

**DEVELOPMENT STANDARDS**

**PART I**

**COMMITMENT:**

(A) THE BUILDING CONFIGURATIONS, PLACEMENTS AND SIZES, AND THE LOCATION OF ALL OTHER DEVELOPMENT SHOWN ON THIS ILLUSTRATIVE SITE PLAN ARE SCHEMATIC IN NATURE AND MAY BE ALTERED OR MODIFIED DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES, AS PROVIDED FOR UNDER SECTION 6 OF THE ZONING ORDINANCE. THE PETITIONER RESERVES THE FLEXIBILITY TO DEVELOP ONE OR TWO BUILDINGS ON THIS SITE, BASED UPON FINAL TENANT REQUIREMENTS.

**PART II**

**PERMITTED DEVELOPMENT WITHIN THIS SITE:**

(A) MIXED USE COMMERCIAL/OFFICE CENTER.

1 (B) UP TO 18,000 SQUARE FEET OF GENERAL AND MEDICAL OFFICE USES, AS PERMITTED UNDER THE CC ZONING DISTRICT, ARE ALLOWED. RETAIL USES WILL NOT EXCEED A MAXIMUM OF 5,000 SF TOTAL, AS PERMITTED BY RIGHT IN THE CC ZONING DISTRICT.

2 (C) RESTAURANTS WITH DRIVE-THROUGH WINDOWS, GAS STATIONS AND CONVENIENCE STORES WILL NOT BE PERMITTED AS USES IN ASSOCIATION WITH THIS DEVELOPMENT.

**PART III**

**VEHICULAR ACCESS POINTS AND CONNECTIVITY:**

(A) DIRECT VEHICULAR ACCESS TO EXISTING BERKLEY PLACE DRIVE WILL BE VIA (2) 26 FOOT CLASS II (2) WAY DRIVEWAYS AS SCHEMATICALLY DEPICTED ON THIS PLAN. FINAL LOCATION OF THESE DRIVEWAYS WILL BE SUBJECT TO APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) AND MINOR MODIFICATIONS TO THE LOCATIONS AS DEPICTED HEREIN, WILL BE ALLOWED TO ACCOMMODATE THE FINAL SITE AND ARCHITECTURAL PLANS AND DESIGN.

**PART IV**

**DESIGN GUIDELINES:**

**SECTION 1: OFF AND ON STREET PARKING**

(A) THE PARKING SPACES DEPICTED ON THE SCHEMATIC SITE PLAN MAY VARY IN LAYOUT AND LOCATION, BUT, IN ALL EVENTS, WILL BE SUFFICIENT TO SATISFY THE MINIMUM OFF STREET PARKING STANDARDS ESTABLISHED UNDER THE ORDINANCE.

(B) NO PARKING WILL BE PERMITTED WITHIN BUFFER OR SETBACK AREAS.

(C) NO PARKING WILL BE PERMITTED BETWEEN THE BUILDINGS AND BERKLEY PLACE DRIVE.

(D) ON-STREET PARKING MAY BE PERMITTED ALONG EXISTING BERKLEY PLACE DRIVE IN ACCORDANCE WITH CITY OF CHARLOTTE STANDARDS.

**SECTION 2: LANDSCAPE AND SCREENING**

(A) SCREENING SHALL CONFORM WITH THE STANDARDS SPECIFIED IN SECTION 12.303 OF THE ZONING ORDINANCE.

**SECTION 3: SIGNAGE**

1 (A) A UNIFORM SIGNAGE AND GRAPHIC SYSTEM WILL BE COMPATIBLE IN DESIGN TO THAT ALREADY ESTABLISHED WITHIN THE EXISTING PINNACLE POINT COMMERCIAL/OFFICE DEVELOPMENT. THE MAIN PROJECT IDENTIFICATION SIGN WILL BE A MONUMENT SIGN WITH A MAXIMUM SIZE OF 4 FEET IN HEIGHT AND 32 SF IN AREA.

(B) ALL SIGNS PLACED ON THE SITE WILL BE ERRECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ZONING ORDINANCE.

**SECTION 4: STORM WATER MANAGEMENT**

(A) STORM WATER RUNOFF FROM THIS DEVELOPMENT WILL BE MANAGED BY THE EXISTING ON-SITE SHARED REGIONAL DETENTION FACILITY.

(B) THE EXISTING WETLAND AREAS HAVE BEEN IDENTIFIED, MAPPED, APPROVED, AND A REGIONAL AND NATIONWIDE PERMIT HAS BEEN ISSUED BY THE U.S. ARMY CORPS OF ENGINEERS. THESE EXISTING WETLAND AREAS WILL NOT BE IMPACTED BY THIS DEVELOPMENT.

**SECTION 5: BUFFER AREAS**

(A) THE BUFFER AREAS ESTABLISHED ON THIS SCHEMATIC SITE PLAN SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE; SUBJECT, HOWEVER, TO THE PROVISIONS OF SECTION 12.304 THEREOF, PER SECTION 12.302 (8), THE 75 FOOT CLASS B BUFFER SHALL BE REDUCED BY 25% (TO 56.25 FEET IN WIDTH) BY THE INSTALLATION OF A 6' SOLID SCREEN FENCE, IN SOME AREAS.

(B) THE PETITIONER HAS ALREADY GRADED AND CLEARED WITHIN THE 75' BUFFER AREA IN ORDER TO ACCOMMODATE THE EXISTING DETENTION POND, AS SHOWN ON THIS SITE PLAN.

(C) THE PETITIONER RESERVES THE RIGHT, WITHIN ALL PORTIONS OF BUFFER AREAS, TO INSTALL UTILITIES AND PEDESTRIAN PATHS. HOWEVER UTILITY INSTALLATIONS MAY ONLY CROSS BUFFER AREAS AT INTERIOR ANGLES MEASURED AT THE PROPERTY LINE WHICH ARE NOT LESS THAN 75 DEGREES.

(D) NO BUILDINGS, PARKING SPACES, OR MANEUVERING AREAS MAY BE PLACED WITHIN THE BUFFER AREAS.

(E) WHERE THERE ARE SUFFICIENT EXISTING TREES AND NATURAL VEGETATION WITHIN THE BUFFER AREAS, NO NEW LANDSCAPING WILL BE REQUIRED. WHERE EXISTING VEGETATION IS INSUFFICIENT, THESE AREAS SHALL BE LANDSCAPED WITH TREES AND SHRUBS IN ORDER TO COMPLY WITH SECTION 12.302 OF THE ZONING ORDINANCE.

(F) IN THE EVENT THE ZONING FOR OR THE USES ON ANY ADJACENT PROPERTY CHANGE AT SOME POINT IN THE FUTURE, THE CLASS B BUFFER ON THIS DEVELOPMENT PARCEL MAY BE ELIMINATED.

**SECTION 6: SIDEWALKS AND BICYCLE PARKING**

1 (A) A 5' INTERIOR SIDEWALK WILL CONNECT THE NEW BUILDING(S) TO THE EXISTING PUBLIC SIDEWALK ALONG BERKLEY PLACE DRIVE. THE SIDEWALK ALONG THE FRONT OF THE BUILDING(S) WILL BE A MINIMUM OF 7 FEET IN WIDTH.

(B) AN 8 FOOT PLANTING STRIP FOLLOWED BY A 6 FOOT SIDEWALK WILL BE INSTALLED ALONG THE FRONTAGE WITH BERKLEY PLACE DRIVE.

(C) THE PETITIONER/DEVELOPER WILL PROVIDE BICYCLE RACKS TO ACCOMMODATE ONE BICYCLE PER EACH 20 PARKING SPACES.

**SECTION 7: LIGHTING**

1 (A) ALL FREESTANDING LIGHTING FIXTURES INSTALLED WILL BE SIMILAR IN DESIGN TO THE EXISTING FIXTURES ASSOCIATED WITH THE PINNACLE POINT COMMERCIAL/OFFICE DEVELOPMENT. NO "WALL-PAK" LIGHTING SHALL BE PERMITTED.

(B) ALL DIRECT LIGHTING INSTALLED WITHIN THE SITE SHALL BE DESIGNED SUCH THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE.

**SECTION 8: FIRE PROTECTION**

ADEQUATE FIRE PROTECTION IN THE FORM OF FIRE HYDRANTS WILL BE PROVIDED ACCORDING TO THE CITY OF CHARLOTTE FIRE MARSHAL'S SPECIFICATIONS.

**SECTION 9: DESIGN STANDARDS**

1 (A) THIS SITE WILL COMPLY WITH SECTION 11.405 (7) OF THE CHARLOTTE ZONING ORDINANCE REGARDING REDUCTION OF THE SETBACK FROM 35.0' TO 14.0', AS MEASURED FROM THE BACK OF EXISTING CURB ALONG BERKLEY PLACE DRIVE. THERE WILL BE A 35 FOOT PARKING SETBACK ALONG BERKLEY PLACE DRIVE.

1 (B) DUMPSTER/RECYCLE AREAS, WHERE PROVIDED, WILL BE SCREENED IN ACCORDANCE WITH THE ORDINANCE. EACH DUMPSTER/RECYCLE AREA WILL BE ENCLOSED ON ALL FOUR SIDES BY A WOODEN FENCE OR BRICK WALL WITH ONE SIDE BEING A HINGED GATE. IN THE EVENT THAT SOLID WASTE SERVICES WILL ALLOW ROLL OUT CONTAINERS FOR TRASH COLLECTION, THE DUMPSTER/RECYCLE CONTAINERS MAY BE ELIMINATED.

1 (C) ARCHITECTURAL COMPATIBILITY OF BUILDINGS SHALL BE ASSURED BY THE ESTABLISHMENT OF AN ARCHITECTURAL REVIEW COMMITTEE ASSOCIATED WITH THE EXISTING PINNACLE POINT COMMERCIAL AND OFFICE DEVELOPMENT, WITH JURISDICTION OVER THE ACCEPTABLE MATERIALS AND DETAILS. THE BUILDING MATERIALS WILL THUS BE SIMILAR TO/COMPATIBLE WITH THAT USED IN THE DEVELOPED CC ZONING AND EXISTING MULTI-FAMILY. SEE THE ATTACHED ARCHITECTURAL ELEVATION WHICH IS AN EXAMPLE OF A SIMILAR ONE-STORY OFFICE BUILDING. THE BUILDING(S) WILL BE PHYSICALLY AND ARCHITECTURALLY ORIENTED TOWARDS BERKLEY PLACE DRIVE.

**PART V**

**AMENDMENTS TO REZONING PLAN**

FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET AND THE PROPOSED ILLUSTRATIVE ZONING PLAN MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCEL OR PARCELS INVOLVED IN ACCORDANCE WITH CHAPTER 6 OF THE ORDINANCE.

**PART VI**

**BINDING EFFECT OF THE REZONING APPLICATION**

(A) IF THE PETITIONER'S REZONING PETITION IS APPROVED, THE DEVELOPMENT PROGRAM ESTABLISHED UNDER THESE DEVELOPMENT STANDARDS, THE ILLUSTRATIVE SITE PLAN AND OTHER SUPPORTIVE DOCUMENTS SHALL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INSURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE, AND THEIR RESPECTIVE HEIRS, DEVISES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS.

(B) THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS "PETITIONER" AND "OWNERS" SHALL BE DEEMED TO INCLUDE HEIRS, DEVISES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE WHO, FROM TIME TO TIME, MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT OF THE SITE.

**DEVELOPMENT DATA:**

TAX PARCEL NO: 047-181-23

1 TOTAL ACRES: 5.497 ± ACRES

1 F.A.R. = .076

EXISTING ZONING: R-12MF (CD)

PROPOSED ZONING: CC (COMMERCIAL CENTER DISTRICT)

EXISTING USE: VACANT (W/EXISTING REGIONAL STORM WATER DETENTION FACILITY)

PROPOSED USE: RETAIL/OFFICE (MIXED USE COMMERCIAL & OFFICE)

1 MAXIMUM SQUARE FOOTAGE: 18,000 SF

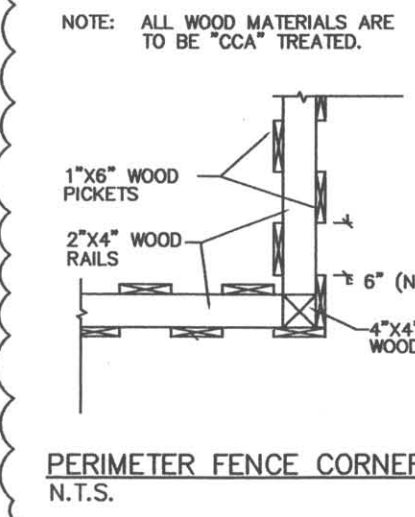
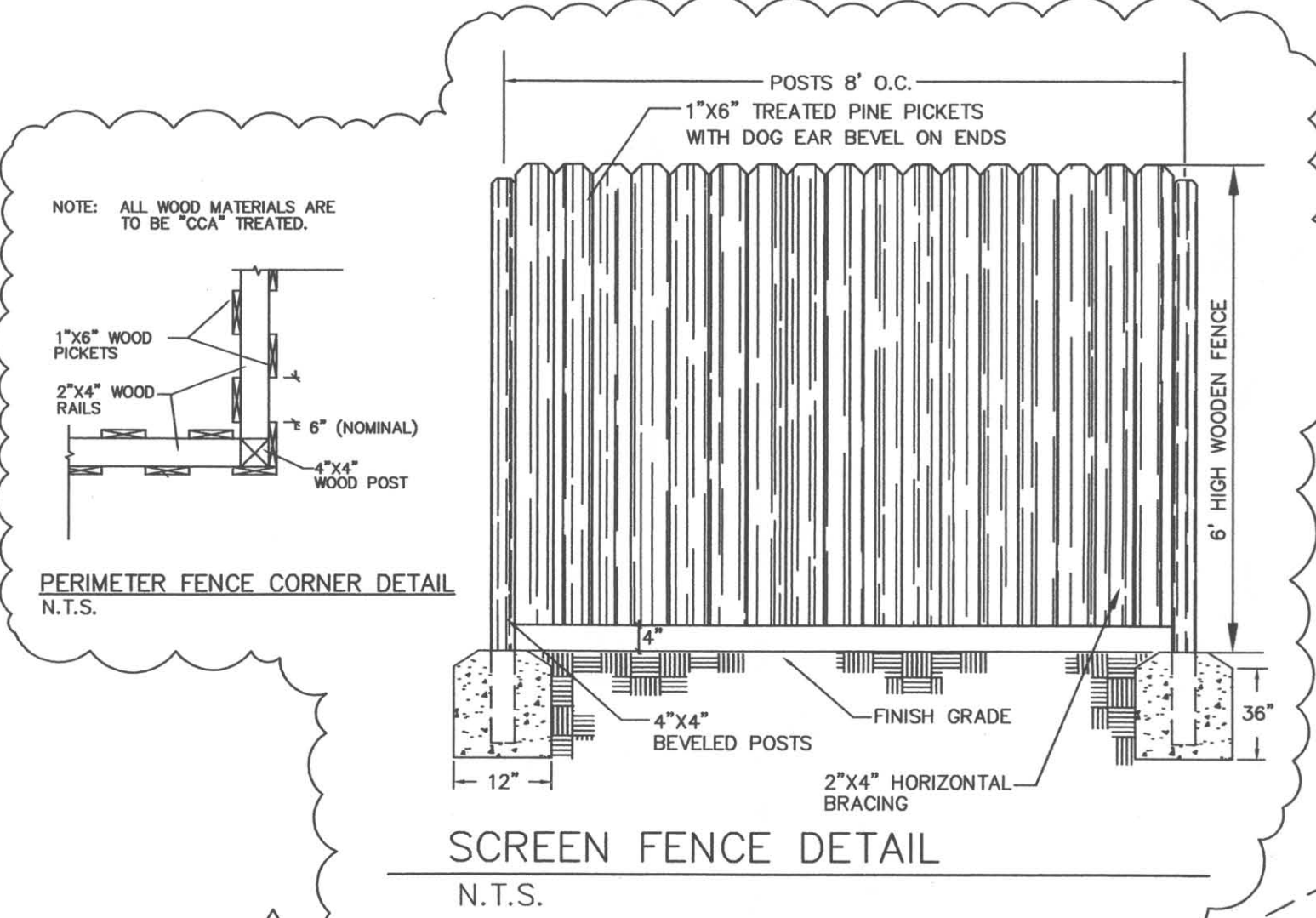
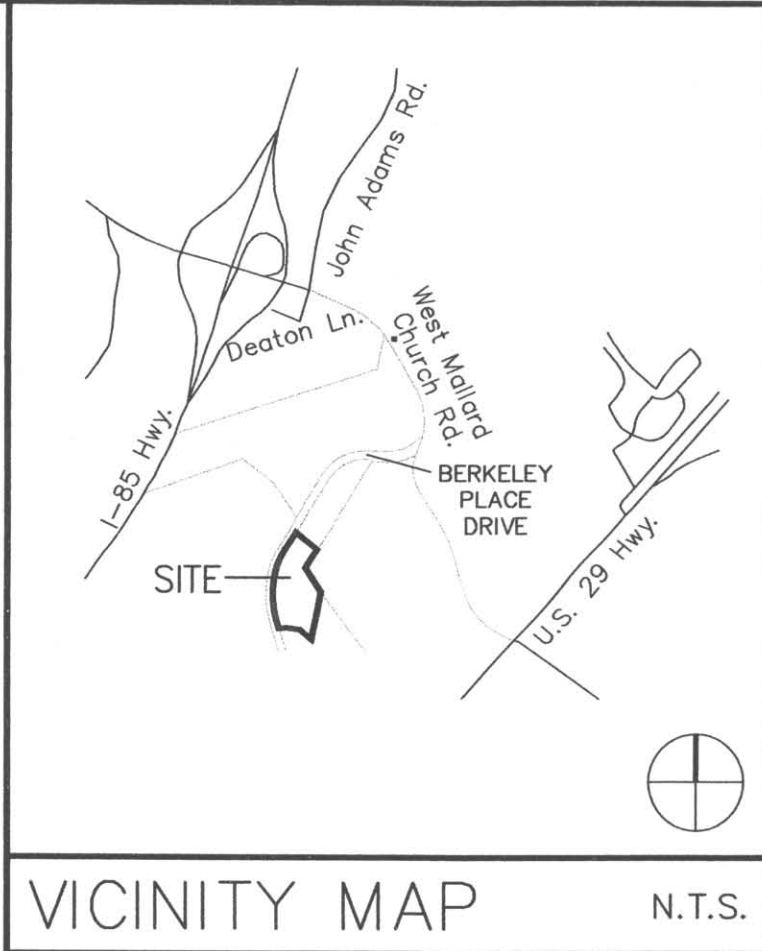
CC DISTRICT EDGE CONDITIONS:

-14' FRONT BUILDING SETBACK (AS MEASURED FROM BACK OF CURB ALONG BERKLEY PLACE DRIVE)

1 -35' PARKING SETBACK (AS MEASURED FROM EXISTING RIGHT-OF-WAY)

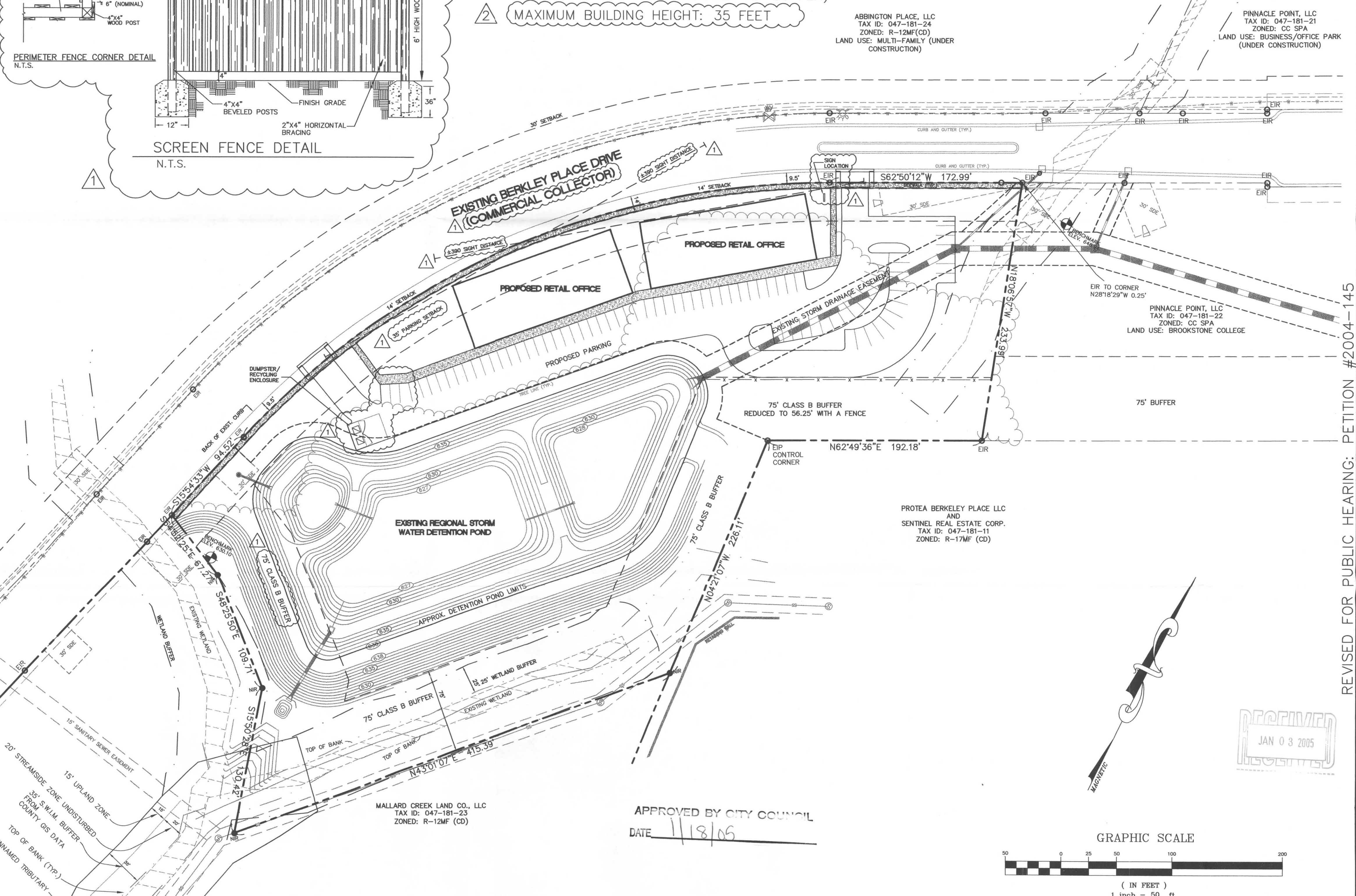
-56.25' CLASS B BUFFER (REDUCED FROM 75' BY THE INSTALLATION OF A 6' SOLID SCREEN FENCE AND THE FULL 75' BUFFER)

2 MAXIMUM BUILDING HEIGHT: 35 FEET



PERIMETER FENCE CORNER DETAIL N.T.S.

SCREEN FENCE DETAIL N.T.S.



ABBINGTON PLACE, LLC  
TAX ID: 047-181-24  
ZONED: R-12MF(CD)  
LAND USE: MULTI-FAMILY (UNDER CONSTRUCTION)

PINNACLE POINT, LLC  
TAX ID: 047-181-21  
ZONED: CC SPA  
LAND USE: BUSINESS/OFFICE PARK (UNDER CONSTRUCTION)

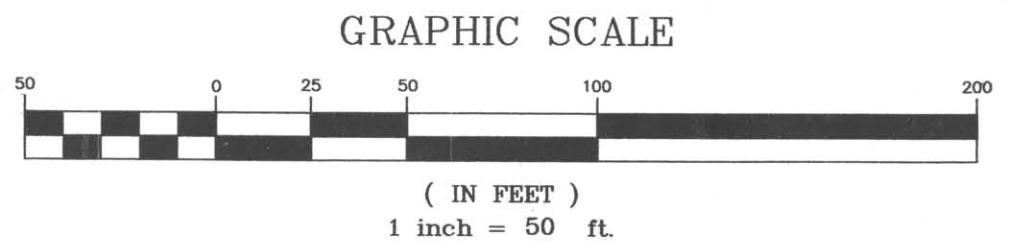
PINNACLE POINT, LLC  
TAX ID: 047-181-22  
ZONED: CC SPA  
LAND USE: BROOKSTONE COLLEGE

PROTEA BERKLEY PLACE LLC AND SENTINEL REAL ESTATE CORP.  
TAX ID: 047-181-11  
ZONED: R-17MF (CD)

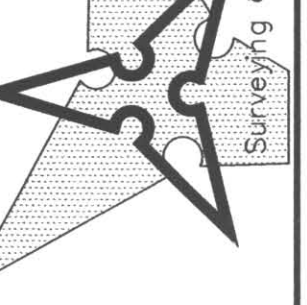
MALLARD CREEK LAND CO., LLC  
TAX ID: 047-181-23  
ZONED: R-12MF (CD)

APPROVED BY CITY COUNCIL

DATE 11/18/05



**GNA DESIGN ASSOCIATES, Inc.**  
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PROJECT: CONDITIONAL REZONING REQUEST  
PINNACLE POINT DEVELOPMENT  
CHARLOTTE, NORTH CAROLINA  
SHEET TITLE: ILLUSTRATIVE  
SITE PLAN/TECHNICAL DATA SHEET  
PINNACLE POINT, LLC  
CHARLOTTE, NORTH CAROLINA

Project No. 56916  
Checked by TLH  
Drawn by JMD  
Initial Filing: 09.27.04  
Revisions:  
11.19.04 REVISED FOR PUBLIC HEARING  
12.30.04 REVISED PER PRE-HEARING STAFF ANALYSIS  
Sheet RZ-1

CAD FILE: 56916RZ.DWG

REVISED FOR PUBLIC HEARING: PETITION #2004-145

