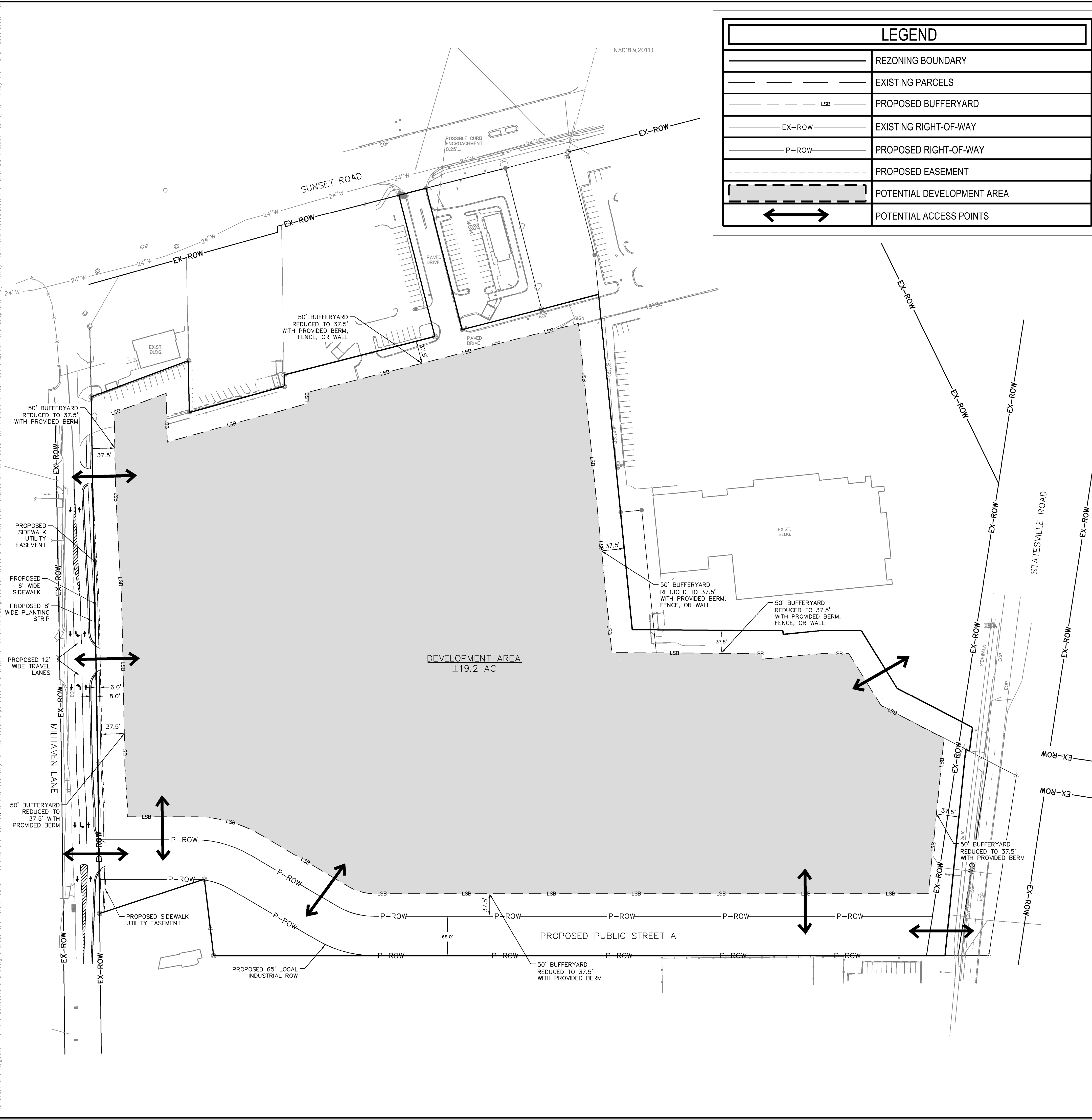


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**SITE DEVELOPMENT DATA:**

- ACREAGE: ± 25.97 ACRES
- TAX PARCEL #S: 041-24-203, 041-24-204, 041-24-206, 014-24-201, A PORTION OF 041-24-202 AND A PORTION OF 041-24-209
- EXISTING ZONING: CC
- PROPOSED ZONING: I-1(CD)
- EXISTING USES: VACANT
- PERMITTED USES: WAREHOUSING, WAREHOUSE DISTRIBUTION, MANUFACTURING, OFFICE, AND ALL OTHER INDUSTRIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, ALL AS ALLOWED IN THE I-1 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN THE DEVELOPMENT STANDARDS BELOW)
- MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 475,000 SQUARE FEET OF GROSS FLOOR AREA
- MAXIMUM BUILDING HEIGHT: HEIGHT AS PERMITTED BY ORDINANCE AND WILL BE MEASURED AS DEFINED BY THE ORDINANCE.
- PARKING: AS REQUIRED BY THE ORDINANCE FOR THE PERMITTED USES.

**1. GENERAL PROVISIONS:**

A. **SITE LOCATION** - THESE DEVELOPMENT STANDARDS, SCHEMATIC SITE PLAN AND OTHER GRAPHICS SET FORTH ON SHEET RZ-1 AND ANY OTHER SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY SUNCAP PROPERTY GROUP ("PETITIONER") TO ACCOMPLISH THE REZONING OF THE REQUESTED PERMITTED USES ON THE APPROXIMATELY 25.97 ACRE SITE LOCATED SOUTH OF SUNSET ROAD AND BETWEEN MILHAVEN LANE AND STATESVILLE ROAD/HIGHWAY 115 (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-1 ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

C. **GRAPHICS AND ALTERATIONS** - ANY SCHEMATIC DEPICTIONS OF THE BUILDING ENVELOPES, PARKING AREAS, SIDEWALKS, DRIVEWAYS, STREETS, OPEN SPACE, BUFFERS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHALL BE REVIEWED IN CONFORMANCE WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. ANY LAYOUTS, 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.

SINCE 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/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 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, SUCH AS MINOR MODIFICATIONS TO THE CONFIGURATIONS OF ANY BUILDING ENVELOPE, DRIVEWAYS AND PARKING AREA DIMENSIONS AND THE LIKE AS LONG AS THE MODIFICATIONS MAINTAIN THE GENERAL BUILDING/PARKING ORIENTATION AND CHARACTER OF THE DEVELOPMENT GENERALLY DEPICTED ON 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 6.207 OF THE ORDINANCE, IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

D. **PLANNED/UNIFIED DEVELOPMENT** - THE SITE 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. AS SUCH SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION STANDARDS, AND OTHER SIMILAR ZONING STANDARDS WILL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS AND OTHER SITE ELEMENTS LOCATED ON THE SITE. THE PETITIONER AND/OR OWNER(S) OF THE SITE RESERVE THE RIGHT TO SUBDIVIDE THE PORTIONS OR ALL OF THE SITE AND CREATE LOTS WITHIN THE INTERIOR OF THE SITE 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 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 TAKEN AS A WHOLE AND NOT INDIVIDUAL PORTIONS OR LOTS LOCATED THEREIN.

E. **NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY** - NOTWITHSTANDING THE NUMBER OF BUILDING(S) SHOWN ON THE REZONING PLAN, THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TO FOUR (4). 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), IN THE EVENT MORE THAN ONE PRINCIPAL BUILDING IS DEVELOPED ON THE SITE, THE SITE SHALL ADHERE TO THE SUBDIVISION ORDINANCE.

**2. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:**

A. THE SITE MAY BE DEVELOPED WITH UP TO 475,000 SQUARE FEET GROSS FLOOR AREA OF WAREHOUSING, WAREHOUSE DISTRIBUTION, MANUFACTURING, OFFICE, AND ALL OTHER INDUSTRIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE I-1 ZONING DISTRICT.

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 (FLOOR AREA AS DEFINED BY THE ORDINANCE) FOR THE SITE: STRUCTURED PARKING FACILITIES AND ALL LOADING DOCK AREAS (OPEN OR ENCLOSED).

**3. TRANSPORTATION IMPROVEMENTS AND ACCESS:**

A. THE PETITIONER WILL PROVIDE ACCESS TO THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN AND SUBJECT TO THE PROVISIONS BELOW, PROVIDED THAT THE EXACT ALIGNMENT, DIMENSIONS AND LOCATION OF THE ACCESS POINT TO THE SITE AND THE DRIVEWAY ON THE SITE MAY BE MODIFIED FROM THE ELEMENTS SHOWN ON THE REZONING PLAN AS LONG AS THE OVERALL DESIGN INTENT IS NOT MATERIALLY ALTERED AND REQUIREMENTS DESCRIBED IN THIS SECTION 3 ARE MET.

B. AN EIGHT (8) FOOT PLANTING STRIP AND SIX (6) FOOT SIDEWALK SHALL BE PROVIDED ALONG THE SITE'S FRONTAGE ON MILHAVEN LANE.

C. THE PETITIONER SHALL INSTALL A PUBLIC STREET A AS GENERALLY DEPICTED ON THE REZONING PLAN.

D. THE PETITIONER SHALL INSTALL LEFT TURN LANES ON MILHAVEN LANE INTO THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.

E. THE IMPROVEMENTS IN THIS SECTION 3 SHALL BE SUBSTANTIALLY COMPLETED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE FIRST UPFIT WITHIN A BUILDING SHELL ON THE SITE.

F. THE FOREGOING PUBLIC ROADWAY IMPROVEMENTS DESCRIBED IN SECTION 3 WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AS APPLICABLE. REFERENCE TO "SUBSTANTIALLY COMPLETED" OR "SUBSTANTIALLY COMPLETED" FOR IMPROVEMENTS AS SET FORTH IN THE PROVISIONS ABOVE SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE ABOVE STANDARDS PROVIDED, HOWEVER, IN THE EVENT ALL SUCH ROADWAY IMPROVEMENTS ARE NOT COMPLETED AT THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE OR IN CONNECTION WITH ANY DEVELOPMENT PHASING, THEN THE PETITIONER WILL WORK WITH CITY STAFF TO DETERMINE A PROCESS TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR APPLICABLE BUILDING(S), AND IN SUCH EVENT THE PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH A CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.

G. CHANGES TO THE ABOVE REFERENCED ROADWAY IMPROVEMENTS IN THIS SECTION 3 CAN BE APPROVED THROUGH THE ADMINISTRATIVE AMENDMENT PROCESS UPON THE DETERMINATION AND MUTUAL AGREEMENT OF PETITIONER, CDOT, AND THE PLANNING DIRECTOR AS APPLICABLE. PROVIDED, HOWEVER, THE PROPOSED ALTERNATE TRANSPORTATION IMPROVEMENTS PROVIDE (IN THE AGGREGATE) COMPARABLE TRANSPORTATION NETWORK BENEFITS TO THE IMPROVEMENTS IDENTIFIED IN THIS PETITION.

**4. SETBACKS, BUFFERS AND SCREENING:**

A. A TWENTY (20) FOOT SETBACK SHALL BE PROVIDED AS DEFINED BY ORDINANCE FROM PUBLIC STREETS.

B. A THIRTY-SEVEN AND A HALF (37.5) FOOT REDUCED BUFFER SHALL BE PROVIDED AROUND THE PERIPHERY OF THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.

**5. ARCHITECTURAL STANDARDS AND DESIGN GUIDELINES:**

A. **BUILDING MATERIALS** - THE PRINCIPAL BUILDING(S) CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS SHALL BE A COMBINATION OF ANY OF THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING (SUCH AS HARD-PLANK), METAL PANELS (ON NORTH AND WEST ELEVATIONS ONLY), EIFS, CAST ON SITE CONCRETE PANEL OR WOOD. VINYL AS A BUILDING MATERIAL WILL NOT BE ALLOWED EXCEPT ON WINDOWS AND SOFFITS.

B. **MECHANICAL EQUIPMENT SCREENING** - HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND FROM VIEW OF ADJACENT PROPERTIES AND PROPOSED PUBLIC STREETS AT GRADE.

C. **DUMPSTER SCREENING** - DUMPSTER AREAS AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL OR FENCE.

D. **PEDESTRIAN ENTRANCES** - THERE SHALL BE A MINIMUM OF ONE STREET FACING ENTRANCE TO EACH PUBLIC STREET. CORNER ENTRANCES SHALL MEET THIS REQUIREMENT FOR BOTH STREETS. ALL PEDESTRIAN ENTRANCES, EXCLUDING EMERGENCY EXITS, WILL BE ARCHITECTURALLY DEFINED WITH GLAZING, AWNINGS, CANOPIES AND/OR OTHER ARCHITECTURAL ELEMENT, AND HAVE A CONNECTION TO ADJACENT PUBLIC STREETS.

**6. ENVIRONMENTAL FEATURES:**

A. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

B. THE SITE WILL COMPLY WITH TREE ORDINANCE.

**7. 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.

**8. 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 OR APPLICABLE PARCELS WITHIN THE SITE IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

**9. 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 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.

**SUNSET ROAD TRACT**  
PREPARED FOR  
**SUNCAP PROPERTY GROUP**

**REZONING PLAN**

CHARLOTTE, NC

KHA PROJECT  
D15634007

DATE  
01/03/2020

SCALE AS SHOWN

DESIGNED BY

DRAWN BY

CHECKED BY

**Kimley-Horn**

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SHEET NUMBER  
**RZ-1**

REVISIONS

DATE