

DEVELOPMENT STANDARDS

- 1. GENERAL PROVISIONS**
- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Southminster, Inc. (the "Petitioner") for an approximately 27.54 acre site located on the east side of Park Road between Smithfield Church Road and Arbor Pointe Drive, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel Nos. 209-511-33 and 209-511-34 and a portion of Tax Parcel No. 209-511-35.
- B. 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"). Subject to the variance described below in Section 1.E., 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.
- C. The existing and the previously approved (but not yet constructed) buildings, cottages, structures, driveways, surface parking areas, structured parking facilities and other improvements located on the Site are depicted and designated on the Rezoning Plan, and the new "villa style" independent living unit buildings with structured parking proposed under this Rezoning Petition are depicted on the Rezoning Plan and designated thereon as Villa A3 and Villa A4.
- D. The depiction and layout of the previously approved (but not yet constructed) "villa style" independent living unit buildings (Villa A1, Villa A2, Villa B1, Villa B2, Villa B3 and Villa B4), healthcare building addition and structured parking facility and the associated parking and drive aisles, and the proposed new "villa style" independent living unit buildings (Villa A3 and Villa A4) 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.
- E. At its meeting on January 25, 2005, the City of Charlotte Zoning Board of Adjustment granted a variance that benefits the Site. More specifically, a variance was granted to allow the existing perimeter driveway along the Site's southern and eastern boundary lines to be located within the required 50 foot Class C buffer as generally depicted on the Rezoning Plan (the "Variance"). The Variance remains valid and in effect. Accordingly, the existing perimeter driveway along the Site's southern and eastern boundary lines may be located within the required 50 foot Class C buffer as generally depicted on the Rezoning Plan.
- 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 provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. The Site may only be devoted to a continuing care retirement community comprised of the following uses:
- (1) A maximum of 401 independent living units, which may include, without limitation, apartment style independent living units, villa style independent living units and single family cottage style independent living units;
- (2) A maximum of 127 healthcare beds, which shall be comprised of any combination of assisted living beds, skilled nursing beds and hospice beds (which hospice beds may serve the general public as well as the residents of the continuing care retirement community);
- (3) Related common areas, medical and rehabilitation facilities, recreational facilities, dining facilities and other support facilities;
- (4) Structured parking; and
- (5) Any incidental or accessory uses associated therewith that are permitted under the Ordinance in the Institutional zoning district.

3. TRANSPORTATION

- A. 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 ("CDOT").
- B. The alignment of the internal vehicular circulation areas and the 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 applicable published standards.
- C. Prior to the issuance of a certificate of occupancy for the first new building or building addition to be constructed on the Site, Petitioner shall construct a new waiting pad for a relocated bus stop on Park Road adjacent to the Site. The new waiting pad shall be located a minimum of 50 feet north of the vehicular entrance into the Site from Park Road, and it shall be located within the planting strip, entirely within right of way. The precise location of the waiting pad shall be determined during the permitting process. The waiting pad shall be constructed to CATS Development Standard 60.01B. Petitioner's obligation to construct the waiting pad shall be subject to Petitioner's ability to obtain all approvals and permits required to construct it. CATS shall be responsible for the installation and maintenance of a bench or shelter on the waiting pad.
- D. Prior to the issuance of a certificate of occupancy for the first new building or building addition to be constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Park Road as required to provide right of way measuring 50 feet from the existing centerline of Park Road, to the extent that such right of way does not already exist.
- E. Prior to the issuance of a certificate of occupancy for the first new building or building addition to be constructed on the Site, Petitioner shall submit the sum of \$20,000 to CDOT (the "Funds"), which Funds may only be used by CDOT to pay costs and expenses associated with the design, construction and installation of a pedestrian hybrid crossing signal on Park Road between Smithfield Church Road and Arbor Pointe Drive and the construction of a related pedestrian refuge island in the existing median on Park Road by CDOT (the "Pedestrian Crossing Improvements"). The Funds shall be held by CDOT for the 3 year period commencing on the date of the issuance of a certificate of occupancy for the first new building or building addition to be constructed on the Site. If CDOT commences the construction of the Pedestrian Crossing Improvements within this 3 year period, then the Funds shall be used by CDOT to pay costs and expenses associated with the design, construction and installation of the Pedestrian Crossing Improvements. If CDOT does not commence the design of the Pedestrian Crossing Improvements within this 3 year period, then the Funds shall be returned to Petitioner. CDOT and Petitioner shall enter into an Escrow Agreement to document this agreement.
- F. Except as otherwise provided herein, all transportation improvements shall be constructed and approved prior to the issuance of the first certificate of occupancy for the first new building or building addition to be constructed on the Site or phased per the Site's development plan.
- G. The vehicular access points into and out of the Site may be gated at the option of Petitioner. The location and design of the gates shall be determined during the permitting process. Additionally, a guard house may be located at the vehicular access points into and out of the Site at the option of Petitioner.

4. ARCHITECTURAL STANDARDS

- A. The maximum height in stories of Villa A1 shall be 3 stories over a 1 level structured parking facility that is primarily below grade. Notwithstanding the foregoing, as generally depicted on the cross section depicting the southern elevations of Villa A1 and Villa A2 and on the conceptual, schematic image of Villa A1 set out on Sheet RZ-3 of the Rezoning Plan, the southern and eastern portions of the structured parking facility associated with Villa A1 shall be located above grade, so that this portion of Villa A1 shall have a maximum height of 4 stories above grade. The maximum height in feet of Villa A1 shall be 48 feet at the eave and 65 feet at the peak of the roof.
- B. The maximum height in stories of Villa A2 shall be 3 stories.
- C. The maximum height in stories of Villa A3 and Villa A4 shall be 3 stories over a 1 level structured parking facility. Portions of the structured parking facility shall be located below grade, and portions of the structured parking facility shall be located above grade, resulting in portions of Villa A3 and Villa A4 having a maximum height of 4 stories above grade.
- D. The maximum height in stories of Villa B1, Villa B2, Villa B3 and Villa B4 shall be 3 stories over a 1 level structured parking facility.
- E. The maximum height in stories above grade of the healthcare building addition to be constructed on the Site shall be 4 stories. A below grade structured parking facility may be located underneath the healthcare building addition. The maximum height in feet of the healthcare building addition shall be 48 feet at the eave and 65 feet at the peak of the roof.
- F. The proposed structured parking facility to be constructed at the southeastern corner of the Site shall contain

- one level of parking located below grade and one level of parking located at grade. In the event that this proposed structured parking facility is constructed, a 50 foot Class C buffer shall be required to be established between the structured parking facility and the adjacent property lines as generally depicted on the Rezoning Plan.
- G. Set out on Sheet RZ-3 of the Rezoning Plan are conceptual, schematic images of Villa A1 and Villa A2 that are intended to depict the general conceptual architectural style, design treatment and character of Villa A1, Villa A2, Villa A3, Villa A4, Villa B1, Villa B2, Villa B3 and Villa B4. Accordingly, Villa A1, Villa A2, Villa A3, Villa A4, Villa B1, Villa B2, Villa B3 and Villa B4 shall be designed and constructed so that each of these Villa buildings is substantially similar in appearance to the conceptual, schematic images of Villa A1 and Villa A2 set out on Sheet RZ-3 of the Rezoning Plan with respect to architectural style, design treatment and character. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style, design treatment and character shall be permitted.
- H. The permitted primary exterior building materials for Villa A1, Villa A2, Villa A3, Villa A4, Villa B1, Villa B2, Villa B3 and Villa B4 shall be those exterior building materials designated and labelled on the conceptual, schematic images of Villa A1 and Villa A2 set out on Sheet RZ-3 of the Rezoning Plan.
- I. Set out on Sheet RZ-3 of the Rezoning Plan is a conceptual, schematic image of the eastern elevation of the healthcare building addition that is intended to depict the general conceptual architectural style, design treatment and character of the eastern elevation of the healthcare building addition. Accordingly, the eastern elevation of the healthcare building addition shall be designed and constructed so that the eastern elevation of the healthcare building addition is substantially similar in appearance to the conceptual, schematic image set out on Sheet RZ-3 of the Rezoning Plan with respect to architectural style, design treatment and character. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style, design treatment and character shall be permitted.
- J. The permitted primary exterior building materials for the eastern elevation of the healthcare building addition are designated and labelled on the conceptual, schematic image of the eastern elevation of the healthcare building addition set out on Sheet RZ-3 of the Rezoning Plan.
- K. All other elevations of the healthcare building addition shall be substantially similar in appearance to the eastern elevation of the healthcare building addition with respect to architectural style, design treatment and character, and all other elevations of the healthcare building addition shall be clad with the same primary exterior building materials as the eastern elevation of the healthcare building addition. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style and character shall be permitted.

5. STREETScape/LANDSCAPING

- A. Subject to the Variance described above, a 50 foot Class C buffer shall be maintained along those portions of the Site's southern and eastern 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.
- B. An 18.75 foot Class C buffer shall be established along those portions of the Site's northern boundary line that are more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance. Pursuant to Section 12.302(8) of the Ordinance, this Class C Buffer has been reduced in width by 25% from 25 feet to 18.75 feet as a result of Petitioner's commitment to install a fence that meets the requirements of Section 12.302(8) of the Ordinance in the Class C buffer.
- C. A 25 foot Class C buffer shall be established along those portions of the Site's westerly boundary line that are more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance.
- D. 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.
- E. Petitioner shall provide enhanced landscaping within that portion of the 50 foot Class C buffer located along the southern boundary line of the Site that is designated as the "Enhanced Buffer At Garage Entrance" on the Rezoning Plan through the installation of large maturing evergreen trees planted 25 feet on center.
- F. In the event that the existing surface parking lot located on the southeast corner of the Site is removed to accommodate the construction of the structured parking facility described above or for any other reason, a 50 foot Class C buffer shall be required to be established between the area formerly devoted to the surface parking lot and the adjacent property lines as generally depicted on the Rezoning Plan.
- G. As generally depicted on the Rezoning Plan, Petitioner shall convey to the City of Charlotte a sidewalk utility easement ("SUE") along the Site's frontage on Park Road. The SUE will extend from the eastern edge of the right of way to that point that is located 19 feet behind and to the east of the back of the existing curb on Park Road.
- H. The existing sidewalk located along the Site's frontage on Park Road south of the vehicular entrance into the Site shall remain in place.
- I. The existing 8 foot wide planting strip and 6 foot wide sidewalk located along a portion of the Site's frontage on Park Road, north of the vehicular entrance into the Site, that is depicted on the Rezoning Plan shall remain in place.
- J. Petitioner shall install an 11 foot wide planting strip and a 6 foot wide sidewalk along a portion of the Site's frontage on Park Road from the northern terminus of the existing 8 foot wide planting strip and 6 foot wide sidewalk to the northern boundary of the Site as depicted on the Rezoning Plan.
- K. The existing sidewalk and planting strip located along the Site's frontage on Smithfield Church Road shall remain in place until such time that the first of Villa B1, Villa B2, Villa B3 and Villa B4 is constructed, at which time Petitioner shall construct and install a minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's frontage on Smithfield Church Road. More specifically, prior to the issuance of the first certificate of occupancy for Villa B1, Villa B2, Villa B3 or Villa B4, Petitioner shall construct and install a minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's frontage on Smithfield Church Road. The sidewalk may endeavor to save existing trees and to avoid existing utilities, and the exact design shall be determined during the permitting process.
- L. The existing sidewalk located along the Site's frontage on Smithfield Church Road shall be connected to the existing pedestrian crossing on Smithfield Church Road.
- M. The sidewalks currently located along the Site's frontages on Park Road and Smithfield Church Road or to be constructed and installed along these street frontages may be located within a sidewalk utility easement rather than in public right of way.
- N. Internal sidewalks and crosswalks shall be provided on the Site as generally depicted on the Rezoning Plan.
- O. A sidewalk connection from Villa B1, Villa B2, Villa B3 and Villa B4 to the sidewalk located along the Site's frontage on Smithfield Church Road will be provided at the time that the first of these Villa buildings is constructed. More specifically, prior to the issuance of the first certificate of occupancy for Villa B1, Villa B2, Villa B3 or Villa B4, Petitioner shall construct and install a sidewalk along the eastern side of Laxton Drive as generally depicted on the Rezoning Plan that connects to the sidewalk located along the Site's frontage on Smithfield Church Road.

6. ENVIRONMENTAL FEATURES

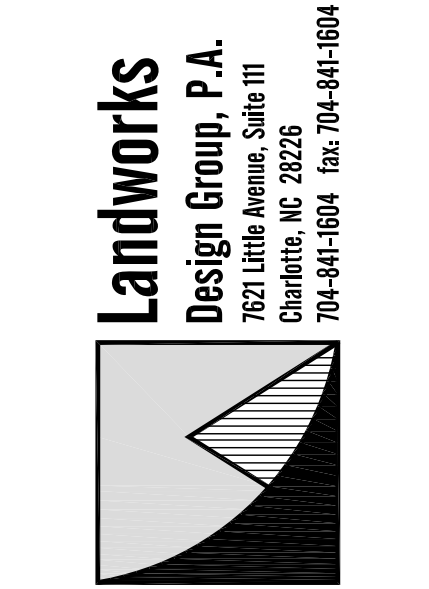
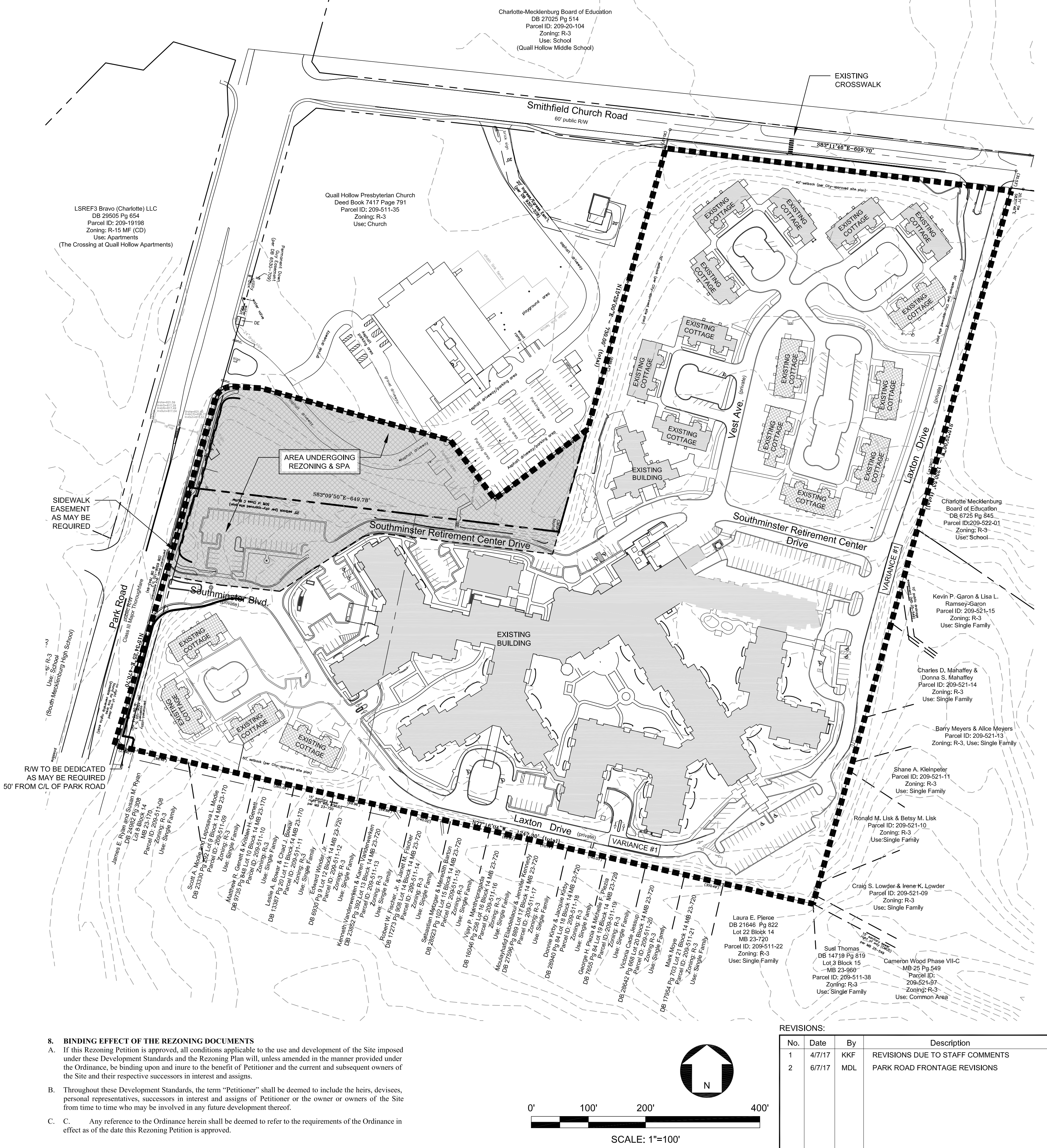
- J. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.
- K. Storm water detention and/or water quality facilities required to be installed on the Site may be located underground.
- 7. LIGHTING**
- A. All newly installed freestanding lighting fixtures on the Site (excluding street lights and lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas, patios and landscaped areas) 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.
- B. The maximum height of any newly installed freestanding lighting fixture on the Site shall be 21 feet.
- C. Any lighting fixtures attached to the new buildings and building additions to be constructed on the Site shall be decorative, capped and downwardly directed.

DEVELOPMENT DATA

TAX PARCELS:	209-511-33, 209-511-34 & PARTIAL OF 209-511-35 SEE LEGAL DESCRIPTION		
EXISTING ZONING:	INST (CD) PETITION #2006-138 AND R-3		
PROPOSED ZONING:	INST (CD) S.P.A. (25.4 AC) & INST (CD) (2.1439 AC)		
TOTAL SITE AREA:	±27.54 AC		
USE	ENTITLED DENSITY	PROPOSED DENSITY	NET CHANGE
INDEPENDENT LIVING:	379 UNITS (13.76 DUA)	401 UNITS (14.6 DUA)	22 UNITS
HEALTHCARE BEDS:	127 BEDS (5 BEDS/AC)	127 BEDS (4.61 BEDS/AC)	0 BEDS
(NOTE: HEALTHCARE BEDS INCLUDE SKILLED NURSING, ASSISTED LIVING, AND HOSPICE)			

SITE DATA	
FRONT SETBACK:	40' MIN.
SIDE YARD:	20' MIN.
REAR YARD:	20' MIN.
BUILDING HEIGHT:	SEE DEVELOPMENT STANDARDS

BUFFERING
50' TYPE C (SOUTH & EAST PROPERTY LINE - SEE VARIANCE 1)
25' TYPE C (ADJACENT TO CHURCH: ± OF REQUIRED)



Perkins Eastman



SOUTHMINSTER RETIREMENT
COMMUNITY
CHARLOTTE, NC
REZONING PETITION # 2017-052

TECHNICAL
DATA SHEET

seals

This Plan Is A
Preliminary Design.
NOT Released For
Construction.

CORPORATE CERTIFICATIONS
NC PE: C-2630 NC LA: C-2653
SC ENG: NO. 3599 SC LA: NO. 211

Project Manager: MDL

Drawn By: MDL

Checked By: MDL

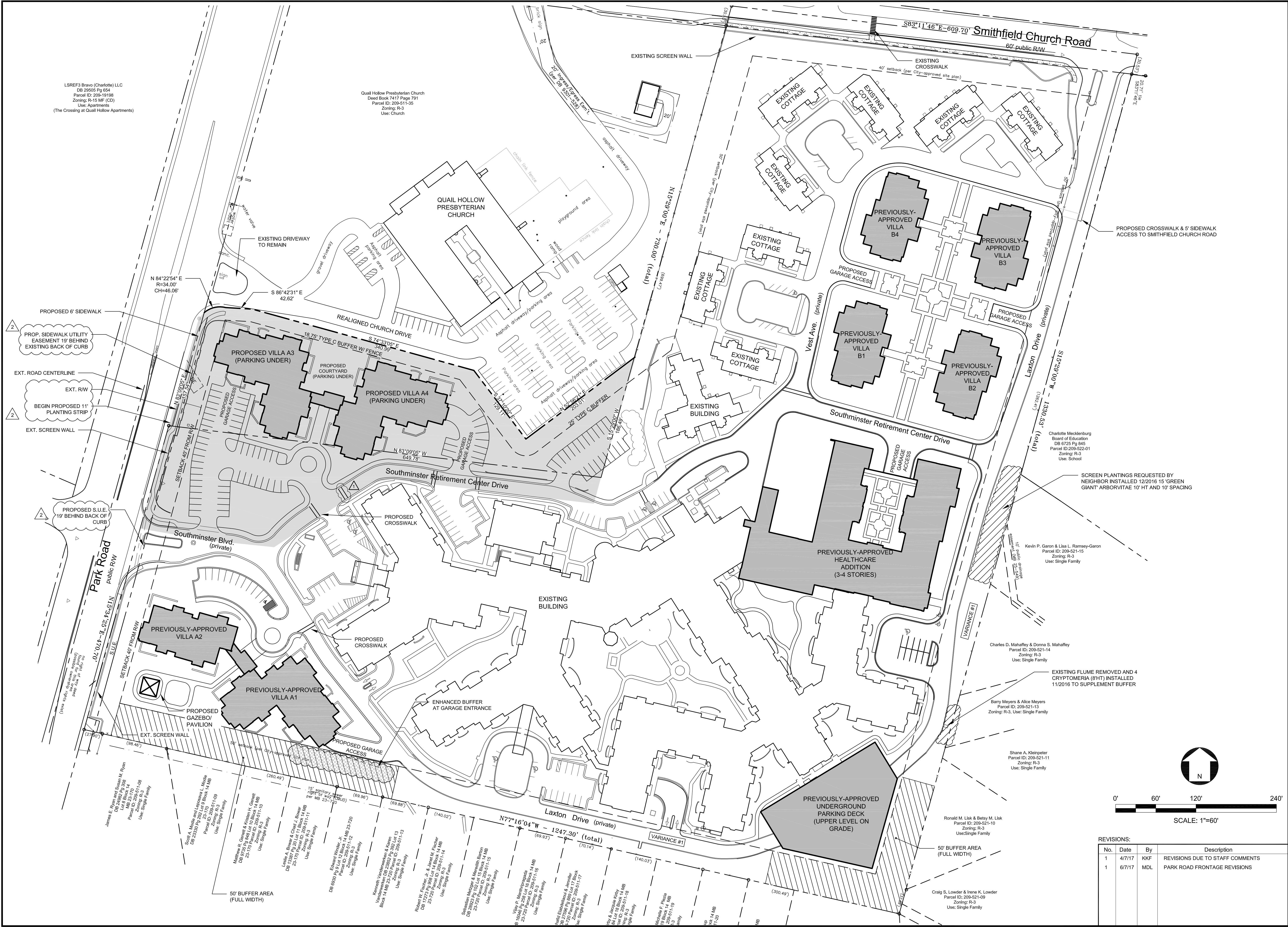
Date: 2/24/17

Project Number: 16007

Sheet Number:

RZ-1

SHEET # 1 OF 3



N

0' 60' 120' 240'

SCALE: 1"=60'

REVISIONS:

No.	Date	By	Description
1	4/7/17	KKF	REVISIONS DUE TO STAFF COMMENTS
1	6/7/17	MDL	PARK ROAD FRONTAGE REVISIONS

Landworks

Design Group, P.A.

7621 Little Avenue, Suite 111
Charlotte, NC 28226
704-941-6804 fax: 704-941-6804

Perkins Eastman

150 WEST SIXTH STREET
CHARLOTTE, NC 28202
P: 704.362.2001
F: 704.362.4002

SOUTHMINSTER

SOUTHMINSTER RETIREMENT

COMMUNITY

CHARLOTTE, NC

REZONING PETITION # 2017-052

SCHEMATIC

SITE PLAN

seals

This Plan Is A Preliminary Design.
NOT Released For Construction.

CORPORATE CERTIFICATIONS

NC PE: C-2930 NC LA: C-253
SC ENG: NO. 3599 SC LA: NO. 211

Project Manager:

MDL

Drawn By:

MDL

Checked By:

MDL

Date:

2/24/17

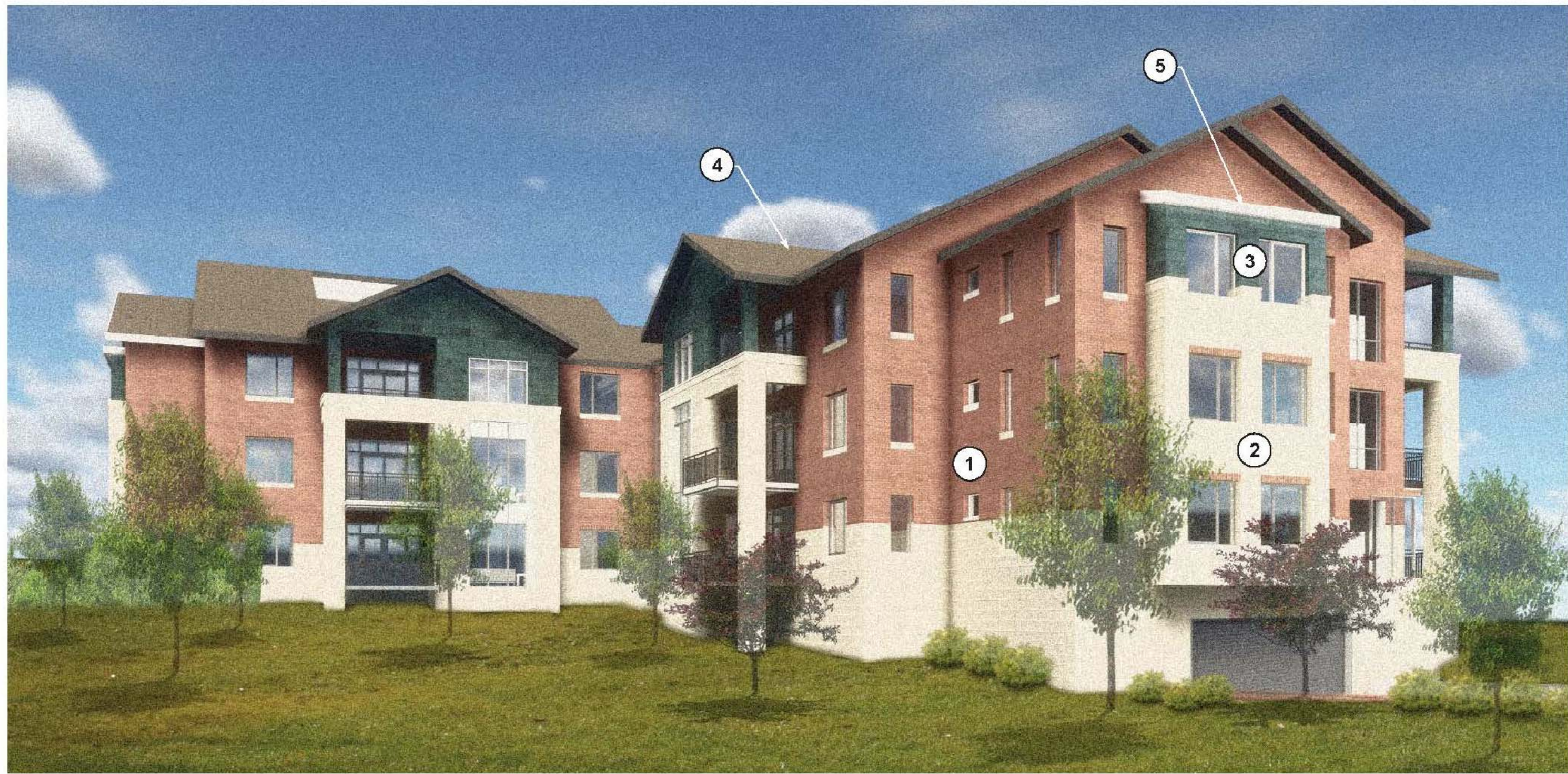
Project Number:

16007

Sheet Number:

RZ-2

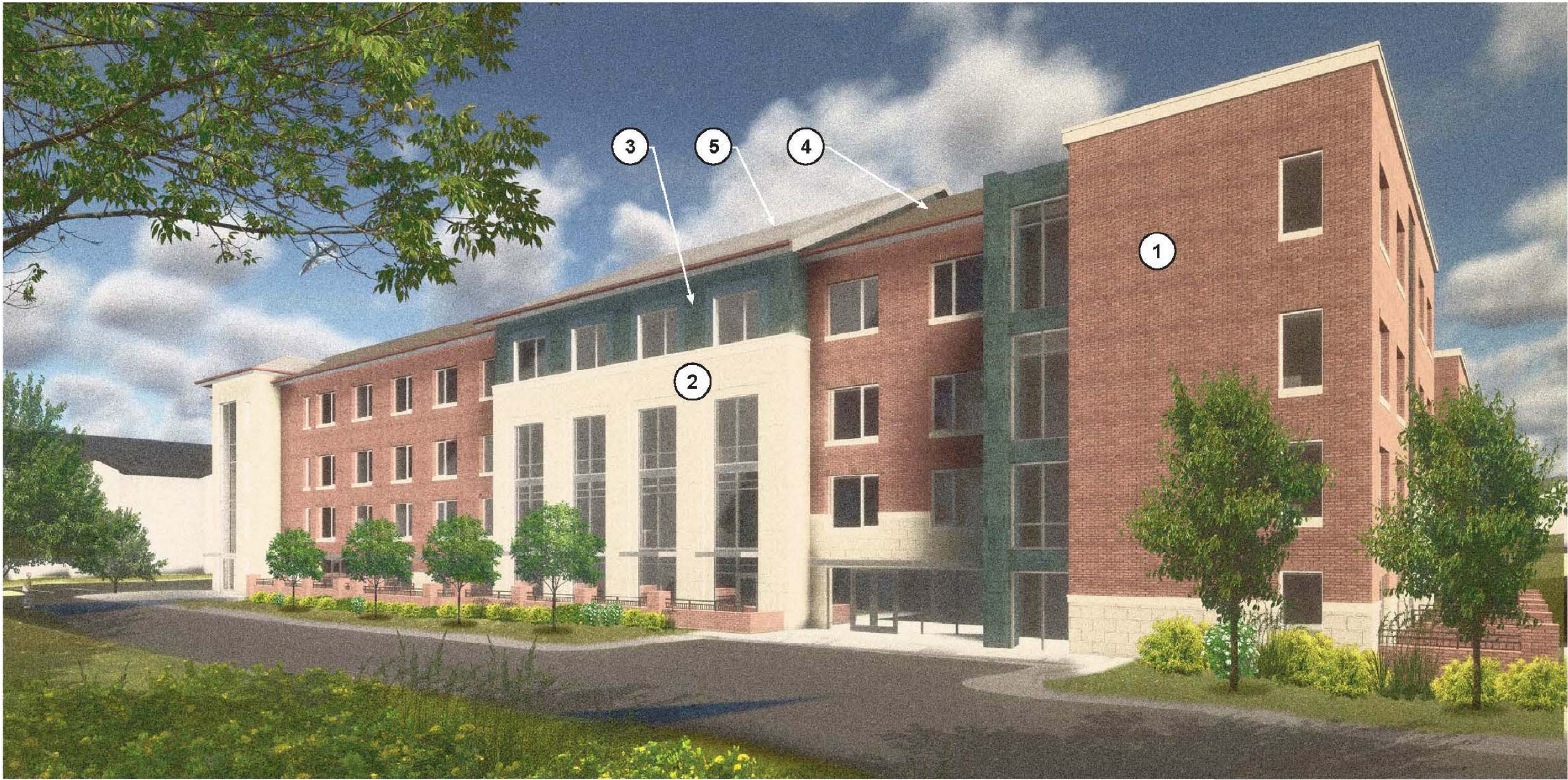
SHEET # 2 OF 3



- 1 Masonry (Brick)
- 2 Masonry (Simulated Limestone/ Light-colored Brick)
- 3 Metal Panel/ Cementitious Panel/ Exterior Tile
- 4 Asphalt roofing shingles
- 5 Metal roofing

APPROVED VILLA BUILDING A1
(VIEW FROM SOUTHEAST)

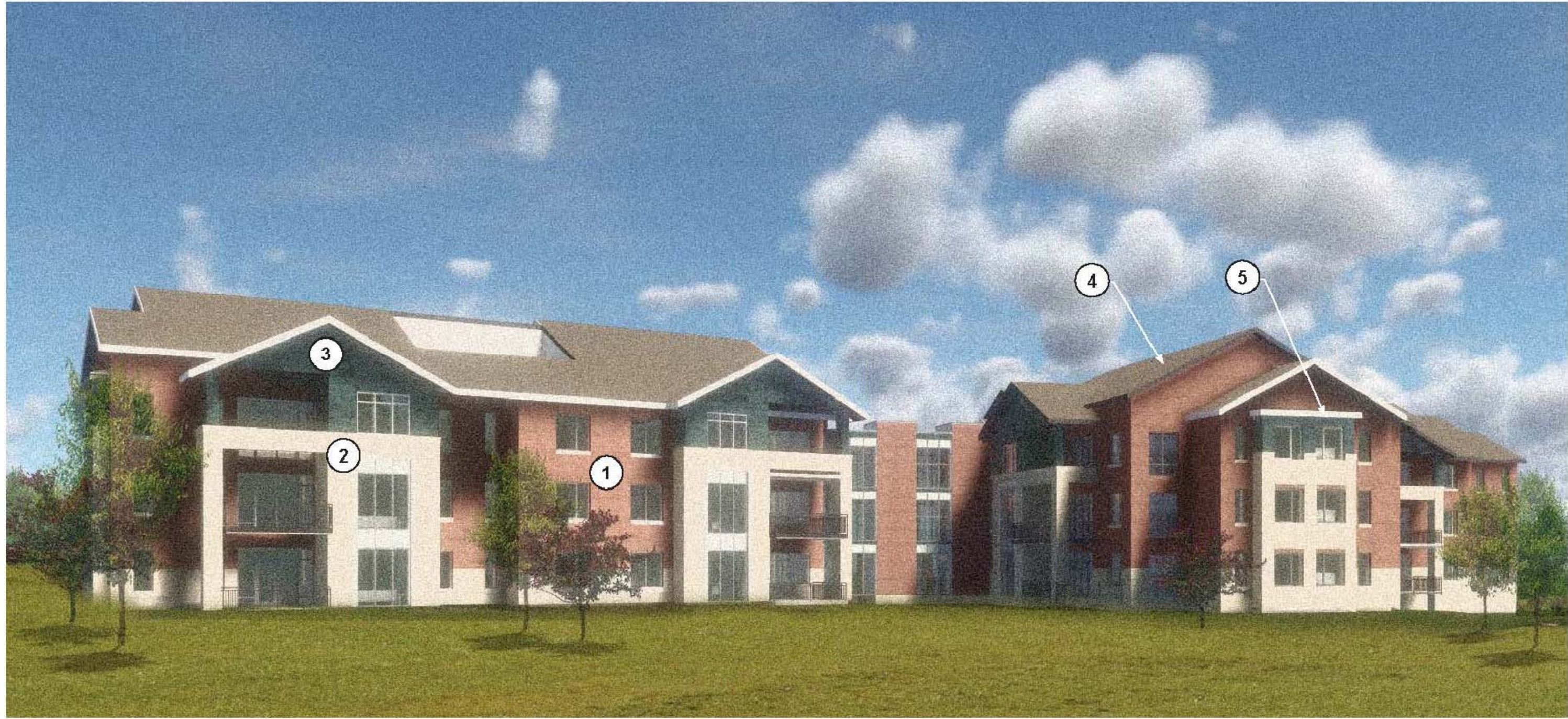
Perkins Eastman 2016.12.12
Southminster - Villa



- 1 Masonry (Brick)
- 2 Masonry (Simulated Limestone/ Light-colored Brick)
- 3 Metal Panel/ Cementitious Panel/ Exterior Tile
- 4 Asphalt roofing shingles
- 5 Metal roofing

APPROVED HEALTHCARE BUILDING
(VIEW FROM BUFFER AREA)

Perkins Eastman 2016.12.12
Southminster - Healthcare Building



- 1 Masonry (Brick)
- 2 Masonry (Simulated Limestone/ Light-colored Brick)
- 3 Metal Panel/ Cementitious Panel/ Exterior Tile
- 4 Asphalt roofing shingles
- 5 Metal roofing

APPROVED VILLA BUILDING A1 & A2
(VIEW FROM SOUTHWEST)

Perkins Eastman 2016.12.12
Southminster - Villa



SITE SECTION OF APPROVED VILLAS
(VIEW FROM BUFFER AREA)

Perkins Eastman 2016.12.12
Southminster - Villa

REVISIONS:			
No.	Date	By	Description
1.	4/17/17	MDH	REVISIONS DUE TO STAFF COMMENTS

SCALE: NOT TO SCALE

ARCHITECTURAL
PERSPECTIVES

seals

This Plan Is A
Preliminary Design.
NOT Released For
Construction.

CORPORATE CERTIFICATIONS
NC PE: C-2930 NC LA: C-253
SC ENG: NO. 3599 SC LA: NO. 211

Project Manager: MDL

Drawn By: MDL

Checked By: MDL

Date: 2/24/17

Project Number: 16007

Sheet Number: