

BOUNDARY INFORMATION OBTAINED FROM "TOPOGRAPHIC SURVEY PREPARED FOR P & L COLISEUM, L.P. OF THE CHARLOTTE COLISEUM SITE" BY R.B. PHARR & ASSOCIATES P.A., 1548 UNION ROAD SUITE-B, GASTONIA, NC 28054, 704-864-9636, DATED MARCH 17, 2006, JOB NO. 67459

- LEGEND:**
- PROPERTY BOUNDARY
 - EXISTING STREAM / WATER BODY
 - EXISTING LOT LINE
 - RIGHT-OF-WAY LINE
 - SETBACK LINE
 - EXISTING PAVEMENT
 - DEVELOPMENT AREA
 - EXISTING CURBING
 - EXISTING BUILDING
 - FUTURE POSSIBLE ACCESS POINT
 - PROPOSED SITE ACCESS

DEVELOPMENT DATA

TAX PARCEL ID: AREA 'A': 14313106
 AREA 'B': 14313155
 AREA 'C': 14327211

ACREAGE: AREA 'A': ± 16.01 AC (± 697,396 SF)
 AREA 'B': ± 2.50 AC (± 108,900 SF)
 AREA 'C': ± 1.93 AC (± 84,201 SF)

EXISTING ZONING: MUDD-O
 EXISTING USE: VACANT

PROPOSED ZONING: MUDD-O (SPA)
 PROPOSED USE: SEE DEVELOPMENT STANDARDS
 PROPOSED UNITS: SEE DEVELOPMENT STANDARDS
 SOLID WASTE: PER ORDINANCE

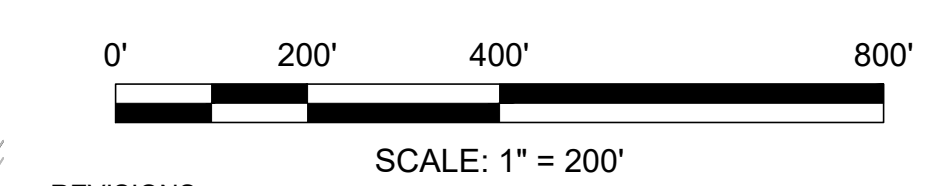
GENERAL NOTES

FINAL BUILDING ARRANGEMENT, ROAD AND SIDEWALK NETWORK, ALLEY CONFIGURATION, AND ROUNDABOUTS TO BE DETERMINED DURING SUBDIVISION DESIGN AND PERMITTING PHASE.

REZONING SITE PLAN

RZP-2023-012

This Plan Is A Preliminary Design. NOT Released For Construction.



| No. | Date | By | Description |
|-----|---------|-----|------------------------------|
| 1 | 6/12/23 | MMS | REVISIONS PER STAFF COMMENTS |
| 2 | 8/14/23 | MMS | REVISIONS PER STAFF COMMENTS |
| 3 | 9/11/23 | MMS | REVISIONS PER STAFF COMMENTS |

CITY PARK
 CHARLOTTE, NC
 2250 WEST TYVOLA ROAD
 NORTH CAROLINA

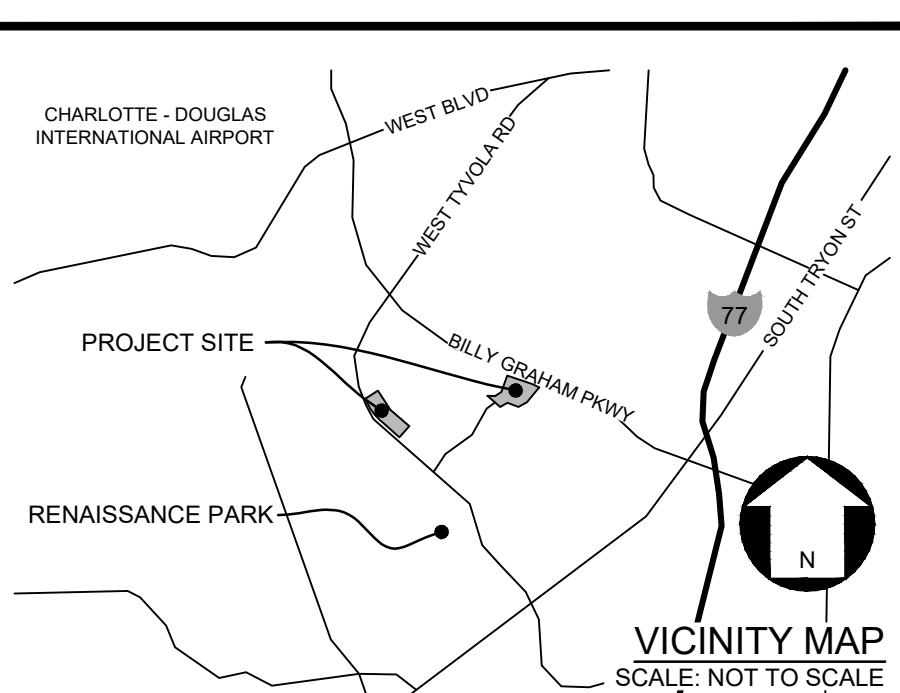
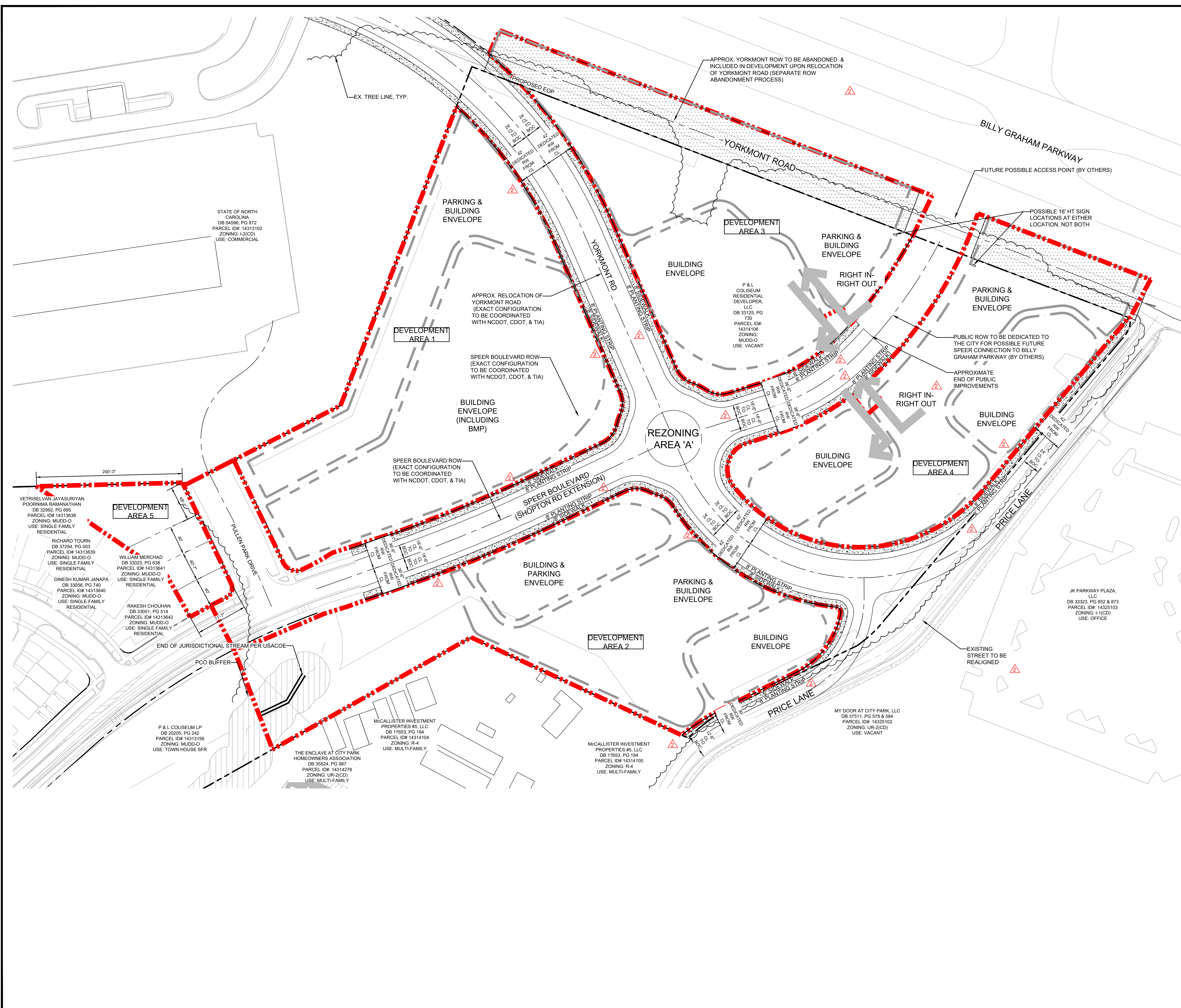
REZONING SITE PLAN

RZP-2023-012

CORPORATE CERTIFICATIONS
 NC PE: C-2930 NC LA: C-253
 SC ENG: NO. 3599 SC LA: NO. 211

Project Manager: MDL
 Drawn By: ENL
 Checked By: MDL
 Date: 01/27/2023
 Project Number: 14008.2
 Sheet Number:

RZ1.0



BOUNDARY INFORMATION OBTAINED FROM TOPOGRAPHIC SURVEY PREPARED FOR P & L COLISEUM, LP OF THE CHARLOTTE COLISEUM SITE, BY R.B. PHARR & ASSOCIATES P.A., 1548 UNION ROAD SUITE-B, GASTONIA, NC 28054, 704-864-9636, DATED MARCH 17, 2006, JOB NO. 67459

- LEGEND:**
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 - PROPOSED SITE ACCESS
- NOTE: PROPOSED ACCESS POINTS FOR REZONING AREA 'A' ARE APPROXIMATE AND ARE SUBJECT TO ADJUSTMENT IN COORDINATION WITH CDOT & NCDOT.

SETBACKS, SIDE YARDS AND REAR YARDS:
 Except as may otherwise be provided herein, all buildings to be constructed on the Site shall, at a minimum, satisfy the requirements of the MUDD district according to Section 9.8505. The developer may subdivide the Site and create lots within the interiors of the Parcels with no side or rear yards as part of a unified development plan.

Minimum Setback: 14 feet minimum from back of existing or proposed curb, whichever is greater, or as specified in a City Council adopted streetscape plan for the streets that the project abuts. If the existing right-of-way is greater than the minimum setback from the back of existing or future curbs, the right-of-way line will become the minimum setback.

Minimum Side Yards: None, but 10' building separation required adjacent to a residential use.

Minimum Rear Yards: None, but 10' building separation required adjacent to a residential use.

STATE OF NORTH CAROLINA
 DB 04596, PG 872
 PARCEL ID# 14313102
 ZONING: L-2(CD)
 USE: COMMERCIAL

VETRISILVAN JAYASURIYAN
 POORNIMA RAMANATHAN
 DB 32992, PG 695
 PARCEL ID# 14313638
 ZONING: MUDD-O
 USE: SINGLE FAMILY RESIDENTIAL

RICHARD TOURN
 DB 37294, PG 003
 PARCEL ID# 14313639
 ZONING: MUDD-O
 USE: SINGLE FAMILY RESIDENTIAL

DINESH KUMAR JANAPA
 DB 33956, PG 740
 PARCEL ID# 14313640
 ZONING: MUDD-O
 USE: SINGLE FAMILY RESIDENTIAL

RAKESH CHOUHAN
 DB 33851, PG 514
 PARCEL ID# 14313642
 ZONING: MUDD-O
 USE: SINGLE FAMILY RESIDENTIAL

P & L COLISEUM LP
 DB 20205, PG 242
 PARCEL ID# 14313156
 ZONING: MUDD-O
 USE: TOWN HOUSE SFR

THE ENCLAVE AT CITY PARK
 HOMEOWNERS ASSOCIATION
 DB 35524, PG 987
 PARCEL ID# 14314278
 ZONING: UR-2(CD)
 USE: MULTI-FAMILY

MCCALLISTER INVESTMENT
 PROPERTIES #5, LLC
 DB 17653, PG 194
 PARCEL ID# 14314104
 ZONING: R-4
 USE: MULTI-FAMILY

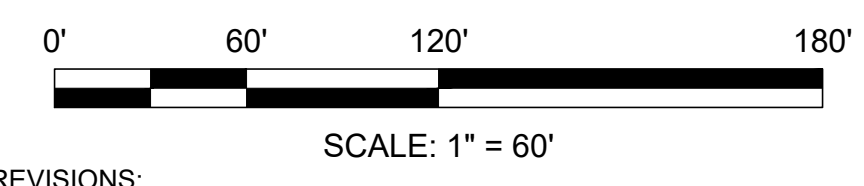
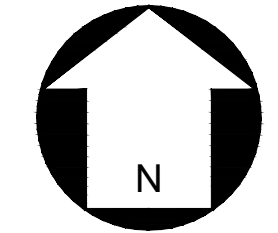
MCCALLISTER INVESTMENT
 PROPERTIES #6, LLC
 DB 17653, PG 194
 PARCEL ID# 14314105
 ZONING: R-4
 USE: MULTI-FAMILY

MY DOOR AT CITY PARK, LLC
 DB 37511, PG 576 & 684
 PARCEL ID# 14325102
 ZONING: UR-2(CD)
 USE: VACANT

JK PARKWAY PLAZA,
 LLC
 DB 33323, PG 852 & 873
 PARCEL ID# 14325103
 ZONING: I-1(CD)
 USE: OFFICE

P & L COLISEUM RESIDENTIAL DEVELOPER, LLC
 DB 33125, PG 730
 PARCEL ID# 14314106
 ZONING: MUDD-O
 USE: VACANT

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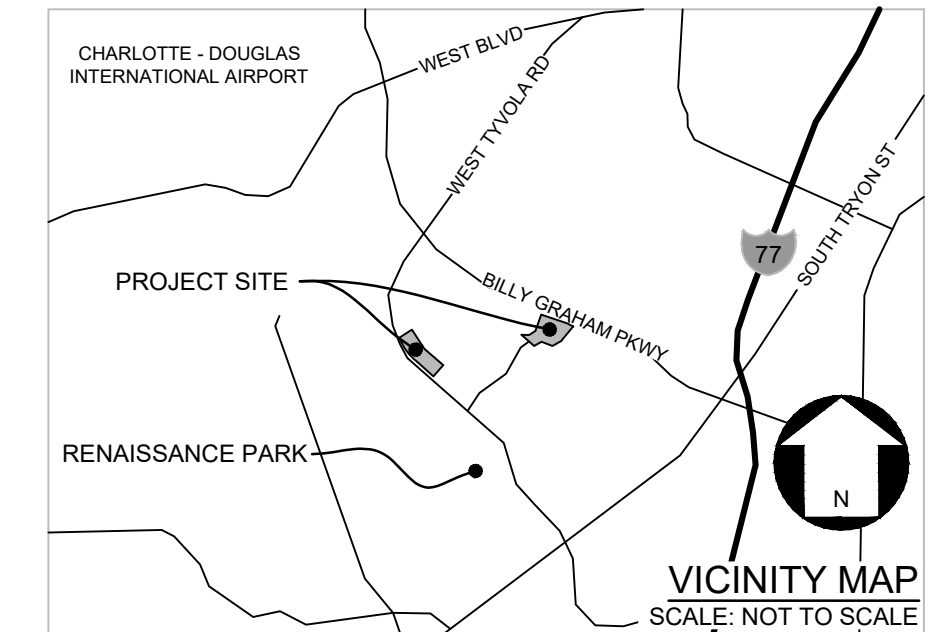
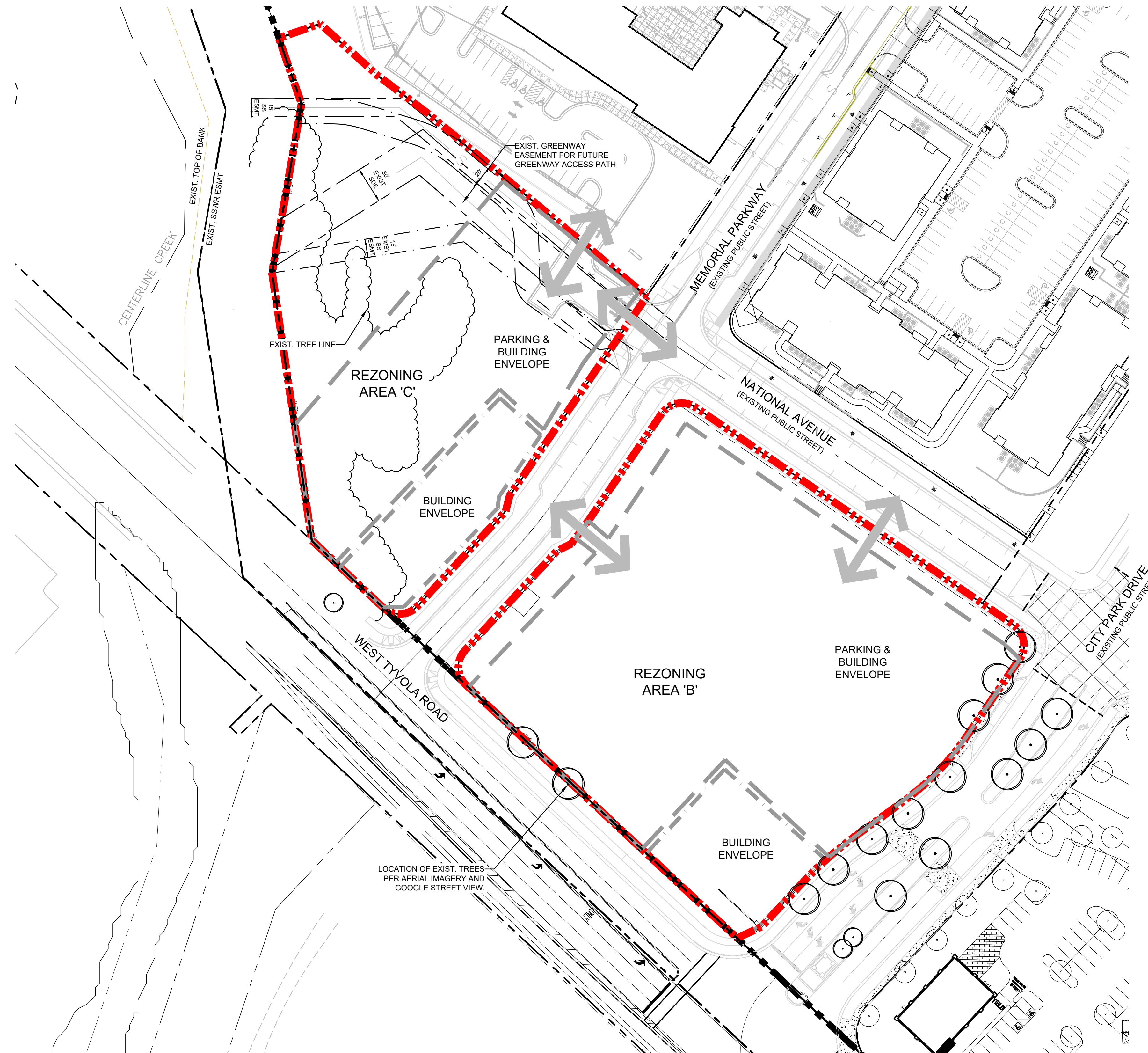


REVISIONS:

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P:\2014_Josh\14008.2 - City Park Speer Townhomes\CAD\Sketch Planning\14008.2 RZ PLAN.dwg

P:\2014_Josh\14008.2 - City Park Speer Townhomes\CAD\Sketch Planning\14008.2 RZ PLAN.dwg



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Minimum Rear Yards: None, but 10' building separation required adjacent to a residential use.

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0' 60' 120' 180'
 SCALE: 1"=60'

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DEVELOPMENT STANDARDS

RZP-2023-012

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SC ENG: NO. 3599 SC LA: NO. 211

Project Manager: MDL

Drawn By: ENL

Checked By: MDL

Date: 01/27/2023

Project Number: 14008.2

Sheet Number:

RZ2.0

DEVELOPMENT STANDARDS

1. General Provisions

These development standards form a part of the Rezoning Site Plan (Sheet RZ 1.0) associated with the Rezoning Petition filed by the Petitioner to accommodate redevelopment of the 30 ± acre tracts (collectively called the "Site"), all as more particularly depicted on the Rezoning Site Plan. Development of the Site will be governed by the Rezoning Site Plan, the accompanying exhibits, these development standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The regulations established under the Ordinance for the MUDD zoning district shall govern all development taking place on the Site. Inasmuch as planning for the proposed redevelopment of the Site has not yet advanced beyond the formative stage, the ultimate layouts of the development proposed, the exact alignments of streets and points of access, the configurations and placements of parking areas and the heights and masses of buildings have not yet been determined. As a consequence, the configurations, are schematic in nature and therefore are subject to refinements as part of the total design process. They may, therefore, be altered or modified during design development and construction document phases so long as the maximum parking and building envelope lines established on the Rezoning Site Plan (Sheet RZ 1.0) are not violated and the proposed alterations or modifications do not exceed the parameters established under these development standards and under the Ordinance for the MUDD district. For purposes of the preceding paragraph, any alterations or modifications which substantially alter the character of the development or significantly alter the conceptual Site Plan, the conceptual Site Plan alternate, or their respective conditions as well as any changes which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Section 6.207(1) or (2) of the Ordinance, as applicable. Compliance with the provisions of this paragraph shall not be deemed to be an administrative Site Plan application or require administrative Site Plan approval as envisioned by Section 6.207 of the Ordinance.

2. Permitted Uses

Except as otherwise provided in the next succeeding paragraph, the Site may be devoted to any uses (including any incidental or accessory uses associated therewith) which are permitted by right or under prescribed conditions in a MUDD zoning district under the Ordinance.

3. Not Used

4. Maximum Development

The Rezoning Areas identified in this petition may be developed with any combination of the following, within the entitlement calculation formula shown on Sheet RZ 2.0. See note #12 for clarification on entitlement exchanges based on vehicle trips:

- Rezoning Area A:
- Up to 220 townhome, condominium, or single-family units
 - Up to 300 hotel rooms
 - Up to 60,000 SF retail
 - Note: Development Area 5 within Rezoning Area A may be developed with up to 4 single family lots only.
- Rezoning Area B:
- Up to 30,000 SF retail
 - Up to 150 hotel rooms
 - Up to 30,000 SF retail (including convenience store)/restaurant (EDEE)
- Rezoning Area C:
- Up to 15,000 SF retail (including convenience store)/restaurant (EDEE) and/or office
 - Up to 100,000 SF storage, with activated ground floor architecture along Memorial Parkway.

5. Setbacks, Side Yards and Rear Yards

Except as may otherwise be provided herein, all buildings be constructed on the Site shall, at a minimum, satisfy the requirements of the MUDD district. The developer may subdivide the Site and create lots within the interiors of the Parcels with no side or rear yards as part of a unified development plan.

6. MUDD-Optional Provisions/Waiver of Sight Triangle Requirements

- Deviations that would allow temporary surface level parking and maneuvering within areas between public or private streets and buildings fronting these streets in instances where the areas are earmarked for future buildings.
 - A porte-cochere for a hotel.
 - Enclosed, sheltered and unenclosed urban spaces and plazas;
 - Drop off areas in front of office buildings;
 - Service areas for uses such as mail delivery, trash disposal, above-ground utilities, loading and delivery;
 - A deviation that would allow the sidewalks currently located on the Site which run along Tyvola Road to remain in place.
- (a) Waiver of Sight Triangle Requirements
- In addition to the foregoing MUDD optional deviations, the Petitioner reserves the right to request the director of CDOT to waive all or part of the sight triangle requirements of the Ordinance in accordance with the provisions of Section 12.109(7) thereof.

7. Grandfather Provisions

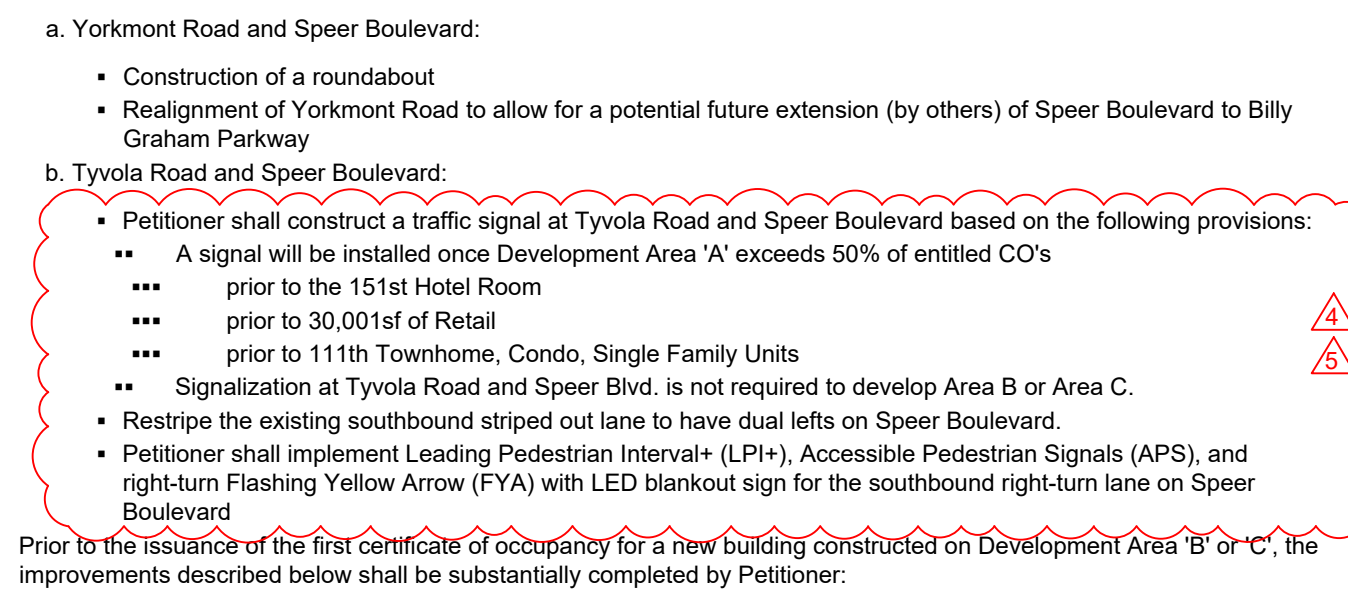
During the various phases of the redevelopment process, it is the intention of the Petitioner to retain and preserve any and all grandfathering rights under the Ordinance with respect to all structures, streets, sidewalks, parking areas, and other improvements currently in place on the Site (including the sidewalks in place along Tyvola Road) which are not removed or renovated to accommodate the particular associated Redevelopment Phase.

8. Roadway Improvements

- Vehicular access shall be as generally depicted on the Rezoning Plan. Notwithstanding the foregoing, the placement and configuration of the vehicular access points may be modified by Petitioner during the permitting process to accommodate changes in traffic patterns, changes in building and parking layouts and site constraints and to accommodate any modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
- As depicted on the Rezoning Plan, Area 'A' will be served by an internal public streets and internal private streets and/or

alleys, and the alignments and locations of the internal public street and internal private streets and/or alleys may be modified by Petitioner during the permitting process to accommodate changes in traffic patterns, changes in building and parking layouts and site constraints and to accommodate any modifications required for approval by CDOT and/or NCDOT in accordance with applicable published standards. That portion of the internal public street located within the limits of Area 'A' shall be constructed when Area 'A' is developed. The Speer Blvd extension to Yorkmont Rd, and the Yorkmont Rd realignment as generally depicted on the plans, shall be completed prior to the issuance of the first certificate of occupancy for a new building constructed in Development Area 'A'.

- Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.
- Prior to the issuance of the first certificate of occupancy for a new building constructed on Development Area 'A', the improvements described below shall be substantially completed by Petitioner:
 - Yorkmont Road and Speer Boulevard:
 - Construction of a roundabout
 - Realignment of Yorkmont Road to allow for a potential future extension (by others) of Speer Boulevard to Billy Graham Parkway
 - Tyvola Road and Speer Boulevard:
 - Petitioner shall construct a traffic signal at Tyvola Road and Speer Boulevard based on the following provisions:
 - A signal will be installed once Development Area 'A' exceeds 50% of entitled CO's
 - prior to the 151st Hotel Room
 - prior to 30,001sf of Retail
 - prior to 111th Townhome, Condo, Single Family Units
 - Signalization at Tyvola Road and Speer Blvd. is not required to develop Area B or Area C.
 - Restripe the existing southbound striped out lane to have dual lefts on Speer Boulevard.
 - Petitioner shall implement Leading Pedestrian Interval* (LPI+), Accessible Pedestrian Signals (APS), and right-turn Flashing Yellow Arrow (FYA) with LED blankout sign for the southbound right-turn lane on Speer Boulevard



- Prior to the issuance of the first certificate of occupancy for a new building constructed on Development Area 'B' or 'C', the improvements described below shall be substantially completed by Petitioner:
 - Tyvola Road and City Park Drive:
 - Implement APS for all crosswalks, and LPI+ for the WB Tyvola approach (unless already installed).
 - South Tryon Street and Tyvola Road:
 - Add pedestrian signals including associated work (striping, APS, LPI+ where right turn lanes are present) for all approaches. All non-compliant ramps at South Tryon Street and Tyvola Road to be upgraded as necessary.
 - Tyvola Road and North Falls Drive:
 - Implement APS for all crosswalks
 - Add left turn FYAS for both Tyvola approaches

F. City of Charlotte & NCDOT agree to work with petitioner to abandon unused areas of Yorkmount Rd right of way in accordance with City of Charlotte Right of Way abandonment procedures

Right-of-way Availability: It is understood that some of the public roadway improvements referenced in subsection 8. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, 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 may 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 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 8. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein or for other similar reasons and such delay 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 (with the concurrence of NCDOT, as applicable), upon a review of the current status and scheduled progress of the transportation improvements, will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way 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 the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

9. Not Used

10. Not Used

11. Not Used

12. Phasing Adjustments

To provide flexibility for addressing emerging markets, the square footage allotments for retail and office development, the number of hotel rooms and the number of dwelling units specified for each use in a particular phase can be changed from one use to another use provided that the total net new external trips generated by the Site within that phase do not exceed the total net new external trips that would have been generated by the land uses specified for the phase involved and provided further that in no event may any use category or component of the mixed/multi use development contemplated for the Site exceed, in the aggregate, the maximum square footage or number of units established for that particular use category or component under Section 4 above. By way of an example, the maximum amount of office space that could be built on the Site would be 400,000 square feet. In the event that one or more of the transportation improvements tied to a particular phase are completed during a preceding phase, the phasing provisions contained in Section 11 above may be altered to accommodate additional development warranted by such improvement or improvements by way of an administrative Site Plan amendment the application of which must be joined in by CDOT.

13. Not Used

14. Design and Performance Standards

The intent of the City Park Redevelopment concept is to create a variety of architectural experiences. The redevelopment will utilize primarily stone, brick, stucco and/or architectural face block construction materials. Accordingly, the architectural concept may be altered or simplified during design development and construction phases. Except as otherwise provided under Section 6 above, all buildings constructed on this Site shall conform to the MUDD urban design and development standards outlined in Section 9.8506 of the Ordinance.

- Except as otherwise provided under Section 6 above, surface level off-street parking shall not be located between buildings fronting on public or private streets and the public or private streets on which the buildings front. However, parking may be located to the side and/or rear of buildings located along the public or private streets.
- Any lighting attached to a rear exterior building wall facing a residential component shall be capped and downwardly directed.

- All street and parking lot lighting fixtures will be fully shielded.
- Pedestrian scale lighting will be provided within the Site along public and private streets.
- Dumpster areas will be enclosed on all four sides by an opaque wall with one side being a hinged opaque gate. 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.
- Internal areas of the Site shall be landscaped in accordance with the requirements of the Ordinance.
- All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- All other screening and landscaping shall conform to the standards of the Ordinance.
- Expanses of blank walls exceeding 20 feet in length that would not add to the character of the streetscape will be eliminated through use of any one or more of the following design elements: awnings, display windows, ornamentation, molding, string courses, belt courses, fountains, street furniture, landscaping and garden areas, and display areas. Provided, however, that the use of opaque or reflective glass may not be utilized as a means for addressing blank walls.
- Except as otherwise provided under Section 5 and Section 6 above, the streetscape treatment along any public street frontage will meet or exceed the standards of the Ordinance and include large maturing trees, supplemental shrubbery, sidewalks of at least six feet in width and planting strips of at least 8 feet in width. Sidewalks may meander to preserve existing trees.
- Off-street parking may be provided either through surface lots or through parking structures.

15. Signs

All signs and graphics placed on the Site will be erected in accordance with the requirements of the MUDD district. A uniform signage and graphic system will be employed throughout the Site.

16. Parking

Except as otherwise provided under Section 6, off street parking and loading will meet the standards established under the Ordinance.

17. Stormwater Detention and Quality Protection Measures

- The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Regulations described in UDO Article 25.
- Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte Mecklenburg Storm Water Services and mitigated if required by City ordinance. Petitioner acknowledges intermittent/perennial stream delineation reports are subject to review and approval upon submission of development plan for permitting and are not approved with rezoning decision.

18. Buffers

Buffer areas will be provided in accordance with the requirements of the Ordinance.

19. Amendments to Rezoning Plan

Future amendments to the Rezoning Site Plan and these development standards may be applied for by the then owner or owners of the particular Parcel or (sub-parcel) within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

- Timing: Extension of Speer to Billy Graham Parkway be completed by Others
- Site will comply with the Tree Ordinance including Tree Save Requirements

20. Binding Effect of the Rezoning Documents and Definition

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Site Plan, the accompanying exhibits and these development standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns. Throughout these development standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the Owner or Owners of any part of the Site from time to time who may be involved in any future development thereof.

21. Vested Rights Provision

If this Rezoning Petition is approved by the Charlotte City Council then, pursuant to Section 1.110 of the Ordinance, the Petitioner hereby requests a five-year vested right to undertake and complete the development of this Site under the terms and conditions as so approved, commencing upon approval of this Rezoning Petition by the Charlotte City Council. The Petitioner makes this request for a five-year vested right due to the size and phasing of the proposed development, market conditions and the level of investment invested.

22. Design and Performance Standards

- The intent of the City Park redevelopment concept is to create a variety of architectural experiences. the redevelopment will utilize primarily stone, brick, stucco and/or architectural face block construction materials. the attached perspective rendering is intended to describe the conceptual architectural theme proposed for city park. however, it should be noted that the perspective shown is schematic in nature. accordingly, the architectural concept may be altered or simplified during design development and construction phases.
- Except as otherwise provided under section 6 above, all buildings constructed on this site shall conform to the MUDD urban design and development standards outlined in section 9.8506 of the ordinance.
- Except as otherwise provided under section 6 above, surface level off-street parking shall not be located between buildings fronting on public or private streets and the public or private streets on which the buildings front. however, parking may be located to the side and/or rear of buildings located along the public or private streets.

| LAND USE | DESCRIPTION | LAND USE | PROPOSED LAND USE | OFFICE ENTITLEMENT SWAP | OFFICE DEBIT (SF) | RETAIL ENTITLEMENT SWAP | RETAIL DEBIT (SF) | PHASE 1 | PHASE 1 | OVERALL | TOTAL |
|-------------------------|---------------------|----------|-------------------|-------------------------|----------------------|-------------------------|-------------------|------------|-----------|-----------------|---------|
| | | | | | | | | MAX | REMAINING | REMAINING TOTAL | |
| | | | | (PERMITTED TO DATE) | ENTITLEMENT EXCHANGE | ENTITLEMENT EXCHANGE | ALLOWED | | | | |
| ASTON PROPERTIES RETAIL | | 11,064 | | 0 | 0 | 15 | 3,000 | 20,000 SF | 5,936 | 5,936 | 20,000 |
| RETAIL (SF) | | 0 | | 0 | 0 | 6 | 1,200 | 70,000 SF | (21,171) | 180,000 | 180,000 |
| OFFICE (SF) | | 0 | | 0 | 0 | 0 | 0 | 150,000 SF | 0 | 400,000 | 400,000 |
| HOTEL (RMS) | | 341 | | 0 | 0 | 166 | 18,971 | 175 RMS | (166) | 9 | 350 |
| RESIDENTIAL FOR-SALE | SF, TH, CONDO, ETC. | 426 | | 206 | 68,667 | 0 | 0 | | | 664 | 1,090 |
| RESIDENTIAL HI | APARTMENTS | 1,006 | | 244 | 81,333 | 211 | 42,200 | 750 UNITS | (826) | | |
| RESIDENTIAL HI | SINGLE STORY RENTAL | 144 | | | | 144 | 28,800 | | | 60 | 1,210 |
| RESIDENTIAL MED | HI-RISE | 0 | | 0 | 0 | 0 | 0 | | | 200 | 200 |

REVISIONS:

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