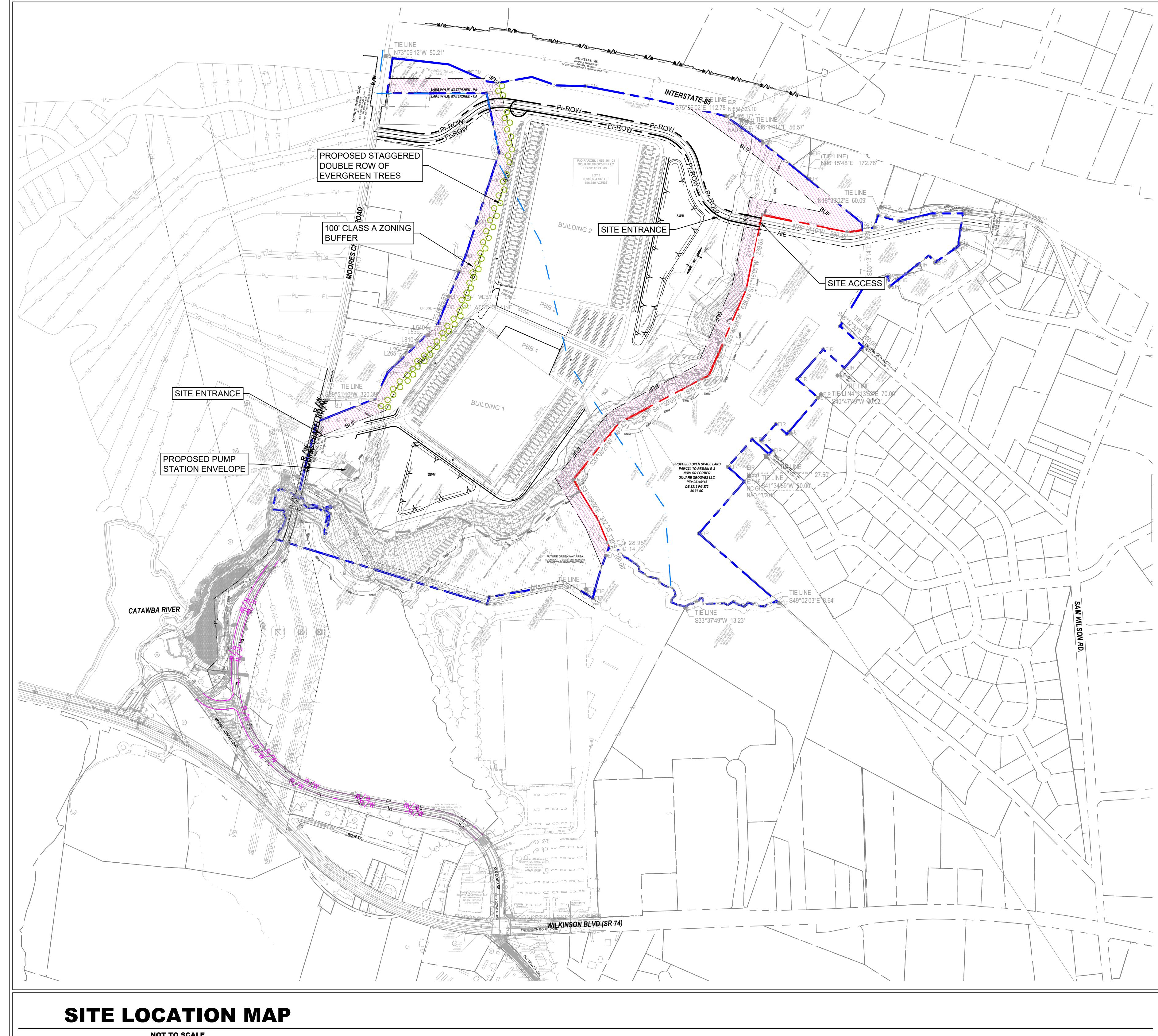


REZONING PACKAGE for DIGITAL CHARLOTTE MOORES CHAPEL ROAD

12899 MOORES CHAPEL ROAD
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA



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Sheet No.	Sheet Title	REV. No.
RZ-01	COVER SHEET	
RZ-02	OVERALL SITE PLAN	
RZ-03	MOORES CHAPEL ROAD REALIGNMENT	

PROJECT CONTACT INFORMATION

ARCHITECT: CARLSON DESIGN GROUP 5550 PEACHTREE PARKWAY SUITE #125 PEACHTREE CORNERS, GA 30092 PHONE (770) 217-7119 CONTACT: KIRK DUNN, AIA	SURVEYOR: BURTON ENGINEERING ASSOCIATES, INC. 5950 FAIRVIEW ROAD SUITE #100 CHARLOTTE, NC 28210 PHONE (704) 553-8881 info@burtoneng.com CONTACT: J. MARTIN ZOUTEWELLE, PLS
ENGINEER: KIMLEY-HORN AND ASSOCIATES, INC. 200 SOUTH TRYON STREET SUITE 200 CHARLOTTE, NORTH CAROLINA 28202 (704) 333-5131 TEL CONTACT: AUSTIN WATTS, P.E.	PROPERTY OWNER AND DEVELOPER DIGITAL REALTY 10 POST OFFICE SQUARE SUITE 500 BOSTON, MA 02109 (857) 366-9947 TEL CONTACT: GARY BUONO

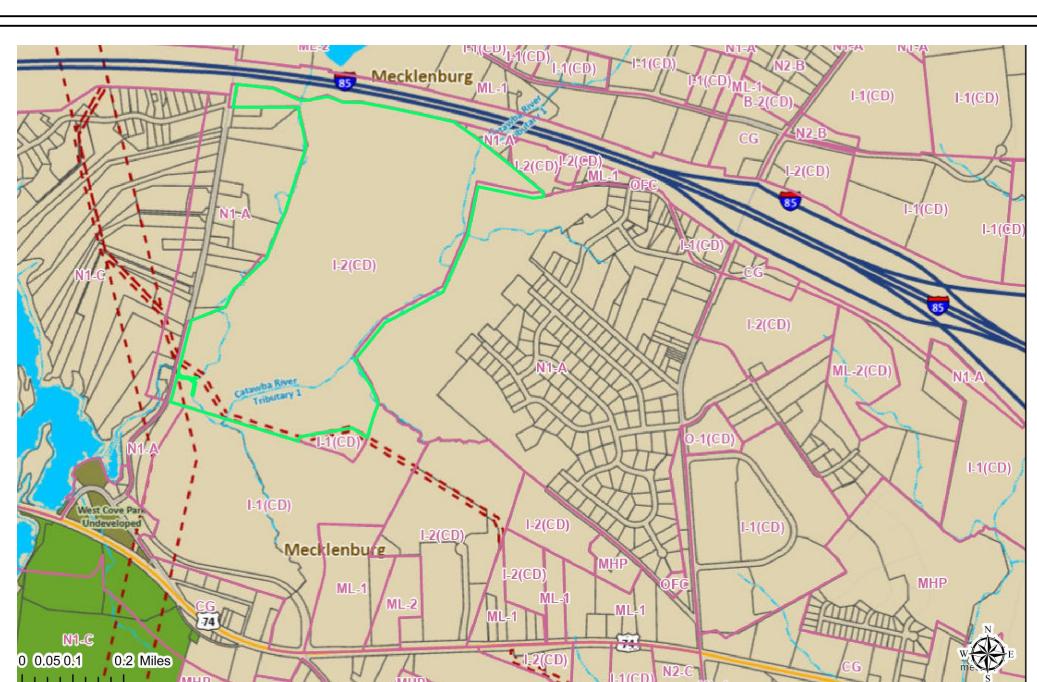
SITE DEVELOPMENT DATA					
DEVELOPMENT DATA:	TAX PARCEL ID	06316101	LEGAL DESCRIPTION	INST # 2024082306	
			EXISTING ZONING	1-2(CD) (LLWPA & LLWCA)	
			PROPOSED ZONING	1-2(CD) (LLWPA & LLWCA)	
			TOTAL SITE AREA:	156.231+ ACRES	
			WATERSHED DISTRICT:	LOWER LAKE WYLIE PA & PC	
			WATERSHED RESTRICTIONS:	SITE SHALL MEET THE REQUIREMENTS OF THE ZONING ORDINANCE	
			EXISTING USE:	VACANT	
			PROPOSED USE:	DATA CENTER WITH OFFICES, EMPLOYEE PARKING, AND LOADING DOCKS. INCLUDES STORM WATER DETENTION. THE USES ALLOWED ON THE SITE WILL BE LIMITED TO THE USES SPECIFIED AS ALLOWED IN THE I-AND I-2 ZONING DISTRICT	
			MAX. GROSS SQUARE FEET OF DEVELOPMENT:	UP TO 1,530,000 SQ. FT OF GROSS FLOOR AREA OF INDUSTRIAL USES OR 3,000,000-SF OF DATA CENTER USE	
			MAX. BUILDING HEIGHT:	HEIGHT AS PERMITTED BY ORDINANCE AND WILL BE MEASURED AS DEFINED BY ORDINANCE	
			PARKING:	PARKING AS PERMITTED BY ORDINANCE FOR THE PROPOSED USE.	

KIMLEY-HORN SHALL HAVE NO LIABILITY WHATSOEVER FOR ANY COSTS ARISING OUT OF THE CLIENT'S DECISION TO OBTAIN BIDS OR PROCEED WITH CONSTRUCTION BEFORE KIMLEY-HORN HAS ISSUED FINAL, FULLY-APPROVED PLANS AND SPECIFICATIONS. THE CLIENT ACKNOWLEDGES THAT ALL PRELIMINARY PLANS ARE SUBJECT TO SUBSTANTIAL REVISION UNTIL PLANS ARE FULLY APPROVED AND ALL PERMITS OBTAINED.

NOTICE:
ALL WORK AND MATERIALS SHALL CONFORM TO THE MOST CURRENT STANDARDS AND SPECIFICATIONS AS PROVIDED IN THE:
MECKLENBURG COUNTY LAND DEVELOPMENT STANDARDS MANUAL
CHARLOTTE MECKLENBURG STORM WATER DESIGN MANUAL
NCDOT STANDARDS SPECIFICATIONS FOR ROADS AND STRUCTURES OR THE MORE RESTRICTIVE OF ANY STANDARDS THAT CONFLICT.

GEOMETRIC CONTROL
REFERENCE: REZONING PETITION #2020-049
#2024-XXX
CHARLOTTE
NORTH CAROLINA
NOT TO SCALE

PRELIMINARY



REVISIONS	DATE	BY
No.		

Kimley-Horn

© 2024 KIMLEY-HORN AND ASSOCIATES, INC.
200 SOUTH TRYON STREET, SUITE 200, CHARLOTTE, NC 28202
PHONE: 704-333-5131
WWW.KIMLEY-HORN.COM
NC LICENSE #F-0102

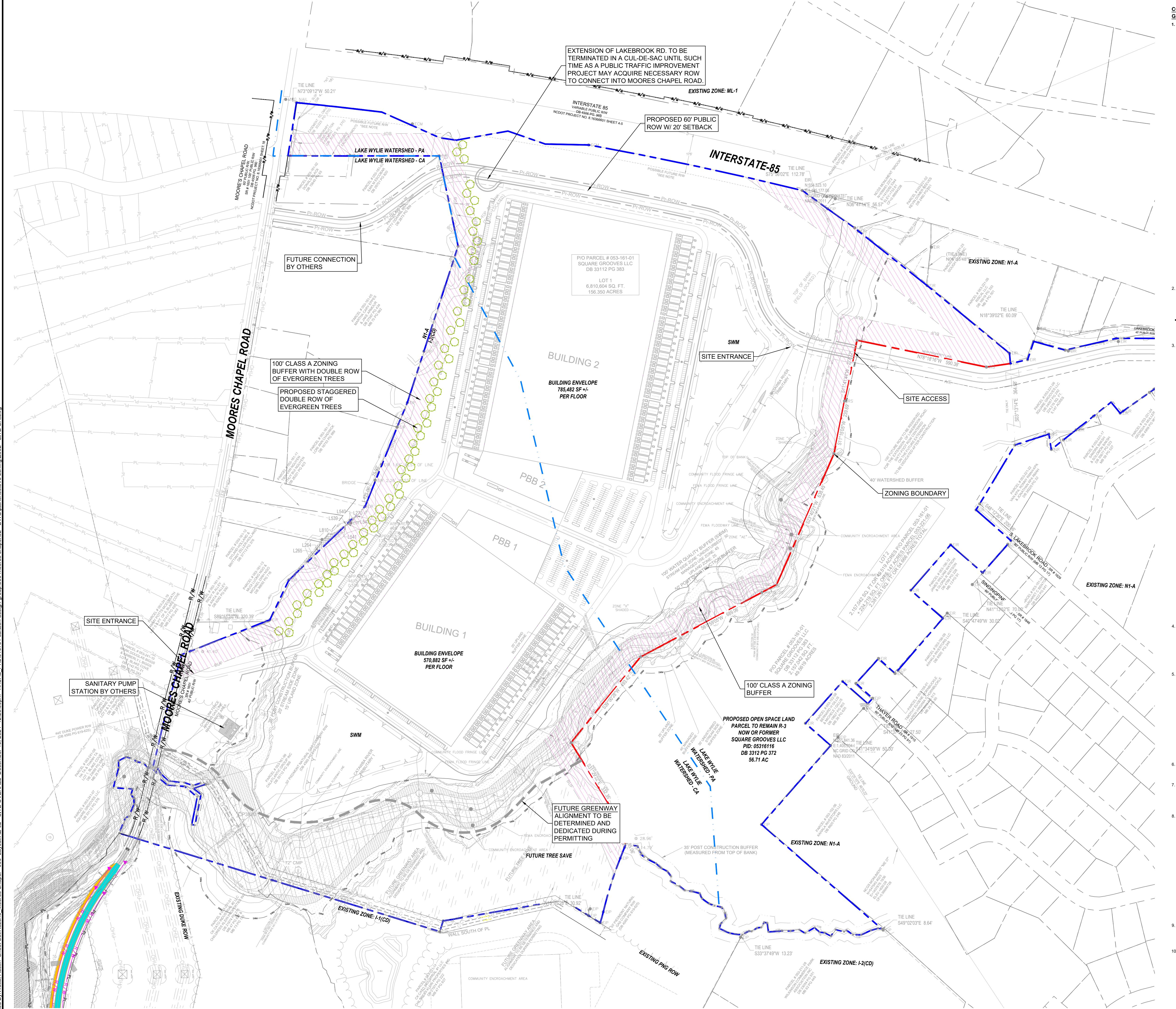
PRELIMINARY

NOT FOR CONSTRUCTION

COVER SHEET

PROJECT
DIGITAL CHARLOTTE MOORES
CHAPEL ROAD
#2024-XXX
CHARLOTTE
NORTH CAROLINA
NOT TO SCALE





CONDITIONAL ZONING NOTES (ITEMS 1a, 1f, AND 2a MODIFIED FROM THE APPROVED SQUARE GROOVES REZONING)

- General Provisions:
- Site Location.** These Development Standards form the Site Plan Amendment associated with the Rezoning Petition filed by Digital Moonrise, LLC (the "Petitioner") to accommodate industrial development on an approximately 150-acre site located along Moores Chapel Road, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Number 053-161-01.
- Zoning District/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 I-2 (LLWPA & LLWPCA) zoning classification shall govern all development taking place on the Site.
- Graphics and Alterations.** Any schematic depictions of the building envelopes, pad areas, sidewalks, driveways, streets, and other site elements on the Development Site Elements depicted on the Development Site Elements of the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. Any layouts, locations, sizes and formations of the Development Site Elements depicted on the Rezoning Plan are graphic representations of the Development Site Elements. 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. Site plan changes made during the design and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representation 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 changes may include, but are not limited to:
 - (i) minor and don't materially affect the overall intent depicted on the Rezoning Plan; such as minor modifications to the configurations of any building envelope, driveways and parking area dimensions and the like as long as the modifications maintain the general building/parking orientation and character of the development generally depicted on the Rezoning Plan. The Petitioner or developer will determine if such minor modifications are allowed per this amendment, and if so, determine that the alterations do not affect the area 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.
- Planned/Unified Development.** The Site shall be viewed in the aggregate as a planned/unified development plan as to the layout and placement of the Site generally depicted on the Rezoning Plan. A such planned/unified development plan height and density standards for the zoning district(s) will not be imposed between improvements and other site elements located on the Site. The Petitioner and/or owner(s) of the Site reserve the right to subdivide utilizing similar building footprint standards, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to. All site plan requirements will be regulated by any development limitations set forth in Section 2 below as to the Site as taken as a whole and not individual portions or lots located therein.
- Number of Buildings Principal and Accessory.** Notwithstanding the number of building(s) shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site will be limited to five (5). Accessory buildings and structures located on the Site shall not be considered in any layout or placement of the Site generally depicted on the Rezoning Plan. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and design as the principal building(s). In the event more than one principal building is developed on the Site, the Site shall adhere to the Subdivision Ordinance.
- Development Phasing.** The proposed square footage may be developed in up to two phases in any combination of building area up to the allowable limit.
- Permitted Uses, Development Area Limitations:**
 - a. The Site may be developed with up to 1,530,000 square feet of gross floor area of warehousing, warehouse distribution, manufacturing, office, and industrial uses as permitted by right or 3,000,000 square feet for a telecommunications and data storage facility, under prescribed conditions together with accessory uses, all as allowed in the I-1 zoning district and/or with the following use allowed in the I-2 zoning district, subject to the limitations described above.
- Outdoor Storage.** For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: structured parking facilities and/or loading dock areas (open or enclosed).
- Transportation Improvements and Access:**
 - a. Access to the Site will be provided via Chapel Road and Lakebrook Road as generally depicted on the Rezoning Plan. The Site generally depicted on the Rezoning Plan will be provided with access to the Site and the driveways on the Site may be modified from the elements shown on the Rezoning Plan.
 - b. The Petitioner will provide CDOT and NCDOT Traffic Impact Study (TIS) that analysis the operation of the intersection of: (i) Wilkinson Boulevard and NB I-85 Service Road; (ii) Sam Wilson Road and NB I-85 Ramps; (iii) NB I-85 Ramps and Centergrove Ln I-85 Service Road; (iv) Wilkinson Boulevard and NB I-85 Ramps; (v) NB I-85 Ramps and Centergrove Ln I-85 Service Road; (vi) Sam Wilson Road and NB I-85 Ramps. The TIS will be submitted to the City of Charlotte for review and approval. All required improvements at the intersection of Wilkinson Boulevard and NB I-85 Service Road will be substantially completed prior to the issuance of the 1st certificate of occupancy. Any improvements required at the intersection of Wilkinson Boulevard and NB I-85 Service Road must be substantially completed before Lakebrook Road is connected to the Site.
 - c. The Petitioner will re-align Moores Chapel Road as generally depicted on the Rezoning Plan. This re-alignment will be constructed and substantially completed prior to the issuance of the 1st certificate of occupancy for the Site. The re-alignment and the cross-section of the re-alignment of Moores Chapel Road will be subject to review and approval by CDOT and the City of Charlotte. The location of the proposed 12-foot multi-use paths that are to be constructed as part of re-aligned Moores Chapel Road will be located so that when turn lanes are added along Moores Chapel Road the 12-foot MUP will not need to be relocated.
 - d. The Petitioner will work with NCDOT and CDOT to provide a connection between Moores Chapel Road and Moores Chapel Loop Road.
 - e. The Petitioner will extend Lakebrook Road as a public street to provide access into the Site from its current terminus as depicted on the Rezoning Plan. The Site will be developed as a public street and will be included in the Urban Grid.
 - f. The Petitioner will make a connection to Lakebrook Road into the Site until the TIS for the Site has been completed, and either (a) a building permit for more than 500,000 square feet of development has been applied for, or (b) sooner if required by the approved TIS for the Site. The Petitioner will improve existing Lakebrook to have a minimum of 28 feet of pavement (12-foot lanes with a two (2) foot shoulder).
 - g. The Petitioner will work with CDOT and NCDOT to improve existing Lakebrook Road as well as the intersection of Centergrove Road and Sam Wilson Road. (i) an eastbound left-turn lane on Centergrove Ln I-85 Service Road to Sam Wilson Road; (ii) a southbound right-turn lane on Sam Wilson Road to Centergrove Ln I-85 Service Road; (iii) a northbound left-turn lane on Sam Wilson Road to Centergrove Ln I-85 Service Road; (iv) turn lane storage lengths to be determined during the land development approval process. If any part of the intersection of NB I-85 and the Site one of the improvements described above is required, the Petitioner will propose the elements of NB I-85 and the intersection of NB I-85 and the Site. This improvement is not otherwise required. These improvements will be completed before Lakebrook Road is connected to the Site. As a result of the approved TIS, if additional transportation improvements are recommended, then the petitioner will construct to accommodate those improvements.
 - h. The Petitioner will provide a southbound left-turn lane and a northbound right-turn lane on Moores Chapel Road into the Site's access from Moores Chapel Road. The turn lane storage lengths will be determined during the land development approval process for the Site.
 - i. The Petitioner shall dedicate and convey 35 feet of right of way along the Site's frontage on Moores Chapel Road as measured from the existing centerline of Moores Chapel Road. The Petitioner will also provide a permanent sidewalk and utility easement to accommodate an eight (8) foot planting strip and a 12-foot multi-use path (MUP) along the Site's frontage on existing Moores Chapel Road. The easement will extend two (2) feet behind the location of the proposed 12' MUP to allow for maintenance and utilities.
 - j. The Petitioner shall dedicate and convey all rights-of-way within the limits of the Site to the City prior to the issuance of the Site's first building certificate of occupancy.
 - 4. Setbacks, Buffers and Screening:
 - a. A twenty (20) foot building and parking setback will be provided along Moores Chapel Road and Lakebrook Road as defined by Ordinance.
 - b. A 100-foot Class A Buffer will be provided as generally depicted on the Rezoning Plan.
 - c. Mechanical Equipment Screening, HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties or proposed public streets at grade.
 - d. Dumpster Screening. Dumpster areas and recycling areas will be enclosed by a solid wall or fence.
 - 5. Stormwater Management:
 - a. The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance. 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 to accommodate actual storm water treatment requirements and natural soil discharge points.
 - b. The Petitioner will work with Mecklenburg County and City & County of Charlotte Stormwater Services Agency Storm Water Services to implement the additional stormwater measures during the development of the Site.
 - (i) Implement a continuous monitoring device(s) downstream of the Site to monitor turbidity 24 hours/day during construction and provide alerts to erosion control inspectors if exceedances occur.
 - (ii) Participate in bimonthly monitoring of downstream cove before and after construction to observe and document any impacts.
 - (iii) Coordinate with City of Charlotte Erosion and Sediment Control to implement enhanced erosion control, as necessary, to minimize down-stream impacts of erosion while the Site is under development.
 - c. The Site will comply with Tree Ordinance.
 - 6. Lighting:
 - a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
 - 7. Greenway Dredging Along Streambed Aligned Along Southern Site Boundary:
 - a. The Petitioner will work with Mecklenburg County and City & County of Charlotte Stormwater Services Agency for the dredging of a greenway in the portion of 100-foot SWIM buffer associated with the stream extending from Moores Chapel Road to the northeast and located along the Site's southern boundary, this area is generally depicted on the Rezoning Plan. This area will be dedicated and conveyed to Mecklenburg County prior to the issuance of the first certificate of occupancy for the Site.
 - 8. Open Space Parcel Commitment:
 - a. Relocation is required to move approximately 55-acre parcels adjacent and to the east of the Site as generally depicted on Rezoning Plan RZ-02 and RZ-102 (the "Open Space Land"). The Open Space Land is owned by Square Grooves, LLC (which includes the Petitioner and the "Open Space Land Owner") which includes affiliates of the Petitioner as members of the LLC. Petitioner and Open Space Land Owner have agreed, upon approval of this Rezoning, to set aside the Open Space Land for a period of four (4) years for conveyance to the City or County or an acceptable designee that party is regularly engaged in the Open Space Land (such as the Catawba Land Conservancy). Such conveyance of the Open Space Land shall be for \$100 and the purpose of open space protection, green space, outdoor recreation and similar uses which may include, without limitation, hiking/biking trails and accessory uses such as parking areas, along with any utility easements for the Site and access to the Site over the portion of the Open Space Land accessed by Lakebrook Road and Moores Chapel Road. Use such easements, the City or County or other acceptable designee shall be responsible for maintenance, repair and any associated costs with the Open Space Land and the like. The commitment of the Petitioner and Open Space Owner as described above is set forth in that Petitioner's Rezoning Petition dated 12/10/2020 (the "Rezoning Plan"), which shall be recorded in Mecklenburg County within two (2) months of the Rezoning Approval. To encourage the enjoyment of the community benefits associated with the open space reservation described above, the reservation of the Open Space Land for conveyance shall end after the passage of the above-referenced four (4) year period, unless Petitioner and Open Space Land Owner agree to an extension of such period.
 - b. Amendments to the Rezoning Plan:
 - a. Any amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners or applicable parcels within the Site in accordance with the provisions herein and of Chapter 6 of the Ordinance.
 - c. 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 insure the benefit of Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

GRAPHIC SCALE IN FEET
0 100 200 400
NORTH
811
Know what's below.
Call before you dig.

PROJECT: DIGITAL CHARLOTTE MOORES
CHAPEL ROAD
#2024-XXX
REFERENCE: REZONING PETITION #2020-049
SHEET NUMBER: RZ-02
CHARLOTTE, NORTH CAROLINA

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200 SOUTH TRYON ST, SUITE 200, CHARLOTTE, NC 28202
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