

DEVELOPMENT DATA

-Acreage: 11.0
-Tax Parcel #: 219-061-05 and 219-061-09
-Existing Zoning: R-17MF(CD) and CC by Rezoning Petition No. 1992-14(C)
-Proposed Zoning: CC and CC SPA
-Existing Uses: Vacant
-Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the CC zoning district (as more specifically restricted in the development standards).
-Maximum Gross Square Feet of Development: Up to 100,000 square feet of gross floor area.
-Maximum Building Height: As allowed by the Ordinance, but not to exceed four (4) stories.
-Parking: As required by the Ordinance.
-Open Space: A minimum of 15% of the Site will be established as open space as defined by the Ordinance.

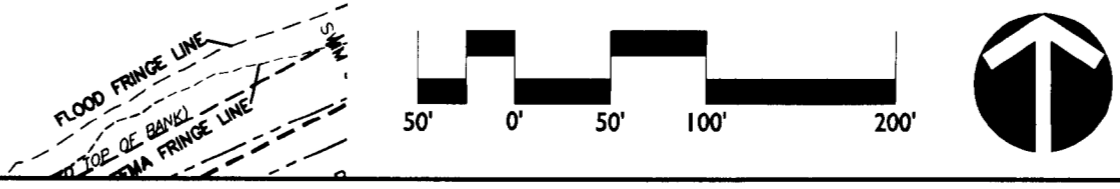
APPROVED BY CITY COUNCIL

ADJACENT PROPERTY OWNERS

- | | |
|--|--|
| 1
CC
21906121
HAWTHORNE CO
PO BOX 32064
CHARLOTTE, NC 28232 | 9
CC
19955125
STEELCROFT OFFICE LLC 521
EAST MOREHEAD ST #400
CHARLOTTE, NC 28202 |
| 2
CC
21906128
SUNTRUST BANK
919 E MAIN ST 14TH FL
RICHMOND, VA 23219 | 10
B-2 (CD)
21912303
RCR PROPERTIES LLC
16026 KIKI CT
TEGA CAY, SC 29715 |
| 3
CC
21906127
CK RIVERGATE LLC
301 SOUTH COLLEGE ST #2800
CHARLOTTE, NC 28202 | 11
R-3
21912302
CARLTON & LYERLY INVESTMENTS
1215 MCDOWELL FARMS DR
CHARLOTTE, NC 28217 |
| 4
CC
21906112
LLC % CHILDRESS KLEIN PRO
CK RIVERGATE SHOPPING CENTER
%CHILDRESS KLEIN PROPERTIES
301 SOUTH COLLEGE ST #2800
CHARLOTTE, NC 28202 | 12
O-2 (CD)
21912202
HOSPITAL AUTHORITY THE
CHARLOTTE-MECKLENBURG
PO BOX 32861
CHARLOTTE, NC 28232 |
| 5
CC
21906113
C/O CVS CORPORATION CVS
ONE CVS DRIVE
WOONSOCKET, RI 02895 | 13
O-2 (CD)
21912201
HOSPITAL AUTHORITY THE
CHARLOTTE-MECKLENBURG
PO BOX 32861
CHARLOTTE, NC 28232 |
| 6
CC
20123112
WRI STEELE CREEK LLC
PO BOX 450233
ATLANTA, GA 31145 | 14
O-2 (CD)
21912105
HOSPITAL AUTHORITY THE
CHARLOTTE-MECKLENBURG
PO BOX 32861
CHARLOTTE, NC 28232 |
| 7
CC
19955198
LLC WATERS CONVENIENCE STORES
301 S MCDOWELL ST #210
CHARLOTTE, NC 28204 | 15
R-17 MF (CD)
21906110
LLC CHILDRESS KLEIN PRO CK
RIVERGATE SHOPPING CENTER
CHILDRESS KLEIN PROPERTIES
301 SOUTH COLLEGE ST #2800
CHARLOTTE, NC 28202 |
| 8
CC
19955109
WFC STEELCROFT FUND ILLC
11440 SAN VICENTE BV #200
LOS ANGELES, CA 90049 | |

LEGEND

- OFFICE/RETAIL SITE BOUNDARY
- INTERIOR PRIVATE STREET
- SETBACK / REAR YARD
- EXISTING TREES



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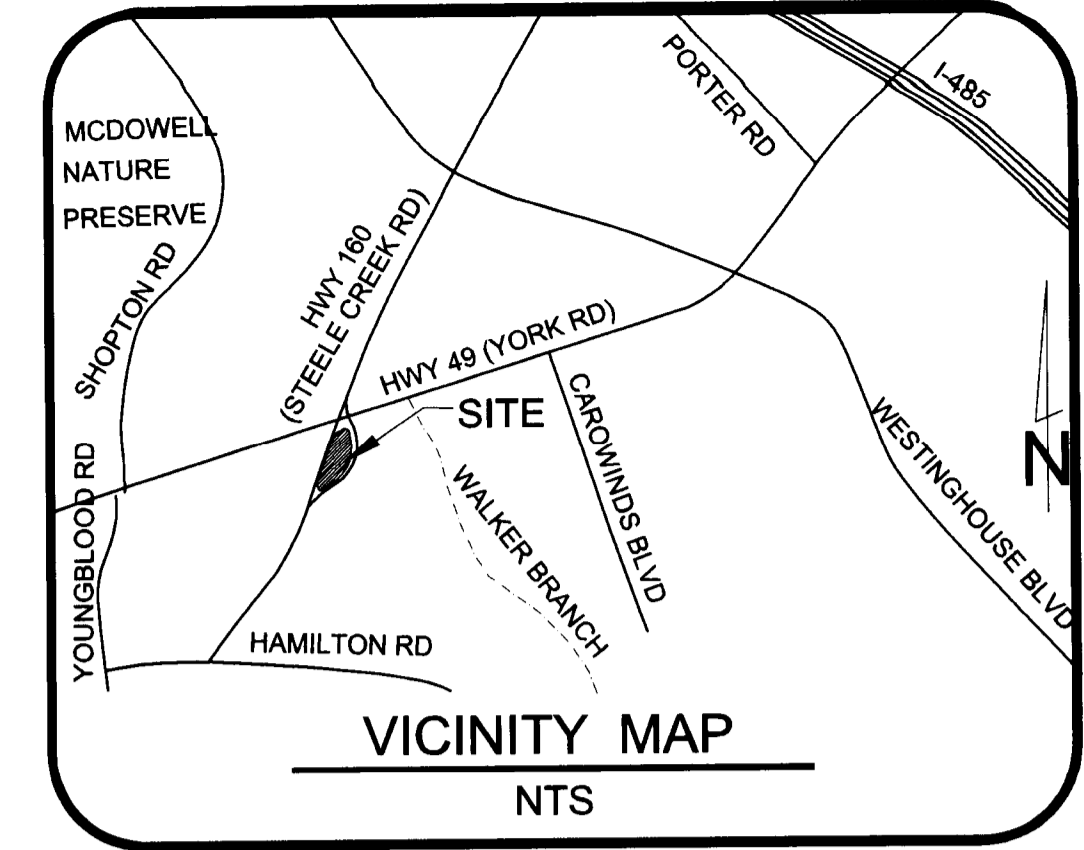
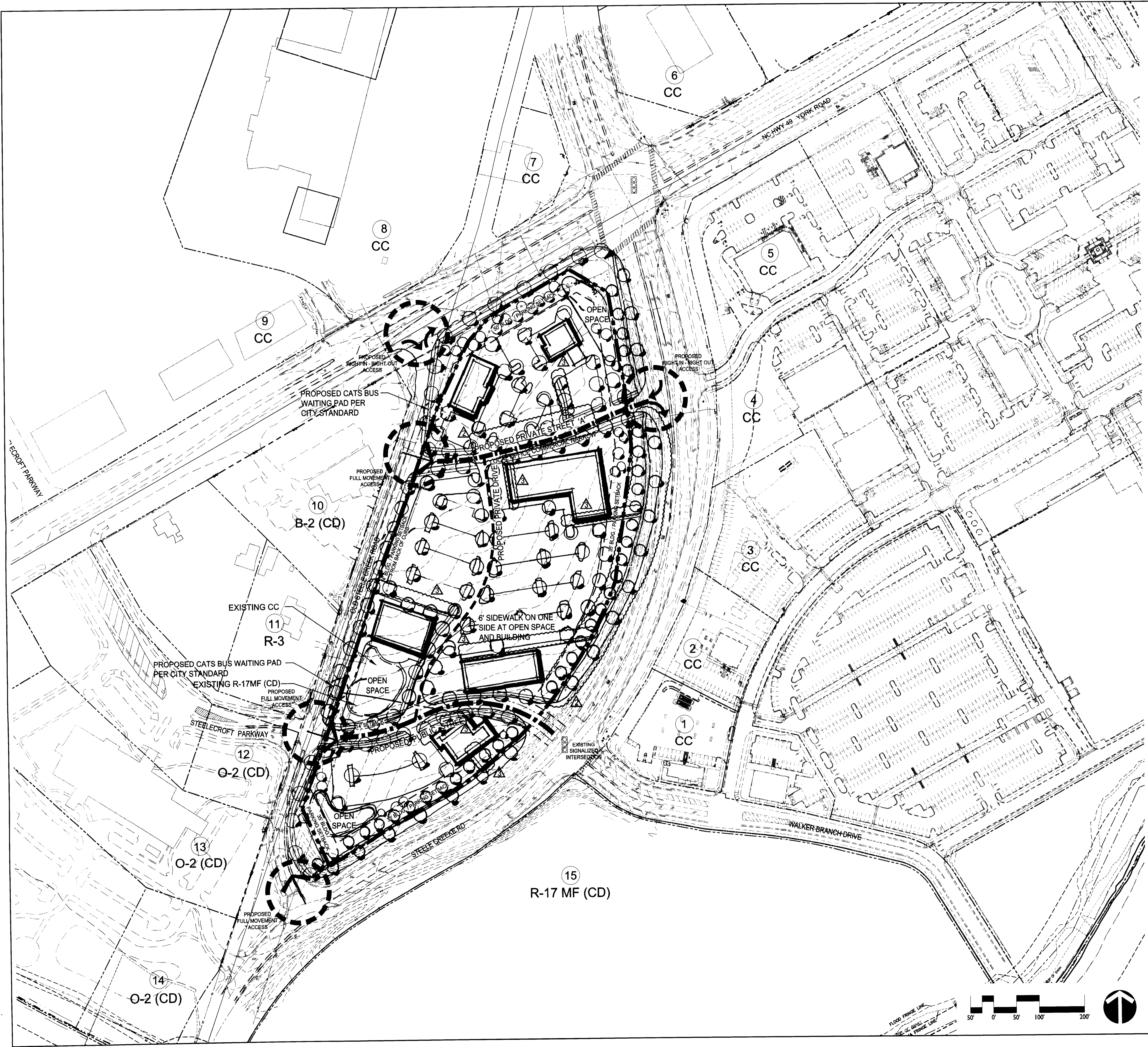
CHILDRESS KLEIN PROPERTIES

RIVERGATE - OFFICE
Technical Data Sheet
 Childress Klein; Steele Creek 1997 Limited Partnership; Mecklenburg Co., NC
 REZONING PETITION NO. 2011-082

RZ-1

DATE: September 26, 2011
 DESIGNED BY: JMK
 DRAWN BY: ALK
 CHECKED BY: JMK
 O.C. BY: JMK
 PROJECT #10010392

REVISIONS:
 (1) 11.14.11 - CMRD COMMENTS
 (2) 12.24.11 - CMRD COMMENTS
 (3) 02.24.12 - CMRD COMMENTS
 (4) 03.16.12 - ZONING COMM. MITG. REVISIONS



APPROVED BY
CITY COUNCIL

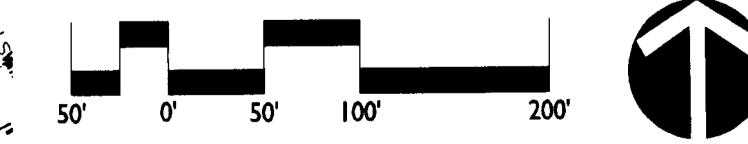


CHILDRESS KLEIN
PROPERTIES

**RIVERGATE - OFFICE
SCHEMATIC SITE PLAN**
Childress Klein; Steele Creek 1997 Limited Partnership; Mecklenburg Co., NC
REZONING PETITION NO. 2011-082

DATE: September 26, 2011
DRAWN BY: MRC
CHECKED BY: MRC
SCALE: 1"=100'
PROJECT #10010292
SHEET #

- LEGEND**
- OFFICE / RETAIL SITE BOUNDARY
 - INTERIOR PRIVATE STREET
 - SETBACK / REAR YARD
 - EXISTING TREES



RZ-2

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**Steele Creek 1997 Limited Partnership
Development Standards**
03/16/12
Rezoning Petition No. 2011-082 (Office Parcel)

Site Development Data:

- Acreage: 11.0
- Tax Parcel #: 219-061-05 and 09
- Existing Zoning: R-17MF(CD) and CC by Rezoning Petition No. 1992-14(C)
- Proposed Zoning: CC and CC SPA
- Existing Uses: Vacant
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the CC zoning district (as more specifically restricted below).
- Maximum Gross Square Feet of Development: Up to 100,000 square feet of gross floor area.
- Maximum Building Height: As allowed by the Ordinance, but not to exceed four (4) stories.
- Parking: As required by the Ordinance.
- Open Space: A minimum of 15% of the Site will be established as open space as defined by the Ordinance.

1. General Provisions:

a. These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Steele Creek 1997 Limited Partnership to accommodate development of an office park on an approximately 11.0 acre Site located in the southwest quadrant of the intersection of S. Tryon Street and Steele Creek Road (the "Site").

Development of the Site will be governed by the attached Technical Data Sheet and Schematic Site Plan and these Development Standards (together with the site plan referred to as the "Rezoning Plan") as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Charlotte Zoning Ordinance (the "Ordinance") for the CC zoning district classification shall govern all development taking place on the Site.

The development depicted on the Rezoning Plan is schematic in nature, and except as otherwise specified in these Development Standards, is intended to describe the possible arrangements of uses and site elements. The schematic depictions of the uses, parking areas, structures and buildings, and other site elements set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. Consequently, except as otherwise expressly specified on the Technical Data Sheet and in these Development Standards, the ultimate layout of the development proposed, the exact alignments of streets and points of access; the numbers, the size, configuration and placements of buildings and parking areas; and the depictions of other site elements on the Rezoning Plan as well as any schematic building elevations are preliminary graphic representations of the types and quality of development proposed. They may, therefore, be altered or modified during design development and construction document phases within the maximum building/parking envelope lines while adhering to the standards for building edges established on the Technical Data Sheet, as long as the changes maintain the general building and parking orientation and character of the

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intent being that the drive-through lanes associated with the financial institution will not be located between the principal structure and Hwy. 49 or Steele Creek Road.

- d. A "Building Edge" has been provided within portions of the proposed building/parking envelopes generally depicted on the Technical Data Sheet. When a building is constructed within a building/parking envelope that contains such a "Building Edge", the building must be constructed along the "Building Edge" depicted (plaza/outdoor dining areas will be considered part of the building for the purposes of compliance with this provision). If a building/parking envelope contains more than one "Building Edge" location, the building constructed within such envelope must be placed along one of the "Building Edge" locations depicted but not all of such locations, except for the "Building Edge" locations along Steele Creek Road within building/parking envelope C and D in which case the building will be placed along both "Building Edges" indicated. Parking and vehicular maneuvering may not be located between the proposed building and the "Building Edge" that applies to such building/parking envelope (plaza outdoor dining areas will be allowed between the building and the "Building Edge"). The provisions of this Section may be altered to permit greater flexibility in development with the prior written consent of the Planning Director.

For purposes of the development limitations set forth in these Development Standards, (but not to be construed as a limitation on FAR requirements), the term "gross floor area" or "GFA" 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 any surface or structured parking facilities, areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl spaces), all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the building(s) or at street level/parking for outdoor dining areas will be provided as required by the Ordinance.

3. Access:

- a. Access to the Site will be from Steele Creek Road and Old Steele Creek Road as generally depicted on the Rezoning Plan.
- b. The proposed connection of Old Steele Creek Road to South Tryon Street will be limited to right-in right-out only.
- c. The placements and configurations of vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the CDOT and/or the North Carolina Department of Transportation ("NCDOT").
- d. A public street will be provided through the Site linking Walker Branch Road to Steelecroft Parkway as generally depicted on the Rezoning Plan.

- e. A private street designed to meet the "Local Office/Commercial Narrow" cross-section will be provided along the northern portion of the Site connecting Old Steele Creek Road to Steele Creek Road.

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development generally depicted on the Schematic Site, subject as well to the accompanying Development Standards. Changes to the Rezoning Plan will be reviewed and approved as allowed by Section 6.207.(2).

Parking layouts for surface and structured parking may be modified to accommodate final building locations and parking spaces may be located within the development area boundaries to the extent permitted by the Ordinance. Sidewalks generally depicted on the Rezoning Plan are intended to reflect the general pedestrian circulation for development on the Site but the specific locations of such sidewalks may be varied to variations that do not materially change the design intent generally depicted on the Rezoning Plan.

Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site shall not exceed eight (8). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site.

Proposed circulation and street network/connectivity is generally shown on the Rezoning Plan to illustrate: (i) a public street connecting Walker Branch Drive to Steelecroft Parkway, (ii) a private street running east to west along the northern portion of the Site, and (iii) a private drive running north to south connecting the street on the southern portion of the Site to the private street on the northern portion of the Site. To allow for the future market demand and the accompanying flexibility in the specific design of the Site, the final location and alignment of these proposed connections will be determined at the time of development and the site plan approval process.

2. Permitted Uses & Development Area Limitation:

a. The Site may be developed with up to 100,000 square feet of gross floor area of all uses permitted by right and under prescribed conditions together with accessory uses allowed in the CC zoning district as restricted below in this Section 2, except for the following uses that are prohibited: automotive service stations; residential dwellings; hotels; motels; theaters, motion picture; equipment rental and leasing, within an enclosed building; locksmiths and gunsmiths; nurseries and greenhouses; outdoor recreation; repair or servicing of any articles, the sale of which is permitted in the district; building material sales; donation drop-off facility; and pet services outdoor

b. Only one free-standing single story building with a maximum square footage of 20,000 gross square feet devoted to restaurant uses; retail establishments and business; personal and recreation services as allowed in the B-1 district will be allowed on the Site. Additional restaurant uses; retail establishments and businesses; personal and recreational services as allowed in the B-1 district are allowed in buildings that contain at least 8,000 square feet of gross floor area devoted to other uses. Such retail, restaurant, business and personal service and recreational uses will be limited to the ground floor of the building and may not occupy more than 50% of the total gross floor area of the building.

c. Only one financial institution with accessory drive through windows will be allowed on the Site. No other uses with accessory drive-through windows will be allowed. The location of the drive-through window and associated lanes will be allowed as illustrated on Sheet RZ-2 the

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- c. **Order of Improvements.** The roadway improvements referenced in subsections a. and b. above are not required to be completed in any sequence, but rather the level of development is subject to substantial completion of the applicable roadway improvements set forth for such corresponding development.

d. **CDOT/NCDOT Standards.** All of the foregoing roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad southwest Mecklenburg area, by way of a private-public partnership effort or other public sector project support.

e. **Timing of Completion.** The roadway improvements referenced in subsections a. and b. above must be substantially completed prior to the issuance of the certificate of occupancy for the first building located on the Site, subject to the ability of the Petitioner to post a letter of credit or a bond for any improvements not in place at the time such first certificate of occupancy is issued to a secure completion of the applicable improvements.

f. **Right-of-way Availability.** It is understood that some of the roadway improvements referenced in subsection a. and b. above, may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, and to the extent that the applicable area in which the right of way is located is within the City of Charlotte, then CDOT, the City of Charlotte Engineering Division or other applicable agency or department agree to proceed with condemnation of any such land. In such event, the Petitioner shall reimburse the applicable agency or department for the cost of any such condemnation proceedings including compensation paid by the applicable agency or department for any such land and the expenses of such proceedings.

g. **Alternative Improvements.** Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, Planning Director, and as applicable, NCDOT, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

5. Architectural Standards:

- a. The buildings constructed on the Site will use a variety of building materials. The building materials used will be a combination of the following: brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, EIFS or wood.
- b. Meter banks will be located behind the building and will be screened.
- c. Roof top HVAC and related mechanical equipment will be screened from public view at grade.
- d. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be

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architecturally compatible with the building materials and colors used on the building. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side.

6. Streetscape and Landscaping:

a. A 50 landscape setback will be provided along S. Tryon Street. A 35 foot landscape setback will be provided along Steele Creek Road and a portion of Old Steele Creek Road as generally illustrated on the Rezoning Plan. The setback along the remainder of Old Steele Creek Road and the interior public street may be reduced to 14 feet as allowed by the Ordinance.

b. The landscape materials including street trees, shrubs and ground covers used within the 50 setback along S. Tryon Street and 35 foot setback along Steele Creek will be coordinated and consistent with the landscape materials used on the other three quadrants of the intersection of S. Tryon Street and Steele Creek Road as described in the "Lower Steele Creek Area Mixed Use Center Plan Design Guidelines" approved as part of Rezoning Petition No. 1992-014(C). (At a minimum two rows of trees will be planted along Steele Creek Road and S. Tryon Street. Along the Steele Creek Road and S. Tryon Street the first row will be located in the planting strip between the back of curb and sidewalk. Along Steele Creek Road these trees will be spaced 80 feet on center and 60 feet on center along S. Tryon Street. The second row will be planted within the setback of each of these streets and will be planted at 40 feet on center along Steele Creek Road and 20 feet on center along S. Tryon Street. Due to the presence of over head power lines along S. Tryon Street small maturing trees will be utilized.

c. The Petitioner will provide eight (8) foot planting strips and six (6) foot sidewalks along the Site's frontage on Steele Creek Road, Old Steele Creek Road, S. Tryon Street and along both sides of the interior public street and the private street located along the northern portion of the Site.

d. Along the Sites internal private roads, the Petitioner will provide a sidewalk and cross-walk network that links the buildings on the Site with one another and links the buildings to the sidewalks along the abutting public streets. The minimum width for this internal sidewalk will be six (6) feet. Street trees will also be provided along the Site's internal private roads.

e. The sidewalks and sidewalk connections illustrated on sheet RZ-2 will be constructed as part of the development of the Site.

f. Screening requirements of the Ordinance will be met.

g. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

7. Environmental Features:

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

b. The location, size and type of storm water management systems depicted on the Rezoning Plan is subject to review and approval as part of the full development plan submittal

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and is not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points

c. The Site will comply with the Tree Ordinance

8. Parks, Greenways and Open Space:

a. Open space areas equaling 15% of the Site area will be provided. The open space areas depicted on the Rezoning Plan may be relocated to other locations on the Site. However, the open space areas identified at the intersections of Hwy. 49 and Steele Creek Road and Steele Creek Road and Old Steele Creek Road shall remain at those locations and be designed as focal points for the overall development. These focal points will be improved with enhanced landscaping, which may include existing vegetation that will buffer parking areas beyond the minimum screening standards. Some of the internal open space area(s) will be improved with seating areas and landscaping. Other open space areas will be left as natural areas with existing trees or improved with additional landscaping. Internal improved open space will be linked to the buildings on the Site via the Site's internal sidewalk and cross-walk network.

9. Signs:

a. Signage as allowed by the Ordinance will be provided.

10. Lighting:

a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

b. Detached lighting on the Site will be limited to 20 feet in height.

c. No "wall pak" lighting will be allowed, however architectural lighting on building facades, such as sconces, will be permitted.

11. CATS Passenger Shelter Pad and Preferred Parking for "Clean Commuters":

a. The Petitioner will install two concrete passenger shelter pads along Old Steele Creek Road in the locations generally indicated on the Rezoning Plan.

b. The Petitioner will provide "Preferred" (attractive, conveniently located) parking spaces for "Clean Commuters" (carpool, vanpool, hybrid vehicles or electric vehicles) equal to 5% of the total number of required parking spaces.

12. Amendments to the Rezoning Plan:

a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

13. Binding Effect of the Rezoning Application:

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a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

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CHILDRESS KLEIN
PROFESSIONALS

RIVERGATE - OFFICE
Development Standard Notes
Childress Klein; Steele Creek 1997 Limited Partnership; Mecklenburg Co., NC
REZONING PETITION NO. 2011-082

REVISIONS:
DATE: September 26, 2011
DESIGNED BY: MRC
DRAWN BY: KJK
CHECKED BY: MRC
C.C. BY: MRC
PROJECT #10010282

SHEET #
RZ-3