CHARLOTTE-MECKLENBURG PLANNING COMMISSION

INTER - OFFICE COMMUNICATION

DATE:

March 28, 2006

TO: (

Gary Huss

Zoning Coordinator

FROM:

Debra Campbell

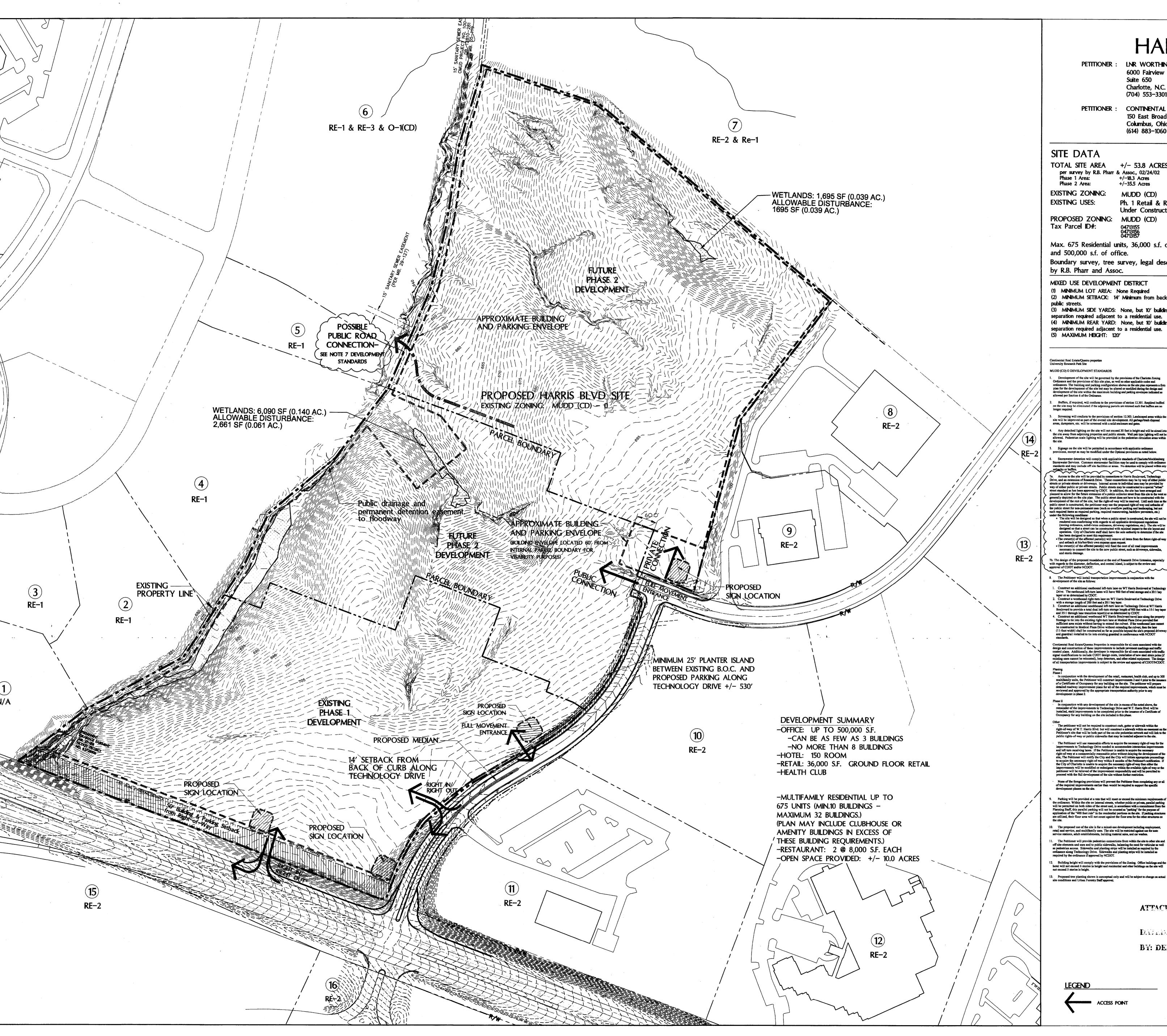
Planning Director

SUBJECT: Administrative Approval for Petition No. 2002-70 by Continental Real Estate, Queen

Properties.

Attached are revised plans for the above petition reflecting a new site layout. Since this change is minor and allowed by the Zoning Ordinance, I am administratively approving these revised plans. Please use these plans when evaluating requests for building permits and certificates of occupancy.

Note that all other ordinance and signage requirements still apply.



HARRIS BLVD

LNR WORTHINGTON INC. 6000 Fairview Suite 650

(704) 553-3301

CONTINENTAL REAL ESTATE

150 East Broad Street

Charlotte, N.C. 28210

LAND LANDDESIGN, INC. PLANNER: 223 North Graham St.

420 Hawthorne Lane

Charlotte, N.C. 28204

(704) 376-2186

CHARLOTTE, NC 28202

SURVEYOR: R.B. PHARR & ASSOCIATES **SURVEYING & MAPPING**

Michelin Aircraft Tires

Marsh Bissell Patrick LLC

Westbrook Business Center

4350 Karmen Ave. #200

2448 Park Road

Rack Room Shoes 8310 Technology Drive

12 047-401-01A

Univ. of N.C. 9201 University Blvd.

Charlotte, N.C. 28262

Electric Power Research 3412 Hillview Ave.

4350 Karmen Ave. #200

First Union Bank of N.C. Two First Union Center #1420

(6) 047-111-04 First Union Bank of N.C.

Charlotte, N.C. 282820340

Two First Union Center #1420

Charlotte, N.C. 282820340

Palo Alto, California 943041395

Charlotte, N.C. 28203

Columbus, Ohio 43215 (614) 883-1060

+/- 53.8 ACRES

+/-18.3 Acres

+/-35.5 Acres

ADJACENT PROPERTY OWNERS Winston-Salem, N.C. 27150 Charlotte, N.C. 282626702 Westbrook Business Center
4350 Karmen Ave. #200
Newport Beach, CA 92660

Starting Two-Development, LLC
8316 E. Med. Plaza Dr.
Charlotte, N.C. 282626702

4 047-131-22 Hawkeye Building Co. 7951-201 Monumont Ln.

Carolinas Ready Mix Concrete

4350 Karmen Ave. #200

14. 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 15,000 square feet of total floor area.

15. The Petitioner reserves the right to exchange office floor area for residential units and visa versa at the rate of 100 dwelling units for 50,000 sq. ft. In addition, the Petitioner may construct as few as three office buildings but will have the option to replace office buildings with residential buildings in the interior of the site to preserve the internal

identification of individual building tenants. These signs will be limited to 75 square fi in area and no more that 10 feet in height on Harris Blvd. and 50 square feet in area and

Throughout this Rezoning Petition, the terms "Petitioners", "Owner" or "Owners," shall, with respect to each parcel within the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who

VICINITY MAP - NTS

TECHNICAL DATA SHEET

SHEET 1 OF 3

PETITION NO. 2002-70

LandDesign

Initial submission 3-25-02 Revised 6-12-02 per staff comments Revised 10-22-02 for CDOT changes Revised 10-02-02 to add Phasing note Revised 12-07-05 Note #2

In accordance with the provisions of Section 9.8508, the Petitioner proposes the

Ph. 1 Retail & Residential Under Construction 047-131-10 3 047-131-18
Todd & Anne Bullard Eye Two-Development LLC
8310 Med. Plaza Dr. Ste. A 8316 Med. Plaza Dr. Ste E

Harper-Bissell LLC

Scarlet % Gray LLC

Robert and Erin Henderlite Eye Two-Development LLC 8310 Medical Plaza Drive #B 8316 Med. Plaza Ste C Max. 675 Residential units, 36,000 s.f. of Retail

and 500,000 s.f. of office. Boundary survey, tree survey, legal description by R.B. Pharr and Assoc.

MIXED USE DEVELOPMENT DISTRICT (1) MINIMUM LOT AREA: None Required (2) MINIMUM SETBACK: 14' Minimum from back of

(3) MINIMUM SIDE YARDS: None, but 10' building separation required adjacent to a residential use. (4) MINIMUM REAR YARD: None, but 10' building separation required adjacent to a residential use. (5) MAXIMUM HEIGHT: 120'

Marion & Anita Haynes Westbrook Business Center 8316 Med. Plaza Dr. Ste. A 4350 Karmen Ave. #200 Charlotte, N.C. 282626702 Newport Beach, CA 92660

Development of the site will be governed by the provisions of the Charlotte Zo.

Ordinance and the provisions of this site plan, as well as other applicable codes and ordinances. The building and parking configuration shown on the site plan represents a f plan for the development of the site but may be altered or modified during the design an development of the site within the maximum building ar

Buffers, if required, will conform to the provisions of section 12.301. Required buffe on the site may be eliminated if the adjoining parcels are rezoned such that buffers are no Screening will conform to the provisions of section 12.303. Landscaped areas within the

site will be improved as part of the overall site development. All garbage/trash disposal areas, dumpsters, etc. will be screened with a solid enclosure and gates. Any detached lighting on the site will not exceed 30 feet in height and will be aimed into

the site away from adjoining properties and public streets. Wall pak type lighting will not be allowed. Pedestrian scale lighting will be provided in the pedestrian circulation areas within the site.

setbacks or buffers. 7a. Access to the site will be provided by connections to Harris Boulevard, Technology Drive, and an extension of Research Drive. These connections may be by way of either pu Drive, and an extension of Research Drive. These connections may be by way of either public streets or private streets or driveways. Internal access to individual uses may be provided by way of either public or private streets. Public streets may be constructed to a special "urban" street standard as has been approved by CDOT. In addition, the site has been arranged and planned to allow for the future extension of a public collector street from this site to the west as generally depicted on the site plan. The public street does not have to be constructed with the development of the rest of the site, but the right-of-way will be reserved. Until such time as the public street is constructed, the petitioner may use the proposed right-of-way and setbacks of the public street for non-permanent uses (such as overflow parking and landscaping, but not such required items as required parking, required maneuvering, backflow preventers, etc.) under the following conditions:

• The site will be designed so that when a public street is constructed, the site will not be rendered non-conforming with regards to all applicable development regulations (zoning ordinance, subdivision ordinance, driveway regulations, etc.). The site will be designed so that a street can be constructed with minimal impact to the site layout and operation. City of Charlotte staff shall have the sole authority to determine if the site has been designed to meet this requirement.

and setback at his/her/their own expense upon request.

The owner(s) of the affected parcel(s) will fund the cost of all road improvements

The Petitioner will install transportation improvements in conjunction with the development of the site as follows:

. Construct an additional eastbound left-turn lane on WT Harris Boulevard at Technology Drive. The eastbound left-turn lanes will have 900 feet of total storage and a 20:1 bay taper or as determined by CDOT. taper or as determined by CDU1.

Construct a westbound right-turn lane on WT Harris Boulevard at Technology Drive with a storage length of 200 feet and a 20:1 bay taper.

Construct an additional southbound left-turn lane on Technology Drive at WT Harris Boulevard to provide a total dual left-turn storage length of 900 feet with a 15:1 bay taper and 35:1 through length are transitions transitions of the determined by CDU7. frontage to tie into the existing right-turn lane at Medical Plaza Drive provided that sufficient area exists without having to extend the culvert. If the westbound lane canno e constructed to Medical Plaza Drive without extending the culvert, then the lane 11-foot width) shall be constructed as far as possible beyond the site's proposed driv

design and construction of these improvements to include pavement markings and traffic control plans. Additionally, the developer is responsible for all costs associated with traffic signal modifications to include CDOT design costs, installation of new steel strain poles (if existing ones cannot be relocated), loop detectors, and other related equipment. The destign of all transportation improvements is subject to the review and approval of CDOT/NCDOT.

In conjunction with the development of the retail, restaurant, health club, and up to 300 multifamily units, the Petitioner will construct improvements 2 and 4 prior to the issuance of a Certificate of Occupancy for any building on the site. The petitioner will prepare detailed roadway improvement plans for all of the required improvements, which must be required and approved by the appropriate the proportion authority authority.

In conjunction with any development of the site in excess of the noted above, the remainder of the improvements to Technology Drive and W.T. Harris Blvd. will be installed, staid improvements to be completed prior to the issuance of a Certificate of

The petitioner will not be required to construct curb, gutter or sidewalk within the right-of-way of W.T. Harris Blvd. but will construct a sidewalk within an easement on the Petitioner's site that will be both part of the on-site pedestrian network and will link: public rights-of-way or public sidewalks that may be installed adjacent to the site.

the City of Charlotte is unable to acquire the necessary right-of-way then either the improvements will be modified or redesigned to within the available right-of-way or the petitioner will be relieved of the improvement responsibility and will be permitted to

Parking will be provided at a rate that will meet or exceed the minimum requirements of the ordinance. Within the site on internal streets, whether public or private, parallel parking will be permitted on both sides of the street and, in accordance with a commitment from the

Planning Staff, this parallel parking will not be counted as "parking" for the purpose of application of the "400 foot rule" in the residential portions on the site. If parking structures are utilized, their floor area will not count against the floor area for the other structures on

10. The proposed use of the site is for a mixed-use development including employment, retail and service, and multifamily uses. The site will be restricted against use for auto service stations, adult establishments, building material sales, and car washes.

The Petitioner will provide pedestrian connections from within the site to other site and off site elements and uses and to public sidewalks, balancing the need for vehicular as well as pedestrian access. Sidewalks and planting strips will be installed as required by the ordinance along Technology Drive. Sidewalks and planting strips will be installed as required by the ordinance if approved by NCDOT.

Building height will comply with the provisions of the Zoning. Office buildings and the botel will not exceed 6 stories in height and residential and other buildings on the site will not exceed 5 stories in height.

223 North Graham Street ATTACHED TO ADMINISTRATING 28202

BY: DEBRA D. CAMPBELL, 1"=100'



Date: December 19, 2005 Project Number: 1002281 Revision 1: 03/01/06 Revision 2: Revision 3:

Phone: 704.333.0325

Phone: 704.376.7777 Fax: 704.332.3246 Fax: 704.376.8235

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