

**SITE DEVELOPMENT DATA**

--Acreage: 11.7  
 --Tax Parcel #: 219-061-05 and 09  
 --Existing Zoning: CC  
 --Proposed Zoning: CC SPA  
 --Existing Uses: Vacant and Office Building  
 --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 90,000 square feet of gross floor area (including +/- 13,000 sq ft building(s) already constructed on the Site).  
 --Maximum Building Height: Not to exceed four (4) stories

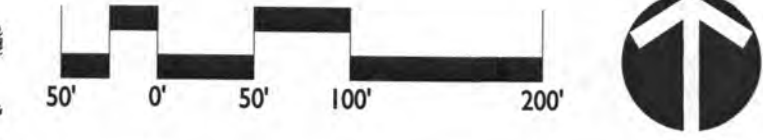
**ADJACENT PROPERTY OWNERS**

- |  |  |
|--|--|
| <p>1 CC<br/>21906121<br/>HAWTHORNE CO<br/>PO BOX 32084<br/>CHARLOTTE, NC 28232</p> <p>2 CC<br/>21906128<br/>SUNTRUST BANK<br/>919 E MAIN ST 14TH FL<br/>RICHMOND, VA 23219</p> <p>3 CC<br/>21906127<br/>CK RIVERGATE LLC<br/>301 SOUTH COLLEGE ST #2800<br/>CHARLOTTE, NC 28202</p> <p>4 CC<br/>21906112<br/>LLC % CHILDRESS KLEIN PRO<br/>CK RIVERGATE SHOPPING CENTER<br/>%CHILDRESS KLEIN PROPERTIES<br/>301 SOUTH COLLEGE ST #2800<br/>CHARLOTTE, NC 28202</p> <p>5 CC<br/>21906113<br/>C/O CVS CORPORATION CVS<br/>ONE CVS DRIVE<br/>WOONSOCKET, RI 02895</p> <p>6 CC<br/>20123112<br/>WRI STEELE CREEK LLC<br/>PO BOX 450233<br/>ATLANTA, GA 31145</p> <p>7 CC<br/>19955198<br/>LLC WATERS CONVENIENCE STORES<br/>301 S MCDOWELL ST #210<br/>CHARLOTTE, NC 28204</p> <p>8 CC<br/>19955109<br/>WFC STEELCROFT FUND ILLC<br/>11440 SAN VICENTE BV #200<br/>LOS ANGELES, CA 90049</p> | <p>9 CC<br/>19955125<br/>STEELCROFT OFFICE LLC 521<br/>EAST MOREHEAD ST #400<br/>CHARLOTTE, NC 28202</p> <p>10 B-2 (CD)<br/>21912303<br/>RCR PROPERTIES LLC<br/>16026 KIKI CT<br/>TEGA CAY, SC 29715</p> <p>11 R-3<br/>21912302<br/>CARLTON &amp; LYERLY INVESTMENTS<br/>1215 MCDOWELL FARMS DR<br/>CHARLOTTE, NC 28217</p> <p>12 O-2 (CD)<br/>21912202<br/>HOSPITAL AUTHORITY THE<br/>CHARLOTTE-MECKLENBURG<br/>PO BOX 32861<br/>CHARLOTTE, NC 28232</p> <p>13 O-2 (CD)<br/>21912201<br/>HOSPITAL AUTHORITY THE<br/>CHARLOTTE-MECKLENBURG<br/>PO BOX 32861<br/>CHARLOTTE, NC 28232</p> <p>14 O-2 (CD)<br/>21912105<br/>HOSPITAL AUTHORITY THE<br/>CHARLOTTE-MECKLENBURG<br/>PO BOX 32861<br/>CHARLOTTE, NC 28232</p> <p>15 R-17 MF (CD)<br/>21906110<br/>LLC CHILDRESS KLEIN PRO CK<br/>RIVERGATE SHOPPING CENTER<br/>CHILDRESS KLEIN PROPERTIES<br/>301 SOUTH COLLEGE ST #2800<br/>CHARLOTTE, NC 28202</p> |
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APPROVED BY  
CITY COUNCIL  
JAN 17 2017

**LEGEND**

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



CHILDRESS KLEIN PROPERTIES

**RIVERGATE - OFFICE TECHNICAL DATA SHEET**

Childress Klein, Steele Creek 1997 Limited Partnership; Mecklenburg Co., NC  
REZONING PETITION NO. 2016-149 SPA

REVISIONS:  
 01/05/17 - REVISE PER STAFF COMMENTS  
 12/29/16 - REVISE PER STAFF COMMENTS  
 01/05/16 - REVISE PER STAFF COMMENTS

DATE: 08/26/16  
 DESIGNED BY: SKT  
 DRAWN BY: SKT  
 CHECKED BY: SKT  
 SCALE: 1"=50'  
 PROJECT #1016238  
 SHEET #







**1. General Provisions:**

- a. **Site Location:** 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 a mixed use development on an approximately 11.7 acre Site located in the southeast quadrant of the intersection of S. Tryon Street and Steele Creek Road (the "Site"). It is acknowledged that a portion of the Site as generally depicted on the Rezoning Plan has been developed but is a part of this Rezoning Plan to reflect the unified nature of the development.
- b. **Zoning District/Ordinance:** 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.
- c. **Graphics and Alterations:** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, and other development matters and site elements (collectively the "Development/Element") set forth on the Rezoning Plan shall be reviewed in conjunction with the provisions of these Development Standards. The layout, location, size and formulation of the Development/Element Elements depicted on the Rezoning Plan are graphic representations of the Development/Element elements proposed. Changes to the Rezoning Plan will be reviewed and approved as allowed by Section 5.07 of the Ordinance. Since the majority of the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Element Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 5.07 of the Ordinance. These instances would include changes to graphics if they are:
  - i. minor and don't materially change the overall design intent depicted on the Rezoning Plan, or
  - ii. modifications to more accurately graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the external setbacks, side or rear yards) indicated on Sheet RZ-1, or
  - iii. modifications to allow minor increases or decreases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 5.07 of the Ordinance, in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

d. **Number of Buildings Principal and Accessory:** The total number of principal buildings to be developed on the Site will be limited seven (7). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

e. **Exclusions for Calculation of Maximum Development Levels:** For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (as defined by the Ordinance) for the Site: surface or structured parking facilities, 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 or these development standards).

f. **Street Network Generally:** Proposed circulation and street network/connectivity is generally shown on the Rezoning Plan to illustrate, (i) a public street connecting Walker Branch Drive to Steelecreek 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 western 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 Limitations:**

- a. The Site may be developed with up to 90,000 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 mentioned 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, automobile and automobile parts, maintenance and repair, 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. Of the 90,000 square feet, up to 50% of the total square footage may be devoted to restaurant uses (EDBE), retail establishments and business, personal and recreation services as allowed in the CC district. Only one free-standing single story building with a maximum square footage of 25,000 gross square feet devoted to restaurant uses, retail establishments and business, personal and recreation services as allowed in the CC district will be allowed in Development Area A as generally depicted on RZ-2.
- c. Only one use with accessory drive-through windows will be allowed on the Site in Development Area D. No other uses with accessory drive-through windows will be allowed. The location of the drive-through window and associated signage shall be illustrated on Sheet RZ-2 in the instant being that the drive-through lane associated with such use will be permitted between the building and the streets when accompanied by a low wall treatment as part of the design for such use.
- d. A "Building Edge" has been provided within portions of the proposed building/parking envelope 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. 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. Parking and vehicle maneuvering may not be located between the proposed building and the "Building Edge" that applies to such building/parking envelope. The provisions of this Section may be altered to permit greater flexibility in development with the prior written consent of the Planning Director.

**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 vehicular connection of Old Steele Creek Road to South Tryon Street will be limited to right-in/right-out only.
- c. The placement 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 Steelecreek 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. (NOTE: this improvement has been substantially completed).
- f. The number and locations of driveways connecting to the interior streets and drives is not limited by what is indicated on the Technical Data Sheet, the location and number will be determined during the land development process.
- g. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

**4. Transportation Improvements and Phasing:**

The Petitioner plans to provide or cause to be provided, some of which as noted below have been provided and substantially completed, on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

- a. **Private Road between Steele Creek Road and Old Steele Creek Road (Project # 1):** Up to 25,000 square feet of gross floor area within Building/Parking Envelopes A and C may be constructed on the Site upon the construction of: (i) Private Street A connecting Steele Creek Road to Old Steele Creek Road, (ii) the asphalt pavement connections of Old Steele Creek Road to S. Tryon Street, and (iii) curb and gutter, six (6) foot sidewalks and eight (8) foot planting strips along the portion of the Site's public street frontage under development as may be required by City Ordinances, such curb and gutter to accommodate a five (5) foot bike lane along Steele Creek Road. (NOTE: the above-referenced improvements have been completed.)
- b. **Steelecreek Parkway Extension (Project # 2):** Up to 90,000 square feet of gross floor area may be constructed on the Site upon the construction of: (i) the proposed public street connecting Steelecreek Parkway to Walker Branch Drive (Steelecreek Parkway extension), (ii) a modification of existing Walker Branch Drive by adding a second west bound left turn lane and converting the existing three lane into a shared through turn lane (both lane modifications to be accomplished by reconfiguring the existing intersection), (iii) the extension of a second southbound right turn lane on Steele Creek Road starting 600 feet in advance of the intersection of Steelecreek Parkway extension with Steele Creek Road and terminating into the existing southbound right turn lane on Steele Creek Road at Old Steele Creek Road, (iv) a 150 foot northbound left turn lane from Steele Creek Road and terminating into the existing southbound right turn lane on Steele Creek Road at Old Steele Creek Road, (v) the Private Street A connecting Steele Creek Road to Old Steele Creek Road Drive, and (vi) curb and gutter, six (6) foot sidewalks and eight (8) foot planting strips along the portion of the Site's public street frontage under development as may be required by City Ordinances, such curb and gutter to accommodate a five (5) foot bike lane along Steele Creek Road.

Provided, however, the commitment referenced in subsection b. above is subject to reimbursement to the Petitioner by the City, as called for by adopted City Policy, for any improvements provided along Old Steele Creek Road, Steele Creek Road and/or S. Tryon Street not directly referenced above.

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 parties within the broad southern Mecklenburg area, by way of a private-public partnership effort or other public sector project support development or roadway projects taking place.

e. **Timing of Completion:** Except as a financial contribution referenced in subsection b. above, the roadway improvements referenced in subsection b. above must be substantially completed prior to the issuance of the certificate of occupancy for the first space located on the Site other than any buildings permitted prior to the date of August 22, 2016, 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 condemnation agent 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. **Pedestrian Crosswalk:** An ADA accessible crosswalk will be provided from the Site at Walker Branch Drive and Steele Creek Road, as generally depicted on RZ-01, contingent upon approval from CDOT and NCDOT.

**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. Mirror 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 architecturally compatible with the building materials and colors used on the building. If one or more sides of a dumpster area adjoins a side or rear wall of a building, then the side or rear wall may be substituted for a side.
- e. Building placement and Site Design shall focus on and enhance the pedestrian environment on network required streets (public or private), through the following standards:
  - i. Buildings shall be placed so as to present a front or side facade to all streets (as generally depicted on the site plan)
  - ii. Building elevation fronting streets shall have 30% spandrel, opaque, or transparent glass between 2 feet and 10 feet of the ground floor and shall not have exposures of blank walls greater than 20 feet in all directions. Blank walls shall be treated with combination of at least two of the following elements:
    - Doors
    - Display windows
    - Attached cable system with vines (landscaping)
    - Awnings
    - Change in material through pattern and color
  - iii. The facade of first ground floor of the building along public or private streets shall incorporate a minimum of 25% masonry materials such as brick or stone
- f. Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.

**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. 1992-01(A/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 first row will be planted 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 overhead power lines along S. Tryon Street small mature 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. The existing five (5) foot wide sidewalk on Steele Creek Road between the new public and private streets may be retained in its current form.
- d. Along the Site's internal private roads, the Petitioner will provide a sidewalk and crosswalk 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. Screening requirements of the Ordinance will be met.
- f. Above ground overhead 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 submitted 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.
- d. **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 areas 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 crosswalk network.
- e. **Lighting:**
  - a. All new lighting shall be full cut-off type lighting fixtures excluding low, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
  - b. Detached lighting on the Site will be limited to 22 feet in height.

**10. CATS Passage Shelter Pad and Preferred Parking for "Clean Commuters"**

- a. The Petitioner will install one concrete waiting pad along Steele Creek Road in the location 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.

**11. 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 or portion of the Site affected by such amendments in accordance with the provisions herein and of Chapter 5 of the Ordinance.

**12. Binding Effect of the Rezoning Application:**

- 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 herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



**CHILDRESS KLEIN**  
P R O P E R T I E S

**RIVERGATE - OFFICE  
DEVELOPMENT STANDARDS**

Childress Klein, Steele Creek 1997 Limited Partnership; Mecklenburg Co., NC

REZONING PETITION NO. 2016-149 SPA

REVISIONS:  
11/21/16 - REVISE PER STAFF COMMENTS  
12/20/16 - REVISE PER STAFF COMMENTS

DATE: 09/28/16  
DRAWN BY: SKT  
CHECKED BY: SKT  
C.L.C. BY: SKT  
SCALE: 1"=100'  
PROJECT #1016236

SHEET #  
**RZ-3**

APPROVED BY  
CITY COUNCIL  
JAN 17 2017