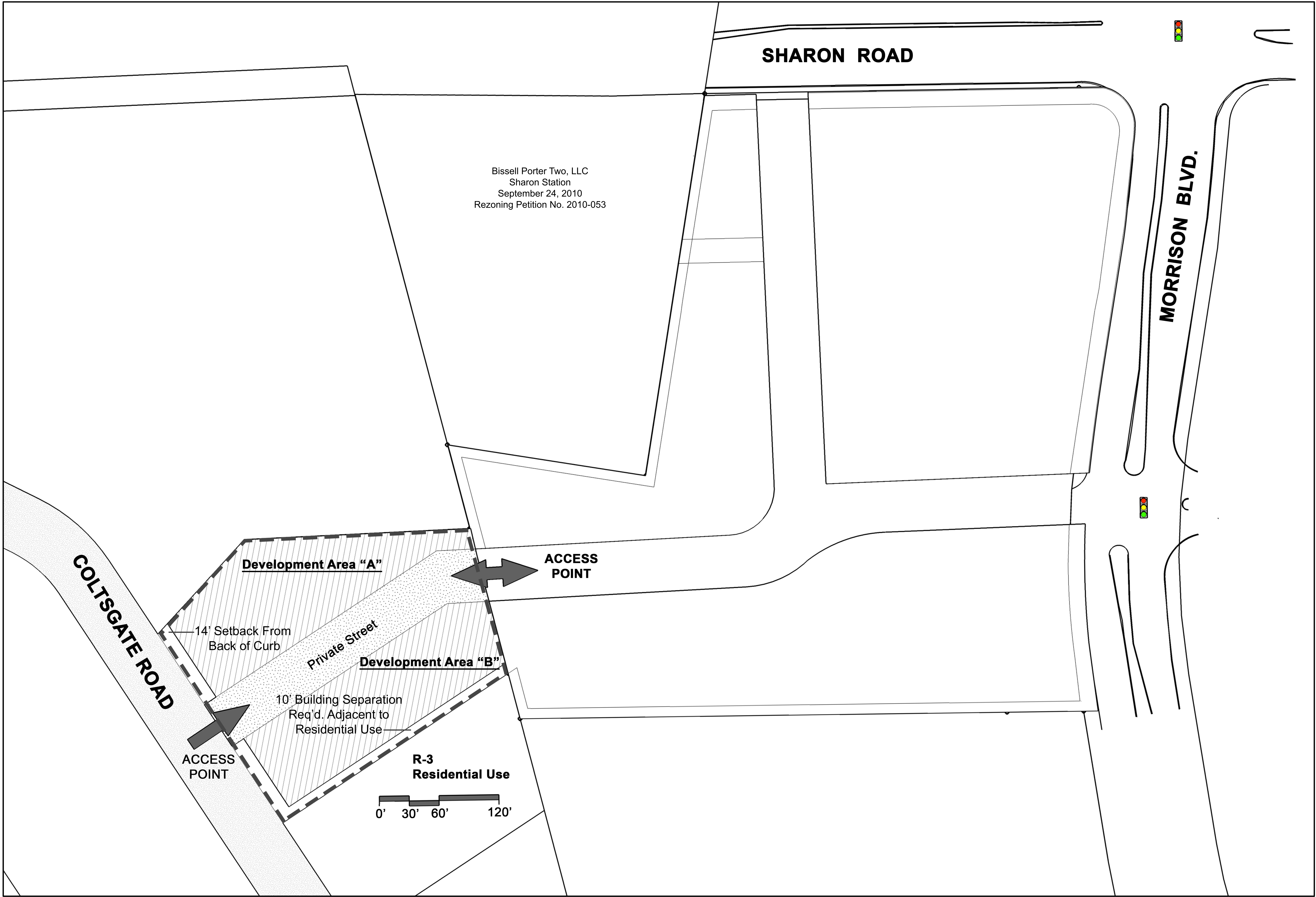
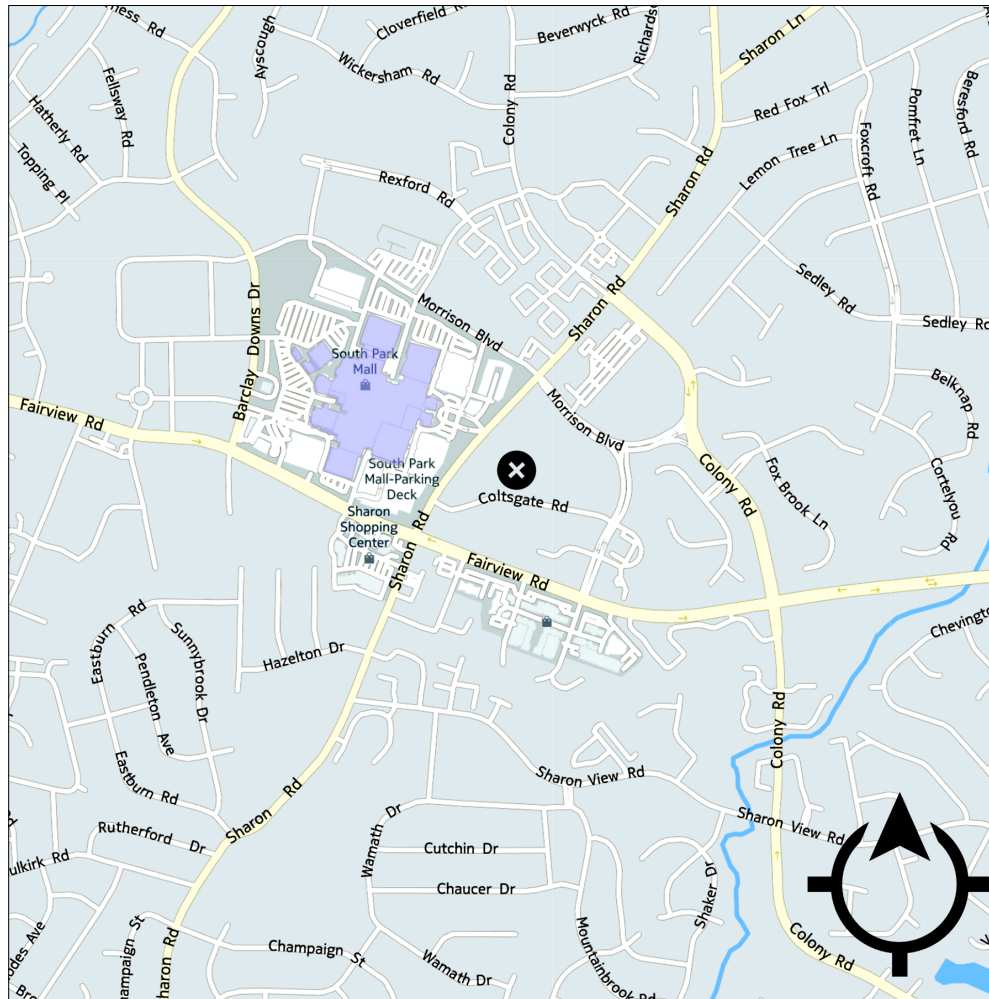


Childress Klein, LLC.  
Coltsgate Parcel  
Development Standards  
3/18/15  
Rezoning Petition No. 2015-000

Site Development Data:

--Acreage: ± 1.53 acres  
--Tax Parcel #: 183-131-08 and 10  
--Existing Zoning: R-3  
--Proposed Zoning: MUDD-O  
--Existing Uses: Vacant.  
--Proposed Uses: Residential dwelling units, including without limitation independent and dependent dwelling units/beds (nursing home, rest home, homes for the aged); and medical and general office uses; each as permitted by right, under prescribed conditions and by the Optional provisions below together with accessory uses, as allowed in the MUDD-O zoning district (as more specifically described and restricted below in Section 3).  
--Maximum Gross Square feet of Development: Up to 240 residential dwelling units, including without limitation independent and dependent living units/beds, and up to 8,500 square feet of gross floor area of medical and general office uses, each as allowed by right and under prescribed conditions in the MUDD-O zoning district (as more specifically described in the Development Standards below).  
--Maximum Building Height: As allowed by the Ordinance for the MUDD-O zoning classification.  
--Parking: As required by the Ordinance for the MUDD-O zoning classification.

Vicinity Map- Not to Scale



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Coltsgate Road Rezoning

Prepared for:  
Childress Klein Properties  
Chris Thomas  
704.342.9000

2806 Coltsgate Road  
Charlotte, NC  
28211

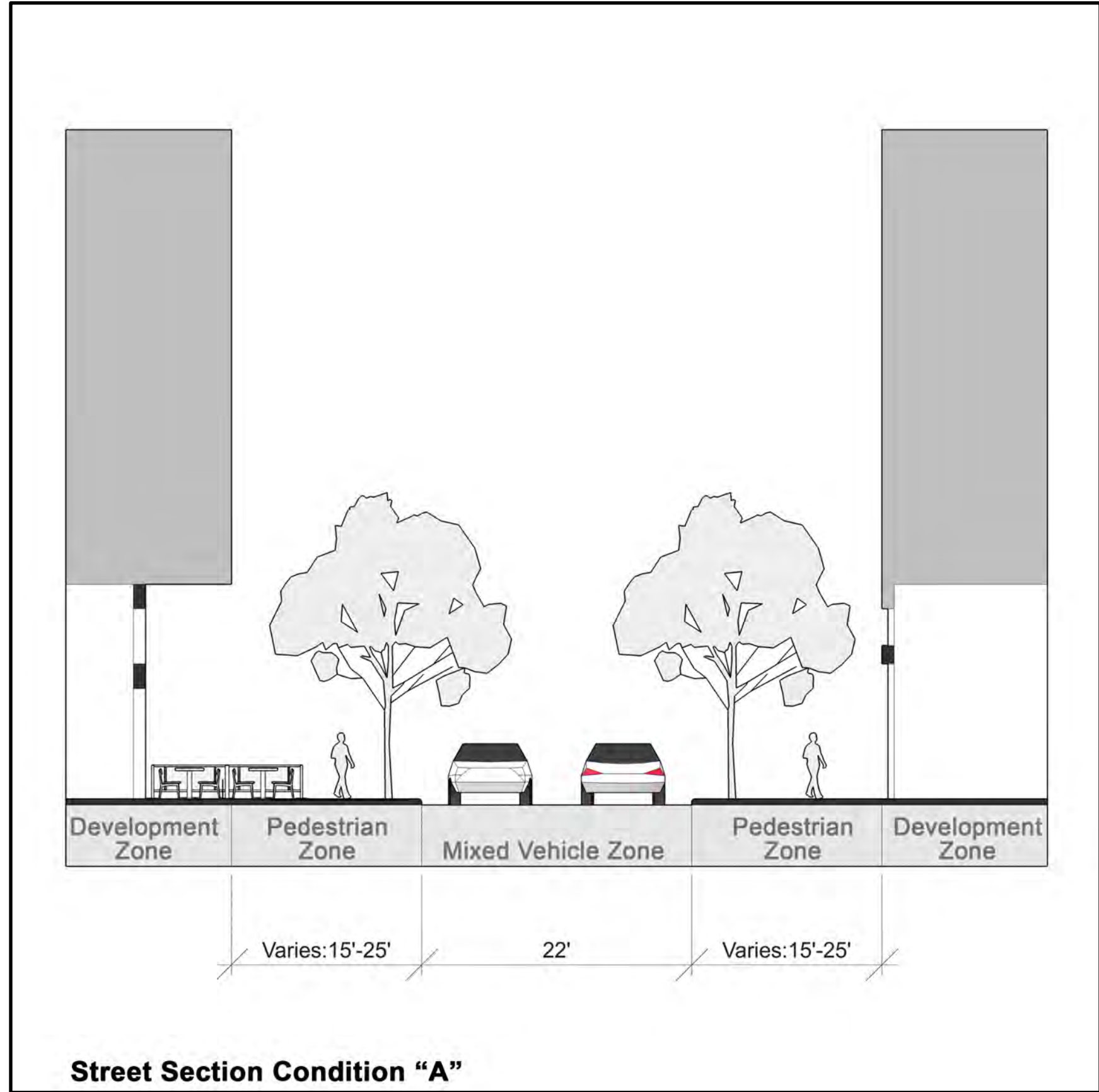
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Issue:	3/18/15	Rezoning Submittal Package
Mark	Date	Description
Revision:		

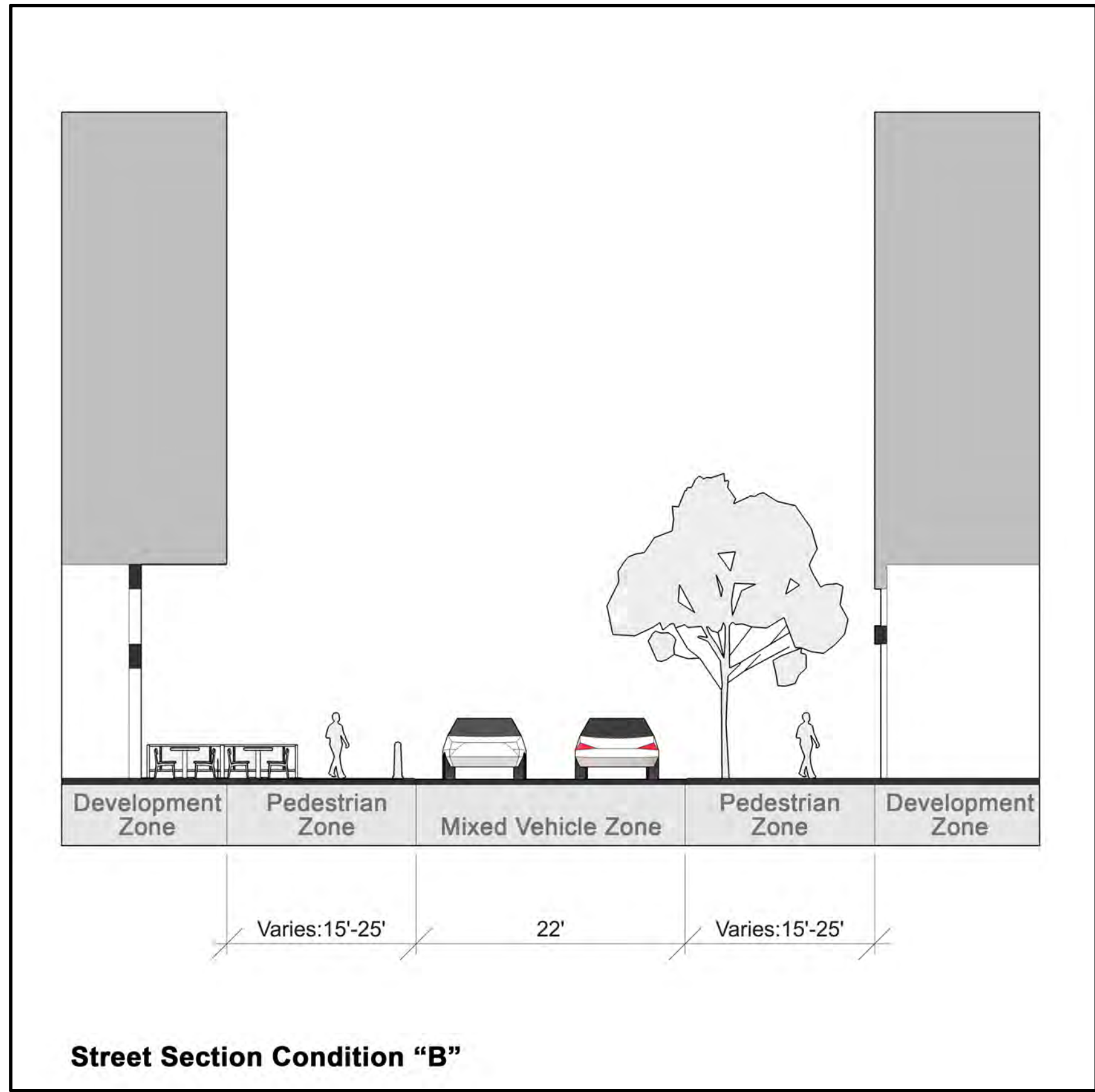
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	SUMC_Coltsgate Border.vwx		Filename

Z001





Sharon Road View



Interior Street View



Childress Klein, LLC,  
Coltsgate Parcel,  
Development Standards  
3/18/15  
Rezoning Petition No. 2015-000

Site Development Data:

- Acreage: ± 1.53 acres
- Tax Parcel #s: 183-131-08 and 10
- Existing Zoning: R-3
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- Existing Uses: Vacant.
- Proposed Uses: Residential dwelling units, including without limitation independent and dependent dwelling units/beds (nursing home, rest home, homes for the aged); and medical and general office uses; each as permitted by right, under prescribed conditions and by the Optional provisions below together with accessory uses, as allowed in the MUDD-O zoning district (as more specifically described and restricted below in Section 3).
- Maximum Gross Square feet of Development: Up to 240 residential dwelling units, including without limitation independent and dependent living units/beds, and up to 8,500 square feet of gross floor area of medical and general office uses, each as allowed by right and under prescribed conditions in the MUDD-O zoning district (as more specifically described in the Development Standards below).
- Maximum Building Height: As allowed by the Ordinance for the MUDD-O zoning classification.
- Parking: As required by the Ordinance for the MUDD-O zoning classification.

I. 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 Childress Klein ("Petitioner") to accommodate the development of a high quality residential community (including without limitation independent and dependent dwelling units/beds) with medical and general office uses on an approximately 1.53 acre site located on the north side of Coltsgate Road between Sharon Road and Cameron Valley Parkway (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 MUDD-O zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.

c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Development Areas

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(as defined below) 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:

- expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or
- minor and don't materially change the overall design intent depicted on the Rezoning Plan; such as minor modifications to the configurations of the Development Areas (as defined below), street dimensions and the like as long as the modifications maintain the general building/parking orientation and character of the development generally depicted on the Rezoning Plan; or
- modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the external setbacks, side or rear yards) indicated on Sheet RZ-1; or
- modifications to allow minor increases or decreases in the mass of the buildings that do not materially change the design intent depicted on or described in 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 four (4). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory struture/building.

e. **Planned/Unified Development.** The Site together with that certain site located adjacent to the Site and designated as Tax Parcel Nos. 183-177-02 (the "Adjacent Sharon Methodist Mixed Use Development Site") shall be viewed in the aggregate as a planned/unified

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development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan and those depicted on the applicable conditional rezoning plan for the Adjacent Sharon Methodist Mixed Use Development Site. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site and the Adjacent Sharon Methodist Mixed Use Development Site. The Petitioner and/or owner(s) of the Site and the Adjacent Sharon Methodist Mixed Use Development Site reserve the right to subdivide the portions or all of the Site and the Adjacent Sharon Methodist Mixed Use Development Site and create lots within the interior of the Site and the Adjacent Sharon Methodist Mixed Use Development Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site and of the Adjacent Sharon Methodist Mixed Use Development Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in Section 2 below as to the Site and in the applicable conditional rezoning plan as to the Adjacent Sharon Methodist Mixed Use Development Site, taken as a whole and not individual portions or lots located therein

2. Optional Provisions

The following optional provisions shall apply to the Site:

a. **Interim Surface Parking.** To allow during the staging and phasing of development on the Site, surface parking in lieu of parking decks on portions of the Site on an interim basis may be allowed provided that such surface parking areas will meet all required minimum setbacks, streetscape and screening requirements.

b. **Detached Signs on Coltsgate Road.** In addition to other signs permitted in this Section 2 or otherwise on Rezoning Plan, to allow a detached identification sign for each building on the Site to be located along Coltsgate Road, with up to 75 square feet of sign area and with a maximum height of seven (7) feet. These signs may be used to identify any of the uses located on the Site and/or located on the Adjacent Sharon Methodist Mixed Use Development Site.

c. **Wall Signs on Coltsgate Road.** In addition to other signs permitted in this Section 2 or otherwise on Rezoning Plan, to allow wall signs identifying individual tenants to have up to 200 square feet of sign surface area per wall or 10% of the wall area, to which they are attached, whichever is less. The sign area of the allowed wall signs may be increased by 10% if individual letters are used.

d. **Signs on Interior Streets Generally.** In addition to other signs permitted in this Section 2 and otherwise in the Rezoning Plan, to allow detached, ground mounted shopping center/development identification signs, tenant identification wall signs and shopping center identification wall signs located along the interior street on the Site in excess of the signage regulations for the MUDD zoning classification.

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e. **Digital Signs.** In addition to other signs permitted in this Section 2 and otherwise in the Rezoning Plan, to allow permitted signs on the Site to be digital signs or have portions of the signs include digital components; provided, however, the digital signs along Coltsgate Road that are detached, ground mounted signs shall be limited to up to 200 square feet of sign area. The digital wall signs along the building walls of Coltsgate Road will be limited to a maximum cumulative sign face area of 300 square feet of sign area. These digital wall signs may be used to: (i) advertise and identify tenants and merchandise located and sold at the Site and/or the Adjacent Sharon Methodist Mixed Use Development Site; (ii) events occurring on the Site and/or the Adjacent Sharon Methodist Mixed Use Development Site; (iii) as screens for motion pictures (e.g. movies, tv shows and the like); and (iv) to promote Major Events occurring off-site which may include, but are not limited to, religious, educational, charitable, civic, fraternal, sporting, or similar events including but not limited to, golf tournaments, festivals, and major or seasonal sporting events.

f. **Projecting Signs.** In addition to other signs permitted in this Section 2 and otherwise in the Rezoning Plan, projecting and blade signage shall be permitted (i) to encroach up to eight (8) feet into the setbacks for Coltsgate Road, and the internal street on the Site, (ii) to project up to ten (10) feet from a building wall.

g. **Special Event Signs and Banners.** In addition to other signs permitted in this Section 2 and otherwise in the Rezoning Plan, to allow special event signs and banners along Coltsgate Road as well as the interior street on the Site. Such banners will be attractive, well-designed professionally fabricated banners made of fabric or plastic of any type, paper banners will not be allowed; and no more than four (4) banners will be allowed at a time on the Site.

h. **Master Signage Package.** To allow Petitioner to submit for approval on an administrative basis by the Planning Director a master signage package for the Site and/or the Adjacent Sharon Methodist Mixed Use Development Site that may provide for modifications to the signage permitted in this Section 2 and otherwise in this Rezoning Plan provided that any such modifications by the Planning Director as part of such a master signage package shall be generally in keeping with the overall requirements and provisions of this Section 2 and the Rezoning Plan.

*Note: The Optional Provision regarding signs is an addition/modification to the standards for signs in the MUDD district and is to be used with the remainder of MUDD standards for signs not modified by these Optional Provisions.*

j. **Recessed Doors.** Not to require doorways to be recessed into the face of buildings when the abutting sidewalk width is greater than eight (8) feet.

k. **Bike Parking.** To allow required long term bike parking spaces for the uses located on the Site to be located within the parking decks constructed on the Site.

l. **Parking on One Side of Street.** To allow parking to be located only on one side of the private street located on the Site as generally depicted on the Rezoning Plan.

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m. **Private Street Cross-Section.** To allow the private street constructed on the Site to be constructed as per the cross-section shown on the Rezoning Plan.

n. **Gross Floor Area.** To allow the definition of "Gross Floor Area" or "GSA" set forth below to be used and applied in the manner described below.

3. Permitted Uses, Development Area Limitations:

a. For ease of reference, the Rezoning Plan sets forth two (2) development areas as generally depicted on the Technical Data Sheet as Development Areas A and B (each a "Development Area" and collectively, the "Development Areas").

b. Subject to the restrictions and limitations listed below, the principal buildings constructed on the Site may be developed with up to 240 residential dwelling units, including without limitations, independent and dependent living units, and 8,500 square feet of gross floor area of medical and general office uses, each as permitted by right, under prescribed conditions and per the Optional provisions above, together with accessory uses allowed in the MUDD-O zoning district.

*For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the term "gross floor area" or "GFA" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building on the Site measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude any surface or structured parking facilities, areas used for building and equipment access (such as stairs, elevator shafts, vestibules, roof top equipment rooms and maintenance crawl spaces), areas associated with enclosed escalators and public open space, all loading dock areas (open or enclosed), outdoor coolers and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).*

4. Transportation Improvements and Access:

I. Proposed Improvements:

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

[TO BE FORTHCOMING]

II. Standards, Phasing and Other Provisions.

a. **CDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT. It is understood that such improvements may be undertaken

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by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the SouthPark area, by way of a private/public partnership effort or other public sector project support.

b. **Phasing.** Notwithstanding the commitments of the Petitioner to provide for the roadway improvements described in Section 4.I above, the following provisions shall permit development to take place prior to completion of all of the above-referenced improvements: [TO BE FORTHCOMING]

c. **Substantial Completion.** Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.I. and in Section 4.II.b above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.II.a above provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) 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 CDOT will instruct applicable authorities 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 not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

d. **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, as specified by the City of Charlotte right-of-way acquisition process as administered by the City of Charlotte's Engineering & Property Management Department, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein above, then the Petitioner will contact the Planning Department and CDOT regarding an appropriate infrastructure phasing plan that appropriately matches the scale of the development proposed to the public infrastructure mitigations. If after contacting the Planning Department and CDOT to determine the appropriate infrastructure phasing plan, delays in the acquisition of additional right-of-way extends beyond 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 CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, the Petitioner continues to exercise good faith efforts to complete the applicable roadway improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at

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the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

e. **Alternative Improvements.** Changes to the above referenced roadway improvements 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 identified in this Petition.

III. Access & Streets.

a. Access to the Site will be from Coltsgate Road and from the Adjacent Sharon Methodist Mixed Use Development Site as part of the extension of a private street as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

b. Subject to the Optional Provisions set forth above, the private street generally depicted on the Rezoning Plan will be designed as indicated on the Rezoning Plan.

c. The Petitioner as part of the development of Site will construct a private street through the Site as generally depicted on the Rezoning Plan. A public access easement will be provided on this private street. The public access easement will prohibit the private street from been closed or gated and will require that the private street be kept open to allow the public to use the street for ingress and egress. The Public Access Easement will be documented on applicable approved building permit plans which will include a provision stating that the easement can be modified as permitted herein. This provision and provisions to be included on the building plans are not intended to create private easements rights that may be enforced by individual land owners, but rather are intended to comply with desire of the City to have a private street open to the public between Coltsgate Road and the Adjacent Sharon Methodist Mixed Use Development Site.

d. Driveway and pedestrian connections to the private street depicted on the Rezoning Plan from the adjoining properties may be allowed in the location(s) shown on the Rezoning Plan if the Petitioner and the parties seeking the connection(s) are in agreement on the location(s) and terms of the connection(s).

e. The exact alignment, dimensions and locations of the access points to the Site, the driveways on the Site and streetscape cross-sections for the private streets 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 4.III. is met.

5. Parking Areas, Access and Circulation Design Guidelines.

a. Building materials associated with facades on parking structures that are generally compatible in character and quality with adjoining buildings, plazas and streetscapes will be created, taking into consideration differences associated with parking structures.

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b. Parking structures shall be designed to materially screen the view of parked cars from adjacent public or private streets or publicly accessible open spaces or plazas. Screening of cars on the ground level will be accomplished primarily through the use of landscaping; and screening of cars parked on an exposed upper level will be accomplished by a wall, at least 36 inches in height, designed as part of the parking deck structure.

[c. Along the Site's internal private street the number of curb cuts will be limited as generally depicted to maintain a street like condition, subject to modifications reasonably needed to accommodate unusual site design conditions or elements, or development constraints.]

d. On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances.

6. Pedestrian Access and Circulation Design Guidelines.

a. Along the Site's internal private street, the Petitioner will provide a sidewalk and a cross-walk network that links the buildings, parking areas and areas of interest on the Site with one another by way of links to sidewalks along the abutting public and private streets and/or other pedestrian features. The minimum width for these internal sidewalks will be eight (8) feet. Street trees will also be provided along the Site's internal private street.

b. Walkways through plazas or publicly accessible open space areas will be appropriately designed for the intended use and type of open space area in which they are located.

c. Where walkways occur along building walls, a walkway width of at least six (6) feet must be maintained clear of door swings, shopping cart storage, and temporary trash or similar impediments.

7. Environmental Features:

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

8. Signage:

a. **Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided in addition to the signage otherwise allowed in this Section.**

b. Because the Site will be viewed as a Planned/Unified Development as defined by the Ordinance, shopping center signs may be located throughout the portion of the Site designated MUDD-O as allowed by the Ordinance and the Optional Provisions. In addition, uses located on the interior of the Site may be identified on the allowed shopping center/development signs (by way of example, the multi-family developments and the other uses may be identified on the signs allowed along Coltsgate Road). The allowed signs may contain identification signage for any of the uses located on the Site.

c. Master signage and graphic systems may be adopted.

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d. Information and Advertising Pillar Signs as defined by the Ordinance may be provided.

e. On premises directional and instructional signs may be located throughout the Site per the standards of the Ordinance.

f. Temporary Banners as allowed by the Ordinance may be provided.

9. Lighting:

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 and private streets, will be limited to 30 feet in height.

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 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.

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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NOT FOR CONSTRUCTION

Coltsgate Road Rezoning

Prepared for:  
Childress Klein Properties  
Chris Thomas  
704.342.9000

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OF  
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