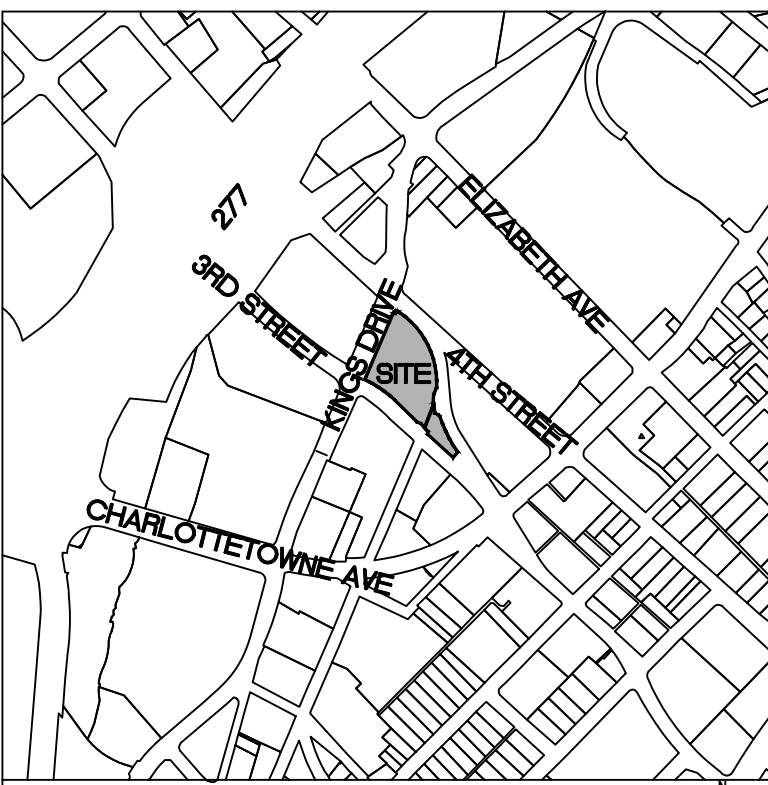




**REZONING PLAN SHEETS**

RZ1.0  
RZ2.0  
RZ3.0

EXISTING CONDITIONS  
REZONING SITE PLAN  
DEVELOPMENT NOTES

**LEGEND**

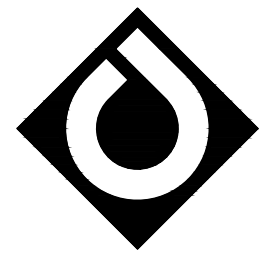
| SYMBOL |                            |
|--------|----------------------------|
|        | PROPERTY LINE/RIGHT-OF-WAY |
|        | EXISTING BUILDING          |
|        | GIS CONTOUR 1' INTERVAL    |

**REZONING SUMMARY**

|                              |                                                                                        |
|------------------------------|----------------------------------------------------------------------------------------|
| REZONING SUMMARY PETITIONER: | TRIBEK PROPERTIES, LLC<br>101 S KINGS DRIVE<br>CHARLOTTE, NC 28204                     |
| PROPERTY OWNER:              | SOUTHSTAR HOLDINGS - CROWN<br>CONCORD, LLC<br>101 S KINGS DRIVE<br>CHARLOTTE, NC 28204 |
| TAX PARCEL:                  | 125-107-01 & 125-105-27                                                                |
| EXISTING ZONING:             | B-2 & MUDD-CD                                                                          |
| PROPOSED ZONING:             | MUDD-O                                                                                 |
| GIS ACREAGE:                 | 2.07 AC                                                                                |
| IMPERVIOUS CALCULATIONS      |                                                                                        |
| IMPERVIOUS AREA 1978:        | 40,605.5 SF (45%)                                                                      |
| IMPERVIOUS AREA 2007:        | 55,885.3 SF (62%)                                                                      |
| IMPERVIOUS AREA 2021:        | 55,885.3 SF (62%)                                                                      |



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
- SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 CFR, PART 1926, SUBPART P, OR AS AMENDED.



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## TRIBEK PROPERTIES

101 SOUTH KINGS DR  
CHARLOTTE  
NORTH CAROLINA 28204

## 101 KINGS DRIVE REZONING PETITION 2021-044

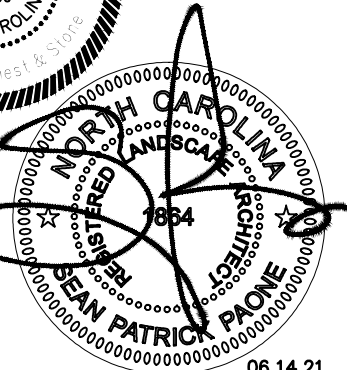
101 SOUTH KINGS DR  
CHARLOTTE  
NORTH CAROLINA 28204

## EXISTING CONDITIONS

Project No.  
4658

Issued  
02/10/21

Revised  
06/14/21



06.14.21

SCALE: 1"=40'  
0 20' 40' 80'

## RZ - 100

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NORTH CAROLINA 28204

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CHARLOTTE  
NORTH CAROLINA 28204

## Project No.

4658

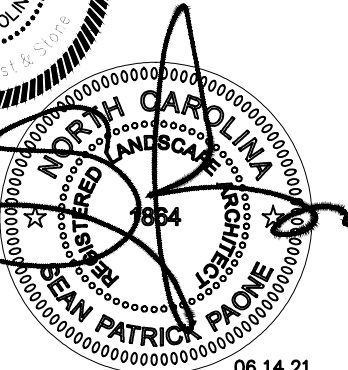
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Revised

6/14/2



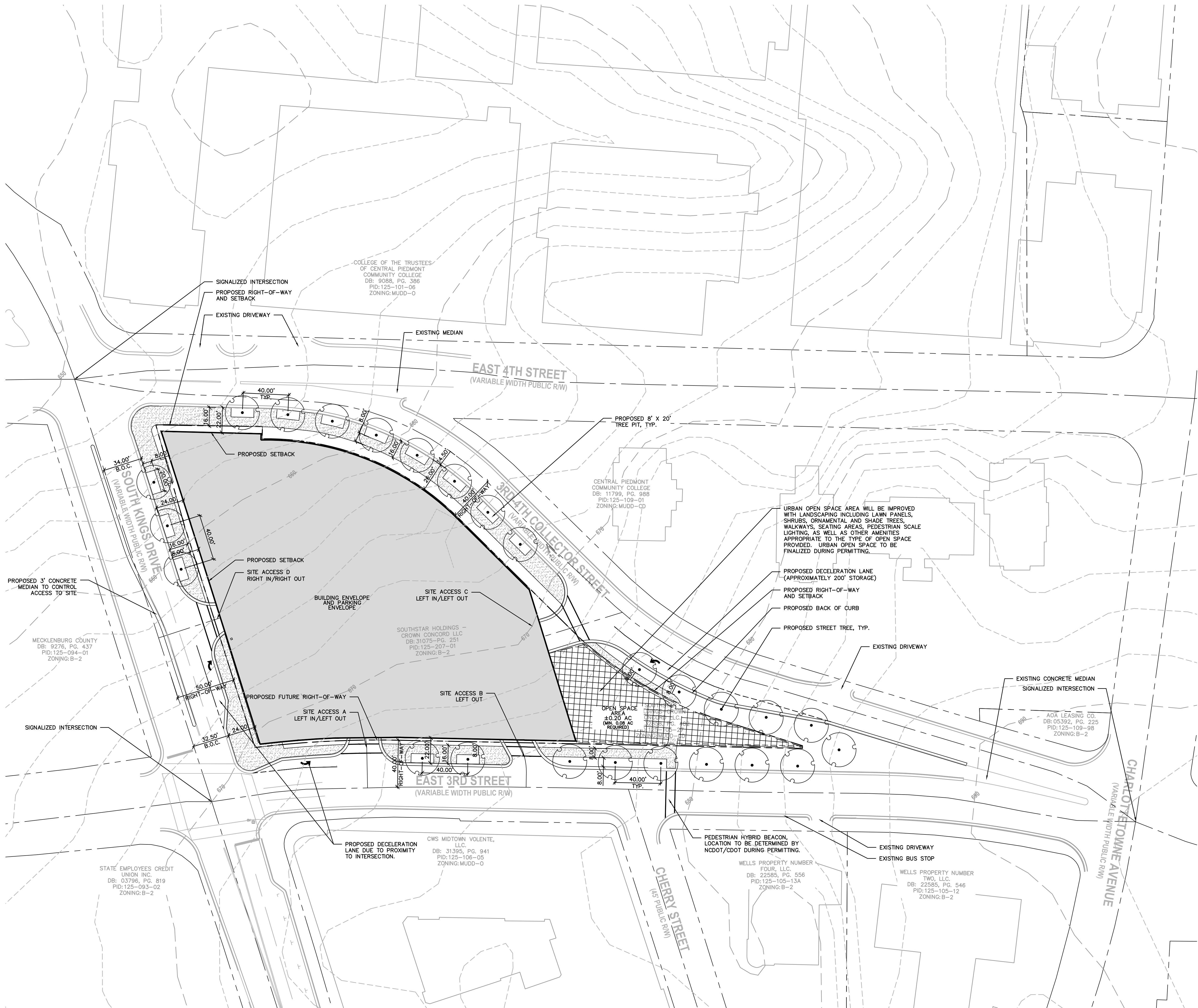
6.14.21

SCALE: 1"=40'

20' 40' 80'

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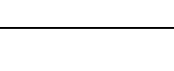
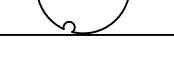
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## SURVEY DISCLAIMER

TOPOGRAPHIC OR "ALTA/NSPS LAND TITLE SURVEY" SURVEY  
ISSUE DATE MONTH 08, 2016. REVISED MONTH 07, 2020.  
PROVIDED BY R.B. PHARR & ASSOCIATES, P.A. 420  
HAWTHORNE LANE, CHARLOTTE, NC 28204, (704) 376-2186.

## LEGEND

| SYMBOL                                                                              |                                   |
|-------------------------------------------------------------------------------------|-----------------------------------|
|  | PROPERTY LINE/RIGHT-OF-WAY        |
|  | GIS CONTOUR 1' INTERVAL           |
|  | PROPOSED BUILDING ENVELOPE        |
|  | PARKING ENVELOPE                  |
|  | PROPOSED TREE (LOCATION MAY VARY) |
|  | OPEN SPACE AREA                   |

### **REZONING SUMMARY:**

PETITIONER: TRIBEK PROPERTIES, LLC.  
 PROPERTY OWNER: SOUTHSTAR HOLDINGS -CROWN  
 CONCORD, LLC  
 ZONING SITE AREA: 2.07 ± AC  
 TAX PARCEL#: 125-107-01 & 125-105-27  
 EXISTING ZONING: B-2 & MUDD-CD  
 PROPOSED ZONING: MUDD-0 (5 YEAR VESTED RIGHTS)  
 PREVIOUS PETITION NO: N/A  
 EXISTING USE: BANK/OFFICE  
 PROPOSED USE: OFFICE/RETAIL/MULTI-FAMILY\*  
 BUILDING SETBACK: KINGS DRIVE: 24' BOC OR  
 RIGHT-OF-WAY  
 WHICH EVER IS GREATER  
 3RD ST AND 3RD/4TH COLLECTOR ST:  
 22' BOC OR RIGHT-OF-WAY  
 WHICH EVER IS GREATER  
 IN. SIDE YARD: NONE  
 IN. REAR YARD: NONE  
 AX. HEIGHT: 30'  
 REQUIRED PARKING: 1 SPACE PER 600 SF GROSS  
 FLOOR AREA  
 OPEN SPACE REQUIRED: 1 SF OF OPEN SPACE/100 SF  
 GROSS FLOOR AREA MINIMUM  
 (APPROXIMATELY 3,400 SF)

POTENTIAL TREE SAVE AREA (TYP.)  
5% MIN ( $\pm 0.31$  ACRES) OF 2.07 ACRE SITE TO BE PRESERVE.  
FINAL LIMITS OF 15% MAY VARY FROM WHAT IS DEPICTED ON  
ZONING PLAN. FINAL LIMITS WILL BE ESTABLISHED DURING  
PERMITTING.

ITE SHALL COMPLY WITH THE CITY OF CHARLOTTE'S TREE ORDINANCE (CHAPTER 21).

ALL USES PERMITTED UNDER MUDD ZONING DISTRICT WITH THE  
EXCEPTION OF THE USES LISTED UNDER NOTE 3.B ON SHEET  
Z-300.

ALL TRANSPORTATION IMPROVEMENTS TO BE FINALIZED DURING PERMITTING.



1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
4. SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 CFR, PART 1926, SUBPART P, OR AS AMENDED.

## DEVELOPMENT STANDARDS

JUNE 14, 2021

### 1. GENERAL PROVISIONS

**A. SITE** THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY TRIBEK PROPERTIES ("PETITIONER") TO ACCOMMODATE THE REDEVELOPMENT OF AN APPROXIMATELY 2.07 ACRE SITE LOCATED ON THE EAST SIDE OF KINGS DRIVE, THE NORTH SIDE OF EAST THIRD STREET AND THE SOUTH SIDE OF THE THIRD-FOURTH CONNECTOR STREET, WHOLLY DWELLING UNIT, PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 125-107-01 AND 125-105-27.

**B. 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"). SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED-USE DEVELOPMENT DISTRICT ("MUDD") ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.

**C. GRAPHS AND ALTERATIONS** THE SCHEMATIC DEPICTIONS OF THE USES, SIDEWALKS, DRIVEWAYS, PARKING AREAS, INTERNAL DRIVES, BUILDING ENVELOPE AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD 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 THIS 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 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 ARE:

(1) MINOR AND DO NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PURSUANT TO THIS AMENDMENT PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PURSUANT TO SECTION 6.207 OF THE ORDINANCE. EACH INSTANCE, HOWEVER, SUBJECT TO PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

**D. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY** THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED ONE (1). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING LOCATED ON THE SITE.

**E. BUILDING/PARKING ENVELOPE** THE PRINCIPAL BUILDING, ANY ACCESSORY STRUCTURES, STRUCTURED PARKING FACILITIES AND SURFACE PARKING AREAS DEVELOPED ON THE SITE SHALL BE LOCATED WITHIN THE BUILDING/PARKING ENVELOPE DEPICTED ON THE REZONING PLAN.

**F. 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.

**G. AMENDMENTS** 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.

### 2. OPTIONAL PROVISIONS

THE OPTIONAL PROVISIONS SET OUT BELOW SHALL APPLY TO THE DEVELOPMENT OF THE SITE.

**A.** THE EXISTING BUILDING AND SURFACE PARKING FACILITIES AND ANY OTHER EXISTING IMPROVEMENTS ON THE SITE MAY REMAIN IN PLACE AND CONTINUE TO BE UTILIZED UNTIL THE SITE IS REDEVELOPED PURSUANT TO THIS REZONING PLAN. TO THE EXTENT THAT THE EXISTING BUILDING, STRUCTURES, SURFACE PARKING FACILITIES AND ANY OTHER EXISTING IMPROVEMENTS ON THE SITE DO NOT COMPLY WITH ANY REQUIREMENT OF THE MUDD ZONING DISTRICT, THE ORDINANCE OR THIS REZONING PLAN, PETITIONER SHALL NOT BE REQUIRED TO BRING THE EXISTING BUILDING, STRUCTURES, SURFACE PARKING FACILITIES AND ANY OTHER EXISTING IMPROVEMENTS ON THE SITE OR ANY PORTIONS THEREOF INTO COMPLIANCE WITH THE MUDD ZONING DISTRICT, THE ORDINANCE OR THIS REZONING PLAN.

**A.** A NEW BUILDING, STRUCTURES, STRUCTURED PARKING FACILITIES, SURFACE PARKING FACILITIES AND ANY OTHER NEW IMPROVEMENTS ON THE SITE WILL BE REQUIRED TO COMPLY WITH THE REQUIREMENTS OF THE REZONING PLAN AND THE MUDD ZONING DISTRICT (EXCEPT AS MODIFIED BY THE OPTIONAL PROVISIONS SET OUT IN THIS SECTION 2).

**B.** THE MAXIMUM HEIGHT OF THE PRINCIPAL BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE 300 FEET.

**C.** DRIVE-IN/DRIVE THROUGH WINDOWS AND LANES ACCESSORY TO A BANK OR A FINANCIAL INSTITUTION ONLY SHALL BE PERMITTED.

### 3. PERMITTED USES/DEVELOPMENT LIMITATIONS

**A.** SUBJECT TO THE DEVELOPMENT LIMITATIONS SET OUT HEREIN, THE SITE MAY BE DEVOTED TO ANY USE OR USES (INCLUDING ANY COMBINATION OF SUCH USES) PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE MUDD ZONING DISTRICT, INCLUDING, WITHOUT LIMITATION, DRIVE-IN/DRIVE THROUGH WINDOWS AND LANES ACCESSORY TO A BANK OR A FINANCIAL INSTITUTION ONLY.

**B.** NOTWITHSTANDING THE TERMS OF PARAGRAPH 3.A ABOVE, THE USES SET OUT BELOW SHALL BE PROHIBITED ON THE SITE.

(1) ADULT ESTABLISHMENTS.

(2) AUTOMOTIVE SERVICE STATIONS.

(3) CAR WASHES.

(4) EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 OR TYPE 2) WITH DRIVE THROUGH SERVICE WINDOWS.

(5) WAREHOUSING WITHIN AN ENCLOSED BUILDING.

**C.** THE DEVELOPMENT OPTIONS/LIMITATIONS SET OUT BELOW SHALL APPLY TO THE SITE.

### 00. DEVELOPMENT OPTION 1

(A) A TOTAL MAXIMUM OF 340,000 SQUARE FEET OF GROSS FLOOR AREA DEVOTED TO PERMITTED NON-RESIDENTIAL USES MAY BE DEVELOPED AND LOCATED ON THE SITE.

(B) OF THE ALLOWED 340,000 SQUARE FEET OF NON-RESIDENTIAL GROSS FLOOR AREA THAT MAY BE DEVELOPED AND LOCATED ON THE SITE, A MAXIMUM OF 8,000 SQUARE FEET OF SUCH GROSS FLOOR AREA MAY BE DEVOTED TO RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2).

### 00. DEVELOPMENT OPTION 2

(A) IN LIEU OF DEVELOPMENT OPTION 1, THE SITE MAY BE DEVELOPED WITH A MAXIMUM OF 350 MULTI-FAMILY DWELLING UNITS AND UP TO 8,000 SQUARE FEET GROSS FLOOR AREA DEVOTED TO PERMITTED NON-RESIDENTIAL USES INCLUDING, WITHOUT LIMITATION, PROFESSIONAL AND GENERAL OFFICE USES, BANKS, RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2).

**D.** NOTWITHSTANDING THE TERMS OF PARAGRAPH 3.C(1) ABOVE, IN ORDER TO PERMIT A GREATER MIXTURE OF USES UNDER DEVELOPMENT OPTION 1, MULTI-FAMILY DWELLING UNITS MAY BE DEVELOPED UNDER DEVELOPMENT OPTION 1. IN SUCH EVENT, EACH MULTI-FAMILY DWELLING UNIT SHALL BE COUNTED TOWARDS THE MAXIMUM ALLOWED NON-RESIDENTIAL GROSS FLOOR AREA OF 340,000 SQUARE FEET AT THE RATE OF 1,000 SQUARE FEET PER MULTI-FAMILY DWELLING UNIT.

**E.** FOR PURPOSES OF THESE DEVELOPMENT LIMITATIONS AND THE DEVELOPMENT STANDARDS IN GENERAL, THE TERM "GROSS FLOOR AREA" SHALL MEAN AND REFER TO THE SUM OF THE GROSS HORIZONTAL AREAS OF EACH FLOOR OF A PRINCIPAL BUILDING ON THE SITE MEASURED FROM THE OUTSIDE OF THE EXTERIOR WALLS OR FROM THE CENTER LINE OF PARTY WALLS; PROVIDED, HOWEVER, SUCH TERM SHALL EXCLUDE STRUCTURED PARKING FACILITIES, SURFACE PARKING FACILITIES, AREAS USED FOR BUILDING AND EQUIPMENT ACCESS (SUCH AS STAIRS, ELEVATOR SHAFTS, VESTIBULES, ROOF TOP EQUIPMENT ROOMS AND MECHANICAL ROOMS), OUTDOOR COOLERS AND OUTDOOR DINING AREAS WHETHER ON THE ROOF OF THE BUILDING(S) OR AT STREET LEVEL.

**F.** AS PROVIDED IN PARAGRAPH 3.E ABOVE, THE GROSS FLOOR AREA OF ANY STRUCTURED PARKING FACILITIES LOCATED ON THE SITE SHALL NOT BE CONSIDERED OR COUNTED TOWARDS THE MAXIMUM GROSS FLOOR AREA OR DENSITY ALLOWED ON THE SITE.

### 4. TRANSPORTATION

**A.** VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS 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 PRIVATE DRIVES, VEHICULAR CIRCULATION AREAS AND DRIVEWAYS MAY BE MODIFIED BY PETITIONER DURING THE PERMITTING PROCESS TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS AND BUILDING AND PARKING LAYOUTS, AND TO ACCOMMODATE ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

**C.** PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE, 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 DEPICTED ON THE REZONING PLAN AND LOCATED IMMEDIATELY ADJACENT TO EAST THIRD STREET AS REQUIRED TO PROVIDE RIGHT OF WAY MEASURING 40 FEET FROM THE CENTERLINE OF EAST THIRD STREET TO THE EXTENT THAT SUCH RIGHT OF WAY DOES NOT ALREADY EXIST.

**D.** PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE, 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 DEPICTED ON THE REZONING PLAN AND LOCATED IMMEDIATELY ADJACENT TO THE THIRD-FOURTH CONNECTOR STREET AS REQUIRED TO PROVIDE RIGHT OF WAY MEASURING 40 FEET FROM THE CENTERLINE OF THE THIRD-FOURTH CONNECTOR STREET TO THE EXTENT THAT SUCH RIGHT OF WAY DOES NOT ALREADY EXIST.

**E.** 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 OR PEDESTRIAN IMPROVEMENTS ARE DEEMED "SUBSTANTIALLY COMPLETE" FOR THE PURPOSE OF THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE. HOWEVER, IN THE EVENT THAT CERTAIN NON-ESSENTIAL ROADWAY OR PEDESTRIAN IMPROVEMENTS (AS REASONABLY DETERMINED BY CDOT) ARE NOT COMPLETED AT THE TIME THAT PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE BUILDING, 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.

**F.** THE TRANSPORTATION AND PEDESTRIAN IMPROVEMENTS SET OUT BELOW SHALL BE SUBSTANTIALLY COMPLETE PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE.

### 00. EAST THIRD STREET AND SOUTH KINGS DRIVE (SIGNALIZED)

(A) IMPLEMENT PEDESTRIAN IMPROVEMENTS SUCH AS APS PUSHBUTTONS, UPGRADING PEDESTRIAN CROSSINGS/RAMPS ETC.

### 00. EAST FOURTH STREET AND CHARLOTTETOWN AVENUE (SIGNALIZED)

(A) IMPLEMENT PEDESTRIAN IMPROVEMENTS SUCH AS APS PUSHBUTTONS, UPGRADING PEDESTRIAN CROSSINGS/RAMPS ETC.

### 00. EAST FOURTH STREET AND I-277 NORTHBOUND RAMP (SIGNALIZED)

(A) IMPLEMENT PEDESTRIAN IMPROVEMENTS SUCH AS APS PUSHBUTTONS, UPGRADING PEDESTRIAN CROSSINGS/RAMPS ETC.

### 00. EAST THIRD STREET AND I-277 NORTHBOUND RAMP (SIGNALIZED)

(A) IMPLEMENT PEDESTRIAN IMPROVEMENTS SUCH AS APS PUSHBUTTONS, UPGRADING PEDESTRIAN CROSSINGS/RAMPS ETC.

### 00. EAST THIRD STREET AND ACCESS "A" (UNSIGNALIZED) (LEFT-IN/ LEFT-OUT)

(A) THE ACCESS CONFIGURATION SET OUT BELOW SHALL BE IMPLEMENTED.

(I) ONE INGRESS AND ONE EGRESS LANE (A TERMINATING SOUTHBOUND LEFT TURN LANE ON PROPOSED ACCESS "A").

(II) CONSTRUCT AN EASTBOUND LEFT TURN LANE ON EAST THIRD STREET WITH 100 FEET OF STORAGE.

(III) 50 FOOT INTERNAL PROTECTED STEM.

### 00. EAST THIRD STREET AND ACCESS "B" (UNSIGNALIZED) (LEFT-OUT)

(A) THE ACCESS CONFIGURATION SET OUT BELOW SHALL BE IMPLEMENTED.

(I) ONE EGRESS LANE (A TERMINATING SOUTHBOUND LEFT TURN LANE ON PROPOSED ACCESS "B").

(II) 50 FOOT INTERNAL PROTECTED STEM.

### 00. EAST THIRD-FOURTH CONNECTOR STREET AND ACCESS "C" (UNSIGNALIZED) (LEFT-IN/ LEFT-OUT)

(A) THE ACCESS CONFIGURATION SET OUT BELOW SHALL BE IMPLEMENTED.

(I) ONE INGRESS AND ONE EGRESS LANE (A TERMINATING NORTHBOUND LEFT TURN LANE ON PROPOSED ACCESS "C").

(II) CONSTRUCT A WESTBOUND LEFT TURN LANE ON EAST THIRD-FOURTH CONNECTOR STREET WITH 200 FEET OF STORAGE.

(III) 50 FOOT INTERNAL PROTECTED STEM.

### 00. SOUTH KINGS DRIVE AND ACCESS "D" (UNSIGNALIZED) (RIGHT-IN/ RIGHT-OUT)

(A) THE ACCESS CONFIGURATION SET OUT BELOW SHALL BE IMPLEMENTED.

(I) ONE INGRESS AND ONE EGRESS LANE (A TERMINATING WESTBOUND RIGHT TURN LANE ON PROPOSED ACCESS "D").

(II) CONSTRUCT A NORTHBOUND RIGHT TURN LANE ON S. KINGS DRIVE WITH 100 FEET OF STORAGE.

(III) MAXIMIZE INTERNAL PROTECTED STEM.

### 00. PEDESTRIAN HYBRID BEACON

(A) CONSTRUCT AND INSTALL A SIGNALIZED PEDESTRIAN HYBRID BEACON ON EAST THIRD STREET BETWEEN CHARLOTTETOWN AVENUE AND SOUTH KINGS DRIVE. THE ACTUAL LOCATION OF THE PEDESTRIAN HYBRID BEACON SHALL BE DETERMINED BY CDOT AND NCDOT.

**G.** PETITIONER SHALL PROVIDE A PEDESTRIAN ACCESS ROUTE THROUGH THE OPEN SPACE AREA (DEFINED BELOW) THAT WILL CONNECT THE SIDEWALK LOCATED ALONG THE SITE'S FRONTAGE ON EAST THIRD STREET TO THE SIDEWALK LOCATED ALONG THE SITE'S FRONTAGE ON THE THIRD-FOURTH CONNECTOR STREET.

**H.** SUBJECT TO PARAGRAPH 4.E ABOVE, ALL TRANSPORTATION AND PEDESTRIAN IMPROVEMENTS REQUIRED TO BE CONSTRUCTED BY PETITIONER UNDER THIS SECTION 4 OF THE DEVELOPMENT STANDARDS WILL BE APPROVED AND CONSTRUCTED OR BONDED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE.

**I.** PETITIONER WILL DEDICATE TO THE CITY OF CHARLOTTE OR TO NCDOT AS APPLICABLE (SUBJECT TO A RESERVATION FOR 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 THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE. THE PETITIONER WILL PROVIDE A PERMANENT SIDEWALK EASEMENT FOR ANY OF THE PROPOSED 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 BETWEEN THE SIDEWALK WHERE FEASIBLE.

### 5. ARCHITECTURAL STANDARDS

**A.** THE MAXIMUM HEIGHT OF THE NEW PRINCIPAL BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE 300 FEET AS MEASURED UNDER THE ORDINANCE.

**B.** THE ARCHITECTURAL STANDARDS SET OUT BELOW SHALL APPLY TO THE NEW PRINCIPAL BUILDING TO BE CONSTRUCTED ON THE SITE.

(1) BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT ON PUBLIC OR PRIVATE NETWORK REQUIRED STREETS THROUGH THE FOLLOWING:

(A) THE BUILDING SHALL BE PLACED SO AS TO PRESENT A FRONT OR ENHANCED SIDE FAÇADE TO ALL STREETS.

(B) FAÇADES FRONTING STREETS SHALL INCLUDE A COMBINATION OF WINDOW AND GLAZING FINISHES. FOR A MINIMUM OF 80% OF EACH FRONTAGE ELEVATION (EXCLUDING VEHICULAR ENTRANCES, DRIVEWAYS AND PEDESTRIAN PASSAGEWAYS) WITH TRANSPARENT GLASS BETWEEN 2' AND 10' ON THE FIRST FLOOR, UP TO 10% OF THIS REQUIREMENT MAY BE COMPRISED OF DISPLAY WINDOWS. THESE DISPLAY WINDOWS MUST MAINTAIN A MINIMUM OF 3'-0" CLEAR DEPTH BETWEEN THE WINDOW AND THE REAR WALL. WINDOWS WITHIN THIS ZONE SHALL NOT BE SCREENED BY FILM, DECALS AND OTHER OPAQUE MATERIAL. GLAZING FINISHES OR WINDOW TREATMENTS. THE MAXIMUM SILL HEIGHT FOR REQUIRED TRANSPARENCY SHALL NOT EXCEED 4'-0" ABOVE THE ADJACENT STREET SIDEWALK EXCEPT WHERE THERE ARE EXTREME SLOPES (SIDEWALKS THAT ARE GREATER THAN 5% SLOPE) ALONG KINGS DRIVE AND THE THIRD-FOURTH CONNECTOR STREET.

(C) A DIRECT PEDESTRIAN CONNECTION SHOULD BE PROVIDED BETWEEN STREET FACING DOORS AND CORNER ENTRANCE FEATURES TO SIDEWALKS ON ADJACENT STREETS.

(D) OPERABLE DOOR SPACING SHALL NOT EXCEED 75 FEET EXCEPT WHERE SIDEWALKS ARE GREATER THAN A 5% SLOPE.

(E) BUILDING ELEVATIONS 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.

(F) ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET.

(G) SERVICE SCREENING AREA – SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM VIEW WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH THE PRINCIPAL STRUCTURE.

(H) EXPOSED MULTI-LEVEL PARKING DECKS SHALL PROVIDE SCREENING SO THAT INTERIOR LIGHTING AND VEHICLES ARE NOT VISIBLE FROM PUBLIC STREETS. THIS IS PRIMARILY ACCOMPLISHED BY THE USE OF ARCHITECTURAL LOUVERS OR DECORATIVE SCREENS ON ALL LEVELS.

### 6. STREETScape

**A.** THE SETBACK ALONG THE SITE'S FRONTAGE ON KINGS DRIVE SHALL BE 24 FEET FROM THE BACK OF THE EXISTING, UN-RECESSED CURB.

**B.** A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 16 FOOT WIDE PEDESTRIAN/AMENITY ZONE WITH STREET TREES IN CURBED PLANTERS SHALL BE INSTALLED ALONG THE SITE'S FRONTAGE ON KINGS DRIVE. AT THE OPTION OF PETITIONER, RECESSED ON-STREET PARKING MAY BE INSTALLED IN LIEU OF THE MINIMUM 8 FOOT WIDE PLANTING STRIP ALONG THE SITE'S FRONTAGE ON KINGS DRIVE.

**C.** THE SETBACK ALONG THE SITE'S FRONTAGE ON EAST THIRD STREET AND ALONG THE SITE'S FRONTAGE ON THE THIRD-FOURTH CONNECTOR STREET SHALL BE 22 FEET FROM THE BACK OF THE EXISTING CURB.

**D.** A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 8 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTAGES ON EAST THIRD STREET AND THE THIRD-FOURTH CONNECTOR STREET.

### 7. ENVIRONMENTAL FEATURES

**A.** PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST-CONSTRUCTION STORMWATER ORDINANCE.

**B.** DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

**C.** DUMPSTERS/COMPACTORS AND RECYCLING STATIONS SHALL BE LOCATED WITHIN THE BUILDING AND/OR PARKING STRUCTURE.

### 8. OPEN SPACE

**A.** THE MINIMUM SIZE OF THE OPEN SPACE AREA LOCATED ON THE EASTERN SIDE OF THE SITE (THE "OPEN SPACE AREA") SHALL BE ±3,400 SQUARE FEET.

**B.** AT A MINIMUM, THE OPEN SPACE AREA SHALL CONTAIN HARDSCAPE, LANDSCAPING, BENCHES AND PEDESTRIAN SCALE LIGHTING.

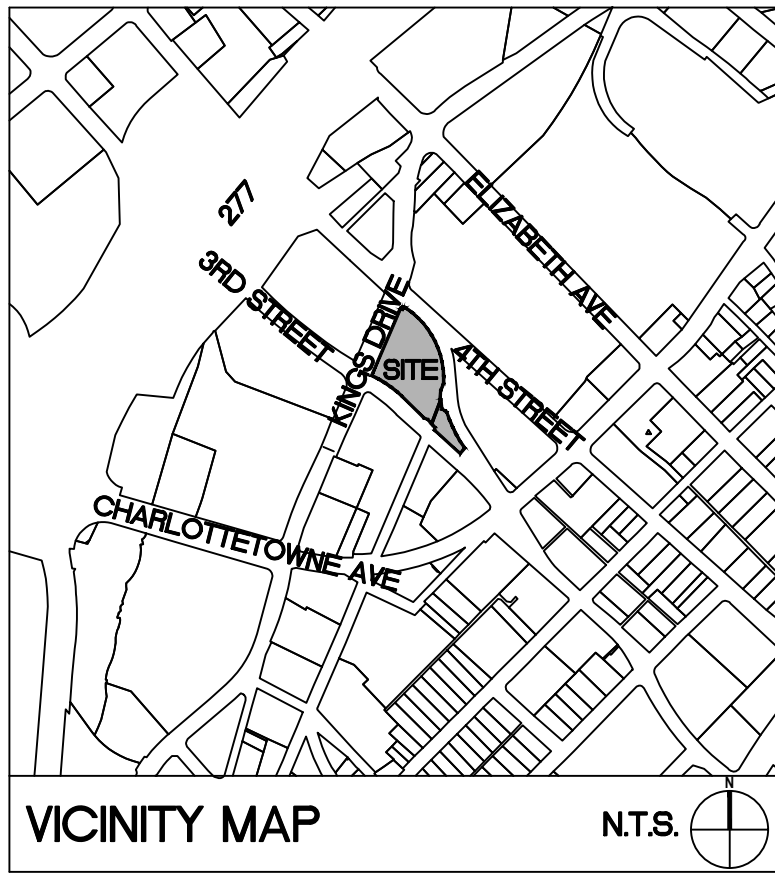
### 9. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

**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. 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.

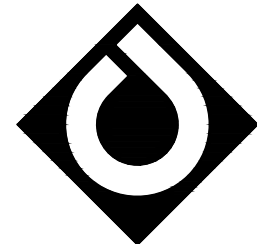
### 10. LANDSCAPE

**A.** EXISTING TREES WITHIN PUBLIC RIGHT-OF-WAY TO BE PROTECTED OR MITIGATED PER URBAN FORESTRY APPROVAL IN AREAS WHERE URBAN STREETScape STANDARDS APPLY.



### SURVEY DISCLAIMER

TOPOGRAPHIC OR "ALTA/NSPS LAND TITLE SURVEY" SURVEY  
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## TRIBEK PROPERTIES

101 SOUTH KINGS DR  
CHARLOTTE  
NORTH CAROLINA 28204

## 101 KINGS DRIVE REZONING PETITION 2021-044

101 SOUTH KINGS DR  
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NORTH CAROLINA 28204

## NOTES

Project No.

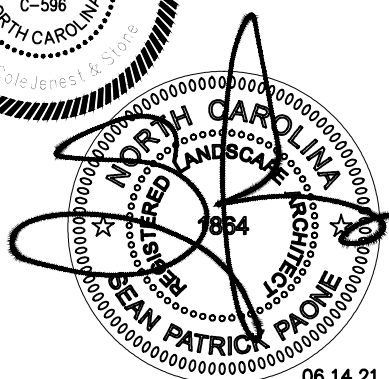
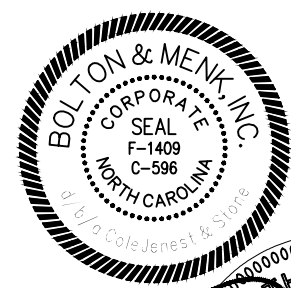
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02/10/21

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06/14/21



06.14.21



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
- SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 CFR, PART 1926, SUBPART P, OR AS AMENDED.

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