

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 arrangement of proposed uses on the Site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits set forth on the Technical Data Sheet and as prescribed by the Ordinance during the design development and construction phase within the building envelope line as shown on the Technical Data Sheet subject to the provisions of Section 6.2 of the Ordinance.
- 1.A. Reference is made to Rezoning Petition 2002-022 approved by Charlotte City Council on March 18, 2002, as amended (the "NS Rezoning Petition") regarding an approximately 4.7-acre parcel fronting on new Highway 521 and Old Lancaster Highway (the "NS Site", together with the Site being referred to as the "Combined Site"). The Site and the NS Site may be viewed and developed as a unified development with cross-reciprocal access and utility easements and certain other common development elements that may be set forth in a Declaration of Covenants, Conditions and Restrictions governing development on the Combined Site. As such, side and rear yards, buffers and other separation standards will not be required internally between improvements located on the Site and the NS Site. Additionally, as a unified development, the Site and the NS Site may contain certain other common development aspects such as access, parking, utilities, signage and the like in addition to the elimination of the internal separation standards described above.
2. The Site may be developed for all uses permitted by right or under prescribed conditions in the (C-1) zoning district, including without limitation a health club facility, together with all permitted accessory uses; provided, however, no hotels or motels shall be permitted. Up to 40,000 square feet of gross floor area may be developed on the Site.
3. Buffer areas along the exterior of the Site will be developed in accordance with Section 12.302.
4. Stormwater detention and water quality features will be designed in accordance with the following standards:
 - (a) Petitioner will tie-in to the existing storm water system(s) if any exist in the area. Petitioner shall have the receiving drainage system(s) analyzed to ensure that it will not be taken out of standard due to the proposed development. If it is found that the proposed development will cause the storm drainage system(s) to be taken out of standard, Petitioner shall provide alternate methods to prevent this from occurring. If the receiving drainage system(s) is already out of standard, Petitioner's proposed development will be designed so as to not place the downstream system(s) further out of standard.
 - (b) The Petitioner will provide bio-retention area(s) or parking area(s) to provide treatment for the first 1-inch of runoff generated of stormwater from the parking and driveway areas as shown in areas #1 and #2 within the attached "Conceptual Stormwater Quality Control Plan." The rain gardens will be designed using the 2007 DNR Manual for sizing calculations.
 - (c) Petitioner shall control the entire volume for the 1-year, 24-hour storm. Runoff volume draw-down time shall be a minimum of 24 hours, but not more than 120 hours.
 - (d) The peak shall be controlled to match the pre-development runoff rates for the 10-year, 6-hour storm, and Petitioner shall perform a downstream flood analysis to determine whether additional peak control is needed and if so, for what level of storm frequency, or if a downstream analysis is not performed, Petitioner shall control the peak for the 10-year and 25-year, 6-hour storms.

DEVELOPMENT TABULATIONS

Total Site Area: +/-4.47AC
 Total Net Area: +/- 4.01 AC
 Maximum Space: 40,000 sf
 Existing Zoning: O-1(CD)
 Proposed Zoning: O-1(CD)SPA

- (c) All streams draining greater than or equal to 30 acres and less than 300 acres shall have a 35-foot buffer with two (2) zones, including stream side and upland. Streams draining greater than or equal to 300 acres and less than 640 acres shall have a 50-foot buffer with three (3) zones, including stream side, managed use, and upland.
 - (d) Streams draining greater than or equal to 640 acres shall have a 100-foot buffer, plus 50% of the area of the flood fringe beyond 100 feet. This buffer shall consist of three (3) zones, including stream side, managed use, and upland.
 - (e) All buffers shall be measured from the top of the bank on both sides of the stream. The uses allowed in the different buffer zones, as described in the S.W.I.M. Stream Buffer requirements in the Zoning Ordinance, Chapter 12, as well as the other provisions of the S.W.I.M. ordinance, shall apply (except buffer widths).
5. Signage will be permitted in accordance with applicable Zoning Standards. Furthermore, as a unified development with the NS Site, signage benefiting uses located on the Site shall be allowed on the NS Site to provide visibility from new Highway 521 in accordance with applicable Zoning standards.
 6. The combined site being a unified development, parking requirements may be met with reference to either or both the Site and NS Site and the parking ratio related to permitted uses on the Site shall be one space per 250 square feet of gross floor area such that full buildout of 40,000 square feet of gross floor area shall require 160 parking spaces, some of which may be located on the NS Site.
 7. Screening will conform to the applicable standards of Section 12.303 of the Zoning Ordinance.
 8. (a) Buildings will not exceed 40 feet in height, except as provided by Ordinance. As set forth below in Section 8(b), buildings will be a maximum of 3 stories in height.
 - (b) For so long as the Site is developed and occupied principally for indoor recreation uses: (i) the building materials (excluding roofs and windows) will consist of brick, stone, synthetic stone, precast, architectural metal panels, hardcoat stucco or synthetic stucco; (ii) windows will comprise a minimum of 40% of the vertical building elevation (excluding roofs) facing Lancaster Highway (a/k/a Old Highway 521) and masonry materials and windows will comprise a minimum of 70% of such vertical elevation; (iii) windows will comprise on average 40% of the vertical building elevations (excluding roofs) when taken as a whole of all four elevations of the primary building on the Site and masonry materials and windows will comprise on average a minimum of 70% of the vertical building elevations (excluding roofs) when taken as a whole of all four elevations of the primary building on the Site; and (iv) the building design shall be substantially consistent with the general conceptual design illustrated on the attached elevation.
 9. Site lighting will be limited to 20 feet in height and no "small pack" lighting will be installed. Lighting will be "fully shielded."
 10. Access points to the Site and the NS Site shall be permitted in the manner generally shown on the conceptual site plans for each such rezoning petition. All driveway and street connections are subject to approval by Mecklenburg County and NCDOT. In addition, pedestrian access will be provided from the Site to the sidewalk on Old US 521 per Section 12.5.29 of the Ordinance.
 11. All dumpsters on the Site will be screened with a solid enclosure with gates.
 12. Required buffers on the Site may be eliminated if the adjoining parcels are rezoned such that they are no longer required.
 13. No stormwater detention facilities will be located within the floodway fringe.
 14. A 20 foot setback along Old Lancaster Highway shall be maintained.
 15. To the extent not already in existence and provided that the resulting right-of-way does not take disproportionately from the northeastern right-of-way margin of Old Lancaster Highway, the Petitioner shall dedicate and convey by quitclaim deed and subject to a reversionary interest in any property not used for right-of-way purposes in the future) such portions of the Site located along Old Lancaster Highway as may be needed to provide for 50 feet of right-of-way northeast of the existing centerline of Old Lancaster Highway, prior to the issuance of any building permits for improvements on the Site.

TECHNICAL DATA SHEET

FOR PUBLIC HEARING
 PETITION NUMBER:
 2007-117

APPROVED BY COUNTY COMMISSION

DATE: 2/8/10
Faded Signature

DATE: December 21, 1999
 PROJECT NO.: 1999079
 REVISIONS:

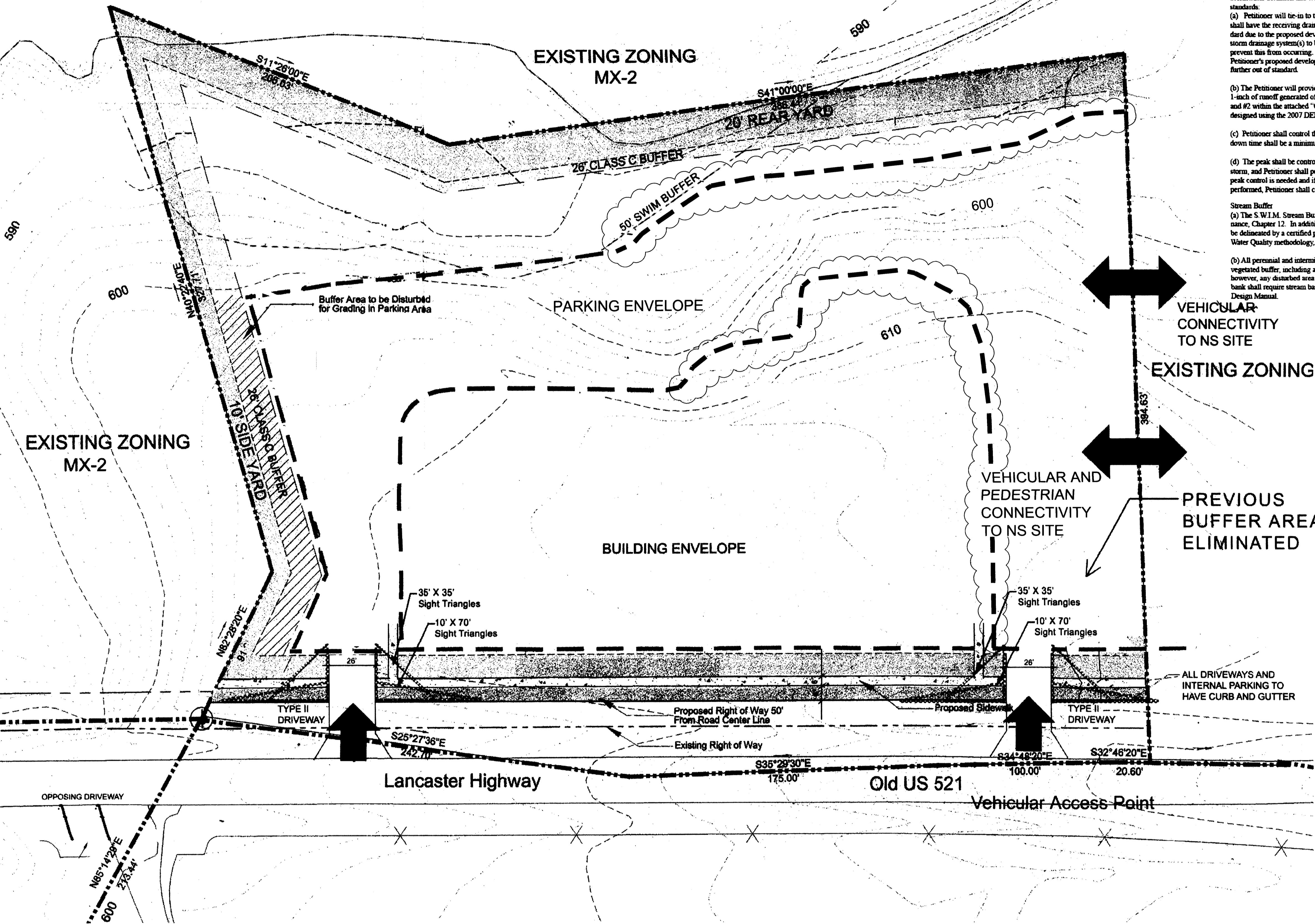
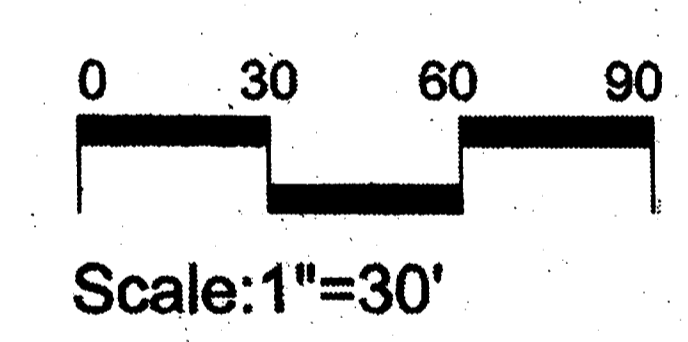
- 05/18/07: Submission per Planning Commission Review
- 08/17/07: Revisions per Planning Commission Review
- 10/16/07: Revisions
- 11/08/07: Revisions
- 5/2/13: Revisions

01101 East Boulevard, Charlotte, NC 28203 704/333-0321
 01414 Prince Street, Asheville, NC 22314 704/249-7784

ATTACHED TO ADMINISTRATIVE APPROVAL

MAY 6 2013

BY: DEBRA CAMPBELL



Charlotte-Mecklenburg Planning Department

DATE: May 6, 2013

TO: Mark Fowler
 Zoning Supervisor

FROM: Debra Campbell
 Planning Director

SUBJECT: Administrative Approval for Petition No. 2007-117 Mecklenburg Land Development, LLC

Attached is a revised site plan for the above referenced rezoning petition. The site plan attached shows a modification to the building and parking envelope. Since this change does 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.

Note all other Zoning, Subdivision, Tree Ordinance and Conditional requirements still apply.