

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

STORM WATER MANAGEMENT

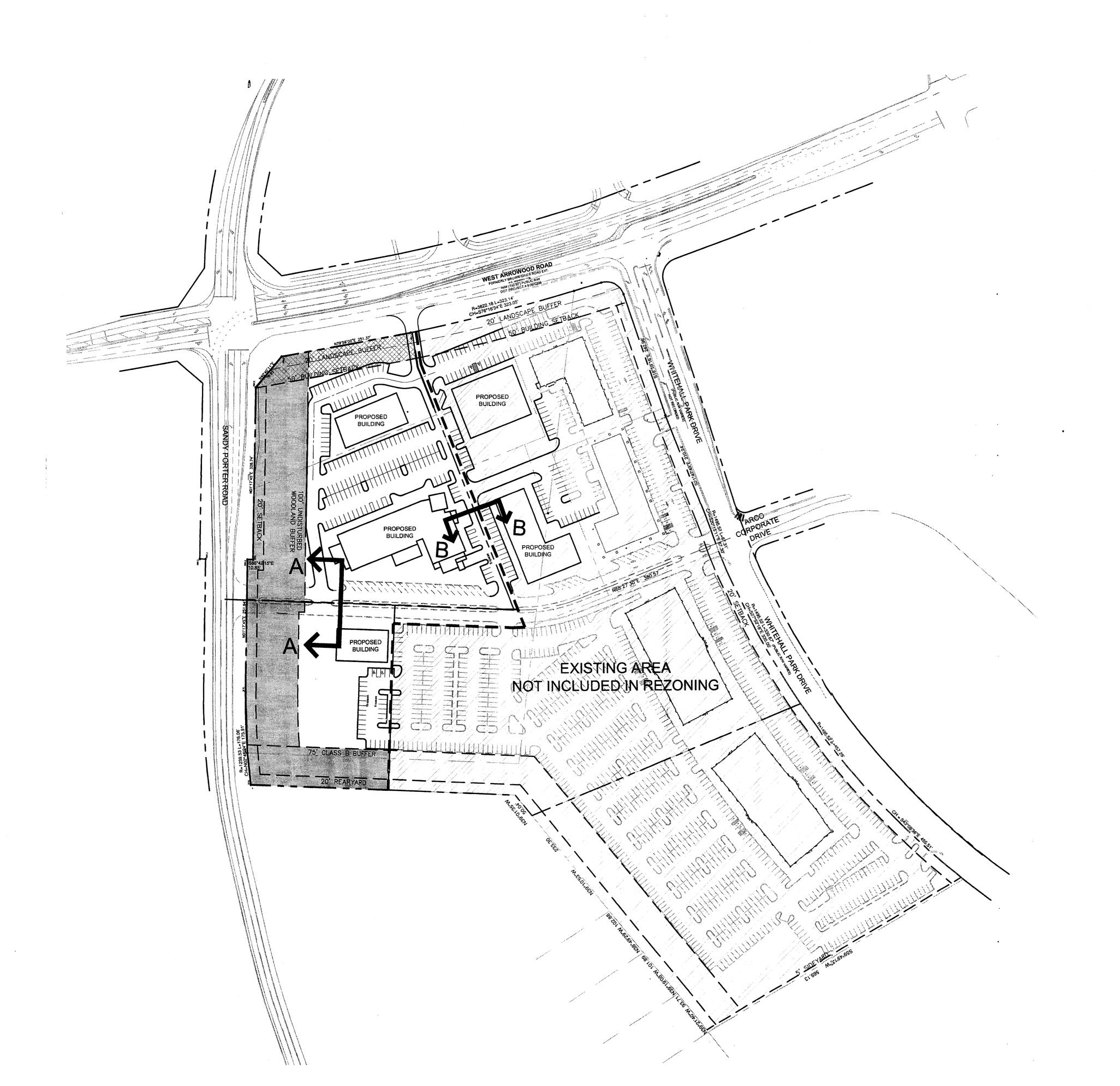
- 1. PETITIONER WILL TIE-IN TO THE EXISTING STORM WATER SYSTEM(S). PETITIONER WILL HAVE THE RECEIVING DRAINAGE SYSTEM(S) ANALYZED TO ENSURE THAT IT WILL NOT BE TAKEN OUT OF STANDARD DUE TO THE PROPOSED DEVELOPMENT. IF IT IS FOUND THAT THE PROPOSED DEVELOPMENT WILL CAUSE THE STORM DRAINAGE SYSTEM(S) TO BE TAKEN OUT OF STANDARD, PETITIONER SHALL PROVIDE ALTERNATE METHODS TO PREVENT THIS FROM OCCURRING. IF THE RECEIVING DRAINAGE SYSTEM(S) IS ALREADY OUT OF STANDARD, PETITIONER'S PROPOSED DEVELOPMENT WILL BE DESIGNED SO AS TO NOT PLACE THE DOWNSTREAM SYSTEM(S) FURTHER OUT OF STANDARD.
- 2.AS PROVIDED ON APPROVED AND RECORDED DOCUMENTS, THE SITE CURRENTLY DRAINS TO MOODY LAKE AND THE STORM WATER RUNOFF GENERATED FROM THE SITE IS TREATED BY MOODY LAKE.

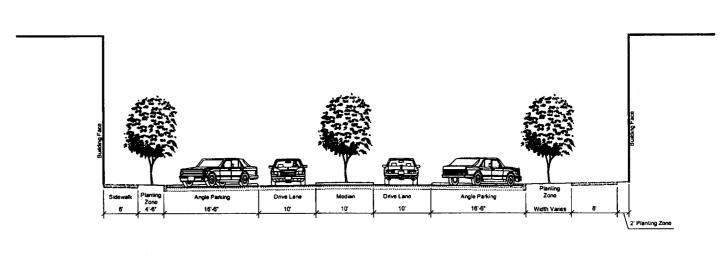
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VICINITY MAP - NOT TO SCALE

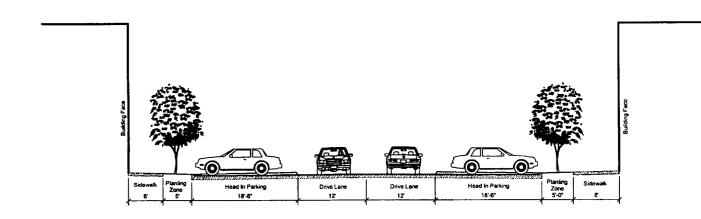
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SECTION A-A

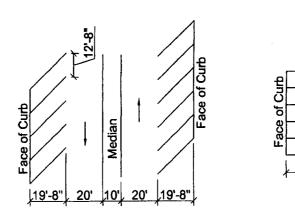
SCALE: 1/16"=1'-0"



SCALE: NTS

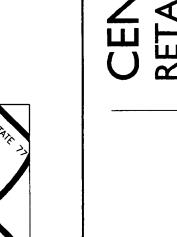
SECTION B-B

SCALE: 1/16"=1'-0"

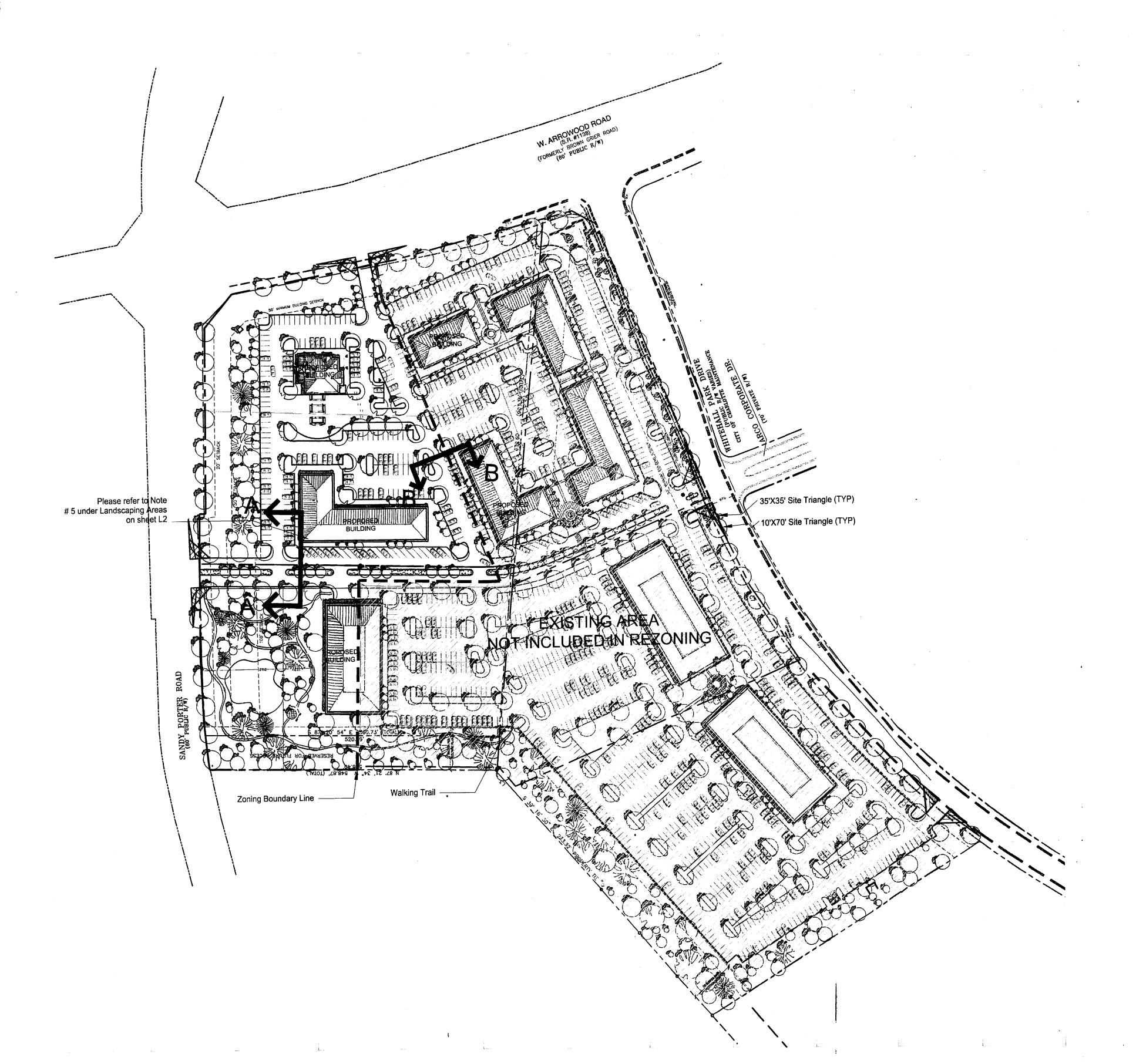


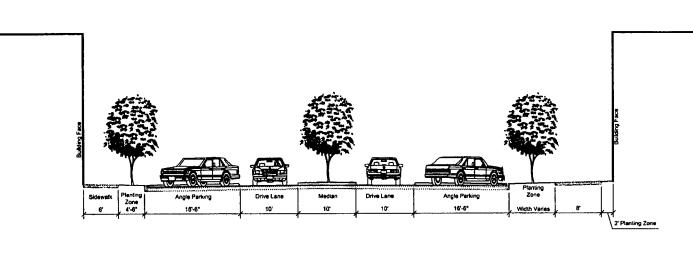
TYPICAL PARKING STANDARDS

NOTE:
THE ILLUSTRATIVE SITE PLAN IS SCHEMATIC IN NATURE AND IS
INTENDED TO DEPICT BUILDING, PARKING AND CIRCULATION
RELATIONSHIPS.



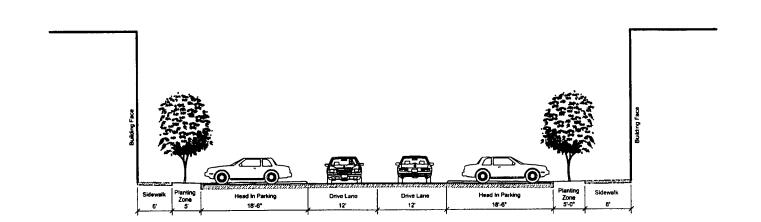
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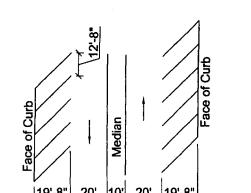
SECTION A-A

SCALE: 1/16"=1'-0"



SECTION B-B

SCALE: 1/16"=1'-0"



TYPICAL PARKING STANDARDS

SCALE: NTS

NOTE:
THE ILLUSTRATIVE SITE PLAN IS SCHEMATIC IN NATURE AND IS INTENDED TO DEPICT BUILDING, PARKING AND CIRCULATION RELATIONSHIPS.