



Charlotte-Mecklenburg Planning, Design, & Development

DATE: July 14, 2021

TO: Sonja Sanders
Zoning Supervisor

FROM: Taiwo Jaiyeoba
Planning Director

SUBJECT: Administrative Approval for Petition No. 2018-035 EM & C Investments, LLC

Attached is the revised site plan for the petition above. This request allows the modification of the proposed site plan as listed below. Since these changes do 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.

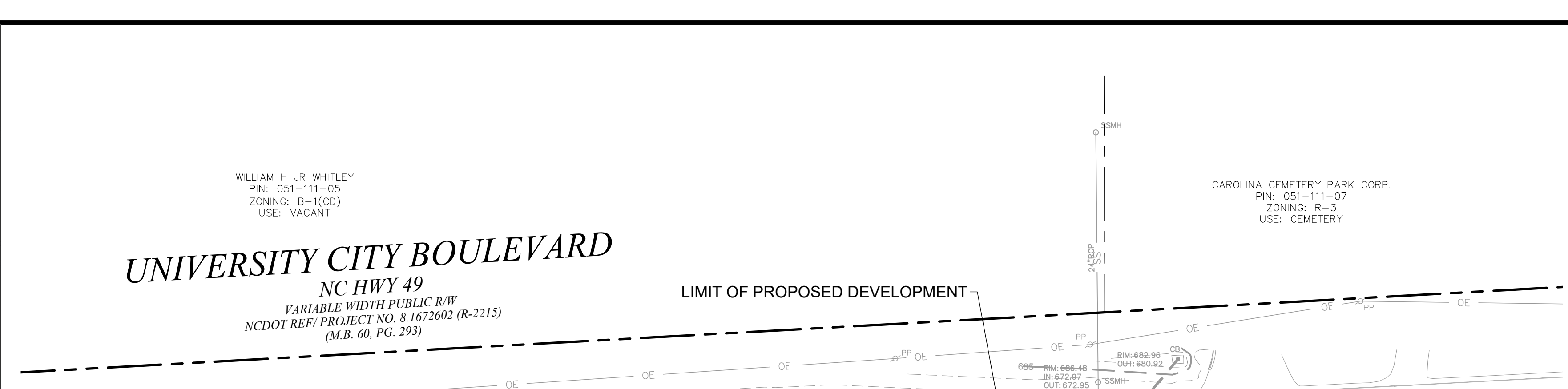
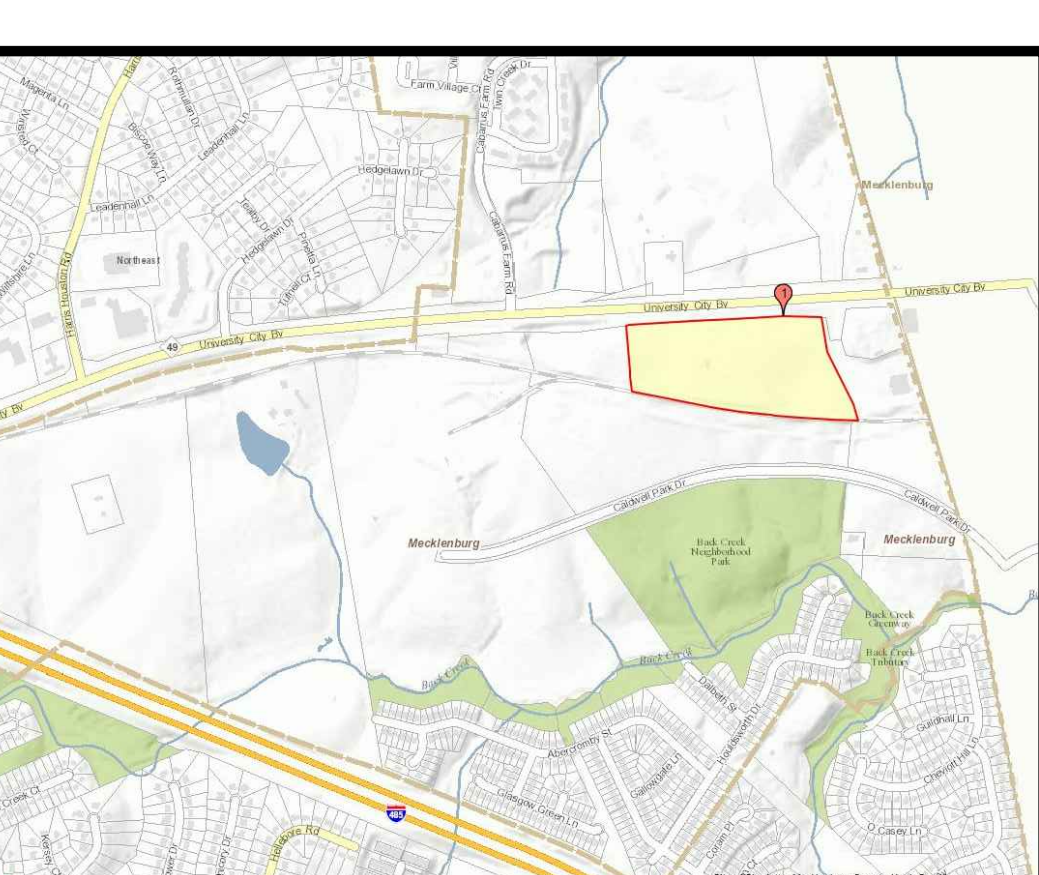
- To allow a transfer of 5,000 Square feet from Parcel A to Parcel B.

Staff supports of the request because:

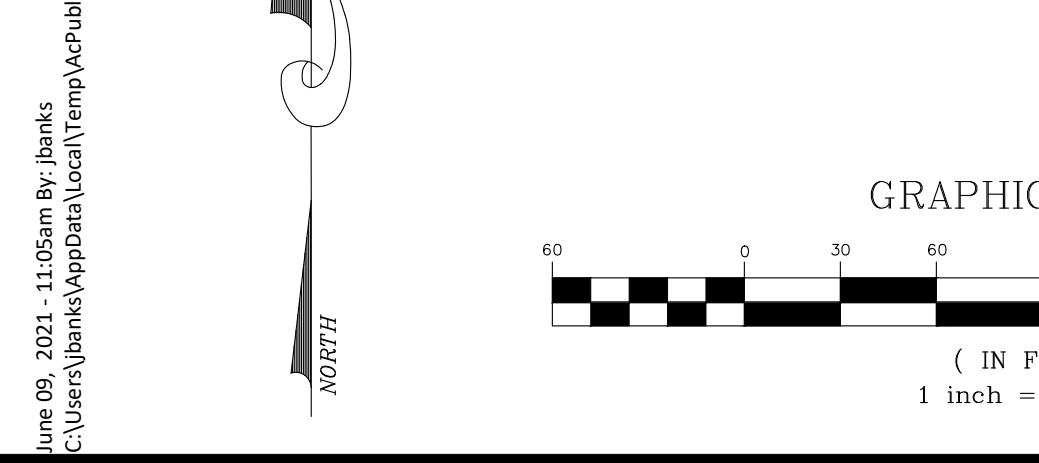
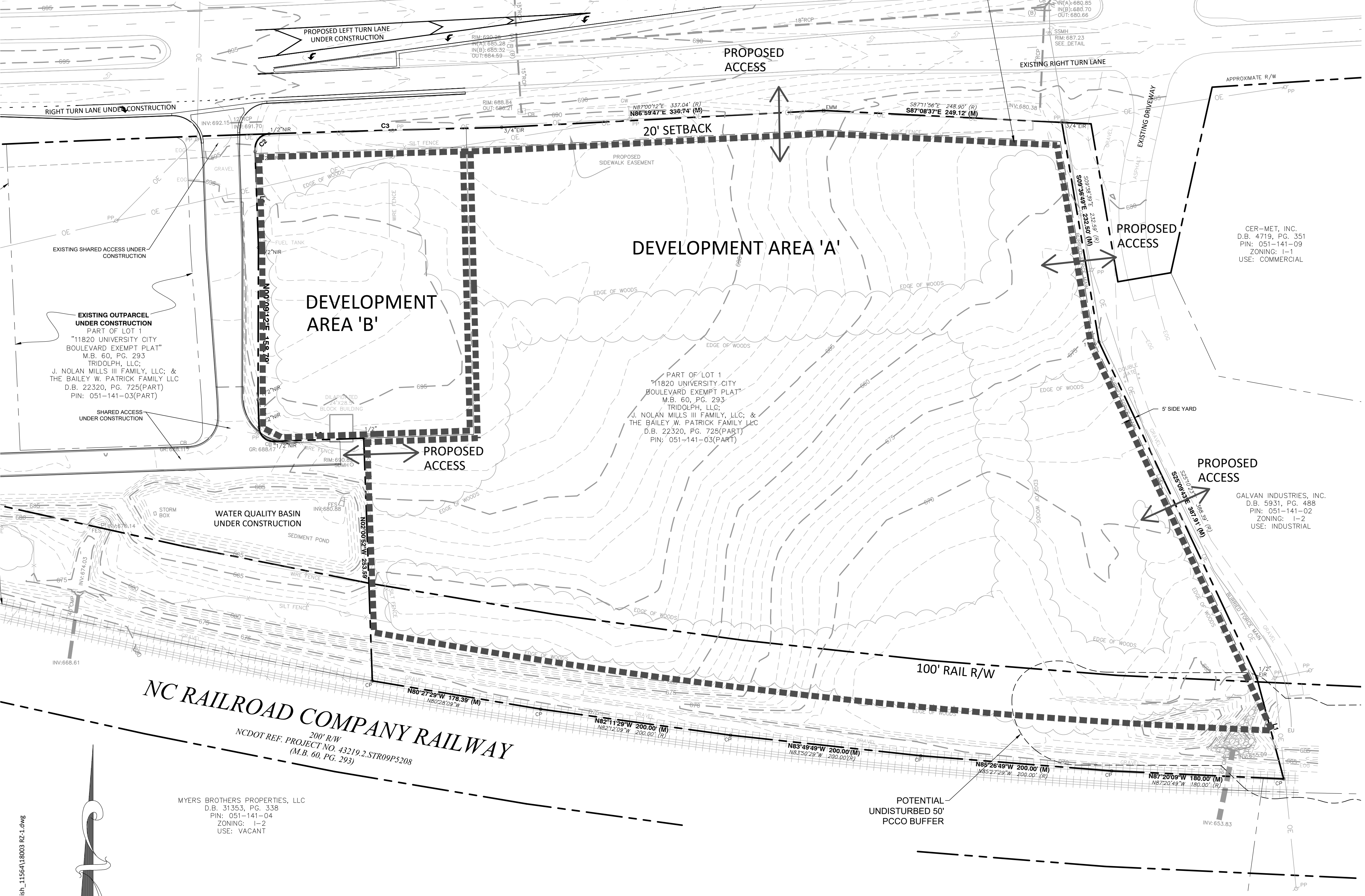
- The site plan complies with the conditional notes and still meets the intent of the original approval by the City Council.

Note: All other Zoning, Subdivision, Tree, PCSO Ordinances, conditional requirements and building codes still apply.

Signage was not reviewed as part of this request.



VICINITY MAP
NOT TO SCALE



Attached to Administrative Approval

Solomon A. Fortune

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	15.00'	23.55'	N47°02'04"W	21.21'
C2	15.17'	22.85'	N44°36'18"E	20.75'
C3	23329.58'	243.14'	N88°25'05"E	243.14'
C4	23329.58'	444.80'	N87°34'24"E	444.79'

LINE	BEARING	DISTANCE
(MEASURED) L1	S14°53'23"E	109.17'
(RECORDED) L1	S14°54'03"E	109.17'
(MEASURED) L2	S80°27'29"E	21.61'
(MEASURED) L3	S87°59'08"W	93.95'
(MEASURED) L4	N02°03'15"W	29.17'
(MEASURED) L5	N02°01'24"W	100.27'

Site Development Data:

- Acreage: ± 13.02 acres
- Tax Parcel #: a portion of 051-141-03
- Existing Zoning: B-1SCD
- Proposed Zoning: I-2(CD)
- Existing Uses: Vacant
- Proposed Uses: The Site may be developed with uses allowed by right and under prescribed conditions in the I-1 zoning district also allowed in the I-2 zoning district in addition to the uses listed in Section 2 below as allowed by right and under prescribed conditions with accessory uses as allowed in the I-2 zoning district (as more specifically described and restricted in the Development Standards below).
- Maximum Gross Square Feet of Development: Up to 120,000 square feet of gross floor area of uses allowed by right and under prescribed conditions in the I-1 zoning district also allowed in the I-2 zoning district, in addition to the uses listed in Section 2 below as allowed by right and under prescribed conditions in the I-2 zoning district (as more specifically described and restricted in the Development Standards below).
- Maximum Building Height: As allowed and required by the Ordinance.
- Parking: As required by the Ordinance for the proposed use.

1. General Provisions:

a. **Site Location:** These Development Standards, the Technical Data Sheet, and other graphics set forth on attached Sheets RZ-1 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by EM&C Investments, LLC ("Petitioner") to accommodate the development of the Site with a variety of uses allowed in the I-2 zoning district on an approximately 13.02 acre site located along University City Boulevard/NC Hwy. 49 (the "Site").

b. **Zoning Districts/Ordinance:** Development of the Site will be governed by 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 Ordinance for the I-2 zoning classifications 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, driveways, streets, and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site Elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

d. **Planned/Unified Development:** The Site together with that certain parcels located adjacent to the Site and designated as a portion of Tax Parcel No. 051-141-03 and 051-141-02 (the "Adjacent Parcels") shall be viewed in the aggregate as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan and those depicted on the applicable conditional rezoning plan for the Adjacent Parcels. As such, side and rear yards, buffers, height separation standards, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site and the Adjacent Parcels. The Petitioner and/or owner(s) of the Site and the Adjacent Parcels reserve the right to subdivide the portions or all of the Site and the Adjacent Parcels and create lots within the interior of the Site and the Adjacent Parcels without regard to any such internal separation standards, and public/private street frontage requirements, provided, however, all such separation standards along the exterior boundary of the Site and the Adjacent Parcels shall be adhered to and all square footage maximum requirements will be regulated by any development limitations set forth in Section 2 below as to the Site and in the applicable conditional rezoning plan as to the Adjacent Parcels, taken as a whole and not individual portions or lots located therein.

e. **Minor and Don't Materially Change:** 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 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

2. Permitted Uses, Development Area Limitations:

The Rezoning Plan sets forth two (2) Development Areas as generally depicted on the Rezoning Plan as Development Areas A and B (each a "Development Area" and collectively the "Development Areas").

a. **Development Area A:** may be developed with up to 110,000 square feet of gross floor area of uses allowed by right and under prescribed conditions in the I-1 zoning district that are also allowed in the I-2 zoning district, in addition to the uses listed below as allowed by right and under prescribed conditions in the I-2 zoning district, together with accessory uses, as allowed in the I-2 zoning district, subject to the restriction and limitations below.

b. **Development Area B:** may be developed with up to 10,000 square feet of the allowed floor area, and may only be developed with retail uses, general or medical office uses, personal service uses, a service station with or without a convenience store, EDIE uses with or without an accessory drive-through window, and other similar uses as allowed in the I-1 zoning district.

c. The Site may be developed with all uses allowed in the I-1 zoning district that are also allowed in the I-2 zoning district, in addition to the following uses allowed in the I-2 zoning district, subject to the limitations described above:

- Government buildings, up to 100,000 square feet and Recreation Centers up to 30,000 square feet
- Utility operations centers
- Warehousing (subject to the standards of the I-2 zoning district)
- Contractor offices and accessory storage
- Foundries
- Lumber mills and storage yards
- Satellite dish farms, (I-2 only) subject to the regulations of Section 12.416
- Childcare centers, as an accessory use of structure
- Large childcare centers, as an accessory use of structure
- Manufacturing (heavy uses) of: Aircraft and parts, alcoholic beverages, concrete, gypsum and plaster products, construction and related machinery, electrical industrial apparatus, electrical distribution equipment, engines and turbines, fabricated metal products, farm and garden machinery, furniture and fixtures, glass and glassware, industrial machinery, motor vehicles and equipment, motorcycles and parts, refrigerators and service machinery, textile mill products, wire products, and other similar uses.

3. Access:

a. Access to the Site will be from a private street located along the western property line, University City Boulevard, and the adjoining property to the east.

b. Petitioner will improve University City Boulevard as required by Chapter 19.

c. The Petitioner will provide interconnectivity thought out the Site through interconnected private drives and parking areas that will interconnect the uses on the Site to the proposed access points that are open and utilized.

d. Any required roadway improvement will be approved and constructed prior to the issuance of the certificate of occupancy for the first building on the Site subject to the petitioner ability to post a bond for any improvements not in place at the time of the issuance of the first certificate of occupancy.

e. The Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy. The Petitioner will provide a permanent sidewalk easement if any portion of the proposed sidewalk along Hwy. 49 is located outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

f. The exact alignment, dimensions and location of the access points to the Site, the driveways on the Site may be modified from the elements shown on the Rezoning Plan.

4. Parking Areas, Outdoor Storage, and Circulation Design Guidelines:

a. Outdoor storage areas, as an accessory use or a principal use, will not be located within 90 feet of University City Boulevard, and outdoor storage areas may not be located between a proposed building and University City Boulevard, however, outdoor storage areas may be located to the side of the proposed buildings fronting on University City Boulevard. Outdoor storage areas will not be allowed as a principal of accessory use on Development Area B. Outdoor storage areas will be screened from University City Boulevard and the western property line with row of evergreen trees.

5. Setbacks, Buffers and Screening:

a. An eight (8) foot planting strip and a 12 foot multi-use path (MUP) will be provided along University City Boulevard. The Petitioner will as part of the construction of a building on each of the Development Areas improve that Development Area's frontage on Hwy. 49 with the 12 foot MUP (e.g. the MUP will be built in phases as part of the development of each Development Area with a building).

b. A 20 foot building and parking setback will be provided along University City Boulevard as generally depicted on the Rezoning Plan.

c. The Site will be treated as a unified development and as a result buffers will not be required between the proposed uses located on the Site.

6. Design Guidelines:

a. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.

b. 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 principal building.

7. Environmental Features:

a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

b. The Site will comply with Tree Ordinance.

8. Signage:

a. Signs as allowed by the Ordinance may be provided.

9. 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. Lighting fixtures that are decorative, capped and downwardly directed will be allowed on the proposed building walls.

10. North Carolina Rail Road Company:

a. Approval of this Site Plan does not authorize entry/use of the NCRROW.

b. All entry/use of the NCRROW requires written approval/agreement from NCRR.

11. Amendments to the Rezoning Plan:

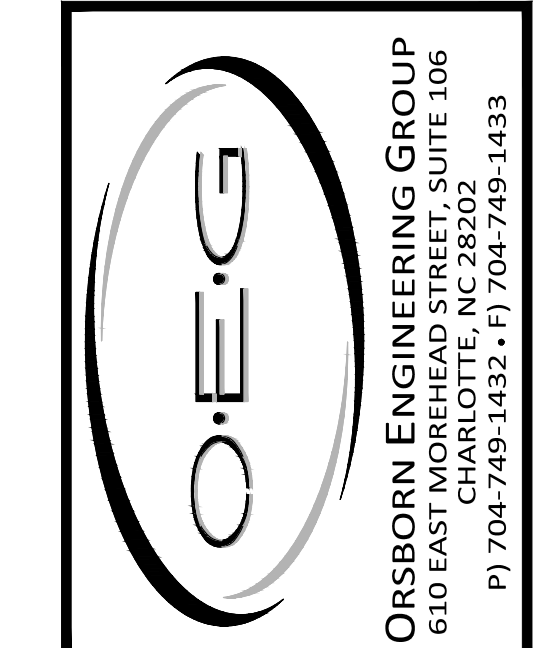
a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners in accordance with the provisions herein and of Chapter 6 of the Ordinance.

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, 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.

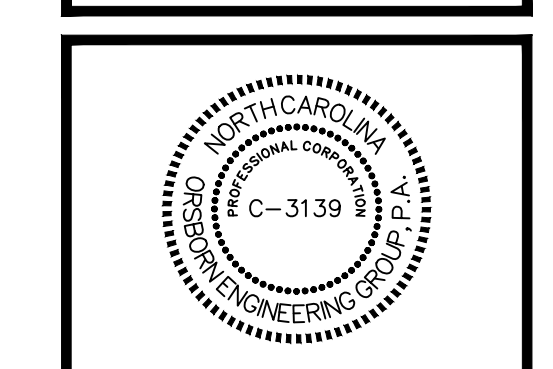
NO.	DATE	REVISIONS
1	06/09/21	ADMINISTRATIVE AMENDMENT
2	08/03/18	REVISED PER REVIEW COMMENTS
3	07/20/18	REVISED PER REVIEW COMMENTS
4	05/14/18	REVISED PER REVIEW COMMENTS
5	03/26/18	REVISED PER REVIEW COMMENTS

JOB #	18003
DATE:	02/26/18
SCALE:	1" = 60'
DRAWN BY:	JAW
APPROVED BY:	JCO



SCHEMATIC SITE PLAN
PETITION #2018-035
FOR
PORTION OF TAX PARCEL 051-141-03
CHARLOTTE, NORTH CAROLINA

EM&C INVESTMENTS, LLC
2626 Glenwood Ave, Ste 550
Raleigh, NC 27608



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1	06/09/21	ADMINISTRATIVE AMENDMENT
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3	07/20/18	REVISED PER REVIEW COMMENTS
4	05/14/18	REVISED PER REVIEW COMMENTS
5	03/26/18	REVISED PER REVIEW COMMENTS

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