

CONDITIONS OF DEVELOPMENT
FEBRUARY 04, 2024

SITE DEVELOPMENT DATA
 A. SITE ACRES: 4.22 ACRES
 B. TAX PARCELS INCLUDED IN REZONING: 025-051-02, -025-051-03 AND 025-051-06
 C. EXISTING ZONING (INCLUDING OVERLAYS AND VESTINGS): OFC AND MUDD (CD)
 D. PROPOSED ZONING (INCLUDING OVERLAYS AND VESTINGS): ML-1 (CD)
 E. MAXIMUM DEVELOPMENT: UP TO 350,000 SF OF GROSS FLOOR AREA, AS FURTHER LIMITED BELOW.
 F. MAXIMUM BUILDING HEIGHT: AS PERMITTED BY THE UDO

I. GENERAL PROVISIONS
 A. THESE DEVELOPMENT STANDARDS FORM PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY LINCOLN PROPERTY COMPANY (THE "PETITIONER") TO ACCOMMODATE AN INDUSTRIAL DEVELOPMENT ON THAT APPROXIMATELY 44-ACRE SITE LOCATED AT THE SOUTHWEST INTERSECTION OF OLD STATESVILLE ROAD AND VANCE DAVIS DRIVE. MORE PARTICULARLY DESCRIBED AS TAX PARCEL NUMBERS 025-051-02, 025-051-03, AND 025-051-06 (THE "SITE").
 B. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE ACCOMPANYING REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE UNIFIED DEVELOPMENT ORDINANCE (THE "UDO"). THE REZONING PLAN IS INTENDED TO REFLECT MAXIMUM DEVELOPMENT RIGHTS AND THE ARRANGEMENTS AND LOCATIONS OF ACCESS POINTS.
 C. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE UDO FOR THE ML-1 ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

II. PERMITTED USES AND MAXIMUM DEVELOPMENT
 THE SITE MAY BE DEVELOPED WITH UP TO 350,000 SQUARE FEET OF GROSS FLOOR AREA OF WAREHOUSING, WAREHOUSE DISTRIBUTION, MANUFACTURING, OFFICE, AND ALL OTHER INDUSTRIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE ML-1 ZONING DISTRICT.

IN NO EVENT SHALL THE FOLLOWING USES BE PERMITTED:
 • AGRICULTURE - INDUSTRIAL PROCESSES
 • ADULT USE
 • ANIMAL CREMATORIALS
 • VEHICLE REPAIR FACILITY, MAJOR OR MINOR
 • BENEFICIAL FILL SITES
 • CAR WASHES
 • CREMATORY FACILITIES
 • DRY CLEANING AND LAUNDRY ESTABLISHMENTS
 • HELIPORTS AND HELISTOPS
 • SHOOTING RANGE, INDOOR
 • CORRECTIONAL FACILITY
 • CEMETERIES
 • LANDFILLS, INCLUDING LAND CLEARING AND INERT DEBRIS LANDFILLS AND WASTE MANAGEMENT FACILITIES
 • QUARRIES
 • RACEWAY AND DRAGSTRIPS
 • RAILROAD FREIGHT TERMINALS AND YARDS
 • STADIUMS AND ARENAS OF NO MORE THAN 8,000 SEATS
 • DATA CENTER

III. TRANSPORTATION
 A. VEHICULAR ACCESS TO THE SITE WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. FINAL LOCATIONS OF SUCH ACCESS POINTS TO BE DETERMINED IN COORDINATION WITH CDOT/NCOTD DURING THE PERMITTING PHASE OF DEVELOPMENT. A PRIVATE ROAD BUILT TO PUBLIC STANDARDS ALONG OLD STATESVILLE ROAD SHALL BE GENERALLY ALIGNED WITH LIBERTY CROSSING AS GENERALLY DEPICTED ON THE REZONING PLAN, SUBJECT TO CDOT/NCOTD COORDINATION.
 B. A RIGHT-OF-WAY ENCROACHMENT AGREEMENT IS REQUIRED FOR THE INSTALLATION OF ANY NON-STANDARD ITEMS (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.
 C. WHERE NECESSARY, THE PETITIONER SHALL DEDICATE AND CONVEY IN FEE SIMPLE ALL RIGHTS-OF-WAY TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. CDOT REQUESTS RIGHT-OF-WAY SET AT TWO (2) FEET FROM THE BACK OF SIDEWALK WHERE FEASIBLE.
 D. UNLESS OTHERWISE STATED HEREIN, ALL TRANSPORTATION IMPROVEMENTS SHALL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE FIRST BUILDING CERTIFICATE OF OCCUPANCY FOR THE SITE.
 E. ALL PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND NCOTD, AS APPLICABLE. TO THE ROADWAY IMPROVEMENTS WITHIN THEIR RESPECTIVE ROAD SYSTEM AUTHORITY. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE BROAD NORTH WESTERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP, JOINT CDOT/OTHER PUBLIC SECTOR PROJECT SUPPORT, OR OTHER ARRANGEMENTS.
 F. PETITIONER SHALL COORDINATE WITH CDOT/NCOTD ON THE MULTIMODAL ACCESSABILITY AND REQUIRED MITIGATION POINTS, TO BE FURTHER OUTLINED DURING LAND DEVELOPMENT.
 G. PETITIONER SHALL COORDINATE WITH CDOT/NCOTD TO IMPLEMENT THE FOLLOWING TRANSPORTATION IMPROVEMENTS AS SUGGESTED IN THE TRAFFIC IMPACT STUDY (TIS):
 i. AT THE INTERSECTION OF OLD STATESVILLE ROAD AND LIBERTY CROSSING DRIVE/ACCESS "A" (UNSIGNALIZED):
 1. ONE EGRESS LANE (AN EASTBOUND SHARED LEFT/THRU/RIGHT LANE) ON ACCESS "A".
 2. RE-MARK THE EXISTING PAINTED MEDIAN TO PROVIDE A NORTHBOUND LEFT TURN LANE WITH 100 FEET OF STORAGE ON OLD STATESVILLE ROAD.
 3. CONSTRUCT A SOUTHBOUND RIGHT TURN LANE WITH 100 FEET OF STORAGE ON OLD STATESVILLE ROAD.
 4. PROVIDE A MINIMUM 100-FOOT INTERNAL PROTECTED STEM ON ACCESS "A".
 ii. AT THE INTERSECTION OF OLD STATESVILLE ROAD AND INDEPENDENCE HILL ROAD/ACCESS "B" (SIGNALIZED):
 1. ONE INGRESS AND TWO EGRESS LANES (AN EASTBOUND SHARED THRU/RIGHT LANE AND LEFT TURN LANE WITH 100 FEET OF STORAGE) ON ACCESS "B".
 2. RE-MARK THE WESTBOUND RIGHT TURN LANE TO A SHARED THRU/RIGHT LANE WITH 25 FEET OF STORAGE ON INDEPENDENCE HILL ROAD.
 3. CONSTRUCT A NORTHBOUND LEFT TURN LANE WITH 100 FEET OF STORAGE ON OLD STATESVILLE ROAD.
 4. CONSTRUCT A DE-FACTO SOUTHBOUND LEFT TURN LANE WITH 100 FEET OF STORAGE ON OLD STATESVILLE ROAD.
 5. CONSTRUCT A SOUTHBOUND RIGHT TURN LANE WITH 100 FEET OF STORAGE ON OLD STATESVILLE ROAD.
 6. IMPLEMENT PERMITTED AND PROTECTED PHASING FOR THE WESTBOUND LEFT TURN LANE ON INDEPENDENCE HILL ROAD.
 7. PROVIDE A MINIMUM 100-FOOT INTERNAL PROTECTED STEM ON ACCESS "B".
 iii. AT THE INTERSECTION OF VANCE DAVIS DRIVE & ACCESS "C" (UNSIGNALIZED):
 1. ONE INGRESS AND ONE EGRESS LANE (A NORTHBOUND SHARED LEFT/RIGHT LANE) ON ACCESS "C".
 2. PROVIDE A MINIMUM 100-FOOT INTERNAL PROTECTED STEM ON ACCESS "C".

IV. GREENWAYS, TRAILS AND BUFFERS
 A. THE PETITIONER SHALL PROVIDE A MINIMUM TWENTY-FIVE (25) FOOT WIDE CLASS B LANDSCAPE YARD. IF A FENCE IS PROVIDED IN ZONE 1 OF THE CLASS B LANDSCAPE YARD, THEN THE WIDTH OF ZONE 2 MAY BE REDUCED BY 25%.
 B. PETITIONER SHALL PROVIDE MECKLENBURG COUNTY PARK AND RECREATION DEPARTMENT A THIRTY-FIVE (35) FOOT EASEMENT, MEASURED FROM THE EXISTING TOP OF BANK, ON SITE FOR THE CONSTRUCTION AND MAINTENANCE OF A COUNTY GREENWAY AS GENERALLY DEPICTED ON THE REZONING PLAN. ACCESS SHALL BE PROVIDED TO THE FUTURE GREENWAY TRAIL AS GENERALLY LOCATED ON THE REZONING SITE PLAN. THIS DEDICATION MAY INCLUDE TREE SAVE AREAS AND BUFFERS BUT SHALL NOT INCLUDE STORMWATER BUFFERS.
 C. THE PARK AND TRAIL DEDICATION AREAS SHALL BE CONSIDERED PART OF THE UNIFIED DEVELOPMENT FOR THE SITE SO AS TO NOT REQUIRE BUFFERING BETWEEN THE PARK/TRAILS AND THE PROPOSED INDUSTRIAL DEVELOPMENT ON THE SITE.
 D. HERITAGE TREE SURVEY HAS BEEN PROVIDED AS A SEPARATE DOCUMENT.

V. ENVIRONMENTAL FEATURES
 A. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS 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.
 B. DEVELOPMENT WITHIN THE SW/PCSO BUFFER, IF PROVIDED, SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE-MECKLENBURG STORM WATER SERVICES AND MITIGATED IF REQUIRED BY CITY ORDINANCE. STREAM DELINEATION REPORTS ARE SUBJECT TO REVIEW AND APPROVAL BY CHARLOTTE STORM WATER SERVICES.
 C. THE PARK AND TRAIL DEDICATION AREAS SHALL BE CONSIDERED PART OF THE UNIFIED DEVELOPMENT FOR THE SITE SO AS TO NOT REQUIRE BUFFERING BETWEEN THE PARK/TRAILS AND THE PROPOSED INDUSTRIAL DEVELOPMENT ON THE SITE.

VI. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
 A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE UDO, 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.
 B. 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 OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

CONTRACTOR RESPONSIBILITY
 1. CONTRACTOR IS RESPONSIBLE FOR PLACEMENT OF ALL BARRICADES, SIGNAGE, FLAGGERS, SHORING, ETC., TO ENSURE THE SAFETY OF WORKERS AND THE PUBLIC.
 2. ALL PAVEMENT CUTS SHALL BE REPLACED ACCORDING TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND CHARLOTTE WATER.

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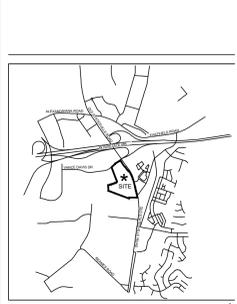
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LINCOLN PROPERTY COMPANY

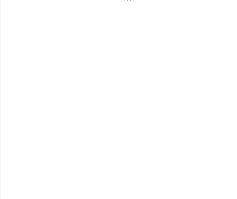
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REVISIONS:

NO.	DATE	DESCRIPTION
1	10.13.25	STAFF COMMENTS
2	01.12.26	STAFF COMMENTS
3	02.09.26	STAFF COMMENTS

North Carolina