



**Pinehurst on Providence Development Standards**

**January 15, 2016**

**Site Development Data:**

- Acres:** = 36.10 acres
- Tax Parcel #:** 183-121-11
- Existing Zoning:** R-17MF (CD) Site Plan Amendment with 5 Year Vested Rights
- Proposed Zoning:** MUDD-O with 5 Year Vested Rights
- Permitted Uses**
- Under Existing Zoning:** Up to 580 multi-family dwelling units and accessory uses
- Proposed Uses:** Up to 580 multi-family dwelling units together with accessory uses, as allowed in th MUDD zoning district
- Parking:** 1.5 spaces per unit minimum
- Open Space:** A minimum of 15% of the Site will be established as tree save/open space areas as defined by the Ordinance

**1.General Provisions:**

a.These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by NR Pinehurst Property Owner LLC (the "Petitioner") to accommodate the redevelopment of an approximately 36.10 acre site located at 4100 Providence Road (the "Site") with a multi-family residential community that could contain up to 580 multi-family dwelling units.

b.On March 18, 2013, the Charlotte City Council rezoned the Site to the R-17MF (CD) zoning district pursuant to Rezoning Petition No. 2013-023 to accommodate the redevelopment of the Site with up to 580 multi-family dwelling units.

c.On June 15, 2015, the Charlotte City Council rezoned the Site to the R-17MF(CD) Site Plan Amendment zoning district with 5 Year Vested Rights pursuant to Rezoning Petition No. 2015-052 to amend the conditional rezoning plan relating to Rezoning Petition No. 2013-023, which amended conditional rezoning plan allows the redevelopment of the Site with up to 580 multi-family dwelling units.

d.Pursuant to this Rezoning Petition, Petitioner is requesting that the Site be rezoned to the MUDD-O zoning district for the purpose of revising the layout and design of the proposed multi-family residential community. This rezoning request does not seek to increase the maximum number of multi-family dwelling units that may be developed on the Site over the 580 dwelling units that were approved pursuant to Rezoning Petition Nos. 2013-023 and 2015-052.

e.Development of the Site will be governed by the attached Rezoning Plan and these Development Standards (collectively referred to as the "Rezoning Plan") as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provision set out below, the regulations established under the Ordinance for the MUDD zoning district classification shall govern development taking place on the Site.

f.The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, and other site elements set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the development and site elements proposed, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the Development Standards, provided, however, any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Changes to the Rezoning Plan not permitted by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

g.The redevelopment of the Site is planned to occur in two phases, which phases are designated as "Phase1" and "Phase2" on the Rezoning Plan. The redevelopment of that portion of the Site designated as Phase 1 is planned to occur first. Except as specifically provided below, the improvements depicted on that portion of the Site designated as Phase 2 shall not be required to be constructed and installed until such time that Phase 2 is developed. Notwithstanding the foregoing, at the option of Petitioner, both phases of the proposed multi-family residential community may be developed concurrently.

**2.Optional Provision**

a.The following optional provision shall apply to the development of the Site:

(i) Parking and maneuvering space shall be allowed between the building to be located on that portion of the Site designated as Phase 1 and the internal street to the rear of that building in the event that this internal street is a public street.

**3.Permitted Uses & Development Area Limitations :**

a.The Site may be redeveloped with up to 580 multi-family dwelling units together with accessory uses allowed in the MUDD zoning district.

b.As noted above, the redevelopment of the Site is planned to occur in two phases, which phases are designated as "Phase1" and "Phase2" on the Rezoning Plan. The maximum number of multi-family dwelling units that may be developed in Phase 1 shall be 350 dwelling units.

c.Surface parking areas will not be allowed between Providence Road and the buildings that abut Providence Road, provided, however, surface parking areas may be located to the side of the buildings abutting Providence Road as generally depicted on the Rezoning Plan.

d.Structured parking facilities may be located on the Site.

e.Those buildings designated as Building Nos. 1,2,5,6,12,13 and 14 on the Rezoning Plan are each located in a building envelope that is formed by the relevant adjacent internal streets and/or parking areas, and each of these buildings may rotate and/or change locations within their respective building envelopes at the option of Petitioner.

**4.Transportation/Access Notes :**

a.Except as described below in this subsection, access to the Site will be from Providence Road as generally depicted on the Rezoning Plan. The Rezoning Plan, however, references a possible vehicular/pedestrian connection from the Site to that certain parcel located adjacent and to the south of the Site and known as Tax Parcel No. 183-121-10 (the "Southern Adjacent Parcel"). In order to promote such a possible future vehicular/pedestrian connection between the Site and the Southern Adjacent Parcel, Petitioner agrees to the following provisions:

(i) Petitioner shall design the Site in such a manner to allow for one vehicular and pedestrian connection by way of a private driveway or private street to permit pedestrians and automobiles between the Site and the Southern Adjacent Parcel (but not commercial truck traffic);

(ii) as part of the development contemplated by this Rezoning Plan, such connection will be installed by Petitioner to the common property line in substantially the location and containing substantially the same design as depicted on the Rezoning Plan, including sidewalk improvements consisting of a 6 foot wide sidewalk and 8 foot wide planting strip on both sides of such private street.

(iii) minor adjustments in the location of the possible connection can be made in consultation with the Planning Department during the Planned Multi-Family review and approval process;

(iv) to the extent that development of the portion of the Site over which the possible connection is to be made occurs prior to the redevelopment of the Southern Adjacent Parcel, the portion of the connection on the Site will be designed and constructed at the property line within ±2 feet above or below the existing grade of the Southern Adjacent Parcel to facilitate the connection;

(v) the connection shall be opened only upon the redevelopment of the Southern Adjacent Parcel in such a manner as to require, either by conditional rezoning conditions, subdivision requirements or other regulatory requirements, a vehicular and pedestrian connection from the Southern Adjacent Parcel to the Site;

(vi) once such connection is made it shall remain open to the public for pedestrians and automobiles (but not commercial truck traffic) by way of a private driveway/street connection; and

(vii) it is understood that no financial payment shall be due to either Petitioner nor the owner of the Southern Adjacent Parcel for the connection except that in the event that the connection is opened as provided in subparagraph (v) above, such parties shall agree to bear the cost of the maintenance and repair of their respective portions of the connection pursuant to a reciprocal cross-easement agreement to be recorded in the Mecklenburg County Public Registry.

b.Petitioner will dedicate in fee-simple to the City of Charlotte that portion of the Site's frontage on Providence Road that is more particularly depicted on the Rezoning Plan as right-of-way. This right-of-way dedication will occur prior to the issuance of the first certificate of occupancy for the first new building completed on the Site.

c.Petitioner will design the primary driveway into the Site on Providence Road across from Strawberry Hill Drive as a full movement potentially signalized driveway as generally depicted on the Rezoning Plan. The estimated cost of installing a traffic signal at this location is \$80,000. Prior to the issuance of a building permit for the first new building constructed on the Site, Petitioner shall submit the sum of \$80,000 to CDOT for the potential traffic signal. This \$80,000 payment shall be held by CDOT for the 3 year period commencing on the date of the issuance of the building permit for the first new building constructed on the Site. If CDOT/NC DOT approves the installation of the traffic signal within this 3 year period, then the \$80,000 will be applied to the cost of installing the traffic signal. If CDOT/NC DOT does not approve the installation of the traffic signal within this 3 year period, then the \$80,000 payment shall be returned to Petitioner. CDOT and Petitioner shall enter into an Escrow Agreement to document this agreement. Notwithstanding the foregoing, in the event that CDOT and/or NC DOT determine prior to the expiration of the 3 year period that a traffic signal will not be installed at this location, then CDOT shall return the \$80,000 payment to Petitioner upon making such determination.

d.Petitioner will extend, from 65 feet to 150 feet, the northbound left turn lane from Providence Road to the Site's new northern driveway.

e.Subject to the provisions and design described in Section 3.4. above, the placements and configurations of vehicular access points are subject to any minor modifications, as approved by CDOT/NC DOT, required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT/NC DOT in accordance with applicable published standards.

f.The alignment of the internal vehicular circulation and driveways may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

g.The southernmost vehicular access point into the Site from Providence Road shall be a private drive that extends from Providence Road, through the structured parking facility to the internal private street. A schematic design of this private drive is set out on the Rezoning Plan. This private drive will be open to the public for vehicular ingress and egress to and from the Site.

**5.Architectural Standards:**

a.The building materials used on the buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, and/or wood. At least 35% of the exterior of each building, exclusive of windows, doors and roofs, will be constructed of brick, stone, synthetic stone, precast stone or precast concrete. Vinyl as a building material may only be used on windows and soffits.

b.The maximum height in stories of each multi-family apartment building to be constructed on the Site is designated on the Rezoning Plan.

c. Attached to the Rezoning Plan are conceptual, architectural renderings of the elevation of the building to be constructed on that portion of the Site adjacent to Providence Road that is designated as Phase 1 on the Rezoning Plan that are intended to depict the general conceptual architectural style and character of such building. Accordingly, the building to be constructed on that portion of the Site designated as Phase 1 shall be designed and constructed so that the elevation is substantially similar in appearance to the attached conceptual, architectural rendering with respect to architectural style and character. Notwithstanding the foregoing, changes and alterations to the exterior of the building which do not materially change the overall conceptual architectural style and character shall be permitted.

d.In addition to the design flexibility provided in paragraph c above, the exterior design of the building to be constructed on that portion of the Site designated as Phase 1 may be modified to accommodate optional courtyards, recesses, modulations and other forms of building articulation.

e.As generally depicted on the Rezoning Plan, the Phase 1 units located along the southern edge of the Site and directly fronting Providence Road shall be treated architecturally to address both the Providence Road street frontage and the Site's frontage of the adjacent, proposed public street.

f.The buildings to be constructed on that portion of the Site designated as Phase 2 on the Rezoning Plan may have a variety of architectural styles, however, such buildings shall be compatible to and complementary with the building to be constructed in Phase 1 in terms of architectural style and character and exterior building materials.

g.The Rezoning Plan illustrates a number of accessory structures (garages) along the western property boundary. The number of these accessory structures (garages) that may be constructed along as Phase 1 on the Rezoning Plan shall vary from what is depicted. The garages shall have a maximum height of one story, and the garages shall be consistent with the principal buildings in terms of building materials, texture and color, but may have simplified architectural detailing and features.

h.Meter banks will be screened.

i.HVAC and related mechanical equipment will be screened from public view at grade.

j.Exterior dumpster areas and recycling areas will be enclosed by a solid wall with one side being a decorative gate. The wall used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the buildings. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side. Additionally, dumpster and recycling areas may be located within structured parking facilities or within the interior of a building located on the Site, and any such dumpster and recycling areas may have roll up doors and containers can be moved outside to be emptied and then returned to the interior of the structured parking facility or a building.

**6.Streetscape, Buffers and Landscaping :**

a.Setbacks and yards shall be provided as depicted on the Rezoning Plan.

b.Petitioner will provide an eight (8) foot planting strip and a six (6) foot sidewalk along the Site's frontage on Providence Road as generally depicted on the Rezoning Plan.

c.As generally depicted on the Rezoning Plan, Petitioner will provide a sidewalk and cross-walk network that links the buildings on the Site with one another and links the buildings to the sidewalks along the abutting public street. The minimum width for this internal sidewalk will be five (5) feet.

d.Upon the demolition of the existing buildings located on the western boundary of the Site and a portion of the southern boundary of the Site adjacent to the existing single family homes on Columbine Circle (which is expected to occur in Phase 2), Petitioner shall provide and establish a 50 foot rear yard and a 50 foot Class C buffer along the western boundary of the Site and a 50 foot Class C buffer along a portion of the southern boundary of the Site as generally depicted on the Rezoning Plan. This 50 foot Class C buffer will be landscaped with a combination of trees and shrubs that will exceed the buffer requirements of the Ordinance. The width of the 50 foot Class C buffer may not be reduced. Accessory structures will not be allowed in the 50 foot Class C buffer.

e.The screening requirements of the Ordinance will be met.

f.Notwithstanding anything contained herein to the contrary and notwithstanding that the redevelopment of the Site is expected to occur in two phases, prior to the issuance of a certificate of occupancy for the first new building to be constructed on the Site, Petitioner shall install a minimum 6 foot tall masonry wall along a portion of the western boundary of the Site and along a portion of the southern boundary of the Site as generally depicted on the Rezoning Plan. The exact location of the 6 foot tall masonry wall shall be determined in conjunction with Duke Energy. The installation of this 6 foot tall masonry wall shall not permit the width of the 50 foot Class C buffer to be reduced when such buffer is established as provided above.

g.Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

h.That portion of the 4 foot tall masonry wall located at the southern edge of the building to be constructed in Phase 1 that is depicted on the Rezoning Plan may be eliminated at the option of Petitioner.

**7.Environmental Features:**

a.Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

b.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.

c.The Site will comply with the Tree Ordinance. Tree save areas are generally depicted on the Rezoning Plan but may be relocated to other portions of the Site during the design development and construction phases.

**8.Open Space/Tree Save Areas/Greenway Conveyance/Amenities:**

a.Open space/tree save areas equaling 15% of the Site area will be provided. The open space/tree save areas depicted on the Rezoning Plan may be relocated to other locations on the Site. The area of the Site to be dedicated to County Parks and Recreation for a greenway may be used to meet this requirement.

b.Prior to the issuance of a certificate of occupancy for the first new building constructed on that portion of the Site designated as Phase 2 on the Rezoning Plan, Petitioner will dedicate and convey to Mecklenburg County Parks and Recreation for greenway purposes the area and access easement as generally depicted on the Rezoning Plan along McMullen Creek.

c.The new amenity areas for the proposed multi-family residential community to be developed on the Site shall be located generally in those areas depicted on the Rezoning Plan. The existing amenity areas located on that portion of the Site designated as Phase 2 may remain in place until such time that Phase 2 is developed.

**9.Signage:**

a.Signage as allowed by the Ordinance will be provided.

b.Signage may be installed on the 4 foot masonry wall located at or in proximity to the Site's frontage on Providence Road.

**10.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.Newly installed detached lighting on the Site will be limited to 20 feet in height.

**11.CATS Passenger Waiting Pad:**

a.Petitioner will provide a CATS passenger waiting pad (CMLD Std. 60.01B) along Providence Road. The final location of the waiting pad to be coordinated with CATS during the Planned Multi-family review process.

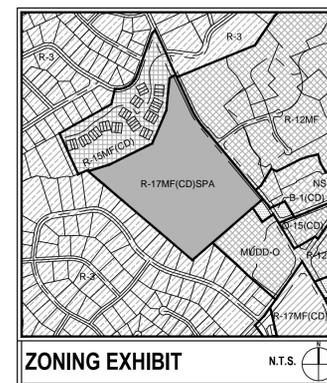
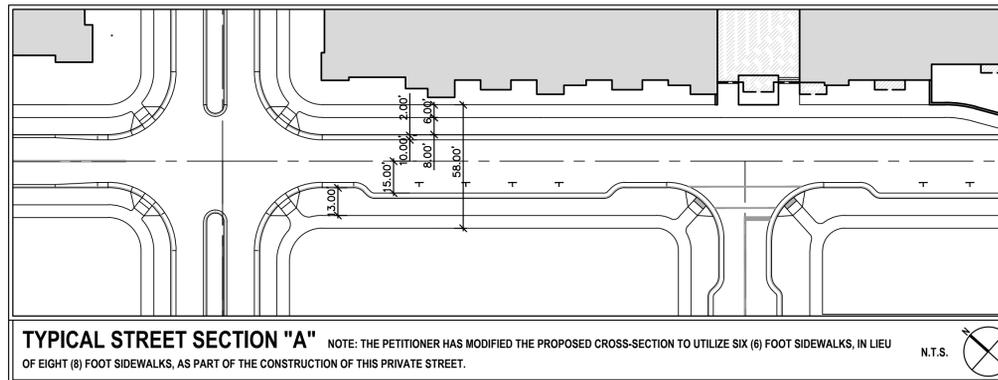
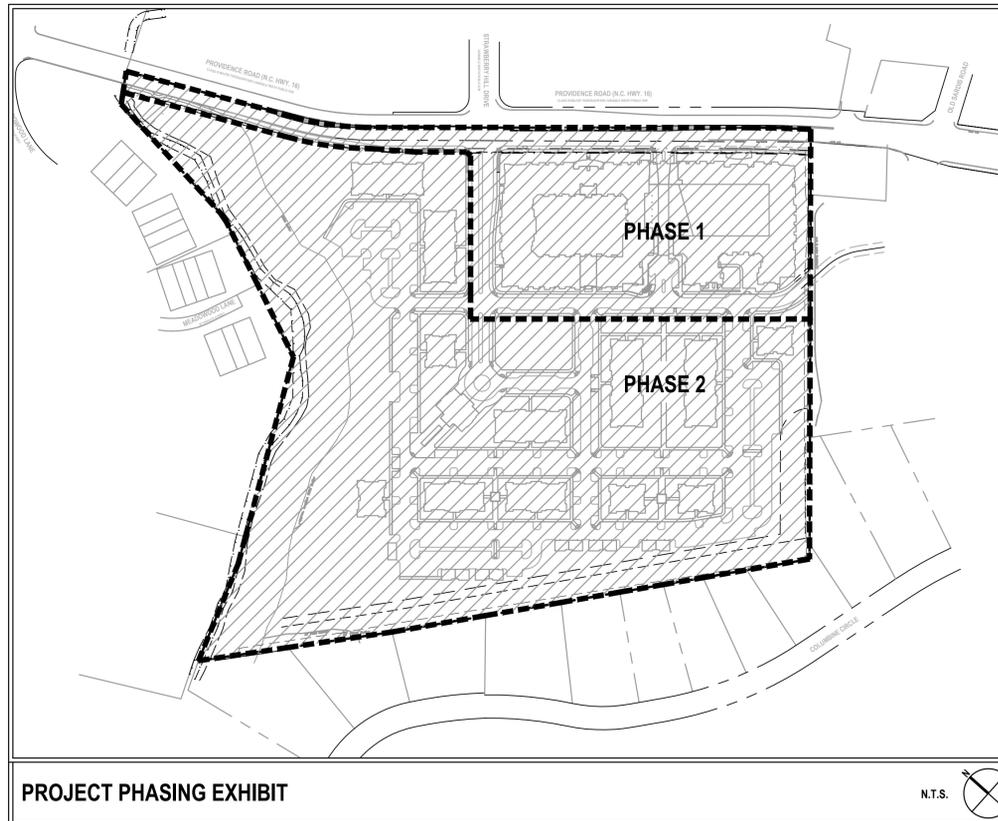
**12.Amendments to the Rezoning Plan :**

a.Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

**13.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, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

b.Pursuant to Section 1.110 of the Ordinance and Section 160A-385.1 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.



**NORTHWOOD RAVIN, LLC**  
1057 EAST MOREHEAD STREET  
SUITE 300  
CHARLOTTE, NC 28204

**PINEHURST MULTIFAMILY REZONING**  
4100 PROVIDENCE ROAD  
CHARLOTTE, NC 28204



**DEVELOPMENT STANDARDS**

Project No. 4403  
Issued 11/23/15  
Revised 01/15/16 - CITY COMMENTS



**RZ-200**

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**PETITION #: 2016-032**