

**TRIBEK PROPERTIES**  
 101 KINGS DRIVE  
 SUITE 200  
 CHARLOTTE, NORTH CAROLINA

**2501 WILKINSON REZONING RZN-2023-015**  
 2501 WILKINSON BLVD  
 CHARLOTTE, NORTH CAROLINA

**EXISTING CONDITIONS**

PROJECT NO:  
 4970.00

REVISIONS:

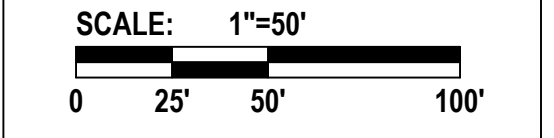
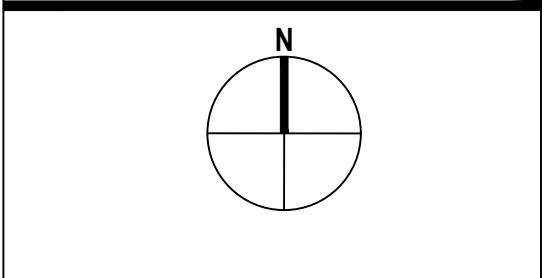
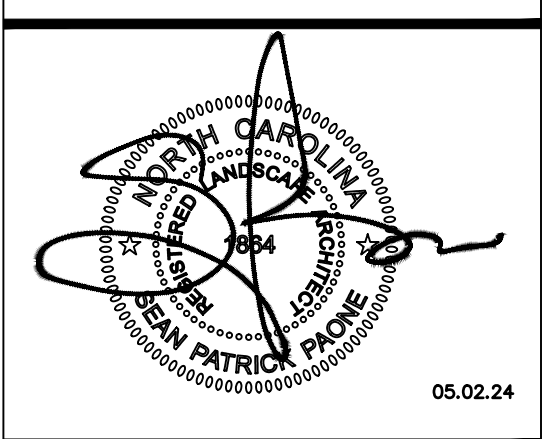
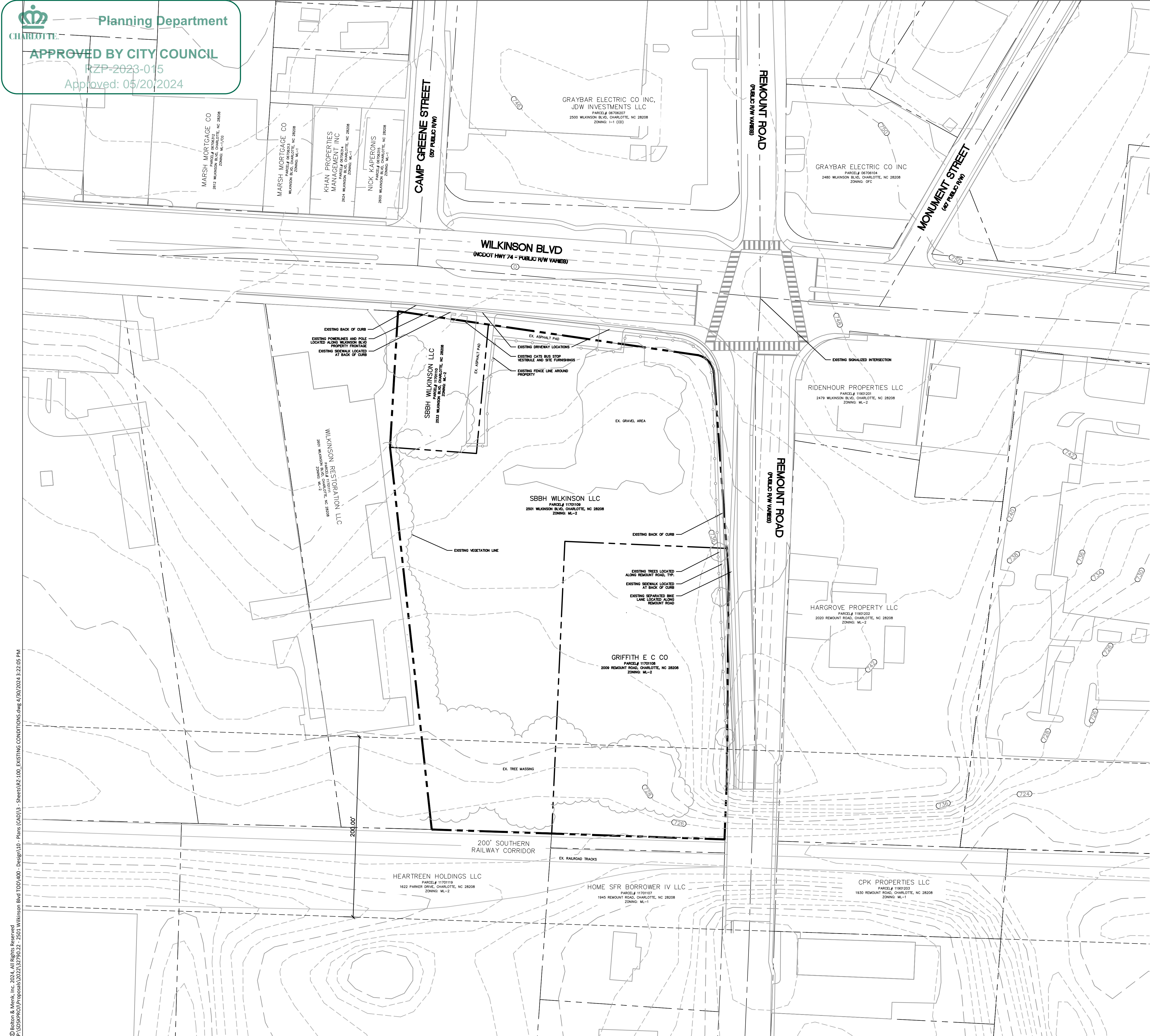
12/11/23	RESUBMITAL TO CITY STAFF
01/15/24	RESUBMITAL TO CITY STAFF
02/22/24	RESUBMITAL TO CITY STAFF
03/21/24	RESUBMITAL FOR ZONING COMMISSION
04/16/24	RESUBMITAL FOR ZONING COMMISSION
05/02/24	RESUBMITAL FOR COUNCIL DECISION

**LEGEND**

SYMBOL	DESCRIPTION
	PROPERTY LINE/RIGHT-OF-WAY
	INTERIOR PROPERTY LINES
	SOUTHERN RAILROAD RIGHT-OF-WAY
	EXISTING BUILDING

**REZONING SUMMARY:**

PETITIONER:	TRIBEK PROPERTIES
PROPERTY OWNER:	SBBH WILKINSON LLC GRIFFITH E C CO
REZONING SITE AREA:	4.545 ± AC
TAX PARCEL#:	11701108, 11701109, 11701110
EXISTING ZONING:	ML-2 (MANUFACTURING AND LIGHT INDUSTRIAL)
EXISTING USE:	VACANT



DATE:	09/11/23
DESIGNED BY:	BMI
DRAWN BY:	BMI
CHECKED BY:	

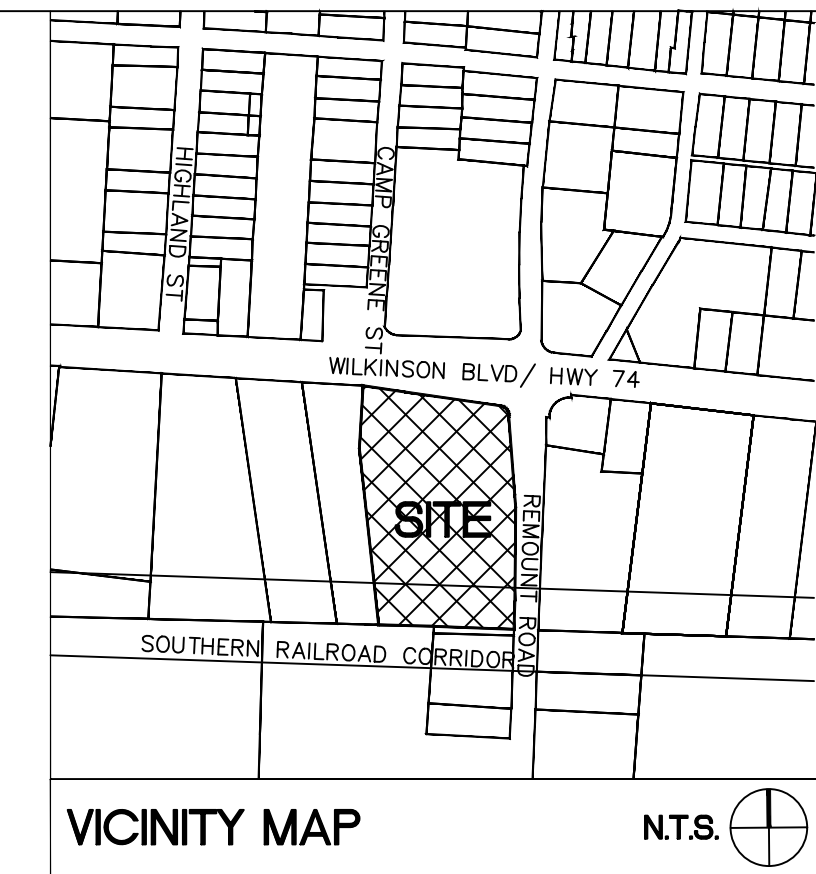
**RZ - 100**  
 FILE NO.:

© Bolton & Menk, Inc. 2024. All Rights Reserved. P:\35381\PROPOSALS\2022\23796\22 - 2501 Wilkinson Blvd TOD\400 - Design\10 - Plans\CAD\13 - Sheets\ML-2-100 - EXISTING CONDITIONS.dwg 4/30/2024 3:22:05 PM



# 2501 WILKINSON TOD-NC REZONING

CITY OF CHARLOTTE,  
MECKLENBURG COUNTY



1801 N Graham St., Suite 320  
Charlotte, NC 28206  
Phone: (704) 376-1555  
www.bolton-menk.com



**REZONING PLAN SHEETS**

- RZ-000 COVER SHEET
- RZ-100 EXISTING CONDITIONS
- RZ-200 REZONING PLAN
- RZ-300 DEVELOPMENT NOTES

**REZONING SUMMARY:**

PETITIONER: TRIBEK PROPERTIES  
 PROPERTY OWNER: SBBH WILKINSON LLC  
 GRIFFITH E C CO.  
 REZONING SITE AREA: 4.545 ± AC  
 TAX PARCEL#: 1170110B, 11701109, 11701110  
 EXISTING ZONING: ML-2 (MANUFACTURING AND LIGHT INDUSTRIAL)  
 EXISTING USE: VACANT  
 PROPOSED ZONING: TOD-NC (CD)  
 (TRANSIT ORIENTED DEVELOPMENT - NEIGHBORHOOD CENTER - CONDITIONAL DISTRICT)  
 PROPOSED USE: TOD-NC PERMITTED USES

**PROJECT TEAM:**

APPLICANT: TRIBEK PROPERTIES, INC.  
 101 S. KINGS STREET, SUITE 200  
 CHARLOTTE, NC 28204  
 APPLICANT CONTACT: SCOTT BORTZ  
 704-714-2860  
 SCOTTBORTZ@TRIBEK.COM  
 LAND USE ATTORNEY: ROBINSON BRADSHAW  
 101 N. TRYON STREET, SUITE 1900  
 CHARLOTTE, NC 28246  
 LAND USE ATTORNEY CONTACT: JOHN CARMICHAEL  
 704-377-8341  
 JCARMICHAEL@ROBINSONBRADSHAW.COM  
 LAND PLANNER: BOLTON & MENK, INC dba  
 COLEJENEST & STONE  
 200 S. TRYON STREET, SUITE 1400  
 CHARLOTTE, NC 28202  
 LAND PLANNER CONTACT: SEAN PAONE, PLA  
 704-376-1555  
 SEAN.PAONE@BOLTON-MENK.COM

**CITY OF CHARLOTTE (CENTRAL PLANNING AREA)**

REZONING PLANNER: HOLLY CRAMER  
 704-353-1902  
 HOLLY.CRAMER@CHARLOTTENC.GOV  
 COMMUNITY PLANNER: MARIA FLOREN  
 704-336-1440  
 MARIA.FLOREN@CHARLOTTENC.GOV  
 URBAN PLANNER: WILL LINVILLE  
 704-336-8319  
 WILL.LINVILLE@CHARLOTTENC.GOV  
 SUBDIVISION PLANNER: BRENT WILKINSON  
 704-336-8328  
 BRENT.WILKINSON@CHARLOTTENC.GOV

**TRIBEK PROPERTIES**

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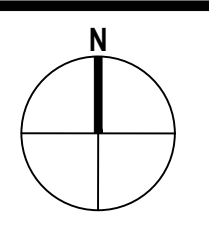
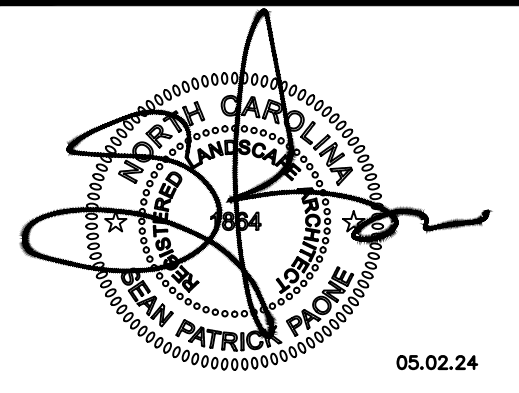
**2501 WILKINSON REZONING RZN-2023-015**

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**COVER SHEET**

PROJECT NO:  
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05/02/24	RESUBMITAL FOR COUNCIL DECISION



SCALE: 1"=60'  
0 30' 60' 120'

DATE:	09/11/23
DESIGNED BY:	BMI
DRAWN BY:	BMI
CHECKED BY:	

**RZ - 000**

FILE NO.:







**GENERAL PROVISIONS**

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Tribek Properties (the "Petitioner") for an approximately 4.546 acre site located on the southwest corner of the intersection of Wilkinson Boulevard and Remount Road, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel Nos. 117-011-08, 117-011-09 and 117-011-10.
- B. The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Unified Development Ordinance (the "Ordinance").
- C. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the TOD-NC zoning district shall govern the development and use of the Site.
- D. A Building and Parking Envelope is depicted on the Rezoning Plan. All principal buildings, accessory structures, structured parking facilities and surface parking areas developed on the Site shall be located within the Building and Parking Envelope. This Rezoning Plan does not limit the number of principal buildings, accessory structures, structured parking facilities and surface parking areas that may be developed on the Site within the Building and Parking Envelope. The number of principal buildings, accessory structures, structured parking facilities and surface parking areas that may be developed on the Site within the Building and Parking Envelope shall be governed by the applicable provisions of the Ordinance.
- E. A CATS Silver Line Station (the "Station") and tracks are proposed to be located within the Building and Parking Envelope.
- F. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the applicable provisions of Article 37 of the Ordinance.
- G. Pursuant to Section 37.6 of the Ordinance and Section 160D-108.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions.

**2. PERMITTED USES**

- A. The Site may be devoted to any use or uses permitted by right, any use or uses permitted by right with prescribed conditions, any use or uses permitted with a conditional zoning and any use or uses permitted with a conditional zoning with prescribed conditions in the TOD-NC zoning district, together with any incidental and accessory uses relating thereto that are allowed in the TOD-NC zoning district.

**3. RESERVATION OF CATS RIGHT OF WAY**

- A. **Right-of-Way Reservation Area Provision.** Petitioner shall reserve (but not dedicate and convey) for future acquisition by the City of Charlotte or the Charlotte Area Transit System for the sole benefit of the City of Charlotte or the Charlotte Area Transit System or a successor entity such as a regional transit authority (hereinafter collectively referred to as "CATS") the area on the Site within the Building and Parking Envelope that is more particularly identified on Sheet RZ-200 of the Rezoning Plan as the "Light Rail Right-of-Way Reservation" (the "Reservation Area").

The Reservation Area is comprised of a horizontal component and a vertical component. The purposes of the vertical component of the Reservation Area are to allow a building developed on the Site within the Reservation Area and to allow the Station to be incorporated into the building provided that the desirable clearance between the top of the Station platform and the building meets the requirements of CATS as determined during the process described below in paragraphs 3.A.(1) and 3.A.(2).

The width of the Reservation Area shall be determined by CATS during the land development process, however, in no event shall the width exceed 130 feet. The maximum 130 foot wide Reservation Area is depicted on the Rezoning Plan. Notwithstanding anything contained herein to the contrary, the width of the Reservation Area shall be reduced during the land development process to an amount less than 100 feet as determined by CATS provided that the conditions set out below in paragraphs 3.A.(1) and 3.A.(2) are satisfied.

- (1) Petitioner and CATS shall enter into subsequent agreements during the land development process to govern the integration of infrastructure, construction, operations, access and maintenance for the CATS transit system. Petitioner shall be required to meet all standards proposed by CATS for integration with the transit system pursuant to the agreements. In the event that Petitioner and CATS cannot agree upon mutually satisfactory integration requirements, paragraph 3.B. below shall apply.

- (2) During the land development process, CATS will review proposed plans for the Site and determine the amount by which the width of the Reservation Area will be reduced below 100 feet. Approved plans must meet the following standards that will be set by CATS:

- (a) The dimensions of the Station's portal/tunnel/opening necessitates a minimum clearance for the safe operation of the light rail system consistent with the CATS light rail infrastructure. Details of the design will be coordinated during the land development process.

- (b) A design that accommodates public transit infrastructure in compliance with all Federal, state and local government requirements.

- B. If the conditions set out above in paragraphs 3.A.(1) and 3.A.(2) are not satisfied, then the width of the Reservation Area may exceed 100 feet up to a maximum width of 130 feet as determined by CATS during the land development process.

- C. Petitioner shall, upon the request of CATS after the funding of the Station, grant and convey a public access easement on the Site to CATS to accommodate CATS' construction and maintenance of an ADA compliant public access from Remount Road to the Station platform. The location of this public access easement is generally depicted on the Rezoning Plan, however, the actual location and dimensions may be modified during the land development process.

- D. Petitioner shall, upon the request of CATS after the funding of the Station, grant and convey a public access easement through the building to be constructed on the Site to accommodate an ADA compliant public access from Wilkinson Boulevard through the building to the Station platform. The location of this public access easement shall be determined during the land development process. An elevator may be a component of this public access.

- E. Petitioner shall satisfactorily resolve any utility conflicts to accommodate public transit infrastructure.

- F. **Reservation Area Time Period.** Petitioner shall maintain the reservation of the Reservation Area in perpetuity (except as provided in paragraph 3.I. below).

- G. Subject to the terms of paragraph 3.A. above, only the following construction, installation, and development activities are allowed within the Reservation Area, and no others: a passenger service rail line and station; grading and the installation and maintenance of pavement, driveways, sidewalks, surface parking areas for bicycles, scooters or similar vehicles, but excluding automobiles and trucks not authorized by the City; landscaping and comparable non-vertical improvements. For clarification only, none of the following may be placed, developed, constructed, installed, or maintained anywhere within the Reservation Area: (1) buildings or other vertical structures, (2) utility lines or facilities other than overhead lines exclusively serving passenger rail vehicles, (3) storm water detention facilities, or (4) Wi-Fi, telecommunication or similar antennas or transmission devices for use by third parties to provide services to customers. Notwithstanding the foregoing, nothing herein shall prohibit a building developed on the Site to span the Reservation Area provided that the requirements of paragraph 3.A. above are satisfied.

- H. Nothing (including, by example only, any pavement, driveways, sidewalks, surface parking areas, landscaping, or other non-vertical improvements) may be placed, developed, constructed, installed, or maintained anywhere within the Reservation Area that, if the same is ever removed, would cause the Site or any part of it at the time of its installation to have violated any applicable law, ordinance, or regulation, including by example only, any zoning or land use regulation or any provision of the approved Rezoning Plan.

- I. Pursuant to Section 32.3.G. of the Ordinance, the reservation of the Reservation Area shall expire on the earlier of:

- (1) The City acquiring title to the Reservation Area; or
- (2) A formal rescission by the MTC of the adoptions granted by the MTC for all Rapid Transit Corridor alignments, including any transit station locations, as applicable, that gave rise to the Reservation Area.

- J. Notwithstanding the terms and provisions of paragraphs 3.G. and 3.H. above, Petitioner may construct, install and maintain vertical improvements (in addition to an allowed building that spans the Reservation Area as described above) within the Reservation Area upon the approval of CATS and any other applicable government authorities and agencies.

- K. The Station platform level of the building façade that fronts the Station platform shall meet the transparency requirements and maximum blank wall area requirements of the TOD-NC zoning district at the time that the Station platform is completed. Prior to that time, this building façade shall not be required to meet the transparency requirements and maximum blank wall area requirements of the TOD-NC zoning district.

**4. TRANSPORTATION**

- A. Petitioner will coordinate with CDOT during permitting for determination of need for a Traffic Impact Study based on Ordinance requirements and proposed land uses and density.

- B. A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.

- C. Petitioner will dedicate to the City of Charlotte via fee simple conveyance any additional street right-of-way indicated on the Rezoning Plan as street right-of-way to be dedicated, and the additional street right-of-way will be dedicated prior to the issuance of the first certificate of occupancy for a new building constructed on the Site. Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the street right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

- D. All transportation improvements will be approved and constructed prior to the issuance of the first certificate of occupancy for a new building constructed on the Site.

- E. All public 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 western Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

**5. ENVIRONMENTAL**

- A. Development of the Site shall comply with the applicable provisions of the City of Charlotte Tree Ordinance.

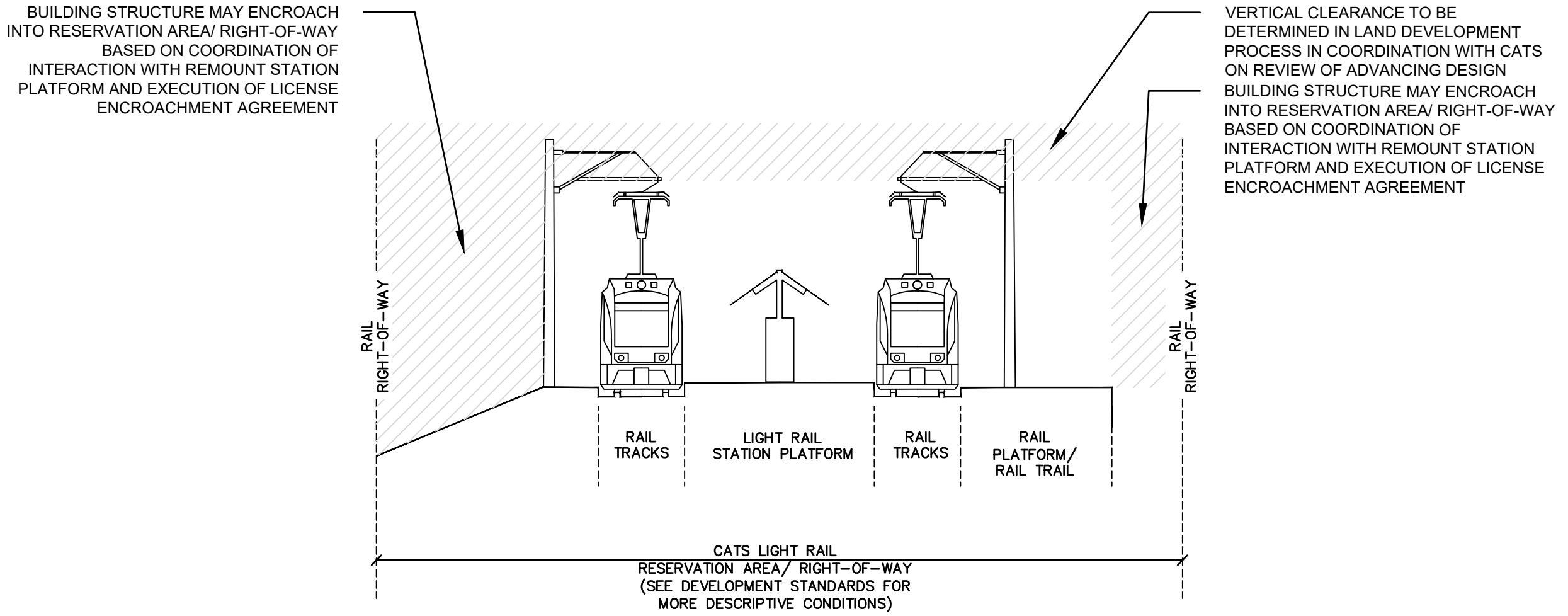
- B. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.

**6. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**

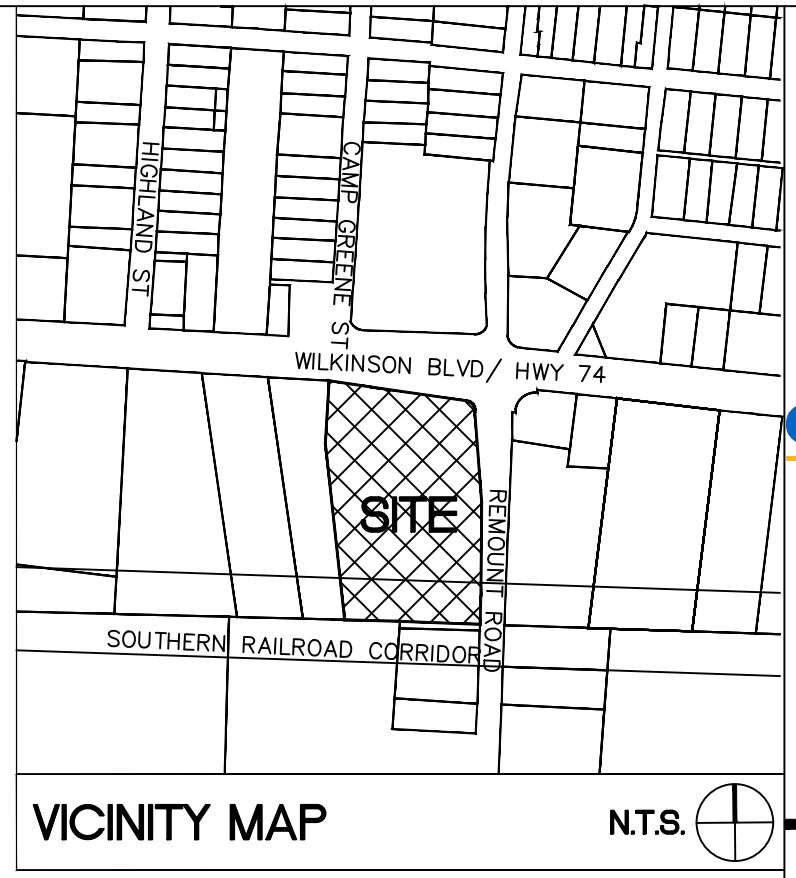
- A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

- B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

- C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



**CATS RAIL RIGHT-OF-WAY PORTAL**  
SCALE: NTS



**ColeJenest & Stone**  
**BOLTON & MENK, INC.**  
 1801 N Graham St., Suite 320  
 Charlotte, NC 28206  
 Phone: (704) 376-1555  
 www.bolton-menk.com

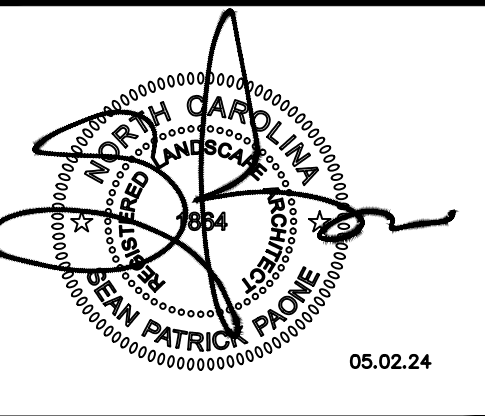
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**DEVELOPMENT NOTES**

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4970.00

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12/11/23	RESUBMITAL TO CITY STAFF
01/15/24	RESUBMITAL TO CITY STAFF
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1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
4. SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 CFR, PART 1926, SUBPART P, OR AS AMENDED.

DATE:	09/11/23
DESIGNED BY:	BMI
DRAWN BY:	BMI
CHECKED BY:	

**RZ - 300**

FILE NO.: