DEVELOPMENT DATA TABLE

SITE AREA:	±8.5 AC (±370,260 SF)
TAX PARCEL #:	049-081-03 AND 049-081-08
EXISTING ZONING:	B-1; B-2(CD)
EXISTING USE:	COMMERCIAL OUTDOOR AMUSEMENT
PROPOSED ZONING:	TOD-M
PROPOSED USES:	UP TO 275 MULTI-FAMILY DWELLING UNITS
MAXIMUM AMOUNT OF DEVELOPMENT:	AS PERMITTED AND ALLOWED BY THE TOD-M ZONING DISTRICT
BUILDING HEIGHT:	SIXTY (60) FEET AND FIVE (5) STORIES, AS FURTHER RESTRICTED IN SECTION IV, BELOW.
FLOOR AREA RATIO:	AS PERMITTED AND ALLOWED PER TOD-M ZONING DISTRICT
PARKING STANDARDS:	AS PERMITTED AND ALLOWED PER TOD-M ZONING
SETBACK:	24' FROM EXISTING BACK OF CURB ON NORTH TRYON STREET 16' FROM PROPOSED BACK OF CURB ON PRIVATE STREETS
NEAREST TRANSIT STATION:	TOM HUNTER ±0.2 MILES (±1,050 LF) FROM SITE (WITHIN 1/4 MILE OF PROJECT)

I. GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY LIV DEVELOPMENT (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A MULTI-FAMILY RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 8.5-ACRE SITE LOCATED ON THE EAST SIDE OF NORTH TRYON STREET, ADJACENT TO ORCHARD TRACE LANE, MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBERS 049-081-03 AND 049-081-08.
2. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").
3. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE TOD-M ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
4. THE DEVELOPMENT AND STREET LAYOUT DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD, LANDSCAPING AND TREE SAVE REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL BE MINOR IN NATURE AND NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
5. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER(S) OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. MINOR ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

II. PERMITTED USES

THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 275 MULTI-FAMILY DWELLING UNITS AND ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE TOD-M ZONING DISTRICT.

III. TRANSPORTATION

1. VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS SHOWN ON THE REZONING PLAN ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL. THE TOTAL NUMBER OF ACCESS POINTS FROM NORTH TRYON STREET SHALL BE LIMITED TO ONE (1).
2. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PUBLIC AND PRIVATE DRIVES, AND MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PRIVATE DRIVES SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
3. THE PETITIONER SHALL COMMIT TO ENTER INTO A SIGNAL AGREEMENT WITH CDOT TO MODIFY THE EXISTING TRAFFIC SIGNAL AT THE NORTH TRYON STREET/ORCHARD TRACE LANE INTERSECTION AND UPGRADE THE EXISTING SIGNAL TO ACCOMMODATE THE PROPOSED ROAD AS THE FORTH LEG OF SAID INTERSECTION.
4. PETITIONER SHALL DEDICATE ALL RIGHTS-OF-WAY IN FEE SIMPLE CONVEYANCE TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.
5. PETITIONER SHALL SUBSTANTIALLY COMPLETE ALL TRANSPORTATION IMPROVEMENTS BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

A. SUBSTANTIAL COMPLETION SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE STANDARDS SET FORTH HEREIN 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 WILL 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.

IV. ARCHITECTURAL STANDARDS

1. BUILDING HEIGHT SHALL BE LIMITED TO FOUR (4) STORIES FOR ALL BUILDINGS NOT OTHERWISE LABELED WITH "POTENTIAL 4/5 SPLIT." THE BUILDING LABELED AS POTENTIAL 4/5 SPLIT MAY CONTAIN UP TO FIVE (5) STORIES ON THE BACK PORTION OF THE BUILDING TO ACCOMMODATE FOR GRADE DIFFERENCES, SIMILAR TO A BASEMENT CONFIGURATION, BUT WILL APPEAR AS A FOUR (4) STORY BUILDING FROM THE ROADWAY.
2. MULTI-FAMILY BUILDINGS SHALL NOT BE MORE THAN FOUR HUNDRED (400) FEET IN LENGTH ALONG A RIGHT-OF-WAY.
3. FOR MULTI-FAMILY BUILDINGS OF 150 FEET IN LENGTH OR LONGER, FACADES SHALL BE DIVIDED INTO SHORTER SEGMENTS BY MEANS OF FAÇADE MODULATION OR MASS SEPARATION. SUCH MODULATION OR MASS SEPARATION SHALL OCCUR AT INTERVALS OF NO MORE THAN SIXTY (60) FEET.
4. ALL GROUND FLOOR ENTRANCES SHALL INCLUDE A DIRECT PEDESTRIAN CONNECTION BETWEEN STREET FACING DOORS TO ADJACENT SIDEWALKS.
5. VINYL SHALL BE A PROHIBITED BUILDING MATERIAL, EXCEPT FOR WINDOWS, TRIM, AND SOFFITS.
6. BAND OR STRIP-WINDOW FENESTRATION DESIGN SHALL BE PROHIBITED.
7. MULTI-FAMILY BUILDINGS SHALL CONTAIN A MINIMUM TRANSPARENCY OF 25% FOR ALL UPPER FLOORS.
8. SURFACE PARKING SHALL BE LOCATED TO THE SIDE OR REAR OF BUILDINGS.
9. ROOF OVERHANGS, EAVES, CORNICES, CHIMNEYS, GUTTERS, VENTS, BAY WINDOWS, PILASTERS, PILLARS, OPEN PORCHES (IF PROVIDED), AND OTHER ARCHITECTURAL ELEMENTS MAY PROJECT UP TO TWENTY-FOUR (24) INCHES INTO THE REQUIRED SETBACKS.
10. DUMPSTERS SHALL BE SCREENED FROM VIEW FROM ALL NETWORK REQUIRED STREETS.

V. STREETSCAPE AND LANDSCAPING

1. THE EXISTING PLANTING STRIP AND SIDEWALK SHALL REMAIN ALONG THE SITE'S FRONTAGE OF NORTH TRYON STREET. A MINIMUM EIGHT (8) FOOT WIDE PLANTING STRIP AND A MINIMUM EIGHT (8) FOOT WIDE SIDEWALK SHALL BE PROVIDED ALONG ALL PROPOSED INTERNAL STREETS ADJACENT TO MULTI-FAMILY BUILDINGS.
2. THE PETITIONER MAY SUBDIVIDE THE SITE AND CREATE LOTS WITHIN THE SITE WITH NO SIDE OR REAR YARDS AS PART OF A UNIFIED DEVELOPMENT PLAN.
3. PETITIONER SHALL PROVIDE A MINIMUM SETBACK OF AT LEAST SIXTEEN (16) FEET FROM THE EXISTING BACK OF CURB ON NORTH TRYON STREET. STOOPS AND STAIRS MAY ENCROACH THREE (3) FEET INTO THE SETBACK AS A "TRANSITION ZONE."

VI. ENVIRONMENTAL FEATURES

1. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORMWATER 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.

VII. OPEN SPACE

1. THE PETITIONER SHALL COMPLY WITH TREE SAVE REQUIREMENTS.
2. THE PETITIONER SHALL PROVIDE A MINIMUM OF 3,000 SQUARE FEET OF COMMON OPEN SPACE AREAS WITHIN THE SITE, AS GENERALLY DEPICTED ON THE REZONING PLAN, TO INCLUDE AMENITIZED AREAS WHICH MAY CONTAIN, BUT NOT BE LIMITED TO, LANDSCAPING, HARDSCAPING, BENCHES, GARDEN ARTWORK, POOLS, CLUBHOUSES, PET PARKS, AND/OR WALKING PATHS.

VIII. LIGHTING

1. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AS LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
2. THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED TWENTY-ONE (21) FEET.

IX. AMENDMENTS TO REZONING PLAN

FUTURE AMENDMENTS TO THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF A PARTICULAR TRACT WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

X. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.

THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

DESIGN RESOURCE GROUP

LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

O P W

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
704.343.0608
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NORTH CAROLINA PROFESSIONAL ENGINEERING CORPORATE SEAL C-95 C-2165 NCBELS DESIGN RESOURCE GROUP, P.A.

REZONING PETITION
FOR PUBLIC HEARING
2018-143

REZONING PLANS

NORTH TRYON STATION

CHARLOTTE, NORTH CAROLINA

LIV DEVELOPMENT
2204 LAKESHORE DRIVE, SUITE 450
BIRMINGHAM, AL 35209
205-484-2840

DEVELOPMENT STANDARDS

0

SCALE: NTS

PROJECT #:
DRAWN BY: SK
CHECKED BY: TH

FEBRUARY 20, 2019

REVISIONS:

RZ1.00

G:\2018PROJ\B17-001 LIV DEV N TRYON\DWG\RZ01 - BASE DRAWINGS\B-SP.DWG

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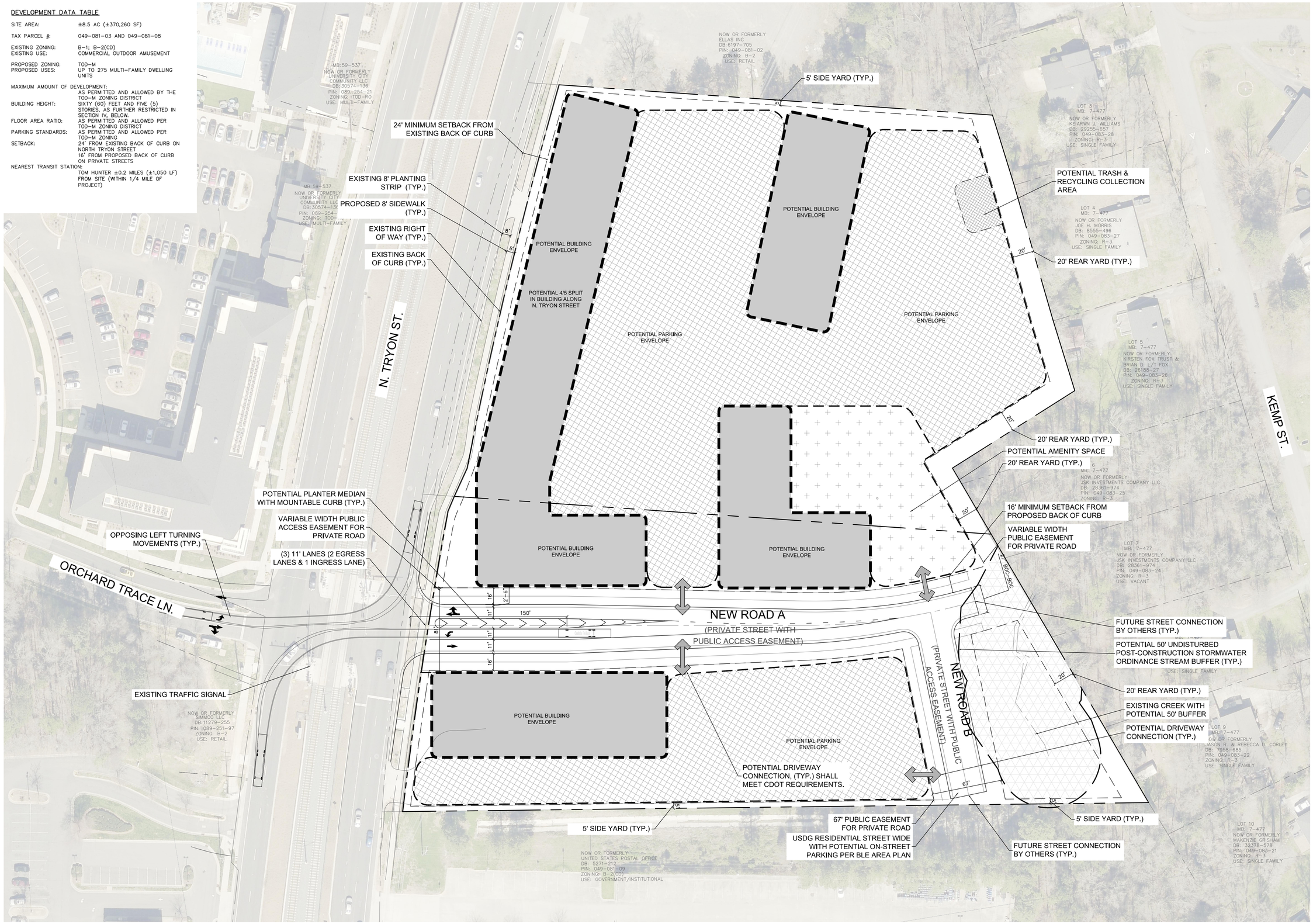

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2204 LAKESHORE DRIVE, SUITE 450
BIRMINGHAM, AL 35209
205-484-2840

PRELIMINARY SITE PLAN

20 0 20 40
SCALE: 1" = 40'

PROJECT #:
DRAWN BY: SK
CHECKED BY: TH

FEBRUARY 20, 2019

REVISIONS:

RZ2.00

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