

General Provisions

- a. Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases as allowed under the provisions of Section 6.2 of the Zoning Ordinance.
- b. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, bicycle parking, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.
- c. Throughout this Rezoning Petition, the terms “Owner”, “Owners”, “Petitioner” or “Petitioners,” shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.

Purpose

The purpose of this Rezoning application is to provide for the redevelopment of an existing multifamily community with frontage along Monroe Rd., Idlewild Rd., and Conference Drive. This redevelopment will provide for relocation sites for a number of uses, many of which will soon be displaced by the scheduled improvements to Independence Blvd. It will also provide for a residential component with fewer dwelling units than are located on the site today in support of the City's transit plans. To achieve these purposes, the application seeks the rezoning of the site to the NS and MUDD-O categories.

It is noted that the exact composition and exact make up of tenants on the site and hence, exact building configurations, is subject to change as the site develops. In recognition of this fact, certain portions of the site plan are specifically designated as being flexible in terms of the type of use and the type and location of buildings. The building shapes and site configuration depicted on the Conceptual Site Plan are schematic in nature but the general location of building envelopes, access points, and internal public street(s) are indicative of the Petitioner's intent as to how the site will develop. Buildings on the site may be located only within building envelopes but parking may be located within building envelopes and parking envelopes so long as the location and design complies with Ordinance standards. Minor modifications of building envelopes may be approved as part of the design and development process to fit a specific building footprint.

Optional Provisions

- This Petition proposes that a portion of the site be rezoned to the MUDD-O category with the following optional provisions.
- Permit the provision of a limited number of retail, financial, and/or restaurant uses with drive through service windows as part of the site. The uses being displaced or that have already moved out of the area of the road improvements include banks, restaurants, and pharmacies. These uses rely on the ability to utilize drive through service windows as part of their business operations but the total number of such used is limited by the provisions of this Petition.
 - Permit the ability to locate some parking between one or more buildings and a future street parallel to Monroe Rd. that may be built on an adjoining parcel and to which this site may have access in the future as generally depicted on the site plan. This provision recognizes the future street but allows for the development of the site with some parking located that would adjoin this future street. In addition, permit the location of some parking between the building and the street in Block 6 along the Conference Drive frontage to recognize the unusual shape of the property and the converging dual street frontage.

Permitted Uses

- Uses allowed on the property included in this Petition are those uses that are permitted in the NS and the MUDD-O respectively. The total number of uses within the entire site that are allowed to have an accessory drive through service window will be limited to a total of 4 and those 4 will be further limited as follows: no more than two restaurants, no more than two financial institutions, and no more than one pharmacy. Further, the uses on the site will be distributed and permitted based on the numbered 'blocks' as illustrated on the site plan as follows.
- Block 1: Retail, office, convenience store, automotive service station, and/or restaurant uses on individual sites or in a building with multiple uses. No more than two freestanding businesses in Block 1 may include a drive through service window. Maneuvering will be permitted between the building and the street in Block 1.

Block 2: Retail, office, convenience store, or restaurant uses on individual sites or in a building with multiple uses, except that at least one multi-tenant building of at least 4,000 sq. ft. may be developed within this block or Block 6 for a combination of retail and/or office uses. No more than two freestanding businesses in Block 2 may include a drive through service window. A minimum of 65% of the frontage along Monroe Rd will be composed of building walls, building architectural elements and/or extensions of building walls or other architectural elements or building façade extensions and/or open space. No parking or maneuvering will be allowed between the building and the street in Block 2.

Block 3: Multi-family Residential and accessory uses, retail, office, and restaurant (but not a restaurant with a drive through service window), uses on individual sites or in a building with multiple uses, provided that if any retail, office, or restaurant uses are proposed on an individual site that it may only be located on the portion of Block 3 that adjoins the extension of Knickerbocker Drive. No more than one freestanding business in Block 3 may include a drive through service window. A minimum of 65% of the frontage along Monroe Rd will be composed of building walls, building architectural elements and/or extensions of building walls or other architectural elements or building façade extensions and/or open space.

Block 4: Multi-family Residential and accessory uses. A minimum of 65% of the frontage along Monroe Rd will be composed of building walls, building architectural elements and/or extensions of building walls or other architectural elements or building façade extensions and/or open space.

Block 5: Multi-family Residential and accessory uses, retail, office, and restaurant uses on individual sites or in a building with multiple uses. No more than one business in Block 5 may include a drive through service window. A minimum of 65% of the frontage along Conference Drive will be composed of building walls, building architectural elements and/or extensions of building walls or other architectural elements or building façade extensions and/or open space.

Block 6: Multi-family Residential and accessory uses, retail, office, and restaurant uses on individual sites or in a building with multiple uses, except that at least one multi-tenant building of at least 4,000 sq. ft. may be developed within this block or Block 1 for a combination of retail and/or office uses. No more than one freestanding business in Block 6 may include a drive through service window but a restaurant may not have a drive through service window. A minimum of 65% of the frontage along Monroe Rd and 50% of the frontage along Conference Drive will be composed of building walls, building architectural elements and/or extensions of building walls or other architectural elements or building façade extensions and/or open space.

Non-residential floor area located on the ground floor of residential buildings or on the upper floors of mixed-use or non-residential buildings will not be counted toward the non-residential floor area limit. The following uses will not be permitted anywhere within the site: hotels, night club/bar/loounge.

With regard to the overall site design, the site will be designed to encourage pedestrian walkability between freestanding buildings while minimizing conflicts with automobiles by providing safe pedestrian pathways and crossings. In those circumstances where a pedestrian pathway or sidewalk would cross a drive isle within an individual site, the crosswalk will be clearly marked and raised to calm traffic and to increase awareness of the pedestrian crossing. All buildings will have direct frontage and access to usable entrances on building facades parallel or perpendicular to Monroe Rd. and along public and private streets that intersect Monroe Rd. except for buildings that front the access easement on the northeast side of the site. These entrances must be furnished with direct pedestrian access to public and private street sidewalks and door that are uses for emergency egress or service access will not be considered as meeting this requirement. Off-street parking/driveways will be located on no more than two sides of any on-site open space.

Transportation

- a. Property along the frontage adjoining Monroe Rd. will be dedicated sufficient to provide for 50' of right of way as measured from the centerline of Monroe Rd. and such additional right of way as may be required to accommodate improvements on the Petitioner's side of the centerline within Monroe Rd. necessary to provide access to the site. These improvements will be identified in the traffic study prepared for the proposed development of the site.
- b. Transportation improvements will be constructed as the site develops and will be identified in the traffic study for the site.
- c. The site will include both public and private streets as identified on the concept plan for the site. Determination of the street type and cross section design will be made at the time of site development review. Both public and private streets will remain open to traffic at all times unless closed for emergency or other publically sanctioned or required purposes.
- d. Parking areas are indicated on the concept plan for the site. All retail parking areas within the site will have overlapping cross access rights.
- e. The Petitioner will be responsible for the implementation costs for a possible future traffic signal to be installed at the intersection of Monroe Rd. and Knickerbocker Drive, including signal design costs, r/w and/or easements on the west side of Monroe Road near Knickerbocker Drive, accessible ramps and crosswalks on all four corners, and interconnect conduct/cable or other acceptable technology between Idlewild Road and Conference Drive. CDOT will provide the petitioner 90 days notice if and when traffic signal funds are needed to commence the signal design. Should CDOT not receive funding for this improvement holds will be placed on building permits and certificates of occupancy. The installation date for this possible traffic signal will be determined by CDOT and NCDOT.
- f. The exact design of the improvements to Monroe Rd. will be determined through a cooperative process that will involve the Petitioner, CDOT, and NCDOT that will occur after the Petition is approved.

Architectural Standards

In addition to design provisions contained within the district regulations of the Zoning Ordinance for the NS and MUDD categories, the development of the site will be governed by the provisions and standards of Architectural Specifications and Guidelines that will be produced by the Petitioner and which will be binding on the development of the site. All buildings on the site will have “4 sided architecture”.

The Petitioner will limit the height of buildings which are adjacent to Monroe Road to 4 habitable floors or 60', which ever is less.

With regard to the design and development of buildings on the site, the following additional standards and guidelines will apply.

- It is the intent of these standards and guidelines to provide significant flexibility in design while achieving a sense of continuity and visual harmony throughout the development. To that end, the developer will establish an Architectural Control Committee (ACC) that will review and approve all development that takes place on the site. A member of the Charlotte Planning Department staff will be included as a member of the ACC and will be expected to attend all meetings of the ACC.
- Façade design shall address climate conditions through use of extended overhangs, shading elements, and light color materials.
- All buildings (including ancillary support structures) shall be finished on all sides visible to public streets or parking areas, in a compatible architectural concept with the development and shall not detract from adjacent property.
- Understanding the importance of corporate marketing and identity, prototype or identity specific elements are acceptable, but subject to ACC review and approval. Colors, materials, and specific building design will be reviewed.
- Building parapet shall be provided for articulation and screening. Roof top equipment, piping, flashing and other items on the roof shall be screened by a perimeter parapet wall extending one foot taller than the tallest piece of roof equipment, so as not to be visible from adjoining public streets or from within the site.
- The exterior building materials for the primary building elevations that orient to or are visible from the street, excluding windows, doors, soffits, gables, and architectural detail or trim, will be a combination of brick, stone, EIFS or stucco, decorative metal panels, and cementitious or wood board. All other building elevations will be painted a color or colors that are compatible with the exterior building materials for the primary elevations. Vinyl siding will not be used as a primary exterior building material but may be used for trim, soffits, and architectural details.
- Buildings will be arranged on the site to relate to public streets and will minimize the amount of maneuvering of vehicles between the building and the public street. In those circumstances where a pedestrian pathway or sidewalk would cross a drive isle within an individual site, the crosswalk will be clearly marked and raised to calm traffic and to increase awareness of the pedestrian crossing. Uses that include drive through service will be arranged so that the drive through service window(s) are located in the rear or side of the building and will not be located on the side of the building that directly fronts on Monroe Rd. or any public or private street that intersects Monroe Rd. or Conference Drive.
- At least 50% of the first floor façade of all buildings fronting a public street will comply with the 'street wall' provisions of the MUDD district contained in Sec. 9.8506(2) of the Zoning Ordinance.
- The Petitioner has provided two illustrative building elevations to represent the general style and character of the multi-family residential buildings and single story multi-tenant non-residential buildings. The intent of these elevations, used in conjunction with the design details listed above, is to guide the development of all buildings on the site. Single tenant non-residential buildings and multistory mixed use or non-residential buildings will incorporate the building materials, stylistic elements and general character represented by these two illustrative elevations. Principal building wall materials may be used but will not be required for any canopy that may be constructed as part of an automobile service station but the colors of the canopy materials will be consistent or complimentary to the overall architectural pallet for the main building on that parcel.
- Building elevations for the NS portion of the site will be reviewed and approved by the Planning Department for compliance with the provisions of this plan as part of the normal site plan/building permit review process and in accordance with the review schedules of that process

Streetscape and Landscaping

Streetscape features to be located along the frontage of Monroe Road may vary with the type and style of development on each development site but will be consistent with the typical cross sections contained on the site plan and will be designed to screen parking and service areas that adjoin the right-of-way.

Environmental Features

- Reserved.
- Parks, Greenways, and Open Space
- Usable open space will be provided as part of the development of the site. Each block along Monroe Rd. will include at least one recessed pedestrian area (Block Park) behind the right-of-way that will include pedestrian scale lighting, seating, and landscaping as generally depicted on the site plan. Block Park areas may be expanded to provide for on-site open space so long as the minimum dimension of the expanded Block Park extends at least 15' behind the edge of the sidewalk. Additional plantings consistent with the standards of the Tree Ordinance will be installed as part of any expanded Block Park. Other open space elements will be oriented to the buildings on the site. A minimum of 50% of the required open space will be associated with and adjacent to the amenity areas on Blocks 3, 4, and 5.

- Fire Protection
- Reserved.
- Signage
- Reserved.
- Lighting

The maximum height of any new freestanding lighting fixture (including the base) installed with the parking areas located on the site will be 30'. All such free-standing lighting fixtures will be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the site. Consideration will be given to the impact of lighting both within and without the perimeter of the site. Items for consideration will include intensity, cut-off angles, color, energy efficiency and shielding or sources of light, the intent being to eliminate glare toward public streets and adjacent properties.

Any lighting attached to the new building will be decorative, capped and downwardly directed. New “wall-pak” lighting fixtures may not be installed on the site but architectural lighting on the exterior of the buildings will be permitted.

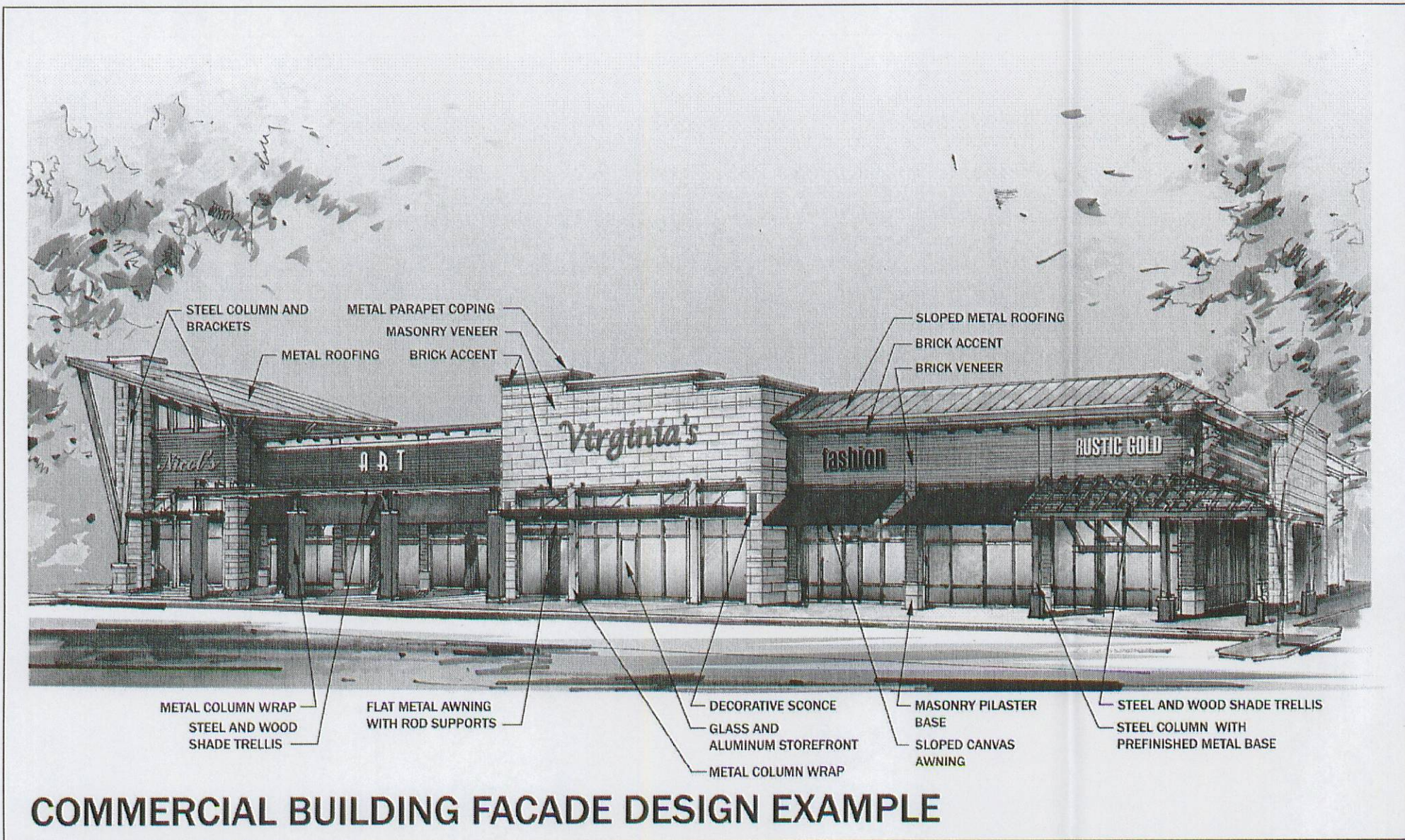
Site lighting fixtures used along entrance driveways and parking areas shall be uniform and a consistent design. Parking areas shall have a minimum average of 1 FC and a maximum average of 5 FC on a maintained basis. Light sources shall be metal halide and shall not exceed 400 watts. Site lighting fixtures are required to have a flat glass lens to reduce glare. High pressure sodium lamps are prohibited from use. Fluorescent and incandescent source lighting may be considered for pedestrian areas and near buildings only. All lighting must be in compliance with the International Energy Code (applicable edition per City requirements). The following site lighting fixtures are pre-approved. All fixtures are required to have a black finish. Alternate fixtures complying with the same general characteristics and performance are acceptable with AAC approval.

- General parking lot and internal street illumination:
 - Duke Energy: Shoebox type fixture or equivalent
- Pedestrian scale lighting:
 - Duke Energy: Acorn type fixture or equivalent. Lamp wattage shall not exceed 150 W, without ACC approval. Spacing will not exceed 80' along all exterior and interior streets. No specific spacing for other pedestrian areas.

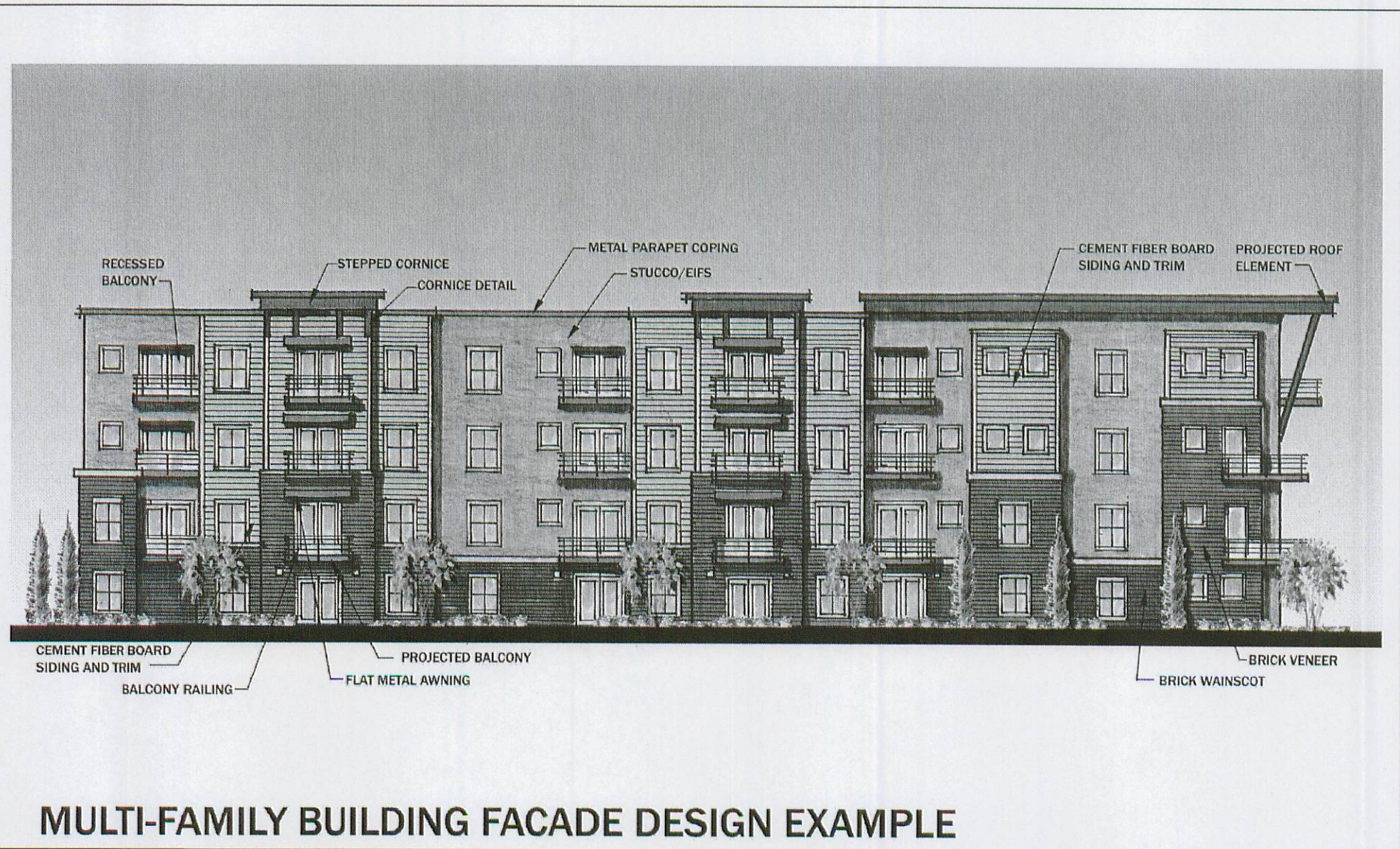
- Phasing
- The site will be divided into two development phases corresponding with the two zoning categories for the site. The site development may commence in either of the development phases at any time. Once development begins within a development phase, all of the existing structures within that development phase will have to be removed before a Certificate of Occupancy will be issued for any new structures erected within that development phase.

- Transit
- The Petitioner has an existing easement agreement with CATS that allows for two transit stops to be located on the site.

Initial Submission- 12/28/10 (1)
Revised per staff comments- 2-18-11
Revised per staff comments- 4/5/11
Revised per staff comments- 4/6/11
Revised per staff comments 4/15/11
Revised per staff comments 5/20/11
Revised per additional staff comments-5-20-11-9a



COMMERCIAL BUILDING FACADE DESIGN EXAMPLE



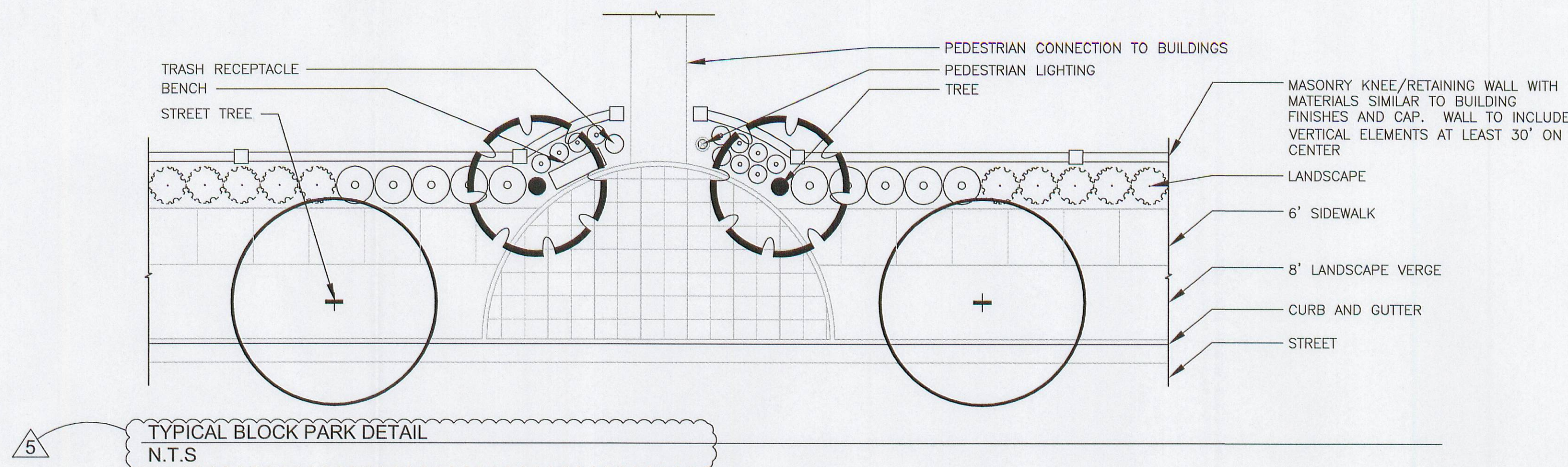
MULTI-FAMILY BUILDING FACADE DESIGN EXAMPLE

REZONING PETITION #:
2011-017
FOR PUBLIC HEARING

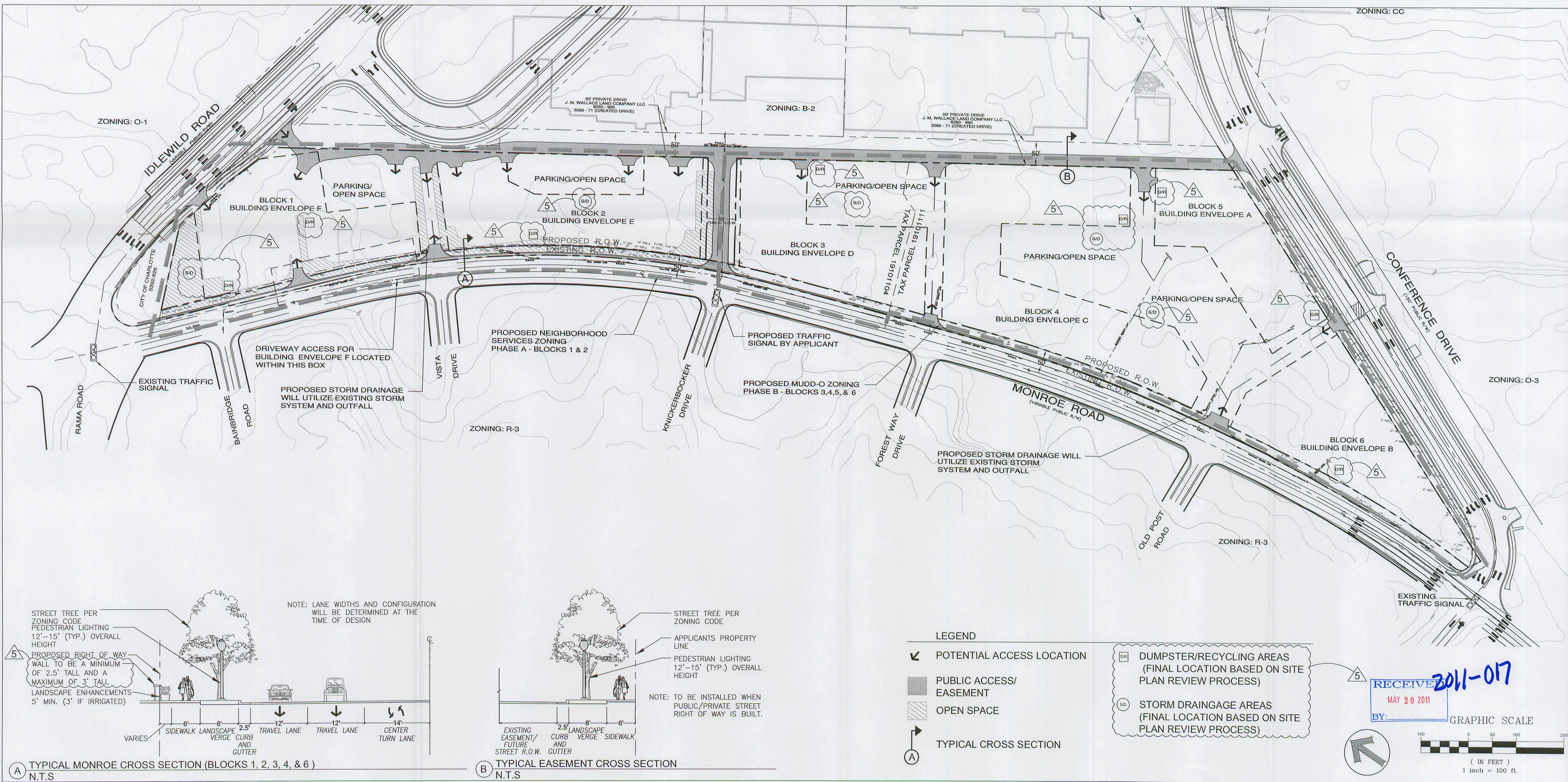
SILVER OAK
TECHNICAL DATA SHEET
GOODE PROPERTIES



NCDOT NOTE:
ADJACENT ROADWAY
LAYOUT AND DESIGN TAKEN FROM,
NCDOT T.I.P. # U209B



| Development Data Table | | |
|---|---|--|
| Total Site Acrea: | 20.6 Acres | |
| Tax Parcels: | 19101111 19101104 | 10.38 Acres 10.23 Acres |
| Existing Zoning: | R-17MF | |
| Proposed Zoning: | MUDD-O NS | 13.1 Acres 7.3 Acres |
| | Knickerbocker Drive Right of Way .2 Acres | |
| Existing Use | Multi-Family Housing | |
| Proposed Use | Multi-Family Housing, Commercial, and Retail | |
| Residential | 275 Units | |
| Single Tenant Bldg Sites | Up to 7 | |
| Multi-Tenant Floor Area | 4,000 SF | |
| Floor Area Ratio | N/A | |
| Maximum Building Height (Along Monroe) | 4 Stories or 60' or whichever is less | |
| Parking Spaces | Residential Non-Residential | To Comply With Each Zoning Ordinance To Comply With Each Zoning Ordinance |
| Open Space (estimated) | 3 acres | |
| Setback Requirements | (NS/MUDD) | |
| | Front: 14' | Rear: 0' |
| | Side (left): 0' or 10' when adjacent to residential | Side (right): 0' or 10' when adjacent to residential |
| Buffer Requirements | | |
| | Front: None | Rear: None |
| | Side (left): None | Side (right): None |



SILVER OAK
TECHNICAL DATA SHEET
GOODE PROPERTIES

REZONING PETITION #:
2011-017
FOR PUBLIC HEARING



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NCI LICENSE #E-0102

DATE: MAY-2011
DESIGNED BY: MSM
DRAWN BY: HMC
CHECKED BY: MSM
Q.C. BY: MSM
1"=100'
PROJECT #: 0168200003100
SHEET #: 1
1 of 2