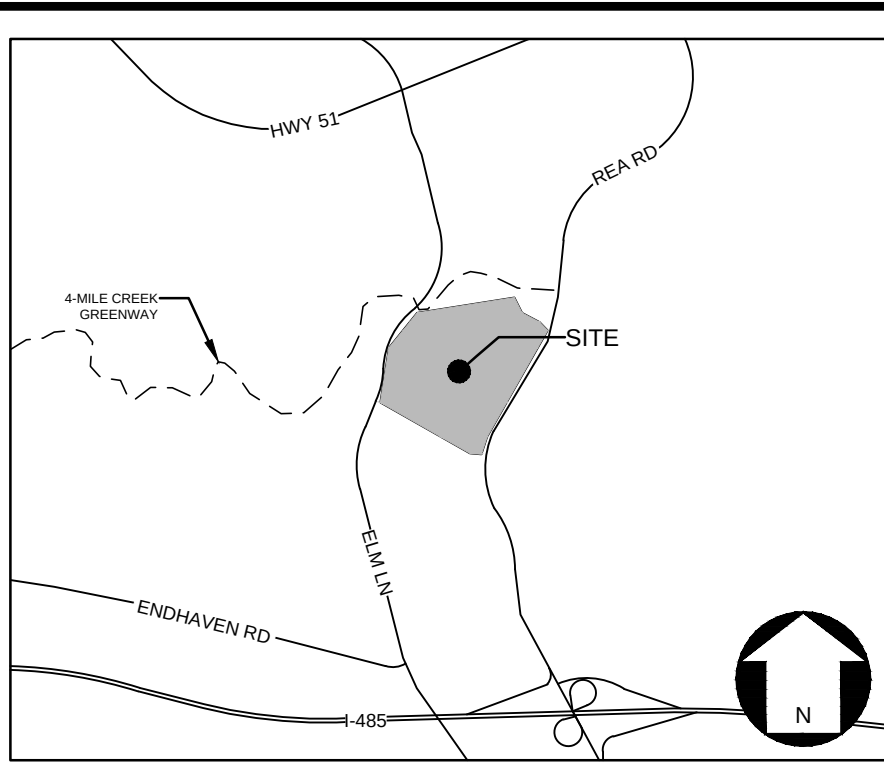
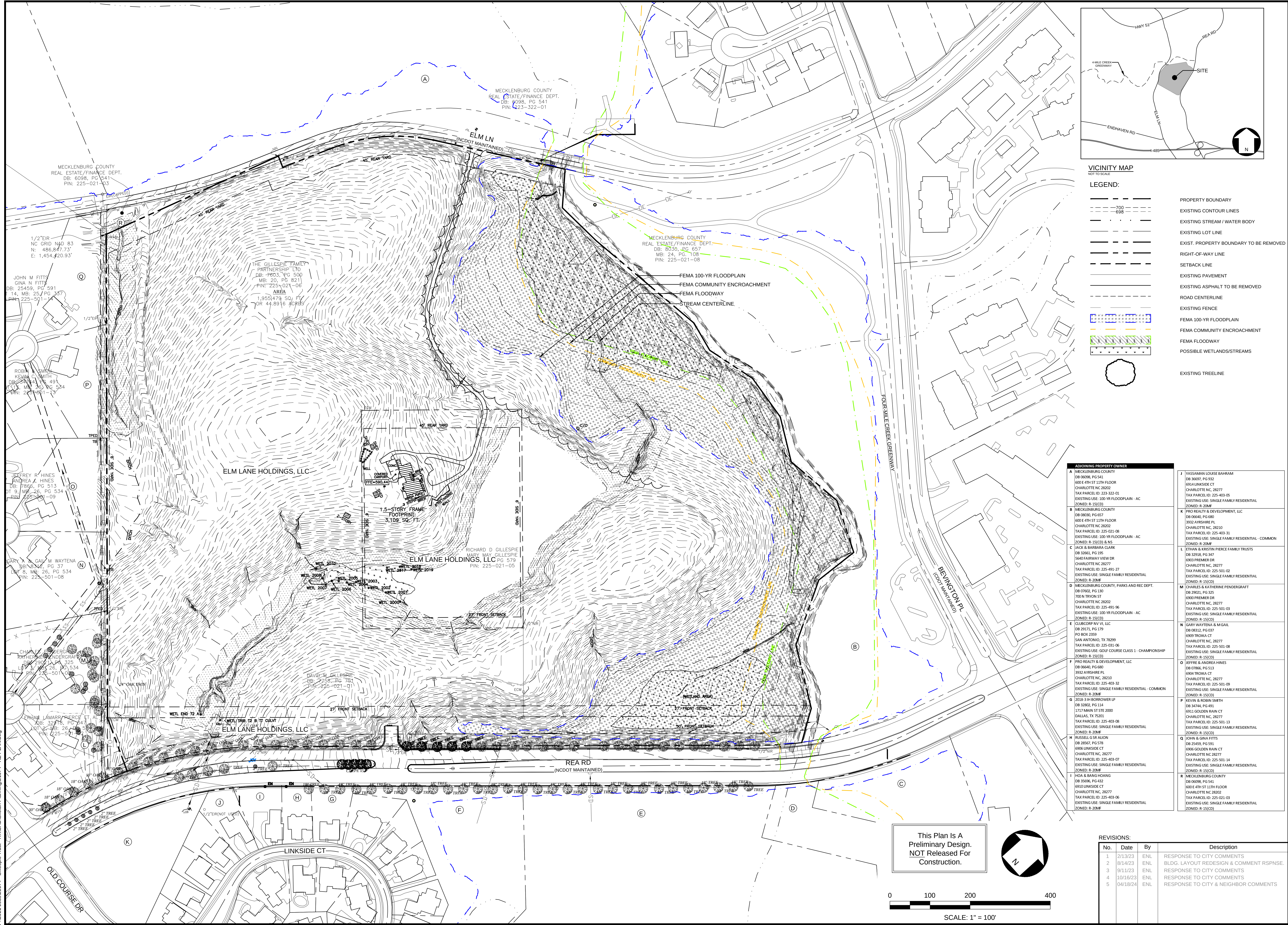


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VICINITY MAP
NOT TO SCALE

LEGEND:

	PROPERTY BOUNDARY
	EXISTING CONTOUR LINES
	EXISTING STREAM / WATER BODY
	EXISTING LOT LINE
	EXIST. PROPERTY BOUNDARY TO BE REMOVED
	RIGHT-OF-WAY LINE
	SETBACK LINE
	EXISTING PAVEMENT
	EXISTING ASPHALT TO BE REMOVED
	ROAD CENTERLINE
	EXISTING FENCE
	FEMA 100-YR FLOODPLAIN
	FEMA COMMUNITY ENCROACHMENT
	FEMA FLOODWAY
	POSSIBLE WETLANDS/STREAMS
	EXISTING TREELINE

ADJOINING PROPERTY OWNER	
A MECKLENBURG COUNTY DB 0608, PG 54 600 E 4TH ST 11TH FLOOR CHARLOTTE NC 28202 TAX PARCEL ID: 223-322-01 EXISTING USE: SINGLE FAMILY RESIDENTIAL - AC ZONED: R-15(CD)	J YASSAMAN LOUISE BAHAM DB 3657, PG 532 600 E 4TH ST 11TH FLOOR CHARLOTTE NC, 28277 TAX PARCEL ID: 225-403-05 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-20MF
B MECKLENBURG COUNTY DB 0608, PG 57 600 E 4TH ST 11TH FLOOR CHARLOTTE NC 28202 TAX PARCEL ID: 225-021-09 EXISTING USE: 100-YR FLOODPLAIN - AC ZONED: R-15(CD) & N5	K PRO REALTY & DEVELOPMENT, LLC DB 0664, PG 680 352 AVONSHIRE PL CHARLOTTE NC, 28210 TAX PARCEL ID: 225-403-31 EXISTING USE: SINGLE FAMILY RESIDENTIAL - COMMON ZONED: R-20MF
C JACK & BARBARA CLARK DB 3861, PG 195 5640 FAIRWAY VIEW DR CHARLOTTE NC 28277 TAX PARCEL ID: 225-495-27 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-20MF	L ETHAN & KRISTIN PIERCE FAMILY TRUSTS DB 32918, PG 347 600 PREMIER DR CHARLOTTE NC, 28277 TAX PARCEL ID: 225-501-02 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)
D MECKLENBURG COUNTY, PARKS AND REC DEPT. DB 07602, PG 130 700 N TRYON ST CHARLOTTE NC 28202 TAX PARCEL ID: 225-491-96 EXISTING USE: 100-YR FLOODPLAIN - AC ZONED: R-15(CD)	M CHARLES & KATHERINE PENDERGRAFT DB 29021, PG 325 600 PREMIER DR CHARLOTTE NC, 28277 TAX PARCEL ID: 225-501-03 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)
E CLUBCORP NV VI, LLC DB 29171, PG 179 PO BOX 2369 SAN ANTONIO, TX 78269 TAX PARCEL ID: 225-031-06 EXISTING USE: GOLF COURSE CLASS 1 - CHAMPIONSHIP ZONED: R-15(CD)	N GARY WAYTENA & M GAIL DB 08312, PG 037 6805 TRONA CT CHARLOTTE NC, 28277 TAX PARCEL ID: 225-501-08 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)
F PRO REALTY & DEVELOPMENT, LLC DB 0664, PG 680 352 AVONSHIRE PL CHARLOTTE NC, 28210 TAX PARCEL ID: 225-403-32 EXISTING USE: SINGLE FAMILY RESIDENTIAL - COMMON ZONED: R-20MF	O JEFFRE & ANDREA HINES DB 0786, PG 513 6805 TRONA CT CHARLOTTE NC, 28277 TAX PARCEL ID: 225-501-09 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)
G 2018-3 IH BORROWER LP DB 32802, PG 114 17177 MAIN ST STE 2000 DALLAS, TX 75201 TAX PARCEL ID: 225-403-08 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-20MF	P KEVIN & ROBIN SMITH DB 3474, PG 491 601 GOLDER RAIN CT CHARLOTTE NC, 28277 TAX PARCEL ID: 225-501-13 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)
H RUSSELL G SR ALON DB 28567, PG 578 6005 GOLDER RAIN CT CHARLOTTE NC, 28277 TAX PARCEL ID: 225-403-07 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-20MF	Q JOHN & GINA FITTS DB 25459, PG 591 6005 GOLDER RAIN CT CHARLOTTE NC 28277 TAX PARCEL ID: 225-501-14 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)
I HOA & BANG HOANG DB 35696, PG 432 6005 GOLDER RAIN CT CHARLOTTE NC 28202 TAX PARCEL ID: 225-021-03 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-20MF	R MECKLENBURG COUNTY DB 0608, PG 541 600 E 4TH ST 11TH FLOOR CHARLOTTE NC 28202 TAX PARCEL ID: 225-021-03 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)

REVISIONS:

No.	Date	By	Description
1	2/13/23	ENL	RESPONSE TO CITY COMMENTS
2	8/14/23	ENL	BLDG. LAYOUT REDESIGN & COMMENT RSPNSE
3	9/11/23	ENL	RESPONSE TO CITY COMMENTS
4	10/16/23	ENL	RESPONSE TO CITY COMMENTS
5	04/18/24	ENL	RESPONSE TO CITY & NEIGHBOR COMMENTS

Landworks
Design Group, PA
CREATING SPACES TO LIVE, WORK AND PLAY
1230 West Morehead Street, Suite 304
Charlotte, NC 28208
tel: 704-941-1604
fax: 704-941-1604

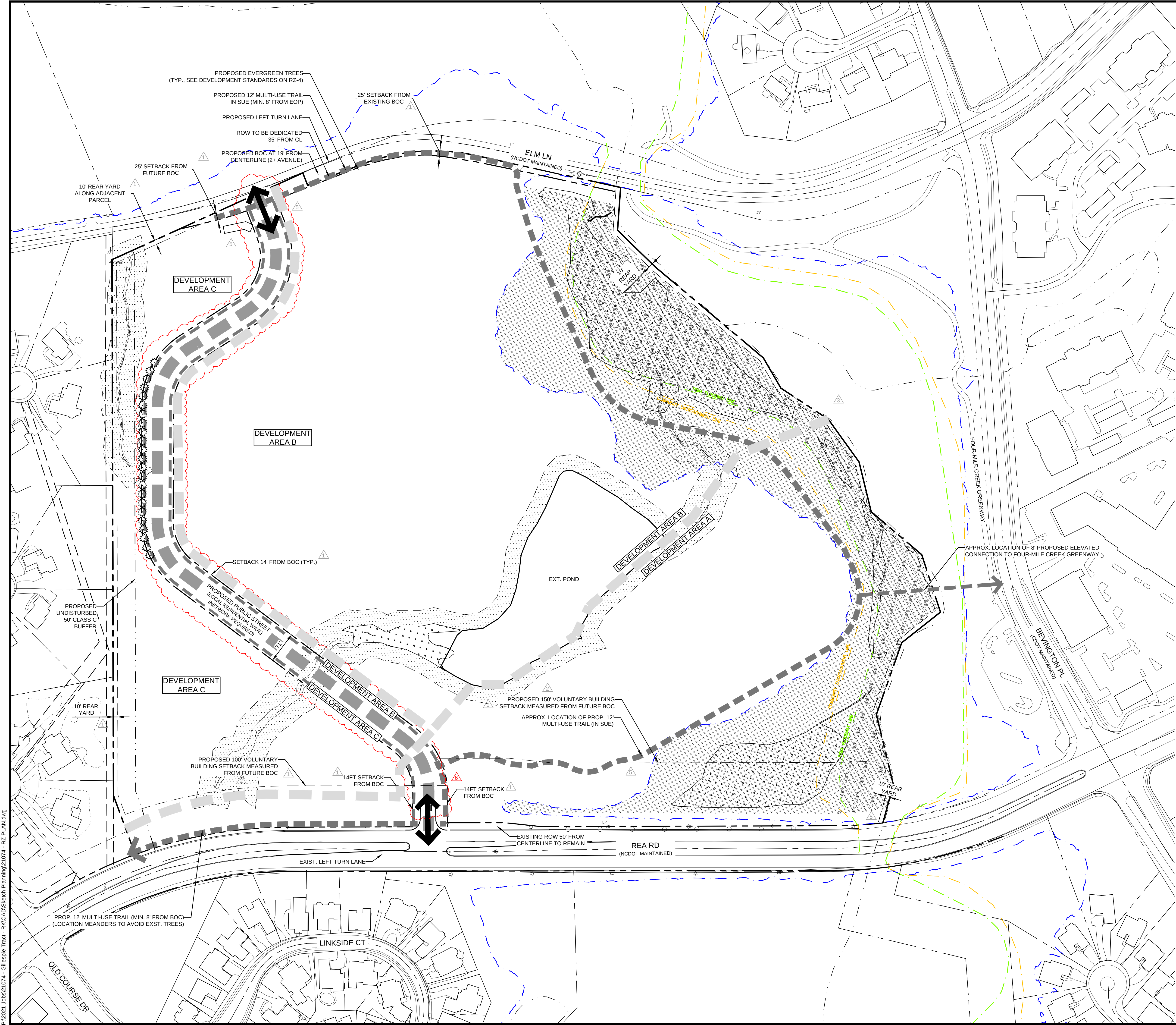
SUTHERLAND
9621 ELM LANE
CHARLOTTE, NC 28277
RK INVESTMENTS CHARLOTTE, LLC

EXISTING CONDITIONS PLAN
PETITION NO. RZP-2022-121

CORPORATE CERTIFICATIONS
NC PE: C-2830 NC LA: C-253
SC ENG: NO. 3559 SC LA: NO. 211

Project Manager: MDL
Drawn By: ENL
Checked By: KRT
Date: 06/28/2022
Project Number: 21074
Sheet Number:

RZ-1
SHEET # 1 OF 5



LEGEND:

	PROPERTY BOUNDARY
	EXISTING STREAM / WATER BODY
	EXISTING LOT LINE
	RIGHT-OF-WAY LINE
	SETBACK LINE
	EXISTING PAVEMENT
	ROAD CENTERLINE
	EXISTING FENCE
	FEMA 100-YR FLOODPLAIN
	FEMA COMMUNITY ENCROACHMENT
	FEMA FLOODWAY
	POSSIBLE WETLANDS/STREAMS
	EXISTING BUILDING
	PROPOSED SITE ENTRY
	PROPOSED PUBLIC VEHICULAR CIRCULATION
	PROPOSED PUBLIC PEDESTRIAN CIRCULATION
	PROPOSED DEVELOPMENT AREA BOUNDARY

0 100 200 400

SCALE: 1" = 100'

REVISIONS:

No.	Date	By	Description
1	2/13/23	ENL	RESPONSE TO CITY COMMENTS
2	8/14/23	ENL	BLDG. LAYOUT REDESIGN & COMMENT RSPNSE.
3	9/11/23	ENL	RESPONSE TO CITY COMMENTS
4	10/16/23	ENL	RESPONSE TO CITY COMMENTS
5	04/18/24	ENL	COMMUNITY FEEDBACK & COMMENT RSPNSE.
6	05/20/24	ENL	COMMUNITY FEEDBACK & COMMENT RSPNSE.

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

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LEGEND:

- PROPERTY BOUNDARY
- EXISTING CONTOUR LINES
- EXISTING STREAM / WATER BODY
- EXISTING LOT LINE
- RIGHT-OF-WAY LINE
- SETBACK LINE
- EXISTING PAVEMENT
- PROPOSED CURBING
- EXISTING CURBING
- EXISTING ASPHALT TO BE REMOVED
- ROAD CENTERLINE
- EXISTING FENCE
- FEMA 100-YR FLOODPLAIN
- FEMA COMMUNITY ENCROACHMENT
- FEMA FLOODWAY
- POSSIBLE WETLANDS/STREAMS
- EXISTING BUILDING
- PROPOSED TREE SAVE AREA
- POSSIBLE AMENITY AREA
- POSSIBLE ENTRY MONUMENT
- POSSIBLE WASTE COLLECTION COMPACTOR/ RECYCLING AREA
- POSSIBLE RETAINING WALL
- PROPOSED DEVELOPMENT AREA BOUNDARY
- TOWNHOME BUILDING ORIENTATION

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

0 100 200 400
SCALE: 1" = 100'

REVISIONS:

No.	Date	By	Description
1	2/13/23	ENL	RESPONSE TO CITY COMMENTS
2	8/14/23	ENL	BLDG. LAYOUT REDESIGN & COMMENT RSPNSE.
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4	10/16/23	ENL	RESPONSE TO CITY COMMENTS
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SUTHERLAND
9621 ELM LANE
CHARLOTTE, NC 28277
RK INVESTMENTS CHARLOTTE, LLC

REZONING
SITE PLAN
PETITION NO. RZP-2022-121

CORPORATE CERTIFICATIONS
NC PE: C-2830 NC LA: C-253
SC ENG: NO. 3599 SC LA: NO. 211

Project Manager: MDL
Drawn By: ENL
Checked By: KRT
Date: 06/28/2022
Project Number: 21074
Sheet Number:

RZ-3
SHEET # 3 OF 5

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Site Area: +/- 53.07 acres
Tax Parcels: 225-021-06, 225-021-05 and 225-021-01
Existing Zoning: N1-A
Proposed Zoning: UR-2 (CD)
Proposed Uses: See the Development Standards
Maximum Density: Up to 566 dwelling units
Maximum Building Height: See the Development Standards
Parking: Shall meet or exceed Ordinance standards
Vesting Requested: 5 years

1. GENERAL PROVISIONS

- 1.1. Site. These Development Standards, the Existing Conditions Plan, the Technical Data Sheet and the Rezoning Site plan and other graphics set forth on Sheets RZ-1 through RZ-4 form the rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by RK Investments Charlotte LLC (the "Petitioner") for an approximately 53.07 acre site located between Rea Road and Elm Lane, just south of Bevington Place (hereinafter referred to as the "Site"). The Site is more particularly depicted on the Rezoning Plan and is comprised of Tax Parcel Nos. 225-021-06, 225-021-05 and 225-021-01.
- 1.2. Zoning District/Ordinance. The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 zoning district shall govern the development and use of the Site.
- 1.3. Graphics and Alterations. The schematic depictions of the uses, sidewalks, driveways, streets, development area boundaries and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan shall 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 documentation 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 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:
- (1) Do not materially change the overall design intent depicted on the Rezoning Plan.
- The Planning Director will determine if such modifications are allowed pursuant to this amendment process, and if it is determined that the alterations do not meet the criteria described above, Petitioner shall then follow the administrative amendment process pursuant to Section 6.207 of the Ordinance in each instance, however, subject to Petitioner's appeal rights set forth in the Ordinance.
- 1.4. Development Areas. For entitlement purposes, the Site is divided into three development areas that are designated on the Rezoning Plan as Development Area A, Development Area B and Development Area C.
- 1.5. Unified Development. The Site shall be considered to be a planned/unified development. Therefore, side and rear yards, building height separation requirements and other similar zoning standards shall not be required internally between improvements, uses and other site elements located on the Site. Furthermore, Petitioner reserves the right to subdivide portions or all of the Site and to create lots within the interior of the Site without regard to any such internal separation standards and public/private street frontage requirements, provided, that the development of the Site shall be required to meet any applicable setback, side yard, rear yard and landscape area requirements with respect to the exterior boundaries of the Site.
- 1.6. Vested Rights. Pursuant to Section 1.110 of the Ordinance and Section 1600-108.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions, but such provisions shall not be deemed a limitation on any other vested rights whether statutory or at common law.
- 1.7. Amendments. Future amendments to any portions of the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.
- 1.8. The name of the development contemplated by this Rezoning Plan shall be "to be determined at Piper Glen". The name to be inserted into the blank space above shall be determined solely by the Petitioner.

2. PHASING

- 2.1. Petitioner reserves the right to develop the Site in one or more phases.

3. PERMITTED USES

- 3.1. A total maximum of 566 dwelling units may be developed on the Site, of which a total maximum of 450 dwelling units may be multi-family dwelling units (whether non-age restricted multi-family dwelling units or age restricted multi-family dwelling units).
- 3.2. Development Area A.
- 3.2.1. Subject to the limitations set out below, Development Area A may only be devoted to the use set out below and any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district. Incidental and accessory uses may include, without limitation, a leasing and management office, a clubhouse and amenities for use by the residents of the multi-family dwelling units.
- 3.2.1.1. Multi-family dwelling units.
- 3.2.2. A total maximum of 300 multi-family dwelling units may be developed on Development Area A.
- 3.2.3. Development Area B.
- 3.3.1. Subject to the limitations set out below, Development Area B may only be devoted to the uses set out below and any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district. Incidental and accessory uses may include, without limitation, a leasing and management office, a clubhouse and amenities for use by the residents of the dwelling units.
- 3.3.1.1. Multi-family dwelling units.
- 3.3.1.2. Age restricted multi-family dwelling units.
- 3.3.1.2.1. Age restricted multi-family dwelling units shall mean multi-family dwelling units that are intended and operated for occupancy by persons 55 years of age or older; publishes and adheres to policies and procedures that demonstrate the intent to provide housing for persons 55 years of age or older; complies with HUD's regulatory requirements for verification of occupancy; and otherwise meets the applicable requirements of the State and Federal Fair Housing Acts to qualify as "Housing for Older Persons."
- 3.3.1.3. Single family attached dwelling units.
- 3.3.2. A minimum of 49 of the dwelling units developed in Development Area B shall be single family attached dwelling units.
- 3.3.3. If less than 300 dwelling units are developed in Development Area A, the undeveloped dwelling units may be transferred to Development Area B as multi-family dwelling units, age restricted multi-family dwelling units and/or single family attached dwelling units.
- 3.3.4. If less than 51 dwelling units are developed in Development Area C, the undeveloped dwelling units may be transferred to Development Area B as single family attached dwelling units only.
- 3.4. Development Area C.
- 3.4.1. Subject to the limitations set out below, Development Area C may only be devoted to the use set out below and any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district. Incidental and accessory uses may include, without limitation, amenities for use by the residents of the dwelling units.
- 3.4.1.1. Single family attached dwelling units.
- 3.4.2. A total maximum of 51 single family attached dwelling units may be developed in Development Area C.

4. TRANSPORTATION

- 4.1. 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").
- 4.2. As depicted on the Rezoning Plan, the Site will be served by an internal public street 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 Development Area A shall be constructed when Development Area A is developed. That portion of the internal public street located within the limits of Development Areas B and C shall be constructed when the entire internal public street with a full connection from Rea Road to Elm Lane shall be completed prior to the issuance of the first certificate of occupancy for a new building constructed in the last Development Area to be developed.
- 4.3. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may mean to save existing trees.
- 4.4. Prior to the issuance of the first certificate of occupancy for a new building constructed on Development Areas B and C, Petitioner shall dedicate and convey to the City of Charlotte or to NCDOT as applicable (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Elm Lane as required to provide right of way measuring 35 feet from the existing centerline of Elm Lane, to the extent that such right of way does not already exist.
- 4.5. A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.
- 4.6. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad south Mecklenburg area by way of a private/public partnership effort or other public sector project support.
- 4.7. Petitioner will dedicate to the City of Charlotte or to NCDOT as applicable via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, and the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy for a new building constructed within the Development Area located adjacent to the right of way to be dedicated. The Petitioner will provide a permanent sidewalk easement for any of the proposed required 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.
- 4.8. Subject to the approval of CATS, CDOT and/or NCDOT and any other applicable governmental agencies, Petitioner shall, prior to the issuance of the first certificate of occupancy for a new building constructed on the Site, construct a bus stop waiting pad in accordance with CATS detail 60.01A on the Site's frontage on Rea Road entirely within right of way. The final location of the bus stop waiting pad will be coordinated with CATS during the permitting process. In the event that Petitioner cannot obtain all approvals and permits required to construct the bus stop waiting pad, then Petitioner shall have no obligation to construct it.
- 4.9. Any reference to the term "substantially complete" in this Section 4 of the Development Standards shall mean a determination by CDOT and/or NCDOT that the applicable roadway improvements are deemed "substantially complete" for the purpose of the issuance of certificates of occupancy for buildings on the Site. However, in the event that certain non-essential roadway improvements (as reasonably determined by CDOT) are not substantially complete at the time that Petitioner seeks to obtain a certificate of occupancy for buildings on the Site, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event Petitioner may be required to post a letter of credit or a bond for any improvements not in place at the time such certificates of occupancy are issued to secure the completion of the relevant improvements.
- 4.10. Prior to the issuance of the first certificate of occupancy for a new building constructed on the Site and subject to the approval of CDOT and/or NCDOT and any other applicable governmental agencies, the improvements described below shall be substantially completed by Petitioner.
- 4.10.1. Petitioner shall evaluate the sight distance of the Trader Joe's driveway on the north side of Bevington Place during permitting. Gore striping or a similar treatment shall be utilized to prevent on-street parking on the north side of Bevington Place where in conflict with the sight distance for the Trader Joe's driveway.
- 4.10.2. Install a pair of rectangular rapid-flashing beacons (RRFBs) at the pedestrian crossing on the west side of The Shops at Piper Glen Driveway.
- 4.10.3. Petitioner shall install a guardrail on the west side of Elm Lane across from Access "B", and flashing caution signs on Elm Lane north and south of Access "B" if approved by CDOT and/or NCDOT.
- 4.11. Prior to the issuance of the first certificate of occupancy for a new building constructed on Development Area A and subject to the approval of CDOT and/or NCDOT and any other applicable governmental agencies, the improvements described below shall be substantially completed by Petitioner at Rea Road and the internal public street (Access "A").
- 4.11.1. Construct one ingress lane and two egress lanes (a terminating eastbound right turn lane and a left turn lane with 150 feet of storage) on proposed Access "A".
- 4.11.2. Provide a minimum of 100 feet internal protected stem on Access "A".
- 4.11.3. Construct a southbound right turn lane on Rea Road with 100 feet of storage.
- 4.11.4. Install a traffic signal with appropriate pedestrian accommodations at the intersection of Rea Road and Access "A" and connect with the CDOT communication system. The pole for the traffic signal shall be a mast arm pole similar to the mast arm pole located at the intersection of Rea Road and Piper Glen Drive.
- 4.11.5. Extend the existing northbound left turn lane on Rea Road from 100 feet to 150 feet of storage.
- 4.11.6. Remove the negative offset of the existing left turn lanes on Rea Road including median modification if determined necessary by CDOT and NCDOT staff during the permitting review process.
- 4.12. Prior to the issuance of the first certificate of occupancy for a new building constructed on Development Areas B and C and subject to the approval of CDOT and/or NCDOT and any other applicable governmental agencies, the improvements described below shall be substantially completed by Petitioner at Elm Lane and the internal public street (Access "B").
- 4.21.1. Construct a full ingress lane and two egress lanes (a terminating westbound right turn lane and a left turn lane with 100 feet of storage) on proposed Access "B".
- 4.12.1.1. One ingress lane and two egress lanes (a terminating westbound right turn lane and a left turn lane with 100 feet of storage) on proposed Access "B".
- 4.12.1.2. Provide a minimum of 100 feet internal protected stem on Access "B".
- 4.12.1.3. Construct a northbound right turn lane on Elm Lane with 100 feet of storage.
- 4.12.1.4. Construct a southbound left turn lane on Elm Lane with 100 feet of storage.
- 4.13. Prior to the issuance of a certificate of occupancy for the 401st new dwelling unit constructed on the Site and subject to the approval of CDOT and/or NCDOT and any other applicable governmental agencies, the improvements described below shall be substantially completed by Petitioner at the intersection of Rea Road and Highway 51.

- 4.13.1. Construct a channelized second northbound right turn lane on Rea Road with 200 feet of storage.
- 4.13.2. Extend the storage of the existing left turn lane on northbound Rea Road by an additional 200 feet.
- 4.13.3. Modify signalization to allow the southbound left turn on Rea Road to operate protected-only.
- 4.14. Prior to the issuance of a certificate of occupancy for the 401st new dwelling unit constructed on the Site and subject to the approval of CDOT and/or NCDOT and any other applicable governmental agencies, one of the two transportation mitigation options set out below (Option A or Option B) shall be substantially completed by Petitioner at the intersection of Elm Lane and Highway 51. The mitigation option to be completed by Petitioner shall be determined by CDOT/NCDOT during the permitting process.
- 4.14.1. Option A
- 4.14.1.1. Extend the existing northbound left turn lane on Elm Lane from 175 feet to 225 feet of storage.
- 4.14.1.2. Construct a second northbound left turn lane on Elm Lane with 225 feet of storage.
- 4.14.1.3. Restripe the existing northbound left/right lane on Elm Lane to a combined through/right turn lane.
- 4.14.1.4. Verify that opposing left turns on Elm Lane can run concurrently and modify signal to remove split phasing, if possible.
- 4.14.2. Option B
- 4.14.2.1. Construct a northbound left turn lane on Elm Lane with 225 feet of storage.
- 4.14.2.2. Convert the existing left turn lane on Elm Lane to a combined through/left turn lane.
- 4.14.2.3. Convert the existing left-right turn lane on Elm Lane to a right turn lane with 225 feet of storage and a right-turn overlap.
- 4.15. Right-of-way Availability.

- 4.15.1. It is understood that some of the public roadway improvements referenced in this Section 4 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 this Section 4 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 buildings 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, may instruct applicable authorities to allow the applicable buildings to be constructed and opened to traffic; provided, however, that the Petitioner shall be required to complete the applicable roadway 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.

4.16. SCHOOL BUS STOP

- 4.16.1. Petitioner will work in good faith with CDOT and the Charlotte-Mecklenburg School System to establish a location or locations for a school bus stop(s) on the internal public street. The ultimate decision as to whether or not a school bus stop(s) will be located on the internal public street shall be made by CDOT and the Charlotte-Mecklenburg School System.

5. ARCHITECTURAL STANDARDS

- 5.1. Setbacks
- 5.1.1. Subject to paragraphs 5.1.2, 5.1.3 and 5.1.4 below, the minimum setback from a public street shall be 14 feet from the back of the existing or proposed curb, whichever is greater, provided, however, that larger minimum building setbacks are provided on those portions of the Site that are more particularly depicted on the Rezoning Plan.
- 5.1.2. Any multi-family building developed on the Site shall be setback a minimum of 150 feet from the back of the existing or proposed curb along Rea Road as generally depicted on the Rezoning Plan.
- 5.1.3. Any building containing single family attached dwelling units developed on the Site shall be setback a minimum of 100 feet from the back of the existing or proposed curb along Rea Road as generally depicted on the Rezoning Plan.
- 5.1.4. Any building developed on the Site shall be setback a minimum of 126 feet from the back of the future curb along Elm Lane as generally depicted on the Rezoning Plan.
- 5.2. Maximum Building Height
- 5.2.1. The maximum height of any building containing single family attached dwelling units shall be 48 feet as measured under the Ordinance. The maximum height of any building containing multi-family dwelling units shall be 65 feet as measured under the Ordinance.
- 5.2.2. Subject to paragraph 5.2.3 below, all buildings developed on the Site shall comply with the height ratio or height plane applicable in the UR-2 zoning district set out in Table 9.406(2)(a) of the Ordinance.
- 5.2.3. The height ratio or height plane applicable in the UR-2 zoning district set out in Table 9.406(2)(a) of the Ordinance shall be measured from the required setback (14 feet from back of existing or proposed curb, whichever is greater), the required side yard (5 feet) and the required rear yard (10 feet) rather than any increased setbacks or yards voluntarily provided by Petitioner on the Rezoning Plan.
- 5.3. Architectural and Design Standards Applicable to the Entire Site
- 5.3.1. Electrical and natural gas meter banks as well as electrical transformers shall be located outside of any required setbacks.
- 5.3.2. All dumpster enclosure areas shall be screened from network required public or private streets, common open spaces, and any adjacent uses with materials complementary to the principal structure.
- 5.4. Architectural and Design Standards for Single Family Attached Dwelling Units
- 5.4.1. The primary exterior building materials will be one or more of the following: brick veneer or similar masonry products, stone, precast stone, synthetic stone, stucco, EIFS, cementitious siding and wood.
- 5.4.2. Vinyl, EIFS or masonry may not be used as an exterior building material. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.
- 5.4.3. Pitched roofs, if provided, shall be symmetrically sloped no less than 4:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
- 5.4.4. Petitioner shall provide blank wall provisions that limit the maximum blank wall expanse to fifteen (15) feet on all building levels facing public streets, including but not limited to doors, windows, awnings, material or color changes, and/or enhancements. Porches and overhangs shall not be used in calculating the fifteen (15) foot expanses.
- 5.4.5. To provide privacy, all residential entrances within fifteen (15) feet of the public sidewalk must be either raised or lowered a minimum of twelve (12) inches.
- 5.4.6. Walkways shall be provided to connect all residential entrances to sidewalks along public streets.
- 5.4.7. Garage doors along a public or private street shall minimize the visual impact by providing a setback of 12 to 24 inches from the front wall plane or have architectural treatments such as translucent windows or projecting elements over the garage opening.
- 5.4.8. Each single family attached dwelling unit shall have a covered front stoop. The front stoop may be covered by an awning, canopy, roof extension or other architectural feature chosen by Petitioner.

- 5.4.9. The front elevations of the single family attached dwelling units adjacent to the internal public street that connects Rea Road and Elm Lane shall face this internal public street as generally depicted on Sheet RZ-3 of the Rezoning Plan. The front elevations are depicted with arrows on Sheet RZ-3 of the Rezoning Plan.

- 5.4.10. The maximum number of single family attached dwelling units that may be located in a building shall be 5.

5.5. Architectural and Design Standards for Multi-Family Buildings

- 5.5.1. The permitted exterior building materials to be used on each building will be a combination of portions of the following: brick, stone, precast stone, synthetic stone, cementitious siding, stucco, EIFS and/or wood. At least 30% of the exterior surface area of the combined above the roofline shall be constructed of brick, stone, precast stone and/or synthetic stone. The facades below the roofline is defined as the entire exterior surface area below the roofline excluding windows, doors, balconies and trim, so that windows, doors, balconies and trim are not considered when calculating the minimum percentage of building materials required.
- 5.5.2. Vinyl or masonry may not be used as an exterior building material, provided, however, that vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.
- 5.5.3. Driveways intended to serve single units shall be prohibited on all public streets.
- 5.5.4. Building Massing and Height shall be designed to break up long monolithic building forms as follows:
- 5.5.4.1. Buildings exceeding 120 feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 5 feet wide and shall project or recess a minimum of 1 foot extending through the building.
- 5.5.5. Architectural Elevation Design - elevations shall be designed to create visual interest as follows:
- 5.5.5.1. Building elevations shall be designed with vertical bays or articulated architectural facade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
- 5.5.5.2. Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets. Such base may be executed through use of permitted exterior building materials (defined above in paragraph 5.5.1) or articulated architectural facade features and color changes.
- 5.5.5.3. Building elevations facing network required public streets shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- 5.5.6. Roof Form and Articulation - roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:
- 5.5.6.1. Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers, or parapets. Various parapet heights will be used to break up the roofline.
- 5.5.6.2. For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls, and accent roof elements such as shed roofs and dormers.
- 5.5.6.3. Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.
- 5.5.7. Service Area Screening - service areas such as dumpsters, refuse areas, recycling and storage shall be screened from public view with materials and design to be compatible with principal structures. Such design shall include a minimum of 20 percent of the permitted exterior building materials (defined above in paragraph 5.5.1 or a Class B buffer not less than 10' in depth at all above grade perimeter not paved for access.

6. STREETScape/LANDSCAPING

- 6.1. Petitioner shall install an 8 foot wide planting strip and a 12 foot wide multi-use path along that portion of the Site's frontage on Rea Road that is located south of the intersection of the internal public street and Rea Road and is more particularly depicted on Sheet RZ-2 of the Rezoning Plan. This 12 foot wide multi-use path may mean to preserve existing trees. Any portions of this 12 foot wide multi-use path that are not located in public right of way shall be located in a sidewalk utility easement.
- 6.2. Notwithstanding the terms of paragraph 6.1 above and subject to the approval of CDOT and/or NCDOT and any other applicable governmental authorities and the availability of existing easements necessary for the installation of the relevant pedestrian improvements, Petitioner shall install the pedestrian improvements set out below in lieu of the 8 foot wide planting strip and the 12 foot wide multi-use path referenced above in paragraph 6.1 to preserve existing trees located on the west side of Rea Road.
- 6.2.1. A sidewalk of variable width to be located between the existing back of sidewalk and the existing back of curb on the east side of Rea Road. This sidewalk shall be installed from the signalized pedestrian crosswalk on Rea Road located at the entrance into the Site (Access "A") south to Old Course Drive.
- 6.2.2. An unsignalized pedestrian crossing with a pedestrian refuge across Rea Road at the intersection of Rea Road and Old Course Drive.
- 6.2.3. Improvements to the pedestrian ramps at the intersection of Rea Road and Old Course Drive on both ends of the pedestrian crossing referenced above in paragraph 6.2.2.
- 6.2.4. In the event that Petitioner cannot obtain all applicable governmental approvals to install the pedestrian improvements referenced in this paragraph 6.2 or there are not existing easements necessary for the installation of the relevant pedestrian improvements, Petitioner shall install the 8 foot wide planting strip and the 12 foot wide multi-use path referenced above in paragraph 6.1.
- 6.3. Petitioner shall install an 8 foot wide planting strip and a 12 foot wide multi-use path along that portion of the Site's frontage on Elm Lane that is more particularly depicted on Sheet RZ-2 of the Rezoning Plan. This 12 foot wide multi-use path may mean to preserve existing trees. Any portions of this 12 foot wide multi-use path that are not located in public right of way shall be located in a sidewalk utility easement.
- 6.4. In lieu of the installation of an 8 foot wide planting strip and a 12 foot wide multi-use path along portions of the Site's frontages on Rea Road and Elm Lane, Petitioner shall install a 12 foot wide multi-use path within the Site as generally depicted on Sheet RZ-2 of the Rezoning Plan. This 12 foot wide multi-use path shall be located in a sidewalk utility easement.
- 6.4.1. That portion of the 12 foot wide multi-use path located within Development Area A shall be completed prior to the issuance of the first certificate of occupancy for the last building constructed in Development Area A that is adjacent to the 12 foot wide multi-use path.
- 6.4.2. That portion of the 12 foot wide multi-use path located within Development Areas B and C shall be completed prior to the issuance of the first certificate of occupancy for the last building constructed in Development Areas B and C that is adjacent to the 12 foot wide multi-use path.
- 6.5. An 8 foot wide planting strip and an 8 foot wide sidewalk shall be installed along both sides of the internal public street to be constructed on the Site.
- 6.6. A minimum 50 foot wide landscape area shall be established along the southern boundary of the Site as depicted on the Rezoning Plan, and this 50 foot wide landscape area shall, at a minimum, meet the tree requirements of a Class C buffer. This 50 foot wide landscape area shall remain undisturbed except that the planting of supplemental trees shall be permitted within this 50 foot wide landscape area.
- 6.7. The street trees to be installed along the internal public street shall be yellow oak trees.
- 6.8. A mix of Green Giant Arborvitae (4-6 feet in height at installation and planted approximately 10 feet on center) and Little Gem Magnolia (4-6 feet in height at installation and planted approximately 8 feet on center) shall be installed along that portion of the Site's frontage on Elm Lane that is generally depicted on Sheet RZ-2 of the Rezoning Plan. The mix of Green Giant Arborvitae and Little Gem Magnolia shall be determined by Petitioner.
- 6.9. Osmanthus evergreen shrubs shall be installed along that portion of the Site's frontage on Rea Road located south of the internal public street that is generally depicted on Sheet RZ-2 of the Rezoning Plan. The Osmanthus evergreen shrubs shall each be 4 to 6 feet in height at the time of installation and they shall be planted approximately 8 feet on center.
- 6.10. Osmanthus evergreen shrubs shall be installed along that portion of the Site's frontage on Rea Road located north of the internal public street that is generally depicted on Sheet RZ-2 of the Rezoning Plan. The Osmanthus evergreen shrubs shall each be 4 to 6 feet in height at the time of installation and they shall be planted approximately 8 feet on center.
- 6.11. Evergreen trees shall be installed along that portion of the internal public street that is generally depicted on Sheet RZ-2 of the Rezoning Plan. The evergreen trees shall each be 4 to 6 feet in height at the time of installation and they shall be planted approximately 15 feet on center.
- 6.12. In the event that existing willow oak trees located along the Site's frontage on Rea Road are removed or killed as a result of the development of the Site, Petitioner shall plant a replacement willow oak tree along the Site's frontage on Rea Road for each existing willow oak tree that is removed or killed.

- 6.13. Any parking located between buildings and public streets and/or a multi-use path shall be screened in accordance with the requirements of the Ordinance.
- 6.14. A crepe myrtle tree shall be installed on the Site on each side of each vehicular entrance into the Site.

7. ENVIRONMENTAL FEATURES

- 7.1. The existing pond located on the Site shall be preserved and maintained. At the option of Petitioner, the pond may be enlarged.
- 7.2. Petitioner shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance.
- 7.3. Petitioner shall work in good faith with Mecklenburg County and the City of Charlotte Storm Water Services to address an existing storm water issue on Elm Lane adjacent to a parcel of land owned by Mecklenburg County that is designated as Tax Parcel No. 225-021-03 (the "County Parcel"). More specifically, Petitioner shall either (i) divert the storm water flowing to the County Parcel from the Site to the existing pond on the Site or (ii) improve the existing 15 inch storm water pipe located on the County Parcel to increase its capacity to 24" and install an on-site water line. Which option is utilized shall be determined in coordination with Mecklenburg County, the City of Charlotte Storm Water Services, CDOT and/or NCDOT and any other applicable governmental authorities. The implementation of either of these options is subject to the approval of all applicable governmental authorities and agencies, including, without limitation, Mecklenburg County, the City of Charlotte Storm Water Services and CDOT and/or NCDOT.
- 7.4. For land disturbing activities occurring on the Site that exceed 10% built-up area, peak control shall be installed for the 10 year and 25 year, 6 hour storm and additional peak control provided for the appropriate storm frequency (i.e., 50 or 100 year, 6 hour) as determined by the Storm Water Administrator based on a downstream flood analysis provided by Petitioner.
- 7.5. Development of the Site shall comply with the applicable requirements of the City of Charlotte Tree Ordinance. Petitioner commits to preserving a minimum of 32 percent of the Site as tree save areas in accordance with the terms of the City of Charlotte Tree Ordinance.
- 7.6. The locations of the tree save areas are generally depicted on the Rezoning Plan.
- 7.7. A minimum 75 foot wide tree save area shall be established along the Site's frontage on Elm Lane as generally depicted on the Rezoning Plan.
- 7.8. As noted above in paragraph 1.5, the development of the Site shall be considered to be a planned/unified development. Accordingly, the tree save requirements of the City of Charlotte Tree Ordinance shall be calculated and satisfied over the entire Site, rather than within each individual Development Area. As a result, each individual Development Area shall not be required to meet the tree save requirements of the City of Charlotte Tree Ordinance provided that the Site as a whole meets such tree save requirements.
- 7.9. Development within any SWIMPPSCO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Stream Delination Reports are subject to review and approval by Charlotte-Mecklenburg Storm Water Services.
- 7.10. 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. OPEN SPACE/AMENITIES/GREENWAY CONNECTION

- 8.1. Amenities for the residents shall be provided on the Site and shall include, at a minimum, a swimming pool, a fitness center, trails, benches and a pond.
- 8.2. As generally depicted on Sheet RZ-2 of the Rezoning Plan and subject to the terms of paragraphs 6.4.1 and 6.4.2 above, Petitioner shall construct and install a minimum 12 foot wide multi-use path within the Site that will provide a pedestrian connection through the Site from Elm Lane and Rea Road to the 8 foot wide elevated pedestrian connection from the Site to the adjacent Four Mile Creek Greenway (described below). This minimum 12 foot wide multi-use path shall be owned and maintained by Petitioner (or its successors in interest), and it shall be located in a sidewalk utility easement to allow the public use of the same.
- 8.3. Prior to the first to occur of (i) the issuance of the first certificate of occupancy for the last building constructed in Development Area A or (ii) the issuance of the first certificate of occupancy for the last building constructed in Development Area B and subject to the approval of Mecklenburg County and any other applicable governmental agencies and authorities and the donation of any required easements from Mecklenburg County to Petitioner, Petitioner shall construct and install an 8 foot wide elevated pedestrian connection on the Site to the adjacent Four Mile Creek Greenway in the general location depicted on Sheet RZ-2 of the Rezoning Plan. The actual location of this 8 foot wide elevated pedestrian connection shall be determined during the permitting process. In the event that Petitioner cannot obtain all required approvals and permits or the donation of any easements from Mecklenburg County required to construct and install the 8 foot wide elevated pedestrian connection as proposed, then Petitioner shall have no obligation to construct and install the 8 foot wide elevated pedestrian connection.
- 8.4. The 8 foot wide elevated pedestrian connection shall meet the standards and specifications of Mecklenburg County.
- 8.5. The approval of Mecklenburg County and the donation of temporary and/or permanent easements by Mecklenburg County to Petitioner shall be required for any work on property owned by Mecklenburg County relating to the 8 foot wide elevated pedestrian connection.
- 8.6. Petitioner shall dedicate and convey to Mecklenburg County (or provide a permanent easement to Mecklenburg County over such area) that portion of Site on which the 8 foot wide elevated pedestrian connection shall be located. Mecklenburg County will own, maintain, repair and replace (as required) the 8 foot wide elevated pedestrian connection.
- 8.7. Pedestrian connections from the buildings located on the Site to the minimum 12 foot wide multi-use path described above in paragraph 8.2 shall be provided in various locations on the Site. The number and locations of these pedestrian connections shall be determined by Petitioner during the permitting process.

9. LIGHTING

- 9.1. All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards and landscape lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the site.
- 9.2. The maximum height of any freestanding lighting fixture installed on the Site after the approval of this Rezoning Petition shall be 15 feet.
- 9.3. Any lighting fixtures attached to the buildings to be located on the Site shall be decorative, capped and downwardly directed. "Wall-pak" type lighting fixtures may not be installed on any building to be located on the site.
- 9.4. Subject to the approval of Duke Energy and any applicable governmental authorities, street lights installed along the internal public street shall use a decorative head on a direct burial fiberglass pole.

10. ELECTRICAL SERVICE

- 10.1. On-site power lines serving the uses located on the Site shall be located underground.
- 10.2. On-site transformers located at grade will be screened from view from adjacent streets and adjacent parcels.

11. CONSTRUCTION HOURS

- 11.1. Exterior construction activities may only be conducted on the Site daily from 7 AM to 7 PM.

12. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- 12.1. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- 12.2. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

DEVELOPMENT STANDARDS

PETITION NO. RZP-2022-121

CORPORATE CERTIFICATIONS
NC PE: C-2630 NC LA: C-263
SC ENG: NO.3599 SC LA: NO.211

Project Manager: MDL

Drawn By: ENL

Checked By: KRT

Date: 06/28/2022

Project Number: 21074

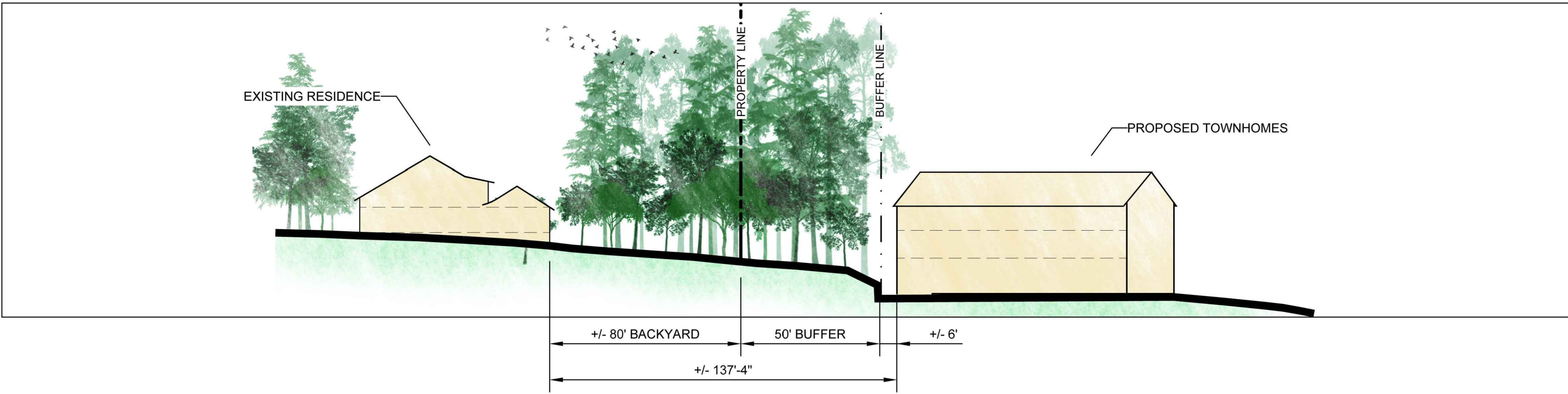
Sheet Number:

RZ-4

REVISIONS:

No.	Date	By	Description
1	2/13/23	ENL	RESPONSE TO CITY COMMENTS
2	8/14/23	ENL	BLDG. LAYOUT REDESIGN & COMMENT RSPNSE.
3	9/11/23	ENL	RESPONSE TO CITY COMMENTS
4	10/16/23	ENL	RESPONSE TO CITY COMMENTS
5	04/18/24	ENL	COMMUNITY FEEDBACK & COMMENT RSPNSE.
6	05/20/24	ENL	COMMUNITY FEEDBACK & COMMENT RSPNSE.

SECTION VIEW

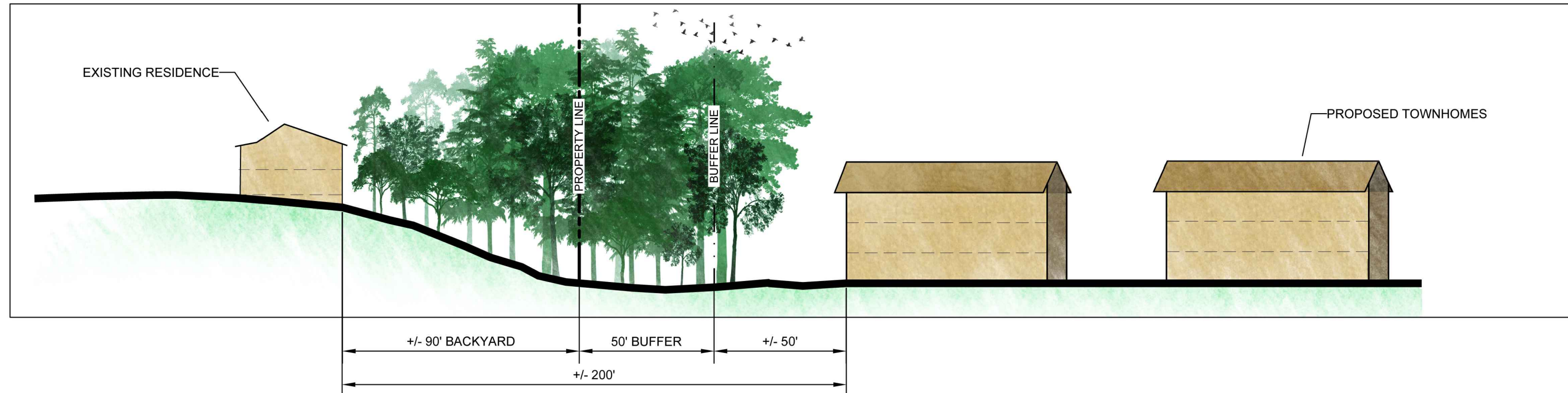


PLAN VIEW

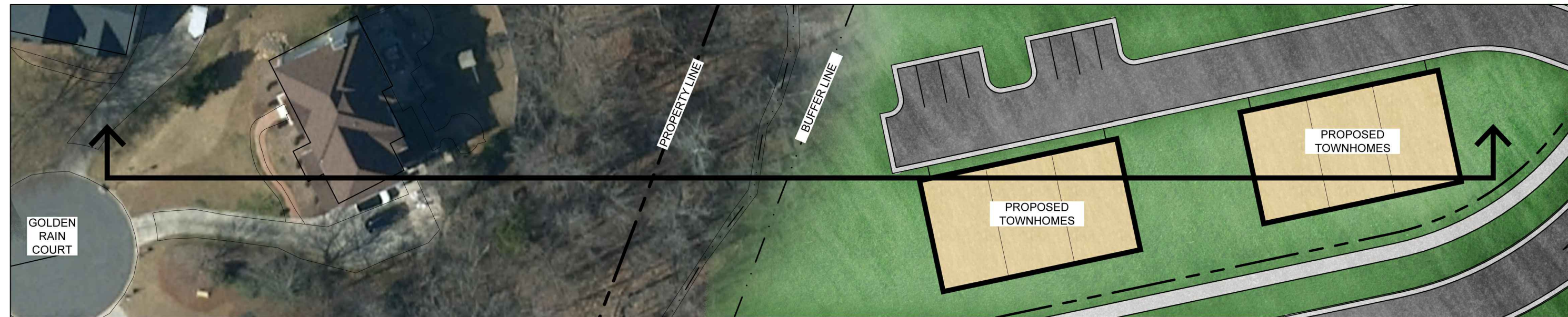


1 EASTERN SECTION
RZ-5 SCALE: 1" = 40'

SECTION VIEW



PLAN VIEW



1 WESTERN SECTION
RZ-5 SCALE: 1" = 40'

DISCLAIMER FOR EACH SECTION:

This Site Section is provided solely for the purpose of illustrating how a certain point along the southern boundary of the Site may relate to the relevant adjacent parcel of land to the south of the Site after the development of the Site in accordance with the Rezoning Plan. This Site Section is not based on a final grading analysis or engineered drawings and as a result, the actual relationship between the depicted point on the Site and the relevant adjacent parcel of land to the south of the Site may vary from the Site Section.

REVISIONS:

No.	Date	By	Description
4	10/16/23	ENL	RESPONSE TO CITY COMMENTS
5	04/18/24	ENL	COMMUNITY FEEDBACK & COMMENT RSPNSE.

SITE
SECTIONS

PETITION NO. RZP-2022-121

CORPORATE CERTIFICATIONS
NC PE: C-2830 NC LA: C-253
SC ENG: NO. 3599 SC LA: NO. 211

Project Manager: MDL

Drawn By: ENL

Checked By: KRT

Date: 06/28/2022

Project Number: 21074

Sheet Number:

RZ-5