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Prepared for:	Mark	Date	Description
Sharon Towers 4768 Sharon Rd Charlotte, NC 28210	1	4/16/2018	Revision #1
	2	5/15/2018	Revision #2
	3	6/12/2018	Revision #3

shook kelley

2151 Hawkins Street
Suite 400
Charlotte, NC 28203

704 / 377 0661
www.shookkelley.com

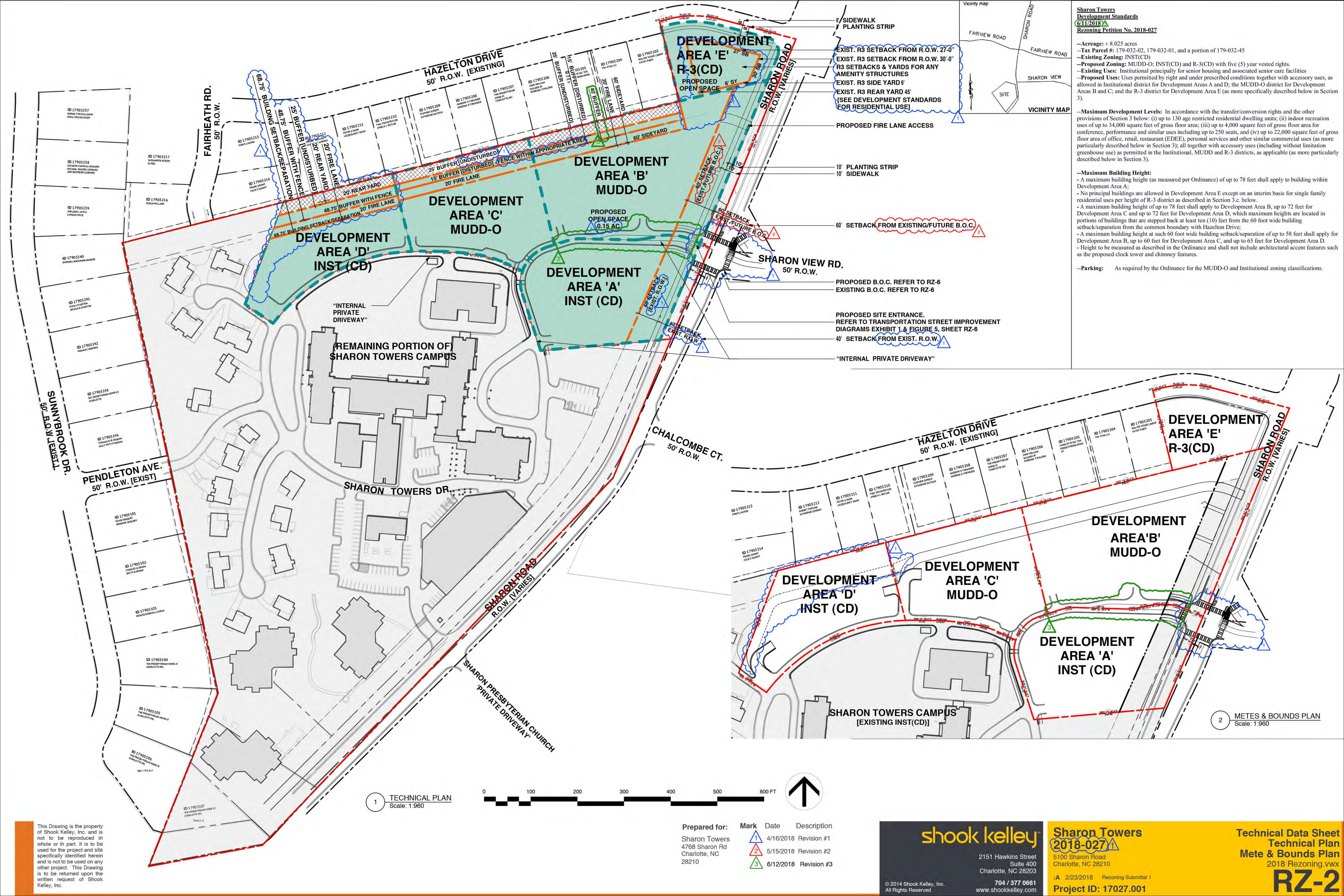
Sharon Towers
2018-027

5100 Sharon Road
Charlotte, NC 28210
:A 2/23/2018 Rezoning Submittal 1
Project ID: 17027.001

**Context
Campus Plan**

2018 Rezoning.vwx

RZ-1



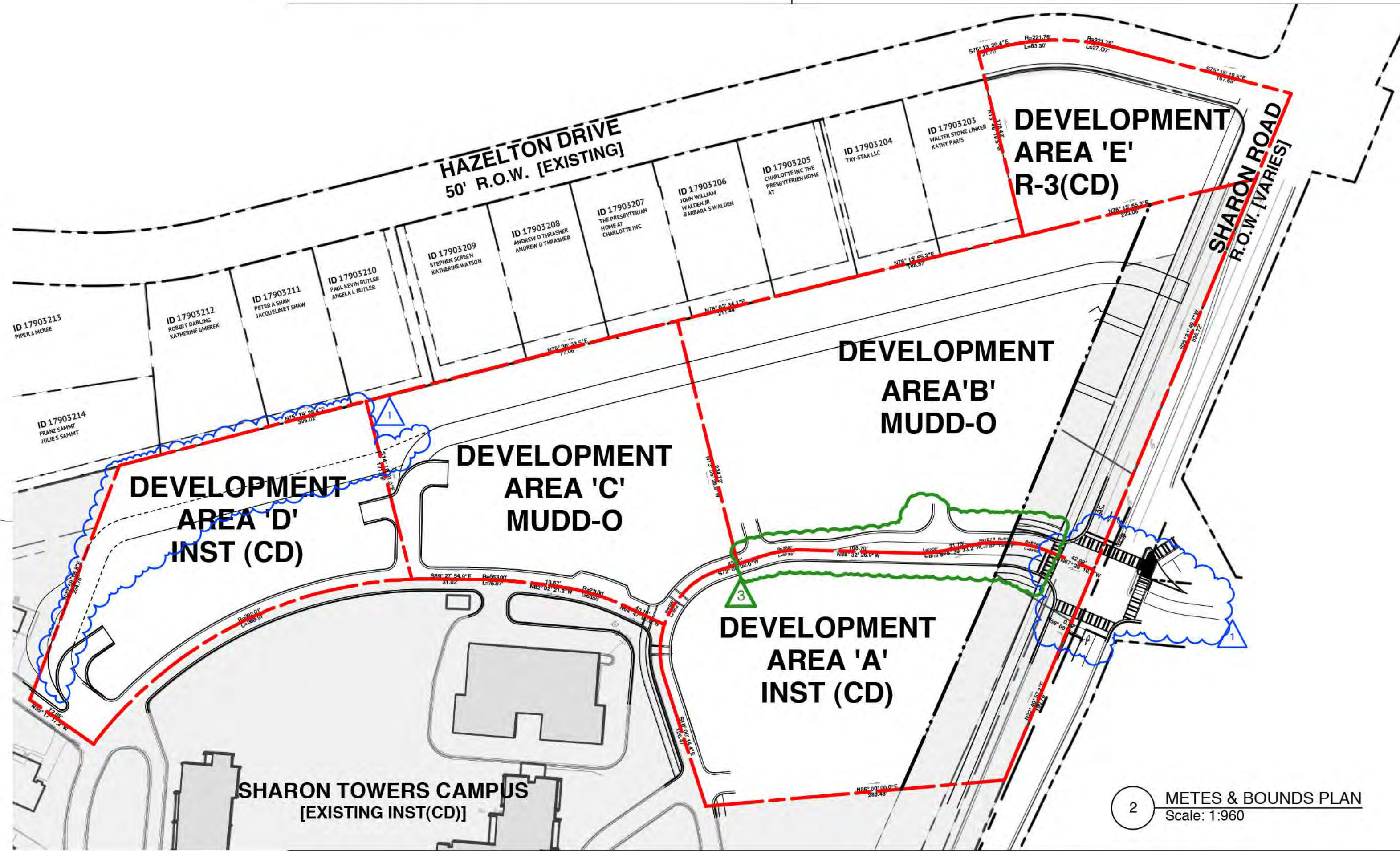
Sharon Towers
Development Standards
6/11/2018
Rezoning Petition No. 2018-027

--Acreage: ± 8.025 acres
--Tax Parcel #: 179-032-02, 179-032-01, and a portion of 179-032-45
--Existing Zoning: INST(CD)
--Proposed Zoning: MUDD-O; INST(CD) and R-3(CD) with five (5) year vested rights.
--Existing Uses: Institutional principally for senior housing and associated senior care facilities
--Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in Institutional district for Development Areas A and D; the MUDD-O district for Development Areas B and C; and the R-3 district for Development Area E (as more specifically described below in Section 3).

--Maximum Development Levels: In accordance with the transfer/conversion rights and the other provisions of Section 3 below: (i) up to 130 age restricted residential dwelling units; (ii) indoor recreation uses of up to 34,000 square feet of gross floor area; (iii) up to 4,000 square feet of gross floor area for conference, performance and similar uses including up to 250 seats, and (iv) up to 22,000 square feet of gross floor area of office, retail, restaurant (EDEE), personal services and other similar commercial uses (as more particularly described below in Section 3); all together with accessory uses (including without limitation greenhouse use) as permitted in the Institutional, MUDD and R-3 districts, as applicable (as more particularly described below in Section 3).

--Maximum Building Height:
- A maximum building height (as measured per Ordinance) of up to 78 feet shall apply to building within Development Area A;
- No principal buildings are allowed in Development Area E except on an interim basis for single family residential uses per height of R-3 district as described in Section 3.c. below.
- A maximum building height of up to 78 feet shall apply to Development Area B, up to 72 feet for Development Area C and up to 72 feet for Development Area D, which maximum heights are located in portions of buildings that are stepped back at least ten (10) feet from the 60 foot wide building setback/separation from the common boundary with Hazelton Drive;
- A maximum building height at such 60 foot wide building setback/separation of up to 58 feet shall apply for Development Area B, up to 60 feet for Development Area C, and up to 65 feet for Development Area D.
- Height to be measured as described in the Ordinance and shall not include architectural accent features such as the proposed clock tower and chimney features.

--Parking: As required by the Ordinance for the MUDD-O and Institutional zoning classifications.



1 TECHNICAL PLAN
Scale: 1:960



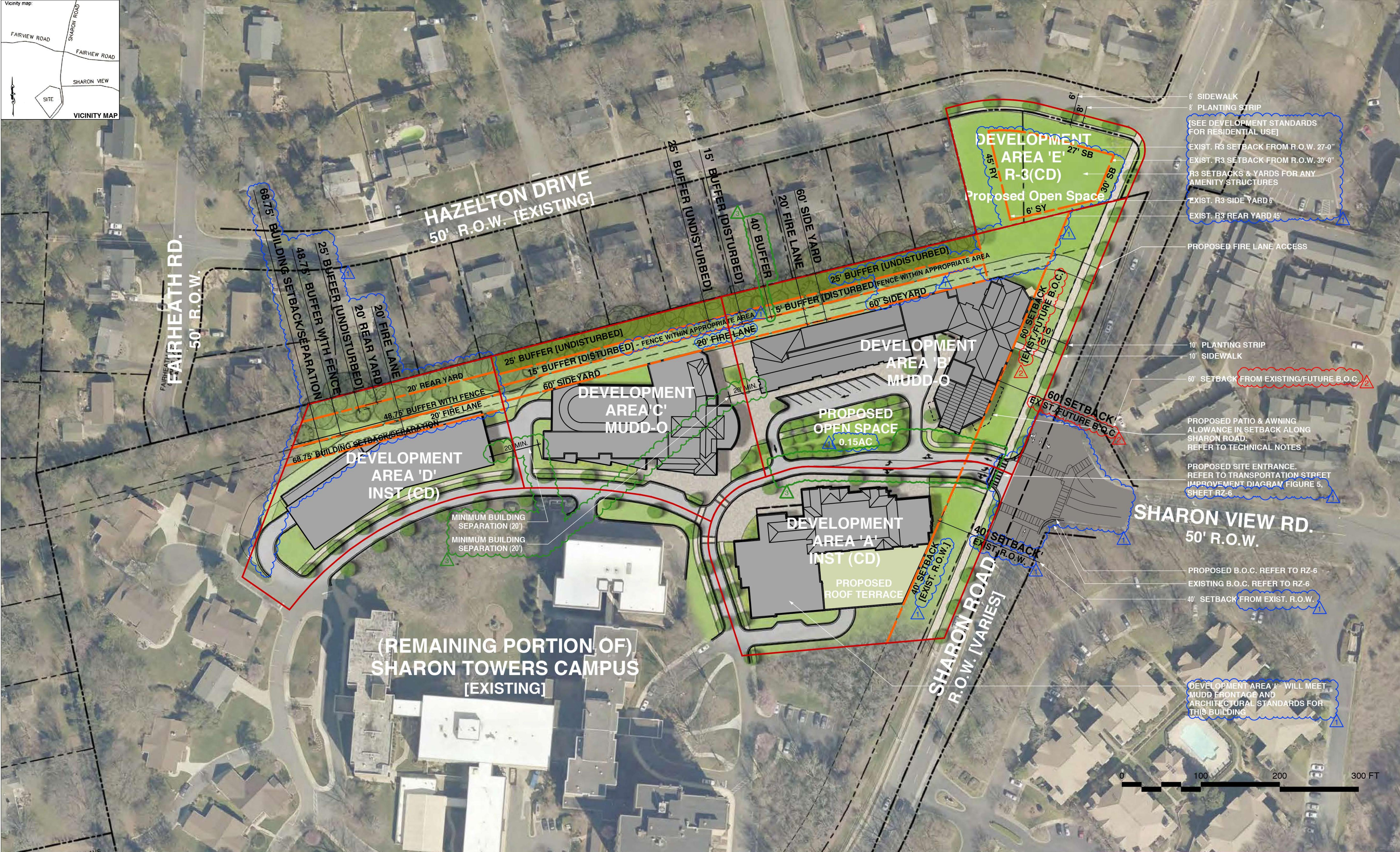
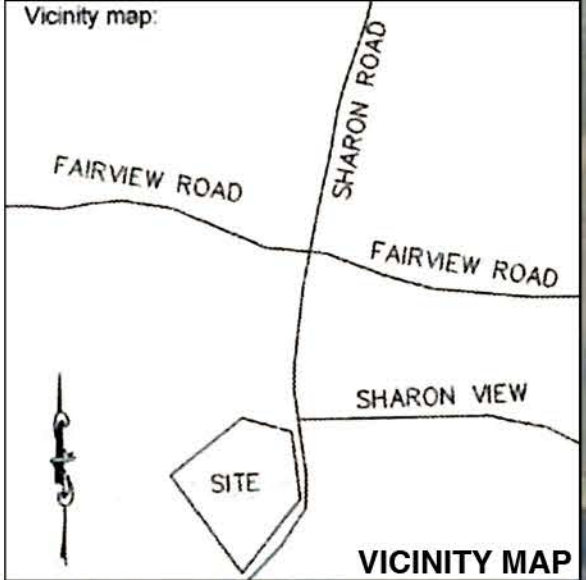
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Sharon Towers
2018-027
5100 Sharon Road
Charlotte, NC 28210
:A 2/23/2018 Rezoning Submittal 1
Project ID: 17027.001

Technical Data Sheet
Technical Plan
Mete & Bounds Plan
2018 Rezoning.vwx
RZ-2

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6' SIDEWALK
8' PLANTING STRIP
[SEE DEVELOPMENT STANDARDS FOR RESIDENTIAL USE]
EXIST. R3 SETBACK FROM R.O.W. 27'-0"
EXIST. R3 SETBACK FROM R.O.W. 30'-0"
R3 SETBACKS & YARDS FOR ANY AMENITY STRUCTURES
EXIST. R3 SIDE YARD 6'
EXIST. R3 REAR YARD 45'

PROPOSED FIRE LANE ACCESS
10' PLANTING STRIP
10' SIDEWALK
60' SETBACK FROM EXISTING/FUTURE B.O.C.

PROPOSED PATIO & AWNING ALLOWANCE IN SETBACK ALONG SHARON ROAD. REFER TO TECHNICAL NOTES
PROPOSED SITE ENTRANCE. REFER TO TRANSPORTATION STREET IMPROVEMENT DIAGRAM FIGURE 5, SHEET RZ-6

SHARON VIEW RD. 50' R.O.W.
PROPOSED B.O.C. REFER TO RZ-6
EXISTING B.O.C. REFER TO RZ-6
40' SETBACK FROM EXIST. R.O.W.

DEVELOPMENT AREA 'A' WILL MEET MUDD FRONTAGE AND ARCHITECTURAL STANDARDS FOR THIS BUILDING

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Sharon Towers
2018-027

5100 Sharon Road
Charlotte, NC 28210

2018 Rezoning.vwx
RZ-3

Project ID: 17027.001

2018 Rezoning Submittal 1

Sharon Towers Development Standards
6/11/2018
Rezoning Petition No. 2018-027

–**Acresage:** ± 8.025 acres
–**Tax Parcel #:** 179-032-02, 179-032-01, and a portion of 179-032-45
–**Existing Zoning:** INST(CD)
–**Proposed Zoning:** MUDD-O, INST(CD) and R-3(CD) with five (5) year vested rights.
–**Existing Uses:** Institutional primarily for senior housing and associated senior care facilities
–**Proposed Uses:** Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in Institutional district for Development Areas A and D; the MUDD-O district for Development Areas B and C; and the R-3 district for Development Area E (as more specifically described below in Section 3).

–**Maximum Development Levels:** In accordance with the transfer/conversion rights and the other provisions of Section 3 below: (i) up to 130 age restricted residential dwelling units; (ii) indoor recreation uses of up to 34,000 square feet of gross floor area; (iii) up to 4,000 square feet of gross floor area for conference, performance and similar uses including up to 250 seats, and (iv) up to 22,000 square feet of gross floor area of office, retail, restaurant (EDEE), personal services and other similar commercial uses (as more particularly described below in Section 3); all together with accessory uses (including without limitation greenhouse use) as permitted in the Institutional, MUDD and R-3 districts, as applicable (as more particularly described below in Section 3).

–**Maximum Building Height:**
- A maximum building height (as measured per Ordinance) of up to 78 feet shall apply to building within Development Area A;
- No principal buildings are allowed in Development Area E except on an interim basis for single family residential uses per height of R-3 district as described in Section 3.c. below.
- A maximum building height of up to 78 feet shall apply to Development Area B, up to 72 feet for Development Area C and up to 72 feet for Development Area D, which maximum heights are located in portions of buildings that are stepped back at least ten (10) feet from the 60 foot wide building setback/separation from the common boundary with Hazelton Drive;
- A maximum building height at such 60 foot wide building setback/separation of up to 58 feet shall apply for Development Area B, up to 60 feet for Development Area C, and up to 65 feet for Development Area D.
- Height to be measured as described in the Ordinance and shall not include architectural accent features such as the proposed clock tower and chimney features.

–**Parking:** As required by the Ordinance for the MUDD-O and Institutional zoning classifications.

1. General Provisions:

a. **Site Location: Development Areas.** These Development Standards, the Technical Data Sheet and other graphics set forth on attached RZ Sheets, form this rezoning plan (collectively referred to as the “Rezoning Plan”) associated with the Rezoning Petition filed by Sharon Towers-The Presbyterian Home at Charlotte, NC (“Petitioner”) to accommodate development of an age restricted residential community with supporting active indoor recreation and limited commercial uses on an approximately 8.025 acre site located at the intersection of Sharon Road and Hazelton Drive as generally depicted on the Rezoning Plan (the “Site”), such development to form a part of the overall existing Sharon Towers Campus as described in Section 1.e. below.

For ease of reference, the Rezoning Plan sets forth five (5) development areas as generally depicted on Sheet RZ-2 as Development Areas A, B, C, D and E (each a “Development Area” and collectively the “Development Areas”).

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, (i) the regulations established under the Ordinance for: (i) the Institutional zoning district shall govern development taking place within Development Areas A and D, (ii) the MUDD-O zoning district shall govern development taking place within Development Areas B and C, subject to and in accordance with the Optional Provisions below, and (iii) the R-3 zoning district shall govern all development taking place within Development Area E.

This Rezoning Plan replaces and supersedes the existing conditional zoning plan and zoning for the Site, but does not change the zoning established for other portions of the Sharon Towers Campus (as defined below) not included within the Site.

c. **Graphics and Alterations/Modifications.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Development Areas (as defined below) and other development matters and site elements (collectively the “Development/Site Elements”) set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, 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 documentation 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 the Development Areas (as defined below), street 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; or
- (ii) modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the “external building lines” generally depicted on Sheet RZ-2 (in this case the external setbacks, rear/side yards, building setback/separations or buffer areas as generally depicted thereon); or
- (iii) modifications to allow minor increases in the mass of the buildings that do not materially change the design intent depicted on or described in 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. **Number of Buildings Principal and Accessory.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site shall not exceed 5. 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) located within the same Development Area as the accessory structure/building.

e. **Planned/Unified Development.** The Site together with the remainder of the Sharon Towers campus not including the Site (the “Remainder of the Sharon Towers Campus”; and together with the Site, the “Sharon Towers Campus”) as generally depicted on Sheet RZ-1, 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 and those depicted on the applicable conditional rezoning plan for the Remainder of the Sharon Towers Campus. As such, setbacks, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located on the Site and the Remainder of the Sharon Towers Campus. The Petitioner and/or owner(s) of the Site and the Remainder of the Sharon Towers Campus reserve the right

to subdivide the portions of all of the Site and the Remainder of the Sharon Towers Campus and create lots within the interior of the Site and the Remainder of the Sharon Towers Campus without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site and the Remainder of the Sharon Towers Campus shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in Section 3 below as to the Site and in the applicable conditional rezoning plan as to the Remainder of the Sharon Towers Campus, taken as a whole and not individual portions or lots located therein.

f. **Five Year Vested Rights.** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the level of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period, but such provisions shall not be deemed a limitation on any other vested rights whether at common law or otherwise.

g. **Gross Floor Area Clarification.** When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), enclosed loading dock/service areas, balconies, and outdoor dining and gathering areas whether on the roof of the building or at street level per the Optional Provisions set forth below.

h. **Personal Services.** Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa’s, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dental cleaning establishments, locksmiths, funeral home, limited scale medical services such as a dental services and the like.

i. **Project Phasing.** Development taking place on the Site may occur in phases and in such event, except as expressly required in this Rezoning Plan or by the Ordinance, certain streetscape and related improvements and improvements associated with the open space to be developed within Development Area E may take place in connection with the phase of development to which such improvements relate as described herein.

2. Optional Provisions.

The following Optional Provisions shall apply to the portion of the Site zoned MUDD-O, namely Development Areas B and C:

a. **Internal Driveway.** To the extent an Optional Provision is needed for clarity, internal streets and driveways shall be treated as private driveways for all purposes of the Rezoning Plan, and as such parking shall be allowed between such driveways and buildings located within the MUDD-O zoned Development Areas B and C (no such provision is needed for the other Development Areas).

b. **Interim Surface Parking: Phasing Conditions.** To allow during the construction staging and subsequent phasing of development on the Site, surface parking in lieu of parking decks on portions of the Site on an interim basis may be allowed without regard to locations between buildings and streets/driveways, provided that such surface parking areas beyond the construction staging period will meet all required minimum setbacks, streetscape and screening requirements. Driveways during phases of the development may vary in location from those generally depicted on the Rezoning Plan, and the proposed fire lane and associated curb cut along Sharon Road may be used for construction access during the development phases.

c. **Detached Signs.** To allow one detached, ground mounted sign up to 6 feet in height and containing up to 60 square feet of sign area on Sharon Road. This sign may be used to identify any of the uses located on the Site and/or located on the Remainder of the Sharon Towers Campus. In addition to the foregoing and other signs permitted in this Section 2 and otherwise in the Rezoning Plan, to allow one (1) additional detached, ground mounted sign along Sharon Road; this additional detached sign may be up to four (4) feet high and contain up to 32 square feet of sign area.

d. **Temporary Signs.** In addition to other signs permitted in this Section 2 and otherwise in the Rezoning Plan, to allow Temporary signs and/or banners along Sharon Road with up to 64 square feet of sign face area and with a maximum height of seven (7) feet. A total of two (2) Temporary Planned Development signs may be erected along the Site’s frontage on Sharon Road (an increase of two (2) feet above the Ordinance requirements).

Note: The optional provisions regarding signs are additions/modifications to the standards for signs in the MUDD district and are to be used with the remainder of MUDD standards for signs not modified by these optional provisions.

e. **Recessed Doors.** Not to require doorways to be recessed into the face of buildings when the abutting sidewalk width is greater than 10 feet.

f. **Bike Parking.** To allow required long term bike parking spaces for the uses located on the Site to be located within the parking decks constructed on the Site.

g. **Permitted Uses, Development Area Limitations, Transfer & Conversion Rights:**
In addition to other development permitted on the Site as described in this Section 3 and in accordance with the restrictions, limitations, and transfer/conversion rights listed below, the principal buildings constructed on the Site may be developed with:

- (i) up to 130 age restricted residential dwelling units which may be located in any of the Development Areas;
- (ii) indoor recreation uses of up to 34,000 square feet of gross floor area to be located in Development Area C (with indoor not outdoor track facility) such indoor recreation to operate on a membership basis with members age 50 and older, and their permitted guests; up to 4,000 square feet of conference, performance and related uses with up to 250 seats to be located in Development Area B;
- (iv) up to 7,100 square feet of gross floor area of office uses (not including such uses that are accessory in nature) located in Development Area B;
- (v) up to 14,900 square feet of gross floor area of retail, restaurant (Type 1 and Type 2 EDEE), Personal Services, and other non-office commercial uses to be located in Development Areas B; and
- (vi) per subsection 3.c. below Development Area E shall be developed for open space as of development of the proposed uses in Development Area B, it being understood that until such time existing single family residential uses may take place on Development Area E in accordance with R-3 zoning standards;

all together with secondary and accessory uses (including, without limitation, greenhouse uses) permitted in the MUDD-O zoning district as to Development Areas B and C, the Institutional zoning district as to Development Areas A and D, and the R-3 zoning district as to Development Area E. In addition, a greenhouse facility may be located within Development Area B but shall be operated as a secondary use or accessory use to other principal uses on the Site, and as such shall be excluded from the calculation of the above listed development levels.

The development limitations referenced in this Section 3a. do not reflect accessory uses related to principal uses listed above nor other accessory uses such as the greenhouse uses.

The above referenced office and commercial uses shall not take place in a single separate building that is designed to only accommodate one of such uses. Furthermore, to promote a vertical mixture of uses within Development Areas B and C, the building within Development Area B shall be built to contain a minimum of [12] residential dwelling units and the building within Development Area B shall be built to contain a minimum of [8] residential dwelling units.

SEE TABLE 1 BELOW FOR DEVELOPMENT AREAS SUMMARY (text of this Section shall control in event of a conflict)

Notwithstanding the foregoing, retail, EDEE, Personal Services and other non-office commercial uses may be reduced and converted into office uses at a rate of one (1) square foot of gross floor of such uses so converted up to a total of 2,000 square feet of office uses created by such conversion for up to a total of 9,100 square of gross floor area of offices uses allowed upon such conversion.

c. In addition to other development permitted on the Site as described herein, Development Area E shall be developed for open space that is graded and planted with grass prior to the date of issuance of the first certificate of occupancy for development within Development Area B, it being understood that until such time, existing single family residential uses may take place on Development Area E in accordance with R-3 standards. When installed, such open space area shall be graded and planted with grass, and may include accessory uses and structures such as: landscaping, benches and seating areas, walk paths, pedestrian scale lighting, hardscape and/or similar items. Convenient pedestrian access from the open space to the uses to be developed within Development Area B shall be provided. Once the open space area is created on Development Area E, the Petitioner shall ensure that the open space area is maintained in a quality manner to include regular and appropriate lawn care, landscaping maintenance, and sidewalk maintenance and repair.

d. In no event shall the following uses shall be developed on the Site: no drive-through uses which includes a prohibition on the following: fast food restaurants with drive-through window facilities, drug stores with drive-through window facilities, and banks with drive-through facilities; no convenience store/gas station uses; and no stand-alone retail/EDEE uses in a building as the sole principal uses of such building.

e. The height of principal buildings on the Site shall be as described in the Development Data portion above under “Maximum Building Heights”.

f. Retail and EDEE (e.g. restaurant) uses within Development Area B shall have hours of operation limited to 6:00AM and 12:00AM (Midnight). Delivery service to these uses shall be internal to the Site not by way of access from the Hazelton residential edge.

4. Transportation Improvements and Access:

a. Proposed Improvements:

The Petitioner shall provide or cause to be provided on its own, or in cooperation with other parties who may implement portions of the improvements set forth below, the following improvements as generally depicted on Sheet RZ-9:

1. Sharon Road & Sharon View Road/Realigned Sharon Towers Access (signalized)

- Re-align Sharon Towers access directly across from Sharon View Road
- Modify the Sharon View Road approach for the realignment by reducing the size of the existing island between the separate dual right turn lanes and the through and left turn lane and provide a separate westbound through lane with approximately 30 feet of storage.
- Modify/implement appropriate pedestrian amenities (high-visibility crosswalks, pedestrian signal heads and pushbuttons) for all four legs of the intersection. These improvements include a new crosswalk on the north side of the intersection.
- Construct the Realigned Sharon Towers Access with one ingress lane and separate left (termination lane) and combined thru-right (minimum of 150 feet of storage) egress lanes.
- With the realignment of the Sharon Towers leg of the intersection the northbound left turn lane storage on Sharon Road is increased from 100 feet to 125 feet
- Increase the southbound left turn lane storage on Sharon Road from 155 feet to 205 feet (combination of pavement-remark and modifying the median resulting in reducing the bay tapers between the southbound left to Sharon View Road and the northbound left to Hazelton Drive while maintain the left turn lane storage to Hazelton Drive).]

b. **CDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the SouthPark area, by way of a private/public partnership effort and/or other public sector project support, but shall be substantially completed in accordance with subsection c. below.

c. **Road Improvements Phasing.** All transportation improvements listed above will be substantially completed in conjunction with the development of the Site and prior to issuance of the first certificate of occupancy for the first new building on the Site permitted by this plan; except implementation of the streetscape improvements in Development Area A, which will be implemented when redevelopment of Development Area A occurs and prior to issuance of the first certificate of occupancy for the first building in Development Area A.

d. **Substantial Completion.** Reference to “substantial completion” or “substantially completed” for certain improvements as set forth in the provisions of Section 3, above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 3.b. above provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT may instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, 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.

e. **Right-of-way Availability.** It is understood that some of the public improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, as specified by the City of Charlotte right-of-way acquisition process as administered by the City of Charlotte’s Engineering & Property Management Department, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body may elect to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein above, then the Petitioner will contact the Planning Department and CDOT regarding an appropriate infrastructure phasing plan that appropriately matches the scale of the development proposed to the public infrastructure mitigations. If after contacting the Planning Department and CDOT to determine the appropriate infrastructure phasing plan, delays in the acquisition of additional right-of-way extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT may instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; 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.

f. **Alternative Improvements.** Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, Planning Director, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

g. **Access to Streets.** Access to the Site will be from Sharon Road as generally depicted on the Rezoning Plan as well as internally through the Remainder of the Sharon Towers Campus and subject to adjustments as set forth below.

h. **Driveways/Pedestrian Connections.** Subject to the Optional Provisions set forth above, the private streets/driveways generally depicted on the Rezoning Plan will be designed as indicated on the Rezoning Plan and treated as driveways. Driveway and pedestrian connections generally depicted on the Rezoning Plan from adjoining properties may be allowed in the location(s) shown on the Rezoning Plan subject to development issues and other constraints reasonably determined by Petitioner.

i. **Alignment/Locations of Driveways.** The exact alignment, dimensions and locations of the access points to the Site, the driveways on the Site and streetscape cross-sections on the Site may be modified from the elements shown on the Rezoning Plan provided that the overall design intent is not materially altered.

5. Setbacks, Side Yards & Buffers.

a. **Sharon Road.** A minimum forty (40) foot setback will be provided along Sharon Road as, per the Ordinance, measured from the right of way in Development Areas A and E. A minimum sixty (60) foot setback will be provided along Sharon Road as, per the Ordinance, measured from the existing/future back of curb in Development Area B. Within the setback area of Sharon Road, a ten (10) foot planting strip and a ten (10) foot sidewalk will be provided (i) along the portion of Sharon Road adjacent to Development Area A prior to issuance of the first certificate of occupancy for the building within Development Area A, and (ii) along Development Areas B and E prior to the issuance of the first certificate of occupancy for the building within Development Area B.

b. **Hazelton Drive along Open Space – Development Area E.** An eight (8) foot planting strip and a six (6) foot sidewalk will be provided along Hazelton Drive within Development Area E prior to issuance of the certificate of occupancy for the building within Development Area B; and as indicated no principal buildings shall be allowed within Development Area E except in connection with existing single family residential uses allowed prior to installation of the open space as described in Section 3.c. above.

c. Side Yard Setback/Separation/Buffer Area Hazelton Residential Boundary: Development Areas B & C:

- A minimum 60 foot wide building setback/separation shall be provided along the common boundary with the residences located along Hazelton Drive within Development Areas B and C, as generally depicted on Sheet RZ-3 and Sheet RZ-7A.
- A 20 foot fire lane may be located adjacent to and on the interior side of the 60 foot building setback/separation for Development Areas B and C (such fire lane to contain grass pavers or similar materials and any associated retaining wall shall not exceed five feet (5’) in height from grade; and
- A buffer/landscaped area extending a minimum distance of 40 feet from the common boundary with the residences along Hazelton Drive in Development Areas B and C shall be provided, as generally depicted on Sheet RZ-3 and Sheet RZ-7A. No grading shall take place within the first 25 feet from the common boundary with the Hazelton edge (the “undisturbed portion”) except in connection with unusual top or site conditions, fences, required landscaping, landscaping maintenance and replacement or installation and maintenance of utility lines in accordance with Section 12.302(12) of the Ordinance. Trees of [8” caliper] or greater shall be preserved within the 25 foot wide undisturbed portion. The remainder of the 40 foot wide buffer/landscaped area shall consist of a 15 foot wide additional planted area extending alongside the undisturbed portion and a 6 foot high privacy fence shall be installed in the area between the 15 foot wide area and the 20 foot fire lane in Development Areas B and C as generally depicted on Sheet RZ-3 and Sheet RZ-7A. The 40 foot wide buffer/landscaped area shall be maintained to Class B buffer standards using a combination of the 8” caliper or greater existing trees within the 25 foot undisturbed portion along with supplemental tree plantings to achieve eight (8) trees per linear foot in the overall area along with planting of shrubs.

(ii) Development Area D:

- A minimum 68.75 foot wide building setback/separation shall be provided along the common boundary with the residences located along Hazelton Drive within Development Area D and within this area a 20 foot wide side yard as well as a reduced 48.75 foot buffer/landscaped area with a fence shall be provided, all as generally depicted on Sheet RZ-3 and Sheet RZ-7B.
- A 20 foot fire lane may be located adjacent to and on the interior side of the 68.75 foot building setback/separation for Development Area D (such fire lane to contain grass pavers or similar materials and any associated retaining wall shall not exceed five feet (5’) in height from grade; and
- A buffer/landscaped area extending a minimum distance of 48.75 feet from the common boundary with the residences along Hazelton Drive in Development Area D shall be provided, as generally depicted on Sheet RZ-3 and Sheet RZ-7B. No grading shall take place within the first 25 feet from the common boundary with the Hazelton edge (the “undisturbed portion”) except in connection with unusual top or site conditions, fences, required landscaping, landscaping maintenance and replacement or installation and maintenance of utility lines in accordance with Section 12.302(12) of the Ordinance. Trees of 8” caliper or greater shall be preserved within the 25 foot wide undisturbed portion. The remainder of the 48.75 foot wide buffer/landscaped area shall consist of a 15 foot wide additional planted area extending alongside the undisturbed portion and a 6 foot high privacy fence shall be installed in the area between the 23.75 foot wide area and the 20 foot fire lane in Development Area D as generally depicted on Sheet RZ-3 and Sheet RZ-7B. The 40 foot wide buffer/landscaped area shall be maintained to Class B buffer standards using a combination of the 8” caliper or greater existing trees within the 25 foot undisturbed portion along with supplemental tree plantings to achieve eight (8) trees per linear foot in the overall area along with plantings of shrubs.

d. Balconies located above the first floor of the building(s) along Sharon Road may encroach up to four (4) feet into the setback.

e. Outdoor dining canopies and awnings on the building(s) along Sharon Road may encroach up to ten (10) feet into the setback.

f. 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.

6. Parking Areas, Access and Circulation Design Guidelines.

- Building materials associated with facades on parking structures that are generally compatible in character and quality with adjoining buildings, plazas and streetscapes will be created, taking into consideration differences associated with parking structures.
- Parking structures shall be designed to materially screen the view of parked cars from adjacent public streets, private driveways, or publicly accessible open spaces or plazas on all levels. Screening of cars on the ground level will be accomplished primarily through the use of landscaping; and screening of cars parked on an exposed upper level will be accomplished by a wall, at least 26 inches in height, designed as part of the parking deck structure; provided, however, the parking structure screening located along the Hazelton residential edge will be opaque to prevent view of cars and light mitigation.
- On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances.

7. Pedestrian Access and Circulation Design Guidelines

- Along the Site’s internal private driveways, the Petitioner will provide a sidewalk and a cross-walk network that links the buildings, parking areas and areas of interest on the Site with one another by way of links to sidewalks along the abutting public and/or other pedestrian features as generally depicted on the Rezoning Plan. The minimum width for these internal sidewalks will be six (6) feet.
- Walkways through plazas or publicly accessible open space areas will be appropriately designed for the intended use and type of open space area in which they are located.
- Where walkways occur along building walls, a walkway width of at least six (6) feet must be maintained clear of door swings, temporary trash or similar impediments.

8. **Open Space.**
a. The Petitioner will provide open space areas in the manner generally depicted on the Rezoning Plan but subject to minor adjustments needed to accommodate building and parking improvements. Except with respect to open space within Development Area E, these open space areas will contain landscaping, seating areas and hardscape elements.
b. Petitioner shall provide for the open space for Development Area E as described in Section 3.c above.

9. General Design Guidelines.

- General Considerations**
(i) Buildings will be oriented towards Sharon Road and the internal driveway to reinforce the streetscape.
(ii) Architectural treatment shall continue on all sides of a building except as specifically noted otherwise.
(iii) Ground floor elevations shall be treated with a combination of fenestration, clear glass, prominent entrances, change in materials, building step backs, art work and landscaping. Blank walls greater than twenty feet (20’) cannot be addressed with landscape elements only.
(iv) Accessory structures shall be consistent with the principal building in material, texture, and color.
(v) Structured parking oriented toward Hazelton shall be designed in an opaque manner in order to fully screen lighting from within the deck.
(vi) A minimum building separation of 20 feet shall be provided between the buildings in Development Area B and C and between the buildings in Development Area C and D as determined at the closest points between the building above grade.
(vii) 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. No dumpster or recycling areas will be located along the Hazelton residential edge.
(viii) All roof mounted mechanical equipment on the new buildings and building additions to be constructed on the Site will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.

b. **Architectural Conceptual Renderings.** The conceptual renderings associated with the building(s) to be located on the Site as generally depicted on Sheet RZ-5 and Sheet RZ-8A & RZ-8B in connection with certain of permitted uses of the Site are included to reflect the architectural style and quality of the building(s) that will be constructed, it being understood that the actual building(s) so constructed and the nature/location of the building element(s) may vary from these illustrations as long as (i) the general architectural concept and intent shown is maintained, (ii) heights of any buildings above heights specified in the Development Data portion are not increased, and (iii) the distance between buildings and the common boundary line with the Hazelton residential edge are not decreased without the consent of each owner located along the applicable Development Area as well as the Planning Director.

c. Facades Materials:

- (i) Windows and doors shall be provided for at least 30% of the total facade area along Sharon Road, with each floor calculated independently. This standard will not apply to the portions of the buildings that are located along internal private driveways and/or along the buffer parallel to Hazelton Drive that are visible from public streets.
- (ii) The Facades of first/ground floor of the buildings along Sharon Road shall incorporate a minimum of 25% masonry materials such as brick, stucco or stone.
- (iii) Foundations, where provided, shall be constructed as a distinct building element that contrasts with Facade materials. Exposed above-ground foundations shall be coated or faced in cement, stucco, brick, manufactured stone, or natural stone to contrast with facade materials.
- Facade articulation:**
(i) Sharon Road fronting Facades and End fronting Facades shall be articulated and designed to create additional visual interest by varying architectural details, building materials, the roof line, and building offsets.
- (ii) First Story Facades of all buildings along Sharon Road shall incorporate columns, awnings, arcades, windows, doors, and/or other architectural elements.

10. Environmental Features:

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Tree Ordinance and Post Construction Controls Ordinance. It is understood that stormwater detention storage facilities on Site will be located below grade.

11. Signage:

- a. Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided in addition to the signage otherwise allowed in this Section, provided, however, in no event shall flashing signage or marquee signage be permitted; furthermore, no wall signs shall be located along the buildings that directly face the Hazelton residential edge but this shall not limit signage rights at the corner of the building within Development Area B that faces Sharon Road and Development Area E.
- b. Because the Site will be viewed as a Planned/Unified Development as defined by the Ordinance, signs may be located throughout the portion of the Site designated MUDD-O as allowed by the Ordinance and the Optional Provisions. In addition, uses located on the interior of the Site may be identified on the allowed signs (by way of example, the indoor recreation use and the other uses may be identified on the signs allowed along Sharon Road). The allowed signs may contain identification signage for any of the uses located on the Site.
- c. Master signage and graphic systems may be adopted.

12. Lighting:

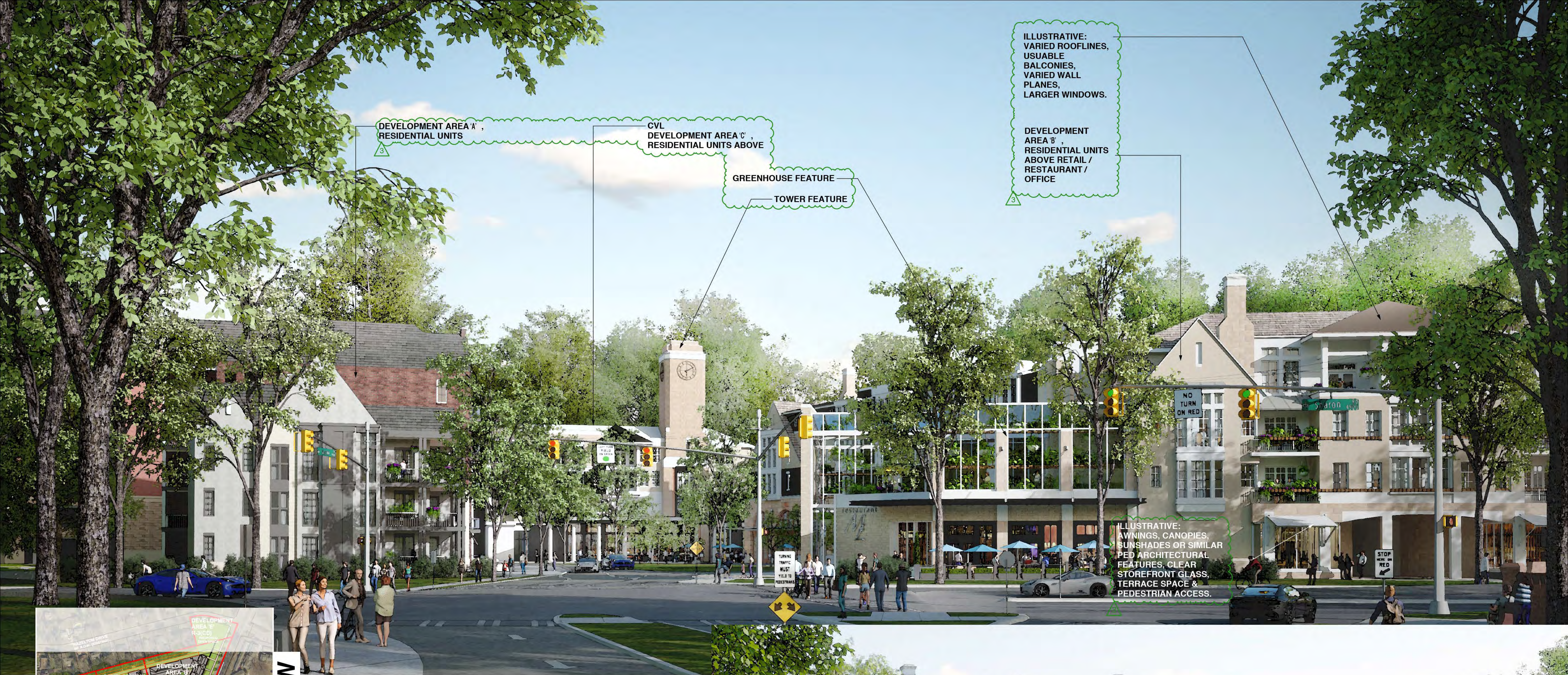
- a. All new lighting shall be full cut-off type lighting fixtures and downwardly directed, excluding lower decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- b. Detached lighting on the Site, except street lights located along public and private streets, will be limited to 25 feet in height except as may be required for public safety purposes.
- c. Any lighting associated with the fire lane/emergency access along the Hazelton residential edge shall be limited to at grade low level lighting except as may be required for public safety purposes.

13. Construction and Miscellaneous Provisions:

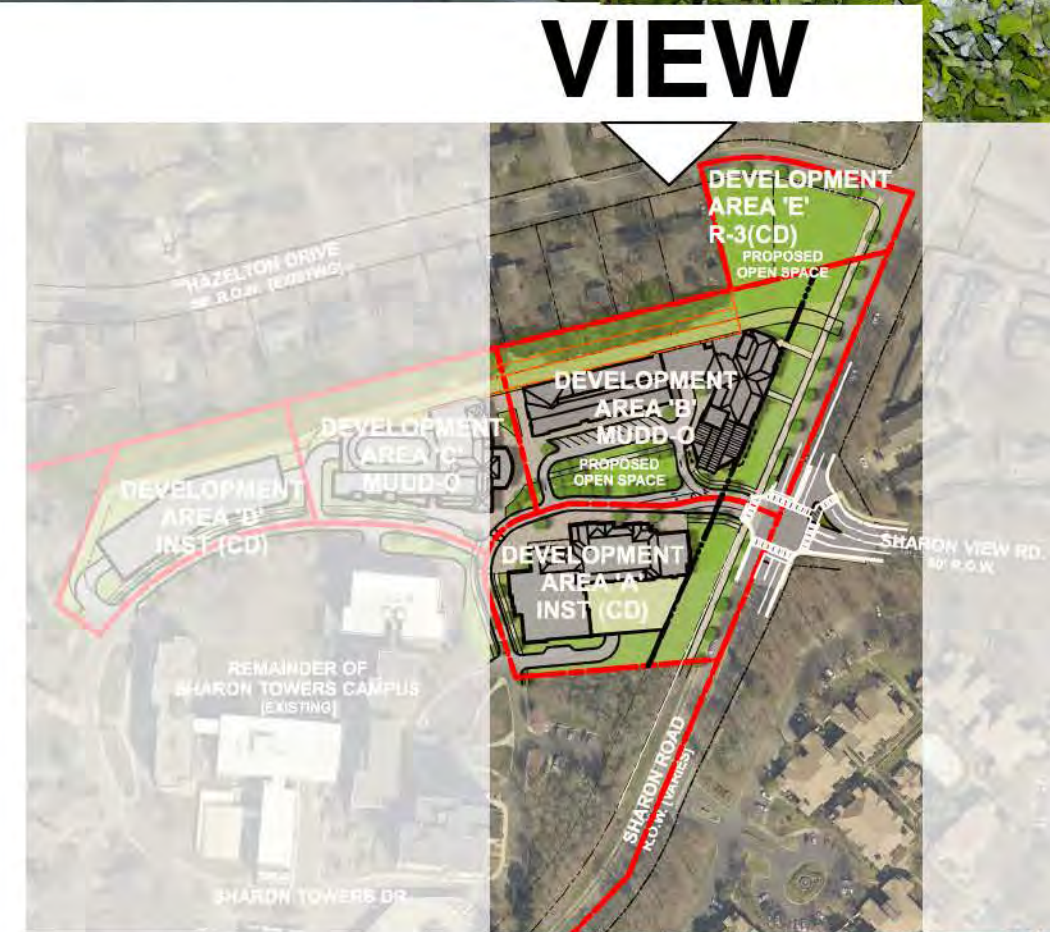
- a. Outdoor construction activities utilizing backhoes, dump trucks, pavers and similar heavy equipment, may not be conducted on the Site on Sundays. Such activities are limited to 7:00AM to 7:00PM Monday through Saturday. Provided however, outdoor construction activities for tasks that require more than 12 hours to complete, such as a major concrete pour, may occur up to five (5) times during the construction of each building.
 - b. The contractor(s) shall keep the construction Site in a clean and orderly condition and shall promptly clean the adjacent roads and sidewalks as needed or as otherwise required by applicable regulations.
 - c. Notwithstanding any other provision contained herein, all construction vehicles, including, without limitation vehicles transporting construction workers serving the Site, shall be prohibited from parking or idling on any streets located in the adjacent Fairmeadows subdivision or the adjacent Laurel Woods subdivision.
 - d. Development Area E shall not be used as a staging ground for construction on the Site except as relates to construction on Development Area E or adjacent sidewalks/streetscape.
- 14. 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 herein and of Chapter 6 of the Ordinance. Any reference to the Ordinance shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning is approved.
- 15. 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 herein and under the Ordinance, 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.

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TABLE 1: DEVELOPMENT AREAS SUMMARY									
Development Area	Proposed Zoning	Proposed Principal Uses	Overall Building Footprint (sq. ft.)	Residential Units (Total)	Commercial Units (Total)	Office Treatment (Total)	Firming within the Building Footprint	Total Area of 22 Acres	
								Building Footprint (sq. ft.)	Open Space (sq. ft.)
Development Area A	MUDD-O	Age restricted residential units, age restricted commercial uses, EDEE, and other non-office commercial uses	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Development Area B	MUDD-O	Age restricted residential units, age restricted commercial uses, EDEE, and other non-office commercial uses	407	121	121	121	121	121	121
Development Area C	MUDD-O	Age restricted residential units, age restricted commercial uses, EDEE, and other non-office commercial uses	407	121	121	121	121	121	121
Development Area D	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area E	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area F	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area G	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area H	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area I	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area J	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area K	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area L	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area M	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area N	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area O	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area P	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area Q	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area R	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area S	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area T	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area U	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area V	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area W	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area X	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area Y	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121
Development Area Z	MUDD-O	Age restricted residential units	407	121	121	121	121	121	121



NOTE: "The schematic elevations and renderings are illustrative for the proposed buildings and are included to reflect an architectural style and quality of the buildings that will be constructed on the site. These schematic elevations are illustrating the use of varied materials, rooflines, glass (either opaque or clear), wall plane variation, and massing. The actual buildings and the nature and location of the individual building elements constructed on the site may vary from these illustrations provided that the design intent is preserved."



Sharon Road Conceptual View & Architectural Perspective

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Sharon Towers
4768 Sharon Rd
Charlotte, NC
28210

Mark	Date	Description
1	4/16/2018	Revision #1
2	5/15/2018	Revision #2
3	6/12/2018	Revision #3

shook kelley

2151 Hawkins Street
Suite 400
Charlotte, NC 28203

704 / 377 0661
www.shookkelley.com

Sharon Towers
2018-027

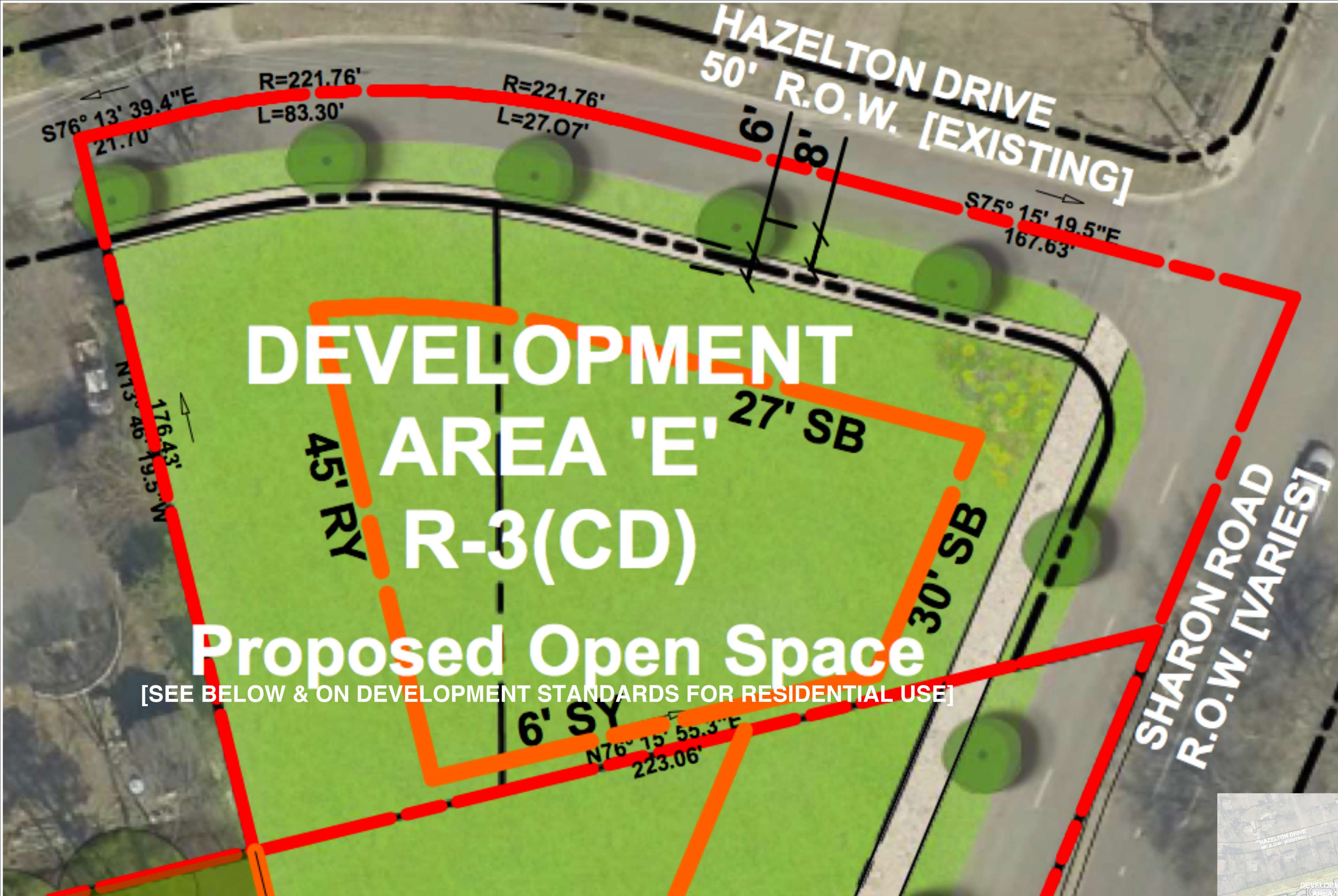
5100 Sharon Road
Charlotte, NC 28210

2/23/2018 Rezoning Submittal 1
Project ID: 17027.001

Conceptual Renderings

2018 Rezoning.vwx

RZ-5



ENLARGED
AREA



Open Space Area Along Hazelton Drive

OPEN SPACE COMMITMENTS

- PRESERVING .53 ACRES AT THE CORNER OF SHARON RD. & HAZELETON DR. FOR OPEN SPACE
- DIRECT PEDESTRIAN CONNECTIONS FROM NEIGHBORHOOD TO SHARON TOWERS.
- HOUSES TO BE REMOVED & AREA GRADED/GRASSED WHEN ADJACENT BUILDNG BUILT*
- Open space to be provided prior to first CO in Dev. Area B, but until such time this area may be used for single family residential uses

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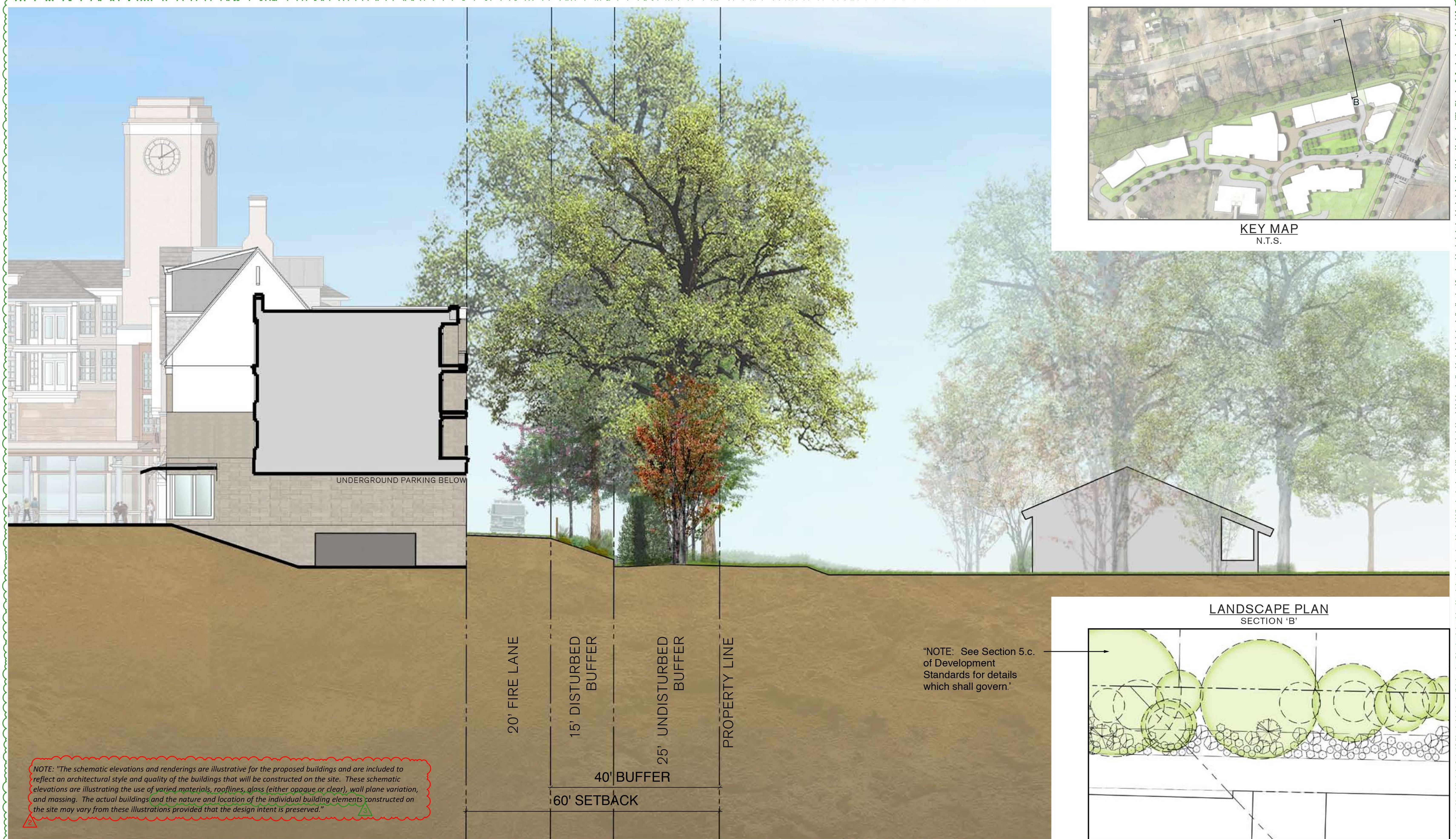
:A 2/23/2018 Rezoning Submittal 1

Project ID: 17027.001

Open Space Area Along
Hazelton Drive

2018 Rezoning.vwx

RZ-6



Conceptual Site Section 'B'

THIS IS A CONCEPTUAL DEPICTION OF HORIZONTAL TREATMENT OF HAZELTON DRIVE EDGE FOR DEVELOPMENT AREA 'B'

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5100 Sharon Road
Charlotte, NC 28210

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Project ID: 17027.001

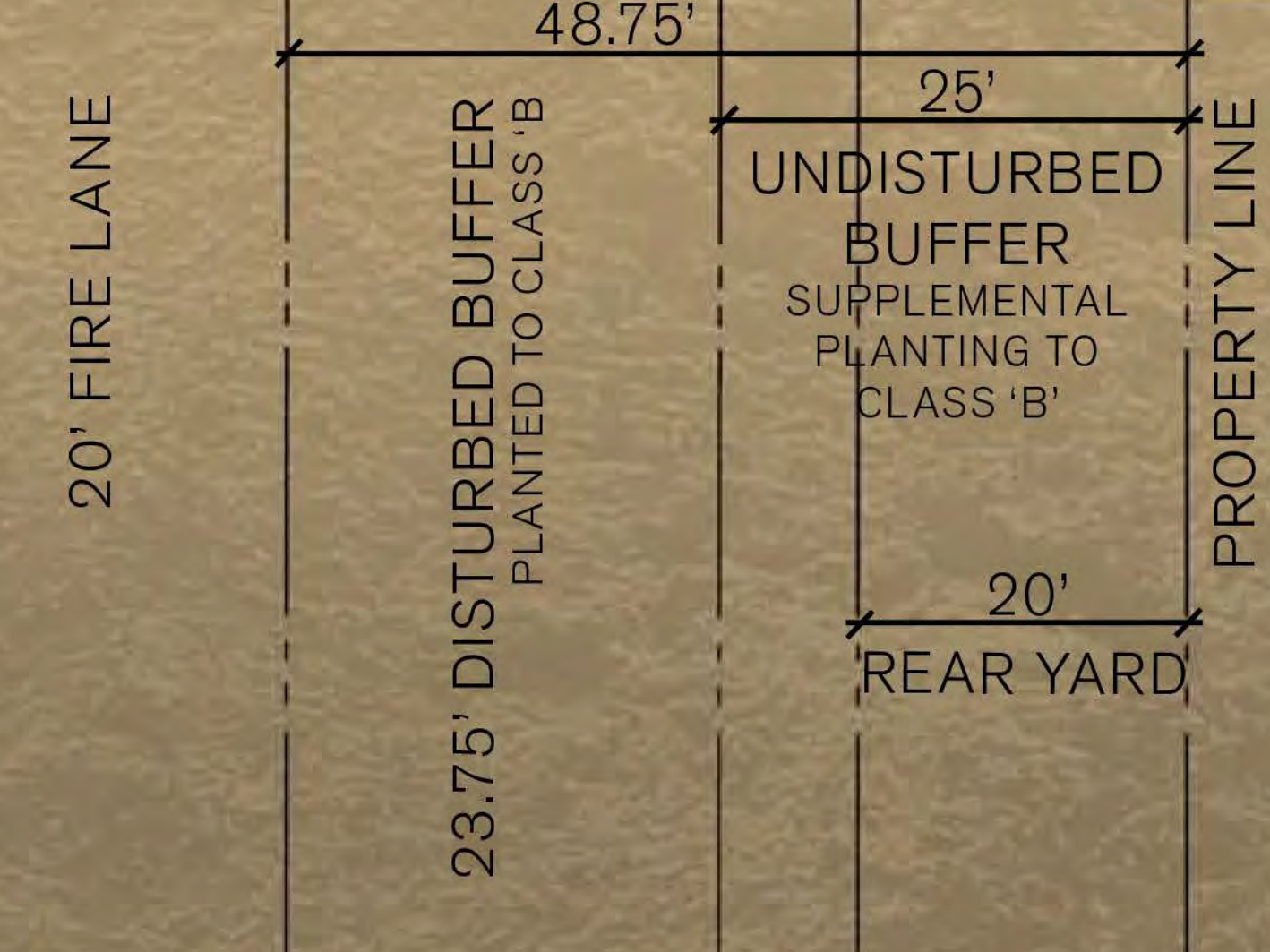
Conceptual Site Section
Development Area 'B'

2018 Rezoning.vwx

RZ-7A



KEY MAP
N.T.S.



"NOTE: See Section 5.c.
of Development
Standards for details
which shall govern."



3 Conceptual Site Section 'D'
THIS IS A CONCEPTUAL DEPICTION OF HORIZONTAL TREATMENT OF HAZELTON DRIVE EDGE FOR DEVELOPMENT AREA 'D'

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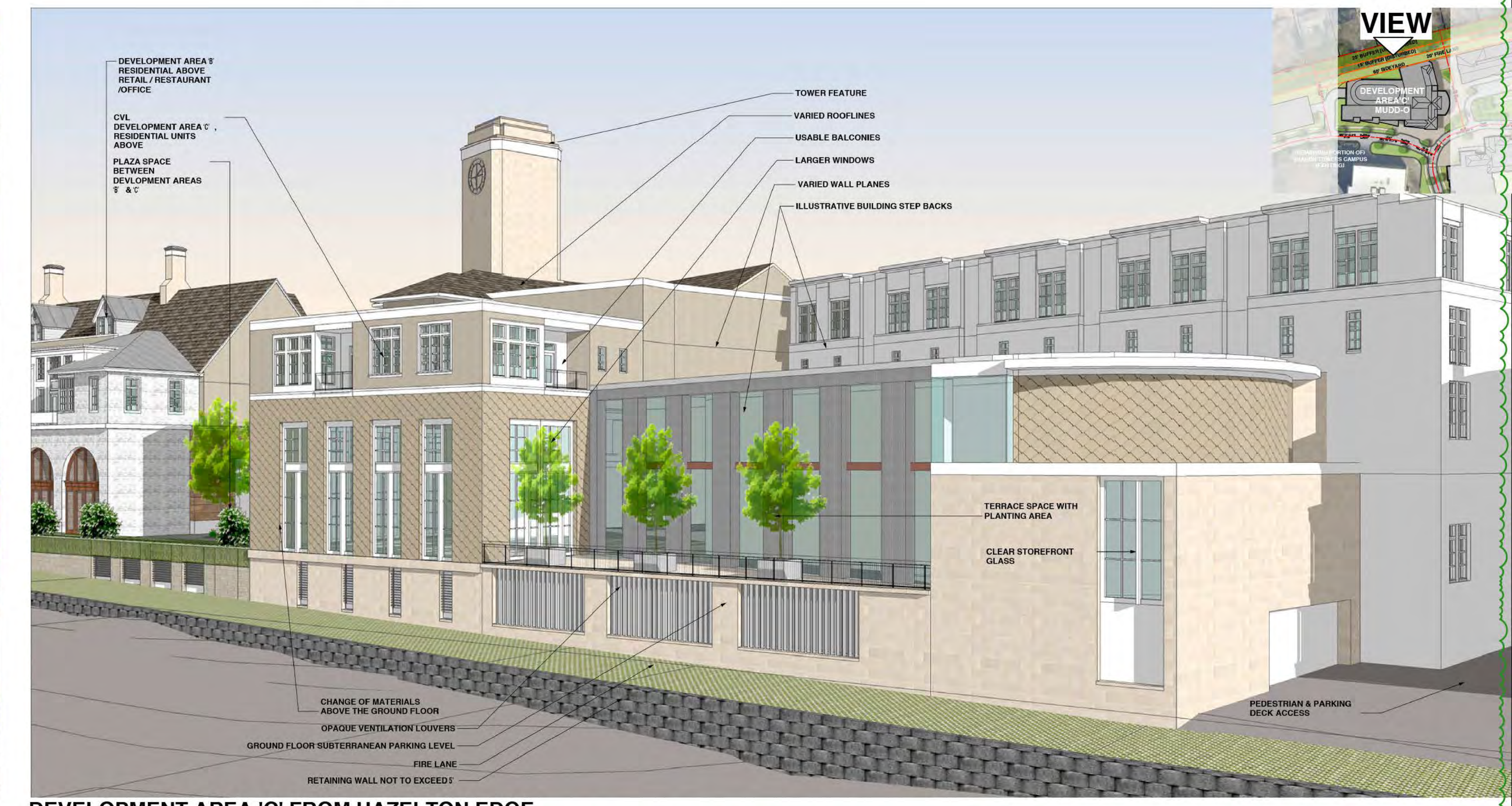
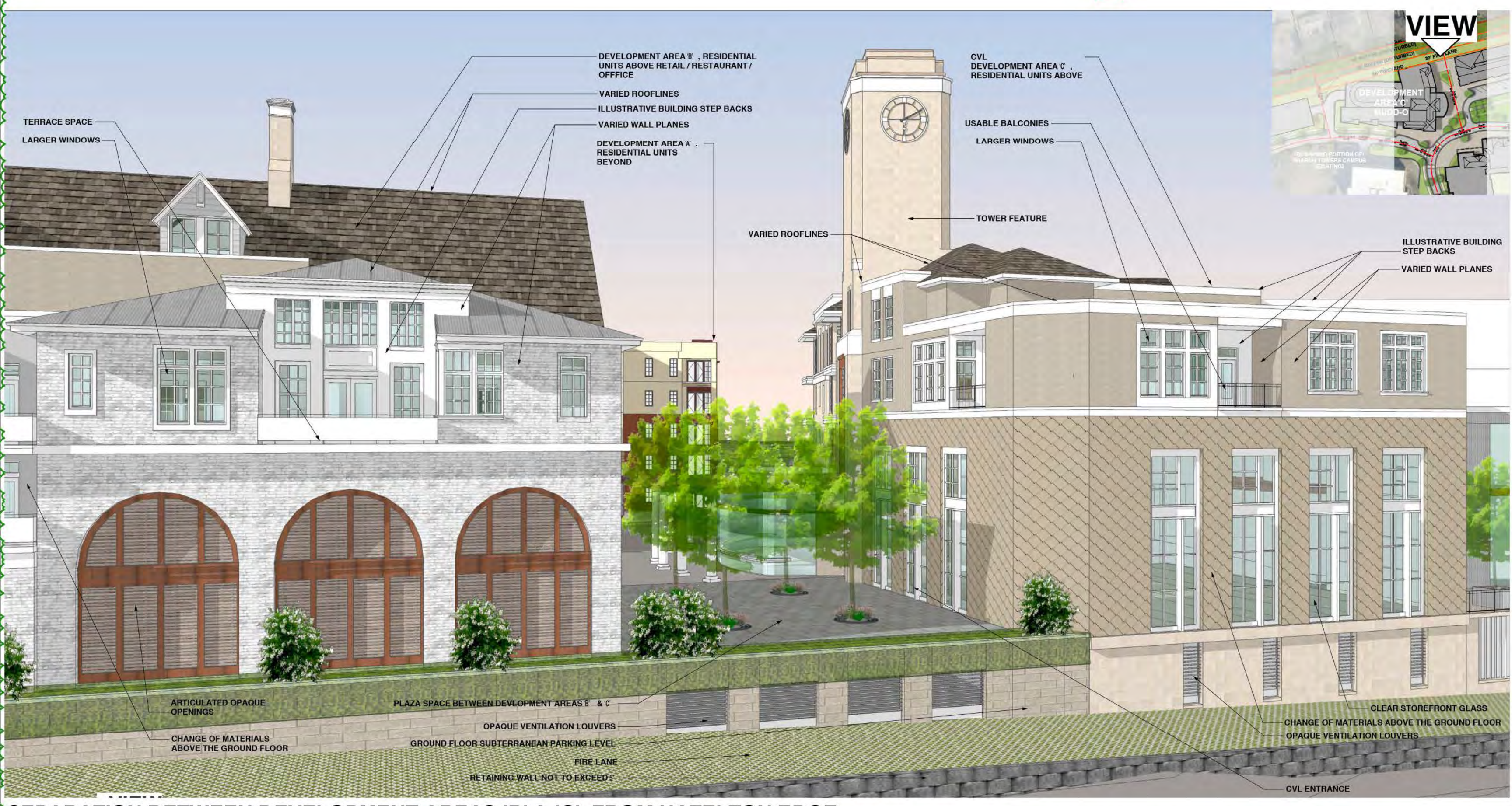
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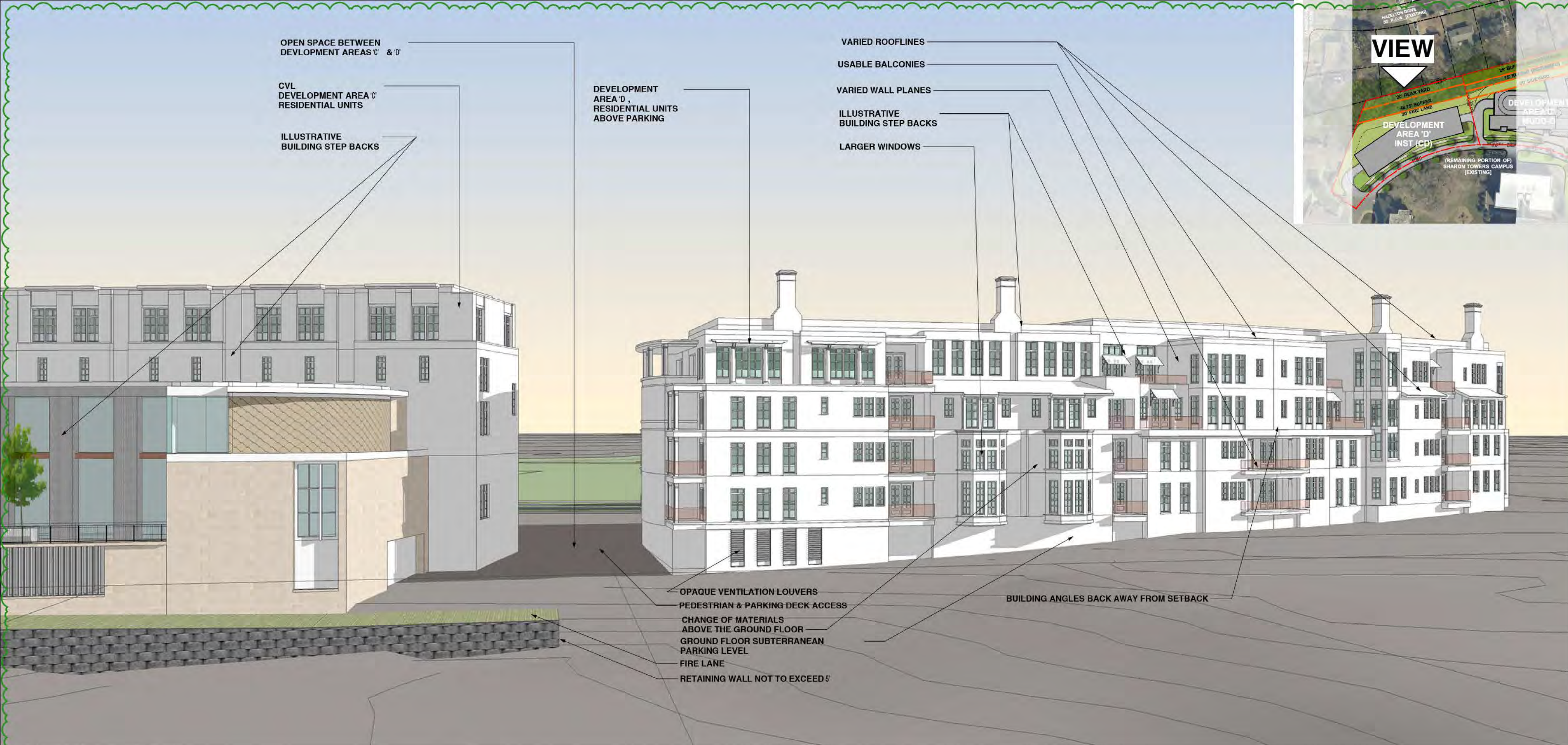
**Sharon Towers
2018-027**
5100 Sharon Road
Charlotte, NC 28210
:A 2/23/2018 Rezoning Submittal 1
Project ID: 17027.001

**Conceptual Site Section
Development Area 'D'**
2018 Rezoning.vwx
RZ-7B

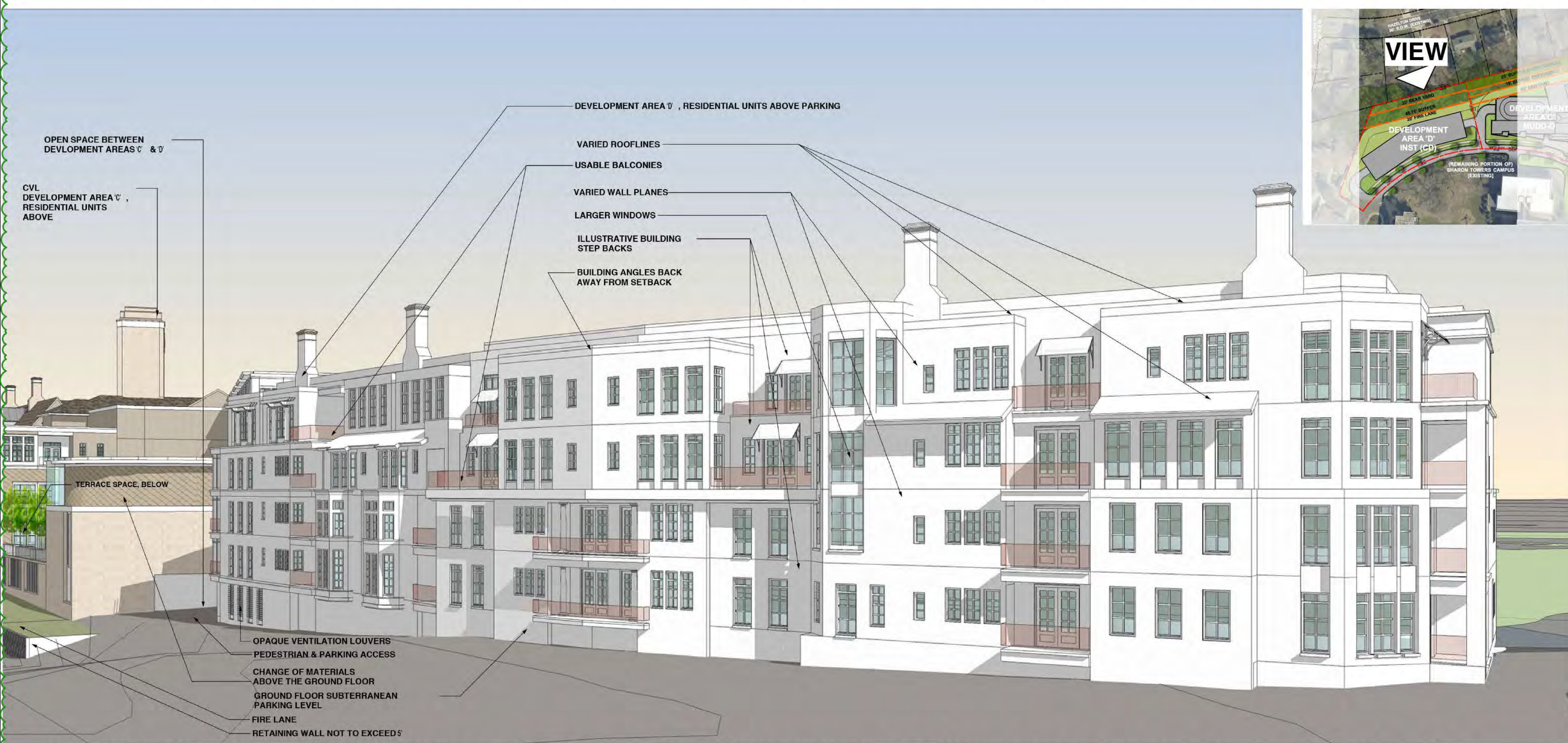


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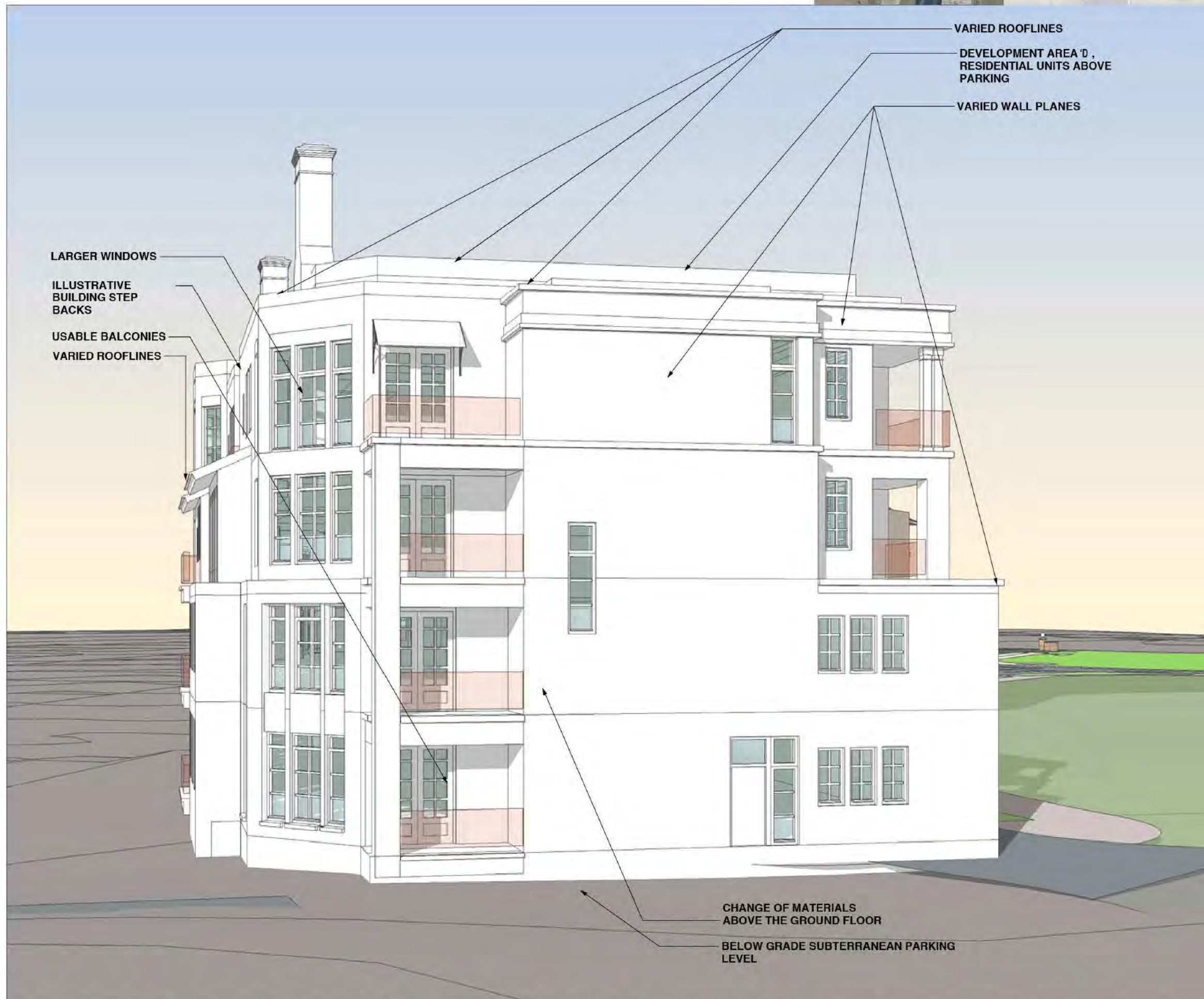


CONCEPTUAL PERSPECTIVE - DEVELOPMENT AREA 'D' - BUILDING 'F' MASSING FROM HAZELTON EDGE



CONCEPTUAL PERSPECTIVE - DEVELOPMENT AREA 'D' - BUILDING 'F' MASSING FROM COTTAGES AT HAZELTON EDGE

NOTE: "The schematic elevations and renderings are illustrative for the proposed buildings and are included to reflect an architectural style and quality of the buildings that will be constructed on the site. These schematic elevations are illustrating the use of varied materials, rooflines, glass (either opaque or clear), wall plane variation, and massing. The actual buildings and the nature and location of the individual building elements constructed on the site may vary from these illustrations provided that the design intent is preserved."



CONCEPTUAL PERSPECTIVE - DEVELOPMENT AREA 'D' BUILDING 'F' MASSING FROM FAIRHEATH EDGE

CONCEPTUAL PERSPECTIVES - PORTIONS OF DEVELOPMENT AREAS 'C' & 'D'

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**Sharon Towers
2018-027**

5100 Sharon Road
Charlotte, NC 28210

:A 2/23/2018 Rezoning Submittal 1

Project ID: 17027 001

Conceptual Perspectives
Portion of Development
Areas 'C' & 'D'

2018 Rezoning.vwx

RZ-8B

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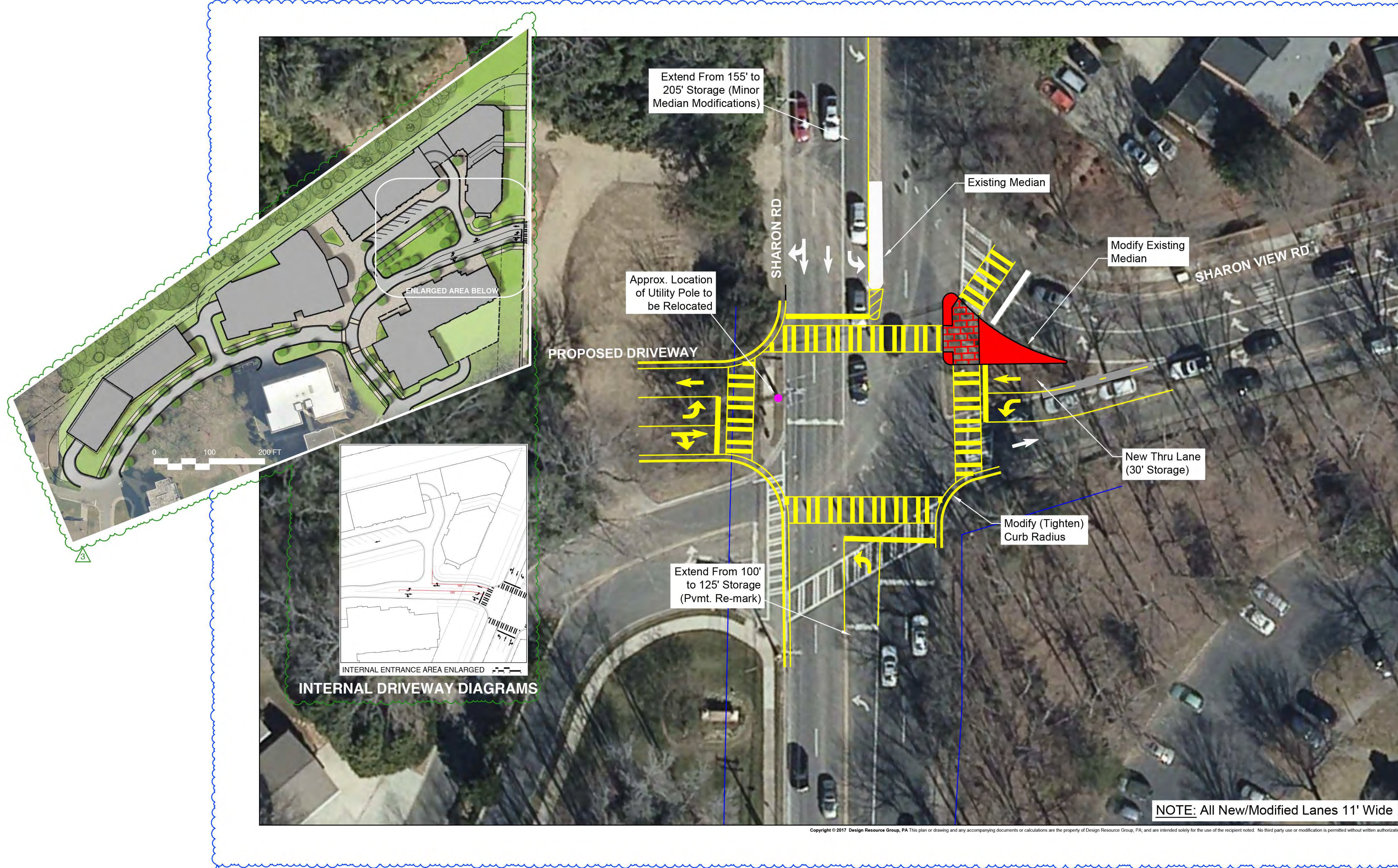


Figure 5

Traffic Improvement Diagram

"NOTE: the improvements generally depicted are subject to further review by Petitioner in consultation with CDOT and other departments."

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	2	5/15/2018	Revision #2
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