

**CHARLOTTE - MECKLENBURG**  
**PLANNING COMMISSION**

**INTER - OFFICE COMMUNICATION**

**DATE:** May 8, 2002

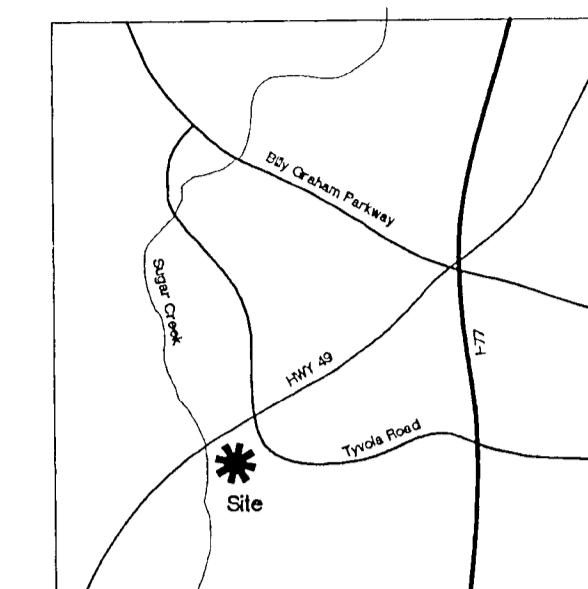
**TO:** Robert Brandon  
Zoning Administrator

**FROM:** Martin R. Cramton, Jr.  
Planning Director

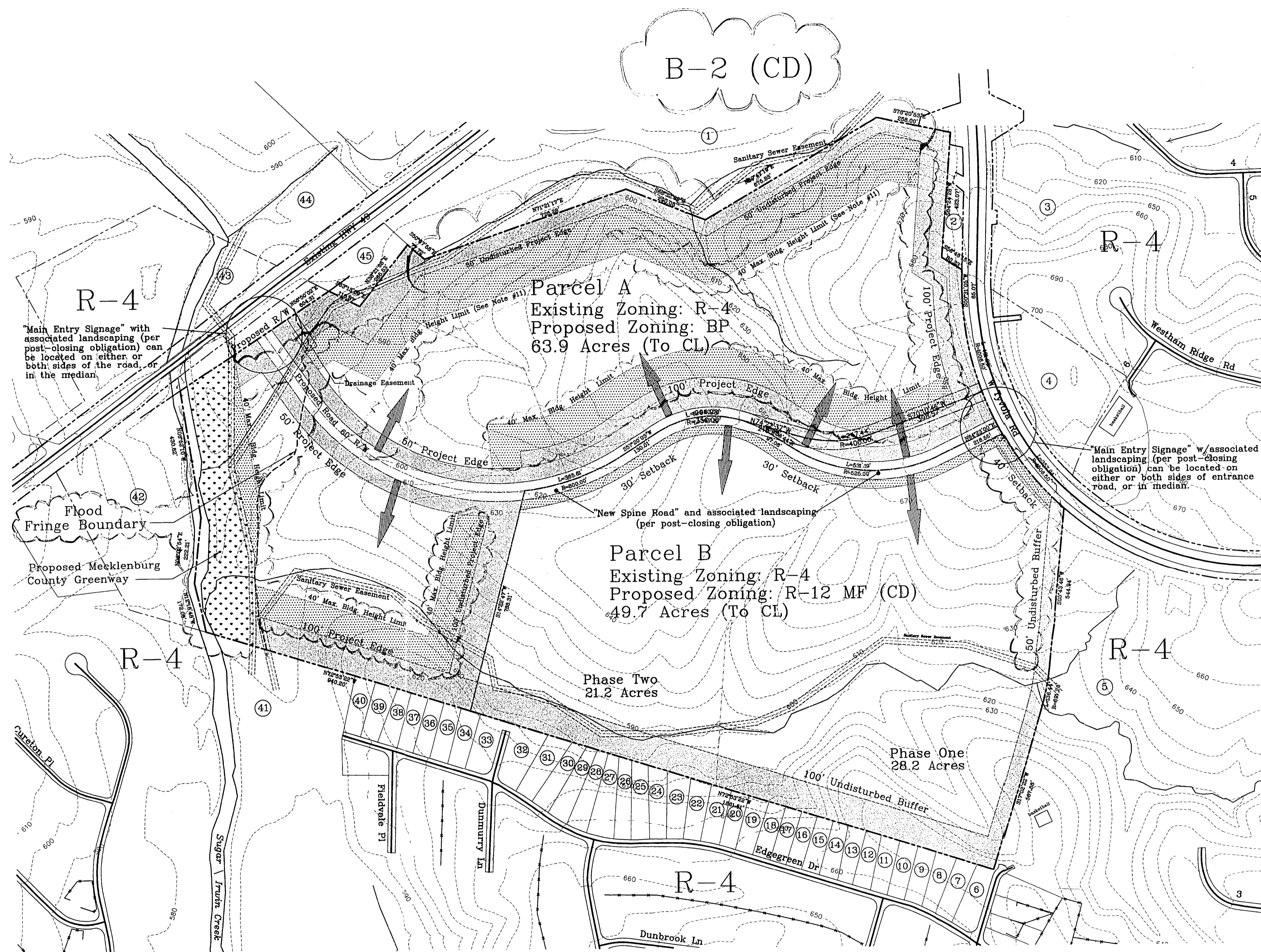
**SUBJECT:** Administrative Approval for Petition No. 97-43 by William Putnam Ross, r. Marion Ross, Jr.,  
Robbie G. Ross.

Attached is the revised technical data sheet for the above petition. The plan has been revised to allow dedication of the greenway prior to the issuance of a certificate of occupancy for the first building adjoining this greenway and to reduce the project edge along the northern property line to 50-feet. Since these changes do not alter the intent of the development and meet the requirements of the Charlotte Zoning Ordinance Section 6.206(2) Alterations to Approval for minor changes, I am administratively approving this plan. Please use this plan when evaluating requests for building permits and certificates of occupancy.

**Note that the illustrative plan included as part of the original approval still applies.**



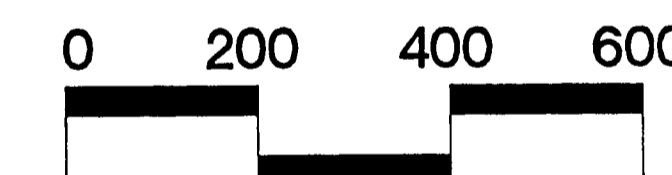
Vicinity Map (Not To Scale)



**Development Summary**

- The intent of this rezoning request is to permit the establishment of a combination employment center and housing complex. The employment activities shall be promoted through the utilization of the Business Park District standards, and the residential component through the use of the R-12MF district.
- All development within Parcel A shall conform to the standards of the Business Park District, and any uses allowed in that district shall be permitted. All development in Parcel B shall adhere to the standards of the R-12MF district, and all uses allowed in that district may also be permitted.
- A traffic impact analysis has been performed by Kubilins Traffic Consulting, Inc., and is based upon the construction of a spine road through the subject property to connect to both West Tyvola Road and South Tryon Street. Intersection designs at those points shall be in accordance with the specifications of the Charlotte Department of Transportation and the North Carolina Department of Transportation.
- Development of the property shall be subject to the standards imposed by the Technical Data Sheet indicating maximum development, setback and buffer areas, and greenway location. The schematic site plan is intended to reflect a general plan of development but may be altered or modified within the maximum building envelope lines established on the Technical Data Sheet.
- The indicated buffer areas shall remain undisturbed except for necessary utility crossings which shall generally penetrate as close to 90 degrees as possible. Any area where the buffer does not naturally meet the requirements of the Zoning Ordinance or where areas have been disturbed for utility purposes shall be planted to conform to minimum Ordinance requirements. Buffers will not be reduced in width.
- As shown on the Technical Data Sheet, an area varying in width, extending from Sugar/Irwin Creek to and including the area inside the sanitary sewer easement shall be dedicated to Mecklenburg County Park & Recreation Commission for greenway purposes. This greenway area will be dedicated and conveyed prior to a certificate of occupancy being issued on the first building adjacent to the greenway.
- Any detached lighting placed on the site shall not exceed 20 feet in height and shall be shielded to prevent glare onto adjacent residential properties.
- Signage shall be permitted on the site in accordance with applicable zoning standards.
- All parking, screening, and landscaping requirements of the Zoning Ordinance shall be adhered to.
- If required, storm water detention shall be designed to meet applicable standards of the Charlotte Storm Water Department and shall not be located in either buffer or setback areas. No fill material may be placed in the floodplain fringe except as required to provide for the construction of roads, utilities and trails.
- If property to the west of the site is rezoned to a non-residential district, the 40' height limitation shall be removed.
- The traffic study performed for this project indicates that at some future date a traffic signal is recommended at the intersection of Highway 49 and the proposed public street. The petitioner commits that the cost of the traffic signal and interconnect cable installation, estimated to be approximately \$30,000, will be provided by the petitioner. An agreement will be reached with the Charlotte Department of Transportation and the North Carolina Department of Transportation as to when and how this money will be made available.
- It is recognized that, during coliseum events, access to and from the proposed project's public street will be restricted at the Tyvola Road intersection. The petitioner will be responsible for the cost of installing electronic varicom signing to control these patterns of travel at a cost of approximately \$15,000.
- The location of the proposed public street intersection with Tyvola Road will be designed so that it is located between the existing steel pole/mast arm gantries for the reversible lane electronic signing system. This exact location will be determined by actual field survey.
- The proposed public street connection to Tyvola Road will be constructed to include an entrance lane from Tyvola and at least one right-turn and one left-turn lane exiting onto Tyvola Road. The required storage lanes for the turn lanes will be provided, and additional right-of-way shall be made available to accommodate this proposed median section. Should left-turn volumes from the proposed public street to Tyvola create congestion and unreasonable delays which warrants a traffic signal, the left-turn lane will be removed and a median reconstructed to physically prohibit this movement. Sufficient right-of-way shall be indicated on the plan to provide for the redesign of the remaining right-turn lane to accommodate the potential right-turn-only condition.
- The proposed public street intersection at N.C. Highway 49 (York Road) shall include at least one exiting right-turn lane and one exiting left-turn lane as well as an entrance lane. The proper storage links for the required turn lanes shall be provided and any additional right-of-way shown necessary to accommodate the proposed median section. Right-of-way shall be provided for a possible future additional left-turn lane in the event volumes at this intersection make this necessary.
- Additional right-of-way along York Road equal to 50 feet from center line will be provided by the petitioner prior to the issuance of any building permits on the site.
- The petitioner commits that there will be no development or filling within the floodway fringe except that which will be necessary to accommodate the public street crossing.

**Exhibit 'A'**



Scale: 1"=200'

**Technical Data Sheet**  
Petition # 97-43

*Ford Design*

DATE: February 24, 1997  
PROJECT NO: 16283  
REVISIONS:  
April 18, 1997 - as for Public Hearing  
May 30, 1997 - per Planning Commission review  
April 6, 1998: Reduction of project edge along north boundary adjoining business property.  
May 7, 2002 REVISED NOTE #6

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**Land Design Inc.**  
Landscape Architecture Land Planning  
Urban Design

SHEET NO: 1  
FILE NAME: 016283(dwg)16283tech.dwg OF: 2

**Development Summary**

Total Site Area: 113.6 Acres  
Existing Zoning: R-4  
  
Parcel A: 63.9 Acres  
Proposed Zoning: BP  
Maximum SF: 534,800 SF  
  
Parcel B: 49.7 Acres  
Proposed Zoning: R-12 MF (CD)  
Max. # of Dwelling Units: 596

**Legend**

- Access Points
- Buffer or Project Edge
- Setbacks

Petitioner: William Ross, R. Marion Ross Jr., Robbie G. Ross

APPLICANT'S ADMINISTRATIVE

DATED: May 8, 2002  
BY: MARTIN R. CRAMTON, JR.

1997-43