

**SITE DEVELOPMENT DATA**

--Acreage:	11.0
--Tax Parcel #:	219-061-05 and 09
--Existing Zoning:	CC
--Proposed Zoning:	CC SPA
--Existing Uses:	Vacant and Office Building
--Proposed Uses:	Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the CC zoning district (as more specifically restricted below)
--Maximum Gross Square feet of Development:	Up to 90,000 square feet of gross floor area (including building(s) already constructed on the Site).
--Maximum Building Height:	As allowed by the Ordinance, but not to exceed four (4) stories
--Parking:	As required by the Ordinance.

**ADJACENT PROPERTY OWNERS**

1 CC 21906121 HAWTHORNE CO PO BOX 32064 CHARLOTTE, NC 28232	9 CC 19965125 STEELCROFT OFFICE LLC 521 EAST MOREHEAD ST #400 CHARLOTTE, NC 28202
2 CC 21906128 SUNTRUST BANK 919 E MAIN ST 14TH FL RICHMOND, VA 23219	10 B-2 (CD) 21912303 RCR PROPERTIES LLC 16026 KIKI CT TEGA CAY, SC 29715
3 CC 21906127 CK RIVERGATE LLC 301 SOUTH COLLEGE ST #2800 CHARLOTTE, NC 28202	11 R-3 21912302 CARLTON & LYERLY INVESTMENTS 1215 MCDOWELL FARMS DR CHARLOTTE, NC 28217
4 CC 21906112 LLC % CHILDRESS KLEIN PRO CK RIVERGATE SHOPPING CENTER %CHILDRESS KLEIN PROPERTIES 301 SOUTH COLLEGE ST #2800 CHARLOTTE, NC 28202	12 O-2 (CD) 21912202 HOSPITAL AUTHORITY THE CHARLOTTE-MECKLENBURG PO BOX 32861 CHARLOTTE, NC 28232
5 CC 21906113 C/O CVS CORPORATION CVS ONE CVS DRIVE WOONSOCKET, RI 02895	13 O-2 (CD) 21912201 HOSPITAL AUTHORITY THE CHARLOTTE-MECKLENBURG PO BOX 32861 CHARLOTTE, NC 28232
6 CC 20123112 WRI STEELE CREEK LLC PO BOX 450233 ATLANTA, GA 31145	14 O-2 (CD) 21912105 HOSPITAL AUTHORITY THE CHARLOTTE-MECKLENBURG PO BOX 32861 CHARLOTTE, NC 28232
7 CC 19965198 LLC WATERS CONVICIENCE STORES 301 S MCDOWELL ST #210 CHARLOTTE, NC 28204	15 R-17 MF (CD) 21906110 LLC CHILDRESS KLEIN PRO CK RIVERGATE SHOPPING CENTER CHILDRESS KLEIN PROPERTIES 301 SOUTH COLLEGE ST #2800 CHARLOTTE, NC 28202
8 CC 19965109 WFC STEELCROFT FUND ILLC 11440 SAN VICENTE BV #200 LOS ANGELES, CA 90049	

**LEGEND**

--- --	OFFICE / RETAIL SITE BOUNDARY
---	INTERIOR PRIVATE STREET
---	SETBACK / REAR YARD
---	EXISTING TREES

REVISIONS:

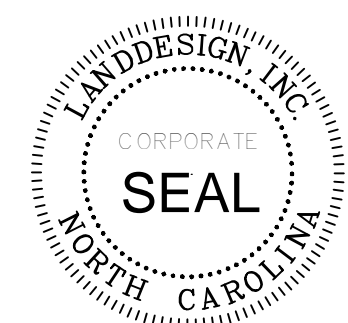
DATE: 09/26/16  
DESIGNED BY: SKT  
CHECKED BY: SKT  
SCALE: 1"=100'  
PROJECT #1016239

SHEET #  
**RZ-1**

CHILDRESS KLEIN  
PROPERTIES

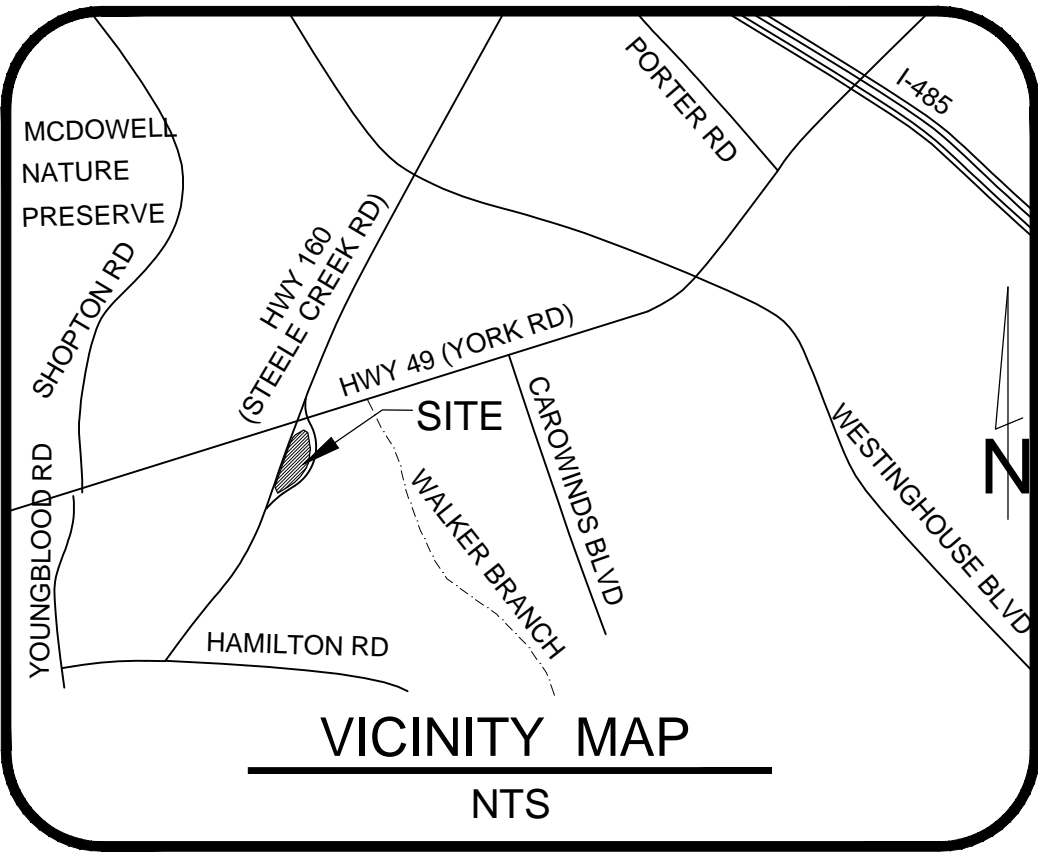
**RIVERGATE - OFFICE  
TECHNICAL DATA SHEET**  
Childress Klein, Steele Creek 1997 Limited Partnership, Mecklenburg Co., NC

REZONING PETITION NO. 2016-000 SPA



**LandDesign**  
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NC License# C-0658





- LEGEND**
- Office / Retail Site Boundary
  - Interior Private Street
  - Setback / Rear Yard
  - Existing Trees

REVISIONS:

DATE: 09/26/16  
DESIGNED BY: SKT  
CHECKED BY: SKT  
O.C. BY: SKT  
SCALE: 1"=100'  
PROJECT #1016239

SHEET #  
**RZ-2**

# RIVERGATE - OFFICE SCHEMATIC SITE PLAN

Childress Klein, Steele Creek 1997 Limited Partnership, Mecklenburg Co., NC

REZONING PETITION NO. 2016-000 SPA

CHILDRESS KLEIN  
PROPERTIES



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Steele Creek 1997 Limited Partnership  
Development Standards  
2016 SPA  
Rezoning Petition No. 2016-000 SPA

**Site Development Data:**

- Acreage: 11.0
- Tax Parcel #: 219-061-05 and 09
- Existing Zoning: CC
- Proposed Zoning: CC SPA
- Existing User: Vacant and Office Building
- Proposed User: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the CC zoning districts (as more specifically restricted below).
- Maximum Gross Square Feet of Development: Up to 90,000 square feet of gross floor area (including buildings) already constructed on the Site).
- Maximum Building Height: As allowed by the Ordinance, but not to exceed four (4) stories.
- Parking: As required by the Ordinance.

**1. General Provisions:**

**a. Site Location.** These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Steele Creek 1997 Limited Partnership to rezone development of a mixed use development in an approximately 11.0-acre site located in the southwest quadrant of the intersection of S. Tryon Street and Steele Creek Road (the "Site"). It is acknowledged that a portion of the Site as generally depicted on the Rezoning Plan has been developed but is a part of this Rezoning Plan to reflect the unified nature of the development.

**b. Zoning Districts/Ordinance.** Development of the Site will be governed by the attached Technical Data Sheet and Schematic Site Plan and these Development Standards together with the site plan referred to as 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 Charlotte Zoning Ordinance (the "Ordinance") for the CC zoning district classification shall govern all development taking place on the Site.

**c. Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, 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, location, size and form/dimensions 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 majority of 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:

- minor and don't materially change the overall design intent 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.** The total number of principal buildings to be developed on the Site will be limited seven (7). 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 structure/building.

**e. Exclusions for Calculation of Maximum Development Levels.** For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area as defined by the Ordinance for the Site: surface or structural parking facilities, all loading dock areas (open or enclosed), 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).

**f. Street Network Generally.** Proposed circulation and street network/connectivity is generally shown on the Rezoning Plan to illustrate: (i) a public street connecting Walker Branch Drive to Steelecraft Parkway, (ii) a private street running east to west along the northern portion of the Site, and (iii) a private drive running north to south connecting the street on the southern portion of the Site to the private street on the northern portion of the Site. To allow for the future market demand and the accompanying flexibility in the specific design of the Site, the final location and alignment of these proposed connections will be determined at the time of development and the site plan approval process.

**2. Permitted Uses & Development Area Limitation:**

- a. The Site may be developed with up to 90,000 square feet of gross floor area of all uses permitted by right and under prescribed conditions together with accessory uses allowed in the CC zoning district as restricted below in this Section 2, except for the following uses that are prohibited: automotive service, business, residential, health, hotels, motels, theaters, motion picture equipment rental and leasing, within an enclosed building, bookshops and amusement nurseries and greenhouses, outdoor recreation, repair or servicing of any articles, the sale of which is permitted in the district, building material sales, domestic household facilities, and pet services, outdoor.**
- b. Of the 90,000 square feet, up to 50% of the total square footage may be devoted to restaurant uses (FDEIF), retail establishments and business, personal and recreation services as allowed in the P-1 and NS district. Only one free-standing single-story building with a maximum square footage of 25,000 gross square feet devoted to restaurant uses, retail establishments and business, personal and recreation services as allowed in the P-1 and NS district will be allowed in Development Area A as generally depicted on RZ-2. Additional restaurant (FDEIF) uses, retail establishments and business, personal and recreation services as allowed in the P-1 district are allowed in buildings that contain no more than 10,000 square feet of gross floor area devoted to such uses.**
- c. Only one use with accessory drive-through windows will be allowed on the Site in Development Area B. No other uses with accessory drive-through windows will be allowed. The location of the drive-through windows and associated lanes will be allowed as illustrated on Sheet RZ-2. The permit herein that the drive-through lane associated with such uses will be permitted between the building and the streets when accompanied by a lane wall requirement as part of the design for such use.**
- d. A "Building Edge" has been provided within portions of the proposed building/parking envelopes generally depicted in the Technical Data Sheet. When a building is constructed within a Building Envelope, it involves the entire use of a "Building Edge," the building must be constructed along the "Building Edge." Depicted if a building/parking envelope contains more than one "Building Edge" location, the building constructed within such envelope must be placed along one of the "Building Edge" locations depicted but not all of such locations. Parking and vehicular access/egress may be located between the proposed building and the "Building Edge." This applies to such building/parking envelopes. The provisions of this Section may be altered to permit greater flexibility in development with the prior written consent of the Planning Director.**

**3. Access:**

- Access to the Site will be from Steele Creek Road and Old Steele Creek Road as generally depicted on the Rezoning Plan.
- The vehicular connection of Old Steele Creek Road to South Tryon Street will be limited to right-in/right-out only.
- The placement and configuration of vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the CDOT and the North Carolina Department of Transportation (NCDOT).
- A public street will be provided through the Site linking Walker Branch Road to Steelecraft Parkway as generally depicted on the Rezoning Plan.
- A private street designed to meet the "Local Office/Commercial/Neighborhood" cross-section will be provided along the northern portion of the Site connecting Old Steele Creek Road to Steele Creek Road (NOTE: this improvement has been substantially completed).
- The number and location of driveways connecting to the interior streets and drives is not limited by what is indicated on the Technical Data Sheet; the location and number will be determined during the final development process.
- The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

**4. Transportation Improvements and Phasing:**

The Petitioner plans to provide or cause to be provided, some of which as noted below have been provided and substantially completed, 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:

- Private Road between Steele Creek Road and Old Steele Creek Road (Project # 1).** Up to 25,000 square feet of gross floor area within Building/Parking Envelopes A and C may be constructed on the Site upon the construction of: (i) Private Street A connecting Steele Creek Road to Old Steele Creek Road, (ii) the asphalt pavement connections of Old Steele Creek Road to S. Tryon Street and right and left turn lanes (or left sidewalk and public foot planning strips) along the portion of the Site's within strip to remain under development as may be required by City Ordinances, such curb and gutter to accommodate a five (5) foot bike lane along Steele Creek Road (NOTE: the above-referenced improvements have been completed).
  - Steelecraft Parkway Extension (Project # 2).** Up to 90,000 square feet of gross floor area may be constructed on the Site upon the construction of: (i) the proposed public street connecting Steelecraft Parkway to Walker Branch Drive (Steelecraft Parkway extension) (ii) a modification of existing Walker Branch Drive by adding a second street from left turn lane and converting the existing third lane into a shared three-right turn lane (both these modifications to be accomplished by repaving the existing intersections) (iii) the extension of a second southbound third lane on Steele Creek Road starting 400 feet in advance of the intersection of Steelecraft Parkway extension with Steele Creek Road and terminating into the existing southbound third turn lane on Steele Creek Road at Old Steele Creek Road, (iv) a 150 foot northbound left turn lane from Steele Creek Road to Steelecraft Parkway Extension (ii) the asphalt pavement connection of Old Steele Creek Road to S. Tryon Street (v) the Private Street A connecting Steele Creek Road to Old Steele Creek Road (Drive and (vi) curb and gutter, six (6) foot sidewalks and public foot planning strips along the portion of the Site's public street frontage under development as may be required by City Ordinances, such curb and gutter to accommodate a five (5) foot bike lane along Steele Creek Road.
- Provided, however, the commitment referenced in subsection b. above is subject to reimbursement to the Petitioner by the City, as called for by adopted City Policy, for any improvements provided along Old Steele Creek Road, Steel Creek Road and/or S. Tryon Street not directly referenced above.
- Order of Improvements.** The roadway improvements referenced in subsections a. and b. above are not required to be completed in any sequence, but rather the level of development is subject to substantial completion of the applicable roadway improvements set forth for each corresponding development.
  - CDOT/NCDOT Standards.** All of the foregoing roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable to the roadway improvements within their respective state system authorities. It is understood that such improvements may be undertaken by the Petitioner on its own or in connection with other development or roadway projects taking place within the broad southwest Mecklenburg area, by way of a private-public partnership effort or other public sector project support.
  - Timing of Completion.** Except as to financial contributions referenced in subsection b. above, the roadway improvements referenced in subsections b. above must be substantially completed prior to the issuance of the certificate of occupancy for the first space located on the Site other than any buildings permitted prior to the date of August 21, 2016, subject to the ability of the Petitioner to post a letter of credit or a bond for any improvements not in place at the time such first certificate of occupancy is issued to a secure completion of the applicable improvements.
  - Right-of-way Availability.** It is understood that some of the roadway improvements referenced in subsection a. and b. above may not be possible without the acquisition of additional right of way. If, after the exercise of diligent and good faith efforts, 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, and to the extent that the applicable area in which the right of way is located is within the City of Charlotte, then CDOT, the City of Charlotte Engineering Division or other applicable agency or department agree to proceed with condemnation of any such land. In such event, the Petitioner shall reimburse the applicable agency or department for the cost of any such condemnation proceedings including compensation paid by the applicable agency or department for any such land and the expenses of such proceedings.

**5. Architectural Standards:**

- The buildings constructed on the Site will use a variety of building materials. The building materials used will be a combination of the following: brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, EPS or wood.
  - Major banks will be located behind the building and will be screened.
  - Roof top HVAC and related mechanical equipment will be screened from public view at grade.
  - Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the building. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side.
- 6. Streetscape and Landscaping:**

- A 30 foot landscape setback will be provided along S. Tryon Street. A 35 foot landscape setback will be provided along Steele Creek Road and a portion of Old Steele Creek Road as generally illustrated on the Rezoning Plan. The setback along the remainder of Old Steele Creek Road and the interior public street may be reduced to 14 feet as allowed by the Ordinance.
- The landscape materials including street trees, shrubs and ground covers used within the 50' setback along S. Tryon Street and 35' foot setback along Steele Creek will be coordinated and consistent with the landscape materials used on the other three quadrants of the intersection of S. Tryon Street and Steele Creek Road as described in the "Landscape Steele Creek Area Mixed Use Center Plan (Design Guidelines)" approved as part of Rezoning Petition No. 1992-0144C. As a minimum two rows of trees will be planted along Steele Creek Road and S. Tryon Street. Along the Steele Creek Road and S. Tryon Street plantings rows will be located in the planting area between the back of curb and sidewalk. Along Steele Creek Road these trees will be spaced 80 feet on center and 60 feet on center along S. Tryon Street. The second row will be planted within the setback of each of these streets and will be planted at 40 feet on center along Steele Creek Road and 20 feet on center along S. Tryon Street. Due to the presence of overhead power lines along S. Tryon Street small mature trees will be allowed.
- The Petitioner will provide eight (8) foot planting strips and six (6) foot sidewalks along the Site's frontage on Steele Creek Road, Old Steele Creek Road, S. Tryon Street and along both sides of the interior public street and the private street located along the northern portion of the Site. The existing five (5) foot wide sidewalk on Steele Creek Road between the new public and private streets may be retained in its current form.
- Along the Site's internal private roads, the Petitioner will provide a sidewalk and crosswalk network that links the buildings on the Site with one another and links the buildings to the sidewalks along the abutting public streets. The minimum width for this internal sidewalk will be six (6) feet. Street trees will also be provided along the Site's internal private roads.

**7. Environmental Features:**

- The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- The location, size and type of storm water management systems depicted on the Rezoning Plan is subject to review and approval as part of the full development plan submitted and is not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
- The Site will comply with the Tree Ordinance.

**8. Parks, Greenways and Open Space:**

- Open space areas equaling 15% of the Site area will be provided. The open space areas depicted on the Rezoning Plan may be relocated to other locations on the Site. However, the open space areas identified at the intersections of Hwy. 49 and Steele Creek Road and Steele Creek Road and Old Steele Creek Road shall remain at those locations and be designed as focal points for the overall development. These focal points will be improved with enhanced landscaping, which may include existing vegetation that will buffer parking areas beyond the minimum screening standards. Some of the internal open space areas will be improved with seating areas and landscaping. Other open space areas will be left as natural areas with existing trees or improved with additional landscaping. Internal improved open space will be linked to the buildings on the Site via the Site's internal sidewalk and cross-walk network.

**9. Lighting:**

- All new lighting shall be full on-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks and parking areas.
- Detached lighting on the Site will be limited to 22 feet in height.

**10. ADA Passenger-Shelter Pad and Preferred Parking for "Clean Communities":**

- The Petitioner will install two concrete passenger shelter pads along Old Steele Creek Road in the locations generally indicated on the Rezoning Plan. The Petitioner will provide "Preferred" (attractive, conveniently located) parking spaces for "Clean Communities" (carpool, vanpool, hybrid vehicles or electric vehicles) equal to 5% of the total number of required parking spaces.

**11. Amendments to the Rezoning Plan:**

- 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 or portion of the Site effected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

**12. Binding Effect of the Rezoning Application:**

- 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.

REVISIONS:

DATE: 09/26/16  
DESIGNED BY: SKT  
DRAWN BY: SKT  
CHECKED BY: SKT  
O.C. BY: SKT  
SCALE: 1"=100'  
PROJECT #101016229

SHEET #:

RZ-3

RIVERGATE - OFFICE  
DEVELOPMENT STANDARDS

Childress Klein; Steele Creek 1997 Limited Partnership; Mecklenburg Co., NC

REZONING PETITION NO. 2016-000 SPA

CHILDRESS KLEIN  
PROPERTIES



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