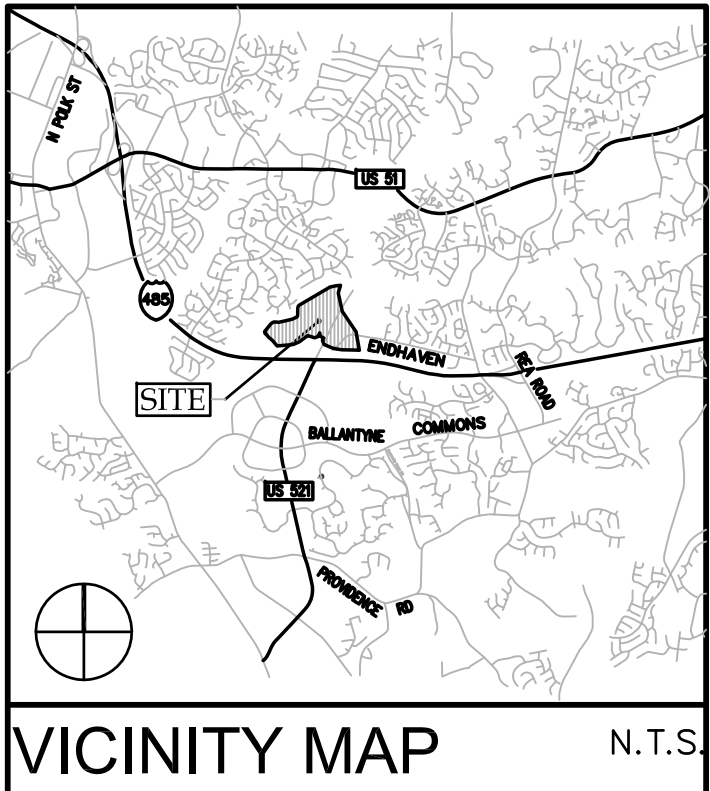


REZONING PLAN	
DATE:	06.25.12
SCALE:	HORIZ : 1" = 40'
JOB NO.	X12029.00
SHEET:	RZ 1.0

CONDITIONAL NOTES from petition 2007-103:

1. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CITY OF CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENTS DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE GENERAL ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT DETAILS OF CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY SECTION 6.207 OF THE ZONING ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES. THIS PROPOSAL IS INTENDED TO ENABLE THE DEVELOPMENT OF A MIXED-USE COMMUNITY COMPOSED OF OFFICE, MULTI-FAMILY, NEIGHBORHOOD RETAIL, RESTAURANTS, HOTEL AND OTHER SERVICE OR INSTITUTIONAL USES.
2. THE SITE MAY BE DEVELOPED FOR ANY USE ALLOWED IN THE CC DISTRICT (EXCEPT AS NOTED IN NOTE #11) IN ACCORDANCE WITH THE STANDARDS OF THAT DISTRICT AND THE RESTRICTIONS OF THIS SITE PLAN. THE PETITIONER WILL CONSTRUCT A MIXED USE DEVELOPMENT IN GENERAL CONFORMITY WITH THE ATTACHED ILLUSTRATIVE PLAN. THESE RENDERINGS ARE INTENDED TO ILLUSTRATE THE EMPHASIS ON ARCHITECTURE MASSING AS A "STREET WALL" ALONG THE MAIN INTERNAL STREETS WITHIN THE DEVELOPMENT. THE STREET WALL WILL PROVIDE FOR BUILDING ELEVATIONS TO BE THE DOMINANT COMPONENT OF THE STREET FRONTAGE AND WILL PROVIDE PEDESTRIAN-SCALE ELEMENTS AT THE GROUND FLOOR/STREET LEVEL, SUCH AS DOORS, WINDOWS, ARCADES, AWNINGS, ETC., SO AS TO ENHANCE PEDESTRIAN SCALE AND QUALITY. FURTHERMORE, THE PETITIONER WILL PROVIDE PEDESTRIAN CONNECTIONS FROM WITHIN THE SITE TO OTHER SITE ELEMENTS AND USES.
3. ACCESS TO THE SITE WILL BE PROVIDED BY CONNECTIONS TO JOHNSTON ROAD EXTENSION, AND BY CONNECTIONS TO COMMUNITY HOUSE ROAD AS SHOWN ON THE TECHNICAL DATA SHEET. ALL DRIVEWAY AND STREET CONNECTIONS ARE SUBJECT TO APPROVAL BY CDOT AND NCDOT.
4. BUFFER AREAS WILL BE DEVELOPED IN ACCORDANCE WITH SECTION 12.302. REQUIRED BUFFERS ON THE SITE MAY BE ELIMINATED IF THE ADJOINING PARCELS ARE REZONED SUCH THAT BUFFERS ARE NO LONGER REQUIRED.
5. THE EXISTING WATER QUALITY BMP FACILITY WAS DESIGNED, CONSTRUCTED, AND PERMITTED BY OTHERS IN CONJUNCTION WITH WETLAND DISTURBANCES PERMITTED THROUGH US ARMY CORPS OF ENGINEERS AND NC DEPARTMENT OF WATER QUALITY. IN ADDITION, BMP SERVES AS STORMWATER DETENTION FACILITY FOR PARCELS ON EAST SIDE OF JOHNSTON ROAD (TORINGDON OFFICE PARK AND TORINGDON MARKET). STORM DRAINAGE INFRASTRUCTURE HAS BEEN CONSTRUCTED UNDER PREVIOUS APPROVALS TO MAINTAIN EXISTING DRAINAGE PATTERNS TO EACH OF THE THREE EXISTING FOREBAYS. CONTINUATION OF PERCENT IMPERVIOUS COVER WILL BE VERIFIED DURING FORMAL DEVELOPMENT PLAN SUBMITTAL IF DEEMED NECESSARY BY REVIEW STAFF.
6. ANY DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 20 FEET IN HEIGHT, THERE WILL BE NO EXTERIOR "WALL PAK" TYPE LIGHTING. ALL DETACHED LIGHTING SHALL BE FULLY CAPPED AND SHIELDED.
7. SIGNAGE WILL BE PERMITTED IN ACCORDANCE WITH APPLICABLE ZONING STANDARDS AND DETACHED SIGNS WILL BE LIMITED TO GROUND MOUNTED SIGNS.
8. PARKING WILL BE PROVIDED WHICH WILL MEET OR EXCEED THE STANDARDS OF THE ZONING ORDINANCE.
9. SCREENING WILL CONFORM TO THE APPLICABLE STANDARDS OF SECT. 12.303 OF THE ZONING ORDINANCE.
10. ALL DUMPSTERS ON THE SITE WILL BE SCREENED WITH A SOLID ENCLOSURE WITH GATES.
11. NO RESTAURANTS WITH DRIVE THROUGH SERVICE OR GASOLINE/CONVENIENCE FACILITIES MAY BE LOCATED IN THE DEVELOPMENT.
12. THE PETITIONER HAS ALREADY EXECUTED AND RECORDED AN ACCESS EASEMENT AGREEMENT FROM THE SITE TO A PARCEL ON THE WEST END OF THE SITE, WHICH EASEMENT MAY BE TERMINATED IF NO ACCESS TO THE PARCEL IS LEGALLY REQUIRED OR IF THE OWNER OF THE PARCEL RELEASES THE PETITIONER OR ITS SUCCESSORS FROM THE COMMITMENT.
13. CONSTRUCTION TRAFFIC TO THE PETITIONER'S SITE WILL BE LIMITED TO ACCESS ONLY FROM I-485 AND/OR JOHNSTON ROAD EXTENSION.
14. THERE IS A CONCEPTUAL MASTER PLAN IN PLACE FOR THE STREETScape WITHIN AND ALONG THE MARGINS OF THE RETAIL/OFFICE CORE, WHICH INCLUDES PEDESTRIAN SCALE LIGHTING, TREE PLANTING, LANDSCAPING, AND OTHER AMENITIES DESIGNED TO ENHANCE THE PEDESTRIAN ENVIRONMENT. THE SITE WILL BE DEVELOPED IN ACCORDANCE WITH THIS MASTER PLAN (SEE ATTACHED COLOR RENDERINGS AND SHEETS RZ-2 AND RZ-3).
15. SEE SHEET RZ-3 FOR SIGNAGE EXAMPLES FOR THE SITE TO COORDINATE DIRECTIONAL INFORMATION FOR THE STRUCTURES, STREETS, AND PEDESTRIAN AREAS OF THE SITE.
16. WITH REGARD TO THE MAIN ACCESS STREET INTO THE SITE THAT INTERSECTS WITH COMMUNITY HOUSE DRIVE, THE PETITIONER WILL DESIGN THAT ENTRANCE SUCH THAT IT CLEARLY REFLECTS ATTENTION TO ARCHITECTURE, DETAIL/MASSING AND, ESPECIALLY, AN EMPHASIS ON LANDSCAPING, SIGNAGE AND PEDESTRIAN SCALE AND ACCESS, WHILE AT THE SAME TIME BALANCING THE NEED FOR VEHICULAR MOVEMENT. (THIS DESIGN REQUIREMENT HAS BEEN CONSTRUCTED)
17. THE PETITIONER/DEVELOPER SHALL PROVIDE A MINIMUM 10 FOOT WIDE SIDEWALK AND VARIABLE WIDTH PLANTING STRIPS IN FRONT OF THE RETAIL/OFFICE (NOT INCLUDING RESTAURANT OUTPARCELS) PER THE SECTION ON SHEET RZ-2. STREETScape IMPROVEMENTS ON BOTH SIDES OF COMMUNITY HOUSE ROAD AND COPPER WAY, IN AREAS ADJACENT TO THE OUTPARCEL PARKING LOTS, SHALL HAVE A VARIABLE WIDTH PLANTING STRIP AND 5' MIN. SIDEWALK. THE DEVELOPER RESERVES THE RIGHT TO SUBSTITUTE TREES IN GRATES IN LIEU OF GRASS PLANTING STRIPS. OTHER USES ON THIS SITE SHALL ALSO HAVE A MINIMUM 5' FRONT SIDEWALK. ANY USE OF TREE GRATES SHALL COMPLY WITH THE STANDARDS AND REQUIREMENTS OF THE CHARLOTTE-MECKLENBURG LAND DEVELOPMENT STANDARDS.
18. THE PETITIONER/DEVELOPER SHALL CONTRIBUTE TO THE OVERALL TOTAL COST OF THE SIGNALIZATION OF THE JOHNSTON ROAD/COMMUNITY HOUSE ROAD INTERSECTION. THE CONTRIBUTION WAS MADE IN ASSOCIATION WITH PRIVATE CONTRACTS AND THE DOCUMENTATION OF SUCH CONTRIBUTION SHALL BE MADE AVAILABLE TO THE STAFF OF THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION. THE PETITIONER/DEVELOPER SHALL ALSO CONTRIBUTE TOWARD THE CONSTRUCTION OF STEEL POST MAST ARM SUPPORTS FOR SUCH SIGNALIZATION BY CONTRIBUTING THE TOTAL COST OF SUCH SUPPORTS WHICH WILL BE LOCATED ON THE PETITIONER'S PROPERTY. (THIS DESIGN REQUIREMENT HAS BEEN COMPLETED)
19. THE PETITIONER/DEVELOPER SHALL CONSTRUCT A PUBLIC PEDESTRIAN PATHWAY FROM THE MIXED USE CORE ACROSS THE PUBLIC GREENWAY AS DEPICTED ON THE SITE PLAN. THE PUBLIC GREENWAY PATH SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ENGINEERING/CONSTRUCTION PLANS PREPARED BY STEWART ENGINEERING AND TITLED "ATKINS CIRCLE GREENWAY TRAIL" AND DATED 10.05.07. THIS CONNECTION SHALL BE REQUIRED TO BE COMPLETED PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT ASSOCIATED WITH THE PROPOSED HOTEL PLANNED AT THE NORTHERLY END OF THE REZONING SITE OR WITHIN 2 YEARS OF THE APPROVAL OF THE SITE PLAN AMENDMENT, WHICHEVER OCCURS FIRST. FURTHERMORE, THE PETITIONER/DEVELOPER SHALL DEDICATE A 40 FT. WIDE EASEMENT ALONG THIS PATHWAY FROM THE EDGE OF THE ASPHALT PAVEMENT OR NEAREST SIDEWALK WITHIN THE MIXED USE CORE, AS CONCEPTUALLY ILLUSTRATED, TO THE PROPERTY ALREADY OWNED BY MECKLENBURG COUNTY.
20. ALSO, A PRIVATE PEDESTRIAN PATH SHALL BE INSTALLED BY THE PETITIONER/DEVELOPER IN THE LOCATION GENERALLY INDICATED BY THE SITE PLAN, WHICH WILL CONNECT FROM THE PETITIONER/DEVELOPER'S EXISTING MULTI-FAMILY AREA OF THE SITE TO THE AFOREMENTIONED PUBLIC PATH. THIS PRIVATE PATH SHALL BE INSTALLED AT A TIME TO BE DETERMINED BY THE PETITIONER/DEVELOPER.
21. FINALLY, A GREENWAY PATH EASEMENT AS INDICATED ON THE SITE PLAN SHALL BE PROVIDED BY THE PETITIONER/DEVELOPER. THE LOCATION OF THE EASEMENT IS SHOWN ONLY TO DEPICT A GENERAL, CONCEPTUAL LOCATION. IT IS INTENDED FOR THIS EASEMENT TO CONNECT FROM THE NORTHERLY END OF THE SITE AT JOHNSTON ROAD TO THE PROPOSED PUBLIC PATHWAY. THE FINAL, PRECISE LOCATION OF THE EASEMENT SHALL BE DETERMINED AT A FUTURE TIME DEPENDING UPON SITE CONSTRAINTS, OTHER PUBLIC EASEMENTS, PUBLIC IMPROVEMENTS, STRUCTURES, ETC. IN NO EVENT SHALL THE EASEMENT BE LOCATED IN SUCH A MANNER AS TO NEGATIVELY IMPACT OR CONFLICT WITH DEVELOPER/PETITIONER PLANNED IMPROVEMENTS, BUILDINGS, PARKING AREAS, SIDEWALKS, ETC., AS OUTLINED BY THE PROPOSED SITE PLAN. SAID EASEMENT SHALL BE PROVIDED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT IN ASSOCIATION WITH THE AFOREMENTIONED HOTEL USE OR WITHIN TWO YEARS OF THE APPROVAL OF THIS SITE PLAN AMENDMENT, WHICHEVER OCCURS FIRST.
22. THE PETITIONER/DEVELOPER SHALL PROVIDE A FIRE HYDRANT WITH 750 FEET, AS THE FIRE TRUCK TRAVELS, OF THE MOST REMOTE AND ACCESSIBLE POINT OF ALL BUILDINGS IF SUCH HYDRANT DOES NOT ALREADY EXIST.
23. THE ATTACHED ARCHITECTURAL ELEVATIONS SHOWN ON SHEET RZ-2 ARE INTENDED TO ILLUSTRATE THE OVERALL SCALE, MASSING AND GENERAL ARCHITECTURAL THEME OF THE PROPOSED DEVELOPMENT WITHIN THE MIXED USE RETAIL/OFFICE CORE AREA OF THE SITE. ALL BUILDINGS SHALL BE CONSTRUCTED OF BRICK, STUCCO AND/OR A COMBINATION OF THOSE OR OTHER MASONRY MATERIALS. ALTHOUGH SOME ARCHITECTURAL DIVERSITY WILL BE PERMITTED AMONG THE VARIOUS BUILDINGS, THERE WILL BE A REQUIREMENT FOR COMPLEMENTARY BUILDING MATERIALS, ROOF MATERIAL/DESIGN, COLORS, ETC. SUCH THAT AN OVERALL COMMON DESIGN. THERE IS ACHIEVED FOR THE MIXED USE RETAIL/OFFICE CORE AREA OF THE SITE.
24. THE REQUIRED TREE SURVEY PER SECTION 45 CHAPTER 21 OF THE CHARLOTTE CITY CODE SHALL BE PROVIDED FOR THE 35' SETBACK AREA ALONG JOHNSTON ROAD.
25. THE MAXIMUM SIZE FOR INDIVIDUAL RETAIL STORES SHALL NOT EXCEED 30,000 SF.
26. THE PARKING ARRANGEMENT IN THE URBAN RETAIL/OFFICE CORE MAY BE EITHER 90° TWO-WAY OR 60° ONE-WAY IN ACCORDANCE WITH THE MINIMUM DIMENSIONS SET FORTH IN THE CHARLOTTE-MECKLENBURG LAND DEVELOPMENT STANDARDS.
27. STREETScape TREES ALONG COMMUNITY HOUSE ROAD AND COPPER WAY SHALL BE PLANTED IN EITHER VARIABLE PLANTING STRIPS (5' MIN. WIDTH) BETWEEN THE SIDEWALK AND BACK OF CURB OR IN TREE GRATES AS SHOWN ON THE URBAN RETAIL/OFFICE CORE'S SECTION ON SHEET RZ-3. TREES IN THE PLANTING STRIPS SHALL BE EITHER SMALL OR LARGE MATURING DEPENDING UPON THE PLANTING STRIP WIDTH. (NOTE: EXCEPT FOR THE AREA ASSOCIATED WITH THE PROPOSED TOWN HOMES, STREET TREES HAVE BEEN PREVIOUSLY INSTALLED IN FIVE FOOT WIDE PLANTING STRIPS ALONG COPPER WAY AS WELL AS COMMUNITY HOUSE ROAD. THE FIVE FOOT PLANTING STRIPS ARE CONSISTENT WITH PREVIOUS ZONING COMMITMENTS. THE REMAINING SMALL AREA ALONG COPPER WAY WILL LIKEWISE BE PLANTED IN FIVE FOOT PLANTING AREAS WITH SIMILAR STREET TREES FOR DESIGN UNIFORMITY AND CONSISTENCY WITH EXISTING CONDITIONS.) ANY USE OF TREE GRATES SHALL COMPLY WITH THE STANDARDS AND REQUIREMENTS OF CITY OF CHARLOTTE ENGINEERING REQUIREMENTS.
28. THE ONE-STORY RETAIL BUILDINGS WILL BE DESIGNED SO THAT THEY HAVE THE APPEARANCE OF A TWO-STORY BUILDING/FACADE. THE ELEVATIONS FOR THE RETAIL BUILDINGS SHALL BE REVIEWED BY PLANNING COMMISSION STAFF PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT.
29. AS INDICATED ON THIS SITE PLAN, THE PETITIONER/DEVELOPER PLANS TO DEVELOP A MAXIMUM OF 75 TOWN HOMES FOR SALE. HOWEVER, ALTERNATIVE INSTITUTIONAL USES AS NOTED IN THE "LAND USES AND SQUARE FOOTAGE TOTALS" TABLE MAY BE SUBSTITUTED IN TOWN HOMES FOR SALE LOCATION. ANY SUCH INSTITUTIONAL USE SHALL BE REVIEWED AND APPROVED VIA THE TYPICAL/NORMAL ADMINISTRATIVE PROCEDURES AS SET FORTH IN THE ZONING ORDINANCE.
30. THE TEMPORARY CONSTRUCTION ENTRANCE BETWEEN THE SOUTHERNMOST DRIVEWAY AND THE INTERSECTION OF COMMUNITY HOUSE ROAD SHALL BE REMOVED PRIOR TO THE FINAL APPROVAL OF THE PROPOSED TOWN HOMES/ALTERNATE INSTITUTIONAL USES.
31. ANY JURISDICTIONAL WETLANDS OR STREAMS, IF PRESENT, NEED TO BE PROTECTED OR PROPER ENVIRONMENTAL PERMITS OBTAINED PRIOR TO THEIR DISTURBANCE. FOR 401 PERMITS CONTACT MCDERMOTT AND FOR 404 PERMITS CONTACT THE ARMY CORPS OF ENGINEERS.



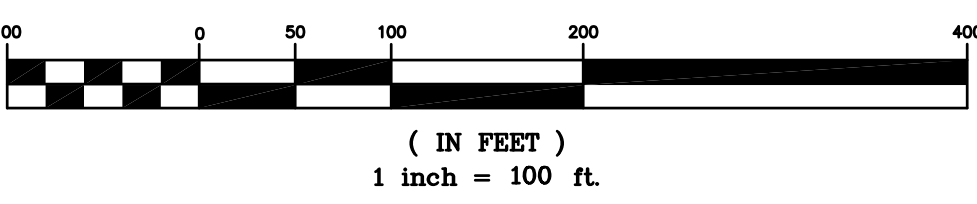
OVERALL SITE DEVELOPMENT SUMMARY:

EXISTING LAND USE:	MIXED-USE
TOTAL SITE ACREAGE:	278,884 ACRES
LAND USE TABULATION:	
MULTI-FAMILY:	568 UNITS MAXIMUM
RETAIL:	67,000 SF MAXIMUM
OFFICE:	70,000 SF MAXIMUM
(2) RESTAURANT OUTPARCELS:	10,370 SF MAXIMUM
HOSPITALITY/HOTEL:	120-ROOM HOTEL
FITNESS CENTER:	42,000 SF MAXIMUM

LAND USES AND SQUARE FOOTAGE TOTALS			
PROPOSED USES:	CURRENT BUILT	FUTURE	CURRENT AND FUTURE TOTALS
Multi-Family:	568 units *	-	568 units
Retail:	45,000SF	22,000 SF**	67,000SF
Office:	56,000SF	14,000SF	70,000SF
Restaurant Outparcels (2):	10,370SF	-	10,370SF
Hospitality/Hotel:	-	120-room hotel	-
Fitness Center:	41,745 SF**	-	41,745 SF

* Total MF units associated w/ th Phase 1 and 2 Atkins Circle
** 14,000 SF from petition 2007-103, plus 8,000 for the new retail site
*** Fitness center added per petition 2008-138

GRAPHIC SCALE



STREETS OF TORINGDON LOT 'D'
REZONING SITE PLAN AMENDMENT
NATIONWIDE REALTY INVESTORS
CHARLOTTE
MECKLENBURG COUNTY, NORTH CAROLINA

OVERALL SITE PLAN
(FOR REFERENCE ONLY)

DATE: 06.25.12

SCALE: HORIZ : 1" = 100'

JOB NO. X12029.00

SHEET: RZ 2.0

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STEWART

STEWART ENGINEERING, INC.
A PROFESSIONAL ENGINEERING FIRM
REGISTERED IN THE STATE OF NORTH CAROLINA
LICENSE NO. 10000
EXPIRATION DATE 12/31/2012