

SITE PLAN AMENDMENT
PETITION NO. 2016 - 00
DEVELOPMENT STANDARDS
ASTON PROPERTIES, INC.

SITE DEVELOPMENT DATA:

ACREAGE: ±3.28 ACRES
TAX PARCELS: 143-131-09
EXISTING ZONING: MUDD-O
PROPOSED ZONING: MUDD-O S.P.A.
EXISTING USES: VACANT
PROPOSED USES: UP TO 20,000 S.F. OF COMMERCIAL USES

1. GENERAL PROVISIONS

THESE DEVELOPMENT STANDARDS FORM PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE MUDD-O SITE PLAN AMENDMENT FILED BY ASTON PROPERTIES, INC. TO MODIFY SEVERAL PROVISIONS OF A MUDD-O REZONING PLAN WHICH WAS APPROVED BY THE CITY COUNCIL ON JANUARY 22, 2008 IN REZONING PETITION NO. 2007-082 FOR THE 159 ACRE CITY PARK DEVELOPMENT, AS THEREAFTER AMENDED ADMINISTRATIVELY FROM TIME TO TIME (HEREINAFTER THE "APPROVED PLAN").

THIS SITE PLAN AMENDMENT APPLIES ONLY TO THAT APPROXIMATELY 3.28 ACRE PART OF THE CITY PARK DEVELOPMENT WHICH IS BOUNDED BY WEST TYVOLA ROAD, CITY PARK DRIVE, NATIONAL AVENUE AND POTOMAC RIVER PARKWAY AND WHICH HAS BEEN DESIGNATED BY MECKLENBURG COUNTY AS TAX PARCEL 143-131-09 (THE "SITE"). SPECIFICALLY, THIS SITE PLAN AMENDMENT SEEKS TO MODIFY THE APPROVED PLAN TO ALLOW THE FOLLOWING CONDITIONS ON THE SITE WITHIN THE AREAS DEPICTED ON THE TECHNICAL DATA SHEET:

1. NO RESTRICTIONS ON TYPES OF EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS.
2. A DRIVE-THROUGH SERVICE WINDOW AS AN ACCESSORY TO A RESTAURANT USE.
3. A DRIVE-THROUGH CIRCULATION LANE TO SERVE A FUTURE BUILDING WHICH WOULD BE LOCATED BETWEEN THE BUILDING ENVELOPE ESTABLISHED FOR PARCEL 2 AND TWO ADJACENT STREETS AT THE CORNER OF TYVOLA ROAD AND POTOMAC RIVER PARKWAY, ALL AS GENERALLY DEPICTED ON THE SITE'S TECHNICAL DATA SHEET WHICH FORMS A PART OF THIS REZONING PETITION (THE "SITE PLAN").
4. GROUND MOUNTED SIGNAGE MAY EXCEED 36 SQUARE FEET AND 6 FEET IN HEIGHT, IN ORDER TO SERVE MULTIPLE BUILDINGS.

THE SITE PLAN AMENDMENT AND ACCOMPANYING TECHNICAL DATA SHEET SUPERSEDES ALL CONCEPTUAL SITE PLANS ASSOCIATED WITH THE APPROVED PLAN WHICH RELATE TO THE SITE AND IS INTENDED TO REFLECT THE SETBACKS, BUILDING ENVELOPES AND VEHICULAR ACCESS POINTS RELATED TO THE PROPOSED DEVELOPMENT ON THE SITE.

ALL PROVISIONS OF THE APPROVED PLAN NOT MODIFIED BY THIS SITE PLAN AMENDMENT SHALL REMAIN IN EFFECT AND CONTINUE TO BE BINDING.

2. MUDD-O OPTIONAL PROVISIONS

THE PETITIONER PROPOSES TO UTILIZE THE MUDD-O PROVISIONS OF THE ORDINANCE IN ORDER TO ACCOMMODATE THE FOLLOWING:

- (a) A DEVIATION FROM THE APPROVED DEVELOPMENT STANDARDS FOR CITY PARK TO ALLOW ANOTHER DRIVE-THROUGH SERVICE WINDOW AS AN ACCESSORY TO AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT (RESTAURANT) USE WITHIN PARCEL 1 IN ADDITION TO THE THOSE DRIVE-THROUGH USES CURRENTLY ALLOWED UNDER THE APPROVED PLAN AS AN ACCESSORY TO EACH OF THE FOLLOWING USES: A COFFEE SHOP, A BANK, A DRUG STORE, AND A DRY CLEANER.
- (b) A DEVIATION TO ALLOW A DRIVE-THROUGH WINDOW AND A RELATED VEHICULAR CIRCULATION LANE TO BE LOCATED BETWEEN A BUILDING CONSTRUCTED WITHIN PARCEL 2 AND TYVOLA ROAD AND POTOMAC RIVER PARKWAY.
- (c) A DEVIATION FROM THE SIGNAGE PROVISIONS SPECIFIED IN THE 2007 APPROVAL PLAN TO ALLOW A DETACHED, MONUMENT SIGN UP TO 10 FEET IN HEIGHT AND UP TO 75 FEET IN SIGN AREA, IN THE LOCATION GENERALLY DEPICTED ON THE SITE'S TECHNICAL DATA SHEET. THIS SIGN WILL SERVE TENANTS WITHIN THE AREAS IDENTIFIED AS PARCEL 2 AND PARCEL 3 (THIS SIGN SHALL BE PERMITTED IN ADDITION TO A SIGN FOR PARCEL 1 AS ALLOWED UNDER THE APPROVED PLAN WHICH PROVIDES FOR ONE MONUMENT SIGN FOR EACH BUILDING LOCATED WITHIN THE CITY PARK SITE, BUT LIMITS THEIR SIZE TO 6 FEET IN HEIGHT AND 36 SQUARE FEET IN SIGN AREA).

3. PERMITTED USES AND MAXIMUM DEVELOPMENT

THE SITE MAY BE DEVELOPED WITH UP TO 20,000 SQUARE FEET OF COMMERCIAL FLOOR AREA WITHIN UP TO THREE BUILDINGS. PERMITTED USES SHALL INCLUDE ALL PRINCIPAL AND ACCESSORY USES PERMITTED BY REZONING PETITION 2008-082 AS WELL AS THE ADDITIONAL DRIVE-THROUGH SERVICE WINDOW USE PERMITTED UNDER TO THE OPTIONAL PROVISIONS IN PARAGRAPH 2 ABOVE.

4. TRANSPORTATION

NO MODIFICATIONS TO THE APPROVED PLAN.

5. ARCHITECTURAL STANDARDS

IN ADDITION TO THE CONDITIONS IMPOSED BY THE APPROVED PLAN, THE FOLLOWING CONDITIONS SHALL APPLY TO THE DEVELOPMENT TAKING PLACE ON THE SITE:

- (a) DRIVE THROUGH LANES LOCATED BETWEEN BUILDINGS AND TYVOLA ROAD AND POTOMAC RIVER PARKWAY MUST BE SCREENED FROM THOSE STREETS WITH LOW WALLS AND WOOD ACCENT PLANTINGS. SUCH WALLS MAY BE BROKEN UP INTERMITTENTLY. HOWEVER, ALL WALLS MUST BE CONSTRUCTED OF MATERIALS GENERALLY COMPATIBLE WITH THE BUILDINGS TO WHICH THEY RELATE.
- (b) THE DESIGN FOR DRIVE-THROUGH LANES CONSTRUCTED ON THE SITE MUST INCORPORATE AREAS FOR SAFE PEDESTRIAN CROSSING.
- (c) ANY DRIVE-THROUGH SERVICE WINDOW LOCATED WITHIN PARCEL 1 MUST BE ORIENTED INTERNALLY TO THE SITE, AND THE DRIVE-THROUGH CIRCULATION LANES SERVICING THIS WINDOW MUST NOT BE LOCATED BETWEEN THAT BUILDING AND ADJACENT STREETS.

6. STREETScape AND LANDSCAPING

EXISTING STREET TREES, PLANTING STRIPS AND SIDEWALKS AROUND THE PERIMETER OF PARCEL SHALL REMAIN.

7. ENVIRONMENTAL FEATURES

NO MODIFICATIONS TO THE APPROVED PLAN.

8. OPEN SPACE

NO MODIFICATIONS TO THE APPROVED PLAN.

9. FIRE PROTECTION

NO MODIFICATIONS TO THE APPROVED PLAN.

10. SIGNAGE

SIGNAGE SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE, SUBJECT TO THE OPTIONAL PROVISIONS SET OUT ABOVE IN PARAGRAPH 2.

11. LIGHTING

NO MODIFICATIONS TO THE APPROVED PLAN.

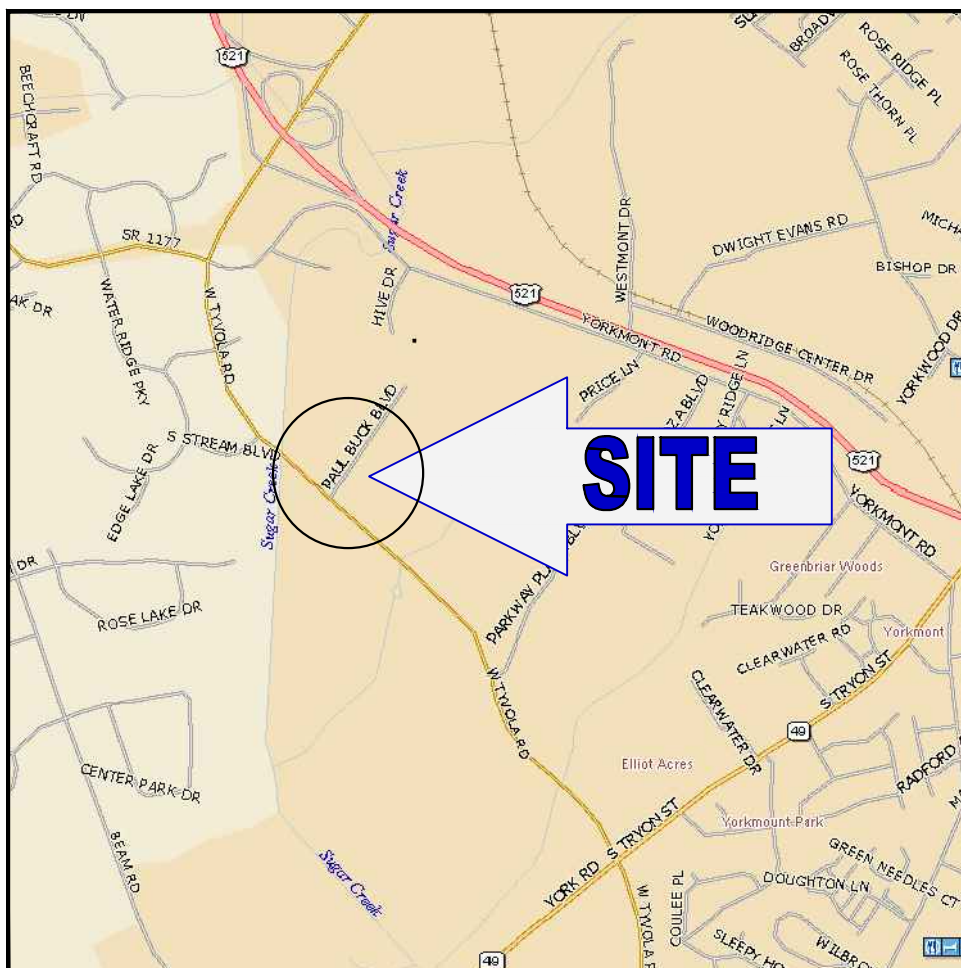
12. AMENDMENTS TO REZONING PLAN

FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCEL OR PARCELS WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

FURTHER ALTERATIONS OR MODIFICATIONS TO THE APPROVED PLAN FOR THE CITY PARK DEVELOPMENT WHICH, IN THE OPINION OF THE PLANNING DIRECTOR, SUBSTANTIALLY ALTER THE CHARACTER OF THE DEVELOPMENT OR SIGNIFICANTLY ALTER THE APPROVED TECHNICAL DATA SHEET FOR THE CITY PARK DEVELOPMENT OR ANY OF ITS CONDITIONS OR WHICH INCREASE THE INTENSITY OF DEVELOPMENT SHALL NOT BE DEEMED TO BE MINOR AND MAY ONLY BE MADE IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTIONS 6.207(1) OR (2) OF THE ORDINANCE, AS APPLICABLE.

13. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- (A) IF THIS SITE PLAN AMENDMENT IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE TECHNICAL DATA SHEET WILL, 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 SUCCESSORS IN INTEREST AND ASSIGNS.
- (B) THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" AND "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.



LOCATION MAP

REZONING PETITION NO. 2016-00

SITE DEVELOPMENT DATA:

ACREAGE: ± 3.28 ACRES
TAX PARCEL #: 143-131-09
EXISTING ZONING: MUDD-O
PROPOSED ZONING: MUDD-O S.P.A.
EXISTING USES: VACANT
PROPOSED USES: UP TO 20,000 S.F. OF COMMERCIAL USES

FUTURE DEVELOPMENT
P&L COLISEUM, LP
DB. 20205, PG. 242
PIN: 143-131-08
ZONED: MUDD-O

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE
C1	373.50'	57.92'	S38°45'15"W	57.86'	8°53'04"
C2	33.50'	46.95'	N02°55'32"E	43.20'	80°17'59"
C3	448.00'	68.10'	N38°43'16"E	68.03'	8°42'32"
C4	20.00'	31.42'	N79°22'00"E	28.28'	90°00'00"

LINE	BEARING	DISTANCE
L1	S32°56'04"W	31.16'
L2	S00°09'59"E	9.53'
L3	S34°18'43"W	18.41'
L4	S44°37'43"W	21.47'
L5	N34°22'00"E	12.01'

OXFORD CITY PARK
APARTMENTS, LLC
DB. 27676, PG. 182
LOT 1
MB. 54, PG. 577
PIN: 143-131-99
ZONED: MUDD-O

OXFORD CITY PARK
APARTMENTS, LLC
DB. 27676, PG. 182
LOT 1
MB. 54, PG. 577
PIN: 143-131-99
ZONED: MUDD-O

NOVUS DEVELOPMENT GROUP, LLC
DB. 29240, PG. 65
LOT 1
MB. 56, PG. 500
PIN: 143-131-11
ZONED: MUDD-O

CITY PARK RETAIL 8 LLC
DB. 29240, PG. 69
LOT 2
MB. 56, PG. 500
PIN: 143-131-14
ZONED: MUDD-O

P&L COLISEUM, LP
DB. 20205, PG. 242
TRACT A2
MB. 54, PG. 416
PIN: 143-131-09
ZONED: MUDD-O

AREA:
142,763 SQ. FT.
OR 3.2774 ACRES

PARCEL #2
BUILDING AND
PARKING
ENVELOPE

PARCEL #3
BUILDING AND
PARKING
ENVELOPE

PARCEL #3
PARKING
ENVELOPE

PARCEL #1
PARKING
ENVELOPE

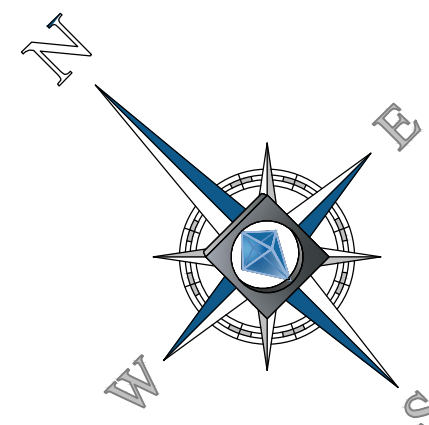
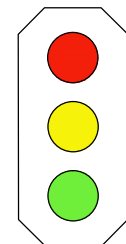
PARCEL #1
BUILDING AND
PARKING
ENVELOPE

PARCEL #2
BUILDING AND
PARKING
ENVELOPE

PROPOSED DRIVE THRU LOCATION

PROPOSED MONUMENT SIGN LOCATION

EXISTING FULL
SIGNALIZED
INTERSECTION



30 15 7.5 0 30
1"= 30'

BOHLER ENGINEERING

SITE PLAN, CONCEPTUAL SITE PLAN, LANDSCAPE ARCHITECTURE, LAND SURVEYING, PROGRAM MANAGEMENT, TRANSPORTATION SERVICES, SUSTAINABLE DESIGN, PERMITTING SERVICES

WARREN, NJ
BOSTON, MA
NEW YORK, NY
NEW YORK, NY
LEHIGH VALLEY, PA
SOUTHEASTERN, VA
GREEN, NJ
BALTIMORE, MD
ANN ARBOR, MI
CENTRAL VIRGINIA
NORTHERN VIRGINIA
PALESTINE, NC

REVISIONS			
REV	DATE	COMMENT	BY

PROJECT No.: NOC142086
DRAWN BY: JP
CHECKED BY: JG
DATE: 2/22/16
SCALE: AS NOTED
CAD I.D.: RZ Plan

FOR

ASTON
properties

LOCATION OF SITE
WEST TYVOLA ROAD
CHARLOTTE, NC

REZONING PLAN
PETITION
#2016-00

SHEET TITLE:
**TECHNICAL
DATA
SHEET**

SHEET NUMBER:
RZ-1