

DEVELOPMENT STANDARDS

June 13, 2022

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by McCraney Property Company (the “Petitioner”) for an approximately 44.95 acre site located at the southwest quadrant of the I-85 and I-485 interchange, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the “Site”). The Site is comprised of Tax Parcel No. 055-531-03.

B. 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”).

C. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the I-1 zoning district shall govern the development and use of the Site.

D. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Alterations and modifications shall be in accordance with Section 6.207 of the Ordinance.

E. Future amendments to 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.

F. Pursuant to Section 1.110 of the Ordinance and Section 160D-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.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. Subject to the limitations set out below, the Site may be devoted to any use or uses allowed by right or under prescribed conditions in the I-1 zoning district, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the I-1 zoning district.

B. Notwithstanding the terms of paragraph 2.A above, the following uses shall be prohibited on the Site:

(1) Automobiles, truck and utility trailer rental.

(2) Automotive repair garages.

(3) Automotive service stations.

(4) Barber and beauty shops.

(5) Financial institutions.

(6) Eating, Drinking and Entertainment Establishments (Type 1 and Type 2).

(7) Retail establishments, shopping centers and business, personal and recreational services.

(8) Adult establishments.

C. A maximum of two principal buildings may be developed on the Site.

D. A total maximum of 335,000 square feet of gross floor area may be developed on the Site.

E. Notwithstanding the foregoing, of the allowed 335,000 square feet of gross floor area that may be developed on the Site, a maximum of 25 percent of such allowable gross floor area, or 83,750 square feet, may be devoted to office uses.

F. All buildings, parking areas and truck courts located on the Site shall be located in one of the two building and parking envelopes depicted on the Rezoning Plan. Minor adjustments to the locations of the building and parking envelopes shall be allowed during the permitting process.

3. TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access point are subject to any minor modifications required by the Charlotte Department of Transportation (“CDOT”) and/or the North Carolina Department of Transportation (“NCDOT”).

B. The alignments of the internal driveways and the vehicular circulation areas may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.

C. Petitioner shall improve South I-85 Service Road located between Sam Wilson Road and the Site as required by NCDOT. Any such improvements shall be coordinated with and approved by NCDOT during the permitting process.

- D. All transportation improvements set out in this Section 3 of the Development Standards shall be constructed and approved prior to the issuance of the first certificate of occupancy for a new building constructed on the Site.

E. Petitioner will dedicate via fee simple conveyance to NCDOT 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 on the Site. The dedicated right of way shall be set at two (2) feet behind the back of sidewalk where feasible.

F. 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 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 effort or other public sector project support.

4. STREETScape/BUFFERS

- A. Buffers shall be established on the Site as required by the Ordinance and as depicted on the Rezoning Plan, and such buffers shall conform to the standards of Section 12.302 of the Ordinance. Pursuant to the Ordinance, Petitioner may reduce the required width of any buffer by 25% by installing a berm that meets the standards of Section 12.302(8A) of the Ordinance.

B. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas accordingly.

5. ENVIRONMENTAL FEATURES

- A. Development of the Site shall comply with the requirements of the City of Charlotte Tree Ordinance.

B. Petitioner shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance.

C. The location, size and type of any storm water management systems depicted on the Rezoning Plan are subject to review and approval with 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.

D. 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 plans for permitting and are not approved with rezoning decisions.

6. GREENWAY

- A. Prior to the issuance of the first certificate of occupancy for a new building constructed on the Site, Petitioner shall dedicate and convey to Mecklenburg County for future greenway purposes that portion of the 100 foot SWIM Buffer of Paw Creek located on the Site (the “Greenway Area”), which Greenway Area is depicted on the Rezoning Plan. Prior to the dedication and conveyance of the Greenway Area to Mecklenburg County, Petitioner shall have the right to install and locate utility lines through such Greenway Area and to reserve such easements over the Greenway Area that are necessary to maintain, repair and replace such utility lines, and to reserve such other easements as may be reasonably necessary in connection with the development of the Site as long as these easements and utility lines do not interfere with the construction and maintenance of the greenway. Any easements must be reviewed by Mecklenburg County prior to the dedication and conveyance of the Greenway Area to Mecklenburg County.

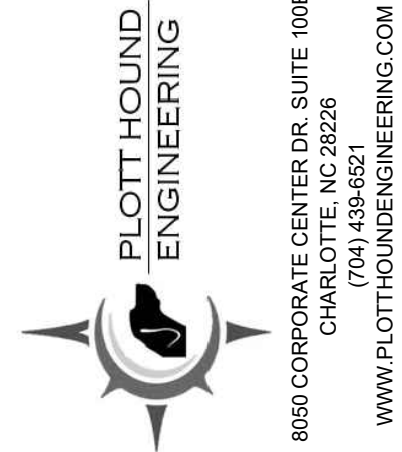
B. Petitioner shall work with the Mecklenburg County Park and Recreation Department on any crossing(s) of Paw Creek so that such crossing(s) can accommodate the future greenway trail.

7. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- A. 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.

B. 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.

C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



SOUTH 85 SERVICE ROAD
85 AT 485 - SW QUADRANT
CHARLOTTE, NC

DEVELOPMENT STANDARDS

BCL
ENG
BCL
DRAWN BY
12/6/2021
DATE

REVISIONS
I-6137022- REVISED PER CITY AND COUNTY COMMENTS

THIS DRAWING IS THE PROPERTY OF PLOTT HOUND ENGINEERING AND IS NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART. IT IS NOT TO BE USED ON ANY OTHER PROJECT AND IS TO BE RETURNED UPON REQUEST.

PROJECT NUMBER
21.33.001

RZ02
Sheet 2 of 2