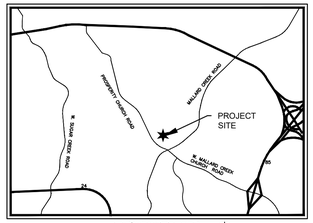


VICINITY MAP
NOT TO SCALE

SITE DEVELOPMENT DATA

ACREAGE:	±8.343 ACRES
TAX PARCEL #'S:	029-361-05
EXISTING ZONING:	B-1(CD)
PROPOSED ZONING:	B-1(CD) SPA

EXISTING USES: NON-RESIDENTIAL USES AS PERMITTED BY RIGHT, AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE B-1 ZONING DISTRICT.

MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 62,514 SQUARE FEET OF GROSS FLOOR AREA (EQUAL TO THE EXISTING BUILDING SQUARE FOOTAGE FOR THE BUILDING ON TAX PARCEL #029-361-05 (56,014 SQUARE FEET) NOT INCLUDING THE SQUARE FOOTAGE ASSIGNED TO THE OUTPARCEL BUILDING LOCATED ON TAX PARCEL #029-361-22), PLUS UP TO 6,500 ADDITIONAL SQUARE FEET) OF NON-RESIDENTIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE B-1 ZONING DISTRICT SUBJECT TO THE LIMITATIONS DESCRIBED IN SECTION 3 BELOW.

MAXIMUM BUILDING HEIGHT: MAXIMUM BUILDING HEIGHT WILL NOT EXCEED FORTY [40] FEET, AS ALLOWED BY THE ORDINANCE.

PARKING: PARKING AS REQUIRED BY THE ORDINANCE.

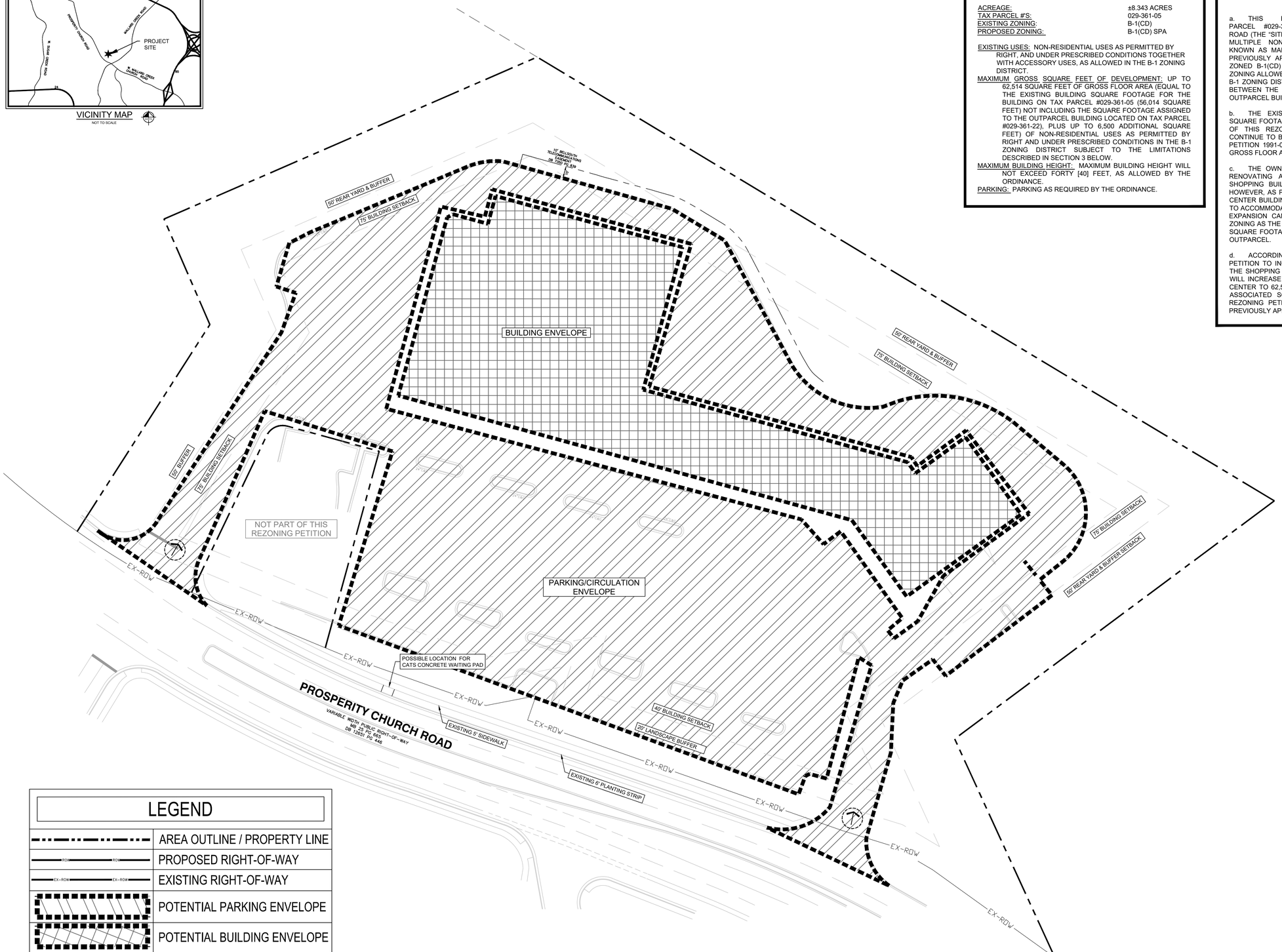
OVERVIEW/BACKGROUND/PURPOSE OF REZONING:

a. THIS REZONING PETITION RELATES TO TAX PARCEL #029-361-05 LOCATED AT 3020 PROSPERITY CHURCH ROAD (THE "SITE"), ON WHICH IS LOCATED AN EXISTING BUILDING WITH MULTIPLE NON-RESIDENTIAL/COMMERCIAL TENANTS COLLECTIVELY KNOWN AS MALLARD CROSSING, A SHOPPING CENTER, WHICH WAS PREVIOUSLY APPROVED BY REZONING PETITION NO. 1991-03(C) AND ZONED B-1(CD) (THE "EXISTING SITE ZONING"). THE EXISTING SITE ZONING ALLOWED UP TO 63,000 SQUARE FEET OF USES ALLOWED IN THE B-1 ZONING DISTRICT. THE ALLOWED SQUARE FOOTAGE WAS DIVIDED BETWEEN THE MAIN SHOPPING CENTER BUILDING AND AN ALLOWED OUTPARCEL BUILDING.

b. THE EXISTING OUTPARCEL BUILDING, AND ITS ASSOCIATED SQUARE FOOTAGE, LOCATED ON TAX PARCEL # 029-361-22, IS NOT PART OF THIS REZONING PETITION. THE EXISTING OUTPARCEL WILL CONTINUE TO BE SUBJECT TO THE PREVIOUSLY APPROVED REZONING PETITION 1991-03(C), WHICH ASSIGNED UP TO 5,000 SQUARE FEET OF GROSS FLOOR AREA TO THE BUILDING ALLOWED ON THE OUTPARCEL.

c. THE OWNER OF MALLARD CROSSING IS IN THE PROCESS OF RENOVATING AND ESTABLISHING NEW TENANTS IN THE EXITING SHOPPING BUILDING AS ALLOWED BY THE EXISTING SITE ZONING. HOWEVER, AS PART OF THE RENOVATION OF THE EXISTING SHOPPING CENTER BUILDING WITH A NEW TENANT A MINOR BUILDING EXPANSION TO ACCOMMODATE THE NEW TENANT IS NEEDED. THIS MINOR BUILDING EXPANSION CANNOT BE ACCOMPLISHED UNDER THE EXISTING SITE ZONING AS THE PROPOSED BUILDING ADDITION EXCEEDS THE ALLOWED SQUARE FOOTAGE FOR THE SHOPPING CENTER AND THE ASSOCIATED OUTPARCEL.

d. ACCORDINGLY, THE PETITIONER HAS FILED THIS REZONING PETITION TO INCREASE THE ALLOW BUILDING SQUARE FOOTAGE FOR THE SHOPPING CENTER BUILDING ONLY BY 6,500 SQUARE FEET. THIS WILL INCREASE THE ALLOWED SQUARE FOOTAGE FOR THE SHOPPING CENTER TO 62,514 SQUARE FEET. THE EXISTING OUTPARCEL AND ITS ASSOCIATED SQUARE FOOTAGE WILL NOT BE EFFECTED BY THIS REZONING PETITION AND WILL CONTINUE TO BE SUBJECT TO THE PREVIOUSLY APPROVED CONDITIONAL PLAN.



LEGEND

	AREA OUTLINE / PROPERTY LINE
ROW ROW	PROPOSED RIGHT-OF-WAY
EX-ROW EX-ROW	EXISTING RIGHT-OF-WAY
	POTENTIAL PARKING ENVELOPE
	POTENTIAL BUILDING ENVELOPE
	POTENTIAL FULL MOVEMENT ACCESS POINTS

GRAPHIC SCALE IN FEET
0 20 40 80

NORTH

No.	REVISIONS	DATE	BY

Kimley»Horn

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PRELIMINARY DOCUMENT

KHA PROJECT 017337002
DATE 11/7/19
SCALE AS SHOWN
DESIGNED BY KMS
DRAWN BY KMS
CHECKED BY JMH

TECHNICAL DATA SHEET

REZONING PETITION NO. 2019-125

MALLARD CROSSING

PREPARED FOR
SOUTH CENTRAL PROPERTIES, LLC

CITY OF CHARLOTTE NC

SHEET NUMBER
RZ-1

Plotted By:Houston, Justin Sheet Set:LA Fitness Prosperity Layout:C3-D SITE PLAN December 23, 2019 08:48:16am K:\CHL_PR\017337 Studio 222\002 - LA Fitness Prosperity\V2 - Rezoning Mallard Crossing 017337002\CAD\Planesets\RZ-1 TECHNICAL DATA SHEET.dwg
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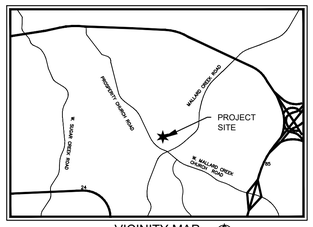
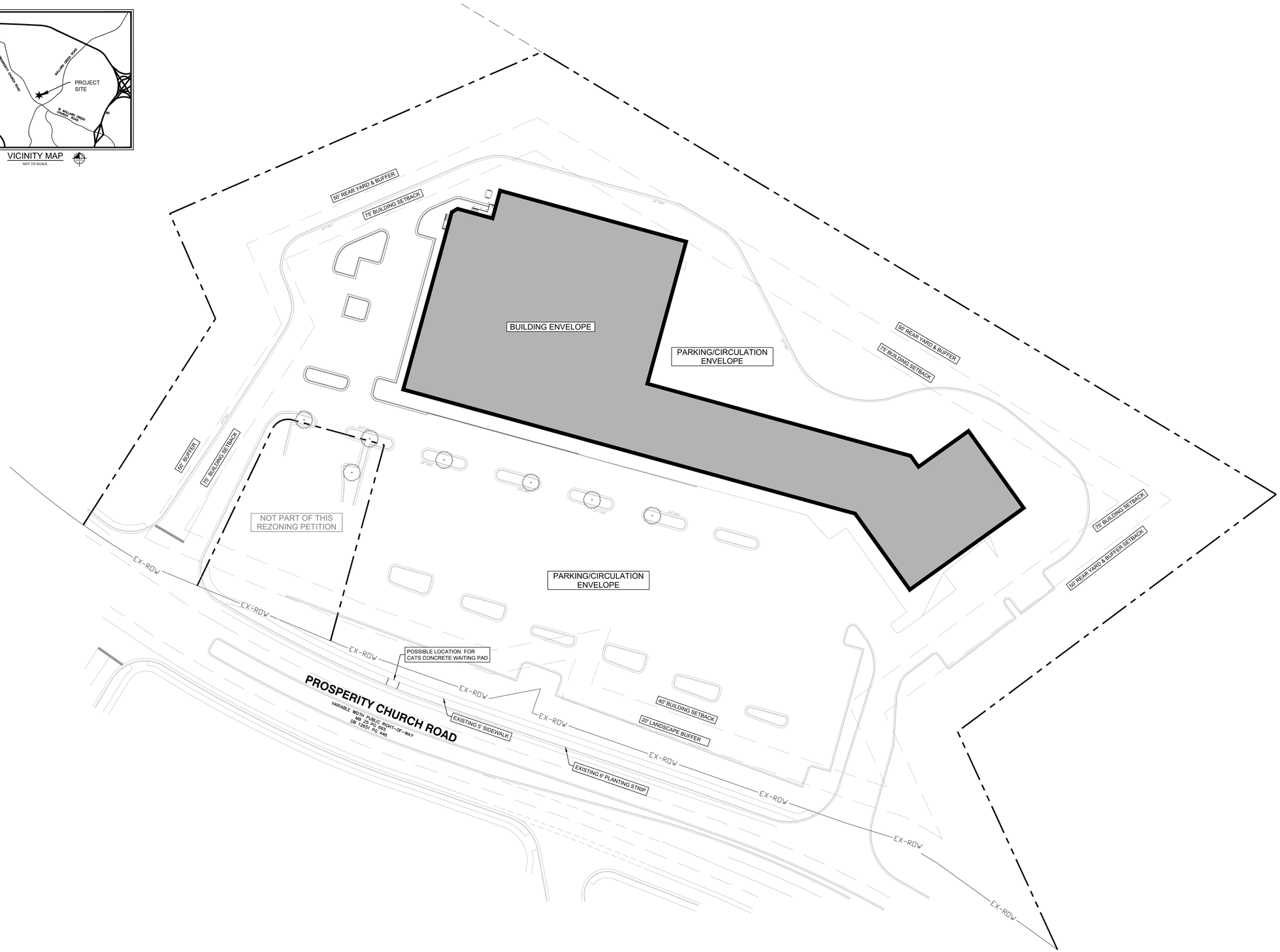


VICINITY MAP
NOT TO SCALE



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PRELIMINARY DOCUMENT

KHA PROJECT 017337002
DATE 11/7/19
SCALE AS SHOWN
DESIGNED BY KMS
DRAWN BY KMS
CHECKED BY JMH

ILLUSTRATIVE SITE PLAN

REZONING PETITION NO. 2019-125

MALLARD CROSSING

PREPARED FOR
SOUTH CENTRAL PROPERTIES, LLC

CITY OF CHARLOTTE NC

SHEET NUMBER
RZ-2

Plotted By:Houston, Justin Sheet Set:LA Fitness Prosperity Layout:C3-0 SITE PLAN December 23, 2019 07:04:40am K:\CHL PR\017337 Studio 222\002 - LA Fitness Prosperity\v12 - Rezoning Mallard Crossing 01345000\CAD\Plansheets\RZ-2 ILLUSTRATIVE SITE PLAN.dwg
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SCOC - Mallard Crossing, LLC
Development Standards
11/07/19
Rezoning Petition No. 2019-125

Site Development Data:

--**Acreage:** ± 8.434 acres
--**Tax Parcel #s:** 029-361-05
--**Existing Zoning:** B-1(CD)
--**Proposed Zoning:** B-1(CD) SPA
--**Existing Uses:** Shopping Center, with retail, EDEE, office, and personal service uses.
--**Proposed Uses:** Non-residential uses as permitted by right, and under prescribed conditions together with accessory uses, as allowed in the B-1 zoning district (as more specifically described and restricted below in Section 3).
--**Maximum Gross Square feet of Development:** Up to 62,514 square feet of gross floor area (equal to the existing building square footage for the building on tax parcel #029-361-05 (56,014 square feet) **not** including the square footage assigned to the outparcel building located on tax parcel #029-361-22), plus an be 6,500 additional square feet of non-residential uses as permitted by right and under prescribed conditions in the B-1 zoning district subject to the limitations described in Section 3 below.
--**Maximum Building Height:** Maximum building height will not exceed [40] feet, as allowed by the Ordinance.
--**Parking:** Parking as required by the Ordinance.

1. Overview/Background/Purpose of Rezoning:

a. This Rezoning Petition relates to Tax Parcel #029-361-05 located at 3020 Prosperity Church Road (the "Site"), on which is located an existing building with multiple non-residential/commercial tenants collectively known as Mallard Crossing, a shopping center, which was previously approved by Rezoning Petition No. 1991-03(C) and zoned B-1(CD) (the "Existing Site Zoning"). The Existing Site Zoning allowed up to 63,000 square feet of uses allowed in the B-1 zoning district. The allowed square footage was divided between the main shopping center building and an allowed outparcel building.

b. The existing outparcel building, and its associated square footage, located on tax parcel # 029-361-22, is not part of this Rezoning Petition. The existing outparcel will continue to be subject to the previously approved rezoning petition 1991-03(C), which assigned up to 5,000 square feet of gross floor area to the building allowed on the outparcel.

c. The owner of Mallard Crossing is in the process of renovating and establishing new tenants in the exiting shopping building as allowed by the Existing Site Zoning. However, as part of the renovation of the existing shopping center building with a new tenant a minor building expansion to accommodate the new tenant is needed. This minor building expansion cannot be accomplished under the Existing Site Zoning as the proposed building addition exceeds the allowed square footage for the shopping center and the associated outparcel.

c. Accordingly, the Petitioner has filed this Rezoning Petition to increase the allow building square footage for the shopping center building only by 6,500 square feet. This will increase the allowed square footage for the shopping center to 62,514 square feet. The existing outparcel and its associated square footage will not be effected by this rezoning petition and will continue to be subject to the previously approved conditional plan.

2. General Provisions:

a. **Site Location**. These Development Standards, the Technical Data Sheet, Schematic Site Plan and other site plan sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by SCOC-Mallard Crossing, LLC ("Petitioner") to accommodate the expansion of the existing shopping center located at 3020 Prosperity Church Rd. with non-residential uses allowed by the B-1 zoning district on an approximately 8.434 acre site (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 B-1 zoning classification shall govern all development taking place on the Site.

c. **Graphics and Alterations**. The depictions of the building and parking envelopes, sidewalks, driveways, 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 and stay within the setbacks and yards depicted on 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 that are currently developed and may be developed on the Site will be limited to one (1). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site.

3. Permitted Uses, Development Area Limitations:

a. The Site may be developed with up to with up to 62,514 square feet of gross floor area (equal to the existing building square footage for the building on tax parcel #029-361-05 (56,014 square feet) **not** including the square footage assigned to the outparcel building located on tax parcel #029-361-22) plus an additional 6,500 square feet) of non-residential uses permitted by right and under prescribed conditions in the B-1 zoning district together with accessory uses as allowed in the B-1 zoning district.

b. The allowed uses and the allowed square footage will be utilized within the existing building and proposed building addition located on the Site as generally depicted on the Rezoning Plan (not all portions of the existing building currently located on the Site need be preserved). Minor building additions that do not exceed 6,500 square feet will be allowed as long as the total allowed square footage does not exceed 62,514 square feet and the building additions occur within the building envelopes indicated on the Rezoning Plan.

4. Access:

a. Access to the Site will be from Prosperity Church Road as generally depicted on the Rezoning Plan.

b. The alignment of the 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 the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

c. Any required roadway improvement will be approved and constructed prior to the issuance of the certificate of occupancy for the first building on the Site subject to the petitioner ability to post a bond for any improvements not in place at the time of the issuance of the first certificate of occupancy.

d. The Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

5. Architectural Standards:

a. The building(s) 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, metal, cementations siding (such as hardi-plank), stucco, EFIS or wood. Vinyl as a building material may only be used on windows and soffits, and handrails/railings.

b. Maximum building height is not to exceed 40 feet, as allowed by Ordinace.

c. A pedestrian connection shall be provided between the existing building and Prosperity Church Road as generally depicted on the Rezoning Plan. The sidewalk connection between existing building and Prosperity Church Rd. will be a minimum of five (5) feet wide.

d. Buffers and building setbacks as generally depicted on the Rezoning Plan will be provided.

6. Environmental Features:

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

b. The Site will meet the applicable Tree Ordinance requirements.

7. Lighting:

a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding; low landscape, decorative, specialty, and accent lighting that may be installed along the driveways, sidewalks, open space/amenity areas, and parking areas.

b. The existing lighting and the new detached lighting on the Site, except street lights located along public streets, will be limited to [30] feet in height.

8. CATS Concrete Waiting Pad:

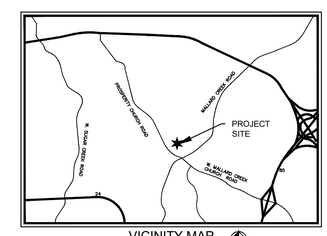
a. The Petitioner will install a concrete waiting pad (Charlotte Land Dev. Std. #60.01A) for CATS passengers along Prosperity Church Road as generally depicted on the Rezoning Plan. The exact location of the concrete pad to be determined during the land development permit process for the Site.

9. 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.

10. 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.



VICINITY MAP
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No.	REVISIONS	DATE	BY

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PRELIMINARY DOCUMENT

KHA PROJECT 017337002
DATE 11/7/19
SCALE AS SHOWN
DESIGNED BY KMS
DRAWN BY KMS
CHECKED BY JMH

ILLUSTRATIVE SITE PLAN NOTES
REZONING PETITION NO. 2019-125

MALLARD CROSSING
PREPARED FOR
SOUTH CENTRAL PROPERTIES, LLC
CITY OF CHARLOTTE NC

SHEET NUMBER
RZ-3

Plotted By:Houston, Justin Sheet Set:LA Fitness Prosperity Layout:C3-0 SITE PLAN December 23, 2019 07:03:51am K:\CHL_PRJ\017337 Studio 222\002 - LA Fitness Prosperity\\2 - Rezoning Mallard Crossing 017345000\CAD\Planesets\RZ-3 ILLUSTRATIVE SITE PLAN NOTES.dwg
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