

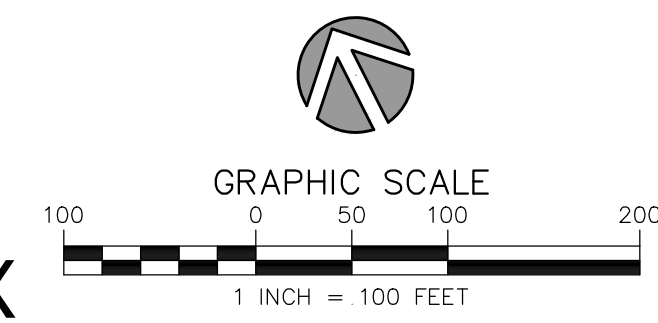
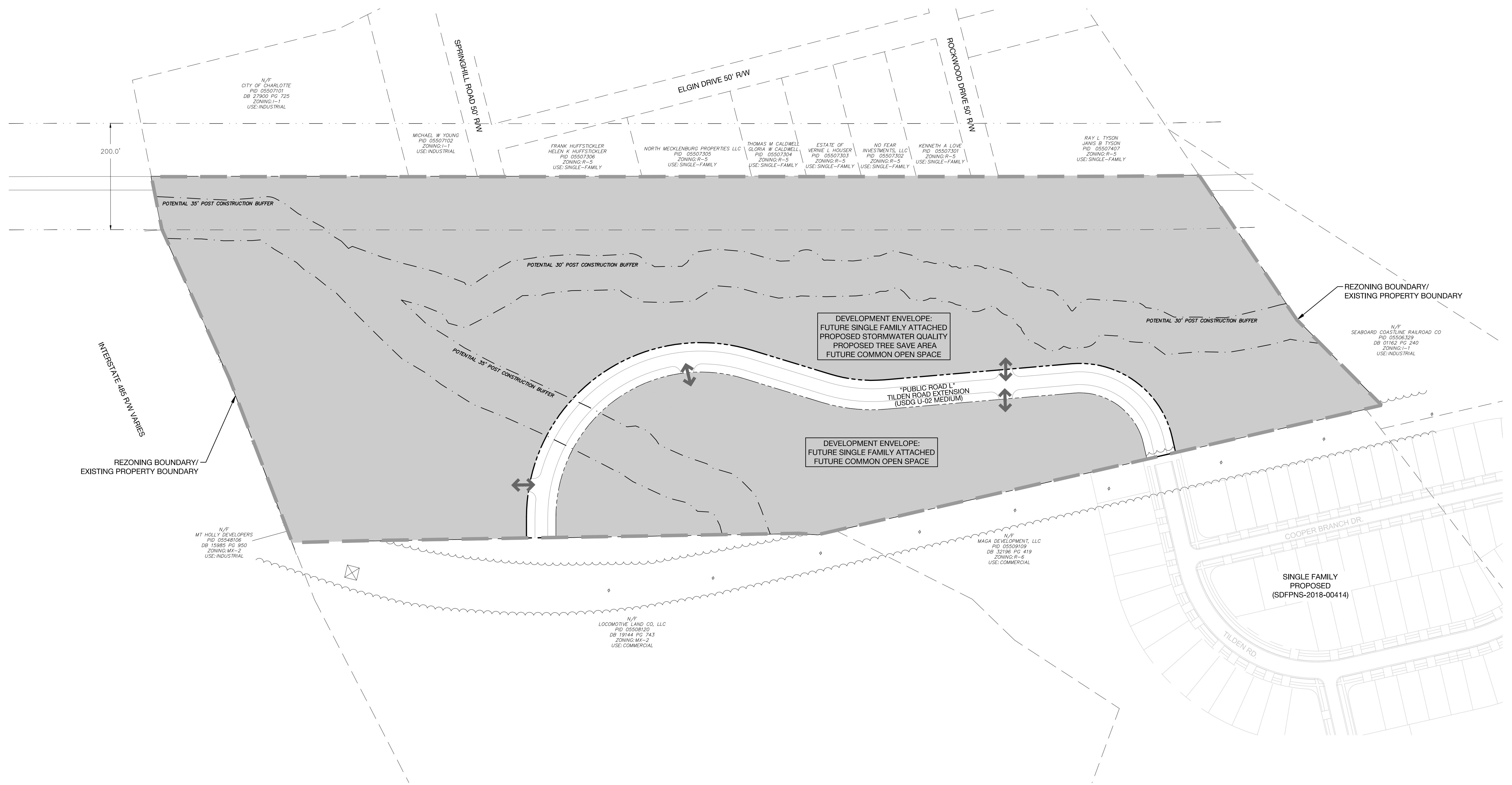
Moore's Chapel Holdings LLC

Moore's Chapel Townhomes
 Technical Data Sheet
 Charlotte, NC

NO.	DATE	BY	REVISIONS:

Project No: 19-012
 Date: 03.08.19
 Designed by: UDP
 Drawn By: UDP
 Sheet No:

RZ-1.0



REZONING PETITION #2019-XXX

DEVELOPMENT STANDARDS

Acreage: +/- 29.08 AC
Tax Parcel: 05548101 & 05548106
Existing Zoning: MX-2
Proposed Zoning: MX-2 SPA
Existing Uses: Vacant
Proposed Uses: Single Family Attached

Development Guidelines
Mt. Holly Developers LLC property at Mt. Holly Road and Rhyme Road

The following Standards and Conditions have been previously adopted for the entire site covered by Rezoning Petition 2005-150. These conditions shall remain in force, except as amended below, for all properties covered by the previous rezoning cases.

Legal Description

For the purposes of this Site Plan Amendment the only portion of the original Master Plan site plan included in this Amendment is Mecklenburg County Tax Parcel 05548101 and 05548106.

General Provisions

These development standards form a part of the Technical Data Sheet for the 'Rhyme Station mixed-use development' submitted by Mt. Holly Developers, LLC (this 'Technical Data Sheet'). Development of the property identified on this Technical Data Sheet (the 'property' or the 'site') and the individual components to be located thereon will be governed by the conditions of this Technical Data Sheet and those plans and drawings expressly incorporated herein by reference and the applicable provisions of the Mecklenburg County Zoning Ordinance (the 'Ordinance').

The development depicted on the illustrative site plan is schematic in nature and is intended only to describe the possible arrangement of uses on the site and illustrate design principals. Accordingly, the configuration, placement and size of the building footprints outlined on the illustrative site plan are schematic and, subject only to the provisions set forth below under architectural controls and restrictive covenants, may be altered or modified during design, development and construction phases within the maximum building/envelope lines established on the schematic site plan sheet.

Permitted Uses

The site may be developed for any uses (including accessory uses) which are permitted by right or under prescribed conditions under the Ordinance for the 1) Commercial Center (CC) district - with the exclusion of fast food restaurants, restaurants with drive through services, gas stations and convenience stores, 2) Business (B-2) district - limited to car dealerships and general retail and 3) Mixed-use (MX-2) district - non-residential uses shall not be permitted within the Mixed-use (MX-2) district.

The maximum square footage occupied by one single tenant is limited to and shall not exceed 140,000 square feet.

Building Limitations

- 1. No more than 306,400 square feet of retail/restaurant space may be constructed within the aggregate of the depicted building envelopes.
2. No more than 30,000 square feet of office space may be constructed within the aggregate of the depicted building envelopes.
3. No more than 150,000 square feet of automobile sales "car dealership" space may be constructed within the aggregate of the depicted building envelopes.
4. If a hotel/motel is constructed on the site, then it may contain no more than 100 rooms, together with any incidental or accessory uses permitted under the Ordinance which the petitioner may elect to provide for such facility.
5. For the Commercial Center (CC) zoning the maximum density per acre for residential uses shall be limited to 8.00 DUA and the maximum number of residential units shall be limited to 81 units.
6. Should fewer than 100 rooms be developed on the site, then additional office space may be developed on the site at the rate of 200 square feet of office space for each hotel room eliminated, up to a maximum of 20,000 additional square feet of office space.
7. No individual tenant shall occupy a single building or space for retail use of greater than 16,000 square feet along Private Road 'F'.
8. Petitioner agrees to accommodate and provide leaseable space at developers cost for the addition of a Charlotte-Mecklenburg police substation within the Commercial Center (CC) zoning area for a two year period following the commencement of construction.
9. As permitted under Chapter 11 of the Ordinance, single family residential dwelling units may be developed in conjunction with the Mixed-use (MX-2) district and shall adhere to the requirements established in Section 9.205.

Buffers

- 1. Buffer areas established on this Technical Data Sheet shall conform to the standards of Section 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304 thereof.
2. Buffer areas shall remain as open space, except to the extent necessary to accommodate access points, walls, fences, drainage pipes or channels, utility lines and facilities, pedestrian pathways and bicycle pathways.
3. No buildings, parking spaces, maneuvering areas or storm water detention facilities may be located within buffer areas, however, water quality/low impact development (LID) facilities, such as raingardens, may be within the buffers.
4. In all buffer areas where existing trees and natural vegetation have been cleared to accommodate walls, fences, pedestrian sidewalks or pathways or the installation of utility lines or facilities, the cleared, unimproved areas will be landscaped with trees and shrubs as required by Section 12.302 (8) of the Ordinance.
5. A 75 foot Class "B" buffer shall be maintained along the southern property line for the Commercial Center (CC) zoning. This buffer may be reduced by 25% per Section 12.302 (8) of the Ordinance.

Setbacks, Side Yards and Rear Yards

- 1. All buildings constructed within the site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the CC, B-2, and MX-2 zoning districts.
2. Internal private roads shall be designed with a minimum building and parking setback of fourteen (14) feet as measured from the back-of-curb with the exception of Private Road 'F' which shall have a minimum building and parking setback of ten (10) feet as measured from the back-of-curb.

Screening and Landscaping Areas

- 1. The owner shall install or cause to be installed within the setback areas established along Interstate 485 and Rhyme Road plants, trees and other materials in accordance with the Ordinance and shall thereafter maintain or cause to be maintained all such materials (including replacement of all dead or dying plants).
2. Defined areas of landscape clearing as depicted in TDS.2 shall be allowed along the western 50' landscape buffer of Interstate 485 to allow better vehicular visibility into the site. The owner shall install or cause to be installed within the cleared setback area established along Interstate 485 plants, trees and other materials in accordance with the Ordinance and shall thereafter maintain or cause to be maintained all such materials (including replacement of all dead or dying plants).

- 3. Landscape areas will be planted on the site to meet or exceed the requirements of the Ordinance.
4. Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.
5. Limited amount of clearing shall be allowed within the buffer/setback areas to promote the growth of existing vegetation and/or enhance the aesthetic appeal of the site.
6. Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a certificate issued by the Charlotte Department of Transportation.
7. All roof mounted mechanical equipment will be screened from view.
8. Petitioner shall exercise good faith efforts to preserve all trees 8 inches in caliper or greater within the setbacks along the roadways except to the extent that such preservation conflicts with the installation or replacement of utilities, driveway access and other similar site elements.
9. All buffers and setbacks shall be maintained by the owner as tree preservation areas that may be supplemented to enhance the appearance of the project.
10. All buffers and setbacks shall be maintained by the property owner as tree preservation areas that may be supplemented to enhance the appearance of the project.

Parking/Drive-through Facilities

- 1. Off street parking will meet the minimum standards established under the Ordinance.
2. All permitted drive-through facilities located on the site shall be subject to stacking requirements of the Ordinance.
3. Bike racks will be provided per Section 12.202a of the Ordinance.
4. Throughout the development, parking shall not be permitted between the buildings and internal private and public streets, with the exception of on-street parking.
5. Parking for proposed uses along Rhyme Road shall be located to the rear or side of the building and shall be screened from view when possible.

Lighting

- 1. Petitioner agrees to install pedestrian scale lighting along internal streets.
2. All direct lighting within the site (except streetlights which may be erected along Rhyme Road) shall be fully shielded and designed such that direct illumination does not extend past any exterior property line.
3. No wall pack light fixtures will be allowed on any structures placed on the site.

Signs

- 1. All signs placed on the site shall be ground mounted and will be erected in accordance with the requirements of Chapter 13 of the Ordinance.
2. Pole mounted signs will not be allowed, nor will flashing signs of any nature.
3. Temporary constructions signage can not be located within the required setback, and must be removed no later than 60 days following the receipt of the certificate of occupancy for the structure addressed by the signage.
4. Building identification signs within interior parking lots will be allowed at the walkway leading to the building at the point the walkway exits the parking lot.
5. Signage located within the Mixed-use (MX-2) district shall conform to Section 13.109 (1) of the Ordinance.
6. Signage located within the proposed Commercial Center (CC) and Business (B-2) district shall conform to Section 13.109 (4) of the Ordinance.

Access Points (Driveways)

- 1. The number of access points to Rhyme Road shall be limited to two (2) right-in/right-out access and three (3) full access.
2. The placement and configuration of these access points are subject to minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and the North Carolina Department of Transportation.
3. All proposed commercial driveway connections to a future public street shall require a driveway permit to be submitted to the Charlotte Department of Transportation for final review and approval.
4. All proposed trees, berms, walls, fences, and/or identification signs must not interfere with sight distance at the entrance(s).

Open Space

- 1. The common open space located along Rhyme Road 'Area 2' (as generally depicted on TDS.2) shall contain a minimum of 0.40 acres.
2. The petitioner reserves the right to utilize the open space to accommodate pedestrian walkways, bicycle pathways, sidewalks, grading, slopes, walls, fences, signs and graphics, lighting, drainage and utilities.
3. Common open space occupied or used for grading, slopes, walls, fences, signs, drainage and utilities shall not be counted toward the 10% useable common open space.
4. In common open space areas located outside of the "Catawba River/Lake Wylie Watershed District" the petitioner reserves the right for improvements to include sidewalks, playground (tot lot), pedestrian lighting, benches, tables and chairs, fountains, additional hardscape materials, trash receptacles and any other site amenity allowed by the Ordinance.
5. The petitioner commits to maintain a 15% tree save area with in the 200 foot "Catawba River/Lake Wylie Watershed District" buffer located within the multi-family (condominiums / apartments) property.

Architectural Controls and Restrictive Covenants

- 1. All buildings constructed on the site shall be architecturally compatible in appearance through the use of similar, as well as complementary building materials, colors and design (giving due considerations to the use of each building).
2. The first floor of all buildings shall be designed to encourage and complement pedestrian scale interest and activity.
3. If drive-through windows and services are included within the development, they must not compromise pedestrian circulation.
4. Buildings located within the development shall be designed to relate to the overall pedestrian environment. Buildings shall be designed to include transparent openings, ornamentation and architectural character and shall raise the standard level of the design to create a place of interest.

- 5. Buildings located with the development shall be oriented toward the street and shall create entrances with pedestrian interest.
6. Prior to issuance of building permits, the Charlotte-Mecklenburg Planning department shall have the opportunity to review the proposed plans against the approved conditional plans to assure compliance with design principals illustrated on the plans.
7. The scale and orientation of the townhomes, multi-family (condominiums / apartments) and office should complement the scale of the surrounding residential buildings if present.
8. Car dealerships shall be designed to respond to the pedestrian character of the development and shall be oriented toward Public Road 'H'.
9. Buildings constructed within building envelopes 4, 5, 7, 8, 12, 13 and 14 shall have windows that face Private Roads 'A', 'B', 'C', and 'F' and Public Road 'D' and shall avoid long expanses of solid walls, greater than 20 feet in length, through the introduction of articulated facades and other specifically designed architectural elements.
10. Trash and/or dumpster/compactor and recycling areas shall comply with Section 12.403 of the Charlotte-Mecklenburg Zoning Ordinance.

Storm Water Management

Storm water runoff from the site will be managed through proven techniques which satisfy the standards imposed by Mecklenburg County. No storm water detention shall be allowed within the setback along Rhyme Road and Interstate 485.

The petitioner shall abide by the S.W.I.M. stream buffer regulations where applicable.

The use of structural storm water treatment systems (wet ponds, extended detention wetlands, bio-retention, etc.) may be incorporated into the site and designed according to the specifications in the N.C. Department of Environment and Natural Resources best management practices manual, April 1999.

Fire Protection

Fire hydrants will be provided within the landscape setback areas as required by the Fire Marshall. For buildings accessed through screened parking lots, hydrants must be installed adjacent to the parking lot and easily accessible by fire fighting equipment.

Transportation Commitments

- 1. Petitioner shall improve Rhyme Road to include left-turn lanes into the proposed development.
2. The petitioner, its successors and assigns, agrees to undertake or caused to be undertaken the following roadway improvements in connection with development of the site in accordance with this petition:
a. Rhyme Road
Construct left-turn lane(s) on Rhyme Road with a minimum 150 feet of storage, a 15:1 bay taper and 45:1 through lane taper
b. Other.
Provide for a minimum of 150 feet of internal channelization (measured from the right-of-way) at the entrances to the site from Rhyme Road.
3. Petitioner to coordinate access point for Public Road 'D' onto Rhyme Road with the future alignment of the collector road west of Rhyme Road that was developed by the Charlotte-Mecklenburg Planning Commission.
4. Proposed Public and Private Roads and existing Public Road "K" as identified on the Technical Data Sheets shall be designed and constructed to conform to the Charlotte-Mecklenburg Land Development Standards (CMLDS) and to be subject to review by the Charlotte Department of Transportation prior to the issuance of building permits.
5. Petitioner shall preserve and dedicate right-of-way along Rhyme Road to accommodate a future 700 foot centerline radius, pending the recommendation and approval of the North Carolina Department of Transportation.
6. Petitioner reserves the right to declare Public Road 'I' as a Private Road in the event that parcel #053-01-131, directly to the west of Rhyme Road, redevelops and does not provide a public road connection at this intersection.
7. Petitioner, its successors and assigns, agrees to cooperate with the Charlotte Department of Transportation and the North Carolina Department of Transportation in connection with the timing of construction of roadway improvements to be undertaken by the petitioner, which shall be based upon the traffic impact associated with the proposed development as reflected in the petitioner's traffic impact study.

Sidewalks and Internal Streets

- 1. Petitioner shall install an 8 foot wide sidewalk with a minimum 8 foot wide planting strip parallel to the site's frontage on Rhyme Road and public and private roads located within the Commercial Center (CC) and Business (B-2)(CD) district.
2. As conceptually depicted on the schematic site plan, the petitioner shall install internal sidewalks on the site that will provide pedestrian connections between the various buildings located thereon and to the sidewalks installed along Rhyme Road.
3. Petitioner shall contact CSX Transportation and obtain right-of-entry access to the CSX property located along the northern property line.
4. Except where necessary to accommodate significant design and architectural elements located on the site, internal private roads shall be designed to have street trees and sidewalks a minimum of 8 feet in width provided that any deviation from the minimum 8 feet sidewalk width shall relate to pedestrian walk areas of an appropriate width included as part of the above described significant design features.
5. Sidewalks in the MX-2 portion of the site will be installed in accordance with the standards of the Subdivision Ordinance.

Development Phasing Provisions

In order to assure that the infrastructure that serves the area is adequate to serve the proposed development, the development of the site will be tied to the provision of specific infrastructure improvements. The provision of these improvements is not tied to specific calendar dates but rather serves as a limiting factor to the amount of development that can occur on the site. As specified below, certain levels of development will be permitted in conjunction with the provision of certain road improvements that have been designed to improve existing conditions and to accommodate the anticipated traffic impact that can be expected from the new development.

Phase One (A)

In conjunction with the provision of the improvements listed below, the Petitioner may develop up to 159,600 square feet of retail space, 16,530 square feet of restaurant space, a hotel, a car dealership, and 51 townhomes in the west sector of the development.

In connection with any such Phase One (A) development, the following improvements must be installed or contracted for prior to any development and the improvements will be installed in various portions of the site as those portions of the site develop prior to the issuance of any certificate of occupancy for development on that portion of the site.

- Petitioner commits to acquire and dedicate right-of-way for the design of the 2010 intersection configuration as defined in the Petitioner's traffic impact study at Mount Holly Road and Rhyme Road, to include the Cline property improvements, and consisting of the following:
o Rhyme Road (southern leg): dual southbound through lanes to extend from Mt. Holly Road to Driveway #3 with one dropping as a left-turn lane, dual northbound left-turn lanes, a northbound through lane, dual northbound right-turn lanes, and a median extending from Mount Holly Road to Driveway #3.
o Mount Holly Road: Dual westbound left-turn lanes.
o Relocation of railroad gates and traffic signal modifications.
• Petitioner commits to work in good faith with the Cline property (Charlotte rezoning petition 2003-088) to jointly design and fund the improvements at Mount Holly Road and Rhyme Road.

- Building permits will be issued when the construction contract is let for the above referenced intersection improvements for the southern leg of Rhyme Road at the Mount Holly Road and Rhyme Road intersection.
• Other site related construction except buildings may proceed prior to issuance of the intersection construction contract with applicable permits.

Mount Holly Road and Rhyme Road

- Install a northbound right-turn lane on Rhyme Road with 350 feet of effective storage.

Driveway #1 and Rhyme Road (Right-in/Right-out)

- Install a northbound right-turn lane on Rhyme Road with 150 feet of storage.

Driveway #2 and Rhyme Road (Right-in/Right-out)

- Install a northbound right-turn lane on Rhyme Road with 150 feet of storage.

Driveway #3 and Rhyme Road*

- Install a traffic signal when traffic signal warrant requirements are met.
- Install dual southbound left-turn lanes on Rhyme Road each with 300 feet of storage.
- Install an exclusive westbound right-turn lane on Driveway #3.

Driveway #4 and Rhyme Road

- Install a southbound left-turn lane on Rhyme Road with 150 feet of storage.

Driveway #5 and Rhyme Road

- Install a southbound left-turn lane on Rhyme Road with 150 feet of storage.
- Install a northbound left-turn lane on Rhyme Road with 150 feet of storage.

(The improvements related to specific driveways as listed above will be designed and installed as part of the permitting process for the specific driveway, unless some of the improvements have already been made as part of other infrastructure improvements called for in these provisions.)

Phase One (B)

In conjunction with the provision of the improvements listed below, the Petitioner may develop any combination of townhomes multi-family units (condominiums/ apartments) with the total units constructed not to exceed 373 units. The Petitioner may apply for building permits upon the letting of contracts for the improvements listed and may not receive certificates of occupancy for more than 50% of the proposed units until the specific improvements have been completed in connection with any such Phase One (B) development.

Moore's Chapel Road and Old Moore's Chapel Road

- Install an eastbound left-turn lane on Moore's Chapel Road with 150 feet of storage.
- Install a westbound left-turn lane on Moore's Chapel Road with 150 feet of storage.
- Install a southbound right-turn lane on Old Moore's Chapel Road with 150 feet of storage.

Phase Two

Once the conditions imposed under Phase One have been satisfied, the Petitioner may develop the remaining 58,082 square feet of retail space, 8-screen movie theater, a car dealership, 6,775 square feet of restaurant space, and 28,800 square feet of office space. In connection with any such Phase Two development, the following improvements must be installed or contracted for prior to any development and the improvements will be installed in various portions of the site as those portions of the site develop, reserving the Petitioner's right to install any or all improvements if it to do so would result in greater efficiency.

Mount Holly Road and Mount Holly-Huntersville Road

- Modify traffic signal phasing to have protected phasing on the westbound and southbound left-turn movements.
- Extend the westbound left-turn lane on Mount Holly Road by 135 feet.
- Extend the southbound left-turn lane on Mount Holly-Huntersville Road by 90 feet.

Mount Holly Road and Rhyme Road

- Addition of a westbound left-turn lane on Mount Holly Road with 225 feet of storage.

The Petitioner may seek the issuance of building permits if contracts have been let for the road improvements per the phasing of the development, as outlined above. Notwithstanding the specific transportation commitments outlined above, the Petitioner will be allowed to commence other overall site development design, permitting, and construction such as grading, storm drainage, utility installation, internal private driveway construction, public street improvements, and/or other similar activities at any time that relate to the development of the entire site and do not relate to the specific development of any specific individual site within the overall development, all in accordance with the conditions of the approved zoning and other applicable ordinances.

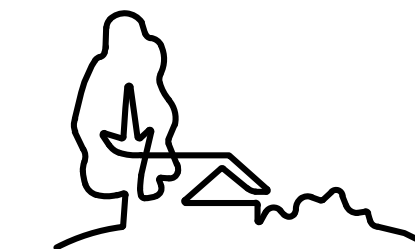
Amendments to Rezoning Plan

- 1. Future amendments to this Technical Data Sheet may be applied for by the then owner or owners of the site in accordance with the provisions of Chapter 6 of the Ordinance.

Binding Effect

- 1. If this rezoning petition is approved, all conditions applicable to development of the site imposed under this Technical Data Sheet 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 or assigns.

Initial submission: 2-15-19-1.1



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Moore's Chapel Holdings LLC

Moore's Chapel Townhomes

Development Notes & Standards
Charlotte, NC

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