

Q:\PROJECTS\2013\13016.00 Sharon Towers Villa Apartments\DWGS\X130016-RZ_R1.dwg Aug 15, 2013 - 2:06pm

DEVELOPMENT STANDARDS

August 16, 2013

General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by The Presbyterian Home at Charlotte, Inc. to accommodate a senior living community comprised of independent living units, assisted living units, skilled nursing beds, related common areas, medical and rehabilitation facilities, recreational facilities, dining facilities and other support facilities on that approximately 24.80 acre site located generally at the southwestern corner of the intersection of Sharon Road and Eastburn Road (the "Site").
2. The use and development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Institutional (CD) zoning district shall govern the use and development of the Site.
4. The exact alignments of the new internal driveways have not been determined and are subject to final design and engineering plans. Accordingly, minor modifications or alterations of these alignments may take place during design development and construction phases.
5. The depiction and layout of the new buildings to be constructed on the Site that will contain villa style apartment independent living units and the associated parking and drive aisles are conceptual in nature and may be altered or modified during design development and construction phases subject to the requirements of the Ordinance and the Rezoning Plan, and provided that such improvements are located within the new building and parking envelopes depicted on the Rezoning Plan.
6. 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 provisions of Section 6.207 of the Ordinance.

Permitted Uses

- △ The Site may only be devoted to a senior living community comprised of independent living units, assisted living units, skilled nursing beds, related common areas, medical and rehabilitation facilities, recreational facilities, dining facilities and other support facilities and any accessory uses relating thereto that are permitted under the Ordinance.
- △ A maximum of 328 independent living units may be located on the Site, which shall include apartment style independent living units and single family cottage style independent living units. A maximum of 96 skilled nursing beds and a maximum of 40 assisted living units may be located on the Site.

Transportation

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of each vehicular access point are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation.
2. Off street parking will meet the minimum standards established under the Ordinance.
3. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan.
4. Prior to the issuance of a building permit for any new building to be constructed on the Site, Petitioner shall dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) those portions of the Site immediately adjacent to Sharon Road as required to provide right of way measuring 50 feet from the existing centerline of Sharon Road if such right of way does not currently exist.
5. The construction entrance into the Site shall be located on Sharon Road.
6. Vehicular access to and from the Site by way of Pendleton Avenue shall be prohibited. However, pedestrian access to and from the Site by way of Pendleton Avenue shall be permitted.
7. Prior to the issuance of a certificate of occupancy for any new building to be constructed on the Site, Petitioner shall construct a concrete waiting pad for each of the two existing bus stops located on Sharon Road next to the Site. The exact locations of these two concrete waiting pads shall be determined during the development review and permitting process. Each concrete waiting pad shall be located within the existing planting strip between the sidewalk and curb, and each concrete waiting pad shall be constructed to C.A.T.S. Development Standard 60.01B. Petitioner's obligation to construct each concrete waiting pad shall be subject to Petitioner's ability to obtain all approvals and permits required to construct each concrete waiting pad.

Architectural Standards

1. Set out on Sheet RZ200 is a schematic architectural rendering of the new buildings to be constructed on the Site that will contain villa apartment style independent living units, and this schematic architectural rendering is intended to depict the general conceptual architectural style and character of the new buildings that will contain villa apartment style independent living units. Accordingly, each new building to be constructed on the Site that will contain villa apartment style independent living units shall be designed and constructed so that it is substantially similar in appearance to the attached schematic architectural rendering. Changes and alterations which do not materially change the overall conceptual architectural style and character are permitted based upon final design/construction drawings.
2. The maximum height in stories of the new buildings that will contain villa apartment style independent living units shall be three stories over a one story structured parking facility.
3. The maximum building height of 40 feet may be increased by 1 foot for each 1 foot increase in the side yard and/or rear yard pursuant to footnote 2 to Chart 9.505(1) of the Ordinance.
4. New dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a new dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side.
5. All roof mounted mechanical equipment on the new buildings to be constructed on the Site will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.

Streetscape and Landscaping

1. Landscaping will meet or exceed the requirements of the Ordinance.
2. A 50 foot Class C buffer shall be established along those portions of the Site's boundary lines that are more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance. Except as provided below in paragraphs 3 and 4, the width of this 50 foot Class C buffer may not be reduced.
3. Pursuant to Section 12.302(8) of the Ordinance, that portion of the 50 foot Class C buffer located along the Site's northern boundary line that is more particularly depicted on the Rezoning Plan shall be reduced in width by 25% to 37.5 feet as a result of the installation of a fence that meets the requirements of Section 12.302(8).
4. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas set out on the Rezoning Plan accordingly.
5. The buffer shall not be disturbed except for required driveways, sidewalks, or other pedestrian paths, walls, fences, or required landscaping, landscaping maintenance and replacement or the installation and maintenance of utility lines in accordance with Section 12.302(12) of the Ordinance.
6. Where existing trees and natural vegetation have been cleared to accommodate those items set out above in paragraph 5, the cleared unimproved areas will be landscaped with trees and shrubs in accordance with the requirements of the Ordinance.

7. Notwithstanding anything contained herein to the contrary, the existing structures and improvements on the Site that encroach into the 50 foot Class C buffer may remain in place and shall not be required to be brought into compliance with the buffer requirements of the Ordinance as a result of a variance granted by the Charlotte Zoning Board of Adjustment on December 28, 1999 in Case No. 99-111 (the "Variance"). The Variance granted a 50 foot variance from the required 50 foot Class C buffer to allow the senior living community to remain as is without installing a buffer. A 50 foot Class C buffer was then required to be established on the Site pursuant to the approved conditional rezoning plan relating to Rezoning Petition No. 2001-007 that was approved by City Council on February 19, 2001. However, the requirement to establish the buffer was subject to the Variance, thereby permitting the existing structures and improvements on the Site that encroach into the buffer to remain in place. The 50 foot Class C buffer required to be established under this Rezoning Plan is likewise subject to the Variance, thereby permitting the existing structures and improvements on the Site that encroach into the buffer to remain in place. New development shall be prohibited from encroaching into the established buffer.
8. Petitioner shall install an 8 foot planting strip and a 5 foot sidewalk along the Site's frontage on Eastburn Road and Sunnysbrook Drive. The sidewalk may meander to save existing trees and where the sidewalk meanders to save existing trees, the width of the planting strip may be less than 8 feet.

Environmental Features

The location, size, and type of storm water management systems are subject to review and approval as part of the full development plan submittal. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

Signs

All new signs installed on the Site shall comply with the requirements of the Ordinance.

Lighting

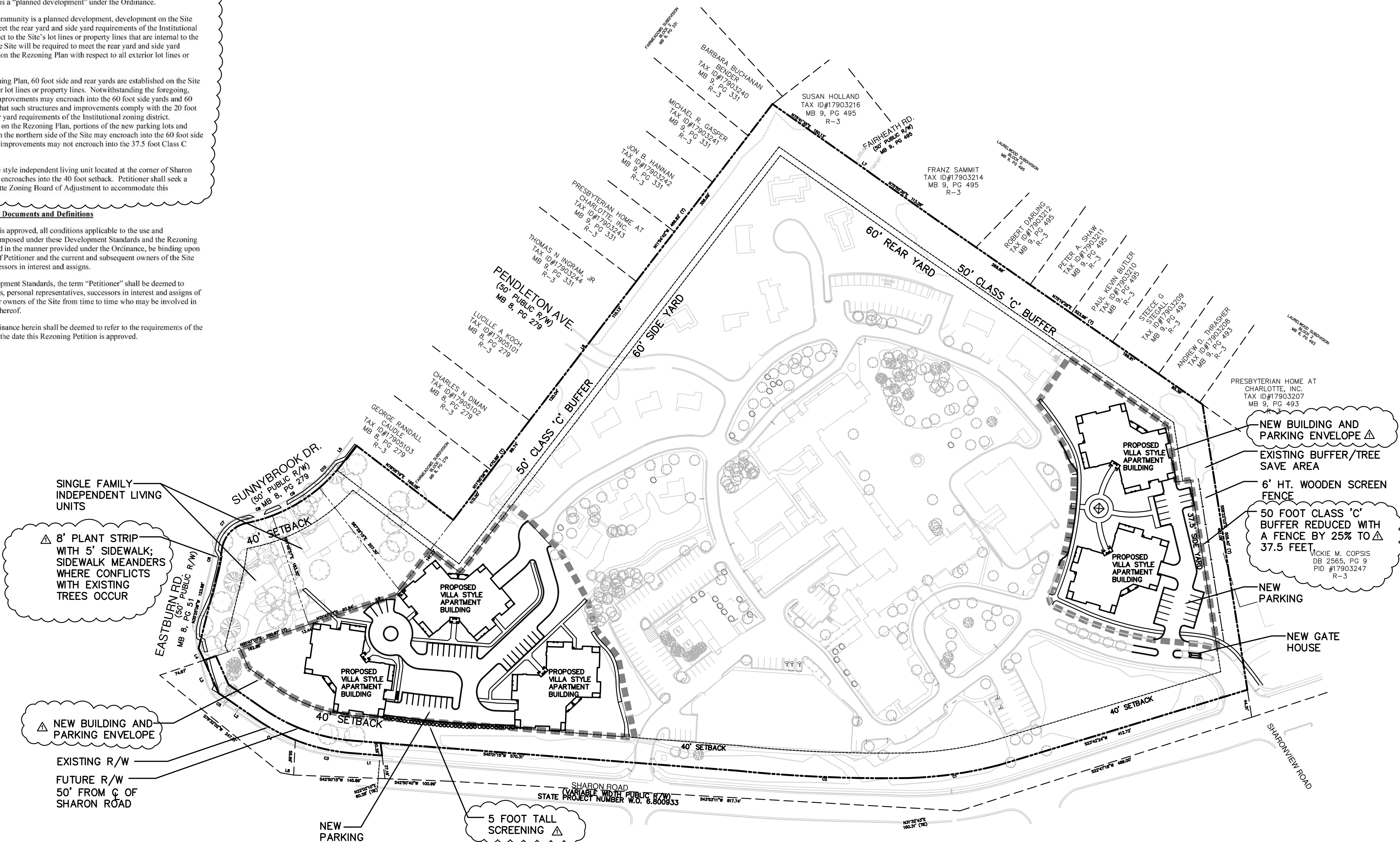
1. All newly installed freestanding lighting fixtures on the Site (excluding street lights) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
2. The maximum height of any newly installed freestanding lighting fixture on the Site shall be 25 feet.
3. Any lighting fixtures attached to the new buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

Planned Development/Internal Yard Requirements/Exterior Yard Requirements/Variance

1. The senior living community, as expanded, will be located on multiple lots or parcels as depicted on the Rezoning Plan, all of which lots or parcels are owned and controlled by Petitioner. The senior living community, as expanded, has been and will be planned and developed as a single development project or a definitely programmed series of development operations or phases, and all of the improvements and uses on the Site will be related to the character and purpose of the senior living community. Accordingly, the senior living community is a "planned development" under the Ordinance.
2. Since the senior living community is a planned development, development on the Site will not be required to meet the rear yard and side yard requirements of the Institutional zoning district with respect to the Site's lot lines or property lines that are internal to the Site. Development on the Site will be required to meet the rear yard and side yard requirements established on the Rezoning Plan with respect to all exterior lot lines or property lines.
3. As depicted on the Rezoning Plan, 60 foot side and rear yards are established on the Site with respect to all exterior lot lines or property lines. Notwithstanding the foregoing, existing structures and improvements may encroach into the 60 foot side yards and 60 foot rear yard, provided that such structures and improvements comply with the 20 foot side yard and 20 foot rear yard requirements of the Institutional zoning district. Additionally, as depicted on the Rezoning Plan, portions of the new parking lots and vehicular drive located on the northern side of the Site may encroach into the 60 foot side yard, provided that these improvements may not encroach into the 37.5 foot Class C buffer.
4. The single family cottage style independent living unit located at the corner of Sharon Road and Eastburn Road encroaches into the 40 foot setback. Petitioner shall seek a variance from the Charlotte Zoning Board of Adjustment to accommodate this encroachment.

Binding Effect of the Rezoning Documents and Definitions

1. 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.
2. 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.
3. 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.



SITE DATA :

- PETITIONER AND OWNER: THE PRESBYTERIAN HOME AT CHARLOTTE, INC.
- REZONING SITE AREA: 2480 AC.
- TAX PARCEL #: 179-032-45, 179-051-09, 179-051-07, 179-051-06, 179-051-05, 179-051-04
- EXISTING ZONING: INST (CD), R-3
- PROPOSED ZONING: INSTITUTIONAL (CD) SPA AND INSTITUTIONAL (CD)
- EXISTING LAND USE: SINGLE FAMILY RESIDENTIAL, INDEPENDENT AND DEPENDENT LIVING FACILITY △
- PROPOSED LAND USE: INDEPENDENT AND DEPENDENT LIVING FACILITY △
- YARD REGULATIONS: ALLOWABLE - SETBACK - 40' REQUIRED
SIDE YARD - 20' REQUIRED
REAR YARD - 20' REQUIRED

PROVIDED - SETBACK - 40'
SIDE YARD - EXISTING 60' TO REMAIN
REAR YARD - EXISTING 60' TO REMAIN

SEE ARCHITECTURAL STANDARDS

UNITS

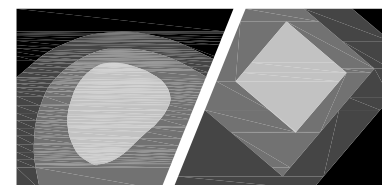
328 INDEPENDENT LIVING UNITS
96 SKILLED NURSING BEDS △
40 ASSISTED LIVING UNITS
464 UNITS TOTAL

PARKING

PARKING WILL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE △

OPEN SPACE

MINIMUM 15% OF THE SITE WILL BE ESTABLISHED AS TREE SAVE AREA PER THE TREE ORDINANCE



STEWART

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CHARLOTTE, NC 28202
7704.334.7925

FIRM LICENSE # C-1051
www.stewartinc.com
PROJECT # X13016.00

Client:



Sharon Towers

Project:

Sharon Towers: Villa Apartments

5100 Sharon Road
Charlotte, NC
28210

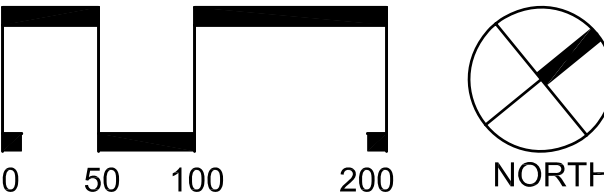
Vicinity map:



Seal:

Issued for:

| No. | Date | Description |
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| 1 | 08.16.13 | Revised per Planning Staff Comments |
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Scale: 1" = 100'

Title:

REZONING SITE PLAN

Project number: X13016.00 Sheet: RZ100

Date: 06.24.2013

Drawn by:

Approved by:



Stewart & Connors
Architects, PLLC

3731 Latrobe Drive
Charlotte, NC 28211
704.365.3941 phone
704.365.3942 fax

title:
**Sharon Towers:
Villa Apartments**

location:
**5100 Sharon Road
Charlotte, NC
28210**

CONSTRUCTION DOCUMENTS

seals:

06/17/2013
© 2013 by
Stewart & Connors Architects, PLLC

sca project number: 26-05-200 date: 11-21-2012

drawn by: ??? checked by: ???

revisions:
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Sharon Towers
SCHEMATIC DESIGN
key plan

sheet name:

**BUILDING
ELEVATION**

sheet number:

RZ200

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