CHARLOTTE

Charlotte-Mecklenburg Planning Department

DATE: Dec 22, 2016

TO: Donald Moore
Zoning Supervisor

FROM: Ed McKinney
Interim, Planning Director

SUBJECT: Administrative Approval for Petition No. 2000-132 Michael J. Fox and Associates, LLC

Attached is the revised site plan for the petition above. This request allows the modification of the proposed site plan as listed below. Since these changes do not alter the intent of the development and meets the requirements of the Charlotte Zoning Ordinance Section 6.207 Alterations to Approval, minor changes, I am administratively approving this plan. Please use these plans when evaluating requests for building permits and certificates of occupancy.

- Modification of the site plan to adjust required streets and multi-family numbers for the subject site.

Reasons for Staff's support of the request:
• The request changes are consistent with current Ordinances and policies.

Note: All other Zoning, Subdivision, Tree Ordinances, Building Codes, and conditional requirements still apply.

Signage was not reviewed as part of this request.

CHARLOTTE-MECKLENBURG PLANNING DEPARTMENT
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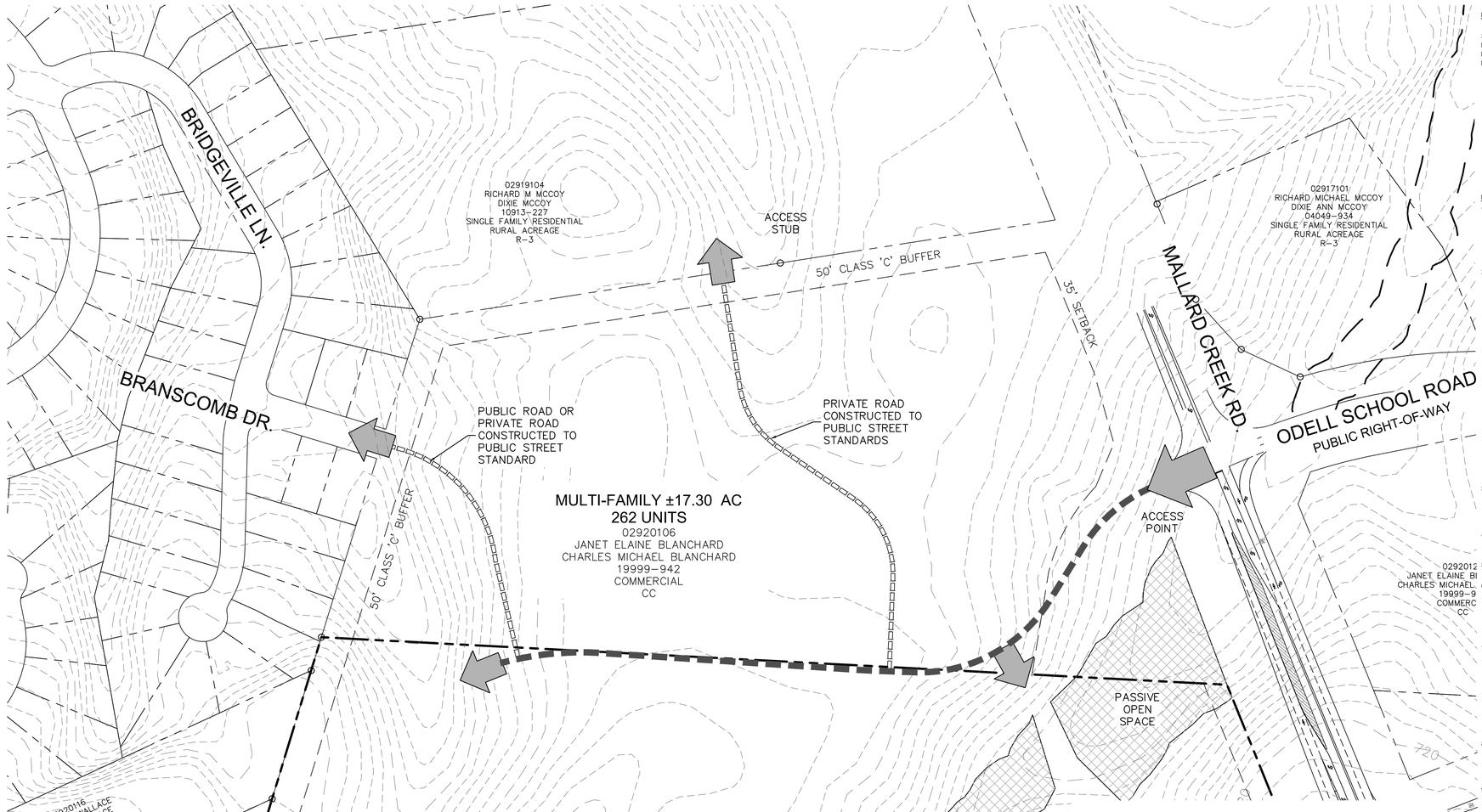
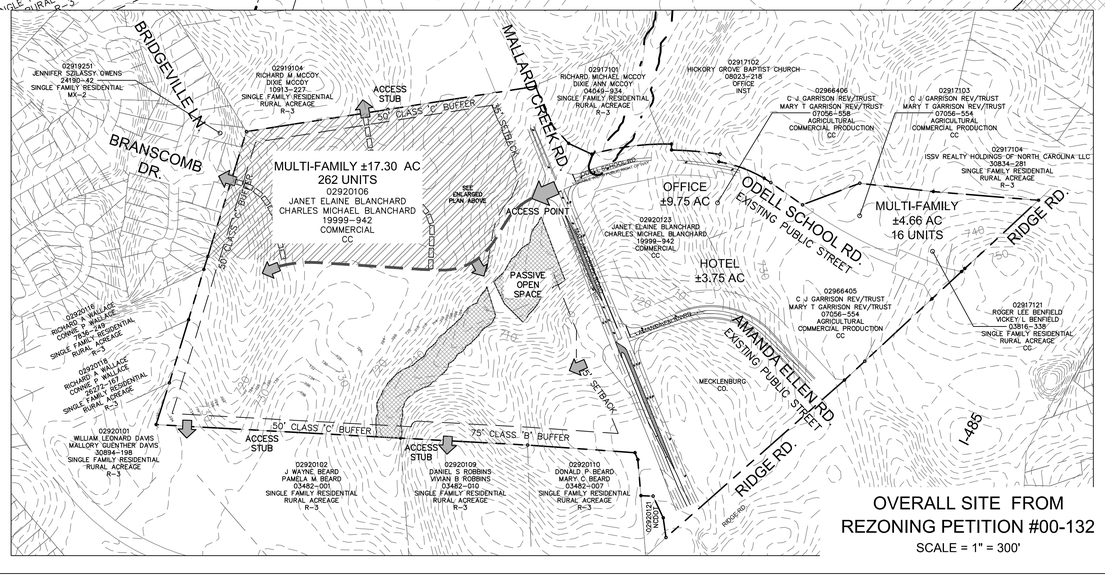


Attached to Administrative Approval

Solomon A. Fortune



OVERALL SITE FROM REZONING PETITION #00-132

SCALE = 1" = 300'

DEVELOPMENT DATA:

SITE AREA:	±88.72 ACRES
EXISTING ZONING:	R3
PROPOSED ZONING:	CC
PROPOSED USES:	

MIXED USE TOWN CENTER
MAX. 100,000 SF RETAIL
MAX. 600 DWELLING UNITS
MAX. 350,000 SF OFFICE
150 ROOM HOTEL

RAPID TRANSIT ALLOWANCE
ADDITIONAL 150 DWELLING UNITS
ADDITIONAL 87,500 SF OFFICE
* SEE NOTE #10

Development Notes:

1. Development of the site will be controlled by the standards depicted on this site plan and by the standards of the City of Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the general arrangement of proposed uses on the site, but the exact details of configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance as specified in Section 6.206(2) during the design development and construction phases. This Proposal is intended to enable the development of a mixed-use community composed of office, multifamily, and neighborhood retail and service uses.

2. The site may be developed for any use allowed in the CC district as allowed by the ordinance in accordance with the standards of that district and the restrictions of this site plan as noted below, except that no restaurant will be allowed to have a drive through window. The Petitioner will construct a mixed use development in general conformity with the schematic plan which will include additional landscaping and pedestrian features with a special emphasis on the intersection of Mallard Creek Rd. and Odell School Rd. This emphasis will also be accomplished through the use of reduced setbacks and arrangement of buildings at the intersection to focus attention at the center of the site. Further, the Petitioner will provide pedestrian connections from within the site to other site elements and uses and to public sidewalks, balancing the need for vehicular as well as pedestrian access. The Petitioner may place retail uses within office buildings on the site as well as within the retail center in order to further the mixed-use nature of the site. Retail floor area located within office buildings will not be counted toward the total retail floor area located elsewhere on the site. Any such retail space will be limited to 75% of the first floor area of the building and may only be located in multistory buildings of at least 20,000 square feet of total floor area.

   Residential densities may vary in different portions of the site in keeping with the various dwelling types. Residential uses may be located within any portion of the site including retail and office areas as a mixed use on the site and within mixed use structures. Uses within the retail portion of the site may include neighborhood oriented uses such as a supermarket, dry cleaners, personal services, restaurant, or a gas station. The retail portion of the site will be limited to two, single use out parcels and there will be no direct access from any out parcel to the adjoining public streets. The uses that may locate on an out parcel will be designed as part of the overall development in terms of consistent landscaping, signage, and architectural style. The site may contain other small groupings of buildings that must have more than one use or type of use within the structure. These uses will not be considered as out parcels for the site. No freestanding retail uses may be located within portions of the site designated on the site plan for office or residential uses. Parking areas to serve uses on the site will be sited generally toward the center of development sites so that buildings may orient primarily to internal streets. On street parking on internal streets may be utilized to reduce the size of off street parking facilities.

   Notwithstanding the allowances noted above, the Petitioner reserves the right to substitute residential uses for all or part of the areas designated as office uses on the southeast quadrant of the Mallard Creek Rd. /Odell School Rd. intersection, generally referred to as the "retail corner".

3. Access to the site will be provided by connections to the new Mallard Creek Rd. and by connections to both existing and the new Odell School Rd.as shown on the Technical Data Sheet. All driveway and street connections are subject to approval by NCDOT, Mecklenburg County and/ or CDOT depending on jurisdiction. Until these new roads are constructed, access will be provided to the existing alignments of Mallard Creek Rd., Odell School Rd., and Ridge Rd.

4. Buffer areas will be developed in accordance with Sect. 12.302. Required buffers on the site may be eliminated if the adjoining parcels are rezoned such that buffers are no longer required.

5. Stormwater detention facilities will be designed to meet the applicable standards of Charlotte/ Mecklenburg Stormwater Services.

6. The Petitioner will dedicate 100' of right-of-way for the new alignments of Mallard Creek Rd. and for the portion of Odell Rd. that falls on the site as the site develops or in conjunction with a public/private venture for the construction of any or all of these roads. The Petitioner will also dedicate additional right-of-way for any portions of any existing public streets that may remain within or adjoin the site as normally prescribed by and administered under the Charlotte Subdivision Ordinance. The Petitioner reserves the right to seek the abandonment of existing public streets that may fall within the site if those streets are not needed for the development of the site.

7. The Petitioner will construct a portion of Mallard Creek Rd. and Odell School Rd. which falls on the site to a cross section determined jointly by the Petitioner and NCDOT and CDOT staff, said construction to be accomplished in phases as the site develops. The Petitioners obligation for any such construction will be determined in concert with the Traffic Impact Study submitted as part of this Petition. Nothing in this section prohibits a public/private venture for the construction of any or all of these roads, and under such circumstances, the actual construction of the roads may be accomplished by an entity other than the Petitioner. Development of any portion of the site will either use existing public streets or will only occur as portions of new streets are constructed. Construction of residential or office uses that utilize existing Odell School Rd. may commence at any time after the approval of this petition. All other development may only commence after contracts have been let for the construction of the portions of new Odell School Rd. and Mallard Creek Rd. that will provide access to those sites and those uses may not receive a Certificate of Occupancy until that portion of the new road is completed and open to traffic.

8. If NCDOT modifies the design of the I-485/ Mallard Creek Rd. interchange from a suburban diamond to an urban diamond or other similar, more compact interchange plan, the Petitioner reserves the right to modify the design of the affected portions of the site and, after the appropriate rezoning process, incorporate any such areas and appropriate additional development rights into the site administratively.

9. Development on the site may utilize public, private, or a combination of public and private streets within the site. Setbacks from public or private streets anywhere on the site may be reduced in accordance with the provisions of the CC district. Development along the portions of existing Odell School Rd. that will remain will observe the standard CC district setback when property across Odell School Rd. is not within the boundaries of this site plan.

10. At the time that this Petition is being considered (January 2001), the Charlotte Area Transit System (CATS) is in the process of developing detailed transit plans for the Northeast Corridor, which includes this site. Preliminary studies indicate that there Is a high probability that a BTR will pass through this site, suggesting a change in the role of this site to one that should provide for and support the proposed transit service. At such time as a rapid transit route is established and at such time that rapid transit service actually commences, all of the development allowances on this site for the number of residential units and office floor area may be administratively increased by 25% without the need for a formal Site Plan Amendment. This additional allowance is in recognition of the availability of transit service and is consistent with the policy of increased development intensities in transit corridors. Further, the Petitioner will coordinate with CATS on the location of transit stop or station on the site and will reserve a site not to exceed one acre for use as a transit stop or station. The exact location of that site will be jointly agreed to by the Petitioner and CATS, and the reservation of said site shall be in force until the earlier of the expiration of 5 years from the approval of the rezoning of the site or such time as CATS may determine and notify the Petitioner that such a site is not needed within the area covered by this site plan.

11. Any detached lighting on the multifamily and office portions of the site will be limited to 20 feet in height.

12. Signage will be permitted in accordance with applicable Zoning standards for the type of use for which the signage is proposed. Signage for multifamily used will be that which is allowed in multifamily districts and signage for office uses will be that which is allowed in office districts. Signage for retail uses will be that which is allowed in the CC district, except that detached signs identifying individual sites will be limited to ground mounted signs no more than 50 square feet in area and 4 feet height.

13. Parking will be provided which will meet or exceed the standards of the Zoning ordinance.

14. Screening will conform to the applicable standards of Sect. 12.303 the Zoning ordinance.

15. All dumpsters on the site will be screened with a solid enclosure with gates.

16. Buildings within the retail portion of the site will be one to three stories in height and buildings within the office portion of the site will range from one to five stories in height, Residential uses may be incorporated within both retail and/ or office buildings.

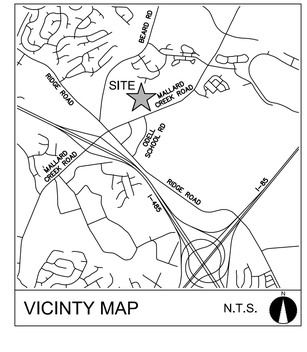
17. Pedestrian walks and paths will be installed within the site as the various components develop to create a network of both public sidewalks and other pedestrian linkages between the site components. Pedestrian lighting will be installed throughout the various components of the site as they develop along public sidewalks and other pedestrian ways within the site.

18. Open space elements will be included within the various components of the site consistent with the uses in that area. Open squares or plazas will be included within the retail and office areas and both passive and active elements will be included within the residential areas.

19. The exact location of driveways and street intersections will be determined during the development review process by NCDOT and/or CDOT which ever has jurisdiction over that determination.

20. Development Note 7 is modified in that only 380 multifamily units may be constructed utilizing existing Odell School Rd. and no office or retail development may be constructed until access to such sites may be provided from realigned Mallard Creek Rd. or realigned Odell School Rd. or portion of either of those roads.

21. Building placement in the vicinity of the new intersection of Odell School Rd. and Mallard Creek Rd. will be arranged to allow for wider than standard rights of way and such building plans will be reviewed so as not to conflict with or prohibit the public acquisition of such additional right of way in the future. This references an unadopted standard for a total of 130' of asymmetrical right of way in the vicinity of the intersection with 70' from the centerline on the "approach" side and 60' on the "departure" side of the intersection. This reservation will be valid for a period of 10 years from the approval of this request, or until such earlier time as it may be determined by NCDOT or CDOT which ever has jurisdiction over that determination, that additional right-of-way will not be needed.



VICINITY MAP N.T.S.

DESIGN RESOURCE GROUP

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ADMINISTRATIVE APPROVAL

ADMINISTRATIVE APPROVAL REZONING PETITION #00-132

CHARLOTTE, NORTH CAROLINA

STERLING DEVELOPMENT, LLC
3900 EDISON LAKES PARKWAY, SUITE 201
MISHAWAKA, IN 46545
574.247.3234

TECHNICAL DATA SHEET

75 0 75 150
SCALE: 1" = 150'

PROJECT #:	599-003
DRAWN BY:	SK
CHECKED BY:	TH

DECEMBER 22, 2016

REVISIONS:

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