

RESOURCE I & II

REZONING PETITION # 2019-019



VICINITY MAP
SCALE: 1"=2000'

SITE DATA TABLE

| |
|--|
| ADDRESS: 10925 & 10926 DAVID TAYLOR DRIVE CHARLOTTE, NC 28262 |
| REZONING AREA SITE ACREAGE INCLUDING DAVID TAYLOR R.O.W: 4.64± ACRES |
| REZONING AREA SITE ACREAGE EXCLUDING DAVID TAYLOR R.O.W: 3.83± ACRES |
| TAX PARCELS INCLUDED IN REZONING: 047-162-12 & 047-168-21 |
| EXISTING ZONING (INCLUDING OVERLAYS AND VESTING): RE-2 |
| PROPOSED ZONING: RE-3 (O) |
| CURRENT LAND USE: OFFICE |
| PROPOSED LAND USE: SEE DEVELOPMENT STANDARDS FOR PERMITTED USES |
| OVERLAY: N/A |
| SQUARE FOOTAGE PERMITTED: 17,000 SF |
| MAXIMUM NUMBER OF BUILDINGS: TWO (2) |
| NUMBER AND/OR RATIO OF PARKING SPACES: PER ORDINANCE |
| AMOUNT OF OPEN SPACE: N/A |

SHEET INDEX

| SHEET NO. | SHEET NAME |
|-----------|-------------------------------------|
| C1 | COVER SHEET |
| C2 | DEVELOPMENT STANDARDS/GENERAL NOTES |
| C3 | TECHNICAL DATA SHEET |
| C4 | OVERALL SITE LAYOUT |

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Commercial Real Estate Development & Acquisitions

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 C/O The Dilweg Companies LLC
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 Durham, NC 28262



CIVIL ENGINEER:
 D&A WOLVERINE PLLC (NCBELS #P-1223)
 6120 BROOKSHIRE BLVD UNIT R
 CHARLOTTE, NC 28216
 CONTACT: CHRISTOPHER FLECK, PE
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 www.dnawolverine.com



06/24/2019

| DATE | BY | REVISION |
|---------|-----|-------------------|
| 6/24/19 | CMF | PER CITY COMMENTS |
| 4/15/19 | MJW | PER CITY COMMENTS |

| | | |
|------------|------------|-----------|
| PROJECT #: | DATE: | SHEET: |
| 192005 | 01/25/2019 | C1 |

GENERAL NOTES & DEVELOPMENT STANDARDS REZONING PETITION # 2019-019

Stanchion Asset Partners
Development Standards
01/25/2019/04/15/2019
06/24/2019 Rezoning
Petition No. 2019-019

Site Development Data:

--**Acreege:** ± 4.64 (including David Taylor Drive R/W).
--**Tax Parcel #s:** portions of parcels 047-162-12 and 047-168-21

--**Existing Zoning:** RE-2
--**Proposed Zoning:** RE-3(O)
--**Existing Uses:** Parking for office buildings

--**Proposed Uses:** Retail, EDEE Type I & II, personal service uses, office uses, financial institutions (with an accessory ATM) and other non-residential uses as allowed in the RE-3 zoning district (as more specifically described and restricted below in Section 3).

--**Maximum Amount of Development:** Up to 15,000 17,000 square feet of gross floor area of retail, EDEE Type I & II, personal service uses, office uses, financial institutions (with an accessory ATM) and other non-residential uses, together with accessory uses as allowed in the RE-3 district (as more specifically described and restricted below in Section 3).

--**Building Height:** As allowed by the Ordinance.
--**Parking:** 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 Stanchion Asset Partners to accommodate development of two buildings with commercial uses such as retail, restaurant and other nonresidential uses as allowed in the RE-3 zoning district on an approximately 4.64 ± acre Site located at the intersection of David Taylor Drive and W. Mallard Creek Church Road (the "Site").

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 or the Supplemental Sheets establish more stringent standards, the regulations established under the Charlotte Zoning Ordinance (the "Ordinance") for the RE-3 conditional zoning district classification, subject to the Optional Provisions provided below, 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, 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, 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:

- i. minor and don't materially change the overall design intent depicted on the Rezoning Plan.
- The Planning Director, or designee 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 shall not exceed two (2). Accessory building and structures located on each of the Parcels shall not be considered in any limitation on the number of buildings on each of the Parcels.

e. **Unified Development.** The Site may be considered a unified development plan as and as such internal separation standards such as buffers, side and/or rear yards may be eliminated or reduced between the Site and the existing office buildings and parking areas located on the remainder tax parcel # 047-162-12 and 047-168-21 (10926 and 10925 David Taylor Drive respectively), subject to the normally required Staff review and approval process. The Site and the adjoining parcels will not be considered a unified development in regards to the applicability of the PCSO regulations to the Site.

2. Optional Provisions

a. The Petitioner seeks the Optional provision to provide a 50 foot building setback as measured from the existing/future back of curb along the Site's frontage along W. Mallard Creek Church Road as generally depicted on the Rezoning Plan.

b. An Optional provision to allow retail sales establishments with over 10,000 square feet.

3. Permitted Uses, and Allowed Square Footage:

a. The Site may be developed with up to 15,000 17,000 square feet of gross floor area of uses allowed in the RE-3 zoning district including, without limitation, retail, EDEE Type I & Type II, personal service uses, office uses, financial institution (with an accessory ATM) and other non-residential uses along with accessory uses, as allowed in the RE-3 zoning district.

b. The following uses will not be allowed on the Site: manufacture of electronic, computing and communications equipment and related devices; automobile service stations with or without a convenience store, EDEE Type I & II with an accessory drive-through window, and vehicle leasing offices.

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 (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, outdoor dining area, and all loading dock areas (open or enclosed) if provided.

4. Access, and Transportation Improvements:

a. Vehicular access to the Site shall be provided as generally depicted on the Rezoning Plan.

b. The Petitioner will provide along the Site's frontage on David Taylor, an eight (8) foot planting strip and a six (6) foot sidewalk, and any associated accessible ramps. This improvement at the existing driveways on David Taylor Drive (the City has completed the required accessible ramps at the intersection of David Taylor Drive and W. Mallard Creek Church Road as part of the installation of the new traffic signal). These improvements will be installed on both sides of David Taylor Drive prior to the issuance of the first certificate of occupancy for the Site (either building). The Petitioner may modify the location of the sidewalk and increase the width of the planting strip as part of the creation of a unique landscape and hardscape plan for the 75 foot setback area along David Taylor Drive. The Petitioner will provide a sidewalk easement for any portion of the sidewalk not located in the right-of-way.

c. A 12-foot multi-use trail has been planned and funded and will be constructed by others along the Site's frontage on W. Mallard Creek Church Road.

d. The Petitioner will enter into a Development Agreement with the City of Charlotte to construct a 12-foot multi-use trail along the Site's W. Mallard Creek Church Road frontage as generally depicted on the Rezoning Plan. The Petitioner agrees to construct to City standards the proposed 12 foot MUP. The Petitioner as part of the Development Agreement will request that the City reimburse the Petitioner for the difference between the cost of a 12 foot MUP and a six (6) foot sidewalk (i.e. the Petitioner will be responsible for the portion of the cost of 12 foot MUP that is equal to the cost of constructing a six (6) foot sidewalk). The Petitioner will construct the 12 foot MUP along the Site's frontage prior to the issuance of the first certificate of occupancy. The Petitioner will provide to the City any necessary sidewalk, construction, maintenance, and utility easements for any portion of the MUP not located in the right-of-way. The Petitioner will also construct accessible ramps at the MUP paths intersection with the existing driveways (Site's side of the existing driveways ("inside side").

e. The Petitioner will reserve 10 feet of additional right-of-way along the east side of David Taylor Drive (northbound David Taylor Drive) to allow for the future construction of a northbound right turn lane with 100 feet of storage and a 50 foot bay taper. The proposed sidewalk to be constructed along David Taylor Drive will be located outside of this reserved area. The Petitioner will also reserve an eight (8) foot planting strip/utility easement and a six (6) foot sidewalk easement adjacent to the 10 feet of additional r/w. The 75 foot setback along David Taylor Drive may be reduced to accommodate this improvement. This additional right-of-way and associated planting strip/utility and sidewalk easements will be provided to the City by the Petitioner when requested.

f. The Petitioner will improve the existing right-turn lane located on W. Mallard Creek Church Road that serves the existing western most driveway. The existing right-turn lane will be modified to convert a portion of the exiting right turn lane taper to create a total of 100 feet of storage, the and 50 feet of bay taper, any portion of the existing right turn lane taper not utilized to create the proposed storage land and associated taper will remain. The Petitioner will also add gore pavement markings east of the driveway to inform eastbound through motorists to turn right at the western most site driveway and not continue east to David Taylor Drive right turn lane.

g. Each of the proposed buildings will be connected to the sidewalk and multi-use path as generally depicted on the Rezoning Plan.

h. Any required transportation improvements will be approved and constructed before the Site's first building certificate of occupancy is issued.

i. The Petitioner will provide a sidewalk easement for any portions of the proposed sidewalk that falls outside of the existing right-of-way. The sidewalk easement will be recorded prior to the issuance of the first certificate of occupancy for the Site.

5. Streetscape, Landscaping Open Space and Screening:

a. The Petitioner will work with the University City Partners and the University Research Park to modify, change, and enhance, the existing landscaping, hardscape, and walls located at the intersection of W. Mallard Creek Church Road and David Taylor Drive. The new landscape and hardscape treatment will be coordinated with and connected into landscape and hardscape treatment for the proposed buildings as well as the 12-foot multi-use path. The intent of the modified landscape and hardscape treatment is to create a more interactive pedestrian friendly and usable open space area at the intersection of W. Mallard Creek Church Road and David Taylor Drive. The specifics of the new landscape and hardscape treatment will be submitted to UCP for review and approval prior to the issuance of a building permit for the Site.

b. Each of the proposed buildings will include outdoor open space and seating areas. These outdoor open spaces and seating areas may be utilized by the tenants of the buildings and their customers. The open space areas will be improved with landscaping, walkways, seating areas, pedestrian scale lighting, as well as other amenities appropriate to the type of open space provided. At a minimum, the Petitioner will provide the following landscape/hardscape improvements:

1. Landscape Area A/ W. Mallard Creek Church Rd. Streetscape:

i. This area of the concept plan will aim to reinforce a pedestrian streetscape aesthetic along W. Mallard Creek Church Road. Street trees (perimeter trees) along the street frontage will be required, as outlined by the City of Charlotte Tree ordinance. Beyond the trees, entrances to pedestrian zones (plazas and patios) will be accented with a combination of ornamental trees and shrubs to highlight the point of entry. A minimum of four (4) ornamental trees and 30 shrubs will be provided within this Landscape Area A on each side of David Taylor Drive. Visibility to the façade of the building is an important design consideration that will be considered as part of this streetscape presence.

ii. Low walls are required to assist in the grade change (topography) for the Site. As such, the wall will be specified in such a manner as to complement the façade of the buildings. Texture, color and material will all be design considerations to help accomplish this.

iii. Plaza areas of at least 1,200 sf per patio space will be provided on each end of each building for a total of four (4) spaces. These patio/plaza areas will be publicly accessible with the one caveat that gates and/or locks may be needed in order to allow outdoor alcohol sales for tenants of the building. The patio/plaza areas will be amenitized with a menu of design components including (but not limited to) the following:

- a. a variety of seating opportunities and surfaces
- b. enhanced hardscape materials
- c. supplemental plantings
- d. pedestrian scaled lighting features
- e. public art

2. Landscape Area B/ Intersection Landscape:

i. This landscape is expected to be a purely visual experience, while accommodated pedestrian access. Trees are envisioned to form a bosque form, in order to support a future sign element to be coordinated with UCP (sign is not a commitment of this rezoning). Trees will be provided, as generally depicted on the site plan, but may be arranged in a manner that supports the final design to be further developed. Ground plane landscape will also be provided in a manner that supports the intersection landscape design. At a minimum, 16 trees will be provided for the 2 sides of the intersection, combined. It is not the intent of the petitioner to create a symmetrical presence along this gateway element. Shrubs of varying heights will be provided - with a minimum of 100 required for this intersection design.

3. Landscape Area C/ Linear Park element along David Taylor:

i. The linear park element along David Taylor Drive is intended to serve a greater need for the University Research Park. While envisioned to be an active park element - the petitioner plans to work with University City Partners on further programming and design considerations. For this rezoning, the following minimum features will be provided:

- a. street Trees (perimeter trees) to be provided as required by the City of Charlotte Tree Ordinance.
- b. a sidewalk.

6. Additional Streetscape & Architectural Standards.

a. A 50-foot building setback and a 100-foot parking setback as measured from the existing/future back of curb will be provided along W. Mallard Creek Church Road as generally depicted on the Rezoning Plan. A 75-foot building and parking setback as measured from the existing/future back of curb will be provided along David Taylor Drive as generally depicted on the Rezoning Plan.

b. Architectural and Design Controls

i. The building façades fronting on W. Mallard Creek Church Road and David Taylor Drive will be articulated such that expanses of solid walls exceeding 20 linear feet will be avoided with either horizontal and vertical variations in wall planes, materials and/or building color.

ii. The building façades fronting on W. Mallard Creek Church Road, David Taylor Drive, and the interior parking area will be designed to have a store front appearances. The façades of these buildings will meet the following criteria regarding the treatment of the of the store fronts:

(a) The storefront facing W. Mallard Creek Church Road, David Taylor Drive and the interior parking area shall include a minimum of 55-60% transparent glass, as described below, between two feet (2') and 10 feet on the first floor.

Transparent glass requirements can be met through the following, or similar, architectural treatments:

- windows and/or doors, shadow or display boxes;
- walls or gallery style walls offset 2' behind a transparent glass window that can be used as a display space and may be open on both ends to allow light, access and air circulation;
- interior ½ walls, no less than 4.5' tall, offset 2' behind a transparent glass window that allows visibility into the space while screening back of house elements; and
- window graphics may be utilized behind the interior side of transparent glass on no more than 40% of the total elevation transparency requirement (e.g. 40% of 35-40%).
- shelving units, fixtures and other elements specific to the tenant may be placed behind the transparent glass.

i. Building elevations may be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.

ii. All buildings must be sited maintaining pedestrian interconnectivity between buildings and through parking areas. This will be done by providing a minimum of a six (6) foot sidewalk between buildings and through parking areas and connecting each building to the sidewalk network that will be provided throughout the Site.

iii. All buildings located within the Site will be architecturally integrated to complement one another by using similar or compatible architectural styles, building materials, landscape elements, plants and signage treatments to create a unified and cohesive development.

iv. The buildings constructed on the Site will use a variety of building materials. The building materials used on the Site will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementations siding (such as hardi-plank), stucco, EFIS or wood. At least 40% of each building façade exclusive of windows, doors and roofs will be constructed of brick, stone, synthetic stone, or precast stone. Vinyl as a building material may only be used on windows and soffits.

v. All sides of the buildings to be constructed on the Site will be built using four-sided architecture.

vi. Building entrances will be connected via a minimum of a five (5) foot sidewalk to the adjacent public street sidewalks.

vii. Utilities shall be screened and shall not be visible from the public street. This includes, mechanical and electrical equipment, utility meters, dumpsters, and backflow preventers. No fencing shall be located between the building and the public street, with the exception of architectural railings and associated column components if elected to surround portions of the patio areas.

7. Environmental Features:

a. Development on the Site The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance (PCO), and Tree Ordinance.

b. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

8. Signage:

a. The detached signs installed throughout the Site will utilize similar materials and colors so as to create a unified design. In addition the signs will utilize materials and colors that re-enforce the image of the University Research Park. Signs will be integrated into the landscape setbacks with accent plants and seasonal color.

9. Lighting:

a. All lighting fixtures located on the Site shall be full cut-off type lighting fixtures with the exception of lower, decorative lighting that is not visible from off-Site residentially zoned or used property that may be installed along the internal sidewalks.

10. CATS Passenger Concrete Waiting Pad along W. Mallard Creek Church Rd.:

a. The Petitioner will install a concrete waiting pad (Charlotte Land Dev. Std. #60.03A) for CATS passengers at the existing bust stop located along W. Mallard Creek Church Road as generally depicted on the Rezoning Plan.

10.1. 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.

11.12. 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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NCBELS LICENSE NO: P-1223

SEAL:

06/24/2019

STANCHION ASSET PARTNERS
Commercial Real Estate Development & Acquisitions

RESOURCE I & II
**S.E. CORNER WEST MALLARD CREEK RD. &
DAVID TAYLOR DR. CHARLOTTE NC 28262**
**GENERAL NOTES &
DEVELOPMENT STANDARDS**

| | | |
|------------|--------------|-------------------|
| 06/24/19 | CMF | PER CITY COMMENTS |
| 04/15/19 | NJM | PER CITY COMMENTS |
| DATE | BY | REVISION |
| PROJECT #: | DRAWN BY: | GTC |
| 192005 | CHECKED BY: | PCCK |
| DATE: | APPROVED BY: | CMF |
| 01/28/2019 | SHEET: | |
| SCALE: | C2 | |
| N/A | | |

OVERALL SITE LAYOUT

REZONING PETITION # 2019-019

NOTE:  LOCATION OF SIDEWALK CONNECTIONS, EXACT LOCATION & DIMENSIONS TO BE DETERMINED AS PART OF SITE PLAN REVIEW PHASE FOR EACH BUILDING.

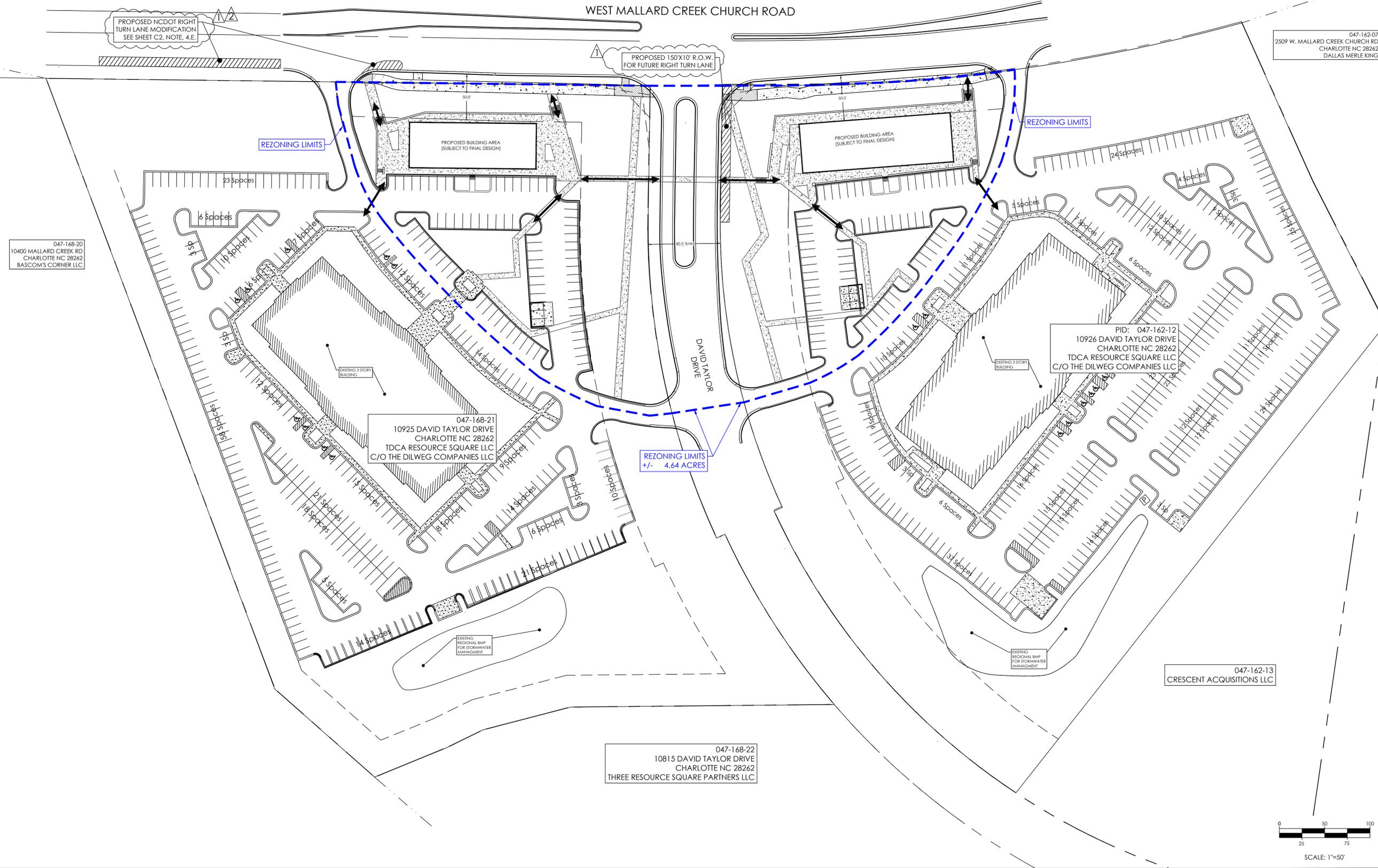


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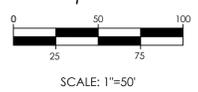
 06/24/2019

STANCHION ASSET PARTNERS
 Commercial Real Estate Development & Acquisitions



RESOURCE I & II
S.E. CORNER WEST MALLARD CREEK RD. & DAVID TAYLOR DR. CHARLOTTE NC 28262
RESOURCE SQUARE I & II
OVERALL SITE LAYOUT

| | | |
|------------|--------------|-------------------|
| 06/24/19 | CMF | PER CITY COMMENTS |
| 04/15/19 | MJW | PER CITY COMMENTS |
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| 192005 | CHECKED BY: | PCK |
| DATE: | APPROVED BY: | CMF |
| 01/28/2019 | SHEET: | C4 |
| SCALE: | 1"=50' | |



047-168-20
 10400 MALLARD CREEK RD
 CHARLOTTE NC 28262
 BASCOM'S CORNER LLC

047-168-21
 10925 DAVID TAYLOR DRIVE
 CHARLOTTE NC 28262
 TDCA RESOURCE SQUARE LLC
 C/O THE DILWEG COMPANIES LLC

PID: 047-162-12
 10926 DAVID TAYLOR DRIVE
 CHARLOTTE NC 28262
 TDCA RESOURCE SQUARE LLC
 C/O THE DILWEG COMPANIES LLC

047-162-13
 CRESCENT ACQUISITIONS LLC

047-168-22
 10815 DAVID TAYLOR DRIVE
 CHARLOTTE NC 28262
 THREE RESOURCE SQUARE PARTNERS LLC

PROPOSED NCDOT RIGHT TURN LANE MODIFICATION SEE SHEET C2, NOTE, 4.E.

PROPOSED 150'X10' R.O.W. FOR FUTURE RIGHT TURN LANE

047-162-07
 2509 W. MALLARD CREEK CHURCH RD
 CHARLOTTE NC 28262
 DALLAS MERLE KING

TECHNICAL DATA SHEET

REZONING PETITION # 2019-019

NOTE:  LOCATION OF SIDEWALK CONNECTIONS. EXACT LOCATION & DIMENSIONS TO BE DETERMINED AS PART OF SITE PLAN REVIEW PHASE FOR EACH BUILDING.



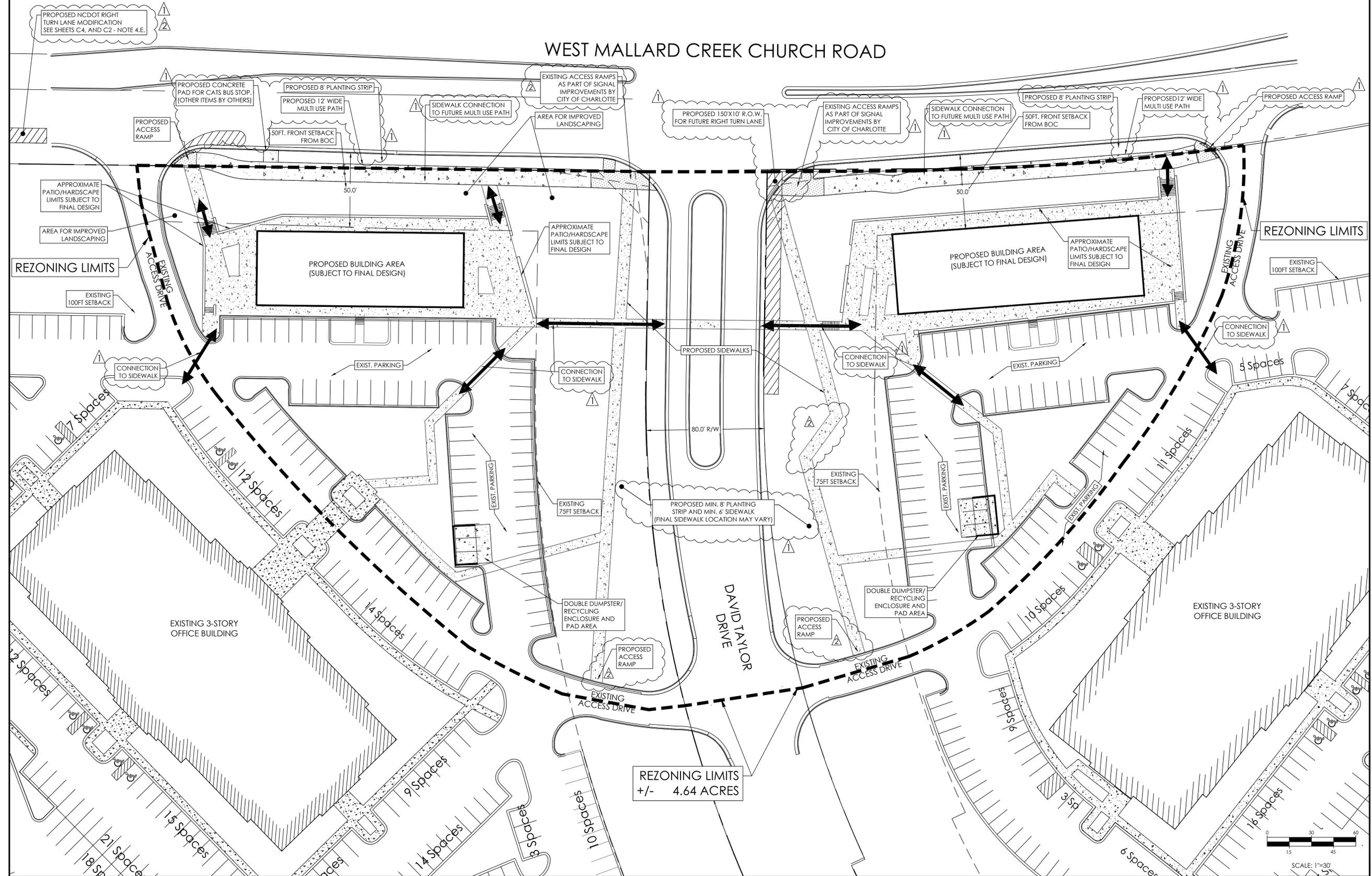

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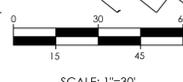
06/24/2019

STANCHION ASSET PARTNERS
 Commercial Real Estate Development & Acquisitions

WEST MALLARD CREEK CHURCH ROAD



REZONING LIMITS
 +/- 4.64 ACRES



RESOURCE I & II

S.E. CORNER WEST MALLARD CREEK RD. &
 DAVID TAYLOR DR. CHARLOTTE NC 28262

RESOURCE SQUARE I & II TECHNICAL DATA SHEET

| | | |
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| 04/15/19 | MJW | PER CITY COMMENTS |
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| 01/28/2019 | SHEET: | |
| SCALE: | | |
| 1"=30' | | |

C3